Planning Commission
Staff Report
September 12, 2024

City of Louisville
COLORADO • SINCE 1878

ITEM: Coal Creek Village Mixed-Use Development

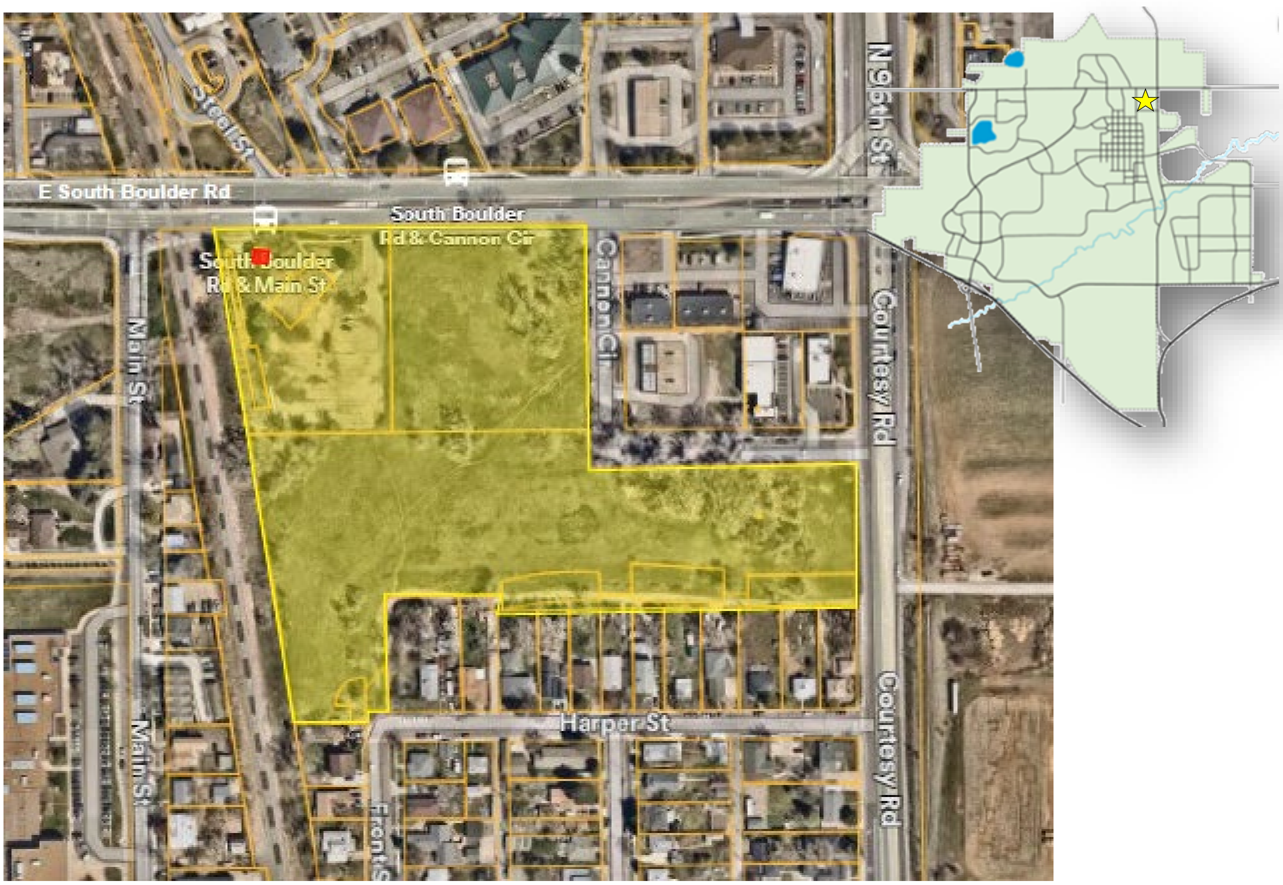
LOCATION: Southwest corner of E South Boulder Rd and Highway 42 - TR 688-B LESS B1 8-1S-69 LESS COAL CREEK STATION 2 & 3 SPLIT SEE IDS 92643-44

PLANNER: Matt Post, Senior Planner

APPLICANT: Ripley Design, Inc

REQUEST: Approval of Resolution 10, Series 2024 Recommending to the Planning Commission Approval of a Preliminary Planned Unit Development (PUD), Preliminary Plat, an Ordinance Rezoning a Portion of the Property from CC-MU (Commercial Community – Mixed Use) and R-M (Residential Medium Density) to MU-R (Residential Mixed Use), Amending Exhibit A, Land Use Exhibit, Referenced in LMC Chapter 17.14, and a Special Review Use to permit multi-unit dwellings on the ground floor in the MU-R zone district.

VICINITY MAP:



SUMMARY:
The applicant, Ripley Design Inc., requests approval of a Preliminary Planned Unit Development (PUD), a Preliminary Plat, a Rezoning of a portion of the property from the CC-MU (Commercial Community – Mixed Use) and R-M (Residential Medium Density) zoning districts to the MU-R (Residential Mixed Use) zoning district, a Land Use Exhibit Amendment, and a Special Review Use to allow ground floor multi-unit dwellings in the MU-R zoning district.

A portion of the property is currently zoned CC-MU, which limits development to commercial, office, and institutional land uses. The requested MU-R zoning district allows for a range of residential uses in addition to commercial, office, and institutional uses, including townhouses and apartments, up to a maximum gross density of 20 dwellings per acre. To ensure a balance of uses, properties that are greater than 5 acres in size in the MU-R zoning district must include a minimum of two distinct principal uses on site.

The requested rezoning will require the applicant to amend Land Use Plan, Exhibit A referenced in Louisville Municipal Code (LMC) Chapter 17.14 – Mixed Use Zone Districts. The existing Land Use Plan Exhibit designates the property as CC-Mixed Use, R-M, and Park. To match the requested zoning change, the exhibit needs to be updated to classify the entire property as MU-R (Attachment F).

