

MINUTES OF THE
Lone Tree Planning Commission Meeting
March 11, 2014

Lone Tree Civic Center

1. Attendance

In attendance were:

Dave Sauder, Chair
Martha Sippel, Vice-Chair and Secretary
Rhonda Carlson, Planning Commissioner
Gary Godden, Planning Commissioner
Dave Kirchner, Planning Commissioner
Stephen Mikolajczak, Planning Commissioner

Also in attendance from City staff were:
Steve Hebert, Community Development Director
Kelly First, Planning Manager
Jennifer Drybread, Senior Planner

Commissioner Herb Steele was absent.

2. Regular Meeting Call to Order

Chair Sauder called the meeting to order and noted there was a quorum.

3. Conflict of Interest

Commissioner Godden noted that he had a conflict of interested related to item 7 on the agenda and would recuse himself from those proceedings.

4. Minutes of the February 25, 2014 Planning Commission Meeting

Commissioner Sippel moved, and Commissioner Kirchner seconded, to approve the minutes. The motion passed with six affirmative votes.

5. RidgeGate Section 15, Filing 5, Second Amendment, Lot 1-E1, Lincoln District East SIP 11th Amendment, a part of Phase II at Lincoln Commons – (Snooze), Project File #SP14-14R

Ms. Drybread introduced the item as a request for approval of a Site Improvement Plan (SIP) amendment for a single-story, 6,000-square-foot building on 1.1 acres, proposed to accommodate two restaurant tenants. She

noted the property is located within the Lincoln Commons in RidgeGate, which is located generally south of Lincoln Avenue and east of Commons Street. She showed the Commission an aerial photo of the area, describing the site's location and surrounding uses. She also showed several photographs of the site of the proposed building from several vantage points. She showed the Commission the site plan, the landscaping plan and architectural renderings.

Ms. Drybread indicated staff finds the application is in conformance with the SIP requirements of the Lone Tree Zoning Code, the Subdivision Code, the Comprehensive Plan, and the RidgeGate Retail District West Village Sub-Area Plan. She indicated staff recommends the Planning Commission approve the SIP amendment, subject to final approval by the City Public Works Department.

Ms. Drybread introduced Steve Mulhern of Coventry Development. Mr. Mulhern addressed the Commission, discussing the developer's objective for this parcel and the fact the applicant has selected the same architect that worked on the original master SIP.

Mr. Rick Will of Legend Retail Group addressed the Commission. He talked about the one committed tenant, Snooze, and described their restaurant concept. He also noted they were in search for another tenant.

Ms. Liz Peterson from the Mulhern Group, architect for the applicant, addressed the Commission. She showed the Commission the overall master SIP and photographs of various existing buildings in Lincoln Commons as well as street furniture in the area. She also showed various photographs of the vacant site, describing the general location of the proposed building. Ms. Peterson reviewed the proposed building program and design elements as well as an illustrative site plan and how the proposal integrates into the existing commercial center. She described in more detail the proposed landscape plan and site furnishings. Ms. Peterson showed the Commission the architectural elevations of each side of the building. She mentioned that the site was three parking spaces less than the master SIP to accommodate an outdoor patio.

Commissioner Godden asked if there were grading and drainage plans for this SIP. Ms. Drybread indicated those plans were part of the master SIP. Commissioner Godden said he was concerned that if drainage were directed to Willow Creek there may be a water quality issue. He asked that the drainage issue be raised with Public Works to assure there was not a water quality issue.

Commissioner Sippel stated that she liked the design, the landscaping materials and the addition of the patio. She also said she liked that rain sensors were included for the irrigation system. She expressed concern that the proposed Autumn Blaze Maple trees might encroach upon the building as they mature. Ms. Petersen indicated that the trees are spaced 30-feet apart but that they would take a closer look at that issue.

