

**Record of Proceedings
City of Lafayette
Planning Commission
Thursday, March 22, 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, Nickell, Steinbrecher, and Wong.

Absent: Commissioner Knuth

Staff present included: Community Development Director Phillip Patterson, Planning Manager Karen Westover, Planner Paul Rayl and Recording Secretary Michelle Verostko.

II. Items from the Public Not on the Agenda

None.

III. Minutes for January 24, 2012 and Workshop Minutes for January 25 and February 29, 2012
Commissioner Benson moved the Planning Commission approve the meeting minutes for January 24, 2012 and Workshop Minutes for January 25 and February 29, 2012, seconded by Vice Chair Wilgus. All voted in favor of the motion.

IV. Scheduled Items

A. Stephenson Nelson Open Space Rezoning

Planner Paul Rayl entered the staff report into the record. He stated this application is a request from the City of Lafayette and Boulder County to rezone the Stephenson Nelson Open Space property from (DR) Development Resource to P (Public). The property is located east of the Vista Business Park, north of the Northwest Parkway and adjacent to the City and County of Broomfield. Mr. Rayl showed slides of what the property looks like today.

Mr. Rayl reviewed the property against the zoning criteria and discussed how the application complies with criterion 'd'. Staff recommended the Planning Commission recommend the City Council rezone the property finding that the rezoning complies with criterion 'd' of Code Section 26-16-8 and also complies with the intent of the 'P' zoning district in Section 26-13-1 of the Municipal Code.

Chairperson Patzer opened the public hearing at 7:05 p.m. No one addressed the Commission. Chairperson Patzer closed the public hearing.

The Planning Commission asked staff how the property is accessed, whether there are any plans to develop the property, whether the property would be used as a buffer and/or provide a trail connection, and where is the location of the confluence of Rock Creek and Coal Creek. Other questions focused on the zoning of the property to the east of this property and whether the City would need this property for industrial use in the future.

Motion

Commissioner Nickell moved the Planning Commission recommend approval of the request to rezone the subject property from DR (Development Resource) to P (Public) finding that the request complies with the rezoning criteria of Section 26-16-8 of the Code and the intent of the P zoning district as described in Section 26-13-1 of the Municipal Code. Commissioner Wong seconded the motion. Chairperson Patzer, Vice Chair Wilgus, and Commissioners Nickell, Steinbrecher and Wong voted in favor of the motion. Commissioner Benson voted against the motion. The motion carried.

B. Amendment to PUD Standards

Community Development Director Phillip Patterson entered the staff report into the record. Mr. Patterson explained that the Lafayette Urban Renewal Authority (LURA) recently adopted a new Downtown Plan and one of the recommendations in the plan is to introduce multi-family development

and multi-use building development with ratios reflective of the current market and financial realities. He reviewed the regulations for multi-family developments and multi-family mixed use developments in the B1 (Community Business) zoning district and in the B-1 zoned Urban Renewal District (B-1 URD).

Mr. Patterson explained that LURA recently amended the Urban Renewal Plan to allow stand-alone multi-family use in the B-1 URD as a Special Use Review. This change will allow for the introduction of multi-family development in locations within the downtown area, subject to a Special Use Review approval by the Planning Commission.

Mr. Patterson reviewed the current mandatory PUD standard, the current ratio which is established at 45/55 (residential/non-residential), and the criteria requirement. He explained that the City Council may, upon a recommendation by the Planning Commission, allow up to 60% residential and 40% non-residential development subject to a finding that the PUD is unique and/or necessary for economic development and one or more of the criteria has been met. He explained that the proposed amendment sets the ratio to start at 75/25 (residential/non-residential) subject to the same criteria as exists now and a finding that if the market is unlikely to support 25% or more non-residential use, the development be allowed to increase to a maximum of 95/5 (residential/non-residential).

