



MEMORANDUM
Reflects Revisions

Date: August 14, 2023

To: Luke Winchester, Chairman
and Planning Commission

From: Jennifer Hamblen, Planning Director
Jon Baughman, Deputy Planner

Re: Golden Bear Place
LUA, RZ, PMDP, PUD Amendment
Map - 078
Parcels – p/o 12, 17.01, 17.02

Request: CSDG requests a Land Use Plan Amendment, Rezone and Major Preliminary Master Development Plan Amendment for Golden Bear Place (formerly Gateway Business Parkway East and Beckwith Interchange Park) on Beckwith Road and Golden Bear Gateway.

History: The property originally received PMDP approval in 2017 as Beckwith Interchange Park, a PUD with CI and CRC base zoning. Part of this amendment seeks to rezone the property within the PUD, east of Beckwith Road, to RM-16, CMU and IR. The property west of Beckwith Road and the area F on these plans will retain the base zoning it currently has, CRC and CI. This amendment was heard at the December 2022 Planning Commission meeting where it received a positive recommendation.

We have included the original staff report for reference. The plans have changed since it was first presented to the Planning Commission. Below is a list of revisions submitted by the applicant to address some of staff's original comments:

- Updated plan to reflect conditions of approval at PC, cover letter provided addressing all open comments.
- Revised Area D to include 370 multi-family unit (350 previously), revised Area E to include 103 (250 previously) age-restricted (55+) cottages and townhomes and revised Area F to include 187 age-restricted units (55+) apartments, or an assisted living facility. Total unit count remains 660.
- Provided commercial breakdown for the mixed use site and mixed use building. Which includes 15,000 sq ft of commercial, includes associated parking.
- Revised concept imagery provided (garden style apartments removed). Additional images provided for Area D (mixed use site), Area E (townhomes and cottages) and Area F (mixed use building). The applicant has asked for a Conditional Use Permit to be granted within the PUD to allow the use of an Assisted Living Facility in Area F.
- Additional imagery provided for the proposed IR zoning.

Waivers/Variances: The following are requested:

1. 6-103.3: Office, Hotel and Multifamily height within ½ mile of the interstate interchange allowed up to 70', six stories, in lieu of 35' maximum height for CRC, CI and CMU zoning districts. The request is to extend the additional height allowance to include the whole PUD, as some of it is outside the ½ radius from I40. The request also includes this exemption to be applied to CMU zoned districts within the PUD. **STAFF SUPPORTS, all fire codes shall be met. Area C shall not exceed 50' in height.**
2. 5-104.1: Omit a portion of the perimeter fence, for areas D and E, where adjacent to creek buffers. **STAFF SUPPORTS**
3. 5-104.1: Request to permit up to 30% secondary materials, per building façade, for areas D, E and F. **STAFF SUPPORTS**
4. Request to allow rooftop mounted HVAC units for the multi-family portions of the development. **STAFF SUPPORTS, all roof top mounted equipment shall be fully screened with parapet walls or approved alternate.**
5. Request to deviate from the sign ordinance to allow building signage as shown on the attached elevations, shown on Sheet 2.01. **STAFF WILL CONSIDER, pending exact variance requests being made by the applicant. This shall be completed before the second reading.**

Summary: The City's Future Land Use plan identifies the entire subject property as Interstate Commercial and doesn't support Mixed Use, Business Development Center (Industrial) or Multi-Family Residential. The applicant has removed all industrial uses from the proposed use listing for I-R on Sheet C1.01. The plans indicate that all previous conditions from the January 9, 2017, meeting regarding this development shall be met (Ordinance 17-04).

Recommendation: Should the Board of Commissioners pass this PMDP on first reading, staff requests that all comments be addressed by the applicant before second reading.

