



PLANNING COMMISSION

Minutes of Meeting

April 6, 2023

1. CALL THE MEETING TO ORDER

The meeting was called to order by Vice Chair DITULLIO at 6:31 p.m. This meeting was held in person and virtually, using Zoom video-teleconferencing technology.

2. ROLL CALL OF MEMBERS

Commission Members Present: Kristine Disney
Jerry DiTullio
Will Kerns
Daniel Larson
Jonathan Schelke
Julianne Stern

Commission Members Absent: Melissa Antol
Janet Leo

Staff Members Present: Lauren Mikulak, Community Development Director
Stephanie Stevens, Senior Planner
Scott Cutler, Senior Planner
Alayna Olivas-Loera, Planner I
Tammy Odean, Recording Secretary

3. PLEDGE OF ALLEGIANCE

4. APPROVE ORDER OF THE AGENDA

It was moved by consensus to approve the order of the agenda. Motion carried 6-0.

5. APPROVAL OF MINUTES – February 2, 2023

It was moved by Commissioner DISNEY and seconded by Commissioner KERNS to approve the minutes of February 2, 2023, as written. Motion carried 5-0-1 with Commissioner DISNEY abstaining.

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

No one wished to speak at this time.

7. PUBLIC HEARING

- A. **Case No. WZ-23-01:** an application filed by Ivonne Reynosa for approval of a zone change from Residential-Two (R-2) to Mixed Use-Neighborhood (MU-N) on a property located at 7890 W. 38th Avenue.

Ms. Olivas-Loera gave a short presentation regarding the zone change 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.

In response to traffic concerns from Commissioners DISNEY and LARSON, Ms. Olivas explained all traffic will be reviewed during the site plan review. Ms. Mikulak added that there are no concerns at this time due to the size of the site and potential trip generation is not going to trigger a traffic study.

Commissioner DITULLIO asked what next steps are if the zone change is approved by City Council and wondered if this zone change is approved if more residential properties in the neighborhood would follow suit.

Ms. Olivas-Loera clarified that the next steps would be City Council reviewing the zone change and an administrative review of the site plan. Ms. Mikulak added there is no concern about other properties changing their zoning and explained that the MU-N on this property would provide a good buffer between the corridor and the well-established neighborhood; it is a good transition and unlikely to be signal of more zone changes to come.

Commissioners KERNS and LARSON asked that traffic, access, and parking be looked at closely in the site plan review.

Commissioner LARSON asked if this site in 10 years could be redeveloped with higher density in the MU-N zone district.

Ms. Mikulak confirmed multiunit residential would be permitted in MU-N but will have to follow the development standards.

Jessica Valenzuela, Applicant
15070 Gaylord, Thornton

Ms. Valenzuela confirmed her only plan is to repurpose the building and not demolish it because it is not in their budget. She explained there is a great need for childcare and that is she and her mother's business and want to keep it that way. She confirmed they already own the property.

Commissioner SCHELKE believes that daycare centers are needed and important in today's world and hopes the zone change is approved.

Public Comment

No one wished to speak at this time.

It was moved by Commissioner LARSON and seconded by Commissioner KERNS to recommend APPROVAL of Case No. WZ-23-01, a request for approval of a zone change from Residential-Two (R-2) to Mixed-Use Neighborhood (MU-N) for property located at 7890 W. 38th Avenue for the following reasons:

- 1. The proposed zone change will promote the public health, safety, or welfare of the community and does not result in an adverse effect on the surrounding area.**
- 2. Utility infrastructure adequately services the property.**
- 3. The proposed zone change is consistent with the goals and objectives of the City's Comprehensive Plan.**
- 4. The zone change will provide additional opportunity for reinvestment in the area.**
- 5. The criteria used to evaluate a zone change supports the request.**

Motion carried 6-0.

- B. Case No. WPA-22-01:** A resolution recommending adoption of the 44th Avenue Subarea Plan and by such adoption amending the Wheat Ridge Comprehensive Plan.

Ms. Stevens gave a short presentation regarding the adoption of the 44th Avenue Subarea Plan and introduced the MIG Project Manager.

**Mark De La Torre, MIG Project Manager
4345 Brentwood Street, Wheat Ridge**

Mr. De La Torre gave a brief presentation about the action plan for the 44th Avenue Subarea Plan.

Commissioner LARSON asked if this plan contains only recommendations or is binding.

Ms. Stevens explained that this plan is a guiding document so by approving it, it will guide future investments and entitlements. Ms. Mikulak added this plan is not a regulatory document, and the zoning will prevail in the decision of land use

cases. In response to a question, she also explained the process of doing a legislative rezone if appropriate.

Commissioner DISNEY asked for clarification about underpass improvements, specifically at I-70 and Kipling.

Ms. Mikulak explained that CDOT did complete a preliminary design for interchange improvements, but the project is not budgeted or scheduled.

Commissioner DISNEY also inquired if there is a recommendation for business owners in the area to form an association.

Mr. De La Torre mentioned there is a recommendation that encourages businesses to form an organization of some kind, though not necessarily a BID or business improvement district.

Commissioner STERN asked about how the next actions will be defined.

Ms. STEVENS explained staff will continue to evaluate the action plan, and as time passes and conditions change additional recommendations will be elevated to action.

