

Meeting Date: October 5, 2021

Planner: Mike Sutherland, AICP Deputy Director, Community Development

APPLICATION SUMMARY:

Project Name: Fourth Amendment to the Newton Property General Planned Development Plan (Aspen Grove)

Case Number: APD21-0002

Application type: Planned Development Plan Amendment

Location: 7301 S. Santa Fe Drive
(west side of S. Santa Fe Drive, east of South Platte Parkway on both north and south sides of W. Aspen Grove Way)

Size of Property: Approximately 32.7 acres

Zoning: PD-I (current); PD-I (proposed)

Future Land Use Map Designation Corridor Mixed Use Character Area

Applicant: Fairfield and Woods, P.C., represented by Jessica Alizadeh

Owner: Aspen Grf2, LLC, represented by Colby Young

Applicant Request: Approval of the proposed fourth amendment to the Newton Property General Planned Development Plan allowing up to 2,000 residential dwellings on the property, establishing ten planning areas within the property, and allowing building heights up to 85 feet in three of the planning areas.

PROCESS:

Pre-Application Meeting

January 28, 2021 – Administrative

Planned Development Plan Amendment

March 24, 2021 – First neighborhood meeting

April 27, 2021 – Complete application submitted and fees paid

July 21, 2021 – Second neighborhood meeting

August 23, 2021 – Planning commission public hearing

September 7, 2021 – Council first reading

➤ October 5, 2021 – Council second reading and public hearing

LOCATION:

The approximately 32.7-acre site is at the intersection of W. Aspen Grove Way and S. Santa Fe Drive. The vicinity map below shows the location of the subject property (in white at the center of the red dashed line) and the 700-foot notification boundary in a red dashed line. Staff notified all properties shown with highlighting, including the Sunset II homeowner's association (HOA), the Wolhurst Landing HOA, and the Berkshire Apartments HOA. In total, staff sent 220 notification letters to property owners and residents within the notification boundary.

Vicinity Map

**PROPERTY AND APPLICATION BACKGROUND:**Timeline

1995	<i>Property annexed into the City of Littleton from Arapahoe County by Ordinance 37-1995</i>
1996	<i>Council approves initial zoning of the property as PD-I under the Newton Property General Planned Development Plan by Ordinance 7-1996</i>
2003	<i>Aspen Grove shopping center completed initial construction</i>
2016	<i>Aspen Grf2 LLC purchases Aspen Grove shopping center</i>
2021	<i>The Gerrity Group, on behalf of Grf2 LLC, applies for the fourth amendment to the Newton Property General Planned Development Plan</i>

The property is currently used as an established, regional “open-air” shopping center. The approximately 32.7-acre property has approximately 268,000 square feet of commercial space. Current tenants include restaurants such as Ted’s Montana Grill, Panera, RICE Bistro, Chick-fil-A, Starbucks, major retailers such as New Balance, Lulu Lemon, Apple, Verizon, Eddie Bauer, Tattered Cover, Yankee Candle, Pottery Barn, and other entertainment venues such as Alamo Draft House. To the north of the property is an established residential neighborhood called Wolhurst Landing, containing a mix of single family detached and attached homes. To the west of the property is the Berkshire Apartments development built in 2011 as part of the Aspen Grove property. The Berkshire Apartments are three-story buildings. To the south of the property is the Regional Transportation District’s (RTD) Mineral Avenue light rail station. To the east of the property, across S. Santa Fe Drive, are three established single-family residential neighborhoods: Southbridge, Sunset II, and Goldenwest. Features in near proximity to the property are the Carson Nature Center, South Platte River, and South Platte Park open space to the west. The aerial map below shows the property and its surroundings.

Aerial Map



APPLICATION DETAILS:

The applicant requests approval of a general planned development (PD) amendment to completely supersede previous versions of the PD plan for the 32.7-acre property. The original PD plan and amendments would still be in effect for the Berkshire Apartments property.

