

**Record of Proceedings
City of Lafayette
Planning Commission
Tuesday August 27, 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, Planner Roger Caruso, and Recording Secretary Michelle Verostko

II. Items from the Public Not on the Agenda

None.

III. Meeting Minutes for July 30, 2013 Workshop and Regular Meeting

Vice Chair Wong moved the Planning Commission approve the workshop and regular meeting minutes for July 30, 2013. Commissioner Knuth seconded the motion. All voted in favor of the motion.

IV. Scheduled Items

A. SoLa Filing No. 1 Replat C, Lot 2C, Murphy Express Gas Station

1. Special Use Review

2. PUD Amendment

3. Site Plan/Architectural Review

Planner Paul Rayl made a correction to the Site Plan/Architectural Review motion and then entered the staff report into the record. He stated this application includes a Special Use Review, Site Plan/Architectural Review and PUD Code modification request for the development of a gas station and convenience store on the future Lot 2C of SoLa Filing No. 1, Replat C. The development includes a 3,445 square foot convenience store and fueling facility at the southeast corner of Highway 287 and the future South Lafayette Drive extension. Mr. Rayl explained that the property is zoned C1/PUD and requires approval of a Special Use Review for the operation of a gas station facility. The Code modifications include a request to increase the height of the proposed canopy almost 3 feet from the maximum height of 20 feet allowed for accessory structures and an increase in the amount of signage for the site from 185 square feet to 202.5 square feet.

Mr. Rayl presented a slide of an aerial photo which showed the location of the site. He pointed out the uses on the surrounding properties and showed pictures of what the site looks like today from the north, south, east and west.

Mr. Rayl discussed the intent of a special use review analysis and reviewed the application against the special use review criteria. He reviewed the additional special use review criteria for drive-up facilities. Staff found that the proposed facility meets 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 and discussed access to the site for vehicles, bicycles and pedestrians. He discussed the subdivision improvements that will need to be done by the subdivision developer and recommended the applicant work with the developer and provide a timeline for completion to staff with the building permit application.

Mr. Rayl reviewed other site plan items such as the SoLa Design Guidelines requirements for textured concrete patterns at pedestrian building entrances, proposed parking, the landscape plan, and the lighting plan. He presented the architectural review and showed the materials board to the Commission. He explained that the architecture for the proposed facility is intended to incorporate the design parameters of

the SoLa Design Guidelines. The site includes a principal building, the convenience store, and the canopy over the fuel islands.

Mr. Rayl reviewed the architecture for the 3,445 square foot convenience store which includes stone and brick as the primary exterior building materials. He reviewed the proposed colors of the stone and brick, the accent band, metal awnings, and roofline. He reviewed the architecture for the canopy structure and discussed the proposed material, color, and roofline. He discussed staff's concerns with the proposal regarding color, awnings and the height of the parapet.

Mr. Rayl explained that the applicant has requested modifications to the Code to increase the height of the gas station canopy to provide roofline articulation and increase an additional 17.5 square feet of signage. He reviewed the application against the PUD criteria and discussed staff's recommendations for denial of the PUD modification request.

Staff finds that the special use review request complies with the criteria of Section 26-15-4 (a) & (b) because it will comply with the Municipal Code, is compatible with the surrounding area and the use is desirable in this particular area.

Subject to the recommended conditions of approval, staff finds that the site plan and architectural design comply with the criteria of Section 26-16-7.1 and 7.2.

Staff finds that the modifications to the Code as proposed with the PUD Amendment are not unique or necessary for economic development and are not in the best interest of the City or neighborhood in which they are proposed.

Staff recommended approval of the Special Use Review and Site Plan/Architectural Review for the Murphy Express Gas Station and Convenience Store subject to the recommended conditions.

Staff recommended denial of the PUD amendments to modify the Code to allow additional 2 feet, 9 inches to the height of the canopy and an additional 17.5 square feet of signage.

Wayne Gibson, Murphy Oil USA, 422 N. Washington, El Dorado, Arkansas, gave a brief background of the company and introduced their team. Mr. Gibson stated they disagreed with staff's recommendation regarding their PUD modification request regarding the height of the canopy and increased signage. He discussed their proposal and explained why they need the increased height, their corporate colors, the proposed accent band color, and increased signage.

