



# Zone Change Report

## Case #Z24-0001

*Planning Commission Date: July 2, 2024*

*City Council Date: August 19, 2024*

### **GENERAL INFORMATION**

|                       |                                                                                         |
|-----------------------|-----------------------------------------------------------------------------------------|
| <b>PROJECT NAME</b>   | JFW Trucking Zone Change                                                                |
| <b>LOCATION</b>       | 5400 Forest St                                                                          |
| <b>SITE SIZE</b>      | 12.20 Acres                                                                             |
| <b>CURRENT ZONING</b> | I-1 (Light Intensity Industrial District) and I-3 (Heavy Intensity Industrial District) |
| <b>APPLICANT</b>      | JFW Trucking, represented by Ed Jennings                                                |
| <b>OWNERS</b>         | James F White Living Trust and Evelyn White Living Trust                                |
| <b>CASE PLANNER</b>   | Kathleen Taylor                                                                         |

### **REQUEST**

The request is to rezone six parcels from I-1 and I-3 to I-2 (Medium Intensity Industrial District).

### **BACKGROUND AND CASE HISTORY**

The property was a part of the city when it was first incorporated. The buildings nearest to the gate have been on site since 1945 and 1950. The current owners purchased the property in May 2022. JFW Trucking currently operates on site, but in a limited capacity.

### **ADDITIONAL INFORMATION**

The applicant would like to construct a 39,000 sf trucking facility that would include demolition of current structures, a new building, truck parking, truck maintenance, washing and fueling. A Development Plan (D24-0001) and a Consolidation Plat (S24-0004) are also currently under review.

### **COMPREHENSIVE PLAN (CP) CONSISTENCY**

The subject property is designated on the Future Land Use Map as General Industrial. The proposed zoning designation of I-2 is consistent with the Future Land Use Map in the Comprehensive Plan; rezoning the subject property to I-2 will bring the property into conformance with the future land use designation. Furthermore, this case is supported by the Comprehensive Plan's Goal LU 4 to *retain existing industrial areas and land for future jobs*, as well as Goal ED 2 to *retain and increase a strong employment base*.

## **PROJECT ANALYSIS**

### **Site Overview**

The requested rezoning is for 12.2 acres, primarily located at the end of Forest Street, just north of East 52<sup>nd</sup> Avenue. However, the subject property also includes Forest Street which is not actually a street, but rather a private access easement. The property is currently developed with three existing buildings. All structures currently on the site would be demolished before the site is redeveloped. The applicant's proposal for the overall site is a trucking facility which is allowed by right in the I-2 district.

### **Overall Analysis**

Staff has determined that the subject property currently meets, or will be able to meet once developed, all the relevant City standards and Land Development Code (LDC) requirements for the proposed I-2 zoning. These requirements include, but are not limited to: access, floor area ratio (FAR), minimum lot area, minimum lot frontage, and setbacks.

The proposed zone change has been reviewed by the Development Review Team, including Planning, Public Works, and South Adams County Water and Sanitation District. Engineering has no further comments related to the zone change. Colorado Department of Transportation (CDOT) and Xcel Energy have no objections. The Mile High Flood District has reviewed the application and has no further comments related to the zoning change.

## **ZONE CHANGE APPROVAL CRITERIA**

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

**(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.*

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

**Criteria (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;**

This application is consistent with the Comprehensive Land Use Plan Designation of General Industrial. *Therefore, it can be found that this application **meets Criteria (i).***

**Criteria (ii): The proposed zone district and allowed uses are compatible with proposed development, surrounding land uses and the natural environment;**

The I-2 zone district is compatible with the proposed trucking facility. In addition, the site is bordered by industrial uses with I-1, I-2 and I-3 zoning. The entire surrounding

area is designated as General Industrial on the Future Land Use Map in the Comprehensive Plan. *Therefore, it can be found that this application meets Criteria (ii).*

**Criteria (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;**

This zone change application was reviewed by the applicable public service providers, namely Public Works, Xcel Energy and South Adams County Water and Sanitation District; and there are no outstanding concerns. *Therefore, it can be found that this application meets Criteria (iii).*

**Criteria (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;**

Future development at this location would have access to public uses. As a non-residential zone district, future development would not be subject to school impact fees. *Therefore, it can be found that this application meets Criteria (iv).*

