



Zone Change Report

Case #Z24-0003

Planning Commission Date: November 6, 2024

City Council Date: November 25, 2024

GENERAL INFORMATION

PROJECT NAME	Thompson Thrift Residential (TTRes) Zone Change
LOCATION	10225 Chambers Road
SITE SIZE	12.70 Acres
CURRENT ZONING	Agricultural District (AG)
PROPOSED ZONING	Multi-Family Residential District (R-3)
APPLICANT	Thompson Thrift Development, Inc.
OWNER(S)	The Ard Family Trust
CASE PLANNER	Nathan Chavez

REQUEST

The request is for a Zone Change from the Agricultural District (AG) to the Multi-Family Residential District (R-3).

Zoning

The zoning of a property determines what uses are allowed or not allowed and sets bulk development standards such as setbacks, lot size requirements, and maximum building heights. The City has a variety of straight zoning districts including residential districts, commercial districts, and industrial districts. Zone Changes are approved by the City Council in the form of an ordinance and “runs with the land” meaning that the zoning for a parcel remains in effect unless it is modified by a subsequent Zone Change.

BACKGROUND AND CASE HISTORY

The approximately 12.7-acre property is currently used for agricultural purposes with one ranch home and various accessory structures present on the property. The current ranch home was constructed in 1969.

ADDITIONAL INFORMATION

The ultimate intent is to develop the property as a multi-family apartment complex with 283 dwelling units. Applications for a proposed Development Plan (D24-0006) and Final Plat (S24-0007) are currently under review for this site and would be approved administratively. Improvements associated with these two applications include the buildout of East 102nd Avenue along the southern side of the subject property, a 24-foot-wide extension of East 102nd Avenue connecting to Sable Boulevard, and the addition of a right-turn lane to Chambers Road.

November 6, 2024 Planning Commission

During the hearing, one member of the public expressed concerns including Harvest Meadows becoming a thoroughfare for increased traffic, porch pirates, decreased property values, the proximity to the apartment buildings, lack of buffer between the existing neighborhood and subject property, and the lack of a traffic light at East 102nd Avenue. The Planning Commission asked Staff the following questions: 1) was the detention area included in the open space calculation, 2) the setbacks from Chambers Road and East 102nd Avenue, 3) and for an explanation of the traffic study, 4) if a study examining increased safety measures could occur, and 5) if Staff could include explanations of the road network impacts in future presentations. The Planning Commission voted 5-0 to provide a recommendation of approval to City Council.

COMPREHENSIVE PLAN (CP) CONSISTENCY

2045 Comprehensive Plan

Character Areas

The Zone Change meets the following Character Areas (Land Use) goals and objectives.

- Goal 1: Strive for a balanced mix of land uses across the City as represented in the Character Areas Plan and map.
- Goal 2.1: Ensure future growth is consistent with the Character Areas Plan and map.
- Goal 2.2: Recognize that Commerce City's population will continue to increase and positively foster the City's continued growth.
- Goal 4: Utilize the Land Development Code standards to improve the City's overall urban design, quality of life, and connectivity through strong regulations.
- Goal 8: Improve the overall image and appearance of the City of Commerce City.

The subject property is located with the Northern Neighborhoods character area in which Multifamily Residential is listed as a secondary land use (near collectors and arterials), meaning they are less prevalent and serve to support the primary land use. The proposed R-3 zoning allows for multifamily residential, which is in compliance with the Character Area land uses. In addition, the proposal allows the site to develop as outlined in D24-0006, which include future vehicular and pedestrian connections, landscaping, and buildings which meet the LDC architectural standards.

Housing and Neighborhoods

The Zone Change meets the following Housing and Neighborhoods goals, objectives, and core principles.

- Goal 1: Promote a full range of housing options for residents of all ages, incomes, physical abilities, and lifestyles.
- Goal 1.1: Support greater housing choices and neighborhood amenities for all City residents.
- Goal 1.2: Promote a variety of housing types to increase affordable housing options.

