PLANNING COMMISSION REPORT

SPECIAL USE PERMIT CASE NO.: SU-18-004 REPORT DATE: May 8, 2019

CASE NAME: 3840 S. Wadsworth Special Use Permit PC HEARING DATE: June 5, 2019

ADDRESS OF SUP REQUEST: 3840 S. Wadsworth Blvd.
Lakewood, CO 80235

APPLICANT: Jack Reutzel
Fairfield and Woods, P.C.
1801 California St., #2600
Denver, CO 80202

REQUEST: The applicant is requesting a Special Use Permit (SUP) to allow a mini-warehousing (self-storage) in the Mixed-Use General Suburban (M-G-S) zone district.

CITY STAFF:
Development Review Planning Kara Mueller, Senior Planner
Development Review Engineering Keith Hensel, Project Engineer
Transportation Engineering Toni Bishop, Transportation Engineering
Property Management Garrett Downs, Right-of-Way Agent
Community Resources Ross Williams, Parks Planner

STAFF RECOMMENDATION:
Approval of Special Use Permit Case No. SU-18-004 to allow mini-warehousing, subject to the conditions listed in the staff report and Planning Commission resolution.

Kara Mueller, Senior Planner
Planning – Development Assistance

Paul Rice, Manager
Planning – Development Assistance

ATTACHMENTS TO THE REPORT:
Attachment A – Vicinity Map
Attachment B – Zoning Map
Attachment C – Applicant’s Written Description
Attachment D – Conceptual Land Use Plan (CLUP)
Attachment E – Neighborhood Meeting Summary
I. SUMMARY OF REQUEST

The applicant is requesting a Special Use Permit (SUP) to allow mini-warehousing (self-storage) in the Mixed-Use General Suburban (M-G-S) zone district. Approval of the SUP by the Planning Commission will authorize the remaining approximately 25% of the existing office building located at 3840 S. Wadsworth Blvd. to be converted for mini-warehouse use.

The existing site is approximately 13.5 acres in size. Approximately 75% of the existing office building was converted for mini-warehousing, which is allowed per the Academy Park Official Development Plan (ODP). The applicant is proposing to convert the remaining approximate 25% of the office building for mini-warehousing.

The applicant is concurrently processing a rezoning application in order to rezone the subject property from Planned Development with the underlying Mixed-Use Employment Suburban (M-E-S) zone district to Mixed-Use General Suburban (M-G-S) with this SUP application. This SUP approval will be contingent upon approval of the rezoning application.

The scope of the building/site improvements are not anticipated to trigger a Major Site Plan application, however, a site plan will be reviewed for compliance with applicable use, development and design standards as part of the building permit application.

Pursuant to Section 17.4.3.1.P of the Lakewood Zoning Ordinance, when identified as a special use, a mini-warehousing storage use shall be subject to the following:

1. One accessory dwelling unit for the facility manager or caretaker shall be allowed.
2. Outdoor storage of any kind shall be prohibited.
3. Design Requirements:
   a. If the facility abuts a residential zone district, the building architecture shall be compatible with the residential character of the abutting neighborhood including, but not limited to materials, color, roof pitch, and detailing.
   b. The facility shall be designed so that doors to individual storage units do not face any abutting public street frontage or residential zone district.
4. In multi-storied buildings, mini-warehouse storage facilities that face an arterial or collector street shall have:
   a. Ground floor commercial space for commercial uses other than mini-warehouse storage-units across 60% of the ground floor building façade.
   b. The commercial space shall be built to a minimum depth of 40-feet.
   c. The ground floor shall be built to a minimum height of 14-feet.
5. Ground floor commercial space for sites fronting more than two streets shall be subject to Section 17.4.3.1.0.4 at the discretion of the Director.

The applicant has addressed these supplemental standards on the Conceptual Land Use Plan (Attachment D). If the SUP is approved, the standards listed in Article 7 will be applied.

