



Zone Change Report

Case #Z-973-21-24

Planning Commission Date: July 2, 2024

City Council Date: August 19, 2024

GENERAL INFORMATION

PROJECT NAME	Anderson Ranch Annexation Zoning
LOCATION	9901 Chambers Road (NW corner of East 98 th Avenue and Chambers Road)
SITE SIZE	121 Acres
CURRENT ZONING	Adams County Agricultural-3 (ADCO AG-3)
PROPOSED ZONING	Planned Unit Development (PUD)
APPLICANT	Anderson-CRP Trust
OWNER(S)	Anderson-CRP Trust
CASE PLANNER	Nathan Chavez

REQUEST

The request is for annexation zoning for the subject property from Adams County Agricultural-3 (ADCO A-3) to Commerce City Planned Unit Development (PUD). The proposed PUD would allow for a mixture of residential housing types including single-family detached, single-family attached, and townhomes. Also included are private parks, open space, a school site, and public park site.

PUD ZONING

The zoning of a property determines what uses are allowed or not allowed and sets bulk development standards such as setbacks, lot size requirements, and maximum building heights. The City has a variety of straight zoning districts including residential districts, commercial districts, industrial districts. PUD Zoning is a zoning district that allows specific uses and standards that a straight zone district would not allow. The intent of the PUD Zoning is to support a unique development that would not be feasible within a straight zoning district. PUD Zoning is approved by the City Council in the form of an ordinance and “runs with the land” meaning that the zoning for a parcel remains in effect unless it is modified by a subsequent PUD Amendment.

BACKGROUND AND CASE HISTORY

The approximately 121-acre property is currently used for agricultural purposes with one ranch home and accessory structures present on the property. The current ranch home was constructed in 1999, although historical aerials indicate a residence has existed on the site since at least 1956. On April 5, 2022 a PUD Concept Schematic (Z-973-21) was reviewed by the Planning Commission. No formal decisions are made regarding PUD concept schematics, but the Planning Commission provides the applicant with comments regarding the proposal.

ADDITIONAL INFORMATION

Applications for a proposed Annexation (AN-268-24) and Northern Infrastructure General Improvement District (NIGID23-0001) inclusion are currently under review for this site. Both cases are heard and decided on by City Council and the NIGID Board respectively.

COMPREHENSIVE PLAN (CP) CONSISTENCY

The subject property is designated on the Comprehensive Plan [Future Land Use Map](#) as Residential – Medium with a related zoning of R-1 (Single-Family Detached Residential District), R-2 (Single-Family Attached Residential District), and PUD. Proposed is a PUD which allows for residential uses including a potential mixture of single-family detached, single-family attached, and townhomes. The Residential – Medium designation lists dwelling units per acre (DU/AC) at a minimum of four and up to eight. The proposed PUD meets the intent of the Comprehensive Plan by being within the range of the Residential – Medium designation density.

Proposed are two residential use types; RMD (Single-Family Detached Residential District) and RMDA (Single-Family Detached and Attached Residential District). RMD, which includes Planning Areas A, C, and F, allows for only single-family attached dwellings with a density of four to eight DU/AC. RMDA, which is only found within Planning Area B, allows for single-family detached, single-family attached, and townhomes. The proposed density is between six to sixteen DU/AC, a density that is higher than the Residential – Medium designation plan.

This application meets numerous [Land Use and Growth policies](#) within the Comprehensive Plan including LU 1.1 Growth and Future Land Use Plan Consistency, LU 2.2—New Development Contiguous, Tiered, LU 2.3 Development Paced with Utilities, LU 3.2—Traditional Mix of Uses in Neighborhoods, and LU 3.3—Compatible Uses in all Neighborhoods. The proposed development is consistent with the planned residential of the Future Land Use Plan. The proposed development is consistent with the Comprehensive Plan’s tiered expansion policy and is logical in that utilities are already present in the area serving other neighborhoods. Lastly, the proposed zoning would allow for development which is compatible with the surrounding development and create a neighborhood with a mixture of residential and public uses, including a future school and public park site.

