



WESTMINSTER

**CITY OF WESTMINSTER
PLANNING COMMISSION
Meeting Minutes
January 13, 2026**

1. ROLL CALL

The meeting was called to order at 7:00 pm by Chairperson Jim Boschert. Present were Commissioners Larry Dunn, David Carpenter, David Tomecek, Kevin Kinnear and Nicole Morris. Excused from attendance were Commissioners Chennou Xiong and Tracy Colling. Unexcused from attendance was Commissioner Tim Pegg. Also present, staff members, Planning Aide/Secretary Veronica Garcia, Associate Planner Jennifer Baden, Senior Planner Trevor Harlow, Senior Planner Rebecca Batzel, Principal Planner Jacob Kasza, and Deputy City Attorney Greg Graham. With the roll being called, Chairperson Boschert stated that a quorum was present, and the alternate Commissioner would be voting. Commissioner Morris served as the Alternate.

Chair Boschert acknowledged the retirement of Commissioner Rick Mayo after serving on the Planning Commission for seventeen years. Chair Boschert also welcomed new Commissioner Nicole Morris.

2. CONSIDERATION OF MINUTES

Meeting Minutes from December 9, 2025

Commissioner Tomecek made a motion to approve the minutes from the December 9, 2025, Planning Commission meeting.

Commissioner Dunn seconded the motion.

The minutes were unanimously approved (6-0).

3. CONSIDERATION OF NEW BUSINESS AND PUBLIC HEARINGS

3a) Public Hearing and Action on a requested Special Use Permit for the expansion of Arc Thrift Store, located at 8657 Sheridan Boulevard

Chairperson Boschert opened the public hearing at 7:03 pm.

Trevor Harlow, Senior Planner, entered into the record the agenda memorandum, attachments, PowerPoint presentation, certification of mailed notice, and certification of posted notice. Notices were provided by the required deadline. Mr. Harlow narrated a PowerPoint presentation for the proposal to:

- a. Hold a public hearing.
- b. Planning Commission approves a Special Use Permit for the expansion of a "Thrift Store Greater than Five-Thousand Square Feet" for the existing Arc Thrift Store within the Labelles Plaza Subdivision, subject to the rules and requirements of Section 11-4-8 of the Westminster Municipal Code and all other applicable City codes and regulations.

Commissioner Tomecek asked why limitations are set at five-thousand-square feet, and why it is considered a special use compared to a thrift store less than five-thousand-square feet.

Staff explained that the code specifically adopts a five-thousand-square-foot limitation, likely because larger stores tend to generate greater impacts related to traffic, pedestrian volume, and donation drop-offs.

Chair Boschert opened the public testimony at 7:14pm.

Seeing there was no public testimony, Chairperson Boschert closed the public testimony at 7:14pm.

Commissioner Kinnear made a motion that the Planning Commission approves Special Use Permit for the expansion of a "Thrift Store Greater than five-thousand Square Feet" for the existing Arc Thrift Store within the Labelles Plaza Subdivision, subject to the rules and requirements of Section 11-4-8 of the Westminster Municipal Code and all other applicable City codes and regulations.

Commissioner Tomecek seconded the motion.

The motion passed unanimously (6-0).

3b) Public Hearing and Action on a requested Sign Variance for the Orchard Town Center, located at 14697 Delaware St., Ste. 850

Chairperson Boschert opened the public hearing at 7:16pm.

Rebecca Batzel, Senior Planner, entered into the record the agenda memorandum, attachments, PowerPoint presentation, certification of mailed notice, and certification of posted notice. Notices were provided by the required deadline. Ms. Batzel narrated a PowerPoint presentation for the proposal to:

- a. Hold a public hearing.
- b. Deny the requested height variance for the Orchard Town Center, located at 14697 Delaware St., Ste. 850

The applicant team gave a presentation.

Chair Boschert asked for discussion from the Commission.

Vice-Chair Carpenter expressed concern to staff that public comment was left by a nearby property owner that they were not properly noticed of tonight's public hearing. Staff explained that the City's GIS department pulls addresses within a specified buffer of a subject site. For tonight's variance request, the buffer is required to cover a three-hundred-foot radius. Regarding the public comment that was left, it is likely the property owner fell out of the exact buffer radius.

