



**PLANNING AND DEVELOPMENT DEPARTMENT  
MEMORANDUM 12-27**

**DATE:** August 27<sup>th</sup>, 2012

**TO:** Honorable Mayor Joyce Downing and City Council Members

**FROM:** William A. Simmons, City Manager   
Brook Svoboda, Director of Planning and Development 

**SUBJECT:** CB-1779 - Rezoning for Certain Real Properties at 440 Garland Drive – Scientific Martial Arts, Preliminary and Final PUD

---

**UPDATE**

Due to an oversight with the public hearing noticing procedures, the property was not posted with the required public hearing notice within the prescribed timeframe of ten days prior to the public hearing. Notices to surrounding residents were sent in accordance with the public hearing notice requirements.

As a result, Council may choose to take public comment at the August 27<sup>th</sup> Council Meeting and then continue the Public Hearing to the September 10<sup>th</sup> Council meeting.

**BACKGROUND**

Attached to this memo is a proposed ordinance, which if approved, would rezone 440 Garland Drive to a Preliminary PUD (Planned Unit Development) to create a mixed-use development consisting of four (4) apartment units and a commercial martial arts studio. Most recently, the property operated as the Brother Bear Daycare Center. The property recently fell into foreclosure and was purchased by the applicant from a financial institution.

**PROCEDURE**

The current zoning ordinance allows an applicant to consolidate both Preliminary and Final PUD public hearings into one public hearing before the Planning Commission (11-16-4(b)). Staff presented the Preliminary and Final PUD application to the Planning Commission for consideration at a public hearing on July 17<sup>th</sup>, 2012. The Planning Commission provided a recommendation for approval of the change in zoning to the Council. Additionally they approved the “Final” portion of the PUD process contingent upon the Council’s approval to rezone the property. A copy of the staff report is included for the Council’s review (**Attachment A**).

The City Council is to consider the proposal based on the following five criteria for rezoning (11-37-2(h)):

- (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.

As stated the Planning Commission has previously provided a recommendation for approval to the City Council and the Commission has approved the "Final" portion of the Process. If the rezoning to PUD is granted by the City Council, the applicant will begin the process of applying for building permits.

**BUDGET/TIME IMPLICATIONS:**

This ordinance amendment request has no budgetary impacts.

If forwarded, second reading of the ordinance for rezoning to PUD will occur at the August 27, 2012 City Council meeting.

**RECOMMENDATION**

Staff recommends Council approve CB-1779

**STAFF REFERENCE**

Brook Svoboda, Director of Planning and Development [bsvoboda@northglenn.org](mailto:bsvoboda@northglenn.org) or 303.450.8937

**ATTACHMENTS**

Attachment A

Planning Commission Staff Report w/ Exhibits



# **ATTACHMENT A**

**Case No. Z-2-12**

Applicant: Jordan Gutierrez, SkyView Investors Group  
Location: 440 Garland Drive  
Ordinance: 11-16 and 11-37-2

## **440 GARLAND DRIVE FINAL PLANNED UNIT DEVELOPMENT (PUD) STAFF REPORT AND RECOMMENDATION**

### **REQUEST:**

The applicant, Jordan Gutierrez (owner), requests the Planning Commission hear and recommend, to the City Council, a change of zoning of the parcels located at 440 and 460 Garland Drive (Exhibit A) from R-1-C residential to Planned Unit Development (PUD).

### **REASON FOR REQUEST:**

The applicant proposes to merge the two (2) existing parcels into one (1) parcel and remodel the existing structure that currently covers both parcels. The existing structure has been vacant since 2006. The owner is proposing to rehabilitate the structure and in the process create four (4) rental apartment units and a space that will be used as a commercial martial arts studio within the building.

### **BACKGROUND:**

The two parcels have always been zoned R-1-C Residential. The properties are owned by SkyView Investments, LLC, (Jordan Gutierrez) who acquired these parcels in February, 2012. As mentioned above, the two parcels have a structure that spans the lot line (**Attachment A**). Along with the PUD application, the applicant has requested a Minor Subdivision to combine the two parcels into one. The minor subdivision will be handled administratively. The existing structure is one story and has a combination of brick and frame construction. The structure is 4,246 square feet on the first floor and a partially finished walkout basement that constitutes 3,874 square feet. There is also a garage on the property that is approximately 624 square feet.

The structure was used as a daycare facility from the 1980's until May 2006, when the property lost to foreclosure. The building has been unoccupied since that time, until this past February when it was bought by the applicant. SkyView requests the re-zoning of the property to allow for four (4) residential apartment units and a commercially operated exercise studio, which is intended for instruction in Martial Arts. As part of the PUD the applicant proposes to rehabilitate and add an addition to the existing structure to allow for these uses. The detached garage will be removed.

