



# Commerce City

7887 E. 60th Ave.  
Commerce City, CO 80022  
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## Council Communication File Number: Res 2021-76

**Agenda Date:** 9/20/2021

**Version:** 1

**Status:** ATS Review

**In Control:** City Council

**File Type:** Resolution

**Agenda Number:**

RESOLUTION APPROVING THE REUNION RIDGE FILING #1, AMENDMENT #4  
SUBDIVISION

### Summary and Background Information:

#### Request

Oakwood Homes is seeking approval of a request for the subdivision of Reunion Ridge Filing No. 1, Amendment No. 4 to replat a 15.12 acre tract into 129 lots and 4 associated tracts. The property is located south of E. 104th Avenue and bounded by Tucson Street and Vaughn Way. The property is zoned Planned Unit Development (PUD) through the Reunion PUD Zone Document, Amendment #5 (2019).

The subject property is located near E. 104th Avenue and Vaughn Way in the Reunion Village 9 development (commonly known as Reunion Ridge) and contains a total of approximately 15.12 acres. The property is zoned a part of the Reunion PUD and is currently vacant and undeveloped. The subdivision (or final plat) request is the platting of a tract created and held for future development in the original Reunion Ridge Filing No. 1 subdivision. **This matter is a quasi-judicial proceeding that will be conducted through a public hearing; in person testimony is currently authorized and no virtual testimony (other than written comments) will be accepted.**

**Approval Criteria:** Pursuant to Section 21-3241(3) of the Land Development code, final plats may be approved if the decision maker finds that:

- (a) The subdivision is consistent with any approved rezoning, concept plan or PUD Zone Document;
- (b) The subdivision is consistent with and implements the intent of the specific zoning district in which it is located;
- (c) There is no evidence to suggest that the subdivision violates any state, federal, or local laws, regulations, or requirements;
- (d) The general layout of lots, roads, driveways, utilities, drainage facilities, and other services within the proposed subdivision is designed in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, and otherwise accomplishes the purposes and intent of this land development code;
- (e) The subdivision complies with all applicable city standards and does not unnecessarily create lots or patterns of lots that make compliance with such standards

difficult or infeasible;

(f) The subdivision: (i) Will not result in a substantial or undue adverse effect on adjacent properties, traffic conditions, parking, public improvements, either as they presently exist or as they may in the future exist as a result of the implementation of provisions and policies of the comprehensive plan, this land development code, or any other plan, program or ordinance adopted by the city; or (ii) Any adverse effect has been or will be mitigated to the maximum extent feasible;

(g) Adequate and sufficient public safety, transportation, utility facilities and services, recreation facilities, parks, and schools are available to serve the subject property, while maintaining sufficient levels of service to existing development;

(h) A development agreement between the city and the applicant has been executed and addresses the construction of all required public improvements; and

(i) As applicable, the proposed phasing plan for development of the subdivision is rational in terms of available infrastructure capacity.

Considerations and facts not relevant to these criteria may not be used in the decision making process. Staff believes that the quality, design, or pricing of homes that may be constructed within this Filing are not relevant to the approval criteria. To note, no application for any home model review has been submitted to city staff for review.

**Staff Analysis & Planning Commission Recommendation:** The subdivision does not propose to change current zoning. Approval of this subdivision plat will allow for the continued development of this planned community. The proposed plat will create 129 lots for single family, detached residential development with options for detached garages on each lot. The proposed lot sizes range from 2,216 - 4,148 sq. ft. and are consistent with the development standards outlined in the Reunion PUD. The proposal arranges the lots in a "green court" configuration; the home's front yard faces onto a common green space with access provided from a shared drive or alley. The Development Review Team (DRT) review of the proposed subdivision plat indicates that it meets current zoning and Land Development Code (LDC) requirements.

The request being considered at this hearing is for a subdivision plat. Traditionally, subdivisions are reviewed and approved administratively in accordance with the City's Land Development Code (LDC). However, at the July 12, 2021 meeting Council voted to review this plat through the public hearing process, in accordance with Section 21-3241(4)(d). This item was heard before the Planning Commission on August 24, 2021. Consistent with the staff recommendation, the Planning Commissioners voted unanimously to find that the approval criteria were met and to recommend approval of the proposed final plat to the City Council. *Please see attached Planning Commission Staff Report and Planning Commission minutes for detailed background and discussion.*

**Additional Information:** In addition to this subdivision plat, there is also a PUD Development Permit under review. This PUD Development Permit (Z-781-D-415-20-20-21) is an administrative review of landscaping, addressing, and construction documents. The PUD Permit would not be approved until after the subdivision plat is approved.

**Staff Responsible (Department Head):** Jason Rogers, Deputy City Manager of External Services

**Staff Member Presenting:** Jennifer Jones, Principal Planner

**Financial Impact:** N/A

**Funding Source:** N/A

**Planning Commission Recommendation:**

On August 24, 2021, the Planning Commission held a public hearing, took testimony, and voted (5 - 0) to forward the final subdivision plat request to City Council with a recommendation for approval.

**Motion:**

- To accept the Planning Commission's recommendation: I move to accept the findings and recommendations of the Planning Commission.
- To approve: I move to approve Resolution 2021-76.
- To deny: I move to deny the request for the subdivision of Reunion Ridge Filing No. 1, Amendment No. 4, and to direct the staff to prepare written findings for approval by Council at the next regular meeting.
- To approve with conditions: I move to approve Resolution 2021-76 with the following conditions: (identify conditions).