

# CITY OF DURANGO PLANNING COMMISSION

**MEETING OF: JUNE 23, 2008**

**AGENDA ITEM: V. A.**

**PROJECT: TWIN BUTTES ANNEXATION AND  
CONCEPTUAL PLANNED DEVELOPMENT  
(LIGHTNER CREEK RANCH, LLC)  
Project File #08-041, Planner Mark Williams**

## **I. PROJECT DATA**

Owner/Applicant.....	Eric Flora, Lightner Creek Ranch, LLC
Agent.....	Mike Olson
Project Location.....	North of Highway 160 West, Durango, east of CR 207 (Lightner Creek Road)
Project Description.....	Annexation of approximately 584 acres with initial zoning of PD; redevelopment of portions of approximately 13 acres already in the city limits. Total project acreage is 597 acres
Current Land Use.....	Primarily agricultural and undeveloped, with some commercial
Proposed Land Use.....	Residential, open space, commercial and community gardens in the annexation area, commercial in the area already within the city
Proposed Density.....	1 unit/acre gross density
Surrounding Land Uses.....	Rural residential, Colorado Dept. of Wildlife and BLM lands
Current Zoning.....	Primarily unzoned, small areas of Light Commercial and Rural Residential
Proposed Zoning.....	PD
Water.....	City of Durango
Sewer.....	City of Durango
Comprehensive Plan Designation.....	Rural Residential, Commercial, Specific Policy Area

## **II. BACKGROUND**

### **A. Project Description**

This is a request for the annexation of approximately 584 acres of land into the City of Durango with an initial zoning of PD (Planned Development). The property is located on the north side of Highway 160 West, adjacent to the western terminus of the city limits. The property has historically been known as the McIntyre Ranch (and is referred to in the City of Durango 2007 Comprehensive Plan that way), but the applicant is proposing to name the project Twin Buttes. A conceptual development plan for a 595-unit residential planned development with retail, civic uses, parks and open space, and 14 acres of community gardens/farming has been provided as part of the annexation and conceptual development plan submittal. There would be approximately 70,000 square feet of commercial and civic

space, with 15,000 square feet along the highway. The total project acreage including portions already in the City is 597 acres.

The annexation of this property is proposed to be in a series annexation in four parts. The property is eligible for annexation and is classified as a Tier 1 property in accordance with the City /County Joint Planning Intergovernmental Agreement, as it is currently contiguous with the existing city limits along approximately 4,248 feet of its eastern perimeter. The annexations will extend the city limits from its current western terminus along Highway 160 West approximately 1.5 miles west, to the intersection of the Highway and CR 207 (Lightner Creek Road). The city limit would extend northward to the Perins Peak State Wildlife Area. Sixty-five acres of land owned by the Pauls family along the southern side of Highway 160 West are also a part of the annexation, to be conservation open space. Highway 160 West would also be annexed into the City up to the intersection of CR 207 and Highway 160 West.

The current submittal before the Planning Commission has been revised slightly from the original concept. The existing Mustang gas station on Highway 160 West is now being developed separately. The gas station is already in the City limits and is zoned, therefore no annexation is required and it will not be a part of this annexation/ planned development proposal. This change takes about 0.8 acres out of the first submittal. The applicant has requested to redevelop the gas station site first because it is located in the middle of the proposed east entrance road to the development. The Twin Buttes applicant does not own the gas station, but has an agreement with the station owners to build a new gas station, to open when the existing one is closed.

There are several small lots along the highway here and all of them except the site of the existing gas station are owned by the applicant. Some of the parcels have split zonings and split future land use designations. In order to have a site wholly on land zoned Light Commercial with a Commercial Future Land Use, and for the parcel to be separate from the Twin Buttes submittal, the applicant will submit a boundary adjustment plat to reconfigure the parcels to create a new LC-zoned parcel. Staff supports this idea because the proposal allows staff review through site plan and design review, and because the gasoline storage tanks for the existing gas station are in the Lightner Creek floodplain. The new tanks will be located outside of the 100-year floodplain.

**Copies of the applicants' project narrative and map of the conceptual development plan are attached to this staff report.** The conceptual plan has been developed by Barrett Studio Architects of Boulder and Design Workshop, a multidisciplinary firm, in Denver.

## **B. Neighborhood History/Background**

McIntyre Ranch, as it was then known, was purchased by Edward and Florence Pauls in 1992. The Pauls initiated discussions in 1996 with City Planning staff concerning development options for the land and initial discussions concerned preliminary exploration of acceptable land uses, at that time a low-profile but upscale hotel and other commercial on the lower reaches and private homes on the upper reaches. In the 1997 Durango Comprehensive Plan, the McIntyre Ranch property was designated as Residential Large Lot, with 1-3 acres per lot or dwelling unit, and was marked with an asterisk, identifying it as an area requiring specific land use policies, and that annexation would need to be through the Planned Development process.

Staff continued to have periodic discussions with the Pauls as well as the landowner to the east, San Juan Industries, Inc. (Rasdall), since the 1990s. In a 2005 meeting with a potential partner of the Pauls, Eric Flora, the City's Planning Director defined the principles staff saw as needing to be incorporated in any development of the area:

- Preservation of the riparian corridor
- Maximizing open space
- Affordable and attainable housing
- Dual access
- Wildlife considerations
- Clustering density to eliminate sprawl

- Sensitivity to visual impacts of ridgeline and hillside development
- Implementation of sustainable and green building practices

In a preliminary assessment of the site, the applicant decided it would be in the best interests of the future development to purchase three parcels totaling 22 acres which fronted Highway 160. The properties were Mac's Auto and Salvage, San Juan Nursery and LS Properties. All three sites contained some degree of industrial or heavy commercial business. The applicant had a Phase I environmental analysis performed, and a Phase II investigation to identify specific areas for remediation. The areas identified as in need of remediation have been or are in the process of being cleaned up. No significant environmental issues have been identified.

At the time the three parcels were being purchased, the applicant became aware that Western Refining Southwest, the owner of the Mustang gas station located at the western end of the City limits along Highway 160, was considering options for updating the station. An agreement was entered into between the Twin Buttes applicant and Western Refining whereby the applicant would provide a relocation site for a new service station. Western Refining, in turn, would provide the land which is proposed to become the east entrance into Twin Buttes.

With guidance from the 1997 Comprehensive Plan and following discussion with Planning staff, and with the assemblage of real estate complete, the applicant hired Design Workshop, a large design and planning firm to begin creating a conceptual plan for the site. The result was a traditional single-family subdivision with lots ranging from 7,000 square feet to one to two acres. At the time, the project area was 443 acres with 446 units proposed, and 213 acres of land to be developed and 230 acres of open space to be preserved.

At the time the Design Workshop plan was proposed, the new Durango Comprehensive Plan was being finalized. Among the changes to the previous plan were policies regarding the thousand-acre greater Twin Buttes area, which had ownership split between the Pauls, Rasdall and Gabriel Dugan and the Shamrock Trust (Dugan).

In November 2006, a draft of the new comprehensive plan showed four general development areas in the Twin Buttes area added to the Future Land Use map, in the form of yellow bubbles. The bubbles represented a land use of 'Low Density Residential', which in turn represents an allowable density of anywhere from 1 to 4.99 units per acre. The development areas, which provoked some public opposition, particularly in regards to the northernmost bubble closest to the physical Twin Buttes, were officially adopted with the 2007 Comprehensive Plan. The specific policy for the Twin Buttes area from the 2007 Comprehensive Plan is as follows:

*Policy 5.2.6: The Future Land Use Map identifies with asterisks areas for which area plans need to be developed or specific policy direction provided within the Plan. These areas include portions of Grandview Ridge, State School Property, North Grandview, La Posta Road, Ewing Mesa, the Upper Florida Road Corridor, and the Twin Buttes area, which are subject to the following specific policies:*

*Twin Buttes:*

- *Coordinate access to and development of the Twin Buttes property with the development of McIntyre Ranch property;*
- *Limit development in the upper elevations to rural intensities or open space through the use of cluster development techniques;*
- *Limit development along visible ridgelines;*
- *Limit development in areas of severe wildfire hazard*
- *Retain critical wildlife habitat, feeding areas and migration corridors; and*
- *Require trail access to and through all new developments in accordance with the trail policies of this Plan and the City's Parks, Open Space and Trails Plan.*

In response to the policy language adopted in the Plan, as well as to the election of three new city councilors in Spring 2007, the applicant decided to revise the Twin Buttes project. At that point the applicant hired David Barrett of Boulder, who has redesigned

the project into its current form. On March 7 2008, the applicant submitted the current annexation and development proposal.

Since the inception of the Twin Buttes development process, the disposition of several parcels of land, owned collectively but not jointly by Rasdall and Dugan, has been in question. These parcels consist of the 'island' parcel in the Twin Buttes proposal, a 50-acre tract that contains the southern face of one of the physical Twin Buttes and is owned by Rasdall . A second and third parcel consisting of 175 acres containing both peaks were owned by Shamrock Trust (Dugan) but were purchased by the Twin Buttes applicant in October of 2007. The balance of the land is owned by Rasdall and consists of four parcels totaling approximately 350 acres. The Rasdall tracts are located north of Highway 160, east of Twin Buttes, south of the BLM land and west of the Every Green Valley subdivision.

Eric Flora, the Twin Buttes applicant, has attempted to negotiate a purchase to buy all of the Rasdall-owned land while in the process of formulating the Twin Buttes proposal. Flora's pursuit of these lands began before the tracts were officially for sale. None of the proposals were accepted and he subsequently ended pursuit of the purchase of the Rasdall tracts. Earlier this year Rasdall retained a real estate agent to begin marketing the land and the tracts were put up for sale in April, with a sale price of \$7.5 million. The land is currently for sale.

