



**Minutes of the Regular Meeting of the
Buena Vista Planning and Zoning Commission
May 3rd, 2023**

CALL TO ORDER

A meeting of the Planning and Zoning Commission was called to order at 7:00 p.m., on Wednesday, May 3rd 2023, at the Community Center by Commission Chair Preston Larimer. Also present were commissioners Tom Brown, Craig Brown, Blake Bennetts (joined after roll call), Tony LaGreca, and Vice Chair Schultz Writsel (via Zoom.)

Staff Present: Planning Technician Chase McCutcheon, Planner II Doug Tart, 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. Commissioner Tom Brown motioned to adopt the agenda as amended and was seconded by Commissioner LaGreca. **Motion #1** passed.

APPROVAL OF MINUTES

Commissioner Larimer motioned to approve meeting minutes from April 5th, 2023, as amended. Commissioner Craig Brown seconded. **Motion #2** was unanimously approved.

PUBLIC COMMENT

Public comment was opened at 7:05 p.m.

With no comments, public comment was closed at 7:05 p.m.

NEW BUSINESS

Commissioner Larimer moved on to new business and opened the public hearing for the preliminary plat for the Crossing. Teipel clarified the difference between the two motions that will be included in the hearing and the steps that are to be taken for each item. The two items are the rezoning then preliminary plat. Teipel then turned the meeting over to Paul Andrews. Andrews introduced his team and gave a background of the Crossing and the development's mission, summed up as a housing development that is affordable for local citizens through working with the Chaffee Housing Trust.

Andrews then summarized the development steps that the Crossing will undergo, including affordable, deed restricted housing and apartments for lower income residents around Town. The dense community's goal is to

provide obtainable housing in the \$300,000 to \$400,000 price range. Andrews then explained how Community Land Trusts function and how it will provide obtainable prices to help solve the local housing crisis. He then explained that the first phase will at best break even, but the investment will be returned with the higher priced houses in later phases.

Andrews explained that the development team has applied for State grants and federal and state loans to help subsidize affordable housing in the beginning phases. He then moved to commercial projects, and how with the current state of the economy, it is not feasible to pursue that section of the project as of this point in time. Andrews stated that up to 50% of the houses in this development will be classified as affordable. If the grants and alternative funding do not come through, then the amount allocated as affordable could drop to 25%. This is still double what counties like Boulder County are requiring from builders. Water allocation is being requested to be approved for all 120 lots in the development. Andrews referred to the traffic plan and how it will not overall affect traffic, and that the ultimate addition of a light on US24 will help mitigate traffic.

Teipel then proceeded with the staff presentation on the Crossing Subdivision, starting first with the rezoning. Teipel gave a history of the Crossman subdivision that the Crossing development team purchased in 2022 and planned to build on. The applicant is asking for rezoning portions of the land that they are planning to build on from R2-OT to R-3. He then summarized the rezone process, and how the current public hearing fit into the process. Teipel then explained the public noticing procedure that the Town underwent to notice for the Planning and Zoning Commission hearing tonight. After showing the proposed preliminary plat, Teipel pointed out the lots that are being requested to be rezoned from R2-OT to R-3. Teipel then summarized the various affordable housing percentages that the development would commit to be based on how much grant funding they would receive.

Teipel listed out the rezoning criteria requirements and how the zoning change in question is consistent with the requirements. Teipel stated that Staff believes that the master plan will not create significant adverse impacts and will create a smooth transition in the community. Teipel then moved on to the second item, the approval of a preliminary plat of Blocks 7, 11 and 12 of the Crossman's addition. Teipel showed how this request also follows the procedures of the preliminary plat major subdivision process, and how the master plan aligns with the comprehensive plan of the Town of Buena Vista and the preliminary plat criteria.

Regarding water, Teipel noted how it has been a hot topic as of late, and how the Town carved up the available water rights into allocated buckets. He also noted that water is not dedicated until the final plat. If grant funding is awarded, then more water will come from the affordable housing bucket. If the grant funding is not awarded, then water is still available, it will just need to come from multiple other allocated categories. Teipel noted that staff recommends that extra signage to discourage road traffic to go through the development to Teal Run, which the development's roads will connect to. With that, Teipel turned the conversation over to Commissioner Larimer to discuss the items among the other commissioners. Commissioner Larimer then opened the meeting to public comment at 8:05 pm.

Public Comment:

Lee Fredrick 30035 Teal Run

- Very supportive of this project. Is aware that sometimes the answer is no. As a board member of the HOA and speaking as an individual, the access points, it creates issues for those living in the Teal Run HOA. Concerned about kids around unsupervised, and the insurance risk that comes with these issues. Also concerned about the increased maintenance of Teal Run, a private road.

Filip Geeraert 29734 Teal Run

- Geeraert brought to question the ownership of Teal Run, and that the HOA would own from the dam road onwards and stated a legal answer is needed on who owns the land between the ice lake and Crossing Development.
- Access routes, called the sheriff, he informed Filip that there are only two needed. Does not understand how the proposed eight access routes.
- What does the dedication mean for Teal Run? The homeowners in the HOA take full fiscal responsibility.
- In the September meeting, the developer noted that he wanted to use Teal Run as a parking lot. Make sure there is not a parking lot on Teal Run.
- Green spaces. It would be nice to have a green privacy fence between the development and Teal Run.

