

*Town of Estes Park, Larimer County, Colorado, January 8, 2002*

Minutes of a Regular meeting of the Board of Trustees of the Town of Estes Park, Larimer County, Colorado. Meeting held in the Municipal Building in said Town of Estes Park on the 8<sup>th</sup> day of January, 2002. Meeting called to order by Mayor John Baudek.

Present: John Baudek, Mayor  
Susan L. Doylen, Mayor ProTem  
Trustees Jeff Barker  
Stephen W. Gillette  
David Habecker  
Lori Jeffrey-Clark  
G. Wayne Newsom

Also Present: Rich Widmer, Town Administrator  
Vickie O'Connor, Town Clerk  
Gregory A. White, Town Attorney

Absent: None

Mayor Baudek called the meeting to order at 7:00 p.m.

PUBLIC COMMENT

None.

TOWN BOARD COMMENTS

Mayor Baudek presented his "State of the Town" Address for 2002: growth, transportation study, affordable housing projects, EPURA projects, Estes Valley Planning Commission activities, Knoll Property, and PRPA projects. "Because of the strong business community that we have in the Town of Estes Park, the professionalism of the town staff, and most importantly the residents of Estes Park, I believe that this community will continue to be one of the premier resort communities in the United States in the year 2002, as well as in years to come, and will continue to be a good place to live and raise a family."

**1. CONSENT AGENDA (Approval of):**

1. Town Board Minutes dated December 11, 2001.
2. Bills.
3. Committee Minutes:
  - A. Public Safety, January 3, 2002:
    1. Furniture Purchase, \$10,000
    2. Estes Valley Victim Advocates Contract for Services, \$5,000.
4. Estes Park Housing Authority, November 14, 2001 (acknowledgment only).
5. Estes Valley Board of Adjustment, January 8, 2002 (acknowledgement only).
6. Estes Valley Planning Commission December 18, and Special Meeting December 20, 2001(acknowledgement only).
7. Firemen's Pension Board, December 12, 2001 (acknowledgement only).

8. Resolution #1-02 – Public Place Designation to post notices of meetings.

It was **moved and seconded** (Doysten/Gillette) **the Consent Agenda be approved**, and it passed unanimously.

**1A. PLANNING COMMISSION AGENDA (Approval of):**

If the Town Board, Applicant(s), Staff or the Public wish to speak on a particular item, Mayor Baudek will open Public Hearing(s). Public Hearings are conducted as follows:

- A. Mayor – Open Public Hearing
  - B. Staff Report
  - C. Public Testimony
  - D. Mayor – Close Public Hearing
  - E. Motion to Approve/Deny
1. CONDOMINIUM MAP. Preliminary and Final Condominium Map, Sunset Ridge, Intersection of Big Horn and Virginia Drives, Roy & Michele Johnson/Applicants.
  2. CONDOMINIUM MAP. Preliminary and Final Condominium Map, Creekside Suites, Lot 1, Block 4, Fall River Estates, Randy Collins/Applicant.
  3. SUBDIVISION. Brown Subdivision of Lot 8A of the Amended Plat of a Portion of Lots 7 and 8, Summerville Addition, EPCO, Inc./Applicant.
  4. REPLAT. Replat of Lot 2, Pine View Subdivision, David & Brenda Lemke/Applicants.

Trustee Newsom cited a conflict of interest with Item 1, stated he would not participate in discussion or vote, and requested removal from the consent agenda to be voted upon separately.

Citizen John Spooner requested Item 3 be removed from the consent agenda and discussed in a public hearing.

Mayor Baudek granted both requests. Thus, it was **moved and seconded** (Gillette/Habecker) **Items 2 (Preliminary and Final Condominium Map, Creekside Suites) and 4 (Replat of Lot 2, Pine View Subdivision) be approved**, and it passed unanimously.

It was **moved and seconded** (Habecker/Gillette) **Item #1 (Preliminary and Final Condominium Map, Sunset Ridge) be approved**, and it passed, with Trustee Newsom Abstaining.

