

**MINUTES OF THE ARAPAHOE COUNTY
BOARD OF COUNTY COMMISSIONERS
TUESDAY, JANUARY 29, 2019**

At a public meeting of the Board of County Commissioners for Arapahoe County, State of Colorado, held at 5334 South Prince Street, Littleton, Colorado 80120 there were:

Jeff Baker, Chair	Commissioner District 3	Present
Kathleen Conti, Chair Pro-Tem	Commissioner District 1	Present
Nancy Sharpe	Commissioner District 2	Present
Nancy Jackson	Commissioner District 4	Present
Bill Holen	Commissioner District 5	Present
Ron Carl	County Attorney	Present
Joan Lopez	Clerk to the Board	Absent and Excused
Joleen Sanchez	Asst. Clerk to the Board	Present

when the following proceedings, among others, were had and done, to-wit:

CALL TO ORDER

Commissioner Baker called the meeting to order.

INTRODUCTIONS

ROLL CALL

PLEDGE OF ALLEGIANCE

MODIFICATION(S) TO THE AGENDA

There were no modifications to the agenda.

ADOPTION OF THE AGENDA

The motion was made by Commissioner Conti and duly seconded by Commissioner Holen to adopt the Agenda as presented.

The motion passed 5-0.

CITIZEN COMMENT PERIOD

There were no citizen comments on this date.

APPROVAL OF THE MINUTES

There were no minutes to approve on this date.

CEREMONIES

Retirement ceremony for Brian Love, Acting Transportation Division Manager, of the Public Works and Development Department after 25 years of combined dedicated service to Arapahoe County.

The Resolution was read into the record by Commissioner Holen.

The motion to adopt the resolution as presented was made by Commissioner Holen, duly seconded by Commissioner Sharpe.

The motion passed 5-0.

Commissioner Sharpe thanked Mr. Love for his knowledge and expertise on all the projects he has done for Arapahoe County.

Commissioner Jackson said the Public Works Department has a wonderful reputation and Mr. Love is a part of that. She added her thanks and good wishes for the future.

Commissioner Holen talked about Mr. Love's commitment to the county and his leadership position within the Public Works Department.

Commissioner Conti thanked Mr. Love for all he has done for the county and wished him well.

Commissioner Baker thanked Mr. Love for all his accomplishments.

CONSENT AGENDA

The motion was made by Commissioner Holen, duly seconded by Commissioner Jackson to approve the consent agenda as presented.

The motion passed 5-0.

GENERAL BUSINESS ITEMS

7.a. Resolution No. 190103 - PM18-004 Main Street Villas Minor Subdivision

Robert Hill, Senior Assistant County Attorney, established jurisdiction for the Board to consider both applications.

Kathleen Hammer, Planner II, PWD, said the Engineering Services Department did a cost estimate on the sidewalk, which is approximately \$5,800. She said the applicant is still requesting a waiver from the sidewalk and would like to see a note that says 5 feet on one side of and within the right-of-way designated for South Main Street shall be reserved for the construction of a walk way at no cost to the county. She discussed the concerns of staff with this approach.

Stephanie Stewart, applicant, said they are in agreement with the cash-in-lieu calculations that have been presented. She discussed the details of the construction of the sidewalk.

Commissioner Sharpe said she is in agreement with staff in terms of the cash being put in escrow for the sidewalk.

The public comment period was opened.

There were no public comments.

The public comment period was closed.

The following motion was made by Commissioner Baker, duly seconded by Commissioner Conti:

In the case of Case No. PM18-004 Main Street Villas Minor Subdivision, I have reviewed the staff report, including all exhibits and attachments and have listened to the applicant's presentation and any public comment as presented at the hearing and hereby move to recommend approval of this application based on the findings in the staff report, subject to the following conditions:

1. Prior to the signature of the final copy of these plans, the applicant must address Public Works Staff comments and concerns.
2. Approval of PM18-004, Main Street Villas- Minor Subdivision is contingent on the approval of SDPZ18-001, Main Street Villas – Specific Development Plan.
3. Prior to approval of the Administrative Site Plan, the Developer shall either: (a) contribute funds in an amount sufficient to pay for the cost of construction of a sidewalk, of minimum width of 5 feet, within and along the full length of the road right of way adjacent to the property shown as Lot 1 and Tract A on this SDPZ, and in the amount of a cost estimate supplied by the applicant and acceptable to the County and approved by the Engineering Services Department; or (b) incorporate construction of the sidewalk abutting Lot 1 and Tract A in a Subdivision Improvement Agreement (SIA) for the project and complete construction of said sidewalk in accordance with that SIA. If the applicant chooses to contribute funds to the sidewalk, in lieu of building the sidewalk, the County shall hold the funds in an account earmarked for the sidewalk construction and such funds shall be available for the County's use for construction of the sidewalk. In the event, however, that the County has not commenced construction of a sidewalk along East Main Street in Byers in the area of this development and that will connect to a future sidewalk along Lot 1 and Tract A within ten (10) years from the date of the contribution of the funds, the County shall return to the applicant the full amount of the original contribution, less any accrued interest.
4. The development shall meet all Byers Fire District design requirements.
5. The applicant shall pay a cash-in-lieu of public land dedication for Lot 1 and ½ of Tract A prior to recording of the plat in the following amounts: Schools, \$3,028.48; Parks, \$4,588.80; and Other Public Purposes, \$191.20. Lot 2 and ½ of Tract A are intended to be developed and owned by the Arapahoe Library District for a public library and, as such,

are not subject to the dedication/cash-in-lieu requirements of the Land Development Code. In the event that Lot 2 does not develop as a Library and another use is proposed on Lot 2, then cash-in-lieu for said Lot 2 and the ½ of Tract A shall be required and paid in accordance with the applicable provisions of the Arapahoe County Land Development Code prior to approval of an ASP or Rezoning for Lot 2.

The motion passed 5-0.

7.b. Resolution No. 190104 - SDPZ18-001 Main Street Villas Minor Subdivision

Robert Hill, Senior Assistant County Attorney, established jurisdiction for the Board to consider this application.

The following motion was made by Commissioner Baker, duly seconded by Commissioner Jackson: In the case of Case No. SDPZ18-001 Main Street Villas– SDP, I have reviewed the staff report, including all exhibits and attachments and have listened to the applicant’s presentation and any public comment as presented at the hearing and hereby move to recommend approval of this application based on the findings in the staff report, subject to the following conditions:

1. Prior to the signature of the final copy of these plans, the applicant must address Public Works Staff comments and concerns.
2. Prior to approval of the Administrative Site Plan, the Developer shall either: (a) contribute funds in an amount sufficient to pay for the cost of construction of a sidewalk, of minimum width of 5 feet, within and along the full length of the road right of way adjacent to the property shown as Lot 1 and Tract A on this SDPZ, and in the amount of a cost estimate supplied by the applicant and acceptable to the County and approved by the Engineering Services Department; or (b) incorporate construction of the sidewalk abutting Lot 1 and tract A in a Subdivision Improvement Agreement (SIA) for the project and complete construction of said sidewalk in accordance with that SIA. If the applicant chooses to contribute funds to the sidewalk, in lieu of building the sidewalk, the County shall hold the funds in an account earmarked for the sidewalk construction and such funds shall be available for the County’s use for construction of the sidewalk. In the event, however, that the County has not commenced construction of a sidewalk along East Main Street in Byers in the area of this development and that will connect to a future sidewalk along Lot 1 and Tract A within ten (10) years from the date of the contribution of the funds, the County shall return to the applicant the full amount of the original contribution, less any accrued interest.
3. The maximum building height for Lot 1 and Lot 2 shall not exceed 40 feet and restricted to 3 stories.
4. The development shall meet all Byers Fire District design requirements.

The motion passed 5-0.

COMMISSIONER COMMENTS

Commissioner Holen commented on the fact that the Federal Government is back up and running. He wished the best to the federal employees who live in the county.

Commissioner Conti said Sunday marked a day to remember Holocaust Remembrance Day. She read a quote from the former U.N. Ambassador Nikki Haley.

There being no other business before the Board, Commissioner Baker adjourned the meeting at 10:23 a.m.

ARAPAHOE COUNTY BOARD OF COUNTY COMMISSIONERS

JOAN LOPEZ, CLERK TO THE BOARD

BY JOLEEN SANCHEZ, ASSISTANT CLERK TO THE BOARD