Commissioner Mikolajczak asked the applicant to describe the materials and colors in more detail. Ms. Petersen referenced the sample board and described that the materials and colors are the same as used throughout the center. She also provided a sample of the retaining wall and said it would be an ashlar pattern for a more natural look. Commissioner Mikolajczak asked about connections between the two tenant buildings to ensure that there would be pedestrian circulation around the patios. He asked about the parking and whether the surplus of spaces applies to the overall area. Ms. Drybread said that the master plan considered parking counts for the area as a whole. She stated that staff had looked at parking demands for the entire area and feels there is sufficient parking, but it is something that will be evaluated again as new development occurs. Mr. Mulhern said the RidgeGate Development Review Committee also had a similar concern but they have taken into account that the dental office building to the north does not generate much demand for parking, especially on weekends. He feels the uses in the area are complimentary in terms of parking demand.

Commissioner Mikolajczak asked whether Snooze would definitely be a tenant. Mr. Will said the contract is not signed yet, but Snooze is very excited to be coming to Lone Tree and that is the intent. Commissioner Mikolajczak said he is happy to see the outdoor patios, such as at It's Brothers and Mellow Mushroom. He said the patios bring energy and visibility to the site.

Commissioner Mikolajczak asked how pedestrians from the east and the Charles Schwab campus would arrive at the site. Ms. Peterson and Ms. Drybread described the existing pedestrian bridge connection and trail that leads directly to the site. Additional trail connections are also being provided in association with the Charles Schwab campus.

Commissioner Kirchner said he was pleased with the proposal and thinks it will be successful, especially with the proximity to Schwab. He expressed concern that this building seems to have a more predominant use of green than other buildings in the area, where green is more of an accent. Ms. Peterson agreed and attributed that decision to the proposed users wanting something a little more fun and lively. Commissioner Kirchner suggested they might limit some of the green areas. He indicated he liked the landscape plan. He confirmed that Public Works will be reviewing the drainage. He also stated the need to continue to monitor the parking.

Commissioner Carlson said she was pleased with the proposal. She doesn't have any concern about the parking. She said she and others will walk and bike to the restaurant. She liked the bike racks provided. She said she didn't have any overall concerns, and liked that the buildings match others in Lincoln Commons. She asked for confirmation that trees around the patio would not block mountain views. Ms. Petersen indicated the trees on the north side were

intended to provide some buffer from Lincoln Avenue and that they were pleased with their visibility from Lincoln Avenue.

Chairman Sauder said he also supported the project. He said he also had a concern about the predominance of green on this building. He said he thought the proposed number of bike parking spaces was too low. Ms. Peterson indicated they are exceeding the minimum number required, but agreed they may need to add more.

Chairman Sauder asked if there were any comments or questions from the public. There were none.

Commissioner Kirchner reiterated his concern about the green color and suggested a recommendation to reduce the amount of green on the building.

Commissioner Sippel moved to approve the application subject to the condition of final approval by the City Public Works Department, and the recommendation that the amount of green proposed on the building be reduced to be more in line with how it is applied on other buildings in the area. Commissioner Kirchner seconded. The motion passed unanimously.

6. Westbrook Entertainment & Sports District PD, Rezoning Presubmittal, File #ZR14-10

Ms. Drybread introduced this item as a preliminary review by the Planning Commission of a request to eventually rezone a 2-acre lot in the Westbrook Sports & Entertainment District Planned Development (the Entertainment District). The property subject to the rezoning request is located on what is presently the Go Putt! Miniature Golf course located at 9741 Park Meadows Drive. She stated if the applicant chooses to proceed beyond this step, the request would be to amend the Planned Development zoning to allow multi-family residential uses on this lot only. She said the request would also include an increase in the allowable maximum building height from 60 feet to 75 feet, and that it would be applied on this lot only. She showed an aerial photo of the site and the surrounding land uses as well as the major streets.

Ms. Drybread referred to the City's Comprehensive Plan and indicated that is where we get direction when considering rezonings. Ms. Drybread also discussed the Urban Land Institute Technical Advisory Panel and the Vision Book that was created for this area, suggesting a neighborhood concept. She indicated that the visioning process suggested support for infill development and residential infill in this area in particular. She described the concept of an east-west promenade and pedestrian orientation.

Ms. Drybread showed a conceptual architectural rendering of the proposed building. The proposed development concept is for a 5 or 6-story multi-family apartment building, with the potential for ground-floor commercial uses and under-structure parking.

