

**Meeting Date:** April 22, 2024

**Planner:** Zareen Tasneem, Senior Planner

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## APPLICATION SUMMARY:

**Project Name:** Powers Place Subdivision Preliminary Plat

**Case Number:** MAJ23-0005

**Application type:** Preliminary Plat

**Location:** 333 West Powers Avenue

**Size of Property:** 8.836 acres

**Zoning:** Corridor Mixed (CM)

**Applicant:** Kimley-Horn

**Applicant's Representative:** William Krenger, RPM Living

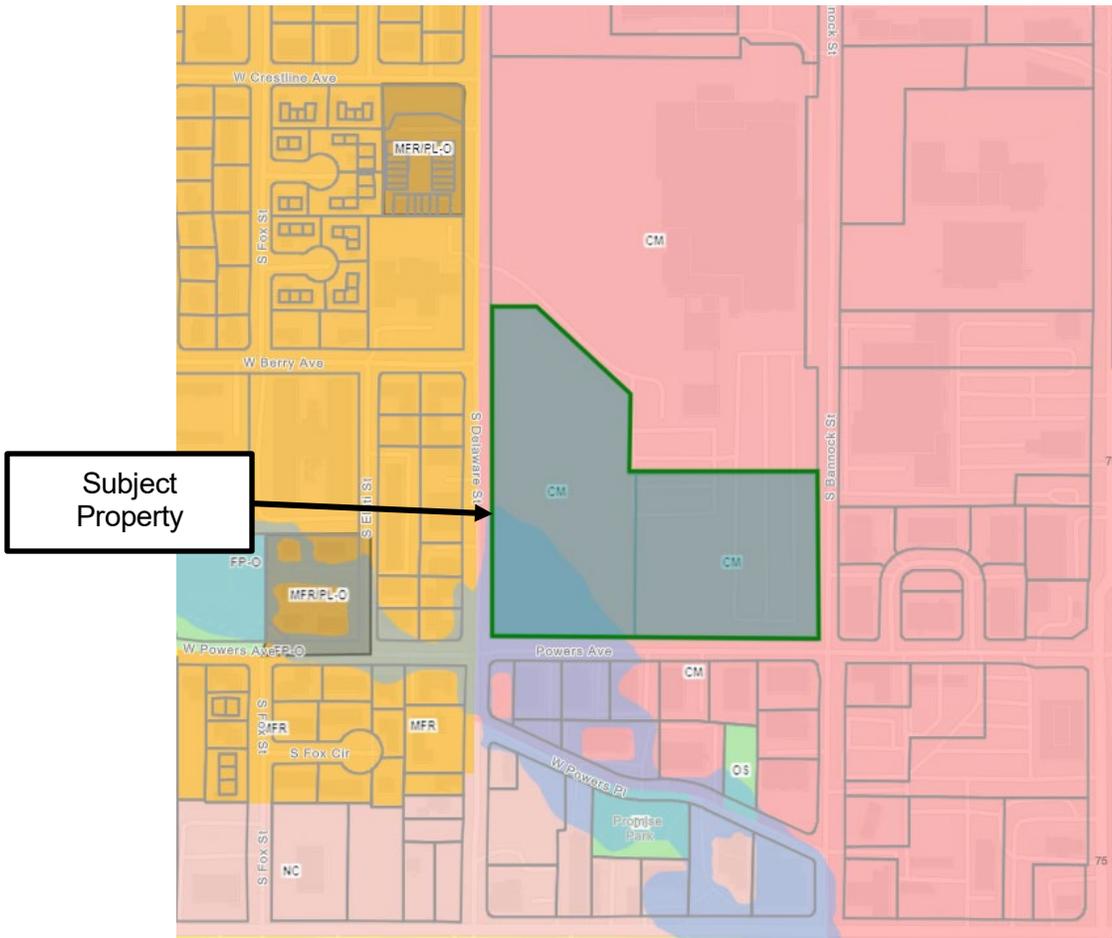
**Owner:** RPM Living

**Applicant Request:** Approval of the Powers Place Subdivision Preliminary Plat to consolidate two lots into one and to dedicate easements and partial rights-of-way (ROW).

## LOCATION:

The 8.836-acre site is located on West Powers Avenue between South Delaware and Bannock Streets, just south of the Norgren property. The vicinity map below shows the location of the subject property (outlined in green). The site is located one block west of South Broadway and one block north of West Littleton Boulevard. The parcel is zoned Corridor Mixed (CM) and is adjacent to properties zoned CM to the north, east, and south, and properties zoned Multi-Family Residential to the west. The southwest corner of the site is encumbered by the floodplain (shown as light blue on the vicinity map).

