



December 20, 2022

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RE: Creekwalk North Residential-Concept Plan Amendment, Zone Change and PUD Plan

PROJECT DESCRIPTION:

Overall: The submittal consists of 3 applications, a Concept Plan Amendment, Zone Change and a PUD development plan. The applications will build on the success of the Creekwalk Redevelopment as part of the South Nevada Urban Renewal Area. The application also includes the additional ± 828 acres into the existing approved ± 14.392 AC Concept Plan. The focus of the application is on the ± 4.56 acre multifamily apartment redevelopment site located along the east side of Cheyenne Creek between St. Elmo Avenue and S. Nevada Avenue within the South Nevada redevelopment area.

In support of the overall application a rezone proposes to change ± 4.56 ac of MX-M (formerly C5) and R5 to a multifamily PDZ (formerly PUD). This request will provide a transitional use between the western R5 properties and the adjoining C5 property to the east as part of the existing Creekwalk North Development. The application also includes the proposed Concept Plan Amendment (CPC CP 18-00097). The concept Plan will strengthen and diversify the redevelopment of the area. The application will bring a broader mix of uses in the area and meet the objectives of the Urban Renewal Authority. The Creekwalk Amendment considers the general conformance with City development criteria, including building massing and siting, access and circulation (multi-modal), public utility, and buffering and screening requirements.

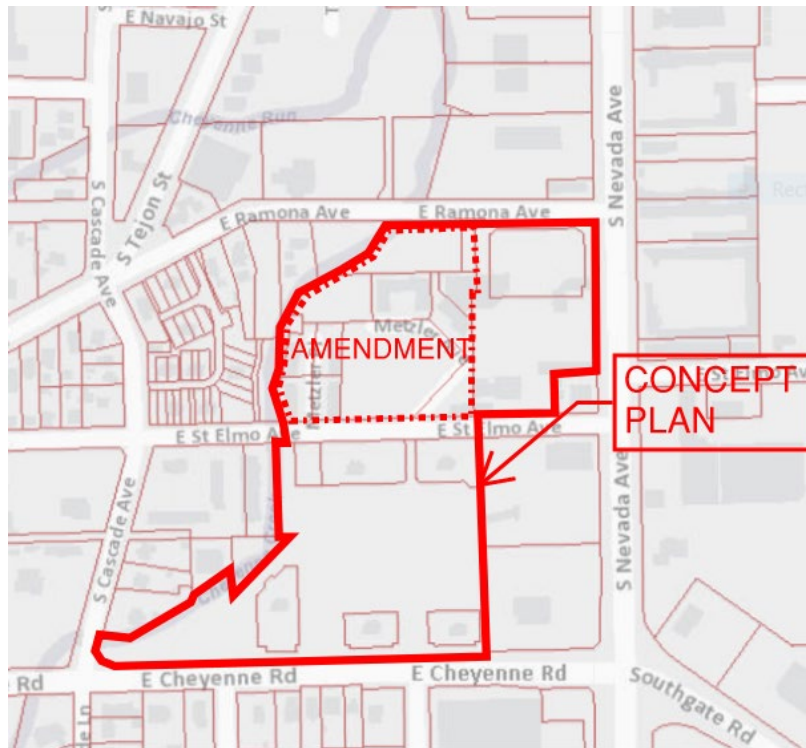


Figure 1, VICINITY MAP

Creekwalk Concept Plan Amendment:

The proposed amendment consists of an inclusion and modification of ± 4.56 gross acres of the existing Concept Plan with the addition of approximately ± 828 ac. (Existing CPC CP 18-00097), for a total of ± 15.22 ac. The proposed concept plan will consist of a mix of commercial and residential properties and uses. The amended concept plan depicts nearly 52,000 commercial retail and 97,850 square foot of Residential (Multi-family-PUD).

JUSTIFICATION:

- 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?***

Response: No; the concept plan of development supports economic growth and reinvestment goals of the South Nevada Urban Renewal District boundaries. The exiting commercial and planned residential uses will support necessary daily access, conveniences and services to those who live and work in the Ivywild and surrounding neighborhoods in the South Nevada Avenue corridor.

- 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?***

Response: Buildings are oriented with respect to height, mass, and location on the sight to promote accessibility to both light and air on and through the sight. The

proposed buildings will be developed in a manner and consistent with the growing redevelopment area.

