



Staff Report

TO: Planning and Zoning Commission

FROM: Derek Holcomb, AICP, Deputy Director of Community Development

DATE OF MEETING: October 26, 2016

DATE OF SUBMITTAL: October 19, 2016

SUBJECT: Bank of America Site Plan Recommendation (LU-16-00040)

DISTRICT/LOCATION: District 2 – 6930 S. University Blvd., Centennial, CO 80122
(goo.gl/pysQDL)

1. **Executive Summary:**

H&T Consultants, on behalf of Bank of America (collectively, the “Applicant”), proposes a site plan for a new Bank of America office building on a 1.04 acre property located at the southeast corner of E. Easter Ave. and S. University Blvd. (the “Subject Property”). The Subject Property is zoned Activity Center (AC) and allows a financial institution as a principal permitted use. The proposed Bank of America building is one-story, 3,677 square feet and contains an accessory drive-up ATM.

Should the Site Plan be approved by the Planning and Zoning Commission the Applicant is required to receive ratification of the approval by the City Council. The ratification by City Council is currently scheduled for consideration at its November 7, 2016 meeting.

2. **Discussion:**

The Subject Property is currently zoned AC and is located directly east of the Streets at SouthGlenn development, at the southeast corner of E. Easter Ave. and S. University Blvd. The properties to the west, north and east are zoned Planned Unit Development (PUD) and AC and developed with retail uses. The Properties to the south are zoned Neighborhood Conservation Single-Family Attached (NC_{SFA}) and are developed with single-family attached residences. The proposed development will contain a one-story office building for Bank of America totaling 3,677 square feet and an accessory drive-up ATM. The proposed building is approximately 21 feet in height where 50 feet is permitted and the accessory ATM is proposed at 16 feet in height.

Staff is recommending approval of the proposed development because the Site Plan application meets all review and approval criteria as set forth in the Land Development Code (LDC) and the intent of the City’s Comprehensive Plan and Southglenn Sub-Area Plan. The proposed use and building are compatible with the approved AC zone district standards. A development criteria comparison chart is included below to demonstrate the Site Plan’s compliance with the district requirements. A letter of intent and the proposed Site Plan are attached to this report.

Development Criteria Comparison Chart:

	EXISTING ZONING	PROPOSED SITE PLAN (LU-16-00040)
ZONING	Activity Center	Activity Center
PERMITTED USES	Per Section 12-2-301, <i>Use Tables</i> of the LDC Generally: commercial development	Financial institution
BUILDING MAX HEIGHT	50 feet	Approximately 21 feet
MINIMUM BUILDING/PARKING SETBACKS	S. University Blvd.: 16 feet E. Easter Ave.: 12 feet Residential: 25 feet <i>(Parking setbacks are the same, except for a 10 foot residential setback)</i>	Building setbacks: S. University Blvd.: 16.5 feet E. Easter Ave.: 27.2 feet Residential: 34.6 feet Parking setbacks: S. University Blvd.: n/a E. Easter Ave.: 16.4 feet Residential: 10 feet
PARKING RATIOS	Per Section 12-5-202, <i>Required Off-street Parking and Loading Spaces</i>	1 space / 250 square feet of floor area = 15 spaces required 33 spaced provided (2 ADA)
LIGHTING ZONE/MAX POLE HEIGHT	Lighting Zone 3 (LZ-3) The maximum height of light poles shall be: <ul style="list-style-type: none"> • 18 feet when located <i>up to</i> 50 feet from the property line of areas zoned for residential uses, except when the residential uses are located within an AC or UC zoning district. • 25 feet when located 50 to 100 feet from the property line of areas zoned for residential uses, except when the residential uses are located within an AC or UC zoning district. • 35 feet when located <i>more than</i> 100 feet from the property line of areas zoned for residential uses. 	Lighting Zone 3 (LZ-3) 18 – 25 feet max.
LANDSCAPE SURFACE RATIO	10 percent minimum required	25.8 percent provided

Approval Authority / Public Notice:

Approval authority for site plans is predicated on the size of the parcel of land proposed for development and the proposed building height. City Council approves applications that are within 500 feet of a residentially zoned property that also include a parcel greater than ten acres in size, or a building greater than 30 feet in height, or both. The Director of Community Development approves (with ratification by Planning and Zoning Commission) applications that are more than 500 feet from a residentially zoned property and which also contain a parcel less than five acres in size or propose buildings no more than 30 feet in height, or both. The Planning and Zoning Commission approves (with ratification by City Council) all other applications that are not decided upon by either the City Council or the Director of Community Development.

