

**Record of Proceedings
City of Lafayette
Planning Commission
Tuesday, July 24, 2018**

Vice Chair Godfrey called the meeting to order at 7:00 p.m. Those in attendance included: Commissioners Bent, Godfrey, Thomas, and Viers

Absent: Commissioners Fischer, Kusjanovic, and Varley

Staff present included Planning & Building Director Paul Rayl, Planning Manager Jana Easley, Roger Caruso, Assistant to City Manager and Economic Development Director, City Engineer Aaron Asquith, and Recording Secretary Michelle Verostko

II. Election of Chair and Vice Chair

Vice Chair Godfrey noted that Commissioner Kusjanovic has expressed an interest in being Chair and that he is also interested in being Chair. Commissioner Viers noted he was interested in serving The Planning Commission submitted their ballots to Recording Secretary Michelle Verostko. Commissioner Godfrey received the majority votes for Chair and Commissioner Viers received the majority vote for Vice Chair.

III. Items from the Public Not on the Agenda

None.

IV. Meeting Minutes and Workshop Minutes for June 26, 2018

Commissioner Thomas moved to approve the June 26, 2018 Workshop and Meeting Minutes, and Vice Chair Viers seconded the motion. All voted in favor of the motion.

V. Scheduled Items

A. Cherrywood Condos Preliminary Plan/PUD Review, Rezoning, Growth Management, and Site Plan/ Architectural Review

Planning Manager Jana Easley explained that because the new Planning Commissioner has not had adequate time to review all of the previous Cherrywood Condos Planning Commission meetings and documentation, and therefore, believed he should recuse himself from the hearing the application, the Planning Commission technically does not have a quorum even though there are four Planning Commissioners in attendance. Staff is recommending that this item be tabled to the August meeting.

Motion

Chair Godfrey moved the Planning Commission table the Cherrywood Condos Preliminary Plan/PUD Review, Rezoning, Growth Management and Site Plan/Architectural Review application to the August 28, 2018 Planning Commission meeting. Vice Chair Viers seconded the motion. All voted in favor of the motion.

B. Sundar Apartments Subdivision Preliminary Plan/PUD Review, Rezoning, Growth Management, and Site Plan/ Architectural Review

Planning Manager Jana Easley entered the staff report into the record. Ms. Easley stated this application is requested for the approval of: Rezoning, Preliminary Plan/Planned Unit Development (PUD) Review, Growth Management Permit Allocation and Site Plan/Architectural Review for Phase I of the Sundar Apartments Subdivision, a 684-unit

apartment complex on 36.14 acres. The review is for Phase I improvements only and Phase II Preliminary Plan, PUD and Site Plan/Architectural Review would be reviewed at a future date.

Ms. Easley presented a vicinity map to help illustrate the location of the property. She presented pictures of the site and surrounding areas. She gave a brief background of previous approvals and agreements associated with the property including the recent sketch plan approval.

Ms. Easley presented the rezoning application and explained the applicant is requesting to rezone the 36.14 acre property from Developing Resource (DR) to High Density Residential (R4/PUD). She reviewed the rezoning application against the zoning code criteria outlined in Section 26-16-8 and discussed how the application met the criteria. Staff found the proposed rezoning request for 36.14 acres from DR to R4/PUD complies with the zoning criteria found in Section 26-16-8 (b) and (c).

Ms. Easley presented the Preliminary Plan/PUD Review for the Sundar Apartment Subdivision. Ms. Easley review the site layout and explained that the plan is laid out in two phases. The developer is proposing to develop the east phase first, along with a portion of off-site and Phase II improvements. Each phase would have its own storm water detention and clubhouse. The second phase detention pond is proposed to be constructed with the first phase.

Nine apartment buildings, associated garage buildings, a mailbox building, a clubhouse and related amenities are proposed to be built in Phase I. Ten buildings, garages and a second clubhouse are anticipated to be proposed with the Phase II application submittal in the future.