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

Response: The permitted uses, bulk, form and landscaping/screening requirements are proposed to build on the character and form of the existing development. The proposed landscape will enhance the pedestrian spaces and character if the redevelopment district and will support the renovations of creek habitat and meet the Streamside Overlay landscape criteria. The plan will mitigate visual impacts of the building massing (maintaining mature trees), internal vehicular circulation and will introduce internal parking with a wrapped garage.

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?

Response: Yes; Ingress/Egress points are planned to accommodate multimodal access. The access for the south half of the site will connect to Cheyenne Blvd, S. Nevada Ave and St. Elmo Ave. The amended north half of the site will maintain the main access to S. Nevada Ave and will be supported by of E. Ramona. The plan also continues provide the main pedestrian ingress/egress from the planned and implemented sidewalks and proposed trails along the creek. The planned Internal circulation is designed to promote the mix, integration, and movement of vehicular, pedestrian, and bicycle traffic through the site. ADA parking and navigation paths are identified for accessibility and safety; pedestrian ingress/egress points are distinguished and separated from vehicular access locations.”

- S. Nevada Ave is a major north-south thoroughfare and commercial corridor with multimodal uses including vehicular, transit (bus)/bicycle, and pedestrian traffic;
- A bus/transit station/shelter is located at this intersection immediate adjacent to the site.
- St. Elmo Ave (local residential) an east-west corridor provides pedestrian, bicycle, and vehicular linkages between residential land uses and commercial land uses near the intersection. St. Elmo also is a key connector to the planned Cheyenne Creek Trail alignment.
- With the additional parcels added to the Concept Plan, the Cheyenne Creek trail will be implemented with the proposed PUD plan.

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

Response: “No; the proposed development will not require roadway widening or additional travel lanes on the S. Nevada, Ramona or St. Elmo Avenues to support the proposed commercial and residential uses. Striping improvements to potentially include, but not limited to, to pedestrian crossings, bike lanes, four-way stop

intersections, and on street parking will be determined during the development plan and supporting construction documents.

Off-site utility infrastructure and services are existing and available to serve the development. On-site utilities, necessary Infrastructure upgrades, and service connection fees will be the responsibility of the developer at financed at their expense or per existing agreements.

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

Response: The proposed concept plan implements the South Nevada Urban Renewal Project goals and objectives to reduce, eliminate and prevent the spread of blight within the Area and to stimulate growth and investment within the Area boundaries through the promotion of private economic investment and public improvements , among other goals. The commercial development provides retail services that respond to the communities purchasing power and demands for convenient access to necessary and convenience retail goods and services from within their neighborhoods. The residential provides and promotes diverse housing options with the corridor that doesn't exist today, and options that reflect the goals and vision stated within PlanCOS.

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?

Response: Amendment preserve a planned transition of multi-family uses between the commercial and existing commercial uses. The plan will mitigate potentially detrimental use to use relationships via building siting, orientation, landscaped buffers and expanding the creek habitat improvements.

The adjacent Cheyenne Creek will act as key buffer to the west single family neighborhoods. The creek will also be enhanced by adherence to requirements of the Streamside Overlay Ordinance. Internal uses will be oriented on site and screened with landscaping to reduce impacts of lighting, noise, and building massing."

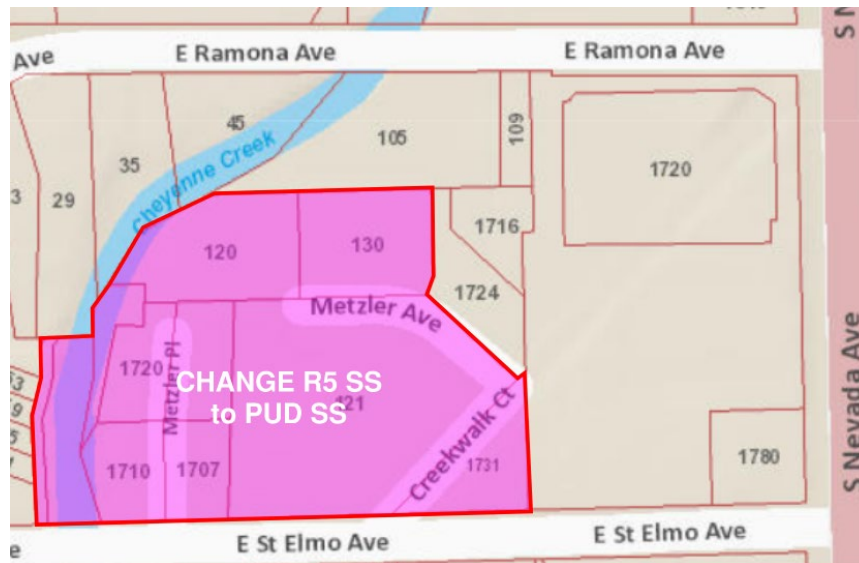
8. Is the proposed concept plan in conformance with all requirements of this Zoning Code, the Subdivision Code and with all applicable elements of the Comprehensive Plan? (Ord. 94-107; Ord. 01-42; Ord. 03-157; Ord. 09-78; Ord. 12-72).

