

Tuesday, January 9, 2024, at 7:00 p.m.

PLANNING COMMISSION MEETING AGENDA

- 1. ROLL CALL
- 2. ELECTION OF ACTING VICE-CHAIR
- 3. CONSIDERATION OF PREVIOUS MEETING MINUTES Meeting Minutes of September 26, 2023
- 4. CONSIDERATION OF NEW BUSINESS
 - a. Recommend to the City Council that it approve the Preliminary Development Plan for Mandalay Gardens, Tract 10. This recommendation is based on the finding that the Preliminary Development Plan generally complies with the criteria in Section 11-5-14, Westminster Municipal Code.

Prepared by: Jacob Kasza, Senior Planner

- 5. OLD BUSINESS
- 6. MISCELLANEOUS BUSINESS
- 7. ADJOURNMENT

PLEASE NOTE

The following are the procedures used by the Planning Commission for in-person meetings.

For participation guidelines please visit www.westminsterco.gov/pc

- 1. Staff will present agenda items. The Developer may present after Staff.
- 2. Those in attendance who favor the proposed development may address the Commission, followed by those who do not favor the proposed development. The Chair may impose time limits on speakers. **PLEASE SIGN THE SHEET IN THE FRONT OF THE COUNCIL CHAMBERS WHEN YOU SPEAK.**
- 3. All questions shall be addressed to the Chair of the Planning Commission. The Chair will call on Staff to address questions at the end of the hearing. Planning Commission reserves the right to question anyone at any time during the Public Hearing.
- 4. The Commission is charged with the review of Comprehensive Plan Amendments, Rezonings, Preliminary Development Plans, Amended Preliminary Development Plans, Official Development Plans, Amended Official Development Plans, Preliminary Plats and Amended Preliminary Plats that are not approved administratively by the City Manager.
- 5. There are two different procedures involved in the review of applications for development plan approval and the procedure depends on the type of plan under consideration:
 - a. After review and a public hearing, the Planning Commission may recommend approval of an application, approval subject to specified conditions, or denial of an application. The Planning Commission is **not** the final authority on these applications. The City Council is the final decision maker.
 - b. On applications for Official Development Plans and Amended Official Development Plans, the Planning Commission **does** make the final decision, unless the decision of the Planning Commission is appealed to the City Council within 10 days of the Planning Commission decision by a "party-in-interest," as described in Section 11-5-13(B.1) of the Westminster Municipal Code. If a decision of the Planning Commission is properly appealed to the City Council, the City Council will schedule the item for consideration at one of their upcoming meetings and, after holding a public hearing, make a final decision on the application.

If you need further information regarding this process, or any other matter related to the City's development review process, please contact the City Planning Division at 303-658-2092.

NOTE: Persons needing an accommodation, such as an interpreter for another language, or who have an impairment that requires accommodation, must notify the Planning Aide no later than noon on the Thursday prior to the scheduled Planning Commission hearing to allow adequate time to discuss arrangements. Please call 303-658-2092/TTY711 or State Relay or email jbaden@westminsterco.gov to make a reasonable accommodation request.



MEMORANDUM

TO: Planning Commission, Secretary and Staff Liaison

FROM: Greg Graham, Deputy City Attorney

DATE: January 3, 2024

SUBJECT: Electing an Acting Vice-Chair

With the resignation of Commissioner McConnell, the Planning Commission must select an Acting Vice-Chair to fill the remainder of the Vice-Chair's term.

Section B of the Planning Commission's Bylaws ("Bylaws") states that the Chair and Vice-Chair shall each serve two-year terms. When the position of Vice-Chair becomes vacant before the end of that position's term, the Commission must elect, at its next meeting, a regular member of the Commission to fill the vacant position as an *Acting* Vice-Chair for the remainder of the two-year term.

Only a regular member (not an alternate) who has served on the Commission for at least one (1) year may be elected. The Secretary conducts the election by secret ballot.

Because the Bylaws do not address nominations, the standard nomination-election format is as follows:

- 1. The Chair asks for nominations
 - (a) Any Commissioner seated, including the Chair, may (but is not required to) nominate <u>one</u> individual ("seated" Commissioners will include at least one of the alternate members because former Commissioner McConnell will not be present)
 - (b) More than one regular member may be nominated
 - (c) The Chair must ask each nominated Commissioner if she or he accepts or declines the nomination
 - (d) Nominations do not require a second
- 2. If only one nomination is received, that Commissioner shall become Acting Vice-Chair by acclimation.
- 3. If more than one Commissioner is nominated:
 - (a) Each Commissioner will be provided a ballot (a/k/a a blank piece of paper) to write the name of the nominee for which the Commissioner is voting:
 - (b) The vote will be taken; and
 - (c) The Secretary will collect and tabulate the votes and the announce the name with the most votes.
 - (d) In the event of a tie¹, the Secretary will announce the names of the Commissioners who tied, and a second vote will be held among only those two Commissioners.

¹ This scenario assumes that at least three and no more than four Commissioners are nominated.



CITY OF WESTMINSTER

PLANNING COMMISSION Meeting Minutes - DRAFT September 26, 2023

1. ROLL CALL

The meeting was called to order at 7:00 pm by Vice-Chairperson McConnell. Present were Commissioners Tracy Colling, Chennou Xiong, David Carpenter, David Tomecek, and Elisa Torrez. Excused from attendance were Chairperson Boschert and Commissioners Rick Mayo and Laurence Dunn. Also present: Staff members, Deputy City Clerk Kate Behan, Senior Planner Stephanie Ashmann, and Deputy City Attorney Greg Graham. With the roll called, Vice-Chairperson McConnell stated that a quorum was present.

CONSIDERATION OF MINUTES

Meeting Minutes from September 12, 2023.

Commissioner Tomecek made a motion to accept the minutes from the September 12, 2023, Planning Commission meeting. Commissioner Colling seconded the motion. The minutes were unanimously accepted (6-0).

2. CONSIDERATION OF NEW BUSINESS AND PUBLIC HEARINGS

3a) Public Hearing and Recommendation for the Ninth Amended Preliminary Development Plan for the Mission Commons/Silo Commercial Subdivision, Second Replat Lot 6A

Vice-Chairperson McConnell opened the public hearing at 7:02 pm.

Stephanie Ashmann, Senior Planner, entered into the record the agenda memorandum, attachments, PowerPoint presentation, certification of mailed notice, certification of posted notice, and public notice affidavit of publication from the *Westminster Window* on September 14, 2023. Ms. Ashmann narrated a PowerPoint presentation for the proposal to:

- a. Hold a public hearing.
- b. Recommend that City Council approve the Ninth Amended Preliminary Development Plan for the Mission Commons/Silo Commercial Subdivision, Second Replat Lot 6A.

The applicant, Sam Brown from Brown & Associates, gave a presentation.