In summary, the most significant purposes of the proposed amendment are to:

- Allow a mix of up to 2,000 homes and at least 125,000 square feet of commercial space to eventually redevelop the property as a mixed-use, high-density, transit-oriented “lifestyle center.”
- To increase allowable building heights from 65 feet to 85 feet in specific sub-areas on the south side of the property and at the northeast corner of the property.

The applicant provided the following information not included with the packet, but is available for review on the Development Activity List

(<https://littleton.maps.arcgis.com/apps/MapSeries/index.html?appid=f590c18f1a6c42848c922bc0118534d2>) under case number APD21-0002:

- Referral Comments and Responses
- Conceptual Drainage Report
- Traffic Study
- Title Commitment
- Letter of Authorization

PLAN ANALYSIS:

Overall Concept

The proposed PD amendment is generally consistent with the comprehensive plan Corridor Mixed Use character area with its particular intent to “...recognize fundamental paradigm shifts occurring in the development models for residential, retail, office, and hospitality uses, leading to even greater focus on “destination” developments that creatively mix uses, integrate amenities, and emphasize quality design.” In addition, the proposed PD amendment seems well-suited to take advantage of transit-oriented development sites identified in the comprehensive plan such as the Mineral Avenue light-rail station.

Title Sheet

The proposed fourth amendment to the Newton Property General PD Plan comprises six sheets and includes a site illustrative. The title sheet shows the vicinity map, legal description, mineral rights certificate, approval signature blocks for owner, planning commission, and city council. Of particular importance is the purpose statement on the title page. The purpose statement reads:

The intent is to create a more sustainable, socially conscious and walkable property that meets the broader community needs by

- 1) maximizing “highest and best” use alternatives to create live/work/play spaces.
- 2) retaining “high-value” tenants and attracting new retail to meet current customer and market demands.
- 3) as market conditions allow, replacing some or all of the existing structures with mixed-use, high density, market rate housing, ground level retail, and other uses.

- 4) enhancing accessibility to and from the RTD mass transit station and the South Platte River trail head and
- 5) improving the attractiveness of the center to residents and shoppers by placing a focus on health and wellness, convenience, access to transit, and lifestyle.

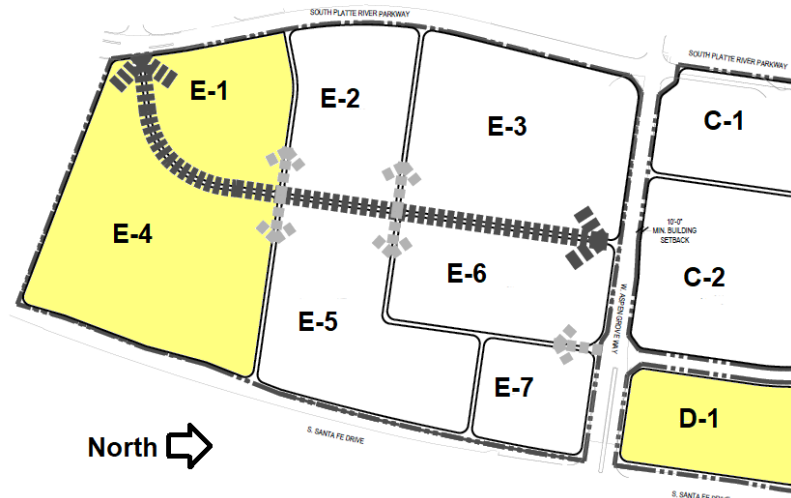
For future site plans on the property, staff will use this language to ensure actual development is consistent with concepts shown by the applicant for the proposed PD amendment.

Development Standards and Allowable Uses

Sheet two of the proposed amendment provides a summary of previous PD amendments, development standards table and notes, and a table of allowable uses. The title sheet and development standards sheet make references to ten sub-areas of the plan, which are shown in greater detail on sheet four. One of the important items on sheet two is how the development standards table relates to the PD plan sub areas, particularly in terms of allowable building height.

