



**PLANNING COMMISSION
A G E N D A
August 18, 2016**

Notice is hereby given of a Public Meeting to be held before the City of Wheat Ridge Planning Commission on August 18, 2016 at 7:00 p.m., in the City Council Chambers of the Municipal Building, 7500 West 29th Avenue, Wheat Ridge, Colorado.

**Agenda packets and minutes are available online at <http://www.ci.wheatridge.co.us/95/Planning-Commission>*

- 1. CALL THE MEETING TO ORDER**
- 2. ROLL CALL OF MEMBERS**
- 3. PLEDGE OF ALLEGIANCE**
- 4. APPROVE THE ORDER OF THE AGENDA (Items of new and old business may be recommended for placement on the agenda.)**
- 5. APPROVAL OF MINUTES – July 21, 2016**
- 6. PUBLIC FORUM (This is the time for any person to speak on any subject not appearing on the agenda. Public comments may be limited to 3 minutes.)**
- 7. PUBLIC HEARING**
 - A. ZOA-16-02: an ordinance amending Articles I, II and VI of Chapter 26 of the Wheat Ridge Code of Laws concerning regulation of self-storage facilities.**
- 8. OTHER ITEMS**
- 9. ADJOURNMENT**

Individuals with disabilities are encouraged to participate in all public meetings sponsored by the City of Wheat Ridge. Call Carly Lorentz, Assistant to the City Manager at 303-235-2867 at least one week in advance of a meeting if you are interested in participating and need inclusion assistance.



**PLANNING COMMISSION
Minutes of Meeting
July 21, 2016**

1. CALL THE MEETING TO ORDER

The meeting was called to order by Chair OHM at 7:00 p.m. in the City Council Chambers of the Municipal Building, 7500 West 29th Avenue, Wheat Ridge, Colorado.

2. ROLL CALL OF MEMBERS

Commission Members Present: Dirk Boden
Alan Bucknam
Emery Dorsey
Donna Kimsey
Amanda Weaver

Commission Members Absent: Scott Ohm
Janet Leo
Steve Timms

Staff Members Present: Kenneth Johnstone, Director of Community
Development
Lisa Ritchie, Planner II
Zack Wallace, Planning Technician
Tammy Odean, Recording Secretary

3. PLEDGE OF ALLEGIANCE

4. APPROVE ORDER OF THE AGENDA

It was moved by Commissioner BUCKNAM and seconded by Commissioner DORSEY to approve the order of the agenda. Motion carried 5-0.

5. APPROVAL OF MINUTES – June 16, 2016

It was moved by Commissioner BUCKNAM and seconded by Commissioner KIMSEY to approve the minutes of June 16, 2016, as written. Motion carried 5-0.

6. PUBLIC FORUM (This is the time for any person to speak on any subject not appearing on the agenda.)

No one wished to speak at this time.

7. PUBLIC HEARING

- A. **Case No. WZ-16-05**: an application filed by Squareroot Construction for approval of a zone change from Residential-One C (R-1C) and Residential-Three (R-3) to Planned Residential Development (PRD) with an ODP for the property located at 2826 Eaton Street.

Ms. Ritchie gave a short presentation regarding the zone change process and the application. She entered into the record the contents of the case file, packet materials, the zoning ordinance, and the contents of the digital presentation. She stated the public notice and posting requirements have been met, therefore the Planning Commission has jurisdiction to hear this case.

Ms. Ritchie explained the City of Wheat Ridge Comprehensive Plan designates this property as a neighborhood and currently has split zoning between R-1C to the North and R-3 to the South. The property consists of two homes and a large detached garage. There was a neighborhood meeting held on November 4, 2015 in which 12 neighbors attended and there was an in depth discussion about the project; the project has changed slightly, but not to a great degree. There will be a major subdivision plat which will remove the existing lot lines and reconfigure the property to realign the property to fit the proposal. The uses in the Eaton Street Cottages PRD zone district would allow single family dwellings, both attached and detached, common parking areas, storage, community gardens and active and passive recreation. The Architecture will be traditional with covered front and rear porches and the maximum building height will be 28 feet which is lower than the City standard of 35 feet. The site design will include 9 dwelling units with small private yards around common courtyard with a parking area at the north end of the site. Public improvements will include a 5-foot attached sidewalk with bulb-outs to define parking spaces. There were no concerns or comments from outside agencies and staff recommends approval of the zone change.

