



**PLANNING COMMISSION**

**Minutes of Meeting**

**May 18, 2023**

**1. CALL THE MEETING TO ORDER**

The meeting was called to order by 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  
Daniel Larson  
Janet Leo  
Patrick Quinn  
Jonathan Schelke  
Julianne Stern

Commission Members Absent: Will Kerns

Staff Members Present: Lauren Mikulak, Community Development Director  
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 as written.**

**5. APPROVAL OF MINUTES – April 20, 2023**

**It was moved by it was moved by consensus to approve the minutes of April 20, 2023, as written.**

**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. ZOA-23-05:** An ordinance amending Article XI of Chapter 26 of the Wheat Ridge Code of Laws concerning requirements for mixed use zone districts.

Ms. Mikulak gave a short presentation regarding the ordinance.

In response to multiple questions from Commissioner LARSON, Ms. Mikulak confirmed the height and density will not change because there is a cap in the City Charter; the build-to standards will not change; and the quality of material used on buildings will have elevated standards.

Commissioner SCHELKE inquired about bicycle parking requirements.

Ms. Mikulak mentioned the City does not require much for bicycle parking and the goal is to make some quick amendments to existing code and then study the topic later more in-depth.

Commissioner SCHELKE asked for the walking path language to be explained.

Ms. Mikulak explained that the Mixed-Use code requires that a certain amount of open space be usable and functional, and staff has historically interpreted that to require sidewalks at least 5 feet wide.

Commissioner DITULLIO inquired if drive-thru structures will be more or less restrictive.

Ms. Mikulak said that the more restrictive component is that a drive-thru will not be allowed in the City's MU-C TOD zone district, to make sure it is pedestrian oriented.

#### **Public Comment**

No one wished to speak at this time.

**It was moved by Commissioner STERN and seconded by Commissioner LEO to recommend approval of the proposed ordinance amending Article XI of Chapter 26 of the Wheat Ridge Code of Laws concerning requirements for mixed use zone districts.**

**Motion carried 7-0.**

- B. Case No. ZOA-23-06:** An ordinance amending Articles V and XI of Chapter 26 of the Wheat Ridge Code of Laws concerning parking requirements for deed-restricted affordable housing and making conforming amendments therewith.

Ms. Mikulak gave a short presentation regarding the ordinance.

Commissioner DITULLIO read an email he sent to Ms. Mikulak giving his opinion about lowering the parking standard for deed-restricted properties. He acknowledged a comment submitted by Foothills Regional Housing, and noted the problem he has with lowering the parking standard is that we would be telling people living in deed-restricted housing that they need to use mass transit which is not reliable or safe right now, and they really cannot own a vehicle. For those who own cars, parking would be limited, and they would have to use the street. He commented that this doesn't seem to be about parking but appears to be bypassing the zoning and allowing an increase in density, rather than focusing on quality of life. He expressed that he does not support the ordinance as written.

Commissioner QUINN shared his concern that lowering parking in affordable housing sites will hurt those with trade jobs that have tools. He expressed concerns about construction jobs having to rely on mass transit because of tools, shift schedules, job site locations, and the unreliability of transit. He expressed hesitation in supporting the ordinance.

Commissioner LARSON asked if this ordinance will apply to R-3 and Mixed-Use zone districts.

Ms. Mikulak confirmed the changes would apply in those districts only for deed-restricted affordable projects that serve income-qualified residents.

Commissioner DISNEY said she has concerns about reducing the parking because overflow parking will go into streets and neighborhoods. She inquired if there will be a lot of deed-restricted apartments in the future and mentioned she would like to maintain the character of the community with less street parking.

Ms. Mikulak clarified there is not a lot of deed-restricted affordable properties in the City, and it is not going to increase a lot. To the extent the City desires more deed-restricted affordable housing, staff is analyzing what the City can do to increase that supply of housing for people like nurses and teachers. Deed-restricted affordable units are unlikely to proliferate in established neighborhoods because of density limitations, lot size, and economy of scale. There are limits on what the City can do in the code to make it easier to build affordable units, but modifying parking requirements is one way to provide flexibility. Ms. Mikulak explained how developers establish parking supply for both market-rate and affordable projects.

Commissioner STERN mentioned she is a developer in her professional life and primarily works on deed-restricted affordable housing projects. She shared that Denver has changed their parking requirements for affordable housing to zero, but this does not mean projects are built without parking. She explained the process of review for affordable projects and the many agencies involved in setting parking requirements. She explained the requirements of the Colorado Housing Finance

Authority (CHFA) who is involved in most affordable projects and for whom parking studies are required to justify parking ratios below 0.8. She responded to earlier comments noting that it a 0.25 ratio in Wheat Ridge would be unlikely to happen on most if any projects, and further that it would be unlikely that this single code amendment results in an influx of affordable projects to Wheat Ridge. She expressed support for the code amendment because it removes a small but real barrier. She added, that as a community the City has a responsibility to provide housing to all different kinds of people and parking can make a project very expensive to develop deed-restricted affordable housing.

