City of Wheat Ridge

PLANNING COMMISSION
Minutes of Meeting
November 2, 2023

1. CALL THE MEETING TO ORDER

The meeting was called to order by Chair DITULLIO at 6:30 p.m. This meeting was held in person and virtually, using Zoom video-teleconferencing technology.

2. ROLL CALL OF MEMBERS

Commission Members Present:	Kristine Disney Jerry DiTullio Daniel Graeve Will Kerns Daniel Larson Patrick Quinn Jonathan Schelke
Commission Members Absent:	Janet Leo
Staff Members Present:	Jana Easley, Planning Manager Alayna Olivas-Loera, Planner II Tammy Odean, Recording Secretary

3. PLEDGE OF ALLEGIANCE

4. APPROVE ORDER OF THE AGENDA

It was moved by consensus to approve the order of the agenda.

5. APPROVAL OF MINUTES – October 19, 2023

It was moved by Commissioner QUINN and seconded by Commissioner GRAEVE to approve the minutes of October 19, 2023, as written. Motion carried 5-0-2 with Commissioners DISNEY and KERNS.

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-23-08:** an application filed by Batt Cave, LLC for approval of a zone change from Restricted Commercial (R-C) and Neighborhood Commercial (N-C) to Mixed Use-Neighborhood (MU-N) on properties located at 3650 and 3660 Wadsworth Boulevard.

Chair DITULLIO opened the public hearing.

Ms. Olivas-Loera gave a short presentation regarding the zone change 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.

The applicant was in attendance to answer any questions.

Public Input

No one wished to speak at this time.

In response to a question regarding setbacks for a building in the MU-N zone district, Ms. Olivas-Loera explained that a building can be built up to the property line, unless a residential property is adjacent to the site. She added it will be evaluated during the Site Plan process.

Commissioner DISNEY inquired why this property was not rezoned to Mixed Use-Commercial (MU-C).

Ms. Olivas-Loera explained the reasoning behind MU-N is due to the size and location of the property; it is much smaller than MU-C properties.

Commissioner KERNS asked about the height limit in MU-N.

Ms. Olivas-Loera confirmed that the residential the height limit is 35 feet per the City's Charter and for non-residential it can be up to 55 feet in height.

Commissioner DITULLIO asked if the current owners of the properties are requesting the rezone or if a potential buyer is requesting the rezone.

Ms. Olivas-Loera clarified it is the current owners and there are no potential buyers at this time, to staff's knowledge.

Chair DITULLIO closed the public hearing.

It was moved by Commissioner QUINN and seconded by Commissioner KERNS to recommend APPROVAL of Case No. WZ-23-08, a request for approval of a zone change from Restricted Commercial (R-C) and

Neighborhood Commercial (N-C) to Mixed Use-Neighborhood (MU-N) on properties located at 3650 and 3660 Wadsworth Boulevard for the following reasons:

1. **The proposed zone change will promote the public health, safety, or welfare of the community and does not result in an adverse effect on the surrounding area.**
2. **Utility infrastructure adequately services the property.**
3. **The proposed zone change is consistent with the goals and objectives of the City's Comprehensive Plan and consistent with the character of Wadsworth Boulevard.**
4. **The zone change will provide additional opportunity for reinvestment in the area.**
5. **The criteria used to evaluate a zone change supports the request.**

Motion carried 7-0

8. OLD BUSINESS

9. NEW BUSINESS

A. Upcoming Dates

Ms. Easley mentioned there will not be a meeting held on November 16 but there will possibly be a meeting on Dec. 7 and staff will confirm later if there will be a meeting held on December 21.

B. Project and Development Updates

No project and/or development updated at this time.

C. Commissioner Updates

Commissioner LARSON reminded all to vote on or by November 7.

In response to a question from Commissioner SCHELKE, Ms. Easley explained a property owner can hold on to vacant land or vacant buildings as long as they are paying their property taxes.

Commissioner DITULLIO reminded the viewers that Tabor Refund checks have been mailed and explained the name on the check is the first person listed on the title, and unfortunately multiple names are not listed on the checks. He also reminded all to vote and currently Jeffco has a 16% return rate on ballots.

10. ADJOURNMENT

It was moved by Commissioner QUINN and seconded by Commissioner DISNEY to adjourn the meeting at 6:52 p.m. Motion carried 6-0.

Jerry DiTullio, Chair

Tammy Odean, Recording Secretary