

City of Alamosa  
Planning Commission  
June 22, 2016  
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: Shirley Adcock, Debbie Clark, Robert McWhirter, and Scott Travis. Bervig arrived at 6:04p.m. A quorum was declared. Staff present: Pat Steenburg, Harry Reynolds and Julie Scott.

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

**Approval of the Minutes: M/S/C.** Adcock, Clark. Motion made to approve the minutes of the May 25, 2016 meeting as presented. (Unanimous)

**Public Comments:** None

**Regular Business - Conduct Public Hearings- Zoning Issues**

The request of William and Mary Pentek for variances from the City of Alamosa Code of Ordinances. The applicants are requesting relief from the required rear yard setback of 5 ft. for an accessory building to allow an addition to an existing garage and sideyard setback of 5 ft. to allow construction of a greenhouse. The property affected is Lot 13, Grandview Subdivision, City of Alamosa, Alamosa County, also known as 2116 Oliver Ave.

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

Manzanares: Is there someone present to speak for this request? Please step forward up and state your name and address for the record. Tell us about the project.

Pentek: William Pentek, 2116 Oliver, Alamosa. I'd like to build a tool equipment shed and match the existing garage and gutter. I also asked for a variance for a greenhouse and Harry said he would recommend denying it so we can live with a five foot setback, I withdraw that request for a variance to build a greenhouse. I really would like to match the garage line, the gutter though from the existing garage for the tool shed. I'm also thinking of putting in a French drain to help with some drainage issues if that matters.

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

The public hearing closed at 6:04p.m.

Adcock: You are saying that you are withdrawing the second part of the variance request? The greenhouse variance?

Pentek: Yes, originally I put it on there so I wouldn't have to come back again but after reevaluation I could live with 5ft. variance; I'm not sure if it will even happen; just trying to plan ahead.

Manzanares: It will match the garage?

Pentek: No, I was going to do a metal building. It's not going to match the garage which is brick, I just want to follow that same line. The eave is right on the property line and if I follow that line with a gutter I can catch it in a barrel and a sump pump and divert to my yard. There are times when I get flooding in my garage.

Adcock: So the drainage is from the neighbors?

Pentek: Yes. And I hope a French drain will help.

Clark: You said metal will it match the garage.

Pentek: It will be straight in line; the gutter. The shed will be wood facing the yard and to the back metal.

Manzanares: The line of the roof will match.

Pentek: Yes.

Adcock: Not attached; butted up against the garage?

Pentek: Yes.

Manzanares: Is it a shed roof?

Pentek: Do you mean flat roof? I'm not a real construction guy; if it's a shed roof- It's going to be a peaked roof but not even on both sides.

Travis: Is there any way to reposition the shed?

Pentek: I know what you mean; I think it would be better to follow the roof line of the existing garage. I plan on catching all that water. The big concern is where the water is going to go.

Manzanares: We looked at these in the past and they would match the existing building and the materials being the same. This one will look completely different. It will look like a shed from the back.

Pentek: Yes.

Manzanares: Are we at the percentage of the buildings on the property?

Reynolds: Lot coverage is right at 30%.

Manzanares: So it is more for relief of the five feet variance.

Adcock: Which is already there-an existing structure to align with.

**M/S/C.** Adcock, Clark. Motion made to approve the variance request of William and Mary Pentek for a variance from the required rear yard setback of 5 ft. to 18 in. to allow an accessory building to the existing garage as long as the shed is in agreement with the line of the garage. The request for relief from the sideyard setback for greenhouse construction is withdrawn. The property affected is Lot 13, Grandview Subdivision, City of Alamosa, Alamosa County, also known as 2116 Oliver Ave. (two yeas Adcock, Clark, three nays Manzanares, McWhirter, and Travis.) Motion fails, variance as presented is denied.

Steenburg: Can you clarify that motion? You are not saying that it will need to look the same?

Adcock: No.

Manzanares: The concern is it doesn't match. The motion does not pass.

Pentek: Am I done? Okay, thank you.