Furthermore, this case is supported by policy T 2.2 ([Modified Grid Street Network](#)) and T 2.3 (Relieve Traffic and Improve Safety). The applicant’s development includes numerous connections through the development of the approximately 121-acre site, thereby expanding the grid system and relieving traffic through increase connectivity.

PROJECT ANALYSIS

Site Overview

The requested annexation zoning is for approximately 121 acres, located at 9901 Chambers Road (NW corner of East 98th Avenue and Chambers Road). The existing ranch home and accessory structures will be demolished before the site is developed. The site is bordered by High Pointe subdivision to the northeast, Foxton Village subdivision to the west, and future residential development to the west and south. Across Chambers Road to the east is the Fronterra Village subdivision and to the north are three agriculturally zoned parcels utilized as ranch style homes.

The proposed PUD has ten Planning Areas. Four of the Planning Areas are solely meant for two residential use types; RMD (Single-Family Detached Residential District) and RMDA (Single-Family Detached and Attached Residential District). RMD, which includes Planning Areas A, C, and F, totaling 74.47, acres allow for only single-family attached dwellings. RMDA, which is only found within Planning Area B (19.16 acres), allows for single-family detached, single-family attached, and townhomes. It is possible that the entire residential portion of the site may be developed as single-family detached.

Planning area E is 3.37 acres and will be dedicated as public park space to Commerce City. This planning area is connected to a 10.09-acre school site for the 27J school district, which will be dedicated and is illustrated in planning area G. The remaining planning areas, D, H, I, and J, are for private parks and open space, totaling 13.85 acres. The school is anticipated to be an elementary school.

Road Network Impacts

The subject property is located in an interesting area in that, it is surrounded by developed neighborhoods with a mixture of completed and half-built roads, vacant land, and a mixture of constructed multi-modal arterials and collectors. Chambers Road, Sable Boulevard, East 102nd Avenue, and East 100th Avenue all currently provide access to the property. The proposed development includes buildout of existing half-built roads, east-west connections between Chambers and Sable Boulevard, and various local roadways within the development. As proposed, the construction of roadways will provide greater connectivity in this area of the City and provide additional access to drivers and pedestrians.

As a part of the annexation agreement for the site, the applicants are responsible for the design and construction of East 102nd Avenue adjacent to the north boundary of their property, the eastern half of Sable Boulevard from East 98th Avenue to East 99th Avenue, and the northern half of East 98th Avenue from Chambers Road to Sable Boulevard. In addition, cash contributions for future traffic signals at the intersections of East 104th Avenue and Sable Boulevard and East 110th Avenue and Chambers Road are required.

Other planned roadways not specifically detailed within the Annexation Agreement may be found within sheet 3 of the proposed PUD Zone Document. While the majority of the local roadways will be laid out during the Final Plat process, the larger roadway locations are present.

Per the [Roadway Classification Plan](#), East 110th Avenue and East 102nd Avenue are Minor/Residential Collectors. Construction of these two roadways is in compliance with the Comprehensive Plan and Master Transportation Plan.

Neighborhood Meeting

The applicants conducted a neighborhood meeting on March 15, 2023 at Stuart Middle School. Approximately eight residents were in attendance to ask questions and provide comments about the annexation zoning request. Questions from the public were related to the maximum height of the homes and the timeframe of development. Concerns expressed included increased traffic, blocking mountain views from Chambers Road, not enough commercial in the area, multi-family as an undesirable adjacent use, the width of Chambers Road, and deteriorating conditions of nearby roads during construction. The applicant has indicated that the homes will be no taller than 35-ft. in height and increased number of rooftops will entice more business for the area. Any traffic concerns will be mitigated through impact fees and right-of-way dedication.