Response: "Yes; the concept plan conforms to planned development standards and intent defined with the original Concept Plan. The plan is consistent with approved neighborhood and City-wide master plan goals and objectives.

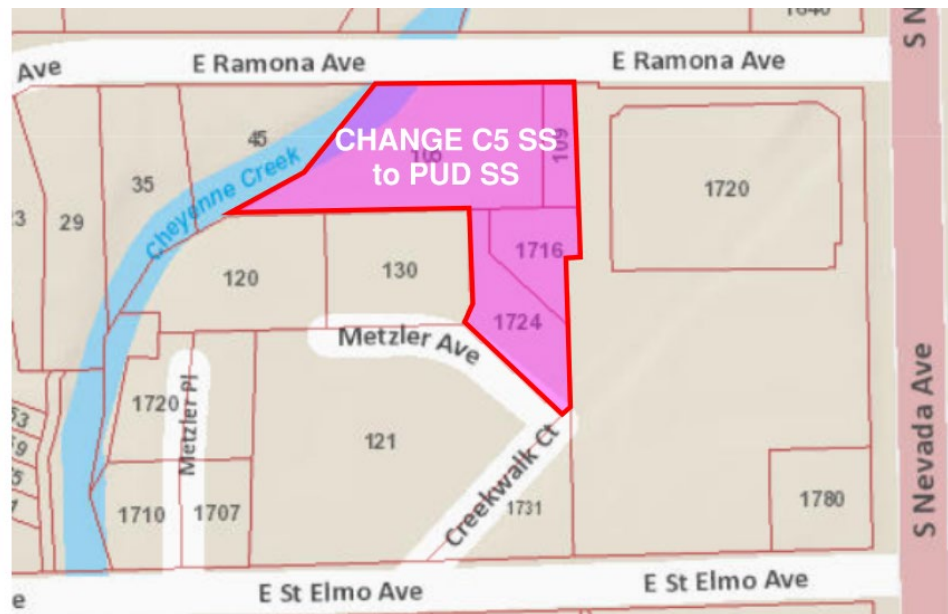
ZONE CHANGE

The Zone Change request is prepared in support of the proposed Concept Plan Amendment and planned multi-family (mid-rise) redevelopment project. The proposed PDZ (FORMERLY PUD) zone will permit multi-family residential use, establish a maximum building height of eighty-five (85) feet, and a maximum density of 87.72 dwelling units per acre.

The first part of the zone change request application includes the change R5 SS to PDZ (formerly PUD) SS. The parcels are located at 1720, 1710, 1070 and 1717 Metzler Pl , 121 Creekwalk Ct. and 116 and 130 Metzler St. (See diagram below). The area also includes two small parcels west and within the creek.



The second half of the zone change application includes the requested change of MX-M SS (formerly C5 SS) to PDZ (formerly PUD) SS. The parcels are located at 1724 and 1716 Creekwalk Ct, and 105 and 109 E Ramona Ave. (See diagram below).



REVIEW CRITERIA:

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

Response: The zone changes as requested will facilitate private development of multifamily uses to meet housing demands; the commercial zone will accommodate the development of retail services to provide necessary goods and services to residents and employees in the area.

The zone change will support consolidation of smaller individual properties for unified development. The development will fund initial infrastructure improvements in the area. Efficiencies gained from improvements to the area infrastructure network promote the public interest, health, safety, convenience, and general welfare.

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

Response: The proposed amendments are consistent with the projected land use patterns depicted on the approved Ivywild Neighborhood Master Plan (City File No. CPC MP 93-176-A3MN18). Existing Concept Plan uses are being reconfigured to provide more consistent land use patterns for development.

PlanCOS identifies Ivywild Neighborhood is identified as an Established Traditional Neighborhood which is generally defined as having ***a high value in preserving and enhancing walkability features including their gridded street patterns, wide sidewalks, and sometimes limited building setbacks from the street.***

The amendment will also facilitate ongoing private investment, housing, and economic development activities that implement and support redevelopment initiatives and activities consistent within the South Nevada Urban Renewal District.