Vicinity Map



**PUBLIC NOTICE REQUIREMENTS AND PROCESS:**

Pursuant to Section 10-9-3.5 of the Unified Land Use Code (the "ULUC"), notice of public hearings shall be given in accordance with Table 10-9-3.9.1, which states, in part, for the application for the proposed preliminary plat:

Table 10-9-3.9.1 Development Review Summary							
Development Application	Pre-App Required	Neighborhood Meeting	Review and Decision		Public Notice	Expiration (10-9-3.8)	Applicable Standards
			Review/Recommend	Decide			
CDD = Community Development Director; PC = Planning Commission; CC = City Council; HPC = Historical Preservation Commission; AAC = Appeals and Adjustments Commission; [ ] = Public Hearing Required							
Preliminary Plat (Sec. 10-9-7.3)	✓		CDD	[PC]	Pu M Po	1 year <sup>2</sup>	<a href="#">Chapter 6</a>
Table Notes: 1. None after recordation. 2. If a Final Plat application is not submitted for the entire area subject to the Preliminary Plat, or for at least one phase of a multi-phase project subject to the Preliminary Plat. 3. May require a public hearing by the Planning Commission in accordance with Article 10-7-1, <i>Floodplain Regulations</i> , and Article 10-7-2, <i>Floodway Regulations</i> . 4. The Director, at the Director's discretion, may refer application to Planning Commission for a decision. 5. Vested rights may be granted for a period longer than three years in the case where a development agreement is approved. 6. At the discretion of the Director of Community Development, additional forms of notice may be provided, as a courtesy. 7. At the discretion of the Director of Community Development, applications for designation of historic districts may require newspaper notice. 8. Depending upon the administrative decision, the appeal may go to different commissions. See 10-9-9.2. 9. Site Plans for single family residential properties, as detailed in Subsec. 10-1-1.2.A, will be referred to the Planning Commission for a decision. <hr/> Pu = Published in newspaper 10 days prior to public hearing in accordance with Section 10-9-3.5 Po = Sign posted on property 10 days prior to public hearing in accordance with Section 10-9-3.5 M = Mailed notice to adjoining property owners or property owners within a specified distance of the subject property 10 days prior to public hearing in accordance with Section 10-9-3.5							

Section 10-9-3.5 of the ULUC requires that any notice provided by mail, shall be provided through the United States Postal Service to all addresses, units, and property owners located within 700 feet of the property. If there are any homeowner's or other owner associations within 700 feet of the property, then notification need only be sent to the association's designee. Further, and with specific regard to applications for approval of a preliminary plat under Section 10-9-7.3.D of the ULUC, notice of the public hearing must be provided to any mineral estate owners of the property in accordance with C.R.S., Title 24, Article 65.5.

In accordance with the ULUC provisions regarding public notice, staff notified all addresses, units, and individual property owners and residents within 700 feet of the site at least ten (10) days in advance of the April 22, 2024 hearing date. In total, staff sent 832 notification cards to property owners and residents within the notification boundary. Further, in accordance with Section 10-9-7.3. of the ULUC, the Applicant filed a "Notice to Mineral Estate Owners" with Arapahoe County and no mineral interest owners were identified.

**APPLICATION DETAILS:**

The applicant requests approval of a proposed preliminary plat to i) consolidate two lots into one lot; ii) dedicate fire, access, sanitary, and drainage easements; and iii) dedicate partial ROW along W. Powers Ave., S. Bannock St., and S. Delaware St.

A 14.5-foot partial ROW dedication along the northern frontage of W. Powers Ave. is proposed that is intended to provide a 6-foot detached sidewalk, tree lawn, curb and gutter, and on-street parking spaces. This increases the total ROW width from an existing 50 feet to 64.5 feet. A 6-foot partial ROW dedication along the western frontage of S. Bannock St. is proposed that is intended to provide

a 6-foot detached sidewalk, tree lawn, curb and gutter, and on-street parking spaces. This increases the total ROW width from an existing 50 feet to 56 feet. A 9.5-foot partial ROW dedication along the eastern frontage of S. Delaware St. is proposed that is intended to provide a 6-foot detached sidewalk, tree lawn, curb and gutter, and on-street parking spaces. This increases the total ROW width from an existing 60 feet to 69.5 feet.

Approval of this subdivision would result in one large, consolidated lot that would measure 8.371 acres, or 364,634 square feet, post-ROW dedication.

