

**Record of Proceedings
City of Lafayette
Planning Commission
Tuesday September 24, 2013**

Chairperson Patzer called the meeting to order at 7:00 p.m. Those in attendance included: Chairperson Patzer, Vice Chair Wong, and Commissioners Benson, Godfrey, Knuth, Nickell and Steinbrecher.

Staff present included Planning Manager Karen Westover, Planner Paul Rayl, and Recording Secretary Michelle Verostko

II. Items from the Public Not on the Agenda

None.

III. Meeting Minutes for August 27, 2013 Regular Meeting

Commissioner Knuth moved the Planning Commission approve the meeting minutes for August 27, 2013. Commissioner Nickell seconded the motion. All voted in favor of the motion.

IV. Scheduled Items

A. Lafayette Crossing

1. Preliminary Plan/ PUD Amendment

2. Vacation of Easements

3. Special Use Review

4. Site Plan/Architectural Review

Planner Paul Rayl entered the staff report into the record. He stated this review includes a Preliminary Plan/PUD Amendment, Vacation of Easements, Special Use Review and Site Plan/Architectural Review.

Mr. Rayl stated that the subject property is located at the southeast corner of Highway 287 and South Boulder Road. He used an aerial photo to describe the site and review the surrounding uses of the neighboring properties. He explained that the property was originally platted as part of the Coal Creek Technological Center PUD. He added that the property is located in the South Boulder Road Urban Renewal Area and is part of Mixed Use Parcel 6 as identified on the Comprehensive Plan Land Use Map.

Mr. Rayl explained that as part of the Preliminary Plan/PUD Amendment, a replat of the Coal Creek Technological Center called Lafayette Crossings is part of the application. The replat consists of 6 lots and the dedication of access, utility and drainage easements. Because of the new lot configuration, some easements will need to be vacated.

Mr. Rayl presented the Preliminary Plan/PUD Amendment for Lafayette Crossings PUD. The plan is to redevelop the Coal Creek Sports Center in two phases. The first phase includes the creation of four new commercial lots and Phase II will include the redevelopment of Lot 5, the bowling alley lot and a new commercial Lot 6.

Mr. Rayl explained that the PUD Amendment request includes no limitations on the hours of operations for 24-hour uses. He presented the additional Code modification requests for the commercial area which include a reduction in parking on Lots 1 and 2 and modifications to the height, size, setback and location of signs to allow 3-freestanding monument signs. The three signs are identified on the plan as Site Sign 1, 2, and 3. Mr. Rayl discussed the code modification requests for Site Signs 1, 2, and 3 regarding height, size, setback and location.

Mr. Rayl explained that the Lafayette Urban Renewal Authority reviewed the application and recommended approval with conditions.

Mr. Rayl reviewed the PUD criteria and discussed how this application meets the criteria.

Mr. Rayl presented the Preliminary Plat and reviewed the lot locations, streets, access, easements, and sidewalks. He discussed easements that need to be vacated. He reviewed the easement vacation request. Staff recommended approval of the Preliminary Plan/PUD Amendment with the list of Code modifications as indicated in the staff report and with the recommended conditions of approval. Staff found that the application meets the criteria in the Development and Zoning Code, is unique and is necessary for economic development and is in the best interest of the City and the neighborhood in which the development is occurring.

Staff found that the vacation requests are in compliance with Section 26-14-20(c) and recommends approval of the request subject to approval and recording of Lafayette Crossing Subdivision Final Plat dedicating new easements to replace those being vacated and subject to the recording of a cross parking and access easement for the benefit of the entire subdivision.

Mr. Rayl presented the Special Use Review for two commercial buildings with drive-up windows on Lots 1 and 2 of Lafayette Crossing Subdivision. He explained the intent of the special use review analysis. He reviewed the application against the special use review criteria and discussed how the application met the criteria. He also reviewed the applications against the additional special use criteria that apply to drive-up facilities. He discussed how the application met the criteria. Staff found that the proposed facilities meet the Special Use Review criteria of Section 26-15-4 (a) and (b), and recommended approval of the request contingent upon the approval of the Site Plan/Architectural Review by City Council.

Mr. Rayl presented the Site Plan/Architectural Review for the two commercial buildings proposed on Lots 1 and 2 of Lafayette Crossing Subdivision. The plan includes the development of a 7,800 sq. ft. commercial building on Lot 1 and a 7,200 sq. ft. commercial building on Lot 2. The site improvements for both lots include landscaping and parking.

