



STAFF REPORT

Planning Commission

CASE #Z-945-17-19

PC Date:	February 5, 2019	Case Planner:	Jenny Axmacher
CC Date:	March 18, 2019		
Location:	Property generally located on the southeast corner of Buckley Road and East 88th Avenue.		
Applicant:	Schuck Communities, Inc.	Owner:	Schuck DIA, LLC
Address:	2 N. Cascade Ave. Suite 1280 Colorado Springs, CO 80903	Address:	2 N. Cascade Ave. Suite 1280 Colorado Springs, CO 80903

Case Summary

Request:	Annexation zoning of 158 acres of property from ADCO A-3 (Agricultural) to PUD (Planned Unit Development).
Project Description:	The applicant wishes to comprehensively develop an employment center directly to the north of the DIA Tech Center Development (Nexus at DIA). The proposed development can accommodate a variety of airport related land uses including warehouses, flex space, light manufacturing, office, distribution and retail.
Issues/Concerns:	• Allowed Land Uses • Planning Areas • Truck Traffic • Road connectivity
Key Approval Criteria:	• Compliance with the Comprehensive Plan • Compliance with the requirements for zoning annexed land
Staff Recommendation:	Approval
Current Zone District:	Adams County A-3 Agricultural
Comp Plan Designation:	Office/Flex with an employment center designation

Attachments for Review: *Checked if applicable to case.*

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|---|--|
| ☒ Applicant's Narrative Summary | ☒ Design Standards |
| ☒ PUD Zone Document | ☒ Traffic Study |

Background Information

Site Information

Site Size:	157.9 Acres
Current Conditions:	Undeveloped/Agricultural
Existing Right-of-Way:	88 th Avenue and Buckley Road
Neighborhood:	To be determined
Existing Buildings:	Various Agricultural Structures
Buildings to Remain?	☐ Yes ☒ No
Site in Floodplain	☐ Yes ☒ No

Surrounding Properties

Existing Land Use		Occupant	Zoning
North	Open space & Residential	Buffalo Highlands Development	PUD
South	DIA Technology	The Nexus at DIA Development including existing warehouse and distribution facilities	PUD
East	Residential & DIA Technology	Second Creek and associated floodway, Future single-family homes as part of the Second Creek Farms Development and additional Nexus at DIA development	PUD & PUD
West	Open Space	Rocky Mountain Arsenal National Wildlife Refuge	ADCO

Case History

The relevant case history for the subject property is listed below. Z-945-17-19 will be considered along with annexation case AN-250-19, and metropolitan district case MD-108-19 by City Council.

Z-945-17:

- In April of 2018, the Planning Commission reviewed and provided feedback on a PUD Concept Schematic for this property submitted by the same applicant.

Applicant's Request

Nexus North at DIA is a proposed 158 acre planned development that will serve as a regional, community employment and commercial center. It's strategic location, north of the DIA Tech Center, close to the Denver International Airport, Pena Blvd, and Tower Road provides a unique opportunity to create an employment center that can accommodate a variety of airport related land uses including warehouses, flex space, light manufacturing, office, distribution, and retail.

Nexus North at DIA includes a master framework plan in which planning areas have been located and configured utilizing locational criteria associated with each respective land use. In addition to the locational criteria, the master framework plan has been configured to preserve and maintain the natural integrity of the Second Creek corridor that meanders through the northeast area of the property. Preserving and enhancing the Second Creek corridor provides a visual and functional amenity that will reinforce community and regional connectivity.

Planning areas 1-3 are located in the I-1 light industrial, office and flex campus classification which may include a variety of office, office/flex, light industrial, distribution and green industry uses.

Planning area 4 is located adjacent to the Second Creek tributary open space and trail corridor. This planning area is designed to serve as a buffer between planning areas 1-3 and the Second Creek tributary open space and trail corridor. Drainage facilities such as detention ponds may be located in this planning area.

The land use plan is organized to create an employment center, accommodate vehicular access and circulation, create regional and local pedestrian connectivity, maximize street frontage, maintain natural drainage systems, and preserve the natural integrity of, and provide access to, the Second Creek corridor. The development will incorporate on-site storm water detention and water quality improvements.

