## PLANNING COMMISSION <br> AGENDA <br> September 5, 2019

Notice is hereby given of a Public Meeting to be held before the City of Wheat Ridge Planning Commission on September 5, 2019 at 7:00 p.m., in the City Council Chambers of the Municipal Building, 7500 West 29th Avenue, Wheat Ridge, Colorado.
*Agenda packets and minutes are available online at http://www.ci.wheatridge.co.us/95/PlanningCommission

1. CALL THE MEETING TO ORDER
2. ROLL CALL OF MEMBERS
3. PLEDGE OF ALLEGIANCE
4. APPROVE THE ORDER OF THE AGENDA (Items of new and old business may be recommended for placement on the agenda.)
5. APPROVAL OF MINUTES - August 15, 2019
6. PUBLIC FORUM (This is the time for any person to speak on any subject not appearing on the agenda. Public comments may be limited to 3 minutes.)

## 7. PUBLIC HEARING **

A. Case No. MS-19-03: An application filed by BTM 37th LLC for approval of a minor subdivision combining and splitting the lots located at 5890 and 5910 West $37^{\text {th }}$ Place into 4 lots with 50 feet of frontage each.

[^0]B. Case No. WZ-19-01: An application filed by Evergreen-Clear Creek Crossing Apartments LLC for approval of a Specific Development Plan for 310 multi-family apartments in planning area 2 of Clear Creek Crossing on property zoned Planned Mixed Use Development (PMUD).

## 8. OLD BUSINESS

## 9. NEW BUSINESS

## 10. ADJOURNMENT

**Public comment is welcome during any public hearing item. The standard procedure for a public hearing is as follows:
a. Staff presentation
b. Applicant presentation - if applicable
c. Public comment - time may be limited at the discretion of the Chair
d. Staff/applicant response
e. Close public hearing
f. Commission discussion and decision

## 1. CALL THE MEETING TO ORDER

The meeting was called to order by Chair OHM at 7:02 p.m. in the City Council Chambers of the Municipal Building, 7500 West $29^{\text {th }}$ Avenue, Wheat Ridge, Colorado.

## 2. ROLL CALL OF MEMBERS

| Commission Members Present: | Melissa Antol <br> Will Kerns <br> Daniel Larson <br> Scott Ohm <br> Richard Peterson <br> Jahi Simbai |
| :--- | :--- |
|  |  |
| Commission Members Absent: | Janet Leo <br> Vivian Vos |
| Staff Members Present: | Lauren Mikulak, Planning Manager <br> Stephanie Stevens, Senior Planner |
|  | Scott Cutler, Planner II <br> Mark Westberg, Engineering Projects Supervisor <br> Tammy Odean, Recording Secretary |
|  |  |

## 3. PLEDGE OF ALLEGIANCE

## 4. APPROVE ORDER OF THE AGENDA

It was moved by Commissioner SIMBAI and seconded by Commissioner LARSON to approve the order of the agenda. Motion carried 6-0.
5. APPROVAL OF MINUTES - July 18, 2019

It was moved by Commissioner SIMBAI and seconded by Commissioner KERNS to approve the minutes of July 18, 2019, as written. Motion carried 5-0-1 with Commissioner PETERSON abstaining.
6. PUBLIC FORUM (This is the time for any person to speak on any subject not appearing on the agenda.)

No one wished to speak at this time.

## 7. PUBLIC HEARING

A. Case No. WSP-19-02: an application filed by Tyler Downs for approval of a Master Sign Plan for property zoned Mixed Use-Commercial (MU-C) located at 7333 and 7391 West $38^{\text {th }}$ Avenue.

Mr. Cutler gave a short presentation regarding the Master Sign Plan and the application. He entered into the record the contents of the case file, packet materials, the zoning ordinance, and the contents of the digital presentation. He stated the public notice and posting requirements have been met, therefore the Planning Commission has jurisdiction to hear this case.

Commissioner PETERSON mentioned he did not think a good precedent is being set with having 23 of the 27 signs for this Master Sign Plan being nonconforming.

Ms. Mikulak and Mr. Cutler explained the purpose of a Master Sign Plan is to address a unique development pattern, and attention is being called to the signs that don't comply with the Sign Code. Ms. Mikulak said the City's Sign Code works well for one business or building on one lot, but might does not work well for and was not created for the development pattern that is seen at $38^{\text {th }}$ Avenue and Upham Street. Mr. Cutler added that if this Master Sign Plan is approved then all the signs will be conforming.

Commissioner SIMBAI asked if there are more blade signs than what is in the Sign Plan.

Mr. Cutler said there are a few more, but the ones that comply with the Sign Code did not need to be a part of the Sign Plan. All signs that comply with the Sign Code are not included; only those signs which don't comply with the Sign Code are shown in the sign plan.

Commissioner KERNS mentioned he likes everything about this project and the Sign Plan.

Commissioner OHM asked if the dimensions on page 3 should be ignored because they are incorrect.

Mr. Cutler said yes it is one of the recommended conditions of approval and the dimensions will be updated before recordation.

Commissioner OHM asked what the allowed square footage is for blade signs and canopy/awning signs.

Ms. Mikulak said that for a blade sign the average building height is taken and the square footage is figured from there at a 1 to 1 ratio.

Mr. Cutler added that for a canopy/awning sign it is a 1 to 1 ratio which would allow a sign larger than 10 square feet which is the size of the one proposed.

Commissioner LARSON asked if there an expiration date for the Master Sign Plan or if changes can be made if a new owner buys the property.

Mr. Cutler said that if another owner wanted to change the Sign Plan then an amendment to the plan would have to be made.

Ms. Mikulak added that this Plan will be recorded at the County and runs with the land.

Commissioner SIMBAI asked about illuminated signs.
Tyler Downs, applicant
1801 Broadway, Denver
Mr. Downs said his intention is to activate the retail space at night and give wayfinding to prospective customers.

Commissioner LARSON asked if there are any plans to have signs be LED TV screens.

Mr. Downs said no not on this property or any other he owns.
Nobody chose to speak for the citizen's forum.
It was moved by Commissioner KERNS and seconded by Commissioner LARSON to APPROVE Case No. WSP-19-02, a request for approval of a master sign plan on properties zoned Mixed Use-Commercial (MU-C) located at 7333 and 7391 West $38^{\text {th }}$ Avenue, for the following reasons:

1. The site is eligible for a master sign plan.
2. The master sign plan promotes well-planned and well-designed signage.
3. The master sign plan is consistent with the intent of the sign code and is appropriate for the context of the development.

## With the following conditions:

1. The applicant will obtain building permits prior to installation of the approved signs.
2. The applicant will execute a license agreement with the Department of Public Works for the wayfinding signs to be installed in the public right-of-way.
3. Property and building dimensions shall be updated on Page 3 of the Master Sign Plan with a disclaimer that sign locations are illustrative (not exact locations) and not to scale.
4. Text on Page 9 of the Master Sign Plan shall be added stating signs located in the sight triangle shall be approved by Public Works and, the sign height will be revised to state "up to 60 inches".

Motion approved 5-1 with Commissioner PETERSON voting against.
B. Case No. WS-19-05: an application filed by Terrance Horton for approval of a two-lot subdivision with variances for lot width and lot size on property zoned Residential-Three (R-3).

Ms. Stevens gave a short presentation regarding the Subdivision, variances and the application. She entered into the record the contents of the case file, packet materials, the subdivision regulations, and the contents of the digital presentation. She stated the public notice and posting requirements have been met, therefore the Planning Commission has jurisdiction to hear this case.

Commissioner ANTOL asked if the subdivision and variances are approved by City Council then there will be one conforming lot and one legally nonconforming lot in regards to lot size.

Ms. Stevens confirmed that to be true and both lots will be sellable lots in the future.

Commissioner ANTOL asked if there are similar lot sizes in this neighborhood.
Ms. Stevens said there are multiple 25 foot lot widths in the neighborhood and the setbacks are accounted for.

Commissioner LARSON asked what staff considered to be the special conditions that were referenced in reason \#4 of the motion.

Ms. Stevens explained the lot is substandard and undersized and because the buildings were built over the lot lines then this created special conditions by a unique hardship.

Ms. Mikulak added that the Planning Commission does not see many variance requests because staff says no to most of those requests. Planning Commission is obligated to review a variance case when it is associated with another application
and if there is a true physical hardship. The question staff asks related to variances is why the rules that apply to everyone else shouldn't apply in this case.

Commissioner KERNS asked about the property line extending into the alley.
Ms. Stevens explained that it is a formal access easement and cannot be built on.
Ms. Mikulak added that the alley is a prescriptive easement so there is no physical change. The alley in this block is not dedicated right-of-way.

Commissioner PETERSON asked if both lots will be legally nonconforming if the motion is passed.

Ms. Stevens said yes due to lot width.
Commissioner OHM asked why the new lot line could not follow the existing fence.

Ms. Mikulak said the goal of meeting a minimum lot area and giving the carriage house a minimum setback of 5 feet needed to be met, and that is the reason behind the jog in the lot line.

Commissioner PETERSON asked if any new non conformities can be added through platting, such as a reduced setback.

