



RES-2021-61

AN-25-21

Z-964-20-21

CanAm Annexation and Zoning

Location: Southwest Corner E. 112th Ave. & U.S. 85
Applicant: Mike Talcott, QuikTrip Corporation
Request: Annexation and Zoning to PUD

Disclaimer

- Staff enters into the public record the contents of the case files and all packet materials.
- The Planning Division's case file reflects that all notice was provided and/or received as required by law for each approval under consideration.

Current Requests

- The applicant is requesting the following:
 - 1# - Annexation from ADCO (Only heard before City Council)
 - 2# - Annexation Zoning to CANAM PUD (Heard before both Planning Commission and City Council)



Annexation Discussion and Zoning Request

Annexation zoning of two properties from ADCO I-1 to Commerce City PUD (Planned Unit Development)

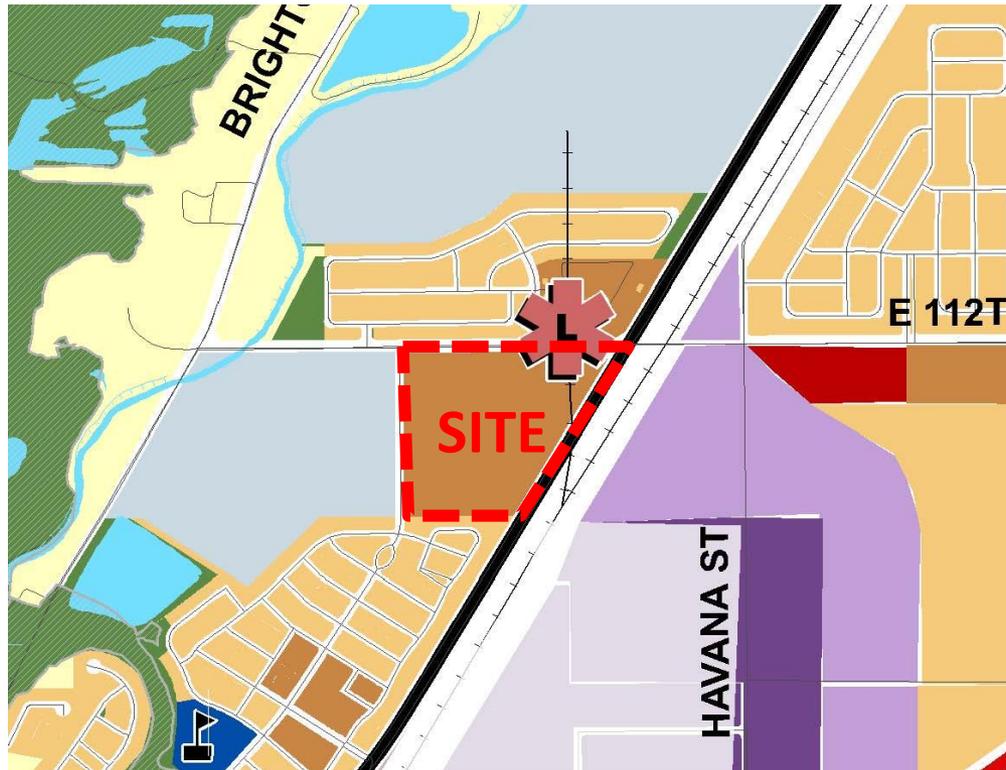
- Project size: 37.9 acres
- Comprehensive Plan Designation: Residential – High (8-40 dwelling units/acre) and Local Commercial Center
- Two properties to be re-subdivided into 1 lot and 3 tracts
- Applicant is also applying for annexation and NIGID inclusion (to be approved by Council and NIGID Board)
- Concurrent subdivision and development plan applications proposing a fueling station, 2 tracts for future residential, and 1 tract for drainage

Aerial



Commerce
CITY

Comprehensive Plan



Future Land Use

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

Comprehensive Plan

- Residential – High designation allows residential uses at a density of 8 – 40 dwelling units per acre, as well as small commercial centers of up to 40,000 square feet of building space
- Local Commercial Centers “provide opportunities for convenience shopping and service needs of a small trade area, within, or directly adjacent to, a neighborhood”

