



PUD Amendment Report

Case #PUDA23-0004

Planning Commission Date: December 3 2024

City Council Date: January 6, 2025

GENERAL INFORMATION

| | |
|-----------------------|--|
| PROJECT NAME | Burlington Northern/ Catellus Amendment 6- Turnberry Carwash |
| LOCATION | 12411 East 104 th Avenue |
| SITE SIZE | 1.06 Acres |
| CURRENT ZONING | PUD- Burlington Northern/ Catellus |
| APPLICANT | Car Wash Pro Designers |
| OWNER(S) | Nolly Enterprises LLC |
| CASE PLANNER | Nic Berry |

REQUEST

The request is to amend the Burlington Northern/Catellus PUD Zone Document to expand the allowable commercial uses for one parcel. Specifically, the applicant is requesting to allow a car wash.

BACKGROUND AND CASE HISTORY

The original Burlington Northern/ Catellus PUD Zone Document was approved by City Council in 1999. In 2016, City Council approved the fifth amendment to change the residential densities in the undeveloped portions of the Turnberry Subdivision.

This proposed amendment is requested by the applicant to allow a car wash on one parcel. This amendment will only affect one parcel within the existing PUD. The goal is to develop a high-end car wash facility. The other allowable uses listed in the proposed zone document contemplate other future uses of the parcel.

COMPREHENSIVE PLAN (CP) CONSISTENCY

Character Area

The subject property is within the Northern Neighborhood Character Area. The subject parcel is further designated for Northern Range Commercial. The land uses within the PUD are consistent with the mix of uses discussed for Northern Range Commercial designation. This case is supported by the following goals as outlined in the Commerce City Comprehensive Plan:

Commerce and Employment

- Goal 4.3 – Enhance existing commercial developments
- Goal 6- Attract and support quality retailers to become a more balanced City

- Goal 7- Reduce economic leakage by having more retail and service options for residents
- Goal 9.2 – Address the unique needs of the City’s diverse business community

The proposed car wash development would add to the mix of uses existing within the partially developed Turnberry Marketplace. The proposed car wash will include a mix of options for customers including a conveyer belt style with optional frictionless washes. Making this the only automatic facility in the city to offer these services. These unique features will help to reduce economic leakage and address some of the unique needs of Commerce City residents and businesses.

Public Facilities and Infrastructure

- Goal 6.2 – Retain and increase revenue producing land uses

Car washes are a staple of most commercial centers because of their expense to revenue ratios. This proposed Car Wash is projecting a million dollars taxable revenue yearly and increased property taxes from the development of the site.

Connected Corridors

- East 104th Avenue- Commercial Development Opportunities
- Highway 2 (North)- Community Commercial

The proposed Architecture Standards will promote a high-quality design along one of the northern ranges most traveled roadways. Additionally, as described in the Highway 2 corridor plan, community commercial should provide day to day retail services. The proposed PUD Zone Document will help to achieve both of these goals.

ADDITIONAL INFORMATION

The requested PUD Amendment is to amend the allowable list of land uses table for the subject property located at 12411 East 104th Avenue. This PUD Amendment will not apply to any other parcel within the Turnberry Marketplace.

There are no additional applications currently under review with the City. A development plan will be needed to determine the final design for the site.

PROJECT ANALYSIS

Site Overview

The subject property is approximately 1.06 acres. The surrounding properties to the west and north have been developed while the property to the east is currently vacant. To the south is East 104th Avenue. Across East 104th Avenue is also zoned within the Burlington Northern/Catellus PUD and is currently being used for a temporary RTD Park and Ride.

Road Network/ Impacts

The subject property will take access from a local commercial roadway on the north side of the property. The local commercial roadway feeds to collector roadways before eventually connections to East 104th Avenue. A preliminary traffic study has been reviewed by Public Works. Expected traffic impacts are 0.5 percent or less from the build out of the car wash. Levels of service are not expected to see any changes based on this development.

Drainage

The site, once developed, will have storm run-off which goes to a regional detention facility.

Overall Analysis

The proposed PUD Amendment has been reviewed by the Development Review Team (DRT) including Planning, Public Works, Engineering, South Adams County Fire District, and South Adams County Water and Sanitation District. The DRT has reviewed the proposal against all relevant City standards and Land Development Code (LDC) requirements. There were no comments from referral agencies in opposition to the proposed PUD Amendment.

