



**SUMMARY MINUTES OF PLANNING COMMISSION ACTION HELD**  
**January 21, 2026**

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

1. **CALLED MEETING TO ORDER– By Rozalynne Thompson at 6:15 P.M.**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL OF MEMBERS**

Those present: Andrew Gay, Tim Knapp, Brandon Figliolino, Tom Aljinovich, Steve Hannan, Eric Doner, Miriam McGilvray

**THOSE ABSENT**

Andrew Gay

4. It was moved by Ms. Thompson, to excuse Mr. Gay from the meeting.

Those voting Yes: Doner, Figliolino, Knapp, Aljinovich, Hannan, McGilvray

Those voting No:

Those absent: Gay

The motion carried 6-0

**ALSO PRESENT:** Jessica Garner, Director of Community and Economic Development; Kelsy Sargent, Sr. Ass't. City Attorney; Josie Suk, Deputy Director of Community and Economic Development; Rozalynne Thompson, Principal Planner; Claudia Vaughan, City Engineer; Don Oliphant, Engineer Manager; Franklin Martone, Civil Engineer III; Heidi Van Gieson, Development Technician I; Dixielee Rodriguez, Recording Secretary.

5. **APPROVAL OF MINUTES**

November 5, 2025. The minutes stand approved as printed with correction.

6. **GENERAL BUSINESS**

- 6.A. Elections of Officers

Election results

Chair - Tim Knapp

Vice Chair - Brandon Figliolino

Secretary - Tom Aljinovich

- 5.B.** CP2025-0005 a Resolution by the Planning Commission for the City of Arvada, Colorado, Adopting the 2014 Arvada Comprehensive Plan as Arvada's Three Mile Plan Pursuant to Section 31-12-105(1)(E), C.R.S., as Amended be approved and recommended to City Council for Ratification.

Ms. Thompson introduced the Three-Mile plan and recommended approval.

**QUESTIONS FROM THE COMMISSION**

NONE

**MOTION**

It was moved by Mr. Figliolino that CP2025-0005 a Resolution by the Planning Commission for the City of Arvada, Colorado, Adopting the 2014 Arvada Comprehensive Plan as Arvada's Three Mile Plan Pursuant to Section 31-12-105(1)(E), C.R.S., As Amended be approved and recommended to City Council for ratification.

**DISCUSSION OF MOTION**

None

The Following votes were cast on the motion:

Those voting Yes: Figliolino, McGilvray, Hannan, Griffith, Doner, Knapp

Those voting No:

Those absent: Gay

The motion carried: 6-0

**7. REPORTS**

None

**8. PUBLIC COMMENT (not on the Agenda)**

None

**9. PUBLIC HEARINGS**

**9. A. A Conditional Use to allow 384 multifamily and 51 townhome units on site in the MX-S (Mixed Use Suburban) zoning district for Avalon Arvada, a 20.1-acre parcel of land approximately located at 17201 W. 64th Ave.**

Mr. Knapp swore in all guests that will be speaking.

Mr. Knapp opened the public hearing.

Mr. Knapp asked if all of the required documents were in order.

Ms. Thompson stated the publication, posting log, and mailing notice are in order.

Mr. Knapp entered into the record the staff report, publication, posting log, mailing notice received and public comment.

Mr. Knapp asked Ms. Thompson to introduce the project.

Ms. Thompson introduced the project. A Conditional Use to allow 384 multifamily and 51 townhome units. Based upon the project analysis and review of the Land Development Code approval criteria, staff recommends that the Planning Commission recommend approval of the project subject to the conditions of approval listed in the staff report. Staff recommends for approval of the Conditional Use. Stated "please note that the project design is conceptual at this time, and the final design's compliance with the land development code will be re-evaluated if a site plan application is received."

Mr. Knapp has the applicant give their presentation

Todd Nicotra - 5050 S Syracuse, Denver - introduces other companies that are part of the team they are working with The Pachner Company, Harris Kocher Smith, Norris Design, Studio PBA and Otten Johnson. They intend on cleaning up the site to build new housing on this site. If allowed 384 multifamily units and 51 townhome units. He thinks it is important for everyone to understand that this large parcel of land will soon be completely developed.

Marcus Pachner - 1480 Humboldt St., Denver - They have focused specifically on the approval criteria. From the very beginning—starting with their first neighborhood meeting over a year ago—this project has been grounded in three foundational documents: the Land Development Code, the Comprehensive Plan, and the zoning. As staff has confirmed, and as he will demonstrate, this application is fully compliant with all three. Beyond baseline compliance, they have employed what they call reflective planning. This means working directly with the surrounding neighborhoods, listening carefully to feedback, and making meaningful adjustments to the project's size, scale, traffic impacts, and mitigation strategies. The goal has always been to ensure an appropriate transition to adjacent neighborhoods. He also wants to recognize the City's referral agency process, which is exceptional. They completed four full referral rounds, and as staff confirmed, They are in full compliance with all requirements related to infrastructure, utilities, and public services, while continuing to serve the surrounding neighborhood. Finally, they have incorporated specific recommendations from staff-requested studies and proposed conditions that mitigate any perceived impacts to the greatest extent practicable. They will walk through those this evening. As everyone will notice throughout the presentation, the upper right-hand corner of each slide references the approval criteria that is being addressed.

Andrew Johnson - 5050 S Syracuse, Denver, - he states that compatibility and mitigation were key considerations in the site plan design and that feedback received from neighboring residents was incorporated into the current conceptual site plan. There are several design modifications made in response to neighborhood input, including the relocation of the public park to the east side of the site to create a landscaped buffer of more than 70 feet from the property line, with the nearest residence approximately 80 feet from the closest building. Also noted that buildings were reoriented primarily in an east-west direction to preserve mountain

view corridors for neighboring properties. Four previously proposed four-story perimeter buildings were consolidated into two four-story buildings located further within the site to provide a gradual height transition from adjacent two-story single-family homes to three-story buildings along the site perimeter. Additional buffering and landscaping were added at the northwest corner of the site, where buildings are set back more than 100 feet from nearby residences. All parking and vehicular circulation were relocated toward the interior of the site to minimize impacts from traffic, headlights, and drive aisles along the site perimeter. That neighbor discussions also identified concerns related to traffic impacts, environmental remediation, views and overall compatibility, and infrastructure capacity. He also indicated that each of these topics would be addressed with proposed mitigation measures. Regarding traffic, the project would include two access points onto Easley Road. A traffic impact study determined that existing traffic conditions at the Easley Road and West 64th Avenue intersection are already deficient, particularly for southbound left turns during the evening peak hour. The study recommended installation of a traffic signal at the intersection. Support was expressed for the signal and stated a commitment to fund any currently unfunded portion of the improvement. According to the traffic analysis, installation of the signal would improve level-of-service conditions compared to existing conditions, even with the addition of project traffic. He also addressed concerns about potential cut-through traffic into the adjacent neighborhood to the east and stated that the traffic signal would reduce this risk. Further noted a willingness to work with the City during the site plan process to evaluate additional traffic calming measures near Easley Road and West 64th Circle. Emergency access was also discussed. He stated that there are no roadway connections to neighborhoods west or northwest of the site and that none are proposed. Emergency access to the site would be provided via existing primary access points on Easley Road, as well as an existing perpetual emergency access easement through the adjacent MorningStar property, providing emergency-only access from West 64th Avenue. He then discussed environmental conditions on the site, noting its prior use as an industrial greenhouse for more than 50 years. He stated that historical pesticide use resulted in environmental conditions requiring remediation and that any redevelopment of the site would require such remediation regardless of the proposed land use. He indicated that cleanup of the site is a shared priority with the community. He reported coordination with the Colorado Department of Public Health and Environment (CDPHE) and stated that the site is eligible for the State's Voluntary Cleanup Program. That all remediation activities would be conducted under CDPHE oversight and in compliance with applicable regulations. He noted prior experience completing environmental remediation projects in Colorado and other states and stated a commitment to restoring the site to a condition suitable for residential use.

## **PUBLIC COMMENT**

Those that are not wishing to speak and that are against the issue filled out a form and are part of the permanent record.

## **IN FAVOR OPPOSITION**

Philip Barru - 16747 W 62nd Pl, - Expresses there is change always and there is going to be development. He feels this will be a good development for Arvada. He likes the plan of diverse housing that this will bring. He is fully in support of the project.

Henry Ybarra - 11562 E 18th Pl, Henderson, - states he previously served in an operations role at Welby Gardens and was responsible for overseeing logistics, deliveries, and daily site activities. He explained that the former greenhouse operation relied heavily on frequent

deliveries, loading and unloading, and regular vehicle movement, including large trucks and service vehicles. He noted that over time, residential development expanded around the site, and that the level of heavy vehicle traffic became increasingly noticeable on local streets now primarily used by residents, families, pedestrians, and cyclists. He stated that large truck traffic generated impacts including noise, vibration, dust, and congestion, particularly during late-night, early-morning, and peak delivery hours. He expressed that the surrounding streets were designed for residential use rather than consistent industrial or delivery traffic, which he believed created safety concerns and quality-of-life impacts for the neighborhood. He stated that transitioning the site away from its former industrial greenhouse use would significantly reduce truck traffic, resulting in quieter streets, improved safety, and enhanced quality of life for nearby residents. He believes that the proposed conditional use aligns the site's activity with the surrounding residential neighborhood and respectfully requested approval of the application.

