



## Cases # V-89-20 and S-711-18-20

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Location: South of 104<sup>th</sup> Avenue/Xcel Transmission  
Lines, east of west of Peoria Street  
Applicant: Catellus CC Note, LLC

# Case Summary

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- Address/PIN: 172114000026 and 172113200001, located south of E. 104<sup>th</sup> Avenue and Xcel Transmission Lines, east and west of Peoria Street.
- Requests: Vacate and realign Peoria Street ROW, subdivide for Turnberry Filing #5
- Current zoning: Turnberry PUD (Residential)
- Future land use: Medium Density Residential

# Applicant's Request

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- The applicant is asking for the following approvals:
  1. V-89-20 Vacation of Peoria Street
  2. S-711-18-20. Turnberry Subdivision Filing #5-222 lots and 20 tracts plus the realignment of new Peoria Parkway.
- NOTE: The applicant is also asking for approval for Z-706-D-423-20 PUD Development Permit (landscaping, addressing, construction documents) which is reviewed and approved administratively.

# Purpose Summary

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- Traditionally, subdivisions are reviewed and approved administratively in accordance with the City's Land Development Code (LDC).
- However in conjunction with this development, there is a vacation of active right of way, Peoria Street. Vacations of active right-of-way can only be approved by City Council and must accompany a subdivision plat that identifies how the vacated property will be utilized.
- Hence, this is the reason why both cases are being heard this evening.



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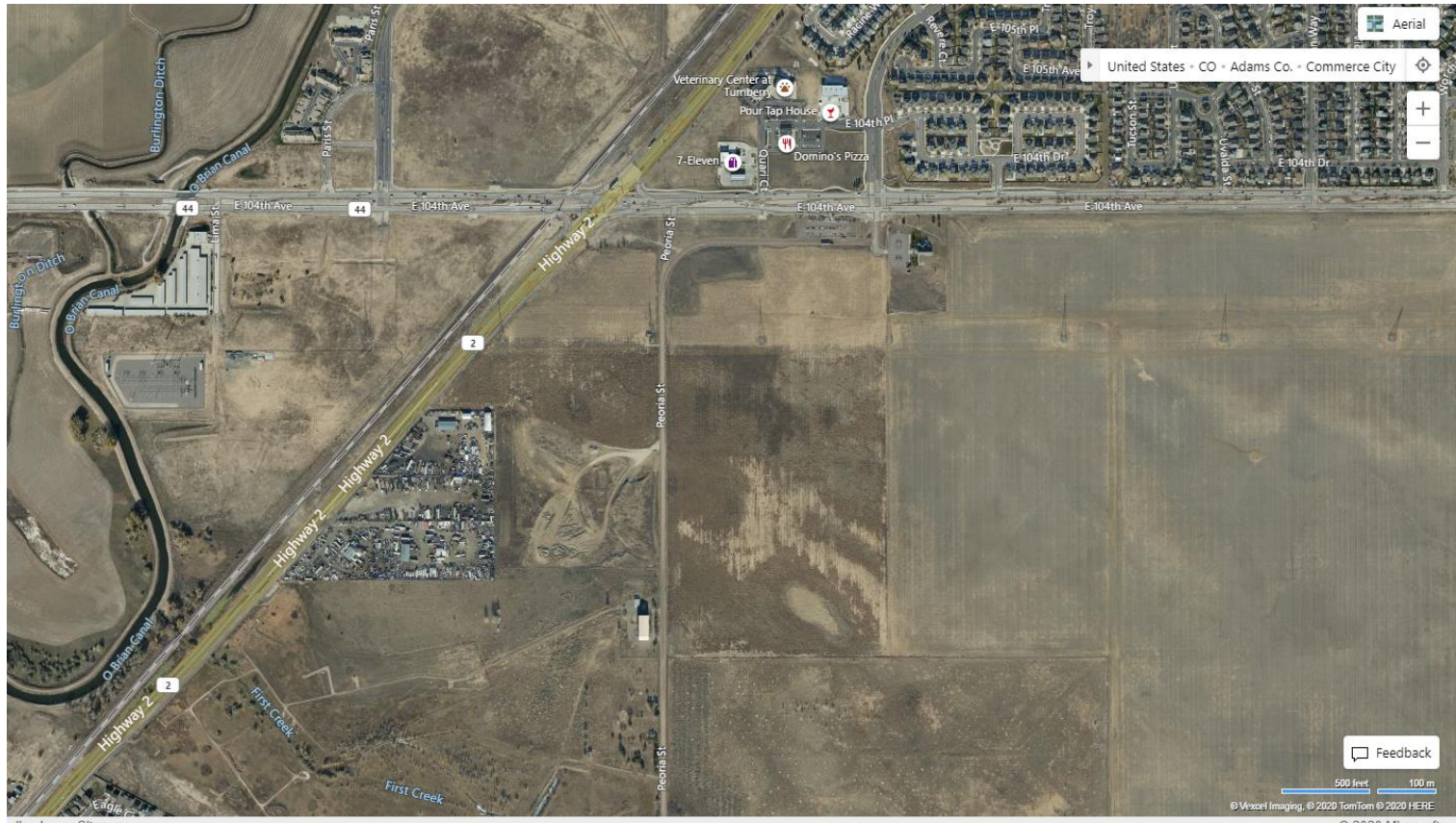
# Case History

