

**Town of Bayfield**  
**Regular Town Board Meeting**  
**April 4, 2016**  
**1199 Bayfield Parkway, Bayfield CO 81122**

**Town Board Members Present:** Trustee Nelson, Trustee Salka, Trustee Sanders, Mayor Smith

**Town Board Members Absent:** Trustee Davenport, Trustee Morlan, Trustee Nyberg

**Staff Present:** Chris La May (Town Manager), Kathleen Cathcart (Town Clerk), Michael Goldman (Town Attorney), Joe McIntyre (Marshal)

**Media Present:** Carol McWilliams with the Pine River Times

The meeting was called to order @ approximately 7:00 p.m.

**Public Hearing:**

**1. Bayfield School District 10-JT-R Annexation And Land Use Classification**

Town Manager La May gave a Power Point Presentation describing the Bayfield School District 10-JT-R Annexation Application. Town Manager La May explained the Town's requirements regarding the conveyance of raw water rights to the Town at the time of annexation. The School District has agreed to convey three shares of the Los Pinos Ditch to the Town of Bayfield. Town Manager La May stated that the Town's current Water Distribution and Waste Water Treatment Systems will accommodate the impacts of a new school. A Plant Investment Fee will be paid by the School District, for a 2" water tap and a sewer tap to accommodate approximately 220 students, at the time of connection. The street impacts will be more of a challenge. East Oak Drive will need reconfiguration of lanes. The Oak, Mountain View, Lakeside Intersection will need to be improved. The intersection of Sossaman Drive and County Road 501 will need the addition of a left turn lane and an acceleration lane. The School District has agreed to pay for these improvements. The Town of Bayfield's Master Plan includes the extension of North Cedar Drive to US 160. The School District has agreed to convey a 60' public road right-of-way for the extension of North Cedar Drive and to a \$500,000.00 financial contribution toward US 160 Corridor improvements, including East Bayfield Parkway intersection to Commerce Drive. Pedestrian improvement will be made along East Oak Drive from Mountain View Drive. Town Manager La May stated that the Board is asked to consider the physical arrangement of the project, the recommendation of the Planning Commission, any public testimony from this hearing and the following annexation review standards:

**A. The planned use of the area to be annexed is consistent with the adopted Comprehensive Plan, in harmony with the intent of the Town's land use districts and compatible with adjacent neighborhoods.**

The application is in general conformance with the Town's Comprehensive Plan. The Property is identified in the Town's Comprehensive Plan Future Land Use Map as a combination of High Density Single Family Residential and Multi-Family Residential Overlay. While the Land Use Code would not permit a school in the residential zones, school are typically located proximate residential areas. Proposal is to zone the property Community Services (CS).

The Comprehensive Plan Policy 3 reads: "Bayfield recognizes that high quality school facilities and services are important attractor of families and the Town will encourage the continuation and/or further improvements of school facilities and services balanced with concerns for increase in taxes."

**B. The open spaces have a workable program established for maintenance and upkeep.**

There is a significant amount of open space associated with the property, upkeep will likely involve some noxious weed control.

**Town of Bayfield**  
**Regular Town Board Meeting**  
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**C. The proposed annexation is necessary or desirable and will contribute to the general wellbeing of the community.**

As identified in the Town's Comprehensive Plan:

Policy 2: "The Town will pursue a growth strategy that manages growth through the use of fees, development requirements, careful review of subdivisions and land uses so that growth pays for itself and that the current levels of services are maintained."

Policy 3: "Bayfield recognizes that high quality school facilities and services are important attractor of families and the Town will encourage the continuation and/or further improvements of school facilities and services balanced with concerns for increase in taxes."

While the quality of schools likely has the most significant impact on property value; with the exception of High Schools, research also indicates that proximity to schools has a positive impact on residential property values.

**D. The proposed annexation will not be detrimental to health, safety or general welfare, or injurious to property or improvements of persons residing within the corporate boundaries.**

The construction of school facilities on the property, in itself, does not appear to have a direct health, safety or general concern to persons residing in the Town of Bayfield. The Town water and sanitary sewer facilities appear adequate to support the facility; storm water runoff, if constructed in accordance with Town standards should minimize drainage concerns; however, impacts to traffic from the new proposed school appear to be significant and of general concern to persons residing in the Town and potentially injurious to improvements in the vicinity.

The School District proposes to mitigate traffic impacts with improvements to the Mountain View Drive/E. Oak Street/ E. Lakeside intersection, CR 501/Sossamon Drive intersection, N. Cedar Drive to the new school parking lot, conveyance of public road right-of-way for extension of N. Cedar, and \$500,000 financial contribution toward US 160 Corridor improvements (i.e. East Bayfield Parkway intersection to Commerce Drive).

**E. Any proposed roads in the annexation area are logical extensions of existing or planned for roads.**

The Town of Bayfield Comprehensive Plan – Transportation Plan anticipates an extension of N. Cedar Drive to US Highway 160. Additionally, when the Cedar Hills Subdivision was developed, the developer provided right-of-way for the logical extension of N. Cedar Drive. The District proposes to extend N. Cedar Drive to the parking lot exit of the proposed school. The District proposes to convey a sixty foot (60') right-of-way to the Town for further extension of N. Cedar Drive, and provide a \$500,000 financial contribution toward US 160 corridor improvements.

