



## PLANNING AND ZONING COMMISSION

**Minutes  
June 13, 2016**

### Meeting Summary

PZ 2016-19, A Resolution Recommending Approval of a Planned Unit Development Plan - Fourth Text Amendment, Site Development Plan Amendment, and Final Plat for Great Western Filing No. 4, Replat H with the following condition: 1) that the rerouted trail be constructed at the same width as existing trails and that the developer continue to work with staff to improve trail signage especially at all street crossing for the proposed new trail, was approved by a vote of 6-1 of the Commission.

PZ 2016-20, A Resolution Recommending Approval of Site Development Plan for Parkway Circle Filing No. 4, Lot 2, (Waterwalk) and Final Plat for Parkway Circle Filing No. 4 Replat A, was approved by unanimous vote of the Commission.

PZ 2016-21, A Resolution Approving the Site Development Plan for the Overlook District Filing No. 1, Replat C (Atria at Broomfield Corporate Center) was approved with the following condition: 1) That the applicant add a transit stop, if and when, RTD decides to rollout bus transit service to this area. The vote was 6-1.

PZ 2016-22, A Resolution Recommending Approval of a Planned Unit Development Plan and Preliminary Plat - First Amendment and Site Development Plan for Jeffco Airport Business Center with the following conditions: 1) The applicant work with staff to minimize signs; and 2) The applicant work with the property owner to the south regarding drainage and grading improvements both during construction and after construction was approved by unanimous vote of the Commission.

PZ 2016-23, A Resolution Recommending Approval of a Site Development Plan for Jeffco Airport Business Center East Filing No. 1, Replat A, Lot 2 (7-Eleven Gas Station and Convenience Store) with the following condition: 1) That applicant work with staff relative to reducing signage, was approved by unanimous vote of the Commission.

### Roll Call - 7:00 P.M.

Chairman Silvers called the meeting to order at 7:00 p.m.

Commission Members Present: Susan Barkman  
Chuck Hastings  
David Lemmon  
Archie Lind  
Benjamin Maresca  
David Milender  
Tom Silvers  
Kathryn Turner (left the meeting at 9:25 p.m.)

Commission Members Absent: None

Staff Members Present: John Hilgers, Planning Director  
Erika Delaney Lew, Assistant City Attorney  
Anna Bertanzetti, Principal Planner  
Michael Sutherland, Senior Planner  
Diana Kjelshus, Recording Secretary

Chairman Silvers stated there was a quorum present.

### Disposition of Minutes

The minutes of the regular Planning and Zoning Commission meeting of May 9, 2016, were approved as presented.

### Petitions and Communications - None

### Public Hearing - PZ Resolution No. 2016-19

**Site Development Plan Amendment, Planned Unit Development Plan - Fourth Text Amendment, and Final Plat for Great Western Filing No. 4, Replat H for 85 single family age-restricted homes within the Skyestone Development**

**Property Location: West of Skyestone Parkway and North Montane Drive**

Chairman Silvers opened the public hearing at 7:05 p.m.

Principal Planner Anna Bertanzetti summarized the staff report and asked that the staff report be made part of the record. The public notice requirements, including advertising, mailed notices to properties within five hundred feet and posting of the property have been met for this hearing.

The application is for a Planned Unit Development Plan Amendment, Final Plat and Site Development Plan Amendment. In 2009 the area had been platted with single family lots, a portion of this development had been planned for a high density condominium units to single-family residential detached homes. All units in Great Western Park are age-restricted. The developer would like to amend the PUD Plan and the SDP Plan, in order to reduce the density proposed and change the unit style for the single family homes. The City Council will also be considering a request to vacate the streets in this area and any public lands that had been dedicated which will allow the applicant to rededicate new streets and new open lands.

The applicant is planning a cluster product which will be in a 'four pack' of homes, sharing a common driveway. This creates smaller lots for the residents and provides a lower maintenance type of home. The street scene will not be garage dominated. The architecture is consistent between the proposed cluster homes and the architecture established for the standard single-family residential lots in the development.

There are 85 cluster homes proposed which reduces the total number of units in the PUD Plan. The proposed public open lands are to be decreased from 2.109 to 0.5 acres with the proposed plat. The required public land dedication remains met with a total dedication of 43 acres, which exceeds the minimum requirement of 28.8 acres based on the reduced number of units proposed in the PUD text amendment. There is a substantial increase in the Home Owners Association owned open lands, from 3.859 acres to 9.431 acres. All of the open lands in Great Western Park are maintained by the Home Owners Association, whether public or private.

