



STAFF REPORT

Planning Commission

CASE #Z-706-99-01-02-06-14-16

PC Date:	February 2, 2016	Case Planner:	Steve Timms
CC Date:	March 7, 2016		
Location:	Turnberry Development near E. 112 th Avenue and Potomac Street		
Applicant:	BCX Development	Owner:	Catellus CC Note, LLC
Address:	7108-M S. Alton Way, Englewood, CO 80112	Address:	66 Franklin Street, Ste. 200 Oakland, CA 94607

Case Summary

Request:	Amend Burlington Northern/Catellus PUD to allow for updated single family residential densities within Areas H, K, L, M, and N (all currently undeveloped).
Project Description:	<p>The applicant is proposing residential development in future areas of the Turnberry Development. The applicant would like to amend the existing allowed densities to better reflect the current housing climate and market demand. The following changes were made to the PUD:</p> <ol style="list-style-type: none">1. Combine standards for undeveloped areas where there is a subarea 1 and 2 (i.e. Areas H-1 and H-2, L-1 and L-2, etc.)2. Reduce minimum lot size and lot frontage in Areas H from 5500 and 6500 sf to 5250 sf and from 55' and 65' of frontage to 50' of frontage.3. Reduce minimum lot frontage for Areas M from 65' to 60' of frontage.
Issues/Concerns:	Housing Types and Housing Densities.
Key Approval Criteria:	<ul style="list-style-type: none">• The PUD zone document is consistent with all applicable City adopted plans or reflects conditions that have changed since the adoption of such plans• The PUD achieves the purposes set out in section 21-4370 and represents an improvement over what could have been accomplished through straight zoning.
Staff Recommendation:	Approval
Current Zone District:	PUD (Planned Unit Development District)
Comp Plan Designation:	Residential - Low & Residential - Medium

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

<input checked="" type="checkbox"/> Applicant's Narrative Summary	<input checked="" type="checkbox"/> Vicinity Map
<input type="checkbox"/> Development Review Team Recommendation	<input type="checkbox"/> Neighborhood Meeting Notes
<input type="checkbox"/> Conceptual Site Plan	<input type="checkbox"/>
<input checked="" type="checkbox"/> Proposed Amended PUD	<input type="checkbox"/>

Background Information

Site Information

Site Size:	Area H is 38.20 acres, Area K is 18.9 acres, Area L is 13 acres, Area M is 20.4 acres and Area N is 12.8 acres for a total of approximately 103.3 acres. The entire Burlington Northern/Catellus PUD is 368 Acres
Current Conditions:	Areas H, K, L, M and N are currently undeveloped and vacant. Portions of Turnberry are developed (approximately 354 lots)
Existing Right-of-Way:	ROW is platted for Potomac Street and for portions of E. 112 th Avenue. Additional ROW will be dedicated upon platting.
Neighborhood:	Turnberry
Existing Buildings:	None in Areas H, K, L, M and N. although approximately 354 lots developed in neighborhood with 4 commercial buildings in Turnberry marketplact at the corner of Highway 2 and 104th
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	Industrial/ Undeveloped	North of Area L is an existing Industrial landscape supply company. North of Areas M and N will be the future recreation center site.	ADCO/ PUD
South	Residential	Turnberry Subdivision with single-family homes	PUD
East	Undeveloped	Reunion	PUD
West	Right of Way	Highway 2	ROW

Case History

The subject property was annexed into the City in 1997 (Cases #AN-139-97 and #AN-140-97). Annexation zoning of R-1 was approved for the two parcels in 1998 (Cases #Z-678-98 and #Z-679-98). In December 1999 the applicant, Burlington Northern Railroad/Catellus, received approval of the original PUD Zone Document (Case #Z-706-01) for the construction of residential and neighborhood-serving commercial uses.

<u>Case</u>	<u>Date</u>	<u>Request</u>	<u>Action</u>
Z-706-99	12/99	Original PUD Zone Document Approval	Approval with Conditions
Z-706-99-01 & Z-706-99-01-02	12/01 & 5/02	Parcel Adjustments	Approval with Conditions
Z-706-99-01-02-06	10/06	Amend Area A	Approval
Z-706-99-01-02-06-14	10/14	Amend Area B	Approval

Applicant's Request

According to the applicant, there is a current demand for single family detached residential within Turnberry, as well as a modest amount of attached (duplex) homes, and there is a builder interested in moving forward at this location (for certain Areas in this development). Turnberry is a quality community in Commerce City, and moving forward with new development at this visible location will continue the much needed momentum for the overall community.

