



STAFF REPORT FOR MAJOR SUBDIVISION

FINAL PLAT CASE NO. FA-16-002
CASE NAME: Solterra Subdivision Filing No. 17

STAFF REPORT DATE: September 19, 2018
HEARING DATE: October 3, 2018
PROCEDURE: Planning Commission

ADDRESS OF MAJOR SUBDIVISION PROPOSAL:

2100 S McIntyre St
Lakewood, CO 80228

PROPERTY OWNER:

Solterra, LLC
Attn: Darryl Tucker
118 Inverness Drive West, Suite 150
Englewood, CO 80112

APPLICANT'S CONSULTANTS:

Jansen Strawn, Consulting Engineers
45 W 2nd Avenue
Denver, CO 80223

Plan West, Inc.
767 Santa Fe Drive
Denver, CO 80204

REQUEST:

The applicant is requesting approval of a final plat for a major subdivision to replat Lot 1, Block 1 of the Solterra Subdivision Filing No. 5 and Lot 1, Block 6 of the Solterra Subdivision Filing No. 13, together with vacated West Baltic Drive into 72 single-family detached residential lots, 2 super lots, 5 tracts, and dedicated right-of-way.

CITY STAFF:

Planning – Development Assistance	Kara Mueller, Senior Planner
Engineering - Development Assistance	Ben Mehmen, Civil Engineer III
Traffic Engineering	Toni Bishop, Traffic Engineering
Property Management	Spencer Curtis, Senior Right-of-Way Agent
Community Resources	Ross Williams, Facilities Planner

STAFF RECOMMENDATION:

Approve Case No. FA-16-002.

Kara Mueller, Senior Planner
Planning – Development Assistance

Paul Rice, Manager
Planning – Development Assistance

ATTACHMENTS TO THE REPORT:

Attachment A- Vicinity Map/Aerial Map
Attachment B- Zoning Map
Attachment C- Solterra Subdivision Filing No. 17
Attachment D- Draft of the Solterra Subdivision Filing No. 17 Major Site Plan
Attachment E- Solterra West Official Development Plan
Attachment F – O-2018-8 Vacation of West Baltic Drive Ordinance
Attachment G - Final Plat Resolution

I. SUMMARY OF REQUEST

The request by Solterra, LLC is to plat 30.53 acres of land into 72 single-family detached residential lots, 2 super lots, 5 tracts, and dedicated right-of-way. The super lots are 1.55 acres and 5.86 acres in size and will be developed in the future. The tracts are for landscaping, drainage and connectivity throughout the development and will be owned and maintained by the Fossil Ridge Metropolitan District. Specifically, Tract C has 20-foot wide turnarounds off of South Poppy Street and South Orion Street for West Metro Fire Protection District use and Tract E will be dedicated to the City for park and open space purposes. The property is located at 2100 South McIntyre Street and is zoned Planned Development (PD) with the underlying zone district Residential Multifamily (R-MF). The standards of the Solterra West ODP regulate the land uses for this property and allows for single-family detached residential.

A maintenance agreement is in place that includes maintenance responsibilities for all improvements within the various tracts, the public corridors and the Solterra community.

II. PROCESS

The Planning Commission has the authority to review a major subdivision request and make a determination by resolution to either approve or deny the request.

The City of Lakewood Subdivision Ordinance sets forth regulations for the review of proposals to subdivide land in the City of Lakewood. The purpose of subdivision regulations is to regulate the future growth of the City and to direct and control private and public land development.

Important factors to be considered in reviewing a subdivision include:

- Protection of public health, safety and welfare; and
- Adequate provision of public utility and transportation systems; and
- Effective land use arrangements; and
- Other features of a reasonable living environment.

The applicant is required to submit a preliminary plat or major site plan, prior to approval of a final plat, so that staff can evaluate how well a subdivision proposal meets the design standards laid out in the Subdivision Ordinance. The final plat for a major subdivision is reviewed by staff for conformance with the preliminary plat or major site plan, proper engineering, subdivision design, verification of dedication of land for public use, and construction of public improvements.

The Solterra Subdivision Filing No. 17 Major Site Plan is an administrative approval and is provided with this packet as a reference document in lieu of the preliminary plat as required by the Subdivision Ordinance.