### **Decision Criteria and Staff Analysis:**

The purpose of a preliminary plat is to provide sufficient information to evaluate and review the general design of a proposed subdivision (such as dimensions and locations of proposed lots and utilities), to ensure compliance with a site plan or master development plan (as applicable), and the requirements of the Littleton City Code prior to submittal of a final plat. Preliminary plats are reviewed and approved by the Planning Commission. If approved, the applicant is allowed to apply for and gain administrative approval of a final plat substantially consistent with the preliminary plat. If the final plat is approved, it is recorded with Arapahoe County and becomes the official boundaries of the property and associated rights-of-way.

Pursuant to Section 10-9-7.3.C of the ULUC, there are three (3) decision criteria for preliminary plats:

1. The preliminary plat must conform to the Comprehensive Plan and all applicable requirements of the city code;
2. Any new lots (or blocks) created by the proposed subdivision shall meet the land area, open space, and yard requirements for the district, in this case the corridor mixed zone district, in which the subdivision is located; and
3. The proposed development shall conform to the design and improvement standards in the Littleton Engineering Design Standards

### **CONFORMANCE WITH ADOPTED CITY PLANS**

#### *Comprehensive Plan*

The Envision Littleton Comprehensive Plan, adopted in 2019, identifies this property as Corridor Mixed Use in the Future Land Use and Character Map. The property is shown in black outline on a detail of the Future Land Use and Character Map below.



The corridor mixed-use designation is for properties in commercial retail, office, and service uses along and near a high-profile roadway corridor where mixed-use development outcomes are desired and encouraged. The mix of uses includes residential, especially to provide additional housing options and price points within the community.

Staff believes that this project meets Goal H & N 1, which states “A quantity and diversity of housing options that makes living in Littleton attainable for a wide range of age groups and income levels.” The owner and developer of the property is providing needed 325 for-rent apartment units, including 17 affordable units per the City’s Inclusionary Housing Ordinance (please note that the proposed site plan is not being considered as part of this approval). It is staff’s opinion that the proposed preliminary plat is consistent with the goals of the Comprehensive Plan.

*Transportation Master Plan*

The Transportation Master Plan (TMP), adopted in 2019, draws influence from the City of Littleton’s Comprehensive Plan and other guiding documents to establish the City’s ultimate transportation system vision. The goal of the TMP is to address the challenges of facilitating mobility and access in a strategic manner. To help achieve the goals of the TMP, the city requires ROW dedication and pedestrian improvements associated with the ultimate street cross-section guidance provided for each street classification. Additionally, a Traffic Impact Study was conducted by the development team to explore the impacts from additional trips that this multi-family development will generate. The Traffic Impact Study demonstrates that the existing roadway network has the capacity to accommodate the additional trips generated by the proposed development.

The TMP identifies the ultimate street classification of both W. Powers Ave. and S. Delaware St. in

this area as a Neighborhood Connector. A Neighborhood Connector is intended to serve short to medium length trips and is slow speed. They include some local access to properties and are characterized by modest setbacks. Ultimate cross-section guidance in the TMP for Neighborhood Connectors includes a 79-foot ROW width and a detached 6-foot-wide sidewalk. The existing ROW width for W. Powers Ave. at this location is 50 feet. To help meet the ultimate ROW width goal, this development is required to dedicate 14.5 feet of ROW along the property frontage, which equates to  $\frac{1}{2}$  of the difference between the existing and ultimate width. The existing ROW width for S. Delaware St. at this location is 60 feet, resulting in a required 9.5-foot ROW dedication.

The TMP identifies the ultimate street classification of S. Bannock St. in this area as a Mixed-Use Connector. A Mixed-Use Connector is intended to provide local access to both residential and commercial properties and is slow speed. Ultimate cross-section guidance in the TMP for Mixed-Use Connectors includes a 62-foot ROW width and a detached 6-foot-wide sidewalk. The existing ROW width for S. Bannock St. at this location is 50 feet, resulting in a required 6-foot ROW dedication.

The proposed 6-foot detached sidewalks along proposed site's frontages are required to be built by the developer at the time of development. It is staff's opinion that the proposed preliminary plat is consistent with the goals of the Transportation Master Plan.

## **CRITERIA EVALUATION**

- 1. The preliminary plat must conform to the Comprehensive Plan and all applicable requirements of the Littleton city code:**

As discussed in the section above, staff finds the proposal to be in accordance with the Comprehensive Plan, as well the related Transportation Master Plan. Staff also finds the plat to conform to all applicable requirements of the Littleton City Code, including Chapter 6, Subdivision Standards.

