



STAFF REPORT

Planning Commission

CASE # LUP-54-16

PC Date:	February 2, 2016	Case Planner:	Robin Kerns
CC Date:	March 7, 2016		
Location:	The southwest corner of E. 120th Avenue and the Future High Plains Parkway/Buckley Road alignment.		
Applicant:	120th & Buckley Assoc., LTD 905 W. 124th Avenue Westminster, CO 80234	Owner:	Same as applicant

Case Summary

Request:	<ul style="list-style-type: none">Amend the Future Land Use Plan
Project Description:	<ul style="list-style-type: none">The applicant proposes amending the Future Land Use Plan by decreasing a 17.8 acre Commercial area to 10.3 acres of Commercial designation, removing a 12.1 acre Residential High area and creating a 19.6 acre Residential Medium area.
Issues/Concerns:	<ul style="list-style-type: none">Compatibility with the future development of the area.
Key Approval Criteria:	<ul style="list-style-type: none">Compliance with Land Development Code approval criteria.
Staff Recommendation:	Approval
Current Zone District:	Planned Unit Development (PUD)
Comp Plan Designation - Current:	Residential-High & Commercial
Comp Plan Designation - Proposed:	Residential-Medium & Commercial

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

- ☒ Vicinity Map
- ☒ Application Narrative

- ☒ Proposed Future Land Use Plan Amendment Map

Background Information

Site Information

Site Size:	29.9 acres +/-
Current Conditions:	The site is currently undeveloped.
Existing Roads:	E. 120 th Avenue to the north of the property
Existing Buildings:	None
Buildings to Remain?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Site in Floodplain	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Neighborhood:	Villages at Buffalo Run East

Surrounding Properties

Existing Land Use		Occupant	Zoning
North	Residential	Single Family Residential	ADCO
South	Golf Course	Buffalo Run Golf Course	PUBLIC
East	Undeveloped	Buckley Crossing PUD	PUD
West	Residential	The Villages at Buffalo Run East, Filing 3	PUD

Case History

Given the nature of this request is regarding changes to the Future Land Use Plan, relevant case history is discussed in the related case Z-700-01-16, a request by the same applicant for a Planned Unit Development (PUD) Zone Document amendment.

Applicant's Request

As the applicant for this request, 120th & Buckley Associates LTD has submitted this application in order to amend the Future Land Use Plan. The specific request is to decrease a 17.8 acre Commercial area to 10.3 acres of future Commercial designation, remove a 12.1 acre Residential-High area and create a 19.6 acre Residential-Medium area. This property is generally located south of E. 120th Ave., west of future High Plains Parkway/Buckley Road alignment, and north of the golf course. The subject property is part of the Villages at Buffalo Run East development.

The general purpose of the proposed Future Land Use Plan Amendment is to decrease the amount of land designated for commercial development while increasing the amount of single-family residential development. The applicant states that when the Future Land Use Plan was created, the already entitled land uses in the Villages at Buffalo Run East PUD Zone Document (approved in 2001) were used as the default. In the last 15 years market conditions have changed and the proposed revision more closely aligns with the current market. Additionally, the City's Future Land Use Plan, (approved in 2010) designates land for commercial uses and mixed-uses, which allows for multi-family development, along the E. 120th Avenue corridor as well as along the High Plains Parkway corridor ensuring a proper mix of uses along both of the corridors.

