



**Agenda Memorandum**

City Council Meeting  
August 26, 2019



*Visionary Leadership, Effective Governance and Proactive Regional Collaboration*



*Vibrant, Inclusive and Engaged Community*

**Subject:** Public Hearing for Consideration of Preliminary Development Plan and Official Development Plan for St. Mark Village

**Prepared By:** David R. Downing, PE, Community Development Director  
David W. German, AICP, Senior Planner

**Recommended City Council Action:**

1. Approve the applicant's request for a continuance to a date certain of September 9, 2019.  
- or -
2. Hold a public hearing.
3. Approve the Preliminary Development Plan for six contiguous lots in the Hollyhurst Subdivision, totaling approximately 6.00 acres, to be known as St. Mark Village.
4. Approve the Official Development Plan for six contiguous lots in the Hollyhurst Subdivision, totaling approximately 6.00 acres, to be known as St. Mark Village.

**Summary Statement:**

- The applicant requests approval of a proposed Preliminary Development Plan (PDP), Attachment 4, and Official Development Plan (ODP), Attachment 5, by City Council. The PDP and ODP, if approved, would become the new governing documents of Lots 11, 12, 45, 46, 47, and 48 of the Hollyhurst Subdivision, consisting of approximately 6.00 acres. These lots would be re-platted to create a new 216-unit for rent, affordable housing apartment complex to be known as St. Mark Village. This project is located at the northwest corner of West 97th Avenue and Federal Boulevard.
- Staff has reviewed both the PDP and ODP using the criteria found in the Westminster Municipal Code (W.M.C.), Sections 11-5-14 and 11-5-15.
- Planning Commission reviewed this application on August 13, 2019, and voted 4 to 3 to recommend that City Council approve the proposed PDP and ODP based on the finding that the standards set forth in W.M.C. Sections 11-5-14 and 11-5-15 have generally been met.
- Approval of the PDP and ODP is contingent upon the approval by City Council of a Comprehensive Plan amendment, which was brought forth under a separate application.
- Through its legal counsel, Brownstein Hyatt Farber & Schreck, the applicant for the St. Mark Village Project, St. Charles Town Company, LLC, has requested a continuance of the City Council hearing on this project currently scheduled for August 26, 2019 to September 9, 2019, see Attachment 7. Specifically, City Council was to consider a Comprehensive Plan amendment, a Preliminary Development Plan, and an Official Development Plan at this meeting. Staff supports and recommends approval by City Council of the continuance request.

**Fiscal Impact:**

\$0 in expenditures.

**Source of Funds:**

Not applicable.

**Policy Issue(s):**

Should City Council approve the PDP and ODP for the subject property known as St. Mark Village?

**Alternative(s):**

1. City Council could choose to approve the PDP and deny the ODP. This action would require a redesign of the ODP. Staff does not recommend this option because it would likely eliminate the opportunity for development of affordable housing at this site.
2. City Council could choose to deny both the PDP and ODP. Under this scenario, both documents would need to be redesigned. Staff does not recommend this option because it would likely eliminate the opportunity for development of affordable housing at this site.

**Background Information:**

Overview of Development Review and Entitlement Process

The development review and approval process can vary, based on the specific property and the proposed development, but typically requires a PDP and ODP pursuant to the land use allowances established by the Comprehensive Plan. The Comprehensive Plan includes specific land use designations that provide a broad range of uses and identify allowed densities and intensities of use. The W.M.C. requires that any future development be in compliance with the Comprehensive Plan. The Planning Commission recommended approval of the Comprehensive Plan amendment that will be considered by City Council on August 26, 2019.

Approval of the PDP and ODP is the next step in the process for the applicant. The PDP serves as the principal zoning document for the site and establishes intended future development parameters in broad terms. Allowable land uses, descriptions of the future development, and relationships between the site and surrounding properties and street networks are established. The intent, limitations, and regulations for the project are created. If needed, the timing and/or phasing of the development is identified. A PDP was established in 1988 for the area consisting of Lots 9-12 and 45-48 of the Hollyhurst Subdivision, which was initially platted in 1925. The applicant has submitted an application for an amendment to this PDP for the future development of Lots 11, 12, and 45-48.

The ODP is a more specific plan for a development site and establishes locations for landscaping, parking, access, and other requirements such as building orientation and architecture. The applicant has also submitted an application for a new ODP for the future development of Lots 11, 12, and 45-48. Pursuant to Section 11-5-8(B)(2)(a) of the W.M.C., the City Manager has elected to refer the ODP to the Planning Commission and City Council for their consideration at a public hearing.

During the course of review, it is common that a proposed development does not meet all of the development standards listed in the applicable design standard document, the Landscape Regulations, or the W.M.C. The standards of approval set forth in the W.M.C. for both the PDP and ODP address this issue by allowing City Council to approve these exceptions if it determines that they are warranted by virtue of design or special amenities incorporated in the development proposal and are clearly identified on the PDP and ODP, see W.M.C. Sections 11-5-14(3) and 11-5-15(4).

Finally, engineering and building plans are required. Once these documents are approved, physical construction may commence.

History of Subject Property

The Hollyhurst Subdivision began as a sixty-lot subdivision originally platted in 1925 in Adams County. The entire subdivision was annexed into the City as part of the North Areas to Broomfield Annexation in 1970. A PDP approved in 1988 rezoned all of the lots to Planned Unit Development (PUD). Lots 11, 12, and 45-48 were never developed.

Planning Commission Recommendation

Planning Commission reviewed this application on August 13, 2019, and voted 4 to 3 to recommend that City Council approve the proposed PDP and ODP based on the finding that the standards set forth in W.M.C. Sections 11-5-14 and 11-5-15 have generally been met.

Nature of Request



The applicant is seeking approval of a PDP and an ODP that would re-plot the six lots of the St. Mark Village property (Lots 11, 12, and 45-48) into a single lot of approximately six acres, see Attachment 1 for a vicinity map. While the new property would retain its current PUD zoning designation, the PDP and ODP include a new 216-unit for rent affordable apartment complex on the site, which is currently vacant land. Approval of the PDP and ODP is contingent upon the approval of the Comprehensive Plan amendment brought forth under separate application.

Applicant Information for Private Properties

Applicant

St. Charles Town Company  
 Contact: Jordan Zielinski  
 1850 Platte Street, 2nd Floor  
 Denver, CO 80202

Property Owner

3100 West 97th Avenue, LLLP  
 Contact: Jordan Zielinski  
 1850 Platte Street, Suite 200  
 Denver, CO 80202

Location

The lots in this application are contiguous and are located at the northwest corner of West 97th Avenue and Federal Boulevard in the Hollyhurst Subdivision.

Surrounding Land Uses and Designations

As shown in the table below, the St. Mark Village property is surrounded by a variety of uses. To the north are single family detached homes and single family attached (townhouse) homes. To the south are a church (St. Mark Catholic Church) and a restaurant (Wishbone Restaurant). To the west, the City maintains an elevated water tank tower, known as the “Hydropillar.” A second elevated water tank tower is currently under construction on this same lot. The easternmost boundary of the St. Mark Village property abuts Federal Boulevard, which also marks the City of Westminster’s boundary with the City of Federal Heights. The City of Federal Heights property immediately to the east of Federal Boulevard is vacant, and carries a commercial zoning designation.

Direction	Development Name	Zoning	Comp Plan Designation	Current Use
North	North Park Subdivision (Filings 10, 11, and 14)	PUD	R-3.5 and R-8 Residential	Single Family Detached and Attached Homes
East	City Boundary (Federal Heights)	(Federal Heights)	(Not in City of Westminster)	(Vacant; Designated for Commercial Uses by Federal Heights)
South	Wishbone Restaurant St Mark Catholic Church	PUD	Retail/Commercial;* R-3.5 and R-8 Res; Public/Quasi-Public	Restaurant; Church
West	City of Westminster	PUD	Public/Quasi-Public*	Elevated Water Tank Towers

(\*Proposed)

Public Notification

W.M.C. Section 11-5-13 requires the following three public notification procedures:

- **Published Notice:** Notice of public hearings scheduled before Planning Commission shall be published and posted at least ten days prior to such hearing and at least four days prior to City Council public hearings. Notice was published in the *Westminster Window* by August 1, 2019.
- **Property Posting:** Notice of public hearings shall be posted on the property with one sign in a location reasonably visible to vehicular and pedestrian traffic passing adjacent to the site. Signs were posted on the subject property by August 1, 2019.

- **Written Notice:** At least ten days prior to the date of the public hearing, the applicant shall mail individual notices by first-class mail to property owners and homeowner's associations registered with the City within 300 feet of the subject property. The applicant has provided the City's Planning Manager with a certification that the required notices were mailed by August 1, 2019.

Westminster Municipal Code Analysis

*11-5-14. - Standards for Approval of Planned Unit Development Zoning, Preliminary Development Plans and Amendments to Preliminary Development Plans.*

*(A) In reviewing an application for approval of Planned Unit Development zoning and its associated Preliminary Development Plan, or an amended Preliminary Development Plan, the following criteria shall be considered:*

1. *The Planned Unit Development (PUD) zoning and the proposed land uses in the associated Preliminary Development Plan are in conformance with the City's Comprehensive Plan and all City Codes, ordinances, and policies.*

The PDP will be in conformance with the City's Comprehensive Plan, if the Comprehensive Plan designation is amended to R-36 Residential. The PDP complies with all other requirements, unless otherwise warranted pursuant to Criterion 3, below.

2. *The Preliminary Development Plan exhibits the application of sound, creative, innovative, and efficient planning principles.*

The site is designed in an efficient manner that accommodates the desired density. The design of the onsite stormwater infrastructure offered by this project represents a sound and creative innovation. The PDP complies with all other requirements, unless otherwise warranted pursuant to Criterion 3, below.

3. *Any exceptions from standard Code requirements or limitations are warranted by virtue of design or special amenities incorporated in the development proposal and are clearly identified on the Preliminary Development Plan.*

Exceptions are clearly listed on Attachment 2 and on the PDP, with justifications for each provided by the applicant and accepted by Staff, demonstrating that the exceptions are warranted.

4. *The PDP is compatible and harmonious with existing public and private development in the surrounding area.*

The design has no impact on adjacent public development (the City's elevated water tower property), and should be compatible and harmonious with the restaurant (Wishbone Restaurant) and church (St. Mark Church) uses nearby. The site benefits from physical separation. To the north, a minimum of eighty-five feet would exist between buildings of St. Mark Village and nearby North Park homes. To the south, the separation is accentuated by a public right-of-way, West 97th Avenue, and will provide at least 75 feet between St. Mark Village buildings and future buildings of the Holly Park Subdivision. The difference in densities between St. Mark Village buildings and those of the North Park Subdivision is mitigated by the building form and distribution/massing of the St. Mark proposal. Rather than a steep high-rise approach, the St. Mark design limits building heights to three stories. With the separation provided, this is an acceptable design adjacent to the one and two story homes of North Park.

5. *The PDP provides for the protection of the development from potentially adverse surrounding influences and for the protection of the surrounding areas from potentially adverse influence from within the development.*

The physical separation described in Criterion 4, above, serves the project well in helping to protect against dust, noise, vibration, and the casting of shadow over adjoining buildings to the north and south. A landscaping berm helps to mitigate noise from Federal Boulevard to the east. To the west, the City's elevated water towers do not significantly impact the ODP, nor does the ODP impact the water towers. The towers represent a silent unobtrusive neighbor. A landscaping berm helps to mitigate noise from Federal Boulevard to the east.

6. *The PDP has no significant adverse impacts upon existing or future land uses nor upon the future development of the immediate area.*

The PDP and associated development, if approved, should not adversely impact existing or future land uses.

7. *Streets, driveways, access points, and turning movements are designed in a manner that promotes safe, convenient, and free traffic flow on streets without interruptions, and in a manner that creates minimum hazards for vehicles and pedestrian traffic.*

While all turning movements proposed will be safe for both vehicles and pedestrians and not significantly affect neighboring streets, the development of the site will contribute additional traffic to the area as compared to its currently undeveloped state. The potential percentage increase in traffic would not be substantial, and can be adequately handled via existing transportation infrastructure.

8. *The City may require rights-of-way adjacent to existing or proposed arterial or collector streets, any easements for public utilities and any other public lands to be dedicated to the City as a condition to approving the PDP. Nothing herein shall preclude further public land dedications as a condition to ODP or plat approvals by the City.*

The PDP and associated development, if approved, will not preclude any needed future public land dedications.

9. *Performance standards are included that insure reasonable expectations of future Official Development Plans being able to meet the Standards for Approval of an Official Development Plan contained in Section 11-5-15, W.M.C.*

The PDP includes all needed Standards for Approval to ensure that reasonable and required expectations of the associated ODP will be met.

10. *The applicant is not in default or does not have any outstanding obligations to the City.*

The applicant is not in default, and does not have any outstanding obligations to the City.

*(B) Failure to meet any of the above-listed standards may be grounds for denial of an application for Planned Unit Development zoning, a Preliminary Development Plan or an amendment to a Preliminary Development Plan.*

*11-5-15. - Standards for Approval of Official Development Plans and Amendments to Official Development Plans.*

*(A) In reviewing an application for the approval of an Official Development Plan or amended Official Development Plan, the following criteria shall be considered:*

1. *The plan is in conformance with all City Codes, ordinances, and policies.*

The ODP will be in conformance with the City's Comprehensive Plan, if the Comprehensive Plan designation is amended to R-36 Residential. The ODP complies with all other requirements, unless otherwise warranted pursuant to Criterion 4, below.

2. *The plan is in conformance with an approved Preliminary Development Plan or the provisions of the applicable zoning district, if other than Planned Unit Development (PUD).*

The ODP is in conformance with the PDP. Approval of the ODP is contingent on the associated PDP being approved.

3. *The plan exhibits the application of sound, creative, innovative, or efficient planning and design principles.*

The site is designed in an efficient manner that accommodates the desired density. The design of the onsite stormwater infrastructure offered by this project represents a sound and creative innovation. The PDP complies with all other requirements, unless otherwise warranted pursuant to Criterion 4, below.

4. *For plans in PUD zones, any exceptions from standard code requirements or limitations are warranted by virtue of design or special amenities incorporated in the development proposal and are clearly identified on the Official Development Plan.*

Exceptions are clearly listed on Attachment 2 and on the PDP, with justifications for each provided by the applicant and accepted by Staff, demonstrating that the exceptions are warranted.

5. *The plan is compatible and harmonious with existing public and private development in the surrounding area.*

The design has no impact on adjacent public development (the City's elevated water tower property), and should be compatible and harmonious with the restaurant (Wishbone Restaurant) and church (St. Mark Church) uses nearby. The site benefits from physical separation. To the north, a minimum of eighty-five feet would exist between buildings of St. Mark Village and nearby North Park homes. To the south, the separation is accentuated by a public right-of-way, West 97<sup>th</sup> Avenue, and will provide at least 75 feet between St. Mark Village buildings and future buildings of the Holly Park Subdivision. The difference in densities between St. Mark Village buildings and those of the North Park Subdivision is mitigated by the building form and distribution/massing of the St. Mark proposal. With the separation provided, this is an acceptable design

adjacent to the one and two story homes of North Park.

6. *The plan provides for the protection of the development from potentially adverse surrounding influences and for the protection of the surrounding areas from potentially adverse influence from within the development.*

The physical separation described in Criterion 5, above, serves the project well in helping to protect against dust, noise, vibration, and the casting of shadow over adjoining buildings to the north and south. A landscaping berm helps to mitigate noise from Federal Boulevard to the east. To the west, the City's elevated water towers do not significantly impact the ODP, nor does the ODP impact the water towers. The towers represent a silent unobtrusive neighbor. A landscaping berm helps to mitigate noise from Federal Boulevard to the east.

7. *The plan has no significant adverse impacts on future land uses and future development of the immediate area.*

The ODP and associated development, if approved, should not adversely impact existing or future land uses.

8. *The plan provides for the safe, convenient, and harmonious grouping of structures, uses, and facilities and for the appropriate relation of space to intended use and structural features.*

The ODP mitigates site constraints and requires a design that ensures that the needed level of fire safety, fire suppression, ingress and egress access, and maintenance access are achieved.

9. *Building height, bulk, setbacks, lot size, and lot coverages are in accordance with sound design principles and practice.*

Rather than a high-rise approach, the design limits building heights to three-story multi-family buildings (in St. Mark Village) adjacent to one- and two-story single-family homes (in North Park), which is common in the City. There is separation provided between these buildings, primarily by an existing 75 foot wide Public Service Company of Colorado (Xcel Energy) easement that runs parallel along the southernmost portion of the North Park Subdivision boundary. The ODP complies with all other requirements, unless otherwise warranted pursuant to Criterion 4, above.

10. *The architectural design of all structures is internally and externally compatible, in terms of shape, color, texture, forms, and materials.*

The architecture of the buildings has been successfully designed to meet the requirements of the Multi-Family Residential Design Standards, unless otherwise warranted pursuant to Criterion 4, above. Finishes and colors are clean, compatible, and modern, and will be complementary to the architecture found in the adjacent North Park subdivision, which was built in the 1990s.

11. *Fences, walls, and vegetative screening are provided where needed and as appropriate to screen undesirable views, lighting, noise, or other environmental effects attributable to the development.*

Existing fencing along the southern boundary of the North Park subdivision, and new landscaping, once mature, should appropriately screen the development. As a recipient of federal funds from the U.S. Department of Housing and Urban Development, the development is required to meet standard limitations on noise levels; this will be achieved with appropriate building techniques and materials.

12. *Landscaping is in conformance with City Code requirements and City policies and is adequate and appropriate.*

The ODP includes the use of raingardens and innovative stormwater elements and plantings and exceeds the standard number of trees required. The ODP complies with all other requirements, unless otherwise warranted pursuant to Criterion 4, above.

13. *Existing and proposed streets are suitable and adequate to carry the traffic within the development and its surrounding vicinity.*

The existing transportation infrastructure is adequate to carry the traffic within the development and its surrounding vicinity.

14. *Streets, parking areas, driveways, access points, and turning movements are designed in a manner that promotes safe, convenient, and free traffic flow on streets without interruptions, and in a manner that creates minimum hazards for vehicles and pedestrian traffic.*

While all turning movements proposed will be safe for both vehicles and pedestrians and not significantly affect neighboring streets, the development of the site will contribute additional traffic to the area as compared to its currently undeveloped state. The potential percentage increase in traffic would not be substantial, and can be adequately handled via existing

transportation infrastructure.

15. *Pedestrian movement is designed in a manner that forms a logical, safe, and convenient system between all structures and off-site destinations likely to attract substantial pedestrian traffic.*

Routes are being established to existing pedestrian facilities, where possible. Crosswalks and controlled crossing points, at West 96<sup>th</sup> Avenue, also help to ensure pedestrian safety. Primary crossing points within the development have been augmented with enhanced pedestrian crossings which help to alert motorists and encourage the use of safer, slower speeds.

16. *Existing and proposed utility systems and storm drainage facilities are adequate to serve the development and are in conformance with the Preliminary Development Plans and utility master plans.*

The City has done extensive work with the applicant, including offering innovative solutions, to ensure that utility and storm drainage facilities are adequate to serve the development. The design elements needed to ensure efficient effective systems will be further fine-tuned with civil engineering and construction documents that will be finalized later in the development process.

17. *The applicant is not in default or does not have any outstanding obligations to the City.*

The applicant is not in default, and does not have any outstanding obligations to the City.

*(B) Failure to meet any of the above-listed standards may be grounds for denial of an Official Development Plan or an amendment to an Official Development Plan.*

#### Neighborhood Meeting(s) and Public Comments

The following meetings have been held related to this project:

1. **Neighborhood Meeting: Comprehensive Plan Amendment (Location: Westminster High School)**  
This neighborhood meeting was held on February 27, 2019. The applicant for St. Mark Village hosted the meeting, introduced the project, and fielded questions from the nine citizens who attended. The Project Planner and six Staff members also attended the meeting to listen and observe as well as to offer support on any technical questions from the attendees. Those in attendance voiced only one concern about the proposal to change the Comprehensive Plan designation of the properties in question, and that was a general concern related to already existing traffic problems in the area and how these might be exacerbated by further development.
2. **Planning Commission Meeting: Comprehensive Plan Amendment (Location: City Hall)**  
Held on May 14, 2019, the Planning Commission meeting was sparsely attended. Two members of the public raised concerns about the compatibility of R-36 density adjacent to R-3.5 and R-8 densities, a reference to the North Park Subdivision, and about already existing traffic problems in the area.
3. **City Council Meeting: Comprehensive Plan Amendment (Location: City Hall)**  
A heavily attended City Council meeting was held on June 24, 2019. There were many people who attended from the adjacent North Park Subdivision, and made comments or raised concerns, including but not limited to: the proximity and effect of affordable housing on nearby property values, the potential for crime increases, the appropriateness of R-36 density adjacent to R-3.5 and R-8 densities, traffic problems, physical proximity of the proposed new multi-story buildings to nearby homes, and parking concerns. City Council continued the meeting to July 8, 2019. At the July 8, 2019 meeting, the application was continued again to August 26, 2019.
4. **Neighborhood Meeting: PDP and ODP Documents (Location: St. Mark Church Annex Building)**  
A second neighborhood meeting was held on July 2, 2019, and was heavily attended, predominantly by residents of the adjacent North Park Subdivision and members of the St. Mark Catholic Church parish. The applicant hosted the meeting, introduced the project, and fielded questions. The Project Planner and seven Staff members also attended the meeting to listen and observe, as well as to offer support on any technical questions from the attendees. The overall tone was very similar to the June 24, 2019 City Council meeting, with speakers raising many of the same concerns heard previously.
5. **Planning Commission: PDP and ODP Documents (Location: City Hall)**  
A heavily attended Planning Commission meeting was held on August 13, 2019. Both proponents and opponents of the proposed project spoke. Many of the topics that were raised had been brought forth at previous meetings. Additional comments were made about how the prairie dogs currently inhabiting the undeveloped land would be handled, about snow storage areas after snowfall events, and about a tree screen that has been promised by the applicant to the HOA of North Park as part of their mutual settlement of a separate quiet title action. Those speaking in favor commented about the quality and attractiveness of previous projects by the applicant, and about the already acute need for affordable housing, which

continues to increase. At this meeting, a letter was delivered from Johnson and Repucci, attorneys for Hamilton Zanze & Co, Inc., giving notice of objection to the PDP, ODP and previously submitted Comprehensive Plan applications - see attachments 6A-D.

After the May 15, 2019 Planning Commission meeting, many individuals began to reach out to City staff with comments, concerns, questions, and inquiries have remained steady since that time. Answers were provided to direct questions, where possible, and all inquiries were acknowledged via email, whenever email addresses were provided. All written comments received, in unedited form, are provided for review in Attachment 3.

Summary of Staff Recommendation

Recommend approval of the PDP and ODP by City Council, contingent upon the approval of the Comprehensive Plan amendment. The development proposed with this PDP and ODP, known as St. Mark Village, is located on six contiguous lots (Lots 11, 12, and 45-48) in the Hollyhurst Subdivision located at the northwest corner of West 97<sup>th</sup> Avenue and Federal Boulevard. If approved, St. Mark Village will consist of 216 for rent affordable apartment units.

This recommendation is based on a finding that the PDP is generally supported by the criteria set forth in Section 11-5-14 of the W.M.C. and that the ODP is generally supported by the criteria set forth in Section 11-5-15 of the W.M.C.

This project supports the City's Strategic Plan goals of Visionary Leadership, Effective Governance and Proactive Regional Collaboration by supporting regional efforts to expand the availability of affordable housing as well as Vibrant, Inclusive and Engaged Community through proactive development of diverse, integrated housing options.

Respectfully submitted,

*Donald M. Tripp*

Donald M. Tripp  
City Manager

**ATTACHMENTS:**

Description	Upload Date	Type
Attachment 1 - Vicinity Map	8/14/2019	Attachment
Attachment 2 - List of Exceptions (with Justifications) Requested by Applicant	8/14/2019	Attachment
Attachment 3 - Input Received from the Public	8/21/2019	Attachment
Attachment 4 - PDP Document	8/14/2019	Attachment
Attachment 5 - ODP Document	8/14/2019	Attachment
Attachment 6A - Part 1 of Johnson-Repucci Letter	8/20/2019	Attachment
Attachment 6B - Part 2 of Johnson-Repucci Letter	8/20/2019	Attachment
Attachment 6C - Part 3 of Johnson-Repucci Letter	8/20/2019	Attachment
Attachment 6D - Part 4 of Johnson-Repucci Letter	8/20/2019	Attachment
Attachment 7 - Applicant Continuation Request	8/20/2019	Attachment





**Vicinity Map**  
**St. Mark Village**  
**NWC - 97th Avenue & Federal Blvd.**



**EXCEPTIONS AND JUSTIFICATIONS LIST – ST. MARK VILLAGE****1) BUILDING SETBACKS:**

REQUIREMENT NOT MET IN MULTIPLE AREAS:

- A. THE WEST PROPERTY LINE IS ADJACENT TO THE CITY'S ELEVATED WATER TOWER SITE. GIVEN THE BUILDING HEIGHTS OF 45 FEET, 4 INCHES, THE WEST SETBACK MINIMUM WOULD BE 68 FEET. THE PROPOSED SETBACK ON THE SITE PLAN IS 10 FEET.

**JUSTIFICATION:** DUE TO THE NATURE AND LONG TERM MUNICIPAL USE OF THE CITY'S HYDROPILLAR PROPERTY ADJACENT TO THE WEST OF ST MARK VILLAGE, A 10 FOOT SETBACK FROM THE WESTERLY PROPERTY LINE FOR FIRE PROTECTION BEST PRACTICES IS PROVIDED. REDEVELOPMENT OF A MUNICIPAL PROPERTY SERVING A CRITICAL MUNICIPAL FUNCTION TO LARGE AREAS OF THE CITY IS HIGHLY UNLIKELY AND THEREFORE, THE REDUCED SETBACK IS WARRANTED.

- B. THE NORTH PROPERTY LINE IS ADJACENT TO NORTH PARK PRIVATE OPEN SPACE. NORTH PARK IS A RESIDENTIAL NEIGHBORHOOD WITH SINGLE-FAMILY AND TOWNHOME RESIDENCES. GIVEN THE BUILDING HEIGHTS OF 45 FEET, 4 INCHES, THE NORTH SETBACK MINIMUM WOULD BE 68 FEET. THE PROPOSED SETBACK ON THE SITE PLAN IS 5 FEET.

**JUSTIFICATION:**ADJACENT TO THE NORTHERN PROPERTY LINE OF ST. MARK VILLAGE, THERE EXISTS A 75 FOOT WIDE UTILITY EASEMENT LOCATED ON PROPERTY PLATTED IN THE NORTH PARK SUBDIVISION TO ACCOMMODATE HIGH VOLTAGE UTILITY TRANSMISSION LINES. FROM THE NORTHERN LINE OF THE UTILITY EASEMENT TO THE MOST NORTHERLY BUILDING FACE OF ST MARK VILLAGE, THERE IS A DISTANCE (AND THEREBY AN EFFECTIVE SETBACK DUE TO THE UTILITY EASEMENT BEING UNDEVELOPABLE) OF 80 FEET, WHICH IS IN EXCESS OF THE REQUIRED SETBACK FROM THE NORTHERLY PROPERTY LINE.

- C. THE EAST PROPERTY LINE IS ADJACENT TO FEDERAL BOULEVARD. A 75' BUILDING SETBACK IS REQUIRED FROM ARTERIAL STREETS. THE PROPOSED SETBACK ON THE SITE PLAN IS 39 FEET, 7 1/4 INCHES.

**JUSTIFICATION:** THE 2013 COMPREHENSIVE PLAN ENVISIONS URBAN PLANNING THAT BRINGS BUILDINGS CLOSER TO THE STREET EDGE, HIGH QUALITY MATERIALS, AND IMPROVED SITE LANDSCAPING AND PEDESTRIAN AMENITIES. AS THE SITE PLAN DEMONSTRATES, ST. MARK VILLAGE ACHIEVES THE OBJECTIVES OF THE COMPREHENSIVE PLAN WITH A SIGNATURE TOWER FACED WITH STONE ALONG FEDERAL BOULEVARD AND ENHANCED LANDSCAPING ALONG THE STREET EDGE TO SCREEN VEHICULAR PARKING AND MOVEMENT ON-SITE WITHIN THE 39 FOOT, 7 1/4 INCH SETBACK.

- D. GIVEN THE BUILDING HEIGHTS OF 45 FEET, 4 INCHES, THE EAST PROPERTY LINE ADJACENT TO THE WISHBONE RESTAURANT PROPERTY WOULD HAVE A 68-FOOT REQUIRED BUILDING SETBACK. THE PROPOSED SETBACK ON THE SITE PLAN IS 10 FEET.



**JUSTIFICATION:** THE WISHBONE PROPERTY IS A CURRENTLY IMPROVED PARCEL WITH A PARKING LOT ADJACENT TO ST MARK VILLAGE ON THE SOUTHEAST CORNER OF THE SITE. THE SHARED EAST/WEST PROPERTY LINE MAINTAINS A 100 FOOT SETBACK FROM THE SHARED PROPERTY LINE TO ANY BUILDING FACE. THE SHARED NORTH/SOUTH PROPERTY LINE MAINTAINS A 10 FOOT SETBACK FOR FIRE PROTECTION BEST PRACTICES. SHOULD THE WISHBONE PROPERTY GET REDEVELOPED AT SOME POINT IN THE FUTURE, AN EQUIVALENT TEN FOOT SETBACK FOR THE REDEVELOPED PROPERTY WOULD PROVIDE ADEQUATE FIRE PROTECTION FOR ANY USE DEVELOPED. FURTHER, THIS AREA OF ST MARK'S VILLAGE IS A NON-DOMINANT FACADE WITH LIMITED WINDOW OPENINGS, FURTHER REDUCING THE RISK FOR ANY FUTURE FIRE PROTECTION ISSUES IF THE WISHBONE PROPERTY WERE TO BE REDEVELOPED. THE PROPOSED SETBACK HELPS PROMOTE THE VISUAL APPEARANCE OF A STREET WALL AND IN TURN A BETTER STREETScape ALONG 97TH AVENUE, WHICH IS CRITICAL TO THE PEDESTRIAN EXPERIENCE.

- E. THE REMAINDER OF THE SOUTH BOUNDARY LINE IS ADJACENT TO 97TH AVENUE. GIVEN THE BUILDING HEIGHTS OF 45 FEET, 4 INCHES, THE SOUTH SETBACK MINIMUM WOULD BE 68 FEET. THE PROPOSED SETBACK ON THE SITE PLAN IS 25 FEET.

**JUSTIFICATION:** THE 2013 COMPREHENSIVE PLAN ENVISIONS URBAN PLANNING THAT BRINGS BUILDINGS CLOSER TO THE STREET EDGE, HIGH QUALITY MATERIALS, AND IMPROVED SITE LANDSCAPING AND PEDESTRIAN AMENITIES. AS THE SITE PLAN DEMONSTRATES, ST. MARK VILLAGE ACHIEVES THE OBJECTIVES OF THE COMPREHENSIVE PLAN WITHIN THE 25 FOOT SETBACK BY BRINGING BUILDINGS CLOSER TO THE STREET EDGE TO CREATE A STREET WALL, INSTALLING BULB-OUTS AT THE SIDEWALK ON BOTH SIDES OF 97TH AVENUE AS A TRAFFIC CALMING SOLUTION AND PEDESTRIAN AMENITY, AND UTILIZING GREEN INFRASTRUCTURE RAIN GARDENS THE ENTIRE FRONTAGE ALONG 97TH AVENUE, WHICH SERVE AS A VISUAL AMENITY USING SUSTAINABLE WATER QUALITY METHODS.

**2) LANDSCAPE SETBACK AREAS:**

REQUIREMENT NOT MET: 35' LANDSCAPED SETBACK AREA (25' ALONG FEDERAL BLVD.) NOT PROVIDED. NO PARKING IS PERMITTED IN THESE SETBACK AREAS.

**JUSTIFICATION:** THE 2013 COMPREHENSIVE PLAN ENVISIONS URBAN PLANNING THAT BRINGS BUILDINGS CLOSER TO THE STREET EDGE, HIGH QUALITY MATERIALS, AND IMPROVED SITE LANDSCAPING AND PEDESTRIAN AMENITIES. IN LIEU OF THE 35' LANDSCAPED SETBACK AREA, ENHANCED LANDSCAPING PLANTINGS HAVE BEEN PROVIDED AT A RATE 3 TIMES THE NUMBER OF REQUIRED PLANTINGS AND ADEQUATELY SCREENING ON-SITE VEHICULAR PARKING AND MOVEMENT.

**3) SETBACK OF POOL / CLUBHOUSE:**

REQUIREMENT NOT MET: 100' SEPARATION BETWEEN POOL/CLUBHOUSE AND PROPERTY LINE.

**JUSTIFICATION:** PRIVACY LANDSCAPING WILL BE INSTALLED NORTH OF THE POOL LOCATION IN ORDER TO SCREEN THE ACTIVITY AREA. FURTHER, AN EXISTING LANDSCAPING BERM WITH MATURE LANDSCAPING ALREADY EXISTS APPROXIMATELY 16-22 FEET NORTH OF THE PROPOSED POOL LOCATION AND A 75 FOOT WIDE UTILITY EASEMENT PROVIDES ADEQUATE BUFFER TO EXISTING NEIGHBORS TO THE NORTH. IN ADDITION, THE AREA SOUTH OF AN EXISTING FENCE ALONG THE NORTH PROPERTY LINE IS TO BE ADDRESSED BY A FUTURE ODP AMENDMENT WHICH IS EXPECTED TO PROVIDE FOR A SUBSTANTIAL TREE SCREEN IN THIS AREA, PER ACCEPTANCE BY THE NORTH PARK EAST ASSOCIATION.

4) **DETACHED SIDEWALKS:**

REQUIREMENT NOT MET: NO DETACHED SIDEWALK (MINIMUM 5' WIDE, WITH STREET TREES / LANDSCAPING BETWEEN CURB AND SIDEWALK) PROVIDED ALONG 97TH AVENUE.

**JUSTIFICATION:** 4 FOOT WIDE ATTACHED SIDEWALKS ALONG 97TH AVENUE ARE ALREADY IN PLACE AND CONSTRUCTED, ARE CONSISTENT WITH THE ENTIRE LENGTH OF 97TH AVENUE FROM FEDERAL TO LOWELL. DETACHING THE SIDEWALKS ALONG 97TH AVENUE WOULD MAKE THE ST MARK VILLAGE PARCEL LOOK OUT OF PLACE WITHIN THE SURROUNDING NEIGHBORHOOD CONTEXT. FURTHER, DUE TO 97TH AVENUE NOT BEING AN ARTERIAL ROADWAY, THE PEDESTRIAN EXPERIENCE IS NOT DIMINISHED AS LIMITED VEHICULAR TRAFFIC EXISTS ALONG THE STRETCH OF 97TH AVENUE BETWEEN FEDERAL AND LOWELL.

5) **PARKING:**

REQUIREMENT NOT MET: SHORTAGE IN PARKING SPACES PROVIDED; (273 PROVIDED, 347 REQUIRED, 74 SHORT). (NOTE: ON-STREET PARKING SPACES MAY NOT BE COUNTED.)

**JUSTIFICATION:** PARKING STUDY PROVIDED TO THE CITY OF WESTMINSTER SUPPORTED A PARKING REDUCTION BETWEEN 21% AND 41% LOWER THAN MINIMUM REQUIREMENTS. A PARKING RATIO OF 1.26:1.00 IS UTILIZED, A 21% REDUCTION. THE REDUCTION IS AT A TYPICAL RATE FOR THE METRO AREA.

6) **COVERED AND/OR GARAGE PARKING:**

REQUIREMENT NOT MET: NO CARPORTS OR GARAGES PROVIDED.

**JUSTIFICATION:** ST MARK VILLAGE IS TO BE A RENT-RESTRICTED AFFORDABLE COMMUNITY AND IN ORDER TO MAINTAIN AFFORDABILITY, REQUESTS COVERED PARKING REQUIREMENTS BE ELIMINATED AND INSTEAD, POTENTIAL FUTURE ROOFTOP SOLAR PHOTOVOLTAIC BE AN ALTERNATIVE PROJECT COMPONENT SHOULD PROJECT BUDGET SAVINGS DURING CONSTRUCTION ALLOW, HELPING TO MAINTAIN AFFORDABILITY OVER THE LONG TERM.

7) **LANDSCAPED ENTRY MEDIAN:**

REQUIREMENT NOT MET: ENTRANCE LANDSCAPED MEDIAN NOT PROVIDED.

**JUSTIFICATION:** IN ORDER TO MAINTAIN THE TRADITIONAL DESIGN OF ST MARK VILLAGE, WHICH COMPLIMENTS THE NEIGHBORING ST MARK'S CATHOLIC CHURCH, A MEDIAN/ISLAND HAS BEEN OMMITTED HOWEVER, ST MARK VILLAGE FEATURES TWO ENTRY TOWER DESIGN COMPONENTS CENTERED BY A STONE CLUBHOUSE CAPPING THE ENTRY DRIVE TO ACHIEVE THE DESIRED PLACEMAKING AND SITE IDENTIFICATION PURPOSES THAT MEDIAN/ISLANDS PROVIDE AT A PRIMARY ENTRANCE.

8. **GROUND-LEVEL LIGHTING:**

REQUIREMENT NOT MET: GROUND-LEVEL LIGHTING NOT PROVIDED.

**JUSTIFICATION:** DUE TO THE INFILL NATURE OF THE DEVELOPMENT, PROPOSED SIDEWALKS ARE IN CLOSE PROXIMITY TO BUILDING LIGHTING THAT WILL SUFFICIENTLY ILLUMINATE GROUND LEVEL PATHWAYS AND ADDITIONAL GROUND LIGHTING IS NOT NEEDED.

9. **HOT TUB AND SPLASH PAD:**

REQUIREMENT NOT MET: HOT TUB AND SPLASH PAD NOT PROVIDED.

**JUSTIFICATION:** IN LIEU OF A HOT TUB AND SPLASH PAD, A POOL IS TO BE PROVIDED TO BETTER ACCOMMODATE THE FAMILY DEMOGRAPHICS OF THE TO-BE-CONSTRUCTED COMMUNITY.

10. **SWIMMING POOL DECK WIDTHS:**

REQUIREMENT NOT MET: MINIMUM DECK WIDTHS AROUND POOL NOT PROVIDED.

**JUSTIFICATION:** MINIMUM SWIMMING POOL DECK WIDTHS MEET OR EXCEED 2015 INTERNATIONAL SWIMMING POOL AND SPA CODE.

11. **BUILDING AND PARKING SPACING:**

REQUIREMENT NOT MET: MINIMUM 15' SPACING BETWEEN BUILDINGS AND PARKING AREAS NOT PROVIDED.

**JUSTIFICATION:** DUE TO THE INFILL NATURE OF THE SITE AND IN AN EFFORT TO PROVIDE AS MUCH ON-SITE PARKING AS FEASIBLE BASED ON NEIGHBORHOOD FEEDBACK THE 15' MINIMUM DIMENSION IS PROPOSED TO VARY FROM 12' TO 45' WITH ENHANCED LANDSCAPING PROVIDED WHERE BUILDING FRONTS AND PARKING INTERACT.

12. **PARALLEL BUILDING SPACING:**

REQUIREMENT NOT MET: MINIMUM 40' SPACING BETWEEN PARALLEL BUILDINGS NOT PROVIDED.

**JUSTIFICATION:** PROPERTY IS AN INFILL DEVELOPMENT SITE THAT CANNOT MEET THE INTENT OF THE PROPERTY'S ZONING IF PARALLEL BUILDING SPACING OF 40' IS MAINTAINED. INSTEAD, EVERY OTHER BUILDING HAS A DIFFERENT OVERALL FORM, SCALE, OR ORIENTATION TO BREAK UP THE VIEWING PLANE.

**13. NON-PARALLEL BUILDING SPACING:**

REQUIREMENT NOT MET: MINIMUM 35' SPACING BETWEEN NON-PARALLEL BUILDINGS NOT PROVIDED.

**JUSTIFICATION:** PROPERTY IS AN INFILL DEVELOPMENT SITE THAT CANNOT MEET THE INTENT OF THE PROPERTY'S ZONING IF PARALLEL BUILDING SPACING OF 35' IS MAINTAINED. INSTEAD, EVERY OTHER BUILDING HAS A DIFFERENT OVERALL FORM, SCALE, OR ORIENTATION TO BREAK UP THE VIEWING PLANE.

**14. PRIMARY AND ACCESSORY BUILDING SPACING:**

REQUIREMENT NOT MET: MINIMUM 25' SPACING BETWEEN PRIMARY AND ACCESSORY BUILDINGS (CLUBHOUSE) NOT PROVIDED.

**JUSTIFICATION:** PROPERTY IS AN INFILL DEVELOPMENT SITE THAT CANNOT MEET THE INTENT OF THE PROPERTY'S ZONING IF PARALLEL BUILDING SPACING OF 25' IS MAINTAINED. INSTEAD, EVERY OTHER BUILDING HAS A DIFFERENT OVERALL FORM, SCALE, OR ORIENTATION TO BREAK UP THE VIEWING PLANE.

**15. PARKING LOT SETBACKS FROM INTERIOR PROPERTY LINES:**

REQUIREMENT NOT MET: PARKING LOT SETBACKS (15') FROM INTERIOR PROPERTY LINES NOT PROVIDED.

**JUSTIFICATION:** THE WISHBONE RESTAURANT PROPERTY HAS A BLOCK WALL WITH THICK TREE CANOPY ON THE PROPERTY LINE. WHEN COMBINED WITH ADDITIONAL LANDSCAPING TO BE INSTALLED AT ST MARK'S VILLAGE, THERE WILL BE AN ADEQUATE YEAR ROUND BUFFER PROVIDED IN LESS THAN THE 15 FOOT SETBACK REQUIREMENT.

**16. TREATMENT OF UPPER-FLOOR BUILDING MASSING:**

REQUIREMENT NOT MET: ONE-STORY STEP-DOWN IN BUILDING HEIGHTS NOT PROVIDED.

**JUSTIFICATION:** IN LIEU OF A STEP-DOWN IN BUILDING HEIGHTS, WHICH WOULD NOT FULFILL THE INTENT OF THE SITE'S ZONING, THE BUILDING DESIGN REFLECTS COMPONENTS OF A STEPPED DESIGN AND OTHER DESIGN ELEMENTS THAT CONVEY A SENSE OF PLACE AT RELATABLE AND RELEVANT HUMAN SCALE, WITH OVERALL HEIGHT BEING ONE STORY HIGHER THAN ADJACENT EXISTING PROPERTY. EACH BUILDING FAÇADE EXHIBITS VARYING ROOF AND PITCH ELEMENTS OF NOT LESS THAN 4 ELEVATIONS. THE COMMUNITY ENTRY FEATURES TWO SIGNATURE TOWERS ON THE BUILDING CORNERS WHICH BREAK THE FAÇADE AND CONVEY SIGNIFICANCE. THE BUILDING ALONG FEDERAL BOULEVARD FEATURES A TOWER THAT TIES INTO THE ENTRYWAY DESIGN FOR CONSISTENCY OF EXPERIENCE. THE TYPICAL FAÇADE DESIGN CONVEYS A STIMULATING AESTHETIC THAT COMPLIMENTS THE NEARBY ST MARK CATHOLIC CHURCH WHILE ALSO FULFILLING THE HIGHEST AND BEST UTILIZATION OF THE ZONING INTENT.

**17. EXTERIOR BUILDING MATERIALS AND COLORS:**

REQUIREMENT NOT MET: BUILDING EXTERIOR CLADDING SURFACES, INCLUDING AT LEAST 2 FEET AROUND THE BASE OF THE BUILDING, PATIO AND BALCONY AREAS, BUT EXCEPTING WINDOW, DOOR, OR RAILING PORTIONS, ON ALL SIDES OF ALL PRIMARY AND ACCESSORY BUILDINGS, ARE NOT FINISHED WITH THIRTY PERCENT (30%) OR MORE OF ALL WITH MASONRY (BRICK OR STONE).

**JUSTIFICATION:** IN AN EFFORT TO KEEP THE PROJECT AN AFFORDABLE DEVELOPMENT, THE DESIGN UTILIZES STONE IN PROMINENT PUBLIC FACING LOCATIONS ONLY, INCLUDING SIGNATURE STONE ENTRY TOWERS ALONG 97<sup>TH</sup> AVENUE AND A STONE TOWER ALONG FEDERAL BOULEVARD IN LIEU OF STONE OR MASONRY ON 30% OF ALL EXTERIOR CLADDING SURFACES. THE DESIGN ALSO UTILIZES TWO ALTERNATING COLOR SCHEMES TO HELP DIFFERENTIATE AND DISTINGUISH EACH BUILDING TYPE.

**18. BALCONY ENCLOSURE:**

REQUIREMENT NOT MET: BALCONIES ARE FRONTED WITH RAILINGS RATHER THAN OPAQUE WALLS.

**JUSTIFICATION:** ENCLOSED BALCONIES PROVIDE FOR A DATED LOOK AND FEEL AND ARE NOT IN KEEPING WITH CURRENT ARCHITECTURAL DESIGN OR TENANT EXPECTATIONS. BALCONIES ARE RECESSED WITHIN UNITS (IE NOT PROTRUDING FROM THE BUILDING FAÇADE) PROVIDING ENCLOSURE THROUGH DESIGN AND A BETTER, MORE USABLE TENANT EXPERIENCE.

**19. SITE LANDSCAPING PERCENTAGE:**

REQUIREMENT NOT MET: MINIMUM OF 40% OF SITE LANDSCAPED IS NOT MET.

**JUSTIFICATION:** PROPERTY IS AN INFILL DEVELOPMENT SITE THAT CANNOT MEET THE INTENT OF THE PROPERTY'S ZONING IF 40% OF THE SITE IS LANDSCAPED. HOWEVER, THE PROPERTY IS LOCATED WITHIN 500 FEET OF SQUIRES PARK AND APPLICANT HAS PROVIDED USABLE OPEN SPACES ON-SITE THAT WILL BE BETTER BY THE EXPECTANT FAMILY DEMOGRAPHIC, INCLUDING AMENITIES SUCH AS A LANDSCAPED GARDEN AREA WITH DEDICATED SEATING, A BARBEQUE PATIO AND LOUNGE AREA WITH GRILLS, POOL, AND A CHILDREN'S PLAYGROUND.

**20. PARKING LOT LANDSCAPING ISLANDS:**

REQUIREMENT NOT MET: PROPER PROVISION/QUANTITY, SPACING, AND PLANTING OF PARKING LOT LANDSCAPE ISLANDS NOT PROVIDED.

**JUSTIFICATION:** PARKING LOT LANDSCAPING ISLANDS ARE PROVIDED AT THE LENGTH OF EACH BUILDING, BUT THE VISUAL SCALE OF PARKING IS MITIGATED THROUGH THE DRIVE WAY DESIGN AND CLUBHOUSE LOCATION. ON THE EAST SIDE OF THE SITE, THE DRIVEWAY JOGS SOUTH TO BREAK UP THE VISUAL PARKING MASS. ON THE WEST SIDE OF THE SITE, THE CLUBHOUSE LOCATION WITHIN TWO PARKING AISLES BREAKS UP THE VISUAL PARKING MASS. WHILE SELECT PARKING AISLES ARE LONGER THAN TYPICAL THEY ARE 1) WITHIN EXISTING PRECEDENT IN THE CITY OF WESTMINSTER, 2) DO NOT FACE PUBLIC RIGHT OF WAY, AND 3) ARE MITIGATED THROUGH

INTELLIGENT DESIGN INCLUDING ENHANCED LANDSCAPING WITH TREE AND SHRUB PLANTINGS WHICH EXCEED REQUIRED MINIMUMS BY THREE TIMES.

**21. SCREENING OF PARKING:**

REQUIREMENT NOT MET: PROVISION OF LANDSCAPED BERMS TO SCREEN PARKING AREAS FROM ADJACENT DEVELOPMENTS AND STREETS.

**JUSTIFICATION:** DEVELOPMENT'S PARKING IS INTERIOR TO THE SITE WITH SCREENING BEING PROVIDED ON THE NORTH AND SOUTH PROPERTY LINES BY BUILDINGS. TO THE WEST AND EAST, PARKING IS SCREENED BY A COMBINATION OF BUILDINGS AND LANDSCAPING. ALONG THE SHARED PROPERTY BOUNDARY WITH WISHBONE RESTAURANT, SCREENING IS PROVIDED BY AN EXISTING CINDER BLOCK WALL FIVE FEET IN HEIGHT AND EXISTING MATURE LANDSCAPING. FURTHER, ENHANCED LANDSCAPING IS PROVIDED SITE-WIDE TO IMPROVE OVERALL AESTHETIC BETWEEN BUILDING-PARKING INTERACTION AND PARKING-STREET INTERACTION. MINIMUM TREE AND SHRUB PLANTINGS EXCEED REQUIRED MINIMUMS BY THREE TIMES TO PROVIDE ADDITIONAL SCREENING AND BETTER OVERALL AESTHETIC.

**22. REMOVAL OF BILLBOARD:**

REQUIREMENT NOT MET: BILLBOARD IS A NON-CONFORMING SIGN THAT SHOULD BE REMOVED AS A CONDITION OF DEVELOPMENT.

**JUSTIFICATION:** PROPERTY OWNER WILL REMOVE SIGN AFTER LEASE TERMINATION IN 2021.

**23. MULTI-USE PATHS:**

REQUIREMENT NOT MET: NO 10' WIDE MULTI-USE PATHS WITHIN PROJECT.

**JUSTIFICATION:** AS AN INFILL DEVELOPMENT PROJECT, THE OPPORTUNITY FOR NEW PATHS IS LIMITED BY EXISTING CONDITIONS. AS AN ALTERNATIVE, THE PROJECT HAS PROVIDED ON-SITE LANDSCAPED PATHWAYS AND SEATING AS A DESTINATION RATHER THAN A MULTI-USE PATH.

## **Public Comments Received: May 15 to August 20, 2019**

*The following comments were received via email by Staff (with date-of-receipt listed). Staff attempted to provide concise answers to specific questions posed, where possible. All inquiries were acknowledged via return email, which occasionally generated follow-up inquiries.*

### **Mark & Jean Whitney (5/15 and 5/21):**

"I really don't care about the apartments either way. Just more interested in the [traffic] flow pattern and getting a turn lane in at 97th. I know there is politics involved in everything. I know the church is bound to make much money on this sale/approval but I am only interested in the safety/traffic flow issue."

### **James Hensinger (5/15 and 5/21):**

*(Mr. Hensinger first noted that he had missed the Planning Commission Meeting on May 14<sup>th</sup>, and asked for a synopsis of the proposal being considered. Once he received this, he asked the following questions:)*

"Thank you very much for the response. I appreciate your thoroughness in addressing my questions.

"Can you provide a link to the definitions of the various zoning classifications being applied in this request?

"I can understand the re-zoning of the water tower. It is always nice to dot the "I's," and keep the city paperwork in order. This change seems to be only a "clean up the paperwork" activity.

"The re-zoning of the Wishbone property seems unnecessary for its present use. How does the change affect the Restaurant? Does the change make the property more useful to future developers?

"My primary concern is with the R-36 designation. I believe there is an Excel 75' easement along the north property line. Is the easement outside the lots under consideration? Is there a map showing the easement, and the numbered lots?

"I live in NorthPark East, but not within three hundred feet of the lots being considered for a zoning change. Is there a way to ensure that I will receive notifications of meetings? Can you provide a contact for the developer, or can you add me to a distribution list? My contact information is below.

"I and several of my neighbors are concerned about the future use of the property and the potential impacts on our community. Is attending the meetings the only way for us to express our concern?"

### **Lorraine Sherry (5/15 and 5/16):**

"Please consider entry/exit onto Federal Blvd. and rush hour traffic. Residential use is OK, but keep it in the context of the neighborhood - two story homes or townhomes, no Soviet skyscrapers or slot homes. Please, the City is now ruining 92nd & Sheridan with those

monstrosity buildings – it's turning into a cityscape, not a suburban close-knit neighborhood that's existed for ~35 years. This is a quiet, peaceful neighborhood where people walk the greenspaces or to the supermarket and socialize with each other. What would you do with all those cars? All that exhaust? All that noise? Make it homeowner-owned not rental. We'd love more townhomes to fill out the space by the south fence.

"I read the verbose document. We at NPE received NO invitation from the City to attend the meeting. Americans aspire to own their homes. There will be no townhomes at this St. Marks Village, nor owner-occupied condos. Those apartments will be FOR RENT. And to fit 216 rental apartments in that small space will mean building out to the edges of the parcel. No discussion of the height of the proposed buildings. Note that some new apartment houses on Sheridan north of 92nd are 5 stories high. No discussion of greenspace, walkways, medians, lawns that allow water to perc into the soil, trees, etc. Added traffic - families with small children and people with diminished mobility issues aren't going to give up their cars that easily, transit or no. Will underground parking hold 216 cars? In NPE, we have 2-car garages. This bright idea will have a huge impact on all 511 homeowners in NPE. It is not in the context of our neighborhood. Residential is OK, affordability is OK, but not the way the document describes."

**Michael and Kaye Patterson (5/16):**

"To whom it may concern;

"This area that the city is considering for a very dense low income apartment area, by the Wishbone Restaurant, seems to be a very bad idea in so many ways.

"This particular area is a very congested piece of land to add hundreds of more drivers using Federal Blvd. as its main thoroughfare. It is also an area of town that has seen a significant uptick in crime. What is the impact on the local schools! Funny that our water cost have greatly increased yet the city wants to add high density residential areas. These areas soon could become run down communities and eyesores.

"Our City Council seems eager to take as many low income dense communities as possible to fill vacant lots in town. They seem unconcerned with the quality of current residence living conditions. It seems to me that Westminster City Council may have some underlying reasons for wanting to fill every available piece of land with large housing projects.

"Please reconsider this small piece of land for this type of development. Westminster has always been a very nice community but the City Council seems bent on changing that."

**Tamar Beaman (5/17):**

"I live at the NorthPark neighborhood, (in the townhome section) which spans from Federal to Lowell and from 102nd south to 98th. The south side of our collective property of townhomes and single family homes, borders the vacant lot that exists between Wishbone Restaurant and the big water tower and another tower being constructed. One of our retired residents learned, after reports of a meeting held May 14, that there are plans to develop the vacant lot to the south of NorthPark. Specifically, there's some concern among our residents about the proposed rezoning of this 6 acre lot to R-36 in order to build a 216 unit low-income apartment complex called St. Mark Village Apartments.

"Among the chief concerns are:



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"1. How many stories are these apartments proposed to be? The fear is they will be several stories high which will not only drastically change the appearance of the neighborhood views (by blocking them) but will negatively infringe on the privacy of the Northpark residents living along the property line by people being able to see into their yards and our common areas.

"2. What's it going to look like? How much of the acreage will be used up by buildings, parking lots, and greenspace? Is there an architectural drawing of the proposed complex from both street view and birds-eye view? Can we see that somewhere?

"3. 216 units seems like a very high density population to put on such a small lot. If each apartment has at least 2 people, then you can double the amount of cars to 432; what is the plan to deal with the additional traffic flow through the immediate neighborhood?

"4. How will all this extra population affect the teacher student ratio at the local schools?

"5. Why weren't residents of NorthPark and/or its property managers for NorthPark (Advance HOA for the townhomes) notified about this in time to get the word out for us to attend the public comment meeting that was held on/about May 14, 2019? We only learned about it after the fact. We are a shared community with common areas so it doesn't just affect neighbors on the south side of NorthPark, it affects all of us.

"6. When and where is the next public comment meeting? We want to learn more and comment publicly.

"7. The proposed apartments are low-income and/or low-rent; does this include Section 8 voucher recipients and/or Section 8 project-based funding? What government entity will be funding/regulating this and who will be the onsite management?

"This high density increase in population so close to our NorthPark townhome and SF home complex doesn't just affect the neighbors on the south side of our collective property, it potentially affects all of us since we all walk the trails and enjoy the beauty and quiet of the area. Many apartment complexes are not well designed to fit into the existing neighborhood aesthetics, so there is concern that this will be a high rise or multistory which will destroy the ambiance of the neighborhood. It certainly will add more traffic along Federal, Lowell and adjoining roads, resulting in more light changes that inhibit traffic flow along Federal. Unfortunately too, many times the overcrowding in low-rent apartments with high density population adds an increase to neighborhood vandalism and crime.

"I experienced this when I used to live in Thornton at a town home complex that was across the street from Aztec Villa Apartments and Parkview Terrace Apartments, the majority of which were Section 8 tenants. In the 17 years I owned my home there, I saw a Dramatic increase in population at the apartments, many of which were occupied by more than one family. This overcrowding leads to a lot of "hanging in the hood" behavior, noisy activity in the parking lots with music blaring, cars revving up and being worked on, bored teens doing graffiti on our fences and townhome walls, and an increase in other crimes, especially car break-ins, and drug-related crimes. The Thornton Police were a constant presence in the neighborhood, which soon got a negative reputation. The noise and the traffic were the reason I had to sell my home. I deliberately chose the NorthPark neighborhood in Westminster because it was quiet, pretty and mostly free of through traffic. I am afraid that high density apartments so close by will destroy all that.

"I would appreciate any of the above questions you can answer. If there are any public documents we can view of these proposed apartments and how they are envisioned to look and operate, and fit into the community, please let me know."

**Myrna Lacina (5/18):**

"This is to inform you that I am NOT in favor of a 216 unit multi housing development going up there at St Marks Village. It needs to be single family homes or townhomes which are owner occupied. Anything else is inappropriate there."

**Sheran and Rich Hehn (5/20):**

"We are writing to you regarding our disapproval of rezoning to build apartments next to the Wishbone Restaurant and water towers on Federal Blvd.

"Why not single family homes that would have lawns, trees and shrubs to help with CO2 and climate change.

"Single family homes would increase our Westminster tax base, also increasing surrounding property values. Single family homes would place less demands on our water, sewer and schools. Apartments would add a significant amount of burden to all our infrastructures and traffic to an already burdened Federal Ave. Has a study been done to evaluate the impact?"

"This rezoning proposal should have been posted in the Northpark news letter to inform the neighborhood. This does not feel right that we are hearing about this through a neighbor."

**Lorraine Sherry (5/22):**

"Many thanks for addressing my concerns in my e-mails to you. I appreciate your response. I would like to attend some of those meetings. But I am confused about some of the issues, I have lots of questions, and I am looking for clarification. My understanding is that these meetings are for decision making rather than for Q/A and clarification by affected, current residents.

1. "Setback: As a member of NPE (NorthPark East) Landscape Advisory Committee, I have a copy of the ODP map for Filing 14, but I am not very good at interpreting what I see on official maps. I do know that Excel Energy's 75 foot easement cannot be built on, but it's not clear to me whether the St. Mark's Village setback from NPE's property line is 50 feet or some other number.
2. "Zoning: In the city documents online, I see that R36 buildings could run 3 to 5 stories high, and would be more appropriate near other high-density areas, such as the (under construction) new city center or near transit hubs like the new light rail line. NPE has R3.5 to R8 zoning, and the condo development by the elementary school schoolyard has R18. NPE is a quiet residential neighborhood. Wouldn't R18 be a more sensible upper limit for residential zoning for St. Mark's Village rather than R36? Townhomes or condos would be more appropriate than tall, densely occupied buildings. Can this be considered at the zoning meeting? Clearly, "commercial" is appropriate for Wishbone and "public" for the water tower area, but R36 is very high compared to neighboring

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residential subdivisions, especially the single family homes on the three “courts” at the south end of NPE.

3. “Bike path: Is the bike path mentioned in the online document the pedestrian and dog walk path in the easement, that runs along the NPE side of the NPE south fence? That fence was built by Writer Corporation and rebuilt in the same location at NPE’s expense when the original fence deteriorated.
4. “Park: Is the park mentioned in the online document Squire’s Park? Would families and children have to go through the school yard to get to Squires Park? How else would they access it on foot? If by car, where would they park?
5. “Recreation: What amenities would be included in St. Mark’s Village? I would hope that families would have their own recreation area and not be tempted to cross subdivision boundaries to use NPE’s pool and recreation area. We have had ongoing problems with non-residents cutting through our common areas and hopping over the NPE pool fence to avoid the card-reader gate.
6. “Transit: To my knowledge is only the local 31 bus. I have ridden it to downtown. The closest park and ride to major bus lines is behind city hall at 92nd and Sheridan, not walking distance from NPE. And the new light rail is at 72nd, certainly not walking distance. The closest hospital is down at 84th street. So families would need at least one family car, possibly two, especially if both parents work and there are teenagers in the household. Where would 216 cars park? How would this affect current traffic patterns, especially at rush hour? Would a large number of St. Mark’s Village residents’ cars then be cutting through NPE streets to get to the school, Squires park and King Soopers?

“I’ve tried to do my research, would like to attend meetings, but am timid about speaking out because I am simply not sure I understand all the issues involved with high density public housing right across from our quiet neighborhood. I thank you for your time. I am sure you are a busy man. Any clarification would be very much appreciated.”

**Lorraine Sherry (6/2):**

“I have been in touch with Mr. German and so has my friend Tamar Dexter and several of our other NorthPark East residents. I am OK with re-zoning Wishbone and the water towers, but NOT with the proposed “St. Mark’s Village” rentals. I would like to find out more about this proposed high-density low-income apartment house complex abutting our south fence at NorthPark East. This will be a VERY HIGH population density compared with our single-family homes and 2-story townhomes! I am particularly concerned about how close the buildings, trash pickup, and noise will be to our south fence. I have three concerns.

1. “Our population density is R3.5 for the single family homes and R8 for the townhomes. The proposed density for the 3-story high apartment houses is R36. This is wholly incompatible with our 30-year old quiet, owner-occupied subdivision. Our main “demographic” is retirees aging in place, who use the common areas for play, relaxation, and the south sidewalk for dog walking or their own daily walks.
  - a. ?? How can we as homeowners request the City to lower the apartment density to maybe R18??
2. “Our southernmost townhomes (and their patios and lawn/common areas) abut the foot path, used primarily by our residents for their daily walks or dog walks. No bikes or

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scooters. The foot path lies wholly inside NorthPark East's south fence, on NorthPark East property. Some of our townhomes are very close to the south fence. We have had an ongoing battle with graffiti painted by non-residents on our south fence. It's also easy for non-resident teenagers to hop the fence onto our property.

- a. ?? How will we be able to secure our property and keep non-residents from trespassing on NPE common areas??
3. "?? How does the City intend to deal with the huge new crush of traffic entering Federal Blvd. from 97th during rush hours??"
  - a. ??Will parents try to cut through NorthPark East to drive their kids to school??

"I plan to attend the City Council meeting on June 10th, at 7 PM at City Hall. If this changes, will we be notified? I also plan to attend the July 23rd meeting about the ODP. I would like more information about the proposed PDP and ODP."

**Lorraine Sherry (6/5):**

"Today, we measured the distances from the numbered NorthPark East townhome pads (slabs) shown on the vicinity map and the south fence.

"After comparing these measurements with the ODP (revised 11/12/93), it has come to my attention that there is a discrepancy between the actual location of the NorthPark East south fence and the 75 foot wide utility easement that we understand is required by law. Evidently the NorthPark East property line lies further south than the south fence. Please check to verify that these numbers are correct.

#3420 – 65 feet

#3410 – 65 feet

#3380 – 61 feet

#3360 – 61 feet

#3330 – 61 feet

#3210 – 64 feet

#3260 – 71 feet"

**Lynn Yoder (6/6):**

"Thanks you for your reply. That helped answered my questions.

"This project directly affects me because I live right behind the property line in North park East. I am not against progress growth for Westminster but this projected proposal has so many negative

Issues for our city that I am scared to death of having low income property individuals looking right into my front door. The proposed project zoning does not fit this area.

"Negative Issues:

"Parking. 216 family units all stuffed into such a small area. Statics shows that every family has 2 cars per household. That is 432 vehicle in this complex that is impossible to find parking for that many.

They will have to park on both sides of 97th st which is very narrow. Think about this, 432 cars leaving this space from just one exit point. That will not work. This project does not fit this area for controlled growth. I think Wishbone restaurant better wake up because they will be parking in

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their lot even though no parking sign are posted. People don't respect other or property anymore, that a sad day in america. They do what they want.

"Traffic flow on 97th. Trying to get that many cars onto Federal North bound without a traffic light will cause many accidents. Another traffic light at 97 th and Federal is not the solution. that would give us 6 traffic light from from 104 th south to this intersection. We don't need another traffic light on Federal in this area. I know you are familiar how people turn now into Wishbone restaurant from north bound Federal. They come to the light at 98th Federal and make a u turn in our resident and return to Federal southbound. I have sat at that light behind six cars and by the way it takes 2 light cycles to make it thru because it only lets 3 car max at one light. As I turned in 3 cars ahead of me all made the u turn and out. Unacceptable traffic flow. Please help!!

"Affordable Housing. I call it low income housing. This type of housing (R-36) create so many issues that a city once building a project like this never recovers from the eyesore that is causes.

High transit individual. Move to the state,, stay 6 months tear the place up and move on. Leaving behind many problems.

Drug problems, noise is all hours of the day, kids everywhere. These type of housing units leave trash because they have no skin in the game so they don't care what they leave behind.

Theft issues. People live so close to each other that they quarrel and that leads to shooting.

Look what is happening in this country of ours. Killings because people are so stressed out about issues of overcrowding conditions. As you know, we are finding that many projects like this have issues with 4 families living one unit to make ends meet. Too many people for such a small space.

This type of housing does not fit in this area. We have a very nice quite place where we live and we want to keep it that way. Move this project to the old Nolans RV place down by the tracks on Federal.

"Property value I fully expect that a low income property built as requested will lower all our property values in North Park.

"Federal Blvd. I hate to say this but I have to be honest with you. I will not drive south on Federal from 98 th ave after dark. I fear for my safety as stoped at 92 nd and 88th all the way down to highway 76.

this part of Federal is an eye sore for Westminster. Mom and pop LQ stores, pot shops, ugly tire stores with tires everywhere, marijuana dispensaries, old food trucks with creepy homeless people all over the place. When we have visitors that come, I tell them to never come up federal at anytime during the day always bypass this area.

"Excel Energy I understand the developer are trying to get an variance for the overhead lines so they can build right next to the property line. Should they be awarded this variance this would be a very dangerous mistake.

Excel Energy for years have butchered our trees where I live because they exceed the fifty foot variance. Cut down 5 next to my house. Why all of a sudden its ok to allow a developer to build a three story building within 20 feet of these lines. It's all about the money.If they build like planned on the property line 3 story building would rise up to 35 ft tall and be within 20 feet of those lines. Someone will get killed.

"Mr German, Let me ask you the Planning Division and the City Council of Westminster a question. If anyone of this team lived where I do, right across the fence from this proposal, would you vote to approve it as written?

Sorry to say, but I know not one of this team would vote to have this project in their backyard. Help us out here we are the people of Westminster and we care about thing like this.

"COME ON CITY OF WESTMINSTER, YOU ARE BETTER THEN THIS! PLEASE DON" T SELL US DOWN THE RIVER.

"Thank you"

**James Speed Hensinger (6/10):**

"I started a thread on Nextdoor.com re the re-zoning of the property next to the Wishbone restaurant to R-36. In case you don't know about the thread, here is the link. I don't know if you will need to join to read the postings. I also created two event pages on NextDoor.com. One to announce the meeting date change from June 10th to the 24th, and one for the actual meeting on June 24th. Does the City use Nextdoor.com for public announcements? I know Westminster's Police Dept. is active on NextDoor.

"[https://nextdoor.com/news\\_feed/?post=111353771&is=notification\\_center](https://nextdoor.com/news_feed/?post=111353771&is=notification_center)

"No one has posted in favor of the proposal.

"I know that it may be unorthodox, but would you consider adding this information to the City Council member's briefing for the June 24th meeting?  
Thank you."

**Lorraine Sherry (6/10):**

"Thank you very much for both of your responses, Mr. German. I do plan to attend the public hearing on June 24th. Thank you for the invitation and for all your information."

**Larry and Myrna Lacina (6/10):**

"We are NOT in favor of the zoning change in order to build the 216 affordable housing development at 97<sup>th</sup> and Federal Blvd. We are not in favor of building this complex at that location.

"We live in North Park East which is very close to this complex they are trying to get passed through."

**Lynn Yoder (6/11):**

"Thanks you for your response especially the part with the assurance that nothing would violate the 75' easement request. Be assured, I will attend every meeting with many other residents from the Northpark area. Thanks again and make it a good day."

**Jonathan Rash (6/13):**

"I am a homeowner and resident in the North Park Subdivision at Federal and 104th in Westminster. I am writing in regard to the proposed housing project planned for the vacant lot west of the Wishbone Restaurant on 97th and Federal, just south of the Northpark fence line.

"I am a 100% disabled, and retired Marine. My wife and I bought a townhome in Northpark in 2016 and we absolutely love our dream home and the neighborhood we live in. It's tidy, clean, relatively free from crime, and our investment here is doing very well as property values are steadily climbing making our decision to move to Westminster a very good one. Except now, I hear you are wanting to build a "low income" housing project on our doorstep which is of great concern to me. I have not always lived in nice neighborhoods like this. Before joining the Marines I worked manual labor jobs starting out in 1978 making only \$3.50 an hour. I have worked digging ditches, driving supply trucks and labor for construction companies never making more than minimum wage and seldom having any benefits. As a result, I have lived in some less than well off neighborhoods, but I took care of my family. My children have been beaten up, had their bicycles stolen out from under them etc. But through it, all my wife and I never complained or asked for anything and we never took a single penny of public funds or any public help.

"It has taken us almost 40 years of hard work to be able to buy the home we have now. Each move we made, each job we took added to our skills and increased the value we gave our employers. During all those years I worked two jobs and was also in the Marine Corps reserves. My wife and I worked hard to provide the best life possible for our two boys and to improve our lives along the way. I was also activated twice after 9/11 and was sent to Iraq. In 2006 I suffered a severe back injury while on active duty at Camp Pendleton, and that is why as stated above I am 100% disabled.

"I tell you all this because I am now very concerned about what could possibly happen to the home and neighborhood my wife and I have worked and sacrificed our whole lives for. If you proceed with this development it will only be a short matter of time before there will be trash and graffiti all along Federal Ave, between 97th and 104th, the crime rate will undoubtedly increase, and as a result property values will decline. People like myself and my wife who saved and sacrificed so much for so long, to be where we are today, will lose what we have worked so hard for.

"I urge you to find another more suitable location for this housing project.

"\*You cannot strengthen the weak by weakening the strong.

\* You cannot help little men by tearing down big men.

\* You cannot lift the wage earner by pulling down the wage payer.

\* You cannot help the poor by destroying the rich."

**Tamar Beaman (6/15):**

"I live at NorthPark Townhomes and was planning on attending the June 10 hearing regarding the rezoning of the subject property to R36 so that a developer can build a 216-unit affordable apartment complex. The meeting was rescheduled to June 24 and unfortunately I cannot attend due to a medical procedure that day. So I am hereby registering my objections to this development.

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"1. This is too small of a location to have this density of population essentially wedged in between existing neighborhoods of single family homes and our townhomes at NorthPark. I understand a variance is requested to having the buildings offset only 15 feet from our NP south fence, rather than the usual 50 feet. This is too close! Also, with 3 story apartments, and the fact that they are uphill from NP, it will feel like the buildings are looming over us at NP, breathing down our necks. The residents at these apartments will be able to look down into our homes and yards and open space, literally violating our privacy at NP.

"2. Noise. With such an increase in population density comes noise. Noise from construction of the apartments, noise from potentially 432 more vehicles of the residents PLUS even more cars belonging to guests, noise from people hanging outside talking, blasting music, etc. Typically apartment dwellers feel cooped up and thus they congregate outside, usually not quietly either. Noises from the banging and grinding of garbage trucks emptying dumpsters and don't always wait till after 7am to do their rounds.

"3. Increased traffic flow onto Federal and Lowell for general purposes, increased traffic through NP's residential streets to get to Rocky Mountain Elementary School. These areas are already congested enough. You can't drive down Federal without having to stop at every light from people driving up to the sideroads and triggering the lights. People will cut through our property to head over to Lowell because it has less lights. And naturally, there will be increased traffic by the new apartment dwellers of parents driving their kids to school at RMN (because God forbid anyone ever walk to school anymore).

"4. Kids will climb our fence and try to sneak into our swimming pools. This was a constant problem at my former townhouse complex which was surrounded by densely populated apartments. Kids were also tearing up our playgrounds and basketball court. And beyond wear and tear, there was a destructive element too by older kids, teens and adults - vandalism of cars, graffiti on walls and fences, egg-throwing and the like.

"5. All of this brings down our property values at NP.

"I speak from personal experience, not fear. I moved from my former noisy, over-populated neighborhood in Thornton that was a mix of owner-occupied townhomes and apartments. The apartments were Section 8 aka affordable, yet still families were double-occupying them. This prompted many homeowners to sell and the buyers were investors who turned them around and used them as rentals. All of the aforementioned problems made it unbearable. I had to sleep with earplugs every night, I couldn't enjoy a quiet evening on my porch or patio, we had to upgrade our security system after being broken into, and we had to purchase a security camera to monitor our cars parked in our carports. Our fences were climbed, broken, graffitied. Our neighborhood trashed. What once was a reasonably pleasant and respectful neighborhood became chaotic.

"I moved to NorthPark in Westminster because it is quiet here! And because the neighbors are mostly fellow homeowners that respect each other with courtesy by not having noisy vehicles, noisy music and in-your-face attitudes. Please don't ruin that! Please don't disturb our peace.

"Affordable housing needs some breathing room and the lot in question (between Wishbone and the Water Towers) is too small to allow that breathing space. There is inadequate buffer space around it - it would be right on top of our townhomes and single family homes at NorthPark. If someone wants to develop it, they should develop single family homes there. Better yet, leave it as open space."



**Patricia Ball (6/24):**

“Dear Westminster City Council Members and Planning Commission:

“I am writing this letter as a concerned neighbor in the NorthPark East housing development. I am writing to express my family's opposition to the application for an amendment to the Comprehensive Plan for properties located at the northwest corner of Federal Blvd. and 97th Avenue.

“Traffic is a huge concern! What is the plan for entry/exit from Federal Blvd? Rush hour traffic is already a nightmare on Federal Blvd. and also on 104th and 120th Avenues. The relatively new traffic light at 98th and Federal messes up traffic flow and has an unnecessary red arrow that prevents us from turning left into our neighborhood when there is no oncoming traffic. By the time there's a green arrow, there is finally oncoming traffic, which then has to stop. If there were a blinking arrow, or an arrow that turns yellow then disappears, then oncoming traffic would not need to be stopped as often. Adding high-density housing in that property will add to already too-congested roads in the area.

“Safety and privacy considerations...we have seen many more loiterers (some quite scary-looking, or drug-users) in the area in recent years. I now feel anxiety whenever I have to enter the King Soopers parking lot, due to tons of traffic, aggressive and hostile drivers, people approaching cars to ask for handouts, etc. My car has been backed into once while I was in it, and hit/scraped a couple of other times while I was in the grocery store. Additionally, I am a single mother with four kids. Apartment buildings so close to the other side of the fence will be able to see into my house, our yards, our cars, everything!! I already experience significant noise pollution from Federal Blvd. This proposal looks to add even more noise directly to the south of my house.

“Speaking of King Soopers, by the time I can get there after work or on the weekend, sometimes they are even out of the items for which I'm shopping. This was not a problem when I first moved to North Park 10 years ago.

“Property values...WHY does it have to be high-density low-income housing? This is NOT consistent with the rest of the neighborhood on the west side of Federal Blvd. (NorthPark, NorthPark East, Hollypark, Environs, etc.! I have worked very hard to buy a house on my own in Westminster for me and my four children. I just refinanced my home to pay for some big projects and appliance updates for my home. I am extremely concerned that our property values will plummet and I will be upside-down on my home. I'm also very concerned that it will make my home difficult to sell! If you must develop that space, we would not be opposed to low density residential housing, which would be more consistent with the neighboring NorthPark neighborhood.

“Thank you for your consideration.”

**Lori Goldstein (President, North Park HOA) (6/25):**

“Hello Mayor and Counsel;

“Thank you for the wealth of information you were able to provide us last night at the City Counsel meeting. It was very thorough and informative.

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"I did not want to get up to speak because you had so many others ready and willing, but I do want to go on the record with my concerns.

"First of all, I am all in on providing living opportunities for those who cannot easily find affordable housing.

I have two concerns. One being the space is not very big, if this space is zoned R36 (I think that is the right term) that is a lot of people in a small space. The Environs is R18. I am not sure about North Park East, but it appears to be about the same. The second issue is the traffic. If CDOT is not being cooperative, please don't consider building on it until they do. 97th Ave runs right through the Environs. The traffic impacts will be horrendous. Already, there are the issues on 98th where people do U turns, or illegal left turns from Federal to 97th. There needs to be a plan (in my opinion) before the building begins.

Adding the development of Holly Park to the mix will have even more impact on traffic as it is. I know that should have been built up at least 15 years ago, so I hope the space can accommodate that plan.

"I ask that you be thoughtful in your decisions for re-zoning. If you have not visited this space, please do so. Make sure you incorporate the traffic issues and the space issues in your decision. Please do not rush into anything for the sake of having more affordable housing. Make a decision that will offer a quality place where people can enjoy living."

**James Speed Hensinger (6/25):**

"Good evening.

"Tonight, I am interested in speaking only about the St Mark apartment development portion of this re-zoning bill.

"I'm here tonight to urge the Council not to approve re-zoning Lots #11, 12, 45, 46, 47, & 48 to R-36 for the following reasons:

"I believe the map in your packets showing the "BEFORE" zoning status of these properties on page 9 of 28 may be in error. It shows the lots as having R-36 zoning. The correct current zoning is Multi-Use, which requires commercial development in conjunction with a 36 dwellings per residential classification.

"This is a minor point, but it makes one wonder.

"I believe that a development of 36 dwellings per acre whether it is under Multi-Use or R-36 zoning is in appropriate for this part of our community.

"Some of my concerns are:

"**Traffic** 216 units will probably add more than one car per unit to the traffic load on Federal Blvd. Since some of the proposed units are one bedroom, and some three bedrooms, as a reasonable guesstimate, figure 1.5 cars per unit or 324 cars. This is a lot of vehicles to provide parking for and access to 97<sup>th</sup> Ave. On Federal traffic is already a problem in the area north of 92<sup>nd</sup> to 104<sup>th</sup> during rush hour. Federal is a heavily used commuter route.

**“Public transportation.** RTD has only a single route, #31, serving the area. If this is to be affordable housing, won't that place a greater burden on public transportation than other kinds of housing? How will people get to and from work with only a single bus route? Conformity with the community. A quick look at the maps in your packets, will show you that there are no other properties nearby zoned for R-36. Indeed, there are several areas including the North Park East community where I live, zoned for R-3.5. Juxtaposing R-36 against R-3.5 seems inappropriate, and I question why the properties were ever considered for high-density zoning such as R-36.

“A High-density residential development of affordable housing should be sited near to significant transportation resources such as a light rail station, not in an area with restricted traffic flow and limited public transportation.

“I ask the council not to pass the bill as presented, and to instruct the planning department to consider downgrading the zoning to R-18.”

**Don Fiddes (6/26 and 6/29):**

“I understand that growth is inevitable and that there are no easy answers. I am all in on the new downtown and I'm glad that the “old” downtown is being promoted as “historic” but the entire front range is growing like never before. I fear that transportation is not keeping pace and open space (always at the top of surveys as what makes Westminster great) is being compromised.

I know that Westminster Forward is a comprehensive plan to address the big picture but I think we still need to look at each project more closely.

Rather than open space being considered as a percentage of total land we might want to look at it as ratio per person.”

“Good evening! I am writing you in regards to two new developments at Federal and 97th Ave. I fully support the home development on the south side of 97th provided it complements (scale) the existing units. The folks who originally bought into that development are so deserving of having that project being completed!

“However, I have major concerns in regards to the proposed project on the north side of 97th between the new water tower and the Wishbone restaurant. It is not because it is going to be developed but because the project it is going to be more than two stories tall and accommodate more than 200 units! This is far to dense for this space and there is not a single development on Federal Blvd. from I-70 to 120th ( and beyond) that exceeds two stories. This is the exact same issue that was rejected at Sheridan and 112th only a short while ago!”

“I also find it ironic that we are constantly told to conserve water, that with climate change we cannot depend on Mother Nature to provide a constant supply of water yet we continue to build, build, build! In addition we do not have a transportation system to handle the volume we currently have.

I have been supportive of the new downtown and believe that four to five storey units are appropriate for that area, but do we need to do this on every available parcel of land?

“Please remember the lyric “you don't know what you had till it's gone”!!!

I am looking for your support to reduce the density of this project. My neighbors also support this position.

“Thank you for your sincere consideration.”

**Paul Gannon (6/27):**

"I am writing to you today as a deeply concerned resident of the NorthPark East community. I attended the city hall meeting on 6/24 and my Home Owners Association meeting on 6/25. Based on this information and my own due diligence and research I have concluded that this proposal is ill advised. The size and the scope of this project are grossly inappropriate for the proposed location.

"There are several concerns that I have. The most obvious is the tract of land to support such a project is not large enough. When you add up the amount of people, cars, and needed parking there simply is not enough room for ample living comfort. Undoubtedly this three-story behemoth will become an obvious eye sore and the beginning of cancerous form of urban blight that will lead to spiraling home values in NorthPark.

"Furthermore, the inability of the residents of this proposed community will be unable to make a left turn (proceed North on Federal Blvd) out of their own community! Ridiculous. The two closest grocery stores are King Supers and Safeway, both located on 104th & Federal. Most people will want to use the closest shopping available, this will add to the traffic congestion and a much greater incident of automobile accidents for traffic on Federal Blvd. This represents a clear and present danger to public safety. Our safety and the safety of our children cannot be ignored. I was not satisfied with the traffic studies presented at the City Hall meeting. Not enough consideration was giving to public safety.

"In addition, I was unconvinced by the representative of the builder that they have taken into consideration any other opinions other than their own.

Finally, I am not opposed to affordable housing on principal, however, I am opposed to short sighted non-strategic proposals based solely on the motivation for profits. Again, **I stand firmly against the St Mark Village project.**"

**Del and Mary Stansbery (6/27):**

"My wife and I live in North Park and are not against the affordable housing. We will be attending the July 2 meeting in support of the planned affordable housing. We both work at the Westminster United Methodist Food Bank and see the working poor come thru all the time and understand the need for this"

**Amy and Randy Lodes (6/30):**

"Dear Mr. Mayor and Esteemed Council Members,

"My name is Amy Lodes and I live at 10123 Grove Loop Unit B in the NorthPark East neighborhood. I attended the June 24th City Council Meeting and had the opportunity to voice my dissent for this project. I appreciate your thoughtful consideration in deferring the vote on the rezoning request based on density and traffic concerns.

"I listened as the developer gave all sorts of reasons why this project should move forward and his impassioned plea that everyone deserves a place to live. I, like most of the other residents that spoke, firmly believe in community and having roots. A safe and secure place to live is a right all of us deserve.

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“What he failed to mention – and I am not even certain you are aware as this was never brought up to Council on June 24th – is that the developer is SUING the NorthPark East HOA over the fence that borders his land and our neighborhood. This lawsuit was filed in Adams County back in April 2019 and our HOA is just now informing residents of this lawsuit. A copy of which I am attaching for you.

“This non-disclosure was in bad faith and drastically alters the outcome for NorthPark East residents beyond just a 3 story, high-density affordable housing project! The developer is also asking for the HOA to pay all attorneys and court costs as it relates to the lawsuit – this could go into the tens, if not hundreds of thousands of dollars.

“Do you realize what this means for 480+ HOMEOWNERS in your city?? We could be assessed thousands of dollars in a special assessment by our HOA to pay for the developer’s lawsuit (should they win) on a project that the majority of NorthPark East residents vehemently oppose!!

“I cannot imagine that the spirit of new projects and development in Westminster is one that rewards one party (the developer) and punishes another (the NPE residents).

“I believe that time is of essence in understanding the full scope of what this developer is doing to the NorthPark East residents and neighborhood. The HOA Board of Directors is meeting on July 2nd at 7:30pm, immediately following the developers “meet and greet” at 6pm, to vote on whether to take a settlement from the developer or fight the lawsuit.

“I implore you to think of the consequences to nearly 500 HOMEOWNERS in NorthPark East vs. the developers 216 affordable housing units for RENTERS (people who will typically pass through the neighborhood in 6 months – 2 years). I have owned my home in NorthPark East for 5 ½ years, many of the folks that spoke at Council on June 24th, have lived there since the development began in 1999 (or earlier as I do not know the exact date the development began) – 30 years of time, money and resources spent building a life, paying off a home – only to have a developer swoop in and threaten to take that away from us.

“He should be ashamed as he did NOT act in good faith at the June 24th Council meeting by withholding the fact that he is suing our HOA.

“I would appreciate if this letter could be entered into public record. I will also be there on July 8th to read this letter into record as well. We still strongly oppose the St. Marks Village project!”

**Mark and Jean Whitney (7/1):**

“Thanks Mr. German. I just thought it was interesting it was at the Catholic Church and not a neutral site? I have also been following the law suit the developer has against North Park East.

“I see the church is getting a petition going to have their members sign it to be in favor of the development. If I was city council member I think I would put more weight on people who live in NPE and are directly living there and are affected by the development, than members of the church who do not live in the area and are not affected by it--who knows.”

“Interesting”

**Betty Longi (7/3):**

"I volunteer at westminster food bank, Lowell and 76th. Wanted to let you know that I am all for the pending affordable housing project in the area. Hope the city council approves!"

**Margaret Hinman (7/4):**

"I am beginning to have several concerns about the contract that 3100 LLLP has and the development of St. Mark Village:

**"1. Transparency**

"3100 LLLP's behavior regarding their interactions with the NorthPark East Board of Directors of which I am a director gives me pause. First of all our first contact with them was when they asked for a quit claim deed for a piece of gap property and, when we did not reply immediately, giving them the deed, they upped the ante and also requested hostile takeover of some property that was NorthPark East Association property south of our fence by suing for ownership. At the meeting on Tuesday night, they claimed that they had to sue because we did not respond to their requests although we referred the matter to our attorney and were taking time to do due diligence regarding their claims before responding. I question the transparency of their efforts in that they first asked for the quit claim and then the disputed property. Is this common practice to not be forthright about what they want in a timely manner?

"Secondly, they are asking (suing) for a piece of property that is of no value with regard to development other than adding to their acreage in their request for the zone change. The disputed property is solely on public utility easement and cannot be developed, according to my understanding. Is the City, and the City Council aware of this?

"Thirdly, considering that they have not be quite honest, in my eyes at least, about what they are doing, are they going to develop the property and then "sell" it back to St. Mark's Church or the Archdiocese of Denver, and thus make it a profitable endeavor for the church/archdiocese while being tax exempt as church property? If that is the case, the use of City services such as police, fire and ambulance services without paying for them can overburden those services and give the rest of the taxpayers the bill. I would like to believe that the Catholic Church is acting in an honest, honorable manner but I have become a cynic in my old age and do not trust either them or the developer with respect to this issue. Is this worth some research on the part of the City as to the honesty of the principals in this endeavor?

"Finally, has the City done its due diligence in vetting the developer, particularly considering some of the questionable items that have come up? Is the developer honest in terms of producing what is promised? Have previous projects by the developer been of the quality that the City would expect? If the developer is trying to develop such a high density, low income housing project in a location without much to recommend it for such a project, is that what the developer does for a living and is that what the community and the eventual residents deserve?

**"2. The Wisdom of allowing the developer to go ahead with the project as it is in the proposed location**

"216 one, two and three bedroom rental units (total residency capacity of over 500 people—two people in a one bedroom unit, up to 4 in a two bedroom unit and up to six in a three bedroom

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unit) on 6.5 acres of land with limited parking and poor access to the necessities of life looks to me like a lifelong disaster waiting to happen. The combination of the number of residents in a tight environment, human behavior when people are so crowded and the lack of recreational amenities and space to get away from your neighbors is going to negatively impact not only the residents but also the city infrastructure and the neighbors outside the community itself.

“Residents can walk to the grocery stores at 104th and Federal if they do not have a car. There is also a pharmacy but there are no general and emergency medical facilities within walking distance of the development. The one medical building within walking distance is limited to specialists—an eye doctor, a dentist, an orthodontist, a dermatologist, and a physical therapist. This means that if an injured person has no car, the only option is 911. There are also restaurants and fast food places but there are no recreational facilities within walking distance.

“The community itself, as currently designed has no recreational facilities, no basketball courts, no swimming pool, no children’s playground, no place for adults to hang out outside of or probably inside their buildings and no easy access to them outside of the community. When children are in school, they will have a place to be but summer without something to do in the community increases the chance that there will be altercations and fights and vandalism in the community and the trespassing onto the private facilities such as the swimming pools and tennis courts in NorthPark and NorthPark East.

“Public transportation in general in the area is limited and driving into and out of the community will be a nightmare with the lack of proper traffic control on Federal.

“Does the City services infrastructure such as police, fire and ambulance services have the personnel and the equipment to administer to that community? What is the enrollment capacity of Rocky Mountain Elementary and do they have the space and the personnel to meet the needs of that population? How does that impact the increase in the number of free lunches in school and where do some of those children get food when school is not in session? In other words, can the City and the school system meet the needs of these residents as it is currently staffed?

“Is it wise to have another high density rental community in the same area as the Environs or does it make more sense to have such a community located elsewhere that would not have the impact of increased high density housing in that area? That is a question for the City to address and I hope that they do for the sake of all of the residents of Westminster.

“To me, it would be better to have such a housing project that is more humane and speaks not only to a place to live and sleep but a place where the residents can have easier access to the world around them and where they can thrive rather than just exist. This benefits not only those people but the community in general and keeps the City of Westminster a desirable place to live.

“Thank you.”

**Ann Grove (7/5):**

“Dear Ms. Seitz,

“I am a homeowner in Northpark. I am asking you to vote NO on the proposed zoning change this Monday of the land around the Wishbone. The public outlined many valid reasons why this

area is a poor choice for expansion at the last council meeting. The traffic flow into this area should be enough for a no vote from you, which will halt this builder from going forward to expand on this land.

“Sincerely, Ann Grove”

**Lorraine Sherry (7/6):**

“Question: how does the St. Mark’s developer’s plan include ACCESS TO family health care? The medical office building at the King Soopers parking lot just contains offices for optometrists, physical therapists, dermatologists, and is closed on Sundays. For 24/7 health care (Flu, sprained ankle, etc.), St. Mark’s residents must go to the family care hospital and emergency room on 84<sup>th</sup> Street, several blocks west of Federal Blvd. Definitely NOT walking distance. 31 Bus service is sparse and unreliable. Does he expect residents with a sudden health problem – family “one car” unavailable, but not needing an ambulance – to call Uber? Please ask him to address this issue. Thank you for your help.”

**Carol Mauracher (7/6):**

“I would approve Senior Affordable Housing in this area as long as it is truly affordable and not just labeled as affordable.

“What would happen to existing families living in this area?”

**Lorraine Sherry (7/17):**

“I drove past “the other” Green Court that goes through Holly Park Subdivision and exits onto 96<sup>th</sup> Avenue. It’s never been completed and I consider it impassible. But that is the supposed route where the 216 families are supposed to drive from St. Mark’s Village in order to turn left onto Federal Blvd. I have questions, below.

“Questions:

1. Is the City supposed to use our tax money to pay for completing Holly Park’s Green Court to City standards?
2. What would we or the City gain from this, considering that the high-priority I-36/Church Ranch ramp repairs will cost Westminster \$\$\$\$\$?
3. Is the contractor for St. Mark’s Village going to pay to fix the road? It is not on their subdivision...I would expect that whoever finishes Holly Park would complete the road as part of their own PDP/ODP. We have been waiting YEARS for them to finish their R 3.5 or R 8 development there.
4. What utilities for current (and future) Holly Park residents would be disturbed by St. Mark’s contractors working on the road in the Holly Park subdivision?
5. What upgrade, including extent and timeline, is planned for the Holly Park Green Court? Have Holly Park residents been informed about this plan?

“We plan to attend the St. Mark’s planning commission meeting at City Council scheduled for 7 PM July 23. I hope these questions (among others) could be addressed then.”



**Laura Harvey (7/25):**

"I am strongly against the st mark development that will be next to the Northpark neighborhood. This is not the type of development appropriate for that land/space and community."

**Teri Garcia (Zinanti) (7/25):**

"Hi.

"I've been hearing about the proposed plans for affordable housing. I have not, unfortunately been able to attend the meetings due to my work schedule.

I am wondering why they don't make this project an affordable "SENIOR" housing?

I see so many Seniors living on such a limited income. They have contributed to our communities for so long and should be offered the same "affordability" as others.

"I would like to suggest that they make this project/building(s) for affordable "Senior" housing instead of another affordable housing that I see popping up everywhere.

"I live in the Nothpark neighborhood, have for 20 years now. Love the community and believe that having an affordable senior housing is a fair opportunity for the seniors in our community.

"Thank you for your consideration."

**Mark & Jean Whitney (8/5):**

"Hi Mr Sheehan. I am e-mailing you about a concern I have had since 2011 when I contacted Ben Kiene and Alazar Tesfaye at CDOT. My concern is over no left turn lane being available going north on Federal into 97th avenue. Because of this cars drive up to 98th ave go one block, turn left into the North Park subdivision, make a u turn around the median and go back onto Federal to go south to turn right onto 97th. I live on the corner of 98th and Grove so I get to see this traffic everyday. It's like a major parade of cars especially on the weekends since on 97th is a popular restaurant the Wishbone, St Mark's Catholic church (who has changed their front entrance from 96th to now 97th ave and the Environs home and town home complex. Now to make it even worse, besides the major increase in traffic, because of major population increase since 2011, they are going to build a 200+ apartment complex on 97th just past the Wishbone. Plus they are going to finish off the lot just south of the Wishbone with more town homes.

"The u-turning into 98th to Grove and back around is going to be unbelievable plus I feel unsafe. Some cars don't even dip into 98th they just make a u turn right out on Federal-very unsafe. Right across the street from the Wishbone, on the east side of Federal is a nursery and cars can turn left into there going south on Federal plus come out of there to turn left onto Federal to so south.

"Please help. I feel it is unfair to me as a tax paying citizen to have all this traffic go by my house just for u-turning so cars can get to 97th to turn onto it. Besides the noise it is unsafe. My house has been here 25 years way before the Wishbone was built and now more apartments and townhomes being built on 97th."

**Rich and Sheran Hehn (8/6):**

“My husband & I do not want the board to change the zoning of the property on Federal Blvd  
Cordially,

“Rich & Sheran Hehn”

**Joseph Gallegos (8/10):**

“Planning Commission,

“It is your responsibility to promote public safety. I am asking you to disapprove the St. Mark development. If approved, you will create a situation where public safety is compromised.

“There is no means by which drivers can legally turn west from north bound Highway 287 on to 97th Avenue. Approving the (St. Mark) project creates a situation where drivers will want to make an illegal and dangerous turn. This will not be the continuation of an existing problem but the escalation of the problem.

“The increased magnitude of the problem affects more than the intersection of 97th and Federal Blvd. It affects all streets and intersections in the area. It impacts not only area neighborhoods and residents but all Westminster, Federal Heights and Adams County residents, actually any one driving on Highway 287.

“Please vote against the St. Mark development (PDP, ODP). St Mark residents will be inclined to make dangerous turns (at north bound Federal and 97th) which involve sudden stops and quick acceleration. This situation endangers both north and south bound travelers on Highway 287. In addition, residents who make U turns will cause a hazard as well. A resulting accident could be compounded by one of the drivers swerving to avoid a collision only to be involved in a multi-car collision. Federal and 97th already have increased traffic when Wishbone patrons eat lunch and dinner, the same time St. Mark residents are likely to come and go. All of this occurs during peak drive times.

“Voting for the St Mark development facilitates a situation where residents are enticed to make dangerous turns thereby putting the community at risk. The reasons to do so are numerous – opportunity, convenience, “necessity”, expedience, disregard. Regardless of the reason, drivers will make dangerous turns putting other people’s lives at risk, all the more with familiarity.

“It would be negligent to allow the plans (PDP, ODP) to go forward. If it does, someone must be liable for any injuries or deaths resulting from an unsafe situation. The public will pay the price in terms of personal injury, property damage, disability, even death. Putting public safety at risk is a deal breaker. Please vote against the St Mark project.”

**Debora Gallentine (8/12):**

“I live in NPE outside the 300 feet of subject property but less than a block from it. I will be able to see the apartment buildings, hear all the noise from the hundreds of residents who live there and experience the traffic issues associated with this high density project. I also believe this development will lower the value of my home. Because of all these issues I do not support the re-zoning of the St Mark Village property and shoving 216 apartments in such a small tight space.

"NPE is a established neighborhood with single family homes and townhomes. If St Mark Village is approved to go forward this will be the first high density, affordable housing project built right next to a established neighborhood of single family homes in the city of Westminster. The developer and the city of Westminster has no real idea how this project will impact the residents of NPE and has few solutions to issues so far brought up by concerned residents.

"I have been told the apartments will sit a mere 15 feet from the South NPE fence on the St Mark Village side. With the buildings being 3 stories high and so packed together they will tower over the South fence for the entire distance of the property. Adding so many residents to such a small space with all their cars will definitely add significantly to the noise level in our neighborhood.

"So far we have heard of no definite plan to deal with the traffic issues this development will significantly add to. I have been told we already have traffic issues in the area but there is no guarantee that any improvements will be funded to resolve present or future issues associated with the dense over population going in to the apartments at St Mark Village.

"I also strongly believe this development will decrease my property value. Most people have a negative perception of buying a home close to high density, low income apartments. This perception means everything thing when selling your home. I am already in sight of the two water towers and high power lines and adding these apartments will definitely be a negative when I want to sell my home.

"For the above reasons approval for the re-zoning of the property known as St Mark Village should not be approved."

**Lorraine Sherry (8/13):**

"Mr. German has graciously answered some of my questions. I have looked at the 3rd amended version of the proposed ODP and its multitude of "exceptions," and I have an important question.

"In the "adverse possession" lawsuit settlement, 3100 W. 97th Avenue LLP, the St. Mark Developer, promised NPE a SUBSTANTIAL TREE SCREEN (see Agenda Attachment 2, p. 3 of 7, first paragraph) in recompense for NPE's property taken, plus \$10,000 cash. I have not seen the text of the settlement, but our HOA Board voted to accept it. Those trees were shown prominently on the elevation plan at the public meeting at St. Mark's Church. But that is NOT what is shown in the 3rd amended ODP diagram (online), on P. 19, "PLANTINGS UPDATED." There is 1 small evergreen (CBS), NO ornamental trees, and 3 species of shrubs (LDP, PBB, SC). Please see the plant list on the 3rd amended ODP, on P. 23 for the proper names of the shrubs. These are NOT 2 ½" caliper trees, and they do NOT satisfy the settlement provisions agreed to.

"A 5-gallon shrub is NOT A TREE. According to Merriam-Webster, "A tree is a woody perennial plant having a single usually elongate main stem, generally with few or no branches on its lower part." The Developer's selection of shrubs obviously does not meet the "tree" criterion. Perhaps the developer is trying to get out of the agreement for trees because space on the St. Mark side of the property is limited by their current building plans. But that is no excuse. The Developer agreed to the settlement knowing exactly the space available.

“The Westminster City Forester’s official tree list, “Trees for Westminster,” is online at <https://www.cityofwestminster.us/Portals/1/Documents/Parks%20and%20Recreation%20-%20Documents/Parks%20and%20Trails/treelist.pdf> Most small (ornamental) trees are 25-30 feet wide. The tree list specifically states to “use one-half of branch spread (diameter) to locate a tree planting near structures.” Thus, small trees need to be planted at least 12-15 feet set back from the public service easement, and a similar distance from adjacent structures to accommodate the mature size of the trees. Trees encroaching on the Xcel Energy easement are subject to removal by Xcel. NPE had exactly this happen several years ago. There were several mature trees at the edge of the easement, and Xcel removed all of them. (see Agenda Attachment 3, p. 7 of 20, last paragraph.)

“How does the Developer intend to install the SUBSTANTIAL TREE SCREEN between NPE and St. Mark Village that he promised NPE in the lawsuit settlement? He owes us those trees as legal compensation for the loss of our property!”

**Lynn Yoder (8/13):**

“How many feet south of North Park East border line will the developer be required to setback. From the developers plans the minimum setback from North Park line is 5 feet for building 3. What happened with the 75 foot setback you promised? In a your recent e mail to me, you assured me that the setback of 75 foot for Excel Energy power lines will be followed in this development. Why the change allowing them to build with the 75 foot restriction. If I’m seeing Incorrectly please let me know.

“Other issue that causes me a lot of fear is the water tower that is being constructed in this area. What are the City of Westminster contingency plans for this water tower should it ever fail? I know you will tell me that this structure will never fail, well you can’t say that for sure can you. You don’t know if or when failure will happen. What about earthquakes. The way this country is going and all the Domestic terrorism happening, someone Could destroy that tower anytime they wanted. So let’s now say this will never happen.

“My other concern is the number of airplanes that use Rocky Mountain Airport (RMA). The main flight path to RMA is located just 1/4 quarter mile southwest of these water towers. Let’s say on a very foggy night one of those planes gets lost and hits the new Water tower it would cause millions of gallons of water to fall with such great force it would destroy the building setting just 65 feet below and many people would be Killed or injured. That first floor would collapse causing the building to be totally destroyed. I know the size of aircraft that use RMA is getting bigger all the time. I saw a 737 corporate jet land there just several months go. I noticed a very large military plane made 4 trips directly over these water in an effort to land at RMA. Business jets like the G7 arrive at RMA everyday and they are large enough to destroy this Water tower.

“I think the only safe contingency plan for this development is to move building 3 and make that area more parking which they need. Should the tower fail this would allow the Water to move without destroying a building. I know what your thinking these towers will never fail. But if your contingency plan is to do nothing and tell people in these buildings to get flood insurance. SHAME ON YOU.”

**Margaret Hinman (8/14):**

“Before I speak to my concerns, I would like to let you know how pleased I was to see a swimming pool in the St. Mark Village ODP. From first learning that there was to be a multi-unit rental property across the fence from my neighborhood, I feared that our gated swimming pool would become the target of people from the development climbing the fence to use our community pool, bringing with it the multiple problems that the trespassing causes.

“I have three issues I would like to address regarding the St. Mark Village development:

1. Safety in an emergency or disaster—there is only one entrance/exit into the development on 97th Avenue from Federal Boulevard. If that would be blocked in an emergency and the around 500 residents of the development are required to evacuate, what is their recourse? Should that contingency be addressed in the planning and execution of this development?
2. Accessibility—It would seem to me that any affordable rental housing should have accommodations for persons with disabilities. Are there any rental units that are designed with accessibility accommodations? If so, do they include widened doorways throughout that will allow wheelchair access, and shower and/or bathtub access that includes benches and grab bars and appropriately high toilets that have enough room around them for a person in a wheel chair to access.

Do the buildings have elevators for access not only for the physically disabled but for our older population?

The designated handicapped parking spaces on the ODP reflect the naivete of the planners. They may follow the guidelines of the ADA but are not really handicapped friendly. From the perspective of a mobility challenged person, those parking spaces should be as close to the doors of the buildings as possible. This allows the shortest distance to their homes, and is safer in wet, snowy and icy weather. This can mean the difference of being homebound or not. This issue can be addressed at little or no cost by moving the locations of the designated spaces.

“Settlement Agreement with NorthPark East Association—The settlement agreement which has been approved by both parties is very specific in terms of the trees that are to be planted by the developer, that is, 49 specific species of evergreen and large deciduous trees planted south of the public service easement. I do not know what the requirements of the City forester are in relation to this but, according to CSU and industry standards, the recommended spacing when planting new trees is to space them according to their mature size. As the trees agreed upon in the settlement agreement have a mature canopy of between 25 and 30 feet in diameter, the ODP as currently presented will allow their growth in the 12' to 15' of easement south of the NorthPark East fence, if it is allowed by Xcel without threat of removal, but will not allow for growth to the south of the trees with the 5-foot building setback exception that the developer is requesting from the City. That being the case, it appears that the building setback should be, at minimum, an additional 7 to 10 feet to allow for proper tree growth and to honor the settlement agreement.”

**Lorraine Sherry (8/18):**

“I was impressed with the depth of thought on the part of the members of the planning commission who voted against the PD and ODP for St Marks on the Planning Commission at the meeting this past week. It was refreshing to hear their inner thoughts rather than just platitudes and “feel good” talk about how nice it would be to have affordable housing. It was valuable to understand just how hard they struggled with the knotty issues with the St. Mark PDP and ODP. I am just sorry that the “pro-members” were not asked to justify their positions, realizing the serious problems that still remained in the proposed plans. I hope that the City Council will not simply “take a pass” and rubber stamp the PDP and ODP with all the unintended consequences of this poorly thought-out design.

“I am NOT concerned with whoever lives in “our backyard” or how affordable the units are.

“I AM concerned about the developer “trying to fit 5 pounds of stuff into a 3-pound box” to quote one of the Planning commission members. Clearly, several members were concerned enough to vote “no” after careful deliberation. It was a very close vote.

“I AM concerned about 27 (I lost count) exceptions and variances to the existing City codes and ordinances. These rules and regulations must be respected – they apply to everyone in the City. NPE followed the City’s rules – so should the St. Mark developer.

“I AM VERY concerned about the continued shrinking of the setback from the NPE property line and the streets, especially for 3-story high buildings.

“I AM wondering how they intend to landscape the Federal Blvd. frontage now that they need a fire lane. Will it be gated? Chained? It could become an attractive nuisance for folks seeking parking spaces.

“I AM concerned about just where the developer plans to put the trees promised in the settlement. I hope they work out a sensible plan with Excel Energy to figure out just how and where to plant the promised tree screen on the land they took from NPE in the lawsuit.

“I AM still very concerned about the potential traffic snarl, the overcrowding, the lack of adequate parking, and the difficulty of public transportation that new residents will face, for work and for medical care.

“I AM wondering just where they plan to put all the snow this winter, since they have not made any arrangements for where the plows will put the snowdrifts. Nor how they will shovel snow out between 200+ cars.

“I really want to see these issues resolved before the City Council takes their final vote on the PDP and ODP. There are too many problems that need to be studied and addressed in depth, not just glossed over.

“Thank you for your hard work and your diligent correspondence. And thanks for the attention that the Planning Commission gave to these difficult issues.”

**Vicki Brown (8/20):**

“Dear Mr. German, I'm writing in protest to the St. Mark Village project. Why in the world would the City Council consider stuffing 216 family unit's into this small area? A family is considered 2 or more persons, let's say at least 540 people which good mean at least 220 cars. Has City Council driven down Federal lately after 3:00 pm? We just got a new traffic light at 98th and Federal to help ease the traffic volume. Developer does not have enough land to spread out so they are going up/ 3 stories, no place for children to play or area to walk a pet and what about parking and even turning into the complex and please don't tell me Council is considering a walk thru Northparks fence. I live right next to the New water tower that is going up. I walk out of my home and see this eyesore everyday, I hear the construction everyday and I had no choice about it. So I live with it. Now this is where the City wants low income families to live, under water towers! Very tpyical of our Government. I feel that the City Council and the Developer and rumors going around including the Church will be making money off the backs of low income families stuffed onto 6 acres of land with there view being water towers. Westminster's City Council can and should do better than this! The Church too! This is going to permentley effect a lot of Citizens in a not so good way ! Thanks for listening.”

**Staff Note:**

*On the following pages are scans of letters that were mailed to Staff.*

**July 9, 2019**

**Mr. David German**

**City of Westminster**

**Dept. of Community Development**

**Planning Division**

**4800 W.92<sup>nd</sup> Ave. Westminster, CO. 80031**

**RE. St. Mark Development off Federal Ave.**

**Mr. German; Sir:**

**I am an owner of property at the N.P.E. location. It is my understanding that this referenced proposed project is being requested to be a low-income housing facility. This proposal was discussed at the Council meeting, on the evening of June 24<sup>th</sup>2019. A considerable amount of residence and others spoke about this proposal in a negative connotation.**

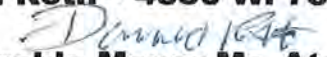
**I would like to make a couple comments for your kind consideration.**

- 1) Having lived in a community that had this type of housing, I was fully aware that these type facilities are prone to very poor up-keep. The residents, or owner(s) do little, if anything, to keep the facility area and/or their occupancy in a reasonable looking condition.**
- 2) Regardless what the owners are professing about care, it has been my experience that their main reason for ownership is to make money, or reduce their taxable income. (this has been verified by a personal friend and owner of such a facility)**
- 3) Due to these conditions and circumstances there is a high potential of being an undesirable location for the present and future owners in the area. Therefore, reducing the property values.**
- 4) Westminster has a great situation of NO "slum" areas. SO really consider very seriously this factor and reject the present proposal!!**

**Based on the above comments, it is my recommendation that the City of Westminster decide a negative approval of this project!!**

**A concerned property owner and citizen:**

**Donald Roth - 4850 W. 75<sup>th</sup> Ave. "E", Westminster, 80030**

  
**CC: Honorable Mayor-Mr. Atchison ,**

**Donald L. Roth**

4850 W. 75th. Ave. #E  
Westminster, CO. 80030

970-629-2144  
teebird970@earthlink.net



Dear Mayor and City Council,

We are writing to you regarding our disapproval of rezoning to build apartments next to Wishbone Restaurant and Northpark on Federal Blvd.

Why not single family homes that would have lawns, trees and shrubs to help with CO<sub>2</sub> and climate change.

Single family homes would increase surrounding property values, also increasing our Westminster tax base.

They would place less demands on our water, sewer and schools.

Apartments would add a significant amount of burden to our infrastructures and traffic to an already burdened Federal Blvd. Has a study been done to evaluate the impact?

We have already seen more crime in our neighborhoods. We are very fearful that this will escalate crime for our neighbors at Northpark East.

Cordially,

Shera Helm Richard Helm

Larry and Myrna Lacina  
10141 – D Grove Loop  
Westminster, CO 80031

June 10, 2019

David German  
City of Westminster  
Dept of Community Development  
Planning Division  
4800 W 92<sup>nd</sup> Ave  
Westminster, CO 80031

Re: 216 Unit Affordable Housing Development

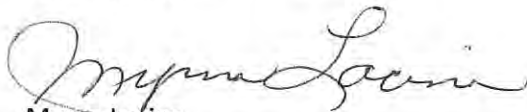
Dear Sir:

We are NOT in favor of the zoning change in order to build the 216 affordable housing development at 97<sup>th</sup> and Federal Blvd. We are not in favor of building this complex at that location.

We live in North Park East which is very close to this complex they are trying to get passed through.

Sincerely,

  
Larry Lacina

  
Myrna Lacina



To: City Council and Planning Board  
City of Westminster

From: Margaret Hinman  
10180-C Green Court  
Westminster, CO 80031  
303-763-0013

Re: The Proposed Development of the Property directly North of the Wishbone Restaurant

I have several concerns regarding the development of that property as high-density, affordable, rental housing.

#### Ownership of the Property

It is my understanding that the proposed development was owned first by St. Mark's Parish, sold to the Archdiocese of Denver and then, not sold, but deeded to the development company. If that is the case, what is to stop the development company from returning the property to the Archdiocese after it is developed? In that case, if the Archdiocese owns the property, then is it tax exempt on religious grounds? If that would be the case, does that mean that the rest of us who are tax payers are going to have to pay for the added impact on our community services such as police and fire protection and not the owners of the development?

Even if the property is taxed, what is the overall impact on educational facilities and personnel, on the police and on fire services and their ability to do their jobs? And, how much of an impact will there be in terms of added school personnel and facilities, and how does that risk the children of the whole community receiving a quality education that the City of Westminster wants to have?

#### Master Plan for the City

At this time, the area between Federal and Lowell, south of 104<sup>th</sup> Avenue and north of 97<sup>th</sup> Avenue already has a rental community with single family houses and with apartments, the Environs. This community is directly west of the proposed St. Mark housing beyond the water towers. To approve the development of St. Mark Village, with its high-density housing, essentially creates a rental housing barrier between the neighbors to the north and to the south in that area of Westminster. I see this impacting not only the neighbors but also giving the housing community and the business community a message that the City doesn't care about housing distribution, particularly affordable housing, in terms of a diversity, particularly economic diversity. And, it can limit the desirability for future residents of Westminster. It reminds me of the reputation that Thornton has, home ownership on the north and rentals on the south, and people don't want to live in south Thornton unless they absolutely have to. Or wanting to live and work in Federal Heights with its mobile home communities and affordable housing.

#### Density, Congestion, and Its Implications

216 rental units and up to 500 residents, housed in three-story buildings, having limited parking and on a relatively small area of land with one egress onto Federal Boulevard seems to be a long-term recipe for disaster in terms of daily living, and of personal interactions among the

residents. This increases the likelihood of problems for the police, the fire department, the schools and the surrounding neighborhoods. A housing development of the proposed size needs a larger area in order to have more space for its residents to allow them to be good citizens.

The peace and well-being of the existing communities

The current residents in the communities to the north and to the south of the proposed development have enjoyed the relative peace and quiet of their communities for years, making those communities desirable properties for homeowners. In reality and/or in perception, the high density, three story high rental community across the fence from NorthPark East will decrease the privacy that homeowners enjoy because the rental apartments will be taller than the fence and allow at least the top floors to see into and onto the NPE properties. In addition, the high density of the property squeezed into a tight area will increase noise pollution and increase the likelihood of civil and criminal unrest within the community.

I appreciate the mission of the Archdiocese of Denver to provide affordable housing for those in need but I feel that this development in this area in the space available is not in the best interests of not only those who would live there but also the neighbors and ultimately the City of Westminster.

It is my hope that before the City chooses to change the zoning of that area, that it seriously considers the objections stated above and that although development of that property is desirable, that this is not the development project for this property.

Sincerely,

Margaret G. Herman  
6-28-19



June 26, 2019

Dear Mr David German,

I attended the council meeting Monday night (June 24<sup>th</sup>) and heard your proposal, the developers comments and the concerns of my neighbors in North Park.

First of all, I don't understand how anyone thought it was a good idea to proceed with these plans when CDOT clearly is not going to cooperate in making a left-turn lane. Secondly, while I would like to think and hope that beginning school teachers and trained technicians would be living in this "affordable housing", I just can not buy it!! I retired from Springfield Mo and Jeffco public schools and I know all too well what 'affordable housing', 'subsidized housing' or 'low-income housing' results in. It lowers property values of surrounding neighborhoods and is often the site of more crime.

I have lived in North Park, in one of the town homes, for 3 years; it is a lovely neighborhood. This proposal just makes me heart sick. I, like many others, am retired. We have worked hard to have a nice place and now fear for a decline in our property values and neighborhood. The investment of my home, is THE major financial investment of my life. It seems so unfair to diminish what I (any many others) have worked so hard for.

The suggestion of affordable housing for seniors, to me makes a good compromise. Less traffic, less young people 'looking for something' to do in the evenings. And hopefully a design of homes that would not be 3-4 stories tall.

Please listen to the people of NPE. Please consider the lives your decision is going to impact. Please value the many seniors who contribute to the economy of Westminster.

Thank you for your time.

Sincerely,



Nancy Stephens

9814 Grove St. Unit A Westminster, Co 80031

*nancy.stephens5678@comcast.net*

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TERRI JO JENKINS

720-320-6254  
terrijojenkins@gmail.com  
3360 W. 98th Pl. Unit C  
Westminster, CO 80031

July 2, 2019

Mr. David German  
City of Westminster  
Dept. of Community Development  
Planning Division  
4800 West 92nd Ave.  
Westminster, CO 80031

Dear Mr. German,

I am writing in regard to the planned development , St. Mark Village, at 3100 W. 97th Avenue, Westminster. My husband and I purchased an adjacent home to your proposed development in 2018 with the researched knowledge that we would be guaranteed of a 50 foot variance from our property line for new construction. It has been brought to our attention that the developer has asked for this law to be overlooked for his new building.

We highly disagree with the proposal to build such a large development in this proposed space for the following reasons:

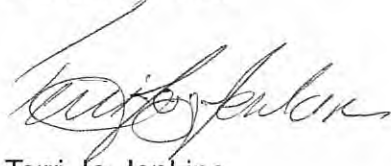
- 1- Overcrowding / Not enough space for so many people
- 2- ilncreased traffic and population noise
- 3- Reduction in our property value
- 4- Law is law. There needs to be a 50 foot variance between developments.

We spent our entire life's savings to purchase our new home. We chose the area for its quietness and peacefulness. It is obvious that the proposal of a development too large for the available space will reduce our ability to resell our new home. We ask that you please consider all of the home owners who will lose if this

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proposal goes forward as written. The development needs to be on a much smaller scale or moved to a more appropriate space.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Terri Jo Jenkins".

Terri Jo Jenkins

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July 8, 2019

Dear Westminster City Council,

On behalf of Growing Home's staff, Board of Directors, and participants, it is my pleasure to write this letter of support of the proposed St. Mark Village affordable housing community to be developed by St. Charles Town Company. As a 20-year-old Westminster-based nonprofit organization working to create a thriving and equitable Westminster and Adams County one family at a time, Growing Home is acutely aware of the need for additional affordable housing in the community. Due to recent population increases, higher costs of living and environmental factors, poverty and homelessness are prevalent in the area, particularly southwest Westminster. Families are finding it harder than ever to keep a roof over their head and food on the table. The proposed development would help to shrink the void of affordable housing in the area.

Growing Home has been proud to partner with the City of Westminster for the past 20 years in supporting those most vulnerable in our community. Growing Home's mission is to guide children and their families to a brighter future. Our participant-centered approach to strengthening families, nurturing children, and connecting community fills a critical gap for families and children who are experiencing immediate and long-term barriers to stability and success. Through evidenced-based programs, we improve outcomes for children, their parents, and their community. Each year Growing Home helps over 2,000 families. Our model makes us a leader in the two-generation approach to poverty alleviation and community equity.

We are proud to support this development as we value the diversity of our community and welcome this opportunity to bring more housing options to Westminster. We strongly encourage you to make all necessary accommodations to allow the St. Mark Village development to move forward as soon as possible.

Thank you for your time and consideration. Please feel free to reach out to me at 720-407-1974 or [karen@growinghome.org](mailto:karen@growinghome.org) if you have any questions or would like additional information.

Sincerely,

A handwritten signature in black ink that reads "Karen Fox Elwell".

Karen Fox Elwell  
President & CEO

*Semi Final Draft*

*Planning Commission*

*FY19*

*Backlog*

Aug. 14, 2019

Westminster City Council  
4800 W. 92<sup>nd</sup> Ave.  
Westminster, CO 80031



Dear

This letter reviews the proposed St. Mark Village affordable/low income housing project and urgently requests that, at the City Council meeting Aug. 26, you vote against rezoning for the project so that it cannot proceed on approximately six acres along the north side of W. 97th Avenue west of Federal Blvd.

I am Dick Johnston, owner and resident since 1993 in the NorthPark East Association (NPEA) neighborhood of 450 townhomes and 50 single family homes immediately north of the proposed Village. I served 12 years on the association board of directors and was president for four years during final phases of development of the neighborhood.

Prior to retirement, I was a newspaper reporter and editor for 20 years including 10 years at the *Denver Post* followed by 20 years as a public relations counselor for government agencies in the Denver region. In those positions, I became familiar with dozens of rezoning, housing, and property development controversies. In my opinion, the St. Mark Village proposal ranks among the worst of controversies I have known.

While I generally have little sympathy for groups who shout “not in my backyard” about land use changes, and while I agree with the City’s need for affordable housing, I must oppose the Village proposal because it would create a high-density compact ghetto just across 97<sup>th</sup> Ave, from the St. Mark Catholic Church complex and would be adjacent to existing low-density neighborhoods. “Affordable” housing is defined as an apartment for which a renter pays no more that 30 per cent of the renter’s gross income for “total housing costs.”

The St. Mark Village would consist of 216 low income, government-subsidized, rental units in one, two, and three bedroom sizes in three-story high buildings containing up to 500 residents crowded around 273 onsite parking spaces. Such a development would create major traffic problems regardless of what city planners and consultants for the Village developer say. Renters’ traffic could flow on to and off of 97<sup>th</sup> Ave. at only one place (plus an “emergency” exit on to Federal Blvd.) and would cause constant traffic jams at Lowell Blvd. and at Federal Blvd. where the Colorado Transportation Department vows no left turns will be allowed.

There are seemingly feasible alternatives. For example:



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---Instead of a development totally incompatible with the surrounding areas, the six acres could be developed with patio homes or a southward extension of NorthPark East Association with 25 to 30 townhomes, and the Village developer could still make a long term profit. An extension of NPEA would eliminate the association's six-foot high fence under the Excel Energy power line with its 50-foot wide easement where buildings are not allowed but green space is allowed. Also, residents of an NPEA expansion would have use of the association's four tennis courts, large swimming pool, and clubhouse. Patio homes and townhomes with attached two-car garages would eliminate the need for extensive paved off-street parking and would allow more green space.

---Part of the original Hollypark Subdivision, fronting on Federal Blvd between 97<sup>th</sup> and 96<sup>th</sup> Aves. (see Exhibit A) is larger than the Village six acres, and would allow good traffic flow on to and off of Federal with a traffic light at 96<sup>th</sup> Ave. for left turns. The City of Westminster has had a financial interest for a decade in the residential zoned, presently unsightly, tract.

---The number of rental units in the Village could be reduced to 100 or less. The developer could still make a long term, although reduced, profit. That would seem to be better for the developer than losing the entire proposed project due to massive public opposition.

Owners of the Wishbone Restaurant and managers of the Environs low density rental units would likely be much more comfortable with nearby patio homes or townhomes than high density low income rentals.

3100 W. 97<sup>th</sup> Avenue, a "Colorado limited liability limited partnership," as the new owner of the six acres, filed a lawsuit, April 17, 2019, in Adams County District Court against the NorthPark East Association, a "Colorado non-profit corporation." The plaintiff partnership won "adverse possession" of a 17-foot wide strip of NPEA land south of the fence because the plaintiff and predecessors owners, not NPEA, had "maintained" the strip of land for at least 18 years. The lawsuit sought to clarify ownership of all of the six acres.

The NPEA's seven-member board of directors quietly considered the lawsuit for six weeks and then called a special meeting of the board for July 7. At the meeting, an attorney with NPEA's management company recommended the board settle the case for a payment of \$10,000 from the partnership rather than go to a trial which would cost NPEA upwards of \$20,000. Also, there was evidence the partnership would win. The board unanimously approved the settlement.

The 3100 W. 97<sup>th</sup> Avenue partnership bought the six acres on January 29, 2019, from the Catholic Archdiocese of Denver. The application to the City for approval of the complex steps necessary for the Village development was filed by the St. Charles Town

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Company based in Denver. Charles Woolley II is the founding principal and president of the St. Charles company. Jordan Zielinski is a principal and director of development in the company. They have made presentations and answered questions at public meetings and hearings. Mr. Zielinski told me that no St. Charles company executives hold administrative positions in the Catholic church.

Holland & Hart, one of the most prestigious and expensive law firms in Colorado, has been retained to work on the St. Mark Village proposal.

I have read the reports by David German, senior planner, who recommends that the City Council start approving the steps including the rezoning needed for development of St. Mark Village. Thankfully, Mr. German has, in cooperation with the developer, provided extensive information about the Village proposal to NorthPark East Association residents and to the NPEA management company which has carried reports in newsletters. A sign about the Village was supposed to be placed on 97<sup>th</sup> Ave. in June but was not visible in July. Notices about the Village mailed to persons living within 300 feet of Village boundaries included a few residents on the far south side of NPEA.

There is ample evidence that NPEA residents strongly oppose St. Mark Village:

A "neighborhood meeting" was held Feb. 27 at Westminster High School, attended by nine NPEA residents, all of whom objected to the Village proposal and several of whom mentioned townhomes as an alternative. At a public meeting attended by at least 50 people July 2 at the St. Mark Catholic Church Annex, a small group in one corner of the room dominated the anti-Village discussion. A written comment (see Exhibit B) by a NPEA resident summarizes the resident's experience living next to high density/low income areas in Thornton. And at recent City Council meetings you have heard up to 30 NPEA residents voice vehement opposition to the Village proposal.

In the decades of federal government-assisted urban renewal and public housing programs, cities round the nation learned the hard way about the problems of crowding people with low incomes and low levels of education into high density housing. Denver Housing Authority programs are examples of solutions to such problems.

Thank you for reading to the end of this long rant.

Sincerely,

Dick Johnston  
3410A W. 98<sup>th</sup> Drive  
Westminster, CO 80031  
303 469 7447  
richardj33@comcast.net





**Property Exhibit: Hollyhurst Subdivision  
 (St. Mark Village / Wishbone Restaurant  
 City Elevated Water Tower Site)**

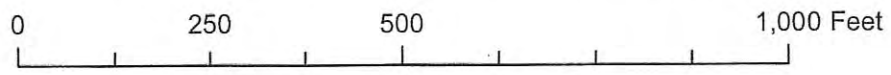




EXHIBIT B

This is the conclusion of a 1½ -page statement dated June 15, 2019, submitted to the Westminster city planning office by a NorthPark East Association resident opposing the St. Mark Village low income housing project..

Unfortunatly too, many times the overcrowding in low-rent apartments with high density population adds an increase to neighborhood vandalism and crime.

"I experienced this when I used to live in Thornton at a town home complex that was across the street from Aztec Villa Apartments and Parkview Terrace Apartments, the majority of which were Section 8 tenants. In the 17 years I owned my home there, I saw a Dramatic increase in population at the apartments, many of which were occupied by more than one family. This overcrowding leads to a lot of "hanging in the hood" behavior, noisy activity in the parking lots with music blaring, cars revving up and being worked on, bored teens doing graffiti on our fences and townhome walls, and an increase in other crimes, especially car break-ins, and drug-related crimes. The Thornton Police were a constant presence in the neighborhood, which soon got a negative reputation. The noise and the traffic were the reason I had to sell my home. I deliberately chose the NorthPark neighborhood in Westminster because it was quiet, pretty and mostly free of through traffic. I am afraid that high density apartments so close by will destroy all that.

Letter of Support  
For  
St Mark Village

Dear Westminster City Council Members,

The undersigned members of the Westminster and surrounding communities have signed this letter to communicate our support of the proposed St Mark Village community to be developed by St. Charles Town Company. We value the diversity of our neighbors and welcome this unique opportunity to bring more housing options to Westminster.

We strongly encourage you to make all necessary accommodations to allow the St Mark Village development to move forward as soon as possible.

Kindly,

Your Constituents





Letter of Support  
For  
St Mark Village

Dear Westminster City Council Members,

The undersigned members of the Westminster and surrounding communities have signed this letter to communicate our support of the proposed St Mark Village community to be developed by St. Charles Town Company. We value the diversity of our neighbors and welcome this unique opportunity to bring more housing options to Westminster.

We strongly encourage you to make all necessary accommodations to allow the St Mark Village development to move forward as soon as possible.

