

Development Review Committee MEETING MINUTES

Meeting Date: April 09, 2025

Aspen/Vail Conference Room: Eastridge Recreation Center

9568 S University Blvd – Highlands Ranch, CO 80126



HIGHLANDS
RANCH
COMMUNITY ASSOCIATION

I. CALL TO ORDER

The meeting was called to order at 6:05 p.m. by W. **Bryant**

- Roll call was taken by W. **Bryant**, and a quorum was established.

Member Name	Present	Absent	Excused
Greg Banks	✓		
Michael Burmeister	✓		
Zell Cantrell			✓
Kyle Matthews	✓		
Erik Okland	✓		
Dawn Vaughn	✓		
Vacant			

- Also in attendance:

Woody **Bryant**, HRCA: Director of Community Improvement Services

John **Mezger**, HRCA: Commercial Compliance Technician

Nelly **Augustyn**, Chipman Design Architecture representing ULTA (via ZOOM)

II. PREVIOUS BUSINESS

- A. None. Previous Meeting Minutes reviewed and approved electronically.

III. NEW BUSINESS

- A. **ULTA Beauty #2040**, 1265 Sgt Jon Stiles Dr (Unit M)

- a. Background and Application Information:

The store is located at the east end (Unit M) of the Super Target Inline Commercial Center (a part of Town Center North). This space is the former location of Natural Grocers.

The applicant proposes to refresh the EIFS elements and to paint the existing red-and-white brick projecting tower at the front entrance in "Sandy White"—the standard color used throughout the Center, as provided by the Landlord, Shea Properties. All other existing masonry elements—including the column cladding at the front door, wainscot

Development Review Committee Meeting Minutes

April 09, 2025

Page 2 of 7

along the front, side, and rear elevations, lower side fascia, masonry trash enclosure, and rear masonry tower element—will remain unchanged.

The Landlord, Shea Properties, has reviewed and approved the proposal as presented.

b. Staff Findings and Recommendations to the DRC:

Masonry painting was vetted by the DRC in 2024. Section 6.4 of the Commercial Improvement Guidelines were updated in August, 2024 to note that DRC review and approval is "...required prior to all exterior repainting." Additionally, the update included language that notes: "Modification (e.g., painting, staining, limewash) of existing masonry material is discouraged and requires a specific review and approval on a case-by-case basis." Finally, it was noted that "Review considerations include the quantity of masonry, surrounding elements, impact on architectural designs..., long-term effects, maintenance concerns, and application methods."

The applicant has mitigated the impact of painting masonry to the overall aesthetics of the space by limiting the application to just the projecting brick tower element. The color selected for this nominal area is consistent with the colors of EIFS that will be refreshed, so there is no impact to the architectural design or aesthetics of the building.

Staff recommends the DRC approve the masonry painting request as presented.

c. **DRC FINDINGS AND DECISION:**

There was discussion amongst the members that ranged from preferring the masonry not be painted to being okay with painting the masonry. Those in favor of painting the masonry also felt that the paint color for the masonry should be different than the "Sandy White" approved for the non-masonry areas, to provide contrast.

Although some members believed that the signage design for ULTA necessitated a clean background (compared to the challenges that Natural Grocers faced with a signage color similar to the brick color), many members countered that the signage proposed on the Town Center Dr side would be the primary signage and that most patrons would use their cell phone to locate the business.

Utilizing Google Streetview, Staff provided a "walking tour" of the center emphasizing that each tenant space has slightly different architectural features, with no other space having an identical brick pattern as applied on this tenant space. Staff also noted that the majority of the existing masonry, including the brick column cladding and secondary brick wall treatment, were not going to be painted.

Staff presented an alternative for member consideration: allow painting of the "horizontal" element at the top of the tower but maintain the natural masonry on the "vertical" element of the tower. The majority of the members were not in favor of this option noting: "paint all or paint none;" however, a dissenting member said it was important that the signage be afforded a "clean background" and that this would be an acceptable alternative.

Development Review Committee Meeting Minutes

April 09, 2025

Page 3 of 7

d. **ACTION:**

- i. A motion was made by E. **Okland** that **the use of "Sandy White" to refresh that EIFS portions of the building was acceptable; however, none of the masonry may be painted.** Seconded by D. **Vaughn**.

