



Lafayette Urban Renewal Authority • 1290 S. Public Road • Lafayette, Colorado 80026

## **LAFAYETTE URBAN RENEWAL AUTHORITY MEETING**

**July 23, 2013**

**A G E N D A**

**6:30 PM MEETING**

**City Council Chambers, City Hall, 1290 S. Public Rd**

- I. OPENING OF SPECIAL MEETING**
  - Call to Order
  - Roll Call
- II. PUBLIC INPUT**
  - A. ITEMS FROM THE PUBLIC
- III. MINUTES**
  - B. MINUTES FROM THE JULY 9, 2013 MEETING
- IV. CONSENT AGENDA**
  - C. Approval of Contract / Superior Aggregates
- V. PUBLIC HEARING**
  - D. Resolution No. 2013-03 / 2013 Budget Amendment (Noticed in Daily Camera, July 12, 2013)
- VI. BUSINESS**
  - E. Economic Development Agreement / The Post Brewing Company
- VII. STAFF REPORTS**
- VIII. NEW BUSINESS / LURA COMMISSIONERS REPORTS**
- IX. ADJOURN REGULAR MEETING**

# RECORD OF PROCEEDINGS

## CITY OF LAFAYETTE LAFAYETTE URBAN RENEWAL AUTHORITY MEETING

JULY 9, 2013

### Call to Order

Chair Sally Martin called the July 9, 2013 meeting of the Lafayette Urban Renewal Authority (LURA) to order at 6:30pm in the City Hall Council Chambers at 1290 South Public Road, Lafayette, Colorado.

Those present and answering roll call were Commissioners Chris Bosch, Jake Puzio, Jamie Ramos, John Ward and Chair Martin. Commissioner Anspach arrived at 6:32pm. Also present were Asst. LURA Executive Director Phillip Patterson and Downtown Coordinator Jenn Ooton.

### Items from the Public

No members of the public were present.

### Business

A motion was made by Commissioner Puzio and seconded by Commissioner Ramos to accept the minutes for the June 11, 2013, as written. The motion passed unanimously.

Downtown Coordinator noted that the contract for the paving at 103 N. Public Road needed to be removed from the consent agenda and the item would be rescheduled for the next LURA meeting.

Commission Ramos made a motion to approve a Call for Artists for a Winter Banner Program. Commissioner Anspach seconded the motion, which passed unanimously.

Commission Anspach made a motion to approve Resolution 2013-02 authorizing the acquisition of a sign easement, either by negotiation or condemnation, for the southeast corner of U.S. Highway 287 and Baseline Road. Commissioner Puzio seconded the motion, which passed unanimously.

Asst. Executive Director Phillip Patterson presented information regarding proposed architecture for the redevelopment of 105 W. Emma for a brew pub/restaurant. He also provided an overview of other development opportunities on Public Road and So. Boulder Road.

Commission Ward made a motion to approve an Urban Renewal Vision Statement amendment adding language for the So. Boulder Road Revitalization Area. Commissioner Bosch seconded the motion, which passed unanimously.

Commissioner Ramos moved to go into 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 development of 105 W. Emma. Commissioner Puzio seconded the motion, which passed unanimously.

At 8:42p.m., the Authority came back into regular session.

Commissioner Ramos moved to allow staff to reveal minimum substance of the executive session to City Council in order to obtain Council's consent for the redevelopment project at 105 W. Emma and comments on a potential budget amendment. Commissioner Puzio seconded the motion, which passed unanimously.

Commissioner Ramos made a motion to allow Commissioner Cutler to listen to the executive session tape of July 9, 2013. Commissioner Bosch seconded the motion, which passed unanimously.

**Adjournment**

Chair Martin adjourned the meeting at 8:43pm.

LAFAYETTE URBAN RENEWAL AUTHORITY, COLORADO

ATTEST:

\_\_\_\_\_  
Sally Martin, Chair

\_\_\_\_\_  
Jenn Ooton, Downtown Coordinator

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



**STAFF REPORT**

To: Gary Klaphake, City Administrator  
From: Douglas Short, P.E., Public Works Director  
Bradley S. Dallam, P.E., Assistant City Engineer  
Date: July 16, 2013  
Subject: Approval of Contract / Superior Aggregates / Paving of Parking lot at 103 N. Public Road

**Recommendation:** The approval of a contract with Superior Aggregates to pave the parking lot at 103 N. Public. Contract is in the amount of \$22,508.00

**Background:** To improve the amount of parking on Public Road to support the business in the neighborhood, the Lafayette Urban Renewal Authority entered into an agreement with the property owner at 103 N. Public in which we would repave the parking lot for use of spaces.

