



## Request for Town Council Action

**Date:** July 17, 2023

**Submitted By:** Julia Duncan, Associate Planner  
Bryce Matthews, Assistant Director - Planning  
John Fussa, Community Development Director

**Reviewed By:** Michelle Kivela, Town Manager

**Title:** **ORDINANCE NO. 3.36.5 - Second Reading**  
**A Bill for an Ordinance to Amend the Stroh Ranch Planned**  
**Development Master Plan 2nd Amendment - PD Development Guide**  
**Pursuant to the Parker Land Development Ordinance**  
**Department: Community Development, Julia Duncan**  
**Trakit No.: Z22-016**

### **EXECUTIVE SUMMARY**

The applicant has submitted a rezoning application that would amend the Stroh Ranch Planning Development (PD) zoning to add 275 residential units to the PD zoning for use in the MU - Mixed Use Planning Areas for Filings 14 and 15. The Mixed Use Planning Areas are planned and zoned for residential and commercial use but all of the permitted residential yield has been developed elsewhere in Stroh Ranch PD. The applicant's rezoning proposal would address this issue and is necessary for the mixed-use development that they plan if the rezoning application is approved. The subject property is undeveloped and extends from the intersection of Parker Road and J Morgan Boulevard in the north to Stroh Road between the King Soopers shopping center and Village on the Green neighborhood in the south.

### **LDO Criteria for Review and Decision**

The LDO requires that the Town Council shall consider the following factors in making its decision on the proposed zoning:

1. A need exists for the proposal;
2. The particular parcel of ground is indeed the correct site for the proposed development;
3. There has been an error in the original zoning; or
4. There have been significant changes in the area to warrant a zone change;
5. Adequate circulation exists and traffic movement would not be impeded by development;
6. Additional municipal service costs will not be incurred which the Town is not prepared to meet;
7. There are minimal environmental impacts or impacts can be mitigated;
8. The proposal is consistent with the Town Master Plan maps, goals and policies;
9. There is adequate waste and sewage disposal, water, schools, parks and recreation, and

other services to the proportional degree necessary due to the impacts created by the proposed land uses.

## **STAFF RECOMMENDATION**

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Approve

## **BACKGROUND/DISCUSSION**

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### **Overview**

The Stroh Ranch Planned Development (PD) is one of the Town's oldest and largest mixed-use neighborhoods dating to its original annexation and zoning in 1984. The Stroh Ranch neighborhood is largely built-out except for the subject property that is planned and zoned MU - Mixed Use Planning Area for Filings 14 and 15 and the Blair property planned and zoned C2 - Neighborhood Commercial at the intersection of Parker Road and Hess Road. The subject property is undeveloped with a total area of approximately 23 acres and is located in a mixed-use area with attached townhomes to the north; commercial development to the south; Parker Road to the east; and an office building and multi-family housing to the west.

The original 1984 Stroh Ranch PD zoning has been amended several times over the years, including in 2004 and 2013. The Stroh Ranch PD zoning is relatively unique because it has a cap or maximum on total residential yield that has ranged as high as 8,350 dwelling units in the 1984 zoning to the current standard of 2,817 dwelling units which dates to 2004. The 2004 PD zoning amendment, through the approved Development Plan, did not assign any residential dwelling units to the subject property as it did with other residential Planning Areas. It is unclear whether this was intended or the result of a technical oversight. In the intervening years, property owners and developers have utilized the total residential yield permitted by the PD zoning resulting in a situation where the applicant must obtain rezoning approval for a proposal(s) creating new residential development.

### **Summary of Proposed Rezoning**

The proposed rezoning application, officially the Stroh Ranch PD Third Amendment, would increase the cap or maximum on total residential yield found in Section I-C, Density Variations, by 275 residential dwelling units from 2,817 to 3,092 units. This represents an increase in total residential yield of 9.7 percent if approved. The applicant would utilize the additional residential yield for a future mixed-use development in the MU - Mixed Use Planning Area for Filings 14 and 15 where the PD zoning permits commercial and multi-family residential uses (subject to the residential cap or maximum). The future mixed-use development concept may be summarized as follows:

- **Uses:** A mix of multi-family residential, commercial and park/open space uses.
- **Residential Yield:** A total of 275 multi-family residential dwelling units with a residential density of 8.68 dwelling units per acre. This is substantially less than the maximum permitted residential density of 22 dwelling units per acre.
- **Commercial Yield:** A minimum of 39,500 square feet (s.f.) of commercial floor area for retail, restaurant, office and service uses.
- **Park/Open Space Yield:** A total of 11.5 acres of parks and open space with a 3.8 acre

public park that is planned to be an active, improved recreation amenity.