Ms. Easley reviewed lot coverage, the PUD modifications request to have more than one principal structure on one lot and setback modifications, grading and drainage, detention, and the irrigation ditch that Maple Grove residents utilize. She reviewed other site plan issues such as street and traffic, vehicular and emergency access points, future traffic signal, pedestrian and bicycle access, parking requirements, engineering and utilities, water and wastewater, public land dedication, open area/recreation, signage, proposed public art, and schools. She reviewed some of the Comprehensive Plan Goals and policies this application fulfills. She reviewed cultural resource, environment, the oil and gas facilities, and renewable energy.

Ms. Easley presented the PUD and discussed the proposed PUD modification which include an increase to the overall density of the subdivision, increase the building height, reduction of the rear setbacks for accessory structures, and to allow more than one principal building per lot. Other modifications that are being requested if individual lots are platted for the building include an increase in lot coverage from 30% to 100%, reduced street frontage from 25 feet to zero and reduced front, rear and side setbacks to zero feet.

Staff reviewed the PUD request against the PUD criteria and discussed how the application met the criteria.

Ms. Easley presented the Site Plan/Architectural Review and reviewed the two different styles of buildings, the roofline, color, and exterior materials, and building elevations. She reviewed the garage building architecture and materials and color. She presented renderings of the buildings. She reviewed the landscape plan and photometric plan for the project.

Ms. Easley discussed the Maple Grove residents' concerns about access, buffer and fence, drainage, City image, and construction practices.

Ms. Easley reviewed the Growth Management and Permit Allocation for the project. She explained that all developments receiving Preliminary Plan approval after November 2013, which includes this proposed development, are classified as Non-exempt for purposes of allocating residential permits. She added that the annual allotment of dwelling unit permits is a component of the PUD criteria and is required to be included in the consideration of a Preliminary Plan.

Staff recommended a building permit allocation of 324 permits for Phase I in 2018 and permits for Phase II to be either all allocated in 2021 or spread out until buildout but no later than 2024. If the applicant does not apply for and receive the Phase I permits in 2018, the Phase I and Phase II permit allocation expires in its entirety and must be renegotiated.

Ms. Easley explained that the City cannot issue building permits for portions of buildings. As such, the number of permits must be divisible by 36. Because the City is nearing the end of the 2013-2018 Growth Management cycle and a final accounting will occur over the next few months, if the City cannot accommodate all 324 permits with Phase I during the 2013-2018 growth management cycle, the City could accommodate a smaller number such as 288, 252, or 216. Staff recommends the applicant be allowed to plat individual buildings, instead of one large lot, to be able to pull the necessary permits.

Staff recommended approval of the Sundar Apartments Preliminary Plan and Planned Unit Development subject to the recommended conditions, believing the plan complies with the criteria of Section 26-18-5, the goals and policies of the Comprehensive Plan and the submittal requirements of Section 26-17-5. Furthermore, staff believes the plan is in the best interest of the City; and the Code modifications are in the best interest of the City and the neighborhood.

Staff recommended approval of the rezoning from DR (Developing Resource) to R4/PUD (High Density Residential/Planned Unit Development) subject to the recommended conditions, finding that the rezoning complies with the criteria of Code section 26-16-8.

Staff believes that the proposed growth permit allocation and classification status request complies with the review criteria of Section 6.10 and Section 30-271-272. Staff recommended approval of the building permit allocation for the Sundar Apartments Subdivision shall be as 324 permits for Phase I in 2018 and permits for Phase II to be either all allocated in 2021 or spread out until buildout but no later than 2024. If the applicant does not apply for and receive the Phase I permits in 2018, the Phase I and Phase II permit allocation expires in its entirety and must be renegotiated.

Staff believes that, subject to the recommended conditions, the proposed Site Plan/Architectural Review complies with the review criteria of Section 26-16-7.1 and the submittal requirements of Section 26-17-9. Staff recommended approval of this Site Plan/Architectural Review subject to the recommended conditions.

Roger Caruso, Economic Development Director and Assistant to the City Manager, discussed some of the specific comprehensive plan goals and policies this application fulfills and also reviewed the benefits the project brings to Lafayette.