Staff has reviewed the site conditions and provided pricing to return the parking lot to its original design. Some site modifications will be done in attempt to improve drainage and long term serviceability by locating of trash dumpsters to minimize loading on the parking lot. Staff sought three proposals from local firms specializing in this size and type of project. Bid results are as follows:

St Vrain Co	\$23,431.00
Superior Aggregates	\$22,508.00
Brannan Sand and Gravel	\$24,000.00

Staff made adjustments to get actual comparative results, in which Superior Aggregates was determined to be the best value. Each firm was allowed to measure the lot themselves, which is why adjustments were made to pricing. Superior Aggregates did not include pricing for concrete wheel stops, and money for the stops was also added into the contact amount, but may be procured outside the contract.

**Fiscal Impact:** The paving project would be assigned to the Streetscape Improvements line item. In March, LURA approved a budget amendment for this project of \$42,500.

**Attachments:** None

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### STAFF REPORT

To: Lafayette Urban Renewal Authority  
From: Phillip Patterson, Assistant Executive Director  
Date: July 18, 2013  
Subject: Budget Amendment / Resolution No. 2013-03

**Recommendation:** Approval of Resolution No. 2013-03 amending the 2013 LURA budget to add \$75,000 from fund balance to the economic development budget.

**Background:** On July 9, 2013, the Lafayette Urban Renewal Authority (LURA) directed staff to prepare a budget amendment to account for a possible economic development agreement with The Post Brewing Company for the redevelopment of 105 W. Emma Street. On July 16, 2013, staff presented the proposed budget amendment to the Lafayette City Council for comments as required by the Urban Renewal Plan. Council unanimously accepted the proposed budget amendment.

Staff has negotiated an economic development agreement with The Post Brewing Company; however, before LURA can approve such agreement, the LURA budget will need to be amended.

**Fiscal Impact:** Staff is recommending a budget amendment of \$75,000. Subject to approval of the budget amendment, the money will be transferred from LURA's fund balance account to the economic development account. The amendment will lower LURA's fund balance by \$75,000 to \$1,070,285.

**Attachments:**

Resolution No. 2013-03

**LAFAYETTE URBAN RENEWAL AUTHORITY  
RESOLUTION NO. 2013-03**

**A RESOLUTION BY THE LAFAYETTE URBAN RENEWAL AUTHORITY  
AMENDING THE BUDGET AND REVISING APPROPRIATIONS FOR THE  
BUDGET YEAR 2013**

WHEREAS, the Lafayette Urban Renewal Authority (the "Authority") was created by Ordinance No. 99-38, Series 1999; and

WHEREAS, in June 2012, the Lafayette City Council passed Resolution 2012-30 approving the appointment of seven commissioners to act as the Board of Directors for the Authority; and

WHEREAS, the Authority operates to eliminate blight and prevent the spread of blight within the urban renewal areas of the City of Lafayette in accordance with the Urban Renewal Law of Colorado; and

WHEREAS, the Treasurer, as Budget Officer designated by the Authority, has prepared and submitted a recommended budget for the 2013 Budget Year and a public hearing has taken place on September 11, 2012.

WHEREAS, the Board of Directors has approved the Budget; and

WHEREAS, the necessity has arisen for additional expenditures by the Authority that could not have been reasonably anticipated at the time of the adoption of the budget; and

WHEREAS, the funds are available for such additional expenditures from surplus revenue funds of the Authority.

**NOW THEREFORE, BE IT RESOLVED** by the Lafayette Urban Renewal Authority of the City of Lafayette, Colorado, as follows:

**Section 1.** That the Budget for the Authority is hereby amended for the Budget Year 2013, as shown on the Amended Budget attached hereto and incorporated herein as Exhibit A.

**Section 2.** That the following sums are hereby appropriated from the revenues of the Authority, for the purposes stated:

Economic Development	<u>\$ 75,000</u>
Total Appropriation	<u>\$ 264,269</u>

**Section 3.** That the Executive Director shall attest and affix the seal of the Authority to this resolution.

RESOLVED AND PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.