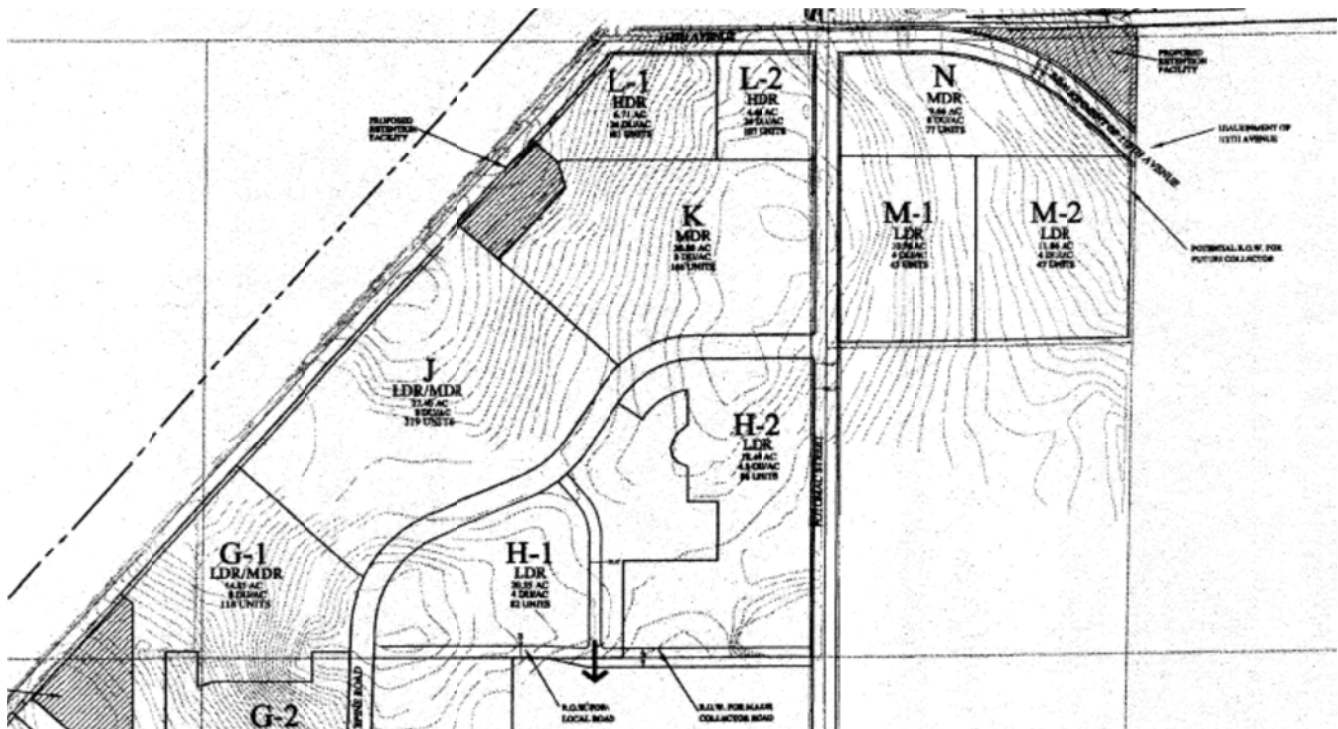
The applicant further states that while the property originally was anticipated for higher-density residential development, the change in market conditions has not proven this to be a viable use. Single-family detached residential is an allowed use within these parcels. This PUD Amendment will bring the dimensional standards and densities in line with current market demands, which will allow for a more practical lot development pattern consistent with current market conditions. This will allow a single-family detached development that is consistent with the adjacent single-family detached residential communities in Turnberry.

Development Review Team Analysis

The Burlington Northern/Catellus PUD currently has development within Areas A, D-2, D-2, F-1, F-2, E and G-2. In addition, areas B, C, and G-2 are platted. The developed and platted areas are north of 104th Avenue and generally flank Revere Street between approximately 105th Avenue and 108th. There is currently commercial development at the corner of 104th Avenue and Highway 2.

