

**RECORD OF PROCEEDINGS  
FORT LUPTON PLANNING COMMISSION  
March 8, 2016**

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, on Tuesday, March 8, 2016. Chairperson Mike Simone called the meeting to order at 6:00 p.m.

**ROLL CALL**

Planning Technician Mari Peña called the roll. Those present were Chairperson Mike Simone, Commission members Barbara Duncan, Bush White, Dan Parrish, Lynne Derby and Tim Hoskens. Also present were Planning Director Todd Hodges, Planner Alyssa Knutson, Planning Technician Mari Peña, Planning Technician Jennifer Cupp and City Attorney Andy Ausmus.

**APPROVAL OF AGENDA**

It was moved by Tim Hoskens and seconded by Bush White to approve the agenda as submitted.

Motion carried unanimously by a voice vote.

**CONSENT AGENDA**

It was moved by Barbara Duncan and seconded by Bush White to approve the Consent Agenda as submitted. The following item was part of the Consent Agenda:

Approval of the Minutes of the January 19, 2016 meeting.

Motion carried unanimously by a voice vote.

**DISCUSSION ITEMS**

Due to the amount of public in the audience, the Planning Chair explained the process of the public hearing.

**P2016-002 Fulton Village Annexation and Initial Zoning  
P2016-003 Fulton Village Sketch PUD Plan**

The Planning Chair asked the Planning Director Todd Hodges, to explain the subdivision process along with the description for the project.

The Planning Director, Todd Hodges, stated the project is for an annexation and initial zoning as well as a sketch plan with the adjacent property already in the City. The subdivision process is a three step process. The sketch plan being presented is not a vesting project but rather a direction. It is not a public hearing it's a public meeting because the applicants are receiving direction. The Planning Commission will be reviewing the annexation and initial

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zoning and provide a recommendation of the sketch plan to City Council with comments. If successful, there will be another public hearing for a preliminary and final PUD plan. The process would then start again. If the multifamily portion of this project is successful then it must go through the site plan review process that will be reviewed before the Planning Commission and City Council. The main item for this project is annexation and zoning. This is an infill project where services surrounding the property are available and would raise property values. The property is owned by Fulton Village LLC, with the Weld County zoning as R-2. The Lambert property is currently in the City limits; however, a small strip of land on this property along S. McKinley Avenue was not originally annexed in. The current zoning of the Lambert property is R-1A. If this project proceeds, the next step would be the preliminary plat followed by the final plat for a PUD. All referral comments have been reviewed with comments in the resolution. After staff reviewed the project, a meeting was held with Aaron Thompson, the representative for Fulton Village to discuss and review several items. The concept that will be presented tonight is an updated concept based on staff's direction. The updated concept that was presented is attached to these minutes. The sketch plan is not a vesting concept but it is appropriate to comment on the project. The annexation is a clear boundary of the proposal with the unplatted portion that is already part of the City. Peaceful Acres is located on the east and is zoned R2, with Lone Pine Estates as single family to the west. The general layout fits within the purview of the area. Residential is needed in the city, with diversity near the school. A park and trail area are being proposed as part of the Plan. The applicants are present and have provided a presentation.

Aaron Thompson with Aperio Property Consultants LLC, representative for Fulton Village LLC, presented a PowerPoint on the project. Mr. Thompson stated that Fulton Village is a 14 acre site that includes a piece of property that was not annexed by the City during the first annexation of the Lambert property. Of the 14 acres, about 3 acres will be dedicated right of way. The proposed project is residential with single family and multi-family dwellings as well as a proposed park that includes a regional trail that is keeping with the City's parks and trails master plan. Mr. Thompson continued that the project site is bordered by S. Fulton Avenue on the west; Kahil Street on the north; Lone Pine Street on the south; and S. McKinley Avenue on the east. Lone Pine Estates Subdivision is across the street to the west; Country Day Estates Subdivision to the south; Peaceful Acres Subdivision to the east; and the school to the north. He also noted that Lone Pine Street and S. McKinley Avenue are mainly in the county. He indicated the revised lay out of the plan is still in the concept stage. The concept being developed includes many different product types; multi-family, single family, as well as a park. On 12 acres it is difficult to get too many types of uses on the space efficiently. The proposed design is for three different residential housing types. The revisions from the original plan eliminated the need for cul-de-sacs. The Fire Marshall did not want the cul-de-sacs. Also, Mr. Hodges had talked about S. Hoover Avenue connecting all the way through to Kahil, but there are a few reasons for not connecting. First, traffic in and out of this subdivision doesn't need to use Lone Pine Street. The width of Lone Pine Street is about thirty feet wide. Also, we feel that most of the traffic goes to S. Fulton Avenue and onto Highway 52. A through street from S. Fulton Avenue to S. Hoover Avenue would cause traffic issues, particularly with the trail. The concept for the apartments has changed to a more

