Subject: A public hearing regarding Zoning and a Conceptual Site Plan for property generally located west of Washington Street and north of East 140th Avenue (Thorncreek Church Annexation).

1. An ordinance approving the Zoning of approximately 15 acres of land to Regional Commercial and amending the Official Zoning Map to allow for the development of religious land uses and a private school for property generally located west of Washington Street and north of East 140th Avenue (Thorncreek Church Zoning).

2. A resolution approving a Conceptual Site Plan to allow for the development of a church and private school on property generally located west of Washington Street and north of East 140th Avenue (Thorncreek Church Annexation).

SYNOPSIS:

Zoning

This requested zoning is in conformance with State Law, which requires that lands annexed into the City be zoned within 90 days of the effective date of the annexation ordinance. The applicant is proposing to zone approximately 15 acres of property as Regional Commercial (RC) and amend the Official Zoning Map pursuant to Section 18-5 of the Code in order to develop the property for future religious and regional commercial uses. Annexation of the site is concurrently proposed.

Conceptual Site Plan

The proposed Conceptual Site Plan (CSP) for the Thorncreek Church development includes multiple buildings for the development of a future religious and educational campus, on-site parking, landscaping, a regional trail connection, open space, and a detention and water quality pond for water drainage. The proposed overall project will provide the City with a well-planned, religious, and educational campus intended to improve the character of the area for adjacent neighborhoods. The Design Standards of the Code will be incorporated into the design of the project creating a unified development.

RECOMMENDATION:

Staff recommends Alternative No. 1, approval of the Zoning ordinance and CSP resolution, based on the following findings:

1. The proposed zoning and the CSP meets the criteria of the Code and the 2012 Comprehensive Plan.
2. The proposed RC zoning and CSP provides for orderly and planned development of the site.
3. The proposed CSP will allow an effective and compatible project to provide for future development of the project.
4. The proposed development meets or exceeds the design standards of the Development Code and site design issues.

**BUDGET/STAFF IMPLICATIONS:**

None.

**ALTERNATIVES:**

1. Approve the Zoning and CSP.
2. Deny the Zoning and CSP.
3. Revise the Zoning and CSP in response to specific Council direction.

**BACKGROUND (ANALYSIS/NEXT STEPS/HISTORY):** (includes previous City Council action)

**Comprehensive Plan:** The Comprehensive Plan Land Use designation for this property is Regional Commercial and the proposed zoning and CSP are consistent with the Comprehensive Plan designation of Regional Commercial.

**Zoning:** The proposed zoning complies with the following criteria for a rezone:

1. *Growth and other development factors in the community support the zoning.*

   The proposed zoning will not change the overall character of the area. The development will provide a high quality church and educational campus environment for the community. The proposed development including the amenities, multi-use trail connections to the existing public trail system, pedestrian connections to adjacent residential development, and enhanced open space amenities with the future development of the educational campus supports the zoning for the property. The design of the subdivision will enhance the area and benefit the community.

2. *The change in zoning represents orderly development of the city and there are, or are planned to be, adequate services and infrastructure to support the proposed zoning change and existing uses in the area.*

   Adequate services are planned to support the proposed development. Community commercial and residential design features including, water wise landscape, pedestrian connectivity throughout the site, and durable construction materials provide an effective use of the land and its resources.

3. *The change in zoning provides for an appropriate use of the property.*

   The proposed use will contribute to, enhance, and promote the welfare of the area and adjacent properties accommodating development of a vacant parcel. The unique site planning of multiple church buildings located toward the west side of the site with open space and water detention along the Washington Street frontage to the east assures a secure church and educational environmental for the community. The development’s owner or business association will maintain the open space and perimeter landscaping for the site to ensure a
well-maintained development. These features provide a creative design for the project and provides a low impact religious and educational campus development which will be an asset to the community.

4. The change in zoning is in substantial conformance with the goals and policies of the Comprehensive Plan and other adopted plans and policies of the City.

