

**PLANNING AND DEVELOPMENT MEMORANDUM**  
**#09-37**

October 16, 2009

**TO:** Honorable Mayor Kathleen M. Novak and City Council Members

**FROM:** William Simmons, City Manager *WMS*  
James Hayes, Director, Planning and Development *JH*  
Travis Reynolds, Senior Planner, Planning and Development *TR*

**SUBJECT:** Rezoning of 9730 Huron Street from R-1-B to Preliminary PUD CB-1700

**BACKGROUND INFORMATION**

The property under consideration is the site of the existing Korean Church of North Denver. Adjacent to the church site, the City of Thornton previously housed a pump house for their water system. The pump house was decommissioned and the property put up for sale in 2007. The Korean Church of North Denver subsequently bought the property and began the process of incorporating the two properties and planning for construction of a multi-function building on the pump house site. As the church property is currently zoned Residential R-1-B, City staff prescribed the process of re-platting the two properties and filing for rezoning through the Planned Unit Development process due to the unique concept. The applicant proposes to incorporate the new property into their existing property and build a new 3,672 sq. ft. Multi-use/Gymnasium to co-exist with the remaining structures on the properties (main church & office).

**Attachment A** is the proposed draft ordinance. **Attachment B** is the staff report prepared for the Planning Commission's public hearing on September 22, 2009. At that hearing, Planning and Development staff presented their report, the applicant spoke on behalf of the project and the public was invited to speak in favor/opposition to the proposal. One resident from the adjacent neighborhood spoke in favor of the improvements to on-site detention but had concerns about automobile headlights from the parking areas spilling over to adjacent properties. The Commission discussed the issue and motioned to recommend approval with the stipulation of the installation of screening along the perimeter of the property where headlights may have an impact on neighboring parcels.

**PROCEDURE**

Per the City of Northglenn's Zoning Ordinance, the City Council is required to consider the zone change within 60 days of the initial Planning Commission hearing. First reading of the ordinance is scheduled for October 22, 2009. Second reading and final action will be November 12, 2009.

**STAFF REFERENCE**

If Council members have any comments or questions, they may contact James Hayes, [jhayes@northglenn.org](mailto:jhayes@northglenn.org) or Travis Reynolds, [treynolds@northglenn.org](mailto:treynolds@northglenn.org).

SPONSORED BY: MAYOR NOVAK

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1700  
Series of 2009

Series of 2009

A BILL FOR A SPECIAL ORDINANCE REZONING FROM RESIDENTIAL (R-1-B) TO PLANNED UNIT DEVELOPMENT (PUD) CERTAIN REAL PROPERTY IN THE CITY OF NORTHGLENN COMMONLY KNOWN AS 9730 HURON STREET IN THE COUNTY OF ADAMS, STATE OF COLORADO, AND AMENDING THE ZONING MAP OF THE CITY OF NORTHGLENN

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Change in Zoning Ordinance. Pursuant to the provisions of the Northglenn Zoning Ordinance, as amended, and upon the recommendation of the Northglenn Planning Commission (Case No. Z-1-09), a zoning change from Residential R-1-B to Planned Unit Development (PUD) is hereby allowed and granted for the real property in the City of Northglenn, Colorado, described as follows and shown on the attached Exhibit A, to-wit:

COMMENCING AT THE SW CORNER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 68 WEST of the 6<sup>TH</sup> PRINCIPAL MERIDIAN, THENCE NORTH 1159.60 FEET, THENCE EAST 50 FEET TO EASTERLY RIGHT-OF-WAY LINE OF HURON STREET AND THE POINT OF BEGINNING; THENCE N 89° 49' 24" E 280.00 FEET; THENCE S 00° 18' 45" E 210.68 FEET TO THE SOUTH LINE OF LOT 4 BLOCK 1, NORTHGLENN NINETEENTH FILING THENCE S 78° 38' 32" W ALONG SAID LOT LINE 286.60 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF HURON STREET; THENCE N 00° 02' 27" W ALONG SAID RIGHT-OF-WAY LINE 266.05 FEET TO THE POINT OF BEGINNING, COUNTY OF ADAMS, STATE OF COLORADO.