Andrew Hamrick - 222 Leedsdale Dr, - he represented an organization of apartment owners and operators across Colorado, with approximately 4,000 members operating about 450,000 residential units statewide, including roughly 9,600 units in Arvada. He acknowledged that new apartment development creates competition for existing property owners but stated that additional housing supply is necessary to address Colorado's housing affordability challenges. Increasing housing density is more environmentally sustainable and cost-effective and helps address the widening gap between household incomes and housing costs. He cited recent rent and vacancy data indicating that average metro-area rents have decreased compared to four years ago due to increased housing supply. He stated that new housing development contributes to affordability across all market segments by allowing households to move within the market and increase availability of existing units. The speaker encouraged continued support for new housing development to meet community housing needs.

Mindy Mohr - 11570 W 70th Ave, Unit A, - she stated that there are currently no rental apartments west of Ward Road in Arvada other than senior living facilities, requiring residents who wish to live in West Arvada to purchase homes that are often unaffordable to many workers. The speaker stated that this lack of rental options contributes to longer commutes, increased traffic, and higher emissions, and expressed support for the project as workforce housing that would add needed housing diversity in West Arvada. The speaker referenced the City's Housing Strategic Plan and materials from the Housing Advisory Committee highlighting the need for expanded price points and housing types, and noted that while the project is not designated as affordable housing, it would support the local workforce. The speaker also noted that a high percentage of Arvada jobs are filled by commuters and stated that staff-recommended traffic improvements, including a signal at Easley Road and West 64th Avenue, would help address neighborhood concerns.

Doug Bueman - 8826 Eldora St., - He expressed support for the MX-S Conditional Use Permit, stating that the request is consistent with Arvada's adopted plans and long-standing zoning intent for the site, which has historically been envisioned for higher-intensity uses rather than low-intensity single-family development. He stated that the Comprehensive Plan recognizes the need for careful transitions between residential neighborhoods and legacy industrial or commercial uses and that the MX-S zoning district and conditional use process exist to manage those transitions in a deliberate manner. He stated that the request implements existing policy rather than creating new policy and that denial could introduce uncertainty for property owners

who rely on adopted plans. He stated that approval would reinforce consistent application of City planning policies and support orderly growth.

Nick Gerace - 8816 Eldora St., - He stated that the decision to sell the property at 64th Avenue and Easley Road was made to continue the family's legacy elsewhere in the community, not for financial reasons, following 78 years of operation as a fourth-generation business. That AvalonBay was selected from multiple potential buyers because it was viewed as the least impactful and most beneficial option for the community. Noted a long history of community involvement and donations and explained that as residential development expanded around the site, operating an industrial greenhouse became increasingly difficult due to impacts such as noise, equipment use, vehicle traffic, early morning and late-night activity, dust, and effects on neighboring properties. The existing industrial use is no longer compatible with surrounding residential neighborhoods and expressed a desire to work collaboratively with the City and neighbors toward an appropriate solution.

Marty Gerace - 17201 W 64th Ave., - He starts by describing the long history of their family's operation at the site, noting that over the past 20 years, more than 20 family members had worked there and that the business has always focused on small, family-owned operations and retail customers. Noted that the property was acquired in 2003 from Ben Velkamp, who sought a buyer committed to the community, and that the site has long been part of Arvada's long-range plans, including mixed-use zoning. He described operational challenges as residential development grew around the greenhouse, including labor-intensive work, difficulty finding nearby housing for employees, and long commutes of 20–30 miles. That, despite efforts to operate responsibly, the existing industrial use is no longer practical or reasonable long-term and requested support for the family's transition of the site to the proposed conditional use, which they believe is better suited for the community.

Mark Gerace - 12785 Home Farm Dr., Westminster, - He was representing the third-generation family owners of Welby Gardens, stated that the decision to sell the property was not taken lightly, marking the end of 78 years of family operations. He noted that June 30, 2025, was the last operating season and that the family carefully considered multiple offers, ultimately selecting AvalonBay as the buyer because it was the best fit for the property and the surrounding community. That AvalonBay has a proven track record of developing, owning, and managing properties, would build a long-term, high-quality project, and would remain accessible to the community for questions or concerns. He is requesting approval of the conditional use permit, noting that finding another buyer with similar qualifications would be difficult.

Dan Gerace - 4748 McKinley Dr., - He stated that they were given the opportunity by their family to work in the business and that the site had provided jobs for family members and employees over many years. He noted that supporting housing, including workforce or affordable housing, aligns with the family's legacy. He also expressed that AvalonBay would develop a long-term, high-quality project rather than a short-term investment and respectfully requested approval of the application.

Mike Fiore - 2920 High Prairie Way, Broomfield - stated that they are a long-time neighbor and active visitor to Welby Gardens and Westwoods Golf Course and have known the Gerace family for over 55 years. The speaker described the family as responsible, thoughtful, and considerate

of neighbors and the community, and expressed support for the conditional use, noting that AvalonBay appears to be the best fit for both the property and the community.

Julie Gleason - 15406 W. 66th Dr. - She stated that she initially had concerns about multifamily development but now supports it, noting that it would be preferable to leaving the site vacant, such as with the existing greenhouses. She emphasized Colorado's ongoing housing shortage, citing a 47% drop in multifamily permits in 2024 and a 2023 shortfall of 106,000 units with 34,100 units needed annually for the next 10 years. She also highlighted that higher-density housing is an efficient use of infill, environmentally friendly, and uses fewer resources than single-family homes.

Harrison Wilterdink - 8430 Clarabelle Dr., - He encouraged the Planning Commission to support the Conditional Use Permit, citing the reasons and criteria outlined in the City Staff Report. He emphasized the importance of the proposed housing in providing opportunities for "ordinary" residents, sharing a personal example from 2013 when he was early in his career, managing student loan debt and in need of affordable housing options. He noted that his personal housing situation has improved, and many local residents still face limited options. A quick rental search revealed fewer than 10 apartment listings in the area, all over \$3,000 per month, affordable only to households earning around 150% of the area median income. This proposed project is expected to offer rents of \$2,000 - \$2,500 per month, making housing accessible to households earning 80-120% of the area median income. The project will provide much needed options for everyday working people.

## **IN OPPOSITION**

Katy Moisan - 1801 California St, Suite 2600, Denver, - She is an attorney representing the Morningstar development, located south of the proposed project, addressed the board. She expressed concerns regarding the volume and density of the proposed development and its impact on emergency access easements. Specifically, clarification was requested regarding the barriers or enforcement mechanisms that would be implemented to ensure the easements are used exclusively for emergency access, in order to avoid safety issues or operational disruptions for Morningstar residents, visitors, and the facility.

Jenifer Koss - 6307 UMBER Cir. - A member of the Fieldstone Board addressed the board, noting attendance in place of the Fieldstone annual meeting. She expressed concerns regarding the proposed 435-unit development, which was characterized as transit-oriented. It was noted that West Arvada lacks adequate transit infrastructure, with the nearest bus stop or train station located at Ward Road, where higher-density development has historically been concentrated. She stated that the proposal appears inconsistent with the City's Comprehensive Plan, citing concerns related to density reductions, preservation of open space, and protection of foothill views. She acknowledged that development of the parcel is anticipated, but requested that any development align with the Comprehensive Plan and be appropriate for the surrounding community context, noting potential impacts from multi-story residential buildings.

Lauren Perlan - 6270 Virgil St., - She is a resident of the Fieldstone neighborhood, who has lived in the community since 2001, she identified as a design-build general contractor with 33

years of experience and stated opposition to the proposed high-density housing development. Based on professional experience, she cited concerns including increased crime, increased traffic, and declining property values associated with high-density residential development. She suggested that alternative uses for the site be considered, noting that earlier comments identified a lack of restaurants in the area. She proposed that commercial or restaurant development could better serve the community and have a lesser negative impact than the proposed residential project.

Michelle Zoran - 6260 Virgil St. - She expressed primary concern for the safety of Morningstar residents, particularly during emergency situations. She questioned how emergency evacuation would be managed for an estimated 800 to 1,000 residents associated with the proposed development, in addition to approximately 140 Morningstar residents, many of whom use wheelchairs. Reference was made to recent emergencies, including the Marshall Fire and power outages, and to project plans indicating two access points for ingress and egress. She requested clarification on emergency evacuation procedures given the total number of residents. She also raised concerns regarding the impact of the proposed development on local schools, assuming an increase in school-aged children, and questioned how school funding would be addressed. She further asked whether property taxes could be affected, noting that rental properties do not pay property taxes directly, and requested clarification regarding potential tax impacts on existing residents.

