

Legislation Text

File #: Ordinance 20-2017, **Version:** 2

Agenda Date: 08/15/2017

Subject:

An ordinance on second reading approving the rezoning of the Lee Gulch Overlook Open Space and Trailhead, Tract C, from PD-R to Open Space (OS) Zone District

Presented By: Jocelyn Mills, Community Development Director

APPLICATION SUMMARY:

Project Name: Lee Gulch Overlook Open Space and Trailhead, Phase 1 Rezoning

Application Type: Rezoning

Size of Subject Property: Tract C, Santa Fe Heights Subdivision, 2.99 Acres

Zoning: Located in the Riverbend Plaza GPDP with PD-R zoning (existing);
OS (proposed)

Applicant/owner: City of Littleton

PROCESS:

The requested rezoning is the sole objective of the project.

Rezoning request - first step

(June 26, 2017 planning commission public hearing - decision was recommendation of approval)

- Rezoning requests - second and final step (two readings of an ordinance)
(decision by city council)

BACKGROUND:

The subject property is Tract C, a 2.99-acre parcel in the Santa Fe Heights Subdivision, Filing 1 and in the Riverbend Plaza GPDP. It is within the 13-acre Lee Gulch Overlook Open Space and Trailhead, located between South Santa Fe Drive and the Mary Carter Greenway, at 6591 South Santa Fe Drive. The Open Space and Trail area consists of a total of seven properties; two are owned by South Suburban Parks and Recreation (SSPR), and five are owned by the City of Littleton, as shown in Figure 1. Tract C includes a segment of Lee Gulch, the Lee Gulch Trail.

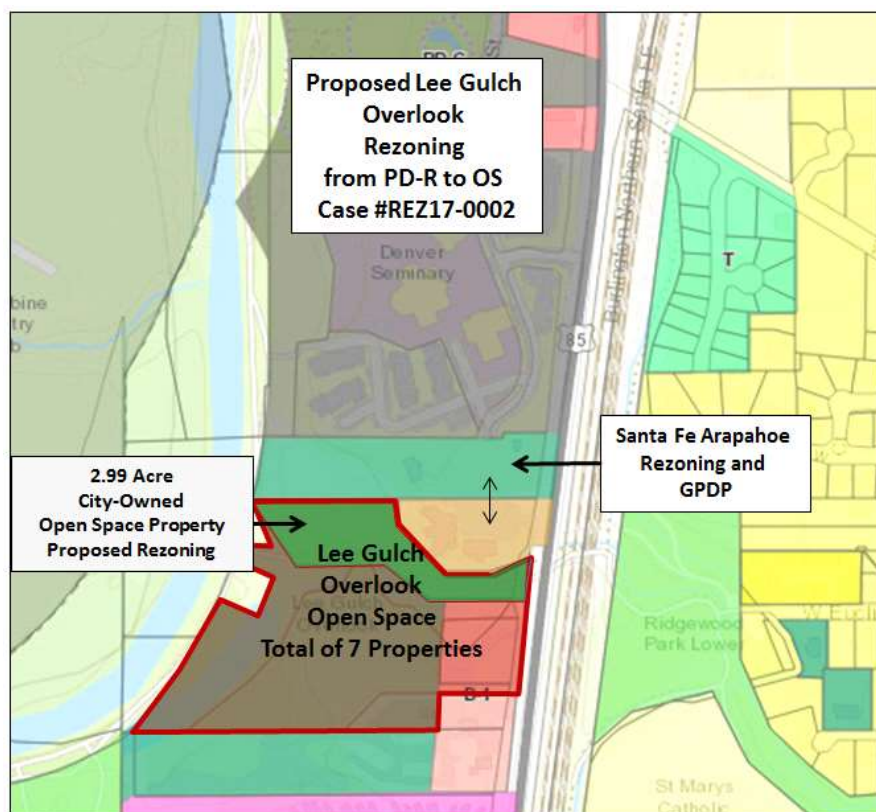


Figure 1.
Vicinity Map

The Lee Gulch Overlook Open Space and Trailhead developed over time with the assemblage of properties and park improvements:

- | | |
|------|---|
| 2003 | Dedication of Tracts A, B and C within the Santa Fe Heights Subdivision, Filing 1, a total of 7.09 acres, by Santa Fe Heights, Inc., for drainage purposes and other public uses. |
| 2009 | Purchase of Lot 1, Block 1, Santa Fe Heights Subdivision, Filing 1, consisting of 6.29 acres, by City of Littleton, SSPR, Arapahoe County Open Space (ACOS), Great Outdoors Colorado (GOCO) and the Trust for Public Lands. |
| 2012 | City council approval of the Master Plan for Lee Gulch Overlook Open Space |
| 2016 | Park improvements including a crusher fine trail, a nature play area and a new parking lot are completed. The project was funded by grants from GOCO, the South Metro Land Conservancy, the city, ACOS, and SSPR. |

Project Description:

While the acquisition and development of the Lee Gulch Overlook Open Space and Trailhead is now complete per the Lee Gulch Overlook Master Plan, the zoning of the seven parcels has never been formally addressed.

Currently, the parcels lie within three zone districts: PD-R, R-E and B-2. In coordination with SSPR, the city's Community Development Department has planned to rezone the seven parcels to the OS (Open Space) zone district. The application was prepared by the city staff and proposes the rezoning of Tract C in the Riverbend Plaza GPDP from PD-R (Planned Development-Residential) to OS (Open Space). The proposed rezoning is the first phase of the rezoning of the seven parcels within the Lee Gulch Overlook.