For further context, the Stroh Ranch PD zoning currently has a cap or maximum on total residential yield in the amount of 2,817 dwelling units. However, property owners and developers have only built 2,596 residential dwelling units over the years. This is 221 dwelling units less than the maximum permitted residential yield of 2,817 residential dwelling units. The PD zoning has a provision that would have enabled applicants to preserve unused residential dwelling units and transfer them to other Planning Areas within the Stroh Ranch PD for future use, but property owners and developers must do this at the time when they submit a development application and obtain Town approval for their project. The prior property owners and developers did not do this years ago when most of the Stroh Ranch PD was developed, so the above-referenced 221 residential dwelling units are not available.

### **Summary of Proposed Residential Yield and Density**

The following summarizes the applicant's proposed cap or maximum on total residential yield, increase in total residential yield and related residential density:

- PD Zoning Current Residential Yield: 2,817 dwelling units
- PD Zoning Proposed Residential Yield: 3,092
- PD Zoning Total Units Built: 2,596 dwelling units
- PD Zoning Proposed Increase in Units Built: 275 dwelling units (not counting the 221 units that are not available)
- PD Zoning Maximum Residential Density: 22 dwelling units per acre
- Actual Applicant's Proposed Residential Density: 8.7 dwelling units per acre

### **Proposed Commercial Zoning and Yield**

The proposed rezoning application would also create new MU - Mixed-Use Commercial Planning Areas designated in the PD zoning that would limit future development in these areas to commercial use only. These Planning Areas are located along Stroh Road and one (1) parcel in the northeastern section of the subject property. The proposed rezoning application also eliminates several high-intensity commercial uses that generate impacts, such as automotive repair services, gas service stations, and car washes. In addition, the proposed rezoning application incorporates a requirement for up to 39,500 square feet of commercial use as follows:

- A minimum of 9,500 s.f. commercial space for retail and restaurant use to be developed as the ground-floor element of a vertical mixed-use building(s).
- An additional 30,000 s.f. of commercial space for retail, restaurant, office and service use on three (3) designated properties including two (2) parcels along Stroh Road and one (1) parcel in the northeastern section of the subject property.

### **Applicant Community Engagement**

The applicant engaged in community engagement starting in December, 2021 by contacting representatives of the Stroh Ranch, Ironstone, and Village on the Green Homeowners' Associations (HOA's). This includes the following activities:

1. Engaged in meetings with leadership from the above-referenced HOA's, representatives from the Stroh Business Circle Owners' Association, Regency Centers (operators of King Soopers shopping center), and individual contact with nearby residents through door-to-door canvassing.
2. Held an all-day community open house on Wednesday, May 11, 2022 with two (2) sessions. The sessions were intended to provide residents with the opportunity to review the proposal, provide feedback and interact with the project team. Approximately 19 community members attended the morning session and 21 members attended the evening session. The community feedback included concerns and questions about adequate parking, traffic, density, height and setbacks, land use, and parks/open space.
3. In November and December, 2022, the project representatives met one-on-one with residents of the Stroh Ranch, Ironstone, and Village on the Green neighborhoods to share information about the proposed rezoning, review the planned mixed-use development and provide an opportunity for questions, comments, and feedback. The outreach efforts resulted in mixed feedback with multiple expressions of support and opposition from local residents.

### **Public Comment**

The Planning Commission staff report for the proposed rezoning application was posted on June 1, 2023 on the Town website. The Town subsequently received a number of public comments via email and letters. Staff added the public comments to the application record in eTRAKiT, made them available to the public, and provided a standard response with information about the scheduled public hearings, including opportunities for public comment. Finally, a number of residents attended and spoke about their support for, or opposition to, the proposed rezoning application at the June 8, 2023 Planning Commission meeting.

### **Planning Commission**

On June 8, 2023, the Planning Commission voted four to one (4-1) to recommend that the Town Council approve the proposed rezoning application.

### **FINANCIAL IMPACT**

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None

### **STRATEGIC GOAL(S)**

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ENHANCE ECONOMIC  
VITALITY



DEVELOP A VISIONARY  
COMMUNITY THROUGH  
BALANCED GROWTH

### **ATTACHMENTS**

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1. Vicinity Map
2. Z22-016 PC Staff Report
3. 230407-Mill Creek Parker-PD Guide\_redlines
4. Combined Public Comment
5. Mill Creek - PD Amendment - Letter to Town Council
6. Ordinance No. 3.36.5

**RECOMMENDED MOTION**

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I move to approve Ordinance No. 3.36.5 on second reading.