BACKGROUND:
The property is located in the Highway 42 Revitalization Area. In 2003, the City adopted the Highway 42 Revitalization Area Framework Plan and the Highway 42 Revitalization Area Comprehensive Plan Amendment. In order to implement these adopted plans the City created a Mixed Use Overlay District (Zoning Chapter 17.14) and the Mixed Use Development Design Standards and Guidelines (MUDDSG), which govern development of properties within the Mixed Use district.

The subject property is also located in the Highway 42 Urban Renewal Area. The City and the City's Urban Renewal Authority have adopted an Urban Renewal Plan that is intended to: *reduce, eliminate and prevent the spread of blight… to stimulate growth and reinvestment…* and *promote local objectives with respect to appropriate land uses* in the Urban Renewal Area (Sec. 1.3).

Pursuant to LMC Sec. 17.14.020, any property within the Highway 42 Revitalization Area undergoing new development or redevelopment shall be rezoned to a zoning district consistent with the Land Use Plan, Exhibit A (Attachment F). In 2013, the City Council approved the rezoning of the subject properties from Commercial Business (CB) to Mixed-Use Residential (MU-R), Commercial Community (CC), and Residential Medium Density (RM) under Ordinance No. 1641-2013 (Attachment G). This rezoning was approved concurrent with a Preliminary PUD and Plat.

In 2016, the City Council approved a Final PUD and Plat, known as Coal Creek Station, allowing 51 residential units and 29,472 square feet of commercial space on the subject property. The applicant never executed the Final PUD and Plat, and eligibility for permit issuance lapsed on May 17, 2019.

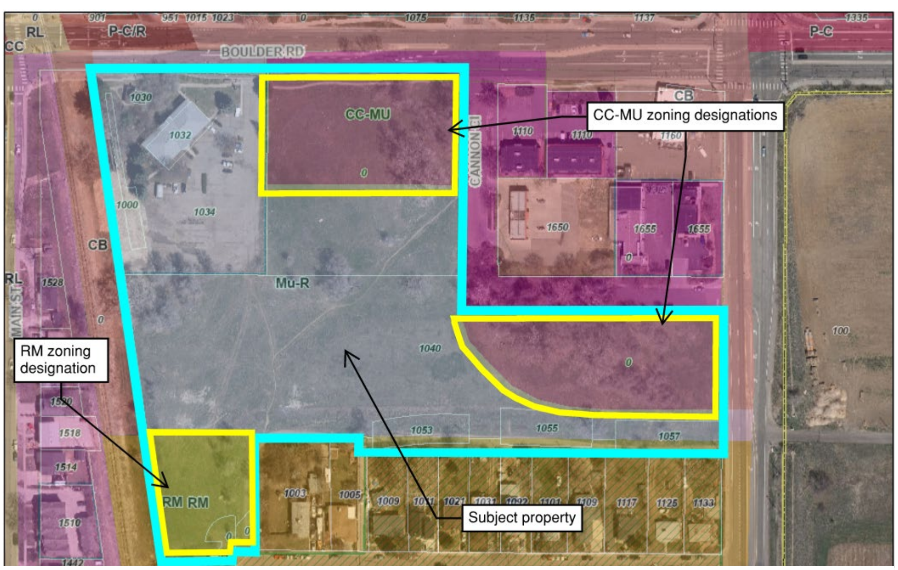
PROPOSAL:

<u>Rezoning</u>

The current zoning designation of CC-MU on the north and east sides of the site prohibits residential uses. The applicant is requesting to rezone the portions of the property zoned CC-MU and RM to MU-R to allow for a mix of uses and housing types. This is a discretionary request from the applicant as the mandatory rezone requirement for redevelopment of the subject property was satisfied with the approved 2013 rezoning.

In the provided narrative, the applicant asserts that the proposed rezoning will support the City's goals as outlined in the Highway 42 Revitalization Area Framework Plan and the MUDDSG by developing a variety of housing types while providing additional commercial space along South Boulder Road. The applicant notes that the area has changed since the initial rezoning, and that the current CC-MU zoning is commercially focused and does not support needed housing in the community.

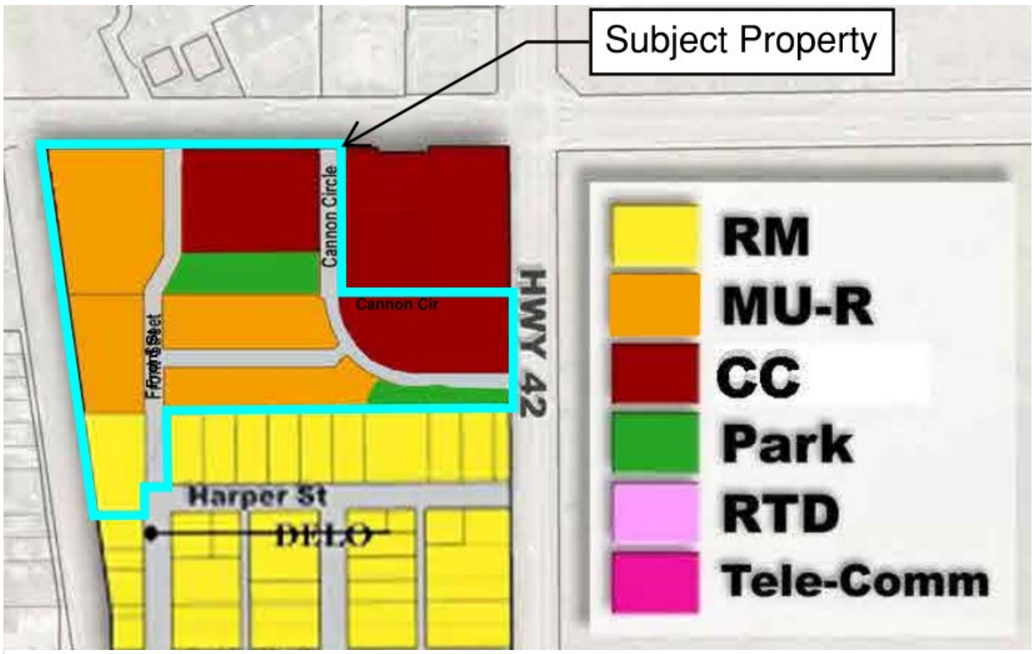
The applicant provided a market analysis by CBRE (Attachment H) indicating that new retail construction and absorption have significantly declined due to the rise of e-commerce and last-mile delivery platforms. The analysis states that demand has largely shifted towards smaller-scale retail users (gas stations, convenience stores, and fast food outlets). Metro-Denver statistical data show that new retail construction and absorption have dropped, despite sustained population growth in the metro area, and office demand has continued to decline due to high construction costs and a large-scale move to remote work post-COVID. Further analysis of the rezoning is provided below.



