



Statement of Vision

Lafayette's panoramic view of the Rocky Mountains inspires our view into the future. We value our heritage, our unique neighborhoods, a vibrant economy and active lifestyles. We envision a future that mixes small-town livability with balanced growth and superior city services.

NOTICE OF PLANNING COMMISSION WORKSHOP

This meeting will be conducted in person and by electronic and telephonic means pursuant to the Declaration of Local Disaster Emergency issued by the Mayor of the City of Lafayette on March 17, 2020 and City of Lafayette Resolution No. 2020-23 extending the Declaration until terminated by City Council.

SEE BELOW THE AGENDA FOR MEETING ACCESS AND PARTICIPATION OPTIONS

OCTOBER 13, 2021

REVISED AGENDA

**6:00 PM PLANNING COMMISSION MEETING
Council Chambers
1290 S. Public Road
Lafayette, Colorado 80026**

- I. OPENING OF MEETING
 - Call to Order
 - Pledge of Allegiance
 - Roll Call
- II. ITEMS FROM THE PUBLIC NOT ON THE AGENDA
- III. MEETING MINUTES FOR SEPTEMBER 22, 2021
- IV. REGULARLY SCHEDULED ITEMS
 - A. LOT 5C, SOLA SUBDIVISION FILING NO. 1, REPLAT C (ZIGGI'S COFFEE RESTAURANT) (SW/4, Sec. 11, T. 1 S., R. 69 W.)
 1. SPECIAL USE REVIEW (Public Hearing)
 2. SITE PLAN/ARCHITECTURAL REVIEW

- B. SUNDAR PHASE 2
(SE/4, Sec. 15, T. 1 S., R. 69 W.)
 - 1. SITE PLAN/ARCHITECTURAL REVIEW

- V. OTHER BUSINESS
 - A. COMMISSION COMMENTS
 - B. DEPARTMENT COMMENTS
- VI. ADJOURN

OPTIONS FOR ACCESSING THE MEETING

- Attend the meeting in person. City Hall Council Chambers, 1290 S. Public Road.
- Tune to Comcast Channel 8 or HD Channel 881.
- [View the meeting on your computer at https://www.lafayetteco.gov/627/Streaming-Video](https://www.lafayetteco.gov/627/Streaming-Video)
- Listen to the meeting by calling 1-877-853-5247 (toll free). Once connected, you will be asked for the meeting number. The meeting number is **832 4397 4552**. Then press # after entering the number.

OPTIONS FOR PARTICIPATING IN THE MEETING

- Attend the meeting in person. City Hall Council Chambers, 1290 S Public Road.
- Submit written comments to [Planning Commission Secretary](#). If your remarks are received by 3:00 p.m. on the day of the meeting, they will be read into the record at the meeting.

Record of Proceedings
City of Lafayette
Planning Commission Meeting Minutes
Wednesday, September 22, 2021

Chair Thomas called the meeting to order at 6:00 p.m. Those in attendance included Chair Thomas, Vice Chair Smith, and Commissioners Phillips, Samson, and Watson. Commissioner Fischer arrived at approximately 6:10 p.m.

Absent: Commissioner Stephens

Staff Present: Planning & Building Director Jeff Brasel, City Attorney Mary Lynn Macsalka, and Recording Secretary Michelle Verostko

II. Items from the Public

None.

III. Meeting Minutes for September 8, 2021

Vice Chair Smith moved to approve the Meeting Minutes for September 8, 2021.

Commissioner Phillips seconded the motion. All voted in favor of the motion.

IV. Scheduled Items

A. Oil and Gas Regulations

Chair Thomas opened the public hearing.

Planning & Building Director Brasel explained that in 2019, the Colorado General Assembly passed, and the Governor signed into law, SB-19-181 effecting a mission change for the Colorado Oil and Gas Conservation Commission (COGCC) and redefining the relationship between state and local government regulation of oil and gas activities. In November 2020, the COGCC completed its rulemaking proceedings addressing the mission change, as well as flowline, cumulative impacts, alternative location analysis, and compensatory mitigation for wildlife rules, as required by SB 19-181. The COGCC's rulemakings implement the change to the COGCC's mission from "fostering" oil and gas development to "regulating" oil and gas development in a manner that protects public health, safety, welfare, the environment, and wildlife resources. The rulemakings address the regulatory framework established by SB 19-181, which gives authority to local governments and the COGCC to regulate oil and gas development.

Director Brasel explained the proposed Ordinance 2021-XX will repeal and replace the City's existing oil and gas land use regulation in Section 26-22.1 of the Code with updated land use regulations based upon enabling legislation SB 19-181 and rulemaking at the state level that provides local jurisdictions with greater authority to regulate the location, surface impacts, and external effects of new and existing oil and gas facilities.

Director Brasel gave an overview of the oil and gas draft regulations. He explained the regulations closely mimic Boulder County's regulations with adjustments to integrate the regulations into Lafayette's Development Zoning Code. The changes include strengthening provisions related to zone district-based prohibitions and setbacks.

Director Brasel explained the regulations would apply to seismic testing and exploration, existing facilities, and all new oil and gas development. He reviewed the following:

- Seismic Testing requirements,
- Insurance requirements
- Existing facilities requirements,
- New facilities
 - application requirements
 - review standards
 - operating requirements
 - Special Use Review process
 - zoning and setback restrictions

Director Brasel reviewed maps of the Prohibited Zone Districts, Permitted Zone Districts with Special Use Approval, Residential Setback Buffer Map, Trails and Trailhead Setback Map, and Comprehensive Map.

Director Brasel discussed the process for a variance allowance, the process for compliance after approval, which includes registration, inspections, and reporting, and the process for abandonment, decommissioning, and reclamation of oil and gas wells. He discussed other changes to the proposed regulations regarding requirements for onsite storage of aqueous film-forming foam, absorption boom, and granulated materials for emergency deployment with notice to first responders.

Director Brasel reviewed which section of the development zoning code that the new regulations change or apply to. He stated the next steps will be for the City Council to review the first reading of the ordinance on October 19, 2021, and second reading and adoption on November 1, 2021. The effective date for the regulations will be November 11, 2021, if the ordinance passes on second reading.

