



**PLANNING AND ZONING COMMISSION  
AGENDA MEMORANDUM**

To: Planning and Zoning Commission  
 From: Anna Bertanzetti, Principal Planner  
 David Shinneman, Acting Community Development Director

Meeting Date	Agenda Category	Agenda Item #
January 23, 2012	Commission Business	4.c
<b>Agenda Title:</b>	<b>1. Public Hearing on Proposed Lutheran Church of Hope Use by Special Review</b> <b>Property Location: Northwest corner of Laurel Street and W. 10<sup>th</sup> Avenue</b> <b>Applicant: Lutheran Church of Hope</b> <b>2. Consideration of Resolution No. 2012-3, Regarding the Application</b>	
<b>Summary</b>		
<ul style="list-style-type: none"> <li>The applicant, Lutheran Church of Hope, is requesting a Use by Special Review to allow a new freestanding wall-model columbarium and a Use by Special Review to allow increased height to accommodate a spire.</li> <li>The proposed wall model columbarium has a height of four feet eight inches. The proposed spire would have a maximum height of 84 feet.</li> <li>The proposal will accommodate up to 384 cremated interments. The wall will have name plaques facing the church with the external wall face matching the chapel material.</li> <li>The church spire will be comprised primarily of steel and will include three bronze bells. The church has indicated the bells will be rung periodically (typically not more than twice a day) and will comply with city ordinances regarding noise. Church bells are exempted from maximum permissible levels, but the church bell ring cannot be of, "an unusual or exceptional character, intensity, or duration that it disturbs, injures, or endangers to comfort, repose, health, peace, or safety of any person."</li> <li>Proposed Resolution No. 2011-61 would approve the Use by Special Review Amendment No. 1.</li> </ul>		
<b>Prior Council Action</b>		
<ul style="list-style-type: none"> <li>The L.C.H. Subdivision final plat was approved on March 27, 1990, by Resolution No. 42-90.</li> </ul>		
<b>Financial Considerations</b>		
<ul style="list-style-type: none"> <li>The proposal is consistent with Broomfield's adopted Long Range Financial Plan.</li> </ul>		
<b>Alternatives</b>		
<p>Based on the testimony and evidence presented on the record at the public hearing:</p> <ul style="list-style-type: none"> <li>If the proposed application complies with applicable Broomfield Municipal Code (BMC) review standards and is consistent with the intent of the Comprehensive Plan:             <ul style="list-style-type: none"> <li>o Approval</li> </ul> </li> <li>If the proposed plans do not comply with applicable BMC review standards and are inconsistent with the intent of the Comprehensive Plan:             <ul style="list-style-type: none"> <li>o Remand the case to the Planning and Zoning Commission for additional review and recommendations;</li> <li>o Postpone action on the resolution and continue the hearing to a date certain; or</li> <li>o Direct the City &amp; County Attorney to draft findings to support denial of the application.</li> </ul> </li> </ul>		
<b>Proposed Actions/Recommendations</b>		
<ul style="list-style-type: none"> <li>Hold the scheduled public hearing.</li> <li>Following and subject to the results of the public hearing, if Council wishes to approve the application, it is recommended...</li> </ul> <p style="text-align: center;"><b>That Resolution No. 2012-3 be adopted.</b></p>		



