

RESOLUTION NO. 8-02

A RESOLUTION ENCOURAGING AND SUPPORTING THE DEVELOPMENT OF THE PROPERTY SURROUNDING THE INTERSECTION OF U.S. INTERSTATE 25 AND COLORADO HIGHWAY 56 WITHIN THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO

WHEREAS, the unanimous Board of Trustees and citizens of Berthoud support the planning and development of the I-25/Highway 56 area within the limits of the Town of Berthoud; and,

WHEREAS, during the past six (6) years the Town of Berthoud has invested approximately \$460,000.00 toward the planning and development of the I-25/Highway 56 area (the map of this planning area is attached); and,

WHEREAS, the Wilson Homestead Limited Partnership and the McWhinney Property Group, LLC have detached approximately 1,600 acres of land at the southeast corner of this intersection from the Town of Berthoud, which order detaching this property from the Town is now on appeal; and,

WHEREAS, an additional 1,700 acres remains annexed to the Town and several hundred of these acres are located north of Highway 56 and east of I-25; and,

WHEREAS, the Town has obtained approval from the 208 Water Quality Treatment Board for the construction of its wastewater treatment sight on several acres purchased from the Wilson Homestead Limited Partnership, which site is adjacent to the extension of Highway 56 along the north side of the Wilson/McWhinney property; and,

WHEREAS, the Town has retained several professional planners to assist with creating an overall land use plan for the I-25/56 area and currently is in the process of negotiating a contract for a plan of this area; and,

WHEREAS, no subsequent discussions with respect to the planning or development of the Wilson/McWhinney property have taken place with this Board of Trustees or with the Town's new planning, public works or administrative staff during the last year; and,

WHEREAS, as a condition of detachment from the Town of Berthoud, Wilson/McWhinney agreed, and the court ordered, that for a period of six (6) years after the effective date of the disconnection the detached tracts will not be subdivided into lots or plots of smaller area than is required during these six (6) years for lots within the Town of Berthoud adjoining the detached tract and furthermore that the detached property will not be used for the next six (6) years for industrial or commercial use if no industrial or commercial uses are permitted in the area adjoining the tract by the Town of Berthoud; and,

WHEREAS, the Board of Trustees has already voted to ameliorate the impact of the Town's growth management initiative by amending it to allow the I-25/Highway 56 area to have an independent cap on its residential construction thereby permitting up to one hundred (100) residential units per year and also allowing a carry-over of any unused portion from year to year;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER AND WELD COUNTIES, COLORADO THAT:

This Board fully supports the re-annexation and development of the Wilson/McWhinney parcel into the Town of Berthoud and directs staff to commence negotiations with the McWhinney Property Group, LLC with the intent of establishing an I-25/Highway 56 development plan and an annexation agreement for the Wilson/McWhinney property. This Board directs staff to have the initial overall development plan presented within three (3) months of the date of this resolution and that an annexation agreement be presented to the Board not later than two (2) months after the approval of the overall development plan.

This resolution was introduced, read and adopted by a vote of 7 in favor and 0 opposed at the regular meeting of the Board of Trustees of the Town of Berthoud on the 10th day of September, 2002.

TOWN OF BERTHOUD:

Milan Karspeck
Milan Karspeck - Mayor

ATTEST:

Mary K Cowdin
Mary Cowdin - Town Clerk