



September 10, 2019

A G E N D A

**5:30 P.M. LAFAYETTE URBAN RENEWAL MEETING
CITY COUNCIL CHAMBERS
1290 S. Public Road**

- I. 5:30 PM - OPENING OF REGULARLY SCHEDULED MEETING**
 - A. Roll Call
- II. MINUTES**
 - A. Minutes from the July 9, 2019 Meeting
 - B. Minutes from the August 13, 2019 Meeting
- III. PUBLIC INPUT**
 - B. Items from the Public
- IV. AGENDA ITEMS**
 - C. Direction Needed for the RFP for 701, 705, 707, 709, 711, and a portion of 801 S. Public Road
 - D. Approval of Resolution No. 2019-02 / Purchase of a Portion of 801 S. Public Road
- V. NEW BUSINESS/STAFF AND COMMISSIONER REPORTS**
- VI. ADJOURN**

RECORD OF PROCEEDINGS

CITY OF LAFAYETTE LAFAYETTE URBAN RENEWAL AUTHORITY MEETING July 9, 2019

Opening of the Regularly Scheduled Meeting

Call to Order

Chair Muller opened the July 9, 2019 meeting of the Lafayette Urban Renewal Authority (LURA) at 5:30 p.m. in the City Council Chambers at 1290 South Public Road, Lafayette, Colorado. Those present were Muller, Vice Chair Cutler, and Commissioners Arrington, Bonner, Gross, Rodgers, and Williams.

Also present was Executive Director Caruso.

Minutes from the May 14, 2019 Meeting

Williams moved to approve May 14, 2019 meeting minutes. Seconded by Gross. All voted in favor.

Minutes from the June 11, 2019 Meeting

Gross moved to approve the June 11, 2019 meeting minutes. Seconded by Bonner. All voted in favor.

Statement from the LURA Chair

Muller gave a statement regarding the community interest in the redevelopment of the 700 block of S. Public Road. Muller stated the Authority is limited at this time to what they can comment on due to State Statutes. Muller asked citizens to be patient while the Authority works through legal requirements.

Public Input

Karen Norback, 800 E. Geneseo, gave comments related to the potential redevelopment of the 700 block of S. Public Road. Norback talked about gentrification. Norback gave recommendations on what the 700 block could become.

Kim Dugan, Vice Chair for the Historic Preservation Board ("HPB"), wanted to be in attendance at this LURA meeting. Dugan stated that members of the community have come to the HPB and expressed concerns about rumors of the 700 block redeveloping. She asked for a copy of any completed historic surveys on the property. She stated the board has interest in the 700 block and what the future holds.

Vicki Uhland, 300 W. Simpson Street, gave comments related to the potential redevelopment of the 700 block as well. Uhland stated she had concerns with the amount of discussion LURA has regarding items on the agenda. Uhland discussed the condition of the buildings in this block. She discussed the possibility of the building at 705 S. Public Road being moved to another site.

Front Porch Landscaping

Caruso stated the landscaping at the front porch was just installed. There was an issue with the irrigation system that had to be corrected before landscaping could be installed. Staff will monitor to make sure it takes hold.

Caruso gave other updates related to the installation of creative crosswalks, installation of additional lightings on trees or up lighting

New Business/Commissioners Reports

Cutler discussed the CML Conference.

Adjourn

Cutler moved to adjourn 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 properties on Public Road and then a walking tour of Baseline Road. Seconded by Rodgers. Motion passed unanimously

LAFAYETTE URBAN RENEWAL AUTHORITY, COLORADO

ATTEST:

Kevin Muller, Chair

Roger Caruso, Executive Director/Secretary

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.

RECORD OF PROCEEDINGS

CITY OF LAFAYETTE LAFAYETTE URBAN RENEWAL AUTHORITY MEETING August 13, 2019

Opening of the Regularly Scheduled Meeting

Call to Order

Chair Muller opened the August 13, 2019 meeting of the Lafayette Urban Renewal Authority (LURA) at 5:36 p.m. in the City Council Chambers at 1290 South Public Road, Lafayette, Colorado. Those present were Muller, Vice Chair Cutler, and Commissioners Arrington, Bonner, Gross, Rodgers, and Williams.

Also present was Executive Director Caruso and City/LURA Attorney Williamson.

Direction on the Contract for 705, 707, 709, and 711 S. Public Road

Muller gave a background on what the public can expect from the meeting. First, Williamson will give a brief legal overview. Caruso will give a staff report presentation. Property owner Morrell will give comments related to his property. Public comment will be open next. LURA will then deliberate and give direction to staff.

Public Input

No public comment received on any non-700 block items.

Direction on the Contract for 705, 707, 709, and 711 S. Public Road

Williamson asked LURA if they wanted to waive attorney-client privilege of the memo drafted to LURA. Cutler moved to waive attorney-client privilege of the memo. Gross seconded. Motion passed unanimously.

Williamson gave a LURA-101 presentation. Williamson said LURA is authorized by the state and their power, duties, and purpose are rooted in State Statutes. Williamson discussed the evolution of LURA. He discussed the determination of elements of blight within the area which was adopted. Williamson stated urban renewal authorities can buy or sell land, to further the removal, remediation, or prevention of blight. Williamson stated the Authority is autonomous from the City, other than the Council's requirement to approve any expenditure of LURA that is anticipated to be over 40% of the Authority's annual budget. Additionally, Council and LURA executed an IGA that Council would loan money to the Authority, if the Authority desired, for projects. Authority members asked a variety of questions of Williamson.

Caruso gave a staff presentation on the contracts related to the 700 block. He stated that the Authority, under staff's power, put an option contract on the properties. Caruso stated the property owner has repeatedly mentioned to the City his intent to redevelop his properties at points in the past. The options contract lasts two years. At this point, staff is seeking direction from the Authority on how to proceed. Four options exist as staff can see: 1) LURA exercises the option to purchase the property; 2) LURA waives the option to purchase the property; 3) LURA assign the contract to a developer; 4) LURA issues a Request for Proposals (RFP) to solicit another entity to do something on the property.

Muller asked the property owner, Gerry Morrell, if he would like to speak. Morrell gave background

on his history in Lafayette. Morrell discussed various properties on Public Road, the raising of Public Road as storm sewer, water, sewer, and utilities were installed. Morrell discuss his commercial leases for his four properties and tenant responsibilities. Morrell discussed the condition of his property. Morrell stated he wants to sell the properties in one contract, to one purchaser, and that purchaser being the Authority. Morrell stated he and his family would like to see a mixed-use project be built on the site. Lastly, Morrell stated 11 points to recap his presentation, including that: he wants the properties to develop as a mixed-use project; the tenants were told he was going to develop the properties; he chose for LURA to be involved; the planning process will include an ability for the public to comment; and he wanted to public to know of the good things LURA has done.

Muller opened the discussion to the public.

Karen Norback, 800 E. Geneseo Street, gave background on the attention LURA is getting based on this discussion. Norback stated why the community cares about this block and the vision of Public Road. Norback discussed the upcoming Comprehensive Plan update. Norback gave other ideas that could happen at the site versus demolition and redevelopment.

Linda Rook, 660 Barberry Avenue, stated that she wanted LURA to reflect on the Vision Statement and Vision Book and sees this block as challenging being between the 'old' Public Road and 'new' Public Road -- it's a transitional block. She did not want to see brick buildings and wants diversity in commerce.

Seth White, 311 E. Chester Street, discussed other developments LURA has been involved with. White discussed the amount of time LURA discussed items on their agenda. White discussed what he knows about the 700 block of Public Road and LURA's involvement. White hopes LURA comes up with creative and innovative ideas to any project on the site.

Balkarn Shahi, 1701 Ostia Circle, discussed the history of Deluxe Liquor. Shahi discussed how Deluxe Liquor gives back to the community. Shahi stated the owners have obtained necessary funding to purchase the property.

Bonnie Freeman, 405 E. Emma Street, discussed some neighborhood concerns she has heard. Freeman also stated she didn't think the 700 block needs to be residential but instead more commercial.

Vicki Uhland, 300 E. Simpson Street, appreciated LURA's efforts to open this discussion to the public. Uhland discussed the Historic Preservation Board and properties in Old Town. She stated the houses in the 700 block can be moved and rehabilitated. Uhland discussed a variety of other topics related to the 700 block.

David Heinrich, 618 Jackson Street, stated he appreciated LURA being open to this discussion. Heinrich pointed out a few things LURA may want to think about if they are to pursue a Request for Proposals on the 700 block.

Antonia Green, 312 E. Chester Street, gave written comments which Bonnie Freeman spoke. Antonia said she does not think the 700 block is blighted and does not like how LURA has made decisions in private.

Cindy Lurie, 559 Jackson Street, stated the things she would like to see happen at the 700 block. She stated what she has heard in other venues regarding the 700 block. She stated there have been interesting ideas posed on what could happen in the 700-block including a business incubator.

Public comment concluded and Caruso recapped the options staff can see regarding the contract on the properties in the 700 block, and stated staff needs direction from the Authority. Williamson gave additional feedback on the options. Authority members asked a variety of questions related to their options and debated each one.

The Authority had more interest in the RFP idea. Caruso gave information on how this could be structured, and that it's possible an RFP could be presented at the next LURA meeting.