Ellise Holz - 7073 Seacrest Ct., - She lives near the northeast of the proposed subdivision addressed the board. She stated that their family has lived in the Arvada area since the 1960s and has been involved in development along the 64th Avenue corridor, including Springwood, one of the area's first retirement communities. Noted over 35 years of experience working with builders and expressed general support for development when it is supported by adequate infrastructure. This raised concerns that the proposed development does not adequately account for infrastructure impacts, including traffic congestion, signal capacity at 64th Avenue and Easley Road, delays at Pike Court, and access to Ward Road. Concerns were also expressed regarding availability of services, water capacity, and increasing utility costs. She opposed high-density, multi-story development in areas intended to protect foothill views and stated that cumulative impacts from prior developments have already reduced views and increased density. Traffic impacts were cited, including projected additional vehicles and parking capacity. She requested a reduction in overall density, stating that existing streets and infrastructure cannot support the proposed scale of development, and urged careful consideration before approving a project of this size.

Leaf Carlson – 6670 Seacrest Cir., - He is a resident living approximately 315 yards northeast of the proposed Avalon development addressed the board to state opposition on behalf of his family. He noted that the proximity of the project makes it a material concern for their household and stated that they are not opposed to development in general, acknowledging housing market pressures, but believe the proposal does not align with the character of the surrounding neighborhood. He expressed concern that the proposed multi-story, high-density development would be inconsistent with nearby single-family neighborhoods and would negatively impact views of the Front Range Mountains and adjacent trails. He suggested that higher-density apartment development would be more appropriate in areas with existing higher density and infrastructure. Additional concerns were raised regarding impacts on local schools, noting current overcrowding at West Woods Elementary School and the use of mobile classroom units.

Questions were raised regarding school capacity for additional students, as well as impacts on local services, including traffic, restaurants, roads, and emergency services. Also emphasized the need to carefully evaluate infrastructure capacity and expressed concern about setting a precedent for future high-density development on remaining agricultural land. He acknowledged prior development at Morningstar but stated that it should not justify further high-density development, noting differences in population characteristics and impacts. The speaker concluded by reiterating opposition to the proposed development.

Scott Hallowell - 17121 W 64th Dr., - He stated he is speaking on his own behalf and as a member of the Westwoods Lynx III Homeowners Association Board, stating opposition to the proposed development as currently designed. There are concerns regarding compatibility, particularly related to traffic impacts on the surrounding neighborhood. He stated that the property is ill-suited for the proposed scope and density of development due to its location behind an existing senior care facility and lack of direct access to major roadways, including 64th Avenue. The proposal was described as having limited access, with only two access points located on the same stub road. He objected to the proposed secondary access through the Westwoods Lynx III neighborhood, stating that neighborhood streets are not designed as thoroughfares but function as local access roads with driveways, on-street parking, and frequent pedestrian use, including children and cyclists. Concerns were expressed that increased traffic would create safety risks and negatively impact neighborhood use of the streets. He further stated that the high number of residential units proposed for the site, combined with the absence of nearby employment and commercial services, would result in a commuter-driven development and exacerbate traffic overflow into the neighborhood. He noted that potential future traffic-calming measures were referenced by the developer but expressed concern that such measures would create additional impediments on neighborhood streets that are currently unnecessary. The speaker stated that opposition was not to development in general, but to the proposed density, and requested that the proposal be rejected until a more reasonable number of residential units is presented.

Alisa Shanks - 6510 Virgil Way - She is a resident of the Trail Village neighborhood, adjacent to the proposed development, and addressed the board in opposition to the project as proposed. She stated that density is the primary concern shared by residents of Trail Village and neighboring communities, including Fieldstone and Sunrise Ridge. She raised concerns regarding impacts to existing local businesses and services, noting that the nearby King Soopers grocery store is already heavily utilized and has limited parking capacity. That an increase in population associated with the proposed development would further strain access to essential services. While acknowledging the need to address housing shortages, she expressed that lower-density alternatives, such as two-story townhomes, would be more compatible with the surrounding area than four-story apartment buildings, particularly given the lack of public transportation. Additional concerns were raised regarding traffic congestion and emergency response capacity.

Joel Bolduc - 6503 Umber Cir., - He is a resident of Arvada, whose children attended West Woods Elementary School, addressed the board and expressed concern that the school continues to rely on temporary classroom facilities, noting prior negative educational experiences associated with such conditions. He raised environmental concerns regarding the proposed development site, stating that historical nursery operations resulted in soil and groundwater contamination from fertilizers, herbicides, and pesticides. He cited testing results

indicating elevated nitrate and sulfate levels in groundwater samples and the presence of banned pesticides, including Dieldrin, exceeding EPA residential screening levels. He stated that site remediation would be required prior to development. He also expressed concern regarding compliance with Conditional Use Test 4 related to size, scale, and height. That public feedback previously requested reductions in density and building height, which the applicant did not implement, instead modifying building placement. That the proposed development would negatively impact views, sunlight, and overall quality of life for nearby residents, and concluded by requesting that the board vote against the proposal, citing continued concerns regarding emergency response, environmental conditions, and project scale.

Beth Bolduc - 6503 Umber Cir - She stated the Conditional Use Test related to whether the proposed development is comparable in size, scale, and density to surrounding uses. She stated that, by objective measures, the proposal is not comparable, citing the proposed 435 dwelling units on approximately 20 acres, or roughly 21.8 units per acre. This represents a density approximately seven and one-half times greater than surrounding neighborhoods. She described existing surrounding conditions as consisting of one- and two-story homes, low traffic volumes, neighborhood-scale streets, and an open visual character. In contrast, the proposal was characterized as introducing multiple three- and four-story apartment buildings, large surface parking areas, and nearly 3,000 daily vehicle trips, in addition to existing traffic associated with nearby industrial uses. She stated that the project represents an urban-scale development placed within a suburban context. She also raised concerns related to wildfire risk and evacuation safety due to the project's location near the wildland-urban interface. Also referenced past wildfire events, including the Waldo Canyon Fire and the Marshall Fire, and emphasized the need for orderly evacuation during such events. She cited Colorado State Forest Service materials illustrating recommended density ranges for the wildland-urban interface and stated that the proposed density exceeds those guidelines by a significant margin. She concluded that while housing is needed, the proposed project is inappropriate for the location and stated opposition to the proposal.

Patty Shannon - 6520 Umber Cir., - She stated that their parents are residents of the Morningstar Senior Living facility adjacent to the proposed development. She linked life safety and emergency access concerns to the City's planning policies, citing lessons learned from the Marshall Fire and subsequent FEMA and local after-action reviews. She quoted findings indicating that limited roadway capacity and lack of evacuation staging contributed to gridlock during emergency evacuations, and referenced FEMA conclusions that many developments lack sufficient number, arrangement, or capacity of egress routes. These findings are directly relevant to Conditional Use Test 1, noting that the City's adoption of the International Fire Code requires redundant and independent access routes to accommodate emergency vehicles and evacuating residents simultaneously. She emphasized that evacuation concerns are heightened due to the proximity of the Morningstar facility, where many residents would require assisted evacuation, paratransit, ambulances, and additional on-site time, all occurring concurrently with evacuation of the proposed development through constrained access points. Regarding Conditional Use Test 2, the speaker stated that the City's Comprehensive Plan prioritizes protection of neighborhood streets and safety in land use decisions and cautions against high-intensity development that relies on local access roads. She cited the Marshall Fire as evidence that evacuation gridlock is a demonstrated risk, not a hypothetical one, and stated that FEMA recommendations emphasize adequate access, capacity, and redundancy prior to development rather than post-approval mitigation measures. She concluded that the proposal fails to meet Conditional Use Test 1 related to fire access and redundancy and violates

Comprehensive Plan safety and transportation policies under Test 2, and requested denial of the conditional use permit.

Scott Goolsbey - 6682 Violet Way, - He shares a property boundary with the proposed development. He stated support for development generally, but not for a proposal that would place unreasonable strain on local infrastructure. He focused on whether the proposed Avalon development meets the City of Arvada's adopted housing goals and stated that, based on the Comprehensive Plan and Land Development Code, it does not. That Arvada's housing goals are location-specific and that higher-density housing is intended to be transit-supportive, pedestrian-oriented, and integrated with services and multimodal transportation. Mixed-use development was described as a planning strategy identifying appropriate locations for density, not solely a zoning designation. As a comparative example, he referenced a recent high-density development near Garrison Road and 58th Avenue, noting the presence of multiple bus stops and nearby rail stations within walking distance. That the proposed site lacks nearby transit service, with no bus stops within several miles and the nearest rail station approximately four miles away. He stated that while they support both additional housing and high-density development in appropriate locations, the proposed project is not transit-oriented, would place excessive demand on local roads, and misapplies the City's mixed-use housing policies. He requested that the Commission require substantial revisions to the proposal, including reduced density, to bring it into alignment with the Comprehensive Plan and the City's adopted housing goals.

