



Staff Report Quasi-Judicial – Public Hearing

TO: Honorable Mayor Piko and Members of City Council

THROUGH: Matt Sturgeon, City Manager
Steve Greer, Community Development Director

FROM: Jenna Campbell, AICP, Planner II

MEETING DATE: March 15, 2021

PROJECT TITLE: Second Reading of Ordinance No. 2021-O-03, Consideration of Approval of the Gallup's Gardens PUD Preliminary Development Plan (PUD-20-00002)

DISTRICT/LOCATION: District 1 – located at the southeast corner of E. Orchard Rd. and S. Grant St. ([Google Map](#))

1. **Executive Summary:**

PCS Group Inc. (the “Applicant”) on behalf of BLJ Leasing, Inc., University Pre-School & Kindergarten, Inc., and Lester and Ann Cole, (the “Owners”) is proposing to rezone the property consisting of 1.886 acres (the “Subject Property”) from Neighborhood Conservation, 18,000 square feet (SF) Min. (NC₁₈) and Neighborhood Conservation, 6,000 SF Min. (NC₆) to Planned Unit Development (PUD) through the Land Development Code (the “LDC”). The Applicant seeks to rezone the property from NC₁₈ and NC₆ to PUD to allow for the development of twelve (12) single family attached townhome units and two (2) single family detached lots (for a total of 14 dwelling units) with a mixture of housing types at a density not currently allowed in the City’s other residential zone districts. The Applicant’s request would establish the zoning for the property through a Preliminary Development Plan (PDP).

2. **Recommendation:**

Staff recommends that the City Council **approve** the PDP to allow for the rezoning of the Subject Property from NC₁₈ and NC₆ to PUD through the LDC, on second reading.

3. **Background:**

The Subject Property consists of a 1.886 acre site that is currently zoned NC₁₈ and NC₆. The Subject Property currently consists of a single family dwelling, a vacant lot, and a building that housed a former pre-school. The former pre-school site has been vacant for several years.

The parcels to the north of the Subject Property on the opposite side of E. Orchard Rd. consist of single-family dwellings zoned Neighborhood Conservation, 12,000 SF Min. (NC₁₂). Parcels to the east and south of the Subject Property consist of single family dwellings zoned NC₆. Parcels to the west and south of the Subject Property consist of single family dwellings zoned NC₁₈. The Applicant requests a rezoning of the Subject Property to allow for the development of twelve (12) single family attached townhome units and two (2) single family detached lots (for a total of 14 dwelling units) at a density which is not currently allowed in the City's residential zone districts.

A PUD is an area of land controlled by one or more landowners to be developed under unified control or unified plan of development for a number of residential, commercial, educational, recreational, or industrial uses or any combination of the foregoing, the plan of which may not correspond to lot size, bulk or type of use, lot coverage, open space and/or other restrictions of the existing land use regulations applicable to other zone districts in the LDC.

The NC₆ and NC₁₈ zone districts do not allow for redevelopment to single family attached dwelling units at a higher density than what existed on the site on the effective date of the LDC. Instead, the Subject Property would need to be considered for a rezoning to another residential zoning district, such as Auto-Urban Residential (RA) or Urban Residential (RU). However, the applicant's proposal to construct twelve (12) single family attached townhomes and two (2) single family detached lots (for a total of 14 dwelling units) does not meet the minimum developable area requirement to be considered for a rezoning to RA or RU, and would exceed the maximum density allowed in these zone districts. In response, the Applicant proposes to rezone to a PUD to allow twelve (12) single family attached townhomes on 1.02 acres and two (2) single family detached dwellings on 0.433 acres each.

Density and Minimum Area Requirements Chart

	Auto-Urban Residential (RA)		Urban Residential (RU)		Proposed PUD	
	Single Family	Single Family Attached	Single Family	Single Family Attached	Single Family	Single Family Attached
Maximum Density (units per acre)	4.4 u/a	6.9 u/a	4.9 u/a	11.6 u/a	2.3 u/a	11.76 u/a
Min. Area of Parcel Proposed for Development (acres)	2 ac.	2 ac.	1 ac.	1 ac.	0.866 ac.	1.02 ac.

