

**CITY OF BRIGHTON
PLANNING COMMISSION**

MINUTES

December 8, 2022

Approved as presented

I. CALL TO ORDER

Chairman Maslanik called the meeting to order at 6:09 p.m.

II. PLEDGE OF ALLEGIANCE

Chairmen Maslanik asked Commissioner LeDonne to lead the Pledge of Allegiance.

III. ROLL CALL

Roll call was taken with the following Commissioners in attendance: Chris Maslanik, Michael Pishaki, Valerie Wolf, and Kathryn LeDonne. Commissioner William Leck was excused. Alternate Jolene Cohen-McCoy was present and seated to vote.

STAFF PRESENT

Yasmina Shaush, Assistant City Attorney; Kate Lesser, Commission Secretary; Mike Tylka, Assistant Director of Community Development; Nick Di Mario, Senior Planner; Scott Olson, Assistant Director of Utilities; Rachel Mertens, Stormwater Inspector; Noe Martinez, Public Works Engineer Manager

IV. MINUTES OF PREVIOUS MEETINGS

Motion by Commissioner Pishaki to approve the November 17, 2022 minutes as presented

Second by Commissioner LeDonne

Commissioner Cohen-McCoy abstained from the vote.

Voting Aye: Commissioners Maslanik, Pishaki, Wolf, and LeDonne

Motion passes: 4-0

V. PUBLIC INVITED TO BE HEARD ON ITEMS NOT ON THE AGENDA

None presented.

VI. AGENDA ITEMS

1. DHI Telluride Subdivision Plan: Nick Di Mario Presenting
2. Planning Commission Bylaw Amendments: Mike Tylka Presenting

1. DHI Telluride Subdivision Plan

Chair opened the public hearing at 6:14 p.m.

Chair invited Staff to present, summarized:

Mr. Di Mario presented the item as outlined in the staff report and confirmed that legal publication and posting were completed for this hearing. Mr. Di Mario stood ready for questions.

Chair called for questions from the Commission of Staff, summarized:

Commissioner LeDonne cited section 3.2 of the Land Use and Development Code and asked how this plan would comply with the park and open space requirements? Will there be a management company, and how many units per acre could be built? Would Telluride and Southern be under construction at the same time?

Mr. Di Mario stated that, if this application is approved, the developers would be required to provide on-site recreational facilities such as a pool, volleyball court, etc. and a management company will be required to maintain the property. The Comprehensive Plan allows up to 25 units per acre. All public improvements will occur in the same phase of construction, but that doesn't necessarily mean that both roads will be under construction at the same time.

Commissioner Pishaki questioned how many total phases are in this plan?

Mr. Di Mario stated that there are two phases. The first phase for infrastructure must be completed before they start building vertically.

Commissioner Maslanik requested clarification on the Southern Street construction.

Mr. Di Mario confirmed that the only construction on Southern Street would be to trench for the crossing of the storm sewer line.

Commissioner LeDonne questioned how the drainage construction would work on Southern Street.

Mr. Olson stated that the developer must apply for a right-of-way permit which requires a traffic control plan. The Public Works department would oversee road closures and traffic flow while the construction is being completed.

Chair invited the Applicant to present, summarized:

Nick Graham, 54 W. Cedar Avenue, Denver, CO 80223. The Applicant team provided a brief presentation and stood ready for questions.

Chair called for questions from the Commission of the Applicant or Staff, summarized:

Commissioner Wolf questioned whether the Applicant has a plan for supplying water and landscaping in this community.

The Applicant stated that they are in the process of acquiring water shares and choosing landscaping options which thrive in Colorado with minimal irrigation.

Commissioner LeDonne asked what material the trail will be constructed with.

Mr. Di Mario stated that the trails are constructed out of concrete and they will be reviewed in the site plan process to ensure that all specifications comply with the City Code.

Commissioner Leck requested more details regarding RTD and connectivity.

Ms. Lane stated that RTD reviewed the plans and the developer is obligated to work with them in each phase of the Final Plat to determine bus lanes and stops.

Commissioner LeDonne inquired as to whether there would be a retaining wall along the ditch.

The Applicant stated that they are coordinating with the Brighton Lateral Ditch Company to provide a retaining wall on the West side of the property, which is outside of the easement.

Chair called for the public to ask any questions the Applicant or Staff, summarized:

Susan Van Hecke, 394 Mesa Street, Brighton, CO 80601, asked how much parking will be provided for each unit in the development. Also, why are the City's requirements for this development so outdated since the property was zone 40 years ago?

The Applicant stated that the Site Plan will outline parking in more detail but the City's requirements for the minimum number of spots per unit will be met, and additional parking will be included in the development for guests to use.

Ms. Shaush stated her specific parking questions are outside the scope this application under review. The Development must adhere to the City's current code requirements.

Adam Matthews, 251 Terra Vista Street, Brighton, CO 80601, inquired about the zoning and maintenance of the pond, and whether it would . Also, how will the traffic on Telluride be alleviated with more cars without adding another lane, and why are cars parked on Telluride when there is no construction happening?

