

LOVELAND CITY COUNCIL APPEAL HEARING

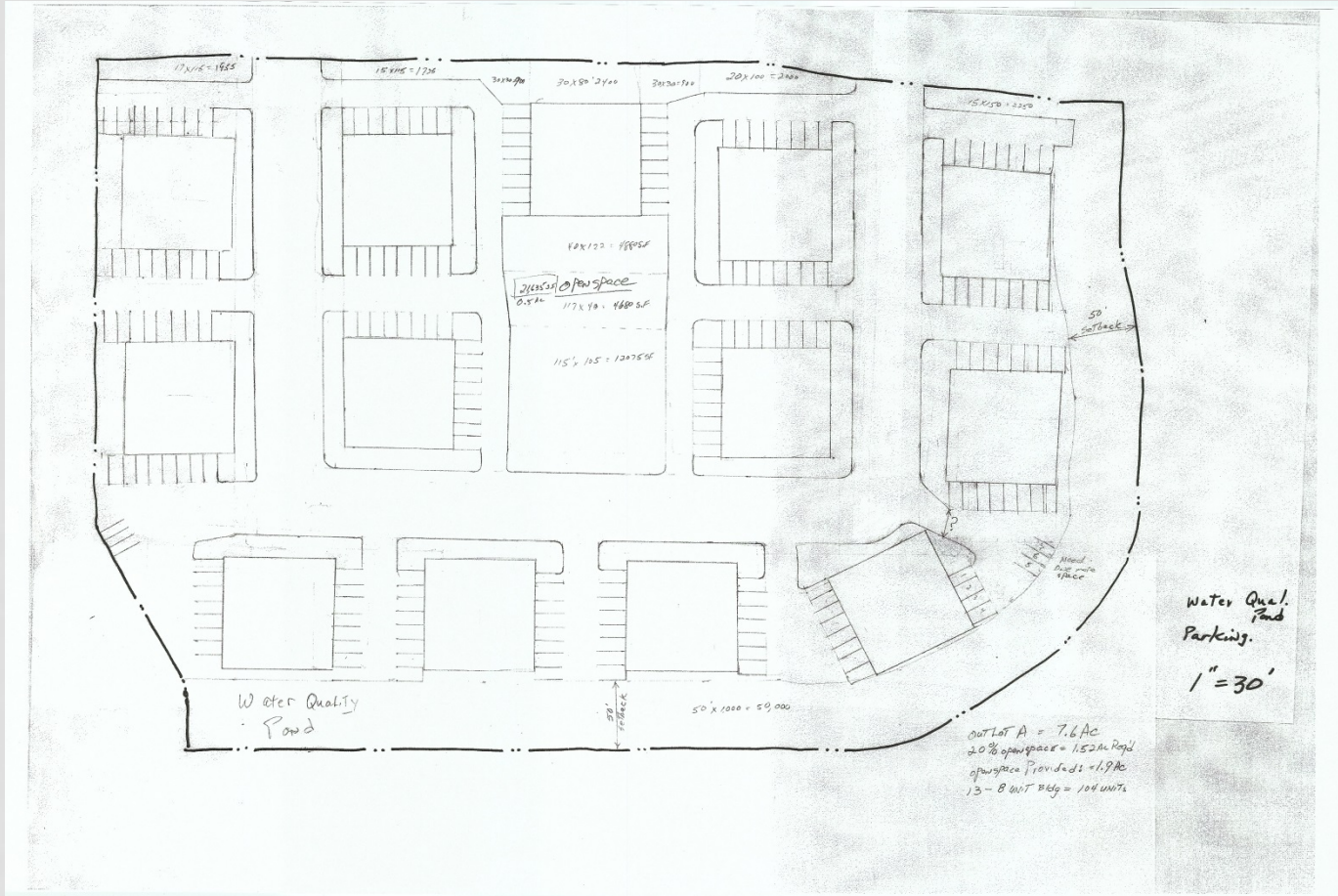
KENDALL BROOK MULTI-FAMILY

NOVEMBER 18, 2014, 6:30 P.M.