Mr. Rayl discussed site plan issues for the two buildings, including bulk and area requirements, dimensional standards, streets and access, parking, handicap parking, and bike racks. He discussed the drive-up aisles, vehicle stacking and circulation, and loading areas.

Mr. Rayl presented the architecture for the two commercial buildings on Lots 1 and 2 and reviewed the principal building materials proposed, the exterior colors, accent bands, metal awnings, and roof design. He discussed LURA's recommendations regarding the parapet cap color. He also discussed staff's recommendation to require additional features or articulation for the sides of the building that face a major street.

Mr. Rayl discussed the requirement for drive-up aisle screening and how the applicant proposes to meet this requirement. He explained that the applicant proposes two wall designs. He reviewed the screen wall materials for both designs and where the screening walls will be located. He explained that both screen wall types include landscaping. He reviewed the landscape plan and the lighting plan for Lots 1 and 2.

Staff found that the site plan complies with the drive-thru requirements of the Code related to screen walls and vehicular stacking spaces. Subject to the conditions as recommended by staff, the site, architecture, and landscape plans will comply with Code requirements. The scale is appropriate to the site and function of the project; monotony of design will be avoided by providing variation of detail and form; the landscape treatment of exterior spaces enhances the quality of the project; and exterior lighting will not shine directly on adjacent properties. Staff recommended approval of the site plan/architectural review subject to the conditions of approval.

Gregg Armstrong, Armstrong Capital Development, 15530 E. Broncos Parkway, Centennial, introduced his team and gave a brief background of their company. He discussed the design standards they have developed for Lafayette Crossing Subdivision.

Don Casper, Architect, Littleton, reviewed their plan, the architecture and materials, and the drive-up locations.

Chairperson Patzer opened this portion of the meeting for public testimony at 8:45 p.m.

Phillip Patterson, Assistant to the City Manager, Community Development Director, and Assistant Executive Director for LURA, 1290 S. Public Road, Lafayette, spoke in support of the applications. Mr. Patterson reviewed a timeline of the different business that have come and gone in this commercial area starting from 2001 thru 2013. Some of the examples included Albertson's relocating in the Waneka Marketplace Subdivision, the creation of the South Boulder Road Revitalization area, Wal*Mart relocating, Ace Hardware moving in, Sunflower locating into the Albertson's space, JAX moving into the Ace Hardware space and currently JAX expanding into Lafayette Marketplace. He explained that the proposed Lafayette Crossing subdivision would be the last piece of the redevelopment of this commercial corridor. He stated the Lafayette Urban Renewal Authority supports this development and believes it is good for Lafayette, for the site and the core business area. He encouraged the Planning Commission to approve the plan with staff's recommended conditions of approval.

Chairperson Patzer closed the public hearing at 8:50 p.m.

The Planning Commission questions to staff focused on site plan concerns such as drainage, parking, easement vacations, screening wall locations, pedestrian and bike access and RTD bus stop locations. Other questions focused on the proposed freestanding signs, whether sign information would be on all four sides and whether there are signs of this size located elsewhere in the City. The Commission also asked whether there would be a screening wall separating Lots 2 and 3 from each other, who would maintain the landscaping, and whether the signs would face Highway 287. The Commission asked staff to show an example of what the wall screening with landscaping and a sidewalk might look like.

The Planning Commission questions to the applicant focused on the signage and what the overall plan is for the marquee type sign, whether the sign material would match the wall elements and building, what type of material the sign would be made of, and what the height of the sign might be. Other questions focused on the wall screening, landscaping on the site, pedestrian access and sidewalk locations. The Planning Commission asked about the timing of Phase II and whether the architecture for Phase II would be similar and follow the proposed design guidelines. The Planning Commission asked if the old gas tanks had been removed from the gas station. The Commission asked the applicant to show them the placement of the handicapped parking spaces and why they placed the buildings where they have proposed.

The Planning Commission discussion focused on the screening wall, signage, and the pedestrian access plan. The Commission had concerns about the quality of the sign material and the overall look of the signage.

Community Development Director Patterson asked to address the Planning Commission and clarified the PUD standards and staff's commitment to holding applicants/developers to the approved design.

The Planning Commission discussed the Preliminary Plan/PUD Condition No. 14 regarding the pedestrian connectivity plan for the interior of the subdivision. The Commission amended the condition to include connections from Highway 287 and South Boulder Road. As part of the pedestrian connectivity plan, the applicant shall work with staff to redesign the drive aisle between Lots 2 and 3 to include a sidewalk adjacent to the drive-thru lane for Lot 2.

