

**Town of Bayfield  
Planning Commission Meeting  
February 9, 2010  
1199 US Highway 160B Bayfield, CO 81122**

**Planning Commissioners Present:** Bob McGraw (Chairman), Ed Morlan (Vice-Chairman), Rick Smith (Mayor), Gabe Candelaria (Town Board Member), Michelle Nelson, Pat Heyman

**Staff Present:** Justin Clifton (Town Manager), Marianne Jones (Town Clerk)

**Media Present:** Carole McWilliams (Pine River Times)

The meeting was called to order @ 7:01 p.m.

**Minutes:** Rick made a motion to approve the minutes from the November 10<sup>th</sup>, 2009 Planning Commission meeting as submitted. Gabe seconded the motion. All were in favor, motion passed unanimously.

**Public Input:** The meeting was opened for public comment. None was offered so it was immediately closed.

**Action Agenda Item #1: Discussion of the Westside Comprehensive Plan Amendment**

Justin gave his staff report. He stated that the Town Board, Planning Commission and the Town staff have had conversations about amending the Town Comprehensive Plan toward the west. The Town completed a sub-area Plan Amendment in 2008 to incorporate properties to the east of Town.

There are many reasons to extend the Comp Plan toward the west. First, development is likely to occur toward the west; especially considering the Town has already had lengthy discussions with Homestead Trails about annexation. Second, the Town is expected to acquire Highway 160B from CDOT later this year, which opens the door to annexation for properties that abut Highway 160B. Lastly, the Town has been approached by landowners including Homestead Trails and large properties to the north of Highway 160 owned by Peebles and Martin requesting that they be included in the Town's Comp Plan. All of these circumstances make this an ideal time to consider extending the Comp Plan to the west.

Justin stated that he thinks a sub-area plan could be developed in a way similar to the eastside plan. This would include a series of meetings with land owners, public hearings and final adoption. He proposed following a process outlined by Joe Crain in 2008 for the eastside plan but he also recommended revisiting the "Comp Plan approach" from an open ended perspective to ensure that any new efforts to extend the Plan are adequately thorough and complete.

The Town Board has considered a request from staff and westside landowners and directed staff to proceed with the Planning Commission.

Justin stated that he was looking for direction from the Planning Commission about moving forward with a Comp Plan amendment. Key areas for consideration include:

- Examination and possible amendment of the key priorities outlined in the current Comp Plan (updated in 2005)
- Consideration of the general scope of the plan amendment (land use, open space, commercial development, traffic circulation etc.)
- Consideration of the geographical scope
- Consideration of public input/ involvement
- Timelines/ Schedule
- Other

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One of the significant factors in the request from landowners to extend the Comp Plan is to solidify a traffic circulation plan. Homestead Trails was interested in annexation primarily because they could not get a development agreement with entitlements from the County and they cannot continue to build out the subdivision until making improvements to the Highway 160/ Highway 160B intersection. The Developer of Homestead Trails is understandably reluctant to invest significant funds in the intersection improvements without having some assurance that they can develop the rest of the property to an extent that they can recoup the investment. What makes things even more complicated is the fact that CDOT had recorded findings in their environmental impact statement (EIS) for the 160 corridor that contemplates moving the intersection of Highway 160/ Highway 160B further east. This is problematic for Homestead both because any investment in intersection improvements would be a waste of money and also because they contemplate some commercial development that would benefit from the intersection at its current location. After further inquiries have been made there appears to be a consensus amongst landowners in the area to keep the intersection where it is currently located. If the Planning Commission and Town Board agree, adoption of a circulation plan that solidifies a desire to keep the intersection at its current local will help to facilitate a conversation with CDOT to open up the EIS and consider this option.

Bob McGraw asked about the paragraph in the Bayfield Comprehensive Plan that states that it can only be amended in September.

Justin answered that this will not change a decision that has already been made. This will be an "addition" to the comprehensive plan instead of a change to the document that has already been voted on and approved.