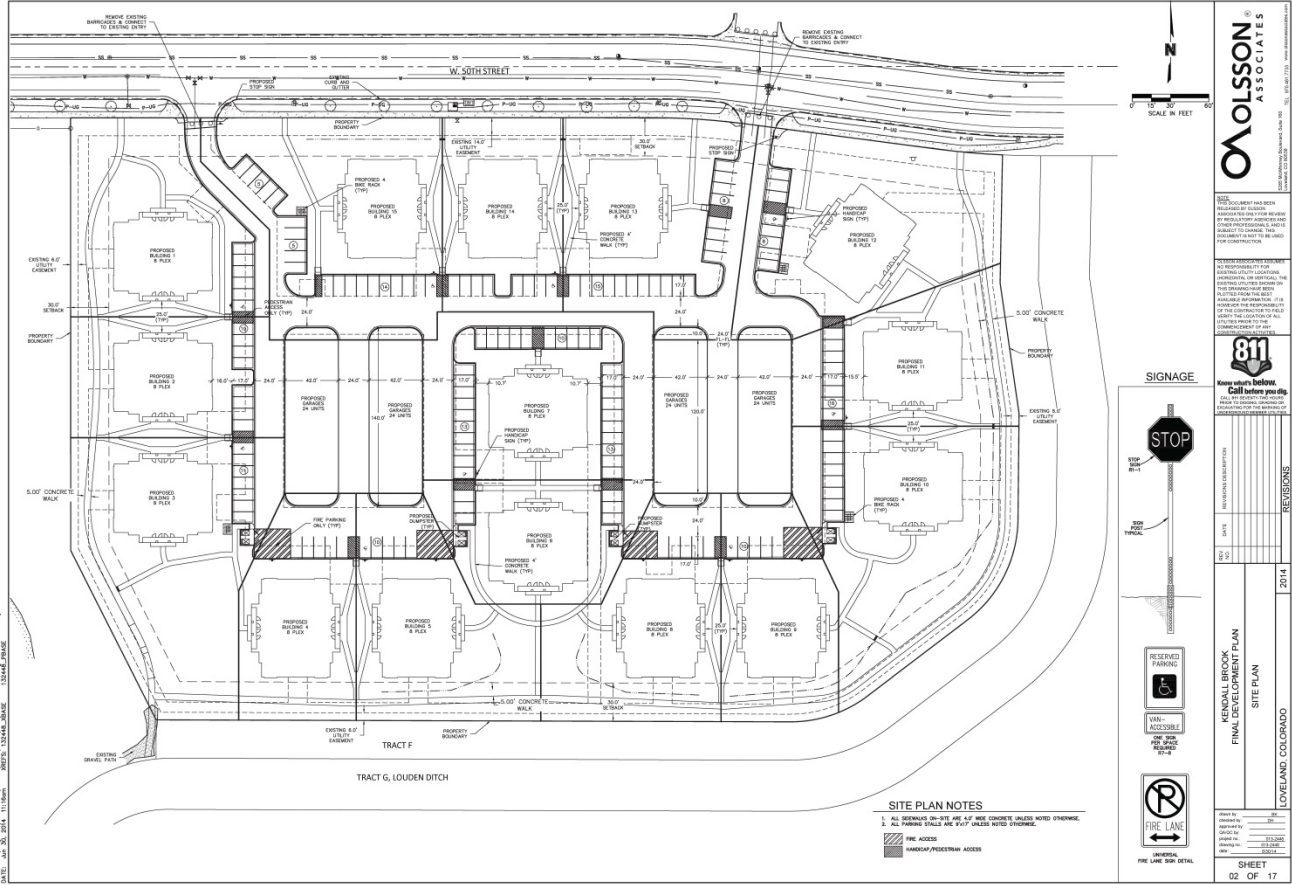
KENDALL BROOK AERIAL VIEW



ORIGINAL SITE PLAN



KENDAL BROOK MULTI-FAMILY PROPOSED SITE PLAN



OLSSON ASSOCIATES
10000 E. Harvard Ave., Suite 100, Denver, CO 80231
 (303) 751-7773

THIS DOCUMENT HAS BEEN PREPARED BY OLSSON ASSOCIATES, INC. FOR REVIEW BY THE CITY OF DENVER AND IS SUBJECT TO CHANGE. THE CITY OF DENVER IS NOT RESPONSIBLE FOR CONSTRUCTION.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DENVER AND THE COLORADO DEPARTMENT OF TRANSPORTATION AND CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DENVER AND THE COLORADO DEPARTMENT OF TRANSPORTATION AND CONSTRUCTION.

811
 Call before you dig

REVISIONS

NO.	DATE	DESCRIPTION
1	10/14/14	ISSUED FOR PERMIT
2	10/14/14	ISSUED FOR PERMIT
3	10/14/14	ISSUED FOR PERMIT
4	10/14/14	ISSUED FOR PERMIT
5	10/14/14	ISSUED FOR PERMIT
6	10/14/14	ISSUED FOR PERMIT
7	10/14/14	ISSUED FOR PERMIT
8	10/14/14	ISSUED FOR PERMIT
9	10/14/14	ISSUED FOR PERMIT
10	10/14/14	ISSUED FOR PERMIT
11	10/14/14	ISSUED FOR PERMIT
12	10/14/14	ISSUED FOR PERMIT
13	10/14/14	ISSUED FOR PERMIT
14	10/14/14	ISSUED FOR PERMIT
15	10/14/14	ISSUED FOR PERMIT
16	10/14/14	ISSUED FOR PERMIT
17	10/14/14	ISSUED FOR PERMIT
18	10/14/14	ISSUED FOR PERMIT
19	10/14/14	ISSUED FOR PERMIT
20	10/14/14	ISSUED FOR PERMIT
21	10/14/14	ISSUED FOR PERMIT
22	10/14/14	ISSUED FOR PERMIT
23	10/14/14	ISSUED FOR PERMIT
24	10/14/14	ISSUED FOR PERMIT
25	10/14/14	ISSUED FOR PERMIT
26	10/14/14	ISSUED FOR PERMIT
27	10/14/14	ISSUED FOR PERMIT
28	10/14/14	ISSUED FOR PERMIT
29	10/14/14	ISSUED FOR PERMIT
30	10/14/14	ISSUED FOR PERMIT
31	10/14/14	ISSUED FOR PERMIT
32	10/14/14	ISSUED FOR PERMIT
33	10/14/14	ISSUED FOR PERMIT
34	10/14/14	ISSUED FOR PERMIT
35	10/14/14	ISSUED FOR PERMIT
36	10/14/14	ISSUED FOR PERMIT
37	10/14/14	ISSUED FOR PERMIT
38	10/14/14	ISSUED FOR PERMIT
39	10/14/14	ISSUED FOR PERMIT
40	10/14/14	ISSUED FOR PERMIT
41	10/14/14	ISSUED FOR PERMIT
42	10/14/14	ISSUED FOR PERMIT
43	10/14/14	ISSUED FOR PERMIT
44	10/14/14	ISSUED FOR PERMIT
45	10/14/14	ISSUED FOR PERMIT
46	10/14/14	ISSUED FOR PERMIT
47	10/14/14	ISSUED FOR PERMIT
48	10/14/14	ISSUED FOR PERMIT
49	10/14/14	ISSUED FOR PERMIT
50	10/14/14	ISSUED FOR PERMIT

REVISIONS

2014

LOVELAND, COLORADO

KENDAL BROOK
 FINAL DEVELOPMENT PLAN
 SITE PLAN

DATE: 10/14/14

BY: [Signature]

FOR: [Signature]

