



Minutes of the Regular Meeting of the Buena Vista Planning and Zoning Commission

April 6, 2016

CALL TO ORDER

A Regular meeting of the Planning and Zoning Commission was called to order at 6:02pm, Wednesday, April 6, 2016 at the Buena Vista Community Center, Pinon Room, 715 E Main Street, Buena Vista, Colorado by Chair Trey Shelton. Also present were Commissioners Estes Banks and Tim Bliss. Commissioner Preston Larimer arrived at 6:06pm. Staff Present: Principal Planner Mark Doering and Deputy Town Clerk Melanie Jacobs.

PLEDGE OF ALLEGIANCE

Chair Shelton led in the Pledge of Allegiance.

ROLL CALL

Jacobs proceeded with the roll call and declared a quorum.

AGENDA ADOPTION

Shelton called for approval of the agenda. **Motion #1** by Banks seconded by Bliss to adopt the agenda as presented. Motion carried.

APPROVAL OF MINUTES

Banks motioned for approval of the March 16, 2016 minutes. **Motion #2** was seconded by Bliss. Motion carried.

PUBLIC COMMENT

Shelton opened the public comment portion of the hearing at 6:03pm. With no comments received, the public comment portion of the hearing was closed at 6:03pm.

NEW BUSINESS

O'Reilly Minor Subdivision

Doering explained that the applicant in this case was requesting approval of a minor subdivision to create three commercial lots at 724 N Hwy 24 in the B-2 highway commercial zone, north of Crossman Ave and west of the highway. The application was filed in order to rectify an illegal split made by property owners in the past. The property is currently vacant. O'Reilly Auto Parts plans to build a store on lot 2, which will have access to Crossman and Hwy 24 via an easement through lot 3. Lot 1 will have separate access to the highway, which it will share with the property immediately to the north.

Doering went briefly through the criteria for approval of a minor subdivision. He noted that the application had met all requirements of the Subdivision Ordinance and that the applicant planned to submit a SIA (Subdivision Improvements Agreement) with the plat. In addition, the new lots to be created meet the minimum size requirements stipulated by the zoning ordinance. Adequate utility services are available and proper easements (both for access and utilities) exist or will be created with the plat, and proper drainage control has been demonstrated for lot 2. Drainage for lots 1 and 3 will be evaluated by the town

when they are developed. Doering closed his presentation by stating that staff recommends approval of the application without conditions.

Alex Hoime of Tait and Associates, 6163 E CR 16, Loveland, Colorado, rose to speak on behalf of the applicants. He said that he had nothing to add to Doering's remarks but would be happy to answer any questions from the Commission. At this point Shelton closed the public hearing and asked Commissioners for their thoughts. Bliss and Banks stated that they found the application to be straightforward, and no one had any follow-up inquiries for Hoime.

Larimer motioned to recommend approval of the O'Reilly Minor Subdivision Final Plat to create three commercial lots on the property. Bliss seconded **Motion #3** and it passed unanimously.

401 N Hwy 24 Comprehensive Sign Plan (Little Daisy)

Doering introduced the project by stating that applicant Seldon Turnbull was requesting permission to install one new pole sign on the property at 401 N Hwy 24 in the B-2 highway commercial zone. Little Daisy Liquor is moving into the space on the south side of the building at this address, where the 3D Auto Glass and Tire shop had been located. The applicant plans to remove the Cooper Tire/3D Auto sign on the pole at the southwest corner of the property and to replace it with his sign, which is 42.5sf in size and features an electronic message center.

Doering noted that the sign in question had already gone through the Comprehensive Sign Plan process in 2015 and was approved by the Planning Commission at that time. As such, it meets all the criteria for CSP approval. He stated that staff recommends approval of the application with two conditions as outlined in the staff report: 1) no temporary sign banners for Little Daisy Liquor are allowed, and 2) no other wall sign, including any alcohol product sign separate from the business wall sign, is allowed on the property without prior approval from the town, and any such sign must comply with the Town of Buena Vista sign code.

Applicant Seldon Turnbull of 227 N Hwy 24 was present in the audience and stepped to the podium to address the Commission. He said that for now he just wanted to move the pole sign across the highway. A wall sign will be installed at a later date. Samuel Mick, the owner of the property at 401 N Hwy 24, said that he was attending the meeting in support of Turnbull. When no one else expressed a desire to comment on the application, Shelton closed the public hearing.

