



PLANNING AND ZONING COMMISSION

**Minutes
August 22, 2011**

Meeting Summary

The Planning and Zoning Commission adopted PZ Resolution 2011-16, a Resolution recommending approval of Broomfield Urban Transit Village Filing No. 4, Lot 4 (Parcel N) Planned Unit Development Plan Amendment, Site Development Plan and Urban Renewal Site Plan approximately located at the southwest corner of Uptown Avenue and Arista Place, with the following conditions: 1) The applicant shall amend waiver request Number 1 justification section to reference and provide detail sheets in the site development plan for the stair encroachments. 2) The applicant shall amend waiver request Number 2 to address the following items: a. Clarify the 22 foot aisle waiver is limited to the areas shown on the plans and describe this waiver in more detail in the justification; and b. Work with staff to correctly dimension the parallel parking on the street (6 foot 20 foot minimum), existing conditions are 7 ½ foot to 8 foot wide and should not be reduced. 3) The applicant shall review the SDP/URSP to assure the SDP/URSP shows no variance to the landscape requirements is needed for the interior northern lots landscaping. 4) The applicant shall amend waiver request Number 4 to include the overall open area as part of the justification for the lower percentage of open area in the interior parking lot. 5) The applicant shall work with staff to address the rooftop screening concerns raised (i.e. painting of the rooftop equipment to match the color of the roof, the height of the proposed screen wall, or other methods of screening the rooftop utilities). 6) The applicant shall prepare a snow stacking plan. 7) The applicant shall prepare a trash/refuse removal plan and review the plan with the service provider to assure adequate access, drive aisles and turning radius. 8) The applicant shall address sign illumination concerns to include a lighting plan and provide illustrations of all proposed signs and the location of each sign. 9) The applicant shall address waiver request (listed as Number 3 on the title sheet of the SDP/URSP) by clarifying the location of the four foot landscape islands and providing an illustration of the 'pinch point' of the curbing and the extension of the pedestrian curb in the drive aisles; and 10) The applicant shall show the dimensions of the dog park on the SDP/URSP. PZ 2011-16 was approved by a vote of 6-1.

Roll Call – 7:00 P.M.

Chairman Tom Silvers called the meeting to order at 7:00 p.m.

Commission Members Present: Charles Hastings
David Jurcak
Roger Kelley
Archie Lind
Karen Nelson
Phil Russell
Tom Silvers

Commission Members Absent: Gifford Aune

Staff Members Present: Dave Shinneman, Planning Director
Tami Yellico, Deputy City & County Attorney
Michael Sutherland, Senior Planner

Chairman Tom Silvers stated there was a quorum present.

Petitions and Communications - None

Disposition of Minutes

The minutes of the regular Planning and Zoning Commission meeting of August 8, 2011, were approved as printed.

PUBLIC HEARING – PZ Resolution 2011-16

Planned Unit Development Plan Amendment, Site Development Plan and Urban Renewal Site Plan for Broomfield Urban Transit Village Filing No. 4, Parcel N (Arista Uptown Apartments) at 11465 Uptown Avenue (southwest corner of Uptown Avenue and Arista Place)

Application: Smith Jones Partners

Planner: Michael Sutherland

Chairman Silvers opened the public hearing at 7:04 p.m.

Senior Planner Michael Sutherland summarized the staff report and requested the staff report and plans be entered into the record. The application is for a site development plan/urban renewal plan and planned unit development plan amendment for a 272 unit apartment development on a 6, 683 acre property at the southwest corner of Arista Place and Uptown Avenue. The applicant has complied with the application requirements of the Broomfield Municipal Code Chapter 17-38 and notification requirements of Chapter 17-52 have been met to the best of staff's knowledge.

