



## WESTMINSTER

CITY OF WESTMINSTER  
PLANNING COMMISSION  
Meeting Minutes  
July 25, 2023

1. ROLL CALL

The meeting was called to order at 7:00 pm by Vice-Chairperson Joe McConnell. Present were Commissioners Lawrence Dunn, David Carpenter, Rick Mayo, Tracy Colling, Elisa Torrez, and Chennou Xiong. Excused from attendance were Chairperson Jim Boschert and Commissioner David Tomecek. Also present: Staff members Interim Planning Manager John McConnell, Development Services Coordinator David German, Senior Planner Jacob Kasza, Principal Engineer Mikele Wright, Community Development Director Dave Downing, and Deputy City Attorney Greg Graham. With the roll called, Vice-Chairperson McConnell stated that a quorum was present.

CONSIDERATION OF MINUTES

Meeting Minutes from June 13, 2023.

Commissioner Carpenter made a motion to accept the minutes from the May 23, 2023, Planning Commission meeting. Commissioner Dunn seconded the motion. The minutes were unanimously accepted (7-0).

2. CONSIDERATION OF NEW BUSINESS AND PUBLIC HEARINGS

3a) Public Hearing and Recommendation of an Official Development Plan for Uplands Filing 2, Block 1

Jacob Kasza, Senior Planner, entered into the record the agenda memorandum, attachments, PowerPoint presentation, certification of mailed notice, certification of posted notice, and public notice affidavit of publication from the *Westminster Window* on July 13, 2023. Mr. Kasza narrated a PowerPoint presentation for the proposal to:

- a. Hold a public hearing.
- b. Recommend that City Council approve the ODP subject to the additional condition located in the Summary of Staff Recommendation in the Staff Agenda Memo.

The applicant team, represented by Marcus Pachner from The Pachner Company narrated a portion of the PowerPoint presentation, along with Bonnie Niziolek from Norris Design. Matt Childers from Dream Finders Homes, Brad Haigh from Norris Design, Chad Ellington from Peak Development, Todd Johnson from Terra Forma Solutions, and Paul Brady from Godden Sudik were also present to answer questions.

Commissioner Carpenter asked for confirmation on the location of the buffer area on the west side and if the swale is being built in lieu of a berm to avoid additional water on the adjacent lot. Ms. Niziolek confirmed that comment to be true.

Commissioner Carpenter asked about the parking area and the distance between the garage and the private street. Ms. Niziolek stated about seven feet to accommodate rear utility easements, leaving no space for parking in front of the garage.

Commissioner Carpenter asked how the 5:12 roof-pitch style was chosen. Mr. Kasza responded that it is an aesthetic choice and a carryover from the design guidelines and is not a life or safety issue.

Commissioner Carpenter asked about the rationale on the LaPlace Court disconnect. Mr. Pachner stated that they met with the three property owners and with staff to be sure that this was properly vetted with the property owners and the City, to be included in the B-1 application.

Commissioner Carpenter spoke to several email comments from the public regarding drainage study and the CLOMR (conditional letter of map revision). Mr. Kasza responded that the CLOMR is part of Parcel A, not particularly Parcel B. A portion of Parcel A is in the floodplain and as part of the development, they will need to process a CLOMR through Mile High Flood District. Mr. Kasza also stated that the CLOMR is in process and is not tying up this parcel. Commissioner Carpenter asked if any portion of Parcel B is in the floodplain. Mr. Kasza responded no. He also confirmed that Parcel A and Parcel B are mostly separated for Engineering purposes.

Commissioner Carpenter asked for confirmation that there is no construction on Lowell Boulevard as part of tonight's request. Mr. Kasza stated that as the overall master improvements for the development, there is an approved ODP for Parcel A. City Council did attached stipulations that some of the improvements are done right away so there are improvements being done on Lowell Boulevard as part of the master ODP. Mr. Kasza did also confirm that no improvements are being made to Lowell Boulevard as part of the Parcel B project.

Commissioner Carpenter asked if parking is permitted on Bradburn Drive. Mr. Kasza stated that it is signed as 'No Parking.' Commissioner Carpenter asked if there is parking further down in Shaw Heights. Mr. Kasza that there is street parking.

Commissioner Carpenter asked for confirmation that the swale was designed for the 1% chance of a 100-year storm. Ms. Niziolek stated yes.

Commissioner Dunn asked what percentage of the units in this Parcel are detached as opposed to attached? Ms. Niziolek responded that 38 of the 82 homes are detached and 44 are attached or 54% are attached.

Commissioner Dunn asked what EV Level 2 charging is. Mr. Brady responded that it is a 220-outlet located in the garage to allow for individual EV charging by the homeowner.

Commissioner Colling discussed her previous relationship with Ms. Niziolek with Mr. Graham and confirmed that it would not affect her ability to participate. Mr. Graham confirmed.

Commissioner Colling asked about the community meetings that were held over the past few years and if they were virtual. Mr. Pachner stated that many were virtual, and they used the same type of meetings that the city was holding at the time. He also stated that there was great attendance at those meetings and several changes were made to the site plan based on community feedback.

Commissioner Colling asked how the engagement was with the two homeowners that are losing access to Bradburn Drive from LaPlace Court. Mr. Pachner responded that they met specifically with each homeowner and stated that the existing condition hasn't been very safe. He stated that he felt that the interaction was positive.

