



# STAFF REPORT

## Planning Commission

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### CASE # Z-935-17

<b>PC Date:</b>	August 1, 2017	<b>Case Planner:</b>	Robin Kerns
<b>CC Date:</b>	September 18, 2017		
<b>Location:</b>	11555 Chambers Road		
<b>Applicant:</b>	Landing Place Church 13659 E. 104th Ave, #300 Commerce City, CO 80022	<b>Owner:</b>	Same as Applicant

### Case Summary

<b>Request:</b>	The applicant is requesting the approval of annexation zoning to Commerce City's Commercial 1 and Agricultural zoning designations.
<b>Project Description:</b>	The subject property is being annexed via cases #AN-239-17 & AN-240-17. The applicant is requesting that the property be zoned with Commerce City's Commercial 1 and Agricultural for the future development of a church.
<b>Issues/Concerns:</b>	<ul style="list-style-type: none"><li>• Future Uses</li><li>• Compliance with the requirements for zoning annexed land</li></ul>
<b>Key Approval Criteria:</b>	<ul style="list-style-type: none"><li>• Compliance with the Comprehensive Plan</li><li>• Compliance with the requirements for zoning annexed land</li></ul>
<b>Staff Recommendation:</b>	<ul style="list-style-type: none"><li>• Approval</li></ul>
<b>Current Zone District:</b>	<ul style="list-style-type: none"><li>• Adams County Agricultural A-1</li></ul>
<b>Requested Zoning:</b>	<ul style="list-style-type: none"><li>• Commercial 1 (C-1) and Agricultural (AG)</li></ul>
<b>Comp Plan Designation:</b>	<ul style="list-style-type: none"><li>• Residential Medium</li></ul>

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

- ☒ Narrative Summary  
☒ Development Plan

- ☒ Vicinity Map

## Background Information

### Site Information

<b>Site Size:</b>	20 acres +/-
<b>Current Conditions:</b>	Vacant
<b>Existing Right-of-Way:</b>	Chambers Road
<b>Existing Roads:</b>	None
<b>Existing Buildings:</b>	N/A
<b>Buildings to Remain?</b>	N/A
<b>Site in Floodplain:</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

### Surrounding Properties

	<u>Existing Land Use</u>	<u>Occupant</u>	<u>Zoning</u>
<b>North</b>	Residential	Private Residence	ADCO
<b>South</b>	Residential	Private Residence	ADCO
<b>East</b>	Residential	Villages at Buffalo Run East, Filing #2	PUD
<b>West</b>	Open Space/ Park/Recreation	Commerce City	Public

### Case History

In 2000, there was a proposal to annex and the zone the subject property PUD to allow for the development of 203 Single Family Detached units. This case was withdrawn.

<b>Ordinance</b>	<b>Date</b>	<b>Request</b>	<b>Action</b>
Z-737-00	Aug. 2000	PUD for 103 Single Family Detached Units	Withdrawn

## Applicant's Request

The Landing Place Church property is located at 11555 Chambers Road, Commerce City, Colorado. The property is on the west side of Chambers Road between E. 114th & E. 116th Avenues. The existing property is vacant land. The proposed use is a church building in the eastern most 8 acres of the property. The property is currently zoned ADCO A-1. The proposed zoning is to Commercial 1 (C-1). A church building is being proposed that will be approximately 25,700 sq.ft.

The Landing Place Church property is currently undeveloped. It is surrounded by new residential neighbors. This area along Chambers Road is being developed from rural farming to more urbanized residential and commercial neighborhoods. Existing utilities (water, sanitary sewer, communications, power, etc.) can be found in the Chambers Road ROW.

The Landing Place Church will be located in the Northern Range of the Commerce City Strategic Planning Areas. Part of the landing Place Church project includes construction of a local road off of Chambers Road to the west along the northern property line to provide access to the Church property (instead of directly off of Chambers Road) and to also provide access for future development further west on the site. This will aid in portions of the transportation needs as part of the Commerce City's Transportation Plan. There are several new residential developments near the Landing Place Church property. The Church will provide a balanced mix of land uses in the area along Chambers Road and also aid in the neighborhood feel. Also, the Landing Place Church will provide open space and cultural benefits to the surrounding community.