Caruso solicited feedback through a wordle exercise, which would help write the RFP. The Authority decided to have each of the members give a word that would envision what could happen on the property and help staff write the RFP. The members came up with the following words: funky, mixed-use, historical context, business incubator, flex-space, right-sized, fits in the character of Public Road, unique, good commercial signage, open public space, live/work, attainable (residential and commercial), bold, tenant incorporation, artistic.

Staff stated they have enough to go on to write an RFP. Staff stated they anticipate bringing an RFP to the Authority at their next meeting.

Muller asked for staff to write a memorandum to the Historic Preservation Board on what has transpired at this LURA meeting.

New Business/Commissioners Reports

Williams asked for information on what is happening at Miller's Grille or the gas stations on Baseline. Caruso gave an update on each project and stated the public should see more soon.

Members also asked for an update on the condition of 701 S. Public Rd. Caruso stated the trees have been cut down and staff is looking for bids to remove the fencing.

Arrington gave a brief update on the Comprehensive Plan Update.

Cutler gave a brief update on the Comprehensive Plan Update and a few upcoming meetings.

Caruso gave five (5) updates to the Authority: 1) HPB Update; 2) discussion of the upcoming HPB/LURA workshop; 3) discussion of the mill and overlay of Public Road; 4) discussion of creative crosswalks; 5) and that Old Town may be getting a bookstore/café.

Adjourn

Muller adjourned the meeting.

LAFAYETTE URBAN RENEWAL AUTHORITY, COLORADO

ATTEST:

Kevin Muller, Chair

Roger Caruso, Executive Director/Secretary

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STAFF REPORT

To: Lafayette Urban Renewal Authority
From: Roger Caruso, LURA Executive Director
Date: September 6, 2019
RE: RFP for 701, 705, 707, 709, 711, and a portion of 801 S. Public Road

Recommendation: Direction Needed for the RFP for 701, 705, 707, 709, 711, and a portion of 801 S. Public Road

*** The RFP submitted with this staff report is in draft form. Staff will be working to correct grammar, punctuation, numbering/lettering, and adding the exhibits before Tuesday's meeting.***

Since 2009, Gerry Morrell and the Morrell Family Trust, owners of 705, 707, 709, and 711 S. Public Road ("Morrell Properties"), have expressed their interest to the City and the Lafayette Urban Renewal Authority ("LURA") to develop the properties. In 2018, Mr. Morrell shared his desire with LURA to put the properties on the market instead of developing them themselves, but still wanted to ensure the property be developed as a mixed-use project. LURA began conversations to explore the possibility of entering into an options contract with Mr. Morrell for these properties.

After LURA purchased the adjacent lot located at 701 S. Public Road, LURA then finalized negotiations with Mr. Morrell on an options contract for his properties in an effort to aggregate all of the adjoining properties while the opportunity was available. LURA subsequently executed a contract to purchase 20' of Public Road frontage from 801 S. Public Road. (see earlier agenda item on LURA's September 20, 2019 meeting). The total area is approximately 350' wide by 128.75' deep for a total approximate acreage of 1.03 acres.

At LURA's August 13, 2019 meeting, direction was given to staff to write a Request for Proposal ("RFP") for LURA's review at their next meeting (please see attached RFP). This RFP was drafted using other jurisdictions/urban renewal authority's published RFP's. These generally call for background information on the City, information on the parcel potentially being developed, and then specific submittals requirements. There are a number of attachments for a potential responder of the RFP to gain additional information for their submittal.

Staff is looking for direction from the Authority. Depending on the comments from LURA, staff may be able to turn the RFP into a final document and publish, may recommend a special meeting for final review, or may wait until LURA's October 8, 2019 meeting to finalize.

It should be noted, there are no requirements for public notification to neighbors regarding the RFP. However, staff did send out over 500 letters to adjoining property owners within 750' of the area. Staff received some comments back (see attached). Additionally, staff received one (1) phone call from an adjacent neighbor desiring a space for children to engage and play at. Staff, at the direction of LURA, also sent a letter to individual members of the Historic Preservation Board seeking their feedback. Staff received one (1) letter from a member of HPB encouraging others to not respond to the request, until historic surveys were completed on the property.

In regards to historic surveys, those were completed for 701, 705, 707, and 711 (combined with 709) in 2011 with the 2011 Public Road Survey. The 2011 Public Road Survey stated that a determination on the eligibility of national, state, or local landmarking for 701 could not be ascertained because additional information was needed. Additionally, the survey stated that 705 was eligible for national landmarking as "a good example of a Hipped-Roof

Box building type constructed at the turn of the twentieth century in Lafayette.” The survey further stated that 707 and 711 (combined with 709) were not eligible for landmarking.

As part of negotiations with the 701, 705, 707, 709, and 711 properties, LURA commissioned updated surveys. Those surveys stated that 701 was further inspected and is not eligible for local landmark status. Additionally, the survey stated the 705 was not-eligible for national or local landmark status. The survey states “While the type of building exhibits characteristics identified as the hipped-roof, wood-frame construction, and single story on a square footprint, this is a very common construction type in Lafayette, and does not qualify for landmark designation simply due to the architectural style.” The 707, 709, and 711 properties remained not-eligible.

LURA values Lafayette’s history and heritage, as such, a paragraph titled Historical Considerations is written into the RFP. This includes potentially saving some or all of the buildings in their existing places, potentially saving some or all of their buildings but rearranged better on the site, or at a minimum, offering 705 S. Public Road to members of the public to move to another site, with a generous grant (to be determined) for this relocation.

Attachments:

Comments from Nearby Neighbors

Request for Proposal for 701, 705, 707, 709, 711 and a portion of 801 S. Public Road

From: [Roger Caruso](#)
To: [LURA](#)
Subject: FW: 700 Block of S. Public Road
Date: Thursday, September 5, 2019 2:11:24 PM
Attachments: [Outlook-pzsjvpm.png](#)

FYI

Roger Caruso
Assistant City Administrator /
Economic Development Director /
LURA Executive Director
[City of Lafayette](#) | Administration
Work: (303) 661-1262
Cell: (303) 435-0374



[Municode](#)

From: Helene Snyder <helene@onpointdistillery.com>
Sent: Wednesday, September 4, 2019 5:49 PM
To: Roger Caruso <rogerc@cityoflafayette.com>
Subject: 700 Block of S. Public Road

Hello Roger,

We just received your letter dated August 16th, postmarked Aug 27th. It must have traveled from City Hall half way around the US.

Thank you for asking our feedback. As a local business, we would like to see spaces for other small business to encourage more foot traffic toward the south end of Public Road and revenue for the City, which would allow for more redevelopment. If that space becomes completely residential (condos or apartments), we feel traffic (customers) towards 802 will not increase. The area could be a two story mixed use space with small businesses on the bottom floor and offices on the top or business and residential. Eventually, we'd like to see S. Public Road become similar to Pearl Street in Boulder, with an expanded variety of businesses that make consumers want to part with the contents of their wallets.

All the best
Hélène & Scott Snyder
On Point Distillery
802 S. Public Road
Lafayette, CO 80026



From: [Roger Caruso](#)
To: [LURA](#)
Subject: FW: feedback about development on Public Road near Kimbark
Date: Wednesday, September 4, 2019 5:07:40 PM

Roger Caruso
Assistant City Administrator /
Economic Development Director /
LURA Executive Director
[City of Lafayette](#) | Administration
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[Municode](#)

From: Betsy Ellis <ellisbetsy@gmail.com>
Sent: Friday, August 30, 2019 12:09 PM
To: Roger Caruso <rogerc@cityoflafayette.com>
Subject: feedback about development on Public Road near Kimbark

Roger

I was glad to receive the letter as I have long been concerned about the blighted property which is a part of the parcel you are considering.

As you know, the 4 way stop near there is creating a lot of traffic congestion so my input is different than it would have been before the stop sign.

While I believe Lafayette needs to be committed to affordable housing, I do not want densely packed housing there. That would create more congestion, and certainly there are more ideal spots for affordable housing in the city.

Thoughts I have are:

What about bringing all the sculpture from Public Road and creating a sculpture park? This would not need parking spaces. It could create a more peaceful and welcoming atmosphere to the city. There could be benches and maybe some swings for kids there. While the band shell is close by, I think the city could use more places for individuals and families to have a place to relax and play.

Another idea is having a couple of small businesses that have 3-4 parking spots behind them. Some businesses that do not require a lot of parking such as hair salon, small store, business office, chiropractic office.

Possibly a sculpture park and one small business would also work.

I am hoping that the city is not looking at this property as a way to raise a lot of tax revenue as this would only add to the congestion and begin to discourage people from seeing Lafayette as a vibrant town that attracts many different age groups and ethnicities.

Thank you
Betsy Ellis

From: [Roger Caruso](#)
To: [LURA](#)
Subject: FW: 700 Block of Public Road
Date: Wednesday, September 4, 2019 5:04:59 PM

FYI

Roger Caruso
Assistant City Administrator /
Economic Development Director /
LURA Executive Director
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[Municode](#)

From: Bob Magin <bobmagin@gmail.com>
Sent: Sunday, September 1, 2019 10:23 PM
To: Roger Caruso <rogerc@cityoflafayette.com>
Subject: 700 Block of Public Road

Dear Roger and LURA Members,

Thank you for your recent letter of August 16 to the property owners in the 700 Block. I reside at 716 S Longmont, two blocks West of the site.

