



Meeting Date: August 14, 2019

## **AGENDA MEMORANDUM**

**To:** Design Review Board

**From:** Julie Kirkpatrick, PLA, ASLA, Long Range Project Manager  
Development Services

**Title:** Site Development Plan (SDP)

**Subject Property:** 8, 14, & 20 N. Wilcox Street and Town Hall Parking Lot

Lots 1-12 and Adjacent Alley, Block 32;  
A Portion of First Street; A Portion of Perry Street;  
Town of Castle Rock Plat,  
Located in the Northwest One-Quarter of Section 11,  
Township 8 South, Range 67 West of the 6<sup>th</sup> P.M.,  
Town of Castle Rock, County of Douglas, State of Colorado

Encore Mixed-Use Building (formerly Festival Park Commons)  
Project # SDP19-0004

### **Executive Summary**

Located in the South District of the Downtown Overlay District, this proposed Site Development Plan (SDP) includes a seven-story, mixed-use building with retail/restaurant space, offices, 124 for-sale condominiums, and a 601 space parking garage **(Attachment B and E)**. Originally known as Festival Park Commons and now called Encore, the project encompasses three commercial lots facing N. Wilcox Street between Town Hall and South Street, as well as the Town Hall parking lot adjacent to N. Perry Street and the associated alley/rights-of-way **(Attachment A)**.



Location Map: Encore  
8, 14, & 20 N Wilcox Street, including Town Parking Lot

## **Notification and Outreach Efforts**

Prior to formal submittal, the applicant held a neighborhood meeting on January 7, 2019. Approximately 12 members of the public attended as well as three staff, the applicant/owner, and the applicant's architect. Representing the owner, Mr. Tony DeSimone with Confluence Companies gave an overview of the project and construction timeline and answered questions from the public. Many of the questions related to how the project would address needed downtown parking, impacts to existing roads and utilities, building design and materials, and pricing for condominiums. The applicant responded that the project will build a parking garage with 300 parking spaces for the Town/public use in addition to parking for the commercial and residential uses; a roundabout will be built at Wilcox and South Streets as well as any necessary utility improvements to accommodate the development; the design and materials focus on quality products, including brick that is predominant in the historic downtown core; and the condominium pricing had not been finalized though he suspected that they would start in the \$300,000's.

The proposed SDP was noticed in accordance with the Town of Castle Rock Municipal Code. Signs were posted on the property, and the applicant mailed letters to property owners within 300 feet of the site. Town staff published the hearing notice on the Town's website and on the "Development Activity Map." Public comments received as of August 5, 2019, are included in **Attachment F**.

## **Future Town Council Public Hearings**

Like many other projects within the Downtown Overlay District, this project will have a complex financing structure that will be a collaboration between the private developer, the Downtown Development Authority, and the Town of Castle Rock. Town Council will consider the redevelopment agreement and any other necessary ordinances (rights-of-way vacations, etc.) related to this project at future Town Council public hearings, tentatively scheduled for August 20 and September 3. The Town also has an added interest in the project due to the future, Town-owned public parking spaces and Town-owned property involved with the project. The Design Review Board only has authority relating to this Site Development Plan application.