Phil Deluca 438 Crossman

- Live there since November of 1962. Concerned about type of growth. Thinks we are losing the flavor of this town. The water infrastructure concern, with only one coming down Main Street, and is worried about what would happen if that water main was damaged. Has seen a lot of changed and is concerned about the type of growth that is happening.

Philip Puckett 30016 ty 353

- Resident of Lakeside HOA, applaud Paul with their endeavor to create the Crossing creation process. Exciting to see something of quality if it is developed. Puckett wanted to encourage the project if and as it continues. The last couple of pages of the packet highlights the concerns of the HOA on Teal Run. It is a dedicated Right of Way but is fully paid for by the two HOAs that surround Ice Lake. The HOA's proposal was to look at the connection points and request that the connection points are given up. Even though it has been platted since the 1990s, the area has changed and so have the conditions. The connections at Lincoln and Grant proposed issues. There is legitimate issue about Lincoln especially, since the dam road would look like easy access to the lake, which creates a liability to the HOA. Public parking on Teal Run is also desired not to be seen.
- If the commission is to proceed in keeping these access points onto Teal Run, ~~the~~ Teal Run from Crossman to the access points must be included in the PIA and updated to Town standards.

Robert Krenz -29936 CR 371

- Support of development. Looking to find a place to buy a house. If these places are not approved, then the working class will not be able to stay, and Buena Vista will just be a tourist Town.

Public comment closed at 8:26 pm

Commissioner Larimer proceeded with discussing the rezoning item of the public hearing. Larimer then requested the commissioners discuss the criteria and conditions that are to be involved with the approval. Commissioner Bennetts stated he is in favor of the rezoning. Commissioner Craig Brown noted that he is in favor as well. Commissioner Larimer noted that he is concerned about creating a patch-work zoning area. Teipel stated he believes the "spot-zoning" is in line with the sketch plan, which shows greater densities moving eastwards. Commissioner Bennetts noted that it creates a buffer for properties on the West side of the highway. Commissioner LaGreca noted it is achieving the goals of the sketch plan where they are needed. Commissioner Craig Brown noted that the mixed-use housing areas are much more interesting to live in than the same kinds of houses with one style taking up an area. Commissioner Larimer asked if water and sewer needed to be resized in areas for the development. Teipel noted that a looped water main would support the proposed buildout, and the section past Pleasant Avenue on Crossman would need to be resized eventually.

LaGreca motioned to recommend approval of the rezoning to the Board of Trustees. Commissioner Craig Brown seconded. **Motion #3 was unanimously approved via a roll call vote.**

Teipel noted that there is no emergency service that needs more than two entrances. Commissioner Larimer asked Andrews to explain his logic in having eight access points. Andrews noted that from a general planning standard, the more access that is available, the better. The lack of access on Teal Run would restrict circulation and give a feeling of being trapped. Commissioner Bennetts noted that if they got rid of the access points to Teal Run, that they would gain two more lots. Commissioner Tom Brown stated that there is a safety risk that could be mitigated by removing the access points. Andrews confirmed that there are no properties within the

Crossing development that have driveways leading on to Teal Run. Commissioner Craig Brown asked about the previously mentioned potential of paving the accessed portion of Teal Run. Andrews confirmed that it would be their intention to pave Teal Run when appropriate. Commissioner Tom Brown asked if Teal Run is to be annexed into Town Limits. Teipel responded that it has the potential to require annexation. Teipel also noted that ownership of Teal Run would need to be resolved prior to the final plat, and potential public improvements may need to be included as well. Commissioner Larimer mentioned concern about the private land to the West. Andrews stated the possibility could be considered, even though it wasn't a direction they were wanting to go in. LaGreca asked if there are any public utilities that go down Teal Run. Commissioner Tom Brown asked how reliant the development is on the DOLA grant. Andrews responded that it would not stop the development, but it would be severely slowed down. Commissioner LaGreca motioned to recommend to the board approval of preliminary plat as presented with staff conditions and an additional condition that ownership of Teal Run be resolved prior to Final Plat. Commissioner Craig Brown seconded. **Motioned #4 Vote approved four to one via a roll call vote, Commissioner Bennetts opposed.** Commissioner Schultz-Writsel was unable to vote due to attending via zoom.

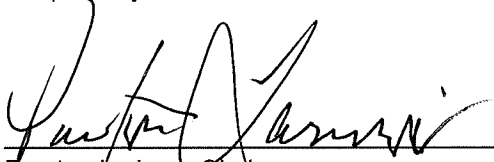
STAFF / COMMISSION INTERACTION

Commissioner Larimer opened for Staff / Commission Interaction at 9:10. Teipel noted that this is his last meeting as Planning Director for the Town of Buena Vista. Tart noted that May 17th will be his last meeting with the Town of Buena Vista. Commissioner LaGreca noted that he nominated himself to be a conduit between the Planning Commission and the Water Board. Teipel noted that the only major legal issue that would arise is that any information gathered would need to be presented to all commissioners. LaGreca agreed that opinions from the Water Advisory Board need to be relayed officially by staff.

ADJOURNMENT

There being no further business, Commissioner LaGreca motioned to adjourn the meeting at 9:35 p.m. Commissioner Craig Brown seconded. **Motion #5** was unanimously approved.

Respectfully submitted:



Preston Larimer, Chair



Chase McCutcheon, Planning Technician