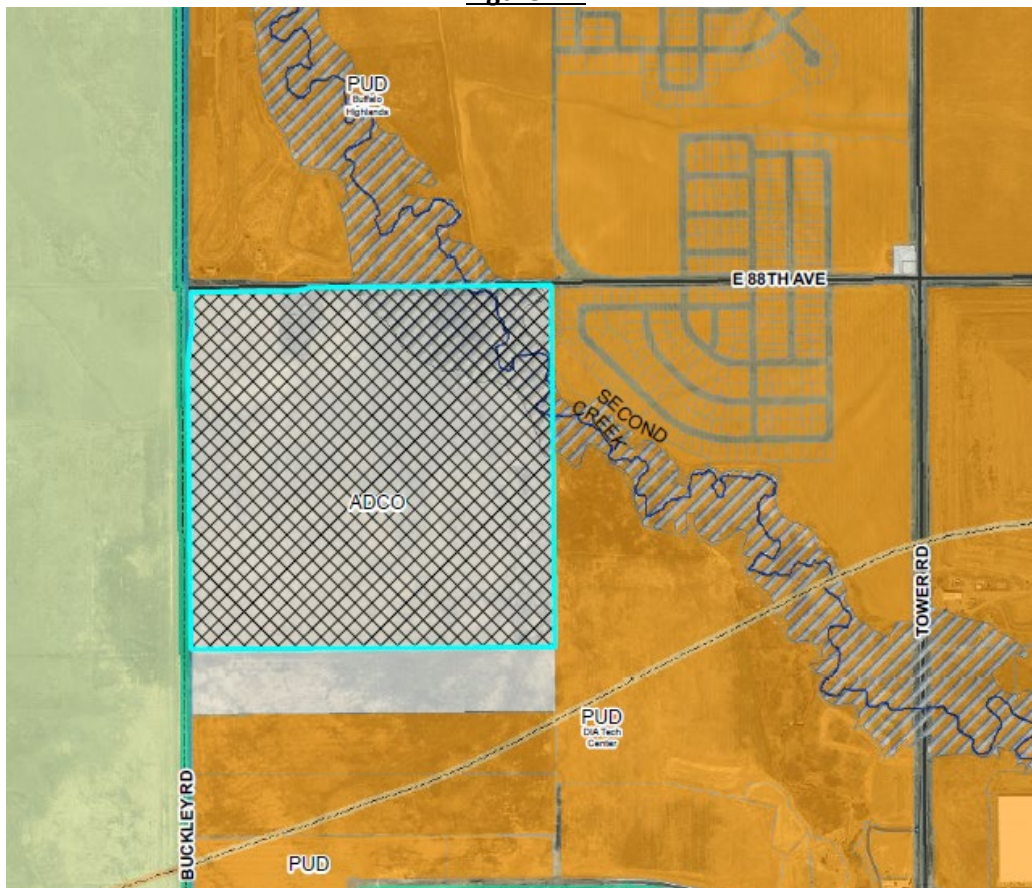
Nexus North at DIA is planned as a multi-use commercial and employment center of complimentary land uses that will be implemented and maintained utilizing integrated planning principles. These integrated planning principles will ensure that all project elements are harmonious with the natural environment of the site, compatible with each other and responsive to the DIA Tech Center project intent.

Development Review Team Analysis

Project Details

The applicant describes the project as an employment center that can accommodate a variety of airport related land uses including warehouses, flex space, light manufacturing, office, distribution and retail. Nexus North at DIA will be accessed from Tower Road to the east and the DIA Tech Center to the south via East 81st Avenue and East 83rd/84th Avenue. Quintero Street and Telluride Street will both extend north into this property as well.

Figure 1.1



Proposed Uses

The applicant is proposing a modified version of the I-1 Light Intensity Industrial Zone District. Specifically, the applicant is proposing to mirror the I-1 zoning designation found in the LDC, while allowing land uses more similar to the DIA Technology Uses on the south side of the property. These DIA Technology uses would transition from the south of the project to the north in PA -1. The additional proposed uses include vehicle

oriented uses, indoor auction houses, above-ground storage tanks, truck/transportation services including terminals and truck sales, warehousing and distribution, and private bus stations.

It is important to note that residential uses are prohibited in this area due to the potential conflicts created by DIA's flight patterns. Residential uses are listed as excluded in the PUD Zone Document's land use schedule on sheet 6.

The applicant's intent is to create an employment center that is attractive to the market while not going to the full extent of allowing I-2 Industrial Zone District uses.

