



# REQUEST FOR COMMENT/REVIEW

March 10, 2020

The Community Development Department requests comments on the following:

Case No:	Z-965-20	Type:	E	Phone:	303.227.8816
Case Planner:	Steve Timms	Email:	stimms@c3gov.com		
Location:	10550 Brighton Road, Henderson, CO 80640				
Applicant:	Daniel Sheldon/UDC Miller LLC 6900 E. Belleview Ave, Ste 300 Greenwood Village, CO 80111	Owner:	Patricia Spencer 12141 E. 116 <sup>th</sup> Cir Henderson, CO 80640		

## Case Summary

Request:	The applicant wishes to annex and zone this property from ADCO R-1-C to Commerce City R-1
Project Description:	The applicant wishes to construct a single-family residential subdivision called Belle Creek West.
Current Zone District:	ADCO Unincorporated Adams County
Comp Plan:	Residential - Low

## Background Information

### Site Information

Site Size:	13.36 acres
Current Conditions:	Vacant, Previously used as mobile home park
Existing Right-of-Way:	Brighton Road to the west.
Neighborhood:	Hazeltine
Existing Structures:	None
Structures to Remain?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

## Referral Information

Please review the proposal and forward written comments to:

*City of Commerce City  
Community Development Department  
Attn: Steve Timms  
7887 East 60<sup>th</sup> Avenue  
Commerce City, CO 80022*

If **no response** is received by the date below, the assumption will be made that you have **no objections or concerns** regarding the above proposal.

