



Archuleta County Development Services Department
ARCHULETA COUNTY PLANNING COMMISSION MINUTES

Archuleta County Planning Commission Minutes, Regular Meeting August 22, 2018

The Archuleta County Planning Commission held a meeting on Wednesday, August 22, 2018, at 6:00 PM at the Archuleta County Commissioners Meeting Room, 398 Lewis Street, Pagosa Springs, Colorado. Chairman Frederick called the meeting to order at 6:01pm.

Commissioners in attendance:

Michael Frederick, David Parker, Anita Hooton, Betty Shahan, and Lisa Jensen.

Staff in Attendance:

John Shepard, AICP; Planning Manager. Sherrie Vick, Planning Technician

Public in Attendance:

Avery Scott Martinez, Gary Devloo, Duke Eggleston

Consent:

Minutes for the August 8, 2018 meeting.

Commissioner Hooton made a motion to approve the minutes as written. Commissioner Jensen seconded. Vote 5-0 aye.

Old Business:

Continued Consideration of Resolution 2018-04PC Approving The BWD Office & Contractor's Yard Conditional Use Permit

Request to consider and approve a Planning Commission Resolution stating Findings and Conditions of Approval of the BWD Office & Contractor's Yard CUP for Tract C of Ridgeview Subdivision, at 597 Navajo Trail. CUP approved at public hearing on July 25, 2018. Continued from meeting of 8/8/18. Mr. Shepard pointed out the only change in the resolution was to clarify that BWD was acting as Applicant on behalf of OGI Real Estates Holdings LLC, the property owner.

Conditions include:

1. Tract C shall not be divided or sold separately unless approved by review of the Board of County Commissioners.
2. Revise the Site Plan to show screening fence, a minimum of 15% landscaped area, parking lot landscaping and parking lot striping including ADA space(s), and Sight Distance Triangles at driveways and the corner of Bastille and Navajo Trail Drive.
3. Revise the Site Plan to show all recorded easements on the property.
4. Outdoor lighting shall be in conformance with Section 5.4.4 of the Land Use Regulations.
5. After construction, the applicant shall submit to the Engineering Department a signed and sealed letter from the engineer (Riverbend Engineering) that drainage and detention basin was built according to plans.

Chairman Frederick asked if there was discussion needed. Hearing none, the Chair asked for a motion.

Commissioner Hooton made the motion to approve the Resolution 2018-04PC as drafted by staff. Commissioner Jensen seconded. Vote 5-0 aye.

New Business:

Pagosa in the Pines Amendment 2018-01 Final Plat, a replat and easement vacation of Lots 27, 28, 29, 31 & 32, Block 4 (PLN18-128)

Gary Devloo of Pagosa Springs and David Bouquet of Spring, TX, have applied for final plat approval of the Pagosa in the Pines Amendment 2018-01, a replat and easement vacation of Lots 27, 28, 29, 31 & 32, Block 4 of Pagosa in the Pines subdivision, creating Lots 27Z (601 Handicap Ave) and 31Z (152 Carlee Pl) (PLN18-128). The property is owned by the Gary H. Devloo Living Trust and David Bouquet, zoned Planned Unit Development (PUD) R-1-90.

Pagosa in the Pines subdivision was approved in 1970, and is within the Pagosa Lakes Property Owners Association (PLPOA). The proposal will consolidate Lots 27, 28 and 29 on Handicap Ave (Devloo home site), split Lot 32 and incorporate ½ with Devloo home site on Handicap and ½ with Bouquet home site (Lot 31) on Carlee Place, and vacate certain unused utility easements noted on the amended plat.

The *Archuleta County Community Plan of 2001*, Future Land Use Map, designates this area for High Density Residential development. Pagosa in the Pines, along with most of the property within PLPOA, is zoned Planned Unit Development (PUD). These lots are designated R-1-90 land use. Resulting lots will be larger than existing lots. The proposed plat is also within the Airport Overlay District, and an Avigation Easement will be necessary prior to recording the final plat.

Sec 5.2.3.1(1) restricts building on slopes greater than or equal to 20% slopes, and there appear to be steep slopes on this site, which is a good justification for reducing the number of buildable lots. However, detailed topography is not necessarily required to be identified on an Amended Plat. Review comments received include:

- The Deputy County Surveyor had technical comments on the plat (7/28/18), and the Applicant's surveyor has updated the proposed final plat (8/6/2018).
- County Engineering had no issues on Sketch Plan Review.
- LPEA reviewed and approved the proposed utility easement vacation.
- Pagosa Fire Protection District and the Town of Pagosa Springs had no objection.
- PLPOA stated no concerns.

