AGENDA
JANUARY 29, 2019
REGULAR MEETING OF THE DEVELOPMENT PERMITS AND APPEALS BOARD
COUNCIL CHAMBERS
6:00 P.M.

1) CALL TO ORDER

2) ROLL CALL

3) APPROVAL OF AGENDA

4) APPROVAL OF MINUTES – January 15, 2019

5) OLD BUSINESS - None

6) NEW BUSINESS

   A. PLDP201700614: A Resolution for a Development Permit (DP) for the site plan, landscape plan and architectural elevations to develop a four-story hotel on a 2.045 acre parcel located at 12196 Grant Circle (Washington Square F20 L1).

7) OTHER MATTERS – None

8) ADJOURNMENT
MINUTES
THORNTON DEVELOPMENT PERMITS AND APPEALS BOARD
JANUARY 15, 2019

ROLL CALL:

Allan Inge Present
Bruce Thomas Present
Paul Hepner Present
Leon Reed Present
Rick Zetterman Present
Jeffrey Tompkins (Vice Chair) Present
Anna Sparks (Chair) Present
Prabodh Telang Present

Also attending were Jay Ruchti, Ty Robbins, and Collin Wahab of the City Development Department; Jessica Whitney, Assistant City Attorney II; and Sarah Galindo and Erinn Rogowski, Recording Secretaries.

The meeting was called to order at 6:00 p.m.

APPROVAL OF AGENDA:

MOTION WAS MADE BY MR. HEPNER AND SECONDED BY MR. TOMPKINS TO APPROVE THE AGENDA. MOTION PASSED UNANIMOUSLY.

APPROVAL OF MINUTES:

MOTION WAS MADE BY MR. ZETTERMAN AND SECONDED BY MR. HEPNER TO APPROVE THE DECEMBER 11, 2018 MEETING MINUTES. MR. INGE AND MR. THOMAS ABSTAINED FROM VOTING AS THEY WERE NOT PRESENT AT THE PREVIOUS MEETING. MOTION PASSED UNANIMOUSLY.

NEW BUSINESS – PUBLIC HEARINGS:

At this time, individuals wishing to provide testimony during the public hearings were sworn in by the Recording Secretary.

PLDP2018000504: A Resolution for a Development Permit (DP) to consider the approval of a fueling station and convenience store within the Thornton Valley Subdivision located at the southwest corner of Thornton Parkway and Colorado Boulevard (Thornton Valley F1).

The floor was opened at 6:02 p.m.
Mr. Ruchti introduced Mr. Ty Robbins as the case presenter for Thornton Valley F1. Mr. Robbins presented a staff report, slides and entered into the record City’s Exhibit A, the Affidavit of Posting and City’s Exhibit B, the Affidavit of Postings Legal Notice of Public Hearing published on the City’s official website and at City Hall, the Margaret W. Carpenter Recreation Center, and the Thornton Active Adult Center, and City’s Exhibit C additional site plan document labeled A2.

Amber Ramos, 6162 South Willow Drive Suite 320, Greenwood Village, Colorado 80111, was introduced as the applicant, she confirmed that she had been sworn. Ms. Ramos presented additional information regarding the project.

Scott Brown, 6162 South Willow Drive, Suite 320, Greenwood Village, Colorado 80111 was introduced as the applicant, he confirmed that he had been sworn. Mr. Brown presented additional information regarding the project.

Victor Jaramillo, 9457 Cherry Street, was sworn in at this time. Mr. Jaramillo provided commentary and asked questions of the applicant. The applicant responded.

Darren Roadway, 9388 Garfield Way, was sworn in at this time. Mr. Roadway provided commentary and asked questions of the applicant regarding the project. The applicant and Mr. Robbins responded.

The floor closed to further testimony at 6:31 pm.

**MOTION WAS MADE BY MR. INGE AND SECONDED BY MR. HEPNER TO APPROVE.**

**MOTION PASSED 9-0.**

At this time, individuals wishing to provide testimony during the public hearings were sworn in by the Recording Secretary.

PLD201800397: A Resolution to consider the approval of DP and Specific Use Permit (SUP) located at 1301 East 120th Avenue (Washington Center F1 A3 B1 L2R).

The floor was opened at 6:35 p.m.

Mr. Ruchti introduced Mr. Wahab as the case presenter for Washington Center F1 A3 B1 L2R. Mr. Wahab presented a staff report, slides and entered into the record City’s Exhibit A, the Affidavit of Posting and City’s Exhibit B, the Affidavit of Postings Legal Notice of Public Hearing published on the City’s official website and at City Hall, the Margaret W. Carpenter Recreation Center, and the Thornton Active Adult Center.
Logon Vogt, 5970 Greenwood Plaza Boulevard, Greenwood Village, Colorado 80111, was introduced as the applicant, he confirmed that he had been sworn. Mr. Vogt presented additional information regarding the project.

