



# Subdivision Report

## Case #S-762-20-21-25

*Planning Commission Date: May 6, 2025*

*City Council Date: June 2, 2025*

### **GENERAL INFORMATION**

|                       |  |
|-----------------------|--|
| <b>PROJECT NAME</b>   | Reunion Center Filing 1 Amendment 1– Final Plat  |
| <b>LOCATION</b>       | Generally between East 104th Avenue and Homestead Trail and between Walden Street and Tower Road |
| <b>SITE SIZE</b>      | 35.55 Acres  |
| <b>CURRENT ZONING</b> | PUD (Planned Unit Development District)  |
| <b>APPLICANT</b>      | Oakwood Homes  |
| <b>OWNER(S)</b>       | Clayton Properties Group INC C/O GMA   |
| <b>CASE PLANNER</b>   | Nic Berry  |

### **REQUEST**

The final plat, if approved, creates lots for residential and commercial development located at the northwest corner of East 104<sup>th</sup> Avenue and Tower Road. The request is being made by Oakwood Homes in conjunction with development of the residential lots.

### **BACKGROUND AND CASE HISTORY**

Oakwood Homes is proposing a final plat for the northwest corner of East 104<sup>th</sup> Avenue and Tower Road. The 35.55 acre site is being subdivided into 84 residential lots, 5 commercial lots, and 2 tracts for future development (further subdivided by Reunion Center Filing 1 Amendment 2). Additionally, there are 16 tracts for open space, utilities, private roadways and drainage. The future commercial users are not known at this time.

The subject property is located within the Reunion PUD. Reunion PUD Amendment 5, approved in 2019, designated this property as Towncenter-2 (TC-2), which allows residential and commercial uses. The applicant is proposing development of alley loaded duplexes, a private park, and required public improvements along Homestead Trail, East 104<sup>th</sup> Avenue, East 105<sup>th</sup> Avenue and Yampa Street (public Right-of-Way created by this plat).

#### **Public Comment**

As a part of the review of a Final Plat, public notice is required prior to a plat being approved. When this notice was sent out staff received 11 public comments sent via email (these are attached in the packet). City Council subsequently requested that this plat go through the public

hearing process. All public hearings are required to be publicly noticed. No additional comments have been received for this case following the notice for public hearing.

## **ADDITIONAL INFORMATION**

There is a PUD Development Permit (D-529-25) that is currently under review for this site. There are no public improvements required along Tower Road/High Plains Parkway as that design has not been finalized. There are additional parcels contained in the original Reunion Center Filing 1 (not a part of this plat) which will need to be subdivided. Improvements to Tower Road/ High Plains Parkway will be required by a later plat.

The subject parcel is located within planning area 1-F of Reunion PUD Amendment 5. Which allows for a density between 5 and 40 dwelling units per acre. The current plat is proposing approximately 11 dwelling units per acre.

## **PROJECT ANALYSIS**

### **Site Overview**

The requested final plat (Reunion Center Filing 1 Amendment 1) is approximately 35.55 acres in total and is generally located between East 104th Avenue and Homestead Trail and between Walden Street and Tower Road. The area is currently undeveloped.

Surrounding the subject parcel is a mix of uses. The west of the subject property is cluster homes, south is the Reunion Village Plaza, north is the STEAD School, and east is vacant land. The proposed commercial lots a part of this plat, equate to approximately the same total size as the Reunion Village Plaza, which is the commercial development across East 104<sup>th</sup> Avenue.

### **Traffic Study**

The Traffic Study contemplated both the development of residential and commercial. The full development of the subject property will change the expected levels of service at the following locations.

| Intersection                              | Direction             | AM/PM Impact |
|---|-----------------------|--------------|
| 104 <sup>th</sup> and Tower Road          | Northbound Traffic    | AM and PM    |
| 104 <sup>th</sup> and Walden Street       | Eastbound Left Turn   | PM           |
| 104 <sup>th</sup> and Walden Street       | Eastbound Traffic     | AM           |
| 104 <sup>th</sup> and Walden Street       | Westbound Left Turn   | AM           |
| 104 <sup>th</sup> and Walden Street       | Westbound Traffic     | AM           |
| 104 <sup>th</sup> and Walden Street       | Westbound Right Turn  | AM           |
| Tower Road and 105 <sup>th</sup> Avenue   | Eastbound Right Turn  | AM and PM    |
| Tower Road and 105 <sup>th</sup> Avenue   | Northbound Left Turn  | AM           |
| 104 <sup>th</sup> Avenue and Yampa Street | Eastbound Left Turn   | PM           |
| 104 <sup>th</sup> Avenue and Yampa Street | Northbound Right Turn | AM           |
| Walden Street and 104 <sup>th</sup> Way   | Eastbound Traffic     | PM           |
| 105 <sup>th</sup> Avenue and Yampa Street | Southbound Traffic    | AM and PM    |

None of the intersections listed above are expected to fail as a result of development. However, there are locations that are currently failing levels of service, Tower Road and 104<sup>th</sup> Southbound Left Turn and 104<sup>th</sup> Avenue and Walden Street Northbound Right Turn. The Traffic Study recommended some improvements to these intersections which the City would be responsible for completing. Commerce City would be responsible for these improvements because of a state law which dictates, improvements must be directly proportional to the development.

