



1. ROLL CALL

The meeting was called to order at 7:00 pm by Chair Boschert. Present were Commissioners, Chennou Xiong, David Carpenter, Larry Dunn, and David Tomecek. Not excused from attendance were Commissioners Tracy Colling and Elisa Torrez. Also present: Staff members, Associate Planner Jennifer Baden, Administrative Assistant Dawn Aguilar, Senior Planner Jacob Kasza, and Deputy City Attorney Greg Graham. With the roll called, Chair Boschert stated that a quorum was present and that the alternate would be voting.

ELECTION OF ACTING VICE-CHAIRPERSON

Commissioner Dunn nominated Commissioner Carpenter as Acting Vice-Chair. Seeing there were no other nominations, a vote was not necessary and Commissioner Carpenter accepted the nomination.

CONSIDERATION OF MINUTES

Meeting Minutes from September 26, 2023. Acting Vice-Chair Carpenter made a motion to accept the minutes from the September 12, 2023, Planning Commission meeting. Commissioner Tomecek seconded the motion. The minutes were unanimously accepted (6-0).

2. CONSIDERATION OF NEW BUSINESS AND PUBLIC HEARINGS

4a) Public Hearing and Recommendation for a Preliminary Development Plan for Mandalay Gardens, Tract 10

Chair Boschert opened the public hearing at 7:07 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 December 28, 2023. Mr. Kasza narrated a PowerPoint presentation for the proposal to:

a. Hold a public hearing.

b. Recommend that City Council approve the Preliminary Development Plan for Mandalay Gardens, Tract 10.

The applicant team, represented by Mark Venturilla with Altus Properties, gave a presentation.

Chair Boschert asked the applicant for a timeline when ground would be broken. The applicant responded with spring 2024.

Acting Vice-Chair Carpenter commented that he appreciated the site plan being included in the PDP and supported the right in, right out at 108th Ave to prevent a left turn. He asked the applicant about the creation of a sidewalk pedestrian connection to access the development across the street. The applicant team responded that a connection was not a recommendation.

Acting Vice-Chair Carpenter also asked the applicant about cut-through traffic mitigation. The applicant responded that conversations with tenants will take place as the project moves forward.

Chair Boschert opened the public testimony at 7:20 pm.

There was public testimony not in favor of the development due to concerns about constructing a gas station near an airport, concerns with traffic in the area, truck routes on rural roads, and the safety of pedestrians along Dover Street and W 106th Avenue. There were also concerns with drainage on Dover Street.

The applicant responded to the public comments stating that a proposed gas station is outside of the scope of this PDP and is not included in this application. The applicant also stated the current drainage on the site is flowing into Walnut Creek uncontrolled and that the site under review was designed with a drainage study in mind and will be converting the uncontrolled sheet drains into controlled flows. The applicant team also stated that all traffic movements for the development have been evaluated and designed by licensed traffic engineers and all traffic movements are following current safety standards and were considered in the site design.

Chair Boschert asked staff what improvements along 108th Ave eastbound are planned. Mr. Kasza responded that although such improvements are out of the scope of this PDP, the Official Development Plan (ODP) for the site that is currently under review and contingent upon the PDP being approved by City Council, traffic improvements will be included. Mr. Kasza explained that a part of the PDP approval is a requirement that if a gas station is to be built at the site, they must look at incorporating emerging vehicle technologies. Mr. Kasza responded to the concern of a plane crash and stated that the city does not permit above ground storage tanks so the storage tanks on site will be below ground to reduce the chances of an accident. Chair Boschert asked staff what the future for 108th Ave east of Dover is. Mr. Kasza responded that the current Transportation & Mobility Plan does anticipate potentially widening this out to a four-lane arterial road and including bicycle lanes.

Acting Vice-Chair Carpenter asked staff if there is any way to mitigate traffic on 106th Ave. Mr. Kasza responded that there are several options; the Planning Commission could make traffic mitigation a condition of approval, staff could bring this forward as part of the ODP, and/or signage could be installed within the City's jurisdiction. Acting Vice-Chair Carpenter asked staff to clarify the approval process for the ODP. Mr. Kasza stated that the ODP that is currently under review for the industrial building only, could potentially be administratively approved if there are no exceptions on the application.

Chair Boschert closed the public hearing at 7:45 pm.

Acting Vice-Chair Carpenter asked staff about expansion on the other (east) side of the crown on Dover St. Mr. Kasza stated there are no plans for expansion on the east side. He went on to explain that the site catches drainage flow from the Ball Campus and from the industrial properties directly to the north as well as all the sheet flow onto the property. The flow will be captured on one conveyance line that will convey all the off-site drainage past the subject property down to Walnut Creek and any drainage on site and anything that flows from 108th Ave & Dover will be caught by the subject property's storm drainage system, will pass through the site's detention pond and then out to the regional conveyance system. Commissioner Tomecek asked staff what limits the ability to turn right off Wadsworth Pkwy into the subject property. Mr. Kasza stated that access would need to be granted by the Colorado Department of Transportation (CDOT). He stated the City does have concerns about allowing access in this location due to the speed of travel.

Commissioner Tomecek asked staff if the roads leading to the subject property will be able to sustain the weight of commercial vehicles that will access the site. Mr. Kasza stated this was out of his knowledge base and offered to relay the concern to the Engineering Division team.

Commissioner Dunn made a motion recommending that the Planning Commission recommend City Council approve the Preliminary Development Plan for Mandalay Gardens, Tract 10. This recommendation is based on a finding that the Preliminary Development Plan is supported by the criteria set forth in Sections 11-5-14 of the Westminster Municipal Code. He also stated that he felt the application meets the criteria and he will be supporting the motion.

Commissioner Mayo seconded the motion.

Acting Vice-Chair Carpenter stated he agrees the application meets the criteria and would be supporting the motion.

Chair Boschert stated he would also be supporting the motion and asked the City to consider adding signage restricting truck traffic at the site.

Commissioner Xiong stated that he continues to be concerned about traffic in the area despite the traffic study but will be supporting the motion.

The motion passed (6-0).

4. ADJOURNMENT

The meeting was adjourned at 7:54 p.m.

THE WESTMINSTER PLANNING COMMISSION



Jim Boschert, Chairperson

A full recording of the meeting has been posted on The City of Westminster website. www.cityofwestminster.us/pc