

CITY OF ALAMOSA PLANNING COMMISSION

March 26, 2025
6:00 PM
Council Chambers, 300 Hunt Avenue

Mission Statement: We are committed to providing balanced, effective and efficient public services for our residents, visitors and businesses by cultivating a vibrant, resilient and livable city.

Any person needing reasonable accommodation to attend or participate in a public meeting, please contact the Alamosa City Clerk's office by telephone (719) 589-2593, by email cityclerk@ci.alamosa.co.us, in person at 300 Hunt Avenue, or by mail at POB 419, Alamosa, CO 81101.

AGENDA

I. Call to Order

II. Roll Call

III. Agenda Approval

IV. Approval of Minutes

- A. Approval of Minutes from Feb. 26th, 2025

V. Public Comments

VI. Regular Business

Request to Convert a Non-Conforming Residential Use to a Conforming Use
Proposed Code Amendment for Form-based Code Changes in the Established
Neighborhood Zone
Code Amendment Clean-up Discussion on Security Fences

VII. Other Business

- A. Staff Updates
- B. Code enforcement updates

VIII. Adjournment

MEMO

TO: Planning Commission Members

FROM: City of Alamosa, Development Services

SUBJECT: Wednesday March 26, 2025 at 6:00 p.m.

City Hall, Council Chambers 300 Hunt Ave. Alamosa, CO 81101

If you have any questions please contact the Public Works Office at 589-6631 or email daspinwall@ci.alamosa.co.us

CITY OF ALAMOSA
Planning Commission Minutes
February 26, 2025
6:00 PM

Any person needing reasonable accommodation to attend or participate in a public meeting, please contact the Alamosa City Clerk's office by telephone (719) 589-2593, by email cityclerk@ci.alamosa.co.us, in person at 300 Hunt Avenue, or by mail at POB 419, Alamosa, CO 81101.

Minutes of the Meeting

The regular meeting of the Planning Commission was called to order on February 26, 2025 at 6:00pm. By Chairman Mark Manzanares. Present were the following members: Mark Manzanares, John Adams, Sandra Ortega, Reyna Martinez, and Ralph Symbleme. Staff Present: Rachel James, Deacon Aspinwall, Captain Brandon Bertsch and Beata Ramza.

Agenda Approval: M/S/C

Motion to approve agenda as presented - Oretga/Adams. All vote yes motion passes.

Approval of the Minutes: M/S/C

Motion to approve 01/22/2025 minutes as presented- Adams/Martinez. All vote yes motion passes.

Public Comments: None

Regular Business:

- A. Request for a 3' side street setback reduction at 101 Edison Ave
 - a. Subject property on 1st and Edison. Applicants will demolish single family homes and construct a duplex. Because it is on a corner it is an 8ft side street setback from 1st Street rather than a 5ft setback. Duplex would fit with a 5ft setback. No issue with the site triangle. The duplexes will be alley access. Staff finds that the 8 variance criteria are met and it meets the housing action plan. Staff recommends variance to be approved as presented.
 - b. Dale and Deaana Martin - Center - The challenges with these properties is they are too dilapidated to fix. We need to start over because the foundations can't be saved. That location used to be a city dump. Our target market is people at the university and hospital. We attached photos in the narrative.
 - c. Speakers in support
 - i. Luke Smith - 735 1st St - I support the variance. I think this would be good for the neighborhood and the City.
 - ii. Gwen Smith - 123 Edison Ave - I also support the variance, It will help with the neighborhood and town and provide better housing for families.
 - iii. We received one comment through email. The person was supportive.
 - d. No one present to speak against.
 - e. Planning Commission Questions
 - i. Manzaneras - Are there any issues with fencing? Aspinwall - Since 1st Street is new, the fence can be right up to the sidewalk.
 - ii. Symbleme - Can we see the photos of the homes? Staff pulled up photos and designs.
 - iii. Ortega - What's your timeframe? Martins - We are trying to do it this summer but the interest rates came back up and so we are trying to figure it out with the banks. The units are prefab from Nebraska. Would demo when the units are ready and install all in one go

- to have it all built in 2 months. Have set their units before and think they are even better than site built. Colorado Department of Housing standards and get put on foundation.
- iv. Symbleme - You have worked with this builder before, is there going to be an issue regarding soil mitigation? Aspinwall - No, there should not be.
 - f. **Motion to approve the application as is with adding the carport to the same setbacks at a later time. Reyna/Ortega - All voted yes motion passes.**

Other Business:

A. Code Enforcement Updates

- a. Captain Brandon Bertsch - Working on several different properties. Trying to board up nuisance properties on Tenth St and Alamosa Ave. St Benedicts constantly out there, down to ten campsites. We have been enforcing the rules. Tomorrow on 4th St bridge helping CDOT remove some county homeless campsites. Also in support of the variance that was on the agenda tonight. I receive Investigation, Code Enforcement, and Co-responders. 1111 Railroad Ave which was a long time issue has been demolished.

B. Staff Updates

- a. By March, maybe April, we will have a new agenda software. We want to implement an opportunity for planning commissioner comments. That way you all can add things to the agenda that you may want to talk about.
- b. Mark Manzanares will be absent in April so Reyna Martinez will lead the meeting.
- c. Looking at March we will have 1 application and a code discussion coming up.
- d. There were some different ideas from the City Council and Planning Commission on certain topics. We have given City Council a basic agenda of what we as Planning Commission will be talking about so they have an idea what is happening.
- e. The new 4 way stop sign at Del Sol and Clark!
- f. Tierra Azul construction will be starting in the next couple weeks. We are planning a ribbon cutting and you will receive an invitation for March 24th but still choosing a time. They want to start building single family homes this summer, but people would not move in till later.
 - i. Manzanares - Will there be issues with the school district traffic? Aspinwall - There should not be. There will be flaggers for some soil and equipment movement. There will be a single road closure for a street cut but everything is being phased and timed to cause the least amount of issues. The communication for this project has been excellent, there will be regular press releases about street closures.
 - ii. Martinez - They are building the units but nobody living in them will they have security? Aspinwall - They did discuss some security measures and should have a temporary construction yard that will be secured.
- g. CRHDC subdivided a small parcel of land by the KIVA apartments. Will be putting up three single family homes and will also begin construction soon.
- h. Second St will be rebuilt starting next week. It will be done in 3 phases.

Adjournment

The meeting was adjourned at 6:40 pm.

Respectfully Submitted,
Beata Ramza
Recording Secretary

ALAMOSA PLANNING COMMISSION

COMMISSION COMMUNICATION

Subject/Title:

Request to Convert a Non-Conforming Residential Use to a Conforming Use

Background:

The subject property is located at 529 Hunt Avenue, otherwise known as Lot 10, Block 45, Bellview Subdivision, Assessor's Parcel 541310230009. The lot is 6,000 square feet in area and is located in the Commercial Business (CB) zone. See the attached location map. The lot is currently improved with a 1004 square-foot *Single Family Dwelling*, constructed in 1921.

