



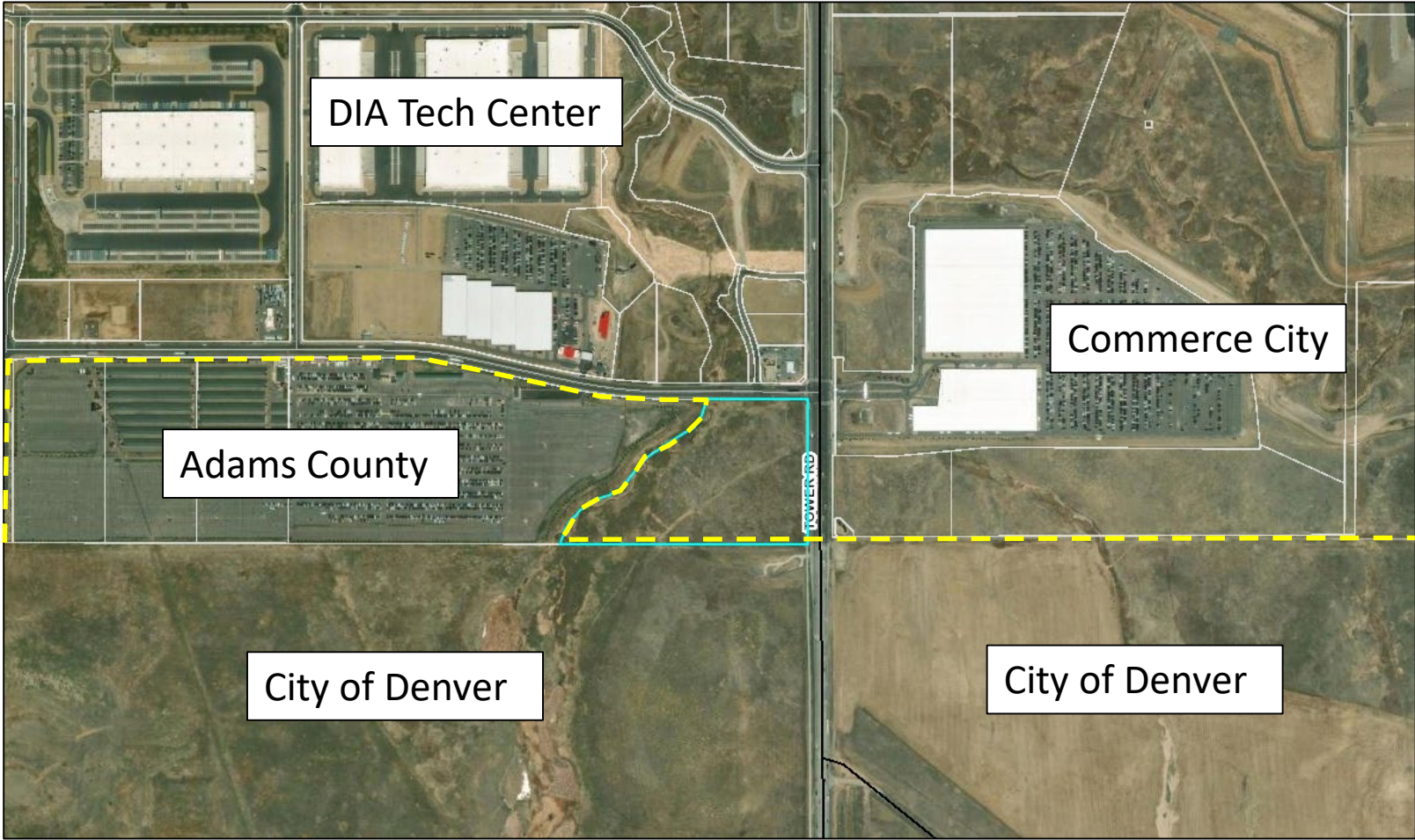
Case #AN-258-23 & Z-962-20-23 QuikTrip Annexation and PUD Zone Document