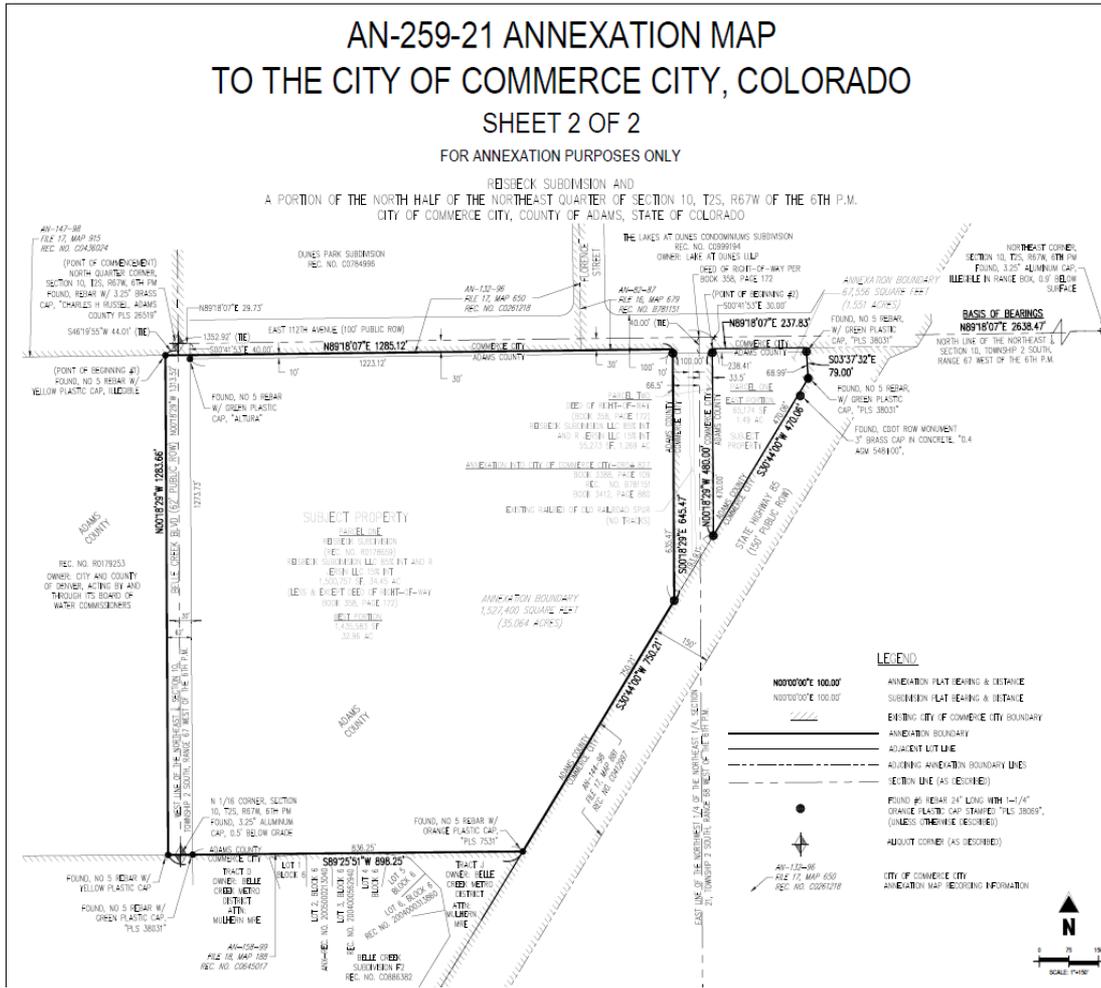
Case History

- A Concept Plan (Z-964-20) was reviewed in 2020
- Old railroad right-of-way splitting the property has already been annexed, but would be part of the proposed PUD (no railroad exists there today)
- The existing home and agriculture uses will be allowed to continue until the property develops at which point those structures will be demolished

Case History

- The Planning Commission recommended denial of the requested PUD zoning at their regularly scheduled meeting in September 2021.
- The applicant has proposed revised zoning to update the allowed uses in the proposed PUD Zone Document. These updates have not been reviewed by DRT or the Planning Commission
- The following slides detail the requested, updated PUD Zone Document, noting where the applicant is proposing alternate uses.