The following table is a portion of the Site Development Standards table on sheet two:

Planning Areas	C		D	E						
	C-1	C-2	D-1	E-1	E-2	E-3	E-4	E-5	E-6	E-7
Maximum Building Heights (feet)	55	55	85	85	75	65	85	75	30	55



In the approved PD (prior to the proposed amendment), maximum building heights in sub-areas C and E is 65 feet, D is 50 feet. Following the planning commission hearing, the applicant revised the maximum heights for planning areas E-3 (from 60 feet / five stories to 65 feet / five stories) and E-7 (from 65 feet / one story to 55 feet / three stories). In the applicant's words:

We would like to increase E-3 to 65 feet to what code requires to allow for sloped roof condition (60ft to 65ft). Given configuration of the site and planning area E-7 within the primary view corridor, we are ok with limiting the height of planning area E-7 to 55ft. In calculating the heights distributed across the entire site based upon the

adjustments above, the average height is 68.007 feet. If a 50% reduction adjustment is made for the 200 ft setback for planning areas C-1, C-2, and D-1, the average height is approximately 60.095 feet across the entire site.

The revised heights are highlighted in light orange in the table. The applicant provided a visual analysis of the proposed height limits as viewed from the border between the Southbridge and Sunset II neighborhoods.

**WEST FACING VIEW FROM ACROSS SANTA FE DR
ZONING ENVELOPE**



The visual analysis shows the proposed heights will not obscure the view of foothills and mountains in the distance. The Southbridge and Sunset II neighborhoods are approximately 50 feet in elevation above the Aspen Grove shopping center.

The table commits the development to have a minimum 125,000 square feet of commercial development across the property. The table notes are important as well. The notes permit flat roof forms, which were not permitted in the previously approved PD. Setbacks meet city code standards and building heights step down to the north of the property to be compatible with Wolhurst Landing. The development is providing 20 percent unobstructed open space where the city code requires 15 percent.

Design Standards

Sheet three of the plans shows various site standards for exterior lighting, outdoor storage, loading and service areas, signs, temporary structures, landscaping, site design and trail connectivity. Architectural standards have not been created yet, but the plans contain a note requiring a design standards book to be submitted with the first site plan, subject to approval by the Community Development Director.

Parks and Connections

South Suburban Parks and Recreation District (SSPRD) reviewed the plans and requested public land dedication or fee-in-lieu for a minimum five-acre park to offset anticipated service level demands associated with adding up to 2,000 dwelling units to the property. SSPRD's comment letter is attached to the packet.

In the mid-1990s through the annexation and zoning process, the previous property owners dedicated over 27 acres of land to the city. The city does not have a public land dedication requirement or impact fees related to public land. The owner is willing to participate in off-site improvements to improve existing gaps in trail connectivity near the property but is not willing to dedicate five acres or provide a fee-in-lieu of such dedication.

SSPRD does not have authority to require public land dedication and no dedication requirements have been requested by SSPRD for recent residential developments in Littleton. In staff's opinion, the proposed note (as identified in the condition of approval) specifically addresses some mutually beneficial recreational and connection needs in the area and is appropriate for the proposed development.

Planning Areas

Sheet four shows the ten planning areas associated with the proposed PD amendment. The plan shows use of existing vehicular connections to S. Santa Fe Dr. and S. Platte River Pkwy and a new spine road running roughly north and south through the middle of the development. The applicant included an illustrative showing one possible idea of how the ten planning areas may be developed. The illustrative is reprinted below.

Site Illustrative



In the site illustrative, the areas shown in red are commercial uses while the areas shown in white are residential. The different areas / uses are just shown to illustrate the mixed-use nature of the proposed development where at least 125,000 square feet of commercial development are required.