Next Item:

The request of Carroll Properties LLC for relief from the City Code of Ordinances for a variance from 25 ft. to 20 ft. to allow construction of a 16 unit apartment building. The property affected is Lot 11, Carroll Business Park, Filing 7, located in the NW ¼, Section 5, Township 37 North, Range 10 East, N.M.P.M., City of Alamosa, Alamosa County, also known at 777 Cielo Azul.

The public hearing opened at 6:12p.m.

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

Hsu: James Hsu, 206 Shadow wood Dr. Does anyone have any questions? This is basically the same as the apartments to the south. What I want to do is put the building towards the back and I have already reconfigured the building and parking area and I am still short 5 ft. I want to keep contiguity with the other buildings and flow and style the same with the existing. That's why I'm asking for the variance.

Manzanares: Is there anyone else that would like to speak for this request? Against? We will close the public hearing and are there questions, comments, concerns or a motion?

The public hearing closed at 6:14 p.m.

Clark: Is there one curb cut in the front?

Hsu: Yes, to Cielo Azul, not on Carroll. One thing to note the property line is 7-8 ft. from the back of curb so; my point of saying this is the building isn't actually 20 ft. from the street more like 28 ft.

Manzanares: There will be sidewalk, landscaping.

Hsu: Yes.

Clark: What about lighting? Street lighting>

Steenburg: There is a street light at the northwest corner of the property and the north side of Carroll.

Hsu: We also do a lot of lighting in the parking structure, illuminating the lot and sidewalk.

Manzanares: Are there any health issues with the pond across the street?

Steenburg: It's a retention pond for Wal Mart. It is fenced, other than mosquitoes I'm not aware of any other issues.

Clark: What about the other buildings; are they full?

Hsu: Porter Realty manages the rentals and I think we were 99.9% full last year. Maybe a couple days between tenants moving in and out.

**M/S/C. McWhirter, Travis. Motion made to approve the variance requested by Carroll Properties LLC for relief from the City Code of Ordinances for a variance from 25 ft. to 20 ft. to allow construction of a 16 unit apartment building. The property affected is Lot 11, Carroll Business Park, Filing 7, located in the NW ¼, Section 5, Township 37 North, Range 10 East, N.M.P.M., City of Alamosa, Alamosa County, also known at 777 Cielo Azul. (Unanimous)**

This is final action on the request.

The request of Lily Rentals, LLC for reconsideration of a lot line adjustment. The property affected is a portion of Lots 8, 9,& 10, Grandview Subdivision, City of Alamosa, Alamosa County also known as 507 Murphy Dr.

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

Manzanares: Please state your name and address for the record.

Hsu: James Hsu, 206 Shadow wood Dr.

Manzanares: So there was a change?

Hsu: There was more of an error than a change, we had a survey error. When we were here a few months ago, the square footage was reported wrong and there is actuality room for 15 units, Pat had mentioned 7 units are allowed in his recommendation. I had submitted plans for 10 units. We are here to clarify that. And just for a point of information, if the two lots had not been combined on the lot line adjustment there would have been space for one lot with 9 units and the other for six in two separate buildings.

Steenburg: It's a housekeeping issue. With the typographical error, in my recommendation I had told you seven dwelling units, in reality there is room for 15 units. Because you had that information I consulted with the City attorney and he recommended it come back to you. He's not increasing the area of the lot and he has 10 units in mind but could be allowed up to 15 units by right. He still has to meet all parking requirements, setbacks.

Manzanares: Is there any other questions? Anyone else that would like to speak for this? Against? We will close the public hearing. A motion?

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

**M/S/C.** Travis, Adcock. Motion made to accept the request of Lily Rentals, LLC for reconsideration of a lot line adjustment. The property affected is a portion of Lots 8, 9,& 10, Grandview Subdivision, City of Alamosa, Alamosa County also known as 507 Murphy Dr. (Unanimous)

This is final action on the request.

Next item:

The request of the Martin and Ellen Romero Living Trust for a lot line adjustment. The property affected is the Romero Replat, Lots 1 thru 5, Block 204, Washington Addition, City of Alamosa, Alamosa County also known as 510 Washington Ave.

The public hearing opened at 6:23 p.m.

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

Genesio: Monica Genesio, 7555 Rd. 11 South. We're asking for a lot line adjustment to square away the two rental properties. There are two homes sharing a common driveway and define the two homes and driveways.

