
FOREST MEADOWS SOUTH

PROJECT STATEMENT

JULY 1 2016

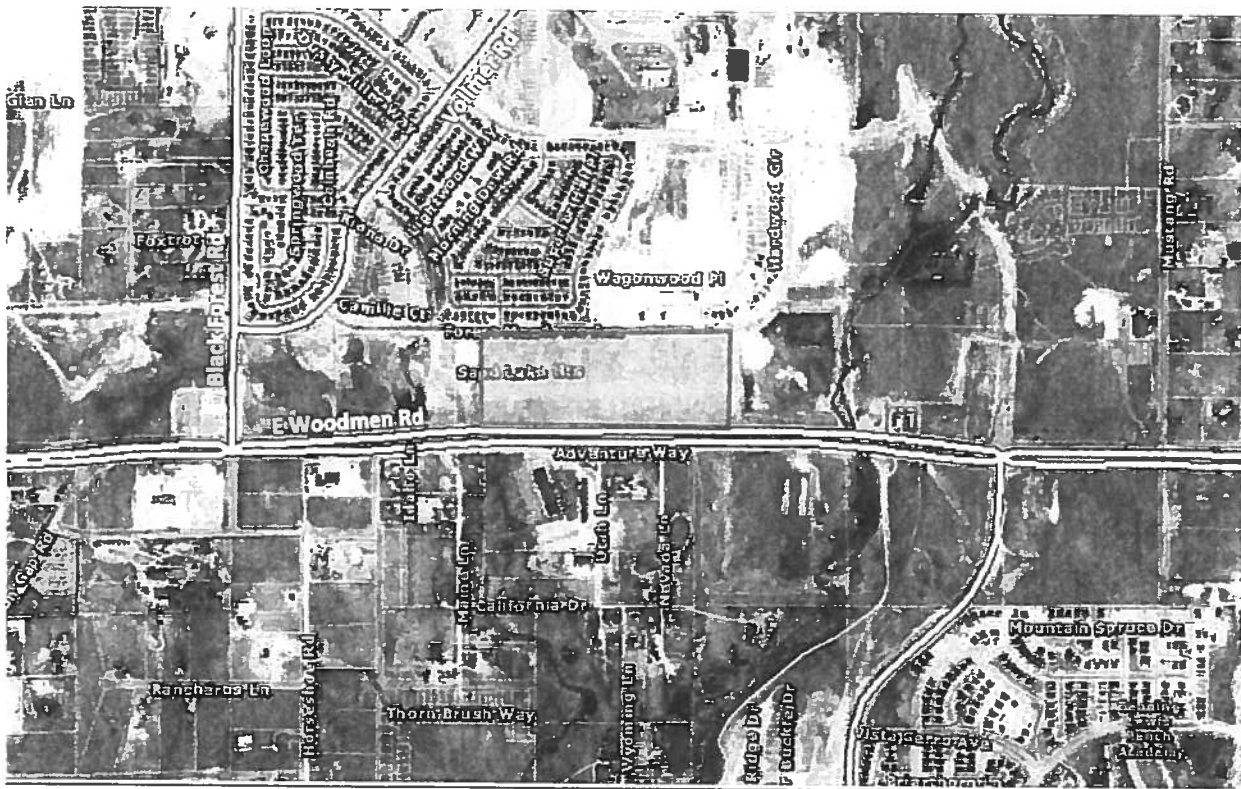
REQUEST

N.E.S. Inc. on behalf of Springs Land Ventures LLC requests approval of the following applications:

1. A Rezone of 38.22 acres from PUD/AO commercial to PUD/AO multifamily residential.
2. Amendment to the Woodmen Heights Master Plan to change the land use designation to multifamily.
3. A Concept Plan for multifamily residential development, with access and open space.

LOCATION

The subject site is located to the south of Forest Meadows Avenue and north of East Woodmen Road. To the north of Forest Meadows Avenue is existing single-family residential development, zoned PUD. To the west is an existing mini-warehouse/self-storage center, also zoned PUD. An existing regional detention pond is located further to the west and a proposed regional detention pond will be constructed adjacent to the property's eastern boundary.



PROJECT DESCRIPTION

The property is part of a larger 44 acre property designated on the Woodmen Heights Master Plan for "Office Industrial Park/Research & Development". A PUD Zoning (CPC ZC PUZ 07-101) and accompanying Concept Plan (CPC CP PUP 07-102) were approved in June 2008 for recreation, office, commercial, medical, warehouse, parking and storage uses, with a maximum height of 55 feet. Of this approved Concept Plan, only the warehouse component has been constructed, although the property has been graded and the northwestern 5 acres of the remaining site has been platted into 4 lots.

The site includes multiple easements, including one for a private access road intended to serve the 4 platted lots, easements for overhead powerlines, and other utilities that encumber the southern 16 acres of the property.