Kindly,

Your Constituents

# SUPPORT

## ST. MARK VILLAGE

NAME	ADDRESS	TELEPHONE	SIGNATURE
Elisabeth Krick	908 S. Miller St. Lakewood <sup>80026</sup>	720-256-1077	Elisabeth A. Krick
Ed <del>Giaco</del> <sup>Ed</sup> <del>Giaco</del> <sup>Ed</sup>	Westminster, CO <sup>80026</sup> 5556 W. 100th St	303-469-4523	Ed <del>Giaco</del> <sup>Ed</sup> <del>Giaco</del> <sup>Ed</sup>
Joby Keeler	11226 RABBITAN ST Westminster, CO 80234	303-469-7917	Joby Keeler
Julius Monge	3250 W. 114th, Arden <sup>#B</sup> Westminster, CO 80031	303-466-7230	Julius Monge
Ricardo y Victoria	3878 W. 103 Ave Westminster 80031	720-391-6750	Ricardo y Victoria
Tom & Ted Zunga	9012 Utica St Westminster 80031	303-427-9343	Tom & Ted Zunga
Rosanna Callaway	9012 Utica St Westminster 80031	703-427-4341	Rosanna Callaway
Suzanne Hammerschmidt	10718 Upton St	303-895-4934	Suzanne Hammerschmidt
Sharon Burton	10985 Bryant St W. CO	303-404-3009	Sharon Burton
Todd Burton	10985 Bryant St <sup>WEST</sup> 80234	303-579-6269	Todd Burton
Pat McKeen	7681 Raleigh Dr. West	303-428-2814	Pat McKeen
Debbie Sanchez	29958 Grivz Way <sup>#A</sup>	303-1104-2151	Debbie Sanchez
JOE MUIÑEZ	3555 BROOKHILLS LN WALT 101 BROOMFIELD	303 469 1351	Joe Muñez
JANICE Dahlman	10383 York St Westminster CO 80031	303 469 8605	Janice Dahlman
Shirley Murphy	8423 Princeton St Westminster, CO 80031	303 428-1037	Shirley Murphy
JOHN KOPALA	15018 St Paul St THORNTON CO 80602	303-255-4931	John Kopala



# SUPPORT

## ST. MARK VILLAGE

NAME	ADDRESS	TELEPHONE	SIGNATURE
DAVID ZAMIEL	10459 RONALD LN	720 244-5919	<i>[Signature]</i>
Peggy Babb	3310 W 98th Ave	303-466-4543	<i>[Signature]</i>
Charley Baber	1175 Wadsworth Blvd	303-905-8874	<i>[Signature]</i>
Rita Hernandez	12540 Grove St	303-863-9507	<i>[Signature]</i>
HELEN KLINGER	2810 W 98th	720-726-5775	<i>[Signature]</i>
Marie Lyons	4833 W 93rd Ave	314-392-159	<i>[Signature]</i>
Frank Sisk	4834 W. 93rd Ave	303/909-7710	<i>[Signature]</i>
JAMES URBAN	4405 W. 94 AVE	303/426/6179	<i>[Signature]</i>
Dr Darwin Strickland	1070 Darwin <sup>NC 80200</sup> CT	303-452-1201	<i>[Signature]</i>
Ken Chandler	12562 BEACH ST.	509-552-7196	<i>[Signature]</i>
BARBARA CHANDLER	12562 BEACH ST	303-562-4504	<i>[Signature]</i>
Karen Mike West	11001 Wolffway	3/466-7513	<i>[Signature]</i>
Patsy Melonakis	1772 W 116th Cir	3-909-6050	<i>[Signature]</i>
DUSTIN LE	2000 Moselle St	702-622-9030	<i>[Signature]</i>
Mary Gabrielle	4720 Dixon Drive	303-748-5471	<i>[Signature]</i>
Paula Cline	9134 Hunter St	720-371-5719	<i>[Signature]</i>

# SUPPORT



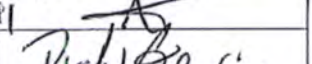
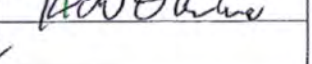
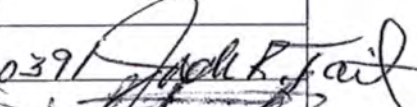
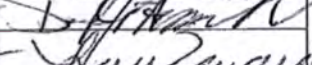
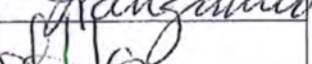
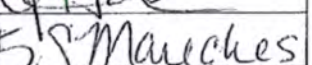
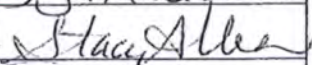
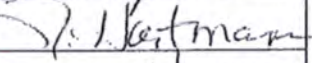
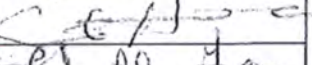
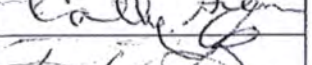
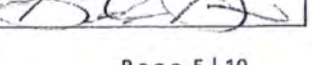
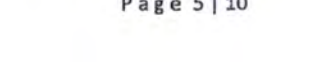
## ST. MARK VILLAGE

NAME	ADDRESS	TELEPHONE	SIGNATURE
Amyll Lowe	12429 James St, Brentford	970-518-3102	<i>Amyll Lowe</i>
Toni Truong	3397 W 165 <sup>th</sup> Ave West	3-803-3390	<i>Toni Truong</i>
Roy Riggan	"	3-403-1856	<i>Roy Riggan</i>
Veronica Quintana	1036 Cooke Drive	303-809-2279	<i>Veronica Quintana</i>
Sean Markovic	8243 W 119 <sup>th</sup> Ave	630-639-9660	<i>Sean Markovic</i>
Casey Markovic	8243 W 119 <sup>th</sup> Ave	630-639-9660	<i>Casey Markovic</i>
Jean Chauz	403 E 80 <sup>th</sup> Ave.	31955-5330	<i>Jean Chauz</i>
Betty Herrick	8060 Herculano Ct.	303-923-9822	<i>Betty Herrick</i>
Shirley Herrick	9057 La Salle Pl.	303-650-6575	<i>Shirley Herrick</i>
Jamie Biner	4917 King St.	970-714-5282	<i>Jamie Biner</i>
Delora Biner	3370 W 78 <sup>th</sup> Pl.	303-439-7060	<i>Delora Biner</i>
Christine Salsa	8460 Oakton Dr #138	303-862-8469	<i>Christine Salsa</i>
Yessica Mendez	9769 Appletree Pl	303-828-7083	<i>Yessica Mendez</i>
FRANLISE MENDOZ	8621 ALCANTARA ST.	720-2538703	<i>FRANLISE MENDOZ</i>
Evelyn Mendez	4240 Vallejo St	770-979-2002	<i>Evelyn Mendez</i>
Jacelyne			<i>Jacelyne</i>



# SUPPORT

## ST. MARK VILLAGE

NAME	ADDRESS	TELEPHONE	SIGNATURE
Randy Swamed	11549 Deane St	3-917-9024	
John Watson	10779 Zuni Dr	3-573-6633	
Ed Tuzello	1755 Birch St	720-628-0741	
Rich Garcia	6946 W. 87 <sup>th</sup> Way Apt	220-481-4414	
Ray Heim	4233 W 110 <sup>th</sup> Pl	303-446-9808	
Ann Heim	4235 W 110 <sup>th</sup> Pl	303-446-9808	
Jack R. Tail	2441 W 107 <sup>th</sup> DR	303-438-0391	
Dave Hammishut	10718 Deane St	303-898-1955	
Lori Zamora	10459 Ronald Ln	720-244-4105	
Shelley Hartman	11025 Steele St Thornton	720-9378129	
Jenni Marches	5304 E 114 <sup>th</sup> Pl	303-6699715	
Stacy Allen	10466 Dale Cir	303-532-7270	
Shelley Hartman	9806 Palmer Ln	720-373-7546	
Sam Hartman	✓	303-241-5699	
Cathy Green	11063 Chase Way	303-330-4127	
Dick Green	11063 Chase Way	303-330-4010	

# SUPPORT

## ST. MARK VILLAGE

NAME	ADDRESS	TELEPHONE	SIGNATURE
Conrad Salvo	9176 La Salle Pl	3-4300311	Conrad Salvo
Joseph Halligan	9176 La Salle Pl	3-430-0311	Joseph Halligan
Mark Hayes	4674 W. 117 <sup>th</sup> St.	3-903-1575	Mark Hayes
Paul Haight	9931 Grove Way	3-469-4818	Paul Haight
Joe Baragona	4210 W. 105 <sup>th</sup> Pl	3-921-2375	Joe Baragona
Joe G. Hyde	4692 W. 99 <sup>th</sup> Pl	307-466-5925	Joe G. Hyde
Patricia Finnegan	3528 W 102nd Pl	303-618-0543	Patricia Finnegan
JOHN VAGY	10708 Zuni St	31465-4641	John Vagy
Catherine Grove	2678 <sup>W</sup> 107 <sup>th</sup> Ct	303-466-0531	Catherine Grove
Cleo Lopez	13484 Raritan Way	3/920-2549	Cleo Lopez
Kevin Mains	10302 Meade Loop <sup>West</sup>	720-9825781	Kevin Mains
Sarah Morgan	3564 W. 102nd Pl. <sup>West</sup>	402-639-7710	Sarah Morgan
Cody Yancey	3564 W. 102nd Pl. <sup>West</sup>	808-285-1098	Cody Yancey
Rich Martinez	892 Fox Dr. #1	303-434-6880	Rich Martinez
Susan Morrison	2499 W. 134 <sup>th</sup> Circle	3/466-8536	Susan Morrison
Matt Stelbis	3542 W. 99 <sup>th</sup> Ave	3/4100965	Matt Stelbis



# SUPPORT

## ST. MARK VILLAGE

NAME	ADDRESS	TELEPHONE	SIGNATURE
Lois Tachtrop	9984 Applebee Pl. Thost	303 469-886	Lois Tachtrop
Therese Mayer	9980 Wolff St. West	303-4800537	Therese A Mayer
Juanita Pidecock	684 Planet Pl	303-412-7856	Juanita Pidecock
CAROL C. PETER	6882 Lowell Blvd	303-469-8284	Carol C. Peter
Christina Myers	4674 W. 112 <sup>th</sup> Ct	303.903.4709	C Myers
Debbie Porter	10937 Legacy Ridge Way	303-464-1671	Debbie Porter
Catherine Kent	3279 W 102nd Circle	720-381-9745	Cathy Kent
Shannon Rizzi	9955 W 81st Ave	303-908-4412	Shannon Rizzi
MIKE STRETL	10190 GROVE LOOP # B	3-475-4163	Mike Stretl
Barbara May	3000 E. 112 <sup>th</sup> Ave # 84	303-255-3836	Barbara G. May
Mary Dwyer	3907 W 104th Place	303-465-9108	Mary Dwyer
Ryszard Winkler	3780 E 112 <sup>th</sup>	970 3792642	Ryszard Winkler
VICTOR GARCIA	2906 W. 11th Ave	303-466-0419	Victor Garcia
Brandi Foltz	2149 E. 116 <sup>th</sup> Ave	720-980-1316	Brandi Foltz
MARY KAY STELLING	3842 W. 99 <sup>th</sup> AVE	303-513-7205	Mary Kay Stelling
Josephine Miller	8253 Adams Way	303 4298 578	Josephine Miller

# SUPPORT

## ST. MARK VILLAGE

NAME	ADDRESS	TELEPHONE	SIGNATURE
Sarah Lindert	401 Interlaken Blvd	847363378	<i>Sarah Lindert</i>
Nivan Vovan	1163 W 160th place	720-877-1835	<i>Nivan Vovan</i>
Dolores SKARBER	9075 LAUNDER ST	303-430-9144	<i>Dolores Skarber</i>
Marcela Rivera	9917 King St <sup>Westminster CO 80031</sup>	303505-2999	<i>Marcela Rivera</i>
Robert Andia	11071 Gray St. <sup>Westminster CO</sup>	303-465-3151	<i>Robert Andia</i>
Maria Andia	11071 Gray St. <sup>Westminster CO</sup>	303-465-3151	<i>Maria Andia</i>
Jim DeBelle	7960 Maria ST <sup>Westminster CO</sup>	303-429-7740	<i>Jim DeBelle</i>
Angela Cito	9269 Utica Ct	303-429-0369	<i>Angela Cito</i>
Muelle Vila	9071 Raleigh ST	3036576348	<i>Muelle Vila</i>
Tuan Nguyen	14678 Pecos St	303 8861339	<i>Tuan Nguyen</i>
Fanela Delgado	260 W. 70 <sup>th</sup> Pl.	303)993-8778	<i>Fanela Delgado</i>
Norma Shiffer	8381 Louisa Dr	31659-1449	<i>Norma Shiffer</i>
Evelyn Ray	3120 N. Putnam	720-299-2111	<i>Evelyn Ray</i>
Julia Kuhl	3141 W. 96th Ave	303-466-9720	<i>Julia Kuhl</i>
Northa Siskell	10814 Memphis	720333-1724	<i>Northa Siskell</i>
Jane Behan	13257 Valley Ct	303 349-4898	<i>Jane Behan</i>



# SUPPORT

## ST. MARK VILLAGE

NAME	ADDRESS	TELEPHONE	SIGNATURE
Suzanne Strickland	1070 Darwin Ct.	3/452-1201	Suzanne Strickland
Ladonna Wilson	4405 W. 9th Ave	309-426-6179	Ladonna Wilson
Rebecca Bravo	10497 Hobbit Lane	720-530-4010	R. Bravo
Alice Higgins	1001.3 Eliot Cir	719-963-3863	Alice Higgins
Rita Parke	1801 W 92nd Ave Lot 112	3/650-8154	Rita C. Parke
Arlene Kapron	13470 Lafayette Ct 80241	3/450-5372	Arlene Kapron
Patricia Zoh	12450 Jamaica St. 80602	3/280-7298	Patricia A. Zoh
Ann M. Zoh	2964 W. 119th Ave	3-3-466-8569	Ann M. Zoh
Cher Talarico	4000 W. 103rd Ave	3-944-0349	Cher Talarico
BRIAN Pideroff	684 Planet Pl	3-412-9836	Brian Pideroff
James S. White	9305 Lowell Blvd	3-427-3234	James S. White
Lacey Durn	9114 Fayett St		Lacey Durn
Mark Boston	9725 Grande Cir	7-441-3725	Mark Boston
John Greenwald	2681 W. 121 Ave	3-949-1235	John Greenwald
Ted Borer	10937 Legacy Ridge	3/513-1581	Ted Borer
Hartner George	4510 W. 25th Ave	851-421-8076	Hartner George

# SUPPORT

## ST. MARK VILLAGE

NAME	ADDRESS	TELEPHONE	SIGNATURE
BRENDA GIBSON	3260 KASSLER PL.	720-353-7309	Brenda Gibson
CHRISTINE TACHSCHAGER	9188 Winona Ct	303 425-1087	Christine Tachschager
ERIC MEYER	13685 W. 84 <sup>th</sup> Ave	303-928-0822	Eric Meyer
Evelyn Ruppert	11550 Decatur St	303 438-5612	Evelyn Ruppert
Dorothy Quintana	1324 Royal Arch Way	3-439-2008	Dorothy Quintana
Vivrag Thomas	3589 W 98 <sup>th</sup> Pl	303-589-4867	Vivrag Thomas
Sheila Kulbeck	9946 Julian Ct.	303-465-0802	Sheila Kulbeck
Clare Dade	9700 82 <sup>nd</sup> Ave	800-7-1	Clare Dade
Debrah Ryan	2804 W 99 <sup>th</sup> Ct	789-10034	Debrah Ryan
KAREN TURGENSMEIER	1343 W 112 <sup>th</sup>	9703717432	Karen Turgenmeier
Luanita Madryal	9164 Fayette St 80260	720 629 7731	Luanita Madryal
BEN MOYER	9950 WOLFF ST	303-420-0577	Ben Moyer
ANITA HEAD	4795 W. 102 <sup>nd</sup> Pl.	303-591-1343	Anita Head
BILL HEAD	4795 W. 102 <sup>nd</sup> Pl	303-469-7754	Bill Head
RUTH SKERSTANE	12509 HAZEL ST	303 438 6812	Ruth Skerstane
Kathleen Winchester	6352 Vrain St	303 246 8315	Kathleen Winchester



# SUPPORT

## ST. MARK VILLAGE

NAME	ADDRESS	TELEPHONE	SIGNATURE
Laura Maestas	3301 W. 79 <sup>th</sup> av	720-354949	Laura Maestas
Jala Hluta	4063 W. 8 <sup>th</sup> way	303-427-0711	Jala Hluta
Ed Getser	10207 Osceola Ct	303-944-2001	Ed Getser
Jack Olgun	4217 W- 107 <sup>th</sup> Pl.	303-909-2090	Jack Olgun
Jane Olgun	4217 W- 107 <sup>th</sup> Pl	303-912-9731	Jane Olgun
Patricia Ann	4665 W 105 <sup>th</sup> Dr	720-938-4304	Patricia Ann
Josh Decker	7921 E 131 <sup>st</sup> Ave	309-241-4403	Josh Decker
Dolores Cruz	9049 Winona Ct 80021	720-394-4364	Dolores Cruz
Dave Cruz	9049 Winona Ct 80021	720-935-4316	Dave Cruz
Kathleen Egan	9218 INCALLS ST	303-659-3523	Kathleen Egan
Robert Galvan	10024 Wymondell Cir S.	720-837-8646	Robert Galvan
MATT MARIN	2776 W. 104 <sup>th</sup> LN	314-60-1130	Matt Marin
Cid Weishapl	13802 Krameria St	3-216-2533	Cid Weishapl
JOAN SALADA	3413 W. 114 <sup>th</sup> Cir	780-5428259	Joan Salada
John Stickler	88 W Ct / Sroofer	303-821-9000	John Stickler
Clay Zokirsky	1091 <sup>st</sup> Ave W	307-797-9511	Clay Zokirsky

Cora Cain 11180 Spring Dr 780 577-0424  
Westminster, CO

# SUPPORT

## ST. MARK VILLAGE

NAME	ADDRESS	TELEPHONE	SIGNATURE
TRICIA PALKO	4433 E 93 <sup>rd</sup> Pl	303-346-8720	Tricia Palko
Reinhard	3755 W 100 Ave	303 986 8054	Reinhard
Mary Keenan	11226 N. Reitan St	303 469-7917	Mary J Keenan
Kathleen Myhr	9595 Pecos <sup>est</sup> 932	303 957 9312	Kathleen A. Myhr
Maria Blaszczyk	10030 Alcott St	303-4	Maria Blaszczyk
Margaret Hayes	2451 W 82nd Place <sup>UNIT</sup> 302	303-465-0400	M. Hayes
Bennie Buras	10138 Julian Way	303-465-0423	Bennie Buras
Kathy A. Brown	8483 Rutgers St	303 412-8329	Kathy A. Brown
Annette Moline	1284 W. 101 <sup>st</sup> Ave NG	303-503-4941	Annette Moline
John Sherman	3463 W 114 <sup>th</sup> Cir, Unit A	303-429-7052	John M. Sherman
Ann W Cox	10541 Fromblow Way	303-457-1438	Ann W Cox
Deborah Prater	10753 Julian Ct	303 465 2180	Deborah Prater
JAMES PRATER	10753 Julian Ct	303-465-2180	James Prater
CHARLES DAHLMAN	10383 YATES CT.	303-469-8665	Charles Dahlman
JOE BRAVO	10497 HOBBS LANE	720-530-3957	Joe R. Bravo
Dorothy Kopala	150 <sup>th</sup> 18 St. Paul St	720-290-9332	Dorothy Kopala



# SUPPORT

## ST. MARK VILLAGE

NAME	ADDRESS	TELEPHONE	SIGNATURE
James Schauf	1957 N 102nd Av <i>The Overton</i>	303-469-8767	<i>James Schauf</i>
Mrs. Gibson	3260 Kasler Pl	303-426-1928	<i>Mrs. Gibson</i>
Lucille Miller	10582 King St.	303-466-6824	<i>Lucille Miller</i>
Bill Miller	10582 King St.	303-466-6824	<i>Bill Miller</i>
GARPON HUPÉC	13752 Dexter Hwy	303-420-5070	<i>Garpon Hupéc</i>
IRMA RECKER	8310 CLAY ST #419 <i>Westminster</i>	303-920-1002	<i>Irmarecker</i>
Carol Ruscin	11764 Ultra Way	303 378 5522	<i>Carol Ruscin</i>
TED SPIDVORT	6474 W. 98th Dr	303 430 7512	<i>Ted Spidvort</i>
Mike YAKISH	1475 Williams St.	720-616-2791	<i>Mike Yakish</i>
Dennis Stasch	8654 Princeton	303 429 4419	<i>Dennis Stasch</i>
Betty Halda	4692 W 99th Pl	303-466-5425	<i>Betty Halda</i>
Barb Amay	1265 Elder St	- - -	<i>Barb Amay</i>
Gail Showalter	12559 Hazel St.		<i>Gail Showalter</i>
Wes Showalter	" " "		<i>Wes Showalter</i>
PAUL JOCHTROP	9484 Appleton	3469-8150	<i>Paul Jochtrop</i>
Dorothy M. Donald	9520 N King Way		<i>Dorothy M. Donald</i>





NAME	ADDRESS	TELEPHONE	SIGNATURE
Peggy Martinez	9782 Putnam Way, Westminster	213 435-5621	Peggy Martinez
Patsy Gallagher	8951 Ithaca Way	800 303 729-3448	Patsy Gallagher
Ruth Kain	5500 E. 124 <sup>th</sup> St Thornton	312 52 9469	Ruth Kain
Yvonne Sotiro	5274 W 116 <sup>th</sup> St	3-469-9199	Yvonne Sotiro
Ed Dietz	3907 W. 104 <sup>th</sup> Pl.	3-465-9108	Ed Dietz
Patty McKerny	2625 W 107 <sup>th</sup> Pl.	3-655-0885	Patty McKerny
Judith Turner	8920 Fox Dr #31 Thornton	3-581-5765	Judith Turner
Phong Nguyen	4690 W. 105 <sup>th</sup> Dr Westminster	469-236 5349	Phong Nguyen
Jasmine Mei	4572 W 105 <sup>th</sup> Way West	720 325 6573	Jasmine Mei
IV-1 Woods	702 Brigitte Dr.	703 324-0819	IV-1 Woods
Jean Jones	3411 K 98 <sup>th</sup> Dr #B	303 466-5233	Jean Jones
Hynn Horning	19712 Josephine	720 236-4566	Hynn Horning
Heather Horning	8720 Mariposa St	303 522 1412	Heather Horning
Norie Hamblet	11641 Garden St	303 452-4202	Norie Hamblet
Mary Dambman	2975 W. 119 <sup>th</sup> St #102	303-770-3249	Mary Dambman
Viet Hoang	14678 PECOS ST	720-496-6694	Viet Hoang

NAME	ADDRESS	TELEPHONE	SIGNATURE
Robert Lopez	13454 RAVENHILL WAY	303/920-2549	Robert Lopez
Robert M. Morassey	2699 W. 134 <sup>TH</sup> Circle	303 466 8536	Robert M. Morassey
Sheila Carpio	9880 Vine Ct	770-308-0131	Sheila Carpio
Thomas M. Miller	5253 ADAMS WAY	303-439-8278	Thomas M. Miller
Lucille Garcia	4468 W. 111 <sup>TH</sup> Cir., Westminster	303-438-8089	Lucille Garcia
Trang Mai	4690 W 105 <sup>TH</sup> DR Westminster	720-541-0552	Trang Mai
DWAYNE KUCHER	13977 Lexington Rd	503-859-9595	Dwayne Kucher
Joseph Sanchez	3411 W 88 <sup>TH</sup> PL	303-466-5273	Joseph Sanchez
DANIEL HERRERA	8060 GREENWOOD CT	303-428-4812	Daniel Herrera
Donna M Baker	8952 Seton	303-427-7459	Donna M Baker
Vicki L Deitchel	1134 W 124 <sup>TH</sup> Ct	303-457-0292	Vicki L Deitchel
Angie Quintana	6733 E. 115 <sup>TH</sup> Ave	303-460-8634	Angie Quintana
PAUL REVERA	9917 KING ST.	303-505-2999	Paul K. Rivera
Tricia Tomas	9958 OAKWOOD	720/252-3947	Tricia Tomas
Nga Hoang	14678 Pecos St	303-886-1332	Nga Hoang
LEE ANTONIA	6733 E 115 <sup>TH</sup> Ave	303-378-1757	Lee Antonia



NAME	ADDRESS	TELEPHONE	SIGNATURE
Budget Insurance	477 Whiteford St 800 26	303-249-7191	Budget Insurance
Catharine	4421 Newton Winston	7-232-4742	Catharine
Grennan Stephens	14529 Hazel St	972-520-1583	Grennan Stephens
James Riving	1463 W. 103rd Pl	505-331-1049	James Riving
Christopher Turner	13380 Burnside Dr	714-821-4289	Christopher Turner
Joseph Blair	11919 Newton St.	805-395-0725	Joseph Blair
Karen Blair	11919 Newton St SW31	661-803-0691	Karen Blair
MARY Wilson	1093 W 112th Ave # C 80234	503-255-3533	Mary Wilson
James White	10477 Laurel Ct	503-661-0714	James White
Jim McKenny	2625 W. 107th Pl.	303-688-0886	Jim McKenny
Mike Lowe	2508 E 145th Ct	303-931-5213	Mike Lowe
Catharine Schutt	5740 W 115th Ave	407-630-3593	Catharine Schutt
James Long	6734 W 98th Circle	303-521-3701	James Long
John Congo	6734 W 98th Circle	303-521-2580	John Congo
Dr. Giamini	8714 DeFrame Ct	303-465-5781	Dr. Giamini
Lucille Smith	9275 NEWTON ST	303-428-2122	Lucille Smith

NAME	ADDRESS	TELEPHONE	SIGNATURE
Emily Medina	8853 Lowell Way	720 435 9101	Emily Medina
ROBERT BARR	3750 W. 95 <sup>th</sup> AVE	303) 428-2972	Robert Barr
Melanie Flores	3161 W 93 <sup>rd</sup> Ave	720 329 6182	Melanie Flores
Isabella Flores	" "	" "	Isabella Flores
Alexandria Flores	3161 W 93 <sup>rd</sup> Ave	720-646-5240	Alexandria Flores
Julia Sava	9073 W 103 <sup>rd</sup> AVE	303-467-3823	Julia Sava
Anton Flores	3161 W 93 <sup>rd</sup> Ave	720 648 8820	Anton Flores
Sheda Hoben	3730 W. 101 <sup>st</sup> Ave	303-898-6647	Sheda Hoben
Tony Williams	8040 Northwind St	303 479 6282	Tony Williams
Joe Medina	8853 Lowell Way	303 435 2901	Joe Medina
Claudia Galvan	10021 Wyandot St C.S.	31 902-3152	Claudia Galvan
May Kolbeed	1801 W. 92 <sup>nd</sup> Ave Apt. 438 Federal Bldg	720-655-0466	May Kolbeed



NAME	ADDRESS	TELEPHONE	SIGNATURE
MARILYN Cetsch	10207 Cecob Ct.	3-944-2003	<i>Marilyn Cetsch</i>
RA Greenwald	2581 W. 121 <sup>st</sup>	3)523-2710	<i>RA Greenwald</i>
Ann Oberg	2904 W. 111 <sup>th</sup> Ave, <sup>Westminster</sup>	720-600-3033	<i>Ann Oberg</i>
Josie Kubista	14001 McKay Park Cir, <sup>Broomfield</sup> 80023		<i>Josie Kubista</i>
Bryan K. Lowe	10162 Lowell Way	303-404-2773	<i>Bryan K. Lowe</i>
Dawn Carr	4640 W. 105 <sup>th</sup> Dr	303-809-5011	<i>Dawn Carr</i>
Judy Stevens	12525 Wolff St	303 410-7663	<i>Judy Stevens</i>
Holly Stickle	4474 Winona <sup>Pl</sup> Blv	3/489-7865	<i>Holly Stickle</i>
Ana Wedge	1480 W 78 <sup>th</sup> Circle		<i>Ana Wedge</i>
Albert Carr	11180 Rivin Ave	303-377-1424	<i>Albert Carr</i>
Barbara Carr	3730 W 95 <sup>th</sup> Ave	3/428-2972	<i>Barbara Carr</i>
Jeri Montano	11669 Country Club Ln	3/468-1730	<i>Jeri Montano</i>
Kurt Sara	9073 W 103 <sup>rd</sup> Ave <sup>Westminster</sup>	3/469-3823	<i>Kurt Sara</i>
Dr ROTH	3730 W. 105 <sup>th</sup> Ave	746-9555	<i>Dr ROTH</i>
Gilbert Cito	9269 TICA CT.	303-456-4944	<i>Gilbert Cito</i>
Roxann Giuliano	8640 Norwich SE	3-429-6282	<i>Roxann Giuliano</i>

NAME	ADDRESS	TELEPHONE	SIGNATURE
Christine Espino	11635 Zencbig Ct Westminister	303 668 0829	<i>Christine Espino</i>
Cheryl Atencio	10121 OWENS DRIVE Westminister	303 460 9754	<i>Cheryl Atencio</i>
Sam Atencio	10121 OWENS DR, Westminister	303 460 9754	<i>Sam Atencio</i>
Don H Hebel	2730 North 117th Westminister	303 808 0594	<i>Don H Hebel</i>
Anna Telen	9280 1102nd Cr	303 426 7501	<i>Anna Telen</i>
Suporke Anjo	3670 W 96th Ave Westminister	780 382 8711	<i>Suporke Anjo</i>





NAME	ADDRESS	TELEPHONE	SIGNATURE
Karen Fox Elwell	3489 W. 72 <sup>nd</sup> Ave Suite 108 Westminster 1974	720-407-1987	
Iris Abraham	3489 W. 72 <sup>nd</sup> Ave Suite 110 Westminster	720-407-1987	
Paola Babo	1233 W. 116 <sup>th</sup> Ave Westminster CO 80234	720-389-8855	
ANITA DESTHOMMES	3489 W 72 <sup>nd</sup> Ave Suite 112 Westminster CO 8003	303-704-7003	
Johnny Arias	3489 W. 72 <sup>nd</sup> Ave Suite 112 Westminster	575-288-6001	
Kees <del>Frieder</del> <sup>TELL</sup>	3489 W. 72 <sup>nd</sup> Ave Westminster	720-407-1987	
Brandie Ciddia	7062 Fox St Denver 80221	3-757-8719	
Isabelle Kessler	11500 Otis St - Westminster 80020	3-895-0536	
Maria Gonzalez	7271 Bryant Westminster	720 5964081	
Herminia Bastista	2460 W. 65 <sup>th</sup> pl. Westminster 80020	720 556 5718	
Cristal Cordova	3489 W. 72nd Ave, suite 108 Westminster	303-947-6849	
Paulina Figueroa	3489 W 72nd Av	619 844 1820	
Mitzi Hicks	3489 W 72nd Ave	720-407-0228	



**FIRST AMENDED PRELIMINARY DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
**A PLANNED UNIT DEVELOPMENT**  
**IN THE CITY OF WESTMINSTER**  
**COUNTY OF ADAMS, STATE OF COLORADO**  
**SHEET 1 OF 5**

**OWNER APPROVAL:**

I, \_\_\_\_\_, AS MANAGER OF 3100 W 97TH AVENUE DEVELOPMENT, LLC, THE GENERAL PARTNER OF 3100 W 97TH AVENUE, LLLP, PROPERTY OWNER, DO SO APPROVE THIS ODP FOR REVIEW AND APPROVAL BY THE CITY OF WESTMINSTER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

3100 W 97TH AVENUE, LLLP

BY: 3100 W 97TH AVENUE DEVELOPMENT, LLC  
 A COLORADO LIMITED LIABILITY COMPANY  
 ITS GENERAL PARTNER

BY: \_\_\_\_\_, MANAGER

**CITY APPROVAL:**

ACCEPTED BY THE PLANNING COMMISSION OF THE CITY OF WESTMINSTER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

CHAIRMAN \_\_\_\_\_

ATTEST: CITY CLERK \_\_\_\_\_

APPROVED BY THE CITY COUNCIL OF THE CITY OF WESTMINSTER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

MAYOR \_\_\_\_\_

ATTEST: CITY CLERK \_\_\_\_\_

**CLERK AND RECORDER'S CERTIFICATE:**

RECEPTION NO. \_\_\_\_\_

ACCEPTED FOR FILING IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF ADAMS COUNTY OF BRIGHTON, COLORADO ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_, AT \_\_\_\_\_ O'CLOCK \_\_M.

ADAMS COUNTY CLERK AND RECORDER \_\_\_\_\_

BY: DEPUTY CLERK \_\_\_\_\_

**ZONING & LAND USE**

CURRENT ZONING & LAND USE: PLANNED UNIT DEVELOPMENT FOR MIXED USE  
 PROPOSED ZONING & LAND USE: PLANNED UNIT DEVELOPMENT FOR MULTIFAMILY APARTMENTS  
 COMPREHENSIVE PLAN DESIGNATION: MUNICIPAL AREA

**LEGAL DESCRIPTION:**

A PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF WESTMINSTER, COUNTY OF ADAMS, STATE OF COLORADO,

LOTS 11, 12, 45, 46, 47 AND 48, HOLLYHURST, RECORDED IN BOOK 3 AT PAGE 54

EXCEPT THOSE PORTIONS THEREOF CONVEYED TO THE DEPARTMENT OF HIGHWAYS IN DEEDS RECORDED IN BOOK 920 AT PAGE 379 AND DEED RECORDED IN BOOK 926 AT PAGE 293, COUNTY OF ADAMS, STATE OF COLORADO,

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 17, THENCE NORTH 00°01'39" EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER, A DISTANCE OF 894.55 FEET;  
 THENCE SOUTH 89°24'25" WEST A DISTANCE OF 91.40 FEET TO A POINT ON THE WEST LINE OF THE PARCEL DESCRIBED IN BOOK 926 AT PAGE 293, A POINT ON THE SOUTH LINE OF SAID LOT 11 EXTENDED EASTERLY, AND THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89°24'25" WEST ALONG SAID EXTENSION AND THE SOUTH LINE OF SAID LOT 11, HOLLYHURST SUBDIVISION, A DISTANCE OF 468.44 FEET TO A POINT ON THE EAST LINE OF SAID LOT 45, HOLLYHURST SUBDIVISION;  
 THENCE SOUTH 00°33'57" EAST ALONG SAID EAST LINE, A DISTANCE OF 161.90 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WEST 97TH AVENUE AS DESCRIBED IN BOOK 1815 AT PAGE 496;  
 THENCE SOUTH 89°24'25" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 521.58 FEET TO A POINT ON THE WEST LINE OF LOT 48, HOLLYHURST SUBDIVISION;  
 THENCE NORTH 00°34'05" WEST ALONG SAID WEST LINE, A DISTANCE OF 340.47 FEET TO A POINT ON THE SOUTH LINE OF TRACT A, NORTHPARK SUBDIVISION FILING NO. 14 RECORDED AT RECEPTION NO. B1228332;  
 THENCE NORTH 89°24'41" EAST ALONG THE SOUTH LINE OF SAID TRACT A, AND ALONG THE SOUTH LINES OF TRACT B, NORTHPARK SUBDIVISION FILING NO. 11 RECORDED AT RECEPTION NO. B689214, TRACT B, NORTHPARK SUBDIVISION FILING NO. 10 RECORDED AT RECEPTION NO. B1081276, A DISTANCE OF 993.59 FEET TO THE WEST LINE OF SAID PARCEL DESCRIBED AT BOOK 920 AT PAGE 379;  
 THENCE SOUTH 00°34'36" WEST ALONG SAID WEST LINE, AND ALONG THE WEST LINE OF SAID PARCEL DESCRIBED IN BOOK 926 AT PAGE 293, A DISTANCE OF 178.53 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 261,513 SQUARE FEET OR 6.003 ACRES, MORE OR LESS.

**BASIS OF BEARINGS:**

BEARINGS ARE BASED ON THE EAST LINE THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, ASSUMED TO BEAR NORTH 00°01'39" EAST.

**SURVEYOR'S CERTIFICATE**

I, AARON MURPHY, A LAND SURVEYOR REGISTERED IN THE STATE OF COLORADO, HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION HAS BEEN PREPARED OR REVIEWED BY ME TO BE AN ACCURATE DESCRIPTION OF THE PDP PROPERTY BOUNDARY.

DATE: AARON MURPHY, PLS 38162  
 FOR AND BEHALF OF HARRIS KOCHER SMITH  
 ADDRESS: 1120 LINCOLN ST., SUITE 1000  
 DENVER, CO 80203  
 PHONE: 303-623-6300

**PERMITTED USES**  
 MULTI-FAMILY RESIDENTIAL

**PROHIBITED USES**  
 ANY USES NOT SPECIFICALLY LISTED AS PERMITTED SHALL BE DEEMED PROHIBITED. THE PLANNING MANAGER SHALL DETERMINE IF AN UNLISTED USE OR SET OF USES FALLS INTO THE DEFINITION OF A LISTED PERMITTED USE.

**PROJECT SCOPE:**

ST MARK VILLAGE IS A PROPOSED AFFORDABLE MULTIFAMILY DEVELOPMENT BOUND BY A PUBLIC SERVICE COMPANY EASEMENT TO THE NORTH, 97TH AVENUE TO THE SOUTH, FEDERAL BOULEVARD TO THE EAST, AND CITY OWNED PROPERTY TO THE WEST.

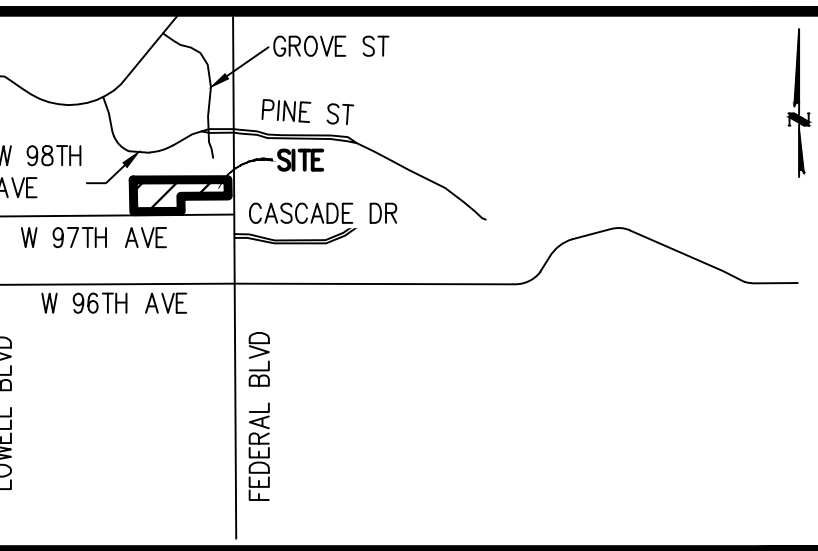
THE GENERAL DESIGN CONCEPTS INCLUDE THE FOLLOWING:

- DETACHED CLUBHOUSE WITH ON-SITE LEASING FACILITY
- FITNESS CENTER
- COMPUTER/BUSINESS ROOM
- OUTDOOR POOL IN A COURTYARD SETTING
- BBQ PATIO
- PLAYGROUND/TOT-LOT
- OUTDOOR GARDEN SEATING
- OUTDOOR TRELIS PATIO
- GREEN INFRASTRUCTURE SUCH AS RAIN GARDENS
- RIGHT OF WAY BULB OUTS TO ACT AS TRAFFIC CALMING MEASURES ALONG 97TH AVENUE

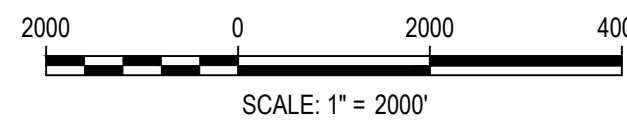
THE SITE SLOPES GENERALLY FROM NORTH TO SOUTH AND IS CURRENTLY VACANT, ROUGH GRADED LAND THAT IS PREVIOUSLY UNDEVELOPED.

ZONING & LAND USE			
	ZONING	LAND USE	COMP PLAN DESIGNATION
SUBJECT SITE:	PLANNED UNIT DEVELOPMENT (PUD)	MULTI-FAMILY RESIDENTIAL	R-36 RESIDENTIAL
NORTH:	PLANNED UNIT DEVELOPMENT (PUD)	SFA AND SFD RESIDENTIAL	R3.5 AND R-8 RESIDENTIAL
EAST:	C-1 COMMERCIAL (FEDERAL HEIGHTS)	VACANT	(NOT IN CITY OF WESTMINSTER)
SOUTH:	PLANNED UNIT DEVELOPMENT (PUD)	SFA AND SFD RESIDENTIAL; CHURCH	R-3.5 AND R-8 RESIDENTIAL; PUBLIC/ QUASI-PUBLIC
WEST:	PLANNED UNIT DEVELOPMENT (PUD)	MUNICIPAL ELEVATED WATER TANK	PUBLIC/ QUASI-PUBLIC

SITE USAGE DATA	
<b>MULTI-FAMILY WITH 216 UNITS AND 36 DU/AC DENSITY</b>	
LOTS 11, 12, 45, 46, 47 & 48 HOLLYHURST	261,360 SF (6.0 AC)
TOTAL AREA	261,360 SF (6.0 AC)
BUILDING COVERAGE	86,538 SF (1.99 AC; 33.11%)
PAVING AND DRIVES COVERAGE	124,493 SF (2.86 AC; 47.63%)
LANDSCAPE COVERAGE	50,329 (1.15 AC; 19.26%)



**VICINITY MAP**  
 SCALE 1" = 2000'



**PROPERTY OWNER**

3100 W 97TH AVENUE, LLLP  
 1850 PLATTE STREET, SUITE 200  
 DENVER, CO 80202  
 720-598-1300

**CONSULTANT FIRMS**

**ARCHITECT**  
 KTG ARCHITECTS  
 820 16TH STREET, SUITE 500  
 DENVER, COLORADO 80202  
 303-825-6400

**CIVIL ENGINEER**  
 MICHAEL MOORE, PE  
 HARRIS KOCHER SMITH  
 1120 LINCOLN STREET, SUITE 1000  
 DENVER, COLORADO 80203  
 303-623-6300

**LANDSCAPE ARCHITECT**  
 SANDI GIBSON  
 OUTSIDE LA  
 2623 BURGESS CREEK RD  
 STEAMBOAT SPRINGS,  
 COLORADO 80487  
 970-871-9629

**MECHANICAL, ELECTRICAL, & PLUMBING ENGINEER**  
 COREY STENMAN  
 JORDAN & SKALA ENGINEERS  
 555 17TH STREET, SUITE 700  
 DENVER, COLORADO 80202  
 303-586-2375

**DEVELOPMENT TIMING & PHASING**

IN THE EVENT THE DATE OF APPROVAL OF A PROPERTY'S PDP OR LATEST PDP AMENDMENT IS MORE THAN FIVE (5) YEARS OLD AND NO BUILDING PERMIT HAS BEEN ISSUED, THE PDP OR AMENDED PDP SHALL BE REQUIRED TO BE SUBMITTED FOR REVIEW AND RECONSIDERATION IN ACCORDANCE WITH CITY CODE.

THE PROPOSED DEVELOPMENT TIMING AND PHASING FOR THIS PROJECT IS AS FOLLOWS:  
 BEGIN CONSTRUCTION: WINTER 2019  
 END CONSTRUCTION: WINTER 2021  
 THE DEVELOPMENT WILL BE CONSTRUCTED IN ONE PHASE

**ST MARK VILLAGE  
 PRELIMINARY DEVELOPMENT PLAN**

DATE: 03/15/2019

03/15/2019  
 05/20/2019  
 07/26/2019

**SHEET INDEX**

- 1 COVER
- 2 NOTES
- 3 NOTES
- 4 NOTES
- 5 OVERALL PLAN

**CASE# PLN19-0038**

1 OF 5  
 COVER

FIRST AMENDED PRELIMINARY DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT  
 IN THE CITY OF WESTMINSTER  
 COUNTY OF ADAMS, STATE OF COLORADO  
 SHEET 2 OF 5



**PROJECT NOTES:**

**PARK DEVELOPMENT FEE:**

THE CITY CODE (§11-6-8(C)) REQUIRES A PARK DEVELOPMENT FEE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE FIRST UNIT IN ANY BUILDING. A FEE OF \$1,363 (2019) PER DWELLING UNIT IS DUE TO THE CITY. FOR 216 DWELLINGS THE TOTAL FEE IS \$294,408. THIS FEE AMOUNT MAY CHANGE PRIOR TO COMPLETION OF THIS PROJECT AS THE PARK FEE IS ADJUSTED ANNUALLY IN ACCORDANCE WITH THE CONSUMER PRICE INDEX (CPI) AS ESTABLISHED FOR THE DENVER METROPOLITAN AREA.

**PUBLIC LAND DEDICATION:**

PUBLIC LAND DEDICATION IS REQUIRED FOR RESIDENTIAL DEVELOPMENTS IN THE CITY. FOR THIS SITE, THE CITY HAS DETERMINED THAT A LAND DEDICATION WOULD NOT SERVE THE PUBLIC INTEREST. THEREFORE, A FEE IN LIEU OF THE LAND DEDICATION IS REQUIRED. THE FEE IS BASED ON THE FAIR MARKET VALUE OF THE LAND WHICH MIGHT HAVE BEEN DEDICATED TO THE CITY. PUBLIC LAND DEDICATION IS PROPOSED TO BE PAID CASH-IN-LIEU. THE CITY CODE (11-6-8(B)) REQUIRES 12 ACRES PER 1,000 RESIDENTS. PROJECTED POPULATION FOR THIS DEVELOPMENT IS 2.0 PERSONS PER UNIT. FOR 216 UNITS, THE POPULATION IS 432 PERSONS. FOR 432 PERSONS, THE PUBLIC LAND DEDICATION REQUIRED IS 5.184 ACRES. BASED ON A LAND PURCHASE PRICE (OR FAIR MARKET VALUE AS DETERMINED BY A CURRENT APPRAISAL) OF \$5.00 PER SQUARE FOOT MULTIPLIED BY 5.184 ACRES, THE CASH-IN-LIEU TOTALS 1,129,075.20. (CALCULATION: 5.184 ACRES x 43,560 SQUARE FEET PER ACRE = 225,815.04 SQUARE FEET; 225,815.04 SQUARE FEET x \$5.00 PER SQUARE FOOT = 1,129,075.20) THE CASH-IN-LIEU PAYMENT IS DUE PRIOR TO THE RECORDATION OF THE FINAL PLAT, OR AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT IF A PLAT IS NOT REQUIRED. (NOTE: THIS PROJECT WILL REQUIRE A FINAL PLAT.)

**SCHOOL LAND DEDICATION:**

THE CITY CODE (§11-6-8(F)) REQUIRES A DEDICATION OF SCHOOL LAND OR CASH IN LIEU OF LAND. FOR THIS SITE, THE CITY HAS DETERMINED THAT A LAND DEDICATION WOULD NOT SERVE THE PUBLIC INTEREST. THEREFORE, A FEE IN LIEU OF THE LAND DEDICATION IS REQUIRED. THE CASH-IN-LIEU FEE IS A FIXED AMOUNT BASED ON THE TYPE OF UNIT AND IS DUE AT THE TIME OF FINAL PLAT OR AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT IF A PLAT IS NOT REQUIRED. FOR DWELLING UNITS A FEE OF \$ 112 (2019) PER DWELLING UNIT IS DUE TO THE CITY. FOR 216 DWELLINGS THE TOTAL FEE IS \$ 24,192. THIS FEE AMOUNT MAY CHANGE PRIOR TO COMPLETION OF THIS PROJECT AS THE SCHOOL FEE IS ADJUSTED ANNUALLY TO KEEP PACE WITH THE REAL ESTATE MARKET AND LAND VALUES

**PUBLIC ART:**

CASH-IN-LIEU FOR BOTH THE ART PIECE AND AN IMPROVED SITE SHALL BE PAYABLE BY THE PROPERTY OWNER TO THE CITY IN THE AMOUNT OF \$2,000 PER GROSS ACRE OF THE SUBJECT PROPERTY AT THE TIME OF FINAL PLAT. IF NO PLAT IS NEEDED THEN CASH-IN-LIEU SHALL BE PROVIDED AT THE TIME OF OFFICIAL DEVELOPMENT PLAN RECORDING. FOR 6.00 ACRES A FEE OF \$12,000 IS DUE TO THE CITY.

**SERVICE COMMITMENTS:**

MAXIMUM DENSITY OR F.A.R. OF A COMPREHENSIVE PLAN DESIGNATION, PRELIMINARY DEVELOPMENT PLAN USE, OR PREVIOUS ODP MAY NOT BE ACHIEVABLE FOR EVERY SITE DUE TO CONSTRAINTS WHICH MAY INCLUDE SERVICE RESOURCES OR INFRASTRUCTURE. THE MAXIMUM FEASIBLE DENSITY OR F.A.R. MUST BE DETERMINED BY REVIEWING COMPLETE PROJECT DATA WHEN SUBMITTED WITH EACH ODP PROPOSAL AGAINST THE CURRENT CONDITION OF KNOWN CONSTRAINTS ON THE SITE. SERVICE COMMITMENTS ARE ISSUED AT THE TIME OF BUILDING PERMIT ISSUANCE PER CITY CODE (§11-3-4(C)). SERVICE COMMITMENTS PREVIOUSLY AND EXPLICITLY PROVIDED IN DOCUMENTATION BUT NOT CONSTRUCTED NOR CONNECTED WITHIN A REASONABLE PERIOD REMAIN SUBJECT TO RESCISSION OR REDUCTION AS NECESSARY IN THE PUBLIC INTEREST.

**BILLBOARD REMOVAL:**

THE BILLBOARD THAT STANDS AT THE EAST END OF THE ST. MARK VILLAGE PROPERTY IS OWNED BY THE LAMAR COMPANIES. THE CURRENT SIGN LOCATION LEASE FOR THIS BILLBOARD EXPIRES ON JULY 1, 2021. THE OWNER/DEVELOPER SHALL TAKE ALL APPROPRIATE LEGAL ACTIONS NECESSARY TO ENSURE THAT THIS LEASE IS NOT RENEWED, AS PRESCRIBED BY THE TERMS OF THE LEASE. THE BILLBOARD SHALL BE FULLY REMOVED AT PROPERTY OWNER/DEVELOPER'S EXPENSE WITHIN SIXTY (60) DAYS OF THE CONCLUSION OF THE CURRENT LEASE. THE AREA WHERE THE BILLBOARD STOOD SHALL BE FULLY DEVELOPED AND COMPLETED AS SHOWN WITHIN THE APPROVED ODP FOR THIS PROPERTY WITHIN NINETY (90) DAYS OF THE REMOVAL OF THE BILLBOARD.

**SERVING FACILITIES**

PUBLIC RECREATION AREAS	CARROLL BUTTS PARK	0.5 MILES
PUBLIC OPEN SPACE	CARROLL BUTTS PARK	0.5 MILES
DRAINAGEWAYS	SOUTH PLATTE RIVER	6.0 MILES
MAJOR DETENTION	MIDDLE SOUTH PLATTE - CHERRY CREEK DRAINAGE BASIN	6.0 MILES
PRIMARY SCHOOL	ROCKY MOUNTAIN ELEMENTARY SCHOOL	0.6 MILES
ELEMENTARY SCHOOL	ROCKY MOUNTAIN ELEMENTARY SCHOOL	0.6 MILES
MIDDLE SCHOOL	SHAW HEIGHTS MIDDLE SCHOOL	2.0 MILES
HIGH SCHOOL	NORTHGLENN HIGH SCHOOL	2.5 MILES
NEARBY SHOPPING AREAS	NORTH PARK PLAZA	0.8 MILES
NEARBY FIRE STATIONS	WESTMINSTER FIRE STATION #2	1.3 MILES
NEARBY BUS STOPS	97TH & FEDERAL	0.1 MILES

**GENERAL DESIGN STANDARDS**

PER MULTI FAMILY DESIGN STANDARDS WITH EXCEPTIONS, SEE NOTES, SHEET 3 & 4.

**STANDARD STATEMENTS**

A. APPROVAL OF THE PRELIMINARY DEVELOPMENT PLAN CONSTITUTES A CONCEPT APPROVAL OF THE PLAN SUBJECT TO THE ABILITY OF THE CITY OF WESTMINSTER OR THE LAND OWNER TO PROVIDE NECESSARY SERVICES. DUE TO SERIOUS SHORT-RANGE AND LONG-RANGE LIMITATIONS ON THE RAW WATER SUPPLY, WATER TREATMENT CAPACITY AND SEWAGE TREATMENT CAPACITY OF THE CITY, DEVELOPMENT OF LAND IN ACCORDANCE WITH THIS PLAN MAY NOT BE POSSIBLE. APPROVAL OF THIS PLAN IMPLIES NO COMMITMENT OF THE CITY OF WESTMINSTER TO PROVIDE SERVICES. THE CITY OF WESTMINSTER ADVISES AGAINST DEVELOPMENT OF LAND IN ACCORDANCE WITH THIS PLAN WITHOUT A THOROUGH INVESTIGATION BY THE DEVELOPER OF THE AVAILABILITY OF WATER AND SEWER SERVICE AT THE TIME OF SUCH DEVELOPMENT.

B. THE LAND USES LISTED AS PERMITTED ON THE PRELIMINARY DEVELOPMENT PLAN (PDP) SHALL BE SUBJECT TO FINAL REVIEW AND APPROVAL AT THE TIME OF OFFICIAL DEVELOPMENT PLAN (ODP) APPROVAL, WITH SAID REVIEW TO INCLUDE THE LOCATION AND NUMBER OF SUCH ESTABLISHMENTS AND THE ACCEPTABILITY OF THE SITE PLAN WITH ACCEPTABLE HEIGHTS, BULK, SETBACKS, AND OPEN SPACE STANDARDS; PLUS THE ARCHITECTURAL DESIGN, THE LANDSCAPING PLAN, AND OTHER TERMS AND CONDITIONS AS ARE STANDARD IN THE REVIEW OF OFFICIAL DEVELOPMENT PLANS.

C. THE DENSITIES LISTED AS PERMITTED ON THE PRELIMINARY DEVELOPMENT PLAN (PDP) SHALL BE CONSIDERED AS A MAXIMUM AND SHALL BE SUBJECT TO FINAL REVIEW AND APPROVAL AT THE TIME OF OFFICIAL DEVELOPMENT PLAN (ODP) APPROVAL, WITH SAID REVIEW TO INCLUDE THE ACCEPTABILITY OF THE SITE PLAN WITH ACCEPTABLE HEIGHTS, BULK, SETBACKS, AND OPEN SPACE STANDARDS; PLUS THE ARCHITECTURAL DESIGN, THE LANDSCAPING PLAN, AND OTHER TERMS AND CONDITIONS AS ARE STANDARD IN THE REVIEW OF OFFICIAL DEVELOPMENT PLANS.

D. CITY USE TAX FOR PUBLIC IMPROVEMENTS WILL BE REQUIRED TO BE PAID PRIOR TO THE ISSUANCE OF THE NOTICE TO PROCEED FOR THE PUBLIC IMPROVEMENTS, AND CITY USE TAX FOR PRIVATE IMPROVEMENTS WILL BE REQUIRED TO BE PAID PRIOR TO THE ISSUANCE OF THE BUILDING PERMIT. IF YOU HAVE ANY QUESTIONS REGARDING THE CITY'S USE TAX REQUIREMENTS, PLEASE CONTACT THE CITY TAX AUDITOR.

E. UTILITY EASEMENTS: THE DESIGN OF THE PROPOSED CITY UTILITY LINES AND THE WIDTH OF THEIR RESPECTIVE EASEMENTS ARE PRELIMINARY AND MAY CHANGE DURING THE CONSTRUCTION DRAWING PHASE.

F. THE OVERHEAD UTILITIES ADJACENT TO THE NORTH PROPERTY LINE IS CONSIDERED A TRANSMISSION MAIN AND IS EXEMPT FROM UNDERGROUNDING PER WMC 11-6-3 (B)(3).

DATE: 03/15/2019

ST MARK VILLAGE  
PRELIMINARY DEVELOPMENT PLAN

03/15/2019  
05/20/2019  
07/26/2019



FIRST AMENDED PRELIMINARY DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT  
 IN THE CITY OF WESTMINSTER  
 COUNTY OF ADAMS, STATE OF COLORADO  
 SHEET 3 OF 5



**PUD EXCEPTIONS:**

**1. BUILDING SETBACKS:**

REQUIREMENT NOT MET IN MULTIPLE AREAS:

- a. THE WEST PROPERTY LINE IS ADJACENT TO THE CITY'S ELEVATED WATER TOWER SITE. GIVEN THE BUILDING HEIGHTS OF 45 FEET, 4 INCHES, THE WEST SETBACK MINIMUM WOULD BE 68 FEET. THE PROPOSED SETBACK ON THE SITE PLAN IS 10 FEET.

**JUSTIFICATION:** DUE TO THE NATURE AND LONG TERM MUNICIPAL USE OF THE CITY'S HYDROPILLAR PROPERTY ADJACENT TO THE WEST OF ST MARK VILLAGE, A 10 FOOT SETBACK FROM THE WESTERLY PROPERTY LINE FOR FIRE PROTECTION BEST PRACTICES IS PROVIDED. REDEVELOPMENT OF A MUNICIPAL PROPERTY SERVING A CRITICAL MUNICIPAL FUNCTION TO LARGE AREAS OF THE CITY IS HIGHLY UNLIKELY AND THEREFORE, THE REDUCED SETBACK IS WARRANTED.

- b. THE NORTH PROPERTY LINE IS ADJACENT TO NORTH PARK PRIVATE OPEN SPACE. NORTH PARK IS A RESIDENTIAL NEIGHBORHOOD WITH SINGLE-FAMILY AND TOWNHOME RESIDENCES. GIVEN THE BUILDING HEIGHTS OF 45 FEET, 4 INCHES, THE NORTH SETBACK MINIMUM WOULD BE 68 FEET. THE PROPOSED SETBACK ON THE SITE PLAN IS 5 FEET.

**JUSTIFICATION:** ADJACENT TO THE NORTHERN PROPERTY LINE OF ST. MARK VILLAGE, THERE EXISTS A 75 FOOT WIDE UTILITY EASEMENT LOCATED ON PROPERTY PLATTED IN THE NORTH PARK SUBDIVISION TO ACCOMMODATE HIGH VOLTAGE UTILITY TRANSMISSION LINES. FROM THE NORTHERN LINE OF THE UTILITY EASEMENT TO THE MOST NORTHERLY BUILDING FACE OF ST MARK VILLAGE, THERE IS A DISTANCE (AND THEREBY AN EFFECTIVE SETBACK DUE TO THE UTILITY EASEMENT BEING UNDEVELOPABLE) OF 80 FEET, WHICH IS IN EXCESS OF THE REQUIRED SETBACK FROM THE NORTHERLY PROPERTY LINE.

- c. THE EAST PROPERTY LINE IS ADJACENT TO FEDERAL BOULEVARD. A 75' BUILDING SETBACK IS REQUIRED FROM ARTERIAL STREETS. THE PROPOSED SETBACK ON THE SITE PLAN IS 39 FEET, 7 1/4 INCHES.

**JUSTIFICATION:** THE 2013 COMPREHENSIVE PLAN ENVISIONS URBAN PLANNING THAT BRINGS BUILDINGS CLOSER TO THE STREET EDGE, HIGH QUALITY MATERIALS, AND IMPROVED SITE LANDSCAPING AND PEDESTRIAN AMENITIES. AS THE SITE PLAN DEMONSTRATES, ST. MARK VILLAGE ACHIEVES THE OBJECTIVES OF THE COMPREHENSIVE PLAN WITH A SIGNATURE TOWER FACED WITH STONE ALONG FEDERAL BOULEVARD AND ENHANCED LANDSCAPING ALONG THE STREET EDGE TO SCREEN VEHICULAR PARKING AND MOVEMENT ON-SITE WITHIN THE 39 FOOT, 7 1/4 INCH SETBACK.

- d. GIVEN THE BUILDING HEIGHTS OF 45 FEET, 4 INCHES, THE EAST PROPERTY LINE ADJACENT TO THE WISHBONE RESTAURANT PROPERTY WOULD HAVE A 68-FOOT REQUIRED BUILDING SETBACK. THE PROPOSED SETBACK ON THE SITE PLAN IS 10 FEET.

**JUSTIFICATION:** THE WISHBONE PROPERTY IS A CURRENTLY IMPROVED PARCEL WITH A PARKING LOT ADJACENT TO ST MARK VILLAGE ON THE SOUTHEAST CORNER OF THE SITE. THE SHARED EAST/WEST PROPERTY LINE MAINTAINS A 100 FOOT SETBACK FROM THE SHARED PROPERTY LINE TO ANY BUILDING FACE. THE SHARED NORTH/SOUTH PROPERTY LINE MAINTAINS A 10 FOOT SETBACK FOR FIRE PROTECTION BEST PRACTICES. SHOULD THE WISHBONE PROPERTY GET REDEVELOPED AT SOME POINT IN THE FUTURE, AN EQUIVALENT TEN FOOT SETBACK FOR THE REDEVELOPED PROPERTY WOULD PROVIDE ADEQUATE FIRE PROTECTION FOR ANY USE DEVELOPED. FURTHER, THIS AREA OF ST MARK VILLAGE IS A NON-DOMINANT FACADE WITH LIMITED WINDOW OPENINGS, FURTHER REDUCING THE RISK FOR ANY FUTURE FIRE PROTECTION ISSUES IF THE WISHBONE PROPERTY WERE TO BE REDEVELOPED. THE PROPOSED SETBACK HELPS PROMOTE THE VISUAL APPEARANCE OF A STREET WALL AND IN TURN A BETTER STREETScape ALONG 97TH AVENUE, WHICH IS CRITICAL TO THE PEDESTRIAN EXPERIENCE.

- e. THE REMAINDER OF THE SOUTH BOUNDARY LINE IS ADJACENT TO 97TH AVENUE. GIVEN THE BUILDING HEIGHTS OF 45 FEET, 4 INCHES, THE SOUTH SETBACK MINIMUM WOULD BE 68 FEET. THE PROPOSED SETBACK ON THE SITE PLAN IS 25 FEET.

**JUSTIFICATION:** THE 2013 COMPREHENSIVE PLAN ENVISIONS URBAN PLANNING THAT BRINGS BUILDINGS CLOSER TO THE STREET EDGE, HIGH QUALITY MATERIALS, AND IMPROVED SITE LANDSCAPING AND PEDESTRIAN AMENITIES. AS THE SITE PLAN DEMONSTRATES, ST. MARK VILLAGE ACHIEVES THE OBJECTIVES OF THE COMPREHENSIVE PLAN WITHIN THE 25 FOOT SETBACK BY BRINGING BUILDINGS CLOSER TO THE STREET EDGE TO CREATE A STREET WALL, INSTALLING BULB-OUTS AT THE SIDEWALK ON BOTH SIDES OF 97TH AVENUE AS A TRAFFIC CALMING SOLUTION AND PEDESTRIAN AMENITY, AND UTILIZING GREEN INFRASTRUCTURE RAIN GARDENS THE ENTIRE FRONTAGE ALONG 97TH AVENUE, WHICH SERVE AS A VISUAL AMENITY USING SUSTAINABLE WATER QUALITY METHODS.

**2. LANDSCAPE SETBACK AREAS:**

REQUIREMENT NOT MET: 35' LANDSCAPED SETBACK AREA (25' ALONG FEDERAL BLVD.) NOT PROVIDED. NO PARKING IS PERMITTED IN THESE SETBACK AREAS.

**JUSTIFICATION:** THE 2013 COMPREHENSIVE PLAN ENVISIONS URBAN PLANNING THAT BRINGS BUILDINGS CLOSER TO THE STREET EDGE, HIGH QUALITY MATERIALS, AND IMPROVED SITE LANDSCAPING AND PEDESTRIAN AMENITIES. IN LIEU OF THE 35' LANDSCAPED SETBACK AREA, ENHANCED LANDSCAPING PLANTINGS HAVE BEEN PROVIDED AT A RATE 3 TIMES THE NUMBER OF REQUIRED PLANTINGS AND ADEQUATELY SCREENING ON-SITE VEHICULAR PARKING AND MOVEMENT.

**3. SETBACK OF POOL / CLUBHOUSE:**

REQUIREMENT NOT MET: 100' SEPARATION BETWEEN POOL/CLUBHOUSE AND PROPERTY LINE.

**JUSTIFICATION:** PRIVACY LANDSCAPING WILL BE INSTALLED NORTH OF THE POOL LOCATION IN ORDER TO SCREEN THE ACTIVITY AREA. FURTHER, AN EXISTING LANDSCAPING BERM WITH MATURE LANDSCAPING ALREADY EXISTS APPROXIMATELY 16-22 FEET NORTH OF THE PROPOSED POOL LOCATION AND A 75 FOOT WIDE UTILITY EASEMENT PROVIDES ADEQUATE BUFFER TO EXISTING NEIGHBORS TO THE NORTH. IN ADDITION, THE AREA SOUTH OF AN EXISTING FENCE ALONG THE NORTH PROPERTY LINE IS TO BE ADDRESSED BY A FUTURE ODP AMENDMENT WHICH IS EXPECTED TO PROVIDE FOR A SUBSTANTIAL TREE SCREEN IN THIS AREA, PER ACCEPTANCE BY THE NORTH PARK EAST ASSOCIATION.

**4. DETACHED SIDEWALKS:**

REQUIREMENT NOT MET: NO DETACHED SIDEWALK (MINIMUM 5' WIDE, WITH STREET TREES / LANDSCAPING BETWEEN CURB AND SIDEWALK) PROVIDED ALONG 97TH AVENUE.

**JUSTIFICATION:** 4 FOOT WIDE ATTACHED SIDEWALKS ALONG 97TH AVENUE ARE ALREADY IN PLACE AND CONSTRUCTED, ARE CONSISTENT WITH THE ENTIRE LENGTH OF 97TH AVENUE FROM FEDERAL TO LOWELL. DETACHING THE SIDEWALKS ALONG 97TH AVENUE WOULD MAKE THE ST MARK VILLAGE PARCEL LOOK OUT OF PLACE WITHIN THE SURROUNDING NEIGHBORHOOD CONTEXT. FURTHER, DUE TO 97TH AVENUE NOT BEING AN ARTERIAL ROADWAY, THE PEDESTRIAN EXPERIENCE IS NOT DIMINISHED AS LIMITED VEHICULAR TRAFFIC EXISTS ALONG THE STRETCH OF 97TH AVENUE BETWEEN FEDERAL AND LOWELL.

**5. PARKING:**

REQUIREMENT NOT MET: SHORTAGE IN PARKING SPACES PROVIDED; (273 PROVIDED, 347 REQUIRED, 74 SHORT). (NOTE: ON-STREET PARKING SPACES MAY NOT BE COUNTED.)

**JUSTIFICATION:** PARKING STUDY PROVIDED TO THE CITY OF WESTMINSTER SUPPORTED A PARKING REDUCTION BETWEEN 21% AND 41% LOWER THAN MINIMUM REQUIREMENTS. A PARKING RATIO OF 1.26:1.00 IS UTILIZED, A 21% REDUCTION. THE REDUCTION IS AT A TYPICAL RATE FOR THE METRO AREA.

**6. COVERED AND/OR GARAGE PARKING:**

REQUIREMENT NOT MET: NO CARPORTS OR GARAGES PROVIDED.

**JUSTIFICATION:** ST MARK VILLAGE IS TO BE AN AFFORDABLE COMMUNITY AND IN ORDER TO MAINTAIN AFFORDABILITY, REQUESTS COVERED PARKING REQUIREMENTS BE ELIMINATED AND INSTEAD, POTENTIAL FUTURE ROOFTOP SOLAR PHOTOVOLTAIC BE AN ALTERNATIVE PROJECT COMPONENT SHOULD PROJECT BUDGET SAVINGS DURING CONSTRUCTION ALLOW, HELPING TO MAINTAIN AFFORDABILITY OVER THE LONG TERM.

**7. LANDSCAPED ENTRY MEDIAN:**

REQUIREMENT NOT MET: ENTRANCE LANDSCAPED MEDIAN NOT PROVIDED.

**JUSTIFICATION:** IN ORDER TO MAINTAIN THE TRADITIONAL DESIGN OF ST MARK VILLAGE, WHICH COMPLIMENTS THE NEIGHBORING ST MARK'S CATHOLIC CHURCH, A MEDIAN/ISLAND HAS BEEN OMITTED HOWEVER, ST MARK VILLAGE FEATURES TWO ENTRY TOWER DESIGN COMPONENTS CENTERED BY A STONE CLUBHOUSE CAPPING THE ENTRY DRIVE TO ACHIEVE THE DESIRED PLACEMAKING AND SITE IDENTIFICATION PURPOSES THAT MEDIAN/ISLANDS PROVIDE AT A PRIMARY ENTRANCE.

**8. GROUND-LEVEL LIGHTING:**

REQUIREMENT NOT MET: GROUND-LEVEL LIGHTING NOT PROVIDED.

**JUSTIFICATION:** DUE TO THE INFILL NATURE OF THE DEVELOPMENT, PROPOSED SIDEWALKS ARE IN CLOSE PROXIMITY TO BUILDING LIGHTING THAT WILL SUFFICIENTLY ILLUMINATE GROUND LEVEL PATHWAYS AND ADDITIONAL GROUND LIGHTING IS NOT NEEDED.

**9. HOT TUB AND SPLASH PAD:**

REQUIREMENT NOT MET: HOT TUB AND SPLASH PAD NOT PROVIDED.

**JUSTIFICATION:** IN LIEU OF A HOT TUB AND SPLASH PAD, A POOL IS TO BE PROVIDED TO BETTER ACCOMMODATE THE FAMILY DEMOGRAPHICS OF THE TO-BE-CONSTRUCTED COMMUNITY.

**10. SWIMMING POOL DECK WIDTHS:**

REQUIREMENT NOT MET: MINIMUM DECK WIDTHS AROUND POOL NOT PROVIDED.

**JUSTIFICATION:** MINIMUM SWIMMING POOL DECK WIDTHS MEET OR EXCEED 2015 INTERNATIONAL SWIMMING POOL AND SPA CODE.

**11. BUILDING AND PARKING SPACING:**

REQUIREMENT NOT MET: MINIMUM 15' SPACING BETWEEN BUILDINGS AND PARKING AREAS NOT PROVIDED.

**JUSTIFICATION:** DUE TO THE INFILL NATURE OF THE SITE AND IN AN EFFORT TO PROVIDE AS MUCH ON-SITE PARKING AS FEASIBLE BASED ON NEIGHBORHOOD FEEDBACK THE 15' MINIMUM DIMENSION IS PROPOSED TO VARY FROM 12' TO 45' WITH ENHANCED LANDSCAPING PROVIDED WHERE BUILDING FRONTS AND PARKING INTERACT.

**12. PARALLEL BUILDING SPACING:**

REQUIREMENT NOT MET: MINIMUM 40' SPACING BETWEEN PARALLEL BUILDINGS NOT PROVIDED.

**JUSTIFICATION:** PROPERTY IS AN INFILL DEVELOPMENT SITE THAT CANNOT MEET THE INTENT OF THE PROPERTY'S ZONING IF PARALLEL BUILDING SPACING OF 40' IS MAINTAINED. INSTEAD, EVERY OTHER BUILDING HAS A DIFFERENT OVERALL FORM, SCALE, OR ORIENTATION TO BREAK UP THE VIEWING PLANE.

DATE: 03/15/2019

ST MARK VILLAGE  
PRELIMINARY DEVELOPMENT PLAN

03/15/2019  
05/20/2019  
07/26/2019

FIRST AMENDED PRELIMINARY DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT  
 IN THE CITY OF WESTMINSTER  
 COUNTY OF ADAMS, STATE OF COLORADO  
 SHEET 4 OF 5



**PUD EXCEPTIONS:**

**13. NON-PARALLEL BUILDING SPACING:**

REQUIREMENT NOT MET: MINIMUM 35' SPACING BETWEEN NON-PARALLEL BUILDINGS NOT PROVIDED.

**JUSTIFICATION:** PROPERTY IS AN INFILL DEVELOPMENT SITE THAT CANNOT MEET THE INTENT OF THE PROPERTY'S ZONING IF PARALLEL BUILDING SPACING OF 35' IS MAINTAINED. INSTEAD, EVERY OTHER BUILDING HAS A DIFFERENT OVERALL FORM, SCALE, OR ORIENTATION TO BREAK UP THE VIEWING PLANE.

**14. PRIMARY AND ACCESSORY BUILDING SPACING:**

REQUIREMENT NOT MET: MINIMUM 25' SPACING BETWEEN PRIMARY AND ACCESSORY BUILDINGS (CLUBHOUSE) NOT PROVIDED.

**JUSTIFICATION:** PROPERTY IS AN INFILL DEVELOPMENT SITE THAT CANNOT MEET THE INTENT OF THE PROPERTY'S ZONING IF PARALLEL BUILDING SPACING OF 25' IS MAINTAINED. INSTEAD, EVERY OTHER BUILDING HAS A DIFFERENT OVERALL FORM, SCALE, OR ORIENTATION TO BREAK UP THE VIEWING PLANE.

**15. PARKING LOT SETBACKS FROM INTERIOR PROPERTY LINES:**

REQUIREMENT NOT MET: PARKING LOT SETBACKS (15') FROM INTERIOR PROPERTY LINES NOT PROVIDED.

**JUSTIFICATION:** THE WISHBONE RESTAURANT PROPERTY HAS A BLOCK WALL WITH THICK TREE CANOPY ON THE PROPERTY LINE. WHEN COMBINED WITH ADDITIONAL LANDSCAPING TO BE INSTALLED AT ST MARK'S VILLAGE, THERE WILL BE AN ADEQUATE YEAR ROUND BUFFER PROVIDED IN LESS THAN THE 15 FOOT SETBACK REQUIREMENT.

**16. TREATMENT OF UPPER-FLOOR BUILDING MASSING:**

REQUIREMENT NOT MET: ONE-STORY STEP-DOWN IN BUILDING HEIGHTS NOT PROVIDED.

**JUSTIFICATION:** IN LIEU OF A STEP-DOWN IN BUILDING HEIGHTS, WHICH WOULD NOT FULFILL THE INTENT OF THE SITE'S ZONING, THE BUILDING DESIGN REFLECTS COMPONENTS OF A STEPPED DESIGN AND OTHER DESIGN ELEMENTS THAT CONVEY A SENSE OF PLACE AT RELATABLE AND RELEVANT HUMAN SCALE, WITH OVERALL HEIGHT BEING ONE STORY HIGHER THAN ADJACENT EXISTING PROPERTY. EACH BUILDING FAÇADE EXHIBITS VARYING ROOF AND PITCH ELEMENTS OF NOT LESS THAN 4 ELEVATIONS. THE COMMUNITY ENTRY FEATURES TWO SIGNATURE TOWERS ON THE BUILDING CORNERS WHICH BREAK THE FAÇADE AND CONVEY SIGNIFICANCE. THE BUILDING ALONG FEDERAL BOULEVARD FEATURES A TOWER THAT TIES INTO THE ENTRYWAY DESIGN FOR CONSISTENCY OF EXPERIENCE. THE TYPICAL FAÇADE DESIGN CONVEYS A STIMULATING AESTHETIC THAT COMPLIMENTS THE NEARBY ST MARK CATHOLIC CHURCH WHILE ALSO FULFILLING THE HIGHEST AND BEST UTILIZATION OF THE ZONING INTENT.

**17. EXTERIOR BUILDING MATERIALS AND COLORS:**

REQUIREMENT NOT MET: BUILDING EXTERIOR CLADDING SURFACES, INCLUDING AT LEAST 2 FEET AROUND THE BASE OF THE BUILDING, PATIO AND BALCONY AREAS, BUT EXCEPTING WINDOW, DOOR, OR RAILING PORTIONS, ON ALL SIDES OF ALL PRIMARY AND ACCESSORY BUILDINGS, ARE NOT FINISHED WITH THIRTY PERCENT (30%) OR MORE OF ALL WITH MASONRY (BRICK OR STONE).

**JUSTIFICATION:** IN AN EFFORT TO KEEP THE PROJECT AN AFFORDABLE DEVELOPMENT, THE DESIGN UTILIZES STONE IN PROMINENT PUBLIC FACING LOCATIONS ONLY, INCLUDING SIGNATURE STONE ENTRY TOWERS ALONG 97<sup>TH</sup> AVENUE AND A STONE TOWER ALONG FEDERAL BOULEVARD IN LIEU OF STONE OR MASONRY ON 30% OF ALL EXTERIOR CLADDING SURFACES. THE DESIGN ALSO UTILIZES TWO ALTERNATING COLOR SCHEMES TO HELP DIFFERENTIATE AND DISTINGUISH EACH BUILDING TYPE.

**18. BALCONY ENCLOSURE:**

REQUIREMENT NOT MET: BALCONIES ARE FRONTED WITH RAILINGS RATHER THAN OPAQUE WALLS.

**JUSTIFICATION:** ENCLOSED BALCONIES PROVIDE FOR A DATED LOOK AND FEEL AND ARE NOT IN KEEPING WITH CURRENT ARCHITECTURAL DESIGN OR TENANT EXPECTATIONS. BALCONIES ARE RECESSED WITHIN UNITS (IE NOT PROTRUDING FROM THE BUILDING FAÇADE) PROVIDING ENCLOSURE THROUGH DESIGN AND A BETTER, MORE USABLE TENANT EXPERIENCE.

**19. SITE LANDSCAPING PERCENTAGE:**

REQUIREMENT NOT MET: MINIMUM OF 40% OF SITE LANDSCAPED IS NOT MET.

**JUSTIFICATION:** PROPERTY IS AN INFILL DEVELOPMENT SITE THAT CANNOT MEET THE INTENT OF THE PROPERTY'S ZONING IF 40% OF THE SITE IS LANDSCAPED. HOWEVER, THE PROPERTY IS LOCATED WITHIN 500 FEET OF SQUIRES PARK AND APPLICANT HAS PROVIDED USABLE OPEN SPACES ON-SITE THAT WILL BE BETTER BY THE EXPECTANT FAMILY DEMOGRAPHIC, INCLUDING AMENITIES SUCH AS A LANDSCAPED GARDEN AREA WITH DEDICATED SEATING, A BARBEQUE PATIO AND LOUNGE AREA WITH GRILLS, POOL, AND A CHILDREN'S PLAYGROUND.

**20. PARKING LOT LANDSCAPING ISLANDS:**

REQUIREMENT NOT MET: PROPER PROVISION/QUANTITY, SPACING, AND PLANTING OF PARKING LOT LANDSCAPE ISLANDS NOT PROVIDED.

**JUSTIFICATION:** PARKING LOT LANDSCAPING ISLANDS ARE PROVIDED AT THE LENGTH OF EACH BUILDING, BUT THE VISUAL SCALE OF PARKING IS MITIGATED THROUGH THE DRIVE WAY DESIGN AND CLUBHOUSE LOCATION. ON THE EAST SIDE OF THE SITE, THE DRIVEWAY JOGS SOUTH TO BREAK UP THE VISUAL PARKING MASS. ON THE WEST SIDE OF THE SITE, THE CLUBHOUSE LOCATION WITHIN TWO PARKING AISLES BREAKS UP THE VISUAL PARKING MASS. WHILE SELECT PARKING AISLES ARE LONGER THAN TYPICAL THEY ARE 1) WITHIN EXISTING PRECEDENT IN THE CITY OF WESTMINSTER, 2) DO NOT FACE PUBLIC RIGHT OF WAY, AND 3) ARE MITIGATED THROUGH INTELLIGENT DESIGN INCLUDING ENHANCED LANDSCAPING WITH TREE AND SHRUB PLANTINGS WHICH EXCEED REQUIRED MINIMUMS BY THREE TIMES.

**21. SCREENING OF PARKING:**

REQUIREMENT NOT MET: PROVISION OF LANDSCAPED BERMS TO SCREEN PARKING AREAS FROM ADJACENT DEVELOPMENTS AND STREETS.

**JUSTIFICATION:** DEVELOPMENT'S PARKING IS INTERIOR TO THE SITE WITH SCREENING BEING PROVIDED ON THE NORTH AND SOUTH PROPERTY LINES BY BUILDINGS. TO THE WEST AND EAST, PARKING IS SCREENED BY A COMBINATION OF BUILDINGS AND LANDSCAPING. ALONG THE SHARED PROPERTY BOUNDARY WITH WISHBONE RESTAURANT, SCREENING IS PROVIDED BY AN EXISTING CINDER BLOCK WALL FIVE FEET IN HEIGHT AND EXISTING MATURE LANDSCAPING. FURTHER, ENHANCED LANDSCAPING IS PROVIDED SITE-WIDE TO IMPROVE OVERALL AESTHETIC BETWEEN BUILDING-PARKING INTERACTION AND PARKING-STREET INTERACTION. MINIMUM TREE AND SHRUB PLANTINGS EXCEED REQUIRED MINIMUMS BY THREE TIMES TO PROVIDE ADDITIONAL SCREENING AND BETTER OVERALL AESTHETIC.

**22. REMOVAL OF BILLBOARD:**

REQUIREMENT NOT MET: BILLBOARD IS A NON-CONFORMING SIGN THAT SHOULD BE REMOVED AS A CONDITION OF DEVELOPMENT.

**JUSTIFICATION:** PROPERTY OWNER WILL REMOVE SIGN AFTER LEASE TERMINATION IN 2021.

**23. MULTI-USE PATHS:**

REQUIREMENT NOT MET: NO 10' WIDE MULTI-USE PATHS WITHIN PROJECT.

**JUSTIFICATION:** AS AN INFILL DEVELOPMENT PROJECT, THE OPPORTUNITY FOR NEW PATHS IS LIMITED BY EXISTING CONDITIONS. AS AN ALTERNATIVE, THE PROJECT HAS PROVIDED ON-SITE LANDSCAPED PATHWAYS AND SEATING AS A DESTINATION RATHER THAN A MULTI-USE PATH.

DATE: 03/15/2019

ST MARK VILLAGE  
PRELIMINARY DEVELOPMENT PLAN

03/15/2019  
05/20/2019  
07/26/2019

CASE# PLN19-0038

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NOTES



FIRST AMENDED PRELIMINARY DEVELOPMENT PLAN

LOTS 11, 12, 45, 46, 47 AND 48

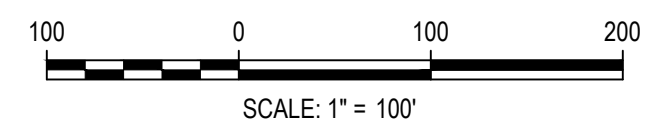
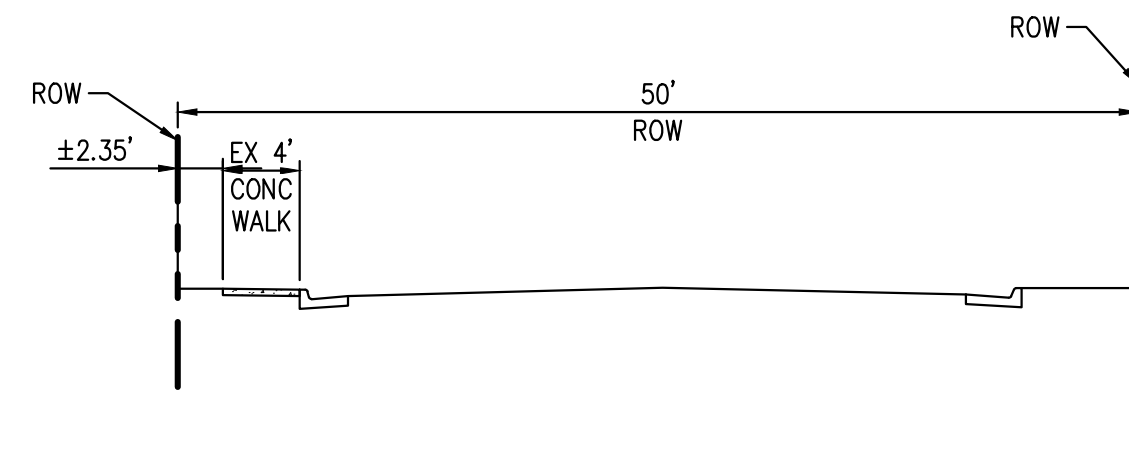
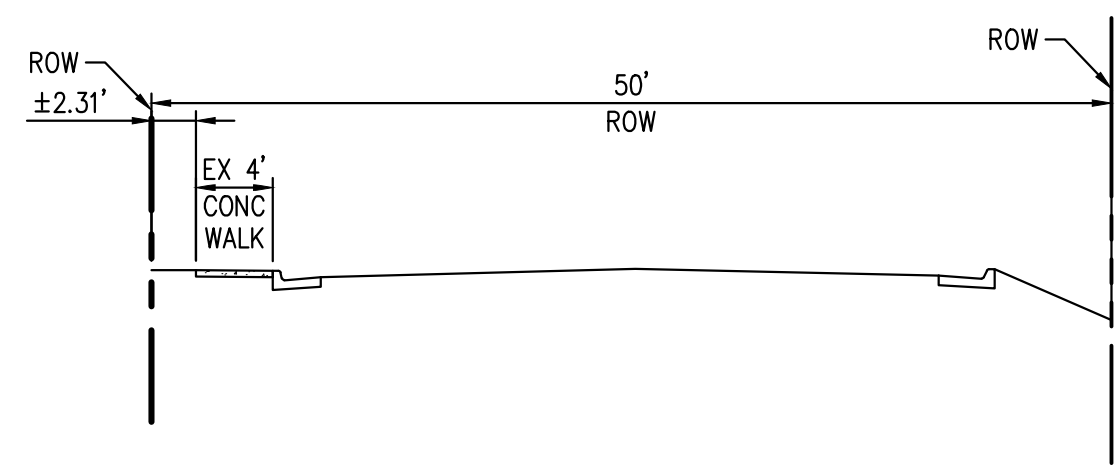
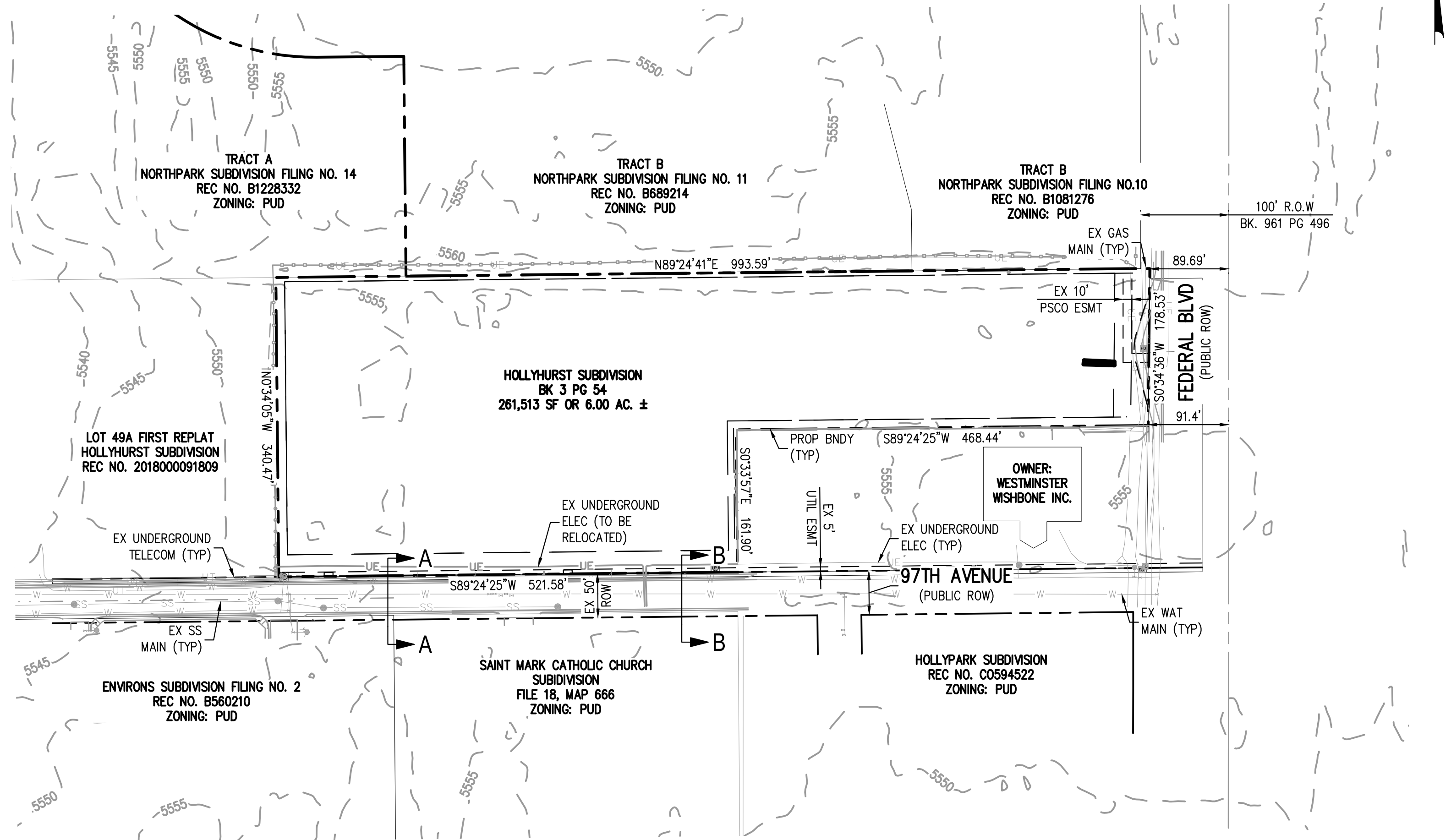
HOLLYHURST SUBDIVISION

A PLANNED UNIT DEVELOPMENT  
IN THE CITY OF WESTMINSTER  
COUNTY OF ADAMS, STATE OF COLORADO

SHEET 5 OF 5

DATE: 03/15/2019

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CASE# PLN19-0038

ST MARK VILLAGE  
PRELIMINARY DEVELOPMENT PLAN

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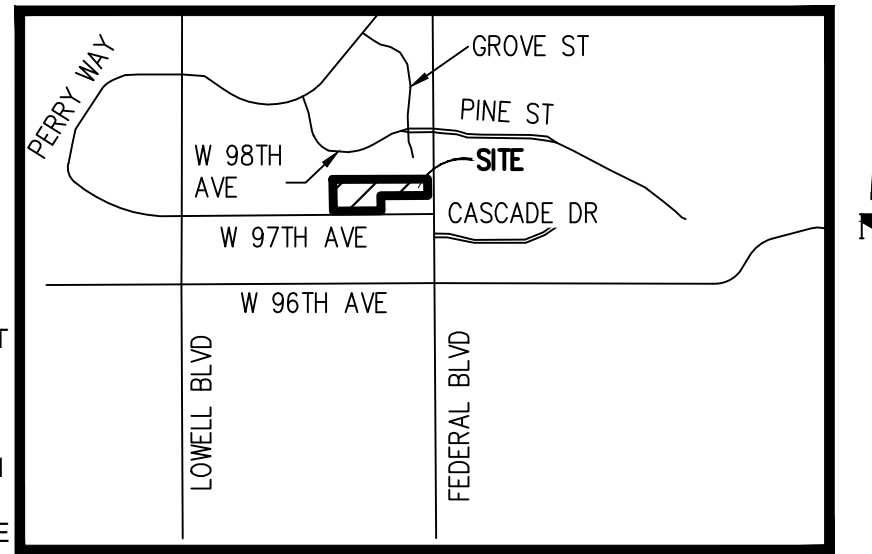
5 OF 5  
OVERALL PLAN



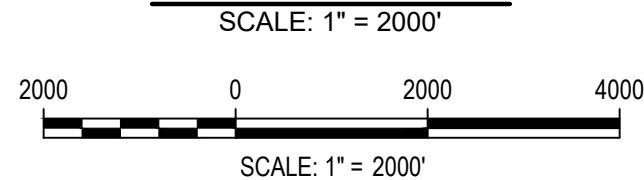
# THIRD AMENDED OFFICIAL DEVELOPMENT PLAN

## LOTS 11, 12, 45, 46, 47 AND 48 HOLLYHURST SUBDIVISION

### A PLANNED UNIT DEVELOPMENT IN THE CITY OF WESTMINSTER, COUNTY OF ADAMS, STATE OF COLORADO SHEET 1 OF 37



#### VICINITY MAP



**LEGAL DESCRIPTION:**

**PARCEL ONE:**

LOTS 12, 45, 46, 47, AND 48, HOLLYHURST SUBDIVISION, RECORDED IN BOOK 3 AT PAGE 54.

EXCEPT THAT PORTION THEREOF CONVEYED TO THE DEPARTMENT OF HIGHWAYS IN DEED RECORDED JULY 18, 1961 IN BOOK 920 AT PAGE 379, COUNTY OF ADAMS STATE OF COLORADO

**PARCEL TWO**

LOT 11, HOLLYHURST SUBDIVISION,

EXCEPT THAT PORTION THEREOF CONVEYED TO THE DEPARTMENT OF HIGHWAYS IN DEED RECORDED AUGUST 11, 1961 IN BOOK 926 AT PAGE 293, COUNTY OF ADAMS STATE OF COLORADO

A PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF WESTMINSTER, COUNTY OF ADAMS, STATE OF COLORADO,

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 17, THENCE NORTH 00°01'39" EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER, A DISTANCE OF 894.55 FEET; THENCE SOUTH 89°24'25" WEST A DISTANCE OF 91.40 FEET TO A POINT ON THE WEST LINE OF THE PARCEL DESCRIBED IN BOOK 926 AT PAGE 293, A POINT ON THE SOUTH LINE OF SAID LOT 11 EXTENDED EASTERLY, AND THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89°24'25" WEST ALONG SAID EXTENSION AND THE SOUTH LINE OF SAID LOT 11, HOLLYHURST SUBDIVISION, A DISTANCE OF 468.44 FEET TO A POINT ON THE EAST LINE OF SAID LOT 45, HOLLYHURST SUBDIVISION;

THENCE SOUTH 00°33'57" EAST ALONG SAID EAST LINE, A DISTANCE OF 161.90 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WEST 97TH AVENUE AS DESCRIBED IN BOOK 1815 AT PAGE 496;

THENCE SOUTH 89°24'25" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 521.58 FEET TO A POINT ON THE WEST LINE OF LOT 48, HOLLYHURST SUBDIVISION;

THENCE NORTH 00°34'05" WEST ALONG SAID WEST LINE, A DISTANCE OF 340.47 FEET TO A POINT ON THE SOUTH LINE OF TRACT A, NORTHPARK SUBDIVISION FILING NO. 14 RECORDED AT RECEPTION NO. B1228332;

THENCE NORTH 89°24'41" EAST ALONG THE SOUTH LINE OF SAID TRACT A, AND ALONG THE SOUTH LINES OF TRACT B, NORTHPARK SUBDIVISION FILING NO. 11 RECORDED AT RECEPTION NO. B689214, TRACT B, NORTHPARK SUBDIVISION FILING NO. 10 RECORDED AT RECEPTION NO. B1081276, A DISTANCE OF 993.59 FEET TO THE WEST LINE OF SAID PARCEL DESCRIBED AT BOOK 920 AT PAGE 379;

THENCE SOUTH 00°34'36" WEST ALONG SAID WEST LINE, AND ALONG THE WEST LINE OF SAID PARCEL DESCRIBED IN BOOK 926 AT PAGE 293, A DISTANCE OF 178.53 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 261,513 SQUARE FEET OR 6.003 ACRES, MORE OR LESS.

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE EAST LINE THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, ASSUMED TO BEAR NORTH 00°01'39" EAST.

**CONSULTANT FIRMS**

**ARCHITECT**

KTGY ARCHITECTS  
820 16TH STREET, SUITE 500  
DENVER, COLORADO 80202  
303-825-6400

**CIVIL ENGINEER**

MICHAEL MOORE, PE  
HARRIS KOCHER SMITH  
1120 LINCOLN STREET, SUITE 1000  
DENVER, COLORADO 80203  
303-623-6300

**LANDSCAPE ARCHITECT**

SANDI GIBSON  
OUTSIDE LA  
2623 BURGESS CREEK RD  
STEAMBOAT SPRINGS, COLORADO 80487  
970-871-9629

**MECHANICAL, ELECTRICAL, & PLUMBING ENGINEER**

COREY STENMAN  
JORDAN & SKALA ENGINEERS  
555 17TH STREET, SUITE 700  
DENVER, COLORADO 80202  
303-586-2375

**DEVELOPMENT TIMING & PHASING**

IN THE EVENT THE DATE OF APPROVAL OF A PROPERTY'S ODP OR LATEST ODP AMENDMENT IS MORE THAN THREE (3) YEARS OLD AND NO BUILDING PERMIT HAS BEEN ISSUED, THE ODP OR AMENDED ODP SHALL BE REQUIRED TO BE SUBMITTED FOR REVIEW AND RECONSIDERATION IN ACCORDANCE WITH CITY CODE.

THE PROPOSED DEVELOPMENT TIMING AND PHASING FOR THIS PROJECT IS AS FOLLOWS:

THE DEVELOPMENT WILL BE CONSTRUCTED IN ONE PHASE.

**PROPERTY OWNER**

3100 W 97TH AVENUE, LLLP  
JORDAN ZIELINSKI  
1850 PLATTE STREET, 2ND FLOOR  
DENVER, COLORADO 80202  
720-598-1300

**SURVEYOR'S CERTIFICATE:**

I, \_\_\_\_\_, A LAND SURVEYOR REGISTERED IN THE STATE OF COLORADO, HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION HAS BEEN PREPARED OR REVIEWED BY ME TO BE AN ACCURATE DESCRIPTION OF THE PROPERTY BOUNDARY.

**PERMITTED USES:**

MULTI-FAMILY RESIDENTIAL

**PROHIBITED USES:**

ANY USES NOT SPECIFICALLY LISTED AS PERMITTED SHALL BE DEEMED PROHIBITED. THE PLANNING MANAGER SHALL DETERMINE IF AN UNLISTED USE OR SET OF USES FALLS INTO THE DEFINITION OF A LISTED PERMITTED USE.

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**OWNER APPROVAL:**

I, \_\_\_\_\_, AS MANAGER OF 3100 W 97TH AVENUE DEVELOPMENT, LLC, THE GENERAL PARTNER OF 3100 W 97TH AVENUE, LLLP, PROPERTY OWNER, DO SO APPROVE THIS ODP FOR REVIEW AND APPROVAL BY THE CITY OF WESTMINSTER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

3100 W 97TH AVENUE, LLLP

BY: 3100 W 97TH AVENUE DEVELOPMENT, LLC  
A COLORADO LIMITED LIABILITY COMPANY  
ITS GENERAL PARTNER

BY: \_\_\_\_\_, MANAGER

**CITY APPROVAL:**

APPROVED BY THE PLANNING COMMISSION OF THE CITY OF WESTMINSTER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

CHAIRMAN

ATTEST: CITY CLERK

ACCEPTED BY THE CITY COUNCIL OF THE CITY OF WESTMINSTER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

MAYOR

ATTEST: CITY CLERK

**CLERK AND RECORDER'S CERTIFICATE:**

RECEPTION NO. \_\_\_\_\_

ACCEPTED FOR FILING IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF ADAMS COUNTY OF BRIGHTON, COLORADO ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_, AT \_\_\_\_\_ O'CLOCK \_\_.M.

ADAMS COUNTY CLERK AND RECORDER

BY: DEPUTY CLERK

**PROJECT SCOPE:**

ST MARK VILLAGE IS A PROPOSED AFFORDABLE MULTIFAMILY DEVELOPMENT BOUND BY A PUBLIC SERVICE COMPANY EASEMENT TO THE NORTH, 97TH AVENUE TO THE SOUTH, FEDERAL BOULEVARD TO THE EAST, AND CITY OWNED PROPERTY TO THE WEST.

THE GENERAL DESIGN CONCEPTS INCLUDE THE FOLLOWING:

- DETACHED CLUBHOUSE WITH ON-SITE LEASING FACILITY
- FITNESS CENTER
- COMPUTER/BUSINESS ROOM
- OUTDOOR POOL IN A COURTYARD SETTING
- BBQ PATIO
- PLAYGROUND/TOT-LOT
- OUTDOOR GARDEN SEATING
- OUTDOOR TRELIS PATIO
- GREEN INFRASTRUCTURE SUCH AS RAIN GARDENS
- RIGHT OF WAY BULB OUTS TO ACT AS TRAFFIC CALMING MEASURES ALONG 97TH AVENUE

THE SITE SLOPES GENERALLY FROM NORTH TO SOUTH AND IS CURRENTLY VACANT, ROUGH GRADED LAND THAT IS PREVIOUSLY UNDEVELOPED.

ST MARK VILLAGE  
OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
05/20/2019  
07/26/2019

1 OF 37  
COVER

CASE# PLN19-0039



CALL 3 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 2 OF 37

DATE: 03/18/2019

ZONING & LAND USE			
	ZONING	LAND USE	COMP PLAN DESIGNATION
SUBJECT SITE:	PLANNED UNIT DEVELOPMENT (PUD)	MULTI-FAMILY RESIDENTIAL	R-36 RESIDENTIAL
NORTH:	PLANNED UNIT DEVELOPMENT (PUD)	SFA AND SFD RESIDENTIAL	R3.5 AND R-8 RESIDENTIAL
EAST:	C-1 COMMERCIAL (FEDERAL HEIGHTS)	VACANT	(NOT IN CITY OF WESTMINSTER)
SOUTH:	PLANNED UNIT DEVELOPMENT (PUD)	SFA AND SFD RESIDENTIAL; CHURCH	R-3.5 AND R-8 RESIDENTIAL; PUBLIC/ QUASI-PUBLIC
WEST:	PLANNED UNIT DEVELOPMENT (PUD)	MUNICIPAL ELEVATED WATER TANK	PUBLIC/ QUASI-PUBLIC

LOTS & COVERAGE	
TOTAL SITE AREA:	261,360 SF = 6.00+AC
NUMBER OF LOTS:	1
BUILDING COVERAGE (SF & %):	86,538 SF / 33.11%
PARKING AND DRIVES (SF & %):	124,493 SF / 47.63%
LANDSCAPE/OPEN AREA (SF & %):	50,329 SF / 19.26%
MINIMUM LOT SIZE:	N/A

PROJECT/SITE DATA								
BUILDING TYPE	BUILDING 1 (TYPE C)	BUILDING 2 (TYPE C)	BUILDING 3 (TYPE A)	BUILDING 4 (TYPE A)	BUILDING 6 (TYPE A)	BUILDING 7 (TYPE A)	BUILDING 8 (TYPE B)	CLUBHOUSE
ODP BOUNDARY AREA (SF/ACRES):	261,360 SF = 6.00+AC							
GFA (SF):	43,013	43,013	22,619	22,619	22,619	22,619	38,117	2,260
FFA (SF):	39,312	39,312	21,204	21,204	21,204	21,204	35,694	2,260
FAR/DU PER ACRE (#):	36.00							
MAXIMUM BUILDING HEIGHT(S) (FT):	45'-4"							

MINIMUM SETBACKS			
PROPERTY LINE - (ADJACENT AREA)	BUILDING	PARKING	LANDSCAPING
WEST - (CITY TOWER PROPERTY)	10'-0"	2'-0"	2'-0"
NORTH - (NORTH PARK SUBDIVISION)	5'-0"	72'-7"	5'-0"
EAST - (FEDERAL BOULEVARD)	39'-7 1/4"	25'-0"	20'-0"
SOUTH - (WISHBONE RESTAURANT)	100'-9"	10'-0"	10'-0"
EAST - (WISHBONE RESTAURANT)	10'-0"	3'-10"	3'-0"
SOUTH - (97TH AVENUE)	25'-0"	10'-6"	25'-0"
BETWEEN PRIMARY BUILDINGS	20'-0"	7'-0"	N/A
BETWEEN ACCESSORY BUILDINGS	N/A	N/A	N/A

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019



CALL 3 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.



**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 3 OF 37

**PROJECT NOTES:**

**PARK DEVELOPMENT FEE:**

THE CITY CODE (§11-6-8(C)) REQUIRES A PARK DEVELOPMENT FEE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE FIRST UNIT IN ANY BUILDING. A FEE OF \$1,363 (2019) PER DWELLING UNIT IS DUE TO THE CITY. FOR 216 DWELLINGS THE TOTAL FEE IS \$294,408. THIS FEE AMOUNT MAY CHANGE PRIOR TO COMPLETION OF THIS PROJECT AS THE PARK FEE IS ADJUSTED ANNUALLY IN ACCORDANCE WITH THE CONSUMER PRICE INDEX (CPI) AS ESTABLISHED FOR THE DENVER METROPOLITAN AREA.

**PUBLIC LAND DEDICATION:**

PUBLIC LAND DEDICATION IS REQUIRED FOR RESIDENTIAL DEVELOPMENTS IN THE CITY. FOR THIS SITE, THE CITY HAS DETERMINED THAT A LAND DEDICATION WOULD NOT SERVE THE PUBLIC INTEREST. THEREFORE, A FEE IN LIEU OF THE LAND DEDICATION IS REQUIRED. THE FEE IS BASED ON THE FAIR MARKET VALUE OF THE LAND WHICH MIGHT HAVE BEEN DEDICATED TO THE CITY. PUBLIC LAND DEDICATION IS PROPOSED TO BE PAID CASH-IN-LIEU. THE CITY CODE (11-6-8(B)) REQUIRES 12 ACRES PER 1,000 RESIDENTS. PROJECTED POPULATION FOR THIS DEVELOPMENT IS 2.0 PERSONS PER UNIT. FOR 216 UNITS, THE POPULATION IS 432 PERSONS. FOR 432 PERSONS, THE PUBLIC LAND DEDICATION REQUIRED IS 5.184 ACRES. BASED ON A LAND PURCHASE PRICE (OR FAIR MARKET VALUE AS DETERMINED BY A CURRENT APPRAISAL) OF \$5.00 PER SQUARE FOOT MULTIPLIED BY 5.184 ACRES, THE CASH-IN-LIEU TOTALS 1,129,075.20. (CALCULATION: 5.184 ACRES x 43,560 SQUARE FEET PER ACRE = 225,815.04 SQUARE FEET; 225,815.04 SQUARE FEET x \$5.00 PER SQUARE FOOT = 1,129,075.20) THE CASH-IN-LIEU PAYMENT IS DUE PRIOR TO THE RECORDATION OF THE FINAL PLAT, OR AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT IF A PLAT IS NOT REQUIRED. (NOTE: THIS PROJECT WILL REQUIRE A FINAL PLAT.)

**SCHOOL LAND DEDICATION:**

THE CITY CODE (§11-6-8(F)) REQUIRES A DEDICATION OF SCHOOL LAND OR CASH IN LIEU OF LAND. FOR THIS SITE, THE CITY HAS DETERMINED THAT A LAND DEDICATION WOULD NOT SERVE THE PUBLIC INTEREST. THEREFORE, A FEE IN LIEU OF THE LAND DEDICATION IS REQUIRED. THE CASH-IN-LIEU FEE IS A FIXED AMOUNT BASED ON THE TYPE OF UNIT AND IS DUE AT THE TIME OF FINAL PLAT OR AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT IF A PLAT IS NOT REQUIRED. FOR DWELLING UNITS A FEE OF \$ 112 (2019) PER DWELLING UNIT IS DUE TO THE CITY. FOR 216 DWELLINGS THE TOTAL FEE IS \$ 24,192. THIS FEE AMOUNT MAY CHANGE PRIOR TO COMPLETION OF THIS PROJECT AS THE SCHOOL FEE IS ADJUSTED ANNUALLY TO KEEP PACE WITH THE REAL ESTATE MARKET AND LAND VALUES

**PUBLIC ART:**

CASH-IN-LIEU FOR BOTH THE ART PIECE AND AN IMPROVED SITE SHALL BE PAYABLE BY THE PROPERTY OWNER TO THE CITY IN THE AMOUNT OF \$2,000 PER GROSS ACRE OF THE SUBJECT PROPERTY AT THE TIME OF FINAL PLAT. IF NO PLAT IS NEEDED THEN CASH-IN-LIEU SHALL BE PROVIDED AT THE TIME OF OFFICIAL DEVELOPMENT PLAN RECORDING. FOR 6.00 ACRES A FEE OF \$12,000 IS DUE TO THE CITY.

**SERVICE COMMITMENTS:**

MAXIMUM DENSITY OR F.A.R. OF A COMPREHENSIVE PLAN DESIGNATION, PRELIMINARY DEVELOPMENT PLAN USE, OR PREVIOUS ODP MAY NOT BE ACHIEVABLE FOR EVERY SITE DUE TO CONSTRAINTS WHICH MAY INCLUDE SERVICE RESOURCES OR INFRASTRUCTURE. THE MAXIMUM FEASIBLE DENSITY OR F.A.R. MUST BE DETERMINED BY REVIEWING COMPLETE PROJECT DATA WHEN SUBMITTED WITH EACH ODP PROPOSAL AGAINST THE CURRENT CONDITION OF KNOWN CONSTRAINTS ON THE SITE. SERVICE COMMITMENTS ARE ISSUED AT THE TIME OF BUILDING PERMIT ISSUANCE PER CITY CODE (§11-3-4(C)). SERVICE COMMITMENTS PREVIOUSLY AND EXPLICITLY PROVIDED IN DOCUMENTATION BUT NOT CONSTRUCTED NOR CONNECTED WITHIN A REASONABLE PERIOD REMAIN SUBJECT TO RESCISSION OR REDUCTION AS NECESSARY IN THE PUBLIC INTEREST.

**BILLBOARD REMOVAL:**

THE BILLBOARD THAT STANDS AT THE EAST END OF THE ST. MARK VILLAGE PROPERTY IS OWNED BY THE LAMAR COMPANIES. THE CURRENT SIGN LOCATION LEASE FOR THIS BILLBOARD EXPIRES ON JULY 1, 2021. THE OWNER/DEVELOPER SHALL TAKE ALL APPROPRIATE LEGAL ACTIONS NECESSARY TO ENSURE THAT THIS LEASE IS NOT RENEWED, AS PRESCRIBED BY THE TERMS OF THE LEASE. THE BILLBOARD SHALL BE FULLY REMOVED AT PROPERTY OWNER/DEVELOPER'S EXPENSE WITHIN SIXTY (60) DAYS OF THE CONCLUSION OF THE CURRENT LEASE. THE AREA WHERE THE BILLBOARD STOOD SHALL BE FULLY DEVELOPED AND COMPLETED AS SHOWN WITHIN THE APPROVED ODP FOR THIS PROPERTY WITHIN NINETY (90) DAYS OF THE REMOVAL OF THE BILLBOARD.

**RECOVERY COSTS:**

NO RECOVERIES DUE AT THIS TIME, HOWEVER ANY SUBSEQUENTLY OCCURRING RECOVERY COSTS SHALL ALSO BE EFFECTIVE AGAINST THE DEVELOPMENT. A RECOVERY COST IS STILL VALID AGAINST A DEVELOPMENT EVEN IF IT IS UNDISCOVERED AND/OR INADVERTENTLY OMITTED FROM THE PRELIMINARY OR OFFICIAL DEVELOPMENT PLAN.

**SNOW REMOVAL:**

DUE TO SPACE LIMITATIONS, SNOW STORAGE IS NOT FEASIBLE ON THIS SITE. CLEARED SNOW MUST BE REMOVED FROM THE SITE, RATHER THAN STORED ONSITE.

**STANDARD STATEMENTS:**

- A. THE PROJECT OWNER/DEVELOPER AND ASSIGNS ARE RESPONSIBLE FOR ENSURING THAT ALL CONSTRUCTION DRAWINGS AND DOCUMENTS COMPLY WITH ALL REQUIREMENTS OF THE ODP. THE PROJECT OWNER/DEVELOPER SHALL BE HELD RESPONSIBLE FOR ANY CONSTRUCTION AND GRADING COMPLETED THAT DOES NOT COMPLY WITH THE APPROVED ODP AND SHALL BE REQUIRED TO MAKE ALL MODIFICATIONS NECESSARY TO BRING THE PROJECT IN COMPLIANCE WITH THE ODP.
- B. THE FINAL PLAT FOR THIS PROJECT MUST BE SUBMITTED FOR CITY APPROVAL WITHIN TWELVE (12) MONTHS OF THE APPROVAL DATE OF THIS OFFICIAL DEVELOPMENT PLAN.
- C. CITY USE TAX FOR PUBLIC IMPROVEMENTS WILL BE REQUIRED TO BE PAID PRIOR TO THE ISSUANCE OF THE NOTICE TO PROCEED FOR THE PUBLIC IMPROVEMENTS, AND CITY USE TAX FOR PRIVATE IMPROVEMENTS WILL BE REQUIRED TO BE PAID PRIOR TO THE ISSUANCE OF THE BUILDING PERMIT.
- D. THE DESIGN OF PROPOSED CITY UTILITY LINES AND THE WIDTH OF THEIR RESPECTIVE EASEMENTS ARE PRELIMINARY AND MAY CHANGE DURING THE CONSTRUCTION DRAWING PHASE.
- E. ALL PUBLIC WATER, STORM SEWER AND SANITARY SEWER MAINS AND APPURTENANCES LOCATED IN PUBLIC ROW OR UTILITY EASEMENTS SHALL BE MAINTAINED BY THE CITY OF WESTMINSTER PUBLIC WORKS DEPARTMENT. THE CITY IS NOT RESPONSIBLE FOR REPAIR OR REPLACEMENT OF PAVEMENT, CURB AND GUTTER, LANDSCAPING OR ANY OTHER PRIVATE IMPROVEMENTS WITHIN UTILITY EASEMENTS DAMAGED DURING UTILITY REPAIR OR MAINTENANCE.
- F. UTILITY BOXES ARE TO BE INSTALLED IN THE LOCATION(S) SHOWN ON THIS ODP. ANY PROPOSED REVISIONS TO THE LOCATION(S) SHOWN ON THIS ODP SHALL REQUIRE AN ODP AMENDMENT PRIOR TO THE INSTALLATION OF THE BOXES, AND THE CITY'S APPROVAL OF SUCH AN AMENDMENT MAY BE CONDITIONAL UPON THE PROVISION OF ADDITIONAL SCREENING (E.G. MASONRY WALL AND/OR LANDSCAPING).
- G. THE INSTALLATION AND/OR MAINTENANCE OF ANY AND ALL DRAINAGE IMPROVEMENTS NEEDED TO SERVE THIS SITE, INCLUDING BUT NOT LIMITED TO OFFSITE STORM DRAINAGE DETENTION FACILITIES IS AND REMAINS FOREVER THE RESPONSIBILITY OF THE OWNER, ITS HEIRS, SUCCESSORS, AND ASSIGNS AND WILL NOT BECOME THE PROPERTY OR MAINTENANCE RESPONSIBILITY OF THE CITY OF WESTMINSTER WITH THE EXCEPTION OF DESIGNATED REGIONAL STORMWATER OR WATER QUALITY FACILITIES.
- H. THE PROPERTY OWNER WILL CONVEY TO THE CITY ALL RIGHTS TO NON-TRIBUTARY WATER UNDERLYING THIS PROJECT, AS WELL AS EASEMENTS FOR ACQUISITION OF SUCH WATER AS PART OF THE FINAL PLAT.
- I. STORM DRAINAGE SHALL ONLY BE DISCHARGED ONTO OR ACROSS PUBLIC LAND AS DESCRIBED IN THE APPROVED DRAINAGE STUDY.
- J. ANY NEW FACILITY OR MODIFICATIONS TO AN EXISTING DEVELOPMENT THAT RESULT IN ADDITIONAL WATER USE INCLUDING BUILDING FIXTURES, LANDSCAPE, IRRIGATION OR OTHER WATER USE CATEGORY WILL REQUIRE A REVIEW OF EXISTING AND PROPOSED WATER USE PROJECTIONS. THIS REVIEW MAY RESULT IN AN INCREASE IN TAP FEES.
- K. CITY WILL INSTALL, AT DEVELOPER'S EXPENSE, ALL TRAFFIC CONTROL DEVICES REQUIRED, INCLUDING STREET NAME SIGNS.
- L. PUBLIC STREET LIGHTS WILL BE DESIGNED IN ACCORDANCE WITH THE CITY'S STREETLIGHT STANDARDS, IN EFFECT AT THE TIME OF STREETLIGHT DESIGN AND INSTALLATION, AND INSTALLED AT THE DEVELOPER'S COST. OWNERSHIP OF THE STREETLIGHTS SHALL NOT BE TRANSFERRED TO ANY ENTITY, EXCEPT THE CITY OF WESTMINSTER, UNLESS THE CITY AUTHORIZES THE TRANSFER TO ANOTHER ENTITY IN WRITING.
- M. ALL LIGHTING WILL BE DIRECTED DOWNWARD, FULL CUTOFF AND SHIELDED. THE PHOTOMETRIC PLAN WILL SHOW NO LIGHT TRESPASS TO RESIDENTIAL PROPERTIES, AND MINIMAL OFF SITE FOR OTHER PROPERTY.
- N. ALL ROOFTOP EQUIPMENT ON THE BUILDING WILL BE SCREENED TO ITS FULL HEIGHT AND DESIGNED AS AN INTEGRAL PART OF THE BUILDING ARCHITECTURE.
- O. ALL WATER FEATURES MUST BE FUNCTIONAL AND OPERATE ANNUALLY - AT LEAST FROM MAY 1 THROUGH SEPTEMBER 30.
- P. ALL SIGNAGE PROPOSED / INSTALLED WILL COMPLY WITH THE WESTMINSTER MUNICIPAL CODE SIGNAGE REGULATIONS AND THIS ODP AND MUST BE SEPARATELY REVIEWED AND PERMITTED WITH A VALID SIGN PERMIT. SIGNAGE LOCATIONS SHOWN ON BUILDING ELEVATIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY WITH THE INTENT OF PROVIDING ACCEPTABLE LOCATIONS WHERE SIGNAGE CAN BE BEST INTEGRATED INTO THE ARCHITECTURE OF THE BUILDING. THESE LOCATIONS ARE INTENDED TO PROVIDE OPTIONS FOR THE BUILDING'S END-USER TO CONSIDER WHEN APPLYING FOR WALL SIGN PERMITS WITH THE UNDERSTANDING THAT THE CITY'S SIGN CODE MAY FURTHER RESTRICT THE MAXIMUM AREA, LOCATION, AND NUMBER OF PROPOSED SIGNS.
- Q. NO TEMPORARY OR PERMANENT ACCESS WILL BE ALLOWED ON, ADJACENT TO, FROM, OR ACROSS PUBLIC OPEN SPACE AND PUBLIC PARKS, EITHER EXISTING OR LAND TO BE DEDICATED, AS PART OF THE DEVELOPMENT PROJECT.
- R. FENCING SHALL BE INSTALLED ON THE PRIVATE SIDE OF THE PROPERTY LINE ADJACENT TO PUBLIC LANDS, EITHER EXISTING OR LAND TO BE DEDICATED AS PART OF THE DEVELOPMENT PROJECT, PRIOR TO ANY CONSTRUCTION AND GRADING ACTIVITY. TEMPORARY FENCING IS TO BE MAINTAINED AND SHALL BE REMOVED UPON COMPLETION OF CONSTRUCTION. PUBLIC LAND SHALL NOT BE DISTURBED.
- S. DURING THE CONSTRUCTION PROCESS, THE DEVELOPER AND/OR BUILDER WILL PROVIDE EMERGENCY ACCESS ROADWAYS TO WITHIN 150' OF ALL BUILDINGS AND STRUCTURES, PRIOR TO WALL CONSTRUCTION OR BY SUCH TIME THAT COMBUSTIBLES ARE BROUGHT ON SITE. ANY TEMPORARY ACCESS WILL BE CONSTRUCTED USING A MINIMUM OF 8" OF BASE COURSE AND A SUFFICIENT AMOUNT OF "ALL-WEATHER" SURFACE MATERIAL THAT WILL SUPPORT THE LOAD OF FIRE APPARATUS.
- T. DEVELOPER AND BUILDER SHALL PATROL ON A WEEKLY BASIS THE PUBLIC AND OTHER LANDS ADJACENT TO THE DEVELOPMENT DURING THE CONSTRUCTION PROCESS, AND REMOVE CONSTRUCTION DEBRIS TO KEEP THE ADJACENT LANDS CLEAN AND SAFE.
- U. ADDITIONAL PROJECT NOTES MAY BE FOUND THROUGHOUT THE ODP, INCLUDING STANDARD NOTES FOR LANDSCAPING AND IRRIGATION.
- V. THE OVERHEAD UTILITIES ADJACENT TO THE NORTH PROPERTY LINE ARE CONSIDERED A TRANSMISSION MAIN AND IS EXEMPT FROM UNDERGROUNDING PER WMC 11-6-3 (B)(3).


DATE: 03/18/2019

**ST MARK VILLAGE  
OFFICIAL DEVELOPEMENT PLAN**

03/18/2019  
05/20/2019  
07/26/2019

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PROJECT NOTES

**CASE # PLN19-0039**



**811** Know what's below.  
Call before you dig.

CALL 3 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 4 OF 37

**PUD EXCEPTIONS:**

**1. BUILDING SETBACKS:**

REQUIREMENT NOT MET IN MULTIPLE AREAS:

- a. THE WEST PROPERTY LINE IS ADJACENT TO THE CITY'S ELEVATED WATER TOWER SITE. GIVEN THE BUILDING HEIGHTS OF 45 FEET, 4 INCHES, THE WEST SETBACK MINIMUM WOULD BE 68 FEET. THE PROPOSED SETBACK ON THE SITE PLAN IS 10 FEET.

**JUSTIFICATION:** DUE TO THE NATURE AND LONG TERM MUNICIPAL USE OF THE CITY'S HYDROPILLAR PROPERTY ADJACENT TO THE WEST OF ST MARK VILLAGE, A 10 FOOT SETBACK FROM THE WESTERLY PROPERTY LINE FOR FIRE PROTECTION BEST PRACTICES IS PROVIDED. REDEVELOPMENT OF A MUNICIPAL PROPERTY SERVING A CRITICAL MUNICIPAL FUNCTION TO LARGE AREAS OF THE CITY IS HIGHLY UNLIKELY AND THEREFORE, THE REDUCED SETBACK IS WARRANTED.

- b. THE NORTH PROPERTY LINE IS ADJACENT TO NORTH PARK PRIVATE OPEN SPACE. NORTH PARK IS A RESIDENTIAL NEIGHBORHOOD WITH SINGLE-FAMILY AND TOWNHOME RESIDENCES. GIVEN THE BUILDING HEIGHTS OF 45 FEET, 4 INCHES, THE NORTH SETBACK MINIMUM WOULD BE 68 FEET. THE PROPOSED SETBACK ON THE SITE PLAN IS 5 FEET.

**JUSTIFICATION:** ADJACENT TO THE NORTHERN PROPERTY LINE OF ST. MARK VILLAGE, THERE EXISTS A 75 FOOT WIDE UTILITY EASEMENT LOCATED ON PROPERTY PLATTED IN THE NORTH PARK SUBDIVISION TO ACCOMMODATE HIGH VOLTAGE UTILITY TRANSMISSION LINES. FROM THE NORTHERN LINE OF THE UTILITY EASEMENT TO THE MOST NORTHERLY BUILDING FACE OF ST MARK VILLAGE, THERE IS A DISTANCE (AND THEREBY AN EFFECTIVE SETBACK DUE TO THE UTILITY EASEMENT BEING UNDEVELOPABLE) OF 80 FEET, WHICH IS IN EXCESS OF THE REQUIRED SETBACK FROM THE NORTHERLY PROPERTY LINE.

- c. THE EAST PROPERTY LINE IS ADJACENT TO FEDERAL BOULEVARD. A 75' BUILDING SETBACK IS REQUIRED FROM ARTERIAL STREETS. THE PROPOSED SETBACK ON THE SITE PLAN IS 39 FEET, 7 1/4 INCHES.

**JUSTIFICATION:** THE 2013 COMPREHENSIVE PLAN ENVISIONS URBAN PLANNING THAT BRINGS BUILDINGS CLOSER TO THE STREET EDGE, HIGH QUALITY MATERIALS, AND IMPROVED SITE LANDSCAPING AND PEDESTRIAN AMENITIES. AS THE SITE PLAN DEMONSTRATES, ST. MARK VILLAGE ACHIEVES THE OBJECTIVES OF THE COMPREHENSIVE PLAN WITH A SIGNATURE TOWER FACED WITH STONE ALONG FEDERAL BOULEVARD AND ENHANCED LANDSCAPING ALONG THE STREET EDGE TO SCREEN VEHICULAR PARKING AND MOVEMENT ON-SITE WITHIN THE 39 FOOT, 7 1/4 INCH SETBACK.

- d. GIVEN THE BUILDING HEIGHTS OF 45 FEET, 4 INCHES, THE EAST PROPERTY LINE ADJACENT TO THE WISHBONE RESTAURANT PROPERTY WOULD HAVE A 68-FOOT REQUIRED BUILDING SETBACK. THE PROPOSED SETBACK ON THE SITE PLAN IS 10 FEET.

**JUSTIFICATION:** THE WISHBONE PROPERTY IS A CURRENTLY IMPROVED PARCEL WITH A PARKING LOT ADJACENT TO ST MARK VILLAGE ON THE SOUTHEAST CORNER OF THE SITE. THE SHARED EAST/WEST PROPERTY LINE MAINTAINS A 100 FOOT SETBACK FROM THE SHARED PROPERTY LINE TO ANY BUILDING FACE. THE SHARED NORTH/SOUTH PROPERTY LINE MAINTAINS A 10 FOOT SETBACK FOR FIRE PROTECTION BEST PRACTICES. SHOULD THE WISHBONE PROPERTY GET REDEVELOPED AT SOME POINT IN THE FUTURE, AN EQUIVALENT TEN FOOT SETBACK FOR THE REDEVELOPED PROPERTY WOULD PROVIDE ADEQUATE FIRE PROTECTION FOR ANY USE DEVELOPED. FURTHER, THIS AREA OF ST MARK VILLAGE IS A NON-DOMINANT FACADE WITH LIMITED WINDOW OPENINGS, FURTHER REDUCING THE RISK FOR ANY FUTURE FIRE PROTECTION ISSUES IF THE WISHBONE PROPERTY WERE TO BE REDEVELOPED. THE PROPOSED SETBACK HELPS PROMOTE THE VISUAL APPEARANCE OF A STREET WALL AND IN TURN A BETTER STREETScape ALONG 97TH AVENUE, WHICH IS CRITICAL TO THE PEDESTRIAN EXPERIENCE.

- e. THE REMAINDER OF THE SOUTH BOUNDARY LINE IS ADJACENT TO 97TH AVENUE. GIVEN THE BUILDING HEIGHTS OF 45 FEET, 4 INCHES, THE SOUTH SETBACK MINIMUM WOULD BE 68 FEET. THE PROPOSED SETBACK ON THE SITE PLAN IS 25 FEET.

**JUSTIFICATION:** THE 2013 COMPREHENSIVE PLAN ENVISIONS URBAN PLANNING THAT BRINGS BUILDINGS CLOSER TO THE STREET EDGE, HIGH QUALITY MATERIALS, AND IMPROVED SITE LANDSCAPING AND PEDESTRIAN AMENITIES. AS THE SITE PLAN DEMONSTRATES, ST. MARK VILLAGE ACHIEVES THE OBJECTIVES OF THE COMPREHENSIVE PLAN WITHIN THE 25 FOOT SETBACK BY BRINGING BUILDINGS CLOSER TO THE STREET EDGE TO CREATE A STREET WALL, INSTALLING BULB-OUTS AT THE SIDEWALK ON BOTH SIDES OF 97TH AVENUE AS A TRAFFIC CALMING SOLUTION AND PEDESTRIAN AMENITY, AND UTILIZING GREEN INFRASTRUCTURE RAIN GARDENS THE ENTIRE FRONTAGE ALONG 97TH AVENUE, WHICH SERVE AS A VISUAL AMENITY USING SUSTAINABLE WATER QUALITY METHODS.

**2. LANDSCAPE SETBACK AREAS:**

REQUIREMENT NOT MET: 35' LANDSCAPED SETBACK AREA (25' ALONG FEDERAL BLVD.) NOT PROVIDED. NO PARKING IS PERMITTED IN THESE SETBACK AREAS.

**JUSTIFICATION:** THE 2013 COMPREHENSIVE PLAN ENVISIONS URBAN PLANNING THAT BRINGS BUILDINGS CLOSER TO THE STREET EDGE, HIGH QUALITY MATERIALS, AND IMPROVED SITE LANDSCAPING AND PEDESTRIAN AMENITIES. IN LIEU OF THE 35' LANDSCAPED SETBACK AREA, ENHANCED LANDSCAPING PLANTINGS HAVE BEEN PROVIDED AT A RATE 3 TIMES THE NUMBER OF REQUIRED PLANTINGS AND ADEQUATELY SCREENING ON-SITE VEHICULAR PARKING AND MOVEMENT.

**3. SETBACK OF POOL / CLUBHOUSE:**

REQUIREMENT NOT MET: 100' SEPARATION BETWEEN POOL/CLUBHOUSE AND PROPERTY LINE.

**JUSTIFICATION:** PRIVACY LANDSCAPING WILL BE INSTALLED NORTH OF THE POOL LOCATION IN ORDER TO SCREEN THE ACTIVITY AREA. FURTHER, AN EXISTING LANDSCAPING BERM WITH MATURE LANDSCAPING ALREADY EXISTS APPROXIMATELY 16-22 FEET NORTH OF THE PROPOSED POOL LOCATION AND A 75 FOOT WIDE UTILITY EASEMENT PROVIDES ADEQUATE BUFFER TO EXISTING NEIGHBORS TO THE NORTH. IN ADDITION, THE AREA SOUTH OF AN EXISTING FENCE ALONG THE NORTH PROPERTY LINE IS TO BE ADDRESSED BY A FUTURE ODP AMENDMENT WHICH IS EXPECTED TO PROVIDE FOR A SUBSTANTIAL TREE SCREEN IN THIS AREA, PER ACCEPTANCE BY THE NORTH PARK EAST ASSOCIATION.

