

**LAKWOOD PLANNING COMMISSION  
PUBLIC MEETING  
MINUTES**

**April 16, 2008**

**COMMISSIONERS PRESENT:**

Tracy Sheffield  
Jerald Golley  
John Plotkin  
Rich Urbanowski  
George Brown III  
Michael Rohr

**STAFF PRESENT:**

Kathy Hodgson, Director, Community Resources  
Bruce Peoples, Manager, Community Resources  
Ross Williams, Facilities Planner, Community Resources  
Rebecca Clark, Director, Community Planning and Development  
Timothy Gelston, Manager, Development Review  
Paul Rice, Principal Planner, Development Review  
Ben Mehmen, Civil Engineer II, Public Works  
Adrian Stanciu, Manager, Property & Purchasing Services  
Walter Jauch, Secretary to the Planning Commission

Following are the minutes of April 16, 2008 Lakewood Planning Commission Public Meeting. A permanent set of these minutes is retained in the office of the City Clerk.

**ROLL CALL**

The roll having been called, a quorum was declared and the following business was conducted:

**ITEM 1: PL-08-001 – COMMUNITY RESOURCES MASTER PLAN.**

Request the Planning Commission to adopt the Community Resources Master Plan as an amendment to the Comprehensive Plan.

MR. BRUCE PEOPLES asked to enter all case materials, plans, studies, pictures, Zoning Ordinance, Subdivision Ordinance, City Comprehensive Plan and all other associated materials in to the record.

COMMISSIONER JOHN PLOTKIN accepted.

MR. PEOPLES presented for city staff with note of the involved contractors: Greenplay, LLC, Design Concepts, GeoWest, Pinyon Environmental Engineering. Current document started in May of 2006 and began with a focus group. Needs assessment survey was administered, five public meetings were held, interviews with the Mayor and City Council held. There were also four Planning Commission Study Sessions. The Master Plan identifies over 160 goals, objectives, and strategies and has been organized into key issue areas.

PUBLIC HEARING OPENED AT 7:12 PM

MR. MICHAEL L. BOURNE, PO Box 260313, Lakewood, CO, commented that he has requested the City of Lakewood work with surrounding communities such as Jefferson County and Denver and sees no mention of communications in the document. He has spoken to Jefferson County and Denver personnel and their response was the communications from Lakewood were very cursory. He also felt the Master Plan was a very broad philosophical document and is not comfortable with broad philosophical statements. In addition, no fiscal commentary is in this document. He also expects communication that is more direct rather than the postcard he received on April 11, 2008.

MR. JOHN FOX, 1133 South Eaton Street, Lakewood, CO, is a spokesperson for the Lakewood Advisory Commission – Parks, Trails and Open Space Subcommittee and they fully endorse this Master Plan and recommend adoption.

MS. JANICE HASTINGS, 2737 South Braun Court, Lakewood, CO is a board member of the Foothills Swim Team. It seems evident that the city may be planning an aquatic center and would like to be involved so that the facility would meet the needs of all the citizens. There are in support of the plan, but are interested in providing more input into the planning of any new aquatic facilities.

MR. BOB ZACHMAN, 13182 W. Jewell Circle, Lakewood, CO, is the Chair of the Heritage Culture and the Arts Alliance a 501(c)3 organization and they are very much in favor adoption of the proposal. It is viable to incorporate and include the arts as part of the community.

PUBLIC HEARING CLOSED at 7:21 PM

COMMISSIONER PLOTKIN spoke regarding the structure of the plan, especially with regard to its original size. The original had a lot of detail, but were split into separate documents, all available to the public. The Master Plan is a long-range, "big-picture" planning document, not a detail-oriented plan and was requested to be that way so that it fits with the Comprehensive Plan.

COMMISSIONER MICHAEL ROHR asked if population information was received from the public school district.

MR. PEOPLES responded that they had received the information and it indicated a slight difference of numbers on a countywide basis. The county's report indicated an 18.5% Hispanic origin student count versus the Plan's 14.5% ratio of Hispanic/Latino residents within Lakewood.

