

Town of Bayfield
Regular Planning Commission Meeting
June 8, 2010
1199 US Highway 160B Bayfield, CO 81122

Planning Commissioners Present: Michelle Nelson (Chairman), Bob McGraw (Vice-Chairman), Dr. Rick K, Smith (Mayor), Gabe Candelaria (Town Board Member), Joe Mozgai, Pat Heyman, Chris Rhodes

Staff Present: Justin Clifton (Town Manager), Marianne Jones (Town Clerk), Elizabeth Jackson (Intern)

Media Present: None

The meeting was called to order at 7:03 p.m.

Minutes: Rick made a motion to approve the minutes from the April 13th, 2010 Planning Commission Meeting as amended. Michelle seconded. All were in favor, motion passed unanimously.

General Public input: No public comment was offered, it was immediately closed.

Action Agenda Item #1: Temporary Real Estate Offices – Ordinance #358

Justin gave his staff report. He explained that he brought an ordinance to Board members at the last Planning Commission Meeting to consider temporary construction trailers. The Ordinance was intended to balance needs of facilities wanting to develop property as well as to minimize negative impacts to residents. Staff acknowledged that there was an agency using a zircon trailer as a temporary real estate office in Mesa Meadows. The Code currently restricts real estate offices to be used in this manner. The applicant pointed out that the use of a model home is really only applicable to track home style construction and that Bayfield is predominantly a custom home built community. Applicants discussed the idea of amending the policy.

The Board was given a letter from the real estate brokers. The letter mentioned that the location of the zircon unit helps to sell lots. Justin opened the topic for questions.

Joe commented that sells are really slow and that six months sounded like a short time.

Justin stated that it would be possible to renew the permit but that it wouldn't necessarily be an automatic process. The permit coincides with sell seasons and this in turn encourages people to think about that shorter time period. There is also the possibility of moving the temporary real estate office farther back in the division to represent unsold lots.

Gabe wanted to know about the terms that should be established for needs and what the negative impacts were. He asked whether the Town has a parameter to deal with mobile trailers that need

bathroom or electric hookup, if those trailers are already using subdivision taps and if the Town should charge them.

Justin said that the language is loose in this area. The Town would most likely address this if there were any other use on the site. They could be asked to pay for water and sewer tap fees. If they had any negative impacts to residents we would just ask them to move.

Pat asked if the 12 month time frame or the 75% lot fill was negotiable.

Justin said the renewal should be a new permit or to just have the real estate office located on a new lot.

Pat asked if the six months time frame for other agents would be extended too.

Justin said they can.

Pat asked if the date of expiration could be modified.

Justin said it could, but that the board should be careful with this because he didn't know if the Town would want to be flexible with the 75% selling. Residents will likely complain.

Chris commented that using a zircon unit as a real estate office doesn't really sound that great.

Justin said if the agents are using a zircon unit and residents start to complain, it would be appropriate to ask them to move, change something about it or work with me.

Michelle asked if they need to worry about violators of the code.

Justin said they would just shut the office down, have them renew their permit, red tag it, or have them relocated. It would also be possible to administer fines and penalties. But if it's in violation, the Town can take action.

Michelle asked for public input. There was no public input.

Rick asked whether or not this land use code was a recommendation or a final version.

Justin said it isn't final but that staff was looking for a recommendation to give to the Board.

Gabe made a motion to approve Ordinance #358. Bob seconded the motion. The vote was unanimous.

Action Agenda Item #2: West Side Comprehensive Plan

Justin gave his staff report regarding land use designation and traffic circulation. He stated that most of the information was from CDOT's preferred alternative. Staff had new maps provided by the applicant along with changes to some zones that created buffers around commercial and

industrial zones. There were also changes to the Grush property. There is still a commercial area identified, but it is now off of Highway 160B and is wide open. Justin also mentioned that the commercial zones are allowed by right, but that it would be possible to give it a transitional zone with fewer opportunities for commercial development.

Rich Phelps requested a commercial zoning area (6.7 acres). That area is zoned as commercial rural land right now. They have continuity with that property and from owners to the north.

Michelle asked if there was any news from Grush property.

Justin replied that he hasn't heard from them but that they are encouraged to come to the meetings.

Justin mentioned that drainage topography was very difficult to address because it is dictated by what goes in the ground. The Town can't increase drainage flows and put them on adjacent properties. The East side plan included a comprehensive drainage plan which was unique because it was born out of the conversation from parks and open spaces. Some places are encumbered by wetlands and drainage flows could flood into those wetlands. There aren't any sites dedicated yet. There are only general ideas of where these would flow.

Justin gave the Commissioners a summary of CDOT's environmental impact statement (EIS) along with the various alternatives that were proposed. This showed how CDOT arrived at its final alternative, but that they were unsure as to how they should deal with intersections 160 and 160B. Justin stated that alternative H requires the 160B intersection to move and if CDOT knew this, they might have found another alternative more available.

Bob asked if there was a round-a-bout.

Justin said there wasn't.

