

**Minutes of the Regular Meeting of the  
Buena Vista Planning and Zoning Commission  
February 1, 2017**

**CALL TO ORDER**

A regular meeting of the Planning and Zoning Commission was called to order at 6:01 pm, Wednesday, January 4, 2017 at the Buena Vista Community Center, 715 E Main Street, Buena Vista, Colorado by Chair Trey Shelton having been noticed in accordance with Colorado Open Records laws. Also present were Vice Chair Preston Larimer, and Tim Bliss, and Alternate Commissioners Lynn Schultz-Writsel and Ed Barkowski.

Staff Present: Principal Planner Mark Doering and Planning Technician Robin Mesaric-King.

**PLEDGE OF ALLEGIANCE**

Chair Shelton led the Pledge of Allegiance.

**ROLL CALL**

Mesaric-King proceeded with the roll call and declared a quorum.

**AGENDA ADOPTION**

**Motion #1** by Larimer seconded by Bliss to adopt the agenda as presented. Motion carried.

**APPROVAL OF MINUTES**

Shelton called for approval of the January 4, 2017 amended minutes. **Motion #2** by Larimer and seconded by Bliss to approve the January 4, 2017 minutes as amended. Motion carried.

**Motion #3** by Bliss and seconded by Larimer for approval of the January 18, 2017 minutes as presented. Motion carried.

The notes from the January 18, 2017 public input meeting of the Board of Trustees and the Planning and Zoning Commission generally accepted.

Schultz- Writsel arrived at 6:05.

**PUBLIC COMMENT**

Shelton opened the public comment portion of the hearing at 6:07 p.m. With no comments received, the public comment portion of the hearing was closed at 6:07 p.m.

**NEW BUSINESS**

**The Farm Subdivision**

Applicant Chupp outlined his requests for approval of a rezoning, minor subdivision, and variance request for a waiver of the 30 day waiting period. He reviewed the specifics for the project pertaining to the density differences between R2 and R3 zone districts, height and setbacks of the various structures, and unit placements abutting existing northern subdivision. He then continued on to describe the information pertinent to the minor subdivision application recommendation.

Dan Quigley of DOWL Engineering explained the civil drawings package and how all of the utilities, drainage and grading, landscaping, and roads and sidewalks all work together and that they have future development connectivity integrated.

Chupp stated he is requesting a variance for the Section 17.30(d)(1) 30 day waiting period. He stated that his development company has all of the testing, reports, drawings, engineering, and studies

completed. Infrastructure could be worked on in the winter and spring and be ready to install homes early summer. He outlined the timeline his company is following to attempt to streamline this development.

### **Doering Presentation**

Doering reviewed the staff report including information on the rezoning, minor subdivision application approval request, and the variance request. He outlined the criteria for each portion of the requests from Chupp and the Towns recommendations and conditions for each one separately. Doering informed the commission that as of January 30<sup>th</sup>, the new R3 zoning requirements became effective, and that the current code has no criteria for rezoning. He provided specific information about the development and the surrounding areas.

### **STAFF / COMMISSION INTERACTION 6:41**

Commission members clarified the reasons and criteria for approving a variance and who would be affected by it. They then verified the timeline and process for plan submittal. Bliss inquired on the SFE's from the well and the proposed subdivisions usage. Chupp explained the information per unit. The commission verified the height restrictions for R3 and R2 zone districts.

### **PUBLIC COMMENT 6:46**

Betty Muecke of 105 Brady Road felt that there is insufficient infrastructure for the proposed subdivision. The limited egress, limited parking, community impact, additional traffic, and additional school load is a concern; and felt the style and density of the proposed subdivision is in conflict with the rest of Buena Vista.

Dan Muecke of 105 Brady Road felt that the increased density will affect investment of home owners in the northern subdivision. He pointed out that only 12 houses will meet criteria for affordable housing from the Chaffee Housing Trust.

Letter from Thurman Davis of 109 Brady Road written January 20, 2017, to be read by Dan Muecke. Stated that this subdivision abuts his property and will block his view, and that narrow lots will lower current property values, and the traffic from the high school will increase.

Steve Warner of 28721 County Road 313 pointed out his property on the map, and asked about easements for utilities on the boundary and fencing between the proposed subdivision and his property.

Helen Alguire of 115 Brady Road voiced concerns about traffic at the intersection of Baylor and Railroad. She stated that she was concerned about the school situation and is not in support of the alley behind the townhomes. She mentioned that her fence is approximately 2 feet further out past all of her neighbor's fences and does not want it changed.

Jane Blackburn of 121 Brady Road voiced concerned about the traffic and all of new the houses.

Wayne Wright of 111 Brady Road inquired about a road outside the proposed subdivision and the specifics of the proposed well.

Doering clarified the proposed well information and the water rights for Town.

Dan Cooper of 17570 Trout Circle stated that he has been fighting for affordable and attainable housing and is speaking on behalf of Department of Correction, Heart of the Rockies, fire fighters, teachers, and police. He explained the need from local community workers for housing, and local companies are losing employees due to the lack of housing. He informed everyone that he is not an investor, but is giving a discount to the buyers in this subdivision on his commission.

