



**Minutes of the Regular Meeting of the
Buena Vista Planning and Zoning Commission
February 1, 2023**

CALL TO ORDER

A meeting of the Planning and Zoning Commission was called to order at 7:00 pm, on Wednesday, February 1, 2023, at the Community Center by Chair Preston Larimer. Also present were Vice-Chair Lynn Schultz-Writsel, as well as Commissioners Tom Brown, Craig Brown, and Tony LaGreca.

Staff Present: Planning Technician Chase McCutcheon, Planner II Doug Tart and Planning Director Joseph Teipel

PLEDGE OF ALLEGIANCE

Commissioner Larimer led in the Pledge of Allegiance.

ROLL CALL

Tart proceeded with the roll call and declared a quorum.

AGENDA ADOPTION

Commissioner Larimer called for approval of the agenda as amended to establish that the proposed rezoning is a public hearing. Commissioner Craig Brown motioned to adopt the agenda as amended and was seconded by Commissioner Schultz-Writsel. **Motion #1** passed.

APPROVAL OF MINUTES

Commissioner Tom Brown motioned to approve meeting minutes from January 18th as amended. Commissioner Larimer seconded. **Motion #2** was unanimously approved.

PUBLIC COMMENT

Public comment was opened at 7:04 pm.

No comments, public comment was closed at 7:04

NEW BUSINESS (7:04)

Commissioner Larimer opened new business. Teipel opened the meeting to Mitch Southard, who represented the Estate of Ronal Southard. He provided some context regarding the change and the history of the Colorado Center to PUD zoning.

Teipel stated the benefits of the original PUD designation, and explained the staff is proposing to rezone the Colorado Center as Light Industrial (I-1.) Dan Cooper with Summit Realty then spoke, saying changing to I-1 zoning would allow for more flexibility. Teipel explained why the Town wants to change the zoning of the Colorado Center from PUD to Light Industrial and briefly summarized the history of the Colorado Center PUD

and the similarities between the PUD and I-1 zoning. Teipel then outlined the process of re-zoning. Teipel noted that this is a legislative decision by the Board of Trustees, and the rezone would not take effect until 30 days after the decision has been made.

Commissioner Larimer opened up to public comment at 7:23 PM.

With no public comment, public comment was closed at 7:23 PM.

Commissioner Larimer laid out the three options the Planning and Zoning Commission have to move the rezoning forward: recommend, modify, or deny. Commissioner Larimer then asked if there are other uses that would require a special use permit, and Teipel referenced page 120 of the packet, which shows all property uses require a special use permit in the I-1 zoning. Commissioner Tom Brown asked the Town to elaborate on the open space aspect. Teipel explained that when a PUD is created, 25% of the area must be dedicated as open space. Teipel noted there are 25 acres proposed with the existing PUD that could potentially be dedicated to the Town as open space in the future upon further development and that transitioning to I-1 would risk potentially losing the open space. Commissioner LaGreca asked if there are open space dedication requirements. Tart confirmed that for non-residential subdivisions, 10% of the land is required to be designated for open space. Teipel noted the Town only owns a small amount of land in the Colorado Center, primarily for the purposes of stormwater drainage.

Commissioner Craig Brown asked if there is significant infrastructure that has been installed in the Colorado Center, and Teipel confirmed there is currently not much infrastructure, and no matter what zone it is rezoned to, those developing the area would have to commit to installing a lot of infrastructure. Commissioner Tom Brown asked about utilities and their potential to reach the Rodeo Grounds. Teipel showed a particular parcel within the Colorado Center PUD that, when developed, would have to extend the water line further into the Colorado Center, Teipel also noted the water line would have to be built to loop back into itself, instead of resulting in a dead end.

Teipel noted the Town staff believes the rezoning and the termination of the Development Agreement would benefit the Town overall. Teipel then stated that nine out of ten property owners signed the petition to change to I-1. The only non-conforming use that would be created rezoning the Colorado Center to the I-1 restrictions would be the Fading West factory, which is 50 feet tall. The I-1 zone district height limit is 35 feet.

Commissioner LaGreca asked what would happen if a property owner did not want to authorize the re-zoning. Teipel stated the Development Agreement applies on a per property basis, so a single property may maintain the requirements set forth in the Development Agreement. Commissioner Tom Brown asked of Town would want employee housing/dormitories to be scattered or concentrated within the rezoned area. Teipel stated he does not believe that large apartment buildings/dormitories should be in the Light Industrial district, but the live-work use could be very beneficial, allowing a business to keep up to four properties behind the primary building on the same land.

Commissioner LaGreca motioned to recommend approval of the rezoning of the Colorado Center PUD from PUD to Light Industrial I-1. Commissioner Craig Brown seconded. **Motion #3** passed.

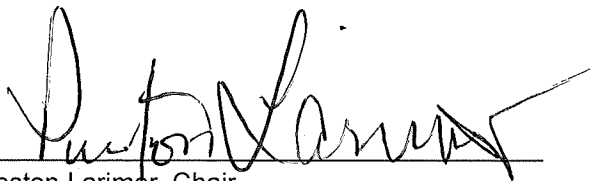
STAFF / COMMISSION INTERACTION

Teipel made the Commission aware of potential future meeting topics in the works. Larimer then noted that he will be gone for the meetings in March, and Vice-Chair Schultz-Writsel stated that she will be gone as well but will be able to join remotely. Commissioner Tom Brown noted he will also not be attending on March 1st. Teipel noted that Commissioners attending via Zoom cannot vote for Quasi-Judicial matters.

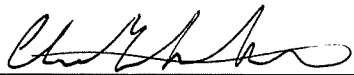
ADJOURNMENT

There being no further business, Commissioner Craig Brown motioned to adjourn the meeting at 8:03 p.m. Commissioner Tom Brown seconded. **Motion #4** was unanimously approved.

Respectfully submitted:

A handwritten signature in black ink, appearing to read "Preston Larimer", written over a horizontal line.

Preston Larimer, Chair

A handwritten signature in black ink, appearing to read "Chase McCutcheon", written over a horizontal line.

Chase McCutcheon, Planning Technician