



# STAFF REPORT

## Planning Commission

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### CASE #S-636-15

<b>PC Date:</b>	June 16, 2015	<b>Case Planner:</b>	Jared Draper
<b>CC Date:</b>	July 20, 2015		
<b>Location:</b>	5300 E. 56 <sup>th</sup> Avenue Commerce City, CO 80022		
<b>Applicant:</b>	UPS Ground Freight, Inc.	<b>Owner:</b>	Same as applicant
<b>Address:</b>	5020 Ivy Street Commerce City, CO 80022	<b>Address:</b>	Same as applicant

### Case Summary

<b>Request:</b>	Final Plat to create 2 lots zoned I-1.
<b>Project Description:</b>	The final subdivision plat will create 2 lots on the subject property. Lot 1 is currently being used as a transportation terminal for UPS. A conditional use permit (CU-111-15) is concurrent with the subdivision plat for the expansion of the transportation terminal in the I-1 zone district. There is no previous subdivision plat for the subject property.
<b>Issues/Concerns:</b>	Creation of legal and conforming lots
<b>Key Approval Criteria:</b>	I-1 zone district bulk standards Final Plat approval criteria Compliance with the Comprehensive Plan
<b>Staff Recommendation:</b>	Approval
<b>Current Zone District:</b>	I-1 (Light Intensity Industrial District)
<b>Comp Plan Designation:</b>	Industrial/Distribution

### Attachments for Review: *Checked if applicable to case.*

- |   |   |
|---|---|
| <input type="checkbox"/> Applicant's Narrative Summary          | <input checked="" type="checkbox"/> Vicinity Map    |
| <input type="checkbox"/> Development Review Team Recommendation | <input type="checkbox"/> Neighborhood Meeting Notes |
| <input type="checkbox"/> Site Plan                              | <input type="checkbox"/>                            |
| <input checked="" type="checkbox"/> Subdivision Plat            | <input type="checkbox"/>                            |

## Background Information

### Site Information

<b>Site Size:</b>	20.23 acres
<b>Current Conditions:</b>	Developed as a transportation terminal
<b>Existing Right-of-Way:</b>	E. 56 <sup>th</sup> Avenue to the North, Interstate 270 to the South
<b>Neighborhood:</b>	56 <sup>th</sup> Avenue Industrial Park
<b>Existing Buildings:</b>	Existing transportation terminal building with proposed addition and service garage
<b>Buildings to Remain?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Site in Floodplain</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

### Surrounding Properties

<u>Existing Land Use</u>		<u>Occupant</u>	<u>Zoning</u>
<b>North</b>	Industrial	Old Dominion Transportation Terminal	I-1
<b>South</b>	ROW	Interstate 270	ROW
<b>East</b>	Industrial	Bighorn Metal Works	I-2
<b>West</b>	Industrial	Colorado Moisture Control	PUD

### Case History

*The subject property has no previous case history. A concurrent request for a conditional use permit (CU-111-15) to expand the existing transportation terminal is also being reviewed.*

<u>Case</u>	<u>Date</u>	<u>Request</u>	<u>Action</u>
CU-111-15	June 2015	Conditional Use Permit to expand the transportation terminal on Lot 1 of the proposed UPS Ground Freight Subdivision. The expansion would include a building addition of 8,750 sf.	Pending Approval

## Applicant's Request

The applicant is requesting a final plat to subdivide the subject property into 2 lots zoned I-1. Along with the final plat, the applicant is requesting a conditional use permit (CU-111-15) to expand the existing transportation terminal on the proposed Lot 1.

The subject property has never been formally platted. The request to subdivide the subject property creates two legal and conforming lots within the I-1 zone district. According to the applicant, the final plat allows for the transportation terminal expansion and improvements on Lot 1. Each of the lots created by the final plat meet the bulk standards for the I-1 zone district. Furthermore, the plat creates suitable lots for the intended use of the property for industrial purposes without any variances for the subject property.

## Development Review Team Analysis

### Comprehensive Plan

The DRT recommendation for this case is supported by the following Comprehensive Plan Goals:

<u>Section</u>	<u>Goal</u>	<u>Description</u>
Land Use	LU 1a	Future Land Use Plan as a Guide: Use the Future Land Use Plan (FLUP) to guide development patterns and mix of uses and amendments to the land Development Code (LDC).

<u>Section</u>	<u>Goal</u>	<u>Description</u>
<b><u>Analysis:</u></b>	The final plat creates legal and conforming lots within an area of the city that is designated for light industrial uses. Each of the proposed lots are suitable for industrial development that aligns with the uses described in the comprehensive plan.	
<u>Section</u>	<u>Goal</u>	<u>Description</u>
Redevelopment/ Reinvestment	RR 1	Increase focus on infill development Recognize the benefits of infill development to balance and retain the character of stable neighborhoods with increasing economic opportunities.
<b><u>Analysis:</u></b>	UPS Freight is an established business in a stable industrial neighborhood. The final plat allows the applicant to expand the existing use as well as create legal and conforming lots in a previously unplatted property. If approved, the subject property is more prepared for future infill development.	

The Development Review Team (DRT) also reviewed the final plat for compliance with the lot standards for the current zone district, I-1 (Light-intensity industrial district). Minimum requirements for the lot frontage, 80-feet, and the lot area, 30,000 square-feet were reviewed in the proposed final plat. Each of the proposed lots exceeds the minimum lot frontage with approximately 899-feet along Lot 1 and 330-feet along Lot 2. Both of the lots meet the minimum requirement for lot area as well with approximately 16.7 acres for Lot 1 and 3.5 acres for Lot 2. Lot 1 will be utilized as a transportation terminal pending approval of the conditional use permit request (CU-111-15). The CUP would have to be amended to include the transportation operation along with corresponding structures on Lot 2 for the applicant.

