

1. **Call to Order** – The Planning Commission convened a regular meeting on June 13, 2019. Chairman Banzhaf called the meeting to order at 7:00 p.m.
2. **Roll Call** – Members Present: Scott Banzhaf, Chairman, Kelsey Byron, Jan Dowker, Patrick Dillon, Sean Murphy, and Dick Shepard. Jeff Butler arrived at 7:03.
Staff Present: Curt Freese, Patti Swiger, and Barb Noeller.
3. **Consent Agenda** – Minutes from meeting of April 25, 2019. Motion to approve by Commissioner Shepard. Seconded by Commissioner Dowker. With all in favor, THE MOTION CARRIED.
4. **Heron Lakes 10th Filing / Heron Lakes 11th Filing Final Plats-**
Mr. Freese presented the agenda item, which was a request for a Final Plat for Heron Lakes 10th Filing to consist of 29 patio homes, and a Final Plat for Heron Lakes 11th Filing to consist of 28 attached/townhouses and 31 single family homes. The properties were located west and northwest of Highway 287 and south of County Road 14.

Kristin Turner, TB Group, made a correction to state that during the Final Plat stage for the Heron Lakes 11th Filing the townhomes were switch to patio homes. She also stated that a trail will be put in place that would run along County Road 14 with a stub for future connection to the Front Range community trail that ran to Loveland and Ft. Collins.

Commissioner Byron asked about public comments received regarding sidewalks and drainage.

Ms. Turner addressed those comments by explaining that there were no improvements being triggered along County Road 14 regarding a sidewalk. When improvements were triggered then a sidewalk would be installed. She remarked that a trail would go in along the southside of Heron Lakes Parkway. She also mentioned that there were no current requirements to expand the road width. When future development occurred in the community the road would be widened. She noted that the two properties in question did not drain to the areas mentioned in the public comment letter. They drained to the west and to Lonetree Reservoir; therefore, there would be no impact the area of concern mentioned in the letter.

Commissioner Butler asked if there was knowledge of what the triggers would be regarding widening the road, sidewalks, etc.

Ms. Turner replied that there was a traffic study, which defined what the triggers would be and what improvements would be required. She explained that the study took into account the entire Heron Lakes property including the old Bader property piece, and it did include the major and minor roads.

Commissioner Dowker asked if the triggers were included in the Development Agreement.

Mr. Freese replied yes, they would be included in a Development Agreement for each phase/filing.

MOTION by Commissioner Shepard to approve approval of the Heron Lakes 10th Filing Final Plat and the Heron Lakes 11th Filing Final Plat as both satisfy the conditions of Section 30-6-106 of the Town of Berthoud Development Code.

Seconded by Commissioner Murphy.

With all in favor, THE MOTION CARRIED.

5. Berthoud 160 Rezone-

Mr. Freese presented the agenda item, which was a request to rezone a 120.4-acre property from PUD-Planned Unit Development to R1-Single Family District and R2-Limited Multi-Family District. The property was located east of Berthoud Parkway, south of Rose Farm Acres & Hillsdale, and north of County Road 4E. The property was previously approved as the Overlook at Dry Creek PUD. Mr. Freese explained that the proposal was originally scheduled for the May 9, 2019 Planning Commission; however, Staff asked the applicant to withdraw so more information could be obtained. He noted that the Town was trying to develop a new neighborhood master plan process. The Applicants had made some updates and were now offering four different housing types with the development. Townhomes, paired homes, and small single family homes were being proposed for the R2 District in the southwest corner of the property. He stated that there were concerns regarding the location of those proposed uses as there were lower densities surrounding that area. He noted that a preliminary traffic study was completed; however, there were many questions and unknowns. A final study would need to be completed later in the process. In addition, a preliminary utility plan was completed showing the water and sewer line connections and capacities. Regarding open space, the applicant was providing approximately 20% of park and open space (11.3 acres of parks, 17 acres of open space). A trail would also be provided along Berthoud Parkway and trail connections were proposed to Hillsdale Subdivision. Mr. Freese stated that staff was recommending approval of the proposed rezoning with several optional conditions for the plat as it moved forward in the future. He did mention his concerns regarding maintenance and drainage of the proposed green alleys within the proposed.

Kristen Turner, TB Group, noted that the new neighborhood master plan process had not yet been adopted; therefore, they were making their best effort to include and anticipate those code changes. She noted all the approved development in the area and described the proposed plan. She mentioned the centrally located park, which would be large enough for a ballfield/soccer field. There were also multiple pocket parks and trails that would go through the neighborhood. There was also hope for a trail connection to Hillsdale and Heritage Ridge. She stated that along Berthoud Parkway and County Road 4E R2 zoning uses were proposed. Those proposed uses were small single family detached homes, attached townhomes, and paired homes. There would also be some pocket parks in those areas too. She pointed out that good planning practices were to have high densities along main arterial roads like Berthoud Parkway. She remarked that 29% of the project was open space (parks, open space, detention). She noted the regional trail along Berthoud Parkway and stated that wood fencing was being recommended for the development.