Section 2. Change of Zone Maps. The official zoning map of the City of Northglenn, pursuant to the provisions of Section 11-3-1 of the Municipal Code of the City of Northglenn, as amended, and the Comprehensive Master Plan of the City of Northglenn shall be and hereby are ordered amended to conform with the provisions of this Ordinance.

INTRODUCED, READ AND ORDERED POSTED this 22<sup>nd</sup> day of October, 2009.

  
KATHLEEN M. NOVAK  
Mayor

ATTEST:



\_\_\_\_\_  
JOHANNA SMALL, CMC  
City Clerk


PASSED ON SECOND AND FINAL READING this \_\_\_\_ day of \_\_\_\_\_,  
2009.

\_\_\_\_\_  
KATHLEEN M. NOVAK  
Mayor

ATTEST:

\_\_\_\_\_  
JOHANNA SMALL, CMC  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
COREY Y. HOFFMANN  
City Attorney

## **ATTACHMENT B**

**Case No. Z-1-09**

Applicant: Chris Porcello, PEI Consulting Engineers, on behalf of the Korean church of North Denver.  
Location: Parcels located at and adjacent to 9730 Huron Street  
Ordinance: 11-16-1 through 11-16-13

# **KOREAN CHURCH OF NORTH PRELIMINARY PUD STAFF REPORT AND RECOMMENDATION**

### **REQUEST:**

As applicant and representative for Korean Church of North Denver, Chris Porcello, PEI Consulting Engineers, requests Planning Commission review and recommendation for the rezoning of parcels located at 9730 from R-1-B Residential to Planned Unit Development (PUD).

### **REASON FOR REQUEST:**

Chapter 11, Article 16. Planned Unit Development, PUD. The applicant proposes to rezone the property to PUD in alignment with purposes listed in article 11-16-2 Purpose and Intent.

### **PROPOSAL:**

The proposed project aims to demolish an existing structure (former City of Thornton pumphouse) and construct of a new multi-use, gymnasium type building on a site adjacent to the existing main church building.

### **BACKGROUND:**

The area under consideration is the site of the existing Korean Church of North Denver. Adjacent to the Church site, the City of Thornton housed a pump house for their water system. The pump house was decommissioned and the property put up for sale in 2007. The Korean Church of North Denver subsequently bought the property and began the process of incorporating the two properties and planning for construction of a multi-function building on the pump house site. As the church property is currently zoned Residential R-1-B, City staff prescribed the process of re-platting the two properties and filing for rezoning through the Planned Unit Development process due to the unique concept. The applicant proposes to incorporate the new property into their existing property and build a new 3,672 sq. ft. Multi-use/Gymnasium to co-exist with the remaining structures on the properties (main church & office).

### **SURROUNDING LAND USES**

North: single-family homes zoned R-1-B

East: single-family homes zoned R-1-B

South: single-family homes zoned R-1-B and a single parcel PUD for a duplex multi-family dwelling unit

West: Huron Street and single-family homes zoned R-1-B

## **APPROVAL CRITERIA:**

### Section 11-16-6-Approval Criteria:

(a) Prior to granting approval for any preliminary or final planned unit development plan, the Planning Commission and City Council shall give consideration to the purpose and intent of this Article 16 as listed in Section 11-16-2, above, and those criteria for any rezoning request as listed in Section 11-37-2(h) of this Chapter 11 of the Municipal Code. In addition, prior to approval of any final planned unit development plans, the Planning Commission shall find them to be in conformity with the approved preliminary planned unit development plans.

