



PLANNING COMMISSION

Minutes of Meeting

April 15, 2021

1. CALL THE MEETING TO ORDER

The meeting was called to order by Chair LARSON at 7:05 p.m. This meeting was held virtually, using Zoom video-conferencing technology. As duly announced and publicly noticed, the City previously approved this meeting format in order to continue with normal business amid the COVID-19 pandemic and the related public emergency orders promulgated by the State of Colorado and the Wheat Ridge City Council. Before calling the meeting to order, the Chair stated the rules and procedures necessitated by this virtual meeting format.

2. ROLL CALL OF MEMBERS

Commission Members Present:

- Melissa Antol
- Kristine Disney
- Ari Krichiver
- Daniel Larson
- Janet Leo
- Scott Ohm
- Jahi Simbai

Commission Members Absent:

- Will Kerns

Staff Members Present:

- Lauren Mikulak, Planning Manager
- Stephanie Stevens, Senior Planner
- Tammy Odean, Recording Secretary

3. PLEDGE OF ALLEGIANCE

4. APPROVE ORDER OF THE AGENDA

It was moved by Commissioner LEO and seconded by Commissioner KRICHIVER to approve the order of the agenda. Motion carried 7-0.

5. APPROVAL OF MINUTES – January 21, 2021

It was moved by Commissioner DISNEY and seconded by Commissioner LARSON to approve the minutes of January 21, 2021, as written. Motion carried 7-0.

6. PUBLIC FORUM (This is the time for any person to speak on any subject not appearing on the agenda.)

**Christine Wilson, Arvada Resident
10277 W 52nd Pl., Apt. 309**

Ms. Wilson read a letter from Kayla Garcia at Molson Coors regarding the sound wall and explained she has lived in the area for 6 years and likes where she lives, but is very irritated with the sound and mentioned it has destroyed her family's well-being. She said she is worried about the sound wall not doing what it is supposed to do.

Chair OHM closed the public forum.

7. PUBLIC HEARING

- A. Case No. WZ-21-02:** an application filed by Molson Coors for approval of a Specific Development Plan (SDP) amendment to allow a 40-foot tall sound wall on property zoned Planned Industrial Development (PID) and located at 10619 West 50th Avenue.

Ms. Stevens gave a short presentation regarding the SDP amendment and the application. She entered into the record the contents of the case file, packet materials, the zoning ordinance, and the contents of the digital presentation. She stated the public notice and posting requirements have been met, therefore the Planning Commission has jurisdiction to hear this case.

**Catherine Wilkinson, Grey Wolf Architecture (applicant team)
1543 Champa St., Ste 200, Denver**

Ms. Wilkinson gave a brief presentation regarding the proposed noise wall on behalf of the applicant.

Commissioner DISNEY asked for confirmation that the noise wall design has been successful in other noise related instances.

**Steve Kuehn, Behrens & Associates (applicant team)
13806 Englewood Ave., Hawthorne CA**

Mr. Kuehn explained that sound walls have been used extensively around the country and they are the most cost effective and acoustically effective methods that have been employed to mitigate sound.

Commissioner SIMBAI inquired about the noise permit and what it allows.

Ms. Stevens said the permit is related to the City's noise ordinance and that City Council approved an exception request which is not a part of the zoning process.

**Noel Guerrero, Rocky Mountain Bottling Company/Molson Coors (applicant)
10619 W. 50th Ave., Wheat Ridge**

Mr. Guerrero gave a brief explanation of the exception permit that was applied for with regards to the City's noise ordinance and said it was approved. He mentioned that Miller Coors must be in compliance and if not, there will be a further noise mitigation process.

Commissioner SIMBAI asked how long it will take to construct the wall and if there will be any mitigation of construction noise.

Mr. Kuehn mentioned the construction phase is anticipated to take 8 weeks. There will be steps taken to mitigate construction noise which will be done during normal construction hours.

Commissioner KRICHIVER asked if this wall will be able to handle an increase in noise should there be any.

Ms. Stevens said that if there is any additional equipment installed then the City will be able to implement mitigation strategies in accordance with the newly adopted noise ordinance.

Commissioner KRICHIVER asked if there are additional mitigation solutions in place and if there is any artistic element being added to the wall.

Mr. Guerrero said the wall is the primary noise mitigation solution. Ms. Stevens said there is potential for art in the future, but not currently being considered.

Commissioner ANTOL is curious about what triggered the need for a wall and if there is a way to quantify the noise reduction achieved.

Mr. Guerrero pointed out there was no noise ordinance at the time in 2018 when the equipment was installed. He explained it was important to make the neighbors happy and wanted to reduce sound for their sakes.

Mr. Kuehn said there is a method available to quantify the data.

Commissioner LARSON asked how thick the wall will be and if there is a film in the interior of the wall.

