

ORDINANCE NO. Z-774-04-21

INTRODUCED BY: \_\_\_\_\_

AN ORDINANCE APPROVING THE SECOND CREEK FARM PUD ZONE DOCUMENT, 1ST AMENDMENT, AND AMENDING ORDINANCE Z-774-04 TO MODIFY THE RESIDENTIAL UNIT CAP, MODIFYING THE LIMITS ON SINGLE FAMILY AND MULTIFAMILY DEVELOPMENT, MODIFYING THE PLANNING AREA BOUNDARIES, SIZES, LOCATIONS, AND LAND USES, AND MODIFYING THE LAND USES, BULK STANDARDS, AND OIL AND GAS STANDARDS, AND OTHER MATTERS, FOR THE PROPERTY BOUNDED GENERALLY BY E 96TH AVENUE TO THE NORTH, TOWER ROAD TO THE EAST, THE SECOND CREEK FLOODPLAIN TO THE SOUTH, AND TELLURIDE STREET TO THE WEST, ZONED PUD (PLANNED UNIT DEVELOPMENT DISTRICT), IN COMMERCE CITY, COLORADO.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO AS FOLLOWS:

**SECTION 1.** The City Council of the City of Commerce City, Colorado, finds that notices of the public hearing concerning ordinance Z-774-04-21, as detailed in the proposed Second Creek Farm PUD Zone Document, 1st Amendment attached as Exhibit B (“PUD Zone Document, First Amendment”) and the rezoning of property bounded approximately by East 96th Avenue to the North, Tower Road to the East, East 88th Avenue to the South, and the Telluride Street alignment to the West more specifically defined in Exhibit A (“Property”), and as further detailed in the proposed PUD Zone Document, First Amendment before the Planning Commission of the City of Commerce City on February 2, 2021, and the City Council to be held on this March 1, 2021, respectively, were properly given as required by the Land Development Code, including by: publication on January 26, 2021, and February 16, 2021 in the Sentinel-Express, a legal newspaper of general circulation in the City of Commerce City; mailing on January 23, 2021, through the United States Postal Service in the manner required by the Land Development Code; and posting placards on the property that is the subject of the application on January 22, 2021 and February 19, 2021, in the manner and for the duration required by the Land Development Code.

**SECTION 2.** The City Council further finds that the public hearings concerning this ordinance, the proposed PUD Zone Document, First Amendment, and the rezoning of Property before the Planning Commission of the City of Commerce City and the City Council were conducted in compliance with law.

**SECTION 3.** The City Council finds, consistent with the Commerce City Land Development Code, Section 21-3251(3), as follows with regard to the proposed rezoning detailed in the proposed PUD Zone Document, First Amendment:

- a. The PUD Zone Document, First Amendment is consistent with the policies and goals of the comprehensive plan and all applicable City adopted plans;
- b. The PUD Zone Document, First Amendment is consistent with any previously reviewed PUD concept schematic, if any;
- c. The PUD Zone Document, First Amendment addresses a unique situation, confers a substantial benefit and also incorporates creative site design such that it achieves the

purposes of section 21-4370 of the LDC and represents an improvement in quality over what could have been accomplished through strict application of the otherwise applicable district or development standards;

- d. The PUD Zone Document, First Amendment will continue to comply with all applicable city standards not otherwise modified or waived by the city;
- e. The Property has been integrated and connected with adjacent development;
- f. To the maximum extent feasible, the PUD Zone Document, First Amendment mitigates any potential significant adverse impacts on adjacent properties and on the general community;
- g. Sufficient public safety, transportation, and utility facilities and services are available to serve the Property, while maintaining sufficient levels of service to existing development; and
- h. The proposed changes to the PUD Zone Document could not be achieved through other techniques.

**SECTION 4.** The PUD Zone Document, First Amendment modifying the residential unit cap, the limits on single family and multifamily development, the planning area boundaries, sizes, locations, and land uses, and modifying the land uses, bulk standards and oil and gas standards, and other matters, as set forth in Exhibit B, is hereby approved and Ordinance Z-774-04 is hereby amended as set forth in the that First Amendment. The zoning map of the City of Commerce City Colorado, is hereby amended to reflect the rezoning approved by this ordinance.

