

**Record of Proceedings
City of Lafayette
Planning Commission
Tuesday June 25, 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, Knuth, Nickell, Steinbrecher and Wilgus.

Staff present included Planning Manager Karen Westover, Planner Paul Rayl, and Recording Secretary Michelle Verostko

II. Items from the Public Not on the Agenda

None.

III. Meeting Minutes for May 28, 2013

Commissioner Wilgus moved the Planning Commission approve the meeting minutes for May 28, 2013 Vice Chair Wong seconded the motion. All voted in favor of the motion.

IV. Scheduled Items

A. SoLa Commercial/Institutional PUD Amendment/Preliminary Plan/Vacation of Easements

Planner Paul Rayl explained that he provided the Planning Commission a copy of an email staff received today from David Hamm of Exempla Good Samaritan Medical Center regarding this application and then entered the email and staff report into the record.

Mr. Rayl stated that this application is a request to amend the Preliminary Plan/PUD for the SoLa Commercial/Institutional PUD and Vacation of various access and utility easements. He showed the location of the site in the northeast corner of Highway 287 and Exempla Circle. He gave a brief background of the previous approvals for this site.

Mr. Rayl reviewed the current PUD and discussed the layout, the anticipated uses, and which lots had been developed. He reviewed the proposed PUD Amendment and explained that the applicant intends to redesign the commercial area to respond to the current retail market and the needs of the area. He discussed some of the proposed changes to the land use table such as expanding institutional uses within the commercial area. He reviewed the illustrative concept site plan that shows how the proposed changes to the PUD might develop.

Mr. Rayl stated the original PUD included a set of architectural design guidelines for the commercial portion of the PUD and the applicant has included a new set of design guidelines. He explained that while the new guidelines include many of the same architectural features and site design criteria of the original document, some have been modified to address the suburban shopping center design and the intent of the amended PUD. He discussed staff's concerns with the new guidelines and recommended the design guidelines be expanded to include stone and siding as acceptable and durable building materials for uses within the PUD. The type of stone and siding included in the design guidelines shall be subject to staff review and approval.

Mr. Rayl reviewed the PUD landscape plan and compared the original plan with the proposed plan. He discussed staff concerns with the proposed landscaping changes along Highway 287 which includes significantly less landscaping than what was originally proposed. Staff recommended the landscape plan be amended to include a similar level of landscaping as the original PUD and landscaping that would complement future signage along Highway 287 and would not block the signage as the landscaping matures.

Mr. Rayl reviewed the code modifications for the commercial area of the development which included height modifications for building height from 35 ft. to 50 ft. for office uses and assisted living facilities;

and 60 ft. for a possible hotel; allow more than one principal building per lot, relief from the 25 ft. frontage requirement on a dedicated public street; various sign modifications; and carry over the current PUD modifications for the Institutional Area to the proposed amended PUD. Mr. Rayl reviewed the PUD criteria and discussed how the application met the criteria.

Mr. Rayl presented SoLa Subdivision Replat C and explained that the minor subdivision consists of 11 lots including lot line adjustments to existing lots within the subdivision, platting of tracts and outlots into lots and the dedication of access, utility and drainage easements to accommodate the development of the new subdivision. He added that with the new lot configuration, there are seven access and utility easements that would need to be vacated because they will no longer be needed for public use and convenience once the plat is recorded.

Staff recommended approval of the Preliminary Plan/PUD Amendment, with the list of Code modifications as indicated in the staff report, finding that it meets the criteria found in the Development and Zoning Code, is unique, and is necessary for economic development and is in the best interest of the City and the neighborhood in which the development is occurring.

Staff finds that the vacation requests are in compliance with Section 26-14-20(c) and recommended approval of the request subject to approval and recording of SoLa Subdivision Filing No. 1, Replat C dedicating new easements to replace those being vacated.

Brian Bair, SoLa, Inc., 7552 N. 83rd Street, Niwot, stated they agreed with the conditions of approval. Mr. Bair gave a brief history of the project such as when it was approved and an overview of the “Main Street” design concept. He discussed the changing market conditions and the challenges they face with the current concept. He presented their proposed plan and discussed how they believe the plan meets the needs of today’s market and how it would attract complementary services to the local area without competing with downtown Lafayette. He reviewed the changes they made to the plan and what the benefits of the new plan would be.

Chairperson Patzer opened this portion of the meeting for public testimony at 7:45 p.m.