Ed asked about the current status with CDOT. He wanted to know if this addition will influence their future plans.

Justin answered that the Town has been working with CDOT regarding the Homestead Trails Subdivision for awhile because of Homestead's interest in annexation. The idea flagpole annexation went back and forth until a decision was finally made that it would be allowed because CDOT stated that they would not object to the flagpole annexation. During the EIS process, most of the Bayfield public input revolved around Commerce Drive. There was very limited discussion regarding the Highway 160/Highway 160B intersection being moved from its current location. However, it doesn't look like there was a lot of research done regarding moving the intersection to the proposed location. The Town feels that adopting an actual plan will be a useful tool to use in discussions with CDOT regarding that intersection. The Town will be able to state that they have done some comprehensive regarding commercial development, open space, trails, etc and feel that the west-side plan would be the best avenue for the Town's future growth. This would allow for the Town to re-open the EIS process and possibly get CDOT to reconsider some of the findings of that report.

The floor was given to the applicant, Nancy Laurel.

Nancy Laurel stated that the Homestead development cannot progress any further without some major improvements to the intersection at Highway 160/Highway 160B. Bob Martin and Paul Peeples (the property owners on the other side of the highway at that intersection) are also interested in developing in this area as well. Mr. Peeples is interested in developing his property into a commercial development and the County land use designation states that this property is suitable for these types of uses. Homestead is already being considered for annexation into the Town of Bayfield and the extension of the utilities will open up opportunities for Peeples and Martin to develop/annex as well. Nancy explained that Homestead has talked to all the people whose properties are colored on the map that was presented in the packet. Homestead has received a pretty good consensus from the property owners. She explained that there are three maps being presented: A land use map, a trails map, & a transportation plan. The transportation map is very important for this area. Homestead is concerned that if they invest in the improvements to the Highway 160/Highway 160B intersection that CDOT will decide to go ahead with their plan to put the intersection further down and their investment will have been a waste of money. Homestead would like for the EIS to be reopened and petition to keep the

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intersection in its current location. They feel that their petition will hold more ground if Bayfield agrees with their plan and supports it.

Gabe asked if anyone is working with the County to get them involved with the improvements to the County Roads that are involved.

Justin explained that the County is working on their comprehensive plan also. They have requested the Town's input in this area. The Town plans to present their plan and get County's input on it. The Town wants to make sure that the plan that they adopt and the plan adopted by the County say the same thing.

Gabe asked if a meeting with the County could be added to the schedule.

Justin answered that he would schedule a meeting with Jason Meiniger with La Plata County.

Rick stated that he doesn't think that area was really paid attention to during the EIS process. He doesn't think that they really looked at the lay of the land because they were just looking at measurements on a map. He thinks that the Town, the applicant & the County stand a good chance to move the intersection to the spot that will work best for everyone involved. He feels that this is the best time to deal with this and it helps that the Town has the applicants that want willing to work towards it.

Pat asked about the Town taking over ownership of Highway 160B and how that will affect this decision.

Justin answered that the Town will own that property but it will not prevent CDOT from still moving forward with their plan for their intersection. CDOT can also still limit Homestead their development because of their access to Highway 160.

Nancy stated that the Town having control over Highway 160B helps Homestead with some of their issues but Peeples and Martin would still have an access issue if the decision remains to move the intersection.

Rick feels that the more safety items and traffic routes that are provided for the traffic using Highway 160 the more CDOT will be willing to work with the Town.

Justin responded that CDOT will look at the proposed changes presented by the Town and look at the impact benefit to the highway. The more cars that are kept off the highway will be beneficial to CDOT and they will be more apt to accept the plans as presented.

Rick said that incorporating a frontage road on the Peeples & Martin properties might make the plan more desirable to CDOT.

