

1. **Call to Order** – The Planning Commission convened a regular meeting on February 14, 2019. Chairman Banzhaf called the meeting to order at 7:00 p.m.
2. **Roll Call** – Members Present: Scott Banzhaf, Chairman, Kelsey Byron, Jeff Butler, Patrick Dillon, Jan Dowker, Sean Murphy, and Dick Shepard.
Staff Present: Curt Freese and Jill Wilson.
3. **Consent Agenda** – Minutes from meeting of January 24, 2019. Motion to approve by Commissioner Shepard. Seconded by Commissioner Murphy. With all other commissioners in favor, THE MOTION CARRIED.
4. **Tabled Item from January 24, 2019 meeting-**

Habitat for Humanity ODP, PDP, Final Plat Amendment –

Commissioners Banzhaf, Dillon and Dowker recused themselves from the agenda item due to conflicts of interest.

Mr. Freese presented the agenda item, which was a request for a revised combined ODP, FDP and Final plat approval, which would result in the creation of eight (8) new lots over a 5.66 acre total area. The current plat was approved with 21 single family lots. The amendment to the ODP and FDP would apply to half of the existing Habitat property (starting at the existing Lot 13 to the remainder of the undeveloped northern lots) in which the existing lots would essentially be split in half for ten paired or zero lot line homes.

Commissioner Butler asked the density per acre.

Mr. Freese replied ten units per acre.

Mike Cook, Habitat for Humanity Construction Superintendent and Board Member, provided background of the Berthoud Habitat for Humanity. He stated the goal was to take 52-foot lots and turn them into 27-foot lots which would contain a different housing type. He spoke to the idea of the paired home to help with lot diversity.

Commissioner Byron asked about the neighborhood concerns received.

Mr. Cook stated that he read and consider the comments received. He stated that he had not formally responded to any of those comments.

Commissioner Shepard asked about the citizen concern regarding the construction upkeep on the site.

Mr. Cook stated that it had been a challenge due to fact that it was based on volunteers and donated materials, etc. He acknowledged that building materials were on site as they did not have any off-site storage options. He stated that they were trying to keep the site as clean as possible.

Commissioner Shepard mentioned the open space area and if that might be developed into a play area.

Mr. Cook explained that half of the open space was for stormwater detention. There had been discussions regarding the area and the upkeep of it if it was turned into a garden or park. He mentioned that an HOA had been established to help with maintenance of the open space and alley.

Commissioner Shepard stated he would like to see the HOA institute and address some sort of a play area on the property.

Commissioner Murphy remarked that the street façade of the homes should be considered as it was important for surrounding property owners and neighbors. He also asked why the new product type/paired housing was being considered.

Mr. Cook replied that the cost of land and infrastructure was a driving factor, and it would help make it so that they could continue to build affordable homes.

Commissioner Butler had concerns regarding the overall look if there were different housing types.

Commissioner Shepard commended Habitat for Humanity for the hard work they have done in the community. He felt trying to implement diversity was a positive thing.

MOTION by Commissioner Shepard to approve the Habitat for Humanity Revised ODP, FDP and the Final Plat.

Seconded by Commissioner Butler.

With all in favor, THE MOTION CARRIED.

5. **Case Annexation** - Mr. Freese presented the agenda item; which was a request to annex 6.259 acres located off of County Road 14, north of Lonetree Reservoir. He explained that the annexation was on the November 2018 ballot and received approval to consider the annexation. In addition to the annexation, the applicant was requesting a R-4 zoning classification and a motorcoach/RV use on the property, which would require a conditional use approval.

Jim Birdsall, co-owner of Heron Lake project, stated the property surrounding this parcel was annexed approximately a year ago. The property was under contract to purchase; however, the current owners planned to stay on the property for a few more years so no construction would be taking place immediately. He noted that the annexation would help with the addition of access to the reservoir

Commissioner Byron asked about the traffic impact to the area.

Mr. Birdsall stated that the parcel would not be used for tournaments occurring in 2019.

Mr. Freese stated that no traffic study had been completed yet and would be required during their site plan submittal for the uses proposed on the site.

Anita Ballinger, 2594 W County Road 14, had questions regarding noticing requirements. She asked what Larimer County's stance was on the annexation.

Mr. Freese stated that Larimer County was sent a referral; however, no comments were received.

Ms. Ballinger asked who would maintain County Road 14.

Mr. Freese replied that the Town of Berthoud would maintain that portion of the road.

David Milner, 2594 W, County Road 14, was concerned about an RV park located in the back of the Heron Lakes development. He wondered how the property would be accessed, how the sewer line would be extended to the property, and how it would impact the traffic on County Road 14.

Commissioner Dillon noted his concerns regarding the proposed zoning designation.

Mr. Birdsall mentioned that the RV use would require a conditional use approval and site plan review. He remarked that during the Heron Lakes Lake Club Annexation a condition was placed on the approval, which stated that 'Any multi-family construction or use allowed within the R-4 zoning district would require the consent of the planning commission and town board.' He stated he would be willing to add the same condition to this zoning request. He also acknowledged it was somewhat of an urban use in a rural area and would be cognitive of that.

Commissioner Byron had concerns with the zoning as the zoning would run with the land.

Mr. Birdsall stated that they were committed to the property and the project. It was not their objective to do a big commercial land use, apartments, etc.

Commissioner Dowker and Shepard thanked the applicant for their hard work on the project and diligence to work with the Town and citizens.

Commissioner Shepard stated that he did not have concerns with the R4 zoning designation.

Commissioner Shepard Moved to approve the Case Annexation to annex 6.259 acres of property into the Town of Berthoud.

Second by Commissioner Murphy.

With all in favor, THE MOTION CARRIED.

Commissioner Shepard Moved to approve the Case Annexation Mixed Use R-4 district, with the findings that:

- **The Mixed-Use (R-4) district proposed, would be in harmony with the adjoining land uses approved in Heron Lakes and the Heron Lakes Lake Club.**
- **Any multi-family construction or use allowed within the R-4 zoning district would require the consent of the planning commission and town board.**

Second by Commissioner Butler.

Commissioner Dillon voted against the MOTION.

With all other commissioners in favor, THE MOTION CARRIED.

6. Reports

Commission Byron mentioned the expedited process for the Habitat for Humanity ODP, PDP, Final Plat Amendment and how it could set a precedence.

Mr. Freese explained that the Development Code allowed Staff the authority to work with applicants and expedite projects on an as need basis.

Mr. Freese reminded the commission of the training session on February 28, 2019.

Meeting adjourned at 8:56 p.m.


Jill Wilson, Planning and Building Technician


Kelsey Byron, Secretary