Ron Damiana, 2904 South Vallejo, Englewood, Colorado, was sworn at this time. Mr. Damiana provided commentary and asked questions of the applicant regarding the project. The applicant responded.

The floor closed to further testimony at 6:59 pm.

**MOTION WAS MADE BY MS. DARRAH AND SECONDED BY MR. THOMAS TO APPROVE.**

**MOTION PASSED 9-0.**

**OTHER MATTERS:**

The board members were notified of a pay increase.

Scheduled public meetings – there is currently one item scheduled for the January 29, 2019 meeting.

**THE MEETING WAS ADJOURNED AT 7:04 p.m.**

DEVELOPMENT PERMITS AND APPEALS BOARD OF THE CITY OF THORNTON, COLORADO

Anna Sparks, Chairperson

ATTEST:

Recording Secretary

F:\dpabmin-form.doc
1. I would like to present Application Number PLDP201700614 for a Development Permit for property located at 12196 Grant Circle, requested by the Applicant Ved Varma on behalf of the owner Nihal Hospitality Management, Inc.

2. **Call the Public Hearing to Order:**

   This public hearing is hereby called to order. I, Anna Sparks, am the Chairperson of the Development Permits and Appeals Board ("the Board") of the City of Thornton ("City"). I will be presiding over this hearing.

3. **Opening Comments of Chairperson:**

   This public hearing is being held pursuant to Section 18-50 of the Thornton City Code ("Code") for the purpose of receiving testimony and evidence concerning a request for issuance of a Development Permit, as noted in the Applicant’s application, dated July 10, 2017, by Ved Varma on behalf of the owner Nihal Hospitality Management, Inc. Appeals from decisions of the Board to City Council can be made pursuant to Section 18-50(b) of the Thornton City Code by filing a written request with the Director within ten days following the action of the Board.

   The Board must use the following criteria in its evaluation of a requested development permit:

   - The proposed development is consistent with any approved conceptual site plan for the property; and
   - The proposed development meets the requirements of this chapter and other applicable development regulations, standards, requirements, or plans adopted by the council.

   **The Board does not have the authority to review zoning classifications or uses of the property as authorized for development.**

   The hearing procedure will be governed by applicable provisions of the Board’s By-Laws and Robert’s Rules of Order. Colorado Rules of Evidence will not be strictly adhered to but will be used as a guide for presentation of evidence. The Applicant has the burden of satisfying the Board that granting the application is appropriate by a preponderance of the evidence. The Applicant will have the opportunity to present testimonial evidence, documentary evidence and has the right to cross-examine any City employee or witnesses testifying in opposition to the application.

   Is the City prepared to proceed?

   Is the Applicant prepared to proceed?

   **SWEARING IN OF ALL PERSONS PRESENT WHO WISH TO TESTIFY ON AN AGENDA ITEM**

4. **Call on Staff**
Have Current Planning Manager or designee present the case.

After staff presentation, ask Board members if they have questions (Chairperson can ask questions just like Board members).

5. **Applicant**

- Call on Applicant to make a presentation to the Board and have staff swear in Applicant and any witnesses.

- After Applicant’s presentation, ask Board members if they have questions (Chairperson can ask questions just like Board members).

- Ask City Attorney if there are any questions of the Applicant.

- Ask Board members if there are any further questions based on the City Attorney’s questioning of the Applicant.

- Ask Applicant if they have any witnesses to make a presentation to the Board.

- After a witness testifies, ask Board members if they have questions (Chairperson can ask questions just like Board members).

- Ask City Attorney if there are any questions of the Applicant’s witnesses.

- Ask Board members if there are any further questions based on the City Attorney’s questioning of Applicant’s witness.

Each of Applicant’s witnesses are to be allowed to testify in the above manner unless the Applicant’s witness represents a group of persons whose testimony is similar, in which case, a representative of these persons may testify for the group.

6. **Other person(s) interested in the application, remember there may be more than one person interested.**

- Ask staff to identify any interested person who wishes to testify, then call on each interested persons to make a presentation to the Board.

- Ask Board members if they have questions (Chairperson can ask questions just like Board members).

- Ask the City Attorney if there are any questions of the interested person.

- Ask Board members if there are any further questions based on Applicant’s or the City Attorney’s questioning of the opponents.

- Call on any other persons who are interested in the application and follow the same procedure for questions as listed above.
Each opponent may testify in the above manner unless the interested person represents a group of persons whose testimony is similar, in which case, a representative of these persons may testify for the group.

7. Call on staff to check the sign in sheet to determine if any other persons have signed up to testify, follow same procedure.

8. Rebuttal Evidence
   ➢ Ask Applicant if there is any rebuttal evidence – if so, same procedure as Applicant’s first presentation.
   ➢ Ask Staff if there is any rebuttal evidence – if so, same procedure as Staff’s first presentation.