**4. DETACHED SIDEWALKS:**

REQUIREMENT NOT MET: NO DETACHED SIDEWALK (MINIMUM 5' WIDE, WITH STREET TREES / LANDSCAPING BETWEEN CURB AND SIDEWALK) PROVIDED ALONG 97TH AVENUE.

**JUSTIFICATION:** 4 FOOT WIDE ATTACHED SIDEWALKS ALONG 97TH AVENUE ARE ALREADY IN PLACE AND CONSTRUCTED, ARE CONSISTENT WITH THE ENTIRE LENGTH OF 97TH AVENUE FROM FEDERAL TO LOWELL. DETACHING THE SIDEWALKS ALONG 97TH AVENUE WOULD MAKE THE ST MARK VILLAGE PARCEL LOOK OUT OF PLACE WITHIN THE SURROUNDING NEIGHBORHOOD CONTEXT. FURTHER, DUE TO 97TH AVENUE NOT BEING AN ARTERIAL ROADWAY, THE PEDESTRIAN EXPERIENCE IS NOT DIMINISHED AS LIMITED VEHICULAR TRAFFIC EXISTS ALONG THE STRETCH OF 97TH AVENUE BETWEEN FEDERAL AND LOWELL.

**5. PARKING:**

REQUIREMENT NOT MET: SHORTAGE IN PARKING SPACES PROVIDED; (273 PROVIDED, 347 REQUIRED, 74 SHORT). (NOTE: ON-STREET PARKING SPACES MAY NOT BE COUNTED.)

**JUSTIFICATION:** PARKING STUDY PROVIDED TO THE CITY OF WESTMINSTER SUPPORTED A PARKING REDUCTION BETWEEN 21% AND 41% LOWER THAN MINIMUM REQUIREMENTS. A PARKING RATIO OF 1.26:1.00 IS UTILIZED, A 21% REDUCTION. THE REDUCTION IS AT A TYPICAL RATE FOR THE METRO AREA.

**6. COVERED AND/OR GARAGE PARKING:**

REQUIREMENT NOT MET: NO CARPORTS OR GARAGES PROVIDED.

**JUSTIFICATION:** ST MARK VILLAGE IS TO BE AN AFFORDABLE COMMUNITY AND IN ORDER TO MAINTAIN AFFORDABILITY, REQUESTS COVERED PARKING REQUIREMENTS BE ELIMINATED AND INSTEAD, POTENTIAL FUTURE ROOFTOP SOLAR PHOTOVOLTAIC BE AN ALTERNATIVE PROJECT COMPONENT SHOULD PROJECT BUDGET SAVINGS DURING CONSTRUCTION ALLOW, HELPING TO MAINTAIN AFFORDABILITY OVER THE LONG TERM.

**7. LANDSCAPED ENTRY MEDIAN:**

REQUIREMENT NOT MET: ENTRANCE LANDSCAPED MEDIAN NOT PROVIDED.

**JUSTIFICATION:** IN ORDER TO MAINTAIN THE TRADITIONAL DESIGN OF ST MARK VILLAGE, WHICH COMPLIMENTS THE NEIGHBORING ST MARK'S CATHOLIC CHURCH, A MEDIAN/ISLAND HAS BEEN OMITTED HOWEVER, ST MARK VILLAGE FEATURES TWO ENTRY TOWER DESIGN COMPONENTS CENTERED BY A STONE CLUBHOUSE CAPPING THE ENTRY DRIVE TO ACHIEVE THE DESIRED PLACEMAKING AND SITE IDENTIFICATION PURPOSES THAT MEDIAN/ISLANDS PROVIDE AT A PRIMARY ENTRANCE.

**8. GROUND-LEVEL LIGHTING:**

REQUIREMENT NOT MET: GROUND-LEVEL LIGHTING NOT PROVIDED.

**JUSTIFICATION:** DUE TO THE INFILL NATURE OF THE DEVELOPMENT, PROPOSED SIDEWALKS ARE IN CLOSE PROXIMITY TO BUILDING LIGHTING THAT WILL SUFFICIENTLY ILLUMINATE GROUND LEVEL PATHWAYS AND ADDITIONAL GROUND LIGHTING IS NOT NEEDED.

**9. HOT TUB AND SPLASH PAD:**

REQUIREMENT NOT MET: HOT TUB AND SPLASH PAD NOT PROVIDED.

**JUSTIFICATION:** IN LIEU OF A HOT TUB AND SPLASH PAD, A POOL IS TO BE PROVIDED TO BETTER ACCOMMODATE THE FAMILY DEMOGRAPHICS OF THE TO-BE-CONSTRUCTED COMMUNITY.

**10. SWIMMING POOL DECK WIDTHS:**

REQUIREMENT NOT MET: MINIMUM DECK WIDTHS AROUND POOL NOT PROVIDED.

**JUSTIFICATION:** MINIMUM SWIMMING POOL DECK WIDTHS MEET OR EXCEED 2015 INTERNATIONAL SWIMMING POOL AND SPA CODE.

**11. BUILDING AND PARKING SPACING:**

REQUIREMENT NOT MET: MINIMUM 15' SPACING BETWEEN BUILDINGS AND PARKING AREAS NOT PROVIDED.

**JUSTIFICATION:** DUE TO THE INFILL NATURE OF THE SITE AND IN AN EFFORT TO PROVIDE AS MUCH ON-SITE PARKING AS FEASIBLE BASED ON NEIGHBORHOOD FEEDBACK THE 15' MINIMUM DIMENSION IS PROPOSED TO VARY FROM 12' TO 45' WITH ENHANCED LANDSCAPING PROVIDED WHERE BUILDING FRONTS AND PARKING INTERACT.

**12. PARALLEL BUILDING SPACING:**

REQUIREMENT NOT MET: MINIMUM 40' SPACING BETWEEN PARALLEL BUILDINGS NOT PROVIDED.

**JUSTIFICATION:** PROPERTY IS AN INFILL DEVELOPMENT SITE THAT CANNOT MEET THE INTENT OF THE PROPERTY'S ZONING IF PARALLEL BUILDING SPACING OF 40' IS MAINTAINED. INSTEAD, EVERY OTHER BUILDING HAS A DIFFERENT OVERALL FORM, SCALE, OR ORIENTATION TO BREAK UP THE VIEWING PLANE.

**ST MARK VILLAGE  
OFFICIAL DEVELOPEMENT PLAN**

**DATE: 03/18/2019**

03/18/2019  
05/20/2019  
07/26/2019

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PROJECT NOTES

**CASE # PLN19-0039**



CALL 3 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.



**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 5 OF 37

**PUD EXCEPTIONS:**

**13. NON-PARALLEL BUILDING SPACING:**

REQUIREMENT NOT MET: MINIMUM 35' SPACING BETWEEN NON-PARALLEL BUILDINGS NOT PROVIDED.

**JUSTIFICATION:** PROPERTY IS AN INFILL DEVELOPMENT SITE THAT CANNOT MEET THE INTENT OF THE PROPERTY'S ZONING IF PARALLEL BUILDING SPACING OF 35' IS MAINTAINED. INSTEAD, EVERY OTHER BUILDING HAS A DIFFERENT OVERALL FORM, SCALE, OR ORIENTATION TO BREAK UP THE VIEWING PLANE.

**14. PRIMARY AND ACCESSORY BUILDING SPACING:**

REQUIREMENT NOT MET: MINIMUM 25' SPACING BETWEEN PRIMARY AND ACCESSORY BUILDINGS (CLUBHOUSE) NOT PROVIDED.

**JUSTIFICATION:** PROPERTY IS AN INFILL DEVELOPMENT SITE THAT CANNOT MEET THE INTENT OF THE PROPERTY'S ZONING IF PARALLEL BUILDING SPACING OF 25' IS MAINTAINED. INSTEAD, EVERY OTHER BUILDING HAS A DIFFERENT OVERALL FORM, SCALE, OR ORIENTATION TO BREAK UP THE VIEWING PLANE.

**15. PARKING LOT SETBACKS FROM INTERIOR PROPERTY LINES:**

REQUIREMENT NOT MET: PARKING LOT SETBACKS (15') FROM INTERIOR PROPERTY LINES NOT PROVIDED.

**JUSTIFICATION:** THE WISHBONE RESTAURANT PROPERTY HAS A BLOCK WALL WITH THICK TREE CANOPY ON THE PROPERTY LINE. WHEN COMBINED WITH ADDITIONAL LANDSCAPING TO BE INSTALLED AT ST MARK'S VILLAGE, THERE WILL BE AN ADEQUATE YEAR ROUND BUFFER PROVIDED IN LESS THAN THE 15 FOOT SETBACK REQUIREMENT.

**16. TREATMENT OF UPPER-FLOOR BUILDING MASSING:**

REQUIREMENT NOT MET: ONE-STORY STEP-DOWN IN BUILDING HEIGHTS NOT PROVIDED.

**JUSTIFICATION:** IN LIEU OF A STEP-DOWN IN BUILDING HEIGHTS, WHICH WOULD NOT FULFILL THE INTENT OF THE SITE'S ZONING, THE BUILDING DESIGN REFLECTS COMPONENTS OF A STEPPED DESIGN AND OTHER DESIGN ELEMENTS THAT CONVEY A SENSE OF PLACE AT RELATABLE AND RELEVANT HUMAN SCALE, WITH OVERALL HEIGHT BEING ONE STORY HIGHER THAN ADJACENT EXISTING PROPERTY. EACH BUILDING FAÇADE EXHIBITS VARYING ROOF AND PITCH ELEMENTS OF NOT LESS THAN 4 ELEVATIONS. THE COMMUNITY ENTRY FEATURES TWO SIGNATURE TOWERS ON THE BUILDING CORNERS WHICH BREAK THE FAÇADE AND CONVEY SIGNIFICANCE. THE BUILDING ALONG FEDERAL BOULEVARD FEATURES A TOWER THAT TIES INTO THE ENTRYWAY DESIGN FOR CONSISTENCY OF EXPERIENCE. THE TYPICAL FAÇADE DESIGN CONVEYS A STIMULATING AESTHETIC THAT COMPLIMENTS THE NEARBY ST MARK CATHOLIC CHURCH WHILE ALSO FULFILLING THE HIGHEST AND BEST UTILIZATION OF THE ZONING INTENT.

**17. EXTERIOR BUILDING MATERIALS AND COLORS:**

REQUIREMENT NOT MET: BUILDING EXTERIOR CLADDING SURFACES, INCLUDING AT LEAST 2 FEET AROUND THE BASE OF THE BUILDING, PATIO AND BALCONY AREAS, BUT EXCEPTING WINDOW, DOOR, OR RAILING PORTIONS, ON ALL SIDES OF ALL PRIMARY AND ACCESSORY BUILDINGS, ARE NOT FINISHED WITH THIRTY PERCENT (30%) OR MORE OF ALL WITH MASONRY (BRICK OR STONE).

**JUSTIFICATION:** IN AN EFFORT TO KEEP THE PROJECT AN AFFORDABLE DEVELOPMENT, THE DESIGN UTILIZES STONE IN PROMINENT PUBLIC FACING LOCATIONS ONLY, INCLUDING SIGNATURE STONE ENTRY TOWERS ALONG 97<sup>TH</sup> AVENUE AND A STONE TOWER ALONG FEDERAL BOULEVARD IN LIEU OF STONE OR MASONRY ON 30% OF ALL EXTERIOR CLADDING SURFACES. THE DESIGN ALSO UTILIZES TWO ALTERNATING COLOR SCHEMES TO HELP DIFFERENTIATE AND DISTINGUISH EACH BUILDING TYPE.

**18. BALCONY ENCLOSURE:**

REQUIREMENT NOT MET: BALCONIES ARE FRONTED WITH RAILINGS RATHER THAN OPAQUE WALLS.

**JUSTIFICATION:** ENCLOSED BALCONIES PROVIDE FOR A DATED LOOK AND FEEL AND ARE NOT IN KEEPING WITH CURRENT ARCHITECTURAL DESIGN OR TENANT EXPECTATIONS. BALCONIES ARE RECESSED WITHIN UNITS (IE NOT PROTRUDING FROM THE BUILDING FAÇADE) PROVIDING ENCLOSURE THROUGH DESIGN AND A BETTER, MORE USABLE TENANT EXPERIENCE.

**19. SITE LANDSCAPING PERCENTAGE:**

REQUIREMENT NOT MET: MINIMUM OF 40% OF SITE LANDSCAPED IS NOT MET.

**JUSTIFICATION:** PROPERTY IS AN INFILL DEVELOPMENT SITE THAT CANNOT MEET THE INTENT OF THE PROPERTY'S ZONING IF 40% OF THE SITE IS LANDSCAPED. HOWEVER, THE PROPERTY IS LOCATED WITHIN 500 FEET OF SQUIRES PARK AND APPLICANT HAS PROVIDED USABLE OPEN SPACES ON-SITE THAT WILL BE BETTER BY THE EXPECTANT FAMILY DEMOGRAPHIC, INCLUDING AMENITIES SUCH AS A LANDSCAPED GARDEN AREA WITH DEDICATED SEATING, A BARBEQUE PATIO AND LOUNGE AREA WITH GRILLS, POOL, AND A CHILDREN'S PLAYGROUND.

**20. PARKING LOT LANDSCAPING ISLANDS:**

REQUIREMENT NOT MET: PROPER PROVISION/QUANTITY, SPACING, AND PLANTING OF PARKING LOT LANDSCAPE ISLANDS NOT PROVIDED.

**JUSTIFICATION:** PARKING LOT LANDSCAPING ISLANDS ARE PROVIDED AT THE LENGTH OF EACH BUILDING, BUT THE VISUAL SCALE OF PARKING IS MITIGATED THROUGH THE DRIVE WAY DESIGN AND CLUBHOUSE LOCATION. ON THE EAST SIDE OF THE SITE, THE DRIVEWAY JOGS SOUTH TO BREAK UP THE VISUAL PARKING MASS. ON THE WEST SIDE OF THE SITE, THE CLUBHOUSE LOCATION WITHIN TWO PARKING AISLES BREAKS UP THE VISUAL PARKING MASS. WHILE SELECT PARKING AISLES ARE LONGER THAN TYPICAL THEY ARE 1) WITHIN EXISTING PRECEDENT IN THE CITY OF WESTMINSTER, 2) DO NOT FACE PUBLIC RIGHT OF WAY, AND 3) ARE MITIGATED THROUGH INTELLIGENT DESIGN INCLUDING ENHANCED LANDSCAPING WITH TREE AND SHRUB PLANTINGS WHICH EXCEED REQUIRED MINIMUMS BY THREE TIMES.

**21. SCREENING OF PARKING:**

REQUIREMENT NOT MET: PROVISION OF LANDSCAPED BERMS TO SCREEN PARKING AREAS FROM ADJACENT DEVELOPMENTS AND STREETS.

**JUSTIFICATION:** DEVELOPMENT'S PARKING IS INTERIOR TO THE SITE WITH SCREENING BEING PROVIDED ON THE NORTH AND SOUTH PROPERTY LINES BY BUILDINGS. TO THE WEST AND EAST, PARKING IS SCREENED BY A COMBINATION OF BUILDINGS AND LANDSCAPING. ALONG THE SHARED PROPERTY BOUNDARY WITH WISHBONE RESTAURANT, SCREENING IS PROVIDED BY AN EXISTING CINDER BLOCK WALL FIVE FEET IN HEIGHT AND EXISTING MATURE LANDSCAPING. FURTHER, ENHANCED LANDSCAPING IS PROVIDED SITE-WIDE TO IMPROVE OVERALL AESTHETIC BETWEEN BUILDING-PARKING INTERACTION AND PARKING-STREET INTERACTION. MINIMUM TREE AND SHRUB PLANTINGS EXCEED REQUIRED MINIMUMS BY THREE TIMES TO PROVIDE ADDITIONAL SCREENING AND BETTER OVERALL AESTHETIC.

**22. REMOVAL OF BILLBOARD:**

REQUIREMENT NOT MET: BILLBOARD IS A NON-CONFORMING SIGN THAT SHOULD BE REMOVED AS A CONDITION OF DEVELOPMENT.

**JUSTIFICATION:** PROPERTY OWNER WILL REMOVE SIGN AFTER LEASE TERMINATION IN 2021.

**23. MULTI-USE PATHS:**

REQUIREMENT NOT MET: NO 10' WIDE MULTI-USE PATHS WITHIN PROJECT.

**JUSTIFICATION:** AS AN INFILL DEVELOPMENT PROJECT, THE OPPORTUNITY FOR NEW PATHS IS LIMITED BY EXISTING CONDITIONS. AS AN ALTERNATIVE, THE PROJECT HAS PROVIDED ON-SITE LANDSCAPED PATHWAYS AND SEATING AS A DESTINATION RATHER THAN A MULTI-USE PATH.

**ST MARK VILLAGE  
OFFICIAL DEVELOPEMENT PLAN**

**DATE: 03/18/2019**

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05/20/2019  
07/26/2019

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PROJECT NOTES

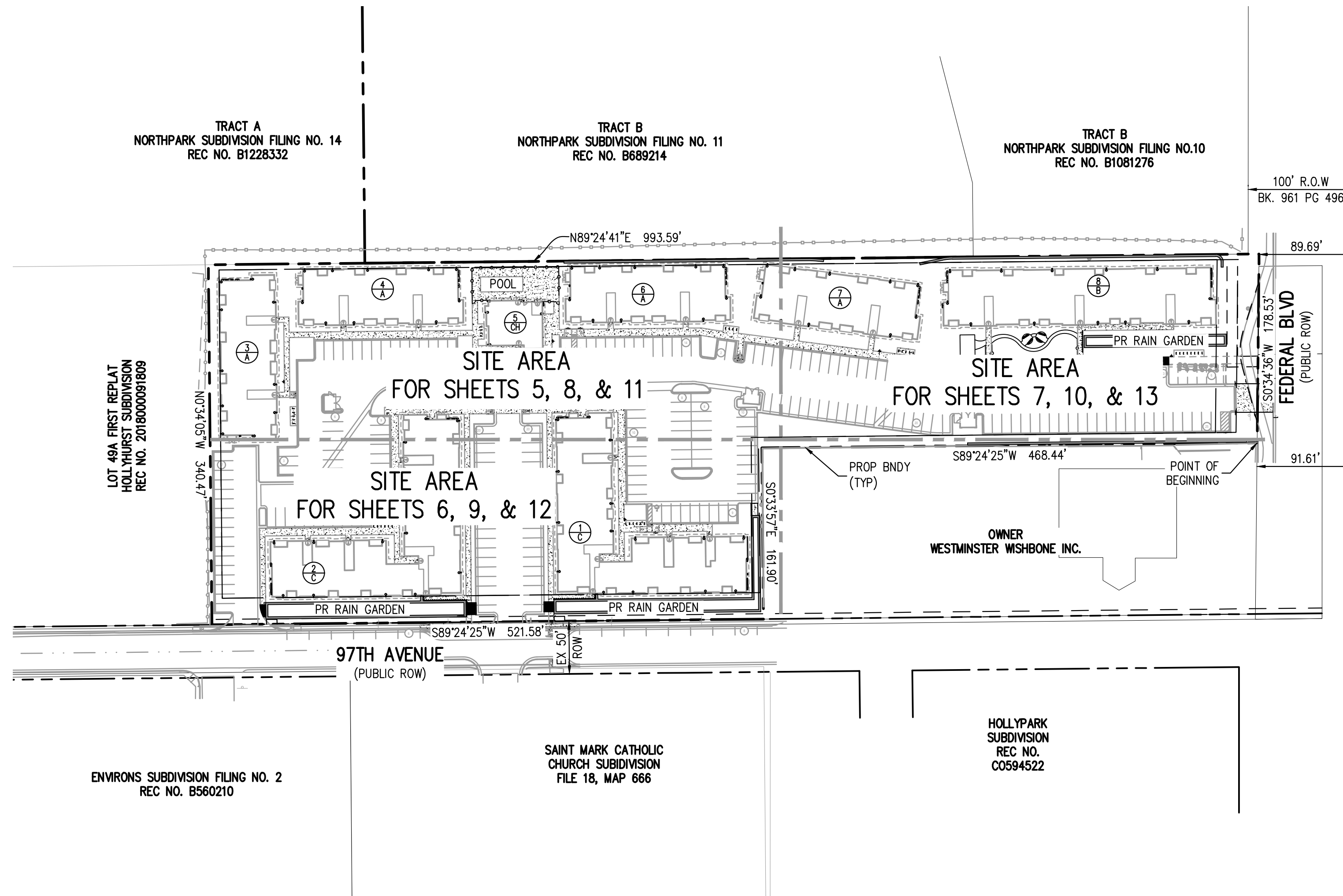
**CASE # PLN19-0039**

THIRD AMENDED OFFICIAL DEVELOPMENT PLAN

LOTS 11, 12, 45, 46, 47 AND 48

HOLLYHURST SUBDIVISION

A PLANNED UNIT DEVELOPMENT IN THE  
CITY OF WESTMINSTER, COUNTY OF  
ADAMS, STATE OF COLORADO  
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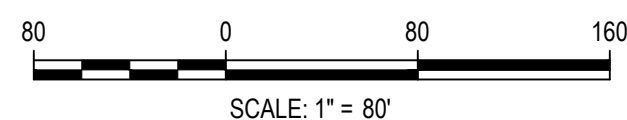


DATE: 03/18/2019

ST MARK VILLAGE  
OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
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07/26/2019

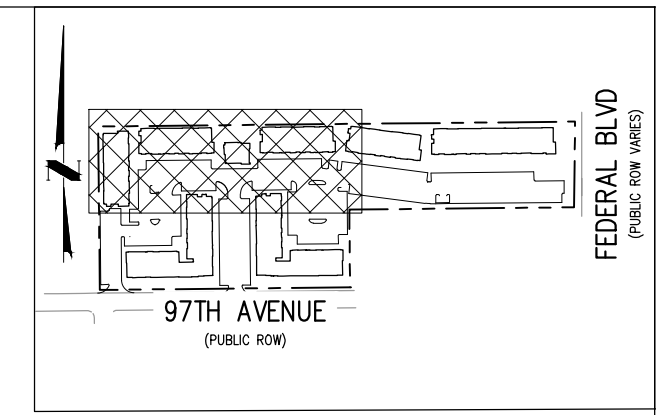
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OVERALL PLAN



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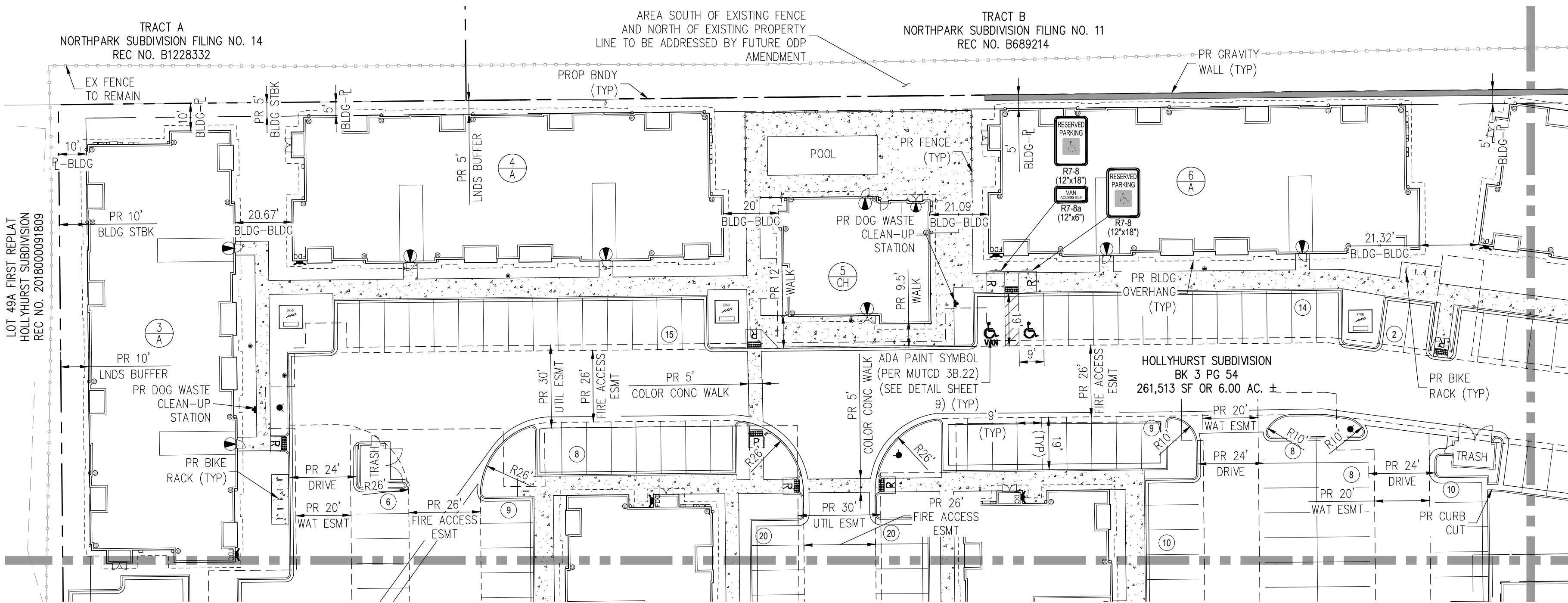


THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
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 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
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KEY MAP  
 SCALE: 1" = 400'

**HKS HARRIS KOCHER SMITH**  
 1120 Lincoln Street, Suite 1000  
 Denver, Colorado 80203  
 P: 303.623.6300 F: 303.623.6311  
 HarrisKocherSmith.com



MATCHLINE - SEE SHEET 9

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BUILDING UNIT COUNT

DWELLING UNIT	BED & BATH	BUILDING 1 (TYPE C)	BUILDING 2 (TYPE C)	BUILDING 3 (TYPE A)	BUILDING 4 (TYPE A)	BUILDING 6 (TYPE A)	BUILDING 7 (TYPE A)	BUILDING 8 (TYPE B)
UNIT 1A.0.0	1BR/1BA	9	9	6	6	6	6	0
UNIT 2A.0.0	2BR/1BA	9	9	6	6	6	6	18
UNIT 2B.0.0	2BR/2BA	9	9	6	6	6	6	0
UNIT 3A.0.0	3BR/2BA	6	6	6	6	6	6	6
UNIT 3B.0.0	3BR/2BA	6	6	0	0	0	0	12
UNIT 3C.0.0	3BR/2BA	3	3	0	0	0	0	0
TOTAL NUMBER OF UNITS								

216 UNITS

MATCHLINE - SEE SHEET 8

NOTES:

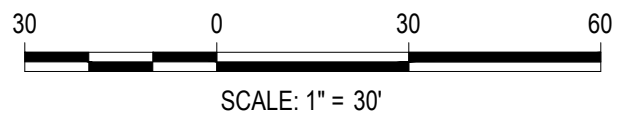
- ALL DETACHED SIDEWALKS ARE 5' UNLESS OTHERWISE DIMENSIONED
- ALL ATTACHED SIDEWALKS ARE 7' UNLESS OTHERWISE DIMENSIONED
- ALL SIDEWALKS ATTACHED TO PARKING STALL ARE 7' UNLESS OTHERWISE DIMENSIONED
- SEE OVERALL UTILITY PLAN & OVERALL GRADING PLAN FOR UTILITY & GRADING INFORMATION
- ALL CURB RADII ARE 2' UNLESS OTHERWISE DIMENSIONED
- ALL PARKING STALLS ARE 9' X 19'
- ALL ADA VAN PARKING SPACES ARE 11' X 19' WITH A 5' AISLE
- ALL ADA PARKING SPACES ARE 9' X 19' WITH A 5' AISLE
- ALL DRIVE WIDTHS ARE 26' UNLESS OTHERWISE DIMENSIONED
- NO RETAINING WALLS WILL BE HIGHER THAN 4' (MEASURED FROM FINISHED GRADE AT BASE). CDOT ROW PERMIT WILL BE REQUIRED DURING CONSTRUCTION
- 

PARKING

TYPE	SPACES REQUIRED	SPACES PROVIDED
VEHICULAR, TOTAL (#):	347	273
VEHICULAR, STANDARD SPACES (#):	340	266
VEHICULAR, ACCESSIBLE (#):	5	5
VEHICULAR, VAN ACCESSIBLE (#):	2	2
VEHICULAR, EV CHARGING (#)	0	0
BICYCLE, TOTAL (#)	54	80

LOT COVERAGE

USE	SURFACE TYPE	AREA (SF)	% OF SITE
MULTI-FAMILY DWELLING UNITS	BUILDING COVERAGE	86,538	33.11%
	PAVING AND DRIVES	124,493	47.63%
	LANDSCAPE/OPEN AREA	50,329	19.26%
TOTAL:		261,360	100



ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019

CASE # PLN19-0039

7 OF 37  
 SITE PLAN

**NOTES:**

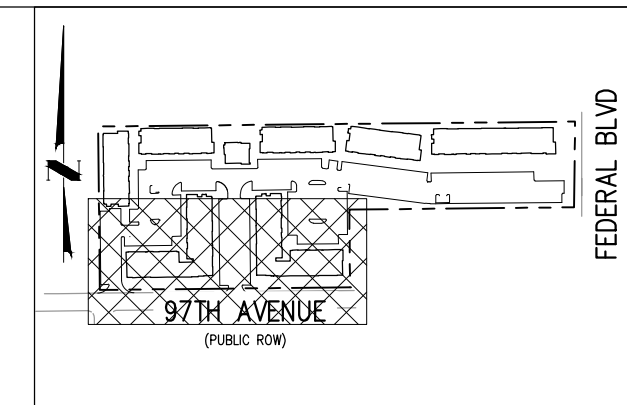
1. ALL DETACHED SIDEWALKS ARE 5' UNLESS OTHERWISE DIMENSIONED
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10. NO RETAINING WALLS WILL BE HIGHER THAN 4' (MEASURED FROM FINISHED GRADE AT BASE).
11. CDOT ROW PERMIT WILL BE REQUIRED DURING CONSTRUCTION

**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**

**LOTS 11, 12, 45, 46, 47 AND 48**

**HOLLYHURST SUBDIVISION**

**A PLANNED UNIT DEVELOPMENT IN THE  
CITY OF WESTMINSTER, COUNTY OF  
ADAMS, STATE OF COLORADO  
SHEET 8 OF 37**



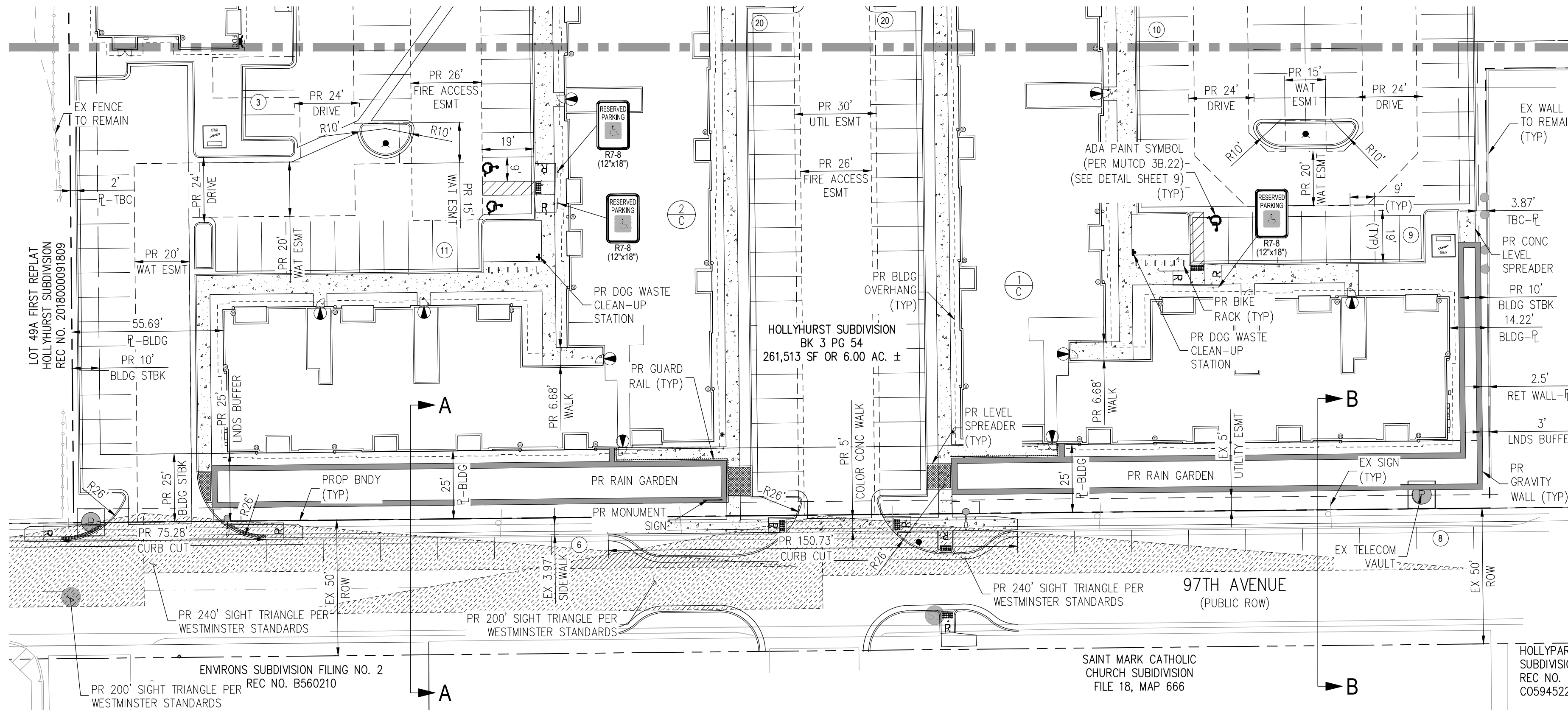
**KEY MAP**  
SCALE: 1" = 400'

**HKS HARRIS KOCHER SMITH**  
1120 Lincoln Street, Suite 1000  
Denver, Colorado 80203  
P: 303.623.6300 F: 303.623.6311  
HarrisKocherSmith.com

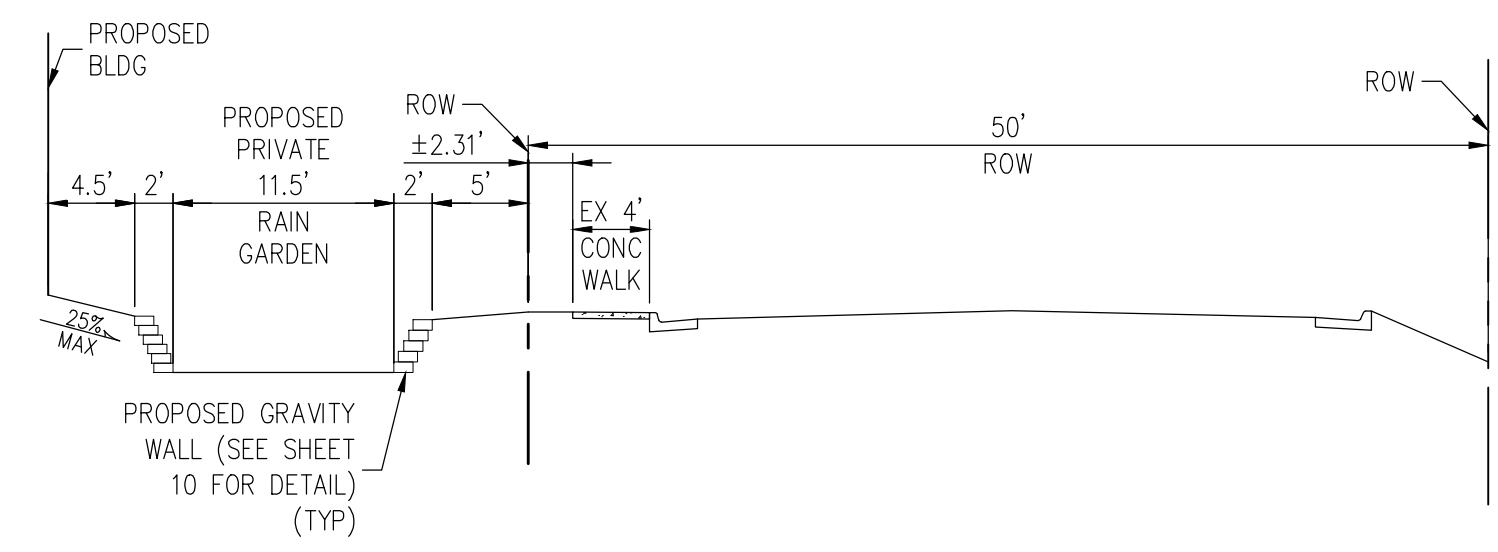
**MATCHLINE - SEE SHEET 7**

**DATE: 03/18/2019**

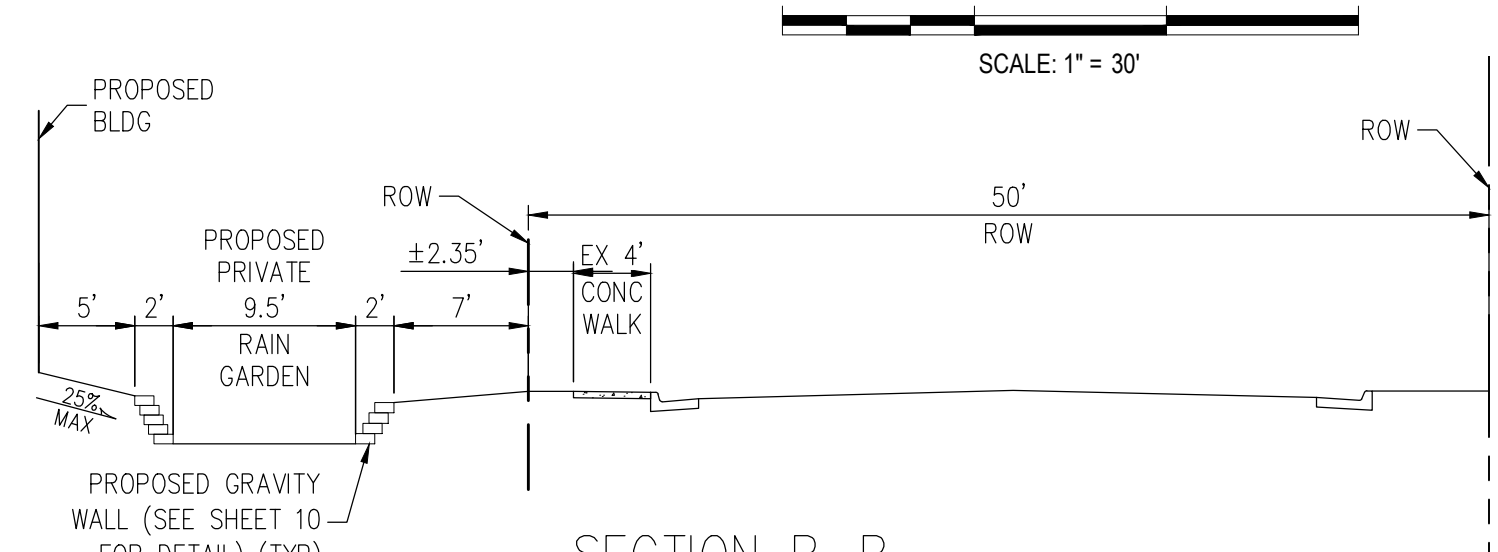
Page 93 of 312



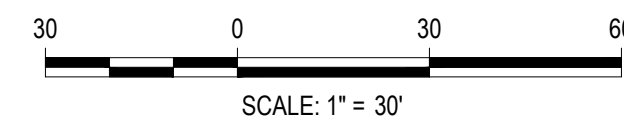
**ST MARK VILLAGE  
OFFICIAL DEVELOPEMENT PLAN**



**SECTION A-A**  
N.T.S.



**SECTION B-B**  
N.T.S.



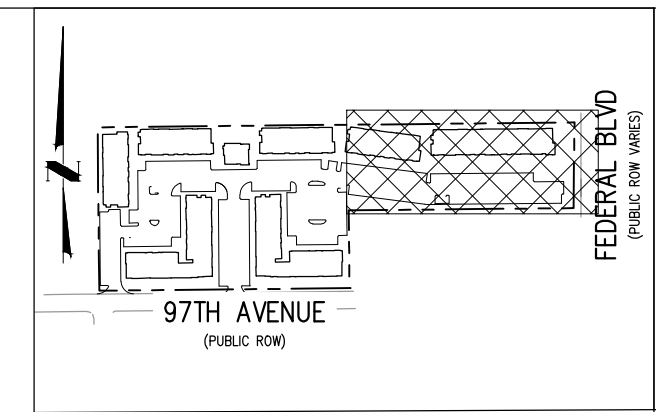
SCALE: 1" = 30'

**CASE # PLN19-0039**

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SITE PLAN

THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 9 OF 37



KEY MAP  
 SCALE: 1" = 400'

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DATE: 03/18/2019

MATCHLINE - SEE SHEET 7

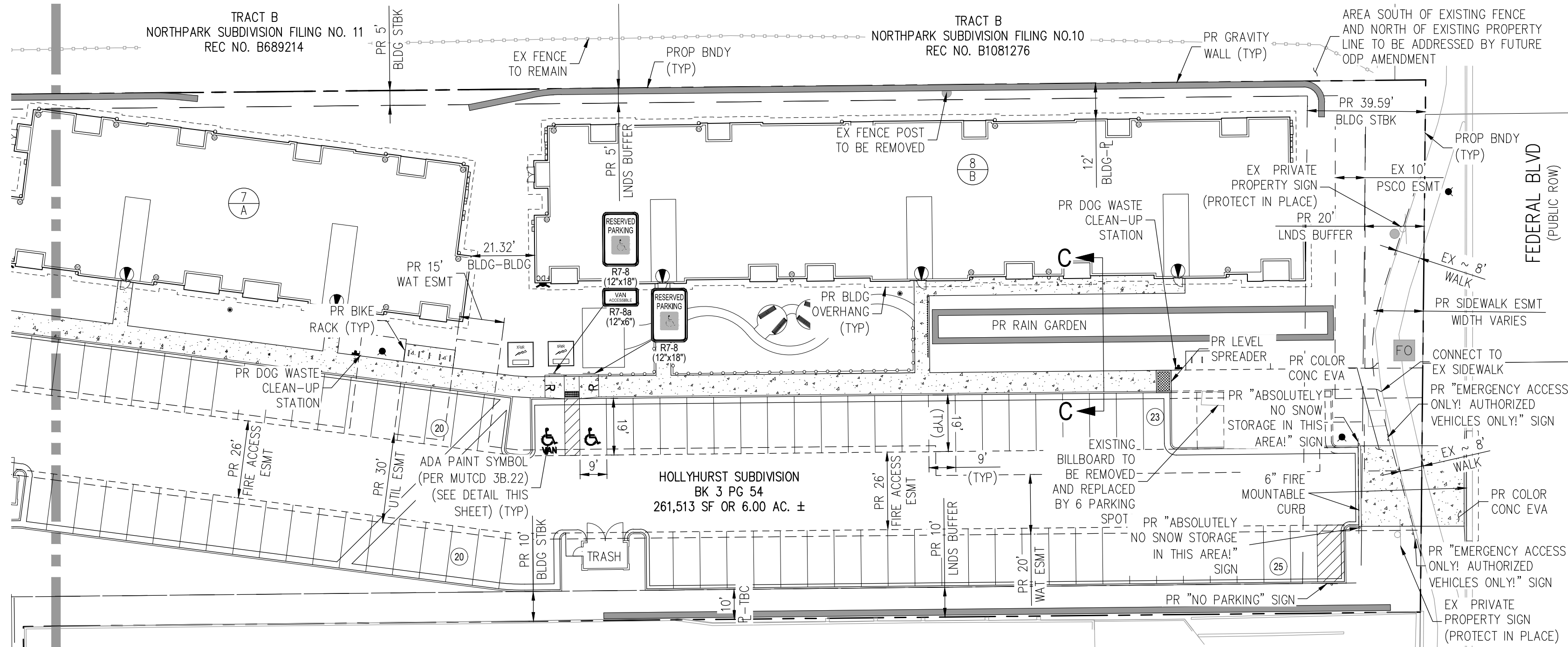
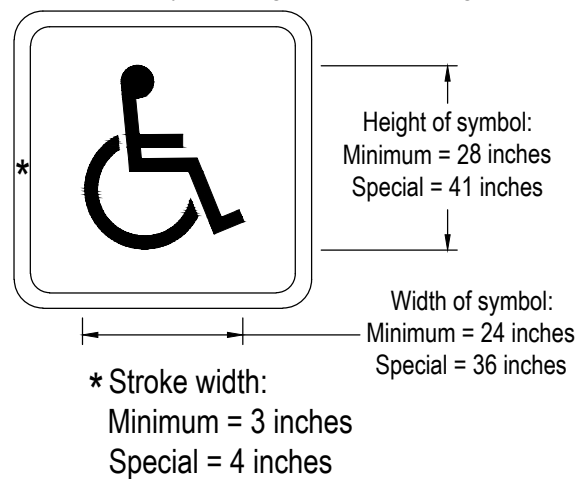
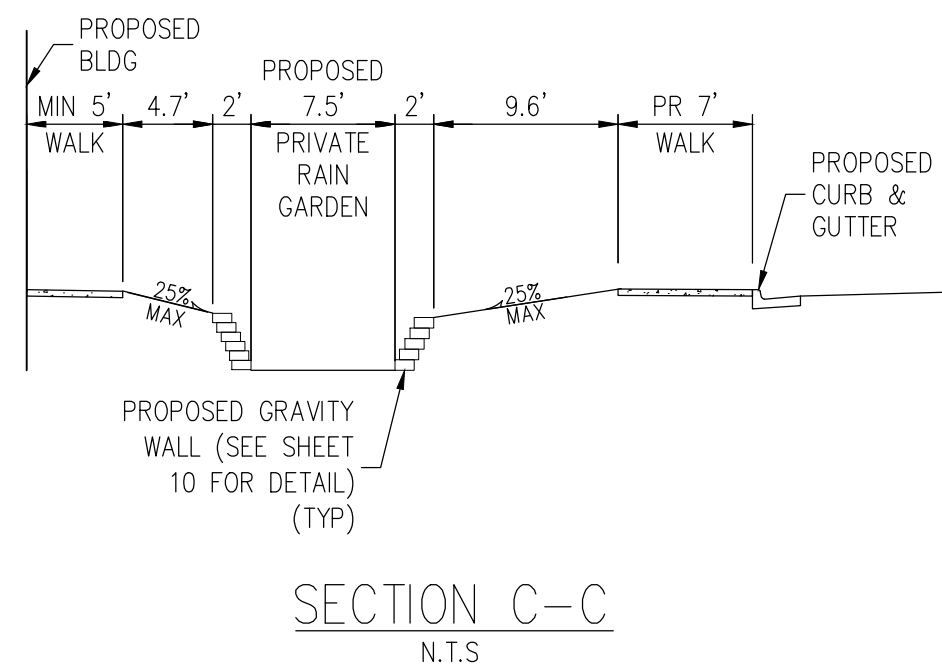


Figure 3B-22. International Symbol of Accessibility Parking Space Marking

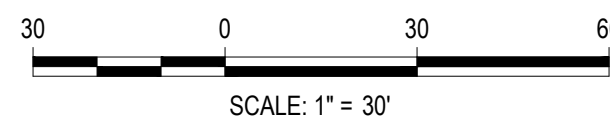


\*REFER TO MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) FIGURE 3B.22 INTERNATIONAL SYMBOL OF ACCESSIBILITY PARKING SPACE MARKING FOR ADDITIONAL INFORMATION.



NOTES:

1. ALL DETACHED SIDEWALKS ARE 5' UNLESS OTHERWISE DIMENSIONED
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11. CDOT ROW PERMIT WILL BE REQUIRED DURING CONSTRUCTION



ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019

9 OF 37  
 SITE PLAN

CASE # PLN19-0039



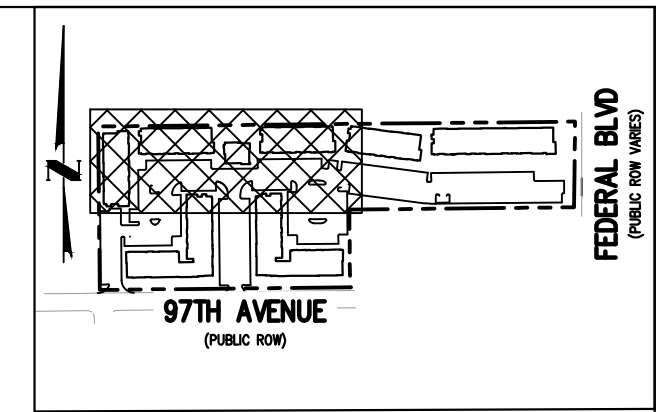








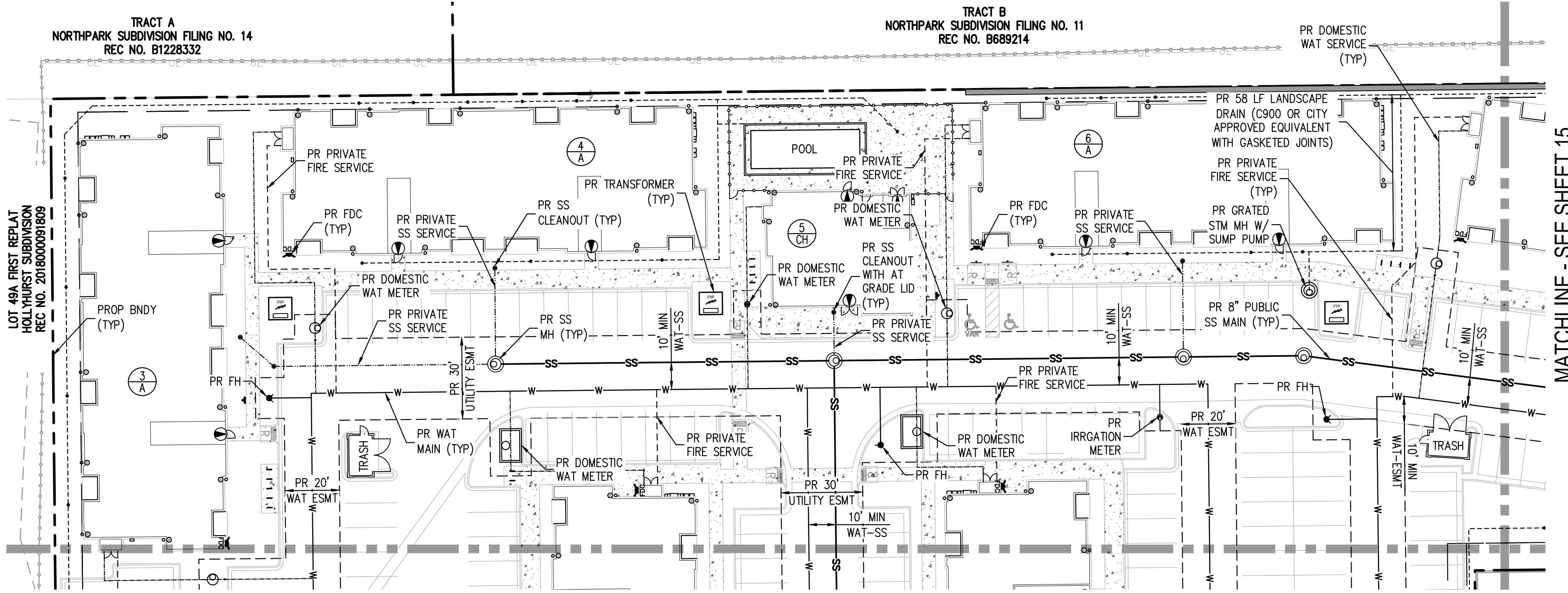
THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
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 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
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 SHEET 13 OF 37



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KEY MAP  
 SCALE: 1" = 400'

DATE: 03/18/2019



TRACT A  
 NORTH PARK SUBDIVISION FILING NO. 14  
 REC NO. B1228332

TRACT B  
 NORTH PARK SUBDIVISION FILING NO. 11  
 REC NO. B689214

MATCHLINE - SEE SHEET 15

MATCHLINE - SEE SHEET 14

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**LEGEND:**

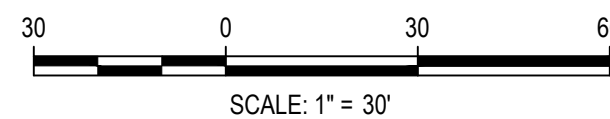
RIGHT-OF-WAY		PROPOSED (PR) SANITARY SEWER MAIN AND MANHOLE	
EXISTING WATER MAIN, VALVE AND METER		PROPOSED (PR) UNDERGROUND ELECTRIC	
EXISTING FIRE HYDRANT		PROPOSED (PR) FIRE HYDRANT	
EXISTING SANITARY SEWER MAIN AND MANHOLE		PROPOSED (PR) FIRE SERVICE	
EXISTING STORM SEWER MAIN AND MANHOLE		PROPOSED (PR) DOMESTIC SERVICE W/METER	
EXISTING UNDERGROUND ELECTRIC		PROPOSED (PR) LANDSCAPE DRAIN W/ MANHOLE	
EXISTING UNDERGROUND COMMUNICATION		PROPOSED (PR) SANITARY SEWER SERVICE W/CLEANOUT	
EXISTING FIBER OPTIC RISER		ABANDON UTILITY	
EXISTING COMMUNICATION PEDESTAL			

**NOTES:**

- SEE OVERALL GRADING PLAN & OVERALL SITE PLAN FOR GRADING & SITE INFORMATION.
- POOL FLOW DISCHARGED TO THE SANITARY SEWER WILL BE RESTRICTED TO 50 GALLONS PER MINUTE. A PRIVATELY OWNED FLOW RESTRICTION DEVICE ON THE POOL DRAIN AND BACKWASH LINES IS REQUIRED.
- TRANSFORMER LOCATIONS TO BE APPROVED BY XCEL.

**OFFSITE SANITARY SEWER NOTE:**

- OFFSITE SANITARY SEWER MAIN IMPROVEMENTS ARE BEING TRIGGERED AS A PART OF THIS DEVELOPMENT. DEVELOPER IS RESPONSIBLE FOR OFFSITE IMPROVEMENTS DEEMED NECESSARY AND REASONABLE.



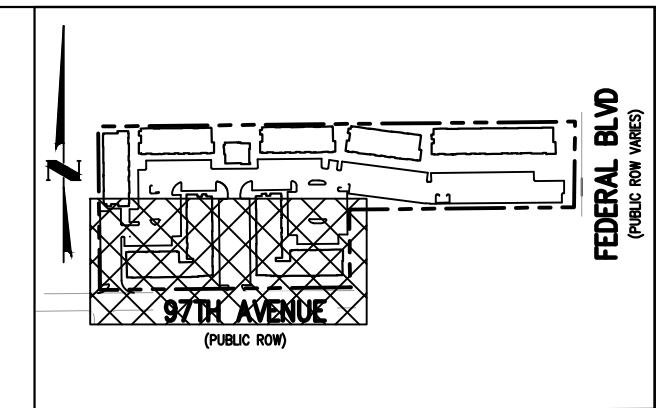
CASE # PLN19-0039

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019

13 OF 37  
 UTILITY PLAN

THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 14 OF 37

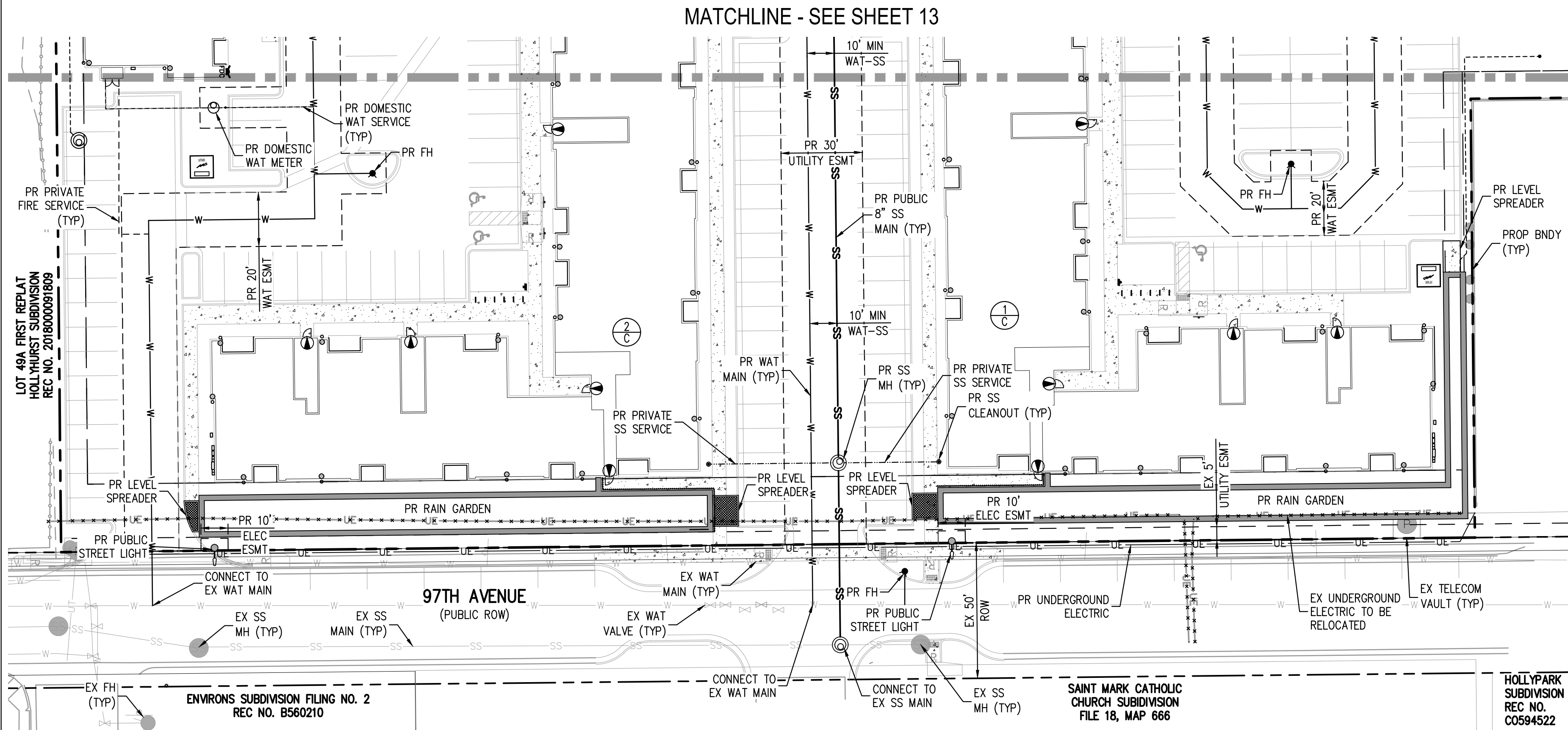


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 1120 Lincoln Street, Suite 1000  
 Denver, Colorado 80203  
 P: 303.623.6300 F: 303.623.6311  
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KEY MAP  
 SCALE: 1" = 400'

DATE: 03/18/2019

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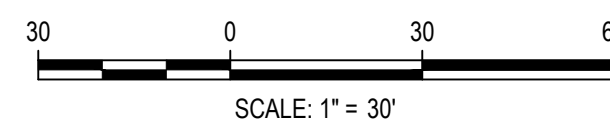


ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

**LEGEND:**

- RIGHT-OF-WAY
- EXISTING WATER MAIN, VALVE AND METER
- EXISTING FIRE HYDRANT
- EXISTING SANITARY SEWER MAIN AND MANHOLE
- EXISTING STORM SEWER MAIN AND MANHOLE
- EXISTING UNDERGROUND ELECTRIC
- EXISTING UNDERGROUND COMMUNICATION
- EXISTING FIBER OPTIC RISER
- EXISTING COMMUNICATION PEDESTAL
- PROPOSED STREET LIGHT

- PROPOSED (PR) SANITARY SEWER MAIN AND MANHOLE
- PROPOSED (PR) UNDERGROUND ELECTRIC
- PROPOSED (PR) FIRE HYDRANT
- PROPOSED (PR) FIRE SERVICE
- PROPOSED (PR) DOMESTIC SERVICE W/METER
- PROPOSED (PR) LANDSCAPE DRAIN W/ MANHOLE
- PROPOSED (PR) SANITARY SEWER SERVICE W/CLEANOUT
- ABANDON UTILITY



**NOTES:**

1. SEE OVERALL GRADING PLAN & OVERALL SITE PLAN FOR GRADING & SITE INFORMATION.
2. POOL FLOW DISCHARGED TO THE SANITARY SEWER WILL BE RESTRICTED TO 50 GALLONS PER MINUTE. A PRIVATELY OWNED FLOW RESTRICTION DEVICE ON THE POOL DRAIN AND BACKWASH LINES IS REQUIRED.
3. TRANSFORMER LOCATIONS TO BE APPROVED BY XCEL.

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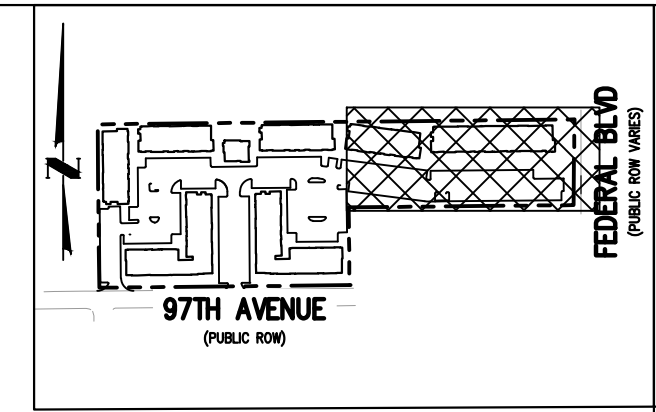
03/18/2019  
 05/20/2019  
 07/26/2019

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14 OF 37  
 UTILITY PLAN



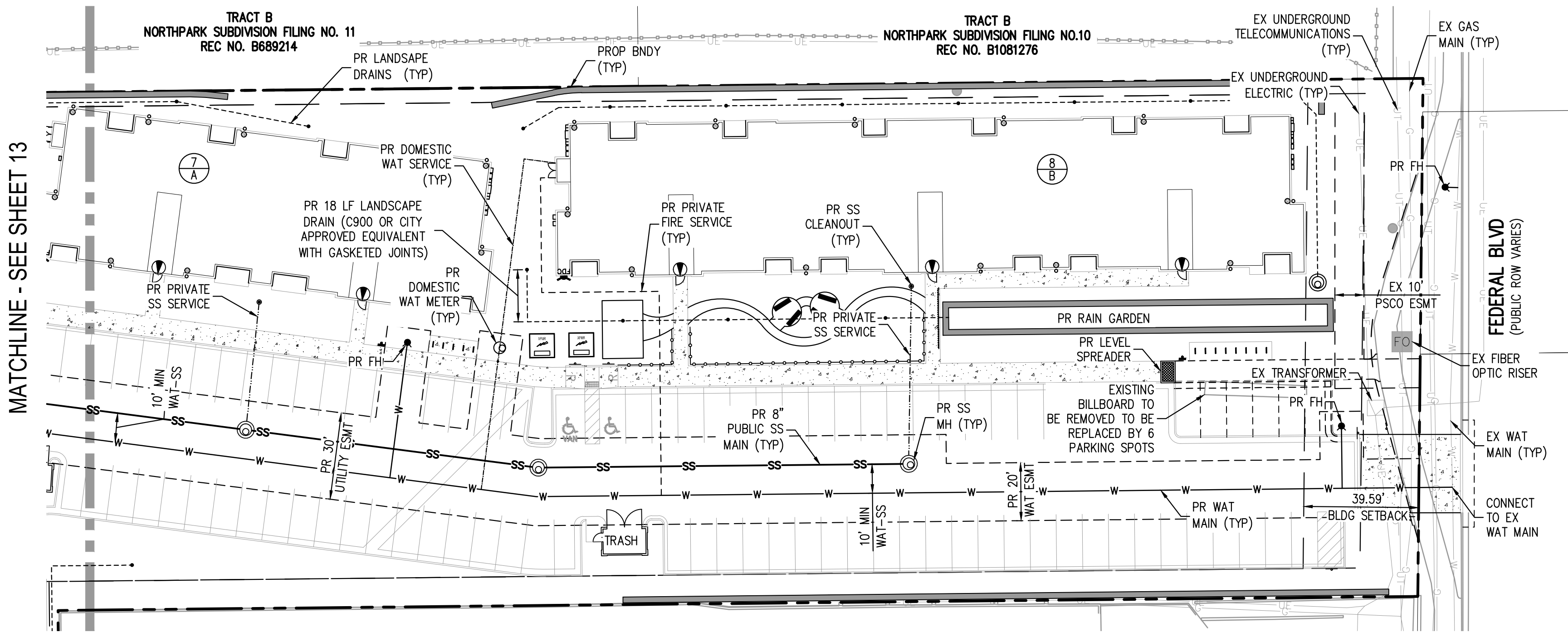
THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 15 OF 37



KEY MAP  
 SCALE: 1" = 400'

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 Denver, Colorado 80203  
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DATE: 03/18/2019



MATCHLINE - SEE SHEET 13

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**LEGEND:**

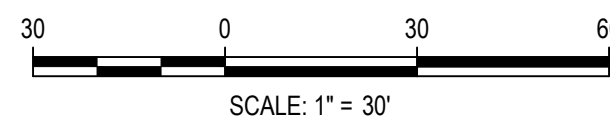
RIGHT-OF-WAY		PROPOSED (PR) SANITARY SEWER MAIN AND MANHOLE	
EXISTING WATER MAIN, VALVE AND METER		PROPOSED (PR) UNDERGROUND ELECTRIC	
EXISTING FIRE HYDRANT		PROPOSED (PR) FIRE HYDRANT	
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EXISTING COMMUNICATION PEDESTAL			

**NOTES:**

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ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
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15 OF 37  
 UTILITY PLAN



DATE: 03/15/2019

**ST MARK VILLAGE**  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/17/2019  
 07/26/2019

16 OF 37  
 LANDSCAPE  
 MASTER PLAN

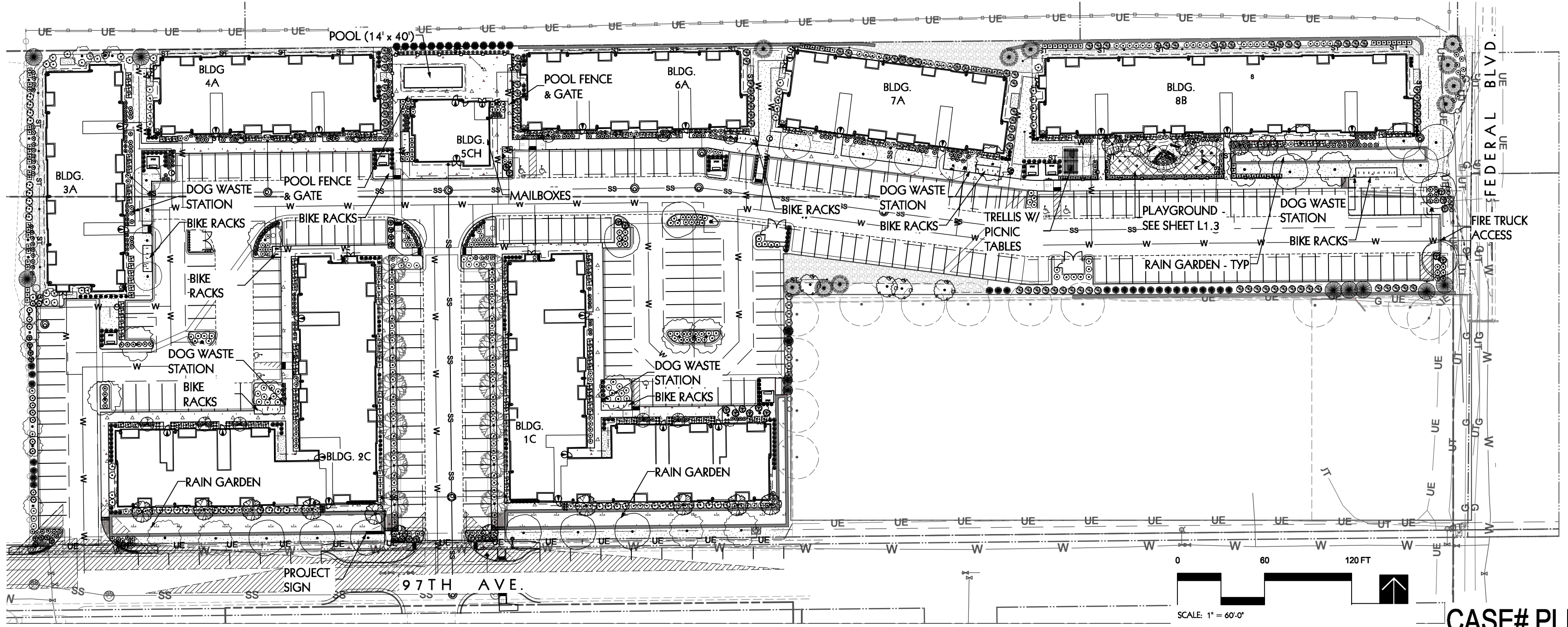
**LEGEND:**

- EXISTING TREE
- SHADE TREES
- ORNAMENTAL TREES
- EVERGREEN TREES
- SHRUBS
- ORNAMENTAL GRASSES
- PERENNIALS
- FESCUE BLEND TURF
- RAIN GARDEN SEED
- CRUSHER FINE PATH
- BIKE RACKS
- PLAYGROUND SURFACE
- ROCK MULCH
- ROLL TOP EDGER

**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 16 OF 37

**LANDSCAPE REQUIREMENTS: 07/31/19**

OVERALL SITE:		
LANDSCAPING	TOTAL SITE: 261,360 SF	
STREET TREE PLANTING:	REQUIRED	PROVIDED/COMMENTS
97TH STREET	1 TREE + 3 SHRUBS / 550 SF OF ROW AREA = 2,745 SF - 5 TREES + 15 SHRUBS	10 TREES PROVIDED IN LIEU OF SHRUBS
FEDERAL BLVD.	1 TREE + 3 SHRUBS / 550 SF OF ROW AREA = 1,837 SF - 3 TREES + 9 SHRUBS	4 TREES + 9 SHRUBS PROVIDED
MINIMUM PLANT SIZES:	REQUIRED	PROVIDED/COMMENTS
	1 TREE + 3 SHRUBS / 550 SF OF LANDSCAPE AREA = 50,329 SF - 92 TREES + 275 SHRUBS	173 TREES + 1315 SHRUBS
DECIDUOUS TREES	2" CAL. (NOT MORE THAN 20% OF EACH SPECIES)	2" CAL. = 33 TREES PROVIDED
DECIDUOUS TREES	3" CAL - 20% OF REQ. # OF DEC. TREES - 18 TREES	3" CAL = 19 TREES PROVIDED (21% or min.req.)
EVERGREEN TREES	6' HT. (MORE THAN 1/3 OF TOTAL AMT. OF TREES) = 57 TREES	6' HT - 65 PROVIDED (35%)
EVERGREEN TREES	8' HT (MUST HAVE 20% OF REQ # OF TREES) - 10 TREES	8' HT - 10 PROVIDED (20%)
ORNAMENTAL TREES	2" CAL - NOT MORE THAN 1/3 OF TOTAL # OF TREES - 61 TREES	46 PROVIDED (30%)
SHRUBS	5 GALLON CONTAINERS	1315 PROVIDED



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**LEGEND:**

	EXISTING TREE	** PERENNIALS	
	SHADE TREES		FESCUE BLEND TURF
	ORNAMENTAL TREES		RAIN GARDEN SEED
	EVERGREEN TREES		CRUSHER FINE PATH
	SHRUBS		BIKE RACKS
	ORNAMENTAL GRASSES		PLAYGROUND SURFACE
			ROCK MULCH
			ROLL TOP EDGER

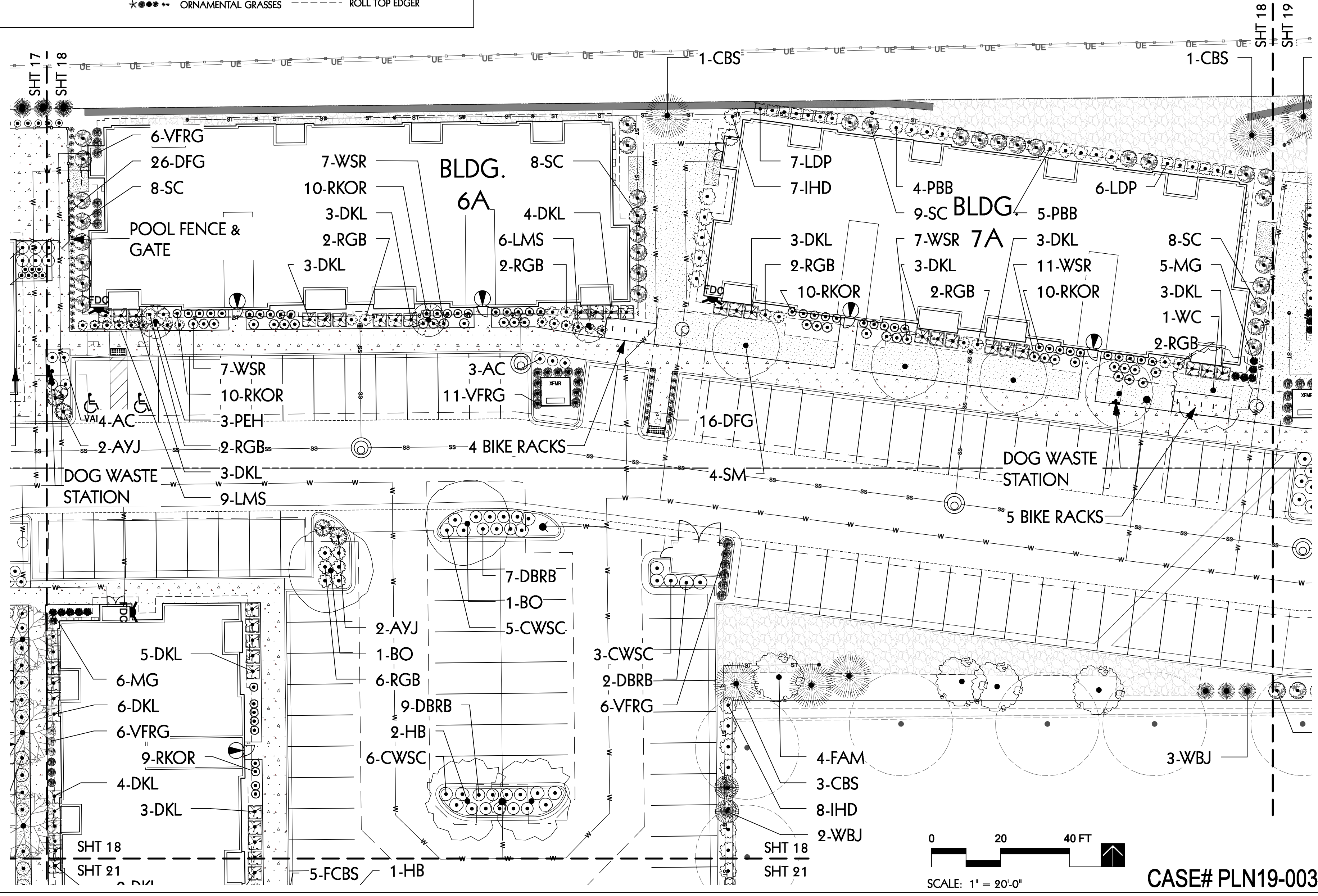
**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT IN THE  
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**SHEET 18 OF 37**

**HKS** HARRIS KOCHER SMITH  
 1120 Lincoln Street, Suite 1000  
 Denver, Colorado 80203  
 P: 303.623.6300 F: 303.623.6311  
 HarrisKocherSmith.com

**outside la**  
 landscape architecture +  
 urban design +  
 planning  
 boulder / steamboat springs, co  
 p. 303.517.9256  
 f. 970.367.5180  
 cola@me.com

DATE: 03/15/2019

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**ST MARK VILLAGE**  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/17/2019  
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18 OF 37  
 LANDSCAPE PLAN  
 - CENTRAL

CASE# PLN19-0039





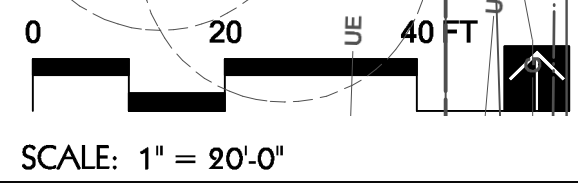
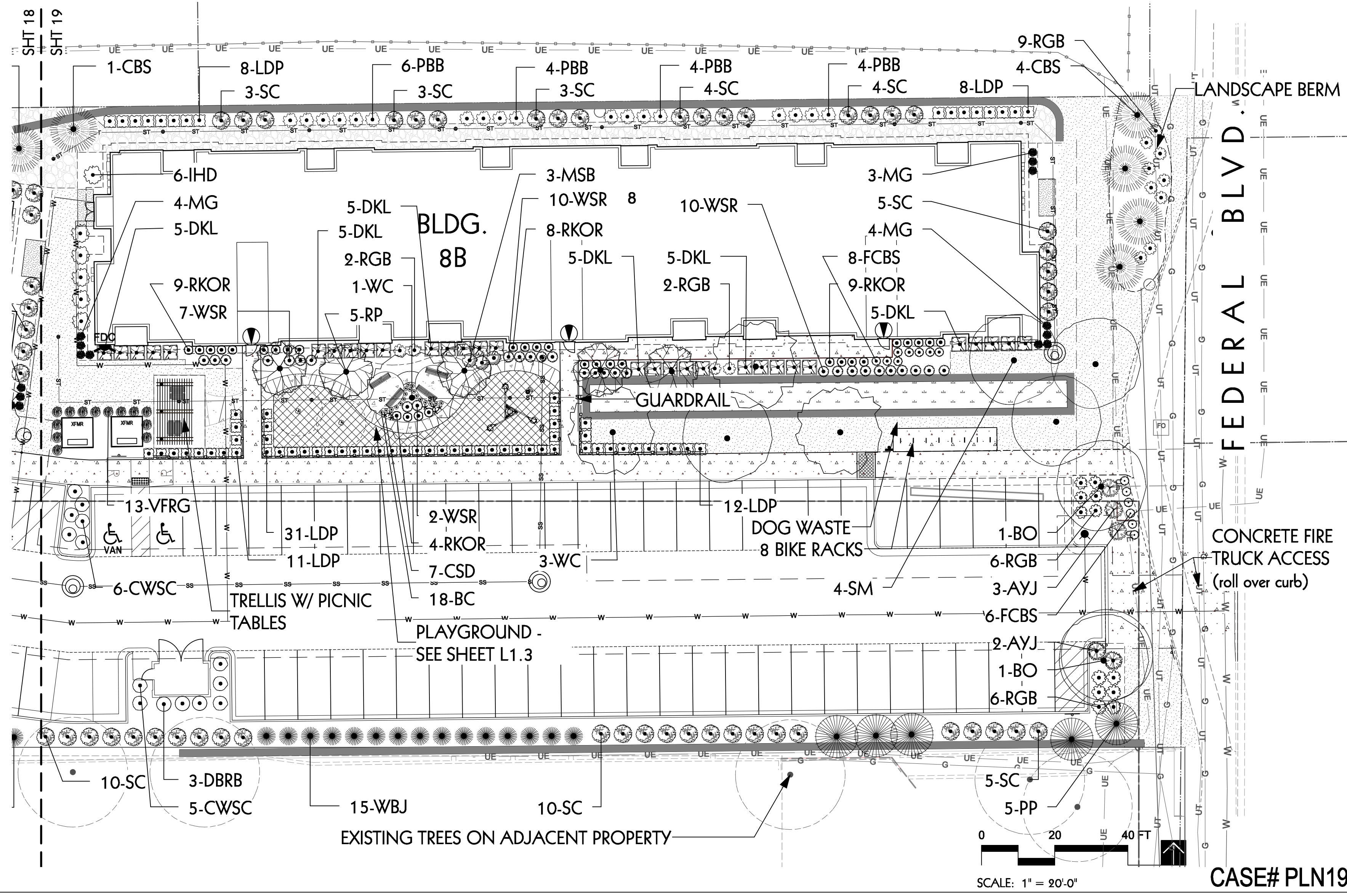
DATE: 03/15/2019

**LEGEND:**

	EXISTING TREE	** PERENNIALS
	SHADE TREES	FESCUE BLEND TURF
	ORNAMENTAL TREES	RAIN GARDEN SEED
	EVERGREEN TREES	CRUSHER FINE PATH
	SHRUBS	BIKE RACKS
	ORNAMENTAL GRASSES	PLAYGROUND SURFACE
		ROCK MULCH
		ROLL TOP EDGER

**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
**SHEET 19 OF 37**

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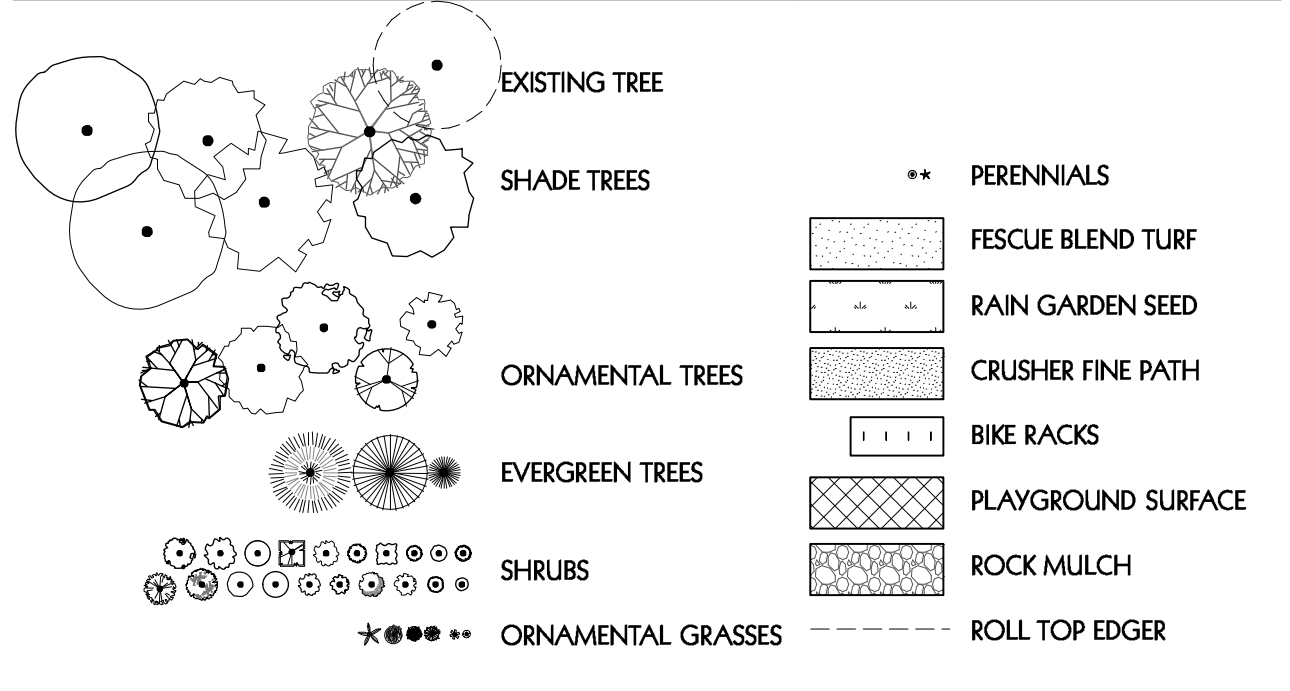
**ST MARK VILLAGE**  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/17/2019  
 07/26/2019

19 OF 37  
 LANDSCAPE PLAN  
 - NORTHEAST

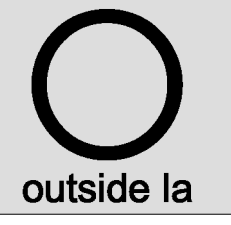


**LEGEND:**



**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
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**SHEET 20 OF 37**

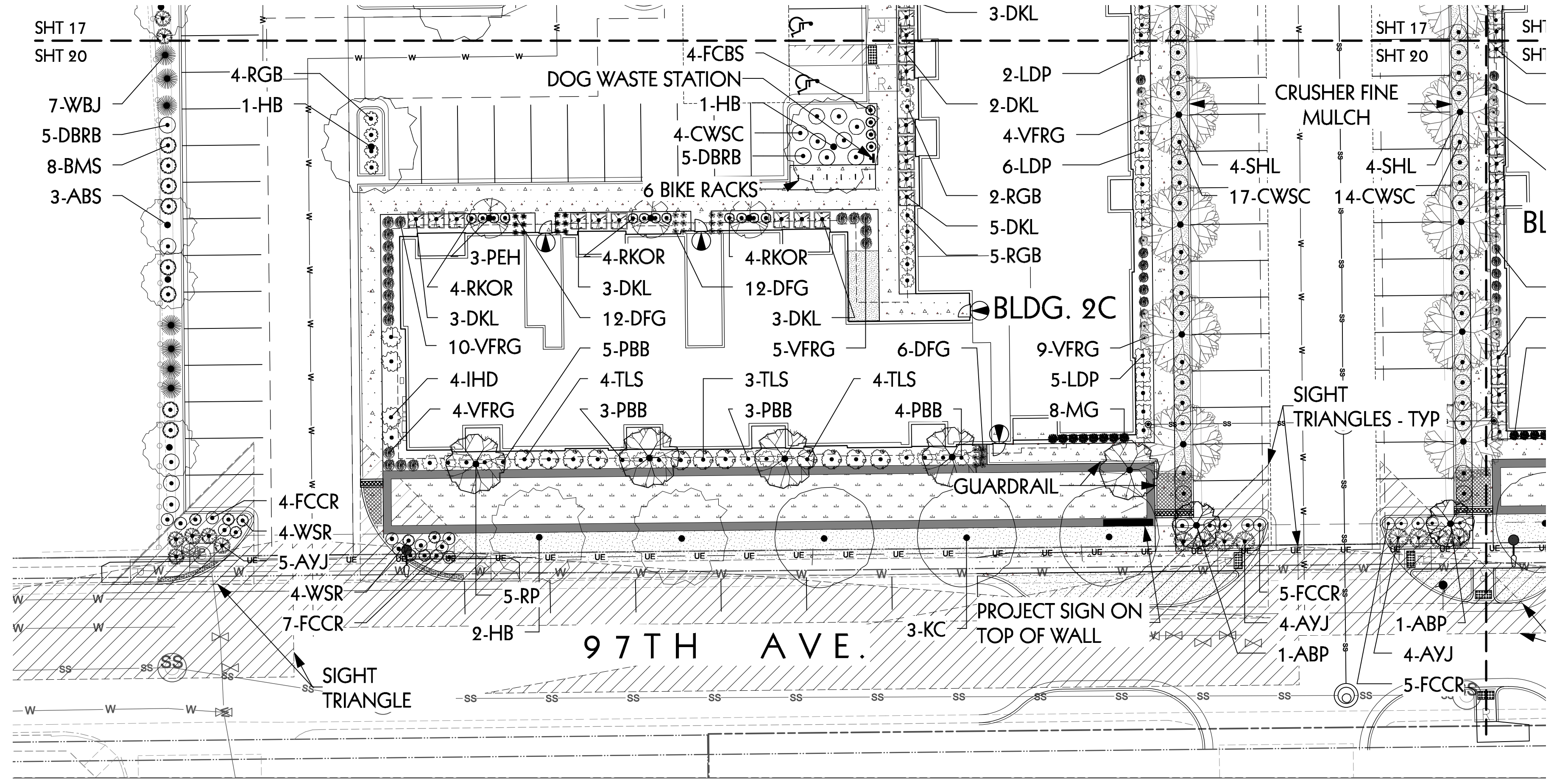
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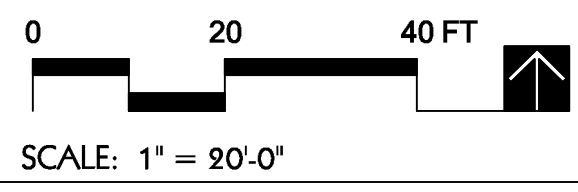
DATE: 03/15/2019

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**ST MARK VILLAGE**  
**OFFICIAL DEVELOPEMENT PLAN**

03/18/2019  
 05/17/2019  
 07/26/2019

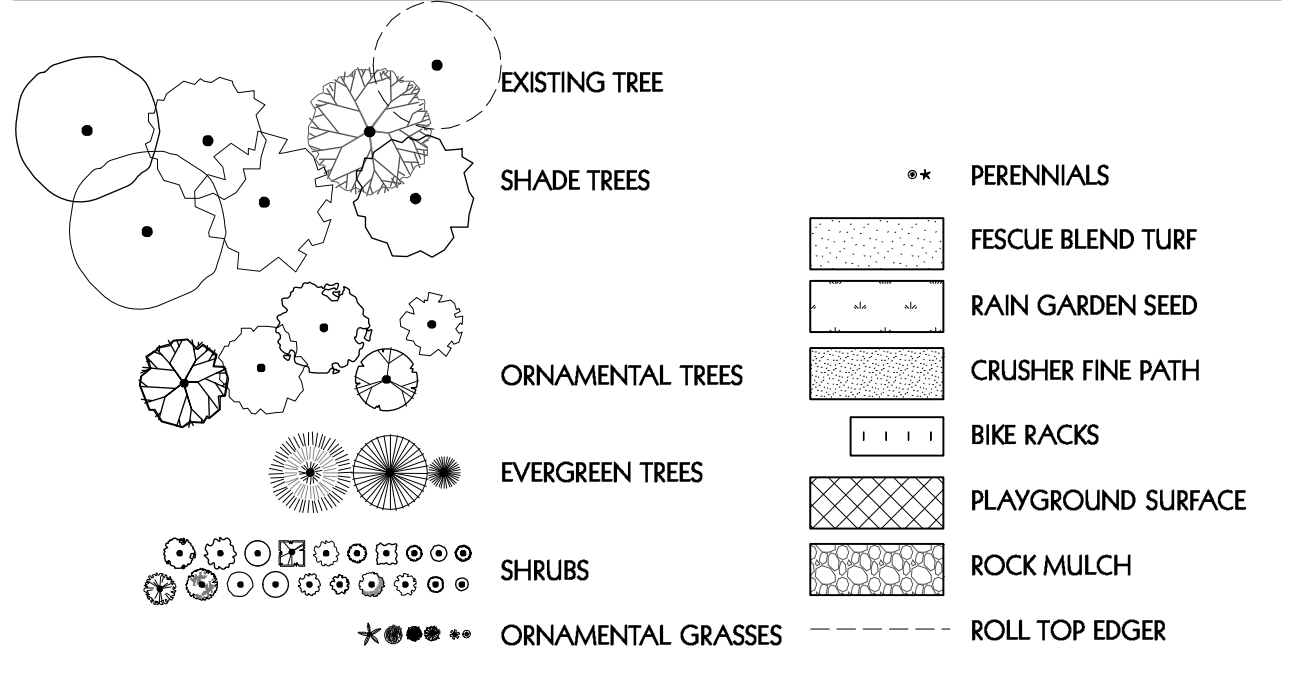


CASE# PLN19-0039

20 OF 37  
 LANDSCAPE PLAN  
 - SOUTHWEST

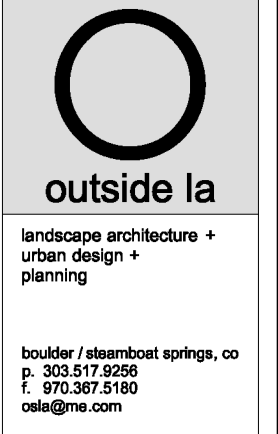


**LEGEND:**



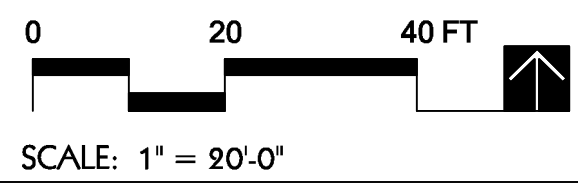
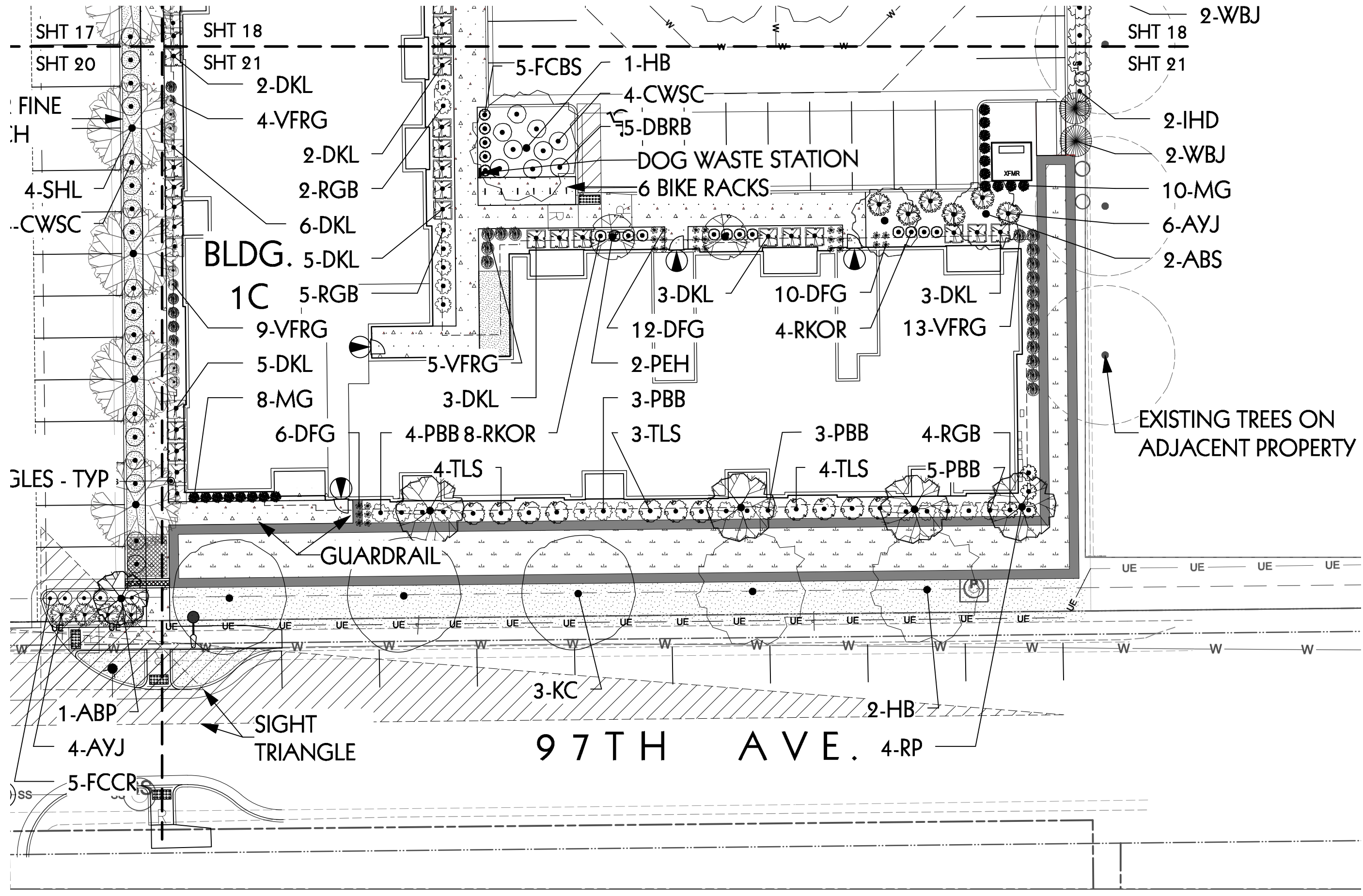
**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 21 OF 37**

**HKS HARRIS KOCHER SMITH**  
 1120 Lincoln Street, Suite 1000  
 Denver, Colorado 80203  
 P: 303.623.6300 F: 303.623.6311  
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DATE: 03/15/2019

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**ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN**

03/18/2019  
 05/17/2019  
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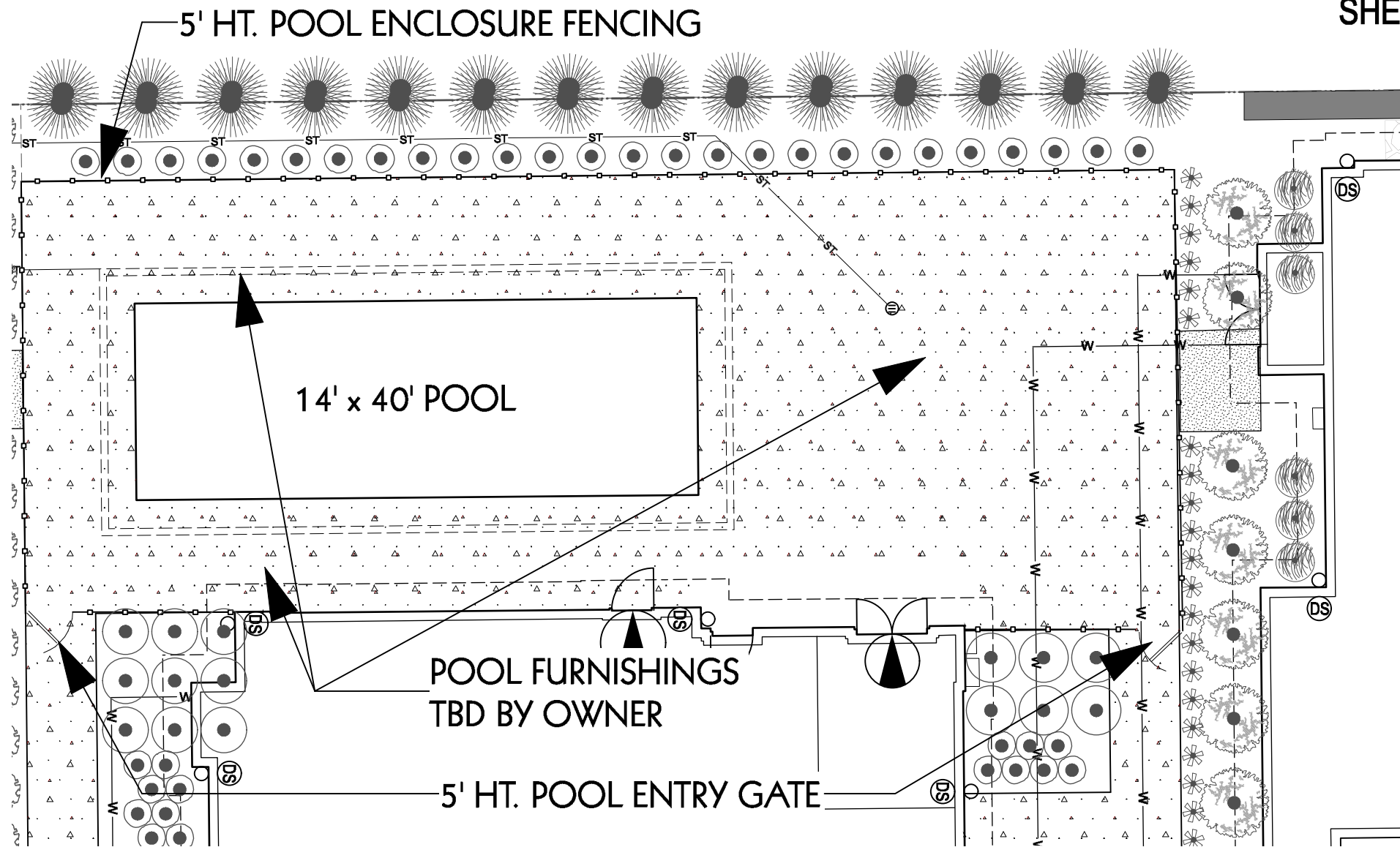
21 OF 37  
 LANDSCAPE PLAN  
 - SOUTHEAST

CASE# PLN19-0039

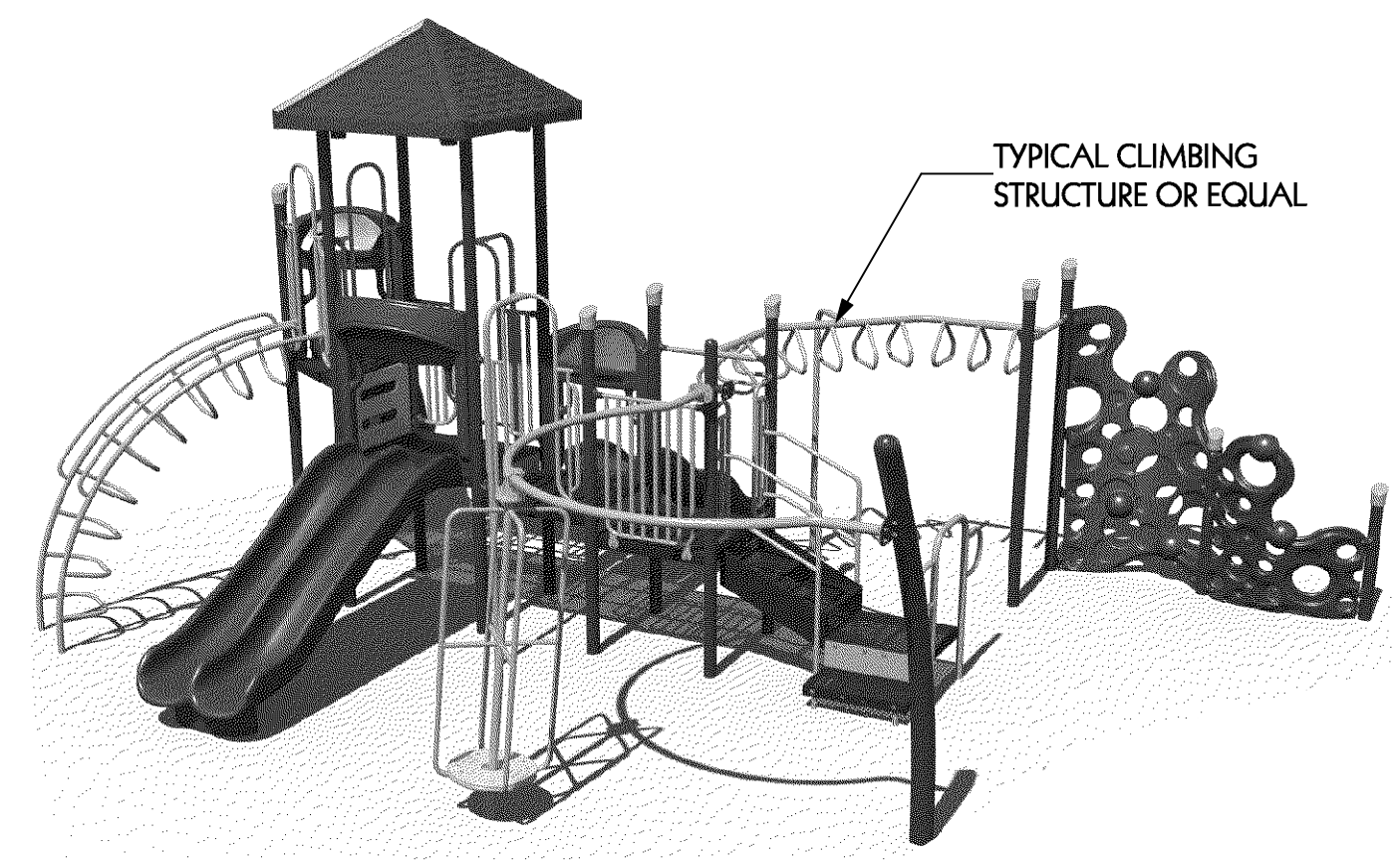


THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
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 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 22 OF 37

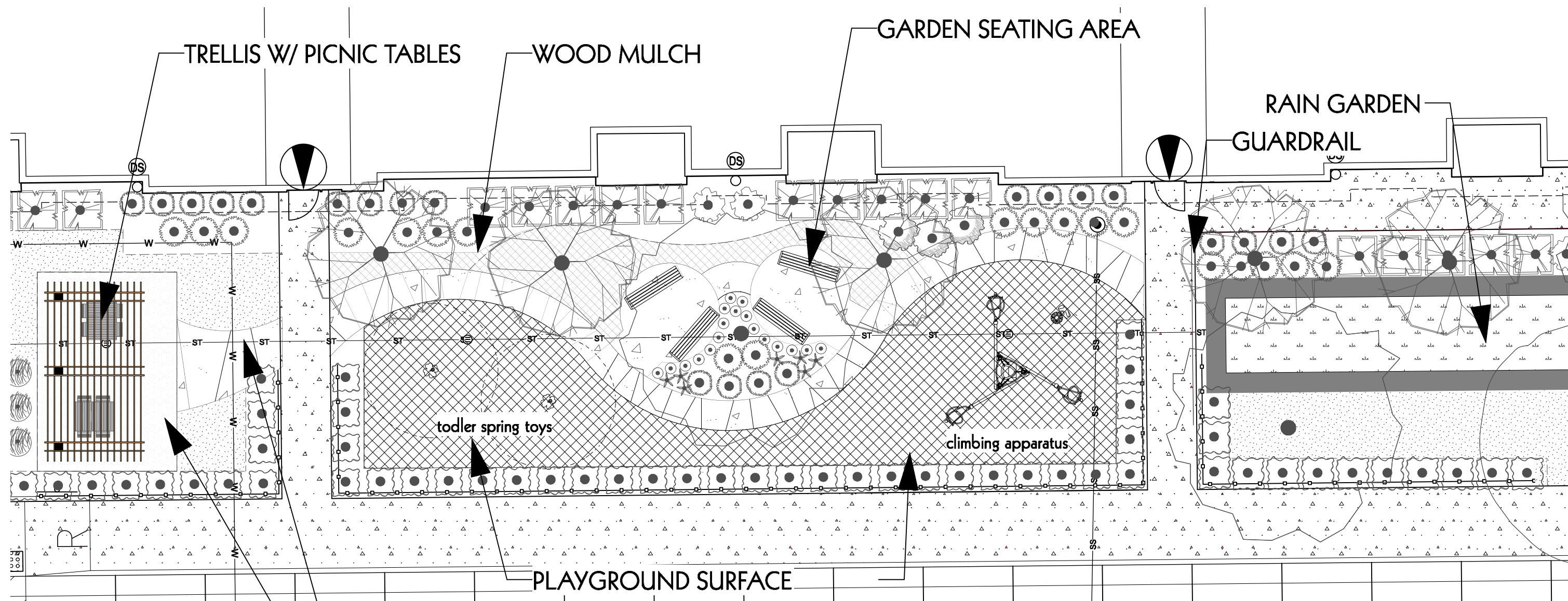
**HKS** HARRIS  
 KOCHER  
 SMITH  
 1120 Lincoln Street, Suite 1000  
 Denver, Colorado 80203  
 P: 303.623.6300 F: 303.623.6311  
 HarrisKocherSmith.com



POOL PATIO AREA  
 SCALE: 1"=10'-0"



PLAYGROUND EQUIPMENT - TYP.  
 SCALE: NTS



PLAYGROUND AREA  
 SCALE: 1"=10'-0"

**outside la**  
 landscape architecture +  
 urban design +  
 planning  
 boulder / steamboat springs, co  
 p. 303.517.9256  
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 ola@me.com

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**ST MARK VILLAGE**  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/17/2019  
 07/26/2019

22 OF 37  
 DETAILED  
 LANDSCAPE PLAN

CASE# PLN19-0039



PLANT LIST: 07/31/19						
SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	SIZE	HT.	WIDTH
<b>SHADE TREES</b>						
BO	8	Quercus macrocarpa	Burr Oak	3" CAL.	50'	40'
HB	11	Celtis occidentalis	Hackberry	3" CAL.	50'	35'
KC	6	Gymnocladus dioica	Kentucky Coffeetree	2.5" CAL.	50'	40'
SHL	14	Gleditsia triacanthos var. inermis 'Shademaster'	Shademaster Honeylocust	2.5" CAL.	40'	30'
SM	8	Acer saccharum 'Green Mountain'	Green Mountain Sugar Maple	2.5" CAL.	40'	20'
WC	5	Catalpa speciosa	Northern Catalpa	2.5" CAL.	40'	30'
TOTAL:	52					

<b>EVERGREEN TREES</b>						
CBS	10	Picea pungens 'Baby Blue Eyes'	Baby Blue Eyes Spruce	8' HT.	25'	10'
PP	8	Pinus edulis	Pinyon Pine	6' HT.	25'	10'
WBJ	57	Juniperus scopulorum 'Wichita Blue'	Wichita Blue Juniper	6' HT.	15'	4'
TOTAL:	75					

<b>ORNAMENTAL TREES</b>						
ABP	2	Pyrus calleryana 'Autumn Blaze'	Autumn Blaze Pear	2" CAL.	25'	20'
ABS	15	Amelanchier x grandiflora 'Autumn Brilliance'	Autumn Brilliance Serviceberry	2" CAL.	20'	15'
FAM	4	Acer ginnala 'Flame'	Flame Amur Maple	2" CAL.	15'	15'
PEH	11	Carpinus betulus 'Fastigiata'	Pyramidal European Hornbeam	2" CAL.	25'	10'
RP	14	Pyrus calleryana 'Redspire'	Redspire Pear	2" CAL.	30'	20'
TOTAL:	46					

<b>SHRUBS</b>						
AC	33	Ribes alpinum	Alpine Currant	5 gallon		
AYJ	36	Juniperus horizontalis 'Youngstown'	Andorra Youngstown Juniper	5 gallon		
BMS	13	Caryopteris x dandonensis 'Dark Knight'	Dark Knight Spirea	5 gallon		
CWSC	100	Prunus besseyi Pawnee Buttes	Creeping Western Sand Cherry	5 gallon		
DBRB	38	Chrysothamnus nauseosus 'nauseosus'	Dwarf Blue Rabbitbrush	5 gallon		
DKL	160	Syringa meyeri 'Palibin'	Dwarf Korean Lilac	5 gallon		
DN	24	Physocarpus opulifolius 'Nanus'	Dwarf Ninebark	5 gallon		
EGE	26	Euonymus fortunei 'Emerald Gaiety'	Emerald Gaiety Wintercreeper	5 gallon		
FCBS	62	Caryopteris x dandonensis 'First Choice'	First Choice Blue Spirea	5 gallon		
FCCR	21	Rosa Flower Carpet Coral	Flower Carpet Coral Rose	5 gallon		
IHD	47	Cornus alba 'Bailhali'	Ivory Halo Dogwood	5 gallon		
LDP	128	Ligustrum vulgare 'Lodense'	Lodense Privet	5 gallon		
LMS	62	Spiraea x bumalda 'Monhub'	Limemound <sup>®</sup> Spirea	5 gallon		
MSB	3	Symphoricarpos x doorenbosii 'Marlene'	Marlene Snowberry	5 gallon		
MW/W	21	Weigela florida 'Elvera'	Midnight Wine Weigela	5 gallon		
PBB	62	Buddleja davidii nanhoensis 'Petite Plum'	Compact Purple Butterfly Bush	5 gallon		
RGB	79	Berberis thunbergii 'Rose Glow'	Rose Glow Japanese Barberry	5 gallon		
RKOR	152	Rosa x 'Radcor'	Rainbow Knock Out Rose	5 gallon		
SC	89	Cotoneaster divaricatus	Spreading Cotoneaster	5 gallon		
TLS	31	Rhus trilobata	Three-Leaf Sumac	5 gallon		
WSR	101	Rosa Meidiland White	White Meidiland Landscape Rose	5 gallon		
TOTAL:	1315					

<b>ORNAMENTAL GRASSES</b>						
DFG	100	Pennisetum alopecuroides 'Hamel'	Dwarf Fountain Grass	1 gallon		
FRG	11	Calamagrostis x acutiflora 'Karl Foerster'	Foerster Feather Reed Grass	1 gallon		
MG	69	Miscanthus sinensis 'Morning Light'	Morning Light Maiden Grass	1 gallon		
VFRG	151	Calamagrostis x acutiflora 'Overdam'	Overdam Feather Reed Grass	1 gallon		
TOTAL:	328					

<b>PERENNIALS</b>						
BC	18	Geranium x cantabrigiense 'Blokovo'	Blokovo Cranesbill	1 gallon		
CSD	7	Leucanthemum x superbum 'Silver Princess'	Compact Shasta Daisy	1 gallon		
TOTAL:	25					

**SOIL AMENDMENT REQUIREMENTS: 07/31/19**

AREA:	QUANTITY (SF)	5 CY/ 1000 SF	1 CY/ 1000 SF	TOTAL CY
FESCUE BLEND SOD	12,024	1,202 x 5		60.1
RAIN GARDEN SEED	6,711		671 x 1	6.7
LOW SHRUB BEDS	31,594		3,159 x 1	31.6
<b>TOTAL AMOUNT:</b>	<b>50,329.00</b>			<b>98.4</b>

NOTE: APPLY BIOSOL MIX 7-2-3 OR APPROVED EQUAL AT THE RATE OF 25 LBS./1000 SF MIXED WITH MENEFFEE GRANULAR HUMATE OR APPROVED EQUAL AT THE RATE OF 5 LBS./1000 A.F. TO SEED MIX AREAS.

**URBAN DRAINAGE NATIVE SEED MIX FOR RAIN GARDENS**

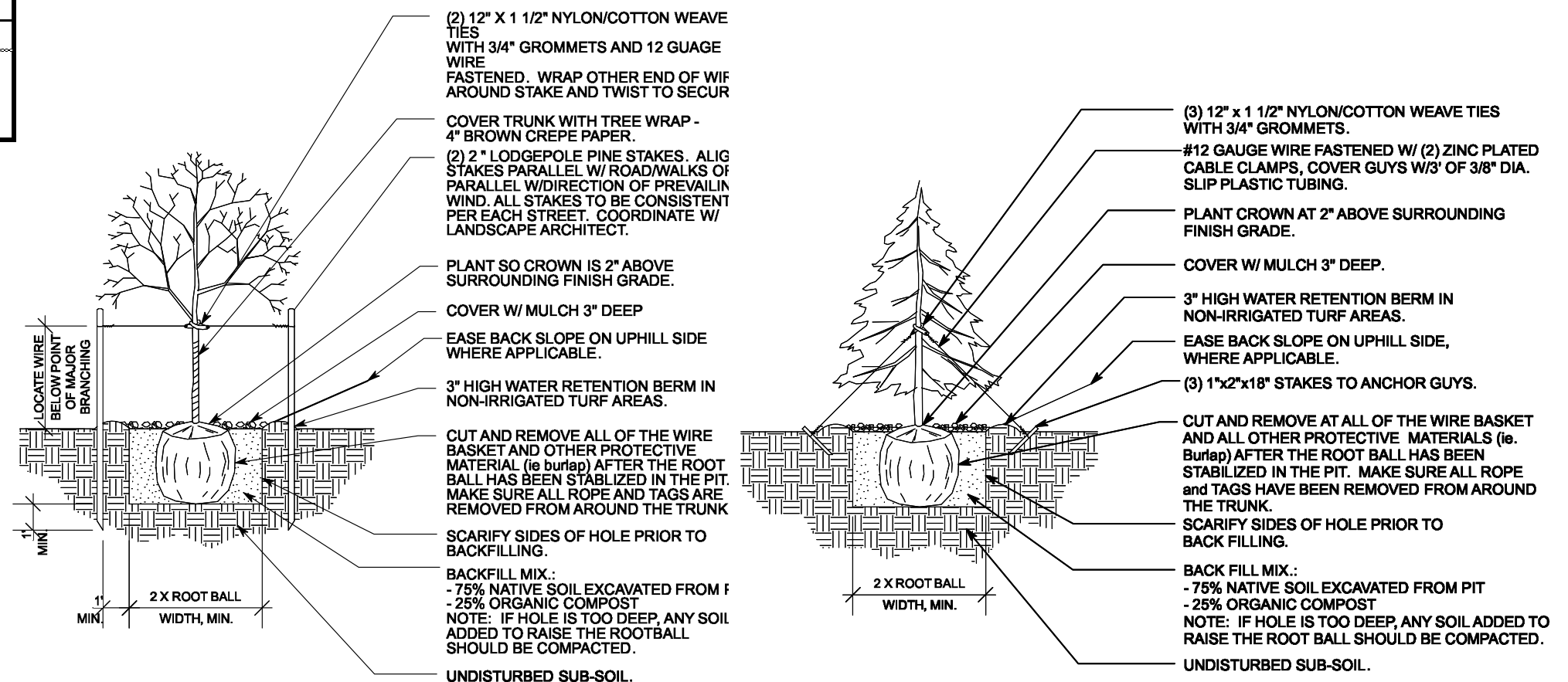
COMMON NAME	SCIENTIFIC NAME	VARIETY	PLS lbs per Acre	Ounced per Acre	Percent of Mix
Sand bluestem	Andropogon hallii	Garden	3.0		6
Sideoats grama	Bouteloua curtipendula	Butte	3.0		6
Prairie sandreed	Calamovilfa longifolia	Goshen	3.0		6
Indian ricegrass	Oryzopsis hymenoides	Paloma	3.0		6
Switchgrass	Panicum virgatum	Blackwell	4.0		8
Western wheatgrass	Pascopyrum smithii	Ariba	3.0		6
Little bluestem	Schizachyrium scoparium	Patura	3.0		6
Alkali sacaton	Sporobolus airoides		3.0		6
Sand dropseed	Sporobolus cryptandrus		3.0		6
Pasture sage	Artemisia frigida			2	4
Blue aster	Aster laevis			4	8
Blanket flower	Gaillardia aristata			6	12
Prairie coneflower	Ratibida columnifera			7	14
Purple prairieclover (opt)	Dalea (Petalostemon) purpurea			3	6
Sub-Totals:			27.0	22	100
Total lbs per acre:				28.9	

\* PLS = Pure Live Seed

**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
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**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COL9RADO  
 SHEET 23 OF 37

**GENERAL NOTES:**

- ALL LANDSCAPING SHALL BE IN CONFORMANCE WITH LANDSCAPE REGULATIONS, 2004 EDITION AND ORDINANCE NO. 3133, SERIES OF 2004.
- THE TOTAL WATER BUDGET SHALL NOT EXCEED 15 GALLONS/SQUARE FEET/IRRIGATION SEASON (YEAR), UNLESS APPROVED OTHERWISE BY THE CITY.
- LANDSCAPING SHALL BE PLANTED AND MAINTAINED IN A LIVING CONDITION BY THE OWNER. ALL LANDSCAPE IMPROVEMENTS/MATERIALS MUST HAVE A 100% ONGOING SURVIVAL RATE. ANY DEAD OR DAMAGED PLANT MATERIALS, (AS DETERMINED BY THE CITY), SHALL BE REPLACED WITHIN 6 MONTHS OF NOTIFICATION BY THE CITY. ALL LANDSCAPE IMPROVEMENTS/MATERIALS MUST BE MAINTAINED AS REQUIRED BY THE LANDSCAPE REGULATIONS AND THIS OFFICIAL DEVELOPMENT PLAN.
- SOIL PREPARATION FOR ALL NON-HARDSCAPE AREAS SHALL INCLUDE TOPSOIL AND/OR ORGANIC MATTER (COMPOST OR AGED GROUND MANURE) AND SHALL BE ADDED AT A RATE OF FIVE CUBIC YARDS PER ONE THOUSAND SQUARE FEET AND TILLED 8" DEPTH INTO THE SOIL. AN INSPECTION AND AFFIDAVIT REGARDING SOIL PREPARATION WILL BE REQUIRED.
- ALL SINGLE FAMILY LOTS ARE REQUIRED TO HAVE SOIL AMENDMENT INSTALLED BY THE DEVELOPER IN ALL YARD AREAS NOT COVERED BY HARDSCAPE.
- AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM IS REQUIRED FOR ALL LANDSCAPE AREAS. AN IRRIGATION AUDIT WILL BE REQUIRED FOR ALL IRRIGATION SYSTEMS, EXCEPTING THOSE INSTALLED BY THE SINGLE FAMILY DETACHED HOMEOWNER.
- IRRIGATION SYSTEMS SHALL BE MAINTAINED AND PERIODICALLY ADJUSTED TO ASSURE WATERING EFFICIENCY AND CONSERVATION METHODS. IRRIGATION SHOULD NOT OCCUR BETWEEN THE HOURS OF 10 AM AND 6 PM IN ORDER TO REDUCE EVAPORATION. EXCESSIVE WATER RUN OFF, AS DETERMINED BY THE CITY, IS NOT PERMITTED.
- NO TREE WILL BE PLANTED WITHIN 5' OF A FIRE HYDRANT.
- ALL SHRUB BED AREAS SHALL BE SEPARATED FROM SOD AREAS BY ROLL TOP EDGING MATERIAL. MULCH SHALL BE PLACED OVER A SUITABLE WEED BARRIER FABRIC.
- FINAL LANDSCAPING AND IRRIGATION DRAWINGS AND PRIVATE IMPROVEMENTS AGREEMENT SHALL BE SUBMITTED TO THE CITY OF WESTMINSTER FOR REVIEW AND APPROVAL PRIOR TO APPROVAL OF FINAL PLAT.
- DEVELOPER SHALL ENSURE THAT THE LANDSCAPE PLAN IS COORDINATED WITH THE PLANS PREPARED BY OTHER CONSULTANTS SO THE PROPOSED GRADING, STORM DRAINAGE, OR OTHER CONSTRUCTION DOES NOT CONFLICT WITH NOR PRECLUDE INSTALLATION AND MAINTENANCE OF LANDSCAPE ELEMENTS AS DESIGNATED ON THIS PLAN.
- LANDSCAPE AND OTHER FEATURES INSTALLED WITHIN PUBLIC ROW SHALL BE IN COMPLIANCE WITH THE ADOPTED CITY DESIGN. AN ENCROACHMENT PERMIT MAY BE REQUIRED.
- THE OWNER/DEVELOPER, THEIR SUCCESSORS AND ASSIGNS, AGREE TO PERFORM THE FOLLOWING CONDITIONS.
  - THE OWNER/DEVELOPER IS RESPONSIBLE FOR DESIGNING, BUILDING, OPERATING AND MAINTAINING THE RECLAIMED FACILITIES AT THE SITE IN COMPLIANCE WITH THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT'S RECLAIMED WATER CONTROL REGULATION NO. 84, THE CITY OF WESTMINSTER'S CITY CODE SECTION 8 CHAPTER 12 RECLAIMED/NON-POTABLE WATER REGULATIONS, AND THE CITY OF WESTMINSTER'S RECLAIMED WATER DESIGN SPECIFICATIONS.
  - THE OWNER/DEVELOPER MUST SUBMIT TWO SIGNED COPIES OF THE "RECLAIMED WATER USERS AGREEMENT" AND THE "USER PLAN TO COMPLY" TO THE CITY OF WESTMINSTER. CITY STAFF WILL REVIEW THE "USERS PLAN TO COMPLY" AND SUBMIT IT TO THE COLORADO DEPARTMENT OF HEALTH AND ENVIRONMENT FOR APPROVAL. ONCE THE PLAN IS APPROVED A "NOTICE OF AUTHORIZATION FOR THE USE OF RECLAIMED WATER" WILL BE ISSUED BY COLORADO DEPARTMENT OF HEALTH AND ENVIRONMENT. THE "NOTICE OF AUTHORIZATION" AND RECLAIMED WATER USERS AGREEMENT MUST BE RECEIVED BY THE CITY PRIOR TO CONNECTING TO RECLAIMED WATER SYSTEM.
  - APPROVED SIGNS SHALL BE POSTED ON THE SITE TO NOTIFY THE PUBLIC THAT RECLAIMED WATER WILL BE USED FOR IRRIGATION AND IS NOT SAFE TO DRINK. APPROVED SIGNS ARE AVAILABLE THROUGH THE DEPARTMENT OF PUBLIC WORKS AND UTILITIES.
  - ALL PIPING INCLUDING PRIVATE IRRIGATION SYSTEM PIPING SHALL BE PURPLE (PANTONE PURPLE 522C) TO DIFFERENTIATE RECLAIMED WATER PIPING FROM POTABLE WATER OR OTHER PIPING SYSTEMS. ALL IRRIGATION BOXES AND COVERS, CONTROL VALVES, SPRINKLER HEADS AND OTHER APPURTENANCES ASSOCIATED WITH THE RECLAIMED WATER SYSTEM SHALL BE PURPLE AND LABELED "RECLAIMED" OR "NON-POTABLE" WATER. RECLAIMED METERS SHALL BE PURPLE, HAVE PURPLE REGISTERS AND BE STAMPED "RECLAIM" ON THE MAIN CASE.
  - RECLAIMED WATER HAS A HIGHER LEVEL OF DISSOLVED SOLIDS THAN POTABLE WATER. PLANTS TOLERANT OF HIGH SALINITY SHOULD BE SELECTED FOR USE IN AREAS IRRIGATED WITH, OR THAT MAY POTENTIALLY BE SUPPLIED WITH RECLAIMED WATER. IF PLANT MATERIALS WITH LOWER TOLERANCE ARE USED, THE DEVELOPER SHALL TAKE THOSE STEPS NECESSARY TO PREVENT SALT BUILD-UP IN THE SOIL SURROUND THESE PLANTS. PLANTING LOCATION FOR SALT SENSITIVE SPECIES SHOULD HAVE GOOD DRAINAGE AND SOIL PERCOLATION.

