



To: Todd Hodges and Nick Wharton, Town of Severance

RE: Buffalo Creek annexation, zoning and concept plan Town of Timnath referral comments

From: Matt Blakely – Community Development Director, Town of Timnath
Steve Humann – Town Engineer, Town of Timnath
Don Taranto – Public Works Director, Town of Timnath
Robert Rogers – Town Attorney, Town of Timnath
April Getchius – Town Manager, Town of Timnath

Date: March 30, 2016

The Town of Timnath is responding to your request for referral comments in an email dated 3/9/16 on the annexation, zoning and concept plan submittal for the Buffalo Creek Project.

The Town of Timnath is opposed to those actions and urges the Town of Severance to put a hold on moving forward until we are able to come to a mutually beneficial agreement on the boundaries of our two communities and the development around those boundaries. This agreement can be reached either through a dialogue between our two municipalities or through the mediation that we have initiated pursuant to state statute that was discussed in our letter to you dated March 23, 2016.

There are several reasons for our opposition.

- The area Severance proposes to annex and develop as Buffalo Creek has been in Timnath's Growth Management Area (GMA) since 2007. Our GMA boundaries were developed with public input from our citizens and in coordination with surrounding communities, including the Town of Severance. By annexing this property, Severance is intentionally ignoring – indeed, violating – our boundaries and creating a troubling precedent for land use management and planning in Northern Colorado.
- Buffalo Creek will be accessed on the west via Latham Parkway. The supporting documents for the annexation, zoning and concept plan inaccurately refer to this road as Weld County Road 13. Latham Parkway was annexed to the Town of Timnath in 2007 and is in our jurisdiction. There are several consequences as a result of this road being in our jurisdiction.
 - The access plan for Buffalo Creek must be submitted to the Town of Timnath for our review and approval. Access via Latham Parkway cannot occur until that review has occurred and our approval granted.
 - Buffalo Creek's proposed improvements for Latham Parkway must also be submitted to Timnath for our review and approval. These include the acceleration/deceleration lanes, landscaping, fencing, signage and more. Those improvements must meet our design criteria for a rural two lane arterial.
 - Timnath must review the traffic plan for Buffalo Creek to determine the impact on our roadway infrastructure. More than 700 homes are proposed for Buffalo Creek. The increased traffic on Latham Parkway will have a direct impact on our residents and on our town's road.



- Buffalo Creek will be required to reimburse for a number of improvements that have recently been made to Latham Parkway along the frontage of the property. For example, this property, which is in our GMA, has faced the risk of flooding because of ponding upstream of the road. A significant sum of money was recently spent to have storm water culverts installed. If this annexation and development go forward, Buffalo Creek and the Town of Severance will benefit from these improvements. Timnath expects a reimbursement agreement for a part of the costs associated with these improvements.
- Additional right of way for Latham Parkway along the frontage of the development must be dedicated to Timnath.
- Timnath has an intergovernmental agreement (IGA) with the Town of Windsor regarding the maintenance of Latham Parkway from Buss Grove south to Harmony Road. Severance must coordinate with both of our communities on the plans for Latham Parkway and enter into an IGA with both Timnath and Windsor to address the additional maintenance, and the costs of that maintenance, that will be required for this road. This includes studying the impacts on the intersection of Harmony Road and Latham Parkway and any costs to address those impacts.
- Severance's actions will create confusion over municipal boundaries. Not only is this property in our GMA, Windsor's GMA includes the area directly south of Buffalo Creek and just east of County Road 1 where a new development is already under construction. Because of Severance's actions, three towns would have their town limits basically at one intersection. In addition, property owners within Timnath's GMA to the north of Buffalo Creek have expressed their desire to annex to Timnath at the appropriate time, see the attached letters from Curt Richardson and Ed Holloway. This will further add to the hodge-podge of municipal boundaries created by Severance with this annexation. This is not good planning.
- Buffalo Creek is on our border, directly across the street from Wild Wing, an existing Timnath community. Our community, and Wild Wing residents in particular, will have no say over how this property is developed. Severance can allow it to be developed in any way it chooses, raising concerns about the compatibility of this development with surrounding development. For example:
 - Timnath requires a minimum of 6,000 square feet for single family detached homes. What are the minimum lot sizes proposed for Buffalo Creek?
 - Timnath requires a minimum 7 foot side yard setbacks for single family detached lots. What are Severance's setback requirements?
 - Timnath requires construction dumpsters to be covered during construction. Does Severance have a similar requirement?
 - The Draft Management Plan states that "future oil and gas activities may occur on or adjacent to" Buffalo Creek. Timnath and our residents would like to know more. This use would be incompatible with existing uses and may have a direct impact on our quality of life.
 - Architectural styles are referenced in the supporting documents but no details are provided. Timnath would like to review the styles that are proposed for Buffalo Creek.
 - Commercial and retail uses are referenced in the plans for Buffalo Creek but no details are provided. Timnath would like to have more information on what is being considered as in Timnath's comprehensive plan, there was no commercial zoning in this area.



- The Town of Timnath is across the street from the proposed annexation and development. The Town of Severance is miles away. As a result, residents of the new development will be able to – and likely will – use Timnath amenities and services such as our roads and recreational facilities at no cost to them. These are amenities and services that were made possible because of taxes paid by Timnath residents.

Northern Colorado is experiencing significant growth. It is incumbent upon each of our communities to plan and manage that growth deliberately while working collaboratively with neighboring communities to create a thoughtful plan for the region. Severance's actions are contrary to that spirit of cooperation and collaboration. They risk the future of growth management and planning in the region.

Again, we urge Severance to place its actions on hold to give us the time to come up with a collaborative and cooperative approach to managing and planning our growth.