Overall Analysis

The proposed annexation zoning has been reviewed by the Development Review Team, including Planning; Public Works; Development Review Engineering; Parks; 27J; Economic Development; South Adams County Fire Department; Xcel Energy; and South Adams County Water and Sanitation District. There were no comments from referral agencies in opposition to the proposed annexation zoning. A preliminary traffic and drainage report have been reviewed by the Development Review Team (DRT).

ZONING OF NEWLY ANNEXED LAND APPROVAL CRITERIA

A decision for this case must be based on the following criteria from Sec. 21-3350(2) of the Land Development Code (LDC). After passage on first reading of an ordinance annexing property to the city, the subject property shall be given the zoning classification:

(a): Most compatible with the city's comprehensive plan designation of the property;

The Comprehensive Plan Future Land Use Plan designates the property as Residential-Medium with a related zoning or R-1, R-2, and PUD, primary uses of single-family detached residences, single-family attached, and some townhomes, and patio homes, and secondary uses including schools and open space. Proposed is a primarily residential PUD, which allows for a potential mixture of housing types including single-family detached, single-family attached, and townhomes; and secondary uses including a school, open space, and a public park. The Comprehensive Plan further states: "This category allows a wider range of residential types and is appropriate near commercial and activity centers where characteristics are suburban to urban neighborhoods at moderate density. Generally, neighborhoods are accessed by collector streets that connect to arterial streets and should be transit-supportive." Lastly, the proposal meets the intent of the Future Land Use Plan Residential – Medium designation density and the maximum density will not exceed the maximum allowed for the PUD. *Therefore, it can be found that this application meets Criteria (a).*

(b): Most comparable to the county zoning classification existing on the subject property at the time of acceptance by the city of the annexation petition for the subject property; or

Not applicable

(c): Most comparable to the present use(s) of the property.

Not applicable

PUD ZONE DOCUMENT APPROVAL CRITERIA

A decision for this case must be based on the following criteria from Sec. 21-3251(3) of the Land Development Code. An application may be approved if:

Criteria (a): The PUD zone document is consistent with the policies and goals of the comprehensive plan, any applicable adopted area plan, or community plan of the city, or reflects conditions that have changed since the adoption of the comprehensive plan;

The proposed PUD Zone Document meets the land use the intent of the Comprehensive Plan because the proposed uses are residential. In addition, the proposed zoning offers the potential for a variety of medium density housing, which is specifically stated as a characteristic of the Residential – Medium Future Land Use Plan designation. However, there is the opportunity for the site to be developed as entirely single-family detached. In addition, there are concerns regarding the proposed density of between six to sixteen DU/AC, a density that is higher than the Residential – Medium designation. *Therefore, it can be found that this application meets Criteria (a).*

Criteria (b): The PUD zone document is consistent with any previously reviewed PUD concept schematic;

The proposed PUD Zone Document is consistent with the previously reviewed PUD concept schematic (Z-973-21). *Therefore, it can be found that this application meets Criteria (b).*

Criteria (c): The PUD:

Criteria (i): Addresses a unique situation, confers a substantial benefit to the city, or incorporates creative site design such that it achieves the purposes set out in [section 21-4370 \(PUD Zone District\)](#) and represents an improvement in quality over what could have been accomplished through strict applications of the otherwise applicable district or development standards. This may include but is not limited to improvements in open space; environmental protection; tree/vegetation preservation; efficient provision of streets, roads, and other utilities and services; unique architecture or design, or increased choice of living and housing environments; or

Through the proposed PUD, the applicant is offering the City private parks and open space which exceeds the LDC minimum, greater density, and the possibility of variety of housing types within the area. The LDC requires a minimum of 3%

of land to be used for private park space for residential subdivisions. Approximately 18.67% (13.85 acres) of the usable land shall be developed as a private park, trails, and open space. A part of the 13.85 acres contains two miles of 10-ft. wide trails along the internal spine of the development. The Residential – Medium designation states that the designation allows for “a wider range of residential types” including “single-family detached residences, single-family attached, and some townhomes.” A greater density is needed for the potential Planning Area B townhomes and single-family attached products. *Therefore, it can be found that this application meets Criteria (i).*