Additionally;

### Section 11-37-2-Zone Changes

(h) Basis for Approval. The Commission and Council shall give consideration to and satisfy themselves to the following:

- (1) That a need exists for the proposal;
- (2) That this particular parcel of ground is indeed the correct site for the proposed development;
- (3) That there has been an error in the original zoning; or
- (4) That there have been significant changes in the area to warrant a zone change;
- (5) That adequate circulation exists and traffic movement would not be impeded by development; and
- (6) That additional municipal service costs will not be incurred which the City is not prepared to meet.

## **ANALYSIS:**

The uses included in the proposed development are in conformity with the City of Northglenn Comprehensive Plan. Specifically, the Western Planning District of the Comprehensive Plan calls for Single Family development in this area. Additionally, the City's zoning ordinance allows for churches in residential areas under the use of a Permitted Use Permit. The Korean Church of North Denver applied for and was granted a Permitted Use in 1986 and went through a subsequent expansion in 1998. Chapter 11, Article 30 of the City's zoning ordinance, that establishes allowable uses in Residential zones, is silent on Gymnasium-Multi-Use buildings. Therefore, the PUD process was prescribed for the applicant.

As a preliminary step towards development of the new facility, the applicant elected to file a new plat for the two properties. The process was handled administratively by City staff. The filing of the new plat and proposed plans for construction of the new building require the applicant to detain stormwater runoff to the City's standards. A large stormwater detention facility is planned at the southeast corner of the lot. The detention facility will detain stormwater from the lot and release it into the City's stormwater system at historical rates.

The applicant proposes to include 9 new parking spaces in addition to the existing 51 spaces for a total of 60 spaces. The City's zoning ordinance establishes parking requirements for both churches and gymnasiums at 1 parking space per 3 seats. Plans from the Church's former expansion in 1998 indicate that there are 150 seats in the main church building and 50 on-site parking spaces provided. The multi-purpose gymnasium does not propose fixed, formal seating. Therefore, the standard for assembly halls may be applicable. Assembly hall parking standards are as follow:

*Convention halls, dance halls, skating rinks, and assembly halls: one (1) parking space for each four (4) seats provided for patron use, plus one (1) space for each 100 square feet of floor or ground area used for amusement or assembly not containing fixed seats.*

Application of these two standards would require a total of 50 spaces for the main church building and 36 spaces for the multi-use gymnasium. This would total 86 parking spaces, far in excess of the 60 proposed.

Staff believes that this total number of parking spaces proposed will be adequate to accommodate most activities planned at the site as there is limited potential of independent activities occurring in both buildings at the same time. Originally, additional parking spaces were planned but had to be removed to accommodate the detention pond. As this is a PUD, the Commission has the authority to recommend a project with less parking provided than a strict interpretation of the zoning ordinance would allow, if the conditions warrant.

Drainage and Utility plans submitted with the Preliminary PUD are conceptual, based on preliminary information about existing conditions and proposed improvements. Final plans will be submitted with the Final PUD. All Final PUD plans will conform to the City of Northglenn standards and specifications as well as Urban Drainage and Flood Control District's standards.

### **STAFF REVIEW**

The Preliminary PUD plans have been reviewed and approved by City staff in accordance with Section 11-16-4(a)(1)(a) of the City of Northglenn Zoning Ordinance.

### **COMMISSION OPTIONS:**

The Commission's options in this case are as follows:

- 1) Recommend approval of this request, with or without conditions;
- 2) Recommend denial of this request for reasons stated; or
- 3) Table the request for further consideration.

### **STAFF RECOMMENDATION:**

Staff recommends a recommendation for approval of the Preliminary PUD for the Korean Church of North Denver as designed.

RESPECTFULLY SUBMITTED:



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Travis Reynolds,  
Senior Planner

***WHAT'S NEXT: The Planning Commission recommendation is forwarded to City Council for their public hearing at a future date. City Council adoption of a special zoning ordinance is necessary for a change of the property's zoning designation.***