## **Discussion**

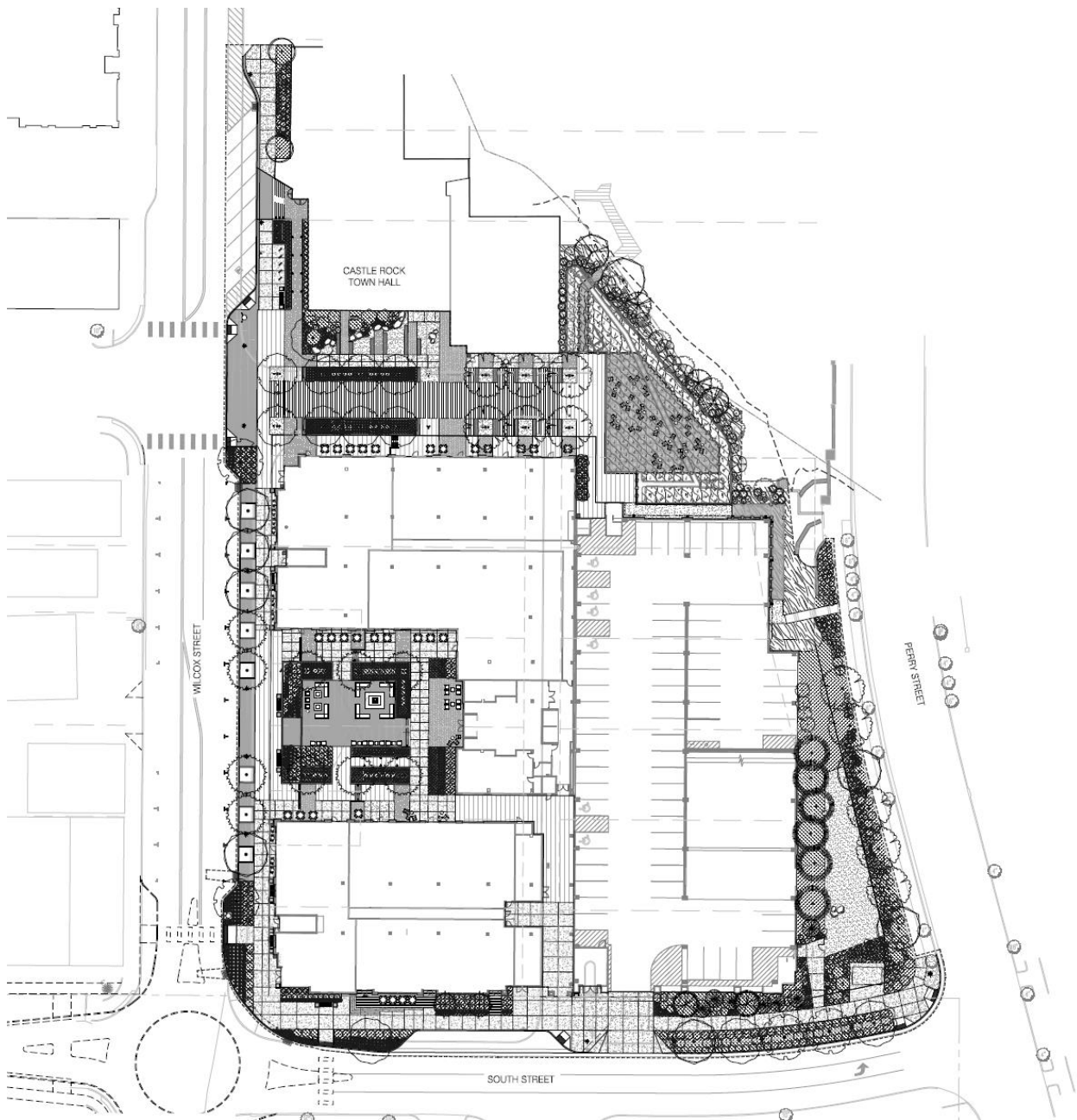
### **Existing Conditions**



Existing View from N. Wilcox Street of Businesses to be demolished

Bounded by First Street/Town Hall to the north, N. Perry Street to the east, South Street to the South and N. Wilcox Street to the west, the project site includes approximately 2.07 acres (**Attachment A**). Owned by CD Festival Commons with the majority-ownership interest being Confluence Companies, the three commercial properties fronting N. Wilcox Street are currently under demolition as the businesses vacated the properties several months ago. The project also includes the Town-owned parking lot adjacent to N. Perry Street and portions of Town rights-of-way used for access to the parking lot and Town Hall. Zoned within the Downtown Overlay District, the entire site is specifically a part of the South District and allows mixed-use buildings by right.

*Proposed SDP*



This application includes a mixed-use building, a public/private parking garage, two outdoor plazas, and a public dog park. The seven-story building will have approximately 28,600 square feet of retail, office, and restaurant space facing N. Wilcox Street. Above the commercial space will be 124 for-sale condominium units. On the east side of the site along N. Perry Street, the 601 space parking garage will include 308 public parking spaces that will be owned by the Town. The remaining parking spaces will accommodate parking for the commercial and condominium uses. The garage will also include bike parking and electric vehicle charging stations. The entrance to the parking garage will be from South Street. Adjacent to the building and west of the garage entrance, a loading area for deliveries is included along South Street. Also included are two outdoor plaza areas, one adjacent and south of Town Hall (currently includes parking for Town Hall) that will be owned by the Town and one along N. Wilcox Street that is surrounded by the proposed building. Lastly, a dog park will be available to the public on the southeast corner of the property by N. Perry and South Streets **(Attachment B and E)**.

Also associated with this project is a proposed roundabout at the N. Wilcox Street and South Street intersection. The intention is that the roundabout would be constructed by the Town and operational before the Encore project receives final certificates of occupancy. The SDP also shows minor changes to the on-street parking along the eastern side of N. Wilcox Street and South Street.



Proposed View from N. Wilcox Street

### **Review and Approval Criteria**

The independent staff analysis following each criterion takes into account the representations made in the application and attachments submitted to date.



