



Reunion PUD Amendment No. 6

Case #PUDA23-0002

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Location: SWC of E. 104th Ave. & Tower Rd. (18494 E. 104th Ave.)

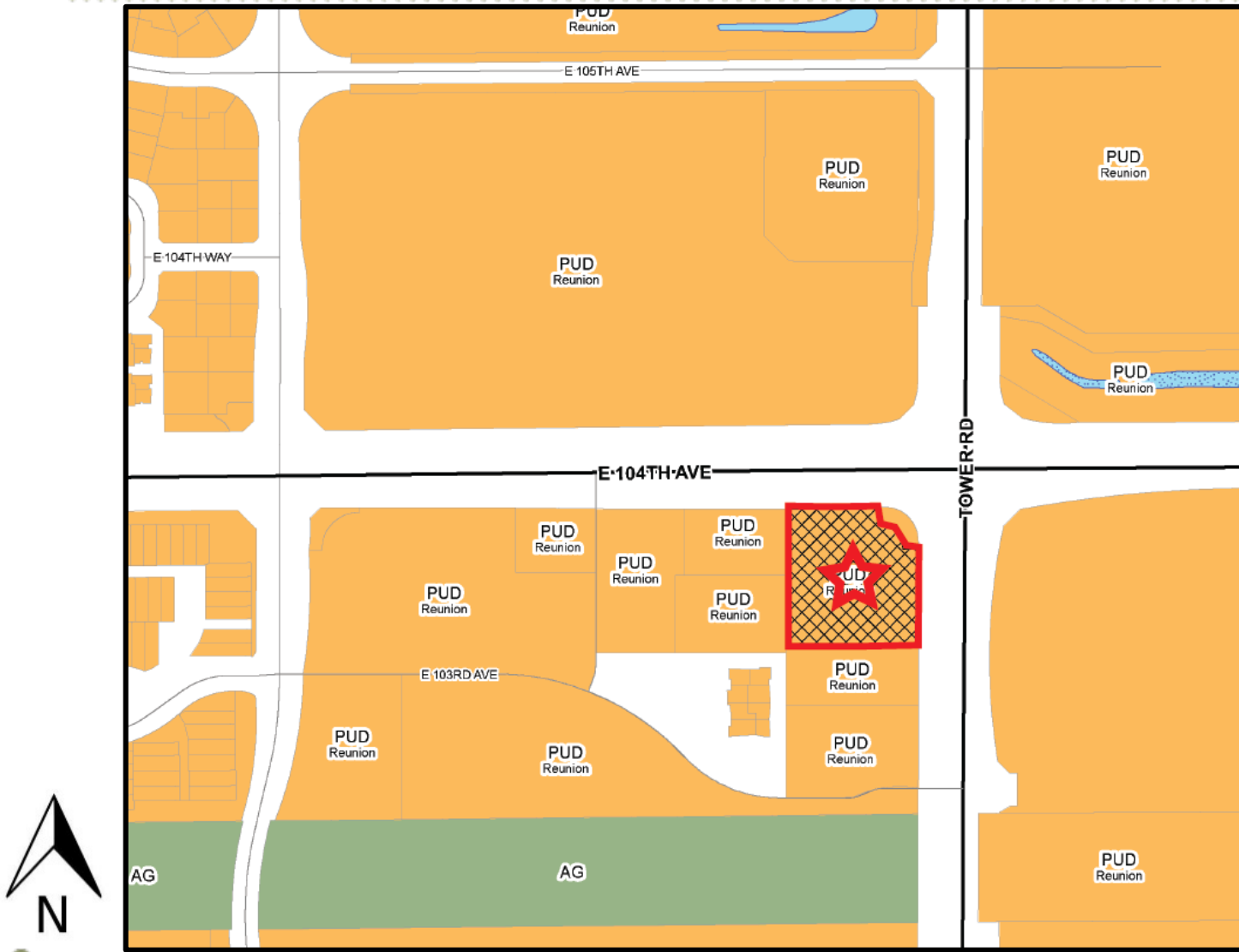
Applicant: Terracina Design

Request

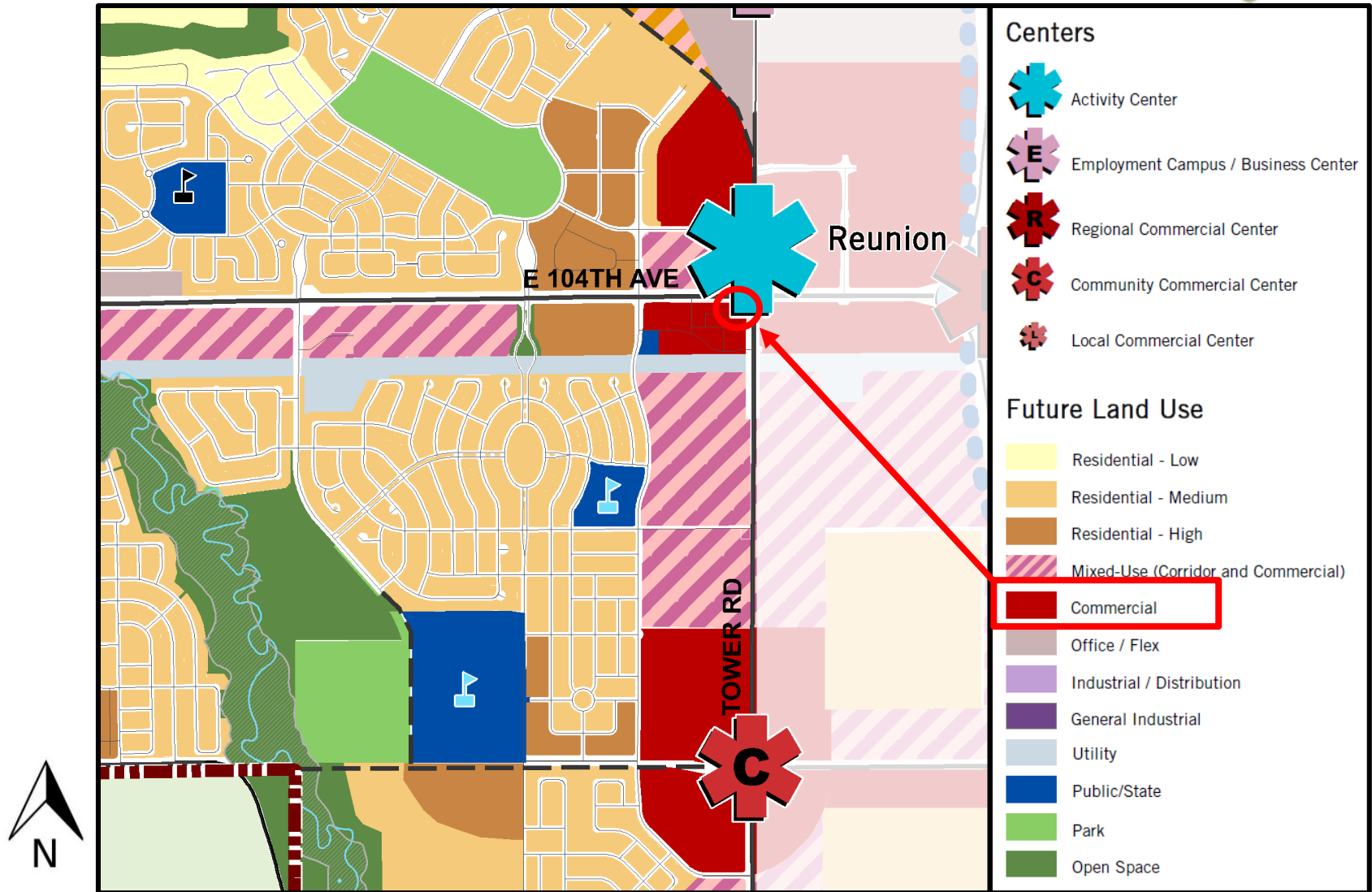
Approval of the Reunion PUD Zone Document Amendment No. 6 to modify allowed uses, including the addition of marijuana uses, create setback requirements for a single medical marijuana center and retail marijuana store, and institute new and modified development standards for the 1.48-acre lot.