Criteria (ii): The PUD is required to avoid completely prohibiting a legal, permitted business use within the city;

Not applicable

Criteria (d): The PUD complies with all applicable city standards not otherwise modified or waived by the city;

The proposed PUD has been reviewed by the Development Review Team and meets all applicable city standards. *Therefore, it can be found that this application meets Criteria (d).*

Criteria (e): The PUD is integrated and connected with adjacent development through street connections, sidewalks, trails, and similar features;

The proposed PUD includes roadways, trails, and sidewalks which will better connect this area of Commerce City. Specifically, additional east-west roadway connections including East 100th Avenue, East 98th Avenue, East 99th Avenue, and East 102nd Avenue will be provided. Sable Boulevard, a north-south Minor/Residential Collector per the Master Transportation Plan, will also be partially constructed. Sidewalks will be included throughout the site for pedestrian use and one of the main features of the site is a 10-foot multi-use path which will run along the internal spine of the site. *Therefore, it can be found that this application meets Criteria (e).*

Criteria (f): To the maximum extent feasible, the proposal mitigates any potential significant adverse impacts on adjacent properties or on the general community;

The applicant has worked extensively with the Development Review Team agencies to address any comments and concerns that would pose significant adverse impacts to adjacent properties and the general community. This includes working through the traffic and drainage reports and shifting the school dedication site to the north closer to the park site. The applicant has also agreed to cash contributions for future traffic signals at the intersections of East 104th Avenue and Sable Boulevard and East 110th Avenue and Chambers Road, thereby assisting with future mitigation of traffic concerns. Lastly, members of the public expressed concerns regarding the types of residential units that would be adjacent to existing single-family detached homes. Per the PUD, the applicants have committed to build similar single-family detached homes adjacent to the existing

subdivision and only build townhomes and duplexes within the interior of the development. *Therefore, it can be found that this application meets Criteria (f).*

Criteria (g): Sufficient public safety, transportation, and utility facilities and services are available to serve the subject property, while maintaining sufficient levels of service to existing development;

The property will need to be included into the South Adams County Water Sanitation District and the Northern Infrastructure General Improvement District. Commerce City Public Works, South Adams County Water Sanitation District, and South Adams County Fire Department were included in the review for this zoning request and have no outstanding comments or concerns. *Therefore, it can be found that this application meets Criteria (g).*

Criteria (h): As applicable, the proposed phasing plan for development of the PUD is rational in terms of available infrastructure, capacity, and financing; and

Phasing will be addressed at the PUD Development Permit and Final Plat stages. *Therefore, it can be found that this application meets Criteria (h).*

Criteria (i): The same development could not be accomplished through the use of other techniques, such as height exceptions, variances, or minor modifications.

The proposed development can only be accomplished through a PUD. The applicant is seeking greater density and greater mixture of land uses than current straight zoning such as R-2 (Single-Family Attached Residential District) and R-3 (Multi-Family Residential District) would allow for. *Therefore, it can be found that this application meets Criteria (i).*