The Applicant has proposed development standards within the PDP that would allow the Applicant's proposed residential development. A comparison of the current NC₆ and NC₁₈ zoning to the proposed PDP may be found in the chart below. Parcel 1 includes the portion of the PUD where twelve (12) single family attached townhomes are proposed and Parcel 2 includes the portion of the PUD where two (2) single family detached dwellings are proposed. A copy of the Applicant's rezoning request and rezoning plan are attached to this report.

Development Criteria Comparison Chart

	EXISTING ZONING	PROPOSED ZONING (PUD-20-00002)	
		Parcel 1	Parcel 2
ZONING	Neighborhood Conservation, 18,000 SF Min. (NC ₁₈) Neighborhood Conservation, 6,000 SF Min. (NC ₆)	Planned Unit Development (PUD)	Planned Unit Development (PUD)
MINIMUM PARCEL AREA AND LOT WIDTH	18,000 square feet / 150 feet 6,000 square feet / 60 feet	1.02 acres 343 feet width x 162 feet depth	0.866 acres 188.5 feet width x 200 feet depth
PERMITTED USES	Existing residential uses permitted within NC zone districts	Single Family and Single Family Attached	Single Family
BUILDING MAX HEIGHT	30 feet	35 feet	30 feet
MINIMUM BUILDING SETBACKS	NC ₁₈ : Front: 25 feet Street side: 25 feet Interior side: 20 feet Rear: 25 feet NC ₆ : Front: 20 feet Street side: 10 feet Interior side: 5 feet Rear: 20 feet	Front: 5 feet Street Side: 10 feet Interior Side: 5 feet Rear: 5 feet (the setbacks are measured from the townhome platted lot line, not the area of Parcel 1)	Front: 25 feet Street Side: 10 feet Interior Side: 5 feet Rear: 25 feet
MINIMUM PARKING SETBACKS	Not Applicable	Front: 5 feet Street side: 10 feet Interior side: 5 feet Rear: 5 feet	Front: 25 feet Street side: 25 feet Interior side: 5 feet Rear: 25 feet
PARKING STANDARDS	Pursuant to LDC Section 12-5-202, <i>Required Off-street Parking and Loading Spaces</i>	2 spaces per dwelling unit + 1 guest space per 4 dwelling units Consistent with LDC Parking standards	2 spaces per dwelling unit Consistent with LDC Parking standards

	EXISTING ZONING	PROPOSED ZONING (PUD-20-00002)	
		Parcel 1	Parcel 2
BICYCLE PARKING	Pursuant to LDC Section 12-5-207, <i>Bicycle Parking</i> .	Not Applicable	Not Applicable
LOADING ZONE (IF REQUIRED)	Pursuant to LDC Section 12-5-202, <i>Required Off-street Parking and Loading Spaces</i>	Not Applicable	Not Applicable
LIGHTING ZONE/MAX POLE HEIGHT	<p>Lighting Zone 2 (LZ-2) <u>Mounting Height Restriction</u>. For parking areas, the maximum height of light poles shall be:</p> <ul style="list-style-type: none"> • 18 feet when located <i>up to</i> 50 feet from the property line of areas zoned for residential uses, except when the residential uses are located within an AC or UC zoning district. • 25 feet when located 50 to 100 feet from the property line of areas zoned for residential uses, except when the residential uses are located within an AC or UC zoning district. • 35 feet when located <i>more than</i> 100 feet from the property line of areas zoned for residential uses. 	<p>Lighting Zone 2 (LZ-2) <u>Mounting Height Restriction</u>. For parking areas, the maximum height of light poles shall be 18 feet.</p>	<p>Lighting Zone 2 (LZ-2) <u>Mounting Height Restriction</u>. For parking areas, the maximum height of light poles shall be 18 feet.</p>