**Criteria (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**

The Comprehensive Plan Future Land Use Map has designated this vicinity and all of the surrounding lots, for industrial uses. *Therefore, it can be found that this application meets Criteria (v).*

**Criteria (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.**

This area is currently a mixture of various industrial uses. The requested zone change allows the subject parcels to have cohesive zoning and thus be developed in a unified manner. The proposed I-2 zoning will allow uses appropriate for the area. *Therefore, it can be found that this application meets Criteria (vi).*

## **CONSIDERATIONS FOR DISCUSSION**

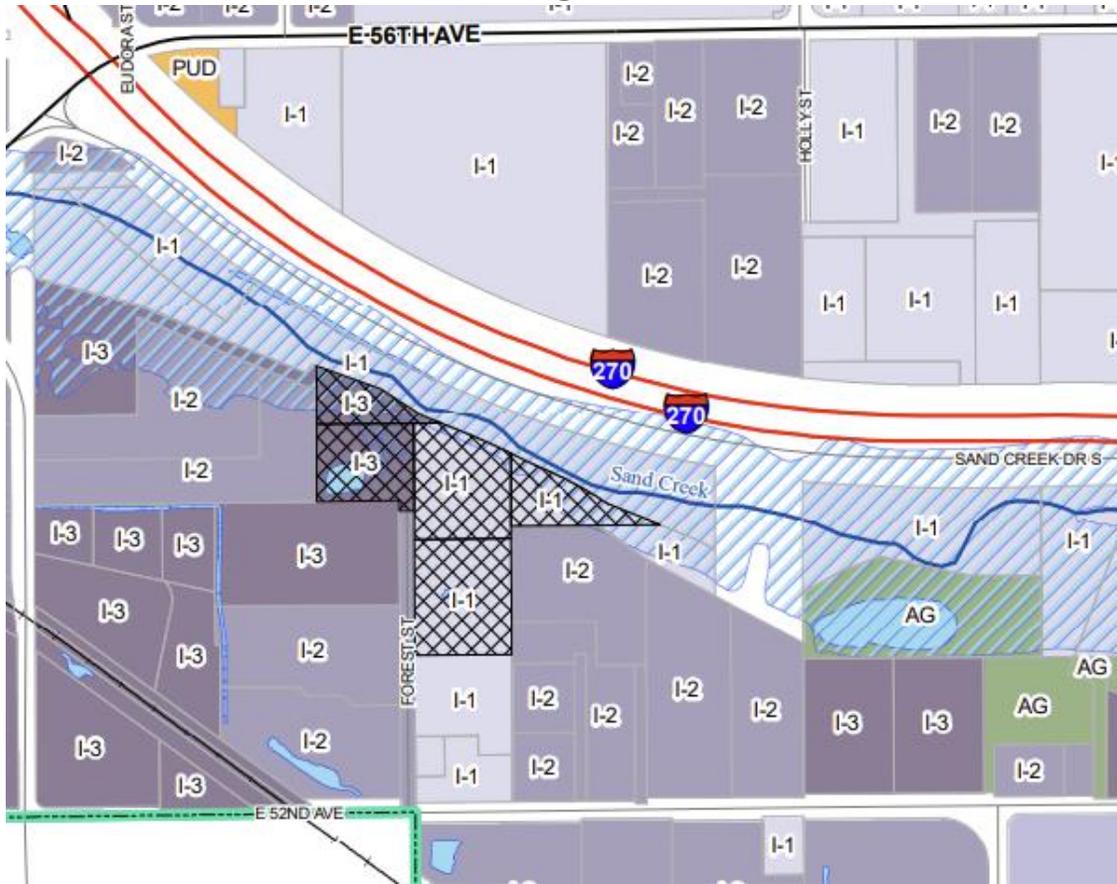
1. The zone change is consistent with the Comprehensive Plan.
2. The zone change allows the site to be consolidated.

## **POTENTIAL MOTIONS**

1. Approval
  - a. Planning Commission
    - i. I move that the Planning Commission enter a finding that the requested **Zone Change** for the property located at **5400 Forest Street** contained in case **Z24-0001** meets the criteria of the Land Development Code and based upon such finding, recommend that the City Council approve the Zone Change.