9. Staff Recommendation
   Staff recommendation as applicable should be requested by the Board.

10. After each case has evidence presented as outlined above, CLOSE the floor for further testimony. The case will then be ready for a motion, either to approve or deny and once a motion has been made and a second announced (chair needs to state who made the motion and seconded the motion) discussion on the motion should be encouraged. After discussion, call for a vote on the motion. Amendments to the motion can be made and voted on during discussion.

11. After the last public hearing, CLOSE the public hearing portion of the Agenda and move on to next Agenda item.
City of Thornton
City Development Department
Staff Report to the Development Permits and Appeals Board
Hearing Date: January 29, 2019

Title: Washington Square Filing 20, Lot 1 Development Permit (DP), Hampton Inn, in a Business Park (BP) Zoning District

File: PLDP201700614

Prepared by: Jay Ruchti, Senior Planner

Location: Property is located at 12196 Grant Circle


This report is based on the following documentation on file with the City Development Department:

1. Application (July 10, 2017)
2. Site Plan (October 24, 2018)
3. Landscape Plan (October 26, 2017)
4. Elevations (April 25, 2018)
5. Grading Plan (October 24, 2018)
6. Utility Plan (October 24, 2018)
7. Site Lighting Plan (October 24, 2018)
8. Traffic Study (October 14, 2016)

REQUEST SUMMARY:

This application is a request for approval of a DP for the site plan, landscape plan and architectural elevations to develop a four-story hotel on a 2.045 acre parcel. The developer intends to develop a hotel, Hampton Inn, on this property. The proposed Hampton Inn involves a 55,640 square-foot, 95 room hotel, on a 2.045 acre parcel. The Hampton Inn main entry is located on the south side of the building including a porte-cochere to provide arriving guests with protection from the elements, with an indoor pool located on the north side of the building.

This proposal includes a request for a higher Floor Area Ratio (FAR) than allowed in the Business Park (BP) zoning district. This increase is to be evaluated by applying the FAR standards adopted by the Development Permit and Appeals Board (Board) on February 7, 2017 as further described below.

The site is currently vacant and is zoned BP.
PROPERTY INFORMATION:

- Existing Zoning: BP
- Existing Land Use: Vacant
- Size of Site: 2.045 acres
- Comprehensive Plan Designation: Commercial

SURROUNDING ZONING AND LAND USES:

West: BP – across Grant Street, office/warehouse
East: BP – vacant, east of vacant lot is a church
South: BP – vacant, proposed hotels
North: BP – office/light industrial

PROPERTY HISTORY:

- The property was annexed into the City of Thornton in August 22, 1971, by Ordinance No. 405 and was subsequently zoned C-5 (General Service District) for commercial retail development.
- The property was categorically rezoned to BP on January 25, 1993, by Ordinance No. 2230.
- A Subdivision Plat was recorded for the Washington Square Subdivision in January of 1977, and a Plat Amendment for the property was recorded as the Washington Square Subdivision, Filing No. 20 on June 12, 2001.
- The Development Permit Appeals Board approved performance criteria for maximum FAR for non-residential projects on February 7, 2017.

GENERAL SITE LAYOUT:

The proposed hotel is located on property east of Grant Street north of Grant Circle. The 2.045 acre parcel includes a hotel with one access into the complex from Grant Street and one access from Grant Circle. The Grant Street access is a right-in-right-out and the access drive into the site from Grant Circle is a full-movement access. The applicant proposes extensive landscape throughout the site, including landscape adjacent to the building to enhance the visual appeal of the building.

The proposed site plan is consistent with the site design standards specified in the Development Code including building setbacks, on-site parking, landscaping, and related site design requirements, however includes higher FAR than the Code allows.

The property is currently vacant and is zoned BP.

FAR Analysis: The applicant is seeking to build this hotel on a 2.045 acre site. Ordinarily the maximum FAR for any permitted use within the BP zoning district is 0.50. The
applicant is requesting a waiver of that standard pursuant to Section 18-440 of the Development Code for an FAR of 0.63. According to that section of the Code, a different maximum FAR may be established for non-residential uses through the DP review process in accordance with the performance criteria adopted by the Board, as described in greater detail below. On February 7, 2017, the Board adopted performance criteria to allow up to an additional 0.2 FAR for certain zone districts (or, for this BP district a maximum FAR of 0.7).

The proposed hotelier utilizes typical floor plans with large first floor public spaces and requires a certain number of rooms for development. The hotel on this site must be four stories tall for the hotelier to approve building a hotel. This requirement affects the FAR on the site.

**Compliances with FAR performance criteria:** The proposed development adheres to the following performance criteria in justification of a higher FAR:

- **The development provides a landscape plan, which exceeds the Code requirements for plant material quantities or plant size, and reduces the apparent mass and bulk of the proposed building(s).** The proposed landscape plan exceeds the plant material quantities and plant size requirements of the Code. The trees within the plan have been upsized and the landscape improvements constitute approximately 30 percent of the property, which exceeds the 20 percent required by Code. These enhanced landscape improvements will diminish the mass of the building on the site.

