



Plans Resource <plans@littletongov.org>

ZONING MODIFICATION AND PDO ELIMINATION PROPOSAL FEEDBACK

1 message

Bradford Peterson <303rise@gmail.com>

Fri, Mar 30, 2018 at 12:41 PM

To: plans@littletongov.org

Heres my feedback attached.

Thanks,

Brad



Bradford Peterson, President 303-525-4999

Dear Planning.docx
142K

RE: The Proposed Zoning Modifications and Elimination of the PDO

3-30-18

Dear Planning Department,

I am a local developer and business owner, residing and operating my businesses within the Downtown area of Littleton. I have good working relationship with the planning department and experience developing projects in and around the downtown Littleton area. I have reviewed the proposed zoning modifications and studied planning's desire to eliminate the PDO process in residential districts. Here are my recommendations and feedback.

First off, thank you for addressing the need for clarification to the zoning code. I think that having a clearer and better-defined set of zoning standards, so long as they are not too restrictive and are appropriate to each zone, will be helpful to the development process. As we all know the existing zoning code doesn't always play well together! That being said I do have some serious concerns about eliminating the PDO process and the elimination of any means for development flexibility going forward.

The PDO

Eliminating all mechanisms for flexibility regarding minor zoning code deviations will have an immediate, deleterious effect on new development- especially in the dynamic R5 and the transitional R4 zone districts.

R5 and R4 are more challenging zones in which to build. It's a hodge-podge of differing and odd lot sizes and varying setbacks, replete with ill-conceived private and public utility easements, old utility infrastructure and no alleys on some blocks. As such, a one size fits all set of codes without possibility for any flexibility is a poor match for these higher density, more complicated zones if quality new builds are desired.

For many years the comp plan and TOD have nudged high density builds in and around downtown. Now that we are seeing the expected results of that plan it appears the city is now back-peddling and crafting policy to reverse that trend. Unfortunately, many private property owners, developers, and investors have already pursued a stake here under the auspices of the existing zoning guidelines. Very few stakeholders in the future of Littleton have any idea these changes are afoot as this process has progressed rather quickly. How can something this game changing be crafted and proposed in less than six months when a simple development takes a year to get to permit? It makes me uneasy to be frank.

Recommendations

- 1) Reopen the door to a bona fide variance process not dependent on hardship alone. A modest, say 5% administrative variance process seems anodyne enough and will not substantially affect the characteristics of a zone. Sometimes mere inches matter and it would be a shame to lose a good project over a disputed 6" of setback. Most cities have a "usable" administrative variance process, why don't we?
- 2) Follow through with the proposed zoning modifications and timeline after considering feedback from the public- call it phase one. Then, wait a few months for feedback and to study the tangible impacts of the zoning mods before revisiting the PDO as phase two. Doing this all at once is a bad idea IMO.
- 3) Keep the PDO but make it more restrictive for special cases needing more than what an administrative variance would allow. Create a threshold like scenario of say, a 6%-12% deviation in order to qualify. (Or similar) That way, only modest changes can be pursued, the process remains transparent to the public, existing lot characteristics are reasonably left in tack, a developer STILL must seek approval from the Planning Commission, builders can get some relief and higher design outcomes can be negotiated. Win, win, win!

Zoning Modifications

Front Setbacks

Defaulting to an immutable 20' front setback in ALL the zones is too restrictive and unnecessary. It should be the block average down to a minimum of say, 15 feet for example, depending on the zone. This would leave a reasonable distance to curb for open space and provide some relief for development while maintaining the existing setback characteristics of the block and the zone. If maintaining the characteristics is the stated goal, it should conform to what already exists defaulting to the average.

When considering modifications to all setbacks, especially in the higher density zones, consider how the new standards for what constitutes structure, (basement window wells and eaves), has seriously affected setbacks in general. That new interpretation effectively increases setbacks to 8 feet on the north and 13 feet on the south if basements are planned. Window wells in back and front yards and stubby eaves are less desirable. I understand that window wells and eaves are part of the "design standards" but they should carry weight when crafting setback standards.