COMMISSIONER GEORGE BROWN asked what contact has been made with Jefferson County.

MS. KATHY HODGSON answered that there has been continual and frequent contacts. Formal contacts are through quarterly meetings. Informal discussions with Jefferson County Open Space are frequent and they are considered partners.

COMMISSIONER GOLLEY asked if it is appropriate to place the resulting communications with the surrounding entities into the Master Plan.

MS. CHRIS DROPINSKI, Greenplay, LLC responded that collaboration and partnering information is located in the Findings document rather than the Master Plan.

MR. PEOPLES confirmed that this information is in their Findings document.

COMMISSIONER RICH URBANOWSKI commended the committee for their detailed suggestions. He strongly urges Community Resources to look at the memo and follow the suggestions submitted by the Parks, Trails and Open Space Subcommittee.

MS. HODGSON commented that Community Resources also appreciated the time the newly formed Parks, Trails and Open Space subcommittee had taken working with the Master Plan. Community Resources wishes to have the memo submitted and incorporated into the Findings document.

COMMISSIONER PLOTKIN asked for a description of the additional documents and where they are available.

MR. PEOPLES stated that the document is titled the Findings and Analysis Report and is available by contacting Community Resources for a hard copy.

COMMISSIONER PLOTKIN asked if there was any more edits to be considered at this time.

MR. PEOPLES answered that the only substantial change would be from the subcommittee's memo.

COMMISSIONER PLOTKIN asked about the plans for the Carmody Pool.

MR. PEOPLES stated that this is also one of his projects and they are in the planning and design phase. Repair of the indoor pool is scheduled by the end of October 2008 and the outdoor pool completed in November or December.

COMMISSIONER PLOTKIN queried if Community Resources is contacting the groups represented at this meeting.

MS. HODGSON answered that the Recreation Manager of Community Resources has been in repeated contact with Ms. Hastings.

MS. BECKY CLARK requested the Commission to amend the Findings of Fact and Conclusions within the Resolution and incorporate the memo of the subcommittee into the document and motion.

COMMISSIONER SHEFFIELD made a MOTION to ADOPT the Department of Community Resources Master Plan and recommends City Council to APPROVE the plan including the Findings of Fact and Conclusion and with the condition the Memorandum of April 8, 2008 from the Parks, Trails & Open Space Subcommittee be added to the Findings and Analysis Report.

Motion was SECONDED by COMMISSIONER URBANOWSKI.

COMMISSIONER MICHAEL ROHR encouraged Community Resources to use the citizen and group comments and suggestions.

COMMISSIONER PLOTKIN commented that he understands the philosophy of Lakewood has been to place recreation areas throughout the city due to physical size of the city in comparison to surrounding cities. He believes this provides increased access and the citizenry is happy with the facilities and they way they are maintained. He complemented staff and their efforts.

VOTE TAKEN -

Six Ayes - Commissioners Brown, Golley, Plotkin, Rohr, Sheffield, Urbanowski

Zero Nays.

One Absent – Commissioner Schoch.

MOTION PASSED.

**ITEM 2: RZ-07-005 – COLFAX DOG FACILITY OFFICIAL DEVELOPMENT PLAN (ODP).**

Request the Planning Commission to approve a rezoning from 2-C zone district to Planned Development (PD) to allow for mixed-use development including training and overnight boarding of animals located at 8990 W. Colfax Avenue.

MS. KARI SHOHET, applicant, 852 Broadway, Suite 300, Denver, CO presented case for the Colfax Dog Facility ODP. Her background includes a psychology degree from Colorado State

University, an internship with Guide Dog School for the Blind in San Rafael, CA, and was also an area trainer with PetsMart in which she ran the training department, including hiring and accrediting new instructors. She wished to expand into pet care services in addition to training.

While doing research, she found there was a void of these types of services in the city of Lakewood. Her facility is to provide affordable holistic pet care and products. As a member of the American Boarding & Kennel Association (ABKA), she will follow their strict standards of care.