The applicant requests approval of a site development plan/urban renewal site plan and a PUD Plan amendment for eight apartment buildings containing eighteen studio apartments, 149 one bedroom apartments, 105 two bedroom apartments and a 4,442 square foot clubhouse. The plan amenities include a private internal road system, 440 parking spaces, a pool, a private park including a dog park and two shade structures. The site development plan/urban renewal site plan shows site layout, grading and utilities, architecture, landscaping, site details, signs and lighting. The applicant is requesting approval of the following waivers from adopted standards: 1) The applicant is requesting a waiver to Section 17-32-070 of the municipal code regarding parking space size and aisle width for standard and handicapped spaces. The code requirement is nine feet wide by nineteen feet long with twenty-five foot wide drive aisles and the applicant is requesting a one foot reduction of the length for all parking spaces and a three foot reduction of the aisle width in some locations. 2) The applicant requests approval of waivers to the approved planned unit development plan for parking lot landscaping. The planned unit development plan requires ten percent of parking lot surfaces to be landscaped. The applicant requests approval of 1.3 percent in the southeast lot and 5.2 percent in the southwest lot. Also the planned unit development plan requires ten percent of parking lot surfaces to be landscaped. 3) The applicant requests approval of four foot wide islands with one tree in the southern lots and no minimum requirements in the northern lots. The planned unit development plan requires six foot wide landscape islands at the ends of parking aisles with two trees per island. 4) The applicant requests waivers to the planned unit development plan requirements for setbacks and signs. The planned unit development plan requires a three foot to five foot setback along the perimeter streets and a maximum aggregate sign area of thirty-two square feet with a minimum sign setback of fifteen feet. 5) The applicant requests waivers to allow door steps to encroach into the yards on the perimeter streets and requests waivers to allow up to 225 feet of sign area and a setback of three feet for the retaining wall sign at the southeast corner of the site. Other than the waiver requests, the proposed site development plan/urban renewal site plan meets the requirements of the municipal code and the planned unit development plan. The proposed

planned unit development plan amendment would allow five additional apartment units on this property for a total of 40.7 units per acre. Staff identified the proposed waivers as a key issue in the staff report. The applicant's list of waivers and justifications are printed in the staff report.

Bobby Smith, representative of Smith Jones Partners, was present to answer questions from the Commission. The Smith Jones Partners firm is excited about the development and believes Broomfield has done a good job of creating a sense of place. They look forward to enhancing the area and are proponents of the master plan for the Broomfield Urban Transit Village area. Michael O'Hara, also a representative of the applicant, spoke about the connectivity to the community, sense of community place and the requested waivers being beneficial to promoting this transit oriented development.

Public comment was requested, there was no one in the audience wishing to speak.

Commissioner's comments and questions were:

- The seven issues brought up a Concept Review were not addressed;
- Handling of snow removal and snow stacking;
- Mailbox clustering;
- Location of the handicap parking spaces;
- Screening of the roof top units, color, and height of the parapets and the view of the roof from the neighboring taller building (Aloft Hotel);
- Signage proposed and the requested variance;
- Three signs seems to be excessive;
- The code only allows 32 square feet of signage for the 6.6 acres, the variance request is for 225 feet of signage;
- The only large sign requested is a backdrop to the pool but will mainly be seen by the Children's Hospital;
- Lighting of the proposed corner signage;
- Need illustrations of the signage to include the lighting proposed for the signage;
- Need illustrations of the stairs that are to encroach into the setbacks;
- Clarify the amount of 'green space' or open lands of the project;
- Clarify the size of the parking spaces, both in the interior of the project and the parking on the street;
- Clarify the pedestrian outcroppings that appear to narrow the traffic aisle in the interior parking area;
- Prefer less parking spaces that are larger in size than numerous small parking spaces that are not used;
- Trash/refuse collection program;
- Area appears to be difficult for trash/refuse trucks to navigate and provide the necessary service to the community;
- Measurements of the dog park;
- Concerns with noise from the dog park;
- Safety issues need to be addressed prior to going before Council;
- Signage issues need to be addressed prior to going before Council;
- Need to clarify and possibly redesign some areas prior to going before Council (considering the discussion that occurred during this hearing); and
- Need to clarify the interior islands, the landscaping, and the overhang from the parking of vehicles.

Bobby Smith, Michael O'Hara, Brian Dummer, and David Shawl, all representatives of the applicant responded to some of the Commissioner's concerns/comments:

- The mailboxes are in a room in the clubhouse which has twenty-four hour access and is close to the handicapped parking.
- The plan has been reviewed by the Fire District and addresses life saving issues.
- The trash truck will pull into the interior parking area to provide service and will back out of the parking area.
- The dog park is fenced and measures 25 to 40 feet in width and 55 to 60 feet in length. There is a built in seating wall within the dog park.
- Plantings are on the north and south of the dog park.
- There is a clubhouse and a built-in barbeque area to promote the gathering of people.
- The clubhouse, barbeque area and the dog park are considered desirable community amenities.
- The roof is white in color. The roof top condenser units are grouped together and located over the stair towers to eliminate vibration within the units. The applicant will continue to work with staff to find an acceptable screening of the utilities.
- They believe they have a great opportunity to have some very unique signage for this development.
- They can provide a more refined landscape plans with plant counts.