Kevin Nguyen, Galloway & Company, Inc. 5300 DTC Parkway, Greenwood Village, discussed Site Plan/Architectural Review condition No. 4b regarding the red accent band around the convenience store.

Mr. Gibson discussed Site Plan/Architectural Review condition No. 4d regarding the roofline and raised parapet. He also discussed signage and lighting on the site.

Chairperson Patzer opened this portion of the meeting for public testimony at 7:50 p.m.

Doug McBee, 428 Elk Trail, Lafayette, spoke in support of the application.

Chairperson Patzer closed the public hearing.

The Planning Commission questions to staff focused on the gas station drive-thru location in relationship to other lots within the subdivision and how it would affect them and how the setbacks for the drive-up use were measured. Other questions included who would be responsible for the installation of landscaping, sidewalks and curb cuts. The Commission asked staff to review access to the site from Highway 287 for vehicles, bicycles and pedestrians. The Commission asked about the site elevation and how it affected the height of the proposed structures, whether the building parapet could be lowered without making the roof flat, and how the site drains. The Commission asked what the hours of operation would be and whether they would sell alcohol. Other questions focused on the amount of signage

proposed as well as the color of the large panels and stripes. The Commission also asked if the number of parking spaces could be reduced.

The Planning Commission asked the applicant whether the rooftop units would be screened and whether they have an agreement and timeline with the subdivision developer for when improvements for the sidewalks, street trees and curb cuts would take place. The Commission asked the applicant about their proposed signage, what their hours of operation would be for the store and gas pumps, and whether they will sell beer and wine. Other questions focused on the proposed canopy, the number of pumps proposed, panel color, and parapet. The Commission asked them to explain why they propose four columns versus three and whether they could reduce the number of proposed pumps or canopy size. The Commission asked if the color of the panel would be a deal breaker or could they propose a different color or different shade of red, reduce the red panel on the front of the building, and whether they could lower the parapet or the canopy.

Planning Commission discussed the canopy height, the parapet height, the number of gas pumps proposed, signage, color of the panel and stripe, and the hours of operation. The Commission discussed the Site Plan/Architectural conditions of approval and deleting condition No. 4b regarding removing the red accent band, modifying condition No. 4c to require the applicant to work with staff on the architectural metal awnings, modifying condition No. 4e regarding the raised parapet, and deleting condition No. 5 regarding the accent color.

Special Use Review Motion

Vice Chair Wong 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 because the proposal complies with the Municipal Code, is compatible with the surrounding area, presents no potential for adverse environmental impacts, and it is compatible with the Comprehensive Plan. Commissioner Nickell seconded the motion. All voted in favor of the motion.

Site Plan/Architectural Review Motion

Commissioner Knuth moved the Planning Commission recommend approval of this Site Plan/Architectural Review, subject to the amended conditions as discussed, finding that the plan complies with the criteria of Section 26-16-7.1 and 26-16-7.2, the submittal requirements of Section 26-17-9 have been met, and the design is compatible with the location and proposed use. Vice Chair Wong seconded the motion. Chairperson Patzer, Vice Chair Wong, and Commissioners Benson, Godfrey, Knuth, and Nickell voted in favor of the motion. Commissioner Steinbrecher voted against the motion. Motion passed.

PUD Modifications Motion

Vice Chair Wong moved the Planning Commission recommend approval of the requested Code modifications, finding that the request meets the criteria of Section 26-18-5 (d) because the proposal is necessary for economic development, 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 Benson seconded the motion. Chairperson Patzer, Vice Chair Wong, and Commissioners Benson, Godfrey, Knuth, and Nickell voted in favor of the motion. Commissioner Steinbrecher voted against the motion. Motion passed.

Special Use Review Condition(s) of Approval:

1. The Special Use Review approval is subject to approval of the Site Plan/Architectural Review by the City Council.

Site Plan/Architectural Review Conditions of Approval:

1. All pedestrian access improvements, including sidewalks adjacent to both the public and private streets as shown on the plan, shall be installed prior to the issuance of a Certificate of Occupancy (C.O.) for the subject property.
2. The applicant shall work with the subdivision developer to identify a timeline for installation of public improvements and submit such timeline to staff with the building permit application.
3. Prior to building permit submittal, the site plan shall be revised as follows subject to review and approval of staff:
 - a. Extend the walkway along the south side of the store to Balmstone Drive to provide pedestrian access from the parking stalls adjacent to the walk, and the sidewalk along Balmstone.
 - b. Include either scored or textured concrete at the entrance to the convenience store.
4. Prior to building permit submittal, the architectural plans shall be revised as follows subject to review and approval by staff:
 - a. A material sample of the stone shall be submitted which more closely reflects the stone depicted in the color elevation and which will be utilized on the final building construction.
 - b. The applicant will work with staff to explore the use of architectural metal awnings that are compatible and complimentary to the overall building colors over the windows and doors on all four elevations.
 - c. The plans shall be amended to reflect a 'Major Cornice' on both the main building roofline and the raised parapets.
 - d. The raised parapets on the north and south elevation of the canopy and convenience store shall be removed.
 - e. The color of the metal panels on the canopy shall be changed to match the almond cream color brick on the building.
 - f. The canopy shall be constructed of individual, interlocking metal panels a minimum of 8 feet in width to prevent a flat metal appearance.
5. Prior to building permit submittal, the landscape plan shall be revised to include the 3 additional street trees in the correct location as required by Code.
6. All site landscaping, including that which is the responsibility of the SoLa Metro District shall be installed prior to issuance of a Certificate of Occupancy for the building.
7. Prior to building permit submittal, the applicant shall work with staff to identify hours of operation for both the convenience store and fueling area and when it may be possible to lower lighting levels.
8. All future sign permits shall include a plan view indicating how the lighted signs on the canopy will affect the overall visibility of the site with primary consideration given to those signs which will be facing the residential subdivision to the west across Highway 287.
9. The applicant shall work with staff to identify discrepancies in sign measurements and ensure all signs are measured according to Code requirements.
10. The applicant shall address all pertinent engineering comments in the memo from the City Engineer, dated August 2, 2013 before submitting.

B. Lafayette Tech Center Filing No. 3, Lot 2h, Xtreme Gymnastics

1. Minor Subdivision

2. Site Plan/Architectural Review

Planner Roger Caruso entered the staff report into the record. Mr. Caruso stated that this item is a request for a minor subdivision and site plan/architectural review for a 31,600 square foot., one-story steel building for Xtreme Altitude Gymnastics. The project will be located in Lafayette Tech Center Filing No. 3, Replat H, Lot 2(H) in the northwest corner of Coal Creek Drive and Public Road. Mr. Caruso reviewed the uses on the surrounding properties.

Mr. Caruso presented the Minor Subdivision and explained the subdivision is intended to divide the existing 7.37 acre lot into two lots. Lot 1 is proposed to be 3.42 acres and Lot 2 is 3.95 acres. Mr. Caruso

noted there are no dedications with the plat and a 50 foot wide access easement is located on the north side of the property.

Mr. Caruso explained that the applicant is proposing a 31,600 square foot. gymnastics center on Lot 1 of the minor subdivision. He presented the site plan and discussed vehicle and pedestrian access to the site, sidewalk improvements, parking spaces, and the landscaping plan. He presented the architecture for the building and reviewed the elevations, the exterior materials and colors proposed, and architectural features of the building. He displayed the materials board to the Commission.

Staff found that, subject to the recommended conditions, the proposed Minor Subdivision and Site Plan/Architectural Review complies with the review criteria of Sections 26-17-6 and 26-16-7.1 and the submittal requirements of Section 26-17-9. Subject to staff's recommended conditions, the site, architecture, and landscape plans comply with the Site Plan/Architectural Review criteria. 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 including many vertical elements; 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 this Minor Subdivision and Site Plan/Architectural Review subject to the recommended conditions.

Mark Bogogers, Xtreme Altitude Gymnastics, 555 Aspen Ridge Drive, Lafayette, gave a brief background of their business. He explained they have outgrown their space and discussed their desire to find a permanent home in Lafayette and be a regional presence in the area. He noted they agree with the conditions of approval except for Site Plan/Architectural condition No. 1b regarding landscaping end caps at the end of the parking rows. He explained that they want to allow for growth and do not know how the parking lot might change.

Chairperson Patzer opened this portion of the meeting for public testimony at 9:20 p.m.

Ron Spaulding, 597 Casper Drive, Lafayette, spoke in support of the application.

Chairperson Patzer closed the public hearing.

