City of Arvada
Planning Commission Agenda

AUGUST 2, 2022
CITY COUNCIL CHAMBERS
Regular Business

Commission Members:
Michael P. Griffith, Chair
Doug Magee, Vice Chair
Tim Knapp, Secretary
Tom Aljinovich
Brandon Figliolino
Andrew Gay
Steve Hannan

Staff Members Usually Present:
Ryan Stachelski, Dir. of Community and Economic Development
Emily Grogg, Senior Assistant City Attorney
Rob Smetana, Manager of City Planning and Development
Jenny Wolfschlag, Manager of Development Engineering
Josie Suk, Systems and Administrative Manager
Abigail Ogg, Administrative Specialist
Heidi Van Gieson, Administrative Specialist

Info: 720-898-7435

The meeting will include an open comment period where participants will have three minutes to provide comments to the Commission. Members of the public who wish to provide public comment on any agenda item or during general public comment should go to www.arvada.org/PLNCOMMISSION for information about how to participate. If any member of the public wishes to submit written comment regarding the item on the agenda, you may submit comments in writing via email to the Planning Department at cedboardsandcommission@arvada.org. Comments must be received no later than 5 p.m. the day before the meeting. All timely comments submitted will be presented to the Planning Commission. Please contact Josie Suk with any questions at 720-898-7627.

PLANNING COMMISSION MEETING – 6:15 PM

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL OF MEMBERS
4. APPROVAL OF MINUTES
   A. July 19, 2022 Meeting Minutes
5. GENERAL BUSINESS
6. REPORTS
7. PETITIONS & COMMUNICATIONS
8. PUBLIC HEARINGS
9. OTHER ITEMS

A. Sub-Area Planning Efforts Update

10. ADJOURN

SUMMARY MINUTES OF PLANNING COMMISSION ACTION HELD
July 19, 2022

Planning Commission meeting minutes are not an exact transcript and represent key points and the basis of discussion.

1. CALLED MEETING TO ORDER– By Michael P. Griffith at 6:15 P.M.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL OF MEMBERS

Those present: Michael P. Griffith, Andrew Gay, Tim Knapp, Brandon Figliolino, Tom Aljinovich, Doug Magee, Steve Hannan

THOSE ABSENT

None

ALSO PRESENT: Ryan Stachelski, Director of Community and Economic Development; Rob Smetana, City Planning Manager; Emily Grogg, Sr. Ass't. City Attorney; Abigail Ogg, Administrative Specialist, Linda Hoover, Sr. Planner, Carol Ibanez, Sr. Planner, Jenny Wolfschlag, Civil Engineer Manager, Kyle Gillitzer, Civil Engineer, JT, Heidi Van Gieson, Recording Secretary.

4. APPROVAL OF MINUTES

June 21, 2022. The minutes stand approved as printed.

5. GENERAL BUSINESS

None

6. REPORTS

None

7. PUBLIC COMMENT

There was no one wishing to speak. Public Comment was closed.

8. PUBLIC HEARINGS

DA2022-0011 6446 Iris Way Garage Expansion Major Modification

Mr. Griffith opened the public hearing and entered into the record the Staff report, posting log and affidavit, mailing affidavit and emailed public comments.

Ms. Hoover introduced the project.

Applicant Dorian Krausz 6446 Iris Way presented the garage expansion. They will be adding on an additional 9 ft to an existing garage which is a little over 10 ft. This addition would give them a 3 ft setback from the property line. Drainage will be addressed in the 3 ft setback area.

Mr. Griffith opened the hearing for comments from the public.

PUBLIC COMMENT

IN FAVOR
James Murphy 6443 Iris Way Arvada, he is also looking to add a garage in the future and feels that it would be good to get cars off of the street.

IN OPPOSITION
Susan Garcia, Mr. Aljinovich read Susan's email to the applicant and the commision.

APPLICANT REBUTTAL

Ms. Krausz stated that during this project they have addressed the drainage issue. With the new structure, the amount of water that falls between their houses will be the same but 50% will be falling on a roof now and be redirected so it will bring less water to the yard in between the properties. Regarding the solar shade, the addition of this roof will not add a large amount of extra shade to the neighbors property.

Mr. Griffith closed public comment.