Director Brasel explained that the implementation of the program will require substantial staff time, expertise, and resources. He stated staff is exploring an Intergovernmental Agreement (IGA) with Boulder County for assistance in the areas of inspections and technical review.

Staff recommended the Planning Commission recommend the City Council approve Ordinance 2021-XX, Amending Chapter 26 of the Lafayette Code Regarding Land Use Regulations pertaining to Oil and Gas Development, Facilities, and Operations.

Chair Thomas opened the hearing for public comments at 6:20 p.m. No one addressed the Planning Commission. Chair Thomas closed the hearing for public comments.

Planning Commission members asked questions about enforcement of operating requirements and whether the language in the code gives the city time to comply with requirements if there is staffing needed for technical review and inspections. The Planning Commission asked about clean-up of spills and emergency response plans. The Planning Commission asked staff to show the Comprehensive Map and review the variance allowance regulation.

Chair Thomas closed the public hearing.

Planning Commission members discussed the regulations and commented on how comprehensive the regulations are. The Planning Commission expressed concern as to whether the regulations are legally defensible. City Attorney Macsalka explained that the new regulations allow the City to regulate oil and gas development and operations in a reasonable manner that protects and minimizes adverse impacts to public health, safety, welfare for residents, businesses, and visitors. She explained there is also a burden on the applicant to show they are operating safely.

Motion:

Commissioner Samson moved to recommend approval of Ordinance 2021-XX, Amending Chapter 26 of the Lafayette Code Regarding Land Use Regulations Pertaining to Oil and Gas Development, Facilities, and Operations. Commissioner Phillips seconded the motion. All voted in favor of the motion. The motion passed six in favor, zero opposed, and one absent.

V. A. Commission Comments

Vice Chair Smith thanked Director Brasel for the presentation on the Comprehensive Plan that he gave to the City's various Boards and Commission on Monday, September 20. He stated he will be unable to attend the Lafayette Open Space Advisory Committee (LOSAC) on October 7 and recommended that if any of the Commissioners were interested in attending the LOSAC meeting to contact city staff for meeting details. Commissioner Phillips stated he attended the September Historic Preservation Board meeting where Director Brasel gave a presentation on the Comprehensive Plan to the Historic Preservation Board.

B. Department Comments

Planning & Building Director Brasel stated there will be a special joint workshop on the Comprehensive Plan on September 27 with City Council, Planning Commission, and the Community Advisory Committee. He discussed what they will review and discuss at that meeting. The Commission asked Director Brasel if there were any sections that needed more scrutiny than others. Director Brasel stated Chapter 6. He noted that they will be talking about Lafayette history as well.

VI. Adjourn

Chair Thomas moved to adjourn the meeting, seconded by Commissioner Phillips. All voted in favor of the motion. The meeting adjourned at 6:50 p.m.

City of Lafayette

Darcia Thomas, Chair

Attest:

Michelle Verostko



PLANNING COMMISSION AGENDA MEMO

MEETING DATE: October 13, 2021
AGENDA TITLE: Lot 5C, Sola Subdivision Filing No. 1, Replat C / Special Use Review and Site Plan and Architectural Review
PREPARED BY: Jana Easley, Planning Manager

Executive Summary

Ziggi's Coffee, through MAH Architectural Group, is requesting approval for an 1,832 SF, one-story drive-through restaurant with indoor seating at 2396 Balmstone Drive. The 0.73-acre site is located northeast of US Highway 287 and Exempla Circle, just north of Dairy Queen.

The applications consist of a Special Use Review to allow the drive-through component and a Site Plan and Architectural Review for the building and site design. On both applications, the Planning Commission make a recommendation to City Council.

Background Information

This section of the staff report provide background on the proposal. See links 1 and 2 for the site plan set and materials board. Analyses of each application are contained in Attachments A and B.

Overview

Applicant/Owner:	MAH Architectural Group / Real Properties Residential LLC
Location:	2396 Balmstone Drive
Land Use:	Commercial
Zoning:	Regional Commercial/Planned Unit Development (C1/PUD)
Total Lot Size:	31,940 square feet (0.73 acres)
Building Size:	1,832 square feet
Building Height:	22 feet, 6 inches

The site is located northeast of US Highway 287 and Exempla Circle. To the north, east and west is vacant land zoned C1. To the south is Dairy Queen. Other nearby uses include Blue Federal Credit Union and Murphy Express.

The site is within the Sola Commercial/Institutional Planned Unit Development (PUD) that was approved in 2010. The original PUD contemplated a drive-through restaurant in this general location (Lot 7A). Lot 7A was replatted in 2013 into Lots 5C and 6C. The property is zoned C1/PUD, which allows for a drive-up restaurant through a Special Use Review.

Further details about the project can be found in Attachments A and B, the staff analyses of the project for each of the applications.

Public Notice

The applicant held a neighborhood meeting and one person attended. See Link 4 for the meeting report. The Special Use Review was noticed per City of Lafayette requirements including a legal notice, posted sign, and mailings to properties within 750 feet. No comments have been received.

Lafayette Development And Zoning Code Analysis

Staff's analysis of the Special Use Review is Attachment A.
Staff's analysis of the Site Plan and Architectural Review is Attachment B.

Next Steps

Using the criteria set forth in the Code of Ordinances and the Comprehensive Plan, the Planning Commission is charged with recommending approval, approval with conditions, or denial of the applications for Special Use Review and Site Plan/Architectural Review. Thereafter, City Council will consider the applications at a regular meeting.

Recommendation

Staff recommends approval of the Special Use Review application to allow the drive-through use.

Staff recommends approval of the Site Plan/Architectural Review application with the following condition:

1. A litter collection plan shall be submitted to the City.

Proposed Motion Language

Special Use Review

I move to recommend approval of the Special Use Review finding the plan complies with the criteria of Section 26-15-4.

Site Plan and Architectural Review

I move to recommend approval of the Site Plan/Architectural Review finding the plan complies with the criteria of Section 26-16-7.1, subject to one condition.

