

## RESOLUTION OF CITY OF LAKEWOOD PLANNING COMMISSION

On November 18, 2020 the Lakewood Planning Commission reviewed ODP Modification Case No.

MO-20-001 to modify the Solterra Centre Official Development Plan (ODP) for the property located at 2301 S. McIntyre St. The zoning on the property will remain Planned Development (PD) with the base zone district Mixed-Use Employment Suburban (M-E-S).

Motion was made by COMMISSIONER COHN and seconded by COMMISSIONER MILLER to recommend APPROVAL by City Council, which passed by a vote of 6 to 0. The roll having been called, the vote of the Lakewood Planning Commission was as follows:

Alex Bartlett	(Absent)
Johann Cohn	Aye
Alan Heald	Aye
Cathy Kentner	Aye
Dale Miller	Aye
Rhonda Peters	Aye
Theresa Stone	Aye

### FINDINGS OF FACT AND ORDER

The Planning Commission finds that:

- A. The City of Lakewood is proposing to modify the existing Solterra Centre ODP for the property located at 2301 S. McIntyre St. pursuant to the approved addendum to the Development Agreement for Solterra Centre per City Ordinance O-2020-25; and
- B. The zoning for the property will remain Planned Development (PD) with the base zone district Mixed-Use Employment Suburban (M-E-S). The PD zoning will abide by the Solterra Centre ODP and Solterra ODP Modification No. 1; and
- C. Notice of the Public Hearing was not required or provided for this City initiated rezoning (ODP modification) per Section 17.2.2.3.B of the Lakewood Zoning Ordinance; and
- D. The proposed legislative zoning affects a large number of properties and the proposed rezoning is not applicable only to a specific individual or readily identifiable group; and
- E. The proposed legislative zoning is prospective in nature and reflects public policy of a permanent or general character impacting the City on a scale greater than at the individual property level; and
- F. The proposed legislative zoning would be inefficient, cumbersome, and unduly burdensome on the resources of the City to rezone the potentially affected properties in a quasi-judicial manner on a site-by-site basis; and
- G. The proposed legislative zoning promotes the purposes of the Zoning Ordinance; and
- H. The proposed legislative zoning promotes implementation of the Comprehensive Plan; and

AND

The Planning Commission adopts the findings of fact and order, A through H, as presented in this staff report and recommends that the City Council **APPROVE** Modification Case No. MO-20-001, subject to the following recommendations:

1. Require that planning areas 1, 2, and 3 of the Solterra Centre ODP include non-residential uses in addition to residential uses;
2. Provide a notice of a public hearing to adjacent property owners subject to the mailed notification requirements for a quasi-judicial rezoning in section 17.2.2.3.B of the Lakewood Zoning Ordinance prior to the City Council public hearing; and
3. Remove an option to provide fees in lieu of land dedication to satisfy the requirements for school land dedication.

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Alan Heald, Chair

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Theresa Stone, Secretary of the Planning Commission

#### CERTIFICATION

I, AARON SCHULTZ, Secretary to the City of Lakewood Planning Commission, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Lakewood Planning Commission at a Public Hearing held in Lakewood, Colorado, on the 18th day of November, 2020 as the same appears in the minutes of said meeting.

November 18, 2020  
Date approved

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Aaron Schultz, Secretary to the Planning Commission