Existing Conditions:

This subdivision is a replat of Lot 1, Block 1 of the Solterra Subdivision Filing No. 5 and Lot 1, Block 6 of the Solterra Subdivision Filing No. 13 along with vacated West Baltic Drive right-of-way. The property is within the Rooney Valley and is located north of West Wesley Avenue, east of South McIntyre Street, west of the Western Corridor and the General Shale property, and south of West Alameda Parkway. This subdivision will plat Planning Area 8 of the Solterra West ODP, which allows for single-family detached, attached, and multi-family uses. Currently this site is vacant.

III. AGENCY REVIEW AND NOTIFICATION

The City sent case referrals to the agencies listed below. The applicant mailed notice of the public hearing to 18 residents and owners of property within 500 feet of the subject property and 4 registered homeowner associations within 1,000 feet of the subject property as required by the

Lakewood Subdivision Ordinance. The City received no objections in response to the case referrals and notifications.

<u>Agency</u>	<u>Notification Sent</u>	<u>Referral Sent</u>	<u>Comments Received</u>
West Metro Fire Protection District		X	X
Green Mountain Sanitation District		X	X
Fossil Ridge Metropolitan District		X	X
Consolidated Mutual Water Company		X	X
Mount Carbon Water & Sanitation District		X	X
Xcel Energy		X	X
Century Link		X	
Comcast		X	
Lakewood Police Department		X	X
Jefferson County Schools		X	X
Colorado Parks and Wildlife		X	
Jefferson County		X	X
Town of Morrison		X	X
General Shale		X	X
Solterra HOA	X		
South Lakewood Business Association	X		
Ward 4 Coalition	X		
Owners of property within 500 feet	X		

1. West Metro Fire Protection District (WMFPD) will provide fire service as long as provisions of the International Fire Code, 2009 edition, including amendments, are met in development.
2. Green Mountain Sanitation District will provide sanitary via Fossil Ridge Metropolitan District (FRMD1) agreement and sanitary lines.
3. Fossil Ridge Metropolitan District (FRMD1) reviewed the plans and final plat and had no objection to the proposed improvements within the private tracts and will follow the existing "Resolution of Board of Directors of Fossil Ridge Metropolitan District No. 1 – Establishing Policies and Procedures for Acceptance and Acquisition of Public Improvements" dated March 18, 2016.
4. Consolidated Mutual Water Company has indicated that they can service the proposed lots so long as all company rules, regulations and requirements are met.
5. Mount Carbon has indicated that they have no concerns with the plat and abandonment of portions of existing access easements and will conveyance of new access easements has been completed to meet their needs.
6. Xcel Energy has reviewed the final plat and has no apparent conflicts. Xcel Energy owns and operates existing electric distribution facilities within the subject property and the developer will need to contact and work with them through the development process.
7. Lakewood Police Department has conducted a CPTED review and had no comments at this time.
8. Jefferson County Schools has requested fees-in-lieu for each of the new residential units, which will be collected at the time of building permit for each unit.
9. The Western Corridor was dedicated with Solterra Subdivision Filing No. 13 as Tract A for park, open space and drainage purposes. The Colorado Parks and Wildlife provided comments on utilization of native grasses and plants, wildlife migration and width for this

corridor with the Filing No. 13 application. The applicant is dedicating Tract E adjacent to the Western Corridor to construct the 8-foot wide public walk for connectivity to the South McIntyre Street underpass within the Western Corridor.

10. Jefferson County reviewed this subdivision proposal and had no adverse comments.
11. Town of Morrison reviewed this subdivision proposal and had no adverse comments.
12. General Shale has worked with the applicant on the West Warren Avenue alignment and signed a document to abandon their existing 30-foot wide Robinson Brick Company Access Easement at Reception No. 83060151. This easement abandonment document will be recorded prior to the final plat.

IV. PROJECT ANALYSIS

The proposed major subdivision is required to meet the criteria established in the Lakewood Subdivision Ordinance. The following is a summary of staff's analysis.

A. Conformance with the City of Lakewood Zoning Ordinance, Municipal Code, Building and Housing Codes and other applicable ordinances of the City of Lakewood. (Article 3: Subdivision Design Standards, Section 16-3-1(1) B)

1. **Zoning and Land Use:** The proposal complies with the applicable zoning and land use regulations. The property is zoned Planned Development (PD) and is regulated by the standards of the Solterra West Official Development Plan (ODP). The proposed subdivision is Planning Areas (PA) 8 of the Solterra West ODP. The allowed average density for PA 8 is 14.3 dwelling units per acre (du/acre). This planning area allows for single-family detached, single-family attached, multi-family uses. The proposed density of the Solterra Subdivision Filing No. 17 is 2.4 du/acre and the proposed unit type is single-family detached. The cumulative number of residential units allowed within PA 8 is 452 and the overall allowed density is 14.3 du/acre. The cumulative density will be tracked with the future development of the super lots to assure compliance with the Solterra West ODP.