**SECTION 5.** This ordinance shall be effective as set forth in Section 5.3 of the City Charter.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED  
THIS 1ST DAY OF MARCH, 2021.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2021.

CITY OF COMMERCE CITY, COLORADO

\_\_\_\_\_  
Benjamin A. Huseman, Mayor

ATTEST

\_\_\_\_\_  
Dylan A. Gibson, City Clerk

**Exhibit "A"**  
**(Legal Description)**  
**Case #Z-774-04-21**

**LEGAL DESCRIPTION**

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**PARCEL 1**

A PART OF THE EAST HALF OF SECTIONS 21 & 28, TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 21;

THENCE SOUTH 89°22'09" WEST ALONG SAID SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 21 A DISTANCE OF 189.50 FEET;  
THENCE NORTH 00°20'45" WEST A DISTANCE OF 30.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF EAST 88th AVENUE AND THE POINT OF BEGINNING;  
THENCE SOUTH 89°22'09" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY, ALONG A LINE 30 FEET NORTHERLY DISTANT AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES, THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 21 A DISTANCE OF 2463.24 FEET TO THE WEST LINE OF THE EAST HALF OF SAID SECTION 21;  
THENCE NORTH 00°03'52" WEST ALONG SAID WEST LINE A DISTANCE OF 5273.18 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 21;  
THENCE SOUTH 89°59'51" EAST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 2596.81 FEET TO THE WESTERLY RIGHT-OF-WAY OF TOWER ROAD;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY OF TOWER ROAD THE FOLLOWING TWO (2) COURSES:

1. THENCE SOUTH 00°20'49" EAST ALONG A LINE 30 FEET WESTERLY DISTANT AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES, THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 21 A DISTANCE OF 2637.89 FEET;
2. THENCE SOUTH 00°20'45" EAST ALONG A LINE 30 FEET WESTERLY DISTANT AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES, THE EAST LINE OF SAID SOUTHEAST QUARTER OF SECTION 21 A DISTANCE OF 2406.36 FEET;

THENCE SOUTH 89°22'09" WEST A DISTANCE OF 159.50 FEET;  
THENCE SOUTH 00°20'45" EAST A DISTANCE OF 200.04 FEET TO THE POINT OF BEGINNING;

SAID PARCEL 1 CONTAINS AN AREA OF 314.33 ACRES, MORE OR LESS.

TOGETHER WITH

**PARCEL 2**

A PART OF THE EAST HALF OF SECTION 28, TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 28;  
THENCE SOUTH 89°22'09" WEST ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 28 A DISTANCE OF 80.08 FEET;  
THENCE SOUTH 00°37'51" EAST A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF EAST 88th AVENUE, SAID POINT ALSO BEING THE NORTHWESTERLY CORNER OF THAT PARCEL OF LAND AS DESCRIBED IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER IN BOOK 3764 AT PAGE 288 AND THE POINT OF BEGINNING;  
THENCE SOUTH 45°34'40" EAST ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL DESCRIBED IN BOOK 3764 AT PAGE 288 A DISTANCE OF 70.59 FEET TO THE WESTERLY RIGHT-OF-WAY OF TOWER ROAD;  
THENCE ALONG SAID WESTERLY RIGHT-OF-WAY OF TOWER ROAD THE FOLLOWING TWO (2) COURSES:

1. THENCE SOUTH 00°29'02" EAST ALONG A LINE 30 FEET WESTERLY DISTANT AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES, THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 28 A DISTANCE OF 2586.76 FEET;
2. THENCE SOUTH 00°28'01" EAST ALONG A LINE 30 FEET WESTERLY DISTANT AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES, THE EAST LINE OF SAID SOUTHEAST QUARTER OF SECTION 28 A DISTANCE OF 273.58 FEET;