Staff identified the trail alignment as a key issue. The applicant and staff have worked on this issue. Alignment has been identified and the applicant has agreed to do whatever is necessary to revise the plans prior to proceeding to City Council for review.

Brett Price, Taylor Morrison representative, was present to answer questions from the Commission. Taylor Morrison wishes to reduce the number of units from 165 units to 85 units. The homes are a little smaller than what is currently built in Great Western Park. The area is intended to be a low maintenance community, the HOA will take care of the landscape, snow removal and trash removal. The homes will share a driveway, some of the homes will have a partial basement, and some will have a crawl space.

Public comment was requested, the following people spoke.

Jeff Brockman, 12364 Red Fox Way, said buyers were told there would be a lodge with a lot of amenities and we see some of the trails will go away. He said he would like to see everything brought back to what they had bought and paid for.

Sue Ellen Shepard, 14864 Graphite Street, agreed with Mr. Brockman's comments, that residents were promised a lot of other items that we are not receiving.

Peter Keppler, 12662 Meadowlark Lane, expressed concern about the parking and believed the on street parking for the cluster homes will impact others in the neighborhood. He was also concerned about the huge amount of soil that is brought in and the concern of the elevations of the proposed homes.

Barbara Meckelburg 12424 Red Fox Way, said that Taylor Morrison has over promised and under delivered. She concurred with the previous speakers on the issues they had spoke on. She was concerned about the amount of dirt being brought into the area and the impacts to the community.

Principal Planner Anna Bertanzetti said the streets in Great Western Park are public. There is parking available on both sides but in the cul de sacs, parking is not allowed so that emergency vehicles can access the cul de sac areas. The applicant has provided eight off street parking spaces for the cluster homes located at the end of the cul de sac.

Principal Planner Anna Bertanzetti said that staff had recently walked the trails, and the revised trails are a better location than previously proposed. The trails will be going through a manicured park, walking along the west side of the club house and will connect to the west side of the site that has the lookout area. It is a better trail for walking and staff is not aware if the distance is significantly different in length than what was previously approved.

Margaret Hughes, 12720 Meadowlark Lane, expressed concern about the 'mountain of dirt' and felt the mountain of dirt will be brought down to the elevation where the homes along that side will retain their views of the mountains.

Jim Henger, 12371 Red Fox Way, asked with the reduction of the number of homes what will be planned with the additional private open area.

Principal Planner Anna Bertanzetti said even though the lots are smaller, there will be more green space between the lots. The area that had been planned for the condominiums had not dedicated any private open area. The plan now shows a street as well as the perimeter of open lands. The street is not coming out of this acreage. The only private snow removal is on the sidewalks and driveways.

Clyde Manning, 12272 Meadowlark Lane, spoke of the Home Owner's Association intention to provide snow removal for the homes in Great Western Park but then they were told the City would not allow it. The proposed 85 cluster homes will be have their snow plowed as they are public streets and will be publicly plowed.

Jeff Brockman, 12364 Red Fox Way, said he was speaking for a neighbor that could not attend this evenings meeting. He asked if there would be two HOA's. He said the residents have been told that Skyestone Parkway will not be extended, yet Skyestone Parkway is shown on all the plans.

Brett Price, representative of Taylor Morrison, responded to some of the questions from the public:

- The drawings show Skyestone Parkway, as it exists today. The road stops behind the lodge parcel. 112<sup>th</sup> Avenue extends another quarter to half mile north of what the drawing shows and is in the City's long term plans that 112<sup>th</sup> Avenue extends.

- The initial SDP referenced 165 units. As Taylor Morrison bought the property, and up to about a year ago, Taylor Morrison had 108 units planned. Taylor Morrison found they could not get a workable plan with 108 units and reduced the number of units to 85.
- A sub HOA is being proposed, along with that the dues will be increased over what the single family homes pay to date. The snow removal references the sidewalks and the driveways. Landscaping, sidewalks and driveways will be maintained by the HOA.
- The fill dirt pile that exists today is the spoils from the basements that are being dug at Skystone. The phases discussed tonight and Phase V needs roughly 700,000 yards of dirt and existing dirt pile will not be enough for the development. The dirt pile has existed for some time and the development is encroaching nearer to that dirt pile. Grading plans are in now to grade this development as well as Phase 5 and that would remove that pile of dirt. Those lots are more like the existing grade of the homes their now and that cul de sac goes down in elevation.
- We worked a lot with staff to accommodate parking in the cul de sac so that when visitors come there will be parking. We also measured up the street length and there is parking for two units on the street.

