

# Carbajal Auto – Annexation Zone Change

---

January 6, 2025



# Request Summary

## **What is an Annexation Zone Change?**

When a property annexes into Commerce City an official zone district is required. The Annexation Zone Change officially changes the property zone district to a Commerce City zone district.

The zoning of a property determines what uses are allowed/not allowed and sets bulk development standards such as setbacks, lot size requirement, and maximum building heights

Actual development details are reviewed with a Development Plan

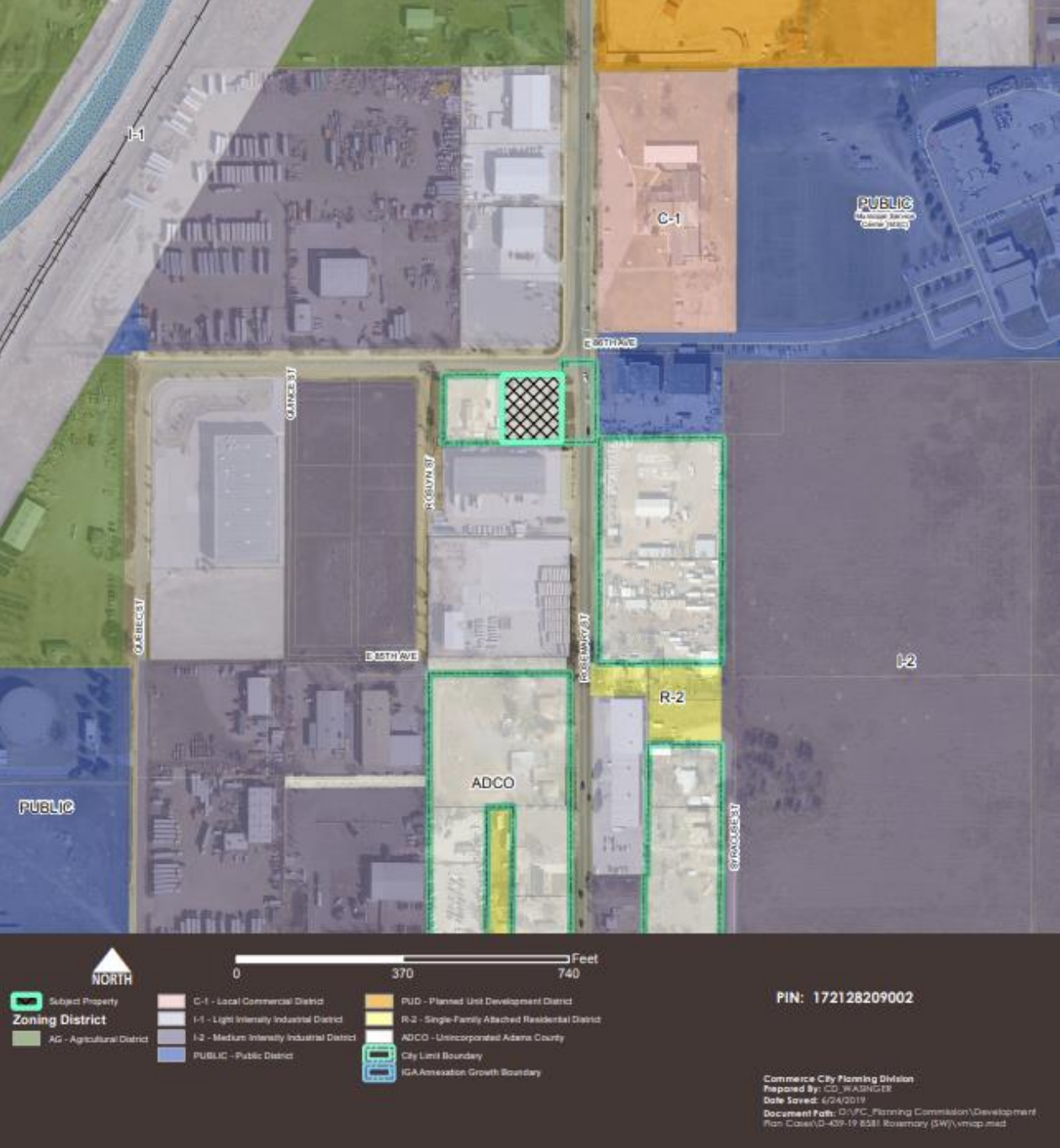
## **What is City Council deciding?**

Whether the zoning and associated rules for how the property can be developed and uses should be changed.

