Record of Proceedings City of Lafayette Planning Commission Tuesday February 26, 2013

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

Absent: Commissioners 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 January 22, 2013 and Workshop Minutes for January 22, 2013

Commissioner Knuth moved the Planning Commission approve the meeting minutes for January 22, 2013 for both the regular meeting and the workshop meeting. Commissioner Benson seconded the motion. All voted in favor of the motion.

IV. Scheduled Items

A. 110 S Roosevelt, 110 W Simpson and 106 W Simpson Comprehensive Plan Amendment, Rezoning, and PUD Modification

Planner Paul Rayl entered the staff report into the record. He noted that he gave the Planning Commission a copy of an email from a citizen regarding this application that staff received after the packet was completed.

Mr. Rayl stated that this requests includes three applications: a Comprehensive Plan Amendment, a Rezoning, and a PUD modification. The subject property consists of three lots located at 110 S. Roosevelt, 110 W. Simpson and 106 W. Simpson and includes a former church building, a single-family residence and an accessory structure. Mr. Rayl gave a brief history of the property and noted that the church property has sat vacant since the church moved to their new location on Highway 287.

Mr. Rayl presented the Comprehensive Plan Amendment and explained that the subject property has a land use designation of 'High Density Residential'. The proposed amendment would change the land use designation to 'Commercial – Low Intensity' to comply with the proposed rezoning to T1/PUD. Mr. Rayl explained that the Comprehensive Plan is a guide to land development and the goals and policies of the Plan should be considered when reviewing requests for rezoning. He reviewed the Comprehensive Plan policies that staff has identified relating to the proposed change.

Mr. Rayl presented the Rezoning request and explained that the applicant proposes to rezone the property from OTR (Old Town Residential) to T1/PUD (Transitional Business District/Planned Unit Development) zoning district. He reviewed the permitted uses and the uses that require a Special Use Review in both the OTR zoning district and the T1 zoning district. He reviewed the application against the rezoning criteria and discussed how the application complied with criterion "b" and "c" of Code Section 26-16-8.

Mr. Rayl presented the PUD modification and explained that the applicant proposes to prohibit certain land uses for the subject property. These uses include extraction of oil and gaseous materials, gas station (drive-up facility), golf course and halfway house. Mr. Rayl explained that Section 26-18-7(a) states that the PUD shall have the effect of overlaying the existing zoning and thereby adding to and modifying the existing zoning regulations. He reviewed the PUD criteria and discussed how the application meets the criterion.

Staff finds that the land use plan amendment is supported by several Comprehensive Plan policies, the rezoning complies with Code Section 26-16-8 (b) and (c), and the PUD modifications are in the best interest of the City. The land use plan amendment and rezoning should encourage reuse of the subject property and the former church building which has sat vacant for approximately 5 years. Therefore, it is in the public interest to amend the Comprehensive Plan's land use plan and to rezone the property. Staff recommends approval of the land use amendment, rezoning and PUD.

Andrew McVay, Tebo Development, 1590 Broadway, Boulder, explained that they want to make use of this property and believe the proposed changes will increase their options and provide more flexibility for future development of the property.

Chairperson Patzer opened this portion of the meeting for public testimony at 7:15 p.m.

Missy Schreiner, 598 Spruce Circle, Louisville, stated she applauds the City on rezoning the property and hopes that it proceeds well.

Chairperson Patzer closed the public hearing.

The Planning Commission asked staff whether the three lots were going to be combined into one, what was the parking for on the rear of one of the lots, and whether the lots could be sold separately.

The Planning Commission asked the applicant whether there were access easements for the three lots, whether they had plans for the property and whether they would consider selling the property.

The Planning Commission discussed some of the neighbor's concerns regarding a mortuary use and whether they should recommend adding that use to the prohibited uses.

Staff clarified that the request for uses must come from the applicant. The Planning Commission must make its decision regarding the use restrictions as requested and submitted by the property owner as part of the original application and may not negotiate further restrictions with the property owner.

Comprehensive Plan Amendment Motion

Vice Chair Wong moved the Planning Commission recommend approval of the Comprehensive Plan Amendment, finding that change to the Land Use Plan designation is necessary to comply with the proposed change in zoning to T1 and is complimentary to the goals, policies and objectives of the overall Comprehensive Plan. Commissioner Benson seconded the motion. Chairperson Patzer, Vice Chair Wong, and Commissioners Benson and Wilgus voted in favor of the motion. Commissioner Knuth voted against the motion. The motion carried.