Ms. Drybread reviewed a list of some of the issues identified in staff's initial review, including confirmation of legal public access to the lot; evaluation of traffic impacts; demonstration of adequate parking; integration of pedestrian plaza with potential pedestrian promenade; satisfaction of school and park dedication requirements; and, further evaluation of building height.

Ms. Drybread reviewed staff's conclusion that multi-family is an appropriate use for this area, and that the issues identified by staff would be further explored at the next stage of the process.

Mr. Ken Marsh, applicant, addressed the Commission and introduced his development team. Mr. Marsh talked to the Commission about the various properties they have in the area including the Bridge Centers, the Mellow Mushroom property, the Key Bank ATM kiosk property and a residential property near Lincoln Station that is in unincorporated Douglas County. He talked about the research they have completed and how they can help fulfill the vision for the area.

Mr. Paul Brady, of Godden Sudik Architects, reviewed the intent for the project as a multi-family residential building, up to 90 dwelling units per acre, and a maximum height of 75 feet. He referred to the Comprehensive Plan as well as the Vision Book and how the proposed use meets the intent of those two documents. He showed the Commission several graphics from the City's Vision Book as well as several quotes from the book and how their project relates to the vision. He then showed images of the Streets at Southglenn and the redeveloped Villa Italia Shopping Center which has now become the mixed-use Belmar project. He described how those areas share similar elements with the Entertainment District such as anchors and retail, but that residential is the missing piece here. He said residential uses are important in both of those projects to activate them day and night.

Mr. Brady reviewed a number of issues they were looking for feedback on including parking, circulation, access to the building, building height and concept architecture. He proposed that parking ratios for this site could follow those approved in RidgeGate and that parking would be accommodated in a 2-level subterranean parking garage. He indicated they may fall short by approximately 20 parking spaces, but were evaluating a number of considerations such as the potential for shared parking with adjacent uses. Mr. Brady also suggested that the theater might evolve into a theater that offers larger seats and more amenities (and therefore fewer patrons), resulting in less parking demand. He also showed that the Vision Book depicted a potential parking garage adjacent to

this site that might also help address parking needs. He mentioned that a sidewalk, and not the promenade, would not be on their site. He described the proposed building height in terms of the context with the surrounding area and grade of the site. He indicated the architectural concept is still at an early stage, but it is envisioned as a high-quality project with distinguishing features such as a porte cochere, underground parking, fitness center and rooftop patio.

Mr. Hebert reiterated that the purpose of the discussion tonight was to garner initial feedback and direction. The Commission would not be bound by their comments.

Commissioner Mikolajczak received clarification that the potential for infill development of a parking garage west of this property was not part of this proposal and the multi-parking plan would not assume construction of that garage.

Mr. Hebert indicated that the Vision Book is a catalyst for discussion about redevelopment. He described some of the discussions currently underway with the owner of the theater property and that the timing and nature of other redevelopment in the area is unknown. For that reason, staff has approached review of the current proposal with the premise that it could work as a stand-alone project, or it could work as part of the future vision for the overall area.

Commissioner Mikolajczak asked for comparison of this project with Miramont Apartments, or the Vue and it was noted that the smaller building footprint in this case dictated a taller building. Commissioner Mikolajczak asked about the impact of highway noise on the units. Mr. Brady described the HUD requirements for sound attenuation and that an acoustical engineer would be retained to make recommendations for mitigation, which may include certain types of glazing and insulation. Mr. Mikolajczak asked why they were proposing rental versus condominiums for this project. Mr. Brady responded with background of the construction litigation issue and impact on the ability of most builders to take on the risk at this time.

Commissioner Mikolajczak indicated he was very excited about residential here and how important it is for the area, comparing the mix of uses to that in Cherry Creek North and Louisville, where residents walk to the main street activities. He said it was essential to have this urban style of architecture, especially the flush decks and the roof-top patio and that the promenade concept was an essential part of the overall area and would ensure that this project does not appear isolated.

Commissioner Kirchner expressed some concern about the proposed height relative to the height of the Element Hotel and the Crest Apartments. He cautioned that anything higher than 5 stories here might be met with resistance.

He also expressed support for the roof-top patio and agreed that residential here is necessary to make the area viable.