The approved Master Plan identifies five points of access off Forest Meadows Avenue and one access off Woodmen Road. The approved Concept Plan included all these points of access and provided a street connection through the property from Woodmen Road to Forest Meadows Avenue, with a right-in/right-out intersection on Woodmen. Since that time, Woodmen Road has been improved and the City will no longer permit an access onto Woodmen Road at this point. This undermines the viability of the property for office/commercial-oriented development.

The intent of this project is to amend the Woodmen Heights Master Plan and Zoning to allow the remaining property to be developed for Multifamily residential rather than the previously approved office/commercial-oriented development. The multifamily component is intended to be townhomes or single-family attached residential with a maximum gross density of no more than 8 acres. The net developable area is only 24 acres due to the utility easements, which results in a lower than average gross density for this type of development. The area encumbered by the utility easement will be set aside for open space, water quality, trails, and landscaping.

Access will only be taken from three points off Forest Meadows Road. A multifamily townhome/single-family attached development will be more compatible with the existing single-family residential development to the north than the previously proposed use in terms of the nature of the use, the hours of activity, and the traffic generation. The addition of the type of multifamily development proposed will also increase housing choice in the area.

PROJECT JUSTIFICATION

A. Master Plan Amendment

Section 7.5.408 of the Zoning Code sets out the review criteria for Master Plans. The majority of these criteria relate to new Master Plans but those that are relevant to the proposed amendment of the Woodmen Heights Master Plan from "Office Industrial Park/Research & Development" to "Multi-family residential (8-11.9 du/ac)" are as follows:

1. The master plan promotes a development pattern characterizing a mix of mutually supportive and integrated residential and nonresidential land uses with a network of interconnected streets and good pedestrian and bicycle connections.

As it is no longer possible to get direct access to this project off Woodmen Road, this property is no longer a commercially viable option for the current Master Plan designation of "Office Industrial Park/Research & Development" as direct access to a major arterial is a critical requirement for such development. The alternative would be to take all the non-residential traffic on to Forest Meadows Avenue and funnel it past the single family residential area to the north, which would not be desirable from a residential amenity perspective.

The proposed multifamily use will add to the mix of land uses in the Master Plan by providing additional housing choice. It will also preserve a larger area as open space, which the previously approved commercial project identified as parking. When developed, the project will incorporate trails with connections to adjacent sites where appropriate. The existing network of streets, other than the previously proposed connection to Woodmen Road, will remain the same.

2. The land use pattern is compatible with existing and proposed adjacent land uses and protects residential neighborhoods from excessive noise and traffic infiltration.

The proposed multifamily use will be more compatible with the single-family homes to the north and will result in considerably less traffic than the approved recreation, office, commercial, medical, warehouse, parking and storage development, particularly with the changed condition of access being prohibited onto Woodmen Road.

3. Housing types are distributed so as to provide a choice of densities, types and affordability.

Existing residential development in the area includes primarily single-family homes, a few patio homes and a recently approved apartment complex on the corner of Woodmen Road and Black Forest Road. The proposed townhomes/single-family attached residential will provide additional choice in terms of density, type of residential, and levels of affordability.

4. Land uses are buffered, where needed, by open space and/or transitions in land use intensity.

The existing utility easement in the southern section of the property will be retained as open space which will provide a substantial buffer between the proposed residential use and Woodmen Road. A large landscaped buffer will also be provided to the west adjacent to the mini-warehouse use. A 15 foot landscape buffer is proposed along Forest Meadows to buffer the proposed multifamily use from the existing single-family residential on the north side of Forest Meadows Avenue.

5. Anticipated trip generation does not exceed the capacity of existing or proposed major roads. If capacity is expected to be exceeded, necessary improvements will be identified, as will responsibility, if any, of the master plan for the construction and timing for its share of improvements.

The accompanying Traffic Impact Study demonstrates that the proposed multifamily land use is within the capacity of existing roads.

B. Zone Change

The property was rezoned from Agriculture with Airport Overlay – Commercial Airport District (A/AO-CAD) to Planned Unit Development with Airport Overlay – Commercial Airport District (PUD/AO-CAD) in November 2007 by zoning ordinance 07-207. Although the ordinance did not specify the type of use for the PUD zone, the Concept Plan that was approved concurrently was for recreation, office, commercial, medical, warehouse, parking and storage uses, with a maximum height of 55 feet.

The proposal is to rezone this property to Planned Unit Development with Airport Overlay – Commercial Airport District (PUD/AO-CAD) for multifamily development with a maximum density of 8 dwelling units per acre and a maximum height of 30 feet.

