



STAFF REPORT

Planning Commission

CASE #Z-926-16

PC Date:	May 3, 2016	Case Planner:	Steve Timms
CC Date:	July 18, 2016 (Although Subject to Change)		
Location:	East of Potomac Street, North of E. 112 th Avenue and South of Highway 2 (PIN: 172306301001)		
Applicant:	The City of Commerce City 7887 E. 60 th Avenue Commerce City, CO 80022	Owner:	Same as Applicant

Case Summary

Request:	The City of Commerce City is requesting the approval of a rezoning from Turnberry PUD (Planned Unit Development) to Commerce City's Public zoning designation.
Project Description:	The subject property is being rezoned to Commerce City Public for the future development of a public recreation center.
Issues/Concerns:	<ul style="list-style-type: none"> • Future Uses • Improvements in the Area
Key Approval Criteria:	<ul style="list-style-type: none"> • Compliance with the Rezoning criteria
Staff Recommendation:	<ul style="list-style-type: none"> • Approval
Current Zone District:	<ul style="list-style-type: none"> • PUD (Planned Unit Development)
Requested Zoning:	<ul style="list-style-type: none"> • Public
Comp Plan Designation:	<ul style="list-style-type: none"> • Residential

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

Narrative Summary

Vicinity Map

Background Information

Site Information

Site Size:	25.4 acres +/-
Current Conditions:	All of the property is currently undeveloped.
Existing Right-of-Way:	E. 112 th Avenue to the south, Potomac Street to the east, Highway 2 to the north.
Existing Roads:	E. 112 th Avenue to the south, Potomac Street to the east, Highway 2 to the north.
Existing Buildings:	N/A
Buildings to Remain?	N/A
Site in Floodplain:	<input checked="" type="checkbox"/> Yes (2 nd Creek Floodplain) <input type="checkbox"/> No

Surrounding Properties

Existing Land Use		Occupant	Zoning
North	Right-of-Way	Highway 2	ROW
South	Undeveloped	None	PUD
East	Industrial/Vacant	Fence Company and Future Park Site	ADCO AG and ADCO I-2
West	Landscape Company	Pioneer Sand	ADCO

Case History

The subject property was annexed into the City in 1997 (Cases #AN-139-97 and #AN-140-97). Annexation zoning of R-1 was approved for the two parcels in 1998 (Cases #Z-678-98 and #Z-679-98). In December 1999 the applicant, Burlington Northern Railroad/Catellus, received approval of the original PUD Zone Document (Case #Z-706-01) for the construction of residential and neighborhood-serving commercial uses.

Ordinance	Date	Request	Action
Z-706-99	12/99	Original PUD Zone Document Approval	Approval with Conditions
Z-706-99-01 & Z-706-99-01-02	12/01 & 5/02	Parcel Adjustments	Approval with Conditions

Applicant's Request

The City of Commerce City is requesting the approval of a zone change from Planned Unit Development (PUD) to Public for 25.43 +/- acres of city owned property north of E. 112th Avenue and east of Potomac Street. (PIN: 172306301001).

There is no development on the subject property at this time and the city is currently in the design stage to develop the site as a public recreation center. Construction on the site is planned to begin in late 2016/early 2017 and will be completed in late 2017/early 2018. This request for rezoning is being made prior to construction commencing on the site in order to give the recreation center site the most appropriate zoning designation for its planned use. Most other city park and recreation facilities are zoned Public which allows for these types of land uses.

Development Review Team (DRT) Analysis

Comprehensive Plan Analysis:

The Development Review Team (DRT) began the review of this application by evaluating the request against the City's Comprehensive Plan. That analysis is as follows:

Comprehensive Plan

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

<u>Section</u>	<u>Goal</u>	<u>Description</u>
Safety and Wellness	SW 2.4	<u>Year-Round Recreation Opportunities:</u> Provide year-round opportunities for indoor recreation for all residents.
<u>Analysis:</u>	The requested zoning designation will allow the construction of a new recreation center for indoor activities year round.	

<u>Section</u>	<u>Goal</u>	<u>Description</u>
Parks, Open Space, and Recreation	P 2	<u>Increase year-round active recreation opportunities:</u>
<u>Analysis:</u>	The city owned property would serve as a new location for the city's northern range recreation center, identified as a goal in the Comp Plan.	