VOTE TALLY		
Concur	Dissent	Abstain
5	0	0

Notes: None.

- ii. Motion **PASSES**.

e. **ADDENDUM:**

- i. The applicant has requested a Tribunal Review regarding the DRC's denial of painting masonry. The Tribunal is scheduled for Thursday, April 17, 2025 at 11:45 am.
- ii. The Tribunal Hearing was held on April 17, 2025 at 11:45am (via ZOOM) pursuant to Section 12.2 of the Amended and Restated Bylaws of the Highlands Ranch Community.
 1. Joseph R. Kummer, Esq. was appointed to serve as a neutral and impartial hearing officer to conduct a tribunal and issue a ruling. Attendance was as follows: Woody Bryant, Anyssia Lefebre, and John Mezger for HRCA; Sean Kidston of Shea Properties, Commercial Property Manager for Owner, TCN 1 LLC; and Nelly Augustyn, Chipman Design Architecture, Architect for ULTA Beauty.
 2. This ruling is specific solely to the property located at 1265 Sgt Jon Stiles Dr. , Unit M, Highlands Ranch, CO 80129
 - a. The Tribunal Officer's Ruling was provided on April 21, 2025. **ULTA Beauty's appeal was GRANTED.** The DRC's denial of the painting of masonry at the storefront is overturned and ULTA Beauty's masonry painting request as presented was approved. The Findings were as follows:
 - i. The Tribunal Hearing Officer finds it extremely important that (1) the owner approves and supports the painting of the masonry and (2) ULTA Beauty is committed to the space for at least ten (10) years and possibly twenty (20) years. As such, it is not a situation that the requested improvement is a short-term vision that results in long-term consequences.
 - ii. In reviewing the aesthetics of the shopping center in its entirety, each tenant space has slightly different architectural features with no real uniformity. The owner has permitted each tenant to have a somewhat unique exterior

Development Review Committee Meeting Minutes

April 09, 2025

Page 4 of 7

design based on its brand. Additionally, Unit M would be left with several remaining brick features.

- iii. The most persuasive factor in the analysis of the appeal request is the current signage of Natural Grocers. At the tribunal hearing, Ms. Augustyn confirmed that the orange of the Natural Grocers sign and the orange of the ULTA Beauty are relatively similar in color. The current orange Natural Grocer signage on the masonry results in the storefront looking dated and stale and lacking any sort of curb appeal for potential customers.
- iv. The Tribunal Hearing Officer finds that the painting of the masonry would be a much-needed refresh on the storefront. The overall look of the storefront would still be consistent and in harmony with the aesthetics of the entirety of the shopping center. In its findings, the Development Review Committee provided no compelling reasoning to deny the painting of the masonry.

B. **Gills Point Tires**, 5848 E County Line Rd

a. Background and Application Information:

The store is located at 5848 E County Line Road, approximately 1,000 feet east of S Holly St, and is the former location of Peerless Tires.

The applicant proposes to paint the masonry a "Dustblu" grey on all four building elevations. The existing blue corrugated metal fascia will be removed and replaced with a "Cyperspace" dark grey sign band.

b. Staff Findings and Recommendations:

The masonry units along the front of the building are grey concrete scored units, designed to give the effect of multiple, smaller vertical elements within a single block, mimicking a soldier course. In contrast, the sides and rear of the building are constructed with standard smooth-face grey CMUs. All CMU has aged and is showing signs of wear and staining.

Masonry painting was vetted by the DRC in 2024. Section 6.4 of the Commercial Improvement Guidelines were updated in August, 2024 to note that DRC review and approval is "...required prior to all exterior repainting." Additionally, the update included language that notes: "Modification (e.g., painting, staining, limewash) of existing masonry material is discouraged and requires a specific review and approval on a case-by-case basis." Finally, it was noted that "Review considerations include the quantity of masonry, surrounding elements, impact on architectural designs..., long-term effects, maintenance concerns, and application methods."

Staff recommends the DRC approve the masonry painting request as presented.

Development Review Committee Meeting Minutes

April 09, 2025

Page 5 of 7

c. **DRC FINDINGS AND DECISION:**

Utilizing Google Streetview, Staff provided a “walking tour” of the existing building.

In general, the DRC agreed that the color palette and painting of the masonry of this building would be acceptable.

