

**Record of Proceedings  
City of Lafayette  
Planning Commission  
Tuesday, January 24, 2012**

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

Absent: Commissioner Wong.

Staff present included: Community Development Director Phillip Patterson, Planning Manager Karen Westover, Planner Roger Caruso, Fire Chief Gerry Morrell and Recording Secretary Michelle Verostko.

**II. Items from the Public Not on the Agenda**

None.

**III. Minutes for November 29, 2011 and Workshop Minutes for November 29, 2011**

*Commissioner Knuth moved the Planning Commission approve the meeting minutes for November 29, 2011 and the Workshop Minutes for November 29, 2011, seconded by Vice Chair Wilgus. All voted in favor of the motion.*

**IV. Scheduled Items**

**A. Amendments to the Affordable Housing Guidelines**

Community Development Director Phillip Patterson gave a brief background on the City Council workshops held over the past two years regarding the Community Housing Program. He noted that in late 2009, staff recommended to eliminate the Market Rate Affordable (MRA) requirements and temporarily suspend the requirements for the Permanently Affordable (PA) units. Council eliminated the MRA requirements. He explained that in October 2011, the Council directed staff to draft amendments to the Program that would eliminate the PA requirements and release all existing subdivisions from the Program and provide a process for PA owners to sell their units without deed restrictions if it could be documented that a qualified PA buyer could not be found. The Council recently approved Ordinance No. 47-2011 that included both provisions.

Mr. Patterson explained that as part of the process to eliminate the PA requirement, the Community Housing Guidelines need to be amended and those amendments need to be reviewed and recommended by the Planning Commission.

Mr. Patterson reviewed the proposed amendments to the Community Housing Guidelines and discussed Charter Affordable Units. He noted that there are currently 24 PA units that are still owned.

Staff recommended the Planning Commission recommend the City Council adopt the guidelines as amended.

The Planning Commission asked staff to explain how the amendments affect the existing stock of Permanently Affordable (PA) units that are not sold, how many PA units are still in the program, and how much administrative time is required by staff to oversee the remaining PA units in the program.

**Motion**

*Commissioner Knuth moved the Planning Commission recommend the City Council adopt the Community (Affordable) Housing Guideline Amendments. Vice Chair Wilgus seconded the motion. All voted in favor of the motion.*

**B. Lafayette Corporate Campus Replat F, Lot 1, Rezoning, Comprehensive Plan Amendment, and Site Plan/Architectural Review**

Planning Manager Karen Westover entered the staff report into the record. She explained that the Lafayette Fire Department is seeking site plan/architectural review approval to construct an approximately 11,000 sq. ft., two-story fire station on the subject property. Additionally, the applicant is seeking approval of a Comprehensive Plan Amendment to change the land use designation of the property from 'Industrial' to 'Public Facility' and change the zoning from M1 (Industrial) to P (Public). Ms. Westover noted that the property is located east of and adjacent to Exempla Circle and the Good Samaritan Medical Center.

Ms. Westover reviewed the Comprehensive Plan Amendment application and the Comprehensive Plan policies related to the proposed change. Staff believes the change to the land use designation for the subject property is appropriate. Ms. Westover explained that the Fire Department's 2002 Master Plan indicated a need for a fire station in this particular area of the community to improve response times for residents living and businesses located in the southern half of the City. Staff recommended approval of the change in the land use designation from 'Industrial' to 'Public Facility' subject to City Council approval of the rezoning request and site plan/architectural review.

Ms. Westover reviewed the rezoning application against the rezoning criteria and discussed how the application met three of the four criteria. She added that if the Comprehensive Plan Amendment is approved, the rezoning is necessary to conform to the Comprehensive Plan. Staff recommended approval of the proposed rezoning subject to the approval of the Comprehensive Plan Amendment to change the land use designation of the subject property and approval of the site plan/architectural review.

Ms. Westover presented the site plan and reviewed the dimensional standards, streets and access, pedestrian access, and parking. She presented the architecture and reviewed the elevations, the building height, the proposed exterior materials and color, and design elements of the building. She reviewed the landscaping plan, the lighting plan, the trash enclosure and signage.

Staff recommended approval of the site plan/architectural review subject to the staff recommended conditions finding that the plan complies with the requirements for site plan/architectural review submittal; complies with the site plan/architectural review criteria; and the design is compatible with the location and proposed use.

Lafayette Fire Chief Gerry Morrell explained that a second fire station has been in the master plan since 2002. He discussed why a fire station is needed in this area.

Chairperson Patzer opened the public hearing at 7:25 p.m. No one addressed the Planning Commission. Chairperson Patzer closed the public hearing.

The Planning Commission asked staff whether there are any restrictions on the use of sirens, how is the generator on the site being screened, whether the easement shown on the site plan will be abandoned or vacated. Other questions focused on the building's architecture and how the building design will compare with the future nursing home design that was approved previously and whether there are any plans to add some articulation or architectural features to the north elevation of the building since it is a large expansive wall.

