

**BOARD OF TRUSTEES  
REGULAR MEETING  
MARCH 11, 2014  
BOARD ROOM  
6:30 P.M.**

Board Members Present: Mayor David Gregg  
Mayor Pro Tem Jan Dowker  
Trustee Suzie White  
Trustee Dick Shepard arrived at 6:35 PM  
Trustee Thomas Jones  
Trustee Paul Alaback

Board Members Absent: Trustee John Bauer

Staff Members Present: Town Administrator Mike Hart  
Town Clerk Mary Cowdin  
Planner Tim Katers  
Administrative Clerk Jory Haslett

Mayor Pro Tem Dowker led the Pledge of Allegiance.

**Citizen Participation**

None.

**Consent Agenda**

The Consent Agenda consisted of the Minutes from February 11 and 18 and March 4, 2014, Bills Allowed for December 2013 and January 2014, and the December 2013 Financial Statement.

**Mayor Pro Tem Dowker moved to approve the Consent Agenda. Trustee White seconded the motion. The motion passed unanimously with Trustee Shepard absent.**

**Public Hearing – Prairie Star**

Mayor Gregg opened the Public Hearing for the Final Development Plan at 6:35 PM.

**Mayor Pro Tem Dowker moved to continue the Public Hearing until March 18, 2014. Trustee White seconded the motion. The motion passed unanimously.**

### **Rose Farm Concept Plan**

Mayor Pro Tem Dowker acknowledged that she was noticed regarding this project.

Planner Katers first explained the process for the review of the Concept Plan and then presented the Concept Plan for Rose Farm.

Administrator Hart noted that cul-de-sacs present difficulties when it comes to the Town's ability to remove snow from the streets.

Jim Birdsall addressed the Board on behalf of Steve Schmidt and reported that at the Planning Commission meeting there was support for the cul-de-sac plan due to the topography of the property. He also stated that they have been in discussion with the Town Tree Board regarding the existing Juniper and Russian Olive trees on the property.

Steve Schmidt, the Rose Farm property owner, addressed the Board and gave a brief history of the property. In regard to the multi-family area, he stated that according to local realtors there was a demand for affordable and easily maintained homes in Berthoud. They envision townhomes for that area of the development. He also discussed the existing trees along Spartan Avenue. His father planted the trees upon recommendations from CSU to serve as a windbreak. When he initially met the Tree Board, it was the consensus to take the trees out as they die and replace them with something native to Colorado on the south side of the sidewalk. However, the Town Arborist wanted to remove the trees immediately and the final agreement was to take out a third of the trees, although Mr. Schmidt would prefer to replace the trees as died.

Mr. Schmidt then discussed the buffer area concept. After discussion and review, they found the maintenance and liability of the buffer area would be an issue. Instead, in order to preserve views from the existing homes, they decided upon a staggered home concept along with the cul-de-sac design. They also added open areas that will allow access to connect with Ellen Bein Park. He noted that they have dedicated almost 23% of the land to open space.

Trustee Jones asked Mr. Schmidt if the street design would allow for access for fire trucks and other large vehicles. Mr. Birdsall noted that the streets will easily meet the Town Development standards. He did note that they are asking for a few exceptions to the length of the cul-de-sac and the block lane length. Mr. Birdsall also addressed side-yard setbacks and requested that the same standards be applied across all PUDs for consistency.

Trustee Jones asked if the side-yard setbacks would reasonable access for equipment.

Trustee Alaback asked if the subdivision would be an opportunity to address the flooding issues in Hillsdale Park and surrounding residences. Mr. Birdsall stated that it is an opportunity to address those issues through storm drainage requirements.

Trustee Alaback asked about the timing of the trail development in the subdivision. Mr. Birdsall stated that they were not sure of the timing of the phasing. Trustee Alaback stated that it would be a benefit to the area for the trail connection.

Mr. Schmidt addressed the flooding issue on the south end of the property and stated that the most recent issues were due in part to irrigation practices from a neighboring farmer diverting water through the property. He went on to state that they would like discuss allowing the Town use the property's Welch water rights after the property is developed.

Mike Hemming of 531 S. 9<sup>th</sup> Street, located in the Hillsdale development, asked about the existing Juniper trees on the property and if the irrigation pipe would remain in place.

Walt Graul of 1005 Longview Avenue addressed the Board and stated that his biggest issue was with the planning process and he does not feel that there has been any collaboration with the public. He asked that the Board reconsider the collaborative process.

Carl Christianson of 901 Longview addressed the Board and expressed his concern for the traffic impact and safety issues due to the cul-de-sac design with only three access points. He is also concerned by the flooding issues due to the steepness of the property. He recommended using the property for an open space buffer and overflow parking or athletic fields for the school.

