

Planning Commission Minutes November 12, 2020.

1. Call to Order- The Planning Commission convened a regular meeting on November 12, 2020. Chairman Dowker called the meeting to order at 6:02 p.m.

2. Roll Call- Members present: Jan Dowker Chairman, Jeff Butler Vice Chair, Sean Murphy, Patrick Dillon, and Matt Rood
Members absent: Danielle Trotta.
Staff present: Curt Freese and Adam Olinger.

3. Consent Agenda- Minutes from the October 22nd Planning Commission Meeting. Motion to approve the October 22nd meeting minutes was made by Commissioner Butler. Seconded by Commissioner Murphy. **Commissioners Dowker, Butler, Dillon, Murphy, and Rood voted yes. With all in favor, THE MOTION CARRIED.**

Commissioner Dowker left the Zoom meeting after Item 3 in order to avoid a conflict of interest, leaving just Commissioners Butler, Murphy, Dillon, and Rood.

4. Public Hearing: Trails at Creekside Annexation, Neighborhood Master Plan, Rezoning- TB Group, Agent

Planner Freese introduced the project as two annexations, a Neighborhood Master Plan, and various rezonings. The project is asking for two annexations, with one being located at the northwest corner of the property at what is currently 720 S. Berthoud Pkwy and sized at 4.47 acres, and the other being located at the southeast corner of the property at what is currently 616 W County Road 4E and sized at 35.82 acres.

Planner Freese then introduced the Neighborhood Master Plan, which proposed 480 dwelling units on 141.3 acres, a density of roughly 4 dwelling units per acre. The plan called for four different housing types throughout the development: single family attached, rear loaded small cottages, townhouses, and paired homes/duplexes.

Finally, Planner Freese introduced the rezoning of the annexed land and the existing Overlook at Dry Creek PUD to straight zoning, specifically 74.53 acres of R-1 (Single Family) and 45.87 acres of R-2 (Limited Multi-Family).

Planner Freese also explained that due to the large amount of traffic intended to be created by this project, the applicant would be responsible for installing a signalized intersection at County Road 4E and Highway 287 once a home construction trigger was met, per the provided traffic study.

Jim Birdsall and Kristin Turner spoke on behalf of the applicant and explained that they addressed many of the comments at last year's rejected proposal on this land by lowering the overall density of the project, relocating the limited multi-family homes, and by creating more and larger park space.

Public comment was opened at 6:51 p.m.

Residents that spoke at the meeting were Randy Nice (903 Canyonlands), Deb Wilson (1220 S County Road 17), Leslie Tassie (945 N 4th St), Keith and Joann Seisman (569 Capital Reef Ct), Nikaloj Kavallar (604

Kansas Ave), David Sampson (911 Kansas Ave), Sean Cartwright (529 Kansas Ave), Susan Cook (910 Canyonlands), Andy Hrycyk (624 Kansas Ave), and Todd Duval (317 Canyonlands). The main points brought up during the public comment period were a desire to limit growth, concerns with the project's location in relation to Hillsdale Nature Preserve, and a distrust of the developer due to delays in the completion of Heritage Ridge.

Public comment was closed at 7:27 p.m.

Commissioner Murphy voiced his displeasure with some of the project's home locations, as he believed them to be located too close to Hillsdale Park and that they would dominate the southern view from the park.

Commissioner Dillon asked if the project was going to have an HOA and/or a Metro District. Jim Righeimer, the project applicant, stated that they planned to have an HOA.

Commissioner Butler asked for the reasoning of the annexations. Mr. Birdsall stated that part of Annexation #2 would be developed as a part of the subdivision, and that the owners of the rest of Annexation #2 and the owners for Annexation #1 asked to be annexed into the Town along with their former farm, which is the main property in this proposal.

MOTION made by Commissioner Dillon to recommend approval for the PK #1 Annexation, finding that it met the following requirements:

- The proposed annexation must satisfy 1/6 contiguity to existing municipal limits;
- There is a community of interest between the property and the Town of Berthoud; and
- The property is expected to be urbanized in the future.

Seconded by Commissioner Murphy

With all in favor THE MOTION CARRIED

MOTION made by Commissioner Dillon to recommend approval for the PK #2 Annexation, finding that it met the following requirements:

- The proposed annexation must satisfy 1/6 contiguity to existing municipal limits;
- There is a community of interest between the property and the Town of Berthoud; and
- The property is expected to be urbanized in the future.

Seconded by Commissioner Murphy

With all in favor THE MOTION CARRIED

Commissioner Murphy then brought up that he wasn't able to vote to approve the project as is, as did not agree with the close location of the lots to Hillsdale Park. After discussion amongst the Commissioners and a blessing from Mr. Righeimer, Commissioner Murphy added an additional condition for approval.

MOTION made by Commissioner Murphy to recommend approval for Trails at Creekview Neighborhood Master Plan with the following conditions:

- **That the Applicant make every effort to obtain a trail easement for a connection to Hillsdale Park**
- **Consider adding open space or transferring park area to the North, to take advantage of its excellent view corridors and topography and provide buffering to Hillsdale Park**
- **Any improvements to the intersection of Highway 287 and County Road 4E, including a potential signalized intersection, will be the responsibility of the Developer, and must be coordinated with all relevant agencies.**
- **An Eastern road connection is provided**
- **The applicant make every effort to reallocate park or open space from the interior park spaces to the northern edge of the property to act as an extended buffer to Hillsdale Park.**

Seconded by Commissioner Rood

With all in favor THE MOTION CARRIED

MOTION made by Commissioner Dillon to recommend approval for the rezoning of the existing Overlook at Dry Creek PUD to R-1 and R-2, finding that it met the following requirements:

- **The request does satisfy the applicable zoning amendment criteria of Section 30-3-110 B of the Town's Development Code as found on pages 6-7 of this Staff Report, and**
- **Is consistent with the Town of Berthoud's Comprehensive Plan and Preferred land Use Map, and**
- **Is consistent with the Neighborhood Master Plan.**

Seconded by Commissioner Rood

With all in favor THE MOTION CARRIED

4. Reports -

Commissioners Murphy and Dillon gave an update on the ongoing Comprehensive Plan update and spoke of the upcoming Visual Preference Survey, which is expected to go out to the public in the coming days.

Planner Freese announced that Abigail Smith was selected by the Interview Team to fill the vacant seat on the Planning Commission.

8. Adjourn -

Motion to adjourn made by Commissioner Dillon

The meeting was adjourned at 9:11 p.m.