

**Record of Proceedings
City of Lafayette
Planning Commission
Wednesday, August 23, 2017**

Vice Chair Godfrey called the meeting to order at 7:00 p.m. Those in attendance included: Vice Chair Godfrey and Commissioners Fischer, Kusjanovic, Thomas, Varley and Viers

Absent: Chair Wong

Staff present included Planning Manager Paul Rayl, Senior Planner Greg Thompson and Recording Secretary Michelle Verostko

II. Items from the Public Not on the Agenda

None.

III. Adjourn to Workshop

A. Joint workshop with Lafayette Open Space Advisory Committee (LOSAC) and Planning Commission

LOSAC members present: Chair Dave Belin, Vice Chair Erin Frazier, Board Members Allison Hamm, Bob Spillman, Lynn Riedel, and Staff Liaison Rob Burdine.

LOSAC Chair Belin introduced their Board and discussed what their Board does, what they are working on right now, what their goals are, and their plan to update the PROST Plan. They discussed opportunities where the two Boards could work together. They discussed what some of the priorities are since the IGA with Erie was recently dissolved which include acquiring open space properties instead of conservation easements, obtaining trail connections, and acquiring setbacks or buffers between development.

Vice Chair Godfrey adjourned the workshop at 7:40 p.m.

The Planning Commission took a 10 minute recess at 7:40 p.m. and reconvened at 7:50 p.m.

IV. Return to Regular Meeting

V. Scheduled Items

A. Carbone Filing No. 4 Subdivision, Lot 3 – Cannon Trail Subdivision – Preliminary Plan/PUD, Rezoning and Site Plan/Architectural Review

Senior Planner Greg Thompson entered the staff report into the record. He stated this application is a request for a Preliminary Plan/PUD, Rezoning and Site Plan/Architectural Review approval for Cannon Trail Subdivision, a residential subdivision on 8.34 acres. The project is located south of East Cleveland Street at South Foote Avenue, west of South Burlington Avenue, and north of the alley behind East Chester Street. Mr. Thompson presented a vicinity map to help illustrate the location of the property and showed the surrounding uses on the neighboring properties. The property is zoned R2 (Single- and Two-family Residential) and OTR (Old Town Residential).

Mr. Thompson presented the Preliminary Plan/PUD proposal for Cannon Trail Subdivision. He explained that the proposal is to rezone the .28 acre portion of the property from R-2 to OTR with Preliminary Plan/PUD applications to develop a subdivision with 26 proposed lots, two of which already have houses on them. Of the remaining 24 lots, the fifteen lots facing Cannon Trail would be duplexes. The 9 lots west of S. Foote would be single-family. The 3 lots facing E. Cleveland would have the possibility of an accessory dwelling unit. A .45 acre detention pond

would be located adjacent to S. Burlington, while a .2 acre park would be located in the center of the property. The proposed gross density of the subdivision as a whole is 4.9 dwelling units per acre. Excluding the 2.2 acre parcel which is anticipated to be developed further in the future, increases the gross density on the developing portion of the site to 6.36 units per acres. The R2 zone allows up to 10 du/acre.

Mr. Thompson explained that the rezoning portion of this application covers about .28 acres (12,358 sf) in the northwest portion of the site. Three lots in that area would have had two different zone categories on the property which is difficult to administer from the City's perspective. Instead, the applicant has proposed that the 3 lots all be zoned OTR (Old Town Residential).

Mr. Thompson reviewed the public street connections, sidewalks and access to the site. He reviewed the proposed lot sizes. He noted that Outlot A (19,756 sf) located along South Burlington Avenue at the eastern edge of the subdivision will provide detention for the property. Outlot B (8,708 sf) which is Crescent Park will provide a recreational amenity for the development. Outlot C (12,102 sf) is the alley on the western edge of the site which serves lots 1-9.

Mr. Thompson reviewed the sketch plan conditions and how the applicant has addressed them. He reviewed the proposed PUD modifications which include a revised road section for Cannon Trail which includes parking and a sidewalk on the north side only, streetscape, street frontage, the ability to administratively subdivide duplex lots, and reduced lot size and zero lot line.

