

**Record of Proceedings
City of Lafayette
Planning Commission
Tuesday May 28, 2013**

Chairperson Patzer called the meeting to order at 7:00 p.m. Those in attendance included: Chairperson Patzer, Vice Chair Wong, and Commissioners Benson, Nickell, and Wilgus.

Absent: Commissioners Knuth and Steinbrecher

Staff present included Planning Manager Karen Westover and Recording Secretary Michelle Verostko

II. Items from the Public Not on the Agenda

None.

III. Meeting Minutes for March 26, 2013 and Workshop Minutes for March 26, 2013 and April 23, 2013

Vice Chair Wong made a correction to the March 26, 2013 meeting minutes. Commissioner Wilgus moved the Planning Commission approve the meeting minutes for March 26, 2013 as corrected and the workshop minutes for March 26, 2013 and April 23, 2013. Commissioner Nickel seconded the motion. All voted in favor of the motion.

[Since the applicant for the Coal Creek Village Vacation request was not yet in attendance, the Planning Commission rearranged the agenda to hear the Boulder County Housing Authority Easement Vacation request first.]

IV. Scheduled Items

Boulder County Housing Authority Vacation of a Fire Lane Easement, Lafayette Villa West

Planning Manager Karen Westover entered the staff report into the record. Ms. Westover stated that this application is a request to vacate two 25' wide fire lane easements located in the Lafayette Villa West subdivision. She showed a copy of the plat map to illustrate the location of the two easements referenced as Area No. 1 and Area No. 2. She explained that the fire lane and utility easements were dedicated to the City but were never improved as fire lanes. She added that a duplex on Lot 4 of the subdivision encroaches into Area No. 1 fire lane easement.

Ms. Westover explained that both the City Engineer and Fire Marshall have reviewed the vacation request and have no concerns with the vacation of the fire lane easements. She showed where access can be met.

Staff recommended approval of the vacation requests subject to the condition that the ordinance vacating the fire lane easements be recorded within 60 days after approval.

Norrie Boyd, Senior Planner, Boulder County Housing Authority, Boulder, explained they are requesting to vacate two fire lane easements because the fire lane easements are not being used, they have properties that encroach into the fire easements, and plan to apply for a minor subdivision to reconfigure the lot lines once the easements are vacated. She explained how they discovered the encroachment into the easements and that the easements were not being used.

Chairperson Patzer opened this portion of the meeting for public testimony at 7:10 p.m. No one addressed the Planning Commission. Chairperson Patzer closed the public hearing.

The Planning Commission asked staff if the vacation request was only for the fire lane easements or did it include utility easements as well.

The Planning Commission asked the applicant if they will pave or do improvements to the shared drive access and whether they own the other properties.

Motion

Commissioner Nickell moved the Planning Commission recommend the City Council approve the requested vacation of the easements, subject to the recommended condition of approval. The Planning Commission finds that the access easement is no longer necessary for public use and convenience in their current configuration, and the request complies with Section 26-14-20(c) of the Development and Zoning Code. Vice Chair Wong seconded the motion. All voted in favor of the motion.

Conditions of Approval:

1. The ordinance vacating the fire lane easements shall be recorded with the Boulder County Clerk and Recorder within 60 days or the ordinance shall be void.

B. Coal Creek Village PUD Filing No. 8 Vacation of Emergency Turnaround

Planning Manager Westover entered the staff report into the record. Ms. Westover stated that this application is a request to vacate the temporary turnaround easement dedicated with Coal Creek Village PUD Filing No. 1. She explained that this temporary turnaround easement was previously approved for turnaround movement of vehicles until a shared private access could be built. The applicant has submitted a final plan which will plat this area and ensure the construction of the shared private access, so therefore the easement is no longer needed.

Ms. Westover stated that the City Engineer has reviewed the vacation request and has concerns about access to Cheyenne Drive until the new shared private access is constructed with the subdivision improvements. Therefore staff is recommending a condition to ensure an all weather surface is installed connecting the existing shared private access to the north.

Ms. Westover discussed the revision to condition #2 and reviewed the conditions of approval. Staff recommended approval of the vacation request subject to the conditions.

Pat Sorenson, Sorenson Engineering, 1169 Aspen Street, Broomfield, stated he agreed with the staff report and conditions of approval except for condition no. 1. Mr. Sorenson explained that they would like to connect to the regional trail.

Chairperson Patzer opened this portion of the meeting for public testimony at 7:20 p.m. No one addressed the Planning Commission. Chairperson Patzer closed the public hearing.

The Planning Commission questions to staff focused on the shared access, whether the width of the emergency access is adequate, and the applicant's request to access the regional trail.

Staff suggested the Planning Commission consider modifying condition no. 1 to require the applicant to work with the City Engineer on the emergency access. Ms. Westover explained that staff wants to ensure there is an all-weather surface installed prior to recording the temporary turnaround easement vacation.

The Planning Commission asked the applicant whether the request to use the regional trail was temporary or permanent, what was the rationale behind their request, and whether the alley access would be paved.

The Planning Commission discussed modifying Condition No. 1 regarding requiring an all-weather surface being installed and having the applicant work with the City Engineer. The Commission expressed concerns about using the regional trail.

Motion

Commissioner Wilgus moved the Planning Commission recommend the City Council approve the requested vacation of the easement, finding that the access easement is no longer necessary for public use and convenience in its current configuration, and the request complies with Section 26-14-20(c) of the Development and Zoning Code, subject to the conditions of approval, changing Condition No. 1 to require the applicant to work with staff on providing an all weather surface installation that best benefits the City, and modify Condition No. 2 as per the staff's changes.

Staff recommended rewording Condition No. 1 to say "The applicant shall work with the City Engineer and Fire Marshall to provide an approved surface that will be installed prior to recording the Vacation Ordinance." Commissioner Wilgus accepted staff's wording of Condition No. 1.

Vice Chair Wong seconded the motion. All voted in favor of the motion.

Conditions of Approval:

1. The applicant shall work with the City Engineer and Fire Marshall to provide an approved surface that will be installed prior to recording the Vacation Ordinance.
2. The second reading of the Vacation Ordinance shall be scheduled before City Council in conjunction with Coal Creek Village PUD Filing No. 8 final plan approval.
3. The Vacation Ordinance for the temporary turnaround easement shall be recorded immediately prior to recording the Coal Creek Village PUD Filing No. 8 final plat.

C. Comprehensive Plan Update Discussion

Planning Manager Karen Westover gave the Planning Commission a brief summary of the City Council's comments/feedback from the recent workshop that staff had with City Council. Ms. Westover explained that staff is preparing a final draft to present at public hearings possibly in August or September. Depending upon the information received at the first public hearing, a second public hearing may be held before the Planning Commission is asked to make a recommendation to City Council. Before the meetings, staff will make the Comprehensive Plan Update available on the City's website, the library and City Hall and will also advertise the public hearings for the Comprehensive Plan Update in a number of places.

V. Other Business

A. Commission Comments / Committee Reports

None.

B. Department Comments

Planning Manager Westover stated staff received two applications for the June 25 Planning Commission meeting.

VI. Adjournment

Vice Chair Wong moved to adjourn the meeting, seconded by Commissioner Benson. All voted in favor of the motion. The meeting adjourned at 7:40 p.m.

City of Lafayette

Eric Patzer, Chairperson

Attest:

Michelle Verostko, Recording Secretary