

RECORD OF PROCEEDINGS CITY OF LAFAYETTE

CITY COUNCIL MEETING

April 2, 2019

Call to Order

The April 2, 2019 City Council Meeting began at 5:32 p.m. in the Council Chamber at Lafayette City Hall, 1290 S. Public Road, Lafayette, Colorado.

Roll Call

Those in attendance included Mayor Alexandra Lynch, and Councilors JD Mangat, Stephanie Walton, Carolyn Cutler, Merrily Mazza, and Chelsea Behanna. A motion was made by Councilor Walton and seconded by Councilor Behanna *to excuse Mayor Pro Tem Jamie Harkins due to illness*. The motion passed unanimously. A motion was made by Councilor Behanna and seconded by Councilor Walton *to allow Mayor Pro Tem Harkins to join the executive session remotely by phone*. The motion passed unanimously.

Also present were City Administrator Fritz Sprague, City Clerk Susan Koster, City Attorney Dave Williamson, Police Chief Rick Bashor, Public Works Administrative Specialist Jenny Conlon, Attorney Brandon Dittman, Assistant City Administrator Roger Caruso, Library Director Melissa Hisel, Public Works Director Doug Short, and Planning & Building Director Paul Rayl.

Adjourn to Executive Session

A motion was made by Councilor Behanna and seconded by Councilor Walton *to adjourn to executive session according to C.R.S. 24-6-402(4)(e), for determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators pertaining to Erie Agreements*. The motion passed unanimously

Return to Regular Session

Mayor Lynch said the executive session was concluded at 6:39 p.m. The participants were Mayor Lynch, and Councilors Mangat, Mazza, Cutler, Behanna, and Walton. Also in attendance were City Administrator Sprague, Assistant City Administrator Caruso, Public Information Officer Debbie Wilmot, and City Attorney Williamson. Mayor Pro Tem Harkins attended remotely by phone.

Mayor Lynch asked if any person who participated in any of the executive sessions believed that any substantial discussion of matters not included in the motions to go into the executive sessions occurred during the executive session, or that any improper action occurred during the executive session in violation in the Open Meetings Law. No one answered in the affirmative.

Public Hearings

Wireless Communication Facilities

Planning & Building Director Paul Rayl presented the first reading of Ordinance No. 08, Series 2019 / Amendment to Section 26-22.5 Wireless Communication Facilities. He said the ordinance is written to reflect current Federal Communications Commission rules and to address Council's desire to make the tree removal language consistent with Old Town regulations.

Attorney Brandon Dittman said the amendment includes language that was inadvertently omitted from the 2018 Wireless Communication Facilities Ordinance allowing for changes to eligible facilities.

Mayor Lynch opened a public hearing at 6:48 p.m. and invited interested persons to speak. Seeing no one, she closed the hearing.

A motion was made by Councilor Walton and seconded by Councilor Cutler to approve on first reading Ordinance No. 08, Series 2019 as presented. The motion passed unanimously.

Galt Plaza Final Plan

Planning & Building Director Rayl summarized citizen comments that were received after the agenda packet was finalized. He said on August 29, 2018, the Planning Commission unanimously approved applications pertaining to the Galt Plaza Mixed Use Preliminary Plan and Preliminary Plat, and recommended approval of the Growth Management and Permit Allocation, Site Plan/Architectural Review (subject to twenty-one conditions), and Special Use Review to allow for a drive-through use and basement mini-storage use. Mr. Rayl described details of each application and the findings of the Planning Commission for each.

Architect Ryan Hanneman and owner/applicant John Cohagen answered questions about the project.

Mayor Lynch opened a public hearing at 7:19 p.m. and invited interested persons to speak. Nathan Gammie, Loretta Colleran, Richard Baggott, Tom Kumar, and Dr. Martha Harrell shared concerns about the development including traffic, public transportation, pedestrian crossing, lighting, and construction dust. Mayor Lynch closed the hearing at 7:34 p.m.