The Areas that are a part of this amendment request are Areas H, K, L, M and N. They can be found north of E. 108th Avenue, south of E. 112th Avenue, and on both sides of Potomac Street. All of these areas are currently undeveloped. The city's comprehensive plan calls these areas out for varying degrees of residential development. The areas with residential activity or development are not part of this application.

The current configurations and locations of these areas are shown below:



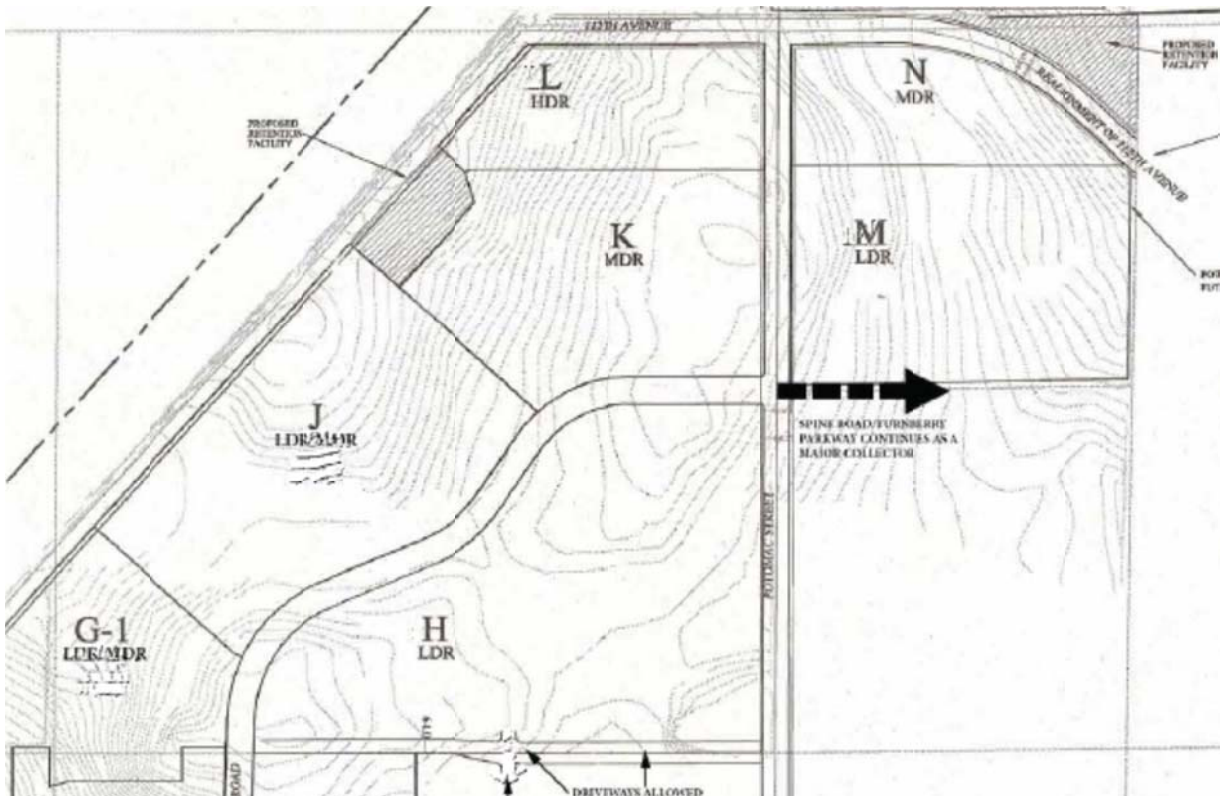
The applicant wishes to make several changes to the existing PUD Zone Document to make the property respond more favorably to the current residential market. The process to update the zoning is to amend the PUD Zone Document, which requires approval from Planning Commission and City Council.

