



# **Town of Ignacio Planning Commission Meeting Minutes**

**Wednesday, 6:00 pm, May 10, 2017**

Handicapped Accessible

**Abel F. Atencio Municipal Room, 570 Goddard Ave., Ignacio, CO 81137**

## I. Call to Order

Chairman Vigil called the meeting to order at 6:02PM.

## II. Roll Call

Present: Chair: Pete Vigil; Vice Chair: Gina Schulz; Members: Bernadette Lopez, Teresa Campbell, Bill Baird; Community Development Administrator: Dan Naiman; Town Board Representative: Dixie Melton, Trustee; Ignacio Chamber of Commerce Representative: Andrea Taylor.

Guests present: Lana Jo Chapin, Ron Dunavant, Clark Craig

Absent: Vacant – Alternate (1), Vacant – Alternate (2).

## III. Public Comments:

None.

## IV. Approval of Minutes April 26, 2017

Ms. Campbell moved to approve the minutes; Gina Schulz seconded the motion; it passed unanimously by voice vote.

## V. Staff Report – Dan

Dan asked if there were any questions regarding his staff report. Ms. Campbell asked how long the situation with Mr. Olguin and the Rock Creek property has been going on that Mr. Naiman has now written a letter regarding litigation. Mr. Naiman clarified that he does not think it will end up in litigation due to the fact that Mr. Olguin has been in

contact with him since he received the letter that Mr. Naiman sent to him. He seems to have been responsive since then; however, the letter has been sent to the Town Attorney in case we do need to move forward with the litigation.

Mr. Vigil asked if there was a time limit on Mr. Olguin getting the lots cleaned up. Mr. Naiman clarified that the only cleanup required was on the Family Dollar lot; there is no beautification requirement on the other lots that Mr. Olguin owns. Mr. Vigil commented on the metal building frame being an eyesore; Mr. Naiman stated that Mr. Olguin plans to move that to the south lot and use it for retail space.

Ms. Schulz asked if the Town can force an owner to beautify their property. Mr. Naiman clarified that we are not forcing Mr. Olguin to beautify his property; we are requiring that he keep the commitments he made when the site development agreement was created.

Ms. Schulz stated that there are several properties downtown that need to be addressed as well.

## VI. Old Business:

Revised Zoning Districts, Chapter 3, Section 3-5. Creation of a Transitional (T) zoning district classification. Discussion, comments and recommendations. Action - vote for approval or denial or table.

Mr. Naiman clarified that this item was actually addressed at the last Planning Commission meeting, where a member of the audience requested that the draft be made available for comment; that is the purpose of this being on the agenda for this meeting.

Mr. Vigil asked if there were any comments from the public about this agenda item.

Ms. Chapin stated that she had a number of questions. She complimented the work done on the standards. She requested that the headings be on the top on all subsequent pages, not just the first page of Table 3-1. She asked for clarification on the selection of what would be permitted and what would not be permitted in the Transitional Zone. Mr. Naiman responded that he is attempting to create an area that is still mainly residential in character, and to preserve that as much as possible; therefore he was choosing businesses that would not detract from the residential character of the neighborhood.

Ms. Chapin stated that she did not believe that drug treatment programs or similar clinics match the residential nature; Mr. Naiman stated those may need to have a special use permit.

Ms. Chapin stated that she feels that shoe repair, bicycle shop or tailor would fit the residential feel; Mr. Naiman said he was open to reconsidering that.

Ms. Chapin commented regarding retail sales in the Transitional Zone (which this draft does not allow) and stated that some other communities refer to Transitional Zones as "Downtown Service Districts" and they allow a limited amount of retail if it is ancillary to a professional office (e.g.: chiropractor selling vitamins on the side). Mr. Naiman stated that the retail portion of the example that Ms. Chapin gave may be an option under a special use permit. He stated that it may be that all of the Transitional Zone uses may require a special use permit, depending on how the Planning Commission decides they want to regulate it.

