

SPECIAL JOINT MEETING
OF WESTMINSTER CITY COUNCIL
AND JEFFERSON COUNTY COMMISSIONERS
TUESDAY JULY 23, 1996 at 7:30 P.M.
at City Park Recreation Center
10455 Sheridan Boulevard

1. Pledge of Allegiance
2. Roll Call
3. Purpose of Special Meeting
 - A. Public Hearing re Intergovernmental Agreement re Land Uses for Jefferson County unincorporated areas.
 - B. Intergovernmental Agreement with Jefferson County Commissioners re Land Uses for unincorporated areas.
4. Adjournment

Date: July 23, 1996

Subject: Wadsworth Boulevard Area Intergovernmental Agreement with Jefferson County

Prepared by: David Falconieri, Planner III

Introduction

City Council is requested to hold a joint public hearing with Jefferson County Commissioners and, approve an Intergovernmental Agreement with Jefferson County regarding development standards for the Wadsworth Boulevard enclave area. This special joint meeting is scheduled for Tuesday, July 23 starting at 7:30 P.M. at City Park Recreation Center.

Summary

The Wadsworth Boulevard Area enclave is a portion of unincorporated Jefferson County which is entirely surrounded by the City. It is an irregularly shaped area which lies roughly between 92nd and 108th Avenues, and between Wadsworth Boulevard and Wadsworth Parkway. (Please refer to map enclosed in attached plan for the exact boundaries.)

In order to plan for orderly and sensible land uses in that area, the City and County staffs have drafted an agreement by which both jurisdictions would adopt a joint plan which would be binding on both. It would also assure that future land developers abide by one set of requirements regardless of which jurisdiction is approving a project. Both governing bodies have recently reviewed the draft document and have been briefed.

Eight community meetings have been held to which area residents were invited to help formulate the goals of the plan. All of the meetings were well attended and the plan reflects their input. At each meeting, the participants discussed overall goals for the area and then divided into smaller groups to discuss their specific areas. The enclave was divided into four main Sub-areas and several smaller areas which are mostly undeveloped. They are referred to as sub-areas A through H in the attached plan.

It is the intent of both the County and City Planning Staffs to create a single land use plan, and a single set of development guidelines for the enclave area regardless of which jurisdiction is performing the reviews. The predominant desire of the area residents is to leave most of the area as rural as possible, and those desires are reflected in the development goals for some of the sub-areas. Some of the sub-areas are impacted by the Jefferson County Airport, and in those areas, new residential development has been discouraged except where already permitted by existing zoning.

Generally, wherever County and City standards conflicted, the plan adopts City standards. This applies to such standards as flood plain regulation, signage and landscaping. Current City procedures for development in this area will not be changed.

The majority of the enclave is located within the area subject to the Standley Lake Water and Sanitation District Dissolution Agreement, and therefore must be served by City utilities in accordance with the agreement. If City Council and the Jefferson County Commissioners adopt the IGA, it will have a term of ten years. At the end of that period, either jurisdiction will have the ability to terminate the agreement if the other jurisdiction is notified within 90 days. If such notification is not given, the agreement will automatically renew for an additional ten year period.

The draft plan has been altered to respond to several concerns expressed by City Council members. A section has been added to sub-sections B and D which states that the City will not be responsible for the cost of street improvements if area residents change their stance on installing such improvements as curb, gutter and sidewalk. Instead, area residents would be required to fund those improvements themselves. Also, several sections pertaining to outdoor retail display have been modified to conform with City standards.

Staff Recommendation

1. Hold a joint public hearing with Jefferson County Commissioners.
2. Approve the Intergovernmental Agreement with Jefferson County which adopts the Northeast Comprehensive Development Plan for the Wadsworth Boulevard area Enclave.

Background Information

During the community meetings which were held as part of this planning project, it was clear that the enclave area was large enough that residents of the different neighborhoods within the area had quite different opinions regarding future development. As a result, the enclave was divided into four principal sub-areas, called Sub-areas A, B, C and D, and several smaller sub-areas. The borders of those sub-areas are shown on the attached map. It is important to note that the agreement will affect only the areas which are currently unincorporated.

Sub-area A was located generally south of 96th Avenue and east of Wadsworth Boulevard. It also included the Greene Property, north of 96th Avenue, where the Jeffco School District is currently constructing an elementary school. In Sub-area A, traffic impacts were the major concern. The City hired a mediator to try to develop a consensus among the residents for location of future street improvements. That process was separate from this planning project and was not included in the final draft. In the draft plan, Sub-area A is to remain single family residential development at a maximum density of 2.5 units per acre with a minimum lot size of 12,500 square feet, except for the Greene Property, north of 96th Avenue, which will have a maximum density of up to four units per acre and minimum lot size of 7,000 square feet. Roads in this area would be required to be improved to City standards as development occurs.

Sub-area B is located generally south of the Burlington Northern Railroad tracks, north of 96th Avenue, and west of Wadsworth Boulevard. The area is already largely developed with large lot single family residential homes and is rural in character. The residents of the area expressed a desire to continue the agricultural uses and require that any new residential development maintain a minimum lot size of one unit per acre. In Sub-area B, the draft plan does not require that local streets be improved to City standards and establishes that curb, gutter and sidewalk will not be required of new developments.