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

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

There were no further questions.

**M/S/C.** Travis, McWhirter. Motion made to recommend approval of the request of the Martin and Ellen Romero Living Trust for a lot line adjustment. The property affected is the Romero Replat, Lots 1 thru 5, Block 204, Washington Addition, City of Alamosa, Alamosa County also known as 510 Washington Ave. (Unanimous)

Next item:

The request of Carroll Properties LLC for review of a final plat and Permitted Use by Special Review to allow a multi-family dwelling in a Commercial Business zone. The property affected is Lot 11, Carroll Business Park, Filing 7, also known as 777 Cielo Azul.

The public hearing opened at 6:26p.m.

Manzanares: Please again state your name and address for the record.

Hsu: James Hsu, 206 Shadow wood Dr., this is the Permitted Use for a multi-family dwelling?

Manzanares: The first action will be on the final plat.

Hsu: You do pretty much know what we are trying to do. What we are trying to do is build the final building. We are submitting the final plat for approval.

Manzanares: Is there anyone that would like to speak on behalf? Against? We will close the public hearing.

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

Steenburg stated two separate motions must be made on the request one for the final plat and one for the Permitted Use by Special Review.

**M/S/C.** McWhirter, Clark. Motion made to recommend approval of the request of Carroll Properties LLC for a final plat. The property affected is Lot 11, Carroll Business Park, Filing 7, also known as 777 Cielo Azul. (Unanimous)

The recommendations will be heard by City Council on July 20<sup>th</sup>.

The request of Carroll Properties LLC for a Permitted Use by Special Review to allow a multi-family dwelling in a Commercial Business zone. The property affected is Lot 11, Carroll Business Park, Filing 7, also known as 777 Cielo Azul.

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

Manzanares: James, please again state your name and address.

Hsu: James Hsu, 206 Shadow wood Dr. this is for the multi-family dwelling that will go on the lot we have been discussing. It will be a 16 unit apartment building. This is the last lot for development.

Steenburg: Just to clarify, this is not a zoning change; it is a permitted use to allow a multi-family dwelling in a Commercial Business zone.

Manzanares: Thank you. Are there any questions? Is there anyone that would like to speak for the request? Against? We will close the public hearing.

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

**M/S/C.** Adcock, Clark. Motion made to recommend approval of the request of Carroll Properties, LLC for a Permitted Use by Special Review to allow a multi-family dwelling in a Commercial Business zone. The property affected is Lot 11, Carroll Business Park, Filing 7, also known as 777 Cielo Azul. (Unanimous)

Next item:

The request of Leroy and Rosalie Martinez for a Permitted Use by Special Review to allow outdoor sales (Use Group C-23) in a Commercial Business zone. The property affected is a fraction of Lot 26 of the Replat of Lots 86-100 and portion of Lot 106, Grandview and Barry Tract Browns Subdivision also known as 2209 Main St.

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

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

Schultz: Marcie Schultz, 1564 Lane 1 North. We are going to take down the drive through portion and have a patio for outdoor food.

Manzanares: Thank you. Is there anyone else that would like to speak for this request? Please state your name and address.

Poole: Tom Poole, I am facility manager for 128 Market, Valley Wide Health Systems. Our facility is near and we understand that the aspects of ingress and egress are satisfied by the

review committee. In Google earth, as you see on the screen there is a plotted strip to the north side of the building and Stuart St. ends at the white line which runs on the north. There is also on the north side a strip of private parking for the businesses and parking for Valley Wide and the Alamosa State Bank. We would be in great support if the state would put a light in at Market St. but know that is not your doing there is a lot of traffic there but an opportunity to make you aware. The business that will be there is one we welcome the new venture in that sector and like you to know our observations.

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

The public hearing closed at 6:35 p.m.

Steenburg: We did receive a call from Alamosa State Bank that we consider the parking and that it meets the requirements.

Manzanares: The parking is adequate?

Steenburg: The building itself requires 22 spaces by ordinance and considering the area of outdoor dining increases it to 30. There are spaces a bit pinched of the required 24' aisle width which could potentially make it a bit congested in the parking lot. According to the site plan they do have enough spaces for the site.