Mr. Patterson explained that staff proposed additional amendments to the Community Housing Needs section of both resolutions related to the aspirational and mandatory standards for residential PUDs and mixed-use building complex PUDs. These changes all relate to deleting references to the city's inclusionary (affordable) housing program that have previously been eliminated by action of the City Council.

Staff recommended approval of the proposed amendments to both the Residential PUD Standards and the Mix-Use Building Complex PUD Standards finding that the amendments are in the best interest of the city and essential for the economic vitality of downtown Lafayette.

The Planning Commission asked staff to explain whether the non-residential use would have to produce sales tax, whether affordable units was a criteria, and how many developments were turned away because of the existing ratios and requirements for mixed-use building complexes.

Other questions focused on whether this proposed change is a short term fix because of the current economy, whether the City will lose focus on the original vision for Public Road, how many large lots in the Urban Renewal District could support multi-family units, whether there were any lots that could support 30 to 40 units, and whether 25% for non-residential uses is still too high for developers to meet.

The Planning Commission asked whether apartment leasing offices are considered a commercial use and whether staff anticipates that some of the multi-family units might be condos instead of apartments.

The Planning Commission discussed the merits of the special use review process.

Amendment to PUD Standards Motion

Commissioner Wong moved the Planning Commission recommend approval of the proposed amendments to both the Residential PUD Standards and the Mixed-Use Building Complex Standards finding that the amendments are in the best interest of the city and essential for the economic vitality of downtown Lafayette. Commissioner Nickell seconded the motion. All voted in favor of the motion.

C. Comprehensive Plan Goals & Policies Update Discussion

Planning Manager Karen Westover stated that the Planning Commission's comments from the February workshop have been incorporated into the Comprehensive Plan Goals and Policies and were included in the staff report.

Ms. Westover led a discussion on mixed-use parcels and explained that in the past ratios were assigned to each mixed-use parcel on the land use map that prescribed a specific percentage of different types of land use for each parcel. She discussed the difficulties in implementing a development plan with specific

parameters. She presented Mixed-Use Parcel #4 as an example of how applying the ratios did not reflect a viable plan. She gave a brief background of the three properties that make up Mixed-Use Parcel #4, the ratios that were assigned to the parcel, and the proposed development. She discussed some of the pros and cons of the plan and noted that the applicant withdrew his application due to public opposition. The main objection from surrounding property owners was the density and the incompatibility of the plan with the surrounding area.

Ms. Westover discussed an alternative approach to mixed use parcels that would outline the background information and identify considerations that should be given to the development of the mixed-use parcel. She presented Mixed-Use Parcel #4 as an example and reviewed considerations that would make the development plan more viable

Ms. Westover asked the Commission for their feedback and whether staff was headed in the right direction. She noted that staff was expecting additional comments from other departments in May and would be compiling those comments into a draft format before proceeding with public input.

The Planning Commission agreed with staff's approach for the mixed-used parcels.

V. Other Business

A. Commission Comments / Committee Reports

Vice Chair Wilgus stated he appreciated the opportunity to attend the Rocky Mountain Land Use Institute Conference. He discussed the information on small houses in small compact land masses that he emailed to staff and the Commission. Commissioner Wong gave an update on the Historic Preservation Board meeting he attended.

B. Department Comments

Planning Manager Karen Westover discussed the sign code amendments that the Planning Commission reviewed last June particularly the electronic message board signs that the City Council did not approve. This part of the code amendment is being brought back to City Council which proposes electronic message boards in the C-1 Zoning District.

Mr. Rayl gave an update on the RTD Fastracks options being proposed. He discussed the hybrid option that was chosen, the impacts it might have for Lafayette, and what bus rapid transit includes.

VI. Adjournment

Vice Chair Wilgus moved to adjourn the meeting, seconded by Commissioner Nickell. All voted in favor of the motion. The meeting adjourned at 8:15 p.m.

City of Lafayette

Eric Patzer, Chairperson

Attest:

Michelle Verostko, Recording Secretary