Location: Southwest Corner of East 81st Avenue and Tower Road
Applicant: QuikTrip Corporation
Request: Annexation and zoning to PUD

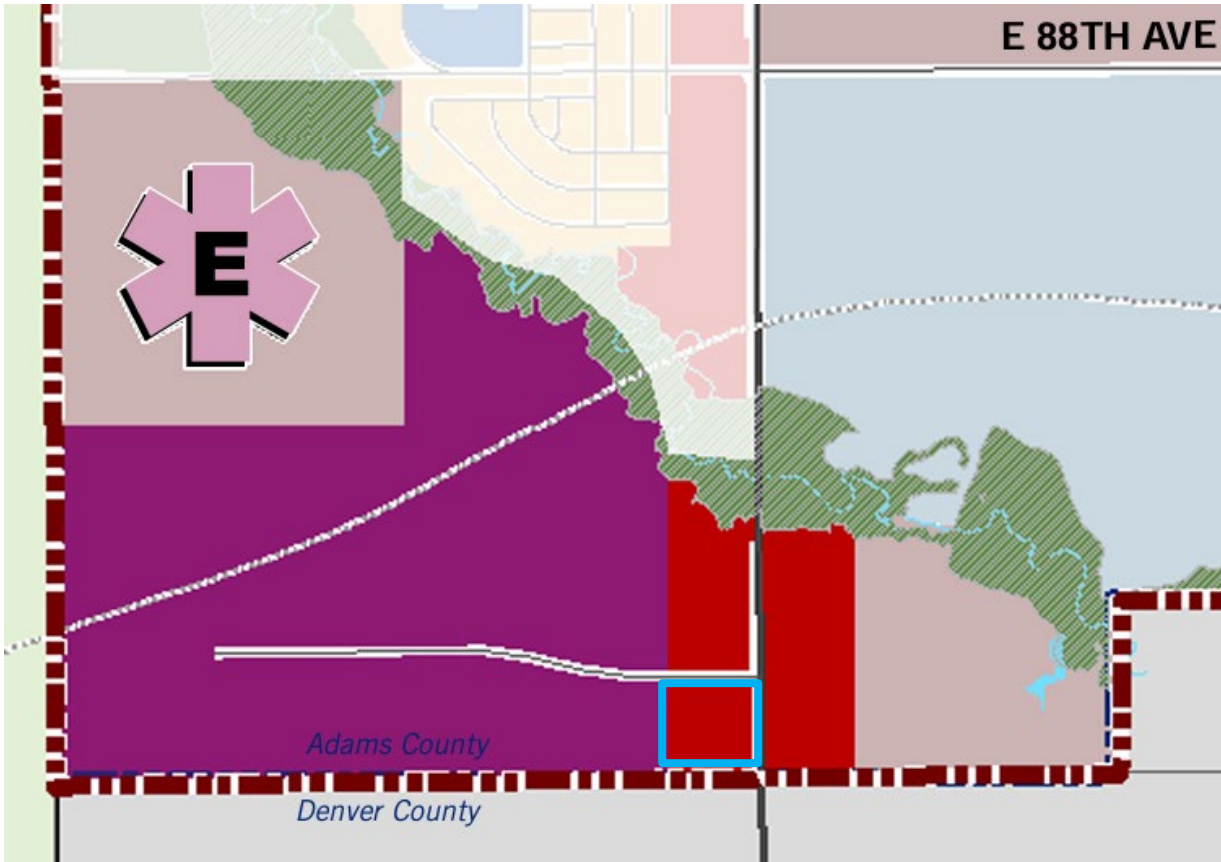
Case Summary

- Location: SWC of East 81st Avenue & Tower Road
- Site: 14.7 acres
- Current zoning: A-3, Agriculture (ADCO)
- Proposed zoning: Planned Unit Development, PUD (Commerce City)
- Future land use plan: Commercial

Location



Future Land Use 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



Site Photos

Facing west



Facing north



Applicant's Request

- QuikTrip Corporation is requesting an Annexation and Zoning from A3, Agriculture (ADCO) to PUD (Commerce City)
- A corresponding PUD Development Permit (D-503-23), Subdivision Plat (S-798-23), and ECAGID Inclusion (ECAGID-015-23) are being processed concurrently with this request
- Additionally, Design Standards are being reviewed by staff concurrently with this application