Joanne Clavelle - 17013 W 64th Cir., - She is a resident of the Westwood Lynx III neighborhood, located east of the proposed Avalon development, spoke in opposition, citing traffic compatibility concerns. She stated that the proposal conflicts with the Comprehensive Plan and fails Conditional Use Tests 4, 5, and 6. She noted that the 435-unit development is projected to generate approximately 2,900 daily vehicle trips, with primary access via Easley Road, a short local access street serving Westwood Lynx III and the adjacent Morningstar senior community. She stated that Easley Road was not designed to function as a primary access route for a development of this scale and that congestion at 64th Avenue and Easley Road could result in traffic backups, safety risks, and single-exit conditions during peak or emergency situations. Additional concerns included the absence of feasible traffic mitigations, such as dedicated turn lanes, lack of nearby transit service, and the likelihood of cut-through traffic impacting residential streets. She stated that while development of the site is anticipated, the proposal as presented is incompatible with surrounding neighborhoods and requested denial of the application.

Kathryn Martinez - 6556 Umber Cir., - She is a physician residing in the area addressed the board regarding emergency access and wildfire risk. She stated that the site is located within a high fire-risk area and noted recent extended power shutoffs affecting the immediate vicinity, including the proposed development site. She emphasized concerns regarding emergency evacuation capacity at the Easley Road and 64th Avenue access point, describing it as narrow and constrained. She urged decision-makers to physically visit the site to understand the limitations and visualize simultaneous evacuation of residents and access by emergency responders. An example was provided of a garbage truck nearly blocking access during routine conditions. Based on these conditions, they would not recommend the site for residential occupancy and expressed concern for the safety of future residents in emergency situations.

Pamela Durkee - 6522 Umber Cir., - She is in support of development of the site but opposed the Avalon proposal as currently presented. She referenced the former nursery use of the property and clarified that opposition was based solely on the proposed development, not prior ownership or use. She addressed Conditional Use Test 3, stating that the proposal does not meet the purpose and intent of mixed-use zoning. Mixed-use zoning was described as requiring an integrated combination of residential, commercial, civic, or employment uses. She stated that the Avalon proposal consists of 435 residential units with no retail, employment, civic, or community-serving components and is therefore a purely residential project. That a variation in residential density does not constitute mixed use and argued that approval of a conditional use permit for a purely residential project on mixed-use land improperly bypasses the comprehensive plan amendment and rezoning process. A recent City example was cited in which a mixed-use designation was amended to residential to better reflect project intent. She concluded that approval would set an inappropriate precedent, stated that the proposal fails Conditional Use Test 3, and requested denial of the conditional use permit as submitted.

David Clavelle - 17013 W 64th Cir., - He is a long-time resident of the Westwood Lynx III neighborhood, stating that he has spoken extensively with neighbors regarding the proposal and that opposition is not to housing in general, but to the practical impacts created by the proposed density. He noted prior professional support for diverse housing types but stated that the scale of the project presents significant infrastructure challenges. He expressed concern regarding traffic access via Easley Road, which was described as a narrow local access street used daily by residents and already experiencing congestion, particularly during events at the adjacent Morningstar facility, including on-street parking on both sides of the roadway. He stated that the road lacks turning lanes, has limited maneuverability, and is not designed to accommodate the projected volume of traffic associated with the proposed development. Concerns were raised regarding the estimated 3,000 daily vehicle trips, potential cut-through traffic in residential streets used by children and school buses, and the absence of meaningful discussion by the applicant regarding traffic impacts. That the scale of the proposal is incompatible with the existing access conditions and requested consideration of alternative development types or reduced density that would better align with the capacity of surrounding infrastructure.

Ken Lyons - 6552 Umber Cir., - He stated that regarding traffic and access concerns at the intersection of North Easley Road and 64th Avenue, identified as the primary entrance to the proposed development, and stated that the issue relates to Conditional Use Test 6. That the proposal does not adequately address required improvements at this intersection. He noted that the application references installation of a traffic signal by 2027 and a potential southbound turn lane, and stated that these improvements are needed immediately, not deferred. The intersection currently measures approximately 36 feet curb-to-curb, which is significantly narrower than nearby comparable intersections serving similar-density developments, which range from approximately 45 to 57 feet wide and include dedicated turn lanes and traffic controls. He expressed concern that physical expansion of the North Easley and 64th Avenue intersection may not be feasible due to limited right-of-way, potential impacts to private property, sidewalks, and utilities. He stated that the applicant has not presented solutions addressing right-of-way acquisition, easements, or construction feasibility for adding required lanes. He concluded that these access and safety issues should be fully evaluated as part of the conditional use permit process and requested that the application be delayed or denied until feasible solutions are identified.

Gary Coe - 6483 Umber Cir., - He stated as a retired first responder addressed the board regarding fire access compliance, stating that the proposal does not meet the City of Arvada's adopted 2018 International Fire Code requirements. He noted that developments with more than 200 dwelling units are required to provide two separate, approved fire apparatus access roads, which he stated is a mandatory, non-discretionary standard. He stated that the project has only one true fire access via Easley Road, and that the second proposed access through the Morningstar Senior Living facility functions more as a trail than a compliant access road. The proposed route was described as requiring emergency vehicles to enter the Morningstar parking lot, travel west through the lot, turn north along a narrow driveway, and pass through a gated access intended solely for emergency use. That the International Fire Code requires minimum separation distances between fire access roads based on project size, and that the proposed access points are too close together to meet code requirements, eliminating redundancy in the event of blockage. He emphasized that fire access compliance must be demonstrated at the conditional use permit stage and cannot be deferred or offset by proposed interior fire suppression systems. He stated that approval of the application would require accepting conditions that are not code-compliant and concluded that denial of the conditional use permit is the only lawful action under the adopted fire code.

Pete Georgelas - 17470 W 67th Ave., - He is a resident of the Trail Village II subdivision stating he supports development and housing in general, but opposes the proposal as currently drafted due to structural and infrastructure concerns rather than ideological opposition. Stated that the primary issue is the proposed density combined with extremely limited access. He also stated that the site is constrained, with one functional public access point via Easley Road, a local street with limited capacity, no transit support, and limited ability to expand infrastructure. Despite these constraints, the proposal introduces one of the highest residential densities in West Arvada. That traffic congestion, emergency access limitations, and neighborhood impacts are predictable outcomes of funneling a high-density development through a single local access street without redundancy. He referenced wildfire risks and recent regional fire events, stating that wind conditions, open space, and evacuation limitations create heightened safety concerns, particularly given the proximity of the Morningstar senior living facility. He emphasized that compatibility concerns stem from excessive intensity rather than aesthetics and cited Land Development Code and Comprehensive Plan requirements to maintain adequate levels of service, protect neighborhood streets, reduce density toward the west, and ensure safe, functional access. He concluded that the proposal does not meet mandatory conditional use findings, that the identified issues cannot be resolved through conditions or minor mitigations, and requested denial of the application as drafted, stating that opposition is based on safety, compatibility, and adherence to adopted planning policies.

Joel Christman, - 17351 W 64th Ave, - His concern with the Avalon development, focusing on site access and project completeness. He stated that the proposal effectively provides only one true access and egress point via Easley Road, noting that both internal streets serving the apartment and townhome portions of the project dead-end into the same local access street, creating a single bottleneck for daily traffic and emergency access. That a development of this size requires more than one functional entry and exit point to safely accommodate anticipated traffic volumes. Additional concern was raised regarding the proximity of proposed multi-story townhomes to the adjacent Morningstar facility and the absence of submitted plans or

elevations for the townhomes. He concluded that, given the access limitations and lack of complete project details, the conditional use permit should be denied.

Reid Bicknell - 17351 W 64th Ave., - His concerns regarding Easley Road, describing it as a short, dead-end local neighborhood street that currently serves as the east access for the Morningstar facility, its east parking lot, and the Westwood Links 3 subdivision. He noted that Morningstar regularly relies on overflow parking along Easley Road and expressed concern that this parking would be displaced if the project proceeds. According to the applicant's traffic study, the Avalon development would generate approximately 2,800 daily vehicle trips, including about 200 during peak hours, which the speaker stated would double or triple current traffic volumes on Easley Road and significantly impact West 64th Avenue. He expressed concern that traffic backups during peak hours could block access to Morningstar's parking lot for residents, visitors, and staff. Additional concerns were raised regarding emergency access. He stated that the primary emergency access would be via Easley Road, with a secondary emergency-only route located entirely on Morningstar property. Routing emergency vehicles through a senior living campus with more than 160 residents, many with limited mobility, was described as a safety risk. He referenced lessons learned from the Marshall Fire, noting FEMA recommendations that adequate access capacity and redundancy should be in place prior to development. He concluded that the proposal lacks sufficient access capacity and redundancy and requested denial of the conditional use permit.

