



Case #Z-792-05-24

One Buckley

09/03/2024

Case Summary

- Location: Northeast corner of Buckley Road and East 120th Avenue
- Request: PUD Amendment to create new planning areas, allow additional commercial land uses, allow residential land uses, establish bulk and design standards.
- Zoning: PUD (Cutler Farms Commercial)
- Future land use designation: Commercial (Community Commercial Center)

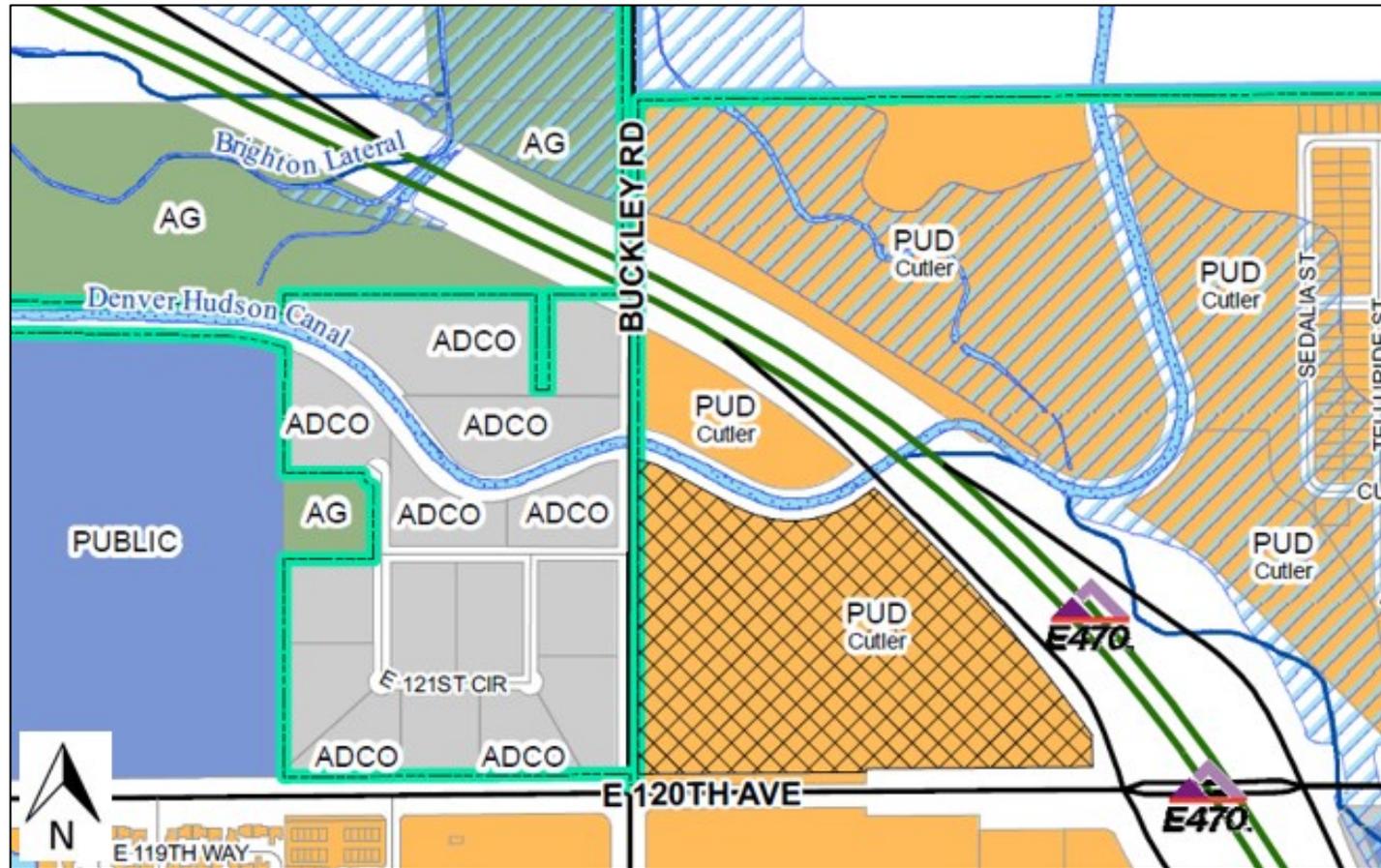
Case Background

- Original Cutler Farms Commercial PUD approved in 2005
- One planning area, only allowed commercial uses
- Proposed amendment will allow residential in certain planning areas

