



**SUMMARY MINUTES OF PLANNING COMMISSION ACTION HELD  
NOVEMBER 17, 2020**

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

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

Those present: T.O. Owens, Michael McCarron, Andrew Gay, Patricia Connell, Michael P. Griffith, Doug Magee, Steve Hannan

**THOSE ABSENT**

None.

**ALSO PRESENT:** Ryan Stachelski, Director of Community and Economic Development; Rob Smetana, City Planning Manager; Emily Grogg, Sr. Ass't. City Attorney; Cheryl Drake, Senior Planner; Jenny Wolfschlag, Manager of Development Engineering; Josie Suk, Manager of Dev. Systems and Administrative Services; Sara Hutchinson, Recording Secretary/Administrative Specialist

4. **APPROVAL OF MINUTES** – October 20, 2020. The minutes stand approved as printed.
5. **GENERAL BUSINESS**

None.

6. **REPORTS**

None.

7. **PUBLIC COMMENT**

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

8. **PUBLIC HEARINGS**

**DA2020-0102 Alternative Sign Program For The Goddard School, generally located at 12720 W 54<sup>th</sup> Drive**

The public hearing was opened.

Mr. Owens entered into the record the Staff Report DA2020-0102 dated November 17, 2020, affidavit of mailing and posting log.

Mr. Smetana gave a brief overview. He explained the Alternative Sign Program request for The Goddard School. He stated that the height and area of the proposed sign requires the applicant to apply for an ASP, but that under an ASP the sign will fit within the Land Development Code requirements. Staff recommends approval.

Mr. Hinman, representative of the applicant, gave background on The Goddard School. He discussed the reasoning behind the proposed sign design. He described the signs, which are metal sunflowers with timed lighting.

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

**PUBLIC COMMENT**

**IN FAVOR**

None.

**IN OPPOSITION**

None

**APPLICANT REBUTTAL**

None

Mr. Owens closed public comment.

**QUESTIONS FROM THE COMMISSION**

Mr. Magee stated that his questions about lighting were answered. He asked about the proposed tree removal.

Mr. Hinman stated that the landscaping plan was revised, but that the tree is not currently existing on the site.

Mr. Magee stated that there is a spelling error on the third page of the plan sets and recommended correction of the error.

**MOTION:**

It was moved by Mr. Griffith, DA2020-0102, an Alternative Sign Program for The Goddard School, generally located at 12720 W 54<sup>th</sup> Drive, be approved by the Community and Economic Development Director.

This motion is based on the findings of fact and approval criteria on Pages 3 and 4 of the Staff Report.

**DISCUSSION OF MOTION DA2020-0102**

The following votes were cast on the motion:

Those voting Yes: Owens, McCarron, Gay, Connell, Griffith, Magee, Hannan  
Those voting No: None  
Those absent: None  
The motion carried 7-0.

Mr. Owens explained that the motion carried. He stated his appreciation for the project.

Mr. Hinman stated his thanks to the Commission and Staff.

**DA2020-0096 A Conditional Use Permit for Olde Town Residences, generally located at 7267 W 56<sup>th</sup> Avenue**

Ms. Drake corrected the Staff Report to state that the number of neighborhood attendees at the neighborhood meeting was 19, not 60.

Mr. Owens entered into the record the Staff Report DA2020-0096 dated November 17, 2020, affidavit of mailing and posting log.

Ms. Grogg explained that a previous application for the proposed project went before Planning Commission a few years ago under the previous Land Development Code. She stated that the current proposed project is a new application under the new Land Development Code.

Ms. Drake gave a brief overview of the project and the application for a Conditional Use Permit. Staff recommends approval.

Mr. Mosher, applicant, gave an overview of the design of the proposed project. He discussed the details and constraints of the site and nearby areas. He explained the reasons that the project fits the requirements for a Conditional Use Permit.

Ms. Lashbrook, applicant, discussed some of the criteria for a Conditional Use Permit for the proposed project and explained why the project fits the criteria.

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

**PUBLIC COMMENT**

**IN FAVOR**

None

**IN OPPOSITION**

Ms. Young, resident, discussed her concerns that the residential-only nature of the property will deactivate Vance and that it will create connection challenges for the area. She stated her concerns that the buildings will be too large for the area and that she does not think transit-oriented development is viable given the impacts of Covid-19 and the local/regional transit systems.

**APPLICANT REBUTTAL**

Mr. Mosher stated that the massing of the building has been broken up to assist with preserving views. He stated his belief that the project will not deactivate the street as there is currently no development in the area. He stated that the project does not break up any existing connections,

especially with the lack of current access in the area. He stated that there have been efforts to make sure that the property will add to the area, encourage pedestrian connections, and will provides housing for residents who want to live in Arvada, and not just use the transit in the area.