Paul Haseman - 17351 W 64th Ave., - He addressed claims made during the hearing regarding affordable or workforce housing, stating that the proposed Avalon units would be offered at premium rents and do not constitute affordable housing. He asserted that the project maximizes high-density, high-cost development without regard for city-required compatibility with surrounding neighborhoods, and that the proposal appears primarily driven by return on investment. He referenced public statements attributed to the Welby family regarding the sale of the property, citing a Denver Post article dated October 16, 2025, which quoted a former Welby executive stating that the sale would yield profits many times greater than annual operating profits. He argued this undermines claims that the sale decision was difficult. Concerns were raised about impacts to Morningstar residents, including shadowing, loss of privacy, and a fundamental change in the character of the immediate environment due to large, multi-story buildings on an isolated site adjacent to the facility. He stated that the proposal is incompatible with city planning objectives for lower-density development in western Arvada. He also compared the project to other Avalon Bay developments in the Denver metro area, noting that those projects include employment, retail, transit access, and amenities consistent with mixed-use zoning. He stated that none of these elements are present in the current proposal and argued that characterizing the project as mixed use is misleading. He concluded by urging the Planning Commission to uphold city standards and deny the conditional use permit to prevent setting a precedent for future non-conforming development proposals.

Loretta Chessmore - 17351 W 64th Ave., - She stated what most concerns she had already been addressed by previous speakers. She raised one additional issue specific to Morningstar: the likelihood of trespass traffic caused by frustrated drivers attempting to bypass congestion on Easley Road by using Morningstar property as an alternative access route to and from the Avalon development. She referenced a proposed gated barrier at Morningstar's east parking lot entrance mentioned in earlier documents and expressed concern that this would require Morningstar to alter or downgrade its currently compliant emergency access plan to

accommodate traffic control. She emphasized opposition to any change that would compromise Morningstar's emergency access compliance and concluded by thanking the Commission for its attention and consideration.

Pam Knepp - 6641 Violet Way - She stated they have lived in the neighborhood since 2003 and were the fourth home built, noting agreement with concerns raised by previous speakers. While additional information on the proposed townhomes was mentioned, the speaker focused on traffic impacts near Morningstar. She described existing congestion on West 64th Avenue caused by Morningstar traffic, particularly vehicles that can only turn right out of the facility but need to travel east. This often results in slow or stopped vehicles attempting U-turns in traffic, creating delays and safety concerns. She emphasized that adding thousands of additional vehicle trips from the proposed development would significantly worsen these existing conditions and asked the Commission to personally observe this area when evaluating the proposal.

Ryan McCarroll - 17093 W 64th Cir., - He stated that while some arguments may be repetitive, it is important for the Planning Commission to hear them directly from multiple community members. He lives on 64th Circle in the Westwood Links 3 neighborhood, immediately adjacent to the proposed development, and expressed strong opposition to the project. He argued that the proposal is inconsistent with Arvada's Comprehensive Plan, particularly regarding transportation and neighborhood protection. Easley Road north of 64th Avenue is designated as a *local street*, intended for property access and to discourage through traffic. The proposal would place high-density traffic loads—435 units generating more than 2,800 daily trips—onto this local street, effectively forcing it to function as a collector or arterial, which contradicts the roadway hierarchy and intent of the Comprehensive Plan. Because the project has a single access point and significant physical constraints, the speaker stated that no realistic traffic mitigations exist. Spillover traffic into Westwood Links 3 via 64th Circle, 64th Drive, and Terry Street was described as inevitable, particularly once congestion occurs at the Easley and 64th Avenue intersection. The proposed traffic signal was said to worsen cut-through traffic as drivers divert into nearby residential streets. He emphasized safety concerns, including increased traffic near a blind corner where their children wait for the school bus. He also stated that the developer's traffic impact analysis fails to address spillover traffic and related safety impacts, making the application incomplete and preventing a proper consistency determination with the Comprehensive Plan. He concluded that the site cannot support the proposed density given its access limitations. While not opposed to development, the speaker urged the Planning Commission to recommend denial because the proposal exceeds what the site can reasonably support while remaining consistent with Arvada's Comprehensive Plan.

Mark Breese - 6533 Umber Cir., - He represented - Protect Westwoods Neighbors, a coalition of four surrounding HOAs representing more than 400 affected households. He stated the coalition submitted a detailed, code-based analysis concluding that the proposal fails all six Conditional Use Permit tests. The speaker emphasized that the quasi-judicial record does not demonstrate compliance, noting that staff conclusions stating the project is "compliant," without supporting documentation, do not meet the evidentiary standard required for approval. He focused specifically on fire access, identifying it as a critical failure of Test 1. Citing the 2018 International Fire Code, he noted that multi-family projects with more than 200 dwelling units are required to have two separate, approved fire apparatus access roads, regardless of sprinkler systems. The code also requires those access roads to be separated by at least half the maximum diagonal

distance of the site. According to the proposal's own submittals, the Arvada Fire Department identified that the project's proposed access points fail the required separation distance. He stated that staff suggested offsetting this deficiency by installing fire sprinklers in the townhomes, which the speaker characterized as an improper waiver of fire code requirements. He argued that any waiver must be explicitly disclosed and justified in staff materials, which has not occurred. Approving the project would therefore constitute approval of an inappropriate and code-inconsistent waiver, particularly given the congestion and access concerns raised throughout the hearing. He concluded by stating that these deficiencies warrant denial of the application.

Gina Hallisey - 14626 W 68th Pl. - She serves on their HOA Board and expressed concerns regarding compatibility. They noted that most development in Arvada is redevelopment or infill, requiring new projects to carefully fit with adjacent uses, much like pieces in a puzzle. Compatibility requires not only alignment with zoning and the comprehensive plan, but also that the end use fits surrounding neighborhoods. She noted the Welby Gardens site is designated Mixed Use in the Comprehensive Plan and zoned MX-S, which allows some residential, but also anticipates commercial or civic uses to serve surrounding neighborhoods. While expressing personal regret over the closure of Welby Gardens and support for redevelopment of the site, the speaker emphasized that full environmental remediation must occur prior to development. She stated that while landowners have the right to develop their property, projects must meet city goals and policies to protect the community. The Avalon proposal fails the compatibility requirement under Conditional Use Criteria 4 for several reasons. The proposed density of nearly 21 dwelling units per acre is significantly higher than the surrounding area, which averages approximately 4 dwelling units per acre. High-density apartment buildings are not comparable to surrounding single-family homes or open space uses. She argued that equating apartments with a senior living facility is inappropriate, as senior housing is a quieter, more benign use that better fits residential settings.

Mike Schweitzer - 14615 W 62nd Pl., - He stated that the proposal does not follow the intent of the Comprehensive Plan for the site's designated land use of Mixed-Use Suburban, emphasizing that this is not the same as Mixed-Use Residential. The Comprehensive Plan treats these designations differently. Mixed-Use Suburban is intended to be predominantly non-residential, integrating commercial, employment, civic, or service uses, while Mixed-Use Residential places primary emphasis on housing with limited supporting uses. The existing Welby Gardens site functioned as true mixed use, including retail, light industrial, and live-work activity. The Avalon proposal reverses that balance, proposing a largely residential project with no meaningful non-residential components. As such, the speaker argued the proposal does not align with the Comprehensive Plan's intended land-use framework. He recommended that if the City wishes to support a predominantly residential project on this site, the Planning Commission and City Council should require a Comprehensive Plan amendment and rezoning, rather than approving the project through a conditional use permit. Reference was made to the Candelas twin-home project discussed in December, where rezoning was appropriately pursued to match proposed use. He further noted the site lacks the infrastructure typically required to support higher-density residential development. The nearest supporting services, including King Soopers, are approximately 1.5 miles away, with no practical pedestrian or bicycle connectivity. Walking would require traveling along a busy four-lane roadway and would take 30–40 minutes each way, making it unrealistic. Finally, he emphasized that the site does not front 64th Avenue and instead interfaces primarily with the Morningstar Senior Living facility, heightening compatibility concerns. Based on land-use intent, lack of services, and absence of multimodal

connectivity, the proposal does not meet the Comprehensive Plan's vision for Mixed-Use Suburban development.

Lynn Clemens - 6202 Kilmer Loop - She stated that she is the President of the Westwoodville HOA, requested denial of the conditional use application. She emphasized that because the Mixed-Use Suburban (MX-S) district lacks specific guidelines for multifamily residential use, public input should carry significant weight. She noted that multiple community meetings were held, including one with over 180 attendees, demonstrating substantial neighborhood concern. She asked whether the Planning Commission has the authority to determine appropriate density for this site, and if not, who does. She commended the City of Arvada for linking the Comprehensive Plan to the Land Development Code, citing the Code's stated purpose to promote public health, safety, welfare, and to stabilize property values through appropriate land-use relationships. She cautioned that if the Comprehensive Plan is not treated as binding guidance, it becomes merely advisory and loses its value. She noted that the property is an infill site, and the Comprehensive Plan explicitly recognizes that redevelopment and infill can negatively impact existing neighborhoods if not carefully designed. She referenced Municipal Code 43-3-4(3), which requires that housing types in mixed-use developments adjacent to existing neighborhoods be complementary to surrounding housing types. She further cited Comprehensive Plan policies stating that high-density residential development should be located near commercial services, supporting non-residential uses, collector or arterial streets, and transit service. She questioned how the project could be considered oriented to West 64th Avenue when its functional access is from Easley Road. Finally, she referenced the Land Development Code's "Rules for Measurement," noting that maximum density is not guaranteed and is contingent upon meeting all applicable standards. Because MX-S zoning lacks residential density standards, she argued the Planning Commission must rely on the Comprehensive Plan's infill and compatibility policies to limit density. She concluded by expressing concern for traffic safety, particularly for children and families traveling by bike to nearby services, and reiterated her request that the conditional use permit be denied.

