

PLANNING & ZONING COMMISSION

REGULAR MEETING

TUESDAY, JANUARY 16, 2024

1. The meeting was called to order in the City Council Chambers at 6:30 p.m., and opened with the Pledge of Allegiance. Commissioners present were Chairman Robert Rime, Jim Skvorc, Katrina Weiss. Emily Waldron was absent. New Commissioner Bob Bright was introduced.

Staff present included: Community and Economic Development Director Rachael Marchbanks, City Attorney Patrick Coleman, Public Works Secretary Karie Beougher, IT Support Aaron Holloman, and Deputy City Clerk Cheryl Lindquist. Mayor Rachel Medina was in the audience as well as two members of the public.

2. Approval of the Regular Meeting Minutes of November 07, 2023.

Commissioner Weiss moved that the minutes for November 7, 2023 be approved. Commissioner Skvorc seconded the motion and the vote was as follows:

Bright	Skvorc	Waldron	Weiss	Rime
Present	Yes	Absent	Yes	Yes

ELECTION OF CHAIRMAN: Nominations were opened with Commissioner Skvorc nominating Chairman Rime to remain as Chairman. There were no other nominations, so nominations were closed. Commissioner Bright seconded Commissioner Skvorc's nomination. The vote for Chairman Rime was:

Bright	Skvorc	Waldron	Weiss	Rime
Yes	Yes	Absent	Yes	Yes

Motion carried.

ELECTION OF VICE-CHAIRPERSON: Nominations were opened with Commissioner Skvorc nominating Commissioner Weiss to the position of Vice-Chairperson. There were no other nominations so nominations were closed. Chairman Rime seconded Commissioner Skvorc's nomination. The vote for Vice-Chairman Weiss was:

Bright	Skvorc	Waldron	Weiss	Rime
Yes	Yes	Absent	Yes	Yes

Motion carried.

The Planning and Zoning commission needs to fill a vacancy on the Historic Preservation board, leading to Chairman Rime asking for volunteers. Rime noted that Emily Waldron is interested in volunteering. A letter of intent from Commissioner Waldron is needed by the City Council to consider appointment.

The Planning and Zoning Commission needs to fill two positions on the Board of Adjustment and Appeals, Chairman Rime asked for volunteers. Commissioner Bright and Vice-Chairperson Weiss volunteered. A letter of intent to the City Council from these commissioners is needed to consider appointment.

3. PUBLIC PARTICIPATION: none

4. PUBLIC HEARINGS:

a. Resolution No. 1, Series 2024, Conditional Use Permit for Southern Bluffs clubhouse rent/lease: Community and Economic Development Director Rachael Marchbanks presented the request for a Conditional Use Permit, to allow the Southern Bluffs Home Owner's Association (HOA) to lease the existing clubhouse, 801 Bluffs Blvd., for a business or professional office. Vice-Chairperson Weiss recused herself due to a possible conflict of interest, as she is a homeowner in Southern Bluffs. Vice-Chairperson Weiss left the room for the hearing. The HOA has not yet identified a specific use or renter, they are hoping to obtain the use permit before advertising the space for rent as a way to speed the process for the new renter. Director Marchbanks pointed out the property is already built out with a clubhouse and the proposal is to allow a portion of the clubhouse to be rented by a business unaffiliated with the HOA. Business and Professional offices are considered Conditional Uses in the MH zone. Business and Professional offices are defined in the Land Use Code as:

“Office, Business or Professional. "Business or professional office" means a use where business, professional, or governmental services are made available to the public, including: (1) business office—an office for use by persons such as Realtors, travel, advertising or insurance agents and property managers providing both products and services, or the home office of a company that sells retail or wholesale products or provides professional services; (2) professional office—an office for use by persons such as lawyers, architects, engineers, accountants, physicians, dentists and other professionals who primarily provide services rather than products.”

Although it would be more typical for the Conditional Use Permit to be applied for once an actual business had been identified, the HOA believes that it would be better to have the permit in place before it advertises the spot for rent. Any business that meets the definition above would be able to rent the space if the permit is approved and if the homeowners approve.

Karen Sheek, the HOA president, stated this need presented itself as a way to offset some of the fixed costs of the structure such as utilities and maintenance, thereby keeping the dues more affordable for homeowners. The HOA has brought the information to rent/lease the clubhouse to the attention of the homeowners, who had no negative input. There are currently twelve (12) parking spaces which worked well several years ago when a business operated out of the clubhouse

building.

Ms. Sheek stated once the process with the City is completed and hopefully approved, they will notify all the property owners and get their approval for the business that will be renting the space. Basically, they are wanting to rent out the space to avoid raising the HOA fees any higher.

Chairman Rime opened the public hearing, no one spoke so the hearing was closed.

Commissioner Skvorc moved that the Planning and Zoning Commission recommend for City Council to approve the conditional use permit for a business or professional office to be located on property located at 801 Bluffs Blvd., in the Manufactured Housing District (MH) zone, as submitted by the Southern Bluffs HOA through P&Z Resolutions No. 1, Series 2024, with the three conditions of approval contained in the Resolution:

1. All requirements of utility providers, City departments, CDOT and affected districts must be satisfied, as outlined in adopted City Codes and other regulatory documents. Specifically, all improvements shall comply with the minimum requirements of the building code.
2. Operation of any business shall be limited to businesses that meet the definition of a "business or professional office" as defined in the Land Use Code in effect at the time.
3. Prior to initiation of any business, a site plan shall be submitted to the City indicating any proposed signage and required parking. Parking and signage must comply with the Land Use and Development Code in effect at the time.

Commissioner Bright seconded the motion with the vote as follows:

Bright	Skvorc	Waldron	Weiss	Rime
Yes	Yes	Absent	Recused	Yes

#### 5. OTHER ITEMS OF BUSINESS:

City Attorney Patrick Coleman presented training for the commissioners with a power point containing creation of the commission, duties of the commission, and open meeting laws. He also explained the types of commission meetings and the appointment and role of the City Attorney.

#### 6. ADJOURNMENT:

Commissioner Skvorc moved that the meeting be adjourned. Vice-Chairperson Weiss seconded the motion and the vote was as follows:

Bright	Skvorc	Waldron	Weiss	Rime
Yes	Yes	Absent	Yes	Yes

PLANNING & ZONING COMMISSION

Robert Rime  
Robert Rime, Chairperson

ATTEST:

Cheryl Lindquist  
Cheryl Lindquist, Deputy City Clerk