



SUMMARY MINUTES OF PLANNING COMMISSION ACTION HELD
December 6, 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 6:22 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

Motion to excuse

Andrew Gay

ALSO PRESENT: Rob Smetana, City Planning Manager; Emily Grogg, Sr. Ass't. City Attorney; Heidi Van Gieson, Administrative Specialist, Jacob Nitchals, Sr. Planner, Linda Hoover, Planner, Jeri Pulkinen, Civil Engineer, Jenny Wolfschlag, City Engineer, Dixielee Rodriguez, Administrative Specialist/Recording Secretary.

4. **APPROVAL OF MINUTES**

September 20, 2022. The minutes stand approved as printed. Bottom of page 2, to repair and damage "to repair any damage"

5. **GENERAL BUSINESS**

Remembrance of Nancy Young

6. **REPORTS**

None

7. **PUBLIC COMMENT**

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

8. PUBLIC HEARINGS

DA2022-0055 Sabell Filing No. 3 Major Comprehensive Plan Amendment, Annexation, Rezoning, PUD Development Plan and Preliminary Plat located West of Urban Street and South of West 58th Ave

The public hearing was opened.

Mr. Griffith entered into the record the staff report for DA2022-0055 dated December 6, 2022, posting of signs, affidavit of mailing, and posting log.

Ms. Hoover explained the changes that she made to the Staff Report Conditions.

Ms. Hoover introduced the project to the Planning Commission and stated that this property is located in the existing Sabell area.

Mr. John Presowich, 200 Kalamath St., Denver, CO 80223. Provided a brief overview of the request for Phase 3 of the existing Sabell community. The townhomes proposed are similar to phase 2. Proposed 45 townhomes which is 25% less than max dense permits. Phase 3 provides pedestrian connection to the western part of the community. Provide two examples of the intent to be consistent with the existing Sabell community. Mr. Presowich feels that this is a logical addition to the City of Arvada.

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

PUBLIC COMMENT

IN FAVOR

None

IN OPPOSITION

Pat Osness, 57455 Tabor Street, Arvada, CO 80002, lives to the east of this proposed project. Is concerned about creating additional rentals that may not be utilized. He raised concern with building that get started and not finished or grounds getting disturbed and not forward movement with a project. Maybe have a pause before more is built.

APPLICANT REBUTTAL

Matt Cavanaugh - Remington Homes 5740 Olde Wadsworth Blvd, Arvada, CO, 80002
Stated that these projects take a long time from start to finish. This is not an apartment project, they are units that will be for sale. Different than what is going on at Timberline Gardens.

Mr. Griffith closed public comment.

QUESTIONS FROM THE COMMISSION

Mr. Knapp stated appreciation for the staff on the level of detail in the staff report.

Mr. Knapp asked if they could show where parking will be and asked if there will be signage.

Mr. Cavanaugh states each unit has 2 car garages.

Mr. Presowich add that off street parking off in the alley. Believes required to have 99 spaces, have 104 spaces.

Mr. Cavanaugh stated no ability to park in alleyways through CCRs and mandated homeowners have to park in their garage. Garages cannot be used for storage.

Ms. Hoover states there is an emergency access easement over drives can work with Fire if this becomes an issue.

Mr Knapp asked if the applicant was aware of the changes that were made on the Staff Report.

Ms. Hoover stated the applicant had received the changes.

Mr. Hannan asked if the distance from Simms to Ward and Urban enough will allow a traffic light?

Ms. Wolfschlag stated that that area has been looked at and has plans for a light from the get go work with CDOT.

Mr. Hannan asked about the Comprehensive Plan needing to align with adjacent districts. Does this meet requirements for compatibility?

Ms. Hoover answered there is high density to the north and east. And the density on the existing Sabells site is mixed which meets requirements.

Mr. Hannan questioned staff if the floodplain issues were taken care of with phase 1 and 2?

Ms. Hoover stated that the parcel for phase 3 was not owned by the developer at that time. This will be the same process as phases 1 and 2.

Mr. Hannan neighborhood comment about access to Van Bibber creek?

Ms Hoover, the neighborhood connection is important and is desired by both the City and the residents to the South

Mr. Magee asked if anything has been looked at in concerns of 58th and Ward?

