Record of Proceedings City of Lafayette Planning Commission Wednesday, October 23, 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, Godfrey, and Knuth.

Absent: Commissioners Nickell and Steinbrecher.

Staff present included Planning Manager Karen Westover, City Engineer Peter Johnson, Planner Roger Caruso, and Recording Secretary Michelle Verostko

II. Items from the Public Not on the Agenda

None.

III. Scheduled Items

A. Trails at Coal Creek Sketch Plan Review

Vice Chair Wong stated he did not attend the first Trails at Coal Creek Sketch Plan meeting on September 25, 2013; however he did watch the video of the meeting and read the staff report and felt he could participate in the hearing tonight.

Planner Roger Caruso entered the staff report into the record. He stated this application is a request for sketch plan review approval for a 315 single-family residential subdivision located west of and adjacent to Highway 287 and north and south of Coal Creek. He explained the two public meeting review process and reviewed what happened at the first meeting.

Mr. Caruso explained the purpose and intent of the sketch plan review. He reviewed the sketch plan requirements outlined in Section 26-17-5 of the Development and Zoning Code and then reviewed the preliminary plan requirements in the same section.

Mr. Caruso used an aerial photo of the area to show the location of the project and reviewed the surrounding uses of the property. The proposal is for a 315 single-family residential subdivision called Trails at Coal Creek. The property is divided by Coal Creek. The northern section is referred to as Area 1 and the southern section as Area 2. Area 1 contains 50.19 acres, and is located east of the Centaur Village subdivision and south of the Whispering Meadows and Village East Townhomes subdivisions. The applicant is proposing to build 151 single-family dwelling units within Area 1, and dedicate 4.59 acres to the City for open space. Area 2 contains 84.0 acres, and is located east of City open space, and north of the Autumn Meadows subdivision. The applicant is proposing to build 164 single-family dwelling units within Area 2, and is proposing to dedicate 15.60 acres to the City for open space.

Mr. Caruso reviewed the prior agreements on the property, the Comprehensive Plan Land Use designation for the property, the density allowed for the proposed zoning and the density of the proposed subdivision. He presented the lot layout for Area 1 and reviewed the street access, the proposed open area and lots. He then presented the lot layout for Area 2 and reviewed the street access, the proposed open area and lots.

Mr. Caruso explained that at the September 25, 2013, the Planning Commission asked City staff and the applicant to provide additional information to them for the public hearing. Mr. Caruso presented staff's response to the Commission's request which included the following items: dimensional standards, connecting Area 2 in the future to vacant land to the south, a 5' attached sidewalk within the development, feasibility of completing a sidewalk on the east side of the development adjacent to Highway 287, relocating the two tot-lot areas, ensure a variety of housing type, the Waneka Stage Stop Site, engineering and utilities, and neighborhood meetings.

Mr. Caruso presented the Trails Exhibit and discussed sidewalks and reviewed pedestrian and bicycle connections. He presented the Grading Exhibit and discussed current grade and adjusted grade, and the

floodplain map overlay. He explained that homes cannot be built in the floodplain. He added that the applicant will be required to work with the City Engineer to receive approval of the grading plan and work with the Federal Emergency Management Administration (FEMA) and obtain a Conditional Letter of Map Revision (CLOMR) prior to submitting a preliminary plan application. City Engineer Peter Johnson discussed his findings of the area after the recent flood event.

Staff recommended the Planning Commission approve this request for sketch plan approval, subject to staff's amended conditions, finding that the proposal provides connections to existing pedestrian systems; complies with the requirements for sketch plan submittal; and, meets goals set by the Comprehensive Plan.

Blake Carlson, 10261 Arapahoe Road, Lafayette, explained they have worked to bring the best development they could for this property.

Diane Rayle, Norris Design, 1101 Bannock Street, Denver, discussed walk out basements and reviewed condition no. 31b regarding the Waneka Stage Station Site and what their commitment would be.

Chairperson Patzer opened this portion of the meeting for public testimony at 7:25 p.m.

Svetlano Burevo, 1418 Orchid Court, Lafayette, expressed concern about environmental issues, grade change and flooding, and emergency services and response times.

