



Legislation Text

File #: Resolution 28-2017, **Version:** 2

Agenda Date: 08/01/2017

Subject:

A resolution approving Southbridge Subdivision Filing No. 12A, Lots 1 & 2 Final Plat, Case Number MAJ17-0002

Presented By: Carol Kuhn, AICP, Principal Planner

APPLICATION SUMMARY:

Project Name: Southbridge Subdivision Filing No. 12 A, Lots 1 & 2 Final Plat

Case Number: MAJ17-0002

Application type: Final Plat

Location: 1501 West Mineral Avenue

Size of Property: 8.95 acres

Zoning: PD-C Southbridge Planned Development Area K

Applicant: Nick Craig, Stone Creek Real Estate Partners, LLC.

Applicant's Representative: Steve Kocher, P.E., Harris Kocher Smith

Owner: Conservative Baptist Foreign Mission Society

Project Description: The request is to divide a portion of Lot 1, Southbridge Subdivision Filing No. 12 into two commercial lots and to remove the plat restriction for direct access off of South Windermere Street.

PROCESS:

The Preliminary Plat is the second planning approval necessary in the overall approval process for the project. The steps are as follows:

1. Amended General Planned Development Plan and Rezoning
(June 12, 2017 public hearing - for recommendation by planning commission and approval by city)

council)

- 2. Preliminary Plat
(approved by planning commission on June 12, 2017)

3. Final Plat
(approval by city council)

4. Site Plan
(administrative review)

The final plat is the third step in the major subdivision process to subdivide a parcel of land into separate lots. In the final plat process, lots and tracts are defined, any necessary right-of-way and easements are dedicated, and when applicable, financial guarantees for public improvements are secured.

Per Section 11-3- 2(C)3 of the city code, if the directors of community development and public works certify that a final plat is in compliance with the approved preliminary plat, accepted engineering principles, and the ordinances of the city; and the plat is approved as to form by the city attorney, the plat shall be submitted to the city council for final approval.

LOCATION:

Southbridge Filing No. 12A is located at 1501 West Mineral Avenue, at the northwest corner of West Mineral Avenue and South Windermere Street.



Zoning and Vicinity Map



Site

BACKGROUND:

The applicant, Nick Craig, StoneCreek Real Estate Partners, LLC., has submitted an application for a final plat to divide a portion of Lot 1, Southbridge Subdivision Filing No. 12, into two commercial lots (Lot 1 proposed to be 4.29 acres; Lot 2 proposed to be 4.66 acres). The site is located at 1501 West Mineral Avenue.

Lot	Size	Use
Lot 1	4.29 acres	Office/Assisted Living/Memory Care
Lot 2	4.66 acres	Office Park

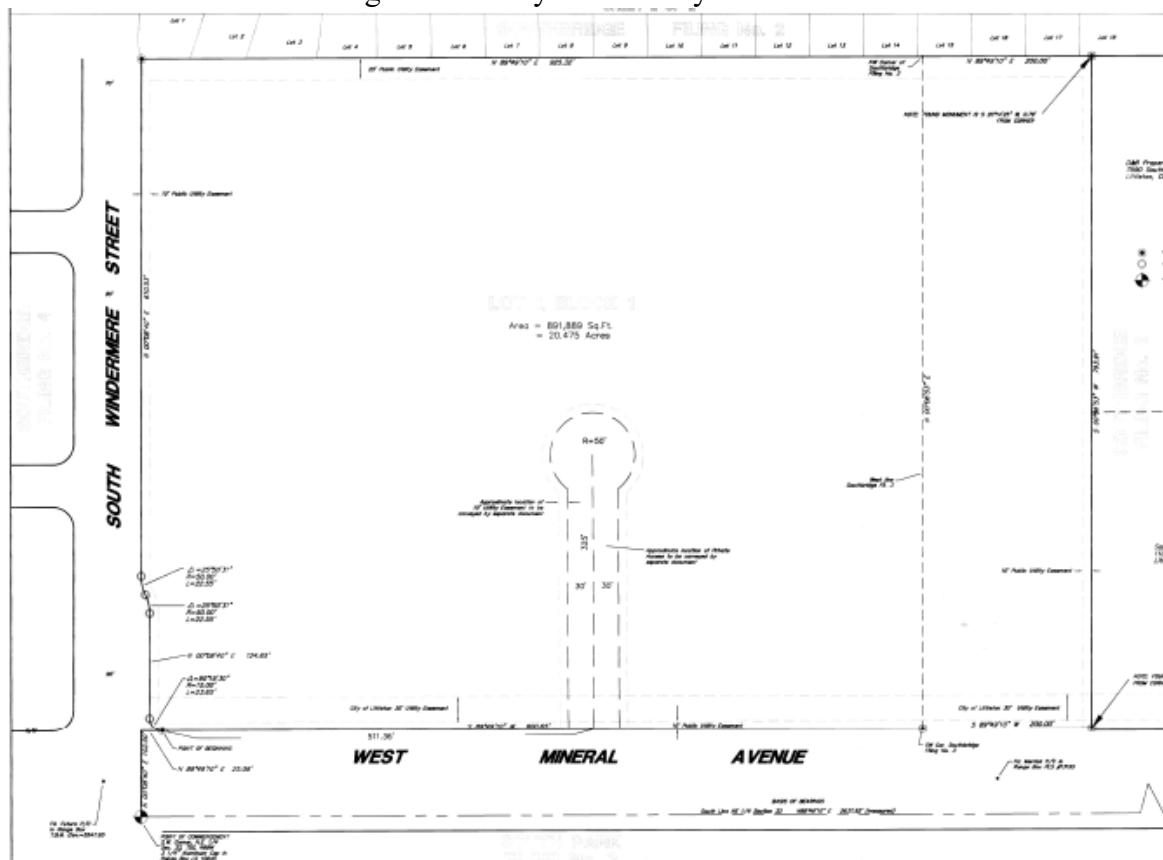
This property is zoned PD-C and is located within Area K of the Southbridge Planned Development (PD). The original Southbridge PD Plan was approved in 1979, with Area K designated as Commercial Office Park. In 1983, the Southbridge PD was amended to transfer 49 residential dwellings from Areas A, B, C, and I to Area L. The second amendment of Area K revised the uses to allow for churches and church-related uses and set criteria for a portion of Area K located at the northwest corner of West Mineral Avenue and West Mineral Court. The third amendment to a portion of Area K added sleeping rooms for visiting missionaries associated with the Conservative Baptist Foreign Mission Society. The amendment limited the sleeping rooms to no more than 10% of the gross floor area.