**LAFAYETTE URBAN RENEWAL  
AUTHORITY**

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Sally Martin, Chair

**ATTEST:**

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Gary Klaphake  
Executive Director

**APPROVED AS TO FORM:**

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David S. Williamson  
City Attorney

Exhibit A  
Lafayette Urban Renewal Authority  
2013 Budget Worksheet  
As of July 10, 2013

<u>Description</u>	2012 <u>Actual</u>	2013		
		<u>Orig Budget</u>	<u>Proposed Adjustmnt</u>	<u>Adjusted Budget</u>
Revenues -				
Property Taxes	\$ 149,484	\$ 131,464		\$ 131,464
Sales Tax	95,130	44,034		44,034
Misc Revenues	-	-		-
Interest Income	3,141	5,400		5,400
Transfer from General Fund	250,000	-		-
<b>Total Revenues</b>	<b>497,755</b>	<b>180,898</b>	<b>-</b>	<b>180,898</b>
Expenditures -				
Books & Periodicals	207	250		250
Operating Supplies	547	250		250
Maintenance	8,210	16,555		16,555
Legal Fees	3,856	10,000		10,000
County Treasurer's Fees	2,738	1,977		1,977
Professional Services	4,137	20,000		20,000
Utilities Expense	3,100	1,500		1,500
Printing & Publishing	45	250		250
Administrative Fee	6,348	18,087		18,087
Memberships & Meetings	771	750		750
Transfer to General Fund	45,082	-		-
Misc Services	-	1,500		1,500
Economic Development	12,230	14,650	75,000	89,650
Public Road Streetscapes	44,287	92,500		92,500
Art Night Out	-	11,000		11,000
<b>Total Expenditures</b>	<b>131,558</b>	<b>189,269</b>	<b>75,000</b>	<b>264,269</b>
Excess Revenues/(Expenditures)	\$ 366,197	\$ (8,371)		\$ (83,371)
Beginning Fund Balance	\$ 795,830	\$ 1,162,027		\$ 1,153,656
Projected Ending Fund Balance	\$ 1,162,027	\$ 1,153,656		\$ 1,070,285



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### STAFF REPORT

To: Lafayette Urban Renewal Authority  
From: Phillip Patterson, Assistant Executive Director  
Date: July 18, 2013  
Subject: Economic Development Agreement / The Post Brewing Company

**Recommendation:** Approval of an economic development agreement with The Post Brewing Company for the purposes of redeveloping 105 W. Emma Street into a brew pub/restaurant.

**Background:** On July 9, 2013, the Lafayette Urban Renewal Authority (LURA) held an executive session and instructed staff to negotiate an economic development agreement with The Post Brewing Company for the redevelopment the old VFW building, located at 105 W. Emma Street, into a brew pub/restaurant. LURA also directed staff to present the project to the City Council for their consent. On July 16, 2013, Council approved the LURA project.

Staff has negotiated an agreement with The Post Brewing Company and 105 West Emma, LLC, the owner of the property, as follows:

1. Post Brewing will be required to remodel the building in a manner and appearance substantially similar to the plans presented at the July 9, 2013, Lafayette Urban Renewal Authority meeting, and operate an approximate 7,752 square foot brew pub that will be opened to the general public no later than January 2, 2014, and continue in operation for at least three consecutive years.
2. LURA will loan \$75,000.00 to Post Brewing at zero percent (0%) interest, with a default interest rate at 12% per annum. LURA's loan will be subject to the following:
  - (a). The funds will be disbursed to Post Brewing within 30 days of receipt of written notice from Post Brewing that the City of Lafayette has issued a Certificate of Occupancy.
  - (b). Prior to the disbursement of the loan funds, the building owner will execute a promissory note in favor of LURA in the principal amount of \$75,000, which shall be secured by a deed of trust on the property, with the deed of trust being inferior only to a first deed of trust on the property. The principal amount of the note will not accrue interest so long as the note is not in default, and will be due in full in three (3) years from the date of the execution of the note, any material default by Post Brewing of the terms of the agreement, or any sale or conveyance of the property owner's interest in the property, whichever occurs first.
  - (c). During the term of the note, the principal amount will be reduced by an amount equal to 100% of the City of Lafayette sale tax revenues received by LURA that are generated by retail sales at the project. At any such time as the principal amount of the obligation under the note is zero, the note will be satisfied and the deed of trust released by LURA.

The project consists of remodeling the interior of the 7,800 square feet, remodeling the building's front façade, improving the parking lot, adding a screening wall along with additional landscaping around the outdoor space, and converting the outdoor space into a patio area. The site and architectural plans have been approved by both the City and LURA. The benefits of this project are many, it will: redevelop a vacant building; may act as a catalyst project for the continued redevelopment of Old Town; will provide new jobs in Old Town; will increase property values and create new property taxes; and, will create new sales dollars in the Old Town Urban Renewal Area. Therefore, staff recommends approval of the economic development agreement.

**Fiscal Impact:** It is anticipated that the redevelopment of this site into a brew pub/restaurant will generate more than enough retail sales taxes to retire the note much earlier than the three (3) years stipulated in the agreement.

**Attachments:**

None