**Andrew Gibson, Squareroot Inc.
4250 Urban Street, Denver 80211**

Mr. Gibson stated that he and his partners will be the developers and builders of this property; they live in the area where they work. He explained a pocket neighborhood is what they would like to develop and said it is built to encourage community. Houses are built on a much smaller scale, approximately 800-1,300 sq. ft. Walkability in the neighborhood is also important to this concept. The site will include five single family dwellings and two duplexes with covered and uncovered parking to the north with 1.5 spaces per unit.

Commissioner BODEN asked about the evaluation process to reduce parking issues.

Ms. Ritchie explained there was a trip generation study done by the applicant and reviewed by Public Works and these homes are smaller units reducing the amount of cars. There will also be on street parking available on Eaton Street.

Commissioner BUCKNAM asked about the 10-foot setback for 20% of the frontage and a 20-foot setback for the remainder and wondered where the 10-foot setbacks will occur.

Mr. Gibson stated the 10-foot setbacks will be the portions of lot 1, 3 and 5. Portions of those houses are less than 20-feet from the setback.

Commissioner BUCKNAM wanted to know the theory around the parking pockets.

Mr. Gibson explained the pockets help with neighborhood traffic calming and they also define the neighborhood.

Commissioner KIMSEY asked about the location of the community gardens and the fence line on Eaton Street.

Mr. Gibson stated the landscaping plan has not been detailed yet, but the gardens will either be in the southwest corner of the property, north between the houses and parking area or part of the shared common area. The fence on Eaton Street will be on the property line and will be a 4-foot picket fence.

Chair WEAVER wanted to know why the parking on the north side as opposed to the south side.

Mr. Gibson explained there is a possibility of putting solar panels on top of the car ports and this would work better on the north end of the property.

Janet Ryan
2825 Depew Street

Ms. Ryan stated she is concerned about the back side of the project, the impacts on her fence during construction and if the powerlines that are currently above ground will be moved underground and if this will affect her. She also likes the parking on the north side of property.

Steve Pflug
2845 Eaton Street

Mr. Pflug is concerned with the street bulb out and wonders if it is going to take away from on street parking.

Maryann McNamee

2809 Eaton Street

Ms. McNamee commented that there are garages on the back sides of the homes on west side of Eaton Street.

**Joe Woods
2875 Depew Street**

Mr. Woods stated he really likes the idea of this neighborhood and wondered what the height limit will be.

Mr. Gibson explained that it is Squareroot's intent is to be good neighbors and will give adjacent homeowners the phone number to the property manager if there are any comments or concerns. He explained there should be nothing done to Ms. Ryan's fence during constructions. He also explained that all the power to the property will be underground; this will come from the upper powerlines, but should not affect adjacent property owners.

**Mark Davis, Squareroot
8319 Cole Street**

Mr. Davis explained that Xcel will work with Synergetic Design to determine how the power lines will go underground; it is usually done through a pedestal. If they think adjacent neighbors' powerlines should go underground as well then Synergetic Design will contact the property owner.

Mr. Gibson then explained the bulb outs on the street and said yes there will be a few on street parking spaces lost.

Ms. Ritchie added that the City is not to the point yet of looking at street design, but all the pros and cons of bulb outs will be taken into consideration.

Commissioner BUCKNAM sees one curb cut for the parking lot and wondered how many curb cuts exist now.

Mr. Gibson said there is one large curb cut currently.

Commissioner BUCKNAM asked if there is additional parking other than the carports on the north end of the property.

Ms. Ritchie state there are 8-9 spaces covered in the carport and an additional 5 parallel spaces in the parking area.

Mr. Gibson stated the maximum height limit of the homes will be 28-feet. The tallest house will be about 25-feet tall and the ranch units will be no taller than 15-feet in height. The homes are modeled after 1 ½ story Victorians.

Chair WEAVER asked how neighbors can stay informed about the development.