In 1998, city council approved the final plat for Southbridge Filing No. 12. This plat included a large superblock lot containing 20.475 acres which was intended to be further subdivided into smaller lots at the time of site development.

During review of the 1998 final plat, the city engineer included a note (note number 9) which stated that “access shall be restricted to the private street to be constructed for this property. No direct access to the individual development sites shall be allowed from Windermere Street or Mineral Avenue.” A private cul-de-sac was constructed along West Mineral Avenue for the benefit of the future lots.

The division of one lot into two lots would typically be conducted through a subdivision exemption or an administrative plat/replat process. However, since the applicant is requesting that a plat note be modified, it is necessary to process the plat as a major subdivision. With both the preliminary and final plat applications, the applicant is requesting that any access on South Windermere Street be limited to an assisted living and memory care facility; any other uses would not be allowed direct access onto South Windermere Street. The request is supported by a traffic impact study. The applicant is not requesting any additional access on West Mineral Avenue. The applicant has proposed that plat note number 9 on both the preliminary and final plat be revised to read as follows:

“No additional access points shall be allowed on Mineral Avenue. Any access point on Windermere Street shall be supported through a traffic analysis and evaluated at the time of site development plan review. The city reserves the right to restrict or remove access to Windermere Street for any use other than an assisted living and memory care facility.”



Southbridge Subdivision Filing No. 12, Lot 1 (Recorded in 1998)

The request to remove the access restriction on South Windermere Street is supported by a traffic impact analysis which was reviewed by the city’s traffic engineer. Specifically, a 72,000 square-foot assisted living facility is expected to generate 270 daily vehicle trips. For comparison, a 72,000 square-foot office building would generate 1,023 daily vehicle trips and a similarly sized medical office building would generate 2,730

daily vehicle trips.

The applicant also provided anticipated shift times for the facility's employees to further demonstrate that the traffic generation will not impact peak traffic times for the residential neighborhood or the other office park uses.

The proposed shifts are as follows:

6:00 AM - 2:00 PM	12 nurses
2:00 PM - 10:00 PM	12 nurses
10:00 PM - 6:00 AM	8 nurses

In addition, there will be eight-hour shifts of 6-8 management and maintenance staff staggered throughout the day.

The associated Southbridge Planned Development, Fourth Amendment of Area K, Case Number APD16-0003, is being processed concurrently. This amendment proposes to allow for a commercial assisted living facility and associated accessory uses such as dining, activities, fitness/wellness, salon, housekeeping, maintenance, medication management, and gathering spaces. This PD Amendment also specifies that a minimum of 20% open space be provided, a 50-foot landscape buffer be included along the northern property line between the site and the existing single-family residential development, the building height be limited to 30 feet within 150 feet of single-family residential development, and that the maximum building height be set at 45 feet. Parking will be provided according to the city's zoning regulations.

All requirements and standards of the PD Plan, which include density, unobstructed open space, parking, setbacks, building height and architectural design, must be met with the site development plan.

STAFF ANALYSIS:

The preliminary plat f was approved by planning commission on June 12, 2017. The following is the analysis of the proposal with the city's final plat regulations for major subdivisions.