Lot Widths

The minimum lot width requirements should be 50% of the most common lot size or mode, in the multi family zones. (22 to 25 feet) This will allow developers to create reasonable lot splits favoring half-plexes and favor owner occupied dwellings- THIS WILL NOT ADD DENSITY. When a developer has the opportunity to split a lot it means that the new owner will own the land AND structure wholly. Moreover, each new lot will come with its own utilities- separate sewer, electric, gas and water. This reduces greatly the chance for future disputes and hardships for the new owners and eliminates having to create a condo HOA, which raises the price to build and sell. Condos also tend to attract more renters and investor owned property, which I believe is less desirable for Littleton. Duplexes are a great fit for Littleton- the low end

of density for the multi family zones. Do whatever is necessary to entice developers via lot splits, to build dwellings that favor quality and owner occupied scenarios!

Side Setbacks

Again, please consider the HUGE impact window wells, eaves and abutting structure has had on rehabs and builds when considering setbacks. Setbacks should be equal on north and south like most cities. Your policy is encouraging stubby eaves and no basements and eliminates the possibility of building a quality two-car garage on a 50 foot wide lot. The duplex I built at 5485/5481 South Nevada, which comes with GREAT reviews by all neighbors but one, could not have been built under these changes alone without a PDO. Both units are on separate lots and both units are owner occupied!

Additional Questions for Planning?

What anticipated tangible impacts would the elimination of the PDO have in each of the residential zones? Pros and cons, or simple case study to reference?

Will there be a phase in process for developments, or a grandfathered status for properties that have changed hands in the last year or so if the PDO is eliminated?

Final thoughts

A dynamic city would be remiss to eliminate all options for flexibility in development. The PDO process is healthy for neighbors and citizens to provide input on projects that deviate from zoning and design standards. Don't usurp Planning Commissions role as a voting body to assess certain projects on a case by case basis and help us build quality homes!

Gratefully,

Brad Peterson
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Plans Resource <plans@littletongov.org>

Proposed revisions to the zoning process

William Klopfenstein <billklopfenstein@gmail.com>

Fri, Mar 30, 2018 at 4:51 PM

To: plans@littletongov.org

Cc: Bradford Peterson <303rise@gmail.com>

To Whom it May Concern:

I'm a property owner and a developer in Littleton. In both capacities, I have an interest how the city develops as the metropolitan area continues to grow.

I recognize and appreciate the need for the city to update its procedures, guidelines, and processes related to zoning and development, and have faith that the contradictions and unclear statements in the draft that I read will be reconciled and corrected in the proofreading and editing process.

However, there are some proposed changes that I feel will be barriers to responsible development. These include:

- Elimination of the PDO process
- Restrictions on reasonable variances

If we want Littleton to grow in a reasonable way consistent with the guidelines and mission of each neighborhood, flexibility is key.

Thank you for your consideration.

Bill Klopfenstein
(720) 732-5641

Planning Department

2255 W. Berry Ave.

Littleton, CO 80120

To whom it may concern,

Thank you for the opportunity to express concerns regarding the revisions to zoning and the City of Littleton Planned Development Overlay. We are business owners, property owners and developers in Littleton, Colorado. We have been operating our business in Littleton for 10 years. The following are a few items we believe are of value to the development process in Littleton.

Healthy Growth is vital to the success of an established community like Littleton. Zoning is an excellent tool to maintain the integrity of our residential, commercial, and mixed use districts. However, not all zoning regulations fit every property in every district. The Planned Development Overlay is the current path to alter zoning for a desired project in the community. We believe that being able to use the Planned Development Overlay process to alter items such as density, setbacks, building height, parking and FAR are vital to continuing the good health of the Littleton community.

Downtown Littleton is a delightful place full of restaurants, shops and professional services. It creates great opportunities for pedestrian access for families, young professionals and empty nesters looking to downsize. Certain proposed zoning changes like creating a minimum lot width of 30' in the R5 district diminishes the opportunity for people to take advantage of downtown because some of the existing available duplex lots are less than 50' in width. The CA zone district has historically allowed mixed use development. This zoning has fostered a desirable downtown by promoting sustainable growth and creates a tax base for public amenities and civic services. The proposed additional open space requirement in the CA district for residential seems unnecessary and counter to what has made downtown Littleton successful.