The total square footage of the rehabilitated structure will be 10,424, with 3,925 dedicated to the martial arts studio; the remaining square footage will be divided among the apartment units as follows:

- Unit 1 – 2,264 SF
- Unit 2 – 2,288 SF
- Unit 3 – 1,342 SF
- Unit 4 – 610 SF

The applicant has requested that the Planning Commission hear and make recommendation on the Preliminary PUD and also hear and approve the Final PUD (contingent upon City Council approving the Preliminary PUD) during this hearing. If the Planning Commission makes a recommendation on the Preliminary PUD and approves the Final PUD, the recommendation will be forwarded to the City Council for approval. If City Council approves the rezoning, the PUD will be approved to obtain a development permit. Under this scenario the last step for this application will be City Council approval.

The Planning Commission must recommend approval of the Preliminary and Final PUD based on the findings of fact from Sections 11-16-2 and 11-37-2 of the Northglenn Zoning Ordinance, outlined in the Approval Criteria Section below.

### **SURROUNDING LAND USES:**

North:	R-1-C Residential
South:	O-1 Open Space and R-1-C (Elementary School)
West:	R-1-C (Adams 12 Elementary School)
East:	O-1 Open Space (Kiwanis Park)

### **CASE ANALYSIS:**

The analysis of the case was completed with the review of submitted materials for the Preliminary PUD and Final PUD.

#### **Building Footprint / Site Plan**

Information submitted for the Preliminary and Final PUD depicts a 10,424 square foot building on the site. The required front setback in an R-1-C zone is 25', and the existing structure meets this setback requirement. It also meets the side setback requirements. The entire addition is to the rear of the structure and will be built in the 20' rear setback (as required in an R-1-C zone). Staff finds little adverse impact from the rear encroachment in the setback, as parcel adjacent to the rear of the building is a school field.

The parking area is depicted to the front of the building. The parking area provides for sixteen (16) spaces, including six (6) that are dedicated for the four (4) apartment units and one (1) that



is a designated handicapped space. The applicant has obtained a letter from the Head Custodian of Adams 12 Five Star Schools, Paul Bath, stating that the school parking lot directly to the west is open to the public and overflow vehicles from the exercise studio can park in this lot (**Attachment B**). The applicant has noted on the PUD that "In the event an agreement with the Adams County School District 12 for the use of overflow parking adjacent to the property is revoked, occupancy for the studio portion of the development will be limited to a three students per available parking space ratio." The applicant has also noted on the cover sheet that the actual occupancy of the studio will be 32, which includes 30 students and 2 staff.

The North Metro Fire Rescue District (NMFRD) has reviewed the plans and commented that the location of the trash as depicted on the site plan is a problem because it is required to be at least 5 feet from the building. The requirement states:

*Dumpsters and containers with an individual capacity of 1.5 cubic yards or more shall not be stored in buildings or placed within 5 feet of combustible walls, openings, or combustible roof eave lines.*

NMFRD recommended that the applicant could potentially turn the dumpster enclosure 90 degrees to get it 5 feet away from the structure. Staff has informed the applicant of this and recommended that they work with both the waste service provider and NMFRD to come up with a solution. Prior to the issuance of a Development Permit, the applicant must find a suitable solution for the trash enclosure that meets the NMFRD requirements.

#### Drainage

The structure related impervious surface will remain largely the same as the property's previous use. The small net gain in impervious surface from the demolition of the garage and construction of the addition is not significant enough to require further stormwater detention at this location.

#### Landscaping

Total landscape area equates to 17.5 % of the site. The site has four (4) existing trees that are to remain. This exceeds the City's standard of 12% required on-site landscaping. No prohibited species are proposed.

#### Elevations

Elevations are included with the Final PUD. Architectural standards and requirements in the ordinance are limited. The structure was originally built to the standards for Single Family Detached Home because it was originally two (2) Single Family units and then combined to create one daycare structure. Based on the proximity to other R-1-C zoned properties and the

reuse of the structure, staff will apply the architectural standards for single family detached homes. The addition will be required to comply with the architectural standards outlined in Section 11-7-10. The construction drawings will be reviewed in the context of architectural standards for compliance.

#### Administration

In accordance with 11-16-6 Approval Criteria, staff has found that the proposal for the Preliminary and Final PUD is in conformity with the Northglenn Zoning Ordinance and Comprehensive Plan.

The North Metro Fire Rescue District has reviewed the submitted plans and has no objections to the proposal with the exception of the trash location as mentioned above. At time of construction the applicant will be required to meet all code requirements of the North Metro Fire Rescue District and the City of Northglenn's Chief Building Official.

