

ITEM NO. 5A RM24-PD TO RMO-PD; 14.2 ACRES; 1800, 1809, 2021 CROSSGATE DR (SLD)

Alvamar: **Z-16-00026**: Consider a request to rezone approximately 14.2 acres from RM24-PD (Multi-Dwelling Residential with Planned Development Overlay) District to RMO-PD (Multi-Dwelling Residential with Planned Development Overlay) District, located at 1800, 1809, & 2021 Crossgate Drive. This rezoning applies only to Proposed Lot 3 of the Alvamar Planned Development. Submitted by Paul Werner Architects, for Eagle 1968, LC, (contract purchaser). Alvamar Inc. is the property owner of record.

ITEM NO. 5B PRELIMINARY DEVELOPMENT PLAN FOR ALVAMAR; 1800, 1809, 2021 CROSSGATE DR (SLD)

Alvamar: **PDP-16-00052**: Consider a Revised Preliminary Development Plan for Alvamar PD, Lots 1, 2a, 2b, and 3, located at 1800, 1809, & 2021 Crossgate Dr. Submitted by Paul Werner Architects, for Eagle 1968, LC, (contract purchaser). Alvamar Inc. is the property owner of record.

STAFF PRESENTATION

Ms. Sandra Day presented Items 5A and 5B together.

APPLICANT PRESENTATION

Mr. Paul Werner, Paul Werner Architects, said his biggest discrepancy was over the office use. He showed an overall plan on the overhead and pointed out features of the project. He said underground parking would be provided. He said he was fine with the traffic calming condition but that it was a little open ended.

PUBLIC HEARING

Mr. Warren Corwan, Quail Point at Alvamar Neighborhood Association, said about 52 resident families live around the back 9. He said they had about 30-40 million dollar investments in their homes and want to see the golf course stay viable. Said the concept plan showed by Mr. Werner tonight looked like it would be helpful to maintain. He wanted something in writing instead of just talk. He thought they were in agreement with Alvamar now and that it would make the golf course solvent.

Mr. Doug Lawrence said that 27 holes was a very viable business plan for the new owners of Alvamar. He thanked staff and the applicant. He expressed concern about traffic on Crossgate and the aesthetics of the course.

Mr. Paul Davis, attorney representing Woodfield Meadows residents living on the north side of Crossgate, said he approached the developer and expressed the concerns they had, such as the construction road, drainage, and increased traffic.

Mr. Steve Koger, 2004 Crossgate Dr, supported the project. He appreciated staff and the developer arriving at a transition plan to minimize construction traffic.

Mr. Don Johnston urged Planning Commission to help work with the developer to make this happen to preserve a viable golf course.

Mr. Bob Johnson, President of Alvamar Corporation, said the golf course needed to be viable to ensure its success. He felt sports medicine would be consistent with the golf course and he didn't realize staff was recommending denial of it.

Mr. Franklin Linseisen, 1911 Crossgate, expressed concern about increased traffic and noise.

APPLICANT CLOSING COMMENTS

Mr. Werner appreciated the comments from the public.

COMMISSION DISCUSSION

Commissioner Sands asked staff to summarize recommendation for denial.

Ms. Day said the parking was an ancillary issue. She said staff did not believe the range of uses and intensity of uses was there and accountable within the project.

Commissioner Carpenter said lot 4 had no specific use yet.

Ms. Day said that was correct.

Commissioner Carpenter asked if it would come back to Planning Commission.

Ms. Day said that was correct.

Commissioner Britton said any time staff recommended denial he gave it a lot of weight because staff tries to make projects work. He said the office use gave him some concern about it generating additional traffic and how compatible it would be.

Commissioner Kelly asked Mr. Werner about how strong the sports medicine office was as part of the plan since it had changed a few times.

Mr. Werner said it may change again and that he was trying to narrow down the client. He thought the sports medicine was an allowed use as accessory to the golf course. He said they had users that would like to be up there with the sports medicine idea.

Commissioner Kelly asked Mr. Werner if he saw people using the sports medicine when they are already there or going there just for the that service.

Mr. Werner said both. He said there may be less trips to someone who has an office there. He liked the idea that the hours were different. He said he would rather chop away the unwanted uses in RMO.

Commissioner Butler inquired about the use changing again.

Mr. Werner said the plan would change again. He said there was empty space on lot 3 and nothing on lot 4.

Commissioner Kelly asked staff if they went through an exercise to limit the uses.

Ms. Day said she previously asked the applicant that and he was not comfortable limiting the uses at that time.

Commissioner Culver asked if a cap would include limiting the square footage.

Ms. Day said it would be based on the development plan and what was being requested. She said changes to increase that above 5% could require a public hearing.

Commissioner Struckhoff said this project was to save and support Alvamar. He was struggling with the idea of having services not directly related to the golf course. He said he was leaning against the rezoning request. He felt it should be populated by services in direct support of golf course and its patrons.