	EXISTING ZONING	PROPOSED ZONING (PUD-20-00002)	
		Parcel 1	Parcel 2
SIGNAGE	Signage permitted within the NC zone district	Signage permitted within the RU zone district, with exceptions	Signage permitted within the RU zone district, with exceptions
LANDSCAPE SURFACE RATIO	Not Applicable	15 percent required	35 percent required
BUFFERYARD DESIGNATION	Pursuant to LDC Division 8-4, <i>Bufferyards</i>	Pursuant to LDC Division 8-4, <i>Bufferyards</i>	Pursuant to LDC Division 8-4, <i>Bufferyards</i>
ARCHITECTURE / BUILDING DESIGN	Not Applicable	Pursuant to PDP; a mix of high quality building materials, such as fired clay brick, stone veneer, cementous stucco and transparent glass is required on all building sides.	Pursuant to PDP; a mix of high quality building materials, such as fired clay brick, stone veneer, cementous stucco and transparent glass is required on all building sides.

As required under Table 12-14-311 of the LDC, the public hearing before Planning and Zoning Commission and City Council was properly noticed, including newspaper notice, posted notice on the property, and mailed notice to adjacent property owners at least 14 days prior to the public hearing. Therefore, the City Council has jurisdiction to consider the application.

Planned Unit Development Criteria

The creation of a PUD requires a recommendation by the Planning and Zoning Commission and approval by City Council. The document that outlines the development standards of the PUD is the PDP. The Planning and Zoning Commission and City Council must consider evidence presented at the public hearing and evaluate the proposed PUD creation against the approval standards set forth in Section 12-14-903(C), *Planned Unit Developments*, of the LDC and listed below.

12-14-903(C)(1) – *Provides above-average open space and recreational amenities.*

The PDP proposes a private park on approximately 7,959 square feet (0.183 acres). The private park will be accessible to residents of the proposed townhome development and will include landscaped areas. The Site Plan for the proposed development shows that the private park will include a pergola structure, grills, and benches.

12-14-903(C)(2) – *Incorporates creative and superior quality and design aesthetics that exceeds the City's current design standards or other land use regulations set forth in this LDC.*

The PUD incorporates creative and superior quality and design aesthetics by requiring high quality materials on all sides of the buildings, similar to the building material requirements found in the Central Arapahoe Road Corridor Design Standards, which would does not apply to the Subject Property as it is not in the Central Arapahoe Road Corridor. A minimum of 50 percent of all building facades will be required to include high quality materials such as fired clay brick, stone veneer, cementitious stucco, and transparent glass. The PDP uses representative architectural character examples to illustrate the buildings will use brick, parapets, covered entries, bay windows, dormers and other architectural characteristics that are compatible with the surrounding neighborhood.

12-14-903(C)(3) – *Provides a greater efficiency in layout and provision of roads, utilities and other infrastructure.*

The proposed PUD requires that the layout and provision of roads, utilities, and other infrastructures is efficient and cohesive for the entire Subject Property. The Subject Property is within an area that already has developed road and utility infrastructure in place, allowing the Applicant to efficiently utilize existing infrastructure already in place without dedicating completely new right-of-way. The proposed townhomes will face E. Orchard Rd., and will be accessed by vehicles from a private driveway south of the townhomes that connects S. Logan St. and S. Grant St. Each townhome will have a two (2) vehicle garage. The proposed single family dwellings will each have a driveway access on S. Logan St.

12-14-903(C)(4) – *Implements the Comprehensive Plan or an adopted Sub-Area Plan, or supports the implementation of such plans.*

The application of the PUD district with single family attached and single family detached development options of the Subject Property is consistent with the following goals and objectives of **Centennial NEXT**:

Comprehensive Plan Element – Our NEXT Places

PLACES – 1. Support enhanced connections between Centennial's neighborhoods and nearby commercial centers and Neighborhood Activity Centers (NAC).

- *1b. Create and preserve desired connection opportunities through easements or rights-of-way dedications.*

PLACES – 2. Create and uphold community character through enhanced design standards and placemaking initiatives.