Comprehensive Plan

This property is designated for Office/Flex uses with a proposed Employment Campus/Business Center (Figure 1.2). According to the C3 Vision Plan, this classification allows for a mix of flex, high-tech space, and production uses. Generally, it is accessed off collector streets near highways and it should be convenient to transit access when feasible. Ideally, this use will be designed in a campus-like, integrated style where local transportation (streets and sidewalks), landscaping, and signage are coordinated in a master plan. Primary uses include offices and flex space. Secondary uses would allow for corporate headquarters, open space and other public uses and facilities, including educational campus uses. Retail to support the office uses, including restaurants, hotels, and conference facilities is encouraged. Related zoning designations for the Office/Flex land use category include I-1, I-2, C-3, and PUD.

The Comprehensive Plan describes the design criteria for an Employment Campus/Employment Center as follows:

An employment center should be designed in a cohesive way—providing great attention to detail and design, especially in high-visibility locations, such as along highways. It should incorporate a high level of landscaping, include high-quality building materials, include attractive fencing and gateways, provide screening for service areas, provide pedestrian access, use low-level lighting, and maximize views of the mountains and refuge.

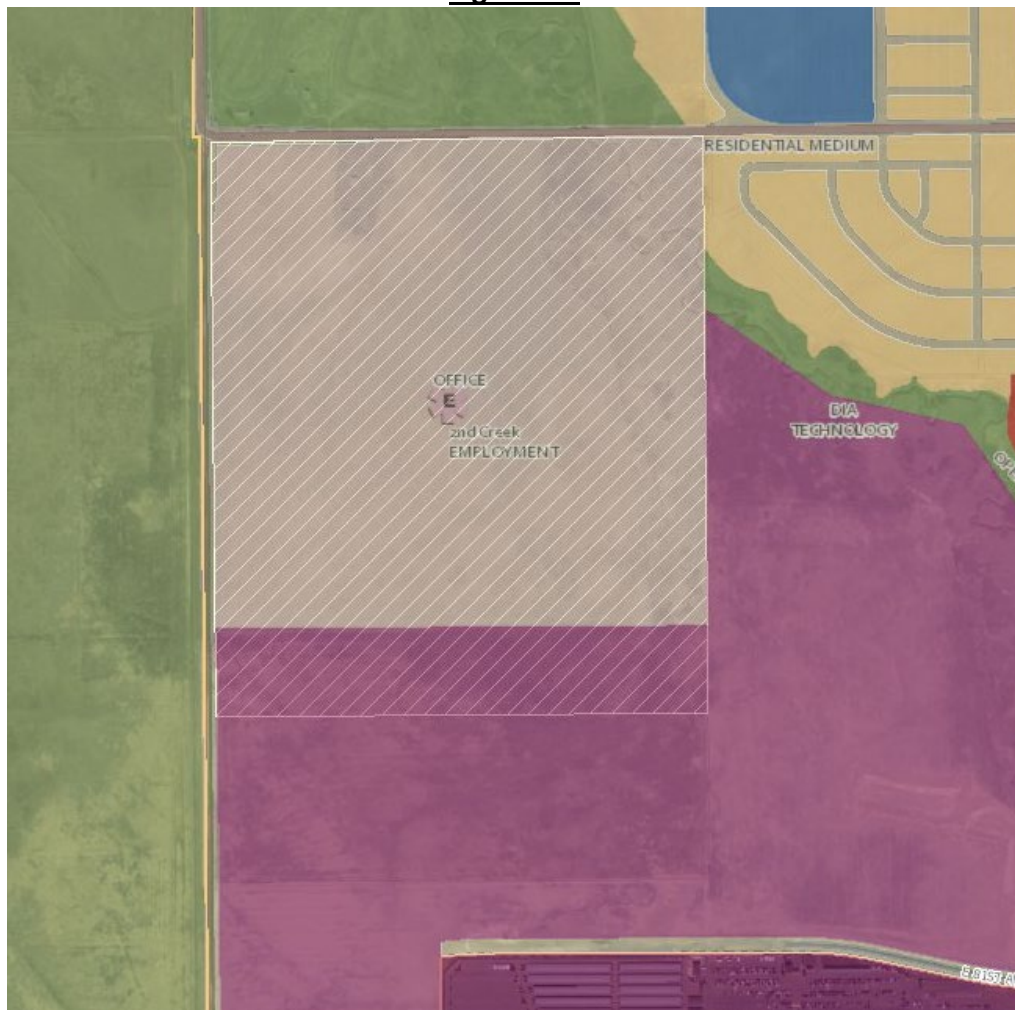
Must consider the compatibility and impact on adjacent areas, and be well connected through the transportation network. The DIA Airport Navigable Airspace restricts height (generally to between 200 to 1,250 feet above ground level, depending on the location), which should not impede development.