## Development Review Team Analysis

### Section #1 – Request:

The Landing Place Church requests that the City Council of Commerce City approve the annexation zoning of 20 +/- acres of property located at 11555 Chambers Rd. (Pin: 172306000009), west side of Chambers Road between E. 114<sup>th</sup> & E. 116<sup>th</sup> Avenues from Adams County A-1 to Commerce City Commercial 1 (C-1) and Agricultural (AG) See Figure 1.1.

Figure 1.1



As part of annexation cases AN-239-17 & AN-240-17, and subdivision case S-655-17, the applicant is proposing to annex and subdivide the 20 acre subject property into 2 parcels of approximately 8 acres & 12 acres in order to develop a new church. This church facility, which is being processed administratively via development plan case D-263-17, is proposed for development on the eastern 8 acre parcel identified as Lot 1 on the proposed Landing Place Church Subdivision Filing No. 1 plat. There are currently no plans for development of the western 12 acre parcel, identified as Lot 2.

**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 a church use in the future. The requested designation of Commercial 1 (C-1) and Agricultural (AG) is consistent with the future plans for the properties, which is surrounded to the north & south by Adams County residential uses, to the east by Commerce City residential uses (Villages at Buffalo Run East PUD) and to the west by Commerce City open space uses.

Figure 2.1

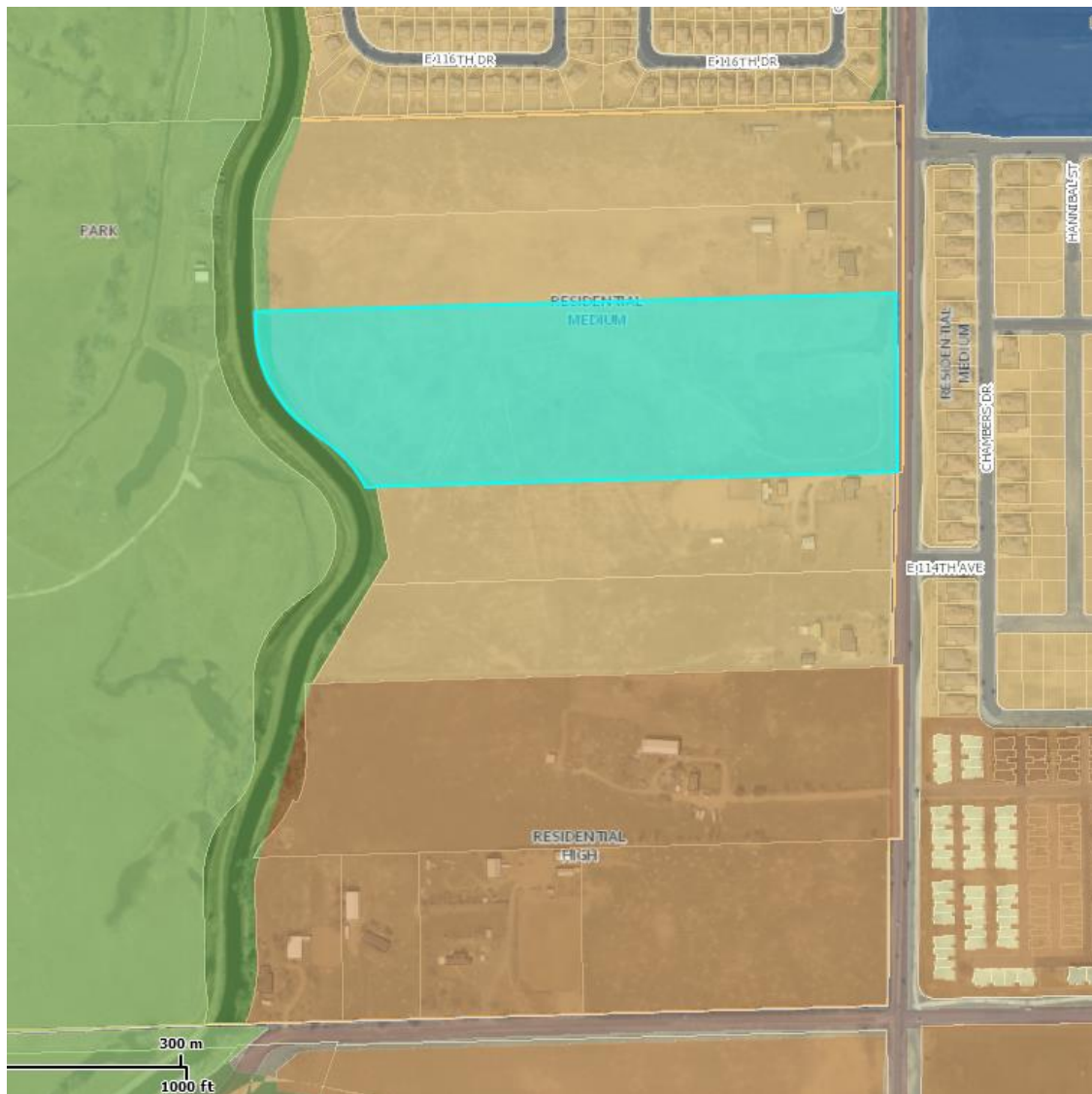




### Section #3 – Comprehensive Plan:

The city's Comprehensive Plan identifies the future land use for the subject properties as residential medium which is traditional suburban densities (see Figure 3.1). The requested Commercial 1 (C-1) and Agricultural (AG) zone designations do not conflict with the undeveloped nature of the subject property and the requested C-1 and AG zoning designations is consistent with the future plan for the site as residential.

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 Commercial 1 (C-1) and Agricultural (AG) zoning classifications is most compatible with the Comprehensive Plan designation since it is identified for future residential development and the C-1 & AG zoning allows for both commercial and residential.

#### Section #5 – Application Summary:

The applicant is requesting the approval of annexation zoning from Adams County A-1 to Commerce City Commercial 1 (C-1) and Agricultural (AG) for property located at 11555 Chambers Rd. (Pin: 172306000009), west side of Chambers Road between E. 114<sup>th</sup> & E. 116<sup>th</sup> Avenues. 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 a church 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	<b><u>Future Land Use Plan (FLUP) as a Guide:</u></b> Use the Future Land Use Plan (FLUP) to guide development patterns and mix of uses and amendments to the Land Development Code (LDC).