I am interested in what is being planned for the Public Road parcel.

I support many of the LURA vision suggestions noted in your letter:

1. mixed-use: a 3-story structure with ground floor commercial and upper floors residential.
2. live-work: this would be consistent with the mixed-use concept, where a tenant gets work space and living quarters-- 'a two-for-one'!
3. business incubator: space with subsidized rent for start-up entrepreneurs.
4. attainable residential and commercial: I'm reading this as 'affordable' where $x\%$ of both the living and work space is designated 'permanently affordable'.

The other vision suggestions in your letter I see as mainly architectural/cosmetic/appearance issues, which I like; however my top 4 priorities are listed above.

Since I have a conflict with the September 10 meeting date, I'd like to elaborate on my rationale so LURA members understand why I recommend these 4 as priorities.

#1. mixed use: the 700 block of Public Road has been commercial space ever since we moved to Lafayette in 1983. At that time, Public Road was also Hwy 287, with 18 wheeler truck traffic at all hours of the day and night as well. Even 2 blocks in, we could hear it. But the main thoroughfare was also home to a range of services and businesses serving the

neighborhood. When 287 was re-routed west, businesses started to relocate. In my mind, that was the beginning of the loss of our Public Road business district. We lost a gas-convenience store that went to 287 & Baseline, and a drug store, that went to the Albertson's pharmacy on S. Boulder Road, and then on to our King Soopers and to the relocated Walmart (both on 287) to name a few I recall. I would like to see businesses come back to this block. Many rooftops in the 700 block are within walking distance to this parcel. I believe that the neighborhood will support the right mix.

There was also residential on both sides of Public's 700 Block: only #701 on the West side, but many low-rent mobile homes on the East side. Since the East side still has the same mobile home community, I would want to explore ways of getting 'attainable'/affordable housing on the West side as well, maybe one or two floors worth above the ground-level commercial. That's consistent with the historical use of this parcel. Market rate rents and sales are pricing lower-income wage earners and fixed-income seniors out of Lafayette. It is consistent with Lafayette's stated goal of being a diversified, inclusive, livable community to provide dwellings for people whose income is below the average median income levels. I see this block as a place where we can do that.

#2. live-work: This is a continuation of the thread starting in my #1. In many parts of the US, neighborhood businesses were attached to the business owner's residence. Storefronts were accessed directly from the owner's residence. And in the cities, dwellings were above their stores. This might work in the 700 Block if the business owners wanted to be that close. I don't know how many store owners today would want to live so close to their workplace. Perhaps a survey is needed here to see if there is a demand for live-work opportunities as I describe. My point is that I have seen this live-work opportunity working in the small towns I have lived in over the years (upstate New York, Vermont). What attracted us to move to Lafayette was its small-town feel. Live-work opportunities would continue that feel I'm thinking.

#3. Business incubator: This vision flows from my discussion of live-work. What if the entire parcel, or at least the major part of the commercial space, were set up as incubator space. We are saying that we want small businesses continuing to operate here. So we need a mix of new business to replace the ones that are leaving. Incubators serve to grow new businesses, who may remain in place or ideally, move out to their own space once they get established. One example I know that currently is serving as an incubator, (although that never was the intention of the owner) is the gas-convenience store in Centaur Village Plaza. When we came to Lafayette in '83, it was a Loaf n Jug. Inside the convenience store was also a commercial kitchen, that served fast-food meals. It went dark in the mid 1990's until 1999, when a family revived it. They sold gas, convenience store items, and had their own version of a fast-food menu. They eventually sold this business to a family who, like them, tried to maintain the same operation. But this family found that the kitchen was more that they could handle. They advertised their commercial kitchen for lease and leased it to a family that started Taqueria Esperanza: a win-win scenario! Taqueria's business eventually outgrew the location, and they moved to the shopping center across the street where they still are today. The family re-advertized, and re-leased the kitchen to a food cart service. The food cart service relocated to Longmont, and was replaced by Aya-Ya Tacos. Aya-Ya outgrew the space, and two years ago moved to their own space in the same center. There is currently another user in the c-store's kitchen.

So in the past 20 years, this one convenience store's kitchen has hatched 3 new businesses, two of which are still serving in Lafayette! That's what a business incubator can do for Lafayette!

#4. Attainable residential and commercial: At current market rates, the existing and potential newcomer workforce cannot survive. And few start-ups can generate the kind of gross income needed coming out of the chute. Here's where I'm thinking government can partner with new and existing business owners by subsidizing the rents for their business space, as well as their living space. This is what I would like to see considered for the 700 Block of Public Road. Lafayette partnered with Boulder County Housing 10 years ago to erect Aspenwall and Josephine Commons. And another 24 acre project is in sketch-plan stage for Willoughby Corner, again with Lafayette and Boulder County Housing. Is there a way Lafayette can partner with SBA, or Colorado Office of Economic Development, as well as with private investors, to create attainable/affordable residential and commercial space?

Other cities on the Front Range have programs in place, similar to the ones we envision. I'm encouraging LURA members to research them, and develop an RFP that include the 4 vision points I have suggested: For the 700 Block of Public Road, prioritize Mixed Use, Live-Work space, that serve as Business Incubators, and are Attainable to the Workforce population for both Housing, and Existing and Start-up Businesses.

I'm sending under separate cover some examples of what is happening in several Front Range communities to support their small businesses. If they can do it, I'm thinking we can too, maybe even better!

Thanks for considering my suggestions. I'm looking forward to the Open House meetings to discuss the responses.

Bob Magin
716 S Longmont Avenue
Lafayette, CO. 80026

From: [Roger Caruso](#)
To: [LURA](#)
Subject: FW: 700 Block of Public Road
Date: Wednesday, September 4, 2019 5:04:17 PM

FYI

Roger Caruso
Assistant City Administrator /
Economic Development Director /
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[Municode](#)

From: Roberta Paradine <hrpparadine@hotmail.com>
Sent: Monday, September 2, 2019 6:31 PM
To: Roger Caruso <rogerc@cityoflafayette.com>
Subject: 700 Block of Public Road

Roberta Paradine Holsclaw
714 Bunting Drive
Lafayette, CO 80026-2108
September 2, 2019

Mr. Roger Caruso
LURA Executive Director
1290 S. Public Road
Lafayette, CO 80026

Re: Your letter of August 16, 2019, regarding “700 Block of Public Road”

Sir:

Thank you for (finally) allowing the public most affected (within 750’) to comment on LURA’s plans for Old Town.

I had heard about this on Nextdoor from an intrepid resident who keeps us all informed ongoings-on at the City, including LURA.

What shocked me most about this letter was that it’s dated August 16, meter postmarked August 23 – a whole week later – and postmarked Denver August 27. That gave us less than a week to read and digest the information contained therein.

It makes me wonder how well the public was informed about the purchase of the

property at the southwest corner of Kimbark and South Public Road in March - I don't remember hearing anything about that. Nor about the option to purchase the four properties to the south "around the same time..."

Then, there's the matter of the descriptors to be contained in the RFP, including "funky," "flex-space," "attainable," "bold," and "artistic".

I have worked in Contracts for six different Federal agencies, including the Navy (2), NASA, IRS, and two other civilian agencies. I was part of an RFP-writing team for one acquisition; that RFP is still held up as the best ever written for purchasing some very technical equipment and services for that particular Navy command. These words would never be included as descriptors in an RFP because they are too vague and subject to the readers' interpretations.

"Historic Context" is good; however, who determines what period of history? The four businesses to the south of the property at Kimbark fit the "Historic Context" descriptor. The newer buildings to the south of South Public Road certainly do not!

At least one of those four businesses has now been closed with subsequent loss of business and jobs from within our community to other communities, and that closing has caused inconveniences to the (former) clients.

Any "improvements" should be considered from both sides, not just the side of "how can we replace this," rather, " what is best for this site, this area."

I feel certain that future "improvements" have been considered on the basis of how much tax revenue can be generated by that change. That also produces empty buildings with "for lease" signs on their windows, much like the huge green and white monstrosity on South Public Road, south of South Boulder Road.

This has been a long and, hopefully, somewhat detailed letter. I hope you have read all of it and digested some of the information contained herein as worthwhile to consider as you go forward in this process. I hope if I meet you, you might be able to recall some of the points I have tried to make.

LURA is not the customer; the people of Lafayette, whom LURA represents, are the customers here.

Sincerely,

**Roberta Paradine Holsclaw
Trustee, The Paradine Family Trust**

From: [Roger Caruso](#)
To: [LURA](#)
Subject: FW: Public Road 700 block rehab
Date: Wednesday, September 4, 2019 4:59:20 PM

FYI

Roger Caruso
Assistant City Administrator /
Economic Development Director /
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[Municode](#)

From: Dave Jacobs <djacobs@educause.edu>
Sent: Tuesday, September 3, 2019 10:14 AM
To: Roger Caruso <rogerc@cityoflafayette.com>
Subject: Public Road 700 block rehab

Roger,

This is Dave Jacobs, a Roosevelt Avenue resident a block west of Public Road's 700 strip targeted for rehabilitation. I received your letter about LURA's involvement with those properties. Thanks for inviting resident feedback.