Whether the Rasdall land is purchased by a private buyer, or whether the City uses funds earmarked for open space acquisition, or whether the State of Colorado Division of Wildlife participates in the purchase of the land or a part of the land are all possible options at this point. Given the uncertainty of the outcome of any potential ownership and the timing of the sale, at a time when the Twin Buttes application is already under review, the Twin Buttes applicant will not pursue the purchase of any of the Rasdall property at this time.

### **C. Submittal**

The applicants' submittal includes the application for annexation and PD conceptual plan review and such information as:

- annexation petitions and map
- boundary/topographic survey
- title information
- conceptual development plan (595 dwelling units proposed)
- project narrative
- supporting documents, including
  - Roadway Design Principles and References
  - Twin Buttes Conceptual Roadway Design
  - Redevelopment Plan for the Twin Buttes Development (for the former Mac's Auto Body site)
  - Draft Wildlife Management Plan
  - Draft Forest Management Plan
  - Draft Open Space and Trail Management Plan
  - Executive Summary of the Wastewater Conceptual Plan Assessment
  - Nationwide Permit Verification for Lightner Creek Bridge
  - Wetland Delineation for the Twin Buttes Ranch Project
  - Twin Buttes Environmental Constraints
  - Geotechnical Engineering Feasibility Study, Geologic Hazard and Design Level Pavement Section
  - Master Drainage Study
  - Traffic Impact Study

The Wildlife Management Plan, the Forest Management Plan and the Open Space and Trail Management Plan are all draft plans. The goals and policies, and ultimately any implementation of these plans, may be amended depending upon outcomes from the public hearing process, Planning Commission recommendations, or City Council decisions. Thus, the draft documents will not be called final until final plan approval. The science-based

policy proposals will remain an important part of any future management plan, but the plans may be changed as a result of further input.

Review comments from the other reviewing agencies are attached to this document. The summaries of many of the supporting documents submitted with this application are included in the project analysis under the heading “Conceptual Plan Review – Site Developability/Development Issues” beginning in page 14 of this report.

#### **D. Review Process**

The applicants are seeking annexation to the City and are requesting to develop the property as a planned development (PD) under the City’s PD zoning and review process. Annexations require public hearings before both the Planning Commission and City Council in accordance with State statutes. The City’s PD review process is conducted in three (3) stages (conceptual, preliminary and final), which require separate Planning Commission and City Council review at all three stages, with public hearings at the conceptual and preliminary plan stages. Typically, the annexation and conceptual plan hearings are combined, with the annexation not finalized until final approval of the overall PD plan.

The PD zone and process is established to provide project variety and diversity through the modification of conventional zoning and to maximize long-range neighborhood and community benefits. Typically, the PD zone/process is utilized for large-scale, mixed-use projects. A planned development requires a contractual agreement (PD Agreement) between the City and the developers that stipulates conditions for development of the project and on-going activities. The conditions are developed during the PD review process, and the agreement is finalized upon City Council completion of its final plan review.

As a result of the specific direction from the 2007 Comprehensive Plan, the following issues have been identified as being key to the Planned Development process.

- Durango Comprehensive Plan process
- The use of sustainable development practices and materials
- Density
- Preservation and use of open space
- Wildlife management and impacts
- Trails issues
- Management of vegetation and forests
- Affordable housing
- Infrastructure needs

### **III. PROJECT ANALYSIS**

The issues before the Planning Commission at this time include (1) annexation and initial zoning of the property; and (2) review of the PD conceptual plan. Staff analysis will focus upon the proposal’s ability to meet annexation eligibility criteria, land use and zoning criteria, site serviceability and developability, and conformance with the Durango Comprehensive Plan.

#### **A. ANNEXATION ISSUES**

##### **1. Annexation Eligibility**

Annexations to the City must comply with specific State statutory (C.R.S.) eligibility requirements, including the following:

- a. **Contiguity** - Per State statutes, the perimeter boundary of an area to be annexed to a municipality must be at least one-sixth contiguous with the existing City limits. In this particular instance, the total annexation property (584 acres) apparently has approximately 4,248 feet of contiguity with the current City limits and a series annexation is proposed. A total of four annexations are needed to bring the total property into the City. Series annexations have been used in the past to facilitate annexations to the City of properties that did not meet the

contiguity requirement as a single parcel. The point of contiguity is established in the center of the eastern boundary of the site and the contiguous boundary runs south from that point to Highway 160, then runs west along the Highway to the intersection of Highway 160 West and CR 141 (Wildcat Canyon Road). The annexation series will move from the southeastern portion of the part of the development which is north of Highway 160, then to the northerly portion. Annexation 3 will consist of a three acre portion along the south side of Highway 160, and Annexation 4 will be immediately to the west of that lot. That portion of Highway 160 fronting the area to be annexed will be included in this annexation.

- b. **Community of Interest** - The area proposed for annexation lies within the City's designated annexation area and is capable of being urbanized and integrated into the City; thus, a community of interest can be found to exist. As indicated above, a series annexation is required and the farthest limit resultant area will be approximately 1.1 miles from the existing City limits.
- c. **Mileage Limitation** - The area proposed for annexation meets the State's requirement of not being more than three miles from the existing City limits.
- d. **Plan in Place** - The City has an adopted plan, the 2007 Comprehensive Plan, in place which addresses the general developability and annexability of this area of the community.
- e. **Petitions** – The applicant has submitted Annexation Petitions that meet the requirements of State of Colorado statutes submittal requirements. The Annexation Petitions will be scheduled to be accepted by the City Council following the Planning Commission recommendation on the project. The City Council will set the date for its hearing at the time the petitions are accepted.
- f. **Annexation Impact Report** - State statutes include a requirement that the municipality prepare an "annexation impact report" be prepared at least twenty five days prior to the City Council's hearing date, and be filed with the Board of County Commissioners within five days thereafter. This report is required for annexations of greater than 10 acres, unless the requirement for such a report is waived by the City and the Board of County Commissioners.

Staff has prepared the Annexation Impact Report in accordance with State Statute requirements and it is being distributed to the Planning Commission under separate cover from this staff report.

## 1. Serviceability

As part of annexation review, a determination needs to be made as to whether the property, and the development proposed for annexation, is or can reasonably be serviceable with City utilities and other City services. It is the City's standard posture that financing the extension of City utilities is the developer's responsibility, while the financing of municipal services to the development is the City's responsibility. In the case of Twin Buttes, there is no City financing involved in the extension or installation of facilities for the project. There may be offsite improvements for water and sewer infrastructure the developer must make for the project to go forward. The improvements are based on professional engineering studies, a document produced for the City to assess water and sewer infrastructure needs, which states current capacities on the west side of Durango are adequate to serve current development, but that future development may need to augment existing infrastructure in order to serve the development.

- a. **Sewer Service** – Sewer lines within the project area are proposed to be gravity lines flowing to a lift station at the lowest feasible location in the project. From the lift station, sewage will be pumped into the sewer trunk main along Highway 160, where it would flow by gravity to an existing city-operated lift station at the intersection of Highways 160 West and 550. That lift station pumps to a combination of gravity and pumped waste water collection facilities. As many as 8 sewer lift stations are proposed within the development to transport flows to a

central gravity sewer which will flow into the City's sewer main on Highway 160 West to the existing city north-south interceptor and to the treatment plant. The developers of Twin Buttes will have to install the connecting line into the project from the end of the current sewer line. The City Public Works Department is in the process of determining whether the existing sewer trunk main along Highway 160 has the capacity to serve the proposed development, as well as anticipated future development in the area. If the existing sewer lines are found to have insufficient capacity, the line and/or lift station will need to be upgraded by the applicant.

Sewer extensions and connections to serve the project will need to be installed by the applicant in accordance with City development standards. A master sewer plan for the entire project should be provided at the preliminary plan stage. Detailed sewer improvement plans will be provided as part of the preliminary plan submittal.

- b. **Water Service** – Water service to the lower portions of the development along Highway 160 will be via existing water lines. The line may have to be upgraded between Twin Buttes and a connection point near the Animas River, pending the outcome of a study currently being conducted by a consultant for the Department of Public Works and paid for by the applicant. The upper portion of the project, where most of the development will occur, will be served by a large water storage tank to be located within Twin Buttes. As with sewer, the water system should be designed to accommodate service to potential users outside of the development. Water main extensions and any water system improvements required to serve the project must meet City standards and are a developer responsibility..

Line sizes and locations as well as fire hydrant locations will need to be installed as required by the Director of Public Works and the Fire Marshal. All water mains will be looped. One booster station will be required to pump water to the storage tank. A master water system plan, including a detailed engineering analysis of the water system and water demands for the specific development proposal, will be provided at the preliminary plan stage. Detailed water improvement plans will be provided as part of the preliminary plan submittal.

- c. **Access** –All access to the development will be via Highway 160 West. This is a seven lane highway with center turn lane and auxiliary lanes on both sides. The ability of Highway 160 West to accommodate additional traffic from the development has been assessed in several different ways.

The original traffic study, submitted in February, projected traffic movements and volumes at the three intersections – at the east and west accesses to Twin Buttes, and at the access to the gas station. The Public Works Department required the traffic study to expand its scope with an addendum to include four new intersections. The intersections are Tech Center Drive and Highway 160; Highway 160 and Highway 550 (Camino del Rio); Camino del Rio and College Drive; and Wildcat Canyon Road and Highway 160. Staff comments on traffic analysis are found on page 18 of this report. However, the addendum analysis on the intersections analysis are not referenced in staff comments as yet, but will be by the time of the July 7 continued hearing.