Principal Planner Anna Bertanzetti clarified that Skystone Parkway is intended to extend in the future to 112<sup>th</sup> Avenue.

Clyde Manning, 12272 Meadowlark Lane, page 6 shows Skystone Parkway extending to 112<sup>th</sup> Avenue.

Commissioner's comments and questions were:

- Was there a clubhouse shown on this site previously?
- Loss of amenities;
- No parking on Bear Cub and Bobcat Court;
- Concerned about parking since this is a senior area and they may drive to the clubhouse;
- Concerned about the interconnectivity between Montane Drive and Bear Cub;
- Anticipation of standing water due to grades;
- If the five foot setback did not exist, what is the number of homes that you could put on the property?
- With the increase of private park spaces, is that open to the public?
- Appreciate that you are working with staff to redirecting part of the trails away from the water resources in the area.
- Need for way finding signs/directional signs for the trail at each of the intersections.
- Discussion of the trails direction and what has and has not been constructed.
- Clarification of the wording of clubhouse or the Lodge.
- All residences have a two car garage.

Brett Price, representative of Taylor Morrison, responded to some of the questions from the Commission:

- There was a clubhouse shown on a previously SDP approval (on the large Great Western Park proposal). The clubhouse was not shown on this site plan.
- Typically in the cul de sacs there will be no parking for turning radius of fire/emergency vehicles. In future phases there are cul de sacs where there will not be parking.
- We have worked with staff on a trail plan that provides interconnectivity with eight foot wide sidewalks. Due to the grading of specific areas, no walkways have been provided in those areas that are too steep.
- The grading is fairly steep and we expect good drainage in the area.
- The additional park space in the community is open to the public.
- The reroute intent was to stay away from the existing waterway. All trails will be eight foot trails.
- The applicant will add way finding signs/directional signs for the trails.

- We are working with staff on the trails currently. We are trying to accommodate Dry Creek Valley Ditch with a path to the facility.
- The community center is named The Lodge. It is not in this SDP. It is about a week or two out from being complete.

Chairman Silvers closed the public hearing at 7:50 p.m.

PZ 2016-19 was Read By Title.

Commissioner Millender moved for approval of PZ 2016-19, A Resolution Recommending Approval of a Planned Unit Development Plan - Fourth Text Amendment, Site Development Plan Amendment, and Final Plat for Great Western Filing No. 4, Replat H with the following condition: 1) that the rerouted trail be constructed at the same width as existing trails and that the developer continue to work with staff to improve trail signage especially at all street crossing for the proposed new trail.

Commissioner Barkman seconded the motion.

Discussion of the motion was called for, there was none.

The motion was approved by the following vote:

Those voting Yes: Barkman, Lind, Maresca, Milender, Silvers, Turner

Those voting No: Hastings

The motion passed.

**Public Hearing - PZ Resolution No. 2016-20  
Site Development Plan (Waterwalk Hotel) Parkway Circle Filing No. 4, Replat B, Lot 2 and Final Plat for  
Parkway Circle Filing No. 4 Replat B to subdivide one lot into two lots  
Property: Northeast of 96<sup>th</sup> Street/Northwest Parkway and Via Varra**

Chairman Silvers opened the public hearing at 7:52 p.m.

Principal Planner Anna Bertanzetti summarized the staff report and asked that the staff report and the new color elevations distributed this evening be made part of the record. The public notice requirements, including advertising, mailed notices to properties within five hundred feet and posting of the property have been met for this hearing.

