

**RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
January 13, 2022**

The Planning Commission of the City of Fort Lupton met in session at the City Complex, 130 South McKinley Avenue, the regular meeting place of the Planning Commission and virtually via GoToMeeting, on Thursday, January 13, 2022.

Chair Mike Simone called the meeting to order at 6:00 p.m.

ROLL CALL

Board Members Present: Chair Mike Simone, Kathy Kvasnicka, and Member Paul Weber. Member Thomas Holton participated remotely via GoToMeeting. Vice-Chair Bush White arrived at 6:01 PM

City Staff Present: Planning Director Todd Hodges, Planner Maria Lancto and Planning Technician Magaly Morales-Tejada. Planner Alyssa Knutson participated remotely via GoToMeeting.

Chair Simone gave the following advisement:

Tonight's meeting shall be a hybrid meeting so as to ensure the health and safety of the general public and the City of Fort Lupton City Council, Planning Commission and staff.

The intent and purpose of the virtual appearance option is to allow the City to be innovative in providing the general public the most meaningful access possible in light of the current challenges present as a result of the Covid-19 pandemic.

An electronic link has been made available for tonight's meeting on the City's website and social media platforms and as posted at City Hall, so that the general public, Planning Commission and staff may participate electronically via the internet or on the phone.

APPROVAL OF AGENDA

Paul Weber moved to approve the agenda and Kathy Kvasnicka seconded.

CONSENT AGENDA

Paul Weber moved to approve the consent agenda and Kathy Kvasnicka seconded.

PUBLIC COMMENT

Jan Martin, resident in the Coyote Creek subdivision, stated that she would like to know the City's plans for inner road improvements in the Coyote Creek development.

ACTION ITEMS

P2022-002 Coyote Creek PUD Filing No. 4 Preliminary Plat

Planner Maria Lancto presented this item, she stated that this site is located northwest of the Coyote Creek Golf Course and south and adjacent of Twombly Elementary. The proposal includes 59 single family detached residential lots and will include a central open space area with a tot lot. The site is zoned PUD and was master planned as part of the Coyote Creek PUD Master Plan, which identifies this area as multi-family, however the map notes allow for lower densities, therefore this proposal is in line with the overall master plan. All notification requirements have been met and the applicants will provide a brief presentation.

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Chair Simone asked applicant, Ken Merritt, if he understood that some members of the Planning Commission are appearing tonight via virtual connection and are not appearing in-person, if he consented to said members voting on his submittal, even though said members are not present in person, if he has agreed to voluntarily waive that right on behalf of the applicant or themselves by proceeding tonight electronically and if he voluntarily signed and submitted the written waiver and consent to proceed electronically tonight.

Mr. Merritt answered yes to all questions.

Mr. Merritt stated that the property is located in the Northwest corner of the "Fort Lupton Residential Development Plan", south of Twombly Elementary and east of residential development. The Coyote Creek Golf Course lies east and south of this property, Coyote Creek Filing No.1 is also south of the property. This property was originally identified as 193 multi-family residential units; however, this proposal is for 59 single family residential units, therefore is in better compatibility with the surrounding land uses and considerably decreases the density. There will be two entries into this development, the primary entrance being on 4th St and the other on the north end of the property via Twombly road. There will be 2 different lot sizes throughout the property, the density of the development is approximately 3.5 units per acres and there is 17% or 2.5 acres of open space in the center of the development, which will hold a park with a tot lot. The builder for this development will be Challenger Homes and there will be a variety of homes both two-story and single-story homes.

Chair Simone asked Mr. Merritt if he felt that he had a full and fair opportunity to present all application materials to the commission tonight.

Mr. Merritt stated yes.

Chair Simone opened up the public comment portion of the hearing.

Cheryl Loskota, a resident of the Coyote Creek Subdivision, asked when the residential properties were established on the golf course? What will the City do to protect properties from golfers? What the distance from the school to the fence lines on the homes along Twombly road are and if it's possible to add a green belt between those properties and the school? What is the total height of the tallest home?

Jan Martin, a resident of the Coyote Creek Subdivision, asked if the Planning Commission has ever considered that piece of property for an extension to the school and what the commission has done to plan for more schools for the continued growth of the City?

Chair Simone, responded to Ms. Martins question, stating that the school board is separate from the Planning Commission and from his previous experience on the school board, this specific property would most likely not be the most viable option for more school growth.

Planning Director Hodges added that this is a private property that has been planned as a residential development, however if the school had any interest in the property they could have approached the property owner.

Jan Martin added that she is also concerned about the increase in traffic by the school with one of the entrances being behind the school.

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Mike Loskota, at 1837 Homestead Dr, stated that they did not receive a letter regarding this project, and only saw the public notice signs on the property. He expressed disappointment that his Spanish speaking neighbors did not receive a notice in Spanish. He stated that the Coyote Creek HOA has stated that the HOA would be responsible for the new addition. Mr. Loskota added that when they purchased their home a \$20,000 premium was paid for unobstructed view to the West of his home.

Planning Director Hodges stated that this property was already platted and planned for taller multi-family units when they purchased their home and the city cannot control the unfortunate premium that was charged by the builder.

