



STAFF REPORT

Planning Commission

CASE #Z-781-02-04-05-06-10-17

PC Date:	May 1, 2017	Case Planner:	Steve Timms
CC Date:	June 19, 2017		
Location:	North of E. 104 th Avenue between Potomac Street and Chambers Road (PIN: 172300000279)		
Applicant:	Shea Homes 1805 Shea Center Drive, Ste 405 Highlands Ranch, CO 80129	Owner:	Same as Applicant

Case Summary

Request:	Shea Homes is requesting the approval of annexation zoning to Commerce City's Reunion Planned Unit Development (PUD) zoning designation.
Project Description:	The subject property is being annexed via case #AN-245-17. Shea Homes is requesting that the property be zoned with Commerce City's Reunion Planned Unit Development (PUD) for the future development of residential and open space development.
Issues/Concerns:	• Future Uses • Compliance with the requirements for zoning annexed land
Key Approval Criteria:	• Compliance with the Comprehensive Plan • Compliance with the requirements for zoning annexed land
Staff Recommendation:	• Approval
Current Zone District:	• Adams County Agricultural
Requested Zoning:	• Planned Unit Development (PUD)
Comp Plan Designation:	• Residential Medium and Open Space

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

☒ Narrative Summary

☒ Vicinity Map

Background Information

Site Information

Site Size:	20 acres +/-
Current Conditions:	All of the property is currently undeveloped.
Existing Right-of-Way:	None
Existing Roads:	None
Existing Buildings:	N/A
Buildings to Remain?	N/A
Site in Floodplain:	☒ Yes (2 nd Creek Floodplain) ☐ No

Surrounding Properties

	<u>Existing Land Use</u>	<u>Occupant</u>	<u>Zoning</u>
North	Second Creek Open Space and Floodplain	Vacant	PUD
South	Large Lot Residential	Large Lot Residential	ADCO
East	Second Creek Open Space and Floodplain	Vacant	PUD
West	Vacant	Vacant	PUD

Case History

The relevant case history for these properties is provided below.

Ordinance	Date	Request	Action
Z-781-00 and 02	2000 and 2002	Zoning of Buffalo Hills Ranch and Amendment to change name to Reunion	Approval.
Z-781-02-04-05-06-10	December 2010	Amendment to Reunion Zoning to allow for commercial shopping center	Approval

AN-245-17:

The subject property of this case has been requested to be annexed from Adams County and will be acted on by City Council at a future date.

Applicant's Request

The applicant desires to annex and zone this property in preparation for their development work in this part of Reunion. According to the applicant, the proposed zoning will bring this parcel of land into conformance with the City's Comprehensive Plan through providing a logical and tiered approach to development. In addition, it will help to provide housing that is easy to serve, fiscally sound, and able to retain residents.

Development Review Team Analysis

Section #1 – Request:

Shea Homes requests that the City Council of Commerce City approve the annexation zoning of 20 +/- acres of property located north of E. 104th Avenue between Potomac Street and Chambers Road from Adams County AG to Commerce City Public (PIN – 172300000279) See Figure 1.1.