The ODP defines no minimum lot size, but does require a lot width of at least 40 feet for single-family detached lots within PA 8. The proposed lots meet these minimum lot size and lot width requirements for PA 8 as evidenced on the major site plan (Attachment D).

2. **Park Land Dedication:** All community and neighborhood park needs will be satisfied by a combination of cash-in-lieu payments and current and future land dedication. The Solterra West ODP requires that the developer dedicate land for community and neighborhood park needs. A developer previously provided funds to meet the community park requirements of the Parkland Dedication Ordinance and the original Springfield Green Subdivision. The City used the funds to develop a portion of Coyote Gulch Park. The neighborhood park needs for this subdivision have been satisfied with the dedication of the eastern corridor and the dedication of the central and western corridors as depicted in the Springfield Green ODP Modification No. 4 and the Solterra West ODP. In addition, the Retreat at Solterra is a private recreation center that is available to the citizens within the proposed development. The Fossil Ridge Metropolitan District also donated substantial funds toward parkland improvements for Forsberg Iron Spring Park.

Tract E will be dedicated to the City by this plat and will include the required 8-foot wide public sidewalk within the Western Corridor.

3. **School Land Dedication:** A school land dedication fee of \$1,300 is required by the Jefferson County R-1 School District for each single-family or duplex unit lot within the subdivision. In accordance with an agreement with the Jefferson County R-1 School

District, the school land dedication fee will be collected prior to issuance of a building permit for each residential lot.

B. Conformance with the Comprehensive Plan, Major Street Plan, Bicycle System Master Plan, and Capital Improvements and Preservation Program of Lakewood. (Article 3: Subdivision Design Standards, Sections 16-3-1(2) and 16-3-1(1) C)

- 1. Conformance with the Comprehensive Plan:** The proposed major subdivision is in conformance with the Lakewood Comprehensive Plan in that it furthers the residential goal to promote infill development that interacts well with the character of adjoining neighborhoods. The proposed single-family detached residential lots meet the requirements and vision of the Solterra West ODP and will be similar in design elements as the existing Solterra development. Neighborhood character and pedestrian trails and connectivity will be continued throughout PA 8. All lot sizes and lot widths meet the standards of the Solterra West ODP.
- 2. Compatibility with Adjacent Sites:** The proposed subdivision is compatible with the Solterra West ODP and existing single-family detached residential lots within Solterra in terms of height, design, and lot layout. The allowed density within PA 8 is 14.3 du/acre. The total allowed number of units is 452. The proposed density with this plat is approximately 2.4 du/acre and the total number of units will be 72. The cumulative number of residential units within PA 8 will be tracked with future development of the super lots to assure compliance with the Solterra West ODP.
- 3. Conformance with the Major Street Plan, Bicycle System Master Plan, and Capital Improvements and Preservation Program of Lakewood:** All proposed development is in conformance with the above mentioned plans and programs in terms of street layout and capital improvements.
- 4. Public Improvements:** A Development Agreement for the property was signed as part of the approval of the Springfield Green ODP Modification No. 1. This Development Agreement, and its amendments, describes the phasing for the required public improvements for development of the property within the Solterra West ODP and Springfield Green ODP Modification No. 4. The required public improvements for this subdivision are listed under Section E.3. below – Street and Pedestrian System.

C. Conformance with City of Lakewood Engineering Requirements. (Article 3: Subdivision Design Standards, Section 16-3-1(1) F)

A Final Street Construction Plan set, Drainage Report, Stormwater Management Plan (SWMP), and a Grading and Erosion Control Plan are required with this subdivision. These plans have been reviewed by the City's Engineering Division and are approvable.

D. Conformance with the requirements of the fire district and utility companies serving the subject property. (Article 3: Subdivision Design Standards, Section 16-3-1(1) H and 16-3-7)

- 1. Utilities:** The proposal has been reviewed by all external agencies that serve the property and by various departments within the City of Lakewood. There are no objections from West Metro Fire Protection District or any utility companies to the proposed major subdivision. There are adequate services available to serve the property and the proposed development.
- 2. Referral Comments:** See Section III. Agency Review and Notification above for comments and resolutions.

