



STAFF REPORT

Planning Commission

CASE #D-214-12

PC Date:	August 7, 2012	Case Planner:	Jenny Axmacher
CC Date:	September 17, 2012		
Location:	5601 Quebec St, Commerce City, CO 80022		
Applicant:	Valero Diamond Metro, Inc	Owner:	Same As Applicant
Address:	5590 Havana St. Denver, CO	Address:	Same As Applicant

Case Summary

Request:	Development Plan Approval
Project Description:	A condition of this property's zoning requires Planning Commission and City Council approval for any development or use that may occur on the portion of the property labeled "future area of occupation". The applicant is proposing to raze and rebuild the existing gas station, adding a Subway restaurant which will include developing the area labeled "future area of occupation." The redevelopment will include a new 7,200 s.f. building that will contain a 5,000 s.f. convenience store and a 2,200 s.f. Subway restaurant, a new 6 island freestanding canopy and a 3 position diesel canopy. The development will also be re-oriented to face Quebec Street.
Issues/Concerns:	<ul style="list-style-type: none">▪ Redevelopment opportunities▪ High profile corridor/intersection
Key Approval Criteria:	<ol style="list-style-type: none">1. Complies with city standards.2. Is consistent with any previously approved subdivision plat, rezoning concept plan, or other plans or land use approvals.
Staff Recommendation:	Approval
Current Zone District:	PUD (Planned Unit Development District)
Comp Plan Designation:	Mixed-Use (Corridor and Commercial)

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Applicant's Narrative Summary | <input checked="" type="checkbox"/> Vicinity Map |
| <input checked="" type="checkbox"/> Development Review Team Recommendation | <input type="checkbox"/> Neighborhood Meeting Notes |
| <input checked="" type="checkbox"/> Site Plan | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> Z-629-96 Conditions/Site Plan | <input type="checkbox"/> |

Background Information

Site Information

Site Size:	2.6279 acres
Current Conditions:	Developed as gas station
Existing Right-of-Way:	E. 56th Ave and Quebec St
Existing Roads:	E. 56th Ave and Quebec St
Existing Buildings:	Gas Station and Canopies
Buildings to Remain?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Site in Floodplain	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Surrounding Properties

<u>Existing Land Use</u>		<u>Occupant</u>	<u>Zoning</u>
North	Undeveloped	Vacant	I-1
South	Industrial	Volvo Truck Sales/Repair	I-2
East	Undeveloped	Vacant - part of Victory Crossing	PUD
West	Public/Utility	Adams County Head Start	I-1

Case History

Condition F of Case Z-629-96 states: A Site Plan shall be submitted, reviewed by the Planning Commission and approved by the City Council before any development or use may occur on the portion of the property labeled "future area of occupation". Applicant agrees that if there is any unauthorized use of that portion of the property, the applicant will correct the problem to the satisfaction of the City Council.

The applicant is proposing to incorporate the area labeled "future area of occupation," in their plans to redevelop the site, which is why the development plan is before Planning Commission and City Council for review.

<u>Case</u>	<u>Date</u>	<u>Request</u>	<u>Action</u>
Z-629-96	3/18/96	Rezone from C-3 to PUD	Approval with Conditions
Z-166-78-87	10/5/87	Revert zoning back to C-3	Approval
Z-166-78	2/5/79	Rezone from C-3 to I-1	Approval with Conditions
LUP-6-78	12/12/78	Land Use Plan Amendment from Commercial to Industrial	Approval with Conditions

Applicant's Request

According to the applicant, Valero Diamond Metro, Inc. (Valero) is proposing to raze and rebuild their existing facility located at 5601 Quebec Street. The proposed redevelopment will consist of a new 7,200 s.f. building that will contain a 5,000 s.f. convenience store and a 2,200 s.f. Subway restaurant, a new 6 island freestanding canopy and a 3 position diesel canopy.

The main building will face Quebec Street with customer parking in front. The car canopy will be facing 56th Avenue, and the diesel canopy will be behind the convenience store. Locating the diesel canopy behind the store will segregate the traffic for diesel truck customers.

The convenience store hours of operation will be 24 hours, 7 days-a-week, the Subway hours will be 6 a.m. to 11 p.m.

The anticipated number of employees is 4 per shift for the convenience store and 3 per shift for the Subway.

Deliveries are expected daily to both the convenience store and the Subway.

Buffering for neighboring land uses will be achieved by landscape screening.

Development Review Team Analysis

After a review of the applicant’s proposal and submittal, the development review team believes this development will be a good addition for the corridor in general and this location in particular. The Comprehensive Plan calls this location out to be mixed use, corridor and commercial. The proposed retail/service station uses are harmonious with the Comprehensive Plan recommendations.

The proposed redevelopment will improve the aesthetics of the gas station as well as expand the commercial use of the site by adding a Subway Restaurant. The access into the site will not change from its present configuration. The redevelopment will add 2 additional vehicle gas islands to the site; however it will not expand the truck fueling canopy beyond its current capacity. The proposal meets the standards outlined in the Final PUD Plan for Total Petroleum, Inc, as well as all applicable City Standards for architecture, landscaping, etc.

Criteria Met?	Sec. 21-3212. Development Plans	Rationale
<input checked="" type="checkbox"/>	Complies with city standards.	The proposed development plan will comply will all applicable city standards, laws, and ordinances.
<input checked="" type="checkbox"/>	Is consistent with any previously approved subdivision plat, rezoning concept plan, or other plans or land use approvals.	The proposed development plan is consistent with the comprehensive plan, the zoning, and the proposed subdivision for the site.
<input checked="" type="checkbox"/>	Provides adequate mitigation for any significant adverse impacts resulting from the use.	Drainage, truck traffic, and aesthetic concerns have all been address through the development plan process. Therefore, the significant adverse impacts have been adequately addressed.
<input checked="" type="checkbox"/>	Creates a positive precedent for the future cumulative development of the immediate area.	This property is located at a highly visible intersection along Quebec Street and the proposed redevelopment should be a positive influence for the corridor.

Development Review Team Recommendation

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

Recommended Motion

To recommend approval:

Based upon the finding that the development plan satisfies the criteria set forth in the LDC, and in compliance with an existing zoning condition established in case #Z-629-96, I move that the Planning Commission forward the development plan in case # D-214-12 to the City Council with the recommendation that it be approved.

Alternative Motions

To recommend approval subject to condition(s):

I move that the Planning Commission enter a finding that, subject to certain conditions, the requested Development Plan Approval for the property located at **5601 Quebec Street** contained in case **D-214-12** meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Development Plan subject to the following conditions:

Insert Condition(s)

To recommend denial:

I move that the Planning Commission enter a finding that the requested Development Plan Approval for the property located at **5601 Quebec Street** contained in case **D-214-12** 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 Development.