Whether the proposed PUD zone district meets the approval criteria.

# Vicinity/Zoning Map

- 8581 Rosemary Street
  - Southwest corner of Rosemary Street & East 86<sup>th</sup> Avenue



PIN: 172128209002

Commerce City Planning Division  
 Prepared By: CO, WASH/CGR  
 Date Saved: 6/24/2019  
 Document Path: C:\P\_C\_Planning Commission\Development  
 Plan Cases\0-439-19-8581 Rosemary (SW)\vmap.mxd

# Aerial

- One single-family home and two garages occupy the approximately 0.45-acre property
- The home was built in 1901 according to the Adams County property records



# Current Conditions

1. View of the property facing south from East 86th Avenue (Taken November 21, 2024)
2. View of the property from the intersection of East 86th Avenue and Rosemary Street (Taken November 21, 2024)



# Case Summary

- Request: Annexation into Commerce City w/ C-3 (Regional Commercial) Zoning to develop the property as a car dealership
- Concurrent Cases:
  - AN-255-22-24: Annexation of property & ADCO ROW (0.70 acres total)
  - D-439-24: Development Plan
  - S23-0005: Final Plat
- Location: 8581 Rosemary Street
- Site size: Approximately 0.45 acres
- Character Area: Fusion District – Irondale
- Irondale Neighborhood Plan: Commercial/Industrial