II. PROCESS – REQUIRED CITY APPROVALS

The applicant has followed the procedures for submitting a SUP application as specified in Article 2 of the Lakewood Zoning Ordinance. These procedures include holding a neighborhood meeting, submittal of an application with a conceptual land use plan, and holding a public hearing before the Planning Commission.
Section 17.2.4.3 of the Lakewood Municipal Code designates the Planning Commission as the body to hear and decide applications for SUPs. The decision of the Planning Commission is final.

A conceptual land use plan (Attachment D) and written description (Attachment C) are required with each SUP application. These documents are intended to supply enough information about the proposed site for the Planning Commission to make a decision about the requested use. A major site plan application process is required when one or more of the following situations are proposed: redevelopment of the site, a building addition that increases the gross floor area (GFA) by more than 20% or site disturbance of more than 20%. At this time, the applicant is not proposing any site improvements that will trigger a major site plan application. Instead a site plan approval will be required as part of the building permit review process. Any conditions of approval for the SUP will be verified and documented on both the site plan and building permit plans as applicable.

III. ZONING AND LAND USE

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<tr>
<th>Adjacent Zoning Designation</th>
<th>North</th>
<th>South</th>
<th>West</th>
<th>East</th>
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<td>Office, Retail &amp; Hotel</td>
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<td>Multi-family, Office &amp; Hotel</td>
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See Attachment A - Vicinity Map and Attachment B - Zoning Map

The project site is in the M-G-S zone district. The site is adjacent to office uses with some retail and hotel uses to the north. There are two structures on site; an existing 206,774 square foot building and an 80,500 square foot parking structure. This SUP will allow for the remainder of the office building to be converted to mini-warehousing.

IV. PUBLIC NOTIFICATION, AGENCY REVIEW AND NEIGHBORHOOD COMMENTS

Public Notification
Notices for the neighborhood meeting and for the Planning Commission public hearing were mailed to 425 tenants and owners of property within 500 feet of the subject property and were mailed to the 5 Registered Neighborhood Organizations (RNO) located within 1/2-mile of the subject property, as required by the Lakewood Zoning Ordinance. Notice for the public hearing was also published in the Lakewood Friday Report, posted in the Civic Center and posted on the property to satisfy all notice requirements.

Agency Review
The case materials were sent to City Departments and outside agencies for review, as indicated in the table below. As part of the referral process, staff received a response from five agencies: West Metro Fire Protection District, Lakehurst Water & Sanitation District, Xcel Energy, Century Link and Lakewood Police Department each indicating that they had no objections to the project as long as their standards are met when development occurs.
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<th>Department/Agency</th>
<th>Notification Sent</th>
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<th>Response Received</th>
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<td>West Metro Fire Protection District</td>
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<td>Bennett Bear Creek Farms Civic Assn</td>
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<td>Executive 9 Club Estates on Fairway 5 HOA</td>
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<td>Three Lakes HOA</td>
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Referral Comments: West Metro Fire Protection District, Xcel Energy, Lakehurst Water & Sanitation District, Comcast, Century Link and Lakewood Police Department had no objection to the proposal.

Neighborhood Meeting Comments
The Lakewood Zoning Ordinance requires that any applicant requesting a Special Use Permit must hold a neighborhood meeting prior to submitting a formal application. The purpose of this meeting is to provide neighbors and other interested stakeholders with the opportunity to learn more about the proposed use and to begin a dialogue between area stakeholders and the project applicant.

A neighborhood meeting was held to introduce the proposal and solicit comments on July 31, 2018 and no residents or owners of property were in attendance. The applicant waited until the meeting time expired prior to ending the meeting. A summary of the neighborhood meeting is included with this staff report as Attachment E.

V. ANALYSIS – SPECIAL USE PERMIT CRITERIA

Article 2 of the Lakewood Zoning Ordinance provides specific review criteria for SUPs. The review criteria are shown below in bold text followed by staff’s analysis in standard text. Following is a summary of staff’s analysis.

1. The proposed special use is consistent with the applicable supplemental standards set forth in Article 4 of this Zoning Ordinance.