- *2b. Establish high-quality design and development standards for new development and redevelopment throughout the City, with emphasis placed along major roadways, areas of special interest, and selected types of development.*
- *2c. Ensure new development and redevelopment:*

- i. *Provides open space and landscaping that maximizes aesthetics, is context appropriate, is resilient to the climate, and fulfills its intended purpose.*
- ii. *Complements and enhances the vitality of the surrounding area.*
- iii. *Provides pedestrian-oriented design, including sidewalks, seating, shade, trash receptacles, lighting, and bike racks.*
- iv. *Is reviewed against adopted sub-area plans and City-wide studies.*

PLACES – 3. Promote social, physical, and economic health by allowing an efficient, diverse, and integrated land use mix.

- *3b. Update the Land Development Code (LDC) to permit a greater mix of densities within residential zone districts for new development, while maintaining compatibility with the surrounding area.*

PLACES – 4. Provide opportunities for new housing options that meet market trends and the evolving needs of current and future residents.

- *4d. Update the Land Development Code (LDC) to ensure new residential development provides a variety of housing sizes, types, densities, styles, and price ranges to meet market demands.*

PLACES – 5. Enhance established neighborhoods and promote reinvestment in the existing housing stock.

- *5a. Ensure new residential construction and additions to existing housing complements and enhances the aesthetics of the surrounding area.*
- *5b. Protect the established character and topography between existing and new development, providing appropriate transitions through design and placement of buildings and structures.*

PLACES – 7. Advance the provision of utilities and public services in a manner that contributes to a positive image and City identity.

- *7a. Require the undergrounding of energy and communication lines, as practical, and screening of mechanical equipment, as part of all new development and redevelopment.*

Comprehensive Plan Element – Our NEXT Community

COMMUNITY – 2. Incorporate additional open space and recreational opportunities within the City.

- *2c. Encourage all new development and redevelopment to provide connections to existing or planned open space, trails, parks, recreation facilities, and other public places (Ex: schools and libraries) within close proximity to the development, where practical.*

Analysis of Application to Criteria – Planned Unit Development

Staff has evaluated the request against the criteria for approval and found that the Proposed PUD application **meets** the approval standards contained in LDC Section 12-14-903(C), as stated above.

Rezoning Criteria

A rezoning requires a recommendation by the Planning and Zoning Commission and approval by City Council. The Planning and Zoning Commission and City Council must consider evidence presented at the public hearing and evaluate the proposed rezoning against the approval standards set forth in Section 12-14-604(E), *Approval Standards*, of the LDC and listed below.

12-14-604(E)(1) – *Direct implementation of the Comprehensive Plan or an adopted Sub-Area Plan, or support for the implementation of such plans, for example, by providing for supportive land uses or intensities in the area of a Sub-Area Plan.*

The application of the PUD district with single family attached and single family detached development options and subsequent redevelopment of the Subject Property is consistent with the following goals and objectives of **Centennial NEXT**:

Comprehensive Plan Element – Our NEXT Places

PLACES – 1. Support enhanced connections between Centennial’s neighborhoods and nearby commercial centers and Neighborhood Activity Centers (NAC).

- *1b. Create and preserve desired connection opportunities through easements or rights-of-way dedications.*

PLACES – 2. Create and uphold community character through enhanced design standards and placemaking initiatives.

- *2b. Establish high-quality design and development standards for new development and redevelopment throughout the City, with emphasis placed along major roadways, areas of special interest, and selected types of development.*
- *2c. Ensure new development and redevelopment:*
 - v. *Provides open space and landscaping that maximizes aesthetics, is context appropriate, is resilient to the climate, and fulfills its intended purpose.*
 - vi. *Complements and enhances the vitality of the surrounding area.*
 - vii. *Provides pedestrian-oriented design, including sidewalks, seating, shade, trash receptacles, lighting, and bike racks.*
 - viii. *Is reviewed against adopted sub-area plans and City-wide studies.*

PLACES – 3. Promote social, physical, and economic health by allowing an efficient, diverse, and integrated land use mix.