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efficient layout and more segregation of traffic versus the traffic for residential. The trail will start at Kahil Street and go through the park to end at Lone Pine Street. The park will consist of a playground. The smaller lots are much like the homes in a project called Parkview in Golden, Colorado. Homes in the subdivision are age restricted to fifty-five plus but this is not being proposed here. The alleyway on the plan consists of garage doors that are front loaded doors. Front doors and garages are accessed from the front. The alley that is being proposed will be thirty feet wide. The proposed homes are to be about 1500 to 1800 square feet with the possibility of a basement. The prices would range between high \$200,000 and the low \$300,000.

The Planning Chair opened the public hearing at 6:21 p.m.

Luke Johnson resides at 871 S. Hoover Avenue and stated concerns with the proposed apartments and the type of people that they will attract. He also stated concerns with additional traffic on S. Fulton Avenue and that property values in the area may decrease due to lower cost homes being constructed. He stated that the area would rather see parks, walking and bicycle trails. He was also concerned with water sources and drainage for the development, stating that drainage is already an issue in the area. He felt that developing the property was not bad, but that he would like to see more comparable single-family homes be constructed.

*[Applause]*

Mary Anne Merritt resides at 920 S. Fulton Avenue. She stated concerns with the proposed lot sizes, because they are smaller than the lots across from the development on S. Fulton Avenue. Ms. Merritt also expressed concerns about access roads and that additional traffic would go past her property. She stated that additional traffic was a concern because there are already cars that go too fast along S. Fulton Avenue and there is no traffic control from Lone Pine Street to County Road 27. She also stated that children would not be able to go to school in Fort Lupton because she heard there is not room for additional students. She stated again that safety would be an issue with additional traffic and kids walking to school in the area. She stated that the homes in the area are brick or stone and that she would not like frame homes built in the area. Ms. Merritt felt that the park was exciting, but that a bigger park was needed. She also stated that the area needs sidewalks and not a trail.

*[Applause]*

Deb Demille resides at 856 S. McKinley Avenue and stated that she will follow up on the previous public comments. She stated that this proposed development has not changed from the previous proposal from six or seven years ago for the property with respect to infrastructure. She stated concerns that the City does not have a large police force in order to accommodate the development. She stated concerns with 99 families moving into a small area, with drainage, with the schools being unable to accommodate that many additional students. She stated that the area is a tight-knit community. Ms. Demille had concerns with property values decreasing in the area. She stated that proposed apartments would cause her home price to decrease and asked that that be taken into consideration by the Commission.

*[Applause]*

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Jim Jones resides at 855 S. Fulton Avenue. Mr. Jones stated that the redesign presented by the applicants addressed some of his concerns. However, he stated concerns with additional traffic on the roadways and that repairs were needed on Kahil Street and S. Fulton Avenue. He stated that there are bottlenecks at Lone Pine Street and S. Fulton Avenue and that this will need to be addressed. He stated there is a need for nice homes but that this proposal is “putting ten pounds of potatoes in a five pound bag.” *[Applause]* Mr. Jones notes that this is the second or third time that the applicants have tried to develop the same thing. He stated that although the townhomes are nice, the surrounding properties should be compatible with them. He stated concerns with school traffic and that the rental properties will bring more problems to the area.

*[Applause]*

Jeremy Campbell resides at 865 S. Fulton Avenue. He inquired on the type of zoning that the applicants were applying for. Planning Director, Todd Hodges, stated that the zoning would be to PUD with single-family and multifamily uses in accordance with the R-1 up to R-3 zone districts. Mr. Campbell expressed concerns with the R-3 uses and stated that the City could allow low-income housing on the entire site with that type of zoning permitted. He stated that while he understood the applicants’ need to make money on the development by proposing smaller houses, removing the small houses and apartments from the proposal would be a huge benefit and would assist in gaining approval from the neighbors.