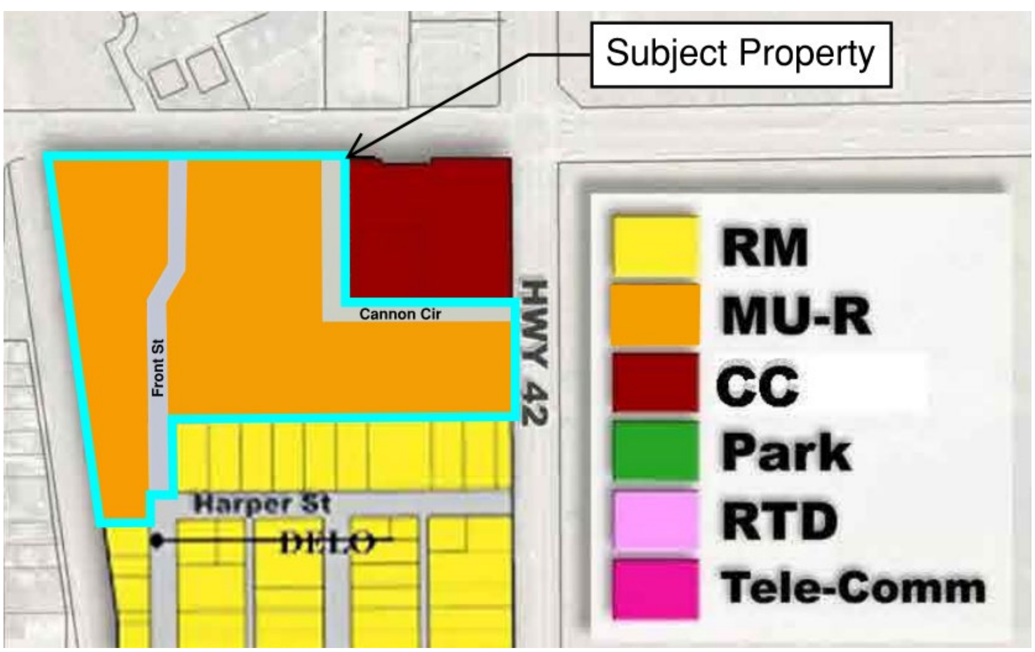
Zoning map

Land Use Plan Amendment

The rezoning request necessitates an update to the Land Use Plan, Exhibit A, to reflect the new zoning district designations and the proposed street connections. Presently, the existing zoning designations are consistent with those outlined in the current Land Use Plan.



Current Land Use Plan, Exhibit A



Proposed Land Use Plan, Exhibit A

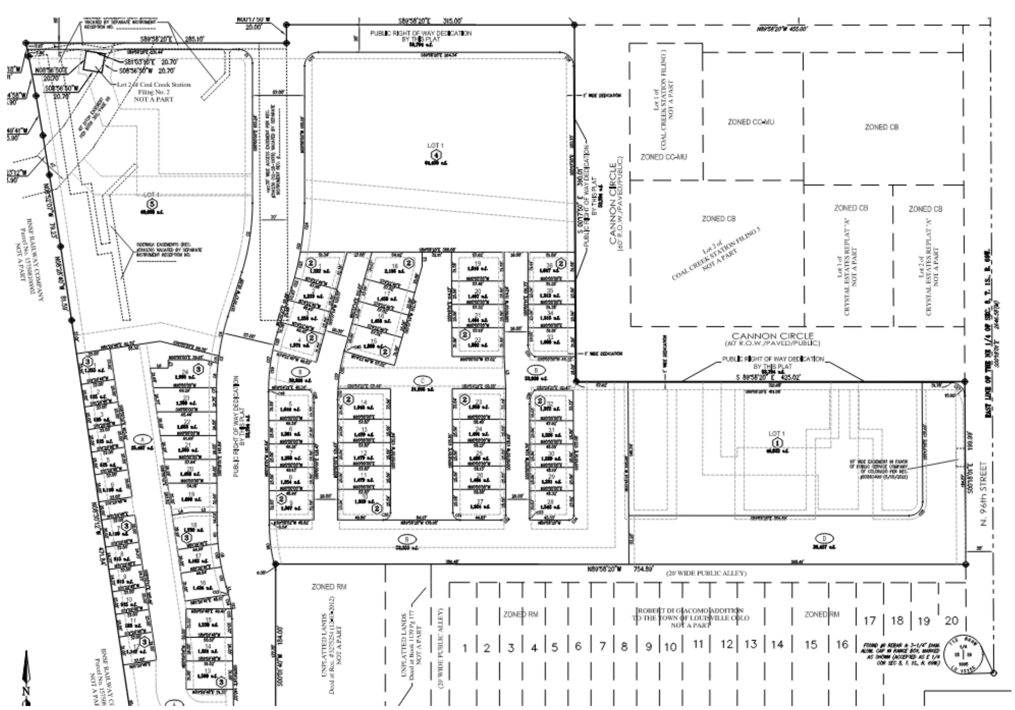
Preliminary Plat

The request includes a proposal to subdivide the existing 10.7 acres property into five blocks that will accommodate the anticipated development. Further subdivision of the townhome blocks (blocks 2 & 3) into individual lots will allow for the fee-simple sale of those units. The plat sets aside 4 Outlots totaling 2.9 acres in size that include private roads, drainage and detention areas, utilities, open space and parks. The Outlots will be shared areas that are maintained by a required owner's association. The City will accept 1.2 acres of right-of-way, dedicated via this plat, that will allow for the construction of Front Street and Cannon Circle. The total right-of-way dedication includes additional area along South Boulder Road that will align the property boundary with the edge of public improvements. A Subdivision Improvement Agreement will be entered into during the Final Plat review process outlining maintenance and improvement responsibilities.