Jan Martin, asked if there was any truth to a statement made by the builder for the previous Filing 3 which had incentive of paying an additional \$9,000 and the homeowner would not have an outside water bill.

Director Hodges explained that that specific concern is not in the purview of the planning commission and would not be part of this hearing.

Jan Martin asked if the builder for this filing would have any incentives similar to those mentioned?

With no further questions, Chair Simone closed the public comment portion of the hearing.

Applicant Ken Merritt answered some of the questions. He stated that the lots along the southern boundary of the school do back right up to the property line and are technically directly adjacent to the school property with no landscape buffer, there is a bit of an elevation difference along with a chain link fence on the school property. He stated that, as shown on the aerial view of the area, approximately 40% of the school property is still undeveloped. With regards to traffic concerns, a transportation impact analysis was conducted and it was determined that most of the traffic would come through 4th St. rather than the school road.

Mr. Merritt added that the Master Plan has been in place since 2002 and the property was originally planned to be 3-story multi-family units, however they felt as though single-family homes would be a more compatible use. Mr. Merritt stated that this property will use non-potable water for irrigation purposes.

Chair Simone opened up the hearing to Planning Commissioner's comments.

Chair Simone asked staff what the buffer is for mailing notifications to neighbors, if the school district was notified and if they responded?

Planner Lancto stated that the buffer is 500 feet and the school was notified but no response was received. Ms. Lancto pulled up the 500' buffer shown on the County's map and it was established that Mr. Loskota was not within the 500 feet which is why he did not receive a mailing.

Member Holton asked for clarification on the property lines of the homes next to school and if they would be directly adjacent to the chain link fence

Mr. Merritt stated that those rear lot lines of the development are concurrent with the norther boundary of property which is adjoined with the school lot line and there will be no buffer.

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Member Holton asked if there are plans on improvements to the existing chain link fence if no buffer will exist.

Mr. Merritt stated that the intent is to have an approximately 42" rail fence along the property and homeowners have the option to add individual side fences. There is no allowance in the current submittal for a 5' screening fence. The plan for the northern properties is to have a trail way into the school for residents to walk their children to school.

Member Holton asked if there is planned pedestrian access onto the school property?

Mr. Merritt stated that is the intent.

Planning Director Hodges asked that a condition of approval be added based on these comments that the developer follow up directly with the school administration to address any concerns with the fencing and the proposed pedestrian access.

Member Weber asked what the space between the homes on the West end of the property and the ditch will look like.

Mr. Merritt stated that directly behind those lots is an existing 20-foot utility easement, those bordering lots will be concurrent with the easement and will have a rail fence.

Member Weber asked if the HOA will maintain the open space within the development?

Mr. Merritt stated that it will be maintained by the HOA and not-potable water will be used to maintain this area.

Member White asked if there have been any direct conversations with the school district regarding a potential increase in students and if any plans are in place to improve the fencing between the properties.

Mr. Merritt stated that at this point there had not been any direct conversations, however as previously mentioned and as added to the conditions of approval, they will reach out to the school directly and address any concerns that may come up.

Director Hodges added that he has met and will continue to meet with the school district's administration to work together to address future city growth and the impacts to the schools.

Member Holton asked if these conversations are going through the School Board of with the superintendent?

Planner Lancto stated that referrals are sent directly to Superintendent Kaylor.

Member Kvasnicka stated that she would like to see a screening or separation between the school and the lots that abut the school property.

Chair Simone stated that he would like to see more 4-sided architecture on the buildings.

Lee Eisenheim, with Challenger Homes, stated that there are actually requirements within the city for separation on the rear walls and it is a standard for Challenger Homes to provide 4-sided architecture and all of the homes will have some sort of differentiation.

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Chair Simone asked if the builder will provide some sort of enhancement to the homes to protect from golfers.

Mr. Eisenheim stated that Challenger Homes aims to be transparent with buyers about the concerns on a golf course, due to liability issues they do not provide enhancement as part of the contract however they do provide buyers with contacts for options to add stronger windows, golf balls screens and other enhancements.

With no further comments, Member White moved to approve P2022-002 as amended with the added condition of approval. It was seconded by Member Weber. Motion passed unanimously.

Continuance of Sagebrush Apartments Site Plan

Planner Lancto stated that staff is requesting a continuance due to the Comprehensive Plan Amendment portion of this application not being properly noticed.

Member White motioned to continue this hearing to February 10, 2022. Kathy Kvasnicka seconded. Motion passed unanimously.

Withdrawal of SB Weakland Investments Amended Site Plan

The applicants for this project have chosen to withdraw this application.

DISCUSSION ITEMS

Review of Meeting Discussion

A review of meeting discussions took place.

Development Code Update

A discussion of the Development Code Update took place.

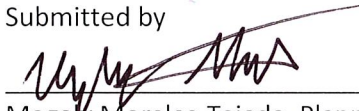
FUTURE BUSINESS

The next meeting of the Planning Commission will be on February 10, 2022 at 6:00 PM.

ADJOURNMENT

Chair Simone adjourned the meeting at 6:53 PM.

Submitted by



Magaly Morales-Tejada, Planning Technician

Approved by Planning Commission



Mike Simone, Chair