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- Property was annexed into Commerce City and zoned R-1 in 1998.
- Turnberry PUD was approved in 1999 as part of their master planning efforts.
- Development has occurred on north side of E. 104<sup>th</sup> Avenue.
- South side has remained vacant until now.



# Property Aerial- Current Conditions

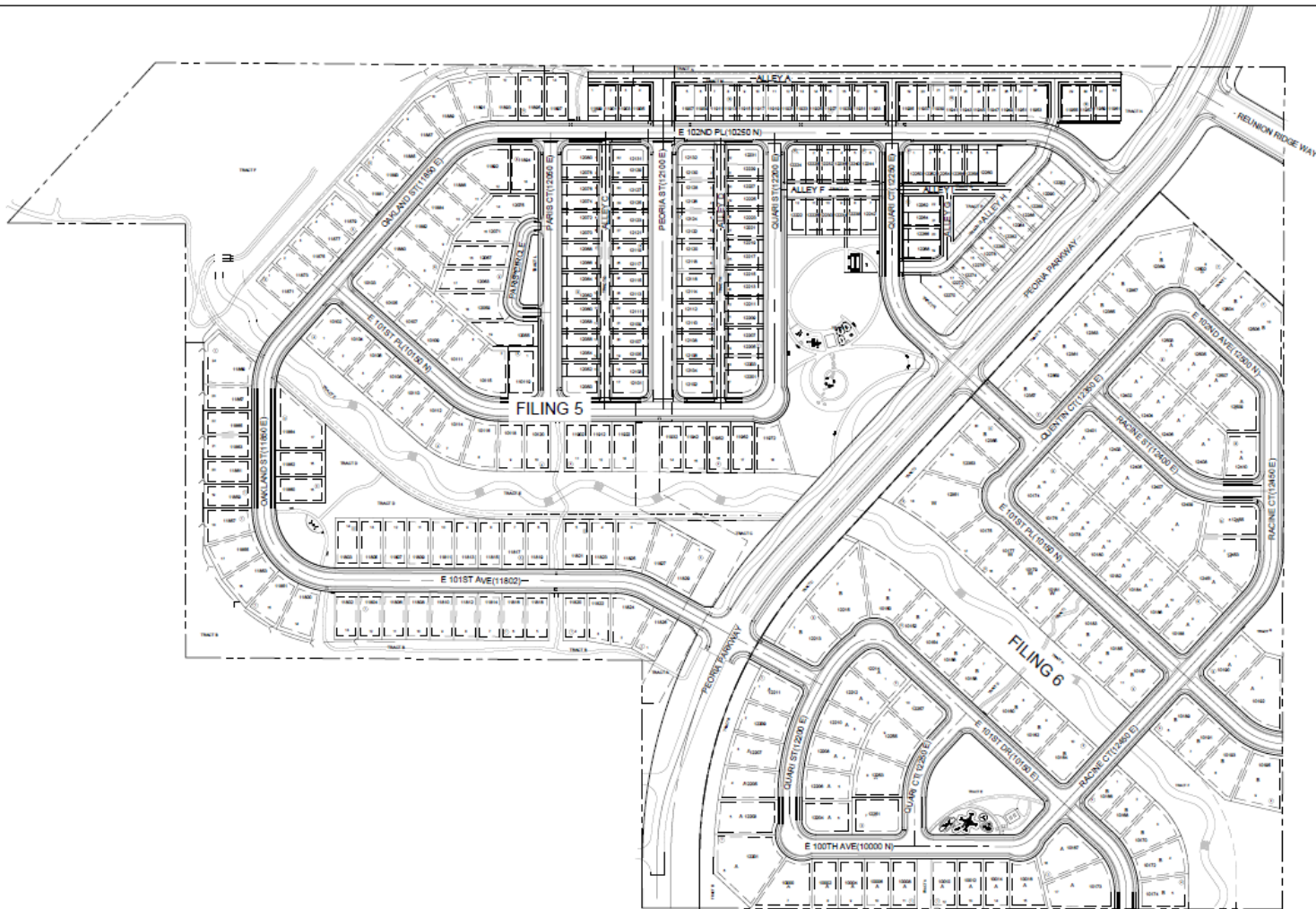




# Current Site Photos



# Proposed Development



100 50 0 100 200  
SCALE: 1" = 100'

TURNBERRY FILING 5 AND 6  
ADDRESS PLAT

DATE 8/10/20



10331 E. Dry Creek Rd.  
Suite 340  
Englewood, CO 80112  
Tel: (770) 460-9898  
CMLINC.NET

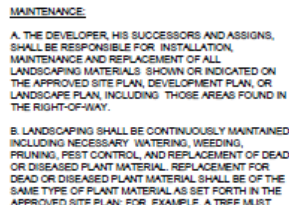
# Proposed Development

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- The proposed Turnberry Filing #5 will take access from the newly constructed and realigned Peoria Parkway.
