

**Record of Proceedings**  
**City of Lafayette**  
**Planning Commission Meeting Minutes**  
**Wednesday, September 28, 2022**

**I. Opening of Regularly Scheduled Meeting**

**Call to Order**

Vice Chair Smith called the Sept. 28, 2022, meeting of the Lafayette Planning Commission to order at 6:00 p.m. in the Council Chambers at Lafayette City Hall, 1290 S. Public Road, Lafayette, Colorado.

Present: Vice Chair Smith and Commissioners Phillips, Watson, and Wilson.

Absent: Chair Thomas and Commissioners Ortiz and Stephens

Staff Present: City Attorney Mary Lynn Macsalka, Planning Manager Jana Easley, and Recording Secretary Michelle Verostko.

**II. Items From The Public Not On The Agenda**

None.

**III. Regularly Scheduled Items**

**Motion**

*Vice Chair Smith stated that before the Planning Commission proceeds with their regularly scheduled items on tonight's agenda, he would like to move that the Commission amend the agenda to move items C & D, Cabrini Gardens Lot 2B Special Use Review and Site Plan/Architectural Review and the Public Hearing to go before items A & B, Etna Plaza Lot 2 Special Use Review, Site Plan/Architectural Review, and Public Hearing.*

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

**C & D. Cabrini Gardens Lot 2b Special Use Review And Site Plan/Architectural Review - Public Hearing**

Vice Chair Smith opened the public hearing for Cabrini Gardens Lot 2B Special Use Review and Site Plan/Architectural Review.

Commissioner Watson stated that he will need to recuse himself from this special use review and the following site plan/architectural review matter due to a conflict of interest. He explained that he is an officer on the board for the Lafayette Historical Society, which has a potential interest in revenues that could result from the proposed use. Therefore, he will recuse himself from participating in both of the Cabrini Gardens Lot 2B matters on the agenda this evening.

Commissioner Watson left the Council Chambers.

Commissioner Phillips stated he was a member of the Lafayette Historical Society Board approximately three or four years ago but no longer serves on the board. City Attorney

Macsalka stated since he was not presently representing the board he did not have a conflict and could participate in the meeting.

Vice Chair Smith explained that due to Commissioner Watson's recusal, the Commission no longer has a quorum and will need to continue these items and the public hearing to the Commission's next meeting date.

### **Motion**

*Vice Chair Smith moved that the Commission continue items C and D, Cabrini Gardens Lot 2B Special Use Review and Site Plan/Architectural Review and continue this public hearing on the Special Use Review to their next meeting on Oct. 12, 2022, at 6:00 p.m.*

Commissioner Phillips asked if there was not a quorum, is the Commission able to vote on continuing the meeting for this item. The City Attorney stated the code allows them to vote under these circumstances.

*Commissioner Phillips seconded the motion. All voted in favor of the motion. Vice Chair Smith stated the motion carries.*

Vice Chair Smith stated the Cabrini Gardens Lot 2B Special Use Review and Site Plan/Architectural Review and the public hearing are continued to the Commission's meeting on Oct. 12, 2022, at 6:00 p.m., at which time the Commission will reopen the public hearing and proceed with the consideration of those applications. The applicant and any members of the public here to speak to the Commission on this matter at the public hearing scheduled for this evening are advised to return on Oct. 12, 2022, at 6:00 p.m. to address the Commission.

Commissioner Watson returned to the Council Chamber and participated in the remainder of the meeting.

### **A & B. Etna Plaza Lot 2 Special Use Review And Site Plan/Architectural Review - Public Hearing**

Vice Chair Smith opened the public hearing and asked staff if the meeting was noticed properly. Planning Manager Jana Easley stated that it was.

Planning Manager Easley entered the staff report and presentation into the record as written. She reviewed the order of the meeting and gave a brief introduction of the Koda Crossfit project. She explained the request includes a Special Use Review approval for an existing Recreational Club or Facility (Indoor or Outdoor) in the T1 (Transitional Business) Zone District and a Site Plan and Architectural Review for the proposed 1,445 square foot addition to an existing 4,600 square foot building. She presented an aerial map that showed the location of the property and the surrounding properties. The property is located at 1230 Etna Drive.

Kevin Scheutz, Koda Colorado Building LLC, 1230 Etna Drive, Lafayette, gave a brief background of their business, how it started, and what they do.

Casey McCallister, Koda Colorado Building LLC, 1230 Etna Drive, Lafayette, discussed the core values of their business. He discussed how they propose to address concerns regarding

noise and parking and how they meet the special use criteria. He stated they have a parking agreement with Stan's Automotive.

Mr. Scheutz discussed their plans to fix the sidewalk, their landscape plans, drainage improvements, the exterior building materials and architecture, and their willingness to address any concerns raised by their neighbors.

Planning Manager Easley explained that uses designated special use are conditioned uses which may or may not be appropriate in a particular location depending on the nature of the proposed use, their relationship to surrounding land uses, impact on traffic capacities, and potential environmental effects. It is the intent of special use reviews to analyze such uses to ensure the uses are compatible with their locations and surrounding land uses.