PROJECT NO. 14-001

SHEET 02 OF 17

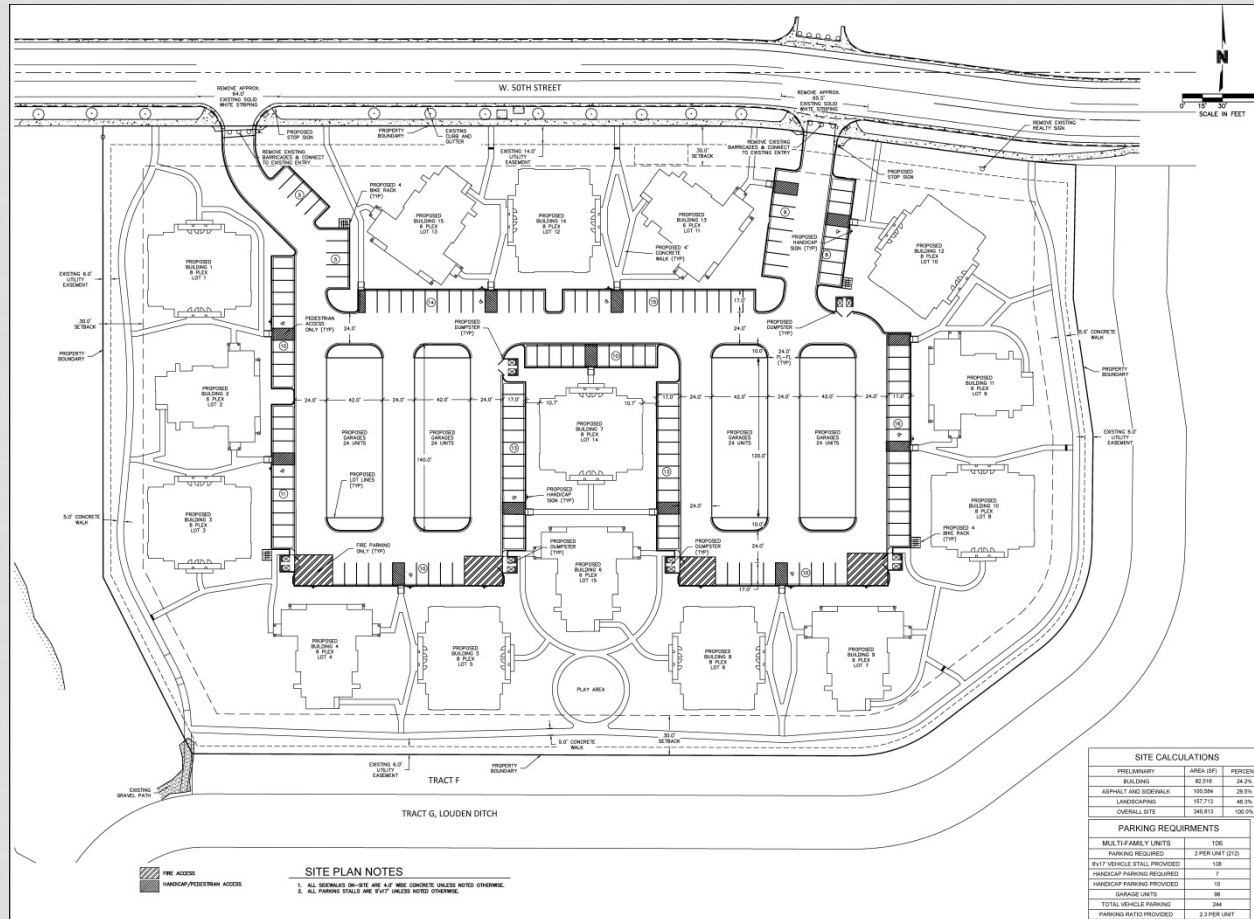
- SITE PLAN NOTES**
- ALL DIMENSIONS SHOWN ARE 5.0' WIDE CONCRETE UNLESS NOTED OTHERWISE.
 - ALL PARKING SPACES ARE 5.0' WIDE UNLESS NOTED OTHERWISE.
- FIRE ACCESS
 HANDICAP/PEDESTRIAN ACCESS

SIGNAGE



DATE: 10/14/14
 BY: [Signature]
 FOR: [Signature]
 PROJECT NO. 14-001
 SHEET 02 OF 17

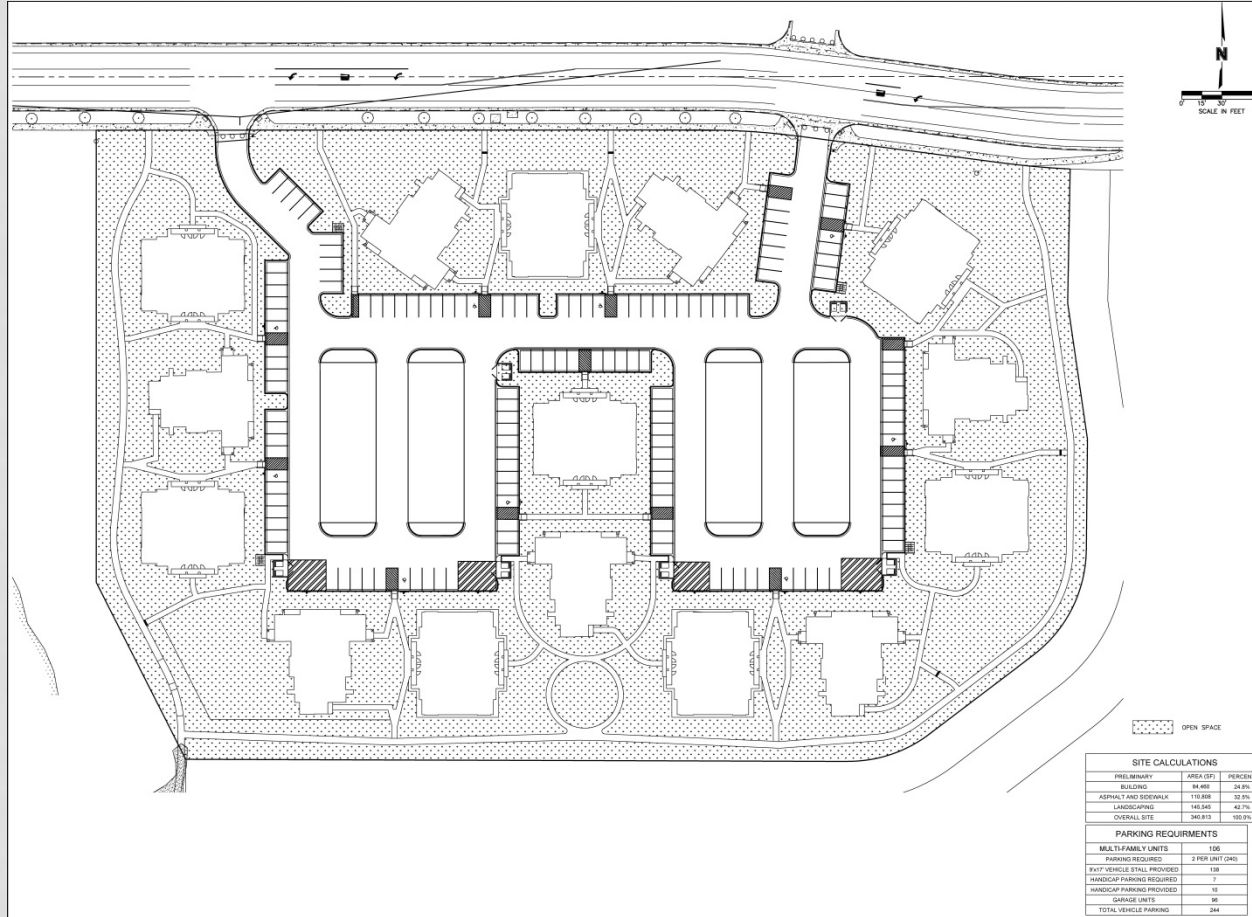
PROPOSED 6-PLEX SITE PLAN



SITE CALCULATIONS		
	AREA (SQ)	PERCENT
BUILDING	52,515	34.2%
ASPHALT PAVD SIDEWALK	150,594	29.5%
LANDSCAPING	192,712	48.2%
OVERALL SITE	346,813	100.0%