*[Applause]*

Edward Engle resides at 870 S. Hoover Avenue. He stated concerns regarding on-street parking, especially with the patio homes and having enough space for visitors to park. Mr. Engle noted that in the Lancaster area there is hardly any parking to accommodate any visitors. He was also concerned with the use of the dedicated alley behind Peaceful Acres going away. Finally, he stated that condensed traffic was going to be a problem, especially with the small lot sizes.

*[Applause]*

Lester Dean resides at 655 S. McKinley Avenue. He stated that the project backs up to his backyard at Lot 24 in Peaceful Acres. He expressed concerns with the alley behind his home and would like to continue to use it. He stated he would like the development to be all single-family homes and dislikes the apartments. Mr. Dean had concerns that the alley use was going to be taken away, but Weld County shows an easement.

*[Applause]*

Charles Gordon Emery resides at 880 S. Fulton Avenue. He expressed concerns with home values depreciating in the area, which would cause the town to depreciate. He indicated he would like to see homes selling due to the new development from \$400,000 to half a million like in Brighton. He stated that he agrees with previous comments on traffic concerns in the area.

*[Applause]*

Steve Koeckeritz resides at Lot 23 in Peaceful Acres. Mr. Koeckeritz stated his home is directly east of what is shown as Hoover Circle. He stated that he had concerns with headlights shining directly into his home, but the updated design resolves that issue. He added that he has concerns with the proposed multi-family residential and requested more

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information on these buildings, including how many units would be included, how tall the buildings would be, and if traffic access going to S. McKinley Avenue. He stated that he believes multi-family residential does not fit with the surrounding neighborhood.

*[Applause]*

The applicants' representative, Aaron Thompson, responded that there would be about 20 to 30 multi-family residential units.

Michele Jahrman resides at 805 S. Fulton Avenue. She stated that she has lived next to apartments before and it was nothing but trouble and that 20 to 30 multi-family residential units would compact too many people in a small area. She also stated concerns with people speeding along S. Fulton Avenue and with the additional traffic. Ms. Jahrman expressed that the area would like to see single-family homes. She expressed concerns with the new development destroying a peaceful community.

*[Applause]*

David Heiser resides at 950 S. McKinley Avenue. Mr. Heiser stated concerns with small lots sizes and the amount of parking. He stated that his street is already like a parking lot. He also stated concerns with the density being too high.

*[Applause]*

Jay Herrick resides at 950 S. Hoover Avenue. Mr. Herrick stated that he is a construction consultant and is excited about the annexation and proposed development. He stated concerns with the density of the development and also traffic onto S. Fulton Avenue, especially with no traffic control. He also expressed concerns with the ability of police and fire to provide services. He also is concerned the multi-family residential will become the "recreational pharmacy" across from the school. Mr. Herrick also stated concerns about quality of life and property values in the area and believes there should be single-family residences with larger lots and higher values constructed.

*[Applause]*

Richard Struck resides at 81 Kahil Place. He stated that his lot is 71 feet across and 97 to 98 feet deep and is too small. Mr. Struck expressed that the City must put a light or overpass at Highway 52 and S. Fulton Avenue. He expressed concerns that the proposed development would be similar to 9<sup>th</sup> Street across from the school where there are low income apartments and "every deadbeat" has moved into. He stated that more exits are needed out of the development. He was concerned that if a similar tornado event occurred like the one in the 1970s that people would be unable to vacate the area due to an increase in traffic and limited accesses. He also stated that streets need to be reworked throughout the City and the development won't work.

*[Applause]*

Beverly Andrews resides at 930 S. Hoover Avenue. Ms. Andrews stated that she has lived in Fort Lupton for 17 years. She expressed concerns with drainage and stated that when a downpour occurs that rain comes from Elizabeth Street to the driveway at 920 S. Hoover Avenue and because of the lack of proper drainage, everything settles to the north. She expressed concerns that there won't be room at the schools for additional children. Ms. Andrews stated that she knows of someone that was told to take their children to a charter

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school or Quest due to lack of space. She also was concerned that the other apartments and duplexes in the City look like “ghetto areas” and doesn’t want that to happen in the neighborhood.