The amendment and zone changes are consistent with the following PlanCOS Vibrant Neighborhoods: Goals and Policies:

- **Policy VN-3.A: Preserve and Enhance the physical elements that define a neighborhoods character**
 - Strategy VN-3.A-4: Modify City Code and create incentives to encourage redevelopment of underperforming buildings to include **higher-density housing**, mixed-use, civic services, gathering areas, and additional employment opportunities.
 - Strategy VN-3.A-6: Where and when applicable, specifically incorporate mixed-use neighborhood building as an outcome tied to the use of urban renewal area designation, public/private partnerships, and other tools and incentives to encourage redevelopment.
- **Policy VN-3.C: Promote neighborhood-level shopping and service options to include a variety of healthy food markets, coffee houses, restaurants, and other supportive businesses that increase local access and walkability.**
 - Strategy VN-3.C-1: Assign land use designations and implement zoning to support and facilitate neighborhood activity centers within walking or biking distance of residential areas.
 1. The proposal will offer additional housing options and enhance the development of the creek and trails amenities in the neighborhood.
- **Policy VN-3.E: Encourage and support the integration of mixed-use development in neighborhoods**
 - Strategy VN-3.E-1: Focus incentives for mixed-use development within parts of the city that have been identified as priority redevelopment areas or corridors that have the potential for enhanced multimodal access and walkability.
 - Strategy VN-3.E-3: Though a combination of Zoning Code changes and development review decisions, **encourage and support flexible site and building designs and residential densities** that are adaptable to the specific site.

Ongoing implementation of these policies are demonstrated by ongoing redevelopment efforts in the neighborhood in to implement the South Nevada Urban Renewal District development objectives.

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 to be considered consistent with a zone change request.***

Response: PlanCOS identifies Ivywild Neighborhood is identified as an Established Traditional Neighborhood which is generally defined as having a high value in preserving and enhancing walkability features including their gridded street patterns, wide sidewalks, and sometimes

limited building setbacks from the street. The amendment reconfigures land uses to increase available commercial and residential acreage in response to market demand and site programming (spatial) needs. The amendment and zone change also reduces poor historic geometric irregularities in the shape of underlying properties and surrounding road network which facilitates a more desired “gridded” street pattern. Future development of the underlying sites will provide the opportunity for the design and improvement of the adjacent pedestrian facilities serving the site.

The proposals support ongoing private investment, housing, and economic development activities that implement and support redevelopment initiatives and activities consistent within the South Nevada Urban Renewal District.

PUD Project Description

The Creekwalk Redevelopment is a proposed mixed commercial and residential project within the South Nevada Urban Renewal District, anchored by Cheyenne Creek along the westernmost edge. Creekwalk Filing 1, a grocery store development that is currently under construction, is directly east of the Project. The residential PUD is considered Creekwalk Filing 2.

Creekwalk Filing 2 is a multi-family (mid-rise) residential apartment development that proposes 378 units on ±4.56 acres (83 units/ac) within the Creekwalk Concept Plan area. A Zone Change application is being submitted concurrently with this development plan to establish a PUD zone that can facilitate this multi-family development. The current zoning of the parcels on the Project site is MX-M SS (FORMERLY C5 SS) (Commercial – Streamside) and R5 SS (Multi-family Residential – Streamside). A Concept Plan Amendment is being submitted concurrently for inclusion of additional parcels of land within the Concept Plan area. The proposed multi-family use is consistent with the land uses identified on the approved Ivywild Master Plan and the Creekwalk Concept Plan.

Project Justification – Development Plan Review Criteria

1. Will the project design be harmonious with the surrounding land uses and neighborhood?

Response: The South Nevada Corridor is undergoing revitalization efforts with multiple commercial and multi-family residential redevelopments completed, underway, or in the planning stages. This project will fit into this redevelopment pattern and remain consistent with the surrounding land uses in the corridor.

2. Will the proposed land uses be compatible with the surrounding neighborhood? Will the proposed development overburden the capacities of existing streets, utilities, parks, schools and other public facilities?

Response: The proposed use is compatible with the surrounding neighborhood and is an allowable use per the current City zone and code. Existing traffic patterns will remain; the proposed use will not overburden the capacities of existing streets, utilities, parks, schools and other public facilities. All public utility improvements will be made at the developers’ expense.

3. Will the structures be located to minimize the impact of their use and bulk on adjacent properties?

Response: Yes, the structure has been laid out in a way that creates a consistent urban edge along the adjacent streets per the South Nevada Urban Renewal District Design Guidelines. The building is located in the Northeast corner of the site, minimizing its impact on nearby – but not directly adjacent – residential parcels to the west.