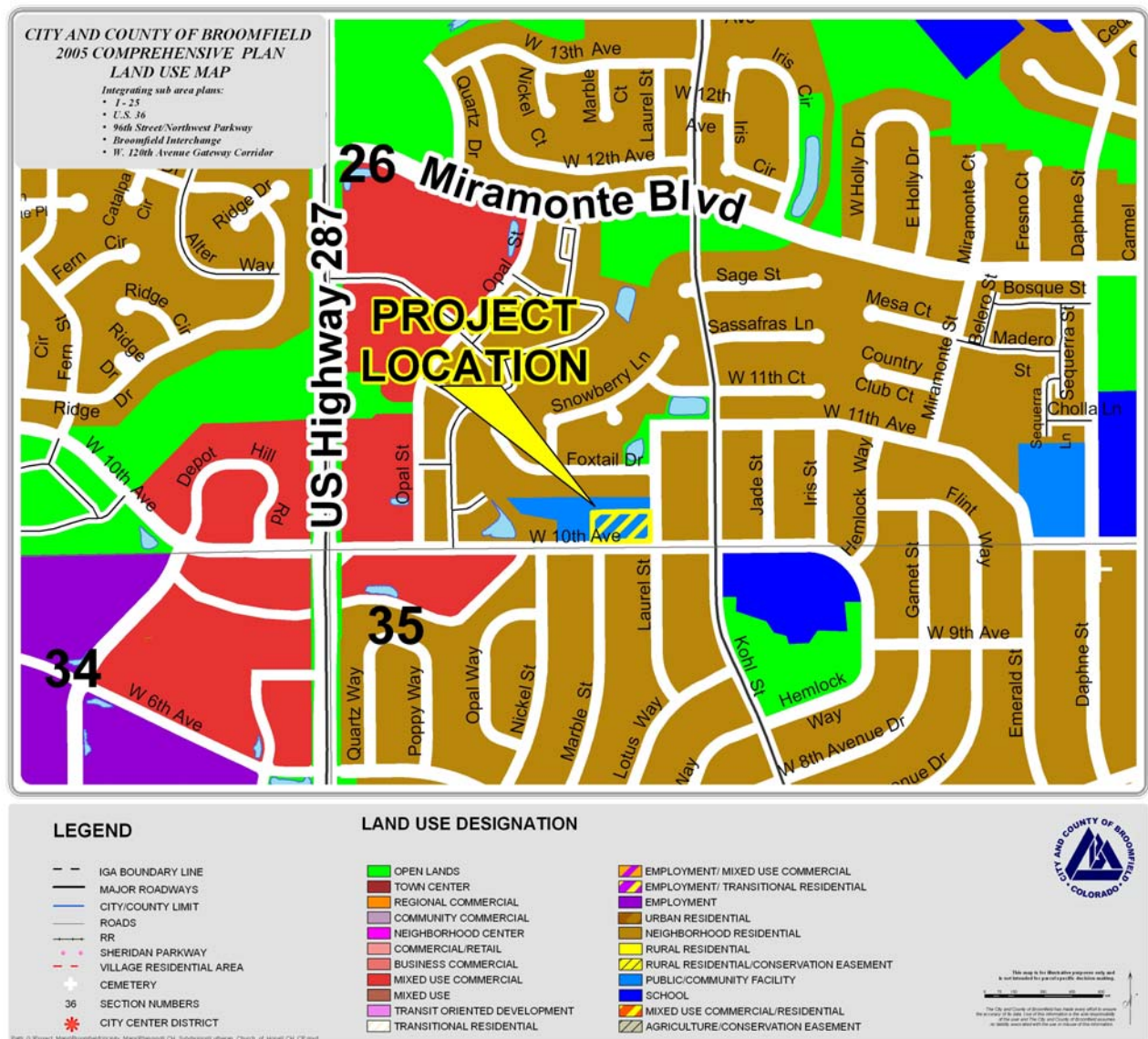


### III. APPLICABLE CITY AND COUNTY OF BROOMFIELD PLANS

#### Relationship to Comprehensive Plan and Financial Plan

##### **Comprehensive Plan**

Broomfield's 2005 Comprehensive Plan designated the church property as Public/Community Facility. The Public/Community Facility land use designated is intended to include "government offices, service centers and major utility infrastructure such as water and wastewater treatment facilities, community/senior centers, libraries, fire stations and churches." The current and proposed use of the property is consistent with the land use designation.



**Financial Plan**

This proposed amendment conforms to the original land-use assumptions used in the Long Range Financial Plan.

**Goals and Policies**

The project will facilitate implementation of the following Broomfield Comprehensive Plan goal:

- Goal OP-E: Meeting Future Needs – Develop proactive approach to meeting future needs.



**IV. AREA CONTEXT**

**Property Location**

The detail map below shows the location of the church property and the surrounding neighborhood uses. The church is surrounded by residential uses.