Mr. Kuehn explained that the acoustical portion of the wall is 6 ½ inches thick and it contains an acoustical insulation that is sandwiched between an exterior skin and

a perforated liner. He added that steel is the preferred material because it is the most durable material for long term usage and has better acoustical performance.

Commissioner LARSON inquired if there will be a reduction in the decibel levels once the wall is in place.

Mr. Kuehn said yes, they will be in compliance with the exception permit that was approved by City Council once the sound wall is in place.

Commissioner DISNEY asked for more information on the quantifiable impact of the sound wall and if it will comply with the 62 decibels allowed by the noise permit.

Andrew Truitt, Behrens & Associates (applicant team)
9536 E. I-25 Frontage Rd., Longmont

Mr. Truitt explained how noise is measured, explaining that a reduction of 5 decibels is a 25% reduction in acoustical energy.

Public Comment

Sean Thiel, Arvada Resident
5344 Oak Ct.

Mr. Thiel asked if this wall is approved and the wall does not mitigate the noise, how will the bottle company be held accountable. He also asked if there will be a follow-up study to show the noise is at 62 decibels.

Christine Wilson, Arvada Resident
10277 W 52nd Pl., Apt. 309

Ms. Wilson added to her previous comments and reiterated the sound is overwhelming and she lives with it on a daily basis and would like to see some feedback from the community on if the noise had decreased once the wall is built.

Chair OHM closed the Public Comment.

In response to a question about accountability if the sound wall does not work, Mr. Guerrero noted that per the exception permit the bottle company is compelled to do quarterly audits and if found in violation then there is a specified timeframe to mitigate. If mitigation is not done, then the City Manager is authorized to revoke their noise permit to shut that piece of machinery down. He also explained that if in compliance then the audits would be reduced to yearly audits. Ms. Mikulak confirmed this is true and until recently the City did not have the regulatory tools prior to noise ordinance and is equipped now with the code change and a decibel meter.

It was moved by Commissioner LARSON and seconded by Commissioner LEO to approval a Specific development plan amendment on property zoned Planned Industrial Development (PID) located at 10619 W. 50th Ave. for the following reasons:

- 1. The specific development plan is consistent with the intent and purpose of a planned development, as stated in Section 26-301 of the City Code.**
- 2. The specific development plan is consistent with the intent and purpose of the outline development plan.**
- 3. The proposed uses are consistent with those approved by the outline development plan.**
- 4. All responding agencies have indicated they can serve the property with improvements installed at the developer's expense.**
- 5. The specific development plan is in substantial compliance with the applicable standards set forth in the outline development plan and with the City's adopted codes and policies**

With the following condition:

- 1. Prior to construction, a building permit shall be subject to review and approval by staff and shall be consistent with the representations depicted in the SDP.**

Commissioner OHM mentioned that art on the wall could be difficult, and also noted that he had considered recommending landscaping at the base of the wall but concluded it was not appropriate because of the topography, because they would likely not help significantly in mitigating sound, and because they would contribute to nuisance and accumulation of trash.

Commissioner LARSON recognized the applicant for the work they have done and also acknowledged the patience of the neighbors.

Motion approved 7-0.

8. OLD BUSINESS

- A. Election of Officers was done by virtual secret ballot in accordance with Planning Commission bylaws. Election results were:

Chair Elect – Dan Larson
Vice Chair Elect – Jahi Simbai

9. NEW BUSINESS

A. Upcoming Dates

1. Ms. Stevens gave a brief explanation of the Lutheran Legacy Campus Master Planning Process, including the May 1 self-guided tour of the campus that the community is invited to. She also mentioned the What's Up Wheat Ridge website which gives a lot of information about the master plan. Ms. Mikulak added this project will have a City-wide impact and there will not be any direct mailing notification; all notifications will be done by other formats including word-of-mouth.
2. May 6 Planning Commission meeting will be a Study Session regarding the Lutheran Legacy Campus Master Plan.
3. Update on Development Projects
 - a) Let's Talk Program recently completed its 1st Blitz with a lot of robust data; 2 new neighborhoods will be starting up: Applewood and Leppla Manor
 - b) Clear Creek Crossing: Kum & Go is now open, Foothill's Credit Union is under construction, Hospital and other development plans coming soon, the Outlook Apartments have received their first C.O.s.
 - c) The Corners: No news on the Lucky's building being backfilled, the Edison Apartments is getting close to opening with 1st residents moving in in June.
 - d) Northwest corner of 32nd & Kipling: new subdivision of 14 homes have received site work and right-of-way permits

10. ADJOURNMENT

It was moved by Commissioner LEO and seconded by Commissioner ANTOL to adjourn the meeting at 8:42 p.m. Motion carried 7-0.


Dan Larson, Chair


Tammy Odean, Recording Secretary