Ms. Mikulak said we do not encourage this.
Commissioner LARSON asked the applicant why he has decided to do the subdivision at this time.

## Terry Horton, applicant <br> 1295 Cody Street, Lakewood

Mr. Horton said he and his wife are retired and owned this property for 20 years and it has been difficult to rent the property in the condition it is in now due to lot lines and fences. He added they plan to sell 2810 and keep 2816 for rental income and it will benefit the neighborhood to have another ownership opportunity. He mentioned that with his process they are giving up the possibility to build a triplex which the neighbors will appreciate.

Nobody chose to speak for the citizen's forum.
It was moved by Commissioner ANTOL and seconded by Commissioner PETERSON to recommend APPROVAL of a 5.4 -foot variance from the lot width requirement for Lot 1 , and a 13.36 -foot variance from lot width and

2,029 square foot variance from the lot size requirement for Lot 2 to allow two single-family lots zoned Residential-Three ( $\mathrm{R}-3$ ), for the following reasons:

1. The application is in compliance with the review criteria.
2. The variance would not alter the essential character of the locality.
3. The proposed configuration is consistent with the Comprehensive Plan and other policy documents supported by the city by protecting the positive attributes of the community's established neighborhoods and promoting home ownership opportunities.
4. Special conditions exist which result in a particular and unique hardship.
5. The proposed lot layout is logical and enables the site to be retained for its historic use.
6. The request would not be detrimental to public safety or welfare.

Motion carried 6-0.
It was moved by Commissioner SIMBAI and seconded by Commissioner LARSON to recommend APPROVAL of Case No. WS-19-05, a request for approval of a two-lot subdivision plat on property zoned Residential-Three (R-3) and located at 2810 and 2816 Benton Street, for the following reasons:

1. All agencies can provide services to the property with improvements installed at the developer's expense.
2. The requirements of Article IV of the zoning and development code have been met.

Motion carried 6-0.
C. Case No. ZOA-19-02: an ordinance amending Chapter 26 of the Code of Laws to add floodplains in the Sloan's Lake watershed to the City's Floodplain maps as a Local Flood Hazard Area.

Mr. Westberg gave a short presentation regarding the ordinance and floodplain background.

Commissioner SIMBAI asked if this Ordinance is not approved will it be disclosed to potential buyers that they are in a floodplain and how this will be enforced.

Mr. Westberg said there would be no disclosure and that he wants people to know they are at risk and in a floodplain and then discussed the three options that were presented to Council that led to the decision to adopt this as a Local Flood Hazard Area.

Commissioner SIMBAI also wanted to know of the 62 homes how many are backed by Federal Mortgage because they have to have flood insurance.

Mr. Westberg said they don't have to have flood insurance if it is a Local Flood Hazard Area.

Commissioner LARSON asked if the Planning Commission's decision tonight is a recommendation to City Council.

Mr. Westberg confirmed yes whether it is a recommendation of denial or approval, City Council makes the final decision on the ordinance.

Commissioner OHM mention that Colorado has a lot of expansive soils and if the soil gets dry, how does that affect the insurance.

Mr. Westberg said that is not affected by flood insurance, it would then be part of the regular insurance if the foundation of a house cracked.

## Elizabeth Grant, resident <br> 3881 Estes Street

Ms. Grant wondered if anyone could get flood insurance if you are out of the floodplain area.

Mr. Westberg said this will be the $1^{\text {st }}$ Local Flood Hazard Area in the City and if you are out of the flood hazard area you can buy flood insurance.

Commissioner OHM closed the citizen's forum.
It was moved by Commissioner KERNS and seconded by Commissioner PETERSON to recommend APPROVAL of the proposed ordinance amending Article VIII of Chapter 26 concerning Floodplain Control to adopt the flood hazard areas shown on the Sloan's Lake FHAD as a Local Flood Hazard Area.

Motion carried 6-0.
D. Case No. ZOA-19-03: an ordinance amending Chapter 26 of the Code of Laws concerning the right of protest procedure for rezoning decisions.

Ms. Mikulak gave a short presentation regarding the ordinance.
Commissioner PETERSON wanted clarification on why there is no radius included on diagram E .

Ms. Mikulak explained that the language for a property across the street is worded differently and was interpreted not to need a radius because it states directly across the street. It could be changed.

Commissioner SIMBAI asked how a protest is verified if it happens during the hearing.

Ms. Mikulak said that if a protest is submitted during the hearing, staff reviews it. If the property is irregular in shape or multiple protests are submitted then it can be time consuming and it varies on whether there needs to be a recess or not.

Commissioner LARSON wanted to know why the Ordinance for legal protest is needing to be amended.

Ms. Mikulak explained that earlier this year there was a property owner that submitted a protest then rescinded it and currently there is no clarification on whether a property owner can do so. Also, it gives clarity as to the geographic requirements of the protest.

Commissioner OHM feels that this ordinance could be an issue for the developer because the hearing can be recessed or continued for a long time. Also, he feels that reopening the citizen's forum can further delay the hearing and a prolonged process does a disservice to the developer. He also mentioned he would like to see one graphic instead of six.

Ms. Mikulak reminded the Commissioner's that the Planning Division is a neutral party and this ordinance was drafted by the City Attorney on a request by City Council. The purpose is to let the public know this is serious and to attend the hearing and creates more engagement.

Commissioner PETERSON mentioned it is not appropriate to say this is an advantage for the developer.

Ms. Mikulak explained that this Ordinance will take away the element of surprise, which is beneficial to all parties.

Mr. LARSON asked if staff can figure out if a protest is valid quickly if the Mayor calls for a recess.

Ms. Mikulak said yes it is possible.
Commissioner OHM asked about the process for a legal protest.
Ms. Mikulak explained that a protest can come in anytime during the 2 weeks before a public hearing or during the hearing. She added the code amendment doesn't change the right to protest and this ordinance clarifies what we do when we get the protest. The hearing could then be continued if the protest is valid. This ordinance will not affect Planning Commission hearings, but it will affect City Council hearings.

## Megan Schleicher, resident 10035 W 33 ${ }^{\text {rd }}$ Avenue

Ms. Schleicher said that the proposed ordinance can take time away from the citizens which can be very stressful if they need to attend a meeting twice. She also feels that if a legal protest is not valid than the citizen's rights are being taken away. She would like to see the maps in advance.

## Syrma Quinones, resident 10270 W 33 ${ }^{\text {rd }}$ Avenue

Ms. Quinones feels time is taken away from the citizen's and feels it is a detriment to keep extending the hearings.

## Ihor Figlus, resident <br> 9775 West $36^{\text {th }}$ Avenue

Mr. Figlus said this is a troubling ordinance and the changes are unnecessary. He feels it would be more appropriate for staff to prepare a list of addresses that could trigger the legal protests before the hearing. He also feels a delay in the hearing creates potential for undue influence on the protestor.

## Elizabeth Grant, resident <br> 3881 Estes Street

Ms. Grant does not feel 100 feet is enough for a legal protest and wants to see the geographic requirement extended.

## Annette Bryce, resident <br> 10250 W 33rd Avenue

Ms. Bryce would like to see the list of residents who live within 100 feet of a property before the public hearing.

## Dan Bryce, resident <br> 10250 W 33 ${ }^{\text {rd }}$ Avenue

Mr. Bryce does not like the graphics and does not feel the citizen's rights should be narrowed and the distance should be more than 100 feet.

Citizen's forum was closed by Commissioner OHM.
Commissioner OHM asked how the 100 feet was set for this ordinance and asked Ms. Mikulak to respond to the public comment.

Ms. Mikulak explained it was set by the Charter and the only way the Charter can be changed is by the vote of the people. She added that Planning Commission can include a condition in the recommendation to City Council for the radius in diagram E in the graphics. She then explained this code is coming from the direction of City Council. Ms. Mikulak also mentioned that the County's online maps includes parcel and property ownership information as well as measurement tools. The City has directed people to those resources, but does not produce a list of properties within 100 feet for the public.

Commissioner OHM asked if the proposed ordinance is mandating continuances.
Ms. Mikulak explained that the request in this ordinance will improve transparency and level the playing field. Staff is empathetic to the citizens that a Public Hearing on a Monday night that runs late or is continued is inconvenient. She mentioned there could soon be an online element for citizens to speak their voice.

Commissioners OHM, LARSON, PETERSON and JAHI said they do not plan on supporting this ordinance because it will be less efficient with too many continuances and found some of the public testimony to be compelling regarding inconvenience and potential influencing of a protester.

It was moved by Commissioner LARSON and seconded by Commissioner ANTOL to recommend APPROVAL of the proposed ordinance amending Chapter 26 of the Wheat Ridge Code of Laws concerning the right of protest procedure for rezoning decisions.

Motion failed 1-5 with Commissioners KERNS, LARSON, OHM, PETERSON and SIMBAI voting against.

## 8. OLD BUSINESS

## 9. NEW BUSINESS

Ms. Mikulak said that the next Planning Commission meeting will be held on September $5^{\text {th }}$; the meeting on September $19^{\text {th }}$ has been cancelled and training for the Commissioners will be held during the October $3^{\text {rd }}$ meeting.