Rich Bohling - 14991 W 70th Ave., - He stated that traffic impacts have not been adequately addressed, particularly due to flaws in the traffic study. He argued that the study area was defined too narrowly and failed to include major feeder intersections such as McIntyre Parkway, Indiana Street, and Highway 93, all of which funnel traffic into 64th Avenue. As a result, cumulative traffic impacts from surrounding developments were not analyzed. He noted that ongoing infill development in West Arvada was excluded from background traffic assumptions, understating future congestion. The study relies solely on ITE (Institute of Transportation Engineers) trip-generation standards without acknowledging the limitations of those equations or adjusting for real-world conditions. He further stated that changing apartment demographics—such as higher-end rentals, multiple roommates per unit, increased rideshare use, delivery services, and recent state legislation affecting household composition—were not accounted for and could significantly increase traffic beyond the projected 2,800 daily trips. Based on these omissions, he concluded that the traffic study does not meet the standards required to evaluate approval criteria, likely underestimates traffic impacts, and should not be relied upon to support the conditional use permit.

Ann Laffoon - 14825 W 58th Pl. - She is representing McIntyre Neighbors United and 27 HOAs, stating that the conditional use permit must be rejected until a comprehensive traffic study is

provided. The existing study, he argued, is fundamentally flawed and does not give the Commission sufficient information to evaluate capacity, access, or the feasibility of mitigation. The study assumes little to no future development or traffic growth in the area, which is demonstrably false. At least six major projects—three already approved—are planned along the 64th Avenue, Indiana Street, and McIntyre Parkway corridor, totaling more than 14,000 additional daily vehicle trips, based on developers' own traffic studies and an independent engineering review. According to CDOT and Jefferson County data, 64th Avenue and McIntyre Parkway are classified as minor arterials with an expected capacity of approximately 14,000 average daily trips. Current traffic already meets or exceeds that threshold. When projected trips from approved and pending developments are added, traffic volumes at key intersections would increase by 114% to 171%, far exceeding arterial capacity. The purpose of presenting this data was not to isolate Avalon's impact, but to demonstrate that the traffic study before the Commission fails to account for cumulative impacts and therefore cannot support findings related to mitigation, safety, or access. A single traffic signal at Easley and 64th cannot address corridor-wide congestion, and some intersections—such as 64th and Indiana—cannot be feasibly expanded. She concluded that without a corridor-level, cumulative traffic analysis, the Commission lacks the evidence required to approve the CUP and urged denial until adequate information is provided.

Julie Hogan - 6113 Umber St., - She acknowledges that AvalonBay has been professional and has presented a thoughtful concept. This is not an anti-developer or anti-housing position. However, this site—while highly desirable—has significant constraints and risks that make the current proposal a poor fit. Half of her career was in commercial real estate investing and lending, including multifamily lending with Bank of America. From that perspective, she struggles to see how this proposal works for either the site or the surrounding area. The access constraints alone are fundamental. The code anticipates two access points for multifamily developments of this size, and this site simply cannot accommodate them. That limitation drives nearly every concern raised tonight. Traffic along McIntyre and 64th is already strained, and Arvada bears the impacts of development decisions made beyond its control. This proposal adds intensity to a constrained location without the balance that mixed-use zoning is meant to provide. Mixed-use offers flexibility, but it also requires thoughtful integration—not maximum density pushed through a single local access road. This is a highly developable, highly valuable site. It can support a strong project if approached creatively and responsibly. Apartments absolutely have a place here—but not at this scale, given the constraints. She would encourage the Commission to be bold, do what's right for the long term, and allow the opportunity for a better outcome through revision. The community has seen this work before. The former Project Indiana was denied, reworked with community input, and ultimately became a much stronger project. This site has the same potential—if we take the time to get it right.

Mike Rawluk - 18735 W 59th Dr., Golden - This project should be denied under Criteria 6, which requires that adverse impacts to surrounding land uses be mitigated to the degree practicable. The record before you does not demonstrate that standard has been met. The site has documented environmental contamination. A limited Phase II ESA was conducted with only 22 samples across 20 acres, which is insufficient for a residential proposal of this scale. Despite that limited testing, eight samples exceeded residential limits for dieldrin, a banned, carcinogenic pesticide that binds readily to dust. This same contaminant halted the proposed Navigation Center at 51st and Marshall. West Arvada experiences frequent high-wind events. Any soil disturbance risks transporting dieldrin-laden dust to downwind homes. Many samples also detected chromium, yet the testing does not identify whether this includes hexavalent

chromium (chromium-6). That distinction matters, and it has not been evaluated. There is also a historic water capture and reuse system on the property, including a 150-foot sump, which may have spread contamination beyond the tested areas. The detention pond and downstream flows have not been adequately sampled, despite draining across a public golf course and ultimately into Waters of the United States, which cannot receive contaminated discharge under the Clean Water Act. Critically, CDPHE is not a formal referral agency on this application. There is no approved Voluntary Cleanup Plan (VCUP), no Material Management Plan, and no documented coordination between the applicant, the City, and CDPHE. Informal conversations do not substitute for an approved cleanup process. By comparison, other contaminated sites—such as the Kilmer landfill—completed CDPHE review, public comment, additional testing, and an approved MMP before coming to the Planning Commission. That did not happen here. City staff does not have the expertise to make environmental risk determinations, and a quasi-judicial approval without complete testing, CDPHE review, and an approved cleanup plan is not evidence-based. There is no dust mitigation plan specific to dieldrin, despite the highest exceedance being only 120 feet upwind of existing homes. Until comprehensive testing is completed, CDPHE review is finalized, and a cleanup plan is formally approved, this application fails Criteria 6 and should be denied.

Tony Rawluk - 6070 Virgil St., - He stated he wanted to address **Criteria 5** and briefly read into the record a letter from Eric Bodestaff, a Colorado-licensed professional engineer. The site has documented legacy contamination, including dieldrin at nearly nine times the residential limit. This banned pesticide can be mobilized through stormwater and drainage changes, posing risks to downstream waters and drinking water and potentially violating state and federal standards. The applicant relies on a limited Phase 2 study with only 22 samples over 20 acres, which the consultant itself states is only a high-level characterization and recommends additional investigation before remediation. The drainage plan assumes a historic flow path, yet flows have been diverted for over 25 years due to golf course modifications. The proposal includes new pipes across city-owned open space, which confirms the historic flow is no longer active. A field-verified drainage study, expanded soil and groundwater testing for dieldrin, and review through a Voluntary Cleanup Program, if warranted, are needed before this commission can find compliance with Criteria 5. Without that information, Criteria 5 is not met, and approval would be premature.

Karen Gerbatch - 6872 Juniper Ct., - She stated she lives in GEOS, and invites anyone to come see a real mixed-use neighborhood that's already working. There are about 225 residences on 25 acres, with 20 acres buildable—single-family homes, duplexes, fourplexes, and townhomes. That's roughly half the density of what's being proposed here. It is right off Indiana, near the Colorado Tap House. There's no traffic light, and you can see firsthand how traffic flows, where people actually park, and how street parking functions in reality—not in a model. Most single-family homes have two-car garages, townhomes have one, and yes, some street parking—but it works. This area also faces additional traffic pressure from a proposed RV storage project across Ralston Creek Trail, which this commission has reviewed before. If anyone would like to see a comparable, functioning mixed-use neighborhood—with real impacts—GEOS is a good place to start.

Erica Colomb - 16967 W 63rd Dr - She is a part of Sunrise Ridge Sub-Association #2 and she lives in the townhomes directly backing up to Easley and 64th. She is speaking tonight on behalf of our HOA board. None of them had heard about this project until two to three weeks ago,

when they received a mailer, followed by an email just yesterday. That was the first notice our board received, despite being an immediately adjacent community. She asked the applicant directly: who from Sunrise Ridge was consulted, because no one on our board was. She is also speaking personally as a daily trail user, runner, cyclist, and dog walker. She frequently uses the crosswalk at Easley and 60th near Sunrise Ridge Park, and it is already dangerous. Cars regularly drive through while pedestrians are in the crosswalk—it's terrifying. With increased density and traffic from this proposal. She is deeply concerned that pedestrian safety, especially at that crosswalk, will get worse. She supports development—but not at this density, and not without broader community engagement and more comprehensive traffic analysis.

Mr. Knapp closed public comment.