Property owners surrounding the proposed facility were notified via mail of the proposal, as required by Section 11-41-3(a) of the City's Zoning Ordinance. In addition, the property in question was posted as required by Section 11-41-3(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.

Section 11-16-2 reads as follows:

#### **"Section 11-16-2. Purpose and Intent.**

(a) The purpose and intent of this Article is to create a Planned Unit Development regulation which will maximize the land resources available within the City of Northglenn. More specifically, the purposes are as follows:

- (1) To ensure that zoning decisions are directed toward achievement of community goals and objectives, as embodied in the adopted Master Development Plan, rather than satisfying arbitrary minimum standards.



- (2) To recognize the unique nature of each parcel of land and allow flexibility in the planning and design response.
- (3) To encourage and promote innovation in land development by allowing more variety in type, design, layout, and architectural design of buildings and site amenities.
- (4) To ensure that proposed rezonings and specific proposals presented to staff and the Planning Commission are constructed as presented and not used merely as a tool to facilitate property sale or some other transfer of real estate to make it more marketable.
- (5) To encourage economic development to expand the City's tax base and provide employment opportunities.
- (6) To create a PUD ordinance that streamlines, consolidates and simplifies zoning and subdivision, an ordinance that expedites rather than hinders the development process.
- (7) To allow for the preservation of natural site amenities such as mature trees, water bodies and channels, exceptional views, etc.
- (8) To promote the judicious use of open space and landscaped areas with regard to utility and visual impact.
- (9) To encourage a harmonious and integrated mix of land uses and require compatibility between new and existing development.
- (10) To provide for the efficient and safe movement of vehicular and pedestrian traffic on both public and private roadways. "

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.

### **APPROVAL CRITERIA ANALYSIS**

- (1) That a need exists for the proposal

*Staff finds that the derelict nature of the site creates a need for the property to be used, regardless of the specific use.*

- (2) That this particular parcel of ground is indeed the correct site for the proposed development;

*Staff finds the site offers sufficient space for the development of four apartment units and an exercise studio.*

- (3) That there has been an error in the original zoning; or

*N/A*

- (4) That there have been significant changes in the area to warrant a zone change;

*Staff finds that the foreclosure constitutes a significant change that warrants the zone change to a PUD*

- (5) That adequate circulation exists and traffic movement would not be impeded by development; and

*Staff finds that the traffic and circulation impacts will not be impeded by this development.*

- (6) That additional municipal service costs will not be incurred which the City is not prepared to meet.

*Staff finds that there will be no additional municipal service costs incurred.*

### **COMMISSION OPTIONS:**

The Planning Commission is making a recommendation for Preliminary PUD to the City Council and a final decision regarding the Final PUD. The Commissions options are as follows:

- 1) Approve the request, with or without conditions or stipulations;
- 2) Deny the request for reasons stated; or
- 3) Table the request for further consideration.

### **STAFF RECOMMENDATION:**

Staff recommends a recommendation of the Preliminary PUD to the City Council and approval of the Final PUD with the following conditions and based on six recommended Findings of Fact.

### **RECOMMENDED CONDITIONS OF APPROVAL:**



1. The applicant work with NMFRD on a suitable location for the trash, prior to the issuance of a Development Permit.

**RECOMMENDED FINDINGS OF FACT:**

- (1) There is a need to activate this site, which had been vacant and derelict for several years.
- (2) The combined site offers sufficient space for the development of four apartment units and an exercise studio.
- (3) The new PUD zoning may prevent future foreclosures by diversifying the site and uses.
- (4) There will be no negative impacts to traffic or circulation caused by the development.
- (5) There will be no additional municipal service costs incurred.

RESPECTFULLY SUBMITTED:



---

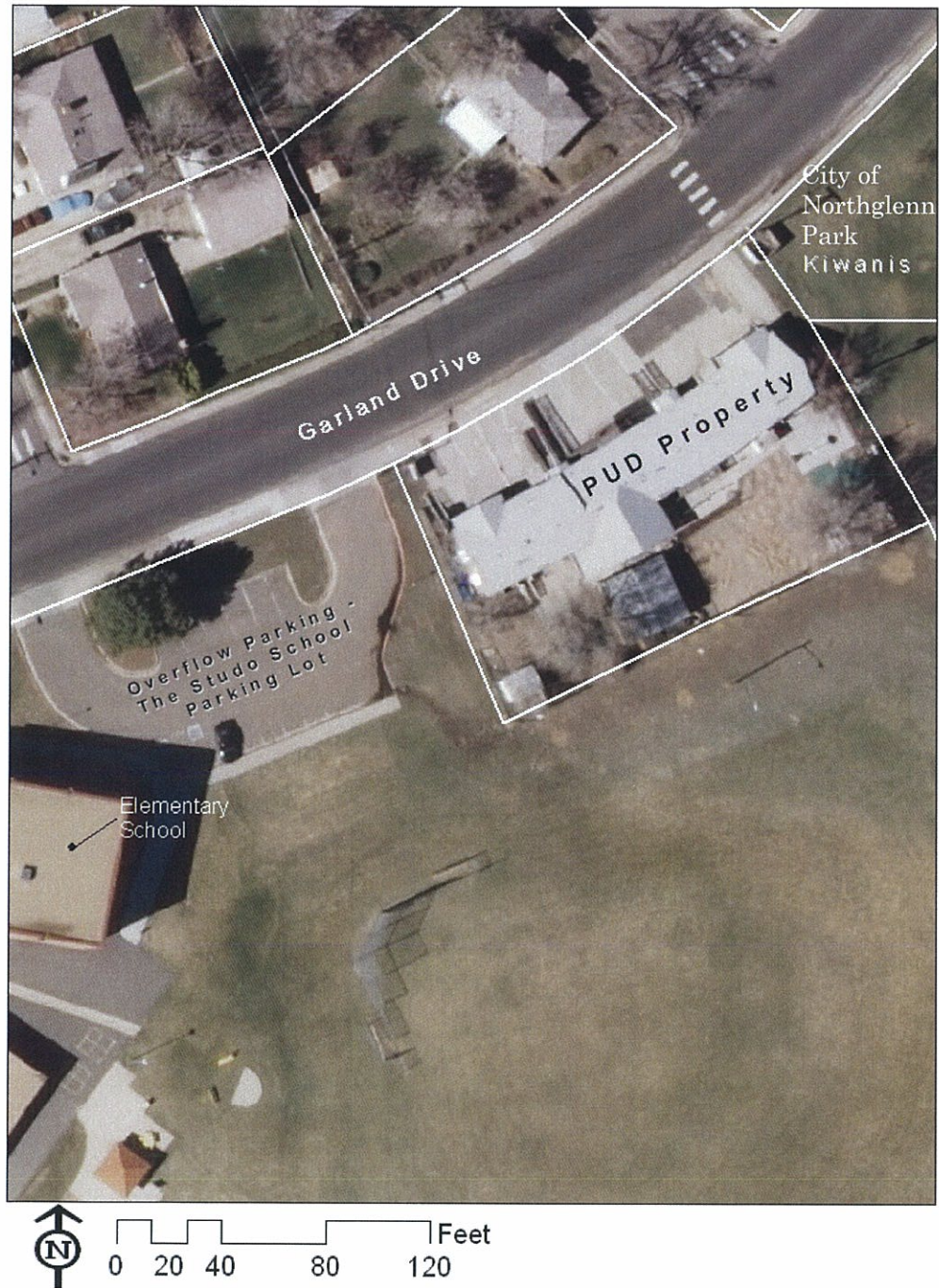
Travis Reynolds, AICP  
Senior Planner

***WHAT'S NEXT:*** *This is the final step in the entitlement process for the rezoning of the property.*

***FUTURE APPLICATIONS:***

- |                                    |  |
|------------------------------------|--|
| <b><i>1. Minor Subdivision</i></b> | <b><i>approved administratively by staff</i></b> |
| <b><i>2. Preliminary PUD</i></b>   | <b><i>approved by City Council</i></b>           |
| <b><i>3. Building Permits</i></b>  | <b><i>approved administratively by staff</i></b> |

## EXHIBIT A





# SCIENTIFIC MARTIAL ARTS & FITNESS

## PRELIMINARY & FINAL PUD

### LEGAL DESCRIPTION:

SKYVIEW INVESTMENTS LLC, BEING THE OWNER OF THE REAL PROPERTY OF 0.41 ACRES DESCRIBED AS FOLLOWS:

LOT 1,  
440 GARLAND DRIVE,  
COUNTY OF ADAMS,  
STATE OF COLORADO,

MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
A PORTION OF LOT 1, BLOCK 11, NORTH GLENN-SECOND PLUNG, LOCATED WITHIN THE SOUTHEAST QUARTER SECTION 10, TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE 6TH P.M. BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1, BLOCK 11 BEING A FOUND #4 REBAR WITH A RED PLASTIC CAP MARKED "LS 26958", THENCE: SOUTH 38°52'27" EAST, A DISTANCE OF 31.35 FEET MORE OR LESS TO AN ANGLE POINT ALONG SAID EASTERLY LINE OF LOT 1 BEING A FOUND #4 REBAR WITH A RED PLASTIC CAP MARKED "LS 26958", THENCE: SOUTH 29°47'44" EAST ALONG THE EASTERLY LINE OF SAID LOT 1, A DISTANCE OF 88.58 FEET MORE OR LESS TO THE SOUTHEAST CORNER BEING A FOUND #4 REBAR WITH A RED PLASTIC CAP MARKED "LS 26958", THENCE: SOUTH 63°54'47" WEST, A DISTANCE OF 86.41 FEET MORE OR LESS TO AN ANGLE POINT ALONG THE SOUTHERLY LINE BEING A FOUND #4 REBAR WITH A RED PLASTIC CAP MARKED "LS 26958", THENCE: SOUTH 63°45'43" WEST, A DISTANCE OF 80.89 FEET MORE OR LESS TO THE SOUTHWEST CORNER BEING A FOUND #4 REBAR WITH A 1/2" ALUMINUM CAP MARKED "788 LS 11434", THENCE: NORTH 82°10'57" WEST, A DISTANCE OF 104.34 FEET MORE OR LESS TO A FOUND #4 REBAR WITH A 1/2" ALUMINUM CAP MARKED "788 LS 11434" TO THE NORTHERLY LINE OF SAID LOT 1, BLOCK 11, NORTH GLENN-SECOND PLUNG AND A POINT ALONG THE SOUTHERLY LINE OF THE GARLAND DRIVE RIGHT OF WAY, THENCE NORTHEASTERLY ALONG SAID NORTH LINE OF LOT 1, ALONG A CURVE TO THE LEFT, HAVING A CHORD BEARING NORTH 37°50'41" EAST, A DISTANCE OF 154.58 FEET, A RADIUS OF 665.00 FEET, AN ARC LENGTH OF 154.84 FEET MORE OR LESS, TO SAID NORTHEAST CORNER OF LOT 1, BLOCK 11, NORTH GLENN-SECOND PLUNG AND THE POINT OF BEGINNING.

### CODES:

2009 IRC  
2009 IBC  
2009 IECC  
2009 IRC

### SITE DATA:

JURISDICTION: CITY OF NORTHEAST  
PROPERTY ADDRESS: 440 GARLAND DR., LOT 1, BLOCK 11, 2ND PLUNG  
PROPERTY AREA (TOTAL): 58 FT. ACRES 0.41 100  
TOTAL SITE AREA 1,873 0.41 100  
EXISTING BUILDING (FOOTPRINT) 4,212 0.09 23.6  
BUILDING ADDITION (FOOTPRINT) 1,962 0.04 11.0  
PAVED PARKING 5,945 0.12 28.2  
LANDSCAPING 312.0 0.01 15.5  
BUILDING GROSS SQ. FT.: MIN. TOTAL  
RENTAL UNIT #1 1,132 1,132 2,264  
RENTAL UNIT #2 1,144 1,144 2,288  
RENTAL UNIT #3 1,144 1,144 2,288  
RENTAL UNIT #4 1,144 1,144 2,288  
MARTIAL ARTS & FITNESS 3,925 3,925 7,850  
REAL DECK 107.5  
BUILDING SET BACKS: WEST SIDE 5.7 FT. EAST SIDE 10.3 FT. FRONT 70.1 FT. REAR 7 FT. MAXIMUM BLDG. HEIGHT: 24 FT.  
PROPOSED PARKING SPACES:  
RENTAL UNITS 1,2,3,4 4  
MARTIAL ARTS & FITNESS 18  
HEADCAP 11,181.5  
6 PARKING SPACES DEDICATED TO THIS 4 RESIDENTIAL UNITS.  
TO THE WEST SCHOOL/PARK 19 (SEPARATED PARKING)  
OCCUPANCY CLASSIFICATION AND TYPES OF CONSTRUCTION:  
RESIDENTIAL UNITS 1,2,3,4 2-3 TYP V-B  
MARTIAL ARTS AND FITNESS 1 TYP V-B  
OCCUPANCY LOAD: MARTIAL ARTS & FITNESS: 58 FT. OCCUPANCY LOAD (PER CODE)  
LOCATION: OFFICE 74 (11%) 86 1 = 92  
ACTIVITY AREA 1700 1/30 86 6  
BOXING RINGS (2) 1,650  
(ACTUAL OCCUPANCY: STAFF = 2, STUDENTS = 30 TOTAL MAX. 32  
FIRE PROTECTION:  
FIRE SEPARATION BETWEEN:  
RENTAL UNIT 1 & MARTIAL ARTS 2 HR.  
RENTAL UNIT 2 & MARTIAL ARTS 2 HR.  
RENTAL UNIT SEPARATION 243 INCH  
MARTIAL ARTS & FITNESS 2 HR.  
BUILDING USES FOR THIS PUD:  
RESIDENTIAL UNITS 1 THRU 4 = RESIDENTIAL  
CENTRAL COMMERCIAL AREA = MARTIAL ARTS & FITNESS

