



WESTMINSTER

CITY OF WESTMINSTER
PLANNING COMMISSION
Meeting Minutes
February 14, 2023

1. ROLL CALL

The meeting was called to order at 7:00 pm by Vice-Chair Joe McConnell. Present were, Commissioners Lawrence Dunn, David Carpenter, David Tomecek, Rick Mayo and Tracy Colling and Elisa Torrez. Excused from attendance were Chair Jim Boschert and Chennou Xiong. Also present: Staff members John McConnell, Principal Planner, Andrew Spurgin, Principal Planner, Interim Public Works and Utilities Director, Sarah Borgers, and Jennifer Baden, Associate Planner. With the roll called, Vice-Chairperson McConnell stated that a quorum was present

CONSIDERATION OF MINUTES

Meeting Minutes from November 8, 2022.

Commissioner Colling made a motion to accept the minutes from the November 8, 2022, Planning Commission meeting. Commissioner Tomecek seconded the motion. The minutes were unanimously accepted (7-0).

2. CONSIDERATION OF NEW BUSINESS AND PUBLIC HEARINGS

3a) Election of Chair and Vice-Chair positions to the Planning Commission

Commissioner Mayo nominated current Chair Jim Boschert as Chair of the Planning Commission.

Commissioners Colling and Dunn seconded the motion.

Chair Boschert was elected by acclimation.

Commissioner Carpenter nominated current Vice-Chair Joe McConnell as Vice-Chair of the Planning Commission.

Commissioner Dunn seconded the motion.

Vice-Chair was elected by acclimation.

3b) Public Hearing and Recommendation on the revised 2040 Comprehensive Plan

Andrew Spurgin, Principal Planner, entered into the record the agenda memorandum, attachments, and public notice affidavit of publication from the *Westminster Window* on February 2, 2023. Mr. Spurgin narrated a PowerPoint presentation for the proposal to:

- a. Hold a public hearing.
- b. Recommend that the Planning Commission recommend that the City Council approve an ordinance adopting the 2040 Comprehensive Plan.

After completion of the staff presentation, Vice-Chair McConnell asked for clarification if the water usage and modeling tool used would be the responsibility of the Planning team. Mr. Spurgin credited the Public Works and Utilities department as their staff developed it to benefit the Comprehensive Plan.

Vice-Chair McConnell opened the public hearing at 7:31 pm.

Public testimony heard was in favor of a request from the Erickson Group for a property specific request for the Hawn property from the current Mixed Use Activity Center designation to Employment-Flex designation and to include a text amendment to allow housing.

Public testimony was also heard in favor of the plan overall.

Vice-Chair McConnell closed the public hearing at 8:02 pm.

Commissioner Carpenter stated he appreciated staff's work on the new plan and is pleased with the changes. He asked staff how much of the current infrastructure maintenance and replacement is collected through tap fees and not rate payers (page 10). Ms. Borgers responded that the rate app modeling structure that is being worked through with Council takes into account all the upgrades for infrastructure and balances that with affordability.

Commissioner Carpenter asked staff if air pollution (page 11) is actually increasing or has the standard changed. Mr. Spurgin stated that a greenhouse gas study was conducted with the Sustainability Plan and there are locations that are showing increases from external sources such as the wildfire events, and other things like airport operations.

Commissioner Carpenter suggested to add reducing congestion or looking at that as an option in or around page 12.

Commissioner Carpenter stated that Highway 128 should have a different symbol on the land use maps since it is a Colorado State Highway.

On page 42, Commissioner Carpenter asked staff about the Accessory Dwelling Unit (ADUs) if they would be required to have a separate water tap. Mr. Spurgin stated that the Development Code currently does not allow for ADUs, and this will be determined at the time of a code update.

On page 45, Commissioner Carpenter asked about potentially prohibited uses and suggested that City Council and staff review these uses. Mr. Spurgin stated these uses are carry over from previous plans but potentially prohibited doesn't mean it's prohibited but gives a little more scrutiny when coming before the committee with PDP and ODP requesting one of these uses. Everyone still gets to come forward and make their request.

Commissioner Carpenter asked about zoning categories and where tiny home communities would fit. Mr. Spurgin stated that tiny homes would be considered another type of single-family housing. Staff will be having a separate discussion with the Economic Development department to discuss further.

Commissioner Carpenter recommended that the drive-thru restriction in Commercial Mixed Use with residential use be revisited because the need still exists. Mr. Spurgin stated that this is another carry over from the previous plan and that this plan provides the option for Horizontal Mixed-Use. Staff would see the intent as to keep the drive-thru type of use outside of residential projects but if it was a stand-alone commercial project off to the side, that would be another way to look at it. This is intended for that vertically integrated type of use.