Commissioner Colling asked about the reduction in parking in the garages. Mr. Brady confirmed that the garages are 22 feet deep, and the wood steps leading into the house encroach into that space. Commissioner Colling asked for staff to confirm the city's standards. Mr. Kasza stated that the applicant has requested an exception as the city standard is 20 feet wide and 22 feet deep with no encroachment. Mr. Kasza also stated that the city has granted exceptions to this standard in past developments. Mr. Brady confirmed that the service parking is 19 feet in length.

Commissioner Colling stated that she liked the graphic showing the parking and wanted clarification on the reduced setback for guest spots. What is the reduction? Ms. Niziolek stated that it varies by location and the smallest is 4 feet from the parking space to the lot line and the set back from the lot line to the building is 11 ½ feet.

Commissioner Colling asked about the 2.38 acres of public land dedication, what is in that land area? Ms. Niziolek responded that land will be dedicated as part the PDP approval process to the city and then the city will take the lead on the design efforts of that parcel.

Commissioner Colling asked staff if they have any issue with all 82 units using one access point. Mr. Kasza stated that staff does not have a concern and that the threshold of a single access point is 100 dwelling units.

Commissioner Colling asked what the improvement to the street-section of Bradburn Blvd. would look like. Ms. Niziolek responded that there is an 80-foot right of way with an 8-foot walk on either side, an 11-foot tree lawn and standard parking on both sides.

Vice-Chairperson McConnell asked staff to confirm that there are eleven exceptions to the ODP requested by the applicant, and asked if staff is concerned about them. Mr. Kasza stated that staff is in support of all of the proposed exceptions. The one exception that staff questioned was the requested parking reduction, but determined that, due to proximity to transit, and that similar reductions have been done in the past for other developments, this exception would be supportable.

Vice-Chairperson McConnell opened the public hearing at 7:56 pm.

Vice-Chairperson McConnell asked if public testimony has been received via email and/or voicemail. Mr. German responded that there are seven voicemails that will be played tonight however due to technical difficulties, the voicemails will be heard after the in-person public testimony has been heard.

There were six individuals that signed up to speak, and two additional people that chose to speak during the hearing, all with concerns about the current proposal. Comments included concerns with traffic, congestion, the proposed LaPlace Court street closure, and degradation of the viewshed in the area of the development.

There were seven voicemails that were received. Comments included concerns about upcoming construction on the LaPlace Court cul-de-sac, traffic, home pricing, and the proposed special tax district (metro district) to be utilized by the Uplands Development.

Five voicemails generally supported the current proposal with the premise that Westminster needs more housing and due to the beneficial infrastructure upgrades, that will be included with this development.

Commissioner Carpenter asked how close the buildings are to each other. Ms. Niziolek responded that spacing is 15-feet.

Commissioner Carpenter asked if the stairs in the garage are going to be centered or offset. Mr. Brady responded that while the stair location varies per plan, generally it is in the middle.

Commissioner Carpenter stated that someone indicated that the utilities were dependent on Lowell Boulevard but didn't see any utilities on the plan. Mr. Pachner responded that Parcel B is completely disconnected from a utility standpoint and why this is a separate application.

Commissioner Carpenter inquired about the traffic study and the concerns from the community. Mr. Pachner responded that the Parcel B site does have two access points for emergency vehicles. In addition, the Bradburn improvements include added bike lanes, sidewalks, and pedestrian connections on both sides. LaPlace Court is not tied to the site plan

and the developer is being asked to make the improvements to address currently existing issues.

Mr. Johnson spoke to the traffic study which analyzed all scenarios of the intersections. The Lowell and Bradburn intersection met all acceptable levels of service based on the City requirements. Originally, 104 units were projected but only 82 units will be built, which will bring the traffic counts down. As far as LaPlace Court, the biggest concern was the curve, and the cul-de-sac was designed to support a large fire truck and a safer, more favorable situation overall.

Commissioner Colling asked staff why the intersection of LaPlace Court and West 82<sup>nd</sup> Avenue was included with this application. Mr. Kasza stated that staff and the applicant wanted to include it to address the current safety concerns. With adding the additional 82 units onto Bradburn, staff believes the applicant needs to address the issue of the blind corner.

Vice-Chairperson McConnell closed the public hearing at 9:03 pm.

Commissioner Carpenter made a motion recommending that City Council approve the ODP for Uplands Filing 2, Block 1 subject to the conditions listed in the agenda memo except for removing the LaPlace improvements from the ODP.

Commissioner Dunn seconded the motion.

Commissioner Carpenter stated his appreciation for staff and the applicant and wanted to reiterate his support for the delay of the LaPlace Court improvements but overall is impressed with the project.

Commissioner Dunn stated his appreciation that Uplands has followed the development policies and ensured that it remains compliant with those policies. In addition, he was pleased with the environmental stewardship in preparing the single-family detached homes to be solar ready.

Vice-Chairperson McConnell asked staff to clarify the motion to support subject to the conditions listed in the agenda memo. Mr. Kasza responded that the conditions listed were technical and none pertain to the LaPlace Court improvements. Mr. Kasza also stated that this application is going to City Council on September 11, 2023.

Commissioner Colling expressed her support for the application based on the design, product diversity, architecture, water conservation, and the garages off the road. However, she doesn't support the motion as it stands to remove the LaPlace Court improvements.

The motion passed (4-2) with Commissioner Xiong recusing himself from the vote on the basis that he lives in close proximity to the proposed development.

#### 4. ADJOURNMENT

The meeting was adjourned at 9:13 p.m.

THE WESTMINSTER PLANNING COMMISSION

  
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Joe McConnell, Vice-Chairperson

A full recording of the meeting has been posted on The City of Westminster website. [www.cityofwestminster.us/pc](http://www.cityofwestminster.us/pc)