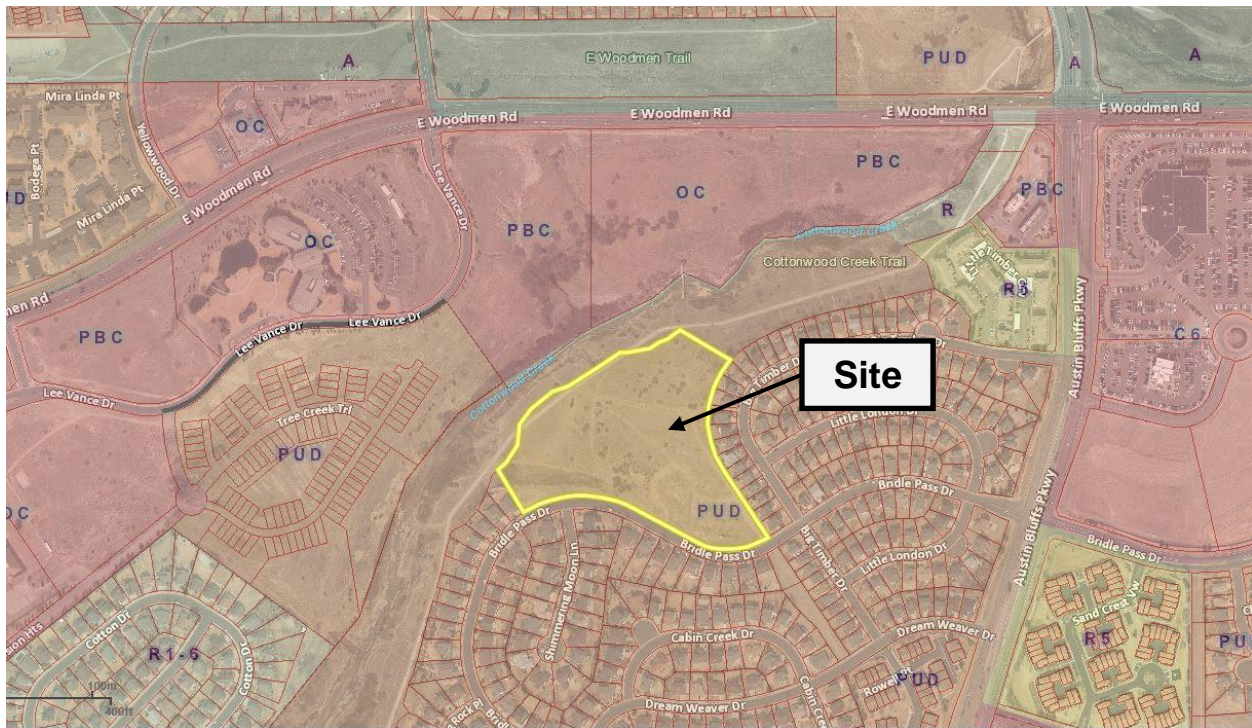


**CITY PLANNING COMMISSION AGENDA**  
**December 19, 2019**

**STAFF: TASHA BRACKIN**

**FILE NO(S):**  
**CPC PUZ 18-00101 – QUASI-JUDICIAL**  
**AR PUD 19-00281 – QUASI-JUDICIAL**

**PROJECT: NEWPORT HEIGHTS**  
**OWNER: ROCKWOOD HOMES, LLC**  
**APPLICANT: ALTITUDE LAND CONSULTANTS**



**PROJECT SUMMARY:**

1. **Project Description:** The project includes concurrent applications for a PUD zone change and PUD development plan for 10.7 acres of land. The project is herein referred to as “Newport Heights”. The property associated with this project is located generally south and west of the Woodmen Road/Austin Bluffs intersection and specifically north of Bridle Pass Drive at Shimmering Moon Lane, adjacent to Cottonwood Creek. The property is proposed for infill development within a developed residential area.