**F. The extension of services is feasible and will be financed totally by the applicant; and that the applicant will post performance guarantees to assure the completion of public improvements in accordance with final plat requirements.**

The extension of service appears feasible and the public improvements are proposed to be paid by the applicant. The Board of Trustees will memorialize the financial arrangement and performance guarantees in the annexation agreement. Town engineers have reviewed proposal for ability and capacity to provide water and sanitary sewer services and opine that the water and sanitary sewer systems do have adequate capacity and no off-site improvements are necessary.

**Town of Bayfield  
Regular Town Board Meeting  
April 4, 2016  
1199 Bayfield Parkway, Bayfield CO 81122**

**G. Water rights associated with land areas proposed for annexation shall be dedicated to the Town in an amount determined per the allowed maximum density for the property.**

Water rights are typically conveyed at annexation. The District is prepared to convey three (3) shares of Los Pinos water to the Town of Bayfield. Exact quantity will be memorialized in the annexation agreement approved by the Board of Trustees.

**H. Either the revenue or the public benefit to be gained from the Town's portion of increased tax base is acceptable given the increased cost of services provided.**

The School District is a tax exempt entity, and therefore, no direct increase in tax base is from the construction. The Town currently provides service to the existing school population. Town service levels will increase with growth in school population. There is public benefit from new school facility and some correlation with increased residential property values. Retaining the school in the Town would likely create positive impact on retail sales and business activity.

**I. The applicant shall pay all costs incurred by the Town for reviewing annexations proposals, including fees charged by consultants and specialists needed to address important issues.**

The School District has deposited money and signed agreement to pay cost incurred by the Town for reviewing the annexation proposal, including fees charged by consultants and specialists.

Town Manager La May stated that staff is recommending approval of Resolution 363, a resolution of the Board of Trustees of the Town of Bayfield, Colorado, making findings of fact regarding the eligibility for annexation of the property described in the petition for annexation filed with the Town of Bayfield by Bayfield School District 10-JT-R.

Town Manager La May also stated that the adoption of this resolution is not annexation of the property, it is just the determination of eligibility.

School Superintendent, Troy Zabel, thanked Town Manager La May and the Board of Trustees for their assistance in this process. Mr. Zabel stated that the School District's request for annexation is precipitated by a definite need in the replacement of an aging building. The property, in question, was purchased in 2012 when the District did a bond extension. This location will allow for shared usage, being adjacent to the Middle School. Mr. Zabel feels that the School District has been very responsive in working with the Town. As we work through this process with the Town, the School District's decisions will always be based on what is best for kids and our student population.

Mayor Smith opened the hearing to the public.

Ms. Suzanne Arms, 556 E Willow Drive, stated that she would like to see walking paths from the proposed school to the library be included in this project.

Mr. Charles Christensen, 1027 North Cedar Drive, wanted to know if there were any plans of making changes to North Cedar Drive north of East Oak Drive.

Mr. Daryl Yost, 360 Mountain View Drive, asked if there had been any traffic studies done for the Commerce Drive Intersection and should the business owners who have already paid their fees for the infrastructure of the Business Park expect a building moratorium until the East Side Intersection is constructed. Where does CDOT fit into this? Mr. Yost stated that it appears that the impacts on 501 are being considered, with extensive

**Town of Bayfield  
Regular Town Board Meeting  
April 4, 2016  
1199 Bayfield Parkway, Bayfield CO 81122**

improvements. The obvious needed improvement is not being considered. Mr. Yost would like the current business owners to be notified if they are going to be severely impacted by the possible closure or limitations of the Commerce Drive Intersection. Mr. Yost stated that the School District is operating out of compliance with their access permit for their property located at 42456 Hwy 160. Mr. Yost would like to see this addressed before something happens and other businesses are impacted.

Ms. Brenda Hieb, 271 North Mountain View Drive, asked if a signal light is installed at the intersection by Evening's Porch, would a frontage road be constructed.

Mr. Paul Peeples, 381 Colorado Drive, asked if the schools construction would be delayed until the East Side Intersection is installed. Mr. Peeples stated that he feels the Town should install the East Side Intersection and the frontage road and use Sales Tax to pay for the costs.

Mayor Smith closed the Public Hearing.

Mayor Smith recapped the questions posed by the public.

Town Manager La May, answering the questions posed by the public, stated that the pedestrian components of the project are limited to access to the school. Town Manager La May also stated that there are no significant impacts to North Cedar Drive and it is not included in these plans. The \$500,000.00 contribution is to assist with 160 Corridor improvements.

Mayor Smith stated that there is no moratorium being contemplated by CDOT, at this time.

Town Manager La May stated that before a final annexation agreement is signed, staff will meet again with CDOT.

Mayor Smith moved to the Action Agenda.

**Action Agenda Item #1: Consideration Of Resolution 363, A Resolution Of The Board Of Trustees Of The Town Of Bayfield, Colorado, Making Findings Of Fact Regarding The Eligibility For Annexation Of The Property Described In The Petition For Annexation Filed With The Town Of Bayfield By Bayfield School District 10-JT-R**

Trustee Salka made a motion to approve Resolution 363, a resolution of the Board of Trustees of the Town of Bayfield, Colorado, making findings of fact regarding the eligibility for annexation of the property described in the petition for annexation filed with the Town of Bayfield by Bayfield School District 10-JT-R. Trustee Nelson seconded.

Roll call: 4 – 0

Motion passed unanimously.

Meeting was adjourned at 8:05 pm.