- Core Principle: Welcoming and Equitable City: Welcoming and equitable housing is accessible to all, regardless of background, income, race, or ethnicity. Embracing diverse and equitable neighborhoods encourages social cohesion, reduces disparities, and empowers a stronger sense of community.
- Core Principle: Economically Thriving City: Providing individuals and families with affordable and stable housing is a necessity to their pursuits in education, job opportunities, and socio-economic mobility; these all funnel into the development of businesses and the local economy.
- Core Principle: Environmentally Thriving City: Environmentally thriving housing and neighborhoods include integrating green spaces in new developments and promoting sustainable transportation (bike and pedestrian options) throughout the City's neighborhoods.

The proposed Zone Change would allow the property to develop as a multifamily complex in conjunction with D24-0006. The proposed development increases housing options, provides additional connectivity for pedestrians, and introduces more landscaping and buildings of architectural interest to a property that is mostly vacant.

In addition, the property is classified as Greenfield Development within the Residential Areas Framework map. Greenfield Development calls for high quality buildings and site design standards, as well as, future connections to existing neighborhoods. Higher density near commercial corridors and nodes is promoted for a more desirable transition. The proposed Zone Change would allow for higher density near a commercial area and would create a transition buffer from the commercial and the transmission lines which are to the north and the single-family residential which is to the south.

Lastly, the Mix of Housing section within the Chapter also recommends supporting multifamily development along underperforming commercial corridors to help activate said areas, promoting higher density housing along key corridors and surrounding activity center including the Northern Neighborhoods.

Commerce and Employment

The Zone Change meets the Safe, Healthy, and Livable City core principle; "A safe environment, healthy workforce, and affordable access to housing, transportation, and other amenities offer the infrastructure and environment for businesses to be productive and successful in Commerce City." The Zone Change allows for additional options for housing, which subsequently assists the City's workforce.

2010 C3 Vision Comprehensive Plan

This application was submitted and reviewed under the C3 Vision Comprehensive Plan. While the public hearing will occur with the new 2045 Comprehensive Plan (see above analysis), it is important to understand that submittal and review took place fully under 2010 C3 Vision Comprehensive Plan's purview. The subject property is designated on the Comprehensive Plan [Future Land Use Plan \(FLUP\)](#) as Residential – High. Per the Comprehensive Plan, the Residential – High designation "allows for higher-density multi-family residential and is appropriate near commercial centers and along major corridors or arterial streets", with primary uses of

townhomes, patio homes, condominiums, lofts, apartment buildings, and senior housing facilities. Related zoning of R-3 (Multi-Family Residential District), R-4 (Townhouse Residential District), MU-1 (Mixed-Use District), and Planned Unit Development District (PUD) is suggested for this FLUP designation. Proposed is R-3 zoning and a multi-family development.

This application meets numerous [Land Use and Growth policies](#) within the 2010 Comprehensive Plan including LU 1.1 Growth and Future Land Use Plan Consistency, LU 2.2—New Development Contiguous, Tiered, LU 2.3 Development Paced with Utilities, LU 3.2—Traditional Mix of Uses in Neighborhoods, LU 3.3—Compatible Uses in all Neighborhoods, and LU 3.6—Northern Range neighborhoods Strengthened. The proposed development is consistent with the planned residential of the Future Land Use Plan, as well as, the Comprehensive Plan’s tiered expansion policy and is logical in that utilities are already present in the area serving other neighborhoods. The proposed zoning would allow for development which creates a larger neighborhood with a mixture of residential housing types. Lastly, the northern range neighborhoods are strengthened through increased architectural design, additional housing to support commercial development and further vehicular and pedestrian connectivity.

Furthermore, this case is supported by policy T 2.2 ([Modified Grid Street Network](#)), T 2.3 (Relieve Traffic and Improve Safety), and T 3.2 (Land Use Supportive of Bicycling and Walking). The applicant’s proposal includes numerous connections through the development of the approximately 121-acre site, thereby expanding the grid system and relieving traffic through increase connectivity. Per the City’s [Roadway Classification Plan](#), East 102nd Avenue is classified as a Minor/Residential Collector. Construction of this roadway is in compliance with the C3 Vision Comprehensive Plan and Master Transportation Plan. Lastly, the proposed improvements to Chambers Road and East 102nd Avenue create additional pedestrian paths which support bicycling and walking in the area.