Ms. Wolfschlag stated that they do not have updates on this area from CDOT.

Mr. Magee asked about the floodplain info, if they have started that process to be approved?

Ms. Hoover stated CLOMR is approved and LOMR is in the process.

Ms. Wolfschlag stated the LOMR has been conditionally approved.

Mr. Magee asked about the width of the alley and if Arvada Fire was okay with it.

Ms. Hoover stated that AFD is okay with the existing plans.

Mr. Magee asked the applicant about the trees that are marked for removal.

Mr. Presowich stated that they are removing the invasive species and replacing them with other trees.

Mr. Griffith asked about if there will be an HOA?

Mr. Cavanaugh stated that there is a Metro District that manages the entire Sabell filing 1 and 2 right now and will be requesting this project be added to that District.

Mr. Griffith asked about the timeline of the project

Mr. Cavanaugh stated it will depend on the weather but they have the funding together and are ready to pull building permits in Filing 2. Filing 1 is pretty much completed with residents living in units. Pending approval of filing 3 addition entitlements and approvals hopefully starts in 2024

Mr. Griffith asked if all of the items in the project are for sale?

Mr. Cavanaugh stated that they try to have some sold before the build, but some are built during.

Mr Griffith asked timeline from our staff

Mr. Smetana stated that it is market driven and they have 5 years to complete from approval.

Ms. Wolfschlag added that they won't issue construction permits without a letter of escrow. City holds money as an incentive to complete construction. Contractor will get a portion back.

9. MOTION: Agenda Item 8.A

It was moved by Mr. Magee, That CP2022-0003 a Resolution By The Planning Commission For The City Of Arvada, Colorado To Amend The 2014 Arvada Comprehensive Plan Land Use Designation Pertaining To Sabell Filing No. 3, From Medium Density Residential To High Density Residential, Located West Of Urban Street And South Of West 58th Avenue, and be recommended to City Council for ratification of the Comprehensive Plan Amendment.

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

DISCUSSION OF MOTION

None

Those voting Yes: Griffith, Hannan, Knapp, Ajinovich, Magee, Figliolino

Those voting No:

Those absent: Gay

The motion carried: 6-0

10. MOTION: Agenda Item 8.B

It was moved by Mr. Magee, That the An Ordinance Annexing Certain Land Into The City Of Arvada, Colorado, Sabell Filing 3, A Parcel Of Land Located West Of Urban Street And South Of West 58th Avenue In The County Of Jefferson And State Of Colorado, be recommended to City Council for approval subject to the revised condition made by the staff in its updated Staff Report.

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

DISCUSSION OF MOTION

None

Those voting Yes: Griffith, Hannan, Knapp, Ajinovich, Magee, Figliolino

Those voting No:

Those absent: Gay

The motion carried: 6-0

11. MOTION: Agenda Item 8.C

It was moved by Mr. Magee, An Ordinance Rezoning Certain Land Within The City Of Arvada, Sabell Filing 3, From Jefferson County A-2 (Agricultural) To City Of Arvada PUD (Planned Development), And Amending The Official Zoning Maps Of The City Of Arvada, Colorado, Parcel Of Land West Of Urban Street And South Of West 58th Avenue, be recommended to City Council for approval.

This motion is based on the findings of fact and approval criteria on Page 8 of the Staff Report.

DISCUSSION OF MOTION

None

Those voting Yes: Griffith, Hannan, Knapp, Ajinovich, Magee, Figliolino

Those voting No:

Those absent: Gay

The motion carried: 6-0

12. MOTION: Agenda Item 8.D

It was moved by Mr. Magee, That PUD Development Plan for Sabell Filing No. 3, generally located West of Urban St. and South of 58th Ave., be recommended to City Council for approval subject to the revised condition made by the staff in its updated Staff Report.

This motion is based on the findings of fact and approval criteria on Page 10-11 of the Staff Report.

DISCUSSION OF MOTION

Mr. Figliolino stated that he was excited about what they are bringing to the city

Mr. Knapp asked the staff how we deal with the fact that traffic congestion is not getting addressed

Those voting Yes: Griffith, Hannan, Knapp, Ajinovich, Magee, Figliolino

Those voting No:

Those absent: Gay

The motion carried: 6-0

13. MOTION: Agenda Item 8.E

It was moved by Mr. Magee, That Preliminary Plat for Sabell Filing No. 3, generally located West of Urban St. and South of 58th Ave., be recommended to the City Council for approval.