She also mentioned that City Hall will be implementing new security measures starting August $19^{\text {th }}$. Anyone visiting City Hall will be required to check-in at the front desk by showing ID and will then receive a badge to visit different departments in the building. These new security measures are for the safety of staff and the citizens.

Ms. Mikulak also mentioned that today is the City of Wheat Ridge's $50^{\text {th }}$ Birthday.

## 10. ADJOURNMENT

It was moved by Commissioner KERNS and seconded by Commissioner PETERSON to adjourn the meeting at 9:56 p.m. Motion carried 6-0.

Tammy Odean, Recording Secretary

## CITY OF WHEAT RIDGE PLANNING DIVISION STAFF REPORT

TO:
CASE MANAGER: Zareen Tasneem
CASE NO. \& NAME: MS-19-03 / Metz Estates Subdivision
ACTION REQUESTED: Request for approval of a 4-lot subdivision for single-family homes

LOCATION OF REQUEST: 5890 and 5910 W. 37th Place
APPLICANT (S): $\quad$ BIM $37^{\text {th }}$ LDC
OWNER (S): BTM 37 ${ }^{\text {th }}$ LDC
APPROXIMATE AREA: $\quad 41,250$ square feet ( 0.95 acres)

## PRESENT ZONING: Residential-One C (R-1C)

PRESENT LAND USE: Vacant land

## ENTER INTO RECORD:

(X) CASE FILE \& PACKET MATERIALS
(X) SUBDIVISION REGULATIONS
(X) ZONING ORDINANCE
(X) DIGITAL PRESENTATION

## Location Map



## JURISDICTION:

All notification and posting requirements have been met; therefore, there is jurisdiction to hear this case.

## I. REQUEST

The applicant is requesting approval of a 4-lot subdivision on property zoned Residential-One C (R-1C) located at 5890 and 5910 W. 37th Place. The property currently consists of three parcels. The purpose of the request is to allow for the construction of four new single-family homes. This request is considered a minor subdivision, which requires a public hearing before Planning Commission. For this case, Planning Commission is the final authority for approval.

The purpose of a subdivision plat review is to confirm appropriate lot configuration, access, rights-ofway, easements, and utility service to enable future development.

## II. EXISTING CONDITIONS

The property is located on the south side of W. $37^{\text {th }}$ Place, between Harlan and Fenton Streets (Exhibit 1, Aerial). The property is zoned R-1C, a zone district that provides for high quality, safe, quiet and stable, medium-density single-family residential neighborhoods. The two addresses used to reference two single-family homes which have been demolished in the past year. The property has since been graded and stabilized.

Parcels to the east, south, and north are also zoned R-1C and contain single family homes. West 38th Avenue, to the north, is primarily a commercial corridor and parcels along it are zoned Mixed UseNeighborhood (MU-N). Some multifamily uses exist to the east on Fenton Street and to the west on Harlan Street, in the Residential-Three (R-3) zone district (Exhibit 2, Zoning).

The subject property was originally platted in 1953 as Lot 18, Lot 19, and part of Lot 10, Block 2 of the Fred L. Spallone Subdivision, which includes the properties on the south side of W. $38^{\text {th }}$ Avenue to the north side of W. $37^{\text {th }}$ Avenue, from the east side of Harlan Street to the west side of Fenton Street (Exhibit 3, Current Plat: Fred L. Spallone Subdivision). The combined total area of the subject site is 41,250 square feet (0.947 acres).

## III. PROPOSED SUBDIVISION PLAT

## Plat Document

The proposed plat document consists of two pages. The first page includes a legal description of the property; signature blocks for the owner, City, surveyor and County; and standard declarations and notes. The second page includes the proposed lot layout, including lot lines and easements (Exhibit 4, Proposed Plat: Metz Estates Subdivision).

## Lot Configuration

The site is nearly rectangular in shape, approximately 200 feet wide along W. $37^{\text {th }}$ Place and approximately 210 feet deep.

The proposed subdivision plat creates four lots oriented towards W . $37^{\text {th }}$ Place. In the R-1 C zone district, newly platted lots are required to be at least 5,000 square feet in size and 50 feet in width. All
four of the proposed lots meet these requirements: they are all 50 feet in width and range in size from 9,425 to 10,175 square feet.

## Public Improvements

When new properties are created through the subdivision process, staff reviews adjacent street improvements to confirm that they meet current roadway standards. West $37^{\text {th }}$ Place is classified as a local street meaning it provides access to residential land uses and serves low traffic volumes. The current minimum standard for a local street includes a curb, gutter, and 5-foot attached sidewalk. West $37^{\text {th }}$ Place is currently substandard and will require a 6.5 -foot right-of-way dedication. The developer will be responsible for constructing the curb, gutter, and sidewalk along W. $37^{\text {th }}$ Place.

## Drainage

A drainage letter and plan was reviewed by the Public Works Department for the entire site. According to the drainage plan the amount of impervious surface on the site is being reduced through this proposal. Previously, $82 \%$ of the site was impervious; the applicant anticipates $30 \%$ of the site to be impervious in the future. There is a substantial reduction in the impervious area resulting in a net reduction in the runoff from the new development because the applicant envisions the new lots to have single family homes with large backyards and a small building footprint. All the drainage will be directed towards the street and will not impact adjacent property owners. Drainage certifications will be required prior to the issuance of any Certificate of Occupancy to ensure this drainage pattern.

## Easements

It is standard practice to include utility easements along the perimeter of all lots created for singlefamily homes. This plat establishes easements of varying widths surrounding the lots: 10 -foot easements along the front and rear lot lines and 5-foot easements along the side lot lines. Most former easements are being removed.

## Parkland Dedication

The subdivision regulations include a parkland dedication requirement for all residential subdivisions based on the assumption that additional residents in the City will impact the demand for parks and open space. When land is not dedicated for a public park, a fee is required in lieu. Per code and Council Resolution, the fee is $\$ 2,497.28$ per unit to be paid at recordation. The fee is assessed against the net increase in residential units or lots. In this case, the net increase is two new lots, so the total fee required is $\$ 4,994.56$.

## IV. AGENCY REFERRALS

All affected service agencies were contacted for comment on the subdivision plat regarding the ability to serve the property. The developer will be responsible for any needed upgrades to accommodate the proposed development. Specific referral responses follow.

Wheat Ridge Public Works: The plat has been reviewed and approved.
West Metro Fire Protection District: A fire hydrant will need to be added to W. $37^{\text {th }}$ Place so that all exterior portions of the new buildings are within 300 feet of a hydrant.

Xcel Energy: Requested utility easements and is covered by the blanket utility easements established by General Note \#1 on Sheet 1.

Wheat Ridge Sanitation District: No objections.
No comments were received from Wheat Ridge Water District, Comcast, and Century Link. Referral recipients are advised that no comment received indicates having no objections or concerns regarding the proposal.

## V. STAFF CONCLUSIONS AND RECOMMENDATIONS

Staff concludes that the proposed subdivision plat results in a logical lot layout for the proposed future development. Staff further concludes that the subdivision plat complies with the standards in Article IV of the zoning and development code (subdivision regulations) and that all utility agencies can serve the property with improvements installed at the developer's expense. For these reasons, staff recommends approval of the subdivision plat.

## VI. SUGGESTED MOTIONS

Option A: "I move to recommend APPROVAL of Case No. MS-19-03, a request for approval of a 4lot subdivision on property zoned Residential-One C (R-1C) and located at 5890 and 5910 W. 37th Place, for the following reasons:

1. All agencies can provide services to the property with improvements installed at the developer's expense.
2. The requirements of Article IV of the zoning and development code have been met.

With the following conditions:

1. Fees in lieu of parkland dedication shall be provided prior to recording the plat.
2. The developer shall enter into a subdivision improvement agreement with required security prior to recordation of the subdivision plat."

Option B: "I move to recommend DENIAL of Case No. MS-19-03, a request for approval of a 4-lot subdivision on property zoned Residential-One C (R-1C) and located at 5890 and 5910 W. 37th Place, for the following reasons:
1.
2.
3. "

## EXHIBIT 1: AERIAL



## EXHIBIT 2: ZONING MAP



## EXHIBIT 3: CURRENT PLAT FRED L. SPALLONE SUBDIVISION

[See attached]

## Fred L. Spallone Subdivision







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## PROTECTIVE COVENANTS

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# EXHIBIT 4: PROPOSED PLAT metz estates subdivision 

[See attached]

## METZ ESTATES SUBDIVISION

GENERAL NOTES.