The right to continue an existing non-conforming use and maintain it in reasonable repair is permitted, but it cannot be altered or extended under **Sec. 21-7-201** of Alamosa's Unified Development Code (UDC). The applicant wishes to add an Accessory Dwelling Unit (ADU) with alley access, thus requiring a conversion from a non-conforming use to a conforming use request pursuant to **Sec. 21-7-204**. An example of the proposed structure is shown in the applicant's request narrative. See the applicant's site plan, full request narrative, and other documents, attached.

The completed and sufficient Land Use Application was delivered to the Development Services Department on 02/05/2025. Posting requirements have been met pursuant to **Table 21-8-511**. Note that unlike variances, this process only requires the property to be posted.

Analysis and Impact:

Under the standards of **Sec. 21-7-204**, any non-conforming use may be converted into a conforming use by meeting the approval criteria for a Conditional Use Permit (CUP) - specifically plan implementation, compatibility, and community need. Further requirements state that the non-conforming use should have minimal nonconformities and has been integrated into the function of its surrounding neighborhood or zone. In relation to these criteria, staff makes the following findings. Italicized texts are the quoted standards.

Sec. 21-2-302. - General Standards for All Conditional Uses

(b) *Plan Implementation.* Infill development and "up-zoning" is a critical part of addressing the city's housing shortage, and directly fulfills goals in the Housing Action Plan.

(c) *Compatibility.* These three criteria are the most difficult to achieve through this process of non-conforming conversion.

(1) *Will be compatible with surrounding land uses.* The surrounding land uses are both residential and commercial in nature. The proposed ADU is not materially incongruent with the existing development patterns.

(2) *Is proposed for a location that is appropriate in terms of mitigating the impacts or risks of the use to the natural environment, or the environmental impacts or risks are mitigated through the design or the operation of the use.* There are no known risks to the environment at this site.

(3) *Will not materially detract from the character of the immediate area or negatively affect the anticipated development or redevelopment trajectory (for example, by creating a critical mass of similar conditional uses that is likely to discourage permitted uses by*

making the vicinity less desirable for them). Parcel-for-parcel, there are nearly as many residential uses as there are commercial uses. Most lots are built at or near maximum capacity.

(d) *Community Need.* Approval will enable the applicant to add an ADU, which addresses Alamosa's housing shortage.

Sec. 21-7-204(c) Conversion by Conditional Use Approval; Standards

(2) *The use has minimal nonconformities and has been integrated into the function of its surrounding neighborhood or zone, as evidenced by the following:*

a. *Nearby city residents regularly patronize the use or are employed by the use (for nonresidential uses in or abutting residential neighborhoods).* Not applicable. This is a residential use.

b. *Management practices eliminate nuisances such as:*

i. *Spillover of noise or light.* Staff is unaware of any spillover light or noise. If such conditions are found to exist with respect to lighting, Planning Commission may choose to impose conditions to mitigate these nuisances.

ii. *Odors and appearance of waste materials and litter.* Staff is unaware of any odors.

iii. *Unreasonably congested on-street parking.* Alley access will eliminate the need for on-street parking, and the site has adequate driveway and garage space.

iv. *Comparable conflicts with abutting and nearby properties.* There are none anticipated.

c. *There is no material history of complaints about the use (a history of complaints is justification for denying the conditional use permit, unless the conditions of the permit will eliminate the sources of the complaints).* There are no know complaints on record.

d. *If the use is nonresidential, it is licensed in accordance with the applicable ordinances of the city.* Not applicable; this is a residential use.

e. *The use has been maintained in good condition and its classification as a nonconforming use would be a disincentive for such maintenance.* The use is in good condition, and approval incentivizes the highest and best use of the property.

Recommended Action:

The conversion of non-conforming to conforming use is one of the highest bars to overcome in the UDC. Barring and substantial evidence contrary to staff's findings, staff recommends that Planning Commission **APPROVE** the request for the conversion of the non-conforming to conforming use. Note, while Planning Commission issues the decision on this request, this decision is then ratified by City Council.

Sample findings and motion. Motions are provided for suggestion and as a template only, and are not required to be followed:

*I find that the request to convert the existing single-family residential use is **compliant** with the standards outlined in **Sec. 21-7-204(c)**. Therefore, I move to **approve** the request.*

Alternatives:

The following is a non-exclusive list of actions that Planning Commission may take.

(Recommended action) Planning Commission may **approve** the request without any conditions, if it finds there are no adverse impacts needing to be mitigated.

Planning Commission may choose to **approve with conditions** the non-conforming conversion request, so long as those conditions are reasonably tied to the request.

Planning Commission may **deny** the request if it finds the request does not meet the standards for

which a non-conforming use can be converted to a conforming use. If Planning Commission decides to deny the request, it must provide findings of fact outlining how the request does not meet those standards. The result of denial will allow the use to continue in reasonable repair, but it could not be altered or extended.

These decisions are all subject to ratification by City Council on April 16th.

Relevant Code:

Article VII. - Nonconformities

Sec. 21-7-101. - Purpose

(a) **Generally.** The application of new regulations to existing development may create circumstances in which existing lot dimensions, density, intensity, land uses, buildings, structures, landscaping and buffering, lighting, parking areas, or signs do not strictly conform to the requirements of the new regulations. For existing lots or development (including uses, buildings, structures, and signs) that are “legally nonconforming,” this Article sets out equitable rules for whether, when, and how the regulations of this UDC apply.

(b) **Conversion of Nonconformities.** Generally, nonconforming uses, buildings, structures, and signs are not allowed to be enlarged, expanded, increased, nor be used as grounds for adding other structures or uses that are now prohibited in the same zone. This Article provides standards by which minor nonconforming uses can be made “conforming” through a public hearing process.

(c) **Reduction of Nonconformities.** It is the policy of the City to encourage reinvestments in property that increase its value and utility and reduce its external impacts. Since bringing a developed parcel into full compliance with this UDC may involve substantial costs that may discourage reinvestment, Division 7-4, *Other Physical Nonconformities*, provides a set of thresholds for determining when new construction or modifications to development trigger a requirement for increasing conformity with the various requirements of this UDC.

Sec. 21-7-204. - Conversion of a Nonconforming Use to a Conforming Use

(a) **Generally.** In many instances, nonconforming uses may be integral parts of the City’s fabric, that is, its character and function, so their continuing existence promotes the City’s policy of retaining existing businesses or protecting its character and neighborhoods. In these instances, the classification “nonconforming use” and resulting restriction on investment may not be what the community desires. As such, a nonconforming use may be made “conforming” pursuant to this Section in order to remove the potential stigma associated with the “nonconforming” designation.

(b) **Limitation.** Unlawful uses may not be made conforming under this Section.

(c) **Conversion by Conditional Use Approval; Standards.** A conditional use approval may be granted to make a nonconforming use “conforming,” if:

(1) The criteria for approval of a conditional use set forth in Section 21-2-302, *General Standards for All Conditional Uses*, are met; and

(2) The use has minimal nonconformities and has been integrated into the function of its surrounding neighborhood or zone, as evidenced by the following:

a. Nearby City residents regularly patronize the use or are employed by the use (for nonresidential uses in or abutting residential neighborhoods).

b. Management practices eliminate nuisances such as:

i. Spillover of noise or light;

ii. Odors and appearance of waste materials and litter;

iii. Unreasonably congested on-street parking; or

iv. Comparable conflicts with abutting and nearby properties.

c. There is no material history of complaints about the use (a history of complaints is

justification for denying the conditional use permit, unless the conditions of the permit will eliminate the sources of the complaints).

d. If the use is nonresidential, it is licensed in accordance with the applicable ordinances of the City.

e. The use has been maintained in good condition and its classification as a nonconforming use would be a disincentive for such maintenance.