Jim Galloway, 5300 DTC Parkway, Greenwood Village, supported the Preliminary Plan/PUD Amendment.

Michael Gerken, Exempla Good Samaritan Medical Center, 200 Exempla Circle, Lafayette stated they are generally supportive of the changes to the plan and welcome the addition of assisted living, skilled nursing and/or rehabilitation facilities as well as developments that compliment the needs of their staff. Mr. Gerken expressed concern about the potential for large auto sales and service use in this location. He encouraged the City to ensure that signage not only meet code requirements but be a fit to the aesthetics along the Highway 287 entrance into Lafayette.

Laura Schultz, Mainstreet Properties Group, 14390 Clay Terrace, Carmen, Indiana, spoke in support of the new plan and believes the concept will provide a good transition from retail to institutional and medical uses.

Chairperson Patzer closed the public hearing at 7:50 p.m.

The Planning Commission asked staff whether the C-1/PUD zoning allows automobile uses, whether the elevation of the site drops as one heads east from Highway 287 and how that affects the height of the hotel, and what is the difference between the proposed SoLa design guidelines and the City’s commercial design guideline. Other questions focused on ways to mitigate traffic and make the accesses to the site more pedestrian friendly, whether the retail lots along Highway 287 fit the City’s gateway concept, will the retail lots have individual accesses and shared parking, and what kind of signage they will have and whether the signage will tie into Exempla’s signage.

The Planning Commission asked the applicant to elaborate on what they mean by “prototypical” buildings and explain the logic behind the layout of the lots. Other questions included why the daycare use is proposed to be located so far from the hospital location, what is the proposed height of the hotel and where is it anticipated to be located at, and whether office uses above retail is something they are seeing more of.

The Planning Commission discussed access to the site, accel and decel lanes, ways to make pedestrian and bicycle access more visible and safe, traffic mitigation and raised crosswalks. The Commission also discussed whether this is a gateway area and how the retail lots would fit that concept. The Planning Commission discussed how individual site plan/architectural reviews and the proposed SoLa design guidelines would help with those concerns.

Preliminary Plan/PUD Amendment Motion

Vice Chair Wong moved the Planning Commission approve this request for Preliminary Plan/PUD amendment approval, subject to staff’s recommended conditions, finding that the proposal complies with the preliminary plan requirements of Section 26-17-5; the request meets the criteria of Section 26-18-5 because the proposal is unique, 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 Knuth seconded the motion. All voted in favor of the motion.

Easement Vacations Motion

Commissioner Knuth moved the Planning Commission recommend the City Council approve the requested access and utility easement vacations, subject to the recommended condition of approval, finding that the easements are no longer necessary for public use and convenience in their current configuration. Commissioner Wilgus seconded the motion. All voted in favor of the motion.

Conditions of Approval:

Preliminary Plan/PUD Amendment Conditions of Approval:

1. The following PUD modifications are approved:
 - a. Increase in building height from 35 to 50 feet for future office uses on Preliminary Plan/PUD Lots 7,9, 11 & 12 subject to site plan/architectural review approval;
 - b. Increase in building height from 35 to 60 feet for future hotel use on Preliminary Plan/PUD Lot 7 subject to site plan/architectural review approval;
 - c. Increase in building height from 35 to 50 feet for future assisted living facility on Preliminary Plan/PUD Lot 10 subject to site plan/architectural review approval;
 - d. Allow more than one Principal Building per lot for Preliminary Plan/PUD Lots 11 & 12 subject to site plan/architectural review approval;
 - e. Allow Preliminary Plan/PUD Lots 5 & 6 to be platted without 25-foot frontage on a dedicated public street;
 - f. Allow off-site signage for commercial tenants located on Preliminary Plan/PUD Lots 5, 6, 11 and 12. Said off-premise signs to be located only on Preliminary Plan/PUD Lots 4, 7, and 12 (for junior tenants on Preliminary Plan/PUD Lot 11);
 - g. Increase the total signage square footage from 50 square feet per sign face to 80 square feet per sign face (66 sq. ft. tenant, 14 sq. ft. shopping center identification) for the off-premise tenant sign located on Preliminary Plan/PUD Lot 4;
 - h. Increase the total signage square footage from 50 square feet per sign face to 82 square feet per sign face (72 sq. ft. tenant, 10 sq. ft. shopping center identification) for the off-premise sign located on Preliminary Plan/PUD Lot 7;
 - i. Decrease the size of the proposed free-standing monument signs on Preliminary Plan/PUD Lots 1, 2, 3, 4, 5, 6, 7, and 10 from 50 square feet per sign face to a maximum of 35 feet per sign face;