Request #1 : Annexation Maps



Request #1 Staff Analysis - Annex. Act Eligibility

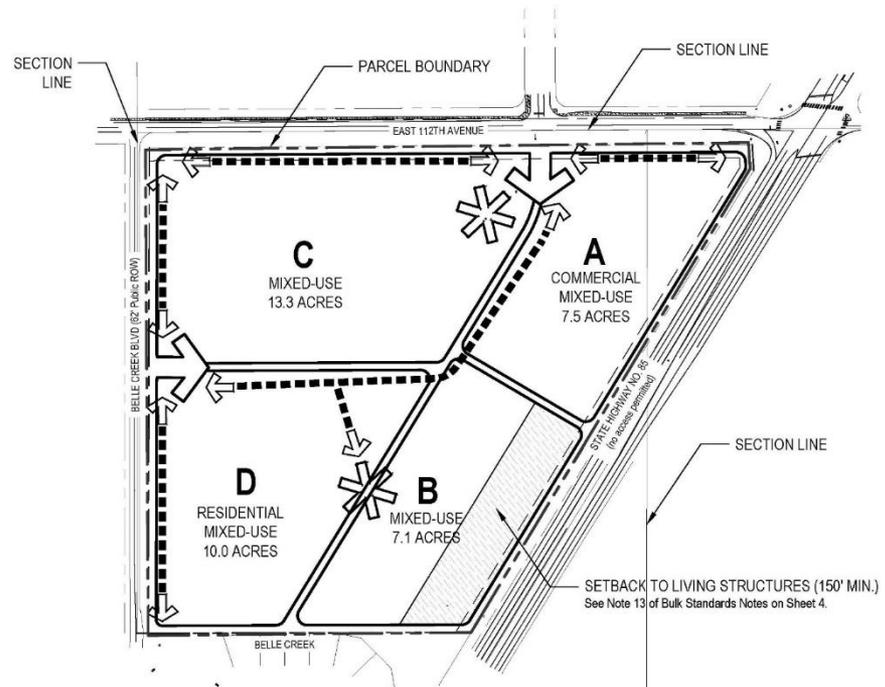
- The City Council adopted a plan for the area to be annexed pursuant to CRS 31-12-105(1)(e).
- At least 1/6 of the area to be annexed contiguous with the existing boundaries of the City of Commerce City.
- A community of interest exist between the areas proposed to be annexed and the City of Commerce City.
- The areas proposed to be annexed are urbanized, or will be urbanized, in the near future.
- The areas proposed to be annexed are integrated, or capable of being integrated, with the City of Commerce City.
- All of the owners of the lands to be annexed have signed the petition for annexation.

Request #1 Staff Analysis - Annex. Act Eligibility

- No annexation proceedings have been effectively commenced for any of the land proposed to be annexed to any other municipality.
- The proposed annexation will not result in the detachment of area from any school district and the attachment of such area to another school district.
- The annexation petitions meet the requirements of law.
- The proposed annexations will not have the effect of extending the boundaries of the City of Commerce City more than three miles in any direction from any point of such boundary in any one year.
- The entire width of any street or alley proposed to be annexed is included in the annexation.
- All requirements of CRS 31-12-104, CRS 31-12-105, and Section 30 of Article 2 of the state Constitution have been satisfied with respect to this annexation*. * *Notice to Adams County was delayed*

Request #2: Annex. Zoning

- The applicants intent is to create a residential and limited commercial development via the CANAM PUD