Links

1. [Applicant Narrative](#)
2. [Site Plan and Architectural Plan Set](#)
3. [Materials Board](#)
4. [Neighborhood Meeting Report](#)

Attachments

- A. Staff Analysis – Special Use Review
- B. Staff Analysis – Site Plan and Architectural Review

**SoLa Subdivision Filing No. 1 Replat C, Lot 5C -Ziggi's Coffee Restaurant
Special Use Review and Site Plan and Architectural Review**

[Link to Staff Presentation](#)

[Link to Applicant Presentation](#)

Attachment A
Staff Analysis
Special Use Review Criteria
Lot 5C, Sola Subdivision Filing No. 1, Replat C

Sec. 26-15-4. Review criteria.

(a) **Except for a special use application for oil and gas operations, criteria for review of a special use application shall include:**

(1) **Compliance of the application with the Municipal Code.**

The site plan and architecture, including site plan, grading, drainage, utilities, traffic, building elevations, site details, landscaping, irrigation, and lighting, have been reviewed by City staff from Planning, Engineering, Fire, Police, Building; the City Attorney; and relevant outside agencies, such as Xcel. The plans have been found to meet all applicable City codes and regulations. Additional analysis is included in Exhibit B, Review Criteria for Site Plan/Architectural Review.

(2) **The compatibility of the proposal with the character of the surrounding area.**

The surrounding area contains primarily one-story commercial buildings containing a variety of drive-through restaurant and other commercial uses. The nearest residential use is 620 feet to the north. To the northwest of the site is Murphy Express, a gas station and convenience store, which is a one-story structure comprised of red and cream color brick and multi-color red/orange/tan stacked stone, and red accent colors. To the south is Dairy Queen, which has multi-color grey, brown, and beige stacked stone, tan stucco, and orange and blue accents. The Blue Federal Credit Union to the southwest is comprised of tan stone, grey metal, and natural wood color accents. The proposed tan and brown stucco, multi-color brown, beige, and cream color stacked stone, and reclaimed wood accents in varied natural colors will complement the Blue Federal building and also have similar colors and materials as the Dairy Queen and Murphy Express buildings.

(3) **The potential for adverse environmental influences that might result from the proposed use.**

The impacts of the proposed use are generally those associated with drive-through uses, particularly traffic circulation, headlight glare, and noise. Traffic circulation has been designed to function with the overall street network and separation from other driveways and drive-through uses. The layout of the site will not create conflict with existing traffic patterns.

With regard to headlight glare, the surrounding properties are planned commercial developments, so off-site shining of lights should not be a concern as it is somewhat difficult to preclude headlights from shining off property unless extensive barriers are provided, which would not be in keeping with the character of the area. There is significant landscaping proposed adjacent to the drive-through lane which should provide some mitigation. Finally, the drive-through is oriented perpendicular to Balmstone Drive, which will eliminate head-on headlight glare into surrounding neighborhood traffic. All other site lighting meets City standards for full cut-off fixtures. The menu board details will be evaluated at the time of sign permit and any conditions regarding glare or excessive lighting can be evaluated when those details are provided.

(4) **Compatibility of the proposed use and the site plan with the comprehensive plan.**

Comprehensive Plan Land Use Map indicates the parcel is Commercial. The proposal complies with the following comprehensive plan policies.

Policy D.1.1: Ensure that both the scale and appearance of proposed development and redevelopment responds appropriately to adjacent development and provides a compatible transition to existing neighborhoods.

Policy D.3.3: Corporate architectural themes should not dictate the architectural style or theme of a commercial building; however, in order to ensure a business's success appropriate marketing elements should be allowed if such elements do not dominate a design.

Policy C.1.2: Provide opportunities for commercial businesses to service existing and new employment centers.

Policy F.2.1: Encourage commercial and industrial development which is safe, healthy, attractive, and which meets the City's planning and design criteria.

Policy F.2.7: Encourage the development of commercial retail and service businesses, both large and small, to serve the local community, thus limiting the necessity by residents to leave the community to purchase goods and services.

Policy J.1.7: Protect the visible night sky by ensuring that outdoor lighting does not create undesirable light pollution. Exterior light fixtures should conceal the light source in such a way so as to not cause excessive glare as perceived from neighboring properties.

Policy J. 2.8: Ensure that proposed development and redevelopment appropriately responds to existing topography to avoid excessive site grading and/or retainage.

Policy B.2.1: Ensure that adequate utility, drainage, transportation infrastructure; community services; and, community facilities are available to appropriately serve any proposed development or redevelopment. If such facilities and services are not available or determined to be inadequate, the applicants of the proposed development or redevelopment should dedicate proportional funding to expand these elements.

Policy F.4.3: Ensure that new development provides safe, pedestrian-friendly, barrier free, streetscape design.

Policy G.3.3: Ensure that proposed development and redevelopment provides an adequate system of sidewalks and trail facilities that meet City standards to promote walking and bicycling throughout the City. Connect new sidewalks and trails to existing sidewalks and trails.

Policy K. 7.3: Require proposed development to employ land use and development patterns that ensure efficient delivery of utilities.

- (5) **Taking into consideration any proposed mitigation measures, special use shall not create significant adverse impacts on government services and existing developments in the surrounding neighborhood or on any anticipated future development permitted by this chapter. Significant impacts included but are not limited to:**

a. **Significant impact in traffic generation and parking;**

Provided parking is 17 spaces; 18 spaces are required for fast-food restaurants (1/100=18 spaces). There will be approximately 12 indoor tables plus outdoor patio seating. Parking is not allowed on Balmstone Drive. Parking for non-fast-food restaurants is the lesser of one space per 150 square feet of building area or one per tabletop, which would require only 13 spaces. Staff has no concerns with the reduction of one parking space.

A trip generation and queuing analysis provided shows 160 peak hour morning and 78 peak hour afternoon trip ends. Balmstone Drive has capacity to accommodate

this level of trip generation. Regarding the drive-up, the queuing analysis shows the 95% morning peak hour would need to accommodate eight vehicles at any given time. The available length can accommodate 13 vehicles; therefore, the queue will not extend to the main parking lot of the user, nor will this impact Balmstone Drive. City Public Works concurs with the analysis further finding the recommendations by the Traffic and Transportation Engineer will not negatively impact adjacent streets.

