

PLANNING COMMISSION REPORT
Regular Agenda -Public Hearing Item

PC Staff Report
11/15/10

**ITEM NO. 6 PRELIMINARY DEVELOPMENT PLAN FOR CROSSGATE DRIVE CASTIAS;
6.6 ACRES; 4700 W 6TH ST (SLD)**

PDP-9-3-10: Consider a Preliminary Development Plan for Crossgate Drive Casitas, approximately 4.6 acres, located at 2451 Crossgate Drive. Submitted by BG Consultants, Inc., for Corporate Holdings II, L.L.C., property owner of record upon application, Fairway L.C., current property owner.

STAFF RECOMMENDATION:

Staff recommends approval of the following waivers and reductions:

1. A reduction in the peripheral setback:
 - a. from 35' to 10' (north property line) and
 - b. from 35' to 5' (south property line).
2. A reduction in side yard setback from 10' to 5' along the south property line.
3. A reduction in parking stall requirements from 71 to 57.

Staff recommends approval of the Preliminary Development Plan for Crossgate Casitas based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for approval.

Reason for Request: Development of a multi-dwelling residential project.

ATTACHMENTS

1. PDP application summary prepared by applicant.
2. Preliminary Development Plan.

KEY POINTS

- This property has been platted.
- Project complies with density restriction established in the zoning ordinance.

FACTORS TO CONSIDER

- Compliance with zoning code prior to July 2006. The general standards are found in Section 20-1006 and Section 20-1010.
- Property is zoned PRD with density maximum established at 10 dwelling units per acre.
- Property is platted with access restriction to limit only 1 point of access to lot.

ASSOCIATED CASES/OTHER ACTION REQUIRED

- City Commission directed special study plan.
- City Commission approval of Preliminary Development Plan.
- Submittal of a Final Development Plan for Planning Commission approval and recordation at the Douglas County Register of Deeds Office.
- Submittal and approval of public improvement plans.
- Approval of a local Floodplain Development Permit (FP-9-17-10)

PLANS AND STUDIES REQUIRED

- *Traffic Study* – Received and accepted by staff.

- *Downstream Sanitary Sewer Analysis* – The downstream sanitary sewer analysis dated 01-20-2010 is accepted with no exceptions noted.
- *Drainage Study* – Received and approved by staff.
- *Commercial Design Guidelines* – Not applicable to this project.

PUBLIC COMMENT RECEIVED PRIOR TO PRINTING

None received 10/29/10.

GENERAL INFORMATION

Current Zoning and Land Use: PRD-[Wyndam Place] (Planned Residential Development); undeveloped lot.

Surrounding Zoning: RSO (Single-Dwelling Residential-Office) Districts to the north; undeveloped lot.

PRD-[Legends at KU] (Planned Residential Development) to the west. Apartment Complex.

PRD-[Wyndam Place] (Planned Residential Development) to the south. Apartment Complex.

PUD-[Four Seasons] (Planned Unit Development Overlay) to the east. Existing mixed density residential neighborhood.

Site Summary:

The request is for a single phase, multi-dwelling apartment complex located on the west side of Crossgate Drive. The project includes 46 1-bedroom apartments, a leasing office, and surface parking. The project includes requests to reduce required setbacks and parking for the development. The requested reductions are:

- Reduce peripheral setback from 35' to 10' along the north property line
- Reduce side yard setback from 10' to 5' along the south property line.
- Reduce parking stall requirements from 71 spaces to 57 spaces.

The property is located on the west side of Crossgate Drive and east of an existing drainage way separating the property from the remainder of the neighborhood to the west.

STAFF ANALYSIS

1) In what respects the plan is or is not in general conformity with the provisions of the Comprehensive Plan of the City.

The subject property was approved for medium density residential development at the time of rezoning in 1999. Maximum density was restricted to not more than 10 dwelling units per acre. The proposed development plan complies with this density and land use.

Staff Finding – The proposed plan does not alter the type of development anticipated for this property and is in conformance with the Comprehensive Plan.