Vice Chair Carpenter requested clarification from staff regarding the differing buffer requirements for proper noticing of new developments and entire surrounding neighborhoods compared to commercial projects. Staff explained that sign variance requests require notice to property owners within a three-hundred-foot buffer, while notices for new neighborhoods require a one-thousand-foot radius.

Commissioner Kinnear requested that the applicant clarify the discrepancy between the eight-by-twelve-foot flag depicted in the presentation and the six-by-ten-foot flag identified in the documents submitted to the Commission.

The applicant stated that during the previous Planning Commission meeting, the Commission requested that a variance be proposed for a thirty-five-foot flagpole with a reduced flag size as a contingency. Commissioner Kinnear asked the applicant to clarify whether the request was for an eight-by-ten-foot flag, noting that the code identifies a six-by-ten-foot flag as appropriate for a thirty-five-foot flagpole.

Mr. Kasza responded that the variance application submitted is just for the thirty-five-foot flagpole and a sixty-square foot flag is the maximum allowed flag size.

Commissioner Tomecek asked staff when it comes to the notice requirements, if the buffer is determined from the project location or the boundary of the property. Staff responded it is from the edge of the property, so in this case, three-hundred-feet from the property, not from the edge of the entire Orchard Town Center. He asked the applicant why they were only requesting a single flagpole as opposed to multiple flag poles given the grade changes and issues identified with their previous proposal. The applicant responded the direction from their corporate leadership was to request a single flagpole.

Chair Boschert opened the public testimony at 7:28 pm.

Seeing there was no public testimony Chair Boschert closed the public testimony at 7:29 pm.

Vice-Chair Carpenter made a motion that the Planning Commission approve the sign variance for the Orchard Town Center. This recommendation is based on that the six criteria set forth in the 11-11-13 (E)(2) of the Westminster Municipal Code are met.

Vice Chair Carpenter stated that the application meets Criteria 1, noting special circumstances such as topography and visibility presenting challenges to the site. The application also satisfies Criteria 2, as the proposed eighteen-point six percent deviation would not weaken the sign code, and the Planning Commission is authorized to approve deviations of up to twenty percent. Vice Chair Carpenter further noted that Official Development Plans (ODP) allow for negotiation of height requests and referenced a recently approved cell tower height variance, though acknowledged a cell tower is not the same as a sign.

Commissioner Tomecek seconded the motion.

Commissioner Kinnear stated that standards are set forth in the City code for a reason and the applicant's request is not compelling enough to deviate from the standard and that a thirty-five-foot flagpole is a reasonable height for the location.

Commissioner Tomecek stated he agreed with Commission Kinnear's statement and there are other solutions the property owner can pursue rather than granting an exemption.

Chair Boschert stated he has mixed feelings on the motion.

The motion failed (2-4).

Attorney Graham recommended that the Planning Commission make a denial motion.

Commissioner Kinnear made a motion that the Planning Commission deny the Sign Variance for the Orchard Town Center. This recommendation is based on a finding that the six criteria set forth in Section 11-11-13(E)(2) of the Westminster Municipal Code are not met. Commissioner Tomecek seconded the motion.

Vice-Chair Carpenter asked staff if the applicant were to instead request a thirty-five-foot flagpole with a sixty square-foot flag, that would be allowed within the code, and they would not need to go back through the Planning Commission.

Ms. Batzel responded that was correct and that the applicant could apply for a permit for the allowed thirty-five-foot flagpole with the sixty square-foot flag.

Vice-Chair Carpenter asked if the thirty-five-foot allowance included the anodized ball. Staff responded the anodized ball, and the truck would need to be included in the thirty-five-foot height.

The motion passed (5-1).

Chairperson Boschert thanked Staff for their presentation.

4. MISCELLANEOUS BUSINESS

Chair Boschert complimented the City on the holiday decorations.

5. ADJOURNMENT

The meeting was adjourned at 7:36pm

THE WESTMINSTER PLANNING COMMISSION


James Boschert, Chairperson

A full recording of the meeting has been posted on The City of Westminster website.
www.cityofwestminster.us/pc