Joe Jehn, introduced their team, gave a brief background of Milestone. He reviewed the benefits and amenities of their proposal. He provided a vicinity map of the area to illustrate the location of the site and surrounding properties. He presented the overall site plan for the project and reviewed their proposal and locations of the buildings proposed in Phase I, the detention pond

locations and the Phase I improvements. He reviewed the overall circulation plan and accesses. He presented renderings of the apartment buildings showing various perspectives, he reviewed the buffer cross section and landscaping. He reviewed the conditions of approval they disagree with and discussed the changes they would like to make to Preliminary Plan/PUD conditions numbers 4, 8, 9, 16 and 27. He stated they agree with the remainder of the conditions. He discussed the fence style and off-site drainage.

Chair Godfrey opened this portion of the meeting for public testimony at 8:20 p.m.

John Herring Group

John Herring, 10876 Maple Road, Lafayette
Nicole Herring, 10876 Maple Road, Lafayette
Patti Thompson, 10826 Maple Road, Lafayette
Doug Thompson, 10826 Maple Road, Lafayette

The John Herring Group expressed concern about road connection and the fact the Maple Grove residents do not want the road connection, Maple Grove was not included in CDOT discussions with staff and the applicant as required in the Sketch Plan approval, and Maple Grove residents oppose the extension through the Crider property and access road for Maple Grove residents to access the signal.

Doug Miers Group

Doug Miers, 10926 Maple Road, Lafayette
Anne E Peyok, 11075 Maple Road, Lafayette
Amy Trombly, 10928 Maple Road, Lafayette
Todd Peyok, 11075 Maple Road, Lafayette
David Lamp, 10951 Isabelle Rd, Lafayette
Alicia Miers, 10926 Maple Road, Lafayette

The Doug Miers Group expressed concern that the proposed buffer between the apartments and Maple Grove Subdivision needs to be a compatible transition between the two uses and they feel it is not as proposed. They have concerns about the proposed fence design, liability issues, having the ability to access the ditch and also concerns about drainage.

Julie Bernard Group

Julie Bernard, 11076 Maple Road, Lafayette
Tony Pett, 11124 Maple Road, Lafayette
Jon Pett, 11124 Maple Road, Lafayette
Claudette Hertner, 2379 Ward Drive, Lakewood
Thomas Hertner, 2379 Ward Drive, Lakewood
Gail Hurst, 11176 Maple Road, Lafayette
Patti Cluck, 10825 Maple Road, Lafayette
Mike Doan, 10875 Maple Road, Lafayette

The Julie Bernard Group expressed concern about the lack of input from Boulder County Open Space and Lafayette Open Space Advisory Committee (LOSAC) and feels not enough information has been provided to staff to make the recommendation for public land dedication. They have concerns about prairie dogs on the site, the number of code modifications being requested, traffic and access concerns and the review of the subdivision is being fast tracked and rushed and needs more review.

Bill Avery and Jessie Avery, 11026 Maple Road, Lafayette, agreed with the three groups that spoke and appreciated the City Engineer report.

Grant Swift, 608 E. Geneseo Street, Lafayette and Vicki Uhland, 303 West Simpson Street, Lafayette, expressed concern that the process is flawed and rushed and needs more input from Boulder County Open space and LOSAC before deciding on public land dedication and an opportunity for additional land dedication is being overlooked. He expressed concern about the lack of amenities being offered for the subdivision and that there are prairie dogs on the site and how will they be mitigated. They were concerned about density, the project density is too high, the density is not justified and the project is not unique. They requested the decision be tabled in order for more information and review/analysis to take place.

Michele Crawford, 2543 Otter Court, Lafayette, opposed the development and expressed concern about the number of code modifications being request, traffic congestion, capping of the oil and gas well and insurance that adequate setbacks from the oil and gas well would be provided.

Travis Belanger, 465 Antelope Crossing, Lafayette, expressed concern about increase crime and the insurance of available water for the area. He asked the Planning Commission to take time to review the project and not rush the project.

Keith Zotan, 405 Elk Trail, Lafayette, expressed concern about increased traffic, traffic congestion and accidents.

Jessi Leonard-Honeycomb Alpacas, 2962 Golden Eagle Circle, Lafayette, opposed the development and expressed concern about overdevelopment and loss of agricultural areas in the city and the quality of education with the addition of students added to the school district.