Bob Gordon, 1497 Marigold Drive, Lafayette, had concerns regarding the Swinburg Farm property, the prescriptive easement on the Swinburg Farm property, loss of natural habitat, flooding concerns, loss of prairie dog habitat, loss of wildlife, setbacks, and sidewalk size.

Lisa Gills, 1025 Delta Drive, Lafayette, agreed with previous speakers and had concerns regarding traffic volume and vehicles speeding at Minotaur and Delta Drive.

Debbie Benson, 235 N. Cherrywood Drive, Lafayette, agreed with previous speakers and had concerns about flooding particularly in Area 2 of the proposed subdivision. She expressed concern about traffic safety.

Fernand Lubuguin, President Village East Townhomes Homeowners Association, 1002 Artemis Circle, Lafayette, stated they share concerns of previous speakers. He reviewed a list of requests for the City and the applicant if the project is approved such as no construction on Sunday, prohibit construction traffic on Artemis Circle, a 3-way stop at Minotaur and the new road, and provide their area with additional landscaping and fencing.

Sandy Anderson, 1420 Cypress Circle, Lafayette, expressed concern about the environment, increased traffic, noise, safety concerns, increase to city services and the impact on schools.

Stephanie Angell, 1030 Delta Drive, Lafayette, expressed concern about the environment, wildlife, and loss of mountain views.

John G. Adams, 1031 Delta Drive, Lafayette, expressed concern about pollution, traffic and noise. He supports a less dense plan.

Marne Lopez, 323 Sprucewood Court, Lafayette, agreed with other speakers. She expressed concern about the lack of public places provided in the plan for children, safety concerns, access, lack of connectivity between existing subdivisions and the proposed subdivision, the proposed reduced front yard setback, the proposed density of the subdivision, wetlands, and wildlife.

Jean MacDonald, 319 N. Cherrywood Drive, Lafayette, agreed with previous speakers.

Chris Wells, 299 N. Cherrywood Drive, Lafayette, agreed with previous speakers and expressed concern about property values, schools, quality of education and quality of life.

Judy Richards, 1062 Delta Drive, Lafayette, agreed with other speakers and had concerns about traffic noise, limited access on Highway 287 for proposed Area 1 of the subdivision and increased traffic on Minotaur Drive.

Joel Lucas, 2398 Cedarwood Circle, Lafayette, agreed with most speakers and opposed any street accessing into Autumn Meadows and Autumn Ridge Subdivisions. He expressed concern about traffic, drainage, flooding and the quality of life changing.

Michele Battiste, 1060 Delta Drive, Lafayette, expressed concern about noise, safety concerns, quality of life, and the single north access at Minotaur for Area 1 of the subdivision.

Jennifer Butler, Elysian Fields, Lafayette, agreed with previous speakers and had concerns about flooding, noise, safety concerns and quality of life.

Candy Bacalis, Lafayette, had concerns about traffic particularly at Ryan Elementary School.

Patricia Kirgan, 1410 Bacchus Drive, Lafayette, expressed concern about traffic, overdevelopment in the Lafayette/Louisville area, and property values.

Pat, 1065 Delta Drive, Lafayette, expressed concern about the creek, the trail, and the proposed density of the plan. She asked if the City could purchase part of the property for open space.

Jack Zeller, 1007 Artemis Circle, Lafayette, expressed concern about traffic, speeding, and access to the elementary school and high school.

Julie Ursetta, 1497 Marigold Drive, Lafayette, agreed with most speakers and clarified that the Whispering Meadows HOA President did not speak for all of them.

Brett Angell, 1030 Delta Drive, Lafayette, expressed concern about overbuilding in the Lafayette/Louisville area, increased traffic on South Boulder Road, and fear that Lafayette could lose its "small town feel".

Linda Gore, 1884 Centaur Circle, Lafayette, agreed with most speakers and expressed concern about flooding, traffic and wetlands. She would like to see the City purchase all or part of the property for open space.

Scott Tucker, 1036 Delta Drive, Lafayette, expressed concern about flooding, traffic, speeding, and safety concerns.

Hung Leu, 1004 Primrose Lane, Lafayette, expressed concern about safety, access to the elementary school and traffic.

Drew Lindsay, 1052 Artemis Circle, Lafayette, expressed concern about increased traffic on Minotaur, narrow streets along Artemis Circle, lost of mountain views and pedestrian safety.