The developer's responsibility for improvements to Highway 160 and the timing of the construction of these improvements must be determined as this project moves through the review process and addressed in the final annexation/PD agreement.

- d. **Other Municipal Services** - Police and fire protection as well as other municipal services such as refuse collection, parks and open space maintenance (depending upon decisions reached in future stages), and transit services will be available to this proposed development and shall be paid for out of either City general fund revenues or enterprise fund revenues. Costs of services will at least be partially

offset by user fees. All requirements of the 2003 International Fire Code will need to be met in the project design and building construction.

## **B. Initial Zoning Issues**

The developers are seeking a PD (Planned Development) zone designation to accommodate a mixed-use land use concept, which allows for a variety of housing types (single-family, multi-family, duplexes, townhomes, etc.) as well as a commercial and mixed-use area. The PD zone is a contractual zone designation whereby the applicants and the City agree, through contractual PD documents, on specific land uses, densities and development design standards. Staff concurs that the PD approach is the most suitable method of zoning the property to accommodate the proposal. The PD process requires three (3) stages of review – conceptual, preliminary and final plan. Final zoning is applied at the completion of the PD review process.

## **C. Comprehensive Plan Issues**

See the previous discussion under “Neighborhood History/Background” for a brief historical perspective of the decision process that led to the current designations and recommendations of the City’s Comprehensive Plan that relate to the Twin Buttes area.

The designation of the future land use and the accompanying asterisk, which is used as a mark used to note an area where specific land use policy direction is needed, were evaluated during the creation of the 2007 Comprehensive Plan. The City began plans to update the Comprehensive Plan in 2005. Two types of public involvement processes, Growth Allocation Workshops and Preferred Scenario Workshops, involved members of the Durango public to evaluate future land use scenarios for the City of Durango. The McIntyre Ranch was one area specifically to undergo the public evaluation. The participating members decided the designation should remain as it had been in the 1997 Comprehensive Plan, i.e. relatively low density residential.

The City’s 2007 Comprehensive Plan policies for the McIntyre Ranch/Twin Buttes area identify several specific issues, listed in the Neighborhood History/Background section above. With additional detail presented here, these issues are:

- Coordinate access to and development of the Twin Buttes property with the development of McIntyre Ranch property.
  - Typically roads and utilities are required to be sized and located so that future adjacent development is in a position to be served. The developer is responsible for the costs of the installation of the improvements to serve their own project. The City has required that the costs of oversizing the infrastructure within the development, including the construction of a water booster station, shall be borne by the developer. The water tank at the Twin Buttes site will be sized to accommodate any future development at the Rasdall site. The developer is being required to make an offer of dedication and, at the direction of the City Council, pay for the costs of a road and utilities extension to the Rasdall property line.
- Limit development in the upper elevations to rural intensities or open space through the use of cluster development techniques.
  - On the 2007 Future Land Use Map, four yellow areas are shown on McIntyre Ranch, representing generalized areas for potential development. The land within the uppermost yellow development area has been removed from development consideration and will be retained as permanently protected open space.
- Limit development along visible ridgelines.
  - No ridgelines will be developed. Development on slopes would be limited to access roads, most of which are on the routes of the old railroad route. These routes will have to be widened to accommodate the proposed roads.
- Limit development in areas of severe wildfire hazard.
  - The Twin Buttes land and surrounding areas have been identified as areas with a high risk for wildfire. The Forest Management Plan, a supporting document to

this plan submittal, contains a fairly extensive section on wildfire mitigation practices designed for Twin Buttes.

- Retain critical wildlife habitat, feeding areas and migration corridors.
  - The applicant hired Ecosphere Environmental Services to create a wildlife management plan, the primary goal of which is to develop strategies for minimizing impacts on area wildlife populations. Wildlife issues are discussed more fully under the ‘Conceptual Plan Review – Site Developability/ Development Issues’ section below.
- Require trail access to and through all new developments in accordance with the trail policies of this Plan and the City’s Parks, Open Space and Trails Plan.
  - The trails in Twin Buttes would fall into three somewhat distinct categories which comply with policies in POST Plan. The hard surface trail along the southern edge of the property would extend the Smart 160 corridor. There is also an interconnecting internal network of hard and soft surface trails within the development. There are existing trails to the northern parts of the Twin Buttes site. There is more in-depth discussion on these trails below in the development analysis.

**Specific 2007 Comprehensive Plan policies applicable to this project include:**

Natural Environment Element

*Goal 1: To maintain or improve the quality of Durango's natural resources.*

Policy 1.2.1: Require development to mitigate impacts on natural resources, including surface and groundwater contamination, soil erosion or contamination, air quality degradation and loss of vegetation.

Policy 1.2.5: Maintain ‘best management practices’ grading and construction standards to minimize erosion and sedimentation from public and private construction sites and completed development projects.

Policy 1.2.7: Favor natural or landscaped drainageways over built drainage systems whenever the natural drainageway can accommodate anticipated runoff. Where projected runoff cannot be accommodated by natural drainageways, seek improvements that retain the natural characteristics of water courses and floodplain areas to the greatest extent feasible.

Policy 1.2.8: Coordinate with La Plata County, the Animal Damage Advisory Committee, State and Federal organizations to implement effective strategies to maintain healthy wildlife populations in open spaces surrounding the community, balanced with human use of open space. Such strategies will include the protection of key habitat and migration corridors and the provision of facilities to reduce wildlife deaths on highways.

Policy 1.2.9: Pursue regional and local strategies to preserve the Animas River Greenway, SMART 160 corridor and all trails within the City limits as recreational and environmental amenities for future generations.

*Goal 2: To maintain Durango's views of natural hillsides and mountains.*

Policy 2.1.1: Limit development densities on steep slopes over 30%.

Policy 2.1.3: Retain the natural appearance of hillsides by encouraging dedications of conservation easements or land on steep and moderately steep hillsides, and by minimizing hillside cut and fill for buildings, roads or other development.

Policy 2.1.4: In areas where cut and fill is necessary to provide safe access to development, require landscape improvements to reduce the visual impact of such work.

- Goal 3: To protect sensitive floodplains, hillsides, wetlands and wildlife habitat from inappropriate development.*
- Policy 3.1.2: Support cost-effective habitat conservation strategies such as dedications, targeted acquisition of land or development rights, and mandatory clustering of development.
- Policy 3.2.3: Limit development in the floodway to bridge crossings, utilities, trails and river access improvements. Low intensity recreational uses may be authorized by the City for development in the floodplains.
- Goal 5: To maintain and enhance the diverse, small town charm of Durango as the City grows.*
- Policy 5.2.4: Permit the development of limited neighborhood service and retail uses for sites that are sufficiently large to allow such uses to be integrated compatibly with proposed residential development. Standards for these uses should achieve compatibility through a combination of building form, building scale and site and building design standards. Non-residential uses generally should be located on collector or higher order streets.
- Policy 5.2.5: Establish standards to ensure that non-residential development occurs at appropriate scales and locations. Standards should ensure that uses (including home occupations) within or adjacent to residential areas are compatible with the residential uses.
- Policy 5.5.3: Actively participate in the planning and design of State arterial roadway improvement projects and support the development of appropriate landscaping, transit stops and shelters, pedestrian and bicycle facilities and other operational and design enhancements.
- Goal 6: To retain or enhance the aesthetic value of Durango's natural and built Environments.*
- Policy 6.1.1: Retain key open spaces in their natural condition where feasible. Where improvements are made in open space areas, those improvements will be designed and located to minimize their visual impacts from public areas.
- Policy 6.1.2: Design, construct and maintain parks as visual and recreational amenities. Parking areas, trails, structures and landscaping shall be designed and improved with an emphasis on aesthetics and sustainability.
- Policy 6.1.6: Support the establishment of community-based gardens on appropriate vacant public and private lands.
- Policy 6.2.1: Use administrative development standards and the design review process to promote improved site and building design. Design standards should provide flexibility while promoting aesthetics, traffic safety, land use compatibility and sustainability.
- Policy 6.2.2: Foster the compatible integration of residential development with the public spaces, public facilities and businesses to facilitate access and reduce automobile dependency.
- Policy 6.2.4: Require that medium and high density residential projects have usable open space incorporated into the project or off-site open space that is reasonably linked to the project.
- Policy 6.2.9: Establish green building standards and/or performance measures that encourage energy efficient building design and construction.

Policy 6.2.10: Ensure that development is located and designed to minimize contaminants in stormwater runoff.

*Objective 8.1: Coordinate the timing, location and intensity of growth with the concurrent provision of adequate public facilities.*

Policy 8.1.3: Require adequate public services and facilities to be in place or assured prior to the approval of urban development so that capacity will be available concurrently with new demands. Minimum levels of services will be defined in the City's Land Use and Development Code (LUDC).

Policy 8.1.5: If additional improvements are required for a proposed development to meet adequacy standards, the City may approve all or a portion of the proposed development, subject to any of the following arrangements:

- Installation of improvements at the developer's expense;
- Joint City/Developer participation (joint financing, bonds, improvement districts); or
- Phased development subject to installation of improvements in accordance with the City's Capital Improvements Program ("CIP") or other plan acceptable to the City.

Policy 8.1.8: Whenever the extension of water, sewer, drainage or street facilities is required to adequately service new development, extension costs shall be borne by the new development or the development shall be deferred until the required improvements are in place, pursuant to the schedule in the Capital Improvements Program or another acceptable plan to fund and provide required improvements.