Cindy McCabe of 903 Longview addressed the Board regarding the greenbelt issue along South 9<sup>th</sup> Street and along Longview. With the exception of two neighbors who were not available, all the residents along the corridor would be in favor of a green belt. She asked the Board to consider the issue of the greenbelt buffer.

Bob Jessen of 404 Cheyenne Drive addressed the Board and expressed his concerns about the multi-family portion of the development.

Carrie Young of 517 S. 9<sup>th</sup> Street addressed the Board and expressed her concern regarding a lack of play area for small children as well as safe entry and exit into property. She is also concerned about the multi-family area and stated that maybe there was a reason there was a lack of those types of properties in Berthoud.

Mr. Birdsall stated that it is the hope to keep the existing Juniper trees and the irrigation pipe will be removed with development. He also addressed the lack of collaborative process by stating that the developer is responding to the Town's process and he feels that it has been a collaborative process compared to past experiences in Berthoud and other towns. He felt the Planning Commission meeting was especially collaborative. Mr. Birdsall also stated that the street access points were provided to the developer, but there is a proposed right-of-way to the south. They have discussed another access point along the west to County Road (CR) 17 and they plan to address it in the transportation planning process. Mr. Birdsall stated that the developer will have to meet all the drainage standards and that the subdivision will probably improve the issue. He also noted that the proposed development is outside of the 100 year flood

plain of Dry Creek and there is no intent for filling in the flood plain. He stated that the developer will be discussing the property with the school district and Town staff regarding open space park. Mr. Birdsall reiterated that the multi-family area is planned to be attached fee-simple town homes and that they would be generally compatible with the area. He stated that the south open space could allow for a neighborhood park component.

Mr. Schmidt stated that they will be required to pay for a traffic study of the development and noted that the Town has long-term plans for widening Spartan Avenue. They would like to work with the Town regarding the street access issues.

Mr. Schmidt addressed the buffer issue and stated that any proposed area would not extend to Spartan Avenue because they do not own the northeast portion of the property.

Trustee Shepard asked Mr. Birdsall if the traffic studies would include all phases of construction and pedestrian crossing. Mr. Birdsall stated that the traffic study would include all phases and would address the crossing areas.

Mayor Gregg asked if there was idea where detention might be located. Mr. Birdsall stated that they have discussed staged detention in the green belts and then a “natural-feeling” storage area in the south area. Mayor Gregg asked about the maintenance of the greenbelt area along the west border. Mr. Birdsall stated that if the green belts would be maintained by the HOA and they will be making a decision about fencing, but he anticipates it will be open rail fencing or no fencing at all.

Mayor Pro Tem Dowker addressed the buffer area and stated she would like to create a win-win situation in an open space area between the proposed development and the existing Hillsdale subdivision. Planner Katers explained that the direction from the Planning Commission was for the developer to consider the buffer, but he envisions something like the Nelson Greenway in the south part of the property. Staff has not had discussion about when the Town will begin maintaining the area. However, a proposed buffer between the developments does not reach the level of the greenbelt discussion. Mayor Pro Tem Dowker reiterated that the buffer issue could be a collaborative effort for a win-win situation.

Trustee Jones asked if there was a possibility to reduce the other green belt areas to include an eastern border buffer. However, he believes that there could be a lot of traffic along the buffer to access the park.

Administrator Hart asked if there was an HOA in Hillsdale and if so, would they would help maintain the buffer with the Rose Farm HOA.

Mayor Gregg stated that he is comfortable with the multi-family use on the property and the existing trees provide a good buffer. He also pointed out that there are park requirements and that he would like to leave it to Staff to work out park dedication. Trustee Alaback was concerned about safety and was pleased to hear that there was consideration given to park space

in the plan. Mayor Gregg addressed the buffer and stated that because there were already buffer areas in the site plan that it would not be too large of an issue to make adjustments to the lots or to add a buffer area for a fairly incremental cost. However, he noted that it was not the applicant's issue that there was insufficient yard space in the adjoining Hillsdale subdivision. Mayor Gregg also mentioned that the Town has acquired roughly 450 acres of open space through many different means.

Trustee White stated that she does not have an issue with the variances and she agrees that the side-yards setbacks should all be consistent going forward. She thinks that staggering the houses is a good idea to preserve views. In regard to the multi-family area, she feels it should be consistent with the area, like patio homes. She is in favor of another exit from the subdivision on to County Road 17 and that safety should be an important consideration.

Trustee Jones recommended more research in regard to the best type of multifamily units for the property.