I can more easily express what we don't want than what we do, perhaps—no more noise. We're exposed to the thumping of the mega-stereo system of Flatirons "Church" whenever there's activity there, Romero's live entertainment, and new in the last couple years: pop-up amplified music hosted by nearby businesses or food carts. Just last summer I collaborated with Dan Bylina, Lafayette's neighborhood services specialist (Dan was terrific help, by the way), to stop backyard rental of the hair salon's property as a party venue, complete with loud, live bands.

In short, we have to listen to music we neither want nor have chosen to hear. So whatever develops in the 700 block, we insist that it prohibit anything that will disturb the already compromised peace and quiet of our neighborhood—entertainment, manufacturing, etc. noise.

Also, a comment about the letter itself. It's dated August 16. I received it August 29—on the eve of what for many folks is a four-day holiday weekend away—and comments were requested by today, September 3. That's very little time for residents, especially those away for holiday, to respond, so I hope the rest of this process will be managed with greater consideration for stakeholders than the letter's distribution was.

Best regards,

Dave

303-939-0320 (day)

303-665-9323 (eve)

From: [Roger Caruso](#)
To: [LURA](#)
Subject: FW: Letter to HPB re: S. 700 Block
Date: Thursday, September 5, 2019 1:34:04 PM

FYI

Roger Caruso
Assistant City Administrator /
Economic Development Director /
LURA Executive Director
[City of Lafayette](#) | Administration
Work: (303) 661-1262
Cell: (303) 435-0374



[Municode](#)

From: Doug <doug@conarro.com>
Sent: Thursday, September 5, 2019 1:29 PM
To: Greg Thompson <greg.thompson@cityoflafayette.com>; Roger Caruso <rogerc@cityoflafayette.com>; Fritz Sprague <Fritz.Sprague@cityoflafayette.com>; Carolyn Cutler <carolyn.cutler@cityoflafayette.com>
Subject: Re: Letter to HPB re: S. 700 Block

Greg: Please forward this to the Historic Preservation Board on my behalf. Please confirm with me that this was sent to everyone, otherwise I will send individually:

Fellow HPB members:

In a highly unusual request, LURA Exec. Director Roger Caruso is asking HPB members to provide input into the redevelopment of 701 S. Public (and the 700 block of South Public) BEFORE we and the citizens of the city have an opportunity to ascertain the historic significance of the house at 701 S. Public Road.

As you know, I have been asking LURA to resurvey that property for a year, both during HPB meetings and at the joint LURA/HPB meeting. The initial survey said that it should be resurveyed once someone could get inside and further examine the building. If the building was built before 1910-1915, and built with ceramic bricks, it was probably one of the first buildings of its kind in Boulder County.

And the preservationist who did the resurvey of 701 said it was completed 2 months ago, so not quite sure the reason for the delay.

Until I can see a final survey that describes how the building is built — construction method, materials, quality — I am not commenting in any capacity, and would encourage you follow my lead. I would also discourage you from attending the Sept. 10 meeting.

It is completely disingenuous and discourteous to say that preservation is a priority, then proceed with preliminary processes to scrape the building BEFORE WE KNOW FOR SURE IT ISN'T A SIGNIFICANT STRUCTURE.

— Doug Conarroe

On Sep 5, 2019, at 12:13 PM, Greg Thompson
<greg.thompson@cityoflafayette.com> wrote:

From: Roger Caruso <rogerc@cityoflafayette.com>
Sent: Thursday, September 5, 2019 11:02 AM
To: Greg Thompson <greg.thompson@cityoflafayette.com>
Subject: Letter to HPB re: S. 700 Block

Greg,

Can you forward to HPB? This is a letter re: S. 700 Block of Public Road. If members of HPB want to contact me to discuss, please encourage them to do so.

Thanks

Roger Caruso
Assistant City Administrator /
Economic Development Director /
LURA Executive Director
[City of Lafayette](#) | Administration
Work: (303) 661-1262
Cell: (303) 435-0374

<image003.jpg>

[Municode](#)

<LURA HPB Letter.pdf>



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

S. 700 BLOCK OF PUBLIC ROAD
Retail, Office, and Residential Opportunity

REQUEST FOR PROPOSALS

September 4, 2019

DRAFT

Urban Renewal Plan
Lafayette Old Town Revitalization Area
Modified May 22, 2013

Introduction

The Lafayette Urban Renewal (the "Authority") is seeking qualified developers who possess the ability, desire, and financial resources to develop an approximate 1.03-acre site within the Lafayette Old Town Revitalization Area (the "Area").

City of Lafayette and Old Town Revitalization Area

The City of Lafayette is located northwest of metropolitan Denver and east of the City of Boulder. This beautiful, thriving communicating of about 30,000 citizens enjoy a safe and dynamic environment strategically positioned for business, living, and recreation. The Old Town area boasts the tagline '*creative, diverse, and eclectic*'. To the maximum extent possible, your response to the Request for Proposal (the "RFP") should evidence '*creative, diverse, and eclectic*' as its theme.

The Plan

The Urban Renewal Plan (the "Plan") for Lafayette's Old Town Revitalization Area has been prepared and adopted pursuant to the provisions of the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, C.R.S., as amended (the "Urban Renewal Law"). The administration of the Plan, including the preparation and execution of any documents implementing it, is the responsibility of the Authority.

It is the intent of the Plan that the objectives will be achieved primarily through cooperation between the public and the private sector, and utilizing the incentives and tools available from all sources, including the Authority.

Plan Objectives.

The purpose of the Urban Renewal Plan is to eliminate and prevent conditions of blight in the plan area, which constitute economic and social liabilities to the community, in a manner consistent with the goals of the Lafayette Comprehensive Plan relating to the Old Town. Revitalization and redevelopment may be accomplished through the improvement of existing structures, attraction of new commercial and mixed use development, and the prevention of deterioration of properties within the area. The effort involves the participation of the Authority and the City of Lafayette, with the cooperation of the private sector.

Plan Area

Lafayette's Old Town Revitalization Area includes: (1) Old Town, generally the south side of Baseline Rd., from Affinity at Lafayette Senior Apartments east to Harrison St.; Public Road from Baseline Road to Spaulding St.; and E. Simpson St. from Public Road to Michigan Ave.

Historical Background

Lafayette had its origins in farming and coal mining in the 1870's, and the townsite was platted in 1888 in the area now known as "Old Town." It was a thriving community, and early requirements for building permits and minimum costs of construction led to a town of substantial buildings. In 1914, the Town boasted two banks, four hotels, three restaurants, three general merchandise stores, one bakery and confectionery, and many other retail services. It had churches, a fire station, and a town hall, and was served by two railroads.

Lafayette has seen significant residential and commercial growth in the last twenty years. In recent studies and reports that address quality of life in Lafayette, residents have indicated an interest in revitalizing the downtown area.

In 1998, a *Strategic Business Development Plan* was drafted for the City of Lafayette by the University of Colorado Business Research Division. A key theme, reiterated by local business leaders, regional economic development professionals, residents, and the authors of the study, was the need to revitalize downtown.

During the late 1990's, downtown Lafayette had an active Old Town Merchants Association, and had participated for sixteen years in the Lafayette/Louisville Downtown Revitalization Program, a revolving loan fund for small business. Considerable redevelopment had occurred already, but much work remained to be done.

The City Council then identified downtown revitalization as a high priority, and in 1999, the City of Lafayette undertook a \$3 million public improvement project to provide fiber optic lines connecting Old Town with the South Boulder Road Revitalization Area, improve storm sewer facilities, drainage, street lighting, and the streetscape on Public Road. This major investment was expected to serve as a catalyst to private investment in the Lafayette Old Town Area. In addition, on April 20, 1999, the City Council approved a resolution establishing the Lafayette Urban Renewal Authority. The Authority was created in response to a citizens' petition for the formation of an urban renewal authority, and, following a public hearing on the matter, findings of factors of blight in the Old Town Area. The Authority works in partnership with property owners to improve existing structures, bring new commercial and mixed use development to raw land within the blighted area, and prevent deterioration of properties within the area.

On September 20, 2011 the Council (sitting as the Authority), adopted “Downtown: The Vision” (see attached as an exhibit) to guide future development within the area. In 2012, Council transitioned the Authority from Council-member based to a volunteer board made up of seven (7) citizens or non-citizens with an interest in revitalizing Old Town.

Since 2012, the Authority has worked on incentivizing, or improving façade or patio areas for: Tangerine, Ras Kassas, Black Diamond Restaurant and Tap House, The Collective, Stam Chocolatier, East Simpson Coffee, Mon Cheri, Santiago’s, 12 Point Distillers, Due South, Delicious Z’s, Little Herbal Apothecary, Just Dandy, and a plethora of other businesses, amongst other projects.

A Conditions Survey for Old Town was undertaken in March and April of 1999, with the following results:

“It is the conclusion of Conditions Survey that the Survey Area does meet the criteria established in Section 31-25-103(2) C.R.S., and in House Bill 99-1326 and is a *blighted area*. While there are some properties in the Survey Area that are in sound condition, and exhibit none of the statutory factors of blight, there is a substantial degree of deterioration and substandard conditions that contribute to a finding that this area is blighted. It should be noted that this conclusion is made for the Survey Area as a whole, and is not based on separate, individual properties.

