

**Town of Bayfield
Planning Commission Meeting
January 13th, 2009
1199 US Highway 160B Bayfield, CO 81122**

Planning Commissioners Present: Rick Smith (Mayor), Justin Talbot (Town Board Member), Joan Hanna (Chairman), Bob McGraw (Vice-Chairman), Pat Heyman, Michelle Nelson, Ed Morlan

Staff Present: Justin Clifton (Town Manager), Joe Crain (Town Planner) & Marianne Jones (Deputy Town Clerk)

Media Present: Carole McWilliams – Pine River Times

The meeting was called to order @ 7:02 p.m.

Minutes: Rick made a motion to approve the minutes from the December 9th, 2008 Planning Commission meeting as presented. Pat seconded the motion. All were in favor except Michelle & Bob who abstained from the voting because they were not present at the meeting.

Public Comment: No public comment was offered; it was immediately closed.

**Action Agenda Item #1: Los Pinos Subdivision Preliminary Plat – Phase 1
Extension Of Validity Of Preliminary Plat**

Joe gave his staff report. He explained that Scott Fleming is requesting an extension of validity on the preliminary plat for the Los Pinos Subdivision. The preliminary plat for this subdivision will expire on January 16th, 2009. The reason for the extension request is Mr. Fleming is in negotiations with the Bayfield School District for a land trade. If this trade is successful, the School District will assume the title for the Los Pinos parcel in exchange for 2 parcels south of South Street in the downtown area.

Staff Recommendation:

The staff recommends that the Planning Commission grant an extension for one year for the Los Pinos Preliminary Plat to expire on January 16th, 2010.

Rick made a motion to extend the validity of the Los Pinos Subdivision Preliminary Plat to January 16th, 2010. Ed seconded the motion. All were in favor, motion carried unanimously.

**Action Agenda Item #2: Homestead Trails Annexation & PUD Zoning
Applicant: Jack McCarthy & Grant Richards Will Make A Full Presentation Of The Project
SE ¼ SW ¼ Sec. 15 T 34 N, R 7 W**

Joe read his staff report to the Planning Commissioners.

Rick asked about the collection of a .5% fee on the 1st sale of all lots created in the subdivision to benefit the Regional Housing Alliance.

Joe stated that the Homestead developer offered this plan to assist with the efforts for attainable housing in Bayfield.

Justin said that the developers met with the Regional Housing Alliance and came up with this plan to help with affordable housing.

Bob asked why the developers of Homestead are subject to improvements to the intersection at County Road 509 when that intersection is not adjacent to the proposed development.

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Justin answered that Homestead hopes to have a second access to their development using County Road 509. This second access is the reason that the Town is requiring them to help with the improvements on that intersection.

The floor was given to the applicant.

Ann Christianson with DHM Design gave a power point presentation showing the developers plan for the subdivision. *(A copy of this presentation is included in the official packet book and the official minute book.)*

It was asked if any land has to be acquired to build the intersection.

Joe answered that the Developers & CDOT (Colorado Department of Transportation) own the land that will be used for the intersection so no land needs to be acquired.

Ed asked if the Town can force other property owners to annex at the same time as Homestead.

Joe answered that the statutes for the State of Colorado read that annexation is at the pleasure of the land-owner. Municipalities cannot force annexation unless the property is completely surrounded by Town property causing an enclave.

Joan asked if any other property owners have expressed interest in annexation.

Joe answered that one property owners have expressed interest but they did not submit paperwork to be included with this annexation.

It was asked about the design & the location for the intersection.

Joe answered that the Town is still looking into the design for the intersection. The negotiations still have to be worked out with CDOT. Right now, the thought is to do a 3 way intersection but that could hinder possible future development. These negotiations will be worked out before final approval.

Ed asked about sewer service in this area.

Darren Stewart with Russell Engineering answered that the Town of Bayfield plans to upgrade the lift station in this area which will pump the sewer to the new sewer treatment plant. Homestead will be subject to upfront tap fees to help with the cost of the lift station.

Justin explained that the Town is still negotiating how many up-front taps fees will be required; however, the Town is trying to be sensitive to the fact that there are a lot of up front costs for this project.

Andrew Klotz from RPI Consulting gave a power point presentation regarding the financial impact of the project. *(A copy of this presentation is included in the official packet book and official minute book).*

Ed asked about the donation of the funds for a new snow plow & patrol car. He wanted to know if the money donated has to be used for those items. He was interested if the Town purchased a patrol vehicle prior to this development being fully negotiated if the patrol car funds be used for something else or would the Town be strictly tied to purchasing another patrol vehicle.

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Justin answered that the language of the annexation agreement can be structured to gain flexibility. The Town's approach for these exactions is to mitigate unique impacts that are being caused by the new development. More streets to plow and patrol are the biggest impact that this development is going to cause for the Town so these items have to be mitigated through annexation exactions.

Bob asked if the Town is going to be involved in the reimbursement process.

Joe answered that the governmental entity involved is required to handle the reimbursement process. The Town will collect the reimbursement money at plat time for any new developments that will benefit from the infrastructure installed by Homestead. The Town will then distribute the funds back to the developer.

Justin clarified that the Town still has to determine all the geographical items involved with the reimbursement process. There will be a lot of negotiations between the Town and the developer regarding this item. The methodology will have to be determined in a very detailed manner so that there is no confusion or loopholes in the process.

Ed asked who made the determination that there was a need for another fire station.

Joe answered that the developers met with Rich Graeber, the fire chief for Upper Pine Fire Protection District. Rich stated that this development will lead to future growth on the north side of the property so it was determined that a fire station was needed in that area.

The item was opened for public comment.

David Black (606 Buck Highway) expressed that he is concerned about another 240 acre development being annexed in the Town. The Town currently has several subdivisions that are mostly vacant. He feels that the Town should be considering the lack of need for more lots at this time. He thinks that it would be in the Town's best interest to promote growth in the Pine River Valley instead of the Dry Creek area. He also mentioned that this development has pretty high density and there needs to be some transitional lots on the edge to help build a buffer between the lower and higher density lots. He expressed that he thinks this is too much for the Town to take on because the long term benefit doesn't off-set the high short term costs.

No other comments were offered. Public comment was then closed.

Ed made a motion to continue this item until the February 10th, 2009 Planning Commission meeting. Rick seconded the motion. All were in favor, motion passed unanimously.

It was acknowledged that this item will be opened for public hearing at the February 10th meeting also.

New/Unfinished Business

Joan welcomed Michelle Nelson as a new member of the Planning Commission.

The meeting was adjourned at 8:17 p.m.