(d) **Conditions.** Conditions may be imposed relative to bufferyards, landscaping, or other site design provisions, or other limitations (including limitations on future expansion or operational characteristics) necessary to ensure that, as a conforming use, the use will not become a nuisance. Such conditions may relate to the lot, buildings, structures, lighting, landscaping, parking, drainage, or operations of the use.

(e) **Effect of Approval.** Uses that comply with the terms of a conditional use approval that is issued in accordance with this Section are converted from “legally nonconforming uses” to “conforming uses” by virtue of the issuance of the conditional use permit, and subject to its terms. Conditional use approvals shall be provided to the Applicant in writing and may be recorded by the Applicant at the Applicant’s expense.

(f) **Effect of Denial.** If an application for conversion of a nonconforming use is denied, the use may thereafter continue as a nonconforming use.

Sec. 21-2-302. - General Standards for All Conditional Uses

(a) **Generally.** All conditional uses shall meet the standards of this Section related to plan implementation, compatibility, and community need.

(b) **Plan Implementation.** The proposed conditional use in its proposed location will not conflict with the implementation of current adopted plans of the City, including, but not limited to, the Comprehensive Plan;

(c) **Compatibility.** The conditional use:

(1) Will be compatible with surrounding land uses;

(2) Is proposed for a location that is appropriate in terms of mitigating the impacts or risks of the use to the natural environment, or the environmental impacts or risks are mitigated through the design or the operation of the use; and

(3) Will not materially detract from the character of the immediate area or negatively affect the anticipated development or redevelopment trajectory (for example, by creating a critical mass of similar conditional uses that is likely to discourage permitted uses by making the vicinity less desirable for them).

(d) **Community Need.** The conditional use, in the proposed location, will:

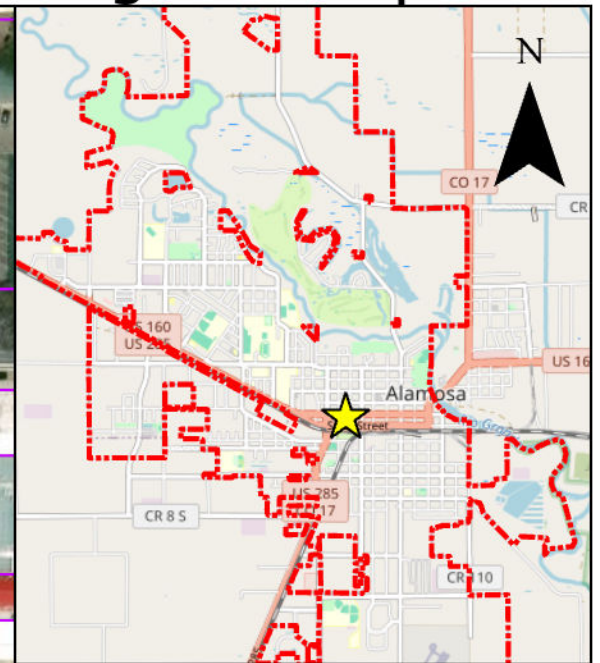
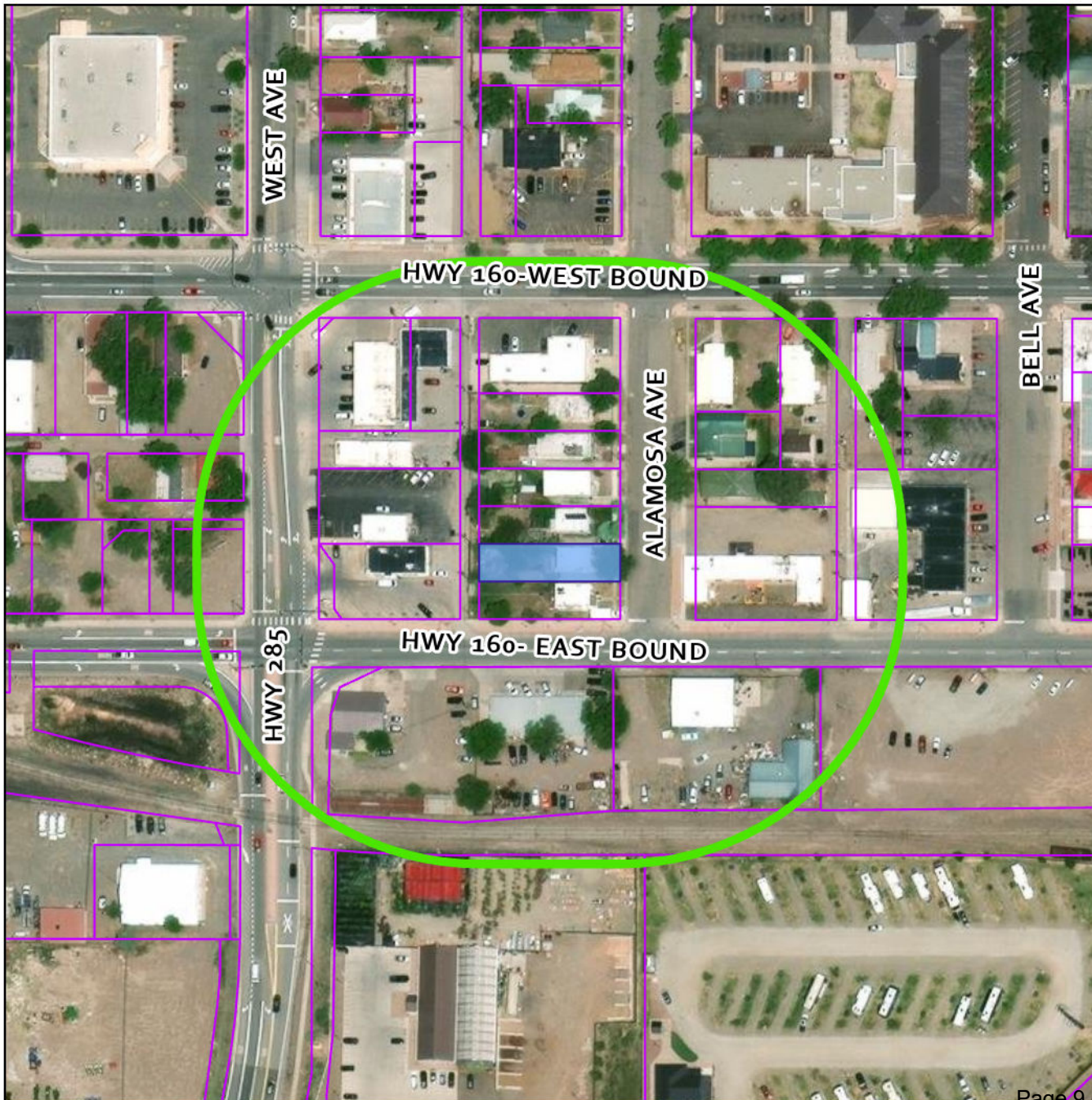
(1) Address a material need for the use in the community; or

(2) Create jobs that are likely to pay more than the median wages for the region, or support a critical mass of related and mutually supportive land uses that promote economic development and opportunity.