PARKING REQUIREMENTS	
MULTI-FAMILY UNITS	105
PARKING REQUIRED	2 PER UNIT (210)
PWV VEHICLE STALL PROVIDED	5
HANDICAP PARKING REQUIRED	7
HANDICAP PARKING PROVIDED	59
GARAGE UNITS	95
TOTAL VEHICLE PARKING	244
PARKING RATIO PROVIDED	2.3 PER UNIT

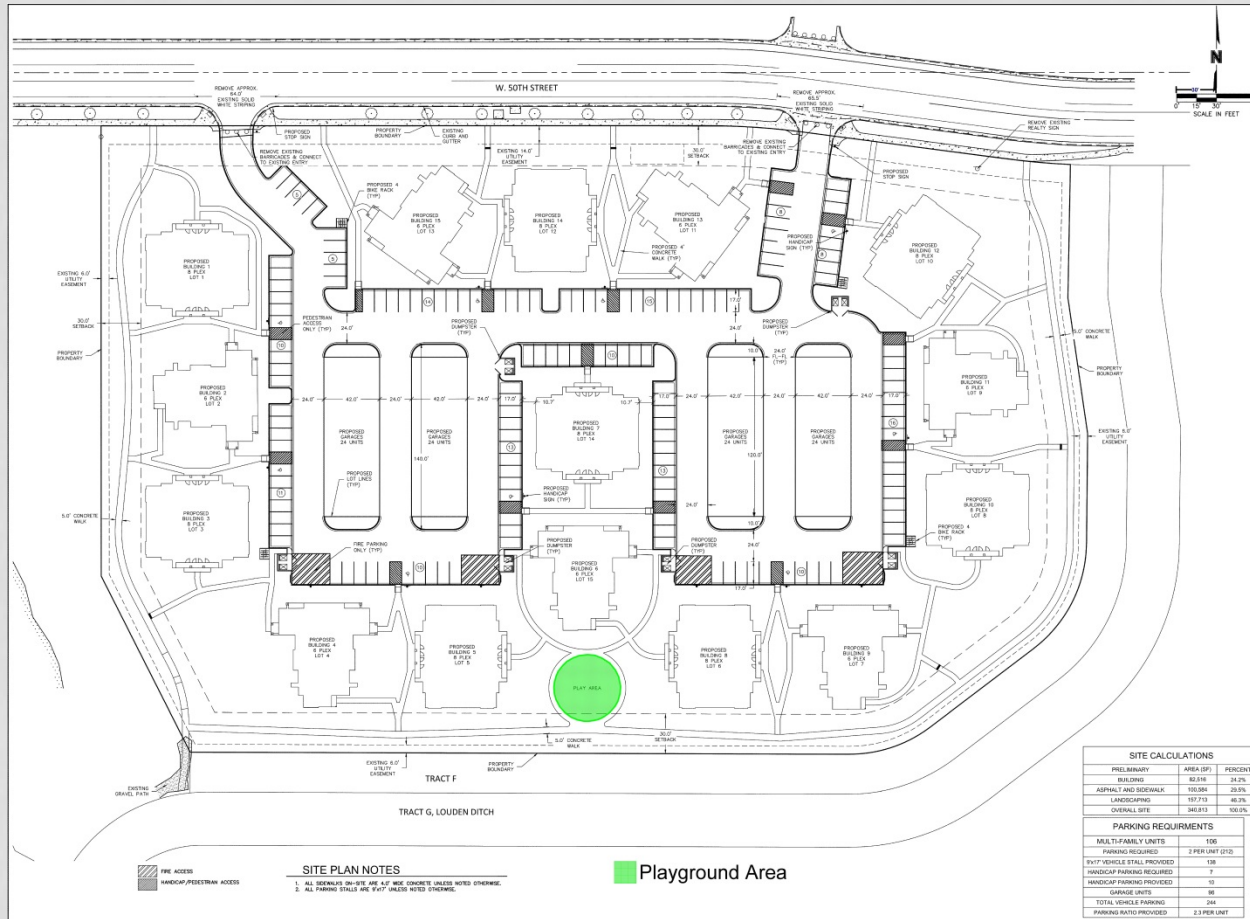
OPEN SPACE



SITE CALCULATIONS		
PRELIMINARY	AREA (SF)	PERCENT
BUILDING	86,400	24.0%
ASPHALT AND SIDEWALK	153,600	32.0%
LANDSCAPING	146,540	42.0%
OVERALL SITE	386,540	100.0%

PARKING REQUIREMENTS	
MULTI-FAMILY UNITS	150
PARKING REQUIRED	2 PER UNIT (30)
BVPT VEHICLE STALL PROVIDED	138
HANDICAP PARKING REQUIRED	7
HANDICAP PARKING PROVIDED	10
GAUGE UNITS	56
TOTAL VEHICLE PARKING	204

PLAYGROUND LOCATION



SITE CALCULATIONS		
PRELIMINARY	AREA (SF)	PERCENT
BUILDING	82,818	24.2%
ASPHALT AND SIDEWALK	100,304	29.5%
LANDSCAPING	157,713	46.3%
OVERALL SITE	340,835	100.0%

PARKING REQUIREMENTS	
MULTI-FAMILY UNITS	150
PARKING REQUIRED	2 PER UNIT (210)
8'X17' VEHICLE STALL PROVIDED	150
HANDICAP PARKING REQUIRED	7
HANDICAP PARKING PROVIDED	33
GARAGE UNITS	86
TOTAL VEHICLE PARKING	294
PARKING RATIO PROVIDED	2.0 PER UNIT

SITE PLAN NOTES
 1. ALL DRIVEWAYS ON THIS ARE 14' WIDE CONCRETE UNLESS NOTED OTHERWISE.
 2. ALL PARKING STALLS ARE 8'X17' UNLESS NOTED OTHERWISE.

Playground Area

FIRE ACCESS
 HANDICAP/PEDESTRIAN ACCESS

PLAYGROUND EQUIPMENT





PROPOSED 8-PLEX BUILDING



PROPOSED 6-PLEX BUILDING

LOVELAND STAFF REPORT

- “The type of exterior treatments and design relative to the buildings complies with the Kendall Brook GDP standards.”