Pursuant to Section 17.4.3.1.P of the Lakewood Zoning Ordinance, when identified as a special use, a mini-warehousing storage use shall be subject to the following:

1. One accessory dwelling unit for the facility manager or caretaker shall be allowed.
2. Outdoor storage of any kind shall be prohibited.
3. Design Requirements:
   a. If the facility abuts a residential zone district, the building architecture shall be compatible with the residential character of the abutting neighborhood including,
but not limited to materials, color, roof pitch, and detailing.

b. The facility shall be designed so that doors to individual storage units do not face any abutting public street frontage or residential zone district.

4. In multi-storied buildings, mini-warehouse storage facilities that face an arterial or collector street shall have:

a. Ground floor commercial space for commercial uses other than mini-warehouse storage-units across 60% of the ground floor building façade.

b. The commercial space shall be built to a minimum depth of 40-feet.

c. The ground floor shall be built to a minimum height of 14-feet.

5. Ground floor commercial space for sites fronting more than two streets shall be subject to Section 17.4.3.1.0.4 at the discretion of the Director.

The applicant has addressed how this criterion is consistent with the proposed use in the written narrative and conceptual land use plan. There will be no residential dwelling associated with the mini-warehouse use, nor will there be any outdoor storage. The design of the building will remain the same as this will be an interior remodel of a portion of the existing building. Storage units with external doors will not face onto any abutting public street frontage or residential zone district.

Due to the distance of the existing building from South Wadsworth Boulevard, the size of the existing landscaped berm and the structural status of the existing building, ground floor commercial space will not be required given the location of the building onsite. The depth of the existing building is a minimum of 40 feet and the ground floor height of the existing building is a minimum of 14 feet.

2. The proposed special use is consistent with the applicable dimensional and development standards set forth in Article 5 of this Zoning Ordinance.

As previously stated, the applicant is not proposing any site improvements that would impact the existing building setbacks, open space, building height, etc. This SUP is only for conversion of the remaining square footage of the existing office building. No additional square footage will be permitted as part of this SUP request.

3. The proposed special use is consistent with the applicable design standards set forth in Articles 6 and 7 of this Zoning Ordinance.

If the SUP is approved, all proposed improvements must comply with any applicable non-residential design standards of Article 7 at the time of the Site Plan review. Please note that the existing site improvements are not required to be brought into compliance with current building and site design standards.

4. The proposed special use is consistent with the Comprehensive Plan and other adopted City plans; and

The applicant states in the written narrative that the proposed mini-warehousing use is consistent with the Comprehensive Plan and other adopted city plans. The Comprehensive Plan (Lakewood 2025: Moving Forward Together) encourages identifying opportunities to promote commercial and mixed-use investment in Growth Areas by supporting:

- Redevelopment of commercial and mixed-use districts to create quality working, living, shopping and dining experiences, including services for adjacent office users, surrounding residences and neighborhoods; and
- Evaluate and create opportunities to increase the mix of uses in the area; and
- Increase resource efficiency in buildings.

The office building on this site has been vacant for several years and as such has been underutilized. Approximately, 75% of the building was recently converted to mini-warehousing and this SUP will allow for the complete repurpose of the existing office building for mini-warehousing. This SUP will allow a needed service with the recent increase in residential use in the immediate area that has physical limitations for storage.

5. The proposed special use will not substantially impair the appropriate use or development of adjacent property.

This criterion relates to potential negative impacts of a mini-warehousing use and how the special use might impact redevelopment potential of the adjacent properties. In general, the potential impacts related to a mini-warehouse facility might include sounds associated with large moving vehicles.

Staff does not anticipate that the proposed conversion of the remainder of the existing office building for mini-warehouse use will impair the appropriate use or development of any of the adjacent properties.

VII. FINDINGS OF FACT AND ORDER

Based upon the information and materials provided by the applicant, the neighborhood meeting and the staff report, staff supports the SUP request. Therefore, the City of Lakewood staff recommends that the Planning Commission find that:

1. Jack Reutzal, Fairfield and Woods, P.C., is requesting approval of a Special Use Permit to convert the approximate remaining 25% of the existing office building to mini-warehouse use.

