



## Minutes of the Regular Meeting of the Buena Vista Planning and Zoning Commission February 23, 2022

### **CALL TO ORDER**

A regular meeting of the Planning and Zoning Commission was called to order at 7:02 pm, Wednesday, February 23, 2022 at the Community Center and via Zoom video conferencing by Chair Preston Larimer. Also present were Vice Chair Lynn Schultz-Writsel, Commissioners Thomas Doumas (via Zoom), Craig Brown (via Zoom), Blake Bennetts, Thomas Brown and Tony LaGreca.

Staff Present: Planning Director Joseph Teipel, Principal Planner Mark Doering, and Planning Technician Doug Tart.

### **PLEDGE OF ALLEGIANCE**

Chair Larimer led in the Pledge of Allegiance.

### **ROLL CALL**

Tart proceeded with the roll call and declared a quorum.

### **AGENDA ADOPTION**

Larimer called for approval of the agenda. Commissioner Schultz-Writsel motioned to adopt the agenda as amended, **Motion #1** seconded by Commissioner Thomas LaGreca. Motion carried.

### **APPROVAL OF MINUTES**

No minutes for tonight's meeting. Minutes from the February 16<sup>th</sup> and February 23<sup>rd</sup> meetings will be included in the packet for the March 4<sup>th</sup> meeting.

### **PUBLIC COMMENT**

Public comments opened at 7:03 pm. With no comments, public comment was closed at 7:03 pm.

### **NEW BUSINESS**

This was a Public Hearing for a Site Plan and Special Use Permit for a small multifamily use for four dwelling units located at 124 Mill St.

Doering explained that a member of the Town staff is the applicant (Teipel). As a result, based upon legal counsels' opinion, this is not an administrative review and will be a public hearing.

Next Friday evening, March 4<sup>th</sup>, is the public hearing for the minor subdivision portion of the application.

Teipel presented his application to the Commission.

Joy McGee, with the Town's consultants – RG Engineering – did the presentation on behalf of the Town.

McGee stated that the Site Plan review and approval is contingent on Special Use Permit approval. The

Commission makes a final decision on the Special Use Permit while the Site Plan will be decided by the Board of Trustees, with a recommendation from the Commission.

All standards for the MU-1 zone district are being met by the proposal for both the Special Use Permit and Site Plan and the Site Plan is consistent with the Comprehensive Plan.

Staff asked the Planning and Zoning Commission to approve the Special Use Permit with the following four conditions:

1. The proposed use for purposes of this Special Use Permit is multi-family residential. Any changes to the proposed Special Use Permit would be subject to all Town regulations applicable at that time and any changes must be approved by the Town prior to being permitted on the property. Any expansion or enlargement of the special use will require a new application as detailed in the Unified Development Code (UDC). (§6.5.2. C.6.b).
2. The multi-family residential use shall be subject to UDC standards for site maintenance as well as compliance with the site plan and the Condominium plat notes, as approved. The Site Plan for the residential building shall be corrected for any building code requirements prior to a Certificate of Occupancy. All corrected drawings shall be digitally submitted to the Town for its records.
3. The Special Use Permit is subject to the civil plans and Public Improvement Agreement required for this development. Prior to Certificate of Occupancy, the public improvements along Alsina Street and Mill Street shall be installed, inspected, and preliminary accepted by the Town.
4. The Special Use Permit is subject to the site plan, subdivision plat, civil construction plans and public improvement agreement as ratified by the Town which addresses the MU-1 zone district standards for building design building height, parking, and service requirements, by Code. Trash screening, fencing, and lighting will meet code standards per the site plan for this development. All lighting shall be downcast and shielded to comply with Town requirements and shall be inspected and approved by the Town prior to the issuance of the certificate of occupancy. If any lighting issues are identified (glare, light spill, intensity, etc.), corrections will be required to minimize light pollution.

Additionally, staff is asking the Planning and Zoning Commission to approve the Site Plan with the following four conditions:

1. A finding that the Planning and Zoning Commission has approved the Special Use Permit to allow the multi-family residential use as a basis for the Site Plan.
2. Any review comments by referral agencies that remain outstanding at the time of this recommendation shall be addressed prior to final approval of the Site Plan.
3. The Site Plan is subject to approval of a minor subdivision, the civil plans, and an approved public improvement agreement with the Town. Public improvements are required, including but not limited to roadways, sidewalks, street trees, stormwater infrastructure, and utilities. An approved preliminary condominium plat is required for the dwelling units be sold as individual dwelling units (condominiums).
4. Cash-in-lieu payments are required for this Site Plan following:
  - A park fee-in-lieu of dedication at the time of plat recordation.
  - A school fee-in-lieu will be required for each new residential unit at the time of building permit.
  - A fee-in-lieu of the dedication of water rights at the time of plat recordation.

Commissioner LaGreca motioned for the Planning and Zoning Commission to Approve the Special Use Permit with the conditions presented by staff. **Motion #2** seconded by Commissioner Dumas. Motion carried.

Commissioner Schultz-Writsel motioned for the Planning and Zoning Commission to recommend Approval of the Minor Site Plan to the Board of Trustees with the conditions presented by staff. **Motion #3** seconded by Commissioner LaGreca. Motion carried.

### **STAFF / COMMISSION INTERACTION**

Teipel stated that the code consultants hired by the Town would be reaching out to some of the Commissioners, as well as several local developers, builders, realtors, etc. to get their input on efficiencies and inefficiencies with the current code in an effort to create more opportunities for affordable housing.

Doering explained that the Board of Trustees heard two amendments to the land use code regarding single-room occupancy (SRO) uses as well as multifamily uses in the Highway-Commercial (H-C) zone district. Despite recommendation from the Planning and Zoning Commission, the Board of Trustees asked staff to remove the 4<sup>th</sup> story component of the multifamily use in the H-C zone district and approved the SRO use, but with the elimination of the short-term rental allowance component.

Teipel state that the Board accepted the Stackhaus annexation application. The Board of Trustees public hearing for annexation and zoning will take place at the April 12<sup>th</sup> meeting. The Planning and Zoning Commission will have a public hearing for the zoning component of the annexation on March 16<sup>th</sup>. Staff will provide guidance as to what specifically is being reviewed and recommended for hearing.

It was decided that to avoid confusion regarding meeting times and locations in the future, staff will send a reminder email the day prior to meeting.

There will be a special meeting for a public hearing for the Teipel Minor Subdivision on Friday, March 4th at 6:00 pm via Zoom. The meeting packet will be issued by the end of day Tuesday, March 1<sup>st</sup>.

The minutes from the February 16<sup>th</sup> and February 23<sup>rd</sup> meeting will be included in next week's packet for approval at the March 4<sup>th</sup> meeting.

### **ADJOURNMENT**

There being no further business to come before the Commission, Commissioner LaGreca motioned to adjourn the meeting at 8:33 p.m. Commissioner Schultz-Writsel seconded. **Motion #4** was unanimously approved.

Respectfully submitted:

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Preston Larimer, Chair

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Doug Tart, Planning Technician