CITY OF ARVADA

SUMMARY MINUTES OF PLANNING COMMISSION ACTION HELD
May 16, 2023

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: Rob Smetana, City Planning Manager; Emily Grogg, Sr. Ass't. City Attorney; Dixielee Rodriguez, Development Technician, Jeremiah Bebo, Planner II, Jenny Wolfschlag, City Engineer/Development Engineer, Jake Sawaya, Civil Engineer, Heidi Van Gieson, Recording Secretary.

4. APPROVAL OF MINUTES

May 2, 2023 meeting minutes. The minutes stand approved as printed.

Mr. Knapp stated that he had submitted changes to the minutes earlier in the day. Those changes are reflected in the current Meeting Minutes.

5. GENERAL BUSINESS

None

6. REPORTS

None

7. PUBLIC COMMENT

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

8. PUBLIC HEARINGS

8.A An Ordinance Rezoning Certain Land within the City of Arvada, Candelas Point Infrastructure and Kiddie Academy, From the City of Arvada PUD (Planned Unit Development) to City of Arvada CG (Commercial, General) and Amending the Official Zoning Maps of the City of Arvada, Colorado; 9265 Yucca Lane

Mr Griffith swore in all guests that will be speaking

Mr. Griffith opened the public hearing.

Mr. Bebo stated that there was posting in the newspaper as well as a mailed notice and posting on the property that were required. The mailing affidavit and posting log are in order.

Mr. Griffith entered into the record the staff report dated May 16, 2023, affidavit of mailing, and posting log and affidavit.

Mr Bebo presented the project to the Commision. Candelas Pointe, LLC. requesting approval of a rezoning of all of Lot 1 Block 1 Candelas Commercial Filing No. 2, otherwise known as Candelas Pointe. The current zoning is Planned Unit Development and the rezoning request would be to CG or Commercial, General. The Arvada Comprehensive Plan Future Land Use Map identifies the property as being; Neighborhood and Community Commercial Office and the CG zone district is aligned with that designation. A Master Development Plan and Minor Subdivision have also been submitted and currently under review by staff as well as a Site Plan Application for Kiddie Academy which is their only known intended future user at this time. As stated in the staff report, staff is recommending approval of the rezoning.

Steve Nading; 8015 Grassmere Drive Boulder, Colorado stated how the site was initially left zoned as a PUD to see what happened with the economy. They are looking to now make that change to commercial due to growth. The parcel is slated to be separated into 3 lots, with Kiddie Academy as an intender user on one of those.

PUBLIC COMMENT

IN FAVOR

IN OPPOSITION

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

APPLICANT REBUTTAL

None

QUESTIONS FROM THE COMMISSION

Mr. Hannan asked about the two additional PUD sites, and asked what the plan is for them?

Mr. Bebo stated that there are no plans at this time. We will have to wait to see what is presented at a later date.

Mr. Hannan asked if there were uses in CG that couldn't be done in PUD without going through the long process vs. the administration process?

Mr. Bebo stated that when a site is zoned PUD, uses are evaluated during that process with staff and then through the public hearings. Taking into consideration the Comprehensive Plan and who their intended users are and by bringing a PUD Development Plan to the Commission. With this rezoning, future users would be limited to those uses allowed in CG zone district.

Mr. Knapp asked if this was a use that was contemplated in the Comp Plan?

Mr. Bebo stated that it was because the designation is Neighborhood and Community Commercial. And the rezoning to CG solidifies that and implements consistent regulations for that site. It will be restricted to commercial uses which we have planned for already; infrastructure wise. As long as they are able to meet all the requirements in the code, any site plan going forward can be approved administratively.

Mr. Knapp asked if the water demand for this use was incorporated or at least thought through during the process?

Mr. Bebo stated that yes it was and during the Comprehensive Plan planning process it was all accounted for with this use at this site. If they were wanting to intensify the use to larger mixed use buildings or residential, we would have to reevaluate that. In terms of the commercial zoning and commercial uses, water is accounted for here.

Mr. Gay noted a typo in the staff report. In the first paragraph, it states Candelas Point LLC and. Should there not be an "and"? He asked about the Master Development Plan, and if the commission would be looking at that?

Mr. Bebo stated that yes the "and" should not be there and that the Master Development Plan will be approved administratively if this rezoning gets approved.

Mr. Gay discussed the traffic patterns around the site and the difficulty to get out of that area.It may be something the City wants to look at in the future.

Ms. Wolfschlag stated that there was a master traffic study done and the developer did comply with the plan that was approved in the first phase. There is currently a Candelas Corridor Study being done to analyze all of the intersections throughout Candelas and are expecting those results in about a month.

Mr. Gay stated that he thinks the businesses will appreciate that.

