CITY OF ARVADA

SUMMARY MINUTES OF PLANNING COMMISSION ACTION HELD
May 17, 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 Rob Smetana at 6:15 P.M.**

2. **PLEDGE OF ALLEGIANCE**

3. Swearing In of new commissioners Tom Aljinovich and Brandon Figliolino by Ms. Van Gieson

4. **ROLL CALL OF MEMBERS**

Those present: Michael P. Griffith, Andrew Gay, Tim Knapp, Tom Aljinovich, Brandon Figliolino, 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, Patty McCartney, Planner, Carol Ibanez, Sr. Planner, Jake Sawaya, Civil Engineer,Josie Suk, Manager of Developmental Systems and Administrative Services, Heidi Van Gieson, Recording Secretary.

5. **MOTION**
It was moved by Mr. Smetana to Suspend Bylaws until Elections are completed.

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

6. **Elections**
Mr. Hannan nominated Michael Griffith as Chair, Mr. Knapp seconded that motion
No other nominations were presented

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

Mr. Griffith nominated Doug Magee as Vice Chair, Mr. Knapp seconded that motion
No other nominations were presented

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

Mr. Griffith nominated Tim Knapp as Secretary, Mr. Hannan seconded that motion
No other nominations were presented

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

BREAK TO MOVE COMMISSIONERS SEATS AND ARRANGE NAMEPLATES

4. APPROVAL OF MINUTES

Mr. Griffith stated that those commissioners that were not present at the April meeting, will not be voting on it.

Mr. Griffith stated that the April 19, 2022 meeting minutes have had a revision presented by Mr. Knapp.

Mr. Knapp stated Language of Page 3 line 1 and 2 be struck and changed to "Mr. Knapp asked staff whether it was a city requirement for property to be within incorporated city limits in order for the property to receive city water and wastewater services?"

Those voting Yes: Griffith, Gay, Knapp, Magee, Hannan
Vote 5-0 approved

5. GENERAL BUSINESS

Adopting Bylaw Amendments

Ms. Grogg reviewed the changes that were made to said bylaws;
Section 2.D- The Planning Manager has to oversee the meeting until Officers are elected
Section 5.E.2- Expectation of 3 minutes for each Public Comment
Section 5.E.3 -Changes the language regarding evidence presented to the Commission
Section N- Make it clear that the commissioner that is making a motion to amend will be given the first chance to explain their motion to Amend. Ms. Grogg also stated that she combined Section N and O to be reflective of how City Council has it.

Mr. Knapp thanked Ms. Grogg for her work on the project.

Mr. Gay suggested that we adjust the language to Section 5.F

6. MOTION

It was moved by Mr. Magee that the Amendments to the Bylaws be adopted

Mr Griffith Stated that he really appreciates the work the staff put into this and keep this consistent how City Council meetings are run and keep things flowing.

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

7. REPORTS

None

7. PUBLIC COMMENT

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

8. PUBLIC HEARINGS

<u>CP2021-0004 Square Lake Subarea Plan Comprehensive Plan Amendment</u>

Mr. Griffith did Swearing in of all in attendance that will be speaking

The public hearing was opened.

Ms. McCartney explained that there was a posting notice at City Hall and on the web and

Square Lake Subarea Plan Comprehensive Plan Amendment entered into the record the staff report CP2021-0004 dated May 17,2022, Square Lake Subarea Plan and the resolution for the Subarea plan

Ms. McCartney presented the report to the Commision which included these goals:

L-1: we have coordinated our planning internally with the adjacent jurisdiction; Adams County
L-4: it will promote Mixed-Use transit oriented development in the Gold Strike Station Area
ED-4: to redevelop and revitalize existing commercial and industrial areas

Ms. McCartney stated that the subarea planning process included community participation and input opportunities through stakeholder committees including Planning Commissioner Magee, along with community meetings and workshops.

