



LAND USE REVIEW COMMISSION

**Minutes
December 13, 2010**

Meeting Summary

LURC Resolution 2010-31A, Broomfield Urban Transit Village Filing No. 14 Replat A Final Plat, Lot 1 Site Development Plan/Urban Renewal Site Plan (SDP/URSP) (The Children's Hospital), and Second Amendment to the Broomfield Urban Transit Village Planned Unit Development Plan approximately located at the northwest corner of Arista Place and Uptown Avenue, was approved by unanimous vote of the Commission with the following conditions: 1) The applicant address the roof top mechanicals to reduce visual disruption from the taller adjacent buildings (i.e. paint the mechanicals to match the roof); 2) The applicant avoid locating the Wadsworth sign near the entrances of Arista (to avoid distraction of the current Arista Signage); 3) The request by the applicant to allow the future expansion of the medical office building (second phase of the building project) to be reviewed administratively is not recommended for approval; 4) The applicant continue to work with City and County staff to correct and revise all technical issues outstanding as of this meeting, prior Council action, including parking; and 5) The applicant explore increasing architectural features to make the project appear more urban in nature.

LURC Resolution 2010-31B, First Amendment to Broomfield Urban Transit Village – Arista Parks SDP/URSP (Sensory Park) was approved by unanimous vote of the Commission with the following conditions: 1) The applicant continue to work with City and County staff to correct and revise all technical issues outstanding prior to Council action; and 2) The applicant work with the City and County of Broomfield's Parks Department relating to native grasses for the park as there is a need for some type of grass. The motion passed by unanimous vote.

LURC Resolution 2010-32, Willow Park West Filing No. 1 Site Development Plan, Final Plat and Planned Unit Development Plan approximately located at the southeast corner of Midway Boulevard and Sheridan Boulevard was approved by unanimous vote with the following conditions: 1) The applicant revise the Site Development Plan prior to the Council hearing to provide a specific list of requirements for enhanced elevations, for the elevations (front and side) facing Midway Boulevard and Sheridan Boulevard, including but not limited to a minimum masonry requirement, windows, etc.; 2) The applicant revise the Site Development Plan prior to the Council hearing to incorporate wider paved entries to the alleyways to accommodate the turning radius of fire trucks; 3) The applicant work with the City and County of Broomfield staff to provide low level lighting on the east side of the property for the trail; 4) The applicant work with the City and County of Broomfield staff on technical issues (i.e. grading along Sheridan Boulevard, sidewalk meandering, enhanced legal descriptions, review of the traffic study regarding site access, etc.)

Roll Call – 7:00 P.M.

Chairman Tom Silvers called the meeting to order at 7:00 p.m.

Commission Members Present: David Jurcak
Roger Kelley
Archie Lind
Tom Silvers

Commission Members Absent: Charles Hasting
Joel Hendrickson
Karen Nelson
Phil Russell

Staff Members Present: Dave Shinneman, Planning Director

Tami Yellico, Deputy City & County Attorney
Anna Bertanzetti, Principal Planner
Lynn Merwin, Principal Planner

Commissioner Tom Silvers stated there was a quorum present.

Disposition of Minutes

The minutes of the regular Land Use Review Commission meeting of October 25, 2010, was approved as printed and presented.

Petitions and Communications - None

LURC Resolution 2010-31 – Public Hearing

Broomfield Urban Transit Village Filing No. 14 Replat A Final Plat, Lot 1 Site Development Plan/Urban Renewal Site Plan (SDP/URSP) (The Children’s Hospital), First Amendment to Broomfield Urban Transit Village – Arista Parks SDP/URSP, and Second Amendment to the Broomfield Urban Transit Village Planned Unit Development Plan approximately located at the northwest corner of Arista Place and Uptown Avenue

Applicant: Urban Frontier, Park 36 Investment LLC, and the City and County of Broomfield

Planner: Anna Bertanzetti

Chairman Silvers opened the public hearing at 7:04 p.m.

