

**LAKWOOD PLANNING COMMISSION
PUBLIC MEETING
MINUTES**

July 16, 2008

COMMISSIONERS PRESENT:

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

STAFF PRESENT:

Rebecca Clark, Director, Community Planning and Development
Timothy Gelston, Manager, Development Review
John Padon, Principal Traffic Engineer, Public Works
Sheila Lynch, Associate Planner, Development Review
Andrea Thompson, Associate Planner, Development Review
Ken Hargrave, Civil Engineer III, Public Works
Ben Mehmen, Civil Engineer II, Public Works
Walter Jauch, Secretary to the Planning Commission

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

ITEM 1: ROLL CALL

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

ITEM 2: RZ-08-001 – Walter Offices Official Development Plan.

Request the Planning Commission to approve a rezoning from Small Lot Residential (2-R) to Planned Development (PD) to allow for an insurance office at 10025 West 23rd Avenue.

MS. STEPHANIE WALTER, 2484 Kipling Street, Lakewood, CO, presented the proposal as applicant. Their intention is to use the property as a small family-run insurance office. They have had a business presence in Lakewood since 1983. Stephanie is the agent and owner of the business with her mother and sister as employees. She conducts most of her business via

telephone and referrals and very little is through direct contact with the customer. They average 3-5 client visits per week. Hours of operation are Monday thru Friday from 9:00 a.m. until 5:00 p.m.

She has noted many residential properties along Kipling Street being converted to office uses and has also noticed overall improvements to the appearance of the properties. After research, her understanding of the North Kipling Strategic Plan is that, over time, changes would take place along Kipling Street, which would result in best uses of the area being small, low-traffic businesses. She has met with the neighbors to discuss their concerns about land usage, traffic, signage, and housing value impacts. Her proposal addresses these concerns. She proposed a speed hump on westbound 23rd Avenue and offered to pay for it. The Traffic department performed a study with the results being there is not enough traffic to warrant placement of a speed hump.

MS. SHEILA LYNCH requested to enter in the record the staff report, case files, Lakewood Zoning Ordinance and Subdivision Ordinance, the Comprehensive Plans, all amendments, neighborhood and corridor plans and all associated materials.

COMMISSIONER JOHN PLOTKIN accepted.

MS. LYNCH stated that the property currently contains a single-family home. In terms of proposed use, the proposal is very similar to a Special Use Permit (SUP) for limited office that is allowed in a 1-R district. Since the property is currently zoned with 2-R, however, limited office is not available as a special use.

The applicant embraced the Performance Review process and held three neighborhood meetings.

The neighbor's primary concerns were:

- Traffic concerns along West 23rd Avenue.
- Future land uses.
- The buffer on the west side of the property.

Ms. Lynch reviewed the proposed ODP standards and showed a comparison to the straight OF zone district. The ODP allows for limited office use. The straight OF district allows 45 different uses. The ODP requires that all structures maintain a residential character with a maximum height of 35 feet, comparable to the existing 2-R district. Parking requirements are four spaces for each 1,000 square feet of leaseable office space, the same as the office district.

Ms. Lynch reviewed the conceptual site plan. Access is from West 23rd Avenue with a standard 25-foot drive access. Parking and the main entrance will be on the east side of building. The applicant proposes to use the existing 2,000 square foot, single-family home as office space. There is a proposed six-foot privacy fence to be erected on the west side of the property. The applicant is required to perform a Lot Line Adjustment (LLA) in order to consolidate the two lots.

PUBLIC COMMENT OPENED AT 7:27

DR. JEFF HURST, 2315 Kipling Street, Lakewood, CO 80215, wished to be assured about the utilities and removal of trees if the rezoning was approved. However, he is in support of the proposal, as he believes it to be an improvement.

PUBLIC COMMENT CLOSED AT 7:29

COMMISSIONER RICH URBANOWSKI stated that he was impressed with the coverage of the project by the staff report and presentations.

COMMISSIONER JERRY GOLLEY asked if the existing structures would undergo any external remodeling.

MS. WALTER stated improvements will be made to the interior and the exterior, such as painting, but the building will remain intact.

COMMISSIONER GOLLEY asked for information about the drive access to the property.

MS. WALTER responded that the location of the driveway is to remain the same with the expectation that access will be from Kipling Street turning to westbound 23rd Avenue and then their driveway. Parking and the main entrance are located on the east side of the property.

COMMISSIONER GOLLEY noted that the Lakewood Police Department had recommended using a natural boundary for the west property line rather than a fence. He asked if the applicant had considered this recommendation.