The proposed PUD Zone Document sheets for the Burlington Northern/Catellus Amendment #5 are as follows:

- 1) Sheet 1: Cover Sheet with signatories and vicinity map
- 2) Sheet 2: Legal Description for entire Turnberry development
- 3) Sheets 3 and 4: Lays out the development into sub areas, with major street layout, conceptual uses, and major development issues (drainage, pipelines, easements, etc.)
- 4) Sheet 5: Bulk and design standards for sub areas, including allowed uses.
- 5) Sheet 6: Landscape details for private parks.
- 6) Sheet 7: Cross sections for streets and cul-de-sac details, where appropriate.

The applicant is asking for the following updates to comprise Amendment #5 to the PUD Zone Document:

- 1) To condense Areas H-1 and H-2 into H, L-1 and L-2 into L, and M-1 and M-2 into M. If applicable, the two area standards will be combined into one. This request will make it easier to plat the property by not having to negotiate where the various Areas begin and end, have one set of consistent standards which provides more certainty for a potential builder, and makes the administration of the document easier to read. The proposal with the consolidated areas looks like the following:



Staff believes this request makes sense and is supportive of this request.

- 2) Reduce minimum lot sizes in previous Areas H from 5500 s.f. and 6500 s.f. to 5250 s.f. and to reduce the minimum lot frontage from 55' and 65' to 50'. This request is to accommodate a builder who is interested in constructing in this area and reflects the current trend in residential construction to balance more affordability in home price, infrastructure and construction costs, and the trend of homebuyers moving to smaller lots. Staff believes this request is appropriate and in keeping with the overall development patterns of the neighborhood, provides a little more density near a school and park site, and maintains the natural infrastructure growth patterns in a logical manner. In addition, staff has seen this overall market trend of smaller lots reflected elsewhere in the northern range. It is important to note that these numbers reflect minimums and many lots may be larger than these minimums.
- 3) Reduce minimum lot frontages in previous Areas M from 65' to 60'. For area M, the minimum lot size will remain the same but the applicant is requesting a smaller lot frontage, again, to reflect the current conditions and market in regards to residential construction. Staff believes

this request to be reasonable and in keeping with the overall development patterns throughout Turnberry.

- 4) To allow for slightly more density in Areas H and M. The current densities allowed in area H is 4.8 dwelling units/acre. The applicant would like to raise this to up to 5 dwelling units/acre. This increase is in keeping with the lot size and lot frontage requirement highlighted above. Staff is amenable to this request as there is only a very slight difference from 4.8 dwelling units and 5 dwelling units/acre and the location, in the center of the development, makes sense for such a request. For area M, the applicant is proposing to increase the maximum density from 4 dwelling units to 6 dwelling units per acre. Again, staff feels that this request is reasonable, reflects the current condition of the housing market, and will provide more rooftops to attract more commercial services and other multi modal transportation options in the future.

To summarize the different areas and their proposed densities, the following chart highlights the various development areas that are a part of this application:

<i>Area</i>	<i>Size</i>	<i>Previous Density Range</i>	<i>Proposed Density Range</i>	<i>Units Allowed (min and max)</i>
H (Previous H-1 and H-2)	38.20 acres	1-4.8 d.u./acre	3-5 d.u./acre	115-191
K	18.9 acres	4-8 d.u./acre	4-8 d.u./acre	76-151
L (Previous L-1 and L-2)	13.0 acres	8-40 d.u./acre	8-40 d.u./acre	104-520
M (Previous M-1 and M-2)	20.4 acres	1-4 d.u./acre	3-6 d.u./acre	61-122
N	12.8 acres	4-8 d.u./acre	4-8 d.u./acre	51-102

NOTE: Even with these density changes, the overall total residential count for this development remains at 2526 dwelling units. No changes to this number are proposed.

In conclusion, staff feels the proposed changes will allow for additional flexibility to the Turnberry Subdivision, which will encourage additional residential development in the Highway 2 corridor and in turn attract additional retail development along the 104th Avenue corridor. These proposed changes apply only to the unbuilt sections of Turnberry, involve reasonable requests that are based on current market conditions, provide additional home opportunities for current and new residents, and contribute to the continued growth in the Northern Range. Therefore, the Development Review Team (DRT) supports this PUD Amendment request.