2) In what respects the plan is or is not consistent with the Statement of Objectives of Planned Unit Development. [The statement of objectives of planned unit developments is found in Section 20-1002 of the 1966 Zoning Ordinance]

An objective of Planned Unit Developments, noted in Section 20-1002, encourages design flexibility and innovative and imaginative approaches to development resulting in more efficient, aesthetic, desirable and economic uses of land. The PD zoning provides the maximum flexibility to the developer in tailoring the project to community desires.





Waivers are included with this request to clearly indicate the intent of development and to provide the Planning Commission the opportunity to evaluate the waivers they determine are warranted. The property is encumbered by both floodway and floodway fringe areas across the site limiting the developable area within the property. This area is incorporated into the plan as dedicated open space.

Staff Finding – The overall development is a single use, residential development that preserves open space consistent with the objectives of a Planned Unit Development. The building type is a 1-story, low profile silhouette.

3) *The nature and extent of the common open space in the Planned Unit Development, the reliability of the proposals for maintenance and conservation of the common open space, and the adequacy or inadequacy of the amount and function of the common open space in terms of the densities and dwelling types proposed in the plan.*

Common open space is defined as *“an open area designated and developed primarily for the use and benefit of the residents of the development for recreation (whether private or public, courts, gardens, or parking for open space uses; it shall not include space devoted to streets and parking for residential and nonresidential uses)”* per section 20-1006 (g) – General Development Standards – Planned Unit Development, 1966 Code.

This property is encumbered by the 100 year floodplain (both floodway and fringe areas). A total of 40,128 SF is required to meet the minimum 20% common open space standard set out in 20-1006 (g) and section 20-1008 (B) of the 1966 Code. The plan shows a designated “recreational open space” adjacent to the drainage easement. This space allows for outdoor recreation. The plan notes a disk golf area will be provided.

			
4.606 acres (202,989 SF) Subject Property	1.069 acres (46,579 SF) Floodway	.844 acres (36,761 SF) Drainage Easement	.521 acres (22,690 SF) Recreational Open Space

Additional open space is located along Crossgate Drive in the rear of the buildings and in the southwest corner of the site. Total open space provided for the development including recreational areas and non-recreational areas is 134,764 SF (representing 66% of the total site). This space includes the floodway and perimeter areas as well as the turf areas located at the clustered building entrances.

This project is designed as a single phase, single owner development. There are no maintenance agreements or home owner association restrictions associated with the open space. The property owner will be responsible for all maintenance as noted on the face of the plan (general note 15).

Staff Finding – Common open space is provided around the site. A designated recreation area is provided along the west side of the property. The open space being provided exceeds that required for a Planned Development.

4) Whether the plan does or does not make adequate provisions for public services, provide adequate control over vehicular traffic, and further the amenities of light and air, recreation and visual enjoyment.

The property is platted as a single lot with one access. The property was restricted to one access point as part of the original Inverness Park subdivision approval. A traffic study submitted for the project, reviewed and approved by staff indicated no public improvements to the surrounding street network or intersections are required for this development.

Other public services, such as water, sanitary sewer, stormwater, are not altered by the approval of the proposed development. The property was zoned for medium density residential development. The proposed use is consistent with facility plans for the area.

A concern expressed by Fire/Medical Staff during the review was the provision and retention of adequate access for emergency purposes. Access to a majority of the development can be provided from either Crossgate Drive or the internal parking lot, thus providing two points of access as required by Code. This layout satisfies the Fire Code. To retain this accessibility, no fence shall be permitted along the front (Crossgate Drive) that will restrict or limit access to the property. This requirement shall be reflected on the face of the Preliminary and Final Development Plans and is a recommended condition of approval for the Preliminary Development Plan.

