



### Case Summary

Request: Zone Change from AG (Agricultural) to R-3 (Multi-Family

Residential District)

Location: 10225 Chambers Road

**Current zoning:** AG (Agricultural)

Character Area: Northern Neighborhoods

Site size: 12.70 acres

Concurrent Cases: D24-0006, S24-0007, & NIGID24-0002



#### **Case History**

On November 25, 2024, Council denied the proposed zoning request

Per Sec. 21-3135. – Applications After Denial, "...an applicant may submit a revised application that adequately addresses all of the stated reasons for denial at any time. Such revised application shall be treated as a new application for purposes of review and scheduling."

There were no findings (failed on a four-four vote) and the applicant is seeking a decision prior to the one-year waiting period with the following considerations

Staff's understood reasons for denial:

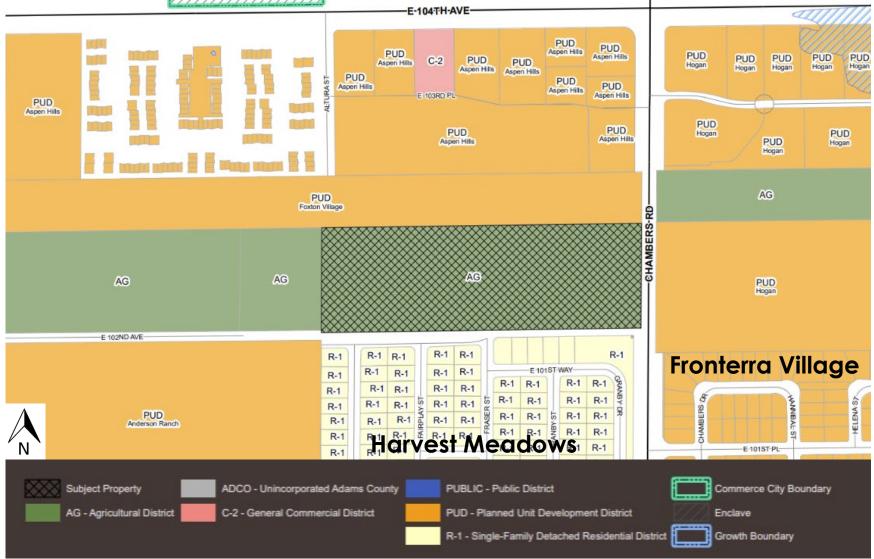
- Impacts for traffic due to increased population will result in adverse effects to surrounding neighbors and properties
- There are no adequate roadway connections to access the property
- There are not enough educational spaces and no consideration for multi-modal transportation to educational spaces (No letter from School District in original application)
- There is enough multi-family in the area
- Only market rate apartments are proposed, which is unobtainable for residents

Applicant shows how they addressed several of these reasons for denial in their Narrative



Zoning Map

Commerce



#### **Aerial**



## **Current Conditions**

- 1. View from East 102<sup>nd</sup> Avenue facing north (Taken October 3, 2024)
- 2. View from Chambers Road facing west (Taken October 3, 2024)