- j. Allow the height of the freestanding monument signs for the four lots adjacent to Highway 287 to be measured from the edge of pavement if the final grading plan indicates a justification for this modification;
- k. Allow more than one principal building per lot for the entire Institutional portion of the PUD subject to site plan/architectural review approval;
 - l. Allow shared parking and parking that is not located on the principal lot in which it serves for the entire institutional portion of the PUD subject to site plan/architectural review approval.
2. The applicant shall provide detailed final grading plans to justify the need for the requested modification to measure sign height from the edge of curb along Highway 287 prior to submittal of the final plan/PUD amendment. If the additional data does indicate limited sign visibility because of grades, the applicant shall work with staff on design of any proposed signs to be measured in this way and also that the plans be amended to indicate that this modification only applies to the four lots adjacent to Highway 287.
3. Prior to submittal of a final plan/PUD amendment, the SoLa design guidelines shall be revised as follows subject to staff review and approval:
 - a. Include stone and siding as acceptable and durable building materials for uses within the PUD.
 - b. Correction of any statements within the guidelines that conflict with Code and finalize detail of all site design components subject to staff review and approval.
4. Sheet 3 shall be amended to include Preliminary Plan/PUD Lot 10 under the institutional land uses and remove this use from the Exempla Circle category of anticipated land uses.
5. Language shall be added to Sheet 3 of the PUD indicating that Automotive Sales and Service uses shall be subject to Special Use Review approval.
6. The Institutional Land Use Table on Sheet 3 shall be broadened to include 'non-retail commercial' uses in keeping with the original PUD.
7. An amended traffic study shall be submitted with the Final Plan/PUD amendment submittal. The applicant shall address any recommendations of the amended traffic study.
8. The applicant shall address the issues and concerns itemized in the City Engineer's memo dated June 18, 2013.
9. The landscape plan shall be amended to include a similar level of landscaping as the original PUD with the landscape plan redesigned to complement future signage along Highway 287 that will not block the sign as the landscaping matures.
10. A lighting detail shall be added to the PUD which includes the same or similar parking lot light as the Dairy Queen site which will be the required fixture design for all the lots in the PUD.
11. The applicant shall resolve the issues identified on the redlined plans dated June 14, 2013 and memo dated June 6, 2013 prior to submittal of the final plan/PUD Amendment for City Council consideration.

Easement Vacations Conditions of Approval:

1. Approval of the access and utility easement vacation is contingent upon approval and recording of SoLa Subdivision Filing No 1, Replat C.

B. SoLa Filing No. 1 Replat C, Lot 8C, Mainstreet Lafayette Special Use Review and Site Plan/Architectural Review

Planner Paul Rayl entered the staff report into the record. Mr. Rayl stated that this application is a request for a Special Use Review and Site Plan/Architectural Review approval for a 100-bed combination skilled nursing/rehabilitation and assisted living facility referred to as Mainstreet. The site is located within the commercial portion of the SoLa PUD at the northwest corner of South Public Road and Exempla Circle.

Mr. Rayl discussed the intent of the special use review and reviewed the five special use review criteria. He discussed how the application met the criteria. Staff found that the proposed facility meets the Special

Use Review criteria of Section 26-15-4(a), and recommended approval of the request contingent upon the approval of the Site Plan/Architectural Review.

Mr. Rayl reviewed the site plan for the development of a 69,100 sq. ft., two-story building to accommodate the skilled nursing/rehabilitation and assisted living facility. He reviewed access, parking, and pedestrian and bicycle access.

Mr. Rayl presented the architecture for the building including the proposed building materials, colors and elevations. He showed the Commission the exterior materials board. He discussed staff's concern about the compatibility of the bluish-gray siding with other colors in the vicinity. Staff recommended the applicant review the colors of the Prasanna development and replace the bluish gray with a more compatible tan or reddish tan color.

Mr. Rayl reviewed the landscape plan and the lighting plan. Staff recommended approval of the site plan/architectural review subject to the conditions of approval, finding that the application complies with the review criteria of Section 26-16-7.1 and the submittal requirements of Section 26-17-9 and recommends approval.

Laura Schultz, Mainstreet Properties Group, 14390 Clay Terrace, Carmen, Indiana presented their proposal and discussed why their building is unique and what their company does.