The proposed rezone will change the current zoning for the subject property from PUD/AO (Planned Unit Development with Airport Overlay; single-family residential with a maximum density of 2.9 dwelling units per acre and 30-foot maximum building height) to PUD/AO (Planned Unit

Development with Airport Overlay; single-family residential development with a maximum density of 4.58 dwelling units per acre and a 30-foot maximum building height). The Development Plan illustrates the details of the proposal involving 49 single-family lots in two cul-de-sacs with trails, common areas and detention facilities. **(FIGURE 1)** The development plan sets the specific dimensional requirements and illustrates the envisioned layout for the development. It is discussed in further detail below.

2. Applicant's Project Statement: **(Please refer to FIGURE 2)**
3. Planning and Development Team's Recommendation: City Planning staff recommends approval of the applications.

#### **BACKGROUND:**

1. Site Address: Not platted/no address.
2. Existing Zoning/Land Use: PUD/AO (Planned Unit Development with Airport Overlay; single-family residential with a maximum density of 2.9 dwelling units per acre and 30-foot maximum building height); currently vacant.
3. Surrounding Zoning/Land Use:

North: PUD/AO/SS (Planned Unit Development with Airport Overlay and Streamside Overlay), Cottonwood Creek Trail is immediately to north; further north across the creek is PBC and OC (Planned Business Center and Office Complex); the PBC parcel is developed with mini-storage use; the OC parcel is vacant.

East: PUD/AO (Planned Unit Development with Airport Overlay); Single-Family Residential.

South: PUD/AO (Planned Unit Development with Airport Overlay); Single-Family Residential.

West: PUD/AO (Planned Unit Development with Airport Overlay); Single-Family Residential immediately to west; further west across creek is PUD/AO/SS (Planned Unit Development with Airport Overlay and Streamside Overlay) being developed with small-lot single-family residential.
4. Annexation: Pring Ranch Addition Number Five, 1980.
5. Master Plan/Designated Master Plan Land Use: Norwood Master Plan: Designated for Primary School; this Master Plan is considered implemented.
6. Subdivision: The property is currently unplatted.
7. Zoning Enforcement Action: None
8. Physical Characteristics: The project site is sloping generally from east to northwest toward Cottonwood Creek; vegetation consists mostly of native grasses, with some deciduous shrubs.

#### **STAKEHOLDER PROCESS AND INVOLVEMENT:**

The public notification process for this project began in 2018 with postcards mailed to adjacent property owners within 1,000 feet of the site, which included 327 property owners. A neighborhood meeting was held on July 24, 2018 to seek neighborhood input and inform residents of the proposal. Approximately forty-five residents attended the neighborhood meeting. The plan presented at that meeting involved 44 units proposed to be built as townhomes in a gated development. Significant neighborhood concerns with that proposal were expressed by neighbors (see **FIGURE 3**), which prompted a redesign to accommodate single-family homes instead of townhomes. The revised plan was submitted in May of 2019 with a proposal for fifty single-family homes. A second public notice was distributed, and a second neighborhood meeting was held in June of 2019, with approximately forty-five residents in attendance.

A third public notice outreach effort was conducted prior to the Planning Commission hearing, and the site was also posted during the three public outreach occasions noted above.

During each stage of notification, City Planning staff received comments from several residents in opposition to the project. Copies of the emails opposing the project are attached (**FIGURES 3-6**). Concerns that were expressed at the neighborhood meetings and in emails and letters sent to the planning department are listed in the table below:

<b>ISSUE RAISED</b>	<b>PUBLIC COMMENT/SPECIFIC CONCERN</b>
Density	Too many homes for the area; lot sizes are too small; not harmonious
Open Space	Residents have used this parcel as their open space
Public Utilities	Project will overburden service providers, water resources
Environmental factors	Property is a haven for wildlife
Traffic	Homes will increase traffic; safety concerns; bus stop
Parking	Not enough on-street parking for small lots; safety and visibility issues
Schools	This neighborhood was promised a school, not additional homes
Parks	Prior development plans showed a 5-acre park on this property
Noise	Additional homes will cause noise during construction
Views	Homes on Big Timber Drive paid premiums for their views
Property Values	Smaller homes will bring down value of existing homes
Design of Subdivision	New homes should be integrated with neighborhood, not gated
Design of homes	New homes should match style of existing homes
Emergency vehicle access	On-street parking reduces road width and hampers access
Road condition	Potholes; impact to pavement from construction vehicles
Fencing	Style of fence needs to match neighborhood
Soil conditions	Concerns with bedrock and ability to construct homes
Water resources	Runoff causing erosion and impact to existing sewer facilities
Trails	Trail surface needs to be durable/paved

Staff's analysis of the proposed applications is outlined in the following sections of this report and addresses many of the factors listed above that have caused neighborhood concerns. In terms of internal and external agency reviews, staff sent the applications to the standard agencies and service providers, including review of proposed utility connections, stormwater detention, grading and drainage considerations, street design, fire and safety service, and parks and trails design. Reviewers had no outstanding concerns with the applications after completion of the review process.

**ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:**

1. Review Criteria / Design & Development Issues:

a) Zone Change

The proposed zone change (**FIGURE 7**) will cause the property's zone designation to go from PUD/AO (Planned Unit Development with Airport Overlay; single-family residential with a maximum density of 2.9 dwelling units per acre and 30-foot maximum building height) to PUD/AO (Planned Unit Development with Airport Overlay; single-family residential with a maximum density of 4.58 dwelling units per acre and 30-foot maximum building height). The change in zone from PUD to PUD is requested to increase the density from what was established in 1997 when the current PUD zoning was adopted. The property is located in an established residential area where a demand for residential uses currently exists. The Norwood Master Plan designated the land use for the overall neighborhood to be 3.5-5.5 Dwelling Units per acre (not including multi-family portions). The proposed gross density of the infill development is 4.58 dwelling units per acre, consistent with the Master Plan.

A previous development plan, approved in 1997, at one point designated this property for up to nine residential units and a 5.7 acre park. However, that development plan was superseded when the Norwood Master Plan was later amended to allow an elementary school to occupy the site. Colorado School District #11 owned the property for several years, but has subsequently sold the property as it is no longer needed for a school.

Development of the overall neighborhood has occurred at a net density of 5.27 dwelling units per acre. The applicant has provided a density comparison exhibit (**FIGURE 8**) that illustrates existing densities of the neighborhood as well as the proposed density of this development. Overall, the proposed homes would have a net density of 6.36 dwelling units per acre, which represents an increase in density of 1.09 dwelling unit per acre higher than the existing neighborhood as a whole. However, a comparison has also been provided to evaluate densities of lots directly adjacent to each other. What the exhibit demonstrates is that the density of the 20 proposed lots on the perimeter of the infill parcel will be 5.1 dwelling units per acre, and the density of the 25 existing lots directly adjacent to the proposed infill parcel have a density of 5.19 dwelling units per acre. Given these comparisons, staff views the proposed density as substantially similar to and compatible with the existing neighborhood, especially given that there are fewer new homes proposed (20) than exist (25) on adjacent/abutting lots .

The proposed PUD zone also requests a maximum height of 30 feet for the homes. This is consistent with the City Zoning Code maximum height for all other single-family residential zone districts as well as the R-2 zone district. For the reasons provided, staff believes that the proposed Zone Change meets the review criteria as set forth in City Code Section 7.3.603 and the findings established under Section 7.5.603(B) which are attached to this staff report in their entirety.

b) PUD Development Plan

The proposed development plan (**FIGURE 1**) has undergone substantial changes since the initial proposal for 44 townhomes. Staff has worked diligently with the applicant and the neighbors to address design solutions for areas of concern. The current and final design proposes to establish a single-family detached residential neighborhood of 49 lots that range in size from 4,000-15,000 square feet, with an average lot size of 6,840 square feet. The proposed development represents a gross density of 4.58 dwelling units per acre, and a net density of 6.36 units per acre. This density is slightly higher (1.09 units per acre higher) than existing detached single-family lots in the neighborhood, but within the recommended density for homes under the Master Plan. As explained in the prior section, staff believes that this is an appropriate and compatible density for the reasons provided above, as well as the design elements discussed below.