### PROJECT TEAM

#### OWNER:

JORDAN GUTIERREZ  
SKYVIEW INVESTMENTS  
10000 COUNTY RD. G  
SALVADOR, COLORADO 80453

#### ENGINEER:

JACK H. WHITE, P.E.  
1001 80th ST.  
NORTHEAST, CO. 80134  
303-457-4018

#### SURVEYOR:

5-DETECTE, PORT REG.  
R. E. PIET & ASSOCIATES, INC.  
14100 WIND ROAD #100  
NORTON, COLORADO 80452

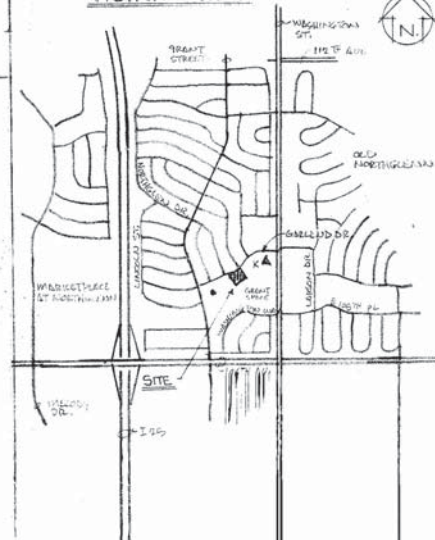
#### PLUMBING & HVAC

BOHNS-BENK, P.E.  
27150 SQUAW PINE RD.  
EVERGREEN, CO. 80439  
303-210-7750

### STANDARD NOTES:

1. THE CITY OF NORTHEAST RESERVES THE RIGHT TO PERIODICALLY REVIEW THIS PUD FOR CONFORMANCE WITH ITS PROPOSED CONSTRUCTION SCHEDULE AND WHEN APPROPRIATE, REZONE THIS PROPERTY TO A DIFFERENT ZONING CLASSIFICATION.
2. ALL WATER AND SANITARY SEWER CONSTRUCTION SHALL CONFORM TO CITY OF NORTHEAST UTILITY STANDARDS AND SPECIFICATIONS.
3. ALL UTILITY LINES SHALL BE SUPERVISED AND INSPECTED BY CITY OF NORTHEAST PERSONNEL.
4. ALL CONSTRUCTION IN THE PUBLIC RIGHT OF WAY SHALL BE IN CONFORMANCE WITH CITY OF NORTHEAST STREET AND DRAINAGE STANDARDS AND SPECIFICATIONS.
5. ALL CONSTRUCTION WITHIN THE PUBLIC RIGHT OF WAY SHALL MEET THE REQUIREMENTS OF THE AMERICAN WETLANDS ACT OF 1986.
6. PRIOR TO ISSUANCE OF A BUILDING PERMIT, THE CITY MUST REVIEW AND APPROVE THE FOLLOWING:  
- GRADING AND DRAINAGE PLAN AND REPORT  
- EROSION CONTROL PLAN  
- LANDSCAPE PLAN  
- WATER AND SANITARY SEWER UTILITY CONSTRUCTION PLAN
7. ALL EXISTING METERS, UNITS, UTILITY SERVICE LINE APPOINTMENTS, STREET CURBS, GUTTERS, SIDEWALKS AND TRAIL OR ADJACENT TO THIS SITE SHALL BE REPAIRED AS NECESSARY AND BROUGHT TO CURRENT CITY STANDARDS.

### VICINITY MAP



### SHEET INDEX:

1. COVER SHEET
2. SITE PLANS
3. UTILITY PLANS
4. ELEVATIONS

### ENGINEER'S CERTIFICATE:

I, JACK H. WHITE, P.E., A REGISTERED PROFESSIONAL ENGINEER, DO HEREBY CERTIFY THAT THE PLANS FOR

SCIENTIFIC MARTIAL ARTS & FITNESS PRELIMINARY



### SKYVIEW INVESTMENTS

SCALE: APPROVED BY: DRAWN BY: JMW  
DATE: 10-26-11 REVISED: 3-5-12  
PRELIMINARY PUD  
COVER SHEET  
DRAWING NUMBER: 6-8-12  
6-12-12

### APPROVAL LIST

PLANNING COMMISSION CHAIRPERSON	DATE
DIRECTOR OF PLANNING AND DEVELOPMENT	DATE
DIRECTOR OF PUBLIC WORKS AND UTILITIES	DATE
JORDAN GUTIERREZ SKYVIEW INVESTMENTS DESIGNED HEREIN AS SCIENTIFIC MARTIAL ARTS & FITNESS	DATE
OWNER	DATE
NOTARY PUBLIC	DATE
MAYOR	DATE
CITY CLERK	DATE

### CERTIFICATE OF CLERK AND RECORDER

THIS PLAT WAS FILED FOR RECORDING IN THE OFFICE OF THE COUNTY CLERK AND RECORDER IN THE COUNTY OF ADAMS, STATE OF COLORADO, THIS DAY OF 2011, AND ENTERED IN PLAT BOOK AT PAGE RECEPTION NO.