- *3b. Update the Land Development Code (LDC) to permit a greater mix of densities within residential zone districts for new development, while maintaining compatibility with the surrounding area.*

PLACES – 4. Provide opportunities for new housing options that meet market trends and the evolving needs of current and future residents.

- *4d. Update the Land Development Code (LDC) to ensure new residential development provides a variety of housing sizes, types, densities, styles, and price ranges to meet market demands.*

PLACES – 5. Enhance established neighborhoods and promote reinvestment in the existing housing stock.

- *5a. Ensure new residential construction and additions to existing housing complements and enhances the aesthetics of the surrounding area.*
- *5b. Protect the established character and topography between existing and new development, providing appropriate transitions through design and placement of buildings and structures.*

PLACES – 7. Advance the provision of utilities and public services in a manner that contributes to a positive image and City identity.

- *7a. Require the undergrounding of energy and communication lines, as practical, and screening of mechanical equipment, as part of all new development and redevelopment.*

Comprehensive Plan Element – Our NEXT Community

COMMUNITY – 2. Incorporate additional open space and recreational opportunities within the City.

- *2c. Encourage all new development and redevelopment to provide connections to existing or planned open space, trails, parks, recreation facilities, and other public places (Ex: schools and libraries) within close proximity to the development, where practical.*

12-14-604(E)(2) – *Recognition of the limitations of existing and planned infrastructure, by thorough examination of the availability and capability of water, sewer, drainage, and transportation systems to serve present and future land uses.*

The availability and capability of the existing water, sewer, drainage and transportation is adequate to serve present and future land uses. This is demonstrated by the following:

Water: The Subject Property is served by Denver Water. Denver Water reviewed the PDP and offered no indication that development of the Subject Property could not be adequately served

by water infrastructure. Future site plan proposals would be required to provide proof of water approval from Denver Water prior to the issuance of any permits.

Sewer: The Subject Property is served by the South Englewood Sanitation District (SESD). SESD reviewed the PDP and offered no indication that development of the Subject Property could not be adequately served by sanitary sewer infrastructure. Future site plan proposals would be required to provide proof of approval from SESD prior to the issuance of any permits.

Drainage: The Subject Property is within the Slaughterhouse Gulch drainage basin. Upstream runoff is captured by existing curb and gutter and storm sewer systems. Runoff from the Subject Property will be collected with a proposed bio-retention rain garden on the west side of the Subject Property. Future site plan proposals would be required to provide proof adequate stormwater management from the Southeast Metro Stormwater Authority (SEMSWA) prior to the issuance of any permits.

Transportation: The PDP notes that the Subject Property will be granted access via a private driveway that connects S. Grant St. and S. Logan St. and that no additional traffic improvements are necessary, pursuant to the approved traffic memo. The traffic memo indicates that the proposed townhome portion of the development would generate one (1) vehicle entering and four (4) vehicles exiting the development at the AM peak-hour, and four (4) vehicles entering and three (3) vehicles exiting the development at the PM peak-hour. Future site plan proposals are required to provide adequate transportation infrastructure (for example, turn lanes, ADA ramps, and sidewalks if necessary) approved by Public Works prior to the issuance of any permits.

12-14-604(E)(3) – Assurance of compatibility between the proposed development, surrounding land uses (existing or planned), and the natural environment.

The PUD zone district is consistent and compatible with existing and future proposed uses adjacent to the Subject Property. The Subject Property consists of a 1.886 acre site that is currently zoned NC₁₈ and NC₆. The parcels to the north of the Subject Property consist of single family dwellings zoned Neighborhood Conservation, 12,000 SF Min. (NC₁₂). Parcels to the east and south of the Subject Property consist of single family dwellings zoned NC₆. Parcels to the west and south of the Subject Property consist of single family dwellings zoned NC₁₈. Parcels adjacent to the Subject Property will be adequately buffered on the south by the proposed private park and proposed lots for development of single family detached dwellings.

The Subject Property contains mature trees and landscaping, however some of the landscaping is overgrown or has been poorly maintained. All of the existing trees and landscaping will be removed to allow for development and replaced with new trees and landscaping. There are no unique environmental features on the Subject Property.