The applicant, Waterwalk RE Services, LLC, is requesting a site development plan for a new 173 unit corporate lodging hotel in the Parkway Circle development. The Parkway Circle development is generally located east of 96<sup>th</sup> Street/Northwest Parkway and north of Via Varra. The area is developed with apartments, townhouses, condominiums, and other hotels. The proposed Waterwalk Hotel is unique in that it is different from other hotels in the area. This is corporate lodging meaning they cater to clients who may be staying just a couple nights but can accommodate longer stays. This is temporary housing, you can stay a few weeks, a few months, and possibly even a year or longer. This is temporary housing, people are not residents. It meets the definition for a hotel/motel of the Broomfield Municipal Code. A final plat is requested to create the parcel for the hotel. The proposed hotel will have access to Via Varra. They share a private drive with Holiday Inn Express and the Catania development. The proposed hotel and the Holiday Inn Express, both share parking along both sides of the drive which count towards their parking requirements. The parking is met for this hotel as well as the open area requirements. The proposed plan is consistent with the Parkway Circle PUD in terms on the design guidelines and 96<sup>th</sup> Street/Northwest Parkway Sub-Area Plan. In the packet that was delivered to the Commission, the site development plan shows the correct elevations. The color packet that was in the packet was incorrect.

Staff identified the following key issues: 1) reduction of the landscape buffer along the private drive on the east side of the site to be reduced from twelve feet to 3.1 feet; 2) removal of the requirement for separate motorcycle parking; 3) allow a 1.5 foot overhang of parking stall over sidewalks (sidewalks are widened in these areas to compensate for overhang); and 4) allow directional signs to include business name/logo.

Staff is adding an additional key issue this evening (to be entered as part of the record this evening): North Metro Fire and Rescue has expressed concern with some of the turn radius within the parking lot. The applicant has agreed to work with staff and North Metro Fire and Rescue to accommodate those required turning radius. It may require some adjustment to parking stall locations. The applicant is willing to make those changes and is aware the changes must be made prior to proceeding to Council.

Bill Chaffee, Vice President of Waterwalk, spoke of the new concept and the history of the company. He spoke of the amenities provided. The average stay is seventy-seven days. Residence Inn, the average stay is three days. We have aligned ourselves to the trails and will put in our own bike trail. We have 36% green space versus the requirement the 25% requirement. He introduced the rest of the team.

Public comment was requested, there was no one wishing to speak.

Commissioner's comments and questions were:

- Rate comparison;
- How do you discourage individuals from living their year around?
- Where are the overhang spots;
- Parking of electric cars and location;
- Amenities in the area in comparison to other areas;
- Will you need all the parking allocated to this plan?
- Occupancy rate;
- Pet friendly area; and
- Reduction of landscaping on the east side and the southwest area.

Bill Chaffee, Vice President of Waterwalk, and Tim Reefer, Wolverter, responded to some of the questions from the Commission:

- Our rates will be higher than anyone in the area, a monthly stay may be up to \$4,200;
- We discourage nightly stay. Our corporate entity is designed to serve the need of corporations. If we allocate a room to a nightly stay, we focus on the needs of corporations.
- The units are smaller than apartments but larger than a hotel room. There is limited space, limited dresser space.
- There are five overhang locations and the sidewalk will be increased in width. Increasing the width of the sidewalk improves the parking and circulation to force the overhang.
- The applicant concurred to moving the electric charging stalls to the compact spaces.
- This is a national roll out of a new brand. The key for the corporate traveler is the amenities of the mall as a lot of corporate travelers don't bring their car. The hotel will provide rides to the locations people request. We are looking at the growth of Broomfield to be an asset to our product.
- The ratio for parking for our current facility is 1:1. We currently have 173 units and a 180 parking stalls.
- Occupancy rates on other properties are a little over 99%. This is because we provide amenities that others just don't provide.
- We are pet friendly and limit the pets to twenty pounds. There will be a designed walk area for pets. There is a pocket park which is dog friendly.
- We provide a transit van and is parked where ever parking is available. The applicant will work with staff if a larger stall is required for a transit van.
- We have increased the landscaping along the west edge along the bike trail. The applicant said they could add shrubs on the southwest area.

Chairman Silvers closed the public hearing at 8:15 p.m.

PZ 2016-20 was Read By Title.

Commissioner Hastings moved for approval of PZ 2016-20, A Resolution Recommending Approval of a Site Development Plan for Parkway Circle Filing No. 4, Lot 2 (Waterwalk) and Final Plat for Parkway Circle Filing No. 4, Replat B with the following condition: 1) The developer work with staff relative to the landscaping on the east side and the southwest side of the property.

Commissioner Turner seconded the motion.