Commissioner Carpenter asked for confirmation from staff and the applicant as to the location of the pickleball courts. Ms. Ashmann responded that through the ODP process is when the location is narrowed down. Mr. Brown has taken staff recommendation and staff will support locations of the courts to not impact the residential units. Any additional or future courts can also be determined during the ODP process.

Commissioner Carpenter asked about the lots on the vicinity map, which include more than just Lot 6A and the reasoning as to why the map was drafted that way. Ms. Ashmann stated that the PDP amendment, under the legal descriptions, specifically only addresses Lot 6A. The out-lots make the map a little confusing.

Commissioner Carpenter asked how the pickleballs are going to be stopped from going out into traffic on Wadsworth Boulevard. Mr. Brown stated that the distance from the court to the

street is approximately 50 feet and there are 6-foot-high fences which would stop the ball from reaching the street and traffic.

Commissioner Carpenter stated that the indoor pickleball court in the area has a bar. Will the outdoor location also have a bar? Mr. Brown responded that they intend to include a shaded patio where they could serve alcohol.

Commissioner Colling asked how many pickleball courts will be included. Mr. Brown responded that there will be three courts.

Commissioner Colling asked about parking requirements. Ms. Ashmann responded that this area is over-parked so even with taking away the existing parking, there will be plenty of spaces left to park. Commissioner Colling stated that she is pleased with the ability for the community to have access to pickleball courts.

Deputy City Clerk Kate Behan confirmed that there were no voicemails or emails received.

There were no individuals that signed up to speak.

Vice-Chairperson McConnell closed the public hearing at 7:23 pm.

Commissioner Carpenter made a motion recommending that City Council approve the Preliminary Development Plan amendment for the Mission Commons/Silo Commercial subdivision. The recommendation of approval is based on the finding that the Preliminary Development Plan amendment is generally supported by the criteria set forth in Section 11-5-14 of the Westminster Municipal Code.

Commissioner Tomecek seconded the motion.

The motion passed (6-0)

4. ADJOURNMENT

The meeting was adjourned at 7:25 p.m.

THE WESTMINSTER PLANNING COMMISSION

Joe McConnell, Vice-Chairperson

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



Agenda Memorandum Agenda Item 4a

Planning Commission Meeting January 9, 2024



Strategic Priority 4: Quality of Life — Ensure that Westminster offers a diverse range of amenities and activities for residents, businesses, and visitors that honor the City's history and supports the arts, parks, recreation, open spaces, and libraries.

SUBJECT: Public Hearing and Recommendation of a Preliminary Development Plan for

Mandalay Gardens, Tract 10

PREPARED BY: Jacob P. Kasza, Senior Planner

RECOMMENDED PLANNING COMMISSION ACTION:

1. Hold a public hearing.

2. Recommend to the City Council that it approve the Preliminary Development Plan for Mandalay Gardens, Tract 10. This recommendation is based on the finding that the Preliminary Development Plan generally complies with the criteria in Section 11-5-14, Westminster Municipal Code.

SUMMARY STATEMENT:

- The proposed development consists of a nine-acre parcel, located at the southeast corner of Wadsworth Parkway and West 108th Avenue, see Attachment 1.
- The applicant is requesting approval of a Preliminary Development Plan (PDP) that would facilitate the development of an employment-flex use on seven acres of the property and a commercial use on two acres of the property, see Attachment 2.

FISCAL IMPACT:

\$0 in expenditures.

SOURCE OF FUNDS:

Not applicable.

POLICY ISSUE(S):

Should the Planning Commission recommend that the City Council approve the PDP for the subject property known as Mandalay Gardens, Tract 10?

ALTERNATIVE(S):

The Planning Commission could choose to recommend denial of the PDP. Staff does not recommend this option because the PDP is generally supported by the criteria set forth in Section 11-5-14, Westminster Municipal Code (W.M.C.)

BACKGROUND INFORMATION:

Overview of Development Review and Entitlement Process

The development review and approval process can vary throughout the City, depending upon the specific property and the proposed development, but typically requires a PDP and Official Development Plan (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 all development be in compliance with the Comprehensive Plan.

If the City Council chooses to approve this PDP, the applicant will need to secure approval of an ODP, civil construction drawings, and building permits before any construction could occur. The applicant has already applied for the ODP and it is under staff review. Due to the size of this development, the future ODP can be reviewed and considered administratively.

History of Subject Property

The subject property was annexed into the City in 1984 and zoned Planned Unit Development (PUD). At the same time, the City approved a PDP for the property titled K-L Plaza Planned Unit Development. That PDP allowed retail sales, discount stores, banks, restaurants, lounges, liquor stores, fast food stores, hotel/motels, service stations, professional office, office showroom, home furnishing/improvement stores, light industrial, movie theater, bowling alley, commercial recreation, tire-battery accessory, garden shop/plant sales, and public/semi-public buildings. An ODP was never approved for the property, and the PDP has since expired per Section 11-5-17, W.M.C. At the time the property was annexed, zoned, and a PDP was established, the City did not have a Comprehensive Plan. The City adopted its first Comprehensive Plan in 1997. In that first plan, the property was designated as Business Park which allowed for office, research and development, light industrial, and warehousing. When the Comprehensive Plan was amended in 2004, the designation of Business Park was retained. In the 2013 update to the Comprehensive Plan the City removed the category Business Park entirely and replaced it with separate designations for Office, Office R&D, and FLEX/Light Industrial. In the 2013 update, the designation for the property was changed from Business Park to Retail Commercial. In 2019, the prior property owner applied for and received

approval of a Comprehensive Plan amendment to change seven of the nine acres from Retail Commercial to FLEX/Light Industrial. In the 2040 Comprehensive Plan, the property is designated as Commercial and Employment-Flex as shown in Attachment 3.

Nature of Request

The applicant is seeking approval of a PDP for Mandalay Gardens, Tract 10. The PDP provides two planning areas for the separate Comprehensive Plan designations. The PDP will facilitate the development of a commercial use on the hard corner and an employment-flex development on the remainder of the property, see Attachment 2.

Applicant

ARCO MURRAY
999 18TH STREET - S2110
DENVER, CO 80202
JEFF MEISSNER
JMEISSNER@ARCOMURRAY.COM
720.507.1487

Property Owner

QUIKTRIP CORPORATION 12000 WASHINGTON STREET THORNTON, CO, 80241

Location

The 9-acre site is located at the southeast corner of West 108th Avenue and Wadsworth Parkway, see Attachment 1.

