

# Development Review Team Memo

**FROM:** Kelly Douglas, Senior Planner

**DATE:** 12/15/21

**RE:** Worldwest Subdivision Lot 1 (1901 Curve Plaza), DPVC-21-16  
Submittal #2

## Additional Information Required:

### General

1. Could not locate larger parking management exhibit. Please include in plan set.

It has been included in the resubmission plan set - reference sheet A 1.2.

### Section 224 Zone District: Commercial Services

2. Please label existing grade on building elevations. This has been added to the resubmission plan set. Ref sheets A3.1 - A3.6.
3. Unit Size Variance and Use Standard Modification: Staff finds the intent of the unit size maximum in Section 224 and 301.B.2.e to be creation and retention of attainable housing. Based on the narrative submitted, it appears you agree. In order to determine support, Staff wants to confirm we agree on this intent and, demonstrate this understanding with a restriction on short terms rentals. Is the applicant willing to restrict short term rentals in order to gain support this variance and use standard modification?

While the creation and retention of attainable housing is indeed the Applicant's intent, the applicant is not able to restrict short term rentals. Please see revised variance with additional justification from the Applicant.

### Article 3 Use Standards and Definitions

4. Sheet 22 of 32 shows four-bedroom floor plans: one bedroom/office on the ground level, two bedrooms on the third level, and one bedroom/office on the fourth level. The rooms on the ground and fourth levels are likely, and able to function as bedrooms therefore the >3-bedroom parking standard applies. Please update the narrative, calculations, and all other references.

Please find revised plans, narrative, and calculations in the resubmission package to reflect the >3 br parking standard.

### Section 402 Landscaping

5. Landscape Variance Request: Based on staff analysis, it appears Section 402 standards can be met and variance request may be avoidable. Please see the table below and revise the plan to meet standards.

Please find revised plan L.1, which shows that the standards are now being met. Snapshot below of the table showing required and proposed quantities.

Area	Required	Proposed
Frontage	87	79
Parking Lot Setback	36	28
Interior	18	33
<b>Subtotal</b>	<b>87+36+18=141</b>	<b>79+28+33=140</b>
Parking Lot Interior	6 tress/23 shrubs	6/36
<b>TOTAL</b>	<b>141 + 6/23</b>	<b>140 + 6/36</b>

LANDSCAPING STANDARDS TABLE		
DESCRIPTION	REQUIRED	PROPOSED
FRONTAGE (ELK, 40 & CURVE)	87	100
PARKING LOT SETBACK	36	37
INTERIOR	18	45
<b>TOTAL</b>	<b>141</b>	<b>182</b>
PARKING LOT INTERIOR	6/23	6/30

## Section 408 Refuse Management

All residential trash will be addressed via 96 gal. totes stored in each individual garage. We have confirmation from local Waste Management that they are able to make the turn into each drive aisle to collect the totes from each townhome. See confirmation email from WM included in this resubmission package.

6. Are two trash enclosures sufficient to serve all uses and units?
7. Please confirm collection vehicles will be able to access the facility proposed along the access road. The enclosure is separated from the street by a curb/sidewalk.

The trash enclosure in question has been removed, as all residential trash will be handled via totes stored in each townhouse garage. A larger enclosure has been included for the commercial uses at the corner of Elk River and US40.

## Section 409 Snow Storage

8. Snow Storage Variance Request: Staff cannot support the snow storage variance as proposed. The rationale provided references "surplus parking" vested with DPVC-21-06. This is not an acceptable rationale. There is no surplus parking. The parking approved with DPVC-21-06 was demonstrated to be necessary with the parking study and parking management plan. Storing snow in required parking areas, regardless of previous vesting, is not acceptable.
9. Being that there is only a 1,213 sf deficit between the requirement and the proposal, Staff encourages you to try to meet the standard and avoid this variance request. Consider evaluating areas that have not been included against the criteria in 409.D.2.a. Are there alternative snow storage locations that can meet criteria i.-iii. and also meet the standard?
10. Please remove the south to north snow storage by phasing plan (sheet C.750) from the plan set. Please see phasing comments below for additional information.

Noted. Applicant is no longer seeking this variance; proposed snow storage now complies with CDC standards.

Please see revised plan C.750; Project now complies with CDC Standard.

Revised plan set has removed the South to North phasing.