Issue	City Standard	Proposed	Meets Standard?
<b>Lot Size</b>	30,000 sf	Lot 1: 16.7 acres Lot 2: 3.5 acres	Yes
<b>Lot Frontage</b>	80 feet	Lot 1: 899-feet Lot 2: 330-feet	Yes
<b>Lot Access</b>	Access is required to be provided to a public street	There is access from E. 56 <sup>th</sup> Avenue	Yes
<b>Street Width</b>	To dedicate and install ROW that complies with city standards	No roadway improvements or dedications are required.	Yes
<b>School Land</b>	None for industrial zoning	No dedication needed for industrial zoning	N/A
<b>School Capacity Fee</b>	None for industrial zoning	No fee required for industrial zoning	N/A
<b>Comprehensive Plan</b>	Industrial/Distribution	Industrial	Yes

<b>Parks/Open Space</b>	No fee required for the expansion of an existing use on Lot 1. A fee will be required for the development of a new use at a future date for Lot 2.	No Parks Fee is required for the final plat or expansion on Lot 1.	Yes
<b>Neighborhood Issues</b>	N/A	Staff has received no comments or objections	N/A

There are no proposed changes to the access to the site off of E. 56<sup>th</sup> Avenue. The proposed expansion to the transportation terminal on Lot 1 is on the South side of the building and will be approximately 8,750 square-feet. The final plat has been reviewed by the city's Public Works Department and no comments or objections have been made with regard to the use of the existing access.

After reviewing the proposed plat and determining that the lot will meet the minimum lot requirements for the I-1 zone district, as well as analyzing the request against the specific approval criteria for a final plat as seen below, the DRT is recommending that the document be approved as proposed.

Criteria Met?	Sec. 21-3241. Final Plats or Consolidation Plats	Rationale
<input checked="" type="checkbox"/>	The plat is consistent with any approved land use document;	The final plat meets the bulk standards of the I-1 zone district for both of the proposed lots.
<input checked="" type="checkbox"/>	The plat is consistent with and implements the intent of the specific zoning district in which it is located;	The final plat implements the intent of the I-1 zone district. Each of the proposed lots allows for sufficient development for uses that align with the light industrial uses allowed in the I-1 zone district.
<input checked="" type="checkbox"/>	No evidence suggests that the plat violates any laws, regulations, or requirements;	There is no evidence that the final plat violates any laws, regulations or requirements based upon review.
<input checked="" type="checkbox"/>	The general layout of the plat minimizes land disturbance, maximizes open space, preserves existing trees/vegetation and riparian areas, and otherwise accomplishes the purposes and intent of the LDC;	The layout of the final plat minimizes land disturbance on the subject property. The development of the lots will require increased landscaping to meet the standards within the LDC for additions to existing structures and/or new development.
<input checked="" type="checkbox"/>	The plat complies with all applicable city standards and does not unnecessarily create lots that make compliance with such standards difficult or infeasible;	The final plat complies with all applicable city standards within the LDC and creates lots that are suitable for industrial development.
<input checked="" type="checkbox"/>	The plat will not result in a substantial or undue adverse effect on adjacent properties, traffic conditions, parking, public improvements, either as they presently exist or as they are envisioned to exist in any adopted City plan, program or ordinance;	The final plat will not result in substantial or undue adverse effects on the adjacent properties, traffic conditions, parking or public improvements as they currently exist or with the proposed development. The applicant is proposing the increase the size of the transportation terminal; however, the increase in building square-footage will not significantly increase the traffic on the site. Furthermore, the proposed development will increase the landscaping along the I-270 right-of-way to enhance the aesthetics along this major corridor within the community.
<input checked="" type="checkbox"/>	Sufficient public services (utilities, safety, etc) and uses (parks, schools etc) are available to serve the subject property;	Sufficient public services and uses are available to serve the subject property.
<input checked="" type="checkbox"/>	A development agreement between the city and the applicant has been executed and addresses the construction of all required public improvements; and	All required public improvements have been completed and therefore a development agreement is not applicable for the current requests of the subject property.
<input checked="" type="checkbox"/>	As applicable, the proposed phasing plan for development of the subdivision is rational in terms of available infrastructure capacity.	Not applicable as there is no proposed phasing of the development.

## **Development Review Team Recommendation**

Based upon the analysis above, the Development Review Team believes that the application meets the criteria for a Final Plat set forth in the Land Development Code and recommends that the Planning Commission forward the Final Plat request to the City Council with a favorable recommendation.

## **\*Recommended Motion\***

### ***To recommend approval:***

I move that the Planning Commission enter a finding that the requested Final Plat for the property located at **5300 E. 56<sup>th</sup> Avenue** contained in case **S-636-15** meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Final Plat.

## **Alternative Motions**

### ***To recommend approval subject to condition(s):***

I move that the Planning Commission enter a finding that, subject to certain conditions, the requested Final Plat for the property located at **5300 E. 56<sup>th</sup> Avenue** contained in case **S-636-15** meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Final Plat subject to the following conditions:

*Insert Condition(s)*

### ***To recommend denial:***

I move that the Planning Commission enter a finding that the requested Final Plat for the property located at **5300 E. 56<sup>th</sup> Avenue** contained in case **S-636-15** fails to meet the following criteria of the Land Development Code:

*List the criteria not met*

I further move that, based upon this finding, the Planning Commission recommend that the City Council deny the Final Plat.