Neighborhood Meeting

A neighborhood meeting was held October 24, 2024 at the Bison Ridge Recreation Center. Two residents were in attendance with ties to the Home Owners Association and the Metro District. They had questions about noise and site circulation. As a result of the neighborhood meeting, staff proposes a few conditions to address the concerns of the neighborhood.

1. Noise level at the property line shall be at 50 decibels or less

50 decibels was selected to be equal to the sound level of the ambient traffic on a quiet residential street.

2. The number of stacking spaces required shall be increased to 5.

Where a PUD Zone Document is silent on a specific development standard. The standards default to the standards provided in the Land Development Code. The Land Development Code requires a minimum number of three waiting spaces (Stacking, Sec 21-7236) to enter the tunnel. By increasing this number, the car wash will be required to accommodate more cars on their site, decreasing congestion in their access drive.

3. The stacking shall be screened with a minimum 5 foot high screening from all public rights of way

This will help to improve the aesthetics of the site along East 104th Ave. The proposed language will leave flexibility for the screening to be accomplished with either landscaping or hardscape to promote the design of the screening to be integrated into the overall site design.

PUD ZONE DOCUMENT APPROVAL CRITERIA

A decision for this case must be based on the following criteria from Sec. 21-3232(5) of the Land Development Code.

Criteria (a): The PUD zone document is consistent with the policies and goals of the comprehensive plan, any applicable adopted area plan, or community plan of the city, or reflects conditions that have changed since the adoption of the comprehensive plan;

The proposed amendment is consistent with the policies and goals of the comprehensive plan as stated in this staff report and will remain consistent with the land use designation of Northern Range Commercial.

Criteria (b): The PUD zone document is consistent with any previously reviewed PUD concept schematic;

The proposed PUD Zone Document is consistent with the concept schematic approved in 1999. Additionally, the proposed amendment improves upon previous versions of the PUD by requiring Architecture Standards.

Criteria (c): The PUD addresses a unique situation, confers a substantial benefit to the city, or incorporates creative site design such that it achieves the purposes set out in section 21-4370 (PUD Zone District) and represents an improvement in quality over what could have been accomplished through strict applications of the otherwise applicable district or development standards. This may include but is not limited to improvements in open space; environmental protection; tree/vegetation preservation; efficient provision of streets, roads, and other utilities and services; unique architecture or design, or increased choice of living and housing environments;

Amending the allowable uses will promote the site to develop along the commercial frontage of East 104th Avenue. The Architecture Standards established will promote unique architecture.

Criteria (d): The PUD complies with all applicable City standards not otherwise modified or waived by the City;

The proposed amendment has been reviewed by the Development Review Team and meets all applicable City standards.

Criteria (e): The PUD is integrated and connected with adjacent development through street connections, sidewalks, trails, and similar features;

The previously approved PUD Zone Documents have set a layout which provides connections and access through the site and to neighboring developments.

Criteria (f): To the maximum extent feasible, the proposal mitigates any potential significant adverse impacts on adjacent properties or on the general community;

With the proposed conditions, the PUD Zone Document will mitigate the expected impacts to adjacent properties. The proposal conditions include a cap on noise levels, accommodating more traffic on the subject property and additional screening to limit visual impacts.

Criteria (g): 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;

The property is within the South Adams County Water and Sanitation District and the South Adams County Fire District. Xcel Energy, United Power and Commerce City Public Works/Engineering reviewed the request and had no opposition.

Criteria (h): As applicable, the proposed phasing plan for development of the PUD is rational in terms of available infrastructure, capacity, and financing; and

Not applicable as there is no phasing plan.

Criteria (i): The same development could not be accomplished through the use of other techniques, such as height exceptions, variances, or minor modifications.

A PUD Amendment is the only application type that would allow for maintaining what has already been established while allowing the car wash use.

CONSIDERATIONS FOR REQUESTED PUD AMENDMENT

1. Allowing this amendment will promote commercial development of a vacant site.
2. This amendment only applies to one parcel.
3. The added conditions will help mitigate impacts usually associated with car washes.

