



STAFF REPORT

Planning Commission

CASE #Z-958-19

PC Date:	Monday, October 1, 2019	Case Planner:	Steve Timms
CC Date:	Monday, November 4, 2019		
Location:	6827, 6871, 6879, and 6895 Brighton Rd, Commerce City, CO 80022		
Applicant:	Adams Co School District 14	Owner:	Same As Applicant
Address:	5291 E. 60 th Avenue Commerce City, CO 80022	Address:	Same As Applicant

Case Summary

Request:	Rezone these four parcels from C-2 (Commercial) to PUBLIC.
Project Description:	The applicant is planning to construct a new elementary school and a future middle school on this overall site. As a part of this development, the applicant desires to have a clean title for all future land transactions. Hence, the rezoning request of these parcels to match the remaining site of PUBLIC.
Issues/Concerns:	Conformity with Comprehensive Plan and Station Area Master Plan
Key Approval Criteria:	Compatilby with surrounding uses, provisions of services, conformance with Master Plans.
Staff Recommendation:	Approval
Current Zone District:	C-2 (General Commercial District)
Comp Plan Designation:	Public/State

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

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|---|--|
| ☒ Applicant's Narrative Summary | ☒ Vicinity Map |
| ☒ Site Plan | ☒ Station Area Master Plan |

Background Information

Site Information

Site Size:	All four parcels comprise approximately .67 acres
Current Conditions:	All four parcels are currently vacant
Existing Right-of-Way:	Brighton Road to the east, E. 69 th Avenue to the north
Neighborhood:	Adams City
Existing Buildings:	None
Buildings to Remain?	☐ Yes ☒ No
Site in Floodplain	☐ Yes ☒ No

Surrounding Properties

Existing Land Use		Occupant	Zoning
North	Public/Utility	South Adams Fire Station	C-2
South	Public/Utility	Brighton Rd and US 85	ROW
East	Public/Utility	Brighton Rd and US 85	ROW
West	Public/Utility	Old Adams City High School Site	PUBLIC

Case History

Staff has not found any land use case history for these parcels.

Applicant's Request

The applicant is requesting that the City approve the rezoning request for these four identified parcels along Brighton Road. The school district intends to obtain a clean title commitment and consolidate all parcels for future planning development.

The school district is requesting this rezoning due to planned developments on the site. The district plans to have two educational facilities operating on these parcels within the next five years- Alsup to be operational in 2021. The elementary school is currently in the design phase, and the potential future middle school will be built pending an award from the state for capital improvements. These two facilities will have separate addresses, but it is the districts intent to locate them on the same contiguous parcel under one clean title commitment. The district has contracted a licensed land surveyor to prepare plats according to state and local requirements. This proposed rezoning is consistent with the specific zoning districts in which it is located, and the school district has no plans to develop commercial properties on this land. Rezoning these select parcels from Commercial to Public will also help ensure that our proposed location promote safe and convenient pedestrian access to and from surrounding residential areas.

Finally, the applicant believes this rezoning request is in conformance with the City's adopted This Comprehensive Plan and Station Area Master Plan.

Development Review Team Analysis

These properties are part of one of the original communities (Adams City) that compose Commerce City. Adams City was established in 1903, hoping to be the county seat. The City de-incorporated in 1922. As a part of that time period, various streets, alleys, and parcels were laid out, platted, and sometimes developed. Adams City High School began in 1871, with several additions in over the turn of the century, in the 1950s and 1970s. The High School site closed in 2009, when a new high school was built at E. 72nd Avenue and Quebec Street. Since 2009, most of the old High School facilities have been demolished, with the exception of a couple of buildings, the track and tennis courts. The school district has retained ownership of the properties.

This particular property was studied as a part of the Station Area Master Plan in 2013, which identified this site to house the relocated Alsup Elementary and Adams City Middle School sites. Over the past year, Adams 14 received a BEST grant to fund new construction of Alsup Elementary on the western portion of the site. The school district hopes to apply for another grant to fund new construction of Adams City Middle School. There are no design plans or opening date set for Adams City Middle School. The existing distribution and service buildings on the far western portion of the site would remain. Based on Colorado State law, site design of public schools, including overall site layout, amenities, architecture,

landscaping, etc. are governed at the state level, not the local level. Therefore, while the city can give suggestions on site or architecture issues, they are only suggestions. Local jurisdictions can regulate access points and overall regional drainage.