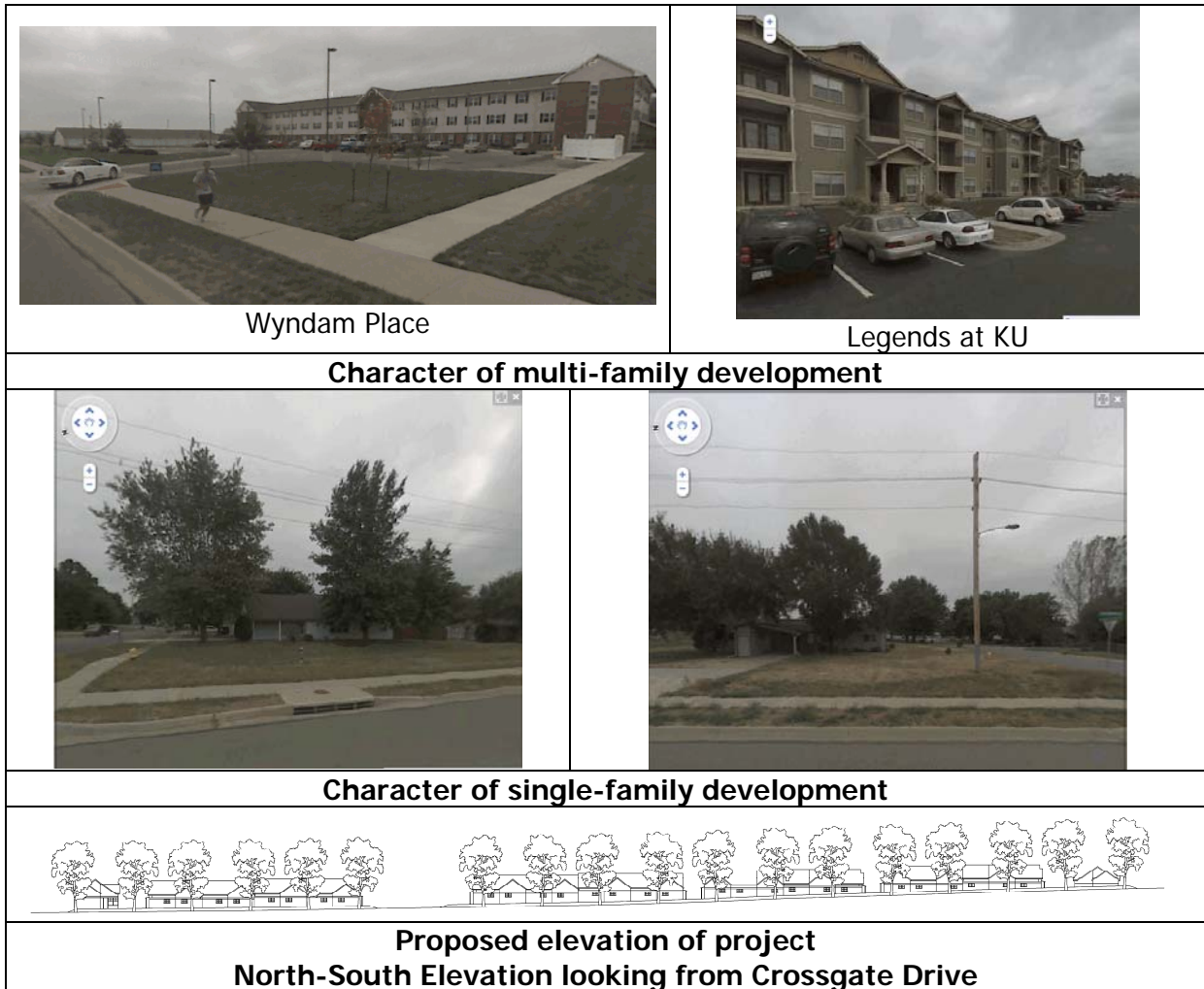
Staff Finding –The plan does make adequate provisions for public services, provides adequate control over vehicular traffic, and furthers the amenities of light and air, recreation and visual enjoyment.

5) Whether the plan will or will not have a substantial adverse effect on adjacent property and the development or conservation of the neighborhood area.

The proposed changes will result in an additional residential development anticipated for the area. The form of that housing is one-bedroom attached multi-dwelling units. Structures are 1 story providing a much lower profile than the abutting multi-story buildings to the south and west. The area east of Crossgate is developed with a detached single-dwelling and duplex residential pattern.

The streetscape along Crossgate appears to have an extra-ordinary deep setback on the east side. The street was constructed off-center within the right-of-way. Overhead utilities exist on the east side of the street parallel to the right-of-way. These two factors contribute to the appearance of a structures being setback farther from the property line than is actually the case.

The proposed plan includes a 2' berm and street trees planted at regular intervals providing a buffer between the proposed development and the residential neighborhood to the east.