- b. Lack of screening of parking, loading, traffic circulation, or outdoor activities; garbage collection facilities and storage;**

The drive-through screening includes significant low-growing landscaping such as deciduous and coniferous shrubs, perennials, and ornamental grasses. The drive-through window does not face a street and the drive-through lane is located interior to the site. Waste collection is contained within a trash enclosure at the south side of the site.

- c. Significant intrusions of noise, light, dust, or glare onto nearby properties;**

The project should not create excessive noise or dust. All light fixtures are full cut-off, LED in the 3000k temperature range and lighting levels do not exceed 8.0 footcandles which is the maximum allowed by the Commercial Design Guidelines. Vehicle headlight glare is mitigated through seasonal and year-round landscaping.

- d. Significant increases in burdens on housing, schools, public utilities, or governmental services such as fire, ambulance, police, library and recreation; or**

No burdens on government services are anticipated with this proposal.

- e. Hours of operation.**

Anticipated hours of business will be from 5:00 a.m. to 8:00 p.m., Sunday through Saturday.

- (b) In addition to the review criteria specified in subsection 26-15-4(a) above, the following criteria shall also apply to all drive-up restaurants, gas stations (fuel facilities), car washes and drive-up facilities.**

- (1) Drive-up restaurants, gas stations (fuel facilities), car washes, and drive-up facilities shall be located a minimum of two hundred (200) feet from the following, as measured from the nearest proposed building wall or other structure of the drive-up restaurant, gas station (fuel facility), car wash or drive-up facility:**

- a. Residentially zoned lot lines;**

There are no residential properties nearby. The closes residential lot line is approximately 620 feet to the north or west.

- b. Tracts zoned DR that have a residential land use designation in the Comprehensive Plan;**

There are no DR zoned parcels nearby.

- c. Property having a residential land use designation in the Comprehensive Plan when such property is not currently zoned.**

There are no parcels slated for residential development nearby.

- (2) All drive-up windows or point of drive-up service shall be at least one hundred fifty (150) feet from the drive-up window or point of drive-up service of any other lot, or other drive-up window or point of service for a separate use on the same lot. The planning commission may approve a reduction of this separation requirement subject to design techniques that address and minimize the potential for traffic conflicts or visual aesthetics.

The applicant has provided a map showing setbacks to points of service of nearby drive-up uses. None are within 150 feet. The closest is the Dairy Queen drive-through at 195 feet away.

- (3) Carwashes that are proposed in conjunction with a gas station (fuel facility) shall be treated as a single use for the purpose of the locational requirements of criteria (2) above.

Not applicable.

- (4) Every drive-up restaurant shall include an indoor dining component that features tables and chairs sufficient to service year-round walk-in trade.

The restaurant will have an indoor seating area with approximately 50 seats, along with an outdoor patio on the south side of the building.

Attachment B
Staff Analysis
Site Plan and Architectural Criteria
Lot 5C, Sola Subdivision Filing No. 1, Replat C

Sec. 26-16-7.1. Review criteria.

(Note: the criteria below are grouped by subject and not in the same order as the Development and Zoning Code)

SCALE

- (a) **The scale is appropriate to the site and function of the project and/or building.**

The site is generally rectangular in shape with the longest side fronting Balmstone Drive. There is an extended triangular area on the north that is best suited for landscaping or may be able to be incorporated into the adjacent development lot to the north. The south property line abuts the Dairy Queen site and there is a shared drive aisle and parking.

The site gradually slopes to the north with about 5 feet of drop across the site so extensive grading is not required. There is a proposed retaining wall along the northeast corner of the drive-through lane where the land slopes down to the north and east that will not exceed 18 inches in height.

The building is oriented east-west with the front door facing south and the drive-through window facing north. A large outdoor seating area is incorporated into the site design around the front entrance.

An 8-inch water main is located in Balmstone Drive. A City hydrant is located directly north of the proposed building at the site. An 8-inch sanitary sewer main is located to the south in the drive-aisle between this site and Dairy Queen. Stormwater will be collected and sent to the west into a storm sewer main street inlet on the east side of Balmstone Drive. This ultimately outfalls to a regional stormwater quality detention pond in the northeast corner of Sola Subdivision. Electricity, gas, and fiber optic dry utility connections are proposed in existing easements on the east side of Balmstone Drive.

The site is used efficiently for its proposed use, parking, and landscaping requirements. Approximately 30% of the site landscaped. A large portion of the landscaped area is located in an otherwise rather unusable triangular area at the north end of the site which is a good location to provide extra landscape screening for the drive-through or may be able to be incorporated into the adjacent development site at a future time. Because of the shared drive-aisle and drive-through lane, about 50% of the site is paved. An additional 11% of the site contains concrete sidewalks and a large patio at the front. The building footprint covers approximately 6% of the site.

ARCHITECTURE

- (b) **The architecture promotes a harmonious transition in scale and character of the proposed building to surrounding land uses.**
- (c) **The quality and overall design is compatible with the location and proposed use as demonstrated by building elevations.**
- (d) **Any diverse architectural treatments are integrated into the overall architectural theme in order to avoid a cluttered appearance.**

- (e) Monotony of design within a project has been avoided by providing variation of detail, form and siding that provides visual interest.
- (f) The building materials are suitable to the type of building and design for which they are to be used. The building exteriors have the same materials, or those which contrast in pleasing ways as to be architecturally harmonious. Metal materials as a primary architectural feature have not been used.
- (g) The materials selected are of a durable quality and offer protection from rot and/or corrosion through the use of commonly accepted maintenance procedures.
- (h) For any design in which the structural frame is exposed to view, the structural materials are durable and compatible within themselves and harmonious to their surroundings.
- (i) Building articulation and rooflines are varied by the use of architectural and site design.
- (j) Building components such as windows, doors, eaves and parapets are visually attractive in proportion, scale and relationship to one another in each building.
- (k) The colors, including accents, are harmonious and compatible.

The proposed building is a one-story, 22-foot, 5-inch-tall structure with a flat roof surrounded by parapet walls. The general shape of the building is rectangular. The drive-through window would be located on the north side of the building and features a porte-cochere design. The main entrance would be located on the south side of the building adjacent to a large outdoor patio. Approximately 50 indoor seats are proposed.