The following people did not speak but registered their opposition to the development:

David Litoff-HoneyComb Alpacas, 2962 Golden Eagle Circle, Lafayette;
Carolyn Leonard, 2962 Golden Eagle Circle, Lafayette;
Ronald Parscal, 10975 Maple Road, Lafayette; and
Sheila Parscal, 10975 Maple Road, Lafayette.

Chair Godfrey closed the public hearing at 8:55 p.m.

The Planning Commission took at ten minute recess and reconvened at 9:05 pm.

The Planning Commission asked the applicant about prairie dog mitigation. Staff recommended the Commission add a condition requiring the applicant to follow the City's Open Space Policy on prairie dog mitigation.

The Planning Commission's questions to the applicant focused on access and whether the Maple Grove residents were included in meetings applicant had with CDOT, what the scenario would look like once a traffic signal is implemented, and what road improvements would they make.

Other questions included how they came up with the fence design, where it would be located, who would maintain it, how the buffer would be landscaped and how drainage would work in that area. The Planning Commission asked what is involved in capping the oil and gas well, what regulations they would follow, and how they would handle the concerns raised about setbacks.

The Planning Commission asked the applicant about density and apartment sizes, whether could provide 3-bedroom apartments and what is the reasoning behind studio apartments. The

Planning Commission asked the applicant how they would address noise mitigation from the nearby highways, whether they could provide and/or pre-wire the carports for electric vehicle charging stations and whether they could increase the use of solar panels.

Roger Caruso addressed the Planning Commission regarding the Highway 287 access control plan and the City's policy to provide safe access.

The Planning Commission's questions to staff included concerns about input from Lafayette Open Space Advisory Committee (LOSAC) and Boulder County open space regarding this subdivision and public land dedication. Other questions focused on access issues including connection to Maple Grove, Highway 287, and any access to Boulder County open space property. The Commission asked staff if they included Maple Grove residents with discussions/meetings they had with CDOT and the applicant. The Planning Commission asked about prairie dog mitigation, oil and gas well remove process, public art location, and how the proposed density of the project compares to other multi-family projects in the City.

The Planning Commission asked staff how many homeowners reside in Maple Grove and what feedback staff received from them regarding the road connection. The Planning Commission asked staff if they had any concerns regarding the applicant's proposed amendments to the conditions of approval.

The Planning Commission discussed the constraints of the site such as being next to an agricultural county enclave and busy state highways. Other discussion focused on access issues such as safety, full movement access with a traffic signal, maintenance of the access, and liability. The Planning Commission discussed fencing and landscaping. The Planning Commission discussed the art sculpture location, density, and type of apartment units.

The Planning Commission discussed the conditions of approval and amended Preliminary Plan/PUD conditions of approval numbers 4, 8, 9, 16, and 27 per the applicant's requested changes. The Planning Commission added condition no. 33 to require the developer to follow the procedures outlined in the City of Lafayette Prairie Dog Management Policy dated August 1, 2017, to address any prairie dogs found on-site prior to the start of initial grading of the subdivision.

The Planning Commission added two additional conditions to the Site Plan/Architectural Review conditions. Condition no. 7 requires the applicant to pre-wire all carports for EV charging stations and determine if there is adequate solar access on the carports to install solar and Condition no. 8 requiring the applicant to work with staff and the Maple Grove neighborhood on a fence design and landscape buffer that is acceptable to the neighborhood.

Preliminary Plan / Planned Unit Development Motion:

Chair Godfrey moved the Planning Commission approve the Preliminary Plan/PUD, subject to staff's recommended conditions as amended, finding that the proposal complies with the requirements for preliminary plan submittal; complies with the PUD criteria; and, complies with the Comprehensive Plan's goals and policies, and land use map. The plan is in the best interest of the City; and the Code modifications are in the best interest of the City and the neighborhood. Vice Chair Viers seconded the motion. All voted in favor of the motion.

Rezoning Motion

Vice Chairs Viers moved the Planning Commission recommend approval of the rezoning request subject to the recommended conditions, finding that the rezoning complies with the Comprehensive Plan, and the rezoning criteria of the Code. Commissioner Thomas seconded the motion. All voted in favor of the motion.