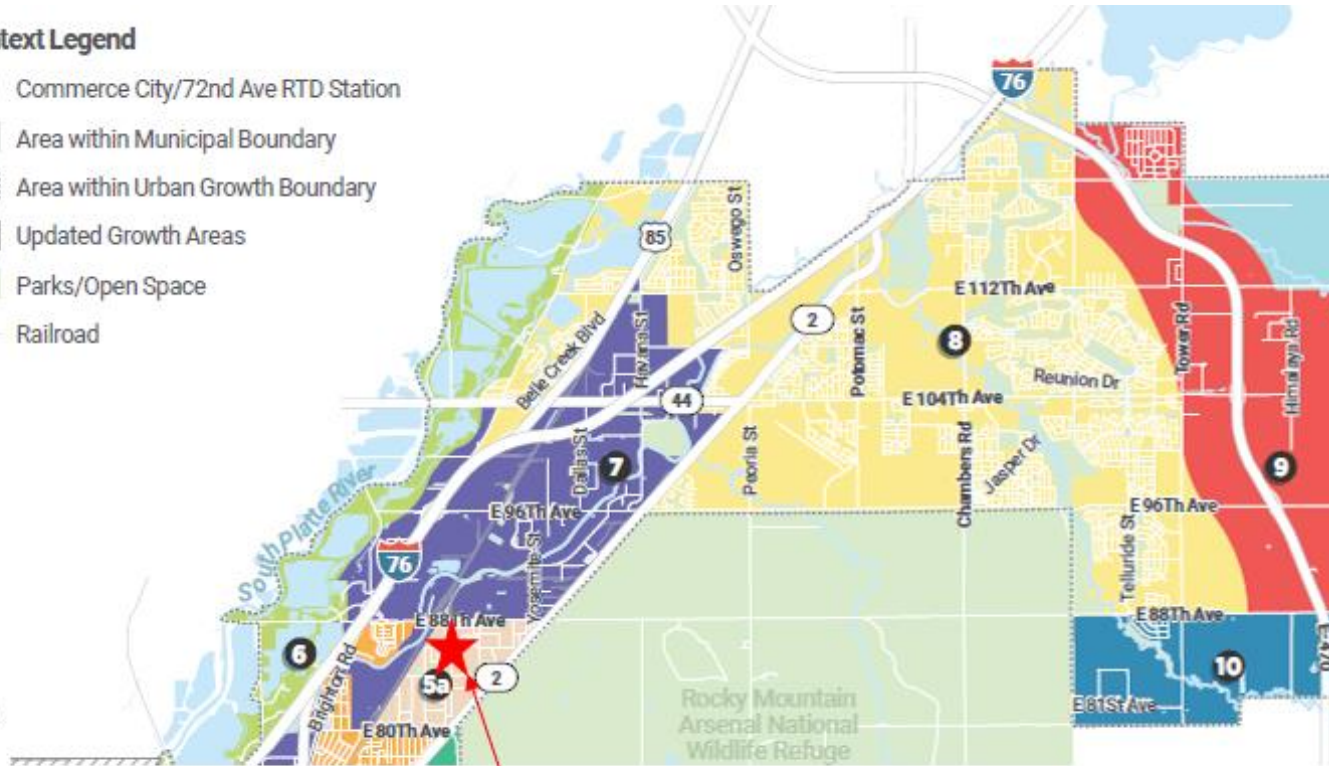
# Character Area

## Context Legend

-  Commerce City/72nd Ave RTD Station
-  Area within Municipal Boundary
-  Area within Urban Growth Boundary
-  Updated Growth Areas
-  Parks/Open Space
-  Railroad

## Legend

- |  |  |
|--|--|
|  1 270 Industrial District            |  7 Northern Business District         |
|  2 Community Connection District      |  8 Northern Neighborhoods             |
|  3 Stadium District                   |  9 E-470 Expressway Corridor District |
|  4 Central Neighborhoods              |  10 DIA Gateway District              |
|  5a Fusion District (Irondale)        |  11 Innovation District               |
|  5b Fusion District (South Rose Hill) |  12 North Airport District            |
|  6 South Platte District              |  13 Future Growth Areas               |



# Irondale Neighborhood & Infrastructure Plan

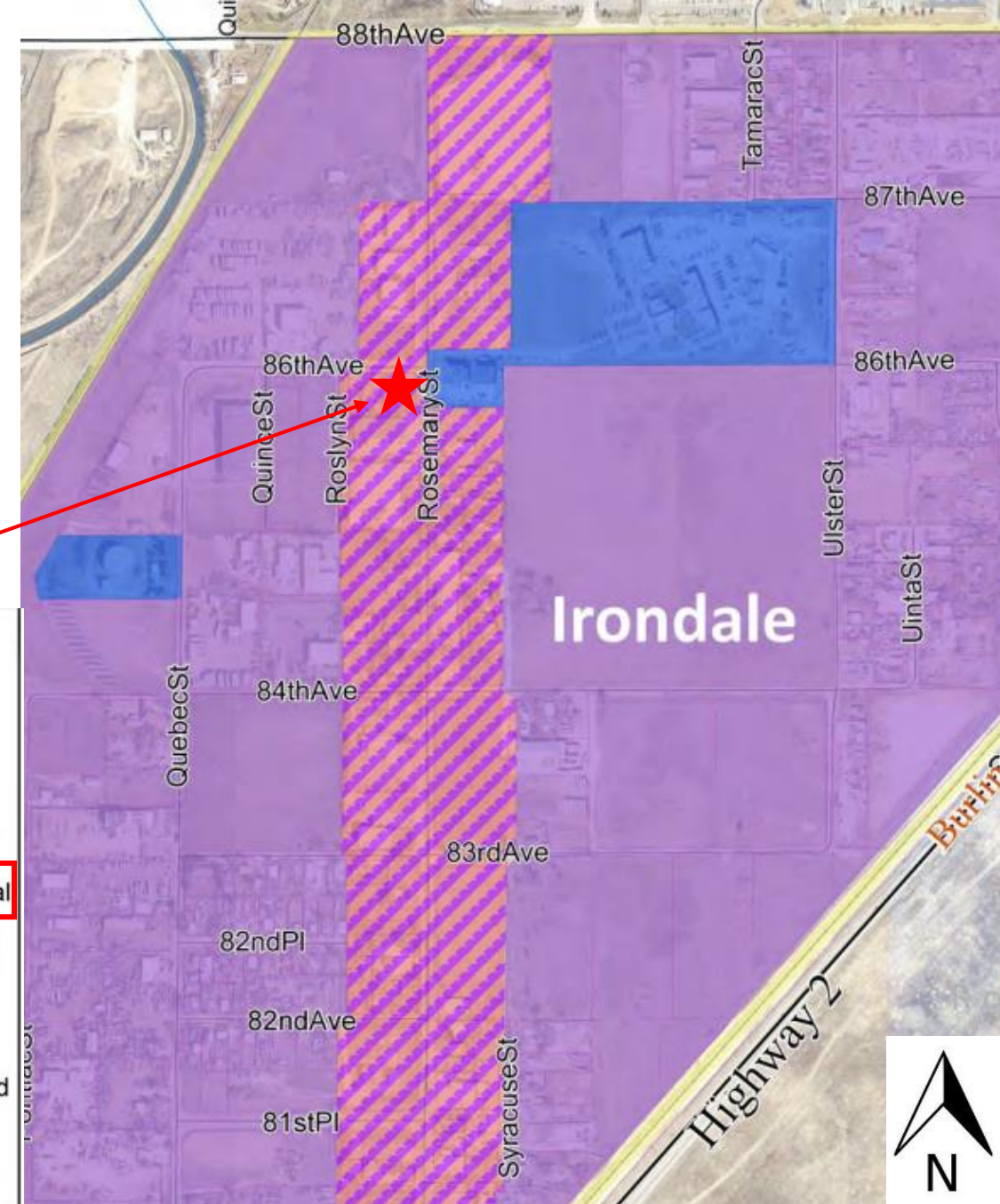
- Designated Commercial/Industrial
  - Anticipated Zoning: C-1, C-2, C-3, I-1, & I-2

