



Nederland Planning Commission

MINUTES

Wednesday, March 26, 2014 ~ 7:00 pm

Nederland Community Center

750 Highway 72 North

1. CALL TO ORDER

Chairman Larsen called the meeting to order at 7:04 p.m.

2. ROLL CALL

Present: Chairman Kris Larsen, Vice Chairman Roger Cornell and Commissioners Lisa Mayhew, Mikki Osterloo, and Steve Williams

Also present: Town Administrator Alisha Reis

Absent: Commissioner Betty Porter and Trustee Liaison Kevin Mueller

3. APPROVAL OF MINUTES from February 26, 2014

A motion to approve the minutes as written was made by Commissioner Cornell, seconded by Commissioner Williams, 4 in Favor, with abstention by Commissioner Mayhew, who was not in attendance at the February 26, 2014 meeting.

4. PUBLIC COMMENT

There was no public comment not pertaining to the Agenda.

5. INFORMATION ITEMS

There were no information items.

6. ACTION ITEMS

1. **Further consideration of the proposed annexation application by Kayla Evans of the +/- 17.0 acre site (1250 Eldora Road), which the Planning Commission first reviewed on Feb. 26, 2014.**

Planning Commission on Feb. 26 had reserved the right to further consider the application and to discuss questions and recommendations after the Board of Trustees review of March 18. Reis re-introduced the issue, with updates from the

BOT review, including wishing to await the results of a planned housing needs assessment with the Boulder County Housing Authority. The Planning Commission may request the ability to recall the petition for further review and re-recommendation, or include recommendation prior to final review before the BOT, given that there is continuing new data, Reis said.

Commissioner Osterloo said she would love to hear the new information, but would prefer to wait to make recommendations until the process was further along.

Commissioner Cornell said he had specific questions, which he thought would be useful information for the applicant, BOT, and community re: important things to be researched.

Chairman Larsen said new information would be good to hear from the applicant along with any comments at this time, but he does not expect to invest a lot of time in discussion now.

Applicant Kayla Evans said she wished she would have had the master plan map when the Planning Commission initially heard the case. She described the more dialed-in master plan map included in the packet, which illustrates placement of the buildings, exit/entry, roadway, ridgelines, etc.; reviewed placement with an understanding of excavation needs, view sheds, ridgeline/natural topography and adjacent neighbors. She discussed further amenities anticipated, e.g. recreation center, solar energy, access to adjacent trails; as well as goals of project to provide housing for people of moderate incomes. Evans discussed transit access to the project, as well as wildfire mitigation plans for the property and drainage needs. She explained plans for lesser-occupancy units (from the original maximum amount of 60) to the current 48, expecting to better understand the housing needs from the further engineering, market study and housing needs assessment data.

Larsen called for Public Comment.

Ron Mitchell, 75 E. 1st St., said he didn't know a lot about the project but had read in the newspaper that the Commission was hesitating to consider the project because there is a lot of opportunity for in-fill development in the town. He questioned that understanding, given that development costs in town are expensive due to high lot costs. He said that usually a town has to provide additional incentives to encourage such developments, to assist with costs of development. This understanding would require a bit more study. He said he has had difficulty with development in town because of development costs issues.

Larsen closed the Public Comment portion of the item.

Cornell referenced the research regarding vacant in-fill lots that he and Reis had completed separately to understand what is available. The recommendation by the Planning Commission on February 26 to the BOT to deny consideration of annexation factored heavily on the emphasis to concentrate in-fill within the Town core. He acknowledged that although there are areas for in-fill, there may be economic viability issues of developing such lots, as Mitchell indicated. Cornell

suggested that mixed-use development might also be a viable option for in-fill residential (live/work) development within the town, recognizing that this option will not appeal to some. The Evans' Aspen Trails project also utilizes the elements of affordable housing and higher density residences, but in a rural setting that is more preferable to others, said Cornell. There is time in these next several months to provide relevant data to allow for a more informed decision by the Planning Commission and BOT prior to the ballot issue proceeding to the vote, he said.

Cornell suggested the inclusion of a vicinity site plan to accompany the project through the process, to better illustrate the relativity of the project to the neighbors and within the surrounding area. Cornell said that he wants to see the trails defined, such as the connection from West Pine Street to West Magnolia Trails and the trail connection to the school. He also requested discussion regarding access to the raw water intake ponds, and research about the possibility of a storage reservoir for the Town's 40 acre feet of augmentation water, located at Arapaho Ranch upstream of the water intake.

Evans responded that the consideration of an upstream reservoir has been discussed with the Town already and she would support further consideration in relation to the current application. She referenced a long lake at the far west end of the ranch as a possible site, depending on the calculations for the Town's storage needs. She said there are several lakes in consideration for this proposed reservoir.

Cornell continued that he also had questions about the water availability and water rights for the site. He specifically requested information regarding total capacity of the current water treatment plant and how this project's usage would figure into the total, as well as taking into account the filling and maintenance needs of the proposed pool. He said he'd like to account for future build out capacity for water rights and treatment, beyond this application.

Cornell inquired if development should be phased for construction, depending on Evans' financial analysis on the project. Cornell requested a traffic report (vs. a traffic study), comparing new impact to current traffic, e.g. from Eldora Ski Area, etc. He stated that he would like to see firm financial information and commitment from the Boulder Valley School District related to the pool development. Evans responded that BVSD's commitment is pending the project's approval by the Town and Boulder County, though she will invite school representatives to the May 6 BOT meeting.