The building will include parapet walls for screening of rooftop equipment with a depth sufficient to ensure the appearance is integrated into the building and not an afterthought or appendage. The horizontal stone wainscot is broken up by vertical column elements with a reclaimed natural wood finish. A glass storefront system in dark bronze makes up a large portion of the front façade. The drive-through element appears solid and a part of the principal structure.

Exterior materials would include three-tone beige, meadowlark, and clove color EIFS (Exterior Insulation Finishing System), reclaimed wood siding, chardonnay color stone veneer, and dark bronze color aluminum storefront doors and windows. The southern façade has significant glazing. The north/drive-through elevation contains more stone. Exterior building materials in the immediate area include stucco, brick, stone, metal, and wood. Pursuant to the Commercial Design Guidelines, synthetic stucco or EIFS shall not be used as a primary exterior wall cladding system. With the extensive glazing on the south side, stone wainscot and more extensive stone on the north wall, and reclaimed wood elements, only a portion of the finishes include EIFS, so staff has no concern with it being used as a secondary material.

The trash enclosure is sized for a three-cart system (trash, recycle, compost) and will be skinned with a stone veneer to match the main building with clove color metal gates.

The proposed one-story building is harmonious with the surrounding character of the area which is predominantly single-story, flat-roofed commercial buildings.

LANDSCAPING

- (e) The landscape design has been incorporated into the plan and takes into consideration the function and use of open areas and buffering.

- (f) **The overall landscape treatment of exterior spaces enhances the quality of the project and creates usable open areas.**

Approximately 30% of the site will be landscaped. On-site landscaping consists of a variety of deciduous and coniferous trees, shrubs, perennials, and ornamental grasses. An area near the entrance will be sodded. A low-grow seed mix will be used at the northernmost area of the site. Other areas will contain wood and rock mulch. Proposed right-of-way landscaping includes seven street trees, sod, and shrubs and ornamental grasses in wood mulch in the tree lawn area. All landscaped areas will include permanent drip and spray irrigation with a rain/freeze sensor. Annual water usage is modeled at 9.39 gallons per square foot per season.

Sight distance areas have been recognized to ensure drivers have clear sight on exiting the site onto Balmstone Drive. Internal planting areas screen the drive-through lane and provide a soft area east of the front patio. There is a storm drain that traverses the site east to west that precludes having trees planted within 10 feet of it on either side that impacts parking lot trees in two locations; however, trees have been planted in nearby locations. Landscaped areas help to screen the drive-through lane and window. A large patio area is located on the front/south side of the building which will provide a large seating area for patrons.

The overall landscape design enhances the quality of the project and provides for necessary screening of the drive-through use.

CIRCULATION

- (g) **The traffic and pedestrian circulation system, including parking lots, contributes to the orderly and aesthetic quality of the site.**

On the southern boundary of the site, there is a shared drive with the Dairy Queen that connects Viridian Drive and Balmstone Drive that is already constructed. The drive will be expanded to build-out an additional row of parking on the north side of the shared drive.

The main entrance into the lot is accessed via Balmstone Drive (a private street) just north of the shared drive and connects to main parking lot and drive-through lane. Drive-through patrons would enter the drive through lane via the parking lot located on the southern portion of the site. The drive through wraps around the parking lot and proceeds north to the building and then west back out to Balmstone Drive. The building is located on the northern portion of the site and the drive-up window is located on the north elevation. The main entrance and drive-through exit are approximately 90 feet apart.

This site would be developed with 17 parking spaces including one van-accessible ADA space and two electric vehicle spaces with installed Level 2 charger. The main parking lot area is directly south of the building. Additional parking and the trash enclosure are located on the south side along the shared drive-aisle with Dairy Queen.

Pedestrians would enter the site via a 5-foot detached sidewalk along Balmstone Drive that connects directly to the southern outdoor patio area. Employees could access the trash enclosure via the sidewalk system or cross directly through the parking lot. Bicycle parking is located near the front entrance. All sidewalk connections are ADA-accessible.

The closest RTD bus stop is located approximately 400 feet to the west in front of Blue Federal Credit Union. There are existing sidewalks along Exempla Circle and Balmstone Drive, and also through the Blue Federal Credit Union site to Balmstone Drive.

Vehicular and pedestrian access will adequately serve the site, and the drive-through lane will accommodate up to 13 vehicles which should ensure vehicles do not back up onto Balmstone Drive. Trash pick-up will be from the south drive-aisle so as not to compete with interior site traffic or pedestrians.

SCREENING

- (h) The screening of service yards, rooftop mechanical equipment and other items which tend to be unsightly has been accomplished through the placement of walls, fences, plantings, or a combination thereof; further, the screening is effective during all seasons of the year.**
- (p) The materials used to buffer mechanical equipment, electrical equipment or other utility hardware on the roof, ground or building, are harmonious with the building.**
- (r) Service yards, storage yards and exterior work areas are buffered from view from any public street, public pedestrian access or other public way, and from adjacent properties with less intensive uses through the placement of the building or buildings on the site or with the use of screening walls or enclosures constructed with materials that are harmonious to the building to which it is associated.**
- (s) Refuse, waste, and recycling collection areas shall be enclosed and screened from view from any public street, public pedestrian access or other public way, and from adjacent properties. The enclosure shall be constructed of materials harmonious to the building to which it is associated. Gates on the enclosure shall be of metal or some other comparable durable material and shall be finished to match the enclosure.**

Rooftop mechanical units will be fully screened with parapet walls. Wall-mounted equipment will be painted to match the background color. The drive-through menu board will be located interior to the site on the east side and the drive-through window will be located on the north. Neither will face the street. The trash enclosure will be located south of the building and set back from nearby roadways and have materials and colors similar to the principal building. Employees will be able to access the trash area via the sidewalk system.

LIGHTING

- (q) Exterior lighting, which is a part of the architectural concept, is harmonious with the building design, and does not shine directly on adjacent properties.**

Parking lot lights will be 20 feet tall, dark bronze color, and include a full cut-off LED fixture with a 3000K light temperature. Maximum light levels on the site will be 7.9 footcandles which is under the 8.0 footcandle maximum set in the Commercial Design Guidelines. Wall-mounted lights will be dark bronze color and full cut-off in the 3000k temperature range. Vehicle headlight glare is mitigated through seasonal and year-round landscaping.