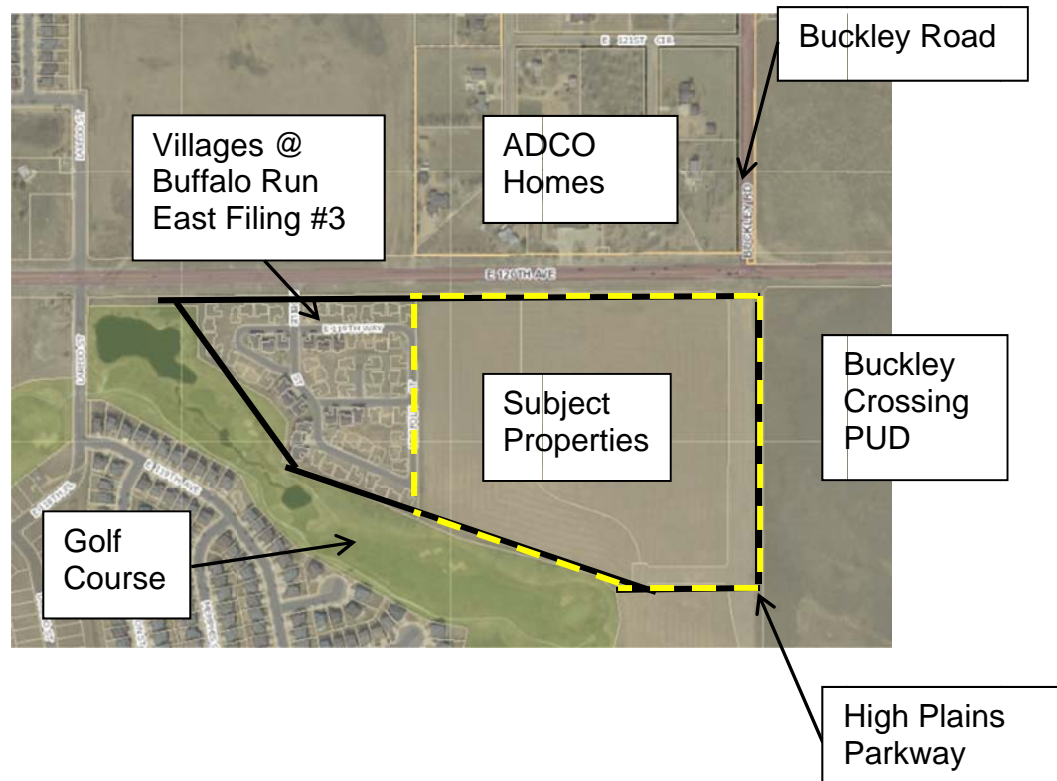
Development Review Team (DRT) Analysis

Introduction:

The subject area is part of the Villages at Buffalo Run East development, which is a master planned community that has been developed in phases. Beginning with the golf course in 1990, the city and the applicant have worked collaboratively to develop this area. This collaboration allowed for a comprehensive layout for things like the golf course, road network, pedestrian connectivity, utilities, and drainage. In 2001, the city approved the Villages at Buffalo Run East PUD Zone Document entitling the development for a variety of land uses. At that time the city and the applicant did their best analysis to anticipate future land uses in the subject area of this application. However, over the last 15 years the market conditions have changed, leading to this request to amend the Future Land Use Plan.

Site Location:

The area for the requested Future Land Use Plan Amendment is part of the Villages at Buffalo Run East PUD Zone Document, which is generally located south of E. 120th Ave., north of the golf course, and west of future High Plains Parkway and the Buckley Crossing PUD. The site is currently undeveloped.



Existing Future Land Use Plan Analysis:

As shown on the image below, the current Future Land Use Plan designates the subject properties for future Commercial and Residential-High uses. In an effort to provide context for what these designations mean, staff has provided a brief summary of each designation.

Future Commercial Designation:

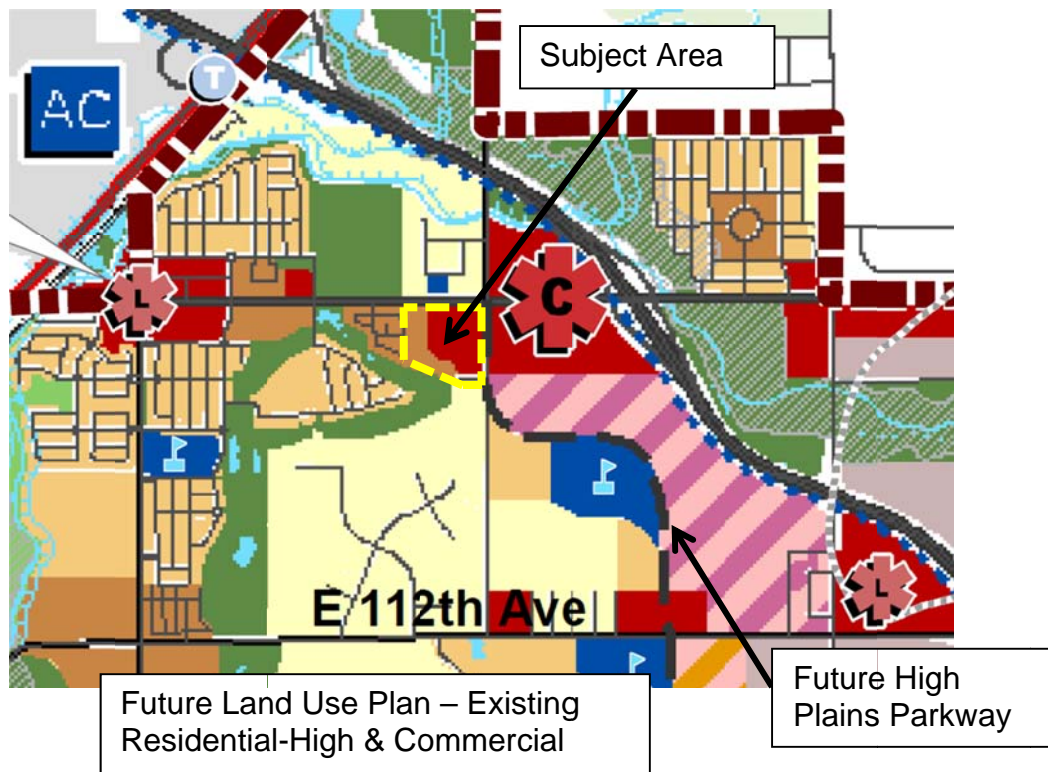
This designation is intended to primarily accommodate retail uses, commercial uses, and office uses while also allowing for certain public uses and high-density residential uses. Traditional zoning designations for this future land use category include all of the city's standard

commercial zoning designations. One existing example of this type of designation in the Northern Range can be found at the Corner of E. 104th Avenue and Chambers Road where the Reunion Marketplace is located.

Future Residential-High Designation:

This designation is intended to primarily accommodate multi-family residential development. Multi-family and/or high density residential development is generally characterized by densities over 8 units per acre and would be consistent with a traditional zoning designation of R-3, R-4, or Mixed Use. One existing example of this type of designation in the Northern Range can be found at the northeast corner of E. 120th Avenue and Jasper Street where the Jasper Street Condos are located.

These designations were originally adopted on the Future Land Use Plan because the Villages at Buffalo Run East PUD Zone Document was/is entitled with these uses and the subject area is bound to the north by E. 120th Avenue and to the east by the Future High Plains Parkway/Buckley Road alignment. Both of these roadways are designated as Principal Arterials designed to serve as important thoroughfares warranting a mix of uses in their proximity.



Proposed Future Land Use Plan Analysis:

The applicant proposes to amend the Future Land Use Plan by decreasing the amount of Commercial area from 17.8 acres to 10.3 acres, changing the 12.1 acres of Residential-High to Residential-Medium and including in that area, the 5.5 acres that was Commercial for a total of 19.6 acres of Residential – Medium (as depicted below). The reasoning for the diminished commercial area is due to the extensive areas nearby already designated for future commercial uses and mixed-uses, along E. 120th Avenue and along the future High Plains Parkway. Based on their research, the applicant believes that the general area is over saturated with these designations. However, the applicant acknowledges the importance of this area and the intersection of two future Principle Arterials by still