POTENTIAL MOTIONS

1. Approval with conditions
 - a. Planning Commission
 - i. I move that the Planning Commission enter a finding that the requested **PUD Zone Document Amendment** for the property located **12411 East 104th Avenue** contained in case **PUDA23-0004**, meets the criteria of the Land Development Code with conditions, and based upon such finding, recommend that the City Council approve the PUD Amendment with the following conditions:
 1. In addition to the standards of the Land Development Code, Automotive Wash Facilities shall have specific uses standards to include:
 - a. Noise levels at the property line shall not exceed 50 decibels
 - b. Minimum 5 stacking spaces
 - c. Stacking shall be screened from all public Rights of Way with at least 5 feet tall screening material
 - b. City Council
 - i. I move that the City Council enter a finding that the requested **PUD Zone Document Amendment** for the property located **12411 East 104th Avenue** contained in case **PUDA23-0004**, meets the criteria of the Land Development Code with conditions, and based upon such finding, approve the PUD Amendment with the following conditions:
 1. In addition to the standards of the Land Development Code, Automotive Wash Facilities shall have specific uses standards to include:

- a. Noise level at the property line shall not exceed 50 decibels
- b. Minimum 5 stacking spaces
- c. Stacking shall be screened from all public Rights of Way with at least 5 feet tall screening material

2. Approval

a. Planning Commission

- i. I move that the Planning Commission enter a finding that the requested **PUD Zone Document Amendment** for the property located **12411 East 104th Avenue** contained in case **PUDA23-0004**, meets the criteria of the Land Development Code, and based upon such finding, recommend that the City Council approve the PUD Amendment.

b. City Council

- i. I move that the City Council enter a finding that the requested **PUD Zone Document Amendment** for the property located **12411 East 104th Avenue** contained in case **PUDA23-0004**, meets the criteria of the Land Development Code, and based upon such finding, approve the PUD Amendment.

3. Denial

a. Planning Commission

- i. I move that the Planning Commission enter a finding that the requested **PUD Zone Document Amendment** for the property located **12411 East 104th Avenue** contained in case **PUDA23-0004** fails to meet the criteria of the Land Development Code and based upon such finding, recommend that the City Council deny the PUD Amendment.

1. *Insert criteria not met*

b. City Council

- i. I move that the City Council enter a finding that the requested **PUD Zone Document Amendment** for the property located **12411 East 104th Avenue** contained in case **PUDA23-0004** fails to meet the criteria of the Land Development Code and based upon such finding, deny the PUD Amendment.

1. *Insert criteria not met*

4. Continuance

a. Planning Commission

- i. I move that the Planning Commission continue the public hearing of the requested **PUD Zone Document Amendment** for the property located **12411 East 104th Avenue** contained in case **PUDA23-0004** to:

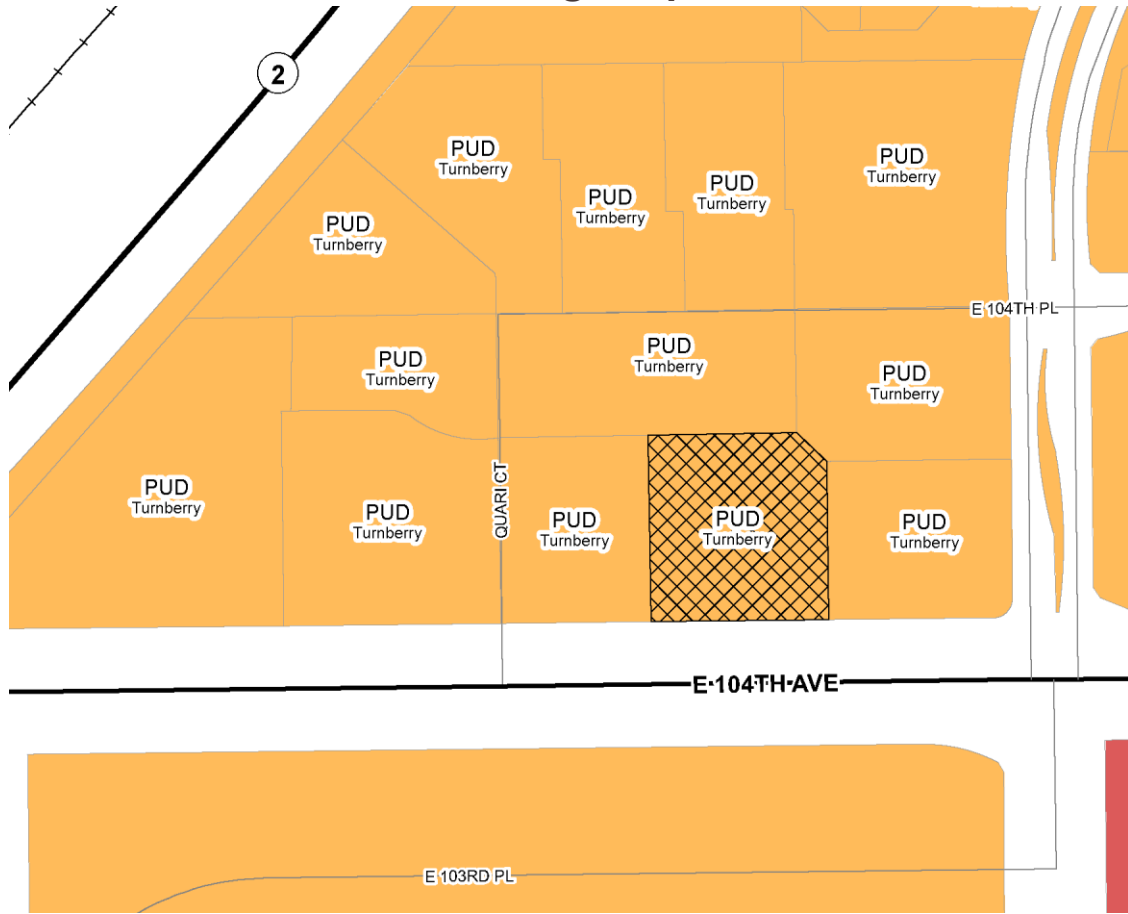
1. The next regularly scheduled Planning Commission meeting; or
2. A date certain.