The Planning Commission discussed Site Plan/Architectural Review Condition No. 3 regarding bike racks. No amendments were made to this condition.

Preliminary Plan/PUD Amendment

Vice Chair Wong moved the Planning Commission approve this request for Preliminary Plan/PUD amendment approval, subject to staff's recommended conditions amended as discussed, finding that the

proposal complies with the preliminary plan requirements of Section 26-17-5; the request meets the criteria of Section 26-18-5 because the proposal is unique, the development is in the best interest of the City, and the modifications to the Code are in the best interests of the City and the neighborhood in which the development is occurring. Commissioner Nickell seconded the motion. All voted in favor of the motion.

Easement Vacations

Vice Chair Wong moved the Planning Commission recommend the City Council approve the requested access and utility easement vacations, subject to the recommended conditions of approval, finding that the easements are no longer necessary for public use and convenience in their current configuration. Commissioner Benson seconded the motion. All voted in favor of the motion.

Special Use Review

Commissioner Nickell moved the Planning Commission approve this request for Special Use Review, subject to staff's recommended condition, finding that that the use meets the criteria of Section 26-15-4(a) and (b) because the proposal complies with the Municipal Code, is compatible with the surrounding area, presents no potential for adverse environmental impacts, is compatible with the Comprehensive Plan, is not located closer than 200 feet to any residentially zoned lot line, and is not closer than 150 feet to any other drive-thru. Vice Chair Wong seconded the motion. All voted in favor of the motion.

Site Plan/Architectural Review

Commissioner Nickell moved the Planning Commission recommend approval of this Site Plan/Architectural Review, subject to the recommended conditions, finding that the plan complies with the criteria of Section 26-16-7.1 and 7.2, the submittal requirements of Section 26-17-9 have been met, and the design is compatible with the location and proposed use. Commissioner Godfrey seconded the motion. All voted in favor of the motion.

Preliminary Plan/PUD Amendment Conditions of Approval:

1. A note shall be added to the Final PUD indicating the demolition of the gas station as part of the Phase I site improvements.
2. The PUD shall be amended to remove the statement indicating no prohibition on 24-hour uses.
3. The Final PUD shall indicate the setback of each freestanding sign.
4. The Final PUD shall include a modification to the wall signage for each lot which will factor in the proportional share of that lots signage on the proposed freestanding signs.
5. The PUD shall include which lots/tenants have access to which freestanding signs in order to ensure signage is available for tenants on each lot.
6. An easement shall be added to the plat at the location of the proposed freestanding signs for the benefit of the lot owners utilizing the off-premise sign.
7. The existing sign on Coal Creek Drive, for the benefit of Lot 5, shall be redone with the same materials as the other freestanding signs with the redevelopment of Phase II.
8. A cross-parking and access agreement shall be submitted with the Final PUD in order to justify the request for reduced parking.
9. The following modifications shall be included on the Final Plan/PUD amendment and be subject to staff review and approval:
 - a) Allow off-site signage for commercial tenants located on Lots 1 thru 6. Said off-premise signs to be located only on Lots 1, 3, 4, and 5 as indicated on the PUD;
 - b) Allow a multi-tenant freestanding sign on Lot 1 with a maximum height of 24'-4", total sign area of 228 square feet, with a zero foot setback;
 - c) Allow a single-sided multi-tenant freestanding sign on Lot 3 with a maximum height of 10'-4", a total sign area of 65 square feet, with a 1-foot setback;
 - d) Allow a double-sided multi-tenant freestanding sign on Lot 4 with a maximum height of 10'-4", a total sign area of 90 square feet, with a 5-foot setback;