Trustee Alaback stated that he feels that there is a need for multi-family housing in Berthoud, especially for those who would like to stay in Berthoud as they age. He would also like to see a neighborhood pocket park including in the planning.

Trustee White recommended taking a closer look at a buffer area for those who live on the south side of the Hillsdale property. Mayor Pro Tem Dowker pointed out that the buffer was a concern all along the boundary.

**Trustee Alaback moved to approve the concept plan with the following considerations:**

1. **Multi-family as single-family attached product on the project is acceptable,**
2. **Follow Tree Board direction regarding junipers and Russian olives,**
3. **Work with staff on definition of parks on the property,**
4. **Review and address block length issue with staff,**
5. **Address buffer with Hillsdale with possibility of deeper lots with defined building envelopes as one option,**
6. **Consider a section connection to Larimer County Road 17, and**
7. **Work with staff regarding consistent side setbacks**

**Trustee White seconded the motion. The motion passed unanimously.**

Administrator Hart introduced Captain Coleman and Sgt. Anderson. Sgt. Jim Anderson will be the acting Police Chief for the Town under the agreement with the Larimer County Sheriff's Office. Sgt. Anderson is an 8-year Berthoud resident and a long-time resident of the area.

### **Westhaven Concept Plan**

Planner Katers presented the Westhaven Concept Plan which is proposed to be located on 129 acres at County Road 17 and Bunyan Avenue.

Trustee Alaback stated that it would be nice to have some improvements to Bunyan and CR 17 to allow for access to the trails to the north.

Jim Birdsall addressed the Board on behalf of the developer and gave a brief history of the project. They would like consideration for rezoning from the PUD to a mix of R1 and R2 zoning to allow time for a collective vision for the area and flexibility of product.

Trustee Jones asked about the block length requirements. Mr. Birdsall stated that they were willing to work with the Town but that he feels that the development meets the intent of the Town Development Code.

Trustee Shepard asked about the building types along County Road 17. Mr. Birdsall stated that they were waiting on the market to determine what will work the best. Trustee Shepard asked if the home value in any way impacts the traffic.

Trustee White asked if there was consideration for more park areas in the northern area of the development. Mr. Birdsall pointed out that they were planning pocket parks and noted that there are several proposed parks in close proximity.

Mayor Gregg pointed out that the block lengths were in excess of what Town code allows.

Trustee Alaback stated that it would be important to put together a vision for Richardson Park to align with this property.

Trustee Jones noted that the Little Thompson Water District (LTWD) pipeline could be an issue to be considered when addressing the easement.

Mayor Gregg summarized the direction from the Board regarding the internal park placement and block length, the north-south trail connection, consideration to reserve a portion of the property for R2 designation, and the LTWD pipe easement.

Mr. Birdall asked for clarification regarding the set-back issue. He stated that almost all PUDs will come back to the Town for an amendment at some point.

Mayor Gregg stated that there will be an opportunity to become more consistent going forward when PUDs request variances.

**Mayor Pro Tem Dowker moved to approve the Westhaven Concept Plan with the following considerations:**

1. **Further definition of the Type 1 trail corridors along the western and northern edges of the property,**
2. **Further definition of park and open space amenities on the property,**
3. **Successful rezoning of the property to support the proposed residential density,**
4. **Appropriate connectivity to the school, and**
5. **Continued discussion of the block length.**

Trustee Jones seconded the motion. The motion passed unanimously.

#### **Reports**

Trustee Shepard reported that there was a good turnout on Unity in the Community last Thursday night. He also reported that there is a Planning and Zoning meeting on Thursday that will further discuss the Draft Comprehensive Plan.

Mayor Pro Tem Dowker reported that there will be a RAFT Open House from 8:30 – 10:30 AM tomorrow at the Community Center. She also reported that on Friday there is a Statewide Transportation Advisory Committee meeting and the Berthoud Bash will be held on Saturday evening.

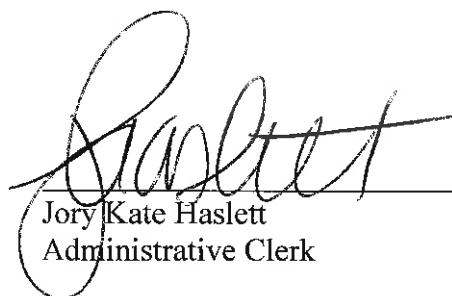
Trustee Alaback reported that he attended a Tree Diversity Conference at University of Denver last week that was very informative.

Mayor Gregg adjourned the meeting at 10:19 PM.



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Mayor David Gregg



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Jory Kate Haslett  
Administrative Clerk