- **Includes parking areas with landscape islands that exceed Code requirements.** The landscape plan includes parking areas with landscape islands that exceed Code requirements. The Code requires 1,627 square feet of landscaped islands for the number of parking spaces provided for the site and the hotels are providing 3,076 square feet of landscaped parking islands. The islands throughout the site incorporate durable plants that meet the City's water wise requirements and ornamental trees have been utilized in all landscape areas to provide spring and fall color to the site.

- **Provides building setbacks, which are adequate for the increased building size.** The proposed setbacks are adequate for the increased building size exceeding the minimum required setback in excess of 136 percent from the southern property line to the porte-cochere and 253 percent from the nearest property line, eastern property line, to the hotel.

- **Illustrates an architectural scheme, which combined with the upgraded landscaping exceeds compatibility standards for the surrounding buildings.** The architecture for the hotel includes a variety of different wall planes, offsets and roof alignments and utilizes a variety of exterior treatment beyond the architectural
elements of neighboring facilities. The hotel’s design coupled with the quality and quantity of their landscaping provides an enhanced development for the area, exceeding the design standards of the surrounding buildings. The architecture of the hotel enhances the area and presents no site related hardships to adjacent properties.

**Potential impacts on adjacent properties:** The hotel development will have a minor impact on the area, including an increase in the amount of traffic along Grant Street. This hotel is being constructed in a business park area, which is designed to accommodate this type of development.

**Parking:** The overall hotel complex is required to provide one parking space for each guest room or 95 parking spaces, and one parking space per each 200 square feet of meeting room or three spaces. The total number of required parking spaces is 98, and the applicant has provided 99 spaces with four being designated as handicapped accessible, and one space used as a loading space. Additionally, twenty-two of the 99 spaces are compact spaces with a width of eight and one half feet. This number is below the maximum compact spaces allowed by the Thornton City Code. Eight and one half-foot-wide stalls may constitute no more than 35 percent of the required parking spaces for any use, or a maximum of 34 compact parking spaces for this hotel.

**Site Lighting:** The site photometric plan was reviewed by staff and meets City Code requirements. Sufficient light is provided in the parking areas and at building entrances as required by Code. Light fixtures are cut-off and downcast to minimize glare and light trespass on surrounding properties.

**Zoning Compliance:** This property is zoned BP allowing for hotel development as a use-by-right in this zoning district.

**Signage:** All signs for the proposed project will be reviewed and approved administratively by separate permit.

**Compliance with Previous Approvals:** The development follows the architectural and landscape design guidelines, building and parking area design established with the Development Code.

**TRAFFIC, CIRCULATION AND DRAINAGE:**

A Traffic Impact Analysis was reviewed by Development Engineering. The applicant proposes to provide two access points into the development. Access to the site will consist of a right-in/right-out from Grant Street and one full movement, un-signalized access from Grant Circle. All road improvements associated with this project will be completed in accordance with the City’s Standards and Specifications. The Fire Department and Development Engineering have reviewed and approved the street layout and accesses.
All public improvements will be completed by the Developer to serve this site. The Developer will be responsible for improving the City sidewalk adjacent to the site and making any and all roadway and utility improvements required to serve the property. Improvements within the site include connections to existing infrastructure surrounding the site, and construction of internal water and sewer, sidewalks, and internal drives to allow for the development of the building.

A Drainage Plan was provided for this site and was reviewed by Development Engineering. The site has a sophisticated underground water quality and drainage plan. The plan includes undergrounding the detention and then releasing it to an existing storm water system on site. No adverse impacts are anticipated with the development of the property. The developer will be required to perform any necessary improvements to convey drainage from the site to an approved drainage way.

**LANDSCAPING:**

Homewood Suites

- Landscape area required: 20 percent
- Landscape area provided: 30 percent
- Minimum Plant materials required: 87.1 Tree Equivalents (TE)
- Total provided: 91.1 TE

Landscaping and related site improvements will be installed in conformance with the proposed DP and complies with the requirements of the Development Code. The total landscape and open space area comprises 30 percent of the site area which is above the minimum 20 percent required by Thornton City Code. The landscaping included with the development includes on-site landscaping and Right-of-Way (ROW) landscaping along Grant Street and Grant Circle. Landscaping includes a mix of deciduous and evergreen trees, as well as a mix of canopy, understory, ground cover plants, and turf. The landscaping along the perimeter streets will be enhanced through the use up-sized trees, and ornamental trees have been utilized to provide spring and fall color to the site. The landscape design is of good quality, contributes to the overall landscape character of the development and is a water-wise plan. All landscaping, including in the ROW, will be installed and maintained by the property owner.