Gabe commented that he thinks that the Town needs to invite Gem Village into the discussion. He feels that Gem Village is a continuation of Bayfield. Currently, Gem Village has an overlay that the County uses for development and he feels that it would be nice if the Town helped them get out of that overlay and allow them to get the uses that they need or desire. Gabe commented that it's not an easy thing to accomplish development in Gem Village so the Town's participation in conjunction with the Gem Village residents might be a good thing for that area.

Justin responded that all adjacent landowners will be notified regarding the Public Hearing. He asked if the Planning Commission would like for him to specifically reach out to the Gem Village property owners also.

Rick answered that he thinks the Town should reach out to them via Public Hearing but shouldn't send out letters to each property owner because it would set a precedent that would be difficult to maintain in the future.

Bob asked about the dark arrow on the transportation map pointing to the southwest.

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Nancy answered that the arrow refers to a potential frontage road. However, the maps only include properties that the applicants have spoken to regarding the development. The applicant did not want to put any lines on the map when they haven't spoken to the property owners.

The meeting was opened to public comment.

Matt Koker (Riverside RV Park) stated that he is happy to see this change being presented for addition into the comp plan.

Carole McWilliams (Pine River Times) stated that she would like to see the intersection at County Road 509 fixed.

No other public comment was offered.

Ed commented that he thinks that Town should go through the process to ask CDOT to reopen the EIS.

Michelle requested to see the EIS for the west side of Gem Village all the way to the east side of Bayfield.

Pat asked to get the justification for why the change to the location of the intersection was made.

Bob asked if the road issues should be move to an earlier meeting since it is such a substantial part of the issue.

Justin stated that the Town plans to engage CDOT in the process very early on. This will help get a good feel from them before adopting a plan because the Town needs to make sure that the plan they adopt is going to be realistic for CDOT and that they will be willing to support it. Justin stated that he hopes that working together and integrating everyone desires and plans will make this process much easier and will allow everyone to get what they need.

Bob asked to move the traffic circulation to the March 9<sup>th</sup> agenda. He thinks that parks, trails & open space should be on the second meeting and that drainage should be added to the meeting on March 23<sup>rd</sup>.

Gabe asked about utility segments.

Justin answered that the Town will be submitting agency comments to all of the utility providers. However, it is a little early to look into utility easements & existing easements that could be potential issues since it is not known exactly how these properties will end up developing.

Proposed Timeline:

February 9<sup>th</sup> thru March 5<sup>th</sup>: Agency comments and public notice

- Send letters to adjacent land owners
- Send agency comment forms
- Schedule meeting with County Planning
- Schedule meeting with CDOT

March 9<sup>th</sup>: Discuss land use/ densities/ traffic circulation

- Review Agency Referrals
- Accept public comment
- Discuss proposed land uses
- Provide feedback to landowners

March 23<sup>rd</sup>: Discuss parks/ open space/ trails/ drainage/fiber

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- Discuss proposed traffic circulation/parks/open space and trails
- Accept public comment
- Consider of any "regional" or coordinated facilities

April 13<sup>th</sup>: Review changes and amendments to proposed Plan amendment

- Final review of Plan details
- Accept public comment
- Set hearing for final adoption

May 11<sup>th</sup>: Hold Public Hearing for official recommendation for adoption

The Planning Commission agreed to the timeline and process.

**Action Agenda Item #2: New/Unfinished Business**

Bob asked for an update on the development checklist.

Justin answered that the Town came to the conclusion that there is very little that they can do in regards to enforcing covenants. The Board decided to use the checklist internally but not to use it in any other capacity. The Board plans to use it as a quick reference guide for proposed development but the Town could have a potential liability issue if this document was sent to the residents because the Town is not the governing body over covenants.

Ed asked if the construction trailer in Dove Ranch was moved.

Justin answered that the trailer did get moved. The change to the Bayfield Land Use Change was also approved as the Planning Commission recommended.

The meeting was adjourned at 8:29 p.m.

Minutes were approved as written on March 9<sup>th</sup>, 2010.

**Approved:**

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Bob McGraw  
Chairman

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Marianne Jones  
Town Clerk