<b><u>Analysis:</u></b>	The requested zoning designation is consistent with the FLUP for residential uses.	

<u>Section</u>	<u>Goal</u>	<u>Description</u>
Land Use	LU 1.3	<b><u>Positive Benefit of Annexation:</u></b> The city will consider annexation of areas on a case-by-case basis, ensuring positive social, economic, fiscal, and environmental benefits associated with the potential annexation
<b><u>Analysis:</u></b>	The annexation and zoning of the subject property brings this area of the city into further compliance with the Future Land Use Plan established by the comprehensive plan.	

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 (west side of Chambers Road between E. 114<sup>th</sup> & E. 116<sup>th</sup> Avenues). There is no development on the property and the applicant intends to develop the property in the future as a church development. This type of development is very consistent with the surrounding area, the City's future plans, and the zoning that exists within the area. The proposed zoning of Lot 1 keeps the subject property in alignment with the Comprehensive Plan, which allows neighborhood commercial/embedded commercial uses along collectors and arterials. Chambers Road is classified as a Minor Arterial by the Commerce City Transportation Plan. The DRT review has found that in conforming to the Comprehensive Plan, a C-1 zoning designation upon annexation would best accommodate church use. The AG zoning of Lot 2 is appropriate when applied to a property that has no immediate development proposals, but which can be rezoned later when development is being considered.

#### 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
<input checked="" type="checkbox"/>	The zoning is most compatible with the city's comprehensive plan designation for the property;	The request for the Commerce City Commercial 1 (C-1) and Agricultural (AG) zoning designations are the most compatible with the Comprehensive Plan designation for residential medium.
<input type="checkbox"/>	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.
<input type="checkbox"/>	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**.

## **\*Recommended Motion\***

### ***To recommend approval:***

I move that the Planning Commission enter a finding that the requested Annexation Zoning for the subject property contained in case **Z-935-17** 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-935-17** 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-935-17** 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-935-17** to a future Planning Commission agenda.