THENCE NORTH 84°25'18" WEST A DISTANCE OF 635.20 FEET;  
THENCE NORTH 14°25'18" WEST A DISTANCE OF 800.00 FEET;  
THENCE NORTH 34°25'18" WEST A DISTANCE OF 850.00 FEET;  
THENCE NORTH 77°25'18" WEST A DISTANCE OF 725.00 FEET;  
THENCE NORTH 55°25'18" WEST A DISTANCE OF 813.02 FEET TO THE WEST LINE OF SAID NORTHEAST QUARTER OF SECTION 28;  
THENCE NORTH 00°30'22" WEST ALONG SAID WEST LINE A DISTANCE OF 918.06 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF EAST 88th AVENUE;  
THENCE NORTH 89°22'09" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY, ALONG A LINE 30 FEET SOUTHERLY DISTANT AND PARALLEL WITH, WHEN MEASURED AT RIGHT ANGLES, THE NORTH LINE OF SAID NORTHEAST QUARTER OF SECTION 28 A DISTANCE OF 2572.88 FEET TO THE POINT OF BEGINNING;

SAID PARCEL 2 CONTAINS AN AREA OF 112.34 ACRES, MORE OR LESS;

PARCELS 1 AND 2 CONTAIN A TOTAL AREA OF 426.67 ACRES, MORE OR LESS.





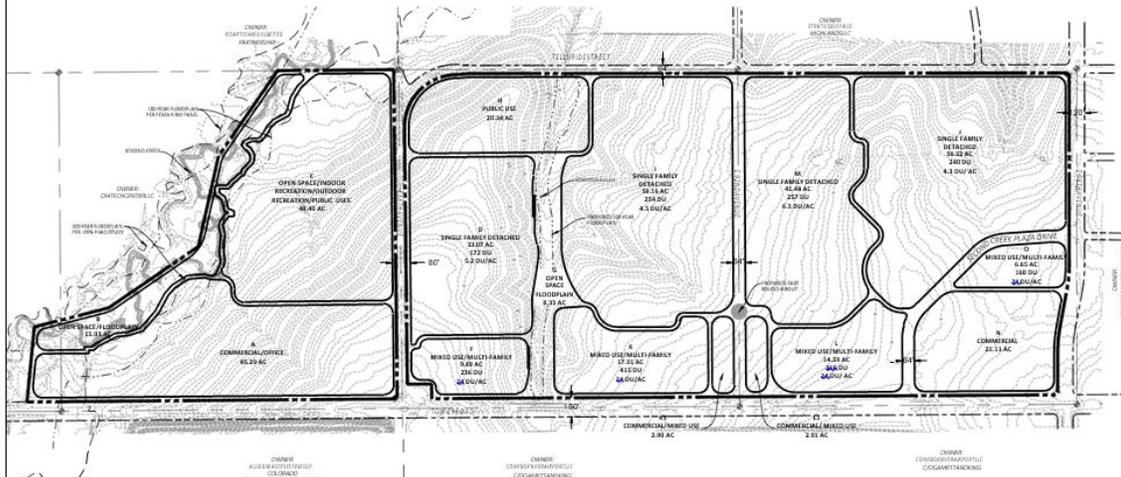
# SECOND CREEK FARM

## PUD ZONE DOCUMENT, 1ST AMENDMENT

A PART OF THE EAST HALF OF SECTIONS 21 & 28,  
TOWNSHIP 2 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,  
COUNTY OF ADAMS, STATE OF COLORADO

### SHEET 3 OF 10

#### SITE PLAN



LAND USE CHART BY PLANNING AREA		
PLANNING AREA	LAND USE	ACRES
A	COMMERCIAL / OFFICE	46.29
B	OPEN SPACE	15.03
C	OPEN SPACE / RECREATION / PUBLIC SPACE	48.40
D	SINGLE FAMILY DETACHED	33.07
E	MIXED USE / MULTI-FAMILY	9.89
F	OPEN SPACE	8.33
G	PUBLIC USE	20.34
H	SINGLE FAMILY DETACHED	56.14
I	SINGLE FAMILY DETACHED	56.52
J	MIXED USE / MULTI-FAMILY	17.33
K	COMMERCIAL / MIXED-USE	2.90
L	MIXED USE / MULTI-FAMILY	24.58
M	SINGLE FAMILY DETACHED	41.44
N	RETAIL / COMMERCIAL	21.12
O	MIXED USE / MULTI-FAMILY	6.65
RIGHT OF WAY (METEAL & COLLECTOR)		26.73
<b>TOTAL</b>		<b>436.67</b>