A portion of the plat will include the Coal Creek Station Filing No. 2 subdivision; a previously subdivided portion on the property on the northwest corner of the site. That plat created Lot 2 (also depicted on this Preliminary Plat) which is currently developed and occupied by The Argentos Empanada and maintained under separate ownership. The proposed subdivision will maintain the current boundary and configuration of Lot 2.

A portion of the south side of the site, occupied by Outlot D, will include 26,397 square-foot detention and water quality pond. Outlot C is proposed as a 20,908 square-foot park in the center of the site that will be privately owned and maintained by the required owner's association.

Sixty townhome lots are proposed in Blocks 2 and 3 of the plat, all accessed by private drives which are contained in Outlots A and B, respectively. Blocks 4 and 5 include two multifamily and two mixed-use buildings, while Block contains "micro townhome units".



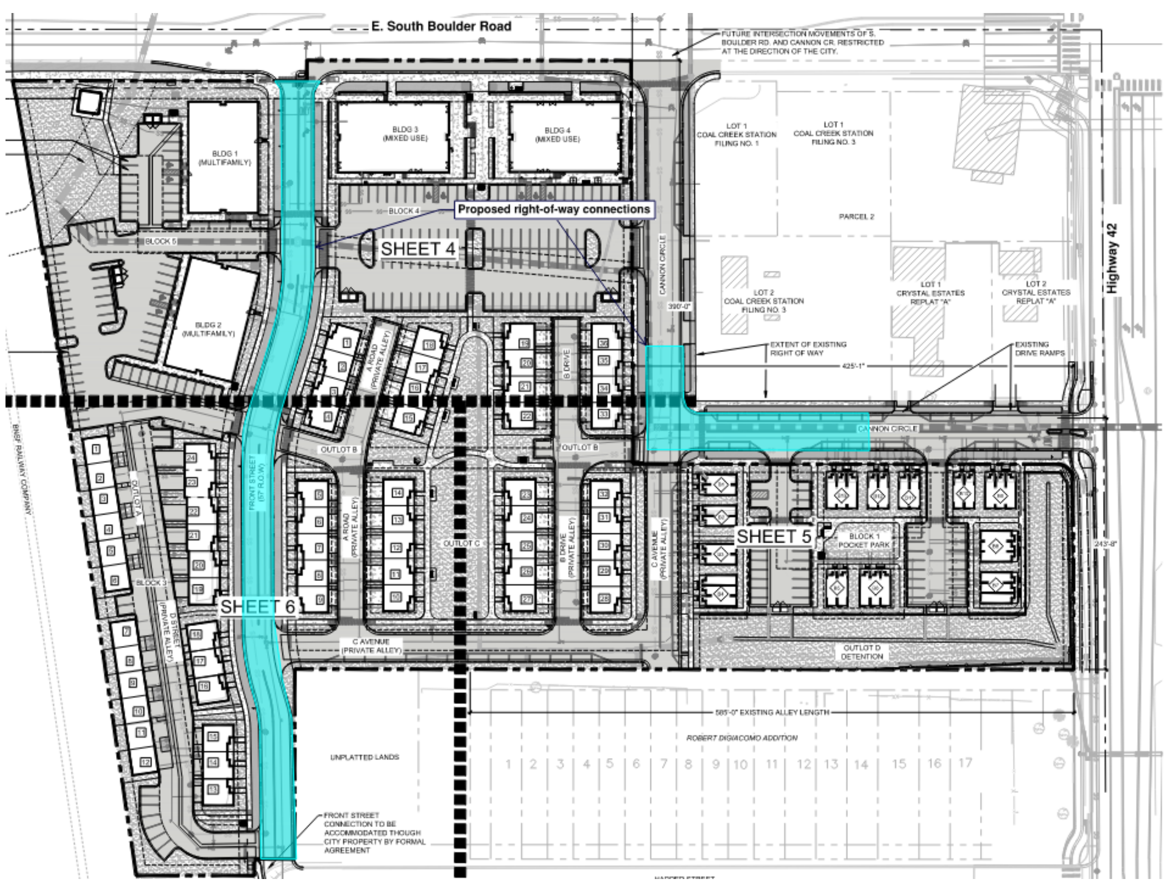
Preliminary Plat

Staff find that the Preliminary Plat complies with the design standards in the LMC Sec. 16.16.

Preliminary PUD

The Preliminary PUD plan includes 188 dwelling units and 13,534 square feet of commercial space. The 188 dwelling units include 60 townhomes, 96 apartments, and 32 "micro-townhome units," which are defined by the applicant as 350-400 square-foot homes designed to be offered at "attainable" rates. The proposal features two, three-story mixed-use buildings near South Boulder Road (buildings 3 & 4), with commercial space on the ground floor and studios, one- and two-bedroom apartments on the second and third floors. A plaza space is provided between the mixed-use buildings in accordance with MUDDSG standards. An additional two, three-story multifamily buildings (buildings 1 & 2) are planned for the interior of the site along Front Street, each offering 24 units ranging from 500 to 900 square feet in size.

The development will require the dedication, construction, and connection of Front Street from its north terminus on the south side of the site to E. South Boulder Road, where right-in right-out access is proposed. Cannon Circle, on the northeast side of the site, will also be dedicated, constructed, and connected providing access to the site from Highway 42 and South Boulder Road. According to the future Land Use Plan, Exhibit A, both Front Street and Cannon Circle are planned to connect through the site to improve overall connectivity in this part of the city.



Site layout with proposed right-of-way connections, shown in blue

The full extent of both Front Street and Cannon Circle will include 5-foot detached sidewalks with 8-foot tree lawns, while similarly designed detached walks are provided adjacent to private alleys throughout the site.

The site is appropriately parked, with all proposed townhomes designed with alley-loaded garages which account for 120 total spaces on site. 316 parking spaces are provided with a minimum of 304 required by the LMC to support all uses on site. The apartments, mixed-use buildings, and micro townhomes include surface parking internal to their respective blocks and located behind buildings so as not to be prominent from the street.

