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## **Narrative – Development Plan, Subdivision, and Zone Change:**

The subject property is located at 7160 Eudora Drive in Commerce City, Colorado. The proposed improvements lie within the approximate 2.31-acre parcel located at the southeast corner of E. 72<sup>nd</sup> Avenue and Eudora Drive and is the only parcel within the Denner Subdivision. This lot is currently the location for Ditch Witch of the Rockies, a heavy construction equipment retail and rental facility, along with its associated parking, drive, and storage yard. These existing improvements will be demolished as part of this project.

The proposed **Development Plan** consists of a one story approximately 3,968 square foot Kum & Go Convenience Store (C-Store), a canopy over 8 multi-product dispenser self-serve fueling points, and its associated parking, drives aisles and landscaping. There is one proposed access to Eudora Drive and one to Elm Street, bounding rights-of-way to the west and east, respectively. The proposed improvements also include the construction of half of Elm Street along the property frontage, that ROW being a non-compliant dirt and gravel access currently.

We understand that for the determination of compliance with yard and building setbacks the development will be considered to have two 'front' yards, facing Eudora or Elm, and two 'side' yards. A wide utility easement along the Eudora Drive frontage makes it impossible to meet the Commercial Development build-to restriction adjacent to that thoroughfare. The building is, thusly, set close to Elm Street as a means to comply.

Per the City of Commerce City Land Development Code, the parking requirement for a fuel plaza is 1 space per 200 gross square feet or, for convenience stores 1 space per 300 gsf. There is a stated maximum of 150% of required. Based on these classifications we propose a blended allowance based on the application of the fueling plaza standard to the retail building gsf to be appropriate. The proposed development provides a total of 25 stalls, exceeding the required number of spaces by 5.

As a part of the proposed improvements full detention and water quality, complying with the cities' *Storm Drainage Design and Technical Criteria Manual* (SDDTCM, March 2022), will be provided on-site. Private storm drains will be installed to collect runoff from the development and convey it to the new pond designed per the Mile High Flood District criteria as referenced in the SDDTCM. No master studies or prior site-specific reports have been found providing any additional restrictions or more stringent requirements than provided by the SDDTCM.

New utilities services will be required for the proposed structure including a 1.5" domestic water service, gas and electric service, and a 4" sanitary service with 1,000 gallon grease interceptor. The latter two will be designed and permitted through South Adams County Water & Sanitation District concurrent with the Development Plan entitlement process. Will serve has been provided by that jurisdictional entity.

The site is currently zoned as a Medium Intensity Industrial District (I-2) which allows for the fueling plaza but excludes convenience uses. As such we are requesting a **Zone Change** to the Light Intensity Industrial District (I-1) wherein that latter use is allowed. Justification for this change includes:



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- The 2020 Comprehensive Plan identifies the area as an ‘Employment Center’ in which the proposed Kum & Go fits as a Supporting Use. No sub-area plans apply.
- Surrounding properties include Regional Commercial District (C-3, Santiago’s Restaurant), Heavy Intensity Industrial (I-3, Colorado Asphalt Company), and Medium Intensity Industrial (I-2, recreational marijuana dispensary) while I-1 and I-2 exist across the Vasquez Boulevard right-of-way. We believe that fueling and convenience uses to be compatible therewith.
- 7160 is currently provided public services and the change in use will not compromise the provision of services to any of the surrounding users.
- The proposed use and zone changes will not affect the adequacy or access of any parks, schools, or open spaces.
- There is no practicable alternative location where this use is permitted as-of-right within one-quarter miles of the parcel proposed for development, or, if such a location exists, the proposed location is more favorable in terms of:
  - Providing a needed community and regional service.
  - Providing a critical mass of jobs that are likely to pay more than the median wages for the region.
  - Providing a balance of land uses, ensuring that appropriate supporting activities, such as employment and service retail are in close proximity to one another; or
  - Making the most use of the existing public infrastructure.
- Fueling and convenience added to the proximity of restaurant and retail will provide a more comprehensive collection of services that will be in the public interest.

A Phase I Environmental Site Assessment and Phase II Environmental Site Assessment were completed for this proposed site and have been included with the resubmittal. As outlined in the assessments, there are some environmental concerns with the soil on site due to the existing use onsite. As part of this redevelopment, all necessary remediations will be completed to clean up the site environmentally.

**Subdivision** documents are being provided concurrently as a necessity to vacate and dedicate easements in a manner providing adequately for the proposed improvements. Easements being vacated are not, or will not, be utilized in the new parcel configuration and their release will not adversely affect service provision to any surrounding properties.

Please do not hesitate to contact us if there are any additional questions or concerns.

**Entitlement & Engineering Solutions, Inc.**