*[Applause]*

Connie Herrick resides at 950 S. Hoover Avenue. She stated that since no one approves of the multi-family residences, that the applicants should remove them from the plan. Ms. Herrick stated that the lots are too small and they should be made to be as large as the lots along S. Fulton Avenue. Ms. Herrick stated that the patio home lots should also be larger to match the surrounding neighborhood and that more brick should be incorporated into the designs. If those items are addressed, Ms. Herrick believed that the neighbors would be willing to approve the project.

*[Applause]*

Koreen Turskey resides at 630 S. McKinley Avenue. Her property is Lot 22 of the Peaceful Acres Subdivision and is located across from the proposed park. Ms. Turskey stated concerns over parking at the park and noted that none is shown on the current plan. She stated that her street is narrow and that during graduation vehicles are parked on both sides of the street. Ms. Turskey is concerned that there will be no parking for those coming to the park, which will cause issues on her street.

*[Applause]*

The Planning Chair closed the public hearing at 6:55 p.m. and asked the Applicant if he would like to respond to the public’s comments.

The representative for Fulton Village, Aaron Thompson, elected to respond to concerns and objections. He stated the main concern is the apartments which will be a two story product. The multi-family concepts must go through the additional step of the site plan process. He added that comments from the public indicate that nobody likes apartments. He appreciates wide open spaces as much as anybody. The owners wouldn’t have a problem building more single family, but discussions with the City have indicated a need for multi-family homes, as well as a variety of types of home products besides single family. The proposed location of the apartments keeps them away from the existing single family residences as much as possible. This product is a new approach to the property with single-family and multi-family. He heard from the public that there was some concerns about the smaller lot sizes.

Due to the amount of noise and abrupt comments from the public, the Planning Chair asked the public to be respectful.

The smaller lots are 40 feet wide maintenance free lots. The lots at 65’x100’ are what is typically built for an infill piece and builders want density. Builders can’t sell properties in town with larger lot sizes as easily. He indicated that there were concerns over the school and the developers don’t have any control over the schools. Not all buyers will be moving into the City, some may be existing residents. Other concerns were with regards to the trail. The trail is on the City’s parks and trails master plan. As far as the parking for the trail and playground, parking could be reviewed.

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The Planning Chair explained the Planning Commission's purpose on these projects. The Commission must determine if the project meets the City's development requirements. The concerns from the public may not be addressed because they are not pertinent to the Commission. City Council will have the same type of hearing where the public can attend and address any concerns.

The Planning Chair opened the discussion among members.

Commission Member Dan Parrish indicated concerns about the capacity of the school.

Mr. Thompson indicated he has met with school representatives to discuss a school impact fee and there has been no indication that the school is full.

The Planning Chair added that there have been more people leave the district than those coming in. A letter from John Hoag was in the packet distributed to the Commission and did not state an objection to the application.

Mr. Parrish asked if drainage was taken into consideration.

Mr. Thompson answered that curb and gutter will be placed at S. Fulton Avenue and Lone Pine Street and both will be widened, which should help with traffic concerns. He also indicated that S. McKinley Avenue is unpaved and Lone Pine Street to the east is unpaved. The packet contained a concept utility plan and he explained the drainage flow to drain towards the pond on Highway 85. The pond has a lot of capacity and it will be updated to standards.

Member Bush White indicated concerns over the roads and drainage.

Mr. Thompson responded that Roy Vestal with Public Works and the City Engineer will be reviewing the submittal. At this time the amount of water into the pond is lacking but it will be taken into consideration. A preliminary drainage report will be required as part of the future submittal.

The Planning Director Todd Hodges added that this is a conceptual plan and the item will be discussed at the next stage.

Mr. White asked if there is a requirement for a HOA for maintenance of the properties so they don't affect property values. Mr. Thompson stated that this development is going without a HOA. If the City accepts the park as public property, there are no common areas to maintain therefore no HOA is required.

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Mr. White noted his concerns over parking, painting and maintenance of houses. Mr. Hodges added that these issues are resolved through Zoning Compliance as part of the Planning Department.

