



Commerce City

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Council Communication

File Number: Z-988-23

Agenda Date: 8/7/2023

Version: 1

Status: Agenda Ready

In Control: City Council

File Type: Ordinance

Kum & Go L.C., on behalf of 7160 Eudora Dr. LLC, is requesting a Zone Change from Medium-Intensity Industrial District (I-2) to Light-Intensity Industrial District (I-1) for the approx. 2.309-acre parcel generally located at 7160 Eudora Dr.

Summary & Background

Kum & Go L.C. is requesting to rezone approximately 2.309-acres from Medium-Intensity Industrial District (I-2) to Light-Intensity Industrial District (I-1) to redevelop the site at E. 72nd Ave. and Eudora Dr. with a convenience store and gas station use.

The surrounding area is primarily industrial in use, with commercial uses such as Santiago's directly north. This site is bordered by industrial and commercial uses with I-2 zoning to the south, I-1 and I-3 to the east, C-3 to the north, and Highway 85 to the west.

The applicant has conducted Phase 1 and Phase 2 Environmental Site Assessment (ESA) of the site, and no major environmental concerns have been identified that remain. Potential oil contamination from the existing business was addressed, and Seneca Environmental Services concluded: "All environmental concerns have been eliminated."

A warehouse/equipment rental facility (Ditch Witch of the Rockies) currently occupies the site. That business is moving to another, larger industrial site within the City. A concurrent development plan (D-547-23) is under administrative review. Per the submitted development plan, all structures currently on the site would be demolished before the site is redeveloped, and any improvements and site upgrades would be implemented.

The site will be accessed off of Eudora Drive and Elm Street, which both intersect with E. 72nd Ave to the north. The zone change itself does not impact overall traffic analysis and roadway conditions. The traffic study shows the proposed use will increase traffic at the site; all required public improvements, and mitigation will be part of the review and approval for the subdivision plat and development plan.

The site currently meets, or will be able to meet once redeveloped, all the relevant City standards and Land Development Code (LDC) requirements for the proposed I-1 zoning. These requirements include but are not limited to access, floor area ratio (FAR), minimum lot area, minimum lot frontage, and setbacks.

Staff Responsible (Department Head): Tricia McKinnon, Community Development

Staff Presenting: Stacy Wasinger, City Planner

Financial Impact: N/A

Funding Source: N/A

Planning Commission Recommendation: On June 6, 2023, this case was presented to the Planning Commission. The Planning Commission held a public hearing, took testimony, and voted (4 to 1) to forward the Zone Change request to City Council with a recommendation for approval.

Action Alternatives:

Approve the application in accordance with the PC recommendation;

Approve the application with conditions; or

Deny the application