## PUBLIC COMMENT CLOSED 7:06

### STAFF / COMMISSION INTERACTION

Larimer stated that there is a missing part in the affordable housing inventory. Cooper said that the housing part missing is the AMI 75% to 135%. The general consensus was to call it work force housing or affordable attainable housing.

The commission addressed the concerns of access for emergency service, adequate utility easements, current code requirements for alley construction, traffic concerns expressed by the public, and the access location of the housing on the northern portion of the proposed subdivision.

The applicant's engineer clarified the processes that had been performed, the studies and calculations that were prepared, and CDOT's requirement for traffic. He stated that Chaffee County has performed a new traffic study and it will be incorporated into the calculations. Doering clarified that the traffic study levels are not considered to be poor enough for the Town to be considering any improvements at this time at the intersection of Baylor and Railroad. The public reiterated their concern for the amount of traffic at that intersection.

Schultz- Writsel inquired about the schools. Larimer clarified that there is not a lot of proposed growth in our schools, they are not crowded, but the infrastructure is old. Doering added that an impact fee of \$354 per unit, for new home construction is collected directly for the school district.

Bliss confirmed that the target of this housing is for current workforce. The board is generally concerned that the community will be affected by outsourcing of jobs, the high turnover at our local companies, and the safety issues caused by the excessive commute of the employees.

Larimer stated that the public complaint this week seemed to be the increased density. Bliss verified that if the rezoning is denied; the project likely would not go forward. Chupp agreed and stated that all of the trades and vendors have discounted their prices to help this subdivision become a possibility. The density of the proposed subdivision is well below the maximum allowable for the R3 zone district.

The commission generally agreed that the landscaped buffer between the northern existing subdivision and the proposed subdivision, the lack of change in the height from R2 to R3 zone districts, and the slight increase in density above R2 zone was a basis for approval.

Barkowski expressed a concern of the increased traffic at the main intersections.

#### Rezoning 7:37

Larimer motioned and Barkowski seconded for approval to the Board of Trustees for the rezoning from R2 to R3 for lot C of the Mountain View Subdivision Additions #2. **Motion #4** was unanimously approved.

#### Minor Subdivision with Conditions 7:42

Bliss motioned and Larimer seconded for approval of the Minor Subdivision with staff's conditions for The Farm Subdivision. **Motion #5** was unanimously approved.

Bliss asked the purpose of the 30 day waiting period and who and what would be affected by waiving this. Doering clarified the code requirements, the processes, hearings, and meetings that have occurred, and the scheduled hearings and meetings scheduled for the future.

#### Variance for 30 day waiver 7:48

Larimer motioned and Bliss seconded for recommendation to the Board of Trustees for the variance on waiving the 30 day wait period between sketch plan approval and submittal of preliminary plan for the major subdivision for The Farm Subdivision. **Motion #6** was unanimously approved.

**STAFF / COMMISSION INTERACTION 7:55**  
**Follow Up Discussion on Chapter 1 & 2**

**Chapter 1- Revisions recommended by the Planning and Zoning Commission**

1.4.2.c will get a definition for reconstructed or altered

Clarify 1.4.4 Conflicts with other ordinances. Stricter ordinance applies

Maintenance or Minor Repair- misplaced modifier

**Chapter 2- Revisions recommended by the Planning and Zoning Commission**

Clarified R2 5' vs 3' Side Setbacks. 1 hour construction fire rating for 3'  
Clarified R3 5' vs 3' Side Setbacks

Concerned about preserving view of Court House  
Max height 45' feels imposing next to R1 and R2 zone districts

Town is trying to get administrative adjustment

R3 45' tall next to an R1 zone district is too high. 35' high Barkowski/Bliss seconds

Take none out of charts, make 0' or N/A

Lots within the Old Town Overlay not historic old town

Issue with on 2 old town lots

Keep R1 lot size UDC  
R1 min keeps 6500 sq. ft.

MH manufactured home zone district- Remove from Code Shelton moves/Barkowski unanimous

MU1 on West side of town 25 'lot width min. Larimer/Bliss

MU1 height 35' max Barkowski/ no 2nd stay 45'  
Bliss wants to strike MU1-OT from chart

MU2 & MU2-OT leave at 2500 sq. ft., setbacks ok, 60% frontage Shelton/Larimer

MU2 & MU2-OT Max height 40' Larimer/Barkowski

MU-MS front setback 5' max building frontage 85%, 40' height. Barkowski/ Bliss

Screening shall be in alley across from residential, trash screening. On the same property- Clarify

Old Town Overlay apply to Crossman- no change/decision

Highway Commercial 15' min front setback Shelton/ bliss

2.8.1 Lot size Condo special use permit- single lot. Remove special use permit. Shelton/Larimer

Shelton motioned and Barkowski seconded for Chapter 3 to be continued to February 15, 2017. **Motion #7**, motion carried

Bliss motioned and Larimer seconded for Chapter 4 to be continued to March 1, 2017. **Motion #8**, motion carried

**ADJOURNMENT**


There being no further business to come before the Commission, Commissioner motioned to adjourn the meeting at 10:06p.m. Commissioner Larimer motioned and Bliss seconded, **Motion #9** was unanimously approved.

Respectfully submitted:



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Trey Shelton, Chair



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Robin Mesaric-King, Planning Technician