We would like to see a revision of the zoning code that promotes the continued growth of a healthy Littleton. We would also like to maintain a successful Planned Development Overlay process that continues to give Littleton the ability to allow non-conforming projects that are good for the community as a whole.

Sincerely,



Ryan Holtmann, Architect, NCARB

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Zoning Modifications and PDO

1 message

Bradford Peterson <303rise@gmail.com>
To: plans@littletongov.org

Fri, Mar 30, 2018 at 11:15 AM

Dear Planning,

With particular attention to proposed zoning regulations regarding R-1, R-2, R-3, R-3X, R-4, and R-5 Residential Districts.

Lot width standards seem arbitrary – ranging from 30 feet for multiple family townhome development to 65 feet for single family. How does this width requirement reconcile with the inventory of existing lots?

A related question; If a certain existing lot is 50 feet wide, the current reading seems to make it impossible to meet ANY of the criteria for redevelopment of that lot, except as a townhome?

Overall, the current reading imposes standards that would make a very large number of Littleton lots ineligible for redevelopment for their

BEST ECONOMIC USE. Best economic use must be considered in the context of the current real estate environment in the Denver metropolitan area. As owners and developers make choices with their purchasing dollars, municipalities that allow a better economic use of land will capture those purchase dollars, as well as the permitting, redevelopment, associated use taxes, and ultimately the property tax revenue associated with redeveloped land and new, higher value housing.

The current reading seems to indicate that Littleton is choosing to make redevelopment difficult, or very, very selective, and while this makes some sense from an altruistic perspective, it puts Littleton in the position of being the poor child in the family as purchaser and developer dollars vote with their feet.

Bob Hinz

HomeWrights

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Comments about Littleton R-5 Zone Changes

I am a resident of the City of Littleton, and I also purchased property in the subject area in December of 2017.

This portion of the code should have been changed a long time ago, so I do welcome change. However, the pace of the change and the lack of feedback from the development community make me nervous. There are several specific points I would like to make.

Until very recently, the planning department would regularly issue variances administratively, up to 20%. I am not sure how they arrived at that allowance, but my guess would be that R-5 zoning requires a 60' frontage, and most R-5 sites are only 50' frontage. I see the proposed change is for a 30' minimum frontage. This makes no sense either, as most sites are still a 50' frontage. It should be 25'.

I understand there is a desire to make changes to allow new duplex construction with dual ownership without requiring PDO's on every project. On the surface, this is a great idea. However, much more than frontage needs to be considered. For instance, there are very few alleys in R-5 zone districts. There are also garage door street exposure issues that should be addressed. Right now the R-5 district north of downtown is filled with duplexes and triplexes with no off street parking. The last thing we should be doing is discouraging off street parking. Additionally, the side setbacks should be changed to 5' on either side. This would allow mirror image duplexes, or at least equivalent sized units on the north and south. It would also be in alignment with nearly every other local municipality.

Roof top decks have become very popular and so are entertainment rooms adjacent to those roof top decks. Therefore, it makes sense for the height limit to be raised from 30' to 35'. While on this subject, variances are only allowed for "hardship". New construction is therefore not available for variance, since any hardship would be ruled self-inflicted. There needs to be a different approach/mechanism for variances. When I read the design guidelines, I see pitched roofs are among the many desired items. A steeper roof is usually a more attractive look. It seems there should be some flexibility in the code for better design. This is one of the advantages of PDO's, which are being eliminated. Where in the new code is there flexibility to encourage good design?

Next is the issue of how a structure is defined. Littleton alone defines overhangs, gutters, downspouts, and window wells as "structure", thus they must be inside the setback lines. No other municipality defines it this way. I understand this is due for serious revision and is currently under study for round 2 of the zoning changes. This should be done as a complete package. This piecemeal approach is not good. See my initial comment of the speed with which this change is happening.

Another point to address is how a building elevation is measured. For most lots being flat, this is not an issue. However, my lot and those adjacent and across the street have significant slope. Most cities calculate a mean elevation by averaging the corners. This should be considered.

If the development community could see this as a comprehensive change and especially have input along the way, you could probably get buy-in from them. When Denver re-did their code, it was a multi-year process. I realize this process is being accelerated because the city feels the city is being changed too quickly. Perhaps a moratorium on ALL downtown development is in order until this process can be completely and thoughtfully reviewed.

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