

TOWN OF BUENA VISTA, COLORADO
ORDINANCE NO. 12
(SERIES OF 2019)

**AN ORDINANCE OF THE TOWN OF BUENA VISTA, COLORADO,
APPROVING A MAJOR PUD MODIFICATION FOR THE COLORADO
CENTER PUD**

WHEREAS, Fading West Homes, LLC, (“Developer”) owns lots C-5 through C-11, in Colorado Center P.U.D., Amended Final Plat, Filing No. 1, recorded at reception number 425468 in the records of the Chaffee County Clerk and Recorder;

WHEREAS, the Developer has filed an application for a major PUD modification concerning the lots owned by Developer (“Application”);

WHEREAS, the Developer is seeking to 1) reduce the number of lots within the Colorado Center P.U.D. (“PUD”) by combining lots C-5 through C-11 into one lot, designated as lot C-13, and 2) adjust the setbacks applicable to this new lot;

WHEREAS, on August 28, 2019, the Planning and Zoning Commission, after a duly noticed public hearing, recommend approval of the Application;

WHEREAS, on September 10, 2019, the Board of Trustees held a duly notice public hearing on the Application; and

WHEREAS, after reviewing all material provided to it and hearing testimony from staff and the public, the Board of Trustees desires to approve the major PUD modification, as set forth below.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BUENA VISTA, COLORADO:

Section 1. The Board of Trustees, having reviewed the application, all information provided and the criteria for a major PUD modification, pursuant to 16.06.6.4.2.C.5.c of the Code, makes the following findings:

1. The PUD modification meets the criteria for a general rezoning pursuant to Sec. 16.06.4.1.C.5.c of the Code as described in the Planning and Zoning Commission staff report, dated August 28, 2019.
2. The PUD modification is in general conformance with the Comprehensive Plan as the modification will permit the Developer to use the property for a large manufacturing facility in accordance with the zoning on the property.

3. The PUD modification does not include areas with incompatible land uses. The property was originally intended to be used for commercial and industrial uses as are the surrounding properties within the PUD.
4. The PUD modification addresses a unique situation, provides substantial benefit to the Town, and incorporates creative design, site layout, or configuration such that it achieves a higher quality than what could be accomplished through the strict application of the UDC. The size of the manufacturing facility and use the property of the property presents a unique situation as it is significantly larger than other buildings within Town. The proposed configuration allows such a large use to occur and benefit the Town.
5. The PUD modification does not require any additional open space or parks.
6. The PUD modification does not alter that natural features of the property.
7. The PUD modification does not require any exceptions for utilities, storm drainage, sewage collection and treatment of water supply and distribution.
8. The PUD modification does not provide for any residential uses and therefore, varied housing and densities are not required.
9. The PUD modification meets all other applicable standards of the UDC.

Section 2. The Board of Trustees hereby approves the major PUD modification as requested in the Application.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED this 10th day of September, 2019.

THIS ORDINANCE SHALL BECOME EFFECTIVE THIRTY DAYS FROM PUBLICATION.



TOWN OF BUENA VISTA, COLORADO

By: _____
Duff Lacy, Mayor

ATTEST:

Melanie Jacobs
Melanie Jacobs, Town Clerk