2. Notice of the neighborhood meeting was sent to residents and owners of properties within 500 feet of the site and to registered homeowner associations within ½ mile of the site as required by the Lakewood Zoning Ordinance; and

3. Notice of the public hearing was posted on site and published in the newspaper of record, as required by the Lakewood Zoning Ordinance; and

4. The request was reviewed by the appropriate referral agencies; and

5. The proposed mini-warehouse use is consistent with the applicable supplemental standards set forth in Article 4 of this Zoning Ordinance; and

6. The proposed mini-warehouse use is consistent with the applicable dimensional and development standards set forth in Article 5 of this Zoning Ordinance; and

7. The proposed mini-warehouse use is consistent with the applicable design standards set forth in Articles 6 and 7 of this Zoning Ordinance; and

8. The proposed mini-warehouse use is consistent with the Comprehensive Plan and other adopted City plans; and

9. The proposed mini-warehouse use will not substantially impair the appropriate use or development of adjacent property.

THEREFORE

The Planning Commission adopts the findings of fact and order as presented in the staff report and APPROVES Case No. SU-18-004 a Special Use Permit as required under the Zoning Ordinance, with the following conditions:
1. The mini-warehouse use on this site shall be limited to the existing square footage of the office building.

2. The Special Use Permit is subject to the criteria for revocation as listed in Article 2 of the Lakewood Zoning Ordinance, as amended.

Cc: Case File: SU-18-004
    Jack Reutzel, Applicant
ATTACHMENT A – AERIAL MAP
November 12, 2018

Sent via E-Mail

Ms. Kara Mueller, Planner
City of Lakewood Planning Department
Civic Center North
470 Allison Parkway
Lakewood, CO 80226

Re: 3840 South Wadsworth Blvd.-Written Description of the Request

Dear Ms. Mueller:

This letter is accompanying a request for (1) a rezoning of Lot 2, Block 1 Academy Park, Filing No. 10, (the “Lot”) from PD and M-E-S to M-G-S, and (2) a Special Use Permit to allow mini-storage within the existing office building located on site. Please see below for further details of each of the applications.

**General Overview**

The Lot is 13.532 acres and is part of Planning Area E of the Academy Park PD, approved by the City in 1978. Subsequent to the PD rezoning the City initiated a rezoning of the property to M-E-S, but left the PD intact. The two zone districts overlay the Lot and are generally compatible but do have conflicting standards on land use. Two structures have been built on the Lot; an existing 206,774 square foot building (“Building”) and an 80,500 square foot parking structure (“Parking Structure”). A portion of the Building is currently being used as personal storage (“Storage”) for lease. The Storage use is consistent with permitted uses under Section 2.230 of the PD and is within a PD restriction limiting the Storage Use to not more than 75% of any structure.

The Parking Structure was built to accommodate office workers in the Building. The need for the Parking Structure never materialized since the Building has remained vacant for a number of years and despite actively marketing the remainder of the Building for general office, no interest from any potential tenant has materialized. The Parking Structure remains vacant and fenced off to manage vandalism.

The Owners desire to finish the remaining 25% of the Building as storage and allow for other appropriate development opportunities, including but not limited to retail and commercial development for the land under the Parking Structure given its frontage on South Wadsworth Blvd.
Consistency with the Comprehensive Plan

The proposed rezoning to M-G-S supports the following goals and strategies of the Lakewood Comprehensive Plan- Lakewood 2025 Moving Forward:

Goal 1-CS3- *enhance commercial and mixed use districts to create quality working, living, shopping and dining experiences.* The proposed rezoning creates enhanced opportunities for retail and dining experiences by redeveloping a vacant parking garage into appropriate development that may include shops and dining opportunities along a major commercial traffic corridor.