<u>Surrounding Land Uses and Designations</u>

Direction	Development Name	Zoning	Comp Plan Designation	Current Use
North	Olson Technological Park	PUD	Employment - Flex	Flex/ Light Industrial
East	Mandalay Gardens (Unincorporated Jefferson County)	Jefferson County	Employment - Flex	Single Family Residential
South	Mandalay Gardens for Lao Buddhist Temple	PUD	Public/ Quasi- Public	Institutional
West	Walnut Grove PUD	PUD	Residential Medium Density	Vacant

Public Notification

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

- Published Notice: Notice of public hearings scheduled before the Planning Commission or City Council shall be published and posted at least ten days prior to such hearing. Notice was published in the Westminster Window by the required deadline.
- Property Posting: Notice of the public hearing shall be posted on the property by the applicant
 with a minimum of one sign per every 660 linear feet of street frontage in a location reasonably
 visible to vehicular and pedestrian traffic passing adjacent to the site. Sign(s) were posted on
 the subject property by the required deadline. The applicant has provided the City's Planning
 Manager with a certification that the sign(s) were posted and properly maintained throughout
 the posting period.
- 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 all addresses within 1,000 feet of the subject property.
 The mailing list to be used shall be provided to the applicant by City staff. The applicant has
 provided the City's Planning Manager with a certification that the required notices were mailed
 by the required deadline.

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 conforms to the density and uses of the existing Comprehensive Plan designation and generally conforms with the City Code, ordinances, and policies.
 - 2. The Preliminary Development Plan exhibits the application of sound, creative, innovative, and efficient planning principles.
 - The PDP exhibits sound planning principles by restricting vehicle access onto the 55-mph highway and through limiting uses that may cause disruptions to the surrounding area.
 - 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 (PDP).
 - The applicant is not requesting approval of any exceptions with this PDP.
 - 4. The PDP is compatible and harmonious with existing public and private development in the surrounding area.

The PDP proposes uses that are compliant with the 2040 Comprehensive Plan and have been accounted for in the City's infrastructure planning. The ODP for the future development must comply with all standard Code requirements and must include appropriate setbacks, landscaping, and height restrictions to ensure the development is harmonious with private development in the area.

- 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 PDP restricts uses that may cause adverse impacts on the surrounding area. The PDP is compliant with the 2040 Comprehensive Plan and the applicant has not identified any exceptions from standard Code requirements.
- 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 does not have significant adverse impacts upon existing or future land uses. The PDP is compliant with the 2040 Comprehensive Plan and the applicant has not identified any exceptions from standard Code requirements.
- 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.
 - The PDP includes one limited vehicle access point onto West 108th Avenue and two full movement vehicle access points on Dover Street. The vehicle access points will be designed with the ODP and will meet the City's Engineering Standards and Specifications.
- 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 does not preclude dedication of future right-of-way or public land. Additional right of way will be needed for West 108th Avenue and Dover Street and will need to be shown on an ODP and Plat.
- 9. Performance standards are included that ensure 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 the necessary standards to ensure future ODPs are able to meet the standards of approval. The ODP will need to meet the requirements included in City Code, the Retail Commercial Design Guidelines, and the Landscape Regulations.
- 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 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.

Neighborhood Meeting(s) and Public Comments

A neighborhood meeting was held on August 30, 2023. In advance of the neighborhood meeting, the applicant mailed notice of the meeting to property owners, occupants, and homeowners associations registered with the City within 1,000 feet of the Subject Property. The meeting was also advertised on the City's website. Three people attended the project meeting. The applicant started the meeting with a presentation about the proposed development and staff gave an overview of the development review process.

Staff received several public comments on the proposed development and those are included in Attachment 4.

Summary of Staff Recommendation

Staff recommends that the Planning Commission recommend approval of the PDP as it generally meets the standards for approval in Section 11-5-14, W.M.C.

STRATEGIC PLAN PRIORITIES:

The City's Strategic Plan priority of ensure that Westminster offers a diverse range of amenities and activities for residents, businesses and visitors that honor the City's history and support the arts, parks, recreation, open spaces, and libraries is met by facilitating new development and providing additional employment land uses.

Respectfully Submitted,

John McConnell, AICP

Interim Planning Manager

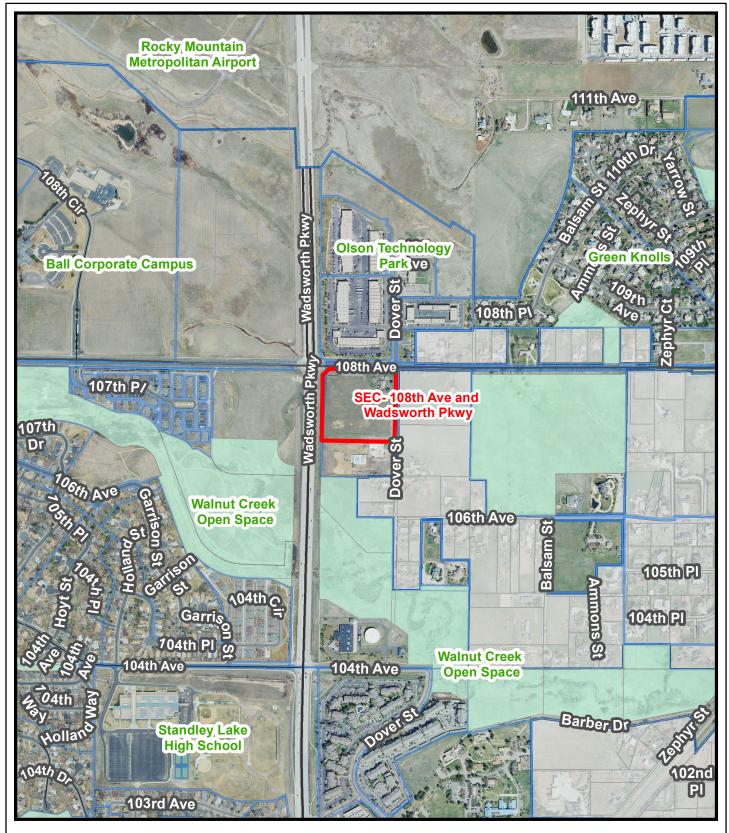
ATTACHMENTS:

Attachment 1: Vicinity Map

Attachment 2: Proposed Preliminary Development

Attachment 3: Comprehensive Plan Designations

Attachment 4: Public Comment



Vicinity Map

Southeast Corner - 108th Ave and Wadsworth Pkwy

Preliminary Development Plan

0 500 1,000 2,000 Feet



PERMITTED USES

PLANNING AREA 1

SECONDARY USES:

PLANNING AREA 2 PRIMARY USES:

SECONDARY USES:

MAXIMUM 0.45 FAR

PROHIBITED USES

PROJECT SCOPE

ZONING & LAND USE

PUD / VACANT LAND

SERVICES, OFFICE SUPPLY)

15,000 SQ FT, WHICHEVER IS LESS.