Ms. Chapin stated that her desire is to promote discussion on each of the items under the Transitional Zone, whether they should be allowed or not. Since this affects the future of

the Town as a whole, she wanted to make sure that each item is discussed and considered in full.

Ms. Chapin pointed out that in the narrative (not in Table 3-1) it states that light industrial may be allowed in the Transitional Zone by special use permit. She does not feel that light industrial should be allowed in the Transitional Zone at all, as this would affect the character of the neighborhood. Mr. Naiman stated that sewing or shoe repair could be considered light industrial, so perhaps there needs to be some definition and clarification. He expressed appreciation, as did other members of the Planning Commission, for Ms. Chapin's questions and comments that lead to clarification.

Conversation ensued regarding types of clinics that might be allowed in the Transitional Zone and whether there should be differentiation between types of clinics, etc. The argument was presented that, if one differentiates between types of clinics (e.g.: marriage counseling and methadone clinic), that it is discriminatory. Mr. Naiman stated that zoning, by definition, is discriminatory. The Commission members agreed. Mr. Naiman stated that perhaps clinics should be permitted in the Transitional Zone by Special Use, so that the Commission has some control over what the neighborhood might want.

Ms. Chapin commented that parking requirements for Transitional Zone businesses should be higher than for residences in the Transitional Zone. Ms. Schulz acknowledged that parking is a legitimate concern.

Mr. Naiman stated that he is beginning to think that all Transitional Zone uses should be reviewed by the Planning Commission prior to being granted a use permit.

Ms. Chapin expressed appreciation for having the discussions. She stated that some of the other transitional zones that she researched had other items of concern such as odors, vibrations, electrical disturbance, hazardous and medical waste for the clinics, etc. She expressed that these are all items that should be considered.

Mr. Naiman reiterated that perhaps all the Transitional uses should be reviewed by the Planning Commission.

Ms. Lopez disagreed; she stated that this is the purpose of the Transitional Zone and if everything has to go through the Planning Commission, Town Board and possibly the Board of Adjustments, then we should do away with the Transitional Zone idea and simply leave things as they are.

Ms. Campbell stated that if there is disagreement within the Planning Commission as to whether something should be permitted or only permitted as a special use, then it should be left under special use so that it will be discussed at the time, depending on the circumstances.

Ms. Schulz commented that, if the Planning Commission meets regularly, any Special Use permits would be handled in a timely manner.

Mr. Naiman stated that he would scrutinize each of the items and if it is questionable, he will put it as a Special Use permit that has to come before the Planning Commission.

Mr. Vigil called for a motion on the Transitional Zone. Ms. Schulz stated that Mr. Naiman said he would review the Transitional Zone items. She moved that the Planning Commission table the Transitional Zone District Classification until the next meeting.

Ms. Campbell seconded the motion. It passed unanimously by voice vote.

Ms. Schulz and other members expressed appreciation to Ms. Chapin for her comments and thoughts regarding this item. Ms. Campbell expressed appreciation for the research Ms. Chapin has done. Ms. Chapin, in turn, expressed appreciation for the Planning Commission discussions of these issues.

## VII. New Business:

Revision/addition to Chapter 2 Subdivision of Land – Add Annexation Procedures, re-organize the chapter with Annexation information first and Subdivision section 2nd. Rename chapter 2 as “Annexation and Subdivision of Land.”

Mr. Naiman stated there is no action required this evening on this item. This will be discussed in the workshop. He is simply presenting the revised version of this chapter so they can have it in advance of the workshop. Mr. Vigil stated that we will table this and work on it at the workshop on May 24. Mr. Naiman clarified that the next Planning Commission meeting will be on June 14. Ms. Schulz stated she will not be here; Mr. Vigil stated he will not be here; Ms. Melton may not be here.

## VIII. Adjournment

Mr. Vigil called for a motion to adjourn the meeting. Ms. Campbell moved to adjourn the meeting at 7:06PM; Mr. Baird seconded the motion. It passed unanimously by voice vote.