Vicinity Map



Future Land Use Plan



Aerial



Current Conditions



Current Conditions



Current Conditions



Background

- Undeveloped property
- Currently part of Parcel 4-F of the Reunion PUD Amd. No. 1
- Parcel 4-F is designated as “Mixed-Use” – allows for a variety of commercial and residential uses
- PUD Amd. No. 6 proposes to substantially reduce the number of allowed uses on the property:
 - Removing all residential uses
 - Removing several more intense commercial uses such as gas stations, car washes, and auto repair shops
- Fig. 5 in PUD Zone Document Report gives a side-by-side comparison of currently allowed vs. proposed allowed uses
- PUD Amd. 6, if approved, would only apply to this specific 1.48-acre site at the corner of E. 104th Ave. and Tower Rd.

Proposed Marijuana Use

- Single tenant space, limited to 2,500 SF, proposed for a medical marijuana center and retail marijuana store
- Conditions currently prohibiting the proposed marijuana use:
 - Residential uses currently allowed on the property
 - Other properties zoned agricultural, residential, and mixed-use within 2,000 ft. LDC distancing requirement
- PUD Amd. 6 proposes a 500-ft. distancing requirement (for the proposed marijuana use) from existing residential uses
- No distancing requirement proposed from properties zoned agricultural, residential, or mixed-use that do not contain residential uses
- Complying with all other LDC setbacks for marijuana use

Additional Information

- Proposed PUD Development Permit (PUDP23-0007) currently under review for this site:
 - One commercial building, approx. 12,000 sf.
 - Units for up to five individual tenants, including:
 - A restaurant (min. 2,000 sq. ft.)
 - A combined medical marijuana center and retail marijuana store (max. 2,500 sq. ft.)
 - Proposing 30% more parking than is required
- PUD Amd. 6 also proposes several development standards for the site that exceed LDC requirements:
 - Enhanced architectural standards
 - Enhanced site design standards
 - Sustainability standards

Neighborhood Meeting

- Neighborhood meeting held January 24th from 6:00pm – 7:30pm at the Bison Ridge Recreation Center
- Applicants mailed letters in a 2,500-foot radius to notify surrounding property owners of the meeting
- Approximately 32 individuals attended the open house style meeting
- Vast majority of attendees appeared to be either neutral or vocally in favor of the request – general excitement around the marijuana dispensary itself and the guaranteed restaurant space on the site
- Two couples voiced opposition to the project, with concerns regarding property values, safety, and general opposition to the marijuana use.



PUD Zone Document Analysis

The following slides will provide a summary and analysis of each sheet of the proposed PUD Zone Document.

Reunion PUD Amendment No. 6 – Sheet 1

REUNION VILLAGE PLAZA PUD

AMENDMENT #6 OF THE BUFFALO HILLS RANCH PUD ZONE DOCUMENT
 A PORTION OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,
 CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO

LEGAL DESCRIPTION

KNOW ALL MEN BY THESE PRESENTS THAT _____ BEING THE OWNER OF IT (AT PART OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE 6TH P.M., CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: TO WIT, LOT SA, REUNION PLAZA 30, 3RD AMENDMENT, CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO, CONTAINING 1.48 (4,665' 50" x 11) ACRES MORE OR LESS, EXCLUDED THIS _____ DAY OF _____ AD 20____.

OWNER(S) SIGNATURE AND PRINTED NAME

OWNERSHIP CERTIFICATE

I, 1894 10TH LLC, A COLORADO LIMITED LIABILITY COMPANY, BEING THE OWNER OF THE PROPERTY LOCATED IN THE CITY OF COMMERCE CITY, COUNTY OF ADAMS, AND STATE OF COLORADO DOBS HEREBY SUBMIT THIS PLANNED UNIT DEVELOPMENT ZONE DOCUMENT AND AGREE TO PERFORM UNDER THE TERMS HEREIN.

BY: _____
 YISHAN PATIDAR, 1894 10TH LLC, A COLORADO LIMITED LIABILITY COMPANY

STATE OF _____
 COUNTY OF _____
 CITY OF _____

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ AD 20____.