**ARCHITECTURE:**

The proposed architecture for the hotel is a high-quality design, with attractive, durable materials. The hotel has four-sided architecture and is designed to present a complete unified design. The hotel utilizes a combination of "Champagne", "Egg Nog", "Porridge" and "Charcoal" synthetic-stucco, with a stone wainscot base on the exterior facade. The stone elements on the building and the generous amount of window diminish the mass of the building. The building provides visual appeal through the use of a variety of different
wall planes, offsets, and roof alignments. The proposed architecture meets the design standards required by Code for hotels.

The architecture for the proposed building is in compliance with the approved BP design standards.

PUBLIC LAND DEDICATION (PLD):

PLD has been satisfied for this site. A cash-in-lieu fee was paid for the entire Washington Square Subdivision on June 28, 1972.

PUBLIC NOTICE AND RESPONSE:

Public Notification: A public notice of the hearing was advertised at the Margaret W. Carpenter Recreation Center, Thornton Active Adult Center, City Hall, and on the City’s website on January 19, 2019. All landowners within 1,500 feet of this site were sent notice of the public hearing ten days prior to January 29, 2019. Notification of the public hearing was posted on the property for ten days prior to the January 29, 2019, public hearing.

ACTIONS AND OPTIONS OF THE DEVELOPMENT PERMITS AND APPEALS BOARD:

Requests for a DP are heard by the Board at a public hearing pursuant to Section 18-50 of the Thornton City Code. The Board is the decision-maker for the approval or denial of the DP application.

APPROVAL of the DP will allow construction of the proposed hotel development.

DENIAL of the DP will not allow construction of the proposed hotel development.

FINDINGS:

1. The proposed development meets or exceeds the minimum design standards of Chapter 18 of the Thornton City Code.

2. The Board finds that the Developer’s request to exceed the maximum floor area ratio than is provided in the BP zoning district regulations of the Development Code, meets the requirements of Section 18-440 and the performance criteria adopted by the Board.

3. The site layout, architectural design and landscaping for the project are of good quality and enhance the development and surrounding area.
4. The proposed development is consistent with the zoning regulations of the Business Park Zoning District, and the Comprehensive Plan land use designation of Commercial.

5. The proposed development is consistent with the Comprehensive Plan and will facilitate implementation of the following goals of the Comprehensive Plan:

6.2.1: *Promote the development and maintenance of healthy, sustainable, and viable commercial centers.* The proposed criteria would assure that nonresidential developments incorporate enhanced design elements to make the project compatible with adjacent facilities.

6.1.3: *Facilitate the creation of quality business parks.* The proposed design of the hotel architecture, landscape and site will create a high quality, attractive facility within the City improving the quality of the nonresidential area.

7.3.2: *Develop a high quality urban design setting that provides and supports the creation of a unique identity for Thornton.* The proposed architecture for the hotel complex is of high quality in materials and design. The proposed site plan incorporates design elements such as enhanced landscape, pedestrian connectivity to adjacent public walks, and amenities including an outdoor patio area, and an indoor pool area that will create a high quality, attractive facility within the City.

**RECOMMENDATION:**

Staff recommends **APPROVAL** of PLDP201700614 based on the previous Findings and subject to the Conditions as listed in the attached approval Resolution.

Jay Ruchti, Senior Planner

(BG)

(GP)
AFFIDAVIT OF POSTING

PUBLIC NOTICE

State of Colorado )
) ss.
County of Adams )

I, Lori Leppke, being first duly sworn upon oath depose and say that I did, on January 10, 2019, post the PUBLIC NOTICE of the Development Permits and Appeals Board of the City of Thornton, Colorado, for the Public Hearing concerning a Development Permit for a 55,640 square feet, 4 story hotel (Washington Square F20, Lot 1 Hampton Inn). The subject property is generally located east of Grant Street and north of Grant Drive. This hearing will be held January 29, 2019, at 6:00 p.m. at the Thornton City Hall in the Council Chambers, 9500 Civic Center Drive, Thornton, Colorado, a copy of which posted Notice is attached hereto and posted at the following locations:

1. Thornton City Hall, 9500 Civic Center Dr.
2. Margaret W. Carpenter Recreation Center, 11151 Colorado Blvd.
3. Thornton Active Adult Center, 9471 Dorothy Blvd.

Signed: Lori Leppke
Administrative Specialist

Date: 1/11/19

Subscribed and sworn to before me by Lori Leppke, in the County of Adams, State of Colorado, this 11 day of January, 2019.

Notary Public

My Commission Expires

ESMERALDA SISNEROS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20124068899
MY COMMISSION EXPIRES OCTOBER 25, 2020
AFFIDAVIT OF POSTING

LEGAL NOTICE OF PUBLIC HEARING

State of Colorado )
                     ) ss.
County of Adams )

I, Sheri Woodson, being first duly sworn upon oath depose and say that I did, on January 10, 2019, post legal notice of a public hearing regarding a Development Permit for a hotel on Washington Square Filing 20 Lot 1 located east of Grant Street and north of Grant Drive, PLDP201700614, by the Development Permits and Appeals Board. This hearing will be held on January 29, 2019 at 6:00 p.m. at the Thornton City Hall in the Council Chambers, 9500 Civic Center Drive, Thornton, CO.