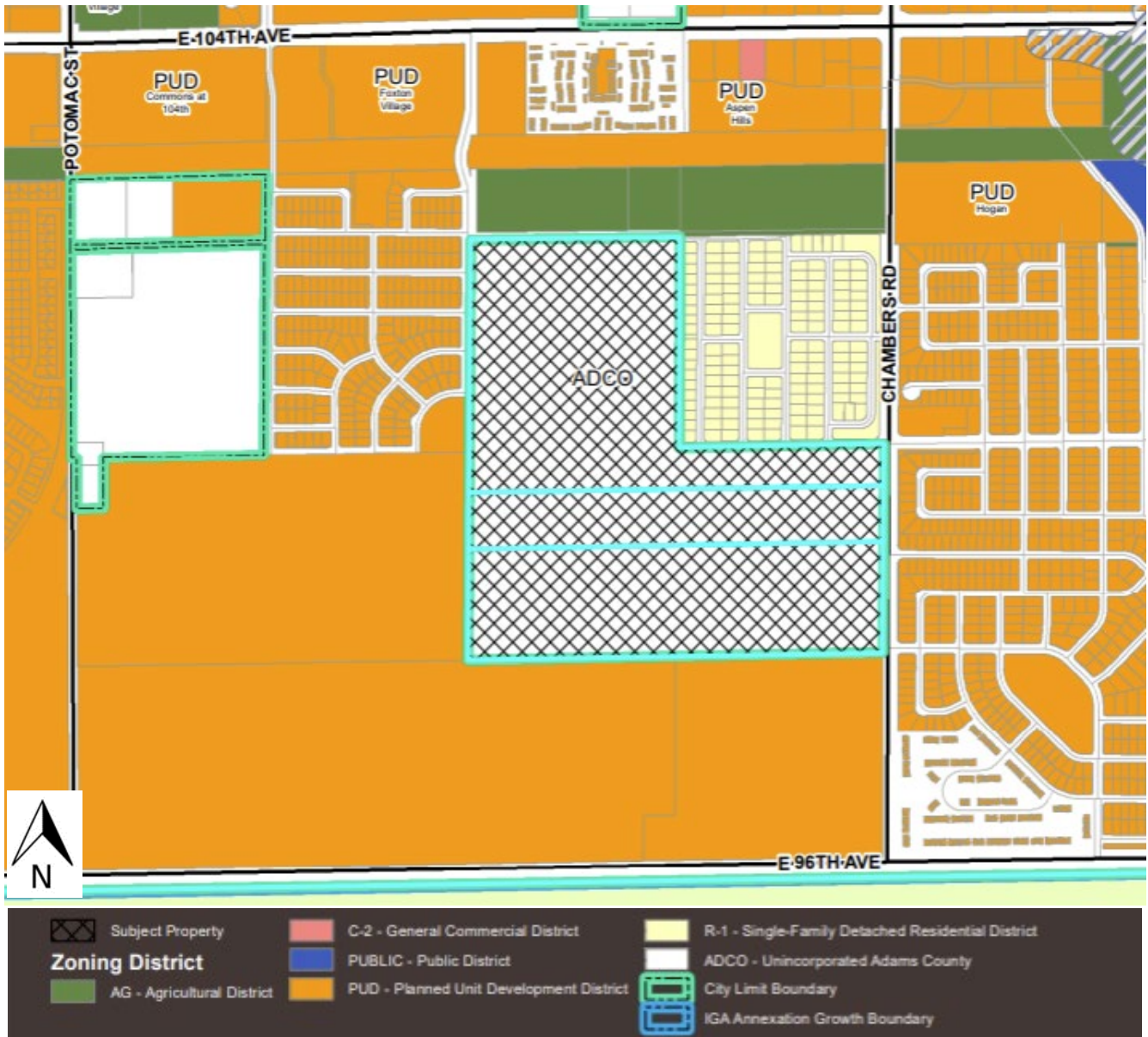
CONSIDERATIONS FOR DISCUSSION

1. Annexation zoning allows the site to develop as a residential neighborhood, compatible with the Comprehensive Plan and surrounding uses.
2. The proposed PUD includes 10.09 acres for a school site within the 27J School District.
3. The proposed PUD includes 3.37 acres for a public park site.
4. Development of the property will create roadway connections between Chambers Road and Sable Boulevard, as well as greater overall connectivity for vehicular users and pedestrians in this area.
5. The proposed PUD includes over 18% of private parks, open space, and trails which exceeds the 3% requirement of the LDC.
6. The gross density meets the intent of the Residential – Medium designation.
7. The entire site may be developed as single-family detached.
8. No architectural design standards are proposed, and the PUD Zone Document defers to the Land Development Code.