Figure 1.1

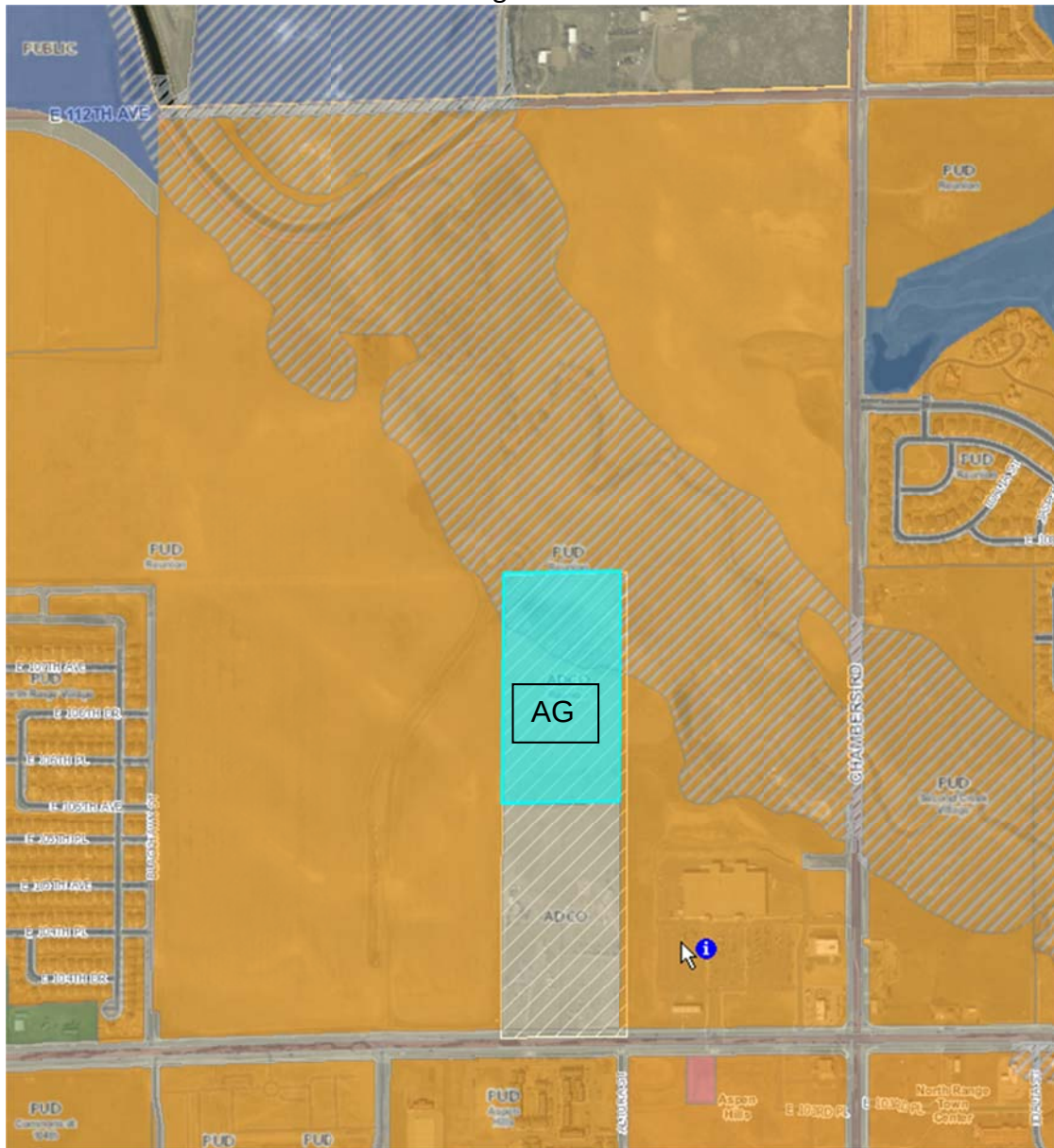


There is no development on the subject property and the future plan for the subject property is to develop it as a part of Reunion Village 8, which will have a variety of housing options and types. This request for annexation zoning is being made in conjunction with the annexation proceedings of AN-245-17 and in accordance with state law to zone annexed property within 60 days of annexation.

Section #2 – Current Adams County Zoning and Requested Commerce City Zoning:

All of the subject property is currently zoned for Agricultural uses in Adams County (see Figure 2.1). The applicant intends to develop the property with residential uses in the future. The floodplain areas would be dedicated to the City and remain as open space. The requested designation for Reunion PUD is consistent with the future plans for the properties, which is surrounded on three sides by the Reunion PUD.