Existence of the combination of factors in this blighted area *"substantially impairs or arrests the sound growth of the municipality, retards the provision of housing accommodations or constitutes an economic or social liability..."* (31-25-103(2) C.R.S.)

Owner Participation

The Urban Renewal Authority is authorized to enter into ownership participation agreements with property owners or developers in the Urban Renewal Area for the development, redevelopment or rehabilitation of their property. These agreements would provide for participation and assistance that the Authority may choose to provide to such owners or developers.

Land Use and Building Requirements

The Lafayette Urban Renewal Area is the heart of the City of Lafayette. The Plan provides a comprehensive and unified plan to promote and encourage high quality development as a means to eliminate and prevent conditions of blight. In addition to the land use and building requirements contained in City codes and regulations, and in the provisions of the Plan, the Authority had adopted Design Guidelines and Standards that will apply to the property included in the Urban Renewal Area (see attached as an exhibit). The Plan and Design

Guidelines and Standards implement the provisions of Sec. 31-25-107(8) of the Act, which provides that, upon approval of the Plan by the City Council, the provisions of the Plan shall be controlling with respect to land area, land use, design, building requirements, timing or procedure applicable to the property covered by the Plan.

In the absence of Plan requirements governing site-specific projects, standard City codes and regulations will apply. In the event of a conflict involving the provisions of the City codes and regulations, the Plan, and Design Guidelines and Standards, the most restrictive provision shall govern.

(See Next Page for Request for Proposal for S. 700 Block of Public Road)

DRAFT

Request for Proposal
S. 700 Block of Public Road
September 4, 2019

S. 700 Block of Public Road

The Authority has secured fee simple title to 701 S. Public Road; holds a two-year option contract to acquire fee title to 705, 707, 709, and 711 S. Public Road; and is under contract to acquire an additional 20' feet of the northern portion of 801 S. Public Road. The area is approximately 350' long (along Public Road) x 128.75' wide (along Spaulding Street) or approximately 1.03 acres.

The property at 701 S. Public Road was acquired by the Authority for \$238,000. The option contract for the properties at 705, 707, 709, and 711 S. Public Road provides for acquisition for \$1,200,000. The additional 20' feet of 801 S. Public Road is anticipated to be acquired by the Authority for \$44,372.38 plus ancillary costs to move fencing, irrigation, and restore the area. Total costs for property acquisition are anticipated to be \$1,482,372.38 with a small contingency for ancillary costs.

The area is zoned B-1/LURA - Community Service Business District (see attached as an exhibit).

To the north is retail, to the east is retail and a mature mobile home park, and to the south is retail. A quarter-mile to the south is the City Center project, a 207-unit apartment/townhome development with over 18,000 square feet of commercial that is currently under construction.

S. 700 Block of Public Road Characteristics

1. ***Acreage*** – Approximately 1.03 acres;
2. ***Owner*** – Combination of fee simple ownership by the Authority, an options contract, and a contract for purchase;
3. ***Zoning*** – B-1/LURA – Community Service Business District. The intent of the B-1/LURA zoning – Community Service Business District, is to provide areas for retail stores and convenience services. The character of these uses requires convenient vehicular access from Major Street. The Plan allows mixed-use residential/commercial if approved through a Special Use Review.

Additionally, per Resolution 2012-20, 8.1.1. (see attached as an exhibit):

“When the underlying zoning is non-residential, no greater than 75% of the floor area within the complex shall be residential uses. Notwithstanding the foregoing, the City Council may, after review and recommendation of the Planning Commission, allow up to 95% of the floor area within a mixed use building complex to be used for residential uses upon finding that the proposed PUD is unique and/or necessary for the economic development of the city, that the market is unlikely to support 25% or more of the floor area being non-residential, and that one or more of the following criteria has been met:

- A. That 50% of the nonresidential floor area of the proposed mixed use building complex shall be legally restricted by the owner to uses that will generate sales tax revenues for the city;
 - B. That the proposed mixed use building complex is a redevelopment project that will result in the abandonment of a legal nonconforming use;
 - C. That 50% of the residential floor area within the proposed mixed use building complex shall be legally restricted by the owner to be affordable;
 - D. The proposed mixed use building complex is a redevelopment of a property which has caused significant problems for adjacent neighborhood(s), such as, but not limited to, graffiti, vagrancy, noise, or other similar deleterious impacts to the quiet enjoyment of neighboring properties; or
 - E. That the proposed mixed use building complex provides some parking spaces available for the Urban Renewal Authority.
4. ***Parking*** – Parking requirements can be found in Lafayette’s Municipal Code, Section 26-20-2.
 5. ***Preferred Use of the Site*** – Mix of restaurant, retail, and or office, and residential uses, which complement existing Old Town businesses;

At the Authority’s August 13, 2019 meeting, members gave direction on staff of what they would like to see in a future project. That direction included:

Funky
Mixed-Use
Historical Context
Business Incubator
Flex-Space
Rights-Sized

Fits the Character of Public Road
Unique
Good Commercial Signage
Public Spaces
Live/Work
Attainable (residential and commercial)
Bold
Potential of Incorporating Existing Tenants
Artistic

Most importantly is Old Town's tagline: creative, diverse, and eclectic!

6. ***Dimensional Standards -***

Height Limits - two story preference but may consider a step-back third story (B-1/LURA allows a 35' height maximum);

Building Setback -

East Elevation: Preferred to be built up to sidewalk unless incorporating outdoor patios or public spaces

North Elevation: Preferred to be built up to sidewalk unless incorporating outdoor patios or public spaces

South (side) and West rear) Elevations: 5' side yard unless approved through a PUD modification. 10' rear yard unless approved through a PUD modification.

Density -

Residential Density: 10 dwelling units per acre unless approved through a PUD modification. 50% maximum lot coverage unless approved through a PUD modification.

Commercial Density: 50% maximum lot coverage unless approved through a PUD modification.

7. ***Architectural Standards*** - Please refer to the Old Town Design Guidelines and Standards (see attached);

8. ***Historical Considerations -***

- a) 2011 Public Road Survey - In 2011, a survey was conducted on 701, 705, 707, and 711 (combined with 709) Public Road. The survey stated the landmarking eligibility for 701 S. Public Road was unknown and more information was needed. It stated 705 S. Public Road was eligible for national landmark status due to the Hipped-Roof. It stated 707 and 711 (combined with 709) did not meet national or local landmarking criteria.

- b) 2019 Surveys – In 2019, surveys were recommissioned on 701, 705, 707, 709, and 711 S. Public Road. The survey stated that upon further investigation 701 S. Public Road is not eligible for landmarking status. The survey stated for 705, that the Hipper-Roof was not solely a reason for landmarking, and changed that recommendation from eligible to not-eligible. 707, 709, and 711 remained not-eligible for landmarking.

The Authority values Lafayette's rich history and legacy. A number of buildings have been invested in by the City and Authority to retain their original character and char. As such, the Authority would be looking for a proposer to address these structures either through:

- A) Potentially saving some or all in their existing place;
- B) Potentially saving some or all but relocating them on the property for better function and use;
- C) At a minimum, offering 705 S. Public Road to the public to move to another property. LURA would participate in a generous grant to a party who could reuse 705 S. Public Road.

Objectives of the Request for Proposal

The primary objective of the Request for Proposal (the "RFP") is to identify those developers who appear to have the ability, experience, financing, development credentials, and redevelopment concept, to develop the project site, in a manner that meets the overall objectives of the Urban Renewal Plan. From that group of proposers, one or more may be selected to enter into negotiations, which, if successful, may result in a redevelopment agreement. The selected proposer will, as a part of the negotiation process, will be required to develop more detailed physical and financial plans.

Role of the Authority

The Authority's role in the RFP process is select a qualified developer. General provisions of the RFP, as they relate to the role of the Authority, are listed below for information purposes:

- A) The Authority intends to negotiate with select(ed) Developer(s) and enter into a Redevelopment Agreement for the project;
- B) Although the Authority's funds are limited, the Authority will consider financing a portion of the project costs. The amount of financial assistance that may be provided by the Authority is directly related to the type, size, need and desirability (as determined by the Authority) of the proposed project. The amount of Authority funds requested for a particular project must be justified by the Developer based on the fact that the project would not proceed without a public investment by the Authority;

- C) The Authority will consider acting as a public participant in the public/private joint venture;
- D) The Authority may act on behalf of the selected Developer to encourage the City of Lafayette to support and assist project on a project-by-project basis;
- E) The Authority is committed to working with all Developers interested in submitting responses to this RFP. The Authority will respond to reasonable requests of clarification;

Minimum Submittal Requirements

The Developer proposals may be submitted at any time before the deadline of 5:00 PM (MST) on Monday, December 2, 2019. Responses submitted after that time will not be considered by the Authority. The RFP submittals will be opened at a public session after December 2, 2019.

- A) The Proposal shall be submitted in a manilla envelope that is no smaller than 8.5" x 11", without any identifying information as to the Developer on the exterior of the envelope, with the information requested below;
- B) Two sealed envelopes with the **RFQ Minimum Submittal Requirements** information, labeled as such, as listed below shall be submitted:
 - a. One of the envelopes shall be submitted, with identifying information as to the Developer and Development Team, and placed inside the 8.5" x 11" Manilla envelope;
 - b. The other envelope shall be submitted, with no identifying information as to the Developer and Development Team, and stapled to the outside of the 8.5" x 11" Manilla envelope. Please refer to people as Person A, Person B, Person C... Please refer to companies as Company 1, Company 2, Company 3.
- C) The Authority will unseal and review the RFQ (Request for Qualifications) submittal information without knowing the Developer or Development Team. Those RFQ's submittals that do not meet the minimum requirements will be set aside with no further review.