Growth Management Motion

Chair Godfrey moved the Planning Commission recommend approval of the proposed growth permit allocation and classification status finding the request complies with the review criteria of Section 6.10 and Sections 30-271-272. The Planning Commission recommends approval of the building permit allocation for the Sundar Apartments shall be 324 permits for Phase I in 2018 and permits for Phase II to be either all allocated in 2021 or spread out until buildout but no later than 2024. If the applicant does not apply for and receive the Phase I permits in 2018, the Phase I and Phase II permit allocation expires in its entirety and must be renegotiated. Vice Chair Viers seconded the motion. All voted in favor of the motion.

Site Plan/Architectural Review Motion

Commissioner Thomas moved the Planning Commission recommend approval of the Site Plan/Architectural Review, subject to the recommended conditions as amended, finding that the plan complies with the criteria of Section 26-16-7.1; the submittal requirements of Section 26-17-9 have been met; and the residential architecture promotes transition in scale and character in the neighborhood and will complement the existing development. Vice Chair Viers seconded the motion.

The Planning Commission discussed the Community framework plan and recommended the gateway plan comply with that. They stated they would like to see more sleeving for electric vehicle charging stations. Commissioner Thomas amended the motion to include a condition requiring the applicant to pre-wire all carports for EV charging stations and determine if there is adequate solar access on the carports to install solar. Vice Chair Viers seconded the motion. All voted in favor of the motion.

Plat, Preliminary Plan, Planned Unit Development Conditions of Approval:

1. The Phase II detention shall pond be platted as a separate lot and be incorporated into the Phase II Preliminary PUD.
2. The applicant shall work with staff to determine if undergrounding the Phase II detention facility (rather than the Phase detention facility) is possible, or if undergrounding of both detention facilities is feasible and beneficial to the development.
3. The applicant shall submit the sod/seed mix for the detention facilities for staff review and approval. Adequate irrigation to establish sod/seed shall be proposed for staff review and approval. The applicant shall work with staff on improvements to the drainage areas to allow for recreational activities which could include: walking paths, benches, shelters, trash receptacles, dog waste stations, volleyball court, etc
4. Prior to Final Plan recording of Phase II, the applicant shall have piped or realigned that area of the Northwest Parkway drainage channel that runs parallel to Highway 287, subject to cooperation and approval by the Northwest Parkway, the concessionaire, Northwest Parkway, LLC, Urban Drainage and Flood Control, Army Corps of

Engineers, and the commercial property owner to the east of Highway 287. The City Administrator shall have the ability, in his/her sole and absolute discretion, to amend or waive this condition.

5. The applicant shall attempt to obtain fee ownership of the area under Road A from Highway 287 to the subject properties eastern boundary. If the applicant is able to obtain fee ownership, the applicant shall dedicate the area to the City as right-of-way.
6. The submitted traffic study states that Phase II will trigger warrants for a traffic signal at Road A and Highway 287. The applicant will install and be responsible for all costs related to the traffic signal. If, prior to Phase II, the commercial property to the east of Highway 287 develops, which development triggers warrants for a traffic signal, the applicant shall work with that property owner to install the traffic signal and shall be responsible for 50% of the costs of the installation. If the applicant installs the traffic signal with Phase II, staff will support a 50% reimbursement from the property owner on the east side of Highway 287.
7. With the installation of the traffic signal at Road A and Highway 287, the applicant shall reduce the Maple Road and Highway 287 intersection from full-movement to right-in/right-out and install the necessary roadway to connect Maple Road to Road A. The City Administrator, in his/her sole discretion, may remove this requirement, in its entirety, if it is in the City's best interests. If the City Administrator removes the requirement to install the roadway between Maple Road and Road A, the applicant shall submit a cost estimate for staff review and approval, and instead pay that amount as an increased Service Expansion Fee.
8. With the reduction in the Maple Road and Highway 287 intersection, and if Boulder County Transportation approves, the applicant shall install an automatic gate at either: Maple Road and Highway 287 or on the Crider property. If located on the Crider property the automatic gate must be reviewed and approved by Boulder County Transportation. If located at Maple Road and Highway 287 the automatic gate must be reviewed and approved by Boulder County Transportation and CDOT. The applicant, upon design, must solicit feedback from the Maple Grove Water Systems, Inc. This condition will be void if the City Administrator removes Condition #7 above. This condition cannot be removed solely.
9. The applicant shall submit, for staff review and approval, an exclusive access easement, over the Crider property for the benefit of the Maple Grove Subdivision. The applicant must solicit feedback from the Maple Grove Water System, Inc. on the easement document. Upon approval, the applicant shall record the exclusive access easement.
10. The design of the intersection of the east/west roadway and Road A shall be reviewed and approved by the City Engineer.
11. The applicant shall work with staff and Boulder County Transportation on adequate and appropriate signage for Maple Road that relays that Maple Road is not for thru-traffic. With the installation of the roadway from Maple Grove to Road A, the applicant shall

