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**PLANNING COMMISSION REPORT**

**SPECIAL USE PERMIT CASE NO:** SU-18-001      **REPORT DATE:** July 17, 2018  
**CASE NAME:** Mini-Golf Special Use Permit      **PC HEARING DATE:** August 1, 2018  
**ADDRESS OF SUP REQUEST:** 965 Wadsworth Boulevard, Lakewood, CO 80214  
**APPLICANT:** Clem Rinehart, Treehouse Real Estate

**REQUEST:** The applicant is requesting a Special Use Permit (SUP) to allow an outdoor entertainment facility (mini-golf course) in the Mixed-Use General Urban (M-G-U) zone district.

**CITY STAFF:**  
Greg Colucci, Case Planner

**STAFF RECOMMENDATION:**  
Approval of Special Use Permit Case No. SU-18-001 to allow an outdoor entertainment use, subject to the conditions listed in the staff report and Planning Commission resolution.

A handwritten signature in black ink that reads "Greg Colucci".

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Greg Colucci, Associate Planner  
Planning – Development Assistance

A handwritten signature in black ink that reads "Paul Rice".

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Paul Rice, Manager  
Planning – Development Assistance

**ATTACHMENTS TO THE REPORT:**  
Attachment A – Vicinity Map  
Attachment B – Zoning Map  
Attachment C – Written Description  
Attachment D – Conceptual Land Use Plan  
Attachment E – Neighborhood Meeting Notes

**I. SUMMARY OF REQUEST**

The applicant is requesting a Special Use Permit (SUP) to allow an outdoor entertainment facility (mini-golf course) in the Mixed-Use General Urban (M-G-U) zone district. Approval of the SUP by the Planning Commission will authorize Treehouse Real Estate to apply for a Major Site Plan to develop the mini-golf course.

The existing site is approximately 0.79 acres in size. The existing building is currently vacant. The applicant is proposing to renovate and remodel the 876 square-foot building, add an asphalt parking lot, and develop a mini-golf course. The scope of the site improvements will trigger a Major Site Plan application.

**II. PROCESS – REQUIRED CITY APPROVALS**

The applicant has followed the procedures for submitting a SUP application as specified in Article 2 of the Lakewood Zoning Ordinance. These procedures include holding a neighborhood meeting, submittal of an application with a conceptual land use plan, and holding a public hearing before the Planning Commission.

Section 17.2.4.3 of the Lakewood Municipal Code designates the Planning Commission as the body to hear and decide applications for SUPs. The decision of the Planning Commission is final.

A written description (Attachment C) and conceptual land use plan (Attachment D) are required with each SUP application. These documents are intended to supply enough information about the proposed site for the Planning Commission to make a decision about the requested use. A Major Site Plan (MSP) application process is required when one or more of the following situations are proposed: redevelopment of the site; a building addition that increases the gross floor area (GFA) by more than 20%; or site disturbance of more than 20%. At this time, the applicant is proposing site improvements that will trigger a formal site plan application. Any conditions of approval for the SUP will be verified and documented on the both the site plan and building permit plans as applicable.

**III. ZONING AND LAND USE**

	<b>North</b>	<b>South</b>	<b>West</b>	<b>East</b>
<b>Adjacent Zoning Designation</b>	Mixed-Use General Urban (M-G-U)	Mixed-Use General Urban (M-G-U)	Large Lot Residential (R-1-12)	Mixed-Use General Urban (M-G-U)
<b>Adjacent Land Uses</b>	Restaurant	Light manufacturing & Office	Single-family	Office
See Attachment A - Vicinity Map and Attachment B - Zoning Map				

The project site is in the M-G-U zone district. The site is adjacent to single-family residential land uses to the west, a restaurant (Starbucks) to the north, and a business that manufactures dental prosthetics (Peebles) to the south. Across Wadsworth Boulevard to the east are two office buildings.

**IV. PUBLIC NOTIFICATION, AGENCY REVIEW AND NEIGHBORHOOD COMMENTS**

Public Notification

Notices for the neighborhood meeting and for the Planning Commission public hearing were mailed to 86 tenants and owners of property within 300 feet of the subject property and were

mailed to the 5 Registered Neighborhood Organizations (RNO) located within 1/4-mile of the subject property, as required by the Lakewood Zoning Ordinance. Notice for the public hearing was also published in the Lakewood Friday Report, posted in the Civic Center and posted on the property to satisfy all notice requirements.