Principal Planner Anna Bertanzetti summarized the staff report and asked that the memorandum and attachments be entered into the public record. The application is for a final plat to subdivide Lot 2 of Broomfield Urban Transit Village Filing No. 14, formerly the proposed Arista movie theater, into two lots to accommodate the proposed development of a medical office building (The Children’s Hospital) and Sensory Park. The medical office building proposed is a 19,996 square foot one-story building with a possible future expansion of up to 7,000 square feet to accommodate an outpatient therapy clinic for The Children’s Hospital. The applicant is requesting a variance to allow the future expansion to be reviewed administratively. This type of variance has been granted previously for a similar situation where there was a known future expansion area attached to the primary building and where the future expansion will include a continuation of the scale and architectural treatment that is proposed on the primary building. A second variance is requested to allow additional sign square footage for off-site monument signs. The request also includes an amendment to the Broomfield Urban Transit Village Planned Unit Development Plan to redistribute the total acreage of open lands to accommodate an additional park site which would be the eleventh park in BUTV. The amendment does not change the total acres of open lands required in Arista. The application is intended to finalize the design of the first phase of that additional park site. The additional park site is proposed adjacent to The Children’s Hospital and will include playground equipment in the first phase. The second phase of the park would include landscaping and additional site amenities and would required separate site development plan review and approval. Key issues are the three variances (signage, phasing review and parking) and technical issues. Technical issues are being addressed by the applicant by revising the plans to address issues from the Traffic Engineer, City Engineer, North Metro Fire Rescue, Planning Division and CIP Division.

Bill Branyon, Urban Frontier, was present to represent the applicant. The applicant wishes to build a therapy clinic to replace their current facility located in Westminster. Expansion of the facility at a later date could include an urgent care facility. Mr. Branyon distributed three revised pages of color elevations of the proposed building.

Principal Planner Anna Bertanzetti spoke about the Sensory Park. Total acreage of parks and open lands in the Arista project will not be reduced by this proposal. The additional park is proposed adjacent to The Children's Hospital and will include playground equipment in the first phase. The second phase of the park, which would include landscaping and additional site amenities, requires separate site development plan review and approval.

Public comment was requested, there was no one wishing to speak.

The Commissioners' questions and comments addressed:

- Screening of roof top mechanical units;
- Signage on Wadsworth Boulevard
- Uphold the urban nature of Arista;
- Building appears to be a one-story building up against a three-story building;
- Architectural features need to uphold the urban nature of Arista;
- Design and intent of the park;
- Addition of landscaping would increase the use of the playground equipment;
- Projected cost and funding of sensory playground;
- Need to accommodate The Children's Hospital;
- Use of the park other than by The Children's Hospital;
- Grass needed for the park as there is no landscaping planned for the first phase of the park;
- Window uniformity;
- Parking may be inadequate;
- Parking in the Arista development is at a premium and this development will continue the parking shortfall;
- Comments at the Concept Review meeting seems to imply there should be more massing of the building;
- Transit Way is shown as a private street and therefore the owners association would be responsible for maintenance, it may be better to dedicate the street to the City and County of Broomfield;
- No problem with the parking variance or the signage requested;
- Administrative review variance is not acceptable, believe the review needs to have a public hearing;
- Don't come back requesting more signage; and
- Excited about the project.

Bill Branyon, representative of the applicant, and Anna Bertanzetti, Principal Planner, responded to some of the Commissioners' comments:

- Roof top mechanical units will be screened and painted to minimize the impact.
- The park area first phase includes grading but no landscaping.
- Requiring landscaping in the first phase of the park project will negatively impact the amount of playground equipment.
- The Children's Hospital was originally designed to have the front lobby facing the sensory park.
- Funding of the park is provided through the development agreement which will go before the Council along with the development plan for The Children's Hospital and Sensory Park.
- The urban nature of the area adjacent to the park is expected to encourage walking and bicycling to the park.
- The dedication of Transit Way to the City and County of Broomfield is presently being discussed.
- The second phase of the park will include a large turf area and it is desirable to have the area with native plants and landscaping.
- The park is designed as a neighborhood park with nine adjacent parking spaces and there is also street parking.
- The City and County of Broomfield will need to fund the first portion of the sensory park, expecting reimbursement at a later date.

- The signage is similar to the off-site sign approved for The Children's Hospital along I-25 at State Highway 7. The two additional monument signs would be up to 25 feet in height and up to 200 square feet per face.