The legal notice was posted at the following location, pursuant to City Code Section 2-1:


Signed: ___________________________  Date: 1-10-19

Sheri Woodson  Title: Administrative Specialist III

Subscribed and sworn to before me by Sheri Woodson. In the County of Adams, State of Colorado, This 10th day of January, 2019.

Notary Public

[Stamp of Notary Public]

SARAH GALINDO
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20164045958
MY COMMISSION EXPIRES 11/30/2022
NOTICE OF PUBLIC HEARING
PLDP201700614

The Development Permit Appeals Board of the City of Thornton will hold a public hearing concerning a Development Permit for a 55,640 square feet, 4 story hotel (Washington Square F20, Lot 1 Hampton Inn).

The subject property is generally located east of Grant Street and north of Grant Drive.

This hearing will be held January 29, 2019, at 6:00 p.m. at the Thornton City Hall in the Council Chambers, 9500 Civic Center Drive, Thornton, Colorado.

The Development Permit and Appeals Board agenda is on the City of Thornton website at www.cityofthornton.net.

A copy of the Development Code (Chapter 18 of the Code of the City of Thornton) and the Zoning Map are on file with the City Clerk of the City of Thornton for inspection by any interested party. Further, any interested party may appear at this hearing or may communicate their interest to the City Council by written notice. Written notice must be received prior to, or during the public hearing.

DEVELOPMENT PERMITS AND APPEALS BOARD OF THE CITY OF THORNTON, COLORADO

Anna Sparks, Chairperson

ATTEST: Kristen N. Rosenbaum, City Clerk
APPROVED AS TO FORM: Luis A. Corchado, City Attorney
January 14, 2019

RE: NOTICE OF PUBLIC HEARING PLDP201700614

Property Owner:

The Development Permits and Appeals Board of the city of Thornton will conduct a public hearing concerning a Development Permit for a proposed four-story hotel: Hampton Inn.

Per Thornton City Code, you are receiving this notice because you own property within 1,500 feet of the subject property, which is generally located east of Grant Street at Grant Circle.

This hearing will be held on January 29, 2019, at 6 p.m. at the Thornton City Hall in the Council Chambers, 9500 Civic Center Drive, Thornton, Colorado.

The Development Permit Appeals Board agenda is on the city of Thornton website at www.cityofthornton.net. A copy of the Development Code (Chapter 18 of the Code of the City of Thornton) and the Zoning Map are on file with the Thornton City Clerk for inspection by any interested party or can be viewed on the website at www.cityofthornton.net.

All concerned residents and business representatives are invited to attend. Any interested party may appear at this hearing or communicate their interest to the Development Permits and Appeals Board by written notice. Written notice must be received prior to, or during the public hearing. Comments can be emailed to citydevelopment@cityofthornton.net. If you have any questions concerning this matter, please contact the City Development Department at 303-538-7295.

If you have a disability and need a reasonable accommodation to attend or participate in the meeting please contact the city's ADA Coordinator at 303-538-7245, at least eight hours in advance and arrangements will be made to provide any reasonable accommodation that may be necessary. TDD access is available through Colorado Relay at 711 or you can also email the City Development Department at citydevelopment@cityofthornton.net.

Sincerely,

[Signature]

Jay Ruchti
Senior Planner

cc: FILE PLDP201700614
Looking north across the property
Looking at vacant site to the east with church in background
Looking to the south from the property
Looking to the southwest from the property
Looking west across Grant Street
WASHINGTON SQUARE FILING NO. 20, LOT 1
DEVELOPMENT PERMIT
12196 GRANT CIRCLE

LOT 1, WASHINGTON SQUARE SUBDIVISION FILING NO 20, A SUBDIVISION OF A PART OF THE
SOUTH-EAST ONE QUARTER OF SECTION 34, TOWNSHIP 1 SOUTH, RANGE 68 WEST OF THE SIXTH
PRINCIPAL MERIDIAN, CITY OF THORNTON, COUNTY OF ADAMS, STATE OF COLORADO