ATTACHMENTS:





Description	Type
□ Location Map	Backup Material
□ Owner Request Narrative	Backup Material
□ Site Plan	Backup Material

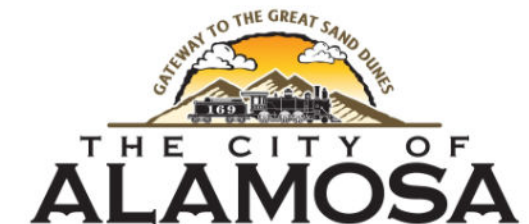
529 Alamosa Ave Conversion of a Non-conforming Use Request



Legend

2/11/2025

-  Subject Property
-  300' Notification Buffer
-  Parcels
-  City Limits



To whom it may concern

My name is EVERARDO GAXIOLA

And I was recently given the opportunity to purchase the property located at 529 Alamosa Ave Alamosa CO 81101

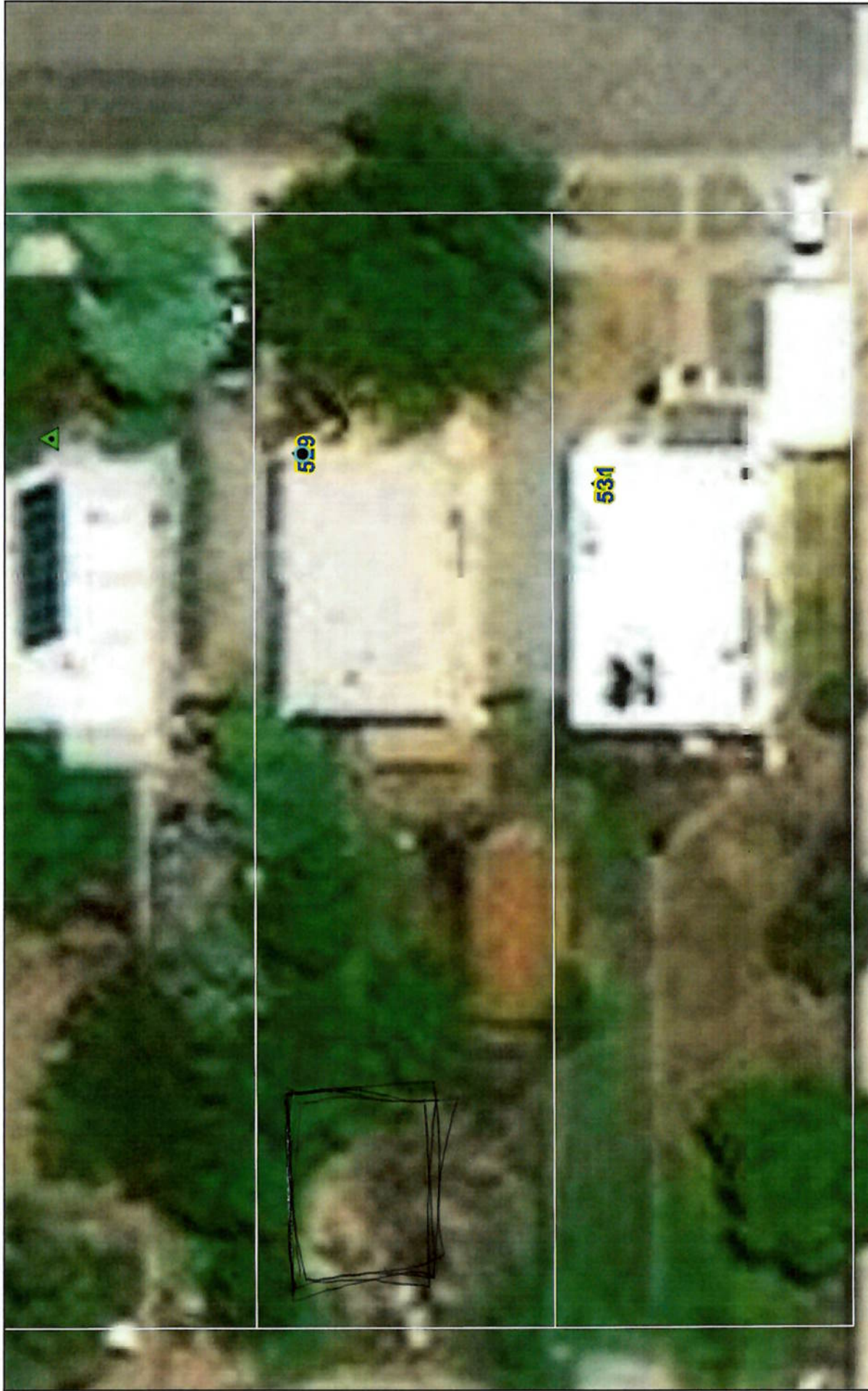
with a large back yard for which I can't think of any other use than to put an A D U* with the purpose of renting it, month to month or long term, my target would be the students of the schools near my location, and to access that A D U the alley between my property and Domino's Pizza would be used

The plan is that this A D U, has its independent essential services so that whoever rents it hires and pays for those services


Before buying this prefabricated house I want to present this plan for the adjustments and procedures necessary to comply with the City codes

I look forward to hearing from you

Everardo Gaxiola
529 Alamosa Ave
Alamosa Co 81101
719 992 1967



Page 1 of 30
8/13/2025, 1:40:36 PM

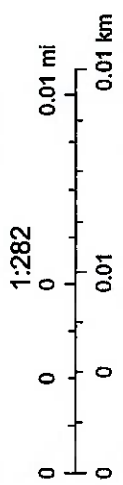
 Addresses (view)



