

THE FOLLOWING ITEMS WERE RECEIVED AFTER THE ORIGINAL MEETING PACKET WAS POSTED ON FEBRUARY 5, 2026, AND ARE INTENDED TO BE INCLUDED AS PART OF THE PUBLIC RECORD FOR THE FEBRUARY 10, 2026, MEETING OF THE WESTMINSTER PLANNING COMMISSION.

[EXTERNAL] Public input / comment for 136th and Huron

From Julie Kennedy <juliekennedy303@yahoo.com>
Date Mon 2/9/2026 12:06 PM
To PCPubComm <pcpubcomm@westminsterco.gov>

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Due by noon I hope at 12:06 you will still enter this plea I have

Subject: Public Comment on Proposed Development – Protecting Westminster’s Remaining Open Space

Dear Members of the [Planning Commission / City Council / Zoning Board],

My name is **Julie M. Kennedy**, and I have lived in Westminster since 1982. I grew up surrounded by horses, agriculture, tall-grass prairies, and the wildlife that depended on them. Over the past two decades, I’ve watched these natural areas disappear and be replaced by large commercial buildings and warehouses — many of which remain unrented — while our remaining open lands continue to be targeted for development.

I am asking the City to reconsider the proposed development on this parcel and to protect what little natural space we have left.

Why This Land Matters

This area once supported cottonwoods, wetlands, prairie habitat, and species ranging from foxes and coyotes to raptors and migratory birds. These ecosystems cannot be recreated once they are gone. Westminster voters in the 1980s supported conservation along Big Dry Creek and the High Line Canal with the intention of preserving open space, not converting it into commercial zones.

Commercial Vacancy and Overdevelopment

Across Westminster — especially along I-25 — we already have an abundance of empty commercial buildings and strip malls. It is difficult to justify destroying intact habitat for more warehouses when so much commercial space sits unused.

Water Usage and Long-Term Sustainability

Colorado's water supply is under increasing strain, and Westminster faces yearly restrictions. Commercial development significantly increases water demand for landscaping and operations, while native prairie and cottonwoods require very little. Once land is rezoned, water rights shift permanently. Preserving this area would support groundwater recharge, reduce runoff, and help protect our long-term water security.

A Better Path Forward

Westminster has a legacy of valuing open space and wildlife corridors. This land could continue to serve as a refuge for the species that keep our ecosystem balanced. If stewardship costs are a concern, the City could partner with Front Range Community College. FRCC's environmental science programs could help monitor and care for the land, providing hands-on learning while reducing the City's financial burden.

I urge the City to protect this parcel as open space or wildlife refuge rather than converting it into yet another commercial development. Once these natural areas are gone, they are gone forever.

Thank you for considering my comments and including them in the public record.

Sincerely, **Julie M. Kennedy**

Byerhof, Carson

From: Garcia, Veronica
Sent: Wednesday, January 28, 2026 4:07 PM
To: Byerhof, Carson
Subject: Fw: [EXTERNAL] Novera Commerce Center - Foster Property Planning Area 2
Attachments: Foster Property - Novera Commerce Center Request for Disapproval.pdf

Hey Carson,

Forwarding you public comment we received in our PC Pub Comm inbox.

Thanks!

Ronnie Garcia

Planning Aide (she/her)

City of Westminster | Community Services Department

rgarcia@westminsterco.gov | 303.658.2430

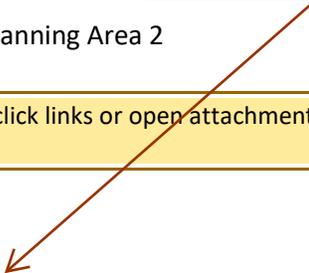
4800 West 92nd Avenue, Westminster, CO 80031

My Office Hours are Monday-Friday, 8AM-5PM

City Hall Hours: Monday-Friday, 8 a.m.-5 p.m.

From: Sean Lynam <slynam@lmico.com>
Sent: Wednesday, January 28, 2026 9:28 AM
To: PCPubComm <pcpubcomm@westminsterco.gov>
Subject: [EXTERNAL] Novera Commerce Center - Foster Property Planning Area 2

Attachment included
on following pages



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Good Morning,

Please accept this email and attached request for disapproval, and file on record, for the rescheduled Novera Commerce Center ODP planning meeting (moved to 2/10/26). The attached letter explains our position, we appreciate the Planning Department taking our position into account.

Thank you for your time and assistance, have a great day.