Manzanares: Marcie, have you considered the comments on parking?

Schultz: Yes. We had the architect who designed the building lay out the parking; when you take the drive through off that allows for more spaces.

Bervig: The recommendation is to recommend approval when the seasonal nature of the outdoor dining is considered. This is somewhat seasonal; it's not going to be open all year.

Schultz: No, not the patio, it won't be open twelve months but the restaurant will be.

Bervig: So that will solve some of the parking issues.

Schultz: Yes. The patio would I think be open May through September.

Manzanares: It will be fenced?

Schultz: Yes.

**M/S/C.** Travis, McWhirter. Motion made to recommend approval of the request of Leroy and Rosalie Martinez for a Permitted Use by Special Review to allow outdoor sales (Use Group C-23) in a Commercial Business zone. The property affected is a fraction of Lot 26 of the Replat of

Lots 86-100 and portion of Lot 106, Grandview and Barry Tract Browns Subdivision also known as 2209 Main St. (Unanimous)

The recommendation will go to City Council on July 20<sup>th</sup> for final action at 7:00 p.m.

Next item:

The request of La Llave for a Permitted Use by Special Review to allow a professional/business office (Use Group C-31) in an Industrial zone(I). The property affected is Lot 8, Alamosa Industrial Park Subdivision, City of Alamosa, Alamosa County, also known as 2303 State Ave.

The public hearing opened at 6:38 p.m.

Manzanares: Is there someone here that would like to speak for this request?

Hartless: Cora Hartless, 11 Ricci Place, Monte Vista. Director of La Llave Family Resource Center, Inc. Currently we are outgrowing the space we are renting and this property became available on the corner of Lava Lane and State Ave. previously K-2 Woodworking. It has plenty of off street parking. At our current location there have been accidents and hazards with the street parking. It is close to BOCES, Social Services and Public Health County Services for the clientele we serve.

Manzanares: Thank you. Are there any questions? Would anyone else like to speak for this request? Against? We will close the public hearing.

The public hearing closed at 6:39p.m.

Adcock: I think it is a great idea.

Bervig: Will you be expanding the building?

Hartless: We wouldn't change the exterior but where they were doing the woodworking, the shop portion, we would make employee spaces. The nature of our service consists of a lot of home visits.

**M/S/C.** Clark, Adcock. Motion made to recommend approval of the request of La Llave for a Permitted Use by Special Review to allow a professional/business office (Use Group C-31) in an Industrial zone (I). The property affected is Lot 8, Alamosa Industrial Park Subdivision, City of Alamosa, Alamosa County, also known as 2303 State Ave. (Unanimous)

The recommendation would go to Council for the July 20<sup>th</sup> meeting.

Next item:

The request of Jess Caton for a Permitted Use by Special Review to allow an automotive repair shop in a Commercial Business zone. The property affected is portions of Lot 10, all of Lot 11 and portion of Lot 12, Block 49, City of Alamosa, Alamosa County also known as 710 Main St.

The public hearing opened at 6:41p.m.

Manzanares: Please step up to the podium and state your name and address for the record and tell us about your request.

Caton: Jess and Tish Caton, 725 Main St. In order to begin I would like to give you a brief history of the business and the viability of downtown. He started in 1995 with a two bay quick lube and it grew. He would do oil changes during the day, come home and eat dinner and go back at night and do the repairs. In 2002, he built an additional building in the back and added five bays and it continues to grow. In 2013, we bought the building next door for a waiting room and the additional parking. Over the last 23 years he has become a viable part of the downtown community. In order to continue to serve the community we've got to grow. Our preference is to stay downtown.

We have an opportunity to grow and stay in the downtown by purchasing the old Oscars building and adding a second repair shop for tire repairs and alignments. There have been campaigns and marketing with a lot of the businesses downtown such as Treasure Alley, The Bistro, Nestles Toll House, and SLV Brew Pub.

The Caton's showed the Commission several drawings of the projected project and the current conditions of the property.

We will maintain the adobe look, install a wooden aesthetic pleasing gate and we will shuttle vehicles. We will do tires and an alignment rack. It's not a paint and body shop, chop shop if you will; there will not be broken down junk. There is a problem with weed control, trash, and graffiti. The building has been vacant for 11 years. For your information there are six empty store fronts from State Ave. on Main.

