

Planning Commission Minutes

April 2, 2024

Member Present and seated as Board: Chair Cary Aloia, Mike Mitchell, Will Hathaway, Russell Pratt, Charles Stillings, Jerry Gallegos. Dixie Diltz – Secretary and Randy Kern - Advisory.

Members Absent: Leonard Brown, Martha Williamson, Travis Cross.

Others Present: Phil Varoz, Peg Varoz, Will Patel, Shital Patel, Jason Mathews, Leeann Harness.

Chair Cary Aloia called the meeting to order at 1:30pm, roll call is completed. Will Hathaway and Russell Pratt are seated for the absent Board members.

Russell Pratt moves to accept the agenda as presented; Mike Mitchell seconds motion passes unanimously.

Russell Pratt moves to approve the March 19, 2024, meeting minutes as presented, Jerry Gallegos seconds and the motion passes unanimously.

Chair Aloia calls forth the first item on business. Shital (Will) Patel joins the board to review the application for PS Cube, LLC dba Movie Manor Hotel. Secretary Diltz gives staff report. The applicants are requesting approval to add a 12 space RV Park to their business. The property is currently zoned Commercial Resort Tourism, it is 41.47 acres located along Highway 160 on the west side of Monte Vista. There is a private well and private wastewater treatment on site. They currently have a hotel, a restaurant, and a drive-in Movie theatre on the parcel. Historically there was an RV Park on site, however it ceased operation many years ago. The applicants have worked with the Land use Department, the Colorado Division of Water Resources, and the Colorado Department of Public Health to assure they are compliant with water and wastewater regulations. Request for comment was sent to the Division of Water Resources, Colorado State Land Board, Colorado department of Transportation. San Luis Valley Water Conservation District, Rio Grande County Road and Bridge, Rio Grande County Attorney, San Luis Valley Rural Electric Cooperative, Colorado Department of Public Health, Rio Grande County Building Department and San Luis Valley Regional Environmental Protection Agency. Responses were received from Colorado Department of Transportation, The Division of Water Resources, San Luis Valley Regional Environmental Protection, Rio Grande County Road and Bridge and the Colorado Department of Public Health and Environment Water Quality Control and are included in the packets. Thirty-two notification letters were mailed out on March 4th to properties within 1,500 feet. Notice of publication was published in the Monte Vista Journal on March 13. No responses were received.

Staff required the application to go through the conditional use process as an accessory use due to the already existing uses on the property. The applicant will provide electric service to each camp space as well as have a communal dump station, restrooms, and water tap. Staff recommends approval of the application with the conditions that all CDOT, CDPHE Water Quality Control, EPA and any other regulating authority requirements a maintained and that any increase in size or expansion of spaces is approved through RGC and other agencies prior to making any changes. This application is being reviewed under the current Development Code regulations, not the proposed regulations that are being worked on.

Chair Aloia asks the application if they have anything to add. Will Patel states that due to a decrease in business the past several years, they are wishing to add some new services to increase revenue. They will have the dump station, the restrooms and water tap as well as electric hook ups to each site. They have been working with the water department in Alamosa since acquiring the property and have reduce the water

usage on the property from 34-acre feet to 6-acre feet last year, with better water management and reduced landscape watering. They send water reports to the water department regularly.

Chair Aloia opens the floor to public comment. No one is present to comment on this application.

Jerry Gallegos questions if they will be using existing infrastructure for electrical service or place new lines? Will Patel says they will be running new services. Jerry asks how many sites the previous owner had? Will says he believes they had about 26 sites, but it was on a different area, not on the property they purchased. They would like to start with only 12 spaces to see if it will be successful, if so, they may want to expand to more sites in the future. The sites will be for year around use and there is a 'hanger' on the property that can be used for storage of a few RV's. Charles questions the square footage of the sites. Each site is 30 x 50 or 1,500 square feet. CDOT has requested to have two of the access points closed off.