Policy 8.1.12: Prior to approval of new development, assess water, sewer, street and drainage facilities which serve or will be impacted by the new development. If deficiencies in any of these systems would result from the development, require the developer to correct the deficiencies or defer the development until the necessary improvements are installed by the City in accordance with the Capital Improvements Program or another acceptable plan to fund and provide required improvements.

Policy 8.1.13: Require new development to fund its proportionate share of off-site capital improvement costs for transportation, water, sewer, stormwater management and neighborhood parks multi-purpose trails, and to provide all on-site improvements.

Policy 8.1.15: When over-sizing of public improvements is required, the City may participate (depending upon availability and priority of funding) in the funding of these over-sizing costs for the additional improvements. If funds are not readily available, require the facilities to be over-sized, but provide for reimbursement of over-sizing costs through subsequent user fees or other equitable funding source.

Policy 8.2.4: Use annexation agreements to assign responsibility for resolving infrastructure and design issues and to ensure that development in the areas complies with City plans and standards.

**Goal 9:** *To promote a healthy, sustainable, balanced economy that capitalizes on the community's natural, recreational, cultural and human resources.*

Policy 9.2.2: Reduce commercial and residential building energy consumption through a cost-effective combination of standards, incentives and other measures.

Policy 9.2.5: Support efforts to educate all citizens about the benefits of energy conservation.

**Goal 10:**      *To preserve and enhance historic and cultural resources that symbolize Durango's identity and uniqueness.*

Policy 10.1.3: Review and comment on the impacts of public and private development on the community's scenic, cultural, historical, architectural and archaeological resources. Public and private development shall preserve, to the maximum extent feasible, significant buildings and sites.

**Goal 11:**      *To provide for the development of a variety of housing types throughout the Durango planning area that meets the diverse needs of the community.*

Policy 11.1.3: Encourage high-density residential development in areas that are located near work, retail, service and community facilities (such as parks, playgrounds and schools) to reduce transportation related costs.

Policy 11.1.4: Promote subdivision design which provides non-vehicular access to trails and transit routes.

Policy 11.2.1: Encourage a mix of housing types to provide a greater volume of workforce housing by allowing greater densities.

Policy 11.2.2: Encourage residential development with convenient pedestrian and bicycle access to schools, neighborhood commercial centers and other public facilities designed to serve neighborhood residents. For large developments, on-site development of such facilities will be encouraged.

Policy 11.2.3: Facilitate development of mixed density projects and other creative housing options that reduce housing costs and provide adequate amenities.

Policy 12.1.7: Permit development of accessory apartments on parcels that are large enough to compatibly accommodate structures and required parking.

**Goal 13:**      *To maintain a transportation system that safely and efficiently meets the needs of residents, businesses and visitors.*

Policy 13.1.1: Increase mobility options for all Durango residents through support of pedestrians, bicyclists, transit users and motorists.

Policy 13.1.2: Reduce demands for new transportation facilities through better integration of land uses that enable residents to work, play and shop in closer proximity to their homes.

Policy 13.1.3: Ensure that land uses, site designs, and street improvements do not limit future mobility options. Unless there are convenient parallel facilities, all major roads that are not highways should safely accommodate bicyclists, pedestrians and transit.

Policy 13.1.4: Require new development to contribute its proportionate share of the costs of transportation system capacity, including the costs of streets, bike lanes, bikeways, transportation-related trails, sidewalks and transit infrastructure.

Policy 13.2.6: Street and road systems will be designed and engineered to be safe, cost-effective and efficient to maintain, while serving all users, including bicyclists, pedestrians and transit users.

Policy 13.2.7: Design streets to balance the need to provide adequate access for emergency services (i.e., police, fire, ambulance), transit services, sanitation services, street maintenance (including snow removal), and utility maintenance with the desire to slow traffic and increase safety for surrounding property owners and other users of the streets.

Policy 13.3.13: Plan for transit stop pull-outs and other accommodations for public

transit services on minor arterial and collector streets.

**Goal 14: *To provide employees, residents and visitors with realistic opportunities to use various modes of transportation.***

Policy 14.1.4: Develop safe, well-lit and attractive transit stop facilities to enhance the appeal of transit use. Facilities should include well lit shelters and emergency phones in isolated areas.

**Objective 14.2: *Develop a multi-modal trail system that is safe, convenient and pleasant for commuting, shopping and recreational purposes.***

Policy 14.2.3: Separate bicycle and pedestrian trail facilities from arterial roads where space and funding allow.

Policy 14.2.4: Encourage new development to provide facilities for bicycle and pedestrian users such as bike secure parking, storage and employee locker and shower facilities.

Policy 14.2.5: Incorporate trails with greenway preservation and development projects. Where drainageways are preserved, enhanced and restored, consider trail development projects, when appropriate.

Policy 14.2.9: Provide pedestrian amenities along trails in City parks, such as: picnic tables, benches, shelters, lighting, pullout “overlook” at key locations, stream and river access points, restrooms, historic and environmental interpretive information, directional signage, dog waste bags, trash cans, and drinking fountains.

**Goal 15: *To balance the demand for expanding urban development with the efficient provision of facilities and services.***

Policy 15.1.2: Water and wastewater system extensions to serve new development shall be funded by new development. Maintain water system impact fees that recover the full capital cost attributable to new development. Improvement and maintenance costs attributable to existing development shall be borne by all rate payers.

Policy 15.1.8: Evaluate the use of raw water and/or treated effluent to meet irrigation needs in parks and for other large-scale water uses not requiring potable water. Costs for this service should be recovered through user fees.

Policy 15.1.9: Reduce per capita water demands and wastewater generation through on-going conservation efforts addressing education, use practices, fixtures, and system maintenance.

**Objective 16.1: *Develop an open space system consisting of green belts, greenways, special feature parcels, parks and trails that together will serve one or more of the following purposes: 1) preserve scenic vistas; 2) serve as buffers between land uses; 3) provide increased human access to adjacent public lands, the Animas River and other drainage corridors; 4) provide a mix of active and passive use areas; 5) preserve and enhance important wildlife habitats and migration routes; 6) provide opportunities for environmental education; 7) protect habitat corridors for movement of wildlife in Durango and/or 7) preserve and develop an interconnected trail system throughout the planning area.***

Policy 16.1.3: Pursue private dedications of open space land or conservation easements in areas adjacent to public open space, the Animas River or in other locations that support the community's open space objectives.

Policy 16.1.5: Consider retention of lands that are not suitable for development (e.g. steep grades, poor soils, floodplain areas, etc.) as open space areas, or, where appropriate, the development of recreational uses.

Policy 16.1.6: Preserve areas of outstanding scenic and/or natural beauty and, where possible, include these areas in a permanent open space system. The City will be a partner with numerous local, state and federal agencies and organizations, including, but not limited to the CDOW, BLM, San Juan National Forest, Bureau of Reclamation, State Land Board, Ft. Lewis College, La Plata Open Space Conservancy, the Nature Conservancy, Trails 2000, La Plata County, and other interests in the development of these open space preservation strategies.

Policy 16.1.7: Preserve open space buffers around development areas, provide recreational opportunities and visual amenities, and protect ecological systems. Open spaces, greenways and green belts will be used as buffers and to link activity centers, recreation areas and other open spaces with neighborhoods and the community in general.

Policy 16.1.10: Consult with CDOW on all development proposals that could have an impact on wildlife habitat and/or forage diversity to strategically locate housing clusters in a way to minimize negative impacts to game and non-game wildlife and to minimize human-wildlife conflicts.

Policy 16.2.2: Encourage clustering of dwellings on a portion of development sites where the remainder of the site can be reserved for open space.

Policy 16.2.3: Encourage voluntary land dedications, conservation easements, and other forms of open space preservation.

**Goal 17: *To develop and maintain an interconnected system of parks, trails and other recreational facilities.***

Policy 17.1.4: Plan for future development of neighborhood parks to coincide with proposed residential development.

Policy 17.2.3: Require new residential development to contribute its proportionate share to the establishment of neighborhood parks through park improvement fees and land dedication requirements.

Policy 17.2.7: Obtain land for parks and recreation facility sites through public investment, private contributions, developer dedications or fees-in-lieu and implementation of a development impact fee program. Development projects should contribute to the acquisition or improvement of parks and recreation facility sites proportionate to the demand created by the new development.

These policies are the applicable Plan policies to be used to guide the Commission's and Council's review and consideration of this project's development plan.

**D. Conceptual Plan Review – Site Developability/Development Issues**

The Twin Buttes conceptual development plan proposes a community containing up to 595 residential units, retail, employment and civic uses, agricultural and community gardens, parks and open space and community gardens. The project layout utilizes the more developable portions of the site while leaving the more sensitive and steeper upper portions as undeveloped open areas. More detail on the development concept is provided under item 6 – Project Design, under this subsection further in this report.

This section of the analysis looks at:

- the project's density
- its residential use mix
- affordable/attainable housing
- trails
- cultural resource needs
- irrigation

- nonresidential uses
- access, circulation & street design
- project design
- floodplains & wetlands
- open space
- wildlife management
- school dedication
- parks
- drainage
- geotechnical report
- utilities
- development phasing

**1. Density** – As outlined in the above discussion concerning Comprehensive Plan Issues, the proposed conceptual plan provides a mix of residential densities that appears to be generally consistent with the intent of the Comprehensive Plan. The Comp Plan policy for the area calls for clustering of development in order to preserve open space. The range of densities from the Comp Plan is 1 unit per acre up to 4.99 units per acre. The submitted plan proposes 595 units and the overall gross density of the project as proposed is 1 unit/acre.