Respectfully,



LMI COLORADO
303-294-9000

Sean Lynam

Regional President

303-598-1445

8501 Quebec St, Commerce City, CO 80022

slynam@lmico.com | lmico.com

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PUBLIC COMMENT LETTER – REQUEST FOR DISAPPROVAL

Foster Property – Planning Area 2 (Employment-Flex) Novera Commerce Center – Official Development Plan (ODP)

January 28, 2026

Mayor and Members of Westminster City Council
and City of Westminster Planning Division

City of Westminster
4800 W. 92nd Avenue
Westminster, CO 80031

Re: Request for Disapproval of the Official Development Plan (ODP) – Foster Property Planning Area 2 (Employment-Flex), also referenced as the Novera Commerce Center; Project Reference: PLN25-0016

On behalf of nearby homeowners and residents, *we respectfully request that the City of Westminster disapprove the proposed Official Development Plan (ODP) for Foster Property Planning Area 2 (Employment-Flex), also known as the Novera Commerce Center.* The public notice describes a proposal to construct three buildings totaling approximately 380,000 square feet of flexible employment space at the northeast corner of West 138th Avenue and Huron Street.

We understand that the previously anticipated December 23, 2025 hearing was cancelled. This letter is submitted for inclusion in the public record and for consideration at any rescheduled Planning Commission and/or City Council hearing.

Our request is based on

1. Specific legal and code-based deficiency and compliance risks under the Westminster Municipal Code (WMC) and the City's adopted plans, and
2. Material adverse community impacts, including
 - a. Diminished neighborhood character
 - b. Significant traffic burdens, and a
 - c. Foreseeable negative effect on adjacent residential property values.

1. Project Summary

The applicant seeks ODP approval to develop three large "employment-flex" buildings totaling approximately 380,000 square feet. The proposal, as described to the public, does not identify specific end-users or clearly define tenant operations, intensity, hours of operation, truck routing, loading activity, or other operational controls that are critical to evaluating compatibility with adjacent residential neighborhoods.

2. Legal and Code-Based Framework

Under the Westminster Municipal Code, an Official Development Plan must satisfy defined approval criteria, including consistency with the Comprehensive Plan and applicable adopted policies, compatibility with surrounding development, and adequate infrastructure and circulation to handle development impacts. The City has the authority and obligation to deny or require material revision where these findings cannot be made.

Key authorities and standards include:

- Westminster Municipal Code (WMC) Section 11-5-14 (standards and findings applicable to rezonings and preliminary development plans, including compatibility and protection of surrounding properties).
- Westminster Municipal Code (WMC) Section 11-5-15 (criteria for approval of Official Development Plans, including conformance to adopted plans and adequate infrastructure to address impacts).
- City of Westminster Comprehensive Plan (2040), including the Employment-Flex land use intent and limitations (e.g., compatibility expectations, restrictions on nuisance impacts such as objectionable noise/odor/glare, and screened outdoor storage).

3. Code Compliance Concerns and Framework Gaps

The current proposal presents several deficiencies that prevent the City from making the findings required under WMC Sections 11-5-14 and 11-5-15, and that creates enforceability gaps likely to burden nearby residents over time:

3.1. Insufficient specificity to evaluate permitted uses and operational impacts

An ODP is not merely conceptual. It is the enforceable document that determines what may be built and how it may operate. The public description of this project does not specify the operational characteristics that drive real-world impacts (truck volume, loading dock locations and hours, outdoor staging, tenant use types, noise controls, lighting plans, or binding truck routes). Without clear and enforceable limitations, an ODP approval effectively grants broad entitlements that may later be occupied by uses that are technically within an “employment-flex” label but functionally incompatible with adjacent residential neighborhoods.

3.2. Compatibility and protection of surrounding properties

WMC approval criteria require compatibility with the surrounding area and protection of neighboring properties from adverse influences. The scale of three large flex buildings, combined with likely truck and service activity, presents a high risk of adverse impacts including noise, vibration, glare, lighting spillover, and visual negativity **that can materially affect nearby homes.** To satisfy the Code, the ODP must incorporate robust, enforceable buffers and mitigation measures (setbacks, berms, dense screening, fully enclosed loading activity where feasible, and strict lighting controls). If those protections cannot be guaranteed, the City cannot make the required compatibility findings.