Ms. McCartney stated that the Square Lake Subarea Plan is a collaborative project with Adams County that was initiated in 2020 in response to community and neighborhood concerns in the unincorporated areas, challenges with regional transportation and regional homlessness.

Ms. McCartney stated that Jenni Hall, Jenn Rutter and Layla Bajelan are in attendance tonight from Adams County Community and Economic Development if there are any questions.

Ms. McCartney stated that relevant City Plans to the project included the Comprehensive Plan, Arvada Transit Station Framework Plan, Imagine Arvada Parks Trails and Open Space Master Plan and the Clear Creek Corridor Plan.

Ms. McCartney stated that Community Engagement and Stakeholder Participation included: Technical Advisory Committee and Stakeholder Advisory Committee of which there were 5 meetings of each. Community Open House; 1 Virtual and 2 In-person as well as a Virtual Online Community Survey

Ms. McCartney stated The Square Lake Subarea Plan was approved by Adams County on February 1, 2022.

Ms. McCartney stated The Square Lake Subarea study area is partially located within the City of Arvada and unincorporated Adams County; It is bounded to the North by 60th Avenue, to the South by 52nd Avenue, to the West by Sheridan Boulevard and to the East by Tennyson Street.

The Study area is geographically generalized into three areas; the G-Line, Central and Southern Areas.

Ms. McCartney stated that the Square Lake Subarea Plan has four Recommendations:

- Preferred Future Land Use Scenario; north of the rail tracks include mixed use residential and mixed uses, south of the area are Industrial office and Industrial uses

- Complete Streets recommendations include safe access for pedestrians, bicyclists, motorists and transit riders of all ages and abilities.

- Parks and Open Space Connections- Improve connections including pedestrian intersection crossings, street and trail design improvement

- Environmental Mitigation

Ms. McCartney stated that these changes will improve access to the area

Clear Creek Trail improvements are also recommended

Recommendation are specific, yet flexible and ordered by priority

Staff recommends approval of the Square Lake Subarea Plan

Mr. Griffith opened the hearing for comments from the public.-NONE

PUBLIC COMMENT

NONE

Mr. Griffith closed public comment.

QUESTIONS FROM THE COMMISSION

Mr. Magee commented that he was the commissioner who assisted in the process. Question if the floodway will cause issues with the project.

Ms. McCartney stated that the floodway and floodplain do not allow for building in that area.

Mr. Figliolino questioned the language about the accessibility of the area.

Ms. McCartney stated that there is the opportunity for the accessibility to improve in the options that are given.

Mr. Hannan stated that this was very well done as a project. He did question the timeframe was pretty short.

Ms. McCartney stated that these items could be completed past that timeframe.

MOTION:

It was moved by Mr. Magee that CP2021-0004, a resolution to amend the 2014 Comprehensive Plan to incorporate the Square Lake Subarea Plan, be approved and ratified by City Council. This motion is based on the findings of fact and approved criteria on Page 3 & 4 of the staff report.

DISCUSSION OF MOTION

Mr. Griffith stated that this was a great project and a great job was done by those involved.

Those voting Yes:7
Those voting No: 0
Those absent: None
The motion carried: 7-0

<u>Candelas Filing No. 1, Amendment No. 4 approximately located at 9367 McIntyre Street</u>

1. A Resolution by the Planning Commission to Amend the 2014 Arvada Comprehensive Plan Land Use From Suburban Residential to Mixed-Use Residential Emphasis
2. PUD Development Plan
3. Preliminary Plat

The public hearing was opened.

Ms. Ibanez stated that all notification requirements were met.

Mr. Griffith asked if there were any additions or corrections to the Staff Report.

Ms. Ibanez stated yes,on page 6, Parking and loading last sentence paragraph 1: revise 243 spaces to 242 spaces.

Ms. Van Gieson stated that there were 4 additional comments that came in.