QUESTIONS FROM THE COMMISSION

Mr. Hannan, questioned if drainage is something we look for in the review process.

Mr. Gilitzer responded that the engineering does review and not allow anything to change any drainage patterns to negatively impact neighboring properties.

Mr. Hannan asked if they wanted to put a driveway, would they be able to go that close to the property line.

Ms. Hoover responded that flatwork does not need to meet setback requirements.

Mr. Hannan asked if the tree on the northeast corner of the property will be impacted by the construction.

Ms. Krausz stated it will not be impacted.

Mr. Hannan asked if the north side of the property will be flat.

Ms. Krausz stated that it will be.

Mr. Knapp asked about the extension of the gutters and if they would be collecting all of the water from the roof.

Ms. Krause stated that there will be a more defined swale of about 6 inches in depth 3 ft wide to help with drainage.

Mr. Knapp asked if the floor elevation of the north side will be the same as it currently is.

Ms. Krausz stated that it will stay the same.

Mr. Knapp asked if they are planning on using rock or grass in the swale.

Ms. Krausz stated they will be using rock.

Mr. Aljinovich is concerned about the water coming off of the buildings, where it will be going. How will they deal with the erosion of the ground?

Ms. Krausz stated that the water hitting her roof will be redirected to the driveway and the street.

Ms. Wolfschlag mentioned that City staff has suggested the rock as it will allow for some infiltration and allow the water to be directed to the street.

Mr. Gay asked why they did not do a French drain?

Mr. Gilitzer stated that they decided to go with rock to allow for infiltration and align with Mile High Flood District recommendations.

Ms. Wolfschlag stated that the area is so small and the amount of water that it would be catching is so small, there is no need to have a french drain in addition to the rock.

Mr. Griffith wanted to verify that the neighboring property is at a higher elevation than the applicant's property.

Ms. Krausz stated that is correct. There is a slope of anywhere between 2.5 -3% slope.

Mr. Griffith questioned why there is the 7.5 ft setback?

Ms. Hoover stated that it is to ensure that there is space in between homes and sometimes there are utility easements, which there are none in this area.

Mr. Griffith asked if there are requirements in regards to ADA Compliance?

Ms. Wolfschlag stated that there are no access requirements between lots, that would be up to the individual property owner.

Mr. Griffith asked if we see very many projects like this?

Ms. Hoover stated that we don’t and that part of this is due to changes we adopted when we revised that Land Development Code. We didn’t have a Major Modification in our code until that

point. We do have the ability to grant a Minor Modification which covers anything up to a 20% change administratively without going through a public hearing process. Anything greater than that has to go through a Public Hearing Process.

MOTION:

It was moved by Mr. Magee, that DA2022-0011, 6446 Iris Way Garage Expansion Major Modification from the Land Development Code subsection 2-1-3-3A to allow for a reduction in the side setback from 7.5 ft to 3 ft within RN 7.5 zoning, be recommended to City Council for approval. This motion is based on the findings of fact and approval criteria on Page 4 of the staff report.

DISCUSSION OF MOTION

Mr. Magee is concerned about how we allow one neighbor to benefit from this will impact another neighbor. How will this affect the neighbor and will put one neighbor against another neighbor. He will be voting in opposition to this.

Mr. Griffith stated that the presentation and drawings are very well done. He wants to make sure that the relationship between the neighbors stays in a good standing. He will be supporting this.

Mr. Hannan, feels that the applicant is doing all they can to mitigate any flooding issue. He will be supporting this project.

Mr. Knapp is also suggesting a French Drain and to possibly look at that still. Made suggestions to go as deep as you can go with the swale. He will be supporting this.

Mr. Gay feels that the drainage will actually assist the neighbor with their issues. He will be supporting this.

Mr. Figliolino thanked the applicant for the time they put into their presentation and he likes the brick work to continue the style of the house.

Mr. Aljinovich asked that the staff keep the neighbor to the north in mind and that we try to keep all parties taken care of. He will be supporting this.

Those voting Yes: Griffith, Hannan, Knapp, Ajinovich,Gay, Figliolino
Those voting No: Magee
Those absent: None
The motion carried 6-1

9. **DA2021-0023 Union Estates Annexation and Rezoning**

Mr. Griffith opened the public hearing.

