



Archuleta County Development Services Department
ARCHULETA COUNTY PLANNING COMMISSION MINUTES

Archuleta County Planning Commission Minutes, Regular Meeting July 24, 2019

The Archuleta County Planning Commission held a meeting on Wednesday, July 24, 2019, at 6:00 PM at the Archuleta County Commissioners Meeting Room, 398 Lewis Street, Pagosa Springs, Colorado. Vice Chair Hooton called the meeting to order at 6:00pm.

Commissioners in attendance:

David Parker, Lisa Jensen, Anita Hooton, Betty Shahan.

Staff in Attendance:

John Shepard, AICP, Planning Manager; and Flora Goheen, Planning Technician

Public in Attendance:

John Finefrock - The Pagosa Sun; Chris Smith, Cynthia Purcell, Kyle Wiggers.

Consent:

Minutes for the June 26, 2019 meeting.

Commissioner Parker moved to approve the minutes as amended. Commissioner Jensen second. Vote 2-0 aye.

New Business:

Election Of Officers

Article IV Officers, Section 1. of the Archuleta County Planning Commission *Rules and Bylaws* (Adopted March 28, 2012) provides for election of Officers. Chairman Michael Frederick resigned, effective July 1, 2019. Vice-Chair Anita Hooton assumes the duties of the Chair in his absence. Vice Chair Hooton continued Election of Officers to August 14, 2019, meeting.

Public Hearing Of 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)

Cynthia Purcell, San Juan River Village Metropolitan District, 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 also applied for a concurrent Board Conditional Use Permit (CUP) bringing the Public Utility pre-existing non-conforming status up to date (PLN19-288).

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.

Staff recommended that the Planning Commission 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 Planning Commission recommend approval of 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. 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.

Commissioner Parker moved to recommend approval to the Board of County Commissioners, of the San Juan River Resort Unit No. 2 Amendment 2019-01, with Findings A and B and Conditions #1-3 of the staff report. Commissioner Shahan seconded. 4-0 Aye.

Public Hearing Of San Juan River Village Metro District Conditional Use Permit (CUP) On Lot 10, San Juan River Resort Unit 2, At 578 Alpine Dr. (PLN19-288)

Cynthia Purcell, San Juan River Village Metropolitan District, applied for the SJRV Metro District Conditional Use Permit (CUP), on Lot 10, San Juan River Resort Unit 2; with a concurrent application for final plat approval of the San Juan River Resort Unit 2 Amendment 2019-01 re-plat, to be known as Lot 184. The proposal covers the preexisting non-conforming Public Utility use and to add a new Shop building for the use of storage and meetings (PLN19-288). The property at 578 Alpine Dr., Pagosa Springs, is zoned county Residential (R).

Since a Public Utility project is not a Commercial or Industrial-type development, many of the typical Development Standards in Section 5 may not (or may only partially) apply.

- A Drainage Study may be required prior to application for a building permit (Sec 5.3.4).
- Vision Clearance Area is required at the Shop driveway (Sec 5.4.7).

Staff recommended the Planning Commission find that:

- A. The application does meet the review criteria for a Conditional Use Permit in Section 3.2.3.4 of the *Archuleta County Land Use Regulations*, and
- B. The application does meet the required findings for a Conditional Use Permit in Section 3.2.3.5 of the *Archuleta County Land Use Regulations*, and

That the Planning Commission recommend approval of the request for the San Juan River Village Metro District request for the SJRV Metro District Conditional Use Permit (CUP) on Lot 10, San Juan River Resort Unit 2, at 578 Alpine Dr. (PLN19-288), with the following conditions:

1. Applicant shall update the PILC as a simple site plan showing Development Standards in Section 5 of the Land Use Regulations, for approval by Planning and Engineering staff.

Commissioner Parker moved to recommend approval to the Board of County Commissioners, of the request for the San Juan River Village Metro District Conditional Use Permit, with the Findings A and B, and condition #1 of the Staff Report. Commissioner Jensen seconded. 4-0 aye.

Public Hearing Of Integrity Industrial Building Conditional Use Permit (CUP) On Parcel 222 Ridgeview Subdivision Amendment 2017-01, At 543 Navajo Trail Dr. (PLN19-299)

Chris Smith, Integrity Industrial Park LLC, has applied for the Integrity Industrial Building Conditional Use Permit (CUP), on Parcel 222 Ridgeview Subdivision Amendment 2017-01. The proposal will permit a new multi-tenant Light Industrial/Commercial (Mixed Use) building (PLN19-299) at 543 Navajo Trail Dr., Pagosa Springs, CO, owned by Bykota REI, LLC, and zoned Planned Unit Development (PUD).

Archuleta County Land Use Regulations Section 3.1.6 Planned Unit Development (PUD) provides standards for the PUD district, a type of customized zoning district and subdivision. When countywide zoning was adopted in 2006, certain areas with pre-existing covenant controls were zoned PUD, with the Covenants, Codes & Restrictions in place at the time serving as the Development Plan. Mixed Use is listed in Table 3 as a Conditional use in a Commercial zone—Table 3 has been used previously to determine appropriate review process in this PUD zone.