A 20,908 square-foot park is located on Outlot C which is designed to accommodate the main entrance of 18 townhomes on site, while a smaller, 2,350 square-foot pocket park is provided within the micro townhome block. It is important to note that the entirety of this property was originally platted as part of the Caledonia Place subdivision in 1890, and therefore the public land dedication requirement of LMC Section 16.16.060 does not apply.

Landscaping includes low-water shrubs, grasses, perennials, and trees in common areas, open space areas, the detention area, and within the public and private tree lawns through the site. The applicant has proposed some high-demand water areas on site that utilize turf as a landscape material. Recently adopted Colorado SB24-005 states that, on or after January 1, 2026, local governments are prohibited from allowing the installation of "nonfunctional turf" with certain development proposals. Due to the timescale of this project, staff will work with applicant through the Final PUD and Plat process to ensure compliance with this measure.

Block 1 of the development includes 32 micro townhome units, proposed to be 350-400 square feet in size and designed at an "attainable" scale, consisting of three-unit and two-unit townhomes to a maximum height of 25 feet.

Micro townhomes

Block 2 of the development includes four- and five-unit townhomes, each 40 feet tall, arranged around a central proposed park. All units include alley-loaded garages.

Block 2 - four-unit townhomes

Block 3 of the development includes three- and six-unit townhomes. The six-unit dwellings are proposed at 40 feet tall, while the three-unit dwellings are adjacent to the west side of the existing single-family homes in the Little Italy neighborhood and are limited to 34 feet in height in accordance with height transition standard in MUDDSG Chapter 8.

Block 3 - height restricted, three-unit dwellings

Block 3 - six-unit dwellings

Blocks 4 and 5 of the development include the mixed-use and multifamily buildings with associated site improvements, including surface parking and a plaza space between buildings.

Mixed-use building

Multifamily building

A traffic impact study was submitted for this development. The report concludes that the proposed development can be successfully incorporated into the existing roadway network, with four of five studied intersections anticipated to operate at a level of service C or better through 2050. The Highway 42 and South Boulder Road intersection was found to be operating at poor level of service due to existing volumes and roadway constraints, with poor levels of service anticipated through 2050.

#	Int.	Traffic Control	Approach	Year 2029 Total Level of Service (Delay in Seconds)			Year 2050 Total Level of Service (Delay in Seconds)		
				AM	PM	SAT	AM	PM	SAT
1	Front Street & S. Boulder Road	3/4 Mvmnt.	Overall	**A (0.3)**	**A (0.3)**	**A (0.4)**	**A (0.2)**	**A (0.4)**	**A (0.4)**
			EB	A (0.0)	A (0.0)	A (0.0)	A (0.0)	A (0.0)	A (0.0)
			WB	A (0.3)	A (1.2)	A (0.7)	A (0.3)	A (3.3)	A (0.9)
			NB	B (11.8)	C (16.2)	B (13.9)	B (13.7)	C (23.6)	C (17.5)
			SB	B (13.7)	C (15.3)	B (13.6)	C (17.0)	C (20.5)	C (17.0)
2	Cannon Circle & S. Boulder Road	3/4 Mvmnt.	Overall	**A (0.9)**	**A (1.3)**	**A (1.3)**	**A (0.8)**	**A (1.6)**	**A (1.2)**
			EB	A (0.6)	A (1.0)	A (0.4)	A (0.7)	A (2.1)	A (0.4)
			WB	A (0.3)	A (1.2)	A (0.8)	A (0.3)	A (1.6)	A (0.9)
			NB	B (12.5)	C (18.6)	B (14.7)	B (14.7)	D (28.8)	C (19.0)
			SB	B (14.3)	C (15.7)	B (14.8)	C (18.2)	C (23.4)	C (19.3)
3	Courtesy Road (SH 42) & S. Boulder Road	Signal	Overall	**F (100.8)**	**F (213.8)**	**F (89.8)**	**F (180.8)**	**F (334.6)**	**F (139.7)**
			EB	F (272.9)	F (540.8)	F (215.6)	F (467.9)	F (877.0)	F (363.4)
			WB	D (42.8)	D (43.3)	D (42.4)	E (56.6)	E (55.5)	D (49.6)
			NB	D (38.9)	F (82.8)	D (39.6)	F (143.5)	F (98.8)	D (44.9)
			SB	E (60.7)	F (101.8)	D (38.6)	F (88.5)	F (144.1)	D (54.7)
4	Front Street & Harper Street	WB Stop	Overall	**A (3.0)**	**A (2.9)**	**A (3.3)**	**A (2.2)**	**A (1.6)**	**A (2.1)**
			WB	A (8.6)	A (8.7)	A (8.6)	A (8.7)	A (8.8)	A (8.7)
			NB	A (0.0)	A (0.0)	A (0.0)	A (0.0)	A (0.0)	A (0.0)
			SB	A (0.0)	A (0.0)	A (0.0)	A (0.0)	A (0.0)	A (0.0)
5	Cannon Circle & Courtesy Road (SH 42)	EB Stop	Overall	**A (0.0)**	**A (0.0)**	**A (0.0)**	-	-	-
			EB	B (11.7)	B (14.0)	B (12.4)	-	-	-
			NB	A (0.2)	A (0.4)	A (0.3)	-	-	-
			SB	A (0.0)	A (0.0)	A (0.0)	-	-	-
5	Cannon Circle & Courtesy Road (SH 42)	RIRO	Overall	-	-	-	**A (0.0)**	**A (0.0)**	**A (0.0)**
			EB	-	-	-	B (13.0)	C (16.6)	B (14.0)
			NB	-	-	-	A (0.0)	A (0.0)	A (0.0)
			SB	-	-	-	A (0.0)	A (0.0)	A (0.0)

Level of service table - traffic impact study

To satisfy the requirements for inclusionary housing, the applicant is intending to pursue a *voluntary alternative agreement* pursuant to LMC Sec. 17.76.050.F. This provision allows a developer to propose an alternative manner in which the development will satisfy inclusionary housing obligations that will result in additional affordable housing to the benefit of the City. The applicant asserts that the 300-450 square-foot homes will be marketed at an attainable price point and will satisfy the inclusionary standard.