Mr. Thompson reviewed the PUD application against the PUD criteria and discussed how the application met the code criteria.

Mr. Thompson reviewed streets and traffic, vehicular access, parking, water rights, public land dedication, landscaping plan, and visitability plan. He reviewed some of the Comprehensive Plan Goals and Policies this application complies with.

Mr. Thompson reviewed the Growth Management priority classification and allocation for the project. The applicant is requesting forty-two (42) residential permits and staff supports the request and permits will be available to accommodate the request in 2018.

Mr. Thompson presented the Rezoning application and explained the northwest corner of the property has a small half acre area which is zoned OTR. Three lots in that area would have two different zone categories on the property which is difficult to administer. The applicant has proposed these three lots be zoned OTR. The OTR zoned property can have accessory dwelling units (ADUs). Mr. Thompson reviewed the rezoning application against the code criteria outlined in Section 26-16-8 and he discussed how it complies with zoning criteria 26-16-8 (a), (b) and (c).

Mr. Thompson presented the Site Plan/Architectural Review for the duplex lots. He explained that for each of the duplex lots, the applicant has proposed 4 different floor plans with each having 5 or 6 elevation options. He reviewed the elevations, exterior materials and colors proposed.

Mr. Thompson explained that the single-family lots will be semi-custom homes and all the exterior materials, colors and finishes will be similar to the duplex home models.

Staff recommended approval of the Cannon Trail Preliminary Plan and PUD subject to the recommended conditions finding the plan complies with the criteria of Section 26-18-5, the goals and policies of the Comprehensive Plan and the submittal requirements of Section 26-17-5. Furthermore, staff believes the plan is in the best interest of the City; and the Code modifications are in the best interest of the City and the neighborhood.

Staff recommended the building permit allocation for Cannon Trail be 42 permits in 2018. Staff found that the proposed growth permit allocation and classification status request complies with the review criteria of Section 6.10 and Section 30-271-272. Staff recommended that any permits requested after 2018 will require a new analysis.

Staff found that the proposed rezoning request for Cannon Trail from R2 (Single- and Two-Family Residential) to OTR (Old Town Residential) complies with the zoning criteria found in Section 26-16-8(a), (b), and (c). Staff recommended approval of the rezoning.

Subject to the recommended conditions, the proposed Site Plan/Architectural Review complies with the review criteria of Section 26-16-7.1 and the submittal requirements of Section 26-17-9. Staff recommended approval of this Site Plan/Architectural Review subject to the recommended conditions.

Nick Jacobs, Diverge Homes, Louisville, introduced his team. He showed a two minute video about their project which gave an overview of the site and their proposal.

Mr. Jacobs reviewed the sketch plan conditions of approval and how they have addressed them. He presented the preliminary plan and reviewed the changes they made since sketch plan. He reviewed their request to subdivide each duplex lot into legally separate parcels following completion of construction on each lot. He discussed the landscape plan and the native plant walk, vehicular right-of-way, density, lot setbacks, lot layout, and rezoning of lots 1 through 3. He explained the reasoning behind subdividing the duplex lots (lots 10 through 24). He presented the architecture for the duplexes and reviewed each of the models proposed, the design elements, the exterior materials, the colors and building elevations. He also reviewed the fencing proposed for the subdivision.

Vice Chair Godfrey opened the meeting for public testimony at 9:20 p.m.

Sheryl Mercure, 109 E. Cleveland Street, Lafayette, stated concerns about density, traffic and price of the homes are valid and she still supports the project.

Vicky Uhland, 303 W. Simpson Street, Lafayette, expressed concern about the project not meeting the PUD criteria and does not comply with a number of the City's Comprehensive Plan Goals and Policies.

Grant Swift, 608 E. Geneseo Street, Lafayette, discussed public land dedication. He stated he supports the OTR (Old Town Residential) Zoning request but questioned why the majority of the lots would be duplexes and he opposed subdividing the duplexes.