A motion was made by Councilor Walton and seconded by Councilor Behanna to approve the Galt Plaza Mixed Use Final PUD and Final Plat subject to the Plat and Development Agreement being recorded within 30 days of approval, striking Condition #3, and removing the private easement in the dedication. The motion passed unanimously.

A motion was made by Councilor Walton and seconded by Councilor Behanna to approve Resolution 2019-25 / Growth Management Priority Status and Permit Allocation subject to filing of the replat. The motion passed unanimously.

A motion was made by Councilor Walton and seconded by Councilor Mazza to approve Galt Plaza Mixed Use Site Plan/Architectural Review subject to the twenty-one (21) conditions of approval as recommended by the Planning Commission subject to filing of the replat. The motion passed unanimously.

A motion was made by Councilor Walton and seconded by Councilor Mazza to approve Special Use Review to allow drive-through and public mini-storage uses subject to filing of the replat. The motion passed unanimously.

404 W. Baseline Road / Baseline Old Town Mixed Use

Planning & Building Director Rayl said on March 26, 2019, the Planning Commission unanimously approved Baseline Old Town Mixed Use Preliminary Plan and Preliminary Plat, and recommended approval of the Special Use Review to allow mixed use development in the B1 (Community Service Business) / LURA (Lafayette Urban Renewal Authority) zone district. Mr. Rayl described the project in detail, modifications to Building Code requirements, and Planning Commission findings.

Applicant/Architect Matthew Lawrence described the project in detail.

Mayor Lynch opened a public hearing at 8:05 p.m. and invited interested persons to speak. Jeremy Simon had issues with the set-back reduction and increase in traffic. Ron Spaulding expressed support for the project and the positive effect it will have on the Northern entrance to Lafayette. The Mayor closed the hearing at 8:16 p.m.

A motion was made by Councilor Cutler and seconded by Councilor Walton to approve the Baseline Old Town Mixed Use Final PUD and Final Plat including the addition of a "Residents Only" sign at the alley entrance. The motion passed unanimously.

A motion was made by Councilor Cutler and seconded by Councilor Walton to approve the Special Use Review to allow mixed use development in the Community Service Business / Lafayette Urban Renewal Authority zone district. The motion passed unanimously.

Vista Business Park PUD, Lots 29 and 30

Planning & Building Director Rayl said on March 26, 2019, the Planning Commission unanimously approved the PUD Amendment with two PUD modifications, subject to four conditions. They unanimously approved the Site Plan / Architectural Review, subject to six conditions, and the Minor Subdivision, subject to three conditions. Mr. Rayl described PUD modifications requested by the applicant as well as the site plan. He said the applicant is also requesting to combine two lots into one for the purpose of developing the site.

Barbara Clinard from EnVision Construction, described the project in detail.

Mayor Lynch opened a public hearing at 8:44 p.m. and invited interested persons to speak. Seeing no one, she closed the hearing.

A motion was made by Councilor Mazza and seconded by Councilor Walton to approve the Lot 29 and 30 Vista Business Park PUD Amendment with two modifications, subject to four conditions. The motion passed unanimously.

A motion was made by Councilor Mazza and seconded by Councilor Behanna to approve the Site Plan / Architectural Review, subject to six conditions. The motion passed unanimously.

A motion was made by Councilor Behanna and seconded by Councilor Walton to approve the Minor Subdivision, subject to three conditions. The motion passed unanimously.

Silo Subdivision / Extension of Deadlines

Planning & Building Director Paul Rayl presented the first reading of Ordinance No. 12, Series 2019 / Extension of Deadlines for Recordation of the Final Plan (Plat and PUD) for the Silo Subdivision to July 31, 2019. Cornerstone Homes owner/developer Keenan Tompkins explained that the extension ensures enough time for the final ditch crossing agreements to be completed and for the review of final engineering plans for the subdivision.

