



**TOWN OF LARKSPUR  
MINUTES OF THE  
TOWN COUNCIL PUBLIC HEARING  
BEAR VIEW ANNEXATION AND PLANNED DEVELOPMENT  
December 14, 2009  
6:00 P.M.**

**PUBLIC HEARING CALLED TO ORDER:** Mayor Sherilyn West opened the hearing at 6:05 P.M.

**ROLL CALL:**

<b>PRESENT</b>	<b>ABSENT</b>	<b>NON-VOTING</b>
Kristin Cutbirth		Town Attorney-Scotty Krob
Sheryl Jones		Town Clerk/Manager-
Eve Curry-Harbison		Matt Krimmer
Joseph Jeske		
Lana Wagner		
Mayor Pro-tem Steve Smith		
Mayor Sherilyn West		

**PLEDGE OF ALLEGIANCE:** Recited.

**PUBLIC ATTENDEES:** Multiple

**REPRESENTING BEAR VIEW CAMPGROUND :** Ian Steyn, Jack Reutzel, Cameron Fitch

**STAFF ANALYSIS REPORT:** Referral agency and adjacent property owners responses along with staff analysis reports from the Town Clerk/Manager, Town Planner, Town Attorney, and Town Engineer were provided to the public in a packet.

**APPLICANT'S COMMENTS:** Mr. Steyn commented on the support being received from many non-profit groups for the campgrounds proposal and efforts in providing outdoor education to the public. Mr. Reutzel provided information on updates to the PD Guide.

**COUNCIL DISCUSSION:** Discussions on annexation agreement and PD Guide were continued from the December 3 public hearing. Scotty Krob presented the updated sales tax shareback changes as discussed at the public hearing on December 3. Matt Krimmer provided the sales tax shareback spreadsheets reflecting 25% and 20% shareback amounts. There was a short discussion on the \$300,000 cap and the 20 year shareback period which Council agreed was acceptable. A consensus was also reached that the shareback will not apply until new development revenues exceeding \$1000 are generated and will be at 25% (1% of 4% sales tax). Mayor West asked that the annexation agreement language match the language in the PD Guide.

Mayor West read a memo from the Town Planner, Barb Cole, regarding clarification of language in the PD Guide and correction of charts to reflect changed and Council approved numbers. The Town's attorney and developer's attorney had no objections to the Town Planner comments and agreed to make changes accordingly.

Mayor West also asked for clear definition of campsite and RV site.

Eve Curry-Harbison asked about Ordinance enforcement in town and at the campground and requested Town Staff review the IGA with the Douglas County Sheriff to include Ordinance enforcement. Eve also requested Town Staff get cost information for a part time code enforcement officer.

**PUBLIC TESTIMONY:** Twenty three persons expressed opposition to the annexation and the planned development for the same reasons presented at prior public hearings and by email and letter to Town Council, Mayor, and Town Staff.

Following public testimony Mayor West declared a fifteen minute break at 8 PM and reconvened the public hearing at 8:17 PM.

Mayor West allowed the developer respond to the public comments addressing fire mitigation concerns, noise, ARVC access from Tenderfoot Drive, land uses, cash in lieu of, quality of life changes, and applicability to the Towns vision statement. Ian Steyn also noted that confusion and misunderstandings about the proposed development and the process still exists and he still welcomes feedback and will strive to continue working with the campground neighbors.

Town Council had no concerns on the public testimony.

Mayor West directed the Town Attorney to prepare two draft Ordinances, one for approval and one for denial of the annexation agreement and PD for a Council Decision at their next meeting on December 17, 2009. Applicant's attorney will complete an accurate PD Guide consistent with the annexation agreement for presentation at the next meeting.

**COUNCIL DECISION:** Continue the public hearing to December 17, 2009 at 5:15 PM. at the Town Hall.

**A motion to continue the public hearing to December 17, 2009 at 5:15 PM at Town Hall was made by Eve Curry-Harbison and seconded by Sheryl Jones. A roll call vote was taken. Seven (7) in favor, zero (0) against; motion carried.**

**ADJOURN: A motion to adjourn the Public Hearing was made by Sheryl Jones and seconded by Joseph Jeske. The hearing was adjourned by unanimous voice vote seven (7) in favor, zero (0) against.**

Mayor West adjourned the Public Hearing at 8:46 PM.

Respectfully submitted,

Matt Krimmer  
Town Clerk/Manager