LEGAL DESCRIPTION

LOT SITE
12196 GRANT CIRCLE

BUILDING CONSTRUCTION TYPE
MISCELLANEOUS

SECTIONS
EAST
PROPOSED

HISTORIC DISTRICT
28, BUSINESS PARK
28, BUSINESS PARK

LAND USE
INN
HOTEL

BUILDING HEIGHT
PROPOSED
PROPOSED

GROUND AREA RATIO (GAR)
0.5
0.5

ELEVATION
21.5 FEET
21.5 FEET

REST
155.5 FEET
155.5 FEET

BUILDING AREA
5,000 SQ. FT
5,000 SQ. FT

REQUIRED
PROPOSED

SITE ACCESSES
PARKING SPACES
99
99

ACCESS POINTS
4
4

ENTRY
1
1

OFF-STREET PARKING
HANDICAP SPACES
4
4

DISABILITY
95
95

HANDICAP AREA
1,024 SQ. FT
28,243 SQ. FT
30% OF LOT

VOCINITY MAP
CITY OF THORNTON, COLORADO
SCALE 1"=200'-0"

MCE CONSULTING ENGINEERS, LLC
6166 49TH STREET - PLANO, TX 75074
dave@mceng.com - phone 972-752-7121

PLDP201700614
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PRODUCER TEAM
OWNERS
RHAP HOSPITALITY MANAGEMENT INC.
WYATT EDDY PRESIDENT
14120 GRAHAM ST. (JOURNEYS END), CA 90243
PH 949-612-0241

ARCHITECT
VIGGO VANDERSLAB

ENGINEER
KCM CONSULTING ENGINEERS, INC.
1915 CASS AVENUE SUITE 200 - CARROLLTON, TX 75006

LANDSCAPE ARCHITECT
JERRY WIGGLESWORTH ASSOCIATE, PLA
MICHAEL DESIGN GROUP, INC.
706 COLORADO BLVD. SUITE 101 - DENVER CO 80206
PH 303-522-9815

REVISED
DATE
SHEET NO

3/28/18

1
# PLANT LIST

<table>
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**GARDEN HEDGE SYSTEM**

- **LANDSCAPE REQUIREMENTS FOR TREE EQUivalents (TEs)**

  **LANDSCAPE PLANT LIST AND REQUIREMENTS**

  **MAINTENANCE NOTE**

  All plants shall be maintained consistently in a healthy condition with generally accepted professional horticultural standards and practices. Plants may be cut for ornamental or economic purposes. Regular pruning, planting, and trimming shall apply to maintain health and an attractive appearance and to prevent the plants from causing any interference with the system. All areas not covered by vegetation shall be covered with mulch, wood fiber, gravel, or other hard and decorative surfaces. All areas not covered by vegetation shall be covered with mulch, wood fiber, gravel, or other hard and decorative surfaces. All areas not covered by vegetation shall be covered with mulch, wood fiber, gravel, or other hard and decorative surfaces. All areas not covered by vegetation shall be covered with mulch, wood fiber, gravel, or other hard and decorative surfaces.
RESOLUTION

A RESOLUTION OF THE THORNTON DEVELOPMENT PERMITS AND APPEALS BOARD (BOARD) APPROVING A DEVELOPMENT PERMIT (DP) FOR A SITE PLAN, LANDSCAPE PLAN, AND ARCHITECTURAL ELEVATIONS FOR A HOTEL PURSUANT TO CHAPTER 18 OF THE THORNTON CITY CODE.

WHEREAS, Ved Varma is the developer (Developer) and Nihal Hospitality Management Inc. is the owner (Owner) of certain real property (Property) within the City of Thornton (City), commonly described as Lot 1, Washington Square Subdivision Filing No. 20, as recorded in File 18, Map 458, Adams County Colorado Records; and

WHEREAS, the Property is zoned Business Park (BP); and

WHEREAS, the Developer is desirous of developing the Property for one hotel; and

WHEREAS, the proposed use is consistent with the approved zoning for this Property; and

WHEREAS, the proposed DP is consistent with the goals and desires of the City, and provides for orderly growth within the City, and allows for a beneficial and efficient use of said Property; and

WHEREAS, in order to develop the Property, the Developer with the consent of the Owner, has submitted an application for a DP on the Property including a request for a higher floor area ratio than allowed in the Business Park zoning district; and

WHEREAS, the aforesaid application is a matter of public record in the custody of the City Development Department of the City and is available for public inspection during business hours of the City; and

WHEREAS, the aforesaid DP, and all supporting documents attached thereto, is hereby incorporated as if fully set forth herein; and

WHEREAS, on January 29, 2019, a public hearing was conducted before the Board on said application pursuant to the procedural and notice requirements of the City Charter and Chapter 18 of the Thornton City Code, and the Board having considered the evidence presented in support of and in opposition to the application, and so having considered the record and having given appropriate weight to the evidence, takes the following action.
NOW, THEREFORE, BE IT RESOLVED BY THE DEVELOPMENT PERMITS AND APPEALS BOARD OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

1. The Board finds that the application for the DP on the Property has been submitted in compliance with the provisions of Chapter 18 of the Thornton City Code.

2. The Board finds that approval of the DP for the Property is appropriate in that said DP meets the site design standards, landscape standards and architectural review criteria provided in Chapter 18 of the Thornton City Code.