The Bank of America Site Plan is located within 500 feet of a residentially zoned parcel, but does not contain a site greater than ten acres or a building greater than 30 feet in height; therefore, the Planning and Zoning Commission has approval authority for the application, with ratification by the City Council.

As required under Table 12-14-311 of the LDC, the public hearing before Planning and Zoning Commission was properly noticed, including posted notice on the property and mailed notice to adjacent property owners at least 14 days prior to the public hearing. Planning and Zoning Commission, therefore, has jurisdiction to consider the application.

Criteria for Approval – Site Plan:

The Planning and Zoning Commission must consider evidence presented at the public hearing and evaluate the proposed site plan application according to the following criteria set forth in Section 12-14-602(D), *Approval Standards* (site plans) and listed below.

12-14-602(D)(1) *Site plans shall be used to implement physical design objectives of adopted Sub-Area Plans in a manner that is consistent with the standards of this LDC.*

The Subject Property is within the Southglenn Sub-Area Plan and complies with the goals and objectives stated within.

Policy UD 3.1 – Building placement and orientation should be close to major roads and primary internal drives to enhance the pedestrian environment, frame streets, and screen large parking fields.

Strategy ED 1.1 – Actively pursue revitalization and redevelopment opportunities that will result in higher sales tax revenues.

12-14-602(D)(2) *The proposed site plan shall be designed to minimize impacts on the reasonable development expectations or the use and enjoyment of adjacent land or the public interest, consistent with the applicable standards of this LDC.*

The AC zone district allows for a mix of uses including retail and office uses as principal permitted land use on the Subject Property. The proposed financial institution use is compatible with surrounding office and retail uses and complies with all applicable LDC standards. The site plan will not have an adverse impact on the reasonable development expectations, or the use and enjoyment, of any adjacent properties.

12-14-602(D)(3) *The proposed site plan shall not materially and adversely affect the public health or safety through interpretations of the standards of this LDC that do not give full effect to other provisions that would be protective to health and safety if applied.*

The Site Plan complies with all standards of the AC zone district, including building height, setbacks, landscaping, parking, and lighting requirements. The site plan will not have an adverse impact on the health and safety of the public or any adjacent properties.

12-14-602(D)(4) *The proposed site plan recognizes the limits of existing and planned infrastructure, by thorough examination of the availability and capability of water, sewer, drainage, and transportation systems to serve present and future land uses.*

As part of the outside referral process, Staff referred the application to Southeast Englewood Water District (Denver Water) and the South Arapahoe Sanitation District (SASD). SASD and Denver Water both responded that service is available to the property and provided general information related to new service and procedures.

A phase III drainage report was submitted with the Site Plan. The drainage report meets the requirements of the City as outlined in the February 2007 City of Centennial Stormwater Management Manual. The Southeast Metro Stormwater Authority (SEMSWA) has reviewed, and will approve, the drainage report and associated drainage features, including the Grading, Erosion and Sediment Control (GESCC) plan and report, once the reports address any outstanding technical comments.

12-14-602(D)(5) *The proposed site plan provides for compatibility between the proposed development, surrounding land uses (existing or planned), and the natural environment.*

The proposed use is similar to, and compatible with, surrounding uses, and complies with all applicable LDC standards. The proposed site plan uses the two existing access points from the previous office development. Also, the Applicant has proposed a twelve foot (12') wide sidewalk along S. University Blvd. and an eight foot (8') wide sidewalk along E. Easter Ave. connecting the development to surrounding uses.