OVERALL LAND USE CHART		
LAND USE	ACRES	% ACRES
RETAIL / COMMERCIAL	22.21	5.09%
OPEN SPACE / RECREATION / PUBLIC USE	71.76	16.43%
SINGLE FAMILY DETACHED	337.59	77.20%
MIXED USE / MULTI-FAMILY	48.44	11.09%
PUBLIC USE	20.34	4.66%
RDW	26.73	6.12%
<b>TOTAL</b>	<b>436.67</b>	<b>100.00%</b>

NOTE: MIXED USE/MULTI-FAMILY DENSITIES SHOWN ARE FOR REFERENCE ONLY. PROPOSED DENSITIES MAY VARY BASED UPON THE DENSITY RESTRICTIONS ON SHEET 1.



ENGINEER & SURVEYOR:  
**Manhard CONSULTING LTD**

DEVELOPER:  
SECOND CREEK HOLDINGS, LLC  
9333 E. EASTER PLACE, SUITE 112  
DENVER, COLORADO 80119

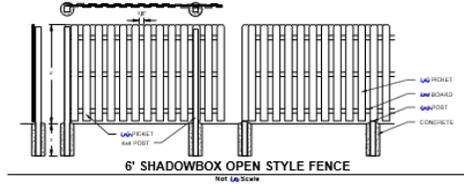
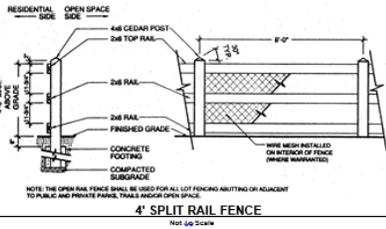
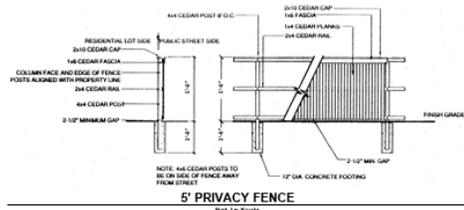
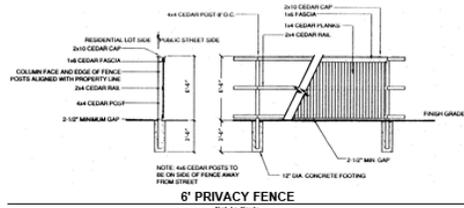
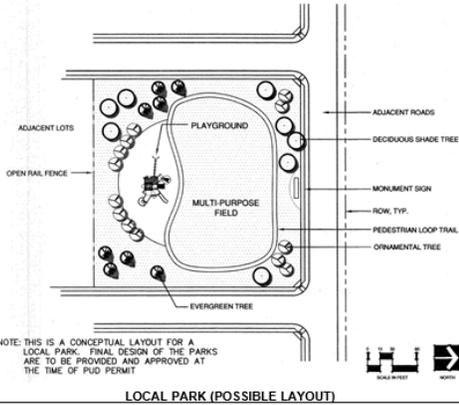
PLANNER:  
**PLANWEST**

DATE: 01-25-2021  
01-27-2021  
12-10-2020  
11-20-2020  
08-23-2020  
10-24-2019  
03-21-2019





**SECOND CREEK FARM**  
**PUD ZONE DOCUMENT, 1ST AMENDMENT**  
 A PART OF THE EAST HALF OF SECTIONS 21 & 28, TOWNSHIP 2 SOUTH,  
 RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS,  
 STATE OF COLORADO  
 SHEET 6 OF 10  
 PARK STANDARDS AND FENCE DETAILS



ENGINEER & SURVEYOR:  
**Manhard CONSULTING LTD**

DEVELOPER:  
 SECOND CREEK HOLDINGS, LLC  
 8032 E. EASTERN PLAZA, SUITE 112  
 CENTENNIAL, COLORADO 80112

PLANNER:  
**PLANWEST**

DATE: 01-29-2021  
 01-07-2021  
 12-16-2020  
 11-09-2020  
 09-03-2020  
 08-24-2019  
 02-21-2019



# SECOND CREEK FARM

## PUD ZONE DOCUMENT, 1ST AMENDMENT

A PART OF THE EAST HALF OF SECTIONS 21 & 28, TOWNSHIP 2 SOUTH,  
RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS,  
STATE OF COLORADO