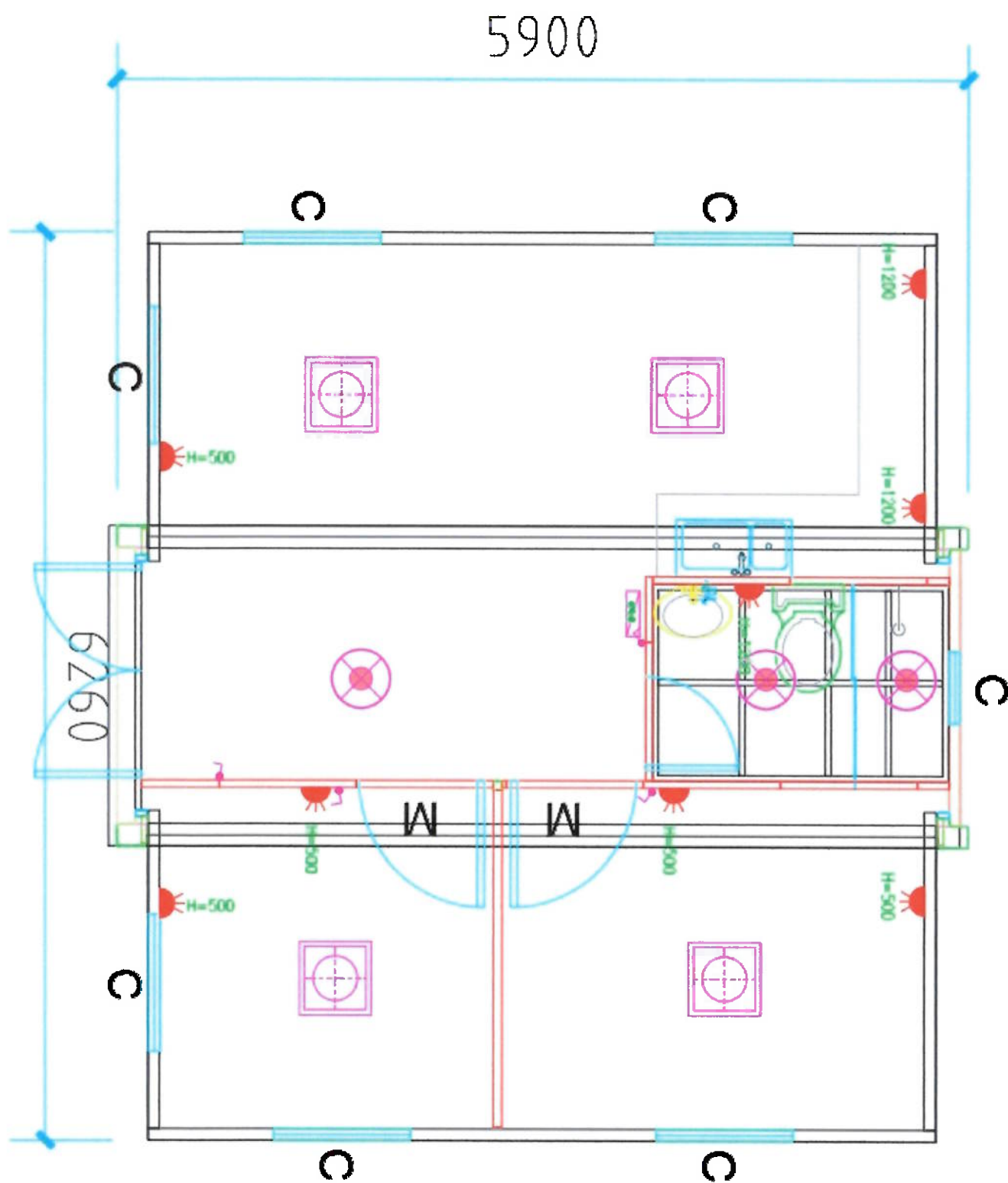
Parcels (view)



Verified Good Address
Current City Limits (view)



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35 sq m

ALAMOSA PLANNING COMMISSION COMMISSION COMMUNICATION

Subject/Title:

Proposed Code Amendment for Form-based Code Changes in the Established Neighborhood Zone

ATTACHMENTS:

Description	Type
▢ Proposed Code Amendment for Form-based Code Changes in the Established Neighborhood Zone	Presentation

Form-based Code Changes in the Established Neighborhood Zone

Why are we talking about this?

- We sometimes don't see the gaps in our codes until it arises due to a development
- Alamosa is very proactive about removing barriers to housing while balancing community needs and desires
- One tool in our toolbox? Tweaking the code to promote more housing in places that won't require more infrastructure
- Case in point - Boyd Redevelopment

What is the barrier?

- Limiting the numbers of units in a multifamily dwelling if it isn't necessary
 - Reduces development yield can make or break projects
 - Puts more strain on infrastructure due to sprawl
 - Apartment unit count frequently does not protect neighborhood characteristics - uses, parking, and forms do

What if there was an alternative?

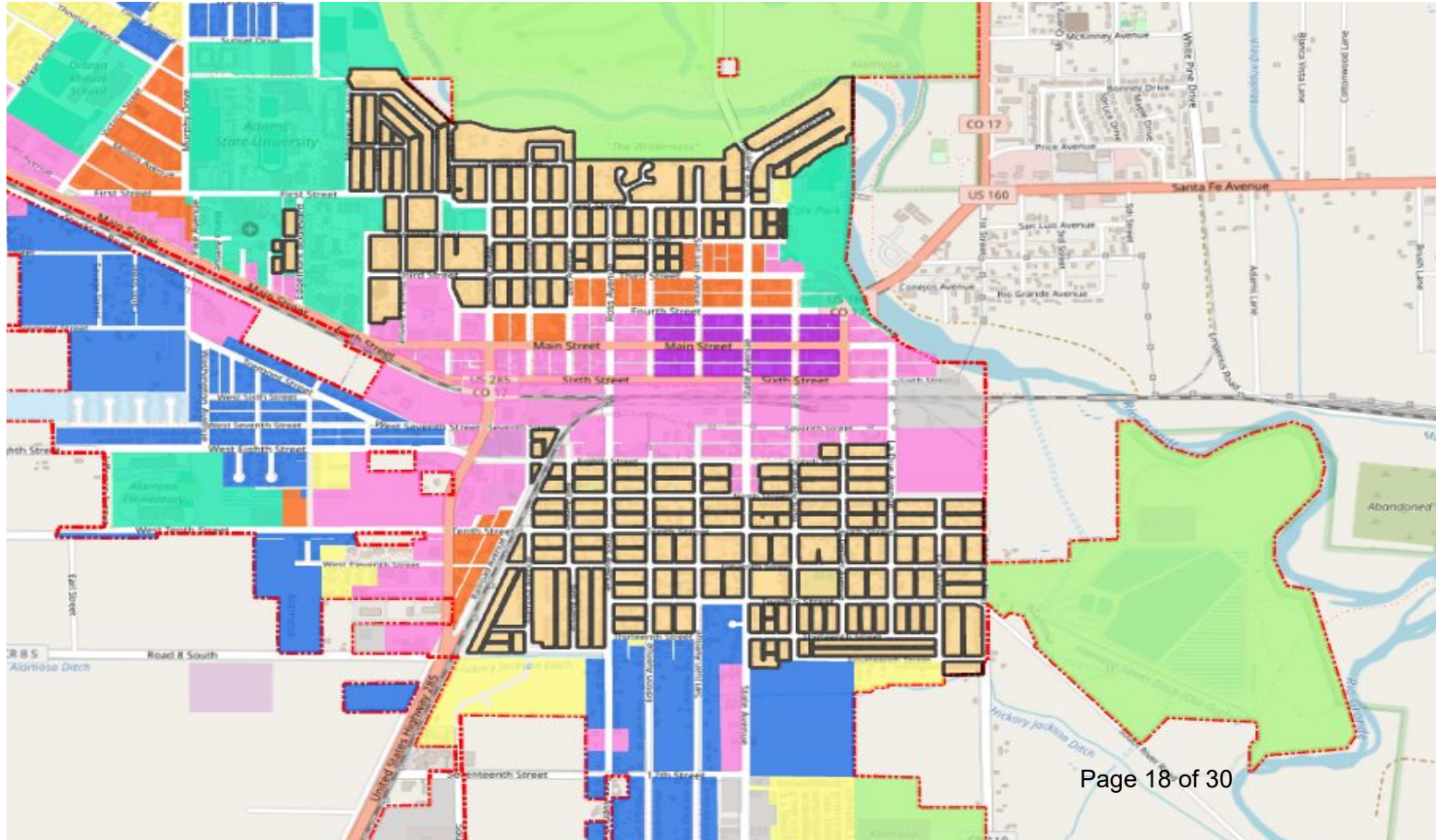
Current Code

Multiplex or multifamily. Multifamily dwelling units are allowed if:

a. In the EN Zone:

1. No newly-constructed building contains more than eight (8) dwelling units and the applicable standards of section 21-4-205, Multiplex and multifamily lot and building standards, are met; or
2. The multiplex or multifamily use existed as of January 1, 2018; or,
3. The multiplex or multifamily use is an adaptive reuse of a building in existence on January 1, 2018, and the applicable standards of section 21-4-205, Multiplex and multifamily lot and building standards, are met.