Access, Connectivity, and Traffic

Sheet five shows the conceptual traffic circulation plan for Aspen Grove. The applicant also submitted a traffic impact analysis with the proposed PD amendment. The traffic report considers full build-out of the development combined with future anticipated growth of traffic in the region. It is important to take into consideration that the shopping center as it currently exists contributes to traffic on the adjacent roadway. Although new residential uses are proposed, traffic associated with the reduction in commercial space partially offsets traffic created with the additional residential development. Additionally, the transformation of the “open-air” shopping center to a true mixed-use development helps reduce trips by allowing for combined trips or internal capture. Meaning that on-site residents can walk to the commercial uses, or other visitors may visit multiple businesses, therefore reducing the overall number of vehicular trips. Lastly, the adjacency to the RTD Mineral Light Rail Station and Mary Carter Greenway does have benefits to help support multi-modal transportation options by allowing for trips via train, bicycle, or by foot. Enhancing these multi-modal connections will be a benefit to the development and minimize roadway impacts by further reducing vehicle trips.

The traffic study does identify some developer responsible site-specific improvements to mitigate impacts associated with full redevelopment of Aspen Grove. An additional northbound to westbound left turn lane from S. Santa Fe Dr. onto Aspen Grove Way, along with a raised channelizing island to create a free flow eastbound to southbound right turn movement, are recommended at the Santa Fe Dr. / Aspen Grove Way intersection. This improvement would also require extending the two

westbound Aspen Grove Way lanes through the Bryant St. intersection. Overall, the proposed roadway network is expected to be able to accommodate the changes in land use associated with the proposed PD amendment. However, one area that will require further analysis through detailed site planning is the traffic control at the internal intersection of S. Bryant St. and Aspen Grove Way. The traffic analysis indicates that the current all-way stop control and lane configuration are not expected to accommodate full build-out traffic conditions. Once the site plans are further along, the intersection geometry will be evaluated in conjunction with the traffic impact analysis to determine the appropriate type of intersection control.

The Aspen Grove development will also benefit from planned improvements to the surrounding roadway network. The Quad Road project, which will improve capacity and safety at and around the Santa Fe Dr/Mineral Ave intersection, is expected to be completed prior to redevelopment of Aspen Grove. As a result of the modifications proposed at the Santa Fe Dr. / Mineral Ave. and Mineral Ave. / S. Platte River Pkwy. intersections, the additional trips anticipated to be generated by the full build-out of Aspen Grove will also be accommodated. Furthermore, the US 85 Action Plan (PEL Study) is expected to recommend improvements to the Santa Fe Dr. / Aspen Grove Way intersection in the form of a channelized “T” intersection within the next 10 years, prior to full build-out of Aspen Grove. A channelized “T” intersection would allow the eastbound to northbound left turn movement out of the Aspen Grove development to operate concurrently with the northbound through movement.

Roadway Cross-Sections

Sheet 6 shows typical street sections for both the existing public streets (S. Platte River Parkway, Aspen Grove Way and S. Bryant Street) and private internal streets. For the public streets, it is currently envisioned that the existing roadway pavement would remain, however the proposed PD amendment is adding bicycle facilities, widened sidewalks and tree lawns/amenity zones. The main internal “Main Street” (privately owned and maintained) generally oriented north-south, proposes on-street angle parking along with wide sidewalks and amenity zones. Connecting internal private streets include on-street parallel parking along with wide sidewalks and amenity zones. These cross-sections will provide a pedestrian-focused streetscape, while also facilitating multi-modal connections through enhanced bicycle facilities and connections.