## Development and Design Standards

The following Downtown Overlay District (DOD) development and design standards apply to this application:

### **17.42.060 CRMC: Setbacks, Fences, Residential Unit Size:**

- A. Maximum lot coverage: one hundred percent (100%) of lot area;
- B. Minimum side yard: zero (0) feet;
- C. Minimum front yard: zero (0) feet;
- D. Minimum rear yard: zero (0) feet;
- E. Maximum building setback: A minimum of twenty-five (25%) percent of a building's linear footage facing a public roadway must have a setback of zero (0) to twenty (20) feet with a direct pedestrian connection.
- F. Maximum fence height: ten (10) feet
- G. Multifamily residential units must each be a minimum of 500 square feet in size and must each have an individual kitchen and individual bathroom.

Staff Comment – The SDP complies with all of these requirements.

### **17.42.070 CRMC: Crown Design:**

A building's crown design shall be reviewed by and is subject to approval of the Board based on aesthetic design, conformity with the Downtown Master Plan, and the need to maintain appropriate view sheds. The crown of a building is defined as the area of the structure that is above the top floor, and may include angled roofs, decorative elements, towers and other similar construction.

Staff Comment – Designed in a more contemporary style, the top of the building includes parapet walls, metal fascia, and coverings over balconies. The building also varies slightly in height to offer some design interest. The southwest corner of the parking garage includes a glass tower, similar to the ones at Town Hall. Staff finds the upper area of the building, while different from the crown of historic architecture in the Downtown Core, appropriately blends with the overall contemporary building design. The parapet walls, changes in materials, and overhangs all add interest to the area above the top floor.

### **17.42.070 CRMC: Building Height:**

Building height in the Downtown Core District is limited to four stories, with a maximum height of 60 feet. A building's crown cannot exceed the 60 foot building height limitation. Building height in the North or South Districts is limited to six stories, with no maximum height limitation. The landowner may request one additional floor (with corresponding increase in building height) in the Downtown Core District, or two additional floors in the North and South Districts.

Staff Comment – The applicant is proposing a seven-story building measuring a maximum height of 87 ft. 10 inches. Additional discussion specific to the one additional story request is detailed later in this report under, "Staff Findings: One Additional Story and Landscape Variance Requests." Staff supports the additional story request.

## 17.42.080 CRMC: Castle Rock Design and Downtown Master Plan:

All project design should be based on the Castle Rock Design and the Downtown Master Plan.

Chapter 2 of *Castle Rock Design* addresses commercial and mixed-use buildings in the downtown with pages 15 and 20 addressing new buildings. Page 15 states, “New buildings should reflect the traditional character of the Downtown but can use new, innovative elements in ways to express the architecture of current times. In this way, new buildings can be clearly distinguished from their elder neighbors. These guidelines are designed to spark development that is creative, yet maintains respect for the architectural history of the district. The goal is to conserve the sense of the past and the district Downtown character while encouraging the continued growth of a vital business district.” Page 20 states, “New buildings should be compatible with the surrounding district and existing historic buildings by respecting established patterns of building orientation, style, massing, height and scale. New developments should utilize complementary architectural features and materials.”

Staff Comment – The applicant is proposing to use brick, a historically-used material in the Downtown Core, on the first floors and then step back the building and use more current building materials to help blend with the existing downtown scale and architecture. The lower levels also include a precast parapet cap. This project is also within the Downtown South District, which includes a mix of more contemporary architecture and historic architecture. Staff finds the proposed design meets the requirements of Chapter 2 of *Castle Rock Design*.

On page 28, the *Downtown Master Plan* states of the South Downtown area, “South Downtown serves as the southern gateway to Downtown and is envisioned as not only the Civic Core, but also an emerging residential core and mixed-use neighborhood which builds on both existing and new amenities. Introducing dense urban housing here will invigorate all of Downtown . . .”

Staff Comment - The addition of the Town Hall plaza area will help to encourage outdoor activity and will also strengthen the civic uses nearby. With 124 residential condominiums, retail, restaurant, and office space, the proposed mixed use building will bring new residents and businesses to the downtown. Staff finds that the proposed design meets the requirements of the *Downtown Master Plan*.



Proposed View of Town Hall Plaza

**17.42.080 CRMC: Window or Transparency Requirements:**

The main front elevation shall provide at least thirty-five percent (35%) window or transparency at the pedestrian level. Side elevations that face a public roadway shall provide at least thirty percent (30%) window or transparency at the pedestrian level. The window or transparency is measured in a lineal fashion. (For example, a one-hundred-foot long building elevation shall have at least thirty-five percent (35%) transparency in length equal to 35 linear feet of total window or transparency area). The height of the glass or plexiglass must be a minimum height of five (5) feet.