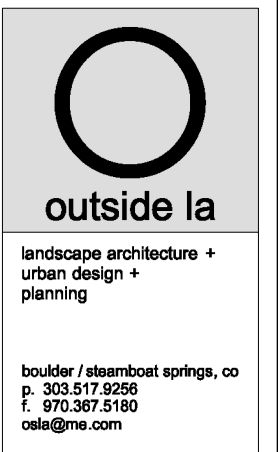


**DECIDUOUS TREE PLANTING & STAKING**  
SCALE: NTS

**EVERGREEN TREE PLANTING & STAKING**  
SCALE: NTS

CASE# PLN19-0039

**HKS HARRIS KOCHER SMITH**  
 1120 Lincoln Street, Suite 1000  
 Denver, Colorado 80203  
 P: 303.623.6300 F: 303.623.6311  
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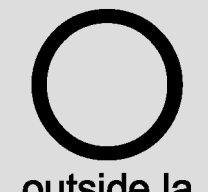
**ST MARK VILLAGE**  
**OFFICIAL DEVELOPEMENT PLAN**

03/18/2019  
 05/17/2019  
 07/26/2019

23 OF 37  
 LANDSCAPE  
 NOTES & DETAILS

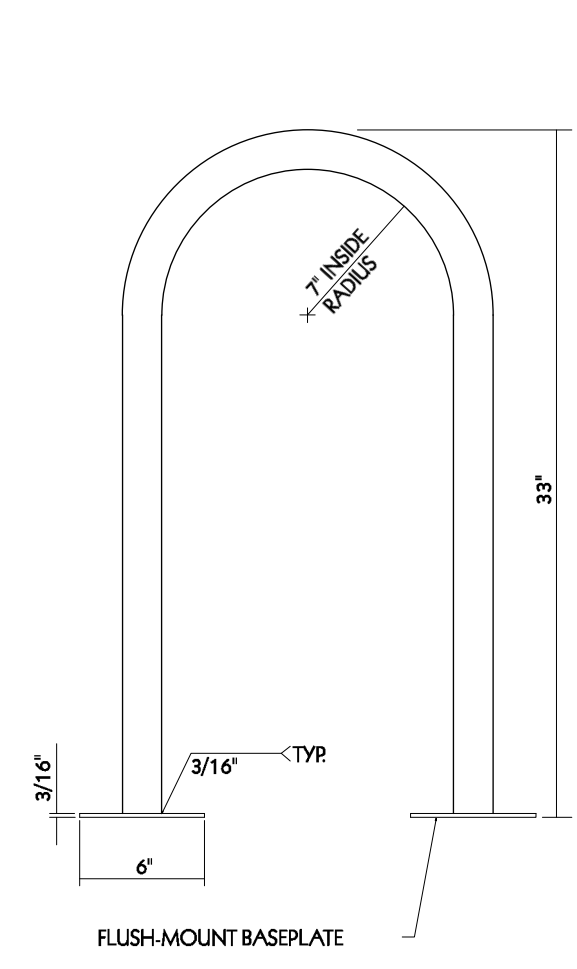
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 1120 Lincoln Street, Suite 1000  
 Denver, Colorado 80203  
 P: 303.623.6300 F: 303.623.6311  
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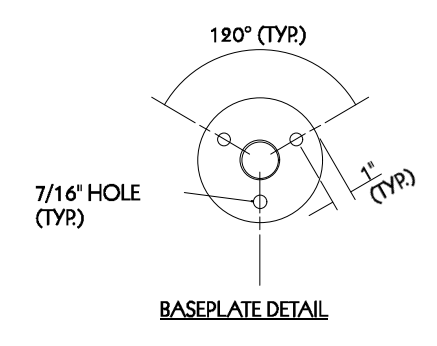


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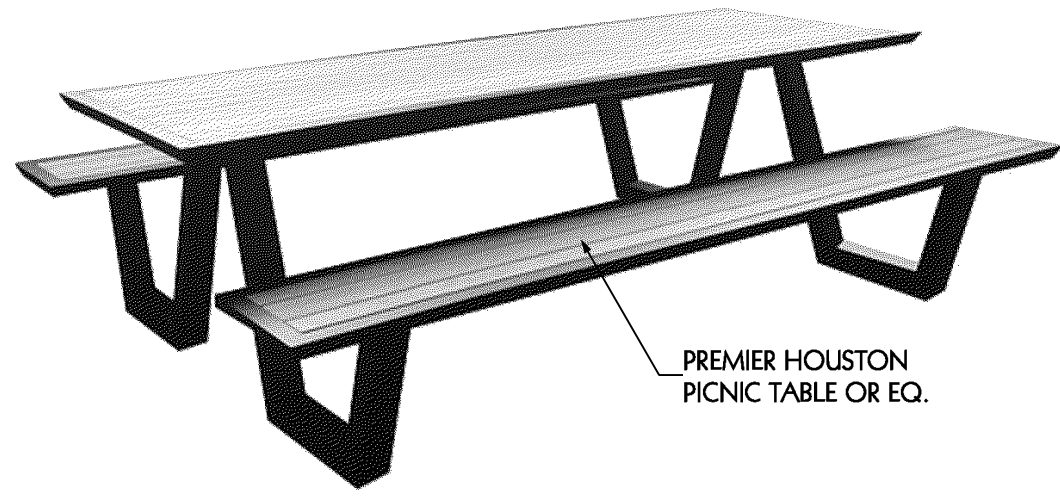
DATE: 03/15/2019



- NOTES:  
 DIMENSIONS:  
 1. HEIGHT-33" FROM THE GROUND  
 2. CONTINUOUS BEND INSIDE RADIUS=7"  
 MATERIALS AND CONSTRUCTION:  
 1. MINIMUM OR 1 1/4" SCHEDULE 40 STEEL PIPE (1 5/8" OUTSIDE DIAMETER)  
 2. MAXIMUM 1 1/8" SCHEDULE 40 STEEL PIPE (2" OUTSIDE DIAMETER)  
 3. SOLID ONE-PIECE CONSTRUCTION, CONTINUOUS BEND, LEGS 14"-18" APART  
 4. GALVANIZED WITH BLACK POWDER COAT FINISH  
 5. FLUSH MOUNTED WITH WELDED BASE PLATES (6" DIAMETER, 3/16" THICK BASE PLATE). HIDDEN OR VANDAL-RESISTANT FASTENERS (SCREWS OR EXPANSION BOLTS)



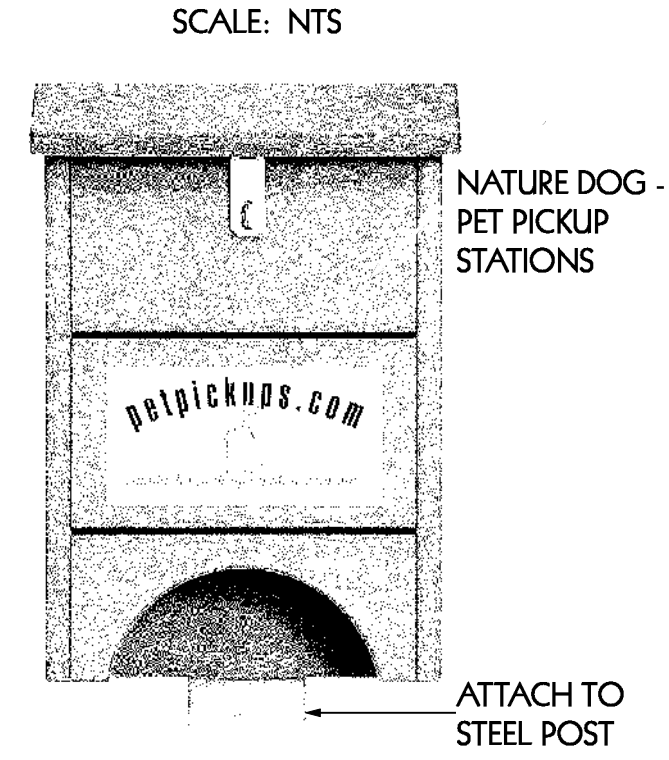
INVERTED-U BIKE RACKS  
 SCALE: NTS



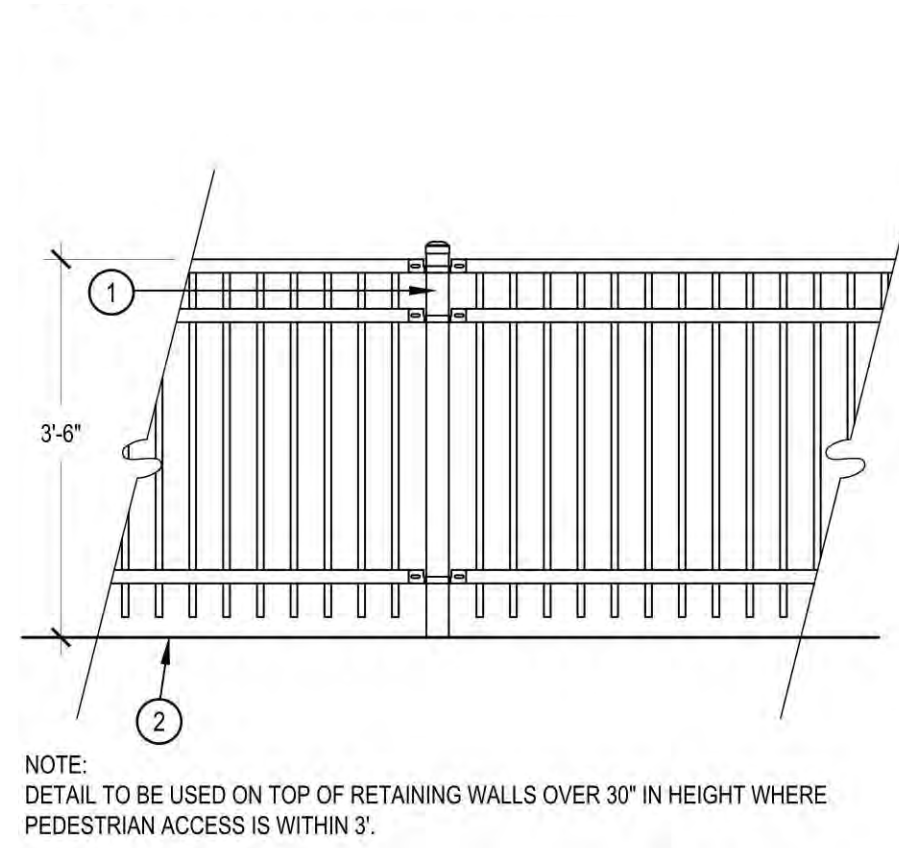
PICNIC TABLE - TYP.  
 SCALE: NTS



BENCH - TYP.  
 SCALE: NTS



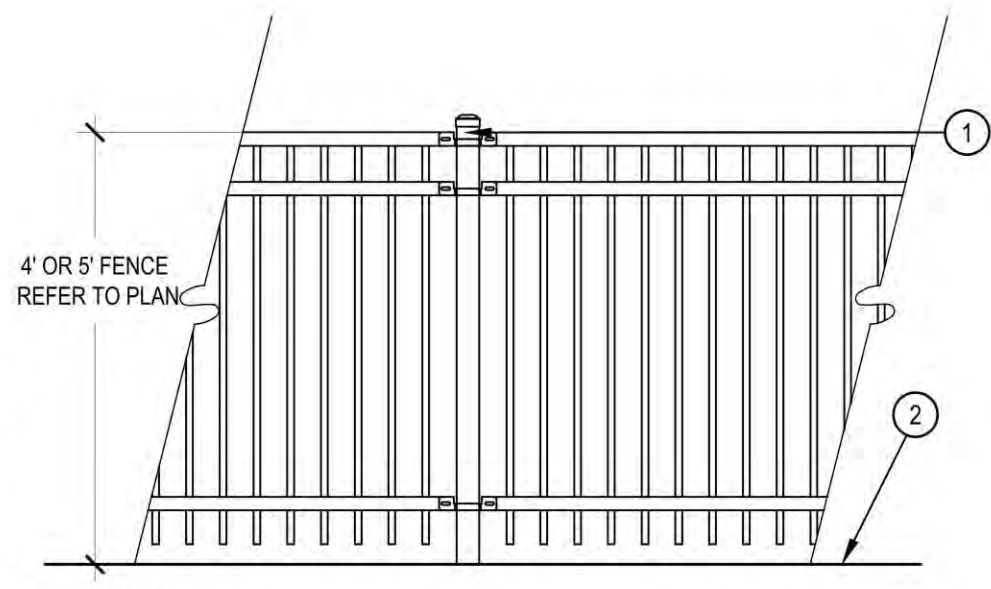
PET WASTE STATIONS



NOTE:  
 DETAIL TO BE USED ON TOP OF RETAINING WALLS OVER 30" IN HEIGHT WHERE PEDESTRIAN ACCESS IS WITHIN 3'.

ORNAMENTAL FENCING / GUARDRAIL @ RAINGARDENS  
 SCALE: NTS

- NOTES:  
 1. THIS DETAIL IS PROVIDED TO CONVEY FINISH AND RELATIVE DEMENSIONS ONLY. REFER TO ENGINEERS PLANS FOR MOUNTING DETAILS AND STRUCTURAL ELEMENTS ASSOCIATED WITH THE RAILING.  
 2. ALL PENETRATIONS INTO THE SLAB MUST BE COORDINATED WITH THE ENGINEER AND ARCHITECT AND MUST BE PROPERLY SEALED.  
 3. ALL WATERPROOFING PENETRATIONS TO BE DETAILED BY OTHER  
 4. CONTRACTOR TO SUPPLY SHOP DRAWINGS AND VERIFY ALL MEASUREMENTS PRIOR TO FABRICATION.  
 5. FENCE SHALL BE BY AMERISTAR FENCE OR APPROVED EQUAL, CONTACT: AARON COPE 918-879-5884  
 acope@ameristarfence.com www.ameristarfence.com  
 6. FENCE STYLE FOR POOL ENCLOSURE SHALL BE: MONTAGE PLUS (POOL, PET, PLAY FENCING) MAGESTIC - 3 RAIL, NO FLUSH BOTTOM  
 7. FENCE STYLE FOR ALL OTHER LOCATIONS SHALL BE: MONTAGE PLUS (STANDARD 4" PICKET SPACING) MAGESTIC - 3 RAIL, NO FLUSH BOTTOM  
 8. COLOR: BLACK



NOTE:  
 FENCE IS TO BE 5' IN HEIGHT IN AREAS AROUND POOL DECK.

ORNAMENTAL FENCING @ POOL  
 SCALE: NTS

- NOTES:  
 1. FENCE SHALL BE BY AMERISTAR FENCE OR APPROVED EQUAL, CONTACT: AMERISTAR FENCE 918-879-5884  
 www.ameristarfence.com  
 2. FENCE STYLE SHALL BE: MONTAGE PLUS (STANDARD 4" PICKET SPACING) MAGESTIC - 3 RAIL, NO FLUSH BOTTOM  
 4. COLOR: BLACK

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

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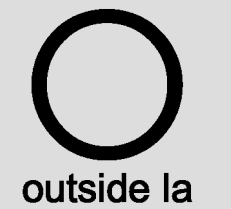
24 OF 37  
 DETAILS

CASE# PLN19-0039



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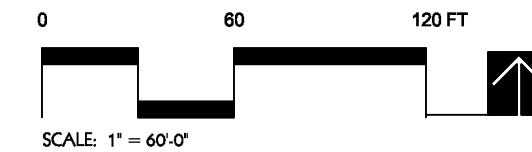
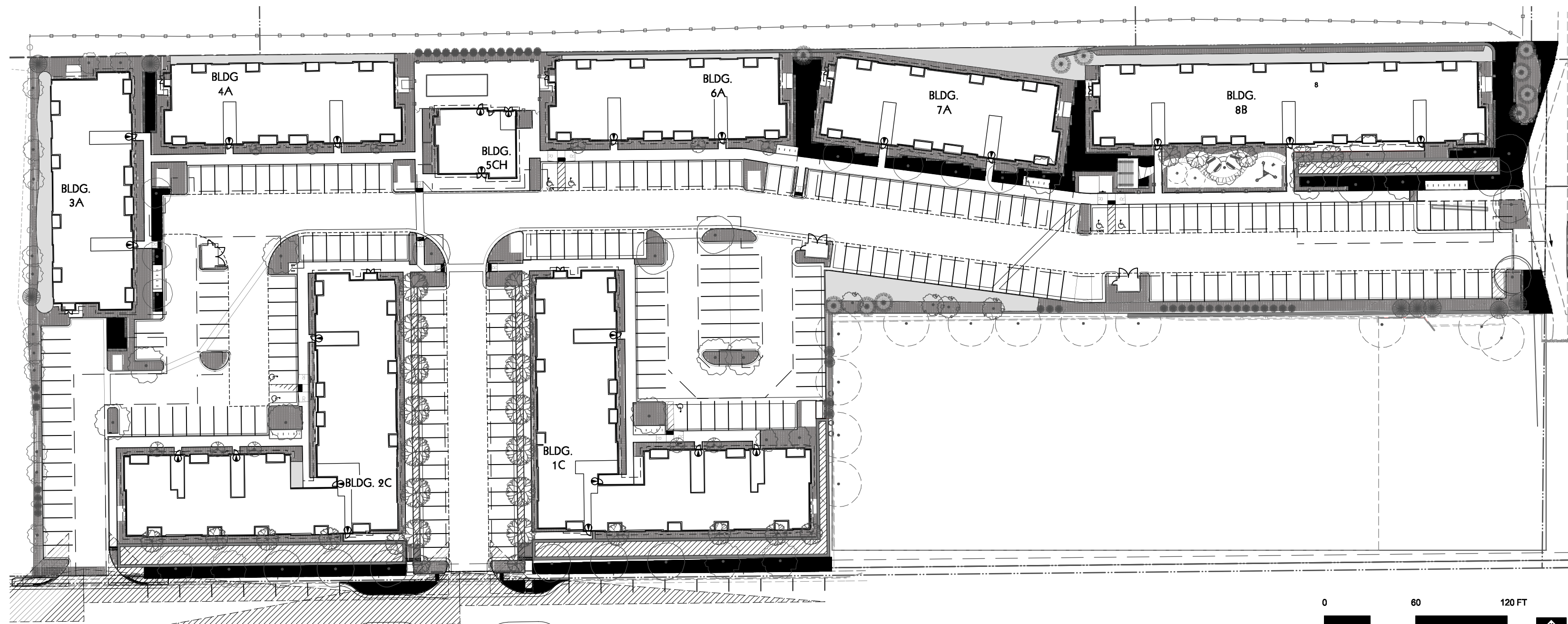
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 SMITH  
 1120 Lincoln Street, Suite 1000  
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 p. 303.517.9256  
 f. 970.367.5180  
 ola@me.com

DATE: 03/15/2019



HYDROZONE LEGEND: 07/30/19			
HYDROZONE AREA:	QUANTITY (SF)	TOTAL SF	GALLON/SF/YEAR
<b>HIGH WATER AREAS @ 18 GAL/SF</b>		12,024	216,432
TURF	12,024		
<b>LOW WATER AREAS @ 3 GAL/SF</b>		38,305	114,915
RAIN GARDEN SEED	6,711		
LOW SHRUB BEDS	31,594		
<b>TOTAL USAGE:</b>		<b>50,329</b>	<b>331,347</b>
AVERAGE WATER USE/SF/YEAR OF PERMANENT IRRIGATION AREA			6.6
NO WATER ZONES (rock mulch)			

**ST MARK VILLAGE**  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/17/2019  
 07/26/2019

25 OF 37  
 HYDROZONE PLAN

CASE# PLN19-0039



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 SHEET 26 OF 37



KTGY - ARCHITECTURE + PLANNING  
 820 16TH STREET, SUITE 500  
 DENVER, CO, 80202  
 (303) 825-6400  
 CONTACT: Project Manager  
 ktgy@ktgy.com

DATE: 03/18/2019

ELEVATION LEGEND

- STONE - COLOR 1
- FIBER CEMENT PANEL - COLOR 1
- BOARD AND BATTEN - COLOR 1
- LAP SIDING - COLOR 1
- ASPHALT ROOF TILES

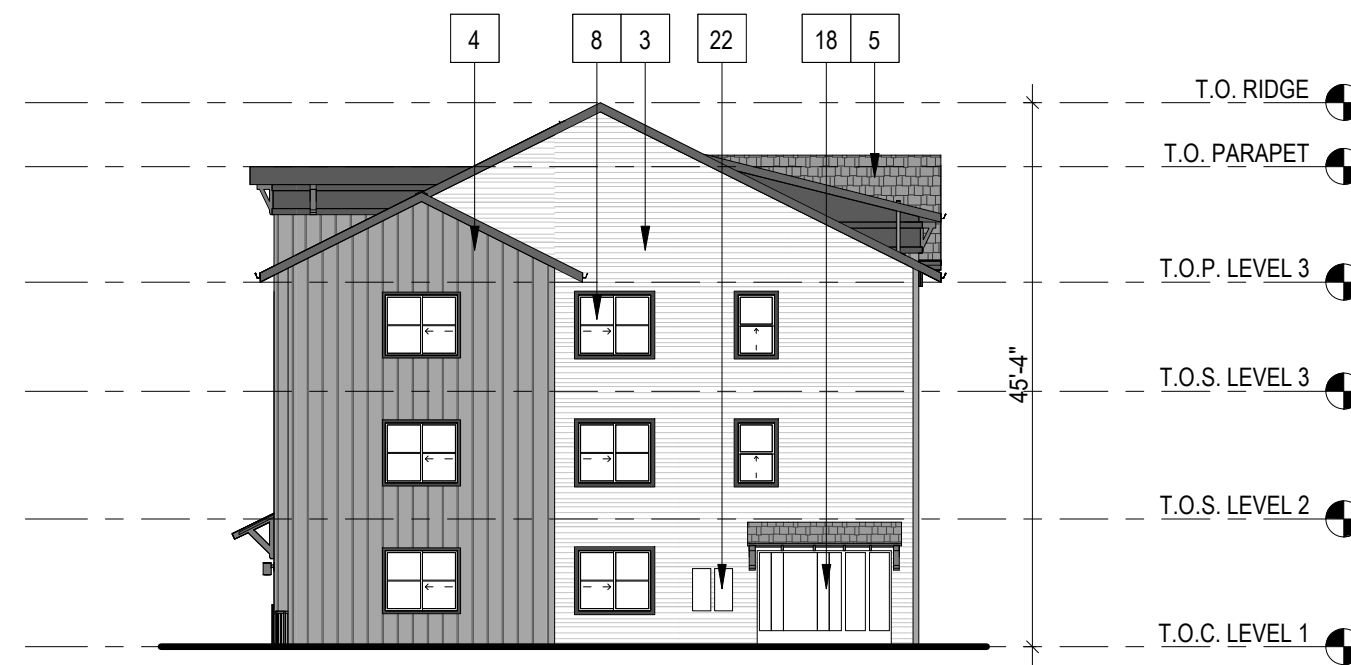
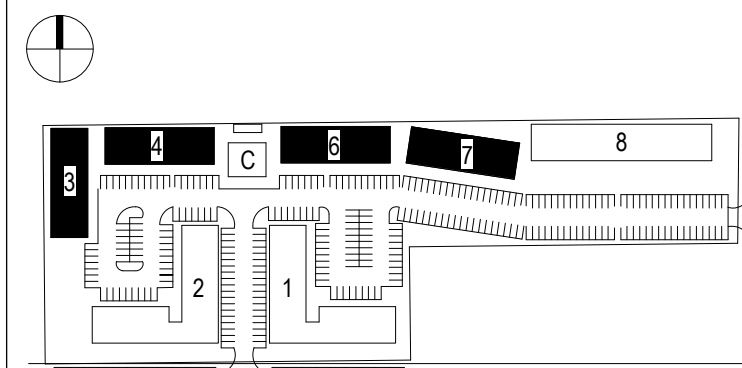
ELEVATION NOTES

1. ALL CONDENSERS WILL BE ROOF MOUNTED, AS ALLOWED BY CODE, AND WILL BE SCREENED FROM VIEW.

# KEYNOTES - SDP

- 1 STONE - COLOR 1
- 2 FIBER CEMENT PANELING - COLOR 1
- 3 FIBER CEMENT LAP SIDING (VARIED EXPOSURE) -COLOR 1
- 4 BOARD AND BATTEN - PAINT COLOR 2
- 5 ASPHALT ROOF SHINGLES
- 6 FIBER CEMENT BOARD FASCIA, EAVES, PARAPET
- 7 METAL HANDRAIL
- 8 VINYL WINDOW
- 9 BUILDING ENTRY
- 10 WATER ENTRY/BOOSTER PUMP CLOSET
- 11 EXTERIOR WALL MOUNT LIGHT SCONCE
- 12 STOREFRONT
- 14 DOWNSPOUT
- 15 PAINTED WOOD BRACKETS
- 16 MAILBOXES
- 17 GAS METER, PAINT TO MATCH ADJACENT ELEVATION
- 18 ELECTRIC METERS, PAINT TO MATCH ADJACENT ELEVATION
- 19 CAST STONE - MATCH STONE COLOR
- 20 OPAQUE METAL GATE, PAINT TO MATCH RAILINGS
- 21 METAL GATE
- 22 WALL MOUNT LOW VOLT CABINETS, PAINT TO MATCH ADJACENT ELEVATION

SITE KEY PLAN



BLDG 3 NORTH ELEVATION & BLDGS 4, 6, 7  
 EAST ELEVATION

SCALE:  
 1/16" = 1'-0"

2



BLDG 3 WEST ELEVATION & BLDGS 4, 6, 7  
 NORTH ELEVATION

SCALE:  
 1/16" = 1'-0"

1

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019

CASE # PLN19-0039

26 OF 37  
 BUILDING A -  
 ELEVATIONS

THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 27 OF 37



KTGY - ARCHITECTURE + PLANNING  
 820 16TH STREET, SUITE 500  
 DENVER, CO. 80202  
 (303) 825-6400  
 CONTACT: Project Manager  
 ktgy@ktgy.com

DATE: 03/18/2019

ELEVATION LEGEND

- STONE - COLOR 1
- FIBER CEMENT PANEL - COLOR 1
- BOARD AND BATTEN - COLOR 1
- LAP SIDING - COLOR 1
- ASPHALT ROOF TILES

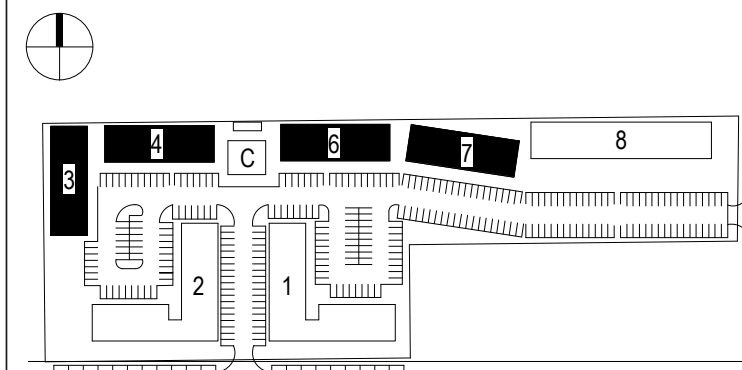
ELEVATION NOTES

1. ALL CONDENSERS WILL BE ROOF MOUNTED, AS ALLOWED BY CODE, AND WILL BE SCREENED FROM VIEW.

KEYNOTES - SDP

- 1 STONE - COLOR 1
- 2 FIBER CEMENT PANELING - COLOR 1
- 3 FIBER CEMENT LAP SIDING (VARIED EXPOSURE) -COLOR 1
- 4 BOARD AND BATTEN - PAINT COLOR 2
- 5 ASPHALT ROOF SHINGLES
- 6 FIBER CEMENT BOARD FASCIA, EAVES, PARAPET
- 7 METAL HANDRAIL
- 8 VINYL WINDOW
- 9 BUILDING ENTRY
- 10 WATER ENTRY/BOOSTER PUMP CLOSET
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- 16 MAILBOXES
- 17 GAS METER, PAINT TO MATCH ADJACENT ELEVATION
- 18 ELECTRIC METERS, PAINT TO MATCH ADJACENT ELEVATION
- 19 CAST STONE - MATCH STONE COLOR
- 20 OPAQUE METAL GATE, PAINT TO MATCH RAILINGS
- 21 METAL GATE
- 22 WALL MOUNT LOW VOLT CABINETS, PAINT TO MATCH ADJACENT ELEVATION

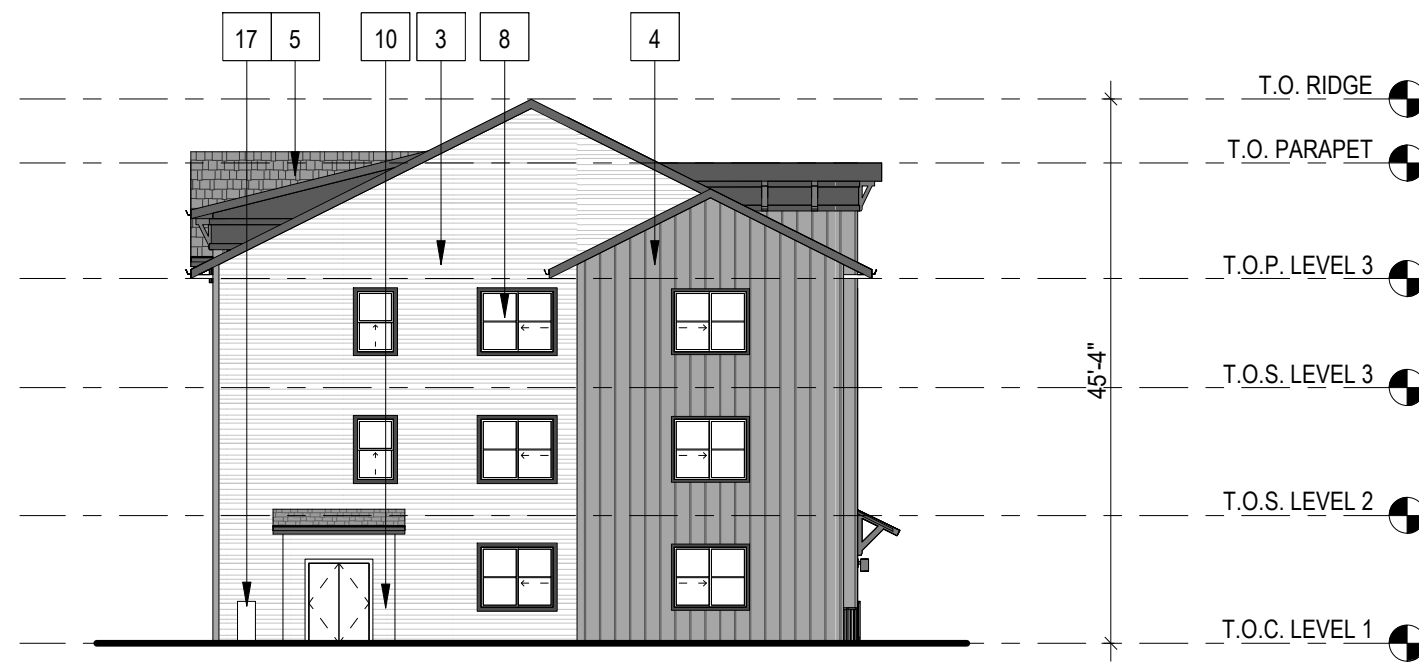
SITE KEY PLAN



ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019

27 OF 37  
 BUILDING A -  
 ELEVATIONS



BLDG 3 SOUTH ELEVATION & BLDGS 4, 6, 7  
 WEST ELEVATION

SCALE:  
 1/16" = 1'-0"

2



BLDG 3 EAST ELEVATION & BLDGS 4, 6, 7  
 SOUTH ELEVATION

SCALE:  
 1/16" = 1'-0"

1

CASE # PLN19-0039

THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 28 OF 37



KTGY - ARCHITECTURE + PLANNING  
 820 16TH STREET, SUITE 500  
 DENVER, CO. 80202  
 (303) 825-6400  
 CONTACT: Project Manager  
 ktgy@ktgy.com

DATE: 03/18/2019

ELEVATION LEGEND

- STONE - COLOR 1
- FIBER CEMENT PANEL - COLOR 1
- BOARD AND BATTEN - COLOR 1
- LAP SIDING - COLOR 1
- ASPHALT ROOF TILES

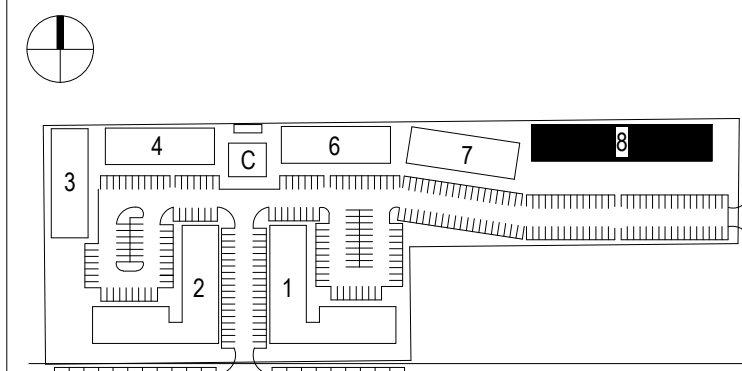
ELEVATION NOTES

1. ALL CONDENSERS WILL BE ROOF MOUNTED, AS ALLOWED BY CODE, AND WILL BE SCREENED FROM VIEW.

KEYNOTES - SDP

- 1 STONE - COLOR 1
- 2 FIBER CEMENT PANELING - COLOR 1
- 3 FIBER CEMENT LAP SIDING (VARIED EXPOSURE) -COLOR 1
- 4 BOARD AND BATTEN - PAINT COLOR 2
- 5 ASPHALT ROOF SHINGLES
- 6 FIBER CEMENT BOARD FASCIA, EAVES, PARAPET
- 7 METAL HANDRAIL
- 8 VINYL WINDOW
- 9 BUILDING ENTRY
- 10 WATER ENTRY/BOOSTER PUMP CLOSET
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- 15 PAINTED WOOD BRACKETS
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- 17 GAS METER, PAINT TO MATCH ADJACENT ELEVATION
- 18 ELECTRIC METERS, PAINT TO MATCH ADJACENT ELEVATION
- 19 CAST STONE - MATCH STONE COLOR
- 20 OPAQUE METAL GATE, PAINT TO MATCH RAILINGS
- 21 METAL GATE
- 22 WALL MOUNT LOW VOLT CABINETS, PAINT TO MATCH ADJACENT ELEVATION

SITE KEY PLAN



BLDG 8 SOUTH ELEVATION 2

SCALE:  
1/16" = 1'-0"

2



BLDG 8 SOUTH ELEVATION 1

SCALE:  
1/16" = 1'-0"

1

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019

CASE # PLN19-0039

28 OF 37  
 BUILDING B -  
 ELEVATIONS



THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 29 OF 37



KTGY - ARCHITECTURE + PLANNING  
 820 16TH STREET, SUITE 500  
 DENVER, CO. 80202  
 (303) 825-6400  
 CONTACT: Project Manager  
 ktgy@ktgy.com

DATE: 03/18/2019

ELEVATION LEGEND

- STONE - COLOR 1
- FIBER CEMENT PANEL - COLOR 1
- BOARD AND BATTEN - COLOR 1
- LAP SIDING - COLOR 1
- ASPHALT ROOF TILES

ELEVATION NOTES

1. ALL CONDENSERS WILL BE ROOF MOUNTED, AS ALLOWED BY CODE, AND WILL BE SCREENED FROM VIEW.

# KEYNOTES - SDP

- 1 STONE - COLOR 1
- 2 FIBER CEMENT PANELING - COLOR 1
- 3 FIBER CEMENT LAP SIDING (VARIED EXPOSURE) -COLOR 1
- 4 BOARD AND BATTEN - PAINT COLOR 2
- 5 ASPHALT ROOF SHINGLES
- 6 FIBER CEMENT BOARD FASCIA, EAVES, PARAPET
- 7 METAL HANDRAIL
- 8 VINYL WINDOW
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- 10 WATER ENTRY/BOOSTER PUMP CLOSET
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- 19 CAST STONE - MATCH STONE COLOR
- 20 OPAQUE METAL GATE, PAINT TO MATCH RAILINGS
- 21 METAL GATE
- 22 WALL MOUNT LOW VOLT CABINETS, PAINT TO MATCH ADJACENT ELEVATION

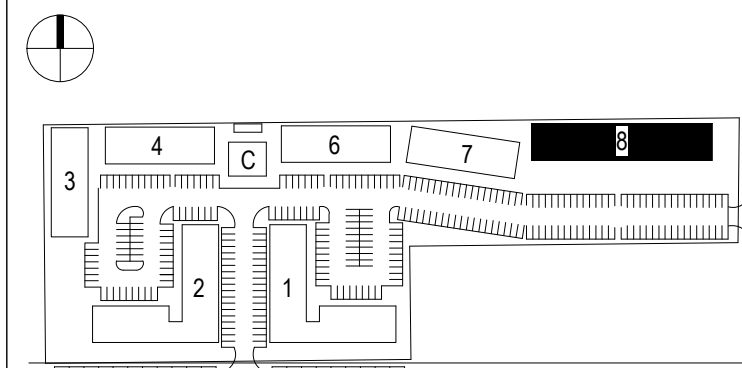


BLDG 8 WEST ELEVATION

SCALE:  
1/16" = 1'-0"

2

SITE KEY PLAN



BLDG 8 EAST ELEVATION

SCALE:  
1/16" = 1'-0"

1

CASE # PLN19-0039

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019

29 OF 37  
 BUILDING B -  
 ELEVATIONS

THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 30 OF 37



KTGY - ARCHITECTURE + PLANNING  
 820 16TH STREET, SUITE 500  
 DENVER, CO. 80202  
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 CONTACT: Project Manager  
 ktgy@ktgy.com

DATE: 03/18/2019

ELEVATION LEGEND

- STONE - COLOR 1
- FIBER CEMENT PANEL - COLOR 1
- BOARD AND BATTEN - COLOR 1
- LAP SIDING - COLOR 1
- ASPHALT ROOF TILES

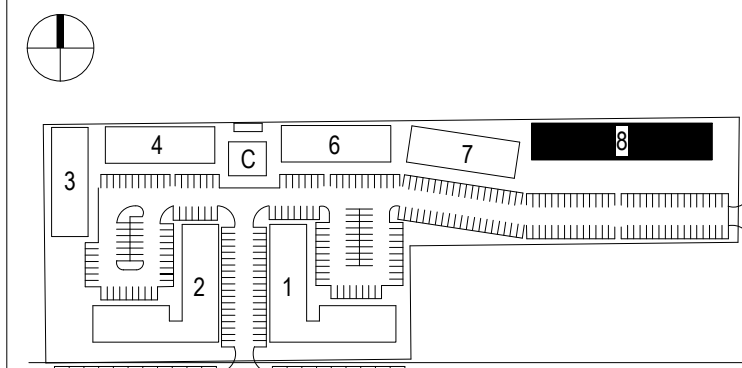
ELEVATION NOTES

1. ALL CONDENSERS WILL BE ROOF MOUNTED, AS ALLOWED BY CODE, AND WILL BE SCREENED FROM VIEW.

KEYNOTES - SDP

- 1 STONE - COLOR 1
- 2 FIBER CEMENT PANELING - COLOR 1
- 3 FIBER CEMENT LAP SIDING (VARIED EXPOSURE) -COLOR 1
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- 21 METAL GATE
- 22 WALL MOUNT LOW VOLT CABINETS, PAINT TO MATCH ADJACENT ELEVATION

SITE KEY PLAN



BLDG 8 NORTH ELEVATION 2

SCALE:  
1/16" = 1'-0"

2



BLDG 8 NORTH ELEVATION 1

SCALE:  
1/16" = 1'-0"

1

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019

CASE # PLN19-0039

30 OF 37  
 BUILDING B -  
 ELEVATIONS

THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 31 OF 37



KTGY - ARCHITECTURE + PLANNING  
 820 16TH STREET, SUITE 500  
 DENVER, CO. 80202  
 (303) 825-6400  
 CONTACT: Project Manager  
 ktgy@ktgy.com

DATE: 03/18/2019

ELEVATION LEGEND

- STONE - COLOR 1
- FIBER CEMENT PANEL - COLOR 1
- BOARD AND BATTEN - COLOR 1
- LAP SIDING - COLOR 1
- ASPHALT ROOF TILES

ELEVATION NOTES

1. ALL CONDENSERS WILL BE ROOF MOUNTED, AS ALLOWED BY CODE, AND WILL BE SCREENED FROM VIEW.

# KEYNOTES - SDP

- 1 STONE - COLOR 1
- 2 FIBER CEMENT PANELING - COLOR 1
- 3 FIBER CEMENT LAP SIDING (VARIED EXPOSURE) -COLOR 1
- 4 BOARD AND BATTEN - PAINT COLOR 2
- 5 ASPHALT ROOF SHINGLES
- 6 FIBER CEMENT BOARD FASCIA, EAVES, PARAPET
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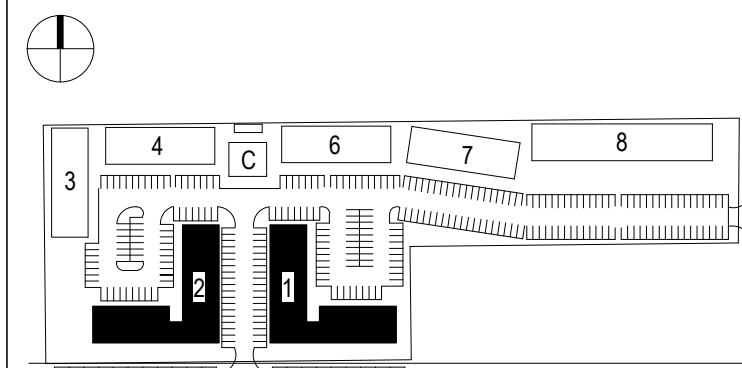


BLDGS 1, 2 SOUTH ELEVATION 2

SCALE:  
1/16" = 1'-0"

2

SITE KEY PLAN



BLDGS 1, 2 SOUTH ELEVATION 1

SCALE:  
1/16" = 1'-0"

1

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019

CASE # PLN19-0039

31 OF 37  
 BUILDING C -  
 ELEVATIONS



THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 32 OF 37




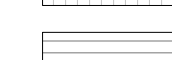
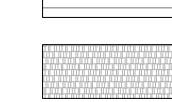


BLDG 1 WEST ELEVATION 2 & BLDG 2 EAST  
 ELEVATION 2

SCALE:  
 1/16" = 1'-0"

2

ELEVATION LEGEND

-  STONE - COLOR 1
-  FIBER CEMENT PANEL - COLOR 1
-  BOARD AND BATTEN - COLOR 1
-  LAP SIDING - COLOR 1
-  ASPHALT ROOF TILES

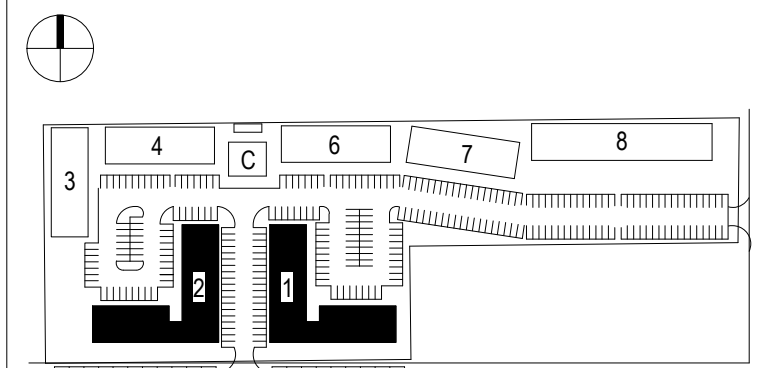
ELEVATION NOTES

1. ALL CONDENSERS WILL BE ROOF MOUNTED, AS ALLOWED BY CODE, AND WILL BE SCREENED FROM VIEW.

KEYNOTES - SDP

- 1 STONE - COLOR 1
- 2 FIBER CEMENT PANELING - COLOR 1
- 3 FIBER CEMENT LAP SIDING (VARIED EXPOSURE) -COLOR 1
- 4 BOARD AND BATTEN - PAINT COLOR 2
- 5 ASPHALT ROOF SHINGLES
- 6 FIBER CEMENT BOARD FASCIA, EAVES, PARAPET
- 7 METAL HANDRAIL
- 8 VINYL WINDOW
- 9 BUILDING ENTRY
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- 17 GAS METER, PAINT TO MATCH ADJACENT ELEVATION
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- 19 CAST STONE - MATCH STONE COLOR
- 20 OPAQUE METAL GATE, PAINT TO MATCH RAILINGS
- 21 METAL GATE
- 22 WALL MOUNT LOW VOLT CABINETS, PAINT TO MATCH ADJACENT ELEVATION

SITE KEY PLAN



BLDG 1 WEST ELEVATION 1 & BLDG 2 EAST  
 ELEVATION 1

SCALE:  
 1/16" = 1'-0"

1



KTGY - ARCHITECTURE + PLANNING  
 820 16TH STREET, SUITE 500  
 DENVER, CO, 80202  
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 CONTACT: Project Manager  
 ktgy@ktgy.com

DATE: 03/18/2019

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019

CASE # PLN19-0039

32 OF 37  
 BUILDING C -  
 ELEVATIONS

THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
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 SHEET 33 OF 37



KTGY - ARCHITECTURE + PLANNING  
 820 16TH STREET, SUITE 500  
 DENVER, CO. 80202  
 (303) 825-6400  
 CONTACT: Project Manager  
 ktgy@ktgy.com

DATE: 03/18/2019

ELEVATION LEGEND

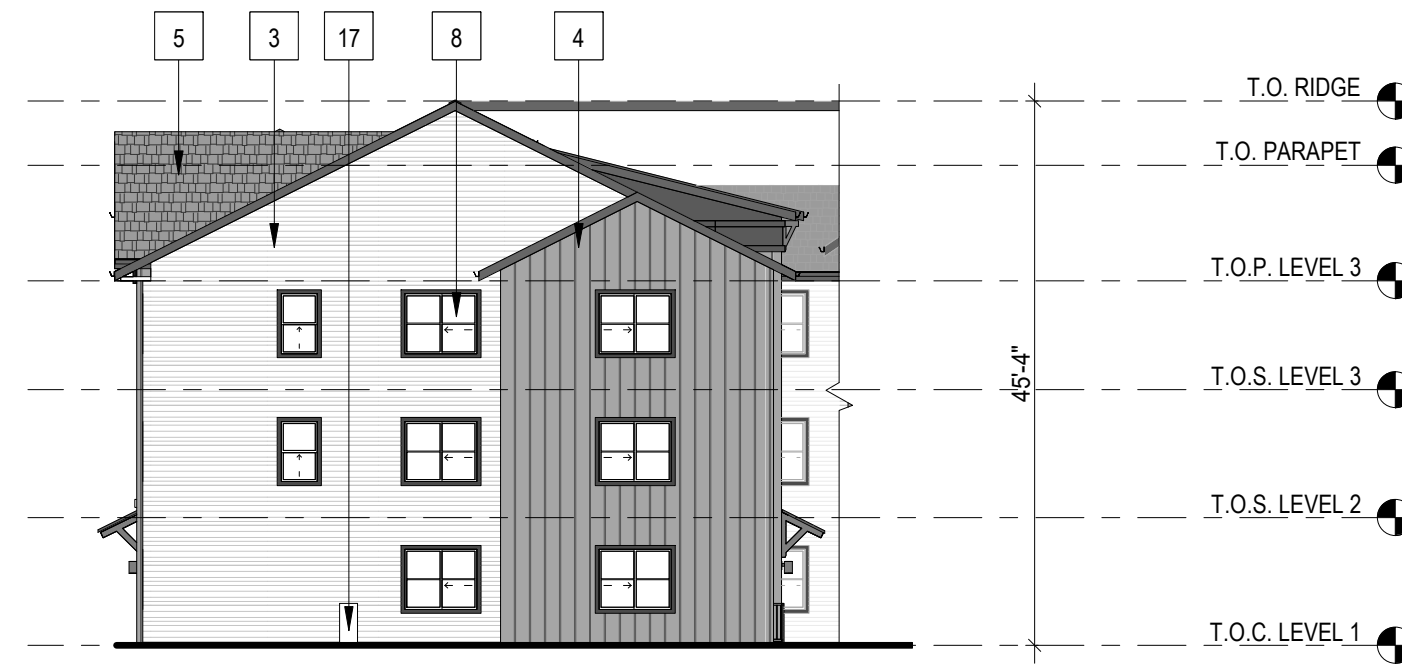
- STONE - COLOR 1
- FIBER CEMENT PANEL - COLOR 1
- BOARD AND BATTEN - COLOR 1
- LAP SIDING - COLOR 1
- ASPHALT ROOF TILES

ELEVATION NOTES

1. ALL CONDENSERS WILL BE ROOF MOUNTED, AS ALLOWED BY CODE, AND WILL BE SCREENED FROM VIEW.

# KEYNOTES - SDP

- 1 STONE - COLOR 1
- 2 FIBER CEMENT PANELING - COLOR 1
- 3 FIBER CEMENT LAP SIDING (VARIED EXPOSURE) -COLOR 1
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- 21 METAL GATE
- 22 WALL MOUNT LOW VOLT CABINETS, PAINT TO MATCH ADJACENT ELEVATION

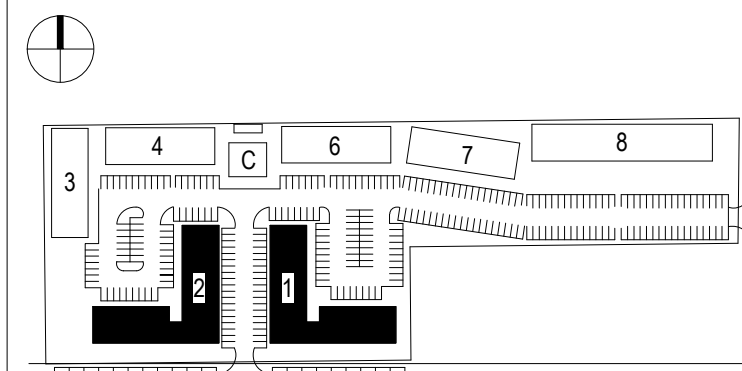


BLDGS 1, 2 NORTH ELEVATION 2

SCALE:  
1/16" = 1'-0"

2

SITE KEY PLAN



BLDGS 1, 2 NORTH ELEVATION 1

SCALE:  
1/16" = 1'-0"

1

CASE # PLN19-0039

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019

33 OF 37  
 BUILDING C -  
 ELEVATIONS

THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
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 SHEET 34 OF 37



KTGY - ARCHITECTURE + PLANNING  
 820 16TH STREET, SUITE 500  
 DENVER, CO. 80202  
 (303) 825-6400  
 CONTACT: Project Manager  
 ktgy@ktgy.com

DATE: 03/18/2019

ELEVATION LEGEND

- STONE - COLOR 1
- FIBER CEMENT PANEL - COLOR 1
- BOARD AND BATTEN - COLOR 1
- LAP SIDING - COLOR 1
- ASPHALT ROOF TILES

ELEVATION NOTES

1. ALL CONDENSERS WILL BE ROOF MOUNTED, AS ALLOWED BY CODE, AND WILL BE SCREENED FROM VIEW.

KEYNOTES - SDP

- 1 STONE - COLOR 1
- 2 FIBER CEMENT PANELING - COLOR 1
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- 21 METAL GATE
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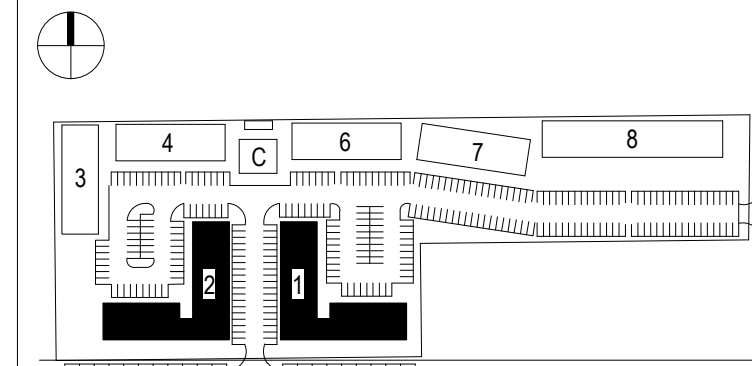


BLDG 1 EAST ELEVATION 2 & BLDG 2 WEST ELEVATION 2

SCALE:  
1/16" = 1'-0"

2

SITE KEY PLAN



ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019

34 OF 37  
 BUILDING C -  
 ELEVATIONS

CASE # PLN19-0039



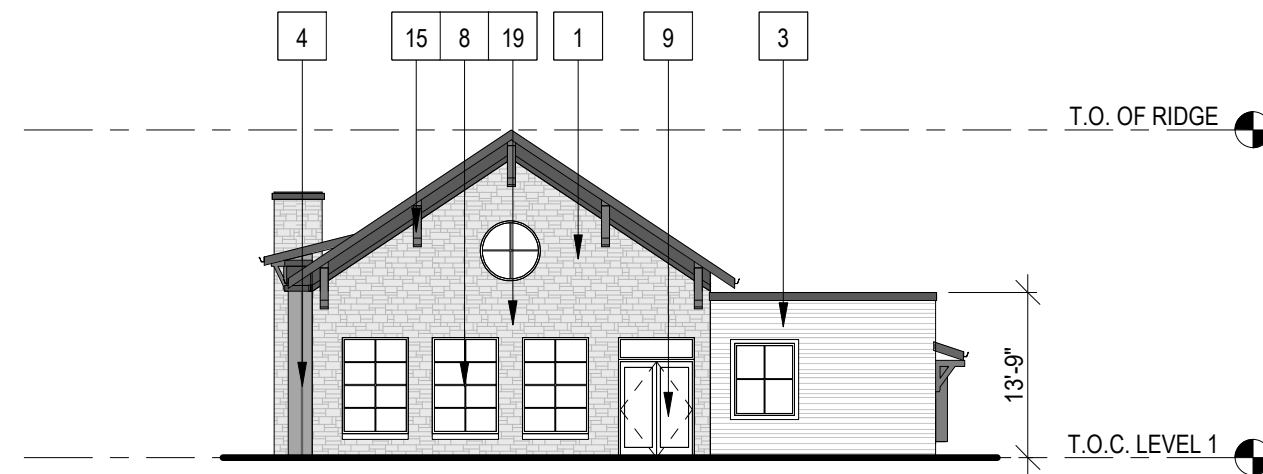
BLDG 1 EAST ELEVATION 1 & BLDG 2 WEST ELEVATION 1

SCALE:  
1/16" = 1'-0"

1



**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 35 OF 37



**ELEVATION LEGEND**

- STONE - COLOR 1
- FIBER CEMENT PANEL - COLOR 1
- BOARD AND BATTEN - COLOR 1
- LAP SIDING - COLOR 1
- ASPHALT ROOF TILES

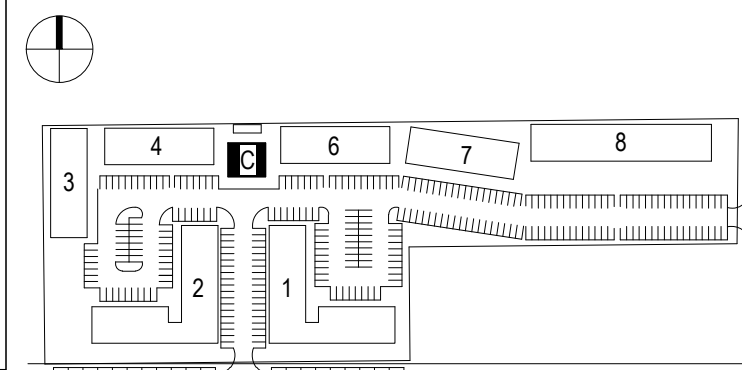
**ELEVATION NOTES**

1. ALL CONDENSERS WILL BE ROOF MOUNTED, AS ALLOWED BY CODE, AND WILL BE SCREENED FROM VIEW.

**KEYNOTES - SDP**

- 1 STONE - COLOR 1
- 2 FIBER CEMENT PANELING - COLOR 1
- 3 FIBER CEMENT LAP SIDING (VARIED EXPOSURE) -COLOR 1
- 4 BOARD AND BATTEN - PAINT COLOR 2
- 5 ASPHALT ROOF SHINGLES
- 6 FIBER CEMENT BOARD FASCIA, EAVES, PARAPET
- 7 METAL HANDRAIL
- 8 VINYL WINDOW
- 9 BUILDING ENTRY
- 10 WATER ENTRY/BOOSTER PUMP CLOSET
- 11 EXTERIOR WALL MOUNT LIGHT SCONCE
- 12 STOREFRONT
- 14 DOWNSPOUT
- 15 PAINTED WOOD BRACKETS
- 16 MAILBOXES
- 17 GAS METER, PAINT TO MATCH ADJACENT ELEVATION
- 18 ELECTRIC METERS, PAINT TO MATCH ADJACENT ELEVATION
- 19 CAST STONE - MATCH STONE COLOR
- 20 OPAQUE METAL GATE, PAINT TO MATCH RAILINGS
- 21 METAL GATE
- 22 WALL MOUNT LOW VOLT CABINETS, PAINT TO MATCH ADJACENT ELEVATION

**SITE KEY PLAN**



KTGY - ARCHITECTURE + PLANNING  
 820 16TH STREET, SUITE 500  
 DENVER, CO, 80202  
 (303) 825-6400  
 CONTACT: Project Manager  
 ktgy@ktgy.com

DATE: 03/18/2019

**ST MARK VILLAGE**  
**OFFICIAL DEVELOPEMENT PLAN**

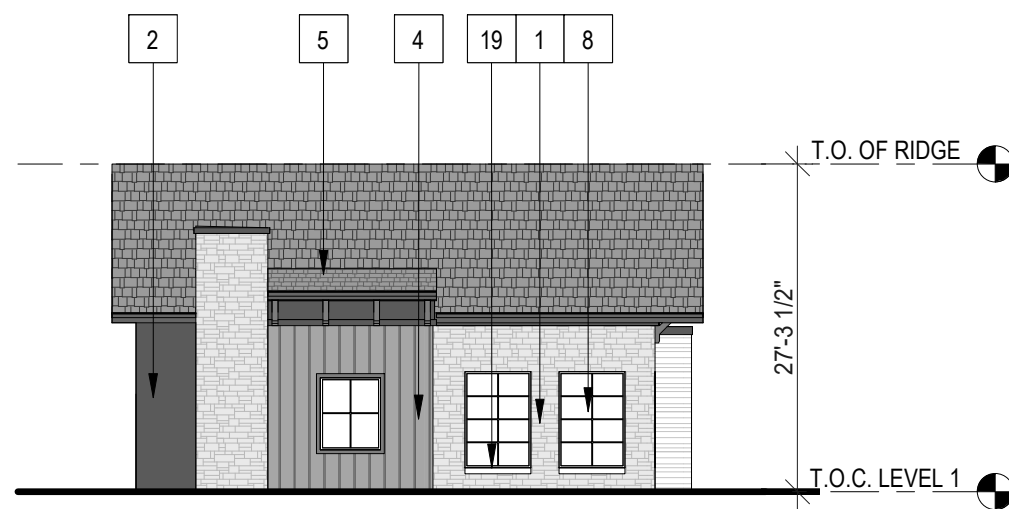
03/18/2019  
 05/20/2019  
 07/26/2019

**35 OF 37**  
**CLUBHOUSE-**  
**ELEVATIONS**

**BLDG 5 SOUTH ELEVATION**

SCALE:  
1/16" = 1'-0"

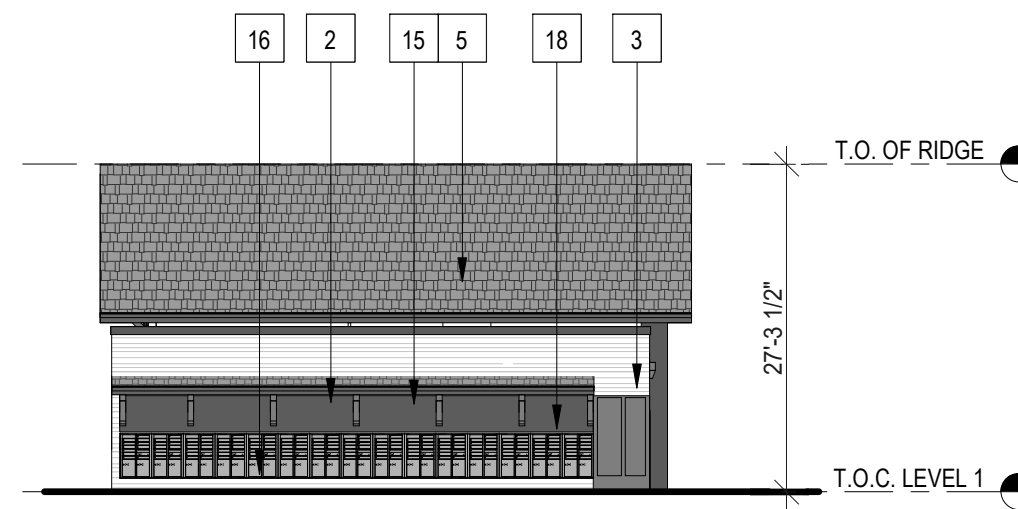
**3**



**BLDG 5 WEST ELEVATION**

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1/16" = 1'-0"

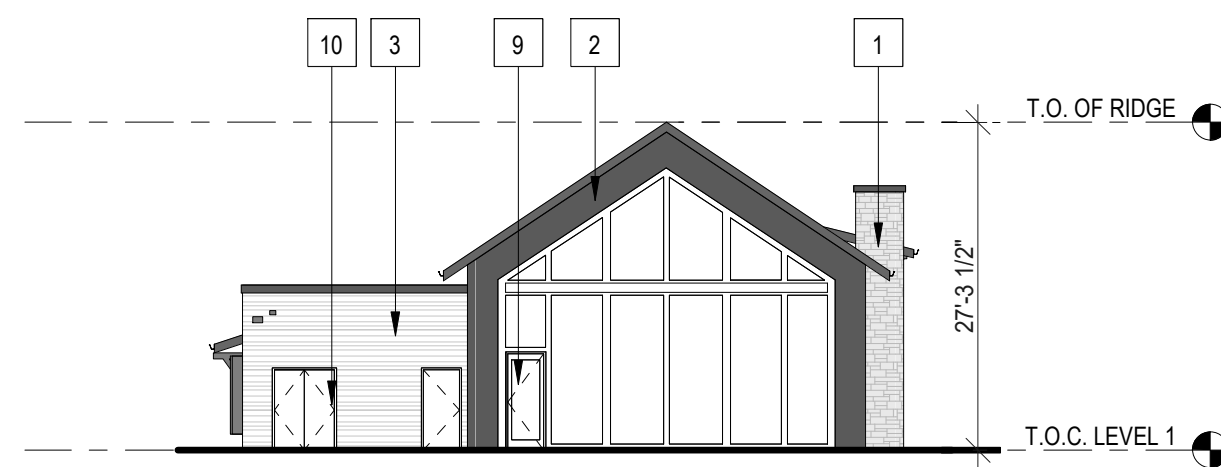
**4**



**BLDG 5 EAST ELEVATION**

SCALE:  
1/16" = 1'-0"

**2**



**BLDG 5 NORTH ELEVATION**

SCALE:  
1/16" = 1'-0"

**1**

**CASE # PLN19-0039**

**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 36 OF 37



KTGY - ARCHITECTURE + PLANNING  
 820 16TH STREET, SUITE 500  
 DENVER, CO. 80202  
 (303) 825-6400  
 CONTACT: Project Manager  
 ktgy@ktgy.com

DATE: 03/18/2019

**ELEVATION LEGEND**

- STONE - COLOR 1
- FIBER CEMENT PANEL - COLOR 1
- BOARD AND BATTEN - COLOR 1
- LAP SIDING - COLOR 1
- ASPHALT ROOF TILES

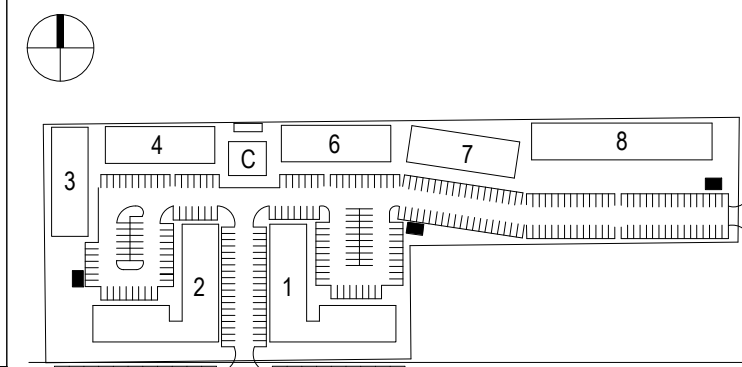
**ELEVATION NOTES**

1. ALL CONDENSERS WILL BE ROOF MOUNTED, AS ALLOWED BY CODE, AND WILL BE SCREENED FROM VIEW.

**# KEYNOTES - SDP**

- 1 STONE - COLOR 1
- 2 FIBER CEMENT PANELING - COLOR 1
- 3 FIBER CEMENT LAP SIDING (VARIED EXPOSURE) -COLOR 1
- 4 BOARD AND BATTEN - PAINT COLOR 2
- 5 ASPHALT ROOF SHINGLES
- 6 FIBER CEMENT BOARD FASCIA, EAVES, PARAPET
- 7 METAL HANDRAIL
- 8 VINYL WINDOW
- 9 BUILDING ENTRY
- 10 WATER ENTRY/BOOSTER PUMP CLOSET
- 11 EXTERIOR WALL MOUNT LIGHT SCONCE
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- 19 CAST STONE - MATCH STONE COLOR
- 20 OPAQUE METAL GATE, PAINT TO MATCH RAILINGS
- 21 METAL GATE
- 22 WALL MOUNT LOW VOLT CABINETS, PAINT TO MATCH ADJACENT ELEVATION

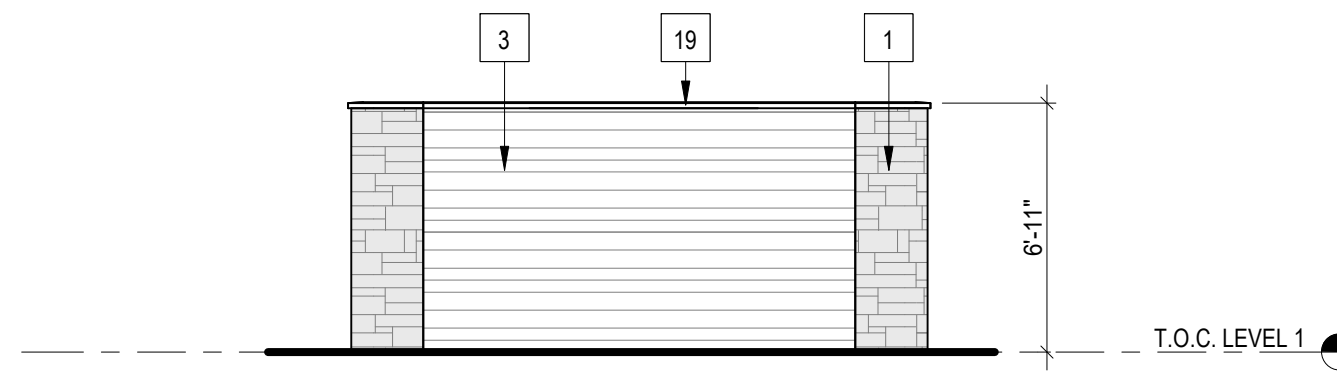
**SITE KEY PLAN**



**ST MARK VILLAGE**  
**OFFICIAL DEVELOPEMENT PLAN**

03/18/2019  
 05/20/2019  
 07/26/2019

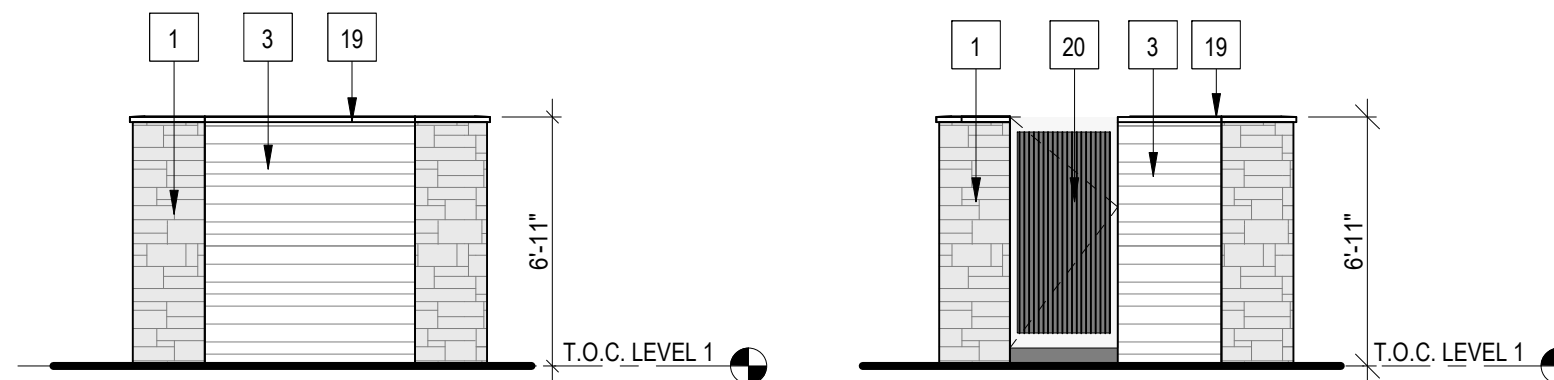
**36 OF 37**  
**TRASH ENCL**  
**ELEVATIONS**



TRASH ENCLOSURE ELEVATION

SCALE:  
3/16" = 1'-0"

**4**



TRASH ELEVATION

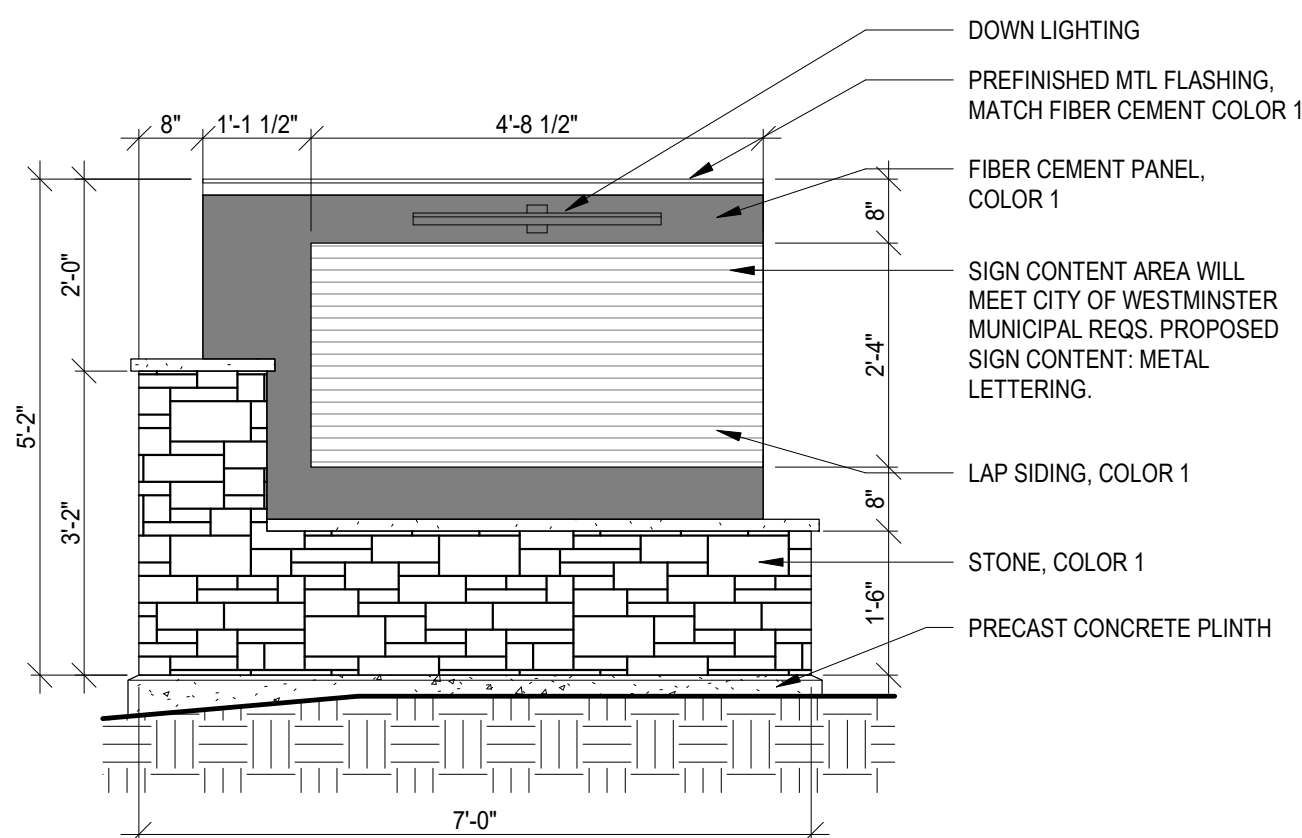
SCALE:  
3/16" = 1'-0"

**3**

TRASH ELEVATION

SCALE:  
3/16" = 1'-0"

**2**



**ENTRY MONUMENT SIGN**

SCALE:  
1/2" = 1'-0"

**5**



TRASH ENCLOSURE ELEVATION

SCALE:  
3/16" = 1'-0"

**1**

**CASE # PLN19-0039**

**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT  
 IN THE CITY OF WESTMINSTER  
 COUNTY OF ADAMS, STATE OF COLORADO  
 SHEET 37 OF 37

SCHEDULE							
LABEL	QTY	DESCRIPTION	MANUFACTURER	MODEL NUMBER	COLOR TEMPERATURE	LUMENS PER LAMP	LLF WATTS
A	35	LED WALL PACK	LITHONIA	DSXW1-LED-20C-700-30K-T3S-MVOLT-HS-DDBXD	3000K	4364	0.9 46
B	1	LED POLE LIGHT, (T4M)	LITHONIA	DSX0-LED-P6-30K-T4M-MVOLT-DDBXD	3000K	14506	1 134
C	1	LED POLE LIGHT, DOUBLE HEAD	LITHONIA	DSX0-LED-P6-30K-T4M-MVOLT-DDBXD	3000K	14506	1 268
D	4	LED POLE LIGHT, (BLC)	LITHONIA	DSX0-LED-P6-30K-BLC-MVOLT-DDBXD	3000K	12150	1 134
F	2	LED POLE LIGHT, (T3M)	LITHONIA	DSX0-LED-P6-30K-T3M-MVOLT-DDBXD	3000K	14396	1 134
G	2	LED POLE LIGHT, (T5M)	LITHONIA	DSX0-LED-P6-30K-T5M-MVOLT-DDBXD	3000K	15386	1 134
H	2	LED SIGNAGE LIGHT	LIGMAN	50553-4W-W30-XX-120/277V-A51431	3000K	164	N/A 4
POLE		SQUARE STRAIGHT STEEL POLE	LITHONIA	SS-18'-XX-XX-XX-DDBXD	3000K	15386	1 134

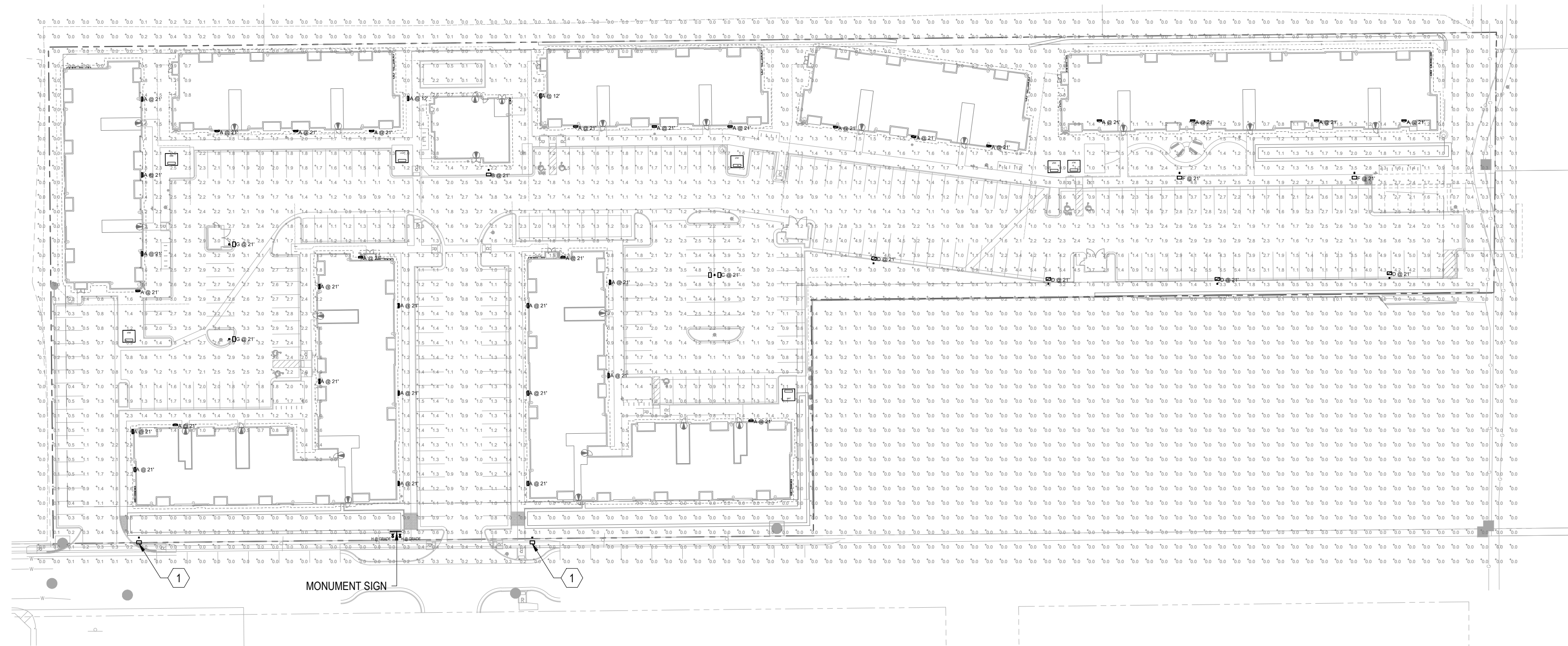
STATISTICS						
DESCRIPTION	SYMBOL	AVG	MAX	MIN	MAX/MIN	AVG/MIN
SITE	+	0.7 fc	6.7 fc	0.0 fc	N/A	N/A

**GENERAL NOTES:**

1. VERIFY ALL BUILDING FIXTURE MOUNTING HEIGHTS AND LOCATIONS WITH ARCHITECT.
2. ANY PROPOSED LIGHT FIXTURES INSTALLED ON PRIVATE PROPERTY, ADJACENT TO THE PUBLIC RIGHT OF WAY, SHALL BE ORIENTED IN SUCH A MANNER OR LIMITED IN LUMEN OUTPUT TO PREVENT GLARE PROBLEMS AND SHALL NOT EXCEED NATIONAL I.E.S. LIGHTING STANDARDS FOR DISABILITY GLARE.
3. BUILDING MOUNTED LIGHTS AND POLE MOUNTED AREA LIGHTS SHALL BE CIRCUITED THROUGH THE NEAREST BUILDING RELAY PANEL. A ROOF MOUNTED PHOTOCELL SHALL TURN THE CIRCUITS ON/OFF AS A FUNCTION OF AVAILABLE DAYLIGHT.
4. LANDSCAPE LIGHTING SHALL BE CIRCUITED THROUGH THE NEAREST BUILDING RELAY PANEL AND CONTROLLED BY AN ASTRONOMICAL CLOCK WITH SETTINGS THAT MEET OR EXCEEDS THE REQUIREMENTS IN SECTION C405 OF THE 2015 IECC. TIME SETTINGS SHALL BE SET SUCH THAT LANDSCAPE LIGHTS COME ON AT SUNSET AND TURN OFF AT SUNRISE.

**KEY NOTES: (DESIGNATED BY "#")**

1. REFER TO CIVIL PLANS FOR EXISTING STREET LIGHT FIXTURE LOCATION. PROPOSED STREET LIGHT SHALL MEET CITY OF WESTMINSTER STANDARDS. REFER TO THE LATEST CITY OF WESTMINSTER'S STREET LIGHTING DESIGN, STANDARDS AND SPECIFICATIONS' PACKAGE.



**1 SITE PLAN - PHOTOMETRICS**  
 SCALE: 1" = 60'-0"



**CASE# PLN19-0039**

**ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN**

03/18/2019  
 05/20/2019  
 07/26/2019

37 OF 37  
 PHOTOMETRICS

DATE: 03/15/19





Michael J. Repucci  
mjrepucci@j-rlaw.com  
Direct Dial: (303) 546-5617

August 13, 2019

City of Westminster City Council  
Westminster City Hall  
4800 W. 92nd Ave.  
Westminster, CO 80031

City of Westminster Planning Commission  
Westminster City Hall  
4800 W. 92nd Ave.  
Westminster, CO 80031

***Re: Application for Comprehensive Plan Amendments and Preliminary Development Plan/Official Development Plan for St. Mark Village***

Dear City Council and Planning Commission:

This firm represents Hamilton Zanze & Co., Inc. ("Hamilton Zanze"), sponsor of the Environs Residential Rental Community ("Environs") located adjacent to the proposed St. Mark Village development at 3100 W. 97<sup>th</sup> Avenue (the "Project"). For the reasons stated below, Hamilton Zanze objects to the Application for Preliminary Development Plan ("PDP")/Official Development Plan ("ODP") submitted by St. Charles Town Company ("Applicant"), as well as Applicant's inextricably linked Application for Comprehensive Plan Amendment currently pending determination by City Council.<sup>1</sup>

The proposed Comprehensive Plan Amendments and the linked PDP/ODP must be denied because their linkage, for the purpose of obtaining affordable housing, constitutes improper spot and contract zoning, and illegal rent control. The Applications must also be denied because procedural irregularities in the application process and Applicant's rushed timetable are forcing the City to make injudicious decisions on matters that the law requires orderly, consistent and reliable consideration in order to serve the public interest.

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<sup>1</sup> There are actually three proposed amendments to the City's 2013 Comprehensive Plan being presented together: (1) the St. Mark Village application to rezone from Mixed-Use to R-36 Residential, (2) the Wishbone Restaurant application to rezone from Mixed-Use to Retail Commercial, and (3) the City's application to rezone from Retail Commercial to Public/Quasi-Public. In addition to its opposition to Applicant's Comprehensive Plan Amendment, PDP and ODP for St. Mark Village, Hamilton Zanze also opposes, for the same or similar reasons, Wishbone Restaurant's application to eliminate mixed-use zoning on its property, as well as the use of the Wishbone application in an attempt to manufacture the illusion of mixed-use in combination with the St. Mark Village parcel. Hamilton Zanze also opposes the City's application on the ground that the City should not cavalierly use the Comprehensive Plan amendment process to correct the City's prior and ongoing failures to observe the 2013 Comprehensive Plan in connection with development of the City's contiguous parcel.

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I. **THE PUBLIC HEARING ON THE COMPREHENSIVE PLAN AMENDMENTS SHOULD BE REOPENED**

As a preliminary matter, the City Council and City Planning Division have created confusion as to whether the public hearing concerning the pending applications for Comprehensive Plan Amendments is, in fact, closed. If the public hearing on the Comprehensive Plan Amendments is closed, it should be reopened due to misleading and inconsistent information disseminated by the City Council and City Planning Division indicating that the public hearing is continued to City Council's August 26, 2019 meeting.

More importantly, these improperly linked Comprehensive Plan Amendments and interconnected PDP/ODP applications for approval of a very dense affordable housing project have been engineered in an apparent effort to accelerate the City's land use approval process to meet *Applicant's* alleged time constraints. The preference being accorded Applicant by the City has improperly elevated the needs of a developer above the careful consideration that following an orderly, prescribed planning process to which each of the citizens of Westminster is entitled if the Comprehensive Plan is to be amended in accordance with Colorado law.

Each of these interconnected applications contains a number of fatal flaws that require the City to immediately deny them. The important public policy concerns and legal defects described in this letter are prejudicial to the public interest and cannot be excluded from the public record.

A. Misleading July 2, 2019 Notice Published on City Website

On July 2, 2019, the City published an official announcement on its dedicated website with the headline: "Public hearing to be held regarding St. Mark Village application." The text of the announcement reads:

Staff recommends the **public hearing** on St. Mark Village Comprehensive Plan Amendment scheduled for Monday July 8, be continued to Monday, Aug 26, at 7 p.m. On the same date, City Council will hold a public hearing on the Preliminary Development Plan and Official Development Plan for the St. Mark Village proposed development. **The purpose of this continuance is to allow the public, staff and the applicant more time to review and address concerns and questions that have been raised on specific aspects of the proposed development.**

See Exhibit 1 (July 2, 2019 announcement) (emphasis added). In addition, on July 5, 2019, Council Member Anita Seitz, replying to a July 3, 2019 email from a concerned citizen (objecting to the Project), stated that the citizen's July 3, 2019 objection "[will be] entered into the public record." See Exhibit 2. Council Member Seitz also informed the citizen that there would be a further

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opportunity to object at the continued public hearing on August 26, 2019, incorporating the identical language used in the City of Westminster announcement referenced above. *Id.*

Yet, the Office of the City Attorney recently informed counsel for Hamilton Zanze that the public hearing on the proposed Comprehensive Plan Amendments was closed on June 24, 2019, over a week before the City's July 2, 2019 announcement stating that the public hearing was continued to August 26.<sup>2</sup> If it is true that the public hearing closed on June 24, it should be reopened in the public interest due to the inaccurate and inconsistent information disseminated by the City indicating that the public hearing on the Amendments was continued to August 26, 2019, the City Council's selective acceptance on July 5 of a citizen's post-June 24 objection, and for several other reasons stated herein. The City cannot allow some citizens to object on the public record after the public hearing is closed and refuse others, which would constitute a blatant denial of procedural and substantive due process.

B. Applicant's Comprehensive Plan Amendment and PDP/ODP Applications, if Approved, Constitute Improper Spot Zoning, Contract Zoning and Rent Control

If approved, Applicant's Comprehensive Plan Amendment and PDP/ODP applications constitute impermissible violations of long settled Colorado law for three reasons. First, as discussed in detail below, granting a Comprehensive Plan amendment under the present circumstances, with no changed conditions in the neighborhood, constitutes spot zoning which Colorado courts have stricken down as arbitrary and an invalid exercise of the police power. *See* Section III.B, below.

Second, since Applicant's proposed Comprehensive Plan Amendment "is contingent upon final approval of an ODP providing for affordable housing," *see* Exhibit 4 (July 8, 2019 Agenda Memorandum to City Council (the "Staff Memo")) at 3, the linkage constitutes contract zoning, an illegal "ultra vires bargaining away of the police power" and a violation of due process. *See* Section III.C, below. And third, the same linkage, i.e. making the Comprehensive Plan Amendment contingent on Applicant providing affordable housing, constitutes illegal rent control. *See* C.R.S. § 38-12-301; Section III.D, below.

These cited illegalities alone are enough for Adams County District Court to invalidate a City decision approving the Amendments in a later CRCP Rule 106(a)(4) action. These issues also make it imperative that the City reopen the public hearing on all of the Comprehensive Plan Amendment applications. Additionally, the several procedural irregularities discussed below (for example, that three applications for Comprehensive Plan amendments are being considered together, that a decision is simultaneously being forced on the PDP and ODP and that the entire process is being rushed to accommodate Applicant's agenda) are additional bases for a reviewing court to reject a City approval of the Amendments.

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<sup>2</sup> *See* Exhibit 3 (email from City Attorney's office).



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Elected officials are representatives of all of the people of Westminster. Their role is not to act as advocates for an applicant, or adjust the planning timelines for an applicant's benefit, all to the detriment of the City and its Comprehensive Plan. The public hearing on the Comprehensive Plan Amendments must be reopened so that the City can engage in proper deliberations on each stage of this Application in its proper order so that these (and other) important issues may be included in the public record should a subsequent legal action be necessary in Adams County District Court. As the record stands, there are simply too many unanswered questions about this rushed and haphazard process for it to move forward without reopening the public hearing and allowing these significant legal and procedural issues to be adequately addressed.

## II. RELIANCE ON THE COMPREHENSIVE PLAN

Hamilton Zanze, a major provider of single- and multi-family housing in the area, is highly supportive of development in Westminster consistent with the City's Comprehensive Plan. When Hamilton Zanze acquired the Environs project in August 2018, it specifically relied on the City's zoning of the properties surrounding Environs, as set forth in the City's recently adopted November 11, 2013 Comprehensive Plan, including the mixed-use zoning designation for the neighboring St. Mark Village, Wishbone Restaurant and City properties.

### A. Mixed-Use Zoning Was Identified as a Need in the 2013 Comprehensive Plan

Mixed-use development was an important factor to the City when it amended its Comprehensive Plan in 2013. The importance of mixed-use development in the City remains unchanged today.<sup>3</sup> See 2013 Comprehensive Plan Excerpts (Exhibit 5) at 2-40 (goal of Comprehensive Plan is to "establish and support vibrant new mixed-use centers with a range of uses, multi-story buildings, walkable street grids with an engaging public realm"); *id.* at 2-41 (LU-P-2 identifies a policy to update the Municipal Code to support mixed-use development to ensure compliance with the Comprehensive Plan); *id.* at 1-11 (a "key factor" contributing to the need for a Comprehensive Plan update included the "need to accommodate mixed-use and transit-supportive development").

Hamilton Zanze could not agree more with the City regarding the benefits of mixed-use developments. A nearby mixed-use development would enhance the experience of residents of Environs and the surrounding neighborhoods. The subject mixed-use parcel is easily reached by foot, connected pathways, and sidewalks from Environs and surrounding neighborhoods such that easy, walking access to a grocery store, ice cream or coffee shops, yoga studio, or pharmacy would be a benefit to the neighborhood, as recognized by the City when it adopted the 2013 Comprehensive Plan.

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<sup>3</sup> As set forth in Section V, pg. 12, below, Applicant (and Staff) admit there have been no substantially changed conditions in the area such that changed circumstances would alter this finding in any way.

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B. Comprehensive Plans Must be Consistent and Reliable

The Comprehensive Plan and the Westminster Municipal Code mandate a coordinated and consistent approach to land use policy. The goal of the 2013 Comprehensive Plan, as stated therein, is to provide a “consistent statement of the City’s plans and policies for future development...” See Comprehensive Plan Excerpts (Exhibit 5 (Introduction)). The Comprehensive Plan’s policies include ensuring that land uses are consistent with the Comprehensive Plan’s land use diagram and land use classifications and with applicable area plans and regulations. Ex. 5 (Comprehensive Plan excerpts), at 2-41, 2-42.

Colorado Revised Statutes section 31-23-207 provides that the purpose of a government’s master plan is to accomplish a “coordinated, adjusted, and harmonious development of the city.” Colorado case law also recognizes the need for reasonable stability in zoning. See *Clark v. City of Boulder*, 362 P. 2d 160, 162, 163 (Colo. 1961) (“Property owners have the right to rely on existing zoning regulations when there has been no material change in the character of the neighborhood which may require re-zoning in the public interest.”).<sup>4</sup>

With respect to the proposed Comprehensive Plan Amendments, the City Planning Division, Planning Commission and Council have not implemented a consistent, orderly, reliable and stable approach to its land use policy as mandated by the law. To the contrary, the City’s approach has been *ad hoc*, confusing, contingent, and rushed, combining multiple approval processes and compressing application and approval timetables, resulting in a process that is altogether arbitrary and not a valid exercise of police power.

**III. FATAL DEFECTS EXIST RELATED TO THE LINKAGE BETWEEN APPLICANT’S COMPREHENSIVE PLAN AMENDMENT AND PDP/ODP AFFORDABLE HOUSING USE**

The linkage between Applicant’s proposed Comprehensive Plan Amendment and the PDP/ODP’s avowed, but yet still apparently unsubstantiated, affordable housing use, constitutes improper spot and contract zoning and illegal rent control. The fatal flaws caused by this linkage are issues of such importance that the City must reopen the public hearing on the Comprehensive

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<sup>4</sup> Applicant apparently agrees. In a June 27, 2019 letter to City Council, the St. Charles Town Company states: “Is it not the point of the Comprehensive Plan to guide development as envisioned by the plan? If not, what is the purpose of preparing such plans? St. Mark Village follows the Comprehensive Plan to the letter of its intent. The Comprehensive Plan is a community document that followed a published and well-advertised process with community input that should not be set aside without regard to the many residents who previously participated in creating a new vision for Westminster. When an applicant proposes a project to fulfill the Comprehensive Plan vision, postponing and rejecting the project has the effect of breaking the public trust in government. Real estate developers rely on public documents to guide their development strategy and these documents largely determine where developers expend their limited resources and invest substantial capital...” See Exhibit 6.

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Plan Amendments and allow additional evidence and legal argument to be preserved for a potential future legal challenge if the respective applications are approved. As described below, if the City were to grant the proposed Comprehensive Plan Amendments and PDP/ODP on defective bases, the decisions would not survive judicial scrutiny under Colorado law. The City has an obligation to reopen the public hearing and to properly process these applications or, at the very least, require Applicant to comply with the existing zoning as established in the 2013 Comprehensive Plan.

A. The Comprehensive Plan Amendments and PDP/ODP Affordable Housing Issues Are Inextricably Linked

Staff claims without support that Applicant's Comprehensive Plan Amendment application is separate from the affordable housing use issue, but then demonstrates that the two issues are, in fact, linked. For example, the Staff Memo provides that:

- "To ensure the six-acre portion is developed for the proposed affordable housing, a delayed effective date [of the Comprehensive Plan Amendment] has been included in the Councillor's Bill stipulating the land use change to R-36 is **contingent upon final approval of an ODP providing for affordable housing.**"
- "The Application for the Comprehensive Plan amendment has been reviewed by Staff solely on the merits of the changes in land use and without consideration of a specific development project. A specific project is under separate review by Staff for a multi-family development that, **if approved**, would provide 216 **affordable apartment units** on the St. Mark Village site. This proposal will come before Planning Commission and City Council at a future date."
- Under Summary of Staff Recommendation, the number one reason to approve the Comprehensive Plan amendment is: "The availability of affordable housing within the City is increased."

Ex. 4, Staff Memo, at 1, 3, 7 (emphasis added).

The related PDP and ODP, which, as referenced above, must provide for affordable housing, include Plan Notes stating merely that "the site will be developed into an affordable multi-family development with a mix of 1, 2, and 3 bedroom units..." and "St. Mark Village is a proposed affordable multi-family development..." See PDP, Project Scope, Exhibit 7; ODP, Project Scope, Exhibit 8. See also May 1, 2019 Letter from City to St. Charles Land Co. re: PDP/ODP, Exhibit 9, pg. 4 ("The property is proposed to be re-designated to R-36. This project will be evaluated with that application.")<sup>5</sup>

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<sup>5</sup> On this record, it remains unclear whether the "affordable housing" language in the PDP/ODP and the related drafts was inserted by the City or by Applicant. The public record must be reopened to determine whether the "affordable



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Furthermore, the Comprehensive Plan Amendment application filed by Wishbone links a proposed change in that parcel's existing mixed-use zoning to a commercial zoning designation in order to cobble together the illusion of a mixed-use district without any of the vibrancy and energized public spaces that mixed-use zoning would provide to the neighborhood. The record here makes clear that the Comprehensive Plan Amendments and the PDP/ODP affordable housing uses are inextricably intertwined and cannot go forward. As set forth below, this linkage creates at least three fatal defects in the applications.

B. Approval of the Proposed Comprehensive Plan Amendments Constitutes Improper Spot Zoning

Recognizing the "need for reasonable stability in zoning regulations" and rejecting profitability as a "justification for special treatment," the Colorado Supreme Court in *Clark v. City of Boulder* held that a city ordinance granting a zoning re-classification was arbitrary and not a proper exercise of the police power because it "violates the previously adopted comprehensive plan." *Id.* 362 P. 2d at 163.

The *Clark* court found that the city council's approval of a developer's requested change to the city's comprehensive plan constituted improper "spot zoning," the test for which the court described as: "whether the change in question was made with the purpose of furthering a comprehensive zoning plan or designed merely to relieve a particular property from the restrictions of the zoning regulations." *Id.* at 162.

Here, as in *Clark*, granting the proposed Comprehensive Plan Amendments would be contrary to Westminster's 2013 Comprehensive Plan, and, with no change in the condition of the neighborhood whatsoever, an amendment would merely serve to relieve Applicants from the restrictions of the zoning regulations.<sup>6</sup> For this reason alone, the Comprehensive Plan Amendments and related PDP/ODP applications should be denied.

C. Linkage Between the Comprehensive Plan Amendments and Approval of ODP Providing for Affordable Housing Constitutes Improper Contract Zoning and a Violation of Due Process

In addition to spot zoning, by requiring affordable housing as a condition to granting the Comprehensive Plan Amendments, the City is also engaging in prohibited contract zoning. In

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housing" requirement was voluntary on the part of Applicant and whether it is a binding commitment to affordable housing.

<sup>6</sup> The facts here, as in *Clark*, are unlike the facts in *King's Mill Homeowners Ass'n v. City of Westminster*, 557 P. 2d 1186 (Colo. 1976), where the court found no spot zoning based on the fact that the "the rezoning amendment was consistent with the comprehensive plan...[and] changed conditions in the area." *Id.* 557 P. 2d at 1191. Here, Applicant seeks amendment and admits no changed circumstances. See Section V, pg. 12, below.

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*Native American Rights Fund, Inc. v. City of Boulder*, 97 P. 3d 283 (Colo. App. 2004), the court explained the evils of contract zoning: “[b]y creating specific contracts with selected individual property owners pursuant to Section 8 [of City ordinance], the City deprives other affected property owners in the District of due process and renders the procedural requirements of the Historic Preservation Code superfluous.” *Id.* at 289.<sup>7</sup>

In *Ford Leasing Dev. Co. v. Bd. of County Comm'rs*, 528 P. 2d 237 (Colo. 1974), the Colorado Supreme Court upheld the Jefferson County Board of County Commissioners’ refusal to inform a developer of “whatever additional requirements and regulations were necessary in order to approve rezoning application.” *Id.* at 240. “To act otherwise would be patent contract zoning, a concept held illegal in most states as an ultra vires bargaining away of the police power.” *Id.*

The City of Westminster’s requirement that the land use change to R-36 Residential is contingent upon final approval of an ODP providing for affordable housing — when both the City and Applicant admit that there are no changes in the character of the neighborhood whatsoever since the 2013 Comprehensive Plan — is, by definition, contract zoning. For this reason, the Comprehensive Plan Amendments and PDP/ODP applications should be denied.

D. Linkage Between the Comprehensive Plan Amendments and Approval of ODP Providing for Affordable Housing Constitutes Illegal Rent Control

Finally, the City’s requirement that Applicant’s Comprehensive Plan Amendment be “contingent upon final approval of an ODP providing for affordable housing,” Staff Memo at 3, constitutes illegal rent control.

Under Colorado law, “no county or municipality may enact any ordinance or resolution that would control rent on either private residential property or a private residential housing unit.” C.R.S. § 38-12-301(1). The statute excludes rent control measures undertaken pursuant to a voluntary agreement or voluntary deed restriction agreement between a county or municipality and a permit applicant or property owner to limit rent. C.R.S. § 38-12-301(2).

As the Colorado Supreme Court noted in *Town of Telluride v. Lot Thirty-Four Venture, LLC*, 3 P. 3d 30 (Colo. 2000), “[r]ent control statutes come in all types, shapes and sizes.” *Id.* at 35 (citation omitted). At issue in *Town of Telluride* was a Town ordinance which imposed affordable housing requirements on new developments. *Id.* at 32. The court invalidated the

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<sup>7</sup> As support, the *N.A.R.F.* court cites, *inter alia*, *King’s Mill* which addressed both contract zoning and spot zoning. The *King’s Mill* court held that the conditions imposed by Westminster City Council on the developer did not constitute contract zoning because the conditions, unlike here, were imposed due to substantial changes in the character of the neighborhood and, therefore, promoted the health, safety and welfare of the public generally and facilitated the orderly growth of the city. *Id.* 557 P. 2d at 1190, 1191.

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ordinance because it conflicted with the “broadly worded prohibition on local measures controlling rents” found in C.R.S. § 38-12-301. *Id.*, at 32, 40.<sup>8</sup>

A City of Westminster ordinance or resolution approving the proposed Comprehensive Plan Amendments only upon final approval of an ODP providing for affordable housing would not be voluntary and would constitute the type of rent control that is prohibited by C.R.S. § 38-12-301. *See Meyerstein v. City of Aspen*, 282 P. 3d 456, 466 (Colo. App. 2011) (explaining the 2010 amendment to the statute adding voluntary provisions and remanding to permit parties to present evidence on issue of voluntariness).

The very fact that Applicant submitted an application expressing an illegal linkage between affordable housing and land use approvals renders Applicant’s Comprehensive Plan Amendment and PDP/ODP Applications illegal and invalid *ab initio*. Though it appears to have been a *quid pro quo* arrangement, the record is unclear as to the source of the affordable housing requirement. If it is determined that the affordable housing requirement was not voluntary, all of the Applications are tainted and the proper remedy is to withdraw them and start again. This is the only way to ensure that the land use approval process will not be used as a subterfuge to change the City’s zoning based on a proposed use involving affordable housing.

The current improper linkage between approval of Applicant’s Comprehensive Plan Amendment and final approval of Applicant’s ODP providing for affordable housing render the Applications legally flawed under Colorado law. For these reasons, the proposed Comprehensive Plan Amendments and PDP/ODP should be denied.

#### **IV. PROCEDURAL IRREGULARITIES ARE NOT IN THE PUBLIC INTEREST**

City Council is being rushed to make a decision regarding three Comprehensive Plan Amendments from three applicants regarding three separate parcels of land. The decision is further (and unnecessarily) complicated by Staff’s request for the City Council to approve simultaneously both Applicant’s PDP and ODP applications for the St. Mark Village project. This compressed schedule, forcing a rushed decision on multiple issues presumably to serve only the interests of Applicant and its alleged financing deadline, does not serve the community’s best interests and should be denied.

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<sup>8</sup> The *Town of Telluride* case was decided before C.R.S. § 38-12-301 was amended to add the “voluntary” provisions of subsection (2).



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A. Combining Three Requests for Comprehensive Plan Amendments and Simultaneously Forcing a Decision on Applicant's PDP and ODP Does Not Serve the Public Interest

It appears that St. Mark Village is joining forces with Wishbone Restaurant in order to cobble together a pseudo "mixed-use" project, with the St. Mark Village parcel being the residential component and Wishbone Restaurant being the commercial/retail component. Staff explains the plan as follows:

- "When the Wishbone property is considered in conjunction with the multi-family proposed for the 6.0 acre [St. Mark Village] property, the spirit of the Comprehensive Plan is maintained as a horizontal Mixed-Use environment." Ex. 4 (Staff Memo) at 4; and
- "With the construction of the proposed development, there would be a combination of residential and retail ([Wishbone] restaurant) uses in the immediate vicinity of the [St. Mark Village] project site." Exhibit 10, Staff Agenda Memorandum for May 14, 2019 Planning Commission Meeting ("Planning Commission Report") at 8.

This uninspired patchwork of uses on separate parcels undermines the vibrant new mixed-use community vision of the Comprehensive Plan, especially considering, as Staff notes, that Wishbone currently has "**no plans to discontinue the Wishbone Restaurant business or to redevelop this property in any way.**" Ex. 10 (Planning Commission Report) at 3 (emphasis added). The combination of parcels to create an alleged "horizontal mixed-use environment" disregards zoning policy under the 2013 Comprehensive Plan. Moreover, Hamilton Zanze is aware of no authority in the Code that would allow the City to satisfy a mixed-use zoning designation by somehow combining a hodgepodge of parcels, contiguous or otherwise, zoned for various uses.

In addition, it is improper to combine both the PDP and ODP processes simultaneously with the Comprehensive Plan amendment process. Westminster Municipal Code §11-5-21(C) provides that "approval of an amendment to the Land Use Plan shall not be deemed to authorize development of land..." The Code, therefore, contemplates an orderly process that starts with the Comprehensive Plan amendment process and then, if approved, moves on to the separate PDP and then ODP applications. The simultaneous consideration of multiple applications and processes presented here does not benefit the public, but rather only benefits Applicant and its allegedly urgent timeline.

B. Rushed Agenda Does Not Serve the Public Interest

Applicant's rushed agenda is detrimental to the community. Staff notes that if Applicant's Comprehensive Plan Amendment is not quickly granted, it "would likely result in that project not

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moving forward” and would “delay and possibly eliminate the opportunity for further development of affordable housing in the area.” Staff Memo at 2. Staff is presumably referring to the timing of Applicant’s funding. *See* Exhibit 11, November 9, 2018 letter from St. Charles Co. to the City Council, referring to a December 27, 2019 deadline for its CHFA bonds.

Applicant’s funding deadline, that falls more than four months after the August 26, 2019 City Council meeting, is not the City’s concern. The City’s job is to engage in an orderly land use process for the benefit of all of its citizens. A rush to a decision on these issues is not consistent with the intent of the Code, the City’s duty to its citizens, or due process of law.

#### V. SUBSTANTIVE OBJECTIONS TO PROPOSED COMPREHENSIVE PLAN AMENDMENTS

In addition to the defects and irregularities referenced above, the three Comprehensive Plan amendments (and Applicant’s related PDP/ODP applications) must be denied because they do not meet the criteria of Westminster Municipal Code §11-5-21(B). The following are the most egregious deficiencies in the proposed Comprehensive Plan Amendments (which also relate to the linked PDP/ODP applications).<sup>9</sup>

Amendment must be consistent with the vision, intent and applicable policies of the Comprehensive Plan (W.M.C. 11-5-21(B)(1))

The proposed Comprehensive Plan Amendments are obviously not consistent with the 2013 Comprehensive Plan vision, intent or policies. *See* Comprehensive Plan at 2-40 and 1-11, quoted above in Section II.A, pg. 4. In fact, Staff admits that “...the site is neither a mixed-use site unto itself, nor a transit-oriented development.” Ex. 10 (Planning Commission Report) at 8.

Staff defends Applicant’s proposed Comprehensive Plan Amendment stating: “Mixed-use designation requires other land uses that are not only impractical for this site but incompatible with the predominantly residential uses immediately surrounding the site” and “[w]hen the Wishbone property is considered in conjunction with the multi-family proposed for the 6.0 acre [St. Mark Village] property, the spirit of the Comprehensive Plan is maintained as a horizontal Mixed-Use environment.” Staff Memo at 4. These unsupported and, indeed, illogical conclusions that a mixed-use designation is impractical and incompatible with a residential area that could be comfortably served by a walkable mixed-use development, are arbitrary and indicate bias on the part of Staff. There is no reason why Applicant cannot incorporate its affordable housing plan into a mixed-use environment and avoid a Comprehensive Plan Amendment altogether.<sup>10</sup>

<sup>9</sup> Hamilton Zanze reserves the right to object to Applicants’ failure to strictly comply with other code requirements.

<sup>10</sup> In fact, mixed-use zoning is even more critical to the success of affordable housing because it addresses the needs of low income tenants who require easily accessible nearby services.

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Furthermore, the cobbling together of parcels to simulate a “horizontal mixed-use environment” does not come close to the vision of a vibrant new mixed-use community center envisioned by the Comprehensive Plan and relied on by Hamilton Zanze when it acquired Environs. If the City had wanted R-36 Residential zoning on this parcel, the City would have zoned it as such in its 2013 Comprehensive Plan. Both Applicant and Staff—by its support of the three proposed Comprehensive Plan Amendments—are defying and second-guessing the important policies and goals approved by the City in the 2013 Comprehensive Plan, despite the absence of changed conditions.

*Amendment must serve a substantial public purpose and not be substantially detrimental to surrounding land (W.M.C. 11-5-21(B)(2))*

No substantial public purpose is served by the proposed Comprehensive Plan Amendments. The goal enunciated in LU-G7 (range of housing types) can be accomplished without a Comprehensive Plan amendment because mixed-use zoning and affordable housing are not mutually exclusive. Moreover, the proposed cobbling together of parcels to simulate a “horizontal mixed-use environment” and the rush for approval (apparently to serve Applicant’s financing timeline) does not serve a substantial public purpose. The high-density hodgepodge approach is no substitute for the vibrant new mixed-use community envisioned by the Comprehensive Plan, the loss of which is a substantial detriment to Hamilton Zanze, Environs residents and the surrounding land.<sup>11</sup>

*Amendment must be necessary in order to address substantially changed conditions in the immediate area of the subject tract since adoption of the land use plan or error in that document*

Applicant admits there are no changed conditions, to which Staff agrees (and adds that there was no error in the current zoning designation of Applicant’s property). Staff Memo at 5. The 2013 Comprehensive Plan vision, of which mixed-use designation is a major part, is still relevant today. Without a change in conditions, granting the proposed amendments would, as referenced above, also result in spot zoning.

*Amendment must further an important public policy, including but not limited to a “need for affordable housing”*

Applicant asserts that its proposed Comprehensive Plan Amendment would fulfill a goal of the Comprehensive Plan by adding affordable housing units to the City. However, neither Applicant in its Comprehensive Plan Amendment application, nor Staff in its Report, provide

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<sup>11</sup> Despite Applicant’s position that re-zoning would not increase residential density on the subject parcel, the Amendment’s proposed elimination of a retail component represents a *de facto* up-zoning of the property. Not only would the Amendment result in an up-zoning, but Applicant’s proposal also provides for grossly insufficient parking—Applicant proposes a 22% decrease in required parking without any justification other than to allow Applicant to shoe horn more density on the site.



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support as to whether there is a “need for affordable housing,” how Applicant defines “affordable housing,” or whether and how Applicant has actually made a binding commitment to meet that need.<sup>12</sup>

In addition, Applicant fails to address the fact that affordable housing and a mixed-use designation are not mutually exclusive. Affordable housing can be achieved in a mixed-use setting, thereby avoiding an amendment of the Comprehensive Plan.

## VI. CONCLUSION

The public hearing on the proposed Comprehensive Plan Amendments must be reopened due to the City’s misleading public notice and its selective acceptance into the public record of an objection submitted after the public hearing allegedly closed. The public hearing must also be reopened because the Amendments are irretrievably legally flawed. The linkage between the proposed Comprehensive Plan Amendments and approval of affordable housing constitutes improper spot and contract zoning and illegal rent control. These issues are too important to prevent them from being placed in the public record of the Comprehensive Plan Amendment proceedings. The City is rushing to make important decisions regarding a multitude of issues presented simultaneously in an apparent effort to serve the timing requirements of Applicant. This violates the orderly deliberative procedures described in the City’s Municipal Code and results in a process that does not advance the public welfare. In addition, the proposed Comprehensive Plan Amendments do not meet the substantive requirements of the Westminster Municipal Code.

There is simply no good cause shown for the requested Comprehensive Plan Amendments. Affordable housing and mixed-use can be accomplished on the St. Mark Village property without a Comprehensive Plan amendment. These are not mutually exclusive concepts. For the reasons stated herein, the Comprehensive Plan Amendments and Applicant’s PDP/ODP should be denied.

Sincerely,



Michael J. Repucci

cc: Hamilton Zanze

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<sup>12</sup> None of the application documents (for Comprehensive Plan Amendment or PDP/ODP) evidence a binding voluntary commitment on the part of Applicant to provide affordable housing. While it is stated that Applicant’s Comprehensive Plan Amendment “is contingent upon final approval of an ODP providing for affordable housing,” there is barely a mention of affordable housing in the ODP filings or of Applicant’s commitment or methods to accomplish affordable housing (such as deed restrictions, covenants, or rent parameters). There is not enough information on record to know whether Applicant has made a true commitment to affordable housing.

# EXHIBIT 1

(/)



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# Public hearing to be held regarding St. Mark Village application

Tuesday, July 2, 2019 In: [Main News \(https://www.cityofwestminster.us/News/category/main-news/\)](https://www.cityofwestminster.us/News/category/main-news/)

**UPDATE:** Staff recommends the public hearing on St. Mark Village Comprehensive Plan Amendment scheduled for Monday, July 8, be continued to Monday, Aug 26, at 7 p.m. On the same date, City Council will hold a public hearing on the Preliminary Development Plan and Official Development Plan for the St. Mark Village proposed development. The purpose of this continuance is to allow the public, staff and the applicant more time to review and address concerns and questions that have been raised on specific aspects of the proposed development.

The public hearing for the proposed community to be developed at 3100 W. 97th Ave., which began on June 24, will continue on Monday, July 8, during the regular City Council Meeting at 7 p.m., held at Westminster City Hall, 4800 W. 92nd Ave.

Other neighborhood meetings on this issue were held on Wednesday, February 27, at Westminster High School and at St. Mark Catholic Church on Tuesday, July 2.

St. Charles Town Company owns property at the northwest corner of Federal Boulevard and 97th Avenue and seeks to build a multi-family, residential-only project at this location. The property is approximately six acres, known as St. Mark Village and is west of the existing Wishbone restaurant (<https://westminster.novusagenda.com/agendapublic/AttachmentViewer.ashx?AttachmentID=5540&ItemID=3028>)

The St. Mark Village applicant/owner would like to develop a multi-family, residential-only project here, which is not allowed under the current mixed-use designation. Therefore, St. Charles Town Company has proposed an amendment to the Comprehensive Plan to change the land use for this parcel from mixed-use to R-36 residential. Learn more about the application and project (<https://westminster.novusagenda.com/agendapublic/CoverSheet.aspx?ItemID=3028&MeetingID=464>)

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### CONNECT WITH US



# EXHIBIT 2

**From:** Seitz, Anita

**Sent:** Friday, July 5, 2019 8:59 AM

**To:** agrove4612@aol.com; Tripp, Don; Erb, Kodi; Frankel, David; Parker, Michelle; City Council; Andrews, Jody; Opie, Barbara

**Subject:** Re: Wishbone expansion

**SysUserProp:** 88334F2CCA0D8E51C8530404366F9B82

Dear Ms. Grove,

Thank you for your email, and for voicing your concerns about the St. Marks proposed development. I will take your comments into consideration when making my decision on this issue. I have forwarded your email onto city staff so that it can be entered into the public record.

I also wanted to let you know Staff recommends the public hearing on St. Mark Village Comprehensive Plan Amendment scheduled for Monday, July 8 be continued to Monday, Aug 26, at 7 p.m. On the same date, City Council will hold a public hearing on the Preliminary Development Plan and Official Development Plan for the St. Mark Village proposed development. The purpose of this continuance is to allow the public, staff and the applicant more time to review and address concerns and questions that have been raised on specific aspects of the proposed development.

For more information, visit <https://bit.ly/2JkWFbF>

I just wanted to let you know because there is a good chance we will not make a decision on Monday. Please pass this information onto concerned neighbors.

Thank you,

Anita

Sent from my iPhone

>On Jul 5, 2019, at 7:48 AM, "agrove4612@aol.com" <agrove4612@aol.com> wrote:

>

>Dear Ms. Seitz,

>I am a homeowner in Northpark. I am asking you to vote NO on the proposed zoning change this Monday of the land around the Wishbone. The public outlined many valid reasons why this area is a poor choice for expansion at the last council meeting. The traffic flow into this area should be enough for a no vote from you, which will halt this builder from going forward to expand on this land.

>Sincerely, Ann Grove

>

>Sent from my iPhone

# EXHIBIT 3



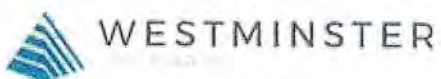
**From:** Decker, Kristin [mailto:kdecker@CityofWestminster.us]  
**Sent:** Wednesday, July 31, 2019 4:32 PM  
**To:** Catherine Grainger <cmgrainger@j-rlaw.com>  
**Cc:** Frankel, David <dfrankel@CityofWestminster.us>  
**Subject:** RE: Proposed Comprehensive Plan Amendments/ODP/PDP - St. Mark Village

Catherine,

See my answers to your questions below.

Kristin

Kristin Decker  
Deputy City Attorney  
Office of the City Attorney  
4800 West 92<sup>nd</sup> Avenue, Westminster, CO 80031  
☎ 303.658.2233 | 📠 303.706.3920



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Begin forwarded message:

**From:** Catherine Grainger <[cmgrainger@j-rlaw.com](mailto:cmgrainger@j-rlaw.com)>  
**Date:** July 31, 2019 at 12:51:49 PM MDT  
**To:** "[dfrankel@cityofwestminster.us](mailto:dfrankel@cityofwestminster.us)" <[dfrankel@cityofwestminster.us](mailto:dfrankel@cityofwestminster.us)>  
**Cc:** Michael Repucci <[mjrepucci@j-rlaw.com](mailto:mjrepucci@j-rlaw.com)>, 'Todd Williams' <[todd@hamiltonzanze.com](mailto:todd@hamiltonzanze.com)>, 'Dan Fishman' <[dan@hamiltonzanze.com](mailto:dan@hamiltonzanze.com)>, "'Gillian Bregman'" <[gillian@hamiltonzanze.com](mailto:gillian@hamiltonzanze.com)>  
**Subject:** **Proposed Comprehensive Plan Amendments/ODP/PDP - St. Mark Village**

David: we represent Hamilton Zanze, owner of the Environs residential development which is adjacent to a proposed project at 3100 W. 97th Avenue ("St. Mark Village"). The proposed St. Mark Village project requires an amendment to the City of Westminster Comprehensive Plan (from Multi-Use to R36 Residential). Two other amendments are also requested related to this project: a change from Mixed Use to Retail Commercial for the adjacent Wishbone Restaurant property and a change from Retail Commercial to Public/Quasi-Public for adjacent City-owned property. Both the City Staff and the Planning Commission have recommended approval of the requested Comp Plan amendments and it is now up to the City Council to consider and decide. The developer for the St. Mark Village project has also submitted a Preliminary Development Plan and Official Development Plan for the proposed development.

There is a City Council meeting regarding the project scheduled for August 26, about which we have a few questions:

- 1) Will the August 26 City Council meeting include a public hearing on the proposed Comprehensive Plan Amendments? **At the June 24<sup>th</sup> Council meeting, the public hearing was closed after all members of the public in attendance had an opportunity to speak. It's within Council's discretion to re-open it.**
- 2) Is a public hearing regarding the bill concerning the Comp Plan Amendments scheduled for the August 26 Council meeting before the second reading? (We believe the first reading of the bill occurred at the June 24, 2019 Council meeting, that the matter was continued to the July 8 meeting and that at the July 8 meeting it was decided that the matter would be continued to the August 26 Council meeting.) Will there be a further public hearing following the second reading of the bill, or is the matter then decided by City Council following the second reading? **Council did not vote to pass the bill amending the Comp Plan on June 24<sup>th</sup> or July 8<sup>th</sup>, so it is still in first reading. If Council passes the bill on August 26<sup>th</sup>, it will be scheduled for 2<sup>nd</sup> reading.**
- 3) Will the August 26 Council meeting also include a public hearing on the proposed PDP and ODP? (It appears that this will occur, but please confirm.) **Yes.** Does City Council intend to decide approval or disapproval of the proposed PDP and ODP at the August 26 Council meeting? **Council has not made any decisions with regard to timing.**
- 4) What is the order of the agenda for the August 26 meeting? **The agenda has not been established yet.**
- 5) Is there a deadline to submit to City Council our written objection to the proposed Comp Plan Amendment/PDP/ODP applications prior to the August 26 meeting? **As stated above, the public hearing was closed on the Comp Plan Amendment; additional information will only be considered if it is re-opened. Comments on the PDP/ODP application may be submitted to Planning staff up to the public hearing date and testimony and written information may be provided during the public hearing.**
- 6) On a related note, is this project on the agenda for the August 13, 2019 Planning Commission meeting? **Yes.** If so, what is the purpose of that meeting? **The Planning Commission will be conducting a public hearing on the PDP/ODP application and making a recommendation to City Council.** Is the Planning Commission considering recommendation of approval of the PDP/ODP at this hearing so it can then be considered by the City Council at its August 26 meeting? **Yes.**

There is apparently a flurry of activity concerning the St. Mark Village application and we only wish to be clear as to how the City proposes to bring the various applications forward for decision. We look forward to your response. Thank you.

Cathy Grainger

Catherine M. Grainger  
Attorney  
Johnson & Repucci LLP  
850 W. South Boulder Road, Suite 100  
Louisville, CO 80027  
phone: 303-442-1900  
fax: 303-442-0191  
[www.j-rlaw.com](http://www.j-rlaw.com)

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# EXHIBIT 4





## Agenda Memorandum

City Council Meeting  
July 8, 2019



*Visionary Leadership, Effective Governance and Proactive Regional Collaboration*



*Vibrant, Inclusive and Engaged Community*

**Subject:** First Reading of Councillor's Bill No. 27 Re: St. Mark Village Comprehensive Plan Amendment

**Prepared By:** David German, AICP, Senior Planner

### Recommended City Council Action:

Pass Councillor's Bill No. 27 on first reading to approve the Comprehensive Plan amendment for the subject property, which consists of three contiguous properties in the Hollyhurst Subdivision. This amendment would change the designation for: a) an approximately 6.00 acre property from Mixed-Use to R-36 Residential, b) an approximately 1.69 acre property from Mixed-Use to Retail Commercial, and c) an approximately 3.07 acre property from Retail Commercial to Public/Quasi-Public.

### Summary Statement:

- Staff recommends the public hearing on St. Mark Village Comprehensive Plan Amendment scheduled for Monday, July 8 be continued to Monday, Aug 26, at 7p.m. On the same date, City Council will hold a public hearing on the preliminary Development Plan and Official Development Plan for the St. Mark Village proposed development. The purpose of this continuance is to allow the public, Staff and the applicant more time to review and address concerns and questions that have been raised on specific aspects of the proposed development.
- The applicants request an amendment to the land use designation of the Comprehensive Plan for two properties. The first property, comprised of portions of Lots 11, 12, 45, 46, 47, and 48 of the Hollyhurst Subdivision and consisting of approximately 6.00 acres, would change from Mixed-Use to R-36 Residential. This property is referred to as St. Mark Village.
- The second property, comprised of portions of Lots 9 and 10 of the Hollyhurst Subdivision and consisting of approximately 1.69 acres, would change from Mixed-Use to Retail Commercial. An Official Development Plan (ODP) was approved in 1993 for this property for the development of the Wishbone Restaurant.
- Additionally, Staff recommends re-designating the property owned by the City of Westminster, comprised of portions of Lots 49, 50, and 51 of the Hollyhurst Subdivision and consisting of approximately 3.07 acres, from Retail Commercial to Public/Quasi-Public. This property was purchased by the City in 2018 for use as a municipal facility.
- The three properties are contiguous and are located at the northwest corner of West 97th Avenue and Federal Boulevard.
- The application for the Comprehensive Plan amendment has been reviewed by Staff solely on the merits of the changes in land use and without consideration of a specific development project. A specific project is under separate review by Staff for a multi-family development that, if approved, would provide 216 affordable apartment units on the St. Mark Village site. This proposal will come before Planning Commission and City Council at a future date.
- The Planning Commission reviewed this request for the Comprehensive Plan amendment on May 14, 2019, and voted unanimously (5-0) to recommend that City Council approve the proposed Comprehensive Plan Amendment based on the findings that the criteria set forth in Section 11-5-21 of the Westminster Municipal Code (W.M.C.) have been met.
- Due to multiple citizen concerns as well as questions from City Council, this item was continued from the City Council meeting held on June 24, 2019. Staff findings to the proposed additional information requested can be found in Attachment 6 - Information Requested at June 24th Meeting and the Attachment 6 Map.

### Fiscal Impact:

\$0 in expenditures.

**Source of Funds:**

Not applicable.

**Policy Issue(s):**

Should City Council approve a change to the Comprehensive Plan land use designations from Mixed-Use to R-36, Mixed-Use to Retail Commercial, and Retail Commercial to Public/Quasi-Public for three properties described previously, located at the northwest corner of West 97th Avenue and Federal Boulevard?

**Alternative(s):**

1. City Council could deny the proposed Comprehensive Plan amendment for the three subject properties. This action would leave the restaurant and municipal facility parcels with land use designations that do not reflect their current uses. It would also limit the development of the mixed-use property for future development. Staff does not recommend this option.
2. City Council could deny the application as proposed and provide direction for these updates to be made in conjunction with the next scheduled overall Comprehensive Plan update. The timeline of this alternative is not compatible with the applicants' development schedule and would likely result in that project not moving forward. Staff does not recommend this option because it would delay and possibly eliminate the opportunity for further development of affordable housing in this area.

**Background Information:**Overview of Development Review and Entitlement Process

The development review and approval process can vary throughout the City, based on the specific property and the proposed development, but typically involves the formation of a Preliminary Development Plan (PDP) and ODP pursuant to the land use allowances established by the Comprehensive Plan. The Comprehensive Plan includes specific land use designations that provide a broad range of uses and identify allowed densities and intensities of use. The Westminster Municipal Code (W.M.C.) requires that any future development must be in compliance with the Comprehensive Plan. To this end, the property owners are seeking Comprehensive Plan re-designations (Amendments), summarized as follows, see Attachment 1 for a vicinity map.

The St. Mark Village applicant/owner would like to develop a multi-family, residential-only project which is not allowed under the current Mixed-Use designation, as Mixed-Use would require an integrated blending of uses rather than allowing apartments only. Both designations, however, allow a density of 36 dwelling units (DU) per acre. Therefore, the applicant/owner has proposed an amendment to the Comprehensive Plan to change the land use for this parcel from Mixed-Use to R-36 Residential.

The Wishbone Restaurant applicant/owners would like to re-designate their property from Mixed-Use to Retail Commercial. This is supported by Staff because Retail Commercial accurately reflects the current use on the property.

The City proposes to re-designate a former mini-storage property to resolve the discrepancy between the property's current and future land use as a municipal facility and the property's current Comprehensive Plan designation as Retail Commercial.

Once a Comprehensive Plan amendment is approved, the applicant/owner must create a PDP and an ODP for the site. The PDP serves as the principal zoning document for the site and establishes intended future development parameters in broad terms. Allowable land uses, descriptions of the future development, and relationships between the site and surrounding properties and street networks are established. The intent, limitations, and regulations for the project are created. If needed, the timing and/or phasing of the development is identified. A PDP was established in 1988 for the area consisting of Lots 9-12 and 45-48 of the Hollyhurst Subdivision, which was initially platted in 1925. An amendment to this PDP will be created for the future development of Lots 11, 12, and 45-48. This proposed amendment would require approval from City Council.

The ODP is a more specific plan for a development site and establishes locations for landscaping, parking, access, and other requirements such as building orientation and architecture. In this application, an ODP already exists for the Wishbone Restaurant (covering Lots 9 and 10), and no changes to this ODP are needed. A new ODP amendment will be created for Lots 11, 12, and 45-48. This ODP may be approved administratively by the City Manager after the PDP is approved by City Council. Once the ODP is approved, the applicant may proceed with engineering and building plan preparations, which are the final steps before physical construction may commence.

The future PDP amendment and ODP amendment submittals will be reviewed under the City's Multi-Family Residential Design Standards, landscaping regulations, and all other applicable City codes and regulations. At this time, the PDP amendment and ODP amendments are not being considered. The only application that is under consideration is the Comprehensive Plan amendment. To ensure the six-acre portion is developed for the proposed affordable housing, a delayed effective date has been included in the Councillor's Bill stipulating the land use change to R-36 is contingent upon final approval of an ODP providing for affordable housing.

History of Subject Properties

The Hollyhurst Subdivision was a 60 lot subdivision originally platted in 1925 in Adams County. The entire subdivision was annexed into the City as part of the North Areas to Broomfield Annexation in 1970. Of the properties that are a party to this application, Lots 11 and 12 were zoned Open District (O-1), while Lots 9, 10, and 45-48 were zoned Commercial District (C-1). A PDP done in 1988



rezoned all of these lots to Planned Unit Development (PUD). Lots 9 and 10 were developed as the Wishbone Restaurant in 1993, while Lots 11, 12, and 45-48 were never developed. Meanwhile, Lots 49, 50, and 51 of the Hollyhurst Subdivision were zoned Commercial District (C-1) and developed as a "U-Stor-It" mini-storage facility in 1974. These lots remained under this usage until purchased by the City in December 2017. The mini-storage use has since been demolished, and the City is now using the land for the construction of a new elevated water tank tower similar to the tower already built on the adjoining property to the west.

#### Planning Commission Recommendation

Planning Commission reviewed this application on May 14, 2019, and voted unanimously (5 to 0) to recommend that City Council approve the proposed changes to the Comprehensive Plan based on the finding that the criteria set forth in Section 11-5-21 of the W.M.C. have generally been met. Three citizens spoke during the public comment period mentioning concerns about density, traffic and potential impact to property values in the neighborhood.

#### Nature of Request

The applicants/owners for each of the three properties referenced in this application seek to amend the Comprehensive Plan designations of their properties, as summarized in the following table:

Property Identification:	Approximate Acreage:	Current Land Use & Zoning:	Comprehensive Plan:	
			Current Designation:	Proposed Designation:
St. Mark Village (Currently Undeveloped)	6.00	Vacant; PUD	Mixed-Use	R-36 Residential
Wishbone Restaurant (Existing)	1.69	Restaurant; PUD	Mixed-Use	Retail Commercial
City of Westminster (Water Tower Property)	3.07	Water Tower; C-1	Retail Commercial	Public/ Quasi-Public

Attachment 2 provides a diagram that illustrates the changes proposed for the Comprehensive Plan Map, and Attachment 3 provides the land use descriptions for the Mixed-Use, Retail Commercial, R-36 Residential, and Public/Quasi-Public Comprehensive Plan land use designations.

#### Applicant Information for Private Properties

##### Applicant (St. Mark Village)

St. Charles Town Company  
Contact: Jordan Zielinski  
1850 Platte Street, 2<sup>nd</sup> Floor  
Denver, CO 80202

##### Property Owner

3100 West 97<sup>th</sup> Avenue, LLC  
Contact: Jordan Zielinski  
1850 Platte Street, Suite 200  
Denver, CO 80202

##### Applicant (Wishbone Restaurant)

Westminster Wishbone, Inc.  
Contact: Mark and Jolynn Lochi  
9701 Federal Boulevard  
Westminster, CO 80260

##### Property Owner

Westminster Wishbone, Inc.  
Contact: Mark and Jolynn Lochi  
9701 Federal Boulevard  
Westminster, CO 80260

#### Location

The parcels in this application are contiguous and are located at the northwest corner of West 97<sup>th</sup> Avenue and Federal Boulevard in the Hollyhurst Subdivision.

#### Surrounding Land Use and Comprehensive Land Use Plan Designation

As shown in the table below, the three subject properties are largely surrounded by residential uses. To the north and south are single family detached homes and single family attached (townhouse) homes. To the west, the City maintains an elevated water tank tower, known as the "Hydropillar", located immediately adjacent to Lots 49-51 where a second water tank tower is currently under construction. The east boundary of Lots 9-12 is marked by Federal Boulevard, which is also the City's boundary with the City of

Federal Heights. To the east of Federal Boulevard, there is vacant land that is designated as commercial zoning by the City of Federal Heights.