This motion is based on the findings of fact and approval criteria on Page 9-10 of the Staff Report.

DISCUSSION OF MOTION

Mr Griffith thanked the applicant and staff for their hard work and continuing to bet on our city.

Mr. Magee thanked the applicant and the neighbor for bringing his concerns to us tonight.

Those voting Yes: Griffith, Hannan, Knapp, Ajinovich, Magee, Figliolino

Those voting No:

Those absent: Gay

The motion carried: 6-0

14. DA2022-0031 Rezoning and Major Modification for Ralston Gardens, generally located at the Southeast corner of Ralston Road and Garrison Street

The public hearing was opened.

Mr. Griffith entered into the record the staff report for DA2022-0031 dated December 6, 2022 affidavit of mailing, and posting log.

Mr. Nitchals stated that the vicinity map was incorrect, this not a required part of the letter. No other addition to the staff report.

Mr. Nitchals stated that this in conjunction with Ralston Gardens to rezone from RN-7.5 to MXU and a major modification request to waive requirement of private outdoor yard patio or balcony..

Maureen Phair, Director of Arvada Urban Renewal, 5603 Yukon Street stated that this project is between, AURA, City of Arvada and Mile High Development. This will be an affordable housing project.

George Thorn, Mile High Development, 98 Madison Street Cherry Creek, Denver, CO 80206. stated that this is his 10th affordable housing project that he has been a part of. Made a commitment to Affordable Housing projects. This project is a truly affordable housing project, financed with tax credit at federal and state level. This project is a 4 story building with 102 units. Parking next to the project site by Walmart.

Andre Baros, 4584 S Newton Street Denver, CO 80236, stated the rezoning of the land and to remove the requirement of balconies on each space and doing ample shared outdoor area and shared amenity building. Well connected area, massive park across the street, community garden and paths near site. Parking lot has its own green space. Walking connection to store and fast food joint. Creating two primary outdoor spaces. South more public focus outdoor space inner courtyard a more private outdoor space.

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

PUBLIC COMMENT

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

APPLICANT REBUTTAL

None

Mr. Griffith closed public comment.

QUESTIONS FROM THE COMMISSION

Mr. Figliolino asked what kind of vehicle traffic are they expecting in the exterior courtyard?

Mr. Baros said the design given the grade of the site only place is at one spot there would be trash pickup 1-2 times a week. Moving in and out vehicles. Rush at the beginning then less then once a month after initial move in.

Mr. Figliolino asked how they will deter vehicle traffic or parking in the exterior courtyard?

Mr. Baros stated that across the street 153 parking spots.

Mr. Figliolino asked about the parking lot and to elaborate on the amenities of the urban park in the parking lot.

Mr. Baros stated the sidewalk is wider and additional planting and enhanced paving.

Mr. Figliolino questioned staff: who is going to be maintaining the paseo.

Mr. Nitchals stated the city parks department will maintain it.

Mr. Figliolino asked what barriers will be installed in front of the paseo to prevent traffic from going up it?

Mr. Baros states a curve comes north to south with a concrete closer. Creates a neck making it narrow to prevent cars from going up it. Just wide enough for two lanes of bike cycle traffic.

Mr. Aljinovich asked about the parking lot, how would you keep out people that don't belong in it.

Mr. Baros stated no fence, no barriers around it, north edge is fire lane, this cannot be blocked, south edge has a retaining wall.

Mr. Aljinovich so there is one entrance and one exit?

Mr. Baros states correct. Fire lane east to west and North curb cut entrance loops around.

Mr. Aljinovich where does all of the crud that drips off the cars go?

Mr. Baros stated that the center planting is the water collection at grade and detention below grade in the parking lot.

Mr. Knapp asked about Fire Truck and Police access?

Mr. Baros pointed out where fire hydrants are on plans and the fire truck has access from all sides of the building. Police would access from the main plaza.

Mr. Knapp asked about lighting the plaza has for security purposes?

Mr. Baros stated that there are ballards and plenty of lighting to address this.

Mr. Magee asked about the mention that balconies in general are used for storage areas in other units.