Section 6-5-2 (b) of the LUDC provides eleven (11) criteria for review, recommendation and approval of residential densities within Planned Developments.

*(1) Is the PD proposal in conformance with adopted plans and policies?*

As outlined elsewhere in this report, the City’s Comprehensive Plan contains specific development policies for the Twin Buttes area. Staff’s assessment is that the proposal is generally in conformance with the Plan policies, although further detail is needed in most aspects of the submittal to insure that implementation of the policies will occur as envisioned. This is to be accomplished through the review of more detailed building plans during the Preliminary Plan process. The property is included in the City’s “Urbanizing Area” boundary. The densities proposed are consistent with the land use recommendations of the City’s Plan.

*(2) Does the proposal comply with the PD statement of purpose?*

The PD statement of purpose (LUDC Section 6-1-1) contains numerous statements reflecting the intended purpose of the PD zone. These statements include such things as: encouraging innovation in residential development through variety in housing type, design and layout; and by conservation and efficient use of open space and preservation of the site’s natural characteristics.

In general, staff believes that a properly designed and conditioned development can be found to be in compliance with the purpose statements of the PD regulation. It remains up to the applicant to address the items above in presentations to the Planning Commission and City Council.

*(3) Is the proposed density compatible with the development patterns in the area?*

Development patterns in the surrounding areas range from single-family large lot development (Rafter J Ranch) to small-scale commercial along Highway 160. There is medium density multifamily development along Highway 160 (Lightner Creek Village and Wildcat Village) and a scattering of single family houses. It is difficult to assess the compatibility of the existing surrounding areas. The higher density areas of Twin Buttes are generally higher than the surrounding area, but they are mostly internal to the project and generally would be difficult to see from outside the Twin Buttes area. The residential development on the edge of Twin Buttes is the proposed multifamily redevelopment site along Highway 160, and the density is roughly similar to Lightner Creek Village’s 10 units per acre, and Wildcat Village’s 12 units per acre. The proposed development is consistent with the recommendations of the City Comprehensive Plan.

*(4) Are proposed medium to high residential densities within reasonable distance to urban areas?*

As indicated, the Twin Buttes area is identified in the Comprehensive Plan as part of the “Urbanizing Area”. The only medium to high density areas are adjacent to Highway 160 and to other similar developments.

*(5) Are adequate public services such as sewer, water, schools, roads, parks, fire and police protection available?*

These issues are addressed in various sections throughout this staff report. The applicant will be extending City utilities to the site and is proposing open space dedications and an in-lieu payment to the 9R school district. The adequacy of these dedications remains to be determined as the proposal continues through the review process. The Police Department will require two new uniformed patrolmen to adequately serve the proposed development as the project builds out. The developers will install two new intersections to serve Twin Buttes, with a signalized intersection at the east entrance.

*(6) Does the design and proposed public/private amenities incorporated into the PD reasonably provide for a quality and functional living environment?*

The project should adequately address resident’s needs through open space dedications and trails. Some features need further refinement, such as the size and features of the parks within the development. The neighborhoods are interconnected through a series of hard surface trails, so those without access to cars will also be able to reach the commercial and civic areas in the Artisan Core safely. The provision of other civic spaces including indoor areas will be programmed at the preliminary stage.

*(7) Will the development accomplish public purposes?*

The development will provide additional housing opportunities for current and future community residents, and it will provide for 80% of the annexed property as permanently protected open space.

*(8) Is there currently any hazardous vehicular congestion on existing streets, highways, or at intersections in the vicinity of the proposed PD?*

Highway 160 West is a seven lane highway with a middle turn lane and two auxiliary lanes at the road’s edge. The applicant will construct two new intersections for the Twin Buttes development to City and CDOT standards. There are currently seven curb cuts in the vicinity of the Mustang service station where the proposed east Twin Buttes entrance is proposed to go, but that number will be reduced to two with the redevelopment of the area.

*(9) Is development protected from any hazard areas on the property, and are environmental features or cultural /natural resources reasonably protected from the expected uses and activities within the PD?*

Floodplain and wildfire hazards are the two identified hazards in Twin Buttes. The floodplain area is not proposed to be developed. Most of the floodplain area adjacent to the creek is identified as open space. More information on wildfire hazard is provided below under heading #8, the Wildfire heading, and #9, the Forest Management Plan heading.

*(10) Will mineral extraction and watershed values be protected and not affect the proposed uses?*

The floodplain area will remain free of development and will, for the most part, be designated as open space. Drainage design will be such that watershed values will not be adversely impacted.

*(11) Is the site design energy/water efficient?*

The applicant is proposing to utilize existing irrigation water rights for landscape irrigation within the project. This will reduce the use of treated water for landscape irrigation. The applicant has also made sustainable building practices one of the guiding principles in the development of the site. The sustainable component of the project is grouped by the project designer into seven green building categories – connectivity, site design, energy, materials, water, indoor environmental quality and beauty and inspiration.

At the conceptual stage, the Planning Commission and City Council establishes a “design density,” which is a non-binding maximum target density. This density limit is contingent upon evidence presented in the preliminary plan submittals, which assures that the density can be accommodated. Approval of a conceptual development plan and its accompanying “design density” per gross acre does not commit the Planning Commission and City Council to subsequent approvals of a “specific density” until the conclusion of the Preliminary Plan stage.

## **2. Residential Use Mix**

The conceptual plan indicates a proposed development of 595 total units with a variety of housing types proposed. The different subareas of development are intended to be distinct from each other, manifested in design and in the development concepts. The proposed concepts, shown by development area, are listed below. As this is the conceptual plan, these figures are subject to modification, but they are still a good indication of the final product.

### *Artisan Village*

The Artisan Village will consist of single family homes, duplexes, triplexes, townhouses, condominiums, ADUs (accessory dwelling units) and live-work units. There will be some zero lot-line development with the patio homes and live-work units. Single-family homes will range from 4,000 to 12,000 sf lots, with setbacks comparable to those in older Durango neighborhoods. Patio homes will be more densely developed and will have smaller lot sizes. There will be 120-155 detached units, and 115-135 attached units.

### *Artisan North*

This area will have single homes and ADUs, with lots ranging from 15,000 sf to 30,000 sf. Minimum setbacks will be 15’ front, 7’ side and 25’ rear, with 10-20 detached housing units.

### *West Meadows*

Housing types: Single family homes, duplexes, triplexes, ADUs, live-work units, small multi-family adjacent to barn facility. Single-family lots will be from 3,500 sf to 17,000 sf. There would be 90-110 detached units, and 35-65 attached units.

### *Solar West*

Solar West will have single family homes with ADUs. Single family lots will be 10,500 sf, with setbacks starting at 10’ front, 5’ side and 20’ rear.

### *Solar East*

Same mix as Solar West, but with lots between 7,000 sf to 20,000 sf and slightly smaller setbacks. Collectively, there will be 50-70 detached units and 10-25 attached units.

### *Tipple West*

Both Tipple West and East will have single family, townhouses and ADUs, with lots ranging from 4,500 sf to 13,000 sf. Setbacks would be 10’-15’ front, 3’-5’ side and 15’-25’ rear and the area will contain 35-55 detached units and 10-25 attached units.

Redevelopment are at Mac’s

The redevelopment area will consist of 35-50 units in a multifamily development, to be setback 20 feet from Highway 160.

### **3. Affordable/Attainable Housing**

The applicants propose to provide 95 affordable/ attainable housing units, which is 16% of the total number of proposed units. These units will be distributed throughout the development. The homes would be consistent in appearance with the market rate units. In Phase 1 of the development, the multi-family development site will have six (out of 37 total units) be affordable/ attainable. In the less dense areas of Phase 1, and for all subsequent phases, one out of every seven units designated for development will be affordable/attainable. For denser development, one out of every six units will be affordable/attainable by determining the required number in duplexes and the other denser products.

The provision of affordable/attainable housing would also be achieved through the use of accessory dwelling units. The units will be either attached or detached, as stand alone units, or second-story units above garages. The ADU's will be small one or two bedroom units, allowing for a lower cost. The units can not be sold separately from the lot to which they are attached, so subdividing the lot will not be permitted. The units would not be allowed to be used as vacation or short term rentals. Their small size allows increased density and for more of the Twin Buttes property to be preserved as open space.

A voluntary transfer fee on the sale of every home is being proposed by the applicant. This 1% fee is projected to generate an annual average of \$273,400 per year through 2019, according the analysis performed in the Annexation Impact Report. Whether the all of the revenues generated through transfer fee would go to the Regional Housing Alliance, or if a portion of the fee would also go to the maintenance of open space and trails facilities or some other use at Twin Buttes, would be determined by the City Council.

### **4. Non-Residential Uses**

Approximately 60,000 sq. ft. of non-residential floor area is proposed within the PD, generally within the "Village Center" area. Specific anticipated non-residential uses should be identified in the preliminary plan submittal and will be agreed to as part of the final Annexation/PD Agreement negotiations.

Two different areas of non-residential development are proposed. The redevelopment of the Mustang gas station along Highway 160 would mark the Twin Buttes east entry. A new service station would provide gas, diesel, and biodiesel, a convenience store and carwash. Adjacent to the new service station is a proposed mixed use/residential building, to be buffered from the highway by 'living walls', vertically-oriented vegetation to run along the southern walls.

### **5. Access/Circulation and Street Design**

There are two access issues associated with Twin Buttes – the impact on the existing road network outside of the development, and the proposed cross sections within the development.