NOT A PUBLIC
 MY COMMISSION EXPIRES _____

APPROVAL CERTIFICATE

APPROVAL BY THE CITY OF COMMERCE CITY PLANNING COMMISSION THIS _____ DAY OF _____ AD 20____.

BY: _____
 CHAIRPERSON

APPROVAL BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY THIS _____ DAY OF _____ AD 20____.

BY: _____
 MAYOR

VICINITY MAP

SCALE 1" = 1000'

PROJECT INTENT

THE PURPOSE OF THIS AMENDMENT IS TO CHANGE THE USES AND REGULATIONS GOVERNING LOT SA, REUNION VILLAGE PLAZA 30, 3RD AMENDMENT WITHIN THE 4TH PLANNING AREA OF THE BUFFALO HILLS RANCH PUD ZONE DOCUMENT. AMENDMENT REVISIONS INCLUDE BUT ARE NOT LIMITED TO:

- ADDING MEDICAL MARIJUANA CANNABIDIOL (CBD) MARIJUANA STORES AND RETAIL MARIJUANA STORES AS ALLOWED USES
- REMOVING ALL RESIDENTIAL USES FROM THE PARCEL
- REMOVING A LARGE AMOUNT OF COMMERCIAL USES IN ORDER TO LIMIT COMMERCIAL DEVELOPMENT TO HIGHLY DESIRABLE USES
- IMPROVING AND MAINTAINING SUSTAINABILITY BY ADDING PRACTICES AND STRATEGIES THAT MINIMIZE ENVIRONMENTAL IMPACT, ENHANCE RESOURCE EFFICIENCY, AND CONTRIBUTE TO AN OVERALL HEALTHIER AND GREENER SUBURBAN ENVIRONMENT
- ADDITIONAL SITE SPECIFIC AND SUSTAINABILITY REQUIREMENTS HAVE BEEN ADDED TO THE DOCUMENT THAT ARE ABOVE AND BEYOND THE COMMERCIAL LOT SA DEVELOPMENT CODES

EXISTING LAND USE & ZONING

THE SITE IS CURRENTLY VACANT WITH A MIXED USE ZONING DESIGNATION PER THE BUFFALO HILLS RANCH PUD ZONE DOCUMENT.

PROJECT PHASING

ANY CONSTRUCTION ON SITE WILL OCCUR IN ONE (1) PHASE.

APPLICANT/OWNER	ENGINEER	PLANNER	ARCHITECT
1894 10TH LLC 2946 51ST DR DENVER, CO 80239 (720) 989-4745 CONTACT: YISHAN PATIDAR yishan@189410th.com	TERRACINA DESIGN 12000 E. GRAND AVE #A 314 DENVER, CO 80231 (303) 632-8867 CONTACT: DAVID BACCIO david@tterraccina.com	TERRACINA DESIGN 10000 E. GRAND AVE #A 314 DENVER, CO 80231 (303) 632-9967 CONTACT: JEFF MARCK jeff@tterraccina.com	PROVILLIUE DESIGN + DEVELOPMENT 2431 FEDERAL BLVD DENVER, CO 80211 (303) 817-3336 CONTACT: BRAD HUNTER brad@provilliuue.com

SHEET INDEX	
SHEET NUMBER	SHEET NAME
1	COVER SHEET
2	LAND USE SCHEMATIC
3	LAND USE DESIGNATION MATRIX
4	LAND USE STANDARDS

ISSUE DATE	06/21/2023
REVISION DATES	11/17/2023 12/12/2023 01/11/2024 02/13/2024
SHEET TITLE	COVER SHEET
SHEET NUMBER	1
SHEET 1 OF 4	

REUNION PUD ZONE DOCUMENT
 AMENDMENT #6
 A PORTION OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH,
 RANGE 66 WEST OF THE 6TH P.M., CITY OF COMMERCE CITY, COUNTY OF ADAMS,
 STATE OF COLORADO



Sheet 1 Summary & Analysis

- Cover Sheet
- Discusses project intent, including:
 - Adding medical marijuana center & retail marijuana store as allowed uses
 - Removing all residential uses & large number of commercial uses in order to limit commercial development to highly-desirable uses
 - Improving site and building sustainability
 - Addition of site, building, and sustainability requirements above and beyond LDC requirements
- Clarifies site is currently vacant & zoned PUD (mixed-use)
- Confirms proposed development would be constructed in one phase

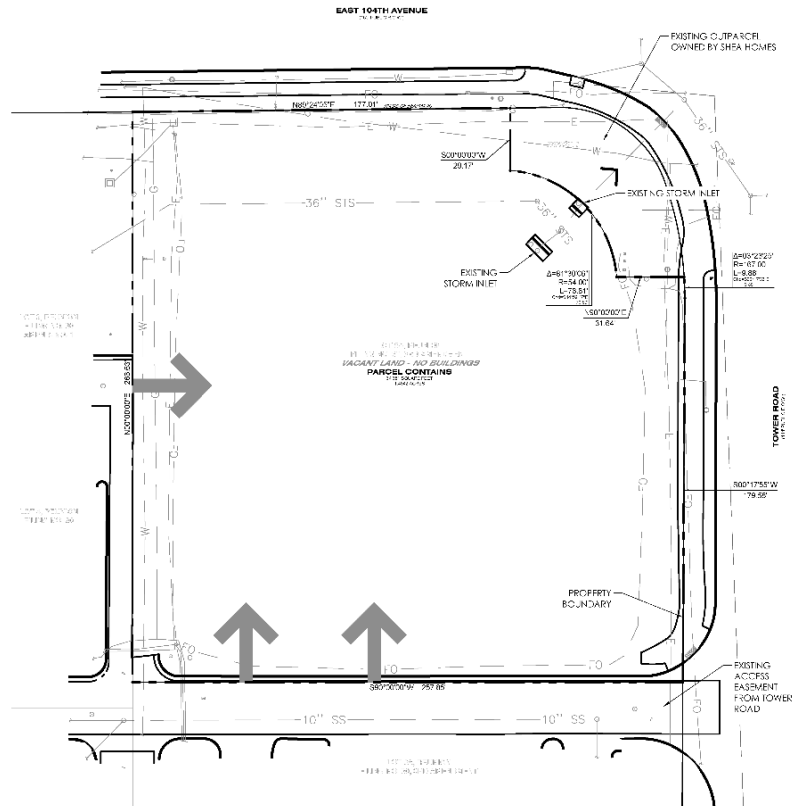
Reunion PUD Amendment No. 6 – Sheet 2

REUNION VILLAGE PLAZA PUD

AMENDMENT #6 OF THE BUFFALO HILLS RANCH PUD ZONE DOCUMENT
 A PORTION OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,
 CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO

GENERAL NOTES

1. ANY STANDARD NOT ADDRESSED IN THIS PUD AMENDMENT SHALL DEFAULT TO THE CITY OF COMMERCE CITY LAND DEVELOPMENT CODE.
2. ACCESS IS PRELIMINARY AND SUBJECT TO FINAL APPROVAL BY COMMERCE CITY PUBLIC WORKS.
3. DRAINAGE IS PRELIMINARY AND SUBJECT TO FINAL APPROVAL BY COMMERCE CITY PUBLIC WORKS.
4. ALL STRIPES SHALL CONFORM TO COMMERCE CITY'S STANDARD STREET CROSS-SECTIONS. IN THE EVENT LOT SA, REUNION PLING 30, 350 AMENDMENT IS RE-PLATTED, THE STANDARDS HEREIN SHALL APPLY TO THE RE-PLATTED NOTES.



LAND USE DEVELOPMENT STANDARDS MATRIX

	COMMERCIAL
MIN. FINAL BUILDING	
MIN. LOT SIZE (1)	25,000
LOT WIDTH (1)	100'
MIN. FLOOR AREA (1, A.R.1 (1))	0.15
MIN. BUILDING HEIGHT (1)	10'
MAX. BUILDING HEIGHT (1)	50'
SETBACKS:	
FRONT	10'
SIDE/SIDE CORNER	5' / 10'
REAR	10'
LANDSCAPE REQUIREMENTS	COO ²
PARKING	COO ²
CORNER LOT:	
MIN. LOT SIZE	6,000
SETBACKS:	
HUMANUSUAL	30'
FROM ADJOINING STREET	50'
NOTES:	
(1) SETBACKS FOR SHARED WALLS SHALL BE 2L TO 1L.	

LEGEND



Scale: 1" = 30'-0"



FRONTLINE
 DESIGN • DEVELOPMENT

reunivillage
 COMMERCIAL DEVELOPMENT

ASSessor's PARCEL IDENTIFICATION NUMBER: 012316 2 0 4

REUNION PUD ZONE DOCUMENT
AMENDMENT #6
 A PORTION OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE 6TH P.M., CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO

ISSUE DATE: 08/21/2023

REVISION DATES:
 11/07/2023
 12/12/2023
 01/11/2024
 02/13/2024

SHEET TITLE: LAND USE SCHEMATIC

SHEET NUMBER: 2

SHEET 2 OF 4



Sheet 2 Summary & Analysis

- Simple site map with potential access points
- Commercial development standards table, which includes standards for the following:
 - Min. lot size
 - Min. lot width
 - Min. floor area ratio (FAR)
 - Min. & max. building height
 - Building setbacks
 - Landscape requirements (confirms these will be per LDC)
 - Parking requirements (confirms these will be per LDC)



Reunion PUD Amendment No. 6 – Sheet 3

REUNION VILLAGE PLAZA PUD

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USE CLASSIFICATION	SPECIFIC USE TYPE
COMMERCIAL USES	
Animal Services	Veterinary offices or clinics
	Bar or tavern
	Brewpub
	Catering services
Food and Beverage Establishments	Restaurant with drive thru/ up
	Restaurant without drive thru/ up
	Testing room
Financial institutions	Bank or financial institution
	Liquor Store (See Note #3)
Food and Beverage Sales	All other similar uses (e.g., deli/coffee shop, retail bakery, specialty food market, coffee shop)
Office	Business or professional (including medical/dental offices/clinics)
	Courier services
	Massage therapy offices/clinics
Personal Services	Hair and nail salon
	Instructional services, studios
Recreation or Amusement Facilities, Private	Health clubs
Retail Establishments	Retail store
	Retail/consignement store
MARIJUANA USES	
Marijuana Use	Medical marijuana center / Medical marijuana store
	Retail marijuana store
INDUSTRIAL USES	
Manufacturing, Food	Brewing/winery
Printing and Publishing	Printing and related support activities

NOTES:

1. USES NOT LISTED IN THE ABOVE TABLE ARE PROHIBITED.
2. THE ABOVE LAND USE DESIGNATION MATRIX ONLY APPLIES TO THE AREA AFFECTED BY THIS PUD AMENDMENT.
3. A LIQUOR STORE IS ONLY PERMITTED AS A USE IF NO MARIJUANA USES EXIST ON THE SITE.
4. THIS DEVELOPMENT SHALL HAVE AT LEAST 2,000 SQ. FT. ALLOCATED TO A RESTAURANT USE.
5. ONLY ONE (1) MEDICAL MARIJUANA CENTER/MEDICAL MARIJUANA STORE OR RETAIL MARIJUANA STORE SHALL BE ALLOWED IN THE AREA AFFECTED BY THIS PUD AMENDMENT.
6. RETAIL MARIJUANA CENTER/MEDICAL MARIJUANA STORE AND RETAIL MARIJUANA STORE USES SHALL BE LIMITED TO 2,500 SQ. FT.




ASSESSOR'S FACIAL IDENTIFICATION NUMBER: 01/23-6121014

REUNION PUD ZONE DOCUMENT
 AMENDMENT #6
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ISSUE DATE
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12/12/2023
01/11/2024
02/13/2024

SHEET TITLE
LAND USE DESIGNATION MATRIX

SHEET NUMBER
3

SHEET 3 OF 4



Sheet 3 Summary & Analysis

- Sheet 3 provides the proposed use table, which lists all of the uses that would be allowed on this site should PUD Amd. 6 be approved
- PUD Amd. 6 would prohibit residential uses and several more intense commercial uses (e.g. gas stations, car washes & auto repair shops)
- Refer to Fig. 5 in PUD Zone Document Report for side-by-side comparison of this proposed use table vs. what is currently allowed
- Sheet 3 also lists the following notes:
 - This development shall have at least 2,000 sq. ft. allocated to a restaurant use.
 - A liquor store is only permitted if no marijuana use exists on site.
 - Only one combined medical/retail marijuana store is allowed on site, and that use is limited to a maximum of 2,500 sq. ft.
 - Uses not listed in the above table are prohibited.