Discussion of the motion was called for, there was none.

The motion was approved by unanimous vote of the Commission.

Recess: 9:10 p.m.

Reconvene: 9:21 p.m.

<p><b>Public Hearing - PZ Resolution No. 2016-21</b> <b>Site Development Plan for Overlook District Filing No. 1 Replant C (Atria at Broomfield Corporate Center) to construct two single-story office buildings</b> <b>Property Location: West of Varro Road, North of West Midway Boulevard</b> <b>Applicant: Elkin Johnson Real Estate Partners</b></p>
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Chairman Silvers opened the public hearing at 9:22 p.m.

Michael Sutherland, Senior Planner summarized the staff report and asked that the staff report be made part of the record. He noted the public notice requirements, to best of staff's knowledge, has been met for this hearing.

The 15.26 acre property is zoned Planned Unit Development. Council approved the PUD Plan for the property in 2001. The Comprehensive Plan land use designation for the property is mixed use commercial. The proposed office/light industrial use is consistent with the PUD Plan and Comprehensive Plan. The applicant requests approval of a site development plan for two 88,293 square foot buildings on the 15.46 acre property including related parking and landscaping. Council reviewed the Concept Plan for this development on October 20, 2015. Feedback was generally positive.

The plans show 704 off-street parking spaces, thirty-six bicycle parking spaces, and ten motorcycle parking spaces. The plans show three points of vehicular access: the primary access from Via Varra, a secondary access at the northwest corner from the Northwest Parkway and a secondary access from the private street to the south. Drainage generally flows from the northwest corner of the property to the southeast corner of the property. There are two detention ponds located on the east side of the property, on either side of the primary access. The proposed buildings are tilt up concrete with flat roofs and parapets. The landscape plans show the location and planting of 352 trees and 2,313 shrubs.

The plans show forty foot tall column structures on either side of the primary access, similar to those approved for the Broomfield Business Center to the north. The plans include six foot tall monument signs at each access point and a fourteen foot tall monument for the Northwest Parkway.

A minor subdivision plat is included with the packet for commissioner's review and comment. The proposed plat subdivides the property into two lots and two tracts. No action is required for the minor subdivision plat; staff will approve the plat contingent upon approval of the site development plan.

The applicant is requesting approval of variances to omit passenger drop off areas and a transit stop. In addition, the applicant requests approval of a variance to reduce the number of trees and shrubs required within landscape buffers. The applicant requests approval of the forty-foot tall column structures as a waiver from the PUD Plan. The columns are not signs, nor are they buildings. The PUD does not address standards for the columns, so the applicant requests approval of a variance to allow an unanticipated structure. Finally, the applicant requests approval of a variance to allow three additional monument signs for the development, one of which will exceed the six foot maximum height requirement as a fourteen foot tall sign.

Currently RTD does not provide bus service to the area. The Midway Park-N-Ride is approximately one mile south of the property. Staff identified no key issues for the development. Comments were received the afternoon of the hearing. Staff received an e mail from Mr. Nicholas Donofrio regarding access to the proposed development which was distributed to the Commissioners. Staff also received an e mail from Ms. Cory Rutz of Oten Johnson, which was distributed to the Commissioners this evening. Mr. Sutherland asked that the e mail from Mr. Nicholas Donofrio and Ms. Cory Rutz be made a part of the public record.

Chairman Silvers stated the commission members did not receive either e mail (from Ms. Cory Rutz or Mr. Nicholas Donofrio) until 6 p.m. this evening therefore not allowing much time for them to review or check further into the issues as outlined in those e mails.

Jim Vasbinder, Etkin Johnson, representative of the applicant, was present to answer questions from the Commission. There are no tenants for either office building at this time. The applicant has resolved any and all issues as it relates to the project. Construction drawings have been submitted to the Building Division for preliminary review.

Mr. Vasbinder spoke about the access points for the property. There is a right-in-right-out access on to the Northwest Parkway. Northwest Parkway was built in 2001 and opened in 2003. The agreements were negotiated and recorded in 2009. Traffic engineering and public works have reviewed the access points.

Public comment was requested.

Nick Donofrio, represented the owners of the property (Broomfield Commercial) who purchased the property in January of this year. They are opposed to the the ingress and egress of the project. Broomfield Commercial has, directly north of the project, over 1,500,000 square feet of mixed use commercial. He said he would like to see the Traffic Report/Analysis for the project.