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## Chairperson

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VICINITY MAP



## CITY OF WHEAT RIDGE PLANNING DIVISION STAFF REPORT

CASE MANAGER: Stephanie Stevens
CASE NO. \& NAME: WZ-19-01 / Outlook Clear Creek Crossing
ACTION REQUESTED: Approval of a Specific Development Plan (SDP) for the construction of a 310-unit multi-family apartment project

LOCATION OF REQUEST: Planning Area 2 (PA 2) of Clear Creek Crossing
APPLICANT (S): Evergreen-Clear Creek Crossing Apartments, LLC
OWNER (S): Evergreen-Clear Creek Crossing, LLC
APPROXIMATE AREA: $\quad 544,863$ sq. ft . or 12.51 acres
PRESENT ZONING: Planned Mixed Use Development (PMUD)
COMPREHENSIVE PLAN: Mixed Use Commercial

## ENTER INTO RECORD:

(X) CASE FILE \& PACKET MATERIALS
(X) COMPREHENSIVE PLAN
(X) ZONING ORDINANCE
(X) DIGITAL PRESENTATION

## Location Map



## JURISDICTION:

All notification and posting requirements have been met; therefore, there is jurisdiction to hear this case.

## I. REQUEST

Case No. WZ-19-01 is an application for approval of a Specific Development Plan (SDP) for the purpose of developing a 310 -unit multi-family apartment complex on 12.51 acres. The subject site is located at the far north end of the Clear Creek Crossing planned development, known as Planning Area 2 (PA 2) of Clear Creek Crossing, east of the future Clear Creek Drive. The Clear Creek greenbelt borders the site to the north.

The proposal includes seven, four-story multi-family buildings, three carriage buildings (two-story, townhome like apartments), four detached garage structures, a community clubhouse, and open space amenity areas. Primary access to the site is proposed along Clear Creek Drive, extending into the site and creating a grid-like roadway and pedestrian network. A combination of surface parking, attached garages, and detached garage parking is provided. An administrative subdivision plat focused on establishing appropriate easements has also been submitted concurrently with the SDP, and is currently under review.

This request for SDP approval is the second step in a two-part approval process pertaining to planned developments. The first step occurred in 2018 when Planning Commission and City Council approved the Clear Creek Crossing Planned Mixed Use Outline Development Plan (ODP) which established zoning (Case No. WZ-16-07). The zone change also included approval of a Vision Book that establishes the intended design and architectural themes and materials, as well as a Design Pattern Book that includes the more substantive development regulations.

The second step is approval of the subject Specific Development Plan (SDP), which focuses on specific details of a development such as site design, architecture, landscaping, and drainage design. Section 26-302 of the Municipal Code allows for concurrent or sequential applications for the ODP and SDP. This is the first of numerous SDP applications to be heard before the Planning Commission for the different phases or "Planning Areas" as the mixed use project is developed. SDPs must be found to be compliant with the ODP and supporting documents in order to be approved. Each SDP application must be heard at a public hearing before the Planning Commission, who is the final deciding body for SDP approval.

## Architectural Control Committee

An Architectural Control Committee (ACC) was established specifically for this project to ensure compliance with the Design Pattern Book, third-party review, consistency across the project, and to conduct schematic design review prior to the City's planning review. The City has not seen this review model utilized on other developments, but is not uncommon for a development of this size. The ACC is comprised of 6 members: 3 appointed by mutual agreement between the Developer and the City of Wheat Ridge Community Development Director, 2 seats held by the Developer, and 1 seat held by a City of Wheat Ridge Planning Division staff member.

The ACC has fulfilled the requirement to review this SDP two times: first, prior to the City's preapplication meeting and second, as part of the City's referral process. The ACC has provided written approval of the subject SDP as their referral response.

## Planning Commission Review

As previously noted, the Planning Commission is the final authority for approval of a SDP. The intent of the public hearing is to allow a publicly appointed body and the public at large to verify the project meets the intent of the underlying zoning. The plan sheets and exhibits relevant to this purpose are included. Construction details, such as utility and grading plans, are not included for review.

## II. PROPERTY HISTORY

## Clear Creek Crossing Property History

The land that comprises Clear Creek Crossing was annexed into the City in 2005 as part of a larger annexation including 178 acres west of I-70 and south of Highway 58. At that time, the property was zoned to a Planned Commercial Development (PCD) and the development was being led by Cabela's. Due to changes in the company, immense infrastructure needs, and the Great Recession, the development did not proceed.

In 2011, the property was enlarged with the annexation of the former Table Mountain Animal Center. Entitlement work for the development was still retail-focused and anchored by Cabela's and Walmart. With changes in the retail landscape and corporate decisions, this version of the project did not advance either.

The immense cost of infrastructure inhibited development, and the City worked with the Federal Highways Administration to phase roadway and infrastructure improvements. In November 2016, Wheat Ridge voters approved the 2 E ballot question approving a $1 / 2$-cent increase in the City's sales tax rate and specifically authorizing funds to modify I-70 access into the development. In late 2016, the current property owner and master developer, Evergreen Devco, purchased the property. As described above the site was rezoned in 2018 for the purpose of mixed use development, and the property was platted in 2018 and 2019 in preparation for development.

## Development Status

Hook ramp construction commenced this year in July 2019, and Denver Water recently completed their construction of a new 80 -inch water line, replacing two water lines that previously traversed the site. The developer is actively constructing Clear Creek Drive and W. $40^{\text {th }}$ Avenue-the two primary public streets within the development.

## Surrounding Land Uses and Zoning

Properties to the west are generally water storage facilities for Coors and the Applewood Golf Course, some of which are located within the City of Wheat Ridge and zoned Planned Commercial Development (PCD) with very limited uses. The area further west (including the Golf Course) is located in unincorporated Jefferson County. The Clear Creek open space corridor is located to the north of the site and extends east and west. Properties further north of Highway 58 are zoned Planned Industrial Development (PID) as part of the $44^{\text {th }}$ Industrial Park. Properties directly to the south are vacant and within the Clear Creek Crossing planned mixed use development. Further south are generally established highway oriented commercial uses, including a gas station, hotel and
restaurants, all zoned PCD per the 70 West Business Center development plans and amendments. Properties further southwest include larger lot single-family homes located in unincorporated Jefferson County. Across I-70 to the east is the Applewood Village shopping center with various retail/restaurant uses (Exhibit 2, Zoning and Subdivision Boundaries).

## III. SPECIFIC DEVELOPMENT PLAN

The site is located in Planning Area 2 (PA 2) which is also called the Homestead District denoting this area as the primary residential subdistrict in the development. Multifamily apartments are a permitted use in the ODP. Key components of the site design are described below. For clarity, the SDP and supporting technical documents have been broken into packages themed around the primary items of discussion below. Links to the regulatory documents, including the ODP, Vision Book, and Design Pattern Book, can be found at the end of the staff report (Exhibit 3, Zoning Document Excerpts). The site data table on the cover sheet confirms the SDP complies with the development standards provided by the ODP (Exhibit 4, Overall Plan Sheets).

## Site Design \& Internal Circulation

A total of 310 units are provided through a combination of seven (7) multi-family buildings and three (3) carriage buildings on the 12.51 -acre site, resulting in a density of 24.7 units per acre. The site is among those areas exempted from the Charter's density cap based on a 2009 ballot question, and the ODP includes a height maximum but not a density cap on the residential uses.

The first floors of all multi-family buildings accommodate tuck under, garage parking with units above. The site also includes a community clubhouse with resident amenities, immediately south of the main entry street off of Clear Creek drive. The clubhouse at this intersection will serve as a focal point of the site from the adjacent roads, as well as a social destination for residents and their visitors.

A pedestrian oriented central street will include a wide sidewalk, enhanced paving at key locations, and parallel and head-in parking; creating a welcoming experience for vehicles, bicycles and pedestrians alike. Pedestrian circulation to and through this site is a critical requirement within the zoning documents. The site plan includes a pedestrian connection to the Clear Creek trail, as well as a connection to the Mill District (the future employer/hospital site) to the east and north.

The main entry drive has been designed to act as a private local street with sidewalks on both sides and an enhanced intersection at the terminus point. The enhanced intersection includes a variety of paving types to differentiate pedestrian walkways, and includes specialty paving, enhanced plantings, and a park-like environment with a shade trellis and seating nodes for pedestrian refuge. Sidewalks generally extend along the main entries of each building and to parking areas and are illuminated by downcast bollards and pedestrian lights.

A secondary access is provided at the southeast corner of the site, which will eventually connect to a future local roadway network once the adjacent site develops. Site access is further discussed in the Circulation section below.

Site design complies with requirements as stated in the Clear Creek Crossing Design Pattern Book related to maximum lot coverage and minimum landscaping coverage. Other development standards such as minimum setbacks and maximum building height are met with this proposal. Average heights for garages are $14^{\prime}-41 / 4^{\prime \prime}$, for carriage houses are $23^{\prime}-10^{\prime \prime}$, for the clubhouse is $23^{\prime}-2{ }^{\prime \prime}$, and
for apartment buildings are $52^{\prime}-10^{\prime \prime}$. Maximum allowable height for residential uses in this Planning Area is $65^{\prime}$.

## Access \& Off-Site Circulation

The ODP includes a general graphic layout of the Planning Areas and proposed circulation concepts, which is a required component of an ODP. As it relates to the subject proposal and PA 2, the ODP shows conceptual locations for vehicular access at the main entry drive as well as between PA 1 and
2. It also shows vehicular/pedestrian cross access in multiple locations between PA 1 and 2 , to ensure a logical roadway network and connectivity is created. See Exhibit 3, Zoning Document Excerpts.