The Established Neighborhood (EN) district

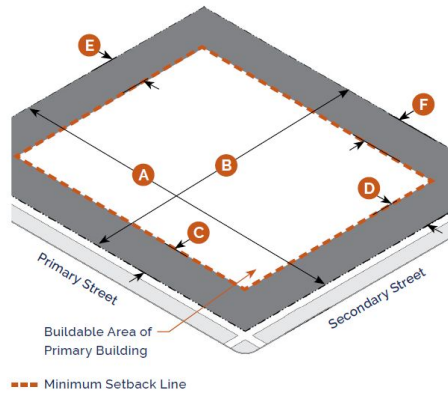


Form-based Codes

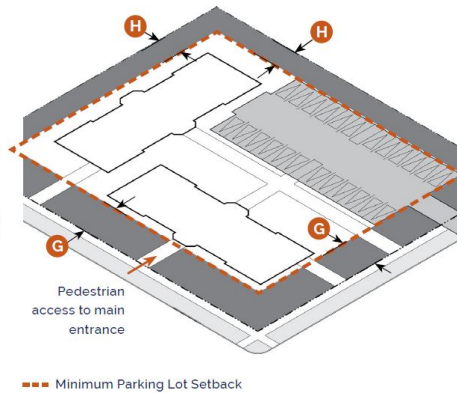
- Two main zoning theories -
 - Euclidean (i.e. separated by zones)
 - Form-based
- Euclidean strives to separate conflicting land uses i.e. don't put schools next to slaughter houses
- Form-based zoning regulates development by focusing on how buildings look, prioritizing how they interact with public spaces and not solely land use types.
 - Utilizes standards such as building materials, articulation, height, landscape placement, etc.
 - Seeks to replicate many historic development patterns
- Most of Alamosa's code is Euclidean, with some exceptions:
 - Downtown Design Standards, "Big Box" retail standards