Candelas Filing No.1 Amendment No. 4 entered into the record the staff report (as amended) DA2021-0150 dated May 17,2022, affidavit of mailing, and posting log, additional public comment, the initial public comments, PUD and Preliminary Plan Sets.

Ms. Ibanez presented the report to the Commision and that staff recommended approval of this project.

The Applicant with Tri Pointe Homes shared their presentation:

Dan Galasso
25615 E Otero Place
Aurora CO 80016

Marcus Pauchner, 1480 Humboldt St, Land Use and Community Outreach Consultant for the applicant, explained the community outreach with the most affected property owners first and worked through those challenges together. The next step was to meetwith the community members (Metro District) and then the Regional partners and stakeholders.

Mr. Pauchner stated that there were 40 individual meetings and 6 group meetings held between 2020 to 2021 during COVID.

Mr. Pauchner stated that they heard from the neighborhood that the site should be developed for restaurants, retail and residential and not just residential units. He further stated that the TRI-Point is primarily a residential builder and is working with a retail developer to build the mix-use buildings..The mixed-use buildings will have retail on the first floor and residential units on the 2nd and 3rd floors, totaling 33 units.

Mr. Pauchner stated that they are changing the Comprehensive Plan Land-Use Map to MX designation to ensure that there will be a mix of residential and retail on this site.

Bonnie Niziolek of Norris Design,1101 Bannock Street explained how they are proposing three story mixed use buildings including approximately 8,300 sq. ft. of ground floor commercial space with 33 multi-family units above them. The development is designed with an activated pedestrian environment that connects to the swim and fitness club to the north including urban plazas, inset parallel parking spaces with parking bump-outs, street furniture and landscape entries.

She further discussed that the maximum building height is 45 ft. for the mixed-use buildings and 35 ft. for Townhomes. The off-street parking provided for each Townhome unit is a two car garages and some will have an additional two spaces in their driveways.. Guest parking is available on the street. A total of 242 spaces are provided, 2 spaces per townhome, 2 spaces per multifamily unit and 4 spaces per 1000 sq. ft of commercial space.

Ms. Niziolek stated that this area is part of the ODP which allows 1950 homes within Parcels 2 and 10. Seventy five units are proposed with this development, for an overall total of 1922 homes, less than the total allowed.

Ms. Niziolek stated parks are provided on a community-wide basis and exceed the required 52 acres with 70 acres provided. Open space is also provided on a community- wide basis and exceeds the required 53 acres. The overall total is 234 acres plus an additional 1.8 acres provided with this development.

Mr. Griffith asked for a short executive session to discuss an issue.

Ms. Grogg said that they can just make it part of the record and she can ask him some questions.

Ms. Grogg asked if Mr. Griffith worked for Kimley-Horn or if he knew of this project either personally or professionally.

Mr. Griffith stated he works for Kimley-Horn as of recently, but not in the area that will be involved in this project.

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

PUBLIC COMMENT

Paul Little 9340 Nile Court: Stated that Tri-Pointe has been working with him on issues they had with the initial plan. He is concerned about the stress on the streets, pool, and parks. He also was concerned about parking and that the units do not have basements and garages will be used for storage. Safety with the children running across the street in between cars parked on the street is also a concern and where would retail and restaurants staff park since there is no public transportation out to Candelas,

Laura Carpenter 9320 Nile Court: Representing herself and her significant other . She commended all parties involved that have come and talked to them about their concerns. She raised concerns about the drainage issue, western screening(fencing), type of fencing to be used, high winds and height of the new buildings.

Erin Bott 9364 Kilmer: She was happy that Tri Pointe addressed neighbors and parking concerns. However, she was concerned about kids crossing the road with cars parking on the street, and the amount of parking spots that are being provided. She asked that they remove a few of the townhome units to add additional parking spaces.

David Blake 9426 Loveland Way: States that they had looked at adding retail in previous years. He states that it seems that there is additional background information that what we're hearing tonight.

Mr Griffith closed public comment.