These are largely design criteria that are not meant to supersede the Comprehensive Plan's use designation but rather add an extra layer of guidance.

The request for I-2 type uses would be allowed by the Future Land Use Plan, however the DRT has concerns as to what the right balance of I-2 uses should be on the site and how much of the project should allow them. The Future Land Use Plan does not call out a large number of acres in the City for Office/Flex uses so staff worked with the applicant to make sure that the proper proportion of the project will be limited to these uses as they are vital to maintaining a balanced, economically healthy community.

The design criteria proposed for this development exemplifies the intent behind the Employment Center notation in the Future Land Use Plan and the DRT is supportive of the applicant's proposed standards.

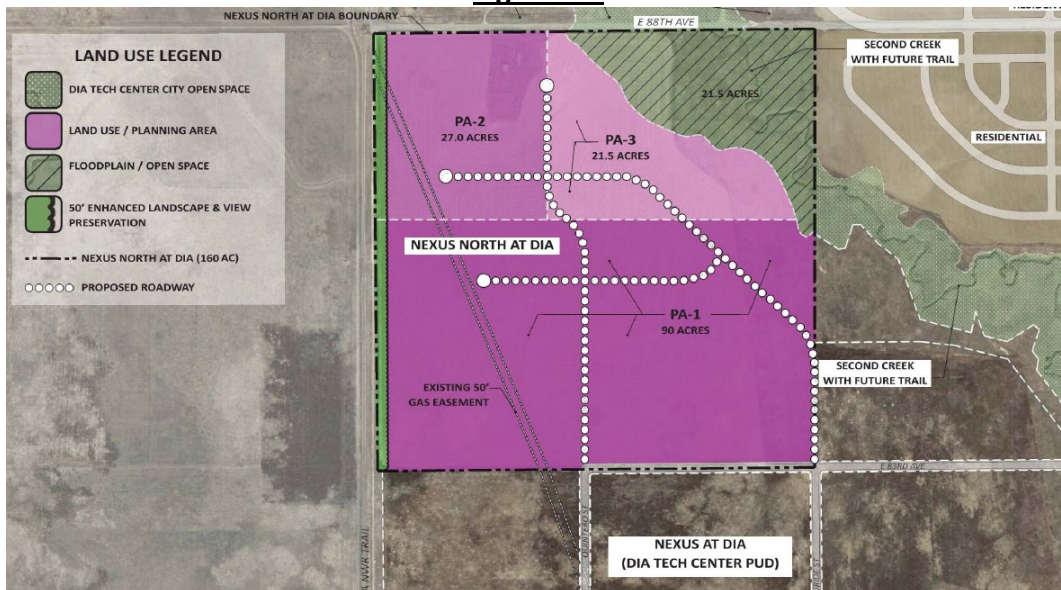
Figure 1.2



Proposed Development Concept and PUD Concept Schematic

Planning Commission previously reviewed the PUD Concept Schematic (Figure 1.3) for this site on April 3, 2018. Feedback from Planning Commission on the concept schematic helped to inform the final PUD Zone Document currently under consideration.