Public hearing closed.

RESOLUTION LURC 2010-31A and 2010-31B WAS READ BY TITLE

Commissioner Lind encouraged the Commission to vote separately on the two resolutions.

Commissioner Jurcak moved for approval of LURC Resolution 2010-31A, Broomfield Urban Transit Village Filing No. 14 Replat A Final Plat, Lot 1 Site Development Plan/Urban Renewal Site Plan (SDP/URSP) (The Children's Hospital), and Second Amendment to the Broomfield Urban Transit Village Planned Unit Development Plan approximately located at the northwest corner of Arista Place and Uptown Avenue, with the following conditions:

- 1) The applicant address the roof top mechanicals to reduce visual disruption from the taller adjacent buildings (i.e. paint the mechanicals to match the roof);
- 2) The applicant avoid locating the Wadsworth sign near the entrances of Arista (to avoid distraction of the current Arista Signage);
- 3) The request by the applicant to allow the future expansion of the medical office building (second phase of the building project) to be reviewed administratively is denied;
- 4) The applicant continue to work with City and County staff to correct and revise all technical issues outstanding as of this meeting, prior to Council action, including parking.

Commissioner Lind seconded the motion.

Discussion of the motion:

- 1) Resolution format does provide for approval of all variances proposed by the applicant.
- 2) The additional sign board provides The Children's Hospital more visibility than currently is available to The Children's Hospital in the current location in Westminster, which allows for one additional sign board along Wadsworth Boulevard.

Principal Planner Anna Bertanzetti responded to some of the items discussed:

- 1) The funding of the park will be addressed by a development agreement.
- 2) This action does not increase the acreage allocated to parking in the Arista area, it just increases the number of parks.

Commissioner Kelley offered the following friendly amendment:

- 5) The applicant explore increasing architectural features to make the project appear more urban in nature.

Commissioner Jurcak and Lind accepted the friendly amendment.

The motion passed by unanimous vote of the Commission.

Commissioner Jurcak moved for approval of LURC Resolution 2010-31B, the First Amendment to Broomfield Urban Transit Village – Arista Parks SDP/URSP (Sensory Park) be approved with the following condition:

- 1) The applicant continue to work with City and County staff to correct and revise all technical issues outstanding prior to Council action.
- 2) The applicant work with the City and County of Broomfield's Parks Department relating to native grasses for the park as there is a need for some type of grass.

The motion passed by unanimous vote of the Commission present.

Recess

Reconvene

<p>LURC Resolution 2010-32 – Public Hearing Willow Park West Filing No. 1 Site Development Plan, Final Plat and Planned Unit Development Plan approximately located at the southeast corner of Midway Boulevard and Sheridan Boulevard Applicant: Boulder Creek Neighborhoods, LLC Planner: Lynn Merwin</p>

Chairman Silvers opened the public hearing at 8:06 p.m.

Principal Planner Lynn Merwin summarized the staff report and asked that the memorandum and attachments and Commissioner Hasting's written comments be entered into the public record. The application consists of a Planned Unit Development Plan, a Final Plat and a Site Development Plan. The applicant is proposing thirty-one single-family detached patio homes targeted to the active senior and second home buyer seeking maintenance-free living on a seven-acre infill site. The property is located at the southeast corner of Sheridan Boulevard and Midway Boulevard. There have been four prior Concept Plan submittals, the first three proposed single-family residences or apartments. The property is currently zoned PUD without a PUD Plan. Key issues identified were: 1) Elevations should include masonry for homes siding to Sheridan Boulevard and fronting Midway Boulevard due to the increased visibility of these homes from public streets; 2) The applicant intends to submit additional elevations and floor plans which are planned but not yet finalized; and 3) Alley design refinements are required prior to the Council hearing to accommodate fire trucks. The developer is responsible to: 1) Provide a full movement access from Sheridan Boulevard to the site; 2) Provide a right in/right out access from Midway Boulevard to the north end of the site; 3) Provide public right-of-way for future right turn lane along the east side of Sheridan Boulevard (from Zenobia Street to Midway Boulevard) for right turns onto Midway Boulevard; and 4) Restriping Sheridan Boulevard to include a southbound left turn lane onto Zenobia Street.

