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## **PLANNING COMMISSION**

### **Proceedings**

**May 26, 2020**

### **Remote Hearing**

**(Via YouTube)**

**1:15 p.m.**

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#### **I. Call to Order**

Chair Yeater called the meeting to order at 1:15 p.m. Commissioners Schulte, Andersen, Briscoe, Franzen and Romulo were present. (Commissioner Modlin was absent.)

#### **II. Approval of minutes for meeting held on February 25, 2020.**

Commissioner Andersen moved to approve minutes of the meeting held on February 25, 2020. Commissioner Franzen seconded the motion. Motion carried 6-0. (Commissioner Modlin was absent.)

#### **III. A public hearing to consider a Final PUD (Planned Unit Development) amendment to allow for a new car and truck wash building with six bays**

Case No.: PUD2019-0020  
Project Name: Weld County Fleet Services Final PUD  
Applicant: Eric Wernsman, on behalf of Weld County  
Location: 1399 N. 17<sup>th</sup> Avenue  
Presenter: Kira Stoller, Planner II

Kira Stoller addressed the Commission and noted that the title had been revised after publication of the agenda, adding that the correct project title should be "Tract D, Weld County Business Park PUD, 1<sup>st</sup> Amendment." Ms. Stoller introduced the project as a request for a Final PUD Amendment to allow for construction of a six-bay building for washing cars and trucks. She added that the building is to be located within the Weld County Business Park Planned Unit Development that was adopted in June of 1988 allowing for county operational activities.

Ms. Stoller presented a map showing the location Tract D of the Weld County Business Park, as well as a slide highlighting the location of the subject area. She described the surrounding areas and land uses, indicating that they are largely county offices, including

the office of the Treasurer, Public Works, Assessor, GIS, and medical offices occupied by North Range Behavioral Health. Ms. Stoller then presented an overview of the site plan, pointing out three existing structures on 17<sup>th</sup> Avenue. She stated that the proposed six-bay car wash will be located on the southwest portion of the site.

Ms. Stoller presented building elevations and pointed out the six washing bays. She described the materials, architecture and design of the building and added that it would be consistent with other County buildings in the business park. Ms. Stoller also presented photographs of the site as it currently exists. She pointed out the existing buildings that include the current motor pool building as well as the household hazardous waste building, adding that the car wash would be aligned with the back sides of these buildings.

Ms. Stoller described the approval criteria reviewed by staff to evaluate the proposal. She highlighted five standard criteria as well as five criteria specific to car and truck washes, stating that all ten criteria had been met. Ms. Stoller reported the hours of operation as being Monday-Friday, 7:00 am to 6:00 p.m. which aligns with the surrounding area. She added that no auto repair or truck maintenance will take place within the new building and that all City storm and drainage requirements will be met with the proposal.

Notice was sent to property owners within 500 feet of the site and no inquiries were received. Staff recommended approval. There were no questions for staff.

Derek Glosson, 565 Ash Avenue, Akron, Colorado, addressed the Commission on behalf of the applicant, Eric Wernsman. Mr. Glosson thanked Ms. Stoller for her presentation and indicated that Weld County representatives were excited to get started as this will add flexibility to the County's fleet services operation. Mr. Glosson offered to answer any further questions. There were no questions for Mr. Glosson.

Chair Yeater opened the public hearing opened at 1:28 p.m. and allowed a few minutes for citizen input via e-mail. The clerk on duty monitoring e-mail traffic reported that no e-mails had been received. Chair Yeater invited any member of the public who wished to participate by Zoom and there were none. There being no public input, the public hearing closed at 1:31 p.m.

Commissioner Andersen moved that, based on the application received and the preceding analysis, the Planning Commission finds that Tract D, Weld County Business Park PUD, 1<sup>st</sup> Amendment, meets Development Code Section 18.32 and is consistent with the Weld County Business Park Final PUD; and, therefore, recommends approval of the Final PUD Amendment to the City Council. Commissioner Schulte seconded the motion.

Upon question by Commissioner Briscoe, Ms. Stoller advised that the proposed motion accurately reflected the correct title.

The motion carried 6-0. (Commissioner Modlin was absent.)

**IV. A public hearing to consider a request to rezone approximately 12.12 acres, including adjacent right-of-way, from PUD (Planned Unit Development) to R-M (Residential Medium Density) for the purpose of creating lots or building envelopes to be developed with single-family, two-family, and townhomes**

Case No.: ZON2020-0002  
 Project Name: Cottages at Kelly Farm Crosier's Corner Rezone  
 Applicant: Melanie Foslien, on behalf of Benchmark Custom Homes  
 Location: North of 4<sup>th</sup> Street, east of 59<sup>th</sup> Avenue and west of 57<sup>th</sup> Avenue  
 Presenter: Darrell Gesick, Planner III

Darrell Gesick addressed the Commission and introduced the item as a rezone of approximately 12.12 acres of land including adjacent rights-of-way. Mr. Gesick provided a brief history, stating that the area was annexed in 1980 and originally zoned R-1, which is the equivalent of R-L or Residential Low Density today. He added that the Planned Unit Development (PUD) was established in 1998. A Final PUD was submitted in 2000, but closed in 2006 due to inactivity.