The proposed rezoning of this property as described meets the requirements of Section 7.5.603 of the Zoning Code as follows:

1. The action will not be detrimental to the public interest, health, safety, convenience or general welfare.

Given the change in circumstances whereby it is no longer possible to get direct access to this project off Woodmen Road, the rezoning of this property to PUD for multifamily development will better serve the public interest and general welfare. Maintaining the PUD commercial/office zoning will funnel non-residential onto Forest Meadows Avenue, which will have a greater impact on the existing single family residential area to the north. The proposed multifamily use will be a more compatible neighboring use and will provide additional housing choice in the area. It will also preserve a larger area as open space, which the previously approved commercial project identified as parking.

2. The proposal is consistent with the goals and policies of the Comprehensive Plan.

The site is within an area designated as “New/Developing Commercial Corridors” on the City’s 2020 Land Use Map. These are “corridors that have recently developed, or are now in the process of developing, with major retail uses, services, and strip centers accessible exclusively by automobile and characterized by large dominating parking lots.” As noted above, the inability to gain direct access off Woodmen Road limits the ability of this property to contribute to the objectives for New/Developing Commercial Corridors and it would be appropriate to reconsider this designation in the update to the Comprehensive Plan that is currently under way.

With regard to the Comprehensive Plan Housing Strategy, *Strategy LU 502e* encourages the higher density housing as a transition and buffer to residential areas. The proposed multifamily residential will provide an appropriate transition between the existing single-family residential to the north, the mini-warehouses to the west and Woodmen Road to the south.

Policy LU 601 encourages housing distribution throughout the City so as to provide households with a choice of densities, types, styles and costs within a neighborhood or residential area. The proposed use will provide additional choice in terms of density, type of residential, and levels of affordability in an area dominated by single-family homes.

Strategy LU 601b supports a range of housing densities in all developing and new neighborhoods and seeks to target higher densities in proximity to open space, major thoroughfares, activity centers, and

transit services. The location of this proposed multifamily use adjacent to Woodmen Road and the inclusion of a large area of open space furthers this objective of the Comprehensive Plan.

3.1.3. Where a master plan exists, the proposal is consistent with such plan or an approved amendment to such plan. Master plans that have been classified as implemented do not have to be amended in order to be considered consistent with a zone change request.

The proposed zoning is accompanied by a Master Plan amendment, the justification for which is provided above.

3.1.4. For MU zone districts the proposal is consistent with any locational criteria for the establishment of the zone district, as stated in article 3, "Land Use Zoning Districts", of this chapter. (Ord. 94-107; Ord. 97-111; Ord. 01-42; Ord. 03-157; Ord. 12-76).

The proposal is not in an MU zone district.

C. Concept Plan

The Concept Plan is limited in detail and simply divides the 38 acre property into 24 acres for multifamily and 14 acres for open space. The multifamily is capped at 306 units, which equates to a maximum gross density of 8 dwellings per acre. This is a low density for this type of development as the large area of open space provided dilutes the gross density of the site.

The concept plan will utilize the existing Redcreek View and Sand Lake Heights private streets to provide access into the site. Two new access points will also be created, one of which will align with Plankwood Place.

The Concept Plan satisfies the review criteria set out in Section 7.5.501.E of the Zoning Code as follows:

1. Will the proposed development have a detrimental effect upon the general health, welfare and safety or convenience of persons residing or working in the neighborhood of the proposed development?

See B.1 above.

2. Will the proposed density, types of land uses and range of square footages permit adequate light and air both on and off the site?

There is insufficient detail to assess this criterion at this concept level.

3. Are the permitted uses, bulk requirements and required landscaping appropriate to the type of development, the neighborhood and the community?

The proposed multifamily use will be compatible with the neighborhood and community. There is insufficient detail to assess bulk and landscaping at this concept level.

4. Are the proposed ingress/egress points, traffic circulation, parking areas, loading and service areas and pedestrian areas designed to promote safety, convenience and ease of traffic flow and pedestrian movement both on and off the site?

The proposed ingress and egress points will provide safe and convenient access to the site. There is insufficient detail to assess the remainder of this criterion at this concept level.

5. Will the proposed development overburden the capacities of existing streets, utilities, parks, schools and other public facilities?

The proposed multifamily development will help support the Master Planned park and school facilities and is within the capacity of existing and planned streets and utilities.

6. Does the proposed development promote the stabilization and preservation of the existing properties in adjacent areas and surrounding residential neighborhoods?

The proposed multifamily use will help to stabilize the neighborhood by providing a compatible use and adding to the housing choice in the area.

7. Does the concept plan show how any potentially detrimental use to use relationships (e.g., commercial use adjacent to single-family homes) will be mitigated? Does the development provide a gradual transition between uses of differing intensities?

The multifamily use will provide a better transition to the single-family residential to the north than the previously proposed office/commercial-oriented development.

8. Is the proposed concept plan in conformance with all requirements of this Zoning Code, the Subdivision Code and with all applicable elements of the Comprehensive Plan?

The Concept Plan conforms to the applicable requirements of the Zoning Code, the Subdivision Code and Comprehensive Plan.