

Coal Creek Village PUD

Requested Waivers

Coal Creek PUD conforms to the majority of the standards and guidelines created for the City of Louisville and specifically for the Highway 42 Revitalization Area, however, there are some instances where conforming to the standard would not be possible because of existing conditions or, would not serve the best interest of the City. We believe that in each case that a waiver is requested, the proposed design is superior to a design that would strictly adhere to the standard. The City of Louisville anticipated this situation and included the following rule in the Municipal Code:

“General rule allowing waiver or modification of standards. Unless otherwise limited by this section, the city may waive or modify all applicable stated Mixed Use Development Design Standards and Guidelines stated in this chapter, or other generally applicable design standards and provision of this [Title 17](#), if the decision-making body finds that the proposed development represents an improvement in site and building design over that which could be accomplished through strict compliance with otherwise applicable district standards. Unless specifically waived or modified during the review and approval process, the zoning, use, bulk, dimensional, development, and design standards stated in this chapter and the Mixed Use Design Standards and Guidelines shall apply.”

The Applicant respectfully requests the following Waivers:

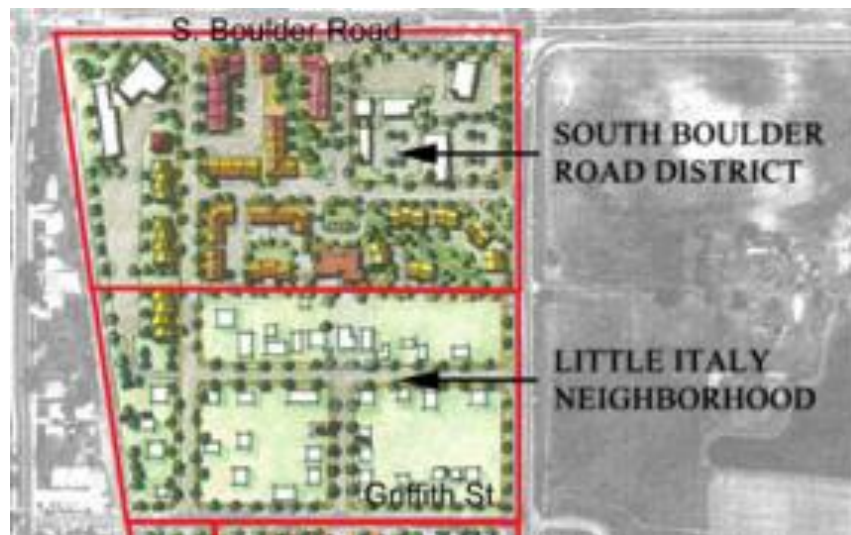
Waiver Number 1

City Document: Implementation of the Highway 42 Revitalization Area Plan - Appendix A
Mixed Use Development Design Standards and Guidelines (MUDDSG)

Requirement: MUDDSG 1.3.A.1 East and west sides of blocks to be 270-320 feet.
MUDDSG 1.3.B.1 North and south sides of blocks to be 300-400 feet.

Proposed:	Block One	<u>East and west sides 146 feet</u>
		<u>North and south sides 321 feet</u>
	Block Two	<u>East and west sides 293 feet</u>
		<u>North and south sides 333 feet</u>
	Block Three	<u>East and west sides 443 feet</u>
		<u>North and South side 155 feet</u>
	Block Four	<u>East and west sides 221 feet</u>
		<u>North and south sides 295 feet</u>
	Block Five	<u>East and west sides 332 feet</u>
		<u>North and south sides 246 feet</u>

Justification:
The intent of the Street and Block Design Standards is to encourage a synergistic mix of uses within the MU-R and CC Districts, complement existing Downtown development, to disperse and distribute traffic to multiple access points and to create a pedestrian-oriented and pedestrian friendly district. Furthermore *“Street alignment within the MU-R and CC Districts shall generally conform to the street pattern adopted in the Highway 42 Plan to the maximum extent practicable.”*



From the Highway 42 Revitalization Area Framework Plan

The street layout and resulting block sizes are largely determined by existing access points along South Boulder Road and Highway 42. In addition, the Front Street alignment connecting to the south is consistent with the Highway 42 Revitalization Area Framework Plan depicted above. The fact that the site is bordered by the Colorado and Southern Railroad on the west further puts limitations on block size.

