



## Agenda Memorandum

Agenda Item – {{section.number}}.B.

City Council Study Session  
June 17, 2024

### **Strategic Priority 2: Community Empowerment and Engagement**

Enhance the sense of community and connection in Westminster through engaging methods of communication and dialogue that improve accessibility, increase understanding, and encourage participation in civic and City life

**Subject:** Presentation of a Concept Plan for Summit Pointe Duplexes Located on the Southwest Corner of West 82nd Place and Clay Street (20 minutes)

**Prepared By:** John McConnell, AICP; Planning Manager  
Jacob P. Kasza, Senior Planner  
Lindsey Kimball, CEcD, EDFP; Community Services Director

### **Recommended City Council Action:**

Receive a presentation of the Concept Plan for Summit Pointe Duplexes and provide comment to the applicant in accordance with Section 11-5-6.5 of the Westminster Municipal Code.

### **Summary Statement:**

- The Concept Plan Review process is intended to allow City Council the opportunity to learn about projects at the conceptual stage and, if desired, provide comments to the applicant team.
- The focus of this Concept Plan Review should be on Strategic Plan alignment, Comprehensive Plan compliance, proposed land uses, general site design, and neighborhood compatibility. Due to its preliminary nature, the Concept Plan may not identify all potential issues that may arise in future technical development review cycles.
- A Concept Plan Review is required for all development proposals that require future quasi-judicial approval of City Council. Development proposals that meet the criteria for administrative approval as prescribed in the Westminster Municipal Code (W.M.C.) or that would not otherwise be subject to a public hearing before City Council, are not required to complete the Concept Plan Review process.

- A Concept Plan Review takes place upon the completion of a pre-application review in accordance with City policies and prior to submittal of an application for a rezoning, Comprehensive Plan amendment, Preliminary Development Plan (PDP), PDP amendment, Official Development Plan (ODP), or ODP amendment for technical review.
- This memorandum, the attached documents – including the pre-application submittal, the pre-application review summary, and the applicant's presentation are intended to provide City Council with a high-level overview of the plan being proposed and to allow City Council an opportunity to provide initial feedback directly to the applicant.
- No official action is taken by City Council in conjunction with the Concept Plan Review process and no approvals of any type are granted at its conclusion.
- Any comment, suggestion, or recommendation made to the applicant by any member of City Council on any Concept Plan Review is entirely gratuitous and does not bind or otherwise obligate City staff, the Planning Commission, or City Council to any course of action or decision after an applicant makes an official submittal of a development plan to the City for technical review.

**Fiscal Impact:**

\$0 in expenditures.

**Source of Funds:**

Not applicable.

**Policy Issue(s):**

Does City Council wish to receive a presentation of the Concept Plan for Summit Pointe Duplexes and provide comment to the applicant in accordance with Section 11-5-6.5, W.M.C.?

**Alternative(s):**

City Council could choose not to receive a presentation of the Concept Plan for Summit Pointe Duplexes and withhold comment to the applicant. This is not recommended because this Concept Plan Review process is required in accordance with Section 11-5-6.5, W.M.C.

**Background Information:**

Title/Location

Summit Pointe (5.28 acres), located on the Southwest Corner of West 82nd Place and Clay Street, see Attachment 1.

Applicant Name

PCS Group  
Attn: Kurt Moje  
200 Kalamath Street  
Denver, CO 80223

W. 82nd Drive, LLC  
Attn: Otto Aichinger  
8400 E. Prentice Ave  
Greenwood Village, CO 80111

Comprehensive Plan Designation

Residential Medium Density

Zoning Designation

Planned Unit Development (PUD)

Subdivision

Summit Pointe at Briar Heights Subdivision – Filing No. 2

Public Notification

Concept Plan Reviews require notification in accordance with Section 11-5-13(A), W.M.C., which requires the following three public notification procedures:

- Published Notice: Notice of Concept Plan Reviews scheduled before City Council shall be published and posted at least ten days prior to such hearing. Notice was published in the *Westminster Window* by the required deadline.
- Property Posting: Notice of Concept Plan Reviews shall be posted on the property by the applicant with a minimum of one sign per every 660 linear feet of street frontage in a location reasonably visible to vehicular and pedestrian traffic passing adjacent to the site. Sign(s) were posted on the subject property by the required deadline. The applicant has provided the City's Planning Manager with a certification that the sign(s) were posted and properly maintained throughout the posting period.
- Written Notice: At least ten days prior to the date of the Concept Plan Review, the applicant shall mail individual notices by first-class mail to all addresses within 1,000 feet of the subject property. The mailing list to be used shall be provided to the applicant by City staff. The applicant has provided the City's Planning Manager with a certification that the required notices were mailed by the required deadline.

History

The subject property was annexed in 1970. The property is currently zoned PUD with the original PDP and ODP having been approved in 1984. Filing 2 is partially developed with five townhome style

condominium buildings having been constructed. The project went into bankruptcy and the remainder of the property has been vacant since then. The most recent ODP amendment for the undeveloped portion of the property was approved in 2019 and included 40 townhomes and associated improvements.

### Concept Narrative

The property owner of the undeveloped portion of Summit Pointe at Briar Heights Subdivision – Filing No. 2 has submitted a Concept Plan for City Council review. The proposal includes amending the PDP to add duplexes to the permitted uses. The applicant would also process an ODP amendment to change the proposed development from 40 townhomes to 46 duplexes, see Attachment 2. This increase in units would exceed eight dwelling units per acre and would require City Council approval in compliance with the Comprehensive Plan designation of Residential Medium Density.

### Required Development Applications

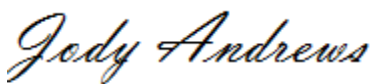
For this development concept to advance, the following applications will be required to be submitted for review by Staff and approval by City Council:

**PDP Amendment:** The PDP defines allowable land uses, establishes the general layout of the site, identifies access points, and defines specific development standards such as building height and setbacks. The approval of a PDP amendment will be required to accommodate this development proposal. The applicant will propose adding duplexes to the permitted land uses and seek City Council approval to increase the density above eight dwelling units per acre.

**ODP Amendment:** The ODP provides additional site development details such as drainage, utility connections, landscaping, and architectural style and acts as the formal document entitling development. The approval of an ODP amendment will be required to accommodate this development proposal which will be reviewed for compliance with the Single Family Attached Design Standards and other applicable codes and standards.

The City's Strategic Plan priority of Community Empowerment and Engagement is supported through further engagement in the development process by City Council, with the opportunity to engage applicants in the initial stages of the development review process, accept public comment, and provide feedback to ensure proposed projects align with the City Vision and Strategic Plan.

Respectfully submitted,



Jody L. Andrews  
Acting City Manager

**Attachments:**

Attachment 1: Vicinity Map

Attachment 2: Pre-application Submittal

Attachment 3: Pre-application Summary

Staff Presentation of a Concept Plan for Summit Pointe Duplexes

Applicant Presentation of a Concept Plan for Summit Pointe Duplexes