Direction	Development Name	Zoning	Comp Plan Designation	Current Use
North	Northpark Subdivision (Filings 10, 11, and 14)	PUD	R-3.5 and R-8 Residential	Single Family Detached and Attached Homes
East	City Boundary (Federal Heights)	C-1 (Federal Heights)	(Not in City of Westminster)	(Vacant)
South	Holly Park Subdivision St Mark Catholic Church Environs Subdivision, F02	PUD	R-3.5 and R-8 Residential; Public/Quasi-Public	Single Family Detached and Attached Homes; Church
West	City of Westminster	PUD	Public/Quasi-Public	"Hydropillar" Elevated Water Tank Tower

#### Public Notification

W.M.C. 11-5-13 requires the following three public notification procedures:

- **Published Notice:** Notice of public hearings scheduled before Planning Commission shall be published and posted at least ten days prior to such hearing and at least four days prior to City Council public hearings. Notice was published in the *Denver Post* on June 13, 2019.
- **Property Posting:** Notice of public hearings shall be posted on the property with one sign in a location reasonably visible to vehicular and pedestrian traffic passing adjacent to the site. Signs were posted on the properties involved on June 10, 2019.
- **Written Notice:** At least ten days prior to the date of the public hearing, the applicant shall mail individual notices by first-class mail to property owners and homeowner's associations registered with the City within 300 feet of the subject property. The applicant has provided the City's Planning Manager with a certification that the required notices were mailed by June 14, 2019.

#### Comprehensive Plan Amendment Evaluation

There are three Comprehensive Plan changes requested with this amendment. The first requested change is to re-designate the approximately 6.00 acre St. Mark Village property from Mixed-Use to R-36 Residential. This change is supported by Staff. While the existing Mixed-Use designation would allow a 36 DU per acre density, the Mixed-Use designation also requires other land uses that are not only impractical for this site but incompatible with the predominantly residential uses immediately surrounding the site.

The second requested change is to re-designate the approximately 1.69 acre Wishbone Restaurant property from Mixed-Use to Retail Commercial. This change is requested by the applicant/owner of the Wishbone Restaurant to bring the restaurant property into Comprehensive Plan conformity with the current and future intended use of the property, which is the continued operation of the Wishbone Restaurant. This change is supported by Staff because it ensures that any future redevelopment of the restaurant property will be more compatible with the other land uses in the area. This is true because Retail Commercial is less intensive and impactful than other uses that could be developed under a Mixed-Use designation. When the Wishbone property is considered in conjunction with the multi-family proposed for the 6.00 acre property, the spirit of the Comprehensive Plan is maintained as a horizontal Mixed-Use environment.

As a companion to these land use changes, Staff proposes an update of the Comprehensive Plan land use designation for the approximately 3.07 acre municipal property from Retail Commercial to Public/Quasi-Public. This update would place the new water tank tower currently under construction on land designated Public/Quasi-Public, just like the existing water tank tower immediately to the west. Municipal facilities are generally located on land designated Public/Quasi-Public land throughout the City.

#### Westminster Municipal Code Analysis

Section 11-5-21 of the W.M.C. provides criteria for evaluation of land use amendments. The applicant provided a narrative, see Attachment 4, and a justification of compliance with each evaluation criteria. While Staff does not fully agree with the applicant's response to every criteria, Staff's overall analysis finds the proposed amendment is substantially supported by W.M.C. as indicated below:



## 11-5-21: STANDARDS FOR APPROVAL OF LAND USE PLAN AMENDMENTS:

In reviewing an application for an amendment to the Comprehensive Plan, the following criteria shall be considered:

1. *The proposed amendment is consistent with the vision, intent and applicable policies of the Comprehensive Plan and other adopted plans, policies and guidelines.*

The proposed R-36 development in this location is consistent with the vision and intention of the Comprehensive Plan, as the density achievable with the current Mixed-Use designation is unchanged at 36 DU per acre with the proposed R-36 designation.

The intent of the Mixed Use category is to facilitate redevelopment of commercial properties with the opportunity to add residential uses incorporated in a vertical mix. With these land use changes, a horizontal mix of uses is established consisting of multi-family development on the R-36 portion and Retail Commercial on the Wishbone property. Amending the Wishbone property to Retail Commercial and the City-owned property to Public/Quasi-Public in conjunction with the request to re-designate the six-acre parcel from Mixed Use to R-36 are logical clean ups to reflect the current and anticipated future land uses on these properties.

2. *The proposed amendment serves a substantial public purpose and will not be substantially detrimental to the surrounding lands.*

Land Use Goal 7 (LU-G-7) within the Comprehensive Plan reads:

*"Provide opportunities for a range of housing types and affordability to accommodate all incomes, lifestyles and age groups within the City."*

Staff agrees that the proposed land use change on the six-acre property and corresponding development will support this goal. It does contribute to the City's stock of apartment homes and, thus, to the overall housing mix when viewed in this larger context.

3. *The proposed amendment shall consider the nature and degree of impacts on neighboring lands. Individual parcels or groups of parcels shall not be subject to a change in land use in such way that the new designation is substantially inconsistent with the uses of the surrounding area.*

The proposed switch from Mixed-Use to R-36 results in the same allowable density of 36 DU per acre. The nature and degree of impacts on neighboring lands and the consistency of an R-36 density in relation to the existing, surrounding area will be considered during the PDP/ODP review phase.

As described previously, amending the Wishbone property to Retail Commercial and the City-owned property to Public/Quasi-Public are logical clean ups to reflect the current and anticipated future land uses on these properties, and both represent less intensive land use categories than the existing respective Mixed Use and Retail Commercial designations for the Wishbone and water storage facility.

4. *The proposed amendment is necessary in order to address substantially changed conditions in the immediate area of the subject tract since adoption of the Land Use Plan or an error contained in that document.*

There are no conditions that necessitate the proposed change in Comprehensive Plan land use designation, nor is there an error that is requiring resolution or correction with this proposed amendment.

5. *The proposed amendment provides for the orderly physical growth of the City.*

The existing infrastructure in this area of the City is available to support the new development. Staff has determined that water and sewer capacity resources can meet the needs of the proposed land use designation. Staff concurs that new development represents viable use of an infill property.

6. *The proposed amendment furthers an important public policy, including but not limited to a need for affordable housing, protection of historic resources, preservation of open space, or reduction in water demand by virtue of a different land use category.*

As previously mentioned, Land Use Goal 7 (LU-G-7) within the City of Westminster's Comprehensive Plan reads:

*"Provide opportunities for a range of housing types and affordability to accommodate all incomes, lifestyles and age groups within the City."*

Staff agrees that the proposed land use change and corresponding development will support this goal.

The R-36 portion of this amendment is further supported by compelling public policy established by the Affordable and Workforce Housing Strategic Plan that identifies strategies to finance workforce and affordable housing and addresses regulatory and process challenges. The City's Strategic Plan also establishes the need to advance strategies that demonstrate that Westminster is a regional leader in providing affordable/workforce housing.

7. *The proposed amendment is appropriate in order to address a uniqueness in the size, shape and character of the parcel in relation to neighboring lands. Proof that a small parcel is unsuitable for use as presently designated or that there have been*

*substantial changes in the immediate area may justify an amendment subject to evidence furnished by the applicant.*

Staff does not find any uncharacteristically unique features or parameters that surround the subject parcel. The land is easily accessible, generally flat, and will lend itself well to future development.

8. *The proposed amendment will not negatively impact the transportation system, drainage, water and sewer infrastructure, water supply, fire and police services, the parks and open space system, or the City general fund revenue.*

The proposed land use designation amendment will not represent a negative impact on the transportation system, drainage, water and sewer infrastructure, water supply, fire and police services, the parks and open space system, or the general fund revenue of the City. Staff has verified that sufficient water resources and sewer capacity exists to handle development under either designation and acknowledges that less impact would occur under the proposed designation. Public Safety Staff confirmed the ability to handle emergency response needs under either designation. Staff confirmed that transportation, drainage, and associated functions would represent equivalent impacts under either designation. Given that the maximum residential density would remain unchanged between the two designations, impacts to the parks and open space system would likewise be equivalent. The City's general fund revenue will be impacted by the removal of the commercial component and corresponding sales tax revenue caused by switching from Mixed-Use to R-36 Residential.

9. *The proposed amendment will not negatively impact referral agencies such as the Colorado Department of Transportation, local school districts, the Rocky Mountain Metropolitan Airport, or other agencies pertinent to the location and nature of the requested amendment.*

None of the responding external agencies, including Adams County, Adams County 12 School District, the Colorado Department of Transportation (CDOT), Century Link, and Xcel Energy, have expressed concerns about this project. No responses were received from Comcast, the City of Federal Heights, or the Regional Transportation District (RTD).

10. *The proposed amendment establishes minimal environmental impacts or has sufficiently mitigated any identified impacts.*

The subject project is located in Zone X of the FEMA National Flood Hazard Map, indicating the lowest possible flood risk. The project will be sufficiently engineered to properly account for stormwater detention, drainage, and related factors. There are no known environmental impacts expected from the development of the site, and no known environmental risks or hazards are located on the site.

Staff's analysis of the ten criteria listed in W.M.C. 11-5-21 above generally supports the proposed amendment.

#### Neighborhood Meeting(s) and Public Comments

On February 14, 2019, an invitation to a neighborhood meeting was sent to all neighbors within 300 feet of the property boundaries. The neighborhood meeting was held on February 27, 2019 at Westminster High School. The developer for St. Mark Village hosted the meeting, introduced the project, and fielded questions from the nine citizens who attended. The Project Planner and six other Staff members also attended the meeting to listen and observe as well as to offer support on any technical questions from the attendees.

Those in attendance voiced only one concern about the proposal to change the Comprehensive Plan designation of the properties in question, and that was a general concern related to already existing traffic problems in the area and how these might be exacerbated by further development. Staff fielded these comments and explained how new traffic patterns would be adapted in the development area.

Staff has continued to gather input and feedback for this project, which have all arrived via email since the Planning Commission meeting on May 14, 2019. Answers were provided to direct questions, where possible, and all inquiries were acknowledged via email. These comments, in original form, are provided for review in Attachment 5.

An additional neighborhood meeting will be held to allow for comments on the PDP and ODP plans for the project. There will also be separate public hearings before both the Planning Commission and City Council for the PDP amendment, offering additional opportunities for public and/or agency input.

#### Summary of Staff Recommendation

Approve the requested Comprehensive Plan amendments to three adjacent properties in the Hollyhurst Subdivision, specifically, a) an approximately 6.00 acre property from Mixed-Use to R-36 Residential, b) an approximately 1.69 acre property from Mixed-Use to Retail Commercial, and c) an approximately 3.07 acre property from Retail Commercial to Public/Quasi-Public. This recommendation is based on a finding that the Amendment is generally supported by the criteria set forth in Section 11-5-21 of the W.M.C. that the public good is advanced by this request as follows:

- a. The availability of affordable housing within the City is increased;
- b. By re-designating the properties from Mixed-Use to R-36 Residential, Retail Commercial, and Public/Quasi-Public, the development potential of the subject properties is better aligned with available City resources and with existing land uses;
- c. With the aforementioned re-designations, the current and proposed land uses for all three subject properties will match their designated categories in the Comprehensive Plan.



This project supports the City's Strategic Plan goals of Visionary Leadership, Effective Governance and Proactive Regional Collaboration by supporting regional efforts to expand the availability of affordable housing as well as Vibrant, Inclusive and Engaged Community through proactive development of diverse, integrated housing options.

Respectfully submitted,

*Donald M. Tripp*

Donald M. Tripp  
City Manager

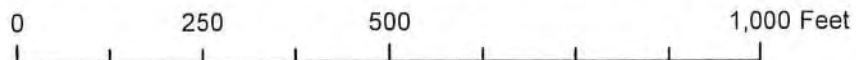
**ATTACHMENTS:**

Description	Upload Date	Type
<a href="#">Attachment 1 - Vicinity Map</a>	5/29/2019	Attachment
<a href="#">Attachment 2 - Comp Plan Map Changes</a>	5/29/2019	Attachment
<a href="#">Attachment 3 - Comp Plan Designations</a>	5/29/2019	Attachment
<a href="#">Attachment 4 - Applicant Responses: Comprehensive Plan Amendment Criteria</a>	5/29/2019	Attachment
<a href="#">Attachment 5 - Input Received from the Public</a>	5/29/2019	Attachment
<a href="#">Addendum to Attachment 5 - Additional Public Comments Received</a>	6/26/2019	Attachment
<a href="#">Attachment 6 - Information Requested at June 24, 2019 City Council Meeting</a>	7/3/2019	Attachment
<a href="#">Councillor's Bill No. 27 Re: St. Mark Village Comprehensive Plan Amendment</a>	6/26/2019	Ordinance
<a href="#">Exhibit 1 - Legal Description</a>	5/29/2019	Attachment
<a href="#">Exhibit 2 - Property Exhibit</a>	5/29/2019	Attachment

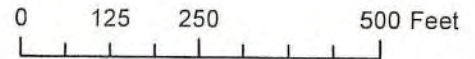
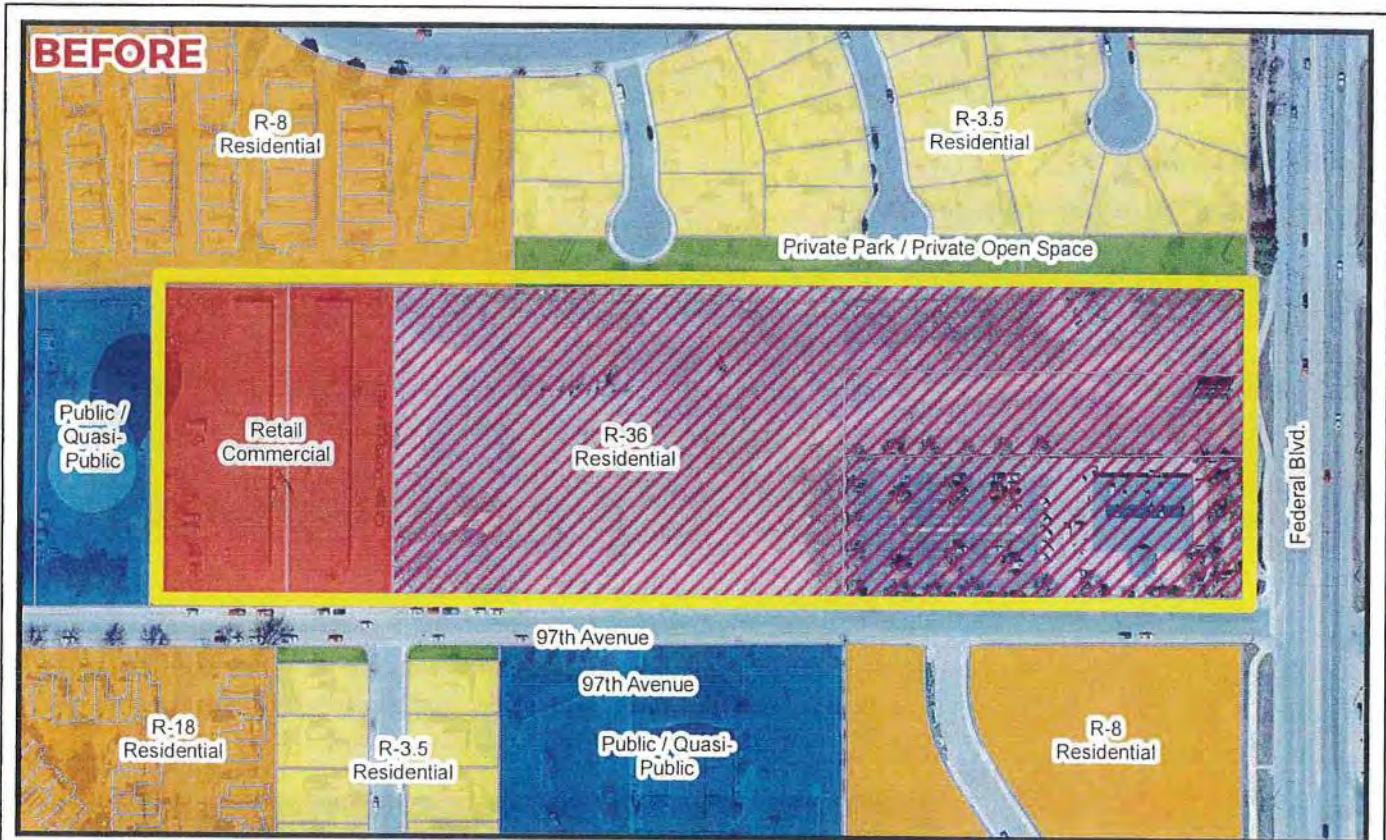




**Vicinity Map  
St. Mark Village  
NWC - 97th Avenue & Federal Blvd.**







**Comprehensive Plan Changes:  
Hollyhurst Subdivision  
Lots 9-10, and Lots 11-12, 45-48, and Lots 49-51**





**R-36 Residential**

**18.0 to 36.0 Dwelling Units per Acre**



This designation accommodates a range of higher density housing types from townhomes to apartments, condominiums and similar higher density typologies. R-36 Residential shall be located along arterial streets near transit and activity centers, where supportive neighborhood-serving uses and transit are within a 5- to 10-minute, or half-mile, walk.

**Development Standards**

*Requirement*

**Land Use**

Allowed Uses                      Apartments, Condominiums, Lofts and Townhomes

Limited Uses                      Non-commercial Recreational Uses  
    Senior Housing Facilities (1)

**Development Characteristics**

Density                              Minimum 18.0 du/acre  
    Maximum 36.0 du/acre

*(1) For facilities with beds rather than dwelling units, 2.5 beds shall equal one dwelling unit for purposes of calculating density.*



**Mixed Use**

**8.0 to 36.0 Dwelling Units per Acre and Maximum Combined FAR of 1.5**



This designation is intended to foster development with a mix of residential and commercial uses. Stand-alone commercial use or a combination of residential and commercial use is permitted. Where residential development is proposed, a vertical mix of uses (such as residential or office use above ground floor retail) is required with a minimum 0.10 FAR of commercial use (retail, offices or personal/business services). Parking should be located behind buildings, below grade or in structures to ensure active uses face onto public streets. Auto-oriented uses and drive-throughs are strongly discouraged as part of residential mixed-use projects.

**Development Standards**

	<i>Requirement</i>
<b>Land Use</b>	
Allowed Uses	Apartments, Condominiums, Lofts and Townhomes Offices, Personal Services, Retail Commercial, Live/Work
Limited Uses (1)	Auto-oriented uses Stand-alone uses with vehicle drive-throughs
Potentially Prohibited Uses	Pawn shops, car sales, massage parlors, tattoo parlors, video and other arcades, night clubs, off-track betting, auction houses, thrift stores, used merchandise sales, billiard parlors, gun shops, adult businesses, check cashing offices and day labor services
<b>Development Characteristics</b>	
Density	Minimum 8.0 du/acre, when provided Maximum 36.0 du/acre, when provided
Floor Area Ratio	Minimum 0.10 Commercial when Residential is provided Maximum 1.5 Combined Residential and Commercial

*(1) Uses may not be permitted as part of a mixed-use project that includes both residential and commercial uses.*

**Retail Commercial**

**Maximum FAR of 0.35**



This designation serves a variety of neighborhood and regional commercial needs and can be comprised of retail stores, eating establishments, banks, supermarkets and business and professional offices. Retail commercial uses are generally limited to arterial street intersections at one or two corners. Neighborhood commercial development is allowed on collector streets. Auto service stations, convenience stores, drive-through facilities and other similar uses may be limited and may not be allowed in areas that directly abut residential districts, public/quasi-public or institutional uses or public space. When permitted, such facilities shall use enhanced architectural design to be compatible with surrounding uses. Design of all retail commercial development must be consistent with the Retail Commercial Design Guidelines.

**Development Standards**

	<i>Requirement</i>
<b>Land Use</b>	
Allowed Uses	Retail stores, eating establishments, banks, supermarkets, and business and professional offices
Limited Uses	Auto-oriented uses Stand-alone uses with vehicle drive-throughs
Potentially Prohibited Uses	Pawn shops, car sales, massage parlors, tattoo parlors, video and other arcades, night clubs, off-track betting, auction houses, thrift stores, used merchandise sales, billiard parlors, gun shops, adult businesses, check cashing offices and day labor services

<b>Development Characteristics</b>	
Floor Area Ratio	Maximum 0.35





### Public/Quasi Public



This designation is intended for uses related to general community services, such as public safety facilities, schools and institutions of higher learning, places of worship, community centers, hospitals, municipal facilities and cemeteries. Future public and quasi-public uses such as private schools and recreation facilities, although not shown specifically on the Land Use Diagram, are generally allowed in residential areas subject to City review and approval. Places of assembly are also allowed in non-residential use categories subject to City review.



## **Applicant Responses to City Comprehensive Plan Amendment Criteria**

### 11-5-21: STANDARDS FOR APPROVAL OF LAND USE PLAN AMENDMENTS:

*(B) In reviewing an application for an amendment to the Land Use Plan, the following criteria shall be considered:*

- (1) The proposed amendment is consistent with the vision, intent and applicable policies of the Comprehensive Plan and other adopted plans, policies and guidelines.**

**Applicant Response:** The proposed amendment is consistent with the vision, intent and applicable policies of the Comprehensive Plan and other adopted plans, policies, and guidelines because the proposed amendment consolidates a smaller retail/commercial land parcel and use with a larger vacant lot in order to foster development of a mix of uses within the land area contained in the amendment – retail and residential – thereby completing the mixed-use vision for the zone from the 2013 Comprehensive Plan.

- (2) The proposed amendment serves a substantial public purpose and will not be substantially detrimental to the surrounding lands.**

**Applicant Response:** The proposed amendment serves a substantial public purpose by achieving goal LU-G-7 of the [City of Westminster's] Comprehensive Plan while creating a balanced housing mix in a well-designed building in the Central/North portion of Westminster on an infill parcel that is walkable to key services and transit and will tie into existing open/park space with the addition of walking trails. The proposed amendment will provide land uses complimentary to the surrounding lands with similar uses located within two blocks of the subject site.

- (3) The proposed amendment shall consider the nature and degree of impacts on neighboring lands. Individual parcels or groups of parcels shall not be subject to a change in land use in such way that the new designation is substantially inconsistent with the uses of the surrounding area.**

**Applicant Response:** The proposed amendment will not ask any individual parcels or groups of parcels to change land use or to increase currently allowed densities. The amendment proposes parcel #017917316003 consolidate with parcels 0171917316-001 & 002 to fulfill the mixed-use vision of the comprehensive plan. The proposed amendment will allow for land uses currently approved in the Comprehensive Plan and existing within two blocks of the subject site.

- (4) **The proposed amendment is necessary in order to address substantially changed conditions in the immediate area of the subject tract since adoption of the Land Use Plan or an error contained in that document.**

**Applicant Response:** The immediate area has not undergone substantially changed conditions since the adoption of the Land Use Plan. The proposed amendment combines parcels in order to fulfill the intent of the existing Land Use Plan as mixed-use land.

- (5) **The proposed amendment provides for the orderly physical growth of the city.**

**Applicant Response:** The proposed amendment fulfills the intent of the existing Comprehensive Plan and does not request any increased density over what is currently allowed, thereby achieving orderly physical growth. The proposed amendment will allow infill development to move forward on two parcels of undeveloped land in an area that was largely built-out through the 1980s and mid-1990s. Development of the parcels in the proposed amendment will help fill in urban gaps and provide an improved urban fabric than currently exists.

- (6) **The proposed amendment furthers an important public policy, including but not limited to a need for affordable housing, protection of historic resources, preservation of open space, or reduction in water demand by virtue of a different land use category.**

**Applicant Response:** The proposed amendment helps to fulfill Goal LU-G-7 of the Comprehensive Plan by adding affordable housing units serving families and households of lower incomes. Further, approval of the proposed amendment and the resulting development will lead to the last remaining billboard in the City of Westminster being demolished and removed forever.

- (7) **The proposed amendment is appropriate in order to address a uniqueness in the size, shape and character of the parcel in relation to neighboring lands. Proof that a small parcel is unsuitable for use as presently designated or that there have been substantial changes in the immediate area may justify an amendment subject to evidence furnished by the applicant.**

**Applicant Response:** There is no uniqueness in the size shape and character of the parcel in relation to neighboring lands. The parcel is not small, and there have been no substantial changes in the immediate area.

- (8) **The proposed amendment will not negatively impact the transportation system, drainage, water and sewer infrastructure, water supply, fire and police services, the parks and open space system, or the City general fund revenue.**

**Applicant Response:** The proposed amendment will not adversely affect the transportation system, drainage, water and sewer infrastructure, water supply, of the fire and police services. It will have the opportunity to add connectivity to the open space system by connecting new paved trails to existing paved trails and will improve the transportation system by removing the last remaining billboard in the City of Westminster, which is a blight to passersby along the north/south bound directions of Federal Boulevard and the east/west bound directions of W. 97<sup>th</sup> Avenue. The proposed amendment will add to City general fund revenue through new property tax collections from two parcels currently tax-exempt.

- (9) **The proposed amendment will not negatively impact referral agencies such as the Colorado Department of Transportation, local school districts, the Rocky Mountain Metropolitan Airport, or other agencies pertinent to the location and nature of the requested amendment.**

**Applicant Response:** The proposed amendment will not adversely affect any referral agencies such as the Colorado Department of Transportation, local school districts, the Rocky Mountain Metropolitan Airport, or other agencies pertinent to the location and nature of the requested amendment. Again, the removal of the billboard will positively impact the Colorado Department of Transportation.

- (10) **The proposed amendment establishes minimal environmental impacts or has sufficiently mitigated any identified impacts.**

**Applicant Response:** A phase one environmental site assessment was conducted for parcels 0171917316-001 and 002, and no environmental impacts were identified and the property is previously undeveloped.



**Public Comments Received:**

*The following comments were received via email by Staff (with date-of-receipt listed). Staff attempted to provide concise answers to specific questions posed, where possible. All inquiries were acknowledged via return email, which occasionally generated follow-up inquiries.*

**Mark & Jean Whitney (5/15 and 5/21):**

"I really don't care about the apartments either way, Just more interested in the [traffic] flow pattern and getting a turn lane in at 97th. I know there is politics involved in everything. I know the church is bound to make much money on this sale/approval but I am only interested in the safety/traffic flow issue."

*(Mr. Whitney had additional inquiries about when future meetings would be held during which he could raise his traffic-related concerns.)*

**James Hensinger (5/15 and 5/21):**

*(Mr. Hensinger first noted that he had missed the Planning Commission Meeting on May 14<sup>th</sup>, and asked for a synopsis of the proposal being considered. Once he received this, he asked the following questions:)*

"Thank you very much for the response. I appreciate your thoroughness in addressing my questions.

"Can you provide a link to the definitions of the various zoning classifications being applied in this request?

"I can understand the re-zoning of the water tower. It is always nice to dot the "i's," and keep the city paperwork in order. This change seems to be only a "clean up the paperwork" activity.

"The re-zoning of the Wishbone property seems unnecessary for its present use. How does the change affect the Restaurant? Does the change make the property more useful to future developers?

"My primary concern is with the R-36 designation. I believe there is an Excel 75' easement along the north property line. Is the easement outside the lots under consideration? Is there a map showing the easement, and the numbered lots?

"I live in NorthPark East, but not within three hundred feet of the lots being considered for a zoning change. Is there a way to ensure that I will receive

notifications of meetings? Can you provide a contact for the developer, or can you add me to a distribution list? My contact information is below.

"I and several of my neighbors are concerned about the future use of the property and the potential impacts on our community. Is attending the meetings the only way for us to express our concern?"

**Lorraine Sherry (5/15 and 5/16):**

"Please consider entry/exit onto Federal Blvd, and rush hour traffic. Residential use is OK, but keep it in the context of the neighborhood - two story homes or townhomes, no Soviet skyscrapers or slot homes. Please, the City is now ruining 92nd & Sheridan with those monstrosity buildings - it's turning into a cityscape, not a suburban close-knit neighborhood that's existed for ~35 years. This is a quiet, peaceful neighborhood where people walk the greenspaces or to the supermarket and socialize with each other. What would you do with all those cars? All that exhaust? All that noise? Make it homeowner-owned not rental. We'd love more townhomes to fill out the space by the south fence.

"I read the verbose document. We at NPE received NO invitation from the City to attend the meeting. Americans aspire to own their homes. There will be no townhomes at this St. Marks Village, nor owner-occupied condos. Those apartments will be FOR RENT. And to fit 216 rental apartments in that small space will mean building out to the edges of the parcel. No discussion of the height of the proposed buildings. Note that some new apartment houses on Sheridan north of 92nd are 5 stories high. No discussion of greenspace, walkways, medians, lawns that allow water to perc into the soil, trees, etc. Added traffic - families with small children and people with diminished mobility issues aren't going to give up their cars that easily, transit or no. Will underground parking hold 216 cars? In NPE, we have 2-car garages. This bright idea will have a huge impact on all 511 homeowners in NPE. It is not in the context of our neighborhood. Residential is OK, affordability is OK, but not the way the document describes."

**Michael and Kaye Patterson (5/16):**

"To whom it may concern;

"This area that the city is considering for a very dense low income apartment area, by the Wishbone Restaurant, seems to be a very bad idea in so many ways.

"This particular area is a very congested piece of land to add hundreds of more drivers using Federal Blvd. as its main thoroughfare. It is also an area of town

that has seen a significant uptick in crime. What is the impact on the local schools! Funny that our water cost have greatly increased yet the city wants to add high density residential areas. These areas soon could become run down communities and eyesores.

"Our City Council seems eager to take as many low income dense communities as possible to fill vacant lots in town. They seem unconcerned with the quality of current residence living conditions. It seems to me that Westminster City Council may have some underlying reasons for wanting to fill every available piece of land with large housing projects.

"Please reconsider this small piece of land for this type of development. Westminster has always been a very nice community but the City Council seems bent on changing that."

**Tamar Beaman (5/17):**

"I live at the NorthPark neighborhood, (in the townhome section) which spans from Federal to Lowell and from 102nd south to 98th. The south side of our collective property of townhomes and single family homes, borders the vacant lot that exists between Wishbone Restaurant and the big water tower and another tower being constructed. One of our retired residents learned, after reports of a meeting held May 14, that there are plans to develop the vacant lot to the south of NorthPark. Specifically, there's some concern among our residents about the proposed rezoning of this 6 acre lot to R-36 in order to build a 216 unit low-income apartment complex called St. Mark Village Apartments.

"Among the chief concerns are:

"1. How many stories are these apartments proposed to be? The fear is they will be several stories high which will not only drastically change the appearance of the neighborhood views (by blocking them) but will negatively infringe on the privacy of the Northpark residents living along the property line by people being able to see into their yards and our common areas.

"2. What's it going to look like? How much of the acreage will be used up by buildings, parking lots, and greenspace? Is there an architectural drawing of the proposed complex from both street view and birds-eye view? Can we see that somewhere?

"3. 216 units seems like a very high density population to put on such a small lot. If each apartment has at least 2 people, then you can double the amount of



cars to 432; what is the plan to deal with the additional traffic flow through the immediate neighborhood?

"4. How will all this extra population affect the teacher student ratio at the local schools?

"5. Why weren't residents of NorthPark and/or its property managers for NorthPark (Advance HOA for the townhomes) notified about this in time to get the word out for us to attend the public comment meeting that was held on/about May 14, 2019? We only learned about it after the fact. We are a shared community with common areas so it doesn't just affect neighbors on the south side of NorthPark, it affects all of us.

"6. When and where is the next public comment meeting? We want to learn more and comment publicly.

"7. The proposed apartments are low-income and/or low-rent; does this include Section 8 voucher recipients and/or Section 8 project-based funding? What government entity will be funding/regulating this and who will be the onsite management?

"This high density increase in population so close to our NorthPark townhome and SF home complex doesn't just affect the neighbors on the south side of our collective property, it potentially affects all of us since we all walk the trails and enjoy the beauty and quiet of the area. Many apartment complexes are not well designed to fit into the existing neighborhood aesthetics, so there is concern that this will be a high rise or multistory which will destroy the ambiance of the neighborhood. It certainly will add more traffic along Federal, Lowell and adjoining roads, resulting in more light changes that inhibit traffic flow along Federal. Unfortunately too, many times the overcrowding in low-rent apartments with high density population adds an increase to neighborhood vandalism and crime.

"I experienced this when I used to live in Thornton at a town home complex that was across the street from Aztec Villa Apartments and Parkview Terrace Apartments, the majority of which were Section 8 tenants. In the 17 years I owned my home there, I saw a Dramatic increase in population at the apartments, many of which were occupied by more than one family. This overcrowding leads to a lot of "hanging in the hood" behavior, noisy activity in the parking lots with music blaring, cars revving up and being worked on, bored teens doing graffiti on our fences and townhome walls, and an increase in other crimes, especially car break-ins, and drug-related crimes. The Thornton Police were a constant presence in the neighborhood, which soon got a negative reputation. The noise and the traffic were the reason I had to sell my

home. I deliberately chose the NorthPark neighborhood in Westminster because it was quiet, pretty and mostly free of through traffic. I am afraid that high density apartments so close by will destroy all that.

"I would appreciate any of the above questions you can answer. If there are any public documents we can view of these proposed apartments and how they are envisioned to look and operate, and fit into the community, please let me know."

**Myrna Lacina (5/18):**

"This is to inform you that I am NOT in favor of a 216 unit multi housing development going up there at St Marks Village. It needs to be single family homes or townhomes which are owner occupied. Anything else is inappropriate there."

**Sheran and Rich Hehn (5/20):**

"We are writing to you regarding our disapproval of rezoning to build apartments next to the Wishbone Restaurant and water towers on Federal Blvd.

"Why not single family homes that would have lawns, trees and shrubs to help with CO2 and climate change.

"Single family homes would increase our Westminster tax base, also increasing surrounding property values. Single family homes would place less demands on our water, sewer and schools. Apartments would add a significant amount of burden to all our infrastructures and traffic to an already burdened Federal Ave. Has a study been done to evaluate the impact?

"This rezoning proposal should have been posted in the Northpark news letter to inform the neighborhood. This does not feel right that we are hearing about this through a neighbor."

**Staff Note:**

*A write-up of the project also appeared in the North Park East Association Newsletter, dated May 2019. This write-up includes contacts for City Staff and projected dates for future meetings.*

**PUBLIC HEARING AND FIRST READING OF  
COUNCILLOR'S BILL NO. 27  
RE: ST. MARK VILLAGE COMPREHENSIVE  
PLAN AMENDMENT  
*(AGENDA ITEM 10. A.)***

**ADDENDUM TO ATTACHMENT 5,  
PUBLIC COMMENTS RECEIVED  
*(May 22 to June 24, 2019)***



**Public Comments Received:**

*The following comments were received via email by Staff (with date-of-receipt listed) **between May 22<sup>nd</sup> and June 15<sup>th</sup>**. (Please see Attachment 5 for the list of comments received on or before May 21<sup>st</sup>.) No comments were received after June 15<sup>th</sup>. Staff attempted to provide concise answers to specific questions posed, where possible. All inquiries were acknowledged via return email, which occasionally generated follow-up inquiries.*

**Lorraine Sherry (5/22):**

"Many thanks for addressing my concerns in my e-mails to you. I appreciate your response. I would like to attend some of those meetings. But I am confused about some of the issues, I have lots of questions, and I am looking for clarification. My understanding is that these meetings are for decision making rather than for Q/A and clarification by affected, current residents.

1. "Setback: As a member of NPE (NorthPark East) Landscape Advisory Committee, I have a copy of the ODP map for Filing 14, but I am not very good at interpreting what I see on official maps. I do know that Excel Energy's 75 foot easement cannot be built on, but it's not clear to me whether the St. Mark's Village setback from NPE's property line is 50 feet or some other number.
2. "Zoning: In the city documents online, I see that R36 buildings could run 3 to 5 stories high, and would be more appropriate near other high-density areas, such as the (under construction) new city center or near transit hubs like the new light rail line. NPE has R3.5 to R8 zoning, and the condo development by the elementary school schoolyard has R18. NPE is a quiet residential neighborhood. Wouldn't R18 be a more sensible upper limit for residential zoning for St. Mark's Village rather than R36? Townhomes or condos would be more appropriate than tall, densely occupied buildings. Can this be considered at the zoning meeting? Clearly, "commercial" is appropriate for Wishbone and "public" for the water tower area, but R36 is very high compared to neighboring residential subdivisions, especially the single family homes on the three "courts" at the south end of NPE.
3. "Bike path: Is the bike path mentioned in the online document the pedestrian and dog walk path in the easement, that runs along the NPE side of the NPE south fence? That fence was built by Writer Corporation and rebuilt in the same location at NPE's expense when the original fence deteriorated.

4. "Park: Is the park mentioned in the online document Squire's Park? Would families and children have to go through the school yard to get to Squires Park? How else would they access it on foot? If by car, where would they park?"
5. "Recreation: What amenities would be included in St. Mark's Village? I would hope that families would have their own recreation area and not be tempted to cross subdivision boundaries to use NPE's pool and recreation area. We have had ongoing problems with non-residents cutting through our common areas and hopping over the NPE pool fence to avoid the card-reader gate.
6. "Transit: To my knowledge is only the local 31 bus. I have ridden it to downtown. The closest park and ride to major bus lines is behind city hall at 92nd and Sheridan, not walking distance from NPE. And the new light rail is at 72nd, certainly not walking distance. The closest hospital is down at 84th street. So families would need at least one family car, possibly two, especially if both parents work and there are teenagers in the household. Where would 216 cars park? How would this affect current traffic patterns, especially at rush hour? Would a large number of St. Mark's Village residents' cars then be cutting through NPE streets to get to the school, Squires park and King Soopers?"

"I've tried to do my research, would like to attend meetings, but am timid about speaking out because I am simply not sure I understand all the issues involved with high density public housing right across from our quiet neighborhood. I thank you for your time. I am sure you are a busy man. Any clarification would be very much appreciated."

**Lorraine Sherry (6/2):**

"I have been in touch with Mr. German and so has my friend Tamar Dexter and several of our other NorthPark East residents. I am OK with re-zoning Wishbone and the water towers, but NOT with the proposed "St. Mark's Village" rentals. I would like to find out more about this proposed high-density low-income apartment house complex abutting our south fence at NorthPark East. This will be a VERY HIGH population density compared with our single-family homes and 2-story townhomes! I am particularly concerned about how close the buildings, trash pickup, and noise will be to our south fence. I have three concerns.

1. "Our population density is R3.5 for the single family homes and R8 for the townhomes. The proposed density for the 3-story high apartment houses is R36. This is wholly incompatible with our 30-year old quiet, owner-occupied subdivision. Our main "demographic" is retirees aging in place, who use the common areas for play, relaxation, and the south sidewalk for dog walking or their own daily walks.
  - a. ?? How can we as homeowners request the City to lower the apartment density to maybe R18??
2. "Our southernmost townhomes (and their patios and lawn/common areas) abut the foot path, used primarily by our residents for their daily walks or dog walks. No bikes or scooters. The foot path lies wholly inside NorthPark East's south fence, on NorthPark East property. Some of our townhomes are very close to the south fence. We have had an ongoing battle with graffiti painted by non-residents on our south fence. It's also easy for non-resident teenagers to hop the fence onto our property.
  - a. ?? How will we be able to secure our property and keep non-residents from trespassing on NPE common areas??
3. "?? How does the City intend to deal with the huge new crush of traffic entering Federal Blvd. from 97th during rush hours??
  - a. ??Will parents try to cut through NorthPark East to drive their kids to school??

"I plan to attend the City Council meeting on June 10th, at 7 PM at City Hall. If this changes, will we be notified? I also plan to attend the July 23rd meeting about the ODP. I would like more information about the proposed PDP and ODP."

**Lorraine Sherry (6/5):**

"Today, we measured the distances from the numbered NorthPark East townhome pads (slabs) shown on the vicinity map and the south fence.

"After comparing these measurements with the ODP (revised 11/12/93), it has come to my attention that there is a discrepancy between the actual location of the NorthPark East south fence and the 75 foot wide utility easement that we understand is required by law. Evidently the NorthPark East property line lies further south than the south fence. Please check to verify that these numbers are correct.

#3420 - 65 feet  
#3410 - 65 feet  
#3380 - 61 feet  
#3360 - 61 feet



#3330 – 61 feet  
#3210 – 64 feet  
#3260 – 71 feet”

**Lynn Yoder (5/18):**

“I am seeking information and was advised that you have all the data needed re:St Marks Village Proposal. My question is, what are the dimensions by feet in lots 9 and 10 for this commercially zoned 1.69 acres? I guess a better way to ask is, how many feet east of the city water tower storage properties line do these lot go?

50 ft 100 ft

Thanks”

**Lynn Yoder (6/6):**

“Thanks you for your reply. That helped answered my questions.

“This project directly affects me because I live right behind the property line in North park East. I am not against progress growth for Westminster but this projected proposal has so many negative issues for our city that I am scared to death of having low income property individuals looking right into my front door. The proposed project zoning does not fit this area.

“Negative Issues:

“Parking. 216 family units all stuffed into such a small area. Statics shows that every family has 2 cars per household. That is 432 vehicle in this complex that is impossible to find parking for that many.

They will have to park on both sides of 97th st which is very narrow. Think about this, 432 cars leaving this space from just one exit point. That will not work. This project does not fit this area for controlled growth. I think Wishbone restaurant better wake up because they will be parking in their lot even though no parking sign are posted. People don't respect other or property anymore , that a sad day in america. They do what they want.

“Traffic flow on 97th. Trying to get that many cars onto Federal North bound without a traffic light will cause many accidents. Another traffic light at 97 th and Federal is not the solution.

that would give us 6 traffic light from from 104 th south to this intersection. We don't need another traffic light on Federal in this area. I know you are familiar how people turn now into Wishbone restaurant from north bound Federal. They come to the light at 98th Federal and make a u turn in our resident and return to Federal southbound. I have sat at that light behind six cars and by the way it takes 2 light cycles to make it thru because it only lets 3 car max at one light. As I turned in 3 cars ahead of me all made the u turn and out. Unacceptable traffic flow. Please help!!

"Affordable Housing. I call it low income housing. This type of housing (R-36) create so many issues that a city once building a project like this never recovers from the eyesore that it causes.

High transit individual. Move to the state,, stay 6 months tear the place up and move on. Leaving behind many problems.

Drug problems, noise is all hours of the day, kids everywhere. These type of housing units leave trash because they have no skin in the game so they don't care what they leave behind.

Theft issues. People live so close to each other that they quarrel and that leads to shooting. Look what is happening in this country of ours. Killings because people are so stressed out about

issues of over crowding conditions. As you know, we are finding that many projects like this have issues with 4 families living one unit to make ends meet. Too many people for such a small space.

This type of housing does not fit in this area. We have a very nice quite place where we live and we want to keep it that way. Move this project to the old Nolans RV place down by the tracks on Federal.

"Property value I fully expect that a low income property built as requested will lower all our property values in North Park.

"Federal Blvd. I hate to say this but I have to be honest with you. I will not drive south on Federal from 98 th ave after dark. I fear for my safety as stoped at 92 nd and 88th all the way down to highway 76.

this part of Federal is an eye sore for Westminster. Mom and pop LQ stores, pot shops, ugly tire stores with tires everywhere, marijuana dispensaries, old food trucks with creepy homeless people all

over the place. When we have visitors that come, I tell them to never come up federal at anytime during the day always bypass this area.

"Excel Energy I understand the developer are trying to get an variance for the overhead lines so they can build right next to the property line. Should they be awarded this variance this would be a very dangerous mistake.

Excel Energy for years have butchered our trees where I live because they exceed the fifty foot variance. Cut down 5 next to my house. Why all of a sudden its ok to allow a developer to build a three story building within 20 feet of these lines. It's all about the money.If they build like planned on the property line 3 story building would rise up to 35 ft tall and be within 20 feet of those lines. Someone will get killed.

"Mr German, Let me ask you the Planning Division and the City Council of Westminster a question. If anyone of this team lived where I do, right across the fence from this proposal, would you vote to approve it as written? Sorry to say, but I know not one of this team would vote to have this project in their backyard. Help us out here we are the people of Westminster and we care about thing like this.

"COME ON CITY OF WESTMINSTER, YOU ARE BETTER THEN THIS! PLEASE DON'T SELL US DOWN THE RIVER.

"Thank you"

**James Speed Hensinger (6/10):**

"I started a thread on Nextdoor.com re the re-zoning of the property next to the Wishbone restaurant to R-36. In case you don't know about the thread, here is the link. I don't know if you will need to join to read the postings. I also created two event pages on NextDoor.com. One to announce the meeting date change from June 10th to the 24th, and one for the actual meeting on June 24th. Does the City use Nextdoor.com for public announcements? I know Westminster's Police Dept. is active on NextDoor.

"[https://nextdoor.com/news\\_feed/?post=111353771&is=notification\\_center](https://nextdoor.com/news_feed/?post=111353771&is=notification_center)

"No one has posted in favor of the proposal.

"I know that it may be unorthodox, but would you consider adding this information to the City Council member's briefing for the June 24th meeting? Thank you."

**Lorraine Sherry (6/10):**

"Thank you very much for both of your responses, Mr. German. I do plan to attend the public hearing on June 24th. Thank you for the invitation and for all your information."



**Larry and Myrna Lacina (6/10):**

"We are NOT in favor of the zoning change in order to build the 216 affordable housing development at 97<sup>th</sup> and Federal Blvd. We are not in favor of building this complex at that location.

"We live in North Park East which is very close to this complex they are trying to get passed through."

**Lynn Yoder (6/11):**

"Thanks you for your response especially the part with the assurance that nothing would violate the 75' easement request. Be assured, I will attend every meeting with many other residents from the Northpark area. Thanks again and make it a good day."

**Larry and Myrna Lacina (6/10):**

"We are NOT in favor of the zoning change in order to build the 216 affordable housing development at 97<sup>th</sup> and Federal Blvd. We are not in favor of building this complex at that location.

"We live in North Park East which is very close to this complex they are trying to get passed through."

**Jonathan Rash (6/13):**

"I am a homeowner and resident in the North Park Subdivision at Federal and 104th in Westminster. I am writing in regard to the proposed housing project planned for the vacant lot west of the Wishbone Restaurant on 97th and Federal, just south of the Northpark fence line.

"I am a 100% disabled, and retired Marine. My wife and I bought a townhome in Northpark in 2016 and we absolutely love our dream home and the neighborhood we live in. It's tidy, clean, relatively free from crime, and our investment here is doing very well as property values are steadily climbing making our decision to move to Westminster a very good one. Except now, I hear you are wanting to build a "low income" housing project on our doorstep which is of great concern to me. I have not always lived in nice neighborhoods like this. Before joining the Marines I worked manual labor jobs starting out in 1978 making only \$3.50 an hour. I have worked digging ditches, driving supply

trucks and labor for construction companies never making more than minimum wage and seldom having any benefits. As a result, I have lived in some less than well off neighborhoods, but I took care of my family. My children have been beaten up, had their bicycles stolen out from under them etc. But through it, all my wife and I never complained or asked for anything and we never took a single penny of public funds or any public help.

"It has taken us almost 40 years of hard work to be able to buy the home we have now. Each move we made, each job we took added to our skills and increased the value we gave our employers. During all those years I worked two jobs and was also in the Marine Corps reserves. My wife and I worked hard to provide the best life possible for our two boys and to improve our lives along the way. I was also activated twice after 9/11 and was sent to Iraq. In 2006 I suffered a severe back injury while on active duty at Camp Pendleton, and that is why as stated above I am 100% disabled.

"I tell you all this because I am now very concerned about what could possibly happen to the home and neighborhood my wife and I have worked and sacrificed our whole lives for. If you proceed with this development it will only be a short matter of time before there will be trash and graffiti all along Federal Ave, between 97th and 104th, the crime rate will undoubtedly increase, and as a result property values will decline. People like myself and my wife who saved and sacrificed so much for so long, to be where we are today, will lose what we have worked so hard for.

"I urge you to find another more suitable location for this housing project.

"\*You cannot strengthen the weak by weakening the strong.

\* You cannot help little men by tearing down big men.

\* You cannot lift the wage earner by pulling down the wage payer.

\* You cannot help the poor by destroying the rich."

**Tamar Beaman (6/15):**

"I live at NorthPark Townhomes and was planning on attending the June 10 hearing regarding the rezoning of the subject property to R36 so that a developer can build a 216-unit affordable apartment complex. The meeting was rescheduled to June 24 and unfortunately I cannot attend due to a medical procedure that day. So I am hereby registering my objections to this development.

"1. This is too small of a location to have this density of population essentially wedged in between existing neighborhoods of single family homes and our

townhomes at NorthPark. I understand a variance is requested to having the buildings offset only 15 feet from our NP south fence, rather than the usual 50 feet. This is too close! Also, with 3 story apartments, and the fact that they are uphill from NP, it will feel like the buildings are looming over us at NP, breathing down our necks. The residents at these apartments will be able to look down into our homes and yards and open space, literally violating our privacy at NP.

"2. Noise. With such an increase in population density comes noise. Noise from construction of the apartments, noise from potentially 432 more vehicles of the residents PLUS even more cars belonging to guests, noise from people hanging outside talking, blasting music, etc. Typically apartment dwellers feel cooped up and thus they congregate outside, usually not quietly either. Noises from the banging and grinding of garbage trucks emptying dumpsters and don't always wait till after 7am to do their rounds.

"3. Increased traffic flow onto Federal and Lowell for general purposes, increased traffic through NP's residential streets to get to Rocky Mountain Elementary School. These areas are already congested enough. You can't drive down Federal without having to stop at every light from people driving up to the sideroads and triggering the lights. People will cut through our property to head over to Lowell because it has less lights. And naturally, there will be increased traffic by the new apartment dwellers of parents driving their kids to school at RMN (because God forbid anyone ever walk to school anymore).

"4. Kids will climb our fence and try to sneak into our swimming pools. This was a constant problem at my former townhouse complex which was surrounded by densely populated apartments. Kids were also tearing up our playgrounds and basketball court. And beyond wear and tear, there was a destructive element too by older kids, teens and adults - vandalism of cars, graffiti on walls and fences, egg-throwing and the like.

"5. All of this brings down our property values at NP.

"I speak from personal experience, not fear. I moved from my former noisy, over-populated neighborhood in Thornton that was a mix of owner-occupied townhomes and apartments. The apartments were Section 8 aka affordable, yet still families were double-occupying them. This prompted many homeowners to sell and the buyers were investors who turned them around and used them as rentals. All of the aforementioned problems made it unbearable. I had to sleep with earplugs every night, I couldn't enjoy a quiet evening on my porch or patio, we had to upgrade our security system after being broken into, and we had to purchase a security camera to monitor our



cars parked in our carports. Our fences were climbed, broken, graffitied. Our neighborhood trashed. What once was a reasonably pleasant and respectful neighborhood became chaotic.

"I moved to NorthPark in Westminster because it is quiet here! And because the neighbors are mostly fellow homeowners that respect each other with courtesy by not having noisy vehicles, noisy music and in-your-face attitudes. Please don't ruin that! Please don't disturb our peace.

"Affordable housing needs some breathing room and the lot in question (between Wishbone and the Water Towers) is too small to allow that breathing space. There is inadequate buffer space around it - it would be right on top of our townhomes and single family homes at NorthPark. If someone wants to develop it, they should develop single family homes there. Better yet, leave it as open space."

**Patricia Ball (6/24):**

Dear Westminster City Council Members and Planning Commission:

I am writing this letter as a concerned neighbor in the NorthPark East housing development. I am writing to express my family's opposition to the application for an amendment to the Comprehensive Plan for properties located at the northwest corner of Federal Blvd. and 97th Avenue.

Traffic is a huge concern! What is the plan for entry/exit from Federal Blvd? Rush hour traffic is already a nightmare on Federal Blvd. and also on 104th and 120th Avenues. The relatively new traffic light at 98th and Federal messes up traffic flow and has an unnecessary red arrow that prevents us from turning left into our neighborhood when there is no oncoming traffic. By the time there's a green arrow, there is finally oncoming traffic, which then has to stop. If there were a blinking arrow, or an arrow that turns yellow then disappears, then oncoming traffic would not need to be stopped as often. Adding high-density housing in that property will add to already too-congested roads in the area.

Safety and privacy considerations...we have seen many more loiterers (some quite scary-looking, or drug-users) in the area in recent years. I now feel anxiety whenever I have to enter the King Soopers parking lot, due to tons of traffic, aggressive and hostile drivers, people approaching cars to ask for handouts, etc. My car has been backed into once while I was in it, and hit/scraped a couple of other times while I was in the grocery store. Additionally, I am a single mother with four kids. Apartment buildings so close to the other side of

the fence will be able to see into my house, our yards, our cars, everything!! I already experience significant noise pollution from Federal Blvd. This proposal looks to add even more noise directly to the south of my house.

Speaking of King Soopers, by the time I can get there after work or on the weekend, sometimes they are even out of the items for which I'm shopping. This was not a problem when I first moved to North Park 10 years ago.

Property values...WHY does it have to be high-density low-income housing? This is NOT consistent with the rest of the neighborhood on the west side of Federal Blvd. (NorthPark, NorthPark East, Hollypark, Environs, etc.! I have worked very hard to buy a house on my own in Westminster for me and my four children. I just refinanced my home to pay for some big projects and appliance updates for my home. I am extremely concerned that our property values will plummet and I will be upside-down on my home. I'm also very concerned that it will make my home difficult to sell! If you must develop that space, we would not be opposed to low density residential housing, which would be more consistent with the neighboring NorthPark neighborhood.

Thank you for your consideration.

**Staff Note:**

*An announcement of the project also appeared in the North Park East Association Newsletter, dated June 5, 2019, as follows:*

*"Dear NPE Homeowners,*

*"There will be an open meeting at City Hall on Monday, June 10 at 7 p.m. to discuss and hear comments about the proposed affordable housing project, St. Mark Village, to be located directly south of our south fence. The project is a 216 unit, 1, 2, and three bedroom, three story high rental property which will be built close to our south fence, as they will be asking for a variance from the City requirements of a 50 foot setback from our property line.*

*"Homeowners who have any concerns about this project and its impact on our community are encouraged to attend the meeting and voice their concerns.*

*"Advance HOA Management, Inc,  
On behalf of,  
The NPE Board of Directors"*

**PUBLIC HEARING AND FIRST READING OF  
COUNCILLOR'S BILL NO. 27  
RE: ST. MARK VILLAGE COMPREHENSIVE  
PLAN AMENDMENT  
(AGENDA ITEM 10. A.)**

**ATTACHMENT 6  
INFORMATION REQUESTED AT JUNE 24<sup>TH</sup> MEETING**



**Introduction:**

The June 24<sup>th</sup> public hearing was continued to July 8, 2019 by City Council to allow staff to provide answers to questions raised during the hearing. This Attachment 6 is intended to address those questions.

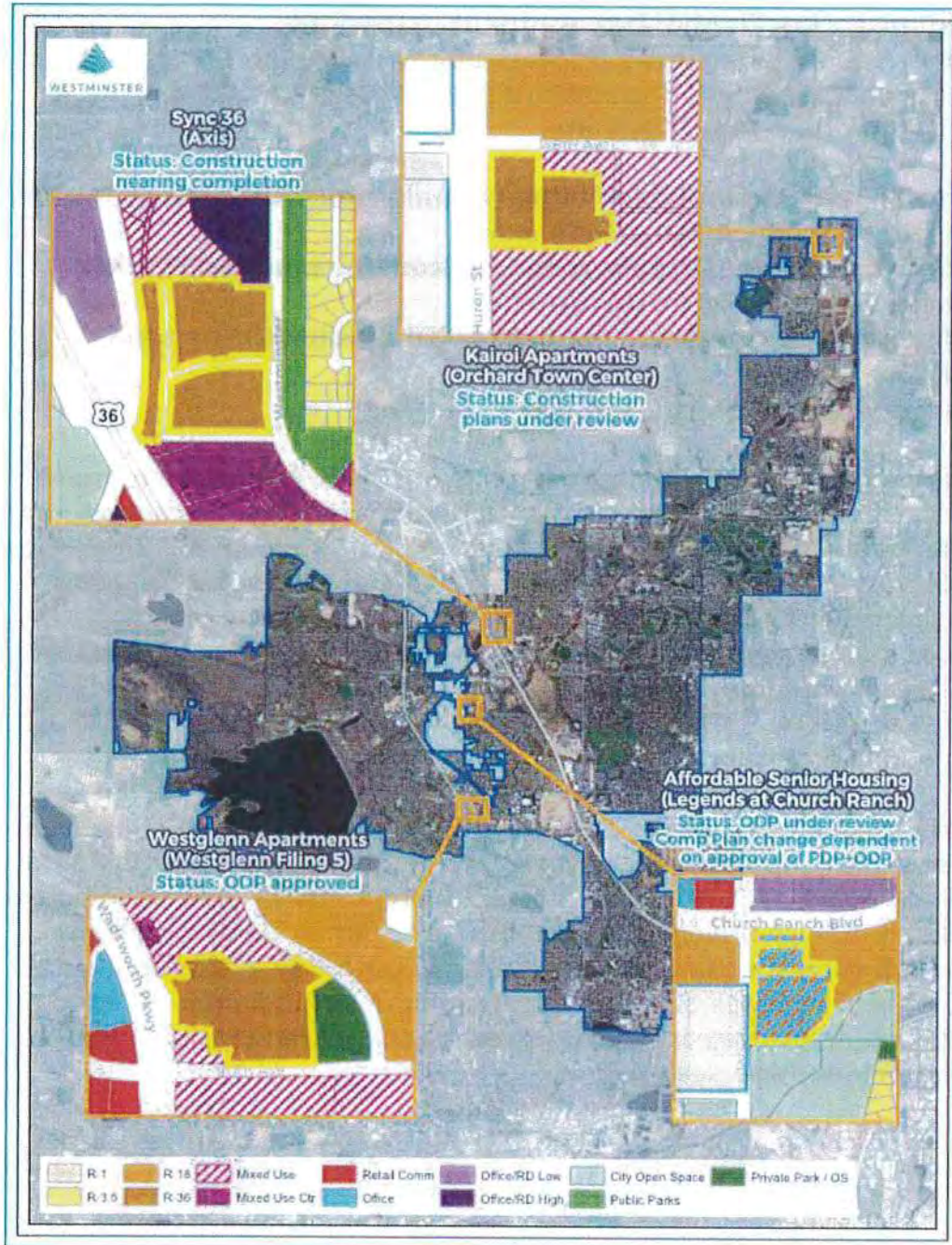
The application currently before City Council requests consideration to change the St. Mark Village property from Mixed-Use to R-36 Residential. Analysis of this request is based solely on a comparison of both Comprehensive Plan designations and is not based upon any future designs that the applicant might have for the site. Mixed-Use allows a range of density from 8 dwelling units per acre (du/ac) to 36 du/ac. R-36 allows a range of density from 18 du/ac to 36 du/ac. It is staff's opinion that the R-36 designation has less impact overall than the current Mixed-Use designation should the parcel develop at the maximum allowable density.

The Comprehensive Plan designation does not guarantee maximum density, but anticipates appropriate densities will be established within the allowed range upon approval of the Preliminary Development Plan (PDP). The PDP, in conjunction with the Official Development Plan (ODP), will establish site design standards that will further determine density. If there are to be exceptions from the minimum design standards, these exceptions will be listed in the PDP and the ODP and must be approved by City Council.

If City Council approves the Comprehensive Plan Amendment application, staff will bring forth a complete analysis of all other factors of developing the site during the PDP and the ODP process, including discussion and analysis of traffic, landscaping, setbacks, site design elements and issues, fire access, amenities and recreational opportunities, parking, architecture, and many other items critical to the design and ultimate success of the project.

**R-36 Locations in the City of Westminster:**

The map below shows all locations of all properties designated R-36 Residential in the City and the designations of abutting properties. The status of each site is also shown.



**Other High Density Residential Developments in the City:**

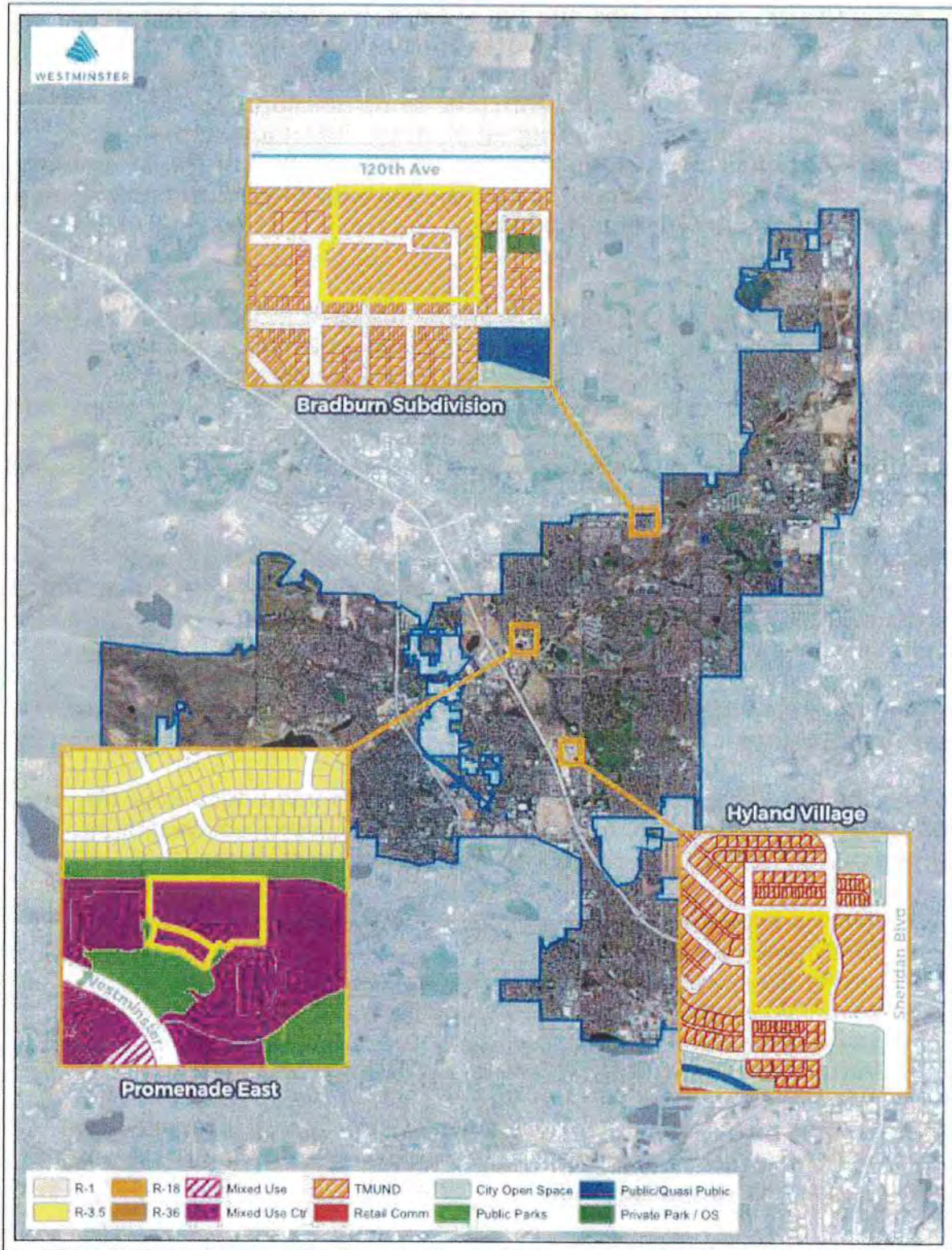
There are three other areas (please see map below) in the City where high density housing can be found near lower density housing that have designations other than R-36. These are:

- **Apartment portion of Hyland Village Subdivision (Designated TMUND):**  
5.58 acres; 164 units; 29.39 d/u per acre\*
- **Apartment portion of Bradburn Subdivision (Designated TMUND):**  
12.71 acres; 310 units; 24.39 d/u per acre\*
- **Apartment portion of Promenade East Subdivision (Designated Mixed-Use Center):**  
6.15 acres; 300 units; 49 d/u per acre\*\*

\*Apartment projects located within a master-planned TMUND development are approved as part of an overall development plan that includes a mixture of single-family homes, townhomes, apartments, and commercial buildings. Each TMUND development is strategically designed to ensure the appropriate proportion, placement, and relationship of each of these development typologies into a single cohesive neighborhood context. The total maximum density for TMUND developments is limited to 18 dwelling units per acre averaged over the entire TMUND site, but individual parcels within the TMUND site may exceed this density.

\*\*Like TMUND, apartment projects located within a master-planned Mixed Use Center development are approved as part of an overall development plan that may include a mixture of townhomes, live-work units, apartments, commercial, and vertically mixed use buildings. Each Mixed Use Center development is strategically designed to ensure the appropriate proportion, placement, and relationship of each of these development typologies into a single cohesive neighborhood context. There is no maximum dwelling unit density in the Mixed Use Center land use designation.





**The Mixed-Use Land Use Designation of the St. Mark Village Property:**

The St. Mark Village site was designated Office-Residential before the Comprehensive Plan Update adopted in November of 2013. The site was stagnant under this designation, with little-to-no development interest. With the 2013 Update, the land use designation of the site changed to Mixed-Use. This was done to encourage the development of the site. It was thought at the time that Mixed-Use would provide the site with the widest possible range of possible development opportunities.

**Key Traffic Considerations for the St. Mark Village Application:**

The evaluation of traffic impacts for Comprehensive Plan Amendments examines the potential trip generation from the existing designation versus the trip generation for the proposed designation, rather than a complete study of where the trips are coming from or going to. For the St. Mark Village site, the change from maximum density allowable under Mixed-Use to R-36 represents a reduction in trip generation.

The approximate trip generation for the R-36 use is 1,175 per day with 73 trips in the AM peak hour and 95 trips in the PM peak hour. This is compared to the range of 2,000-3,000 daily trips that would be generated if this site were to be developed under the maximum density allowable under the Mixed-Use designation. During the PDP and ODP reviews, additional information regarding trip distribution and generation to and from the site would be evaluated further.

When the City completed traffic volume counts at various locations, the following volumes were observed (these numbers were measured in the Spring of 2017, and could vary slightly from what is seen today):

- Federal Boulevard 46,000 vehicles per day (vpd)
- 104th Avenue - 26,000 vpd
- Lowell Boulevard at West 104th Avenue - 8,000 vpd
- Lowell Boulevard at West 96th Avenue - 7,000 vpd
- Lowell Boulevard north of West 92nd Avenue - 8,000 vpd
- West 96th Avenue west of Federal Boulevard - 2,800 vpd

Access to and from the site would be provided by existing adjacent public roadways. These roadways are Federal Boulevard, West 97th Avenue, West 96th Avenue and Lowell Boulevard.

The Colorado Department of Transportation (CDOT) owns and operates the traffic signals along the Federal Boulevard corridor. It also grants or denies additional access points, or changes to existing access points, along the



corridor. CDOT has demonstrated little interest in allowing further access to or from Federal Boulevard in the area of this development. CDOT may be willing to install a concrete turn barrier at the West 97<sup>th</sup> Avenue intersection with Federal Boulevard to reinforce that left turns onto northbound Federal Boulevard from West 97<sup>th</sup> Avenue are prohibited, but this decision (and the timing associated with it) lies entirely with CDOT.

With this understanding, access to this site would follow the current patterns seen with patrons of the Wishbone Restaurant or residents of the Environs Subdivision. Access to West 97<sup>th</sup> Avenue from Federal Boulevard is restricted to right-in/right-out turning movements, so southbound Federal traffic may legally turn directly onto westbound West 97<sup>th</sup> Avenue, and eastbound West 97<sup>th</sup> Avenue traffic may legally turn directly onto southbound Federal Boulevard. For northbound Federal Boulevard traffic, the legal turning movement would be to turn left onto West 98<sup>th</sup> Avenue and continue west to Grove Street, perform a u-turn at this intersection, and continue back to Federal Boulevard to head south to the site. Some motorists prefer to use Lowell Boulevard to gain access to West 97<sup>th</sup> Avenue from the west.



BY AUTHORITY

ORDINANCE NO. **3994**

COUNCILLOR'S BILL NO. **27**

SERIES OF 2019

INTRODUCED BY COUNCILLORS

---

A BILL

FOR AN ORDINANCE AMENDING THE WESTMINSTER COMPREHENSIVE PLAN

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The City Council finds that:

a. An application for an amendment to the Westminster Comprehensive Plan has been submitted to the City for its approval pursuant to Section 11-3-2(D), W.M.C., by the owner of two parcels within the Hollyhurst Subdivision, comprised of portions of Lots 12, 45, 46, 47, and 48 (Parcel 1) and a portion of Lot 11 (Parcel 2), collectively consisting of 6.00 acres located at the northwest corner of Federal Boulevard and 97<sup>th</sup> Avenue, described and depicted in Exhibits 1 and 2, attached hereto and incorporated herein, for a change in the land use designation from Mixed Use to R-36. This parcel is currently undeveloped.

b. An application for an amendment to the Westminster Comprehensive Plan has been submitted to the City for its approval pursuant to Section 11-3-2(D), W.M.C., by the owner of a parcel within the Hollyhurst Subdivision, comprised of portions of Lots 9 and 10, consisting of ±1.69 acres located at the northwest corner of Federal Boulevard and 97<sup>th</sup> Avenue, described and depicted in Exhibits 1 and 2, for a change in the land use designation from Mixed Use to Retail Commercial. This parcel is currently occupied by the Wishbone Restaurant, which is a Retail Commercial land use.

c. The City wishes to re-designate its own property within the Hollyhurst Subdivision, comprised of portions of Lots 49 and 50, consisting of ±3.07 acres located immediately west of Parcels 1 and 2, described and depicted in Exhibits 1 and 2, for a change in the land use designation from Retail Commercial to Public/Quasi-Public. This parcel is currently being developed as an elevated water tank site by the City of Westminster, which is a Public/Quasi-Public land use.

d. Such application has been referred to the Planning Commission, which body held a public hearing thereon on May 14, 2019, after notice complying with Section 11-3-2(D), W.M.C., and has recommended approval of the requested amendments.

e. Notice of the public hearing before City Council has been provided and certified by the owners in compliance with Section 11-3-2(D), W.M.C.

f. City Council, having considered the recommendations of the Planning Commission, has completed a public hearing and has accepted and considered oral and written testimony on the requested amendments.

g. The owner of property described in Section 1(a) has met its burden of proving that the Comprehensive Plan amendment will further the public good and will be in compliance with the overall purpose and intent of the Comprehensive Plan, as the provision of affordable apartment housing is consistent with the following public policies: (i) Land Use Goal LU-G-7, relative to providing affordable housing; (ii) the Affordable and Workforce Housing Strategic Plan, Resolution No. 27, passed and adopted October 23, 2017, relative to identifying strategies to finance workforce and affordable housing, addressing regulatory and process challenges and allowing alternative housing product types; and (iii) the City's Strategic Plan, relative to pursuing workforce and affordable housing throughout the City. This amendment to the Comprehensive Plan allows for the development of 216 affordable apartments, where "affordable" is defined as housing serving families earning between 30% and 60% of the area median income.

h. The owner of the property described in Section 1(b) has met its burden of proving that the Comprehensive Plan amendment will further the public good and will be in compliance with the overall purpose and intent of the Comprehensive Plan, particularly as the continued operation of the Wishbone Restaurant and any future Retail Commercial use is consistent with Land Use Policy LU-G-5, relative to fostering a retail commercial mix that meets the varied needs of the City's residents and business community, from everyday services to unique shopping, dining and hospitality.

i. The City, as owner of the property described in Section 1(c), has met its burden of proving that the Comprehensive Plan amendment will further the public good and will be in compliance with the overall purpose and intent of the Comprehensive Plan, particularly as the Public/Quasi-Public land use designation to allow for a water tank is consistent with the following public policies: (i) Land Use Policy LU-P-4, relative to ensuring the availability of adequate infrastructure and public services; and (ii) Water Supply Policy PU-P-4, relative to maintaining existing levels of water services for current and future development.

Section 2. City Council approves the requested amendments and authorizes City staff to make the necessary changes to the map and text of the Westminster Comprehensive Plan to: (i) change the land use designation of the property described in Section 1(a) to R-36 Residential; (ii) change the land use designation of the property described in Section 1(b) to Retail Commercial; and (iii) change the land use designation of the property described in Section 1(c) to Public/Quasi-Public. The change in land use designation for the property described in Section 1(a) is expressly contingent on the provision of affordable housing on such property, and such amendment shall only be effective upon the final approval of an Official Development Plan by the City providing for affordable housing.

Section 3. If any section, paragraph, clause, word or any other part of this ordinance shall be held to be invalid or unenforceable by a court of competent jurisdiction, such part deemed unenforceable shall not affect any of the remaining provisions.

Section 4. This ordinance shall take effect upon its passage after second reading.

Section 5. The title and purpose of this ordinance shall be published prior to its consideration on second reading. The full text of this ordinance shall be published within ten (10) days after its enactment after second reading.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 24<sup>th</sup> day of June, 2019.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 8<sup>th</sup> day of July, 2019.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

APPROVED AS TO LEGAL FORM:

\_\_\_\_\_  
City Attorney's Office



## **Property Legal Descriptions:**

### **Property 1: (St. Mark Village Property)**

- Consists of portions of Lots 12, 45, 46, 47, and 48 (Parcel 1) and a portion of Lot 11 (Parcel 2), consisting of 6.00 acres located at the northwest corner of Federal Boulevard and 97<sup>th</sup> Avenue, all within Hollyhurst Subdivision.
- See following pages for complete legal description and illustration.

### **Property 2: (Wishbone Restaurant Property)**

- Consists of Lots 9 and 10, excepting that portion conveyed to the Colorado Department of Transportation in deed recorded August 11, 1961, in book 926 at page 293. Property is ±1.69 acres located at the northwest corner of Federal Boulevard and 97th Avenue, all within Hollyhurst Subdivision.

### **Property 3: (City Elevated Water Tower Tank Property)**

- Consists of Lots 49, 50, and 51, excepting that portion conveyed to the City of Westminster (5' ROW dedication) in deed recorded August 28, 1972, in book 1815 at page 496. Property is ±3.07 acres located at the northwest corner of Federal Boulevard and 97th Avenue, all within Hollyhurst Subdivision.

Legal Description for St. Mark Village Property, comprised from portions of Lots 11, 12, 45, 46, 47, and 48, Hollyhurst Subdivision

## DESCRIPTION

SITUATED IN THE SOUTHWEST 1/4 OF SECTION 17,  
TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,  
CITY OF WESTMINSTER, COUNTY OF ADAMS, STATE OF COLORADO.

A PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF WESTMINSTER, COUNTY OF ADAMS, STATE OF COLORADO,

LOTS 11, 12, 45, 46, 47 AND 48, HOLLYHURST, RECORDED IN BOOK 3 AT PAGE 54

EXCEPT THOSE PORTIONS THEREOF CONVEYED TO THE DEPARTMENT OF HIGHWAYS IN DEEDS RECORDED IN BOOK 920 AT PAGE 379 AND DEED RECORDED IN BOOK 926 AT PAGE 293, COUNTY OF ADAMS, STATE OF COLORADO,

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTH QUARTER CORNER OF SAID SECTION 17, THENCE NORTH 00°01'39" EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER, A DISTANCE OF 894.55 FEET; THENCE SOUTH 89°24'25" WEST A DISTANCE OF 91.40 FEET TO A POINT ON THE WEST LINE OF THE PARCEL DESCRIBED IN BOOK 926 AT PAGE 293, A POINT ON THE SOUTH LINE OF SAID LOT 11 EXTENDED EASTERLY, AND THE **POINT OF BEGINNING**;

THENCE CONTINUING SOUTH 89°24'25" WEST ALONG SAID EXTENSION AND THE SOUTH LINE OF SAID LOT 11, HOLLYHURST SUBDIVISION, A DISTANCE OF 468.44 FEET TO A POINT ON THE EAST LINE OF SAID LOT 45, HOLLYHURST SUBDIVISION;

THENCE SOUTH 00°33'57" EAST ALONG SAID EAST LINE, A DISTANCE OF 161.90 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WEST 97TH AVENUE AS DESCRIBED IN BOOK 1815 AT PAGE 496;

THENCE SOUTH 89°24'25" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 521.58 FEET TO A POINT ON THE WEST LINE OF LOT 48, HOLLYHURST SUBDIVISION;

THENCE NORTH 00°34'05" WEST ALONG SAID WEST LINE, A DISTANCE OF 340.47 FEET TO A POINT ON THE SOUTH LINE OF TRACT A, NORTH PARK SUBDIVISION FILING NO. 14 RECORDED AT RECEPTION NO. B1228332;

THENCE NORTH 89°24'41" EAST ALONG THE SOUTH LINE OF SAID TRACT A, AND ALONG THE SOUTH LINES OF TRACT B, NORTH PARK SUBDIVISION FILING NO. 11 RECORDED AT RECEPTION NO. B689214, TRACT B, NORTH PARK SUBDIVISION FILING NO. 10 RECORDED AT RECEPTION NO. B1081276, A DISTANCE OF 993.59 FEET TO THE WEST LINE OF SAID PARCEL DESCRIBED AT BOOK 920 AT PAGE 379;

THENCE SOUTH 00°34'36" WEST ALONG SAID WEST LINE, AND ALONG THE WEST LINE OF SAID PARCEL DESCRIBED IN BOOK 926 AT PAGE 293, A DISTANCE OF 178.53 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 261,513 SQUARE FEET OR 6.003 ACRES, MORE OR LESS.

**BASIS OF BEARINGS:** BEARINGS ARE BASED ON THE EAST LINE THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, ASSUMED TO BEAR NORTH 00°01'39" EAST.

PREPARED BY: AARON MURPHY  
PLS 38162  
ON BEHALF OF: HARRIS KOCHER SMITH  
1120 LINCOLN STREET, SUITE 1000  
DENVER, CO 80203  
303.623.6300



NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

ISSUE DATE: 05-13-2019	PROJECT #: 180233
DATE	REVISION COMMENTS

97TH AND FEDERAL  
DESCRIPTION

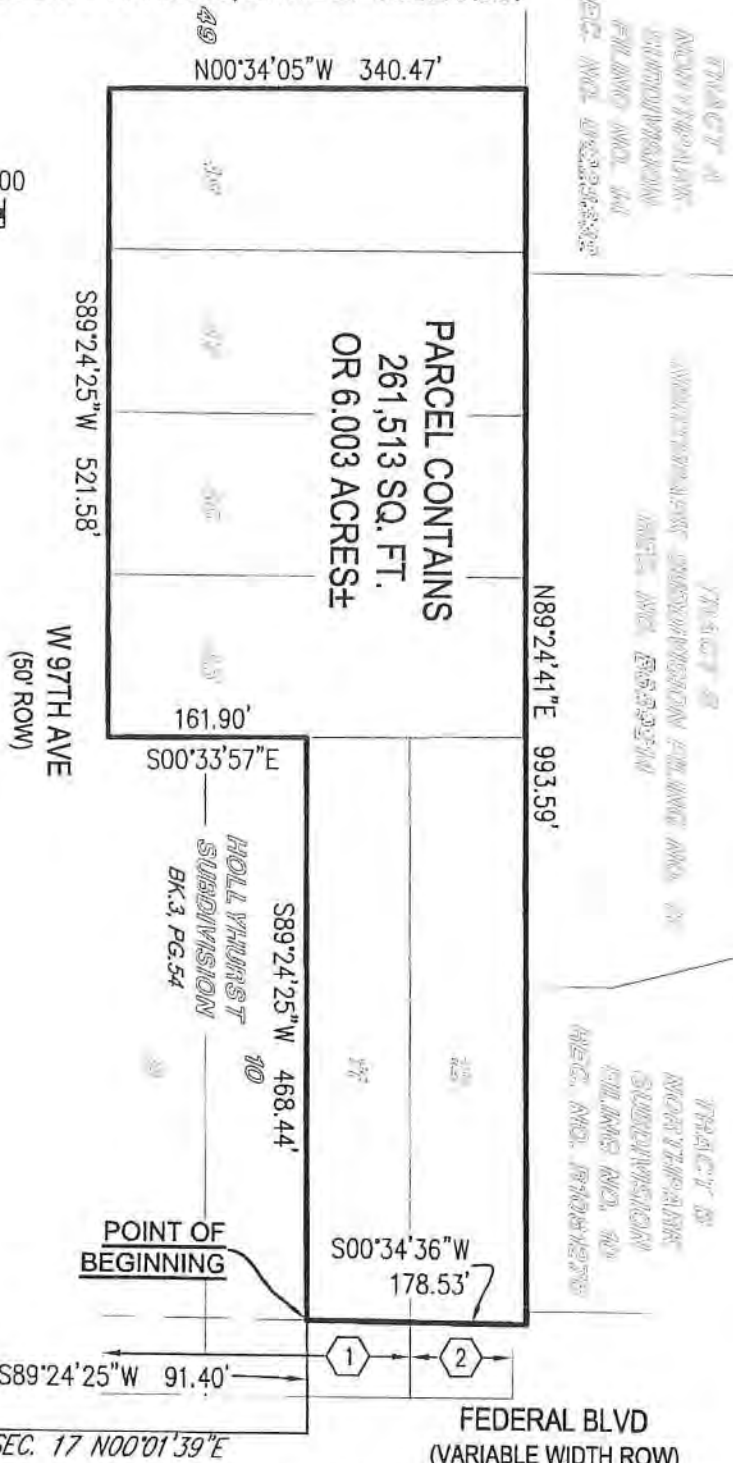
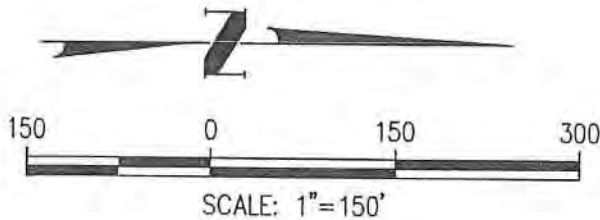
**HKS** HARRIS KOCHER SMITH  
1120 Lincoln Street, Suite 1000  
Denver, Colorado 80203  
P: 303 623 6300 F: 303 623 6311  
HarrisKocherSmith.com

CHKD BY: AWM DRAWN BY: PTM
SHEET NO 1 1 OF 2

Illustration of St. Mark Village Property, comprised from portions of Lots 11, 12, 45, 46, 47, and 48, Hollyhurst Subdivision

# EXHIBIT

SITUATED IN THE SOUTHWEST 1/4 OF SECTION 17,  
TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,  
CITY OF WESTMINSTER, COUNTY OF ADAMS, STATE OF COLORADO.



**NOTES:**

- ① CDOT EXCEPTED PARCEL BOOK 926 PAGE 293
- ② CDOT EXCEPTED PARCEL BOOK 920 PAGE 379

THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY. IT IS INTENDED TO DEPICT ONLY THE ATTACHED LEGAL DESCRIPTION.

**POINT OF COMMENCEMENT**  
S 1/4 COR SEC 17  
T2S R68W

**BASIS OF BEARINGS** E LINE SW 1/4 SEC. 17 N00°01'39"E

**FEDERAL BLVD**  
(VARIABLE WIDTH ROW)

NO CHANGES ARE TO BE MADE TO THIS DRAWING WITHOUT WRITTEN PERMISSION OF HARRIS KOCHER SMITH.

ISSUE DATE: 05-13-2019	PROJECT #: 180233
DATE	REVISION COMMENTS

97TH AND FEDERAL  
ILLUSTRATION

**Hks** HARRIS KOCHER SMITH  
1120 Lincoln Street, Suite 1000  
Denver, Colorado 80203  
P: 303 823 6300 F: 303 823 6311  
HarrisKocherSmith.com

CHKD BY: AWM  
DRAWN BY: PTM

SHEET NO.

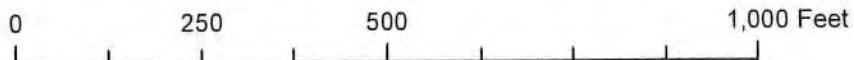
2

2 OF 2





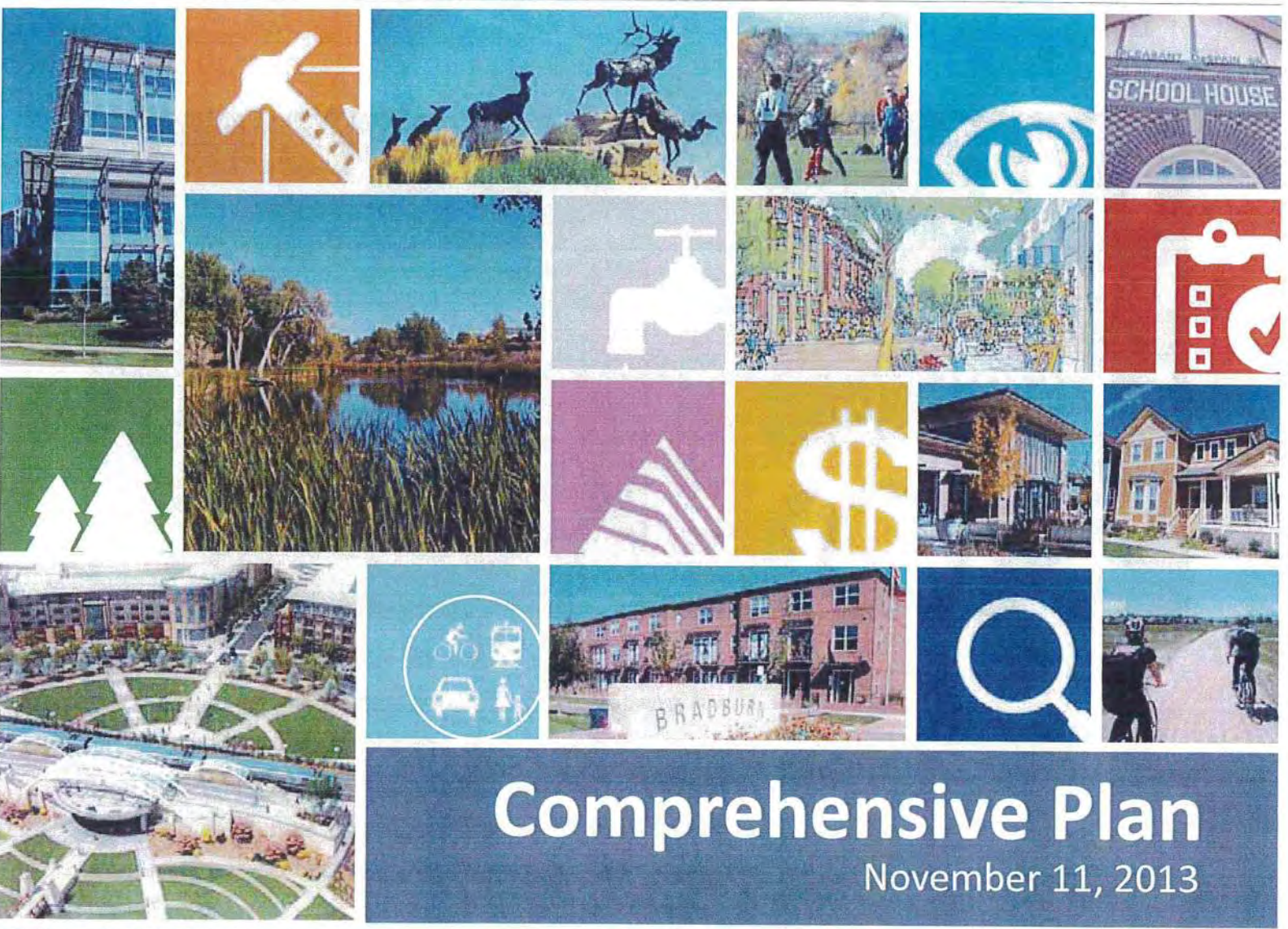
**Property Exhibit: Hollyhurst Subdivision  
(St. Mark Village / Wishbone Restaurant  
City Elevated Water Tower Site)**





# EXHIBIT 5

# WESTMINSTER



## Comprehensive Plan

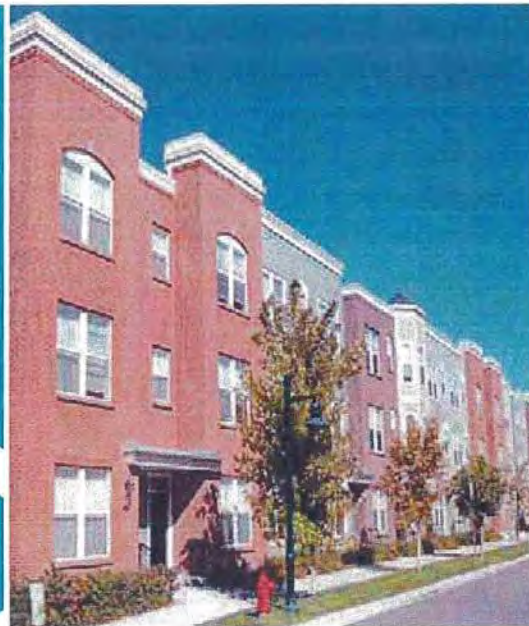

November 11, 2013

Amended August 10, 2015

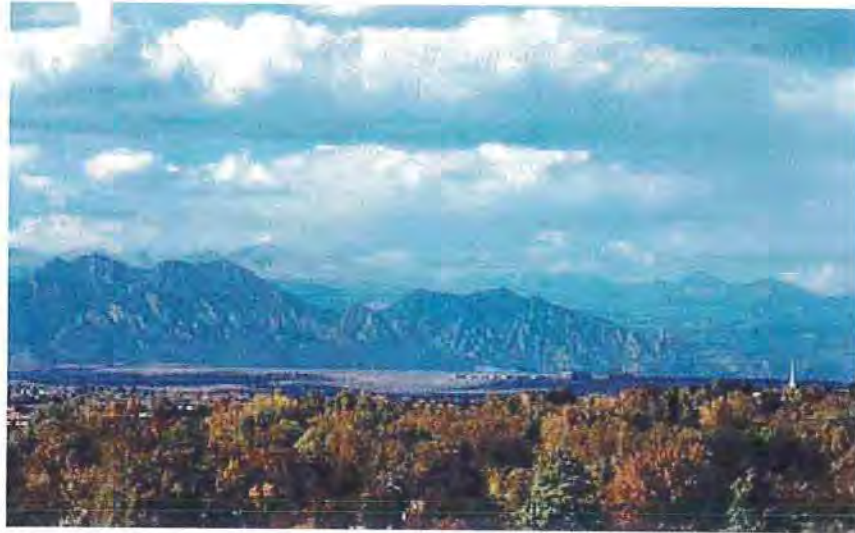




# 1.0 Introduction & Vision



*The Comprehensive Plan is the official policy document of the Westminster City Council and Planning Commission. The Comprehensive Plan provides a consistent statement of the city's plans and policies for future development, and is meant to be a dynamic document that can evolve and respond to changing conditions. All parts of the Plan work together towards the realization of the city's vision for the future.*

*Photo Credit: Fred Girk*

## **1.1 PURPOSE OF THE COMPREHENSIVE PLAN**

The vision described in the Westminster 2035 Comprehensive Plan lays the foundation for livability, accessibility, community identity and growth over the next two decades. The Comprehensive Plan (referred to as the Plan through the remainder of this document) establishes a cohesive approach to reach this vision, involving all aspects of physical planning in the city. The long-range policies of the Plan provide a basis for evaluating specific development opportunities and public projects, with coordination among all city departments. Plan policies also provide the basis for establishing and setting priorities for more detailed plans and implementation programs including the Westminster Municipal Code, specific and area plans, and the Capital Improvement Program.

### **Purpose of the Plan Update**

The last update to the city's Comprehensive Land Use Plan (CLUP) occurred in 2004. Since this update, the city, economy and development trends have evolved significantly. Several key factors have contributed to the need for a comprehensive update to the Plan. These include:

- The city is nearing its physical build-out and little vacant land remains for development. As a result, the majority of new growth in the city will likely be accommodated in redevelopment and infill areas.
- Much of the future development in the city will rely on existing infrastructure and resources, planning for which will need to be closely tied to land uses and development intensity in order to provide adequate services and maintain the city's high quality of life.





- Many areas in the city that were formerly designated as District Centers in the 2004 CLUP require more detailed direction for land use and development intensity to ensure that new development occurs in desired areas and in concert with the city's vision, growth management efforts and infrastructure capacity.
- Finally, the need to accommodate mixed-use and transit-supportive development, ensure development continuity in commercial and employment centers, and preserve land for services and light industry requires a more refined palette of land use classifications.

These factors require alignment of all physical planning efforts in the city in order to ensure a high quality of life, as well as fiscal and economic sustainability for the city. As a result, the original scope of the CLUP document has been expanded to provide an equal focus on all planning within the city, including land use, economic development, transportation, community design, parks, recreation, libraries and open space, and public utilities and services. The name of the CLUP has also changed to the Comprehensive Plan since the focus of this document has expanded beyond land use matters.

### Plan Process

Input from city officials as well as community stakeholders, city and regional agencies, and the overall Westminster community was a key element of the planning process. The Plan update process was initiated in October of 2012, with introduction of a more inclusive planning approach presented to City Council and Planning Commission. Stakeholder and agency interviews followed, which included Westminster property and business owners, representatives from neighboring jurisdictions, school districts and many others, with the intent of understanding key issues, opportunities and challenges that would influence policy direction in the Plan. Upon completion of a citywide concept plan, a community-wide workshop was held in July 2013 at City Park Recreation Center and online via WestyCOnnect, the city's interactive communication portal for all aspects of city life and planning. Additional neighborhood meetings in South Westminster were held during the public review period of the draft plan.

Direct involvement with city officials was also an essential element of the planning process. At each major milestone of plan development, City Council and Planning Commission provided input and direction. All documents, presentations and analysis produced during the planning process, including presentations to the Council, were posted on the city's Comprehensive Plan project website.





## 2.5 GOALS AND POLICIES

The following goals provide direction for all aspects of land use planning. The policies are organized into categories, with general policies to be considered in all land use decisions listed first.



*The Comprehensive Plan builds on the city's existing cadre of high quality built and natural environments with land uses located to best foster economic growth, high quality of life and fiscal sustainability for the city.*

### GOALS

- LU-G-1 Pursue a compact development pattern that allows for the preservation of natural areas and creek corridors.
- LU-G-2 Achieve a balance of uses in the city, including employment, residential, cultural, destination and local retail, as well as a full range of amenities and services necessary to support a vibrant community.
- LU-G-3 Provide appropriately located areas for a broad range of employment generating uses to strengthen the city's economic base and provide employment opportunities for residents.
- LU-G-4 Continue to improve and enhance the city's role as a regional center for shopping and entertainment.
- LU-G-5 Foster a retail commercial mix that meets the varied needs of Westminster's residents and business community, from everyday services to unique shopping, dining and hospitality.
- LU-G-6 Ensure higher density residential development is located in activity centers and environments that promote walkability and provide access to key services and transit.
- LU-G-7 Provide opportunities for a range of housing types and affordability to accommodate all incomes, lifestyles and age groups within the city.
- LU-G-8 Establish and support vibrant new mixed-use centers with a range of uses, multi-story buildings, walkable street grids with an engaging public realm.
- LU-G-9 Continue to promote redevelopment of targeted areas as a pathway to economic revitalization and improved physical conditions throughout the city.



## POLICIES

Citywide policies focus on strategic growth that will ensure the city continues to develop within its fiscal, economic and infrastructure means. They also place emphasis on regional coordination to ensure Westminster continues to play a significant role as an employment and activity center in the Denver Metro area.

- LU-P-1** Ensure land uses are consistent with the Comprehensive Plan Land Use Diagram in Figure 2-2 and land use classifications in Section 2.3.
- LU-P-2** Update the Municipal Code to support mixed-use development, land use densities and development standards to ensure its compliance with the Comprehensive Plan.
- LU-P-3** Ensure that new development is consistent with minimum and maximum intensities and densities for development. Residential densities are calculated using the gross acreage of the site, excluding land area within 100-year flood plains.
- LU-P-4** Ensure that adequate infrastructure and public services are available for new development. Evaluate the impact of new development to the city's future water supply, considering land use, intensity and proposed conservation measures.
- LU-P-5** Create a new downtown focused on the former Westminster Mall site.
- Establish a street grid and block structure that accommodates all travel modes with a priority for pedestrian circulation;
  - Create an attractive, connected public realm with a range of parks, open space and recreational opportunities;
  - Foster a mix of commercial, office and residential uses, encouraging a vertical mix of uses in buildings; and
  - Establish a distinct area within the downtown that is the center of activity, culture and identity for the city.
- LU-P-6** Encourage the establishment and intensification of activity centers that provide a mix of uses, transit and attractive, walkable environments.
- LU-P-7** Continue to diversify commercial uses in the city to insulate the city's fiscal base from downturns in individual markets.



*New land use designations foster vertical mixed use development, where residential or office spaces are located above commercial uses at the ground floor. These higher-intensity development types will foster growth and activity in areas like Westminster Station and downtown Westminster.*



- LU-P-8 Establish new neighborhoods with a range of housing types, supportive commercial uses and ample public amenities and spaces.
- LU-P-9 Foster a close relationship between land use and transportation planning to promote use of transit as part of development plan review and implementation, capital improvements programming and preparation of specific and area plans.
- LU-P-10 Ensure new development and land uses are consistent with applicable area and regional plans and regulations.
- LU-P-11 Work with Jefferson County to ensure existing development is not significantly impacted by Rocky Mountain Metropolitan Airport expansion and operation plans.
- LU-P-12 Update the Comprehensive Plan regularly to ensure all physical planning efforts continue to support one another.
- LU-P-13 Continue to work with partnering communities in the Denver Regional Council of Governments Mile High Compact to plan for the long-term growth vision established by the Metro Vision 2035.
- LU-P-14 Coordinate revisions to the City Urban Growth Boundary and Urban Activity Center boundaries with the Denver Regional Council of Governments and the affected counties.
- LU-P-15 Continue to work with surrounding communities and counties in cohesive planning efforts to improve the city and region as a whole.



*The Comprehensive Plan sets the stage for a wide variety of work and employment environments throughout the city, all of which capitalize on assets like public transit, open space and amenities.*

### Employment

The city is strategically located along two major transportation and employment corridors. Westminster has the opportunity to capitalize on its central location between Denver, Boulder and the Fort Collins area with planned transportation and transit improvements along US 36 and I-25 as well as future expansion of employment uses. The Comprehensive Plan also seeks to achieve a greater balance between jobs and housing that is more consistent of a full service city and comparable to the rest of the Denver Metropolitan area.

- LU-P-16 Ensure that adequate land is dedicated and developed for employment uses. Prioritize the capture of primary employment uses along US 36, I-25 and the city's existing business parks.



# EXHIBIT 6



ST. CHARLES TOWN COMPANY

June 27, 2019

City of Westminster  
City Council Members  
4800 West 92nd Avenue  
Westminster, CO 80031

**RE: St Mark Village Comprehensive Plan Amendment**

Dear Council Members,

Please let this letter serve as an open letter to the City of Westminster. We are writing this letter to respond to the resident concerns we took note of at the City Council hearing we recently attended on June 23, 2019 for a comprehensive plan amendment for the proposed St Mark Village affordable multifamily community.

We do not think there was full representation of the community at the meeting. The households who could call St Mark Village home don't necessarily have the privilege of leaving their jobs and cannot afford a baby sitter to care for their children or find a ride to the meeting because they do not own a vehicle. These potential future residents also have passionate feelings about the proposed development of St Mark Village, but they are unable to attend due to many limiting factors.

Like everyone else, households of lower income simply desire an opportunity to succeed by having stable housing. The opportunity for these residents is a home at St Mark Village and it represents the same opportunity provided to the many higher income households living in Westminster's many high quality neighborhoods. St Mark Village provides the kind of opportunity that doesn't exist in Westminster for working families whose income falls below the average. There are not any workforce rental communities within central Westminster, not a single one.

Proposed:  
Legends of Church Ranch  
St Mark Village



Make no mistake, housing for some people is an overlooked assumption, a constant, but for those of lower income, it's a daily struggle and the difference between success and failure. We heard many residents state that they support affordable housing and that they want affordable housing, they just don't want it in this location right by their own home because they prefer to have neighbors who own their own homes. Multiple residents proposed alternative sites where affordable housing could go, but the point is this; affordable housing should be everywhere market rate housing is allowed because it is just that, housing. Someone's income shouldn't exclude them from marketable housing opportunities, which St Mark Village represents. This is a real project put forth by a high quality developer with the end result being life changing opportunity for 216 families. We heard from less than 15 people on June 23, 2019. We respect resident's concerns, we simply want to reiterate that resident income should not, and cannot by law, be a factor in determining whether or not land use is appropriate or not for any site.

In many rezoning efforts, property owners try to increase density or amend zoning to accommodate a different use. This is not the case for St Mark Village as we are proposing an identical residential density while decreasing overall allowable site density and removing a less compatible adjacent use (commercial) to the benefit of neighbors. It's worth noting that the proposed land use amendment fulfills every word of the description of R-36 zoning in the City of Westminster Comprehensive Plan: "R-36 Residential shall be located along arterial streets near transit and activity centers, where supportive neighborhood-serving uses and transit are within a 5- to 10-minute, or half-mile, walk". St Mark Village is ½ mile from neighborhood serving retail, medical, employment, school, and religious opportunities while also being immediately adjacent to medium frequency public transit that also provides direct peak hour connections to Downtown Denver.

Is it not the point of the Comprehensive Plan to guide development as envisioned by the plan? If not, what is the purpose of preparing such plans? St Mark Village follows the Comprehensive Plan to the letter of its intent. The Comprehensive Plan is a community document that followed a published and well-advertised process with community input that should not be set aside without regard to the many residents who previously participated in creating a new vision for Westminster. When an applicant proposes a project to fulfill the Comprehensive Plan vision, postponing and rejecting the project has the effect of breaking the public trust in government. Real estate developers rely on public documents to guide their development strategy and these documents largely determine where developers expend their limited resources and invest substantial capital – St Mark Village is contemplated to be a \$50 million investment.

Regarding specific concerns from residents, we summarized the below five dominant reactions that were consistently repeated:

1. The proposed density is not appropriate for the neighborhood context
2. Traffic issues
3. Concern about home values declining
4. Increase in crime because of the new low income neighbors
5. Schools will be overburdened with the influx of new residents

We would like to address each concern separately.

#### 1. Proposed Density is Not Appropriate

The density is appropriate because it fulfills the vision of the Comprehensive Plan which was an exhaustive and thorough effort in 2013 with broad community participation and support. The adoption of a new comprehensive plan involved substantial community input, staff expertise, and outside legal and planning consultants to arrive at the conclusion that Mixed-Use zoning with 36 dwelling units per acre as a maximum density was appropriate. Further, the density is appropriate because nearly all of the medium and high



density residential housing in Westminster is located adjacent to arterial streets and is intermixed with a variety of dense and less dense housing. There are more than a dozen examples of these transition zones currently existing as Ms. Rita McConnell eloquently explained in the public hearing. While we have no evidence to support the following, we suspect there is no animosity between those who own and those who rent as was suggested by multiple residents during the meeting. Many of the existing medium to high density transition areas in Westminster have for-rent apartments and for-sale townhomes and condominiums intermixed and adjacent to each other. If the animosity cited by residents in the meeting existed, one would think those properties would suffer from higher vacancy or below market sale prices, but this is not the case. In fact, the demographic shift and preference to rental property in the United States, Colorado, and throughout the metropolitan area is evidenced by the continued decline of home ownership rates and increase in the overall percentage of rental housing, one of the major contributors of which is the lack of for-sale home affordability. We have a demand driven economy and rental housing demand is outpacing for sale housing demand now and for the foreseeable future.

Regarding density and height, the proposed heights are only 1-story taller than the adjacent single family homes. The step up in height is normal and warranted given the location on an arterial road with a 45 mile per hour speed limit. Many planners would argue that the existence of single family homes on an arterial road with a high speed limit is the problem because the use is not dense enough and because single family homes shouldn't be adjacent to state highways. St Charles Town Company is an award winning developer, with a highly reputable and high quality brand known for developing projects that have both positively impacted many neighborhoods and been positively received by neighbors. St Charles has thoughtfully designed and positioned the proposed St Mark Village buildings so that they avoid the very things residents are worried about, including views of the project from neighbors to the north. As was mentioned in the public meeting on June 23, 2019, St Charles has offered to the Northpark East Association to install an enhanced natural landscaping screen with the association's approval to plant the screen on approximately 15 feet of ground south of an existing association fence. While the association hasn't communicated its acceptance or otherwise, St Charles has been in ongoing communication with them since December 2018. We are doing our part, as we always do, engaged in an effort to be good neighbors and to develop a high quality property that is visually stimulating and exhibits inviting architectural form.

## 2. Traffic issues

Nearly every resident who spoke mentioned traffic issues. The traffic concerns voiced at the meeting are existing issues having no relation to St Mark Village, but development of St Mark Village can, in part, help alleviate the issues by installing a right-in, right-out triangle at 97<sup>th</sup> and Federal. St. Charles Town Company has brought this up multiple times, including in our first community meeting discussing the comprehensive plan amendment which was held at Westminster High School on February 27, 2019. Given the problem is a broad abuse by the general public, there needs to be a larger global solution put in place by the City of Westminster, and we would encourage the Council to decouple the land use and associated comprehensive plan amendment decision with existing traffic issues that can be solved by the City of Westminster. Planning and traffic engineering staff have already stated to Council that they are working on a solution via improvements to Green Court as part of the City's redevelopment of that largely vacant, abandoned townhome development.

The existing comprehensive plan designates the St Mark Village parcel as being fit for higher density residential housing because, among other reasons, the site is located on a major arterial road. By being located on an arterial road, this helps to prevent residents of the higher density community from having to use smaller, local roads winding through neighborhoods to access their own home. This designation is not by chance as nearly all of Westminster's high density housing is located on arterial roads like Federal Boulevard and further, almost none of the existing high density parcels have direct access off those same arterial roads.



City Council can confirm with traffic engineering staff that existing medium to high density residential areas do not have more auto-pedestrian or auto-auto accidents than their lower density neighbors.

### 3. Home Values Declining

One of the most common concerns from residents was fear that their property values would go down. The topic has been studied by countless news outlets, higher education, non-profit, advocacy groups, municipalities, and think tanks. Nearly all have come to the same conclusion that property values are largely not affected by the presence of low income housing tax credit communities. Perhaps the best, most thorough dive into factual data, was a report put together by real estate analytics and sales technology company, Trulia. Trulia looked at home sales data nationwide to determine whether or not low income housing tax credit communities had an effect on immediately adjacent home value and further out home values. Their conclusion was that there is no correlation between declining home values and low income tax credit housing.

<https://www.trulia.com/research/low-income-housing/>

In fact, Trulia found Denver to be an outlier where property values actually increased in the Denver metropolitan area when taking into account proximity to low income housing tax credit housing. It is worth noting that Trulia's study is markedly different from most other analyses and reports on this topic because it analyzed home values near almost every single low income housing tax credit property in the Country. Most other analysis has come from a specific geographic market or from a limited set of areas adjacent to a very few number of low income housing tax credit properties which then factored in complex mathematic formulas to arrive at a correlation.

### 4. Crime

Fear of crime is often cited as a concern of residents who learn of a new affordable community coming to their neighborhood. What most people don't realize is that in many areas of the Denver metropolitan area, affordable communities co-exist beside market rate rental and ownership communities and nobody even knows it. Similar suburban communities to Westminster include Littleton, Louisville, Arvada, Golden, Boulder, Centennial, Lone Tree, Parker, Broomfield, and Castle Rock. All of these municipalities have many affordable communities within their boundaries. Is crime somehow greater in all of these areas as a result of low income housing? The answer is unequivocally no, crime is not higher in those communities or in those neighborhoods where low income tax credit housing exists. Authors, and PhD holders, on behalf of the University of Chicago and Princeton University studied crime, property values, and property taxes. The results of their research, which is among the most exhaustive, consequential, and definitive publications on the issues of crime and home values, were published in 2011 and found that the presence of affordable housing was not associated with increased crime or decreased property values and actually helped to increase property tax collections just as any other newer property construction has the effect of having in an older, existing neighborhood. A copy of this report is attached to the same email in which this letter was sent to you.

### 5. School resources will be overburdened

Some residents were worried that, due to the large number of new families that would live at St Mark Village, local elementary schools would be overburdened and filled past their capacity. Senior Planner, Dave German, adequately addressed this concern by stating that the proposed development summary was distributed to the local school district who stated they didn't expect any negative impact. Due to many neighborhoods depopulating over the past decade-plus as residents have aged and children have moved away, many schools have also experienced similar enrollment declines. In fact, many area metro schools have been closed and

others sit vacant waiting for an area to have enough children to populate the schools built to educate them. Mr. German could reach out to confirm with the school district, but we suspect the additional children in attendance would actually help the school district collect adequate revenues to continue operating at an effective funding level that isn't taking away from and burdening a higher growth area of the school district.

Our hope in sending you this letter is to convey our sincere disagreement on perceptions held by the residents who attended Monday's meeting that simply aren't true. While we respect the dialogue and appreciate all of the input, we find it difficult to stand by while misinformation and emotional reactions to change perpetuate ideas that are not rooted in facts. St Mark Village is the right project, at the right time, in the right place and will be a community asset for decades to come. There is a profound need in the City of Westminster for affordable rental homes, everyone already acknowledges this. In the Westminster housing needs assessment, Council has studied wage reports for the people who work in Westminster but don't live there because they can't afford to. Council has identified affordable housing as a top City-wide priority. Now is our collective chance to honor that work and uphold the community value that affordable housing is a community benefit and not a liability to neighbors or their community where they enjoy a wonderful quality of life.

This is the right time for affordable housing, a time when a developer has received an award of tax credits and is willing to invest \$50 million into a high quality rental community. If a vacant, undeveloped strip of land covered in weeds along a state highway with adequate zoning is not the right place for affordable housing, then where is?

Please realize that development of affordable communities is essentially a public/private partnership requiring collaboration and a profound willingness to think creatively. Affordable communities don't just get built, they get figured out by committed communities who are willing to challenge the status quo in order to meet the challenge. If Council is to move forward with approval of the comprehensive plan amendment, St Mark Village will require additional public and private collaboration on a number of planning related items and a willingness from Council to see if new ideas can be experimented with in order to help all current and future residents of Westminster enjoy a high quality of life, not just households of means and high incomes.

Kindest Regards,



Jordan C. Zielinski  
Principal/Director of Development  
St Charles Town Company, LLC



# EXHIBIT 7



**FIRST AMENDED PRELIMINARY DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
**A PLANNED UNIT DEVELOPMENT**  
**IN THE CITY OF WESTMINSTER**  
**COUNTY OF ADAMS, STATE OF COLORADO**  
**SHEET 1 OF 5**

**OWNER APPROVAL:**

I, \_\_\_\_\_, AS MANAGER OF 3100 W 97TH AVENUE DEVELOPMENT, LLC, THE GENERAL PARTNER OF 3100 W 97TH AVENUE, LLLP, PROPERTY OWNER, DO SO APPROVE THIS ODP FOR REVIEW AND APPROVAL BY THE CITY OF WESTMINSTER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

3100 W 97TH AVENUE, LLLP

BY: 3100 W 97TH AVENUE DEVELOPMENT, LLC  
 A COLORADO LIMITED LIABILITY COMPANY  
 ITS GENERAL PARTNER

BY: \_\_\_\_\_,  
 \_\_\_\_\_, MANAGER

**CITY APPROVAL:**

ACCEPTED BY THE PLANNING COMMISSION OF THE CITY OF WESTMINSTER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

CHAIRMAN \_\_\_\_\_

ATTEST: CITY CLERK \_\_\_\_\_

APPROVED BY THE CITY COUNCIL OF THE CITY OF WESTMINSTER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

MAYOR \_\_\_\_\_

ATTEST: CITY CLERK \_\_\_\_\_

**CLERK AND RECORDER'S CERTIFICATE:**

RECEPTION NO. \_\_\_\_\_

ACCEPTED FOR FILING IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF ADAMS COUNTY OF BRIGHTON, COLORADO ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_, AT \_\_\_\_\_ O'CLOCK \_\_M.

ADAMS COUNTY CLERK AND RECORDER \_\_\_\_\_

BY: DEPUTY CLERK \_\_\_\_\_

**ZONING & LAND USE**

CURRENT ZONING & LAND USE: PLANNED UNIT DEVELOPMENT FOR MIXED USE  
 PROPOSED ZONING & LAND USE: PLANNED UNIT DEVELOPMENT FOR MULTIFAMILY APARTMENTS  
 COMPREHENSIVE PLAN DESIGNATION: MUNICIPAL AREA

**LEGAL DESCRIPTION:**

A PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF WESTMINSTER, COUNTY OF ADAMS, STATE OF COLORADO,

LOTS 11, 12, 45, 46, 47 AND 48, HOLLYHURST, RECORDED IN BOOK 3 AT PAGE 54

EXCEPT THOSE PORTIONS THEREOF CONVEYED TO THE DEPARTMENT OF HIGHWAYS IN DEEDS RECORDED IN BOOK 920 AT PAGE 379 AND DEED RECORDED IN BOOK 926 AT PAGE 293, COUNTY OF ADAMS, STATE OF COLORADO,

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 17, THENCE NORTH 00°01'39" EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER, A DISTANCE OF 894.55 FEET;  
 THENCE SOUTH 89°24'25" WEST A DISTANCE OF 91.40 FEET TO A POINT ON THE WEST LINE OF THE PARCEL DESCRIBED IN BOOK 926 AT PAGE 293, A POINT ON THE SOUTH LINE OF SAID LOT 11 EXTENDED EASTERLY, AND THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89°24'25" WEST ALONG SAID EXTENSION AND THE SOUTH LINE OF SAID LOT 11, HOLLYHURST SUBDIVISION, A DISTANCE OF 468.44 FEET TO A POINT ON THE EAST LINE OF SAID LOT 45, HOLLYHURST SUBDIVISION;  
 THENCE SOUTH 00°33'57" EAST ALONG SAID EAST LINE, A DISTANCE OF 161.90 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WEST 97TH AVENUE AS DESCRIBED IN BOOK 1815 AT PAGE 496;  
 THENCE SOUTH 89°24'25" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 521.58 FEET TO A POINT ON THE WEST LINE OF LOT 48, HOLLYHURST SUBDIVISION;  
 THENCE NORTH 00°34'05" WEST ALONG SAID WEST LINE, A DISTANCE OF 340.47 FEET TO A POINT ON THE SOUTH LINE OF TRACT A, NORTHPARK SUBDIVISION FILING NO. 14 RECORDED AT RECEPTION NO. B1228332;  
 THENCE NORTH 89°24'41" EAST ALONG THE SOUTH LINE OF SAID TRACT A, AND ALONG THE SOUTH LINES OF TRACT B, NORTHPARK SUBDIVISION FILING NO. 11 RECORDED AT RECEPTION NO. B689214, TRACT B, NORTHPARK SUBDIVISION FILING NO. 10 RECORDED AT RECEPTION NO. B1081276, A DISTANCE OF 993.59 FEET TO THE WEST LINE OF SAID PARCEL DESCRIBED AT BOOK 920 AT PAGE 379;  
 THENCE SOUTH 00°34'36" WEST ALONG SAID WEST LINE, AND ALONG THE WEST LINE OF SAID PARCEL DESCRIBED IN BOOK 926 AT PAGE 293, A DISTANCE OF 178.53 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 261,513 SQUARE FEET OR 6.003 ACRES, MORE OR LESS.

**BASIS OF BEARINGS:**

BEARINGS ARE BASED ON THE EAST LINE THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, ASSUMED TO BEAR NORTH 00°01'39" EAST.

**SURVEYOR'S CERTIFICATE**

I, AARON MURPHY, A LAND SURVEYOR REGISTERED IN THE STATE OF COLORADO, HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION HAS BEEN PREPARED OR REVIEWED BY ME TO BE AN ACCURATE DESCRIPTION OF THE PDP PROPERTY BOUNDARY.

DATE: AARON MURPHY, PLS 38162  
 FOR AND BEHALF OF HARRIS KOCHER SMITH  
 ADDRESS: 1120 LINCOLN ST., SUITE 1000  
 DENVER, CO 80203  
 PHONE: 303-623-6300

**PERMITTED USES**  
 MULTI-FAMILY RESIDENTIAL

**PROHIBITED USES**  
 ANY USES NOT SPECIFICALLY LISTED AS PERMITTED SHALL BE DEEMED PROHIBITED. THE PLANNING MANAGER SHALL DETERMINE IF AN UNLISTED USE OR SET OF USES FALLS INTO THE DEFINITION OF A LISTED PERMITTED USE.

**PROJECT SCOPE:**

ST MARK VILLAGE IS A PROPOSED AFFORDABLE MULTIFAMILY DEVELOPMENT BOUND BY A PUBLIC SERVICE COMPANY EASEMENT TO THE NORTH, 97TH AVENUE TO THE SOUTH, FEDERAL BOULEVARD TO THE EAST, AND CITY OWNED PROPERTY TO THE WEST.

THE GENERAL DESIGN CONCEPTS INCLUDE THE FOLLOWING:

- DETACHED CLUBHOUSE WITH ON-SITE LEASING FACILITY
- FITNESS CENTER
- COMPUTER/BUSINESS ROOM
- OUTDOOR POOL IN A COURTYARD SETTING
- BBQ PATIO
- PLAYGROUND/TOT-LOT
- OUTDOOR GARDEN SEATING
- OUTDOOR TRELIS PATIO
- GREEN INFRASTRUCTURE SUCH AS RAIN GARDENS
- RIGHT OF WAY BULB OUTS TO ACT AS TRAFFIC CALMING MEASURES ALONG 97TH AVENUE

THE SITE SLOPES GENERALLY FROM NORTH TO SOUTH AND IS CURRENTLY VACANT, ROUGH GRADED LAND THAT IS PREVIOUSLY UNDEVELOPED.

ZONING & LAND USE			
	ZONING	LAND USE	COMP PLAN DESIGNATION
SUBJECT SITE:	PLANNED UNIT DEVELOPMENT (PUD)	MULTI-FAMILY RESIDENTIAL	R-36 RESIDENTIAL
NORTH:	PLANNED UNIT DEVELOPMENT (PUD)	SFA AND SFD RESIDENTIAL	R3.5 AND R-8 RESIDENTIAL
EAST:	C-1 COMMERCIAL (FEDERAL HEIGHTS)	VACANT	(NOT IN CITY OF WESTMINSTER)
SOUTH:	PLANNED UNIT DEVELOPMENT (PUD)	SFA AND SFD RESIDENTIAL; CHURCH	R-3.5 AND R-8 RESIDENTIAL; PUBLIC/ QUASI-PUBLIC
WEST:	PLANNED UNIT DEVELOPMENT (PUD)	MUNICIPAL ELEVATED WATER TANK	PUBLIC/ QUASI-PUBLIC

SITE USAGE DATA	
<b>MULTI-FAMILY WITH 216 UNITS AND 36 DU/AC DENSITY</b>	
LOTS 11, 12, 45, 46, 47 & 48 HOLLYHURST	261,360 SF (6.0 AC)
TOTAL AREA	261,360 SF (6.0 AC)
BUILDING COVERAGE	86,538 SF (1.99 AC; 33.11%)
PAVING AND DRIVES COVERAGE	124,493 SF (2.86 AC; 47.63%)
LANDSCAPE COVERAGE	50,329 (1.15 AC; 19.26%)

**PROPERTY OWNER**

3100 W 97TH AVENUE, LLLP  
 1850 PLATTE STREET, SUITE 200  
 DENVER, CO 80202  
 720-598-1300

**CONSULTANT FIRMS**

**ARCHITECT**  
 KTG ARCHITECTS  
 820 16TH STREET, SUITE 500  
 DENVER, COLORADO 80202  
 303-825-6400

**CIVIL ENGINEER**  
 MICHAEL MOORE, PE  
 HARRIS KOCHER SMITH  
 1120 LINCOLN STREET, SUITE 1000  
 DENVER, COLORADO 80203  
 303-623-6300

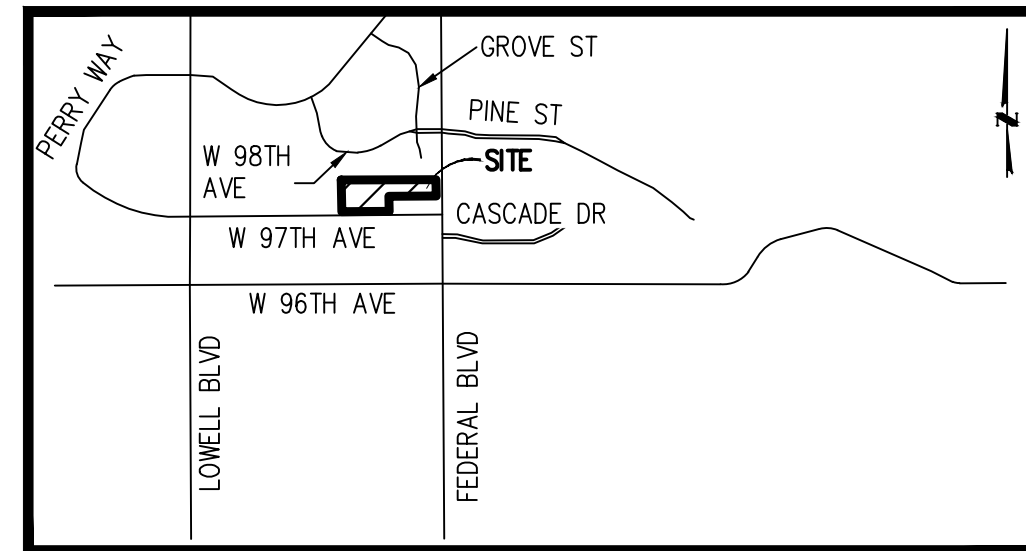
**LANDSCAPE ARCHITECT**  
 SANDI GIBSON  
 OUTSIDE LA  
 2623 BURGESS CREEK RD  
 STEAMBOAT SPRINGS,  
 COLORADO 80487  
 970-871-9629

**MECHANICAL, ELECTRICAL, & PLUMBING ENGINEER**  
 COREY STENMAN  
 JORDAN & SKALA ENGINEERS  
 555 17TH STREET, SUITE 700  
 DENVER, COLORADO 80202  
 303-586-2375

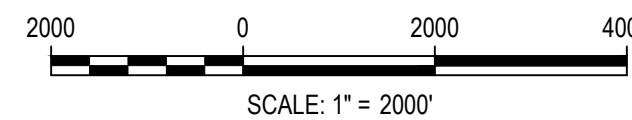
**DEVELOPMENT TIMING & PHASING**

IN THE EVENT THE DATE OF APPROVAL OF A PROPERTY'S PDP OR LATEST PDP AMENDMENT IS MORE THAN FIVE (5) YEARS OLD AND NO BUILDING PERMIT HAS BEEN ISSUED, THE PDP OR AMENDED PDP SHALL BE REQUIRED TO BE SUBMITTED FOR REVIEW AND RECONSIDERATION IN ACCORDANCE WITH CITY CODE.

THE PROPOSED DEVELOPMENT TIMING AND PHASING FOR THIS PROJECT IS AS FOLLOWS:  
 BEGIN CONSTRUCTION: WINTER 2019  
 END CONSTRUCTION: WINTER 2021  
 THE DEVELOPMENT WILL BE CONSTRUCTED IN ONE PHASE



**VICINITY MAP**  
 SCALE 1" = 2000'



**ST MARK VILLAGE  
 PRELIMINARY DEVELOPMENT PLAN**

DATE: 03/15/2019

**SHEET INDEX**

1	COVER
2	NOTES
3	NOTES
4	NOTES
5	OVERALL PLAN

03/15/2019  
 05/20/2019  
 07/26/2019

**CASE# PLN19-0038**

1 OF 5  
 COVER

FIRST AMENDED PRELIMINARY DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT  
 IN THE CITY OF WESTMINSTER  
 COUNTY OF ADAMS, STATE OF COLORADO  
 SHEET 2 OF 5



**PROJECT NOTES:**

**PARK DEVELOPMENT FEE:**

THE CITY CODE (§11-6-8(C)) REQUIRES A PARK DEVELOPMENT FEE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE FIRST UNIT IN ANY BUILDING. A FEE OF \$1,363 (2019) PER DWELLING UNIT IS DUE TO THE CITY. FOR 216 DWELLINGS THE TOTAL FEE IS \$294,408. THIS FEE AMOUNT MAY CHANGE PRIOR TO COMPLETION OF THIS PROJECT AS THE PARK FEE IS ADJUSTED ANNUALLY IN ACCORDANCE WITH THE CONSUMER PRICE INDEX (CPI) AS ESTABLISHED FOR THE DENVER METROPOLITAN AREA.

**PUBLIC LAND DEDICATION:**

PUBLIC LAND DEDICATION IS REQUIRED FOR RESIDENTIAL DEVELOPMENTS IN THE CITY. FOR THIS SITE, THE CITY HAS DETERMINED THAT A LAND DEDICATION WOULD NOT SERVE THE PUBLIC INTEREST. THEREFORE, A FEE IN LIEU OF THE LAND DEDICATION IS REQUIRED. THE FEE IS BASED ON THE FAIR MARKET VALUE OF THE LAND WHICH MIGHT HAVE BEEN DEDICATED TO THE CITY. PUBLIC LAND DEDICATION IS PROPOSED TO BE PAID CASH-IN-LIEU. THE CITY CODE (11-6-8(B)) REQUIRES 12 ACRES PER 1,000 RESIDENTS. PROJECTED POPULATION FOR THIS DEVELOPMENT IS 2.0 PERSONS PER UNIT. FOR 216 UNITS, THE POPULATION IS 432 PERSONS. FOR 432 PERSONS, THE PUBLIC LAND DEDICATION REQUIRED IS 5.184 ACRES. BASED ON A LAND PURCHASE PRICE (OR FAIR MARKET VALUE AS DETERMINED BY A CURRENT APPRAISAL) OF \$5.00 PER SQUARE FOOT MULTIPLIED BY 5.184 ACRES, THE CASH-IN-LIEU TOTALS 1,129,075.20. (CALCULATION: 5.184 ACRES x 43,560 SQUARE FEET PER ACRE = 225,815.04 SQUARE FEET; 225,815.04 SQUARE FEET x \$5.00 PER SQUARE FOOT = 1,129,075.20) THE CASH-IN-LIEU PAYMENT IS DUE PRIOR TO THE RECORDATION OF THE FINAL PLAT, OR AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT IF A PLAT IS NOT REQUIRED. (NOTE: THIS PROJECT WILL REQUIRE A FINAL PLAT.)

**SCHOOL LAND DEDICATION:**

THE CITY CODE (§11-6-8(F)) REQUIRES A DEDICATION OF SCHOOL LAND OR CASH IN LIEU OF LAND. FOR THIS SITE, THE CITY HAS DETERMINED THAT A LAND DEDICATION WOULD NOT SERVE THE PUBLIC INTEREST. THEREFORE, A FEE IN LIEU OF THE LAND DEDICATION IS REQUIRED. THE CASH-IN-LIEU FEE IS A FIXED AMOUNT BASED ON THE TYPE OF UNIT AND IS DUE AT THE TIME OF FINAL PLAT OR AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT IF A PLAT IS NOT REQUIRED. FOR DWELLING UNITS A FEE OF \$ 112 (2019) PER DWELLING UNIT IS DUE TO THE CITY. FOR 216 DWELLINGS THE TOTAL FEE IS \$ 24,192. THIS FEE AMOUNT MAY CHANGE PRIOR TO COMPLETION OF THIS PROJECT AS THE SCHOOL FEE IS ADJUSTED ANNUALLY TO KEEP PACE WITH THE REAL ESTATE MARKET AND LAND VALUES

**PUBLIC ART:**

CASH-IN-LIEU FOR BOTH THE ART PIECE AND AN IMPROVED SITE SHALL BE PAYABLE BY THE PROPERTY OWNER TO THE CITY IN THE AMOUNT OF \$2,000 PER GROSS ACRE OF THE SUBJECT PROPERTY AT THE TIME OF FINAL PLAT. IF NO PLAT IS NEEDED THEN CASH-IN-LIEU SHALL BE PROVIDED AT THE TIME OF OFFICIAL DEVELOPMENT PLAN RECORDING. FOR 6.00 ACRES A FEE OF \$12,000 IS DUE TO THE CITY.