Subject Site

## Legend

### Future Land Use

-  Agricultural
-  Public/State
-  Commercial
-  Commercial / Industrial
-  Small-Scale Industrial
-  General Industrial
-  Rivers
-  Irondale Neighborhood
-  Railroads
-  Irondale Parcels





# Public Comment

- As of December 20, 2024, Staff has received 0 written public comments.

# Planning Commission

- Heard by Planning Commission on December 3, 2024
- 1 member of the public spoke in favor
- Planning Commission voted 5-0 to recommend approval to City Council.

# Project Analysis

- Reviewed by all relevant Development Review Team (DRT) agencies
- Access from Rosemary and East 86<sup>th</sup> Avenue
- 21 estimated daily trips
- Temporary retention pond
- Right-of-Way improvements will include landscaping and sidewalks

# Zoning of Newly Annexed Land Approval Criteria

(2) *Criteria for Zoning.* After passage on first reading of an ordinance annexing property to the city, the subject property shall be given the zoning classification:

- a) Most compatible with the city's comprehensive plan designation of the property;
- b) Most comparable to the county zoning classification existing on the subject property at the time of acceptance by the city of the annexation petition for the subject property; or
- c) Most comparable to the present use(s) of the property.

# Zone Change Approval Criteria

- a. The zone change corrects a technical mistake on the part of the city in classifying a parcel within a specific zoning district; or
- b. The zone change meets all of the following:
  - i. The proposed zone district and allowed uses are consistent with the policies and goals of the comprehensive plan, any applicable adopted area plan, or community plan of the city;
  - ii. The proposed zone district and allowed uses are compatible with proposed development, surrounding land uses and the natural environment;
  - iii. The proposed zone district will have, or future development can provide, efficient and adequate provision of public services, including but not limited to, water, sewerage, streets, and drainage;
  - iv. The proposed zone district will have, or future development can provide, efficient and adequate provision of public uses including but not limited to, parks, schools, and open space;
  - v. There is a community need for the zoning district in the proposed location, given need to provide or maintain a proper mix of uses both within the city and the immediate area of the proposed use; and
  - vi. The area for which zone change is requested has changed or is changing to such a degree that it is in the public interest to allow a new use or density.

# Considerations for Discussion

- The C-3 (Regional Commercial) District is compatible with the 2045 Comprehensive Plan and Irondale Neighborhood & Infrastructure Plan.
- Annexation zoning allows the site to develop as a car dealership, compatible with the 2045 Comprehensive Plan and Irondale Neighborhood & Infrastructure Plan.
- Development of the property will improve the aesthetics of the property through upgrading of the existing structure and installation of landscaping.
- Development of the property shall include the construction of sidewalk along Rosemary Street and East 86th Avenue.

---

Staff is available to answer to questions.



