



WESTMINSTER

CITY OF WESTMINSTER PLANNING COMMISSION Meeting Minutes July 9, 2024

1. ROLL CALL

The meeting was called to order at 7:00 pm by Chair Jim Boschert. Present were Commissioners, David Carpenter, Rick Mayo, Larry Dunn, Tracy Colling, and Chennou Xiong. Excused from attendance were Commissioners David Tomecek and Tracy Colling. Also present: Staff members, Associate Planner Jennifer Baden, Planning Aide Dawn Aguilar, Senior Planner Jacob Kasza, Planner Carson Byerhof, Planning Manager John McConnell, Assistant City Engineer Development and Mobility Heath Klein and Assistant City Attorney II Ron Arguello. With the roll called, Chair Boschert stated that a quorum was present and that the alternates would be voting.

2. CONSIDERATION OF MINUTES

Meeting Minutes from March 12, 2024.

Commissioner Pegg made a motion to accept the minutes from the March 12, 2024, Planning Commission meeting. Commissioner Dunn seconded the motion. The minutes were unanimously accepted (7-0).

3. CONSIDERATION OF NEW BUSINESS AND PUBLIC HEARINGS

3a) Public Hearing and Consideration of Use by Special Permit for Tattoo/Body Piercing Parlor to be known as "Victoria Ink"

Chair Boschert opened the public hearing at 7:02 pm.

Carson Byerhof, Planner, entered into the record the agenda memorandum, attachments, PowerPoint presentation, certification of mailed notice, certification of posted notice, and public notice affidavit of publication from the *Westminster Window* on June 27, 2024. Mr. Byerhof narrated a PowerPoint presentation for the proposal to:

- a. Hold a public hearing.
- b. Recommend that The Planning Commission approve the Special Use Permit to locate Victoria Ink at Country Club Village Subdivision.

The applicant team gave a presentation.

Chair Boschert opened the public testimony at 7:18 pm.

There was public testimony in favor of the application.

Seeing there was no public testimony, Chair Boschert closed the public hearing at 7:20 pm.

Commissioner Carpenter asked staff about the testimony against this project citing concerns with the number of existing tattoo parlors in the City. Mr. Byerhof responded that there are a total of four other licensed tattoo parlors in the City.

Commissioner Dunn complimented both staff and the applicant team for their presentations. He also stated his support for the application.

Commissioner Carpenter made a motion recommending that the Planning Commission approve the Special Use Permit for a "Tattoo/Body Piercing Parlor" for Victoria Ink to operate at Country Club Village Subdivision, subject to the rules and requirements of Section 11-4-8 of the Westminster Municipal Code and all other applicable City codes and regulations. Commissioner Pegg seconded the motion.

The motion passed (7-0).

3b) Public Hearing and Recommendation on an Official Development Plan for Uplands Filing 3, Block 1, Tract B / PA-C(1-A)

Chair Boschert opened the public hearing at 7:24 pm.

Jacob Kasza, Senior Planner, entered into the record the agenda memorandum, attachments, PowerPoint presentation, certification of mailed notice, certification of posted notice, and public notice affidavit of publication from the *Westminster Window* on June 27, 2024. Mr. Kasza narrated a PowerPoint presentation for the proposal to:

- c. Hold a public hearing.
- d. Recommend that City Council approve the Official Development Plan for Uplands Filing 3, Block 1, Tract B / PA-C (1-A).

The applicant team gave a presentation.

Chair Boschert asked staff if the setback exceptions have been reviewed. Mr. Kasza responded yes; staff is in support of the exceptions.

Commissioner Carpenter asked staff about the lack of water quality pond on the site and assumes the water will be piped downhill to the water quality/EDB located on Parcel A. The applicant team responded that this area and the majority of Uplands, will be routed into the regional detention and water quality pond to the east of this site and that all of the master development requirements for the size of that pond.

Commissioner Carpenter asked staff about the repetitive request for an exception for the entrance median and the possibility of amending the City Code. Mr. Kasza responded that the standards are generally written for larger greenfield development in a more suburban pattern and that on other sites in the Uplands there will be entrance medians. He also stated that staff believes that given the size and the fact that the entrance to this site is directly into a parking lot, an entrance median is not necessary.

Commissioner Carpenter asked the applicant about the roof material. The applicant team responded that the type of roof warrants the type of roof material.

Chair Boschert opened the public testimony at 7:59 pm.

There was public testimony about concerns of a sitting Commissioner and a possible conflict of interest, perceived inaccuracies in the applicant's presentation, concerns about the applicants standing with the City, concerns with street work and lack of notification, concerns about the water line crossing Federal, the need for construction dust watering and lack of amenities at the site.

Chair Boschert closed the public hearing at 8:03 pm.

Commissioner Carpenter stated he is on the board with the Westminster Chamber of Commerce and stated he has no financial interest in the Uplands project and can fairly judge this application.

Commissioner Carpenter asked the applicant about the stormwater violations on Parcel A and how the applicant is addressing these concerns. The applicant team acknowledged the violations and stated that they have learned from the violations, and they are walking the site regularly to address concerns and issues. They also stated that they are bringing forward good planning to this site and that there is interest from grocery stores for this site.

Commissioner Carpenter asked staff about the water calculations and the assertion that the construction dust watering should be included in the acre feet that the Uplands is using.

Heath Klein, Assistant City Engineer, responded that there is a temporary hydrant that supplies water at the site, and water usage is within the realm of what was anticipated. Currently, the construction water usage does not exceed what was anticipated for development.

Chair Boschert asked staff if this project meets the basic Westminster criteria for multi-family housing. Mr. Kasza stated this project is multi-family units, which in Westminster means multiple dwelling units in one building where they are stacked on top of each other. He also stated that the applicant has identified each standard that they are not in compliance with the City's design standards, and these have been listed as exceptions in the Official Development Plan (ODP).

Chair Boschert asked if this application meets the vast majority of the design standards for multi-family. Mr. Kasza responded yes, and any exceptions to those standards have been identified.

Commissioner Dunn asked staff how much of the information being received is searchable public information. Mr. Kasza responded that all documents the City has received are public record.

Chair Boschert stated that he is pleased to see the multi-family use at this site, and applauds the Head Start and will support this application.

Commissioner Kinnear asked the applicant if there is a plan other than a crosswalk for connecting trails east and west of Federal Boulevard. The applicant responded yes that a trail head is being constructed.

Commissioner Pegg stated that is easier to lock a bike with the upside-down U-shaped racks and appreciates seeing daycare on the site.

Commissioner Xiong appreciates the Head Start on the site. He also stated he is concerned about the frequent request for exceptions and that maybe the City Code is not meeting the needs of the community.


Commissioner Dunn made a motion recommending that the Planning Commission recommend City Council approve the Official Development Plan for Uplands Filing 3, Block 1, Tract B. This recommendation is based on a finding that the Official Development Plan is supported by the criteria set forth in Sections 11-5-15 of the Westminster Municipal Code. Commissioner Kinnear seconded the motion.

The motion passed (7-0).

4. ADJOURNMENT

The meeting was adjourned at 8:17 p.m.

THE WESTMINSTER PLANNING COMMISSION


James Boschert, Chairperson

A full recording of the meeting can be viewed on the The City of Westminster website.
www.cityofwestminster.us/pc