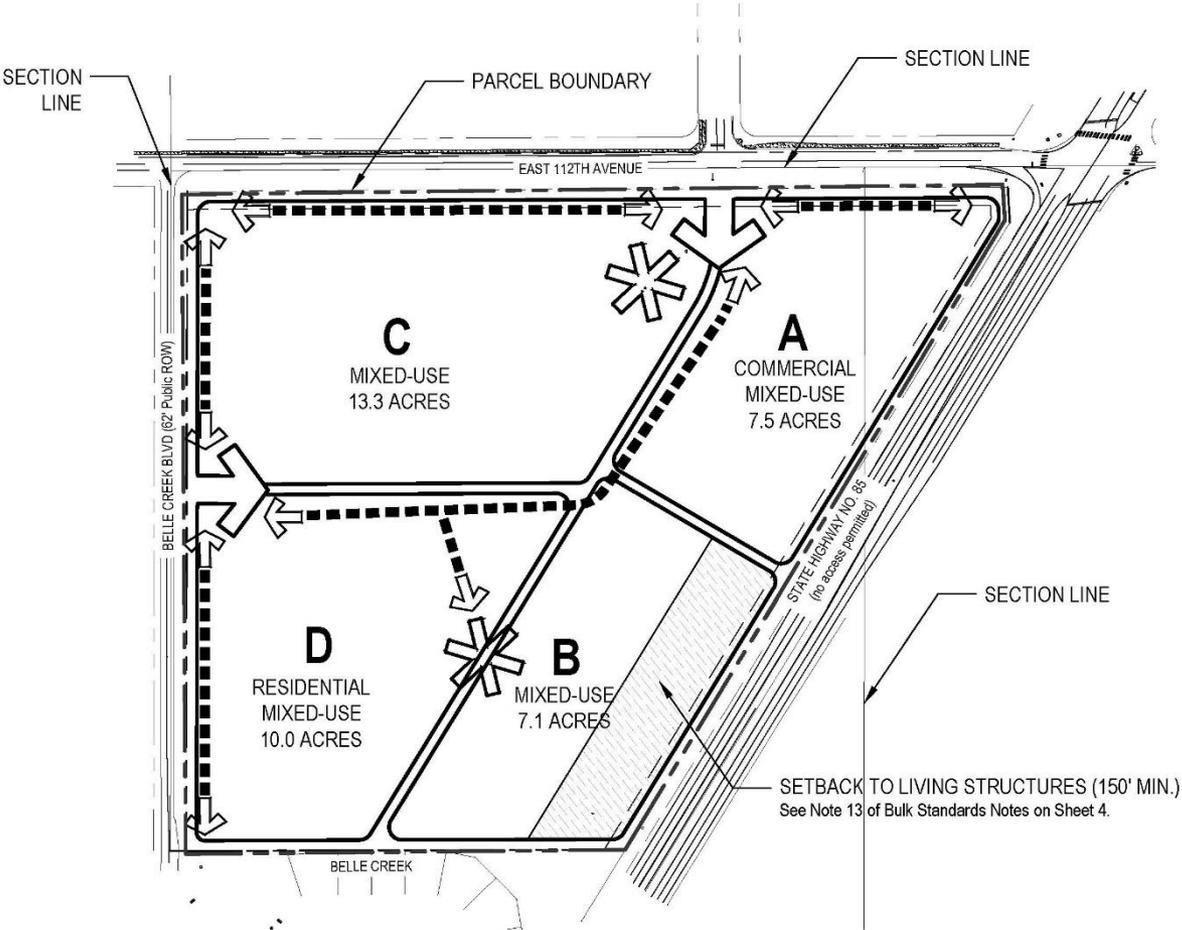
Proposed Revised PUD

- Sheets 1 & 2 (No Changes)
- Cover Sheet and Legal Description
- Legal description describes two parcels- one of the subject properties has already been annexed, both are subject to the proposed PUD

Proposed Revised PUD

- Sheet 3 (No Changes)
- Provides a project summary and describes community character and design elements, design guidelines, lighting, landscape design, and site furnishings
- Discusses the transition from higher density to the north, and less density to the south

Proposed Revised PUD



Proposed Revised PUD

- Sheet 4 (No Changes)
- Includes PUD Zoning Land Use Chart and PUD Zoning Map
- PUD splits the parcels into four planning areas
- Planning Area A would be the QuikTrip site and other future commercial
- Planning Areas B, C, & D allow multifamily (apartments), single-family attached (tri- and quad-plexes), and patio homes, along with limited commercial and public uses

Proposed Revised PUD

PLANNING AREA	USE	DESCRIPTION OF USES (1)	ACRES	% OF OVERALL DEVELOPMENT	PERMITTED GROSS DENSITY	MAX. DWELLING UNITS
A	Commercial Mixed-Use	Potentially includes a mix of land uses such as multifamily residential, neighborhood level commercial, retail and office uses.	7.5 AC	19.7%	0.5 FAR Maximum (Non-Residential) / 30 DU/AC Maximum, 8 DU/AC Minimum (Residential)	185 (5)
B	Mixed-Use	Potentially includes a mix of land uses such as Patio Home Type A and Type B, single-family attached (triplex and quadplex), townhomes, multifamily residential, neighborhood level commercial, retail and office uses.	7.1 AC	18.8%	25 DU/AC Maximum, 8 DU/AC Minimum (Residential) / 0.25 FAR Minimum (Non-Residential)***	600 (PAs, B, C & D) (5)
C	Mixed-Use	Potentially includes a mix of land uses such as Patio Home Type A and Type B, single-family attached (triplex and quadplex), townhomes, multifamily residential, neighborhood level commercial, retail and office uses.	13.3 AC	35.2%	30 DU/AC Maximum, 8 DU/AC Minimum (Residential) / 0.25 Minimum FAR (Non-Residential)	
D	Residential Mixed-Use	Potentially includes a mix of land uses such as Patio Home Type A and Type B, single-family attached (triplex and quadplex), townhomes, multifamily residential, neighborhood level commercial, retail and office uses.	10.0 AC	26.3%	25 DU/AC Maximum, 8 DU/AC Minimum (Residential) / 0.25 FAR Minimum (Non-Residential)***	
Parks and Open Space		Parks, Open Space, and Trails*	B, C and D only.	3.0%**		
Total Land Area			-	37.9 AC		