The Planning Commission had general questions about the location of the North Metro Area Fire District station, whether the new fire station would get new equipment, whether the fire department is a city fire department or a district, and what were the current response times for the fire department throughout the different areas of Lafayette.

The Planning Commission asked the architect to explain how they could break up the large expanse of the north elevation of the building, what material is proposed for the driveway, and where the HVAC equipment is located and how it is screened.

The Planning Commission discussed the conditions of approval and added site plan/architectural review condition no. 11 which requires the applicant to work with staff to incorporate architectural details on the north elevation to break up the large building expanse.

**Comprehensive Plan Amendment Motion**

*Commissioner Knuth moved the Planning Commission recommend approval of this request for a Comprehensive Plan Amendment, subject to staff's recommended condition, finding that the amendment is complimentary to the goals, objectives and policies of the Comprehensive Plan. Vice Chair Wilgus seconded the motion. All voted in favor of the motion.*

**Rezoning Motion**

*Commissioner Knuth moved the Planning Commission recommend, subject to staff's recommended conditions, rezoning the subject property from M1 (Industrial) to P (Public) finding that the rezoning complies with the Comprehensive Plan, complies with the rezoning criteria of the Code and is necessary to provide land for a community related use. Commissioner Benson seconded the motion. All voted in favor of the motion.*

**Site Plan/Architecture Review Motion**

*Commissioner Knuth moved the Planning Commission recommend approval of this request for Site Plan/Architectural Review, subject to staff's recommended conditions adding condition No. 11 requiring the applicant to work with staff to incorporate architectural details on the north elevation to break up the large building expanse. The Planning Commission finds that the plan complies with the requirements for site plan/architectural review submittal; complies with the site plan/architectural review criteria; and the design is compatible with the location and proposed use. Commissioner Nickell seconded the motion. All voted in favor of the motion.*

**Comprehensive Plan Amendment Conditions of Approval:**

1. Approval of the change in the land use designation for the subject property is contingent upon City Council approval of the rezoning and Site Plan/Architectural review.

**Rezoning Conditions of Approval:**

1. The rezoning is subject to approval of the comprehensive plan amendment to change the land use designation and the site plan/architectural review of the subject property.

**Site Plan/Architectural Review Conditions of Approval:**

1. A sign shall be installed at the northwestern driveway indicating it is an exit only driveway.
2. The plans shall be amended to include the installation of a bike rack, with the location of the bike rack convenient to the main entrance to the facility.
3. The architectural elevations shall be amended to list the color of the aluminum sunshades, garage doors on both the east and west elevation, and the metal roof and fascia.
4. The applicant shall verify the maximum building height from the approved overlot grade, per Section 26-14-8 of the Code.
5. The landscape plan shall be amended as follows subject to review and approval of staff:
  - Seven (7) additional street trees shall be installed;
  - Shift one (1) deciduous shade tree to a location adjacent to the proposed parking spaces;
  - The 15 shrubs required for the parking lot, and provided on the plan, shall be shifted to the eastern perimeter of the lot to provide adequate screening of the parking lot. The types of shrubs to be moved to eastern perimeter shall be subject to review and approval of staff in

order to be able to ascertain if the species will grow at such a rate to be able to provide effective screening within 2 years as required by Code;

- A hydrozone map clearly identifying each hydrozone. Said map shall also address the issue of high and low hydrozones located next to each other by exploring options for moderate hydrozones whenever possible.
  - The landscape plan shall be stamped by a licensed landscape architect.
6. The lighting plan shall be amended to include the proposed height of the three (3) light poles. Said height shall be subject to review and approval of staff.
  7. An evergreen tree or shrubs shall be relocated to the east side of the trash enclosure to provide some visual softening of the enclosure from adjacent property.
  8. No wall signs shall higher than 25 feet from grade.
  9. The plans shall be amended to show the location of any wall mounted gas and electric meters. Any wall-mounted meters shall be painted to match the wall on which it is located.
  10. The applicant shall address the issues identified by the City Engineer in the memo dated January 5, 2012 prior to submittal of a building permit.
  11. The applicant shall work with staff to incorporate architectural details on the north elevation to break up the large building expanse.

**C. 287 Commercial Center Subdivision, Lot 4, Special Use Review and Site Plan/Architectural Review**

Planner Roger Caruso entered the staff report into the record. He stated this application is a request from Covenant RE Management Inc. for Special Use and Site Plan/Architectural Review for a vacant parcel located west of Highway 287, north of Baseline Road, and just south of Wal-Mart. He showed slides illustrating the location of the site and what the site currently looks like.

Mr. Caruso explained that the applicant is proposing a 5,520 sq. ft. one story building that will be divided into two spaces. Space one will be approximately a 3,500 sq. ft. dental office and space two is anticipated to be a bank or food tenant with a drive-thru. That space will be approximately 2,000 sq. ft. in size.