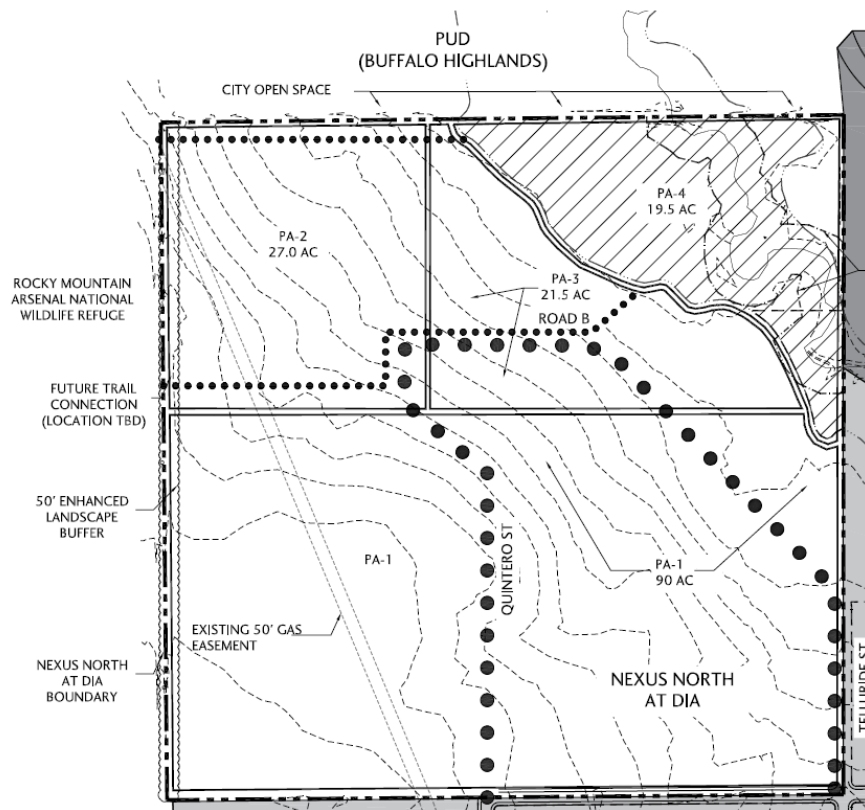
Figure 1.3



PUD Zone Document

As part of the PUD zoning, the applicant is proposing the following deviations from the City's I-1 Light Intensity Industrial Zone District and general LDC (Land Development Code) standards.

Figure 1.4



Land Uses:

The applicant is proposing to allow for more intense industrial uses on the site in PA-1. The most noteworthy of these types of uses are truck/transportation services including terminals and truck sales, and warehousing and distribution uses. The intensity of industrial uses is proposed to lessen further north in PA-2 and be the least intense in PA-3, focusing more on employment and commercial uses. PA-4 is proposed to be limited to detention, open space, and floodplain uses only.

The expanded uses allowed in PA-1 become excluded or allowed only by permit in the other planning areas, with very limited public-type uses allowed in PA-4.

The design standards proposed for the site should help to mitigate the potential negative impacts of these expanded uses by requiring more aesthetically pleasing buildings and increased landscaping. Enhanced buffers along the Rocky Mountain Arsenal National Wildlife Refuge are also proposed to protect the RMANWR from any development and to provide opportunities for trail connections.

The DRT is supportive of the proposal and believes the transition of allowed uses should integrate nicely between the DIA Tech Center (Nexus at DIA) industrial development to the south and the Buffalo Highlands and Second Creek Farms residential developments to the north.

Bulk Standards:

The proposed building height, minimum lot size, and floor area ratio are greater than the existing regulations for the I-1 zone district however these changes are similar in nature to what was allowed in the DIA Tech Center PUD to the south. The rest of the bulk standards, including the setbacks, match with I-1 zone district regulations. The DRT is supportive of the proposed standards.

Design Standards and Landscaping:

The applicant is proposing design standards and guidelines, including landscape standards, through a separate document. The Nexus North at DIA design standards and guidelines are authorized through the PUD Zone Document but the Community Development Director will have the approving authority.

The design criteria proposed for this development exemplifies the intent behind the Employment Center notation in the Future Land Use Plan and the DRT is supportive of the applicant's proposed standards. By having specific design standards for the site, it will help the development seem coordinated as part of a master plan. In general, the proposed standards exceed what would be required in the I-1 zone district and will promote higher quality design.

Connectivity:

The applicant has proposed a modified grid street network with access from Tower Road to the east and the DIA Tech Center to the south via East 81st Avenue and East 83rd Avenue. Quintero Street and Telluride Street will both be extended north into this property as well. East 88th Avenue will not be used for access as truck traffic is prohibited on this roadway and the infrastructure improvements required to create the access are extensive due to the proximity to Second Creek.

Council has expressed concerns about additional truck traffic in the newly expanded Tower Road corridor so the DRT is sensitive to the proposed transportation terminal uses in this project and likely traffic routes these trucks would take. By eliminating the access on East 88th Avenue, truck traffic from the project would funnel through the DIA Tech Center and out to Tower at 83rd Avenue or further south at 81st Avenue.