BY: DEPUTY

COUNTY CLERK AND RECORDER

MY COMMISSION EXPIRES





# SCIENTIFIC MARTIAL ARTS & FITNESS

## PRELIMINARY & FINAL PUD

TOTAL AREA PARCEL A & B = 17,823 S.F. = 0.41 ACRES +  
 REAR BACK YARD = 7,915 S.F.  
 REAR YARD BUILDING ADDITION = 1,962 S.F.  
 $\frac{1962}{7915} = 0.246 = 24.6\% < 30\%$   
 NEW REAR WOOD DECK = 1,075 S.F.  
 $\frac{1075}{7915} = 0.135 = 13.5\%$

TOTAL % = .246 + .135 = 0.381 = 38% > 30%

DECK AREA IS 8% OVER THE MAXIMUM 30%  
 (OR 638 S.F. OVER)

### PARKING:

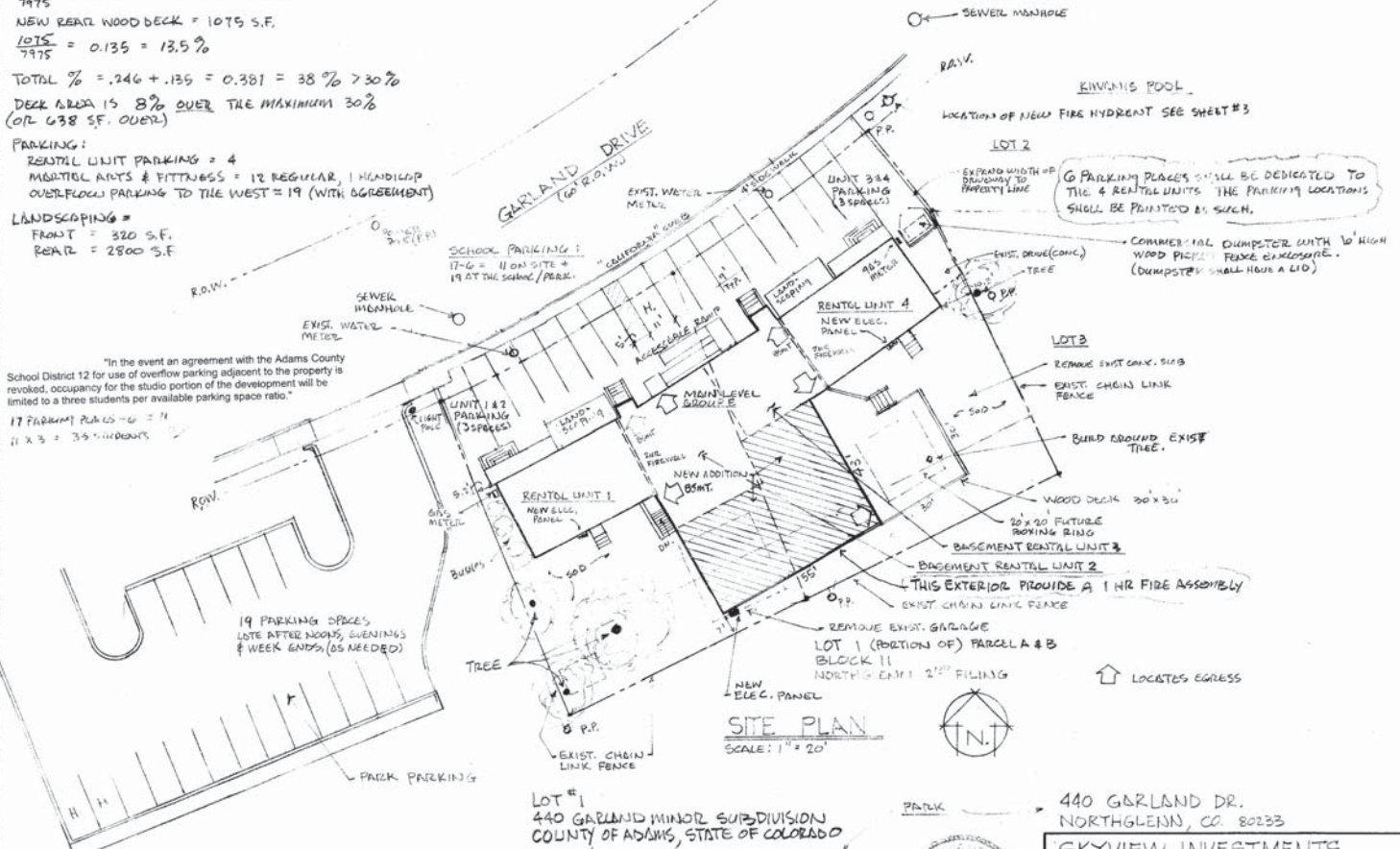
REAR UNIT PARKING = 4  
 MARTIAL ARTS & FITNESS = 12 REGULAR, 1 HANDICAP  
 OVERFLOW PARKING TO THE WEST = 19 (WITH AGREEMENT)