A motion was made by Councilor Behanna and seconded by Councilor Walton to Approve Ordinance No. 12, Series 2019 as presented. The motion passed unanimously.

Stormwater Service Fees

Public Works Director Short explained the need to increase stormwater service fees to support backlogged projects and increasing construction costs. He presented graduated fee increases over a 6-year period and fee comparisons with nearby communities.

A motion was made by Councilor Cutler and seconded by Councilor Mazza to approve Resolution No. 2019-26 / Amending Fee for Stormwater Services. The motion passed unanimously.

Water Conservation Plan Adoption

Public Works Director Short provided a brief history of Lafayette's water conservation efforts. He said the Colorado Water Conservation Act of 2004 requires all retail water providers who sell more than 2,000 acre-feet per year to have a water efficiency plan on file with the State that has been approved by the Colorado Water Conservation Board. The Public Works Department has prepared a plan according to the Board's specifications and seeks formal adoption by Council. Mr. Short recognized Public Works Administrative Specialist Jenny Conlon for her work on the plan. Councilor Cutler suggested that a glossary be included in the plan.

A motion was made by Councilor Behanna and seconded by Mazza to approve Resolution No. 2019-27 / Water Conservation Plan Adoption. The motion passed unanimously.

National Library Week

Councilor Cutler read a proclamation designating April 7 – 13, 2019 as National Library Week and encouraging residents to visit the library. A motion was made by Councilor Cutler and seconded by Councilor Mazza to adopt the proclamation as read. The motion passed unanimously.

Consent Agenda

Mayor Lynch read the Consent Agenda:

- I. Minutes of March 19, 2019 City Council Meeting
- J. Minutes of March 25, 2019 City Council Workshop
- K. Second Reading / Ordinance No. 11, Series 2019 / Six (6) Month Extension, with Amended Terms, of the Moratorium on the Removal and Relocation of, and the Utilization of Lethal Control Measures for, any Black-Tailed Prairie Dogs Located on any Property within the City (set to expire on April 17, 2019)
- L. Contracts / Water Conservation Programs / Resource Central
- M. Resolution No. 2019-28 / Lafayette – State of Colorado Intergovernmental Agreement / South Boulder Road Project
- N. Purchase Orders and Amendments

A motion was made by Councilor Mazza and seconded by Councilor Cutler to approve the Consent Agenda. The motion passed unanimously.

Council Appointment

A motion was made by Councilor Mangat and seconded by Councilor Behanna to appoint Morgan Cook to the Cultural Arts Commission as a regular member for a term expiring May of 2022. The motion passed unanimously.

City Attorney's Report

City Attorney Williamson asked for Council direction regarding a deadline for citizens to provide input relative to quasi-judicial hearings. Councilors agreed to accept community opinion up to 3:00 p.m. on the day of the hearing. They authorized staff to put the new rule in the City Council Handbook.

City Administrator's Report

City Administrator Sprague said the Citizen Advisory Committee for the Comprehensive Master Plan has been constituted and their first meeting will be held on April 11, 2019 at the Senior Center.

Police Chief Bashor said his department is applying for a grant from the Department of Local Affairs to fund clinician support in cases involving mental health issues. The application requires Council endorsement. A motion was made by Councilor Walton and seconded by Councilor Mazza assuring full support for the grant application. The motion passed unanimously.

Council Reports

Councilors Mazza and Behanna updated Council on the Prairie Dog Advisory Working Group. Assistant City Administrator Caruso will act as staff liaison to the group. He said they should have recommendations in August.

Mayor Lynch requested advance information pertaining to the April 29, 2019 Workshop on Council Goals, Priorities, and Accomplishments.

Adjourn

The meeting adjourned at 9:45 p.m.

CITY OF LAFAYETTE, COLORADO

ATTEST

Mayor Alexandra Lynch

Susan Koster, City Clerk

The minutes herein are a summary of the business conducted at this meeting, not a verbatim transcription. Only the actions taken and the text appearing in quotation marks are verbatim.