Russel Pratt says it is an ideal fit, being the property is zoned commercial. Will Hataway questions the OWTS and the response from CDPHE. Secretary Diltz clarifies that it is a State permitted system and all monitoring is done between the applicants and the State of Colorado. Will Hathaway commends the applicant for reducing the water usage on the property.

With no further discussion, Russel Pratt moves to recommend approval of the application with the conditions presented by Staff. Mike Mitchell seconded the motion, motion passes unanimously.

Application will next be heard by the Board of County Commissioners on April 24, 2024, at 1:30pm.

Chair Aloia calls forth the second application on the agenda. Leeann Harness and Joason Mathews join the Board. Secretary Diltz presents the staff report.

The applicants are applying to do a mobile RV repair business (not mechanical repair) and a pottery and upholstery business. The parcel is currently about 1 acre zoned residential, with a private well and wastewater treatment system. It is surrounded entirely by agricultural ranching property. The Development code book 'list of uses' table does not allow for the primary use on a residential property to be the automotive repair business, however the applicants have a residence on the property and the RV Repair/ Upholstery/ pottery would be an accessory use. The applicants clarified they do not do any mechanical or chassis type work on the RV's and only do interior work like heater or plumbing repair and some minor exterior work such as molding replacement. Most RV repairs are done off site (mobile). The applicants request a limited number of RVs on property at any time. Request for comment was sent to the Division of Water Resources, RGC Emergency Manager, Habitat Protection, State Land Board, SLV Regional Environmental Health Protection Agency, SLV Water Conservation District, RGC Road & Bridge, SLV Rural Electric Association and the RGC Building Department. Responses were received from the Division of Water Resources, SLV Regional Environmental Protection, RGC Road & Bridge, RGC Emergency Manager and the SLV Water Conservation District. All responses are included in the packets. Eight notification letters were sent to properties within 1,500 feet on March 4, 2023, no responses have been received. The applicants are requesting to be allowed up to 4 RVs on site for repairs, Staff recommend reducing that number to two RV's on-site for repair work not including the three RVs owned by applicants. Staff recommends approval of the application with the following conditions. The applicants wish to also have the pottery and upholstery shops approved on this application, they state they do not have employees, a show room, nor customers onsite for these businesses. All materials are shipped or picked up by applicant. Staff recommends approval of the application with the conditions that: No mechanical, chassis work, body work (except molding), engine service work, radiator flushing or replacement, oil changes, exhaust system work or automotive repair work will be performed on the property. No more than 2 recreational vehicles are parked on the property at any time for repair purposes, (excludes RVs owned, titled, and registered to the property occupants.). No retail

sales site is established on the property for the repair business, nor the pottery and upholstery business. All business licenses and sales tax licenses, if required, must be kept current and any changes, expansion or addition to the business' are discussed with the Land Use Department prior to making the changes. Land use staff completes an annual review of the property to evaluate compliance with the conditional use permit.

Chair Aloia asks the applicants if they have anything to add. Jason Mathews reiterates that he does not do any motor or chassis work, axels or brakes and refers all work to Glens Auto in Del Norte. He does slide motors, water heaters and such interior work. Most of it is mobile however, some customers prefer to drop them off. Jerry Gallegos asks if the applicant is ok with just having two RV's on-site. Jason says he would prefer to be allowed up to four just in case there are delays in customers picking up their vehicles or there is a delay in getting parts. Secretary Diltz tells the board this application was necessitated due to complaints on the property regarding the number of RVs parked there. The applicant has three RVs personally owned parked on the site. Cary Aloia states that the property is pretty small. Charles Stillings questions if the complainant received a letter regarding the hearing today? Jason says there was a time when he got stacked up due to not being able to get parts. Mike Mitchell says that the availability of parts is sometimes slow, and he wouldn't want to make it impossible for the applicants to make a living because he must wait for parts. Cary Aloia asks if the applicant could park some of the RVs in the back if they need to. Jason says they could put some smaller ones in the back, however, the RV he lives in is parked back there and the space is somewhat limited for larger RVs. Mike Mitchell asks if Jason is listed on the application as a co-applicant and suggests that he be listed on the application. Discussion around having him as a co-applicant on application versus having him as an employee. Randy Kern mentions the access for emergency vehicles if there are many RVs parked on the property. Will Hathaway mentions that cottage industries are limited to over 2 acres per the Development Code, by going through the conditional use process, he understands that would allow for some exceptions, however, if there are already 3 RVs on the property it seems like another four may be a lot for the 1 acre. If a neighbor has already said some there is a concern that it's already cluttered. Jason says he has tried to keep the ground clean and is doing what he can to limit the clutter. He explains why there were several there last year. Mike asks about the upholstery business, Leann says she doesn't do a lot of upholstery, maybe a couple chairs and she would just pick them up and then deliver them. Jason mentions that the spare tire covers could be made in the upholstery business.