APPLICANT REBUTTAL

Mr. Pauchner stated it's important to have different types of housing and this area is a "Gathering Place" which means it will have more people.

Mr. Pauchner states how this project has 50 parking spaces above the required spaces. The site design will assist in slowing down the traffic. The building's front facade faces the streets with garages in the rear providing full length driveways to get more parking spaces to make it safer.

Mr. Pauchner stated that retail building is adjacent to McIntyre instead of within the neighborhood. Drainage will be addressed. Fencing will be secured and they believe that the structures will help with the wind issues. The height of the Townhomes and Retail building will meet the maximum heights.

Ms. Niziolek also said the heights of the buildings are within the ODP which was approved in 2008.

Ms. Niziolek stated that the CCR will require that garage spaces are used for parking and cannot be used for habitable space or storage. Townhomes are 25' wide versus most that are 20' wide providing additional space compared to other townhomes. The garages and driveways will have additional width and additional depth as well.

QUESTIONS FROM THE COMMISSION

Mr. Aljinovich asked the following: if there will only be a fence on the west side or will there be landscaping;, if a Geotech survey will be done; why are standing water and sump pumps running all day long; and will your property run into that area.

Ms. Niziolek responded that the PDP landscape plan shows it will be a 6 ft. fence on the west side of the property. There will be landscaping, on the townhome property side, not on the private property to the west. Ms. Niziolek believes they will be 6 ft. trees that are planted. A Geotech survey was done on the project property and did not show high ground water, but they did not do a Geotech survey on the adjacent property.

Mr. Aljinovich asked if there were site line restrictions/height requirements out there?

Ms. Ibanez stated there was not.

Mr. Gay questioned the difference between the 2020 presentation to now. Two years, we talked about 57 units and no retail; now we are looking at 42 townhomes, 33 multi-family and retail requiring a change to the Comprehensive Plan to include a Mixed-Use parcel when we wouldn't have proposed that two years ago. Mr. Gay asked if the Comprehensive plan was changed twice.

Ms. Ibanez indicated that this is the second time it will be changed.

Mr. Gay asked if McKintyre was going to be widened?

Mr. Pauchner stated that it will be widened for the parking spaces. The travel lanes will stay the same. Ms. Niziolek agreed with this fact.

Mr. Knapp questioned what the screen would look like located on the western border.

Ms. Niziolek stated that it will be a 6 ft. cedar wood fence, evergreen trees and deciduous trees.

Mr. Knapp questioned if this will be enough screening.

Ms. Niziolek stated that they are noting that the trees will be 6 to 12 feet in height at installation.

Mr. Pauchner stated that there have been talks with the property owners on the west to give them trees to plant on their property.

Mr. Knapp questioned the lighting on the property and if it will be on timers.

Ms. Niziolek stated that there are no lights on the west side of the property towards the property border. She is not sure if there will be timers or not.

Mr. Knapp asked if W 93rd Ave will allow for parking on it.

Ms. Ibanez agreed that there will be parking on W 93rd Ave.

Mr. Knapp questioned the concerns for the retail parking, and doesn't feel like it was addressed in the rebuttal.

Ms. Niziolek stated that they went by the code and followed the 4 spots per 1,000 sq. ft. She also stated that the retail is meant to be neighborhood commercial, where residents in the area will be walking to these establishments.

Mr. Aljinovich asked what the CCR is?

Ms. Niziolek stated that it is the Covenants managed by the HOA. It is in the PDP document that the HOA will manage the use of the garages and what is allowed.

Mr. Magee asked about whether there will be traffic lights in the future.

Jake Sawaya, City of Arvada Civil Engineer, stated that within the traffic study they showed that in 2045 there will need to be a traffic light at Candelas and McIntyre.

Mr. Magee asked what the amount of units for the 2007 project was?

Ms. Niziolek stated that there were more units in the 2007 project.

Mr. Griffith would like an explanation of Traffic Calming by staff.

