

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
September 20, 2016**

The Planning Commission of the City of Fort Lupton met in session at the City Complex, 130 South McKinley Avenue, the regular meeting place of the Planning Commission, on Tuesday, September 20, 2016. Chairperson Mike Simone called the meeting to order at 6:00 p.m.

ROLL CALL

Planning Technician Mari Peña called the roll. Those present were Chairperson Mike Simone, Commission members Bruce Davis, Bush White, Dan Parrish, Lucas Marone and Lynne Derby. Also present were Planning Director Todd Hodges, Planner Alyssa Knutson, and Planning Technicians Mari Peña and Jennifer Cupp.

APPROVAL OF AGENDA

It was moved by Bush White and seconded by Lynne Derby to approve the Agenda as submitted.

Motion carried unanimously by voice vote.

CONSENT AGENDA

It was moved by Bush White and seconded by Lynne Derby to approve the Consent Agenda as submitted. The following item was part of the Consent Agenda:

Approval of the Minutes of the March 8, 2016 meeting.

Motion carried unanimously by a voice vote.

DISCUSSION ITEMS

P2016-006 Mountain Sky PUD Development Plan, Preliminary PUD Plat, and Final PUD Plat – Filing 1

The Planning Chair asked for a brief description of the project.

The Planning Director, Todd Hodges, explained the Planned Unit Development process for a subdivision per the requirements of the Municipal Code. This project is for the Mountain Sky Subdivision where the sketch plat was previously approved. The developers plan on incorporating a metro district due to the amount of offsite improvements. Metro districts are presented before the Commission as a hearing however this hearing doesn't include the district. The developer has the right to pursue a metro district, however it isn't guaranteed that City Council will accept the district. The metro district must be approved and adopted and an Intergovernmental Agreement (IGA) entered into between the City and the metro district. Mr. Hodges stated that this project is for a preliminary plat and the final plat for the first filing. The property is located at the northwest corner of County Road 29 ½, to be known

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as South College Road and County Road 12, to be known as Cemetery Road and is approximately 77 acres. The preliminary plan is for 199 single family residential lots with substantial open space and includes oil and gas on the southwest corner of the property, where there is a surface use agreement between the owners of the property and Kerr-McGee. The first filing contains 44 lots and the submittal packet includes a phasing plan based on infrastructure, offsite improvements requirements and the ability to market the lots. Due to the file sizes, not all documents were forwarded to the Commission however, they are available for review on the City's website. Staff recommendations cover the conditions of approval that correspond to the referral comments received during the review process. The applicant shall continue to work with staff to address several items needed to finalize the improvements agreement. Staff recommends approval of the project with conditions as noted in the Resolution. The applicant and several representatives are in attendance and have a presentation prepared.

Member Bruce Davis asked if an escrow account will be set up for site improvements to be completed within a certain time or upon a certain percentage completed. Mr. Hodges indicated that the percentage is 125% of the estimated cost and in the case of roadways and a previous one (1) year time frame is now two (2) years. The total amount won't be released until acceptance. A partial release can be made based on a portion of the contract.

The Planning Chair asked that the City have the developer obtain the bond through a Colorado institution. Roy Vestal, the Public Works Director, indicated that the department is working with the bond requirements and he will review having the bond issued from a Colorado institution.

Member Bruce Davis asked if a third party engineering firm would be reviewing the submittal? Mr. Vestal indicated that he, as an engineer, will be reviewing all the documents.

Mr. Gene Osborne, Manager of FL Mountain Sky, introduced himself and his partner Guy James. Greg Panza and Russ Burrows with Calibre Engineering were also present. Greg Panza indicated that his firm and another firm, Rokeh Engineering, are working with the owners on the engineering portion of the subdivision. Mr. Panza provided a PowerPoint presentation on the Mountain Sky Subdivision. He stated the hearing was for approval of a preliminary plat and final plat first filing improvements. A total of seven (7) filings are planned. The subdivision resembles the City's R-3 District zoning. The proposal is for 5,500 square foot lots with 95% of the lots backing to open space and green space. Mr. Panza also presented the landscape plan consisting of green space area, Cemetery Road (County Road 12) to the south and County Road 29 ½ to be known as South College Avenue, a detention pond, a tot lot, thirty (30) feet asphalt roadway with sidewalk, and an entrance to the subdivision. He also indicated first filing offsite improvements together with 44 lots from the main entrance. The development of Phase I includes a water line from north of Hwy 52. The new twelve inch water line main will be constructed from north College Avenue near Aims Community College, then extended south under Hwy 52 and across the Fulton Ditch. Future developments will be able to tie into the water line at South College Avenue (County Road

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29 ½). The sanitary sewer connection will be from the Appel Farms Subdivision, in the southeast portion of the subdivision and north of the oil & gas parcel. The new sewer line will be upsized to accommodate future development. The Mountain Sky Subdivision is at the low end of a drainage basin and therefore contains ground water in the area. There is approximately 800 acres of upstream drainage that drains into the Mountain Sky Subdivision. Due to the ground water, a full underdrain system will be constructed.

Mr. Panza's presentation also indicated the location of a (County Road 29 ½) regional bypass channel with box culverts to be installed underneath South College Avenue. Half of South College Avenue (County Road 29 ½) will be paved a portion of the way then gravel to Hwy 52. Once 80 lots have been improved, CDOT is requiring an acceleration/deceleration lane on the south side of Hwy 52. At this time, during Phase II, box culverts will be installed at Fulton Ditch. Mr. Panza corrected himself stating that there are a total of six (6) phases, not seven (7) like originally indicated at the beginning of the presentation. He also explained water and sewer lines connections and well as time of improvements for South College Avenue (County Road 29 ½) and Cemetery Road (County Road 12).