As part of the separate signage permit, light levels for the menu board sign will also be reviewed to ensure there is not off-site glare.

LITTER COLLECTION PLAN

- (t) Drive-up restaurants, and restaurants that include an outdoor eating area, shall develop a litter collection plan and submit such plan as part of the site and architectural plan review. Such plan shall obligate the restaurant operator to keep the area immediately surrounding said restaurant free of restaurant litter.

The applicant has provided minimal information about their litter collection plan, stating that trash receptacles will be provided on the patio. The plan needs to better address how the operator will keep the area around the restaurant free of litter. This is a recommended condition of approval.



PLANNING COMMISSION AGENDA MEMO

MEETING DATE: October 13, 2021
AGENDA TITLE: Sundar Phase 2 / Site Plan and Architectural Review
PREPARED BY: Jana Easley, Planning Manager

Executive Summary

This is a request from Milestone Sundar II GP, owner, for review of a Site Plan and Architectural Review for the second phase of the Sundar Apartment project. Phase 1 was approved in December 2018 and as part of the initial subdivision of the site, Tract A was platted as a future site for Phase 2. The first phase contains 324 multi-family units in nine buildings. The second phase will contain 360 multi-family units in ten buildings.

The original Planned Unit Development contemplated this future Phase 2 and growth management permits were awarded in 2018. Tract A will need to be replatted to create a legal lot for Phase 2. City Council will review the Sundar Subdivision Replat A, Final Plat, along with the Site Plan and Architectural application at a future meeting. This application is only for the review of the site plan and architecture, and the Planning Commission will make a recommendation to City Council.

Background Information

This section of the staff report provide background on the proposal. Staff's analysis is contained in Attachment A.

Overview

The proposal is to construct ten apartment buildings, each containing 36 units, 26 garage buildings, and a clubhouse with indoor and outdoor amenities. Phase 2 also includes substantial green space including courtyards, a dog park location on the northwest corner of the site, a looped jogging trail area and an outdoor pool, bocce and volleyball courts and a community garden.

Applicant/Owner:	Milestone Sundar II GP
Location:	Northwest corner of US Highway 287 and Dillon Road
Land Use:	Opportunity Parcel
Zoning:	High Density Residential (R4)
Total Phase 2 Parcel Size:	18.12 acres
Overall Site Size:	36.14 acres

The Sundar site is located north of Dillon Road and west of US Highway 287. To the east, across US Highway 287, is the Medtronic Office Campus. To the west is agricultural land. To

the north is Maple Grove, an unincorporated large lot subdivision. To the south is a regional drainageway and the Northwest Parkway.

The Sundar Apartment site Planned Unit Development (PUD) was approved in 2018 for 684 apartments on 36.14 acres. Phase 1 is located on the eastern portion of the site and was fully approved in 2018. Phase 2 is on the western portion of the site. The land was platted in 2018 and retained the Phase 2 portion as Tract A for future development. The Final Planned Unit Development (PUD) was approved for the entire site and included modifications to allow increased building height (from 35 to 35.5 feet), increased density (from 18 to 18.92 dwelling units per acre for the entire project), and more than one principal building on a lot.

Phase 1 infrastructure is currently being installed. Once the City inspects the public improvements and they are accepted by the City, vertical improvements will begin. Phase 2 will include additional public and private infrastructure, and a Phase 2 development agreement is required.

Further details about the project can be found in Attachment A, the staff analysis of the project.

Lafayette Development And Zoning Code Analysis

Staff's analysis of the Site Plan and Architectural Review can be found in Attachment A. The site plan, architecture, landscaping, and lighting meet the Code criteria and is consistent with the approved Final PUD.

Next Steps

Using the criteria set forth in the Code of Ordinances and the Comprehensive Plan, the Planning Commission is charged with recommending approval, approval with conditions, or denial of the Site Plan/Architectural Review application. Thereafter, City Council will consider the application at a regular meeting along with the Final Plat.

Recommendation

Staff recommends approval of the Site Plan/Architectural Review application.

Proposed Motion Language

Site Plan and Architectural Review

I move to recommend approval of the Site Plan/Architectural Review finding the plan complies with the criteria of Section 26-16-7.1 and the approved PUD.

Links

1. [Sundar Final Planned Unit Development Plan](#)
2. [Applicant Narrative](#)
3. [Site Plan and Architectural Plan Set](#)
4. [Color Elevations and Materials Board](#)

Attachments

- A. Staff Analysis – Site Plan and Architectural Review

Sundar Phase 2 Site Plan and Architectural Review Staff Presentation

[Link to Staff Presentation for Sundar Phase 2](#)

[Link to Applicant Presentation for Sundar Phase 2](#)

Attachment A
Staff Analysis
Site Plan and Architectural Criteria
Phase 2, Sundar Subdivision Filing No. 1

Sec. 26-16-7.1. Review criteria.

(Note: the criteria below are grouped by subject and not in the same order as the Development and Zoning Code)

SCALE

- (a) **The scale is appropriate to the site and function of the project and/or building.**

The location is generally at the northwest corner of US Highway 287 and the Northwest Parkway. The area is an eclectic mix of older and newer one- and two-story homes, undeveloped land, developed and developing sites. The surrounding area includes a large-lot unincorporated subdivision immediately to the north, Northwest Parkway to the south, open space and agricultural lands to the west, and US Highway 287 and the three- to five-story Medtronic office campus to the east. Farther north and east is the one- and two-story Lafayette Corporate Campus and three- to five-story Exempla medical campus. Immediately east of this parcel is Phase 1 of Sundar which will include a very similar layout and scale apartment complex as Sundar Phase 2.

The overall Sundar site is rectangular, and the Phase 2 portion of the site is generally rectangular (945' x 977') in shape with the longest side fronting Mountain View Drive, which generally parallels Dillion Road. The apartment buildings are oriented east-west and north-south, and the clubhouse is located on the south side of the parcel closest to the main entrance from Mountain View Drive. One-story garage buildings are located along the northern edge and internal to the site.