The discussion among the DRC was primarily directed towards the modifications proposed to the (existing) blue corrugated extended fascia element. The detailing on the graphics provided did not address whether the intent was to simply paint the corrugated metal or remove the corrugated metal and replace it with a flat material (e.g., ACM panels, or equivalent).

If painting, the DRC was concerned about the disposition of the existing “red band” and whether the “red band” would be physically removed. The DRC noted that it appears that the “red band” is an added element to the surface of the existing corrugated metal fascia.

If the “red band” is not removed and the intent is to simply paint it the same color as the corrugated metal, the DRC is concerned with the aesthetics of the new signage, since it does not fit within the enlarged area of the “red band” that the previous tenant utilized for signage.

If the “red band” is removed, which the DRC believes may be the intent since the renderings imply by showing a “flat graphic,” there are no notes or details on the plan for how this will be accomplished and what the final element will physically look like.

The DRC is very concerned with the construction of this element of the building.

The DRC was concerned about painting the existing bollards SW 7076 Cyberspace because there is not a significant distinction to the proposed SW 9161 Dustblu for the exterior walls. The DRC recommends the bollards be painted a reflective yellow (or equivalent) so they are easily visible.

The DRC recommends that the roof cap on the parapet walls and modified fascia element be painted the same color as proposed for the new fascia element (SW 7076 Cyberspace).

The DRC recommends that the downspouts be painted the same color as proposed for the exterior walls (SW 9161 Dustblu).

The DRC recommends that the anodized aluminum elements of existing storefront not be painted because of a lack of durability of paint on this type of material.

The DRC was disappointed that there was no representation from the ownership or design team available at the meeting, and that a Project Narrative was not provided, both of which may have answered many of their questions.

Development Review Committee Meeting Minutes

April 09, 2025

Page 6 of 7

d. **ACTION:**

- i. A motion was made by K. **Matthews** to **deny the application as presented and require a resubmittal (no additional fee assessed) addressing the concerns noted.** Seconded by D. **Vaughn**.

VOTE TALLY		
Concur	Dissent	Abstain
5	0	0

Notes: None.

- ii. Motion **PASSES**.

e. **ADDENDUM:**

- i. On April 14, 2025, the Applicant confirmed that the existing corrugated metal fascia will not be removed/replaced. The intent is to remove the “red band” and existing signage, paint the fascia the noted grey, and then install the new signage.
- ii. By email agreement (last email dated April 17, 2025) the DRC, by unanimous vote, directed staff to reverse the Denial and issue an Approval with Conditions. The conditions being as follows:
 - 1. The “Red Band” shall be completely removed and any holes in the existing corrugated metal fascia panels are filled flush.
 - 2. The surface of the existing corrugated paneling shall be cleaned and prepared with appropriate primer to accept the new paint prior to placement of new signage.
 - 3. The bollards shall be painted a reflective yellow (or equivalent) so they are easily visible.
 - 4. The roof cap on the parapet walls and modified fascia element shall be painted the same color as proposed for the fascia element (SW 7076 Cyberspace).
 - 5. The downspouts shall be painted the same color as proposed for the exterior walls (SW 9161 Dustblu).
 - 6. The existing anodized store front shall not be painted because of a lack of durability of paint on this type of material.

IV. NON-AGENDA RESIDENT COMMENTS

- A. No “Non-Agenda Resident Comments” were offered.

V. STAFF COMMENTARY

- A. No “Staff Commentary” was provided.

Development Review Committee Meeting Minutes

April 09, 2025

Page 7 of 7

VI. ADJOURNMENT

- A. With no further business, a motion was made by M. **Burmeister** to adjourn the meeting. Seconded by K. **Matthews**.

VOTE TALLY		
Concur	Dissent	Abstain
5	0	0

Notes: None.

- a. Motion **PASSES**.
- B. The **meeting was adjourned** at 7:05 p.m.

VII. APPROVAL OF THESE MEETING MINUTES

- A. These minutes were reviewed via electronic means during the May 14, 2025 DRC Meeting.
- a. A motion was made by M. **Burmeister**, seconded by D. **Vaughn** to **Approve as Presented.**

VOTE TALLY		
Concur	Dissent	Abstain
4	0	1

Notes: Z. Cantell Abstained since he was not present at the 04/09/2025 Meeting.

- b. Motion **PASSES**.