Planning Director Dave Shinneman summarized proposed conditions:

1. Amend waiver request Number 1 justification section reference and provide detail sheets in the site development plan for the stair encroachments.
2. Amend waiver request Number 2 to address the following:
 - a. Clarify that the 22 foot aisle waiver is limited to the areas shown on the plans and described this waiver in more detail in the justification; and
 - b. Work with staff to correctly dimension the parallel parking on the streets (6 foot by 20 foot minimum). The existing conditions are 7 ½ feet to 8 feet wide and should not be reduced).
3. Amend waiver request Number 3 to remove the waiver request from the northern lots.
4. Amend waiver request Number 4 to include the overall open area as part of the justification for a lower percentage of open area in the interior parking lots.
5. Work with staff to address the rooftop screening concerns raised with the Aloft Hotel (such as parting the rooftop equipment, additional parapet or other screening).
6. Prepare a snow stacking plan.
7. Have a trash pick up plan and review this with the provider including access, adequacy of drive aisles, etc.
8. Address the sign lighting concerns raised by providing sign illustrations and lighting details and a lighting plan.
9. Clarify on waiver request Number 3 the location of the four foot landscape islands and revised the wording, as appropriate.
10. Show the dimensions of the dog park on the plans.

Commissioner Jurcak said since there are so many possible conditions (up to fourteen), the Commission may wish to delay the item, have the applicant work with staff to address the issues discussed this evening and come back to the Planning Commission at a later date.

The public hearing was closed at 8:40 p.m.

RESOLUTION PZ 2011-16 WAS READ BY TITLE

Commissioner Lind moved that PZ Resolution 2011-16, a resolution recommending approval of Broomfield Urban Transit Village Filing No. 4, Lot 4 (Parcel N) Planned Unit Development_Amendment, Site Development Plan and Urban Renewal Site Plan approximately located at the southwest corner of Uptown Avenue and Arista Place, be approved with the conditions as recommended by Planning Director Dave Shinneman:

1. The applicant shall amend waiver request Number 1 justification section to reference and provide detail sheets in the site development plan for the stair encroachments.
2. The applicant shall amend waiver request Number 2 to address the following items:
 - a. Clarify the 22 foot aisle waiver is limited to the areas shown on the plans and describe this waiver in more detail in the justification; and
 - b. Work with staff to correctly dimension the parallel parking on the street (6 foot 20 foot minimum), existing conditions are 7 ½ foot to 8 foot wide and should not be reduced.
3. The applicant shall review the SDP/URSP to assure the SDP/URSP shows no variance to the landscape requirements is needed for the interior northern lots landscaping.
4. The applicant shall amend waiver request Number 4 to include the overall open area as part of the justification for the lower percentage of open area in the interior parking lot.
5. The applicant shall work with staff to address the rooftop screening concerns raised (i.e. painting of the rooftop equipment to match the color of the roof, the height of the proposed screen wall, or other methods of screening the rooftop utilities).
6. The applicant shall prepare a snow stacking plan.
7. The applicant shall prepare a trash/refuse removal plan and review the plan with the service provider to assure adequate access, drive aisles and turning radius.
8. The applicant shall address sign illumination concerns to include a lighting plan and provide illustrations of all proposed signs and the location of each sign.
9. The applicant shall address waiver request (listed as Number 3 on the title sheet of the SDP/URSP) by clarifying the location of the four foot landscape islands and providing an illustration of the 'pinch point' of the curbing and the extension of the pedestrian curb in the drive aisles.
10. The applicant shall show the dimensions of the dog park on the SDP/URSP.

Commissioner Kelley seconded the motion.

Discussion of the motion was called for, there was no additional discussion.

The motion was approved with the following votes being cast:

Those voting Yes: Hastings, Kelley, Lind, Nelson, Russell and Silvers

Those voting No: Jurcak

The motion was approved by a 6-1 vote of the Commission.

Special Report --

Planning Director Dave Shinneman reviewed the upcoming meeting schedule that was distributed during the study session. The next Planning and Zoning Commission meeting will be September 12, 2011.

Adjournment – 8:44 p.m.

The meeting was adjourned at 8:44 p.m.

Approval

Minutes Prepared by:

Diana K. Tangsrud, Recording Secretary

Approved by:

Chairman