The SDP reflects the main vehicular access to the site at the western property line from Clear Creek Drive. Just north of this main entrance, Clear Creek Drive will terminate in a cul-du-sac with a parking lot and trailhead providing access to the greenbelt.

The secondary access will have both an interim and final condition based on the timing of the adjacent development. In the interim condition, secondary access will be at the far southeast corner of the site and will provide public access and emergency access to W. $40^{\text {th }}$ Avenue. Public access at $40^{\text {th }}$ will be limited to right-in/right-out because it will be unsignalized.

The final condition for secondary access will serve the subject site at the middle of the southern property line, and it will provide access to the future loop road that is required on the adjacent PA 1. This loop road will connect to a future signal and full movement intersection at $40^{\text {th }}$ Avenue to the southeast of the subject site. The owner of PA 1, SCL Health, will be responsible for building this loop road. A future pedestrian cross access is reserved on the east side of the site to comply with the ODP. See Exhibit 7, Pedestrian and Vehicular Circulation Exhibit.

To ensure the necessary internal roadway network is provided for, staff has placed a recommended condition of approval to require a formal, recorded agreement between PA 1 and PA 2 property owners to formalize the required roadway connections and timing of off-site improvements, prior to building permit. If, upon build-out of the subject site, the interim secondary access is found to be inadequate or to pose significant safety concerns, another condition of approval gives the Public Works Director the authority to require completion of the permanent loop road.

## Parking

Both resident and guest parking is to be provided utilizing a variety of parking types dispersed throughout the site. First, attached and detached garage parking will be available to residents, in addition to surface parking spaces. Guest parking will be available along the primary street as both parallel and head-in spaces, as well as dispersed throughout the surface lots. In total, the project provides 552 total parking spaces comprised of the following (see Exhibit 6, Parking Exhibit):

- 391 surface parking spaces,
- 61 attached garage spaces,
- 38 detached garage spaces,
- 47 tandem parking spaces in front of garages, and
- 15 accessible parking spaces.

Additionally, the SDP includes 16 bike racks, accommodating 32 bicycles parked outside of homes. A parking ratio of 1.8 spaces per unit is accomplished with this plan, exceeding the zoning requirements and based on the applicant's projected demand. The ODP requires a minimum parking
ratio of 1.60 spaces per unit. Parking lots are shielded from surrounding streets by buildings and landscaping.

## Building Orientation

The Design Pattern Book sets forth primary and secondary frontages and setbacks/build-to requirements specific to each development district within Clear Creek Crossing. For PA 2/ Homestead District, the Design Pattern Book requires 50\% of buildings along Clear Creek primary frontage to be within the build-to, and $30 \%$ of buildings along the Clear Creek Drive secondary frontage to be within the build-to. The intent of these requirements are to ensure that the site is oriented to the creek and the open space to the north to contribute to a sense of place and walkability.

The SDP proposes a $45.5 \%$ build-to along the creek. While it falls just shy of the $50 \%$ standard, it still meets the intent. Staff requested that the retaining wall on the north side be tiered for visual, scale, and safety reasons. In addition, the site plan includes pedestrian amenities on the north side including walkways, benches, shade features, a trail overlook amenity area, and a dog run. The impact of these design choices reduces slightly reduces the build-to, but the effect is nearly imperceptible.

In the Design Pattern Book, the design standards are intended to have some flexibility, and it specifically stipulates that an alternative may be considered if concurrence is achieved by the Community Development Director and the ACC. In this case, the ACC, staff and the Community Development Director find the proposed modification to be justified in that it is in keeping with the intent of the design standard since the buildings are oriented to the creek and the tiered wall and north side amenities will result in a higher-quality pedestrian experience.

## Architecture

The multi-family buildings are comprised of two building types, each proposed to be four stories tall. The carriage buildings are proposed to be two-story structures with parking below and units above, similar to a townhome development form. With multiple building heights and types, a graduation of building height and mass is provided through modulation of the building form.

The architectural style is driven by the Clear Creek Crossing Design Pattern Book and Vision Book which call for a modern agrarian aesthetic that blends traditional agrarian forms and materials with modern archetypes and users with strong attention to be paid to the pedestrian realm and earth-driven connections. Steep gabled roof forms reduce the bulk of each building. Low metal roofs bring the mass down to a pedestrian scale while recalling the agricultural history of the site.

The primary entrances are emphasized with large roof covers, double-height spaces, and stone. The four-story massing is broken up with varying roof forms, changes in plane depth through offsets in the building facades, as well as carefully placed color and stone to establish a rhythm on the façade and provide visual interest. Balconies, windows, identifiable entries, and strategically placed awnings will also help to break up the massing and relate the scale to neighboring properties. All building exteriors will be highly detailed with a distinct base, middle, and top to create a distinctly human scaled pedestrian experience.

Along with the four-story buildings, the two-story carriage buildings, clubhouse, and garages relate to one another through similar quality materials, thoughtful massing, and a holistic approach to the overall character of the project.

The primary building materials consist of vertical board and batten, horizontal lap siding, and stone veneer utilizing a variety of rustic and earth tones. Color palettes and the use of architectural features such as entry roofs, columns, and depth changes vary to provide interest among the buildings. Publicly visible side and rear elevations also feature enhanced elevations utilizing stone and protrusions on ground floors, windows, material changes, and inset garage doors. The applicant has responded to staff requests to enhance the sides of the buildings which are visible from Clear Creek and Clear Creek Drive primary and secondary frontages by incorporating additional entry roofs, gables, and windows, as well as increasing the amount of stone and projections on the ground floor to provide a human-scale relationship between structures, streets and open spaces. See Exhibit 8 , Architectural Package.

## Landscaping, Open Space, and Amenities

The project exceeds the minimum requirements for $30 \%$ of the gross lot size to be landscaped by reserving pockets of open space/amenity areas, landscaping islands, primary and secondary frontages for trees, shrubs, ornamental grasses and perennials. The planting design compliments the modern agrarian theme and focuses on native plantings and a variety of plant types that use height and texture to frame views, accent areas of interest and provide for year-round interest. A majority of the site, especially the area adjacent to the northern property boundary will consist of native seed mix. This allows for a progression from the informal, naturalistic planting adjacent to Clear Creek to the more formal planting of the clubhouse. The pedestrian oriented central street will include a wide sidewalk, enhanced plantings, and buffered parallel and head-in parking to frame the streetscape and provide an inviting pedestrian environment.

At the clubhouse, amenities for residents and visitors will include an urban plaza area, an outdoor kitchen, picnic tables, lawn seating, festoon lighting, and a ping pong area shaded by trellises. Within the pool area itself, there will be an additional outdoor kitchen with bar seating, tables, shaded cabanas, a projector screen, play areas for bocce and bags, hammock posts, and a fire pit with seating. The pool includes an in-pool seating ledge and an adjacent spa.

Throughout the community there will be several pocket parks with seating, bike parking, and pet stations. In addition to the pet stations, there is a large dog run area planned on the northern end of site; both with double gates, boulders for play, and shaded trellis seating. The most notable open space/amenity areas internal to the site can be found at the clubhouse, enhanced entry drive terminus, the reserved creek "overlook" area, and the dog run. See Exhibit 5, Site Plan and Landscape Package.

The site design also incorporates connections to the adjacent Clear Creek Trail. Clear Creek Crossing streetscape improvements include plans to build a shelter and picnic facility along the trail and install information trailhead signs. In addition to the Clear Creek Trail connection, a pedestrian connection to the adjacent PA 1/Mill District will be provided, and include a staircase and trellis covered seating area.

The Design Pattern Book generally prohibits the use of artificial turf, so a modification has been requested to allow a small area of artificial turf within the fenced clubhouse amenity area for yard games. As noted above, modifications are permitted if consistent with the intent. In this case, the ACC, staff and the Community Development Director find the proposed modification to be justified in that it is in keeping with the intent of the design standard since the applicant is meeting minimum
landscaping standards, the use of artificial turf will not create adverse impacts on adjacent developments, the turf is requested for a specific purpose within a private amenity area, and the turf area is not included in any open space or landscape calculation.

## Grading, Utilities, and Drainage

There are significant grade changes across the Clear Creek Crossing development. An overlot grading plan for the whole site and a master grading plan for PA 1 and PA 2 have been reviewed to ensure that the site and planning areas are integrated. Likewise a master drainage plan and master traffic report for the entire site have been previously reviewed and approved with the subdivision application. This SDP complies with all grading, drainage, and traffic plans. The project site generally drains from southwest to northeast, towards Clear Creek. Runoff from the subject site will be collected via roof downspouts, curb and gutter, inlets and storm sewer and routed to the regional wetlands pond just north of the site. The storm system will also be owned and maintained by the metro district.

Sanitary sewer and water service will be provided by Applewood Sanitation District and Consolidated Mutual Water Company, respectively. All internal site utilities will be privately owned and maintained by the Longs Peak Metro District, and will be placed in utility easements. The utilities are generally located beneath the private drives.