Goal 1-CS7- *continue to diversify Lakewood’s economy to strengthen and stabilize the tax base and maintain viability through fluctuating cycles.* The rezoning creates an opportunity for sales tax growth from an area that currently produces no sales tax revenue for the City.

Goal 1-GA7- *enhance the existing office and regional retail environment in the growth area.* The rezoning enhances the retail environment in the area by creating retail opportunities where none currently exist on the property. Further, by allowing for the remainder of the building to be converted into storage, it creates a better market for other existing office buildings within Academy Park to provide leasable square footage and helping them maintain better occupancy rates.

Rezoning from PD/M-E-S to M-G-S

The rezoning to M-G-S allows the remainder of the Building to be finished as Storage space and provides a variety of retail and commercial opportunities for the land area now occupied by the vacant Parking Garage. The M-G-S District is already in wide-spread use along the South Wadsworth Corridor in this part of Lakewood. Property bordering the Lot immediately to the north is zoned M-G-S as is the property directly across the street on the west side of Wadsworth. A rezoning to M-G-S zone district recognizes the appropriateness of commercial/retail uses immediately adjacent to a major arterial.

The request is more nuanced than simply rezoning 13 acres for commercial and retail use. In fact approximately one-half of the Lot will stay as it exists today, an office looking structure of 206,774 square feet. The only difference that instead of providing offices to tenants, it will provide storage to tenants. Until the storage use was introduced in 2017, the office was vacant for over five years. In building out the remaining 25% of the Building as storage space, there will be no modification of the outside of the building. As Lakewood and surrounding areas continue to see development and re-development of vacant ground and underutilized property into apartments and other residential units with physical and contractual limitations to storage, the need for additional storage in this segment of Lakewood is great.
Modifying the zoning also allows the parking garage to be razed and developed into appropriate development adjacent to a major arterial, including but not limited to retail and commercial opportunities to serve both the remaining offices within the Academy Park PD but also travelers along South Wadsworth Boulevard. The Academy Park PD has severe limitations regarding the amount of commercial/retail available within its boundaries and limits those opportunities to just 10% of the area of individual buildings. The limitation precludes any type of central retail/restaurant opportunities within the Academy Park for office workers.

**Special Use Approval- Mini-Storage**

The current Academy Park limits storage uses of any office building provided that the amount of storage doesn’t exceed 75% of the gross floor area of any one building. The rezoning to M-G-S allows for storage without any artificial limit as to the square footage via the special use process. The full build-out of the existing structure into storage would not adversely affect the surrounding area and the building would, for all intents and purposes, continue to look like the office building that was originally built on site.

On behalf of my clients, I look forward to working with you on these two requests.

Very truly yours,

Jack E. Reutzel
Fairfield and Woods, P.C.

JER:nlh

cc: Scott Gibler
    Randy Keough
    Alan Westfall
NEIGHBORHOOD REFERRAL MEETING SUMMARY

Project: Rezoning of 3840 S. Wadsworth Blvd.

Project Manager: Kara Mueller, Senior Planner

Applicant: Jack Reutzel, Applicant

Owners: Wadsworth Development, LLC

Location: 3840 S Wadsworth Blvd

Request: Rezone the property from Planned Development/Mixed-Use Employment Suburban (PD/M-E-S) to Mixed-Use General Suburban (M-G-S) and process a Special Use Permit for mini-warehousing within the existing office building.

Date: July 31, 2018

Time: 6:00 – 7:00 p.m.

Location: 3840 S. Wadsworth Blvd.
Lakewood, CO 80235

Neighborhood Groups Notified: Bennett Bear Creek Farms Civic Assn, Executive 9 Club Estates on Fairway 5 HOA, Marston Slopes HOA, Snowbird II Phase II Condo Assn, South Lakewood Business Association and Three Lakes HOA

City Staff: Kara Mueller, Planning – Development Assistance
Paul Rice, Planning – Development Assistance

Residents in attendance: No residents or owners of property attended

Meeting Adjourned at 7:30 p.m. Staff discussed the process moving forward with the applicant and toured the mini-warehousing facilities under construction.