The City's Comprehensive Plan designates this area as Regional Commercial on the Future Land Use Map and the proposed uses are consistent with the proposed designation. The proposal promotes applicable Comprehensive Plan policies, including the following:

ii. Policy 6.2.2 Assure adequate zoned commercial land in advance of residential development.
iii. Policy 6.3.1 Proactively annex and zone land for nonresidential development.

5. The proposed zoning is sensitive to and compatible with the existing and planned use and development of adjacent properties.

The design of the proposed mixed-use development, church, and educational campus, blends well with the surrounding single-family residential and retail land uses. The intent of the proposed development is to provide a well-designed campus that fits in with the surrounding single-family and multifamily residential developments in the area.

**Conceptual Site Plan:**

The proposed CSP is in conformance with the standards specified in Chapter 18 of the Thornton City Code for the RC zoning, including building setbacks, building heights, parking, and other related site design requirements. The Design Standards for the overall project will provide enhanced building architecture, landscape, open space areas, and pedestrian circulation through the property creating a functional commercial, religious, and educational campus environment. A comprehensive landscape design will be submitted at the time of the first Development Permit application.

1. The CSP for the property provides orderly land development of a vacant site adjacent to a major roadway.
2. The proposed CSP is compatible with present development in this area, and will not have a significant, adverse effect on the surrounding area.
3. The proposed CSP provides for an appropriate use of the property allowing for the development of a RC use.
4. The proposed CSP is consistent with the public health, safety, and welfare, as well as efficiency and economy in the use of land and its resources.
5. The implementation of the design standards of the Code will create a successful regional commercial use.

**Public Improvements:** The Developer will complete all public improvements in order to serve this site. Public improvements include, but are not limited to, improving roadways adjacent to the site, with paving, curb, gutter, and streetlights, installation of a 10 foot regional trail through the site, installation of water and sewer to serve the site, and the installation of ROW landscaping.
Drainage: The design of the drainage improvements shall be made in accordance with the requirements of the City. Generally, the run-off from the site will be collected in a detention and water quality pond located in the southeast corner of the property and flow into the McKay Lake drainage way. The Developer will complete all appropriate drainage improvements in order to serve the site at the time of Development Permit prior to any construction. A final drainage report will be reviewed and approved by Development Engineering at the time of the development of the overall project. The developer shall complete all appropriate drainage work to convey storm water flows from the development to an approved drainageway prior to the issuance of any Certificate of Occupancy for the property.

Water and Sewer: There is capacity in the City system for water and sewer to serve this site. The Developer will be responsible for extending all necessary water and sewer lines to and through the site as needed.

Traffic and Circulation: As part of the review process for the development, the applicant submitted a traffic study for the overall development of the site. The study area in this analysis for the traffic study encompassed the Washington intersections with East 144th Avenue, East 136th Avenue, and access into the site. The proposed accesses into the property were reviewed by the Traffic Engineer and Development Engineering. All road improvements associated with this project will be completed in accordance with the City’s Standards and Specifications in conformance with the traffic study. The traffic for the proposed development can be accommodated by the existing streets. The details and timing of public improvements for this development will be determined at the time of the Subdivision Plat.

Landscaping: All landscaping and related site improvements will be in conformance with the CSP. The final landscape design will be reviewed with the Development Permit for the overall project and will be in conformance with the Code. The landscaping will include a mix of deciduous and evergreen trees, as well as a mix of canopy, understory, ground cover plants, and turf. All landscape plans will be prepared in accordance with the City’s water wise landscape regulations, which emphasize the use of drought-tolerant materials. The proposed landscape design details for the development will be subject to review and approval through the Development Permit process. The Developer shall install a regional trail through the site along the western edge of the on-site drainageway. This trail will serve as the pedestrian sidewalk for Washington Street. Additionally, the Developer will provide a trail connection to the multifamily development adjacent to the western boundary of the site.

Public Land Dedication: Public Land Dedication requirement for the site is eight percent of the gross land area. This will be satisfied by the payment of a cash-in-lieu fee and amenities determined with the review of the overall development prior to the recordation of the subdivision plat.