The Applicant's request to rezone the property from NC₁₈ and NC₆ to PUD allows for continued use of the Subject Property for residential uses that are surrounded by other residential uses found in many of the City's residential zone districts. E. Orchard Rd., which is classified as an Arterial Street in this segment of road, acts as a transportation corridor and as a boundary, connecting and defining the limits of the surrounding neighborhood. It is customary in land use planning for uses, densities, and building orientations along Arterial Streets to have similar, complementary, but not identical context as other properties in the vicinity. The Applicant's

request does not decrease the compatibility between the proposed rezoning, surrounding land uses (existing or planned), or the natural environment.

12-14-604(E)(4) – *The efficient and adequate provision of public services.*

The rezoning of the Subject Property will not cause there to be an inefficient or inadequate provision of public services. Any modifications to the existing water, sewer, drainage, transportation infrastructure, or other public services required by future development of the Subject Property will be required to be designed appropriately as part of any future site plan application. Staff has not been presented with information through the PUD review that would preclude the provision of efficient and adequate public services.

12-14-604(E)(5) – *Enhancement of convenience for the present and future residents of the City by ensuring that appropriate supporting activities, such as employment, housing, leisure-time, and retail centers are in close proximity to one another.*

The proposed PUD zoning will help ensure that appropriate supporting activities are in close proximity to one another as the intent of the PUD zone district is to allow for alley-accessed townhomes at a density higher than what is established in the adjacent residential zone districts. The Subject Property is approximately 0.2 miles from the S. Broadway St. commercial corridor, which provides direct access to Highlands Ranch, C-470, Littleton, Englewood, I-25, and Denver. The Subject Property is approximately 0.2 miles from the Rollin D. Barnard Equestrian Park in the City of Greenwood Village and approximately 0.5 miles from Milliken Park and the Highline Canal Trail in Centennial. The rezoning request is compatible with existing adjacent and nearby uses, and would implement the goals of Centennial NEXT.

12-14-604(E)(6) – *Protection of public health, safety, and welfare against natural and man-made hazards which include, but are not limited to, traffic, noise, water pollution, airport hazards, and flooding.*

The rezoning application will not result in a discernible impact to the public health, safety, and welfare. The proposed rezoning and subsequent site plan application has taken natural and manmade hazards into consideration, including traffic, noise, water, pollution, airport hazards, and flooding.

The rezoning of the Subject Property will not generate discernible impact to traffic or noise incompatible with the surrounding uses and existing road network. The PDP notes that the Subject Property will be granted access via a private driveway that connects S. Grant St. and S. Logan St. As a part of the rezoning request, no additional traffic improvements are necessary, pursuant to the approved traffic impact study that will be submitted with a site plan. Future site plan proposals are required to provide adequate transportation infrastructure approved by Public Works prior to the issuance of any permits.

The Subject Property is within the Slaughterhouse Gulch drainage basin. Upstream runoff is captured by existing curb and gutter and storm sewer systems. Runoff from the Subject Property will be collected with a proposed bio-retention rain garden on the west side of the Subject Property. Future site plan proposals would be required to provide proof of adequate stormwater management to the Southeast Metro Stormwater Authority (SEMSWA) prior to the issuance of any permits.

The Subject Property is not within the Centennial Airport Influence Area or within the 100-year floodplain.

12-14-604(E)(7) – *Accessibility within the proposed development and appropriate connectivity or buffering or both between the development and existing adjacent uses.*

City Staff will evaluate accessibility and connectivity as part of the site plan review to ensure there are adequate pedestrian and vehicular connections to the adjacent development site. The Subject Property is within an area that already has developed road infrastructure in place, allowing the Applicant to efficiently utilize existing infrastructure already in place. The PDP notes that the Subject Property will be granted access via a private driveway that connects S. Grant St. and S. Logan St. and that no additional traffic improvements are necessary, pursuant to the approved traffic impact study. The two proposed single family dwelling lots within the PUD will be accessed via private driveways from S. Logan St. The PDP notes that new sidewalk will be constructed along the frontage adjacent to S. Grant St., E. Orchard Rd., and a portion of S. Logan St. The proposed townhomes units will have a private sidewalk connection from the front door of the unit to the proposed sidewalk along E. Orchard Rd.