Section 11-3-2(C)3 of the City's Subdivision Regulations for major subdivision final plats requires that,

If the director of community development and the director of public works certify that a final plat is in compliance with the approved preliminary plat, accepted engineering principles, and the ordinances of the city and the plat is approved as to form by the city attorney, said plat shall be submitted to the city council for final approval.

The public works and community development directors evaluate a final plat based on compliance with: subdivision regulations, accepted engineering principles, zoning regulations, the Comprehensive Plan, and existing and proposed development.

Compliance with provisions of the subdivision regulations:

The proposed final plat meets all of the provisions of the subdivision code, in that it was prepared by a registered surveyor and includes the requested information found in section 11-5-1(B), including: proposed right-of-way locations, street dimensions, easements, lot dimensions, and addresses by street address and lots/blocks.

The property is not located within the 100-year floodplain.

The proposed final plat meets all of the requested information found in section 11-5-1(C), including a drainage

plan and civil construction documents (CD's). Public works staff reviewed and approved the site drainage and civil CD's for the project. The project will provide on-site water quality and detention. The detention and water quality will be evaluated at the time of the site development plan.

The division of one lot into two lots would typically be conducted through a subdivision exemption or an administrative plat/replat process. However, since the applicant is requesting that a plat note be modified, it is necessary to process the plat as a major subdivision.

A subdivision improvement agreement is not required for this project. A right-of-way permit will be required for any work within the public right-of-way and the sanitary sewer easement and improvements are anticipated to be within the private cul-de-sac and can be addressed through a separate improvement agreement as part of the site development plan.

The proposed final plat meets all of the requested information found in section 11-5-1(D) and includes all the necessary ownership certification blocks on the plat. If the final plat is approved by city council, all required signatures will be added to the plat prior to recordation at the county clerk and recorder's office.

Compliance with the amended Area K of the Southbridge PD Plan

This proposed final plat complies with the Southbridge Planned Development, Fourth Amendment of Area K, Case No. APD16-0003. The height is limited to 30 feet within 150 feet of single-family residential development, the maximum building height is limited to 45 feet, a 50-foot landscape buffer will be provided along the northern property line, and the proposed open space meets the 20% open space requirement per section 10-2-23.

Compliance with Comprehensive Plan

Staff found that the Southbridge Planned Development, Fourth Amendment of Area K, complies with the Comprehensive Plan.

Compliance with existing and proposed development

The proposed final plat for two commercial lots is consistent with the overall intent of the Southbridge Planned Development. With the 1998 final plat review, it was anticipated that the 20.475 acre superblock lot would be further subdivided. This preliminary plat is consistent with the existing development pattern in the commercial area of the Southbridge Planned Development. In addition, the preliminary plat provides a large enough site area to allow for commercial density which would be consistent with the allowed density, height, and open space specified in the planned development. The anticipated traffic volume for the proposed assisted living development as presented in the in the PD Amendment (Case No. APD16-0003) is expected to be significantly less than an office use. Traffic volumes will be further evaluated with the final plat and site development plan.

Comments from affected agencies

During the referral period, a "no comment" referral response was received from Arapahoe County. The referral response from Xcel Energy indicated that 10-foot utility easements were needed along the length of the southerly lot line of Lot 1 and along the west side of the reciprocal access easement around the cul-de-sac. The applicant will dedicate these easements with the final plat, as easements are not dedicated with the preliminary plat. Denver Water indicated that the necessary utility easement for water service will be further reviewed during its review process. It is anticipated that the water easement will be dedicated separately rather than with the final plat due to timing. However, the necessary water easement will be reflected on the site development plan. No referral response was received from South Suburban Parks and Recreation or Tri-County Health Department.

Final site drainage will be reviewed with the final plat and site development plan. Engineering has reviewed the conceptual drainage report for the associated preliminary plat and has indicated that the concepts proposed for handling storm water runoff are acceptable to the Public Works Department for preliminary plat purposes. Construction drawings and more detailed design will be provided with the final plat submittal and site development plan.

STAFF RECOMMENDATION:

Staff finds that the preliminary plat for Southbridge Subdivision Filing No. 12 conforms to the requirements of the city's subdivision regulations, the proposed amendment to Southbridge Planned Development, Fourth Amendment of Area K, the City of Littleton Comprehensive Plan and utility requirements. Therefore, staff recommends approval of the preliminary plat.

PROPOSED MOTION:

Following certification by the community development and public works directors, and approved as to form by the city attorney, the final plat shall be submitted to the city council for final approval.

MOTION TO APPROVE AND/IF NECESSARY, WITH CONDITIONS

I move to approve Planning Commission Resolution 28-2017, concerning Southbridge Subdivision Filing No. 12A Lots 1 & 2 Final Plat, subject to the following condition:

1. Removal of the access restriction on South Windermere Street is conditioned upon approval of Case No., APD16-0003, Fourth Amendment to Area K, Southbridge Filing No. 12.