- 2. Any new lots (or blocks) created by the proposed subdivision shall meet the land area, open space, and yard requirements for the district, in this case the corridor mixed zone district, in which the subdivision is located:**

Staff finds the proposed lot size, as shown above within the Application Details, meets the dimensional requirements for multi-family buildings in the CM zone district, as shown in Table 10-3-2.2.1 below, which do not have any minimum lot area or width requirements.

Table 10-3-2.2.1 Residential Lot and Building Standards									
District and Housing Type	Maximum Density (Dwelling Units/Acre) <sup>4</sup>	Minimum						Common Open Space	Maximum Building Height <sup>4</sup>
		Lot		Setbacks					
		Area <sup>1</sup>	Width	Front <sup>2</sup>	Interior Side <sup>2</sup>	Corner <sup>2</sup>	Rear <sup>3</sup>		
<b>Single-Family Detached</b>									
NC	6	6,000 sf.	50'	5' / 20'	5'	5' / 10'	20' / 20'	--	35'
<b>Single-Family Attached</b>									
NC	14	4,500 sf.	40'	5' / 20'	0' / 5'	5' / 10'	20' / 20'	--	35'
CM	18	3,500 sf.	30'	0' / 8'	0' / 5'	5' / 10'	10' / 20'	--	35'
<b>Multiplex</b>									
NC	22	2,000 sf.	20'	5' / 20'	8'	8' / 10'	20' / 20'	--	35'
CM	26	1,500 sf.	15'	5' / 10'	5'	5' / 10'	10' / 20'	--	45'
<b>Townhouse</b>									
NC	25	2,000 sf.	20'	15' / 25'	0' / 8'	12' / 25'	20' / 20'	20%	35'
CM	31	1,250 sf.	15'	8' / 15'	0' / 8'	8' / 15'	10' / 20'	15%	45'
<b>Multi-Family</b>									
NC	36	--	--	15' / 20'	15'	10' / 20'	10' / 20'	30%	45'
CM	52 / 62	--	--	15' / 20'	10'	10' / 20'	10' / 20'	25%	55' / 65'

Table Notes:

1. Lot area is calculated on a per dwelling unit basis.
2. Where two setback dimensions are shown, the lesser dimension is for the build-to, shop front, and stoop frontage types, where permitted according to Section 10-3-3.2, *CMU Standards of Design*. The second dimension is the maximum setback.
3. The two dimensions shown are the rear yard setbacks when adjoining and not adjoining an alley, respectively.
4. The larger number represents the potential allowance with incentives from Section 10-1-3.4, *Sustainable Building Design*.

A site plan for the development is currently under review administratively and it complies with the open space and yard requirements with adjustments. However, aside from the site plan proposal, given the large lot size, there will not be an issue meeting the development standard requirements. In staff's opinion, the proposed preliminary plat is consistent with zoning requirements.

**3. The proposed development shall conform to the design and improvement standards in the Littleton Engineering Design Standards.**

Littleton is in the process of developing and adopting the Littleton Engineering Design Standards.

Until that document is adopted, the city utilizes several resources when reviewing developments. For transportation related infrastructure, the city uses the American Association of State Highway and Transportation Officials (AASHTO) Geometric Design of Highways and Streets, Colorado Department of Transportation (CDOT) Standards, and the City of Littleton Transportation Master Plan (TMP). For Stormwater related infrastructure, the city uses the City of Littleton Storm Drainage Design and Technical Criteria Manual, and the Mile High Flood District Criteria Manuals. For wastewater related infrastructure, the city uses the City and County of Denver Sanitary Sewer Design and Technical Criteria. All of these criteria are broadly accepted criteria in the Denver Metro Area and are the basis of many design criteria manuals. Prior to beginning any design work, the applicant, their engineering consultants, and the Littleton Public Works Department worked closely together regarding the City's expectations related to what engineering design standards and criteria should be used when designing this project.

The proposed preliminary plat shows right-of-way dedication that accommodates the necessary sidewalk widths for the proposed development's frontages along S. Delaware St., W. Powers Ave., and S. Bannock St. Staff has reviewed the proposed preliminary plat and has determined that it meets the right-of-way requirements for the city and meets the design criteria outlined above.

**STAFF RECOMMENDATION:**

**PLANNING COMMISSION OPTIONS:**

The Commission shall approve, approve with conditions, or deny the Preliminary Plat. Notice of such hearing shall be provided to mineral estate owners in accordance with C.R.S. Title 24, Article 65.5.

Based on staff's analysis, staff recommends approval of proposed planning commission resolution number 4 series, 2024 for the Powers Place Subdivision Preliminary Plat.