ANALYSIS:

Rezoning Analysis

The purpose of the Mixed Use Zone Districts is to support implementation of the Highway 42 Revitalization Area to support potential development of a commuter rail station. The intent is to transition the historically industrial and vacant properties within the district to mixed-use developments with multi-modal transportation and walkability oriented to the rail station. While the commuter rail station has not yet materialized as planned, there is a current RTD study underway looking at "Peak Service" rail (limited rail service to support peak hour commuting on a single track) and the new Front Range

Passenger Rail commission is also considering the Northwest Rail corridor as a possible alignment for rail service. No timeline has been established for completion of the project or finalization of the study.

Per LMC Sec. 17.14.030, the MU-R zoning district is *intended to implement the residential mixed use land use and planning goals depicted and discussed in the Highway 42 Revitalization Area Plan. Areas zoned MU-R should be used predominantly for higher density multi-family residential, with subsidiary commercial uses and civic uses that cater to the needs of residents and transit commuters.*

LMC Sec. 17.44.050 establishes four potential policies for rezoning. Any request for a rezoning should meet one or more of the established policies. Staff recommend a finding that the following policy is met with the requested rezoning:

- *The area for which rezoning is requested has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area;*

Staff find that changed conditions include the lack of market feasibility for purely commercial uses on the current CC-MU parcels. This is due to weak market conditions to support additional retail or office development. According to the provided market analysis, retail construction and absorption have significantly declined due to the rise of e-commerce and last-mile delivery platforms, and rising construction costs and the large-scale move to remote work post-COVID have negatively impacted office markets.

The public interest for rezoning this property is to stimulate development of the vacant areas around Highway 42 and South Boulder Road to achieve the desired mixed-use environment, boost economic activity, and provide additional housing in the City of Louisville. Rezoning the CC-MU portions of this property will allow for development that will support surrounding commercial uses by activating this site and adding residences to the neighborhood, satisfying the goals of the Highway 42 Revitalization Area Framework Plan.

Additional residential development on site will support the implementation of the recently adopted Louisville Housing Plan, the primary goals of which include increasing development opportunities in Louisville by expanding, maintaining, and diversifying Louisville's housing stock.

Staff also note that the Highway 42 Revitalization Area Comprehensive Plan Amendment envisioned mixed-use residential development adjoining Highway 42 in addition to commercial development, and specifically shows mixed-use residential development in the vicinity of the subject property.

Fiscal Analysis

The City's development review policy requires a fiscal analysis of any request for rezoning and change of use. The City's fiscal model provides an estimate of anticipated revenues resulting from the development and costs for City services related to the development over a 20-year period. Staff note that this analysis does not take into consideration what could be broader positive economic impacts to the City from the development of a currently vacant property.

Staff have provided both a "High" and "Low" fiscal summary of an assumed development scenario comparing the current zoning to the proposed zoning. The purpose of the two scenarios is to provide a potential range of outcomes depending on how the development could build out over time.

The fiscal analysis assumes development of the entire 10.7-acres located within the Caledonia Place Subdivision Plat and the Coal Creek Station Filing No. 2 Subdivision Plat based on the PUD provided by the applicant and assumed development under the current zoning. The "Low" fiscal analysis adjusts several of the base assumptions to 80% of value of the "High" fiscal analysis and assumes a longer absorption period. The base assumptions are summarized below:

Current Zoning Scenario	Proposed Zoning Scenario
- 51 Dwelling Units	- 154 Apartment Units
- 20,000 sq. ft. Commercial	- 60 Townhome Units
	- 13,510 sq. ft. Commercial

	High Scenario	***Low Scenario***
Current Zoning Scenario		
Apartments - Market Value	$515,000/unit	$412,000/unit
Apartments - Construction Value	$271,400/unit	$217,120/unit
Apartments - Household Income	$105,862	$84,665
Apartments - Absorption	4 years	7 years
Retail Center – Market Value	$195/sq. ft.	$156/sq. ft.
Retail Center – Construction Value	$230/ sq. ft.	$195/ sq. ft.
Retail Center – Sales/sq. ft.	$230	$200
Retail Center – Annual spending/employee	$1,200	$960
Retail Center – Absorption	7 years	10 years
Proposed Zoning Scenario		
Apartments - Market Value	$515,000/unit	$412,000/unit
Apartments - Construction Value	$271,400/unit	$217,120/unit
Apartments - Household Income	$105,862	$84,665
Apartments - Absorption	4 years	7 years
Townhomes - Market Value	$680,000/unit	$544,000/unit
Townhomes - Construction Value	$347,760/unit	$278,202/unit
Townhomes - Household Income	$151,000	$120,800
Townhomes - Absorption	4 years	7 years
Retail Center – Market Value	$230/ sq. ft.	$195/ sq. ft.
Retail Center – Construction Value	$230	$200
Retail Center – Sales/ sq. ft.	$1,200	$960
Retail Center – Annual spending/employee	$230/ sq. ft.	$195/ sq. ft.
Retail Center – Absorption	4 years	7years

Fiscal Model Results (x$1,000)