Stormwater

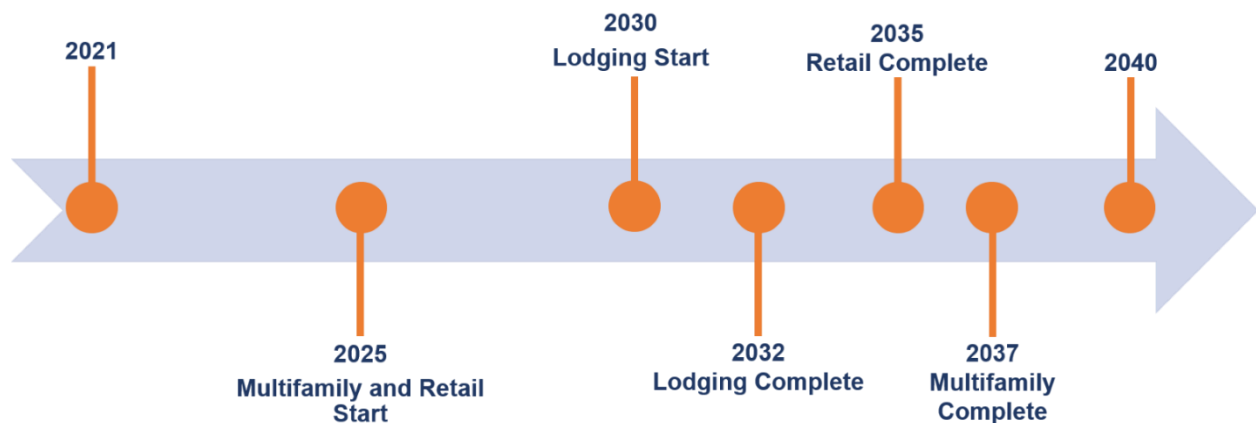
Together with the proposed PD amendment, the applicant submitted a conceptual drainage report to address how the project will comply with the Littleton Storm Drainage Design and Technical Criteria Manual. The property drains northwest to an existing water quality pond that is currently located on property owned by the City of Littleton and part of South Platte Park. Through redevelopment of the site, the applicant will be responsible for upgrading the pond to current water quality standards and associated on-going maintenance. The project will also be required to analyze 100-year flood detention requirements. Options for compliance with the Littleton Storm Drainage Design and Technical Criteria Manual will continue to be evaluated through the detailed site planning process. Detailed designs and obligations for on-going maintenance will be finalized prior to approving the first Site Development Plan for the site.

FISCAL IMPACT ANALYSIS

In collaboration with the applicant, staff modeled the fiscal impacts of various redevelopment scenarios against a baseline projection of Aspen Grove’s fiscal impacts under a future of declining tenancy and lower retail sales per square foot. The baseline reflects Aspen Grove’s trajectory if the retail center is not redeveloped to meet modern market demands for retail space and assumes a continued revenue decline. The redevelopment scenarios modeled the fiscal impacts of redeveloping the site to include 2,000 residential dwelling units, 225,000 square feet of retail, and a 72,000 square foot lodging use with varying development start and end years. The scenarios do not represent the final development pattern of the site. They demonstrate the potential to improve the site’s fiscal contributions to the city by redeveloping it with mixed-use development that builds on the synergies between retail and residential development. The city’s economic development team also modeled other redevelopment scenarios and found they all improved the city’s fiscal conditions compared to the baseline.

Staff is including the results of a conservatively estimated redevelopment scenario, which reflects an approximate average of the other scenarios staff modeled.

Timeline Used to Analyze the Fiscal Impacts of Aspen Grove Redevelopment



Assumptions and Net Fiscal Impacts of Redeveloping Aspen Grove.

Aspen Grove Redevelopment Assumptions

Description	Baseline	Redevelopment Scenario	Total Net Incremental Impact
Development Program			
Total Residential Units	-	2,500	2,500
Total Commercial Square Footage	268,000	297,000	29,000
Average Annual Revenues			
General Revenue	\$ 18,463	\$ 270,746	\$ 252,283
Property Tax - Real Property	\$ 23,316	\$ 111,726	\$ 88,410
Sales Tax	\$ 904,500	\$ 2,340,026	\$ 1,435,526
Total	\$ 944,159	\$ 2,710,374	\$ 1,766,215
Average Annual Expenditures			
General Expenditures	\$ (33,971)	\$ (652,316)	\$ (618,345)
Capital Projects Fund	\$ (12,658)	\$ (179,675)	\$ (167,017)
Police Department	\$ (84,646)	\$ (695,725)	\$ (611,078)
Total	\$ (131,276)	\$ (1,527,716)	\$ (1,396,440)
Net Impact			
Average Fiscal Impact	\$ 812,883	\$ 1,182,658	\$ 369,775
Total Fiscal Impact (20 years)	\$ 17,883,433	\$ 27,744,726	\$ 9,861,293
One-Time Revenues			
Use Tax	\$ -	\$ 12,820,590	\$ 12,820,590
Impact Fees	\$ -	\$ 12,421,360	\$ 12,421,360
Total	\$ -	\$ 25,241,950	\$ 25,241,950