NEIGHBORHOOD CONCERNS

MULTI-FAMILY

- Concern: Multi-family housing is an inappropriate use.
- Kendall Brook GDP
 - Section 1(B)(1)
 - “The development plan provides an opportunity for a mix of housing types comprised of conventional single family homes, clustered “courtyard” homes, multi-family units, condominiums/townhomes and duplex/patio homes, complemented by a Village Center with a possible mix of commercial, community, and residential uses. The concept for the development is to provide this housing mix within a cohesive neighborhood[.]”
 - Section 1 (B)(2)
 - Multi-Family is defined as: “A structure or group of structures typically containing three or more dwelling units each occupied by an individual household on a rental basis.”
- GDP requires at least 8 acres of multi-family apartment units.
- Parcel B-1 designated for multi-family use.

NEIGHBORHOOD CONCERNS

CONCRETE

- Concern: Journey Homes should not be allowed to develop the project because of concrete issues on another project.
- Some single-family homes in Kendall Brook have experienced problems with concrete cracking in driveways, sidewalks and other nonstructural components of the home
- Journey Homes has committed to repairing these concrete defects even though they are not typically covered in our warranty

CONCRETE REPAIR STATISTICS

- Repair claims received as of November 13th, 2014
 - 39 Homes
- Repair claims completed as of November 13th, 2014
 - 37 Homes
- Repair claims outstanding
 - 2 Homes
 - Will be completed by December 15, 2014, weather permitting

NEIGHBORHOOD CONCERNS OWNER OCCUPIED

- Concern: The City should require owner occupied residential and not allow apartments
- The City has already addressed this concern in the GDP
- Kendall Brook GDP
 - Section 1 (B)(2)
 - Multi-Family is defined as “A structure or group of structures typically containing three or more dwelling units each occupied by an individual household on a rental basis.”
 - Journey Homes has a right to develop multi-family on this property

COMPROMISE PDP

- PDP and Preliminary plat satisfy the requirements found in City code and the GDP
- Presentation focuses on reasons commission denied PDP and Preliminary Plat
 - 12 Findings
 - Not “complementary” to or “in harmony with” surrounding single family development
- Compromise PDP increases compliance with the City code and GDP

DENSITY REQUIREMENTS

- Resolution 14-03: "the high density proposed in the Multi-family PDP is incompatible with low densities of the surrounding development."

GDP/COMP PLAN REQUIREMENTS

- City council has previously determined the appropriate density for this property when it approved the GDP in 2000
- The approved GDP requires “ an appropriate mix of housing types” to include multi-family
- “ More intense uses...”
- GDP requires 8 acres of Multi-Family
- Designates Parcel B-1 for Multi-Family
- Comprehensive plan desires “ a full range of housing types and a mix of densities.”

CITY CODE/GDP REQUIREMENTS

	Code	GDP	Compromise PDP
Units/Acre	16	18.1	13.91
Units in project	121	137/131	106
Units in Development	N/A	594 + %10 = 653	628

- **23% fewer** units than allowed per Acre.
- **25 fewer** units than allowed overall.

COMPATIBLE AND HARMONIOUS

- Resolution 14-03:
 - “the design and configuration of the fifteen eight-plex buildings is not compatible to and in harmony with the existing development”
 - “The Multi-family PDP does not comply with the GDP with regard to the limitations on building design as applied to the proposed configuration of the fifteen eight-plex buildings”

COMPATIBLE AND HARMONIOUS

- Staff stated in original report:
 - The projects design “lends itself to a similarity with adjacent and nearby single-family development.”
- The City already set standards for what constitutes compatible design.
- Compromise PDP meets these standards.

PARKING REQUIREMENTS

Resolution Findings

- Parking not well dispersed.
- **If** residents or guests require additional parking, parking **may** overflow to the streets
- Snow piling within development **may** lead to a loss of spaces.