3.3. Employment-Flex intent and limitations

The Comprehensive Plan's Employment-Flex category is intended to accommodate employment-generating uses **while limiting nuisance impacts.** It contemplates that industrial components must not create objectionable noise, vibration, odor, glare, or hazards, and that outdoor storage must be fully screened. In the absence of defined tenant operations and enforceable controls, the City cannot confirm that the proposal will remain within the intended "clean" employment profile over the life of the project. **Approving an ODP without clear guardrails effectively creates a loophole where high-impact operational uses can emerge later with limited recourse for neighbors.**

3.4. Traffic and infrastructure capacity

WMC Section 11-5-15 requires that transportation and related infrastructure be adequate to handle development impacts. Given the project's scale, the City should not approve the ODP without a complete traffic impact analysis and binding mitigation commitments (intersection improvements, signalization changes as warranted, dedicated turn lanes, internal circulation design that prevents spillback, and enforceable truck routing that keeps heavy vehicles on appropriate arterials). **If mitigation cannot bring conditions to acceptable levels, the Code's infrastructure findings cannot be made.**

4. Community Impact Findings (Separate from Code Arguments)

Independent from any legal findings required under the Code, the proposed development would impose substantial and foreseeable detriments on adjacent neighborhoods and the broader community:

4.1. Loss of community-building potential

Planning Area 2 represents one of the remaining opportunities to create a neighborhood-supportive center that contributes to community cohesion. A single-purpose corporate flex complex does not build a “true community” for nearby residents. **It provides no meaningful local-serving uses, no public gathering space, and no walkable amenities. The result is a dead zone after business hours that does not integrate into the fabric of surrounding neighborhoods.**

There is no proposal for locally owned restaurants, shops, etc. There is no proposal for a neighborhood concert stage for local musical events. There is no community theatre. This is corporate development for the sake of development.

This neighborhood and this area does not need more warehouses. It does not need more chains. It needs COMMUNITY. The only way to grow and build a community is a center anchor location that brings the community together. The Orchard is not and has never been that. The Orchard has been a revolving door of ghost shops struggling to make it because the city has never chosen to prioritize this critical section near I-25. The only way to improve the overall health and benefit of the community is to provide true tax benefits to small locally owned ice cream shops and restaurants. The opportunity to mirror Longmont’s Main Street. Erie Town Centre. Louisville, CO downtown.

4.2. Property value and neighborhood character impacts

The proximity of large industrial/flex buildings and associated truck activity is widely understood to affect residential desirability. Residents reasonably expect that increased noise, lighting, congestion, and visual impacts will translate into diminished home values and a long-term degradation of neighborhood character. These harms are not speculative; they flow from predictable land use externalities when intense employment/industrial activity is placed immediately adjacent to established homes.

4.3. Traffic burden, safety, and daily quality of life

The West 138th Avenue and Huron Street corridor ***already carries substantial daily traffic***. A 380,000-square-foot flex project will introduce additional commuter traffic, delivery vans, and potentially heavy

trucks. On December 19, 2025 there was a major accident that appears to have resulted in fatalities just between cars at 5am at 144th / Huron. This will only increase as the cars and trucks increase.

Neighbors are concerned about (i) congestion and delays, (ii) increased collision risk and unsafe turning movements, and (iii) spillover traffic through residential areas. These impacts reduce quality of life, diminish safe pedestrian and cycling conditions, and adversely affect the residential character of the area.

5. Requested Action

For the reasons stated above, we respectfully request that the City of Westminster:

- **DISAPPROVE** the proposed Official Development Plan (ODP) for Foster Property Planning Area 2 (Employment-Flex) / Novera Commerce Center (Project Reference: PLN25-0016); or
- In the alternative, continue the matter and require a materially revised ODP that, at minimum, includes:
 - Clearly defined permitted use limitations to include support for a local community park, playground, retail and restaurant non-chain support and prohibited high-impact operational uses, stated in enforceable terms;
 - Binding restrictions on loading activities, staging, and truck routing (including hours and locations), with enforceable penalties for noncompliance;
 - Robust buffering and transition measures adjacent to residential areas (setbacks, berms, dense landscaping, wall/fencing standards, and full cutoff lighting);
 - A complete traffic impact analysis and funded mitigation plan sufficient to maintain acceptable operations and safety on 138th Avenue, Huron Street, and impacted intersections;
 - Design standards that reduce visual massing and ensure long-term maintenance to prevent a deteriorating or blighted corridor condition.

6. Conclusion

In conclusion, we request that the City DISAPPROVE the ODP because the record, as presently described to the public, does not support the findings required under WMC Sections 11-5-14 and 11-5-15 and does not provide enforceable protections consistent with the Comprehensive Plan's Employment-Flex intent. Separately, the project imposes material and foreseeable community detriments, including traffic burdens, erosion of neighborhood character, and likely negative effects on adjacent residential property values. We respectfully ask the City to protect the long-term health of the community by denying the application or requiring substantial revisions that meaningfully address these issues.