The dog care facility will be monitored 24 hours day. Hours of operation will be 7 a.m. to 7 p.m. and pets will be allowed outdoors in the fenced area from 8 a.m. to 8 p.m. Dogs will be kept indoor after 8 p.m. and no dogs will be taken off the property by staff at any time. There will be a ratio of one staff member for every twelve dogs. The outdoor area will consist of a six-foot chain link and Trex type fence and will have security features to ensure dogs do not escape.

Barking or out-of-control dogs will have a time-out area. Any dogs exhibiting consistently negative behavior will not be allowed back to the facility. Dogs will be rotated between indoor and outdoor areas. Animals will not be outside in inclement weather.

With respect to cleanliness, all solid waste will be double-bagged and placed in a dumpster. A contract with Waste Management will be in place to pick up as waste on an as-necessary basis. Play areas will be disinfected, as needed, with a germicide. A specific artificial turf called "Canine Grass" is to be installed with special properties to control odors. Environmentally friendly odor control products are also part of their strategy for odor control. These treatments are used indoors and outdoors. Air scents will be used in the lobby, too.

Offered services will be daycare, boarding with daycare, self-service dog wash, and professional grooming, training and an indoor swim area for conditioning and geriatric care. There is to be a retail area with premium food, toys, collars, leads and the like.

Specialty services to be provided are: geriatric services and puppy programs, a mobile veterinary acupuncture, and doggy-ice cream. Average number of dogs in the first year will be approximately 15 to 20 dogs per day inclusive of daycare and boarding.

The maximum number of dogs in the facility will be 50 to 100 dogs in a single day. All boarding will be indoors beginning with 25 runs. Her goal is to expand to 50 runs over time. No staff is on-site overnight, but areas are monitored for fire and carbon monoxide. Security features will include indoor and outdoor web cameras and motion-sensitive automatic lights. She believes this will help lessen the vagrant problem in the area.

MR. PAUL RICE asked that the Staff Report, Zoning Ordinance, Subdivision Ordinance, Comprehensive Plan and all it's related plans, and all associated materials be entered into the record.

COMMISSIONER PLOTKIN accepted.

MR. RICE presented case information relating to the Dog Care Facility ODP located at 8990 W. Colfax Avenue. SignalGraphics shares the same building at address 8992 W. Colfax Avenue and the building is in a 2-C zoned district. Staff is recommending approval of the case.

COMMISSIONER URBANOWSKI made disclosure that he has been in previous contact with Mr. Al Ramer, but this will not bias his decision in any way.

PUBLIC COMMENT OPENED at 8:01 PM.

MS. SANDIE CARVER, 1429 Estes Street, Lakewood, CO wished to state that there is a few dog day care centers within six blocks of this new proposed facility. The lot for this facility is surrounded by parking lots and apartment buildings and noises are noticeable. She is very concerned about the possible noise from the 50 to 100 dogs in this building.

MS. NATASHA GARZA, 1429 Estes Street, Lakewood, CO is concerned that applicant originally stated that dogs would be out until 7:00 p.m. Now it is for 8:00 p.m. that the dogs will be allowed outside. In addition, the original proposal said that up to 50 dogs would be in the facility, now it is 100 dogs. She wants to know what the final time and numbers will be and if this will continue to grow. She feels they may have to move because of the noise.

MS. MADDIE MARTINEK, Board Member, Morse Park Neighborhood Association and the West Colfax Community Association. The association has met with applicant and business partner. She believes they are trying to be productive in the community with a solid business plan. She also believes it will be a catalyst for a positive change in the area.

MS. PHYLLIS HENDRIKSON, 1801 Brentwood, Lakewood, CO, President, Morse Park Neighborhood Organization. After meeting with the applicant, the board members have all agreed this would be a great facility and collectively support this project. It is an innovative idea and business and there is a need for these types of businesses on Colfax Avenue. They believe it is a business that the neighborhood will use everyday.