Commissioner KERNS mentioned he is a big fan of this plan including the small business focus and building repurposing, walkability, tree canopy and cover, diverse housing strategies and the different connections to the Clear Creek Trail.

Commissioner DITULLIO asked if there will be traffic interventions such as traffic circles on 44th Avenue.

Mr. De La Torre explained that there was a traffic and signal warrant analysis done to address safety and mobility at intersections and traffic circles were not recommended but there are recommended signals and upgraded pedestrian crossings at certain intersections.

Commissioner DITULLIO also inquired about changes within the 44th Avenue right-of-way between the flowlines.

Ms. Mikulak confirmed the plan focuses on back of curb enhancements and the plan does not contemplate lane additions or reductions.

In response to a question from Commissioner LARSON about Urban Renewal, Ms. Mikulak defined Urban Renewal Area as a tool to recognize areas that need investment in the community and how the value of those private investments can be captured using Tax Increment Finance (TIF) to reinvest in this area.

Commissioners STERN and DISNEY concurred with Commissioner KERNS' enthusiasm for the plan and liked the robust engagement from the community. There was consensus that the plan has set the stage for 44th Avenue becoming a special place to live and or work.

Public Comment

No one wished to speak at this time.

It was moved by Commissioner KERNS and seconded by Commissioner DISNEY to adopt Resolution 01-2023, a resolution recommending adoption of the 44th Avenue Subarea Plan as an amendment to the City's Comprehensive Plan, Envision Wheat Ridge, and forwarding said recommendation to the Wheat Ridge City Council.

Motion carried 6-0.

- C. Case No. ZOA-23-03:** An ordinance amending Article IV of Chapter 26 of the Wheat Ridge Code of Laws, concerning requirements for dedication of Public Parks and Sites and making confirming amendments therewith.

Mr. Cutler gave a short presentation regarding the code amendment to wave parkland dedication requirements for deed restricted affordable housing property.

Commissioner STERN asked if there was any discussion on including an upper income limit in the definition of the deed restricted affordable dwelling unit.

Ms. Mikulak confirmed there has not been any discussion and explained that typically most of the projects the City envisions are below 100% AMI and explained the purpose of income averaging.

Commissioner LARSON inquired how much parkland dedication has been collecting in the last year or two and what is the money put towards.

Ms. Mikulak and Mr. Cutler explained it varies depending on the size of the project and the money does not specifically go to just parks, but trail maintenance, trail heads, etc. The funds go to Park's general revenue for improvements, and they budget for its use each year. The money is specifically reserved for improvements and cannot go towards other things such as operations.

Commissioner DITULLIO asked who monitors the deed restrictions.

Ms. Mikulak mentioned the City is not proposing to monitor the deed restrictions through this waiver.

Commissioner STERN believes this is a first great step toward supporting income qualified housing in Wheat Ridge.

Public Comment

No one wished to speak at this time.

It was moved by Commissioner SCHELKE and Seconded by Commissioner STERN to recommend approval of the proposed ordinance amending Article IV of the Wheat Ridge Code of Laws concerning requirements for dedication of public parks and sites and making conforming amendments therewith.

Motion carried 6-0.

8. NEW BUSINESS

A. Resolution 02-2023

It was moved by Commissioner LARSON and seconded by Commissioner DISNEY to approve Resolution No. 02-2023, a resolution establishing a designated public place for the posting of meeting notices as required by the Colorado Open Meetings Law.

B. Election of Officers

Commissioner DITULLIO was voted in as Chair and Commissioner DISNEY was voted in as Vice Chair.

C. Upcoming Dates

Ms. Mikulak mentioned the next Planning Commission meeting will be held on April 20 and definitely one of the dates in May.

D. Project and Development Updates

Ms. Mikulak mentioned that once a new Planning Manager is hired, she will not be attending the meetings as frequently due to her promotion as Director of Community Development.

Ms. Mikulak also mentioned a number of permits have been submitted and issued including for the medical office building at SCL, Chick-fil-A, and two new restaurants below the West End 38 Apartments. She added Let's Talk is on their final blitz in the neighborhood north of Crown Hill and west of Lutheran and also the neighborhood north of I-70. Also, a design process for 38th Avenue from Kipling to Youngfield is underway with the 1st public meeting to discuss walkability on that corridor taking place in May.

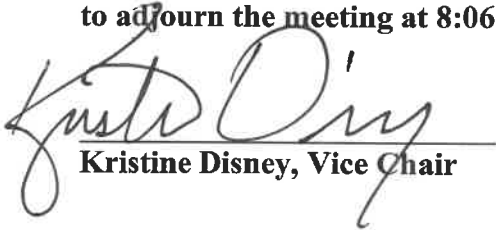
Commissioner LARSON asked about the Governor's housing bill and the City's stance on it.

Ms. Mikulak said it is her understanding that City Council will be passing a resolution on April 10 that is opposed unless amended.

9. OLD BUSINESS

10. ADJOURNMENT

It was moved by Commissioner DISNEY and seconded by Commissioner LARSON to adjourn the meeting at 8:06 p.m. Motion carried 6-0.


Kristine Disney, Vice Chair


Tammy Odean, Recording Secretary