- Subdivision will have 222 residential lots (92 single family detached and 130 single family attached/duplex)
- Subdivision will have 20 tracts for open space, drainage, utilities, landscaping, and private park (2.34 acres)
- Drainage feature runs through this Filing and Filing #6- to the east
- Additional landscaping, buffering, and berming to the existing truck businesses to the west.
- Has been reviewed by school district, utilities providers, and fire district with no concerns.
- No home builder identified for this filing yet.

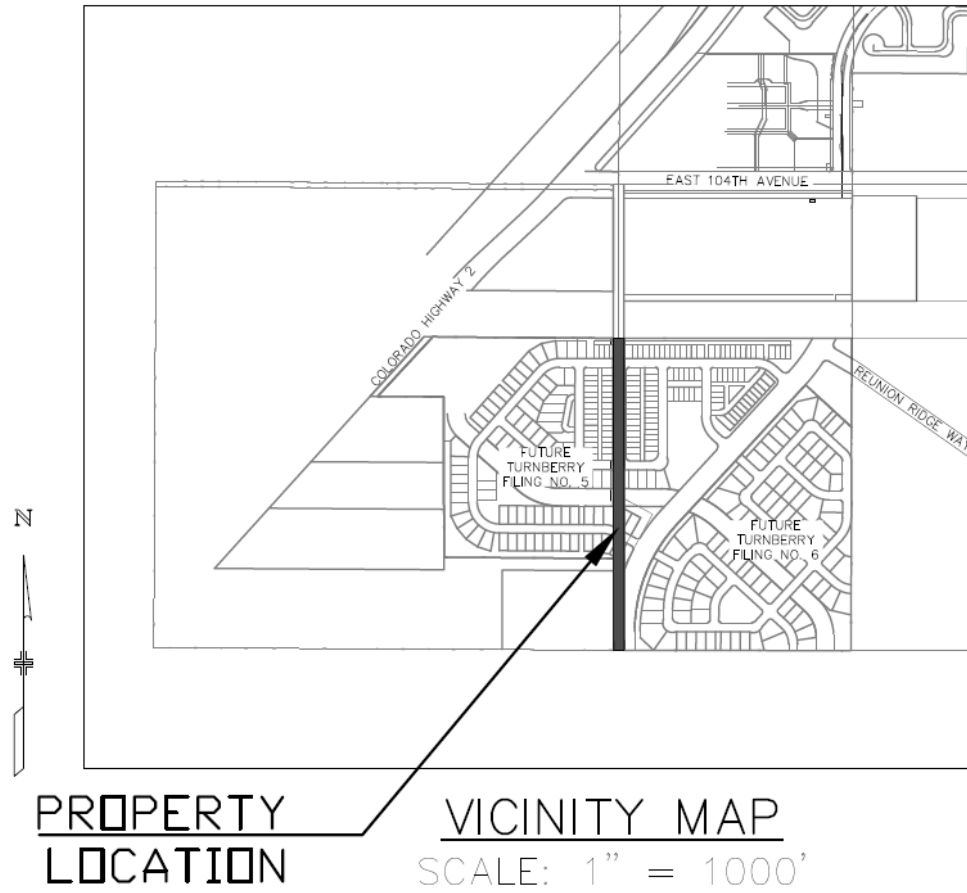


A PART OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH P.M.  
CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO  
LANDSCAPE CONSTRUCTION DOCUMENTS