Page 64 under 10.6, Commissioner Carpenter supports working with Adams County and/or Highland Hills Parks and Recreation District to find potential parks and recreation sites for unincorporated areas south of 92nd Avenue but would like to include incorporated as well to not limit other opportunities.

Commissioner Carpenter stated that in the transportation section, page 68, under 3.3, Vision Zero was mentioned again and reiterated that he does not support this language. Mr. Spurgin suggested to add the language 'as identified in the Transportation & Mobility Plan (TMP)' as this is a stand-alone plan that speaks for itself. Commissioner Carpenter agreed with this revision.

Under Balanced Economy, 1.6 Commissioner Carpenter stated he would like to see encouragement of all types of business growth and continue to promote focus areas. Mr.

Spurgin stated that the intent is the programmatic side, but the wording could be misconstrued. That could be a simple edit.

Chapter 7.1 Community Design and Built Forum, Commissioner Carpenter stated the 8/80 paradigm seems cliché. He agrees to include it but suggests a change in wording in that section.

Page 90, Commissioner Carpenter asked about the Harris Park Community Vision Plan and asked if the plan has been implemented. Mr. Spurgin stated that Council approved this plan.

Commissioner Carpenter asked staff the intent of Rental Housing Inspection Program in the Comprehensive Plan. Mr. Spurgin responded this was meant to be informative only.

Page 101, Commissioner Carpenter asked about the accuracy of the paragraph regarding the Circle Point development now that it is being built out with apartments. Mr. Spurgin stated that the northwest quadrant that still has land capacity that is preserved for employment.

Page 102, Commissioner Carpenter asked about the land use map as it relates to the water treatment plant that Council has approved and the Hawn property. Mr. Spurgin stated that approximately 66 acres on the north end would remain in private ownership and roughly 40 acres on the south end would be the city water treatment plant.

Page 104, Commissioner Carpenter quoted the statement of 'Expansion of additional retail uses outside of existing retail properties along Wadsworth Boulevard and West 88th Avenue is strongly discouraged in order to focus retail and entertainment opportunities in Brookhill and established centers such as Mission Commons' and stated that he does not agree with this statement. Mr. Spurgin responded that this sentence could potentially be removed from the Plan since the boundaries of the focus area are already retail.

Page 105, Commissioner Carpenter asked about other undeveloped areas where the "Agrihood" neighborhood could happen. Mr. Spurgin responded that it is possible as there is surplus land all around the St. Anthony's campus and if that is evolved into healthy living-oriented environment, there could be an opportunity for that type of community garden, etc.

Page 110, Commissioner Carpenter requested that the graphic on Figure 8.9 be upgraded to show a potential bike and pedestrian connection over the creek and along Simms to the dog park to relate to the text for this area.

Page 123, looking at the Utilities & Resources graphic, Commissioner Carpenter asked what the 126 gpcd (gallons per capita per day) is based on. Mr. Spurgin responded that with water, the city plans very conservatively with the target being to decrease that over time. Commissioner Carpenter asked what the Utility Condition Index at 41.5 represents. Mr. Spurgin responded that he understands we want to keep that or increase that number. Ms. Borgers stated that the 41.5 is out of 100.

Page 124, Transportation & Mobility Commissioner Carpenter requests that we change the verbiage to 'maintain' instead of 'reduce' as it pertains to the drive along modal split as a goal.

Commissioner Carpenter stated that there are two potential amendments to land use tonight – the Northgate property and the Hawn property. He wanted to confirm that if the commission decides to recommend passing the Plan tonight without including those amendments, they can still go through the traditional land use change process. Mr. Spurgin stated that the applicants would have the benefit of focused discussion on the specific site, companion zoning and PDP, and the surrounding residents would have the opportunity to participate.

Commissioner Tomecek asked staff about conversations with Regional Transportation District (RTD) because route maps have changed as recently as the last few months. Mr. Spurgin responded that staff referred the Plan to RTD in December 2022, and it was decided that it would be cleanest to include the maps from the Transportation & Mobility Plan since there was a stakeholder group that informed where transit is desired in the future, whether through RTD or another transit provider.

Commissioner Colling asked staff to explain why staff is not supporting the Hawn property request. Mr. Spurgin responded that the Hawn property site is larger, it's at a location adjacent to US 36 with great visibility that lends itself to the employment-flex land use, it has one of the largest water decreases in the city, and the text changes could potentially apply to any office campus site and are not site specific. The Northgate site is smaller, lends itself to residential use, and the changes to the site are site specific. Mr. McConnell stated that City Council outlined goals that they wanted to see accomplished in the new Comprehensive Plan and the Hawn property request does not align with these goals.