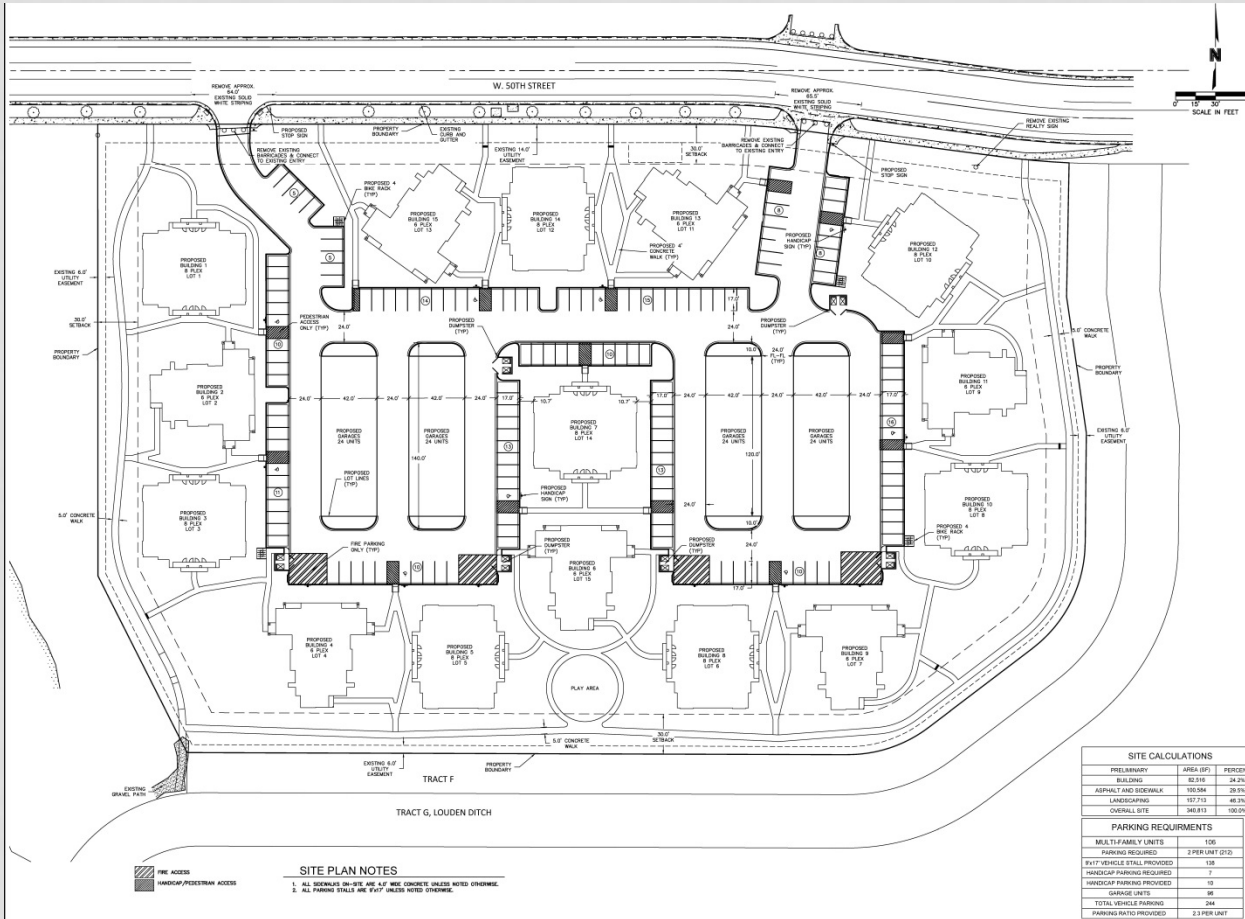
Facts

- No Code provision requires specific dispersion.
- Code minimum parking ratio contemplates overflow parking.
- Journey will comply with the Code for snow and ice removal.

PARKING REQUIREMENTS

- Code requires 2 parking spaces per unit for multi-family
- Garage parking may be counted towards the minimum parking requirement.

PARKING REQUIREMENTS



Parking Provided

106 Units

244 Parking Spaces

2.30 Ratio

15% more parking than required

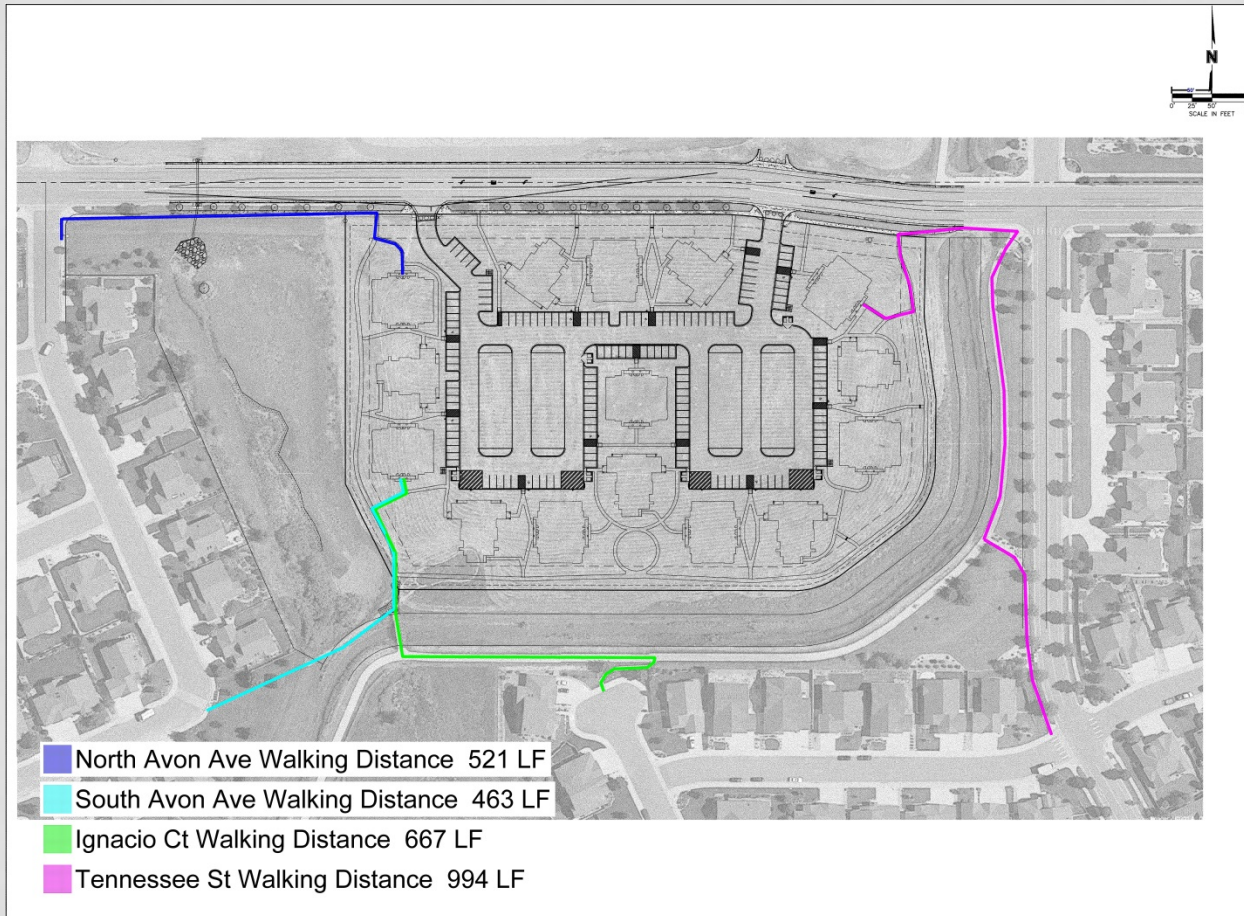
SITE CALCULATIONS		
PRELIMINARY	AREA (SQ)	PERCENT
BUILDING	82,516	24.2%
ASPHALT AND SIDEWALK	105,594	29.5%
LANDSCAPING	157,713	45.3%
OVERALL SITE	345,823	100.0%

PARKING REQUIREMENTS	
MULTIFAMILY UNITS	106
PARKING REQUIRED	0 PER UNIT (0%)
PAV' VEHICLE STALL PROVIDED	138
HANDICAP PARKING REQUIRED	7
HANDICAP PARKING PROVIDED	10
GARAGE UNITS	98
TOTAL VEHICLE PARKING	244
PARKING RATIO PROVIDED	2.3 PER UNIT

SITE PLAN NOTES

- ALL DIMENSIONS SHOWN ARE AS SHOWN UNLESS NOTED OTHERWISE.
- ALL PARKING STALLS ARE 8'x17' UNLESS NOTED OTHERWISE.

PARKING REQUIREMENTS



PARKING REQUIREMENTS

- Staff report to Commission
 - “It is important to note that the parking proposal fully complies with the City’s requirements”
- Staff has amended position
- Staff requests chance to evaluate Compromise PDP
- Compromise PDP clearly meets objective parking requirements in Code and GDP.