Those Proposal's that meet the minimum RFQ requirements, will then have the RFP Proposal reviewed. Once the top Developer(s) is/are selected, if any, the Developers name and Development Team envelope will be unsealed and unopened. All submittals meeting the minimum RFQ requirements will have a fair review of their RFP without undue influence as to the identity of the Developer or Development Team.

- D) The RFP Submittal documents (as described below) shall be placed within the manila envelope, marked as such.

Proposals are to be submitted to:

Susan Koster
City Clerk
1290 S. Public Road
Lafayette, CO 80026
Telephone: (303)661-1227

Inquiries are to be directed to:

Roger Caruso
LURA Executive Director
1290 S. Public Road
Lafayette, CO 80026
Telephone: (303)661-1262

RFQ Minimum Submittal Requirements

The Development Team information shall include the following:

(Please remember, one copy of the RFQ Minimum Submittal Requirements shall contain no identifying information such as company names, Development Team member names, consultant names, or pronouns. The second copy will contain all identifying information such as company names, Development Team member names, consultant names, and pronouns). Please refer to people as Person A, Person B, Person C... Please refer to companies as Company 1, Company 2, Company 3...:

- A) The responsibility and titles of each member of the Development Team;
- B) The member(s) of the team who will be making decisions and with whom the Authority shall principally negotiate with. It is desirable to have a single contact point;
- C) Years each member(s) have been in development, construction, or in a residential or commercial leasing capacity;
- D) Qualification of consultants who will be involved in the project (civil engineer, architect, structural engineer, etc.);
- E) Description of the legal relationship between members of the Development Team and the legal entity with whom the Authority will negotiate;
- F) A description of the Development Team's experience and success with similar types of projects, especially those which have been completed by within an Urban Renewal Area or a downtown area;
- G) A description of the financial capability and capital resources of the Development Team in a form and substance reasonably satisfactory to the Authority. This may be evidenced by any sources of information as the Development Team may choose to supply and may include financial statements for the past 5 years, or such lesser period as the Developer has

been in existence. If a new entity is contemplated amongst the Development Team, include the above financial information for each owner of the new entity and a statement of the manner on which the new entity will be capitalized. The authority reserves the right to require additional information.

- H) Submittal of a liquid net worth of the principals of the Development Team or corporation or LLC of at least \$1,000,000;
- I) Letter from a Planning or Administration Department of a jurisdiction in Colorado speaking to the Development Team's past projects and any successes or areas of improvement or difficult in dealing with the Development Team;
- J) Letter from a President or Vice President of a Colorado-based bank speaking to the Developer's credit line, past performance on construction or lending loans, and banking history;

Although it is understood that the nature and size of the project being proposed will affect the complexity of the submittal, the documentation should be at a level of detail which provides an opportunity for an accurate evaluation of the qualifications and of the project concept. In assembling the required documents, reference should be made to the criteria that will be used in the Selection Process, as outlined below.

The Authority will treat response to this RFP as though they were a public record under the Colorado Public Records Act. Accordingly, information submitted to the Authority is subject to disclosure to the public. Confidential and financial information submitted by the Developer that is exempt from disclosure to the public will be retained on a confidential basis with the Authority.

All information which a Developer wishes to remain exempt from disclosure should be submitted separately, bound and clearly marked: "Confidential Commercial and Financial Information – Exempt from Public Disclosure in Accordance with the Colorado Public Records Act". The Authority will make reasonable efforts to consult with a Developer prior to disclosure of information so marked, which in the Authority's view said information is not entitled to exemption from disclosure.

Proposers may be required to make an oral presentation following the submission of the RFP. The date and place of any presentations will be communicated to the proposer. The Authority reserves the right to request additional information at any time if it believes that such information is necessary for a complete evaluation of qualifications.

RFP Submittal

The following preliminary information is necessary for the Authority to understand the proposer's general concept for their proposed project and to evaluate how well the proposed project will meet the goals and objectives of the Urban Renewal Plan. Proposers selected to

negotiate further with the Authority will be required to develop more detailed information in each of the areas. Please include ten (10 Copies of the RFP Proposal in 8.5” x 11” size with two separate sets of any maps 24” x 36” in size, sealed in an envelope and marked “Large Format Prints”.

(The RFP Proposal shall contain no identifying information such as company names, Development Team member names, consultant names, or pronouns)

- A) Pro Forma Statement – Responses shall include a conceptual pro forma statement that provides an outline, to the extent possible, of the anticipated economics and proposed financial approach to the project under consideration, including any public investment;
- B) Concept Plan with Narrative – The Developer shall describe in narrative and schematic plan forms, the basic concept of the proposed project. The narrative should describe the theme of the project, including a description of how the Project Plan conforms to the objectives of the RFP. The concept plan to be submitted should include the following;
- C) Land uses and proposed potential zoning;
- D) Generalized building footprints;
- E) Architectural treatment of the buildings;
- F) Location of Parking;

Schedule of Performance

The Developer must be prepared to implement the project in a logical and timely manner. A preliminary schedule of performance, which includes time periods for design, equity, and debt financing, property acquisition, construction, lease-up/sale and any other critical milestones shall be submitted with the RFP Proposal.

Selection Process

Variations in proposals may dictate that the evaluation procedure for each response may also vary. In general, the Authority, intends to follow the selection procedure outlined below:

- A) Response Submission – The Authority will accept responses at any time up to and including the submittal deadline of 5:00 PM (MST) on Monday, December 2, 2019;
- B) Preliminary Review – Upon receipt of the responses the Authority will schedule the review of the RFQ Submittals and the RFP Proposals. The Authority will open and review only the unsealed RFQ Submittal to determine the qualifications of the Development Team. Upon review of all the RFQ’s Submittals, those that meet the minimum requirements will be reviewed for the submitted RFP Proposal;
- C) Perform preliminary due diligence of the submitted financial information;

- D) Selection of Development Team
 - a) If possible, the board will select the RFP Proposal that most meets their vision. The sealed RFQ with identifying information will be then opened. The selected Developer will be contacted; or
 - b) If the board finds more than one RFP Proposal meets their vision, they will open the sealed RFQ Submittal with identifying information. If the sealed RFQ Submittal has information which leads the Authority to select an RFP Proposal, then the Developer will be contacted; or
 - c) If the board finds more than one RFP Proposal meets their vision, they will open the sealed RFQ Submittal with identifying information. If the sealed RFQ Submittal does not have information which leads the Authority to select an RFP, Proposal then the developer(s) will be contacted to give an oral presentation of their plan which will help the Authority select an RFP Proposal;
- E) Determine if further information is required in connection with the proposal; if necessary, any costs associated with obtaining the additional information will be paid by the Developer. If the response is incomplete, the Authority will make a determination as to whether to consider the response for continued review;
- F) When the preliminary review of the submitted materials has been completed by the Authority, the response (excluding any confidential material as described earlier) and all findings will be presented at a public meeting to the Authority for initial acceptance of the Developer. Following the presentation, the Authority may, based on comments/concerns raised at the presentation meetings, establish milestones to be overcome before the developer may receive further consideration;
- G) The Authority Board, will select that Developer that it wishes to negotiate a Redevelopment Agreement with, at a future regular or special meeting.

Post Submission Changes/Transfers

After submission of a response, the Developer may make substantial change in the project concept, the Development Team, or transfer or assign the response or any interest therein to another Developer, only with the written consent of the Authority. The Authority reserves the right to withhold consent or to impose conditions on such consent at its sole and absolute discretion. As a condition to any consent, the original Developer of the project and the transferee may be required to demonstrate or certify to the Authority that except for reimbursement of out-of-pocket expenses incurred in connection with the submission of the response, no compensation, remuneration, transfer fee, or similar payment has been made in connection with such transfer or assignment.

Redevelopment Agreements

After negotiation, the Authority intends to enter in Redevelopment Agreement with the Developer selected for project. The Redevelopment Agreement may include without limitation, provision respecting the following: description of the project and Authority's rights regarding design approval and access; project construction and schedules of performance; the Authority's and the Developer's financing; continuing financial disclosure relating to the Project; mitigation of traffic and potential interruptions to adjacent properties; signage; commitment to public art; insurance; indemnification of the Authority; anti-discrimination and affirmative action; default and termination; restriction on use; restriction on assignment and transfer; and other customary and appropriate provisions.

The Developers chosen will have exclusive negotiation rights, after notification of selection, for a period of up to 90-days in order to execute a Redevelopment Agreement. During the negotiation period, either the Authority or Developer may, upon written notice, withdraw from negotiations if either party determines that a satisfactory agreement is not likely to be reached. The Executive Director may extend the 90-day period by two (2) additional 90-day periods if progress is being made towards a Redevelopment Agreement.

CRITERIA FOR EVALUATING RESPONSES

The Authority has established the following criteria upon which it will evaluate the responses submitted. It will select the Development Team and responses which best meet these criteria. The Authority's determination of satisfactory compliance with the selection criteria will be conclusive.