**SERVICE COMMITMENTS:**

MAXIMUM DENSITY OR F.A.R. OF A COMPREHENSIVE PLAN DESIGNATION, PRELIMINARY DEVELOPMENT PLAN USE, OR PREVIOUS ODP MAY NOT BE ACHIEVABLE FOR EVERY SITE DUE TO CONSTRAINTS WHICH MAY INCLUDE SERVICE RESOURCES OR INFRASTRUCTURE. THE MAXIMUM FEASIBLE DENSITY OR F.A.R. MUST BE DETERMINED BY REVIEWING COMPLETE PROJECT DATA WHEN SUBMITTED WITH EACH ODP PROPOSAL AGAINST THE CURRENT CONDITION OF KNOWN CONSTRAINTS ON THE SITE. SERVICE COMMITMENTS ARE ISSUED AT THE TIME OF BUILDING PERMIT ISSUANCE PER CITY CODE (§11-3-4(C)). SERVICE COMMITMENTS PREVIOUSLY AND EXPLICITLY PROVIDED IN DOCUMENTATION BUT NOT CONSTRUCTED NOR CONNECTED WITHIN A REASONABLE PERIOD REMAIN SUBJECT TO RESCISSION OR REDUCTION AS NECESSARY IN THE PUBLIC INTEREST.

**BILLBOARD REMOVAL:**

THE BILLBOARD THAT STANDS AT THE EAST END OF THE ST. MARK VILLAGE PROPERTY IS OWNED BY THE LAMAR COMPANIES. THE CURRENT SIGN LOCATION LEASE FOR THIS BILLBOARD EXPIRES ON JULY 1, 2021. THE OWNER/DEVELOPER SHALL TAKE ALL APPROPRIATE LEGAL ACTIONS NECESSARY TO ENSURE THAT THIS LEASE IS NOT RENEWED, AS PRESCRIBED BY THE TERMS OF THE LEASE. THE BILLBOARD SHALL BE FULLY REMOVED AT PROPERTY OWNER/DEVELOPER'S EXPENSE WITHIN SIXTY (60) DAYS OF THE CONCLUSION OF THE CURRENT LEASE. THE AREA WHERE THE BILLBOARD STOOD SHALL BE FULLY DEVELOPED AND COMPLETED AS SHOWN WITHIN THE APPROVED ODP FOR THIS PROPERTY WITHIN NINETY (90) DAYS OF THE REMOVAL OF THE BILLBOARD.

**SERVING FACILITIES**

PUBLIC RECREATION AREAS	CARROLL BUTTS PARK	0.5 MILES
PUBLIC OPEN SPACE	CARROLL BUTTS PARK	0.5 MILES
DRAINAGEWAYS	SOUTH PLATTE RIVER	6.0 MILES
MAJOR DETENTION	MIDDLE SOUTH PLATTE - CHERRY CREEK DRAINAGE BASIN	6.0 MILES
PRIMARY SCHOOL	ROCKY MOUNTAIN ELEMENTARY SCHOOL	0.6 MILES
ELEMENTARY SCHOOL	ROCKY MOUNTAIN ELEMENTARY SCHOOL	0.6 MILES
MIDDLE SCHOOL	SHAW HEIGHTS MIDDLE SCHOOL	2.0 MILES
HIGH SCHOOL	NORTHGLENN HIGH SCHOOL	2.5 MILES
NEARBY SHOPPING AREAS	NORTH PARK PLAZA	0.8 MILES
NEARBY FIRE STATIONS	WESTMINSTER FIRE STATION #2	1.3 MILES
NEARBY BUS STOPS	97TH & FEDERAL	0.1 MILES

**GENERAL DESIGN STANDARDS**

PER MULTI FAMILY DESIGN STANDARDS WITH EXCEPTIONS, SEE NOTES, SHEET 3 & 4.

**STANDARD STATEMENTS**

A. APPROVAL OF THE PRELIMINARY DEVELOPMENT PLAN CONSTITUTES A CONCEPT APPROVAL OF THE PLAN SUBJECT TO THE ABILITY OF THE CITY OF WESTMINSTER OR THE LAND OWNER TO PROVIDE NECESSARY SERVICES. DUE TO SERIOUS SHORT-RANGE AND LONG-RANGE LIMITATIONS ON THE RAW WATER SUPPLY, WATER TREATMENT CAPACITY AND SEWAGE TREATMENT CAPACITY OF THE CITY, DEVELOPMENT OF LAND IN ACCORDANCE WITH THIS PLAN MAY NOT BE POSSIBLE. APPROVAL OF THIS PLAN IMPLIES NO COMMITMENT OF THE CITY OF WESTMINSTER TO PROVIDE SERVICES. THE CITY OF WESTMINSTER ADVISES AGAINST DEVELOPMENT OF LAND IN ACCORDANCE WITH THIS PLAN WITHOUT A THOROUGH INVESTIGATION BY THE DEVELOPER OF THE AVAILABILITY OF WATER AND SEWER SERVICE AT THE TIME OF SUCH DEVELOPMENT.

B. THE LAND USES LISTED AS PERMITTED ON THE PRELIMINARY DEVELOPMENT PLAN (PDP) SHALL BE SUBJECT TO FINAL REVIEW AND APPROVAL AT THE TIME OF OFFICIAL DEVELOPMENT PLAN (ODP) APPROVAL, WITH SAID REVIEW TO INCLUDE THE LOCATION AND NUMBER OF SUCH ESTABLISHMENTS AND THE ACCEPTABILITY OF THE SITE PLAN WITH ACCEPTABLE HEIGHTS, BULK, SETBACKS, AND OPEN SPACE STANDARDS; PLUS THE ARCHITECTURAL DESIGN, THE LANDSCAPING PLAN, AND OTHER TERMS AND CONDITIONS AS ARE STANDARD IN THE REVIEW OF OFFICIAL DEVELOPMENT PLANS.

C. THE DENSITIES LISTED AS PERMITTED ON THE PRELIMINARY DEVELOPMENT PLAN (PDP) SHALL BE CONSIDERED AS A MAXIMUM AND SHALL BE SUBJECT TO FINAL REVIEW AND APPROVAL AT THE TIME OF OFFICIAL DEVELOPMENT PLAN (ODP) APPROVAL, WITH SAID REVIEW TO INCLUDE THE ACCEPTABILITY OF THE SITE PLAN WITH ACCEPTABLE HEIGHTS, BULK, SETBACKS, AND OPEN SPACE STANDARDS; PLUS THE ARCHITECTURAL DESIGN, THE LANDSCAPING PLAN, AND OTHER TERMS AND CONDITIONS AS ARE STANDARD IN THE REVIEW OF OFFICIAL DEVELOPMENT PLANS.

D. CITY USE TAX FOR PUBLIC IMPROVEMENTS WILL BE REQUIRED TO BE PAID PRIOR TO THE ISSUANCE OF THE NOTICE TO PROCEED FOR THE PUBLIC IMPROVEMENTS, AND CITY USE TAX FOR PRIVATE IMPROVEMENTS WILL BE REQUIRED TO BE PAID PRIOR TO THE ISSUANCE OF THE BUILDING PERMIT. IF YOU HAVE ANY QUESTIONS REGARDING THE CITY'S USE TAX REQUIREMENTS, PLEASE CONTACT THE CITY TAX AUDITOR.

E. UTILITY EASEMENTS: THE DESIGN OF THE PROPOSED CITY UTILITY LINES AND THE WIDTH OF THEIR RESPECTIVE EASEMENTS ARE PRELIMINARY AND MAY CHANGE DURING THE CONSTRUCTION DRAWING PHASE.

F. THE OVERHEAD UTILITIES ADJACENT TO THE NORTH PROPERTY LINE IS CONSIDERED A TRANSMISSION MAIN AND IS EXEMPT FROM UNDERGROUNDING PER WMC 11-6-3 (B)(3).

DATE: 03/15/2019

ST MARK VILLAGE  
PRELIMINARY DEVELOPMENT PLAN

03/15/2019  
05/20/2019  
07/26/2019



FIRST AMENDED PRELIMINARY DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT  
 IN THE CITY OF WESTMINSTER  
 COUNTY OF ADAMS, STATE OF COLORADO  
 SHEET 3 OF 5



**PUD EXCEPTIONS:**

**1. BUILDING SETBACKS:**

REQUIREMENT NOT MET IN MULTIPLE AREAS:

- a. THE WEST PROPERTY LINE IS ADJACENT TO THE CITY'S ELEVATED WATER TOWER SITE. GIVEN THE BUILDING HEIGHTS OF 45 FEET, 4 INCHES, THE WEST SETBACK MINIMUM WOULD BE 68 FEET. THE PROPOSED SETBACK ON THE SITE PLAN IS 10 FEET.

**JUSTIFICATION:** DUE TO THE NATURE AND LONG TERM MUNICIPAL USE OF THE CITY'S HYDROPILLAR PROPERTY ADJACENT TO THE WEST OF ST MARK VILLAGE, A 10 FOOT SETBACK FROM THE WESTERLY PROPERTY LINE FOR FIRE PROTECTION BEST PRACTICES IS PROVIDED. REDEVELOPMENT OF A MUNICIPAL PROPERTY SERVING A CRITICAL MUNICIPAL FUNCTION TO LARGE AREAS OF THE CITY IS HIGHLY UNLIKELY AND THEREFORE, THE REDUCED SETBACK IS WARRANTED.

- b. THE NORTH PROPERTY LINE IS ADJACENT TO NORTH PARK PRIVATE OPEN SPACE. NORTH PARK IS A RESIDENTIAL NEIGHBORHOOD WITH SINGLE-FAMILY AND TOWNHOME RESIDENCES. GIVEN THE BUILDING HEIGHTS OF 45 FEET, 4 INCHES, THE NORTH SETBACK MINIMUM WOULD BE 68 FEET. THE PROPOSED SETBACK ON THE SITE PLAN IS 5 FEET.

**JUSTIFICATION:** ADJACENT TO THE NORTHERN PROPERTY LINE OF ST. MARK VILLAGE, THERE EXISTS A 75 FOOT WIDE UTILITY EASEMENT LOCATED ON PROPERTY PLATTED IN THE NORTHPARK SUBDIVISION TO ACCOMMODATE HIGH VOLTAGE UTILITY TRANSMISSION LINES. FROM THE NORTHERN LINE OF THE UTILITY EASEMENT TO THE MOST NORTHERLY BUILDING FACE OF ST MARK VILLAGE, THERE IS A DISTANCE (AND THEREBY AN EFFECTIVE SETBACK DUE TO THE UTILITY EASEMENT BEING UNDEVELOPABLE) OF 80 FEET, WHICH IS IN EXCESS OF THE REQUIRED SETBACK FROM THE NORTHERLY PROPERTY LINE.

- c. THE EAST PROPERTY LINE IS ADJACENT TO FEDERAL BOULEVARD. A 75' BUILDING SETBACK IS REQUIRED FROM ARTERIAL STREETS. THE PROPOSED SETBACK ON THE SITE PLAN IS 39 FEET, 7 1/4 INCHES.

**JUSTIFICATION:** THE 2013 COMPREHENSIVE PLAN ENVISIONS URBAN PLANNING THAT BRINGS BUILDINGS CLOSER TO THE STREET EDGE, HIGH QUALITY MATERIALS, AND IMPROVED SITE LANDSCAPING AND PEDESTRIAN AMENITIES. AS THE SITE PLAN DEMONSTRATES, ST. MARK VILLAGE ACHIEVES THE OBJECTIVES OF THE COMPREHENSIVE PLAN WITH A SIGNATURE TOWER FACED WITH STONE ALONG FEDERAL BOULEVARD AND ENHANCED LANDSCAPING ALONG THE STREET EDGE TO SCREEN VEHICULAR PARKING AND MOVEMENT ON-SITE WITHIN THE 39 FOOT, 7 1/4 INCH SETBACK.

- d. GIVEN THE BUILDING HEIGHTS OF 45 FEET, 4 INCHES, THE EAST PROPERTY LINE ADJACENT TO THE WISHBONE RESTAURANT PROPERTY WOULD HAVE A 68-FOOT REQUIRED BUILDING SETBACK. THE PROPOSED SETBACK ON THE SITE PLAN IS 10 FEET.

**JUSTIFICATION:** THE WISHBONE PROPERTY IS A CURRENTLY IMPROVED PARCEL WITH A PARKING LOT ADJACENT TO ST MARK VILLAGE ON THE SOUTHEAST CORNER OF THE SITE. THE SHARED EAST/WEST PROPERTY LINE MAINTAINS A 100 FOOT SETBACK FROM THE SHARED PROPERTY LINE TO ANY BUILDING FACE. THE SHARED NORTH/SOUTH PROPERTY LINE MAINTAINS A 10 FOOT SETBACK FOR FIRE PROTECTION BEST PRACTICES. SHOULD THE WISHBONE PROPERTY GET REDEVELOPED AT SOME POINT IN THE FUTURE, AN EQUIVALENT TEN FOOT SETBACK FOR THE REDEVELOPED PROPERTY WOULD PROVIDE ADEQUATE FIRE PROTECTION FOR ANY USE DEVELOPED. FURTHER, THIS AREA OF ST MARK VILLAGE IS A NON-DOMINANT FACADE WITH LIMITED WINDOW OPENINGS, FURTHER REDUCING THE RISK FOR ANY FUTURE FIRE PROTECTION ISSUES IF THE WISHBONE PROPERTY WERE TO BE REDEVELOPED. THE PROPOSED SETBACK HELPS PROMOTE THE VISUAL APPEARANCE OF A STREET WALL AND IN TURN A BETTER STREETScape ALONG 97TH AVENUE, WHICH IS CRITICAL TO THE PEDESTRIAN EXPERIENCE.

- e. THE REMAINDER OF THE SOUTH BOUNDARY LINE IS ADJACENT TO 97TH AVENUE. GIVEN THE BUILDING HEIGHTS OF 45 FEET, 4 INCHES, THE SOUTH SETBACK MINIMUM WOULD BE 68 FEET. THE PROPOSED SETBACK ON THE SITE PLAN IS 25 FEET.

**JUSTIFICATION:** THE 2013 COMPREHENSIVE PLAN ENVISIONS URBAN PLANNING THAT BRINGS BUILDINGS CLOSER TO THE STREET EDGE, HIGH QUALITY MATERIALS, AND IMPROVED SITE LANDSCAPING AND PEDESTRIAN AMENITIES. AS THE SITE PLAN DEMONSTRATES, ST. MARK VILLAGE ACHIEVES THE OBJECTIVES OF THE COMPREHENSIVE PLAN WITHIN THE 25 FOOT SETBACK BY BRINGING BUILDINGS CLOSER TO THE STREET EDGE TO CREATE A STREET WALL, INSTALLING BULB-OUTS AT THE SIDEWALK ON BOTH SIDES OF 97TH AVENUE AS A TRAFFIC CALMING SOLUTION AND PEDESTRIAN AMENITY, AND UTILIZING GREEN INFRASTRUCTURE RAIN GARDENS THE ENTIRE FRONTAGE ALONG 97TH AVENUE, WHICH SERVE AS A VISUAL AMENITY USING SUSTAINABLE WATER QUALITY METHODS.

**2. LANDSCAPE SETBACK AREAS:**

REQUIREMENT NOT MET: 35' LANDSCAPED SETBACK AREA (25' ALONG FEDERAL BLVD.) NOT PROVIDED. NO PARKING IS PERMITTED IN THESE SETBACK AREAS.

**JUSTIFICATION:** THE 2013 COMPREHENSIVE PLAN ENVISIONS URBAN PLANNING THAT BRINGS BUILDINGS CLOSER TO THE STREET EDGE, HIGH QUALITY MATERIALS, AND IMPROVED SITE LANDSCAPING AND PEDESTRIAN AMENITIES. IN LIEU OF THE 35' LANDSCAPED SETBACK AREA, ENHANCED LANDSCAPING PLANTINGS HAVE BEEN PROVIDED AT A RATE 3 TIMES THE NUMBER OF REQUIRED PLANTINGS AND ADEQUATELY SCREENING ON-SITE VEHICULAR PARKING AND MOVEMENT.

**3. SETBACK OF POOL / CLUBHOUSE:**

REQUIREMENT NOT MET: 100' SEPARATION BETWEEN POOL/CLUBHOUSE AND PROPERTY LINE.

**JUSTIFICATION:** PRIVACY LANDSCAPING WILL BE INSTALLED NORTH OF THE POOL LOCATION IN ORDER TO SCREEN THE ACTIVITY AREA. FURTHER, AN EXISTING LANDSCAPING BERM WITH MATURE LANDSCAPING ALREADY EXISTS APPROXIMATELY 16-22 FEET NORTH OF THE PROPOSED POOL LOCATION AND A 75 FOOT WIDE UTILITY EASEMENT PROVIDES ADEQUATE BUFFER TO EXISTING NEIGHBORS TO THE NORTH. IN ADDITION, THE AREA SOUTH OF AN EXISTING FENCE ALONG THE NORTH PROPERTY LINE IS TO BE ADDRESSED BY A FUTURE ODP AMENDMENT WHICH IS EXPECTED TO PROVIDE FOR A SUBSTANTIAL TREE SCREEN IN THIS AREA, PER ACCEPTANCE BY THE NORTHPARK EAST ASSOCIATION.

**4. DETACHED SIDEWALKS:**

REQUIREMENT NOT MET: NO DETACHED SIDEWALK (MINIMUM 5' WIDE, WITH STREET TREES / LANDSCAPING BETWEEN CURB AND SIDEWALK) PROVIDED ALONG 97TH AVENUE.

**JUSTIFICATION:** 4 FOOT WIDE ATTACHED SIDEWALKS ALONG 97TH AVENUE ARE ALREADY IN PLACE AND CONSTRUCTED, ARE CONSISTENT WITH THE ENTIRE LENGTH OF 97TH AVENUE FROM FEDERAL TO LOWELL. DETACHING THE SIDEWALKS ALONG 97TH AVENUE WOULD MAKE THE ST MARK VILLAGE PARCEL LOOK OUT OF PLACE WITHIN THE SURROUNDING NEIGHBORHOOD CONTEXT. FURTHER, DUE TO 97TH AVENUE NOT BEING AN ARTERIAL ROADWAY, THE PEDESTRIAN EXPERIENCE IS NOT DIMINISHED AS LIMITED VEHICULAR TRAFFIC EXISTS ALONG THE STRETCH OF 97TH AVENUE BETWEEN FEDERAL AND LOWELL.

**5. PARKING:**

REQUIREMENT NOT MET: SHORTAGE IN PARKING SPACES PROVIDED; (273 PROVIDED, 347 REQUIRED, 74 SHORT). (NOTE: ON-STREET PARKING SPACES MAY NOT BE COUNTED.)

**JUSTIFICATION:** PARKING STUDY PROVIDED TO THE CITY OF WESTMINSTER SUPPORTED A PARKING REDUCTION BETWEEN 21% AND 41% LOWER THAN MINIMUM REQUIREMENTS. A PARKING RATIO OF 1.26:1.00 IS UTILIZED, A 21% REDUCTION. THE REDUCTION IS AT A TYPICAL RATE FOR THE METRO AREA.

**6. COVERED AND/OR GARAGE PARKING:**

REQUIREMENT NOT MET: NO CARPORTS OR GARAGES PROVIDED.

**JUSTIFICATION:** ST MARK VILLAGE IS TO BE AN AFFORDABLE COMMUNITY AND IN ORDER TO MAINTAIN AFFORDABILITY, REQUESTS COVERED PARKING REQUIREMENTS BE ELIMINATED AND INSTEAD, POTENTIAL FUTURE ROOFTOP SOLAR PHOTOVOLTAIC BE AN ALTERNATIVE PROJECT COMPONENT SHOULD PROJECT BUDGET SAVINGS DURING CONSTRUCTION ALLOW, HELPING TO MAINTAIN AFFORDABILITY OVER THE LONG TERM.

**7. LANDSCAPED ENTRY MEDIAN:**

REQUIREMENT NOT MET: ENTRANCE LANDSCAPED MEDIAN NOT PROVIDED.

**JUSTIFICATION:** IN ORDER TO MAINTAIN THE TRADITIONAL DESIGN OF ST MARK VILLAGE, WHICH COMPLIMENTS THE NEIGHBORING ST MARK'S CATHOLIC CHURCH, A MEDIAN/ISLAND HAS BEEN OMITTED HOWEVER, ST MARK VILLAGE FEATURES TWO ENTRY TOWER DESIGN COMPONENTS CENTERED BY A STONE CLUBHOUSE CAPPING THE ENTRY DRIVE TO ACHIEVE THE DESIRED PLACEMAKING AND SITE IDENTIFICATION PURPOSES THAT MEDIAN/ISLANDS PROVIDE AT A PRIMARY ENTRANCE.

**8. GROUND-LEVEL LIGHTING:**

REQUIREMENT NOT MET: GROUND-LEVEL LIGHTING NOT PROVIDED.

**JUSTIFICATION:** DUE TO THE INFILL NATURE OF THE DEVELOPMENT, PROPOSED SIDEWALKS ARE IN CLOSE PROXIMITY TO BUILDING LIGHTING THAT WILL SUFFICIENTLY ILLUMINATE GROUND LEVEL PATHWAYS AND ADDITIONAL GROUND LIGHTING IS NOT NEEDED.

**9. HOT TUB AND SPLASH PAD:**

REQUIREMENT NOT MET: HOT TUB AND SPLASH PAD NOT PROVIDED.

**JUSTIFICATION:** IN LIEU OF A HOT TUB AND SPLASH PAD, A POOL IS TO BE PROVIDED TO BETTER ACCOMMODATE THE FAMILY DEMOGRAPHICS OF THE TO-BE-CONSTRUCTED COMMUNITY.

**10. SWIMMING POOL DECK WIDTHS:**

REQUIREMENT NOT MET: MINIMUM DECK WIDTHS AROUND POOL NOT PROVIDED.

**JUSTIFICATION:** MINIMUM SWIMMING POOL DECK WIDTHS MEET OR EXCEED 2015 INTERNATIONAL SWIMMING POOL AND SPA CODE.

**11. BUILDING AND PARKING SPACING:**

REQUIREMENT NOT MET: MINIMUM 15' SPACING BETWEEN BUILDINGS AND PARKING AREAS NOT PROVIDED.

**JUSTIFICATION:** DUE TO THE INFILL NATURE OF THE SITE AND IN AN EFFORT TO PROVIDE AS MUCH ON-SITE PARKING AS FEASIBLE BASED ON NEIGHBORHOOD FEEDBACK THE 15' MINIMUM DIMENSION IS PROPOSED TO VARY FROM 12' TO 45' WITH ENHANCED LANDSCAPING PROVIDED WHERE BUILDING FRONTS AND PARKING INTERACT.

**12. PARALLEL BUILDING SPACING:**

REQUIREMENT NOT MET: MINIMUM 40' SPACING BETWEEN PARALLEL BUILDINGS NOT PROVIDED.

**JUSTIFICATION:** PROPERTY IS AN INFILL DEVELOPMENT SITE THAT CANNOT MEET THE INTENT OF THE PROPERTY'S ZONING IF PARALLEL BUILDING SPACING OF 40' IS MAINTAINED. INSTEAD, EVERY OTHER BUILDING HAS A DIFFERENT OVERALL FORM, SCALE, OR ORIENTATION TO BREAK UP THE VIEWING PLANE.

DATE: 03/15/2019

ST MARK VILLAGE  
PRELIMINARY DEVELOPMENT PLAN

03/15/2019  
05/20/2019  
07/26/2019

FIRST AMENDED PRELIMINARY DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT  
 IN THE CITY OF WESTMINSTER  
 COUNTY OF ADAMS, STATE OF COLORADO  
 SHEET 4 OF 5



**PUD EXCEPTIONS:**

**13. NON-PARALLEL BUILDING SPACING:**

REQUIREMENT NOT MET: MINIMUM 35' SPACING BETWEEN NON-PARALLEL BUILDINGS NOT PROVIDED.

**JUSTIFICATION:** PROPERTY IS AN INFILL DEVELOPMENT SITE THAT CANNOT MEET THE INTENT OF THE PROPERTY'S ZONING IF PARALLEL BUILDING SPACING OF 35' IS MAINTAINED. INSTEAD, EVERY OTHER BUILDING HAS A DIFFERENT OVERALL FORM, SCALE, OR ORIENTATION TO BREAK UP THE VIEWING PLANE.

**14. PRIMARY AND ACCESSORY BUILDING SPACING:**

REQUIREMENT NOT MET: MINIMUM 25' SPACING BETWEEN PRIMARY AND ACCESSORY BUILDINGS (CLUBHOUSE) NOT PROVIDED.

**JUSTIFICATION:** PROPERTY IS AN INFILL DEVELOPMENT SITE THAT CANNOT MEET THE INTENT OF THE PROPERTY'S ZONING IF PARALLEL BUILDING SPACING OF 25' IS MAINTAINED. INSTEAD, EVERY OTHER BUILDING HAS A DIFFERENT OVERALL FORM, SCALE, OR ORIENTATION TO BREAK UP THE VIEWING PLANE.

**15. PARKING LOT SETBACKS FROM INTERIOR PROPERTY LINES:**

REQUIREMENT NOT MET: PARKING LOT SETBACKS (15') FROM INTERIOR PROPERTY LINES NOT PROVIDED.

**JUSTIFICATION:** THE WISHBONE RESTAURANT PROPERTY HAS A BLOCK WALL WITH THICK TREE CANOPY ON THE PROPERTY LINE. WHEN COMBINED WITH ADDITIONAL LANDSCAPING TO BE INSTALLED AT ST MARK'S VILLAGE, THERE WILL BE AN ADEQUATE YEAR ROUND BUFFER PROVIDED IN LESS THAN THE 15 FOOT SETBACK REQUIREMENT.

**16. TREATMENT OF UPPER-FLOOR BUILDING MASSING:**

REQUIREMENT NOT MET: ONE-STORY STEP-DOWN IN BUILDING HEIGHTS NOT PROVIDED.

**JUSTIFICATION:** IN LIEU OF A STEP-DOWN IN BUILDING HEIGHTS, WHICH WOULD NOT FULFILL THE INTENT OF THE SITE'S ZONING, THE BUILDING DESIGN REFLECTS COMPONENTS OF A STEPPED DESIGN AND OTHER DESIGN ELEMENTS THAT CONVEY A SENSE OF PLACE AT RELATABLE AND RELEVANT HUMAN SCALE, WITH OVERALL HEIGHT BEING ONE STORY HIGHER THAN ADJACENT EXISTING PROPERTY. EACH BUILDING FAÇADE EXHIBITS VARYING ROOF AND PITCH ELEMENTS OF NOT LESS THAN 4 ELEVATIONS. THE COMMUNITY ENTRY FEATURES TWO SIGNATURE TOWERS ON THE BUILDING CORNERS WHICH BREAK THE FAÇADE AND CONVEY SIGNIFICANCE. THE BUILDING ALONG FEDERAL BOULEVARD FEATURES A TOWER THAT TIES INTO THE ENTRYWAY DESIGN FOR CONSISTENCY OF EXPERIENCE. THE TYPICAL FAÇADE DESIGN CONVEYS A STIMULATING AESTHETIC THAT COMPLIMENTS THE NEARBY ST MARK CATHOLIC CHURCH WHILE ALSO FULFILLING THE HIGHEST AND BEST UTILIZATION OF THE ZONING INTENT.

**17. EXTERIOR BUILDING MATERIALS AND COLORS:**

REQUIREMENT NOT MET: BUILDING EXTERIOR CLADDING SURFACES, INCLUDING AT LEAST 2 FEET AROUND THE BASE OF THE BUILDING, PATIO AND BALCONY AREAS, BUT EXCEPTING WINDOW, DOOR, OR RAILING PORTIONS, ON ALL SIDES OF ALL PRIMARY AND ACCESSORY BUILDINGS, ARE NOT FINISHED WITH THIRTY PERCENT (30%) OR MORE OF ALL WITH MASONRY (BRICK OR STONE).

**JUSTIFICATION:** IN AN EFFORT TO KEEP THE PROJECT AN AFFORDABLE DEVELOPMENT, THE DESIGN UTILIZES STONE IN PROMINENT PUBLIC FACING LOCATIONS ONLY, INCLUDING SIGNATURE STONE ENTRY TOWERS ALONG 97<sup>TH</sup> AVENUE AND A STONE TOWER ALONG FEDERAL BOULEVARD IN LIEU OF STONE OR MASONRY ON 30% OF ALL EXTERIOR CLADDING SURFACES. THE DESIGN ALSO UTILIZES TWO ALTERNATING COLOR SCHEMES TO HELP DIFFERENTIATE AND DISTINGUISH EACH BUILDING TYPE.

**18. BALCONY ENCLOSURE:**

REQUIREMENT NOT MET: BALCONIES ARE FRONTED WITH RAILINGS RATHER THAN OPAQUE WALLS.

**JUSTIFICATION:** ENCLOSED BALCONIES PROVIDE FOR A DATED LOOK AND FEEL AND ARE NOT IN KEEPING WITH CURRENT ARCHITECTURAL DESIGN OR TENANT EXPECTATIONS. BALCONIES ARE RECESSED WITHIN UNITS (IE NOT PROTRUDING FROM THE BUILDING FAÇADE) PROVIDING ENCLOSURE THROUGH DESIGN AND A BETTER, MORE USABLE TENANT EXPERIENCE.

**19. SITE LANDSCAPING PERCENTAGE:**

REQUIREMENT NOT MET: MINIMUM OF 40% OF SITE LANDSCAPED IS NOT MET.

**JUSTIFICATION:** PROPERTY IS AN INFILL DEVELOPMENT SITE THAT CANNOT MEET THE INTENT OF THE PROPERTY'S ZONING IF 40% OF THE SITE IS LANDSCAPED. HOWEVER, THE PROPERTY IS LOCATED WITHIN 500 FEET OF SQUIRES PARK AND APPLICANT HAS PROVIDED USABLE OPEN SPACES ON-SITE THAT WILL BE BETTER BY THE EXPECTANT FAMILY DEMOGRAPHIC, INCLUDING AMENITIES SUCH AS A LANDSCAPED GARDEN AREA WITH DEDICATED SEATING, A BARBEQUE PATIO AND LOUNGE AREA WITH GRILLS, POOL, AND A CHILDREN'S PLAYGROUND.

**20. PARKING LOT LANDSCAPING ISLANDS:**

REQUIREMENT NOT MET: PROPER PROVISION/QUANTITY, SPACING, AND PLANTING OF PARKING LOT LANDSCAPE ISLANDS NOT PROVIDED.

**JUSTIFICATION:** PARKING LOT LANDSCAPING ISLANDS ARE PROVIDED AT THE LENGTH OF EACH BUILDING, BUT THE VISUAL SCALE OF PARKING IS MITIGATED THROUGH THE DRIVE WAY DESIGN AND CLUBHOUSE LOCATION. ON THE EAST SIDE OF THE SITE, THE DRIVEWAY JOGS SOUTH TO BREAK UP THE VISUAL PARKING MASS. ON THE WEST SIDE OF THE SITE, THE CLUBHOUSE LOCATION WITHIN TWO PARKING AISLES BREAKS UP THE VISUAL PARKING MASS. WHILE SELECT PARKING AISLES ARE LONGER THAN TYPICAL THEY ARE 1) WITHIN EXISTING PRECEDENT IN THE CITY OF WESTMINSTER, 2) DO NOT FACE PUBLIC RIGHT OF WAY, AND 3) ARE MITIGATED THROUGH INTELLIGENT DESIGN INCLUDING ENHANCED LANDSCAPING WITH TREE AND SHRUB PLANTINGS WHICH EXCEED REQUIRED MINIMUMS BY THREE TIMES.

**21. SCREENING OF PARKING:**

REQUIREMENT NOT MET: PROVISION OF LANDSCAPED BERMS TO SCREEN PARKING AREAS FROM ADJACENT DEVELOPMENTS AND STREETS.

**JUSTIFICATION:** DEVELOPMENT'S PARKING IS INTERIOR TO THE SITE WITH SCREENING BEING PROVIDED ON THE NORTH AND SOUTH PROPERTY LINES BY BUILDINGS. TO THE WEST AND EAST, PARKING IS SCREENED BY A COMBINATION OF BUILDINGS AND LANDSCAPING. ALONG THE SHARED PROPERTY BOUNDARY WITH WISHBONE RESTAURANT, SCREENING IS PROVIDED BY AN EXISTING CINDER BLOCK WALL FIVE FEET IN HEIGHT AND EXISTING MATURE LANDSCAPING. FURTHER, ENHANCED LANDSCAPING IS PROVIDED SITE-WIDE TO IMPROVE OVERALL AESTHETIC BETWEEN BUILDING-PARKING INTERACTION AND PARKING-STREET INTERACTION. MINIMUM TREE AND SHRUB PLANTINGS EXCEED REQUIRED MINIMUMS BY THREE TIMES TO PROVIDE ADDITIONAL SCREENING AND BETTER OVERALL AESTHETIC.

**22. REMOVAL OF BILLBOARD:**

REQUIREMENT NOT MET: BILLBOARD IS A NON-CONFORMING SIGN THAT SHOULD BE REMOVED AS A CONDITION OF DEVELOPMENT.

**JUSTIFICATION:** PROPERTY OWNER WILL REMOVE SIGN AFTER LEASE TERMINATION IN 2021.

**23. MULTI-USE PATHS:**

REQUIREMENT NOT MET: NO 10' WIDE MULTI-USE PATHS WITHIN PROJECT.

**JUSTIFICATION:** AS AN INFILL DEVELOPMENT PROJECT, THE OPPORTUNITY FOR NEW PATHS IS LIMITED BY EXISTING CONDITIONS. AS AN ALTERNATIVE, THE PROJECT HAS PROVIDED ON-SITE LANDSCAPED PATHWAYS AND SEATING AS A DESTINATION RATHER THAN A MULTI-USE PATH.

DATE: 03/15/2019

ST MARK VILLAGE  
PRELIMINARY DEVELOPMENT PLAN

03/15/2019  
05/20/2019  
07/26/2019

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NOTES



FIRST AMENDED PRELIMINARY DEVELOPMENT PLAN

LOTS 11, 12, 45, 46, 47 AND 48

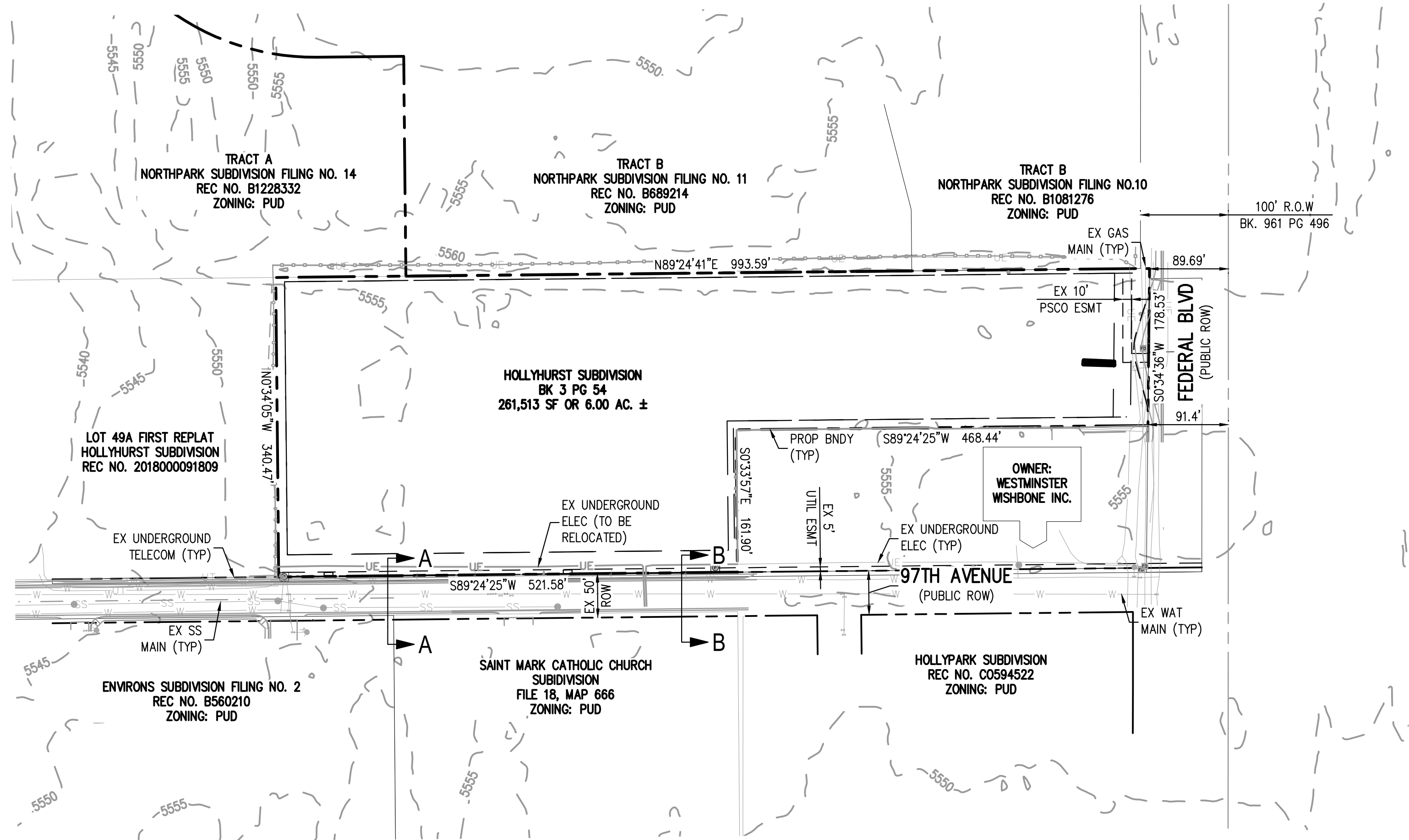
HOLLYHURST SUBDIVISION

A PLANNED UNIT DEVELOPMENT

IN THE CITY OF WESTMINSTER

COUNTY OF ADAMS, STATE OF COLORADO

SHEET 5 OF 5



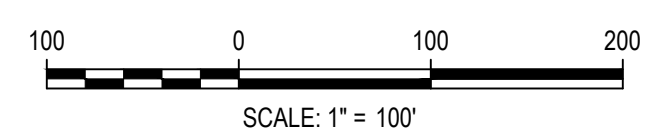
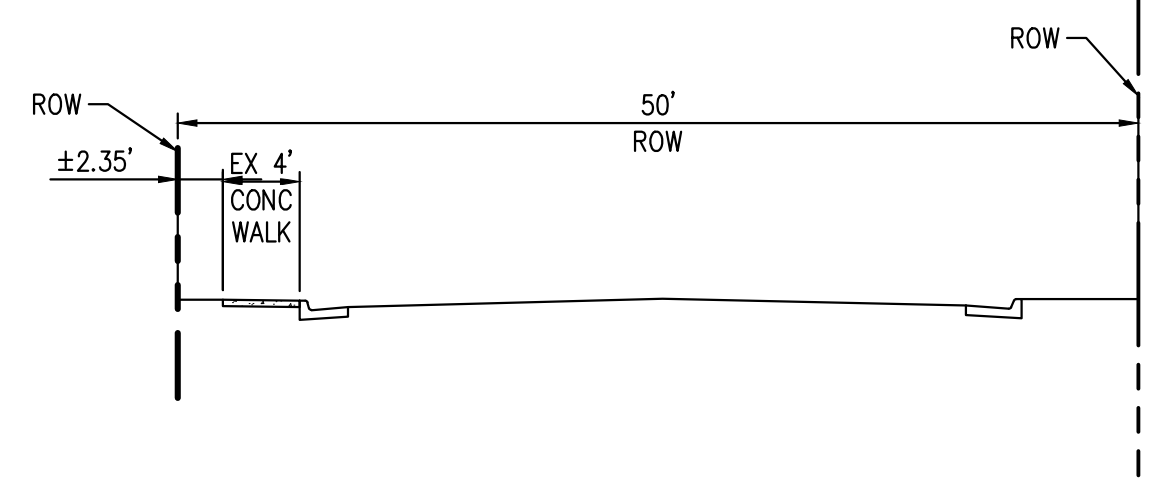
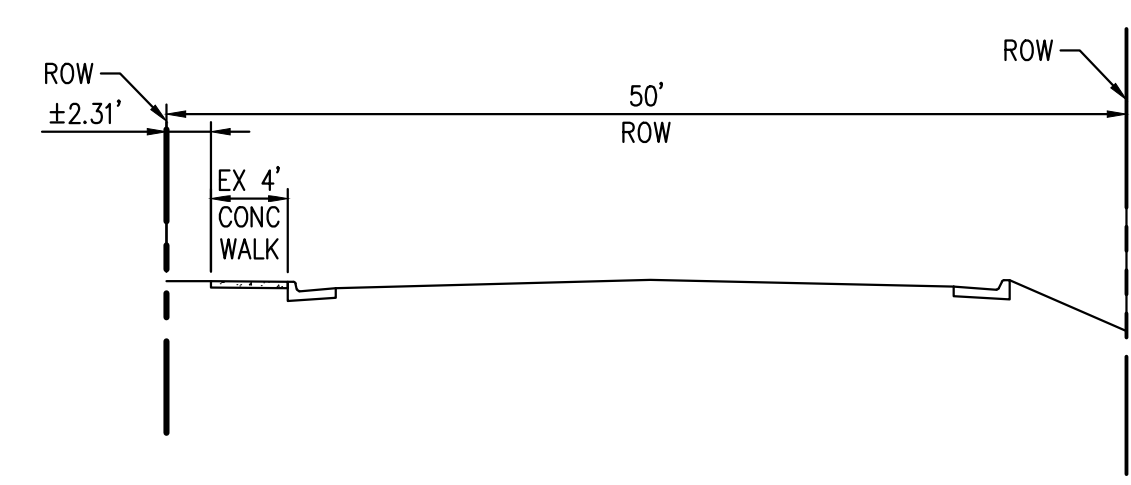
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DATE: 03/15/2019

ST MARK VILLAGE  
 PRELIMINARY DEVELOPMENT PLAN

03/15/2019  
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5 OF 5  
 OVERALL PLAN



CASE# PLN19-0038



# EXHIBIT 8



**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
**SHEET 1 OF 37**

**LEGAL DESCRIPTION:**

**PARCEL ONE:**

LOTS 12, 45, 46, 47, AND 48, HOLLYHURST SUBDIVISION, RECORDED IN BOOK 3 AT PAGE 54.

EXCEPT THAT PORTION THEREOF CONVEYED TO THE DEPARTMENT OF HIGHWAYS IN DEED RECORDED JULY 18, 1961 IN BOOK 920 AT PAGE 379, COUNTY OF ADAMS STATE OF COLORADO

**PARCEL TWO**

LOT 11, HOLLYHURST SUBDIVISION,

EXCEPT THAT PORTION THEREOF CONVEYED TO THE DEPARTMENT OF HIGHWAYS IN DEED RECORDED AUGUST 11, 1961 IN BOOK 926 AT PAGE 293, COUNTY OF ADAMS STATE OF COLORADO

A PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF WESTMINSTER, COUNTY OF ADAMS, STATE OF COLORADO,

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 17, THENCE NORTH 00°01'39" EAST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER, A DISTANCE OF 894.55 FEET; THENCE SOUTH 89°24'25" WEST A DISTANCE OF 91.40 FEET TO A POINT ON THE WEST LINE OF THE PARCEL DESCRIBED IN BOOK 926 AT PAGE 293, A POINT ON THE SOUTH LINE OF SAID LOT 11 EXTENDED EASTERLY, AND THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89°24'25" WEST ALONG SAID EXTENSION AND THE SOUTH LINE OF SAID LOT 11, HOLLYHURST SUBDIVISION, A DISTANCE OF 468.44 FEET TO A POINT ON THE EAST LINE OF SAID LOT 45, HOLLYHURST SUBDIVISION;

THENCE SOUTH 00°33'57" EAST ALONG SAID EAST LINE, A DISTANCE OF 161.90 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WEST 97TH AVENUE AS DESCRIBED IN BOOK 1815 AT PAGE 496;

THENCE SOUTH 89°24'25" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 521.58 FEET TO A POINT ON THE WEST LINE OF LOT 48, HOLLYHURST SUBDIVISION;

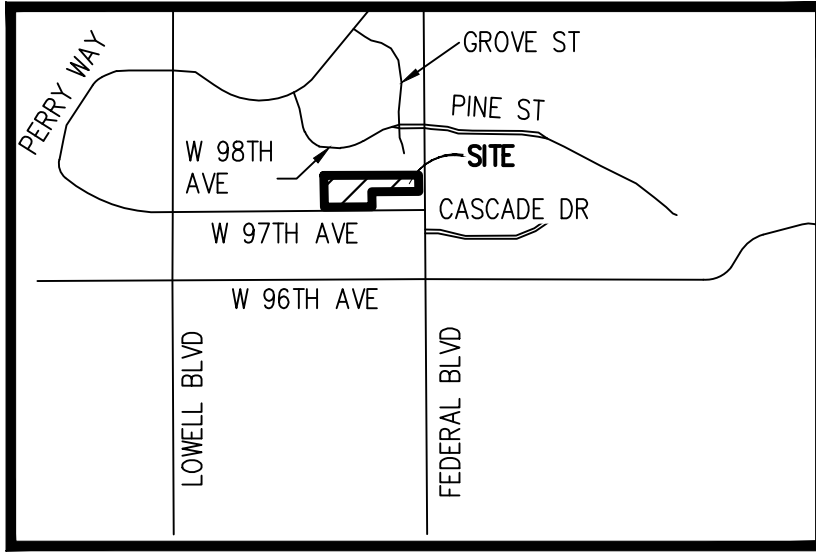
THENCE NORTH 00°34'05" WEST ALONG SAID WEST LINE, A DISTANCE OF 340.47 FEET TO A POINT ON THE SOUTH LINE OF TRACT A, NORTHPARK SUBDIVISION FILING NO. 14 RECORDED AT RECEPTION NO. B1228332;

THENCE NORTH 89°24'41" EAST ALONG THE SOUTH LINE OF SAID TRACT A, AND ALONG THE SOUTH LINES OF TRACT B, NORTHPARK SUBDIVISION FILING NO. 11 RECORDED AT RECEPTION NO. B689214, TRACT B, NORTHPARK SUBDIVISION FILING NO. 10 RECORDED AT RECEPTION NO. B1081276, A DISTANCE OF 993.59 FEET TO THE WEST LINE OF SAID PARCEL DESCRIBED AT BOOK 920 AT PAGE 379;

THENCE SOUTH 00°34'36" WEST ALONG SAID WEST LINE, AND ALONG THE WEST LINE OF SAID PARCEL DESCRIBED IN BOOK 926 AT PAGE 293, A DISTANCE OF 178.53 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 261,513 SQUARE FEET OR 6.003 ACRES, MORE OR LESS.

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE EAST LINE THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, ASSUMED TO BEAR NORTH 00°01'39" EAST.



**VICINITY MAP**

SCALE: 1" = 2000'



SCALE: 1" = 2000'

**OWNER APPROVAL:**

I, \_\_\_\_\_, AS MANAGER OF 3100 W 97TH AVENUE DEVELOPMENT, LLC, THE GENERAL PARTNER OF 3100 W 97TH AVENUE, LLLP, PROPERTY OWNER, DO SO APPROVE THIS ODP FOR REVIEW AND APPROVAL BY THE CITY OF WESTMINSTER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

3100 W 97TH AVENUE, LLLP

BY: 3100 W 97TH AVENUE DEVELOPMENT, LLC  
 A COLORADO LIMITED LIABILITY COMPANY  
 ITS GENERAL PARTNER

BY: \_\_\_\_\_,  
 \_\_\_\_\_, MANAGER

**CITY APPROVAL:**

APPROVED BY THE PLANNING COMMISSION OF THE CITY OF WESTMINSTER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

CHAIRMAN \_\_\_\_\_

ATTEST: CITY CLERK \_\_\_\_\_

ACCEPTED BY THE CITY COUNCIL OF THE CITY OF WESTMINSTER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

MAYOR \_\_\_\_\_

ATTEST: CITY CLERK \_\_\_\_\_

**CLERK AND RECORDER'S CERTIFICATE:**

RECEPTION NO. \_\_\_\_\_

ACCEPTED FOR FILING IN THE OFFICE OF THE COUNTY CLERK AND RECORDER OF ADAMS COUNTY OF BRIGHTON, COLORADO ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_, AT \_\_\_\_\_ O'CLOCK \_\_.M.

ADAMS COUNTY CLERK AND RECORDER \_\_\_\_\_

BY: DEPUTY CLERK \_\_\_\_\_

**PROJECT SCOPE:**

ST MARK VILLAGE IS A PROPOSED AFFORDABLE MULTIFAMILY DEVELOPMENT BOUND BY A PUBLIC SERVICE COMPANY EASEMENT TO THE NORTH, 97TH AVENUE TO THE SOUTH, FEDERAL BOULEVARD TO THE EAST, AND CITY OWNED PROPERTY TO THE WEST.

THE GENERAL DESIGN CONCEPTS INCLUDE THE FOLLOWING:

- DETACHED CLUBHOUSE WITH ON-SITE LEASING FACILITY
- FITNESS CENTER
- COMPUTER/BUSINESS ROOM
- OUTDOOR POOL IN A COURTYARD SETTING
- BBQ PATIO
- PLAYGROUND/TOT-LOT
- OUTDOOR GARDEN SEATING
- OUTDOOR TRELIS PATIO
- GREEN INFRASTRUCTURE SUCH AS RAIN GARDENS
- RIGHT OF WAY BULB OUTS TO ACT AS TRAFFIC CALMING MEASURES ALONG 97TH AVENUE

THE SITE SLOPES GENERALLY FROM NORTH TO SOUTH AND IS CURRENTLY VACANT, ROUGH GRADED LAND THAT IS PREVIOUSLY UNDEVELOPED.

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**CONSULTANT FIRMS**

**ARCHITECT**

KTGY ARCHITECTS  
 820 16TH STREET, SUITE 500  
 DENVER, COLORADO 80202  
 303-825-6400

**CIVIL ENGINEER**

MICHAEL MOORE, PE  
 HARRIS KOCHER SMITH  
 1120 LINCOLN STREET, SUITE 1000  
 DENVER, COLORADO 80203  
 303-623-6300

**LANDSCAPE ARCHITECT**

SANDI GIBSON  
 OUTSIDE LA  
 2623 BURGESS CREEK RD  
 STEAMBOAT SPRINGS, COLORADO 80487  
 970-871-9629

**MECHANICAL, ELECTRICAL, & PLUMBING ENGINEER**

COREY STENMAN  
 JORDAN & SKALA ENGINEERS  
 555 17TH STREET, SUITE 700  
 DENVER, COLORADO 80202  
 303-586-2375

**DEVELOPMENT TIMING & PHASING**

IN THE EVENT THE DATE OF APPROVAL OF A PROPERTY'S ODP OR LATEST ODP AMENDMENT IS MORE THAN THREE (3) YEARS OLD AND NO BUILDING PERMIT HAS BEEN ISSUED, THE ODP OR AMENDED ODP SHALL BE REQUIRED TO BE SUBMITTED FOR REVIEW AND RECONSIDERATION IN ACCORDANCE WITH CITY CODE.

THE PROPOSED DEVELOPMENT TIMING AND PHASING FOR THIS PROJECT IS AS FOLLOWS:

THE DEVELOPMENT WILL BE CONSTRUCTED IN ONE PHASE.

**PROPERTY OWNER**

3100 W 97TH AVENUE, LLLP  
 JORDAN ZIELINSKI  
 1850 PLATTE STREET, 2ND FLOOR  
 DENVER, COLORADO 80202  
 720-598-1300

**SURVEYOR'S CERTIFICATE:**

I, \_\_\_\_\_, A LAND SURVEYOR REGISTERED IN THE STATE OF COLORADO, HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION HAS BEEN PREPARED OR REVIEWED BY ME TO BE AN ACCURATE DESCRIPTION OF THE PROPERTY BOUNDARY.

**PERMITTED USES:**

MULTI-FAMILY RESIDENTIAL

**PROHIBITED USES:**

ANY USES NOT SPECIFICALLY LISTED AS PERMITTED SHALL BE DEEMED PROHIBITED. THE PLANNING MANAGER SHALL DETERMINE IF AN UNLISTED USE OR SET OF USES FALLS INTO THE DEFINITION OF A LISTED PERMITTED USE.



CALL 3 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

**ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN**

**DATE: 03/18/2019**

03/18/2019  
 05/20/2019  
 07/26/2019

1 OF 37  
 COVER

**CASE# PLN19-0039**

THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 2 OF 37

DATE: 03/18/2019

ZONING & LAND USE			
	ZONING	LAND USE	COMP PLAN DESIGNATION
SUBJECT SITE:	PLANNED UNIT DEVELOPMENT (PUD)	MULTI-FAMILY RESIDENTIAL	R-36 RESIDENTIAL
NORTH:	PLANNED UNIT DEVELOPMENT (PUD)	SFA AND SFD RESIDENTIAL	R3.5 AND R-8 RESIDENTIAL
EAST:	C-1 COMMERCIAL (FEDERAL HEIGHTS)	VACANT	(NOT IN CITY OF WESTMINSTER)
SOUTH:	PLANNED UNIT DEVELOPMENT (PUD)	SFA AND SFD RESIDENTIAL; CHURCH	R-3.5 AND R-8 RESIDENTIAL; PUBLIC/ QUASI-PUBLIC
WEST:	PLANNED UNIT DEVELOPMENT (PUD)	MUNICIPAL ELEVATED WATER TANK	PUBLIC/ QUASI-PUBLIC

LOTS & COVERAGE	
TOTAL SITE AREA:	261,360 SF = 6.00+AC
NUMBER OF LOTS:	1
BUILDING COVERAGE (SF & %):	86,538 SF / 33.11%
PARKING AND DRIVES (SF & %):	124,493 SF / 47.63%
LANDSCAPE/OPEN AREA (SF & %):	50,329 SF / 19.26%
MINIMUM LOT SIZE:	N/A

PROJECT/SITE DATA								
BUILDING TYPE	BUILDING 1 (TYPE C)	BUILDING 2 (TYPE C)	BUILDING 3 (TYPE A)	BUILDING 4 (TYPE A)	BUILDING 6 (TYPE A)	BUILDING 7 (TYPE A)	BUILDING 8 (TYPE B)	CLUBHOUSE
ODP BOUNDARY AREA (SF/ACRES):	261,360 SF = 6.00+AC							
GFA (SF):	43,013	43,013	22,619	22,619	22,619	22,619	38,117	2,260
FFA (SF):	39,312	39,312	21,204	21,204	21,204	21,204	35,694	2,260
FAR/DU PER ACRE (#):	36.00							
MAXIMUM BUILDING HEIGHT(S) (FT):	45'-4"							

MINIMUM SETBACKS			
PROPERTY LINE - (ADJACENT AREA)	BUILDING	PARKING	LANDSCAPING
WEST - (CITY TOWER PROPERTY)	10'-0"	2'-0"	2'-0"
NORTH - (NORTH PARK SUBDIVISION)	5'-0"	72'-7"	5'-0"
EAST - (FEDERAL BOULEVARD)	39'-7 1/4"	25'-0"	20'-0"
SOUTH - (WISHBONE RESTAURANT)	100'-9"	10'-0"	10'-0"
EAST - (WISHBONE RESTAURANT)	10'-0"	3'-10"	3'-0"
SOUTH - (97TH AVENUE)	25'-0"	10'-6"	25'-0"
BETWEEN PRIMARY BUILDINGS	20'-0"	7'-0"	N/A
BETWEEN ACCESSORY BUILDINGS	N/A	N/A	N/A



CALL 3 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

ST MARK VILLAGE  
OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
05/20/2019  
07/26/2019

CASE# PLN19-0039

2 OF 37  
PROJECT NOTES



**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 3 OF 37

**PROJECT NOTES:**

**PARK DEVELOPMENT FEE:**

THE CITY CODE (§11-6-8(C)) REQUIRES A PARK DEVELOPMENT FEE PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE FIRST UNIT IN ANY BUILDING. A FEE OF \$1,363 (2019) PER DWELLING UNIT IS DUE TO THE CITY. FOR 216 DWELLINGS THE TOTAL FEE IS \$294,408. THIS FEE AMOUNT MAY CHANGE PRIOR TO COMPLETION OF THIS PROJECT AS THE PARK FEE IS ADJUSTED ANNUALLY IN ACCORDANCE WITH THE CONSUMER PRICE INDEX (CPI) AS ESTABLISHED FOR THE DENVER METROPOLITAN AREA.

**PUBLIC LAND DEDICATION:**

PUBLIC LAND DEDICATION IS REQUIRED FOR RESIDENTIAL DEVELOPMENTS IN THE CITY. FOR THIS SITE, THE CITY HAS DETERMINED THAT A LAND DEDICATION WOULD NOT SERVE THE PUBLIC INTEREST. THEREFORE, A FEE IN LIEU OF THE LAND DEDICATION IS REQUIRED. THE FEE IS BASED ON THE FAIR MARKET VALUE OF THE LAND WHICH MIGHT HAVE BEEN DEDICATED TO THE CITY. PUBLIC LAND DEDICATION IS PROPOSED TO BE PAID CASH-IN-LIEU. THE CITY CODE (11-6-8(B)) REQUIRES 12 ACRES PER 1,000 RESIDENTS. PROJECTED POPULATION FOR THIS DEVELOPMENT IS 2.0 PERSONS PER UNIT. FOR 216 UNITS, THE POPULATION IS 432 PERSONS. FOR 432 PERSONS, THE PUBLIC LAND DEDICATION REQUIRED IS 5.184 ACRES. BASED ON A LAND PURCHASE PRICE (OR FAIR MARKET VALUE AS DETERMINED BY A CURRENT APPRAISAL) OF \$5.00 PER SQUARE FOOT MULTIPLIED BY 5.184 ACRES, THE CASH-IN-LIEU TOTALS 1,129,075.20. (CALCULATION: 5.184 ACRES x 43,560 SQUARE FEET PER ACRE = 225,815.04 SQUARE FEET; 225,815.04 SQUARE FEET x \$5.00 PER SQUARE FOOT = 1,129,075.20) THE CASH-IN-LIEU PAYMENT IS DUE PRIOR TO THE RECORDATION OF THE FINAL PLAT, OR AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT IF A PLAT IS NOT REQUIRED. (NOTE: THIS PROJECT WILL REQUIRE A FINAL PLAT.)

**SCHOOL LAND DEDICATION:**

THE CITY CODE (§11-6-8(F)) REQUIRES A DEDICATION OF SCHOOL LAND OR CASH IN LIEU OF LAND. FOR THIS SITE, THE CITY HAS DETERMINED THAT A LAND DEDICATION WOULD NOT SERVE THE PUBLIC INTEREST. THEREFORE, A FEE IN LIEU OF THE LAND DEDICATION IS REQUIRED. THE CASH-IN-LIEU FEE IS A FIXED AMOUNT BASED ON THE TYPE OF UNIT AND IS DUE AT THE TIME OF FINAL PLAT OR AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT IF A PLAT IS NOT REQUIRED. FOR DWELLING UNITS A FEE OF \$ 112 (2019) PER DWELLING UNIT IS DUE TO THE CITY. FOR 216 DWELLINGS THE TOTAL FEE IS \$ 24,192. THIS FEE AMOUNT MAY CHANGE PRIOR TO COMPLETION OF THIS PROJECT AS THE SCHOOL FEE IS ADJUSTED ANNUALLY TO KEEP PACE WITH THE REAL ESTATE MARKET AND LAND VALUES

**PUBLIC ART:**

CASH-IN-LIEU FOR BOTH THE ART PIECE AND AN IMPROVED SITE SHALL BE PAYABLE BY THE PROPERTY OWNER TO THE CITY IN THE AMOUNT OF \$2,000 PER GROSS ACRE OF THE SUBJECT PROPERTY AT THE TIME OF FINAL PLAT. IF NO PLAT IS NEEDED THEN CASH-IN-LIEU SHALL BE PROVIDED AT THE TIME OF OFFICIAL DEVELOPMENT PLAN RECORDING. FOR 6.00 ACRES A FEE OF \$12,000 IS DUE TO THE CITY.

**SERVICE COMMITMENTS:**

MAXIMUM DENSITY OR F.A.R. OF A COMPREHENSIVE PLAN DESIGNATION, PRELIMINARY DEVELOPMENT PLAN USE, OR PREVIOUS ODP MAY NOT BE ACHIEVABLE FOR EVERY SITE DUE TO CONSTRAINTS WHICH MAY INCLUDE SERVICE RESOURCES OR INFRASTRUCTURE. THE MAXIMUM FEASIBLE DENSITY OR F.A.R. MUST BE DETERMINED BY REVIEWING COMPLETE PROJECT DATA WHEN SUBMITTED WITH EACH ODP PROPOSAL AGAINST THE CURRENT CONDITION OF KNOWN CONSTRAINTS ON THE SITE. SERVICE COMMITMENTS ARE ISSUED AT THE TIME OF BUILDING PERMIT ISSUANCE PER CITY CODE (§11-3-4(C)). SERVICE COMMITMENTS PREVIOUSLY AND EXPLICITLY PROVIDED IN DOCUMENTATION BUT NOT CONSTRUCTED NOR CONNECTED WITHIN A REASONABLE PERIOD REMAIN SUBJECT TO RESCISSION OR REDUCTION AS NECESSARY IN THE PUBLIC INTEREST.

**BILLBOARD REMOVAL:**

THE BILLBOARD THAT STANDS AT THE EAST END OF THE ST. MARK VILLAGE PROPERTY IS OWNED BY THE LAMAR COMPANIES. THE CURRENT SIGN LOCATION LEASE FOR THIS BILLBOARD EXPIRES ON JULY 1, 2021. THE OWNER/DEVELOPER SHALL TAKE ALL APPROPRIATE LEGAL ACTIONS NECESSARY TO ENSURE THAT THIS LEASE IS NOT RENEWED, AS PRESCRIBED BY THE TERMS OF THE LEASE. THE BILLBOARD SHALL BE FULLY REMOVED AT PROPERTY OWNER/DEVELOPER'S EXPENSE WITHIN SIXTY (60) DAYS OF THE CONCLUSION OF THE CURRENT LEASE. THE AREA WHERE THE BILLBOARD STOOD SHALL BE FULLY DEVELOPED AND COMPLETED AS SHOWN WITHIN THE APPROVED ODP FOR THIS PROPERTY WITHIN NINETY (90) DAYS OF THE REMOVAL OF THE BILLBOARD.

**RECOVERY COSTS:**

NO RECOVERIES DUE AT THIS TIME, HOWEVER ANY SUBSEQUENTLY OCCURRING RECOVERY COSTS SHALL ALSO BE EFFECTIVE AGAINST THE DEVELOPMENT. A RECOVERY COST IS STILL VALID AGAINST A DEVELOPMENT EVEN IF IT IS UNDISCOVERED AND/OR INADVERTENTLY OMITTED FROM THE PRELIMINARY OR OFFICIAL DEVELOPMENT PLAN.

**SNOW REMOVAL:**

DUE TO SPACE LIMITATIONS, SNOW STORAGE IS NOT FEASIBLE ON THIS SITE. CLEARED SNOW MUST BE REMOVED FROM THE SITE, RATHER THAN STORED ONSITE.

**STANDARD STATEMENTS:**

- A. THE PROJECT OWNER/DEVELOPER AND ASSIGNS ARE RESPONSIBLE FOR ENSURING THAT ALL CONSTRUCTION DRAWINGS AND DOCUMENTS COMPLY WITH ALL REQUIREMENTS OF THE ODP. THE PROJECT OWNER/DEVELOPER SHALL BE HELD RESPONSIBLE FOR ANY CONSTRUCTION AND GRADING COMPLETED THAT DOES NOT COMPLY WITH THE APPROVED ODP AND SHALL BE REQUIRED TO MAKE ALL MODIFICATIONS NECESSARY TO BRING THE PROJECT IN COMPLIANCE WITH THE ODP.
- B. THE FINAL PLAT FOR THIS PROJECT MUST BE SUBMITTED FOR CITY APPROVAL WITHIN TWELVE (12) MONTHS OF THE APPROVAL DATE OF THIS OFFICIAL DEVELOPMENT PLAN.
- C. CITY USE TAX FOR PUBLIC IMPROVEMENTS WILL BE REQUIRED TO BE PAID PRIOR TO THE ISSUANCE OF THE NOTICE TO PROCEED FOR THE PUBLIC IMPROVEMENTS, AND CITY USE TAX FOR PRIVATE IMPROVEMENTS WILL BE REQUIRED TO BE PAID PRIOR TO THE ISSUANCE OF THE BUILDING PERMIT.
- D. THE DESIGN OF PROPOSED CITY UTILITY LINES AND THE WIDTH OF THEIR RESPECTIVE EASEMENTS ARE PRELIMINARY AND MAY CHANGE DURING THE CONSTRUCTION DRAWING PHASE.
- E. ALL PUBLIC WATER, STORM SEWER AND SANITARY SEWER MAINS AND APPURTENANCES LOCATED IN PUBLIC ROW OR UTILITY EASEMENTS SHALL BE MAINTAINED BY THE CITY OF WESTMINSTER PUBLIC WORKS DEPARTMENT. THE CITY IS NOT RESPONSIBLE FOR REPAIR OR REPLACEMENT OF PAVEMENT, CURB AND GUTTER, LANDSCAPING OR ANY OTHER PRIVATE IMPROVEMENTS WITHIN UTILITY EASEMENTS DAMAGED DURING UTILITY REPAIR OR MAINTENANCE.
- F. UTILITY BOXES ARE TO BE INSTALLED IN THE LOCATION(S) SHOWN ON THIS ODP. ANY PROPOSED REVISIONS TO THE LOCATION(S) SHOWN ON THIS ODP SHALL REQUIRE AN ODP AMENDMENT PRIOR TO THE INSTALLATION OF THE BOXES, AND THE CITY'S APPROVAL OF SUCH AN AMENDMENT MAY BE CONDITIONAL UPON THE PROVISION OF ADDITIONAL SCREENING (E.G. MASONRY WALL AND/OR LANDSCAPING).
- G. THE INSTALLATION AND/OR MAINTENANCE OF ANY AND ALL DRAINAGE IMPROVEMENTS NEEDED TO SERVE THIS SITE, INCLUDING BUT NOT LIMITED TO OFFSITE STORM DRAINAGE DETENTION FACILITIES IS AND REMAINS FOREVER THE RESPONSIBILITY OF THE OWNER, ITS HEIRS, SUCCESSORS, AND ASSIGNS AND WILL NOT BECOME THE PROPERTY OR MAINTENANCE RESPONSIBILITY OF THE CITY OF WESTMINSTER WITH THE EXCEPTION OF DESIGNATED REGIONAL STORMWATER OR WATER QUALITY FACILITIES.
- H. THE PROPERTY OWNER WILL CONVEY TO THE CITY ALL RIGHTS TO NON-TRIBUTARY WATER UNDERLYING THIS PROJECT, AS WELL AS EASEMENTS FOR ACQUISITION OF SUCH WATER AS PART OF THE FINAL PLAT.
- I. STORM DRAINAGE SHALL ONLY BE DISCHARGED ONTO OR ACROSS PUBLIC LAND AS DESCRIBED IN THE APPROVED DRAINAGE STUDY.
- J. ANY NEW FACILITY OR MODIFICATIONS TO AN EXISTING DEVELOPMENT THAT RESULT IN ADDITIONAL WATER USE INCLUDING BUILDING FIXTURES, LANDSCAPE, IRRIGATION OR OTHER WATER USE CATEGORY WILL REQUIRE A REVIEW OF EXISTING AND PROPOSED WATER USE PROJECTIONS. THIS REVIEW MAY RESULT IN AN INCREASE IN TAP FEES.
- K. CITY WILL INSTALL, AT DEVELOPER'S EXPENSE, ALL TRAFFIC CONTROL DEVICES REQUIRED, INCLUDING STREET NAME SIGNS.
- L. PUBLIC STREET LIGHTS WILL BE DESIGNED IN ACCORDANCE WITH THE CITY'S STREETLIGHT STANDARDS, IN EFFECT AT THE TIME OF STREETLIGHT DESIGN AND INSTALLATION, AND INSTALLED AT THE DEVELOPER'S COST. OWNERSHIP OF THE STREETLIGHTS SHALL NOT BE TRANSFERRED TO ANY ENTITY, EXCEPT THE CITY OF WESTMINSTER, UNLESS THE CITY AUTHORIZES THE TRANSFER TO ANOTHER ENTITY IN WRITING.
- M. ALL LIGHTING WILL BE DIRECTED DOWNWARD, FULL CUTOFF AND SHIELDED. THE PHOTOMETRIC PLAN WILL SHOW NO LIGHT TRESPASS TO RESIDENTIAL PROPERTIES, AND MINIMAL OFF SITE FOR OTHER PROPERTY.
- N. ALL ROOFTOP EQUIPMENT ON THE BUILDING WILL BE SCREENED TO ITS FULL HEIGHT AND DESIGNED AS AN INTEGRAL PART OF THE BUILDING ARCHITECTURE.
- O. ALL WATER FEATURES MUST BE FUNCTIONAL AND OPERATE ANNUALLY - AT LEAST FROM MAY 1 THROUGH SEPTEMBER 30.
- P. ALL SIGNAGE PROPOSED / INSTALLED WILL COMPLY WITH THE WESTMINSTER MUNICIPAL CODE SIGNAGE REGULATIONS AND THIS ODP AND MUST BE SEPARATELY REVIEWED AND PERMITTED WITH A VALID SIGN PERMIT. SIGNAGE LOCATIONS SHOWN ON BUILDING ELEVATIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY WITH THE INTENT OF PROVIDING ACCEPTABLE LOCATIONS WHERE SIGNAGE CAN BE BEST INTEGRATED INTO THE ARCHITECTURE OF THE BUILDING. THESE LOCATIONS ARE INTENDED TO PROVIDE OPTIONS FOR THE BUILDING'S END-USER TO CONSIDER WHEN APPLYING FOR WALL SIGN PERMITS WITH THE UNDERSTANDING THAT THE CITY'S SIGN CODE MAY FURTHER RESTRICT THE MAXIMUM AREA, LOCATION, AND NUMBER OF PROPOSED SIGNS.
- Q. NO TEMPORARY OR PERMANENT ACCESS WILL BE ALLOWED ON, ADJACENT TO, FROM, OR ACROSS PUBLIC OPEN SPACE AND PUBLIC PARKS, EITHER EXISTING OR LAND TO BE DEDICATED, AS PART OF THE DEVELOPMENT PROJECT.
- R. FENCING SHALL BE INSTALLED ON THE PRIVATE SIDE OF THE PROPERTY LINE ADJACENT TO PUBLIC LANDS, EITHER EXISTING OR LAND TO BE DEDICATED AS PART OF THE DEVELOPMENT PROJECT, PRIOR TO ANY CONSTRUCTION AND GRADING ACTIVITY. TEMPORARY FENCING IS TO BE MAINTAINED AND SHALL BE REMOVED UPON COMPLETION OF CONSTRUCTION. PUBLIC LAND SHALL NOT BE DISTURBED.
- S. DURING THE CONSTRUCTION PROCESS, THE DEVELOPER AND/OR BUILDER WILL PROVIDE EMERGENCY ACCESS ROADWAYS TO WITHIN 150' OF ALL BUILDINGS AND STRUCTURES, PRIOR TO WALL CONSTRUCTION OR BY SUCH TIME THAT COMBUSTIBLES ARE BROUGHT ON SITE. ANY TEMPORARY ACCESS WILL BE CONSTRUCTED USING A MINIMUM OF 8" OF BASE COURSE AND A SUFFICIENT AMOUNT OF "ALL-WEATHER" SURFACE MATERIAL THAT WILL SUPPORT THE LOAD OF FIRE APPARATUS.
- T. DEVELOPER AND BUILDER SHALL PATROL ON A WEEKLY BASIS THE PUBLIC AND OTHER LANDS ADJACENT TO THE DEVELOPMENT DURING THE CONSTRUCTION PROCESS, AND REMOVE CONSTRUCTION DEBRIS TO KEEP THE ADJACENT LANDS CLEAN AND SAFE.
- U. ADDITIONAL PROJECT NOTES MAY BE FOUND THROUGHOUT THE ODP, INCLUDING STANDARD NOTES FOR LANDSCAPING AND IRRIGATION.
- V. THE OVERHEAD UTILITIES ADJACENT TO THE NORTH PROPERTY LINE ARE CONSIDERED A TRANSMISSION MAIN AND IS EXEMPT FROM UNDERGROUNDING PER WMC 11-6-3 (B)(3).


DATE: 03/18/2019

**ST MARK VILLAGE  
OFFICIAL DEVELOPEMENT PLAN**

03/18/2019  
05/20/2019  
07/26/2019

3 OF 37  
PROJECT NOTES

**CASE # PLN19-0039**



**811** Know what's below.  
Call before you dig.

CALL 3 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 4 OF 37

**PUD EXCEPTIONS:**

**1. BUILDING SETBACKS:**

REQUIREMENT NOT MET IN MULTIPLE AREAS:

- a. THE WEST PROPERTY LINE IS ADJACENT TO THE CITY'S ELEVATED WATER TOWER SITE. GIVEN THE BUILDING HEIGHTS OF 45 FEET, 4 INCHES, THE WEST SETBACK MINIMUM WOULD BE 68 FEET. THE PROPOSED SETBACK ON THE SITE PLAN IS 10 FEET.

**JUSTIFICATION:** DUE TO THE NATURE AND LONG TERM MUNICIPAL USE OF THE CITY'S HYDROPIILLAR PROPERTY ADJACENT TO THE WEST OF ST MARK VILLAGE, A 10 FOOT SETBACK FROM THE WESTERLY PROPERTY LINE FOR FIRE PROTECTION BEST PRACTICES IS PROVIDED. REDEVELOPMENT OF A MUNICIPAL PROPERTY SERVING A CRITICAL MUNICIPAL FUNCTION TO LARGE AREAS OF THE CITY IS HIGHLY UNLIKELY AND THEREFORE, THE REDUCED SETBACK IS WARRANTED.

- b. THE NORTH PROPERTY LINE IS ADJACENT TO NORTH PARK PRIVATE OPEN SPACE. NORTH PARK IS A RESIDENTIAL NEIGHBORHOOD WITH SINGLE-FAMILY AND TOWNHOME RESIDENCES. GIVEN THE BUILDING HEIGHTS OF 45 FEET, 4 INCHES, THE NORTH SETBACK MINIMUM WOULD BE 68 FEET. THE PROPOSED SETBACK ON THE SITE PLAN IS 5 FEET.

**JUSTIFICATION:** ADJACENT TO THE NORTHERN PROPERTY LINE OF ST. MARK VILLAGE, THERE EXISTS A 75 FOOT WIDE UTILITY EASEMENT LOCATED ON PROPERTY PLATTED IN THE NORTHPARK SUBDIVISION TO ACCOMMODATE HIGH VOLTAGE UTILITY TRANSMISSION LINES. FROM THE NORTHERN LINE OF THE UTILITY EASEMENT TO THE MOST NORTHERLY BUILDING FACE OF ST MARK VILLAGE, THERE IS A DISTANCE (AND THEREBY AN EFFECTIVE SETBACK DUE TO THE UTILITY EASEMENT BEING UNDEVELOPABLE) OF 80 FEET, WHICH IS IN EXCESS OF THE REQUIRED SETBACK FROM THE NORTHERLY PROPERTY LINE.

- c. THE EAST PROPERTY LINE IS ADJACENT TO FEDERAL BOULEVARD. A 75' BUILDING SETBACK IS REQUIRED FROM ARTERIAL STREETS. THE PROPOSED SETBACK ON THE SITE PLAN IS 39 FEET, 7 1/4 INCHES.

**JUSTIFICATION:** THE 2013 COMPREHENSIVE PLAN ENVISIONS URBAN PLANNING THAT BRINGS BUILDINGS CLOSER TO THE STREET EDGE, HIGH QUALITY MATERIALS, AND IMPROVED SITE LANDSCAPING AND PEDESTRIAN AMENITIES. AS THE SITE PLAN DEMONSTRATES, ST. MARK VILLAGE ACHIEVES THE OBJECTIVES OF THE COMPREHENSIVE PLAN WITH A SIGNATURE TOWER FACED WITH STONE ALONG FEDERAL BOULEVARD AND ENHANCED LANDSCAPING ALONG THE STREET EDGE TO SCREEN VEHICULAR PARKING AND MOVEMENT ON-SITE WITHIN THE 39 FOOT, 7 1/4 INCH SETBACK.

- d. GIVEN THE BUILDING HEIGHTS OF 45 FEET, 4 INCHES, THE EAST PROPERTY LINE ADJACENT TO THE WISHBONE RESTAURANT PROPERTY WOULD HAVE A 68-FOOT REQUIRED BUILDING SETBACK. THE PROPOSED SETBACK ON THE SITE PLAN IS 10 FEET.

**JUSTIFICATION:** THE WISHBONE PROPERTY IS A CURRENTLY IMPROVED PARCEL WITH A PARKING LOT ADJACENT TO ST MARK VILLAGE ON THE SOUTHEAST CORNER OF THE SITE. THE SHARED EAST/WEST PROPERTY LINE MAINTAINS A 100 FOOT SETBACK FROM THE SHARED PROPERTY LINE TO ANY BUILDING FACE. THE SHARED NORTH/SOUTH PROPERTY LINE MAINTAINS A 10 FOOT SETBACK FOR FIRE PROTECTION BEST PRACTICES. SHOULD THE WISHBONE PROPERTY GET REDEVELOPED AT SOME POINT IN THE FUTURE, AN EQUIVALENT TEN FOOT SETBACK FOR THE REDEVELOPED PROPERTY WOULD PROVIDE ADEQUATE FIRE PROTECTION FOR ANY USE DEVELOPED. FURTHER, THIS AREA OF ST MARK VILLAGE IS A NON-DOMINANT FACADE WITH LIMITED WINDOW OPENINGS, FURTHER REDUCING THE RISK FOR ANY FUTURE FIRE PROTECTION ISSUES IF THE WISHBONE PROPERTY WERE TO BE REDEVELOPED. THE PROPOSED SETBACK HELPS PROMOTE THE VISUAL APPEARANCE OF A STREET WALL AND IN TURN A BETTER STREETScape ALONG 97TH AVENUE, WHICH IS CRITICAL TO THE PEDESTRIAN EXPERIENCE.

- e. THE REMAINDER OF THE SOUTH BOUNDARY LINE IS ADJACENT TO 97TH AVENUE. GIVEN THE BUILDING HEIGHTS OF 45 FEET, 4 INCHES, THE SOUTH SETBACK MINIMUM WOULD BE 68 FEET. THE PROPOSED SETBACK ON THE SITE PLAN IS 25 FEET.

**JUSTIFICATION:** THE 2013 COMPREHENSIVE PLAN ENVISIONS URBAN PLANNING THAT BRINGS BUILDINGS CLOSER TO THE STREET EDGE, HIGH QUALITY MATERIALS, AND IMPROVED SITE LANDSCAPING AND PEDESTRIAN AMENITIES. AS THE SITE PLAN DEMONSTRATES, ST. MARK VILLAGE ACHIEVES THE OBJECTIVES OF THE COMPREHENSIVE PLAN WITHIN THE 25 FOOT SETBACK BY BRINGING BUILDINGS CLOSER TO THE STREET EDGE TO CREATE A STREET WALL, INSTALLING BULB-OUTS AT THE SIDEWALK ON BOTH SIDES OF 97TH AVENUE AS A TRAFFIC CALMING SOLUTION AND PEDESTRIAN AMENITY, AND UTILIZING GREEN INFRASTRUCTURE RAIN GARDENS THE ENTIRE FRONTAGE ALONG 97TH AVENUE, WHICH SERVE AS A VISUAL AMENITY USING SUSTAINABLE WATER QUALITY METHODS.

**2. LANDSCAPE SETBACK AREAS:**

REQUIREMENT NOT MET: 35' LANDSCAPED SETBACK AREA (25' ALONG FEDERAL BLVD.) NOT PROVIDED. NO PARKING IS PERMITTED IN THESE SETBACK AREAS.

**JUSTIFICATION:** THE 2013 COMPREHENSIVE PLAN ENVISIONS URBAN PLANNING THAT BRINGS BUILDINGS CLOSER TO THE STREET EDGE, HIGH QUALITY MATERIALS, AND IMPROVED SITE LANDSCAPING AND PEDESTRIAN AMENITIES. IN LIEU OF THE 35' LANDSCAPED SETBACK AREA, ENHANCED LANDSCAPING PLANTINGS HAVE BEEN PROVIDED AT A RATE 3 TIMES THE NUMBER OF REQUIRED PLANTINGS AND ADEQUATELY SCREENING ON-SITE VEHICULAR PARKING AND MOVEMENT.

**3. SETBACK OF POOL / CLUBHOUSE:**

REQUIREMENT NOT MET: 100' SEPARATION BETWEEN POOL/CLUBHOUSE AND PROPERTY LINE.

**JUSTIFICATION:** PRIVACY LANDSCAPING WILL BE INSTALLED NORTH OF THE POOL LOCATION IN ORDER TO SCREEN THE ACTIVITY AREA. FURTHER, AN EXISTING LANDSCAPING BERM WITH MATURE LANDSCAPING ALREADY EXISTS APPROXIMATELY 16-22 FEET NORTH OF THE PROPOSED POOL LOCATION AND A 75 FOOT WIDE UTILITY EASEMENT PROVIDES ADEQUATE BUFFER TO EXISTING NEIGHBORS TO THE NORTH. IN ADDITION, THE AREA SOUTH OF AN EXISTING FENCE ALONG THE NORTH PROPERTY LINE IS TO BE ADDRESSED BY A FUTURE ODP AMENDMENT WHICH IS EXPECTED TO PROVIDE FOR A SUBSTANTIAL TREE SCREEN IN THIS AREA, PER ACCEPTANCE BY THE NORTHPARK EAST ASSOCIATION.

**4. DETACHED SIDEWALKS:**

REQUIREMENT NOT MET: NO DETACHED SIDEWALK (MINIMUM 5' WIDE, WITH STREET TREES / LANDSCAPING BETWEEN CURB AND SIDEWALK) PROVIDED ALONG 97TH AVENUE.

**JUSTIFICATION:** 4 FOOT WIDE ATTACHED SIDEWALKS ALONG 97TH AVENUE ARE ALREADY IN PLACE AND CONSTRUCTED, ARE CONSISTENT WITH THE ENTIRE LENGTH OF 97TH AVENUE FROM FEDERAL TO LOWELL. DETACHING THE SIDEWALKS ALONG 97TH AVENUE WOULD MAKE THE ST MARK VILLAGE PARCEL LOOK OUT OF PLACE WITHIN THE SURROUNDING NEIGHBORHOOD CONTEXT. FURTHER, DUE TO 97TH AVENUE NOT BEING AN ARTERIAL ROADWAY, THE PEDESTRIAN EXPERIENCE IS NOT DIMINISHED AS LIMITED VEHICULAR TRAFFIC EXISTS ALONG THE STRETCH OF 97TH AVENUE BETWEEN FEDERAL AND LOWELL.

**5. PARKING:**

REQUIREMENT NOT MET: SHORTAGE IN PARKING SPACES PROVIDED; (273 PROVIDED, 347 REQUIRED, 74 SHORT). (NOTE: ON-STREET PARKING SPACES MAY NOT BE COUNTED.)

**JUSTIFICATION:** PARKING STUDY PROVIDED TO THE CITY OF WESTMINSTER SUPPORTED A PARKING REDUCTION BETWEEN 21% AND 41% LOWER THAN MINIMUM REQUIREMENTS. A PARKING RATIO OF 1.26:1.00 IS UTILIZED, A 21% REDUCTION. THE REDUCTION IS AT A TYPICAL RATE FOR THE METRO AREA.

**6. COVERED AND/OR GARAGE PARKING:**

REQUIREMENT NOT MET: NO CARPORTS OR GARAGES PROVIDED.

**JUSTIFICATION:** ST MARK VILLAGE IS TO BE AN AFFORDABLE COMMUNITY AND IN ORDER TO MAINTAIN AFFORDABILITY, REQUESTS COVERED PARKING REQUIREMENTS BE ELIMINATED AND INSTEAD, POTENTIAL FUTURE ROOFTOP SOLAR PHOTOVOLTAIC BE AN ALTERNATIVE PROJECT COMPONENT SHOULD PROJECT BUDGET SAVINGS DURING CONSTRUCTION ALLOW, HELPING TO MAINTAIN AFFORDABILITY OVER THE LONG TERM.

**7. LANDSCAPED ENTRY MEDIAN:**

REQUIREMENT NOT MET: ENTRANCE LANDSCAPED MEDIAN NOT PROVIDED.

**JUSTIFICATION:** IN ORDER TO MAINTAIN THE TRADITIONAL DESIGN OF ST MARK VILLAGE, WHICH COMPLIMENTS THE NEIGHBORING ST MARK'S CATHOLIC CHURCH, A MEDIAN/ISLAND HAS BEEN OMITTED HOWEVER, ST MARK VILLAGE FEATURES TWO ENTRY TOWER DESIGN COMPONENTS CENTERED BY A STONE CLUBHOUSE CAPPING THE ENTRY DRIVE TO ACHIEVE THE DESIRED PLACEMAKING AND SITE IDENTIFICATION PURPOSES THAT MEDIAN/ISLANDS PROVIDE AT A PRIMARY ENTRANCE.

**8. GROUND-LEVEL LIGHTING:**

REQUIREMENT NOT MET: GROUND-LEVEL LIGHTING NOT PROVIDED.

**JUSTIFICATION:** DUE TO THE INFILL NATURE OF THE DEVELOPMENT, PROPOSED SIDEWALKS ARE IN CLOSE PROXIMITY TO BUILDING LIGHTING THAT WILL SUFFICIENTLY ILLUMINATE GROUND LEVEL PATHWAYS AND ADDITIONAL GROUND LIGHTING IS NOT NEEDED.

**9. HOT TUB AND SPLASH PAD:**

REQUIREMENT NOT MET: HOT TUB AND SPLASH PAD NOT PROVIDED.

**JUSTIFICATION:** IN LIEU OF A HOT TUB AND SPLASH PAD, A POOL IS TO BE PROVIDED TO BETTER ACCOMMODATE THE FAMILY DEMOGRAPHICS OF THE TO-BE-CONSTRUCTED COMMUNITY.

**10. SWIMMING POOL DECK WIDTHS:**

REQUIREMENT NOT MET: MINIMUM DECK WIDTHS AROUND POOL NOT PROVIDED.

**JUSTIFICATION:** MINIMUM SWIMMING POOL DECK WIDTHS MEET OR EXCEED 2015 INTERNATIONAL SWIMMING POOL AND SPA CODE.

**11. BUILDING AND PARKING SPACING:**

REQUIREMENT NOT MET: MINIMUM 15' SPACING BETWEEN BUILDINGS AND PARKING AREAS NOT PROVIDED.

**JUSTIFICATION:** DUE TO THE INFILL NATURE OF THE SITE AND IN AN EFFORT TO PROVIDE AS MUCH ON-SITE PARKING AS FEASIBLE BASED ON NEIGHBORHOOD FEEDBACK THE 15' MINIMUM DIMENSION IS PROPOSED TO VARY FROM 12' TO 45' WITH ENHANCED LANDSCAPING PROVIDED WHERE BUILDING FRONTS AND PARKING INTERACT.

**12. PARALLEL BUILDING SPACING:**

REQUIREMENT NOT MET: MINIMUM 40' SPACING BETWEEN PARALLEL BUILDINGS NOT PROVIDED.

**JUSTIFICATION:** PROPERTY IS AN INFILL DEVELOPMENT SITE THAT CANNOT MEET THE INTENT OF THE PROPERTY'S ZONING IF PARALLEL BUILDING SPACING OF 40' IS MAINTAINED. INSTEAD, EVERY OTHER BUILDING HAS A DIFFERENT OVERALL FORM, SCALE, OR ORIENTATION TO BREAK UP THE VIEWING PLANE.

**ST MARK VILLAGE  
OFFICIAL DEVELOPEMENT PLAN**

**DATE: 03/18/2019**

03/18/2019  
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PROJECT NOTES

**CASE # PLN19-0039**



CALL 3 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.



THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 5 OF 37

**PUD EXCEPTIONS:**

**13. NON-PARALLEL BUILDING SPACING:**

REQUIREMENT NOT MET: MINIMUM 35' SPACING BETWEEN NON-PARALLEL BUILDINGS NOT PROVIDED.

**JUSTIFICATION:** PROPERTY IS AN INFILL DEVELOPMENT SITE THAT CANNOT MEET THE INTENT OF THE PROPERTY'S ZONING IF PARALLEL BUILDING SPACING OF 35' IS MAINTAINED. INSTEAD, EVERY OTHER BUILDING HAS A DIFFERENT OVERALL FORM, SCALE, OR ORIENTATION TO BREAK UP THE VIEWING PLANE.

**14. PRIMARY AND ACCESSORY BUILDING SPACING:**

REQUIREMENT NOT MET: MINIMUM 25' SPACING BETWEEN PRIMARY AND ACCESSORY BUILDINGS (CLUBHOUSE) NOT PROVIDED.

**JUSTIFICATION:** PROPERTY IS AN INFILL DEVELOPMENT SITE THAT CANNOT MEET THE INTENT OF THE PROPERTY'S ZONING IF PARALLEL BUILDING SPACING OF 25' IS MAINTAINED. INSTEAD, EVERY OTHER BUILDING HAS A DIFFERENT OVERALL FORM, SCALE, OR ORIENTATION TO BREAK UP THE VIEWING PLANE.

**15. PARKING LOT SETBACKS FROM INTERIOR PROPERTY LINES:**

REQUIREMENT NOT MET: PARKING LOT SETBACKS (15') FROM INTERIOR PROPERTY LINES NOT PROVIDED.

**JUSTIFICATION:** THE WISHBONE RESTAURANT PROPERTY HAS A BLOCK WALL WITH THICK TREE CANOPY ON THE PROPERTY LINE. WHEN COMBINED WITH ADDITIONAL LANDSCAPING TO BE INSTALLED AT ST MARK'S VILLAGE, THERE WILL BE AN ADEQUATE YEAR ROUND BUFFER PROVIDED IN LESS THAN THE 15 FOOT SETBACK REQUIREMENT.

**16. TREATMENT OF UPPER-FLOOR BUILDING MASSING:**

REQUIREMENT NOT MET: ONE-STORY STEP-DOWN IN BUILDING HEIGHTS NOT PROVIDED.

**JUSTIFICATION:** IN LIEU OF A STEP-DOWN IN BUILDING HEIGHTS, WHICH WOULD NOT FULFILL THE INTENT OF THE SITE'S ZONING, THE BUILDING DESIGN REFLECTS COMPONENTS OF A STEPPED DESIGN AND OTHER DESIGN ELEMENTS THAT CONVEY A SENSE OF PLACE AT RELATABLE AND RELEVANT HUMAN SCALE, WITH OVERALL HEIGHT BEING ONE STORY HIGHER THAN ADJACENT EXISTING PROPERTY. EACH BUILDING FAÇADE EXHIBITS VARYING ROOF AND PITCH ELEMENTS OF NOT LESS THAN 4 ELEVATIONS. THE COMMUNITY ENTRY FEATURES TWO SIGNATURE TOWERS ON THE BUILDING CORNERS WHICH BREAK THE FAÇADE AND CONVEY SIGNIFICANCE. THE BUILDING ALONG FEDERAL BOULEVARD FEATURES A TOWER THAT TIES INTO THE ENTRYWAY DESIGN FOR CONSISTENCY OF EXPERIENCE. THE TYPICAL FAÇADE DESIGN CONVEYS A STIMULATING AESTHETIC THAT COMPLIMENTS THE NEARBY ST MARK CATHOLIC CHURCH WHILE ALSO FULFILLING THE HIGHEST AND BEST UTILIZATION OF THE ZONING INTENT.

**17. EXTERIOR BUILDING MATERIALS AND COLORS:**

REQUIREMENT NOT MET: BUILDING EXTERIOR CLADDING SURFACES, INCLUDING AT LEAST 2 FEET AROUND THE BASE OF THE BUILDING, PATIO AND BALCONY AREAS, BUT EXCEPTING WINDOW, DOOR, OR RAILING PORTIONS, ON ALL SIDES OF ALL PRIMARY AND ACCESSORY BUILDINGS, ARE NOT FINISHED WITH THIRTY PERCENT (30%) OR MORE OF ALL WITH MASONRY (BRICK OR STONE).

**JUSTIFICATION:** IN AN EFFORT TO KEEP THE PROJECT AN AFFORDABLE DEVELOPMENT, THE DESIGN UTILIZES STONE IN PROMINENT PUBLIC FACING LOCATIONS ONLY, INCLUDING SIGNATURE STONE ENTRY TOWERS ALONG 97<sup>TH</sup> AVENUE AND A STONE TOWER ALONG FEDERAL BOULEVARD IN LIEU OF STONE OR MASONRY ON 30% OF ALL EXTERIOR CLADDING SURFACES. THE DESIGN ALSO UTILIZES TWO ALTERNATING COLOR SCHEMES TO HELP DIFFERENTIATE AND DISTINGUISH EACH BUILDING TYPE.

**18. BALCONY ENCLOSURE:**

REQUIREMENT NOT MET: BALCONIES ARE FRONTED WITH RAILINGS RATHER THAN OPAQUE WALLS.

**JUSTIFICATION:** ENCLOSED BALCONIES PROVIDE FOR A DATED LOOK AND FEEL AND ARE NOT IN KEEPING WITH CURRENT ARCHITECTURAL DESIGN OR TENANT EXPECTATIONS. BALCONIES ARE RECESSED WITHIN UNITS (IE NOT PROTRUDING FROM THE BUILDING FAÇADE) PROVIDING ENCLOSURE THROUGH DESIGN AND A BETTER, MORE USABLE TENANT EXPERIENCE.

**19. SITE LANDSCAPING PERCENTAGE:**

REQUIREMENT NOT MET: MINIMUM OF 40% OF SITE LANDSCAPED IS NOT MET.

**JUSTIFICATION:** PROPERTY IS AN INFILL DEVELOPMENT SITE THAT CANNOT MEET THE INTENT OF THE PROPERTY'S ZONING IF 40% OF THE SITE IS LANDSCAPED. HOWEVER, THE PROPERTY IS LOCATED WITHIN 500 FEET OF SQUIRES PARK AND APPLICANT HAS PROVIDED USABLE OPEN SPACES ON-SITE THAT WILL BE BETTER BY THE EXPECTANT FAMILY DEMOGRAPHIC, INCLUDING AMENITIES SUCH AS A LANDSCAPED GARDEN AREA WITH DEDICATED SEATING, A BARBEQUE PATIO AND LOUNGE AREA WITH GRILLS, POOL, AND A CHILDREN'S PLAYGROUND.

**20. PARKING LOT LANDSCAPING ISLANDS:**

REQUIREMENT NOT MET: PROPER PROVISION/QUANTITY, SPACING, AND PLANTING OF PARKING LOT LANDSCAPE ISLANDS NOT PROVIDED.

**JUSTIFICATION:** PARKING LOT LANDSCAPING ISLANDS ARE PROVIDED AT THE LENGTH OF EACH BUILDING, BUT THE VISUAL SCALE OF PARKING IS MITIGATED THROUGH THE DRIVE WAY DESIGN AND CLUBHOUSE LOCATION. ON THE EAST SIDE OF THE SITE, THE DRIVEWAY JOGS SOUTH TO BREAK UP THE VISUAL PARKING MASS. ON THE WEST SIDE OF THE SITE, THE CLUBHOUSE LOCATION WITHIN TWO PARKING AISLES BREAKS UP THE VISUAL PARKING MASS. WHILE SELECT PARKING AISLES ARE LONGER THAN TYPICAL THEY ARE 1) WITHIN EXISTING PRECEDENT IN THE CITY OF WESTMINSTER, 2) DO NOT FACE PUBLIC RIGHT OF WAY, AND 3) ARE MITIGATED THROUGH INTELLIGENT DESIGN INCLUDING ENHANCED LANDSCAPING WITH TREE AND SHRUB PLANTINGS WHICH EXCEED REQUIRED MINIMUMS BY THREE TIMES.

**21. SCREENING OF PARKING:**

REQUIREMENT NOT MET: PROVISION OF LANDSCAPED BERMS TO SCREEN PARKING AREAS FROM ADJACENT DEVELOPMENTS AND STREETS.

**JUSTIFICATION:** DEVELOPMENT'S PARKING IS INTERIOR TO THE SITE WITH SCREENING BEING PROVIDED ON THE NORTH AND SOUTH PROPERTY LINES BY BUILDINGS. TO THE WEST AND EAST, PARKING IS SCREENED BY A COMBINATION OF BUILDINGS AND LANDSCAPING. ALONG THE SHARED PROPERTY BOUNDARY WITH WISHBONE RESTAURANT, SCREENING IS PROVIDED BY AN EXISTING CINDER BLOCK WALL FIVE FEET IN HEIGHT AND EXISTING MATURE LANDSCAPING. FURTHER, ENHANCED LANDSCAPING IS PROVIDED SITE-WIDE TO IMPROVE OVERALL AESTHETIC BETWEEN BUILDING-PARKING INTERACTION AND PARKING-STREET INTERACTION. MINIMUM TREE AND SHRUB PLANTINGS EXCEED REQUIRED MINIMUMS BY THREE TIMES TO PROVIDE ADDITIONAL SCREENING AND BETTER OVERALL AESTHETIC.

**22. REMOVAL OF BILLBOARD:**

REQUIREMENT NOT MET: BILLBOARD IS A NON-CONFORMING SIGN THAT SHOULD BE REMOVED AS A CONDITION OF DEVELOPMENT.

**JUSTIFICATION:** PROPERTY OWNER WILL REMOVE SIGN AFTER LEASE TERMINATION IN 2021.

**23. MULTI-USE PATHS:**

REQUIREMENT NOT MET: NO 10' WIDE MULTI-USE PATHS WITHIN PROJECT.

**JUSTIFICATION:** AS AN INFILL DEVELOPMENT PROJECT, THE OPPORTUNITY FOR NEW PATHS IS LIMITED BY EXISTING CONDITIONS. AS AN ALTERNATIVE, THE PROJECT HAS PROVIDED ON-SITE LANDSCAPED PATHWAYS AND SEATING AS A DESTINATION RATHER THAN A MULTI-USE PATH.

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

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 07/26/2019

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 PROJECT NOTES

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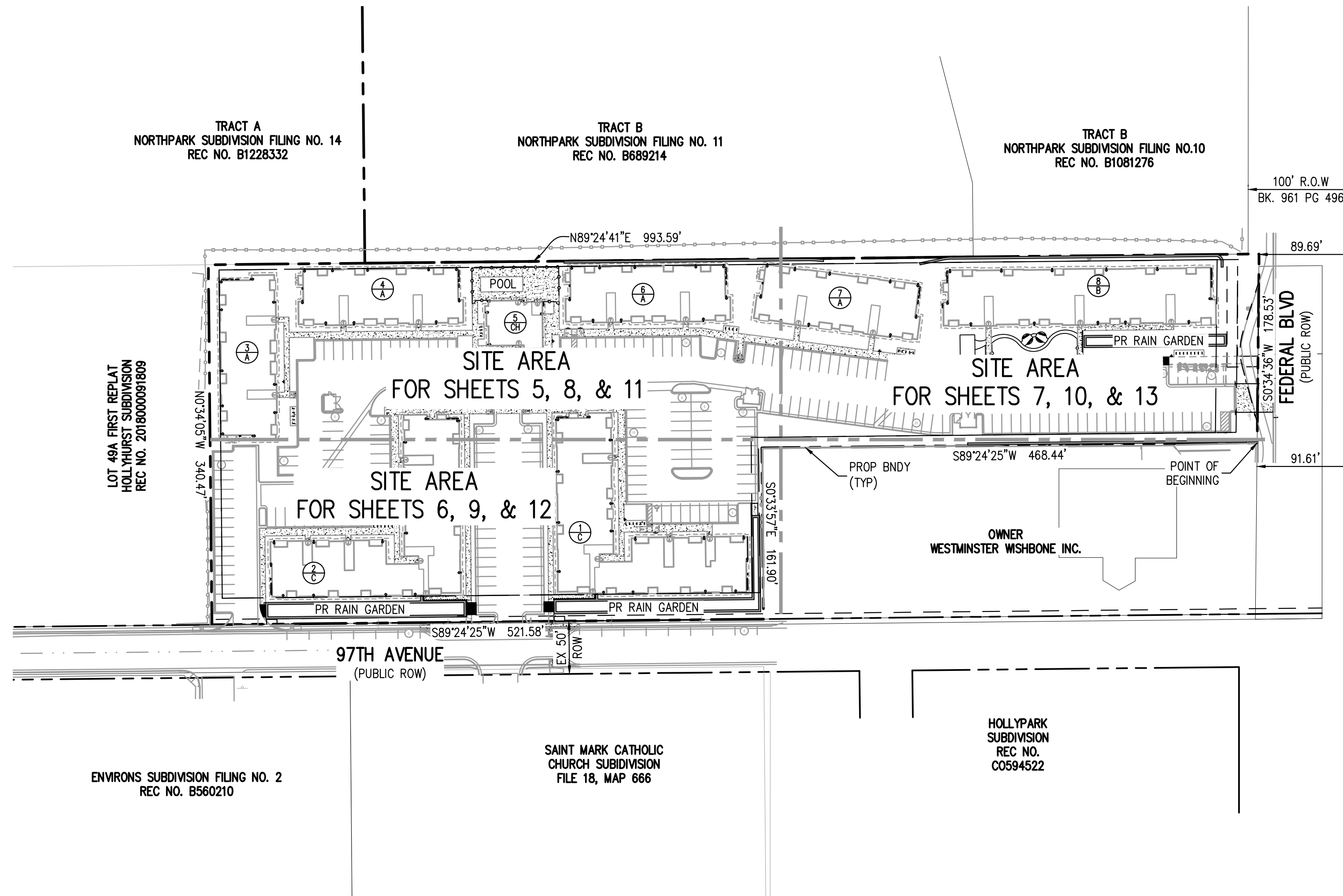


THIRD AMENDED OFFICIAL DEVELOPMENT PLAN

LOTS 11, 12, 45, 46, 47 AND 48

HOLLYHURST SUBDIVISION

A PLANNED UNIT DEVELOPMENT IN THE  
CITY OF WESTMINSTER, COUNTY OF  
ADAMS, STATE OF COLORADO  
SHEET 6 OF 37

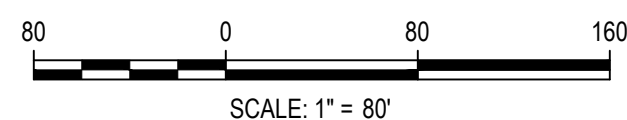


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ST MARK VILLAGE  
OFFICIAL DEVELOPEMENT PLAN

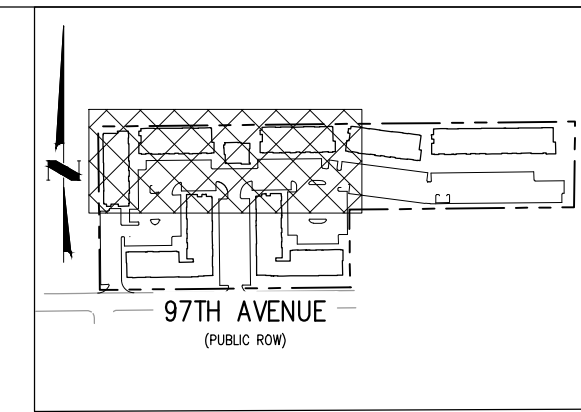
03/18/2019  
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07/26/2019

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OVERALL PLAN



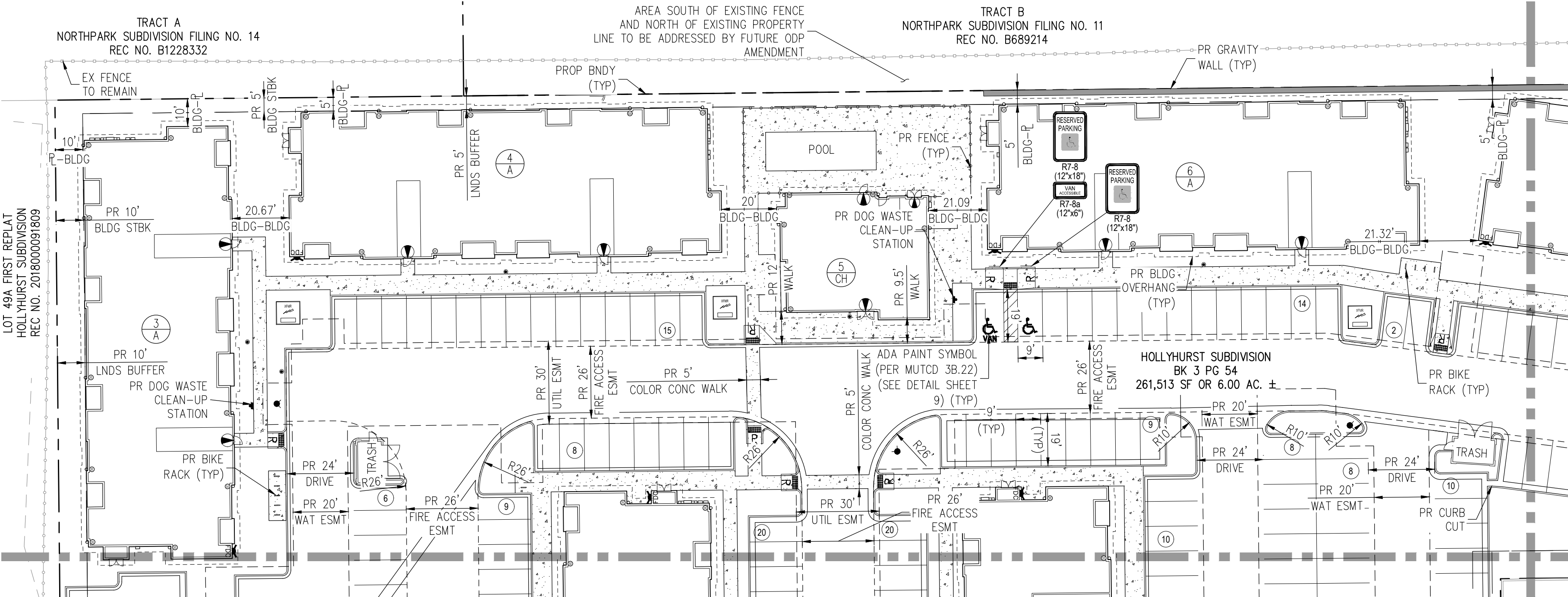
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**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 7 OF 37



**KEY MAP**  
SCALE: 1" = 400'

**HKS HARRIS KOCHER SMITH**  
 1120 Lincoln Street, Suite 1000  
 Denver, Colorado 80203  
 P: 303.623.6300 F: 303.623.6311  
 HarrisKocherSmith.com



MATCHLINE - SEE SHEET 9

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**BUILDING UNIT COUNT**

DWELLING UNIT	BED & BATH	BUILDING 1 (TYPE C)	BUILDING 2 (TYPE C)	BUILDING 3 (TYPE A)	BUILDING 4 (TYPE A)	BUILDING 6 (TYPE A)	BUILDING 7 (TYPE A)	BUILDING 8 (TYPE B)
UNIT 1A.0.0	1BR/1BA	9	9	6	6	6	6	0
UNIT 2A.0.0	2BR/1BA	9	9	6	6	6	6	18
UNIT 2B.0.0	2BR/2BA	9	9	6	6	6	6	0
UNIT 3A.0.0	3BR/2BA	6	6	6	6	6	6	6
UNIT 3B.0.0	3BR/2BA	6	6	0	0	0	0	12
UNIT 3C.0.0	3BR/2BA	3	3	0	0	0	0	0
<b>TOTAL NUMBER OF UNITS</b>								

216 UNITS

**MATCHLINE - SEE SHEET 8**

**NOTES:**

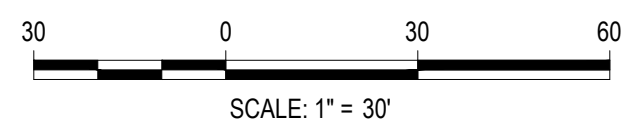
- ALL DETACHED SIDEWALKS ARE 5' UNLESS OTHERWISE DIMENSIONED
- ALL ATTACHED SIDEWALKS ARE 7' UNLESS OTHERWISE DIMENSIONED
- ALL SIDEWALKS ATTACHED TO PARKING STALL ARE 7' UNLESS OTHERWISE DIMENSIONED
- SEE OVERALL UTILITY PLAN & OVERALL GRADING PLAN FOR UTILITY & GRADING INFORMATION
- ALL CURB RADII ARE 2' UNLESS OTHERWISE DIMENSIONED
- ALL PARKING STALLS ARE 9' X 19'
- ALL ADA VAN PARKING SPACES ARE 11' X 19' WITH A 5' AISLE
- ALL ADA PARKING SPACES ARE 9' X 19' WITH A 5' AISLE
- ALL DRIVE WIDTHS ARE 26' UNLESS OTHERWISE DIMENSIONED
- NO RETAINING WALLS WILL BE HIGHER THAN 4' (MEASURED FROM FINISHED GRADE AT BASE). CDOT ROW PERMIT WILL BE REQUIRED DURING CONSTRUCTION
- 

**PARKING**

TYPE	SPACES REQUIRED	SPACES PROVIDED
VEHICULAR, TOTAL (#):	347	273
VEHICULAR, STANDARD SPACES (#):	340	266
VEHICULAR, ACCESSIBLE (#):	5	5
VEHICULAR, VAN ACCESSIBLE (#):	2	2
VEHICULAR, EV CHARGING (#)	0	0
BICYCLE, TOTAL (#)	54	80

**LOT COVERAGE**

USE	SURFACE TYPE	AREA (SF)	% OF SITE
MULTI-FAMILY DWELLING UNITS	BUILDING COVERAGE	86,538	33.11%
	PAVING AND DRIVES	124,493	47.63%
	LANDSCAPE/OPEN AREA	50,329	19.26%
<b>TOTAL:</b>		261,360	100



**ST MARK VILLAGE**  
OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
05/20/2019  
07/26/2019

**CASE # PLN19-0039**

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SITE PLAN

**NOTES:**

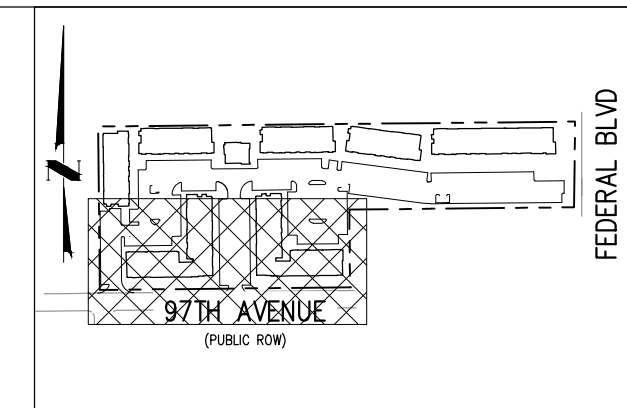
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**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**

**LOTS 11, 12, 45, 46, 47 AND 48**

**HOLLYHURST SUBDIVISION**

**A PLANNED UNIT DEVELOPMENT IN THE  
CITY OF WESTMINSTER, COUNTY OF  
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SHEET 8 OF 37**



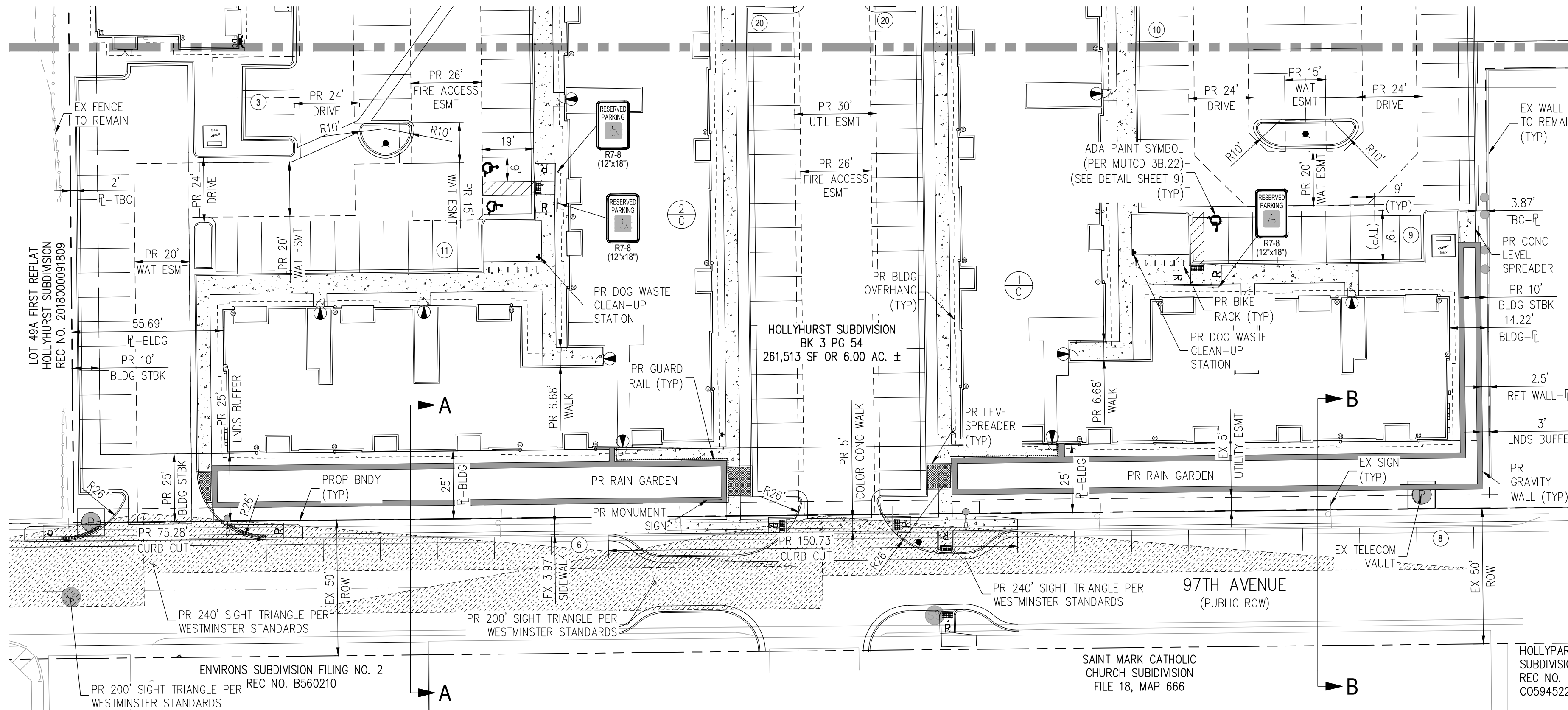
**KEY MAP**  
SCALE: 1" = 400'

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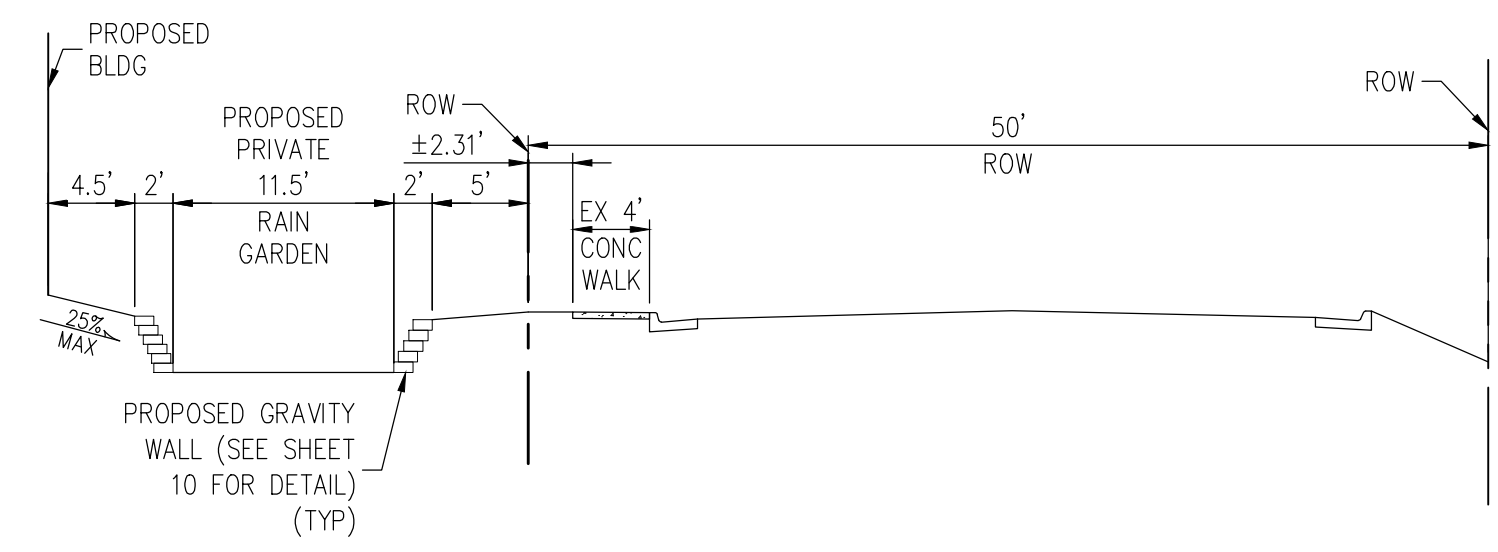
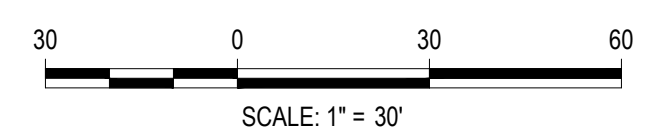
**MATCHLINE - SEE SHEET 7**

**DATE: 03/18/2019**

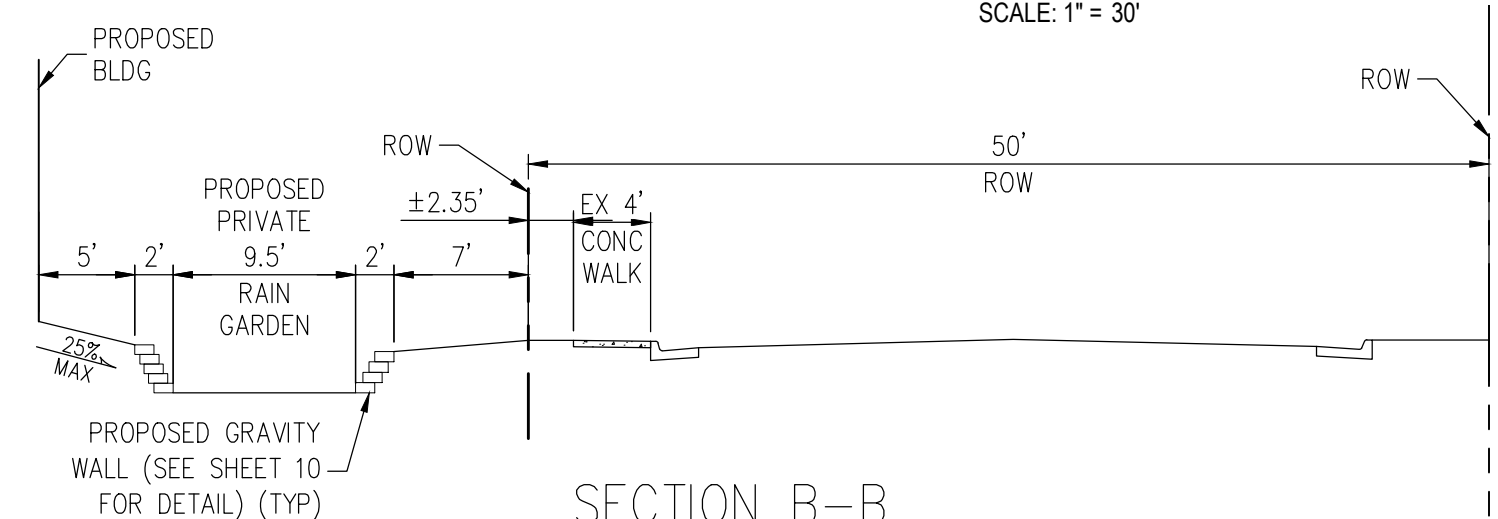
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**ST MARK VILLAGE  
OFFICIAL DEVELOPEMENT PLAN**



**SECTION A-A**  
N.T.S.



**SECTION B-B**  
N.T.S.

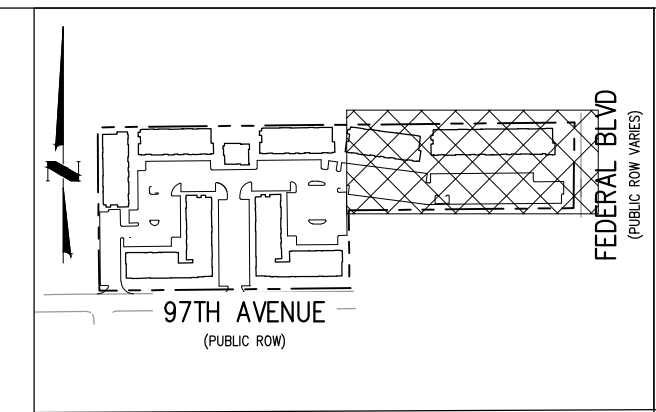
**CASE # PLN19-0039**

03/18/2019  
05/20/2019  
07/26/2019

8 OF 37  
SITE PLAN



THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 9 OF 37



KEY MAP  
 SCALE: 1" = 400'

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 Denver, Colorado 80203  
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DATE: 03/18/2019

MATCHLINE - SEE SHEET 7

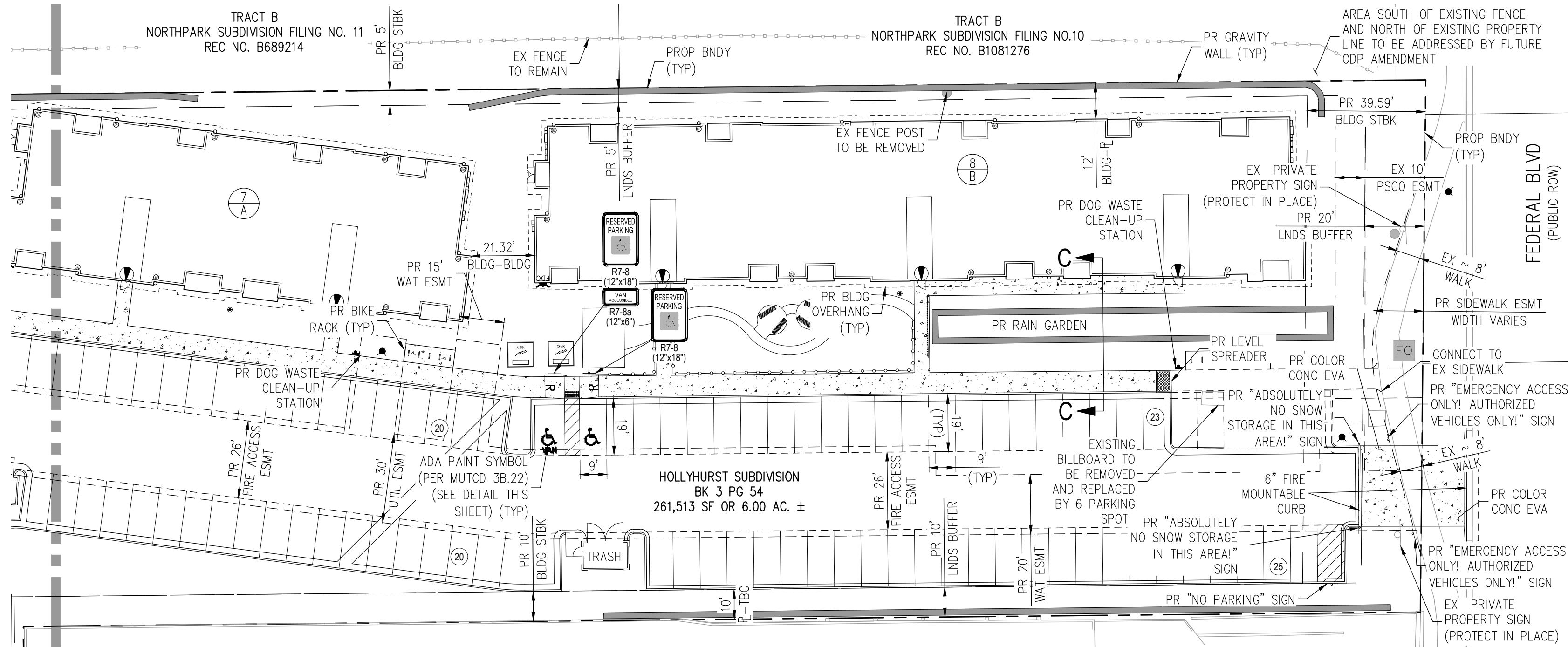
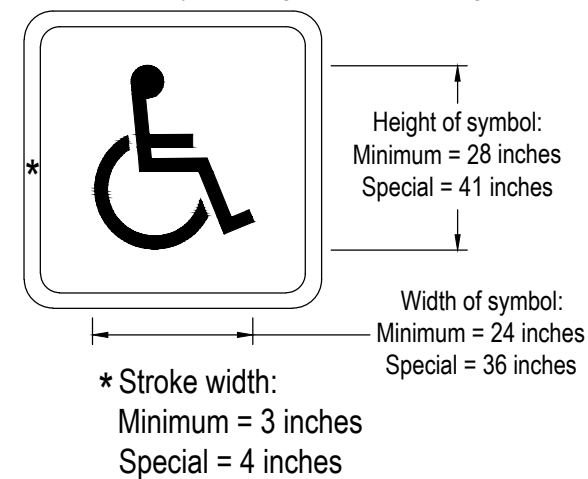
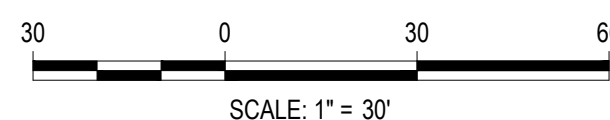
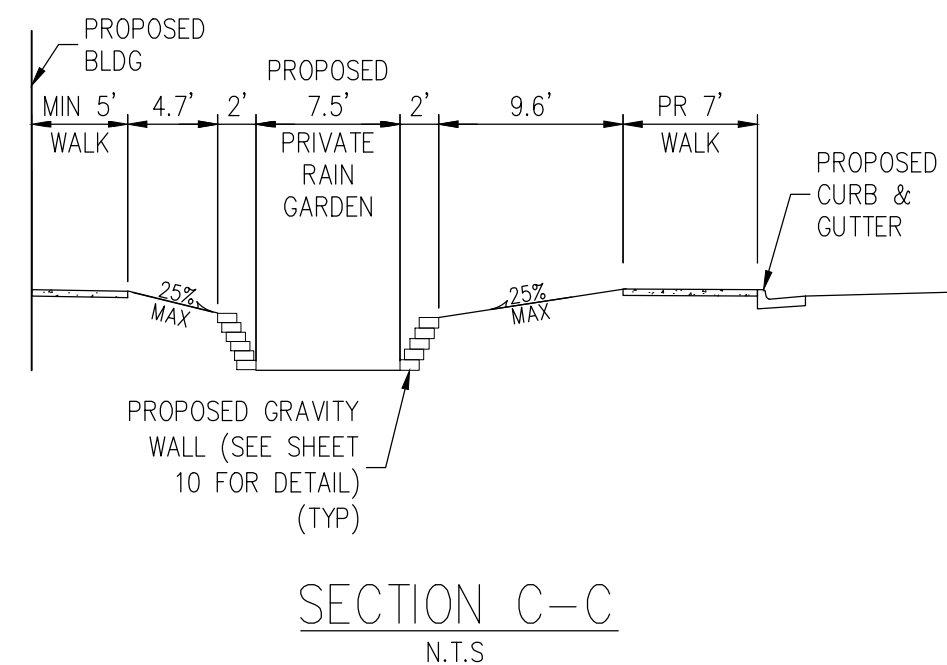


Figure 3B-22. International Symbol of Accessibility Parking Space Marking



\*REFER TO MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) FIGURE 3B.22 INTERNATIONAL SYMBOL OF ACCESSIBILITY PARKING SPACE MARKING FOR ADDITIONAL INFORMATION.