MAXIMUM 1.0 FAR FOR PRIMARY USES

PROFESSIONAL OFFICES; RESEARCH AND

DEVELOPMENT LABS; FLEX OFFICE; INCUBATOR SPACE

MANUFACTURING; WAREHOUSING; FABRICATION; REPAIR

SHOPS; WHOLESALE DISTRIBUTORS; PRODUCTION;

MEDICAL FACILITIES; HOTELS; SUPPORT COMMERCIAL

MAXIMUM 10% OF GFA FOR SUPPORT COMMERCIAL OR

MAXIMUM 0.5 FAR FOR STANDALONE SECONDARY USES

RETAIL STORES; EATING ESTABLISHMENTS; BANKS;

AUTO-ORIENTED USES: STAND-ALONE USES WITH

VEHICLE DRIVE-THROUGHS; HOTELS; MICROBREWERIES;

SIZE AND DISTRIBUTION OF USES WILL BE REGULATED

1. NOISE-SENSITIVE USES SUCH AS SCHOOLS, DAY

2. USES THAT CREATE OBJECTIONABLE LEVELS OF

CARES, PLACES OF WORSHIP, OR OVERNIGHT STAYS

NOISE, VIBRATION, ODOR, GLARE, OR HAZARDS; AND

3. ANY USES NOT SPECIFICALLY LISTED AS PERMITTED SHALL BE DEEMED PROHIBITED. THE PLANNING

MANAGER SHALL DETERMINE IF AN UNLISTED USE

THE SITE CONSISTS OF AN EMPLOYMENT DEVELOPMENT AT THE SOUTHEAST CORNER OF WEST 108TH AVENUE

AND WADSWORTH PARKWAY. THIS PROJECT WILL INCLUDE NECESSARY UTILITY AND STORMWATER

INFRASTRUCTURE TO SERVE THIS ENTIRE PARCEL

THE FUTURE DEVELOPMENT OF THE NORTHWEST

PUD / RETAIL COMMERCIAL / EMPLOYMENT FLEX

AN AVIGATION EASEMENT EXISTS OVER THIS SITE FOR

ROCKY MOUNTAIN METROPOLITAN AIRPORT PER THE

TERMS, CONDITIONS, AND PROVISIONS AS RECORDED

OCTOBER 04, 1984 AT RECEPTION NO. 84094105.

DESIGNED UNDER A SEPARATE PLAN.

CURRENT ZONING & LAND USE:

PROPOSED ZONING & LAND USE:

COMPREHENSIVE PLAN DESIGNATION:

COMMERCIAL / EMPLOYMENT FLEX

AVIGATION EASEMENT NOTE:

WHILE SUBDIVIDING THE PARCEL INTO TWO LOTS FOR

PORTION OF THE SITE FOR RETAIL COMMERCIAL, TO BE

OR SET OF USES FALLS INTO THE DEFINITION OF A

SUPERMARKETS; PROFESSIONAL OFFICES

LIVE ENTERTAINMENT: MEDICAL FACILITIES

THROUGH THE COMPREHENSIVE PLAN

LISTED PERMITTED USE.

(EATING ESTABLISHMENTS, PHARMACIES, BUSINESS

PRIMARY USES:

BEGINNING AT A POINT ON THE NORTH LINE OF TRACT 10 WHICH IS 50.0 FEET EAST OF THE NORTHWEST CORNER OF TRACT 10, MANDALAY GARDENS; THENCE WEST ALONG THE NORTH LINE OF TRACT 10, A DISTANCE OF 50.0 FEET TO THE NORTHWEST CORNER OF TRACT 10; THENCE SOUTH ALONG THE WEST LINE OF TRACT 10, A DISTANCE OF 50.0 FEET; THENCE NORTH 44°30'38" EAST A DISTANCE OF 71.11 FEET TO THE POINT OF BEGINNING, AS CONVEYED TO THE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO, BY INSTRUMENT RECORDED FEBRUARY 21, 1968, IN BOOK 1999 AT PAGE 333, COUNTY OF JEFFERSON, STATE OF COLORADO.

SURVEYOR'S CERTIFICATE

I, DARREN R. WOLTERSTORFF, PLS, 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

REGISTERED LAND SURVEYOR & NO.

PROPERTY OWNER QUIKTRIP CORPORATION 12000 WASHINGTON STREET

THORNTON, CO, 80241

CONSULTANTS

DESIGN/BUILD CONTRACTOR: ARCO MURRAY 999 18TH STREET - S2110 **DENVER, CO 80202** JEFF MEISSNER

JMEISSNER@ARCOMURRAY.COM 720.507.1487

CIVIL ENGINEER: CAGE CIVIL ENGINEERING 405 URBAN STREET, SUITE 404 LAKEWOOD, CO 80228 KYLE SWAVING KSWAVING@CAGECIVIL.COM 719.439.5888

ARCHITECT:

GMA ARCHITECTS 7930 CLAYTON ROAD, 3RD FLOOR RICHMOND, MO 63117 LOUIS VANDELOECHT LVANDELOECHT@GMA-ARCHITECTS.COM 314.265.1148

LANDSCAPE ARCHITECT: VALERIAN LLC 970 YUMA ST. SUITE 130 DENVER, CO 80204 CASSIE KASLON CASSIE@VALERIANLLC.COM 303.347.1200

PRELIMINARY DEVELOPMENT PLAN MANDALAY GARDENS, TRACT 10

A PLANNED UNIT DEVELOPMENT IN THE CITY OF WESTMINSTER COUNTY OF JEFFERSON, STATE OF COLORADO SHEET 1 OF 4

VICINITY MAP WEST 108TH AVENUE

ZONING & LAND USE

	ZONING	LAND USE	COMP. PLAN DESIGNATION
NORTH:	PUD	FLEX / LIGHT INDUSTRIAL	EMPLOYMENT-FLEX
SOUTH:	PUD	INSTITUTIONAL	PUBLIC / QUASI-PUBLIC
EAST:	JEFFCO	SINGLE FAMILY RESIDENTIAL	EMPLOYMENT-FLEX
WEST:	PUD	VACANT	RESIDENTIAL MEDIUM DENSITY

LAND USE TABLE

SUB AREA	LAND USE	ACRES	% OF PROPERTY	FAR OR DU/AC
PLANNING AREA 1	EMPLOYMENT FLEX	7.77	85.4%	0.23
PLANNING AREA 2	RETAIL COMMERCIAL	1.34	14.6%	TBD W/ ODP
TOTAL		9.11		

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:

THE EMPLOYMENT PROJECT IN THIS APPLICATION WILL BE DEVELOPED AHEAD OF THE PLANNING AREA 2 RETAIL/COMMERCIAL PAD, WHICH WILL LIKELY BE A RETAIL COMMERCIAL USE SUBMITTED AND DEVELOPED SEPARATELY

l,	, AS	OFOF	, A OVE THIS PDP FOR REVIE	-\^/ ^ - ' -
APPROVAL BY THE CITY OF	, PROPERT F WESTMINSTER THIS	DAY OF	. 20 .	VV ANI
SIGNATURE	TITLE			
SIGNATORE	IIICC			
CITY APPROVAL				
APPROVED BY THE PLANN	ING COMMISSION OF T	HE CITY OF WESTMINS	ΓER	
THIS DAY			· —· ·	
CHAIRMAN				
ATTEOT OIT OF THE				
ATTEST: CITY CLERK				
ACCEPTED BY THE CITY CO		NESTMINISTER		
ACCEPTED BY THE CITY CO				
ACCEPTED BY THE CITY CO				
THIS DAY O				
THIS DAY O				
THIS DAY O				

CLERK AND RECORDER'S CERTIFICATE

JEFFERSON COUNTY CLERK AND RECORDER

RECEPTION NO.			
ACCEPTED FOR FILING IN THE OFFICE	OF THE COUNTY CL	ERK AND RECORDER (OF JEFFERSON COUNTY A
GOLDEN, COLORADO ON THIS	DAY OF	, 20, AT	: O'CLOCKM.

BY: DEPUTY CLERK

SHEET INDEX SHEET 1 OF 4 - COVER SHEET 2 OF 4 - PROJECT NOTES SHEET 3 OF 4 - SITE PLAN SHEET 4 OF 4 - EXISTING CONDITIONS PLAN

> 1 OF 4 **COVER SHEET**

AR

PREI 2023

DATE 05/05/2

CASE # PLN23-0053



PRELIMINARY DEVELOPMENT PLAN MANDALAY GARDENS, TRACT 10

A PLANNED UNIT DEVELOPMENT
IN THE CITY OF WESTMINSTER
COUNTY OF JEFFERSON, STATE OF COLORADO
SHEET 2 OF 4

PROJECT NOTES

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 9.11 ACRES A FEE OF \$18,220 IS DUE TO THE CITY.

RECOVERY COSTS:

RECOVERIES FOR THE WATERLINE IN WADSWORTH PARKWAY, W86-4, ARE DUE. THIS FEE IS $\frac{$37.59}{2}$ PER LINEAR FOOT OF FRONTAGE ALONG WADSWORTH PARKWAY (WHICH INCLUDES THE MAXIMUM INTEREST). $\frac{626 \text{ LF}}{2} \times \frac{$37.59}{2} = \frac{$23,531.34}{2}$ TOTAL FEE. 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.

SERVICE COMMITMENTS:

MAXIMUM DENSITY OR F.A.R. OF A COMPREHENSIVE PLAN DESIGNATION, PDP 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.

SERVING FACILITIES

PUBLIC RECREATION AREAS	GREEN KNOLLS PARK & WALNUT GROVE PARK
PUBLIC OPEN SPACE	WALNUT CREEK OPEN SPACE & OVERLAND TRAIL OPEN SPACE
DRAINAGEWAYS	WALNUT CREEK
MAJOR DETENTION	ON-SITE DETENTION PROVIDED
PRIMARY SCHOOL	WITT STEM ELEMENTARY SCHOOL
ELEMENTARY SCHOOL	WITT STEM ELEMENTARY SCHOOL
MIDDLE SCHOOL	WAYNE CARLE MIDDLE SCHOOL
HIGH SCHOOL	STANDLEY LAKE HIGH SCHOOL
NEARBY SHOPPING AREAS	THE SHOPS AT WALNUT CREEK
NEARBY FIRE STATIONS	WESTMINSTER STATION 5
NEARBY BUS STOPS	W 108TH AND WADSWORTH STOPS #14447 (NE) & #14448 (SW)

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.

GENERAL DESIGN STANDARDS

ARCHITECTURAL:

THE BUILDING SHALL BE DESIGNED TO BE COMPLIMENTARY FOR THE SURROUNDING DEVELOPMENTS AND INCLUDE WALL OFFSETS AND DIFFERING PARAPET HEIGHTS TO REDUCE MONOTONY. ROOF WILL BE LOW SLOPE AND A WHITE TOP THAT IS NOT VISIBLE FROM THE STREET. FRONT FACING FACADES WILL BE A MIX OF ARCHITECTURAL STOREFRONT AND PAINTED CONCRETE PANEL TREATED WITH A VARIETY OF REVEAL AND COLOR PATTERNS. WITH THE EXCEPTION OF SOLAR PHOTOVOLTAIC PANELS, ALL ROOFTOP EQUIPMENT MUST BE SCREENED TO FULL HEIGHT. MASONRY SHALL BE THE PRIMARY MATERIAL ON BUILDING WITHIN PLANNING AREA 2. AN EMPLOYEE AND CUSTOMER AMENITY SPACE WILL BE INCORPORATED INTO THE DESIGN OF LOTS 1 AND 2.

