



## WESTMINSTER

CITY OF WESTMINSTER  
PLANNING COMMISSION  
Meeting Minutes  
February 13, 2024

1. ROLL CALL

The meeting was called to order at 7:00 pm by Acting Chair Carpenter. Present were Commissioners Chennou Xiong, Rick Mayo, David Carpenter, and Larry Dunn. Excused from attendance were Chair Jim Boschert, Commissioners Tracy Colling, and David Tomecek. Also present: Staff members, Secretary/Associate Planner Jennifer Baden, Administrative Assistant Dawn Aguilar, Senior Planner Jacob Kasza, Assistant City Engineer Heath Klein, Fire Lieutenant Sarah Krzanowsky, Interim Planning Manager John McConnell, and Deputy City Attorney Greg Graham.

ATTENDANCE FROM THE PREVIOUS MINUTES

Commissioner Colling was identified at the prior meeting as "absent - unexcused." Commissioner Colling was unavoidably detained in a manner that prevented her from providing notice prior to the meeting, Acting Chair Carpenter determined that the basis for the absence is excusable, and the absence will now be deemed excused.

CITY COUNCIL LIAISON

Councilor Hott introduced themselves as the new City Council Liaison to the Planning Commission. Councilor Hott exited the meeting after the introduction.

CONSIDERATION OF MINUTES

Meeting Minutes from January 9, 2024.

Commissioner Dunn made a motion to accept the minutes from the January 9, 2024, Planning Commission meeting. Commissioner Mayo seconded the motion. The minutes were unanimously accepted (4-0).

2. CONSIDERATION OF NEW BUSINESS AND PUBLIC HEARINGS

4a) Public Hearing and Consideration of an Official Development Plan for Uplands Filing 1, Block 4 / PA-A(4)

Acting Chair Carpenter opened the public hearing at 7:02 pm.

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 February 1, 2024. Mr. Kasza narrated a PowerPoint presentation for the proposal to:

- a. Hold a public hearing.
- b. Recommend that City Council approve the Official Development Plan for Uplands Filing 1, Block 4 / PA-A(4), subject to the conditions set forth in the Summary of Staff Recommendations herein.

The applicant team, represented by Marcus Pachner with The Pachner Group, gave a presentation.

Acting Chair Carpenter asked the applicant about the entry median exception. The applicant stated that is being provided at 86<sup>th</sup> & Federal which has been determined will provide compliance with city code. Staff also confirmed that the overall larger parcel A does have an entry way median provided but the A4 specific block does not. He stated that this does comply with city code.

Acting Chair Carpenter also asked the applicant about the distance between the houses on the site plan. The applicant stated the minimum separation is 10 feet between buildings.

Acting Chair Carpenter asked the applicant about a right turn lane at 84<sup>th</sup> Avenue. The applicant responded that there are no plans, and this was taken into account with the Master Traffic Study for the Preliminary Development Plan (PDP).

Acting Chair Carpenter opened the public testimony at 7:36 pm.

There was public testimony regarding concerns with Shaw Boulevard storm water run off and a 100-year flood event and the request to add inlets to the area.

There were also concerns with the applicant presentation and a slide that was displayed showing and a possible conflict of interest between Acting Chair Carpenter who is on the board for the Westminster Chamber of Commerce, whom is a sponsor of the project, and the applicant. Deputy City Attorney (DCA) Graham stated that a conflict of interest is not present because Acting Chair Carpenter does not have a financial interest in the Chamber of Commerce. Acting Chair Carpenter stated he is a board member with the Chamber. DCA Graham asked Acting Chair Carpenter if he can be fair and impartial in this hearing. Acting Chair Carpenter responded yes.

Another concern was the widening/improvements to Lowell Boulevard.

Acting Chair Carpenter asked the applicant about the improvement to Lowell Boulevard. The applicant responded that the traffic study and the PDP included street sections that were found in the overall traffic study and that were a part of the initial rezoning. Presently, the right-of-way for Lowell from 84<sup>th</sup> Avenue to 88<sup>th</sup> Avenue is a 60-foot right-of-way. This application proposes to expand this by 17 feet as part of the infrastructure improvements that are underway. The additional 17 feet are all on the east side, all within the Uplands property, and not coming from any other property. She went on to say that ultimately this street section will have two 10.5-foot travel lanes, two 5-foot bike lanes, two 6-foot parking lanes, and the east side along Uplands will also include a 6-foot tree lawn and a 10-foot walk.

Acting Chair Carpenter asked for clarification if it would still just be one lane in each direction and the applicant responded yes.

The applicant team stated they appreciate the feedback, and they will remove the Westminster Chamber of Commerce from the slide moving forward.

The applicant team addressed the storm water run off concern. They stated that the A4 parcel connects to the stormwater system, and they are meeting with residents that will be affected. They stated that their plan for A4 is now going to retain and detain the water at a slower rate which is an improvement over current conditions. They stated that they are continuing to work with residents on other improvement suggestions and this is an on-going item.

Acting Chair Carpenter asked if drainage will be improved even if there are no improvements to specific existing lots. Mr. Klein responded that the City has been working with Mile High Flood District to evaluate the flood plain of this area. He stated that improvements being proposed with this project will further remove other properties from flood plain. Unfortunately, the property in question from the resident who spoke, will remain in the flood plain. The City is actively working with the resident for possible solutions.

Commissioner Xiong asked the applicant about the possibility of the previously suggested addition of inlets in the area. The applicant team responded that they are considering all options, and nothing is off the table, and nothing has been ruled out just yet.

Acting Chair Carpenter closed the public testimony at 7:54 pm.

Commissioner Dunn made a motion recommending that the Planning Commission recommend City Council approve the Official Development Plan for Uplands Filing 1, Block 4 / PA-A(4), subject to the conditions set forth in the Summary of Staff Recommendations herein. This recommendation is based on the finding that the Official Development Plan generally complies with the criteria in Section 11-5-15 of the Westminster Municipal Code.

Commissioner Mayo seconded the motion.

Commissioner Xiong asked staff to clarify if the applicant is in default of any obligations to the City. Staff responded that the applicant is not.

Commissioner Dunn stated his appreciation to the applicant team.

Commissioner Xiong stated that he feels the applicant has performed their due diligence but also encouraged the applicant to work through the Stormwater issue.

Acting Chair Carpenter echoed Commissioner Xiong's comments and stated his support for the motion.

The motion passed (4-0).

4. ADJOURNMENT

The meeting was adjourned at 7:58 p.m.

THE WESTMINSTER PLANNING COMMISSION

  
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David Carpenter, Acting 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)