Once it was determined that the proposal is consistent with the Comprehensive Plan goals stated above, the DRT reviewed the proposal as outlined below.

Compatibility with the Area:

The subject property in this application totals roughly 25.5 acres located north of E. 112th Avenue and east of Potomac Street and south of Highway 2. There is no development currently on the property and the city intends to develop the property as a recreation center. The recreation center will serve the current and future residential uses that are in the area.

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 zoning would not create conflicts with their regulations and no objections to the zoning have been received.

Concept Plan:

City Council is currently working on a conceptual design of the site and the building. Although subject to change, here is what has been agreed upon so far. The building will be sited towards Highway 2 and oriented with a south-facing entrance. The gymnasium will provide an adult-sized basketball court, youth-sized cross courts, ample spectator seating and circulation between the courts. Overall floor plans (approximately 106,000 sf) will include space for the following amenities:

- Elevated walking/jogging track
- Child watch/babysitting/indoor play area
- Dedicated dance room
- Second group exercise/aerobics/dance room
- All-ages game room
- Enhanced lobby and community area
- Green rooftop/balcony off of the fitness area
- 300-person community room.

The design team is refining and finalizing design elements through the schematic design process. Construction is expected to begin this summer.

Infrastructure Improvements:

In addition to the recreation center site, a variety of off-site improvements will also be performed including the following:

- Construction of E. 112th Avenue from Chambers to Highway 2
- Construction of Potomac Street from 108th Avenue to Highway 2
- Drainage and stormwater improvements
- Utility extensions in the area.

Regional Park to the East:

Finally, as a related project, the City will in the future, be designing and constructing a regional park just to the east of the recreation center site. This park will provide outdoor recreation activities on a larger scale than a community park. Together with the recreation center, this area of the city will comprise a centerpiece amenity for the community and will continue to transform the development and image of the area.

Summary:

In summary, the DRT has determined that the request meets the approval criteria for rezoning outlined in the LDC as provided below and the proposal meets the Comprehensive Plan goals that are outlined above. The proposed rezoning will not negatively impact future development of the area and will serve as a focal point in the northern range, attracting thousands of visitors a year. After performing this analysis, the DRT is recommending that the Planning Commission forward a recommendation for **approval** to City Council.

Criteria Met?	Sec. 21-3232. Rezoning or Zone Changes	Rationale
N/A	The change corrects a technical mistake by the city.	This criteria is not applicable to this case.
OR		
X	The change is consistent with any City adopted plans for the area;	The requested Public zoning designation is consistent with the future land use designation as the comprehensive plan allows for commercial land uses along arterial streets and while a recreation center is not a commercial land use, it meets the same intent of allowing destination uses at significant intersections.
X	The change is compatible with proposed development, surrounding land uses and the natural environment;	The proposed Public zoning designation is compatible with future development of a recreation center and associated park facilities. The facility will benefit the surrounding residential land uses while helping to preserve the sensitive wetland areas to the east.
X	There is, or will be, adequate public services, (water, sewerage, streets, drainage, etc.);	Adequate public services can be provided to the site for the development of a recreation center.
X	There is, or will be, adequate public uses (parks, schools, and open space);	The proposed future use as a recreation center is a beneficial public use.
X	The change is needed to provide/maintain a proper mix of uses in the area/City;	The subject property is owned by the city and will be used as recreation center. The Public zoning designation will identify the property as public property for the benefit and use of the public.
X	The area for which the change is requested has changed/is changing and it is in the public interest to allow a new use or density.	The Public zone designation will effectively lower the proposed density and use on the property from High Density Residential to a recreation center. It will also serve to identify the property as publicly owned.

Development Review Team Recommendation

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

DRT's Recommended Motion

I move that the Planning Commission enter a finding that the requested rezoning for the subject property contained in case **Z-926-16** meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council **approve** the rezoning.

Alternative Motions

To recommend approval subject to conditions:

I move that the Planning Commission enter a finding that, subject to certain conditions, the requested rezoning for the property contained in case **Z-926-16** meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council **approve** the rezoning **subject to the following condition(s)**:

List condition(s)

To recommend denial:

I move that the Planning Commission enter a finding that the requested rezoning for the property contained in case **Z-926-16** 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 City Council **deny** the rezoning.

To recommend continuance:

I move that the Planning Commission **continue** the requested rezoning for the property contained in case **Z-926-16** to a future Planning Commission agenda.