Commerce  
**CITY**

# Zoning of Newly Annexed Land Approval Criteria Analysis

(2) *Criteria for Zoning.* After passage on first reading of an ordinance annexing property to the city, the subject property shall be given the zoning classification:

a) Most compatible with the city's comprehensive plan designation of the property;

**Analysis:** The subject property is located within the Irondale Fusion District Character Area in which Commercial is a secondary use meant to be less prevalent and support the primary land uses. The Fusion District recommends phasing out heavy industrial over time for primary light industrial and small-scale manufacturing. While a commercial zoning district is proposed, staff also referenced the Irondale Neighborhood & Infrastructure Plan, which is also specifically referenced in the 2045 plan as a detailed document to be carried forward to guide reinvestment and development for Irondale. The Irondale Neighborhood & Infrastructure Plan designates the site as Commercial/Industrial on the Future Land Use Map. This designation lists the C-3 (Regional Commercial) district, among others, as an anticipated zoning with a mixture of industrial and commercial use.

**Therefore, it can be found that this application meets Criteria (a).**

a) Most comparable to the county zoning classification existing on the subject property at the time of acceptance by the city of the annexation petition for the subject property; or

*Not Applicable*

a) Most comparable to the present use(s) of the property.

*Not Applicable*



# Zone Change Approval Criteria Analysis

A decision for this case must be based on the following criteria from Sec. 21-3232(5) of the Land Development Code.

**Criteria (a):** The zone change corrects a technical mistake on the part of the city in classifying a parcel within a specific zoning district; or

*Not Applicable*

**Criteria (b):** The zone change meets all of the following:

- i. The proposed zone district and allowed uses are consistent with the policies and goals of the comprehensive plan, any applicable adopted area plan, or community plan of the city;

**Analysis:** The proposed C-3 (Regional Commercial District) zoning district is listed as anticipated zoning to the Commercial/Industrial Future Land Use Map designation within the Irondale Plan. Please also see the stated core principles, goals, and objectives that are met earlier in this report. *Therefore, it can be found that this application **meets Criteria (i).***

- ii. The proposed zone district and allowed uses are compatible with proposed development, surrounding land uses and the natural environment;

**Analysis:** The purpose of the C-3 (Regional Commercial District) zoning is to provide for general retail, commercial, and personal services for both the general and traveling public in an interstate and regional context. The proposed used car dealership provides retail in an area which is transitioning to industrial with pockets of commercial. This is evident in the existing industrial and commercial zoning and land uses along the Rosemary Street corridor. *Therefore, it can be found that this application meets **Criteria (ii).***

# Zone Change Approval Criteria Analysis Cont.

- iii. The proposed zone district will have, or future development can provide, efficient and adequate provision of public services, including but not limited to, water, sewerage, streets, and drainage;

**Analysis:** This zone change application was reviewed by the applicable public service providers, including Public Works, Engineering, South Adams County Fire Department, and South Adams County Water and Sanitation District. All agencies have no outstanding concerns regarding the proposed zoning, concurrent land use and site layout. *Therefore, it can be found that this application meets **Criteria (iii)**.*

- iv. The proposed zone district will have, or future development can provide, efficient and adequate provision of public uses including but not limited to, parks, schools, and open space;

**Analysis:** Future development at this location would have access to public uses. As a nonresidential zone district, future development would not be subject to school impact fees, however, the project will be contributing to these broader community amenities through the assessment of other impact fees such as those for public parks. *Therefore, it can be found that this application meets **Criteria (iv)**.*

# Zone Change Approval Criteria Analysis Cont. 2

- v. There is a community need for the zoning district in the proposed location, given need to provide or maintain a proper mix of uses both within the city and the immediate area of the proposed use; and

**Analysis:** Commercial is a highly desired land use type within the City. In addition, the Irondale Neighborhood & Infrastructure Plan envisions Rosemary Street to be a service-oriented business corridor which includes a mixture of commercial and lighter industrial uses. *Therefore, it can be found that this application meets **Criteria (v)**.*

- vi. The area for which zone change is requested has changed or is changing to such a degree that it is in the public interest to allow a new use or density.

**Analysis:** The purpose of this annexation zoning is to develop the site as a used car dealership. Irondale and various guiding documents call for the phasing out of existing residential and a shift toward lighter industrial uses with supporting commercial (retail) uses. The proposal is another step toward transitioning Irondale to meet the intent of the 2045 Comprehensive Plan and Irondale Neighborhood & Infrastructure Plan. *Therefore, it can be found that this application meets **Criteria (vi)**.*