



**TOWN OF LARKSPUR
MINUTES OF THE
TOWN COUNCIL PUBLIC HEARING Continuation
BEAR VIEW ANNEXATION AND PLANNED DEVELOPMENT
December 3, 2009
5:00 P.M.**

PUBLIC HEARING CALLED TO ORDER: Mayor Sherilyn West opened the hearing at 5:03 PM.

ROLL CALL:

PRESENT	ABSENT	NON-VOTING
Kristin Cutbirth		Town Attorney-Scotty Krob
Sheryl Jones		Town Clerk/Manager-
Eve Curry-Harbison		Matt Krimmer
Lana Wagner (arrived at 5:08 PM)		
Joseph Jeske		
Mayor Pro-tem Steve Smith		
Mayor Sherilyn West		

PLEDGE OF ALLEGIANCE: Recited.

PUBLIC ATTENDEES: Dan Krueger, Mr. & Mrs. Charles Hickey, Steve Murray, Lorelei LaFortune, Rod Flores

REPRESENTING BEAR VIEW CAMPGROUND: Jack Reutzel, Karen Henry, Bud Searles, Kevin Archer, Ian Steyn,

DISCUSSION:

Mayor West asked Scotty Krob to comment on the attorney memos between him and Jack Reutzel discussing changes discussed at the last public hearing.

Eve Curry-Harbison asked Jack Reutzel to clarify how many properties were directly adjacent to the campground and where they are in relation to the open space designated in the PD. Scott Krob asked Jack Reutzel to address the status of discussions with the railroad regarding the railroad crossing and questions pertaining to the number of vehicles allowed to cross per day based on the railroads agreement with the campground. Ian commented that discussions are still underway.

The discussion continued regarding shareback and Matt Krimmer provided a spreadsheet showing projected returns to the Town and the campground over a ten year period based on a 40% shareback (1.6% of the 4% Town sales tax) using estimated campground revenues for each of the ten years. Eve Curry-Harbison and Sheryl Jones asked for the information previously requested from Scotty regarding Town options on cancelation of the shareback agreement with Spruce Mountain Development (John Arlotti) before moving forward on a decision regarding a

shareback for Bear View. Various alternative options and outcomes were discussed and no decision reached. Scotty will provide more detail to the Council.

Sheryl Jones commented that other businesses in Town should be afforded the same opportunity for tax shareback as the campground. Lana Wagner asked how the developer intended to use the shareback funds and how it could benefit the Town to which Jack and Ian responded there were no plans in place but they would likely be used to help pay for engineering of water and sewer planning and design. Council asked Scotty to identify the details in the annexation agreement specifying use and accounting of the shareback funds. Also discussed was placement of a cap on the total shareback dollars and it was agreed the \$300,000 being paid the Town will be used as the cap amount over a period up to twenty (20) years.

Eve asked if the developer could provide a detailed financial analysis to which the developer responded the value of such an analysis is questionable since the estimated figures would be unsubstantiated guesses at best. Other shareback percentages were discussed and Council asked the Town Manager to provide spreadsheets for 25% (1% of 4%) and 20% (0.8% of 4%) shareback over ten years.

The discussion turned to the PD and the use by right, accessory use, and use by special review of the lodge and related items such as restaurants, swimming pools, etc.

Mayor West declared a ten minute break at 6:35 PM and resumed the hearing at 6:45 PM.

Sheryl Jones suggested the developer consider the lodge be in Planning Area 2 as an alternative to Planning Area 1 however only one lodge would be permitted on the campground. Council agreed to include the alternative location in the PD. Jack noted the campsites in Planning Area 4 would be primitive campsites only with a maximum number of 100 and the total number of campsites for the campground will not exceed 500. RV sales and leasing would be included as a use by special review in Planning Area 1 or in Planning Area 2 near the Bear View golf course maintenance area and not exceed four acres.

Scotty Krob will update the annexation agreement and Jack Reutzler will update the PD Guide for presentation to Town Council by close of business December 9, 2009.

COUNCIL ACTION: Continue the public hearing to include public comment to December 14, 2009 at 6 PM at New Covenant Fellowship.

A motion to continue the Public Hearing to December 14, 2009 at 6 PM at New Covenant Fellowship and open the hearing to public was made by Lana Wagner and seconded by Joseph Jeske. 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; motion carried.

Mayor West adjourned the public hearing at 7:04 PM.

Respectfully submitted,

Matt Krimmer
Town Clerk/Manager