Steenburg: For your consideration, Kent from the Bistro called me today and he is in full support.

Discussion continued regarding parking and entering off Main St. Mr. Caton did not use the microphone. He explained the process of moving vehicles to the repair facility. There was also a letter of support presented to the Commission from WHYC, LLC, 700 Main St. the business directly to the east and they approve and support the plan.

Manzanares: Is there anyone else that would like to speak for this request? Please state your name and address for the record.

Porter: Preston Porter, Porter Realty, 503 Main St. I spoke with the owners, Oscar and Delores Orozco, they could not attend tonight. They have had the building for sale since March of 2013 and they signed the application so they are obviously in support of this and would like to see the project continue. They are looking forward to working with Jess and Tish.

Manzanares: Thank you. Is there anyone else that would like to speak in support this request? Is there anyone else that would like to speak against? We will close the public hearing.

The public hearing closed at 6:50 p.m.

Bervig: Pat, with the planning the City has for the Comprehensive Plan and your recommendation, this does not exactly fit?

Steenburg: Not ideally.

Bervig: The other thing is with a large truck turning in from Edison left onto Main and the light hasn't changed, this could be an issue. How does this fit in the Comprehensive Plan.

Steenburg: Ideally, if his request was west of Edison, I would have recommended approval. This is closer to the core downtown. You have my recommendation based on input during the comprehensive plan process regarding a more pedestrian friendly downtown and you also have unconditional support of both adjacent property owners.

Bervig: No question about it and the fact of an empty store front being used is a huge plus.

Travis: It promotes economic growth, I like it.

Manzanares: My concern is that your bays are in there it would be back in and back out; would you like to pull through? Where the parking lot is by the Bistro

Caton: And that would affect the Bistro, Kent is a good friend and I wouldn't do that. I have my repair shop where major repairs will be done. This will be in and out.

Adcock: All the bays are inside?

Caton: Yes they will be. There will be no work outside.

McWhirter: Your customer service people will take cars? I like the safety aspect of that.

Caton: That will be me.

Clark: You said you will do tires there. What is the noise level?

Caton: That was a concern of Kent's at the Bistro. His banquet room is right on the other side. I told him the day we get in there I will try the loudest impact wrench and if there is any noise I will build a 3 inch insulated wall. I also spoke to Wall, Smith & Bateman and they have no open windows on that side, it wasn't a concern that they had. The air compressors made today are much quieter and there will be no different noise than at our current facility.

Manzanares: What is the black area on the map?

Caton: That is the storage building that Wall, Smith and Bateman is debating to sell to me. The open area will be for cars that will be stored if we are waiting for parts; there will be security cameras and lighting it will be secure.

Clark: When do you know if they will sell you the building?

Caton: Well, there is a woman now who is renting it and the lease is five years, it would be within five years.

Clark: The only problem I see is coming in and out at the front on Main St., if you could use the back for access it would be no problem; having to come off Main St.

McWhirter: You said big trucks would use the back for pulling in and out?

Caton: Yes, and by big trucks I would mean Ford F150's, large pick-ups, not anything like a semi.

McWhirter: I think you could function pretty nicely.

Manzanares: Are there any other questions? A motion?

**M/S/C.** Travis, McWhirter. Motion made to recommend approval of the request of Jess Caton for a Permitted Use by Special Review to allow an automotive repair shop in a Commercial Business zone. The property affected is portions of Lot 10, all of Lot 11 and portion of Lot 12, Block 49, City of Alamosa, Alamosa County also known as 710 Main St. (Yes's Travis, McWhirter, Adcock, Manzanares, Nays Clark.)

Recommendations for final action on the request will be heard by City Council on July 20<sup>th</sup> at 7:00p.m.

Next item:

The request of Mary Jane Valdez for a Permitted Use by Special Review to allow a Group Home (Use Group R-5) in a Commercial Business zone. The property affected is the west 37.5 ft. , Lot 4, Callbreath, Block 1, City of Alamosa, Alamosa County, also known as 1318 Main St.