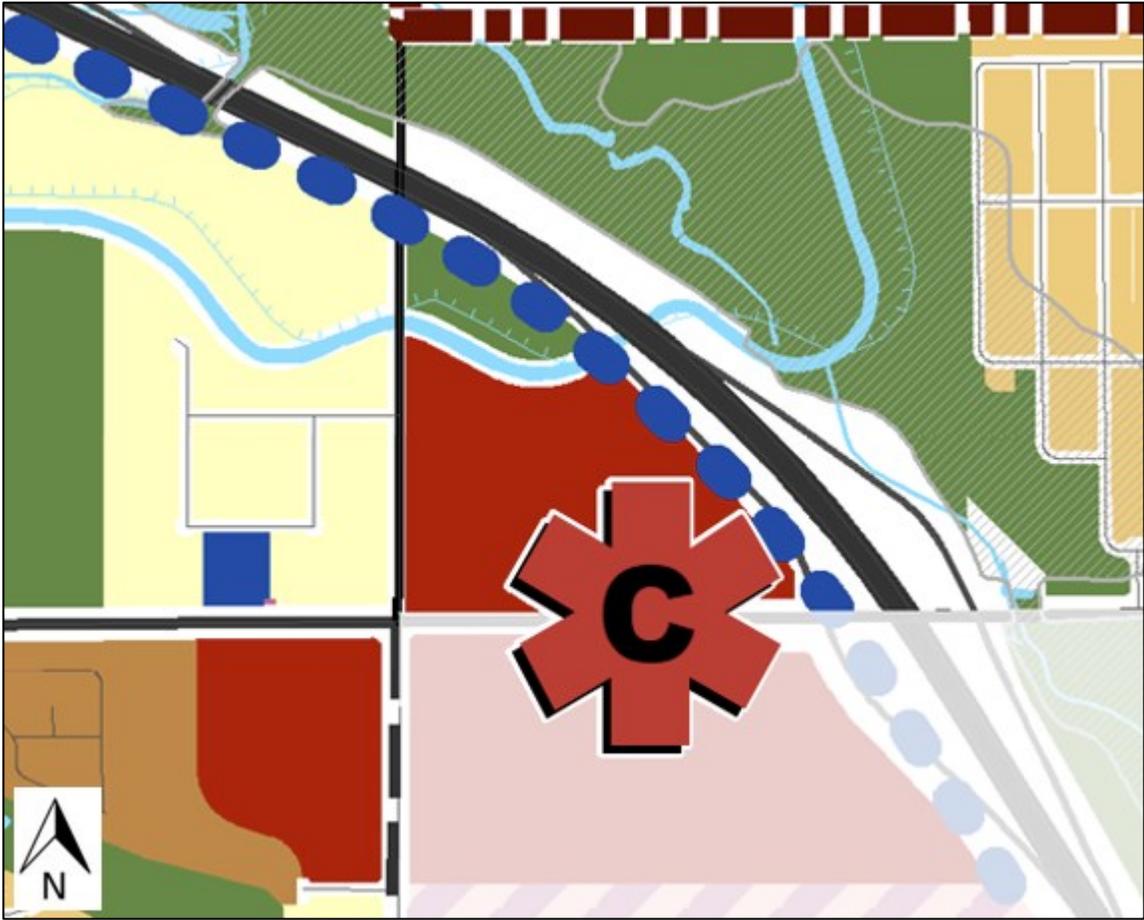
Aerial Map



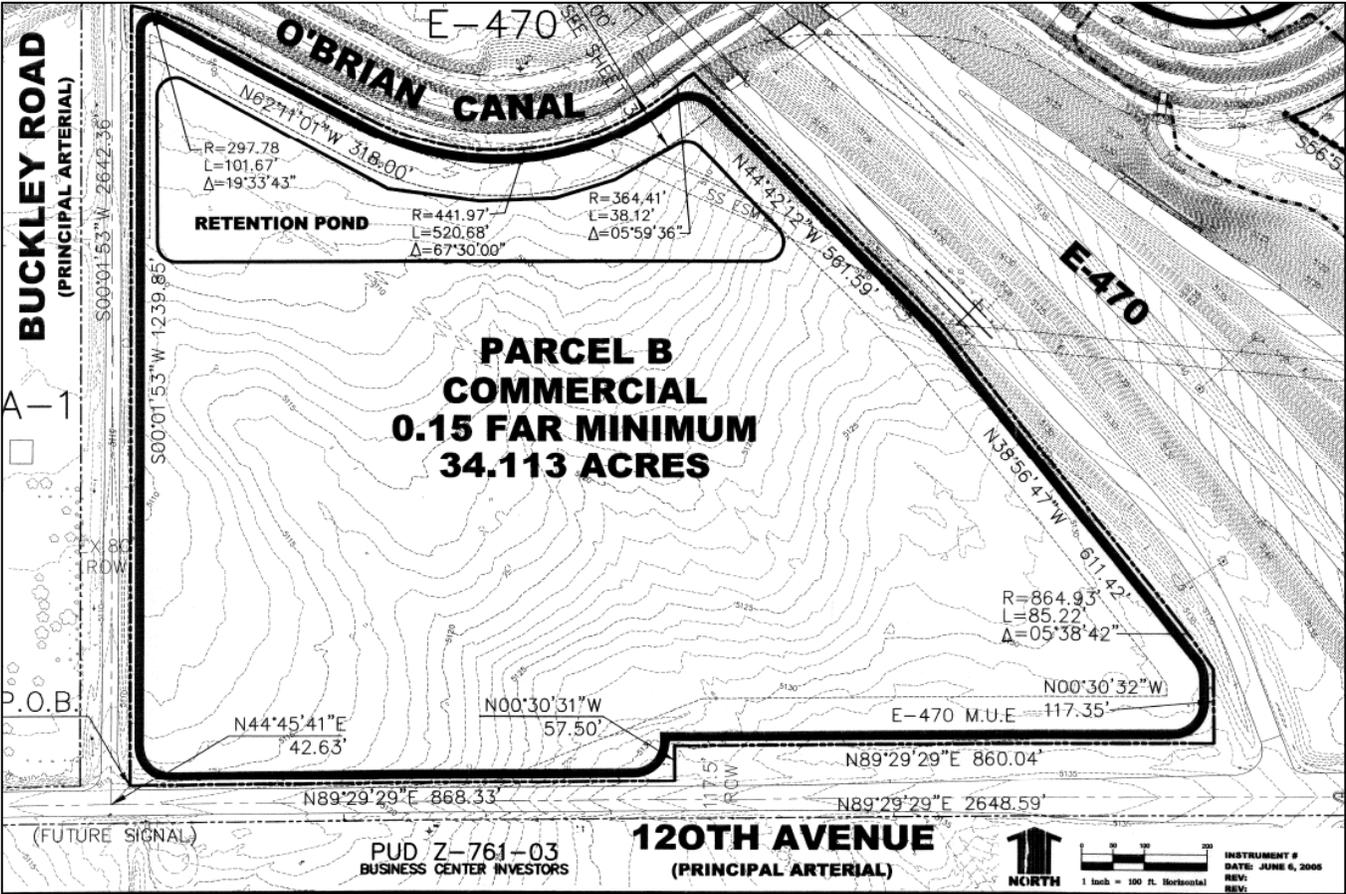
Zoning Map