Commissioner Carpenter followed up on Commissioner Colling's question regarding the Hawn property. He stated that the revised 2023 Plan is Employment-Flex which is the city's recommendation for the land use. They are requesting Employment Office Institutional Campus with text amendments to allow housing. Do we have those text amendments? Mr. Spurgin stated that they are included in Attachment 12. Mr. McConnell also stated that they included specific text amendments that would apply to that land use category citywide if adopted but they were intended to facilitate the intended development.

Vice-Chair McConnell stated that Vision Zero is not an unusual goal in almost any industry. It is almost an impossible goal to achieve but it helps emphasize the importance of reaching that goal at some point in time. The other item is the 8/80 paradigm, looking at that differently. It takes everyone in between the ages of 8 and 80 to take care of those on the end and am not troubled by that.

Vice-Chair McConnell asked staff about the 40% open space charts in the Comprehensive Plan and what those percentages are. Mr. Spurgin stated that this percentage is within the existing city limits today, not taking into the account the annexation areas. More specifically the parks, golf courses, and open space that make up the 40% with open space being 21% of that and the golf courses and parks are the remaining 19%.

Commissioner Colling stated that her document stops on page 20 (Chapter 2) and picks back up on page 36 (Chapter 3) and the PDF online shows the same thing. Mr. Spurgin stated that the change was made by Council to move Chapter 8 up front and the page numbers got thrown off. There are no pages missing to this document.

Commissioner Carpenter motioned that the Planning Commission recommend that the City Council approve an ordinance adopting the 2040 Comprehensive Plan as presented tonight with the following changes.

Commissioner Tomecek seconded the motion.

Mr. Spurgin read the changes:

Page 12-adding reducing vehicular congestion to the sentence describing ways air quality may be enhanced through multiple techniques.

Commissioner Colling motioned to make that change. Commissioner Mayo seconded the motion. The suggestion for the change is passed unanimously (7-0).

Page 64-Policy 10.6 to strike out the words for “unincorporated” areas that would leave the sentence to read Work with Adams County and/or Highland Hills Parks and Recreation District to identify potential parks and recreation sites south of 92nd Avenue.

Commissioner Colling motioned to make the change. Commissioner Tomecek seconded the motion. The suggestion for the change is passed unanimously (7-0).

Page 68-within Goal TM-3 policy 3.3 to remove the last six words of the statement Vision Zero plans, goals, and initiatives and leave the statement to read Coordinate within the city and with other agencies to reduce and eliminate traffic deaths and sever injuries across all modes, as identified in the TMP.

Commissioner Carpenter motioned to accept the change. Commissioner Tomecek seconded the change.

Commissioner Dunn stated he is favor of Vision Zero plans and will be voting against this change.

Commissioner Carpenter stated his suggestion is deferring the policy from the Comprehensive Plan to the Transportation & Mobility Plan.

Vice-Chair McConnell stated he will not be voting for this motion. The suggestion for the change is passed (5-2).

Page 69-under Goal TM-6, Policy 6.1 to expand on that statement to include reducing congestion to read Coordinate with other agencies, such as CDOT, RTD, DRCOG, and adjacent communities, to implement a seamless and safe multimodal transportation network and reduce congestion, as identified in the TMP.

Commissioner Carpenter motioned to accept the change. Commissioner Colling seconded the motion. Motion passed unanimously (7-0).

Page 80-under Goal ER-1 policy 1.6 -striking out the businesses and words which would leave the goal to read Encourage business programs focused on renewable energy, water conservation, clean technology, waste reduction, and recycling in accordance with Sustainability Plan policies and where consistent with the city's industry and employment composition.

Commissioner Colling motioned to accept the change. Commissioner Tomecek seconded the motion.

Commissioner Dunn asked what the reason was for the change. Commissioner Carpenter explained that this is referring to goals and policies of employment and it sounds like we are encouraging businesses specifically there and we should be encouraging all types of businesses.

Motion passed unanimously (7-0).

Page 104-deleting first full sentence that is on that page - Expansion of additional retail uses outside of existing retail properties along Wadsworth Boulevard and West 88th Avenue is strongly discouraged in order to focus retail and entertainment opportunities in Brookhill and established centers such as Mission Commons.

Commissioner Colling motioned to accept the change. Commissioner Mayo seconded the motion. Motion passed unanimously (7-0).

Page 110-in regard to the Westmoor and vicinity employment area to make sure that the street names on the graphic are correct (Westmoor instead of Westminster) but the substantive change would be to indicate both a potential connection across the creek and to show connectivity south along Simms to better correspond to the text to the connection to the open space dog park.

Commissioner Carpenter motioned to accept the change. Commissioner Mayo seconded the motion. Motion passed unanimously (7-0).

Page 124-proposed indicators. There were two identified, the first being under Transportation & Mobility-Drive alone modal split. The target identified in the first draft is 'reduce' and it has been suggested to change this to 'maintain'.

Commissioner Tomecek motioned to accept the change. Commissioner Mayo seconded the motion.

