

SPECIAL WESTMINSTER CITY COUNCIL MEETING

MONDAY, JULY 6, 1998 AT 6:30 P.M.

1. Pledge of Allegiance
2. Roll Call
3. Purpose of Special Meeting:
 - A. Continued Public Hearing re Church Ranch Infill Annexation
 - B. TABLED 2nd Amended PDP for Church Ranch Home Place
 - C. TABLED - Second Reading CB No. 19 re Church Ranch Infill Annexation (Atchison-Allen)
 - D. TABLED - Second Reading CB No. 20 re Church Ranch Infill Zoning (Atchison-Allen)
4. Adjournment

Date: July 6, 1998
Subject: Continued Public Hearing Church Ranch In-Fill Second Amended PDP
Prepared by: David Shinneman, Planning Manager

Introduction

The request for annexation and zoning were approved on first reading by City Council at the June 8th Council meeting. The request for Preliminary Development Plan (PDP) Amendment was tabled at the June 29 meeting until July 6 in order to provide additional time for the applicant and Staff to discuss remaining issues on the PDP.

Summary

The applicant and Staff have met to discuss the remaining issues, and a revised recommendation will be presented at the Council hearing on Monday night.

Additional information regarding discussion of issues and the Planning Commission's recommendation can be found on the previous agenda memorandum (attached).

Staff Recommendation

Staff has yet to finalize a recommendation. A discussion with the applicant has been positive and constructive. A recommended proposal will be presented in the Council meeting on Monday night.

Respectfully submitted,

William M. Christopher
City Manager

Attachment

**REVISED STAFF RECOMMENDATION
FOR JULY 6, 1998, CITY COUNCIL MEETING
RE: CHURCH RANCH PDP, ANNEXATION AND ZONING**

Staff Recommendation:

Staff has met with the applicant regarding the right-of-way issue. Certain agreements have been reached concerning the right-of-way issue, improvements to Church Ranch Boulevard, the requirement of tower features on the Project's buildings, a requested Business Incentive Package, and timing of the tower architectural components as part of the PDP vs. the ODP. Based on these agreements, Staff's recommendation is as follows:

1. Reopen the Public Hearing.
2. Remove Item 3b from the table, approve the Second Amended Preliminary Development Plan for the Church Ranch Home Place Planned Unit Development, to include the new Church Ranch In-Fill Property, conditioned upon annexation of the Church Ranch In-Fill Property.
3. Remove Item 3c from the table, and pass Councillors Bill No. 19 on second reading annexing the Church Ranch In-Fill Property subject to the following conditions:
 - a. Based on the traffic study performed by Fellsburg, Holt, and Ullevig, Council finds that the previously recommended acceleration lanes are not warranted and may be deleted. Deceleration lanes will, however, be installed by the Developer at three locations between 103rd Avenue and Wadsworth Boulevard.
 - b. The additional 27.5 feet of right-of-way needed along the west side of Church Ranch Boulevard, just south of 103rd Avenue, will be purchased by the City at \$4.87 per square foot, for a total payment for this 16,730 square-foot right-of-way of \$79,765.
 - c. The Developer shall construct a second story element on Building Number 2, spanning four bays of the Building. This language will be added to the Developer's PDP, and shall be considered a fixed development requirement as part of the ODP approval process.
 - d. A Business Assistance Package in the amount of \$65,000 will be provided by the City for this office/office showroom development by separate agreement.
 - e. The Developer and the City specifically agree that none of the conditions set forth above shall be considered to be a precedent with respect to further development within the Church Ranch Planned Unit Development, future annexations, or a waiver or modification of any previous interpretations or positions regarding any prior agreements between the City and the Developer. The Developer and the City agree that the above conditions are intended solely to address the unique and special site improvement and architectural standards and costs for this Project, and the mutual benefits to both parties of having this Property be annexed to and developed within the City of Westminster.
4. Remove Item 3d from the table, and pass Councillors Bill No 20. on second reading zoning the Church Ranch In-Fill Property.