Lastly, Cornell is interested in the Boulder County Housing Authority's affordable housing guidelines (the formula for project's housing) and what the developer will commit to on this project, recognizing that ski towns have similar issue with affordable housing needs. Please quantify and document this issue, he said.

Commissioner Williams said he still thinks it's a good plan and appreciates the additional clarity provided by the applicant. He noted that this project is a good opportunity that can be tweaked as necessary as it goes forward.

Osterloo also supported more traffic information related to how this project interacts

with ski traffic and other heavy town traffic. She said a traffic study will likely be warranted, as something to discuss with the BOT.

Evans inquired what level of information the Commission is looking for to answer questions at this time, prior to approval of the annexation, citing cost concerns. Commissioners answered that they are raising questions well ahead of the time in the process, to consider whose role it is to provide the information and when these items are to be considered within the process.

Larsen requested clarity regarding the capacity of water availability and treatment. He also wanted to know about whether the Town needs to consider additional water rights to accommodate 45+ new homes. He said he would like us to consider the wildlife maps at the county, to consider and impacts of migration routes, etc. He also noted that for future iterations of the master plan, it would be helpful to place the parking area on the map.

Evans said parking is to be tucked under and surrounding individual buildings, not a large single lot. She said there will be some limitations, e.g. number of tenants per unit, prohibition on marijuana growing in the units, etc.

Osterloo commented on the annexation process and the cost of presentation and application materials. She said she doesn't necessarily support annexation as a concept, but if the community supports the project, she would consider recommendations to move it forward. She acknowledged the project may fill some needs the town has related to housing.

Williams indicated he supported the application moving forward, which is why he voted to recommend support of the annexation.

The Commissioners discussed the concern some may have of this project opening the door to further annexation toward Eldora.

Evans discussed the limits of annexation, as her brother's property west of the high school is under conservation easement, as is her family's main ranch on the north side of the road. Thus, both serve as limits to annexation into the valley, she said. She said part of the goal of the project is to create a trust of income to support the ranch in perpetuity.

Cornell recommended to the applicant to consider a formula for a percentage of the property remaining permanently affordable.

Reis discussed the conceptual timeline of the remaining steps in the application's review. She said she would keep the Commission apprised of the progress of the process.

Larsen concluded the discussion of the item.

G. DISCUSSION ITEMS

1. Sustainability Action Plan Review and Planning Commission Comments

Reis explained what author Conor Merrigan is requesting for review, that it would be helpful if the Commissioners offered individual comment forms. All agreed to offer comment by April 7 to Reis, to pass on to Merrigan. Commissioners asked that staff please convert the document to Word and send to Commission to aid comment.

2. Comprehensive Plan – Matrix of Actions for 2014 Implementation

Reis introduced the subject, and suggested that the Commission consider a few items for staff to get started on researching and bringing before the Commission for consideration. Reis recommended Public (P) zone issues and recreational marijuana zoning regulations.

Cornell said he agrees that recreational marijuana, lingering code issues and impacts should be part of the early work. He said Chapter 16 does not really address these items.

Williams said he would welcome an education piece related to this issue, as it unfolds this year.

Larsen agreed that recreation marijuana issues are pressing enough to move to the top of the list.

Cornell said the group should remember to review and clarify the home occupation regulations, especially with consideration of the recreational marijuana. He requested all background and rundown of reasoning related to how the regulations were set, electrical issues, etc.

Larsen requested all information related to impact and regulation of marijuana as early as possible, given that new licensees can begin sending letters of intent to the State on July 1.

Larsen said that addressing Public (P) zoning is a low-hanging fruit, to be resolved fairly easily. He asked about the progress of the Master Infrastructure Plan (MIP). Reis updated the group on the progress and anticipated introduction date at the Board of Trustees and review boards.

H. OTHER BUSINESS

Reis updated the Commission related to upcoming potential applications and a letter from local realtor related to a request for further classification of

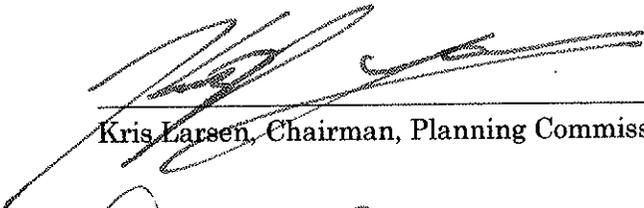
multi-family uses. Reis said she would send the letter around to the Commissioners.

Cornell requested that for the next review of the Grahn PUD that the Final PUD plat contains a note that the Commission considered the higher density on some of the lots under Sec. 16-88 of the Municipal Code.

I. ADJOURNMENT

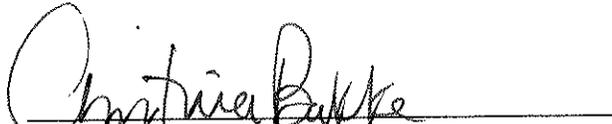
A motion to adjourn was made by Commissioner Cornell, seconded by Commissioner Mayhew, and was unanimously approved at 8:43 p.m.

Approved by the Planning Commission,



Kris Larsen, Chairman, Planning Commission

ATTEST:



Cynthia Bakke, Deputy Town Clerk