**Surrounding Land Uses**

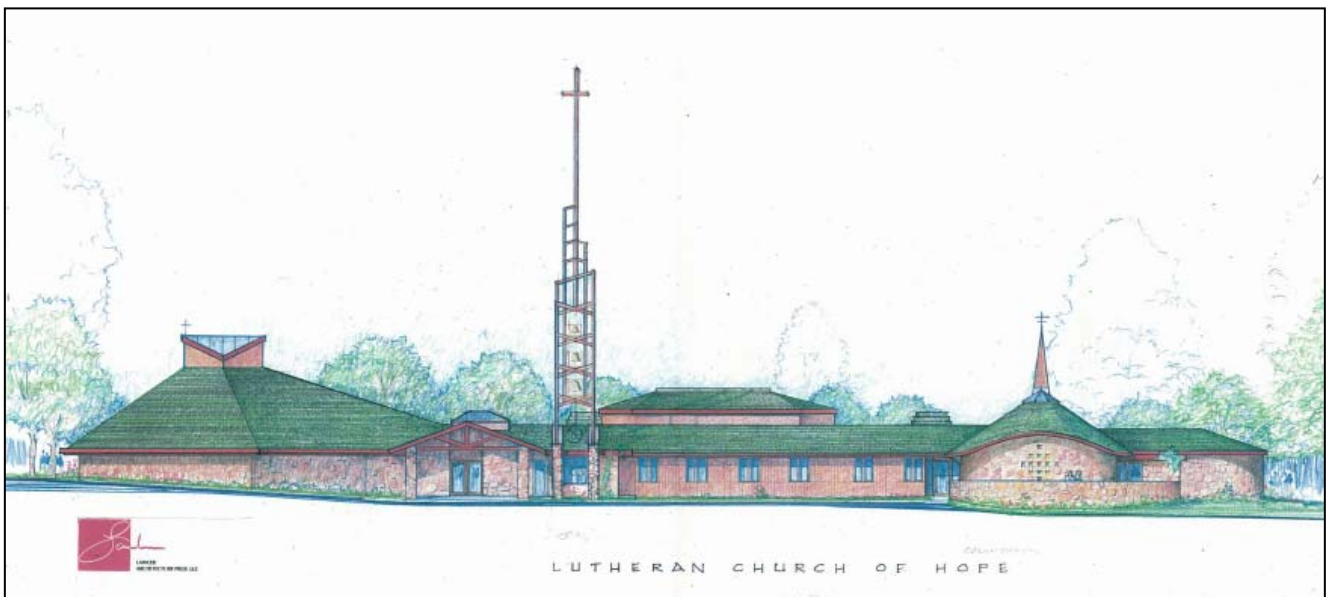
	ADJACENT USE/ZONING	COMPREHENSIVE PLAN DESIGNATION
<b>North</b>	Single Family Residential / PUD	Neighborhood Residential
<b>South</b>	Single Family Residential/R-1	Neighborhood Residential
<b>East</b>	Single Family Residential/R-1	Neighborhood Residential
<b>West</b>	Multi Family Residential/PUD	Neighborhood Residential

**V. CURRENT APPLICATION –  
 DETAILED DESCRIPTION AND STAFF REVIEW**

**Description**

The proposal includes the following two requests for use by special review: 1) it would allow construction of one freestanding columbarium wall with a height of four feet eight inches and 2) it would allow construction of an 84 foot spire adjacent to the front of the building, which exceeds the 30-foot maximum height of buildings in the R-1 District. The proposal would accommodate up to 384 interments in the new columbarium. The spire would be used as a visual symbol of the church and would include functional bells that could be rung at various times.

A rendering of the completed project as proposed is shown below.



Included as part of the application are the following:  
 Use by Special Review (4 pages)  
 Applicant's Narrative (1 page)

## **Background/Base Data**

1. PROPERTY OWNER	Lutheran Church of Hope
2. APPLICANT	Paul Yantorno, Lutheran Church of Hope
3. PROPERTY LOCATION	Northwest Corner of Laurel St. and W. 10 <sup>th</sup> Ave.
4. PROPERTY SIZE	3.52 Acres (Total church property)
5. CURRENT ZONING	R-1
6. CURRENT LAND USE	Church
7. PROPOSED LAND USE	Church, with cemetery
8. COMPREHENSIVE PLAN DESIGNATION	Public/Community Facility

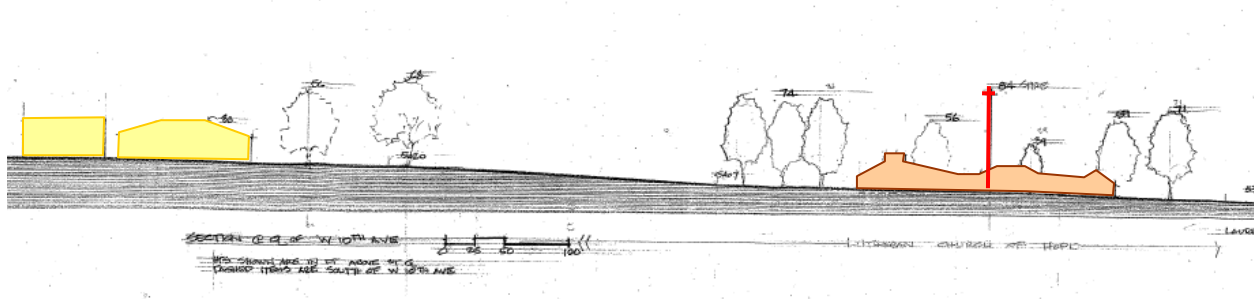
## **Architecture**

### ***Church Spire***

The proposed 84-foot spire is designed to complement the recent architectural modifications approved for the church building including a base of stone. The applicant has indicated that the spire was designed to “symbolize the church’s preference in the community and neighborhood without dominating either one.” A cross section from Laurel Street to US 287 is provided with the applicant that illustrates the scale of the spire in relation to the adjacent buildings, residences, and trees.