MR. STEVE MORRIS, 22 Red Tail Drive, Highlands Ranch, Owner of the building and the Signal Graphics. He believes it is in his best interest to have a good long-term tenant and believes the City of Lakewood shares that same interest. It will be an upscale facility and under control. He originally was concerned about noise and odors, but believes the applicant has a good approach to mitigate these concerns.

PUBLIC COMMENT CLOSED at 8:09 PM.

COMMISSIONER URBANOWSKI asked for clarification about hours of operation. They are not clear, and different hours listed in various sources. Does the ODP define the hours of operation?

MR. RICE responded that the ODP does not define the hours of operation. Day Care staff will be there from 6:30 a.m. to 8:00 p.m., with the dog day care from 7:00 a.m. to 7:00 p.m. and no dogs out after this time. There may still be staff in the building after 7:00 p.m. for feeding and cleaning.

COMMISSIONER URBANOWSKI asked if the operational hours were a condition put in place by the city.

MS. CLARK answered that this condition is a recommendation in the Staff Report.

COMMISSIONER URBANOWSKI believed that there should be something in writing to assist in identifying violations. He also asked if there have been violations from other similar facilities.

MR. RICE responded that there have been no violations reported to city, nor requests to visit any of the other similar facilities to date.

COMMISSIONER URBANOWSKI queried as to the address of the previous similar facility that was put forth to the Planning Commission.

MR. RICE answered that the address is 8700 W. 14<sup>TH</sup> Avenue and is called The Dog Den, in an OF zoned district.

COMMISSIONER URBANOWSKI asked about details of the water quality area and the larger open area behind new fence and if this was available for water quality uses.

MR. RICE responded that there is some concrete removal necessary to accommodate the water quality feature. The remainder area between the water quality feature and the fence is in a flood plain and that area is available for landscaping.

COMMISSIONER GOLLEY asked if the city regulates this type of business differently than other retail store uses.

MR. RICE answered it is not regulated differently, but there are a different set of standards and building codes for compliance.

COMMISSIONER GOLLEY asked about the procedure for citizen complaints.

MR. RICE responded that citizens could contact Code Enforcement and/or Animal Control.

COMMISSIONER GOLLEY asked what repercussions a facility owner would suffer due to complaints.

MR. RICE answered that repercussions are specified in the Municipal Code.

COMMISSIONER GOLLEY asked if this facility meets the long-term plans of the Colfax Corridor with respect to contextual planning.

MS. CLARK stated that this project meets the intent and purpose of the committee in revitalizing and energizing Colfax Avenue.

COMMISSIONER GOLLEY asked for clarification about the multi-use being placed in the ODP by staff.

MS. CLARK stated that this addition to the ODP was for the purpose of increasing viability and re-use of the property.

COMMISSIONER SHEFFIELD asked about the comments in the open house meeting.

MS. CLARK answered that staff did place conditions and recommendations because of the comments, most notably the number of dogs and number of runs. Since this is a new and unfamiliar use, staff did want certainties in place.

COMMISSIONER SHEFFIELD asked for clarification of the hours of operation.

MS. SHOHET clarified that dogs are not allowed out after 8:00 p.m., per City Ordinance. The hours of operation will be 7:00 p.m. to 7:00 p.m. and the outdoor area use is finished by 7:00 p.m.

COMMISSIONER SHEFFIELD asked if the applicant was comfortable with recommendations being put in place about the ratio of staff to dogs.

MS. SHOHET replied that she is comfortable with that type of recommendation. State regulations already require a minimum of one person per 15 dogs, Lakewood ordinances requires one person per 12 dogs.

COMMISSIONER SHEFFIELD asked what is the maximum number of dogs allowed outside at any one time.

MS. SHOHET answered that they have two play areas with a maximum of 12 dogs in each for a total of 24 dogs with a staff person for each play area.

COMMISSIONER SHEFFIELD asked for clarification on the total number of dogs in the facility.

MS. SHOHET stated, based on the square footage of the facility, approximately 50 runs, could be built with three indoor play areas. Some families may request their two dogs stay in the same run together. Up to 36 dogs could be in the three indoor play areas at one time. She further stated that her goal is a maximum of 100 dogs with full rotations between play and sleep areas.