Proposed Revised PUD

- Sheet 5 (No Changes)
- Bulk standards (lot size, lot width, setbacks, etc.)
- Separate setbacks designated for fueling plaza uses
- Residential developments will be required 15% open space
- Parking standards

Proposed Revised PUD

USES	LOT SIZE (MIN.)	LOT WIDTH (MIN.) ⁽²⁾	MIN. GROSS FLOOR AREA ⁽¹¹⁾	SETBACK (MIN.) FOR ALL STRUCTURES ADJACENT TO: TO: (5, 6, 8)		SETBACK (MIN.) FOR ALL LIVING STRUCTURES ADJACENT TO:	FRONT YARD SETBACK (MIN.) (5, 6, 8, 9)	SIDE YARD SETBACK (MIN.) (1, 5, 6, 8, 9)	REAR YARD SETBACK (MIN.) (5, 6, 8, 9)	BUILDING HEIGHT (MAX.) ⁽⁴⁾
				ARTERIAL	COLLECTOR	HIGHWAY 85				
Patio Homes ⁽¹²⁾ ⁽¹⁵⁾	N/A	N/A	1-Bedroom: 550 sf 2-Bedroom: 700 sf 3-Bedroom: 850 sf 4-Bedroom: 1,000 sf	25'	20'	150' ⁽¹³⁾	SETBACK	SETBACK	SETBACK	35', 40' ⁽¹⁶⁾
							20' to living (public local street)	20' to living (public local street)	5' to living (private street)	
							5' to living (private street) (4' to living with 1' encroachments. See Note 5 for list of encroachments.)	5' side corner to living (private street)		
								BUILDING SEPARATION	BUILDING SEPARATION	
							10' (8' with encroachments. See Note 5 for list of encroachments.)		10'	
Townhomes	1,800 SF	20 (interior unit)	800 SF (1-STORY)/ 1,250 SF (2-STORY)	25' ⁽⁷⁾	20' ⁽⁷⁾	150'	6' to porch 10' to living 20' to garage	5' exterior wall 0' common wall 10' side corner ⁽³⁾	15' (front loaded) 6' (rear loaded- no parking) 20' (parking allowed)	40'
Multi-family Residential	N/A	N/A	N/A	25' ⁽⁷⁾	20' ⁽⁷⁾	N/A	15' ^(7, 10)	15' (20' min. building separation) ⁽¹⁰⁾	15' ⁽¹⁰⁾	60'
Non-Residential Uses	N/A	30'	N/A	25'	20' ⁽⁷⁾	N/A ⁽¹⁴⁾	10' ^(7, 10)	0' (20' min. building separation) ⁽¹⁰⁾	15' ⁽¹⁰⁾	60'

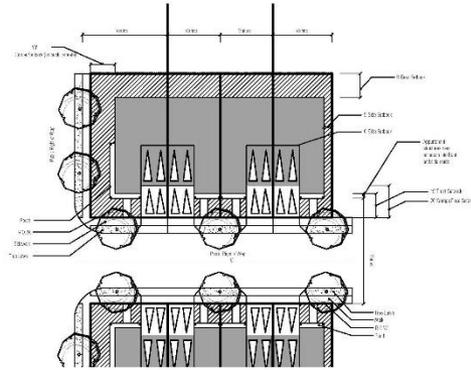
STRUCTURE/SITE ELEMENT	SETBACK
Commercial Building	90 feet (min.)
Parking	15 feet (min.)
Drive Aisle	20 feet (min.)
Fuel Pumps	40 feet (min.)
Fuel Island Canopy	25 feet (min.)



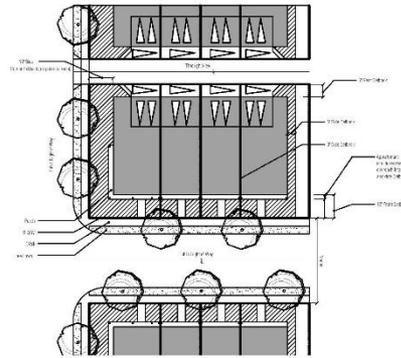
Proposed Revised PUD

o Sheet 6 – Lot Typicalals (No Changes)