PROJECT ANALYSIS

Site Overview

The subject property is surrounded by developed neighborhoods with a mixture of completed and half-built roads, vacant land, and a mixture of constructed multi-modal arterials and collectors. The requested zone change is for approximately 12.7 acres, located at 10225 Chambers Road. The existing ranch home and accessory structures will be demolished before the site is developed. The site is bordered by the Harvest Meadows subdivision to the south, a similar ranch style property as the current conditions to the west, Chambers Road to the east, Fronterra Village to the southeast, land occupied by transmission lines to the north, and unincorporated Adams County agricultural land to the southwest which currently is in the process of annexing into Commerce City. Across Chambers Road to the east are three agriculturally zoned parcels utilized as ranch style homes.

Road Network Impacts

Per the City’s [Master Transportation Plan](#), East 102nd Avenue is a Minor/Residential Collector planned to stretch from Chambers Road to Sable Boulevard. Required with any future development of the subject property is the buildout of East 102nd Avenue. Because there is a concurrent Development Plan and Final Plat under review for this site, the construction of East

102nd Avenue is included within the preliminary traffic study and site plans. While the subject property abuts Chambers Road and East 102nd Avenue, only East 102nd Avenue will provide direct access to the development. Improvements proposed with this development include a full buildout of East 102nd Avenue from Chambers to the western property line and then the remaining cross section will be a temporary 28-foot wide asphalt road extending to the limits of Sable Boulevard, and a deceleration right-turn lane along Chambers Road onto East 102nd Avenue. These improvements are outlined within a draft Development Agreement tied to a Final Plat (S24-0007). Lastly, a traffic study was reviewed by Public Works and Engineering and site generated traffic will be at acceptable levels. While there are three proposed connections from East 102nd Avenue to Harvest Meadows, the majority of the apartment complex traffic is expected to access East 102nd Avenue from Chambers Road with a lesser number of vehicles accessing the site from Sable Boulevard.

Neighborhood Meeting

The applicants conducted a neighborhood meeting on July 10, 2024 at Stuart Middle School. Seven residents were in attendance to ask questions and provide comments about the overall development request, including the subject Zone Change. Questions and concerns included extension of East 102nd Avenue, increased traffic overall throughout the area, reduced connectivity into Harvest Meadows, adding crosswalks across Chambers Road, increased open space, the lack of commercial business in the area, school capacity in the area, lack of water for the proposed development, and if street trees could be planted on the southern side of East 102nd Avenue. A more detailed summary may be found with the provided packet.

Overall Analysis

The proposed Zone Change has been reviewed by the Development Review Team, including Planning, Public Works, Development Review Engineering, Parks, 27J School District, Economic Development, South Adams County Fire Department, Xcel Energy, and South Adams County Water and Sanitation District. There were no comments from referral agencies in opposition to the proposed Zone Change. A preliminary traffic study and drainage report have been reviewed by the Development Review Team (DRT). The DRT has found that there are no adverse impacts to traffic and drainage is adequately accommodated.

Zone Change APPROVAL CRITERIA

A decision for this case must be based on the following approval criteria for a Zone Change from Sec. 21-3232(5) of the Land Development Code. An application may be approved if:

Criteria (a): The zone change corrects a technical mistake on the part of the city in classifying a parcel within a specific zoning district; or

Not applicable

Criteria (b): The zone change meets all of the following:

Criteria (i): The proposed zone district and allowed uses are consistent with the policies and goals of the comprehensive plan, any applicable adopted area plan, or community plan of the city;

The proposed Zone Change to R-3 (Multi-Family Residential District) complies with both the former 2010 C3 Vision Comprehensive Plan and recently adopted 2045 Comprehensive Plan. Specifically, the requested Zone Change meets the below goals, objectives and core principles. The request allows the site to develop into a higher density residential use, which offers additional housing options, increased connectivity in the area, increased landscaping, and improves the overall image and appearance of the City. *Therefore, it can be found that this application **meets Criteria (i).***

Character Areas.