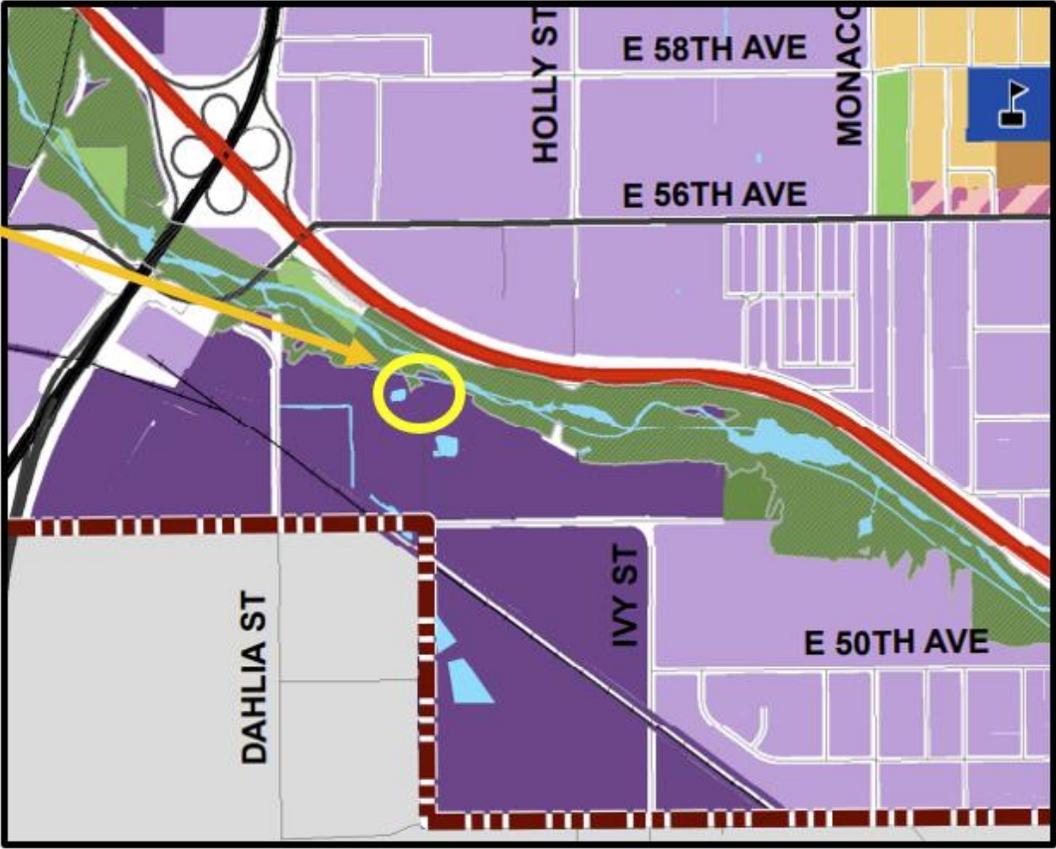
- b. City Council
    - i. I move that the City Council enter a finding that the requested **Zone Change** for the property located **at 5400 Forest Street** contained in case **Z24-0001** meets the criteria of the Land Development Code and based upon such finding, approve the Zone Change.
2. Denial
- a. Planning Commission
    - i. I move that the Planning Commission enter a finding that the requested **Zone Change** for the property located **at 5400 Forest Street** contained in case **Z24-0001** fails to meet the criteria of the Land Development Code and based upon such finding, recommend that the City Council deny the Zone Change.
  - b. City Council
    - i. I move that the City Council enter a finding that the requested **Zone Change** for the property located **at 5400 Forest Street** contained in case **Z24-0001** fails to meet the criteria of the Land Development Code and based upon such finding, deny the Zone Change.
3. Continuance
- a. Planning Commission
    - i. I move that the Planning Commission continue the public hearing of the requested **Zone Change** for the property located **at 5400 Forest Street** contained in case **Z24-0001** to:
      - 1. The next regularly scheduled Planning Commission hearing; or
      - 2. A date certain.
  - b. City Council
    - i. I move that the City Council continue the public hearing of the requested **Zone Change** for the property located **at 5400 Forest Street** contained in case **Z24-0001** to:
      - 1. The next regularly scheduled City Council hearing; or
      - 2. A date certain.

# Zoning Map



# Future Land Use Plan

Subject Property



- Industrial / Distribution
- General Industrial
- Park
- Open Space
- Residential - Medium
- Mixed-Use (Corridor and Commercial)



# Aerial Map



Subject Property



## Site Photos



View at End of Forest St/Gates of Property (Taken 6/21/2024)