SIGNAGE

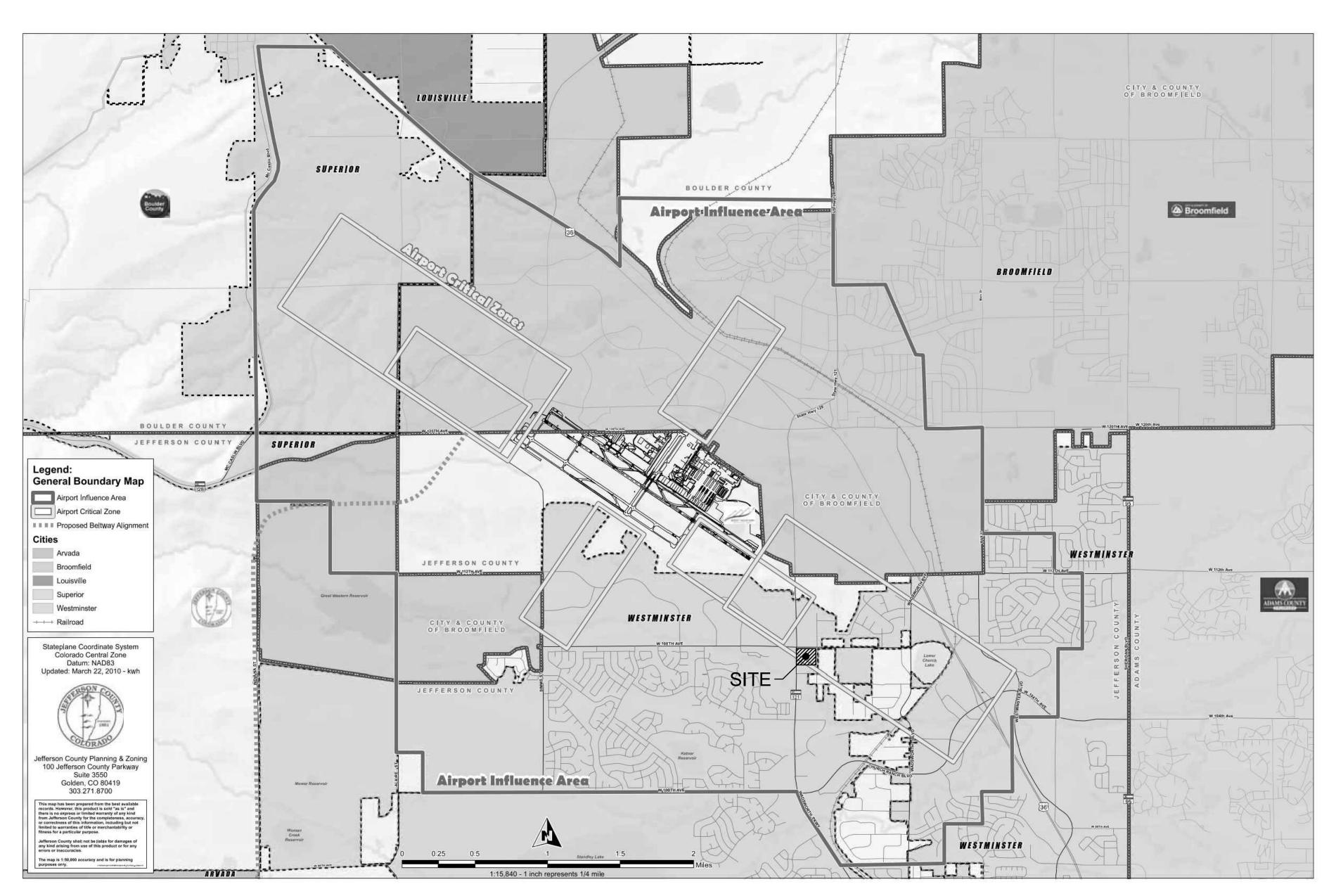
SIGNAGE FOR THIS BUILDING WILL COMPLY WITH THE ZONING CODE AND PUD, BUT BE SUBMITTED SEPARATELY BY THE TENANTS.

FENCING

FENCING IS PROVIDED ON THE SOUTH BOUNDARY OF THE PROPERTY AS A SCREEN, IN ADDITION TO THE LANDSCAPING ON THAT BOUNDARY. IT IS PROPOSED AS A 6' TALL STAINED WOOD FENCE, DETAILS PROVIDED ON SHEET 11 OF THIS SUBMITTAL.

ELECTRIC VEHICLE CHARGING

AUTO SERVICE STATIONS AND CONVENIENCE STORES SHALL INCORPORATE PROVISIONS ON-SITE FOR CHANGING VEHICLE TECHNOLOGIES.