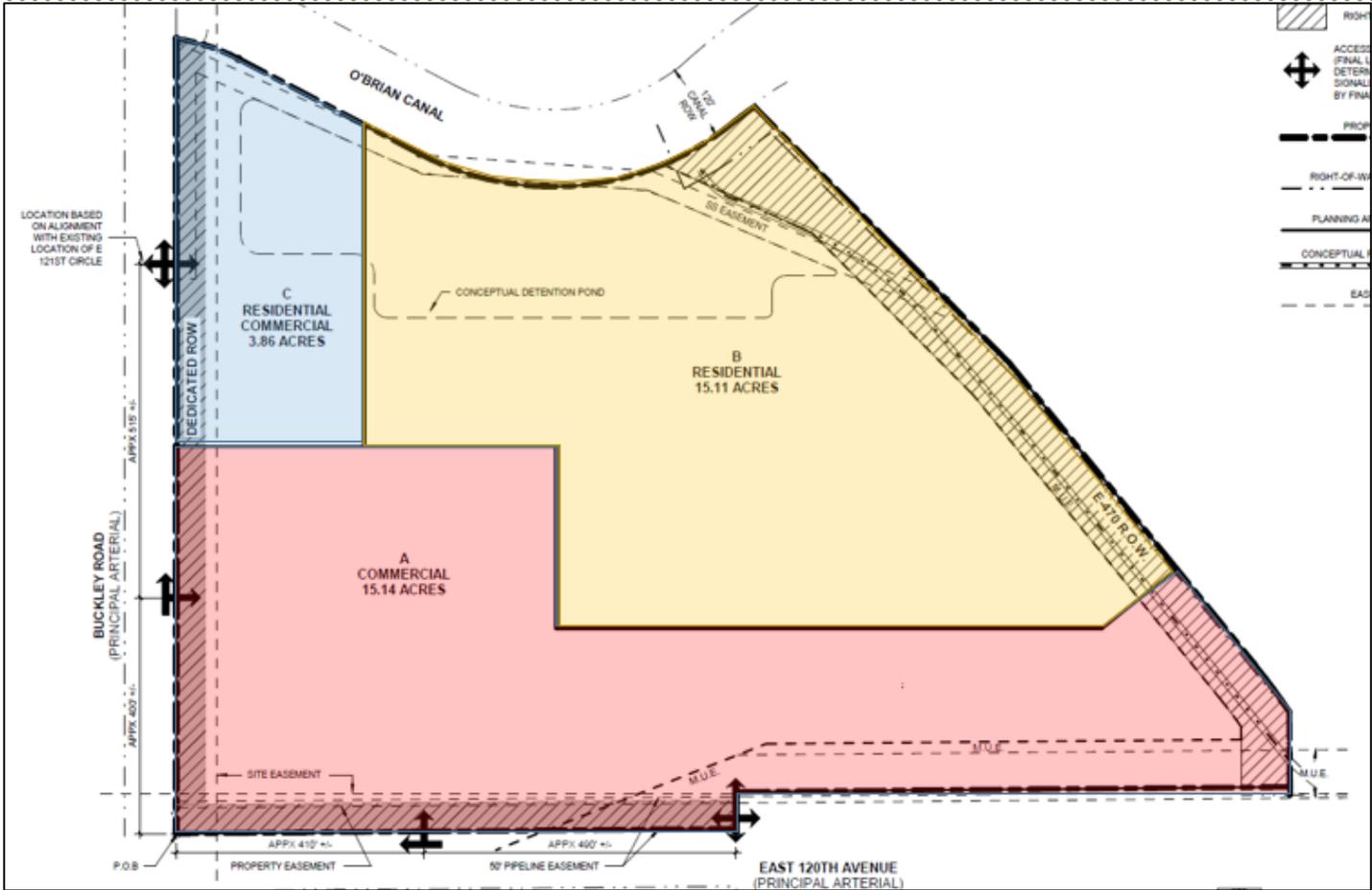
Future Land Use Plan



Current PUD



Proposed Planning Areas



Planning Area A - Commercial

- Hard corner of E 120th Ave and Buckley Rd
- Only allows commercial uses
 - Restaurants, office, retail, etc.
- No residential permitted