The proposed single-family lots would be located on two cul-de-sacs that are designed to meet City public street standards and accommodate on-street parking. The homes will be accessed from Bridle Pass Drive, with traffic coming either from the east through the intersection with Austin Bluffs, or from the west via Dream Weaver Drive and Galliant Drive, which intersects with Dublin Boulevard. Providing two cul-de-sacs helps to mitigate impacts by dispersing traffic generated from the new homes onto two separate connections with Bridle Pass Drive, rather than condensing traffic onto a single connection.

Bridle Pass Drive is classified as a "Residential (local)" road in terms of its function, and the design standards for capacity of this type of roadway dictates that the street should accommodate between 300-1,500 vehicles per day. A traffic count conducted by the City in March of 2017 at the intersection of Bridle Pass Drive and Austin Bluffs Parkway determined a total count of 525 vehicles for the day on the segment of on Bridle Pass Drive near the proposed project. The largest number of vehicles counted at the western approach to that intersection was 82 cars, and this peak occurred at 7:00 am on a Thursday. The proposed 49 homes would generate approximately 9.57 trips per single-family home per day, or 469

trips. Adding these to the previous counts of 525 vehicles per day gives a total of 994 trips per day for the street segment, indicating that with the new traffic included, the roadway capacity would not be exceeded. As a comparison, an elementary school generates 1.29 trips per student per day. Assuming the elementary school that might have occupied the site would have had between 490 and 620 students (current enrollment for the nearby Freedom and Scott elementary schools), the school would generate a total of 632 to 799 vehicle trips per day, significantly more than the 469 trips anticipated for the proposed homes.

Three connections to the adjacent Cottonwood Creek trail and open space are proposed via paved access points within the development. One of these points is proposed to be provided with a twenty-foot wide trail corridor alongside the eastern edge of the property, which would provide a continuation of the existing access trail that currently terminates on the south side of Bridle Pass Drive. Open space containing trails, landscaping, and mail collection areas is shown within a number of private tracts that will be owned and maintained by a Homeowners Association (HOA). The design of the trails and open space areas has been reviewed and approved by the City Parks' department. A landscaped, private, full-spectrum detention and water quality pond is proposed at the west end of the property. Connections will be made to existing public facilities within and adjacent to the site.

Elevation drawings to illustrate the home designs have been requested from the applicant, but the applicant has declined to provide specifics of the home designs. Design standards that will address compatibility of the project with the neighborhood include the lot coverage (40%), building height (30 feet), and setbacks (15-foot front yard, with 20 feet minimum at garages; 10 feet between homes, and 20-foot rear yards are proposed). These are consistent with the development standards for the existing homes. The applicant has stated that homes will be designed to accommodate the natural slope of the site, with tuck-under two-car garages and walk-out rear yard areas on sloped lots. A line-of-sight diagram has been provided by the applicant to illustrate the anticipated visual impact to existing homes on Big Timber Drive (**FIGURE 9**).