Ms. Richie stated letters will be sent out when cases related to the property go to City Council and other Planning Commission meetings. Also, they can call staff in Community Development at any time.

The Commissioners all agreed that they like the ODP and think it is a great plan, reminding some of the 30's and 40's era and the way Denver use to be.

It was moved by Commissioner BUCKNAM and seconded by Commissioner KIMSEY to recommend APPROVAL of case No. WZ-16-05, a request for approval of a zone change from Residential One-C (R-1C) and Residential Three (R-3) to Planned Residential Development (PCD) with an Outline Development Plan for property located at 2826 Eaton Street, for the following reasons:

- 1. The proposal is consistent with the City's comprehensive plan and other guiding documents;**
- 2. The proposal meets the zone change criteria;**
- 3. The proposed site design and scale of the proposed homes are consistent with the neighborhood;**
- 4. All requirements for an Outline Development Plan have been met.**

Motion carried 5-0.

8. STUDY SESSION

A. Residential Development Standards

Mr. Wallace gave a brief introduction about redevelopment and infill projects in the city and how they relate to the neighboring communities. The City has received numerous calls regarding setbacks and height requirements with regards to new development. In 1969 when the City of Wheat Ridge was incorporated the 35-foot height maximum requirement, in residential zone districts, was adopted. This maximum height allowance remains unaltered to this day. Due to the calls received regarding development standards and the new development, the Community Development Department found it appropriate to research neighboring jurisdiction's development standards to utilize as a starting point in assessing our own development standards. Mr. Wallace stated that the City's setback requirements are generally in line with the neighboring communities with the exception for the rear yard setback in the R-1C zone district; it is 5-feet compared to 8 to 15 feet in other cities. Mr. Wallace then explained that height requirements are a little more complex. The City is in line with most of our neighboring communities which have 30-35 height requirements, but out of line compared to other communities because there are no additional height standards to limit the massing of structures.

Mr. Wallace then explained the bulk plane standard and how it can be used differently in lower or higher intensity uses. Typically, the bulk plane begins at a specified height above the property line, and then extends over the site at a 45 degree angle until it meets the height limit. Bulk plane requirements are enforced in three of the City's neighboring communities. Mr. Wallace gave different examples from other communities in his digital presentation. City Council had this same discussion on July 18 and came to a consensus that Staff should move forward on addressing bulk plane requirements, measured from each property line, and setbacks.

Commissioner BODEN thought bulk plane requirements work well and is respectful to neighbors. He also liked the transition buffer from Commercial to Residential Properties.

Commissioner BUCKNAM also liked the transitional buffer and understands the bulk plane as long as it is liberal and allows for a second story and not a McMansion. He is also concerned with bulk plane because he believes it will mandate the type of architecture that is possible in both residential and nonresidential buildings and he does not want all the buildings to look the same.

Commissioner DORSEY would like to see the bulk plane requirements on all four property sides go into effect, as it would help integrate new development with the existing development. He feels currently the big buildings are hard to integrate.

Commissioner KIMSEY would also like to see the bulk plane used on all four property sides so there is light, air and circulation.

Commissioner BUCKNAM asked what is driving this discussion.

Mr. Wallace stated the discussion is being driven by community interaction with Staff and several councilmembers regarding the smaller setback requirements in some zone districts, the residential building height allowance, massing, and neighborhood character: modern vs. traditional.

Commissioner BUCKNAM feels it is not the City's job to set the architectural or aesthetic standards. He thinks there should be different height standards per neighborhood. The 35-foot height limit should be revisited and the neighborhoods character looked at.

Commissioner DORSEY believes the City should have architectural standards for single family homes so there are no eye sores in a neighborhood and cause people to move out of a neighborhood.

Chair WEAVER does not believe regulating design standards is going to stop bad taste, different people have different tastes. She asked if there is something that

can be done without restricting people and their architecture so we don't have the homes looking like pyramids if there is a bulk plane requirement.

Mr. Johnstone stated we don't know what drives builders and owners design decisions. Setbacks might be forced back by bulk planes; so on smaller lots there may be a mix of 2-story and 3-story homes and on larger lots 3-story homes.