Ms. Ibanez stated a correction to the staff report, page 3 under the Zoning and Land Use to be

changed from “The subject property is currently zoned RN 7.5 (Residential Neighborhood Sub-district 7.5)” but should be “The subject property is currently zoned Jefferson County A-2 (Agricultural 2)”

And on page 5 under Circulation and Connectivity to be changed from “to the site” to “to the south side.”

Mr. Griffith entered into the record the Staff report, posting log and affidavit, mailing affidavit.

Ms. Ibanez introduced the project.

Applicant Steve Lindsey 12650 W 54th Drive Arvada 80002
Looking to build a cul-de-sac with seven custom homes which allows people to come in and design their own home.This property previously had one house on the property that had become run down. This new project will improve both West 82nd Avenue and Union Street. A detention area is proposed on the north end of the property.

Mr. Griffith opened the hearing for comments from the public.

PUBLIC COMMENT

IN FAVOR

Greg Lockridge 8226 Urban Court. would like the Ash trees saved and would like to have correspondence with the builder about how close the house on Lot 4 will be built adjacent to his house.

IN OPPOSITION
Joe Gruber 8246 Urban Court 80005 is concerned about the size of the house being built. Would like the Russian olives trees to be removed and is concerned regarding drainage flowing into his property.

Phil Teague 8286 Urban Court is concerned about the drainage on the property and what will happen to the strip of land between Urban Court and the proposed Union Estates.

APPLICANT REBUTTAL
Mr. Lindsey stated that the trees will be staying as of now and if that was to change, they could have a conversation. Regarding the placement of the house, they do custom homes and want them to have good placement. They have addressed the drainage. They will get with their contractor regarding the weeds and have that addressed. The small strip of land will be covered by the Homeowers Association (HOA).

Mr. Griffith closed public comment.

QUESTIONS FROM THE COMMISSION

Mr. Hannan questioned the trees on the property, if there are invasive species on the property, will they be removed.

Ms. Ibanez stated that the staff Landscape architect would answer that. She can follow up with him.

Mr. Hannan questioned the small strip of land and what would happen to it.

Ms. Ibanez stated that staff had left it up to the applicant to determine if they would have the HOA handle it or do something else with the property.

Engineer David Moore 16415 W 85th Ln Unit B Arvada CO stated that the strip will be maintained by the HOA.

Mr. Magee questioned the lot size.

Ms. Ibanez stated that there will be a separate Site Plan/Minor Modification plans submitted and reviewed administratively.

Mr. Magee questioned how the sprinklers will be checked in the few lots that are requiring them?

Ms. Ibanez stated that the review will be looked at during the building permit application review process. Arvada Fire also reviews the building permit documents for approval.

Mr. Magee questioned the strip to the east.

Mr. Moore stated that there is a piece of land that no one owns and they will discuss what happens with the property.

Parking would be allowed on Union Street.

Mr. Magee questioned how they will let homeowners know that the houses will have sprinklers.

Mr. Lindsey stated that if they have to go that route it will be like telling them they will have a fireplace, it's just part of their standard features.

Mr. Knapp asked the rear setback on Lots 3, 4 & 5?

Ms. Wolfschlag stated it is a 10 feet setback.

Mr. Knapp asked what the setback is to the house to the west of this project?

Mr. Smetana stated that it looks like there is about a 40 feet setback.

Mr. Knapp asked about the drainage.

Mr. Lindsey stated there will be concrete drainage that runs the whole west side of the property on a separate tract.

Mr. Knapp questioned what was being thought of for the screening on the west side of the property?

Mr. Lindsey stated that they had not gotten that far but that it's tough to sell houses with 10 feet backyards, so their intent is not to do that. They are just following the Comprehensive Plan of the City.

Mr. Knapp asked if the applicant would consider something with a lower density?
Mr. Lindsey stated that if the City didn't require the applicant to improve Union Street and West 82nd Avenue, yes they would. He added that it is costly to do these improvements on an in-fill development. The public improvements include curb and gutter, landscaping, sidewalks. It becomes very expensive and to get rid of one lot, it is not economically feasible.

Mr. Knapp questioned the size of the cul-de-sac.

Ms. Wolfschlag stated that there is a standard size that this project has met which allows for it to be maintained by snow plows, maintenance and fire and emergency access.

Mr. Knapp questioned the small piece of land, what would happen with it.

