Record of Proceedings
City of Lafayette
Planning Commission
Tuesday, April 24, 2012

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

Absent: Commissioner Nickell, Vice Chair Wilgus, and Commissioner Wong

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. Minutes for March 22, 2012

Commissioner Knuth moved the Planning Commission approve the meeting minutes for March 22, 2012, seconded by Commissioner Benson. All voted in favor of the motion.

Scheduled Items

A. Indian Peaks Filing #17 Replat C Preliminary Plan/PUD

Planning Manager Karen Westover entered the staff report into the record. She stated that this application is a request for an amendment to the 2006 Indian Peaks Preliminary Plan/PUD. She showed a slide illustrating the location of the site and reviewed the uses on the surrounding properties. She gave a brief background of the overall Indian Peaks development and reviewed the previous agreements between the City and the developer. She presented some photos of what the property currently looks like.

Ms. Westover reviewed the approved 2006 Indian Peaks Preliminary Plan/PUD. She presented the proposed amended plan which proposes to change the 99 townhome lots into 71 high density, small single-family lots and reserve 25 units for future residential development on Tract D, re-align Roser Drive by replacing the long oblong shaped median with a narrow median and neck down street section; and amend the phasing plan. The amendment proposes a reduction of the number of residential units from 307 to 302. She reviewed the various housing types and numbers being proposed in the 2012 Plan in comparison with the 2006 Plan.

Ms. Westover reviewed the proposed bulk and area requirements for the proposed High Density Alley Loaded lots (HDAL) and changes from the 2006 Plan for the single-family alley loaded lots.

Ms. Westover reviewed the phasing plan, the proposed sidewalk improvements, and the proposed relocation of an Xcel gas line. She discussed staff's recommendation that the applicant work with Xcel to negotiate a 50' easement for the sidewalk and gateway sign. She reviewed the 2006 traffic study and road improvements needed at the intersection of Highway 42 and Baseline Road. She discussed other site plan issues such as floodplain, water quality features, mailbox locations, landscaping and private parks. She noted that a rezoning application for this phase is anticipated to be reviewed in May.

Ms. Westover reviewed the application against the PUD criteria and discussed how the application met the criteria. She discussed the amendments to Condition No. 1 regarding PUD modifications to the setbacks. Staff recommended approval of the Indian Peaks Filing No. 17 Preliminary Plan and PUD subject to the amended staff conditions finding that the plan complies with the criteria of Section 26-18-5(b) and (d), the plan is unique; in the best interest of the city; and the code modifications are in the best interest of the city and the neighborhood.

David Ware, Chief Executive Officer, Indian Peaks South LLC, 2041 S. Quinn Street, Denver, presented their proposal, reviewed the changes to the 2006 Plan, and explained the reasons for the changes. He discussed the density and setbacks modifications and reviewed their phasing plan. He reviewed their site plan and discussed utilities, access, detention, the relocation of the Xcel gas line, and their existing development agreements with the city.

Chairperson Patzer opened this portion of the meeting for public testimony at 7:40 p.m. No one addressed the Commission. Chairperson Patzer closed the public hearing.

The Planning Commission questions to staff included whether the gas line issue is Xcel's idea and expense, what the building permit allocation would be for this project, what the proposed minimum distance between buildings would be, whether the proposed neighborhood parks were private, and when would the road improvements on Baseline Road be done. The Commission expressed concern about the width of Roser Drive and whether it could accommodate a school bus. The Planning Commission asked whether the Commission would review Phase 3 and 4 of the proposed subdivision. The Commission also asked about the location of the gateway signage.

The Planning Commission's questions to the applicant focused on the detention pond, what the homeowners association would be responsible for maintaining, whether there is a demand for smaller sized houses, whether they have done this type of project in other locations in the area, where the off-street parking lots are located, and whether they would be adjusting the lots that are near the floodplain.

The Planning Commission discussed the merits of the plan.

Motion
Commissioner Knuth moved the Planning Commission approve this request for Preliminary Plan/PUD Amendment approval, subject to staff's recommended conditions as amended. The Planning Commission found that the proposal complies with the preliminary plan requirements, complies with the Comprehensive Plan's goals and policies, and meets the PUD criteria. Commissioner Steinbrecher seconded the motion. All voted in favor of the motion.