Chair WEAVER feels the bulk plane makes everything restrictive and Commissioner BUCKNAM added that if there is to be a bulk plane on all sides what is the base height going to be and that neighborhood characteristics needs to be recognized in that discussion.

Mr. Johnstone explained that City Council was also divided on the neighborhood by neighborhood analysis on the building height which became a third priority because it can be hard to define neighborhood character and heights that are cohesive with that character. It will be a longer term effort.

It was moved by Commissioner BUCKNAM and seconded by Commissioner DORSEY to recommend APPROVAL to move forward with setbacks and bulk plane research.

Motion carried 5-0.

9. OTHER ITEMS

Next meeting to be held on August 18, 2016

9. ADJOURNMENT

It was moved by Commissioner DORSEY and seconded by Commissioner KIMSEY to adjourn the meeting at 8:41 p.m. Motion passed 5-0.

Scott Ohm, Chair

Tammy Odean, Recording Secretary



**PLANNING COMMISSION
LEGISLATIVE ITEM STAFF REPORT**

MEETING DATE: August 18, 2016

**TITLE: AN ORDINANCE AMENDING ARTICLES I, II and VI OF CHAPTER
26 OF THE WHEAT RIDGE CODE OF LAWS CONCERNING
REGULATION OF SELF-STORAGE FACILITIES**

CASE NO. ZOA-16-02

PUBLIC HEARING

CODE CHANGE ORDINANCE

Case Manager: Lisa Ritchie

Date of Preparation: August 10, 2016

SUMMARY:

At the June 2, 2016 study session of the Planning Commission, staff discussed code amendments related to self-storage developments. This staff report summarizes proposed code amendments in response to Planning Commission and City Council preferences expressed during study sessions.

Notice for this public hearing was provided by the Code of Laws.

BACKGROUND:

Over the past year, the Community Development Department received three land use applications for new self-storage development, all of which have now been before the Planning Commission. These are more specifically defined in the code as *mini-warehouse for inside storage*. On February 22, 2016 and May 2, 2016 at staff's request, City Council held Study Sessions on self-storage facilities. Planning Commission had a study session more recently on June 2, 2016. The proposed ordinance was developed with the feedback received during these study sessions.

STATEMENT OF THE ISSUES:

Staff requested direction from City Council regarding possible changes to the code to prevent the proliferation of self-storage facilities, and/or to elevate the standards for which they must comply with. Within the City of Wheat Ridge, there are two existing facilities, in addition to the three new applications that were received. The application for a new facility at 4901 Marshall Street was approved, the application for property at 5130 Parfet Street was denied, and the third application for a multi-story indoor facility at 12700 W. 44th Avenue will be heard at a continued public hearing on August 22nd. After discussions with City Council and Planning Commission, staff recommends the following considerations be given to address the concerns about future self-storage facility applications:

- Upgraded architectural standards related to self-storage facilities
- Removal of self-storage as a permitted use in the C-2 zone district
- A distance requirement from existing facilities and Transit Oriented Development areas for new self-storage facilities

Architectural and Site Design Manual Amendments

The first consideration was accommodated through an administrative amendment to the Architectural and Site Design Manual (ASDM) following an update with City Council and Planning Commission. The ASDM modifications include:

- Roof form standards were added to building design requirements for all types of projects
- Multi-story indoor access self-storage facilities are now required to comply with commercial/retail building design standards
- Façade design requirements for heavy commercial/light industrial buildings are now required for all facades visible within 0-100 feet of a public street.
- Requirements for architectural enhancement surrounding overhead roll-up doors were added.

The remaining areas are addressed through the proposed ordinance, which includes three primary components. The first is a revision to the definition of this land use from mini-warehouse to self-storage facility, the second is its removal from the C-2 zone district and finally, the addition of a new section in the code related to distance requirements.

Revision of the definition

Staff recommends the revision of this land use’s definition from “mini-warehouse” to “self-storage facility” as it more accurately reflects how these facilities are referred to by the general public. In addition, the language in the definition itself is proposed to be revised to allow both indoor access and exterior access facilities.