While not all the specific block dimensions are consistent with requirements, the street layout and blocks do meet the intent of the MUDDSG. Traffic is dispersed and distributed in a logical fashion consistent with the Highway 42 Framework Plan shown above. The site plan proposes sidewalks and tree lawns along all public streets and provides for safe, convenient and attractive pedestrian connections throughout.

Waiver Number 2

City Document: Implementation of the Highway 42 Revitalization Area Plan - Appendix A
Mixed Use Development Design Standards and Guidelines (MUDDSG)

Requirement: **MUDDSG 5.4. Public Sidewalk Design Standards**

B. In the MU-R and CC Districts, all public sidewalks shall be a minimum of ten (10) feet wide incorporating tree planting within the right-of-way. The right-of-way shall be landscaped with street trees and other living plant material or, as an alternative, tree grates for street trees combined with decorative paving and/or moveable planters may be utilized.

Proposed: 8-foot-wide detached sidewalks with an 8-foot parkway are provided along South Boulder Road and Highway 42. Along Front Street and Canon Circle, a 5-foot-wide detached sidewalk with an 8-foot parkway is provided.

Justification:

Coal Creek PUD meets the pedestrian connectivity standards stated in the MUDDSG by providing well-defined pedestrian connections through out the site and to off-site locations. Walkways are designed to be direct and efficient creating opportunities for residents to walk to commercial areas along SBR and Hwy 42, as well as to on-site parks, open space and amenities. The public sidewalks are all detached with adjacent tree lawns. We believe the proposed 5-foot and 8-foot sidewalk widths will be adequate for the numbers of pedestrians anticipated and will provide a more comfortable human scale than 10-foot sidewalks would.

The proposed sidewalk widths are also consistent with recommendations of the National Association of City Transportation Officials. *“The pedestrian through zone is the primary, accessible pathway that runs parallel to the street. The through zone ensures that pedestrians have a safe and adequate place to walk and should be 5–7 feet wide in residential settings and 8–12 feet wide in downtown or commercial areas.”* (NACTO)

Waiver Number 3

City Document: City of Louisville Commercial development Design Standards and Guidelines (CDDSG)

Requirement: 2.2.1 Surface Parking Lots

E. Orient parking aisles perpendicular to buildings so pedestrians walk parallel to moving cars. Minimize the need for pedestrians to cross multiple parking aisles and landscape areas. (G)

Proposed: The parking lot serving the proposed commercial uses along South Boulder Road contains 91 parking spaces arranged parallel to the buildings on South Boulder Road.

Justification:

Given the overall dimensions of the parking lot (determined by existing access points), arranging the drive aisles to be perpendicular to the buildings would be an inefficient use of the land. We believe given the dimensions and small size of the parking lot, that in this case the parallel drive aisles create a superior design that works better for pedestrians and drivers that will utilize the parking area. The proposed parking lot is divided into two halves separated by a generous pedestrian walkway that is perpendicular to the buildings and aligns with a proposed central plaza. As required by the MUDDSG the parking meets the quantity and locational requirements of the anticipated uses and provides adequate, safe and attractive pedestrian movement.

Additionally, the City of Louisville has adopted Appendix D of the International Fire Code which means buildings taller than 30' are required to provide aerial fire access along one of the elongated sides of the building. Aerial access requires a fire truck staging area to be within 15-30' from the eave of a proposed building. Because of this requirement, the staging area to satisfy aerial access would either have to come from the interior of the site, or from South Boulder Road. The Louisville Fire Protection District has given our team the direction to provide aerial access on the interior of our site and not along South Boulder Road. This requirement and direction from the Fire District further demonstrates the need to orient parking parallel to the Mixed-Use Buildings proposed with Coal Creek Village.

