



MEMORANDUM

To: Mayor Huseman and City Councilors

From: Jim Tolbert, Community Development Director
Nathan Chavez, Planner II

Date: March 10, 2023

Subject: Ordinance Z-967-23: An Ordinance changing the zoning from Agricultural District (AG) to Medium-Intensity Industrial District (I-2).

Title

Z-967-23: An ordinance amending the zoning ordinance and zoning map of the City of Commerce City, Colorado by rezoning the property generally located at 8442 Uinta Street from Agricultural District (AG) to Medium-Intensity Industrial District (I-2)

Summary and Background Information

Kris T. Zerr II is requesting a zone change from the Agricultural District (AG) to Medium-Intensity Industrial District (I-2) for the two lots located at 8442 Uinta St. The I-2 zoning district is required for the applicant to continue running their construction contractor business (K&K Construction) at the site. The site consists of a construction contractor business with a primary office surrounded by parking in the northwest corner of the site, two storage buildings, and outdoor storage located in the southeast corner. No new development is planned at this time. According to the Land Development Code (LDC), construction contractors need I-2 Medium-Intensity Industrial zoning to be a use-by-right.

The 2018 Irondale Neighborhood & Infrastructure Plan calls for this area to be General Industrial. This designation allows for light to medium industrial uses with anticipated zoning of I-1 (Light-Intensity Industrial District) and I-2 (Medium-Intensity Industrial District). Three of the stated goals for this area are to 1) minimize conflicts between low intensity uses (like residential) and higher intensity uses (like industrial) by consolidating future uses, 2) promote more compatible uses such as industrial and commercial along major transportation corridors, and 3) reduce residential pockets adjacent to industrial areas. The proposed zone

change is consistent with the general industrial land use designation and the stated goals of the plan for 2018 Irondale Neighborhood & Infrastructure Plan.

Per Section 21-3232 (4) of the City's LDC, the Development Review Team (DRT) and the Director of Community Development review Zone Changes. Then the Planning Commission holds a public hearing and provides a recommendation to the City Council. City Council holds a public hearing and makes a final decision to approve, approve with conditions, or deny the application based on the approval criteria from Section 21-3251(5).

Staff Responsible (Department Head)

Tricia McKinnon, Community Development Interim Director
Jim Tolbert, Assistant City Manager

Staff Member Presenting

Nathan Chavez, City Planner

Financial Impact

N/A

Funding Source

N/A

Planning Commission Recommendation

On February 7, 2023, the Planning Commission held a public meeting, took testimony, and voted (4 to 0) to forward the proposed ordinance to City Council with a recommendation for approval.

Alternative:

One option would be for City Council to approve the request subject to conditions; a second option would be for City Council to deny the request.

Suggested Motion

I move that the City Council enter a finding that the requested Zone Change for the subject property contained in case Z-967-23 meets the criteria of the Land Development Code and, based upon such finding, approve the Zone Change from Agricultural District (AG) to Medium-Intensity Industrial District (I-2).

Attachment List

Ordinance Z-967-23
Ordinance Z-967-23 Exhibit A
Planning Commission Staff Report
Vicinity Map
Applicant Narrative
Site Plan Details
Neighborhood Fliers
Irondale Plan Executive Summary

DRT Comment Letters
Planning Commission Minutes
Staff Presentation
Public Notice