### **Development Agreement**

For the density proposed the applicant is able to mitigate the impacts of this development. The City is able to require the developer to construct the list below as a part of the development agreement. These improvements include:

| Intersection                     | Improvement                                     |
|----------------------------------|---|
| Walden Street & Homestead Trail  | All-way stop                                    |
| Tower Road & East 105th Avenue   | Northbound-left and southbound-right turn lanes |
| East 104th Avenue & Yampa Street | Reconfigure existing street stub                |
| Walden Street & East 104th Way   | Reconfigure existing street stub                |
| Walden Street & East 105th Place | Southbound-left turn lane                       |

Additionally, staff has incorporated requirements for infrastructure improvements for the public roadways, rights of way, storm sewer systems, sidewalks (including multiuse paths), and landscaping. The Development Agreement also identifies all private streets that the Developer agrees to construct and maintain.

### **School District Impacts**

The land dedication requirements for Reunion Center Filing 1 Amendment 1 have been satisfied with the dedication for an elementary school location in Reunion Ridge. Therefore this development would not be required to pay cash-in-lieu. Please see the school district letter for more information on the impact of this development, capacities of the schools, and future plans of 27J School District.

### **Parks and Recreation Impacts**

As a residential development, this plat requires either land dedication or cash-in-lieu for parks. The developer will be required to pay a cash-in-lieu fee of \$105,816 (or \$ 1,259 per lot). In addition to the cash-in-lieu, Oakwood homes is proposing inclusion of an approximately 6,600 square foot private park adjacent to East 105<sup>th</sup> Avenue and Walden Street.

### **Overall Analysis**

Staff has determined that all the proposed lots meet all the relevant City standards from the Land Development Code, Engineering Standards and Specifications and the requirements from Reunion PUD Amendment 5 zoning.

The City's Engineering and Public Works staff have reviewed traffic generation, drainage and other technical plat details, and no concerns were identified.

The proposed final plat and associated PUD Development Permit have been reviewed by the Development Review Team, including: Planning, Public Works, South Adams County Fire Department, GIS, Parks, District 27J Schools, Xcel Energy, United Power, Mile High Flood District, Adams County Health Department (formerly Tri-County), South Adams County Water and Sanitation District. There are no outstanding comments or concerns.

## **FINAL PLAT APPROVAL CRITERIA**

A decision for this case must be based on the following criteria from Sec. 21-3241 of the Land Development Code:

**Criteria (a): The subdivision is consistent with any approved rezoning, concept plan or PUD Zone Document;**

The Reunion PUD Amendment 5 is the approved PUD Zone Document for this location. This plat application is consistent with the standards in the PUD Zone Document. *Therefore, it can be found that this application **meets Criteria (a).***

**Criteria (b): The subdivision is consistent with and implements the intent of the specific zoning district in which it is located;**

This subdivision is consistent with the intent of the Reunion PUD Amendment 5 and the Land Development Code. Furthermore, the proposed development is consistent with development across East 104<sup>th</sup> Avenue. *Therefore, it can be found that this application **meets Criteria (b).***

**Criteria (c): There is no evidence to suggest that the subdivision violates any state, federal, or local laws, regulations, or requirements;**

There is no indication that the proposed subdivision violates any laws, regulations, or requirements. *Therefore, it can be found that this application **meets Criteria (c).***

**Criteria (d): The general layout of lots, roads, driveways, utilities, drainage facilities, and other services within the proposed subdivision is designed in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, and otherwise accomplishes the purposes and intent of this land development code;**

The final plat is designed to implement the intent of the PUD Zone Document and Land Development Code. The proposal includes 2.97 acres of open space (approximately 30%) which exceeds the requirements of the Land Development Code. *Therefore, it can be found that this application **meets Criteria (d).***

**Criteria (e): The subdivision complies with all applicable city standards and does not unnecessarily create lots or patterns of lots that make compliance with such standards difficult or infeasible;**

The final plat is consistent with city standards and does not create lots or a layout that would make the implementation of any standards difficult. *Therefore, it can be found that this application **meets Criteria (e).***