Reunion PUD Amendment No. 6 – Sheet 4

REUNION VILLAGE PLAZA PUD

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CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO

MARIJUANA USE STANDARDS

THE FOLLOWING STANDARDS SHALL GOVERN MARIJUANA USES ON THIS PROPERTY.

A. DEFINITIONS

1. RETAIL MARIJUANA STORE IS DEFINED AS A LOCATION AT WHICH CANNABIS AND CANNABIS-RELATED PRODUCTS ARE SOLD FOR RECREATIONAL USE TO PERSONS 21 YEARS OF AGE OR OLDER.
2. MEDICAL MARIJUANA CENTER/MEDICAL MARIJUANA STORE IS DEFINED AS A LOCATION AT WHICH CANNABIS AND CANNABIS-RELATED PRODUCTS ARE SOLD FOR MEDICAL USE TO PERSONS 21 YEARS OF AGE OR OLDER THAT ALSO POSSESS A VALID COLORADO MEDICAL MARIJUANA CARD.
3. A RETAIL MARIJUANA STORE AND MEDICAL MARIJUANA CENTER/MEDICAL MARIJUANA STORE MAY EXIST AS PART OF THE SAME BUSINESS.

B. LOCATION RESTRICTIONS

1. GENERAL RESTRICTIONS: RETAIL MARIJUANA STORES AND MEDICAL MARIJUANA CENTERS/MEDICAL MARIJUANA STORES SHALL NOT BE LOCATED WITHIN:
 - a. 1,000 FEET OF ANY EDUCATIONAL INSTITUTION OR SCHOOL, EITHER PUBLIC OR PRIVATE EXCLUDING INSTITUTIONS OF POST-SECONDARY EDUCATION.
 - b. 1,000 FEET OF ANY STATE LICENSED CHILD CARE FACILITY.
 - c. 1,000 FEET OF ANY ALCOHOL OR DRUG REHABILITATION FACILITY.
 - d. 1,000 FEET OF ANY GROUP HOME.
 - e. 1,000 FEET OF ANY JAILWAY HOUSE OR CORRECTIONAL FACILITY.
 - f. 1,000 FEET OF ANY CITY-OWNED PUBLIC PARK OR CITY-OWNED RECREATION CENTER PROVIDED, HOWEVER, THAT FOR PURPOSES OF THIS SECTION, THE TERM PARK SHALL INCLUDE ANY TRAIL.
 - g. 1,000 FEET OF ANY OTHER MARIJUANA BUSINESS OF ANY TYPE; OR
 - h. 500 FEET OF ANY EXISTING RESIDENTIAL USE.
2. THERE SHALL BE NO LOCATION REQUIREMENTS OR RESTRICTIONS IN RELATION TO DISTANCES FROM AGRICULTURAL, RESIDENTIAL, OR MIXED USE ZONING. THERE SHALL ALSO BE NO LOCATION REQUIREMENTS OR RESTRICTIONS FROM AGRICULTURAL OR MIXED-USE USES.

ADDITIONAL STANDARDS

ADDITIONAL SUSTAINABILITY, SITE, AND ARCHITECTURAL REQUIREMENTS HAVE BEEN ADDED TO THIS DOCUMENT THAT ARE ABOVE AND BEYOND THE COMMERCE CITY LAND DEVELOPMENT CODE (LDC). THE GOAL IS TO ADOPT PRACTICES AND STRATEGIES THAT MINIMIZE ENVIRONMENTAL IMPACT, ENHANCE RESOURCE EFFICIENCY, AND CONTRIBUTE TO AN OVERALL HEALTHY, MORE RESILIENT, AND MORE ATTRACTIVE BUILT ENVIRONMENT.

THE STANDARDS HERE WITHIN WILL REPLACE COMMERCE CITY LDC STANDARDS, ALL OTHER STANDARDS NOT IDENTIFIED IN THIS DOCUMENT WILL REVERT TO THE LDC.

A. SUSTAINABILITY

1. BUILDING REQUIREMENTS: THE FOLLOWING IS A LIST OF SUSTAINABLE BUILDING ELEMENTS. THE DEVELOPER MUST SELECT AT LEAST FIVE (5) ELEMENTS FROM THE LIST TO INCORPORATE INTO THE BUILDING DESIGN.
 - a. ENSURE THAT ANY NEW EQUIPMENT PURCHASES ARE ENERGY STAR RATED WHEN AVAILABLE.
 - b. INSTALL WATER-EFFICIENT TOILETS.
 - c. PROVIDE RECYCLING RECEPTACLES FOR EMPLOYEE AND CUSTOMER USE.
 - d. PARTICIPATE IN XCEL ENERGY'S STRATEGIC ENERGY MANAGEMENT (SEM) PROGRAM.
 - e. INSTALL LED LIGHTING.
 - f. USE RESOURCE EFFICIENT BUILDING MATERIALS.
 - g. INCORPORATE SOLAR PANELS INTO THE BUILDING DESIGN.
 - h. USE ENERGY EFFICIENT WINDOWS ON BUILDING FACADES.
 - i. INSTALL LOW FLOW RESTRICTIONS IN RESTROOMS AND EMPLOYEE AREA FAUCETS.
2. SITE REQUIREMENTS: THE FOLLOWING IS A LIST OF SUSTAINABLE SITE ELEMENTS. THE DEVELOPER MUST SELECT AT LEAST FIVE (5) ELEMENTS FROM THE LIST TO INCORPORATE INTO THE SITE DESIGN.
 - a. INSTALL AN ELECTRIC VEHICLE CHARGING STATION IN THE PARKING LOT.
 - b. PROVIDE BIKE RACKS FOR EMPLOYEES AND CUSTOMERS.
 - c. USE XEROX, WATERWISE, AND/OR NATIVE PLANT SPECIES IN PLANTING AREAS.
 - d. SELECT PLANT SPECIES THAT PROMOTE POLLINATION AND BIODIVERSITY.
 - e. INCORPORATE PERVIOUS PAVEMENT FOR AT LEAST 20% OF THE SITE'S HARDSCAPE AREA.
 - f. PROMOTE WALKABILITY & MULTI-MODAL TRANSIT NETWORKS BY PROVIDING AT LEAST TWO (2) CONNECTIONS TO CITY SIDEWALKS.