Mr. Baros stated in general the housing demographics are barely have enough funds to pay rent and they are not going to have patio furniture. Ends up being storage. There will be a secured room for bike storage.

Mr. Magee asked if by providing a common area conference room and fitness center these get used by the residents?

Mr. Baros stated yes no space gets used 100% of the time. But yes they do get used.

Mr Griffith asked about the reason why the removal of the balconies. Do you lose square footage in the unit when adding a balcony?

Mr. Baros stated by doing the balconies it takes away from the living space of the unit. which ultimately takes away from the entire building. making the courtyard smaller or non-existent.

Mr. Griffith asked about the bikes being stored on the balconies, is there a facility for bike storage?

Mr Baros Yes bike room in the building that is locked. Residents will have access to storage.

Mr Griffith asked about the window's ability to be opened.

Mr. Baros stated Yes the windows can be opened.

Mr. Griffith asked where will snow storage be located?

Mr. Baros stated that they have subtracted parking spaces for snow storage and in the plaza (loading area or detention pond).

Mr. Griffith said he is very pleased about the landscaping on the project. Doesn't look like an afterthought.

Mr. Aljinovich appreciated the work that staff did on this plan. He couldn't find anything wrong.

15. MOTION: Agenda Item 8.F

It was moved by Mr. Knapp, That the Zoning of certain land in the City of Arvada for a 0.12 acre parcel of land from RN-7.5 (Residential Neighborhood 7.5) to MX-N (Mixed-Use Neighborhood) and Amending the Official Zoning Maps of the City of Arvada, Colorado, generally located at the southeast corner of Ralston Road and Garrison Street, be recommended to City Council for approval subject to the condition stated in the Staff Report

This motion is based on the findings of fact and approval criteria on Page(s) 6, 7, and 8 of the Staff Report.

DISCUSSION OF MOTION

Mr. Hannen stated that he is very happy with this project.

Mr. Magee stated this great project, great idea, and great location.

Mr. Figliolino stated really beautiful project.

Those voting Yes: Griffith, Hannan, Knapp, Aljinovich, Magee, Figliolino

Those voting No:

Those absent: Gay

The motion carried: 6-0

16. MOTION: Agenda Item 8.G

It was moved by Mr. Magee, Major Modification to waive the requirement in section 5-1-2-5(G)(1) of the City of Arvada Land Development Code (LDC) that requires at least 75% of the units to have a private outdoor yard, patio, or balcony, approximately located at the southeast corner of Ralston Road and Garrison Street., be recommended to City Council for approval subject to the condition stated in the Staff Report

This motion is based on the findings of fact and approval criteria on Page(s) 7 and 8 of the Staff Report.

DISCUSSION OF MOTION

Mr. Griffith stated that this is a great project.

Those voting Yes: Griffith, Hannan, Knapp, Ajinovich, Magee Figliolino
Those voting No:
Those absent: Gay
The motion carried: 6-0

17. **OTHER ITEMS**

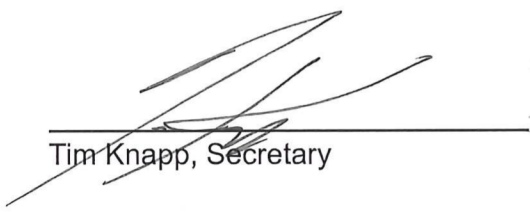
Cancel Planning meeting on December 20th, 2022

Those voting Yes: Griffith, Hannan, Knapp, Ajinovich, Magee Figliolino
Those voting No:
Those absent: Gay
The motion carried: 6-0

18. Mr. Griffith made a general comment about the Planning Commission's invite to Arvada Economic Development Holiday party.

Ms. Grogg stated the holiday party has been posted in the legal cabinet in City Hall as well as online.

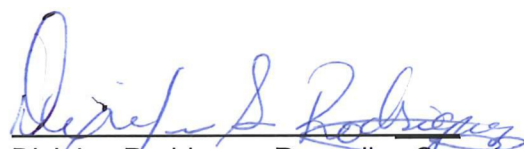
19. **ADJOURNED** at 7:56 P.M.



Tim Knapp, Secretary



Michael P. Griffith, Chair



Dixielee Rodriguez, Recording Secretary