The Rocky Mountain Metropolitan Airport reviewed the requested spire. Although the airport did not have concern with the height of the tower, the airport recommended that the applicant submit for Federal Aviation Administration Form 7460-1, Notice of Proposed Construction or Alteration prior to construction.

A portion of the cross section is provided below with the church spire highlighted in red with the existing church building outlined in brown. Residential buildings are highlighted in yellow.



The applicant has indicated that the bells would be rung periodically, such as twice on Sunday morning at approximately 8:45 and 9:00. The applicant has included a note on the plans identifying that the bells will comply with Broomfield’s noise ordinance. Church bells are exempted from maximum permissible levels identified in Chapter 9-36, *Noise* of the Broomfield Municipal Code, but the church bell ring cannot be of, “an unusual or exceptional character, intensity, or duration that it disturbs, injures, or endangers to comfort, repose, health, peace, or safety of any person.”

The site plan identifies that wireless telecommunication facilities may be considered for the church spire at some point in the future. If cellular arrays are proposed, the applicant would need to comply with Section 17-35 of the Broomfield Municipal Code regarding collocation of telecommunication facilities on existing structures including submitting an application for review by Broomfield prior to installation of any such facility. Section 17-35 requires ground mounted equipment be screened and requires that antenna “blend to the natural setting and surrounding architecture in a manner which helps camouflage the facility.” If telecommunication facilities are proposed on the spire in the future, then the facility may be reviewed administratively if the arrays are able to meet requirements for administrative review.

### **Columbarium**

The external side of the 4-foot, 8-inch tall columbarium will be finished with material that matches the existing building. Name plaques will be located on the internal side of the columbarium within a courtyard created between the columbarium wall and the church building.

## **VI. STAFF REVIEW OF KEY ISSUES**

Staff has identified the following key issues with the application:

1. The height of the spire (84-feet) is more than twice the maximum height permitted in the R-1 residential district (30 feet).

*Church spires are commonly designed to be features that exceed the height of surrounding structures to ensure their visibility from a greater distance.*

2. The applicant has not held a neighborhood meeting regarding the proposal.

*Staff commonly recommends that a neighborhood meeting be held when projects are proposed within existing neighborhoods. In mid-December staff requested that the applicant hold a neighborhood meeting. In early January the applicant responded that the neighborhood meeting would be considered. To date, a neighborhood meeting has not been held.*

## **VIII. APPLICABLE MUNICIPAL CODE PROVISIONS**

A public hearing is required. At the conclusion of the public hearing, Council reviews the application based on the following provisions of the BMC.

### **17-34-030 Building Height**

(C) Approvals of buildings of a height greater than permitted in this title may occur when approved by the city in accordance with chapter 17-30.

### **Uses Permitted by Special Review**

#### **17-30-010 Approval required.**

Uses permitted by special review may be allowed in the designated districts upon approval by the city council following recommendations by the planning and zoning commission.

#### **17-30-020 Request; submittal when.**

All requests for a use permitted by special review shall be submitted in writing to the secretary of the planning and zoning commission meeting and shall include an application fee of \$500.00.

#### **17-30-030 Application; contents.**

(A) The application shall contain a site plan showing, when applicable, the location of the building, off-street parking areas, off-street loading areas, service and refuse areas, ingress and egress to the property; major landscaping or other screening proposals, signs, pedestrian areas, a time schedule for development, and any other items which may help the planning and zoning commission to make a reasonable recommendation.

#### **17-30-040 Request; review.**

The planning and zoning commission shall hold a public hearing on the request. Notice shall be given in accordance with the provisions of [chapter 17-52](#).

(A) Except for oil and gas wells or injection wells, factors to be considered are the relation of the requested uses to the character of the surrounding neighborhood, the desirability and need for such a use in the specific area of the community, adverse environmental influence that might result from its location, and, in general, compliance with the intent of this title.

#### **17-30-050 Request; recommendation; conditions.**

After completing its review of a special review request, the planning and zoning commission shall submit its written report and recommendation to the city council. The recommendation shall either be a recommendation to approve, to approve with conditions, or to deny the request. If the recommendation is to approve with conditions, the recommendation shall set forth the conditions and those requirements as deemed necessary to protect the health, safety, and welfare of the community.