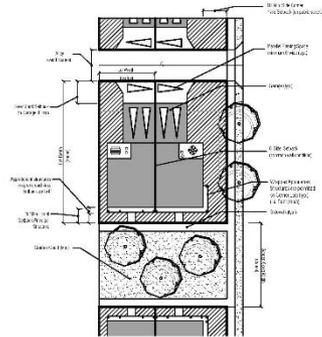
TOWNHOME LOT TYPICALS



TOWNHOME - FRONT LOAD - TYPICAL
CONCEPTUAL DRAWING SUBJECT TO CHANGE

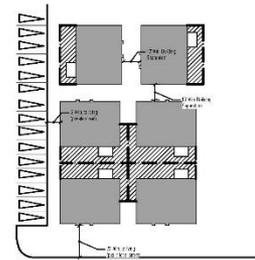


TOWNHOME - REAR LOAD - TYPICAL
CONCEPTUAL DRAWING SUBJECT TO CHANGE



TOWNHOME - REAR LOAD - GREEN COURT - TYPICAL
CONCEPTUAL DRAWING SUBJECT TO CHANGE

PATIO HOME LOT TYPICALS



PATIO HOME - TYPICAL
CONCEPTUAL DRAWING SUBJECT TO CHANGE



Proposed Revised PUD

o Page 7 – Use Table(Changed)

USE CLASSIFICATION	SPECIFIC USE TYPE	PLANNING AREA			
		A	B	C	D
AGRICULTURAL USES					
Horticulture & Nurseries	Community garden	R	R	R	C
	Greenhouse/nursery/tree production (with no outdoor storage)	R	R	R	C
COMMERCIAL USES					
Animal Services	Animal boarding (indoor/outdoor kennels) and training	R	R	C	
	Doggie day care centers	R	R	C	
	Veterinary offices or clinics	R	R	C	
Antennas	Antennas for commercial/industrial use accessory to principal use	R	R		
	Antenna and support structure for amateur radio communications	R	R		
	Radio or television broadcasting offices	R	R		
Building Materials & Services (Retail)	All other similar uses (plumbing, electrical, lumber & building equipment-without outdoor storage)	R	R		
Eating and Drinking Establishments	Bar, tavern, night club	R	R	R	
	Brewpub	R	R	R	
	Catering services	R	R		
	Restaurant with drive-thru/up	R	R		
	Restaurant without drive-thru/up	R	R	R	
Financial Institutions	Tasting Room	R	R	R	
	Bank or financial institution	R	R	R	
	Convenience store/grocery store (< 10,000 sf)	R	R	R	
Food and Beverage Sales	Grocery store (> 5,000 sf and < 40,000 sf)	R	R	R	
	Liquor store	R	R	R	
	All other similar uses (e.g., delicatessen, retail bakery, specialty food market, coffee shop)	R	R	R	
Fuel Sales (see Allowed Use Note 1)	Fuel sales with no vehicle repair	R			
	Fuel sales with minor vehicle repair	R			
	Natural gas fuel sales	R			
	Natural gas fuel sales for trucks	R			
Funeral and Internment Services	Diesel fuel sales for trucks	C			
	Funeral home	R	R		
Office	Business or professional (including medical/dental office/clinics)	R	R	R	R
	Courier services	R	R	R	
Personal Services	Massage therapy office/clinics	R	R	R	
	Instructional services, studios	R	R	R	R
Recreation or Amusement Facilities, Private	Bingo establishments/social gaming outlet/performance centers	R	R		
	Bowling, billiards, movie theaters & similar uses	R	R		
	Health clubs	R	R	R	R
	Outdoor recreation	R	R		
Repair Services (Not Including Vehicles)	Furniture or major household appliance repair	R	R		
	Retail business store (< 25,000 square feet)	R	R	R	C
Retail Establishments	Retail business store (> 25,000 square feet and < 40,000 sf)	R	R	R	
	Tattoo parlor	R	R		
	Thrift/consignment store	R	R		
Vehicle/Equipment Sales and Services	Automobile rentals	R			
	Automobile washing facility	R			
	Tire shop	R			
Visitor Accommodations	Vehicle repair, minor	R			
	Bed and breakfast establishments	R	R	C	C
Manufacturing, Food	Hotel or motel lodging establishments	R	R	R	
	Brewery	R	R		
	Distillery	R	R		
	Microbrewery	R	R		
	Micro-winery	R	R		
OFFICE FLEX					
Office Flex	Office Flex	R	R	R	R