2. RESTRICTIONS RELATED TO RESIDENTIAL USES

- a. RETAIL MARIJUANA STORES AND MEDICAL MARIJUANA CENTERS/MEDICAL MARIJUANA STORES SHALL BE PERMITTED ON LOT 5A, REUNION PLANS NO. 30, 3RD AMENDMENT.
- b. ALL OTHER MARIJUANA BUSINESSES AND PRIMARY CAREGIVERS SHALL NOT BE LOCATED WITHIN 1,000 FEET OF ANY PROPERTY IN THE CITY THAT IS ZONED MIXED USE AND HAS A RESIDENTIAL EASELLEMENT; RESIDENTIAL OR AGRICULTURAL.
- c. PERMITTED MARIJUANA USES ON LOT 5A, REUNION PLANS NO. 30, 3RD AMENDMENT, SHALL NOT CREATE ANY REVERSE STRAIGHTS THAT IMPACT ALLOWED LAUSES OR PROPERTIES OUTSIDE OF LOT 5A.
3. NO RETAIL MARIJUANA STORE OR MEDICAL MARIJUANA CENTER/MEDICAL MARIJUANA STORE SHALL BE LOCATED WITHIN 2,000 FEET OF ANY OTHER RETAIL MARIJUANA STORE OR MEDICAL MARIJUANA CENTER/MEDICAL MARIJUANA STORE.
4. APPLICABILITY: THE LOCATION RESTRICTIONS CONTAINED IN THIS SECTION SHALL BE APPLICABLE AT THE TIME OF INITIAL LICENSING.

C. ADVERTISING, SIGNAGE, AND DESIGN

1. ADVERTISING GENERALLY, IN ADDITION TO THIS CODE, PRIMARY CAREGIVERS AND ALL MARIJUANA BUSINESSES, REGARDLESS OF WHETHER THEY ARE MEDICAL OR RETAIL IN NATURE, SHALL COMPLY WITH THE PROVISIONS CONTAINED IN SERIES 1100 OF THE RETAIL MARIJUANA CODE (COLORADO DEPT. OF REVENUE CODE OF REGULATIONS).
2. SIGN APPROVAL REQUIRED, NO PERMANENT OR TEMPORARY SIGN ASSOCIATED WITH A MARIJUANA RELATED BUSINESS LICENSED WITH THE CITY MAY BE INSTALLED OR LOCATED UNLESS REVIEWED AND APPROVED BY THE CITY VIA A TEMPORARY OR PERMANENT SIGN PERMIT.
3. COLOR RESTRICTIONS: COLORS FOR BOTH SIGNAGE AND THE OVERALL BUILDING THAT OTHER LOW REFLECTANCE (LURBS), NEUTRAL OR NATURAL TONES ARE REQUIRED OVER THE USE OF HIGH-INTENSITY OR REFLECTIVE COLORS THAT DRAW ATTENTION TO THE BUSINESS.
4. SYMBOLIC MARIJUANA-SPECIFIC IMAGES OR SIGNAGE SHALL BE PROHIBITED.
5. ONLY ONE (1) MONUMENT SIGN SHALL BE ALLOWED ON SITE.

D. PROHIBITIONS: THE FOLLOWING ACTIVITIES ARE PROHIBITED:

1. STORAGE OF MARIJUANA OR MARIJUANA-RELATED PRODUCTS OFF THE SITE OF THE LICENSED PREMISES WITHOUT A VALID OFF-SITE STORAGE PERMIT.
2. MARIJUANA HOSTILITY AND RETAIL HOSPITALITY.
3. MARIJUANA MESSAGING CLUBS.
4. MARIJUANA BUSINESSES AS HOME OCCUPATIONS.
5. MARIJUANA BUSINESSES WITHIN A MIXED USE DEVELOPMENT THAT INCLUDES A RESIDENCE AND MARIJUANA VAPOR LOUNGES.

- b. PROVIDE WATER QUALITY TREATMENT ON SITE.
- c. PROMOTE SITE DESIGN THAT IS ORIENTED TO PROVIDE THE MAXIMUM ADVANTAGE OF SUNLIGHT.
- d. INCREASE TREES IN PARKING LOT TO REDUCE HEAT ISLAND EFFECT.
- e. REDUCE WATER USE FOR LANDSCAPE IRRIGATION.
- f. USE RENEWABLE SOURCES FOR LANDSCAPE ELECTRICITY NEEDS.

B. SITE DESIGN

1. THE DEVELOPER SHALL PROVIDE AT LEAST 1,000 SQ. FT. OF COMMON GATHERING SPACE ON THE SITE.
2. SYNTHETIC AND/OR ARTIFICIAL TURF IS ALLOWED IN THE COMMON GATHERING SPACE FOR THIS PUD AMENDMENT.
3. THE COMMON GATHERING SPACE SHALL INCLUDE AT LEAST FIVE (5) OF THE FOLLOWING ELEMENTS:
 - a. SEASONAL PLANTING AREAS
 - b. PEDESTRIAN SCALE LIGHTING
 - c. PUBLIC ART
 - d. BENCHES AND/OR OTHER SEATING
 - e. SYNTHETIC TURF
 - f. BEMARKED PAVING
 - g. FIRE PIT
 - h. OUTDOOR DINING
 - i. PLAZA
 - j. WATER FEATURE
 - k. WAYFINDING SIGNAGE

C. ARCHITECTURE

1. EACH BUILDING OF ANY SITE, WHETHER FREE-STANDING OR PART OF A SHOPPING CENTER, SHALL HAVE A HIGHLY VISIBLE CUSTOMER ENTRANCE FEATURING A COMBINATION OF AT LEAST FIVE (5) OF THE FOLLOWING ELEMENTS:
 - a. ROOF OVERHANGS, RAISED CORNICE PARAPETS OR PEAKED ROOF FORMS
 - b. RECESSED OR PROJECTING WALL SECTIONS
 - c. ARCHES OR ARCHES
 - d. OUTDOOR PATIOS