NOTES:

1. ALL DETACHED SIDEWALKS ARE 5' UNLESS OTHERWISE DIMENSIONED
2. ALL ATTACHED SIDEWALKS ARE 7' UNLESS OTHERWISE DIMENSIONED
3. ALL SIDEWALKS ATTACHED TO PARKING STALL ARE 7' UNLESS OTHERWISE DIMENSIONED
4. SEE OVERALL UTILITY PLAN & OVERALL GRADING PLAN FOR UTILITY & GRADING INFORMATION
5. ALL CURB RADII ARE 2' UNLESS OTHERWISE DIMENSIONED
6. ALL PARKING STALLS ARE 9' X 19'
7. ALL ADA VAN PARKING SPACES ARE 11' X 19' WITH A 5' AISLE
8. ALL ADA PARKING SPACES ARE 9' X 19' WITH A 5' AISLE
9. ALL DRIVE WIDTHS ARE 26' UNLESS OTHERWISE DIMENSIONED
10. NO RETAINING WALLS WILL BE HIGHER THAN 4' (MEASURED FROM FINISHED GRADE AT BASE).
11. CDOT ROW PERMIT WILL BE REQUIRED DURING CONSTRUCTION

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

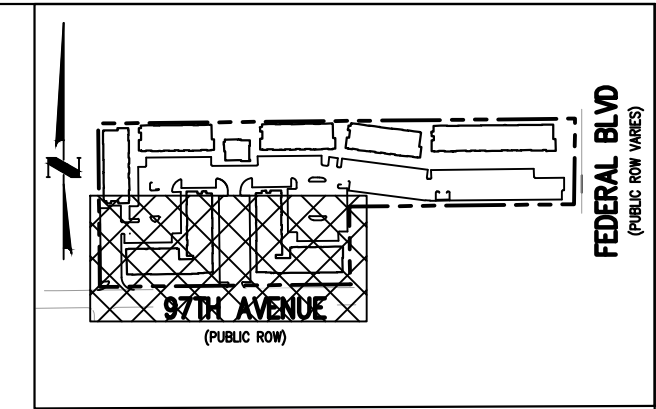
03/18/2019  
 05/20/2019  
 07/26/2019

9 OF 37  
 SITE PLAN

CASE # PLN19-0039



THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 11 OF 37

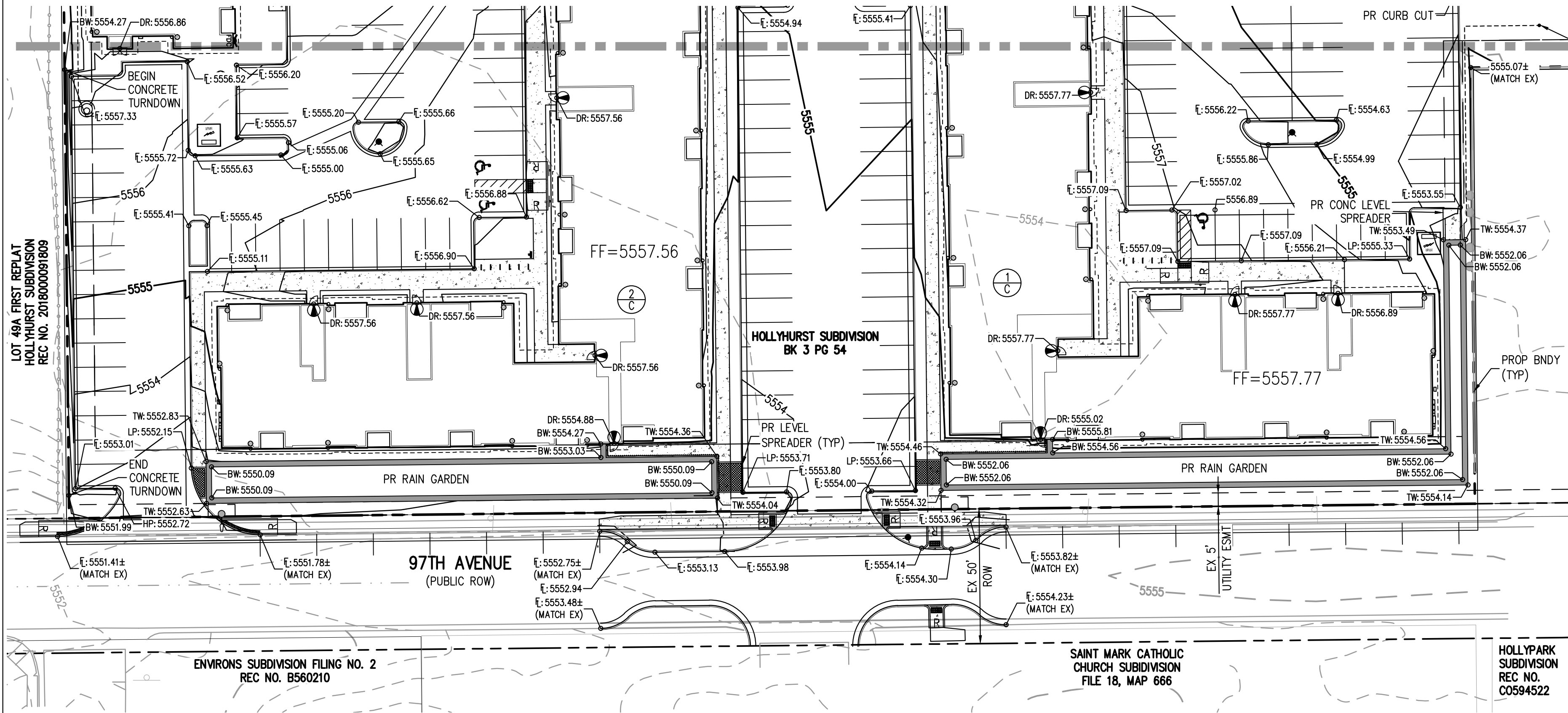


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 1120 Lincoln Street, Suite 1000  
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KEY MAP  
 SCALE: 1" = 400'

MATCHLINE - SEE SHEET 10

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LOT 49A FIRST REPLAT  
 HOLLYHURST SUBDIVISION  
 REC NO. 201800091809

HOLLYHURST SUBDIVISION  
 BK 3 PG 54

ENVIRONS SUBDIVISION FILING NO. 2  
 REC NO. B560210

SAINT MARK CATHOLIC  
 CHURCH SUBDIVISION  
 FILE 18, MAP 666

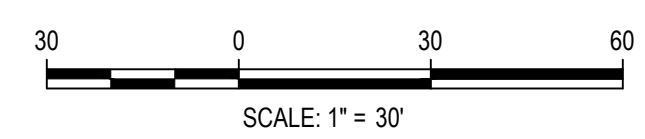
HOLLYPARK  
 SUBDIVISION  
 REC NO.  
 C0594522

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

DATE: 03/18/2019

**NOTES:**

- SEE OVERALL UTILITY PLAN & OVERALL SITE PLAN FOR UTILITY & SITE INFORMATION.
- ALL STORM INFRASTRUCTURE WITHIN THE PROPERTY LINES IS PRIVATE.



CASE # PLN19-0039

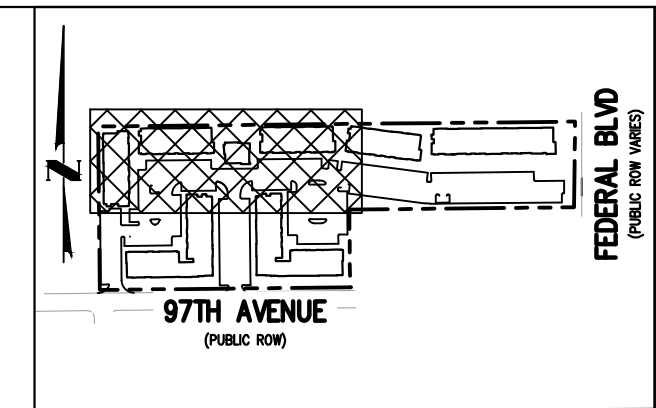
03/18/2019  
 05/20/2019  
 07/26/2019

11 OF 37  
 GRADING PLAN





THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 13 OF 37

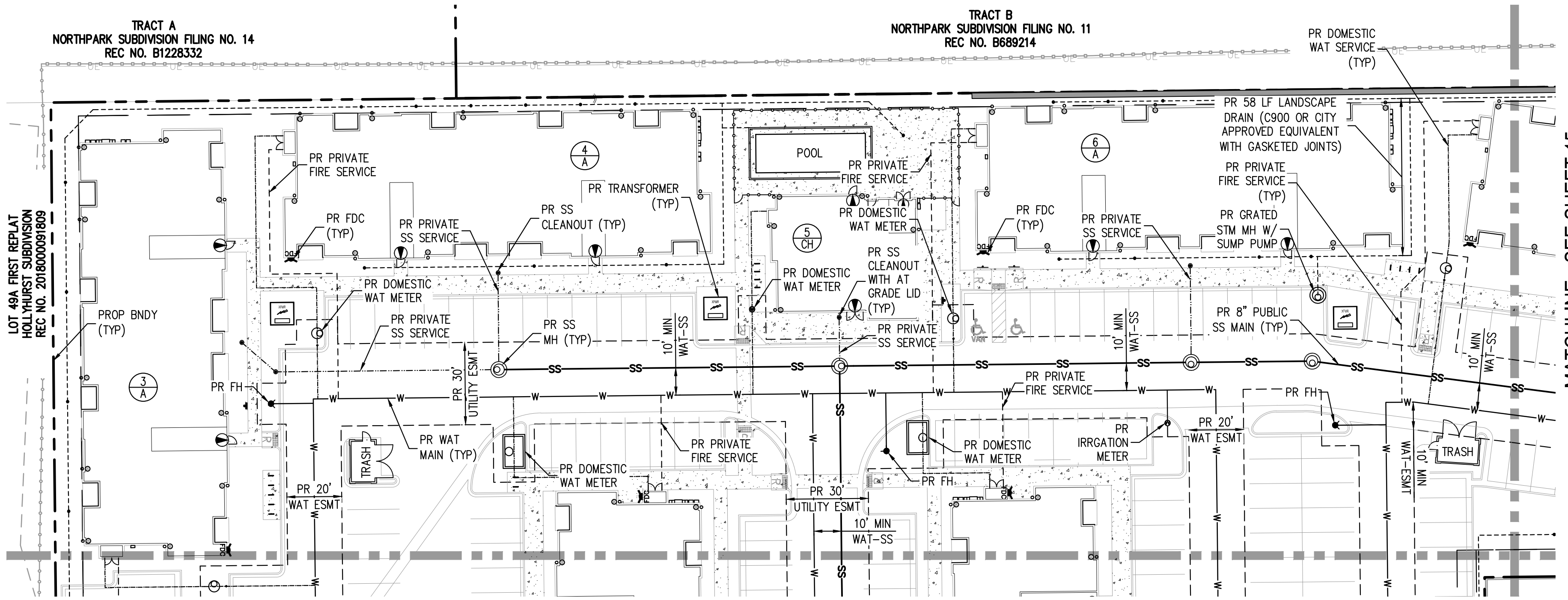


KEY MAP  
 SCALE: 1" = 400'

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 1120 Lincoln Street, Suite 1000  
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TRACT A  
 NORTH PARK SUBDIVISION FILING NO. 14  
 REC NO. B1228332

TRACT B  
 NORTH PARK SUBDIVISION FILING NO. 11  
 REC NO. B689214



MATCHLINE - SEE SHEET 15

MATCHLINE - SEE SHEET 14

**LEGEND:**

RIGHT-OF-WAY	
EXISTING WATER MAIN, VALVE AND METER	
EXISTING FIRE HYDRANT	
EXISTING SANITARY SEWER MAIN AND MANHOLE	
EXISTING STORM SEWER MAIN AND MANHOLE	
EXISTING UNDERGROUND ELECTRIC	
EXISTING UNDERGROUND COMMUNICATION	
EXISTING FIBER OPTIC RISER	
EXISTING COMMUNICATION PEDESTAL	

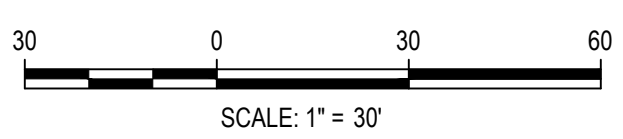
PROPOSED (PR) SANITARY SEWER MAIN AND MANHOLE	
PROPOSED (PR) UNDERGROUND ELECTRIC	
PROPOSED (PR) FIRE HYDRANT	
PROPOSED (PR) FIRE SERVICE	
PROPOSED (PR) DOMESTIC SERVICE W/METER	
PROPOSED (PR) LANDSCAPE DRAIN W/ MANHOLE	
PROPOSED (PR) SANITARY SEWER SERVICE W/CLEANOUT	
ABANDON UTILITY	

**NOTES:**

- SEE OVERALL GRADING PLAN & OVERALL SITE PLAN FOR GRADING & SITE INFORMATION.
- POOL FLOW DISCHARGED TO THE SANITARY SEWER WILL BE RESTRICTED TO 50 GALLONS PER MINUTE. A PRIVATELY OWNED FLOW RESTRICTION DEVICE ON THE POOL DRAIN AND BACKWASH LINES IS REQUIRED.
- TRANSFORMER LOCATIONS TO BE APPROVED BY XCEL.

**OFFSITE SANITARY SEWER NOTE:**

- OFFSITE SANITARY SEWER MAIN IMPROVEMENTS ARE BEING TRIGGERED AS A PART OF THIS DEVELOPMENT. DEVELOPER IS RESPONSIBLE FOR OFFSITE IMPROVEMENTS DEEMED NECESSARY AND REASONABLE.



CASE # PLN19-0039

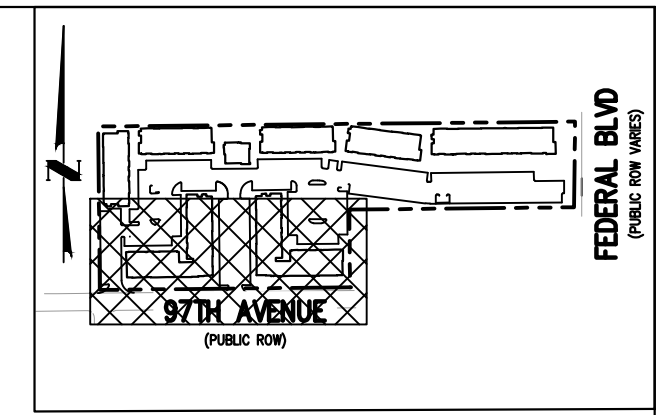
**ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN**

03/18/2019  
 05/20/2019  
 07/26/2019

13 OF 37  
 UTILITY PLAN

DATE: 03/18/2019

THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 14 OF 37

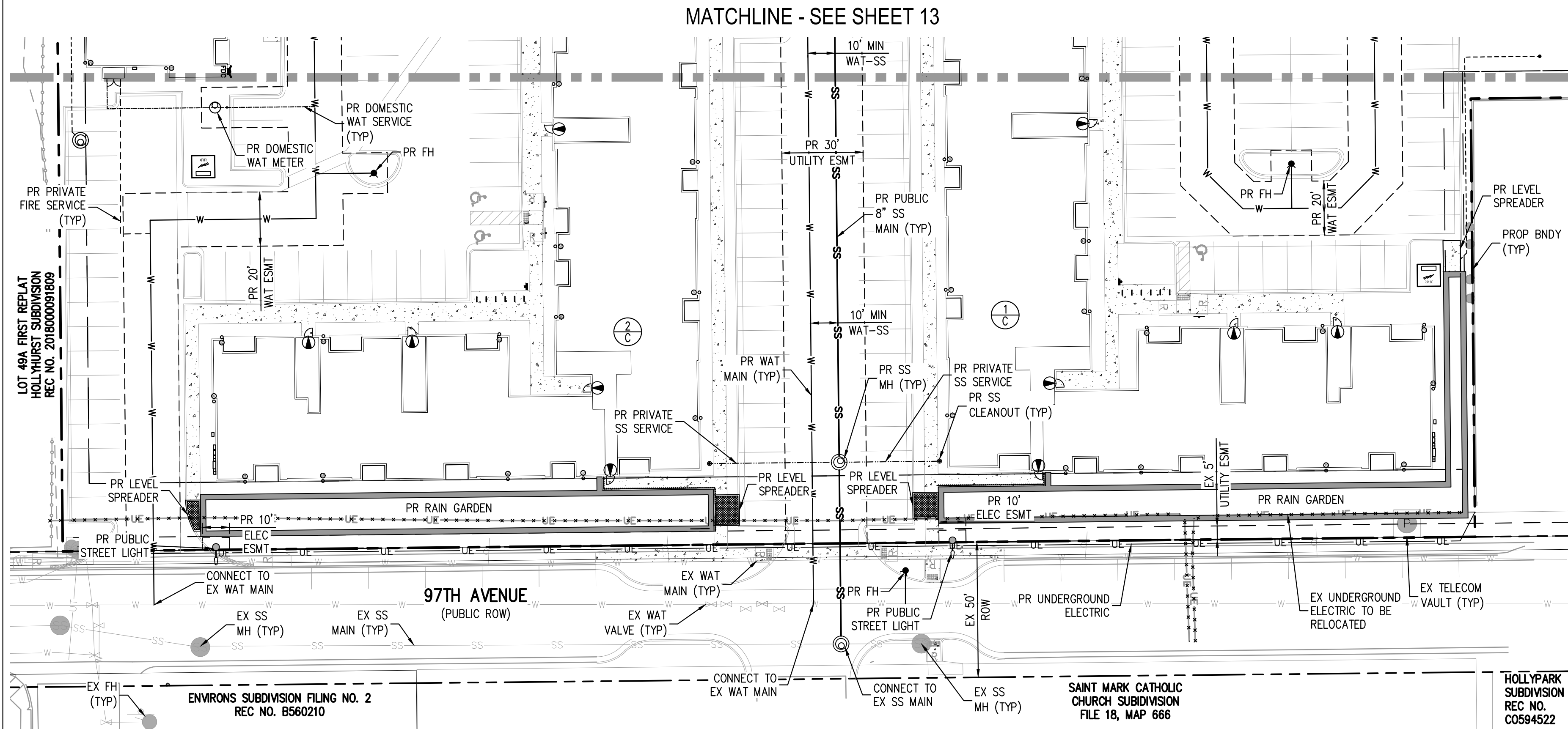


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 1120 Lincoln Street, Suite 1000  
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KEY MAP  
 SCALE: 1" = 400'

DATE: 03/18/2019

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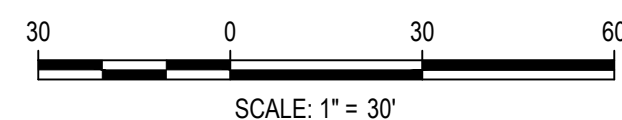


ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

**LEGEND:**

- RIGHT-OF-WAY
- EXISTING WATER MAIN, VALVE AND METER
- EXISTING FIRE HYDRANT
- EXISTING SANITARY SEWER MAIN AND MANHOLE
- EXISTING STORM SEWER MAIN AND MANHOLE
- EXISTING UNDERGROUND ELECTRIC
- EXISTING UNDERGROUND COMMUNICATION
- EXISTING FIBER OPTIC RISER
- EXISTING COMMUNICATION PEDESTAL
- PROPOSED STREET LIGHT

- PROPOSED (PR) SANITARY SEWER MAIN AND MANHOLE
- PROPOSED (PR) UNDERGROUND ELECTRIC
- PROPOSED (PR) FIRE HYDRANT
- PROPOSED (PR) FIRE SERVICE
- PROPOSED (PR) DOMESTIC SERVICE W/METER
- PROPOSED (PR) LANDSCAPE DRAIN W/ MANHOLE
- PROPOSED (PR) SANITARY SEWER SERVICE W/CLEANOUT
- ABANDON UTILITY



**NOTES:**

1. SEE OVERALL GRADING PLAN & OVERALL SITE PLAN FOR GRADING & SITE INFORMATION.
2. POOL FLOW DISCHARGED TO THE SANITARY SEWER WILL BE RESTRICTED TO 50 GALLONS PER MINUTE. A PRIVATELY OWNED FLOW RESTRICTION DEVICE ON THE POOL DRAIN AND BACKWASH LINES IS REQUIRED.
3. TRANSFORMER LOCATIONS TO BE APPROVED BY XCEL.

**OFFSITE SANITARY SEWER NOTE:**

1. OFFSITE SANITARY SEWER MAIN IMPROVEMENTS ARE BEING TRIGGERED AS A PART OF THIS DEVELOPMENT. DEVELOPER IS RESPONSIBLE FOR OFFSITE IMPROVEMENTS DEEMED NECESSARY AND REASONABLE.

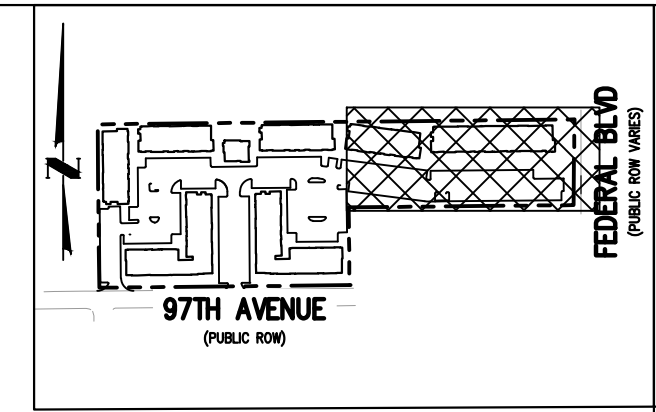
CASE # PLN19-0039

03/18/2019  
 05/20/2019  
 07/26/2019

14 OF 37  
 UTILITY PLAN



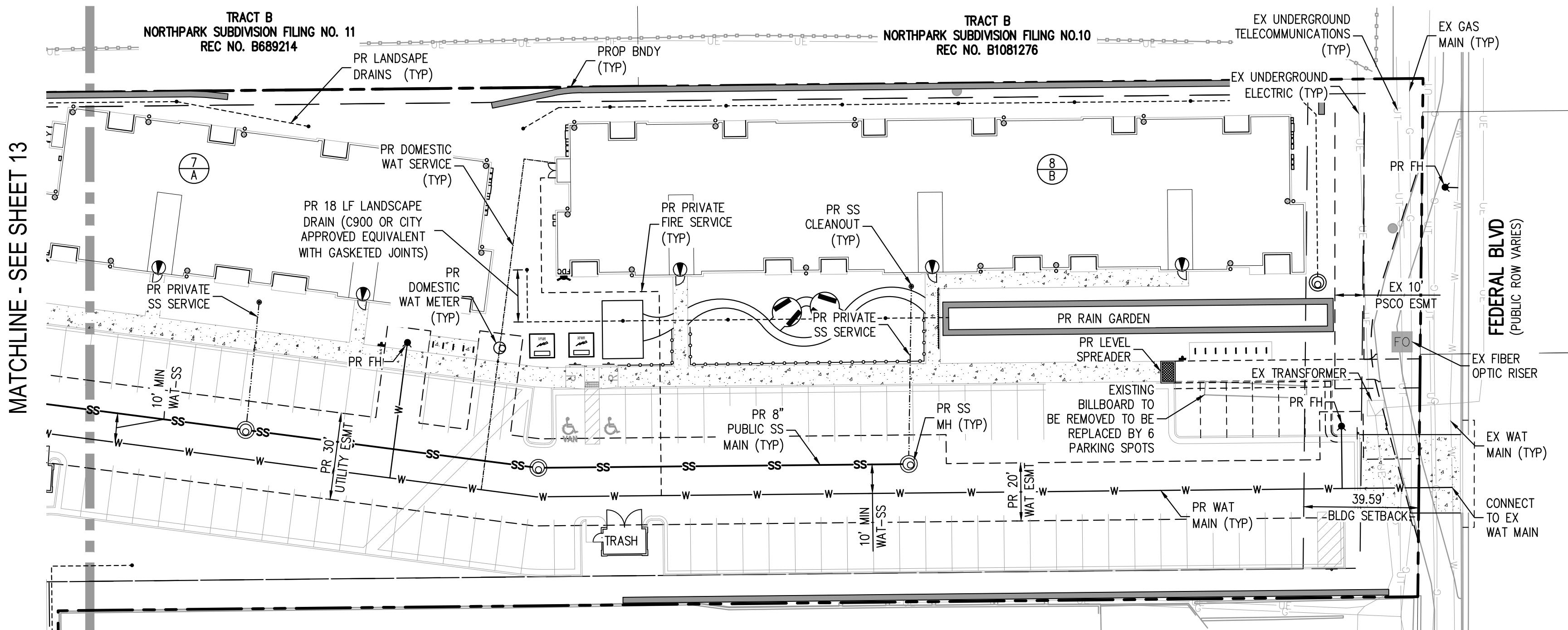
THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 15 OF 37



**HKS HARRIS KOCHER SMITH**  
 1120 Lincoln Street, Suite 1000  
 Denver, Colorado 80203  
 P: 303.623.6300 F: 303.623.6311  
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KEY MAP  
 SCALE: 1" = 400'

DATE: 03/18/2019



MATCHLINE - SEE SHEET 13

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**LEGEND:**

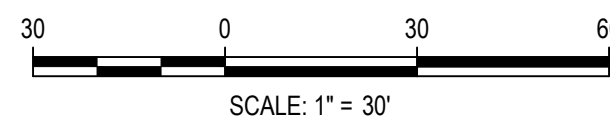
RIGHT-OF-WAY		PROPOSED (PR) SANITARY SEWER MAIN AND MANHOLE	
EXISTING WATER MAIN, VALVE AND METER		PROPOSED (PR) UNDERGROUND ELECTRIC	
EXISTING FIRE HYDRANT		PROPOSED (PR) FIRE HYDRANT	
EXISTING SANITARY SEWER MAIN AND MANHOLE		PROPOSED (PR) FIRE SERVICE	
EXISTING STORM SEWER MAIN AND MANHOLE		PROPOSED (PR) DOMESTIC SERVICE W/METER	
EXISTING UNDERGROUND ELECTRIC		PROPOSED (PR) LANDSCAPE DRAIN W/ MANHOLE	
EXISTING UNDERGROUND COMMUNICATION		PROPOSED (PR) SANITARY SEWER SERVICE W/CLEANOUT	
EXISTING FIBER OPTIC RISER		ABANDON UTILITY	
EXISTING COMMUNICATION PEDESTAL			

**NOTES:**

- SEE OVERALL GRADING PLAN & OVERALL SITE PLAN FOR GRADING & SITE INFORMATION.
- POOL FLOW DISCHARGED TO THE SANITARY SEWER WILL BE RESTRICTED TO 50 GALLONS PER MINUTE. A PRIVATELY OWNED FLOW RESTRICTION DEVICE ON THE POOL DRAIN AND BACKWASH LINES IS REQUIRED.
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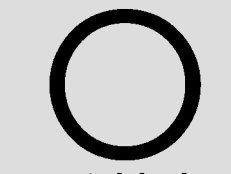


CASE # PLN19-0039

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019

15 OF 37  
 UTILITY PLAN



landscape architecture +  
 urban design +  
 planning

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 cola@me.com

DATE: 03/15/2019

**ST MARK VILLAGE**  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/17/2019  
 07/26/2019

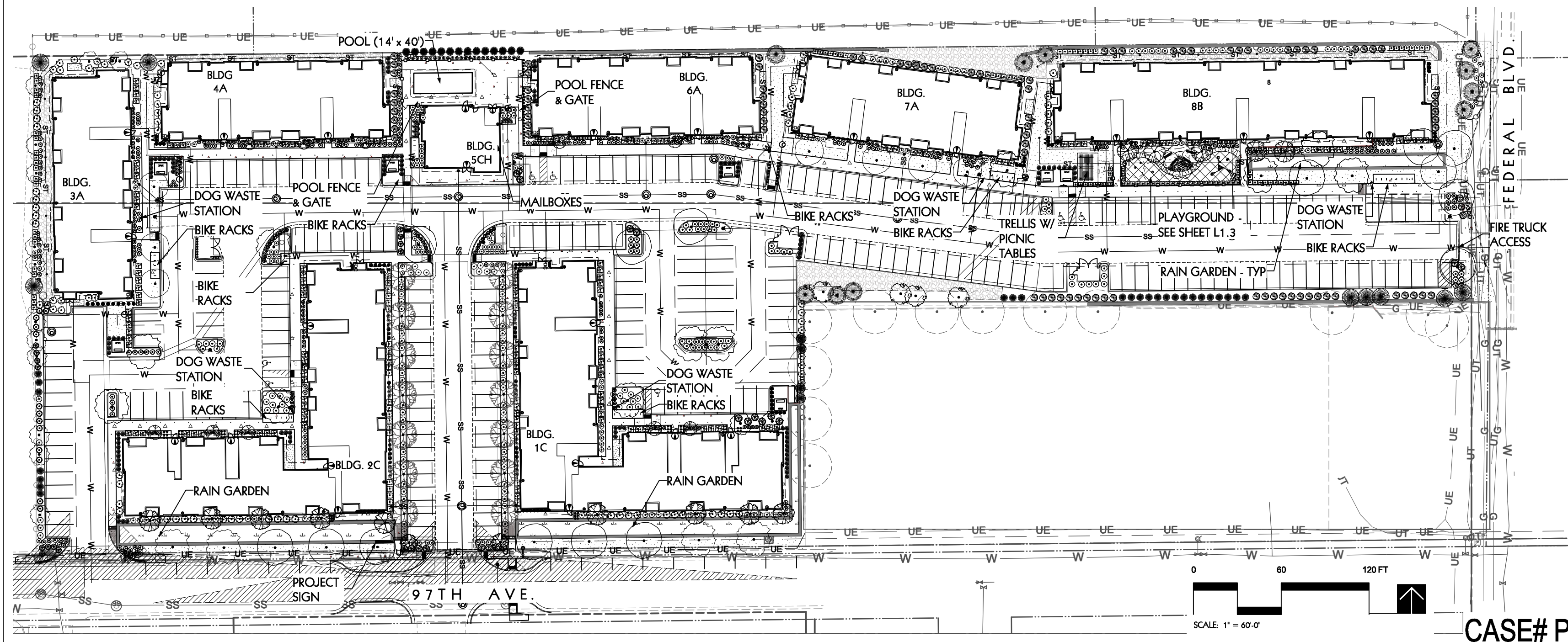
16 OF 37  
 LANDSCAPE  
 MASTER PLAN

**LEGEND:**

- EXISTING TREE
- SHADE TREES
- ORNAMENTAL TREES
- EVERGREEN TREES
- SHRUBS
- ORNAMENTAL GRASSES
- PERENNIALS
- FESCUE BLEND TURF
- RAIN GARDEN SEED
- CRUSHER FINE PATH
- BIKE RACKS
- PLAYGROUND SURFACE
- ROCK MULCH
- ROLL TOP EDGER

**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 16 OF 37

LANDSCAPE REQUIREMENTS: 07/31/19		
<b>OVERALL SITE:</b>		
LANDSCAPING	TOTAL SITE: 261,360 SF	
<b>STREET TREE PLANTING:</b>	<b>REQUIRED</b>	<b>PROVIDED/COMMENTS</b>
97TH STREET	1 TREE + 3 SHRUBS / 550 SF OF ROW AREA = 2,745 SF - 5 TREES + 15 SHRUBS	10 TREES PROVIDED IN LIEU OF SHRUBS
FEDERAL BLVD.	1 TREE + 3 SHRUBS / 550 SF OF ROW AREA = 1,837 SF - 3 TREES + 9 SHRUBS	4 TREES + 9 SHRUBS PROVIDED
<b>MINIMUM PLANT SIZES:</b>	<b>REQUIRED</b>	<b>PROVIDED/COMMENTS</b>
	1 TREE + 3 SHRUBS / 550 SF OF LANDSCAPE AREA = 50,329 SF - 92 TREES + 275 SHRUBS	173 TREES + 1315 SHRUBS
DECIDUOUS TREES	2" CAL. (NOT MORE THAN 20% OF EACH SPECIES)	2" CAL. = 33 TREES PROVIDED
DECIDUOUS TREES	3" CAL - 20% OF REQ. # OF DEC. TREES - 18 TREES	3" CAL = 19 TREES PROVIDED (21% or min.req.)
EVERGREEN TREES	6' HT. (MORE THAN 1/3 OF TOTAL AMT. OF TREES) = 57 TREES	6' HT - 65 PROVIDED (35%)
EVERGREEN TREES	8' HT (MUST HAVE 20% OF REQ # OF TREES) - 10 TREES	8' HT - 10 PROVIDED (20%)
ORNAMENTAL TREES	2" CAL - NOT MORE THAN 1/3 OF TOTAL # OF TREES - 61 TREES	46 PROVIDED (30%)
SHRUBS	5 GALLON CONTAINERS	1315 PROVIDED



CASE# PLN19-0039





landscape architecture +  
 urban design +  
 planning

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 p. 303.517.9256  
 f. 970.367.5180  
 col@me.com

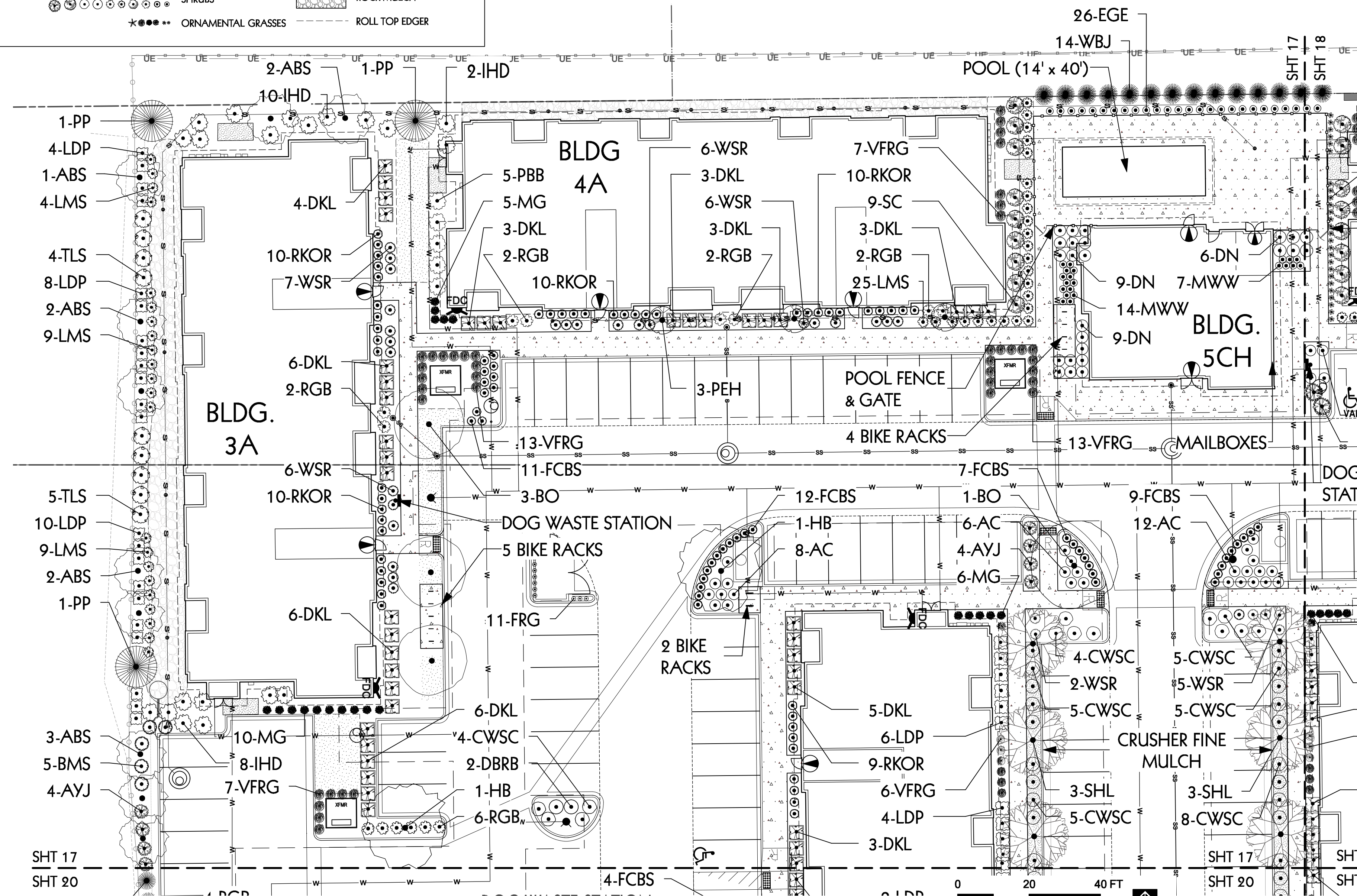
DATE: 03/15/2019

**LEGEND:**

	EXISTING TREE		PERENNIALS
	SHADE TREES		FESCUE BLEND TURF
	ORNAMENTAL TREES		RAIN GARDEN SEED
	EVERGREEN TREES		CRUSHER FINE PATH
	SHRUBS		BIKE RACKS
	ORNAMENTAL GRASSES		PLAYGROUND SURFACE
			ROCK MULCH
			ROLL TOP EDGER

**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 17 OF 37

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CASE# PLN19-0039

**ST MARK VILLAGE**  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/17/2019  
 07/26/2019

17 OF 37  
 LANDSCAPE PLAN  
 - NORTHWEST





landscape architecture +  
 urban design +  
 planning

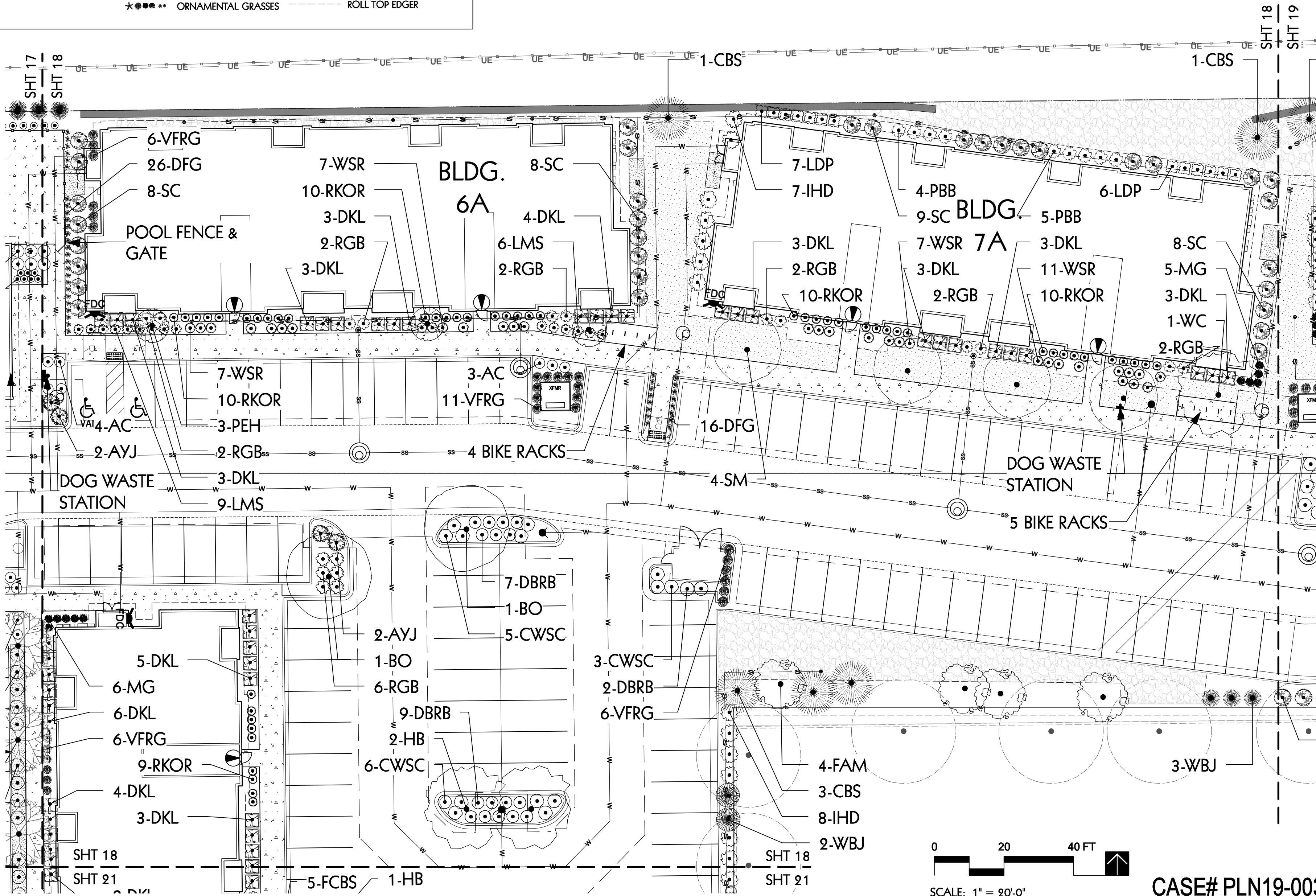
boulder / steamboat springs, co  
 p. 303.517.9256  
 f. 970.367.5180  
 cola@me.com

DATE: 03/15/2019

**LEGEND:**

	EXISTING TREE	** PERENNIALS
	SHADE TREES	FESCUE BLEND TURF
	ORNAMENTAL TREES	RAIN GARDEN SEED
	EVERGREEN TREES	CRUSHER FINE PATH
	SHRUBS	BIKE RACKS
	ORNAMENTAL GRASSES	PLAYGROUND SURFACE
		ROCK MULCH
		ROLL TOP EDGER

**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
**SHEET 18 OF 37**



**CASE# PLN19-0039**

**ST MARK VILLAGE**  
**OFFICIAL DEVELOPEMENT PLAN**

03/18/2019  
 05/17/2019  
 07/26/2019

18 OF 37  
 LANDSCAPE PLAN  
 - CENTRAL





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 urban design +  
 planning

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 f. 970.367.5160  
 ola@me.com

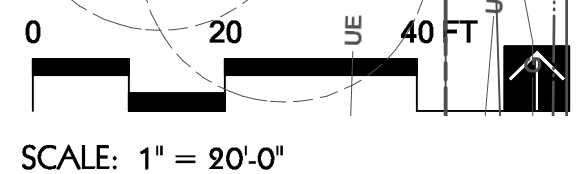
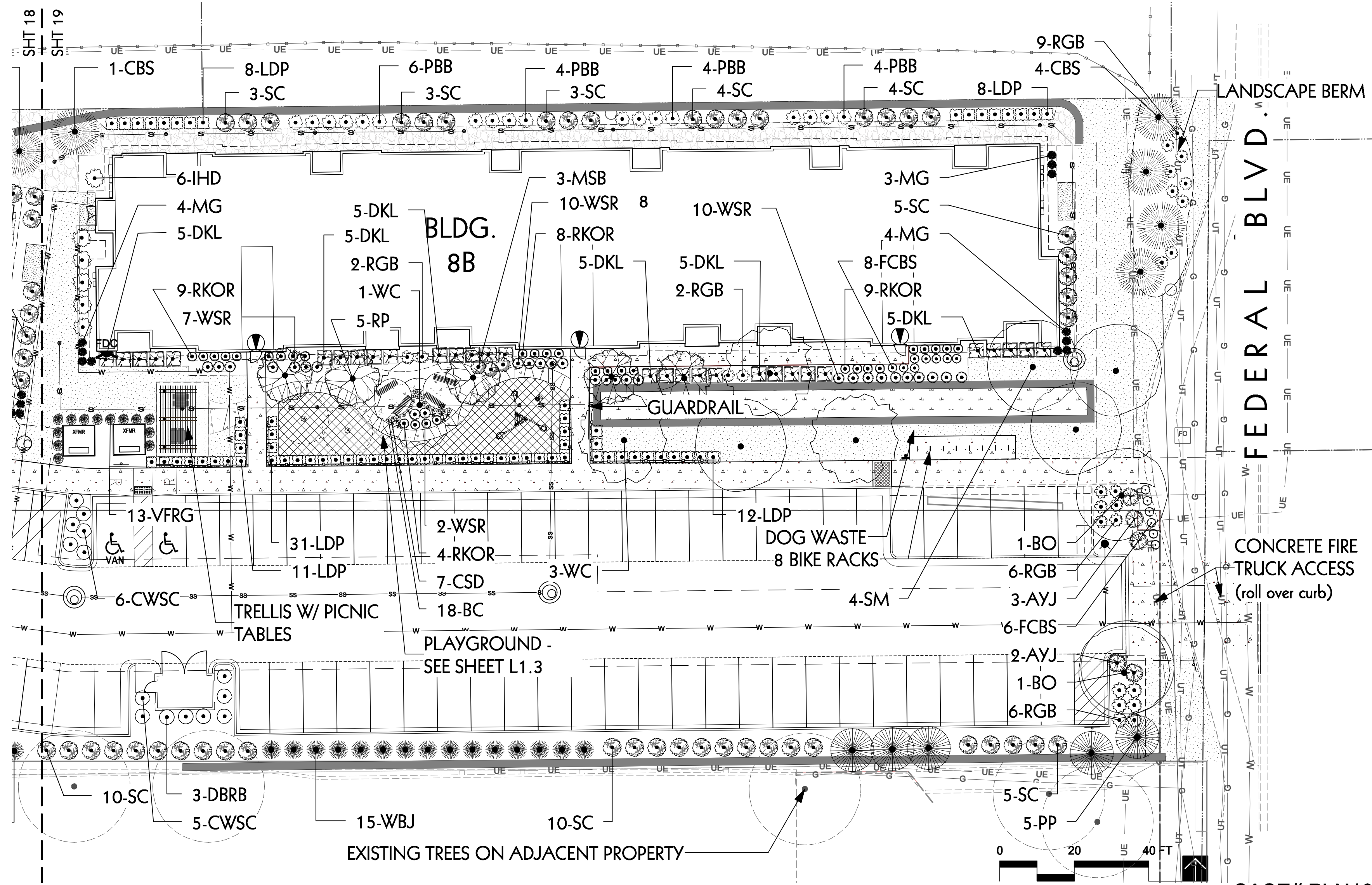
DATE: 03/15/2019

**LEGEND:**

	EXISTING TREE		PERENNIALS
	SHADE TREES		FESCUE BLEND TURF
	ORNAMENTAL TREES		RAIN GARDEN SEED
	EVERGREEN TREES		CRUSHER FINE PATH
	SHRUBS		BIKE RACKS
	ORNAMENTAL GRASSES		PLAYGROUND SURFACE
			ROCK MULCH
			ROLL TOP EDGER

**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 19 OF 37

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**ST MARK VILLAGE**  
**OFFICIAL DEVELOPEMENT PLAN**

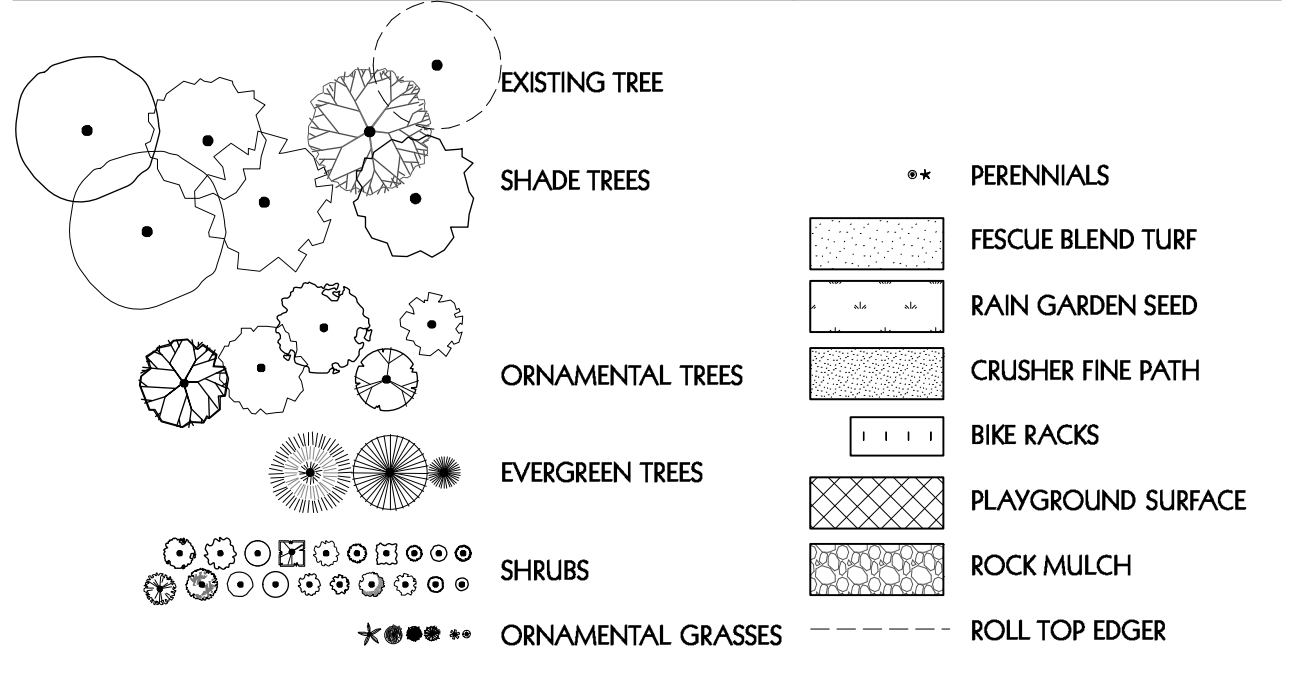
03/18/2019  
 05/17/2019  
 07/26/2019

19 OF 37  
 LANDSCAPE PLAN  
 - NORTHEAST

CASE# PLN19-0039

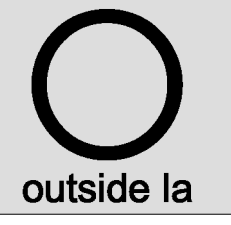


**LEGEND:**



**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
**SHEET 20 OF 37**

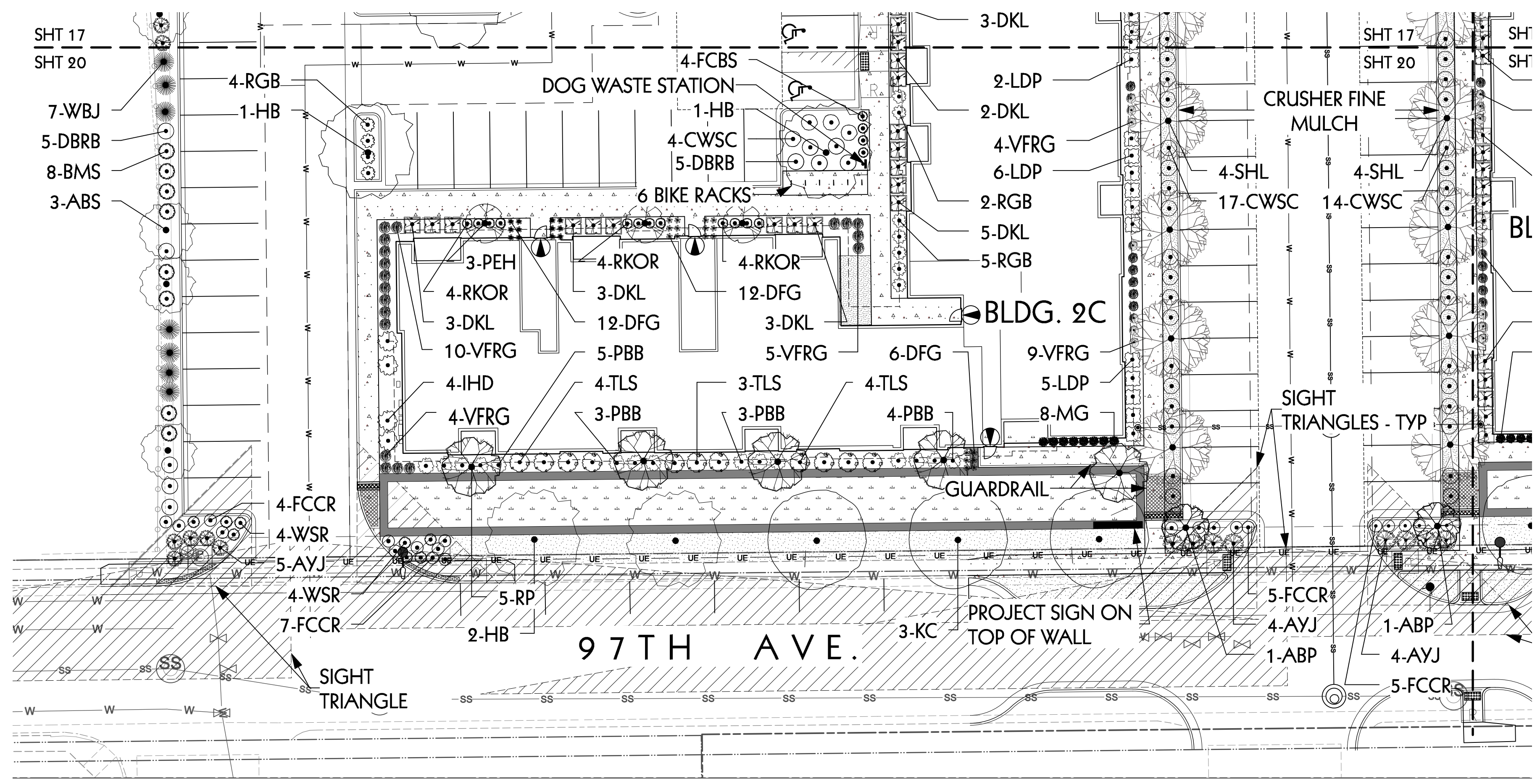
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 1120 Lincoln Street, Suite 1000  
 Denver, Colorado 80203  
 P: 303.623.6300 F: 303.623.6311  
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 p. 303.517.9256  
 f. 970.367.5180  
 cola@me.com

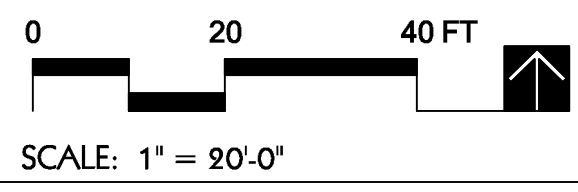
DATE: 03/15/2019

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**ST MARK VILLAGE**  
**OFFICIAL DEVELOPEMENT PLAN**

03/18/2019  
 05/17/2019  
 07/26/2019



CASE# PLN19-0039

20 OF 37  
 LANDSCAPE PLAN  
 - SOUTHWEST







THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 22 OF 37

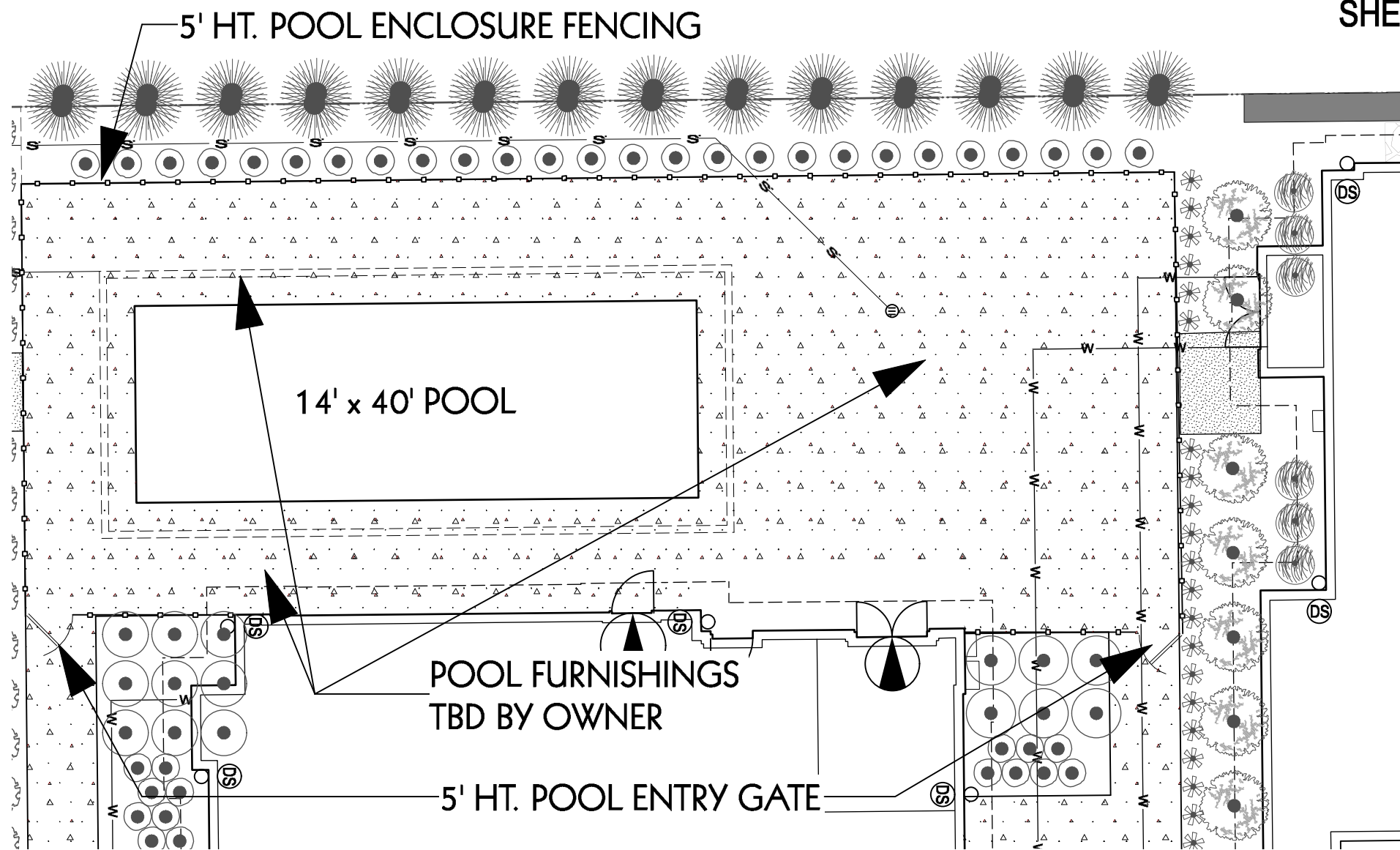
**HKS** HARRIS  
 KOCHER  
 SMITH  
 1120 Lincoln Street, Suite 1000  
 Denver, Colorado 80203  
 P: 303.623.6300 F: 303.623.6311  
 HarrisKocherSmith.com



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boulder / steamboat springs, co  
 p. 303.517.9256  
 f. 970.367.5160  
 ola@me.com

DATE: 03/15/2019



POOL PATIO AREA

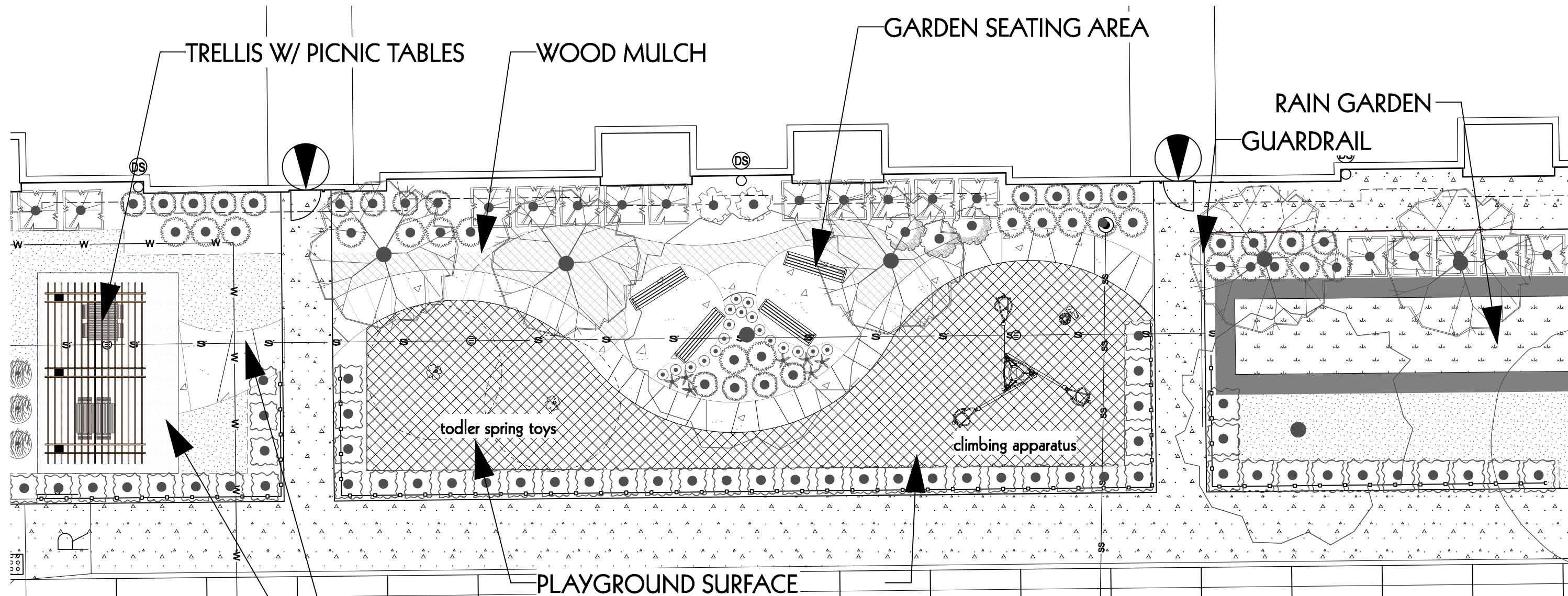
SCALE: 1"=10'-0"



TYPICAL CLIMBING  
 STRUCTURE OR EQUAL

PLAYGROUND EQUIPMENT - TYP.

SCALE: NTS



PLAYGROUND AREA

SCALE: 1"=10'-0"

CONCRETE WALK

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019

05/17/2019

07/26/2019

22 OF 37  
 DETAILED

LANDSCAPE PLAN

CASE# PLN19-0039





DATE: 03/15/2019

boulder / steamboat springs, co  
 p. 303.517.9256  
 f. 970.367.5180  
 ola@me.com

**ST MARK VILLAGE**  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/17/2019  
 07/26/2019

23 OF 37  
 LANDSCAPE  
 NOTES & DETAILS

**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COL9RADO  
 SHEET 23 OF 37

**GENERAL NOTES:**

- ALL LANDSCAPING SHALL BE IN CONFORMANCE WITH LANDSCAPE REGULATIONS, 2004 EDITION AND ORDINANCE NO. 3133, SERIES OF 2004.
- THE TOTAL WATER BUDGET SHALL NOT EXCEED 15 GALLONS/SQUARE FEET/IRRIGATION SEASON (YEAR), UNLESS APPROVED OTHERWISE BY THE CITY.
- LANDSCAPING SHALL BE PLANTED AND MAINTAINED IN A LIVING CONDITION BY THE OWNER. ALL LANDSCAPE IMPROVEMENTS/MATERIALS MUST HAVE A 100% ONGOING SURVIVAL RATE. ANY DEAD OR DAMAGED PLANT MATERIALS, (AS DETERMINED BY THE CITY), SHALL BE REPLACED WITHIN 6 MONTHS OF NOTIFICATION BY THE CITY. ALL LANDSCAPE IMPROVEMENTS/MATERIALS MUST BE MAINTAINED AS REQUIRED BY THE LANDSCAPE REGULATIONS AND THIS OFFICIAL DEVELOPMENT PLAN.
- SOIL PREPARATION FOR ALL NON-HARDSCAPE AREAS SHALL INCLUDE TOPSOIL AND/OR ORGANIC MATTER (COMPOST OR AGED GROUND MANURE) AND SHALL BE ADDED AT A RATE OF FIVE CUBIC YARDS PER ON THOUSAND SQUARE FEET AND TILLED 8" DEPTH INTO THE SOIL. AN INSPECTION AND AFFIDAVIT REGARDING SOIL PREPARATION WILL BE REQUIRED.
- ALL SINGLE FAMILY LOTS ARE REQUIRED TO HAVE SOIL AMENDMENT INSTALLED BY THE DEVELOPER IN ALL YARD AREAS NOT COVERED BY HARDSCAPE.
- AN AUTOMATIC UNDERGROUND IRRIGATION SYSTEM IS REQUIRED FOR ALL LANDSCAPE AREAS. AN IRRIGATION AUDIT WILL BE REQUIRED FOR ALL IRRIGATION SYSTEMS, EXCEPTING THOSE INSTALLED BY THE SINGLE FAMILY DETACHED HOMEOWNER.
- IRRIGATION SYSTEMS SHALL BE MAINTAINED AND PERIODICALLY ADJUSTED TO ASSURE WATERING EFFICIENCY AND CONSERVATION METHODS. IRRIGATION SHOULD NOT OCCUR BETWEEN THE HOURS OF 10 AM AND 6 PM IN ORDER TO REDUCE EVAPORATION. EXCESSIVE WATER RUN OFF, AS DETERMINED BY THE CITY, IS NOT PERMITTED.
- NO TREE WILL BE PLANTED WITHIN 5' OF A FIRE HYDRANT.
- ALL SHRUB BED AREAS SHALL BE SEPARATED FROM SOD AREAS BY ROLL TOP EDGING MATERIAL. MULCH SHALL BE PLACED OVER A SUITABLE WEED BARRIER FABRIC.
- FINAL LANDSCAPING AND IRRIGATION DRAWINGS AND PRIVATE IMPROVEMENTS AGREEMENT SHALL BE SUBMITTED TO THE CITY OF WESTMINSTER FOR REVIEW AND APPROVAL PRIOR TO APPROVAL OF FINAL PLAT.
- DEVELOPER SHALL ENSURE THAT THE LANDSCAPE PLAN IS COORDINATED WITH THE PLANS PREPARED BY OTHER CONSULTANTS SO THE PROPOSED GRADING, STORM DRAINAGE, OR OTHER CONSTRUCTION DOES NOT CONFLICT WITH NOR PRECLUDE INSTALLATION AND MAINTENANCE OF LANDSCAPE ELEMENTS AS DESIGNATED ON THIS PLAN.
- LANDSCAPE AND OTHER FEATURES INSTALLED WITHIN PUBLIC ROW SHALL BE IN COMPLIANCE WITH THE ADOPTED CITY DESIGN. AN ENCROACHMENT PERMIT MAY BE REQUIRED.
- THE OWNER/DEVELOPER, THEIR SUCCESSORS AND ASSIGNS, AGREE TO PERFORM THE FOLLOWING CONDITIONS.
  - THE OWNER/DEVELOPER IS RESPONSIBLE FOR DESIGNING, BUILDING, OPERATING AND MAINTAINING THE RECLAIMED FACILITIES AT THE SITE IN COMPLIANCE WITH THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT'S RECLAIMED WATER CONTROL REGULATION NO. 84, THE CITY OF WESTMINSTER'S CITY CODE SECTION 8 CHAPTER 12 RECLAIMED/NON-POTABLE WATER REGULATIONS, AND THE CITY OF WESTMINSTER'S RECLAIMED WATER DESIGN SPECIFICATIONS.
  - THE OWNER/DEVELOPER MUST SUBMIT TWO SIGNED COPIES OF THE "RECLAIMED WATER USERS AGREEMENT" AND THE "USER PLAN TO COMPLY" TO THE CITY OF WESTMINSTER. CITY STAFF WILL REVIEW THE "USERS PLAN TO COMPLY" AND SUBMIT IT TO THE COLORADO DEPARTMENT OF HEALTH AND ENVIRONMENT FOR APPROVAL. ONCE THE PLAN IS APPROVED A "NOTICE OF AUTHORIZATION FOR THE USE OF RECLAIMED WATER" WILL BE ISSUED BY COLORADO DEPARTMENT OF HEALTH AND ENVIRONMENT. THE "NOTICE OF AUTHORIZATION" AND RECLAIMED WATER USERS AGREEMENT MUST BE RECEIVED BY THE CITY PRIOR TO CONNECTING TO RECLAIMED WATER SYSTEM.
  - APPROVED SIGNS SHALL BE POSTED ON THE SITE TO NOTIFY THE PUBLIC THAT RECLAIMED WATER WILL BE USED FOR IRRIGATION AND IS NOT SAFE TO DRINK. APPROVED SIGNS ARE AVAILABLE THROUGH THE DEPARTMENT OF PUBLIC WORKS AND UTILITIES.
  - ALL PIPING INCLUDING PRIVATE IRRIGATION SYSTEM PIPING SHALL BE PURPLE (PANTONE PURPLE 522C) TO DIFFERENTIATE RECLAIMED WATER PIPING FROM POTABLE WATER OR OTHER PIPING SYSTEMS. ALL IRRIGATION BOXES AND COVERS, CONTROL VALVES, SPRINKLER HEADS AND OTHER APPURTENANCES ASSOCIATED WITH THE RECLAIMED WATER SYSTEM SHALL BE PURPLE AND LABELED "RECLAIMED" OR "NON-POTABLE" WATER. RECLAIMED METERS SHALL BE PURPLE, HAVE PURPLE REGISTERS AND BE STAMPED "RECLAIM" ON THE MAIN CASE.
  - RECLAIMED WATER HAS A HIGHER LEVEL OF DISSOLVED SOLIDS THAN POTABLE WATER. PLANTS TOLERANT OF HIGH SALINITY SHOULD BE SELECTED FOR USE IN AREAS IRRIGATED WITH, OR THAT MAY POTENTIALLY BE SUPPLIED WITH RECLAIMED WATER. IF PLANT MATERIALS WITH LOWER TOLERANCE ARE USED, THE DEVELOPER SHALL TAKE THOSE STEPS NECESSARY TO PREVENT SALT BUILD-UP IN THE SOIL SURROUND THESE PLANTS. PLANTING LOCATION FOR SALT SENSITIVE SPECIES SHOULD HAVE GOOD DRAINAGE AND SOIL PERCOLATION.

**PLANT LIST: 07/31/19**

SYMBOL	QTY	BOTANICAL NAME	COMMON N/
<b>SHADE TREES</b>			
BO	8	Quercus macrocarpa	Burr Oak
HB	11	Celtis occidentalis	Hackberry
KC	6	Gymnocladus dioicous	Kentucky Coffeetree
SHL	14	Gleditsia triacanthos var. inermis 'Shademaster'	Shademaster Honey
SM	8	Acer saccharum 'Green Mountain'	Green Mountain S
WC	5	Catalpa speciosa	Northern Catalpa
TOTAL:	52		

<b>EVERGREEN TREES</b>			
CBS	10	Picea pungens 'Baby Blue Eyes'	Baby Blue Eyes Sp
PP	8	Pinus edulis	Pinyon Pine
WBJ	57	Juniperus scopulorum 'Wichita Blue'	Wichita Blue Juniper
TOTAL:	75		

<b>ORNAMENTAL TREES</b>			
ABP	2	Pyrus calleryana 'Autumn Blaze'	Autumn Blaze Pear
ABS	15	Amelanchier x grandiflora 'Autumn Brilliance'	Autumn Brilliance S
FAM	4	Acer ginnala 'Flame'	Flame Amur Maple
PEH	11	Carpinus betulus 'Fastigiata'	Pyramidal European
RP	14	Pyrus calleryana 'Redspire'	Redspire Pear
TOTAL:	46		

<b>SHRUBS</b>			
AC	33	Ribes alpinum	Alpine Currant
AYJ	36	Juniperus horizontalis 'Youngstonwn'	Andorra Youngstov
BMS	13	Caryopteris x dandonensis 'Dark Knight'	Dark Knight Spirea
CWSC	100	Prunus besseyi Pawnee Buttes	Creeping Western
DBRB	38	Chrysothamnus nauseosus x nauseosus	Dwarf Blue Rabbitb
DKL	160	Syringa meyeri 'Palibin'	Dwarf Korean Lilac
DN	24	Physocarpus opulifolius 'Nanus'	Dwarf Ninebark
EGE	26	Euonymus fortunei 'Emerald Gaiety'	Emerald Gaiety Wi
FCBS	62	Caaryopteris x dandonensis 'First Choice'	First Choice Blue S
FCCR	21	Rosa Flower Carpet Coral	Flower Carpet Cor
IHD	47	Cornus alba 'Bailhala'	Ivory Halo Dogwoo
LDP	128	Ligustrum vulgare 'Lodense'	Lodense Privet
LMS	62	Spiraea x bumalda 'Monhub'	Limemound/R Spin
MSB	3	Symphoricarpos x doorenbosii 'Marlene'	Marlene Snowberry
MWW	21	Weigela florida 'Elvera'	Midnight Wine We
PBB	62	Buddleja davidii nanhoensis 'Petite Plum'	Compact Purple Bu
RGB	79	Berberis thunbergii 'Rose Glow'	Rose Glow Japanes
RKOR	152	Rosa x 'Radcor'	Rainbow Knock Ou
SC	89	Cotoneaster divaricatus	Spreading Cotonea
TLS	31	Rhus trilobata	Three-Leaf Sumac
WSR	101	Rosa Meidiland White	White Meidiland L
TOTAL:	1315		

<b>ORNAMENTAL GRASSES</b>			
DFG	100	Pennisetum alopecuroides 'Hamel'	Dwarf Fountain Gra
FRG	11	Calamagrostis x acutiflora 'Karl Foerster'	Foerster Feather Re
MG	69	Miscanthus sinensis 'Morning Light'	Morning Light Maic
VFRG	151	Calamagrostis x acutiflora 'Overdam'	Overdam Feather R
TOTAL:	328		

<b>PERENNIALS</b>			
BC	18	Geranium x cantabrigiense 'Blokovo'	Blokovo Cranesbill
CSD	7	Leucanthemum x superbum 'Silver Princess'	Compact Shasta Da
TOTAL:	25		

**SOIL AMENDMENT REQUIREMENTS: 07/31/19**

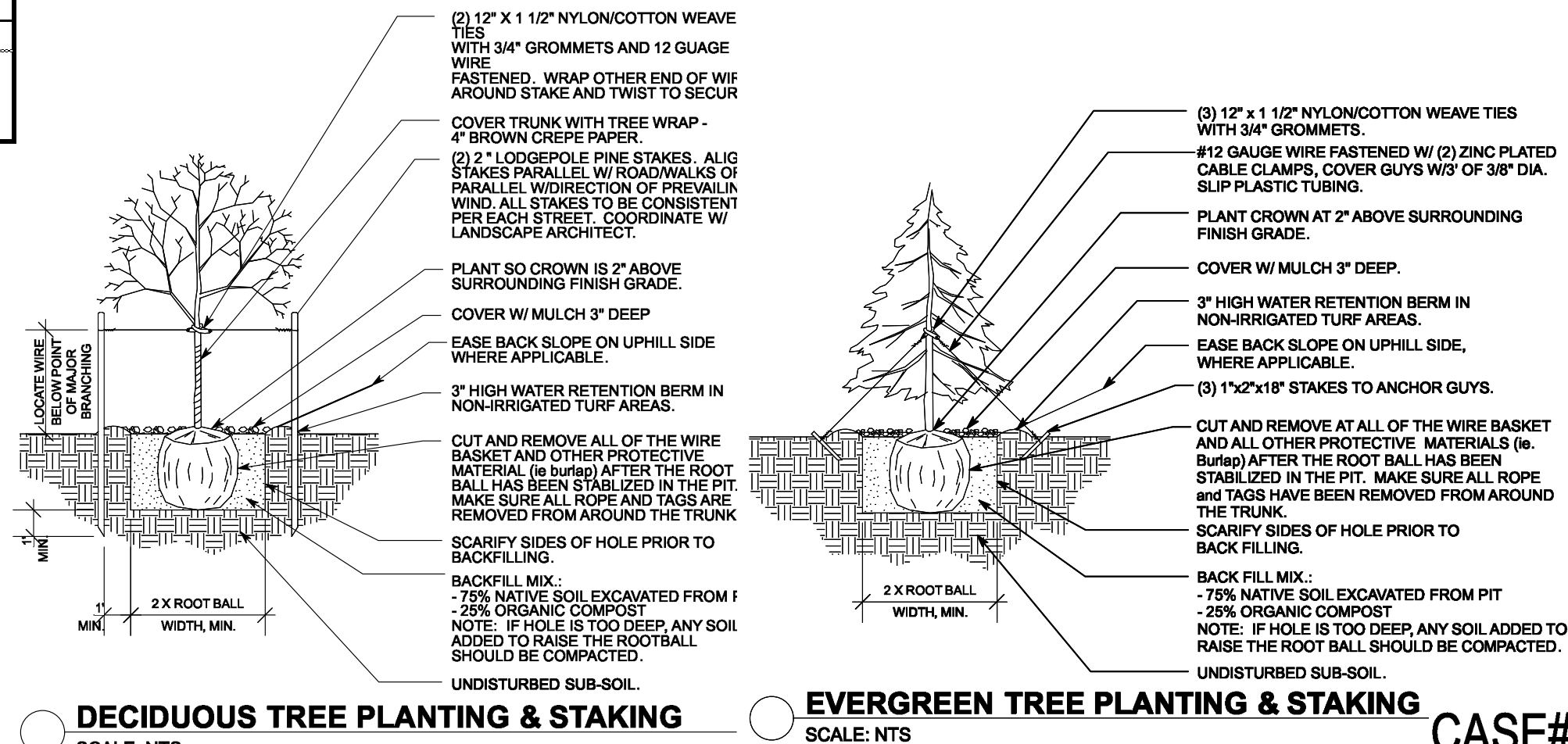
AREA:	QUANTITY (SF)	5 CY/ 1000 SF	1 CY/ 1000 SF	TOTAL CY
FESCUE BLEND SOD	12,024	1,202 x 5		60.1
RAIN GARDEN SEED	6,711		671 x 1	6.7
LOW SHRUB BEDS	31,594		3,159 x 1	31.6
TOTAL AMOUNT:	50,329.00			98.4

NOTE: APPLY BIOSOL MIX 7-2-3 OR APPROVED EQUAL AT THE RATE OF 25 LBS./1000 SF MIXED WITH MENEFFEE GRANULAR HUMATE OR APPROVED EQUAL AT THE RATE OF 5 LBS./1000 A.F. TO SEED MIX AREAS.

**URBAN DRAINAGE NATIVE SEED MIX FOR RAIN GARDENS**

COMMON NAME	SCIENTIFIC NAME	VARIETY	PLS lbs per Acre	Ounced per Acre	Percent of Mix
Sand bluestem	Andropogon hallii	Garden	3.0		6
Sideoats grama	Bouteloua curtipendula	Butte	3.0		6
Prairie sandreed	Calamovilla longifolia	Goshen	3.0		6
Indian ricegrass	Oryzopsis hymenoides	Paloma	3.0		6
Switchgrass	Panicum virgatum	Blackwell	4.0		8
Western wheatgrass	Pascopyrum smithii	Ariba	3.0		6
Little bluestem	Schizachyrium scoparium	Patura	3.0		6
Alkali sacaton	Sporobolus airoides		3.0		6
Sand dropseed	Sporobolus cryptandrus		3.0		6
Pasture sage	Artemisia frigida			2	4
Blue aster	Aster laevis			4	8
Blanket flower	Gaillardia aristata			6	12
Prairie coneflower	Ratibida columnifera			7	14
Purple prairieclover (opt)	Dalea (Petalostemon) purpurea			3	6
Sub-Totals:			27.0	22	100
Total lbs per acre:				28.9	

\* PLS = Pure Live Seed

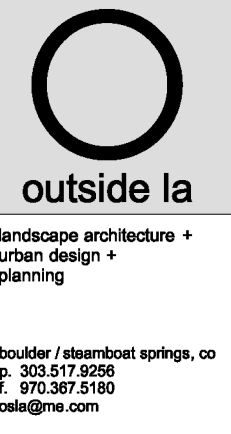


CASE# PLN19-0039



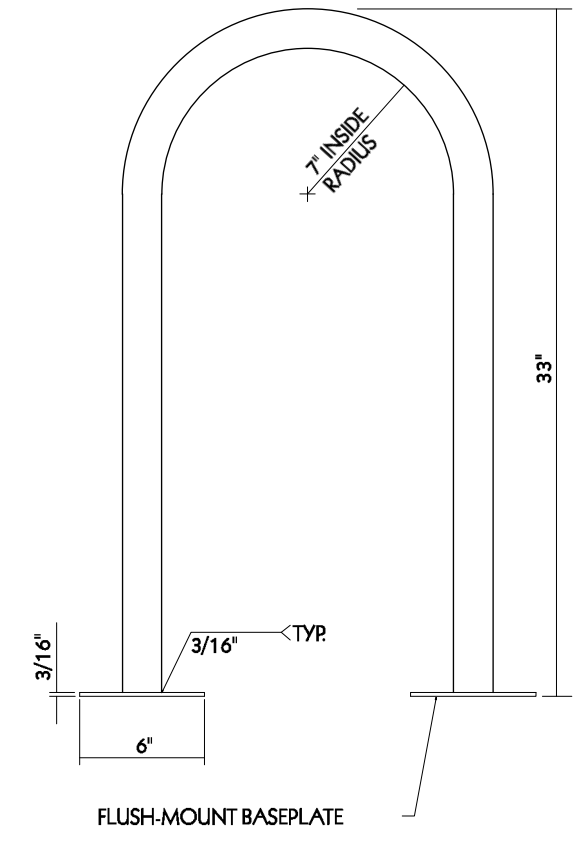
THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
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 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 24 OF 37

**HKS** HARRIS KOCHER SMITH  
 1120 Lincoln Street, Suite 1000  
 Denver, Colorado 80203  
 P: 303.623.6300 F: 303.623.6311  
 HarrisKocherSmith.com

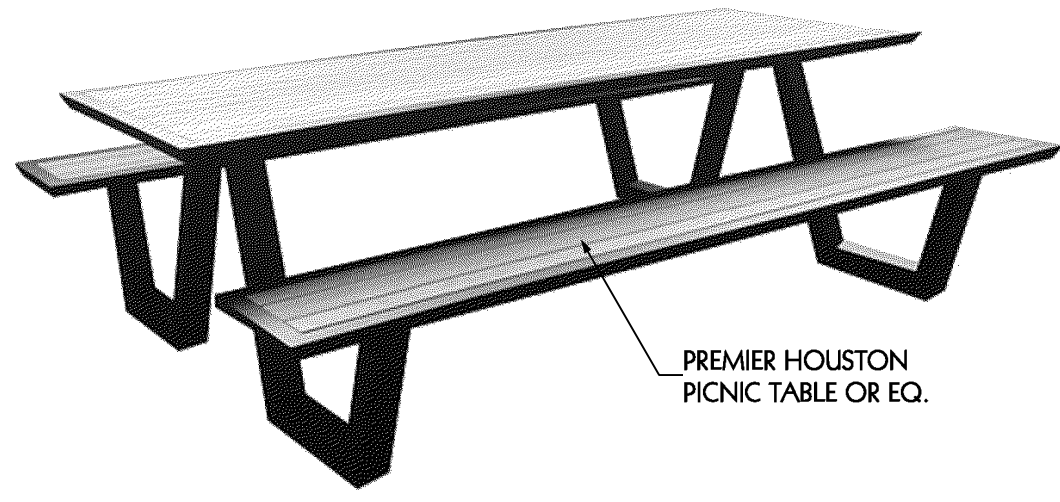
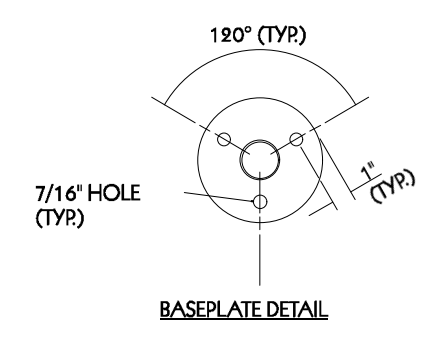


DATE: 03/15/2019

- NOTES:  
 DIMENSIONS:  
 1. HEIGHT-33" FROM THE GROUND  
 2. CONTINUOUS BEND INSIDE RADIUS=7"
- MATERIALS AND CONSTRUCTION:  
 1. MINIMUM OR 1 1/4" SCHEDULE 40 STEEL PIPE (1 5/8" OUTSIDE DIAMETER)  
 2. MAXIMUM 1 1/8" SCHEDULE 40 STEEL PIPE (2" OUTSIDE DIAMETER)  
 3. SOLID ONE-PIECE CONSTRUCTION, CONTINUOUS BEND, LEGS 14"-18" APART  
 4. GALVANIZED WITH BLACK POWDER COAT FINISH  
 5. FLUSH MOUNTED WITH WELDED BASE PLATES (6" DIAMETER, 3/16" THICK BASE PLATE). HIDDEN OR VANDAL-RESISTANT FASTENERS (SCREWS OR EXPANSION BOLTS)



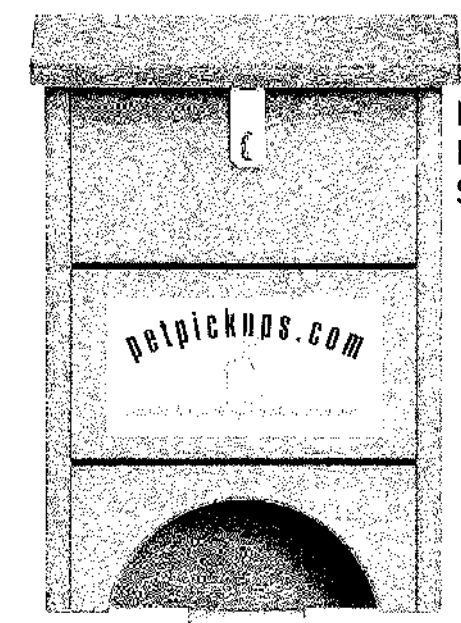
**INVERTED-U BIKE RACKS**  
 SCALE: NTS



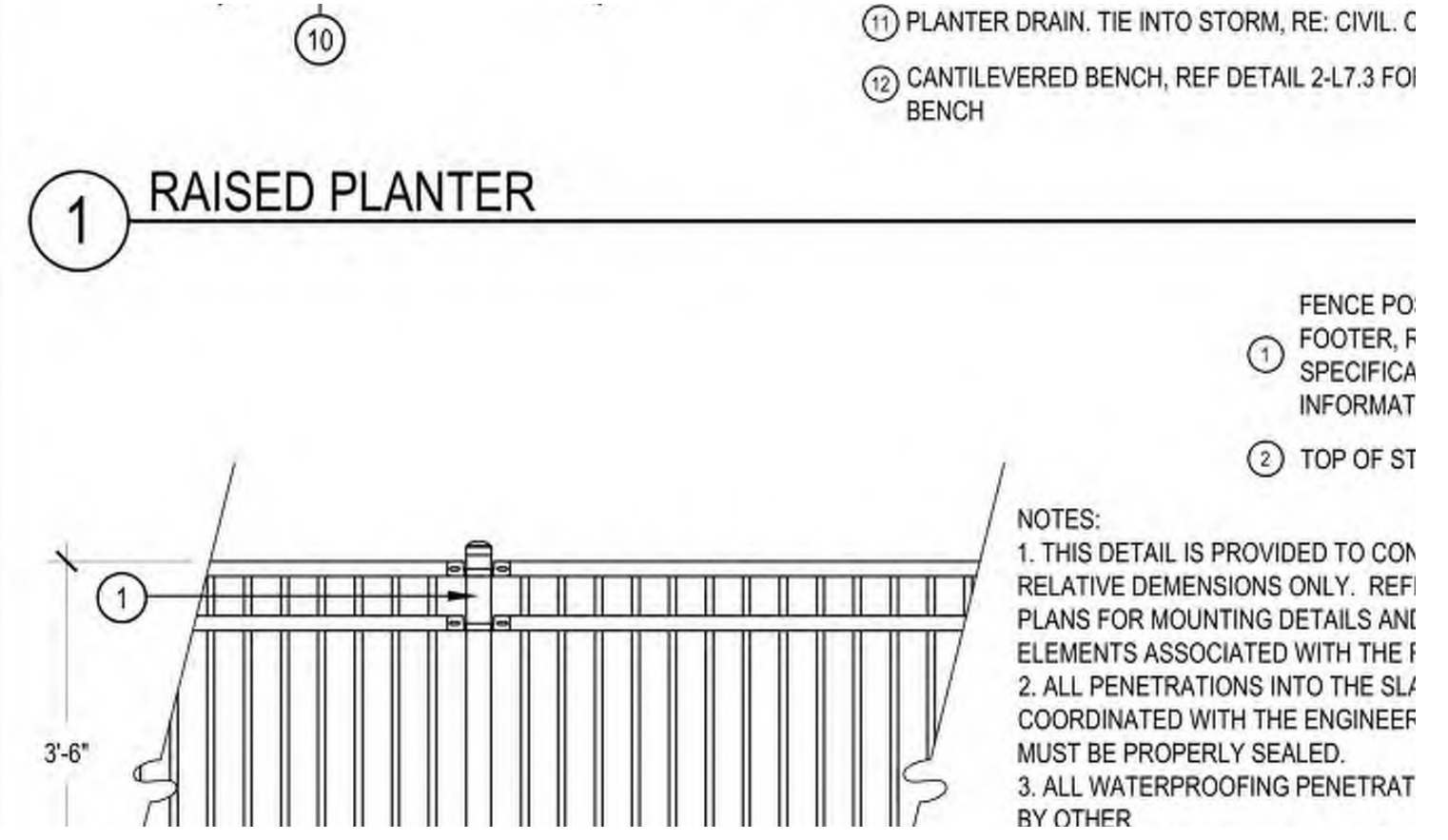
**PICNIC TABLE - TYP.**  
 SCALE: NTS



**BENCH - TYP.**  
 SCALE: NTS

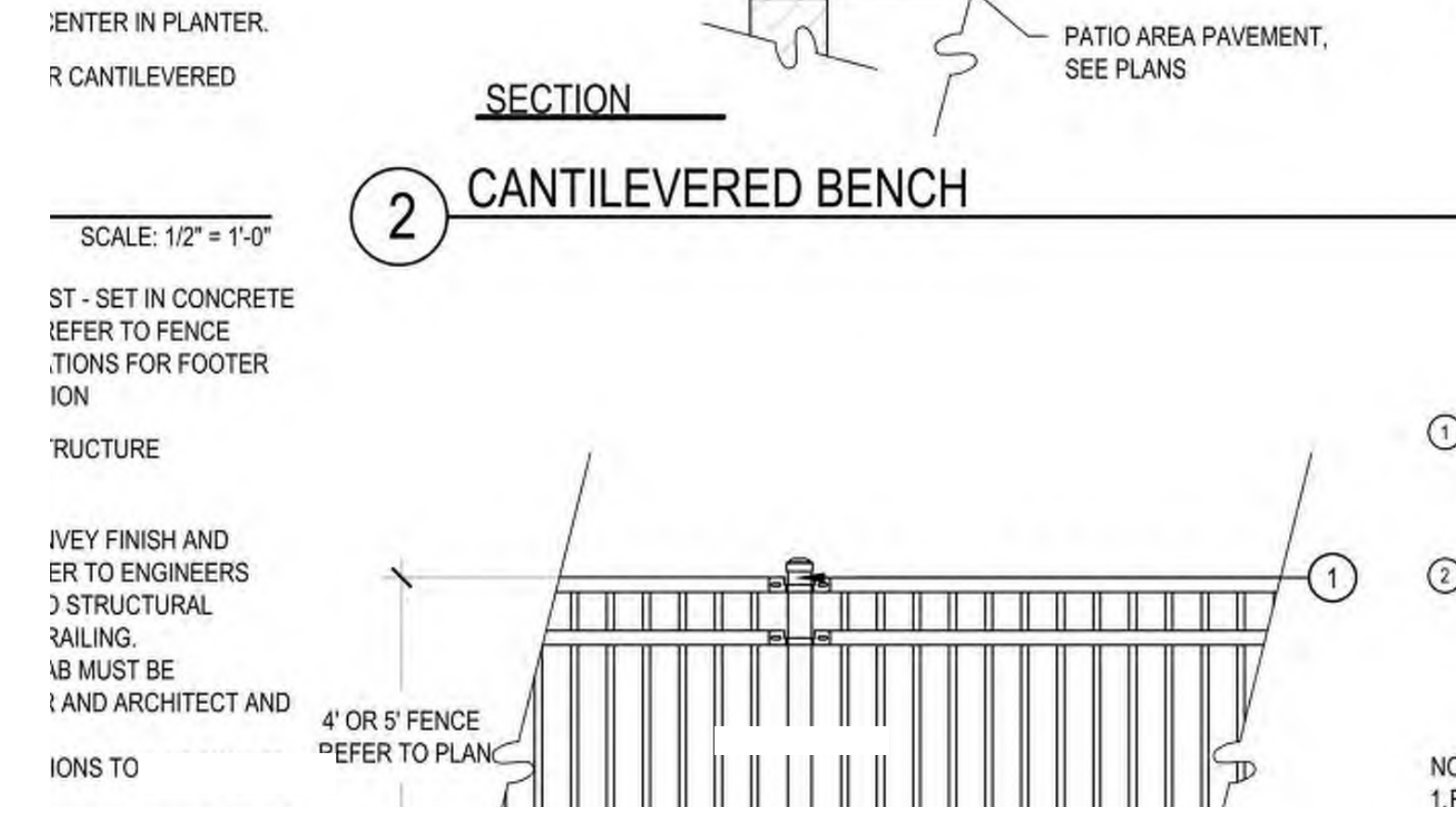


SCALE: NTS  
**PET WASTE STATIONS**  
 NATURE DOG - PET PICKUP STATIONS  
 ATTACH TO STEEL POST



**1 RAISED PLANTER**

**ORNAMENTAL FENCING / GUARDRAIL @ RAINGARDENS**  
 SCALE: NTS



**2 CANTILEVERED BENCH**

**ORNAMENTAL FENCING @ POOL**  
 SCALE: NTS

**ST MARK VILLAGE**  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/17/2019  
 07/26/2019

24 OF 37  
 DETAILS

CASE# PLN19-0039

THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
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 SHEET 25 OF 37

**HKS** HARRIS  
 KOCHER  
 SMITH  
 1120 Lincoln Street, Suite 1000  
 Denver, Colorado 80203  
 P: 303.623.6300 F: 303.623.6311  
 HarrisKocherSmith.com

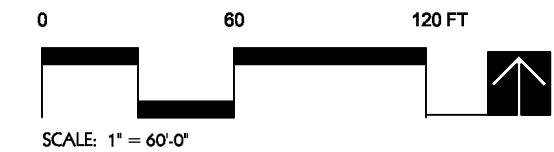
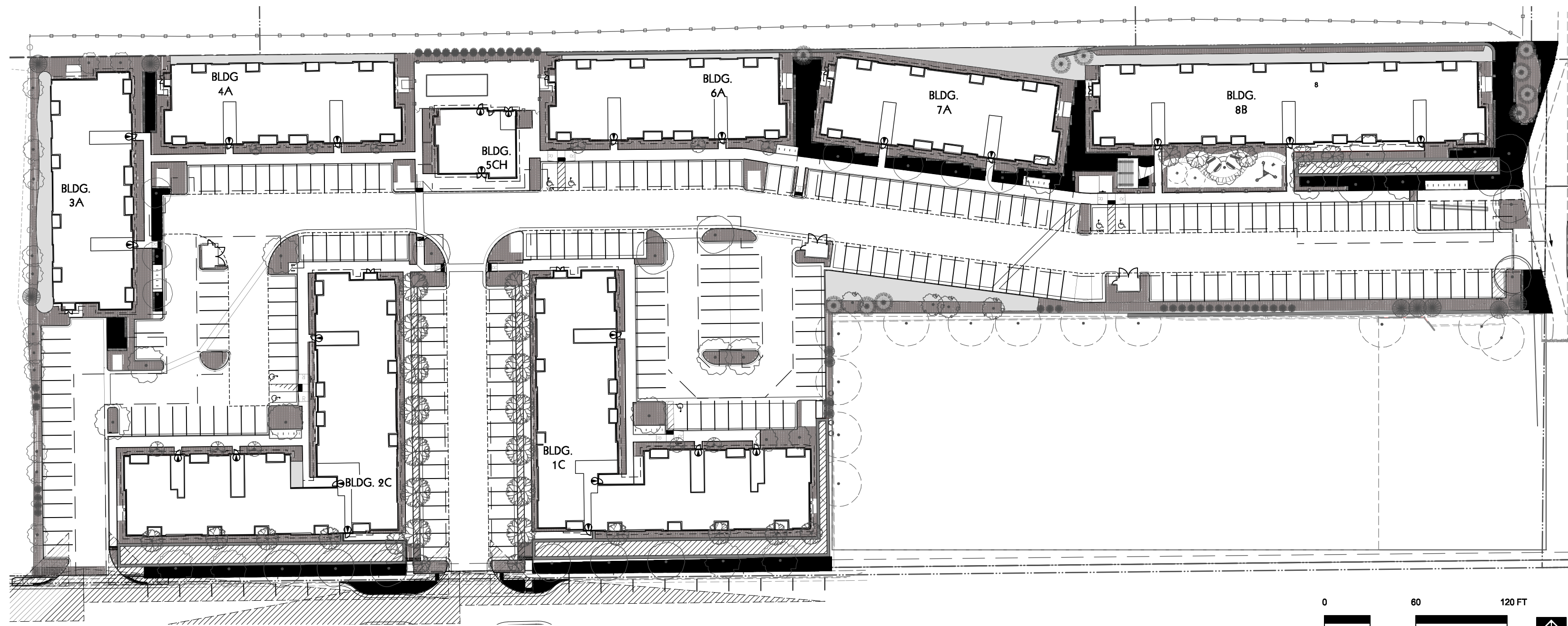


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landscape architecture +  
 urban design +  
 planning

boulder / steamboat springs, co  
 p. 303.517.9256  
 f. 970.367.5180  
 ola@me.com

DATE: 03/15/2019



HYDROZONE LEGEND: 07/30/19			
HYDROZONE AREA:	QUANTITY (SF)	TOTAL SF	GALLON/SF/YEAR
HIGH WATER AREAS @ 18 GAL/SF		12,024	216,432
TURF	12,024		
LOW WATER AREAS @ 3 GAL/SF		38,305	114,915
RAIN GARDEN SEED	6,711		
LOW SHRUB BEDS	31,594		
TOTAL USAGE:		50,329	331,347
AVERAGE WATER USE/SF/YEAR OF PERMANENT IRRIGATION AREA			6.6
NO WATER ZONES (rock mulch)			

**ST MARK VILLAGE**  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
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 ADAMS, STATE OF COLORADO  
 SHEET 26 OF 37



KTGY - ARCHITECTURE + PLANNING  
 820 16TH STREET, SUITE 500  
 DENVER, CO, 80202  
 (303) 825-6400  
 CONTACT: Project Manager  
 ktgy@ktgy.com

DATE: 03/18/2019

ELEVATION LEGEND

- STONE - COLOR 1
- FIBER CEMENT PANEL - COLOR 1
- BOARD AND BATTEN - COLOR 1
- LAP SIDING - COLOR 1
- ASPHALT ROOF TILES

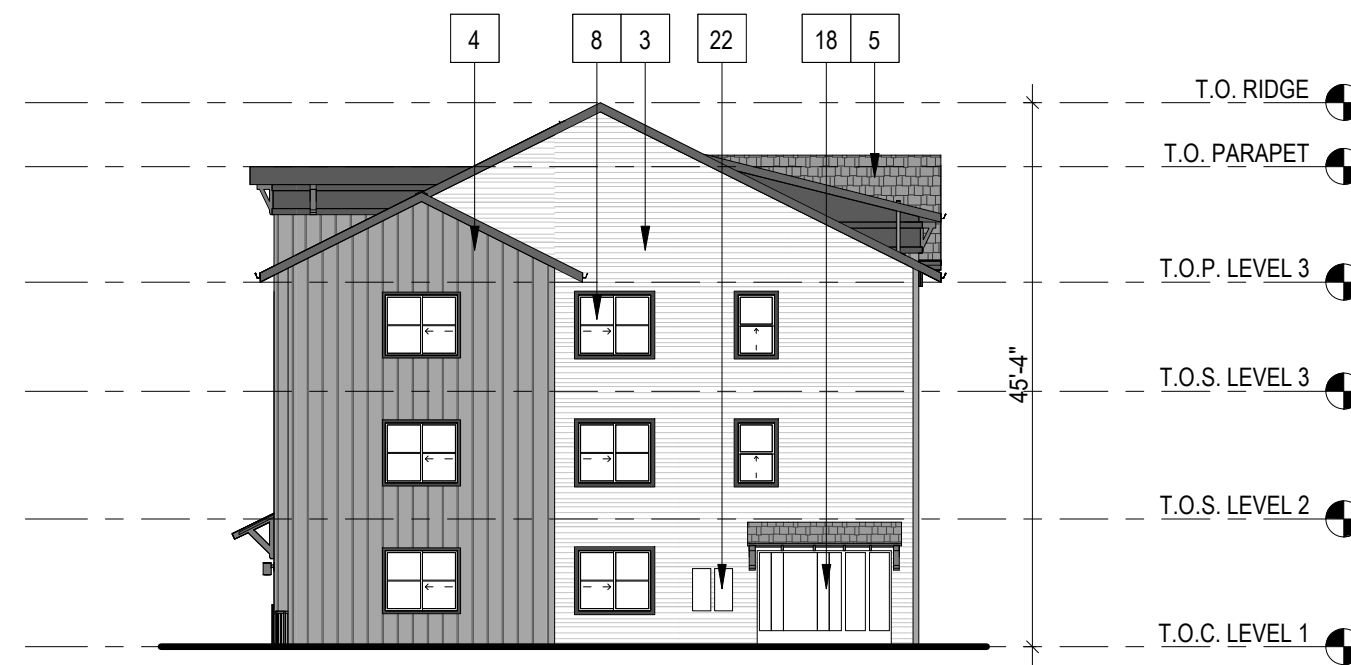
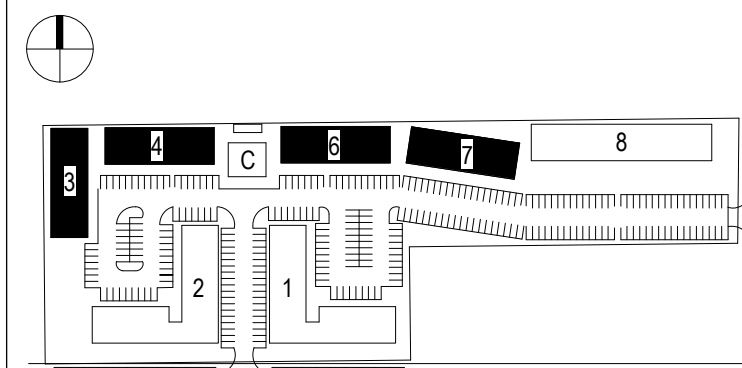
ELEVATION NOTES

1. ALL CONDENSERS WILL BE ROOF MOUNTED, AS ALLOWED BY CODE, AND WILL BE SCREENED FROM VIEW.

# KEYNOTES - SDP

- 1 STONE - COLOR 1
- 2 FIBER CEMENT PANELING - COLOR 1
- 3 FIBER CEMENT LAP SIDING (VARIED EXPOSURE) -COLOR 1
- 4 BOARD AND BATTEN - PAINT COLOR 2
- 5 ASPHALT ROOF SHINGLES
- 6 FIBER CEMENT BOARD FASCIA, EAVES, PARAPET
- 7 METAL HANDRAIL
- 8 VINYL WINDOW
- 9 BUILDING ENTRY
- 10 WATER ENTRY/BOOSTER PUMP CLOSET
- 11 EXTERIOR WALL MOUNT LIGHT SCONCE
- 12 STOREFRONT
- 14 DOWNSPOUT
- 15 PAINTED WOOD BRACKETS
- 16 MAILBOXES
- 17 GAS METER, PAINT TO MATCH ADJACENT ELEVATION
- 18 ELECTRIC METERS, PAINT TO MATCH ADJACENT ELEVATION
- 19 CAST STONE - MATCH STONE COLOR
- 20 OPAQUE METAL GATE, PAINT TO MATCH RAILINGS
- 21 METAL GATE
- 22 WALL MOUNT LOW VOLT CABINETS, PAINT TO MATCH ADJACENT ELEVATION

SITE KEY PLAN



BLDG 3 NORTH ELEVATION & BLDGS 4, 6, 7  
 EAST ELEVATION

SCALE:  
 1/16" = 1'-0"

2



BLDG 3 WEST ELEVATION & BLDGS 4, 6, 7  
 NORTH ELEVATION

SCALE:  
 1/16" = 1'-0"

1

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
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CASE # PLN19-0039

26 OF 37  
 BUILDING A -  
 ELEVATIONS



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KTGY - ARCHITECTURE + PLANNING  
 820 16TH STREET, SUITE 500  
 DENVER, CO. 80202  
 (303) 825-6400  
 CONTACT: Project Manager  
 ktgy@ktgy.com

DATE: 03/18/2019

ELEVATION LEGEND

- STONE - COLOR 1
- FIBER CEMENT PANEL - COLOR 1
- BOARD AND BATTEN - COLOR 1
- LAP SIDING - COLOR 1
- ASPHALT ROOF TILES

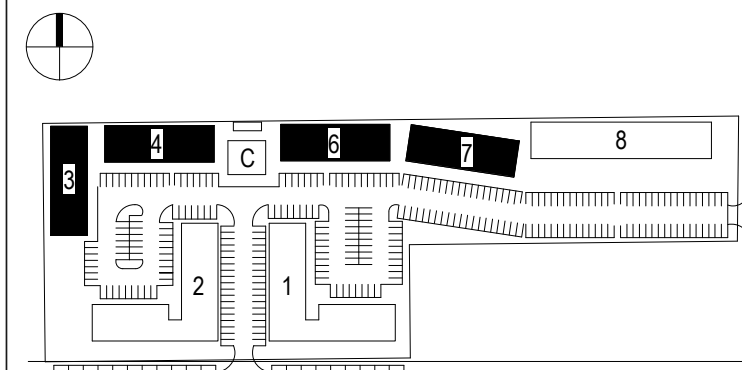
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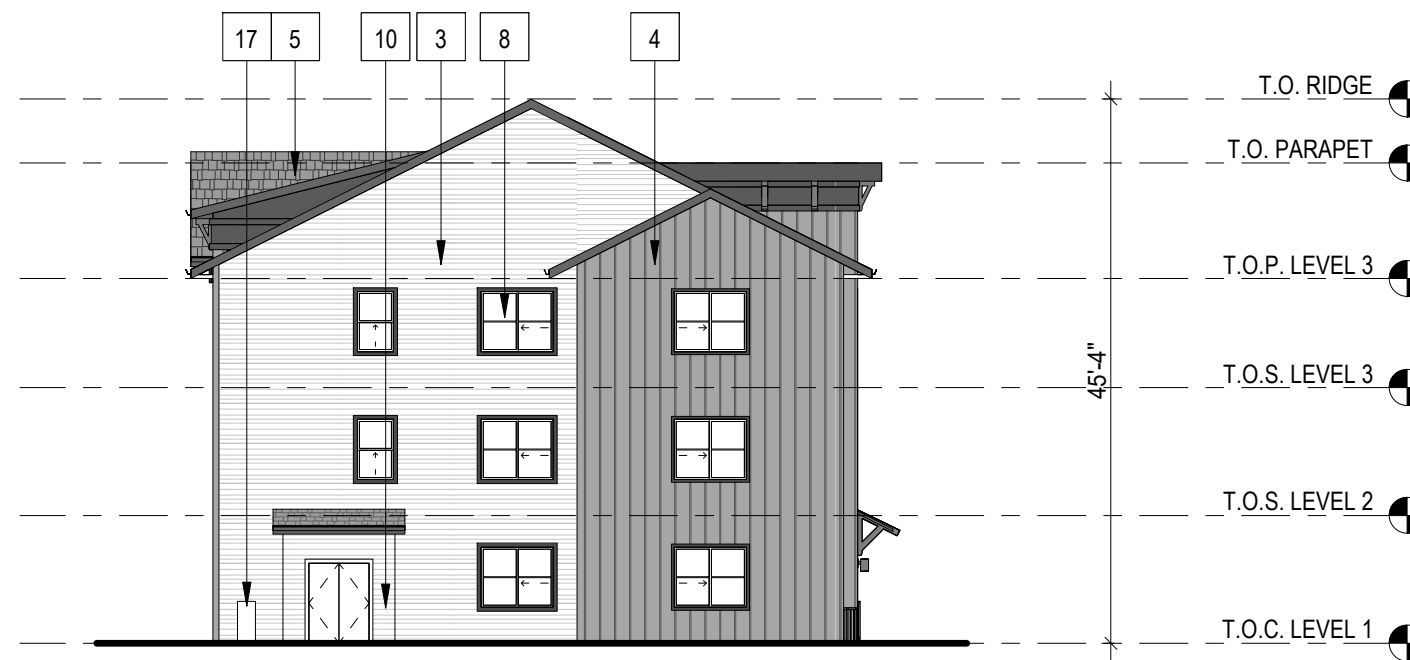
SITE KEY PLAN



ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019

27 OF 37  
 BUILDING A -  
 ELEVATIONS



BLDG 3 SOUTH ELEVATION & BLDGS 4, 6, 7  
 WEST ELEVATION

SCALE:  
 1/16" = 1'-0"

2



BLDG 3 EAST ELEVATION & BLDGS 4, 6, 7  
 SOUTH ELEVATION

SCALE:  
 1/16" = 1'-0"

1

CASE # PLN19-0039

THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 28 OF 37



KTGY - ARCHITECTURE + PLANNING  
 820 16TH STREET, SUITE 500  
 DENVER, CO. 80202  
 (303) 825-6400  
 CONTACT: Project Manager  
 ktgy@ktgy.com

DATE: 03/18/2019

ELEVATION LEGEND

- STONE - COLOR 1
- FIBER CEMENT PANEL - COLOR 1
- BOARD AND BATTEN - COLOR 1
- LAP SIDING - COLOR 1
- ASPHALT ROOF TILES

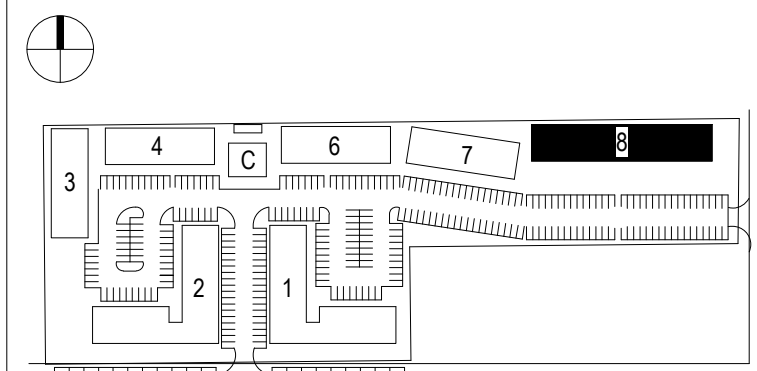
ELEVATION NOTES

1. ALL CONDENSERS WILL BE ROOF MOUNTED, AS ALLOWED BY CODE, AND WILL BE SCREENED FROM VIEW.

KEYNOTES - SDP

- 1 STONE - COLOR 1
- 2 FIBER CEMENT PANELING - COLOR 1
- 3 FIBER CEMENT LAP SIDING (VARIED EXPOSURE) -COLOR 1
- 4 BOARD AND BATTEN - PAINT COLOR 2
- 5 ASPHALT ROOF SHINGLES
- 6 FIBER CEMENT BOARD FASCIA, EAVES, PARAPET
- 7 METAL HANDRAIL
- 8 VINYL WINDOW
- 9 BUILDING ENTRY
- 10 WATER ENTRY/BOOSTER PUMP CLOSET
- 11 EXTERIOR WALL MOUNT LIGHT SCONCE
- 12 STOREFRONT
- 14 DOWNSPOUT
- 15 PAINTED WOOD BRACKETS
- 16 MAILBOXES
- 17 GAS METER, PAINT TO MATCH ADJACENT ELEVATION
- 18 ELECTRIC METERS, PAINT TO MATCH ADJACENT ELEVATION
- 19 CAST STONE - MATCH STONE COLOR
- 20 OPAQUE METAL GATE, PAINT TO MATCH RAILINGS
- 21 METAL GATE
- 22 WALL MOUNT LOW VOLT CABINETS, PAINT TO MATCH ADJACENT ELEVATION

SITE KEY PLAN



BLDG 8 SOUTH ELEVATION 2

SCALE:  
1/16" = 1'-0"

2



BLDG 8 SOUTH ELEVATION 1

SCALE:  
1/16" = 1'-0"

1

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019

CASE # PLN19-0039

28 OF 37  
 BUILDING B -  
 ELEVATIONS

THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 29 OF 37



KTGY - ARCHITECTURE + PLANNING  
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 DENVER, CO. 80202  
 (303) 825-6400  
 CONTACT: Project Manager  
 ktgy@ktgy.com

DATE: 03/18/2019

ELEVATION LEGEND

- STONE - COLOR 1
- FIBER CEMENT PANEL - COLOR 1
- BOARD AND BATTEN - COLOR 1
- LAP SIDING - COLOR 1
- ASPHALT ROOF TILES

ELEVATION NOTES

1. ALL CONDENSERS WILL BE ROOF MOUNTED, AS ALLOWED BY CODE, AND WILL BE SCREENED FROM VIEW.

# KEYNOTES - SDP

- 1 STONE - COLOR 1
- 2 FIBER CEMENT PANELING - COLOR 1
- 3 FIBER CEMENT LAP SIDING (VARIED EXPOSURE) -COLOR 1
- 4 BOARD AND BATTEN - PAINT COLOR 2
- 5 ASPHALT ROOF SHINGLES
- 6 FIBER CEMENT BOARD FASCIA, EAVES, PARAPET
- 7 METAL HANDRAIL
- 8 VINYL WINDOW
- 9 BUILDING ENTRY
- 10 WATER ENTRY/BOOSTER PUMP CLOSET
- 11 EXTERIOR WALL MOUNT LIGHT SCOFF
- 12 STOREFRONT
- 14 DOWNSPOUT
- 15 PAINTED WOOD BRACKETS
- 16 MAILBOXES
- 17 GAS METER, PAINT TO MATCH ADJACENT ELEVATION
- 18 ELECTRIC METERS, PAINT TO MATCH ADJACENT ELEVATION
- 19 CAST STONE - MATCH STONE COLOR
- 20 OPAQUE METAL GATE, PAINT TO MATCH RAILINGS
- 21 METAL GATE
- 22 WALL MOUNT LOW VOLT CABINETS, PAINT TO MATCH ADJACENT ELEVATION

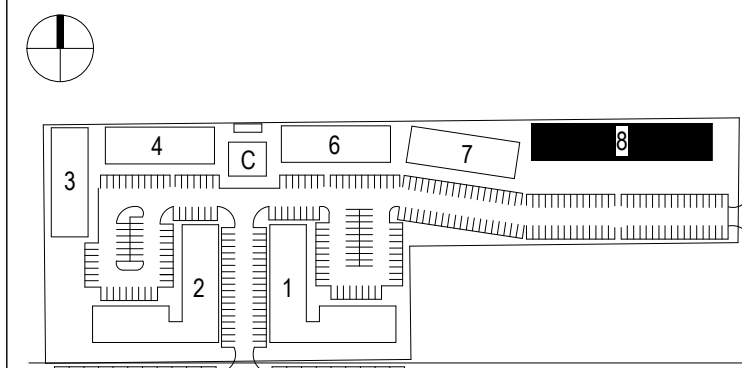


BLDG 8 WEST ELEVATION

SCALE:  
1/16" = 1'-0"

2

SITE KEY PLAN



BLDG 8 EAST ELEVATION

SCALE:  
1/16" = 1'-0"

1

CASE # PLN19-0039

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019

29 OF 37  
 BUILDING B -  
 ELEVATIONS



THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 30 OF 37



KTGY - ARCHITECTURE + PLANNING  
 820 16TH STREET, SUITE 500  
 DENVER, CO. 80202  
 (303) 825-6400  
 CONTACT: Project Manager  
 ktgy@ktgy.com

DATE: 03/18/2019

ELEVATION LEGEND

- STONE - COLOR 1
- FIBER CEMENT PANEL - COLOR 1
- BOARD AND BATTEN - COLOR 1
- LAP SIDING - COLOR 1
- ASPHALT ROOF TILES

ELEVATION NOTES

1. ALL CONDENSERS WILL BE ROOF MOUNTED, AS ALLOWED BY CODE, AND WILL BE SCREENED FROM VIEW.

KEYNOTES - SDP

- | #  | KEYNOTE - SDP   |
|----|---|
| 1  | STONE - COLOR 1   |
| 2  | FIBER CEMENT PANELING - COLOR 1                                 |
| 3  | FIBER CEMENT LAP SIDING (VARIED EXPOSURE) -COLOR 1              |
| 4  | BOARD AND BATTEN - PAINT COLOR 2                                |
| 5  | ASPHALT ROOF SHINGLES   |
| 6  | FIBER CEMENT BOARD FASCIA, EAVES, PARAPET                       |
| 7  | METAL HANDRAIL  |
| 8  | VINYL WINDOW  |
| 9  | BUILDING ENTRY  |
| 10 | WATER ENTRY/BOOSTER PUMP CLOSET                                 |
| 11 | EXTERIOR WALL MOUNT LIGHT SCNCE                                 |
| 12 | STOREFRONT  |
| 14 | DOWNSPOUT   |
| 15 | PAINTED WOOD BRACKETS   |
| 16 | MAILBOXES   |
| 17 | GAS METER, PAINT TO MATCH ADJACENT ELEVATION                    |
| 18 | ELECTRIC METERS, PAINT TO MATCH ADJACENT ELEVATION              |
| 19 | CAST STONE - MATCH STONE COLOR                                  |
| 20 | OPAQUE METAL GATE, PAINT TO MATCH RAILINGS                      |
| 21 | METAL GATE  |
| 22 | WALL MOUNT LOW VOLT CABINETS, PAINT TO MATCH ADJACENT ELEVATION |

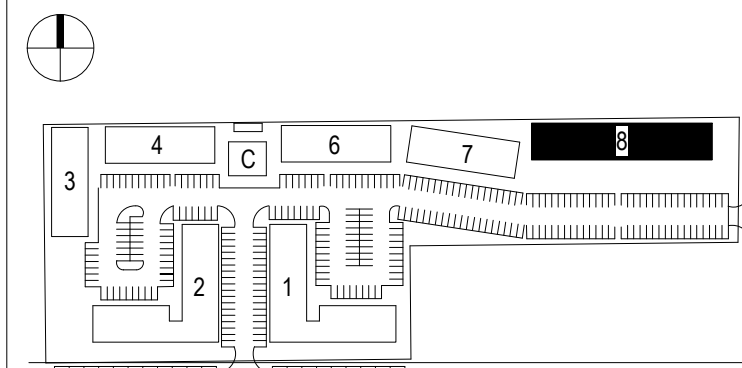


BLDG 8 NORTH ELEVATION 2

SCALE:  
1/16" = 1'-0"

2

SITE KEY PLAN



BLDG 8 NORTH ELEVATION 1

SCALE:  
1/16" = 1'-0"

1

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019

CASE # PLN19-0039

30 OF 37  
 BUILDING B -  
 ELEVATIONS

THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 31 OF 37



KTGY - ARCHITECTURE + PLANNING  
 820 16TH STREET, SUITE 500  
 DENVER, CO. 80202  
 (303) 825-6400  
 CONTACT: Project Manager  
 ktgy@ktgy.com

DATE: 03/18/2019

ELEVATION LEGEND

- STONE - COLOR 1
- FIBER CEMENT PANEL - COLOR 1
- BOARD AND BATTEN - COLOR 1
- LAP SIDING - COLOR 1
- ASPHALT ROOF TILES

ELEVATION NOTES

1. ALL CONDENSERS WILL BE ROOF MOUNTED, AS ALLOWED BY CODE, AND WILL BE SCREENED FROM VIEW.

# KEYNOTES - SDP

- 1 STONE - COLOR 1
- 2 FIBER CEMENT PANELING - COLOR 1
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- 21 METAL GATE
- 22 WALL MOUNT LOW VOLT CABINETS, PAINT TO MATCH ADJACENT ELEVATION

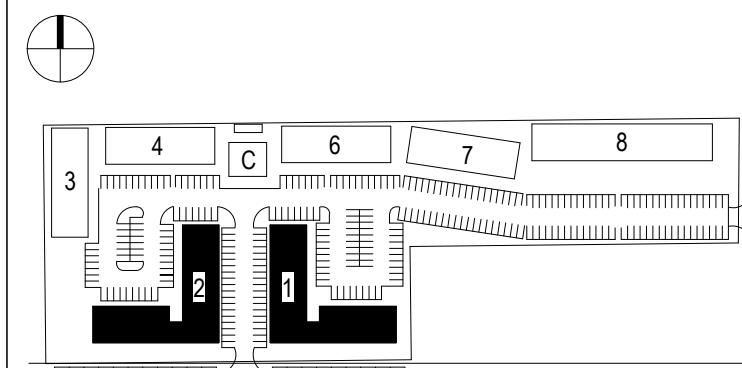


BLDGS 1, 2 SOUTH ELEVATION 2

SCALE:  
1/16" = 1'-0"

2

SITE KEY PLAN



BLDGS 1, 2 SOUTH ELEVATION 1

SCALE:  
1/16" = 1'-0"

1

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019

CASE # PLN19-0039

31 OF 37  
 BUILDING C -  
 ELEVATIONS

THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 32 OF 37



KTGY - ARCHITECTURE + PLANNING  
 820 16TH STREET, SUITE 500  
 DENVER, CO. 80202  
 (303) 825-6400  
 CONTACT: Project Manager  
 ktgy@ktgy.com

DATE: 03/18/2019

ELEVATION LEGEND

- STONE - COLOR 1
- FIBER CEMENT PANEL - COLOR 1
- BOARD AND BATTEN - COLOR 1
- LAP SIDING - COLOR 1
- ASPHALT ROOF TILES

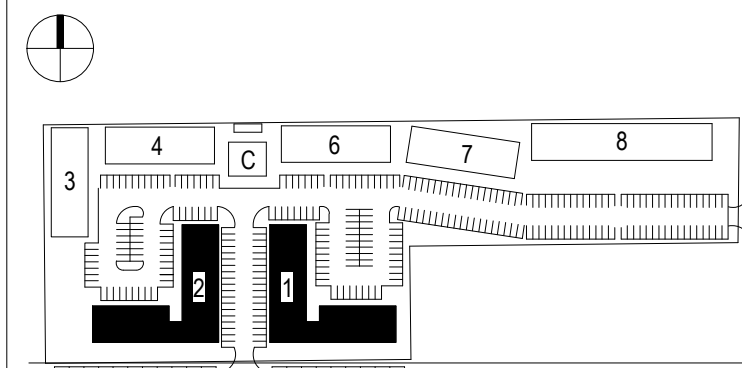
ELEVATION NOTES

1. ALL CONDENSERS WILL BE ROOF MOUNTED, AS ALLOWED BY CODE, AND WILL BE SCREENED FROM VIEW.

KEYNOTES - SDP

- 1 STONE - COLOR 1
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SITE KEY PLAN



BLDG 1 WEST ELEVATION 2 & BLDG 2 EAST ELEVATION 2

SCALE: 1/16" = 1'-0"

2



BLDG 1 WEST ELEVATION 1 & BLDG 2 EAST ELEVATION 1

SCALE: 1/16" = 1'-0"

1

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019

CASE # PLN19-0039

32 OF 37  
 BUILDING C -  
 ELEVATIONS



THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 33 OF 37



KTGY - ARCHITECTURE + PLANNING  
 820 16TH STREET, SUITE 500  
 DENVER, CO. 80202  
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 CONTACT: Project Manager  
 ktgy@ktgy.com

DATE: 03/18/2019

ELEVATION LEGEND

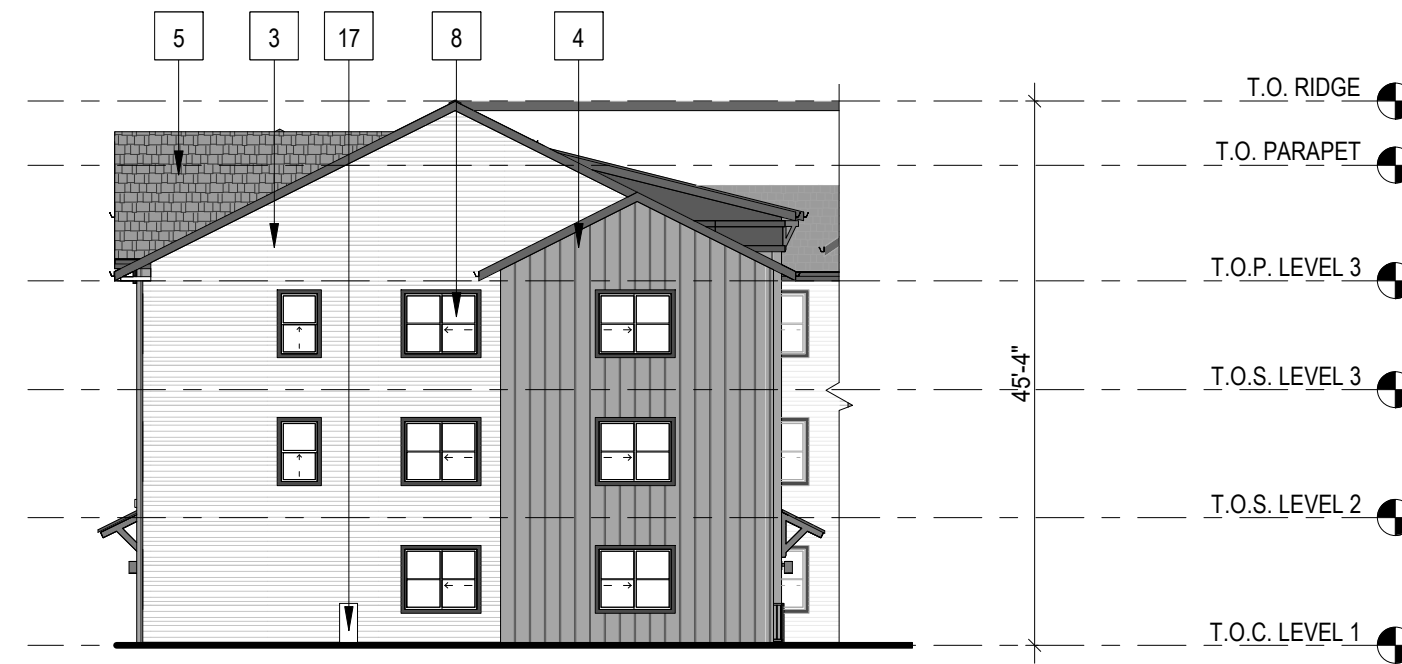
- STONE - COLOR 1
- FIBER CEMENT PANEL - COLOR 1
- BOARD AND BATTEN - COLOR 1
- LAP SIDING - COLOR 1
- ASPHALT ROOF TILES

ELEVATION NOTES

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KEYNOTES - SDP

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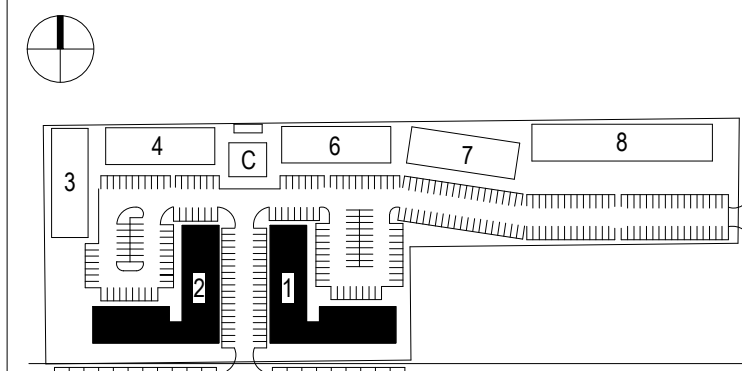


BLDGS 1, 2 NORTH ELEVATION 2

SCALE:  
1/16" = 1'-0"

2

SITE KEY PLAN



BLDGS 1, 2 NORTH ELEVATION 1

SCALE:  
1/16" = 1'-0"

1

CASE # PLN19-0039

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019

33 OF 37  
 BUILDING C -  
 ELEVATIONS

THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 34 OF 37



BLDG 1 EAST ELEVATION 2 & BLDG 2 WEST ELEVATION 2

SCALE:  
1/16" = 1'-0"

2

ELEVATION LEGEND

- STONE - COLOR 1
- FIBER CEMENT PANEL - COLOR 1
- BOARD AND BATTEN - COLOR 1
- LAP SIDING - COLOR 1
- ASPHALT ROOF TILES