Planning Area B - Residential

- Internal on the site
- Only allows residential uses
 - Single-Family detached/attached, Townhomes, Multi-Family
- No commercial uses permitted

Planning Area C – Mixed-Use

- Along the Buckley Rd frontage
- Allows both residential and commercial uses
- Allows for a vertical mixed-use product

Planning Commission

- Heard by Planning Commission on September 3, 2024
- Planning Commission voted 4-1 to recommend approval to City Council

Considerations

- The current PUD only allows for commercial land uses
- The comprehensive plan designates this area as a Community Commercial Center
- High-density residential is an appropriate use within a Community Commercial Center
- The commercial planning areas are along E 120th Ave and Buckley
- The design standards will guide the overall design of future development
- Future Subdivision Plats and PUD Permits will finalize the site layout and details

PUD Approval Criteria - 1

Sec. 21-3251(3):

- (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;

PUD Approval Criteria - 2

Sec. 21-3251(3):

(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.



Staff is available to answer any questions.

PUD Approval Criteria (a)

- **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 allowable uses of commercial and residential within the proposed PUD are consistent with the policies and goals of the comprehensive plan as stated in this staff report and is consistent with the land use designation of Commercial (Community Commercial Center). Community Commercial Centers provide retail/services and can include a mix of uses including high-density residential.

PUD Approval Criteria (b)

- **Criteria (b): The PUD zone document is consistent with any previously reviewed PUD concept schematic;**
- Not applicable as there was no concept schematic reviewed for this property.

PUD Approval Criteria (c)

- **Criteria (c): The PUD 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;**
- The mixture of uses between residential and commercial combined with the proposed design standards will create a unique development that would not otherwise be possible within straight zoning. The architecture, landscaping, signage, lighting, fencing standards will establish a unique theme for the development which is best accomplished through a PUD.

PUD Approval Criteria (d)

- **Criteria (d): The PUD complies with all applicable city standards not otherwise modified or waived by the city;**
- The proposed amendment has been reviewed by the Development Review Team and meets all applicable city standards as well as the Future Land Use Plan.

PUD Approval Criteria (e)

- **Criteria (e): The PUD is integrated and connected with adjacent development through street connections, sidewalks, trails, and similar features;**
- The proposed layout and design standards provide connections between the planning areas with a goal of creating a walkable community. The applicant is proposing a pedestrian network that is interconnected between the residential planning areas as well as the commercial planning areas. The proposed vehicle access points off of Buckley Road and 120th Avenue line up with future and existing development in the area and have been reviewed by Commerce City Engineering.

PUD Approval Criteria (f)

- **Criteria (f): To the maximum extent feasible, the proposal mitigates any potential significant adverse impacts on adjacent properties or on the general community;**
- The subject property is currently vacant with vacant property to the north and vacant land to the south that is zoned for commercial and residential. The proposed PUD would allow commercial uses along E 120th Ave and Buckley Road which will be consistent with the future development south of E 120th Ave. The northern access point off of Buckley Road was lined up with the existing Adams County residential neighborhood to the west to mitigate traffic impacts. Access points, traffic studies, and overall site design will be reviewed and approved in future development plan applications.

PUD Approval Criteria (g)

- **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 is within the South Adams County Water and Sanitation District, Brighton Fire District, and the Northern Infrastructure General Improvement District. Xcel Energy, United Power, and Commerce City Public Works/Engineering reviewed the request and had no opposition.

PUD Approval Criteria (h)

- **Criteria (h): As applicable, the proposed phasing plan for development of the PUD is rational in terms of available infrastructure, capacity, and financing; and**
- Not applicable as there is no phasing plan.

PUD Approval Criteria (i)

- **Criteria (i): The same development could not be accomplished through the use of other techniques, such as height exceptions, variances, or minor modifications.**
- A PUD is the only application type that would allow for the creation of specific planning areas that have specific land uses and development standards for each area to create a unique development. To accomplish the horizontal mixed-use product that is being proposed, a PUD is the best technique to allow for the range of land uses throughout the property.