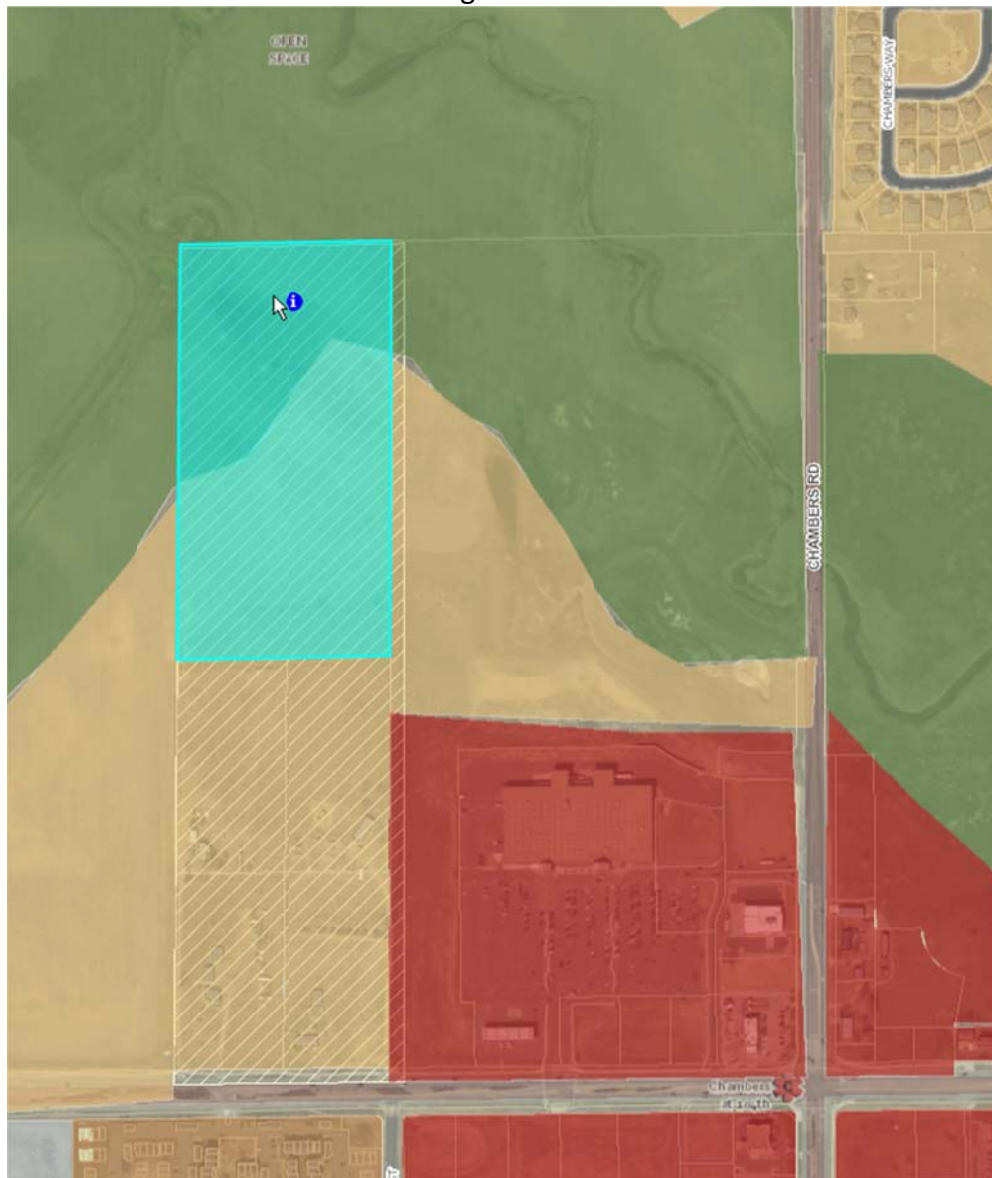
Figure 2.1



Section #3 – Comprehensive Plan:

The city's Comprehensive Plan identifies the future land use for the subject properties as both residential medium (yellow below) which is traditional suburban densities and open space which covers the flood plain portions (green below) (see Figure 3.1). The requested Reunion PUD zone designation does not conflict with the undeveloped nature of the subject properties and the requested Reunion PUD zone designation is consistent with the future plan for the site as residential and open space.

Figure 3.1



Section #4 – Compliance with 21-3350 (Zoning of Newly Annexed Land):

When the city zones property that has been recently annexed, there are three ways in which property may be zoned:

1. Most compatible with the city's Comprehensive Plan designation of the property;
2. Most compatible to the county zoning classification existing on the subject property at the time of acceptance by the city of the annexation petition for the subject property; or
3. Most comparable to the present use(s) of the property.

The request for the Commerce City Reunion PUD zoning designation is most compatible with the Comprehensive Plan designation since it is identified for future residential and open space development and the Reunion PUD zoning allows for both residential and open space.