Staff Comment – The main front elevation faces N. Wilcox Street, where the proposed transparency provided is 70%. The South Street elevation provides 35% transparency since most of this façade includes the parking garage. The northern elevation that faces Town Hall has 44% transparency. The N. Perry Street façade includes the parking garage. Staff finds the proposed design meets the code standard.

**17.42.080 CRMC: Rooftop Equipment:**

All rooftop equipment shall be screened from view on all sides visible to the general public, by building parapet walls or other building elements that appear as integral elements of the overall building.

Staff Comment – A parapet wall and metal fascia will screen the rooftop equipment.

**17.42.080 CRMC: Landscaping:**

All developments shall adhere to the following landscaping requirements with a focus on the pedestrian space and sidewalk areas. A landscaping plan will be required with all site plans, showing the proposed landscaping for the site. One (1) large canopy tree will be required for every twenty-two (22) linear feet (on center) or one (1) small canopy tree will be required for every fifteen (15) linear feet (on center) of property fronting along a public roadway. The landscaping plan is subject to approval by Castle Rock Water and Public Works Departments. For every required tree, a corresponding number of plantings or trees, from either Subparagraph a., b., or c., below, will be required for each site plan:

- a. Shrubs: Five (5) per required tree.
- b. Perennial plants: Seven (7) per required tree.
- c. Trees: One (1) per required tree.

Staff Comment – The N. Wilcox Street landscape requirements include 15 trees and 75 shrubs or 105 perennials. The proposal includes 10 trees, 7 shrubs, and 206 perennials. A variance has been requested for 5 less trees in this area. Along South Street, the required landscaping includes 16 trees and 80 shrubs or 112 perennials. The plans provide 16 trees, 97 shrubs, and 397 perennials. Along N. Perry Street, the requirement includes 14 trees and 70 shrubs or 98 perennials. The application meets this requirement with 16 trees, including 9 existing trees to remain, 80 shrubs, and 152 perennials. Except for the five additional trees required along N. Wilcox Street, the application meets or exceeds the landscape requirements since both shrubs and perennials have been provided when the applicant was only required to provide either shrubs or perennials, not both.

Additional discussion specific to the applicant's landscape variance request is detailed later in this report under, "Staff Findings: One Additional Story and Landscape Variance Requests."

#### 17.42.080 CRMC: Parking Requirements:

Parking requirements for the North Non-Residential Downtown Parking Area, as depicted on Figure 4 shall be as follows:

- i. One (1) parking space per five hundred (500) square feet of new construction. The first two thousand (2,000) square feet of new non-residential construction shall be exempt from parking requirements. Interior tenant finishes or remodels are exempt from this parking requirement.
- ii. Existing building square footage shall be excluded from the required parking calculation. Existing building square footage to be demolished shall be deducted from the new building square footage for parking calculations.

Staff Comment – With the proposal of 28,621 square feet of non-residential uses, 124 dwelling units, first 2,000 square feet exemption, and 8,371 square feet of existing buildings to be demolished credit, the applicant is required to provide 161 parking spaces. The application provides 601 parking spaces with 308 being owned by the Town for public use and 293 available for the commercial and residential uses. This is an excess of 132 more spaces that required.

<u>Existing SF Credit</u>	
Liquor Store	4,000
Mini Lube Garage	1,641
Meineke	2,730
first 2,000 SF exempt	2,000
<b>TOTAL</b>	<b>10,371</b>

	<u>Proposed SF</u>	<u>Required</u>	<u>Proposed</u>	<u>Town Owned</u>	<u>Extra Spaces</u>	<u>Confluence owned</u>
Non-residential	28,621	36.50				
Residential Units	124	124				
<b>TOTAL</b>		<b>160.50</b>	<b>601</b>	<b>308</b>	<b>132</b>	<b>293</b>
		<b>161</b>				



Proposed View of Parking Garage



**17.42.080 CRMC: Sidewalk Requirements:**

All sidewalks must be designed and built to meet the Town's sidewalk construction and design regulations with a minimum width of eight (8) feet.

- a. All buildings will be required to have a minimum of one (1) sidewalk connection from a sidewalk located along a public roadway to the entrance of the primary structure.

Staff Comment – The SDP meets this requirement with most sidewalks being larger. Several connections are made between the public sidewalk and building entrances.