- Goal 1: Strive for a balanced mix of land uses across the City as represented in the Character Areas Plan and map.
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- Goal 4: Utilize the Land Development Code standards to improve the City's overall urban design, quality of life, and connectivity through strong regulations.
- Goal 8: Improve the overall image and appearance of the City of Commerce City.

Housing and Neighborhoods

- Goal 1: Promote a full range of housing options for residents of all ages, incomes, physical abilities, and lifestyles.
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- Core Principle: Environmentally Thriving City: Environmentally thriving housing and neighborhoods include integrating green spaces in new developments and promoting sustainable transportation (bike and pedestrian options) throughout the City's neighborhoods.

Criteria (ii): The proposed zone district and allowed uses are compatible with proposed development, surrounding land uses and the natural environment;

The apartment complex proposed within the corresponding Development Plan (D24-0006) is allowed by right within the R-3 zoning district. The overall project

proposal will act as a buffer to the transmission lines to the north for the Harvest Meadow neighborhood. The design of the apartment complex takes into consideration the existing neighborhood. The applicant has designed the site so there is minimal façade frontage along East 102nd Avenue, increased landscaping within the required landscape buffer landscaping along the southern portion of the site, and the closest apartment is over 100-ft. from the nearest Harvest Meadow home. *Therefore, it can be found that this application meets Criteria (ii).*

Criteria (iii): The proposed zone district will have, or future development can provide, efficient and adequate provision of public services, including but not limited to, water, sewerage, streets, and drainage;

The Zone Change and corresponding applications were reviewed by the Development Review Team and outside agencies including United Power, South Adams Water and Sanitation District, and South Adams County Fire Department. All reviewer entities have no further comments regarding the proposed Zone Change and are actively working with the applicant to ensure the proposed development has adequate public services. *Therefore, it can be found that this application meets Criteria (iii).*

Criteria (iv): The proposed zone district will have, or future development can provide, efficient and adequate provision of public uses including but not limited to, parks, schools, and open space;

Per [Sec. 21-4310. - R-3 Multi-Family Residential District](#), future development is required to provide 15 percent of the gross lot area as open space. Open space may include common areas, recreational facilities, community gardens, or landscaped areas. 24.88% open space is provided in the corresponding Development Plan (D24-0006). The 27J School District stated, "There will be adequate capacity in each of these schools pending approval/construction of other projects in the area." *Therefore, it can be found that this application meets Criteria (iv).*

Criteria (v): There is a community need for the zoning district in the proposed location, given need to provide or maintain a proper mix of uses both within the city and the immediate area of the proposed use; and

According to the 2018 Housing Needs Assessment, 76% of Commerce City's homes are single-family detached (86% in the Northern range). There is a need for more multi-family to help create options for individuals and families that meet their budget, space, tenure, location, and lifestyle needs. *Therefore, it can be found that this application meets Criteria (v).*

Criteria (vi): The area for which zone change is requested has changed or is changing to such a degree that it is in the public interest to allow a new use or density.

The subject site is near the East 104th Avenue, an important commercial corridor for the northern range residents. Per the Economic Development Department, a multi-family development will result in an increase in population of the City, which helps in the marketing and recruitment of perspective retailers. The proposed Zone Change will result in an overall stronger business community and attraction of desired commercial uses, which is within the public interest and a frequent topic of discussion from the public to City Staff. *Therefore, it can be found that this application **meets Criteria (vi)**.*

CONSIDERATIONS FOR DISCUSSION

1. The Zone Change allows the site to develop as a multi-family apartment complex, complementary with the Comprehensive Plan and surrounding uses.
2. The Zone Change allows the site to develop as a multi-family apartment complex, which will result in a greater population which is attractive to commercial and retail uses.
3. The Zone Change allows the site to develop as a multi-family apartment complex, the resulting increased density of housing will simultaneously increase population while maintaining available land for commercial development.
4. Development of the property will assist in creation of roadway connections between Chambers Road and Sable Boulevard, as well as greater overall connectivity for vehicular users and pedestrians in this area.
5. The proposed development will act as a transition from commercial and transmission lines to the single family residences
6. The proposed development will result in a greater mix of uses in the northern range