As it relates to the specific rezoning request of these four parcels, the school district would like to combine these four parcels into one overall parcel to house the schools. Commerce City code currently prevents multiple zone districts to be included on a single parcel. Therefore the rezoning to PUBLIC is needed. The district has no intention of constructing any type of commercial uses and the four parcels themselves are of such a small size, any commercial development would more than likely be impossible

The school district has concurrently applied for a vacation of right-of-way (Case V-90-19) and a consolidation plat (Case S-748-19) to bring the property into conformance and to create a clean title. Referral agencies including South Adams Fire Protection District, Tri-County Health Department, CDOT, and various city departments have reviewed the proposal and are working with the applicant to address all comments.

The DRT supports the rezoning request for these four parcels for the following reasons: 1) The City's Comprehensive Plan and Station Master Plan identify this location for future educational and public uses, 2) The proposed smaller size of these parcels would naturally preclude commercial type of activity, 3) In conjunction with the vacation and subdivision requests, the rezoning would help the future structures and uses attain a conforming status, and 4) the additional of new educational facilities would help this neighborhood, bring positive activity and stability and help a long vacant site redevelop.

Criteria Met?	Sec. 21-3232. Rezoning or Zone Changes	Rationale
☐	The change corrects a technical mistake by the city.	N/A, as there has not been any technical mistake by the City.
	OR	
☒	The change is consistent with any City adopted plans for the area;	The proposed rezoning is consistent with both the City's overall Comprehensive Plan and the Station Area Master Plan which identified this area as public and educational
☒	The change is compatible with proposed development, surrounding land uses and the natural environment;	Since a high school use was on this property for decades, and a high school generates more traffic than an elementary school, and the elementary and middle schools will serve the residents in the area, the proposed zoning is compatible with the residential and roadways in the area.
☒	There is, or will be, adequate public services, (water, sewerage, streets, drainage, etc.);	Adequate public services exist in the area as this area is already built up and served with utilities.
☒	There is, or will be, adequate public uses (parks, schools, and open space);	Since the proposed use are new schools which will serve the surrounding neighborhoods, adequate public uses exist.

Criteria Met?	Sec. 21-3232. Rezoning or Zone Changes	Rationale
☒	The change is needed to provide/maintain a proper mix of uses in the area/City;	The existing Alsup and Adams City Middle Schools are outdated and have lived their life cycle. The existing residential in the area still requires good educational facilities for their children. These new schools can provide stability and positive redevelopment in these areas.
☒	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 area is changing as a result of the Old Adams City High School site moving, the North Metro Station going in, and the long vacant High School Site. These new schools can provide stability and positive redevelopment in these areas.

Comprehensive Plan

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

Section	Goal	Description
Public Facilities	PF2a	School District Coordination- Continue to coordinate with school districts to plan for future facilities to serve growth, location within neighborhoods, and co-location with parks.
Analysis:	The City has been working closely with the school district on this site for the relocation of Alsup and Adams City Middle	
Section	Goal	Description
Land Use	LU 1.1	Growth and Future Land Use Plan Consistency
Analysis:	The proposed rezoning would be in alignment with the Future Land Use Plan which identifies this area for future public educational opportunities	
Section	Goal	Description
STAMP	Sponsor Zone Changes	Work closely with prospective development partners to facilitate zoning and other development approvals requests that are consistent with STAMP recommendations
Analysis:	The City has been hard at work partnering with the school district on these applications to ensure the end result is a win-win for all parties	

Development Review Team Recommendation

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

Recommended Motion

To recommend approval:

I move that the Planning Commission enter a finding that the requested Zone Change for the properties located at **6827, 6871, 6879, and 6895 Brighton Road**, contained in case **Z-958-19** meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Zone Change.

Alternative Motions

To recommend approval:

I move that the Planning Commission enter a finding that the requested Zone Change for the properties located at **6827, 6871, 6879, and 6895 Brighton Road** contained in case **Z-958-19** meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Zone Change.

To recommend approval subject to condition(s):

I move that the Planning Commission enter a finding that, subject to certain conditions, the requested Zone Change for the properties located at **6827, 6871, 6879, and 6895 Brighton Road** contained in case **Z-958-19** meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Zone Change subject to the following conditions:

Insert Condition(s)

To recommend denial:

I move that the Planning Commission enter a finding that the requested Zone Change for the properties located at **6827, 6871, 6879, and 6895 Brighton Road** contained in case **Z-958-19** 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 Planning Commission recommend that the City Council deny the Zone Change.

To continue the case:

I move that the Planning Commission continue the requested Zone Change for the properties located at **6827, 6871, 6879, and 6895 Brighton Road** contained in case **Z-958-19** to a future Planning Commission agenda.