work with City staff on adequate and appropriate signage at the intersection of Road A and the east/west roadway that relays that the roadway is not for thru-traffic.

12. The applicant shall submit an updated traffic study with the Preliminary Plan for Phase II. If traffic warrants show that a traffic signal at Road A and Dillon Road is needed, the applicant will install the traffic signal. The applicant will be responsible for 100% of the costs of the traffic signal.
13. If the amendment for the Access Control Plan is delayed, the applicant may amend their plans and proceed with two Dillon Road access points. The applicant will still be required to continue seeking the ACP amendment and install the connection of Road A to Highway 287.
14. The applicant shall work with staff to ensure two accesses are provided for Phase I and Phase II and adequate access easements exist. To increase connectivity, the applicant shall either make the emergency access between Phase I and Phase II a permanent access or extend Road A west to the western most Dillon Road access and install the second Dillon Rd. access.
15. Subject to adequate right-of-way or obtaining necessary easements from the Northwest Parkway, the applicant shall work with staff and RTD to relocate the west side Highway 287 bus stop, and install a bus shelter, bike rack, and trash can, near Road A and Highway 287. The applicant shall be responsible for maintenance until RTD takes over the maintenance.
16. Subject to adequate right-of-way, or obtaining necessary easements from the commercial property owner on the east side of Highway 287, the applicant shall work with staff, RTD and CDOT to temporarily relocate the east side Highway 287 bus stop, and install a bus shelter, bike rack, and trash can at the northeast corner of Dillon Road and Highway 287. Upon installation of the traffic signal at Road A and Highway 287, the applicant shall relocate, for permanent placement, the bus shelter, bike rack, and trash can, to the northeast or southeast corner of Road A and Highway 287. Relocation timing would depend on pedestrian improvements at the intersection. If development of the east side occurs prior to Phase II, the east side commercial property owner shall be responsible for this relocation. Staff will support the applicant seeking 100% cost reimbursement for the east side bus stop. The applicant shall maintain the stop until development of the east side commercial property or until RTD takes over maintenance, whichever shall occur first.
17. Subject to adequate right-of-way or obtaining necessary easements, the applicant shall, with Phase I, install a sidewalk on the west side of Highway 287 from north of Maple Grove Subdivision, to the Highway 287 and Dillon Road intersection. The applicant shall maintain the sidewalk adjacent to the Northwest Parkway property. The applicant shall maintain the other portions of the sidewalk until development of that property occurs.
18. Subject to adequate right-of-way or obtaining necessary easements from the commercial

property owner on the east side of Highway 287, the applicant shall, with Phase II, install a sidewalk on the east side of Highway 287 from Crescent Drive to Dillon Road. The applicant shall maintain the sidewalk until development of the east side commercial property.