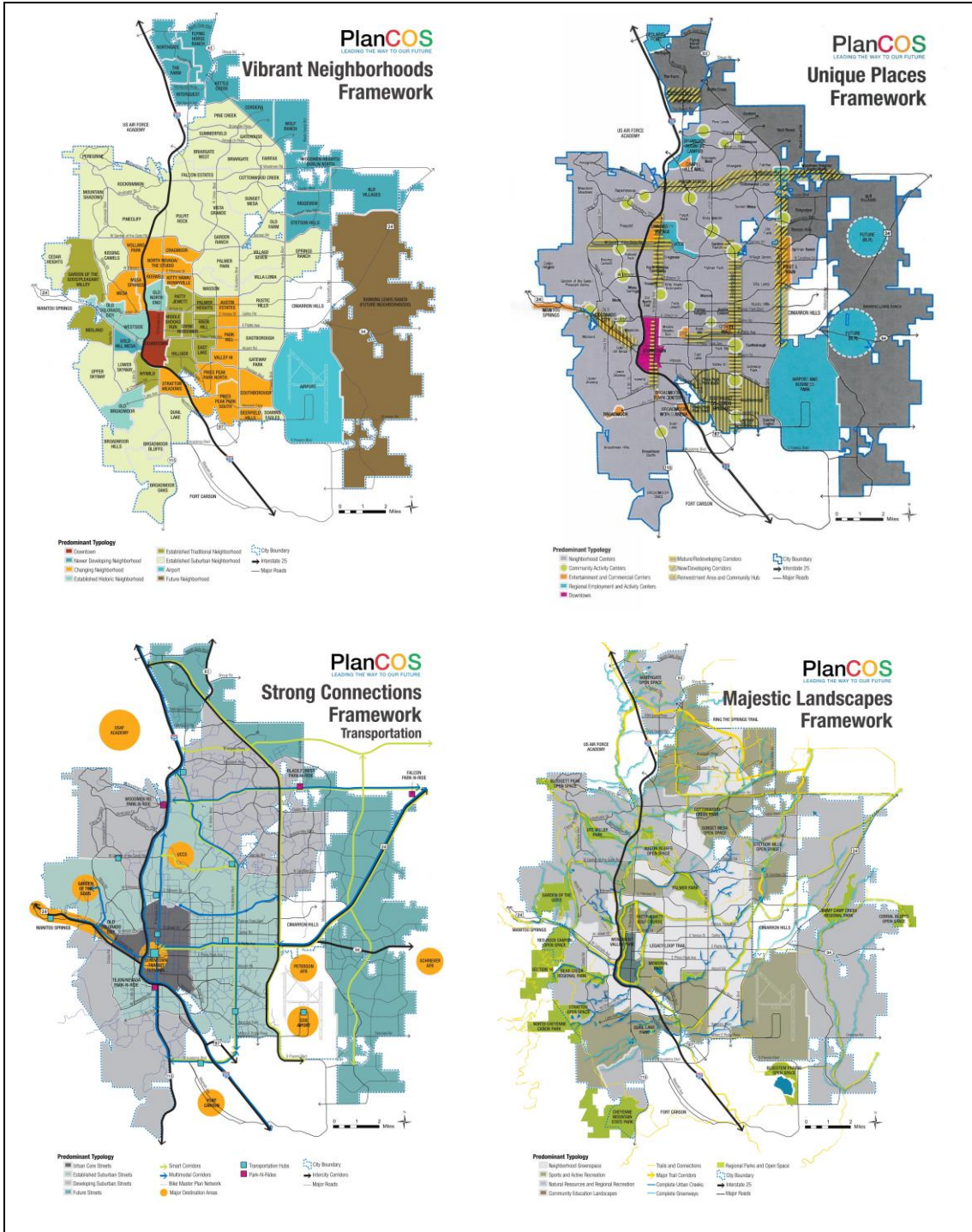
Based on the above comments and evaluation of the proposal, staff finds that the proposed plan meets the review criteria for PUD development plans as set forth in City Code Section 7.3.605, and the development plan review criteria as set forth in Section 7.5.502E.

2. Comprehensive Plan Conformance:

The proposed new home development will serve an existing need for housing within an established neighborhood, with access to commercial facilities, schools, and numerous services within a mile of the site (see **FIGURE 10: Area Context Map**). The proposed applications appear to be complementary to the envisioned comprehensive land use pattern for the area as it relates to several themes in PlanCOS.