Rezoning Motion

Vice Chair Wong moved the Planning Commission recommend approval of the request to rezone the subject property from OTR (Old Town Residential) to T1/PUD (Transitional Business District/Planned Unit Development) finding that the request complies with rezoning criteria 'b' and 'c' of Section 26-16-8 of the Code, certain Comprehensive Plan goals and policies, and the intent of the T1 zoning district as described in Section 26-10-1 of the Municipal Code. Commissioner Benson seconded the motion. Chairperson Patzer, Vice Chair Wong, and Commissioners Benson and Wilgus voted in favor of the motion. Commissioner Knuth voted against the motion. The motion carried

PUD Modification Motion

Commissioner Benson moved the Planning Commission recommend approval of this PUD request, subject to staff's recommended condition, finding that the request meets the criteria of Section 26-18-5 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. Vice Chair Wong seconded the motion. Chairperson Patzer, Vice Chair

Wong, and Commissioners Benson and Wilgus voted in favor of the motion. Commissioner Knuth voted against the motion. The motion carried

Comprehensive Plan Amendment Conditions of Approval:

1. Approval of the Comprehensive Plan Amendment is subject to approval of the rezoning and PUD request.

Rezoning Conditions of Approval:

1. Approval of the rezoning request from OTR to T1/PUD is subject to approval of the Comprehensive Plan Amendment and PUD modifications restricting land uses.

PUD Modifications Conditions of Approval:

1. Approval of the PUD modification restricting the following land uses on the subject property is subject to approval of the Comprehensive Plan Amendment and rezoning request:

B. Vista Business Park, Lot 21 Site Plan/Architectural Review

Planner Roger Caruso entered the staff report into the record. He stated that this application is a request for a site plan/architectural review approval for a 17,406 square foot one story industrial building with a mezzanine on Lot 21 of Vista Business Park. The subject property is located east of 120th Street, south of South Boulder Road, on the west side of Horizon Avenue. Mr. Caruso gave a brief history of the property and its approval and zoning.

Mr. Caruso explained that Precision Plumbing is relocating from Boulder to Lafayette and proposing to build a new industrial building. The proposal includes a 17,406 square foot one story building with a mezzanine located inside the building. The site improvements include 25,400 square feet of landscaped area and 65 parking spaces including two (2) accessible spaces. The building complies with the dimensional standards for the M-1 zoning district.

Mr. Caruso reviewed the proposed conditions of approval. He presented the architecture for the building and reviewed the proposed exterior materials and colors. He reviewed the building elevations and discussed staff's concerns about the lack of features on the north elevation of the building.

Mr. Caruso concluded that staff finds that subject to the recommended conditions, the proposed site and architectural plans comply with the review criteria of Section 26-16-7.1 and the submittal requirements of Section 26-17-9. Staff recommended approval of the Site Plan/Architectural Review subject to the recommended conditions of approval.

Bill Smith, Intergroup Architects, 2000 W. Littleton Blvd., Littleton, stated he is representing the applicant, Precision Plumbing. He stated Precision Plumbing is very excited to be moving to Lafayette.

The Planning Commission asked staff whether RTD had plans to extend bus service to Vista Business Park or 120th Street, where the overhead door locations are, whether staff was concerned about the height of the light poles, whether the rooftop units would be screened, how the site drains, and why the applicant wants additional parking in the future.

The Planning Commission asked the applicant about shared access, whether the north overhead door will be used for deliveries, whether they have enough maneuverability on the site for delivery trucks, whether they will have snowmelt capability on the north side of the building, and whether they agreed with the conditions of approval.

Mr. Smith responded to the questions. He discussed recycling, screening of the rooftop units, and future solar panel installations. He stated they read and agreed with the conditions of approval.

The Planning Commission discussed the merits of the plan.

Site Plan/Architectural Review Motion

Commissioner Knuth moved the Planning Commission recommend approval of this request for Site Plan/Architectural 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 Wilgus seconded the motion. All voted in favor of the motion.

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) An additional accessible parking space near the east or south elevation;
 - b) An additional accessible parking space, to be built when the 15 future parking spaces are, within the future parking area;
 - c) Revisions to the landscape plan to relocate all plantings out of the future parking area;
 - d) Revisions to the landscape plan to depict the correct amount of landscaping for eighty parking spaces;
 - e) Revisions to the landscape plan to include a wind sensor;
 - f) Revisions to the elevations to break up the massing of the north elevation, which are to be approved by staff;
- 2. Prior to a building permit being issued the applicant shall:
 - a) Submit an executed access agreement, recorded by the Boulder County Clerk and Recorder, for the southernmost entrance;
 - b) Submit a letter from the architectural committee approving the design of the building.
- 3. The applicant shall submit a final drainage report with the building permit application.

V. Other Business

A. Commission Comments / Committee Reports

None.

B. Department Comments

Planning Manager Westover reminded the Planning Commission that they have a joint meeting with the Lafayette Energy Sustainability Advisory Committee (LESAC) on March 12, 2013 at 6:30 p.m. in the Council Chambers.

VI. Adjournment

Vice Chair Wong moved to adjourn the meeting to a workshop seconded by Commissioner Knuth. All voted in favor of the motion. The meeting adjourned at 7:50 p.m.

	City of Larayette	
Attest:	Eric Patzer, Chairperson	
Michelle Verostko, Recording Secretary		