Justin explained that CDOT's alternative has negative impacts to the surrounding wetlands. CDOT wants to put the new intersection 1 mile to the east, which the Army Core of Engineers approved. However, they didn't notice that leaving the intersection where it is would have fewer environmental impacts.

Bob asked whether the intersection from 501 was 1 mile.

Justin couldn't recall.

Gabe asked what the next step was.

Justin said it was important to adopt a plan, take it to CDOT and explain that this is what developer's want and what the Town and County wants.

Rick commented that the Town would have to give CDOT something in order for them to be receptive. The Town needs to propose that CDOT's requirements can still be met by having two

intersections, but also suggest moving the realignments of 502 and 160. The approach thus needs to be more palatable.

Park space and trails should refer back to the Comp Plan of 2005 because it gives a better idea of what citizens were thinking then.

Much of the land use in park areas is commercial and those people aren't paying any land use fees. Rick asked what the expectation was for parks. When the Town annexes pieces of property, a developer comes in and builds a half acre park, so the Town ends up with a bunch of small parks. What we need is a commercial park/regional park.

South through homestead is rich with trails while the rest is pretty sparse. The Town needs to have more connections.

Gabe asked if the Town had any designation of trails on north side.

Justin replied there was nothing internal.

Gabe asked whether they were looking at sidewalks or trails.

Justin said that was up for discussion.

Mike Russell (934 Main Avenue) from Russell Engineering stated that they don't have any site specific plans regarding drainage.

He mentioned that CDOT likes to see one mile spacing to demonstrate that highways operate safely. Half mile spacing is doable in a corridor in this area and there is a chance that CDOT will look to lowering speeds, but this is to create a commercial corridor.

Russell Engineering hasn't gotten into the details for a trails system because they don't know what is going to be put into that area yet. They only have raw calculations. They do know that Homestead is anxious to move forward.

Gabe said that the Planning Commission needs more information from the applicants in order to approve anything. He wanted to know what the Planning Commission needed to do.

Russell said that CDOT is the biggest obstacle. They wanted to make sure that land uses were good so that owners could assess affordable property.

Michelle asked if it would be possible for the Planning Commission to recommend land use language with trails and discuss some of those ideas now.

Justin said it was possible. Applicants want higher density uses but he doesn't necessarily believe they are as interested in parks and trails. Combining the two together would be better.

Rick commented on how Three Springs incorporated their wetlands by putting a trail right around them, thereby slowing water down for drainage. He liked this idea with regards to commercial development. The Town needs to utilize wetlands that are already there. If we have an open space park we will be capturing more people and CDOT will see this. What we want is some structure north of the highway that includes grassed areas, walking trails and park benches. The Town needs to take advantage of the wetlands and get some trails in to leverage the property. The trails need to be able to connect people to Town. In our Comprehensive Plan, we need to make sure that there is narrative that mentions having a park in this area. It also needs timelines. Make sure that it is comprehensive enough so that the next board members will know what the vision was for this area. This doesn't need to be too specific. Just give general ideas of what we are looking for.

Gabe asked Justin if he knew the acres for doubling the size of this community.

Justin said he didn't.

Gabe asked Justin if he could get those details. He mentioned that the two large wetlands located in Bayfield needed to get incorporated into a plan.

Bob agreed with Rick about the Three Springs development. He didn't think that fees in lieu of would be a good idea.

Michelle opened the matter up for public comment.

Sharon Heiner (6497 CR 516) was curious as to how traffic coming down CR 516 would be diverted? She was in favor of the plan, but wanted to keep the intersection where it is.

Justin said that there will continue to be a main highway and two intersections. However, it would be up to drivers to decide which intersection they wanted to take.

Grant Richards said that he appreciated what Rick was saying. He needed more understanding on what was going to go on in the north side of the highway though. He would like to see specifics on the drainage plan. He also wanted to know when the narrative in this plan would go through.

Michelle felt that transitional development would be a good idea for the Grush property and that commercial or transitional would be more appropriate on the Phelps property.

Gabe agreed. He asked applicants if they were looking to be annexed into the entire plan.

Grant Richards said they were.

Rick said it was important to meet policy 18 in the Comp Plan.

Justin said that the plan should be written up so that the applicants could review it.

Michelle said the plan also needed to include community parks and trails as well as a neighborhood park in the residential section on the north side of the highway. Commercial entities would also need to be included in the narrative.

Bob said that commercial and residential parks depend on the acreage as well as how they are incorporate wetlands.

Justin commented that commercial parks could also be referred to as open spaces as well as parks.

Action Agenda Item #3: New/Unfinished Business

Gabe wanted to have a conversation about contractor licensing within Town limits. He also wanted to know what the impacts were for helping to up the parameters for people building in the Town.

Chris was welcomed as a new member to the board.

Justin mentioned that Elizabeth Jackson (Intern) would be taking over the minutes for the Planning Commission meetings.

Gabe motioned to adjourn. Rick seconded. All were in favor.

Meeting was adjourned at 8:43 p.m.