Byerhof, Carson

From: Siobhan Webster <siobhanwebster@me.com>
Sent: Wednesday, January 28, 2026 7:25 AM
To: Byerhof, Carson
Cc: Planning
Subject: [EXTERNAL] Novera Development / Foster Planning Disapproval Request

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I sent this email earlier but may have had the wrong development name in the subject.

Dear Members of the Planning Commission,

I'm writing as a concerned Westminster resident regarding the proposed light warehouse development planned directly adjacent to our existing single-family neighborhoods. While I understand the desire to attract business and make use of the site's proximity to I-25, this project as currently proposed creates an abrupt and incompatible transition from established homes to warehouse-style buildings, with little consideration for the residents who will be most impacted.

Single-family neighborhoods are built around safety, walkability, quiet streets, and a sense of community. A warehouse development immediately next door risks negatively affecting those qualities through increased truck traffic, noise, lighting, and congestion—particularly during early morning and late evening hours. Even “light” industrial uses can create daily disruptions for nearby homeowners, including safety concerns at intersections and along residential streets where children and pedestrians are present.

What is especially disappointing is that the development, as presented, does not appear to offer meaningful benefits to the surrounding neighborhoods. There are no proposed parks, open space, landscaped buffers, trails, or other community amenities that could soften the impact or provide value to nearby residents. Without those elements, the proposal feels one-sided: the burden falls on homeowners, while the benefits flow elsewhere.

I respectfully ask the City to reconsider this plan and prioritize a more appropriate, community-centered approach. At minimum, I urge the City to require substantial improvements before approving the project, such as:

- Significant landscaped setbacks and buffering (including mature trees and sound barriers)
- Limitations on truck routes and delivery hours to protect residential streets
- Thoughtful building design standards, height limits, and lighting restrictions near homes
- Community benefits such as parks, open space, trails, or public gathering areas
- A transition plan that respects the existing neighborhood character and property values

Westminster is a wonderful place to live, and decisions like this have long-term consequences for the people who already call this city home. I appreciate the City's attention to responsible growth, and I hope

you will ensure this development aligns with Westminster's values, protects residents' quality of life, and includes tangible benefits for the neighborhoods most directly affected.

Thank you for your time and consideration.

Sincerely,
Siobhan Webster

1314 W 141st Circle
Westminster, CO



Fw: [EXTERNAL] Fwd: Planning Commission Agenda Item 3b, 10 February 2026

From Harlow, Trevor <tharlow@westminsterco.gov>

Date Mon 2/9/2026 10:36 PM

To Garcia, Veronica <rgarcia@westminsterco.gov>

 1 attachment (5 MB)

oil change service - Google Maps.pdf;

Hi,

I think it's past the comment period where I can add it to the attachment, so forwarding this comment to you for the take five Public hearing tomorrow.

Thanks,

Get [Outlook for iOS](#)

From: James Paris <aj.paris329@gmail.com>

Sent: Monday, February 9, 2026 10:30:52 PM

To: Harlow, Trevor <tharlow@westminsterco.gov>

Subject: [EXTERNAL] Fwd: Planning Commission Agenda Item 3b, 10 February 2026

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----- Forwarded message -----

From: **James Paris** <aj.paris329@gmail.com>

Date: Mon, Feb 9, 2026 at 10:29 PM

Subject: Planning Commission Agenda Item 3b, 10 February 2026

To: <tharlow@westminserco.gov>, <jmcconne@westminsterco.gov>

Cc: <ccarmeli@westminsterco.gov>, <oezeadi@westminsterco.gov>

Good Evening John and Trevor,

The upcoming public hearing to discuss the Recommendation of a Preliminary Development Plan Amendment for the Westglenn Subdivision Filing No. 7, located at 9140 Wadsworth Parkway.

If you review the attached map it is clear to see that there are four service centers within a 1/2 mile of the location that Take 5 is requesting to open another store front. I understand competition, however, Take 5 should be located a few miles away from the current businesses, but remain in Westminster if the city believes this business will actually provide enough tax revenue to fund city projects.

Not too sure if you are professional mechanics, but automotive oil change shops come with environmental risks of oil spills and grease getting tracked into the parking area. The grease in oil will eventually wind up into the storm drains within the parking lot, not to mention running into the street gutters and contaminating the soil.

If I was one of the planning commissioners I would not recommend approval to the city council for this business at this time.

/r

Jim Paris

