



Archuleta County
Development Services—Planning Department
1122 HWY 84
P. O. Box 1507
Pagosa Springs, Colorado 81147
970-264-1390
Fax 970-264-3338

MEMORANDUM

TO: Archuleta County Board of County Commissioners

FROM: John C. Shepard, AICP; Planning Manager

DATE: August 6, 2019

RE: San Juan River Village Metro District request for the San Juan River Resort Unit No. 2 Amendment 2019-01 Final Plat, a replat of Lots 1-15, 66-68 & a portion of Alpine Dr. (PLN19-287)

EXECUTIVE SUMMARY

Cynthia Purcell, San Juan River Village Metropolitan District, has applied for final plat approval of the San Juan River Resort Unit No. 2 Amendment 2019-01, a replat of Lots 1-15 and 66-68, and the teardrop outlot on HWY 160, and vacating an unbuilt portion of Alpine Drive, creating Lots 180-184, and relocating unused access and utility easements (PLN19-287). The property at 734 Alpine Dr. and 16 Monkshood Dr., Pagosa Springs, is zoned county Residential (R).

The Metro District has also applied for a concurrent Board Conditional Use Permit (CUP) bringing the Public Utility pre-existing non-conforming status up to date (PLN19-288).

At their meeting on July 24, 2019, the Planning Commission recommended conditional approval.

REVIEW PROCEDURE

Section 4.6 of the *Archuleta County Land Use Regulations* provides for Plat Amendments, including re-platting, through the subdivision review process outlined in Section 4.1. For a Major Subdivision, resulting in four (4) or more parcels, typically Planning Commission a Preliminary Plan after Sketch Plan review by staff. In this case, since the proposal results in many fewer lots than vested rights permit, the Planning Manager waived Preliminary Plan as provided in Section 4.6.4.3.

For the Final Plat, Planning Commission makes a recommendation, with final approval by the Board of County Commissioners in a public hearing. Section 4.6.5 provides for vacation of right-of-way and easements. Applicant completed Sketch Plan Review on March 12, 2019.

DISCUSSION

San Juan River Resort Subdivision Unit No. 2 (below Hwy 160) was approved by the Board of County Commissioners in 1970, with amendments recorded later in 1970 and 1972. San Juan River Village Metro District maintains roads and provides domestic water and sewer service.

This proposal was prompted by the Metro District's plans to build a new Shop building near the Hwy 160 west entrance. The Amended Plat vacates unbuilt Alpine Drive near the existing lagoons and re-aligns right-of-way where the roads as built meander onto building lots; re-configures four existing building lots above the steep slope down to the river, and consolidates the rest of the lots to be retained by the Metro District, adjusting pedestrian right-of-way and utility easements at the same time.

The *Archuleta County Community Plan* of 2001, Future Land Use Map, designates this area for High Density Residential development. San Juan River Resort Unit 1 (above Hwy 160) and Unit 2 (below Hwy 160) are zoned Residential (R), with water and sewer available to most lots by the San Juan River Village Metro District. The Residential (R) zone has the smallest minimum lot size, only 8,000 square feet, with 10' setbacks (as amended in May 2019).

Criteria for an Amended Plat is specified in Section 4.6 of the Land Use Regulations. Section 4.6.4.1 specifies that Staff review the plan for conformance with the Community Plan, the Land Use Regulations, and other adopted County policies and ordinances. Section 4.6.5 provides for Right-of-Way and Easement Vacation, in conformance with state law. Specifically:

1. Approval to vacate a right-of-way must not leave any land without an established public road or private access easement,
2. The vacation must provide a public benefit,
3. The recommendation of referral agencies have been considered.

Since the San Juan River floodplain encroaches on the area of the Amended Plat, a Floodplain Permit is also necessary to document this approval, as required in Section 10.3 of the land use regulations. The Special Flood Hazard Area, including 100-year floodplain and floodway, is shown on the revised Amended Plat (6/28/19).

Review comments received at Sketch Plan, and Final Plat/CUP (combined) review include:

- The Deputy County Surveyor had technical comments on the amended plat which has been revised and corrected (6/28/19).
- County Engineering had no objections on Final Plat/CUP.
- LPEA requested a 20'-wide easement for electric lines shown on the plat (rev. 6/28/19).
- Joe Crabb, Lead Water Commission, Division 7 CO Division of Water Resources, noted per CRS 37-86-102, water right holders in an irrigation ditch have a prescribed easement (shown on Final Plat 6/28/19)
- Pagosa Fire Protection District had no objections.
- San Juan River Village Property Owners Association has reviewed both applications.
- While CDOT offered no concerns at Sketch Plan Review of the plat, an Access Permit application will be required with Final Plat approval of the Amended Plat (even though approved development density is being significantly reduced). Both of the existing Alpine Drive access points onto US HWY 160 pre-date the CDOT access permit process. The Metro District has initiated the Access Review process with CDOT Durango office.

The previous County Clerk & Recorder asked that final plats have separate blocks for Board Certification (final plat public hearing) and Approval to Record (date mylar is ready to record), as required by Section 4 Subdivision Regulations. See attached Certification text (5/07/18).

On July 24, 2019, staff presented the application to the Planning Commission during a public meeting. After consideration, the Planning Commission then voted 4-0 to recommend approval with conditions suggested by staff:

1. Revise Plat as noted by Deputy County Surveyor and staff.
2. Applicant shall complete a Floodplain Development Permit.
3. Applicant shall address CDOT's Access Permit requirements under Sec 5.3.3.

Deputy County Surveyor Dave Murrey confirmed the plat was revised as necessary, completing Condition #1.

RECOMMENDATION AND FINDINGS

Based on evidence provided, if the Applicants have met the goals and objectives of the Land Use Regulations, then **the Board of County Commissioners would find that:**

- A. The application does meet the review criteria for development in the county Residential (R) 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 Board approve the **SJRV Metro District** request for final plat approval of the **San Juan River Resort Unit No. 2 Amendment 2019-01 Final Plat**, a replat of Lots 1-15, 66-68 & a portion of Alpine Dr. (PLN19-287), with the following conditions:

1. Applicant shall complete a Floodplain Development Permit under Sec. 10.3.2.4.
2. Applicant shall address CDOT's Access Permit requirements under Sec. 5.3.3.

PROPOSED MOTION

I move to approve the San Juan River Resort Unit No. 2 Amendment 2019-01, with Findings A and B and Conditions #1-2 of the staff report.

ATTACHMENTS.

- Attachment 1: Area Maps
- Attachment 2: Review Comments and Plat Certifications
- Attachment 3: Applicant Narrative
- Attachment 4: Proposed Amended Plat (6/28/19)