



WESTMINSTER

CITY OF WESTMINSTER
PLANNING COMMISSION
Meeting Minutes
August 23, 2022

1. ROLL CALL

The regular meeting was called to order at 7:00 pm by Chair Jim Boschert. Present were Commissioners Rick Mayo, David Carpenter, Lawrence Dunn, David Tomecek, Tracy Colling and Chennou Xiong. Excused from attendance were Commissioners David Carpenter and Elisa Torrez. Also present: Staff members, John McConnell, Interim Planning Manager, Jacob Kasza, Senior Planner, Amy Johnson, Senior Planner, Greg Graham, Deputy City Attorney, Heath Klein, Transportation Engineer, Alex Gan, Engineer, Mikele Wright, Principal Engineer and Jennifer Baden, Associate Planner. With the roll called, Chair Boschert stated that the alternate would be voting.

CONSIDERATION OF MINUTES

Meeting Minutes from August 9, 2022.

Commissioner Mayo made a motion to accept the minutes from the August 9, 2022 Planning Commission meeting. Vice-Chair McConnell seconded the motion. Commissioner Xiong abstained from the vote because he was not present at the August 9, 2022 meeting. The minutes were unanimously accepted (6-0).

2. CONSIDERATION OF NEW BUSINESS AND PUBLIC HEARINGS

3a) Public Hearing and Consideration of a Preliminary Development Plan Amendment for Foster Property.

Jacob Kasza, Senior Planner, entered into the record the agenda memorandum, attachments, and public notice affidavit of publication from the *Westminster Window* on August 11, 2022. Mr. Kasza narrated a PowerPoint presentation for the proposal to:

- a. Hold a public hearing.
- b. Recommend that the City Council approve the Third Preliminary Development Plan Amendment for Foster Property.

The applicant, represented by Eric Chekal of Schuck Chapman Companies, was present and narrated a PowerPoint presentation.

Chair Boschert opened the floor for discussion and questions from the Commissioners to the Staff and to the applicant

Seeing there was no discussion, Chair Boschert opened the public hearing at 7:24 pm.

There was no public testimony and Chair Boschert closed the public hearing at 7:25 pm.

Vice-Chair McConnell motioned that the Planning Commission recommend City Council approve the Third Preliminary Development Plan Amendment for Foster Property. This recommendation is based on the finding that the amendment is supported by the criteria set forth in Section 11-5-14, W.M.C.

Commissioner Mayo seconded the motion.

The motion passed unanimously (7-0).

3b) Public Hearing and Approval of the Sixth Amended Official Development Plan for an Animal Hospital at the Benton Park Planned Unit Development.

Amy Johnson, Senior Planner, entered into the record the agenda memorandum, attachments, public notice affidavit of publication from the *Westminster Window* on August 11, 2022, mailed notice certification, presentation, and posted sign. Ms. Johnson then narrated a PowerPoint presentation with the recommendation to:

- a. Hold a public hearing.
- b. Approve the Official Development Plan Amendment for the Benton Park subdivision Lots 3 and 4, totaling 1.66 acres as reviewed by staff.

Jim Fitzmorris with JR Engineering represented the applicant and narrated a PowerPoint presentation. The architect, Michael Matthys, then presented an alternative “cherry” color for the metal material to be used on the building which he requested approval of through a condition added to the motion. This motion was prepared by staff.

Chair Boschert opened the public hearing and then seeing no one wishing to speak, opened floor for discussion and questions from the Commissioners to the Staff.

Chair Boschert asked the applicant to show the materials board with the cherry color requested, as well as a rendering of another building within the center. The applicant presented the materials board to the Commissioners. Ms. Johnson also displayed a slide that displayed the different colors of the metal material. Chair Boschert asked staff to state why staff is not supporting the cherry color. Ms. Johnson responded that the City did not request that the buildings match one another exactly but rather the City is trying to achieve some compatibility and a balanced continuity of the colors, materials, and architecture as required by the Westminster Municipal Code. Ms. Johnson explained that the original master Official Development Plan (ODP) contains a strict standard with respect to architecture. She stated that the City believes the walnut color is more compatible and aligns with original ODP and is a requirement of criteria 5 and 10 for approving ODP amendments. She stated that the criteria require that the development be compatible with the surrounding area, architecture, colors, and materials near the subject property. She also cited that staff is concerned about how the cherry color on a metal material will weather and fade and for these reasons, staff believes this color change does not meet criteria 5 and 10.