Commissioner LEO commented that she believes a person with 60-80% AMI will most likely own a car even if they don't use it all the time and does not understand why the City will not provide parking.

Ms. Mikulak said the proposed change removes the assumption that every household owns a car, relies on data related to deed-restrictive housing, and provides flexibility to a parking lot can be right-sized for a project. The City is not the expert on parking supply and is trying to provide flexibility.

There was some discussion from Commissioners DITULLIO and STERN about whether or not affordability will proliferate because of this code amendment.

Commissioner LARSON asked if the minimums can be eliminated and go with the maximums.

Ms. Mikulak mentioned that will be tricky because the whole point of this ordinance is to change the minimum.

Commissioner DISNEY expressed that she is inclined to support the ordinance because she recognizes this ordinance is a tool for negotiation and will give the City flexibility to work with a developer to bring a project to fruition.

Ms. Mikulak explained procedural options including motions for approval, denial, or amendments to the motion.

**It was moved by Commissioner DITULLIO and seconded by Commissioner QUINN to recommend denial of the proposed ordinance amending Articles V and XI of Chapter 26 of the Wheat Ridge Code of Laws, concerning parking requirements for deed-restricted affordable housing, and making conforming amendments therewith and would like City Council to reevaluate minimums and maximums for deed-restricted housing parking requirements.**

**Motion carried 4-3 with Commissioners DISNEY, SCHELKE and STERN voting against.**

Commissioner QUINN agrees that this ordinance needs another look.

Commissioner SCHELKE thinks that the City needs to look forward and encourage affordable housing even if it means taking away some parking spaces.

- C. **Case No. ZOA-23-07**: An ordinance amending Articles I and II of Chapter 26 of the Wheat Ridge Code of Laws, concerning definitions and regulations for childcare facilities and making confirming amendments therewith.

Ms. Mikulak gave a short presentation regarding the ordinance.

Commissioner LARSON recognizes the need for childcare and inquired if a legislative rezoning of NC and RC could be done.

Ms. Mikulak said that it had been considered in the past but did not move forward because MU-N is not an appropriate zone in all of those instances, but that a more comprehensive review of the use charts for NC and RC could be a valuable future project.

Commissioner QUINN thinks this is a good idea and necessary for the community.

Commissioner SCHELKE shared that the lack of daycares is a huge problem as is affordability of daycare and the City should do anything to help.

Commissioner DITULLIO inquired why there is low number of daycares in Metro Denver area, and Ms. Mikulak speculated as to why.

**It was moved by Commissioner DISNEY and seconded by Commissioner SCHELKE to recommend approval of the proposed ordinance amending Articles I and II of Chapter 26 of the Wheat Ridge Code of Laws, concerning definitions and regulations for childcare facilities and making confirming amendments therewith.**

**Motion carried 7-0.**

## **8. NEW BUSINESS**

- A. Ms. Mikulak introduced Commissioner QUINN and mentioned a new Planning Manager, Jana Easley, has been hired and will be introduced at the next meeting.

B. Upcoming Dates

No Planning Commission meetings in June.

Ms. Mikulak announced that on June 3 Gold's Marketplace will have a block party to introduce their tenants and on June 24 RidgeFest will be held.

### C. Project and Development Updates

Ms. Mikulak mentioned a few new tenants in the City: Yawp! Cyclery, Get Right Bakery which she also mentioned there were a few challenges getting their permit, but they are now open for business.

Commissioner DISNEY inquired about a number of dead trees in Wheat Ridge and what the City plans to do.

Ms. Mikulak mentioned that the City now has a program and a full-time staff person to look into all landscaping in the City to meet code requirements. She also mentioned the Hazardous Tree Program and to reach out to Parks and Rec for more information.

## 9. OLD BUSINESS

Commissioner STERN asked if at the next meeting there can be an update on the Wadsworth Widening Project.

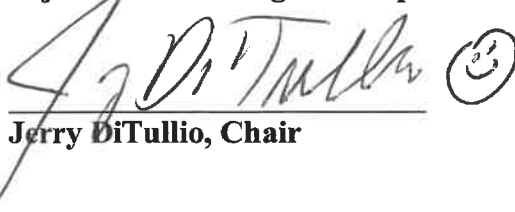
Commissioner LARSON asked about the new residential apartments by Safeway. He thought it was going to be market rate, but now hears Foothill Regional Housing now owns it.

Ms. Mikulak confirmed that upon completion the apartments went on the market and FRH was an interested buyer. She clarified that there is no differentiation in the City's zoning code of whether a residential project is market-rate, senior, or affordable so such a sale is permitted.

Commissioner QUINN says he is happy to be a part of the Planning Commission and for the opportunity.

## 10. ADJOURNMENT

**It was moved by Commissioner QUINN and seconded by Commissioner LEO to adjourn the meeting at 7:58 p.m. Motion carried 6-0.**

  
Jerry DiTullio, Chair

  
Tammy Odean, Recording Secretary