

**Town of Bayfield
Planning Commission Meeting
April 14, 2009
1199 US Highway 160B Bayfield, CO 81122**

Planning Commissioners Present: Bob McGraw (Chairman), Rick Smith (Mayor), Dan Ford (Town Board Member), Michelle Nelson, Pat Heyman

Planning Commissioners Absent: Ed Morlan

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

The meeting was called to order @ 7:04 p.m.

Minutes: Rick made a motion to approve the minutes from the March 10th, 2009 Planning Commission meeting as presented. Michelle seconded the motion. All were in favor except Dan, who abstained.

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

Action Agenda Item #1: Public Hearing: Annexation Petition
Applicant: Scott Eastwood
871 County Road 501
Sec 2, T 34 N, R 7 W, NMPM Parcel #5677-024-00-004

Joe gave his staff report. He stated that the Town has received a petition for annexation from Scott Eastwood for the property located @ 871 CR 501. This property is located just north of Bayfield Realty. The Town Board has found that the Petition for Annexation is sufficient and meets statutory requirements. A Public Hearing has been set for Tuesday May 5, 2009 @ 7:00 p.m. to be held at Town Hall, 1199 Hwy 160B.

This property which is currently under the jurisdiction of La Plata County is approved for commercial use as a restaurant. The owner is requesting a Business (B) land use classification from the Town of Bayfield upon annexation. Currently the property is being served by a well and septic system, just like the Hardy property to the south. The owners of both properties are researching the cost to bore under County Road 501 to bring sewer service from the east side of the highway to the west side. If it becomes too much of a financial burden, both properties would continue to use their septic systems. However; if there is no connection to the sewer system both properties have limited uses as to the intensity and type of commercial use that can occur.

Joe also mentioned that he met with Dave Hardy & Scott Eastwood. Dave has done some research into finding out how much it will cost to bring the sewer line across the highway. This service is going to require 2 manholes & a pipe. The estimate that Dave received is approximately \$16,000.00 and Dave hopes to have an exact cost from his contractor on April 15th. It is the Town's position that they would prefer that the sewer be brought across the road if possible but the Town understands that financially it may not be possible until more residents on that side of the highway decide to annex into the Town limits.

Staff Recommendation:

The staff recommends that the Planning Commission recommend that the Town Board annex the property located @ 871 County Road 501 and designate commercial use by giving a Business (B) land use classification with the following conditions:

1. The revisions to the Annexation Plat Map are made as per the Town Engineer's review.
2. That an Annexation and Development Agreement be developed prior to plat recordation.
3. That all fees be paid prior to plat recordation.

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4. That no additional commercial or residential expansion of use be allowed until central sewer service is connected.

Dan asked if the sewer manhole would only be on the west side of the highway.

Joe answered that there would be a manhole on each side.

Dan asked where the sewer line is currently located.

Joe answered that the sewer line is located directly across from Bayfield Realty. There is going to be a lot of excavation required on the west side of the highway to extend the service.

Dan asked about connecting to the water system.

Joe answered that both properties are going to continue using their wells for now. The water service is much farther away than the sewer service.

Dan asked about the septic system & the requirements of San Juan Basin Health.

Joe answered that San Juan Basin Health has agreed to allow the catering business & the addition of the Zen Spa in this location on their current septic system. However; no additional use can be added in this location unless it is hooked up to the Town sewer system. The Health Department will continue to have jurisdiction of the system until the annexation is complete and the system is hooked up to Town sewer.

The floor was given to the applicant, Scott Eastwood.

Scott asked for clarification on staff recommendation #4. He wanted to know if he would still be able to enclose the back patio for the Zen Spa location. He explained that he wants to get that done right away.

Joe answered that he would be allowed to do the enclosure as requested but that no additional commercial or residential expansion could occur until the sewer has been connected.

Scott stated that he is pleased with the estimate that was received for the sewer work. It is much lower than the numbers he has been told in the past. He hopes to proceed with this project as quickly as possible.

It was asked who will contribute towards the cost of this sewer line extension.

Joe answered that Scott & Dave Hardy are the only two that are included at this time. Dave has requested that the Town contribute towards the effort; however, it is not the policy of the Town to do that. It is being researched if it might be possible to do a reimbursement agreement for any new property that attaches to the system using this line.

Justin commented that it would be unusual for the Town to enter into a reimbursement agreement for such a small project. It will be up to the Town Board if they want to facilitate that sort of agreement. The Town generally only enters into this type of agreement for large projects such as Homestead, when there is a significant dollar amount being contributed.

Joe explained that the Town doesn't generally participate in this sort of development. It is the developer's responsibility to bring water and sewer service to their property. The Town Board will have to decide if they want to get involved with facilitating the reimbursement agreement or contribute towards the project; however it's highly unlikely that they will want to proceed down either avenue.

The item was opened for public comment. None was offered so it was immediately closed.

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Rick said that he thinks it is good for the Town to encourage new businesses into the Town limits. He is excited for this business to come into the Town and the sewer line being run to the west side of the highway will also be a big benefit for the Town.

Bob commented that he is also looking forward to having this business in Town. He asked when the work would be completed on the building.

Scott answered that he hopes to have it completed by July.

Rick made a motion to recommend that the Town Board approve annexation of the property located @ 871 County Road 501 and designate commercial use by giving a Business land use classification subject to staff recommendations 1 – 4; with a clarification to recommendation #4 that states that the enclosure of the back patio can be completed for the Zen Spa but that no additional expansion can occur until the sewer is connected to the Town system.

Dan seconded the motion. All were in favor; motion passed unanimously.

Action Agenda Item 2: New/Unfinished Business

Joe explained that the Planning Commission is going to review construction standards that have been created for new development within the Town. The Planning Commission is going to be sending a recommendation to the Town Board regarding these standards during the May meeting.

Joe also let them know that they are going to be reviewing 2 changes to the Bayfield Land Use Code. The first change is in the Mill Street zoning district and the required land area for second floor residential units. The code currently requires 3,500 square feet of land area for an upper residential unit. The proposal will be to change this requirement to 2,000 square feet of land area.

The second change is in the Business zoning district and the required land area for second floor residential units. The code currently requires 6,000 square feet of land area for a second floor residential unit. The proposal will be to change this requirement to 2,000 square feet of land area.

Joe also informed the Planning Commission that a Use By Review for the Sunflower Estates property will also be on the agenda in May.

Rick asked if a code modification needs to be done for changing the turn-around process from Planning Commission to Town Board.

Justin explained that Town Board has requested a change to the current policy. In the past, any project that is presented to the Planning Commission is immediately taken to the next Town Board meeting. The Town Board has asked that this be changed to give applicants more time to make changes according to Planning Commission recommendations and allow the staff time to review those changes. It will be up to the Town Board if they want to address this in a code change or just make it an internal policy.

The meeting was adjourned at 7:31 p.m.

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Approved:

Bob McGraw
Chairman

Marianne Jones
Deputy Town Clerk