**Criteria (f): The subdivision:**

(i) Will not result in a substantial or undue adverse effect on adjacent properties, traffic conditions, parking, public improvements, either as they presently exist or as they may in the future exist as a result of the implementation of provisions and policies of the comprehensive plan, this land development code, or any other plan, program or ordinance adopted by the city; or

(ii) Any adverse effect has been or will be mitigated to the maximum extent feasible;

The public improvements dictated in the Development Agreement will assure that the effects of this development are mitigated. *Therefore, it can be found that this application **meets Criteria (f)(ii).***

**Criteria (g): Adequate and sufficient public safety, transportation, utility facilities and services, recreation facilities, parks, and schools are available to serve the subject property, while maintaining sufficient levels of service to existing development;**

Adequate facilities and services exist in the area to serve this site. Site improvements dictated in the Development Agreement will further help to support the site. *Therefore, it can be found that this application **meets Criteria (g).***

**Criteria (h): A development agreement between the city and the applicant has been executed and addresses the construction of all required public improvements; and**

A Development Agreement has been finalized for this proposed plat between the applicant and the City. *Therefore, it can be found that this application **meets Criteria (h).***

**Criteria (i): As applicable, the proposed phasing plan for development of the subdivision is rational in terms of available infrastructure capacity.**

*Not Applicable.*

**CONSIDERATIONS FOR DISCUSSION**

1. A final plat does not dictate allowable uses.
2. The lots meet all applicable standards including: size, frontage, density and access.
3. A Development Agreement has been executed which details the required improvements.

**POTENTIAL MOTIONS**

1. Approval
  - i. I move that the Planning Commission enter a finding that the requested **Reunion Center Filing 1 Amendment 1 Final Plat** contained in case **S-762-20-21-25** meets the criteria of the Land Development Code and based upon such finding, recommend approval of the **Final Plat** to City Council.

2. Approval with conditions

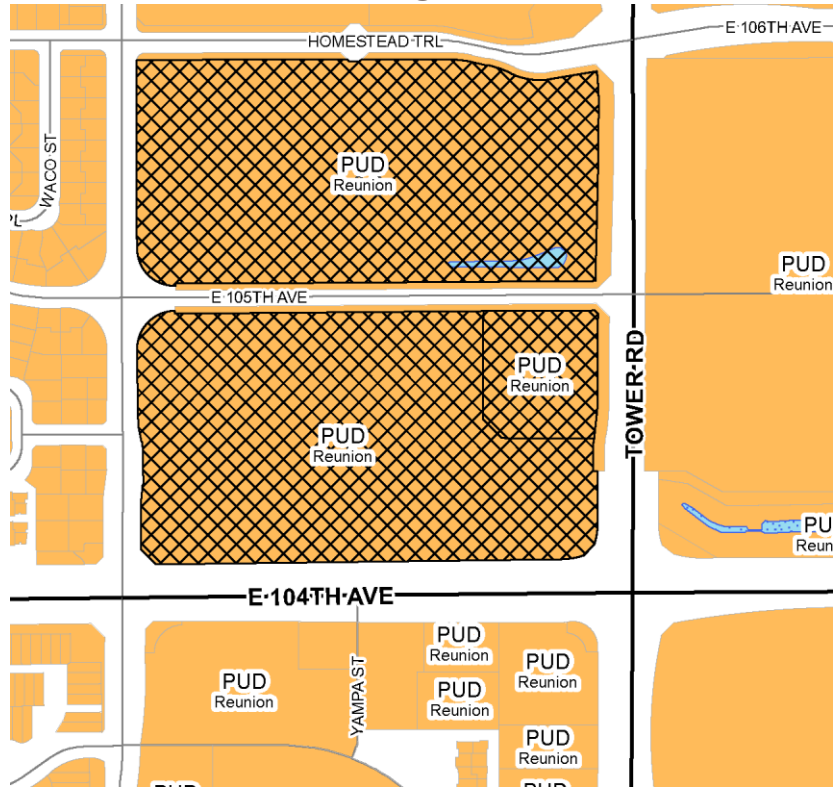
- i. I move that the Planning Commission enter a finding that the requested **Reunion Center Filing 1 Amendment 1 Final Plat** contained in case **S-762-20-21-25** meets the criteria of the Land Development Code and based upon such finding, recommend approval of the **Final Plat** to City Council with the following conditions:

- 1. [Insert Condition]

3. Denial

- i. I move that the Planning Commission enter a finding that the requested **Reunion Center Filing 1 Amendment 1** contained in case **S-762-20-21-25** fails to meet the criteria of the Land Development Code and based upon such finding, recommend denial of the **Final Plat** to City Council.

# Zoning Map



## Aerial Map