COMMISSIONER PLOTKIN asked if this maximum number is for daytime, nighttime or both.

MS. SHOHET stated that this would include both day care and boarded dogs.

MS. CLARK commented the dog care facility is a 24-hour operation and that the Staff Recommendation would be a maximum of 100 dogs, regardless of time of day.

COMMISSIONER SHEFFIELD asked for clarification on the minimum standard of disinfection.

MS. SHOHET answered that as a member of ABKA she will adhere to their schedule and instructions. She is planning to use a germicide inside the facility every day. Whenever a rotation of dogs into a kennel takes place, the germicide will be used. Play areas are disinfected once every day and the odor control products will be used as necessary.

COMMISSIONER SHEFFIELD asked about the overnight monitoring.

MS. SHOHET stated that there will be no staff at the facility overnight and monitoring will be accomplished through electronic means and this is an industry standard for modern dog boarding facilities. Studies have found that human monitoring causes restlessness, stress, and anxiety.

COMMISSIONER ROHR asked if the SignalGraphics business going to continue in the same building.

MR. MORRIS responded yes (off recording).

COMMISSIONER ROHR asked if this project requires a complete overhaul of the HVAC system.

MS. SHOHET responded that it does require extensive rework to the HVAC and plumbing systems.

MR. MORRIS responded that there are separate systems required for the cat's area, dog grooming area, and lobby area. A mechanical engineer and experienced architect will be designing the systems.

COMMISSIONER ROHR asked if the SignalGraphics system is separate from the dog facility systems.

MR. MORRIS answered that SignalGraphics system will be separate. Furthermore, SignalGraphics now uses only computers and copiers in their business and they have moved away from using the chemicals of the past.

COMMISSIONER BROWN asked if the dogs howl, how would staff be alerted.

MS. SHOHET replied that she does not believe there would be noise hearable by neighbors outside the facility. Her experience has also shown that plentiful exercise gets them tired and they sleep for the night.

COMMISSIONER BROWN asked what kinds of businesses are allowed in the currently zoned district.

MR. RICE answered: indoor animal day care, automobile services, offices, smaller retail services, banks, dance studios, motels, medical clinics, gas stations, food stores. Fifty-nine permitted uses. Uses not allowed are liquor stores, large supermarkets.

COMMISSIONER PLOTKIN asked if noise and sound insulation has been considered.

MS. SHOHET answered that sound insulation is to be installed for a better neighbor and customer experience. Sound mitigation is important to them for the safety and sanity of the animals and customers.

COMMISSIONER PLOTKIN asked if there is a demand for their services in this area.

MS. SHOHET responded that her research has found Lakewood is under-served by this type of upscale, boutique-style, animal day care and boarding facility with conditioning areas. The closest facility is strictly a day-care facility.

COMMISSIONER PLOTKIN asked if other facility has an outdoor recreation area.

MS. CLARK answered that the Special Use Permit allows for outdoor play area, but the applicant may have chosen to eliminate that area upon building the site.

COMMISSIONER PLOTKIN asked if there was any comment from the Eiber neighborhood.

MR. RICE stated that there was no comment received from the Eiber neighborhood.

COMMISSIONER URBANOWSKI asked staff what would normally happen if the City received a complaint about the facility.

MS. CLARK replied that a complaint is handled by both Code Enforcement and the Police Department. If a noise complaint is received, Animal Control Officers talk to the property owners. If a second complaint is received, a warning is given. The third complaint results in a citation being given. Cleanliness issues are handled in a similar manner to horse properties and are completed via Code Enforcement. Warnings are given and, if necessary, a contractor is hired to complete a clean-up of the property.

COMMISSIONER URBANOWSKI asked what would happen if a situation is not corrected by the facility.

MS. CLARK responded that situations are abated first, but measures can be taken through courts.

COMMISSIONER GOLLEY asked what kind of biohazard is present from the chemicals to be used.