Removal from the C-2 zone district

During the City Council and Planning Commission study sessions, removal of this use from the C-2 zone district was supported. When evaluating this zone district, it is noted that C-2 parcels are generally smaller in size and more commonly located along the higher visibility commercial corridors, including 44th Avenue, Harlan Street, and Ward Road. In addition, the majority of these parcels are already developed.

Distance Requirements

Both City Council and Planning Commission expressed support for buffer requirements for new self-storage facilities. The proposed ordinance will create a new section in Article VI of Chapter 26 in the code related to distance requirements with two components. The first is a minimum one-half (1/2) mile separation between new self-storage facilities from any existing self-storage facility, regardless of zone district and jurisdictional boundaries. The second is a one-quarter (1/4) mile separation between self-storage facilities and any fixed guideway rail stations, including light rail and commuter rail. The intent of this second provision is to prohibit self-storage facilities near the new Ward Road Station.

RECOMMENDED MOTION:

“I move to recommend approval of the proposed ordinance amending Articles I, II and VI of Chapter 26 of the Wheat Ridge Code of Laws concerning regulation of self-storage facilities.”

Exhibits:

1. Proposed Ordinance

CITY OF WHEAT RIDGE, COLORADO
INTRODUCED BY COUNCIL MEMBER _____
COUNCIL BILL NO. _____
ORDINANCE NO. _____
Series 2016

TITLE: AN ORDINANCE AMENDING CHAPTER 26 OF THE WHEAT RIDGE CODE OF LAWS CONCERNING REGULATION OF SELF STORAGE FACILITIES

WHEREAS, the City of Wheat Ridge is a home rule municipality having all powers conferred by Article XX of the Colorado Constitution; and

WHEREAS, the City Council is authorized by the Constitution, the Home Rule Charter and CRS 31-23-101 *et seq.* to regulate the use of land; and

WHEREAS, in the exercise of this authority the Council has previously adopted Chapter 26 of the Wheat Ridge Code of Laws (the "Code") concerning zoning; and

WHEREAS, the Council wishes to amend Chapter 26 of the Code to add a new section concerning self-storage facilities, and to define the same.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:

Section 1. Section 26-123 of the Code is amended to delete the current definition of "mini-warehouse" and replace the same with the following definition of "self-storage facility", in the appropriate alphabetical location:

Self-storage facility~~Mini-warehouse~~. A structure or structures which are divided into multiple small storage units **which may have** ~~with~~ at-grade loading and where each unit does not exceed five hundred (500) square feet, and where each unit is rented or may be sold as condominium storage space.

Section 2. Chapter 26 of the Code is amended to add a new section as follows:

Sec. 26-641. Self-storage facilities; distance requirements.

A. There shall be a minimum one-half (1/2) mile separation between self-storage facilities, measured radially from the property line of any existing mini-warehouse facility, regardless of the zone district, and without regard to intervening structures, objects or city limits.

B. There shall be a minimum one-quarter (1/4) mile separation between self-storage facilities and any fixed guideway rail stations, including light rail and commuter rail, measured radially from the property line, regardless of the zone district, and without regard to intervening structures, objects or city limits.

Section 3. The Table of Uses for Commercial and Industrial Districts at Section 26-204 of the Code is revised as follows:

Remove “mini-warehouse for inside storage” as a permitted use in the C-2 District and the I-E District; insert “self-storage facilities” as a permitted use in the I-E District; insert “See Sec. 26-641” in the Notes Column for “self-storage facilities”.

Section 4. Severability, Conflicting Ordinances Repealed. If any section, subsection or clause of this Ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 5. Effective Date. This Ordinance shall take effect fifteen (15) days after final publication, as provided by Section 5.11 of the Charter.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of ___ to ___ on this ___ day of _____, 2016, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge, and Public Hearing and consideration on final passage set for _____, 2016 at 7:00 p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.

READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of ___ to ___, this _____ day of _____, 2016.

SIGNED by the Mayor on this _____ day of _____, 2016.

Joyce Jay, Mayor

ATTEST:

Janelle Shaver, City Clerk

Approved as to Form

Gerald E. Dahl, City Attorney

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