The project designers have created road standards, submitted as the "Conceptual Roadway Design Criteria, that they feel is integral to their project. In general the applicant's design has narrower right of way requirements and travel way widths, slower design speeds and the use of ribbon, or flat, curbs instead of raised curb with gutter (to allow water to flow into the bioswales for treatment). There are 12 different proposed road cross sections. It is possible that this type of alternative road standard could be applied citywide to development in hilly or mountainous terrain. Among the key design elements of the proposed criteria are:

- The roadways incorporate a multidisciplinary approach, incorporating the needs of the community, the road user and the environment.
- Narrower streets lessen hillside cuts.
- Roadway criteria have been selected based on safety, mobility, and complementing the topography and proposed land uses.
- Specific design components include the use of low-speed guidelines, limited lane widths, Low Impact Design (LID) storm-water management techniques and reductions of impervious surfaces.

However, these cross sections do not comply with adopted city standards. To use the alternative cross sections, a text amendment to the Land Use and Development Code must be approved. The LUDC text amendment approach was used in Three Springs and allowed the adoption of standard Traditional Neighborhood Design (TND) streets. The cross-sections proposed do not meet the Traditional Neighborhood Designs street standards, and a new set of standards will need to be considered for adoption. The text amendment would be submitted to Planning Commission after the City Council's Conceptual Plan hearing if the Conceptual Plan is approved. If the text amendment is not approved, the applicants would have to redesign the project to comply with the City's existing adopted road standards.

The applicants have submitted a Traffic Impact Study to identify current conditions and projected impacts of the Twin Buttes development. The document contains projections for demand and performance upon which programming for capital improvements projects can be based. Among the projections contained in the document are traffic volumes for Highway 160 West in the years 2015 and 2030. Some of the developer improvements recommended by the Traffic Impact Study are:

- For Highway 160 & West Access:
  - Construct and EB left turn decel lane
  - Construct a WB right turn decel lane
  - Construct a SB-EB left turn accel lane
  - Construct two SB outbound lanes – exclusive right and left turn lanes + 1 inbound lane
- Highway 160 & East Access
  - Install a traffic signal
  - Construct two SB outbound lanes – exclusive right and left turn lanes + 1 inbound lane
- Highway 160 and Mustang Access
  - Construct one 40-ft access.

The staff has informed the applicant that the Twin Buttes development should provide an analysis consistent with the recently considered Interim Development Ordinance (IDO) and the principles of the Adequate Public Facilities Ordinance (APFO) at the Conceptual Plan submittal. Among the requirements of the IDO and APFO are proportionate share costs from the developers, maintenance of required levels of service for roads and intersections, and a traffic mitigation plan.

US 160 West is a seven lane highway with auxiliary lanes on both sides. Based on the 2030 TRIP projections for growth and the CDOT classification, the applicant's analysis indicates that 160 West has more than adequate capacity to serve the Twin Buttes development in terms of road capacity.

The applicant will be responsible for the construction of the two new intersections proposed to serve Twin Buttes. When warranted, the eastern access would be signalized if allowed to do so by CDOT. The western access would be un-signalized. The intersections will be constructed to comply with applicable safety and capacity requirements.

An addendum to the traffic study assessing the impacts on off-site intersections will be provided by the applicant prior to the July 7 continued hearing on the project.

## 6. Project Design

Twin Buttes is laid out based on the site topography, with development occurring along the highway and on benches in nine different areas. Each area has design and development ideas intended to differentiate the areas from each other, but which are related through larger design principles, as identified in the application. For example, the houses in the Solar East area are intended to draw their cues from “mountain villages throughout the east [Asia]”. As with other development areas, sustainable and efficient insulating materials are to be integrated into the design, and the siting of the houses is intended to maximize solar gain, according to the project narrative.

One feature common to most of the development is that areas are to be designed around pedestrian use with smaller lots. The designers invoke the dimensions of the old Durango downtown in several of the area design descriptions, with small blocks and yards in order to create more common areas and parks in the development areas.

As mentioned in the ‘Residential Use Mix’ section above, the designers have a fairly specific idea of the development standards – the minimum lot areas, setbacks, building heights and so on. The intent is to blend elements of Durango’s existing character with sustainable design and construction, and the architects’ own design concepts to create the character for the built products and neighborhoods at Twin Buttes. A discussion of how suitable the design approach is for Durango is appropriate. Elevations with detailed design will be presented at the preliminary review stage.

### **Environmental Issues**

One of the first steps taken by the applicant in regards to issues involving environmental conditions on the site was to contract Sugnet and Associates to document the environmental constraints at the Twin Buttes site. This documentation included:

- Baseline Data Collection
- Wetland Delineation
- General Wildlife Assessment
- Threatened, Endangered and Candidate Species Assessment
- Cultural Resources Assessment

Plans have been submitted for all the issues identified above, with the exception of a cultural resources assessment. The City of Durango planned development process does not require such an assessment until Preliminary Plan submittal.

### **7. Floodplain/Wetlands**

The southern lower portion of the subject area is within the designated 100-year floodplain of Lightner Creek, with 5,165 linear feet of stream and 4.97 acres of jurisdictional wetlands. Floodplain designations are based on flood studies prepared by the Corps of Engineers and FEMA.

In July 2006, the environmental consulting firm of Sugnet and Associates, acting on behalf of the applicant, sent their determination of the existence of wetlands areas on the Twin Buttes site to the Army Corps of Engineers in order to identify the limits of the jurisdiction of the Corps’ Clean Water Act jurisdiction. The Corps agreed with Sugnet’s assessment of the extent of wetlands and water of the United States. In May 2007, Sugnet submitted to the Corps an application for a Section 404 Clean Water Act permit from the Corps for the west entrance, which will require bridging in a wetlands area. In July 2007, the Corps approved the application with five conditions, including:

- All of the wetlands located under the bridge that may be lost to shading, a total of 75 square feet, shall be mitigated at a 1:1 ratio in the form of staking willows in the vicinity of the crossing adjacent to Lightner Creek.
- If work is to be done between May and August, a survey to find the Southwestern Willow Flycatcher must be conducted. Construction may not commence until the survey has been completed with a negative finding. If the survey is positive, the Corps office must be notified immediately, who will then initiate a consultation with the US Fish and Wildlife Service.

- All disturbed riparian areas and streambanks shall be restored to their original condition after construction is completed.
- Vegetative plantings shall be monitored until there is an 85% survival rate for two full growing seasons.

## **8. Wildfire Issues**

The the applicant has proposed, and the Durango Fire and Rescue Authority supports, that all structures shall be built with sprinkler systems, to make it a “Fire Safe” community. There is also a possibility of locating a fire station within the Twin Buttes development. The applicants have also agreed that all properties would be compliant with and maintain wild fire measures according to the Colorado State University Extension Service’s recommendations on:

- Use of defensible space
- Roof types
- Proximity of buildings to each other

## **9. Forest Management Issues**

Ecosphere Environmental Services was hired by the applicant to create a forest management plan for the Twin Buttes area, as one component of the land-use approach for the area. The plan provides recommendations on wildfire reduction, maintaining healthy forests and improving wildlife habitat. The goals of the plan are to:

- Reduce the risk of wildfire to people and property
- Improve wildlife habitat
- Increase biodiversity and improve forest health
- Protect vegetative communities of special concern
- Control and eradicate non-native weeds

The management plan contains extensive recommendations for the mitigation of wildfire risk, which will be summarized here for brevity’s sake. According to the plan, a home’s ability to survive a wildfire is based on two factors – the home’s roofing material and the quality of the defensible space surrounding it. Defensible space is defined as an area around a structure where fuels are treated, cleared, or reduced to slow the spread of wildfire. The plan recommends using only Class A and B roofing material, the two most fire-resistant roofing classifications.

Probably the most detailed part of the management plan has been to divide the Twin Buttes areas into three zones for different defensible space classifications. Anything within 15 feet of a structure has been classified as Zone 1 and would receive the maximum amount of modification and treatment. In Zone 1 the plan recommends removing all trees, or at least pruning them to 10 above the ground, frequent pruning of trees, mowing, and reducing other combustible material away from any structure. Zone 2 extends 75-125 feet and has eight different fire-reductions strategies. Zone 3 contains all other areas. Additional steps to be taken include the creation of fuel breaks and proper slash disposal (slash is the limbs and branches left from thinning).

The Forest Management Plan also contains other recommendations for improving wildlife habitat and keeping vegetation healthy. These recommendations include native plant landscaping, weed management, preservation of mature trees in areas slated for construction and fuels reduction, education of homeowners of the importance of the plan guidelines, and having a forester on the wildlife management team called for in the Wildlife Management Plan.

## **10. Open Space**

The plan proposes 478 acres of open space. The total project acreage is 597 acres, so just over 80% of the project land will be open space.

This acreage includes a wide range of landscapes, each having different preservation values, purposes, and maintenance requirements. For example, the Twin Buttes land

on the south side of Highway 160 has already been placed by the applicant in a permanent conservation easement. Open spaces adjacent to the development areas will be more heavily impacted by human activities, while areas located outside the primary development area, including the upper reaches surrounding the buttes, will be more primitive and have greater habitat value. The wildlife, forest, and trail management plans provide significant detail relative to appropriate management practices throughout.

The Conceptual Plan, while recommending preservation of 478 acres of open space, does not address whether areas immediately adjacent to and surrounding the development may be better suited for inclusion in acreage to be owned and managed by an HOA or metro district rather than the City. The Preliminary Plan submittal and review will clarify who will manage the different open space areas.

