



**TOWN OF LARKSPUR  
PLANNING COMMISSION  
RESOLUTION NO. 2009-08-17**

**A RESOLUTION RECOMMENDING DENIAL OF THE BEAR VIEW PLANNED  
DEVELOPMENT DISTRICT**

**WHEREAS**, Bear View LLC, and Ian I. W. Steyn Trust (collectively “the Applicant”) are the owners of certain real property described on Exhibit A, attached hereto and incorporated herein by reference (“the Property”); and

**WHEREAS**, the Applicant has filed a petition to annex the Property to the Town of Larkspur; and

**WHEREAS**, in connection with such proposed annexation, the Applicant has filed an application to have the Property zoned as a Planned Development; and

**WHEREAS**, following proper notice, the Planning Commission conducted a public hearing to consider the Applicant’s request to have the Property zoned as Planned Development, with such hearing commencing on June 8, 2009, and being continued from time to time thereafter with the consent of the Applicant, through August 17, 2009; and

**WHEREAS**, at such public hearings, the Planning Commission considered the Application, the comments, evidence, and exhibits presented by the Applicant, as well as the comments, evidence, and exhibits presented by the public and staff, and

**BASED ON SUCH PUBLIC HEARINGS, THE PLANNING COMMISSION MAKES  
THE FOLLOWING FINDINGS:**

The Commission has not had sufficient time and opportunity to discuss the application collectively to reach a consensus that would enable them to recommend approval of the Application.

The Commission would need more time to discuss the application with the Applicant to identify and address issues of concern to the Commission, that have not yet been identified or addressed.

The Town of Larkspur staff is not large enough to deal with a project of this magnitude and the administration it would involve.

The project is simply too large to preserve the nature of Larkspur from a land use perspective.

There are existing zoning violations with Douglas County and health violations with Colorado Department of Public Health and Environment that have not been corrected by the Applicant.

The Planned Development as proposed by the Applicant is not in the best interest of the Town of Larkspur.

The Planned Development, as proposed by the Applicant would cause traffic problems, particularly in connection with crossing the railroad to access the Property.

The Planned Development as proposed would be of limited economic benefit to the Town.

**BASED ON SUCH FINDINGS, THE COMMISSION CONCLUDES:**

It is not able to find that the Application is in the public interest.

It is not able to find that the Application is compatible with surrounding land uses.

**NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF LARKSPUR, COLORADO, AS FOLLOWS:**

The Planning Commission recommends denial of the Bear View Planned Development District.

**INTRODUCED, PASSED AND ADOPTED AT A REGULAR MEETING OF THE PLANNING COMMISSION OF THE TOWN OF LARKSPUR THIS 17<sup>th</sup> DAY OF AUGUST, 2009.**

Votes Approving:	<u>4</u>
Votes Opposed:	<u>1</u>
Absent:	<u>0</u>
Abstained:	<u>0</u>

**ATTEST:**

**PLANNING COMMISSION OF THE TOWN OF LARKSPUR, COLORADO**

\_\_\_\_\_/s/\_\_\_\_\_  
Manfred Krimmer, Town Clerk/Manager

By:\_\_\_\_\_/s/\_\_\_\_\_  
Shannon Buss, Chair