Senior Planner Michael Sutherland said a portion of the staff report, page 6, has a map of the overall area (to include the existing development and conceptual plans for the Overlook, Broomfield Business Center and Parkway Circle).

Ely Danner, 13544 Via Varra, spoke in support of the commercial space.

Commissioner's comments and questions were:

- Concerned about the planned access for the site;
- Development of other properties could become very difficult to develop because lack of planning for the overall area;
- It seems that the buildings have more than enough parking;
- Lack of connectivity may create a problem;
- Removal of the transit stop is a concern;
- Landscaping requirement for the area. Asked the applicant to add more evergreens on the east side of the property to provide more year around screening;
- Illumination of the pillars is a concern;

- How will the buildings serve the surrounding residents?
- Height of the pillars in relationship to height of buildings is a concern;
- Explain the passenger drop off locations;
- Addition of landscaping around the detention ponds seems needed;
- Concerned about the access for the property to the north; and
- What is the need for the large monument sign.

Representatives of the applicant and staff responded to some of the commissioner's comments:

- There would be nothing preventing the property owner to the north from installing a street on their own side of the property and connecting to Via Varra on their own property. At the Concept Review meeting (October 20, 2015), Council supported the development without putting a roadway through the proposed project which may jeopardize the project.
- The right-in-right-out access is not a public road, it is a private drive. It has no right-of-way.
- An additional traffic signal has been added that goes into the Retreat at the Flatirons. The traffic signal at 96<sup>th</sup> Street and Northwest Parkway has been built. A traffic signal will be added as part of this project. There are multiple access points for each one of the properties that we planned and sold. As it adversely affects the property to the north, we have an e mail from a representative of the property owners, asking us to remove the driveway/curb cut at Via Varra which we agreed to do. If this was such a critical, do or die, we can't develop our property without this, why were we requested to remove the drive/curb cut?
- To date this is the only commercial property that will be able to handle multi-tenant requirements. The services needed for the tenants of the area will be found in these buildings.
- There will be reciprocal easement agreement that will give each lot the rights to drive and park on each other, as well as storm water drainage and maintenance, et cetera. We have over parked the sites. The buildings are integral to each other; they are mirrors of each other.
- If RTD were to provide service, we will provide a bus pad.
- The landscape plan is very specific and should we put in the required landscaping with the utilities and sidewalks and circulation patterns we run out of room, the landscaping will die. We will upsize some of the shrubs rather than put in a large quantity of landscaping that would in the future die because of overplanting. The applicant concurred to add more evergreens on the east side of the property to provide more year around screening to the area.
- There are existing pillars and we wish to add two more pillars that are illuminated from the ground up with LED lights. They are not used for signage or graphics, they are just a statement of 'here is your entrance.'
- We do not currently have any 'dark sky' ordinance in Broomfield.
- The buildings are driven for employment. We have nothing signed at this time.
- There are six forty foot tall pillars that currently exist.
- The raised sidewalk in front of each building function as drop-off points for passengers.
- If it is the intention of the City to not illuminate our pillars, we will accept that as a condition.
- If the City wishes to changes the landscaping and shrubbery, we will accept that as a condition.
- There are three points of access into the twenty acres to the north.
- The monument signs are marketing and are not out of scale with the development considering the speeds of traffic in the area.

Assistant City Attorney Erika Delaney Lew asked the applicant to clarify the access issue. She stated the commission members do have copies of the e mail referenced (from Mr. Donofrio). She asked if there will still be the right-in-right out access at the northwest corner of the property serving both properties?

The applicant replied there is a 175 foot long, east-west easement, twenty feet wide on both properties, and both properties jointly use that access.

Assistant City Attorney Erika Delaney Lew said the lot boundaries will be done administratively. A minor subdivision is only allowed when there is a particular number of lots being created and only when there is no public right-of-way dedicated. The reciprocal easement agreement is going to bind the lots together; it will be recorded against the land. The two lots will have permanent reliance against each other for the requirements that they would not independently make.

Ely Danner, 13544 Via Varra, spoke in support of the pillars at Via Varra, including the lighting.

Chairman Silvers closed the public hearing at 9:20 p.m.

PZ 2016-21 was Read By Title.