**Staff Findings: One Additional Story and Landscape Variance Requests****17.42.070 CRMC: Building Height:**

The landowner may request one additional floor (with corresponding increase in building height) in the Downtown Core District, or two additional floors in the North and South Districts. The Board may grant an additional floor request based upon the following criteria:

1. Whether the project will incorporate design elements found in adjacent Landmark structures.
2. The impacts of the increased building height on adjacent properties.



Proposed View from N. Wilcox Street, Looking Southeast

Staff Comment – There are no adjacent landmark structures. The closest landmarked structures are along N. Perry Street just north of Second Street and on Third Street between N. Wilcox and Perry Streets. However, the application proposes using brick along the lower levels and most of the northern façade by Town Hall since most of the historic commercial buildings in downtown used brick. Just to the north of the project site, Town Hall is approximately 55 feet tall. To the northwest, Riverwalk South is approximately 70 feet tall. The buildings to the south and to the west are one and two

stories. There are no buildings to the east on the opposite side of N. Perry Street. The applicant has provided more information on the additional story request as found in **Attachment D**. Staff supports the design proposal and recommends the Design Review Board approve the proposed one additional floor and building height.

#### **17.42.100 CRMC: Landscape:**

The Board may grant a variance from the minimum landscape requirements based on the following:

1. By reason of exceptional shape or topography of a lot or other exceptional situation or condition of the building or land, practical difficulty or unnecessary hardship would result to the owners of the property from a strict enforcement of this Chapter, or an effort to achieve the overall vision and goals of the Downtown Master Plan and/or the Historic Preservation Plan.

Staff Comment – The applicant is providing five less trees than required along N. Wilcox Street. Trees must be separated from utility lines (water, storm, sewer pipes, etc.) by 10 feet, making tree plantings along the right-of-way challenging. The applicant has provided a detailed landscape variance request in **Attachment C**. Please note, the applicant meets all other landscape requirements (shrubs, perennials) except for the tree requirement along N. Wilcox Street. Staff supports the design proposal and recommends the Design Review Board approve the landscape variance as proposed.

#### **Summary of Findings**

Staff recommends approval of this project based on:

- The project meets the intent of the DOD;
- The project helps further the goals and objectives set out for downtown Castle Rock through its Master Plan;
- Allowing one additional story is justifiable since there are no adjacent landmarked structures, applicant is proposing to incorporate the historic building material of brick, and the additional story will not negatively impact adjacent properties;
- The landscape variance to allow 10 trees instead of 15 trees along N. Wilcox Street is justifiable due to the 10-foot separation requirement from utilities.

#### **Motion Options**

##### **Option 1: Approval of SDP and Variances**

Based on the applicable Code criteria that the Board considered, the evidence presented at the hearing, and the staff report, I move to APPROVE (i) the Encore Site Development Plan as shown; (ii) the allowance of one additional story on the building, finding it will incorporate elements found in adjacent landmark structures and does not negatively impact the adjacent properties; and (iii) the landscape variance to allow 10 trees along N. Wilcox Street due to exceptional and practical difficulty of the 10-foot separation requirement from utilities. Further, the Board finds there is no adverse effect on the public's health, safety, and welfare as it pertains to the requested landscape variance.

**Option 2: Approval with Conditions**

Based on the applicable Code criteria that the Board considered, the evidence presented at the hearing, and the staff report, I move to APPROVE WITH CONDITIONS (i) the Encore Site Development Plan as shown; (ii) the allowance of one additional story on the building, finding it will incorporate elements found in adjacent landmark structures and does not negatively impact the adjacent properties; and (iii) the landscape variance to allow 10 trees along N. Wilcox Street, due to exceptional and practical difficulty of the 10-foot separation requirement from utilities. The conditions for approval are as follows: (list conditions)

**Option 3: Denial**

Based on the applicable Code criteria that the Board considered and the evidence presented at the hearing, I move to DENY (i) the Encore Site Development Plan as shown; (ii) one additional story on the building; finding that one or more of the following criteria has not been satisfied; and (iii) the landscape variance to allow 10 trees along N. Wilcox Street, finding that one or more of the following criteria has not been satisfied pursuant to the 17.42.100.B.

**Option 4: Continue item to next hearing (need more information to make decision)**

I move to continue this Encore Site Development Plan to the next regular Design Review Board meeting on August 28, 2019.

**Attachments**

- Attachment A: Encore Location Map
- Attachment B: Site Development Plan
- Attachment C: Landscape Variance Request from applicant
- Attachment D: Project Narrative from Applicant, dated April, 2019
- Attachment E: Project Renderings
- Attachment F: Public Comments, received as of August 6, 2019
- Attachment G: Resolution