## Section 412 Critical Improvements

11. The following items are considered critical improvements and shall be constructed by the applicant and approved by the City prior to issuance of a Certificate of Occupancy:

- Parking areas
- Driveways

*Note: Improvements from DPVC-21-06 below that serve the entire development are carried forward:*

- Road from Elk River Road to Curve Court
- Right in- Right out modifications to driveway onto Elk River Road
- Relocation of Transit Stop on Elk River Road
- ~~Left turn lanes on US 40~~
- Grading and drainage infrastructure
- Stormwater quality treatment facility

Please reword: "Improvements as determined by the Notice to Proceed associated with CDOT State Highway Access Permit #321121"

Noted.

## Section 413 Phasing

12. Staff supports the north to south phasing plan (Sheet C.710), constructed in a sequential fashion. In light of the mix of uses, both vested and proposed, and their associated improvements, the 50-space parking lot must be in the first phase. Please remove the south to north phasing plan (sheet C.720) from the plan set. Revised plan set has removed the South to North phasing.
13. Please remove the 'Expected conditions as if basecamp has been constructed' pane on sheet C.710 for clarity. What is shown does not exactly match PL20210086 or CV-21-06 (17 parking spaces are approved but not shown along the north side of private street), and these improvements are already vested with a separate approval. Please see revised plan the 17 spaces included along the north side of private street.
14. Completion of phase 2A must include elimination of temporary head-in parking. Please add a note to the phasing plan to document. Please see revised plan C.710 with note added indicating temporary head-in spaces are eliminated after the phase A.
15. Phase 2B needs to include the following:
  - a. All frontage landscaping on that lot/with subsequent phases
  - b. Postal facilities Please see revised plan now including these items.
16. Draft Condition of Approval: A Development Agreement shall be recorded to document phasing prior to building permit approval. Noted.

## Section 421 Open Space

17. Please see open space comments provided with PL20210006 Preliminary Plat and Major Variance application. Open space is now shown on sheet C.100, indicating the Project is compliant and proposes well over the required amount of open space. Note the open space for the already vested portion of the site has been modified due to the new proposed project. Please advise whether an administrative modification to DPVC-21-06 needs to occur to document the change.

## Section 427 Postal Facilities

18. Draft Condition of Approval: Prior to certificate of occupancy, the applicant shall install the cluster mailboxes in phase B (in a location acceptable to the USPS Postmaster and the City Engineer) or enter into an Improvements Agreement with the City. Noted.

## Section 437 Multiple-Family Residential Building Design Standards

### Section 437.F Roof Forms

19. Multiple-Family Residential Roof Form Variance Request: Staff is not able to support the variance as proposed as there does not appear to be enough variety to be considered consistent with the applicable guidelines of this section. Please consider incorporating additional pitched roof forms. Please find revised Roof Form Variance Request. Additional pitched roof forms have been included in the resubmission plan set.

### Section 437.G Surface and Structured Parking

20. Garage Variance Standards Variance Request: Staff supports the variance requested to 437.G.5.b and 437.G.5.d. Noted, Thank you. An updated Variance Request has been included in the resubmission to account for minor changes in the design/Development Plan.

### Section 437.H Building Scale, Variation and Fenestration

21. Townhome Variation Standards Variance Request: Staff supports the variance requested to 437.H.2.a. Noted, Thank you. Variance has not been updated, since Townhome 2, while it contains 7 units, they are not in a single line/row (13'-6" setback)
22. Multiple-Family Transparency Variance Request: Staff supports the variance requested to 437.H.4. Noted, Thank you. An updated Variance Request has been included in the resubmission to account for minor changes in the design/Development Plan.

## Section 438 Commercial and Mixed Use Building Design Standards

### Section 438.H Building Scale, Variation, and Fenestration

23. Please provide transparency/opening calculations for commercial buildings. These are included in the revised plan set on A3.1 and A3.2.
24. Please provide elevations showing what the container restaurant will look like when it is not in operation. Please see revised plan set, sheet A3.2. Note the insulated panels are proposed to contain mural artwork.
25. Commercial and Mixed Use Transparency Variance Request: While staff supports the proposed variance in concept, the justification needs to be refined. It seems that we agree the intent of transparency standards is visibility and activity; yet to say the pole barn, for example, does not achieve that intent with openings rather than windows doesn't quite make sense. Please revise. Please find revised variance request included in this resubmission.