	“HIGH” SCENARIO				“LOW” SCENARIO			
	Current Zoning		Proposed Zoning		Current Zoning		Proposed Zoning	
Revenue by Fund								
General Fund	$1,499	47%	$2,970	40%	$965	44%	$2,602	40%
Open Spaces & Parks Fund	$238	7%	$494	7%	$144	7%	$413	6%
Recreation Fund	$378	12%	$955	13%	$315	14%	$923	14%
Historic Preservation Fund	$51	2%	$98	1%	$25	1%	$84	1%
Capital Projects Fund	$1,055	33%	$2,913	39%	$725	33%	$2,495	38%
TOTAL REVENUE	**$3,221**	**100%**	**$7,431**	**100%**	**$2,175**	**100%**	**$6,516**	**100%**
Expenditures by Fund								
General Fund	$1,699	43%	$2,865	43%	$1,385	44%	$2,846	46%
Open Spaces & Parks Fund	$166	4%	$444	7%	$151	5%	$444	7%
Recreation Fund	$345	9%	$922	14%	$313	10%	$922	15%
Historic Preservation Fund	$0	0%	$0	0%	$0	0%	$0	0%
Capital Projects Fund	$1,676	43%	$2,380	36%	$1,270	41%	$1,973	32%
TOTAL EXPENDITURE	**$3,855**	**100%**	**$6,612**	**100%**	**$3,119**	**100%**	**$6,185**	**100%**
NET FISCAL RESULT/ FUND								
General Fund	($169)		$105		($420)		($243)	
Open Spaces & Parks Fund	$72		$51		($7)		($31)	
Recreation Fund	$34		$33		$2		$1	
Historic Preservation Fund	$51		$98		$25		$84	
Capital Projects Fund	($622)		$533		($544)		$522	
20-YEAR NET FISCAL IMPACT	**($634)**		**$819**		**($944)**		**$331**	
AVG. ANNUAL NET IMPACT	**($32)**		**$41**		**($47)**		**$17**	

The fiscal model results show that the current zoning scenario results in a slight net fiscal deficit to the City, while the proposed zoning scenario results in positive revenue generation for the City.

Preliminary Plat Analysis
Section 16.12.075 of the LMC establishes the following criteria for consideration of Preliminary Plats by Planning Commission and City Council:

1. *Whether the plat conforms to all of the requirements of Title 16 (Subdivisions);*
   - No modifications have been requested by the applicant, and the plat conforms to all other requirements of Title 16. Further and more detailed review will occur at the Final Plat stage.

2. *Whether approval of the plat will be consistent with the city’s comprehensive plan, applicable zoning requirements, and other applicable federal, state and city laws;*
   - The application is consistent with the City of Louisville Comprehensive Plan. The area lies within an urban neighborhood designation in the plan, which is characterized by smaller blocks and lots with a street orientation. The plat provides a design that supports this urban development pattern.

3. *Whether the proposed subdivision will promote the purposes set forth in Section 16.04.020 of this Code and comply with the standards set forth in Chapter 16.16 of this Code and this title.*
    - Staff find that the proposal promotes the purposes set forth in the LMC Title 16, including the assurance that public services are available, that character and economic stability of the city is protected, that there is safe and efficient circulation of traffic, and that the plat provides appropriate regulation of the use of land in the city. New public right-of-way is proposed to be dedicated and constructed, while easements will be established for utility service and drainage areas. The plat allows for a residential and mixed-use development and meets permitted densities for the net site area.

The entirety of this property was originally platted as part of the Caledonia Place subdivision in 1890 and the Coal Creek Station Filing No. 2 subdivision in 1978. Because the property has been previously subdivided, the public land dedication requirement of LMC Section 16.16.060 does not apply.

Staff find the Preliminary Plat to be consistent with the criteria in LMC Chapters 16 and 17 and recommend approval.

Preliminary PUD Analysis
The site design is regulated by LMC Chapter 17.14 and 17.28, the MUDDSG, and the 2013 Comprehensive Plan.

Inclusionary Housing
The applicant is pursuing a *voluntary alternative agreement* pursuant to LMC Sec. 17.76.050.F to satisfy the inclusionary housing requirement on this site. This provision allows a developer to propose an alternative manner in which the development will satisfy inclusionary housing obligations that will result in additional affordable housing for the benefit of the City. City Council approval is required to utilize the *voluntary alternative agreement* option.

The applicant has indicated the intended market value of the micro townhome units will average $295,000. The applicant does not intend to deed-restrict the units, owners would have the opportunity to gain equity in their homes.

Staff recommend approval of the *voluntary alternative agreement* option for this development. The project provides a variety of housing types, including townhome units, apartment units, and micro townhome units, which the applicant states will be marketed at a more attainable rate.

2013 Comprehensive Plan
The subject property has an “Urban” and “Corridor” designation in the Comprehensive Plan’s future land use framework (p. 24) and is consistent with several Plan policies.

Specifically, the proposal fits many characteristics of the Plan's urban pattern areas (p. 19) through alley/rear loaded properties, smaller blocks/parcels, street oriented buildings, and formal landscaping. The proposal will include retail, commercial and multi-family development opportunities (p. 22), and also fits the neighborhood development type, which includes a range of densities up to multi-family communities, adjacent public spaces, and well defined edges through fencing and building layout/ architectural style (p. 22).

The proposal is consistent with policies in the Comprehensive Plan's Neighborhoods and Housing, and Economic Development framework, including:

- PRINCIPAL NH-3.5 - Diverse housing opportunities shall be available for residents of varying income levels (p. 38)
- PRINCIPLE NH-4 - The character and identity of existing residential neighborhoods should be maintained while allowing for evolution and reinvestment (p. 38)
- PRINCIPLE NH-5. -There should be a mix of housing types and pricing to meet changing economic, social, and multi-generational needs of those who reside, and would like to reside, in Louisville. (p. 38)
- PRINCIPAL ED-3 - The City should be responsive to market opportunities as they occur, and maintain and enhance the City's competitive position to attract development that adheres to the Community Vision (p. 38)

The proposal is consistent with the policies in the Neighborhoods and Housing, and Economic Development framework because:

- It provide a variety of housing types for varying income levels
- The housing is relatively close to Downtown and the South Boulder Road commercial corridor. The resulting customer base supports vibrant retail and commercial centers that serves local residents;
- The proposed housing ensures a variety of housing types to meet changing social needs of current and future residents; and
- The proposal is appropriate due to current market conditions.

PUD Waiver Compliance with LMC Sec. 17.28.110 Analysis
Section 17.28.110 sets forth the PUD waiver process and criteria. The applicant requests zoning waivers from the MU-R zoning requirements and MUDDSG design requirements as set forth below.