Section #5- Summary of Entitlements:

This area of Reunion is identified as part of sub-area 8-I Residential-2. This particular classification within Reunion allows a variety of residential products from single-family detached housing, to cluster homes to multi-family. It does not allow any commercial or industrial uses. Before this area is platted, an overall concept plan of the entire Village 8 will be reviewed and approved, so that master planning may occur as it relates to the overall roadway alignment, pedestrian connectivity, trail corridors, access, lot and block length, oil and gas well locations, and private park layout.

Section #6 – Application Summary:

The applicant is requesting the approval of annexation zoning from Adams County AG to Commerce City Reunion PUD for property located north of E. 104th Avenue and between Potomac Street and Chambers Road. The requested zoning for the properties is consistent with the approval criteria for zoning newly annexed land (21-3350) and will make future development of Reunion's Village 8 site easier.

Development Review Team (DRT) Analysis

Comprehensive Plan Analysis:

The Development Review Team (DRT) began the review of this application by evaluating the request against the City's Comprehensive Plan. That analysis is as follows:

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	LU 1a	<u>Future Land Use Plan (FLUP) as a Guide:</u> Use the Future Land Use Plan (FLUP) to guide development patterns and mix of uses and amendments to the Land Development Code (LDC).
<u>Analysis:</u>	The requested zoning designation is consistent with the FLUP for residential and open space uses.	

<u>Section</u>	<u>Goal</u>	<u>Description</u>
Parks, Open Space, and Recreation	P – 3	<u>Connected Open Space:</u>
<u>Analysis:</u>	This property that is being annexed and requested for zoning will provide an important connection for the 2 nd Creek Open Space corridor when the corridor is developed.	

<u>Section</u>	<u>Goal</u>	<u>Description</u>
Housing and Neighborhoods	HN2	<u>Increase Housing Types to Meet Current and Future Needs:</u> Expand the variety of housing types
<u>Analysis:</u>	This property that is being annexed and requested for zoning will provide additional residential opportunities for Commerce City residents.	

Once it was determined that the proposal is consistent with the Comprehensive Plan goals stated above, the DRT reviewed the proposal as outlined below.

Compatibility with the Area:

The subject property in this application totals roughly 20 acres (located north of E. 104th Avenue and between Potomac Street and Chambers Road). There is no development on the property and the applicant intends to develop the property in the future as part of their Village 8 residential development. In addition, the open space areas will be dedicated to the City for future open space and trail connections. This type of development is very consistent with the surrounding area, the City's future plans, and the zoning that exists within the area.

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 Annexation Zoning would not create conflicts with their regulations.

Summary:

In summary, the DRT has determined that the request meets the approval criteria for Annexation Zoning outlined in the LDC as provided below and the proposal meets the Comprehensive Plan goals that are outlined above. After performing this analysis, the DRT is recommending that the Planning Commission forward a recommendation for **approval** to City Council.

Criteria Met?	Sec. 21-3350. Zoning of Newly Annexed Land	Rationale
☒	The zoning is most compatible with the city's comprehensive plan designation for the property;	The request for the Commerce City Reunion PUD zoning designation is the most compatible with the Comprehensive Plan designation for residential and open space.
☐	The zoning is most comparable to the county zoning classification on the subject property at the time of acceptance of the annexation petition; or	Not applicable.
☐	The zoning is the most comparable to the present use(s) on the subject property.	Not applicable.

Development Review Team Recommendation

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

DRT's Recommended Motion

I move that the Planning Commission enter a finding that the requested Annexation Zoning for the subject property contained in case **Z-781-02-04-05-06-10-17** meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council **approve** the Annexation Zoning.

Alternative Motions

To recommend approval subject to conditions:

I move that the Planning Commission enter a finding that, subject to certain conditions, the requested Annexation Zoning for the property contained in case **Z-781-02-04-05-06-10-17** meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council **approve** the Annexation Zoning **subject to the following condition(s)**:

List condition(s)

To recommend denial:

I move that the Planning Commission enter a finding that the requested Annexation Zoning for the property contained in case **Z-781-02-04-05-06-10-17** 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 City Council **deny** the Annexation Zoning.

To recommend continuance:

I move that the Planning Commission **continue** the requested Annexation Zoning for the property contained in case **Z-781-02-04-05-06-10-17** to a future Planning Commission agenda.