Commissioner Carlson also expressed concern about increasing the height limitation. Mr. Brady described the transition of building height based on the various grade points on the site. The building would essentially be 5 stories on the south side and 6 on the north side. The design of the architecture would be such that the south side would read as 4 stories with some 5 story elements. Commissioner Carlson indicated the upper deck patio concept was very appealing. She asked what the applicant's contribution would be to the promenade. Mr. Hebert indicated that is yet to be determined, although it could be some type of public-private partnership. Commissioner Carlson said it was helpful to see the master plan for the promenade and how it all fits together. She also inquired about school and park dedication requirements. Ms. Drybread indicated there are formulas for student generation and park land that will be determined at the next phase.

Commissioner Sippel said her biggest concern is the height increase and that it could set a precedent. She said she would be comfortable with 5 stories but not 6 stories. She also indicated that the plaza should be fully investigated. She agrees with the issues identified by staff as needing further consideration. She recommended that effort be made to incorporate retail on the ground floor. She indicated that traffic and circulation patterns would need to be evaluated and that underground parking would be necessary.

Mr. Brady described the relationship of the lot line to the access drive and potential position of the future plaza. Commissioner Sippel stated that the plaza and promenade was very important and that care should be taken to ensure that development of this parcel does not impede their development. She also commented that the Vision Book described a potential park in the drainage area south of Park Meadows Drive and that would seem to be a safety concern that would need to be looked at carefully. Commissioner Sippel said it would be good to know the strength of leasing at the Portolo residential project at Streets at Southglenn.

Commissioner Sippel asked about the status of the Entertainment District planning overall. Mr. Hebert indicated that the priorities and timing of the project depend largely on understanding the theater's plans, as they are a major property owner. The City has recently been in contact with representatives of the theater property and plans to meet with them to share the Vision Plan.

Commissioner Sippel indicated she is not opposed to the multi-family use but had concerns that if this project falls through, the new 75' height limit would be in place for different user.

Chair Sauder said he appreciated the presentation and the opportunity to have input at this early stage. He liked the architectural rendering and noted the importance of the promenade. He felt that residential was appropriate in this location. He questioned whether a taller building here could create a canyon effect between it and Element Hotel to the east because of potential shadowing and ice-build up. Mr. Smith, representing the current property owner described the setback of the hotel and parking area from his property line and said he would not anticipate that as a concern.

Chair Sauder suggested that a 3-D model showing the buildings and hillside to the north would be helpful to see. He also stated that a future parking ramp west of this project would be detrimental to the view from these apartments, and to think about the relationship between those two sites as it relates to views. He said a model would also help the Commission see how the building height varies from front to back of building. Chair Sauder said he appreciates the comment about precedent and that perhaps the zoning could be structured to be very specific. He likes the roof-top patio concept, the design and massing and feels that the residential use fits in with the vision for the area, or as a stand-alone project. He said parking may be a big issue.

Commissioner Sippel inquired about whether there was a Sub-Area Plan for this area. Ms. First replied there was not. She stated that the Entertainment District PD zoning was the governing document, and would be amended in such a way as to address the multi-family use and building height specific to this lot only.

Commissioner Mikolajczak said he would be departing from his fellow commissioners on the issue of height and felt it was not a concern. He said he has visited the Athletic Club which is lower than the adjacent hotel and the difference in height is not an issue. He also said this site is lower in elevation and is setback from the street, unlike many of the taller residential projects along Park Meadows Drive. He said the tallest side of the building would be facing the highway and the Best Buy area beyond that.

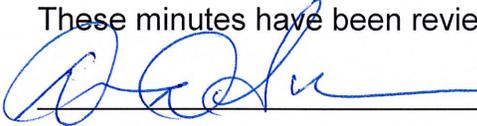
Commissioner Kirchner suggested the applicant take a look at a project on 8th and Acoma in Denver relative to the design and patio treatment.

Commissioner Carlson suggested the project incorporate some retail at the lower level, such as a coffee shop that would serve the residents as well as people who may come over from the hotel.

7. Adjournment

There being no further business, Chair Sauder adjourned the meeting at 8:50 p.m.

These minutes have been reviewed and confirmed by

 (name), on 3/25/14 (date)