POTENTIAL MOTIONS

1. Approval
 - a. Planning Commission
 - i. I move that the Planning Commission enter a finding that the requested **Multi-Family Residential District (R-3) Zoning** for the property located at **10225 Chambers Road** contained in case **Z24-0003** meets the criteria of the Land Development Code and based upon such finding, recommend that the City Council approve the **PUD Zoning**.
 - b. City Council
 - i. I move that the City Council enter a finding that the requested **Multi-Family Residential District (R-3) Zoning** for the property located at **10225 Chambers Road** contained in case **Z24-0003** meets the criteria of the Land Development Code and based upon such finding, approve the **PUD Zoning**.
2. Denial
 - a. Planning Commission
 - i. I move that the Planning Commission enter a finding that the requested **Multi-Family Residential District (R-3) Zoning** for the property located at **10225 Chambers Road** contained in case **Z24-0003** fails to meet the criteria of the Land Development Code and based upon such finding, recommend that the City Council deny the **PUD Zoning**.

b. City Council

- i. I move that the City Council enter a finding that the requested **Multi-Family Residential District (R-3) Zoning** for the property located **at 10225 Chambers Road** contained in case **Z24-0003** fails to meet the criteria of the Land Development Code and based upon such finding, deny the **PUD Zoning**.

3. Continuance

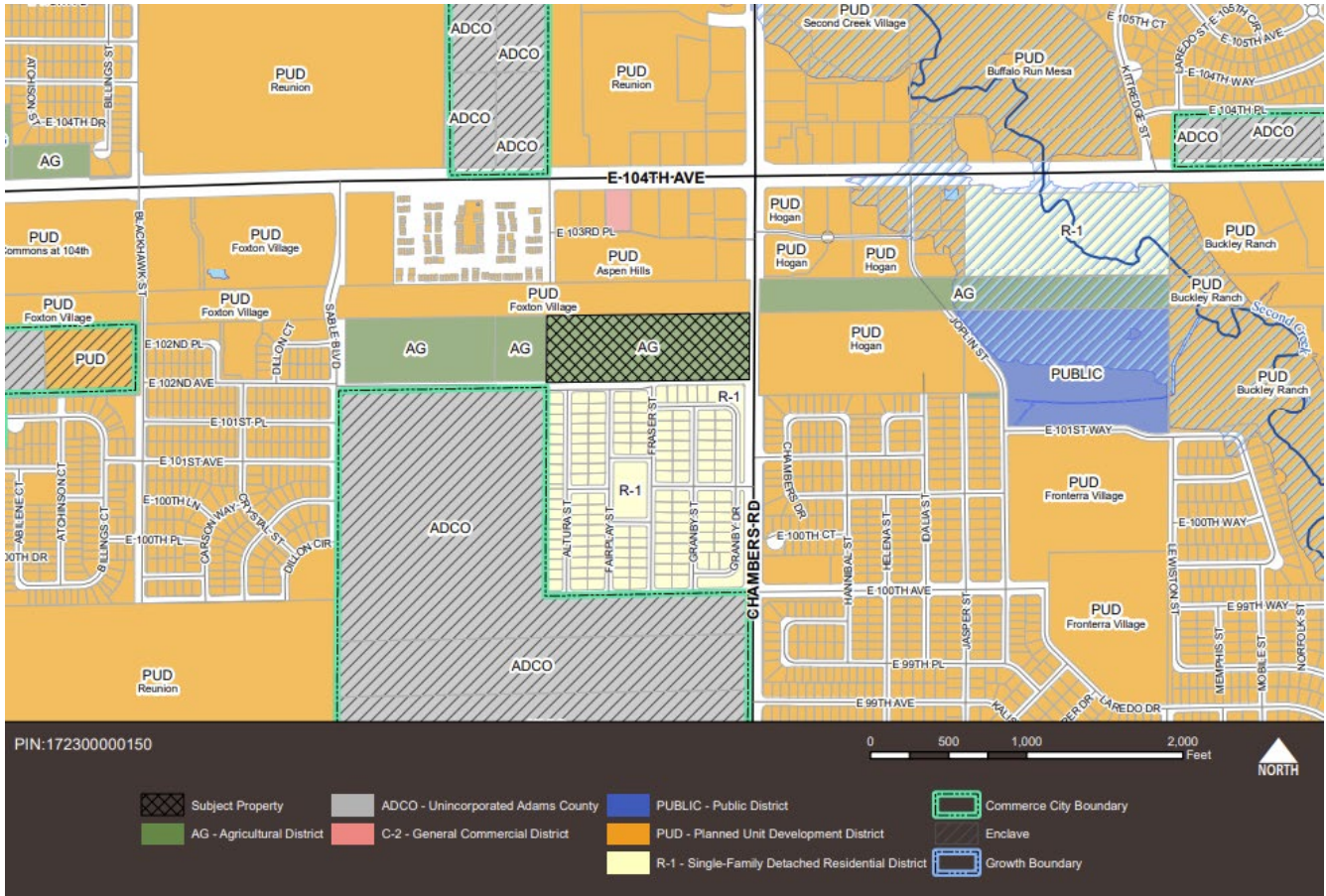
a. Planning Commission

- i. I move that the Planning Commission continue the public hearing of the requested **Multi-Family Residential District (R-3) Zoning** for the property located **at 10225 Chambers Road** contained in case **Z24-0003** to:
 1. The next regularly scheduled Planning Commission hearing; or
 2. A date certain.

b. City Council















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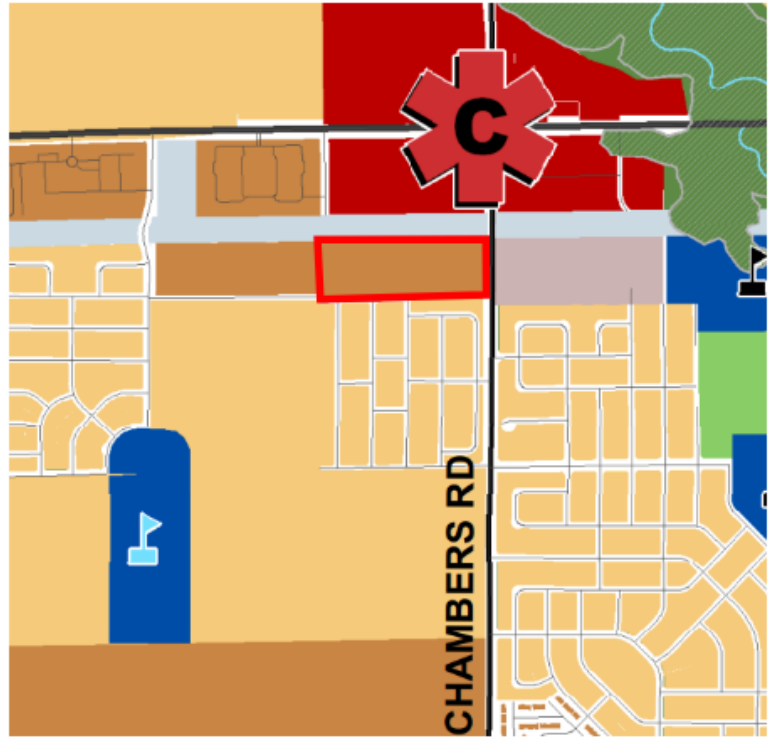
Vicinity/Zoning Map