Regarding the Staff recommendation regarding a trail easement connection to Hillsdale Park, she stated that they were already in the process of trying to obtain a trail easement and connection to the north; however, they did not own the property to the north of the site. She also mentioned the proposed condition of approval #8, which spoke to a building in the way of Access #5 and the overall access points for the proposal. She confirmed that there were no buildings blocking the access. She also explained that during the platting process the access points would be examined further.

Bill Johnson, 985 S Berthoud Parkway, remarked that the Johnson Farm was still being farmed and would remain agricultural. He was concerned about increased traffic on S. Berthoud Parkway. He mentioned that a lot of traffic went south to County Road 4E or to County Road 2 to get onto Highway 287. He wondered how it would affect his right to farm and the water in and that came down the lateral. He questioned what the intent was for Berthoud Parkway? Was it rooftops or open space? He stated it would be a challenge to keep his farm with this amount of development.

David Sampson, 911 Kansas Ave, had a concern with the proximity to the southern portion of Hillsdale Park. He felt it was essential to protect the aspects of that park, and the Town/applicant should work to provide a substantial buffer. He felt that what was being shown did not seem adequate.

Chris Fischer, 807 County Road 4E, stated that the extra traffic would be a problem. He had concern with the density of the R2 zoning and its proximity to rural properties.

Jerry Wilson, 1220 S County Road 17, was concerned about the traffic. He stated that many people sped along County Road 17, and the intersection of CR17 and CR4E was a hazard.

Jim Righheimer, Arbor Capitol, was the developer of the proposal and also one of the developers of Heritage Ridge. He noted that greenbelts were very important and important to people in the neighborhoods. He stated that the R2 area could be shifted and changed; however, the Town was looking for more diversity and affordability in housing product. Therefore, it needed to be put in an area that was more affordable and feasible. He stated that they would work to buffer the Hillsdale Park area.

Carolyn Hobson, 817 Greenwood Dr., was concerned with the density and how it would affect the local schools as the schools were already over-crowded.

Commissioner Byron asked if the north end of the property was in a flood plain or if had ever been.

Ms. Turner replied that the flood plain was farther north and did not come into the property boundary.

Commissioner Byron asked about the detention/pocket park proposed on the north portion of the site.

Ms. Turner stated that detention still needed to be determined. Once it was determined then it could be decided if it could be just detention or both.

Commissioner Byron asked if a bridge would go over Dry Creek to allow connectivity.

Mr. Freese stated that the applicant did not own Dry Creek. He explained that the bridge would have to be too substantial, and it was not feasible.

Ms. Turner said that it was already determined that there would not be a connection to Rose Farm.

Commissioner Byron asked about development triggers regarding utilities, parks and specifically traffic.

Mr. Freese explained the process of how those triggers came to light due to studies, etc.

Commissioner Dowker asked how the Town was addressing traffic and safety concerns and what measures would be put in place to account for increased traffic. There would also be walking and biking traffic and there were currently no sidewalks as County Road 4E was a dirt road.

Mr. Freese stated that the Commission would have the power to see the traffic study results before the development would move forward for approvals in the future.

Commissioner Byron wondered how County Road 4E could be seen as a potential traffic flow alternative to Spartan Ave. if the railroad crossing on County Road 4E would possibly be given up.

Ruth Rollins, traffic consultant for the Berthoud 160 development, stated that the traffic study was very preliminary and did not have any final studies within it. It provided a framework to what was existing. The next step was to look at all questions and to look at future needs. During the Preliminary Plat stage, more details would be examined such as turn lanes, traffic control, CDOT's needs and requirements, etc. She noted that through Larimer County she found only one accident reported at the intersection of County Road 4E and Berthoud Parkway but it would be re-examined.

Commissioner Banzhaf asked how much traffic went east to County Line Road or to I-25.

Ms. Rollins explained the distribution results of the study compared results from 2012 to 2040 data and also took into account existing traffic patterns and counts. She stated that about 70% was north/south traffic with some going to the east.

Commissioner Dowker stated that there were only four houses on Berthoud Parkway from County Road 4E to Spartan Ave. She wondered if that was that taken into consideration for the 2024 projections? She asked if the projection predicted when Berthoud Parkway could be built out to a four lane road?