Staff Finding – The proposed development conforms to the initial land use restrictions set forth for the property in 1999. No substantial adverse effects are anticipated with the proposed development. The proposed project, as a low profile residential development, provides a transition between the existing multi-story higher density residential development on the west and the lower density detached residential area to the east.

6) *In what respects the plan is or is not in conformance with the development standards and criteria of this article.*

Specific waivers and variances are associated with this proposed development including a reduction in the peripheral setback, building setback reductions, and reduced parking. The reductions are listed on the face of the proposed development plan. Approval of this Preliminary Development Plan will confirm these deviations from the development standards of the applicable zoning code.

Variance from 35' ft peripheral setback requirement in Section 20-1006 (i) of the 1966 Zoning Regulations to permit a reduced peripheral setback of 10 ft.

The west and south property lines abut other planned developments. Both the subject property and the Wyndam Place development to the south were part of the same PRD zoning application in 1999. A peripheral reduction was not granted for the Wyndam Place development to the south. While clearly separate developments, they are part of the same district. The peripheral reduction request applies specifically to the north property line rather than the shared south property line.

This development also includes a request to reduce the side setback from 10' to 5' applicable to the south property line. The applicant's design is based on the comparable Land Development Code base district RM-12. This district requires 25' for the front setback and 5' for the side setback. The north property line side setback was increased because of an existing utility easement.

	PRD - 2	RM12	Project
Density (Dwelling Units/Acre)	15 (zoning limited to maximum 10)	12	10 dwelling units/acre
Front Setback	15' from streets (20' from sidewalk)	25'	Does not apply
Side Setback	10' for buildings 1-3 stories)	5'	10' north property line 5' south property line
Rear Setback	10' (for buildings 1-3 stories)	20'	Does not apply; met with Peripheral Setback.
Peripheral Setback	35' (applies to east and north property lines)	Does not apply	Does not apply; met with Peripheral Setback.

Setback Recommendation: Staff supports the reductions and recommends that the Planning Commission approve the waivers.

Parking Requirement Reduction Request

Per Section 20-1008(G) of the 1966 Zoning Regulations, the Planning Commission may reduce the parking requirement for a Planned Unit Development.

The parking requirement for this PRD (1966 code) is 1.5 spaces per bedroom or a total of 71 required spaces. The adopted 2006 code requires one space per bedroom plus 1 space per 10 units or a total of 53 required spaces. The parking data is summarized on the face of the proposed Preliminary Development Plan including both the 1966 and the 2006 standards applicable to 1-bedroom residential development.

The request is to allow the parking based on the 2006 parking standard. If approved, less pavement would be needed for the surface parking lot.

Setback Recommendation: Staff supports the parking requirement reduction and recommends that the Planning Commission approve this parking reduction.

Staff Finding –With the approval of the recommended waivers this Preliminary Development Plan is in conformance with the provisions of the 1966 Zoning Regulations.

7) In what respects the plan is or is not in compliance with the requirements for application for tentative approval of the Planned Unit Development. [This finding refers to Section 20-1005 of the 1966 Zoning Ordinance.]

Staff Finding – The plan proposes development consistent with the published zoning ordinance restricting the development to not more than 10 dwelling units per acre. The plan meets the four criteria noted in Section 20-1005 for tentative approval.

8) *The sufficiency of the terms and conditions proposed to protect the interest of the public and the residents of the Planned Unit Development in the case of a plan that proposes development over a period of years.*

Staff Finding – This project is a single phase development.

9) *Stormwater detention calculations and storage of excess stormwater drainage as per City Policy.*

Staff Finding – Stormwater drainage documentation was submitted to staff for review and has been approved.

DISCUSSION:

Key features of this proposed development plan include substantial open space that is incorporated into the development as open space. Units are oriented internally and are buffered from Crossgate Drive by a low berm and landscaping. The low profile of the units provides a transition from the apartments to the west to the neighborhood to the east.

CONCLUSION:

The proposed Preliminary Development Plan complies with the approved density plan for the property per the 1999 zoning restriction. The Development Plan conforms to the design standards of the applicable development code. Staff recommends approval of the proposed Preliminary Development Plan.