## IV. SDP CRITERIA

Staff has provided an analysis of the zone change criteria outlined in Section 26-305.D. The Planning Commission shall base its recommendation in consideration of the extent to which the following criteria have been met:

## 1. The proposed specific development plan is consistent with the purpose of a planned development as stated in section 26-301 of this article.

The purpose of utilizing planned development zoning is to provide flexibility while accommodating well-designed, innovative developments that demonstrate efficient use of land and may not be feasible under a standard zone district. The SDP achieves these goals and proposes a particularly unique multi-family development in close proximity to employment and commercial opportunities, supporting the mixed-use vision for the area. The site and buildings were designed to reinforce the character of Clear Creek Crossing as established in the Design Pattern Book.

## Staff concludes this criterion has been met.

2. The proposed specific development plan is consistent with the design intent or purpose of the approved outline development plan.

The SDP is consistent with the intent and character statements of the outline development plan. The site is planned to maximize pedestrian and bicycle connectivity throughout, as well as connection to nature, with buildings oriented toward Clear Creek along the northern portion of the site. Modern agrarian architectural character follows guidelines from the Vision and Design Pattern Books, while building massing respects human-scale and reinforces pedestrian orientation.

Staff concludes this criterion has been met.
3. The proposed uses indicated in the specific development plan are consistent with the uses approved by the outline development plan.

The SDP is consistent with the use standards of the outline development plan. The ODP for Clear Creek Crossing lists Multiple Dwelling, Residential as a permitted use in Planning Area 2 or the Homestead District which includes the subject site.

Staff concludes this criterion has been met.
4. The site is appropriately designed and is consistent with the development guidelines established in the outline development plan.

The site and buildings were designed to adhere with development standards for the Homestead District. This includes building orientation to maximize views of Clear Creek and the mountains, conformance to required setbacks and intent of build-to requirements, lot coverage, landscaping, building design, vehicle and bicycle parking, gathering space and pedestrian and bicycle connections to trails.

Staff concludes this criterion has been met.
5. Adequate infrastructure/facilities are available to serve the subject property, or the applicant will upgrade and provide such where they do not exist or are under capacity.

All responding agencies have indicated they can serve the property with improvements installed at the developers' expense. All required infrastructure and services are provided for within this SDP.

## Staff concludes this criterion has been met.

6. The proposed specific development plan is in substantial compliance with the applicable standards set forth in the Architectural and Site Design Manual, Streetscape Design Manual, and other applicable design standards.

As described above, the SDP is in compliance with the Clear Creek Crossing Design Pattern Book, which addresses architectural, site, and streetscape design.

Staff concludes this criterion has been met.
Staff concludes that the criteria used to evaluate the SDP support the request.

## V. AGENCY REFERRAL

All affected service agencies were contacted for comment on the zone change, ODP, SDP, and subdivision, specifically regarding the ability to serve the property. Referral responses follow:

Wheat Ridge Public Works: The SDP and supporting technical documents have been reviewed and approved pending minor technical corrections.

Wheat Ridge Parks \& Recreation: No comments provided.
Wheat Ridge Police Department: No objections.
Wheat Ridge Building Division: No comments provided. Coordination will continue through development.

West Metro Fire District: Can serve, proposed interim access and hydrant design is acceptable. Coordination will continue through development.

Xcel Energy: Can serve. Utility coordination is ongoing.
Century Link: Can serve. Utility coordination is ongoing.
Comcast Cable: No comments provided. Utility coordination is ongoing.
Consolidated Mutual Water District: Can serve. Utility coordination is ongoing.
Applewood Sanitation District: Can serve. Utility coordination is ongoing.
Longs Peak Metro District: No comments provided.
Denver Water: No objections.
Jefferson County Planning Department: No comments provided.
Colorado Department of Transportation: No objections.
Prospect Recreation and Parks District: No comments provided.
Regional Transportation District: No comments provided.
Clear Creek Crossing Architectural Control Committee (ACC): The ACC has reviewed and provided a recommendation of approval of the SDP.

## VI. STAFF CONCLUSIONS AND RECOMMENDATION

Staff has concluded that the proposed SDP is consistent with the planned development regulations, with the goals and policies of the City's guiding documents, and with the proposed ODP and supporting documents. Because the review criteria support the SDP, Staff recommends approval of the Specific Development Plan.

## VII. SUGGESTED MOTIONS - SPECIFIC DEVELOPMENT PLAN

## Option A:

"I move to recommend APPROVAL of Case No. WZ-19-01, a request for approval of a Specific Development Plan Approval for the construction of a 310-unit multi-family apartment project on property located within Planning Area 2 of Clear Creek Crossing, for the following reasons:

1. The specific development plan is consistent with the purpose of a planned development, as stated in Section 26-301 of the Code of Laws.
2. The specific development plan is consistent with the intent and purpose of the outline development plan.
3. The proposed uses are consistent with those approved by the outline development plan.
4. All responding agencies have indicated they can serve the property with improvements installed at the developers expense.
5. The specific development plan is in substantial compliance with the applicable standards set forth in the outline development plan and with the City's adopted design manuals.

With the following conditions:

1. The technical corrections requested by Planning and Public Works related to labels, notes, and typos shall be addressed prior to SDP recording and prior to issuance of any building permit.
2. An agreement for the off-site secondary access shall be recorded by separate document prior to recordation of the SDP. The agreement shall include the PA 1 and PA 2 property owners, shall address the phasing, timing, and obligation of the access, and shall be subject to approval by the West Metro Fire Protection District, City of Wheat Ridge Public Works Director, and City of Wheat Ridge Community Development Director.
3. If, upon build-out of the subject site, the interim secondary access is found to be inadequate and/or to pose significant safety concerns, the City may require completion of the permanent loop road at the discretion of the Public Works Director.
4. Agreement between the property owner and Longs Peak Metro District shall be recorded by separate document prior to issuance of any building permit. The agreement shall set forth construction, ownership, and maintenance provisions for the retaining walls.

## Option B:

"I move to recommend DENIAL of Case No. WZ-19-01, a request for approval of a Specific Development Plan Approval for the construction of a 310-unit multi-family apartment project on property located within Planning Area 2 of Clear Creek Crossing, for the following reasons:
1.
2. ..."

## EXHIBIT 1: AERIAL



## EXHIBIT 2: ZONING AND SUBDIVISION BOUNDARIES



# EXHIBIT 3: ZONING DOCUMENT EXCERPTS 

see attached

Attached you will find excerpts from the applicable regulatory documents (i.e., ODP, Design Pattern Book, and Vision Book).
Links to the full documents can be found at the following link:
https://www.ci.wheatridge.co.us/1559/Clear-Creek-Crossing

## CLEAR CREEK CROSSING

A PARCEL OF LAND, LOCATED IN THE SE $1 / 4$ OF SECTION 19, THE SW $1 / 4$ OF SECTION 20
THE NE $1 / 4$ OF SECTION 29 T 3 S, R 69 W, OF THE SIXTH P.M
CITY OF WHEAT RIDGE, COUNTY OF JEFFERSON, STATE OF COLORADO