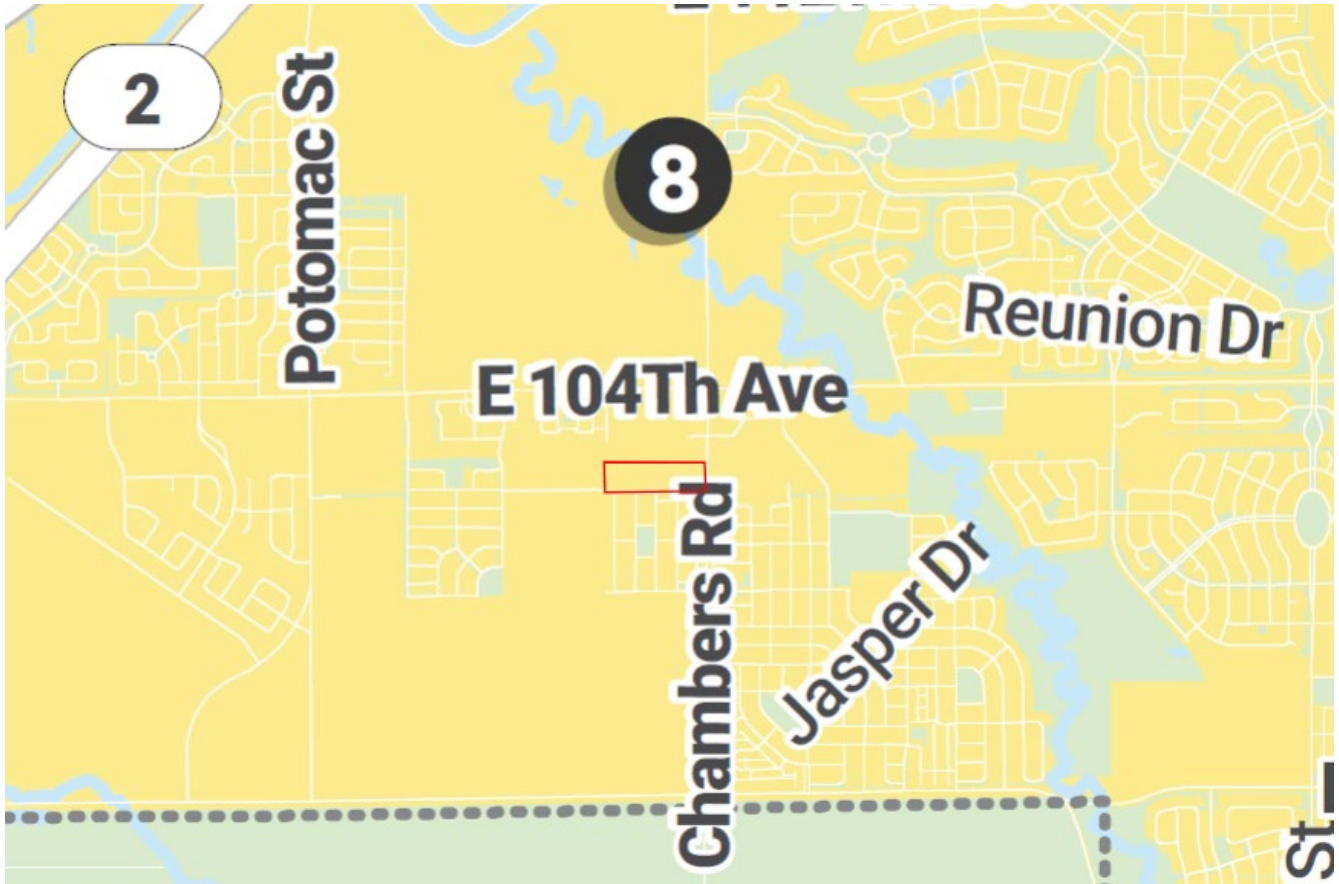
2010 C3 Vision Comprehensive Plan Future Land Use Plan

Future Land Use

-  Residential - Low
-  Residential - Medium
-  Residential - High
-  Mixed-Use (Corridor and Commercial)
-  Commercial
-  Office / Flex
-  Industrial / Distribution
-  General Industrial
-  Utility
-  Public/State
-  Park
-  Open Space
-  Community Commercial Center
-  Future School Site



2045 Comprehensive Plan Character Areas



Character Area: Northern Neighborhoods

Aerial Map



Aerial of site taken August 20, 2024

Site Photos



View from Chambers Road facing west (Taken October 3, 2024)



View from Chambers Road facing west (Taken October 3, 2024)

Site Photos (continued)



View from East 102nd Avenue facing north (Taken October 3, 2024)



View from East 102nd Avenue facing north (Taken October 3, 2024)