Criteria Met?	Sec. 21-3251. PUD Zone Documents	Rationale
<input checked="" type="checkbox"/>	The PUD zone document is consistent with all applicable City adopted plans or reflects conditions that have changed since the adoption of such plans	These parcels are designated as Residential. The proposed amendments bring the entire PUD more in line with the goals and objectives of the Comprehensive Plan. The Burlington Northern Catellus PUD has always proposed a mix of densities throughout the development and the comprehensive plan is a more generalized reflection of the area.
<input checked="" type="checkbox"/>	The PUD zone document is consistent with the PUD concept schematic	This PUD Zone Document amendment is consistent with the overall Turnberry development schematic which highlights residential uses in this area.
<input checked="" type="checkbox"/>	The PUD achieves the purposes set out in section 21-4370 and represents an improvement over what could have been accomplished through straight zoning.	The PUD provides for higher design standards and greater neighborhood amenities such as park space than straight zoning would achieve.
<input checked="" type="checkbox"/>	The PUD complies with all applicable city standards.	The proposed PUD zone document complies with all applicable city standards.
<input checked="" type="checkbox"/>	The PUD is integrated and connected with adjacent development.	Connectivity is an important principle in all the city's developments. Any future development in this area will need to connect both automobiles and pedestrians internally throughout the development and also to regional amenities. Special attention will be paid to connectivity to the school/park site, the new recreation site, and the future regional park along 112 th Avenue. This connectivity will be fully reviewed during the PUD Permit stage.
<input checked="" type="checkbox"/>	To the maximum extent feasible, the proposal mitigates any potential significant adverse impacts.	Adverse impacts dealing with noise, traffic, drainage, etc. will be reviewed during the PUD Permit stage in conjunction with all applicable local, state, and federal standards. The other Parcels in the PUD where increases in densities are proposed will be reviewed at the time of development.
<input checked="" type="checkbox"/>	Sufficient public safety, transportation, and utility facilities and services are available to serve the subject property, while maintaining sufficient levels of service to existing development.	There are adequate and sufficient safety and utility facilities and services in place (or will be in place at the time of development) to serve the subject property.
<input checked="" type="checkbox"/>	The objectives of the PUD could not be accomplished through height exceptions, variances, or minor modifications.	Because the amendments impact several parcels throughout the PUD, the same development can only be achieved through amending the PUD.

Comprehensive Plan

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

<u>Section</u>	<u>Goal</u>	<u>Description</u>
Land Use and Growth Strategies	LU-1	Maintain a Balanced Mix of Land Uses
<u>Analysis:</u>	The Future Land Use Plan (FLUP) was created in order to ensure an appropriate mix of uses throughout the city. For this application, the applicant is meeting the intent behind the residential land use classification, by having areas with different product type and differing densities.	

<u>Section</u>	<u>Goal</u>	<u>Description</u>
Land Use and Growth Strategies	LU-2	Phase Growth in an Orderly and Compact Manner
<u>Analysis:</u>	The proposed zoning changes reflect development patterns in the Turnberry subdivision that have moved south to north. With the construction of the elementary school, park site, and surrounding residential, this area is the next to logically develop without leap frogging other subdivisions. This area is currently served or will be served by all the necessary utilities.	

Development Review Team Recommendation

Based upon the analysis above, the Development Review Team believes that the application meets the criteria for a PUD Zone Document Amendment set forth in the Land Development Code and recommends that the Planning Commission forward the PUD Zone Document Amendment 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 PUD Zone Document Amendments for the property located at **approximately 112th Avenue and Potomac Street known as the Turnberry Development** contained in case **Z-706-99-01-02-06-14-16** meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the PUD Zone Document Amendments.

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 PUD Zone Document Amendments for the property located at **approximately 112th Avenue and Potomac Street known as the Turnberry Development** contained in case **Z-706-99-01-02-06-14-16** meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the PUD Zone Document Amendments subject to the following conditions:

Insert Condition(s)

To recommend denial:

I move that the Planning Commission enter a finding that the requested PUD Zone Document Amendments for the property located at **approximately 112th Avenue and Potomac Street known as the Turnberry Development** contained in case **Z-706-99-01-02-06-14-16** 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 PUD Zone Document Amendments.

To recommend continuance:

I move that the Planning Commission **continue** the requested rezoning for the property generally located at 112th Avenue and Potomac Street known as the Turnberry Development contained in case **Z-706-99-01-02-06-14-16** to a future Planning Commission agenda.