Mr. Owens closed public comment.

### **QUESTIONS FROM THE COMMISSION**

Mr. Hannan asked Staff why the proposed design for the property is residential-only and not mixed use.

Ms. Drake stated that the site has remained vacant for quite some time, and that the market does not indicate that there are any other uses that are interested in the property. She stated that this appears to be the best use that will be seen on the property.

Mr. Smetana stated that the site has been looked at holistically with the site to the south, where a hotel and retail development have been approved. He explained that with the sites together, there is a mixed-use component.

Mr. Hannan stated his concerns about parking on the site. He asked Staff if the proposed parking will be enough.

Ms. Drake stated that there were extensive studies done on parking when the new Land Development Code was adopted. She stated that the breakdown of the bedrooms/units in the proposed design exceeds the parking requirements per the Land Development Code for transit-oriented development.

Mr. Owens stated that the application for the Conditional Use Permit has a narrow focus on the use of the property, and that the parking, which exceeds the requirements of the LDC, does not fall into the evaluation criteria.

Mr. Hannan clarified the reasoning for his question under criteria number four of the Conditional Use Permit. He asked if the buildings will be higher than the tree canopy on Grandview Avenue.

Mr. Mosher stated that the project is on the south side of the tree canopy on Grandview. He stated that some of the trees are even in height with the buildings and some are slightly taller.

Mr. Hannan asked if the City will be maintaining the west sidewalk and park on the site.

Ms. Drake said it is privately owned and will be privately maintained.

Mr. Gay asked for clarification of the overall height of the proposed structures due to equipment on top of the buildings.

Mr. Ferguson, representative of the applicant, stated that there is mechanical equipment on the roof which will be screened and is estimated to be an additional eight feet on top of the roof height. The roof height is the required height measured for the LDC, and it fits within the LDC requirements.

Mr. Griffith asked which design changes occurred between the previously held Planning Commission about this site and the current meeting, based on previously given recommendations.

Mr. Mosher explained that the top floor has been eliminated on one portion of the northwest building, the parking has increased, and the unit count has been lowered. He stated that there were various façade improvements as well.

Ms. Lashbrook stated that the urban parks were increased, including the added dog park.

Mr. Mosher stated that the sidewalk and parks along Vance were changed after working with the Parks Department. He stated that some changes were made at the corners of the property for screening of electrical facilities, and some changes were made due to sewer easements and CDOT requirements with the landscape.

Mr. Griffith stated that he imagined fire compliance and access was challenging on the project design.

Mr. Mosher stated that the fire compliance and access was challenging. He stated that when it came to considering retail for the site, the limited parking made it difficult to have interested retail parties to add to the development.

Mr. Griffith asked Staff what the requirements would be for the site if it was only retail.

Ms. Drake stated that the setbacks would be different, but she would have to check the LDC for the other differences.

Mr. Griffith asked about the accessibility and usability of the open space and trail on the north side of the site.

Mr. Mosher stated that the only inaccessible area on the north side is an area with a steep slope near the railroad tracks, and that a small portion of the sidewalk was removed because of safety concerns.

Mr. Griffith stated his concern about safety of children in that space.

Ms. Drake confirmed her previous statement that the biggest difference with a residential and retail use is the setbacks, as a non-residential building could be built up to the property line for the length of the street.

Mr. Griffith stated his hope that the Grandview Avenue view would be preserved. He asked if Downtown Denver will still be able to be seen from Grandview once the proposed buildings are built.

Mr. Mosher stated that the trees currently block the view without the added buildings, but that Downtown Denver can be seen from the transit station.

Mr. Magee asked Staff what the traffic impact of the residential development will be in combination with the approved hotel and retail on the south side.

Ms. Wolfschlag stated that the traffic study actually shows the combined traffic impacts of these sites, and that neither project, together nor individually, has a negative impact on traffic in the area.

Mr. Magee asked about level of service with full build-out of the sites.

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Ms. Wolfschlag stated that with the developments, it remains at an acceptable level of service, both with the current year build out and in the twenty-year build-out evaluation.

Mr. Magee asked about energy efficiency and water conservation measures, during and after construction of the buildings.

Mr. Mosher stated that they will comply with all LDC requirements and that they will be mindful of minimizing water and electricity expenses for residents.

Mr. Magee stated his appreciation for the materials being used. He asked if the bricks will be real brick or a facade.

Mr. Mosher stated that they are real brick but that they are a brick facing. He stated that the design of the enclosure of the building, in relation to stability, is also taking into the account the railroad vibrations nearby.