## DEVELOPMENT STANDARDS: HOMESTEAD DISTRICT

## DEVELOPMENT STANDARDS

| PERMITTED USES | REFER TO CLEAR CREEK CROSSING OUTLINE DEVELOPMENT PLAN AMENDMENT FOR ALL PERMITTED USES |  |
| :---: | :---: | :---: |
| SITE PLANNING | BUILDINGS SHALL BE PLACED ACCORDING TO THE SETBACKS OUTLINED BELOW. GIVEN PLANNING AREA'S ADJACENCY TO CLEAR CREEK TO THE NORTH AND MOUNTAIN VIEWS TO THE SOUTH, BUILDINGS SHALL BE PLACED TO CAPTURE VIEWS. PEDESTRIAN CONNECTIVITY TO ADJACENT USES AS WELL AS WITH THE TRAIL NETWORK IS REQUIRED. WHEN MULTI-FAMILY USES ARE PROPOSED IN OTHER PLANNING AREAS, THE FOLLOWING DEVELOPMENT STANDARDS FROM THE HOMESTEAD DISTRICT SHALL APPLY: MINIMUM LANDSCAPE REQUIRED, MAXIMUM BUILDING HEIGHT, PARKING, BICYCLE PARKING, BUILDINGS / ARCHITECTURE, MATERIALS, LANDSCAPE, LIGHTING, SIGNAGE, AND OTHER REQUIREMENTS. |  |
| SETBACKS AND <br> BUILDING ORIENTATION | RESIDENTIAL USES |  |
|  | PRIMARY FRONTAGE: CLEAR CREEK ORIENTATION |  |
|  | - AT LEAST $50 \%$ OF THE PROPERTY'S FRONTAGE ALONG CLEAR CREEK MUST CONTAIN A BUILDING WITHIN 0-20 FEET OF THE PROPERTY LINE ORIENTED TOWARD CLEAR CREEK |  |
|  | SECONDARY FRONTAGE: CLEAR CREEK DRIVE |  |
|  | - AT LEAST 30\% OF THE PROPERTY'S FRONTAGE ALONG CLEAR CREEK DRIVE MUST CONTAIN A BUILDING WITHIN THE REQUIRED 0-20 FOOT BUILD-TO AREA |  |
|  | NON-RESIDENTIAL USES: |  |
|  | PRIMARY FRONTAGE: CLEAR CREEK DRIVE |  |
|  | - AT LEAST $50 \%$ OF THE PROPERTY'S FRONTAGE ALONG CLEAR CREEK DRIVE MUST CONTAIN A BUILDING WITHIN 0-20 FEET OF THE PROPERTY LINE |  |
|  | SECONDARY FRONTAGE: INTERNAL DRIVE |  |
|  | - AT LEAST 30\% OF THE PROPERTY'S FRONTAGE ALONG THE INTERNAL DRIVE MUST CONTAIN A BUILDING WITHIN THE 0-20 FOOT BUILD-TO AREA |  |
|  | - NOTE: BUILDINGS SHALL BE PLACED ACCORDING TO THE REQUIREMENTS OF THE USE AND IN CONSIDERATION OF THE CHARACTERISTICS OF THE SITE, WHILE PLACING A PRIORITY ON CIRCULATION AND WALKABILITY TO OTHER DISTRICTS INCLUDING THE ADJACENT CLEAR CREEK TRAIL |  |
| MAXIMUM LOT COVERAGE | 80\% |  |
| MINIMUM LANDSCAPE REQUIRED | 20\% |  |
| MAXIMUM BUILDING HEIGHT | SINGLE USE, COMMERCIAL: | 56'-0" |
|  | MIXED USE (DEFINED AS VERTICAL INTEGRATION OF USES): | 90'-0" |
|  | RESIDENTIAL USES: | $65^{\prime}-0^{\prime \prime}$ |
| PARKING | SURFACE AND/OR STRUCTURED PARKING PER SECTION 2.3.4 (PARKING AND SERVICE) AND SECTION 3.8 (PARKING STRUCTURES). ALL PARKING SHALL MEET THE CITY OF WHEAT RIDGE STANDARDS, CHAPTER 26, ARTICLE V, SEC. 26-501 |  |
|  | 1.0 SPACE PER 1 BEDROOM MFR UNIT |  |
|  | 2.0 SPACES PER 2-3 BEDROOM MFR UNIT |  |
|  | 2.5 SPACES PER 4 BEDROOM MFR UNIT |  |
|  | PLUS 1.0 GUEST SPACE PER 10 SPACES |  |
| BICYCLE PARKING | BICYCLE PARKING PER SECTION 2.4.1 (BICYCLE PARKING) <br> 1 BICYCLE SPACE PER EVERY 10 UNITS, BUT NO LESS THAN 3 SPACES |  |
| BUILDINGS / ARCHITECTURE | REFER TO SECTION 3.0 (BUILDING DESIGN) AND 3.10 .2 (MULTI-FAMILY ARCHITECTURE) |  |
| MATERIALS | REFER TO SECTION 4.0 (MATERIALS) |  |
| LANDSCAPE | REFER TO SECTION 5.0 (LANDSCAPE) |  |
| LIGHTING | REFER TO SECTION 6.0 (LIGHTING) |  |
| SIGNAGE | REFER TO SECTION 7.0 (SIGNAGE) |  |
| OTHER REQUIREMENTS | PLAZA AND GATHERING AREA REQUIREMENT, REFER TO SECTION 2.7 |  |
|  | PUBLIC ART REQUIREMENT, REFER TO SECTION 2.9 |  |



## EXHIBIT 4: OVERALL PLAN SHEETS

see attached

## CERTIFICATIONS

OWNER CERTIICATE




State of cloorado
countr OF Jefferson ${ }^{\text {/SS }}$
THE Foregong instrument was acknowledoged before me this
_DAY OF__AD._AD_BY
WTNESS MYYAND AND OFFICILL SEAL MY COMMISSION EXPRRES
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## OWNER CERTIICATE





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SURVEYORS CERTIFICATE




SUURVEYORS SEAL) SIIGNATURE
heet index


CASE HISTORY


## PROJECT DESCRIPTION/ CHARACTER OF DEVELOPMENT

OUTLOOK AT CLEAR CREEK CROSSNG WIL RROVDE 30 MUTTFAMLY UNTS INT MUTT FAMLY BULLDNGS OTHER OUTDOOR AMENTIES. USABELE OPENSPACE IS ITTEGRATED THROUGHOUT THE STE, WTH SHECCILL



## COUNTY CLERK AND RECORDERS CERTIFICAT

State of colorado
Countr of Jefferson, $)^{\text {ss }}$


JEFFERSON COUNTY CLERK ANO RECORDER
${ }^{\text {Br: }}$ DEPUTY
PLANNING COMMSIIION CERTIFICATION
RECOMENDED FRR APPROVAL THIS_ _DAY OF
PAANNC COMMSSON. $\qquad$ BY THE WHEAT RIDG

CHAR PERSON
CITY CERTIFICATION

attest
COMMUNTIT DEVELOPMENT DIRECTOR

## STANDARD NOTE

ALL DEVELOPMENT THATIS PART OF THIS STE DEVELLOPMEN PLAN SHALLL CONFORM WTHTHE CLEAR





PROJECT TEAM

##  <br> 

RPLAG@EVERECOM

##  <br>  <br> KARLSQCEPHART.CO <br> KEPHART <br> KEPHART





| LANDSCAPE ARCHITEC 8 PLANNNG |
| :---: |
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| Stiole |
| ${ }^{303,38221166}$ |
|  |
|  |
| NORRIS DESIGN |

## DATE:

 $8 / 1 / 319-$ - rd Submital
$8 / 29119-44$ Submital
$\square$

EET TTLLE:
COVER SHEET






| $\odot$ | CANOPY TREE |
| :---: | :---: |
| $0$ | CANOPY TREE (UP-SIZ |
| $\bigcirc$ | ORNamental tree |
| $\bigcirc$ | EVERGREEN TREE DECIDUOUS SHRUBS |
| $\stackrel{\infty}{\infty}$ | EVERGREEN SHRUBS MANICURED TURF |
| $\square$ | ARTFICIAL TURF |
| T-4 | Shrub bed |
| \% |  |
| $\square$ | CRUSHER FNES |
| -- | PROPERTY LINE <br> BUILD TO LINE |




SHEET 43
KEY PLAN

DATE: $\frac{3 / 29 / 19-\text { Ist Submital }}{6 / 1219-2 n d ~ S u b m i t a l}$
 $\frac{813 / 9-3 \text { - Scubitital }}{882919-41 \text { Summital }}$
$\qquad$

SHEET TTTE: PHOTOMETRIC PHOTOMETRIC
PLAN SOUTH

430544

## EXHIBIT 5: SITE PLAN AND LANDSCAPE PACKAGE

see attached




NOTE:


LEGEND

|  | Exstinc | Proposed |
| :---: | :---: | :---: |
| RIGHT-OF-WAY |  |  |
| accessile foute |  |  |
| fre Access easment |  |  |
|  |  |  |
|  |  |  |
| oranage easment |  |  |
| fence (8y Others) |  |  |
| retammg mall |  |  |
| вuID-T0 Lne |  |  |
| SAncur [icrerel |  |  |
| Conceizt hact |  |  |
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| hamocap accessalie parnng |  | "\#\#, |
| retanng valu hegrt |  |  |
|  |  |  |
|  |  |  |
| (CORNER TRIANGLES MUST BE FREEOF ALL LANDSCAPE OVER $36-\mathbb{N}$ IN HEIGHT) |  |  |
| Schrid ostame ramme per masho |  |  |
| Stick |  |  |
| EXCEPT FOR STREETS TREES AND TRAFFIC CONTROL DEVICES AND EQUIPMENT) |  |  |
|  |  |  |
| sons | $\cdots$ |  |
| fre hiorat | , |  |
| mater metre/ valut |  | $\bigcirc$ |
| stret ught |  | oox |
| parknc stal count |  | - |
| gareos parknc count |  | $\square$ |
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## DATE: 3/29/19-1st Submital

 6/12/199- 2nd Subumital $\frac{813199-3 \text { rd Submitital }}{8129919-4 t}$$\qquad$
SITE PLAN -
NORTHEAST






| LANDSCAPE REQUIREMENTS CHART |  |  |
| :---: | :---: | :---: |
|  | Required | Proposed |
| OPENSPACELANDSCAPING | 30\%MIN / 163,458 SQFT MIN | 33\%/178,650 SQFT |
| SOD | 60\%MAX 1326,917 SQFT MAX | 6\%/ 32,244 SQ FT |
| HARDSCAPE | N/ | 44\%/ 242,426 SQFT |
| CLEAR CREEK DRIVE ( 285 LF PUBLIC FRONTAGE, 1 TREE PER 30 LF) | 10 | 10 |
| ON-SITE TREES ( 1 TREE PER 1,000SF | 164 | 169 |
| ON-SITE SHRUBS (10 SHRUBS PER 1,000SF) | 1,635 | 1,719* |
| PARKING ISLANDS ** (1 TREE AND 4 SHRUBS PER REQUIRED ISLANDS) | 1 ISLAND ( 1 TREE AND 4 SHRUBS) | 11 LLAND (1 TREE AND 4 SHRUBS) |