Ruby Carrier, 1075 Delta Drive, Lafayette, agreed with previous speakers and had concerns about the single access to the north from proposed Area 1 of the subdivision, increased traffic, and safety concerns.

Chairperson Patzer closed the public hearing at 8:30 p.m.

The Planning Commission took at 5 minute recess at 8:30 p.m. and reconvened at 8:35 p.m.

The Planning Commission asked staff to review the definition and intent of a sketch plan review, what the requirements are for a sketch plan application, what the criteria is for reviewing and approving a sketch plan, and what the next step would be in the process.

The Planning Commission asked if the Colorado Department of Transportation (CDOT) denied or would deny a left turn signal at the access for Area 1 and Highway 287 and what requirements must be met to obtain a traffic signal.

The Planning Commission questions focused on flooding and drainage and they asked the City Engineer about sheet flow, where in the process the City is with redoing FEMA flood maps and the timing of the study by FEMA. The Commission asked what happens if the study results significantly change the flood maps and what will they see at preliminary plan stage regarding flood plain and drainage plans.

Mr. Caruso clarified with the Commission that CLOMR goes to FEMA and FEMA needs to approve before the applicant can submit a preliminary plan application. He also clarified that Coal Creek was dedicated to the City in 1999 and that additional land is proposed to be dedicated with the new subdivision.

The Planning Commission asked staff if zoning allows the building density to be higher and what is the density for the neighboring subdivision of Whispering Meadows.

The Planning Commission asked staff to review the meeting notification process and clarify whether staff attended any neighborhood meetings and how does the neighbors concerns get addressed or mitigated. The Commission also asked what was the response from Boulder Valley School District.

The Planning Commission asked the applicant what the feasibility was for them to lower the density of the proposed subdivision and how does their proposal compare in density with other newer subdivisions in the area such as Steel Ranch. The Commission asked how many people attended the neighborhood. The Commission suggested they have more neighborhood meetings or at least two neighborhood meetings before they proceed to preliminary plan.

The Planning Commission asked about the design of the streets in Area 1 and whether the applicant has thought of ways to mitigate traffic concerns or other options for the street design. The Commission asked the applicant whether they have considered having open fields such as a soccer field and also relocating the tot lots to a different location.

The Planning Commission thanked everyone for coming to the meeting and providing the Commission with their input.

The Planning Commission discussed the criteria and tools they are required to use to decide on applications under review. They discussed street access at Minotaur, the access at Highway 287 and Area 1, the proposed density of Area 1, and the additional studies that would be required with a preliminary plan submittal.

Motion

Vice Chair Wong moved the Planning Commission approve this request for sketch plan approval, subject to staff's revised condition(s), finding that the proposal provides connections to existing pedestrian systems; complies with the requirements for sketch plan submittal; and, meets goals set by the Comprehensive Plan. Commissioner Benson seconded the motion. All voted in favor of the motion.

Conditions of Approval:

- 1. Prior to submittal of the Preliminary Plan the applicant shall:
 - 1) Review the maximum allowed height in relation to the potential for walk-out basements;
 - 2) Work with the City Engineer to amend the CDOT Access Control Plan which shall include the following:
 - a) A final location of the north entrance within Area 1:
 - b) A combined accel/decel lane between the north and south entrance of Area 2:
 - c) An acceleration lane for the southern access in Area 2;
 - d) A thorough study of the signalized intersection to ensure the timing and number of lanes for southbound traffic of Public Road, east of Highway 287, turning southbound onto Highway 287 is adequate;
 - 3) Contact Boulder County to determine how to legally divide the Swing burg property to dedicate the southern access right-of-way;