CITY OF WESTMINSTER, COLORADO
SPECIAL CITY COUNCIL MEETING
MONDAY, JULY 6, 1998 AT 6:30 P.M.

ROLL CALL:

Present at roll call were Mayor Heil, Mayor Pro Tem Merkel and Councillors Allen, Atchison, Dixon, Scott and Smith. Also present were Matthew Lutkus, Acting City Manager; Martin McCullough, City Attorney; and Michele Kelley, City Clerk. Absent none.

PURPOSE OF SPECIAL MEETING:

The Mayor stated that the purpose of the special City Council meeting was to reopen the continued public hearing to consider the Church Ranch In-fill annexation and an amendment to the Church Ranch Preliminary Development Plan.

PLEDGE OF ALLEGIANCE:

Mayor Heil led Council, Staff and the audience in the Pledge of Allegiance.

CONTINUED PUBLIC HEARING re CHURCH RANCH IN-FILL ANNEXATION:

A motion was made by Atchison and seconded by Merkel to reopen the continued public hearing. The motion carried unanimously.

At 6:36 P.M. the public hearing was reopened to consider the annexation of property and an amendment to the Church Ranch Preliminary Development Plan. Charlie McKay, 10050 Wadsworth Boulevard, was present to address Council.

SECONDED AMENDED PDP FOR CHURCH RANCH HOME PLACE:

A motion was made by Atchison and seconded by Merkel to remove from the Table and approve the Second Amended Preliminary Development Plan for the Church Ranch Home Place PUD, to include the new Church Ranch In-fill property, conditioned upon annexation of the Church Ranch In-fill Property. The motion carried unanimously.

ORDINANCE NO. 2595 - CHURCH RANCH IN-FILL ANNEXATION:

A motion was made by Atchison and seconded by Merkel to remove from the Table and to adopt Councillor's Bill No. 19 on second reading annexing the Church Ranch In-fill property subject to the following conditions:

- a. Based on the traffic study performed by Fellsburg, Holt, and Ullevig, Council finds that the previously recommended acceleration lanes are not warranted and may be deleted. Deceleration lanes will, however, be installed by the Developer at three locations between 103rd Avenue and Wadsworth Boulevard;
- b. The additional 27.5 feet of right-of-way needed along the west side of Church Ranch Boulevard, just south of 103rd Avenue, will be purchased by the City at \$4.87 per square foot, for a total payment for this 16,730 square-foot right-of-way of \$79,765;
- c. The Developer shall construct a second story element on Building Number 2, spanning four bays of the Building. This language will be added to the Developer's PDP, and shall be considered a fixed development requirement as part of the ODP approval process;
- d. A Business Assistance Package in the amount of \$65,000 will be provided by the City for this office/office showroom development by separate agreement;

e. The Developer and the City specifically agree that none of the conditions set forth above shall be considered to be a precedent with respect to further development within the Church Ranch Planned Unit Development, future annexations, or a waiver or modification of any previous interpretations or positions regarding any prior agreements between the City and the Developer. The Developer and the City agree that the above conditions are intended solely to address the unique and special site improvement and architectural standards and costs for this Project, and the mutual benefits to both parties of having this Property be annexed to and developed within the City of Westminster. Upon roll call vote, the motion carried unanimously.

ORDINANCE NO. 2596 - CHURCH RANCH IN-FILL ZONING:

A motion was made by Atchison and seconded by Merkel to remove from the Table and to adopt Councillor's Bill No. 20 on second reading zoning the Church Ranch In-fill property to City of Westminster Planned Unit Development. Upon roll call vote, the motion carried unanimously.

At 7:43 P.M. the public hearing was declared closed.

ADJOURNMENT:

The meeting was adjourned at 7:43 P.M.

ATTEST:

Mayor

City Clerk