



Legislation Details (With Text)

**File #:** Ordinance 22-2021      **Name:**

**Type:** Ordinance      **Status:** Passed

**File created:** 8/24/2021      **In control:** City Council

**On agenda:** 11/9/2021      **Final action:** 11/9/2021

**Title:** Ordinance 22-2021: An ordinance on second reading approving the fourth amendment to the Newton property General Planned Development Plan (Aspen Grove) - Continued from October 5, 2021

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1. Ordinance No. 22-2021, 2. 2. Exhibit A Legal Description, 3. 3. Exhibit B Plan, 4. 4. PC Resolution No. 05-2021\_FINAL, 5. 5. Staff Report, 6. 6. Applicant's Letter of Intent, 7. 7. Applicant's Analysis, 8. 8. Neighborhood Meeting Notes, 9. 9. Citizen Comments, 10. 10. South Suburban Referral Response, 11. 11. Presentation\_Ord. 22-2021

Date	Ver.	Action By	Action	Result
11/9/2021	3	City Council	approved	
10/5/2021	2	City Council	continued	
9/7/2021	1	City Council	approved on first reading	Pass

Agenda Date: 11/09/2021

Subject:

Ordinance 22-2021: An ordinance on second reading approving the fourth amendment to the Newton property General Planned Development Plan (Aspen Grove) - *Continued from October 5, 2021*

Prepared by: Mike Sutherland, Deputy Director of Community Development

**PURPOSE:**

Final decisions on the approval of planned development (PD) amendments are made by the city council. After gathering information through the public hearing process, the council must judge the proposal and base its decision on whether the proposal meets the following six criteria:

- Encourages 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.
- Encourages 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.
- Encourages innovative development or redevelopment of all land uses to meet the contemporary needs of the community by providing for a greater variety and mix of uses including those which may coexist on the same parcel or within the same building as shown on an approved general PD plan.
- Provides a process which relates the design and development of a site to the particular characteristics of the site.

- Requires that the nature and intensity of development be supported by adequate utilities, transportation network, drainage systems and open space to serve the development, and minimizes impacts on adjacent existing and future development.
- Encourages development that is consistent with the policies and guidelines established in the adopted comprehensive plan for the area and for the city.

**PRESENTATIONS:**

**Staff Presenter:** Mike Sutherland, Deputy Director, Community Development  
**Additional Presenters:** Colby Young, Vice President of Asset Management, Gerrity Group (Owner)  
Jessica Alizadeh, Director, Fairfield and Woods (Applicant)

**SUMMARY:**

Aspen Grove shopping center opened in 2001 and is one of Littleton’s major retail centers. Since 2001, the retail environment and the demands for retail spaces have changed significantly. The Gerrity Group has owned Aspen Grove shopping center since 2016. In order to meet changing market needs and increase Aspen Grove’s vitality in the long term, Gerrity Group is requesting the ability to transform the shopping center into a “lifestyle center” by allowing up to 2,000 residential units on the property and allowing buildings on some portions of the property to be up to seven stories or 85 feet tall while keeping a minimum of 125,000 square feet of commercial use on the property.

**PRIOR ACTIONS OR DISCUSSIONS:**

This ordinance passed on first reading on September 7, 2021.

A public hearing was held on this ordinance on October 5, 2021. The public hearing was closed and deliberations were continued to a date certain; November 9, 2021. No further testimony will be taken.

**ANALYSIS:**

Staff Analysis

The proposal allows a significant transformation of the existing site and is consistent with the comprehensive plan vision for the property as a higher density, transit-oriented, mixed-use portion of the corridor mixed land use designation. Prior to the public hearing process, the applicant held two neighborhood meetings for the proposed development.

Council Goal, Objective, and/or Guiding Principle

The proposal is directly related to council’s financial sustainability goal.

Fiscal Impacts

The city’s Economic Development team worked carefully with the applicant to derive appropriate inputs into the city’s fiscal impact model. After analyzing the model results, city staff independently concluded the proposal would improve revenues relative to existing conditions, accounting for additional service costs.

Alternatives

If the proposal is not approved, the owner may use the property under the existing provisions of the planned development zoning or may reapply for an amendment in the future. Should the pending Unified Land Use Code be adopted, the applicant may have additional options available under the new code.

**STAFF RECOMMENDATION:**

Staff recommends approval of the proposed amendment.

*Planning Commission Recommendation:*

On August 23, 2021, the planning commission held a hearing to consider the proposed PD amendment. Planning commission recommended approval of the proposed PD amendment with seven conditions by a vote of four to three. Details of the recommendation are included in the staff report. All planning commission conditions have been addressed and resolved by the applicant. 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) and decreased the number of requested residential units from 2500 to 2000.

**PROPOSED MOTION:**

I move to approve Ordinance 22-2021 approving the fourth amendment to the Newton Property general planned development plan (Aspen Grove).