Ms. Easley reviewed the Special Use Review Criteria outlined in Section 26-15-4 and discussed staff's analysis of the criteria against the proposed application. She discussed how the application met the criteria and recommended approval with no conditions. She explained the applicant will conduct their activities on site, they will monitor and suppress noise levels resulting from the use, and the parking agreement with Stan's Automotive has been recorded with Boulder County.

Ms. Easley reviewed the application against the site plan and architectural review code criteria Section 26-16-7.1. She discussed how it met the code requirements pertaining to feasibility, scale and compatibility, landscaping, design and materials, lighting, and screening. The discussion included a review of the proposed drainage and road improvements, retention of usable open areas including a patio, playground and seating area, parking, site circulation, and pedestrian and vehicular access to the site. Staff recommended approval of the Site Plan/Architectural Review with no conditions.

Vice Chair Smith opened this portion of the meeting for public testimony at 6:30 p.m. No one addressed the Commission; therefore Vice Chair Smith closed the public comment period.

Vice Chair Smith asked the whether the applicant would like to address or respond to any of staff's analysis. Mr. Scheutz stated that did not have any comments.

The Planning Commission asked the applicant when their business is open, what noise comes from inside the gym, whether they had outdoor activities, and whether they had prairie dogs on their site. The applicant answered the questions explaining their hours of operation, that they have no outdoor speakers, and there are no prairie dogs on the property.

Planning Commission asked staff about the noise ordinance and how it is enforced. City Attorney Macsalka explained the police department investigates and enforces the noise ordinance and that includes warning and education to the violator. She explained they would follow the residential portion of the noise ordinance.

The applicant added that they use an application that measures decibels, and they believe they are below the threshold and are not in violation of the noise ordinance nor do they make excessive noise while operating.

The Planning Commission asked about the trash dumpster location and the garden that was next to it and whether they intend to add solar panels to their building in the future. The applicant explained they have a compost area near the trash dumpster, and they do have plans to add solar panels to the building in the future.

Vice Chair Smith stated that since there were no further questions of staff or the applicant the Planning Commission brings the item back for discussion. The Public Hearing is now Closed.

The Planning Commission commented that the staff report was very comprehensive and there were no conditions on the application.

#### **Special Use Review Motion**

*Commissioner Phillips moved to recommend approval of the Special Use Review for Lot 2 Etna Plaza Subdivision with no conditions. The Commission finds the application complies with the criteria of Section 26-15-4 and is consistent with the 2021 Comprehensive Plan Policies and intent of the Neighborhood Mixed Use land use designation. Commissioner Watson seconded the motion. All voted in favor of the motion. Vice Chair Smith stated the motion carries.*

#### **Site Plan/Architectural Review Motion**

*Commissioner Phillips moved to recommend approval of the Site Plan/Architectural Review for Lot 2 Etna Plaza Subdivision with no conditions. The Commission finds the plan complies with the criteria of Section 26-16-7.1 and is consistent with the 2021 Comprehensive Plan Policies and Urban Design Guidance for the Neighborhood Mixed Use land use designation. Commissioner Wilson seconded the motion. All voted in favor of the motion. Vice Chair Smith stated the motion carries.*

### **IV. Other Business**

#### **A. Commission Comments/Committee Reports**

Commissioner Phillips stated he sent a letter to City Council asking them to incorporate a Planning Commission liaison to the new Sustainability and Resilience Advisory Committee that is forming. He stated it is necessary because of the Land Development Code rewrite.

City Attorney Macsalka stated that Council has a workshop on Sept. 29, 2022 to discuss combining the Lafayette Energy Sustainability Advisory Committee and the Waste Reduction Advisory Committee into one committee.

Vice Chair Smith stated he did not have an update for the Lafayette Open Space Advisory Committee. He stated he is unable to attend all of the meetings and asked if anyone else might be interested in attending the meetings in his place. He stated he won't be to attend the Oct. 26 Planning Commission meeting. He thanked staff for all the preparation they do for the Planning Commission meetings.

#### **B. Department Comments**

Planning Manager Jana Easley stated she would contact Sustainability Coordinator Elizabeth Szorad about Commissioner Phillips' interest in serving as a Planning Commission liaison for

the new Sustainability and Resilience Advisory Committee and ask her to contact Commissioner Phillips.

Ms. Easley provided the following updates:

- City Council approved the Site Plan/Architectural Review for Lot 5 Trailhead Business Park Replat A (Connxtracts) at their Sept. 6, 2022 meeting.
- City Council approved a second amendment to the Cottage Camp Subdivision Development Agreement. The amendment removes a RTD bus shelter that was determined was not feasible and not warranted.
- Historic Preservation Board hosted a Walking Tour of East Simpson Street on Sept. 22, 2022
- The Historic Preservation Board is hosting Lafayette History Trivia Night at Odd 13 Brewery on Oct. 11, 2022 from 7 to 9 p.m.
- ZoneCo is the consultant chosen for the Land Development Code rewrite and City Council approved their contract on Sept. 20, 2022.
- Development review process and ethics trainings are scheduled for Nov. 9, 2022 .

**V. Adjourn**

*Commissioner Phillips moved to adjourn the meeting, seconded by Commissioner Watson. All voted in favor of the motion. The meeting adjourned at 6:55 p.m.*

City of Lafayette

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Joseph Smith, Vice Chair

Attest:

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Michelle Verostko