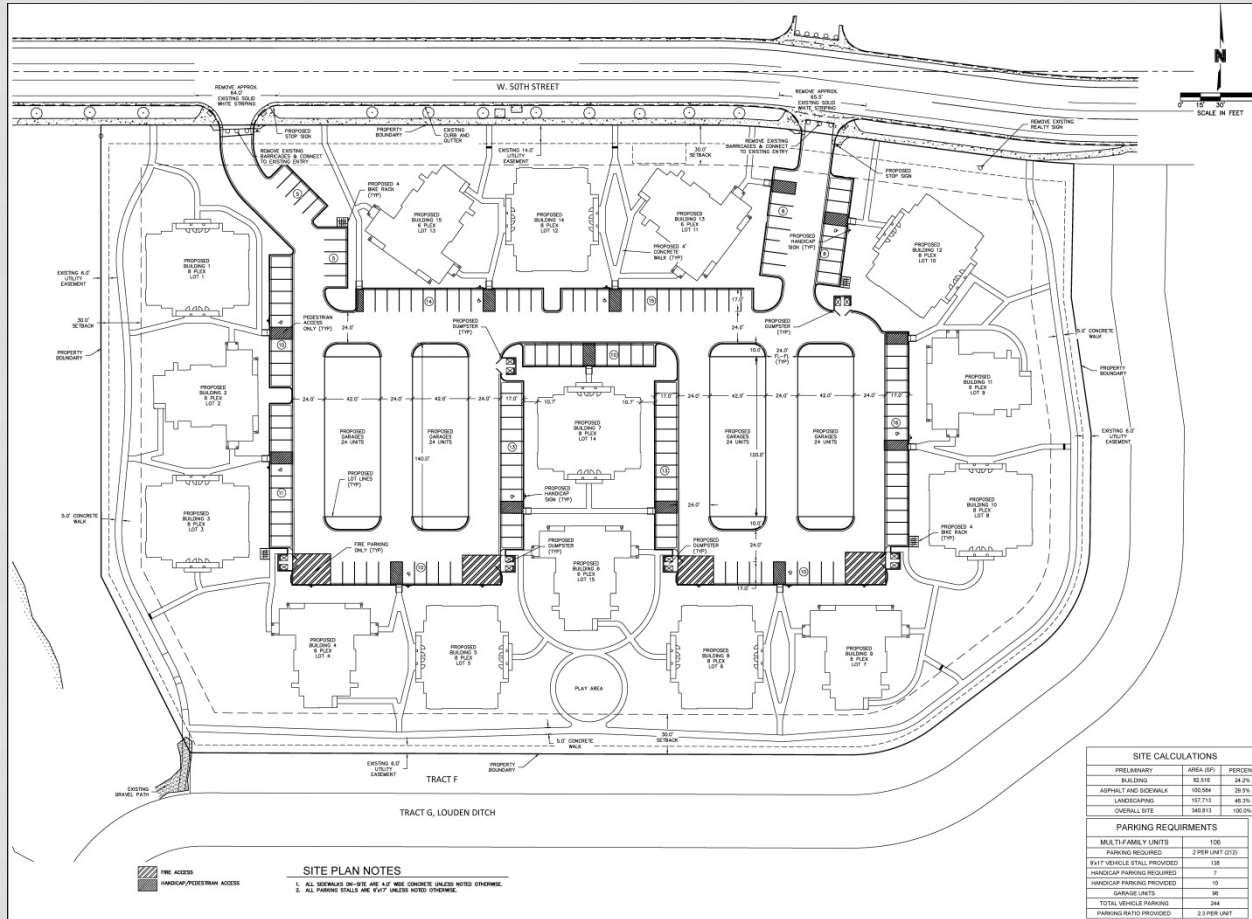
TRAFFIC

- Resolution 14-03:
 - “There is no plan to prevent or mitigate increased vehicular and pedestrian traffic on neighborhood streets within the existing development, leading to potential safety concerns”

TRAFFIC REQUIREMENTS IN GDP

- “More intense uses are located to minimize traffic impacts on lower density areas, and to facilitate access to jobs and services.”
- Multi-family use purposefully, located off W. 50th to allow efficient traffic flow.
- GDP provides W. 50th is:
 - “Primary access to the site”
 - “Major collector to allow for future development.”

TRAFFIC REQUIREMENTS



SITE CALCULATIONS		
	AREA (SQ)	PERCENT
PERIMETER	52,515	34.2%
BUILDING	52,515	34.2%
ASPHALT PAVD SIDEWALK	150,504	29.5%
LANDSCAPING	157,712	48.2%
OVERALL SITE	348,813	100.0%

PARKING REQUIREMENTS	
MULTI-FAMILY UNITS	105
PARKING REQUIRED	2 PER UNIT (210)
PWV VEHICLE STALL PROVIDED	7
HANDICAP PARKING REQUIRED	7
HANDICAP PARKING PROVIDED	59
GARAGE UNITS	95
TOTAL VEHICLE PARKING	294
PARKING RATIO PROVIDED	2.8 PER UNIT

TRAFFIC REQUIREMENTS

- Traffic Impact Study Conclusions
 - 53 morning peak hour trips, 64 afternoon highway peak hour trips and 692 trips per day. Trips are considered manageable.
 - No improvements required to accommodate
 - Current improvements meet City's Adequate Community Facility and Code ordinance
 - No traffic problems or safety concerns

OPEN SPACE REQUIREMENTS

- Resolution 14-03:
 - “Outdoor living spaces, including patio areas, are insufficient”
 - “the proposed development lacks amenities for residents”
 - “useable open space for residents within the proposed development, including play area for children, is insufficient”

OPEN SPACE REQUIREMENTS

- No requirements in the Code, or GDP for any minimum amount of patio space
- Section 18.04.281 states: “No greater than fifteen percent of the total open space shall be devoted to impervious surfacing accommodating patios, plazas or similar amenities.”
- Minimum of 20% open space
- Compromise PDP has 46.3 percent – more than double
 - Not counting 4,634 sf of additional patio open space

OPEN SPACE REQUIREMENTS

- As part of the Kendall Brook Master Association, the project is obligated to pay dues equivalent to 70 units.
 - \$30,000 per year in dues at \$425/unit for maintenance on amenities that already exist
- The GDP states: “Kendall Brook is planned as an integrated community providing increased amenities to the built environment and the natural environment.”
- GDP provides for: “integration of complementary man-made amenities[.]”