Applicant's Request

- Property to be subdivided into two lots and two tracts
- Proposed QuikTrip gas station/convenience store on the hard southwest corner of East 81st Avenue and Tower Road
- Three planning areas:
 - Planning Area A = QuikTrip gas station
 - Planning Area B = Future commercial development
 - Planning Area C = Open space

PUD Zone Document Process

- Step One: PUD Concept Schematic
- Reviewed by Planning Commission in August 2020

- Step Two: PUD Zone Document
- Being requested in this application

- Step Three: PUD Development Permit
- Being reviewed concurrently by staff

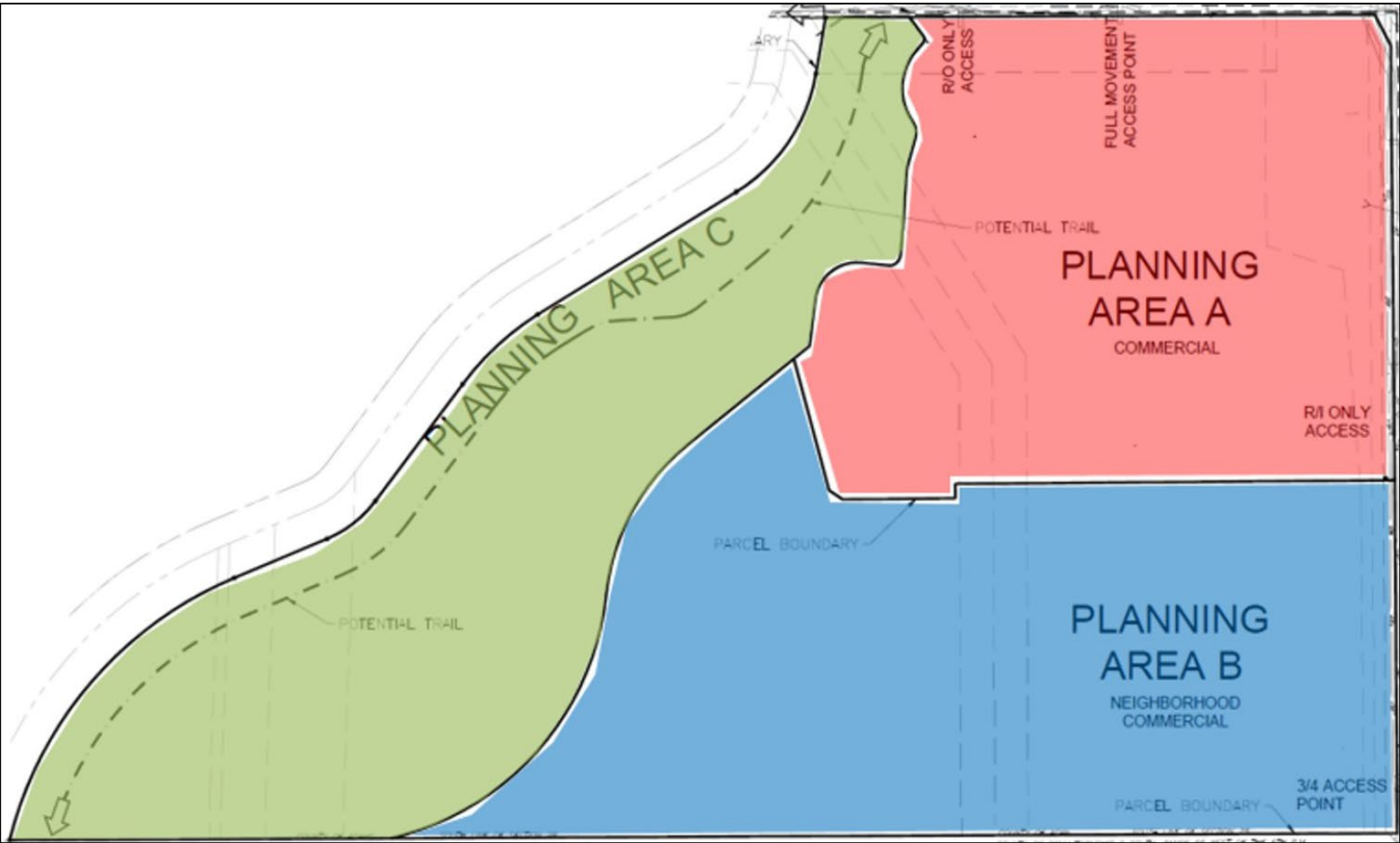
PUD Zone Document Process

- Step One: PUD Concept Schematic
- Presented to Planning Commission on August 4, 2020
- Comments from the Commission included:
 - Support for the proposed commercial uses
 - Cautioned against creating a “truck stop” feel to the development
- Stated the importance of this location as a gateway to the City (architecture, landscaping, etc.)

PUD Zone Document Process

- Step Two: PUD Zone Document
- This request is for the PUD Zone Document
- Establishes the Planning Areas, Permitted Land Uses, Bulk Standards
- The proposed Zone Document contains 4 sheets
- Sheet 1 = Cover page with legal description & vicinity map
- Sheet 2 = Project Intent
- Sheet 3 = Planning Areas
- Sheet 4 = Land Uses and Bulk Standards

Zone Document - Sheet 3



Zone Document

- Planning Area A is designated for commercial uses and will be developed as a QuikTrip gas station
- Planning Area B is also designated for commercial uses
 - Does not allow for gas stations, car washes, vehicle repair service uses