Table 3 of the *Archuleta County Land Use Regulations* includes a general Mixed Use land use in the OTHER category, along with Light Industrial, Building Contractors, Vehicle Major Repair, and Warehouse, all as Conditional Uses in a Commercial (C) zone.

- **Industrial, Light:** Uses engaged in the manufacturing, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales or distribution of such products. Further, light industrial shall mean uses such as the manufacture of electronic instruments, preparation of food products (except typical retail grocery food preparation), micro-brewery producing less than 15,000 barrels annually, pharmaceutical manufacturing, research and scientific laboratories, or the like, conducted entirely indoors.
- **Mixed Use Development:** The development of a lot, building, or structure with two (2) or more different uses including but not limited to, residential, office, manufacturing, retail, public, or entertainment.
- **Vehicle Major Repair, Servicing and Maintenance:** Any building, or portion thereof, where heavy maintenance activities such as engine overhauls, automobile/truck painting, body or fender work, welding or the like are conducted. Such use shall not include the sale of fuel, gasoline or petroleum products.

- **Warehouse and Distribution:** A use engaged in storage, wholesale, and distribution of manufactured products, supplies or equipment, including accessory offices or showrooms, including incidental retail sales, but excluding bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions.

Section 5.4.5 addresses Parking. Proposed parking is located at the side and rear, as suggested for non-residential buildings. Applicant has not documented how parking requirements were calculated (to be shown on Site Plan). No parking is permitted on County roads. The first ADA parking space must be a Van space to US Dept. of Justice standards. The plan as presented only provides 26 parking spaces for 14 units, which could limit the number of employees to less than 2 per tenant. A typical standard for Industrial space calls for at least 1 parking space per employee on each shift, plus guest parking (approx. 1 per 10 employees) and accommodation of trades vehicles stored on-site.

Parking lot landscaping is also required by Sec. 5.4.5.4(5), with 1 tree for each 5 parking spaces in tree islands. This would further reduce the number of parking spaces provided for tenants. Applicant has completed a Pre-Application Conference to request Variance from this dimensional standard.

Section 5.4.7 requires a Vision Clearance Area—Sight Distance Triangles must be shown at the driveways (10'x50' for a Collector).

Staff recommended the Planning Commission find that:

- A. The application meets the review criteria for a Conditional Use Permit in Section 3.2.3.4 of the *Archuleta County Land Use Regulations*, and
- B. The application meets the required findings for a Conditional Use Permit in Section 3.2.3.5 of the *Archuleta County Land Use Regulations*, and

That the Planning Commission approve the Bykota REI request for the Integrity Industrial Building Conditional Use Permit (CUP) on Parcel 2Z2 Ridgeview Subdivision Amendment 2017-01, at 543 Navajo Trail Dr. (PLN19-299), **with the following conditions:**

1. Applicant shall update the site plan, for approval by Planning and Engineering staff.
2. Applicant shall provide an approved CDPS General Permit for Stormwater Discharge from Colorado Dept. of Public Health and Environment (CDPHE), or proof of waiver, prior to further site work.
3. Applicant shall provide plans for a façade treatment on the building front, meeting Section 5.4.1 Development Standards.
4. If the retaining wall shown on plans requires a building permit, then Applicant will need to apply to Vacate that portion of the utility easement prior to application for a building permit for that structure.
5. After construction, positive drainage shall be provided by the applicant on all project roads frontages. Applicant shall request the Engineering Department complete an inspection for positive drainage before occupancy of the site.
6. After construction of the building and before occupancy of the building, the Engineering Department will require a signed and sealed letter from a professional engineer stating that improvements were built according to the approved design engineer's report (dated June 24, 2019) and will work appropriately in accordance with County Standards.
7. This CUP authorizes uses meeting the OTHER Mixed Use category in Table 3 of the *Archuleta County Land Use Regulations*. Applicant or Property Owner shall be responsible for Change of Use applications for each tenant before they occupy the structure, with documentation as Light Industrial, Building Contractors, Vehicle Major Repair, Warehousing or any Use by Right as defined by the Land Use Regulations, and allocation of parking spaces.

Commissioner Shahan moved to recommend approval to the Board of County Commissioners, of the request for the Integrity Industrial Building Conditional Use Permit, with the Findings A and B, and conditions #1-7 of the Staff Report. Commissioner Parker seconded. 2-2, tie. Motion died.

Commissioner Jensen moved recommendation of approval to the Board of County Commissioners, of the request for the Integrity Industrial Building Conditional Use Permit, with the Findings A and B, and conditions #1-7 but omit #2 & #3 of the Staff Report. Acting Chair Hooton seconded. 2-2, tie. Motion died.

Commissioner Jensen moved for reconsideration and approval to the Board of County Commissioners, of the request for the Integrity Industrial Building Conditional Use Permit, with Findings A and B, and conditions #1, 4, 5, 6, and 7 of the Staff Report. Acting Chair Hooton seconded. 4-0 aye, motion passed. Commissioners Hooton & Jensen commented that in the future they would like to review standards for Section 5.4.1.

