



551 Hot Springs Blvd - Town Hall
Pagosa Springs, CO 81147

MINUTES

Planning Commission Meeting
May 26, 2020 @ 5:30 PM

A regular meeting of the Planning Commission was called to order on May 26, 2020, at 5:30 PM in the 551 Hot Springs Blvd - Town Hall.

COMMISSION PRESENT: Commissioner Adams, Commissioner Hurley, Commissioner Pitcher, Commissioner Hudson, and Commissioner Weiler

COMMISSION ABSENT: Commissioner Posey and Commissioner Sukcik

1 CALL MEETING TO ORDER – Link to join Webinar

<https://zoom.us/j/93327844534>

2 ANNOUNCEMENTS

- a) Chair Adams called meeting to order at 5:36 p.m. Chair Adams appointed Member Weiler and Member Hudson to voting members.

3

4 PUBLIC COMMENT – No public comment recieved

5 DESIGN REVIEW BOARD

a) Sketch Major Design Review application MDR 2020-07 - Taco Bell

Staff Schultz presented the staff report. Staff is encouraging applicant to consider native landscaping that is more compatible with Pagosa's harsh climate. Director Dickhoff added that there should be a directional island at the Aspen Village Drive access to avoid driver confusion. He noted that staff is requiring more details on how the drainage is being directed to the adequate detention facility on the west side of Aspen Village Drive.

John Gerdes is the engineer for this project, added that there is a private drainage easement that conveys to the private ditch and that he has a licensed landscaper hired for their project.

Member Hudson referenced the LUDC 6.7.3 regarding street corners. He asked if this commission would like to consider if every building in Aspen Villiage should have a parking lot. He noted that Aspen Village is not foot traffic friendly and does not meet the LUDC.

Member Weiler asked where the private run off area that runs through the center of this development is located. Director Dickhoff answered that there is a drainage easement that runs along the highway which is not currently functional and would need adequate maintenance for the drainage to properly convey to the detention facility. Member Pitcher noted that a few lots in Aspen Village do not connect to that facility and suggested the applicant look this lot's drainage. Mr. Gerdes asked if he can have a copy of the master drainage plan. Director Dickhoff said that he can get that information from the Association. Director Dickhoff addressed Member Hudson's previous comment to consider the LUDC and potentially reverse the plan. Mr. Gerdes stated the building is oriented this way to be more aesthetically pleasing and by not constructing the drive through lane adjacent to the sidewalk. Member Pitcher suggested a raised bed to buffer the corner.

Member Hudson expressed concern that the Commission is not addressing the LUDC. He believes the

mass amount of parking is an issue and thinks there should be an entrance to the building off of a sidewalk, which promotes more foot traffic. Member Pitcher expressed support for creating pedestrian friendly atmosphere and felt that a landscape buffer would be more friendly than walking across a drive through lane.

Chair Adams asked what the remainder of the northern lot is with the setbacks and developments. Director Dickhoff answered that the lot is essentially split in half and there is a minimum 40 foot setback from the highway per LUDC, and maybe 60 foot setback per the Aspen Village Master Association. Chair Adams asked if there are landscaping height requirements. Director Dickhoff answered that there are no height requirements but that the Commission can request the tree trunk diameter be larger.

Adams opened to public comment; no public comment; closed public comment.

Director Dickhoff encouraged the applicant to consider including an outdoor dining area.

Commissioner Hurley moved Move to approve the Sketch Major Design Review application for the proposed Taco Bell (Sketch MDR 2020-07) finding the application to generally be in compliance with the intent of the Land Use Development Code, and further directing the applicant to at least provide the following with their complete FINAL Design Review Application:

- A) Drainage report and plan that demonstrates storm water conveyance to an approved regional or on-site detention facility,
- B) Exterior building perspective view illustrations,
- C) A preliminary plat amendment demonstrating the new proposed property lines,
- D) Draft shared access agreements for both Cornerstone Drive and Aspen Village Drive points of access,
- E) Evidence the Masters Association has or is considering a revised Sign allocation for the newly formed lot,
- F) Landscaping plan that include a list of proposed plant species that thrive in Pagosa's growing climate,
- G) Provide landscape buffering along the sidewalk. Commissioner Weiler seconded.

Carried, Member Hudson opposed.

6 PLANNING COMMISSION

a) River Rock Estates PRELIMINARY Major Subdivision Application

Chair Adams invited Ryan Searle and Elizabeth Boone, applicant representatives to speak about the subdivision changes from the Sketch Plan. Ms. Boone noted the following changes: The access drive to be private, 20 foot wide maintained by HOA; 10 foot wide trail, 5 feet is rustic and 5 feet is paved.; and proposed trail connection that would occur adjacent to the bridge in the ROW in addition to southern access.

Director Dickhoff presented the staff report. Staff would like an environmental consultant to quantify and locate the wetlands in this region to encourage the protection of such. Staff's interpretation is that private drives are allowed and that the association must maintain the road. Staff needs more clarification on lots 9 and 10 if they are being filled. Applicant needs to insure connectivity to Apache Street. Member Hudson raised concerns with LUDC sections 7.2.1, 7.4.1, 7.3.5, 7.3.4, and 6.6.3 with the subdivision.

