

City of Alamosa
Planning Commission
August 26, 2015
6:00 p.m.
Minutes of the Meeting

The regular meeting of the Planning Commission was called to order on the above date at 6:00 p.m. by Chairman Mark Manzanares. Present were the following members: Farris Bervig, Debbie Clark, and Robert McWhirter. Excused: Shirley Adcock. Scott Travis was introduced as the new member to serve representing Ward 1. A quorum was declared. Staff present: Pat Steenburg, Harry Reynolds and Julie Scott.

Agenda Approval: M/S/C. Clark, Travis. Motion was made to approve the agenda as presented. (Unanimous)

Approval of the Minutes: M/S/C. Clark, Bervig. Motion made to approve the minutes of the June 24, 2015 meeting as presented. (Unanimous)

Regular Business - Conduct Public Hearings

Zoning Issues –

The request of Etta Belle Townsend and Stacy Vigil for a variance from the City Code of Ordinances. The applicants seek relief from the required side yard setback of 10ft. to 5 ft. to allow an addition to the existing single family dwelling. The property affected is Lot 10, Groenings, Block 4, City of Alamosa, Alamosa County also known as 219 La Veta Ave.

The public hearing opened at 6:03 p.m.

Manzanares: Is there someone here to speak for this request? Please step forward and state your name and address for the record.

Townsend: Stanley Townsend, I'm Etta Belle's son, 219 La Veta. What we are planning is to tear down the garage and add an attached bedroom to the existing home. The house has just one bedroom basically and my mom is elderly and needing care.

Manzanares: Thank you. Is there anyone else that would like to speak in favor?

McNielsmith: I am Judy McNielsmith, 225 La Veta. I am Etta Belle's neighbor. I know about them tearing down the garage and adding a bedroom. I'm concerned about moving it over. I also have a petition from others in the neighborhood. Could it be pushed back? They have the largest lot on the block. That's my bedroom window right next door to the garage and 5 ft. would be pretty close. Who shall I give the petition to?

Manzanares: So you are speaking in favor of the request?

McNielsmith: No, I'm not in favor of the current design, it's the 5 ft. variance I want more discussion about. That puts it really close to my house.

Manzanares: I will move your comments as in opposition as proposed. Is there anyone else that would like to speak against? In favor? We will close the public hearing. Is there an alley?

Steenburg: There is no alley.

The public hearing closed at 6:07 p.m.

Steenburg: For the record, eleven people are on the petition in opposition. Three letters were also received by the Zoning Administrator in opposition.

Manzanares: Same names?

Steenburg: Yes.

Bervig: Mr. Chairman, if I can make a couple comments, in reading the memo the zoning administrator sent, he makes the statement that several parties in the neighborhood do not make the setbacks, this is an older part of town. This isn't the first time it's happened. They are not in compliance with the code.

Reynolds: Correct. They were probably built before the current setbacks were adopted.

Bervig: Pretty much grandfathered in?

Reynolds: Yes.

Manzanares: Have you discussed changing your plan?

Townsend: Definitely. I did the rough sketch with a friend. If you look at the front of the garage it's 8-9 ft. from the edge to the fence. We want to stretch the garage and leave a 5 ft. path from the fence to the addition. 12.2 ft. is the width of the garage and we need to stretch wider to get into the backyard; to add a hallway for the bedroom. We could knock it to six feet. We need to tear down the garage; it's built on railroad ties in about 1908.

Manzanares: The garage is unattached?

Reynolds: Yes. When you do a principal building the setback is 10 ft. The addition as proposed is to the principal building.

Clark: Would there be a window on the side facing the neighbor?

Townsend: Yes, to allow light in. The fence is higher though, only a portion of the top of the window would be visible.

Manzanares: I would like to see it not in the setback.

Townsend: Right now its 9 ft., the neighbor is 4 ½ ft. The lot is skinny in the front and it could definitely go back.

Manzanares: I recently lived in an area where there was only a driveway between the homes and could hear the neighbors. It is a problem.

M/S/C: Bervig, McWhirter. I move that we grant the variance, considering the 1900's and age of the existing conditions in the neighborhood and have them stay within 6 ft. Two yeas- Bervig McWhirter, three nays-Travis, Clark and Manzanares three nays. Motion fails.

The applicant questioned the time frame to bring back the proposal.

The next regular meeting will be held September 23rd.

At 6:48 p.m. the applicant Stanley Townsend and adjacent property owner Judy McNielsmith requested the public hearing be re-opened as additional information had been obtained regarding the request.

M/S/C. Travis, Bervig. Motion made to re-open the variance request of Etta Belle Townsend for a variance from the City Code of Ordinances. (Unanimous)

Mr. Townsend stated that every person that signed the petition was under the impression it was a detached structure: it's not. There was also the issue of a nephew that was a problem and will not live there.

McNielsmith: I worried about property values and after looking through the area I would like to let them get started. Sorry to take up your time but we didn't have enough information.

