

**LAKESWOOD PLANNING COMMISSION
REGULAR MEETING
MINUTES
January 20, 2021**

COMMISSIONERS PRESENT:

Alex Bartlett
Johann Cohn
Alan Heald
Cathy Kentner
Dale Miller
Rhonda Peters
Theresa Stone

STAFF PRESENT:

Paul Rice, Manager, Planning-Development Assistance
Brea Pafford, Planner
Toni Bishop, Transportation Engineering Technician II
Ben Mehmen, Civil Engineer III
Aaron Schultz, Secretary to the Planning Commission

Following are the minutes of the January 20, 2021 Lakewood Planning Commission Special Meeting. A permanent set of these minutes is retained in the office of the City Clerk.

Minutes are not a verbatim transcription, but rather an attempt by the Secretary to capture the intent of the speakers.

ITEM 1: CALL TO ORDER

ITEM 2: ROLL CALL

The roll having been called, a quorum was declared and the following business was conducted:

ITEM 3: CASE RZ-20-001 – 8600 W. COLFAX AVE. REZONING

COMMISSIONER HEALD provided information about public comment for online meetings and contact information for call-in comments.

BREA PAFFORD, Planner, introduced the applicants.

SCOTT WEST, Prestige Imports General Manager, applicant, introduced himself and provided the applicant presentation for case RZ-20-001 – 8600 W. Colfax Ave.

MS. PAFFORD provided the staff presentation for case RZ-20-001 – 8600 W. Colfax Ave.

COMMISSIONER STONE inquired about how the proposed redevelopment would impact adjacent properties and the impact of the development onto the adjacent ditch.

MR. WEST stated that the dilapidated building would be demolished, and the applicants would add landscaping that he believed would improve the view from neighboring properties.

BEN MEHMEN, Civil Engineer III, stated that he believed that Rocky Mountain Ditch Company or a similar group owned the ditch, and that he did not believe the proposed changes would considerably impact the ditch. He stated that the ditch owner would be contacted to review any proposed changes if staff determines that future site improvements would impact the existing ditch.

COMMISSIONER COHN inquired about the connectivity of the site and whether the City had right-of-way over the sidewalk or could require sidewalk at this location.

MR. MEHMEN stated that sidewalk upgrades to meet current standards would be required with redevelopment. He stated that the right-of-way did not usually extend past the curb, but that staff sought easements for sidewalks to ensure sidewalks could be added where needed.

COMMISSIONER COHN inquired whether Dover Way could be improved, widened, or eliminated. He inquired about beautifying the ditch and whether the applicant could assist in improving the aesthetics of the ditch. He inquired about a section of property to the east of the subject site that appeared to be fenced and inaccessible.

MR. MEHMEN stated that there were no plans for modifying Dover Way beyond its current alignment.

MR. WEST stated that he could not speak to the beautifying neighboring sites, but that he intends to work with the 40 West Arts District to add a mural to the site that represents the history of Colfax.

COMMISSIONER COHN inquired about the zone districts in the area and how the subject became a part of the urban context.

PAUL RICE, Manager, Planning Development Assistance, stated that following mixed-use transit zoning surrounding light rail stations, there was a desire to apply a mixed-use concept along the Colfax Corridor in 2009. He stated that the Comprehensive Planning group met with stakeholders along Colfax and came up with several zone districts with boundaries based on right-of-way or other clear delineators. He stated that when updating the zone district, urban, suburban, and transit contexts were assigned to create a like-for-like replacement of the previous Colfax mixed-use zoning designations.

COMMISSIONER COHN provided background information about former tenants of the building.

COMMISSIONER MILLER stated that he was familiar with the area and that he appreciated the applicants' support of local community organizations. He stated that the existing Urban context seemed odd for this site and stated that he did not have any concerns with the proposal.

COMMISSIONER KENTNER inquired about the sidewalk improvements and whether the improvements would extend beyond the boundaries for subject property. She inquired if the applicant could quantify the growth of the business if the site was currently in use in a similar way to the proposed use under the rezoning.

MR. MEHMEN stated that the ability to require sidewalk improvements was limited by the degree of site redevelopment and that staff did not typically require improvements beyond the boundaries of the site.

MR. WEST stated that rezoning was tied to a redevelopment of the applicants' new Porsche Dealership at 9151 W. Colfax Ave., and utilizing the subject site was necessary to move forward with construction on the new dealership. He stated that the use of the subject site would not change considerably, but that demolishing the dilapidated building would allow for more efficient use of space and avoided needing to acquire additional space.

COMMISSIONER KENTNER encouraged the individual who provided comments online to reach out to the commission if she did not believe her question had been answered. She inquired whether access to the site would only be from Dover Way.

MS. PAFFORD stated that there were three existing access points, including two on Colfax Avenue and one on Dover Way. She stated that the change of use from a vacant site would trigger the closure of the eastern Colfax access, but that further redevelopment would determine the extent of required public improvements. She stated that access to Dover Way might be required for emergency access.

MR. WEST stated his desire to be a good neighbor and willingness to answer questions from neighbors. He noted that West Metro Fire was able to access the site previously to provide emergency services.

AARON SCHULTZ, Secretary to the Planning Commission, stated that no new public comments had been received online, but that he would send a link to the Commission to access existing comments.

COMMISSIONER PETERS stated that comments had been read and addressed by members of the Commission and inquired whether a sidewalk would be required with the rezoning.