MS. SHOHET is concerned about this issue, too. Products chosen are safe to use on pets and human skin and are safe for the environment as per the Material Safety Data Sheets (MSDS). However, the germicide is a product made to kill a broad spectrum of pathogens and the specific product to be used has the highest level of safety as determined by the ABKA.

COMMISSIONER GOLLEY asked about any runoff from these products.

MS. SHOHET responded that the product in use is highly diluted and safe for the animals. Product will be used on the sealed concrete play area and will be washed into their water quality system.

COMMISSIONER GOLLEY asked what is the planned opening date.

MS. SHOHET answered that she believes it will be about three months for complete build-out.

COMMISSIONER URBANOWSKI asked if the water quality facility would be sufficient for this application.

MR. BEN MEHMEN responded that the proposed system is a porous landscape detention area, basically a sand and peat filter. It is designed for the criteria specified by the Urban Drainage and Flood Control district and does meet the size requirements for the area it is draining. All the water will flow into a swale and then filter through the sand/peat mixture where it is collected to an under drain then to a box culvert. It is sufficient for this use.

MS. CLARK commented that Staff is amending the recommendations to include the following:

- 1) Animal drop-off and pick-up hours for the animal care and training facility are limited to the hours of 7:00 a.m. to 7:00 p.m.
- 2) That in the Intent of the ODP we include the term "Dog Care Training Facility and Boarding Facility."
- 3) The overnight boarding of animals is limited to a maximum number of 50 animal runs and a total number of 100 dogs that may be boarded overnight at any one time.
- 4) Requirement of one staff member per 12 dogs.
- 5) Adhere to the American Boarding and Kennel Association Accreditation Sanitation and Cleanliness Standards and Procedures.
- 6) To adhere to city building and code standards
- 7) To make corrections to the ODP with the above recommendations.

COMMISSIONER URBANOWSKI made a MOTION for Recommendation of APPROVAL of Re-Zoning, Case RZ-07-005 with amendments as noted by staff.

Motion was SECONDED by COMMISSIONER BROWN.

COMMISSIONER GOLLEY will support this applicant because of her due diligence.

COMMISSIONER PLOTKIN commented that he believes the noise will not be heard outside of building and is confident that any complaints will be well handled by City staff. He is optimistic about this facility and their plan.

COMMISSIONER SHEFFIELD wished to thank the applicant for adjusting the plan based from citizen comments.

COMMISSIONER URBANOWSKI commented he received assurances that City will take care of any problems that will appear.

COMMISSIONER BROWN commented that he has learned quite a bit tonight and wished to thank the applicant and staff.

VOTE TAKEN -

Six Ayes - Commissioners Brown, Golley, Plotkin, Rohr, Sheffield, Urbanowski

Zero Nays.

One Absent – Commissioner Schoch.

MOTION PASSED.

### **GENERAL BUSINESS:**

MS. CLARK introduced Adrian Stanciu, Manager of Property Management.

MR. ADRIAN STANCIU spoke about his position and his history.

MS. CLARK commented that there is an Executive Session and Study Session on May 5<sup>th</sup> regarding the Democratic National Convention. In addition, there is a scheduled joint meeting with City Council on May 19<sup>th</sup> for the Parade of Homes.

COMMISSIONER URBANOWSKI commented that the Wadsworth Corridor Committee will be meeting on May 1st

COMMISSIONER PLOTKIN the Colfax Corridor meeting was held on April 15<sup>th</sup> but he did not attend.

COMMISSIONER SHEFFIELD commented that he did attend and one more meeting is scheduled next Wednesday April 23<sup>rd</sup> with an Open House scheduled May 8<sup>th</sup>.


COMMISSIONER PLOTKIN commented that the Federal Center Task Force would hold a third meeting.

MR. TIM GELSTON discussed the activities of Earth Week. He also mentioned that on May 29<sup>th</sup> there is a free seminar on New Urbanism being held in the downtown area.

## ADJOURNMENT

Meeting adjourned at 09:11 PM

July 16, 2008  
Date Approved

  
Walter M. Jauch, Secretary  
to the Planning Commission