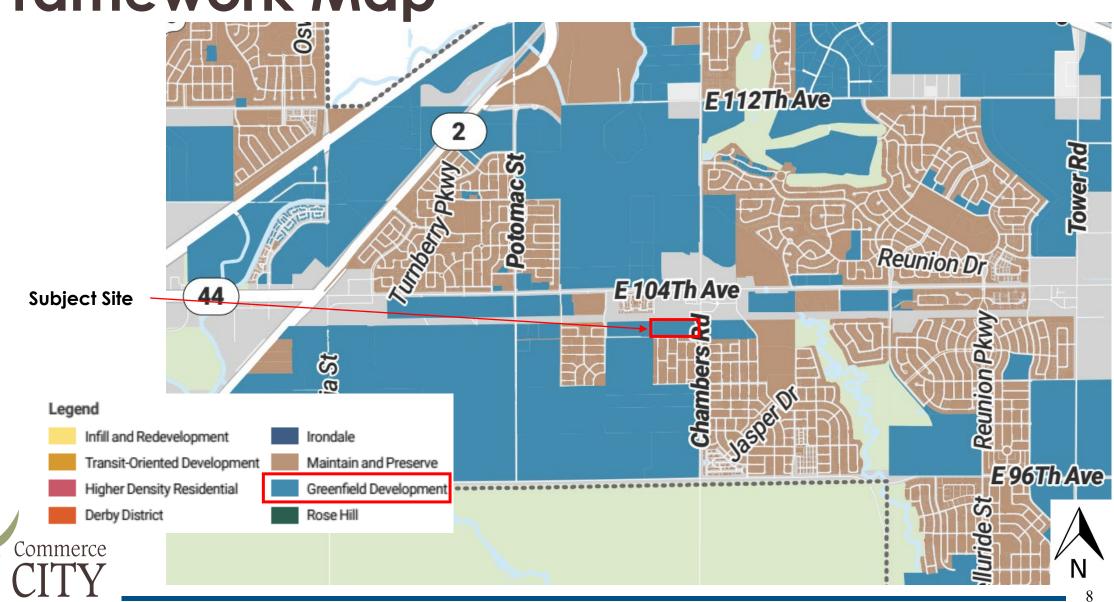






#### Character Areas E 112Th Ave **TowerRd** Tumbern Pkwy Potomac St Reunion Dr E 104Th Ave **Subject Site** Reunion Pkwy St Legend 270 Industrial District Northern Business District Stadium District E-470 Expressway Corridor District E 96Th Ave Central Neighborhoods DEN Gateway District Fusion District (Irondale) Innovation District North Airport District **Felluride St** Fusion District (South Rose Hill) South Platte District Future Growth Areas Commerce

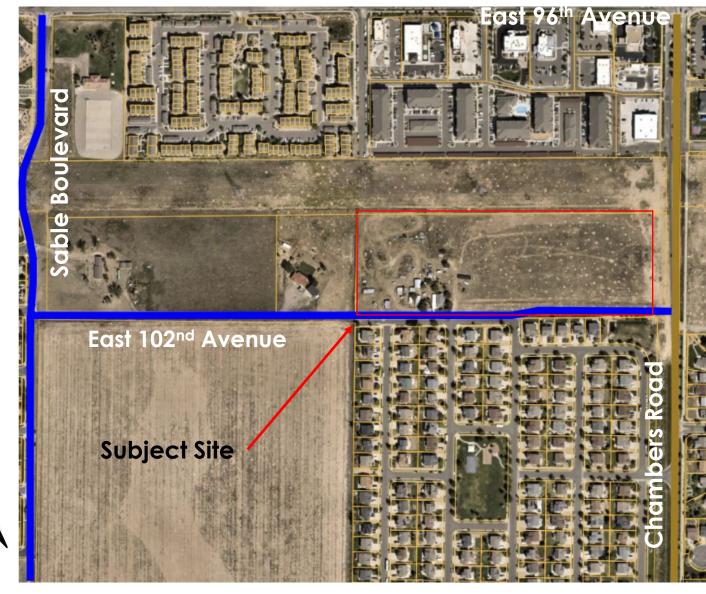
Residential Areas Framework Map



# Traffic & Roadway Infrastructure

- East 102<sup>nd</sup> Avenue: Minor/Residential Collector
- Only access to the subject site will be off East 102<sup>nd</sup> Ave.
- Applicant ROW Improvements include
  - A full buildout of East 102nd Avenue from Chambers to the western property line
  - A temporary 28-foot-wide asphalt road extension from Sable Boulevard to the western property line
  - A northbound left turn storage pocket on Chambers Road to 102nd Avenue
  - A deceleration right-turn lane along Chambers Road onto East 102nd Avenue.
  - All to be included in a development agreement
- Submitted traffic study shows minimal cut-through traffic into Harvest Meadows