Conditions of Approval:

1. The following modifications are approved:

Principal Building Setbacks	R-3 Zoning / Proposed HDAL	2006 Approved SFAL / Proposed 40'wide SFA
Front Yard		
Roser Drive	35'/25'from back of curb	30'/30'from back of curb
Covered Porch	6'	
Local Street	20'/5'	12'/12'
At garage	NA/5'	18'/18'
Side Street	NA/8'	NA
Cantilever & Bay window	0'/2' into setback	0'/2' into setback
Roof eves	18"/16" beyond bldg	
Side yard	5'/5'	5'/5'
Cantilever & Bay window	0'/16" into setback	0'/16" into setback
Roof eves	18"/16" beyond bldg	
PUD Bldg Separation	15'/10'	15'/10'
Rear yard	20'/12'	18'/18' with driveway parking 5'/5' w/out driveway parking
Covered Porch	20'/6'	
Cantilever	0'/16" into setback	

Roof eves	18”/16” beyond bldg	
Wetlands	NA/25’	NA/ 25’
Bldg Height	35’/35’	35’/35’ measured to the peak
Minimum Lot Area	6,000sf/2,500sf	5,000sf/3,600sf
Maximum Lot Coverage %	30/50	50/50

SFAL is to allow a 10’ building separation from the principle building and a detached accessory building while still maintaining the 15’ between principle buildings unless the lot is next to a 40’ wide lot, the building separation to the adjacent principle structure is 10’.
Subject to compliance with the 2009 IRC (Building Code), including maintaining a minimum 2’ setback from the property line for all projections such as eaves.

2. One-half the costs of the Paschal West Extension improvements shall be the responsibility of the applicant. Documentation of payment for this responsibility shall be provided and approved by staff prior to final plan approval.
3. The applicant shall work with staff to determine the minimum centerline radius for the Twin Lakes Circle, Hoyt Lane and the alley bend north of Shadow Lake Road.
4. Streets with a 22’ wide right-of-way shall be constructed with concrete. The final design shall be reviewed and approved by the City Engineer.
5. Applicant shall negotiate a 50’ easement with Xcel that if possible allows the sidewalk and gateway sign be located within the easement.
6. Indian Peaks Filing No. 17 Replat C Subdivision shall include Paschal right-of-way, the amended size of Tracts B and Tracts D and a water line easement north of the right-of-way.
7. An outlot shall be provided for the landscape median within Roser Drive to distinguish ownership and maintenance.
8. The PUD and all final plats shall be amended to provide an outlot for the parking areas approved for the HDAL development.
9. All outlots shall be owned and maintained by the Homeowner’s Association.
10. All fences, landscaping and structures comply with the City sight distance regulations.
11. The applicant shall address the comments in the memo from City Engineer, Peter Johnson dated March 7, 2012 (attached) prior to submitting the final plan.
12. The Plat and PUD shall be corrected as follows:
    a. The certificates need to be corrected to relate to the Planning Commission and City Council approval. Title Company Certificate and Certificate of Ownership and Dedication shall be corrected and shall be added to the PUD.
    b. A note shall be added to the Plat and PUD stating, “All outlots are owned and maintained by the Indian Peaks South Homeowners Association”.
    c. Note #14 shall be removed from the PUD.
13. The applicant shall complete the walk along Highway 42 within 6 months of completion of the Xcel West Main Line project or the applicant shall provide financial security to cover the costs of the walk prior to:
    a) The issuance of any building permit for a lot which brings the total developed area to more than 51% of the developable area of Indian Peaks Filing No. 17 ; or
    (b) The issuance of any building permit for a lot which brings the total developed area east of Roser Drive to more than 51% of the developable area of Indian Peaks Filing No. 17 that is east of Roser Drive with “51% of the development”, whichever occurs first .
14. The applicant shall provide adequate water quality features to be reviewed and approved by the City Engineer.
15. Storm Water Enterprise fees shall be paid prior to recording the final plat.
16. The lot lines for Lot 11, Block 14, and Lots 11 and 17 Block 16 on Straight Creek Way shall be amended to remove the lots from the floodplain.