Mr. Magee asked the applicant what the other two sites will be as far as one or two stories? Will it be a mix of commercial and/or retail?

Mr. Nading stated that it will most likely be one story.

Mr. Magee asked staff about the detention pond that has already been built to service this lot. Where is that pond and was it designed to handle commercial development on these properties?

Mr. Bebo stated that it is located to the Northeast across Wilkerson Court and was built to accommodate the stormwater flows from all of these properties when this was originally platted.

Mr. Magee asked about the property to the south, and if it was retail?

Mr. Bebo stated that, yes, that is retail there and there are various industrial uses across Highway 72.

Mr. Magee asked staff if there were any issues concerning water and commercial uses?

Mr Bebo stated that for this site, for commercial uses, water is not an issue.

Mr. Figliolino asked about what the zoning used to be for the property nearby zoned as IG?

Mr. Bebo stated that it was actually PUD and was changed to IG.

Mr. Figliolino asked if the lot to the south was CG?

Mr Bebo stated that it was actually PUD-BPR prior to the adopting of the 2020 LDC, which was a mixed-use commercial type zoning.

Mr. Figliolino asked about the property zoned CG off of Candelas Parkway, was that also adopted or was that converted as well?

Mr. Bebo stated that it was remapped to CG in 2020 since they knew that the fire station was going to be coming in.

MOTION: Agenda Item 8.A

It was moved by Mr. Figliolino, that an Ordinance Rezoning Certain Land within The City of Arvada, Candelas Point Infrastructure and Kiddie Academy, From the City of Arvada PUD (Planned Unit Development) To City Of Arvada CG (Commercial, General), and Amending the Official Zoning Maps of the City of Arvada, Colorado , 9265 Yucca Lane., be recommended to the City Council for Approval.

This motion is based on the findings of fact and approval criteria on Page 7 of the staff report.

DISCUSSION OF MOTION

Mr. Figliolino stated that he is having a hard time with this request. Seems that it is like a strip mall instead of a town center. Concerned about it becoming more pad sites and restaurants. He does not feel it is in the best interest of the City to downgrade to commercial zoning.

Mr. Griffith stated that we talked about creating a less car-centric city. Also suggested that we base items of concern on the criteria. Given the alignment with the Comprehensive Plan, he feels this project makes sense.

Mr. Figliolino stated that based on Criteria 4, it could be argued that it could create a significant issue with the car-centric approach, restricting housing on that lot.

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

Those voting No: Figliolino
Those absent: None
The motion carried 6-1

8.B

CP2023-0005 A Resolution By The Planning Commission For The City Of Arvada, Colorado To Amend The 2014 Arvada Comprehensive Plan Land Use Designation Pertaining To Commercial, Neighborhood (CN) Zoning District.

Mr. Smetana stated that the notice was Published in a Publication of General Circulation.

Mr. Magee stated that the wrong Number and Title were on the submitted Staff report.

Ms. Grogg thanked Mr. Magee for finding that correction.

Mr. Griffith entered into the record the staff report dated May 16, 2023.

Mr Smetana presented the project to the Commision. Amending a page in the Comprehensive Plan related to the Suburban Residential Land Use Category indicating that the Commercial Neighborhood would be a zone district allowed in the Suburban Residential Designation.

PUBLIC COMMENT

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

IN FAVOR

IN OPPOSITION

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

APPLICANT REBUTTAL

None

QUESTIONS FROM THE COMMISSION

Mr. Knapp asked if the Notice was Correct since the Number and Title were incorrect?

Ms. Suk stated that the Notice used the Resolution Title, which she believes is correct.

Ms. Grogg agreed but stated that staff will verify. There is also a second round going to the City Council.

Mr. Magee stated that it looks like a good fit and makes sense to be in the Comprehensive Plan.

Mr. Gay stated that it looks like this was approved two weeks ago.

Mr. Smetana stated that that was correct.

MOTION: Agenda Item 8.B.

It was moved by Mr. Magee, that CP2023-0005, A Resolution By The Planning Commission For The City of Arvada, Colorado To Amend The 2014 Arvada Comprehensive Plan Land Use Designation Pertaining To Commercial, Neighborhood (CN) Zoning District., be approved and recommended to the City Council for Ratification.

This motion is based on the findings of fact and approval criteria on Page 2 of the staff report.

DISCUSSION OF MOTION

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

9. OTHER ITEMS

Next meeting will be June 6th.

The Commissioners discussed if they will have enough in attendance for a quorum. It looks like they will.

10. ADJOURNED at 6:48 P.M.

Michael P. Griffith, Chair

Tim Knapp, Secretary

Heidi Van Gieson, Recording Secretary