- Planning Area C is designated for Open Space not intended for development

Zone Document – Sheet 4

COMMERCIAL USES		PLANNING AREA		
		A	B	C
Animal Services	Doggie day care centers	P	P	
	Veterinary offices or clinics	R	R	
Antennas	Antennas for commercial/industrial use accessory to principal use	P	P	
	Radio or television broadcasting offices	R	R	
Eating and Drinking Establishments	Bar, tavern, night club	R	R	
	Brewpub	R	R	
	Catering services	R	R	
	Restaurant without drive-thru/up	R	R	
	Tasting Room	R	R	
Financial Institutions	Bank or financial institution	R	R	
Food and Beverage Sales	Convenience store/grocery store (<5,000 sf)	R		
	Grocery Store (>5,000 sf)	R	R	
	Liquor store	R	R	
	All other similar uses (e.g., delicatessen, retail bakery, specialty food)	R	R	
Fuel Sales	Fuel sales with no vehicle repair	R		
	Fuel sales with minor vehicle repair	R		
Funeral and Internment Services	Funeral home	R	R	
Office	Business or professional (including medical/dental office/clinics)	R	R	
	Courier services	R	R	
	Massage therapy office/clinics	R	R	
Personal Services	Instructional services, studios	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	
	Outdoor recreation	R	R	
Repair Services (Not Including	Furniture or major household appliance repair	R	R	
Retail Establishments	Flea markets, indoor/outdoor	P	P	
	Machinery sales, excluding truck trailers, heavy equipment, and farm	R	R	
	Retail business store < 25,000 square feet	R	R	
	Tattoo parlor	R	R	
	Thrift/consignment store	R	R	
Vehicle/Equipment Sales and Services	Automobile washing facility	R		
	Tire shop	R		
	Vehicle repair, minor	R		
Visitor Accommodations	Hotel or motel lodging establishments	R	R	