Chairperson Patzer opened this portion of the meeting for public testimony at 9:00 p.m. No one addressed the Planning Commission. Chairperson Patzer closed the public hearing.

The Planning Commission asked staff whether the emergency access for the lot is adequate, how close the new fire station is to the proposed building, whether noise from sirens would be a concern for building occupants, whether there will be signage letting others know of disabled or slower moving pedestrians in the area, whether bicycle lanes have been provided, and is there a drop off location. Other questions focused on the building architecture and location such as why this lot location is better than the previous approved site, whether the HVAC will be adequately screened, what the height of the building is, how will the building fit into the streetscape, and whether the tower element is compatible with other architecture in the area. Other Commission questions focused on traffic mitigation such as calming devices, raised crosswalks, speed mitigation within the parking lot and ways to prevent traffic from short cutting thru the parking lot.

The Planning Commission asked the applicant whether they looked at or considered incorporating passive solar into their design, whether the north sidewalks would be heated, and what type of signage do they anticipate and whether they agreed with the conditions of approval.

The Planning Commission discussed condition No. 4a regarding color and recommended striking the word red and going with a more compatible color. The Planning Commission also discussed signage and traffic calming devices. The Commission consensus was to add conditions regarding working with staff on signage and traffic calming options.

Special Use Review Motion

Commissioner Nickell moved the Planning Commission approves 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 Knuth 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 recommended conditions modified as discussed, 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. Vice Chair Wong seconded the motion. All voted in favor of the motion.

Special Use Review Conditions 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. Where the pedestrian crossing intersects with drive aisle in front of the building the applicant shall provide signage indicating the presence of vehicles and pedestrians for both modes of travel.
 - b. The pedestrian crossing shall be more visible through the use of decorative concrete designs.
 - c. Bike racks shall be conveniently located at the main entrance to the facility and at the main employee entrance along the north side of the building.
 - d. Indicate the location and dimensions of all freestanding signage.
4. Prior to building permit submittal, the architectural plans shall be revised as follows subject to review and approval by staff:
 - a. The applicant shall review the colors of the Prasanna development and replace the bluish-gray with a more compatible color.
 - b. The locations of any proposed roof-mounted equipment shall be indicated.
 - c. The location of meters and electrical boxes shall be included on the plans with all wall-mounted equipment painted to match the adjacent wall.
 - d. To include architectural details of the trash enclosure which will include similar or the same materials found on the principal building.
5. Prior to building permit submittal, the landscape plan shall be revised as follows subject to review and approval of staff:
 - a. The architectural detail of the retaining wall which shall be constructed of a masonry or stone material to comply with applicable Sections of 26-19-5.
 - b. Shrubs shall be included on both the inside and outside of the retaining wall to achieve the desired result of Section 26-19-5(6)(iii)(dd) of the Code.
 - c. A wind and rain sensor shall be installed in an appropriate location and indicated on the plans.
6. Prior to building permit submittal, the lighting plan shall be revised as follows subject to review and approval of staff:
 - a. All the pole-mounted light fixtures shall be changed to a round, full cut-off fixture to match those previously approved in the SoLa commercial development.
 - b. The proposed height of all pole-mounted lights shall be included on the plans and shall not exceed 25 feet in height.
 - c. Additional information to ascertain how visible the light source and glare will be off-site of the proposed decorative wall-mounted fixtures. If staff determines the fixtures will create undesirable amounts of off-site glare, new decorative architectural fixtures be proposed that include full shielding of the light source.
7. The applicant shall address all pertinent engineering comments in the memo from the City Engineer, dated June 18, 2013 before submitting a building permit application.

8. The applicant shall work with Staff to review the need and feasibility of traffic calming options within the parking lot.

V. Other Business

A. Commission Comments / Committee Reports

Chairperson Patzer noted that Commissioners Knuth and Wilgus were reapplying to serve on the Commission and he wished them both luck.

B. Department Comments

Planning Manager Westover explained that staff should know in the next few days whether there will be an item for the July meeting. If not, she suggested holding the first public hearing for the Comprehensive Plan Update on Tuesday, July 30 and asked whether the Commission would be available that evening. Ms. Westover stated she would let the Commission know whether the meeting in July will be July 23 or July 30.

VI. Adjournment

Vice Chair Wong moved to adjourn the meeting, seconded by Commissioner Benson. All voted in favor of the motion. The meeting adjourned at 9:20 p.m.

City of Lafayette

Eric Patzer, Chairperson

Attest:

Michelle Verostko, Recording Secretary