#### **17-30-060 Request; approval, conditional approval; denial.**

The city council shall consider the request and the planning and zoning commission's recommendation and shall make a final decision of approval, or approval with conditions, or of denial. Factors to be considered are those specified in [section 17-30-040](#). The city council shall hold a public hearing prior to making its final decision. Notice shall be given in accordance with [chapter 17-52](#).

#### **17-30-070 Decision to be stated in official minutes.**

Any decision of the planning and zoning commission or city council on special reviews shall state in the official minutes the reasons for such decision.

#### **17-30-090 Approval; period; void when.**

All special review requests approved by city council prior to January 1, 1988, shall be valid for one year from the approval date. All special review requests approved by city council after January 1, 1988, shall be valid for three years from the approval date. If the approved use is in operation by the end of the specified period, the approval shall remain valid so long as the use continues. If the approved use is not in operation at the end of the specified period, or if it thereafter ceases, the approval shall be deemed void and of no further force and effect, and no building or other construction permits shall be issued until and unless the special review request is reapproved by the city council.

THE LUTHERAN CHURCH OF HOPE REQUESTS A USE BY SPECIAL REVIEW  
FOR THE FOLLOWING TWO FEATURES

Columbarium

The Lutheran Church of Hope in Broomfield wishes to re-establish the ancient Christian practice of providing a final resting place for human cremains in a sacred, secure, dignified environment of the church (known as a columbarium.) The columbarium will be a semi-private enfolding wall of stone creating a semi-private courtyard that will surround the south end of the original sanctuary, now a chapel, built in 1965. The columbarium wall will contain niches that hold cremains with individual granite memorials facing away from the street, but readily available for loved ones to visit on the LCH campus. The columbarium wall of stone will be 4 feet 8 inches tall with space for plaques of names of loved ones on the inwardly sloping top face. The curved columbarium stone wall will echo the strong lasting external material of the church and will provide an inviting but restful interior courtyard for visitation and small intimate services for inurnments and remembrances, as well as private meditation.

Spire

The spire is a symbol of a place and a symbol of ideas. The spire historically in most cases marked the center of town and was thus scaled. In our society it marks 'a place' and 'an idea' in an assemblage of places and therefore must be scaled to fit into the community and neighborhood. The proposed Lutheran Church of Hope Spire, which will include three bronze bells from the now-closed Valley Lutheran Church in Denver, will be 84-feet tall, 13-feet above the tallest tree on site, and will tastefully symbolize the church's presence in the community and neighborhood without dominating either one. A base of stone echoing the church's exterior will anchor the ascending steel structure. The bells will only be rung and chimed in accordance with city ordinances regarding noise.

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PLANNING



**PLANNING AND ZONING COMMISSION**

RESOLUTION NO. PZ-2012-3

A RESOLUTION RECOMMENDING APPROVAL OF A USE BY SPECIAL REVIEW FOR LUTHERAN CHURCH OF HOPE TO ADD A COLUMBARIUM AND TO ALLOW AN 84-FOOT SPIRE EXCEEDING THE MAXIMUM HEIGHT OF THE R-1 DISTRICT APPROXIMATELY LOCATED AT THE NORTHWEST CORNER OF LAUREL STREET AND W. 10<sup>TH</sup> AVENUE

RESOLVED BY THE LAND USE REVIEW COMMISSION OF THE CITY AND COUNTY OF BROOMFIELD, COLORADO:

Section 1. The Broomfield Planning and Zoning Commission finds that:

- 1.1 An application for a Use by Special Review for Lutheran Church of Hope to add a columbarium and to allow an 84-foot spire exceeding the maximum height of the R-1 District has been submitted.
- 1.2 Said application consists of the following sheets:
  - Use by Special Review two 11" x 17" sheets
  - one 11" x 28 1/2" sheet
  - one 11" x 25 1/2" sheet
- 1.3 Said application was considered during a public hearing held January 23, 2012.
- 1.4 Proper notice was given in accordance with chapter 17-52 of the Broomfield Municipal Code.
- 1.5 Said application is in conformance with the applicable requirements of the Broomfield Municipal Code.
- 1.6 Said application may include certain variances from the Broomfield Municipal Code provisions.

Section 2. This Resolution constitutes the written report, findings, and recommendation or decision of the Broomfield Planning and Zoning Commission.

Section 3. Recommendation.

On the basis of the above, the Broomfield Planning and Zoning Commission recommends approval of the application and those variances from the Broomfield Municipal Code contained in the application and with the following conditions:

- 3.1
- 3.2

PASSED \_\_\_\_\_ on January 23, 2012.

\_\_\_\_\_  
Chairman  
Planning and Zoning Commission

\_\_\_\_\_  
Secretary  
Planning and Zoning Commission