**Item #3 - Brown Subdivision.** Mayor Baudek opened the public hearing, and Community Development Dir. Joseph presented the staff report, stating the Applicant desires to divide the property into two lots of 1.25 and 1.35 acres; the proposed lots do meet minimum lot size and other applicable standards of the EVDC. The Planning Commission has recommended conditional approval of the plat. Current zoning is E-1 Estate. Audience comments were heard from: John Spooner, 527 Hondius Cir. (maintenance/widening of roadway). Town Attorney White confirmed that he previously advised the Planning Commission that it is not legally appropriate to require the Applicant to participate in roadway maintenance. There being no further public testimony, Mayor Baudek closed the public hearing. Following further clarification, it was **moved and seconded** (Habecker/Newsom) **the Brown Subdivision of Lot 8A of the Amended Plat of a portion fo Lots 7 and 8, Summerville addition be approved, including the three Planning**

Commission conditions identified in the Staff Report dated January 3, 2002, and it passed unanimously. Trustee Doylen encouraged the new owners or properties to assist in the cost of maintaining the common road.

2. **ACTION ITEMS:**

1. **STAUFFER ADDITION ANNEXATION AND FINAL PLAT.** Mayor Baudek opened the Public Hearing, and Community Development Dir. Joseph presented the Staff Report. The property is located on Riverside Dr.; existing zoning is A-1 Accommodations; and the existing land use is single-family residential. Adjacent property owners (Paula Steige, President/Prospect Park Homeowner's Assn. letter dated 12/11/01 and M/M John Spooner letter, undated) have requested that portion of the property lying south of Riverside Dr. be rezoned to Single-Family Residential. Rezoning this property from Accommodations to Residential would preclude any use beyond single-family. The zoning history and use thereof, relative to the EVDC, was also presented. Two duplexes are planned on Lot 1; the current and potential owners of Lot 2 object to the rezoning request. Trustee comments were heard concerning maximum units available under A-1 zoning, building setbacks, parking requirements, surrounding zoning, and roadway maintenance.

Town Attorney White read Resolution #2-02 and Ordinance #1-02 with the Accommodations A-1 Zoning designation.

Public Testimony was heard from John Spooner, 527 Hondius Cir./Prospect Park Homeowners Assn., who provided his interpretation of the historical background relative to zoning and expressed the Association's strong desire to preserve the character of the neighborhood. Kerry Prochaska/Cornerstone Engineering, added that the steepness of the slope precludes maximum use of 4 units, the Applicant has dedicated a pedestrian easement along the river, 50' right-of-ways, and worked within the Code. The Applicant opposes any rezoning of Lot 2. Dir. Joseph commented on the research conducted between the County and his office to ascertain the zoning history of this parcel.

There being no further testimony, Mayor Baudek closed the Public Hearing. Following discussion, it was **moved and seconded** (Gillette/Habecker) **Resolution #2-02 and Ordinance #1-02, including A-1 Accommodations Zoning for the annexation be approved, as well as the Final Plat**, and it passed unanimously.

2. **TOWN ADMINISTRATOR'S REPORT.**

A. **Building Permit Annual Report.** The Building Permit Report indicates a valuation of 21.1 Million, as compared to 19.6 Million in 2000.

B. **Town Board Room and Dispatch Remodeling Projects – Update.** The Board Room Project is on schedule: most of the concrete slab was poured last week, and all foundation and backfill work has been completed. The Dispatch Remodel Project is due to be completed 1/18 and this project is also on schedule

3. **REQUEST TO ENTER EXECUTIVE SESSION.** Mayor Baudek cited Section 24-6-402(4)(a), C.R.S. - purchase, acquisition, lease, transfer or sale of property interest and requested an Executive Session. It was **moved and seconded** (Doylen/Gillette) **the Town Board enter Executive Session based on C.R.S. Section 24-6-402(a)**, and it passed unanimously.

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Following completion of all agenda items, Mayor Baudek adjourned the meeting to Executive Session at 8:08 p.m.

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John Baudek, Mayor

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Vickie O'Connor, Town Clerk