POTENTIAL MOTIONS

1. Approval
 - a. Planning Commission
 - i. I move that the Planning Commission enter a finding that the requested **Planned Unit Development (PUD) Zoning** for the property located at **9901 Chambers Road** contained in case **Z-973-21-24** meets the criteria of the Land Development Code and based upon such finding, recommend that the City Council approve the **PUD Zoning**.
 - b. City Council
 - i. I move that the City Council enter a finding that the requested **Planned Unit Development (PUD) Zoning** for the property located at **9901 Chambers Road** contained in case **Z-973-21-24** meets the criteria of the Land Development Code and based upon such finding, approve the **PUD Zoning**.
2. Denial
 - a. Planning Commission
 - i. I move that the Planning Commission enter a finding that the requested **Planned Unit Development (PUD) Zoning** for the property located at **9901 Chambers Road** contained in case **Z-973-21-24** fails to meet the criteria of the Land Development Code and based upon such finding, recommend that the City Council deny the **PUD Zoning**.
 - b. City Council
 - i. I move that the City Council enter a finding that the requested **Planned Unit Development (PUD) Zoning** for the property located at **9901 Chambers Road** contained in case **Z-973-21-24** fails to meet the criteria of the Land Development Code and based upon such finding, deny the **PUD Zoning**.
3. Continuance
 - a. Planning Commission
 - i. I move that the Planning Commission continue the public hearing of the requested **Planned Unit Development (PUD) Zoning** for the property located at **9901 Chambers Road** contained in case **Z-973-21-24** to:
 1. The next regularly scheduled Planning Commission hearing; or
 2. A date certain.
 - b. City Council
 - i. I move that the City Council continue the public hearing of the requested **Planned Unit Development (PUD) Zoning** for the property located at **9901 Chambers Road** contained in case **Z-973-21-24** to:
 1. The next regularly scheduled City Council hearing; or
 2. A date certain.

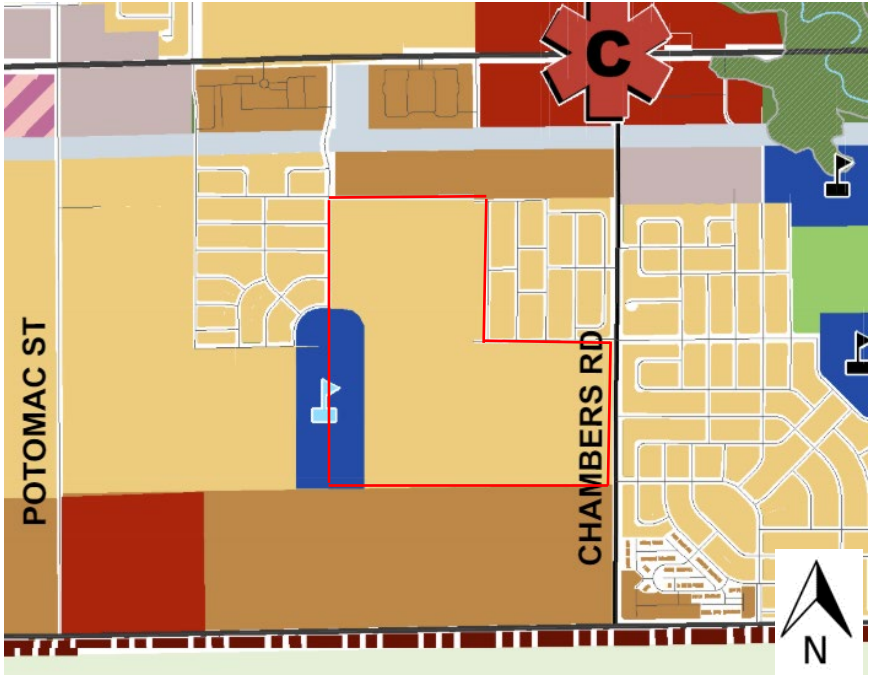
Zoning Map



Future Land Use Plan

Future Land Use

- Residential - Low
- Residential - Medium
- Residential - High
- Mixed-Use - E-470
- Mixed-Use (Corridor and Commercial)
- Commercial
- Office / Flex
- DIA Technology
- Industrial / Distribution
- General Industrial
- DIA Reserve
- Utility
- Public/State
- Park
- Open Space