The first column is a baseline projection of Aspen Grove's fiscal impacts under a future of declining tenancy and lower retail sales per square foot. The second column is a conservative projection of Aspen Grove's redevelopment scenario. The third column represents the incremental benefits of Aspen Grove's projected redevelopment.

Sales Tax

Varying levels of development timing will affect the sales performance of Aspen Grove's retail space. Without redevelopment, the site's existing retail sales per square foot will likely continue a downward trend. Under the redevelopment assumptions, the model indicates that the timely development of multifamily residential housing and lodging will complement the site's retail space to bring in high quality tenants and increase sales per square foot and sales tax revenues. Adding proximate rooftops will provide the center with a source of built-in retail demand that will help sustain higher performing sales tax generating businesses. Residents living in the multifamily residential units will also contribute an estimated \$365,000 of retail sales tax annually. Redevelopment of the site will increase sales tax collected on the property to an estimated \$2.34 million, compared to \$900,000 if it is not redeveloped.

One Time Revenues

In addition to increasing annual sales tax revenues, the redevelopment of Aspen Grove would also generate an estimated \$12.8 million in one-time use tax. Use tax generation is significant because projects identified in the Capital Projects Fund are funded through a range of sources that include building use tax revenues. The city has roughly \$98 million in unfunded capital projects identified through 2035. Use tax from this development will contribute towards reducing the budget deficit in the Capital Projects Fund. The redevelopment will also generate an

estimated \$12.4 million in one-time impact fees. In total, the project will generate \$25.2 million in one-time revenues from use tax and impact fees.

Net Fiscal Impact

The redevelopment scenario modeled for this report yielded an estimated net annual fiscal impact of \$1.2 million, \$370,000 per year more than the fiscal impact modeled under the baseline scenario. Over the 20-year period we considered as part of the analysis, the redeveloped Aspen Grove would generate nearly 65% more revenue for the city as compared to the baseline scenario (\$27.7 million versus \$17.8 million).

Comprehensive Plan Goals Met

- GOAL H&N 1: A quantity and diversity of housing options that makes living in Littleton attainable for a wide range of age groups and income levels.
- GOAL H&N 2: Appealing housing choices for families drawn by Littleton's educational, recreational, and other amenities.
- GOAL H&N 5: Housing that supports choice in mobility and investments in transportation infrastructure.
- GOAL E&T 1: A focus on the revenue needs of Littleton City government to continue meeting the public service expectations of its residents, businesses, and institutions.
- GOAL E&T 2: Continued nurturing of key employment sectors, target industries, and small businesses that expand local job opportunities and contribute to better incomes for those who live and/or work in Littleton.
- GOAL E&T 3: Revitalized commercial centers and areas that alleviate obsolete conditions and vacant sites and that meet the contemporary shopping and service needs of Littleton residents and visitors.