Mr. Gesick presented a map showing the location of the site, stating that it is currently undeveloped land, and described the surrounding zoning and uses. He also presented a map showing the official boundary in the event the request to rezone is approved. Mr. Gesick described some of the existing conditions on the site, including curb and gutter, an eight-inch water line and sewer line, and trees along the existing ditch. He stated that the proposal is to develop the site with single-family and two-family dwellings as well as townhomes. Mr. Gesick advised that the slide showing approximately 31 lots is for illustrative purposes only and was subject to change when final plans are submitted for review.

Mr. Gesick presented photographs of the site. He describe the approval criteria used to evaluate a request to rezone. Mr. Gesick reported that there would be little impact to the neighborhood or City and that there are no environmental impacts of which staff is aware. Mr. Gesick stated that the existing PUD allows for up to 2000 vehicle trips per day, adding that after the proposed rezone, it was anticipated that there will be approximately 300 daily trips, creating minimal impact. Finally, Mr. Gesick reported that the proposal is consistent with the Comprehensive Plan and can be developed in accordance with the Development Code.

Notice letters were sent to property owners within 500 feet of the site and staff received seven e-mails and one phone inquiry. Mr. Gesick reported that the inquiries were primarily from residents of the duplexes located to the east of the site, adding that none seemed to be in opposition. Some of the questions included what was being proposed and planned, building heights, concerns about loss of views, when development would begin and end, excessive trash on the site during development, whether there would be a homeowners' association, whether there would be future improvements to 59<sup>th</sup> Avenue, and questions about fencing and landscape standards. Mr. Gesick advised that building heights would be limited to 30 feet. He advised that it is difficult to state when development will begin and end, adding that staff will work with the developer on any trash and refuse issues. Mr. Gesick reported that a separate homeowners' association will be established. He

reported that there will be road improvements at some point in the future and stated that fencing and landscaping standards will be addressed during preliminary subdivision review. Staff recommended approval.

Commission Andersen suggested that the rezone would encourage development that had not occurred in 22 years and asked whether recent interest to develop the site would be accommodated by the rezone. Mr. Gesick confirmed that to be the case.

Melanie Foslien from Northern Engineering, 820 8<sup>th</sup> Street addressed the Commission on behalf of the applicant and indicated that she had nothing further to add, but offered to answer any questions. There were no questions for Ms. Foslien.

Chair Yeater opened the public hearing opened at 1:43 p.m. and allowed a few minutes for citizen input via e-mail. The clerk on duty monitoring e-mail traffic reported that no e-mails had been received. Chair Yeater also invited any member of the public who wished to participate by Zoom and there were none. There being no public input, the public hearing closed at 1:45 p.m.

Commissioner Andersen moved that, based on the application received and the project summary and accompanying analysis, the Planning Commission finds that the proposed rezone from PUD (Planned Unit Development) to R-M (Residential Medium Density) meets the applicable Development Code criteria, Sections 18.30.050(c)(3) a, b, f, g and h; and, therefore, recommends approval of the rezone to the City Council. Commissioner Schulte seconded the motion.

Commissioner Andersen expressed her opinion that this needs to happen on this corner and will provide a nice transition. Commissioner Franzen echoed her statement and indicated that he was excited to see what the developer has proposed for this corner and what the future holds.

The motion carried 6-0. (Commissioner Modlin was absent.)

**V. A public hearing to consider a preliminary subdivision of approximately 6.14 acres of land to create 64 lots and 8 outlots**

Case No.: SUB2019-0021  
Project Name: Grapevine Preliminary Subdivision, 2<sup>nd</sup> Replat  
Applicant: Todd Rand of Coffey Engineering, on behalf of Colson Development  
Location: Northeast corner of 25<sup>th</sup> Street and 49<sup>th</sup> Avenue Court  
Presenter: Brittany Hathaway, Planner III

Brittany Hathaway addressed the Commission and introduced the case as a request for a preliminary subdivision. She presented an overview of the plat with 6.14 acres of land and eight outlots for parking, utility access and open space. Ms. Hathaway presented a map showing the surrounding area and zoning as well as photographs of the site.

Ms. Hathaway provided an overview of the process to date, reminding the Commission of the January 2020 rezone of a portion of the site from Residential Medium Density to Residential High Density zoning with a Development Concept Master Plan (DCMP) for the high density portion, and another portion of the site from Residential Low Density to Residential Medium Density zoning. She advised that the matter before the Commission today is to approve the Preliminary Plat, adding that the Final Plat will be approved administratively. She advised that the subdivision complies with the DCMP in that there will be no more than ten attached units per segment, there are pedestrian routes throughout the development, single-family townhomes are part of the development, and a homeowners' association is required.