Minor/Residential Collector: ———

**Multimodal Arterial:** 

## Levels of Service

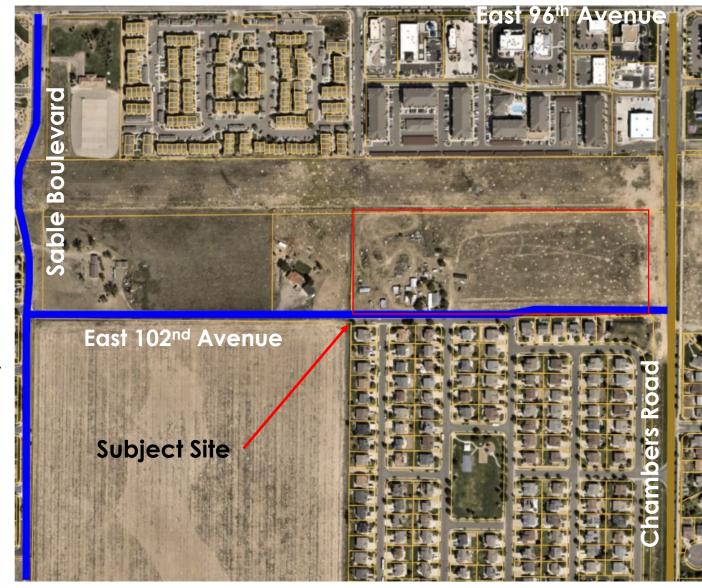
Traffic Study shows minimal impacts to service capacities of Chambers Road, East 102<sup>nd</sup> Ave, and Sable Boulevard.

East Side Chambers Road and E. 102nd Ave.

- Existing: Undefined
- Proposed:
  - 2027 Intersection continues to operate at LOS A
  - 2044 horizon year intersection continues to operate at LOS A with expected delays to the left-turn from E. 102<sup>nd</sup> Ave. onto Chambers by 53 seconds in AM and 68 seconds PM

Westside Sable Blvd. & East 102<sup>nd</sup> Ave.

- Existing: Current T-intersection is LOS A
- Proposed:
  - 2027 Intersection continues to operate at LOS A
  - 2044 horizon year intersection continues to operate at LOS A



Minor/Residential Collector: ———

Multimodal Arterial:



## Neighborhood Meeting

- Neighborhood meeting held July 14, 2025 from 6:00 pm 7:30 pm at the SACFD Station No. 28
- Applicants mailed letters in a 500-foot radius to notify surrounding property owners of the meeting
- · Eight residents attended
- Questions and concerns from the public included:
  - Extension of East 102<sup>nd</sup> Avenue and Harvest Meadows responsibility
  - Increased traffic overall throughout the area
  - Speeding through future East 102<sup>nd</sup> Avenue
  - Possibility of speedbump installation on East 102<sup>nd</sup> Avenue
  - When pedestrian safety infrastructure will be installed at Chambers & 102nd
  - When traffic signals be installed at Chambers & 102<sup>nd</sup>
  - Where access into the new site will align with Harvest Meadows



### Public Comment

• As of October 2, 2025, staff received no written public comment.



### Planning Commission

- Heard at September 2, 2025 Planning Commission
- 2 residents spoke with regards to
  - 1 in favor:
    - Applicant has been nice to work with
    - Development will bring a lot to the character of the neighborhood
    - Was around when the existing neighborhoods were proposed
  - 1 opposed:
    - Will bring transients to the area
    - Too many apartments and rentals
    - Existing apartments already in the area
    - Senior housing would be an ideal use
    - Decreases property values in the area
- Received a 5-0 recommendation of approval



### Approval Criteria

A decision for a Zone Change is based on the following criteria from Sec. 21-3232(5) of the LDC.

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

- b) The zone change meets all of the following:
  - 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;

Analysis: The proposed Zone Change to R-3 (Multi-Family Residential District) is consistent with the 2045 Comprehensive Plan and Master Transportation Plan. The request allows the site to develop into a higher density residential use, which offers additional housing options, affordable housing, increased connectivity in the area, increased landscaping, roadway improvements including a new connection from Sable Boulevard to Chambers Road, and improves the overall image and appearance of the City. Lastly, the requested Zone Change meets the below goals, objectives and core principles of the 2045 Comprehensive Plan. Therefore, it can be found that this application **meets Criteria (i)**.