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WAIVERS*			
	CODE SECTION	REQUIREMENT	PROPOSED
1	MUDDSG 1.3.A.1 MUDDSG 1.3.B.1	EAST/ WEST BLOCK WIDTH = 270 - 320' NORTH/ SOUTH BLOCK WIDTH = 300 - 400'	**BLOCK ONE:** EAST AND WEST SIDES =146', NORTH AND SOUTH SIDES =321'; **BLOCK TWO:** EAST AND WEST SIDES =293', NORTH AND SOUTH SIDES =333'; **BLOCK THREE:** EAST AND WEST SIDES =443', NORTH AND SOUTH SIDES =155'; **BLOCK FOUR:** EAST AND WEST SIDES =221', NORTH AND SOUTH SIDES 295'; **BLOCK FIVE:** EAST AND WEST SIDES = 332', NORTH AND SOUTH SIDES = 246'
2	MUDDSG 5.4.B	ALL PUBLIC SIDEWALKS SHALL BE A MINIMUM OF TEN (10) FEET WIDE INCORPORATING TREE PLANTING INTO THE RIGHT OF WAY (ROW).	ALONG FRONT STREET AND CANNON CIRCLE: 5' WIDE DETACHED SIDEWALK AND AN 8' TREE LAWN.
3	MUNICIPAL CODE 17.14.060. - TABLE 3: DIMENSIONAL AND BULK STANDARDS	MINIMUM LOT WIDTH = 40 FEET	TOWNHOME LOTS VARY FROM 24'-6" TO 32 FEET WIDE.
4	MUNICIPAL CODE 17.14.060. - TABLE 3: DIMENSIONAL AND BULK STANDARDS	MINIMUM BUILDING COVERAGE (SF) = 40%	BUILDING COVERAGE PROVIDED = 21.2%
5	MUNICIPAL CODE 17.14.060. - TABLE 3: DIMENSIONAL AND BULK STANDARDS	20-FOOT MINIMUM SETBACK FROM REAR PROPERTY LINE.	TOWNHOME REAR YARD SETBACK RANGES FROM 6-20 FEET.
6	MUNICIPAL CODE 17.14.060. - TABLE 3: DIMENSIONAL AND BULK STANDARDS	MINIMUM 70% OF STREET FACING PROPERTY LINES MUST CONTAIN A BUILDING OR BUILDING WALL.	58.6% OF STREET FACING PROPERTY LINES CONTAIN A BUILDING OR BUILDING WALL.

Waiver table

In the MU-R zone district, there is a 40% minimum lot coverage requirement, a requirement that at least 70% of the street-facing property lines contain buildings, and a minimum lot width of 40 feet. The total proposed lot coverage for the entire development is 21.2%, allowing for more open space and pedestrian connectivity. The 70% frontage requirement adds additional challenges as the project will construct new public streets. The total percentage of buildings along the street-facing property lines is 58.6%. Considering the reduced density, these modifications to the yard and bulk standards are justified to make an attractive and functional development.

The applicant is requesting a waiver from the required internal sidewalk width of eight feet to allow sidewalks to be 5 feet wide, with an 8-foot tree lawn. Staff support the request, as the National Association of City Transportation Engineers recommends residential walk widths between 5-7 feet.

The request for waiver from block length standards will allow the development to more closely align with proposed access points while ensuring that traffic is dispersed through and out of the site, while the addition of detached sidewalks along all streets and some private alley ways allows for accessible and safe pedestrian circulation.

The requested waiver for rear setback standards will have little to no impact on adjacent properties. The western-most townhomes abut the BNSF rail right-of-way, and there are no rear setbacks adjacent to the Little Italy neighborhood to the south.

Strict adherence to the dimensional standards of the MU-R zone district would limit the number of dwellings permitted, resulting in larger units on fewer lots. The intent of the MU-R zoning district is to provide higher density multi-family residential, with subsidiary commercial uses that cater to the needs of residents and transit commuters (LMC Sec. 17.14.030). The requested waivers will support the intent of the zoning district by allowing a reasonable, modern density of townhouses and apartments while still maintaining the character of development in Louisville with less building coverage proposed on site. Staff recommend approval of the requested waivers.

Staff find that the applicant has satisfied the standards for Preliminary PUD review and recommend approval with the conditions listed below.

Special Review Use Analysis
A SRU is required to establish dwelling units on the ground floor of the proposed mixed-use buildings in the MU-R zoning district. SRUs are reviewed against the criteria and conditions for approval presented in LMC Sec. 17.40.100. The criteria include ensuring that use meets the following:

- Satisfies the intent of the Comprehensive Plan and LMC Chapter 17
- The use is economically stable and compatible with surrounding areas
- The design promotes safety and welfare, including appropriate site layout
- External and negative impacts on adjacent properties are controlled for and reduced
- Adequate pedestrian walks and landscape areas are provided, including accommodations for public transportation.

A further, in-depth analysis of the SRU will occur during the Final PUD and Plat stage for final approvals. Staff have reviewed the proposal as part of the preliminary package and found that the application for SRU satisfies all relevant standards at this time.

PUBLIC COMMENTS:
As of the date of this report, no public comments have been received.

STAFF RECOMMENDATION:
Staff recommend approval of an ordinance rezoning portions of Caledonia Place Subdivision Plat from CC-MU (Commercial Community – Mixed Use) and R-M (Residential Medium Density) to MU-R (Residential Mixed Use)) and Amending Exhibit A, Land Use Exhibit, Referenced in LMC Chapter 17.14.

Staff recommend approval of Resolution 10, Series 2024 for approval of the Coal Creek Village Preliminary PUD and Plat with the following conditions:

1. The applicant will work with staff in the Final PUD process to redesign the proposed sidewalk and right-of-way improvements adjacent to South Boulder Road.
2. The Final PUD shall comply with Colorado SB24-005, which will prohibit local governments from allowing the installation of “nonfunctional turf” as defined and outlined in the Bill.
3. The applicant will work with staff to address compliance with LMC Sec. 17.76.050 regarding the Voluntary Alternative Agreement as part of the City’s Inclusionary Housing Ordinance.

ATTACHMENTS:

A. Resolution 10, Series 2024
B. Proposed Ordinance
C. Application Materials
D. Land Use Plan Exhibit A
E. Ordinance 1641-2013
F. Market Analysis