Architecture: The proposed architecture will be in compliance with the Design Standards of the City and the North Washington Subarea Plan. The architecture will be consistent with the CSP with review and approval at time of Development Permit. The project will be developed with four sided architecture and a unified architectural design theme. A variety of architectural elements and materials will be used throughout the development to convey a unified theme while promoting individual design differences. A comprehensive sign package for the project will be submitted at the time of the first Development Permit application.
The architectural design theme for the site as shown on the CSP will be used throughout the development. Significant changes to the architectural design theme for future buildings within the development may require the review of Council at a public hearing.

PUBLIC NOTICE AND RESPONSE:

Public Notification: All property owners within at least 1,500 feet of this site were sent notice of the public hearing ten days prior to October 24, 2017. A public notice of the hearing was advertised in the Northglenn-Thornton Sentinel on October 12, 2017. Notification of the City Council hearing was posted on the property for ten days prior to the October 24, 2017, public hearing.

Public Response: Community Meeting for Thorn creek Church development.

A community meeting was held on March 2, 2016, to present the proposed Annexation, Zoning, and Conceptual Site Plan for the Property to adjacent property owners. Seven adjacent property owners attended the meeting, curious as to what is proposed for the property. The developer advised the citizens that the property is for the future development of a church, associated religious uses, and a private school. The citizens were pleased that the property is being developed and supported the development.

HISTORY:

On September 12, 2017, the petition for annexation into the City of Thornton was acknowledged by the City Council.
RESOLUTION

A RESOLUTION APPROVING A CONCEPTUAL SITE PLAN TO ALLOW FOR THE DEVELOPMENT OF A CHURCH AND PRIVATE SCHOOL ON PROPERTY GENERALLY LOCATED WEST OF WASHINGTON STREET AND NORTH OF EAST 140TH AVENUE (THORNCREEK CHURCH ANNEXATION).

WHEREAS, Thorncreek Church of the Nazarene, a Colorado Non-profit corporation is the owner and developer (Owner) of certain real property (Property) within the City of Thornton (City), described in Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, the Owner has submitted to the City an application for consideration of the Thorncreek Church Conceptual Site Plan (CSP); and

WHEREAS, the aforesaid application is a matter of public record in the custody of the City Development Department, and is available for public inspection during business hours of the City; and

WHEREAS, the aforesaid application, CSP maps in Exhibit B, and all supporting documents are hereby incorporated as if fully set forth herein; and

WHEREAS, the proposed CSP is consistent with the goals and desires of the City and provides for orderly growth within the City and a beneficial and efficient use of the Property; and

WHEREAS, on October 24, 2017, the City Council conducted a public hearing and reviewed said application pursuant to the procedural and notice requirements of the City Charter and Chapter 18 of the Thornton City Code, and the Council having considered the evidence presented in support of and in opposition to the application, the applicable zoning, the City's Comprehensive Plan, and staff recommendations and so having considered the record and given appropriate weight to the evidence.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF THORNTON, COLORADO, AS FOLLOWS:

1. The City Council finds that the CSP has been submitted in compliance with the provisions of Chapter 18 of the Thornton City Code:
   a. The development is consistent with the regulations of the Code.
   b. The CSP promotes orderly land development.
2. The City Council finds that the proposed development is consistent with the Thornton City Code criteria as follows:

   a. The proposed project is consistent with the approval of an existing application for a Regional Commercial (RC) zoning district. The proposed uses are allowed by right in the RC zoning district.

   b. Adequate facilities and services exist or are planned by the project to serve the development at the time of construction.

   c. Compatibility with the surrounding area is demonstrated by proposed improvements, including screening and buffering that will be provided to minimize impacts to adjacent properties.

   d. The proposed plan is consistent with the Comprehensive Plan. The Comprehensive Plan Future Land Use Map designation for the property is Regional Commercial. The Comprehensive Plan’s applicable strategies and policies are as follows:

      ii. Policy 6.2.2 Assure adequate zoned commercial land in advance of residential development.
      iii. Policy 6.3.1 Proactively annex and zone land for nonresidential development.

   e. The conceptual site plan is in compliance with all applicable use, development and design standards set forth in the Development Code.