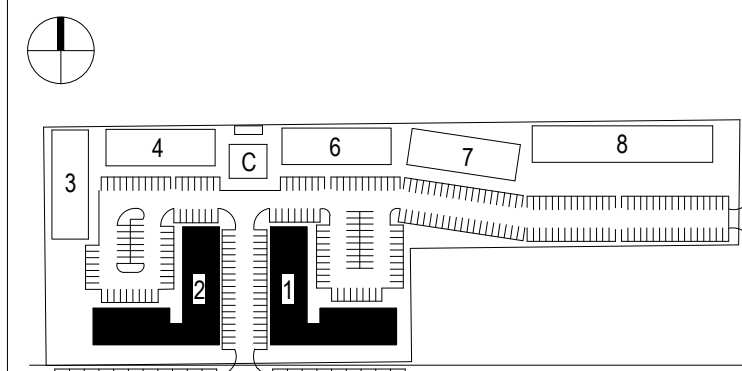
ELEVATION NOTES

1. ALL CONDENSERS WILL BE ROOF MOUNTED, AS ALLOWED BY CODE, AND WILL BE SCREENED FROM VIEW.

KEYNOTES - SDP

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- 21 METAL GATE
- 22 WALL MOUNT LOW VOLT CABINETS, PAINT TO MATCH ADJACENT ELEVATION

SITE KEY PLAN



BLDG 1 EAST ELEVATION 1 & BLDG 2 WEST ELEVATION 1

SCALE:  
1/16" = 1'-0"

1

CASE # PLN19-0039



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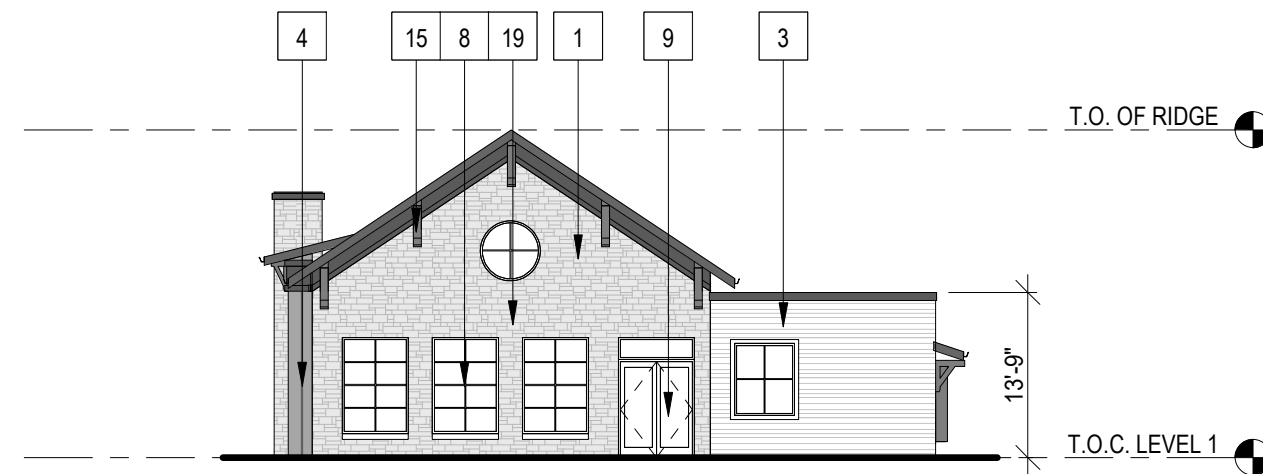
DATE: 03/18/2019

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019

34 OF 37  
 BUILDING C -  
 ELEVATIONS

THIRD AMENDED OFFICIAL DEVELOPMENT PLAN  
 LOTS 11, 12, 45, 46, 47 AND 48  
 HOLLYHURST SUBDIVISION  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 35 OF 37



ELEVATION LEGEND

- STONE - COLOR 1
- FIBER CEMENT PANEL - COLOR 1
- BOARD AND BATTEN - COLOR 1
- LAP SIDING - COLOR 1
- ASPHALT ROOF TILES

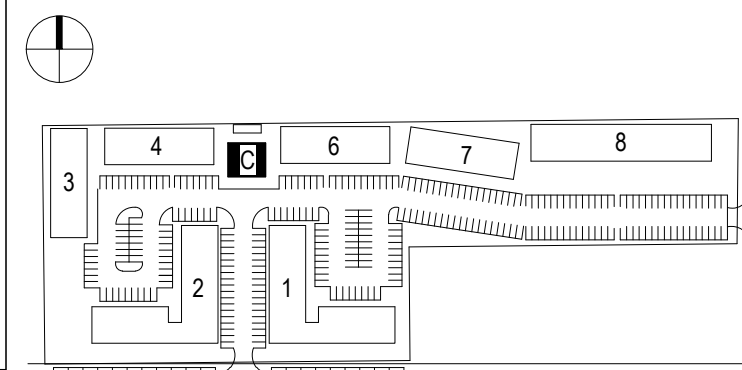
ELEVATION NOTES

1. ALL CONDENSERS WILL BE ROOF MOUNTED, AS ALLOWED BY CODE, AND WILL BE SCREENED FROM VIEW.

# KEYNOTES - SDP

- 1 STONE - COLOR 1
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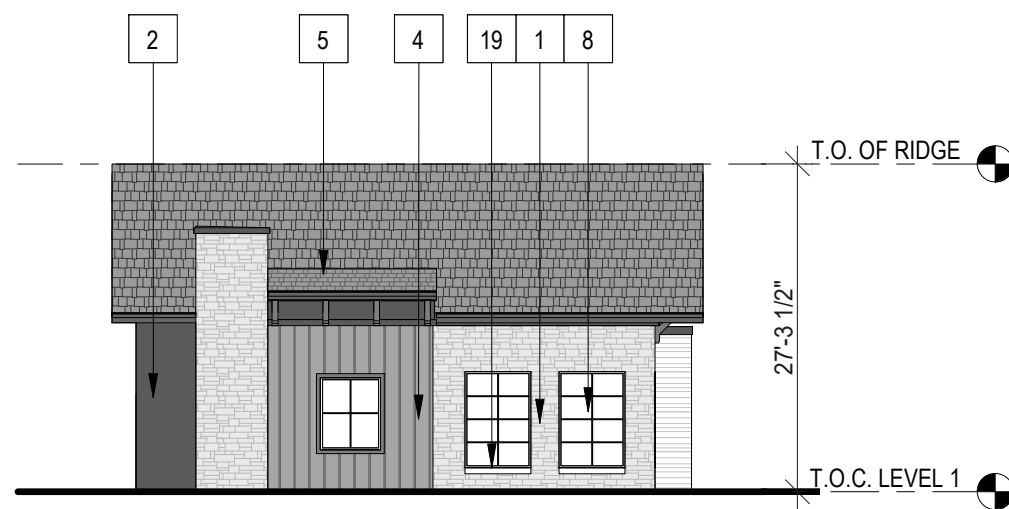
SITE KEY PLAN



BLDG 5 SOUTH ELEVATION

SCALE:  
1/16" = 1'-0"

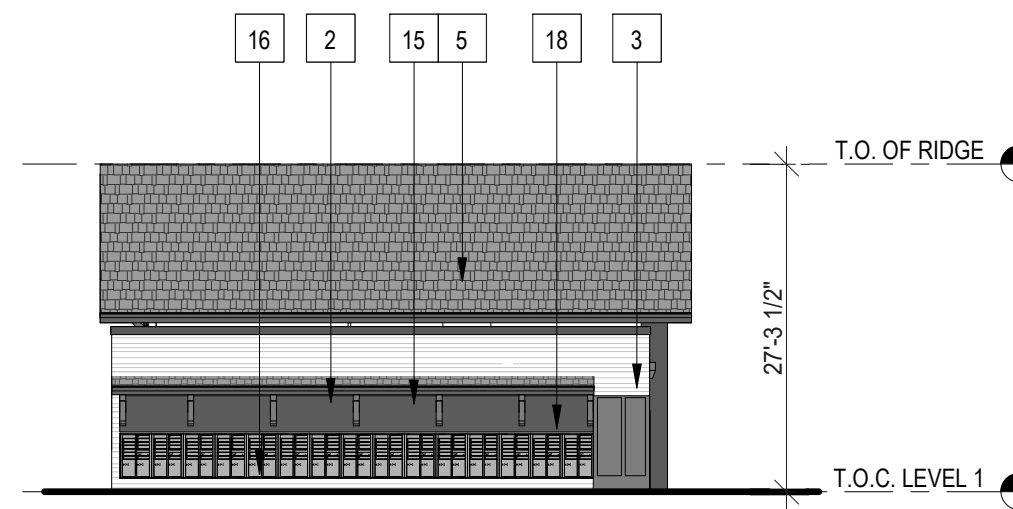
3



BLDG 5 WEST ELEVATION

SCALE:  
1/16" = 1'-0"

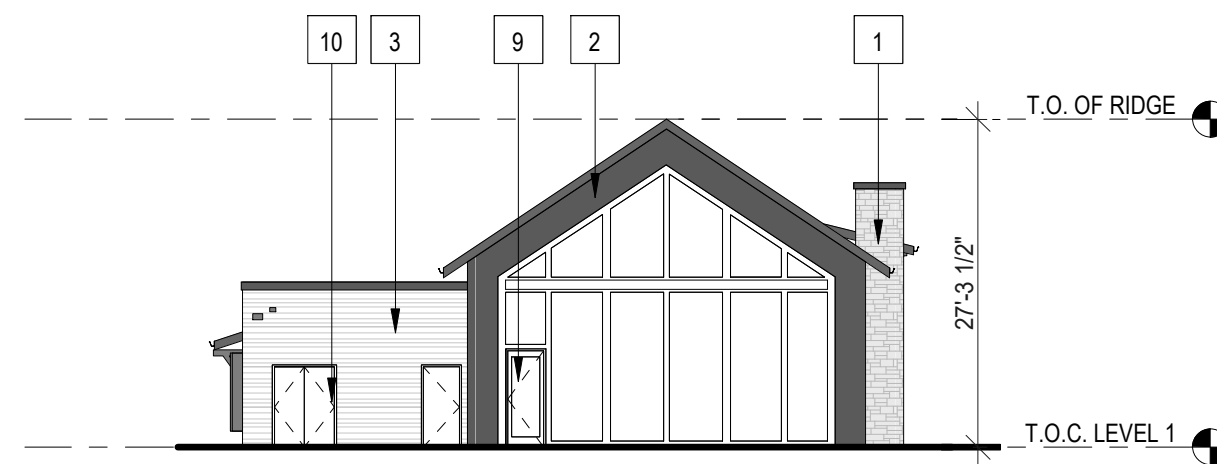
4



BLDG 5 EAST ELEVATION

SCALE:  
1/16" = 1'-0"

2



BLDG 5 NORTH ELEVATION

SCALE:  
1/16" = 1'-0"

1

CASE # PLN19-0039



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DATE: 03/18/2019

ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN

03/18/2019  
 05/20/2019  
 07/26/2019

35 OF 37  
 CLUBHOUSE-  
 ELEVATIONS



**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT IN THE  
 CITY OF WESTMINSTER, COUNTY OF  
 ADAMS, STATE OF COLORADO  
 SHEET 36 OF 37



KTGY - ARCHITECTURE + PLANNING  
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 ktgy@ktgy.com

DATE: 03/18/2019

**ELEVATION LEGEND**

- STONE - COLOR 1
- FIBER CEMENT PANEL - COLOR 1
- BOARD AND BATTEN - COLOR 1
- LAP SIDING - COLOR 1
- ASPHALT ROOF TILES

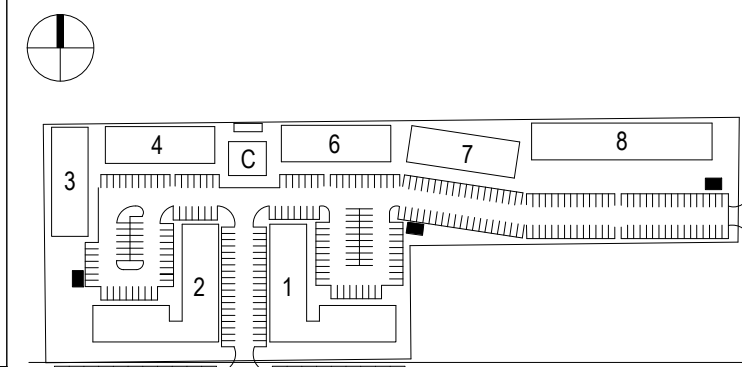
**ELEVATION NOTES**

1. ALL CONDENSERS WILL BE ROOF MOUNTED, AS ALLOWED BY CODE, AND WILL BE SCREENED FROM VIEW.

**KEYNOTES - SDP**

- 1 STONE - COLOR 1
- 2 FIBER CEMENT PANELING - COLOR 1
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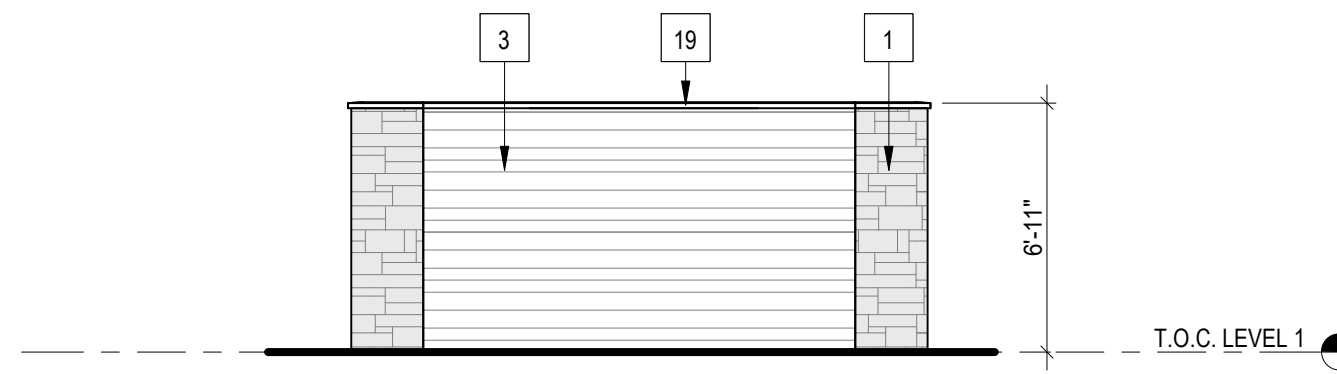
**SITE KEY PLAN**



**ST MARK VILLAGE**  
**OFFICIAL DEVELOPEMENT PLAN**

03/18/2019  
 05/20/2019  
 07/26/2019

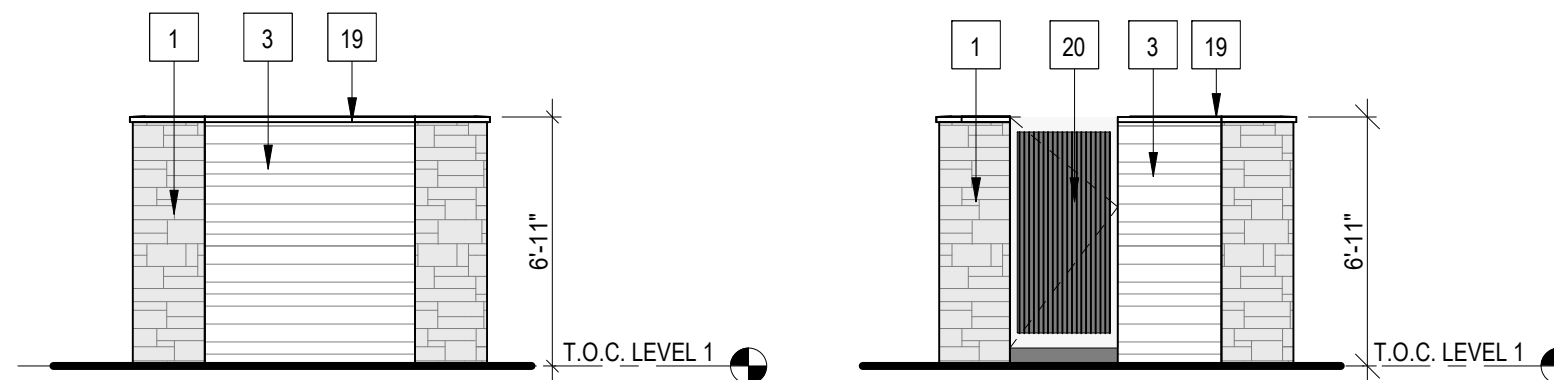
**36 OF 37**  
**TRASH ENCL**  
**ELEVATIONS**



TRASH ENCLOSURE ELEVATION

SCALE:  
3/16" = 1'-0"

**4**



TRASH ELEVATION

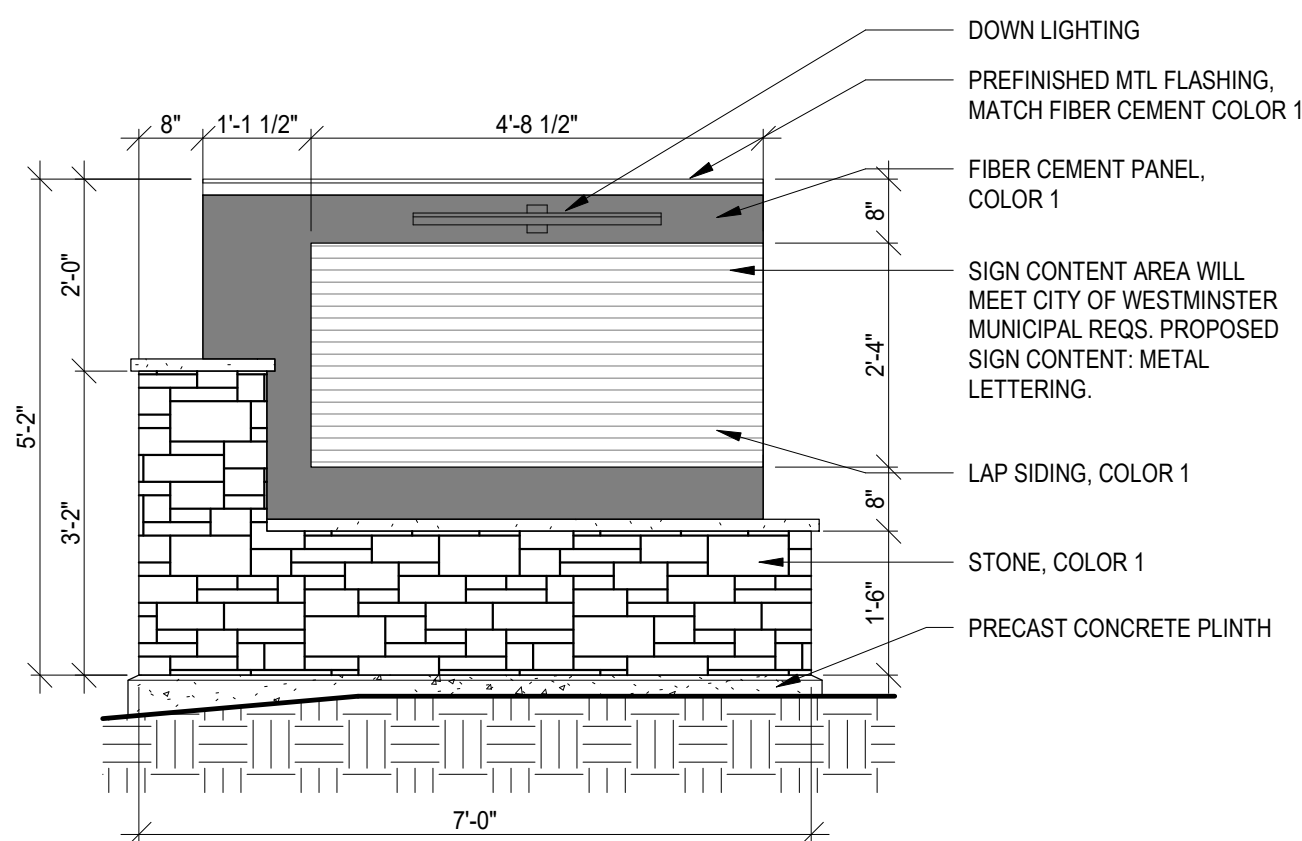
SCALE:  
3/16" = 1'-0"

**3**

TRASH ELEVATION

SCALE:  
3/16" = 1'-0"

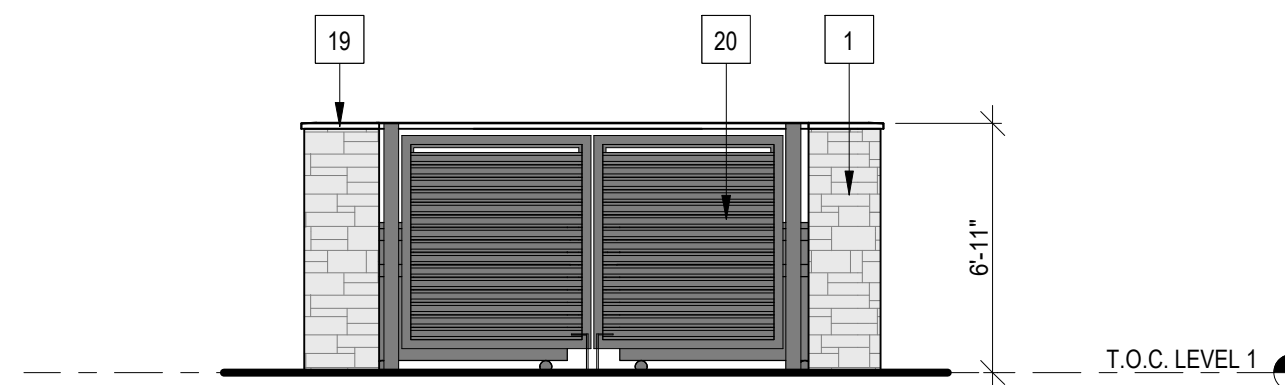
**2**



**ENTRY MONUMENT SIGN**

SCALE:  
1/2" = 1'-0"

**5**



TRASH ENCLOSURE ELEVATION

SCALE:  
3/16" = 1'-0"

**1**

**CASE # PLN19-0039**

**THIRD AMENDED OFFICIAL DEVELOPMENT PLAN**  
**LOTS 11, 12, 45, 46, 47 AND 48**  
**HOLLYHURST SUBDIVISION**  
 A PLANNED UNIT DEVELOPMENT  
 IN THE CITY OF WESTMINSTER  
 COUNTY OF ADAMS, STATE OF COLORADO  
 SHEET 37 OF 37

SCHEDULE							
LABEL	QTY	DESCRIPTION	MANUFACTURER	MODEL NUMBER	COLOR TEMPERATURE	LUMENS PER LAMP	LLF WATTS
A	35	LED WALL PACK	LITHONIA	DSXW1-LED-20C-700-30K-T3S-MVOLT-HS-DDBXD	3000K	4364	0.9 46
B	1	LED POLE LIGHT, (T4M)	LITHONIA	DSX0-LED-P6-30K-T4M-MVOLT-DDBXD	3000K	14506	1 134
C	1	LED POLE LIGHT, DOUBLE HEAD	LITHONIA	DSX0-LED-P6-30K-T4M-MVOLT-DDBXD	3000K	14506	1 268
D	4	LED POLE LIGHT, (BLC)	LITHONIA	DSX0-LED-P6-30K-BLC-MVOLT-DDBXD	3000K	12150	1 134
F	2	LED POLE LIGHT, (T3M)	LITHONIA	DSX0-LED-P6-30K-T3M-MVOLT-DDBXD	3000K	14396	1 134
G	2	LED POLE LIGHT, (T5M)	LITHONIA	DSX0-LED-P6-30K-T5M-MVOLT-DDBXD	3000K	15386	1 134
H	2	LED SIGNAGE LIGHT	LIGMAN	50553-4W-W30-XX-120/277V-A51431	3000K	164	N/A 4
POLE		SQUARE STRAIGHT STEEL POLE	LITHONIA	SS-18'-XX-XX-XX-DDBXD	3000K	15386	1 134

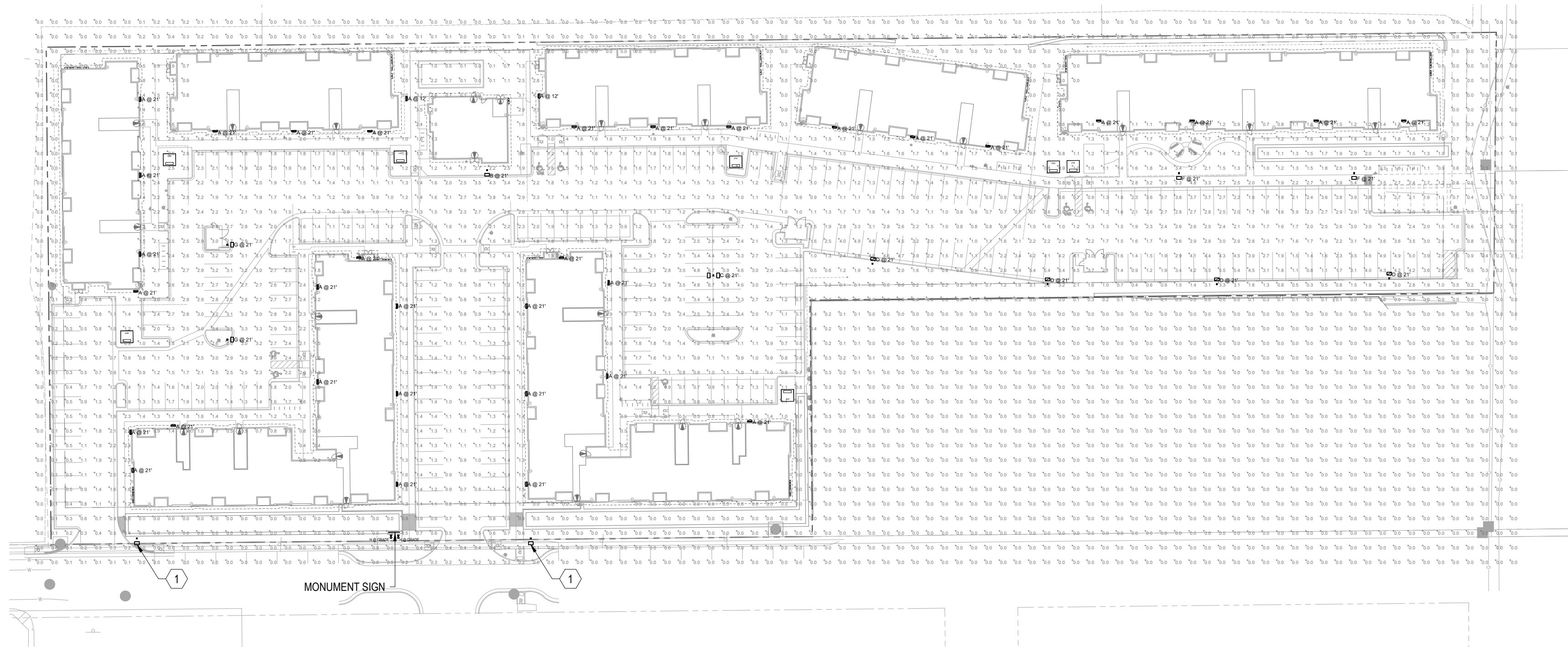
STATISTICS						
DESCRIPTION	SYMBOL	AVG	MAX	MIN	MAX/MIN	AVG/MIN
SITE	+	0.7 fc	6.7 fc	0.0 fc	N/A	N/A

**GENERAL NOTES:**

1. VERIFY ALL BUILDING FIXTURE MOUNTING HEIGHTS AND LOCATIONS WITH ARCHITECT.
2. ANY PROPOSED LIGHT FIXTURES INSTALLED ON PRIVATE PROPERTY, ADJACENT TO THE PUBLIC RIGHT OF WAY, SHALL BE ORIENTED IN SUCH A MANNER OR LIMITED IN LUMEN OUTPUT TO PREVENT GLARE PROBLEMS AND SHALL NOT EXCEED NATIONAL I.E.S. LIGHTING STANDARDS FOR DISABILITY GLARE.
3. BUILDING MOUNTED LIGHTS AND POLE MOUNTED AREA LIGHTS SHALL BE CIRCUITED THROUGH THE NEAREST BUILDING RELAY PANEL. A ROOF MOUNTED PHOTOCELL SHALL TURN THE CIRCUITS ON/OFF AS A FUNCTION OF AVAILABLE DAYLIGHT.
4. LANDSCAPE LIGHTING SHALL BE CIRCUITED THROUGH THE NEAREST BUILDING RELAY PANEL AND CONTROLLED BY AN ASTRONOMICAL CLOCK WITH SETTINGS THAT MEET OR EXCEEDS THE REQUIREMENTS IN SECTION C405 OF THE 2015 IECC. TIME SETTINGS SHALL BE SET SUCH THAT LANDSCAPE LIGHTS COME ON AT SUNSET AND TURN OFF AT SUNRISE.

**KEY NOTES: (DESIGNATED BY "#")**

1. REFER TO CIVIL PLANS FOR EXISTING STREET LIGHT FIXTURE LOCATION. PROPOSED STREET LIGHT SHALL MEET CITY OF WESTMINSTER STANDARDS. REFER TO THE LATEST CITY OF WESTMINSTER'S STREET LIGHTING DESIGN, STANDARDS AND SPECIFICATIONS' PACKAGE.



**1 SITE PLAN - PHOTOMETRICS**  
 SCALE: 1" = 60'-0"



**CASE# PLN19-0039**

**ST MARK VILLAGE  
 OFFICIAL DEVELOPEMENT PLAN**

03/18/2019  
 05/20/2019  
 07/26/2019

37 OF 37  
 PHOTOMETRICS

DATE: 03/15/19

# EXHIBIT 9





May 1, 2019

Mr. Jordan Zielinski  
Principal / Director of Development  
St. Charles Town Company  
1850 Platte Street, 2nd Floor  
Denver, Colorado 80202

Dear Mr. Zielinski:

This letter contains review comments for the Official and Preliminary Development Plans (ODP and PDP) that were submitted to the City of Westminster for your St. Mark Village Project. These comments are in addition to the separately provided Redlines that have been uploaded to eTRAKiT for your review. Thank you for the opportunity to review your submittals.

**PART 1: GENERAL COMMENTS**

*The following comments were offered on the OFFICIAL DEVELOPMENT PLAN (ODP) and PRELIMINARY DEVELOPMENT PLAN (PDP) submittals:*

1. **Environmental Analysis:**
  - a. The City agrees with the conclusion that there were no environmental findings. The Phase I was completed within the last 5 years, adjacent properties are not of concern, and the qualifications of those completing the work are adequate.
  
2. **ODP Inspection:**
  - a. A Landscaping and Private Improvements Agreement (LPIA) & Surety will be required for this project prior to issuance of Building Permit. Please see 00-LPIA Info.pdf for more information and contact Scott Kolowitz at [skolowit@cityofwestminster.us](mailto:skolowit@cityofwestminster.us) or 303.658.2086 for any questions and to initiate this process.
  
3. **Fire Department:**
  - a. A NFPA 13 fire suppression system shall be required due to access deficiencies, 2015 IFC sec 503.1.1 Exception 1.1.

- b. 11-10-10. - Appendix B Fire-Flow Requirements for Buildings Amendments.  
(A) Section B105 of the International Fire Code is amended by adding the following sections:  
B105.4 Minimum Fire-Flow Requirements.  
The minimum fire-flow requirement for any building regardless of occupancy classification, table or reference in this appendix, shall be 1,500 gallons per minute.  
B105.5 Fire Flow Reduction Allowance: Buildings which are equipped with an automatic sprinkler system in accordance with section 903.3.1.1 or 903.3.1.2 of the International Fire Code are allowed a minimum fire-flow of 50% of the value in Table B105.1(2), provided the fire-flow shall be a minimum of 1,500 gallons per minute.

4. **Colorado Department of Transportation (CDOT):**

- a. The proposed Emergency Services Access to Federal Blvd. (State Highway 287) will require an Access Permit from CDOT. Contact for that permit is Steve Loeffler who can be reached at 303-757-9891 or [steven.loeffler@state.co.us](mailto:steven.loeffler@state.co.us)
- b. The existing Lamar Billboard appears to be removed with this development. CDOT holds a Roadside Advertising Permit for this sign and CDOT should be contacted at the time of removal so that the permit can be cancelled. Point of contact at CDOT will be Anthony Lovato at 303-512-4496 or [anthony.lovato@state.co.us](mailto:anthony.lovato@state.co.us)
- c. Any proposed work in the State Highway 287 Right-of-Way will require a permit from our office. This includes, but is not limited to survey work, utility work, or landscaping. These permits can be applied for through our website at the following link:  
<https://www.codot.gov/business/permits/utilitiesspecialuse/online-permit-application>
- d. CDOT's Hydraulics Engineer reviewed the drainage study for St. Mark Village and had no concerns.
- e. Any signing on this property that will be visible to Highway 287 must be on-premise and only advertise goods or services that are available on that property and must comply with any other applicable rules governing outdoor advertising in Colorado per 2 CCR 601-3.

5. **XCEL Energy:**

- a. Please see letter uploaded to eTRAKIT.

6. **City of Federal Heights:**

- a. No comments or concerns at this time.

## **PART 2: ANALYSIS OF MULTI-FAMILY RESIDENTIAL GUIDELINES**

The following is a section-by-section analysis of the St. Mark Village project under the City of Westminster's Multi-family Residential Guidelines. (See also: Redlines uploaded to eTRAKiT.)

### **SITE DESIGN**

#### **1. Land Use Compatibility, Proximity to Other Land Uses, and Buffering**

Minimums:

(A) Primary building setbacks shall be a minimum of 1.5 times the building height as defined by the International Building Code (IBC) or 50 feet from the common property line (whichever is greater) when adjacent to a non-residential, public, or single-family detached residential use.

- a. *The west property line is adjacent to the City's elevated water tower site. Given the building heights of 45 feet, 4 inches, the west setback minimum would be 68 feet. The proposed setback on the site plan is 10 feet. This is an 85.29% reduction.*
- b. *The north property line is adjacent to North Park private open space. North Park is a single-family residential neighborhood. Given the building heights of 45 feet, 4 inches, the north setback minimum would be 68 feet. The proposed setback on the site plan is 5 feet. This is a 92.65% reduction.*
- c. *The east property line is adjacent to Federal Boulevard. A 75' building setback is required from arterial streets. The proposed setback on the site plan appears to be 35 feet (please see mark-ups on the plan set). This is a 53.33% reduction.*
- d. *The south property line adjacent to the Wishbone Restaurant property would have a 68-foot required building setback. The nearest buildings are well-beyond 68 feet away.*
- e. *Given the building heights of 45 feet, 4 inches, the east property line adjacent to the Wishbone Restaurant property would have a 68-foot required building setback. The proposed setback on the site plan is 10 feet. This is an 85.29% reduction.*
- f. *The remainder of the south boundary line is adjacent to 97<sup>th</sup> Avenue. Given the building heights of 45 feet, 4 inches, the south setback minimum would be 68 feet. The proposed setback on the site plan is 25 feet. This is a 63.24% reduction.*

(B) Primary building setbacks shall be a minimum of 1.5 times the building height as defined by the UBC or 40 feet (whichever is less) from the common property line when adjacent to a single-family attached, senior housing, or multi-family residential use.

- a. *Not applicable.*



(C) Within the required setback areas from the property lines, a permanent 35-foot landscaped area shall be provided along each property line. No drives, detention areas, or off-street parking is permitted in this area.

*a. This standard is not met along any frontage except the frontage along 97<sup>th</sup> Avenue.*

(D) Earth berming (3'-6" min. height) with a maximum slope of 4:1 with evergreen and deciduous trees and shrubs shall be required in the setback areas along public streets and between differing land uses including other types of residential use.

*a. No description of appropriate earth berming was found in the plan set, but should be achievable along both 97<sup>th</sup> Avenue and Federal Blvd. Please revise the plan set to meet the requirement, and add callouts indicating the berms and their associated slopes. If this requirement is met, no exception for it would be needed.*

(E) No intensive recreation area(s), such as swimming pools, playgrounds, hard-surface courts, etc., shall be permitted within 100 feet of any adjacent single-family detached or attached residential land use designation.

*a. The proposed pool / clubhouse is located within the 100-foot setback of the property line.*

## **2. Conformance with the Westminster Comprehensive Plan**

The proposed project shall conform with the Westminster Comprehensive Plan.

*a. The property is proposed to be re-designated to R-36. This project will be evaluated with that application.*

## **3. View Preservation**

Minimum:

View corridors as identified in the Westminster Comprehensive Plan shall be preserved. The main intent is to preserve the views that can be seen from public spaces.

*a. According to Section 6.4 of the Comprehensive Plan, the subject property is not located near a designated View Corridor.*

## **4. Drainageways**

Minimum:

Significant drainageways shall be incorporated in site development as aesthetic amenities, open space/trail corridors, and wildlife areas.

*a. Not applicable. There are no significant drainage ways on this site.*

## **5. Access, Circulation, and Parking**

(A) Access

Minimums:

(1) All routes from the homes and common buildings to and along the network

of streets and drives shall provide safe, convenient access for bicycles and pedestrians.

*a. Requirement has been met.*

(2) Provide concrete bicycle and pedestrian connections between new and existing neighborhoods and subdivisions. Path(s) must meet minimum sidewalk widths per City Standards and Specifications for Public Improvements at the time of ODP approval.

*a. No pedestrian/bike connections are shown between subject property and existing ped/bike trail on north side of property. No connections shown to adjacent neighborhood.*

(B) Right-of-Way

Minimum:

All streets shall be designed according to the City's specifications for street rights-of-way.

*a. Not applicable. No new streets are proposed in conjunction with this development.*

(C) Pedestrian / Bicycle Paths

Minimums:

(1) Multi-Use paths shall be built at a minimum width of 10 feet within each multi-family development and shall connect to the City's regional trail and on-street bicycle system. These connections shall occur in conjunction with streets and within the development's open space network (along public or private open space and drainageways).

*a. No pedestrian/bike connections are shown between subject property and existing ped/bike trail on north side of property. No connections shown to adjacent neighborhood. There are no 10'-wide multi-use paths within the proposed project.*

(2) All internal site sidewalks shall be a minimum width of five feet unless adjacent to parking spaces (min. 7-foot width.)

*a. Requirement has been met.*

(3) All sidewalks along public streets must be detached per the specifications in the City of Westminster Standards and Specifications for the Design and Construction of Public Improvements.

*a. This minimum is not met. Proposed sidewalk along 97<sup>th</sup> Avenue is attached to the curb.*

(4) Concrete walks (8-foot min. width) setback a minimum of 8 feet from the ultimate back of curb shall be constructed along arterial streets within or abutting the project.

*a. Requirement has been met.*

(5) Concrete walks (5-foot min. width on one side and 8-foot min. width on the other side) shall be constructed along collector streets within or abutting the project.

*a. This minimum is not met. Sidewalks along 97<sup>th</sup> Avenue are shown as attached and without a width specified (walks should be at least five feet wide).*

(6) Concrete sidewalks (7-foot min. width) shall be constructed adjacent to parking spaces (includes carport spaces but not necessarily garages) that are adjacent to residential buildings.

*a. Requirement has been met.*

(7) Use enhanced pedestrian crossings in order to provide a sense of safety and place.

*a. Show (and call-out) enhanced pedestrian crossings at appropriate locations within the parking lots, linking all buildings and common-area amenities. If this requirement is met, no exception for it would be needed.*

#### (D) Parking

##### Minimums:

(1) All regular and handicapped parking spaces shall be provided as required in all adopted Westminster Codes (including federal and state adopted codes.)

*a. A total of 350 spaces are required, including 44 guest parking spaces. All required spaces must be accommodated on site (the twenty on-street parking spaces shown in the plan set may not be counted). All parking areas shall be designed in conformance with WMC 11-7-4 and the City of Westminster Landscape Regulations. Handicapped parking spaces shall be in an amount required by current federal regulations. The parking plan does not meet this minimum requirement. Only 230 on-site spaces are proposed out of the required 350, resulting of a shortage of 120 spaces.*

(2) Concrete curb (6" vertical) and gutters shall be required abutting all drive and parking areas. Drive aisles shall be a minimum width of 24 feet between two rows of perpendicular parking spaces.

*a. Provide a detail of the curb/gutter pan to be used (may be added to Sheet 29). The requirement for 24' drive aisles has been met.*

(3) At least one-third of the required parking shall be within carports or garages.

*a. Minimum not met. No carports or garages shown on plans.*

(4) Bicycle parking shall be provided at one space per four dwelling units.

*a. Parking for 54 bicycles should be provided in the design. Only 24 bicycle parking spaces were provided, (a shortage of 30 spaces). Please clearly*



*mark all bicycle parking spaces in the Site Plan sheets, and call out the number of spaces provided at each location.*

(E) Public Transit Furnishings and Amenities

Minimum:

(1) Concrete path connections from sidewalk to adjacent bus stop(s). Concrete paths must follow RTD's Bus Stop Access Regulations.

*a. Requirement has been met.*

(2) Create primary pedestrian connections from buildings that are safe, easily accessible, and a short distance from transit stops.

*a. Requirement has been met.*

**6. Site Orientation**

Minimum:

Buildings shall be oriented on the site to create visual interest and variety. Whenever possible, buildings shall be set at angles from one another in order to avoid the "barracks" type appearance. This is particularly important along public streets.

*a. Requirement has been met. See Architectural Section, beginning on Page 11 for more detailed comments.*

**7. Site Amenities**

Minimums:

(1) One monument sign shall be provided and constructed of permanent materials (masonry etched or metal letters/logo) with a solid masonry (brick or stone) base located in a landscaped median or on either side of the entrance drive. The size of the sign shall not exceed the City of Westminster Municipal Code requirements (Title XI, Chapter 11).

*a. This requirement has not been met.*

(2) A landscaped median/island (10-foot min. width, 50-foot min. length) shall be required at the major entrance to the project and shall be the responsibility of the developer/owner.

*a. This requirement has not been met.*

(A) Lighting

Minimum:

(1) Lighting along all public streets shall be in conformance to City of Westminster standards and installed at developer expense. All lighting shall be downward directed, full cutoff style fixtures. Maximum pole height is 25 feet. Maximum correlated color temperature is 4500K. Specialty lighting (including ornamental bases, armatures and fixtures) is encouraged along collector and local streets. Specialty lighting should relate to the architectural theme of the

development.

*a. This requirement has been met. Provide a diagram of the poles to be used, and specify pole heights (each pole not to exceed 25' in height). (An additional sheet after the light fixture detail sheet may be needed.)*

(2) Site lighting shall be provided throughout the project and shall include lighting on buildings, garages, carports, drive aisles, parking lots, pathways, stairs, ramps, and landscaping to ensure visibility and safety for residents within the project.

*a. This requirement has been met.*

(3) Ground-level site lighting shall be added along all pathways, stairs, and ramps to increase visibility at night.

*a. This requirement has not been addressed in the plan set.*

#### (B) Recreation

Minimums:

(1) A recreation, clubhouse, and meeting facility (1,000 S.F. min.) plus restrooms shall be provided for all projects with more than 100 units.

*a. Not applicable – see provision (2) below.*

(2) A recreation, clubhouse, and meeting facility (2,000 S.F. min.) plus restrooms (not counted in square feet) shall be provided for all projects with more than 200 units.

*a. A 3,000 square-foot clubhouse is shown on the site plan. This exceeds the minimum standard provided that it contains restrooms as required. On the clubhouse detail sheet, (Sheet 28) please add notes that provide the total square footage of the clubhouse, (both sans restrooms and with restrooms). The note should further indicate that restrooms are provided.*

(3) A hot tub (open year-round) and children's splash pad (seasonal, low volume), both near the clubhouse and restroom facilities, shall be provided for all projects with more than 100 units. For projects with more than 300 units, in addition to the above, a pool with nearby restrooms shall be required. All pools shall have a minimum deck width of 12 feet around the perimeter of each pool.

*a. Hot tub and splash pad requirement not met.*

*b. Pool is provided but not required.*

*c. Minimum deck width does not appear to be met for the west (and possibly north) side of pool.*

(4) At least one dog waste cleanup station providing pickup bags and trash receptacles will be provided for every 40 dwelling units.

- a. *This requirement has not been addressed on the plan set; (six such stations should be provided). A detail of the dog waste cleanup station should be included on the detail sheets in the plan set.*

(C) Public Art

For all multi-family projects of one (1) acre (gross) or more, outdoor public art shall be a design, planning and budget consideration for the subject site. The relevant information and timing of installations per this requirement shall be defined in the approved Official Development Plan for the subject site.

Public Art Definition

Public art or works of public art are defined as, but not limited to, the following kinds of original works:

- Sculptures
- Engravings
- Mobiles
- Mosaics
- Site-specific installations
- Carvings
- Murals
- Statues
- Frescos
- Bas-reliefs

Public art shall not include catalog or commercially mass-produced pieces. The art piece shall include an original stamp, seal, signature, or similar identification by the artist. Numbered art pieces may be acceptable, at the City's discretion.

Outdoor public art or outdoor public works of art also include the creative application of skill, interpretation and taste by artists to the architectural embellishment of a building or structure. Corporate logos and sales marks are not considered public art under this definition.

(A) Owner Requirements – Installed Art and Improved Art Locations

Three scenarios for the provision of installed art and improved art locations exist as follows:

(1) *Art Location Provided on ODP with Art Installed* – in cases where the property owner provides a fully improved art location and installed artwork on an approved ODP. Under this scenario the value of the public art piece shall, at a minimum, equal \$1,000 per gross acre of the subject property. Required site improvements are outlined below.



a. *Not applicable to this project—the City will require Cash-in-Lieu instead; see (3) below.*

(2) *On-Site Improved Location Plus Cash-in-Lieu of Installed Art* - in cases where the property owner provides a fully improved art location plus cash-in-lieu of installed public art. Under this scenario, a cash-in-lieu payment equivalent to a minimum of \$1,000 per gross acre of the subject property shall be payable to the City of Westminster at the time of final plat, and be utilized for the purchase of the art piece, which would be installed on the improved location. If no plat is needed, then cash-in-lieu shall be provided at the time of Official Development Plan recording.

a. *Not applicable to this project—the City will require Cash-in-Lieu instead; see (3) below.*

(3) *Cash-in-Lieu of Art and In-Lieu of an Improved Site* - in cases where the City deems a site inappropriate or infeasible for the installation of public art, cash-in-lieu for both the art piece and an improved site shall be payable by the property owner to the City in the amount of \$2,000 per gross acre of the subject property at the time of final plat. If no plat is needed, then cash-in-lieu shall be provided at the time of Official Development Plan recording.

a. *Public art cash-in-lieu is required in the amount of \$12,000 (\$2,000 per acre.) Please correct the note on Sheet 2 to reflect this commitment.*

(B) Art Location Improvement Requirements

a. *Not applicable - cash-in-lieu will be paid instead*

(C) Art Location Ownership

a. *Not applicable - cash-in-lieu will be paid instead*

(D) Ownership of Public Art

a. *Not applicable - cash-in-lieu will be paid instead*

(E) Maintenance

a. *Not applicable - cash-in-lieu will be paid instead*

(F) Removal and/or Relocation of Public Art

a. *Not applicable - cash-in-lieu will be paid instead*

## **8. Public Land Dedication**

Public Land Dedication shall be made to the City in conjunction with all residential developments and is based on residential density of the proposed project. (See Westminster Municipal Code Section 11-6-8(A), attached to this document, for amount of land due). Acceptance of public lands shall be subject to review by the City. If the City determines a land dedication would not serve the public interest, the City will require payment in lieu of dedication. Developers are encouraged to

dedicate public open space beyond the minimum acreage required in order to enhance the overall appearance of the community by providing open, green areas.

- a. *PLD amount is 5.184 acres. Fee-in-lieu in the amount of \$1,129,075 (calculated at \$5/sq. ft.) is due at time of final plat. Please correct the note on Sheet 2 to reflect this commitment.*

All new residential developments shall provide public school sites or fees in lieu thereof to reasonably serve the proposed subdivision or residential development. (See Westminster Municipal Code Section 11-6-8 (E) for more information).

- a. *School land dedication fee-in-lieu in the amount of \$286,632 (\$1,327 per unit) is due at time of building permit. Please correct the note on Sheet 2 to reflect this commitment.*

### **9. Private Open Space and Private Parks**

Minimums:

(A) Private open space shall be landscaped, and an irrigation system shall be required. Maintenance of private open space areas shall be the responsibility of the project owner.

- a. *This requirement has been met, and is addressed in the Landscape Notes on Sheet 18.*

(B) Environmentally-sensitive areas (such as wetlands) shall be maintained as private open space.

- a. *Not applicable - No such areas exist on this site.*

(C) A minimum of 4% of the total acreage shall be set aside for a private park that must include an open play area for active recreation and must be centrally located in the subdivision to provide a focal point. The open play area shall constitute a minimum of 75' x 150' or one fourth (1/4) of the total calculated minimum private park area (whichever is larger). For projects of 50 acres or more, this area may be divided between two or more open play areas, only if at least one of the open play areas is a minimum of 11,000 square feet in size. The private park and open play area can include areas designated for public land dedication, right-of-way, required setback areas, and detention pond areas only when the overlapping area(s) is/are properly designed, reviewed, and found to adequately serve both purposes.

- a. *Provide a table to demonstrate how much area is dedicated to the development's private park area, and to show how much of the private park area is dedicated to an open play area.*

### **10. Setbacks**

Minimums:

(A) Primary building setbacks from:

- (1) Major highways (U.S. 36, I-25): 100' from proposed right-of-way line.

- a. *Not applicable - no "major highways" adjacent to site.*

- (2) Arterial streets: 75' from the proposed or adjacent right-of-way.
  - a. *Requirement not met. See Section (1), above for setback details.*
- (3) Collector streets: 1.5 times the building height as defined by the IBC or 50' from the proposed right-of-way, whichever is less.
  - a. *Requirement not met. See Section (1), above for setback details.*
- (4) Local streets: 1.5 times the building height as defined by the IBC or 40' from the proposed right-of-way, whichever is less.
  - a. *Not applicable – no "local streets" adjacent to site.*
- (5) Private streets and drives: 25' from the back of curb (increase an additional 10 feet for every story beyond two stories).
  - a. *Not applicable. All of the proposed buildings are adjacent to parking stalls and not private streets or drives. (See (8)a. below)*
- (6) Interior property lines when adjacent to an industrial or single-family detached residential use: 1.5 times the building height as defined by the UBC or 50 feet from the common property line (whichever is greater.)
  - a. *Requirement not met. See Section (1), above for setback details.*
- (7) Interior property lines when adjacent to a commercial, single-family attached, senior housing, or multi-family residential use: 1.5 times the building height as defined by the UBC or 40 feet from the common property line (whichever is less.)
  - a. *Not applicable. Specified land uses are not adjacent to site.*
- (8) Interior parking lots: 15' from all sides of primary buildings with minimum 7-foot wide attached sidewalk (to accommodate two-foot overhang for vehicles and five-foot clearance for sidewalks) when walks are adjacent to parking spaces.
  - a. *15' Minimum spacing requirement not met in multiple locations. Seven-foot-wide attached sidewalk requirement is met.*

(B) Distance between one- and two-story primary buildings (for buildings greater than two stories, add 10 feet per additional story to each of the following setbacks):

- (1) 40' minimum between parallel buildings
  - a. *Requirement not met. The distance between buildings 3 and 4 is only 21.34'. The distance between buildings 4 and 5, and between 5 and 6 is only 21.17'.*



- (2) Where the corner of a building is adjacent to a non-parallel building, the minimum setback distance between the corner and the adjacent building is 35'.
  - a. *Requirement not met. The distance between buildings 6 and 7 is only 21.67'. The distance between buildings 7 and 8 is only 21.34'.*

(C) Distance between primary buildings and accessory buildings:

- (1) Minimum distance between primary buildings and carports or garages: 15'
  - a. *No garages are shown on the site plan. This is a requirement that is not being met (see 5D3 above.)*

(2) Minimum distance between primary buildings and all other accessory structures: 25'

- a. *Minimum requirement not met. Distance between primary buildings and the clubhouse is less than 25'.*

(3) Minimum distance between accessory structures: 20'

- a. *There is only one accessory structure proposed. This provision should be applied to carport and garage minimum requirements (see 5D3 above.)*

(D) Parking lot setbacks from other interior property lines: 15'

- a. *Minimum not met on interior lot lines adjacent to the Wishbone property. Parking lot setbacks against these property lines are proposed to be between 3.87' and 10'.*

(E) Garage/carport and other accessory structure setbacks:

(1) From interior property lines: 15'

- a. *This provision should be applied to carport and garage minimum requirements (see 5D3 above.)*

(2) From adjacent single-family detached or attached residential: 35'

- a. *This provision should be applied to carport and garage minimum requirements (see 5D3 above.) The clubhouse does not appear to meet this requirement; (show distance between the clubhouse and the northern property line).*

(3) From U.S. 36, I-25, and major (principal) arterial streets: 50' (should include tall berms and landscaping)

- a. *This provision should be applied to carport and garage minimum requirements (see 5D3 above) in relation to Federal Boulevard.*

- (4) From all minor arterial and collector streets: 35' (should include berms and landscaping)
  - a. *This provision should be applied to carport and garage minimum requirements (see 5D3 above) in relation to 97<sup>th</sup> Avenue.*
- (5) From all local streets: 25' (should include berms and landscaping)
  - a. *Not applicable – no "local streets" adjacent to site.*

## **11. Fencing and Walls**

Minimums:

(A) When used or required, perimeter fencing or walls shall be constructed in accordance with City standards and shall include brick or stone columns (two-foot minimum width and depth) spaced a maximum of 65' apart. In some cases, such as adjacent to parks or in special streetscape situations, fencing may be modified to include low profile, split rail, or wrought iron fencing. Chain link and barbed wire fencing is not permitted.

- a. *No fencing or walls are being proposed with this application. Fences and walls currently exist between project site and all adjacent properties. A wall will be required along Federal Blvd; (see 14 below).*

(B) All horizontal-supporting structures of all solid wood and vinyl fencing shall be constructed toward the interior of the project or lot to reduce visibility of the support structures from streets and other public areas.

- a. *This requirement should be met in conjunction with a fencing plan; (see 14 below)*

(C) Off-sets (min. 5-foot depth and 10-foot length) for landscaping (trees and shrubs required) in perimeter fencing or walls shall be provided every 200 feet or less for at least a distance of 400 feet.

- a. *This requirement should be met in conjunction with a fencing plan; (see 14 below)*

## **12. Trash Enclosures**

Minimums:

(A) All externally located (not within the building) trash containers shall be contained within permanent, opaque, masonry trash enclosures that match the building materials and colors of the residential buildings and shall have solid gates.

- a. *Dumpster enclosures and details are provided in plan set. See redlines for comments.*

(B) All trash enclosures shall be a minimum height of six (6) feet and maximum height of eight (8) feet. The height and overall size of all contents, which shall include

dumpsters and recycling containers, shall be accommodated and completely screened within the enclosure and such contents shall not exceed the height of the enclosure wall. It is encouraged that enclosures be built to also accommodate composting containers in addition to dumpsters and recycling. Enclosures must be roofed if contents are visible from adjacent streets or residential land uses. If chutes are provided for trash, provide them for recycling as well.

*a. Dumpster enclosures and details are provided in plan set. See redlines for comments.*

(C) Any trash enclosure visible from internal residents, adjacent streets, or residential developments shall be screened with landscaping.

*a. Requirement not met. Enclosures are not screened with landscaping from internal residents.*

### **13. Mechanical Equipment**

Minimums:

(A) No mechanical equipment shall be placed on sloped roofs.

*a. This requirement has been met; no equipment is shown on sloped (or other) rooftops.*

(B) Ground-level mechanical and utility equipment and lines shall be screened with year-round landscaping, or walls that match the materials and color of the buildings.

*a. Please show mechanical equipment on site plan sheets, and demonstrate that it will be screened with walls and/or landscaping.*

(C) All electric and communication utility lines and services and all street lighting circuits shall be installed or relocated underground both within and adjacent to the subdivision or development.

*a. Not applicable for this site. There are transmission lines located on the adjacent property to the north that run parallel to, and for the extent of, the north property line. These DO NOT need to be relocated underground, per City Engineer.*

### **14. Mitigation of Environmental Effects**

Minimum:

Developer/owner-installed walls, earth berming (4:1 max. slope), and landscaping shall be required to reduce adverse environmental effects on the residential development adjacent to U.S. 36, I-25, and all arterial streets, and in certain circumstances, further mitigation measures may be required.

*a. Requirement not met. A wall and earth berm are required for noise mitigation along the Federal Blvd. (eastern) property boundary. Wood, vinyl, and similar lightweight materials will not stop noise; thus, a*



*masonry wall, clad in a material used on the apartment buildings, should be used atop the berm.*

## **ARCHITECTURAL DESIGN**

### **1. Exterior Design Elements**

#### **(A) Building Design**

##### **Minimums:**

(1) Architectural detailing, horizontal off-sets, architectural window details, purposeful variations of roof forms, lines, or profiles and other features shall be provided on all sides of the building to avoid blank walls and large, monolithic masses. All sides of all buildings shall be designed with quality materials (360 degree architecture).

##### **a. General comments:**

- i. Please provide an elevation showing the two facades facing West 9<sup>th</sup> Avenue. These two buildings create the gateway to the project and are the primary architectural displays onto West 97<sup>th</sup> Avenue. Staff would like a better understanding of what the street face and entryway will be, with focus on the "elbow" of the "L". Staff wants to make sure there are no blank facades facing the street.*
- ii. Are these slab on grade products, or are there crawl spaces? This detail will allow us to better understand the material treatments at grade level.*
- iii. Even though there are minor variations amongst the 3 primary building types, staff requests each building type to have a different color scheme: all buildings in Building Type A should have one color; Building Type B should be another color; etc. For example, the color / materials board provided depicts a generally gray color scheme. This could be used on one of the seven apartment buildings. Another building could have a tan scheme, a third could have a light olive scheme, another a brown scheme, and so forth. This creates a sense of place and identity for residents. The basic building is the same, the shingles are the same, but the different secondary colors create unique identifiers for each building.*
- iv. The architect should consider providing varied railing designs for each building or consider using an opaque "half wall" for the balconies on Building Type B.*

##### **b. Building Type A:**

- i. The rear facing and parking lot facing elevations show a fair degree of secondary roofline articulation, providing both gabled*

and flat roofed dormers on a primarily open gabled structure. However the primary ridge is unarticulated and should have a roofline break – staff requests a roofline break as shown in the other building types.

- ii. The material variation is appreciated; defining separated elements at primary entrances, window openings, and provide framing for the recessed balconies. Staff requests further attention be given to additional bump outs (1-2') at the material changes to give shadowing and further relief on an otherwise flat façade. These bump outs can be in the form of framed bay windows and not a formal change to the footprint.
- iii. Staff recommends the asphalt shingles for this building type match the stone color. Because the stone color is light, the colors adjacent to the stone should be dark to allow for the additional contrast and allow the stone material to be more prominent. Staff also wants to be reassured the stone being shown on the material board is the actual stone material being used on the finished product.
- iv. Staff also requests a material change on the more narrow elevations (north/south elevations on Building 3, east/west elevations on Building 4, 6 and 7), preferably accentuating the window lines under the lower gable. Please change the flat roofed awning over the east and west doorways to a shed roofed awning to continue the awning style provided on the southern facade.

c. **Building Type B:**

- i. This building provides adequate roofline articulation. Similar comments from above regarding additional bump outs to create shadows on the flat façade.
- ii. The material change at the corner elements is much appreciated. Staff requests the stone on Building Type B should be changed to either a darker stone or brick to differentiate from the other buildings.
- iii. Staff also recommends a darker color for the balcony railings, but not black. It's recommended to match the railing color to the eave color (web gray).
- iv. Staff also requests a material change on the west elevation. The material change will accentuate the windows and give the facing ends of the building a variation.
- v. Similar to Building A, please change the flat roofed awning over the east and west entrances to a shed roofed awning to continue the awning style provided on the southern facade.

d. **Building Type C:**

- i. *This building provides adequate roofline articulation. Similar comments to Building B above in regards to bump outs and railing color.*
- ii. *Staff recommends the stone color for the corners and base be changed to a darker stone color, to match the asphalt shingles. The color adjacent to the darker stone should be lighter to give more contrast.*

e. **Club House:** *The design of the clubhouse uses materials associated with the other buildings while providing an architectural design that sets itself apart from the other building.*

(2) Vertical and horizontal elements shall be used in contrast to one another. Contrast and depth are preserved by offering exterior selections that emphasize a dominant building material but include contrasting complementary materials and colors.

- a. *For the most part this has been achieved in the use of different colored Hardie fiber cement board, in varying courses, and the use of cast stone and regular stone.*
- b. *As stated above, staff requests a differing color scheme be used for each Building Type and the stone on Building Type B change from stone to brick.*
- c. *Staff requests an additional bump out of 1-2' be used at the vertical transitions of the materials to give shadowing and an extra degree of variation.*
- d. *Staff recommends a variation in vertical lap siding (thinner vertical lines, thicker vertical lines, wider boards, etc.) to give more variation.*

(3) Buildings shall incorporate visually heavier and more massive elements at their bases, and lighter elements above these components. Lower stories of the buildings shall appear heavier or demonstrate greater mass than upper stories.

- a. *Staff's comment above for a darker stone on Building Type C, at the corner and on the base, will achieve compliance with this criteria (Please refer to Criteria 1).*

(4) For projects with multiple buildings, variety shall be used in site orientation and among buildings to avoid a "barracks" appearance.

- a. *As the buildings are proposed, there are minor variations to set them apart. As stated above, staff provides several recommendations on color changes and material variations that can be applied to achieve a great difference between the building types. Staff requests a greater variation between building types for the next submittal.*



(5) The architectural style of the building shall exhibit a residential rather than institutional character.

*a. Although Staff believes the architecture presented is of residential design and not institutional design, a greater variation between building types is requested to further distinguish the buildings from one another and alleviate the lean towards institutional character.*

(6) Two or more distinct building models shall be designed for projects with more than four primary buildings.

*a. The architect has provided 4 design types (Building Type A, B, C and Club House) for the 8 buildings shown on the plan. Staff has recommended some alternative design treatments, primarily a change in color for each building type as well as changes in the stone materials, to further distinguish each building.*

(7) For projects with more than 10 primary buildings, a minimum of three distinct building models shall be required.

*a. Not applicable.*

(8) Fireplace "box-outs" shall extend vertically from ground level to meet the roofline and avoid the "tacked-on" look.

*a. Not applicable.*

(9) Exterior staircases shall not provide access to more than four units on a single level.

*a. This requirement has been met.*

#### (B) Building Height

Minimum:

Buildings with more than two stories shall be stepped down at the edges of the structure(s) by one story at a minimum to aid transition between buildings and reduce the mass of the buildings. Vertical planes extending more than two stories on taller buildings shall be avoided.

*a. Requirement not met.*

#### (C) Building Entrance

Minimum:

A covered entry area shall be designed at the main entry area of each building.

*a. This requirement has been met.*

#### (D) Windows

(No Minimum.)

(E) Roof Design

Minimums:

(1) A roof pitch of 5 in 12 or greater shall be provided on all buildings. All roofs shall have 18- inch minimum overhanging eaves. Exceptions may be made, at the City's discretion, for unique, quality, interesting architectural designs.

a. *It does appear there is a minimum 5/12 roof pitch on all gabled roof elements (please show roof pitch of each roof type on the elevations). There are two other roof types, flat roof and pyramid hip, that are less than 5/12 but are welcomed for their variation in roof articulation.*

(2) Quality roof materials shall be used on all buildings (includes tile, concrete tile, slate, architectural metal, dimensional asphalt or fiberglass shingles (which provide shadow effect).

a. *The architect has recommended a cobblestone gray dimensional asphalt roof shingle which provides a shadow effect and complies with this criteria. However the roof color should match the stone color.*

(3) Roofs will be articulated by purposeful planes or roof elements. A minimum of two roof breaks (roofs that turn a corner or change elevation) will be provided on all buildings. Large expanses of roof surfaces or long, uninterrupted ridge and eave lines shall be avoided. Dormers, roof breaks, cupolas or other roof features shall be incorporated.

a. Of the 4 building types proposed, Building Type A is the only building that has a long, uninterrupted ridge. Staff requests a roofline break on Building Type A, as shown on the other building types.

**2. Garages (if provided)**

Adequate interior garage space is essential to ensuring future residents have sufficient space to park vehicles and store recreational items within the garage area if garages are proposed as part of a project. Minimums are specified below to help reduce the future need for outdoor storage of these items.

Minimums:

(A) Garage Interior – minimum dimensions, excluding all possible areas of stair locations:

Depth: Single- and double-car garages: 22 feet  
Width: Single-car garage: 12 feet  
Width: Double-car garage: 20 feet

(B) Garage Door – minimum dimensions:

Height: 7 feet  
Width: Single-car garage door: 8 feet  
Width: Double-car garage door: 16 feet

a. *Not applicable – garages not provided.*

### **3. Patios/Balconies**

Minimums:

(A) When included in the design, balconies shall be opaque and architecturally integrated with walls on at least two sides. Cantilevered balconies are generally not permitted but will be reviewed on a case-by-case basis.

*a. Requirement not met - balconies are fronted with metal railings rather than opaque fronts. Staff requests the inclusion of opaque balconies on one building type (maybe Building Type B since there is only one building). Either all of the balconies should be opaque (half walls) or partially opaque with one half opaque and one half railing.*

(B) Private patios (unobstructed 120 S.F. minimum usable, functional area) and/or balconies (unobstructed 80 S.F. minimum usable, functional with six-foot min. depth) shall be provided on at least 50% of the units.

*a. Provide details for balconies for Building Types A, B, and C, and numbers of units with balconies.*

### **4. Site Considerations Related to Architecture**

Minimums:

(A) Garages, carports, attached parking structures, and other accessory buildings shall all relate to the building architecture and demonstrate similar compatible forms, scale, materials, colors, and detail.

*a. The only accessory building in this development is the Club House and it is designed to relate to the building architecture and demonstrates similar compatible forms, scale, materials, colors and details. Staff appreciates the design of the Club House for its relatability and scale.*

(B) Garages and carports shall not exceed six (6) side-by-side parking spaces unless parking spaces are designed as two rows of perpendicular spaces, aligned nose to nose, which would allow a maximum of 12 parking spaces per carport or garage structure.

*a. Not applicable, as no carports are provided.*

### **5. Exterior Building Materials and Colors**

Minimum:

(A) Thirty percent (30%) or more of all exterior cladding surface above the base of the building, but excepting window, door, or railing portions, on all sides of all primary and accessory buildings shall be finished with masonry (brick or stone).

*a. A table should be provided that shows percentages of material types used on the four sides of each building façade.*



(B) Cladding will extend to the ground, covering all exposed foundation except where stepping is necessary to accommodate the grade, where a maximum of 18 inches of foundation will be exposed.

*a. Based on the elevations provided, it appears that this requirement has been met.*

## LANDSCAPE DESIGN

### 6. Private Landscaping

(A) Common Areas

Minimums:

(1) A minimum of 40% of the overall site area (excluding right-of-way landscape area) shall be landscaped. This includes detention pond areas and parking lot landscaping but excludes all hardscape areas.

*a. Requirement not met. The ODP shows only 26% of the overall site area is landscaped (please see redlines).*

(2) A minimum of 75% of the landscaping shall be covered by living plant materials such as groundcover, shrubs, and grass within three (3) years following installation and thereafter.

*a. Requirement not met. Although the plan showed a robust landscape design, it was unclear of how much of the landscaped area was covered by landscaping. Please provide a table to further show compliance with this criteria (please see redlines).*

(3) Within the required landscape area, one tree (2" min. caliper deciduous and six-foot min. evergreen height) and three shrubs (5 gallon min.) per 550 square feet of landscaped area shall be required.

*a. Requirement not met. Staff has requested the applicant provide a table showing the analysis of what is required and how the plan complies with these requirements (please see redlines).*

(4) At least 20% of the required trees shall be a min. of 3-inch caliper deciduous and 8-foot min. evergreen height.

*a. The submitted plan does not provide a minimum of at least 20% 3-inch caliper trees (please see redlines).*

(5) All landscaping shall be installed, irrigated, and maintained by the project developer and/or owner.

*a. The submitted plan, in the Landscaping Notes and Details section, indicates that the landscaping shall be maintained.*

(6) A wide variety of plant materials shall be used in landscaped areas to add interest.

a. *This criteria has been met.*

(B) Detention Pond Area

Minimum:

The developer/owner shall be responsible for landscaping the detention pond area and other common areas at a rate of one tree and three shrubs per 550 square feet of landscaped area. Any trees near a pond should be planted above the Excess Urban Runoff Value (EURV) water surface elevation of the detention pond and distributed elsewhere throughout the site. The design at ODP should demonstrate low impact development concepts. The property owner shall be responsible for the maintenance of these areas.

a. *Requirement not met. Staff has requested verification the plant material is outside of the EURV water surface elevation.*

(C) Landscaped Islands / Medians

Minimum:

Installation and maintenance of all medians/islands shall be the responsibility of the developer/property owner.

(D) Parking Lots

Minimums:

(1) Parking lots shall not be located within the required landscape setback.

a. *Requirement not met. Minimum not met along Federal ROW - 25' landscape setback required - no parking allowed in setback.*

(2) Parking lots of 50 or more spaces shall be required to be landscaped with internal landscaped parking lot islands.

a. *Requirement not met. Planter islands have been included however staff has requested verification that the proposed trees are appropriately sized for these parking islands (please see redlines).*

(3) Landscaped islands in parking lots shall be no smaller than two standard parking spaces and shall alternate periodically with larger islands for variety and interest.

a. *This minimum is not met on site plan.*

(4) Landscaped islands shall occur approximately every 30 spaces within parking lots.

a. *This minimum is not met on site plan.*

(5) A minimum of two (2) shade trees and 12 shrubs shall be required per island. If the island is larger than 400 square feet, the landscape shall include one (1) additional shade tree and six (6) additional shrubs for every additional 200 square feet or fraction thereof.

*a. There are a few islands with only one tree and the trees appear to be too large for the island (please see redlines).*

(6) Continuous landscape strips (min. twelve-foot width) separating every three rows of parking shall be required for parking lots with 300 or more parking spaces.

*a. Not applicable.*

(7) Landscaped berms shall be required to screen parking (including covered parking structures) from adjacent developments and streets.

*a. This minimum is not met on site plan.*

## **7. Right-of-Way Landscaping**

Minimums:

(A) The maximum slope of berms shall not exceed 4:1.

*a. It is not clear on the site plan. Please provide additional detail or comment stating there are no slopes over 4:1 slope.*

(B) Within the required right-of-way landscaped area, one tree (2" min. caliper deciduous and six-foot min. evergreen height) and three shrubs (5 gallon min.) per 550 square feet of landscaped area shall be required.

*a. On the western side of the property there is a large utility easement so no trees are planted in the easement. The other areas within the right of way comply with this criteria.*

(C) At least 20% of deciduous trees shall be 3-inch caliper and 8-foot min. evergreen tree height.

*a. Requirement not met. The submitted plan does not provide a minimum of at least 20% 3-inch caliper trees and 8-foot minimum evergreen tree height (please see redlines).*

(D) Automatic sprinkler systems shall be required within all right-of-way landscaped areas.

*a. Requirement met. A note has been included on the ODP to require automatic sprinklers.*

(E) Street trees (deciduous, shade trees with 40-foot max. spacing) will be planted in the landscape area between the curb and the sidewalk along a min. of 75% of the local and private street lengths on both sides of the streets.



- a. *There is an existing attached sidewalk along West 97<sup>th</sup> Avenue, therefore this criteria is not applicable along West 97<sup>th</sup> Avenue. However, along Federal Boulevard there is a meandering detached sidewalk and no shade trees are proposed in that location. Therefore this criteria has not been met.*

### **8. Plant Materials for All Landscaped Areas**

Minimum:

The selection of trees and shrubs shall be a mix of evergreen and deciduous types.

- a. *This criteria has been met.*

## **ENVIRONMENTAL DESIGN**

### **9. Landscaping and Water Conservation**

#### **(A) Tree Lawns**

Minimum:

The minimum tree lawn width for both public and private streets and drives is 6 feet.

- a. *The tree lawn proposed along the main entrance drive to the development appears to provide a 5 foot tree lawn (please see redline). Please verify the distance and comment.*

#### **(B) Landscaped Strips / Medians**

Minimum:

Landscaped islands and medians in parking areas must be a minimum of 12' wide.

- a. *This minimum is not met on site plan.*

#### **(C) Water Conservation**

Minimum:

The maximum turf area cannot exceed 40% of the common landscaped area not in right-of way. Highly efficient irrigation systems and methods must be incorporated, including ET or soil moisture based controllers and rain sensors to reduce consumption.

- a. *The plan shows 22,169 SF of sod which results in 33% of the landscaping area dedicated to turf. However, there is data showing 11,620 SF of low seed, which results in another 18% dedicated for grass - for a total of 51%. Because there is not a legend showing the symbol for seeding (please see redlines) staff cannot comment on the seeding component. The applicant should comment on the seeding area and recognize that the seeding area will push the plan outside of compliance with this criteria.*

#### **(D) Site Design and Stormwater Quality**

Minimum:

A water quality pond is required for all new development calculated per each project.

*a. A water quality pond is shown on the ODP.*

(E) Paving Materials  
(No Minimum.)

### **10. Building Construction**

(A) Pro-active Solar Construction  
(No Minimum.)

(B) Dwelling Unit and Building Energy Efficiency  
Minimum:  
All adopted Westminster Codes shall apply, including but not limited to the IECC.

(C) Water Conserving Plumbing Fixtures  
Minimum:  
All new residential units shall incorporate indoor water fixtures which are certified WaterSense approved by the U.S. EPA (Environmental Protection Agency) WaterSense program criteria.

*a. Please add a note that indicates that all indoor water fixtures are certified WaterSense approved by the U.S. EPA (Environmental Protection Agency) WaterSense program criteria.*

(D) Community Facilities  
Minimum:  
Freestanding mail kiosk(s) will be covered and use solar-powered lighting, providing 100% of lighting demand required.

*a. Not applicable—mail kiosk is not free-standing.*

# EXHIBIT 10





## Agenda Item: 3a

### Agenda Memorandum

Planning Commission Meeting  
May 14, 2019



**SUBJECT:** Public Hearing and Action on a proposed amendment to the land use designation in the Comprehensive Plan for three properties: a) a 6.00-acre property from Mixed-Use to R-36 Residential, b) a ±1.69-acre property from Mixed-Use to Retail Commercial, and c) a ±3.07-acre property from Retail Commercial to Public/Quasi-Public. The three properties are within the Hollyhurst Subdivision, located at the northwest corner of West 97<sup>th</sup> Avenue and Federal Boulevard.

**Prepared By:** David German, Senior Planner

#### Recommended Action:

1. Hold a public hearing.
2. Recommend that the Planning Commission recommend to City Council approval of three amendments to the Comprehensive Plan, specifically, a) a 6.00-acre property from Mixed-Use to R-36 Residential, b) a ±1.69-acre property from Mixed-Use to Retail Commercial, and c) a ±3.07-acre property from Retail Commercial to Public/Quasi-Public, where all three properties are located within the Hollyhurst Subdivision. This recommendation is based on a finding that the Amendment is generally supported by the criteria set forth in Section 11-5-21 of the Westminster Municipal Code.

#### Summary Statement:

- The applicants request amendments to the land use designation of the Comprehensive Plan for two properties. The first property is comprised of portions of Lots 12, 45, 46, 47, and 48 of the Hollyhurst Subdivision (Parcel 1) and a portion of Lot 11 (Parcel 2), consisting of 6.00 acres, from Mixed-Use to R-36 Residential. The second property is comprised of portions of Lots 9 and 10 of the Hollyhurst Subdivision, consisting of ±1.69 acres, from Mixed-Use to Retail Commercial. Additionally, staff recommends re-designating the property owned by the City of Westminster, comprised of portions of Lots 49, 50, and 51 of the Hollyhurst Subdivision, consisting of ±3.07 acres, from Retail-Commercial to Public/Quasi-Public to reflect its use as a municipal facility. The three properties are contiguous, and are located at the northwest corner of West 97<sup>th</sup> Avenue and Federal Boulevard.
- A tract of land, consisting of Lots 9-12 and 45-48 of the Hollyhurst Subdivision, (platted in 1925), was zoned Planned Unit Development (PUD) in 1988, with a Preliminary Development Plan (PDP) approved at that time. An Official Development Plan (ODP) was approved in 1993 for a portion of this tract,

consisting of Lots 9 and 10, for the development of the Wishbone Restaurant, which is still operating today. The remainder of the tract (Lots 11, 12, and 45-48) was never developed. A second tract of land, consisting of Lots 49-51 of the Hollyhurst Subdivision, was developed as a "U-Stor-It" mini-storage facility prior to its annexation into the City, and was ultimately zoned Commercial (C-1), once in the City. This land was purchased by the City and re-platted in 2018; it is currently being developed by the City as an elevated water tank tower and thus is no longer suitable as a Retail Commercial land use.

- The application for the Comprehensive Plan amendment has been reviewed on the legislative policy matter of changing the land use as it relates to the Comprehensive Plan. A specific project is under separate review called "St. Mark Village." This is a multi-family development that would provide 216 affordable for-rent apartment units, if approved.

**Expenditure Required:**     **\$0 in expenditures**

**Source of Funds:**             **N/A**

**Policy Issues:**

1. Should the City approve a change to the Comprehensive Plan land use designation from Mixed-Use to R-36, from Mixed-Use to Retail Commercial, and from Retail Commercial to Public/Quasi-Public for three properties described previously, located at the northwest corner of West 97<sup>th</sup> Avenue and Federal Boulevard?
2. Is the City's adopted policies to facilitate affordable housing a compelling consideration when factored with other criteria for amending the Comprehensive Plan?

**Alternative:**

Recommend that the City Council deny the proposed Comprehensive Plan Amendments for the three subject properties. Such a denial would leave the Wishbone Restaurant and City Water Tower properties with land use designations that do not support their current and projected future uses, and would prevent the development of the affordable apartment project on the six-acre property.

**Background Information:**

Overview of Development Review and Entitlement Process

The development review and approval process can vary throughout the City, based on the specific property and the proposed development, but typically involves formation of a PDP and ODP pursuant to the land use allowances established by the Comprehensive Plan. The Comprehensive Plan includes specific land use designations that provide a broad range of uses and identify allowed densities and intensities of use. The City Code requires that any future development must be in compliance with the Comprehensive Plan. To this end, the property owners are seeking Comprehensive Plan

re-designations (Amendments), summarized as follows (please see Attachment 1 for a vicinity map):

- The St. Mark Village applicant/owner would like to develop a multi-family residential-only project which is not allowed under the Mixed-Use designation, as Mixed-Use would require an integrated blending of uses, rather than allowing for just apartments. Therefore, the applicant/owner has proposed an amendment to the Comprehensive Plan land use map to R-36 Residential, to allow for the proposed apartments. The applicant's next step will be to establish a new PDP to serve as the governing document for development of the property. During this future PDP submittal, the City and the applicant will establish a specific list of development standards that include building height, setbacks, and other site design elements. This new PDP must then be reviewed by the Planning Commission and approved by the City Council to become valid.
- The Wishbone Restaurant applicant/owner would like to redesignate his property from Mixed-Use to Retail Commercial. This is supported by the City, because Retail Commercial accurately reflects the use on the property (existing restaurant), and because Mixed-Use is too intense and broad a category of land uses when compared to the development composition of the surrounding neighborhood, and should the six-acre multi-family parcel change this would render this balance area unfeasible as a vertical mixed use site. There are currently no plans to discontinue the Wishbone Restaurant business, or to redevelop this property in any way.
- The City proposes to redesignate the former mini-storage property to clean-up the conflict that exists between the property's current (and future) land use (City Public Works & Utilities facility), and the property's current Comprehensive Plan designation, which is Retail Commercial. Re-designating the site to Public/Quasi-Public would properly match the land use and the Comprehensive Plan designation.

Once a Comprehensive Plan Amendment is successfully completed, the applicant/owner must create a PDP and an ODP for the site. The PDP serves as the principal zoning document for the site, and establishes intended future development parameters in the broadest terms. Allowable land uses, descriptions of the future development, and relationships between the site and surrounding properties and street networks are established. The intent, limitations, and regulations for the project are created. If needed, the timing and/or phasing of the development are laid-out. A PDP was established in 1988 for the area consisting of Lots 9-12 and 45-48 of the Hollyhurst Subdivision, which was initially platted in 1925. An amendment to this PDP will be created for the future development of Lots 11, 12, and 45-48; this amendment will require approval from the City Council to become valid.

The ODP is a more specific plan for a development site and establishes locations for landscaping, parking, access, and other requirements such as building orientation and architecture. In this application, an ODP already exists for the Wishbone Restaurant (covering Lots 9 and 10), and no changes to this ODP are needed. A new ODP Amendment will be created for Lots 11, 12, and 45-48, which will provide for the development of these lots as a new 216-unit affordable apartment development. This



ODP may be approved administratively by the City Manager after the PDP is approved by the City Council. Once the ODP is approved, the applicant may proceed with engineering and construction plan reviews, which are the final steps before physical construction may commence.

The future PDP Amendment and ODP Amendment submittals will be reviewed under the City's Multi-Family Residential Design Standards, Landscaping Regulations, and all other applicable City Codes and Regulations. At this time, the PDP Amendment and ODP Amendments are not being considered. The only application that is under consideration is the Comprehensive Plan Amendment. To ensure the six-acre portion is developed for the understood affordable housing, a delayed effective date has been included in the Councillor's Bill stipulating the land use change to R-36 is contingent upon final approval of an Official Development Plan providing for affordable housing.

History of Subject Properties

The Hollyhurst Subdivision was a sixty-lot subdivision originally platted in 1925 in Adams County. (The City of Westminster charter was not ratified until January of 1958.) The entire subdivision was annexed into the City as part of the North Areas to Broomfield Annexation in 1970. Of the properties that are a party to this application, Lots 11 and 12 were zoned Open District (O-1), while Lots 9, 10, and 45-48 were zoned Commercial District (C-1). A PDP done in 1988 rezoned all of these lots to PUD. Lots 9 and 10 were developed as the Wishbone Restaurant in 1993, while Lots 11, 12, and 45-48 were never developed. Meanwhile, Lots 49, 50, and 51 of the Hollyhurst Subdivision were zoned Commercial District (C-1), and developed as a "U-Stor-It" mini-storage facility in 1974. These lots remained under this usage until purchased by the City in December of 2017. The mini-storage use has since been demolished, and the City is using the land for the construction of a new elevated water tank tower, similar to the tower already built on the adjoining property to the west.

Location

The parcels in this application are contiguous, are located at the northwest corner of West 97<sup>th</sup> Avenue and Federal Boulevard, in the Hollyhurst Subdivision.

Nature of Request

The applicant/owner for each of the three properties referenced in this application seeks to amend the Comprehensive Plan designations of their properties, as summarized in the following table:

Property Identification:	Acreage:	Current Land Use & Zoning:	Comprehensive Plan:	
			Current Designation:	Proposed Designation:
<b>St. Mark Village</b> <i>(Currently Undeveloped)</i>	6.00 Acres	Vacant; PUD	Mixed-Use	R-36 Residential
<b>Wishbone Restaurant</b> <i>(Existing)</i>	±1.69 Acres	Restaurant; PUD	Mixed-Use	Retail Commercial
<b>City of Westminster</b> <i>(Water Tower Property)</i>	±3.07 Acres	Water Tower; C-1	Retail Commercial	Public/ Quasi-Public

Attachment 2 provides a diagram that illustrates the changes proposed for the Comprehensive Plan Map, and Attachment 3 provides the land use descriptions for the Mixed-Use, Retail Commercial, R-36 Residential, and Public/Quasi-Public Comprehensive Plan land use designations.

Applicant Information for Private Properties

Applicant (St Mark Village)

St. Charles Town Company  
 Contact: Jordan Zielinski  
 1850 Platte Street, 2<sup>nd</sup> Floor  
 Denver, CO 80202

Property Owner

3100 West 97<sup>th</sup> Avenue, LLC  
 Contact: Jordan Zielinski  
 1850 Platte Street, Suite 200  
 Denver, CO 80202

Applicant (Wishbone Restaurant)

Westminster Wishbone, Inc.  
 Contact: Mark and Jolynn Lochi  
 9701 Federal Boulevard  
 Westminster, CO 80260

Property Owner

Westminster Wishbone, Inc.  
 Contact: Mark and Jolynn Lochi  
 9701 Federal Boulevard  
 Westminster, CO 80260

Surrounding Land Use and Comprehensive Land Use Plan Designation

As shown in the table below, the three subject properties are largely surrounded by residential uses. To the north and south are single family detached homes and single family attached (townhouse) homes. To the west, the City maintains an elevated water tank tower (known as the "Hydropillar"), immediately adjacent to Lots 49-51, where a second water tank tower is currently under construction. The east boundary of Lots 9-12 is marked by Federal Boulevard (State Highway 287), which is also the City of Westminster boundary with the City of Federal Heights. To the east of Federal Boulevard there is vacant land, designated as Commercial property by the City of Federal Heights.

<b>Direction</b>	<b>Development Name</b>	<b>Zoning</b>	<b>Comp Plan Designation</b>	<b>Current Use</b>
North	Northpark Subdivision (Filings 10, 11, and 14)	PUD	R-3.5 and R-8 Residential	Single Family Detached and Attached Homes
East	City Boundary (Federal Heights)	C-1 (Federal Heights)	(Not in City of Westminster)	(Vacant)
South	Hollypark Subdivision St Mark Catholic Church Environs Subdivision, FO2	PUD	R-3.5 and R-8 Residential; Public/Quasi-Public	Single Family Detached and Attached Homes; Church
West	City of Westminster Property (Elevated Water Tank Facility)	PUD	Public/Quasi-Public	"Hydropillar" Elevated Water Tank Tower

### Public Notification

WMC 11-5-13 requires the following three public notification procedures:

- **Published Notice:** Notice of public hearings scheduled before Planning Commission shall be published and posted at least ten days prior to such hearing and at least four days prior to City Council public hearings. Notice was published in the Westminster Window on May 2, 2019.
- **Property Posting:** Notice of public hearings shall be posted on the property with one sign in a location reasonably visible to vehicular and pedestrian traffic passing adjacent to the site. Two signs were posted on the property on May 1, 2019.
- **Written Notice:** At least ten days prior to the date of the public hearing, the applicant shall mail individual notices by first-class mail to property owners and homeowner's associations registered with the City within 300 feet of the subject property. The applicant has provided the Planning Manager with a certification that the required notices were mailed May 1, 2019.

### Comprehensive Plan Amendment Evaluation:

There are three Comprehensive Plan changes requested with this amendment, analyzed as follows:

The first requested change is to re-designate the 6.00-acre St. Mark Village property from Mixed-Use to R-36 Residential. This change is requested to accommodate a planned 216-unit multi-family housing development. This change is supported by the City because, while the existing Mixed-Use designation would also allow for this density, the Mixed-Use designation is inappropriate because the other land uses required for a mixed-use development are not only impractical for this site, but incompatible with the predominantly residential uses immediately surrounding the site.

The second requested change is to re-designate the ±1.69-acre Wishbone Restaurant property from Mixed-Use to Retail Commercial. This change is requested by the applicant/owner of the Wishbone Restaurant to bring the restaurant property into Comprehensive Plan conformity with the current (and future intended) use of the property (the continued operation of the Wishbone Restaurant). This change is supported by staff because it ensures that any future redevelopment of the restaurant property will be more compatible with the other land uses in the area. This is especially true because Retail Commercial is far less intensive and impactful than uses that could be developed under a Mixed-Use designation would potentially be. When the Wishbone property is considered in conjunction with the multi-family proposed on the 6.00 acre property, the spirit of the Comprehensive Plan is maintained as a horizontal mixed use environment is established, as compared to the vertical mixed use format required by the Comprehensive Plan designation of Mixed-Use.

As a companion to these land use changes, staff proposes a "clean up" of the Comprehensive Plan land use designation of the ±3.07-acre City of Westminster elevated water tank property from Retail Commercial to Public/Quasi-Public. This "clean-up" would place the new water tank tower currently under construction on land



designated Public/Quasi-Public, just like the existing water tank tower ("Hydropillar") immediately to the west. City facilities are generally located on land designated Public/Quasi-Public land throughout the City. This change not only helps with future statistical analysis and administrative record keeping, but also ensures that the property is properly designated for municipal facility use.

#### Westminster Municipal Code Analysis

Section 11-5-21 of Westminster Municipal Code provides criteria for evaluation of land use amendments. The applicant provided a narrative and a justification of compliance with each evaluation criteria, which will be shared in the following paragraphs. While Staff does not fully agree with the applicant's response to every criteria (see Attachment 4), Staff's overall analysis finds the proposed amendment is substantially supported by W.M.C. as indicated below.

#### 11-5-21: STANDARDS FOR APPROVAL OF LAND USE PLAN AMENDMENTS:

*(B) In reviewing an application for an amendment to the Land Use Plan, the following criteria shall be considered:*

- (1) The proposed amendment is consistent with the vision, intent and applicable policies of the Comprehensive Plan and other adopted plans, policies and guidelines.**

The proposed R-36 development in this location is consistent with the vision and intention of the Comprehensive Plan, as the density achievable with the current Mixed-Use designation is unchanged at thirty-six dwelling units (DU) per acre with the proposed R-36 designation.

With surrounding residential uses topping out at a density of R-18 (including the Environs community, which features apartments west of the City water tower property immediately west of the site), and most coming in at R-8 and R-3.5, actually achieving a full density of thirty-six DU/acre may not be compatible with surrounding neighborhoods. This most notably applies to Northpark, a large, established, residential subdivision neighboring the subject site to the north. Northpark features a mix of well-spaced R-8 (single-family attached) and R-3.5 (single family detached) housing, with the lower density R3.5 housing immediately adjacent to the north boundary of the St. Mark Village property. This possible incompatibility with adjacent densities would have potentially existed with the development of this site under a Mixed-Use designation, as well; this will be examined further when the development documents are reviewed.

The intent of the Mixed Use category is to facilitate redevelopment of commercial properties with the opportunity to add residential uses incorporated in a vertical mix. With these land use changes a horizontal mix of uses is established consisting of multi-family development on the R-36 portion and Retail Commercial on the Wishbone property. Amending the Wishbone property to Retail Commercial and the City-owned property to Public/Quasi-Public in conjunction with the request to re-designate the six-acre parcel from Mixed Use

to R-36 are logical clean ups to reflect the current and anticipated future land uses on these properties.

As part of the analysis of this first criterion, Staff also looked at the Guiding Principles found in the Comprehensive Plan, as follows:

**Guiding Principles (Comprehensive Plan, pages 1-24 through 1-28):**

- **Distinctive City with a Strong Identity:** The Comprehensive Plan identifies Federal Boulevard as a key corridor where intensification should take place; the increased density proposed with this project does meet this concept;
- **Vibrant Community with a Diverse, Healthy Economy:** The introduction of 216 affordable units supports the City's desired diversification of the housing supply to support the workforce needed for a vibrant local economy;
- **Comprehensive, Integrated Parks and Open Space System:** If built to its maximum density, the subject site may suffer from a shortage of open space, recreation space, walking trails, and similar amenities. This may be offset by opportunities to connect to nearby trails, and a nearby park; the park area will be between 500 and 1200 feet from the residents of the new development.
- **Well-Designed, Attractive Neighborhoods:** The design and character of the new development will be reviewed at the PDP and ODP review phase, and is not a part of the Comprehensive Plan review.
- **Balanced Housing Mix:** The proposed development contributes to the City's goal of adding affordable housing to the City's housing stock. While it only contributes one type of housing within this development (multi-family), there is a mix of apartment sizes proposed which will help different sized families meet their housing needs.
- **Mixed Use and Transit Oriented Development:** With the construction of the proposed development, there would be a combination of residential and retail (restaurant) uses in the immediate vicinity of the project site.

While the site is neither a mixed-use site unto itself, nor a transit-oriented development, there are several positive attributes about its location, relative to the variety of nearby uses and the availability of public transit. Residents of the new project would be within walking distance (1/4 mile) of one table-service restaurant, one public park, two public elementary schools, one place of religious assembly, a nursery, a car wash, a gas station, an auto parts store, a small retail strip center, and a mini-storage facility. All of these uses except for the schools, place of religious assembly, public park, and restaurant are located in the neighboring jurisdiction of Federal Heights. The nearest full-service grocery store is approximately 6/10<sup>th</sup>s mile to the north.

The site is also served by a nearby RTD transit stop on Federal Boulevard, which provides access to both Route 31L (express service to Denver's Union Station) and Route 31, which provides local service to the immediate area, including

the Front Range Community College on West 112<sup>th</sup> Avenue. The project site is also located approximately 3.75 miles from Westminster Station, which provides non-stop commuter rail service to Denver's Union Station. In summary, it is likely that many future residents will still need to depend on private automobiles to access employment and services, but the site is reasonably well-supported by (public) transit options, and does benefit from a limited number of services in close proximity.

- **Balanced Transportation System:** As described in the previous section, the project site is within walking distance of a reasonable number of services, has a relatively strong connection to RTD bus services, and is not too far from RTD commuter rail services. The site is also surrounded by a well-developed public street network, which includes access to US-36 and I-25 at 2.5 and 3.2 miles away, respectively. The City has targeted Federal Boulevard for the development of a Corridor Plan to more comprehensively address multi-modal transportation options, which, if implemented, should lead to safer and more inviting walking and biking experiences along that thoroughfare. As mentioned previously, the future residents of the new project may need to depend on private vehicles, especially to employment and services, but the site does have access to (public) transit options. Overall, it is supported by a reasonably balanced transportation system, relative to other locations in the City.
- **Environmental Stewardship and Water Resource Management:** The project site, once developed, will be served by City water and sewer resources, and will be properly engineered in this regard. The City's Public Works & Utilities Department believes that the proposed land use change will have a minimal impact on both water and sewer capacity resources. Proper stormwater management and drainage for the site will be required, and all indoor water fixtures will be required to be certified "WaterSense approved" by the Environmental Protection Agency. The use of solar panels will also be encouraged in the project.
- **Safe and Healthy Community:** The safety and health of the new development will be reviewed at the PDP and ODP review phase, and is not a part of the Comprehensive Plan review.

Also as part of the analysis of this first criterion, Staff looked at the City's Strategic Plan Goals, which were adopted by the City Council on July 24, 2017, as follows:

#### **Strategic Plan Goals:**

- **Goal: Visionary Leadership, Effective Governance and Proactive Regional Collaboration:** The proposed Comprehensive Plan Amendment indirectly supports the regional effort to provide more affordable / attainable housing to the Denver Front Range region of Colorado. Also, both Adams County and the Adams 12 School District indicated support for the plan. The School District further confirmed available capacity for the students that might be anticipated from this development.



- **Goal: Vibrant, Inclusive, and Engaged Community:** The proposed Comprehensive Plan Amendment advances the effort to provide more workforce and affordable housing throughout the City. It advances the effort to reduce homelessness and to support those most at-risk by providing new and affordable housing.
  - **Goal: Beautiful, Desirable, Safe, and Environmentally Responsible City:** The layout, design, and character of any future new development will be reviewed at the PDP and ODP review phase, and is not a part of the Comprehensive Plan review. The City's Public Works & Utilities Department has confirmed that the potential water and sewer needs of the development can be properly supported by the City's current infrastructure.
  - **Goal: Dynamic Diverse Economy:** The proposed Comprehensive Plan Amendment supports this goal by facilitating development of affordable housing, which fosters both social and economic wellbeing both for the families involved, and for the community at large. It is also an essential element of supporting the workforce needed to sustain a strong economy.
  - **Goal: Financially Sustainable Government Providing Excellence in City Services:** The proposed Comprehensive Plan Amendment is supported in that City resources (water, sewer, emergency services, etc.) would not be overly taxed by the proposed amendment and subsequent development. Also, by contributing to the financial well-being of the future residents of this development in the short term, the City may realize a long term benefit in the improved stability of its residents.
  - **Goal: Ease of Mobility:** The proposed Comprehensive Plan Amendment will lead to a development that has adequate access to mass-transit. As Federal Boulevard is improved over time, the walkability and bikeability of the development will also be improved. Connections to adjacent walking paths, nearby trail networks, and existing sidewalk systems will help to enhance both the proposed development and this area of the City, in general.
- (2) **The proposed amendment serves a substantial public purpose and will not be substantially detrimental to the surrounding lands.**

Land Use Goal 7 (LU-G-7) within Comprehensive Plan reads:

*"Provide opportunities for a range of housing types and affordability to accommodate all incomes, lifestyles and age groups within the City."*

Staff agrees that the proposed Land Use change on the six-acre property and corresponding development will support this goal. The project does not propose a balanced housing mix by itself; it consists of one, two, and three bedroom apartments, and does not include other housing types such as townhomes or single family detached homes. It does, however, contribute to the City's stock of apartment homes, and thus, to the overall housing mix, when viewed in this larger context. More specifically, this addresses affordability by serving households earning between 30% and 60% of the Area Median Income (\$89,900 for a family of four, 2018).

- (3) **The proposed amendment shall consider the nature and degree of impacts on neighboring lands. Individual parcels or groups of parcels shall not be subject to a change in land use in such way that the new designation is substantially inconsistent with the uses of the surrounding area.**

The proposed switch from Mixed-Use to R-36 results in the same allowable density of thirty-six dwelling units per acre. The nature and degree of impacts on neighboring lands, and the consistency of an R-36 density in relation to the existing, surrounding area will be looked at during the PDP/ODP review phase.

As described previously, amending the Wishbone property to Retail Commercial and the City-owned property to Public/Quasi-Public in conjunction are logical clean ups to reflect the current and anticipated future land uses on these properties and both represent less intensive land use categories than the existing respective Mixed Use and Retail Commercial designations for the Wishbone and water storage facility.

- (4) **The proposed amendment is necessary in order to address substantially changed conditions in the immediate area of the subject tract since adoption of the Land Use Plan or an error contained in that document.**

There are no conditions that necessitate the proposed change in Comprehensive Plan Land Use designation; nor is there an error that is requiring resolution or correction with this proposed amendment. Staff does point out that the Wishbone Restaurant property is being redesignated as Retail-Commercial from Mixed-Use, and that the site of the new elevated water tower to the west is being redesignated from Retail-Commercial to Public / Quasi-Public with this application. Both of these actions will result in a better fit for current uses.

- (5) **The proposed amendment provides for the orderly physical growth of the city.**

The existing infrastructure in this area of the City will be extended to support the new development. The Public Works & Utilities Department has indicated that water and sewer capacity resources are available to meet the needs of the proposed project. Staff concurs that the new development represents a viable use of an infill property. Another benefit that may be realized with this land use amendment and subsequent development is the occupation and maintenance of previously undeveloped land that is otherwise surrounded by developed land. This is important, as it helps to eliminate the accumulation of weeds and trash, and helps to discourage vandalism and graffiti. This can improve aesthetic, safety, and environmental conditions for all of the surrounding properties, too.

- (6) **The proposed amendment furthers an important public policy, including but not limited to a need for affordable housing, protection of historic resources, preservation of open space, or reduction in water demand by virtue of a different land use category.**

As previously mentioned, Land Use Goal 7 (LU-G-7) within the City of Westminster's Comprehensive Plan reads:

*"Provide opportunities for a range of housing types and affordability to accommodate all incomes, lifestyles and age groups within the City."*

Staff agrees that the proposed Land Use change and corresponding development will support this goal. Staff further concurs with the assessment of the removal of the billboard. The billboard (owned by Lamar) is located adjacent and parallel to the Wishbone Restaurant on the St. Mark Village property. As noted, this is the last billboard in the City of Westminster, and has been a legally non-conforming structure for many years.

The R-36 portion of this amendment is further supported by compelling public policy established by the Affordable and Workforce Housing Strategic Plan, Resolution No. 27, passed and adopted October 23, 2017 that identifies strategies to finance workforce and affordable housing, address regulatory and process challenges, and to allow alternative housing product types. Further the City of Westminster Strategic Plan, dated July 2017, establishes the need to advance strategies that demonstrate that Westminster is a regional leader in providing affordable/workforce housing.

With the recommendation of approval for R-36 on the six-acre property, supporting by the City policies to promote affordable housing, land use clean ups are appropriate for the smaller remaining parcels occupied by the Wishbone and the water storage facility.

- (7) **The proposed amendment is appropriate in order to address a uniqueness in the size, shape and character of the parcel in relation to neighboring lands. Proof that a small parcel is unsuitable for use as presently designated or that there have been substantial changes in the immediate area may justify an amendment subject to evidence furnished by the applicant.**

Staff does not find any uncharacteristically unique features or parameters that surround the subject parcel. The land is easily accessible, generally flat, and will lend itself well to future development.

- (8) **The proposed amendment will not negatively impact the transportation system, drainage, water and sewer infrastructure, water supply, fire and police services, the parks and open space system, or the City general fund revenue.**

The Public Works & Utilities Department has verified that sufficient water resources and sewer capacity exists to handle the new development as it comes online. Other City services (e.g., Fire and Police) should likewise be able to handle any responsibilities that may increase as a result of this project. While the project will not contribute any new park land or open space, it will provide some increased connectivity between West 97<sup>th</sup> Avenue, Federal Boulevard, and locally existing trails and sidewalks. Developer contributions of monies for Public Land Dedication, Land Dedication for Public Schools, and Public Art cash-in-lieu funds will be reconciled as part of the PDP/ODP review process. It should be noted that property taxes are not paid into the City's General Fund, but, rather, are collected by Adams County, consistent with Colorado law.



- (9) **The proposed amendment will not negatively impact referral agencies such as the Colorado Department of Transportation, local school districts, the Rocky Mountain Metropolitan Airport, or other agencies pertinent to the location and nature of the requested amendment.**

No responding external agencies have expressed concerns about this project, including Adams County, Adams County 12 School District, the Colorado Department of Transportation (CDOT), Century Link, and Xcel Energy (Public Service Company of Colorado). No responses were received from Comcast, City of Federal Heights, or RTD. Other reviewers (such as the Rocky Mountain Metropolitan Airport) were not included in the analysis as the project was not in their jurisdiction or sphere of influence.

Additionally, there has been one neighborhood meeting associated with the project, and will be at least one more such meeting. The first, held on February 27, 2019, (see details below) was held to provide surrounding residents and land owners an opportunity to comment on the Comprehensive Plan Land Use Amendment. An additional meeting will be held to allow for comment on the Preliminary and Official Development Plans for the project. There will also be separate public hearings before both the Planning Commission and the City Council for both the Comprehensive Plan Amendment and the PDP Amendment, offering additional opportunities for public and/or agency input.

- (10) **The proposed amendment establishes minimal environmental impacts or has sufficiently mitigated any identified impacts.**

The subject project is located in Zone X (unshaded) of the FEMA National Flood Hazard Map (indicating the lowest possible flood risk). The project will be sufficiently engineered to properly account for stormwater detention, drainage, and related factors, as managed by the City's Engineering Division. There are no known environmental impacts expected from the development of the site, and no known environmental risks or hazards located on the site.

Staff's analysis of the ten criteria listed in WMC 11-5-21 above generally supports the proposed amendment.

#### Neighborhood Meeting(s) and Public Comments

On February 14, 2019, an invitation to a neighborhood meeting was sent to all neighbors within 300 feet of the property boundaries. The neighborhood meeting was held on February 27, 2019 at Westminster High School. The developer for St. Mark Village hosted the meeting, introduced the project, and fielded questions from the nine neighbors and concerned citizens who attended. The Project Planner and six other staff members also attended the meeting to listen and observe, as well as to offer support on any technical questions the attendees had.

Those in attendance voiced only one concern about the proposal to change the Comprehensive Plan designation of the properties in question, and that was a general concern related to already existing traffic problems in the area, and how these might be exacerbated by further development. The City's Traffic Engineer fielded these comments, and explained how new traffic patterns would be adapted in the development area.

Staff will gather and review further input from neighboring citizens once the neighborhood meeting is held to discuss the PDP and ODP submittals for the new affordable housing project.

Strategic Plan

Staff has evaluated the proposal in light of the City Council's Strategic Plan and recommends approval of the application. Staff believes this project supports two of the City's 2017 Strategic Plan Goals including, *Visionary Leadership, Effective Governance and Proactive Regional Collaboration* and *Vibrant, Inclusive and Engaged Community*. *Visionary Leadership* is furthered through supporting regional efforts to expand the availability of affordable housing, while *Vibrant, Inclusive and Engaged Community* is furthered through the proactive development of diverse, integrated housing options.

Respectfully submitted,

A handwritten signature in black ink that reads "Rita McConnell". The signature is stylized and cursive.

Rita McConnell, AICP  
Planning Manager

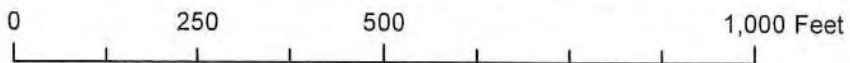
Attachments

- Attachment 1: Vicinity Map
- Attachment 2: Comprehensive Plan Map Changes
- Attachment 3: Comprehensive Plan Designations
- Attachment 4: Applicant Responses: Comprehensive Plan Amendment Criteria

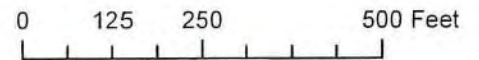




**Vicinity Map**  
**St. Mark Village**  
**NWC - 97th Avenue & Federal Blvd.**







**Comprehensive Plan Changes:  
Hollyhurst Subdivision  
Lots 9-10, and Lots 11-12, 45-48, and Lots 49-51**





**R-36 Residential**

**18.0 to 36.0 Dwelling Units per Acre**



This designation accommodates a range of higher density housing types from townhomes to apartments, condominiums and similar higher density typologies. R-36 Residential shall be located along arterial streets near transit and activity centers, where supportive neighborhood-serving uses and transit are within a 5- to 10-minute, or half-mile, walk.

<b>Development Standards</b>	
	<i>Requirement</i>
<b>Land Use</b>	
Allowed Uses	Apartments, Condominiums, Lofts and Townhomes
Limited Uses	Non-commercial Recreational Uses Senior Housing Facilities (1)
<b>Development Characteristics</b>	
Density	Minimum 18.0 du/acre Maximum 36.0 du/acre
<i>(1) For facilities with beds rather than dwelling units, 2.5 beds shall equal one dwelling unit for purposes of calculating density.</i>	

**Mixed Use**

**8.0 to 36.0 Dwelling Units per Acre and Maximum Combined FAR of 1.5**



This designation is intended to foster development with a mix of residential and commercial uses. Stand-alone commercial use or a combination of residential and commercial use is permitted. Where residential development is proposed, a vertical mix of uses (such as residential or office use above ground floor retail) is required with a minimum 0.10 FAR of commercial use (retail, offices or personal/business services). Parking should be located behind buildings, below grade or in structures to ensure active uses face onto public streets. Auto-oriented uses and drive-throughs are strongly discouraged as part of residential mixed-use projects.

**Development Standards**

	<i>Requirement</i>
<b>Land Use</b>	
Allowed Uses	Apartments, Condominiums, Lofts and Townhomes Offices, Personal Services, Retail Commercial, Live/Work
Limited Uses (1)	Auto-oriented uses Stand-alone uses with vehicle drive-throughs
Potentially Prohibited Uses	Pawn shops, car sales, massage parlors, tattoo parlors, video and other arcades, night clubs, off-track betting, auction houses, thrift stores, used merchandise sales, billiard parlors, gun shops, adult businesses, check cashing offices and day labor services
<b>Development Characteristics</b>	
Density	Minimum 8.0 du/acre, when provided Maximum 36.0 du/acre, when provided
Floor Area Ratio	Minimum 0.10 Commercial when Residential is provided Maximum 1.5 Combined Residential and Commercial

*(1) Uses may not be permitted as part of a mixed-use project that includes both residential and commercial uses.*



**Retail Commercial**

**Maximum FAR of 0.35**



This designation serves a variety of neighborhood and regional commercial needs and can be comprised of retail stores, eating establishments, banks, supermarkets and business and professional offices. Retail commercial uses are generally limited to arterial street intersections at one or two corners. Neighborhood commercial development is allowed on collector streets. Auto service stations, convenience stores, drive-through facilities and other similar uses may be limited and may not be allowed in areas that directly abut residential districts, public/quasi-public or institutional uses or public space. When permitted, such facilities shall use enhanced architectural design to be compatible with surrounding uses. Design of all retail commercial development must be consistent with the Retail Commercial Design Guidelines.

**Development Standards**

	<i>Requirement</i>
<b>Land Use</b>	
Allowed Uses	Retail stores, eating establishments, banks, supermarkets, and business and professional offices
Limited Uses	Auto-oriented uses Stand-alone uses with vehicle drive-throughs
Potentially Prohibited Uses	Pawn shops, car sales, massage parlors, tattoo parlors, video and other arcades, night clubs, off-track betting, auction houses, thrift stores, used merchandise sales, billiard parlors, gun shops, adult businesses, check cashing offices and day labor services

**Development Characteristics**

Floor Area Ratio	Maximum 0.35
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### Public/Quasi Public



This designation is intended for uses related to general community services, such as public safety facilities, schools and institutions of higher learning, places of worship, community centers, hospitals, municipal facilities and cemeteries. Future public and quasi-public uses such as private schools and recreation facilities, although not shown specifically on the Land Use Diagram, are generally allowed in residential areas subject to City review and approval. Places of assembly are also allowed in non-residential use categories subject to City review.

## **Applicant Responses to City Comprehensive Plan Amendment Criteria**

11-5-21: STANDARDS FOR APPROVAL OF LAND USE PLAN AMENDMENTS:

*(B) In reviewing an application for an amendment to the Land Use Plan, the following criteria shall be considered:*

- (1) The proposed amendment is consistent with the vision, intent and applicable policies of the Comprehensive Plan and other adopted plans, policies and guidelines.**

**Applicant Response:** The proposed amendment is consistent with the vision, intent and applicable policies of the Comprehensive Plan and other adopted plans, policies, and guidelines because the proposed amendment consolidates a smaller retail/commercial land parcel and use with a larger vacant lot in order to foster development of a mix of uses within the land area contained in the amendment - retail and residential - thereby completing the mixed-use vision for the zone from the 2013 Comprehensive Plan.

- (2) The proposed amendment serves a substantial public purpose and will not be substantially detrimental to the surrounding lands.**

**Applicant Response:** The proposed amendment serves a substantial public purpose by achieving goal LU-G-7 of the [City of Westminster's] Comprehensive Plan while creating a balanced housing mix in a well-designed building in the Central/North portion of Westminster on an infill parcel that is walkable to key services and transit and will tie into existing open/park space with the addition of walking trails. The proposed amendment will provide land uses complimentary to the surrounding lands with similar uses located within two blocks of the subject site.

- (3) The proposed amendment shall consider the nature and degree of impacts on neighboring lands. Individual parcels or groups of parcels shall not be subject to a change in land use in such way that the new designation is substantially inconsistent with the uses of the surrounding area.**

**Applicant Response:** The proposed amendment will not ask any individual parcels or groups of parcels to change land use or to increase currently allowed densities. The amendment proposes parcel #017917316003 consolidate with parcels 0171917316-001 & 002 to fulfill the mixed-use vision of the comprehensive plan. The proposed amendment will allow for land uses currently approved in the Comprehensive Plan and existing within two blocks of the subject site.



- (4) **The proposed amendment is necessary in order to address substantially changed conditions in the immediate area of the subject tract since adoption of the Land Use Plan or an error contained in that document.**

**Applicant Response:** The immediate area has not undergone substantially changed conditions since the adoption of the Land Use Plan. The proposed amendment combines parcels in order to fulfill the intent of the existing Land Use Plan as mixed-use land.

- (5) **The proposed amendment provides for the orderly physical growth of the city.**

**Applicant Response:** The proposed amendment fulfills the intent of the existing Comprehensive Plan and does not request any increased density over what is currently allowed, thereby achieving orderly physical growth. The proposed amendment will allow infill development to move forward on two parcels of undeveloped land in an area that was largely built-out through the 1980s and mid-1990s. Development of the parcels in the proposed amendment will help fill in urban gaps and provide an improved urban fabric than currently exists.

- (6) **The proposed amendment furthers an important public policy, including but not limited to a need for affordable housing, protection of historic resources, preservation of open space, or reduction in water demand by virtue of a different land use category.**

**Applicant Response:** The proposed amendment helps to fulfill Goal LU-G-7 of the Comprehensive Plan by adding affordable housing units serving families and households of lower incomes. Further, approval of the proposed amendment and the resulting development will lead to the last remaining billboard in the City of Westminster being demolished and removed forever.

- (7) **The proposed amendment is appropriate in order to address a uniqueness in the size, shape and character of the parcel in relation to neighboring lands. Proof that a small parcel is unsuitable for use as presently designated or that there have been substantial changes in the immediate area may justify an amendment subject to evidence furnished by the applicant.**

**Applicant Response:** There is no uniqueness in the size shape and character of the parcel in relation to neighboring lands. The parcel is not small, and there have been no substantial changes in the immediate area.

- (8) **The proposed amendment will not negatively impact the transportation system, drainage, water and sewer infrastructure, water supply, fire and police services, the parks and open space system, or the City general fund revenue.**

**Applicant Response:** The proposed amendment will not adversely affect the transportation system, drainage, water and sewer infrastructure, water supply, of the fire and police services. It will have the opportunity to add connectivity to the open space system by connecting new paved trails to existing paved trails and will improve the transportation system by removing the last remaining billboard in the City of Westminster, which is a blight to passersby along the north/south bound directions of Federal Boulevard and the east/west bound directions of W. 97<sup>th</sup> Avenue. The proposed amendment will add to City general fund revenue through new property tax collections from two parcels currently tax-exempt.

- (9) **The proposed amendment will not negatively impact referral agencies such as the Colorado Department of Transportation, local school districts, the Rocky Mountain Metropolitan Airport, or other agencies pertinent to the location and nature of the requested amendment.**

**Applicant Response:** The proposed amendment will not adversely affect any referral agencies such as the Colorado Department of Transportation, local school districts, the Rocky Mountain Metropolitan Airport, or other agencies pertinent to the location and nature of the requested amendment. Again, the removal of the billboard will positively impact the Colorado Department of Transportation.

- (10) **The proposed amendment establishes minimal environmental impacts or has sufficiently mitigated any identified impacts.**

**Applicant Response:** A phase one environmental site assessment was conducted for parcels 0171917316-001 and 002, and no environmental impacts were identified and the property is previously undeveloped.

# EXHIBIT 11



**From:** Charles H. Woolley II

**Sent:** Friday, November 9, 2018 3:43 PM

**To:** hatchison@cityofwestminster.us; mdecambra@cityofwestminster.us; sbird@cityofwestminster.us; ddemott@cityofwestminster.us; epinter@cityofwestminster.us; aseitz@cityofwestminster.us; kskulley@cityofwestminster.us

**CC:** Jordan Zielinski; Darrin Grommeck; White,Carolynne C.

**Subject:** St. Mark Village - An Open Letter to City Council

**Attachments:** St Mark Village - Open Letter to Council - Attachment.pdf

**Importance:** High

**SysUserProp:** 88334F2CCA0D8E51C8530404366F9B82

Dear Council Members--

This email and the attached documents comprise an open letter to the City of Westminster and its elected officials from St. Charles Town Company regarding development of the proposed St Mark Village workforce housing community at 97<sup>th</sup> and Federal. Since meeting with economic development staff on June 13, 2018 and learning that the City of Westminster was experiencing substantial wastewater capacity issues, we have been working tirelessly to obtain information and work on alternatives that might salvage development of the 216-unit St Mark Village community. Our independent efforts have included evaluation of commercial septic systems, connection to Federal Heights' sewer system and the associated legal requirements needed to make that possible, on-site wastewater treatment, and diversion of a portion of the BDCIS to the Little Dry Creek basin.

We are not confident at this time that the urgency of this project has been communicated adequately to City Council and while the Economic Development Team has been accessible, supportive, and diligent, our collective efforts have not been successful in elevating this project to the attention of policy makers. **At this point in time and without Council intervention, the proposed project is at immediate risk of failure due to timing requirements of the CHFA-issued private activity bonds used to finance the project and how those timelines interact with the development moratorium imposed on the BDCIS and the timeline of its needed improvements.**

Attached to this email is a quick information flyer and timeline of what has happened since St. Charles introduced this project to the City in December 2017 along with a draft ordinance for your review and consideration that would provide for a moratorium exemption for affordable housing, as defined by the City of Westminster, allowing projects that serve a critical need and benefit the public health, safety, and welfare of the City to move forward immediately.

Please do not hesitate to have anyone looking for more information about this project to reach out directly to me at 720-598-1301 or if there are questions about the proposed ordinance, you may also contact our counsel, Carolynne Whiteworth Brownstein, Hyatt, Farber, Schreck, LLP at 303-223-1197.

Respectfully,  
Charlie

---

**Charles H. Woolley, II**

**FOUNDING PRINCIPAL / PRESIDENT**

**St. Charles Town Company**

1850 PLATTE STREET, SUITE 200

DENVER, CO 80202

O:720.598.1301

C:303.548.6962

[charlie@stcharlestown.com](mailto:charlie@stcharlestown.com)

[www.stcharlestown.com](http://www.stcharlestown.com)



ST. CHARLES TOWN COMPANY

## St. Mark Village

### Project Information and Timeline

Q: What is St Mark Village?

A: A 6-building, 216-unit proposed workforce housing community at 97<sup>th</sup> and Federal

Q: What is the unit mix?

A: Geared toward families with primarily 2 and 3 bedroom units:

1BR – 36 units, 2BR – 99 units, 3BR – 81 units

Q: Who is proposing this community?

A: St. Charles Town Company, a 25 year old award winning Denver-based real estate developer.

Q: What is the status of entitlement progress?

A: Project requires a comprehensive plan amendment before it can proceed with PDP/ODP and is currently at a standstill because of the sewer moratorium.

Q: What effect does the moratorium have on this proposed community?

A: If not remedied prior to December 18, 2018, the project is at immediate risk of failure due to the inability to meet external deadlines related to the private activity bond requirements used to finance the project.

Q: What can the City of Westminster do to save this project?

A: Immediately pass an ordinance exempting affordable housing, as defined by the City of Westminster, from the moratorium.

Q: Why should the City of Westminster make exemptions to the moratorium?

A: City staff and consultant research and analysis is ongoing, but has concluded that additional capacity exists within the BDCIS to serve projects that held a PPA prior to passage of the moratorium and it is possible additional capacity exists for additional limited projects. The City has found that lack of affordable housing is an issue of major concern in the community. An exemption that allows this project to proceed would serve this critical need and benefit the public health, safety and welfare of the City and its residents.

Q: How can City Council verify there is capacity for additional projects that serve a public benefit and stated key goals of the comprehensive plan?

A: Direct City staff (public works, and its wastewater consultant) to prioritize analysis of the capacity question as it relates specifically to this project and any others that meet the public benefit threshold.

Q: What documents are attached to this?

A: A timeline summarizing the sequence of events for this project, a draft of the exception ordinance provided to the City Attorney for consideration on 10/24/2018, proposed site plan of the St Mark Village family community.





## Entitlement History & Timeline:

**December 19, 2017** – Developer submitted and received a zoning letter via eTrakit.

**January 16, 2018** – Initial consultation meeting held with Principal Planner, John McConnell to discuss site plan and comprehensive plan amendment viability.

**February 21, 2018** – Second project meeting, which developer thought was a PPA meeting, was held, during which time items typically discussed in a PPA meeting were discussed.

**March 16, 2018** – Date St Mark Village was awarded \$148,332.65 of 2017 HOME Funds by Adams County and any available 2018 HOME Funds – these critical funds awarded to the project will be abandoned if an exception to the moratorium cannot be granted in 2018.

**June 6, 2018** – Comprehensive Plan Amendment successfully submitted via eTrakit and the \$500 comprehensive plan amendment application fee was paid.

**June 13, 2018** – Economic development staff communicated there was no sewer capacity and the City of Westminster could not serve the proposed project.

**June 25, 2018** – Meeting between developer, Stephen Grooters, and Max Kirschbaum, discussing sewer capacity issues that were identified in separate reports prepared by third party consultants for the City in 2012 and 2015, and ongoing in 2018.

**June 25, 2018** – Comprehensive Plan Amendment withdrawn from review process and eTrakit system – no action was initiated by developer to withdraw the amendment, no explanation or response was given as to why the application was withdrawn by the City despite multiple inquiries, and no fee refund was offered or issued.

**June 28, 2018** – Date the land purchase was scheduled for this proposed project, proceeds of which were to fund, in part, a substantial renovation and bell tower addition for the 1,700 member congregation of the St Mark Catholic Church.

**June 13 – Present** – Ongoing discussions yielding little or no new information between developer and City Staff regarding the scope of wastewater upgrades needed, the timing of those anticipated upgrades, or the cost and funding of those upgrades.

**October 24, 2018** – Draft ordinance exempting affordable housing from the moratorium provided to the city attorney for consideration, review, and discussion.

**December 18, 2018** – Date of expiration of the purchase contract for the proposed project which will not be renewed due to the inability to develop the ground to be purchased unless a moratorium exception is passed in 2018.

**December 27, 2019** – Date developer needs to place the 2017 CHFA approved private activity bonds into service to preserve the basis boost that makes the project economically feasible.

BY AUTHORITY

ORDINANCE NO. \_\_\_\_

COUNCILLOR'S BILL NO. \_\_\_\_

SERIES OF 2018

INTRODUCED BY COUNCILLORS

A BILL

FOR AN EMERGENCY ORDINANCE EXEMPTING QUALIFIED AFFORDABLE HOUSING PROJECTS FROM THE 12-MONTH MORATORIUM ON THE ACCEPTANCE OF NEW DEVELOPMENT APPLICATIONS FOR PROJECTS THAT INCREASE SEWER DEMAND IN THE BIG DRY CREEK INTERCEPTOR SEWER

WHEREAS, on July 23, 2018, the City of Westminster ("City") passed and adopted Ordinance 2018-3940 ("Moratorium Ordinance"), pursuant to which the City imposed a moratorium on the City's acceptance of new Development Applications (as defined in the Moratorium Ordinance) for project which, if approved, would increase sewer demand in the Big Dry Creek Interceptor Sewer ("Moratorium"), as further described in the Moratorium Ordinance; and

WHEREAS, the Moratorium became effective on July 24, 2018, and will not expire until 12 months thereafter, unless sooner repealed or modified; and

WHEREAS, certain multi-family residential developments that qualify to receive federal Low-Income Housing Tax Credits and within which at least 50% of the units serve households earning between 0% and 80% of the regional Area Median Income as defined by the Department of Housing and Urban Development ("Qualified Affordable Housing Projects") play an important and unique role in providing affordable housing options within the City, serve a critical need with respect to the public health, safety and welfare, and the lack of such affordable housing options within the City becomes more acute with the passage of time; and

WHEREAS, the City has recognized in its Comprehensive Plan that "[p]roviding a balanced mix of housing opportunities in the city will continue to be a focus of planning efforts in the city" because doing so "will reinforce the city's identity as a diverse, attractive place in which to live and work." Further, the Comprehensive Plan states that "the city should continue to support a range of affordability and housing types throughout the city[.]"; and

WHEREAS, the Moratorium had the effect of stymying the development of Qualified Affordable Housing Projects within the City, which could lead to or exacerbate a lack of affordable housing options within the City; and

WHEREAS, City Council finds and declares that an emergency exists and that it is necessary that this ordinance become effective immediately upon adoption at a single reading to preserve the public's peace, safety, and welfare.

NOW, THEREFORE, THE CITY OF WESTMINSTER ORDAINS:

Section 1. The Moratorium and the Moratorium Ordinance shall not apply to Qualified Affordable Housing Projects, which are hereby exempted from the Moratorium and Moratorium Ordinance.

The City shall accept, process, and review Development Applications (as defined in the Moratorium Ordinance) for Qualified Affordable Housing Projects as though the Moratorium Ordinance were of no force or effect with respect to such Development Applications and Qualified Affordable Housing Projects.

Section 2. Because of the risk that the Moratorium could lead to or exacerbate a lack of affordable housing options within the City by stymying the development of Qualified Affordable Housing Projects within the City, an emergency is declared to exist, and this ordinance is declared to be necessary for the immediate preservation of the public peace, health, and safety. Wherefore, this ordinance shall be in full force and effect upon adoption of this ordinance on October \_\_, 2018, by an affirmative vote of 6 of the members of the Council if 6 or 7 members of the Council are present at the meeting at which this ordinance is presented, or by an affirmative vote of 4 of the members of the Council if 4 or 5 members of the Council are present at the meeting in which this ordinance is enacted.

Section 3. All of the above recitals are incorporated herein.

Section 4. If any section, paragraph, clause, word, or any other part of this ordinance shall for any reason be held invalid or unenforceable by a court of competent jurisdiction, such part deemed unenforceable shall not affect any of the remaining provisions.

Section 5. This ordinance shall be published in full within 10 days after its enactment.

INTRODUCED, READ IN FULL, AND PASSED AND ADOPTED AS AN EMERGENCY ORDINANCE this \_\_ day of October 2018.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
APPROVED AS TO LEGAL FORM:

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney's Office





Charlie Smith  
Attorney  
303.223.1289 tel  
[cjsmith@bhfs.com](mailto:cjsmith@bhfs.com)

August 16, 2019

**VIA ELECTRONIC MAIL AND FEDERAL EXPRESS**

City of Westminster  
Attn: David German  
4800 W. 92nd Ave.  
Westminster, CO 80031  
Email: [dgerman@CityofWestminster.us](mailto:dgerman@CityofWestminster.us)

City of Westminster  
Attn: Kristin Decker  
4800 W. 92nd Ave.  
Westminster, CO 80031  
Email: [kdecker@CityofWestminster.us](mailto:kdecker@CityofWestminster.us)

RE: Request for Continuance of City Council Hearing Scheduled for August 26, 2019, Related to Consideration of the Comprehensive Plan Amendment ("**Amendment**"), Preliminary Development Plan ("**PDP**"), and Official Development Plan ("**ODP**") for St. Mark Village (the "**Development**")

Mr. German and Ms. Decker:

As you know, our firm represents St. Charles Town Company, LLC and its affiliates, including 3100 W 97th Avenue, LLLP ("**St. Charles**") with respect to the Project and St. Charles's applications to the City of Westminster (the "**City**") for the Amendment, PDP, and ODP.

The Planning Commission recommended approval of the Amendment at the hearing held on May 14, 2019. Likewise, the Planning Commission voted to recommend approval of the PDP and ODP at the hearing held on August 13, 2019. Therefore, the Amendment, PDP, and ODP are set for consideration at the City Council hearing scheduled for August 26, 2019 (the "**Hearing**").

At the August 13<sup>th</sup> hearing, Michael Repucci, an attorney representing Hamilton Zanze & Co., Inc., submitted a letter to the City that describes his client's objections to the Amendment, PDP, ODP, and the Project, and the process by which the City has reviewed and processed the Amendment, PDP, and ODP (the "**Objection Letter**"). For context, Hamilton Zanze acquired the Environs development in September 2018 for approximately \$82,000,000. While the Project would be an affordable project and the Environs is market-rate, it is possible that the Project would compete with the Environs for some tenants.

Although we think the allegations in the Objection Letter are specious and that the City has properly followed its procedures throughout this rather lengthy process, nonetheless, because Mr. Repucci and Hamilton Zanze have threatened litigation against the City, which places the Project at risk, we feel it

410 Seventeenth Street, Suite 2200  
Denver, CO 80202-4432  
main 303.223.1100

Request for Continuance  
August 16, 2019  
Page 2

appropriate to take the Objection Letter seriously.

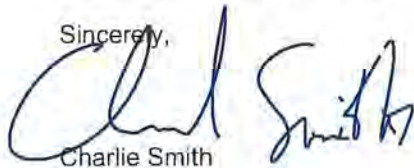
Neither Mr. Repucci nor his client Hamilton Zanze attempted to contact St. Charles prior to submitting the Objection Letter to the City, which (based on the Objection Letter) may have proved fruitful in dispelling some of the misconceptions they carry regarding the Amendment, PDP, ODP, and the Project. Now that they have submitted the Objection Letter, St. Charles has reached out to Kurt Houtkooper, CIO & President of Hamilton Zanze, and Mr. Repucci to open a dialogue about the Amendment, PDP, ODP, and the Project.

One of the allegations in the Objection Letter is that they feel this process has been rushed. It may seem that way to them, since they purchased the property less than a year ago, but as the City knows, St. Charles has been working on this process for several years, having waited out the City's recent moratorium for six months, among other things. Nonetheless, St. Charles is prepared to accept a small additional delay in order to properly respond to the Objection Letter, and to attempt a fruitful interaction with Hamilton Zanze.

Therefore, St. Charles hereby requests a continuance of the Hearing from August 26, 2019, to the next regular City Council meeting, on September 9, 2019.

Please feel free to contact me at the number above with any questions or comments.

Sincerely,



Charlie Smith