## **11. Wildlife Management**

The Twin Buttes proposal occupies land that is identified as being sensitive habitat for local wildlife. The project area lies just south of the Perins Peak Wildlife Management Area, which is owned the Bureau of Land Management and operated under the management of the Colorado Department of Wildlife. Because the land has long been acknowledged as sensitive wildlife habitat, the applicant hired Ecosphere Environmental Services in 2007 to create a Wildlife Management Plan. The primary goal of the Wildlife Management Plan is to develop practical strategies for minimizing Twin Buttes impact on area wildlife populations. More specifically, goals for implementation include:

- Preserving and enhancing areas identified as open space;
- Maintaining and enhancing sensitive habitats;
- Proper management of sensitive species minimizing human-wildlife conflicts and wildlife damage to property, and;
- Establishing standards for future developments to manage for wildlife.

The primary identified threats to wildlife resulting from the proposed Twin Buttes development, as identified in the plan, are:

- Habitat loss, fragmentation and alteration, particularly elk severe wintering and winter concentration areas and the elk migration corridors along most of the southern boundary of Twin Buttes
- Human-wildlife interactions
- Disruption of wildlife movements
- Increased mortality and injuries
- Threats to unique ecological communities, particularly the riparian corridor and wetlands associated with Lightner Creek, and raptor nesting habitat and mature coniferous forests within Twin Buttes.

Staff believes the Wildlife Plan is a good start for approaching the wildlife issues associated with the proposed development. More detail on the implementation of the plan will be required at the Preliminary Plan review level. The Colorado Department of Wildlife submitted its comments to the staff on the project (see attachment to the staff report). The DOW, while concerned about the net loss of important wildlife winter range, states that the detailed steps outlined in the Draft Wildlife Management Plan would, if implemented in full, allow a substantial portion of this winter range to remain intact. The use of seasonal trail closures and a well designed trail system, along with full implementation of the Wildlife Management Plan, would be essential in preserving the project's proposed open space as wildlife winter range.

## **12. Trails**

The Parks and Recreation staff provided the following comments. The Parks Department supports the establishment of an integrated system of soft and hard-surfaced trails that will provide recreational and transportation opportunities for residents of the development. This public trail system will also likely be used by members of the larger community, and as such, some public parking should be made available to accommodate this use. New trails, both soft- and hard-surface, will be

required to meet all applicable City standards. The type and location of the trails, associated way-finding and interpretive signage, as well as maintenance responsibilities will need further discussion and consideration during the Preliminary Plan stage.

Staff supports the conditions-based winter trail closures in dedicated open space to limit wildlife impacts. Details associated with appropriate closures should be determined in advance of Council consideration of final plan approval. Some of key recommendations of the Draft Trails Management Plan are as follows:

- Create trails in anticipation of, or concurrently with, development
- Minimize trail density, especially in critical wintering habitat for deer and elk and wildlife corridor
- Provide wildlife access to Lightner Creek
- Utilize existing disturbance (railroad grade, 2-track road)
- Narrow rights-of-way (e.g. single track)
- Follow existing habitat edge, rather than through habitat
- Avoid large continuous tracts of habitat
- Blend new trails with surrounding environment
- Coordinate trail construction with Wildlife Management Plan
- Build a pedestrian bridge over Lightner Creek
- Prohibit rock climbing and bouldering on Twin Buttes
- Prohibit use of OHVs and snowmobiles

The hard surface trail that is proposed to run along the south side of Twin Buttes will be a link in the Smart 160 Trail, which has been planned by the City to eventually connect the areas west of Durango to the Animas River Trail and points beyond. The Twin Buttes hard surface segment will provide a connection to Lightner Creek Road (County Road 207), and for mountain bikers it would be a connection for the Dry Fork Loop. This connection would help implement the City of Durango Parks, Open Space and Trails Master Plan objectives to create alternatives to automobile travel by being a link in an extended trail system.

### **13. Cultural Resources**

Per City archaeological policies, a cultural resource survey of the entire project will be required at the Preliminary Plan stage to identify any significant cultural remains and to recommend their appropriate treatment. Recommendations in the report shall be adhered to in the design and development of the project.

### **14. Irrigation**

To supplement Twin Buttes senior water rights, the applicant applied for the right to divert water from the Rudy Ditch and Lightner Creek at three points, and to store water in three wells. The Rudy Ditch passes through this property. The property itself has use of irrigation water from this ditch. Early in 2008 the Water Division of the local District Court accepted the application for rights to 1.83 cfs, which is intended to be used as supplemental irrigation for the parks, gardens and the community landscape, in addition to other uses. The site was also granted water storage rights of 20 acre feet. The property was previously entitled to 0.33 cfs. The applicant is applying for a graywater permit to reuse household water to irrigation purposes. Any graywater use must be approved by the San Juan Basin Health Department, a division of the Colorado Department of Public Health and Environment, and more details will be required at the Preliminary Plan stage.

### **Public Facilities/Public Areas**

### **15. School Dedication**

Annexation and development of a project this size would impact the school system as residents with school-age children move into Twin Buttes. The applicant and the 9R School District have had discussions about what the impact of the Twin Buttes project would be. The 9R District has a master plan for new school sites, which does not include the Twin Buttes site. Instead of providing a site, the applicant will pay an in-lieu fee to the 9R school district. The amount of the in-lieu payment will be finalized later in the review process.

## **16. Parks**

The Parks and Recreation Department provided the following comments: While the plan identifies six “pocket parks” distributed throughout the development, specific park amenities proposed should be clarified for review as part of the Preliminary Plan submittal. Park amenities and facilities should be readily available to residents of each of the development pods, and should include a well distributed range of amenities such as age-appropriate playgrounds, picnic areas/shelters, turf grass areas, as well as active recreation facilities such as tennis and basketball courts, ball fields, etc. Additionally, the City has not historically accepted maintenance responsibility for parks less than five acres in size. If it is the intent of the developer for the City to accept the parks identified in the Concept Plan, all of which are smaller than five acres, discussions should occur with the City Parks and Recreation Department regarding the proposed amenities and design standards prior to any park site plans being developed.

## **17. Drainage**

A master storm drainage plan was submitted as a part of the conceptual plan submittal. The drainage plan was reviewed by the Public Works Department, which provided the following comments. Project drainage design shall be in accordance with City storm drainage design standards and shall assure that off-site properties experience no adverse impacts from site runoff/drainage. Installation of all on-site drainage improvements shall be the developers’ responsibility.

The applicants have proposed to use a system of bioswales, or biofiltration systems, to detain and treat water. The swales are long, gently sloping, vegetated channels specifically designed to filter pollutants from stormwater and will be used along roadways and at the edges of development areas. Bioswales convey stormwater on the surface rather than through a buried storm-drain pipe. As run-off from impervious surfaces moves through the bioswales, native plants absorb and filter contaminants while water infiltrates into the soil below. As a result, pollutants are removed from the stormwater before it enters the surrounding watershed.

Standard City street cross-sections require a raised curb and gutter. The bioswale system will also depend on an alternative set of standard cross sections if the grass swales are to be as effective as intended.

Before development can begin, the following approvals will be necessary: a stormwater quality permit from the City and a Colorado Department of Public Health (CPDHE) Water Quality Control Division (WQCD) stormwater discharge permit for construction activities for the development. The City will review the Stormwater Management Plan (SWMP) for approval. Verification of review by the Army Corps of Engineers will also be required.

## **18. Utilities**

City utility issues were discussed previously in the annexation analysis under serviceability. A master utility plan for the entire project should be developed as part of the preliminary plan submittal. Written verification from all utility providers as to service capacity and utility plan approval will be required prior to final approval of any project phase. Easements for utility installation and maintenance shall be dedicated as necessary.

A summary of the wastewater conceptual plan was also submitted. This plan, which has been reviewed by the Public Works Department, provides further information on the following:

- The collection system
- Wastewater flows
- Peak wastewater flows
- Wastewater treatment
- Service and potential expansion area
- Operational requirements
- Wastewater collection and delivery, including off-site interceptor systems, the collection system and pumping parcels.

Local utilities have reviewed the Twin Buttes conceptual plan and have indicated their support for the proposal at this point on the development process. The utilities include Atmos Energy, Qwest and LPEA.

## **19. Geotechnical Report**

The applicants hired Trautner Geotech LLC, a local engineering firm whose expertise is in geotechnical issues, to analyze the Twin Buttes site for potential geologic hazards. The report states the Twin Buttes development is technically feasible from a geotechnical engineering and geologic hazards perspective. The report states “The subject property has some aspects that will require mitigation or avoidance of geologic hazards but the development has adequately addressed the geologic hazards, such as rock fall and debris flow, and the lay-out has conformed to these constraints” (p. 4). Soil reports and site-specific geotechnical analysis is recommended for specific individual lots, for review by the City and other agencies if the project is to be approved.

The applicant has been mindful of the rockfall hazard. By placing the development areas away from steep slopes associated with the rockfall hazard, the rockfall hazard has been effectively mitigated, according to the Trautner report (p. 18).

## **Development Phasing and Timing**

### **20. Phasing**

The developers propose to develop the project in five phases. The phasing plan, according to the project narrative, will be built contingent on market demand and product absorption. The first phase would be the redevelopment of the Mustang Gas area along Highway 160 West. Phase Two would be the Artisan Core and Village Bungalows; Phase Three the West Meadow; Phase Four would be Tipple East and Tipple West, while Solar East and Solar West would be the final phase.

## **IV. SUMMARY**

In terms of number of potential units, this is the largest single residential annexation and development proposal to be considered by the City since Three Springs approximately five years ago. In order to address anticipated community concerns about project compatibility with the setting, as well as the City’s Comprehensive Plan, substantial issues need to be addressed and resolved as this project continues through the review process. In this regard, utilization of the City’s Planned Development zoning and three-phased PD review process, plus the LUDC text amendment for the revised street standards, will allow City staff, the Planning Commission, City Council and the general public the opportunity to identify and assess critical issues before the annexation and PD development plan are finalized.