Seth White, 311 E. Chester Street, Lafayette, expressed concern that the application does not meet the PUD criteria and a number of the City's Comprehensive Plan Goals and Policies. He also expressed concern about the mass and scale of the proposed duplexes.

Leslie Wing Pomeroy, 509 E. Simpson Street, Lafayette, supported the project.

Daniel Fitzpatrick, 703 E. Chester Street, Lafayette and Peter Kulur, 703 E Chester Street, Lafayette, did not speak but registered their approval for the Cannon Trail project with the Planning Staff.

Vice Chair Godfrey closed this portion of the meeting for public testimony 9:35 p.m.

The Planning Commission asked the applicant about the building architecture and whether the duplexes would have basements. Other questions focused on drainage and how they would address any drainage concerns. The Planning Commission asked about subdividing the duplexes, how many units the plan was reduced by from sketch plan, whether they would have one Homeowners Association (HOA) and what the HOA would maintain.

Other Planning Commission questions focused on the height of the homes, the size of the driveway, the trail, and common areas, and landscaping plan. The Planning Commission asked the applicant if they agreed with the conditions of approval.

The applicant stated he agreed with the conditions of approval but did ask for clarification on site plan/architectural review condition no. 2 regarding primary entry. They noted they had one plan that may conflict with this condition.

The Planning Commission asked staff whether anything would change if the new Old Town Design guidelines are approved such as building height. The Planning Commission asked staff to review what Comprehensive Plan goals and policies this project fulfills.

Other questions focused on Site Plan/Architectural Review Condition No. 3 regarding the same building elevation placement, why is the applicant requesting subdividing the duplex lots now, and whether there would be a “gang mailbox” for the duplexes.

The Planning Commission took a 10 minute recess at 10:30 p.m. and reconvened at 10:40 p.m.

The Planning Commission discussion focused on how the proposed plan addressed a lot of the concerns they raised at sketch plan such as the lot size, lack of diversity, density and pedestrian access. The Planning Commission discussed the transition between existing neighborhoods and the proposed plan. The Planning Commission discussed the merits of the plan.

Other discussion focused on the proposed Old Town Design Criteria overlay and noted this application is required to follow the overlay guidelines. The Planning Commission discussed the mobile home park zoning adjacent to this project and the possibility of it developing out as high density residential if the mobile home park went away.

The Planning Commission discussed the variety of options being proposed for the duplex elevations. The Planning Commission discussed the conditions of approval and changed Site Plan/Architectural Review Condition No. 3 to delete the words “across the street.” The Planning Commission modified Site Plan/Architectural Review Condition No. 2 by adding an additional sentence that requires the applicant to work with staff on the Sunflower model entry to achieve facing the street frontage if possible. The Planning Commission discussed the architectural design and colors and modified Site Plan/Architectural Review Condition No. 1 by adding the sentence “Colors shall be complementary on each half of a duplex.”

Preliminary Plan/PUD Motion

Commissioner Fischer moved the Planning Commission approves the Preliminary Plan/PUD, subject to staff's recommended conditions, finding that the proposal complies with the requirements for preliminary plan submittal; complies with the PUD criteria; and, complies with

the Comprehensive Plan's goals and policies, and land use map. The plan is in the best interest of the City; and the Code modifications are in the best interest of the City and the neighborhood. Commissioner Thomas seconded the motion. All voted in favor of the motion.

Rezoning Motion

Commissioner Varley moved the Planning Commission recommend approval of this rezoning request from R2 to OTR, finding the rezoning of the 12,358 sf area is necessary to conform to the Lafayette Comprehensive Plan with the condition the zoning won't be changed until the final plan is approved. Commissioner Kusjanovic seconded the motion. All voted in favor of the motion.

There were some question raised about the Preliminary Plan/PUD Motion and therefore Commissioner Fischer rescinded her motion. There were also questions as to whether there were amendments to the Preliminary Plan/PUD conditions and it was determined the Planning Commission did not recommend any amendments to those conditions.