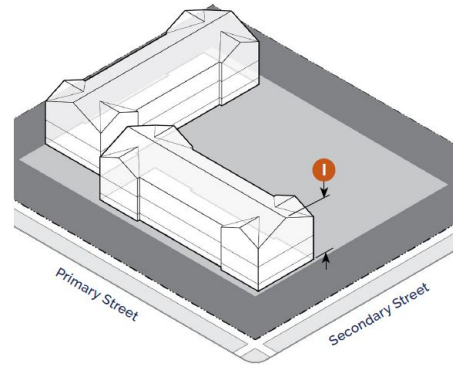
Building Placement



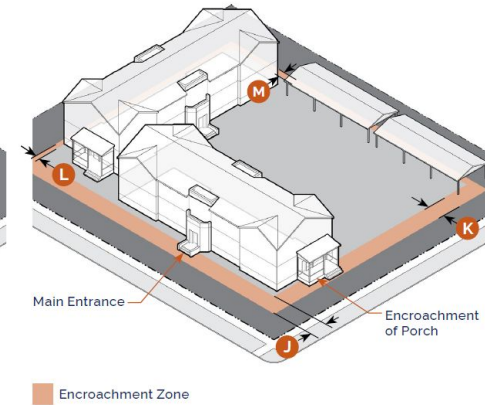
Access & Parking



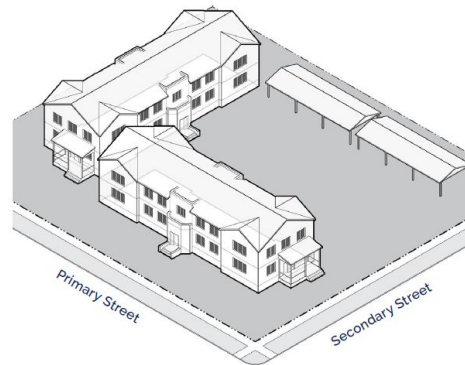
Building Form



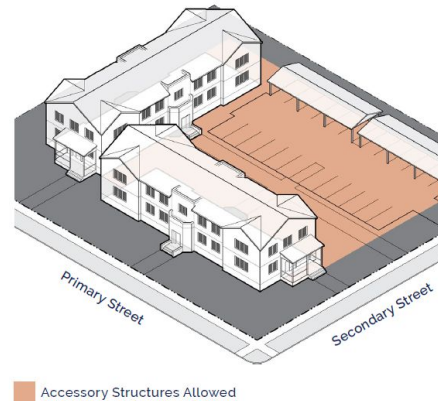
Building Components



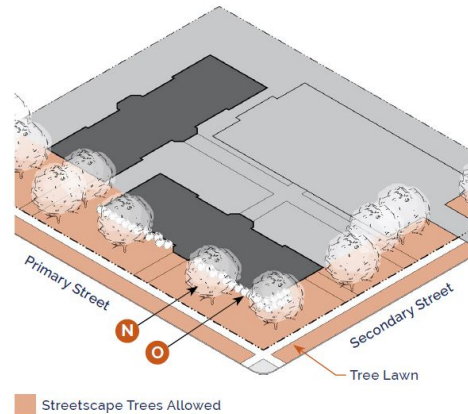
Building Standards



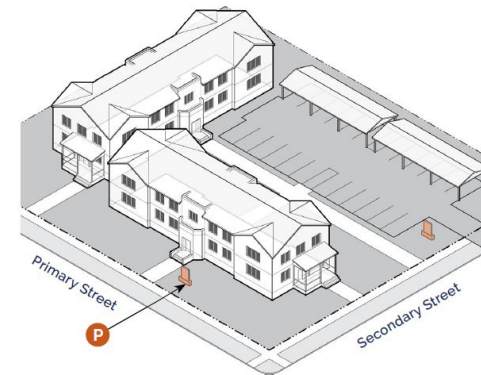
Site Development

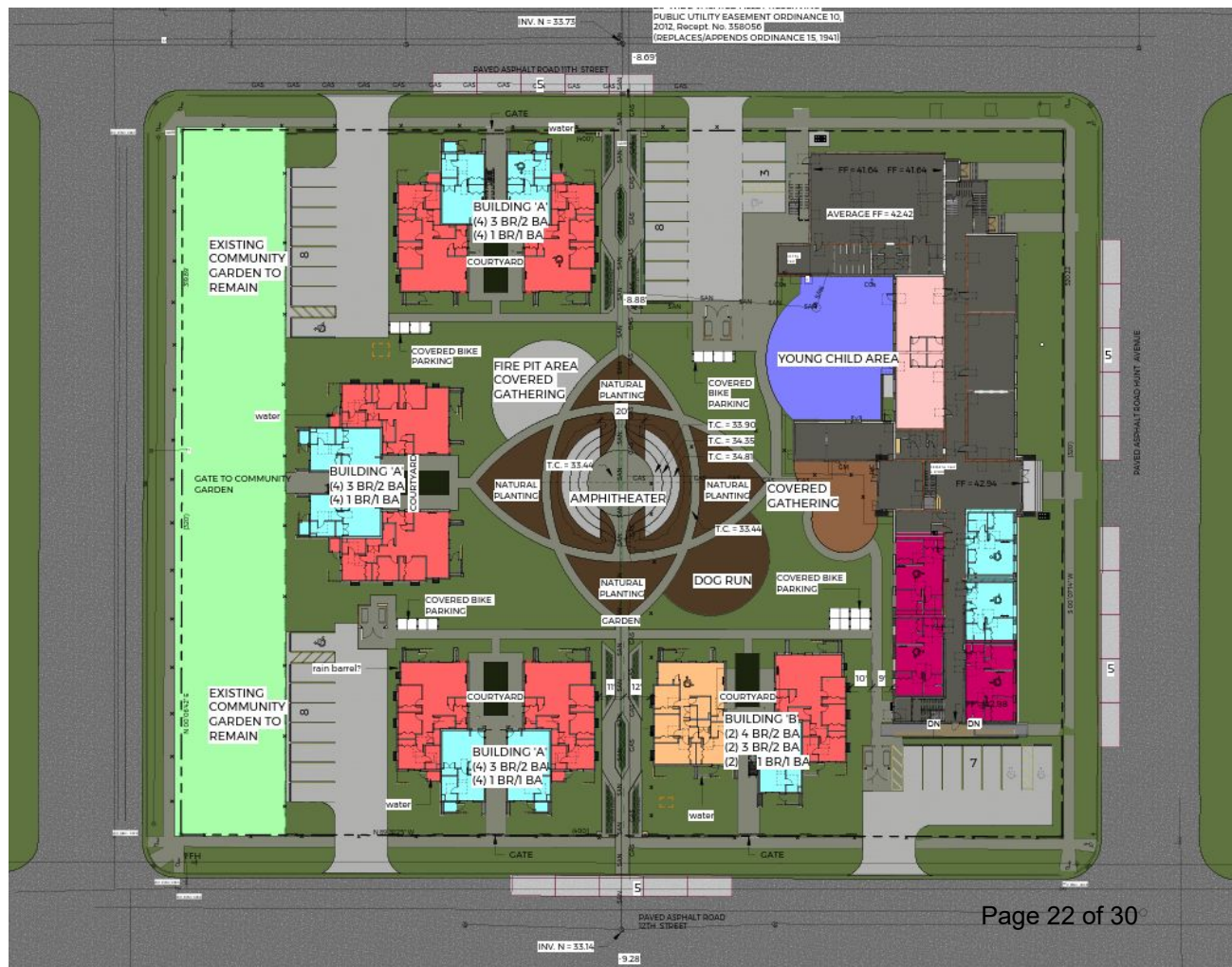


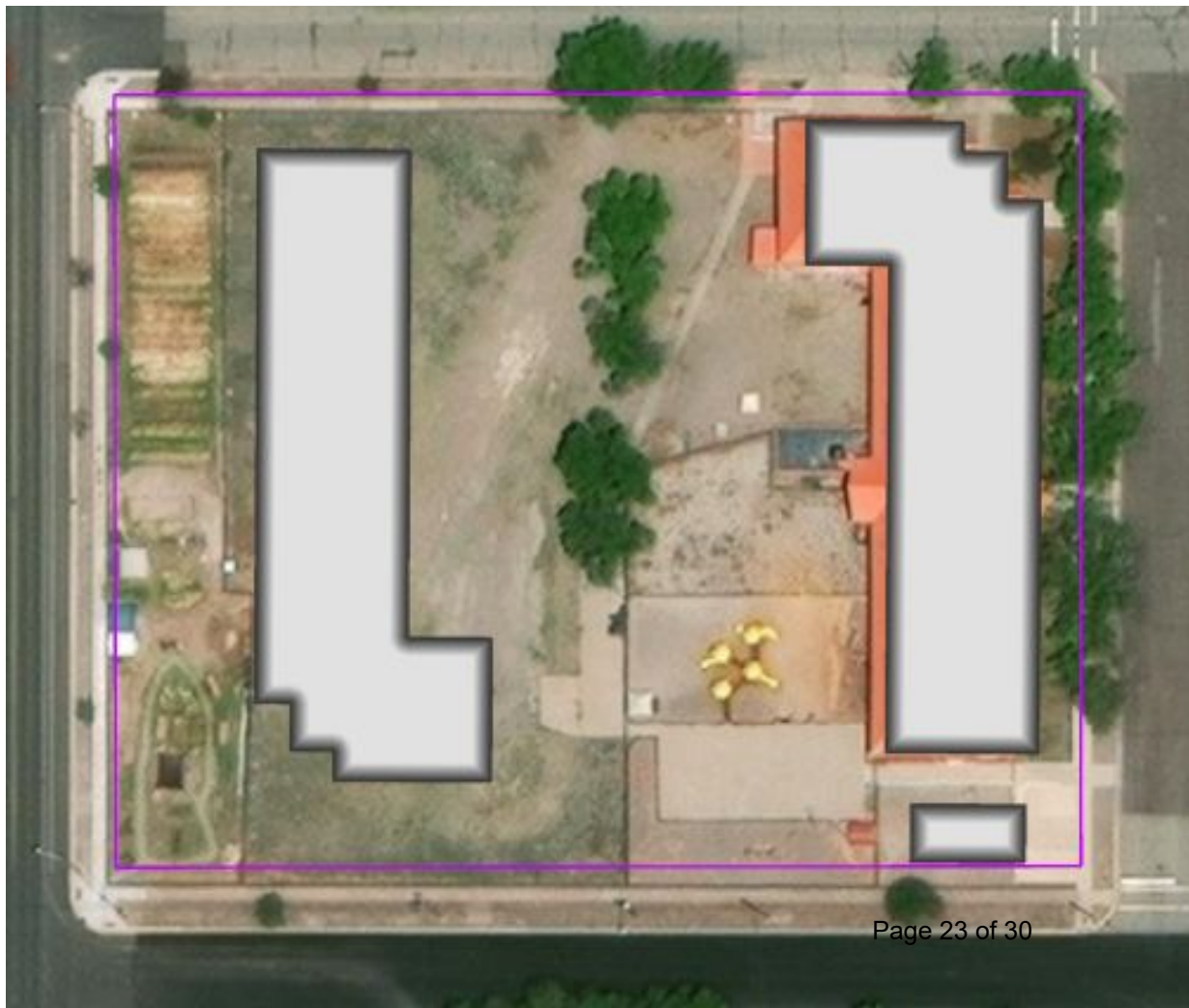
Landscape

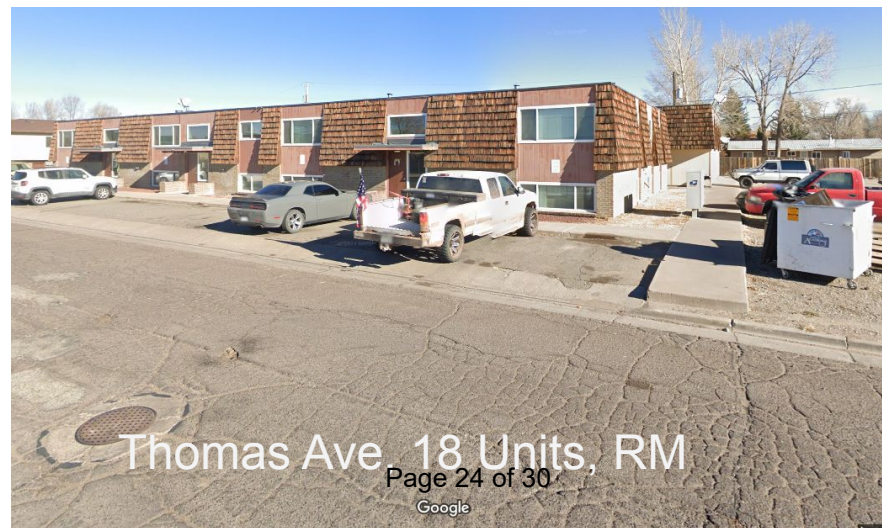
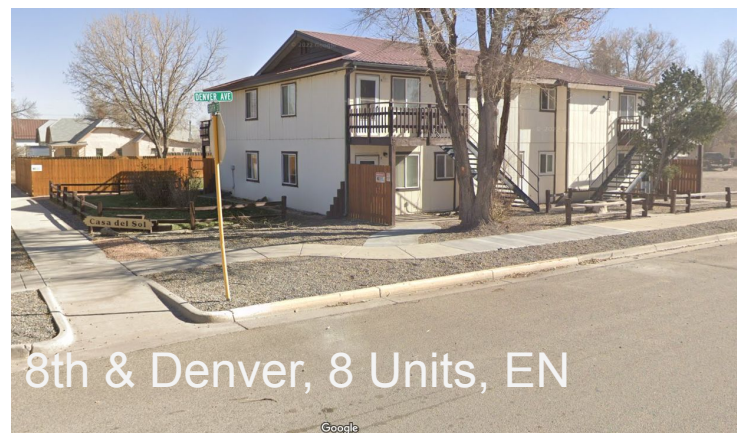
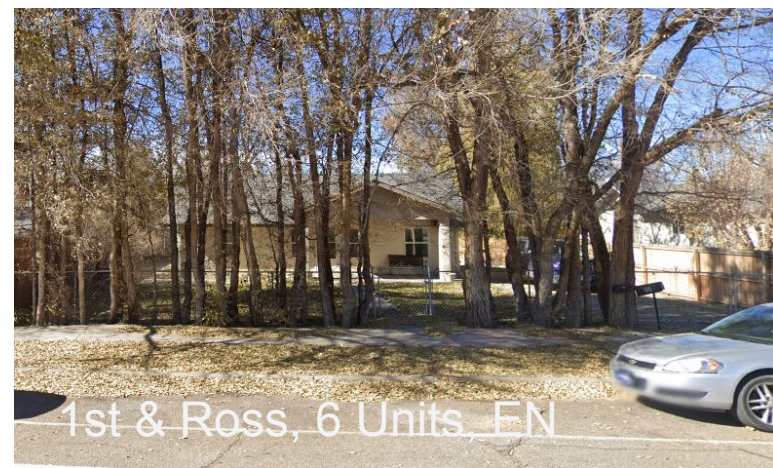


Signs









FORM-BETAD CDE

Current use in Occurrence adjacent to
current use as a result of the
Current use in East Eden Road

Contextual

To illustrate context, notes
the use of the form and the
English Colonial residential
the form of the form
/ East Eden Road

Contextual

Contextual over the site
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Contextual

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Building Form and Material
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Form-Based Code Compliance

- Establishes a stand-alone section for review process for form-based standards
- Would only apply to those uses enabled as eligible (currently proposed only for multifamily in the EN)
- Regulates development based on physical form and public space vs land use
- Form-Based Standards: Contextual Setbacks, Building Form and Material, Building Frontage, Streetscape Design, Public Space Design, Parking and Access

(c) Form-based standards. The following standards shall be used in evaluating a compliant form-based development plan.

- (1) Contextual setbacks. Adjustments to building setbacks to respond to existing street patterns, adjacent building forms, or site constraints, ensuring compatibility with the surrounding area.
- (2) Building form and material. Variations in building height, massing, articulation, and materials to enhance architectural character, promote pedestrian-scale design, and complement existing development in adjacent areas or zones.
- (3) Building Frontage. Modifications to building frontage design, including entrances, windows, and street-level articulation to create active and engaging streetscapes.