Sub-area C is located north of Church Ranch Boulevard and east of Wadsworth Boulevard. This area is currently rural residential in nature but is entirely impacted by the Jefferson County Airport Critical Zone. As a result, new residential development is not encouraged except where permitted by the existing zoning. The area residents have expressed a willingness to allow the area to transition to commercial uses provided their property values are preserved. The draft plan details how the transition is to occur while continuing to protect the residential uses that exist in Sub-area C. Many types of commercial uses have been excluded in order to protect the integrity of the area. Those include such uses as heavy industrial, uses requiring outside storage, pawn shops and mini-storage, to name a few. The plan also requires that extensive buffers be provided between new uses and U.S. 36, and requires that new commercial development annex to the City. Any new development must improve the Sub-area C roads to City standards.

Sub-area D is located north of the Burlington Northern Railroad tracks and west of Wadsworth Boulevard. This is a low-density area with many agricultural uses. Most, but not all, of Sub-area D is impacted by the Airport Critical Zone. The residents of Sub-area D are most anxious that densities remain very low, that commercial uses not be permitted, and that the current agricultural nature of the area be maintained. The draft plan recognizes those desires and requires the preservation of existing County zoned densities. Densities for areas within the Critical Zone are one unit for every ten acres, and for areas not in the Critical Zone, one unit for every acre. The draft plan excludes commercial uses while allowing the continuation of agricultural uses. The draft plan does not require that local streets be developed to City standards and establishes that curb, gutter and sidewalks are not to be required of new developments in Sub-area D.

Sub-areas E, F, G, H and I are smaller, mostly undeveloped parcels which have some unique characteristics. In general, the draft plan specifies that developers annex the parcels to the City prior to the City providing water and sanitary sewer. This means that all future development in this area will occur in the City. The uses allowed in these sub-areas are not defined because any use must be approved as part of a Planned Unit Development (PUD) which must be approved by the City Council.

After discussion of the sub-areas, the draft plan adopts many of the City's development standards, such as those pertaining to parking, landscaping, flood plain regulation, and signage. The plan's intention is to require a single set of development standards that will be used by both jurisdictions when reviewing development proposals.

While a large majority of the residents have endorsed the proposed draft Comprehensive Development Plan, a small group of property owners appeared before the County Planning Commission to object to two provisions of the Plan. The first concerns the minimum lot size required of property within the Jefferson County Airport Critical Zone. The plan requires that new residential development be permitted only at currently zoned densities. In most cases that is one unit per ten acres. Residents who own land in that area feel that it is an unfair restriction on their property. City Staff's view on the issue is that the residential/rural character of the area should be retained. Staff considers the current County Comprehensive Plan designation of Commercial to be unacceptable, and therefore support the low density provision of the enclave plan.

The second issue concerns Sub-area "I". Business owners in the area object to the prohibition on 24 hour businesses. This provision was adopted at the strong insistence of the area residents who wish to protect the nearby residential neighborhoods from any further unnecessary commercial impacts. Given the overall goals of the Plan, Staff considers this to be a reasonable goal and therefore would recommend that the plan be left as written.

It is important to note that if adopted, the proposed plan will not change the existing zoning in the enclave area, but will instead provide guidance to both jurisdictions for review of any new development proposals, and will provide clear direction as to how the area should look in the future. Staff believes the joint agreement will be beneficial to all parties concerned. As individual parcels are proposed for annexation and/or development, the plan will provide consistent guidance.

Respectfully submitted,

William M. Christopher
City Manager

Attachments

CITY OF WESTMINSTER, COLORADO
SPECIAL CITY COUNCIL MEETING
HELD AT CITY PARK RECREATION CENTER
10455 SHERIDAN BOULEVARD
TUESDAY, JULY 23, 1996 AT 7:30 P.M.

ROLL CALL:

Present at roll call were Mayor Pro Tem Dixon and Councillors Harris, Merkel, Scott and Smith. Also present were William Christopher, City Manager; Sharon Widener, Assistant City Attorney; and Michele Kelley, City Clerk. Absent was Mayor Heil and Councillor Allen.

PURPOSE OF SPECIAL MEETING:

The Mayor Pro Tem stated that the purpose of the special City Council meeting was to hold a joint public hearing with Jefferson County Commissioners and approve an Intergovernmental Agreement with Jefferson County regarding development standards for the Wadsworth Boulevard enclave area.

JOINT PUBLIC HEARING FOR WADSWORTH BOULEVARD ENCLAVE AREA:

At 7:30 P.M. the meeting was opened to a public hearing regarding development standards for the Wadsworth Boulevard enclave area. Janet Bell, Jefferson County Planner and Dave Falconieri, City of Westminster Planner, gave a brief summary of the report. The following citizens addressed council: Jerry Orten, 10085 Allison St; Jerri Kunkel, 7388 W. 96th Ave; Ray Smith, 6855 W. 94th Ave; Lisa Engelking, 10427 Ammons St; Brad Holder, 10798 Yukon St; Dee Schott, 9829 Meade Cr; Americus Kalmar, 9505 Teller St; Tim and Sharon Killcoyne, 7943 W. 98th Ave; Tom Russo, 9465 Webster Wy and Gary Theisen, 8567 W. 108th Ave. At 8:35 P.M. the public hearing was declared closed.

WADSWORTH BOULEVARD AREA IGA WITH JEFFERSON COUNTY:

A motion was made by Scott and seconded by Harris to approve the Intergovernmental Agreement with Jefferson County which adopts the Northeast Comprehensive Development Plan for Wadsworth Boulevard area enclave.

A Friendly amendment was made by Smith and accepted by the makers of the motion to delete the Note: under paragraph 2.1.a. on page 2-7 of the Agreement. The motion carried unanimously.

The Intergovernmental Agreement was adopted by the Jefferson County Commissioners.

ADJOURNMENT:

The meeting was adjourned at 8:40 P.M.

ATTEST:

Mayor

City Clerk