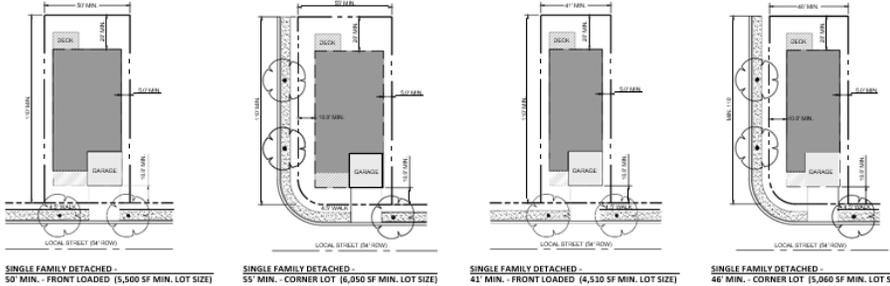
### SHEET 9 OF 10

TYPICAL LOT EXHIBITS: SETBACKS & DEVELOPER CRITERIA

SUPPLEMENTAL DESIGN STANDARDS

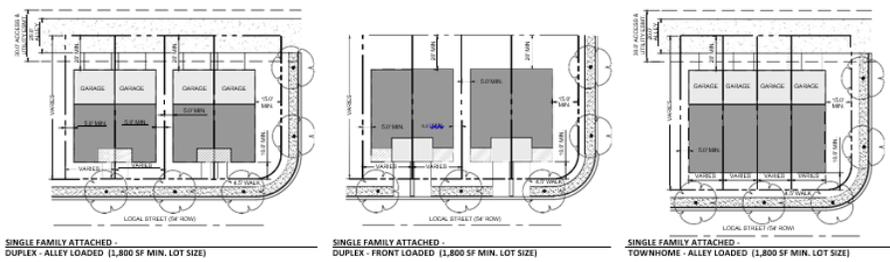
SCALE: 1" = 30'

LAND USE DEVELOPMENT STANDARDS MATRIX:



SINGLE FAMILY DETACHED:	
Minimum Lot Size	5,000 SF*
Parking Requirement	2/20'
Maximum Height	35'
SETBACKS:	
Front (Building)	10'
Front (Porch)	10'
Side	5'
Building Separation	10'
Rear (Building)	20'
Rear (Porch/Deck/Patio)	10'
Side (Corner Lot)	10'
ACCESSORY USE:	
Maximum Height	15'
Front	20'
Side	10'
Rear	5'
Side (Corner Lot)	20'

\* Minimum Lot Size in PA 14 [www.be.usdoctd.com](http://www.be.usdoctd.com) to 3,000 SF



SINGLE FAMILY ATTACHED (Duplex, Triplex, Townhome ≤ 4 Units):	
Minimum Lot Size	1,800 SF
Parking Requirement	2/20'
Maximum Height	35'
SETBACKS:	
Front (Building)	10'
Front (Porch)	10'
Side	5'
Building Separation	10'
Rear	20'
Rear (Porch/Deck/Patio)	10'
Side (Corner Lot)	15'
ACCESSORY USE:	
Maximum Height	15'
Front	20'
Side	10'
Rear	5'
Side (Corner Lot)	20'

**DESIGN STANDARD NOTES:**

- TYPICAL NOTES**
- Exhibits are for diagrammatic purposes only
  - Building footprint may change from lot to lot
  - Driveways for corner lots must be located toward the interior lot line
  - Refer to Land Use Chart & Development Standard Notes for additional information

**COMMUNITY CHARACTER & HOUSING DIVERSITY INTENT**

It is the intent to create a community that will accommodate a variety of lot sizes and housing types. Housing types that include single-family detached homes, single-family attached residential such as patio homes and townhomes in conjunction with multi-family apartments [www.be.usdoctd.com](http://www.be.usdoctd.com) with this PUD. This assortment of residential units will result in a variety of housing sizes and types providing purchasing opportunities for families that [www.be.usdoctd.com](http://www.be.usdoctd.com) to different income levels. A variety of lot sizes are proposed for the mixed-use areas to encourage a live, work and play lifestyle that does not have a strong dependency on the automobile.