Agency Review

The case materials were sent to the following City departments and outside agencies for review.

Department/Agency	Notification Sent	Referral Sent	Response Received
West Metro Fire Protection District		X	X
Xcel Energy		X	X
Consolidated Mutual Water Company		X	X
Comcast		X	
Century Link		X	X
Lakewood Property Management		X	
Lakewood Engineering		X	X
Lakewood Sewer Utility		X	X
Lakewood Police		X	X
Lakewood Comprehensive Planning & Research		X	
Lakewood Community Resources		X	
Lakewood Code Enforcement		X	
Lakewood Economic Development		X	
Jefferson County School District R-1		X	
West Colfax Community Association	X		
Two Creeks Neighborhood Association	X		
Eiber Neighborhood Association	X		
Green Acres neighbors Association	X		
Oxford Downs	X		

Referral Comments

1. West Metro Fire Department, Century Link, and Lakewood Police Department had no objection to the proposal.
2. Xcel Energy has no objections to the use. There are existing overhead electric distribution facilities along the western and northern property lines. A 10-foot minimum radial clearance must be maintained at all times from all overhead electric facilities including, but not limited to, construction activities and permanent structures (e.g. fences and walls).
3. Consolidated Mutual Water Company stated that the property is already receiving domestic water service, which may continue subject to compliance with the Company's rules, regulations and requirements for such service. The proposal constitutes a change of use application to be filed with the Water Company. At this time, it appears that Water Company-owned infrastructure will not be required. If main extension, fire line, or fire hydrants are required, a separate meeting will need to be held with the owner/developer to discuss water infrastructure.
4. Lakewood Sewer Utility stated that sewer tap fees may be due with the remodeling of the existing building, and this will be determined at the time of the building permit review. A

grease interceptor will be required if the remodeling of the existing building includes food preparation and/or the sale of pre-packaged food.

5. Lakewood Engineering stated that no public improvements are required, as CDOT has completed its project in this area and the public improvements have been constructed. If any changes to the access location are proposed, Engineering will determine the improvements that need to be constructed.

On-site detention is not required, however water quality will need to be incorporated into the site design.

The applicant will need to work with the Building Department to determine if there are any changes required to the existing building that are needed to meet building code for the proposed use.

#### Neighborhood Meeting Comments

The Lakewood Zoning Ordinance requires that any applicant requesting a Special Use Permit must hold a neighborhood meeting prior to submitting a formal application. The purpose of this meeting is to provide neighbors and other interested stakeholders with the opportunity to learn more about the proposed use and to begin a dialogue between area stakeholders and the project applicant.

A neighborhood meeting was held to introduce the proposal and solicit comments on March 6, 2018. In addition to staff and the applicant team, there were twelve residents in attendance for the meeting which was about an hour in length. Attendees at the neighborhood meeting voiced support for the mini-golf facility in that it will bring a family-friendly development to the neighborhood, as well as preserve the majority of existing trees and existing structure onsite. Residents asked questions related to lighting, fencing/screening, and security. A summary of the neighborhood meeting is included with this staff report as Attachment E.

#### **V. ANALYSIS – SPECIAL USE PERMIT CRITERIA**

Article 2 of the Lakewood Zoning Ordinance provides specific review criteria for SUPs. The review criteria are shown below in bold text followed by staff's analysis in standard text. Following that is a summary of staff's analysis.

- 1. The proposed special use is consistent with the applicable supplemental standards set forth in Article 4 of this Zoning Ordinance.**

This criterion is not applicable to this particular application, as outdoor entertainment facilities do not have any specific supplemental standards.

- 2. The proposed special use is consistent with the applicable dimensional and development standards set forth in Article 5 of this Zoning Ordinance.**

Many of the regulations within Article 5 are not applicable to the proposed mini-golf facility because the building is existing. Staff anticipates that all applicable site plan standards will be satisfied at the time of the Major Site Plan application.

- 3. The proposed special use is consistent with the applicable design standards set forth in Articles 6 and 7 of this Zoning Ordinance.**

If the SUP is approved, all proposed improvements must comply with any applicable non-residential design standards of Article 7 at the time of the Site Plan review. The Major Site

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Plan will need to indicate the location and design of all site elements including, but not limited to, parking, lighting, screening, golf-related facilities, and the trash enclosure.

