

City of Alamosa
Planning Commission
October 22, 2014
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 Chairperson Shirley White. Present were the following members: Farris Bervig, Debbie Clark, Barbara Kruse, and Robert McWhirter. Excused: Mark Manzanares and Don Martinez. A quorum was declared. Staff present: Pat Steenburg, Harry Reynolds and Julie Scott.

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

Approval of the Minutes: M/S/C. Clark, Kruse. Motion made to approve the minutes of the August 27, 2014 meeting as presented. (Unanimous)

Regular Business - Conduct Public Hearings- Zoning Issues

1A. The request of Riverbend Developers Inc. for a lot line adjustment. The property affected is Lots 4 & 16, Riverbend Estates, Ciy of Alamosa , Alamosa County.

The public hearing opened at 6:02 p.m.

White: John, would you like to take the mic and state your name and address please. Tell us what you want do with this property.

Faron: John Faron, I just moved here from Center, former educator, building trades instructor, contractor. We are renovating this property and I'm leaving a 60'x40 shop and 30 x32 garage. As you can see on this property there is not too much room to do much. I was on the Center Planning Board, Sanitation Board, Town Board and I know what you are going through. What I'm asking for is a variance to go two ft. from the fence. There is a cement footer all around the yard. I have talked to Mr. Reynolds. Another reason is there is a curved brick wall and didn't want to cover that up.

White verified Mr. Faron's address for the record. (2301 Carroll St.)

White: We will close the public meeting and ask questions.

The public hearing closed at 6:05 p.m.

White: When I was there you said you were going to tear down the shed that was already present?

Faron: Yes, I am going to try to take the 12 x 9 area by the Hermanson's fence out. There is no way to get back there and put a foundation in and that would alleviate on the lot coverage also.

Clark: When you say equipment, what kind?

Faron: In Center right now I have a boat, 2 4-wheelers, scaffolding, tools that I do cabinet work with. I am having an auction to sell a lot of it. I'm a senior citizen, but I think some of you are in the same boat and I have to keep working to pay the bills.

Clark: What will the siding look like? Are you going to try to match it to the house?

Faron: The bottom will be tan, the outside is steel. We had new windows put in the steel would match that. It looks like cedar shakes on the roof but they are cement. You won't see much of the building.

Bervig: Looking at the sketch, I have a question for Harry. What is the setback on that 12 x 15 ft. structure?

Faron: That is the carport.

White: And you are removing the building behind that?

Faron: Yes, not the carport. The neighbor said to just box that in but I would like to keep the carport.

Kruse: So what is the setback on the carport?

Faron: Four ft. They are just posts set in the ground. I tried to get pins established. I did not find the one on Vendola's side. He did send a letter of support I believe; he had no problem with this project.

Staff verified that an email of support was received and made part of the record. All adjacent property owners were notified of the public hearing.

Bervig: Harry's recommendation is to allow a three ft. setback. Your thoughts on that?

Reynolds: His backyard to the north is the neighbor's sideyard. The standard sideyard setback for an accessory building is three feet.

McWhirter: What about the building to the north?

Faron: The building to the west is a gazebo, I have a grille there and there is the gate and driveway. I do want to keep the beauty of the house. I had to put in a new sewer line and Xcel tore up the gas line and replaced it. The yard needs fixing up I talked to the greenhouse for help. I don't have a bobcat here and have not sold my property in Center yet. I've lost most of the grass and want to keep it up.

Clark: What about drainage? Will there be a problem?

Reynolds: No. The pitch on the roof would be east-west.

Bervig: Harry, are we seeing a commercial implication here? We're talking bobcats, in a nice residential area.

White: That is really not the issue.

Faron: I don't have any of those, I hire all that out.

Bervig: Are you going to store any of that here?

Faron: No. I have two 4 wheelers and a trailer. I would have those in the shed, not a bobcat or heavy equipment.

White: John, would you be willing to go the three feet instead of two?

Faron: The reason I am asking for the two feet is because of the concrete border that runs around the property. I tried to explain that. There is a curved wall and it would be almost in line with the carport. It would hardly be visible from the street except for the roof.

McWhirter: Is there interference to existing lines?

Reynolds: No. Utilities are fine.

Faron: There is a flower bed that runs around the entire lot. That is the concrete footer I would like to utilize.

Clark: How tall is the building?

Faron: It would have 8ft. ceilings. There would be a 4:12 pitch on the roof. As I said, I don't think much would be visible from the street.

Bervig: Harry, your recommendation is to stick to three foot?

Reynolds: Three foot is a good compromise; the neighbor to the north would not have to come before us. Two foot is not unreasonable; it is really up to you as Planning Commission to assess it.

White: Are there any other questions? Is there a motion?

