

**Record of Proceedings
City of Lafayette**

**Planning Commission Meeting Minutes
Wednesday, June 8, 2022**

I. Opening of Regularly Scheduled Meeting

A. Call to Order

Chair Thomas called the June 8, 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.

B. Roll Call

Those in attendance included Chair Thomas and Commissioners Fischer, Ortiz, Phillips, Smith, Stephenson, and Watson.

City Staff Present: Planning Manager Jana Easley, Senior City Planner Marcy Gerwing, City Attorney Mary Lynn Macsalka (Zoom Call), and Recording Secretary Michelle Verostko

II. Items from the Public

Karen Norback, 800 E. Geneseo Street, Lafayette, suggested the City create a more friendly process for property owners of landmarked properties to preserve and maintain their property.

III. Adjourn to Zoning Board of Adjustment

Chair Thomas adjourned the meeting to the Zoning Board of Adjustment.

IV. Regularly Scheduled Items

A. Request for Variance – 608 E Geneseo Street

Chair Thomas opened the public hearing.

Vice Chair Smith disclosed that he serves as liaison to the Lafayette Open Space Advisory Committee (LOSAC) and the property owners, Lynn Reidel serves on that Committee and Grant Swift was recently appointed to serve on LOSAC. He stated he does not have a conflict of interest and has no financial gain related to the property and can be impartial in reviewing this application.

Chair Thomas asked staff if the public hearing was properly noticed under the applicable regulations for this type of land use hearing. Senior City Planner Marcy Gerwing stated it was.

Staff Introduction

Senior Planner Marcy Gerwing entered the staff report into the record. Ms. Gerwing introduced the project and explained this application is a Variance request to allow a 5' reduction of the rear yard setback for a detached accessory structure at 608 E. Geneseo Street. The structure is currently located 0' from the rear property line, where a minimum of 5' is required in the Old Town Residential zoning district. The property owners want to place

the structure on a proper foundation. The code requires that if an existing building is placed on a new foundation, it must meet current minimum setbacks.

Ms. Gerwing provided slides of the property and the existing buildings on the property. She explained the house and two accessory buildings on the property were constructed around 1905 and were listed on the Lafayette Register of Historic Places as the Pearce House in 2017.

Applicant Presentation

Grant Swift, 608 E. Geneseo Street, Lafayette, presented slides showing the outhouse/shed that they want to improve and place on a new foundation. He gave a brief overview of the existing condition of the building, and the work they plan to do.

Staff Analysis

Marcy Gerwing presented staff analysis. Ms. Gerwing reviewed the Variance criteria against the applicant's proposal. She explained that the property at 608 E. Geneseo Street, including the house and two outbuildings, were designated as an individual landmark in 2017. The Historic Preservation Board on May 2, 2022, unanimously voted to support the variance, finding the request meets the requirements of the Lafayette Municipal Code Section 26-24-4(b)(3). The Board felt that moving the 117-year-old building to meet current setback standards would have a significant adverse impact upon the historic character of the individual landmark. Additionally, the board considered that the archeological potential of the site would be compromised if the building, historically used as a coal shed and outhouse, were moved. Staff considers the setback requests meets the criteria for a variance with the findings listed in the staff analysis section of the staff report.

Public Input.

Chair Thomas opened the meeting for public input at 6:15 p.m.

Karen Norback, 800 E. Geneseo Street, Lafayette spoke in support of the variance.

Seth White, 311 E. Chester Street, Lafayette, supports the variance request. He suggested the City update the code to make it easier for residents of landmark or historic properties to maintain their properties and avoid the variance process.

Questions of Applicant and Staff

The Board asked whether the modifications the applicant made to the main building prevented them from moving the outbuilding so that it would comply. Ms. Gerwing explained that was not the case.

The Board asked the applicant why they applicant did not want to move the building. Mr. Swift explained the roof was fragile.

Other Board questions included what the importance of the outhouse and coal shed were, whether the Board would be setting a precedent if they granted a variance to the property, and what triggered the variance request. Ms. Gerwing responded to the questions and discussed the archeological value of both the outhouse and coal shed and its location.

Motion

Commissioner Stephens moved to approve the variance request for the accessory structure at 608 E. Geneseo St., finding the request meets the criteria in Lafayette Municipal Code Section 26-24-4(b)(3), specifically:

- 1) The property has been designated as an individual landmark, known as the Pearce House and the applicant is preserving the structure by performing maintenance and creating a stable foundation for the structure to rest upon.*
- 2) The Historic Preservation Board has found that conformance with the required rear yard setback would have a significant adverse impact upon the historic character of the individual landmark.*
- 3) The variance granted is the minimum necessary to mitigate the adverse impacts upon the site's historic character. The structure will be placed in its original location after foundation work is performed, not increasing the non-conformity of the original location.*
- 4) The relief provided by this variance may be granted without substantial detriment to the public good.*
- 5) The circumstances found to constitute a hardship were not created by the appellant given the accessory structure was constructed in its historic location around 1900, prior to the adoption of Lafayette zoning codes.*

Commissioner Phillips seconded the motion.

Board member Ortiz asked about the variance process and what it costs. The Board felt his question was out of order.

Chair Thomas called for a vote for the motion on the table. All voted in favor of the motion.

Senior Planner Gerwing answered Board member Ortiz question regarding the process for a variance for a landmarked property, how long it would take, and what the cost could range with the application fee, postage fees, and newspaper notice fee.

V. Return from Zoning Board of Adjustment

The Zoning Board of Adjustment meeting adjourned at 6:45 p.m. The Planning Commission returned to their regular meeting.

VI. Other Business

A. Commission Comments

Commissioner Phillips stated he reapplied to serve on the Commission and the interviews for the openings on the Planning Commission will be held on June 16.

Vice Chair Smith gave an update on the (LOSAC) Lafayette Open Space Advisory Committee meeting. He stated that Grant Swift was appointed serve on the Committee and he thanked Mr. Swift for his time. He stated LOSAC received four plans in response to the Wildlife Plan request for proposals.

Commissioner Fischer stated she served two terms on the Commission and was not going to seek another term. She stated she appreciated the opportunity to serve and learned a lot. She encouraged others to serve on the Commission and noted that June 22 would be her last meeting.

Chair Thomas stated she appreciated Commissioner Fischer's long service and stated the Commission would miss her.

Chair Thomas asked staff about existing Planned Unit Developments (PUDs) that had sod requirements as part of their approved plans as to whether the City could revisit them and make any changes considering the current water restrictions and concerns. Staff and the Planning Commission discussed water restrictions the process for amending approved landscape plans, and the code update.

Commissioner Stephens stated the *Planning to Thrive Symposium* is in Denver on June 16, 2022 from 1-5 PM.

B. Department Comments

Planning Manager Jana Easley stated that staff interviewed three companies who submitted for the Development Zoning Code update project. She stated the housing study and multi-modal transportation plan were in progress.

VII. Adjourn Meeting

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

City of Lafayette

Attest:

Darcia Thomas, Chair

Michelle Verostko
Recording Secretary