Mr. Lindsey stated that it will be taken care of; much better than it has in the past. Also, he is not opposed to giving that property to the adjacent landowners as long as it doesn't delay the process. Until they do that, the HOA will take care of that space.

Mr. Griffith asked how long the applicant has owned the property in question?

Mr. Lindsey stated it has been a few years.

Mr. Griffith asked if they have built in Arvada before?

Mr. Lindsey stated yes they have, currently at W 62nd Avenue and Carr Street. They just built their corporate office in Arvada.

Mr. Griffith questioned who the HOA will be using for their trash.

Mr. Lindsey was not sure.

Ms. Grogg stated that all new HOA's are required to use the new trash program.

Mr. Smetana stated that the suggestion from the staff is that any Russian olives or Ash trees be removed from the property.

MOTION:

It was moved by Mr. Magee, that DA2021-0023 Union Estates, generally located at 12016 West 82nd Avenue, be recommended to City Council for approval of the annexation. This motion is based on the findings of fact and approval criteria on Page 6 of the staff report.

DISCUSSION OF MOTION

Mr. Magee thanked the applicant for their presentation and that they held back on how many homes they placed on the plot. He will be supporting this motion.

Mr. Gay is pleased with the project, he will be voting in favor of it.

Mr. Knapp is concerned about the vegetation and the density. He will be voting in approval of this project.

Mr. Griffith stated his concern about the vegetation, and asked that mature trees be considered.

Those voting Yes: Griffith, Hannan, Knapp, Aljinovich, Magee, Gay, Figliolino
Those voting No:
Those absent: None
The motion carried 7-0

MOTION:

It was moved by Mr. Magee, that the zoning of certain land in the City of Arvada, DA2021-0023 Union Estates, for a 2.11 acre parcel of land from Jefferson County A-2 (Agricultural 2) to City of Arvada RN-7.5 (Residential Neighborhood 7.5) and Amending the Official
Zoning Maps of the City of Arvada, Colorado, approximately located at 12016 West 82nd Avenue, be recommended to City Council for approval.

This motion is based on the findings of fact and approval criteria on Pages 6-7 of the Staff Report.

DISCUSSION OF MOTION

None

Those voting Yes: Griffith, Hannan, Knapp, Ajinovich, Magee, Gay, Figliolino
Those voting No:
Those absent: None
The motion carried 7-0

10. **OTHER ITEMS**

Next meeting will be August 2nd for a workshop for Sub-Area Planning Efforts update.

11. **ADJOURNED** at 7:50 P.M.

_____
Michael P. Griffith, Chair

_____
Tim Knapp, Secretary

_____

Heidi Van Gieson, Recording Secretary

CITY OF ARVADA

REPORT TO CITY COUNCIL

AGENDA ITEM 9.A.

TO: THE HONORABLE CITY COUNCIL DATE: August 2, 2022

SUBJECT: Sub-Area Planning Efforts Update

Report in Brief

As part of the implementation of the Land Development Code (LDC), the City Team has begun a series of "Sub-Area Plans" which will focus on targeted areas around the City. The primary areas of interest are places that could see infill or redevelopment over the next five to ten years. These plans will help the Development Review Team incorporate the community's vision into development that happens within the plan areas.

Sub-area plans were initiated in 2020 and include the Northwest Arvada Sub-Area Plan and New Town Sub-Area Plan. The workshop will provide an update on the planning process, draft framework and draft recommendations for these plans.

The Northwest Arvada Sub-area is generally defined as the Indiana Street corridor between the railroad overpass on the south and the City boundary on the north, and along Highway 72 between Highway 93 to Indiana Street.

The New Town Sub-area is generally defined as the areas along Wadsworth Boulevard and Bypass between the G Line tracks on the north and Interstate 70 on the south. The Arvada Marketplace center along 52nd Avenue will also be included.

Prepared by:
Abigail Ogg, Administrative Specialist

Reviewed by:

Approved by:

Patty McCartney, Long Range Planner 7/28/2022
Josie Suk, Development Systems and Administrative Manager
Robert Smetana, Manager of City Planning and Development
Emily Grogg, Senior Assistant City Attorney
Ryan Stachelski, Director of Community and Economic Development

Enclosure, exhibits & attachments required to support the report