2. PRIMARY STRUCTURES HAVING SINGLE WALLS OR PORTIONS OF WALLS EXCEEDING 65 FEET IN LENGTH SHALL HAVE ARCHITECTURAL TREATMENT WHEREVER THEY FACE ADJACENT STREETS. AT LEAST FIVE (5) OF THE FOLLOWING ELEMENTS SHALL BE INCORPORATED INTO THESE WALLS FOR WALLS NOT FRONTING ADJACENT STREETS. A MINIMUM OF FOUR (4) OF THE FOLLOWING ELEMENTS SHALL BE INCORPORATED.
 - a. CONCRETE OR MASONRY PLINTH AT THE BASE OF THE WALL
 - b. RECESSES AND REVEALS AT LEAST 12 INCHES IN DEPTH
 - c. ARCHITECTURAL DETAILS SUCH AS THE WORK AND MOLDINGS
 - d. INTEGRATED INTO THE BUILDING STRUCTURE
 - e. INTEGRAL FINISHES OR FINISH WALLS THAT INCORPORATE LANDSCAPED AREAS AND/OR SEATING AREAS

- a. CONCRETE OR MASONRY PLINTH AT THE BASE OF THE WALL
- b. RECESSES AND REVEALS AT LEAST 12 INCHES IN DEPTH
- c. ARCHITECTURAL DETAILS SUCH AS THE WORK AND MOLDINGS
- d. INTEGRATED INTO THE BUILDING STRUCTURE
- e. INTEGRAL FINISHES OR FINISH WALLS THAT INCORPORATE LANDSCAPED AREAS AND/OR SEATING AREAS

3. AT LEAST 40% OF THE WALL AREA OF THE BUILDING FACADE(S) SHALL BE FIBERGLASS (I.E. WINDOWS, DOORS, OR FAUX WINDOWS), WALL AREA OF THE BUILDING FACADE(S) IS MEASURED FROM EXTERIOR GRADE TO THE INTERIOR CEILING HEIGHT. FIBERGLASS IS NOT REQUIRED TO BE OPAQUE OR TRANSPARENT.

4. IF THERE ARE MULTIPLE BUILDINGS LOCATED ON SITE, ALL BUILDINGS SHALL UTILIZE SIMILAR ARCHITECTURAL FEATURES, MATERIALS, COLORS, ETC.
5. ALL OTHER ARCHITECTURAL STANDARDS NOT SPECIFICALLY MENTIONED HEREIN WILL FOLLOW THE REQUIREMENTS OF THE COMMERCE CITY LAND DEVELOPMENT CODE.



ASSESSOR'S PARCEL IDENTIFICATION NUMBER: 0732816121014

REUNION PUD ZONE DOCUMENT
AMENDMENT #6
A PORTION OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE 6TH P.M., CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO

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01/11/2024

07/13/2024

SHEET TITLE

LAND USE STANDARDS

SHEET NUMBER

4

SHEET 4 OF 4



Sheet 4 Summary & Analysis

Marijuana Use Standards

- Locational restrictions (as previously mentioned):
 - Min. of 500 ft. from any existing residential use
 - Proposing no location restrictions for distancing from agricultural, residential, or mixed-use zoning, and no locational restrictions from agricultural or mixed-use uses
 - All other location restrictions are per LDC requirements
- All advertising, signage, and design standards related to the marijuana use listed on Sheet 4 comply with the LDC
- All prohibitions related to the marijuana use listed on Sheet 4 comply with the LDC

Sheet 4 Summary & Analysis

Additional Standards

- Sustainability
 - Developer required to select a minimum of 5 elements (from a list of 9) to incorporate into the proposed building
- Site requirements
 - Developer required to select a minimum of 5 elements (from a list of 11) to incorporate into the site design
- Gathering space (site design)
 - Developer required to provide a gathering space on the site, incorporating a minimum of 5 elements (from a list of 11)

Sheet 4 Summary & Analysis

Additional Standards (continued)

- Architecture
 - Developer required to comply with several architectural design standards in excess of LDC requirements, including:
 - A “highly visible customer entrance”, incorporating a minimum of 5 elements (from a list of 8)
 - Enhanced architectural treatments for walls exceeding 65 ft. in length, incorporating a minimum of 5 elements (from a list of 14) when facing adjacent streets, or 4 elements when not facing adjacent streets
 - A fenestration requirement of at least 45% of the wall area of building facades (e.g. windows, doors, or faux windows)
 - All other architectural standards will comply with the LDC

Road Network Impact

- Located at intersection of two principal arterial roadways (E. 104th Ave. and Tower Rd.)
- Per the City's Transportation Master Plan:
 - Principal arterials are for high speed, unimpeded, citywide connections
 - Developments should provide internal street systems and limit or prohibit individual direct access to arterials
- Proposed development will comply with the Master Plan by not providing any new connections to E. 104th Ave. or Tower Rd.
- Access to the subject property will be via an existing private drive, which connects to Yampa St. and Tower Rd.
- The City's Development Review Engineering division has reviewed this PUD Amendment request and had no concerns

Overall Analysis

- Proposed zone change has been reviewed by all relevant Development Review Team agencies, and there are no outstanding issues
- There is sufficient evidence in the record to demonstrate that the proposal meets the PUD Zone Document approval criteria in Municipal Code Sec. 21-3251(3)

Considerations for Discussion

The PUD Amendment:

- Would bring the site into greater consistency with the Comprehensive Plan by removing all residential uses.
- Proposes many site design, architectural, and sustainability standards which go above and beyond anything required by the LDC for similar development.
- Proposes a pared-down list of allowed uses, consisting of a small number of highly desirable commercial uses.
- Would prohibit several more intensive commercial uses, such as gas stations, car washes, and auto repair shops that are approvable per the existing Reunion PUD Amendment No. 1 that currently governs this site.
- Would guarantee a min. 2,000 sq. ft. restaurant space on the site.
- Would allow a single medical marijuana center and retail marijuana store to be developed on this site, occupying a maximum of 2,500 sq. ft. Currently the City only has marijuana retail facilities located south of E. 72nd Avenue.
- Would result in the development of this site, which has remained vacant.