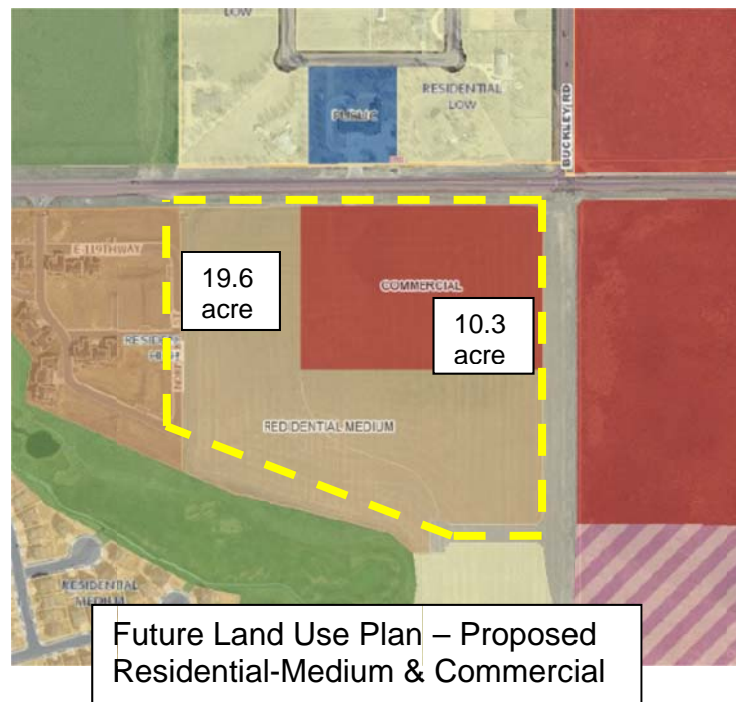
accommodating roughly 10 acres of future commercial development. Based on the previously summarized future commercial designation, 10 acres will still meet the intent of having commercial uses on the subject property. Most commercial pad sites are anywhere from half an acre to 2 acres while most mid-sized commercial sites are anywhere from 7 to 15 acres. Therefore, keeping 10 acres reserved for commercial uses at the intersection will still allow for functional commercial use, as intended by the Future Land Use Plan.

As the request relates to residential uses, the applicant explains that the switch from Residential-High to Residential-Medium is essentially a request to go from a multi-family designation to a single family designation based on current and future market demands that predicate single-family development. In an effort to provide context for what Residential-Medium means, staff has provided a brief summary of that designation.

Future Residential-Medium Designation:

This designation is intended to primarily accommodate single-family detached and single-family attached residential development. Single-family development is generally characterized by densities between 4 and 8 units per acre and would be consistent with a traditional zoning designation of R-1 and R-2. At this time, most of the developed Northern Range residential uses are developed in a Residential-Medium fashion.

The change to single-family residential densities will still provide for residential uses as intended in the Future Land Use Plan, while allowing the applicant to meet current market demands for the type of residential development that is desired in the marketplace.



The DRT's analysis of potential concerns:

The DRT review of this application established three points of concern that warranted additional analysis and discussion. These concerns are as follows:

1) Decrease of Commercial Area.

The city's Future Land Use Plan designates the intersection of E. 120th Avenue and Buckley Road/High Plains Parkway for Commercial uses. Currently, there is a total of approximately 100 acres of commercially designated land at the subject intersection. Staff believes that in order to support the attraction and growth of businesses in Commerce City, and to maximize the generation of sales/use tax revenues and the creation of jobs paying a livable wage, it is important that commercial corridors be preserved for future development opportunities. However, the DRT felt that the subject property currently represents the smallest portion of commercial land at this intersection and will only play a supporting role to larger scale retail developments. Thus, the DRT felt that the proposed 10.3 acres of future commercial development is adequate to provide supporting retail development at this major intersection.

2) Residential-High to Residential-Medium & Provision for Park/Open Space.

Multi-family development, typically associated with the Residential-High land use designation, requires more park/open space due to higher densities. By transitioning the Residential-High to Residential-Medium, the requirement for park/open space is decreased. The DRT finds that additional park/open space amenities shall be provided with the residential development. This requirement will be met by the applicant through the PUD Permit Process, required at the time of development.

3) Residential-Medium & Arterial Roadways.