A street network [www.be.usdoctd.com](http://www.be.usdoctd.com) to reinforce vehicular and pedestrian connectivity. Streets have been planned to provide convenient access to [www.be.usdoctd.com](http://www.be.usdoctd.com), residential, school and open space parcels. All public streets [www.be.usdoctd.com](http://www.be.usdoctd.com) in compliance with the City of Commerce City standards.

**LEGEND:**



**ENGINEER & SURVEYOR:**  
**Manhard CONSULTING LTD**

**DEVELOPER:**  
SECOND CREEK HOLDINGS, LLC  
3033 E. EASTER PLACE, SUITE 112  
CENTENNIAL, COLORADO 80112

**PLANNER:**  
**PLANWEST**

DATE: 01-29-2021  
01-27-2021  
12-10-2020  
11-20-2020  
08-20-2020  
10-24-2019  
02-21-2019

**SECOND CREEK FARM**  
**PUD ZONE DOCUMENT, 1ST AMENDMENT**  
 A PART OF THE EAST HALF OF SECTIONS 21 & 28, TOWNSHIP 2 SOUTH,  
 RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS,  
 STATE OF COLORADO  
**SHEET 10 OF 10**  
 SUPPLEMENTAL DESIGN STANDARDS

**COMMERCIAL AND MIXED-USE DESIGN GUIDELINES**

**BUILDING FORM GUIDELINES**

- A. Commercial and mixed-use buildings shall have windows, facades, main entries, and accessory features oriented towards a public street or open space to emphasize the building use or activity.
- B. Variations in material and color ~~(§§§§§§§§§§)~~ to enhance the overall architectural aesthetic.
- C. Awnings and canopies shall be added to ~~(§§§§§§§§§§)~~ architecture to enhance the pedestrian-scale character.

**COMMERCIAL AND MIXED-USE ENTRY GUIDELINES**

- A. Building proportions shall be balanced and complementary with one another.
- B. Corner buildings shall have more emphasis on design details and use of material to enhance all sides that are in public view.
- C. Public entries ~~(§§§§§§§§§§)~~ on they are obvious from the street and sidewalk.
- D. Facades should be parallel and oriented to the public street when possible.
- E. Additional features such as change in ~~(§§§§§§)~~ building material, and breaks in wall planes are suggested to further enhance the overall character of the commercial district.

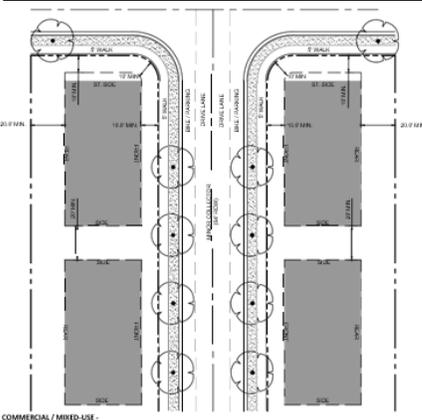
**COLOR AND MATERIAL GUIDELINES**

- A. A variety of building materials shall be used such as cementitious siding and panels, glass, metal panels, ~~(§§§§§§§§§§)~~ and stone, stucco, natural stone, and masonry shall be incorporated for all commercial building facades.
- B. Changes in roof plane ~~(§§§§§§§§§§)~~ to create visual interest.
- C. The combination of materials, details, and colors ~~(§§§§§§§§§§)~~ creatively to design and execute the development of each building.

**ARCHITECTURAL ELEMENTS GUIDELINES**

- A. ~~(§§§§§)~~ mechanical equipment ~~(§§§§§§§§§§)~~ from public streets by parapets or other methods that integrate architectural elements.
- B. Outdoor seating and gathering space is strongly encouraged.
- C. The use of architectural pavers is strongly encouraged to help identify entries, pedestrian corridors, and transitional areas.
- D. Delivery areas and associated parking, storage, bay doors, and loading shall be located at the side or rear of a building and screened from public streets and/or sidewalks by use of berms, walls, or fencing.