12-14-604(E)(8) – *Minimization of disruptions to existing physiographic features, including vegetation, streams, lakes, soil types and other relevant topographical elements. Areas with significant natural resources shall not generally be rezoned to districts that allow development that would tend to degrade the resources unless adequate conditions are put in place to protect the resources.*

There are no important physiographic features that are known to exist on the Subject Property that will be disrupted as a result of the rezoning application or any future modifications to the site. Any future building or site modifications would be required to receive City and other relevant authority/district approval. City Staff is not aware of any issues that would cause negative disruptions to vegetation, streams, lakes, soil types, and other relevant topographical elements.

12-14-604(E)(9) – *Assurance that the amenities and uses to be provided tend to enhance the quality of life in the area, by creating a comfortable and aesthetically enjoyable environment through conventions that include, but are not limited to:*

- a. *The preservation of mountain views;*
- b. *The creation of landscaped open areas;*
- c. *The establishment of high-quality mixed-use centers that are accessible to residents of abutting neighborhoods;*
- d. *The establishment of recreational areas; or*
- e. *The creation of employment centers or large-scale retail or mixed-use centers in appropriate locations.*

The Applicant's proposed PUD contains cohesive site and building design standards that are compatible with nearby residential uses. The proposed PUD is intended to encourage aesthetically enjoyable environments with thoughtful architecture, site landscaping and open space, and pedestrian amenities that exceed the requirements found in the City's other residential zone districts.

Analysis of Application to Criteria – Rezoning

Staff has evaluated the request against the criteria for approval and found that the Proposed Rezoning Plan application **meets** the approval standards contained in LDC Section 12-14-604(E), as stated above.

Community Meeting and Public Comment

A virtual community meeting was hosted on the City of Centennial's website between August 28, 2020 and September 11, 2020, pursuant to LDC Section 12-14-304, *Threshold Review*. Notice of the meeting was sent to all adjacent property owners, CenCON and to all HOA's and Civic Associations registered with the City that are located within ½ mile of the Subject Property. A total of 29 invitations were sent for the community meeting, and there were 15 attendees, not including the Applicant and Staff. See further details in the Community Participation Report included as Attachment 4.

A virtual public hearing meeting was hosted on the City of Centennial's website between February 10, 2021 and February 24, 2021, prior to the Planning and Zoning Commission public hearing on February 24, 2021. Notice of the meeting was sent to all adjacent property owners, CenCON, and to all HOA's and Civic Associations registered with the City that are located within ½ mile of the Subject Property. A total of 29 invitations were sent for the public hearing, and 15 invitations were sent to attendees who also participated in the virtual community meeting in 2020. There were 20 attendees, not including the Applicant and Staff. A compilation of the virtual public hearing comments prior to the Planning and Zoning Commission public hearing are included as Attachment 5.

An additional virtual public hearing was hosted on the City's website between March 1, 2021 and March 15, 2021, prior to the City Council public hearing on March 15, 2021. A compilation of the virtual public hearing comments will be provided to City Council prior to the public hearing on March 15, 2021.

Agency/Public Comments

Staff sent a total of 20 referral requests to outside agencies, community groups, and community meeting attendees; three (3) entities/individuals responded with comments. The remainder responded with no comments or did not respond to the referral. A summary of comments and Staff responses is provided in Attachment 6. The complete comments are included as Attachment 7.

4. Alternatives:

As this is a quasi-judicial action, City Council has the following alternatives:

1. Approve the Proposed Rezoning Plan based on specific findings of fact made at the public hearing; or
2. Deny the Proposed Rezoning Plan based on specific findings of fact made at the public hearing; or
3. Continue the public hearing for additional information.

5. Fiscal Impact:

Approval or denial of this application will have no direct fiscal impact to the City.