MS. PAFFORD stated whether sidewalk would be required would be determined by the extent of redevelopment of the site, but that the determination would be made with more concrete plans that would be provided as a part of site plan review. She stated that the rezoning was specific to a change in use, but that the closure of an access due to the change in use would require the sidewalk to be improved in the location of the closed access.

MR. WEST stated that the applicant would construct all improvements as required during the redevelopment.

COMMISSIONER HEALD confirmed that online public comments had been addressed and thanked the applicant.

COMMISSIONER MILLER made a MOTION to adopt the findings of fact and order as presented in the staff report and recommends that the City Council approve Rezoning Case No. RZ-20-001.

The motion was SECONDED by COMMISSIONER HEALD.

COMMISSIONER BARTLETT stated that he recalled the applicant appearing before the Commission previously for a long-term temporary use permit and stated that he was glad to see the applicant appear before the Commission again.

COMMISSIONER COHN stated that he was glad to see improvements in the area and that he would like to see the City help to create a more appealing place along the corridor.

COMMISSIONER KENTNER stated that she supported the development but was concerned about the possibility of not requiring public improvements along Colfax. She stated that the development honors the history of Colfax as outlined in the Lakewood Comprehensive Plan, but that the Comprehensive Plan also intended to create walkable neighborhoods. She noted that the site is a single-use development not far from the Garrison Light Rail Station and that a Mini-Storage development was also located close to the station. She posed a question to the commission about what uses would create a walkable neighborhood. She stated that she believed the benefits of the proposal outweighed the negatives.

COMMISSIONER HEALD stated his appreciation for the applicants' continued support of the neighborhood and his hope that the redevelopment would serve as a catalyst for walkable development in the area.

VOTE TAKEN –

Seven Ayes – Commissioners BARTLETT, COHN, HEALD, KENTNER, MILLER,
PETERS and STONE
No Nays

MOTION PASSED unanimously.

ITEM 4: APPROVAL OF MINUTES OF THE OCTOBER 21, 2020 PLANNING COMMISSION REGULAR MEETING

COMMISSIONER STONE made a MOTION to approve the minutes of the October 21, 2020 Planning Commission Regular Meeting.

The motion was SECONDED by COMMISSIONER HEALD.

COMMISSIONER MILLER noted a typographical error and proposed that the minutes be amended to correct the error.

The motion-maker and the second supported approving the minutes as amended.

VOTE TAKEN –

Seven Ayes – Commissioners BARTLETT, COHN, HEALD, KENTNER, MILLER, PETERS and STONE

No Nays

MOTION PASSED unanimously.

ITEM 5: APPROVAL OF MINUTES OF THE NOVEMBER 18, 2020 PLANNING COMMISSION REGULAR MEETING

COMMISSIONER MILLER made a MOTION to approve the minutes of the November 18, 2020 Planning Commission Regular Meeting.

The motion was SECONDED by COMMISSIONER STONE.

COMMISSIONER BARTLETT stated that he intended to abstain as he was not present during the November 18, 2020 meeting and did not have a chance to review the minutes prior to the meeting.

COMMISSIONER MILLER noted that a Commissioner may vote on the minutes for a given meeting even when the Commissioner was not present at that meeting.

VOTE TAKEN –

Six Ayes – Commissioners COHN, HEALD, KENTNER, MILLER, PETERS and STONE

No Nays

One Abstention – Commissioner BARTLETT.

MOTION PASSED.

ITEM 6: GENERAL BUSINESS

COMMISSIONER HEALD stated that he had spoken with MR. RICE regarding the Planning Commission's priorities and stated that the agenda for the upcoming study session for January 27, 2021 replaced the scheduled presentation with continued discussion of the Planning Commission's rules and regulations. He stated that the calendar would be amended to reflect to Commission's priorities

MR. RICE stated that staff would provide a revised schedule to the Commission.

COMMISSIONER KENTNER inquired about online comment on Lakewood Speaks during study sessions and whether comments were open outside of cases for general business or general comments to the Commission during a regular meeting.

MR. RICE stated that the public was welcome to attend study sessions, and that there was not a period for public comment. He stated that the Commission had allowed limited interaction with the public during an in-person study sessions if there was a large turnout. He stated that this was at the Commission's discretion and noted that the intent of holding a study session was for the Commission to discuss a given topic in a public setting and did not include public comment unless specifically requested by the Commission.

MR. RICE stated that the Planning Commission did not include public comment on non-agenda items as the Planning Commission is a review body for planning and zoning matters and made recommendations to City Council. He stated that for policy decisions or general comments the public would provide comments directly to City Council, and City Council could then direct the Planning Commission to discuss the topic. He stated that City Council was responsible for initiating action relating to policy decisions and planning and zoning related items.

COMMISSIONER HEALD inquired about clarifying the process and suggested utilizing Chairperson announcements during study sessions to notify the public of City Council action resulting from Planning Commission discussion. He inquired whether a policy change would be required and the process for doing so.

MR. RICE stated that the process would be at the discretion of the Commission, and that the current online meeting format presented difficulties. He stated that the Commission was responsible for discussing the topics of the agenda during a study session and would need to be careful to ensure equitability and fairness in a study session setting.

ADJOURNMENT

Meeting adjourned at 8:23 PM.

Date Approved

Aaron Schultz, Secretary
to the Planning Commission