Zone Document – Sheet 4

PLANNING AREA	A	B	C
ACRES	±5.07	±8.25	±1.28
ALLOWABLE LAND USES	COMMERCIAL	COMMERCIAL	OPEN SPACE
PERMITTED DENSITY	N/A	N/A	-
MINIMUM BUILDING HEIGHT (FEET)	15	15	10
MAXIMUM BUILDING HEIGHT (FEET)	100	100	N/A
FRONT YARD SETBACK (FEET)	10	10	5
SIDE YARD SETBACK (FEET)	10	10	5
SIDE YARD SETBACK ADJACENT TO STREET	10	10	5
* INTERIOR LOT LINE SETBACK	0'	0'	0
REAR YARD SETBACK (FEET)	20	20	5
MINIMUM LOT SIZE (SF)	8,000	8,000	N/A
MINIMUM LOT FRONTAGE (FEET)	70	70	N/A
MINIMUM FLOOR AREA RATIO	0.05	0.05	*N/A
MAXIMUM FLOOR AREA RATIO	N/A	N/A	*N/A

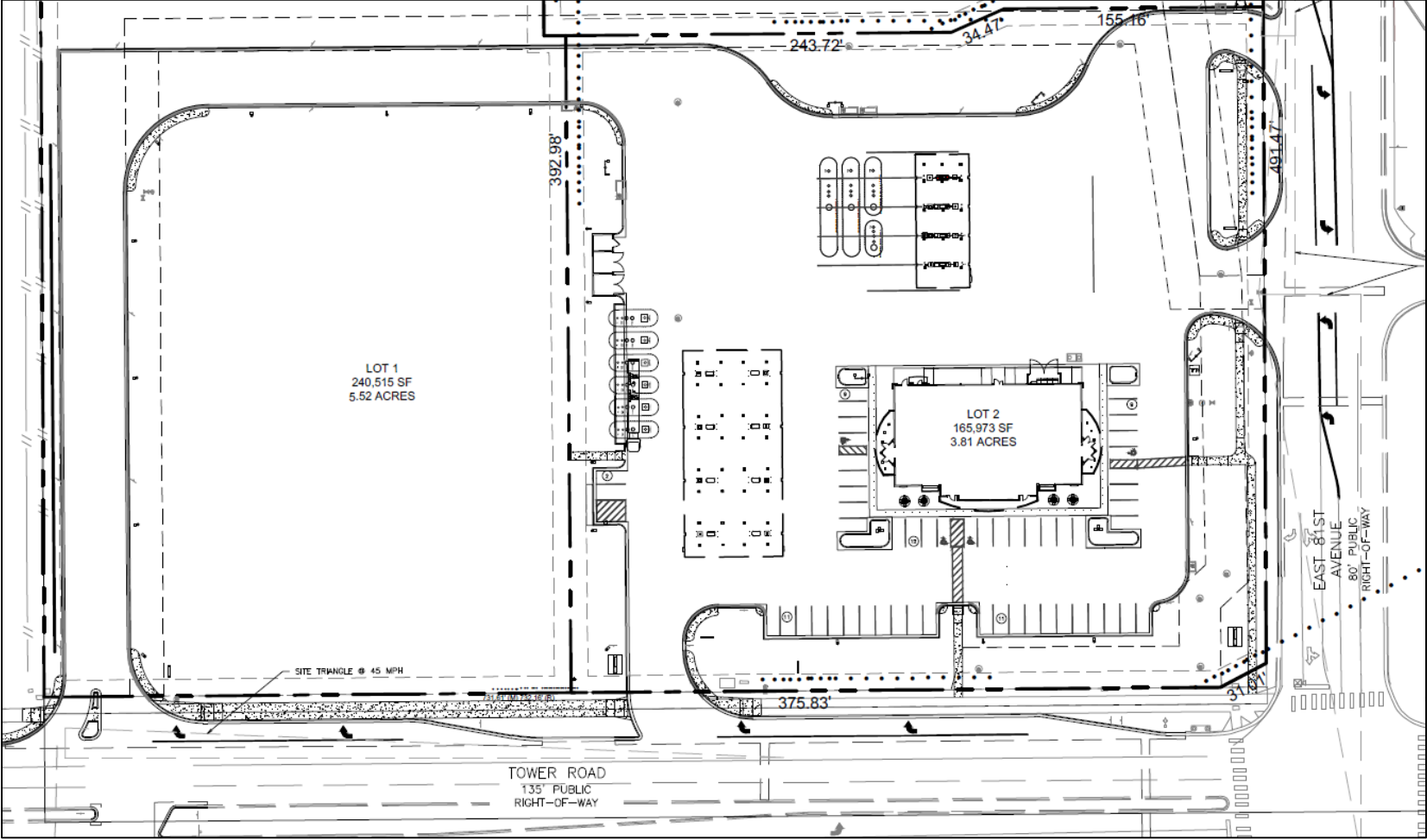
CONVENIENCE STORE/FUEL SALES USES FROM TOWER ROAD SETBACK CHART	
STRUCTURE/SITE ELEMENT	MIN. SETBACK
COMMERCIAL BUILDING	100'
PARKING	25'
DRIVE AISLE	40'
FUEL PUMPS	65'
FUEL ISLAND CANOPY	50'
LANDSCAPE BUFFER	25'