12-14-602(D)(6) *The proposed site plan provides for efficient and adequate provision of public services and solid waste removal.*

As part of the outside referral process, Staff referred the application to Littleton Fire Protection District (LFPD), the Arapahoe County Sheriff's Office (ACSO) and the Arapahoe County Public Safety Bureau (ACPSB). The LFPD and ACPSB both responded with no comments on the referral. The ACSO did not respond to the referral request.

Applications for commercial developments are not required to be referred to school, park, and library districts, because they do not have a direct impact on these services.

12-14-602(D)(7) *The proposed site plan protects public health and safety against natural and man-made hazards which include, but are not limited to, traffic noise, water pollution, airport hazards, and flooding.*

Provisions have been made in the application to ensure compliance with drainage, fire, and sight distance requirements. No proposed improvements are located within a floodplain.

12-14-602(D)(8) *The proposed site plan provides for accessibility within the proposed development and appropriate connectivity or buffering or both between the development and existing adjacent uses.*

The proposed Site Plan includes a landscape plan that provides a 40 percent landscaped bufferyard between the Subject Property and the adjacent residential development to the south. The bufferyard includes a continuous row of evergreen trees and an eight foot (8') tall masonry wall with a stucco finish on both sides. The Site Plan also proposes street trees along both S. University Blvd. and E. Easter Ave.

12-14-602(D)(9) *The proposed site plan minimizes disruptions to existing physiographic features, including vegetation, streams, lakes, soil types and other relevant topographical elements.*

The Applicant already demolished the existing building and parking lot, along with existing landscaping, to clear the site for the new Bank of America office building and associated improvements. Although Staff encouraged the preservation of some existing vegetation (mature trees), a miscommunication between the Applicant and their contractor led to its removal. As a result, there were no existing physiographic features maintained.

12-14-602(D)(10) *If the site plan includes buildings that are more than 30 feet in height and the parcel proposed for development abuts existing residential development with existing views of the mountains, then the site plan shall distribute the mass of the buildings that are taller than 30 feet in a manner that allows for sight lines to the mountains from the residential development.*

Not applicable. No buildings are proposed at more than 30 feet in height.

Analysis of Application to Criteria - Site Plan

Staff has evaluated the request against the criteria for approval and found that the Site Plan application complies with the approval standards for contained in LDC Section 12-14-602(D), as stated above.

Community Meeting

A community meeting was held for the Site Plan application on February 23, 2016. A total of 13 invitations were mailed to all adjacent property owners and to all Centennial homeowners associations and civic associations located within one-half mile of the Subject Property, as well as CenCON. There were five (5) attendees at the community meeting, and all attendees were offered a chance to comment on the proposed Site Plan through the City’s referral process.

Agency/Public Comments

Staff sent a total of 24 referral requests to outside agencies, community groups and community meeting attendees; 8 entities responded with comments. The remainder responded with no comments or did not respond to the referral. All agency and public comments received, as well as the Applicant’s responses (if necessary), are attached to this report. A summary of comments and Staff responses is provided in the table below:

ENTITY	COMMENTS			
	Response with comments	No Comments	No Response	Staff's Response
COMMUNITY GROUPS / MEETING ATTENDEES / OTHER COMMENTS RECEIVED				
CenCON	One of our plan reviewers questioned safety (crime issues) with trees near the ATM. Don't see that the sewer line connecting to the main.			Landscaping has been adjusted accordingly. SASD has reviewed the sewer plans and must provide approval of site civil CDs prior to issuance of building permits.