### LANDSCAPING =

FRONT = 320 S.F.  
 REAR = 2800 S.F.

"In the event an agreement with the Adams County School District 12 for use of overflow parking adjacent to the property is revoked, occupancy for the studio portion of the development will be limited to a three students per available parking space ratio."

17 PARKING SPACES - 11  
 11 X 3 = 33 "STUDENTS"



LOT #1  
 440 GARLAND MINOR SUBDIVISION  
 COUNTY OF ADAMS, STATE OF COLORADO

440 GARLAND DR.  
 NORTHGLENN, CO. 80233

SKYVIEW INVESTMENTS

SCALE: 1" = 20'  
 DATE: 10-26-11  
 APPROVED BY: [Signature]  
 DRAWN BY: JHW  
 REVISION: 3-6-12



440 GARLAND DR.  
NORTHBLENN, CO. 60233

# **SKYVIEW INVESTMENTS**

SCALE: 1/8" = 1'-0"	APPROVED BY	DRAWN BY: JMM
DATE: 10-26-11		REVISED: 3-5-12
<b>BUILDING ELEVATIONS</b>		5-8-12 6-12-12



SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1779  
Series of 2012

\_\_\_\_\_  
Series of 2012

A BILL FOR A SPECIAL ORDINANCE REZONING FROM RESIDENTIAL R-1-C TO PLANNED UNIT DEVELOPMENT, CERTAIN REAL PROPERTY IN THE CITY OF NORTHGLENN LOCATED AT 440 GARLAND DRIVE, CITY OF NORTHGLENN, COUNTY OF ADAMS, STATE OF COLORADO, AMENDING THE ZONING MAP OF THE CITY OF NORTHGLENN, AND IMPOSING PENALTIES FOR VIOLATIONS OF THE ORDINANCE

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

Section 1.     Findings of Fact. The City Council hereby makes the following findings of fact:

- A.     A need exists for the rezoning from Planned Unit Development (PUD) to Planned Unit Development (PUD);
- B.     The property at 440 Garland Drive is the correct location for the proposed development;
- C.     Significant changes in the area have occurred to warrant the proposed zone change;
- D.     Adequate circulation exists and traffic movement will not be impeded by the proposed development; and
- E.     Additional municipal service costs will not be incurred which the City is not prepared to meet.

Section 2.     Change of Zoning District. Pursuant to the provisions of the Northglenn Zoning Ordinance, as amended, and upon the recommendation of the Northglenn Planning Commission, a change of zoning from Residential R-1-C to Planned Unit Development PUD is hereby approved pursuant to Section 11-37-2(h) and granted for the real property in the City of Northglenn, Colorado, described as 440 Garland Drive, City of Northglenn, County of Adams, State of Colorado. The City Council determines that this change of zoning district is consistent with the Comprehensive Master Plan of the City of Northglenn.

Section 3.     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, shall be and hereby is ordered amended to conform with the provisions set in Section 1 of this Ordinance.

Section 4.     Violations – Penalty. Violations of the provisions of this Ordinance shall be punishable by a fine of not more than one thousand dollars (\$1,000.00), or by imprisonment for a period of not more than one (1) year, or both such fine and imprisonment.

INTRODUCED, READ AND ORDERED POSTED this 13<sup>th</sup> day of August, 2012.

  
JOYCE DOWNING  
Mayor

ATTEST:

  
JOHANNA SMALL, CMC  
City Clerk

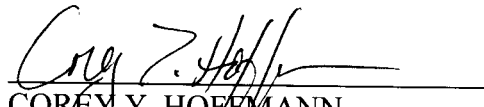
PASSED ON SECOND AND FINAL READING this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
JOYCE DOWNING  
Mayor

ATTEST:

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

APPROVED AS TO FORM:

  
COREY Y. HOFFMANN  
City Attorney