- 4) Work with Xcel Energy to ensure adequate easements are proposed;
- 5) Submit the necessary documentation to the City Engineer to delineate the depth of the wastewater line in Area 1 and how this line will service Area 2;
- 6) Work with the City Engineer regarding the grading plan to receive approval for the amount of fill, drainage feasibility, and compatibility with the natural surrounding prior to submitting the CLOMR to FEMA;
- 7) Receive approval of City Council accepting cash-in-lieu of visitable units;
- 8) Work with staff on the final location of the tot lots;
- 9) Work with staff on the final design of the trails to add connectivity to adjacent properties and/or Highway 287, if feasible.
- 10) Submit a detailed plan delineating which trees within land to be dedicated to the City are to be removed due to construction of utilities and/or the proposed pedestrian bridge.
- 2. With the Preliminary Plan submittal the applicant shall include:
 - 1) A Site Plan/Architectural Review application for the proposed single-family residences;
 - 2) A footprint of each model including all porches, along with dimensions and square footage of the porches;
 - 3) A request to annex that portion of the Swinburg property the applicant has proposed for access to Highway 287;
 - 4) A Comprehensive Plan Amendment request to amend the Commercial Land Use Designation to Medium Density Residential;
 - 5) All proposed street names;
 - 6) Public street standards for all streets;
 - 7) Work with staff and RTD to determine if RTD supports a stop adjacent to the development;
 - 8) An approved CLOMR by FEMA conditionally modifying the floodplain;
 - 9) A letter from the rural fire district that the property has been deannexed;
 - 10) A signage plan to include location, size, and design of all signage;
 - 11) A landscape plan in compliance with Section 26-19-5 and 26-19, Table A;
 - 12) An acknowledgment that trees on land to be dedicated to the City will not be removed;
 - 13) A statement explaining who will be responsible for the installation and irrigation of the second row of trees adjacent to the street connecting the Trails at Coal Creek to Minotaur Drive;
 - 14) A redesigned lot layout between the Coal Creek trail, north of the creek, and the backyards of the adjacent homes to the north, to provide an approximate 100-foot buffer;
 - 15) A redesigned lot layout between the edge of the riparian corridor on the south side of Coal Creek, and the backyards of the adjacent homes to the south, to provide an approximate 300-foot buffer;
 - 16) A growth management allocation request;
 - 17) A detailed plan of what amenities are to be located in all HOA owned areas and include a zero step entry for all tot lot areas;
 - 18) Revised bridge location moving the pedestrian bridge as far east as possible;
 - 19) Detailed plans of the pedestrian bridge design;
 - 20) A request for a construction easement to build the pedestrian bridge;
 - 21) Appropriate language detailing all HOA owned trails to have a public access easement;
 - 22) An amended Maintenance and Ownership Table so that all HOA lands are labeled Common Open Area or a similar name;
 - 23) A plan showing only one trail connection to the Area 1 tot lot;
 - 24) A plan showing a connection to the Whispering Meadows Park;
 - 25) A fencing plan delineating cross sections, height, and location of all proposed fencing which shall:
 - a) Prevent persons from entering that area south of the creek, and north of the proposed homes;

- b) Reduce conflicts between children playing around the Area 1 tot lot and riders on the trail:
- 26) A letter from the Army Corps of Engineers (COE) stating the wetlands on-site are non-jurisdictional, or, a 404 Permit from the COE allowing the wetlands to be filled;
- 27) An approved amendment to the CDOT Access Control Plan to the City Engineer;
- 28) An environmental survey which includes:
 - a) Any threatened plant species located on-site;
 - b) Any threatened wildlife species on-site;
 - c) Any burrowing owls on-site;
- 29) A Prairie Dog Mitigation Plan following the procedures adopted by the City;
- 30) HOA documents which include a statement that the area south of the creek and north of proposed homes is off-limits to the public;
- 31) Re-recorded information regarding the Waneka Stage Station site (5BL3098) by an archaeologist on the State Historic Preservation Office's (SHPO's) list of approved consultants which includes;
 - a) A definitive recommendation for the Waneka State Station Sites National Register eligibility (i.e., Eligible or Not Eligible);
 - b) A brief but full-length Class III report--including a culture history that places the site within the larger historical context of the area and a detailed inventory of artifacts still present on the site, with information they provide about the social, economic, and ethnic affiliations of the site's occupants/users. The report shall be submitted to the Historic Preservation Board for review and comments, prior to approval of the final development plans and any surface or subsurface disturbance within the project area.

V. Other Business

A. Commission Comments / Committee Reports

None.

B. Department Comments

None.

VI. Adjournment

Commissioner Knuth moved to adjourn the meeting, seconded by Vice Chair Wong. All voted in favor of the motion. The meeting adjourned at 9:45 p.m.

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Attest:	Eric Patzer, Chairperson	
Michelle Verostko, Recording Secretary		