Ms. Hathaway presented the proposed site plan and noted that all townhomes in the Residential Medium Density zone will have no more than four attached dwellings. She pointed out the guest parking area in one of the outlots and indicated that the proposal complies with the standards for approval of a preliminary plat. As this is a public meeting, no notice was required to be provided to nearby property owners and that no inquiries had been received. Staff recommended approval and Ms. Hathaway offered to answer any questions.

Commissioner Briscoe commended the applicant for responding to concerns brought by members of the public and the Commission at the prior hearing. He asked how many additional parking spaces would be provided, and Ms. Hathaway advised that there would be six places for guest parking.

Mark Bowman, 916 Barnyard Drive, Windsor, Colorado, addressed the Commission on behalf of Colson Development and offered to answer any questions.

Commissioner Franzen asked for clarification about the number of spaces for guest parking. Mr. Bowman advised that there would be six additional places for guest parking. He added that the plan provides for oversized garages for the townhomes, as well as two spaces in each driveway apron, for a total of four spaces per unit. Upon question by Commissioner Franzen, Mr. Bowman advised that the six guest parking lots were located in various areas between the buildings. Chair Yeater noted the six areas for guest parking and asked how many spaces were available in each area. Mr. Bowman reported each guest parking area would accommodate eight vehicles.

Chair Yeater opened the public hearing opened at 1:56 p.m. and allowed a few minutes for citizen input via e-mail. The clerk on duty monitoring e-mail traffic reported that no e-mails had been received. Chair Yeater also invited any member of the public who wished to participate by Zoom and there were none. There being no public input, the public hearing closed at 1:58 p.m.

Commissioner Andersen moved that, based on the application received and the preceding analysis, the Planning Commission finds that the Grapevine Preliminary Subdivision, 2<sup>nd</sup> Replat, is in compliance with the provisions of the Subdivision Regulations and Development Code criteria outlined in Section 18.04.440(d) 1-3 as well as the approved Development Concept Master Plan; and, therefore, approves the requested preliminary plat as presented. Commissioner Briscoe seconded the motion.

Commissioner Briscoe again commended the applicant and expressed appreciation for being receptive to concerns previously expressed by the neighbors. Commissioner Andersen concurred.

The motion carried 6-0. (Commissioner Modlin was absent.)

## **VI. Staff Report**

Brad Mueller, Community Development Director, addressed the Commission and thanked them for their time and flexibility with conducting hearings remotely. He advised that the City Clerk's Office is working on the next phase of hearings for City Council and that new protocols would likely be put into place in July. Mr. Mueller reported that a contract has been entered into with Gould Evans, Inc. from Kansas City, Missouri, who will facilitate updating the Development Code. Orientation meetings will begin in the next couple of weeks and a calendar will be developed to introduce the Commission to the consultant and process.

Commission Andersen noted some peculiarities in the existing Development Code and asked whether the Planning Commission would receive explanations or rationale for changes being proposed. Mr. Mueller invited all Commissioners to flag items to be identified as problematic so that they could be brought to the attention of staff and the consultant. He asked that any suggested be sent to him or Mike Garrott.

Commissioner Briscoe asked if there are specific things that are being addressed or whether this was an effort to update the entire Code. Mr. Mueller agreed that the Code is outdated as it was last updated in 1998. He added that there have been many updates over the years which have left certain portions of the Code inconsistent with others that may not have been updated. He added that one of the implementation tools of the Comprehensive Plan is an update of the Development Code, stating that if City goals and objectives have changed, those changes should be reflected in an updated Development Code.

Commissioner Schulte asked whether the update was a budgeted item and whether there was any chance that it could be scaled back or spread out over a longer period of time due to some of the recent economic concerns. Mr. Mueller expressed confidence that the update will continue as planned since funds have been set aside for that purpose. Upon question by Commissioner Briscoe, Mr. Mueller anticipated that proposed changes would be presented to the Commission as redlines similar to the update of the sign code. Mike Garrott, Planner Manager, added that as revisions become available, they will likely be presented to the Commission in sections during various worksessions. He added that some may be strike and replace while other revisions could replace entire chapters of the Code.

Chair Yeater asked Mr. Mueller to provide a general sense of how development is proceeding. Mr. Mueller reported on a developer/builder roundtable held a week prior. He noted that the level of development continues to be as high as last year, if not higher, including some large projects that will be in the review phase for a year or longer. When talking to developers, Mr. Mueller reported that they have indicated they remain strong at

this point as far as the amount of activity. He noted an approximate 20 to 30 percent slow down on the building permit side as far as speculative homes. Mr. Garrott added that while there is still a demand for homes, there is currently a low inventory of existing homes. He agreed that commercial activity continues to remain steady.

**VII. Adjournment**

The meeting adjourned at 2:17 p.m.

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*Justin Yeater*  
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*Brad Mueller*  
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Justin Yeater, Chair

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Brad Mueller, Secretary