OPEN SPACE REQUIREMENT

- Section 16.24.150: only need play field/area of 50 or more single-family lots.

OPEN SPACE REQUIREMENTS

- Applicant shall install a playground in the area of the subject property labeled "Play Area" on the Site Plan attached hereto. Applicant shall install a 48" tall split-rail fence around the perimeter of the Play Area to prevent children from entering into the Louden Ditch.

PLAYGROUND EQUIPMENT



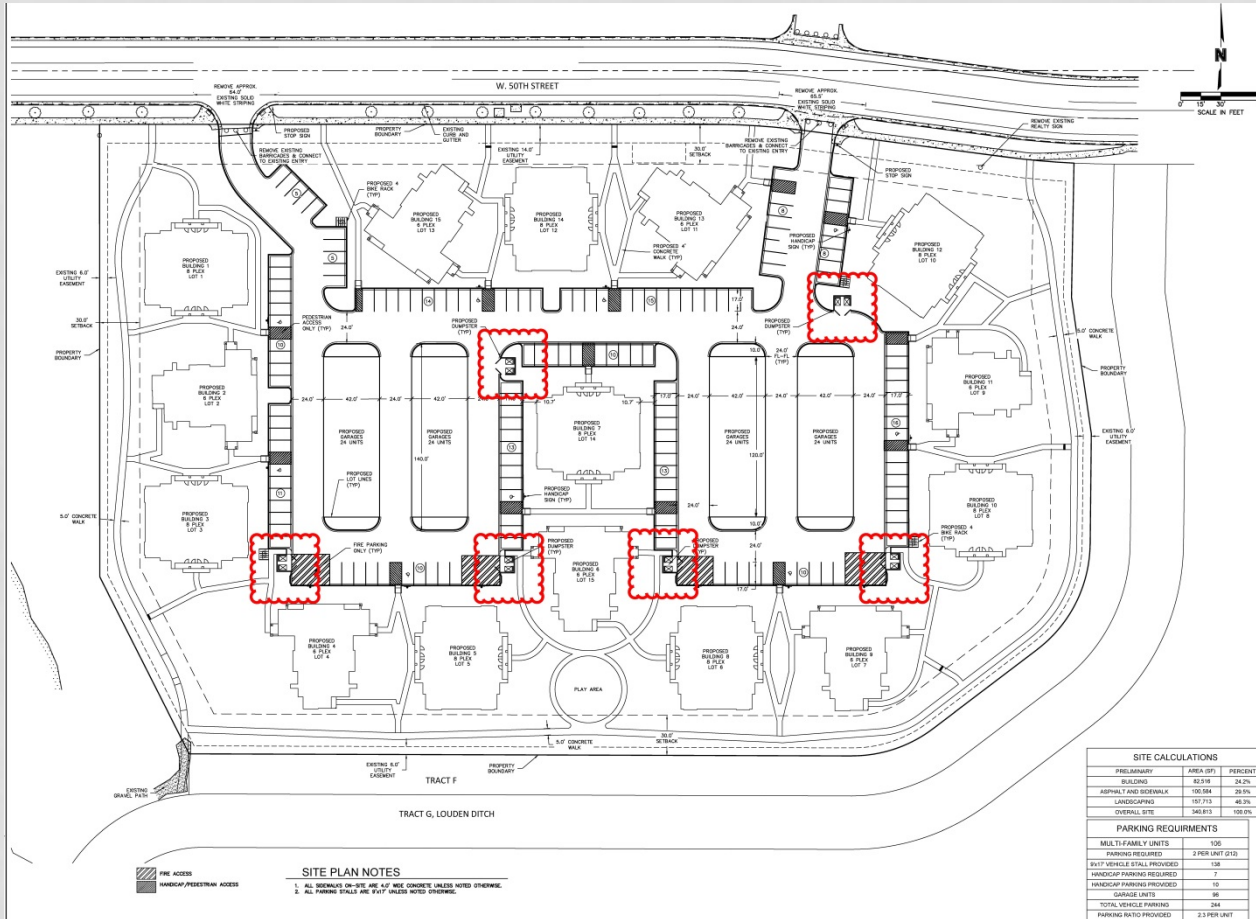
TRASH REQUIREMENTS

- Resolution 14-03:
 - “the number and location of trash collection bins is insufficient and inconvenient to the proposed development.”
- Section 7.26.030 of the code provides: “The number and size of refuse containers shall be sufficient to accommodate the accumulation of refuse from the property.”

TRASH REQUIREMENTS

- Applicant shall install at least twelve (12) trash receptacles on the subject property, in locations as depicted on the Site Plan attached hereto.
- A proposed increase of 50%

TRASH BIN LOCATIONS



ARC REQUIREMENT

- Resolution 14-03:
 - “The submitted PDP specified that review by the architectural review committee was not required, this exemption is inconsistent with the GDP requirements.”

ARC REQUIREMENT

- Section 4.D of the GDP states:
- “No building or other structure shall be erected, placed, or altered on any lot until plans have been submitted and approved by the Committee.”
- Journey Homes will be submitting to the ARC prior to submitting plans to the City for building permits.

ADJACENT BUILDINGS

- Resolution 14-03:
- “The PDP is not consistent with Section 3 (Implementation) of the GDP (Page 2 of 4) which states, ‘where two townhomes/multifamily etc. buildings are adjacent to each other, one of the end units shall be one story.’”

ADJACENT BUILDINGS

- Staff interpretation to Commissioner Middleton:
 - “the intent behind this provision was for larger buildings, oriented in a linear fashion, to avoid a ‘tunnel-effect’”
- Journey Homes is in agreement with this interpretation

CONDITION OF APPROVAL

- Development on the subject property is limited to one hundred six (106) multi-family residential units, arranged on the subject property to alternate between seven (7) buildings of six (6) units each and eight (8) buildings of eight (8) units each, as illustrated on the Site Plan attached hereto.

APPROVAL STANDARD FOR PDP

- Section 18.41.050.E.2 (a)-(c)
 - Whether PDP conforms to GDP;
 - Meets factors in 18.41.050 (D) (4) (b) and (c); and
 - Complies with land use and development regulations in effect as of the date of GDP approval.
- Staff determined project met requirements in report to Commission
- Recommended five conditions of approval

APPROVAL STANDARD FOR PDP

- “Compatible” is a subjective standard
- Further defined by objective standards in GDP such as density, open space, height
- Clearly meets all objective standards
- Project is compatible and should be approved
- If you have any doubt, request remand to planning commission and staff for further analysis



PROPOSED 6-PLEX BUILDING