Commissioner Britton said when staff recommends denial he usually goes with that recommendation because it was rare and means there may not be other options. He said there were other areas available for the office use and that it was not an essential component to the project.

Commissioner Sands asked if the 19,000 square foot office building would remain if the use was denied.

Mr. Werner said no, it would be taken off the plan.

Commissioner Britton said changes at Bauer Farm over the years moved away from the concept. He said the use creep was a concern even though it was a PD. He felt it was hard to draw the line down the road.

Commissioner Sands said regarding comments about increased traffic, there was no traffic data to base that concern on. He felt the office use would be ancillary. He felt the zoning needed to stay related to the golf course.

ACTION TAKEN On Item 5A for Rezoning

Motioned by Commissioner Sands, seconded by Commissioner Struckhoff, to deny the request to rezone, Z-16-00026, approximately 14.2 acres from RM24-PD (Multi-Dwelling Residential) District to RMO (Multi-Dwelling Residential Office) District based on the findings presented in the staff report and forwarding it to the City Commission with a recommendation for denial.

Commissioner Kelly said he did not want Alvamar to become Bauer Farms. He felt there could be additional work done and he would support the motion.

Commissioner von Achen said she would support the motion. She said she did not have a problem with the office use, but the zoning and potential uses it could bring in. She said the staff report stated the zoning was more appropriate for arterial and collector roads.

Commissioner Britton said the denial was not the direct impact of this specific use of sports medicine, but issue of future changes.

Commissioner Culver said he would like to see some compromise with staff and the applicant to limit specific uses.

Commissioner Carpenter said he would support the motion and felt the rezoning could open the door to other possible negative uses.

Mr. Werner asked what he should do to work on it.

Commissioner Kelly said Mr. Werner should work with staff on conditions.

Mr. Werner would rather have the opportunity to narrow the scope and come back with that.

Commissioner Culver suggested the applicant work with staff to refine the conditions.

Motion carried 8-0.

ACTION TAKEN On Item 5B for Preliminary Development Plan

Motioned by Commissioner Kelly, seconded by Commissioner Struckhoff, to approve the Alvamar Preliminary Development Plan, PDP-16-00052, based upon the findings of fact presented in the body of the staff report and forwarding a recommendation for approval to the City Commission subject to the conditions of the staff report.

Commissioner Kelly responded to Mr. Lawrence's comments about design. He noted that the Commission does have design guidelines for some things and not for this one. He noted the Commission heard Mr. Lawrence's concerns but could not address them in this project.

Commissioner von Achen asked what direction staff was looking for.

Ms. Day said that the first issue was the parking table. Reflecting what the required parking is across the top of the table. She provided an example of the required parking. The fitness building plan showed 59 spaces, staff calculated that the required parking was 60 spaces. The grill/pool use required 17 spaces, the plan showed only 5 spaces required. She noted that the plan was designed with anticipation of approval of the medial office use and the related 64 off-street parking for that use. Staff recommends that if the use is removed the related parking for the use should be retained.

Commissioner von Achen asked if the 64 spaces were retained what would be the parking deficit.

Ms. Day estimated that the deficit of parking would be about 30 spaces. The difference between the number of parking spaces required and the number of parking spaces provided was manageable for this project. The concern was the distribution of off-street parking within the development and where those parking spaces would be located. Ideally, staff recommended the project capture an additional 20 spaces between Lot 2a and Lot 1. The project was hemmed in by the topography, location of existing buildings and street design. She stated it was unlikely that the 20 spaces could be captured without going additional levels underground. The most reasonable option was to add spaces to Lot 3. This would place that parking closer to where that activity area was located and then maintains the residential parking at its level at 100%.

Commissioner von Achen summarized that plan would retain the 64 spaces and add an additional 20 spaces with shared parking. This concept would result in only a handful of spaces short for the project.

Ms. Day responded affirmatively. The project assumes some sharing. She stated the project was unique and included uses that would have a different time demand. Some uses would have a high daytime parking demand and some a high evening demand. Some uses would have a high seasonal demand such as the pool. When the pool is closed the project picks up 97 spaces. She said to get this project right was to manage getting the parking in the right locations. Where it was missing was on Lot 1 and possibly the south portion of Lot 2B. She stated the plan as proposed used a lot of "on-street" parking to support building K, a multi-dwelling use.

Commissioner Culver asked if shared parking was calculated into the numbers shown on the plan.

Ms. Day responded that she did not calculate the shared parking. The applicant provided the commission a spreadsheet of that parking as a shared analysis. It is a comparable study to a shared parking analysis that staff would have completed. She said it was difficult to do that kind of analysis for this type of analysis.

Commissioner Culver asked if that was an analysis that would be beneficial to take on with the applicant to see if there was a balance without adding more parking. He thought that the project would have an element of shared parking.

Ms. Day agreed that there was shared parking and that the issue was the distribution of parking. She said it was a challenge. She stated the residential use relied heavily on the parking that was provided on the private street. The project did not allow capturing the whole 114 spaces that were on the street for non-residential uses because almost half were required to meet the residential demand.