USE CLASSIFICATION	SPECIFIC USE TYPE	PLANNING AREA			
		A	B	C	D
INDUSTRIAL USES					
Artisan/Handcrafted Manufacturing	Artisan/handcrafted manufacturing	R	R		
	Manufacturing, Oil and Gas	C	C	C	C
Research and Development Services	Support activities for oil and gas operations (pipelines, etc.)	R	R		
	Scientific R & D services	R	R		
	Testing laboratories, non-medical	R	R		
PUBLIC, INSTITUTIONAL & CIVIC USES					
Ambulance Service	Garage and office for ambulance service	R	R		
Arts and Cultural Uses	Arts and cultural uses	R	R	R	
Clubs and Lodges	Private lodge or club	R	R	R	
	Gun club (indoor)	R	R		
Community Services	Events center (< 15,000 sf)	R	R	R	
	Events center (> 15,000 sf and < 40,000 sf)	R	R	R	
Day Care Facilities, Adult or Child	Child care center	R	R	R	R
	Adult day care center	R	R	R	R
	Outpatient surgical centers	R	R	R	
Public Lands, Parks, and Buildings	Library	R	R	R	R
	Public administrative office or service building	R	R	R	
	Public park or recreational facilities	R	R	R	R
Religious Institutions	Police or fire station	R	R	R	
	Church or religious institution	R	R	R	R
Educational Facilities	Elementary and secondary education schools	R	R	R	R
	Private business, trade, and vocation schools	R	R	R	
	Post secondary colleges and universities	R	R	R	
Transportation Facilities (See Allowed Use Note 4)	Schools of special instruction	R	R	R	
	Parking garage	R			
Utilities	Public parking lot	R			
	Public utility office	R	R	R	
RESIDENTIAL USES					
Household Living	Foster care home	R	R	R	
	Multi-family dwelling	R	R	R	R
	Patio Homes Type A		R	R	R
	Patio Homes Type B		R	R	R
	Single-family attached townhomes		R	R	R
Senior Housing	Boarding or rooming house		R	R	
	Home occupation		R	R	R
	Assisted living facility	R	R	R	R
	Nursing homes	R	R	R	

LEGEND

R = Allowed by Right
C = Conditional Use



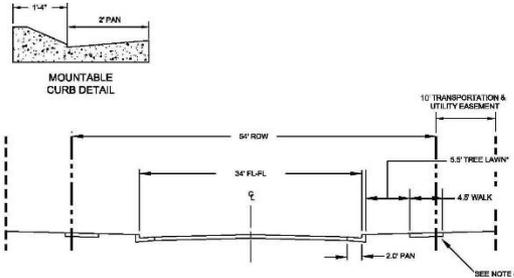
Commerce CITY

Proposed Revised PUD

- Sheet 7 – Use Table Amended
 - The applicant has revised the diesel fueling for trucks use to be a “Conditional Use”
 - This would amend their current development plan – removing the diesel truck canopy and opening up space for another commercial pad
 - The applicant would need to go through another public hearing process in the future if they want to allow truck fueling.

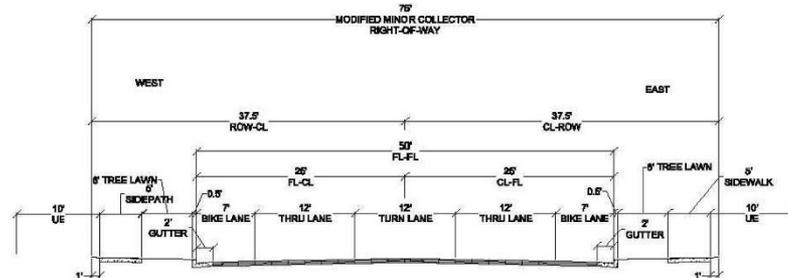
Proposed Revised PUD

o Sheet 8 – Road Sections (No Changes)



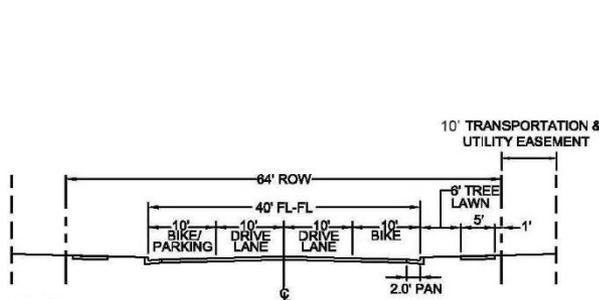
- NOTES:
1. STRIPING NOT REQUIRED.
 2. ON STREET PARKING ALLOWED BUT NOT PERMITTED WHEN NEEDED FOR FIREFIGHTING CAPABILITIES ADJACENT TO P.A.C.
 3. IRRIGATED & UNIFORMLY LANDSCAPED TREE LAWN TO BE INSTALLED BY DEVELOPER.
 4. IF MOUNTABLE CURB IS USED, SIDEWALK WILL ENCR OACH 1'-4" INTO TRANSPORTATION EASEMENT.