For the record, the applicant, Mary Jane Valdez was not present.

The public hearing opened at 6:57p.m.

Manzanares: Please state your name and address and your request.

Valdez: Felix D. Valdez, I reside at 16045 State Highway 14, La Jara, Colorado.

Valdez, C. My name is Catherine Valdez, I am his wife, I live at 16045 State Highway 14, La Jara.

Valdez, F. Catherine and I are the owners of what is described as 1318 Main St. We have rented the residence on that property to Mary Jane Valdez who runs the program that provides housing to Community Corrections persons that need a residence as part of their rehabilitation. We have provided this I would estimate for at least the last 5 years. Since we became the owners of 1318 Main St. that property has been used as solely a residence and a commercial use also at the property. Previous administrations they considered that property as being grandfathered in as a residence and because it's in a commercial business district they also permitted whatever commercial use of the property. Please understand that as the owners of that property, we never had an intention of circumventing or defying the zoning rules that exist in the City of Alamosa, we only proceeded on the basis that as far as the residential use was grandfathered in before any zoning regulations went into effect.

Mary Jane Valdez asked us to represent her in this hearing before the Commission as the owners of the property and as persons that rent to the program. Now the Planning Commission and City Council takes the position that we submit an application and comply with the rules. We encouraged Mary Jane to submit the application and pay the fee. Our position is we ask the commission and council to approve the group home that operates there. We think it's a worthy cause as it helps people come out of Corrections integrate back into a productive daily life. As the landlords of the residence we don't know of any difficulties as a result of that group home. I can only say her operation is some of the best tenants we have there. Do you have anything to add?

Valdez, C: We need to encourage people coming out of Corrections to lead a productive life, have jobs, have a place to live, were they can afford to pay rent. Mary Jane is really good to make sure that no drugs, alcohol and smoking are going on in this residence. She is really good about keeping track of the residents who stay there.

Valdez, F.: Do any of the Planning Commission members have any questions of us?

Manzanares: We will move forward and we will call you back if we have questions. Go ahead and have a seat. Is there anyone else that would like to speak on behalf of this request? Please step forward and state your name and address.

Young: I'm Erwin Young. I want to speak on behalf of the special use permit for what people are calling sober houses. I'm the president of a nonprofit, Our House in Alamosa and provide housing for single men and women that most people would call disadvantaged from all walks of life, no drugs or alcohol are allowed; once in a while that is violated and we have to do something about it. We provide an individual room and have the support of several organizations such as SLV Regional Medical Center, Behavioral Health, Social Services, Tu Casa, probation, parole, various churches When someone falls through the cracks, they contact us. We provide low cost rooms may provide this for one night, one month; we have one guy at Willow House which has 15 rooms that's been with us for 5 yrs. We've been renting to Mary Jane and it's come to our attention that we are doing something that is not quite right and it was requested that we

get a special use permit to keep doing what we have been doing. I would like to read a letter of support if I may.

Mr. Young read a letter of support from Dr. Barbara Troy, M.D., Valley Wide Health Systems (Attached as Exhibit A)

Mr. Young stated that he had hearing difficulties and deferred to William Hawkins, Vice President of Our Place in Alamosa to continue.

Manzanares: Thank you.

Hawkins: William Hawkins, Vice President, Our Place in Alamosa. We have been renting from Mary Jane Valdez at 2302 and 2308 Stockton for some time. What we are trying to do is find a safe place for people to try and get their lives together and stay sober.

Steenburg: Excuse me; are you taking about the residence on Main St.? This public hearing is regarding the residence at 1318 Main St.

Hawkins: No, this is on Stockton. I'm sorry; Erwin's comments don't apply to the Main St. address, just the Stockton ones.

Manzanares: Thank you. That is next on the agenda. Is there anyone else that would like to speak on behalf of this request? Against the request on Main? We will close the public hearing.

The public hearing closed at 7:12 p.m.

Steenburg: I would just like to remind the Commission although they are asking for a Permitted use by Special Review our current code does not allow a permitted use for this type of use. It's specifically prohibited in Commercial Business. If you decide to recommend approval you will have to make a motion to have staff find some way change the Code, rezone; we cannot issue a Permitted Use for this specific use in this zone.