#### Approval Criteria i continued

#### Housing and Neighborhoods:

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.

Goal 2.3: Ensure a variety of affordable housing options are provided.

Goal 3.2: Improve lighting, walkability, and traffic flow through existing neighborhoods.

Goal 4: Build new neighborhoods with diverse housing, strong design, and ample open space and amenities that are welcoming to all.

Goal 7.6: Integrate affordable housing efforts throughout the entire community, rather than clustering in specific areas.

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.



#### Approval Criteria i continued pt ii

#### **Character Areas:**

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 2.5: Strategically improve roadway, water, and wastewater capacity to support future 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.

#### Commerce and Employment:

Core Principle: Safe, Healthy, and Livable City: 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.

#### **Transportation and Mobility:**

Commerce

Goal 1: Create and maintain a well-connected and safe transportation network that includes auto, bicycle, pedestrian, and transit options, maximizing mobility and supporting the City's growth.

Goal 1.1: Ensure land use decisions are coordinated with transportation considerations.

### Approval Criteria ii

ii. The proposed zone district and allowed uses are compatible with proposed development, surrounding land uses and the natural environment;

Analysis: The apartment complex proposed within the corresponding Development Plan (D24-0006) is allowed by right within the R-3 (Multi-Family Residential District) 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)**.



### Approval Criteria iii

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;

Analysis: The Zone Change and corresponding applications were reviewed by the Development Review Team such as the City of Commerce City Public Works Department and Engineering Division, and outside agencies including United Power, South Adams Water and Sanitation District, and South Adams County Fire Department. All reviewing 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 such as water and sewer infrastructure, roadway connections to and from the property, and adequate drainage on the site. Lastly, there is an active Northern Infrastructure General Improvement District application (NIGID24-0001) to ensure the developers pay into infrastructure costs. Therefore, it can be found that this application meets Criteria (iii).



## Approval Criteria iv

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;

Analysis: 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). There is also Fronterra Park within 0.33 miles (3-minute drive and 19-minute walk), the Second Creek Open space and Trail within 0.51 miles (5-minute drive and 24-minute walk), and the Arsenal Perimeter Trail within 0.77 miles (3-minute drive and 21-minute walk) as well as, a planned future park partially dedicated to the southwest within 0.30 miles. In addition, the 27J School District stated in its comment letter for this application that, "There will be adequate capacity in each of these schools (Second Creek Elementary School, Sturt Middle School, & Prairie View High School), depending on when construction occurs for the site. Rocky Vista High School is like to serve this site when completed. It is the school district's responsibility to serve the students generated by this development and we fully expect to be able to accomplish that." Two letters from the 27J School District are included in the packet. Therefore, it can be found that this application meets Criteria (iv).



## Approval Criteria Continued v

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

Analysis: 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. In addition, the applicant has proposed dedicating 10% of the units to 80% Area Median Income. Lastly, the Economic development Department stated in a comment letter that, "The planned multi-family development will result in an increase in the population of Commerce City. A growing population helps in the marketing and recruitment of perspective retailers." The need for additional commercial businesses and opportunities is within the public interest and a frequent topic of discussion from the public to City Staff. Additional residents will create a more attractive market for new commercial at the Chambers and East 104th Avenue commercial intersection. Therefore, it can be found that this application meets Criteria (v).



#### Approval Criteria Continued vi

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.

Analysis: The subject site is near East 104th Avenue, an important commercial corridor for the northern range residents. Per the Economic Development Department, "The planned multi-family development will result in an increase in the population of Commerce City. A growing population 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)**.



## Planning Commission Recommendation

Planning Commission recommends approval (5-0 vote) of Z25-0002

#### Staff Recommendation:

- Staff recommends approval of the proposed zone change
  - Meets approval criteria
  - Applicant addressed some of what staff understood to be Council's concerns:
    - Willingness to provide affordable housing element
    - Minimization of traffic impacts
    - Willingness to connect roadway systems
    - School district support