Both E. 120th Avenue and the future High Plains Parkway, which abut the subject area to the north and east respectively, are designated as Principal Arterials. In order to reduce land use conflicts, the city's Future Land Use Plan shows Residential-High and Commercial Land Use designations along arterial roadways. In order to address the potential conflict this application may create by converting Residential-High to Residential-Medium, the DRT felt that landscape buffer areas shall be included between all residential development and the adjacent arterials. This requirement will be made as part of the amendment to the PUD Zone Document. Due to the buffering along an arterial, a 20 foot landscape buffer is required.

Project Benefits:

As part of the analysis for this application, the DRT concluded that the approval of Residential-Medium and Commercial Land Use designations, along with the associated change in acreages, to the Future Land Use Plan could be beneficial for the overall health of the city. The increase in residential land area should help to entice future retailers to the area, which means additional services that the community has expressed a desire to have. The specific type of residential development associated with Residential-Medium is also consistent with the adjacent residential development already existing along the golf course. Furthermore, the commercial area will continue to provide enough acreage for meaningful commercial uses.

Outside Agency Review:

Staff referred this application to several departments in the city as well as outside agencies. All of the responses that were received indicated that the proposed Future Land Use Plan Amendment would not create conflicts with their regulations and no objections have been received.

The DRT recommendation:

Based on the application's compliance with the approval criteria for Future Land Use Plan Amendments listed below, the DRT is recommending that the Planning Commission forward a recommendation for approval to City Council.

Criteria Met?	Sec. 21-2110. Amendments	Rationale
<input checked="" type="checkbox"/>	The amendment is consistent with the overall intent of the comprehensive plan;	The proposed amendment is consistent with the comprehensive plan. How?
<input checked="" type="checkbox"/>	The amendment is consistent with the purposes set forth in section 21-2100;	This amendment will allow the comprehensive plan to continue to promote the health, safety, order, convenience, prosperity and general welfare of the inhabitants of the city by ensuring coordinated, adjusted, and harmonious development with the city.
<input checked="" type="checkbox"/>	The amendment is necessary or desirable because of changing social values, new planning concepts, or other social or economic conditions;	The amendment will make the land use designations more in line with current market conditions for housing and commercial.
<input checked="" type="checkbox"/>	The amendment will not have a negative effect on the immediate area;	The proposed amendment will continue to have residential and commercial land in areas that were planned for it.
<input checked="" type="checkbox"/>	The amendment will not have a negative effect on the future development of the area; and	The amendment will not have a negative effect on the future development of the area because there will continue to be adequate commercial land in the immediate area.
<input checked="" type="checkbox"/>	The amendment will promote the public health, safety, and general welfare of the people of the city.	The DRT believes that this amendment will not adversely affect the public health, safety, and general welfare of the people of the city.

Development Review Team (DRT) Recommendation

Based upon the analysis above, the Development Review Team believes that the application **meets** the approval criteria for a Future Land Use Plan Amendment as set forth in Section 21-2110 of the Land Development Code and recommends that the Planning Commission forward the Future Land Use Plan 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 Future Land Use Plan Amendment for the property generally located at the southwest corner of E. 120th Avenue and the future High Plains Parkway/Buckley Road intersection contained in case LUP-54-16 **meets** the criteria of the Land Development Code and based upon such finding, recommend that the City Council **approve** the Amendment subject to the following conditions:

- 1) A 20 foot landscape buffer is required along all residential development adjacent to an arterial roadway.
- 2) Additional park/open space amenities shall be provided with the residential development.

Alternative Motions

To recommend denial:

I move that the Planning Commission enter a finding that the requested Future Land Use Plan Amendment for the property generally located at the southwest corner of E. 120th Avenue and the future High Plains Parkway/Buckley Road intersection contained in case LUP-54-16 **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 Future Land Use Plan Amendment.

To continue the case:

I move that the Planning Commission continue the requested Future Land Use Plan Amendment for the property generally located at the southwest corner of E. 120th Avenue and the future High Plains Parkway/Buckley Road intersection contained in case LUP-54-16 to a future Planning Commission agenda.