Manzanares: Pat, what is the use now?

Steenburg: Currently, it is a group home. When they purchased the property in 1989, it has had several uses, residential, offices and commercial. Recently about five years ago they started group home activity which is prohibited by the zoning code.

Manzanares: Is there a motion?

**M/S/C.** Adcock, Clark. The motion was made to recommend denial the request of Mary Jane Valdez for a Permitted Use by Special Review to allow a Group Home Use Group R-5) in a Commercial Business zone. The property affected is the west 37.5 ft., Lot 4, Calbreath, Block 1, City of Alamosa, Alamosa County, also known as 1318 Main St. (Yes's- Manzanares, Clark, Travis, Adcock- Nays, McWhirter.)

Final action by City Council will be on July 20<sup>th</sup> at 7:00 p.m. or shortly thereafter.

The request of Mary Jane Valdez for a Permitted Use by Special Review to allow a Group Home in a Residential Medium zone(RM). The property affected is Lots 1 & 2, East ½ Tract3, Sunnyside Park Subdivision, City of Alamosa, Alamosa County also known as 2302 & 2308 Stockton Ave.

The public hearing opened at 7:14 p.m.

Manzanas: Who would like to speak on behalf of this request?

Hawkins: Do I need to state my name again?

Steenburg: Please, for the record.

Hawkins: William Hawkins, 1805 Cielo Place, Alamosa. This special use permit will hopefully allow us to continue doing what we have already been doing for over a year. We rent, Erwin & I- Our House in Alamosa these two residences from Mary Jane Valdez who works people coming out of Community Corrections, probation, parole dept. Veterans Administration and agencies from all over Alamosa who deal with people in not good situations. We have a manager there; she doesn't live there but manages it from afar. These are women's homes we are talking about and we are hoping we can keep it going; it helps these agencies for women that are in crisis, it helps the women in bad situations. They use the word sober living homes; we do not allow or drugs or alcohol and they sign an agreement that's made with any one that comes in and if it's violated they will be evicted. We have operated the Willow House for a number of years for men. It's not always successful but have had some people that have completely turned their lives around; we do have some positive influence in the community. I hope you consider this.

Mr. Hawkins read the letter of support from the probation department which is attached.

Manzanas: Thank you. We will go ahead and take the previous statements into consideration at this time. Is there anyone else that would like to speak for this request? Against? We will close the public hearing. Comments?

The public hearing closed at 7:20 p.m.

Steenburg: Clarified his recommendation that no complaints had been received and had spoken with several police officers. One call to that residence had nothing to do with the clients.

Adcock: I know I live around the corner and didn't know it was even there.

Clark: I also live in the area and asked the police and they said they responded to more or less just little roommate spats.

Bervig: Well, they have been operating under the radar for quite some time and apparently are successful.

Steenburg: If there were problems we would have heard about it.

Clark: The only problem I have is no one is there who lives there to manage.

Hutchins: There is a woman that lives there but not full time. Lynn, Erwin's wife goes there on a regular schedule and several of the women go to church with us and keep in contact, but Pam lives there occasionally when she is not traveling. Erwin and I also check in on a regular basis.

Clark: Were all the neighbors notified?

Scott: Yes.

Steenburg: This use is allowed in this zoning district with a Permitted Use.

**M/S/C.** Adcock, McWhirter. Motion made to recommend approval of the request of Mary Jane Valdez for a Permitted Use by Special Review to allow a Group Home in a Residential Medium zone (RM). The property affected is Lots 1 & 2, East ½ Tract 3, Sunnyside Park Subdivision, City of Alamosa, Alamosa County, also known as 2302 & 2308 Stockton Ave. (Unanimous)

The recommendation will go to City Council on July 20<sup>th</sup>.

**Other Business:**

The Commission also discussed further the Commercial Business zone and allowed uses and as the zoning code is revised if there may be a reason to specifically identify a use such as sober living homes.

There was a brief discussion on the mechanics of groundwater pumping in the construction area on Maroon Dr. near the high school where sewer and water lines are being installed.

After no further business, the meeting was adjourned at 7:33 p.m.

Respectfully submitted,

Julie Scott  
Recording Secretary