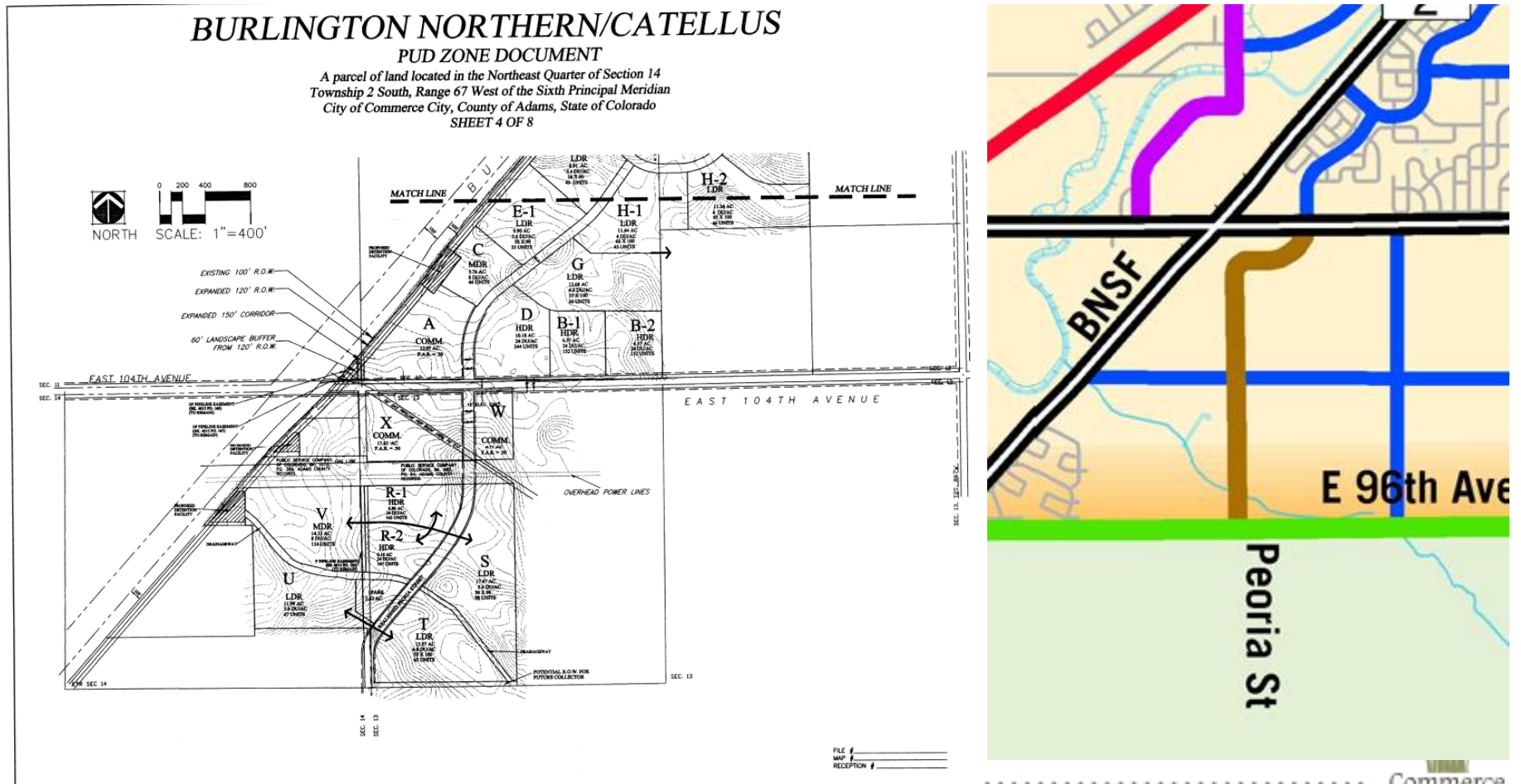
ACTIVE & PASSIVE OPEN SPACE TABLE			
TRACT	AREA (S.F.)	AREA (AC)	PASSIVE OR ACTIVE USES
B	62,572	1.502	TRAILS
D	36,910	0.846	OUTDOOR EXERCISE EQUIPMENT, TRAILS, SEATING, ENHANCED LANDSCAPE
E	138,690	3.257	PASSIVE TRAILS
J	101,815	2.34	ACTIVE PLAY STRUCTURES, TRAILS, SEATING/SHELTER, ENHANCED LANDSCAPE
K	37,563	0.87	PASSIVE TRAILS