Mr. Di Mario stated that Pond 3 is currently zoned as open space. The City currently owns and maintains the property, and will continue to do so once it is a pond. The acreage of the pond property is not included in the 11-acre planned development. A center turn lane will be created at Telluride and Bridge street. Finishing the street with curbing will help keep cars from parking. Parking needs for this development will be met on-site.

Mr. Martinez stated that there is no stacking spacing for vehicles currently. The center turn lane will provide more space and bike lanes will encourage multi-modal transportation. The timing of the traffic signals is also being studied to help vehicles move more efficiently.

Chris Fushimi, 392 Las Lomas Street, Brighton, CO 80601, questioned whether the expansion at Telluride will be sufficient when there is new commercial development in the area. Also, could the existing Charter School expand to include more parking?

Mr. Di Mario stated that any new commercial development must provide their own traffic impact analysis. If the school expands, it must still be compliance with City requirements, so they would likely need to provide more parking according to the current standards.

The Applicant stated that the current school construction and lack of finished curbing on the existing road is also adding to the traffic congestion issues.

Don Tomlinson, 365 Octillo Street, Brighton, CO 80601, inquired as to how many electric outlets will be included in each unit, electric vehicle charging stations, and whether the Fire and Police Departments have reviewed the plans.

Mr. Di Mario stated that a traffic signal is not required at Telluride and Southern Streets. Police and Fire services review the plans and also receive revenue from the impact fees to support the growing demand for emergency services.

Joan Kniss, 361 Terra Vista Street, Brighton, CO 8060, questioned whether a right turn lane onto Bridge Street could be included to prevent more vehicle stacking, and if a cross-walk signal has been considered.

Mr. Di Mario stated that parking in the lanes is not permitted, and road striping and signage will help prevent this. Raised and lit crosswalks are being considered and details will be included in the civil documents.

Gary McCaskill, 165 Octillo Street, Brighton, CO 80601, stated that he believes too many people are being packed into this area.

Jennifer Lendaros, 172 Las Lomas Street, Brighton, CO 80601, asked what are the total numbers for visitor parking?

The Applicant stated that a parking count has not been determined at this stage but the City's requirements will be met with the Site Plan. The zoning on this property allows for 25 units per acre, but this development will likely be closer to 12.5 units per acre.

Mr. Tylka stated that the Planning Commission recently approved a recommendation to City Council to increase the parking requirements per unit.

Kirk Patterson, 261 Terra Vista Street, Brighton, CO 80601, asked what will require residents to park in their garages, and how big will the garages be?

Mr. Di Mario stated that these questions are outside the scope of the application being reviewed.

Chair called for any further questions from the Commission or the public.

None presented.

Chair called for any member of the public to speak on behalf of this item being presented.

No Proponents were present.

Chair called for any member of the public to speak in opposition of this item being presented.

Four opponents were present:

Margaret Wallace, 321 Terra Vista Street, Brighton, CO 80601

Susan Van Hecke, 394 Mesa Street, Brighton, CO 80601

Adam Matthews, 251 Terra Vista Street, Brighton, CO 80601

Kirk Patterson, 261 Terra Vista Street, Brighton, CO 80601

Chair closed the public hearing at 7:53 p.m.

The Commission Secretary read the resolution into the record.

Chair called for discussion among Commissioners, summarized:

Commissioner LeDonne empathized with the frustrations of the public and encouraged members of the public to bring their concerns to City Council.

Commissioner Wolf understands the public's concerns but must uphold the duties of the Commission.

Commissioner Pishaki stated that they are voting on this Subdivision Plan according to its fulfillment of the Land Use and Development Code requirements set forth by the City.

Commissioner Cohen-McCoy agreed with the previous comments.

Commissioner Maslanik stated that the Commission must keep within the parameters of the Code. The City has added Code Enforcement staff and members of the public can report violations to help resolve issues.

Motion by Commissioner Wolf to approve the resolution as presented.

Second by Commissioner Pishaki

Voting Aye: All present

Motion passes: 5-0

Chairman provided a 5-minute recess.

2. Planning Commission Bylaw Amendments

Chair opened the public hearing at 8:21 p.m.

Chair invited Staff to present, summarized:

Mr. Tylka presented the item as outlined in the staff report and stood ready for questions.

Chair called for questions from the Commission of Staff, summarized:

None presented.

The Commission Secretary read the resolution into the record.

Motion by Commissioner Pishaki to approve the amendments as presented.

Second by Commissioner LeDonne

Voting Aye: All present

Motion passes: 5-0

VII. OLD BUSINESS

None presented.

VIII. NEW BUSINESS

1. Application and Process Refresher

Chairman Maslanik opened the floor for informal questions and conversation between the Commission and Staff.

Mr. Tylka provided a brief overview of the development review process.

IX. REPORTS

Mr. Tylka provided an update of current developments and the tentative joint Study Session with City Council.

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X. ADJOURNMENT

Motion to adjourn at 8:42 p.m.

Motion by Commissioner Wolf

Second by Commissioner LeDonne

Voting Aye: All Present

Motion passes: 5-0

Recorded by Kate Lesser