Commissioner Colling thinks that reduction is a viable goal and will be voting no on this motion.

Commissioner Dunn asked what staff's view on this is. Mr. Spurgin responded that the desire of the TMP is to continue to provide all types of transportation options but to increase opportunities for public transportation and decrease the drive alone over time.

Motion passed (5-2).

Page 124-proposed indicator of Miles of bike lanes, buffered bike lanes or shared lanes - the target is currently increase and the proposed change is to increase without reducing vehicular level of service.

Commissioner Carpenter motioned to accept the change. Commissioner Mayo seconded the motion.

Commissioner Mayo stated that reductions should not occur until other modes of transportation are available.

Commissioner Colling stated she agreed with Commissioner Mayo's comments.

Vice-Chair McConnell stated he hasn't seen an increase of bike usage as we have added bike lanes and reduced some of the traffic lanes that we have.

Mr. Spurgin offered staff's perspective that these are indicators are things that staff would measure, these are not policy statements. Staff looks at what are metrics that can be tracked and readily reported on. The miles of miles of bike lanes are very easy to track, however correlating where the bikes lanes increase with vehicular levels of service may not be able to be tracked over time.

Commissioner Mayo responded that when the time comes that the bike lanes are too congested, then we can look at increasing bike lanes.

Motion passed (4-3).

Commissioner Carpenter motioned to accept the land use change for the Northgate property from the residential low density as presented in the plan to the residential medium density for 26.9 acres in commercial for 1 acre. Commissioner Colling seconded the motion. Motion passed unanimously (7-0).

Commissioner Carpenter motioned the Planning Commission reclassify the land use for the Hawn property from employment flex to employment office institutional campus with the text amendments to allow housing as seen in Attachment 12. Commissioner Dunn seconded the motion.

Commissioner Mayo stated he would like to see the acreage limitation mentioned earlier to make sure the changes don't affect other development in the city and only applies to this property.

Commissioner Carpenter stated that he would like to accept this as a friendly amendment for a 50-acre limitation for Continuing Care Retirement Communities.

Mr. Spurgin reminded the Commission that the applicant's representative recommended a 50-acre minimum size for these amendments.

Commissioner Colling asked staff if this is the only property that this would apply to.

Mr. Spurgin stated that based on the current Comprehensive Plan, this is the only property that the amendment would apply to.

Commissioner Colling stated that the amendments that are being discussed are very specific and the text amendments are very specific that it is like we are making a decision on a specific property for land use which is not the intention of the comprehensive plan so my recommendation would be a denial.

Commissioner Tomecek agrees with Commissioner Colling in that this is something that should come before the Planning Commission with more information.

Commissioner Carpenter understands the comments that are made but notes that the way that the amendment is written, it appears that it is changing the definition of employment office institutional campus. From that standpoint, maybe instead of changing the land use, we look at changing that definition and have them come back with their specific comp plan.

Mr. Spurgin responded that staff's opinion is that the definitions proposed is what we are used to seeing in the PDP document, not in a comprehensive plan document.

Vice-Chair McConnell stated that if we approve the change as supported in Attachment 12, we are giving approval to a project that we have seen nothing about. We need to go through the process that we are used to seeing and get any questions that we may have through the normal application process.

Commissioner Dunn asked to repeat the motion.

Commissioner Carpenter stated the motion on the floor is to change the land use from employment flex to employment office institutional campus with the text amendments to allow housing as seen in Attachment 12 with a limitation to sites of 50-acres or greater.

Commissioner Dunn seconded the motion.

The motion passed (4-3).

Commissioner Colling asked Mr. Graham about the motion. If there are some items that I don't agree with, I am to vote no, correct? Mr. Graham responded to keep in mind that we are voting to approve the recommended changes to the City Council, and those changes with the comp plan moving forward with a recommendation from this body. If any Commissioner feels that

they don't want to support a recommendation to the City Council with all those changes, then a no vote would be appropriate.

Vice-Chair McConnell did inquire if someone did vote no for any reason, the Commission could ask them on the record for a reason for their no vote and Mr. Graham responded yes.

Commissioner Dunn seconded the motion recommending to City Council to approve the Comprehensive Plan to City Council with the approved changes.

Mr. Spurgin stated that when the prior version went to City Council for adoption, they were disappointed that the Planning Commission vote was 5-2. Staff believes that the City Council is giving a lot of weight to this body for their vote. There were no actual amendments identified by the Planning Commission that went to Council with the prior version.

The motion passed (6-1).

Commissioner Colling stated she did not vote in favor of the plan at this time due to the Hawn property.

4. ADJOURNMENT

The meeting was adjourned at 9:46 p.m.

THE WESTMINSTER PLANNING COMMISSION

 3/10/23

Joe McConnell, Vice-Chair

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