Planning and Zoning:

1. Conditional Uses listed on Sheet C1.01 shall not be granted as permitted uses, with the exception of Assisted Living in Area F.
2. Provide a minimum of 25% commercial for Area D and F.
3. Staff reserves the right to request additional queuing for proposed fast food restaurants. Vehicle queuing shall not spill over to the roadways.
4. Add a note that all open space shall remain undeveloped.
5. Identify the commercial component of Area D and Area F (CMU zoning). 25% commercial shall be provided. Green Space shall not be included in the required commercial percentages.
6. Staff reserves the right to ask for additional amenity enhancements during FMDP review.
7. Greenways shall be placed in a public access easement.
8. All structures shall comply with maximum height restrictions unless a waiver is granted, total max height for Area C shall not exceed 50'.

9. Signage to be reviewed via a separate application to the Planning Department, sign variances requested are subject to BOC approval.
10. Provide black split rail fencing with enhanced landscaping along the street to provide a nice streetscape throughout, provide typical.
11. 4-114 and 5-104.1 Multifamily guidelines shall be adhered to, excepting any waivers approved by the Board of Commissioners.
12. 6-104.1 Mixed-use regulations shall be adhered to, excepting any waivers approved by the Board of Commissioners.
13. All variances shall be asked for now, not at FMDP.
14. Requirements for our ordinance need to be addressed now, in addition to FMDP.
15. Areas A, B, C and D will be done in Phase 1. Areas E and F will be done in Phase 2 and shall be brought back to the Planning Commission as a recommendation item. Please add this note to the PMDP and provide a Phasing Plan.

Public Works:

1. Transportation:
 - a. Construct an auxiliary right turn lane from the I-40 westbound exit ramp to the primary access point including any signal pole relocations required.
 - b. Construct a southbound right turn lane onto the ramp to I-40 westbound. Lane shall be at least 300' plus bay taper.
 - c. Reconfigure the existing intersection of Golden Bear Gateway and Beckwith Road into a right-in, right out only configuration. Extend the median south to the I-40 westbound exit ramp intersection.
 - d. At the primary access point to Golden Bear Gateway, reconfigure the median to provide a left turn deceleration lane in and a left turn acceleration lane out from the side street. Provide a curbed separation between the left turn lanes in the median and the through lanes on Golden Bear Gateway to facilitate safe diverging and merging movements.
 - e. Provide landscaping with drip irrigation in median island of Golden Bear Gateway in the area of the project.
 - f. Individual lot connections to Golden Bear Gateway are prohibited.
 - g. Provide a connector roadway to the property to the west for future connectivity.
 - h. Configure the intersection of the new project roadway and Old Beckwith Road into a roundabout intersection.
 - i. Access to the commercial lots between Golden Bear Gateway and Old Beckwith Road shall be right-in, right-out only. Provide a median to restrict left turns.
 - j. The traffic signal at the main project access to Golden Bear Gateway will be permitted as warranted. Once the property to the west is developed and Beckwith Road is realigned to intersect Golden Bear opposite of Legacy Point Blvd, the signalized main project access may be revised by the City or others.
 - k. A 10' wide multi-use path is required along the Golden Bear Gateway property frontage.
 - l. Provide a 10' wide greenway connection to both sets of apartments.
 - m. All public roadways to meet the minor collector standard at a minimum.

- n. In lieu of bike lanes on the collector roadways, provide 10' wide multi-use paths on both sides of the roads.
 - o. Roadway connectivity between the proposed site and the Lowery tract to the west shall be subject to further review and planning for interconnectivity between the sites at the FMDP's and site plans.
 - p. Provide a southbound right turn deceleration lane on Old Beckwith Road at the main project access roadway that is separate from the southbound through lane.
- 2. Provide a connector road between Area C and Area E for egress and safety reasons.
 - 3. Applicant states that they have completed a flood study of this site. The City requires the flood study to be submitted to FEMA for approval based upon section 4.2, "*a flood study shall be required for areas outside the unnumbered A Zones, when the stream has a tributary area of one square mile or greater*"; According to StreamStats, the tributary (Sullivan Branch) has a watershed of 2.17 square miles.
 - 4. Request updated sewer availability if not already requested.
 - 5. Construct boardwalk between Area C and Area E.

WWUD:

- 1. The water lines shown are not WWUD's design.