The purpose of bringing this rezoning forward at this time is to coincide with the Santa Fe Arapahoe Rezoning and GPDP (SFA Rezoning and GPDP), a proposal on planning commission's agenda this evening. As explained in the SFA Rezoning and GPDP, Tract C would fall below the 180,000 sq.ft. threshold for a free-standing zone district if left under PD-R zoning (refer to Staff Analysis section, below). The OS zone district is not subject to the threshold under the city's zoning code and a property of any size may be zoned OS. Thus, if this application is recommended for approval and ultimately approved by city council, the rezoning of Tract C in the Riverbend Plaza GPDP to the OS zone would establish rezoning eligibility for the SFA Rezoning and GPDP.

STAFF ANALYSIS:

Zoning Map Amendments

Section 10-12-2 of the city's zoning ordinance provides limitations on amendments to the official zoning map. The pertinent criterion of this section regarding minimum requirements for freestanding zone districts is the following:

10-12-2 (A) Except as may be exempted in subsection (C) of this section, no amendment to the official zoning map shall be approved which creates a freestanding zone district of less than one hundred eighty thousand (180,000) square feet. For the purpose of determining the size of an area to establish compliance with this limitation, there shall be included with the subject parcel the following:

- 1. The area of public rights of way lying within the boundaries of the parcel proposed for rezoning; and**
- 2. The area of land within the city which is contiguous to the subject parcel and which bears the same or lower zone district classification than is proposed, provided the lower zone district has the same letter district designation.**
- 3. Contiguity, as applied in this subsection (A) shall not be affected by the existence of a street, alley or other public right of way.**

10-12-1(C) This provision shall not apply to the initial zoning of newly annexed territory, or to any parcel proposed to be placed in the OS zone district.

The subject property consists of 2.99 acres. Since the minimum 180,000 square feet, or 4.1 acre requirement for a zone district does not apply to the OS zone district, the application meets the criterion.

Consistency with the Comprehensive Plan

Section 10-12-1 of the city's zoning ordinance requires that a rezoning be consistent with the goals and policies of the comprehensive plan and promote the general welfare of the community. The applicable components of the comprehensive plan for the proposed Lee Gulch Overlook Rezoning, Phase 1 are the Citywide Plan, and the Santa Fe Corridor Plan and Guidelines.

CONSISTENCY WITH THE CITYWIDE PLAN:

Vision for the Future of Littleton

Littleton will:

- **Value livability, diversity, and progress**
- **Value the importance of its citizens and its natural resources**
- **Strive for sustainability in economic, environmental, and social decision**
- **Raise the bar to increase the quality of community and economic development.**

Tract C is one of seven parcels of land within the Lee Gulch Overlook. The proposed rezoning of Tract C from PD-R to OS places the property in an appropriate zone district in that the intent of the open space district is to “promote the public health, safety and general welfare by providing for active recreation facilities where appropriate; and to conserve land for passive open space, to preserve environmentally sensitive areas, or to protect other resources” (Section 10-2-24 of the city zoning code). The rezoning of Tract C to the OS zone district will provide a significant protection for the Lee Gulch Overlook Open Space and Trailhead in that the zone district is intended for open space and park uses, rather than urban development. The rezoning will ensure that the natural environment will be preserved for years to come. The rezoning is an act by the city that values the importance of its natural resources.

Goal 2: An Outdoor Littleton

Capitalize and expand upon Littleton’s most valuable outdoor resources, including the South Platte River and its tributaries; the High Line Canal; and the city’s parks, open space, trails, panoramic views, landscape, wildlife, recreation facilities, and public gathering places. Make these resources as available to the public as possible while protecting and enhancing them.

Lee Gulch Overlook is a significant natural resource within the city that provides habitat for wildlife. Further, the Lee Gulch Trail, which runs through the property, provides an east-west trail across the city that links to the Mary Carter Greenway. The rezoning of Tract C to the OS zone district will place the property in a zone district that is intended for open space and park uses rather than urban development and as such, will help to protect the park for years to come.

CONSISTENCY WITH THE SANTA FE CORRIDOR PLAN:

Open Space & Natural Features

GOAL A: PRESERVE AND ENHANCE THE MAJOR NATURAL FEATURES IN THE SANTA FE CORRIDOR:

- **Big Dry Creek**
- **Little’s Creek**
- **Lee Gulch**
- **South Platte River**
- **South Platte Park**

The proposed rezoning of Tract C to OS is consistent with the Santa Fe Corridor Plan in that the OS zone district is intended for open space and park uses rather than urban development. As such, the OS district will help to preserve a segment of Lee Gulch for years to come.

General welfare of the community

The proposed rezoning of Tract C provides natural habitat for wildlife and recreation opportunities for Littleton's residents and visitors. As stated in the Comprehensive Plan analysis above, the proposed rezoning meets several of the city's goals.

NEIGHBORHOOD OUTREACH

Community Development staff knocked on doors and made phone calls to provide information to residents and business owners within a 700-foot radius of the property regarding the proposed rezoning.

REFERRALS:

No referral responses were received for this application.

PLANNING COMMISSION RECOMMENDATION:

Planning Commission recommended approval of the application at its June 26, 2017 meeting with a vote of 7-0.

STAFF RECOMMENDATION:

Staff finds that the proposed rezoning of Tract C to OS meets the size requirements for the OS zone district, and complies with the pertinent goals and policies of the city's comprehensive plan and promotes the general welfare of the community.

PROPOSED MOTION:

I move to approve on second reading an ordinance approving the rezoning of the Lee Gulch Overlook Open Space and Trailhead, Tract C, from PD-R to Open Space (OS) Zone District.