Mr. Knapp orders a 10 minute break

### **APPLICANT REBUTTAL**

Ben Leech - 1290 Broadway, Denver - He is with HKS, the civil engineer for the project, and he wants to briefly explain the traffic study process and respond to some concerns. Before the study began, the scope was coordinated and approved by city staff, including which intersections were analyzed and the background traffic growth rate. Once traffic counts were collected, those growth rates were applied, and trip generation was calculated using ITE, the national standard required by the city. Our analysis shows that existing conditions already justify a signal at 64th and Easley, and with that signal in place, the intersection is projected to operate at acceptable levels, even with site traffic, through the long-term horizon. Regarding 64th Avenue capacity more broadly, impacts beyond Quaker Street, including McIntyre, fall under regional traffic conditions and were outside the approved study scope, which focuses on site-related impacts rather than citywide growth. d approved by city staff, including which intersections were analyzed and the background traffic growth rate. Once traffic counts were collected, those growth rates were applied, and trip generation was calculated using ITE, the national standard required by the city.

Mr. Nicotra - He stated they heard the many concerns tonight, particularly about traffic, emergency access, environmental safety, and compatibility. He wants to address those clearly. First, traffic. The projected trips are 163 in the AM peak and 213 in the PM peak. Their traffic engineers scoped the study with city staff before it began, used approved growth rates, and applied ITE standards as required by the city. The conclusion is straightforward: with the signal at 64th and Easley, the project maintains or improves level of service. That is the standard, and we meet it. Broader corridor congestion along McIntyre and Indiana is a regional issue, not something a single site can solve, but this project does not make conditions worse. Emergency access is non-negotiable. Emergency easements already exist through Morningstar, and we have worked extensively with the Fire Department to ensure compliance. The signalized intersection actually improves safety and emergency response for Morningstar residents, not the opposite. On environmental concerns: remediation is required for any redevelopment. We completed Phase 1 and a limited Phase 2 investigation focused on identified contaminants, which is the correct process. The findings clearly direct the site into the CDPHE Voluntary Cleanup Program, which is a formal condition of approval. Residential use triggers higher cleanup standards, meaning the site will be safer than it is today. Regarding compatibility and density: this proposal is 20 dwelling units per acre, significantly lower than recent CUP approvals averaging 47 units per acre. We meet all zoning and land development code

requirements, including the 45-foot height limit, with only two four-story buildings and a stepped-down transition using townhomes. Finally, this project does qualify as mixed use under the Comprehensive Plan. Mixed use applies across the district and can be horizontal or single-use within a broader area. Importantly, residential is the lowest traffic-generating option. Adding retail or restaurants would substantially increase traffic, noise, and light impacts. This plan addresses existing infrastructure issues, provides housing diversity, and fully complies with city code. We believe it is a responsible and compatible redevelopment of this site.

## QUESTIONS FROM THE COMMISSION

Mr. Hannan asked the staff - How does a purely residential apartment project satisfy the mixed-use intent of the Comprehensive Plan and Land Development Code under Criteria 1 and 2? And if it does, what limits exist at all on residential density in this district?

Ms. Thompson stated that residential use is allowed in the Mixed-Use Suburban district, but the Comprehensive Plan clearly states this category is predominantly non-residential. Allowance does not equal entitlement.

Mr. Hannan asked about the Long Range Plan and Community Character Goal CC1. Development of different development character districts. And the policy is that a variety of development types in the city will include a variety of development types, including rural, suburban, residential, historic redevelopment, and mixed-use communities that contain services, employment, and high-density housing. We've got the high density, but we don't have the other qualifiers.

Ms. Thompson stated the way she was reading it, it says, and mixed-use communities that contain services, employment, and higher density housing. The way I'm reading that is that higher density housing is something separate from mixed-use communities.

Mr. Hannan asked Policy CC12 calls for promoting integration and a sense of place through context-sensitive design. Given the surrounding low-density neighborhoods, limited access, and lack of supporting uses, does this proposal meet the standard of context-sensitive design and promote integration within the district?

Ms. Thompson stated Correct. The code addresses context sensitivity through a 30-foot transition zone, where building heights are limited to 35 feet to match adjacent zoning, stepping up to 45 feet beyond that. However, while this addresses physical compatibility, the proposal provides high-density housing only and does not include the services or employment uses identified in the Comprehensive Plan as part of an integrated mixed-use district.

Mr. Hannan asked if it is a good idea to give away development that can be for future commercial development to residential?

Ms. Thompson stated that it depends on the market. What's before you is a residential development because that is what the market is currently indicating there is demand for.

Mr. Hannan's references to L3L-3-1 encourages transit-supportive, high-density, mixed-use, pedestrian-oriented development. This proposal may be high-density, but it is not transit-supported, mixed-use, or pedestrian-driven. The response we're hearing is that this

reflects current market demand—so despite what the plan calls for, this is the reality twelve years later.

Ms. Garner stepped in and stated that they have talked a lot about mixed use, and she wants to clarify that this site is not zoned commercial—it is zoned mixed use, which is a complex and often misunderstood designation. The idea of vertical mixed use—ground-floor retail with residential above—is simply not being built in today’s market. These projects often fail financially, leaving ground-floor commercial spaces vacant. Mixed use is difficult to achieve successfully, especially on a constrained site like this one. The MX-S zoning has been in place, and the question before the Commission is whether this proposal meets the conditional use criteria within that zoning. She would also challenge the narrow interpretation of mixed use as only vertical. The code clearly allows horizontal mixed use, which has already been explained by staff. Under that definition, this proposal does meet the mixed-use standard, and She respectfully disagrees with the assertion that it does not.

Mr. Hannan asked, are there other areas in the city where land designated and zoned for mixed use has been approved as a 100% residential development? Reviewing the Comprehensive Plan revisions, page 329 identifies this area as neighborhood and community commercial, which is not accurate. This appears to be an error in the plan. He understands this is not a use by right and requires a conditional use permit, but he is trying to understand whether there is precedent for converting a mixed-use zoned property entirely to residential, and how that has been evaluated relative to the Comprehensive Plan.

Ms. Garner stated staff will need to get back to them on the information on how many mixed use developments have been approved for residential development.

Mr. Hannan asked if the traffic impact would be higher with commercial and industrial use as opposed to residential use?

Ms. Vaughan stated yes commercial and industrial use has a much higher traffic use than residential.

Mr. Figliolino asked how tall is MorningStar?

Ms. Thompson stated MorningStar is 35’ feet.

Mr. Figliolino asked what opportunities exist to provide pedestrian and bicycle connections—particularly to the Ralston Creek Trail—to make this site more walkable and bike-friendly?

Mr. Nicotra - Trail connections are traditionally done at a site plan level. Staff has also indicated open space and makes a remarkable opportunity to connect to Ralston Creek Trail.

Mr. Figliolino asked, has the developer been in contact with the Regional Transportation District or the city to talk about transit opportunities for the future?

Mr. Nicotra stated they have looked at 64th as transit uses. had initial discussion with RTD but think there are opportunities.

Mr. Aljinovich asked if the application before them is a conceptual plan and not a final plan? And the staff has found that this application meets conceptually, all of the applicable standards, is that correct?

Ms. Thompson stated that is correct this is the conceptual plan and that it meets all of the applicable standards.

Mr. Aljinovich asked if the finalization site plan submitted will be reviewed by city staff. Is that correct?

Ms. Thompson stated that is correct, it will be an administrative review but can be called up by the City Council.

Ms. McGilvray asked for clarification on transient supported area. Was there a bus route 52 on 64th 10 years ago?

Ms. Thompson stated she will need to get back with that information.

Ms. McGilvray asked about pedestrian connectivity and integration with nearby neighborhoods: it sounds like a connection to Umber Circle was explored and deemed infeasible. Was that determination based on a detailed site analysis, or more of a high-level review? And has the apparent reserved easement to the north, near Violet, been explored as an option—at least for pedestrian, bicycle, or emergency access?

Mr. Nicotra stated the specific question about a connection north to Violet Way: they understand there is a right-of-way connection and a reserved easement in that location. They are open to continuing discussions with the City on whether that could accommodate trail access, pedestrian connectivity, or another form of access. Emergency access requires a direct connection to a public right-of-way, which is why the project includes three emergency access points via 64th Avenue through the Morningstar property, in addition to the primary access points. They do not yet have definitive conclusions on a Violet Way connection; that determination would occur during detailed site plan analysis. However, we are certainly open to exploring it further.

Mr. Doner stated Ms. McGilvray asked the question he had regarding the Comprehensive Plan, specifically Figure 3, which appears to designate this site as part of a transit-oriented corridor. His question for staff is: how should the Planning Commission interpret and apply the Comprehensive Plan when a designation—such as a transit-oriented corridor—appears to be based on conditions that no longer exist, for example, a bus route that may have existed in the past but does not operate today? How do we reconcile that discrepancy when evaluating this application?

Ms. Garner stated when the City is evaluating a district that operates independently—like RTD—that we don't have control over whether transit service stays in place. Bus routes change; we've seen that happen elsewhere in the city, and it's simply part of how transit agencies operate based on their own criteria. From a planning perspective, what we try to do is identify areas where transit currently exists, areas where we want transit to exist, and areas where projected growth creates an opportunity to coordinate with RTD. As part of the upcoming

Comprehensive Plan update, we'll be taking a much closer look at where transit truly needs to expand and where higher-density development should be supported by it. Clearly, this area is one where improved transit service would need to occur going forward.