Larimer motioned to approve the Comprehensive Sign Plan for Little Daisy Liquor at 401 N Hwy 24, with the two conditions specified in the staff report [quoted above]. **Motion #4** was seconded by Banks and passed without dissent.

Colorado Center PUD Filing 1, Modification 1 Preliminary Plat & Colorado Center PUD Filing 3, Preliminary Plat

Doering introduced these two applications by explaining that in the case of Filing 1, the Town Attorney requested that the Preliminary Plat be amended to match the Final Plat that was approved by the Planning Commission at its January 6, 2016 meeting. Filing 1 pertains to the area on the northeast side of the Colorado Center PUD (Planned Unit Development).

The Filing 3 Preliminary Plat pertains to the land south of Colorado Mountain College, in the southeast section of the PUD. The applicant wants to amend the plan to create three commercial lots south of the

college along with a single lot for dedication to the town as a municipal park. Doering projected the amended Preliminary Plat onto the screen in the meeting room, explaining that lot 4 would be the park and lots 1 – 3 would be commercial. Lot 3 would have direct access onto CR 319. Toward the southern border of the PUD is a straight east-west road, the eastern half of which would be dedicated to the town as part of this application. This road will connect to CR 319 at its east end, will intersect a north-south road planned to run along the western border of the Filing 3 area, and will continue along to the western boundary of the PUD. Doering suggested that the applicant may want to split the area south of this road into a separate lot at some point, since roads generally function as lot boundaries; this section of the PUD is currently designated as part of lot 3.

Doering went through Preliminary Plat approval criteria, remarking that the plats in question conform to the Subdivision Ordinance and the PUD zone district requirements. In terms of mitigating the development's impact on public health, safety, and welfare, the applicant will be required to extend utilities (water and sewer) into the Filing 1 area. In regard to the Filing 3 area, the applicant must connect to the town water system as the lots are developed, but the Buena Vista Sanitation District is allowing the commercial lots to be served by septic systems since that property is lower in elevation than the existing sewer lines in the area. If it becomes possible for Filing 3 lots to tie into the BVSD system in the future, the property owners will be required to do so at their own expense. Internal PUD roads must also be connected to CR 319 at time of development.

Doering then drew Commissioners' attention to the detention pond the applicant plans to locate on the northeast corner of the Filing 3 area, to extend into the southeast corner of the Colorado Mountain College property. All the drainage from the subdivision will be engineered to end up in this pond, and because it overlaps with CMC property, the college will be required to sign off on the plan at Final Plat stage.

Doering concluded his summary of the applications by stating that staff recommends approval of both with conditions. For Filing 1, the sole condition is that the Preliminary Plat drawings shall be corrected to the Principal Planner's satisfaction based upon any comments from referral agencies. The conditions for approval of the Filing 3 Preliminary Plat are as follows:

1. The Preliminary Plat drawings shall be corrected to the Principal Planner's satisfaction based upon any comments from referral agencies.
2. The 60-foot easement, shown on the Amended Preliminary Plan, reserved for future street use, shall be amended on the plan to a 60-foot right of way to be dedicated to the Town at the time of the approval of a Final Plat for Filing 3. The 30-foot easement, shown on the Amended Preliminary Plan, reserved for future street use, shall be amended on the plan to a 30-foot right of way to be dedicated to the Town at the time of the approval of a Final Plat for Filing 3.
3. The Preliminary Plan drawings shall be amended to include a signature block for the adjoining property owner's approval of Proposed Pond #5 shown on the plat.
4. Prior to recordation of the Final Plat, the applicant and Town shall execute a Subdivision Improvement Agreement (SIA) to establish the requirements for the timing of installation of public improvements, including but not limited to installation of water lines and public streets.
5. If the ability to serve the lots within Filing 3 with sewer is available, each lot owner shall provide those connections at their own cost.