Conclusion

After modeling the redevelopment of Aspen Grove under several scenarios, staff has found that the type of mixed-use redevelopment being proposed is fiscally favorable to the City of Littleton compared to the baseline scenario. It alleviates problems with the city's Capital Project Fund in the short term, generates substantial use tax and impact fees, and every scenario had on-going net fiscal impacts above the baseline. In addition to the proposed redevelopment's improved fiscal performance, it would also satisfy three Housing and Neighborhood goals and three Economy and Tax Base goals from the City's Comprehensive Plan. Though the redevelopment plan is not final, fiscal impact modeling provides planning commission and city council with general knowledge of how uses and timing contributes to the net fiscal impact of a development. Based on the modeling, staff concludes:

- The success of redeveloping Aspen Grove depends on the synergy between on-site residential driving demand for upmarket retail and upmarket retail driving demand for on-site residential.
- The overall fiscal impact of redeveloping Aspen Grove depends on when redevelopment begins. If redevelopment begins earlier, the city will have a longer period over which to benefit from the improved fiscal performance of the site.

REVIEW CRITERIA:

PDs and major amendments to PDPs should meet the following intentions as listed in the Littleton

City Code (LCC), Title 10, Section 10-2-23(B). The applicant provided their own analysis, which is attached to this packet, of how the proposed PD amendments meets the review criteria. In general, staff endorses the applicant's analysis. In addition, staff believes the following items should be noted on how the plan meets the review criteria.

1. Encourage more creative and effective use of land and public or private services, and to accommodate changes in land development technology so that the resulting economies benefit the community.

The proposed PD amendment provides the necessary tools to transform the development from a model that worked well in the 1990s to a modern "lifestyle center" that adapts to the changing retail environment and works more effectively toward long-range success. Staff's fiscal analysis of the proposed redevelopment shows a long-term benefit to the community over the current model.

2. Encourage innovation and efficiency in residential development to meet the growing demands for housing of all types and designs for persons of any social or economic status.

With the recommended conditions of approval, the applicant's analysis is consistent with the proposed PD amendment. The conditions assure higher density residential development in an area served by light rail, which shows innovation and efficiency currently absent from the property. The applicant states the residential development will be market rate and there is a demand for market rate units on Littleton's corridors. While a market rate approach may not cover all social and economic status, the potential mix of multifamily and single-family attached units provides a variety of designs for differing tastes and economic status, which fulfills the criteria.

4. Provide a process which relates the design and development of a site to the particular characteristics of the site.

The proposed height limits are appropriate to a site that sits lower than S. Santa Fe Drive and lower than adjacent residential to the east. The proposed density limits are appropriate to a site situated in close proximity to light rail, mass transit services and regional transportation routes.

5. Require that the nature and intensity of development be supported by adequate utilities, transportation network, drainage systems and open space to serve the development, and to minimize impacts on adjacent existing and future development.

Staff analyzed the traffic impacts associated with the proposed PD amendment and concluded the existing and planned roadway network is adequate to accommodate the anticipated growth associated with this development. In addition, there are no protected or established view corridors restricting development on this property. Certainly, additional height allowed on the property affects views of the mountains from adjacent properties to the east, but the expectation of unaffected views should be weighed against the long-term success of the property and the community benefit of a successful development.

NEIGHBORHOOD OUTREACH & PUBLIC NOTICE:

Prior to filing the application, on March 24, 2021, the applicant held a virtual neighborhood meeting. The applicant held a second virtual neighborhood meeting on July 21, 2021, prior to submitting

revised plans to the city following the first review. The applicant provided notes from each neighborhood meeting which are attached to the packet.

As part of the standard notification for public hearings, staff mailed notice to all property owners and residents within 700 feet of the site within 15 days of the scheduled city council hearing. Notification signs were posted on the subject property and at city locations in advance of the council hearing in compliance with the city's public notice requirements.

Application materials are available on the city's website through the Development Activity List (DAL). This application was improperly geocoded initially, resulting in no records of the case being visible in the DAL for a few days. The problem was addressed in late July 2021 and all application materials are currently viewable under case number APD21-0002. This error did not affect required public notification.

Staff received several emails regarding the proposed development. The email records are attached to the packet.