- e) Allow a double-sided multi-tenant freestanding sign on Lot 4 for Phase II with a maximum height of 7'-4", a total sign area of 64 square feet, with a 15 foot setback;
 - f) Allow a parking reduction for Lot 1 of 5 parking spaces from 56 to 51 spaces;
 - g) Allow a parking reduction for Lot 2 of 4 spaces from 54 to 50 spaces;
 - h) The Planning Commission may consider parking reductions for Lot 3 and Phase II if there is deemed sufficient parking available with the cross parking agreement and/or differing hours of operations subject to approval of a Site Plan/Architectural Plan Review.
10. A note shall be added to the PUD which will indicate that the City and developer will evaluate the need for road lane improvements to Coal Creek Drive with the development of Phase II.
 11. The Final Plat shall include an emergency access easement to each lot without direct access from a public street.
 12. The dedication language on the plat shall be amended to remove any reference to the mutual access and mutual pedestrian easements.
 13. Note 1 shall be amended to read as follows: "Cross-access and cross-parking easements for the benefit of all the lots in the subdivision have been created by a separate instrument recorded at Reception No. _____." and Note No. 2 shall be deleted from the plat.
 14. The Final Plan/PUD shall include a pedestrian connectivity plan for the interior portion of the subdivision with connections from Highway 287 and South Boulder Road. As part of the pedestrian connectivity plan, the applicant shall work with staff to redesign the drive aisle between Lots 2 and 3 to include a sidewalk adjacent to the drive-thru lane for Lot 2.
 15. The applicant shall address the issues identified in the City Engineers memo dated September 18, 2013, a copy of which is attached, prior to submitting the Final Plan/PUD amendment.
 16. A note shall be added to the PUD which will spell out the specific water rights allocation for each lot to ensure sufficient water is available for the anticipated uses on each lot.
 17. All improvements that are physically located within the boundary of Phase II but are required to accommodate the Phase I development shall be noted/identified on the PUD
 18. The applicant shall correct all typographical and clerical errors on the Plat and PUD prior to submittal of the Final Plan/PUD Amendment for City Council consideration.

Easement Vacations Conditions of Approval:

1. The exhibits for the 2 utility easements being vacated shall be submitted in the same format as the access easement exhibit with the submittal of the Final Plan.
2. The easement vacation is subject to approval and recording of Lafayette Crossings Subdivision Final Plat dedicating new easements to replace those being vacated and subject to the recording of a cross parking and access easement for the benefit of the entire subdivision.

Special Use Review Conditions of Approval:

1. The Special Use Review approval is subject to approval of the Site Plan/Architectural Review by the City Council.
2. Any drive-up restaurant on Lots 1 and 2 shall include an indoor dining component that features tables and chairs sufficient to service year-round walk-in traffic.

Site Plan/Architectural Review Conditions of Approval:

1. The applicant shall comply with the LURA Notice of Decision dated September 11, 2013.
2. The detail of the handicap spaces on both lots shall be added to the plans to ensure handicap accessible curbs are placed adjacent to the handicap parking space. Each space should include signage indicating its handicap accessibility.
3. The bike racks shall be located so as not to interfere with handicap accessibility to the buildings.
4. The applicant shall work with staff to identify possible loading areas for Lots 1 and 2.
5. The developer shall have the flexibility to adjust the design, material and color of the tenant trade dress area including canopies, awnings, sunshades, etc., for Lots 1 and 2 based on each tenants specifications, subject to staff's approval.

6. The applicant shall work with staff to explore possible ways to create additional building articulation on the rear elevation of both buildings.
7. The site wall shall be extended to the west of the trash enclosure on Lot 2 a sufficient distance to adequately screen the enclosure from South Boulder Road.
8. The trash enclosure shall include areas for recycling containers.
9. The landscape plan shall be amended to include one (1) additional street tree along the South Boulder Road frontage of Lot 2.
10. The quantitative information on the landscape plans shall be corrected to not only reflect the minimum requirements of each lot but also reflect the actual information depicted on the plans.
11. A water budget calculation table shall be included on the landscape plan with Lot 2.
12. A clearly defined hydrozone map shall be included with the landscape plans for Lots 1 and 2.
13. The irrigation plans for Lots 1 and 2 shall include a wind sensor in addition to the rain/freeze sensor.
14. The photometric plan for both lots shall include fixture specifications for any wall-mounted lights. All wall-mounted lights shall include fully shielded light sources.

B. Re-Schedule November PC Meeting Date

Planning Manager Karen Westover explained that since the November meeting dates fall the week of Thanksgiving the Commission may want to consider moving the meeting date to Wednesday, December 4 or Tuesday, December 10. The consensus of the Commission was to reschedule the November meeting to Wednesday, December 4, 2013.

V. Other Business

A. Commission Comments / Committee Reports

Commissioner Godfrey stated his thoughts went out to those who have suffered losses during the recent flood event and thanked the first responders for all of their efforts.

B. Department Comments

Planning Manager Westover stated the meeting on Wednesday would be the first of a two-part process and explained the two meeting process. She noted that the Commission would have two meetings in October.

VI. Adjournment

Commissioner Godfrey moved to adjourn the meeting, seconded by Commissioner Benson. All voted in favor of the motion. The meeting adjourned at 9:30 p.m.

City of Lafayette

Eric Patzer, Chairperson

Attest:

Michelle Verostko, Recording Secretary