Staff comments include:

- Land use designations (i.e. R-1-90) should be noted on any plat in the PUD zone.
- Sec 5.1.3.4 states: "Side lot lines shall be substantially at right angles or radial to road right-of-way lines."

The County Clerk & Recorder has suggested that certifications on final plats be revised as required by Section 4.4.2.2 to better reflect the approval process, especially with delays between Board approval and recordation while signatures are collected on the Mylar copy of the final plat.

RECOMMENDATION AND FINDINGS

Based on evidence provided, staff recommended the Planning Commission find that:

- a. The application does meet the review criteria for development in the Planned Unit Development (PUD) district, in Section 3.1 of the *Archuleta County Land Use Regulations*, and
- b. The application does meet the review criteria for an Amended Plat, in Section 4.6 of the *Archuleta County Land Use Regulations*, and

That the Planning Commission recommend approval of the **Devloo/Bouquet request** for final plat approval of the **Pagosa in the Pines Amendment 2018-01**, a replat and easement vacation of Lots 27, 28, 29, 31 & 32, Block 4 of Pagosa in the Pines subdivision, creating Lots 27Z (601 Handicap Ave) and 31Z (152 Carlee Pl), with the following conditions:

1. Note R-1-90 land use designations on the plat.
2. Update Planning Commission and Board certification signature blocks.
3. Avigation Easements will be recorded concurrently with the Mylar plat.

Commissioner Shahan asked about the slope of the lot. Mr. Shepard explained that the lot being split appeared to be about 20% slopes and having it split between the two existing home owners is a good solution. Chairman Frederick asked if there were any other question for Mr. Shepard. Hearing none the chair asked Mr. Devloo for comment.

Mr. Devloo stated that the primary goal of the plat amendment was to protect the view and the slope is too steep to do anything with. Chairman Frederick asked if there were any more questions, hearing none the chair asked for a motion.

Commissioner Shahan made the motion to recommend Approval to the Board of County Commissioners, of the Pagosa in the Pines Amendment 2018-01 Final Plat, with Findings A and B and Conditions #1-3 of the staff report and an additional condition #4 that the "to be" before vacant to be eliminated on the plat. Vote 5-0 aye.

Mr. Shepard stated this plat would go be for the Board on September 4th.

Lake Pagosa Park Amendment 2018-01 MLLA Final Plat, a Replat of Lots 1 and 2, block 17 (PLN18-134)

Johnny W. Griffin has applied for final plat approval for the Lake Pagosa Park Amendment 2018-01 MLLA, a replat of Lots 1 and 2, block 17, Lake Pagosa Park, creating Lots 1Z and 2Z at 28 Sierra Ct., Pagosa Springs (PLN18-134). This application is concurrent with a request for Variance from a 50' lakeside setback, to permit a deck built approximately 20' from Lake Pagosa and 14' from the rear lot line in a Planned Unit Development (PUD) zone, which updates a Variance approved in 2015. The lots are owned by Johnny W. Griffin and Jackie L. Griffin.

Lake Pagosa Park Subdivision was approved in 1970, and is within the Pagosa Lakes Property Owners Association (PLPOA). Applicant's home on Lot 2 was built in 2015, with Variance from Front and Rear/Lakeside setbacks; however, the contractor built an uncovered deck that was not shown on the approved Site Plan/Proposed Improvement Location Certificate. Applicant recently purchased Lot 1 of Block 17, a vacant parcel on the corner of County Rd 600 and Cloud Cap Ave. where multi-family development would be allowed, and would like to provide more room between the home and the adjacent lot along Sierra Ct.

The *Archuleta County Community Plan* of 2001, Future Land Use Map, designates this area for High Density Residential development. Lake Pagosa Park, along with most of the property within PLPOA, is zoned Planned Unit Development (PUD). Lot 1 is designated R-3 Multiple-Family Residential land use with a minimum lot size of 17,000 square feet. Lot 2 is designated R-2 Duplex or Two-Family Residential with a minimum lot size of 9,000 square feet and no lot shall be made smaller. The proposed plat is also within the Airport Overlay District, and an Avigation Easement will be necessary prior to recording the final plat.

Applicants are not proposing to vacate the existing utility easement between Lots 1 & 2. During review of the 2015 Variance request, SourceGas (now Black Hills Energy) expressed concerns with the driveway encroaching on gas lines in this utility easement. The Board of Adjustment approved plans to vary 6.3' from the Front yard setback and 25.2' from the high-water line setback, with the condition that "The driveway may not encroach on the 5' side utility easement." However, the driveway was built and does not encroach on that utility easement.