E. Conformance with the Residential Design Standards of the Lakewood Subdivision Ordinance. (Article 3: Subdivision Design Standards, Section 16-3-2)

1. **Site Characteristics:** The applicant will grade the site with respect to existing landforms and topography to meet the intent of Plan Rooney Valley and the Joint Rooney Valley Development Standards.
2. **Lot Layout:** The size, shape, and orientation of the lots are appropriate for the location of the subdivision and for the type of development and use. The proposed lot layout and topography meet the zoning requirements, the intent of Plan Rooney Valley, and the intent of the Joint Rooney Valley Development Standards. The lot shapes meet the development requirements of the Solterra West ODP. New master planned single-family detached homes are being proposed and master plans for these homes will be reviewed through the permitting process prior to permit issuance and construction. There are no through lots between two public streets and corner lots are wide enough to accommodate development and driveway spacing from street intersections.
3. **Street and Pedestrian System:** Primary access to the 72 single-family detached residential lots will be via South McIntyre Street (arterial) to West Warren Avenue (previously West Baltic Drive), West Adriatic Avenue (local) and West Iliff Avenue (local). Various local streets will serve the proposed single-family detached residences. The proposed streets meet the regulations of the Lakewood Subdivision Ordinance and Transportation Engineering Design Standards. All proposed local streets will be constructed to meet local street standards. Further, West Warren Avenue will be constructed to handle mining truck traffic from the General Shale property to the east.

All local streets will have curb, gutter, and a 5-foot wide detached public walk on both sides of the streets. An 8-foot wide public walk will be constructed in Tract E as part of the Western Corridor improvements.
4. **Homeowners Association:** A Homeowners' Association (HOA) has been formed, and the required Covenants, Controls & Restrictions have been recorded with the Jefferson County Clerk and Recorder. The Fossil Ridge Metropolitan District No. 1 will own and be responsible for maintenance of all common area tracts.

F. Conformance with City of Lakewood Economic Development Goals.

The Solterra Subdivision Filing No. 17 will create 72 single-family detached residential lots. Residential development will increase rooftops that will fuel the demand for commercial and office development within the Rooney Valley. This will promote job creation, workforce development, and enhance transportation efforts.

V. STAFF RECOMMENDATION

Based upon the information and materials provided in the staff report, the City of Lakewood staff recommends that the Planning Commission find that:

- a. The applicant, Darryl Tucker of Solterra, LLC, has submitted an application requesting approval of a final plat for a major subdivision in order to subdivide Lot 1, Block 1 of the Solterra Subdivision Filing No. 5 and Lot 1, Block 6 of the Solterra Subdivision Filing No. 13 together with vacated West Baltic Drive right-of-way into 72 single-family detached residential lots, 2 super lots, 5 tracts, and dedicated right-of-way; and
- b. Notice of Public Hearing was sent to residents and owners of property within 500 feet of the subject property and to registered neighborhood associations within 1,000 feet of the subject property, as required by the Lakewood Subdivision Ordinance; and,
- c. The final plat conforms with the regulations outlined in the Planned

- Development/Residential Multifamily (PD/R-MF) district standards; and
- d. The final plat application was reviewed by the appropriate outside referral agencies and no adverse comments were received; and
 - e. The applicant has met the requirements of the Subdivision Ordinance and the final plat is consistent with the City's Engineering Regulations and Major Street Plan; and
 - f. Public improvements are required and a Development Agreement has been signed and recorded with the Jefferson County Clerk and Recorder; and
 - g. Cash-in-lieu of parkland dedication fee has been previously satisfied; and
 - h. Cash-in-lieu of school land dedication fee totaling \$93,600 is required with this subdivision in the amount of \$1,300 per lot, which will be paid for the proposed 72 lots prior to issuance of a building permit for each lot; and
 - i. A major site plan for the proposed subdivision has been submitted, administratively reviewed and will be approved if Planning Commission approves the final plat; and
 - j. The final plat is in conformance with the City of Lakewood Zoning Ordinance, the Subdivision Ordinance, Comprehensive Plan, and other applicable regulations.

AND

That the Planning Commission **APPROVE** Final Plat Case No. FA-16-002 subject to the condition that the Final Plat shall not be effective until a mylar is signed by the Planning Commission and recorded with the Jefferson County Clerk & Recorder.

Cc: Case File
Applicant