David Greg, Boulder Creek Builders, and Steve Erickson, Partner in Boulder Creek Builders, were present to answer questions from the Commission. Previous applications have been for thirty, forty-four, and forty-six homes; this application is for thirty-one, small lot patio homes with two-car rear loaded garages accessed from alleyways. The density is 4.4 dwelling units per acre. The company builds homes to "green" standards including Energy Star specifications, National Green Building Standards and Built Green Standards. These homes have elements such as wider halls, wider doors, no steps from house to the porch, no steps from garage to the house, larger showers and oversized garages. The homes have rear loaded garages in a variety of foot prints. A public trail corridor is planned along the east edge of the site.

Chairman Silvers requested questions/comments from the Public; the following individuals addressed the Commission.

John Merrell, 12705 Yates Street, said the proposed development plan is the best of all of the plans previously seen.

Nancy Clark, 12665 Yates Street, expressed concern about the traffic, especially the left-hand turn from Yates Street to Midway Boulevard. She also talked the need for lighting along the east side of the development.

The Commissioners' questions and comments addressed:

- Traffic patterns, possibility of increase of traffic accidents, impacts on Yates Street and Wolff Street, and impacts on the intersection of Midway Boulevard and Sheridan Boulevard;
- Elevations along Midway Boulevard and Sheridan Boulevard need to be enhanced;
- Legal description needs to be reviewed;
- Lighting along the eastern walkway;
- Adequate parking and visitor parking;
- Turning radius requirements of fire response equipment;
- Concerned about a full left-turn on Sheridan Boulevard;
- Type of mail boxes;
- Lack of a tot lot;
- Trash pickup; and
- RV parking.

Representatives of the applicant responded as follows:

- RV parking is only allowed for short term, possible 24-hour but no long term parking of RV's is allowed.
- The elevations show steps, most of the homes will not have any steps either at the front elevation or steps going from the garage to the house.
- The community is an HOA community where there is only one trash pick-up day per a week for the community.
- No fencing is proposed and berms and landscaping should provide the privacy and noise control from the adjacent street.

Planning Director Dave Shinneman said the City typically does not light pathways so the trail on the east would be an unlighted trail.

Ken Lillagore, 12700 Wolff Street, expressed concern about the traffic patterns (right-in right-out).

James Hines, 4961 Yates Circle, expressed concern about the traffic patterns.

The public hearing was closed 8:45 p.m.

RESOLUTION LURC 2010-32 WAS READ BY TITLE

Commissioner Jurcak moved for approval of LURC Resolution 2010-32, Willow Park West Filing No. 1 Site Development Plan, Final Plat and Planned Unit Development Plan approximately located at the southeast corner of Midway Boulevard and Sheridan Boulevard, with the following conditions:

- 3.1 The applicant revise the Site Development Plan prior to the Council hearing to provide a specific list of requirements for enhanced elevations, for the elevations (front and side) facing Midway Boulevard and Sheridan Boulevard, including but not limited to a minimum masonry requirement, windows, etc.
- 3.2 The applicant revise the Site Development Plan prior to the City Council hearing to incorporate wider paved entries to the alleyways to accommodate the turning radius of fire trucks.

Commissioner Lind seconded the motion.

Commissioner Kelley offered the following amendment to the motion:

- 3.3 The applicant work with the City and County of Broomfield staff to provide low level lighting on the east side of the property for the trail;
- 3.4 The applicant work with the City and County of Broomfield staff on technical issues (i.e. grading along Sheridan Boulevard, sidewalk meandering, enhances legal descriptions, review of the traffic study regarding site access, etc.).

Commissioner Jurcak and Commissioner Lind accepted the proposed amendment to the motion.

Discussion of the motion was called for; there was none.

The motion was approved by unanimous vote of the Commission.

Special Report -- None

Planning Director Dave Shinneman reviewed the upcoming meeting schedule that was distributed during the study session; the next Land Use Review Commission is tentatively scheduled for January 24, 2011.

Commissioner's Corner -- None

Adjournment – 8:50 p.m.

The meeting was adjourned at 8:50 p.m.

Approval

Minutes Prepared by:

Diana K. Tangsrud, Recording Secretary

Approved by:

Chairman