After further discussion and clarification on the removal of the garage, comments from Mc Neilsmith stating she did not have objections to the request, the variance was granted as requested. She felt that removal of the garage would improve property values and fit with the neighborhood.

Reynolds clarified that the addition would have to meet all current building codes and a building permit would have to be obtained before work began. Minimal egress must be met.

M/S/C. Travis, Bervig. Motion made to approve the variance for relief from the required sideyard setback of 10 ft. to five ft. to allow an addition to an existing single family dwelling. The property affected is Lot 10, Groenings, Block 4, City of Alamosa, Alamosa County also known as 219 La Veta Ave. (Unanimous)

Steenburg stated that the City Attorney would be consulted on this action.

Next item:

The request of Paul and Kristi Duarte for a variance from the City Code of Ordinances. The applicants seek relief from the required side yard setback from a street of 25 ft. to 10 ft. to allow an addition. The property affected is a portion of Lot 2, College Addition, Block 13, City of Alamosa, Alamosa County also known as 80 Sierra Ave.

The public hearing opened at 6:18 p.m.

Manzanares: There is someone here to speak? Step forward and state your name and address please.

Duarte: Kristi Duarte, 80 Sierra Ave. What we would like to do is right now is tear down the existing sunroom and make it a habitable space.

Clark: I went by the property and think this would be an improvement to the property. It would not be very visible from the street with the fence that is there.

Manzanares: Tell us a bit more, can you move the microphone down a little, please?

Duarte: Right now we can't use it in the winter time, it's an unheated sunroom. We want to tear that off and make a family room.

Manzanares: Is it currently built in the setback?

Reynolds: It's a unique lot, you would never be able to achieve the setback required. This is why we have provisions for variances.

McWhirter: There are no neighbor disputes as in the previous hearing?

Duarte: No.

Manzanares: Is there anyone else that would like to speak for the request? Against? We will close the public hearing. Any other questions? Is there a motion?

The public hearing closed at 6:19 p.m.

M/S/C. Clark, McWhirter. Motion made to approve the request of Paul and Kristi Duarte for a variance from the City Code of Ordinances from the required side yard setback of 25 ft. to 10 ft. to allow an addition. The property affected is a portion of Lot 2, College Addition, Block 13, City of Alamosa, Alamosa County also known as 80 Sierra Ave. (Unanimous)

Planning Issues

The request of Thomas, Lorraine and Susan Emerson Betti for review of a final replat. The property affected is Lots 105 & 112, McClain Fink Subdivision, City of Alamosa, Alamosa County also known as 1905 Edison Ave.

The public hearing opened at 6:22 p.m.

Manzanares: Who would like to step forward speak for this proposal? State your name and address.

Eavenson: Ed Eavenson, 11219 Road 109 S., Alamosa. I am the surveyor for this request and representing the Betti's. I would be happy to answer any questions.

Cook: I'm Gregory Cook, 1930 Edison Ave. I live across the corner. I didn't get a chance to look at the plans; I'm not sure what this is about. Is this a variance on zoning?

Steenburg: It's not a variance, it's a subdivision. It's a residential zone.

Cook: My only concern would be big apartments; it's not zoned for that?

Steenburg: No, the zoning is Residential Medium; it is approved for up to four plexes, this motion will not affect the zoning.

McWhirter: The lots are conforming to the city standards?

Steenburg: Yes. When it was originally platted the lots were very large in this portion of town. This makes sense; this replat will better represent current development trends.

Manzanares: Thank you. Is there anyone else that would like to speak for this request? Against? We will close the public hearing. Is there a motion?

The public hearing closed at 6:24 p.m.

M/S/C. McWhirter, Clark. Motion made to recommend approval of the request of Thomas, Lorraine and Susan Emerson Betti for a final replat. The property affected is Lots 105 & 112, McClain Fink Subdivision, City of Alamosa, Alamosa County also known as 1905 Edison Ave. (Unanimous)

The recommendation would go to City Council for consideration on Wednesday, September 16, 2015.

Next item:

The request of Community Resources and Development Corporation Group for review of a preliminary plat. The property affected is Montana Azul Estate Subdivision located in a fraction

of the NE ¼ of Section 8, Township 37 North, Range 10 East, N.M.P.M., City of Alamosa, Alamosa County lying generally west of Craft Dr. and north of Tremont St.

The public hearing opened at 6:27 p.m.

Manzanares: Who would like to step forward speak for this proposal? Please state your name and address for the record.

Lucero: Janet Lucero, Director for CRHDC, 1016 West Ave., Alamosa.

Reynolds: Martin Reynolds. I do the engineering and surveying for CRHDC.

Manzanares: Thank you. Is there anyone else to speak for this? Against? We will close the public hearing.

The public hearing closed at 6:28 p.m.

Steenburg: This is a natural extension of the previous projects.

Manzanares: Thank you. It is pretty self-explanatory.

Bervig: I recommend approval.