E. 111th AVENUE FROM BELLE CREEK BLVD TO FLORENCE STREET
(LOCAL RESIDENTIAL WITH DETACHED WALKS, NO ALLEY)
(NOT TO SCALE)



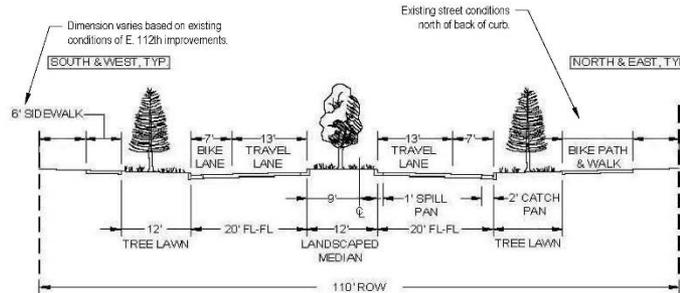
- NOTES:
1. CENTER LINE STRIPE REQUIRED.
 2. NO PARKING WILL BE PERMITTED IN THE MODIFIED MINOR COLLECTOR SECTION.

FLORENCE STREET FROM E. 112th AVENUE TO E. 111th AVENUE
(MODIFIED MINOR COLLECTOR)
(NOT TO SCALE)



- NOTES:
1. CENTER LINE STRIPE REQUIRED.
 2. THIS SECTION FOR STREETS ADJACENT TO THE CANAM PROPERTY.
 3. NO PARKING PERMITTED WHEN NEEDED FOR FIREFIGHTING CAPABILITIES.

BELLE CREEK BOULEVARD
(MINOR COLLECTOR)
(NOT TO SCALE)



- NOTES:
1. AUXILIARY LANES SHALL BE 12' WIDE EXCLUDING GUTTER PANS.
 2. EASEMENTS MAY BE DEDICATED AS ROW IF SETBACKS ARE NOT AN ISSUE.
 3. SIDEWALKS MAY MEANDER.

E. 112TH AVENUE
(MULTIMODAL ARTERIAL)
(NOT TO SCALE)



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Proposed Revised PUD

- Sheets 9 & 10 (No Changes)
- Alley sections and alley parking standards
- Signage regulations
 - Proposed sign details for QuikTrip site
 - All other sign standards refer to Commerce City LDC

Annexation Zoning Criteria

In accordance with LDC, Sec. 21-3350. Zoning of Newly Annexed Land:

Criteria for Zoning Annexed Land (1 required to be met)	Rationale
The zoning is most compatible with the city's comprehensive plan designation for the property;	The comprehensive plan identifies the subject property for high-density residential uses, and a local commercial center. The proposed PUD reflects these uses.
The zoning is most compatible to the county zoning of the property at the time of annexation; or	The current county zoning of I-1, therefore N/A.
The zoning is most comparable to the present use(s) on the property.	The current condition of Agricultural, therefore N/A.

PC Analysis- Zoning

- Based on the Planning Commission meeting, the original proposed PUD zoning is not appropriate for this site:
- Proposal is not consistent with the Commerce City Comprehensive Plan designation for the property
- Proposal is not consistent with Land Development Code.



Required Public Notification

(Pursuant to LDC Sec. 21-3285)

Type of Notification	Code Required	Code Required Minimum Met	Notification Provided
Mail/Postcard to Adjacent Property Owners	Mailed Notification to property owners within 500 feet	✓	245 Adjacent Property Owners Notified
Publication/ Newspaper Notice	Notice in local newspaper	✓	Notice in Denver Post
Placard/Sign on Property	At least one sign on subject property	✓	3 Signs Posted

Neighborhood Meeting

- Neighborhood meeting took place virtually on 5/12/21
- Main issues raised:
 - Truck access to QuikTrip, especially from Belle Creek Blvd.
 - Increased traffic on Belle Creek Blvd. and E. 112th Ave. and the need for improvements
 - Requirements for off-site improvements
 - Additional traffic lights
 - Density and maximum building height of multifamily
 - Dust and mosquito control
 - Prairie dog population
 - Home values
 - Buffer from homes to the south

Neighborhood Meeting

- Follow Up Neighborhood Meeting 9/28



Public Comment

- Ten public comments have been received by staff as of September 27th, 2021
- Based on one of the comments, Tri-County Health Department contacted – no exceedance of health-based risk standards for this property
- Applicant will abide by all TCHD comments and regulations

Recommendation

- **Annexations:** The Development Review Team recommends that the City Council find that the properties are eligible for annexation and annex the properties, upon completion of an acceptable annexation agreement.
- **Annexation Zoning:** On September 7, 2021, Planning Commission voted 3-2 to forward this request to City Council for denial because the original proposed project does not meet the Land Development Code and is not what the Comprehensive Plan intended.





City staff and the applicant are available to answer questions.

