

Planning Commission Minutes October 22, 2020.

1. Call to Order- The Planning Commission convened a regular meeting on August 27, 2020. Chairman Dowker called the meeting to order at 6:00 p.m.

2. Roll Call- Members present: Jan Dowker Chairman, Jeff Butler Vice Chair, Sean Murphy, and Danielle Trotta. Patrick Dillon arrived at 6:01 p.m.
Members absent: Matt Rood.
Staff present: Curt Freese and Adam Olinger.

3. Consent Agenda- Minutes from the August 13th, 2020 and August 27th, 2020 Planning Commission Meeting. Because there would not be a quorum to approve the August 13th minutes, Commissioner Dowker suggested only voting on the August 27th minutes. Motion to approve the August 27th meeting minutes was made by Commissioner Butler. Seconded by Commissioner Murphy. **Commissioners Dowker, Butler, Dillon, and Murphy voted yes. Commissioner Trotta abstained. With all in favor, THE MOTION CARRIED.**

4. Public Hearing: Heron Lakes Commons Neighborhood Master Plan, Jon Hauser agent-

Planner Freese introduced the project as a commercial development with seven various sized commercial lots.

Stephanie Hansen spoke on behalf of the applicant and explained that all seven uses are use-by-right in the C-2 zoning district. Ms. Hansen also spoke about the need for commercial space in Berthoud, and assured commissioners that the project would have high architectural standards inspired by the neighboring Heron Lakes subdivision.

Public comment was opened at 6:50 p.m.

Melissa Dorty of 2538 Heron Lakes Pkwy, Paul Hubbell of 2774 Southwind Rd all voiced their oppositions to the project because they feel that there are better areas suited for drive-throughs and gas stations away from Heron Lakes.

Carrol Dannettell of 2310 Sugarloaf Rd voiced her opposition to the project because she wants to keep Berthoud's open space and that developments should be at a lower density.

Leah Ludwick of 2714 Southwind Rd feels that there should be more of an open space buffer between the project and the neighboring townhomes and Grand Market Ave.

John Flynn of 3121 Heron Lakes Pkwy, Ron Scheffs of 2902 Heron Lakes Blvd, and Joe Nesvara of 1539 Biffle Ct voiced their oppositions because they are concerned with the potential traffic increase due to the proposed drive-throughs and gas stations.

Jennifer Merritt of 3225 Danzante Bay Ct was opposed to the tenants rumored to locate in the proposed development.

Marguerite Stastny of 2794 Southwind Rd voiced her opposition due to safety concerns, low quality materials, and a desire for small businesses instead of large chains.

Todd Duval of 317 Canyonlands voiced his opposition to the development based on traffic concerns the project would create and his desire for no “cookie-cutter” developments in Berthoud.

Aimee Welch of 3287 Heron Lakes Pkwy voiced her opposition to the project due to the concerns with traffic at the roundabout, her desire to maintain a high-quality lifestyle in and near Heron Lakes, and her desire to keep open space and the rural environment.

Juliette Fardulis of 2773 Bluewater Rd voiced her opposition due to the lackluster architectural quality and the traffic concerns created by the drive-throughs.

Lee Merritt of 3225 Danzante Bay Ct disagreed with the end use of the site being drive-throughs and noted that some businesses bring in more traffic than others.

Howard Nicoll Of 2336 Stonebrae Ct, who also wrote a letter to the Commissioners, is concerned with the congestion of traffic along the roundabout at Grand Market and Berthoud Pkwy and would also like to see a representative from the community or metro district be apart of the architectural design process. Mr. Nicoll also stated that he does not want Berthoud turning into another Longmont or Loveland and enjoys the small businesses already here.

David Johnson of 2645 Prairie Flax St voiced his opposition to the development due to the fact that he feels that Heron Lakes is a destination, is unfit for cheap drive-throughs, and would like stricter architecture standards than what is currently proposed.

Tara Gitt of 2387 Harding Park Ct voiced her opposition to the project because she does not feel fast food or gas stations belong right outside a TPC golf course. Ms. Gitt also asked the developer to think about what kind of businesses existing residents would shop at instead of where people only passing through Berthoud would shop.