# Vacation Plat- Peoria Street



# Vacation Plat- Peoria Street

Original Turnberry PUD-1999 and City's Transportation Plan-2010 showing realigned Peoria St





# Vacation Plat Analysis (Request 1)

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- DRT supports this vacation request:
  - 1) The City's Comprehensive Plan/Transportation Plan/PUD identify this street to be realigned to Revere Street/Turnberry Parkway.
  - 2) The approval of the vacation will signal continued growth and economic strength in the local economy through new ongoing construction, which will create new residential lots which in turn will help to entice future retailers to the area.
  - 3) In conjunction with the subdivision requests, the vacation request would help the future development in this area, by helping to create a strong collector road network through the development, and
  - 4) All coordination with existing utilities has been ongoing.

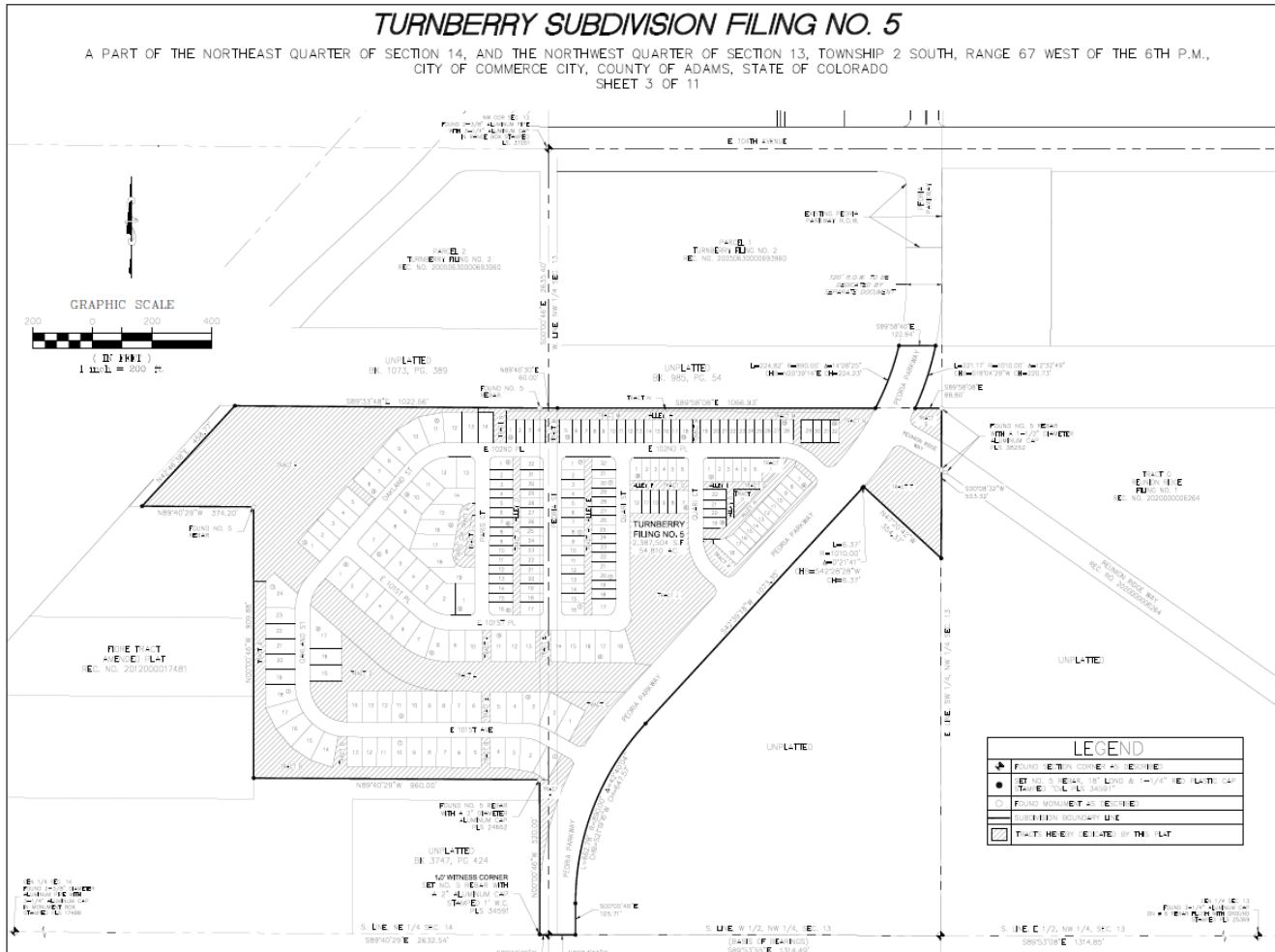
# Vacation Plat Approval Criteria

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## LDC Sec. 21-3233

- Consistent with City adopted plans for the area
- Land to be vacated is no longer necessary for the public use
- The vacation will not create any landlocked parcels or create any parcels that are unreasonable
- The vacation will not reduce the quality of public services
- A separate plat has been submitted to consolidate these parcels into a new larger parcel.





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## Subdivision Plat Analysis (Request 2)

- The subject plat has been reviewed against the technical requirements of the Turnberry PUD(Planned Unit Development) Zone Document and the city's subdivision standards.
- The plat has been referred out and reviewed by all relevant referral agencies, including 27J school district, utility companies, SACFD, MHFCD, Tri County, and internal City departments.

# Subdivision Plat Analysis (Request 2)

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- DRT supports this consolidation plat request:
  - 1) The plat is consistent with city requirements and is appropriate size and layout for the use.
  - 2) Specifically, the approval of the plat will signal continued growth and economic strength in the local economy. Additional lots will help to entice future retailers to the area, which means additional services that the community has expressed a desire to have.
  - 3) Finally, the approval of Filing #5 in Turnberry will help to implement the community vision for this area by approving lots that accommodate single-family detached and attached homes in an area that has been designated for that type of use.