3. That the Board finds that the Developer's request to exceed the maximum floor area ratio than is provided in the BP zoning district regulations of the Development Code, meets the requirements of Section 18-440 and the performance criteria adopted by the Board. The Board hereby approves a maximum FAR of 0.63 as part of the DP.

4. That the Board finds that the performance criteria included as Exhibit A attached hereto and incorporated herein, will be met by this proposal.

5. The proposed development is consistent with the Comprehensive Plan and will facilitate implementation of the following goals of the Comprehensive Plan:

6.1.3: Facilitate the creation of quality business parks. The proposed design of the hotel architecture, landscape and site will create a high quality, attractive facility within the City improving the quality of the nonresidential area.

6.2.1: Promote the development and maintenance of healthy, sustainable, and viable commercial centers. The proposed criteria would assure that nonresidential developments incorporate enhanced design elements to make the project compatible with adjacent facilities.

7.3.2 Develop a high quality urban design setting that provides and supports the creation of a unique identity for Thornton. The proposed architecture for the hotel complex is of high quality in materials and design. The proposed site plan incorporates design elements such as enhanced landscape, pedestrian connectivity to adjacent public walks, and amenities including an outdoor patio area and an indoor pool area that will create a high quality, attractive facility within the City.

6. The Board hereby approves the DP for the Property, subject to the following conditions:
a. The approved DP shall be valid for a period of three years from the date of the Board’s action. The approved DP shall be null and void in the event that no building permit is applied for on the Property within three years of approval.

b. The Developer shall install an underground, automatic irrigation system designed to water the woody plants and sod as specified in the DP consistent with all applicable codes and ordinances in effect at the time of construction plan approval.

c. Prior to the issuance of a Certificate of Occupancy for the Property, the landscape shall be installed by the Developer in accordance with the standards of Chapter 18 of the Thornton City Code and the approved DP.

d. All on-site landscape including Right-of-Way (ROW) landscape adjacent to the facility shall be maintained by the Developer, its successors or assigns.

e. Prior to issuance of a building permit for any improvements or for structure(s) within the project, detailed construction plans shall be approved by Development Engineering for all improvements.

1) Details and timing of all public improvements will be determined with the Subdivision Plat.

2) Install water and sewer as required to serve the facility.

f. All utility and power lines shall be installed underground as required by the Thornton City Code. Necessary aboveground appurtenances (meters, transformers, and etcetera) shall be carefully located with maximum aesthetic considerations. Any aboveground appurtenances that will be visible from the public ROW shall be screened from view. Screening shall consist of landscaping, and where landscaping will not adequately screen the appurtenances, low fencing shall be installed.

g. All subsequent design or construction plans submitted for this project shall coincide with and meet the intent of the approved DP. Any subsequent plans or construction documents that do not meet the intent of the DP shall be void.

7. All land use approvals and building permits for the Property shall be subject to requirements including, but not limited to, the payment of impact fees and development charges, concurrency management requirements, design standards, moratoriums, building permit limitations, and other land use and development requirements in effect at the time that such proposed development applies for a building permit.
8. The conditions set forth in this Resolution shall be binding upon the Owner
or Developer, their successors and assigns.

PASSED AND ADOPTED at a regular meeting of the Development Permits and
Appeals Board of the City of Thornton, Colorado, this 29th day of January, 2019.

DEVELOPMENT PERMITS AND
APPEALS BOARD OF THE
CITY OF THORNTON, COLORADO

ATTEST:

Anna Sparks, Chairperson

Secretary
EXHIBIT A

PERFORMANCE CRITERIA FOR THE ESTABLISHMENT OF MAXIMUM FLOOR AREA RATIOs FOR NONRESIDENTIAL USES.

In accordance with Section 18-440 of the Development Code, the following performance criteria are hereby established for use in modifying maximum floor area ratios for nonresidential uses that are to be applied when a Development Permit (DP) is submitted to the Board for approval.

1. The Board shall apply the following performance criteria, for the approval of a maximum floor area ratio for nonresidential uses as authorized by Section 18-440 of the Thornton City Code.

2. The performance criteria listed below are appropriate for use by the Board and implement the City's Comprehensive Plan and the City Council goals:

   a. The development provides a landscape plan, which exceeds the Code requirements for plant material quantities or plant size, and reduces the apparent mass and bulk of the proposed building(s);
   b. Provides building setbacks, which are adequate for the increased building size;
   c. Illustrates an architectural scheme which, when combined with its upgraded landscaping exceeds compatibility standards for the surrounding buildings;
   d. Includes parking areas with landscape islands that exceed Code requirements; and

3. If the Board or the City determines that the DP application meets these performance criteria, then the Board may approve a DP, which establishes maximum floor area ratios higher than those listed in the zoning district regulations. In no event shall the Board approve a DP with an FAR greater than 0.2 above the maximum of the floor area ratio listed in the zoning district regulations.