Mike Mitchell makes a motion to recommend approval with the condition that the applicants have no more than 4 RVs on site for repair, that Jason be listed as a co-applicant on the application and including all other conditions as presented by Staff. Jerry Gallegos seconded the motion. Motion passes by a 4 to 1 vote as follows, Will Hathaway – no, Jerry Gallegos – aye, Russell Pratt – aye, Charles Stillings – aye, Mike Mitchell – aye.

Next meeting will be April 24, 2024 at 1:30pm.

Chair Aloia calls forth the third application on agenda. Meg and Phil Varoz join the Board. Secretary Diltz gives staff report. The applicants are requesting to subdivide approximately 12 acres into a 4-parcel subdivision. The address is 4 El Dorado Lane in South Fork. The applicants currently have approximately 12 acres and are proposing to make it into 4 lots approximately 3 acres each. There is a business currently located on the east end of the property that has a well and OWTS associated with it. The surrounding area contains commercial zoned properties and light industrial zoned properties to the west along highway 160, with agricultural zoned properties to the north, east and south. The property is currently zoned commercial, and the applicants wish to retain the commercial zoning for all lots being created. Request for comment was sent to the Division of Water Resources, Water Conservation District, Forest Service, RGC Emergency Manager, USDA, Habitat Conservation District, State Land Board, Colorado Department of Transportation, RGC Road & Bridge, Soil Conservation District, San Luis Valley Rural Electric Association, and the South Fork Fire District. Responses were received from Habitat Conservation District, San Luis Valley Water

Conservation District, Forest Service, Colorado Department of Transportation, Rio Grande County Road & Bridge, San Luis Valley Rural Electric Association and Division of Water Resources. Twenty-four notification letters were mailed to surrounding property owners on March 5, 2024, and notice was published in the Monte Vista Journal on March 13, 2024. No responses have been received. El Dorado Lane is a private road not a county road. There are limited commercial zoned properties in RGC, this property is along the Highway corridor with other commercial zoned properties located next to it. Staff recommends approval of the Minor Subdivision request creating 4 commercial zoned lots.

Russel Pratt clarifies that there is a house on the property near the tree nursery business and the applicants want to divide to the east of that house. Phil Varoz explains that they hold nine well permits for the property and they can be commercial wells. Mike Mitchell asks if the well permits would then be sold with each of the lots being created. Randy Kern asks where they will access all the lots being proposed? Secretary Diltz directs the board to the survey included in the packet and explains that they have an access easement drafted on the plat for all parcels. Randy Kern suggests a cul-de-sac at the end of the proposed road would be a good idea for larger vehicles to be able to turn around. Charles Stillings questions the Shaw Creek ditch that crosses the northeast corner of the property. Phil Varoz explains the access road will not go under the power lines but will run on the south side of the power line. The Board reviews the plat map and attachments. Jerry Gallegos commends the applicant on the thoroughness of the application.

Charles Stilling makes a motion to recommend approval of the minor subdivision with the condition of a cul-de-sac be added on the plat. Jerry Gallegos seconds motion passes unanimously. Secretary Diltz provides copies of the referral agency's responses to the applicant.

Next meeting will be April 24, 2024 at 1:30pm.

Meeting adjourned at 2:35 pm.