Ms. Ibanez, the intention of the streets was to slow the traffic down by having on street parking. Typically traffic calming is circular or road bump outs and road diets, the site will have additional parking and pedestrian walkways.

Mr. Griffith wants to know if narrow streets will aid in traffic calming.

Ms. Ibanez said that, yes it should slow the traffic.

Mr. Pauchner explained that the current speed is the issue with wide-open street intersections. Friction at the road is intended to slow and improve the traffic.

Mr. Griffith states that the intersection of McIntyre and 93rd has no pedestrian crossing.

Mr. Sawaya states that is something they would look at if this is approved?

Mr. Griffith, what are our parking requirements, are we higher or lower than surrounding cities?

Mr. Smetana, stated that we are about middle of the road with the standards.

Mr. Griffith asked where are the dumpsters going to go?

Ms. Niziolek stated that they are going to look into that.

Mr. Griffith is concerned about the amount of parking spots for retail units and whether the people that may be employed by the retail units be able to purchase the residential units.

Mr. Pauchner stated that the mix of "for sale" residential on "for rent" residential will allow for more options to make that a possibility.

Mr. Knapp questioned the change from Suburban Residential to Mixed Use Residential Emphasis, wanting to know where he can find that use in the code.

Mr. Smetana stated that designations in the Comp Plan are slightly different from the Zone Districts. The Comp Plan states that within the Mixed-Use Residential Emphasis, here are the zone districts that are appropriate.

Mr. Knapp asked as a guest, where do I park?

Ms. Niziolek stated that a guest can park in the driveway spaces or the surface spaces.

MOTION:

It was moved by Mr. Magee that a resolution by the Planning Commission for the City of Arvada Colorado to amend the 2014 Arvada Comprehensive Plan Land Use designation pertaining to Candelas Filing No. 1, Amendment No. 4 from Suburban Residential to Mixed Use Residential Emphasis approximately located at 9367 McIntyre Street be approved.This motion is based on the findings of fact and approval criteria on Page 7 of the staff report.

DISCUSSION OF MOTION

Mr. Griffith will be supporting it; but still has concerns about safety, dumpster and logistics of trash removal.
Mr. Hannan will be supporting it.
Mr. Gay will be supporting it.

Mr. Magee will be supporting it, they've done a good amount of outreach and the landscaping plan is exceptional. Believes that McIntyre and 93rd should have a four way stop.
Mr. Knapp will be supporting it, applauding the applicant for using creativity to get retail into the space.
Mr. Figliolino wanted to thank the applicant for listening to the community members.

Those voting Yes: 7
Those voting No: 0
Those absent: None
The motion carried 7-0

MOTION:

It was moved by Mr. Magee that a PUD Development Plan for Candelas Filing No. 1, Amendment No. 4 approximately located at 9367 McIntyre Street be recommended to City Council for approval.This motion is based on the findings of fact and approval criteria on Page 8 & 9 of the staff report.

DISCUSSION OF MOTION
Mr Hannan will be supporting it; concerned about reasonably feasible utility regarding safety
Mr Knapp will be supporting it , concerned about the properties to the west and the screening.
Mr. Knapp wants screening to be increased on the west side; I will be holding you accountable for what you have said you will do.

Those voting Yes: 7
Those voting No: 0
Those absent: None
The motion carried 7-0

MOTION:
It was moved by Mr. Magee that a Preliminary Plat for Candelas Filing No. 1, Amendment No. 4 approximately located at 9367 McIntyre Street be recommended to 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 Hannan will be supporting it; concerned about traffic in that area.

Those voting Yes: 7
Those voting No: 0
Those absent: None
The motion carried 7-0

8. **OTHER ITEMS**

Next meeting will be June 7, 2022

9. **ADJOURNED** at 9:03 P.M.

Tim Knapp, Secretary

Michael P. Griffith, Chair

Heidi Van Gieson, Recording Secretary