Request for review was combined for the MLLA and Lakeside Variance. Review comments received include:

- The County Surveyor had technical comments on the plat (8/04/18). Applicant's surveyor revised the plat to address these comments (8/15/18).
- County Engineering had concerns with necessary frontage on Sierra Ct. for future multifamily development, since access would not be permitted on County Rd 600 nor Cloud Cap Avenue.
- County Engineering noted drainage concerns on this lot, for future development. Drainage from the Cloman area enters Lake Pagosa across the north portion of Lot 1.
- LPEA had no objections. No other utilities had responded at the time of preparation of this staff report.
- Pagosa Fire Protection District stated no objections
- PLPOA stated no concerns.

Staff comments include:

- Correct "Piedra Road" to "County Rd 600".
- Sec 5.1.3.4 states: "Side lot lines shall be substantially at right angles or radial to road right-of-way lines."

The County Clerk & Recorder has suggested that certifications on final plats be revised as required by Section 4.4.2.2 to better reflect the approval process, especially with delays between Board approval and recordation while signatures are collected on the Mylar copy of the final plat.

RECOMMENDATION AND FINDINGS

Based on evidence provided, staff recommended the Planning Commission find that:

- a. The application does meet the review criteria for development in the Planned Unit Development (PUD) district, in Section 3.1 of the *Archuleta County Land Use Regulations*, and
- b. The application does meet the review criteria for an Amended Plat, in Section 4.6 of the *Archuleta County Land Use Regulations*, and

That the Planning Commission recommend approval of the **Griffin request** for final plat approval of the **Lake Pagosa Park Amendment 2018-01 Minor Lot Line Adjustment (MLLA)**, a replat of Lots 1 & 2, Block 17, creating Lots 1Z and 2Z at 28 Sierra Ct. (PLN18-134), with the following conditions:

1. Lot 1Z shall have a minimum of 87' lot frontage on Sierra Ct., as required by the *Archuleta County Road & Bridge Design Standards*.
2. Correct name of County Rd 600.
3. Update Planning Commission and Board certification signature blocks.
4. An Avigation Easement for Lot 1Z will be recorded concurrently with the Mylar plat.

Chairman Frederick asked about the drainage concern along County Rd 600. Mr. Shepard explained that County Engineering did not require a drainage study but noted that the drainage would need to be addressed in the future. This area is where the Cloman Blvd drainage comes along County Rd 600 and through the property to Lake Pagosa. There was discussion on having a plat note so the drainage issue would be addressed in the future.

Chairman Frederick asked if there were any other question. Hearing none he asked Mr. Eggleston, the applicant's representative, for comments. Mr. Eggleston had no additional comments.

The Chair then suggested that a condition be made to have the drainage issue addressed on the plat. There was discussion about adding a condition #5 that would read that County Engineer recommend an appropriate drainage

easement on the plat. The Chair asked Mr. Eggleston if he had any objections. There was discussion regarding the condition and the historic drainage and how to address the issue.

Commissioner Hooton made motion to recommend Approval to the Board of County Commissioners, of the Lake Pagosa Park Amendment 2018-01 MLLA Final Plat, with Findings A and B and Conditions #1-#4 of the staff report, and Condition #5 added as a note on the plat reading "When lot 1Z is developed, the applicant shall submit a drainage report of the historic and developed run off to the Archuleta County Engineering Department." Seconded by Commissioner Jensen. Vote 5-0 aye.

Mr. Shepard stated this will be on the Board meeting September 18th.

Reports and Announcements:

General Review Of Archuleta County Land Use Regulations

The Planning Commission has undertaken general discussion of Subdivision Regulations and related provisions in the Land Use Regulations. Discussion for the meeting included how to bring the Road and Bridge Standards and the Subdivision regulations into harmony.

Mr. Shepard also updated the Planning Commission on the follow projects.

- BP Cox Well Special Exception—the Board denied the project.
- Variance form PLPOA height restriction on a 2 story home.
- Vacation Rentals waiting list 33 people on the list so far. Fact sheet on website. The town is having discussions on their Vacation Rental regulations.
- Terms for service of Commissioner Hooton and Parker will be up on November 1, 2018.

Mr. Shepard brought to the Commission's attention that he would be at FEMA training the week of the September 26th meeting and since there were no projects in process for that meeting, then the October 10th meeting could be used for projects if any were submitted in time. Also, the October 24 meeting could be used for project review or discussion of the regulations. It was agreed that the September 26th meeting would be cancelled.

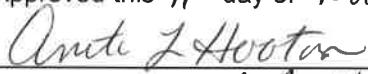
Next Meeting:

October 10, 2018

Adjourn: Commissioner Jensen moved to adjourn the meeting at 7:44 PM, Commissioner Shahan seconded. Vote 5-0 aye.



Sherrie Vick
Planning Technician

Approved this *14th* day of *Nov.*, 2018


~~Michael Frederick~~ *Anita Hooton*
Chairman