MS. WALTER responded that she had considered this recommendation, but also considered the specific request from the neighbor to erect a privacy fence.

COMMISSIONER SHEFFIELD questioned why a sidewalk improvement is not included in this project.

MR. BEN MEHMEN clarified that since this project will use the existing structure without expansion of the improvements it does not necessitate a Public Improvement Agreement (PIA). If there is expansion of Kipling Street in the future, the parking lot has sufficient setback to allow for a sidewalk.

MS. REBECCA CLARK further clarified that expansion of less than 20% does not require a PIA.

COMMISSIONER SHEFFIELD asked why the Colorado Department of Transportation (CDOT) requested removal of the entrance from Kipling Street.

MR. JOHN PADON responded that CDOT policy requires minimization of access from their roads if the local street can take the traffic without detriment to that local street.

COMMISSIONER SHEFFIELD wished to get clarification that the ODP maximum allowable gross floor area is 6,000 square feet.

MS. LYNCH confirmed this is the maximum allowable. She noted that there is potential for an allowed second story to a total maximum height of 35 feet and coupled with a change in footprint of 3,000 per floor this would be a total of 6,000 s.f.

MS. CLARK mentioned that there are other stipulations that would limit the reaching of this potential maximum.

COMMISSIONER SHEFFIELD asked if the existing front door would be used.

MS. WALTER responded that she anticipates most of the traffic coming and going into the east side from the parking lot, but she has no plans to close the front entrance.

COMMISSIONER GEORGE BROWN queried if the garage would remain intact.

MS. WALTER answered that it would remain as a garage.

COMMISSIONER MICHAEL ROHR asked if West Metro Fire Protection District has required the applicant to follow the new code or install sprinklers.

MS. WALTER responded that she has not yet communicated with West Metro FPD, but would follow any instructions given by them.

COMMISSIONER PLOTKIN asked if the applicant leases their current office space.

MS. WALTER responded yes, they would be moving into the space that they now own.

COMMISSIONER PLOTKIN asked if the applicant was the prior owner that previously applied for a rezoning on this property.

MS. WALTER responded that her father purchased the property in 1983 and believes he applied for rezoning at that time. He has since passed away and the family rented the home to others.

COMMISSIONER PLOTKIN asked what was the nature of the previous business.

MS. WALTER answered that it was also an insurance office under her father's ownership.

COMMISSIONER SCHOCH asked for clarification about the traffic numbers.

MS. WALTER responded that it would be 3 to 5 cars/week.

COMMISSIONER SCHOCH asked staff why the neighbors would be concerned with this traffic number.

MS. LYNCH responded that in the neighborhood meetings the expressed concern was about the possible future use and increase in traffic associated with future uses.

COMMISSIONER SCHOCH asked if the traffic comes from Kipling Street or from the west along 23rd Avenue.

MR. PADON speculated that they would come from Kipling Street and would not be navigating the maze of residential streets to get to this location.

COMMISSIONER PLOTKIN commented on Staff Report containing the quantity of economic and vacancy rate information for this type of project.

MS. CLARK explained that the goal is to enlighten the Planning Commission about the economic development impacts and ramifications of projects.

COMMISSIONER URBANOWSKI commented that this helps in determining if there is a need for this project.

COMMISSIONER GOLLEY made a MOTION for APPROVAL of the CASE RZ-08-001 WALTER OFFICES OFFICIAL DEVELOPMENT PLAN subject to the conditions in the Staff Report.

Motion was SECONDED by COMMISSIONER SCHOCH.

COMMISSIONER SHEFFIELD has some reservations about the ODP for the reason of future access from the road if the amount of traffic does increase. He wonders if this is the best use of this property.

COMMISSIONER GOLLEY noted that he frequently visits a vendor about 100 yards down the street. Access from Kipling Street is not always easy, but is possible as long as one is patient. He foresees more commercial development along this corridor and will support the issue.

COMMISSIONER PLOTKIN visited the site and noted the number of commercial enterprises of residential character in the area. He feels it is a good use of this property and is a good interface from the residential to commercial character use. He is in support of the project.

COMMISSIONER URBANOWSKI believes the Planning Commission needs to assess this proposal and balance this use with what is possible in the future. He believes this spot is not a very good residential location and the current proposal is appropriate for this location.

COMMISSIONER SCHOCH believes this project is a nice transition from streetscape to the residential area. It is a modest structure, even if it were to be 6,000 s.f. He noted there are a number of homes that are that large in the Lakewood area.

VOTE TAKEN -

Six Ayes - Commissioners Brown, Golley, Plotkin, Rohr, Schoch, Urbanowski.