17. The Highway 42 gateway sign shall be installed within 6 month of completion of the West Main Line project or the applicant shall provide financial security to cover the costs of the walk prior to:
    a) The issuance of any building permit for a lot which brings the total developed area to more than 51% of the developable area of Indian Peaks Filing No. 17 ; or
    (b) The issuance of any building permit for a lot which brings the total developed area east of Roser Drive to more than 51% of the developable area of Indian Peaks Filing No. 17 that is east of Roser Drive with "51% of the development", whichever occurs first .
18. The applicant shall continue to work with the City and Xcel Energy to install the Highway 42 gateway sign as close as possible to Highway 42 and build the sign and sidewalk within the gas line easement.
19. The applicant shall provide concurrence from the Army Corps of Engineers that a 404 permit is not required for the proposed regarding of the detention ponds or obtain a 404 permit from the Army Corps of Engineers.
20. The applicant shall provide a hydrozone and water budget for the landscape area along Roser Drive with the Final Plan submittal.
21. The applicant shall install wind and rain sensors as part of all irrigation systems.
22. The applicant shall work with staff to relocate the mail box on Cascade Creek Drive between lots 26 and 27. Final location is subject to the US Postal Service approval. Information detailing the easement provided for mailboxes located on private lots and/or a request for the City to grant a license agreement for mailboxes encumbering land to be dedicated to the City shall be submitted with the final plan.
23. Twenty-five residential units shall be reserved for the development of Tract D.
24. An application for rezoning the HDAL parcel shall be submitted for review by the Planning Commission prior to submittal of the final plan.
25. All alleys shall be re-labeled from private street to Private Outlot Alley.
26. Unless specifically amended as part of this Preliminary Plan/PUD Amendment approval or an executed Development Agreement, all other conditions of the 2006 Indian Peaks Filing No. 17 Preliminary Plan/PUD approval shall apply.

B. Indian Peaks Filing #17 Replat C Site Plan/Architectural Review

Planner Roger Caruso entered the staff report into the record. He stated that this application is a Site Plan/Architectural Review for 71 High-Density Alley-Loaded residential lots within the Indian Peaks Filing No. 17 PUD. The site is located south of Baseline Road and west of 95th Street.

Mr. Caruso explained that the applicant proposes six models within the High Density Alley Loaded (HDAL) area. He showed a slide illustrating the site plan and the location of the alley loaded lots. He explained that the applicant proposes to build the homes in different phases by blocks. He discussed parking, setbacks, landscaping and street trees. He presented the elevations of the models and reviewed the proposed exterior materials and architectural features of the homes. He showed examples of the homes proposed in the first phase.

Mr. Caruso reviewed the recommended staff conditions of approval. Staff recommended approval of the site plan/architectural review subject to the staff conditions as outlined in the staff report.

David Ware, Chief Executive Officer, Indian Peaks South, LLC, 2041 S. Quinn Street, Denver, explained that their proposal is to amend the existing PUD to replace the previously approved townhome program to incorporate new 20' wide single-family detached homes. He discussed the reasons behind the program and some of the design features they want to incorporate into this housing program. He reviewed the six proposed models and the overall design of the site for the placement of the models. He reviewed the proposed architectural elements, the exterior materials, and colors. He reviewed the landscaping plan and the proposed amenities for this housing program which includes three private parks.

The Planning Commission questions to staff included whether parking will be permitted on side streets, whether any of the units will be visitable units, the location of street trees, and whether the applicant met the landscape requirements. Other questions focused on the proposed grade of the driveways and snow removal.

The Planning Commission questions to the applicant focused on the architecture and design. The Planning Commission asked the applicant to review the rear elevations, to explain how one enters the home or finds the front door if they were visiting, if any of the homes were designed to be visitable units, and to review how the various types of units would be mixed or divided up such as the ranch and two story units.

The Planning Commission discussed the merits of the plan.

Motion
Commissioner Knuth moved the Planning Commission recommend approval of this request for Site Plan/Architectural Review, subject to staff's recommended conditions. The Planning Commission finds that the criteria of Section 26-16-7.1 has been satisfied because the site plan design is compatible with the location, the design criteria guidelines offer the ability for variations of architectural themes and elements, colors, accents, and the plan is harmonious and compatible to the neighborhood. Commissioner Steinbrecher seconded the motion. All voted in favor of the motion.

Conditions of Approval:
1) With the final plan the applicant shall submit:
    a) HOA documents restricting the usage of the garage spaces for the HDAL lots to parking of vehicles only;
    b) A signage plan indicating the type and location of "No Parking" signs proposed to be located along the dedicated streets;
    c) Updated elevations for staff review and approval to ensure useable front porches to the extent possible;
    d) Information detailing the easement provided for mailboxes located on private lots and/or a request for the City to grant a license agreement for mailboxes encumbering land to be dedicated to the City;
    e) A fence plan for review and approval;
    f) A landscape plan to include: a table separating the quantity of the landscape improvements in the outlots from those on the residential lots; and a wind/rain sensor on the park and outlots.
    g) An updated plat and PUD showing all off-street parking within an outlot which is to be owned and maintained by the HOA.
2) The same model can not be built next to, or across the street from a similar model regardless of elevation.
3) The HDAL lots shall utilize the color palette previously approved in the Indian Peaks Subdivision.
4) Street trees shall be installed prior to issuance of a Certificate of Occupancy for the lot the tree is located on, or nearest to.
5) Future applications to plat the area in Blocks 14-17 will require a landscape plan to be reviewed