RMMA INFLUENCE AREA AND CRITICAL ZONE EXHIBIT

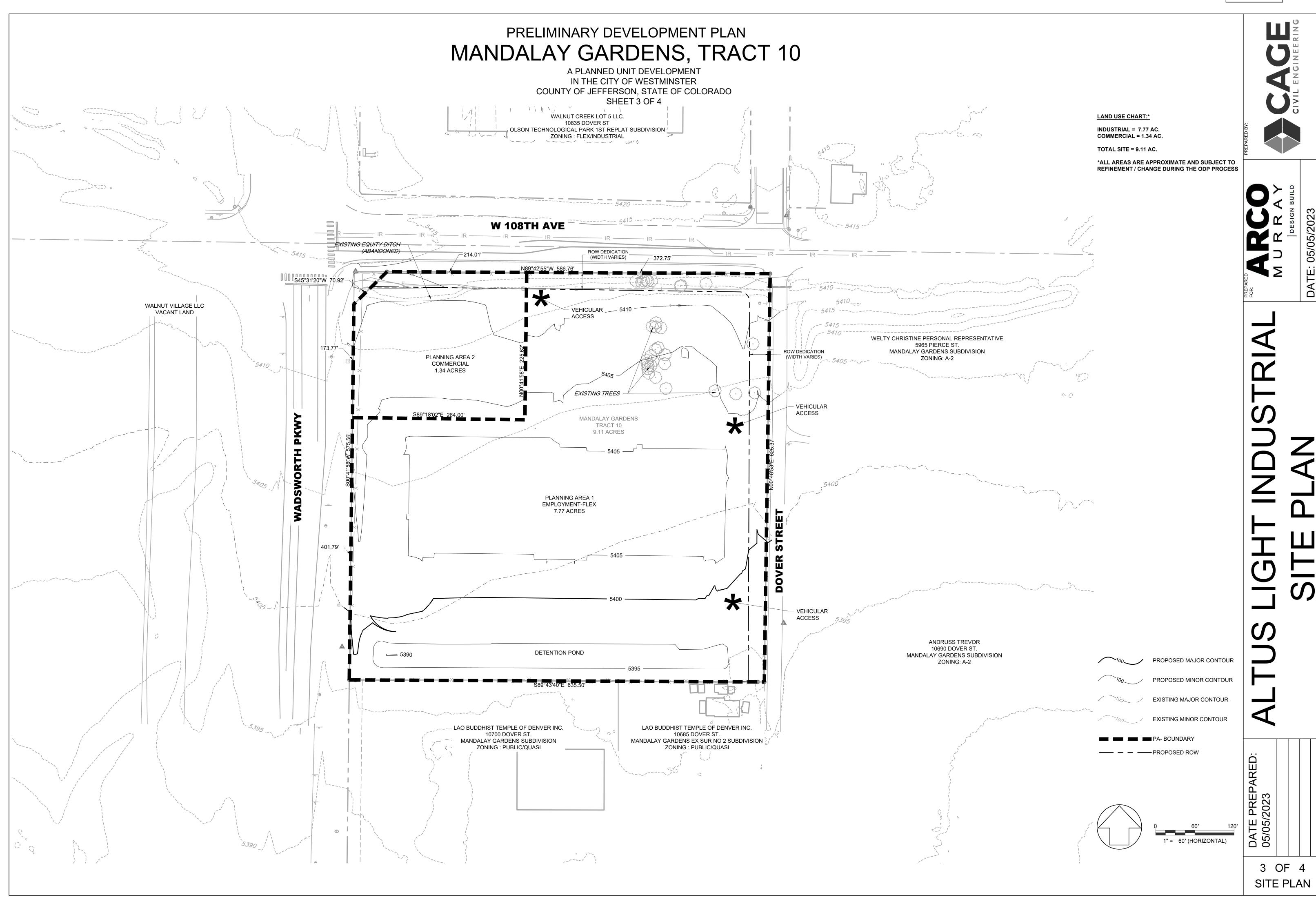


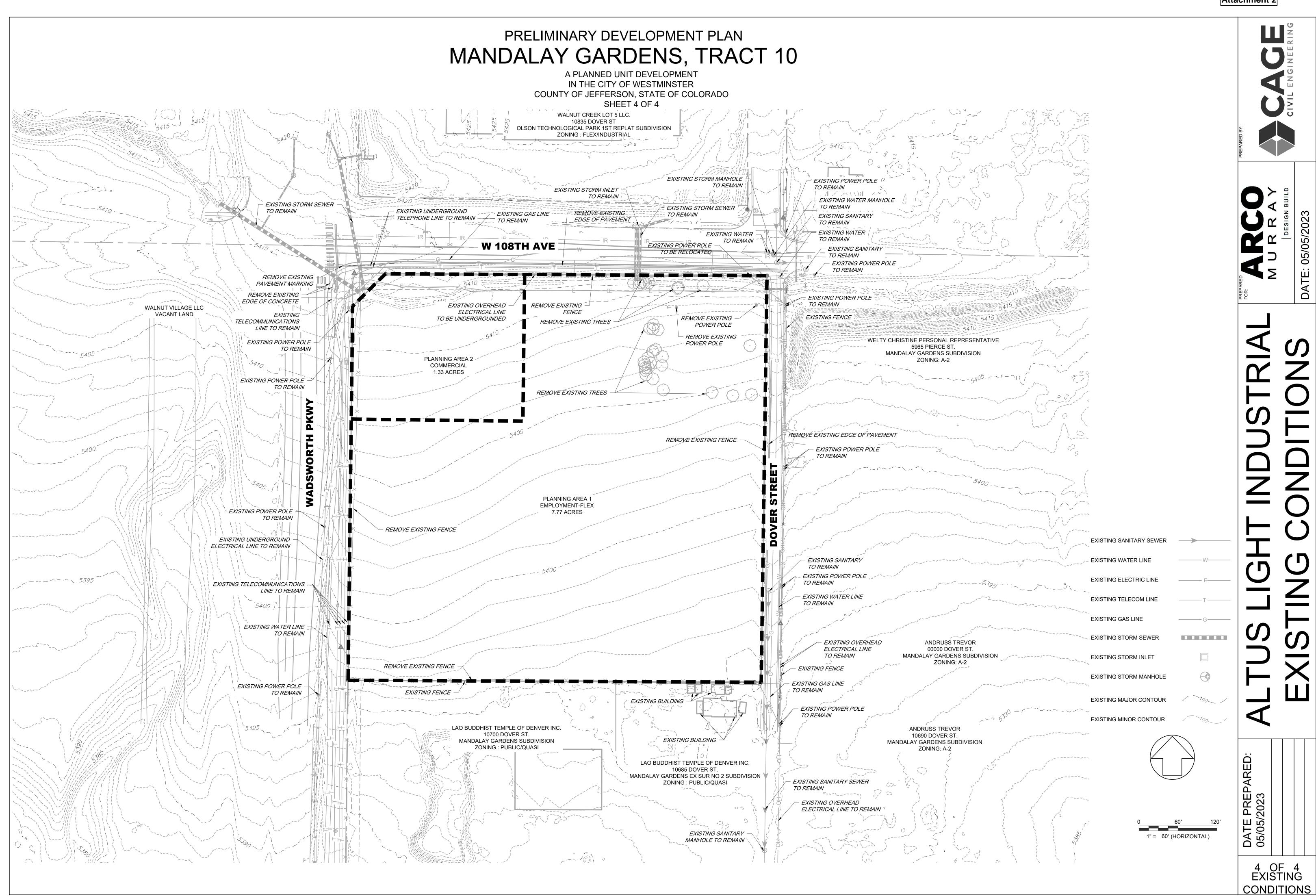
MURRAY
| DATE: 05/05/2023

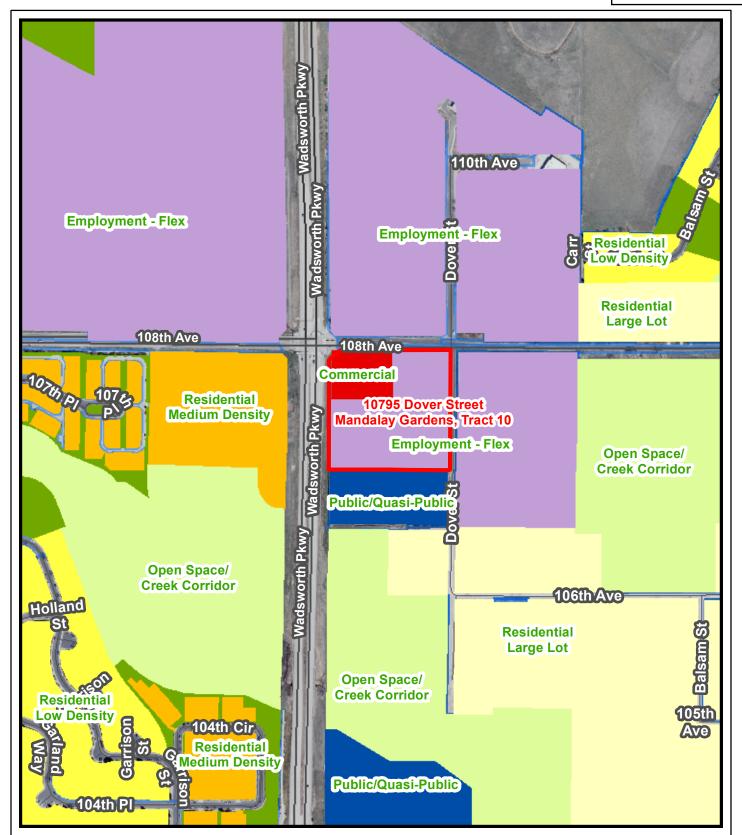
LTUS LIGHT INDUSTRIAL GENERAL NOTES

DATE PREPARED: 05/05/2023

2 OF 4 GENERAL NOTES







Comprehensive Plan Designations 10795 Dover Street, Mandalay Gardens, Tract 10





0 375 750 1,500 Feet



COMMERCIAL

This character type 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. This character type is primarily intended for retail commercial uses, however, two sub-types of Commercial exist: Service Commercial and Commercial Mixed-use, which are further described below. This section describes the predominant Commercial character type.

Retail uses shall be located within walking distances of residential neighborhoods or in areas where retail uses are already established. Smaller-scale neighborhood commercial development is allowed on collector streets.

Auto service stations, convenience stores, drive-through facilities, and other similar uses may be permitted when incorporated into a larger commercial development but may be limited in quantity and scale and may be prohibited in locations that directly abut residential uses, public/quasi-public or institutional uses, or parks and open spaces if their impacts cannot be sufficiently mitigated. Where allowed, such facilities shall use contextual architectural design and be compatible with surrounding uses. Additionally, the site design shall orient outdoor activities such as gas pumps, lighting, outdoor menu boards and speakers, and vacuums away from residences. Such uses shall incorporate provisions on-site for changing vehicle technologies.