4:40

Mr. Werner was recognized and stated that he was looking at the banquet facility for 409 people and that it was not occupied 100% of the time. When the pool is closed there would be 80 more spaces. He said he was already over 200 more space. He said he would have to figure out a shared percentage and that he cannot build 1200 spaces. He said they were not needed.

Commissioner Sands agreed that the central area around Lot 1 and Lot 3 was the core where the parking should go and that there was still a shortage of 41 spaces in the residential use stated in the staff report. He stated that was the focus of his concerns. He said if there was overflow in either the residential or the activity area it was going to cause that spillover. He said what they don't want to have happen on a Sunday, when the

pool is open, and people are playing golf and people are coming home from church, are going to result in time when residents can't find parking. He agreed that 1200 parking spaces would not be needed all the time. He said the provision of that much parking would ruin the aesthetics of Alvamar. He did not know if there was a method to squeeze another 41 spaces. The spaces freed up by the medial office use would not really be supporting the uses of Lot 2A or Lot 2B.

Commissioner Britton asked staff if Planning Commission wanted to focus on the 41 spaces that were lacking for the residential use could they condition 2e to revise the parking table to show the total required off-street parking for residential uses that the applicant would need to show. He recognized that Commissioner Sands made a good point that a lot of asphalt was not desirable. But he stated that he had a level of trust that Alvamar had the knowledge to know how much parking was needed to run these uses and that if this turned out to not be enough then they would want to add parking. He said customers attending a wedding reception when rainy would not want to walk through the grass and that would be an undesirable perception of an event facility. He agreed that it was difficult to figure out and that there should be some accommodation for those non-residential uses. He said he could not imagine people living there without cars and that it was a well known quantity and that it was a use that needed to be accounted for at least for the 41 spaces. He asked for consensus from Planning Commission if they agreed to the need for the 41 residential spaces. Planning Commission indicated affirmatively. He asked for consensus regarding the non-residential parking deficiency.

Commissioner Struckoff commented with regard to the shared parking and the differences in the time differential between uses and occupancy of residential and non-residential uses leave room. He was okay with the project as proposed but thought the residential use needed to be addressed.

Commissioner von Achen stated that she did not feel qualified to judge if the shared parking was adequate or not and wanted to know or have something in the conditions that required the applicant and staff to go back and assess what was needed in terms of the number of spaces and how to get them.

Commissioner Kelly stated he concurred with Commissioner von Achen and asked staff if there was something specific staff was looking for.

Ms. Day said the suggestion to revise condition 2e so that parking was provided on Lot 2a and Lot 2b. She said it would have to meet the residential parking provided off-street, traditional off-street parking, garage, surface parking, satellite parking, which was the applicant's design task, not Planning Commission or staff.

Commissioner Carpenter said other than the residential he thought it was premature to be discussing parking because they did not know what iteration of the plan would be coming forward for Lot 3 and Lot 4.

Commissioner Struckoff withdrew his second to the motion.

Motioned by Commissioner Kelly, seconded by Commissioner Struckhoff, to approve the Alvamar Preliminary Development Plan, PDP-16-00052, based upon the findings of fact presented in the body of the staff report and forwarding a recommendation for approval to the City Commission subject to the conditions of the staff report, with a revision to condition 2e: *Revise the parking table per this staff report to show the total required off-street parking for residential uses on Lots 2A and 2B.*

1. The applicant shall provide a revised Preliminary Development Plan that includes the following notes:
 - a. Applicant shall execute an agreement, at the time of recording the Final Plat, not to protest the formation of a benefit district, for a period of 20 years, for the installation of a traffic signal at the intersection of Bob Billings Parkway and the new street, if one is determined by the City Engineer to be needed in the future.
 - b. The development shall include the installation of traffic calming devices installed on Crossgate Drive north of Clinton Parkway to mitigate concerns of the neighbors. The timing of the installation shall be prior to issuance of a certificate of occupancy for any residential structure. The design of the improvements shall be coordinated with the Public Improvement Plans for the development.

- c. Per section 20-1009 (b) of the Land Development Code, any use of artificial turf, located on any lot or as part of the golf course, shall require City Commission approval prior to installation.
 - d. The development shall adhere to the construction and phasing plan as approved by the City Commission.
2. The applicant shall provide a revised Preliminary Development plan that includes the following changes:
- a. Revise the width of the 30' access/utility easement for the "private street segment" to include sidewalks on both sides of the private street.
 - b. Revise drawing to remove all references to "Sports Medicine".
 - c. Revise drawing to provide parking for the chapel use.
 - d. Revise parking table to show the required parking for the Banquet Facility based on the standard for *Event Center, Large* at 1 space per 4 occupancy. This correct parking requirement should show 103 spaces.
 - e. Revise the parking table per this staff report to show the total required off-street parking.

Unanimously approved 8-0.