

**SPECIAL MEETING  
EXECUTIVE SESSION  
PONCHA SPRINGS BOARD OF TRUSTEES  
330 BURNETT AVE., PONCHA SPRINGS, CO**

**MONDAY, NOVEMBER 4, 2013 - 5:45 p.m.**

The meeting was called to order at 5:45 p.m. by Mayor Furton, who asked for a roll call. Those present:

Mayor:	Richard Furton
Mayor Pro-tem:	Ben Scanga
Trustees Present:	Aaron Kroschel, Ron Slaughter, Rebecca Massey, Darryl Wilson
Town Attorney:	Brad Redmiles
Town Administrator:	Jerry L'Estrange

**Mayor Furton called the Special Meeting to order at 5:45 p.m.**

**EXECUTIVE SESSION:**

**MOTION: Mayor Furton made a motion to adjourn to an executive session for a conference with the Town Attorney for the purpose of receiving legal advice under C.R.S. §24-6-402(4)(b) regarding public dedications in Land Use Code ; to include the Town Attorney, Town Administrator, Mayor & Board of Trustees; motion seconded by Trustee Wilson. Motion carried unanimously.**

The Special Board meeting adjourned at 5:47 p.m.

The Executive Session convened at 5:47 p.m.

The Executive Session adjourned at 6:02 p.m.

The Special Board meeting reconvened 6:02 p.m.

With no further business the Special Board meeting adjourned at 6:03 p.m.

**SPECIAL MEETING  
LAND USE CODE PUBLIC HEARING  
PONCHA SPRINGS BOARD OF TRUSTEES  
10163 CR 120, PONCHA SPRINGS, CO**

**MONDAY, NOVEMBER 4, 2013 - 6:30 p.m.**

The meeting was called to order at 6:30 p.m. by Mayor Furton, who asked for a roll call. Those present:

Mayor:	Richard Furton
Mayor Pro-tem:	Ben Scanga
Trustees Present:	Aaron Kroschel, Ron Slaughter, Rebecca Massey, Darryl Wilson
Town Attorney:	Brad Redmiles
Town Administrator:	Jerry L'Estrange
Public Works Director:	Greg Smith
Clerk/Treasurer:	Diana Heeney
Visitors:	Chuck & Jan Azzopardi, Brian & Kim Brown, Sue & Ken Lindbloom, Susan & Jerry Smith, Lillian Bender, Brian McCabe(Mtn. Mail)

**Mayor Furton opened the public hearing at 6:30 p.m.**

Joe DeLuca, Crabtree Group, gave an over view of the proposed new Land Use Code. DeLuca stated a Draft copy of the new code is available at Town Hall.

**Sue Lindbloom, 241 Tomichi Ave.** – asked what changes the zone.

DeLuca stated the new code does not take anything away from current zones, noting existing uses are grand fathered in. He went on to say future development triggers uses in the new code, stating the intent is to make zoning flexible by allowing more entitlements for land owners.

**Brian Brown, 305 Chipeta Ave.** – stated he is new to the community having lived in Colorado Springs for 38 years. He stated concern with the Resort Zone regarding increased light, noise and traffic, asking how these concerns will be addressed. Smith spoke in favor of controlled growth but noted he has concern with the nature of Resort Zone growth.

**Mayor Furton** stated the area that is zoned Resort has historically had cabins and considered resort in nature.

**DeLuca** stated the intent is to reduce nuisances, noting lumens are restricted so light does not to leave the border of the property. He went on to say he would not expect an increase in traffic as there are no new river crossings to the zone and the only way in is off Hwy 285. DeLuca stated codes are developed for long range planning, over the next 100 years, stating he would not expect big hotels. He went on to say future development (possibly from geothermal interests) could possibly stimulate growth.

**Trustee Rebecca Massey** – gave examples of resort areas in Colorado Springs noting mixed use(commercial and residential) seem to be a successful mix.

**Brown** stated he does not see that resort/residential mixed use works, noting complications relative to water, light, and traffic.

**Administrator L'Estrange** – stated the existing use in the Resort Zone is grand fathered in. He went on to say if future/further development is proposed it will have to go through the review process. L'Estrange stated the existing cabins will be able to be improved but any new will have to go through the review process to meet code.

**DeLuca** – stated he does not expect the new code will trigger resorts to move to the town. He went on to say large resort needs sizable acreages to accommodate all that goes with resorts. He stated there are probably 40 acres or so of developable land in the existing resort.

**Brown** –stated concern with noise, noting he thinks at some point a noise ordinance will be needed to govern levels and time.

**Furton**-stated he believes in the future noise will have to be dealt with but at this time the owner of the bar is implementing measures to mitigate the noise/music.

**DeLuca**-stated a noise ordinance can be written in the future to control/manage noise, noting this would give the town more teeth if/when necessary.

**Trustee Slaughter** –stated he does not foresee fast growth, noting he is in favor of the 4-way intersection that will be put in at Hwy 50/285, noting this will affect his neighborhood as the land on the west side of town adjoining his property will become developable.

**L’Estrange**- stated dedications in the code have been adjusted, noting in the event of a PUD, dedications can be negotiated with the developer.

**Trustee Kroschel**-stated by developing the Access Control Plan all properties along Hwy 50/2/85 have ad defined access this along with the new Land Use Code could possible stimulate the needed commercial development the town needs.

**Furton**-spoke in favor of changing “shall “ to “should” in the code where it makes sense.

**DeLuca**-stated it is a balancing act, noting the town needs leverage at times.

**Furton**- suggested warrants could be considered instead of “shall”.

**Slaughter** – stated there is latitude with uses permitted by right and others uses permitted by Warrant ! or Warrant 2. He went on to say he does not know if the town would want to change all Warrant 2 uses to Warrant 1 uses.

**DeLuca** – stated the warrants meet the intent of the code.

**Mayor Pro-tem Scanga** –stated uses in the resort zone are governed by warrants and this fits the intent of the code. He went on to say with the warrant process the Board can look at and make determinations regarding development in the resort zone.

With no further comments Mayor Furton closed the Public Hearing at 7:17 p.m.

Brian Brown asked what the next steps are for the code. Mayor Furton stated the document will need proof reading. Brown asked when the adoption of the code would happen. Administrator L’Estrange stated sometime in November.

Respectfully Submitted:

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Diana K. Heeney  
Clerk/Treasurer

Approved As To Form and Content:

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Richard Furton  
Mayor

Attest:

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Jerry L’Estrange  
Town Administrator