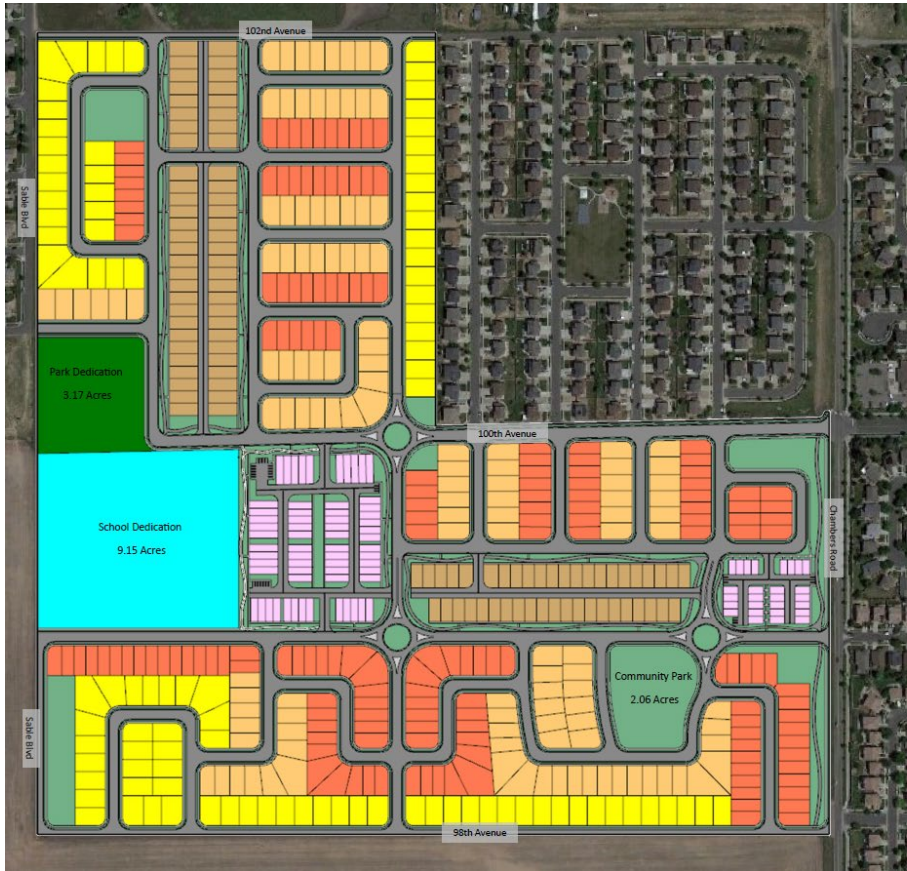


Aerial Map



Conceptual Plan based on Proposed PUD

Anderson Ranch Land Use Concept



Color	Land Use	Acres	Units
Light Purple	Townhomes SF Unit	7.33	90
Light Brown	Rear Drive 40' x 80' SF Lot	11.16	99
Orange	40' x 100' SF Lot	17.77	168
Light Orange	50' x 100' SF Lot	16.50	127
Yellow	60' x 100' SF Lot	14.83	97
Light Green	Community Trail	3.50	
Medium Green	Regional Trail	1.44	
Dark Green	Community Park	2.06	
Lightest Green	Entry Feature	0.44	
Dark Green	Detention	2.49	
Dark Green	Regional Park	3.17	
Cyan	Elementary School Site	9.15	
Grey	Public ROW	31.11	
Totals		120.94	581.00

Anderson Development
9710 South 700 East Suite 205
Sandy, UT 84070



0 300

Site Photos



View from southwest corner of East 110th Avenue and Chambers Road. (Taken June 12, 2024)



View from Chambers Road facing west toward the existing ranch home (Taken June 12, 2024)

Site Photos (continued)



View from Sable Boulevard facing east (Taken June 12, 2024)