3. The City Council finds that this CSP is compatible with the present and proposed development in the immediate area.

4. The Thorn creek Church CSP is hereby approved subject to the following conditions:

   a. During subsequent reviews associated with actual development of the site identified in the CSP, including Subdivision Plat and Development Permit, the Deputy City Manager of City Development may allow for minor adjustments in the final site plan, subdivision plat, and final landscape plan and associated final engineering documents. Any changes to the development would be due to actual site conditions, unforeseen technical issues involving infrastructure on the site, and changes to the building products previously identified or described on the CSP graphic and approved by the City Council.
b. Approval of the CSP does not waive any additional requirements of the development as established with the Subdivision Plat, Developer’s Agreement, or any Development Permit (DP) associated with the Property.

c. The Owner shall install all public improvements that are required to serve the Property including, but not limited to, streets, utilities, drainage improvements, streetlights, curb, gutter, sidewalks and right-of-way landscaping. Timing of said improvements will be determined at the time of the Developer’s Agreement.

d. All public improvements are to be designed and constructed to the City of Thornton Standards and Specifications for the Design and Construction of Public Improvements.

e. All phases of this development must have two points of access and a looped water system to allow proper fire protection during construction and development.

f. This development shall complete all appropriate drainage work necessary to serve the development as determined by Development Engineering. Timing of said improvements will be determined at the time of the Developer’s Agreement.

g. The property is exempt from Park Land Dedication requirements for this site pursuant to Section 18-685 because the property is exempt from taxation by the County.

5. All land use approvals and building permits for the Property described herein shall be subject to requirements including, but not limited to, the payment of impact fees and development charges, concurrency management requirements, design standards, moratoriums, and other land use and development requirements in effect at the time that such proposed development applies for a building permit.

6. All subsequent development approvals shall be in accordance with this CSP.

7. The conditions set forth in this resolution shall run with the land and be binding upon the Owner and its successors and assigns.
PASSED AND ADOPTED at a regular meeting of the City Council of the City of Thornton, Colorado, on ______________________, 2017.

CITY OF THORNTON, COLORADO

________________________________________
Heidi K. Williams, Mayor

ATTEST:

________________________________________
Kristen N. Rosenbaum, City Clerk
LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE NE 1/4 OF SECTION 22, TOWNSHIP 1 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ADAMS COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 22, WHENCE NORTHEAST QUARTER CORNER BEARS NORTH 00°47'46" WEST 2641.72 FEET, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 22; THENCE NORTH 89°57'23" WEST 50.01 FEET ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 22 TO A POINT ON THE WEST RIGHT OF WAY LINE OF WASHINGTON STREET AND A POINT ON THE WEST LINE OF CITY OF THORNTON ANNEXATION ORDINANCE #1881 FILE 16 MAP 856 REC. NO. B894570 AND A POINT ON THE NORTH LINE OF CITY OF THORNTON ANNEXATION ORDINANCE #2018 FILE 16 MAP 946 REC. NO. B971978 AND THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE OF ANNEXATION ORDINANCE #2018 NORTH 89°57'23" WEST 544.08 FEET ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 22 TO POINT ON THE EAST LINE OF CITY OF THORNTON ANNEXATION ORDINANCE #2077 FILE 16 MAP 989 REC. NO. B1006565; THENCE ALONG SAID EAST LINE OF ANNEXATION ORDINANCE #2077 NORTH 04°01'38" EAST 1349.08 FEET; THENCE THEN DEPARTING SAID EAST LINE OF ANNEXATION ORDINANCE #2077 NORTH 88°58'01" EAST 430.59 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF WASHINGTON STREET AND A POINT ON THE WEST LINE OF SAID ANNEXATION ORDINANCE #1881; THENCE ALONG SAID RIGHT OF WAY LINE AND SAID WEST LINE OF ANNEXATION ORDINANCE #1881 SOUTH 00°47'46" EAST 1354.06 FEET TO THE POINT OF BEGINNING.

CONTAINING 15.097 ACRES, MORE OR LESS.