One Nay - Commissioner Sheffield.

MOTION PASSED.

ITEM 3: RZ-07-003 – Bear Creek Terrace Offices Official Development Plan.

Request the Planning Commission to approve a rezoning from Residential One Acre District (R-1A) to Planned Development (PD) to allow for an office use and professional office building at 10075 and 10109 West Morrison Road.

MR. GLEN GIDLEY, 8684 W. Warren Drive, Lakewood, CO 80227, presented case for applicants, Mr. and Mrs. Campbell. The applicants are long-time residents of Lakewood and have had a long-term commitment to the city. Access for 10109 W. Morrison Road is from Morrison Road and is planned to be widened. Access for 10075 W. Morrison Road is via a joint access with the adjoining car wash and there is an existing agreement for this access. The planned building is a stepped-back, three-story office building. Two neighborhood meetings were held, about a year and a half apart with the result that the neighbors to the south showed concern about any possible restaurant, specifically, signage and odors. Restaurants are not an allowed use in this ODP as it is for professional and medical offices only. Other concerns were: interior and exterior lighting, signage illumination, windows causing glare, and height. The applicant has created a series of resolutions to address their concerns with the exception of height. They believe the building is not too tall, especially considering the architecture of the building. Glen has maintained contact with the neighbors via e-mail, telephone, meetings and the like. They have addressed drainage issues and street construction. Glen submitted a change to page one of the ODP regarding the interior lighting section. There have been substantial changes to the area in the last fifteen years.

MS. KATRINA ECKELHOFF, Consultant, TAAG Architects, 950 17th Street, Suite 2050, Denver, CO, 80202. The building is designed to sit closer to the street for a better streetscape and to show the building first, rather than the parking lot. The building is “stepped-back” for each consecutive story and becomes smaller in footprint. This helps the building blend in to the site. The building has four sides of architectural detail, there is no “front” to the building. The building is designed and will be constructed with a respect to being “green”. Using glass and brick materials will also benefit by keeping the look compatible with neighborhood.

MS. ANDREA THOMPSON presented for the City. She requested to enter in the record the staff report, case files, Lakewood Zoning Ordinance and Subdivision Ordinance, the

Comprehensive Plans, all amendments, neighborhood and corridor plans and all associated materials.

COMMISSIONER PLOTKIN accepted.

MS. THOMPSON stated that the combined area of the property is 1½ acre. There is an existing cross-access easement with the car wash property located at 10001 W. Morrison Road and 10075 W. Morrison Road. The applicant did respond to neighborhood concerns. The properties are not located in any neighborhood plan areas, corridor plan, or business corridors. Staff recommends approval of this rezoning with conditions as listed in the staff report and accept the changes regarding interior lighting supplied at this hearing.

PUBLIC COMMENT OPENED AT 8:34 p.m.

PUBLIC COMMENT CLOSED AT 8:34 p.m.

COMMISSIONER ROHR asked for clarification of what will be done on the north side of the property.

MR. GIDLEY responded that there would be retaining walls and vertical landscaping.

COMMISSIONER PLOTKIN asked if the is fence on the north side is part of this property.

MR. GIDLEY replied that he was not sure, but it would be removed if it were part of this property.

MS. CLARK further stated that correction or removal is required if it is located on this property.

COMMISSIONER ROHR saw that drainage runs into these subject properties from adjacent areas and asked if this drainage was considered in their plan.

MR. GIDLEY stated that the City Engineer did recognize and plan for the off-site drainage and the conveyance of this run-off to the detention pond.

MR. KEN HARGRAVE did notice the downspout drainage on a site visit. The applicant's drainage plan does account for the drainage flow from the north, but does not account for drainage from the west. This will need to be addressed as part of the final drain study.

COMMISSIONER SCHOCH asked about the interior heat gain difference between reflective and non-reflective glass.

MS. ECKELHOFF responded that there is an interior heat gain and the trick is to find a balance that works for a building. There are films that would assist with this issue and this is reflected in the language of the ODP about this issue.

COMMISSIONER GOLLEY asked about the height of this building relative to the neighboring office building.

MS. THOMPSON responded that they are within two to three feet of each other at the roofline height.

COMMISSIONER GOLLEY asked if the power lines along Morrison road would be buried.

MR. HARGRAVE responded that the preliminary street construction plans show a pole to the west be relocated for the construction of public improvements. The other poles show service to the existing homes and his expectation is that these poles would be removed, but this needs to be confirmed with the applicant.

MR. BOB CAMPBELL, Applicant, 3500 S. Wadsworth Boulevard, Suite 201, Lakewood, CO, stated that the power lines would be buried.