Examples: Country Club Village, Walnut Creek, Westminster Plaza

 Table 3-8.
 Commercial Development Standards

Land Use	
Primary Uses	Retail Stores; Eating Establishments; Banks; Supermarkets; Professional Offices
Secondary Uses	Auto-Oriented Uses; Stand-alone uses with vehicle drive- throughs; Hotels; Child Care Facilities; Microbreweries; Live Entertainment; Medical Facilities
Development Characteristics	
Form and Guidelines	Buildings 1 to 3 stories depending on context, however, certain secondary uses may allow greater height;
	Parking preferred at rear, though some parking in front is typical;
	Direct linkages between residential and commercial uses;
	Employee and customer amenity spaces
Floor Area Ratio	Maximum 0.45 FAR



EMPLOYMENT-FLEX

This character type provides and protects land for flexible employment uses including offices, research and development facilities, and supportive uses. In general, office uses predominate this category. Light industrial uses (including warehouses, distribution, and wholesalers) may be allowed when located away from residential areas and adequately buffered from sensitive land uses, as shown in Map 3-2, or Flex/Light Industrial designated locations in the prior Comprehensive Plan. Manufacturing and assembly space is permitted when inclusive of storefront/showroom space for offices, sales or customer service. Uses that create objectionable levels of noise, vibration, odor, glare or hazards are not permitted. Outdoor storage must be screened from view. Hotel uses that support employment uses may be permitted through a master planned development. Support commercial uses integrated into employment buildings are permitted up to 10% of GFA. The city may impose stricter design standards for more intense uses.



Examples: Church Ranch Corporate Center, Park Centre, Westmoor







Table 3-12. Employment - Flex Development Standards

Table 6 12: Employment	Tox Borologillone ottalication
Land Use	
Primary Uses	Professional Offices; Research and Development Labs; Flex Office; Incubator Space
Secondary Uses	Manufacturing; Warehousing; Fabrication; Repair Shops; Wholesale Distributors; Production; Medical Facilities; Hotels; Support Commercial (eating establishments, pharmacies, business services, office supply)
Development Characteristics	
Form and Guidelines	Buildings 1 to 4 stories but may be allowed higher in Focus or Transition Areas or where adjacent to expressways;
	Employee and customer amenity spaces;
	Loading, service or storage areas screened from view;
	Architectural detailing for elevations within public view;
	Maximum 10% of GFA for support commercial or 15,000 square feet, whichever is less
Floor Area Ratio	Maximum 1.0 FAR (primary uses)
	Maximum 0.5 FAR (standalone secondary uses)

Attachment 4
Public Comments
Received as of
December 19,
2023

Kasza, Jacob

Subject: RE: [EXTERNAL] You have been assigned a new Request #: 13961

From: City of Westminster < noreply@user.govoutreach.com >

Sent: Friday, December 9, 2022 11:12 AM

To: Redmer, Kit <kredmer@cityofwestminster.us>

Subject: [EXTERNAL] You have been assigned a new Request #: 13961

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Request # 13961 from the Access Westminster system has been assigned to you.

Request type: Problem

Request area: Can't Find My Issue

Customer name: Anonymous

Description: We have been waiting for a community planning meeting for the property on the southwest

corner of 108th and Dover. (The previous meeting was canceled at the request of the property owner.). Today there is drilling going on and we'd like to know what the plan is for the

property. Thanks Trudy Forsyth 303-949-5363.

Expected Close Date: 12/19/2022

Click here to access the request

Note: This message is for notification purposes only. Please do not reply to this email. Email replies are not monitored and will be ignored.

Kasza, Jacob

From: John Zupan <jzupanjr@gmail.com>
Sent: Friday, August 11, 2023 3:10 PM

To: Kasza, Jacob

Subject: [EXTERNAL] Mandalay Gardens Proposal

Follow Up Flag: Flag for follow up Completed

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jacob

I have been reviewing the proposal in my mailbox today concerning Mandalay Gardens at 10795 Dover St. The one thing the information doesn't provide is the proposed height of this proposed building. Can you supply that information?

Thank you,

John Zupan jzupanjr@gmail.com 303-947-1731

Kasza, Jacob

From: Kasza, Jacob

Sent: Thursday, August 17, 2023 11:10 AM

To: Steve Mason **Cc:** Trevor Andruss

Subject: RE: [EXTERNAL] 10795 Dover St. - PLN23-0053 & PLN 23-0054 **Attachments:** Notice Letter - Project Meeting - Mandalay Gardens.docx

Steve,

There is a neighborhood meeting for the development on August 30th. You and the property owner are welcome to attend. The letter is attached.

Jacob

From: Steve Mason <smason@646arch.com>
Sent: Thursday, August 17, 2023 11:07 AM
To: Kasza, Jacob <inkasza@CityofWestminster

To: Kasza, Jacob < jpkasza@CityofWestminster.us> **Cc:** Trevor Andruss < trevor@embersliving.com>

Subject: RE: [EXTERNAL] 10795 Dover St. - PLN23-0053 & PLN 23-0054

Jacob,

Okay, that would be great!

The owner received a letter stating there was a meeting but if we can just see the site plan that will help us with our design.

Thank you,

Steve M.

Office: 303.284.1276 | Ext. 102

Cell: 720.939.7109

From: Kasza, Jacob < <u>ipkasza@CityofWestminster.us</u>>

Sent: Thursday, August 17, 2023 10:29 AM **To:** Steve Mason <smason@646arch.com>

Subject: RE: [EXTERNAL] 10795 Dover St. - PLN23-0053 & PLN 23-0054

Hi Steve,

Nathan forwarded your email to me. I am the planner reviewing the PDP and ODP for 10795 Dover St. There is not a City Council meeting on August 21st. I can send you the first submittal of the ODP and PDP through our file transfer site.

Jacob P. Kasza

Senior Planner

City of Westminster | Community Development jpkasza@cityofwestminster.us | 303.658.2400

{HYPERLINK "https://www.cityofwestminster.us" }



From: Steve Mason < smason@646arch.com > Sent: Friday, August 11, 2023 9:35 AM

To: Lawrence, Nathan <nlawrenc@CityofWestminster.us>

Subject: [EXTERNAL] 10795 Dover St. - PLN23-0053 & PLN 23-0054

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Nathan,

I'm working with a neighbor of the above address. They're looking to develop their property on Dover and we were wondering if you could share the concept site plan with us ahead of the City Council meeting on Aug. 21st? I'm not seeing it online.

Thank you,

Steve Mason, Sr. Designer Studio 646 Architecture Office: 303.284.1276 | Ext. 102

Cell: 720.939.7109 | 646arch.com