Member Tim Hoskens inquired about the intention of the City to obtain the parks. Mr. Hodges added that this will be part of an agreement with the City. The City won't take property that is not fully developed. An improvements agreement will be required and funds must be put in place to fulfill development requirements.

Mr. Hoskens also inquired about the dead end streets and the radius. Mr. Hodges indicated that the street was discussed. The layout shows that only two properties will access the dead end street where a cul-de-sac may be accessed by more than two. The fire district preferred this type of street over the cul-de-sac. The sketch plan is the time to discuss concerns regarding the application, then the applicants can proceed based on feedback from the meetings.

Member Lynn Derby stated concerns over the parking for the single family and multifamily.

Mr. Thompson indicated that each house will have a two car garage with a driveway length of 25', which is the setback.

The Planning Director indicated that these lots will be wider than in comparison of the older parts of town.

The Planning Chair asked if the City will require a certain percentage of architectural features.

The Planning Director noted that this is up to the developer because of the PUD zoning. The PUD regulations allow for deviation from standard zoning.

Discussion occurred over front architectural features whether stone or brick. The Commission Members agreed these features should be required in PUD regulations as the project develops.

The Planning Chair noted the many of the concerns were regarding police coverage and indicated the Chief of Police was present at the hearing and has heard the concerns.

The Planning Chair asked if a traffic study was conducted. Planner Alyssa Knutson indicated this wasn't a requirement at this time.

The Planning Chair asked the Planning Director if the project isn't approved, could the project be reevaluated. The Planning Director indicated yes the project could come back for further review.

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The Planning Chair inquired about the alley between the patio homes. Mr. Thompson indicated that the alley connects to Hoover and Paden Place. The standard width of the alley is 30 feet and parallel parking is available in front of the garage.

The Planning Chair asked the City Attorney, Andy Ausmus, if there were any legal aspects that should be considered for review by the Commission. Mr. Ausmus answered no.

Mr. Parrish inquired about the Anadarko letter. The Planning Director indicated that the letter was received today and that the concerns stated is between the mineral interest and the property owner.

The Planning Chair asked if these apartments were for co-op, sale, rental or subsidized. Mr. Thompson indicated that the intent is for rental since the town has expressed a need for rentals.

The Planning Chair closed the discussion among the Commission.

Tim Hoskens made a motion to approve Resolution P2016-002 for the Fulton Annexation and Initial Zoning and Bush White seconded the motion.

Motion passed on voice vote.

Tim Hoskens made a motion to approve Resolution P2016-003 for Fulton Village Sketch PUD Plan and Bush White seconded the motion.

Motion passed on voice vote.

The Planning Chair thanked the public for attending the hearing and gave a five minute recess at 7:29.

The meeting reconvened at 7:35 p.m.

**2016 Three Mile Plan**

The Planning Director indicated the Three Mile Plan was adopted. The Plan went before City Council and was not required to go before Planning Commission. The Plan is based on the existing City limits and a 3-mile border extended past the City limits. If any development proposals occur within three miles of the City limits, Weld County should be referring those to the City. Property owners within 3-miles of the City limits could potentially annex into the City or proceed with the County process. Annexation is not forced upon any owners.

**Upcoming land use applications and updates**

Planner Alyssa Knutson indicated there are no current land use applications.

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Prior to the meeting, the Planning Chair had inquired about the Parks and Trails Master Plan and Planner Knutson presented the members with a map of the proposed trails through the City.

She indicated the Comprehensive Plan will be updated this year and once the proposal is complete the project will be bid and it will be brought before the Commission members. Also, a commission training class is scheduled later this month in Golden and an email will be forwarded to Commission members, all are encouraged to attend.

Member Bush White expressed interest in updating the design standards.

Discussion occurred regarding the fence for the solar farm. Planner Alyssa Knutson will review the fence design along Highway 52.

**ADJOURNMENT**

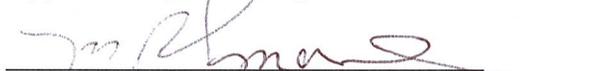
Bush White made a motion to adjourn the meeting at 7:54 p.m. and Barbara Duncan seconded the motion.

Motion passed on voice vote.

  
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Mari Peña, Planning Technician

Approved by Planning Commission

  
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Mike Simone, Chairperson