Commissioner Milender moved for approval of PZ 2016-21, A Resolution Approving the Site Development Plan for the Overlook District Filing No. 1, Replat C (Atria at Broomfield Corporate Center) be approved with the following condition: 1) That the applicant add a transit stop, if and when, RTD decides to rollout bus transit service to this area.

Commissioner Turner seconded the motion.

Discussion of the motion was called for, there was none.

The motion was approved by the following vote:

Those voting Yes: Barkman, Lind, Maresca, Milender, Silvers, Turner

Those voting No: Hastings

The motion passed.

Commissioner Turner left the meeting at 9:25 p.m.

<p><b>Public Hearing - PZ Resolution No. 2016-22 and PZ Resolution No. 2016-23</b> <b>Jeffco Airport Business Center East (Metropolitan Airport East) Planned Unit Development Plan (PUD) and Preliminary Plat First Amendment, Jeffco Airport Business Center East Filing No. 1, Replat A, Lot 1, Tract A and Adjacent Rights-of-Way Site Development Plan (SDP), and Jeffco Airport Business Center East Filing No. 1 Replat A, Lot 2 (7-Eleven Gas Station and Convenience Store) SDP</b> <b>Property Location: Southwest Corner, Metro Airport Avenue and Wadsworth Parkway (SH 128)</b> <b>Applicant: Jefferson County and 7-Eleven</b></p>
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Chairman Silvers opened the public hearing at 9:27 p.m.

Michael Sutherland, Senior Planner, summarized the staff report and asked that the staff report be made part of the record. The application for Jeffco Airport Business Center East is complete and notification for this hearing has been completed in accordance with the Broomfield Municipal Code.

The 14.96 acre property is zoned B-2 Planned Unit Development. Council approved a PUD Plan for the property in 2001. The Comprehensive Plan Land Use designation for the property is mixed-use commercial. The property is within the US-36 Sub Area Plan. The proposed gas station and convenience store use of the property is consistent with the allowed uses within the PUD Plan, the Comprehensive Plan and the Sub-Area Plan.

The applicant is requesting approval of a PUD Plan Amendment to make gas stations an allowed use as opposed to a Use by Special Review. Two separate applications are the subject of this public hearing: The first includes a PUD Plan Amendment and a Site Development Plan for the internal road for the 14.96 acre development area. The second is a site development plan for a 7-Eleven Convenience Store and Gas Station on a 1.17 acre lot within the development area.

The first application also includes a minor subdivision application to resubdivide the 14.96 acre property into three lots and one tract. The proposed minor subdivision does not require action by the commission, but comments on the plat are welcome. Staff will approve the proposed plat contingent upon approval of the site development plans. On October 20, 2015, Council reviewed a concept plan for the proposed development. The review was generally favorable. The proposed PUD Plan Amendment completely replaces the previously approved PUD Plan.

The proposed amendment changes the allowed land uses, establishes new setbacks, establishes a new sign code for the property and replaces the site design regulations from the US 36 Sub-Area Plan. The applicant is requesting approval of waivers to allow for the revised uses, the revised landscape buffers and setbacks, and the signs. The applicant provided a traffic analysis indicating a new right turn lane will be warranted on Metro Airport Avenue. As a late development correction to the memo, the owner will construct the improvement and the City will reimburse the owner 69 percent of the improvement cost, currently estimated at approximately \$20,000. The first proposed site development plan shows a private road, perimeter landscaping, a temporary detention pond and signs. The Colorado Department of Transportation will need to approve landscaping within the Wadsworth Parkway right-of-way.

The first proposed site development plan shows a private road, perimeter landscaping, a temporary detention pond and signs. The proposed plans show eleven signs on the property and an additional five signs in adjacent right-of-way. The sixteen signs range from six feet tall to over thirty feet tall. The signs within the Metro Airport Avenue right-of-way will require approval of revocable permit.

The second proposed site development plan shows a 2,958 square foot 7-Eleven convenience store building and a twelve pump fuel canopy. The proposed plans show twenty-nine off street parking spaces and forty-five percent open area. The proposed convenience store is a flat roof design featuring synthetic stucco, artificial stone and block siding with metal canopies. The plans include building signs and canopy signs.

Staff identified signs as a key issue for the proposed development. In particular, the sixteen development signs shown on and off the property are unusually tall and numerous for this size of development project. The proposed sign standards and site development plan are unclear on how many signs will be built.