Ms. Rollins stated it had not been determined yet. More information would be determined during the Preliminary Plat stage.

Commissioner Dowker pointed out the need for some traffic information for the rezoning application as they were trying to determine if R2 zoning was appropriate for the area.

Ms. Rollins remarked that when the preliminary studies were completed it would be further examined if R2 zoning was too much density for the area and, if needed, whether it should be relocated.

Mr. Freese remarked that the PUD use had already been approved, and the applicant could proceed with the PUD if the rezoning was denied.

Commissioner Dillon asked if the R2 product proposed was dispersed further to the east if that would affect the traffic impact and counts.

Ms. Rollins replied that it would not really impact the results as a vehicle trip was a vehicle trip whether it came from a single family home, townhome, etc. It was all residential being proposed. She stated that if there was commercial proposed or if the development was constricted to one access point then it would have a different impact.

Commissioner Butler felt that the R2 product should be dispersed further throughout the property and not just concentrated in the southwest corner.

Mr. Freese mentioned that the grade in the area of the R2 product was probably more sufficient for those product types.

Commissioner Murphy agreed with past commissioner comments regarding the rezoning. He agreed that condition of approval #4 should be examined further by the applicant regarding feathering of the R2 uses. He also agreed with condition of approval #5 that additional park space should be transferred to the north area of the site.

Commissioner Shepard noted that it was only a rezoning application before them. He too had traffic concerns regarding County Road 4E, Berthoud Parkway and Highway 287. He understood the concerns of the increase to the school population; however, the Town did not review those concerns. That was up to the school district.

MOTION by Commissioner Shepard to approve the Berthoud 160 zoning map amendment with the following zoning changes: 74.53 acres to R-1 (Single Family) and 45.87 acres to R-2 (Limited Multi-family), finding that the proposed rezoning:

- 1. Satisfies the applicable zoning amendment criteria of Section 30-3-110.B of the Town's Development Code; and**
- 2. Is consistent with the Town of Berthoud's Comprehensive Plan and Preferred Land Use Map.**

And also making the following recommendations to the proposed Concept plan as it goes to platting:

- 3. That the Applicant make every effort to obtain a trail easement for a connection to Hillsdale Park.**
- 4. Staff strongly recommends that the R-2 uses (townhouses, cottages, paired homes, rear loaded houses) be layered throughout the development, and not solely located in the Southwest corner of Berthoud Parkway and 4E as proposed on the Concept Plan. However, there is more than enough area within the proposed R-2 district to accomplish this.**
- 5. Strongly consider adding open space or transferring park area to the North, to take advantage of its excellent view corridors and topography.**

6. Strongly recommend that all lots fronting the central park are rear loaded to provide for a much more functional and pleasing amenity. In addition, the change of design would also provide another lot type to satisfy the lot diversity standards which are required.
7. Strongly recommend the removal of the single family lots with rear yards that back into the central park area that is to be enjoyed by all residents.
8. Berthoud Parkway Site Accesses
 - a. The Site Plan in Figure 2 shows a building in the way of Access #5; reconcile whether there should be an access here or not
 - b. Town standards call for a minimum access spacing along Berthoud Parkway of 330'; confirm if this can be met with three site accesses, and whether three access points are warranted.
9. US 287 & LCR 4E
 - a. The Town is concerned about safety at this intersection, particularly with respect to WB left turns being able to see SB thru traffic
 - i. Research recent crash history at this intersection to see if there is an existing crash pattern
 - ii. Evaluate the sight distance for this movement
 - b. CDOT must be included in the review stage of the final traffic study

Seconded by Commissioner Murphy.

With all in favor, THE MOTION CARRIED.

6. Reports

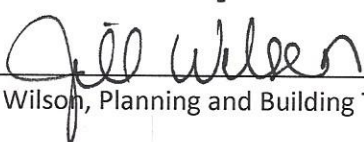
Mr. Freese stated that Larimer County would be presenting at the June 27, 2019 meeting. He stated that a workshop regarding the proposed amendments to the development code would be held in July.

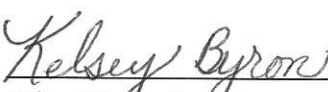
Commissioner Banzhaf stated that commissioner expectations was on the May agenda; however, the meeting was cancelled. Mr. Freese stated that those could be incorporated into the worksession in July.

Commissioner Butler noted that the Chamber and Town would have a joint booth at the TPC tournament and events in July. Commissioners suggested a shuttle trips from Berthoud to TPC area.

Commissioner Dowker invited everyone for the Habitat Colorado luncheon and tours on June 27, 2019.

Meeting adjourned at 9:30 p.m.


Jill Wilson, Planning and Building Technician


Kelsey Byron, Secretary