MS. ECKELHOFF responded regarding the previous question about height and stated that the third story is stepped back and will be further away.

MS. GIDLEY further discussed that his calculations of the building to the west is about 32 feet high built in a sloped area for a total of about 46 feet. The proposed building on the site being reviewed will be about 45 feet in height.

COMMISSIONER PLOTKIN asked what would be the perspective from the sidewalk/street level.

MR. GIDLEY responded that the building in the adjoining property will look higher by about a foot due to this building being designed with the stepped-back architecture.

COMMISSIONER URBANOWSKI noted that, in the staff report, one neighbor stated the building would be too tall. Yet, the applicant stated, "they said it was too tall." He asked if this was, in fact, a group with this concern.

MS. THOMPSON replied that it was a single individual.

COMMISSIONER URBANOWSKI asked if snow storage and icing had been taken into account with the design.

MS. CLARK responded that it is taken into account in the design of the parking area.

COMMISSIONER URBANOWSKI requested more clarification about the glass.

MS. ECKELHOFF responded that the glass is opaque, with a pigment on the reverse side.

COMMISSIONER URBANOWSKI asked for clarification about the sunshades.

MS. ECKELHOFF stated that the sunshades are the equivalent to an overhang of two to three feet.

COMMISSIONER PLOTKIN asked if the additional traffic would create issues with the cross-access easement between the car wash and this site.

MS. THOMPSON responded that the easement was created when the car wash was developed with the expectation of more traffic when this site was developed and the easement is wide enough to sustain expansion of the drive aisle.

MS. CLARK commented that staff would take a close look during the plan review process to ensure that the sustainability commitments are followed.

COMMISSIONER SHEFFIELD made a MOTION to recommend APPROVAL of the Case Number RZ-07-003 BEAR CREEK TERRACE OFFICES OFFICIAL DEVELOPMENT PLAN subject to the conditions in the Staff Report and the two conditions added at the hearing, which were to accept the changed ODP language on page 1 presented by the applicant, and requiring an application to plat the properties prior to the ODP recordation.

Motion was SECONDED by COMMISSIONER SCHOCH.

COMMISSIONER PLOTKIN commended the proponent about the pride placed in the architecture, development, and design. He further commended the applicant about following the Performance Review process in addressing the neighborhood concerns. He commended Ms. Thompson for her work, particularly the superimposition of the building on to the overhead map view as this indicates how the proposed building will sit relative to the site and the other buildings in the area.

COMMISSIONER URBANOWSKI agreed.

COMMISSIONER SCHOCH commented that it was apparent during his site visit that business use in this area is commonplace, is appropriate, and that this project is a good use of the site.

COMMISSIONER SHEFFIELD also commended the applicant and encouraged the applicant to communicate with the neighborhood and the car wash next to the site, especially when changes are made during construction.

VOTE TAKEN -

Seven Ayes - Commissioners Brown, Golley, Plotkin, Rohr, Schoch, Sheffield, Urbanowski

Zero Nays.

MOTION PASSED.

APPROVAL OF MINUTES

Minutes from the Planning Commission Regular Meeting of April 16, 2008 approved by unanimous voice vote, with one abstention (Commissioner Schoch).

Minutes from the Planning Commission Regular Meeting of May 7, 2008 approved by unanimous voice vote, with one abstention (Commissioner Urbanowski).

GENERAL BUSINESS:

MS. CLARK mentioned that Commissioner Golley is now a member of the Joint Project Review Committee (JPRC) and a meeting is coming on July 29, 2008.

She also mentioned that there is a July 21, 2008 Joint Study Session with the City Council regarding the Denver Federal Center Comprehensive Plan Amendment.

In addition, the Citizen’s Planning Academy begins on August 13, 2008.

MR. TIM GELSTON discussed the Speaker Series planned for the Planning Commission study sessions.

MS. CLARK continued by discussing the criteria of the C.Y. Choi Award and the Tony Sabitini award.

COMMISSIONER SHEFFIELD suggested that the Planning Commission meet briefly to discuss the awards before the time of the Joint Study Session.

COMMISSIONER URBANOWSKI mentioned his invitation from the park zoning committee.

MS. CLARK wished to clarify that the lead on that project would be Kathy Hodgson of Community Resources Department.

COMMISSIONER SHEFFIELD discussed an update on the Colfax Corridor Committee.

ADJOURNMENT

Meeting adjourned at 09:19 PM

August 6, 2008
Date Approved


Walter M. Jauch, Secretary
to the Planning Commission