The site gradually slopes to the southeast with about six feet of drop across the Phase 2 portion of the site so extensive grading is not required. There will be retaining walls up to four feet in height within the detention pond that serves this Phase 2 portion of the site.

The ten three-story apartment buildings are spread out across the site. Three are located on the western edge to take advantage of the mountain views, two are located on the eastern edge adjacent to the central detention pond, and five are located interior to the site. The clubhouse provides a transition at the entry and will be easily identifiable. One-story garage buildings are located along the northern edge and interior of the site which will help to break up the three-story apartment buildings and allow views through the site.

The apartment buildings are three stories and 35.5-feet tall at mid-roof. As part of the Final PUD (Planned Unit Development) for the overall site, a modification was granted to allow up to 35.5-foot-tall structures as measured to mid-roof. The one-story garage buildings that flank the northern property boundary provide a transition to the lower one- and two-story residences in Maple Grove to the north. The apartment buildings closest to the Maple Grove subdivision are approximately 116 feet away and there is a 50-foot buffer area where landscaping and a soft surface trail will be located along the northern property boundary. The clubhouse is 27'5" and one-story with a two-story central space.

Landscaped area consists of 31% of the site, buildings take up approximately 16% of the site, and parking, drives, sidewalks, and paths make up the balance.

Sundar Phase 2 utilities consist of the installation of looped water mains to support domestic water and fire flows for the development. Fire hydrants will be placed throughout the development to meet Public Works and Fire Department requirements. Sanitary sewer mains will also be installed to support the wastewater needs of the development. In addition, a private storm sewer system will be installed to convey developed runoff into the detention facility to be installed with Phase 1. Lastly, dry utilities will be installed throughout the development to meet the overall power, gas and communications needs of the community.

The site is being used efficiently for an apartment development. Massing and scale of the three-story buildings is broken up with garage buildings and open green space between buildings. The site plan and architecture are consistent with the approved PUD.

The site plan can be found on [page 2](#) of the Site Plan set.

ARCHITECTURE

- (b) **The architecture promotes a harmonious transition in scale and character of the proposed building to surrounding land uses.**
- (c) **The quality and overall design is compatible with the location and proposed use as demonstrated by building elevations.**
- (d) **Any diverse architectural treatments are integrated into the overall architectural theme in order to avoid a cluttered appearance.**
- (e) **Monotony of design within a project has been avoided by providing variation of detail, form and siding that provides visual interest.**
- (f) **The building materials are suitable to the type of building and design for which they are to be used. The building exteriors have the same materials, or those which contrast in pleasing ways as to be architecturally harmonious. Metal materials as a primary architectural feature have not been used.**
- (g) **The materials selected are of a durable quality and offer protection from rot and/or corrosion through the use of commonly accepted maintenance procedures.**
- (h) **For any design in which the structural frame is exposed to view, the structural materials are durable and compatible within themselves and harmonious to their surroundings.**
- (i) **Building articulation and rooflines are varied by the use of architectural and site design.**
- (j) **Building components such as windows, doors, eaves and parapets are visually attractive in proportion, scale and relationship to one another in each building.**
- (k) **The colors, including accents, are harmonious and compatible.**

While similar to the Phase 1 architecture, the Phase 2 architecture takes on a more contemporary mid-century appearance using strong vertical elements and low-pitched roofs with wide eaves, stone veneer, and board and batten siding.

The ten apartment buildings would all have the same footprint and basic design as in the first phase. Each building would contain 36 units comprised of studio, one-bedroom, and two-bedroom apartments. Units would be accessed via external doors and stairwells. The overall development would be required to meet both the City's ground floor Visitability provisions as well as accessibility standards found within State Statutes and the building code. All ground floor units will meet the City's Visitability requirements.

The most obvious example of the mid-century modern style is the clubhouse which has two-story floor to ceiling windows in two color tints (solar blue and clear) running in both vertical and horizontal patterns that provide variety and interest. The clubhouse will have tan/light beige vertically applied stone (rather than horizontal) and cementitious siding in tan, pewter, and gold, along with anodized aluminum storefront windows. A rooftop screen wall of cementitious board and batten siding would hide rooftop mechanical equipment. Decorative concrete screen wall, glass panel handrails add to the modern appearance.

For the apartment buildings, exterior materials would include the same vertical stone and cementitious siding in smooth, shake, and board-and-batten styles. Three primary color schemes are proposed for the ten buildings in soft green, coral, and gold. Accent colors in tan and pewter would be the same on all buildings to provide consistency. Windows would be white vinyl and balcony rails would be white painted steel.

The mail and maintenance building would use the same stone and cementitious tan siding and floor-to-ceiling windows in the common area. The design of the roof will accommodate future solar/PV panels.

One carport will be located near the clubhouse to accommodate six installed EV parking spaces.

Garages are a combination of 6- to 24-plex buildings with either single-sided or double-sided doors. Some have storage units at one or both ends, others have a trash enclosure at one end. Garages incorporate the same stone and cementitious siding as the principal buildings. Garage doors would be painted to match the adjacent siding color. The backside of garage #17 faces Mountain View Drive and has an enhanced rear elevation with more variety in building materials and colors. The 10-plex garages that back to the jogging path also have enhanced rear elevations.

Color building elevations can be found in [Link 4](#), Color Elevations and Materials Board.

LANDSCAPING

- (e) The landscape design has been incorporated into the plan and takes into consideration the function and use of open areas and buffering.**
- (f) The overall landscape treatment of exterior spaces enhances the quality of the project and creates usable open areas.**

Landscaping and irrigation meet or exceed the Code requirements. Approximately 31% of the site will be landscaped, where 15% is required. On-site landscaping consists of a variety of deciduous and coniferous trees, shrubs, perennials, and ornamental grasses. Native seed mix, trees, and shrubs will be located along the looped jogging path. Other areas of the site contain rock mulch for low maintenance. All formal landscaped areas will include permanent drip, rotor, and spray irrigation with a rain/freeze sensor. Annual water usage is modeled at 3.1 gallons per square foot per season, which is below the code allowance of 15 gallons per square foot per season.

