



AGENDA MEMORANDUM

To: Honorable Mayor and Members of Town Council

Through: Tara Vargish, Interim Director, Development Services

From: Brad Boland, AICP, Planner II, Development Services

Title: **Resolution Approving the Plum Creek Convenience Residential/Non-Residential Interface Site Development Plan**

Executive Summary

This public hearing item was continued from the March 17, 2020 Town Council meeting due to the social distancing and stay-at-home orders. Although the continuation was done through the proper legal actions, staff worked with the applicant to send additional notifications out regarding the new public hearing date. To improve resident outreach, the applicant has mailed an additional public hearing notice to properties within 500 feet of the project on April 10, and Town staff has emailed notifications of the meeting change to all email addresses they had on file for this project March 13, March 18, and April 15. It is staff's intent that this additional outreach will increase awareness of this project and scheduled public hearing.

Plum Creek Investments, LLC is proposing a gas station with carwash, convenience store, and additional retail space. The project is located at the southeast corner of East Plum Creek Parkway and Lake Gulch Road, adjacent to a new roundabout and planned widening of East Plum Creek Parkway.



The project is subject to the Residential/Non-Residential Interface Regulations, which requires public hearings with the Planning Commission and Town Council. Gas station and convenience stores are permitted uses in the Young American PUD and PUD Zoning Regulations so the purpose of the Council public hearing is to determine if the project complies with the Residential/Non-Residential Interface Regulations, not to determine if a gas station, convenience store, and retail uses are allowed.

The Planning Commission held a public hearing on February 27, 2020, and voted 5-0 to recommend approval of the application. Six residents addressed the Commission and spoke against the application stating the proposed gas station and convenience store is not compatible with the surrounding community. See minutes in **Attachment D**.

Discussion

Existing Conditions

The subject property is undeveloped. Adjacent properties include the Baldwin Park Estates subdivision to the north, Oakcrest Town Homes to the east, and unincorporated Douglas County properties to the southeast, south, and west. An existing wood fence is located on the east edge of the property adjacent to the Oakcrest Town Homes and a barbed wire fence is located southeast and adjacent to unincorporated Douglas County property. The subject property includes a small tree cluster adjacent to the east property line. Please reference the aerial view showing the property boundary.



Proposal

The proposed Site Development Plan (SDP) includes a gas station and approximate 9,000 square foot retail building with a convenience store, future retail space, and drive thru car wash. Vehicle access is located on East Plum Creek Parkway and Lake Gulch Road. The retail building is centrally located and the fuel canopy is oriented towards the East Plum Creek Parkway and Lake Gulch intersection. 48 parking spaces are located on the west, north, and south sides of the retail building. The carwash is located on the north side of the building adjacent to East Plum Creek Parkway.

The proposal must meet the residential/non-residential interface regulations to gain approval by Council. The applicant is proposing the following site and buffer improvements as shown on **Attachment B**:

1. Orienting the building and configuring the parking lot to mitigate parking and lighting impacts on adjacent residential properties.
2. Providing a 45-foot buffer (30 foot required) area adjacent to the Oakcrest Town Homes with transitional screening, multiple 8-foot screen fences, adding deciduous and evergreen tree plantings, and keeping three existing mature trees.
3. Installing a berm in the buffer area to enhance the proposed screening elements.

Interface Regulations

The purpose of the Residential/Non-Residential Interface Regulations is to mitigate the impacts between residential and non-residential uses by creating a compatible interface which is visually attractive and interesting. The Interface Regulations were adopted by Town Council on July 22, 2008. The Interface Regulations balance the needs and interest of residential and non-residential development and allow Town Council to approve deviations from the regulations. The Interface Regulations do not remove or reduce approved uses or any zoning regulations.

The Interface Regulations define a compatible interface to include part, or all of the following:

1. Minimize the visibility of undesirable, non-residential uses and activities from residential uses through building orientation.
2. Provide attractive buildings with thoughtful architectural detailing.
3. Create a visually attractive transition between non-residential and residential uses with the use of walls, fences, berms and/or landscaping.

The Interface Regulations apply along the east and southeast property lines where the proposed commercial use interfaces with residential uses. The Baldwin Park Estates subdivision to the north and the unincorporated property to the west are not subject to the Interface Regulations because East Plum Creek Parkway and Lake Gulch are designated as major arterial roads.

Zoning Regulations

The property is located in the commercial use area of the Young American PUD and PUD Zoning Regulations, which allows automobile services and sales and retail uses. The proposed SDP meets all requirements of the Young American PUD and PUD Zoning Regulations as shown in the zoning comparison table.

Zoning Comparison Table		
	Required	Provided
Minimum Setback - Young American PD	Per Section 14.1 - TBD Through Site Plan	North - 80 Feet South - 73 Feet East - 111 Feet West - 46 Feet
Maximum Building Height - Young American PD	Per Section 10.2 - 35 Feet	Building: 22' - 9" Canopy: 17' - 6"
Minimum Off-Street Parking - Chapter 15.54	48 Spaces	48 Spaces
Residential/Non-Residential Interface - Chapter 17.50	30 Feet	45 feet

Infrastructure

The Council approved Capital Improvement Program includes constructing a roundabout at East Plum Creek Parkway and Lake Gulch Road and widening East Plum Creek Parkway from the roundabout to Eaton Street. Both projects will be finished in 2020. The SDP took into account the new roundabout and road widening projects.

Site drainage, utility and traffic reports were submitted to the Town with the SDP application. The reports examine potential impacts of the proposed development on existing and future infrastructure capacity. Town staff reviewed all reports finding that water, sewer, storm sewer and vehicle access points are acceptable.

Public Outreach, Notice and External Referrals

Written and published notices were performed in accordance with the Town of Castle Rock Municipal Code and external referrals were sent to utility and service providers.

On May 31, 2018 the applicant hosted a neighborhood meeting prior to formal submittal and held an additional neighborhood meeting on January 30, 2020 to present their final design. At both meetings, residents stated their opposition to the gas station and convenience store stating the uses were not compatible with adjacent residential development. Residents raised concerns about the lighting at a 24-hour use, that a gas station would increase crime in the area, and the carwash would produce additional noise. Residents stated they would prefer neighborhood service uses such as day care or a bank. Written comments received from residents are included in **Attachment C**.

Budget Impact

Development of the property will generate plan review fees, building permit fees, development impact fees, and commercial retail sales tax.

Planning Commission Review and Findings

On February 27, 2020 the Planning Commission reviewed and discussed the application according to the Residential/Non-Residential Interface Regulations and site plan standards at a public hearing. The Planning Commission made the following findings:

- The Site Development Plan supports the objectives of the Vision 2030 and the Comprehensive Master Plan.
- The Site Development Plan meets the requirements of the Young American PUD and PUD Zoning Regulations.
- The proposed SDP meets the review and approval criteria for Site Development Plans in the Municipal Code, Chapter 17.38.
- Adequate water, wastewater, storm sewer and road infrastructure exists or is proposed to serve the property.
- The Site Development Plan meets the criteria and intent of the Residential/Non-Residential Interface Regulations, Chapter 17.50.

Recommendation

The Planning Commission, by a vote of 5-0, recommends approval of the proposed SDP finding the application meets the Residential/Non-Residential Interface Regulations.

Proposed Motion

I move to approve the Resolution as introduced by title.

Attachments

Attachment A: Resolution

Attachment B: Exhibit 1 - Site Development Plan, Landscape Plan, Building Elevations

Attachment C: Comments from Residents

Attachment D: Draft Planning Commission Minutes