PLANT SCHEDULE

|  |  |  |
| :--- | :--- | :--- |
| QTY. (EA.) | SYM. CoMMON NAME | BOTANICAL NAME |


| $++$ | 11 <br> 04 <br> 0. <br> 0. <br> 0. <br> on <br> suA |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
| \% | 17 <br> $\substack{17 \\ 90 \\ 90 \\ 0.0 \\ 0.0 \\ 0.0 \\ \text { MEDUU } \\ \hline}$ |  |  |  |  |
| $\stackrel{\circ}{\circ}$ |  |  |  |  |  |


| 8 |  | COMMON PURPLE LILAC ARNOOH SUMAC ARNSOOWAFFORSTHHA SASKATOON SERVICEBERR | SyRMGG vulgarls Ross Thatannoll owar AMELANCHERALNFOLIA |  |
| :---: | :---: | :---: | :---: | :---: |
| \% |  | EMEALDGAETY EUONMUS PAACHIO MAVZANTA SLOMNOWD MSGOPNE | EUONYMUS Fortunelemerald galety <br>  |  |
| 98 |  |  | JUNIPERUS SABINA 'BUFFALO' <br> COTONEASTER DAMMERI 'CORAL BEAUTY <br> PINUS MUGO 'TANNENBAUM' |  |
| (8) | ${ }_{42}{ }^{\text {RIGHT MEJ }}$ | MEDRAS | Junperus scopulorum Meoora' | *5 Cont. |
| ${ }^{\text {K }}$ |  |  | MIICANTHUS SIINENIIS'ADAGIO <br>  SPOROBOLUSHETERR PANCUM VIRATUMM |  |
| ${ }^{8}$ |  | ASPEN DAISEY COMMON WHITE MARROW SPOTTED GAYFEATHER GOLD BANNER NATIVE COLUMBINE PLAINS LARKSPUR PURPLE PRAIRIE CLOVER BLACK EYED SUSAN |  <br>  <br>  <br>  |  |

## LANDSCAPE NOTES






6. THROUGHEGEATEST EXTENT POSSIBLE, TOPSOIL WLLL E E STOCKPLLED ON STE TO USE FO





9. ALL SHRUB BEDS ARE TO E E MLCHEDED







CHPPED TRE MULCH, NONTRTREATED ANO NON COLORED. MLCH AROUND TRESS I O DRYLA



16. COLLD VARY GUT AN AVERAGE UNFORM WDTH OF '






## GENERAL NOTES

THESE PLANS SHALL LOT BEUTILIED FOR CONSTRUCTION OR PERMMTING UNLESS STATED FOR









NOT FOR CONSTRUCTION

DATE:

3/29/19-1st Submittal | 3/2919 - 1 It Submittal |
| :--- |
| $5 / 121 / 19-2$ nnd Submital |


$\qquad$

## $\square$



| $\bigcirc$ | Canopy tree |
| :---: | :---: |
| (-) | CANOPY TREE (UPSTIED) |
| $\bigcirc$ | ornamental tree |
| $\bigcirc$ | Everberen tree |
|  | DECIDUOUS SHRUBS |
| $\square$ | MANCURED TURF |
| -wa | ARTIFCIAL TURF |
| $\square$ | Shrub bed |
| \% |  |
| $\square$ | CRUSHER FNES |
|  |  |
|  | bullo to Line |



NOT FOR
CONSTRUCTION

DATE:

 | $81 / 319-3$ - Cl S Sumitalal |
| :--- |
| $8 / 2919-4 t h$ Summital |





## 

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CONSTRUCTION

DATE: $\frac{3 / 2919-\text { - } 1 \text { t Submitital }}{6}$
 $129119-4$ 4th Subm
$\qquad$

## SHEET TTILE: LANDSCAPE

 PLAN NW



##  <br> NOT FOR CONSTRUCTION <br>  <br> 6/12119-2nd Sumbital

 $8 / 13 / 19-$-3rd Submital
$8 / 29 / 19-4 t h$ submital
$\qquad$

SHEET TTILE:
LANDSCAPE
ANDSCAPE
PLAN SW
$87 \underbrace{0}_{\text {NORTH }} \underbrace{15}_{\text {SCALE }{ }^{\prime \prime}=30^{\circ}}$
22 OF 44


##   <br> NOTFOR CONSTRUCTION <br> $\qquad$ <br> DATE: | 3/2919-1 1 stsumitital |
| :---: |
| $6 / 12119-2 n d ~ S u m m i t a l ~$ | $\frac{612119-2 \text { nd } \text { Subumital }}{8 / 1319}$


$\qquad$

SHEET TITLE:
LANDSCAPE
SHEET ITLE:
LANDSCAPE
PLAN SE
23 OF 44

(1) Evergreen Tree and Seating
(2) Farm Table and Grill Station
(3) Decking With Ping-Pong (2)
(4) Bocce / Bags (Sunken)
(5) Projector Screen and Viewing Lawn
(6) Spa with Overflow Spill Feature
(7) Soaking Shelf
(8) Cabanas (3)
(9) Freestanding Hammock Posts
(10) Tree Bosque Screening
(11) Signage
(12) Grill Area and Tables
(13) Fenced in Patio With Bags / Foosball
(14) Urban Entry Plaza with Bike Parking
(15) View Across to Fire Pit
(16) View Across to Spa and Screen
(17) View to S. Table Mnt. and Green Mnt
(18) Climbing Rocks

(4) Pedestrian Connectivity Between Building and Parking Lot
(5) Wall Screening






III五
KEPHART NORRIS DESIGN
community : planning $\boldsymbol{r}$ architecture Planning Landscape Architecture | Branding

mit
KEPHART

JJJJ
NORRIS DESIGN

## EXHIBIT 6: PARKING EXHIBIT

see attached


# EXHIBIT 7: PEDESTRIAN AND VEHICULAR CIRCULATION EXHIBIT 

see attached

(a) Evergreen HkS

# EXHIBIT 8: ARCHITECTURAL PACKAGE 

see attached

(3) BLDG TYPE A REAR LEFT FACADE - 3D VIEW

(2) LEFT ELEVATION-BLDG TYPEA

(1) REAR ELEVATION - BLDG TYPEA

(1) FRONT ELEVATION - BLDG TYPE A

(2) $\frac{R E A R ~ E L E V A T I O N ~-~ B L D G ~ T Y P E ~ B ~}{108=1 \cdot 0^{\circ}}$
(3) BLDG TYPE B FRONT RIGHT FACADE - 3D VIEW

(1) $\frac{\text { FRONT ELEVATION }- \text { BLDG TYPE } B}{1 / 8^{\circ}=1 \cdot 0^{\circ}}$

(5) BLDG. TYPEC - FRONT + RIGHT 3D VIEW

(6) BLDG. TYPEC-REAR AND LEFT 3D VIEW

(1) $\frac{\text { FRONT ELEVATION - BLDG TYPE C - COLOR SHEME } 1}{18^{\circ}=1 \cdot T^{\circ}}$

(3) $\frac{\text { RIGHT ELEVATION - BLDG TYPEC }}{10^{2}=1: 0^{\circ}}$

(2) LEFT ELEVATION - BLDG TYPEC

(4) $\frac{\text { REAR ELEVATION - BLDG TYPE C-COLOR SCHEME } 1}{18^{=}=1.0^{\circ}}$


(1) $\frac{\text { FRONT ELEVATION - BLDG TYPE C - COLOR SHEME } 2}{18^{\circ}=1 \cdot T^{\circ}}$



(2) LEFT ELEVATION-BLDG TYPEC

(4) REAR ELEVATION-BLDG TYPE C-COLOR SCHEME 2


(8) $\frac{\text { LEFT }}{\text { TEFT T WLEVATION }}$ - GARAGE TYPE 2

(6) $\frac{\text { RIGHT ELEVVATION - GARAGE TYPE } 2}{\text { TE }}$
(4) LEFT ELEVATION - GARAGE TYPE 1
(3) RIGHT ELEVATION-GARAGE TYPE 1

4)


(7) REAR ELEVATION-GARAGE TYPE 2



(1) FRONT ELEVATION-GARAGE TYPE 1Evergreen HkS bevelopment I Services Itrvestments HOS KOCHER

(4) $\frac{\text { CLUBHOUSE-LEFT ELEVATION }}{18^{\circ}=1.50}$ $\qquad$ -

(2) $\frac{\text { CLUBHOUSE-RIGHT ELEVATION }}{18=10 \cdot 0^{\circ}}$

(3) $\frac{\text { CLUBHOUSE-REAR ELEVATION }}{10=10: 10.0}$

(1) CLUBHOUSE-FRONT ELEVATION



[^0]:    Individuals with disabilities are encouraged to participate in all public meetings sponsored by the City of Wheat Ridge. Call Sara Spaulding, Public Information Officer at 303-235-2877 at least one week in advance of a meeting if you are interested in participating and need inclusion assistance.