Commissioner Fischer remade her motion for recommending the Planning Commission approve the Preliminary Plan/PUD subject to the conditions outlined in the staff report and finding that the proposal complies with the requirements for preliminary plan submittal; complies with the PUD criteria; and, complies with the Comprehensive Plan's goals and policies, and land use map. The plan is in the best interest of the City; and the Code modifications are in the best interest of the City and the neighborhood. Commissioner Varley seconded the motion. All voted in favor of the motion.

Site Plan/Architectural Review Motion

Commissioner Varley moved the Planning Commission recommend approval of the 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; the architecture promotes a transition in scale and character of the proposed building to surrounding land uses, the quality and overall design is compatible with the location and proposed use, and colors, including accents, are harmonious and compatible. Commissioner Viers seconded the motion. All voted in favor of the motion.

Growth Management Motion

Vice Chair Godfrey moved the Planning Commission recommend approval of the proposed growth permit allocation and classification status finding the request complies with the review criteria of Section 6.10 and Sections 30-271-272. The Planning Commission recommends approval of the building permit allocation for Cannon Trail as 42 permits in 2018. Permits requested after 2018 will require a new analysis. Commissioner Fischer seconded the motion. All voted in favor of the motion.

Preliminary Plan/PUD Conditions of Approval:

1. Provisions that requires the garage to be used only for the parking of vehicles and for the HOA to have the ability to enforce this parking only requirement verbiage shall be added to the CC&R's;
2. An updated landscape plan that incorporates the changes to Outlot A shall be submitted. The updated landscape plan shall include an irrigation plan;
3. The visitable lots be identified on the Final Plan.
4. Rename Lot 26 a tract since it's expected to be developed further in the future.

5. Landscaping shall be adjusted by the following:
 - a. Work with staff to identify existing healthy trees on the east side of proposed S. Foote which appear to be out of the street alignment and may be able to be preserved.
 - b. Add street trees adjacent to Lot 25.
 - c. Continue the native walk along the southern edge of Outlot A to S. Burlington.
 - d. Provide the required irrigation plans which comply with the Code.
 - e. Provide the required stamped Landscape Plans.
6. Prior to submittal of any final applications, the following issues shall be addressed on the Preliminary Plat:
 - a. The Title,
 - b. Certificates,
 - c. Vicinity Map,
 - d. Readability of the Plat,
 - e. Designation of Lot 26,
 - f. Inconsistent Easement Widths for Dry Utilities,
 - g. Unlabeled Easements,
 - h. Extraneous Information,
 - i. Outlot B as Blanket Utility Easement.

Rezoning Conditions of Approval:

1. Is subject to approval of and recording of the final plan.

Site Plan / Architectural Review Conditions of Approval:

1. As part of any building permit application, the applicant shall provide a color scheme for the proposed buildings which shall be reviewed and approved by City staff. Colors shall be complementary on each half of a duplex.
2. The primary entry of each unit shall face the street frontage. The applicant shall work with staff on the Sunflower model entry to achieve this if feasible.
3. The same building elevation shall not be used on the same duplex or next door.

V. Other Business

A. Commission Comments / Committee Reports

The Planning Commission discussed the Old Town Design Criteria, the Solar Code Amendments, guidelines for parking spaces, and how many electric vehicle charging stations should be considered on a site. The Planning Commission also discussed finding out how other cities handle electric vehicle charging stations and whether LESAC (Lafayette Energy Sustainability Committee) could providing them some input.

Commissioner Fischer noted she could continue to serve as liaison to the Lafayette Open Space Advisory Committee and Commissioner Thomas noted she could continue to serve as liaison to the Historic Preservation Board.

B. Department Comments

Planning Manager Paul Rayl updated the Planning Commission on the Old Town Design Criteria progress. He noted that staff would be bringing the Solar Code Amendments to the Planning Commission for review in the near future.

VI. Adjournment

Commissioner Thomas moved to adjourn the meeting, seconded by Commissioner Viers. All voted in favor of the motion. The meeting adjourned at 11:25 p.m.

City of Lafayette

Doug Godfrey, Vice Chair

Attest:

Michelle Verostko, Recording Secretary