There are four primary green space areas within Phase 2: The courtyards between the apartment buildings, the dog park area at the northwest corner of the site, the looped jogging trail area, and the clubhouse amenity areas. The detention pond area to the east, being developed as part of Phase 1, also provides visual softness and openness between Phase 1 and Phase 2. The courtyard areas provide separation, walking and sitting areas, and help to link the sidewalk network within the complex. The dog park will provide a larger outdoor play space for dog owners. Dog waste stations are also located throughout the site. The looped trail system provides an area for longer walks or runs and also acts as

a buffer to the homes to the north. The clubhouse includes many active recreational amenities including outdoor pool, bocce and volleyball courts, and community garden area.

The landscape plan can be found at [pages L1-L9](#) of the Site Plan set.

CIRCULATION

- (g) **The traffic and pedestrian circulation system, including parking lots, contributes to the orderly and aesthetic quality of the site.**

Vehicular and pedestrian access is being provided consistent with the approved Final PUD plan. Vehicles would enter from US Highway 287 via a signalized, full-movement intersection at Mountain View Drive. Mountain View Drive serves the entire development and provides a vehicular connection through the site from Hwy 287 to Dillon Road. The signal at Mountain View Drive will serve the Sundar and Medtronic developments and will be installed prior to issuing building permits for Phase 2 of Sundar pursuant to the Phase 1 Sundar Development Agreement (or by Medtronic depending on the timing of the developments). Drivers could also access Mountain View Drive from Dillon Road. For the Phase 2 portion there are two entrances into the complex. General vehicular circulation patterns are in a north-south and east-west grid via internal drive lanes.

Emergency vehicles can enter from Mountain View Drive. There is also one emergency vehicle connection, a 20-foot-wide concrete sidewalk, at the northern side of the property that will connect Phases 1 and 2 and provide an added emergency access if the two entrances into Phase 2 from Mountain View Drive are blocked.

Pedestrians can access the site via a 10-foot-wide sidewalk along US Highway 287, 6- to 8-foot-wide sidewalks along Mountain View Drive, then into the site. Internal 5- to 5.5-foot-wide sidewalks are located throughout the development. Off-site and on-site sidewalks are ADA accessible. There is also a looped, soft surface “jogging path” around the internal perimeter of both phases of the project.

The closest RTD bus stop will be located approximately one-quarter mile to the east of Phase 2 at US Highway 287 and Mountain View Drive. This stop is being relocated from under the Northwest Parkway. The northbound bus stop currently under the Northwest Parkway will also be relocated to Medtronic Drive (the same intersection as Mountain View Drive). Pedestrians will cross at the Mountain View Drive/Medtronic Drive signal to access the northbound RTD bus.

This second phase of development will include 600 parking spaces (240 surface, 360 garage) including 21 ADA spaces (eight are in garages). Six electric vehicle (EV) installed spaces with three Level 2 dual charging stations will be located near the clubhouse under a carport, and 84 EV ready spaces will be within garages. If the building permit application is submitted after December 31st, the City’s recently enacted provisions would govern.

The fire access and pedestrian connectivity plans can be found on [pages C3](#) and [C4](#) of the Site Plan set.

SCREENING

- (h) **The screening of service yards, rooftop mechanical equipment and other items which tend to be unsightly has been accomplished through the placement of walls, fences, plantings, or a combination thereof; further, the screening is effective during all seasons of the year.**
- (p) **The materials used to buffer mechanical equipment, electrical equipment or other utility hardware on the roof, ground or building, are harmonious with the building.**

- (r) Service yards, storage yards and exterior work areas are buffered from view from any public street, public pedestrian access or other public way, and from adjacent properties with less intensive uses through the placement of the building or buildings on the site or with the use of screening walls or enclosures constructed with materials that are harmonious to the building to which it is associated.
- (s) Refuse, waste, and recycling collection areas shall be enclosed and screened from view from any public street, public pedestrian access or other public way, and from adjacent properties. The enclosure shall be constructed of materials harmonious to the building to which it is associated. Gates on the enclosure shall be of metal or some other comparable durable material and shall be finished to match the enclosure.

The clubhouse rooftop mechanical units will be screened via a fiber cement screen wall that is incorporated into the building design. Electrical boxes and similar will be screened with landscaping wherever possible. All roof vents and wall-mounted equipment will be painted to match the background color. Gutters and downspouts will be painted to match or complement the background color.

Trash enclosures are located at ends of garage buildings. The enclosure will be CMU with metal gates, and a landscaped island will help to screen the enclosure.

The six-foot privacy wall that is required between the Maple Grove neighborhood and Sundar pursuant to the Sundar Phase 1 development agreement is shown in Outlot B of the Phase 2 plan. Both the Phase 1 and Phase 2 wall sections will be erected prior to vertical building construction for either phase. Final wall details will be reviewed at building permit.

LIGHTING

- (q) Exterior lighting, which is a part of the architectural concept, is harmonious with the building design, and does not shine directly on adjacent properties.

There are various types of light fixtures throughout the project based on the needs of the area. Most are in a black color finish. Parking lot lights are 20 feet tall and include a full cut-off LED fixture. Wall-mounted lights are full cut-off. Decorative full cut-off pole lights approximately 14.5 feet in height are located near the clubhouse. Bollard lighting is located along the looped jogging path and at internal sidewalk areas. Can lighting is located under awnings. Clear pendant string lighting is located above the bocce court. The clubhouse outdoor amenity area, which is internal to the complex, has the highest lighting levels, up to 29 footcandles. Since the clubhouse is interior to the site, the higher lighting levels should not create glare onto other properties. Lower lighting levels are found around the apartment buildings and the lowest levels, at or near zero, are at the property lines.

The lighting plan can be found at [pages PH-1](#) and [PH-2](#) of the Site Plan set.

LITTER COLLECTION PLAN

- (t) Drive-up restaurants, and restaurants that include an outdoor eating area, shall develop a litter collection plan and submit such plan as part of the site and architectural plan review. Such plan shall obligate the restaurant operator to keep the area immediately surrounding said restaurant free of restaurant litter.

This criterion is not applicable.