19. The applicant shall work with staff prior to final plan submittal to show an adequate number of carport spaces, placed strategically in the development, to have electric vehicle charging stations. If adequate sun exposure exists, the applicant shall install solar panels on the carports and update the solar plan accordingly.
20. The applicant shall work with the City Engineer to address issues outlined in the July 18, 2018 memo.
21. The applicant shall underground all utilities lines and remove all unnecessary underground gas lines on the property. If Xcel Energy and Northwest Parkway will allow the undergrounding of the utility lines to the south and east, on Northwest Parkway property, the applicant shall underground these lines, as well. In addition, any abandoned natural gas lines to the south and east shall be removed, if approved by Xcel Energy and the Northwest Parkway.
22. The applicant shall work with staff to install additional street trees on the south side of Road A, if adequate room exists. If adequate room does not exist, but the applicant is able to obtain permission to install trees on the Northwest Parkway property, the applicant shall work with staff on the number and placement of the trees.
23. Subject to adequate right-of-way or obtaining necessary easements, the applicant shall install City entry signage at the northwest corner of Dillon Road and Highway 287, similar to the signage at the northeast corner of Dillon Road and Highway 287. The applicant shall be responsible for 100% of the cost of the installation and future maintenance. If adequate right-of-way or easements do not exist, the applicant shall work with staff on other signage possibilities, and if none exist, will pay the cost of the sign as an increased Service Expansion Fee.
24. The applicant shall meet with the Crime Prevention Officer (CPO) to ensure locations of cameras are adequate, or install additional cameras the CPO reasonably requests.
25. The applicant shall add a condition to the Final PUD that the clubhouse meeting space will be available for the Lafayette community for special events, by appointment. This does not require access to the pool, recreation amenities, work-out room, etc.
26. The contribution for the Mary Miller Theater shall be due with the first building permit for Phase I.
27. The Final PUD shall acknowledge the requirement to participate in the Xcel Energy "Renewable Connect" program, or a similar Xcel program, if available, for the common areas of the project. The applicant shall provide, for staff review and approval, documentation regarding the residents' ability to sign up for renewable energy programs and the applicant shall encourage residents to do so. The Final PUD shall note this as well.

28. The gas well shall be capped per the COGCC rules and regulations, prior to recording of the Final Plan. All associated lines/pipes shall be removed. If the operator of the oil/gas well on-site will allow, the applicant shall provide staff the abandonment agreement between the oil/gas operator and the property owner.
29. The applicant shall be allowed to plat individual buildings lots (building envelopes).
30. The applicant shall submit a list of preferred third-party building inspectors for review and approval. The City shall work with one of the inspection companies to finalize contractual terms for this service. The applicant shall pay the third-party inspector directly for all inspections performed.
31. The applicant shall pay the required building permit fees for each building permit. No master plan check fee will be allowed.
32. The applicant shall pay the required water dedication fees as shown in the applicant's submitted Exhibit F. The data shall be formalized in the development agreement.
33. The developer shall follow the procedures outlined in the City of Lafayette Prairie Dog Management Policy dated August 1, 2017, to address any prairie dogs found on-site prior to the start of initial grading of the subdivision.
34. The following PUD modifications are approved:
 - Overall density of 18.92 du/ac.
 - Phase I density of 18.11 du/ac.
 - Height of 35.5 feet for residential buildings
 - Thirteen (13) foot accessory building setback along the northern property line
 - More than one principal building per lotIf individual lots are platted for building:
 - increased in lot coverage to 100%
 - Reduced street frontage to zero feet
 - Reduced front, rear and side setbacks to zero feet

Rezoning Conditions of Approval:

1. The rezoning is subject to approval of and recording of the final plan.
2. The applicant must deannex from the Louisville Fire Protection District within two (2) years of final plan recording.

Site Plan / Architectural Review Conditions of Approval:

1. Prior to building permit application, the applicant shall provide at least one additional color for the proposed buildings which shall be reviewed and approved by staff.
2. The applicant shall submit the carport design for review and approval by staff.
3. The applicant shall work with staff to improve the back sides of the garage buildings along the northern property line, which may include changes in color and/or materials.
4. The applicant shall work with the staff to better arrange and/or add to landscaping throughout the site.

5. The applicant shall maintain the raised garden beds to an acceptable standard, and provide water for the residents to utilize.
6. The applicant shall work with staff to design trash enclosures that help facilitate recycling and composting.
7. The applicant shall pre-wire all carports for EV charging stations and determine if there is adequate solar access on the carports to install solar.
8. Staff shall work with the Maple Grove neighborhood and applicant on a fence design and landscape buffer that is acceptable to the neighborhood.

V. Other Business

A. Commission Comments / Committee Reports

None.

B. Department Comments

None.

VI. Adjournment

Commissioner Viers moved to adjourn the meeting, seconded by Commissioner Thomas. All voted in favor of the motion. The meeting adjourned at 11:40 p.m.

City of Lafayette

Chair Godfrey

Attest:

Michelle Verostko, Recording Secretary