The Planning Chair asked if each phase will come before the Planning Commission. The Planning Director answered yes, and added that the road is part of the improvements agreement. If the improvements agreement is not approved by City Council then it will be re-presented to Council.

The Public Works Director, Roy Vestal, indicated that College Avenue is a future four (4) lane road. At this time only two (2) lanes will be paved.

The Planning Director added that half of the four (4) lane road is to be constructed. The adjacent property to the east has not been annexed and there is no additional right-of-way dedicated from the property for the four (4) lanes. To the north, Aims Community College paved a portion of College Avenue with, the remaining portion to be paved by Coyote Creek upon development. The intent of South College Avenue is to have a two (2) lane paved road from the subdivision to Hwy 52. As Planning Commission, a recommendation can be made to pave from the subdivision to Hwy 52 and have it become part of the record.

The Planning Chair asked that a copy of the presentation be added as part of the record of this hearing.

The Planning Chair opened the public hearing at 6:39 p.m. He asked if anyone from the public would like to speak on the project. There was no public for or against the project. The Planning Chair closed the public hearing at 6:40 p.m.

The Planning Chair asked the Commission Members if they had any comments or questions on the project.

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Member Dan Parrish asked how much of the road (County Road 29 ½) will be paved and how much will be gravel. It appears that there will be paving to the end of the first phase of the subdivision then from there to Hwy 52 is gravel.

Mr. Panza indicated that was correct.

Member Bush White noted that the size of lots appear too small. Mr. Osborne replied that these lots are low maintenance like patio homes but are single family individually owned lots. A market study was completed, indicating buyers prefer bigger houses on smaller lots. There is less landscaping and less yard maintenance.

Member Bruce Davis asked Mr. Osborne if he will be the home builder. Mr. Osborn indicated that he is only the developer and the lots will be sold to a home builder, who will still need to follow the subdivision guidelines.

Mr. Osborne was asked if there was a time frame in which to build the subdivision. The Planning Director indicated that the improvements agreement will contain a time frame. The Planning Chair suggested that if construction does not start within, for example three (3) to five (5) years, then the developer should come back so that staff can review changes in the area. Mr. Hodges indicated that there are statutory requirements on timing and he will review the Municipal Code.

The Planning Chair asked for clarification of the multifamily zoning on the plat map. The City Planner, Alyssa Knutson, indicated the items that were referenced refer to the Town of Severance. The PUD charts references multifamily, however it is just for comparison to the R-3 district.

The Planning Chair asked for clarification of the size of the homes since reference was made to the square footage of homes at 900 square feet and also 1,800 square feet. Mr. Osborne indicated that the homes will be between 1,800 and 2,200 square feet.

The Planning Chair asked if these changes will be made prior to the City Council hearing. The City Planner indicated that as a condition of approval, the applicant will work with staff to correct redlines throughout the document and that there is a possibility these items may not be corrected prior to the City Council hearing.

The Planning Chair asked if the front setback of the homes may be staggered so that the homes are not all lined up. Mr. Panza indicated that the covenants do not dictate different setbacks.

The Planning Chair asked who will pay for the tot lot and at what point will it be constructed. Mr. Panza indicated that the tot lot is part of the sales of the first homes and will be constructed after filing one. Mr. Russ Burrows added that due to the dangerous construction

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activities, the tot lot shouldn't be built until construction is complete. A clean fence line is needed to landscape the tot lot and surrounding area.

The Planning Chair stated that the surface of the trail is to be crushed granite and asked why not pave the trail with concrete. Mr. Panza answered that concrete requires more maintenance. Discussion occurred among the Commission over the crushed granite. Members Dan Parrish and Lucas Marone added that crushed granite is a quality road base that binds, and when applied correctly is rock hard. The Commission asked that a condition of approval be added to the Resolution that the trail be of rubble or road base and have good compaction.

The Planning Chair asked if there were any architectural requirements for homes that abut the park or thoroughfare. The City Planner indicated that there are requirements in the residential design guidelines and as a condition of approval the developer will work with City staff to finalize the guidelines. She also stated the Severance document indicates three sided architecture. The Planning Chair added that this should be a condition of approval.

Discussion occurred among members regarding the type and size of fence in the subdivision. Mr. Osborne was asked if the developer would be installing fences. Mr. Osborne noted that there is a difference between the developer and the builder and as a developer he wouldn't be erecting any fences.

The Planning Chair inquired about a lighting plan. He asked what type of lights would be installed and asked that the developer install lighting that will face down.

The Planning Chair asked that the landscape plan be reviewed so that evergreen trees are not placed south of the trails. He explained that snow will not melt in the winter with evergreens and will cause the trails to be icy.

The Planning Chair suggested that the covenants be reviewed to prohibit parking of construction and maintenance vehicles parked on properties over a period of time. The Appel Farms Subdivision had issues when the owner of a property had his landscape vehicles parked in the back yard for over a year.

Member Bush White made a motion to approve Resolution P2016-006 with the condition that the developers evaluate the type of material and application of the surface for the trail to be included in the improvements agreement and a condition that the developers submit lighting detail for the streets. Member Dan Parrish seconded the motion.

Motion carried unanimously by voice vote.

Upcoming land use applications and updates

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The City Planner stated that there are no upcoming land use application and updates. She provided the Commissioners with the postcard for the upcoming Comprehensive Plan workshops.

ADJOURNMENT

It was moved by Bruce Davis and seconded by Bush White to adjourn the September 20, 2016 Planning Commission meeting at 7:22 p.m.

Motion carried on voice vote.



Mari Peña, Planning Technician

Approved by Planning Commission



Mike Simone, Chairperson