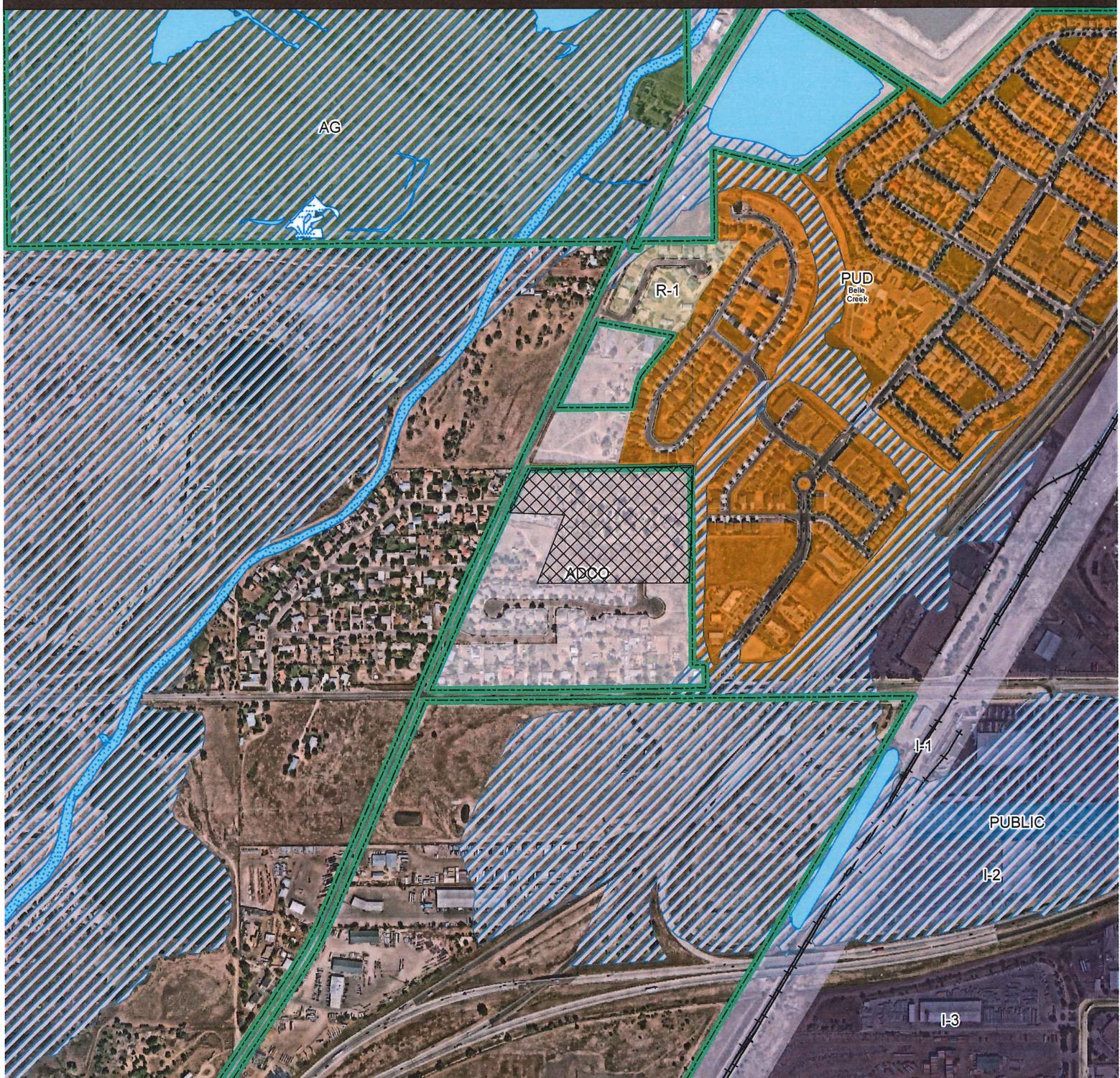
Comments Due: **April 16, 2020**

PRT/DRT Date: **April 16, 2020**



# Vicinity Map

Case #s: AN-257-20, Z-965-20, and S-770-20



NORTH

0 400 800 1,600 2,400 Feet

PIN: 172109400016 d009 172109400015

Subject Property

Zoning District

AG - Agricultural District

I-1 - Light Intensity Industrial District

I-2 - Medium Intensity Industrial District

I-3 - Heavy Intensity Industrial District

PUBLIC - Public District

PUD - Planned Unit Development District

R-1 - Single-Family Detached Residential District

ADCO - Unincorporated Adams County

City Limit Boundary

IGA Annexation Growth Boundary

<BOL>Commerce City Planning Division

<BOL>Prepared By:Steve Timms

<BOL>Date Saved:March 2020

<BOL>Document Path:O/Planning Commission/Annexation

## **Zone Change | Description of the Proposed Zone Change**

1. Explain the proposal and intentions of the applicant.

The Applicant (UDC Miller, LLC) is seeking approval through this application for annexation and zoning for the property located at 10550 Brighton Road to be zoned to the Commerce City zoning designation of R-1. This zoning request will allow the applicant to subdivide the approximately 13.36-acre property into approximately 47 residential lots, along with multiple tracts of land for parks and open space.

Access for the property is envisioned to connect to the local street, Yosemite Way, to the south, and the local street, E 105th Avenue, to the east. Detention is proposed to occur along the northwest corner of the property adjacent to Brighton Road and the large residential lots located to the north. Services for the property currently include a 3-inch tap for potable water, and there is an existing septic field on-site that will be removed. Water and sanitary sewer services from South Adams County Water and Sanitation District are expected. The applicant hopes to start construction in early 2021.

2. Show the consistency of the proposed Zone Change with the policies and goals of the comprehensive plan, any applicable adopted area plan, or community plan of the city.

This request for annexation, along with concurrent applications for annexation zoning, and subdivision plat, are in general conformance with the following goals and policies of the Commerce City Comprehensive Plan.

### **LAND USE AND GROWTH**

*Goal LU 1—Maintain a balanced mix of land uses citywide and within Strategic Planning Areas.*

*Policy LU 1.1—Growth and Future Land Use Plan Consistency*

*To implement this Plan, ensure future development is consistent with the Future Land Use Plan and map. The map provides a guide for 2035-projected growth, builds on previous plans, and reserves land for commercial and employment uses to ensure a future balanced mix of uses.*

The Future Land Use Map recognizes the land to be annexed as Residential-Low (1 to 4 du/acre), and the proposed zoning for this annexation request will be for R-1 zoning with an overall density of 3.5 du/acre.

*Goal LU 2—Phase growth in an orderly, compact manner.*

*Policy LU 2.1—Infill Development Promoted*

*Promote infill development and redevelopment to use utilities and services efficiency, to support multi-modal transportation, to revitalize neighborhoods, and to maintain prosperous businesses. Infill means development on vacant unplatte parcels scattered throughout the city, or in county enclave areas.*

Former uses on this property include a mobile home park, which has been abandoned. Existing services from South Adams County Water and Sanitation will be reused and expanded on-site to serve an estimated 47 residential lots. The proposed development is infill in nature and will efficiently leverage the existing on-site utilities and services.