Mr. Caruso explained that the proposed drive-thru component requires a special use review. He explained staff's concern with the lack of information provided by the applicant to adequately evaluate the site plan for a fast food drive-thru user; therefore staff has processed the request assuming a bank use. Staff recommended the Special Use Review approval for the drive-thru be granted only for a bank user however staff would review a request for a fast food user at this site provided the request occurs within six months of the Planning Commission decision. If the request for any non-bank drive-thru use were submitted six months after the Planning Commission decision, staff would recommend the applicant submit a new Special Use Review application.

Mr. Caruso reviewed the application against the Special Use Review criteria and the additional Special Use Review criteria. Staff finds that the drive-thru, subject to staff's recommended conditions, meets the Special Use Review criteria and recommends approval the request contingent upon approval of the Site Plan/Architectural Review.

Mr. Caruso reviewed the site plan and discussed the dimensional standards, streets and access, parking, sidewalks, and drainage. He presented the architecture and discussed the various elements the applicant proposed to make their building compatible with adjacent buildings such as terra cotta standing seam metal awnings and wood trusses and decorative timber columns. He reviewed the building elevations, the exterior material and the proposed colors. He discussed landscaping, lighting and the trash enclosure exterior materials and screening, and signage.

Staff found that the site and architectural plans comply with the Code requirements and recommended approval of the site plan/architectural review subject to the staff conditions outlined in the staff report.

Don Webb, Covenant RE Management Inc., 2860 Michelle Dr., Irvine, California, stated they have read the conditions of approval and agree with them.

Chairperson Patzer opened the public hearing at 8:00 p.m. No one addressed the Planning Commission. Chairperson Patzer closed the public hearing.

The Planning Commission questions focused on drainage, whether the existing curb cuts and driveway will be used, and whether the stacking and turning radius for the drive-thru has been adequately addressed.

The Planning Commission asked the applicant whether the maintenance for the lot is separate from Wal-Mart, how will they address the turning radius concern for the drive-thru, how will the site drain, and whether they have considered any energy sustainability features in their building design such as passive solar.

The Planning Commission discussion focused on their concerns about the unknown use of the drive-thru as this time and whether any future drive-thru use will be reviewed by the Planning Commission. The Planning Commission asked staff what the sign requirements were for this lot.

### **Special Use Motion**

*Commissioner Knuth moved the Planning Commission approve this request for Special Use Review, subject to staff's recommended conditions, 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, potential adverse environmental impacts have been mitigated, and it is compatible with the Comprehensive Plan. Commissioner Benson seconded the motion.*

### *Discussion*

*The Planning Commission requested the applicant to take note of the Commission's concerns regarding the drive-thru use and traffic flow.*

*Chairperson Patzer called for a vote: All voted in favor of the motion.*

### **Site Plan/Architectural Review**

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

### **Special Use Review Conditions of Approval:**

1. This approval is subject to approval of the Site Plan/Architectural review.
2. This approval is for a drive-thru bank use only. The applicant shall have the ability to submit documentation, as requested by the City, to approve a drive-thru fast food user with this Special Use Review application within six months of the Planning Commission decision. After six months, any non-bank drive-thru use will require a new Special Use Review approval.

### **Site Plan/Architectural Review Conditions of Approval:**

1. The applicant shall address the concerns of the City Engineer in the memorandum dated December 29, 2011.
2. All signs require a sign permit.
3. The applicant shall be required to paint any wall-mounted utilities to match the building.
4. All ground mounted improvements such as air conditioning and heating units shall be screened. Staff shall approve such screening prior to the improvements being installed.

5. The applicant shall provide a recorded copy of an access easement to allow access from the adjacent driveways into the site.
6. The applicant shall amend the landscape plan to: 1) separate site, parking lot, and street tree quantities; 2) provide the landscaping on the west side of the trash enclosure area; and 3) address other minor errors.
7. The landscape plan shall include a wind sensor.
8. The landscape plan shall be stamped by a licensed landscape architect.
9. The parking lot light fixtures shall match those installed with Wal-Mart. Staff shall have the ability to approve similar light fixtures if the one installed with Wal-Mart are unavailable.

**V. Other Business**

**A. Commission Comments / Committee Reports**

Commissioner Knuth gave an update on the Lafayette Open Space Advisory Committee meeting he attended.

**B. Department Comments**

Planning Manager Karen Westover reminded the Commission that they would meet at the Starkey Building on Wednesday, January 25 for their workshop meeting. She reminded the Planning Commission about the Rocky Mountain Land Use Institute Conference in March and asked them to let her know if they were interested in attending.

**VI. Adjournment**

*Vice Chair Wilgus moved to adjourn the meeting, seconded by Commissioner Knuth. All voted in favor of the motion. The meeting adjourned at 8:20 p.m.*

City of Lafayette

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Eric Patzer, Chairperson

Attest:

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Michelle Verostko, Recording Secretary