Waiver Number 4

City Document: **Municipal Code 17.14.060**
 Table 3: Mixed Use Zoning District Dimensional and Bulk Standards

Requirement: **Minimum Lot Width 40 feet**

Proposed: **Townhome lots vary from 24'-6" to 32 feet wide.**

Justification:

The proposed townhomes are designed for residents that desire urban scale living, that is attractive, low maintenance, energy efficient, architecturally exciting and attainable. By reducing lot size the developer can lower the cost of the dwelling unit, making it more attainable. densities that utilize public infrastructure and land more effectively, helping to lower housing costs as well. In Smaller lot sizes also help to create more efficient addition, small lots fit the lifestyle of active adults and are preferred by many urban dwellers. A few examples of contemporary townhome design that utilize the narrower lot width include the following communities: North End (Louisville), Northfield Commons (Boulder), and Dakota Ridge – Northbriar (Boulder).

Waiver Number 5

City Document: Municipal Code 17.14.060
Table 3: Mixed Use Zoning District Dimensional and Bulk Standards

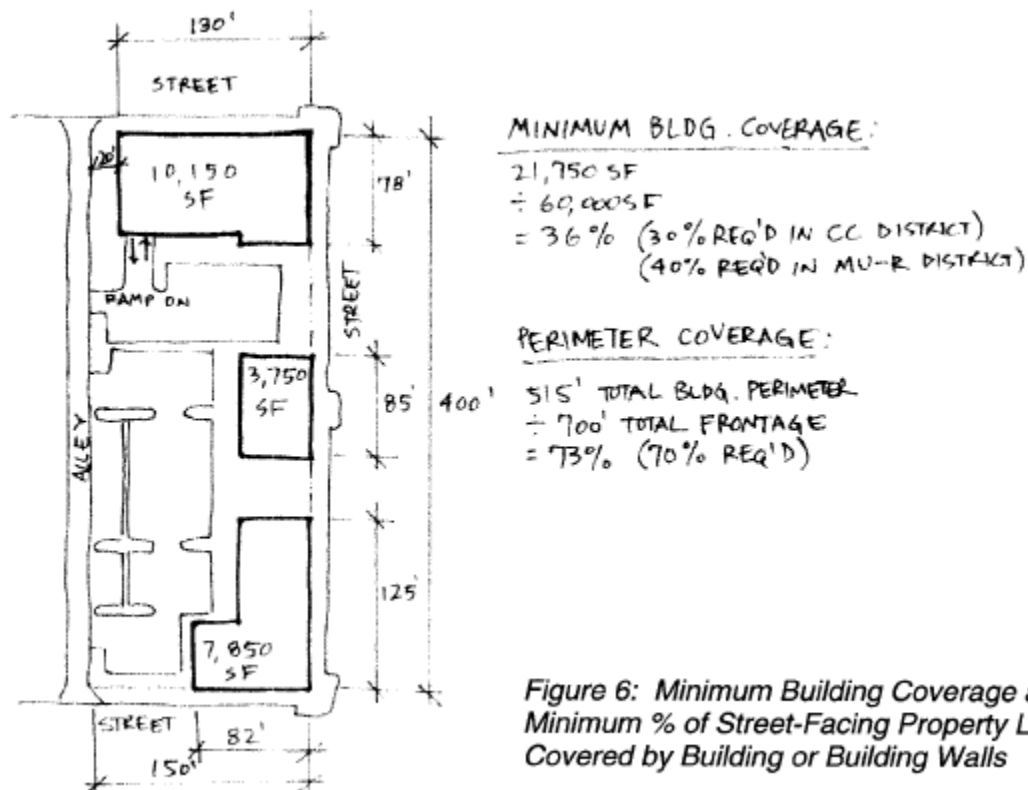
Requirement: Minimum Building Coverage 40%

Proposed: 21.2%

Justification:

The dimensional and bulk standards are intended to encourage and allow more "urban scale" development within the Highway 42 Revitalization Area consistent with planning goals for that area. Compared to other commercial and residential development allowed in Louisville, "urban scale" generally means taller buildings like those found in downtown Louisville, greater lot coverage, and buildings pushed close to the front property line.

