

SUMMARY MINUTES OF BOARD OF ADJUSTMENT ACTION HELD APRIL 14, 2015

CALL TO ORDER – 7:05 P.M.

PLEDGE OF ALLEGIANCE -

ROLL CALL OF MEMBERS – Those Present: T.O. Owens, Chairman; Dave Marquez, Vice Chairman; Jenny Riley, Secretary, Christine Duncan, Dave Marquez, Kathy Drulard, Cindi Kreutzer,
Not Present: Ted Terranova

ALSO PRESENT: Randall Sampson, Sr. Ass't. City Attorney; Gary Hammond, Senior Planner; Ben Thurston, Senior Planner; Shalisa Daugherty, Recording Secretary; Jodi Baros, Recording Secretary, James Cramer; Planner 1

APPROVAL OF MINUTES FOR March 24, 2015 – The minutes for March 24th stand approved as printed.

PUBLIC HEARING –

VAR2015-0005 – Wanco – 5902 Tennyson St.

The public hearing was opened.

The property was posted and the fee was paid.

Mr. Owens entered the staff report, posting log, affidavit of mailing.

Gene Baumgartner, facility manager at Wanco.

Brian Hornung, 909 E 62nd Ave., is with DCB construction.

Mr. Hornung spoke about currently applying for a site development plan and was advised by staff to request a code variance to apply for a parapet roof and to add additional spaces to the parking lot. The requirement was to conceal a flattop roof and to not have to add islands to the parking lot. The new building will be raised in elevation and the other side will be the park open space and would not be seen, and the parking lot would add 8 additional spaces, if we would not have to add in the islands.

Mr. Baumgartner spoke, stating that Wanco is currently working with Hyland Hills and the City of Arvada to fill in the east side of the new building with landscaping, funded by Wanco.

Mr. Cramer stated no comments from staff.

Ms. Riley asked about the south side of the building and any differences that there may be to this side and what property is adjacent to that south side.

Mr. Hornung stated that on the south side of the building the only place that did not have a parapet is the loading area.

Mr. Owens asked about the area that did not have a parapet and if it was strictly not done for cost savings.

Mr. Hornung answered that there is a structural reason for the way that it is constructed. It becomes design prohibited with the steel structure building.

Ms. Kreutzer asked a question regarding parking spaces. You said you were giving up 8 parking spaces and do you think the light rail being constructed will help alleviate the current parking situation.

Mr. Baumgartner answered even if 10 percent took the light rail it would still be an issue, it is also an issue for the 18 wheelers to get around the vehicles that are currently parking in the off street parking areas.

Ms. Kreutzer asked about the total number of parking spaces.

Mr. Hornung answered approximately 144 spaces for the new building and currently 160 spaces at the existing building.

Mr. Marquez asked staff, what is the required parapet height or is there one.

Mr. Thurston answered, no there is not a height requirement.

Mr. Marquez asked about the roof plan and what the equipment was going to be.

Mr. Hornung answered 5 RTU's located in middle part of roof and a few that will service the offices.

Mr. Marquez asked to see a roof plan.

Mr. Hornung answered and showed an exhibit of the location of these RTU's.

Mr. Marquez asked have you looked at several different parking alternatives to meet the requirements of the site development code.

Mr. Hornung stated that the site plan was issued to accommodate the size of the building and maximize the parking spaces needed to support the employees of the building.

Mr. Marquez asked, Where the difficulty is and what they are trying to accomplish?

Mr. Hornung stated that they would lose 8 parking spaces.

Mr. Marquez asked, Can you state where your difficulty is?

Mr. Baumgartner it is purely to maximize the parking lot and to keep the employees from parking on the streets. He is already using parking of additional businesses in the area with the company's permission.

Mr. Marquez asked staff about the open space requirements and if they are meeting it.

Mr. Thurston stated that yes they are meeting the open space requirements.

Mr. Owens asked why the parking islands are required.

Mr. Thurston stated that they are basically added to help with shade and to make the area look better.

Mr. Owens asked, Are there safety concerns with the islands? Are they used for people to walk on?

Mr. Thurston stated no they are not used for people to walk on. They generally consist of rock, trees and shrubs.

There being no one else wishing to speak, the public input portion of the hearing was closed.

DISCUSSION OF MOTION:

Ms. Riley stated that she can see the grade difference between the buildings and how they will be used and that she can support the parapet variance but the parking variance she is having trouble seeing the difficulty and could not support the parking variance.

Ms. Duncan agreed with Ms. Riley and wanted to know more about the landscaping.

Mr. Marquez stated that they have done a good job of planning and getting the plans in but he could not see a reason to support these variances.

Ms. Kreutzer stated she agreed with Ms. Riley and supported the parapet variance but not the parking variance.

Mr. Owens stated he is torn with this case. He stated that all he sees is a cost concern and he cannot support these variances.

Mr. Thurston stated that he wanted to add one more thing and added what was going to be added next door and he pointed out the clear creek valley site plan was what was going in and that it was part of the master plan for the city.

MOTION 1:

Variance 1:

It was moved by Ms. Riley that variance request VAR2015-0005, Wanco, 5902 Tennyson St., to provide a parking lot that does not meet the requirement for an 8' wide landscaped island separating a maximum of 12 parking spaces as required by Section 6.5.5.C.3.b.ii &iii of the LDC, be granted.

This motion is based on Findings No. 1 through 8 on Page 16 of the Staff Report.

As to Finding No. 1, the special circumstance is the size of the parking lot from the previous use of the building.

The following votes were cast on the motion:

Those voting Yes: Owens, Duncan

Those voting No: Drulard, Marquez, Riley, Kreutzer

Those absent: Terranova

Those abstained:

The variance is denied.

MOTION 2:

Variance 2:

It was moved by that variance request VAR2015-0005, Wanco, 5902 Tennyson St., to not include a building parapet on the east (rear) and south (side) building facades when Section 6.6.5.G.1 requires roofs with a pitch of less than 2:12 to be screened by a parapet wall, be granted.

This motion is based on Findings No. 1 through 8 on Page 16 of the Staff Report.

As to Finding No. 1, the special circumstance is the size of the parking lot from the previous use of the building.

The following votes were cast on the motion:

Those voting Yes: Riley

Those voting No: Duncan, Drulard, Marquez, Owens, Kreutzer

Those absent: Terranova

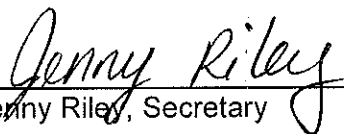
Those abstained:

The variance is denied.

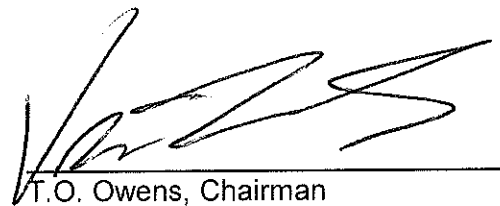
OTHER ITEMS –

The next meeting is scheduled for April 28, 2015 with two cases.

MEETING ADJOURNED at 7:35 pm



Jenny Riley, Secretary



T.O. Owens, Chairman



Jodi Baros, Recording Secretary