- (4) Streetscape Design. Inclusion of alternative streetscape elements, such as landscaping, paving, lighting, and pedestrian amenities, to enhance the public realm and promote pedestrian connectivity.
- (5) Public Space Design. Inclusion of public spaces, such as plazas, courtyards, and open areas, to create vibrant and usable spaces.
- (6) Parking and Access. Alternative parking layouts and access designs that minimize the impact of vehicles on the public realm and promote pedestrian and bicycle access.
- (7) Landscaping and Buffering. Alternative landscaping and buffering plans that provide equivalent or superior screening, visual quality, and environmental benefits, if applicable.
- (8) Pedestrian and Cycle Connectivity. Variations in pedestrian pathways and design to improve walkability and bicycle connectivity.

(d) Submission Requirements. A development proposal using form-based alternative compliance under this process shall include the following:

- (1) A detailed site plan and building elevations demonstrating the proposed variations from typical requirements and compliance with the standards above.
- (2) A narrative statement explaining how the proposed form-based development meets the criteria above and provides equivalent or superior outcomes to traditional development.

(e) Review and Approval. The Administrator shall review all proposals for form-based development using the form and shape of the proposed development and its contribution to the overall character of the area.

- (1) If the Administrator determines that the application meets the applicable standards, they shall approve the proposed form-based alternative compliance.
- (2) If the Administrator determines the application does not meet the standards, they will provide a written denial, with the reasons for denial.
- (3) Alternatively, the applicant may request a review by Planning Commission. Such requests shall be handled in accordance with the City of Alamosa's variance process using the standards referenced above.

ALAMOSA PLANNING COMMISSION COMMISSION COMMUNICATION

Subject/Title:

Code Amendment Clean-up Discussion on Security Fences

ALAMOSA PLANNING COMMISSION COMMISSION COMMUNICATION

Subject/Title:
Staff Updates

ALAMOSA PLANNING COMMISSION COMMISSION COMMUNICATION

Subject/Title:

Code enforcement updates