- A) Project Concept
 - a) The manner in which the response conforms to the Authority's Objectives and Vision Plan;
 - b) The extent to which the response responds to the Urban Renewal Plan and the redevelopment objectives of such plan;
 - c) Conformance with all applicable building and zoning ordinances (as may be amended) and all other applicable ordinances of the City;
- B) Background and Experience of Development Team
 - a) The proposed Development Team of individuals or firms who will be responsible for the project;
 - b) The success of the Developer's past projects, especially those which are in areas similar to the Old Town Lafayette;
 - c) The overall architectural and design quality of prior projects of the Developer;
 - d) The Developer's experience in working with public entities;
 - e) The Developer's history of the timeliness of completion of prior

- projects;
 - f) The Developer's history of completing projects as originally proposed;
 - g) Status of any litigation regarding the Developer's past projects;
- C) Financial Capability of Developer
- a) The Developer's ability to provide sufficient equity for the proposed project.
 - b) The Developer's ability to secure any necessary debt financing.
 - c) Evidence of the Developer's ability to fund the project until its completion, closing of permanent financing, and project stabilization.

REJECTION OF THE PROPOSAL

Any and all responses may be rejected at any time at the sole and absolute discretion of the Authority and the Authority's decision will be conclusive and final. Automatic rejection will occur if the Authority has not selected the response within one year of the submission date. In addition, the response may be rejected for any of the following reasons:

- A) The response was submitted past the deadline of 5:00 PM (MST) on December 2, 2019;
- B) The response was incomplete or otherwise non-responsive to this request upon submission.
- C) The response does not have the requested experience, background, commitment or financing to perform the project.
- D) The Authority determines that the rejection of the proposal is in the best interest of the Authority.

FUTURE SUBMITTAL REQUIREMENTS

Developers selected to negotiate redevelopment contracts with the Authority will, as part of that process, be required to submit detailed work products that further define their project.

EXHIBITS

1. Location Map
2. Project Area Map
3. Aerial of Site
4. Demographic Information for City of Lafayette
5. List of available documents and studies
 - a) —
 - b) —
 - c) —
 - d) —

DRAFT



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

STAFF REPORT

To: Lafayette Urban Renewal Authority
From: Roger Caruso, LURA Executive Director
Date: September 6, 2019
RE: Resolution No. 2019-02 / Purchase of a Portion of 801 S. Public Road

Recommendation: Approval of Resolution No. 2019-02 / Purchase of a Portion of 801 S. Public Road

Staff has been working with Excello Holdings LTD (“Ecello”) on the purchase of a portion of 801 S. Public Road. As background, the property was recorded as The Industrial City Addition No. 2 subdivision in 1906. The property Excello owns (known as Jack’s Pet Place), is legally described as Lots 1 & 2, Block 4, The Industrial City Addition No. 2 subdivision. This was originally recorded with 50’ wide lots along Public Road and 128.75’ wide lots parallel to Kimbark. In essence, the property was 100’ along Public Road and 128.75’ parallel to Kimbark.

Per the plat, the area between Jack’s Pet Place and the former Coal Creek Barbers, was 60’ street right-of-way for Spaulding to connect through west of Public Road. In 1978, Council entertained a vacation of the Spaulding right-of-way between Jack’s Pet Place and the former Coal Creek Barbers and approved it subject to reserving the right of ingress and egress for utility purposes. By State law, half of the right-of-way (30’) went to 801 S. Public Road and half went to 711 S. Public Road (the other 30’). Though the process of negotiations with Mr. Morrell, staff realized that any development along 701, 705, 709, and 711 Public Road would require the closing of most accesses to Public Road, and installation of one main access. Given there is an existing intersection of Spaulding to the east of Public Road, this new intersection would not be in the best location for safety.

Staff approached the owner of 801 S. Public Road to see their desire to sell the 30’ back to the Authority. If the Authority acquired 30’, that would leave an approximate 7’ setback to the north side of the building. The owner was not comfortable with this and offered 20’ of land. Staff and the engineering division looked to see if acquiring this 20’, along with the 30’ from 711 S. Public Road, could provide an adequate access directly across Spaulding. Staff determined this is works.

Staff and the Owner negotiated the purchase of .059 acres which is 20’ x 128.75’ for \$43,372.38 which is a very fair price compared to similar recent comps in the area. The contract calls for closing no later than November 12, 2019. This means LURA needs to approve the contract at their September or October meeting. Since the 20’ of former right-of-way has been incorporated into 801 S. Public Road’s irrigation, fencing, rockscaping, etc., the contract calls for LURA to move these back at a future date, and calls for a small payment from LURA, to the property owner, for the property owner to maintain this area until LURA moves the improvements back.

FISCAL IMPACT

\$43,372.38

ATTACHMENTS

Resolution No. 2019-02 / Purchase of a Portion of 801 S. Public Rd. & Purchase Agreement

**LAFAYETTE URBAN RENEWAL AUTHORITY
RESOLUTION NO. 2019-02**

**A RESOLUTION OF THE LAFAYETTE URBAN RENEWAL AUTHORITY
AUTHORIZING A CONTRACT FOR, AND THE ACQUISITION OF, REAL PROPERTY ON A
PORTION OF 801 SOUTH PUBLIC ROAD, LAFAYETTE, COLORADO**

WHEREAS, the Lafayette Urban Renewal Authority (the “Authority”) was created by Ordinance No. 99-38, Series 1999, pursuant to the Colorado Urban Renewal Law; and

WHEREAS, the Authority operates to eliminate and prevent the spread of blight within the urban renewal areas of the City of Lafayette; and

WHEREAS, the Authority’s Executive Director has negotiated an agreement to acquire real property on a portion of 801 S. Public Road (the “Property”), for a purchase price of \$43,372.38; and

WHEREAS, acquisition of the Property, which is within the urban renewal area, will promote the reuse and redevelopment of the Property in a manner that will cure conditions of blight and prevent future blight; and

WHEREAS, the Authority wishes to authorize the acquisition of the Property and ratify the agreement negotiated by the Executive Director.

NOW THEREFORE BE IT RESOLVED BY THE LAFAYETTE URBAN RENEWAL AUTHORITY, AS FOLLOWS:

The Lafayette Urban Renewal Authority hereby approves and authorizes an agreement to acquire the property on a portion of 801 S. Public Road for the purchase price of \$43,372.38. The Executive Director and Chair are authorized to sign any and all documents necessary to complete the transaction on behalf of the Authority.

RESOLVED AND PASSED THIS 10th DAY OF SEPTEMBER, 2019.

LAFAYETTE URBAN RENEWAL AUTHORITY

Kevin Muller, Chair

ATTEST:

Roger Caruso, Secretary / Executive Director

AGREEMENT OF PURCHASE AND SALE OF REAL PROPERTY
[A Portion of 801 S. Public Road]

THIS AGREEMENT is made and entered into this 23rd day of August 2019 (the "Effective Date"), by and between **EXCELLO HOLDINGS LTD**, whose address is 3636 Vail View Lane, Mead, Colorado 80542 ("Seller"), and the **LAFAYETTE URBAN RENEWAL AUTHORITY**, a Colorado statutory urban renewal authority, whose mailing address, for purposes of this agreement, is 1290 S. Public Road, Lafayette, Colorado 80026 ("Purchaser").

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Seller and Purchaser agree to be legally bound whereby Seller agrees to convey to Purchaser, and Purchaser agrees to acquire from Seller, the real property as defined below on the terms and conditions set forth in this Agreement.

1. Description of Property to be Conveyed. Seller agrees to sell to Purchaser, and Purchaser agrees to purchase from Seller, that certain real property, described in paragraph 1(A) below, which is located in Boulder County, Colorado, and is collectively referred to as the "Property":

A. Fee Interest. Seller agrees to convey to Purchaser by general warranty deed in substantially the form attached hereto as **Attachment 1** and incorporated herein by this reference, fee title to that certain real property that is legally described in **Exhibit A**, attached hereto and incorporated herein (the "Fee Interest").

2. Purchase Price and Claims. The total purchase price of the Property will be **Forty-Four Thousand Three Hundred Seventy-Two and 38/100 dollars (\$44,372.38)** and will be payable by Purchaser to Seller as follows:

A. The entire amount of the purchase price, in the amount of **Forty-Four Thousand Three Hundred Seventy-Two and 38/100 dollars (\$44,372.38)**, which in addition shall include closing costs and customary prorations, will be payable by Purchaser to Seller in immediately available funds to the Title Company at the time of closing.

B. Upon successful closing of this transaction, Seller expressly releases, discharges and waives all claims of compensation, damages, expenses, losses and injuries resulting from or related to: a) the Purchaser's acquisition of the Property; b) any right of adjustment under C.R.S. § 38-1-114 or otherwise; c) any interest under C.R.S. § 38-1-116 or otherwise; d) costs under C.R.S. § 38-1-121, C.R.S. §13-16-101, et seq., C.R.C.P. 54(d) or otherwise; and e) attorney fees under C.R.S. § 38-1-122, C.R.S. § 13-17-101 et seq. or otherwise.

C. The provisions of paragraph 2(B) shall survive closing and shall not be merged into the deed or other conveyance instruments.