We believe that Coal Creek Village PUD accomplishes the intent of the standard. Most of the buildings in the development are 3-stories tall and are brought close to the front property line with parking enclosed in garages or located to the back side. However, it's hard to imagine how the proposed project could achieve 40% building coverage without providing structured parking. Figure 6 (below) was provided to help clarify the standard. The example illustrates 1-story buildings, and it only achieves 36% coverage. The proposed mixed-use buildings (3 & 4) and the multi-family buildings (1&2) are 3-story buildings and require more parking than a 1-story building would. Additional parking means more circulation drives and the additional pavement requires additional stormwater detention. The overall residential density of 16.5 DU/AC necessitates the need for additional site amenities, parks and open space. Additionally, Figure 6 alludes to the use of structured parking to help achieve the standard – but the cost to construct structured parking is so great that the use of structured parking would remove the middle-class attainability aspect of the proposed development. Given the nature of the proposed mixed-use project, we believe achieving 40% lot coverage is not necessary nor practical as demonstrated by Figure 6.



Waiver Number 6

City Document: **Municipal Code 17.14.060**
 Table 3: Mixed Use Zoning District Dimensional and Bulk Standards

Requirement: 20-Foot Minimum Setback from Rear Property Line

Proposed: Townhome and Micro Cottages rear yard setbacks from 6-20 feet

Justification:

The townhome and micro cottages proposed for Coal Creek PUD are designed for residents that desire urban scale living, that is attractive, low maintenance, energy efficient, architecturally exciting and attainable. Smaller back yards that still provide opportunities for outdoor dining and relaxation without the need to mow or water a lawn fit the lifestyle of many urban dwellers. Smaller back yards also help create more efficient densities that utilize public infrastructure and land more effectively, helping to lower housing costs.

Waiver Number 7

City Document:

Municipal Code 17.14.060

Table 3: Mixed Use Zoning District Dimensional and Bulk Standards

Requirement:

Minimum 70% of Street Facing Property Lines must contain a Building or Building Wall

Proposed:

58.6%

Justification:

The standard is intended to support a pedestrian friendly environment along the district's streets. Buildings pushed closer to the street edge provide a sense of enclosure for the pedestrian, making the district a more inviting place to walk. The 70% is a very high standard that is difficult to achieve particularly when site amenities and landscaped open space is left out of the equation. We believe that a variety of building types and scales that are interspersed with a plaza, park and landscaped open space create a diverse and pleasant streetscape for pedestrians to enjoy. The walking experience proposed throughout Coal Creek Village PUD is further enhanced by street trees that are provided in tree lawns along all the public streets.

Additionally, the City of Louisville has adopted Appendix D of the International Fire Code which has a component related to dead-end fire apparatus access on roads within a new development. This means that a fire truck access path shall go no further than 150' without a means to turn around or exit the access road. On the site plan, this creates the need for additional access points along public streets to comply with this IFC requirement and thus reduces the percentage of street facing property lines that contain a building or building wall.

TOTAL BUILDING FRONTAGE/COVERAGE CALCULATIONS				
STREET	APPLICABLE STREET FRONTAGE(FT)	TOTAL BUILDING FRONTAGE(FT)	% BUILDING FRONTAGE	TOTAL BUILDING COVERAGE(SF)
SOUTH BOULDER ROAD	543	304	56.0	80070
EAST OF FRONT STREET	295	216	73.2	
WEST OF FRONT STREET	248	88	35.5	
FRONT STREET	1240	825	66.5	
EAST SIDE	532	297	55.8	
WEST SIDE	708	528	74.6	
CANNON CIRCLE	692	320	46.2	
NORTH/ SOUTH LEG	363	170	46.8	
EAST/ WEST LEG	329	150	45.6	
HIGHWAY 42	147	90	61.2	
TOTALS:	5097	2988	58.6 *	80070
TOTAL % BUILDING COVERAGE (USING TOTAL NET SITE ACREAGE 8.66 AC):				21.2% *