The Planning Commission questions to staff included whether bike racks were included on the plan and if not, recommended that a condition be added to require the applicant to provide bike racks. The Planning Commission asked staff whether any consideration was given to locate the handicap parking spaces closer to the building. Other questions focused on the Public Road improvements and what was included with the improvements and how far south would the improvements extend, whether there will be a special pedestrian crosswalk included in the improvements and whether bike lanes could be added to Coal Creek Drive. The Commission also had site plan questions regarding access and speed mitigation.

The Planning Commission questions to the applicant included how they determined the number of parking spaces they need, what days and times are their busy times at their facility, and whether they would share parking with the tenant on the second parcel when it develops. The Commission asked the applicant to explain how their pick up and drop off lanes would work. Other Commission questions included how their lot drains, whether they have considered using solar panels on their building and whether they anticipate any traffic conflicts between their competition events and church events.

The Planning Commission discussion focused on parking lot islands and landscaping the islands. The Commission discussed the building's architecture.

Minor Subdivision Motion

Vice Chair Wong moved the Planning Commission recommend approval of the minor subdivision, subject to staff's recommended conditions of approval, finding that the plat complies with the requirements of Section 26-17-6 of the Development. Commissioner Nickell seconded the motion. All voted in favor of the motion.

Site Plan/Architectural Review Motion

Commission Knuth moved the Planning Commission recommend approval of this request for Site Plan/Architectural Review, subject to the recommended conditions as amended, finding that the plan complies with the criteria of Section 26-16-7.1, is appropriate to the site and function of the project; monotony of design will be avoided by providing variation of detail and form including many vertical elements; the landscape treatment of exterior spaces enhances the quality of the project; and exterior lighting will not shine directly on adjacent properties. Commissioner Benson seconded the motion. All voted in favor of the motion.

Minor Subdivision Conditions of Approval:

1. A note shall be added to the plat stating “The 50’ wide access, drainage, and utility easement created at reception number 2022563 and shown hereon, is for the benefit of the Lafayette Tech Center Filing No. 3, and is not a public vehicular access easement”;
2. The applicant shall correct all clerical and grammatical errors prior to submittal of the plat for City Council approval.

Site Plan/Architectural Review Conditions of Approval:

1. Prior to submitting a building permit application, the applicant shall submit an amended set of plans that include the following:
 - a) The pedestrian lights along Public Road matching the existing lights;
 - b) The front entrance traffic islands, the cross hatched pedestrian area, and loading and unloading area, as reviewed and approved by staff;
 - c) Two (2) additional handicapped parking spaces;
 - d) Landscape islands at the end cap of every parking row;
 - e) Address the concerns of the City Engineer, as stated in the referral dated July 29, 2013;
 - f) Updated landscape plans that include:
 - i) Correct number of trees and shrubs;
 - ii) Wind/rain sensor;
 - iii) Landscaping within the end cap of every parking row;
 - iv) An irrigation schedule, which shall be reviewed and approved by staff;
 - v) The landscape plan to be stamped by a licensed landscape architect.
 - g) A different finish or color for the proposed galvanized metal, as reviewed and approved by staff;
 - h) The addition of a similar flared vertical element on the southwest corner of the building;
 - i) Elevations of the trash enclosure, as reviewed and approved by staff;
 - j) The fire lane access to the west of the building to be limited to 150’ or less, or be extended to the parking lot to the south;
 - k) A hard surface, or otherwise approve surface, for the fire lane access, to be reviewed and approved by staff.
 - l) Bike racks.
2. Prior to staff scheduling the City Council meeting, the applicant shall:
 - a) Submit a maintenance agreement, to be reviewed and approved by staff, and recorded by the Boulder County Clerk and Recorder, concurrent with the recording of the minor subdivision.

V. Other Business

A. Committee Liaison Appointments

Commissioner Nickell stated she could represent the Commission on the Lafayette Open Space Advisory Board. Commissioners Knuth, Patzer and Wong agreed to split representation on the Historic Preservation Board between the three of them.

B. Commission Comments / Committee Reports

Vice Chair Wong asked staff and the Commission if they could decide on the dates for the November meeting sooner versus later so they could plan accordingly.

C. Department Comments

Planning Manager Westover noted there would be two meetings in September.

VI. Adjournment

Commissioner Nickell moved to adjourn the meeting, seconded by Commissioner Godfrey. All voted in favor of the motion. The meeting adjourned at 9:55 p.m.

City of Lafayette

Eric Patzer, Chairperson

Attest:

Michelle Verostko, Recording Secretary