Planning Commission Summary

- This case went to Planning Commission on March 5th
- There were two individuals who gave public comment – One in favor of the proposed marijuana use, and one opposed
- Planning Commission voted 3 to 1, with 1 abstaining, to recommend denial



Approval Criteria

Sec. 21-3251(3) – PUD Zone Document Approval Criteria.

A decision for this case must be based on the following criteria from Sec. 21-3251(3) of the LDC. A PUD zone document may be approved only if:

- 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;
- b) The PUD zone document is consistent with any previously reviewed PUD concept schematic;
- c) The PUD:
 - 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
 - ii. The PUD is required to avoid completely prohibiting a legal, permitted business use within the city;

Approval Criteria

- d) The PUD complies with all applicable city standards not otherwise modified or waived by the city;
- e) The PUD is integrated and connected with adjacent development through street connections, sidewalks, trails, and similar features;
- f) To the maximum extent feasible, the proposal mitigates any potential significant adverse impacts on adjacent properties or on the general community;
- 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;
- h) As applicable, the proposed phasing plan for development of the PUD is rational in terms of available infrastructure, capacity, and financing; and
- i) The same development could not be accomplished through the use of other techniques, such as height exceptions, variances, or minor modifications.



The applicant is present to speak on behalf of this request and to answer any questions.

Staff is also available to answer any questions after the applicant's presentation.



Approval Criteria

Sec. 21-3251(3) – PUD Zone Document Approval Criteria.

A decision for this case must be based on the following criteria from Sec. 21-3251(3) of the LDC. A PUD zone document may be approved only if:

- 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;

Analysis: The proposed PUD Amendment would eliminate all currently allowed residential uses on the property, meaning that if the PUD Amendment were approved, the lot would be in even greater compliance with the Comprehensive Plan, which designates this area as “Commercial”. Furthermore, this case is supported by Fiscal Stability Goal (Goal FS 2) in the Comprehensive Plan, which strives to retain/increase the employment base. For a more detailed description of how this criterion is met, please refer to the “Comprehensive Plan Consistency” Section on Page 2 of the Zone Change Report. **Therefore, it can be found that this application meets Criteria (a).**

- b) The PUD zone document is consistent with any previously reviewed PUD concept schematic;

Analysis: N/A

Approval Criteria

c) The PUD:

- 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

Analysis: The proposed PUD Amendment addresses the unique situation of allowing a marijuana business to exist in closer proximity to existing agricultural, residential, and mixed-use zoning, even though the actual existing residential uses are well over 500 feet from the subject property. This is accomplished by proposing a 500-foot distancing requirement from existing residential uses, instead of having a requirement from properties that are simply zoned agricultural, residential, or mixed-use, but do not contain residential uses. Furthermore, the proposed PUD Amendment also proposes several development standards for the site that exceed Land Development Code (LDC) requirements. For a more detailed description of how this proposal represents an improvement in quality over what could be accomplished by applying LDC standards, please refer to Paragraph 2 of the “Additional Information” Section on Page 2 of the Zone Change Report.

Approval Criteria

[Criteria (c)(i) Analysis Continued]:

In addition to addressing a unique situation and proposing an improved quality of development, this PUD Amendment also achieves the purposes set out in Code Sec. 21-4370. Per that code section, the PUD district is further intended to:

- (a) Promote more economical and efficient use of land while providing a harmonious grouping of a variety of land uses;

Analysis: The proposal meets this criterion by, through the proposed PUD Development Permit that is dependent on this PUD Amendment, proposing a single structure to house multiple proposed uses, and then activating the area saved with a well-programmed gathering space.

- (b) Promote innovative design of residential areas and allow for greater densities when additional site amenities are included in the development;

Analysis: N/A

- (c) Create physical connections between existing and proposed developments in order to achieve an integrated community with common open space, transportation, transit, and public service networks; and

Analysis: The proposal meets this criterion by, again through the proposed PUD Development Permit, proposing vehicular and pedestrian connections to the surrounding commercial developments that already exist.

Approval Criteria

[Criteria (c)(i) Analysis Continued]:

(d) Allow for innovative development projects that assist in the implementation of the comprehensive plan and not as a device to circumvent development regulations, standards, and good planning practice.

Analysis: The proposal meets this criterion by proposing innovative and enhanced design requirements in excess of what is required by the LDC. The PUD Amendment also proposes to eliminate residential uses, which are currently allowed, from the property which will bring the site into greater compliance with the “Commercial” designation that is assigned to the property by the City’s Comprehensive Plan.

Therefore, it can be found that this application meets Criteria (c), by way of meeting Criteria (c)(i).

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

Analysis: N/A

Approval Criteria

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

Analysis: The proposed PUD Amendment complies with all applicable city standards not otherwise modified or waived by the city. **Therefore, it can be found that this application meets Criteria (d).**

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

Analysis: Through the proposed PUD Development Permit, which is dependent on this PUD Amendment, the site will provide vehicular and pedestrian connections to the surrounding commercial developments that already exist. **Therefore, it can be found that this application meets Criteria (e).**



Commerce
CITY

Approval Criteria

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

Analysis: As discussed in greater detail in Paragraph 2 of the “Additional Information” Section on Page 2 of the Zone Change Report, the proposed PUD Amendment also proposes several development standards for the site that exceed Land Development Code (LDC) requirements. These development standard improvements cover the areas of site design, architecture, and sustainability, and should all work together to mitigate, to the maximum extent feasible, any potential significant adverse impacts on adjacent properties or on the general community. **Therefore, it can be found that this application meets Criteria (f).**

- 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;

Analysis: Through their review of this proposal, the City’s Development Review Engineering Division, South Adams County Fire Department, and South Adams County Water and Sanitation District, did not identify any issues with the proposed PUD Amendment in relation to the subject property’s ability to provide sufficient public safety, transportation, and utility facilities and services. **Therefore, it can be found that this application meets Criteria (g).**

Approval Criteria

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

Analysis: N/A

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

Analysis: This proposal could not be accomplished through the use of other techniques, such as height exceptions, variances, or minor modifications. Therefore, it can be found that this application meets Criteria (i).