Mr. Doner asked In the recommended conditions of approval, Item 3 mentions monitoring the intersection at 64th and Terry. What is the difference between monitoring and requiring actual modifications, what specific triggers would require improvements, and how would those triggers be directly tied to impacts from this development?

Mr. Oliphant stated Terry is currently the primary access for the subdivision to the east and was analyzed in the TIS (Traffic Impact Study). While the study shows the intersection degrading to a failing level of service by 2047, that decline is driven by background traffic growth on 64th Avenue, not by traffic generated from this development. The project itself has little to no measurable impact on that intersection. The same pattern appears at Virgil as well—future failure is a function of regional growth, not this specific proposal.

Mr. Knapp asked if his understanding is that while the applicant will contribute toward improvements, even with a signal installed the intersection would still operate below an acceptable level of service. Is he misinterpreting the traffic report, or is that an accurate reading?

Mr. Oliphant states the City evaluates both individual movements and the overall intersection, not just the worst-performing turn. The southbound movement exiting the area operates at a Level of Service C in the AM peak and Level of Service F in the PM peak, which reflects very long delays during the evening rush. If no improvements were made, those PM peak delays would remain severe and worsen over time due to background traffic growth, not primarily because of this development. With the installation of the traffic signal, that same southbound movement improves and stabilizes at Level of Service D, which is the City's minimum acceptable standard. While D is not ideal, it is compliant. More importantly, the signal eliminates extreme delay spikes, reducing PM peak wait times from over 600 seconds to roughly 44 seconds, and creates consistent, predictable operations. When all approaches and movements are evaluated together, the overall intersection performs at a Level of Service B, which is comfortably within acceptable limits. So while one movement remains constrained, the intersection as a whole functions better, safer, and more reliably than it does today. In short, the signal does not create perfect conditions for every movement, but it meets City standards, significantly reduces excessive delays, and prevents further degradation caused by regional growth rather than by this project alone.

Mr. Knapp asked, are there limitations with the project as far as the turn lanes at the intersection that won't be able to be proceed with?

Mr. Oliphant stated based on public comment, the roadway measures approximately 36 feet from face of curb to face of curb, which effectively allows for three 12-foot lanes, and that meets our design standards. As we move further into the site plan stage, we will continue to evaluate opportunities to widen the roadway where feasible, recognizing that any expansion is dependent on right-of-way acquisition. For the signal planned to be constructed this year, we are actively evaluating whether three lanes can be accommodated initially, or at a minimum two lanes with the ability to expand in the future. The signal will be designed to operate with a protected left-turn phase, along with through and right-turn movements, to improve safety and overall traffic operations.

Mr. Knapp asked, are there going to be improvements to the 64th and Quaker intersection anticipated or required as a result of this project?

Mr. Oliphant states the TIS does **not** recommend any improvements at 64th and Quaker. Overall, conditions at that intersection remain largely the same. There is only one movement that shifts from a Level of Service C to a D, and that change reflects a high C moving to a low D, which is still within acceptable, passable conditions. Currently, the intersection operates at a LOS C in the AM peak and a LOS B in the PM peak, and those conditions remain the same in the 2027 build-out year. Looking ahead to 2047, the intersection is projected to operate at LOS C in both the AM and PM peaks. Based on these findings, the intersection remains passable under all scenarios, and no improvements are recommended.

Mr. Knapp asked what is the road to the east of the proposed site classified as? This comes up due to some of the testimony about the cut-through traffic to the neighborhood to the east.

Mr. Oliphant states the street will be classified as a local?

Mr. Knapp asked, given that the road is classified as a local street, is it designed to accommodate the traffic overflow expected from this development, particularly since the traffic report indicates that some diversion would occur?

Mr. Oliphant states with the installation of the signal at Easley and 64th, most traffic is expected to divert to that controlled intersection rather than an uncontrolled one like Terry. The applicant has also expressed interest in traffic calming at the 64th Circle intersection, potentially to limit movements and reduce cut-through traffic into the eastern subdivision, and this is something that can be evaluated further at the site plan stage.

Mr. Knapp asked if there are sidewalks on 64th Circle?

Mr. Oliphant stated yes there is.

Ms. McGilvray asked for clarification on open space requirements versus park land dedication. Would the small urban park be open to the public and managed by the city?

Ms. Thompson states it will be open to the public but managed by the developer.

Mr. Figliolino asked if the city is working on a long-term plan to ensure that the roadway, especially 64th, is enhanced in addition to just those traffic recommendations as more projects come online?

Ms. Vaughan stated Yes, the city is actively monitoring this. The signal at Easley and 64th is already scheduled for construction this summer, regardless of tonight's decision, along with a signal at 63rd and McIntyre ahead of resurfacing work. We will also continue coordinating with the creek project as it advances, and while that site has not yet been annexed, a future signal at 69th and Indiana is proposed and will be tracked. These improvements align with the city's TSP (Transportation System Plan), which prioritizes regional traffic projects citywide as funding and timing allow.

**MOTION:**

It was moved by Mr. Figliolino, that A Conditional Use to allow 384 multifamily and 51 townhome units on site in the MX-S (Mixed Use Suburban) zoning district for Avalon Arvada, a 20.1-acre parcel of land approximately located at 17201 W. 64th Ave. in the city of Arvada and state of Colorado be approved and recommended to City Council for approval subject to the conditions stated in the Staff Report on page 15.

This motion is based on the findings of fact and approval criteria on pages 11 through 15 of the staff report.

**DISCUSSION OF MOTION**

Mr. Hannan stated to staff thank you, the traffic study that we saw was phenomenal. It's the best information in 12 years doing this that we've gotten to actually understand the scope and impact of the traffic. The discussion about what does and what does not comply.

Mr. Figliolino just wanted to thank everyone who came out tonight. He knows it's late, and they really appreciate your thoughtfulness and your passion for the city.

Those voting Yes: Ajinovich, McGilvray, Figliolino, Doner, Hannan

Those voting No: Knapp

Those absent: Gay

The motion does pass: 5 yes - 1 no (1 absence)

Vote on the condition on page 15 of the staff report:

1. First Criteria that a traffic signal shall be installed at the West 64th Avenue-Easley Road intersection. The signal shall be funded by the developer and maintained by the City of Arvada.

Those voting Yes: Ajinovich, McGilvray, Figliolino, Doner, Hannan, knapp

Those voting No:

Those absent: Gay

The motion does pass: 6 - 0 (1 absence)

2. Second Criteria that a condition is the northbound left turn lane queue at West 64th Avenue Easley Road intersection shall be extended by 50 feet to provide adequate storage.

Those voting Yes: Ajinovich, McGilvray, Figliolino, Doner, Hannan, knapp

Those voting No:

Those absent: Gay

The motion does pass: 6 - 0 (1 absence)

3. Third Criteria is the southbound left turn lane at West 64th Avenue Virgil Way intersection, and the southbound shared left through right turn lane at the West 64th Avenue Terry Street intersection will be monitored to determine when actual traffic volumes will warrant the need for modifications to improve the intersection's operational conditions. It does not apply to the developer, it only applies to the city. This can be stricken.

Mr. Hannan moved for this to be stricken out.

Those voting Yes: Ajinovich, McGilvray, Figliolino, Doner, Hannan, knapp

Those voting No:

Those absent: Gay

The motion does pass: 6 - 0 (1 absence)

4. Fourth Criteria is the applicant developer shall submit a voluntary cleanup and redevelopment program application of the Colorado Department of Public Health and Environment, CDPHE, prior to submission of a site plan application and complete site remediation prior to the issuance of building permits.

Those voting Yes: Ajinovich, McGilvray, Figliolino, Doner, Hannan, knapp

Those voting No:

Those absent: Gay

The motion does pass: 6 - 0 (1 absence)

5. Fifth Criteria is language or plat notes related to the dedication of dry utility easements to the City of Arvada, benefiting applicable utility providers for the installation, maintenance, and replacement of electric, gas, television cable, and telecommunications facilities shall be placed on preliminary and final plats.

Those voting Yes: Ajinovich, McGilvray, Figliolino, Doner, Hannan, knapp

Those voting No:

Those absent: Gay

The motion does pass: 6 - 0 (1 absence)

6. Sixth Criteria reads all utility easements would also be depicted graphically on the preliminary plan.

Ms. McGilvray motions to amend that she has requested that we add all utility easements, including pedestrian and bicycle connections, be depicted graphically on the preliminary and final plat.

Those voting Yes: Ajinovich, McGilvray, Figliolino, Doner, Hannan, knapp

Those voting No:

Those absent: Gay

The motion does pass: 6 - 0 (1 absence)

**DISCUSSION OF VOTE:**

None

**11. OTHER ITEMS**

Ms. Garner reminds the commission there is a workshop next Tuesday January 28th.

Ms. Thompson states that we do have any items on the agenda for meetings on February 4th.

**12. ADJOURNED** at 10.56 P.M.

Tom Aljinovich  
Tom Aljinovich, Secretary

Tim Knapp  
Tim Knapp, Chair

Dixielee Rodriguez  
Dixielee Rodriguez, Recording Secretary