PUD Zone Document Process

- Step Three: PUD Development Permit
- Includes the review of the design of a specific site for a specific development
- Currently being reviewed by staff (D-503-23)
- Active application is for the QuikTrip gas station and convenience store within Planning Area A on the hard SWC of East 81st Avenue and Tower Road

Proposed Site Plan



Proposed Elevations



Proposed Elevations



Annexation 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.

Annexation Eligibility

- 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.
- No annexation proceedings have been effectively commenced for any of the land proposed to be annexed to any other municipality.

Annexation Approval Criteria

- Section 21-3340
- The annexation application may be approved if:
(1) The annexation is in compliance with applicable state laws and this land development code;
- **Staff finds this application to meet this criterion. The annexation application has been reviewed by staff and external agencies and has been found to be in compliance with all applicable state laws and the Commerce City LDC.**

Annexation Approval Criteria

(2) The annexation is consistent with the comprehensive plan, and the best interests of the city would be served by annexation of such property;

- **Staff finds this application to meet this criterion. The proposed Planned Unit Development associated with this annexation request meets the intent and policies of the Comprehensive Plan and Future Land Use Map category of Commercial**



Annexation Approval Criteria

(3) The property is within the Municipal Service Area (MSA) of the Commerce City Growth Boundary as stated in the comprehensive plan. No property outside of the MSA or Growth Boundary shall be considered for annexation unless the city council finds that, consistent with the comprehensive plan, the best interests of the city would be served by annexation of such property and provided a land use plan for the area proposed to be annexed is submitted together with the annexation application;

- **Staff finds this application to meet this criterion. This property is within the Municipal Service Area of the Commerce City Growth Boundary.**

Annexation Approval Criteria

(4)The property is capable of being integrated into the city in compliance with all applicable provisions of this land development code;

- **Staff finds this application to meet this criterion. This annexation application was reviewed by staff and external review agencies and was found to be in compliance with all applicable provisions of the Commerce City LDC.**

Annexation Approval Criteria

(5) At the time any development of the area proposed to be annexed is completed, there is a reasonable likelihood that capacity will exist to adequately serve residents or users of such area with all necessary utilities, municipal services and facilities; and

- **Staff finds this application to meet this criterion. This annexation application was referred to all applicable utility companies, fire and police departments, school district, and internal agencies and all reviewers found that reasonable capacity exists to serve this annexation.**

Annexation Approval Criteria

(6) The annexation boundaries are configured such that the annexation will not limit the city's ability to integrate surrounding land into the city or cause variances or exceptions to be granted if the adjacent land is annexed or developed.

- **Staff finds this application to meet this criterion. The annexation boundaries will not limit the City's ability to integrate surrounding land into the City or cause variances or exceptions to be granted if the land is developed.**

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 Commercial land uses. Gas stations and other retail uses are permitted within the Commercial designation.
The zoning is most compatible to the county zoning of the property at the time of annexation; or	N/A
The zoning is most comparable to the present use(s) on the property.	N/A

PUD Zone Document Approval Criteria

Approval Criteria Section 21-3251(3) a PUD zone document application may be approved if:

- **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;
- **Analysis:** The future land use plan designation for this property is Commercial. The proposed PUD accurately reflects the intent and desired uses within the Comprehensive Plan for this property and the general area.
- **Staff finds this application meets this criterion.**

PUD Zone Document Approval Criteria

- **Criteria (b):** The PUD zone document is consistent with any previously reviewed PUD concept schematic;
- **Analysis:** The proposed PUD is consistent with the concept schematic that was reviewed in March 2020. The vision for the planning areas, access, and land use matches what the PUD is proposing.
- **Staff finds this application meets this criterion.**

PUD Zone Document Approval Criteria

- **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;
- **Analysis:** The proposed PUD and corresponding Design Standards and Guidelines will establish design standards that exceed the Land Development Code and provide a unique product with enhanced architecture, landscaping, signage, fencing, and lighting. The commercial uses allowed within the PUD will provide services that align with the Comprehensive Plan's vision for this area.
- **Staff finds this application meets this criterion.**

PUD Zone Document Approval Criteria

- **Criteria (d):** The PUD complies with all applicable city standards not otherwise modified or waived by the city;
- **Analysis:** The proposed PUD meets all applicable city standards and is consistent with the Future Land Use Plan.
- **Staff finds this application meets this criterion.**

PUD Zone Document Approval Criteria

- **Criteria (e):** The PUD is integrated and connected with adjacent development through street connections, sidewalks, trails, and similar features;
- **Analysis:** Sidewalks provide right-of-way connections from E 81st Ave and Tower Rd to the development. There is vehicular and pedestrian connectivity between the planning areas and a future regional trail is proposed to the west in Planning Area C.
- **Staff finds this application meets this criterion.**

PUD Zone Document Approval Criteria

- **Criteria (f): To the maximum extent feasible, the proposal mitigates any potential significant adverse impacts on adjacent properties or on the general community;**
- **Analysis:** The subject property is surrounded by existing commercial vehicle uses such as a gas station (north), and airport parking (east and west). The PUD limits only Planning Area A (hard corner of E 81st and Tower) to allow gas stations and vehicle service as to limit the amount of automobile uses in the area.
- **Staff finds this application meets this criterion.**

PUD Zone Document Approval Criteria

- **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;**
- **Analysis:** This property is under application to be included into the E-470 Commercial Area General Improvement District which provides financial consideration for the installation and maintenance of utilities/services. Commerce City Public Works, South Adams County Water Sanitation District, South Adams County Fire Department, and Mile High Flood District were all included in the review of this project.
- **Staff finds this application meets this criterion.**

PUD Zone Document Approval Criteria

- **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:** The proposed phasing of this project is appropriate. The QuikTrip gas station and convenience store will be developed first on the hard corner and commercial development will follow to the south.
- **Staff finds this application meets this criterion.**

PUD Zone Document Approval Criteria

- **Criteria (i):** The same development could not be accomplished through the use of other techniques, such as height exceptions, variances, or minor modifications.
- **Analysis:** The proposed commercial uses could not be accomplished under a straight zone within Adams County nor Commerce City. The property must be annexed and re-zone to Commerce City PUD to allow the commercial uses and design for this development. The PUD zone district allows this property to be developed in a way that fits the vision from the Comprehensive Plan.
- **Staff finds this application meets this criterion.**

PC Analysis

- Proposed PUD zoning is appropriate for this site
- Proposal is consistent with the Comprehensive Plan Designation
- Design standards will provide enhanced architecture, landscaping, lighting, fencing, and signage for this area
- Prominent gateway into the City

Referral Agency Comments

- Commerce City Parks – Future regional trail to be provided in Planning Area C
- Mile High Flood District – Second Creek Tributary to be mapped as floodplain
- All other comments from referral agencies were addressed

Public Comments

- As of May 1, 2023 no public comment has been received by staff



PC Recommendation

- On March 7, 2023, the Planning Commission held a public hearing, took testimony, and voted (4 to 1) to forward the Zoning request to City Council with a recommendation for approval



Staff is available to answer any questions.

The applicant is also present to speak on behalf of this request and to answer any questions that the Planning Commission may have.