3. Title Insurance.

A. Purchaser will obtain, at its own expense and cost, a Title Insurance Commitment (the "Title Commitment") from Heritage Title Company ("Title Company"). Any easements, liens, and other title matters not shown by the public records of which Seller has no knowledge may be addressed to the satisfaction of Purchaser, as directed by the Title Company, or, at the election of Purchaser, by affidavit, representations and/or warranties from Seller, as provided for herein. Purchaser may update the Title Commitment up to and including the date of closing.

B. Any title condition consisting of monetary liens, deeds of trust or other financial encumbrances against the Property must be paid, removed, subordinated or otherwise eliminated by Seller at or prior to closing to Purchaser's reasonable satisfaction. If Seller refuses to cause the removal of the same, then Purchaser, at its election, has the right to:

(1) accept such title as Seller is able to convey, without any reduction of the purchase price; or

(2) rescind this Agreement and, upon such rescission pursuant to this paragraph, this Agreement will be null and void and of no further effect, and all parties to this Agreement will be released from all obligations hereunder.

4. Seller's Representations. Seller represents and warrants as of the Effective Date and as of the closing, that, to the best of Seller's knowledge, without any duty of inquiry, as follows:

A. there is no litigation proceeding, including but not limited to any eminent domain proceeding, pending (or to Seller's knowledge threatened) against or relating to any part of the Property;

B. the Property has never been used as a landfill, waste dump or mine;

C. there has been no installation in, or production, release, disposal or storage on the Property of any hazardous material, hazardous waste or other toxic or regulated substances by Seller, Seller's agents, employees, or assigns, any tenant or previous owner or previous tenant; and

D. there has not been any other activity that is known to or reasonably could have resulted in an environmental condition requiring investigation or remediation on the Property.

The Seller's foregoing representations and warranties shall survive closing and shall not be merged into the deed or other conveyance instruments.

5. Closing. The parties agree to close within one-hundred and twenty (120) days of approval or ratification of this Agreement by LURA, but no later than **November 12, 2019**. The hour and place of closing shall be as designated by Buyer, or at such other reasonable time, date or location as the parties may mutually agree. The parties acknowledge that it is their intent to close this transaction at the earliest mutually agreeable date upon completion of all inspections, investigations and reviews to which Purchaser is entitled hereunder, and fulfillment of any contingencies for closing.

6. Contingencies. Closing is contingent upon formal ratification or approval of this Agreement by LURA. If LURA does not ratify or approve this agreement by October 8, 2019 then this agreement shall be void and of no effect.

7. Transfer of Title. Subject to tender or payment at closing as required herein and compliance by Purchaser of the other terms and conditions hereof, Seller shall, at closing execute and deliver a good and sufficient general warranty deed to Purchaser, in substantially the form attached hereto as **Attachment 1**.

8. Proration. Seller shall be responsible for real property taxes and assessments on the Property through the date of closing.

9. Possession. Seller will deliver possession of the Property to Purchaser as of the date of closing.

10. Payment of encumbrances. Any encumbrances required to be paid shall be paid at or before closing from the proceeds of this transaction or from any other source.

11. Closing costs. Purchaser shall pay, in good funds, including governmental check, closing costs and all other items required to be paid at closing, except as otherwise provided herein. Purchaser and Seller shall sign and complete all customary and required documents at or closing. Fees for real estate closing services shall be paid at closing by Purchaser.

12. Fence and Underground Irrigation and Sprinkler System Removal.

A. Purchaser shall extract, remove and relocate from the Property the underground irrigation and sprinkler system ("Sprinkler System") to Seller's remainder property, at a location to be determined by Seller. Purchaser shall test and inspect the Sprinkler System within 21 days of its installation to ensure the Sprinkler System is in proper working order. If, after testing and inspection, Purchaser discovers fault with the installation or other defective condition of the Sprinkler System, Purchaser shall repair or replace, at its own cost and expense, any portions of the Sprinkler System which fail or are otherwise defective. Seller shall reasonably cooperate and assist Purchaser in gaining appropriate access to Seller's remainder property and the Sprinkler System for testing and inspection or performing any repair or replacement work. Upon completing the inspection of the Sprinkler System, or performing any required repairs to or replacement of any portions of the Sprinkler System, Seller shall promptly deliver to Purchaser written confirmation of Seller's finding of satisfactory completion.

B. Purchaser shall remove and relocate from the Property the white, three-railed fence ("Fence") and the existing rock border along the southern edge of the existing fence, to the new property line of Seller's remainder property at the time Purchaser begins roadway construction on the Property or upon thirty (30) days' written notice by Purchaser to Seller, whichever occurs first.

C. Extraction, removal and relocation of the Sprinkler System shall occur at the time Purchaser begins roadway construction on the Property or upon thirty (30) days' written notice by Purchaser to Seller, whichever occurs first.

D. All costs, expenses and work for the removal and relocation of the fence, the existing rock border along the southern edge of the existing fences, and the Sprinkler System shall be the sole responsibility of Purchaser.

E. At closing, Purchaser shall execute and deliver a revocable license agreement to Seller, which will allow Seller to access and use the Property for the purpose of operating, maintaining and repairing, at Seller's own cost and expense, the Fence and Sprinkler System until the time of their relocation to Seller's remainder property, as set forth in subsection (C) above. Purchaser shall pay Seventy Five and 00/100 per month to Seller for Seller to maintain the Property until such time the roadway is constructed or the fencing is removed and relocated, whichever occurs first.

The Purchaser's foregoing obligations shall survive closing and shall not be merged into the deed or other conveyance instruments.

13. City of Lafayette Utility Easement on Seller's Remainder Property. Subject to the successful closing of the Property, Purchaser agrees to provide assistance to Seller in submitting and completing an application for an easement vacation request to the City of Lafayette in relation to an existing utility easement, which traverses across a portion of Seller's remainder property.

14. Remedies on Default. If any obligation hereunder is not performed as herein provided, the remedies are:

A. If Purchaser is in default, then Seller may terminate this Agreement and both parties will be released from all obligations under this Agreement. Seller may thereafter recover damages as may be proper, but Seller expressly waives the remedy of specific performance.

B. If Seller is in default, Purchaser may elect to treat this Agreement as terminated, and Purchaser may also recover such damages as may be proper, or alternatively, Purchaser may elect to treat this Agreement as being in full force and effect, and Purchaser will have the right to an action for specific performance or damages, or both.

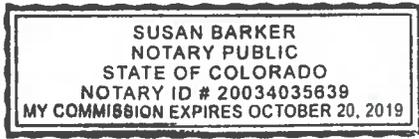
15. Entire Agreement, Modification. This Agreement constitutes the entire contract between the parties relating to the conveyance of the Property, and any prior agreements

Witness my hand and official seal.

My Commission expires: 10/20/2019

Susan Barker

Notary Public



[SIGNATURES CONTINUE ON FOLLOWING PAGES]

PURCHASER:

**LAFAYETTE URBAN RENEWAL AUTHORITY a
Colorado statutory urban renewal authority**

Date: August 27 2019

By: 
Roger Caruso, LURA Executive Director

ATTEST:

City Clerk

(Printed Name)

APPROVED AS TO FORM:

City Attorney

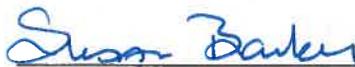
(Printed Name)

STATE OF COLORADO)
) ss
COUNTY OF LARIMER)

The foregoing instrument was acknowledged before me this 27th day of August, 2019, by Roger Caruso as Executive Director of the Lafayette Urban Renewal Authority.

Witness my hand and official seal.

My Commission expires: 10/20/2019


Notary Public

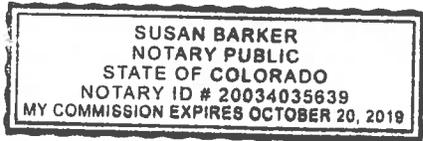


Exhibit A

Page 1 of 2

Parcel Description

The north 20 feet of the south 30 feet of vacated Spaulding Street lying north of Lot 1 Block 4, The Industrial City Addition No. 2 as filed December 13, 1906 at Reception Number 52958, as vacated by Ordinance No. 809 filed February 5, 1979 at Reception Number 321795 in Section 3, Township 1 South, Range 69 West of the Sixth Principal Meridian, City of Lafayette, Boulder County, Colorado, described as follows:

Note:

1. The Basis of Bearings is the south line of The Industrial City Addition No. 2 with a platted bearing of S 89°55' W.

Commencing at the northeast corner of Lot 1 Block 4, The Industrial City Addition No. 2;

Thence N 00°17'00" E, along the easterly line as extended of said Lot 1, a distance of 10.00 feet to the POINT OF BEGINNING;

Thence S 89°55'00" W, parallel with and 10 feet distant from the northerly line of said Lot 1, a distance of 128.75 feet to a point on the westerly line as extended of said Lot 1;

Thence N 00°17'00" E, along said extended line, a distance of 20.00 feet;

Thence N 89°55'00" E, parallel with and 30 feet distant from the northerly line of said Lot 1, a distance of 128.75 feet to a point on the easterly line as extended of said Lot 1;

Thence S 00°17'00" W, along said extended line, a distance of 20.00 feet to the POINT OF BEGINNING.

Containing 0.059 acres more or less.

Prepared by David C. Costner
For and on behalf of Topographic Land Surveyors
520 Stacy Ct. Ste B, Lafayette, CO 80026



Exhibit A

Page 2 of 2