Infrastructure:

This project will provide the required infrastructure necessary for development since the entire 158 acres was previously used for agricultural purposes which only needed limited utilities. The applicant is incorporating into the E-470 Commercial Area General Improvement District for trunk water and sewer infrastructure. The applicant is also proposing to create a metropolitan district to help fund infrastructure extensions for the site. The development will also incorporate on-site storm water detention and water quality improvements.

Next Steps:

Any further development on the site must go through administrative review in the PUD Development Permits process.

Outside Agency Review:

Staff referred this application to several departments in the city as well as outside agencies. All of the responses that were received indicated that the proposed PUD would not create conflicts with their regulations and no objections were received.

Summary:

In summary, the DRT has determined that the request meets the approval criteria for an annexation zoning outlined in the LDC as provided below, the proposal meets the Comprehensive Plan goals, and the proposal is appropriate given the surrounding area. After performing this analysis, the DRT is recommending that the Planning Commission forward a recommendation for **approval** to City Council.

Criteria Met?	Sec. 21-3350. Zoning of Newly Annexed Land	Rationale
☒	The zoning is most compatible with the city's comprehensive plan designation for the property;	The applicant's intent is to create an employment center that is attractive to the market while not going to the full extent of allowing I-2 Industrial Zone District uses. By

Criteria Met?	Sec. 21-3350. Zoning of Newly Annexed Land	Rationale
		creating custom zoning regulations through a PUD, it is the best way to achieve that goal while still meeting the intent of the Comprehensive plan by allowing for a mix of I-1 and I-2/DIA Technology uses otherwise not achievable through a straight zoning designation.
☐	The zoning is most comparable to the county zoning classification on the subject property at the time of acceptance of the annexation petition; or	Not applicable.
☐	The zoning is the most comparable to the present use(s) on the subject property.	Not applicable.

Comprehensive Plan

The DRT recommendation for this case is supported by the following Comprehensive Plan Goals:

Section	Goal	Description
Land Use	LU 1a	Future Land Use Plan (FLUP) as a Guide: Use the Future Land Use Plan (FLUP) to guide development patterns and mix of uses and amendments to the Land Development Code (LDC).
Analysis:	The FLUP identifies the subject property for Office/Flex development. The proposed zoning is compatible with this type of development.	

Section	Goal	Description
Land Use	LU 6a	Airport-Related Incentives: Develop incentives for employment related to the airport..
Analysis:	The PUD Zone Document is proposing entitlements that endeavor to create an employment center that can accommodate a variety of airport related land uses.	

Section	Goal	Description
Land Use	LU 6c	Housing Compatibility Near the Airport Avoid placing residential in noise and height-restricted areas near the airport and within the ground rumble area within 2,000 feet from the DIA property line.
Analysis:	The PUD excludes residential development in support of this goal.	

The Comprehensive Plan supports the type of development proposed for this site because it adheres to the Future Land Use Plan, supports employment related to the airport and excludes residential development within a flight path.

Development Review Team Recommendation

Based upon the analysis above, the Development Review Team believes that the application meets the criteria for an Annexation Zoning set forth in the Land Development Code and recommends that the Planning Commission forward the Annexation Zoning request to the City Council with a favorable recommendation.

Recommended Motion

To recommend approval:

I move that the Planning Commission enter a finding that the requested Annexation Zoning for the property located **on the southeast corner of Buckley Road and East 88th Avenue**, contained in case **Z-945-17-19** meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Annexation Zoning.

Alternative Motions

To recommend approval subject to condition(s):

I move that the Planning Commission enter a finding that, subject to certain conditions, the requested Annexation Zoning for the property located **on the southeast corner of Buckley Road and East 88th Avenue**, contained in case **Z-945-17-19** meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Annexation Zoning. subject to the following conditions:

Insert Condition(s)

To recommend denial:

I move that the Planning Commission enter a finding that the requested Annexation Zoning for the property located **on the southeast corner of Buckley Road and East 88th Avenue** contained in case **Z-945-17-19** fails to meet the following criteria of the Land Development Code:

List the criteria not met

I further move that, based upon this finding, the Planning Commission recommend that the City Council deny the Annexation Zoning.

To continue the case:

I move that the Planning Commission continue the requested Annexation Zoning for the property located **on the southeast corner of Buckley Road and East 88th Avenue** contained in case **Z-945-17-19** to a future Planning Commission agenda.