C. Cabrini Gardens, Lot 3C, Site Plan/Architectural Review

Planner Paul Rayl entered the staff report into the record. He stated this application is a request for Site Plan/Architectural Review approval for a 6,786 sq. ft. retail auto parts store. The site is located on Lot 3C of Cabrini Gardens Subdivision Replat C which is located east of Highway 287 across from the Wal-Mart Supercenter. Mr. Rayl showed a slide of the site plan which illustrated the location of the site and the surrounding properties. He discussed the uses on the surrounding properties.

Mr. Rayl presented the site plan and discussed street and vehicular access, pedestrian access, sidewalks and parking. He discussed several issues staff has with the plan regarding the alignment of the access driveway, a pedestrian connection from Cabrini Drive to the site, and widening the handicap parking space.

Mr. Rayl reviewed the landscape plan, parking lot screening, and the lighting plan. He discussed staff's concerns with the lighting plan such as glare from the wall-pack lighting and the number of pole-mounted lights adjacent to Cabrini Drive.

Mr. Rayl presented the architecture and building elevations. He reviewed the proposed exterior materials, the colors and roof line of the building. He discussed some of staff concerns with the architecture explaining that it does not meet the City's Commercial Design Guidelines. He also reviewed the trash enclosure and signage. He discussed staff's concerns with the color of the proposed wall signs and brick façade of the building.

Staff recommended approval of the site plan/architectural review subject to the staff conditions. Staff found that the application complies with the 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.

Lucy Dinnean, Cadence Capital Investments, 8480 E. Orchard, Greenwood Village, Colorado, gave a brief introduction about their company and Advance Auto Parts. She presented their site plan and building architecture. She stated they agreed with the conditions of approval except for Condition No. 2c regarding the decorative pavement, Condition No. 3b regarding the peaked roof element, Condition No. 5 regarding lighting, and Condition No. 7 regarding signage.

The Planning Commission questions to staff focused on the site plan and access. The Planning Commission asked whether there was access from the bus stop on Highway 287 to the site, was there cross access easements for the site, whether the number of parking spaces could be reduced, and whether the church could use this parking lot for overflow parking. The Planning Commission asked staff about ways to minimize the lighting on the site such as reducing the light pole heights or other methods. The Planning Commission expressed concern about customers using the parking lot for repairs and suggested adding a condition to the application addressing this concern.

The Planning Commission questions to the applicant included what their hours of operation would be, more information on the proposed retaining wall, how often the loading dock would be used, and whether the applicant agreed to make changes to the proposed exterior building materials.

The Planning Commission discussion focused on the proposed lighting plan and ways to reduce or mitigate lighting on the site including adding a condition requiring that some of the light poles be eliminated or reduced in height. The consensus of the Planning Commission was to amend Condition No. 5b to say "The pole mounted light at the property entrance from Cabrini Drive shall be removed from the

plans. The applicant shall work with staff to identify a more suitable alternative for identifying the property entrance."

The Planning Commission clarified with staff the intent of Condition No. 2c regarding the decorative pavement. The Planning Commission reworded Condition No. 2c to say "A combination of decorative pavement design and/or stripping and signage shall be utilized wherever the designated pedestrian paths cross parking lots or drive aisles."

The Planning Commission discussed Condition No. 3b regarding the roofline and western elevation. The Planning Commission asked staff to discuss their concerns regarding this condition. The Planning Commission changed the words "peak roof elements' to "enhanced roof elements".

The Planning Commission discussed Condition No. 7 regarding detail on the façade behind the wall mounted signage. The consensus of the Planning Commission was to delete Condition No. 7.

The Planning Commission discussed the number of parking spaces being provided on the site and also restricting automotive repair type use from taking place in the parking lot. The consensus of the Planning Commission was to add Condition No. 10 to prohibit automotive service or repair on-site.

The Planning Commission discussed the loading dock and whether to restrict the hours for unloading and/or loading on the site.

Motion
Commissioner 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, the submittal requirements of Section 26-17-9 have been met, and the design is compatible with the location and proposed use. Commissioner Benson seconded the motion. All voted in favor of the motion.