As to the conceptual development plan, it is important to acknowledge the purpose of this review stage in relation to the overall three phases of PD review. As the name implies, review at this first stage is conceptual in nature. The purpose is to allow the Planning Commission and City Council an opportunity to evaluate the general development concept proposed and to identify issues that need to be addressed as the project moves through the other stages of review. It is appropriate to make

general decisions as to the development concepts advanced and to provide guidance to the developer or establish conditions that must be met at future stages of review.

The project density proposed is 1 unit per acre for the 595 units and is at the low end of the Comprehensive Plan range. The percentage of land proposed for open space dedication is 80%.

With respect to annexation, the applicant believes it is essential for the annexation to be approved to achieve the development sought. Were the City to deny approval of the annexation, the project could either be approved by the City at a lower density that would not allow the developer to go to individual water wells, or else, per the terms of the Intergovernmental Agreement, be allowed to do its own central water supply system; that type of development would be eligible for County plan review and approval. If the City rejects annexation, the next step would logically be to exclude this area from the City's Planning Area, leaving it under the sole jurisdiction of La Plata County. The County has no open space or trails standards, nor has it historically been inclined to deny a property owner the right to subdivide property. Moreover, the possibility of dividing the entire property into 35 acre tracts is not even subject to County review. Should that happen, the community as a whole would lose the opportunity presented in the Twin Buttes annexation for 80% public open space dedication, or public access via trails, clustered development, etc.

As outlined in this staff report, the proposed project appears to be generally consistent with the Comprehensive Plan recommendations for Twin Buttes. Staff has identified specific issues to be addressed in the Preliminary Plan and through future conditions of approval, including:

- residential design densities
- accessory dwelling unit design
- non-residential uses
- affordable/attainable housing
- street & development standards applicable to Durango
- master road, utility and drainage plans for the entire project
- extent of developer improvements to water and sewer utilities along Highway 160
- wildlife impacts
- open space issues, including ownership and maintenance
- trail issues, including possible use of seasonal closures
- park land dedications
- drainage issues
- development phasing and improvement timing

It is appropriate at this stage to provide the applicant with any direction on these or any other matters identified by the Planning Commission.

## **V. ALTERNATIVE ACTIONS -- ANNEXATION AND INITIAL ZONING**

1. Recommend approval of the Twin Buttes Annexation and Initial Zoning of PD (Planned Development) with findings that this annexation is in general conformance with the statutory annexation eligibility requirements and the annexation policies of the City of Durango, and subject to the following conditions:
  - (a) The developers and the City shall enter into an acceptable annexation (and/or PD) agreement prior to finalization of the annexation. Said agreement shall specifically address:
    - residential use mix and densities;
    - non residential uses
    - affordable/attainable housing
    - any specific design standards (setbacks, building height, scale, character, landscaping, circulation, etc.) developed during the review process;
    - commercial use restrictions and development standards;
    - developer responsibility for public improvements (roads, drainage, utilities, trails, etc.);
    - park dedications and construction;

- open space dedications and maintenance;
  - compliance with wetlands permitting;
  - development phasing and improvement timing;
  - implementation of the wildlife management plan and forest management plan.
2. Recommend denial of the proposed Twin Buttes Annexation and Conceptual Development Plan with specific reasons and findings stated.
  3. Continue consideration of the Twin Buttes Annexation and Conceptual Development Plan to a date certain with specific directions to staff and/or the applicants.

**RECOMMENDED ACTION -- ANNEXATION AND INITIAL ZONING**

By motion, Alternative Action 1.

**VI. ALTERNATIVE ACTIONS -- CONCEPTUAL DEVELOPMENT PLAN**

- A. Recommend approval of Twin Buttes PD conceptual development plan as submitted subject to the following conditions:
  - 1) Future plan submittals shall be in general conformance with the conceptual development plan and in accordance with City development regulations. The approved residential density at the conceptual plan stage shall be considered a “design density” and shall be as indicated on the conceptual plan for the total project (maximum 595 total units).
  - 2) The road standards proposed in the Twin Buttes submittal will have to be approved by LUDC text amendment, to be submitted if City Council approves the Conceptual Plan submittal, prior to Preliminary Plan submittal or review.
  - 3) The preliminary plan submittal shall include a description of potential uses for the non-residential areas. Specific non-residential uses to be allowed shall be identified in the PD Agreement.
  - 4) Prior to Preliminary Plan submittal, the developer and City staff shall negotiate design/development standards to be applied to this project. Said standards shall be submitted as part of the preliminary plan submittal, shall reflect/complement the existing character of the community, and shall address, at a minimum, lot sizes, setbacks, building heights, architectural styles, materials, colors, etc.
  - 5) Preliminary plan submittals shall address the full project area and comply with all requirements of the LUDC including, but not limited to, the following:
    - master utility, road, and drainage plans for the entire project (the City Engineer shall be consulted about the anticipated level of detail of these submittals prior to preliminary plan submittal)
    - subdivision plan showing the location of proposed lots, public land areas and streets
    - a cultural resource survey of the entire project site, including recommendations for treatment of any identified cultural resources
  - 6) A detailed wildfire deterrence plan has been submitted as a part of the conceptual submittal. Information on how the applicant intends to comply with the recommendations will be required at the Preliminary Plan stage.
  - 7) The preliminary plan submittal shall include a master storm drainage plan for the entire project. Project drainage design shall be in accordance with City storm drainage design standards and shall assure that off-site properties experience no adverse impacts from site runoff/drainage. All on-site drainage improvements shall be the developers’ responsibility. In addition to the storm drainage master plan, a Storm Water Management Plan (SWMP) and Colorado Department of Public Health and Environment (CDPHE) permit application will be required with the Preliminary

Plan submittal. The proposed storm drainage system, which uses a biofiltration system, depends on an alternative to standard City cross-sections being adopted through an LUDC text amendment. If the text amendment is not approved, current City standards shall apply.

- 8) The Preliminary Plan submittal shall include detailed plans for improvements for the two access points leading into the site from Highway 160. Said improvements are to be substantially as presented in the conceptual plan submittal, with modifications as required by City staff. Verification of adequate ROW for the road improvements must be provided at the Preliminary Plan stage and the developer shall be responsible for acquiring any additional ROW needed to accommodate the proposed improvements.
- 9) The developers shall be responsible for the installation of all required public improvements determined necessary to serve the development, including any off-site utility and/or street or traffic improvements. Anticipated public improvements include, but are not limited to, utilities, Highway 160 West improvements, streets, trails, drainage facilities, etc. All public improvements shall meet City development standards.
- 10) An amount for an in-lieu payment to the Durango 9R school district will be determined by the school district, as developable space at the site is limited. The amount will be determined before the final plan approval.
- 11) Specific park amenities proposed and responsibilities for maintenance will be clarified as part of the Preliminary Plan submittal.
- 12) If it is the intent of the developer for the City to accept the parks identified in the Concept Plan, all of which are smaller than 5 acres, discussions should occur with the City Parks and Recreation Department regarding the proposed amenities, maintenance responsibilities, and design standards prior to any park site plans being developed.
- 13) The type and location of the trails, associated way-finding and interpretive signage, as well as maintenance responsibilities will need further clarification in during the Preliminary Plan submittal.
- 14) Prior to Preliminary Plan submittal, the developer shall provide more details on how the recommendations of the Draft Wildlife Management Plan will be implemented. The goals and policies of the Wildlife Plan which are to be implemented at Twin Buttes should be addressed in the Preliminary Plan submittal.
- 15) The Colorado Department of Wildlife has requested the following, which has been made into two conditions of approval: "If the City approves the Twin Buttes development, the CDOW advocates using the Draft Wildlife Management Plan as the guiding document for the project.
- 16) The CDOW recommends Lightner Creek Ranch, LLC provide full disclosure to all new and potential residents that the Village Areas are within a known human-mountain lion conflict area and a fall concentration area for black bear.
- 17) The Preliminary Plan shall include a plan to address limiting wildlife access to garbage refuse and trash receptacles.
- 18) The Preliminary Plan submittal shall include clarification of the dedicated open space areas as to who will own/maintain the open areas and what improvements may be accommodated.
- 19) Provisions for addressing affordable/attainable housing within the project shall be incorporated into the Annexation/PD Agreement, with 16% of the units (95 total) to be provided. Applicant shall work with the City and Regional Housing Alliance staff

to provide more definition of the types of units and what income groups are targeted as part of the Preliminary Plan submittal.

- 20) Future construction within the PD shall contribute to the City's major street improvement impact fee fund in accordance with the City's adopted major street impact fee ordinance, unless otherwise specifically agreed to in the Annexation/PD Agreement.
  - 21) Maximum building heights within the PD shall be thirty-five (35) feet, unless otherwise allowed by specific action taken by the Planning Commission and City Council.
  - 22) The new water storage facility will be constructed in accordance with the Hillside Design Guidelines, Section 10-13 of the Land Use and Development Code, in order to minimize any visual obtrusiveness in the water tank design.
- B. Recommend denial of the proposed Twin Buttes Conceptual Development Plan with specific reasons and findings stated.
  - C. Continue consideration of the Twin Buttes Conceptual Development Plan to a date certain with specific directions to staff and/or the applicants.

### **RECOMMENDED ACTION**

The only action recommended to be considered at this meeting is to continue the hearing to the July 7 special meeting.

Staff anticipates having an amended and updated staff report distributed to the Planning Commission and for public review prior to the July 7 meeting.