b. City Council

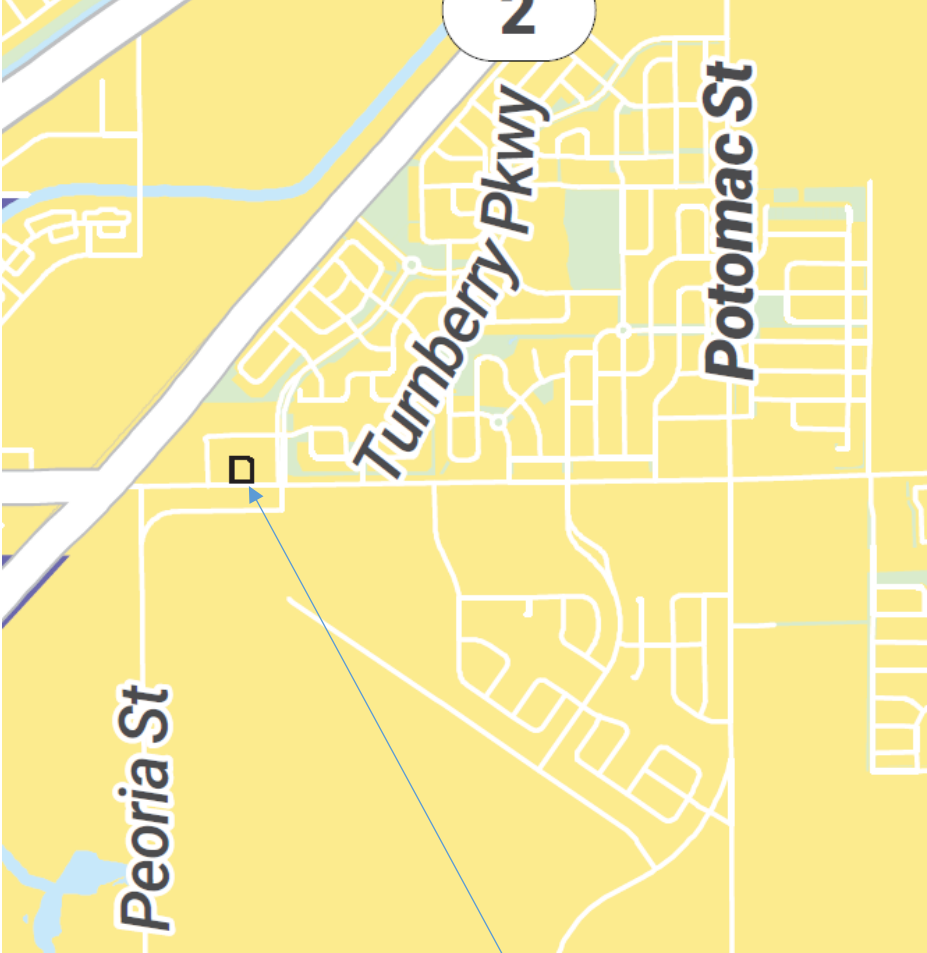
- i. I move that the City Council continue the public hearing of the requested **PUD Zone Document Amendment** for the property located **12411 East 104th Avenue** contained in case **PUDA23-0004** to:

1. The next regularly scheduled City Council meeting; or
2. A date certain.

Zoning Map

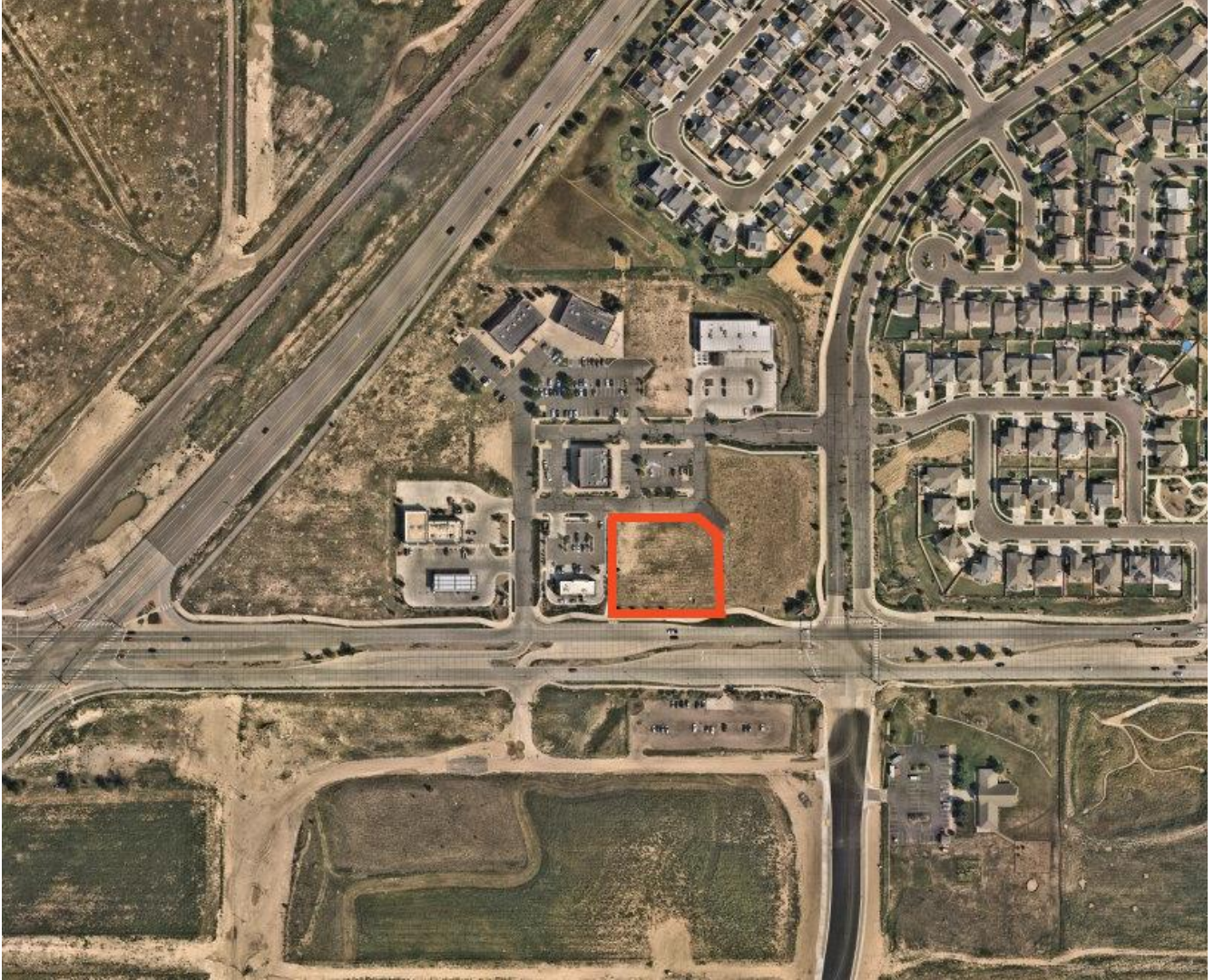


Character Area



Subject Property

Aerial Map



Site Photos



View from internal private drive facing southeast (taken November 14, 2024)



View from East 104th Avenue facing northeast (taken November 14, 2024)