*Goal LU 3—Strengthen city neighborhoods as attractive, livable places*

*Policy LU 3.4—Neighborhood Village Concept*

*Continue to emphasize the neighborhood village concept previously established in the New Lands Plan and described in the Housing and Neighborhoods chapter.*

The property is located near the intersection of 105th Avenue and Brighton Road, adjacent to the existing Belle Creek Neighborhood. The proposed development is envisioned as an extension of the Belle Creek Neighborhood with the intention of providing access by tying into the existing local streets of Yosemite Way to the south and E 105th Avenue to the east.

## **PARKS, OPEN SPACE, AND RECREATION**

Goal P 1—Build and maintain parks to enhance neighborhoods and meet current and future generation needs.

Policy P 1.4—Pocket Parks for Neighborhood Gathering

*As part of its neighborhood concept, the city promotes pocket parks where deemed appropriate. Developers will provide additional small, privately maintained parks in neighborhoods to provide for neighborhood recreation and community gathering.*

The applicant is seeking to annex and rezone the property to R-1 zoning to allow for approximately 47 residential lots. A potential pocket park may be developed on-site to offer community amenities for the new neighborhood. Open space tracts will also be platted, as appropriate.

3. Express the compatibility of the proposed Zone Change with surrounding land uses and the natural environment.

This zone change request is compatible with all surrounding land uses and the natural environment. More than half of the property perimeter shares a boundary with Commerce City. North and east of the property include the Belle Creek Neighborhood, which is zoned R-1 and is similarly comprised of single-family detached homes. South of the property is a subdivision called Hazeltine, an existing single-family detached home that is zoned R-1-C in Adams County. The property is developed land of an abandoned mobile home park.

4. The impact of the proposed Zone Change on providing efficient and adequate provision of public services, including, but not limited to, water, sewerage, streets, and drainage;

With the construction of necessary local roads, this development will be serviced by the South Adams County Fire Department (SACFD), and the South Adams County Water & Sanitation District (SACWSD). Road rights of way are anticipated to be publicly owned and maintained by the City of Commerce City. Water, sewer, and irrigation service will be available to the Site per South Adams County Water and Sanitation District. A stormwater quality/ detention basin is proposed on-site to mitigate impacts of the proposed development. A traffic impact analysis has been performed to demonstrate that the proposed development will not adversely impact the adjacent roadway system.

5. Explain the impact of the proposed Zone Change on efficient and adequate provision of public uses, including but not limited to, parks, schools, and open space.

This zone change request will have a positive impact regarding the adequate provision of public uses such as parks, schools, and open space. It is envisioned that the property will include a small pocket park, as well as other tracts of open space with potential trails to provide additional connectivity for residents. As for school services, the property previously included 27 mobile homes and a single-family home on site. Per Division 2: Development Fees Assessed, Sec.21-9200. School Fees, (2) Calculations of the City code, the estimated student population for those units equaled 15 students to be served by the Brighton School District. An anticipated subdivision of 47 residential single-family detached lots on the same property will only increase that estimated population by 22, to approximately 37 potential students. It is our understanding that Brighton 27J School District has capacity to serve this development.

6. Give the reason for the community's need for the zoning district in the proposed location and the need to provide or maintain a proper mix of uses both within the city and the immediate area of the proposed use.

This application is an annexation zoning request that is accompanying an annexation application. Should the requested annexation be approved, the City will need a zoning district designation applied to the newly annexed property. The property is recognized in the Commerce City Comprehensive Plan as Residential Low Density and zoning the property to R-1 would conform to Commerce City's future growth expectations and desired mix of uses.

7. Please explain how the area for which the Zone Change is requested has changed or is changing to such a degree that it is in the public interest to allow a new use or density.

This zone change request is not about allowing a new use or density, rather an annexation to the City, which also requires City zoning to be established. The proposed zoning for this property of R-1 as defined within the Commerce City Land Development Code is comparable to the zoning R-1-C zoning classification of the Adams County zoning code, which is what the subject land is zoned in Adams County. Therefore, it is in the public interest, should the land be annexed into Commerce City, to apply an annexation zoning to the annexed property as R-1. Further, and as stated above, the property is designated in the City's Comprehensive Plan as Low Density Residential which is what the applicant is proposing.