**4. The proposed special use is consistent with the Comprehensive Plan and other adopted City plans; and**

The applicant states in the written narrative that the proposed family-friendly, 18-hole mini-golf course is consistent with the Comprehensive Plan and other adopted city plans. The Comprehensive Plan (Lakewood 2025: Moving Forward Together) encourages strengthening Lakewood's neighborhoods by supporting:

- Rehabilitation of aging buildings and sites; and
- Development of neighborhood-serving businesses.

**5. The proposed special use will not substantially impair the appropriate use or development of adjacent property.**

This criterion relates to potential negative impacts of an outdoor entertainment facility use and how the special use might impact redevelopment potential of the adjacent properties. In general, the potential impacts related to an outdoor entertainment facility use might include lighting, screening, and general disturbance to the peace and quiet of an adjacent residential neighborhood.

The applicant has identified how they plan to mitigate possible negative impacts related to the outdoor entertainment facility use. The hours of operation will be from 9 AM until 10 PM from Sunday through Thursday and 9 AM until 11 PM on Friday and Saturday. An 8-foot fence will be constructed on the western property line to mitigate sight and noise impacts to adjacent residential properties. A 6-foot open-style fence will be constructed on the northern and southern property lines to maintain visibility into and out of the property for security purposes. The applicant proposes that lights taller than 6 feet in height shall be located no closer than 100 feet to the western property line.

Staff does not anticipate that the proposed mini-golf facility will impair the appropriate use or development of any of the adjacent properties.

**VII. FINDINGS OF FACT AND ORDER**

Based upon the information and materials provided by the applicant, the neighborhood meeting and the staff report, staff supports the SUP request. Therefore, the City of Lakewood staff recommends that the Planning Commission find that:

- A. Clem Rinehart, owner of Treehouse Real Estate, is requesting approval of a Special Use Permit to develop a mini-golf facility at 965 Wadsworth Boulevard.
- B. Notice of the neighborhood meeting was sent to residents and owners of properties within 300 feet of the site and to registered homeowner associations within ¼ mile of the site as required by the Lakewood Zoning Ordinance; and
- C. Notice of the public hearing was sent to residents and owners of properties within 300 feet of the site and registered neighborhood associations within ¼ mile of the site as required by the Lakewood Zoning Ordinance; and
- D. Notice of the public hearing was posted on site and published in the newspaper of record, as required by the Lakewood Zoning Ordinance; and

- E. The request was reviewed by the appropriate referral agencies; and
- F. Consistency with supplemental standards set forth in Article 4 of this Zoning Ordinance is not applicable to an Outdoor Entertainment Facility Use; and
- G. The proposed outdoor entertainment facility use is consistent with the applicable dimensional and development standards set forth in Article 5 of this Zoning Ordinance; and
- H. The proposed outdoor entertainment facility use is consistent with the applicable design standards set forth in Articles 6 and 7 of this Zoning Ordinance; and
- I. The proposed outdoor entertainment facility use is consistent with the Comprehensive Plan and other adopted City plans; and
- J. The proposed outdoor entertainment facility use will not substantially impair the appropriate use or development of adjacent property.

**THEREFORE**

The Planning Commission adopts the findings of fact and order as presented in the staff report and **APPROVES** Case No. SU-18-001 a Special Use Permit as required under the Zoning Ordinance, with the following conditions:

1. The Outdoor Entertainment Facility use on this site shall be limited to a mini-golf facility, unless another Special Use Permit is approved for another outdoor entertainment use.
2. A Major Site Plan is required to develop the site into a mini-golf facility.
3. The hours of operation shall be from 9 AM until 10 PM Sunday through Thursday, and 9 AM until 11 PM on Friday and Saturday.
4. The western property line shall have a fence or wall of at least 8 feet in height.
5. The southern property line shall have an open-style fence to allow for visibility between the mini-golf facility and the property to the south.
6. Lights taller than 6 feet shall not be allowed closer than 100 feet to the western property line.
7. Landscaping along Wadsworth Boulevard shall match that of the landscaping of 975 and 999 Wadsworth Boulevard or Option D of Section 17.8.8.2 of the Zoning Ordinance.
8. The Special Use Permit is subject to the criteria for revocation as listed in Article 2 of the Lakewood Zoning Ordinance, as amended.

Cc: Case File: SU-18-001  
Clem Rinehart, applicant