Member Hudson asked if the annexed the property with an already approved preliminary plan. Director Dickhoff said their consideration was based on a concept plan for the 10 original lots. He then added that the applicant needs to obtain permission to locate proposed utility pole. Member Pitcher asked if the sewer system is owned by the HOA or the Town. Mr. Searle answered that each lot would be pumping into that forced main. Ms. Boone added that it will be maintained by the HOA but in the future be designed to meet PAWSD standard. Member Pitcher asked are there any provisions in the HOA

documents or the language that protects the vegetation between the river and the trail easement. Mr. Searle's response was no. Director Dickhoff noted that the applicant still needs to draft an easement document.

Member Hudson asked if the subdivision aligns with zoning definition R-6. He also asked if the irrigation ditches are being redirected away from the pond and if that would kill the pond. Mr. Searle answered that the pond is fed by underground irrigation pipes. Chair Adams asked what the hard surface will be along the river. Director Dickhoff answered that the surface will be concrete. Chair Adams asked if there is no longer a gate at the entrance of this proposed subdivision. Mr. Searle confirmed there is not.

Chair Adams asked if the river walk is open to the public. Director Dickhoff confirmed. Member Hurley asked if the Town maintaining that trail. Director Dickhoff said that the sidewalk and trail should be Town owned and maintained. Chair Adams suggests that the sidewalk be wider than 5 foot due to Town growth. Director Dickhoff added that the landscaping is currently proposed in the county ROW and they either need to obtain permission from the county or move the landscaping onto their property. Ms. Boone said that lots 9 and 10 are the most complex and they wanted to show the grade of the driveway. Member Pitcher asked where the driveways begin based on the plan shown. Ms. Boone explained the owner is responsible of driveways past the "road cut" mark on map.

Chair Adams opened for public comment; no public comment; closed public comment

b) Discussion and Recommendations on Lagoon Property Master Planning Project

Director Dickhoff confirmed that Town Council made the selection to approve grants in the lagoon property project through a competitive bid process. The grant is from DOLA for \$25,000.

Commissioner Hurley moved

1. Move to approve a recommendation for Town Council to form a Steering Committee that contains one Planning Commission member to oversee and direct the work of the consultant selected for the Lagoon Property Master Planning Project, that regularly reports progress to the Town Planning Commission and Town Council.
2. Other optional motion as determined at meeting.

Commissioner Hudson seconded.

Carried.

c) Historic Preservation Board status

Director Dickhoff described the need for interim Historic Preservation Review authority and would like the Planning Commission to consider serving temporarily as that board. He added that Town is exploring options for board membership in compliance with our responsibility as a CLG. He added considering a Main Street Community that would provide a holistic approach including preservation. Member Hurley liked the Main Street Community idea from Highway 84 to 10th Street. Member Hudson would like to see an effort on keeping the HPB going and noted that he does not feel qualified to make those decisions. Member Hurley asked serving would require two addition members onto this board. Director Dickhoff was not able to confirm at this time. All members expressed support in taking on this interim responsibility.

Commissioner Pitcher moved

1. Motion to Approve a recommendation to Town Council to Approve the River Rock Estates PRELIMINARY Major Subdivision Application, finding the application to be in substantial compliance with the LUDC, and directing the applicant to proceed with the submittal of the Final Major Subdivision application consistent with all relative standards of the LUDC and requiring the applicant to provide the following:
 - a. Draft Subdivision plat shall include all historically recorded easements,
 - b. Draft property association's Code, Covenants and Restrictions (CC&R's),

- c. Pedestrian crossing facilities at Apache Street,
- d. An illumination plan addressing street lighting (and sidewalk lighting if determined),
- e. Evidence of utility service being available from each utility provider,
- f. Engineers estimate of all public improvements and estimate of common property (association owned) improvements,
- g. Cross sectional view of proposed shared side lot line easement for utility installations,
- h. Verification from Archuleta County regarding County Road 119 access approval and landscaping placement within ROW,
- i. Verification from Archuleta County regarding proposed utility line installations within their jurisdiction and ROW,
- j. Verification from Fire Department on hydrant locations,
- k. The southern boundary trail easement shall be noted as twenty feet in width and the setback distance should be adjusted accordingly,
- l. Dedication of sidewalk to the Town (or association),
- m. Revised landscaping plan to include street trees.
- n. Include vegetation protection provision for the river walk in trail easement description,
- o. Provide NRCS pond agreement,
- p. Provide trail connectivity adjacent to the southern access of Light Plant road utilizing road grade,
- q. Provide engineered wetlands delineation report for the property.

Commissioner Weiler seconded.

Carried.

7 APPROVAL OF MINUTES

- a) **Approval of the April 14, 2020 Meeting Minutes.**
- b) **Approval of the April 28, 2020 Meeting Minutes.**
- c) **Approval of the May 12, 2020 Meeting Minutes.**

8 REPORTS AND COMMENTS

- a) Food truck loan program; COVID business updates; Upcoming developments webpage; New zoning maps
- b) **Planning Commission - Comments, Ideas and Discussion**
- c) **Upcoming Town Meeting Schedule**

9 PUBLIC COMMENT

- a) Chair Adams opened for comment.

Deni Blaisch, citizen and local business owner, asked about the status of TUP updates. Director Dickhoff answered that staff have been flexible TUP permits and will bring back LUDC revisions. Ms. Blaisch asked how to get Appendix Q of the IBC adopted. Chair Adams added that this would be part of the building department, not planning. Ms. Blaisch asked what could be done about City Markets trash flying into her neighborhood. Director Dickhoff added that we will include this as part of our periodic outreach.

10 ADJOURNMENT

Commissioner Weiler moved Adjured at 9:01 p.m.Commissioner Pitcher seconded.

Carried.