Conditions of Approval:

1. Prior to issuance of a building permit, either one of the following shall occur:
   a. Submittal and approval of a minor amendment to the Salvation Army site plan moving the access drive approximately 5 feet to the west to align with the proposed access drive for Advance Auto Parts; or,
   b. Adjustment of the Advance Auto Parts site plan to align the drive aisle with the currently approved drive aisle location on the Salvation Army site (Lot 2B).
2. The plans shall be amended as follows subject to review and approval of staff:
   a. The sidewalk in front of the building shall line up with the location of the sidewalk on the Salvation Army site which provides access to Hwy 287.
   b. A pedestrian connection shall be constructed from Cabrini Drive to the building.
   c. A combination of decorative pavement design and/or stripping and signage shall be utilized wherever the designated pedestrian paths cross parking lots or drive aisles.
   d. One (1) handicap van accessible parking space with a minimum 8' wide accessible aisle shall be provided for customers.
3. The architectural plans shall be amended as follows subject to review and approval by staff:
   a. The primary building materials shall be split-faced CMU, brick, and stucco. Some use of smooth-faced CMU may be appropriate but only as an accent material;
   b. The building plans shall include at a minimum, enhanced roof elements along the western elevation of the building over the primary entrance to the store;
   c. The roofline along the rear of the building over the receiving area shall include a decorative stucco cap to match that found on the rest of the building.

   d. The applicant shall provide a line-of-site drawing from Highway 287 to ensure the roof-top mechanical equipment is adequately screened from adjacent right-of-way. If it is determined by staff that the parapets will not adequately screen the roof-top equipment, the applicant will work with staff to provide screening that is architecturally compatible and in compliance with the Design Guidelines.
   e. The glass reflectivity factor and any proposed tinting for the storefront shall be submitted for staff review and approval prior to submittal of a building permit application.
4. The landscape plan shall be amended as follows subject to review and approval of staff:
   a. Drought tolerant sod shall be installed within the right-of-way adjacent to the property. This area should be permanently irrigated to ensure establishment of the grasses;
   b. The hydrozone plan map shall adequately reflect the locations of the various hydrozones indicated in the map legend and to include the irrigated sod in the Hwy 287 right-of-way;
   c. Additional screening with shrubs shall be provided adjacent to the eastern edge of the parking lot to screen parked cars from the street and to prevent glare of headlights shining across Cabrini Drive into future residential development.
   d. Include details on the retaining wall including color and type of material used to construct the wall.
5. The lighting plan shall be amended as follows subject to review and approval of staff:
   a. The light over the receiving entrance shall be a wall-mounted fixture with full cut-off features similar to the other proposed wall-mounted lighting on the building;
   b. The pole mounted light at the property entrance from Cabrini Drive shall be removed from the plans. The applicant shall work with staff to identify a more suitable alternative for identifying the property entrance.
   c. The double-headed fixture at the eastern edge of the parking lot shall be changed to single head and shall include a shield on the east side of the light source to prevent glare onto adjacent property;
   d. The applicant shall utilize a lower wattage light source that will not exceed a lumen of 8 foot-candles and the photometric plan shall be amended to reflect no readings above 8 prior to the submittal of a building permit application;
   e. It shall be noted on the plans which light fixtures can be turned off after the business closes, with the minimum number of lights left illuminated for security.
6. Staff recommends the trash enclosure be constructed of split-faced CMU to match the principal building.
7. The base of the freestanding sign shall be constructed with similar split-faced CMU as the principal building, and the CMU shall be extended to the sides and top of the sign in order to provide an architecturally compatible frame for the sign.
8. The applicant shall work with staff to study the feasibility of reducing the number of street cuts needed for utility connections in Cabrini Drive.
9. A fire hydrant shall be added to the plans with the location of said hydrant subject to review and approval of staff.
10. This Site Plan/Architectural Review approval does not include interior or exterior automotive service and repair, therefore, no automotive service or repair shall occur on-site.

V. Other Business

A. Commission Comments / Committee Reports

Commissioner Knuth gave an update on the Lafayette Open Space Advisory Committee meeting he attended and noted they reviewed the Comprehensive Plan.

B. Department Comments

Planning Manager Karen Westover updated the Commission on where staff is on the Comprehensive Plan Update.

VI. Adjournment

Commissioner Benson moved to adjourn the meeting, seconded by Commissioner Knuth. All voted in favor of the motion. The meeting adjourned at 10:00 p.m.

City of Lafayette

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Eric Patzer, Chairperson

Attest:

_____
Michelle Verostko, Recording Secretary