OUTSIDE REFERRAL AGENCIES:

Staff sent referrals to 19 outside referral agencies including state agencies, Mile High Flood District, Regional Transportation District, South Metro Fire Rescue District, SSPRD, county agencies, the post office, Littleton Public Schools, utility providers, and neighboring jurisdictions. The only agency with unresolved issues is SSPRD, as noted in a previous section of this report. SSPRD comments are included as an attachment to the packet.

Staff did not require the applicant to provide an environmental report or environmental impact study since the land governed by the existing PD is fully improved. It is possible, but unlikely, that future site plans may require environmental studies should protected species (particularly bald eagle nesting sites) be discovered on site or in the vicinity. Currently, there are no bald eagle nesting sites known in the vicinity. The State Department of Wildlife was not included in the referral process.

STAFF RECOMMENDATION:

Staff recommends adoption of the proposed ordinance approving the PD amendment.

PLANNING COMMISSION RECOMMENDATION:

On August 23, 2021, the planning commission held a public hearing to consider the PD amendment and make a recommendation to city council. The planning commission recommended approval of the PD amendment with seven conditions:

- On sheet number two, note number seven shall be revised to read "There shall be a fifty (50) foot wide area of unobstructed open space along the edge of the property abutting the Wolhurst Landing residential development" striking the second sentence; and
- On sheet number two, note number eight shall be revised to strike "public roof top amenity areas" and have staff work with the applicant to clarify eligibilities for unobstructed open space requirements; and
- On sheet number two, the residential section of the Principal Permitted Uses table shall be revised as follows: remove the rows for Residential (Single-family attached, multi-family and Residential Single-family detached) and replace with the following table section:

Principal Permitted Uses

Planning Areas	C	D	E
Residential (Single-family attached)	X	NP	NP
Residential (multifamily) is only allowed as a part of a vertical mixed-use building. Leasing offices, recreational facilities, and other ancillary uses to the multifamily use shall not be considered as a mix of uses.	X	X	X
Residential (Single-family detached)	NP	NP	NP

; and

- On sheet number three, replace note number one under sub-section J with “1. The property owner shall provide conceptual plans and enter into an agreement for financing improvements to multi-modal connections from the Property to the South Platte River Trail prior to issuance of a building permit allowing the 250th residential unit on the Property. 2. The property owner shall provide conceptual plans and enter into an agreement for financing improvements to multi-modal connections from the Property to the Regional Transportation District station prior to issuance of a building permit allowing the 500th residential unit on the Property”; and
- Correcting miscellaneous errata such as changing inches to feet in the development standards table; and
- Revise all references to allowed density from 76 dwelling units per acre and 2,500 units maximum to 61 dwelling units per acre and 2,000 units as offered by the applicant during the public hearing; and
- On sheet two, under the Site Development Standards table, revise note number four to be in compliance with Littleton City Code Title 10, Chapter 2, Section 23, sub-section D.3.b. limiting maximum building height to 30 feet within 200 feet of boundaries adjacent to Wolhurst Landing.

The planning commission approved the resolution by a vote of four to three.

Following the planning commission hearing, the applicant revised the plans to address and resolve each of the conditions. In working with staff, the applicant clarified there may be open, public plazas with no restricted access that may be built above either a parking structure or a commercial space that may be eligible to fulfil minimum unobstructed open space requirements at the Community Development Director’s discretion. However, non-publicly accessible roof-top pools, patios, and balconies will not be eligible to fulfil minimum unobstructed open space requirements.

In addition to resolving the planning commission conditions, the applicant also amended the maximum heights for planning areas E-3 (from 60 feet / five stories to 65 feet / five stories) and E-7 (from 65 feet / one story to 55 feet / three stories).

NEXT STEPS

Whether the PD Amendment is approved or not, the property owner may continue to operate the shopping center as it is indefinitely. If the PD Amendment is approved, the owner expects to phase redevelopment of the property beginning with the southernmost buildings. If demolition and new construction is proposed, additional approvals will be required for:

- Subdivision plats (optional) and subdivision improvement agreement
- Site development plans
- Construction permits (including grading and infrastructure) and
- Building permits