M/S/C. Bervig, Kruse. Motion made to approve the request of John and Margaret Faron for relief from the City Code of Ordinances per staff's recommendation of three ft. rear setback from the five ft. (two yes's -Bervig, Kruse, three nays Clark, White, McWhirter.) Motion fails.

M/S/C. McWhirter, Clark. Motion made to approve the request as presented to allow relief from the required side yard setback of five feet to two feet and the allowed lot coverage of 30% to 45%. The property affected is Lot 0, Carroll Addition II, Block 12, City of Alamosa, also known as 2301 Carroll St. (three yes's, White, Clark, McWhirter, two nays, Bervig, Kruse.) Motion passes.

The applicant was informed that this was final action on the request and he could proceed with his project after a building permit was obtained.

Next Item: Planning Issues

1B. The request of Viaero Wireless for review of a final plat. The property affected is a tract of land located within the Russell Subdivision, located in the Southeast ¼, Section 9, Township 37 North, Range 10 East, N.M.P.M.

The public hearing opened at 6:20 p.m.

White: Please step forward and state your name and address.

Gonzalez: Good evening Commissioners, Ed Gonzalez, Viaero Wireless, 2604 Cloud Crest, Colorado Springs. When I was before you last, you recommended denial of the request for a cell tower site roughly at Hwy. 285 and Railroad Ave. and since then we went before City Council and they essentially sent it back to Planning Commission to see if a compromise could be reached. After speaking with a number of property owners, we came to agreement with the Carol A. Russell Trust north of Coop Rd. and about a ¼ mile west of the old proposed location. The new location is in the north east corner of the property. Part of the plan is to build a 500 ft. access road from the site to County Rd. 8 S. Immediately to the east is county zoned CDOT property with the tower they have on site, to the north is residential and the RM zone was put on about three years ago on this property. It is a mostly vacant property. The area on the north side of Coop Road is county commercial, City industrial, and City commercial. We're adjacent to compatible uses. The owners wanted it tucked back in the corner so to develop the rest of the property. This would again be a 120 ft. lattice type tower with a 9 x 17 equipment shed, emergency generator that's fully muffled and a propane tank to power it. There would be a chain link fence. There would be the ability to co-locate with up to two additional carriers on the tower. It is a very similar layout to what we had proposed at the previous site and actually would be a better site in regard to a 120 ft. tower instead of lowering the tower to 80 ft. at the first proposed location since that would allow additional carriers. With that, we have three applications- the special review and the final plat and the rezone.

Steenburg clarified that Planning Commission would look at the plat application and the rezone, and the permitted use is still at Council level.

Gonzalez thanked him for the clarification.

Bervig commended the applicant for working with staff and council to find a solution.

Clark questioned on the access road. Gonzalez explained that would be the legal access to the site.

There was no one else present to speak for or against the request.

The public hearing closed at 6:25 p.m.

M/S/C. Bervig, McWhirter. Motion made to recommend approval of the request of Viaero Wireless for a final plat. The property affected is a tract of land located within the Russell Subdivision, located in the Southeast ¼, Section 9, Township 37 North, Range 10 East, N.M.P.M. (Unanimous)

Next item:

2B. The request of Viaero Wireless for a rezone of property from Residential Medium (RM) to Commercial Business (CB) to allow construction of a telecommunication facility. The property affected is a tract of land located within the Russell Subdivision, located in the Southeast ¼, Section 9, Township 37 North, Range 10 East, N.M.P.M.

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

White stated the hearing would be opened and closed due to Mr. Gonzalez's explanation already received unless there were further questions from the Commission the public hearing would be closed and a motion was requested.

There were no additional questions from the Commission.

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

M/S/C. Bervig, Kruse. Motion made to recommend the request of Viaero Wireless for a rezone of property from Residential Medium (RM) to Commercial Business (CB) to allow construction of a telecommunication facility. The property affected is a tract of land located within the Russell Subdivision, located in the Southeast ¼, Section 9, Township 37 North, Range 10 East, N.M.P.M. (Unanimous)

Staff informed the applicant that the recommendations would go to City Council on Wednesday, October 15, 2014.

Other Business: Proposed changes to zoning ordinance regarding cell tower/telecommunication facilities.

Staff briefly explained some of the proposed changes: increase restrictions in downtown areas gateways, travel corridors and suggested a work session to discuss any questions the commission

may have once they had time to review the materials distributed. This was tentatively set for October 14, 2014 at 12:00p.m.

Other business included questioning if the City could contact the property owner(s) to have the needed pothole repairs done to the private parking lot adjoining City Market/Little Caesar's/Taco Bell area.

Correspondence: Distributed.

After no further business, the meeting was adjourned at 6:44 p.m.

Respectfully submitted,

Julie Scott
Recording Secretary