The PUD application does outline an 85' building height with the standard front, side and rear MX-M (FORMERLY C5) setbacks. While the building is proposed to be taller than the adjacent uses it is not unusual for the larger multi-family developments within the Ivywild neighborhood boundaries. For reference the Emerald Towers Apartment (8-Story) at 107 W Cheyenne Rd or the Regency Towners Apartments (10-Story) at Green Star Dr. To further address building massing and within the PUD package, the architecture renderings illustrate a building with a great deal of architectural relief and accents. Effort has been made to reflect the appropriate feature and scale for the proposed setting and context. The architecture provides a good breakdown of material types and provides way for future neighborhood content related art on the building and around on the site.

4. Will landscaping, berms, fences and/or walls be provided to buffer the site from undesirable views, noise, lighting or other off-site negative influences and to buffer adjacent properties from the negative influences that may be created by the proposed development?

Response: Landscaping and screening walls will be provided throughout the site to buffer the visual impact of the parking lot, garage and loading areas. Landscape setback plantings will be provided along East Ramona Avenue and East St. Elmo Avenue. The streetscape design criteria set forth South Nevada Urban Renewal District Design Guidelines will be used to address the north and south street frontages.

5. Will vehicular access from the project to the streets outside the project be combined, limited, located, designed and controlled to channel traffic to and from such areas conveniently and safely and in such a manner which minimizes traffic friction, noise and pollution and promotes free traffic flow without excessive interruption?

Response: Vehicular access into the site has been limited to two proposed access points: one on East Ramona Avenue and two on East St. Elmo Avenue. There is no direct access point from South Nevada Avenue, minimizing the interruption of traffic on this major arterial road.

6. Will all the streets and drives provide logical, safe and convenient vehicular access to the facilities within the project?

Response: Yes, the internal drive-aisles will provide logical, safe, and convenient access to the proposed grocery store parking and S. Nevada from the identified access points.

7. Will streets and drives within the project area be connected to streets outside the project area in such a way that discourages their use by through traffic?

Response: Yes, while the primary site access points are connected East Ramona Avenue to East St. Elmo Avenue from the proposed parking garage and will discourage through traffic.

Current improvements underway on East St. Elmo Avenue will implement a pedestrian-only bridge that will eliminate through traffic along East St. Elmo Avenue from South Nevada Avenue to South Cascade Avenue. These improvements will discourage through traffic on the project.

8. Will adequately sized parking areas be located throughout the project to provide safe and convenient access to specific facilities?

Response: A adequately sized parking garage is proposed to meet the standard parking ratios. The incorporated parking and residential units within the same structure will provide a safe and convenient situation for the new residences.

9. Will safe and convenient provision for the access and movement of handicapped persons and parking of vehicles for the handicapped be accommodated in the project design?

Response: Accessible parking spaces have been provided on-site per Code within the proposed parking garage. Accessible sidewalks and routes have been provided from these spaces to the individual units and building entrances as well as the public ROW.

10. Will the design of streets, drives and parking areas within the project result in a minimum of area devoted to asphalt?

Response: The parking stalls and drive aisles have been designed as efficiently as possible into the proposed parking garage to minimize asphalt area while also providing convenient access to users of the site.

11. Will pedestrian walkways be functionally separated from vehicular traffic and landscaped to accomplish this? Will pedestrian walkways be designed and located in combination with other easements that are not used by motor vehicles?

Response: Pedestrian walks and access points have been planned in and around the project to maximize safety. Crosswalks are proposed along drive aisles to provide safe areas for pedestrians to cross. Oversized walks are provided on all sides of the building. Bollards and light poles have been proposed to maximize safety and separation between vehicular and pedestrian maneuvering areas. The project also included the completion of a new section of the Cheyenne Creek trails between St Elmo and E. Ramona Ave.

12. Does the design encourage the preservation of significant natural features such as healthy vegetation, drainage channels, steep slopes and rock outcroppings? Are these significant natural features incorporated into the project design?

Response: There are no significant natural features outside of the existing Cheyenne Creek. The project in partnership with a separate restoration plan, will clean up and restore the natural habitat of the creek, preserving many mature trees and wildlife features.

Please contact Kimley-Horn and Associates if you have any questions or need additional information in regard to this application.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Jim Houk, PLA
Project Manager

A handwritten signature in black ink, appearing to read 'JH', is written over the printed name and title of Jim Houk.