# Subdivision Plat Approval Criteria

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## LDC Sec. 21-3241

- Consistent with City PUD Zone Document for this property.
- Plat helps to implement the intent of the Turnberry PUD zone district
- No evidence that the plat is violating any law
- General layout accomplishes the purposes and intent of the LDC
- Should not create substantial or undue adverse effects
- Adequate public services exist to serve this lot
- A development agreement will be executed for public improvements in this Filing.





# Subdivision Plat Condition

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Since the Subdivision approval requires one reading at Council and the Vacation Plat requires two, the following condition is proposed for the subdivision case:

*“This subdivision plat approval is based on the subsequent final approval of the Vacation Plat referenced in case V-89-20. If, for any reason, the Vacation Plat is not approved in second reading, then this subdivision plat approval will become null and void and may not be recorded.”*

# Required Public Notification

(Pursuant to LDC Sec. 21-3285)

Type of Notification	Code Required	Code Required Minimum Met	Notification Provided
Mail/Postcard to Adjacent Property Owners	Mailed Notification to property owners within 300 feet	✓	13 Adjacent Property Owners Notified
Publication/ Newspaper Notice	Notice in local newspaper	✓	Notice in Commerce City Sentinel-Express
Placard/Sign on Property	At least one sign on subject property	✓	Three Signs Posted

*All public notification met the requirements of Resolution 2020-30 to provide notice that the meeting may be conducted electronically; advance registration for testifying is required; and information for participation is provided in the published agenda.*

# Public Notification

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- As of November 25, 2020, staff has received no requests for additional information or objections to these application requests.



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# Recommendation

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## REQUEST #1 – V-89-20 – Vacation Plat

- The DRT recommends that the Planning Commission vote to forward this request to City Council with a **favorable** recommendation.

## REQUEST #2 – S-711-18-20- Subdivision

- The DRT recommends that the Planning Commission vote to forward this request to City Council with a **favorable** recommendation subject to one condition.



Staff is available to answer any questions.

The applicant is also present to speak on behalf of this request and to answer any questions that the Planning Commission may have.