6. Next Steps:

If the proposed Rezoning Plan is approved by City Council, the Subject Property will be rezoned and the Official Zoning Map of the City of Centennial will be amended to conform to and reflect the Subject Property's PUD zone district classification.

7. Previous Actions:

Planning and Zoning Commission recommended approval by a vote of 7 to 0 of the Rezoning Plan at a public hearing on February 24, 2021. The Planning and Zoning Commission's February 24, 2021 Agenda and Minutes are available [here](#).

The City Council considered the Rezoning Plan at first reading on March 1, 2021. The City Council's March 1, 2021 Agenda and Minutes are available [here](#).

8. Suggested Motions:

SUGGESTED MOTION FOR RECOMMENDING APPROVAL (THIS IS THE MOTION RECOMMENDED BY STAFF):

I MOVE APPROVAL OF ORDINANCE NO. 2021-O-03, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, REZONING CERTAIN PROPERTY LOCATED AT THE SOUTHEAST CORNER OF EAST ORCHARD ROAD AND SOUTH GRANT STREET FROM NEIGHBORHOOD CONSERVATION, 18,000 SF MINIMUM (NC18) AND NEIGHBORHOOD CONSERVATION, 6,000 SF MINIMUM (NC6) TO PLANNED UNIT DEVELOPMENT (PUD) UNDER THE LAND DEVELOPMENT CODE, AND AMENDING THE OFFICIAL ZONING MAP, BE APPROVED ON SECOND READING BASED ON THE CITY COUNCIL'S FINDING THAT THE REZONING PLAN MEETS ALL APPLICABLE CRITERIA FOR APPROVAL SET FORTH IN SECTIONS 12-14-903(C) AND 12-14-604(E) OF THE LAND DEVELOPMENT CODE AS SUMMARIZED IN THE STAFF REPORT AND RECOMMENDATION DATED MARCH 15, 2021.

SUGGESTED MOTION FOR RECOMMENDING DENIAL* (NOT RECOMMENDED BY STAFF):

I MOVE TO DENY ORDINANCE NO. 2021-O-03, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, REZONING CERTAIN PROPERTY LOCATED AT THE SOUTHEAST CORNER OF EAST ORCHARD ROAD AND SOUTH GRANT STREET FROM NEIGHBORHOOD CONSERVATION, 18,000 SF MINIMUM (NC18) AND NEIGHBORHOOD CONSERVATION, 6,000 SF MINIMUM (NC6) TO PLANNED UNIT DEVELOPMENT (PUD) UNDER THE LAND DEVELOPMENT CODE, AND AMENDING THE OFFICIAL ZONING MAP, BE DENIED ON SECOND READING BASED ON THE CITY COUNCIL'S FOLLOWING FINDINGS OF FACT:

1. THE REQUEST DOES NOT MEET ALL OF THE CRITERIA OF APPROVAL SET FORTH IN SECTIONS 12-14-903(C) AND 12-14-604(E) OF THE LAND DEVELOPMENT CODE, INCLUDING BUT NOT LIMITED TO:

*In the event City Council seeks to deny this case, Staff recommends that the City Council consult with the City Attorney prior to making a motion.

9. Attachments:

Attachment 1:	Existing Zoning Map
Attachment 2:	Applicant's Letter of Intent (letter discusses PUD <u>and</u> Site Plan)
Attachment 3:	Gallup's Gardens PUD Preliminary Development Plan (PUD-20-00002)
Attachment 4:	Community Participation Report
Attachment 5:	Public Comments Submitted in Advance of the February 24, 2021 Planning and Zoning Commission Public Hearing
Attachment 6:	Summary of Agency/Public Comments
Attachment 7:	Full Text of Agency/Public Comments
Attachment 8:	Ordinance No. 2021-O-03

Given the quasi-judicial nature of land use cases, applicants, members of the public and press are advised that, to ensure a fair and unbiased process, and to provide due process to the applicant and the public, the City Council is only allowed to consider communications that occur during the public hearing and matters set forth in the official record for the matter. Consequently, City Council Members cannot engage in conversations about any land use applications prior to the formal hearing.