Chair Boschert asked the applicant if there is any difference in longevity or durability of the two colors. The applicant responded no, because both colors are the same material, a metal laminated with a “wood look,” which is often being used to achieve the wood look in architecture because of its durability. He stated the material used to achieve the “wood look” on the dentist building in the same center is a fiber cement product.

Commissioner Colling asked staff if staff had a larger example of the materials than what is shown in the presentation. The architect again presented the materials board to the Commissioners.

Commissioner Colling asked the applicant if the stone on both proposals is the same, and the applicant responded that when viewed up close they are different but when viewed farther away they look very similar.

Commissioner Colling asked whether the one existing building in the center and the proposed building both having the stone and wood used are comparable but slightly different. The applicant responded yes and added that the materials represent similar architectural elements.

Commissioner Xiong asked for the materials board to be passed around among the Commissioners. Each Commissioner was given the opportunity to handle the materials board.

Chair Boschert asked the applicant if there was a difference in cost between the two colors. The applicant responded no.

Commissioner Xiong asked staff to clarify whether their position of opposition is to the cherry color alone and not to the material. Ms. Johnson responded that metal is allowed to be used as an accent only by the City's Retail Commercial Design Guidelines and while this is the case, the metal material proposed is larger than has been allowed before, making the color more important when determining compatibility.

Vice-Chair McConnell asked staff if there will be a greater use of the cherry color versus the walnut. Ms. Johnson responded that no, the amount used would be the same.

Vice-Chair McConnell asked the applicant to say the color of the Benton Park sign in the presentation. The applicant responded with "earth tones."

Vice-Chair McConnell asked the business owner about the significance of the cherry color. Dr. Aris responded that the cherry color is inspirational and the Cherry color matches the interior of his office and he desires the exterior and interior to flow together.

Commissioner Mayo commented that the pictures of the emergency medical center and the dentist office appear not to match and asked for staff to confirm. Ms. Johnson responded that the buildings do not match exactly and that the City did try to carry through the earth tones and the same architectural lines to achieve compatibility while still allowing for some variation and striking a balance.

Vice-Chair McConnell asked staff to confirm what year the original ODP was approved. Ms. Johnson responded 2007.

Chair Boschert commented that he believes the proposed design is high quality, is harmonious with the rest of the development, the cherry color is such a slight variation and he will support the change.

Chair Boschert opened the public hearing at 7:54 pm.

There was no public testimony and Chair Boschert closed the public hearing at 7:55 pm.

Chair Boschert asked for staff and applicant rebuttal.

Commissioner Xiong asked staff about the concerns about the cherry color fading in the sun. Ms. Johnson responded that the City has not seen enough application of the metal to assess the durability of the color.

Commissioner Xiong asked the applicant what the financial burden would be if it changes and the City requires maintenance to replace the cherry colored metal and laminate material. The applicant responded since the material is the same the burden is the same regardless of color used. He stated it is difficult to maintain a wood look and the technology of metal finishes is rated as a 50-year finish.

Commissioner Colling asked staff if there is a mechanism in place to require the property owner re-paint the material due to fading. Interim Planning Manager John McConnell stated he does not know of a precedent on file, however, the ODP approval is the zoning approval and does run with the land, so if a property does not comply with the ODP, the City would have the ability to require the property owner to come into compliance with the ODP.

Chair Boschert stated that if a motion is made for the cherry color to be used, he will support the motion.

Commissioner Colling moved that the Planning Commission approve the Sixth Amended Official Development Plan for the Benton Park subdivision with the condition that the metal

siding may be changed to the cherry color. This recommendation is based on the finding that the amendment meets 15 of the 17 criteria set forth in Section 11-5-15, W.M.C. Vice-McConnell seconded the motion.

Commissioner Dunn said that he supports the motion because criteria 5 and 10 speak of harmonious and compatible and he believes that has been achieved with the cherry color.

Vice-Chair McConnell agreed with Commissioner Dunn.

The motion passed unanimously (7-0).

4. ADJOURNMENT

The meeting was adjourned at 8:00 p.m.

THE WESTMINSTER PLANNING COMMISSION


James Boschert, Chairperson

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