ENTITY	COMMENTS			
	Response with comments	No Comments	No Response	Staff's Response
Cherry Knolls HOA			X	
Glenn Oaks Townhomes			X	
Knolls HOA			X	
Knolls Townhome Association	Requesting a 10 or 12 foot brick noise wall separating the bank property from the Knolls Townhome Community.			An eight foot (8') masonry wall will be provided by the applicant, the maximum height permitted by the LDC, and the height required for a 40 percent opacity bufferyard.
Knolls Village Townhome Association			X	
Susan Fry	If this is really how it will look, I approve! Any chance you could work with the HOA to remove the existing fence?			An eight foot (8') masonry wall will be provided by the applicant. The existing wood fence is outside of the Bank of America property.
John Forrester			X	
Gary Gaydosh	Is BOA going to fix the retaining wall on the south side of the property?			The retaining wall will be repaired as necessary to ensure sound installation of the new masonry wall along the south property line. To be determined at time of construction.
Beverly Jacobson			X	
Bettygene Sorte	I reviewed this, along with Jacely Martens (2550 E. Easter) who has a vested interest and we both agree that if this plan is followed to a tee, we approve wholeheartedly. This will bring beauty to what now looks like a bomb site.			Comment acknowledged
AGENCIES				
Arapahoe County Planning		X		
Arapahoe County Engineering		X		
Arapahoe Sheriff Community Resource Unit			X	
Arapahoe Sheriff Public Safety Bureau		X		
CDOT			X	
CenturyLink			X	
City of Littleton			X	

ENTITY	COMMENTS			
	Response with comments	No Comments	No Response	Staff's Response
Denver Water	The existing water tap can be reused. Please see additional comments for requirements for BOA new service.			Denver Water has reviewed the water plans and must provide approval of site civil CDs prior to issuance of building permits.
Littleton Fire Protection		X		
RTD			X	
South Arapahoe Sanitation	Sanitary service will be provided. Please see additional comments on new service connection.			SASD has reviewed the sewer plans and must provide approval of site civil CDs prior to issuance of building permits.
Urban Drainage & Flood Control District			X	
Xcel	General comments regarding new service.			Comments acknowledged and forwarded to the Applicant.

3. Recommendation:

Staff recommends that the Planning and Zoning Commission approve the Site Plan application.

4. Alternatives:

As this is a quasi-judicial action, Planning and Zoning Commission has the following alternatives:

1. Deny the Site Plan based on specific findings of fact made at the public hearing; or
2. Continue the public hearing for additional information.

5. Fiscal Impact:

Approval or denial of the application should have no direct fiscal impact to the City.

6. Next Steps:

If approved by the Planning and Zoning Commission the item will be placed on the next available City Council meeting for ratification on the consent agenda (November 7, 2016). If ratified by the City Council, the Applicant is required to submit final mylars of the site plan to the Community Development Department for recordation within 60 days of approval.

7. Previous Actions:

None.

8. Suggested Motions:

SUGGESTED MOTION FOR SITE PLAN APPROVAL:

I MOVE THAT CASE NUMBER LU-16-00040, BANK OF AMERICA SITE PLAN, BE APPROVED BASED ON THE PLANNING AND ZONING COMMISSION'S FINDING THAT THE SITE PLAN MEETS ALL APPLICABLE CRITERIA FOR APPROVAL SET FORTH IN SECTION 12-14-602(D) OF THE LAND DEVELOPMENT CODE, AS SUMMARIZED IN THE STAFF REPORT AND RECOMMENDATION DATED OCTOBER 19, 2016.

SUGGESTED MOTION FOR SITE PLAN DENIAL:*

I MOVE THAT CASE NUMBER LU-16-00040, BANK OF AMERICA SITE PLAN, BE DENIED BASED ON THE FOLLOWING FINDINGS OF FACT:

1. THE REQUEST DOES NOT MEET ALL OF THE CRITERIA OF APPROVAL, SET FORTH IN SECTION 12-14-602(D) OF THE LAND DEVELOPMENT CODE INCLUDING BUT NOT LIMITED TO:

*In the event Planning and Zoning Commission seeks to deny this case, Staff recommends that the Commission consult with the City Attorney prior to making a motion.

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| Attachment 1: | Bank of America Site Plan, LU-16-00040 |
| Attachment 2: | Applicant's Letter of Intent |
| Attachment 3: | Agency/Public Comments Received |
| Attachment 4: | Applicant's Responses to Agency/Public Comments |
| Attachment 5: | Resolution 2016-PZ-R-26 |