Syd Schieren of Landmark Surveying stepped forward to represent applicant Ron Southard. He said that the Filing 1 Preliminary Plat approval is just a formality, as the Final Plat has already been approved. He indicated that he had spoken with Ron Southard about the conditions Doering had suggested for Filing 3

approval, and that Southard was generally agreeable to them. Roads will not be needed for the Filing 3 phase, but will be constructed when the southwest area of the PUD is developed. Southard would have preferred to use wells, but is amenable to tying in to the town's water system. In addition, he wants to keep the area south of the east-west road a part of lot 3, rather than splitting it off as a separate lot. Schieren questioned the need to have CMC sign off on the detention pond, given that the college had previously consented to the overall plan for the PUD. Doering stated that since the applicant will be building the pond partially on CMC property, a signature will need to be obtained from them at the Final Plat stage.

Shelton solicited further public comment and, receiving none, closed the public hearing.

After brief discussion among the Commissioners, Larimer motioned to recommend approval of the Colorado Center PUD amended Preliminary Plat, Filing 1, with the condition that it must be corrected to the Principal Planner's satisfaction. Bliss seconded **Motion #5** and it passed unanimously.

Larimer then motioned to recommend approval of the Colorado Center PUD amended Preliminary Plat, Filing 3, with conditions as enumerated in the staff report [cited on page 3 of these minutes]. Banks seconded **Motion #6** and it carried unanimously.

STAFF / COMMISSION INTERACTION

Doering asked for feedback from Commission members regarding the Board of Trustees/Planning and Zoning walking tour that took place in March. Commissioners found it useful and Shelton suggested that another such tour should be scheduled during the summer. Banks requested that some sort of guidebook be provided showing design options, in order to facilitate formulation of policy regarding town design standards. He also requested technical guidance pertaining to lighting standards.

Doering invited Commissioners to attend the April 26, 2016 Trustee meeting, during which historic preservation policy will be discussed.

Doering informed the Commission that the new Planning Technician, Jill Abrell, will start work on Monday, April 11. She will take over a lot of the Planning Department's application intake and public contact tasks, freeing up Doering and Planner I Scott Reynolds to spend more time processing requests and working on Module 2 of the UDC update. He also let Commissioners know that Reynolds will begin presenting some of the applications at P&Z meetings.

Shelton pointed out that with Commissioner Jenkins taking up his role as Trustee on April 12, a new Vice-Chair needed to be selected. Doering indicated that this item will be included on the next Planning agenda. Larimer requested that the issue of whether or not to shift meeting times to 7:00pm throughout the summer, for the purpose of accommodating his work schedule, also be placed on the April 20 agenda.

In response to a question from Bliss, Doering stated that the Buena Vista School District is currently putting together paperwork for a land swap with the town. The swap will require that certain properties be rezoned and some rights-of-way will have to be vacated. Doering anticipates that these matters will come before the Commission on May 4.

Doering described some of the recent projects submitted to the Planning Department, including renovations at the Jailhouse Gallery and the Lariat Bar and Grill, along with numerous vendor cart

applications. He also updated Commissioners on the activities of the local intergovernmental group working on affordable housing: the County has selected an agency to complete a housing study, and their preliminary findings indicate that the housing crunch has gotten worse since the last such evaluation was made. The group is working with the Colorado Housing and Finance Authority (CHFA) to jumpstart affordable housing development in the area.

Doering then mentioned the CDOT informational meeting that took place on the evening of April 5 at the Community Center, during which plans for their work on Highway 24 were presented. CDOT will install three medians in town for pedestrian refuge and will add some parallel parking on the west side of the highway. They will also widen Main Street where it intersects with Hwy 24, in order to allow for dedicated lanes for traffic going left, right, and straight through the intersection. Doering stated that copies of the plans will be made available at Town Hall and on the town website, and can already be found on CDOT's website.

Doering let Commissioners know that he has been receiving a lot of inquiries about the new FEMA map showing local floodplain/floodway areas. The floodplain has shifted somewhat since the last map of this type was put together in 1978, and this is the first time FEMA has included floodway information on such a document. Doering estimates that 276 property owners in town will be affected in some way by the changes. A community meeting with FEMA representatives has been tentatively scheduled for April 27.

ADJOURNMENT

There being no further business to come before the Commission, Commissioner Larimer motioned to adjourn the meeting at 7:23pm. Commissioner Banks seconded. **Motion #7** was unanimously approved.

Respectfully submitted:



Trey Shelton, Chair



Melanie Jacobs, Deputy Town Clerk