Garrett Baum and Bill Branyon, representatives of the applicant, were present to answer questions from the commission. The PUD Amendment is to set up all of the design criteria for the project, to modify the previous PUD in terms of access points, setbacks, et cetera. The site development plan is for the common area which consists of streets which are privately owned and maintained, a detention pond and the sign program. The intent of the sign program is to expand it to the entire airport area (1,700 acres). Metro Airport Avenue is one of the primary entrances to the airport. Airport Way is another of the primary entrances. The intent of the program is to identify the boundaries, the entrances to the project, way finding, tenant identification, et cetera.

Chad Wheeler, Dimension Group, representative of 7-Eleven, was present to answer questions from the commission.

Public comment was requested.

Brian McKee, Animal Care and Health Integration, LLC, 8865 West 116<sup>th</sup> Circle, expressed concern about the development of the project. He was concerned about the drainage easements, impacts to his property, soils issues they had experienced, and comments made to his representative. He was also concerned about the elevations; he felt the development would need to be terraced rather than just sloping. He also spoke of soils sluffing and that the soils were extremely "hot", or volatile. He believes the developer should be sensitive and compassionate to small businesses.

Commissioner's comments and questions were:

- Zone of influence on the runway;
- Soil conditions concerns;
- Slope and grade concerns;
- Tanker circulation and spillage detention;
- Traffic circulation on Wadsworth Boulevard;
- Work with your neighbor;
- Bus stop and the need for a shelter; and
- Concerned about the number of signs and that all signs need to be contained to the site.

Representatives of the applicant (Bill Branyon, Garrett Baum, Chad Wheeler and Bonner Gilmore) and staff responded to some of the commissioner's comments:

- We are aware the soils are very hot in this area and spoke process used for design and engineering of foundations.
- They spoke of the design of the drainage for the area.
- City staff will review the drainage of the area. 116<sup>th</sup> Avenue is publicly dedicated right-of-way.
- Minimum grade requirements are met for the roadway.
- The circulation of the tanker and the state regulations are followed. The state does not have regulations for emergency mitigation. There are multiple stages of safety to prevent a spill during a fill.
- There is currently two through lanes and there is also a continuous decel/excel lane so that people can exit to 116<sup>th</sup> Avenue.
- RTD provided for bus stops.

Brian Johnson, Airport Director, confirmed the development is out of the zone of influence on the runway.

Chairman Silvers closed the public hearing at 10:16 p.m.

Michael Sutherland invited Mr. McKee to review the technical reports that have been filed with the City by the applicant in order to become more familiar with the development.

Chairman Silvers closed the public hearing at 10:16 p.m.

PZ 2016-22 was Read By Title.

Commissioner Hastings moved for approval of PZ 2016-22, A Resolution Recommending Approval of a Planned Unit Development Plan and Preliminary Plat - First Amendment and Site Development Plan for Jeffco Airport Business Center with the following conditions:

- 1) The applicant work with staff to minimize signs; and
- 2) The applicant work with the property owner to the south regarding drainage and grading improvements both during construction and after construction.

Commissioner Lind seconded the motion.

Discussion of the motion was called for, there was none.

The motion was approved by unanimous vote of the Commission.

PZ 2016-23 was Read By Title.

Commissioner Hastings moved for approval of PZ 2016-23, A Resolution Recommending Approval of a Site Development Plan for Jeffco Airport Business Center East Filing No. 1, Replat A, Lot 2 (7-Eleven Gas Station and Convenience Store) with the following conditions: 1) That applicant work with staff to reduce signage.

Commissioner Lind seconded the motion.

The motion was approved by unanimous vote of the Commission.

### **Special Report**

The next meeting of the Planning and Zoning Commission will be June 27, 2016.

Commissioner Lind expressed concerned about the amount of landscaping that we continue to do and inquired if there was an opportunity to discuss reducing the amount of landscaping as related to watering concerns. Site lines and landscaping blocking of site lines is a concern.

Commissioner Hastings asked about utility panels that are unpainted and compliance with site development plans.

### **Adjournment - 10:26 p.m.**

### **Approval**

Minutes Prepared by:

\_\_\_\_\_  
Diana Kjelshus, Recording Secretary

Approved by:

\_\_\_\_\_  
Chairman