M/S/C. Bervig, Clark. Motion made to recommend approval of the request of Community Resources and Development Corporation Group for review of a preliminary plat. The property affected is Montana Azul Estate Subdivision located in a fraction of the NE ¼ of Section 8, Township 37 North, Range 10 East, N.M.P.M., City of Alamosa, Alamosa County lying generally west of Craft Dr. and north of Tremont St. (Unanimous)

Next item:

The request of the Alamosa Elks Lodge # 1297 for a Permitted Use by Special Review to allow outdoor sales (Use Group C-24) in a Commercial Business zone. The property affected is Lots 1 through 6, Alamosa, Block 41, City of Alamosa, Alamosa County also known as 406 Hunt Ave.

The public hearing opened at 6:29 p.m.

Manzanares: Is there someone here to speak for this? Please state you name and address for the record and explain the request.

Wagner: Deanna Wagner, 113 Edison. I am representing the Elks to request that we can erect a 3 - 4 ft. fence outside so they can have their adult beverages and also a smoking area. We're losing two parking spaces, actually three but the third one is a problem due to the telephone pole there, and it takes some maneuvering. The area will be fenced in.

Manzanares: Being no one else is here to speak, we will close the public hearing.

The public hearing closed at 6:30 p.m.

Bervig: Mark, it looks like from the staff communication council has already moved to approve on the liquor license change.

Wagner: There is space for thirty vehicles for parking, even after this change. Our parking extends to the Ton Building to the east.

Ms. Wagner went on to explain the door and addressed ingress and egress.

Wood fence has been donated and it should be about 3 ft. the gate will have a lock.

The Elks are planning on installing two cameras outside to cover all angles and they have security cameras inside as well.

Steenburg: This would be contained much better than say the outdoor seating on the west side at the Brew Pub.

Wagner stated there have not been alcohol related issues with the police ever at the Elks. There will be some nighttime activities but not a lot. She further explained the area using the drawing submitted and projected by staff on screen.

Lighting will also be donated and installed.

M/S/C. Clark, Travis. Motion made to recommend approval the request of the Alamosa Elks Lodge # 1297 for a Permitted Use by Special Review to allow outdoor sales (Use Group C-24) in a Commercial Business zone. The property affected is Lots 1 through 6, Alamosa, Block 41, City of Alamosa, Alamosa County also known as 406 Hunt Ave. (Unanimous)

The applicant was informed that the recommendation would go to City Council on the September 16th consent calendar.

Next Item:

The request of Public Service Company for a Permitted Use by Special Review to allow modifications to an existing communications tower. The property affected is located in the NE ¼ of Section 9, Township 37 North, Range 10 East, N.M.P.M., City of Alamosa, Alamosa County also known as 400 Washington Ave.

The public hearing opened at 6:31p.m.

Being no one present, staff represented the request.

Steenburg: You can vote on it, if you have questions since they are not here to defend themselves you could table the request.

Bervig: What I see is they are using an existing tower which is exactly what we want them to do.

Manzanares: Right. I have no issues. Are there any questions?

Bervig: I move we approve it.

The hearing closed at 6:32 p.m.

M/S/C. Bervig, McWhirter. Motion made to recommend approval of the request of Public Service Company for a Permitted Use by Special Review to allow modifications to an existing communications tower. The property affected is located in the NE ¼ of Section 9, Township 37 North, Range 10 East, N.M.P.M., City of Alamosa, Alamosa, also known as 400 Washington Ave. (Unanimous)

The recommendation for approval will be heard by City Council September 16, 2015, 300 Hunt Ave. at 7:00 p.m. or shortly thereafter.

Other Business:

Recommendation to rename Cottonwood Drive and Cottonwood Court to Douglas Drive and Douglas Court, Replat of Carroll Subdivision, Addition #2.

Steenburg explained the renaming to make an extension of the existing street Douglas Drive and the name Cottonwood for streets is problematic being the is already existing a Cottonwood Place, Court, and Drive already in the City limits. It is a challenge for emergency responders.

Clark questioned if there were houses that would have address changes and there are not. This area is the Carroll Special Improvement District the city is currently completing.

M/S/C. Travis, Clark. Motion made to approve the renaming of Cottonwood Drive and Cottonwood Court to Douglas Drive and Douglas Court. (Unanimous)

Bervig wanted to elaborate on the first variance request for Etta Belle Townsend and that areas of the city platted in the 1930's should not create hardships for the residents wanting to improve their property. That an elderly lady needs care and the family wants to tear down a garage and add a bedroom to argue two ft.; every house in the area doesn't meet setbacks, it doesn't make sense.

Steenburg explained the Planning Commission role in variances and special reviews. Each case must be looked at individually. The signed petition was discussed at length.

Comments were heard regarding the timing of the traffic lights at 6th St. and West Ave. and Main and West.

Steenburg has approached CDOT and they are studying it.

It was also requested that the Commission be apprised of any new projects being proposed in the City.

Correspondence: Distributed.

After no further business, the meeting was adjourned at 7:10p.m.

Respectfully submitted,

Julie Scott
Recording Secretary