**TYPICAL LOT EXHIBITS: SETBACKS & DEVELOPER CRITERIA**



COMMERCIAL / MIXED-USE  
 (MAIN STREET ORIENTED (25,000 SF MIN. LOT SIZE))

**PRECEDENT IMAGES**



**ENGINEER & SURVEYOR:**  
 Manhard CONSULTING LTD

**DEVELOPER:**  
 SECOND CREEK HOLDINGS, LLC,  
 903 E. BAKER PLACE, SUITE 112  
 CENTENNIAL, COLORADO 80112

**PLANNER:**  
 PLANWEST

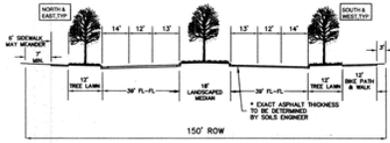
**DATE:** 01-29-2021  
 01-07-2021  
 12-16-2020  
 11-28-2020  
 10-01-2020  
 10-24-2019  
 02-01-2019

# SECOND CREEK FARM

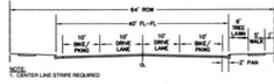
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STATE OF COLORADO

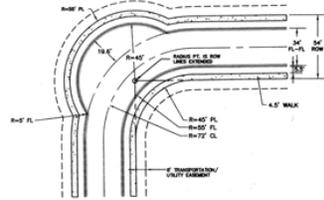
SHEET 8 OF 10  
STREET SECTIONS / DETAILS



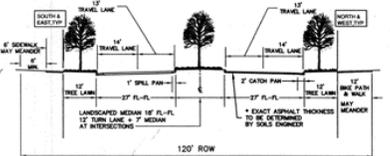
**PRINCIPAL ARTERIAL-TOWER ROAD**  
NOT TO SCALE



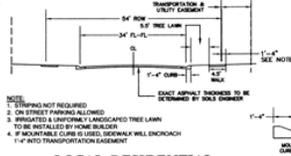
**MINOR COLLECTOR  
E. 92ND AVE & TELLURIDE ST**  
NOT TO SCALE



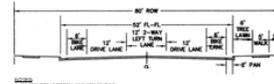
**RIGHT ANGLE LOCAL STREET  
WITH DETACHED WALK (54' ROW)  
EYEBROW TREATMENT**  
NOT TO SCALE



**MINOR ARTERIAL-96TH AVENUE**  
NOT TO SCALE



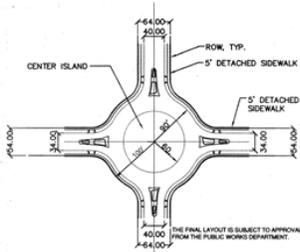
**LOCAL RESIDENTIAL  
WITH DETACHED WALKS (NO ALLEY)**  
NOT TO SCALE



**MAJOR COLLECTOR- 88TH AVE**  
NOT TO SCALE

- NOTES:
1. AUXILIARY LANES SHALL BE 12' WIDE INCLUDING OUTSIDE SHOULDER.
  2. EYEBROWS MAY BE DISCONTINUED AS ROW IF SIDEWALKS ARE NOT AN ISSUE.

- NOTES:
1. STOPPING NOT REQUIRED.
  2. ON STREET PARKING ALLOWED.
  3. UNPAVED & UNPAVED LANDSCAPED TREE LANES TO BE INSTALLED BY HOME BUILDER.
  4. IF MOUNTABLE CURB IS USED, SIDEWALK WILL ENCOMPASS 1'-0" INTO TRANSPORTATION EASEMENT.



**EAST ROUND-ABOUT**  
SCALE: 1" = 100'

ENGINEER & SURVEYOR:  
**Manhard CONSULTING LTD**

DEVELOPER:  
SECOND CREEK HOLDINGS, LLC,  
9333 E. EASTER PLACE, SUITE 112  
CENTENNIAL, COLORADO 80112

PLANNER:  
**PLANWEST**

DATE: 01-23-2021  
07-07-2021  
12-20-2021  
11-20-2020  
08-02-2020  
10-24-2019  
03-21-2019