Jim Birdsall, part owner of the Heron Lakes community and TPC Colorado, voiced his opposition to the project and voiced concerns about the lack of a trail along Berthoud Pkwy and a lack of adequate landscaping to the east and west. Mr. Birdsall also wanted to ensure that the project would pay for any necessary improvements should it be approved and wanted staff to make sure the project’s traffic study was in line with the projected traffic counts submitted for the original Heron Lakes traffic study.

Brett Ludwick of 2714 Southwind Rd wanted to ensure that the traffic generated by the project would not overwhelm the nearby streets and wanted to ensure the architecture is on par with Heron Lakes.

Public comment was closed at 7:35 p.m.

Commissioner Murphy gave the applicant a chance to respond the public comment. Ms. Hansen acknowledged that this project is in the early big picture stages still, and so the detailed comments will be answered later in the process. Jon Hauser wanted to emphasize that while the users may come and go, the design and layout of the project will be forever, and that is what the commissioners are voting on tonight.

Commissioner Dillon asked what the plans were for the “Future Development” sections, and Mr. Hauser stated that it will be owned by another developer so he won’t have any control over it but assured the commissioners that it will stay commercial.

Commissioner Murphy stated his concerns with the large parking lots and the lack of a trail along the east side of the project.

Commissioner Murphy then asked the other commissioners about their thoughts on adding a condition for a trail along the east side of the development. After some discussion between the applicant and the commissioners, they came to an agreement with the trail being located somewhere on the east side, and not necessarily up against Hwy 287.

MOTION made by Commissioner Murphy to recommend approval for the Neighborhood Master Plan for Heron Lakes Commons with the following conditions:

- Any future site plans with drive-throughs shall be sited to reduce their impacts from the road with required berms and landscaping
- A trail connection to the Heron Lakes Townhomes (HL 7th Filing), must be explored with a preliminary plat submittal.
- Future architecture is complimentary to the surrounding uses and will utilize high quality materials and finishes.
- Ask applicant to explore a pedestrian connection from the north to the south end at the east side of the property.

Seconded by Commissioner Trotta

With all in favor THE MOTION CARRIED

5. Public Hearing: Strom Side-Setback Variance Request, Doug and Theresa Strom agents-

Planner Olinger introduced the project and explained that the Stroms were trying to build an addition above their existing house, but the house was built into the five foot side setback on the south side of the property. Planner Olinger explained that the house was constructed well before the setbacks were created, and that any additions to the house would be expanding a non-conforming use unless a variance was passed. Planner Olinger also explained that the lot to the south is an ownerless utility easement, so its very unlikely that anything is to ever be constructed there.

Public comment was opened and closed at 8:35 p.m.

None of the Commissioners had any questions or comments, and all felt that it was a straightforward case.

MOTION made by Commissioner Butler to approve a five foot side setback Variance on the south side of the Strom property, located at 536 S 9th St.

Seconded by Commissioner Dillon

With all in favor, THE MOTION CARRIED

6. Public Hearing: Final Plat for the Prairiestar 5th Filing, 3rd Addition-

Planner Olinger introduced the project as a final plat request for 53 residential lots on 5.33 acres and explained that final plat is identical to the preliminary plat approved by the Planning Commission and Board earlier this summer.

Public comment was opened and closed at 8:48 p.m.

None of the Commissioners had any questions or comments, as they were all familiar with it from the preliminary plat phase.

MOTION made by Commissioner Butler to approve the Prairiestar 5th Filing 3rd Addition Final Plat with the following condition:

- **Structures built on lots 1 and 8 in block 37 must place their driveways at the furthest point from the roadway as possible to meet LCUASS driveway standards**

Seconded by Commissioner Murphy

With all in favor, THE MOTION CARRIED

7. Reports -

Staff updated the commissioners with the status of the Comprehensive Plan update, stating that the second online open house would be happening sometime in the next couple of months

Planner Freese also updated the commissioners on the status of the vacant seat, explaining that the interviews would be done in the next month and that there will hopefully be a new commissioner come November.

8. Adjourn -

Motion to adjourn made by Commissioner Butler

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