Mr. Magee asked about the number of bedrooms within the units.

Mr. Mosher stated that there will be studio, one-bedroom, two-bedroom, and some two-story units.

Mr. McCarron stated his appreciation for the work that has been done to have the best possible proposal for the site. He stated his belief that the proposed design will be a good use for the site.

Ms. Connell stated her appreciation for the proposal and the increased access to Olde Town from residential units. She stated her appreciation that concerns have been addressed in design.

Mr. Griffith asked if the sidewalk on Vance has a public and private walk separation.

Mr. Mosher stated that the sidewalks are accessible for all members of the public, and that the design with the separation of paths is created to have a meandering park walkway.

Mr. Griffith stated his concern that residents may think that one walk will be a private walkway and be concerned with members of the public using it.

Mr. Mosher stated that safety concerns have been looked at and he does not believe it will be as issue for residents or members of the public.

**MOTION:**

It was moved by Mr. Griffith, that DA2020-0096, a Conditional Use Permit for Olde Town Residences, generally located at 7267 W 56<sup>th</sup> Avenue, be recommended to City Council for approval.

This motion is based on the findings of fact and approval criteria on Pages 8 and 9 of the Staff Report.

**DISCUSSION OF MOTION DA2020-0096**

Mr. Gay stated his appreciation for the thought put into the plan. He stated his concerns about the changes in the view from Grandview Avenue, the massing of the buildings, the density of the area, and potential traffic changes. He stated that he will not be supporting the motion.

Mr. Hannan thanked Staff for their efforts on the project. He discussed the changes that have occurred around Grandview Avenue over time. He stated his support for the motion.

Mr. Magee stated his agreement on the complexity of the project and appreciation for the work put into the proposed design. He stated his appreciation for the green space and parking. He stated his support.

Mr. Griffith stated his appreciation of the work put into the proposed design. He recommended that thought be put into where dogs may be walked and the impact on the grass on the side. He stated his concerns about safety of children on the northern part of the site with a steeper slope. He stated his appreciation for the placement of the parking. He stated his support but cautioned that he does not want to set a precedent to have purely residential uses in mixed-use zoning.

Mr. Owens explained the criteria for the Conditional Use Permit and stated that the view does not fall into the criteria. He stated his belief that the project fits all of the Conditional Use criteria. He stated that no project in the area will make every resident happy but that he appreciates the work that was done by Staff, AURA, and the applicants. He stated his support.

The following votes were cast on the motion:

Those voting Yes: Owens, McCarron, Connell, Griffith, Magee, Hannan

Those voting No: Gay

Those absent: None

The motion carried 6-1.

Mr. Owens explained that the motion carried.

## **9. WORKSHOP**

Ms. McCartney gave a Sub-Area Planning Workshop. She gave an overview of sub-area planning and its impact on the Comprehensive Plan. She asked Commissioners if they would be willing to join Steering Committees for the sub-areas.

Mr. Griffith stated his willingness to volunteer for the Steering Committee for the New Town sub-area.

Mr. Gay stated his interest in the Northwest Corner sub-area.

Mr. Magee stated his interest in the Square Lake sub-area.

Ms. Connell stated her interest. She asked for clarification on the sub-areas that remain.

Ms. McCartney stated that there will be areas in the future that Commissioners can join.

Mr. Magee asked if the Steering Committees will be reviewing the sub-area plans when they are in preliminary draft form.

Mr. Smetana stated that the Steering Committees will be involved in quarterly stakeholder meetings. He stated that ultimately the plans will come to Planning Commission to be approved and sent to Council.

**10. OTHER ITEMS**

Mr. Magee asked if there are any other major changes in the update of the Land Development Code sent to Commissioners, other than the addition of short-term rentals.

Mr. Smetana stated that other than the additional of short-term rentals, the changes in the update of the LDC were minor corrections.

Mr. Owens asked Staff if there are any other items to consider.

Mr. Smetana stated that there are no items scheduled for either meeting in December of 2020.

It was moved by Mr. Owens to cancel the Planning Commission meetings in December 2020, as there are no items on the agendas.

The following votes were cast on the motion:

Those voting Yes: Owens, McCarron, Gay, Connell, Griffith, Magee, Hannan

Those voting No: None

Those absent: None

The motion carried 7-0.

The motion carried.

12. **ADJOURNED** at 7:55 P.M.

Patricia Connell  
Patricia Connell, Secretary

T.O. Owens  
T.O. Owens, Chair

Sara Hutchinson  
Sara Hutchinson, Recording Secretary