The Vibrant Neighborhoods chapter of PlanCOS identifies the existing Newport Heights neighborhood as an Established Traditional Neighborhood. The Plan identifies goals and strategies to enhance the character of these neighborhoods, while supporting their ongoing investment and improved adaptation. Additionally, PlanCOS notes that most Established Neighborhoods should expect some degree of infill. This statement underscores the fact that infill development is one of the key indicators of PlanCOS that extends across many of the plan's themes. The proposed development will further the PlanCOS policies regarding infill and investment in mature and developed areas by providing an additional housing choice in proximity to open space, major thoroughfares, and activity centers. A primary goal of the Vibrant Neighborhoods chapter of PlanCOS is the provision of "Housing for All" (Goal VN-2). Strategy VN-2.A-3 suggests support for land use decisions and projects that provide a variety of housing types and sizes that serve a range of demographic sectors and meet the needs of residents through various life stages and income levels.

The Unique Places chapter of PlanCOS contains policies supporting the enrichment of the city and its livability with vibrant and walkable places. Strategy UP-1.B-3 recommends the creation of connections between urban places and natural settings. To this end, the proposed development accommodates access to the Cottonwood Trail from three separate points on the property. The Thriving Economy Chapter of PlanCOS includes a goal to “Embrace Sustainability”, along with



Policy TE-4.A which reads: “Prioritize development within the existing City boundaries and built environment (not in the periphery).” The proposed project is an example of infill development, hence advancing this objective.

Another way the proposed development exemplifies the objectives of PlanCOS is by furthering Policy SC-1.D of the Strong Connections chapter, which recommends maintenance of convenient multimodal connections between neighborhoods and employment centers. The proximity of this project to the Cottonwood Creek trail provides a unique opportunity for residents to use alternate modes of travel such as cycling on the existing trail to reach a variety of destinations within an easily-traveled distance from their home (i.e.: one mile) as illustrated in **FIGURE 10**.

Finally, the Majestic Landscapes Chapter identifies the Cottonwood Creek corridor as a Major Trail Corridor within the City as well as a Complete Greenway. Goal ML-3 suggests optimizing shared use of waterways for multiple uses, including recreation, wildlife corridors, environmental assets, utilities, stormwater conveyance, non-motorized transportation, and natural areas. The proposed project will help achieve this goal with the dedication/donation of land for use as part of the Cottonwood Trail corridor, which is currently constructed on a portion of this private property.

For the reasons cited above, staff finds that the proposed project is in conformance with the City's comprehensive plan.

3. Master Plan Conformance:

The Norwood Master Plan designates this property for a Primary School; however, the Master Plan is considered implemented due to it being substantially built out. City Code Section 7.5.402.B dictates the difference between a master plan being operative and implemented. Paragraph two of this section states that an "Implemented" master plan is a "master plan that is eighty five percent (85%) or more built out". Master Plans that are designated as Implemented are not required to be amended when land use changes are requested. Nevertheless, the proposed development is considered to be compatible with the Norwood Master Plan in regards to residential density. As noted previously, the Norwood Master Plan designated the land use for the overall neighborhood to be 3.5-5.5 dwelling Units per acre (not including multi-family portions). The proposed gross density of the infill development is 4.58 dwelling units per acre, consistent with the Master Plan.

**STAFF RECOMMENDATION:**

**CPC PUZ 18-00101 – CHANGE OF ZONING TO PUD**

Recommend approval to City Council the zone change of 10.71 acres from PUD/AO (Planned Unit Development with Airport Overlay), to PUD/AO (Planned Unit Development: single-family residential density of 4.6 units per acre and maximum building height of 30 feet, with Airport Overlay), based upon the findings that the zone change request complies with the review criteria for establishment of a PUD zone as set forth in City Code Section 7.3.603 and the zone change criteria as set forth in Section 7.5.603.B.

**AR PUD 19-00281 – PUD DEVELOPMENT PLAN**

Recommend approval to City Council the PUD development plan for Newport Heights, based upon the findings that the development plan meets the review criteria for PUD development plans as set forth in City Code Section 7.3.606, and the development plan review criteria as set forth in Section 7.5.502E.