

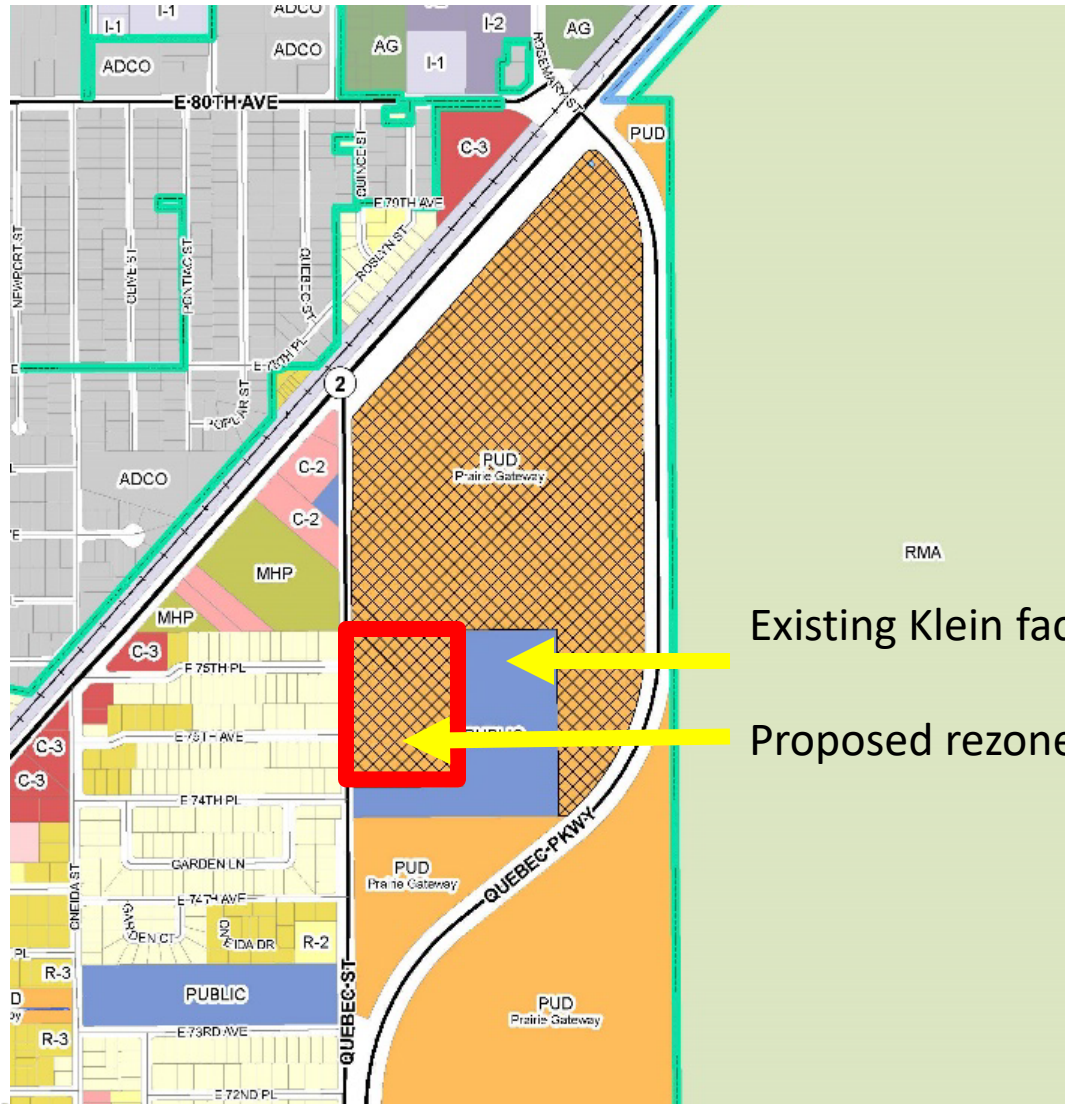


Case # Z23-0002

SACWSD Klein Facility Expansion

Location:	West of 7400 Quebec St.
Applicant:	South Adams County Water and Sanitation District
Request:	Zone Change

Vicinity Map



Existing Klein facility

Proposed rezone area

Case Summary

- Parcel adjacent west of 7400 Quebec St. (existing facility)
- Request: Zone Change
- Current zoning: Prairie Gateway (Victory Crossing) PUD
- Future land use: Commercial/Utility
- Change to Public for water treatment facility expansion
- ~ 9.736 acres
- Conditional Use Permit (CUP), Development Plan, and plat to follow

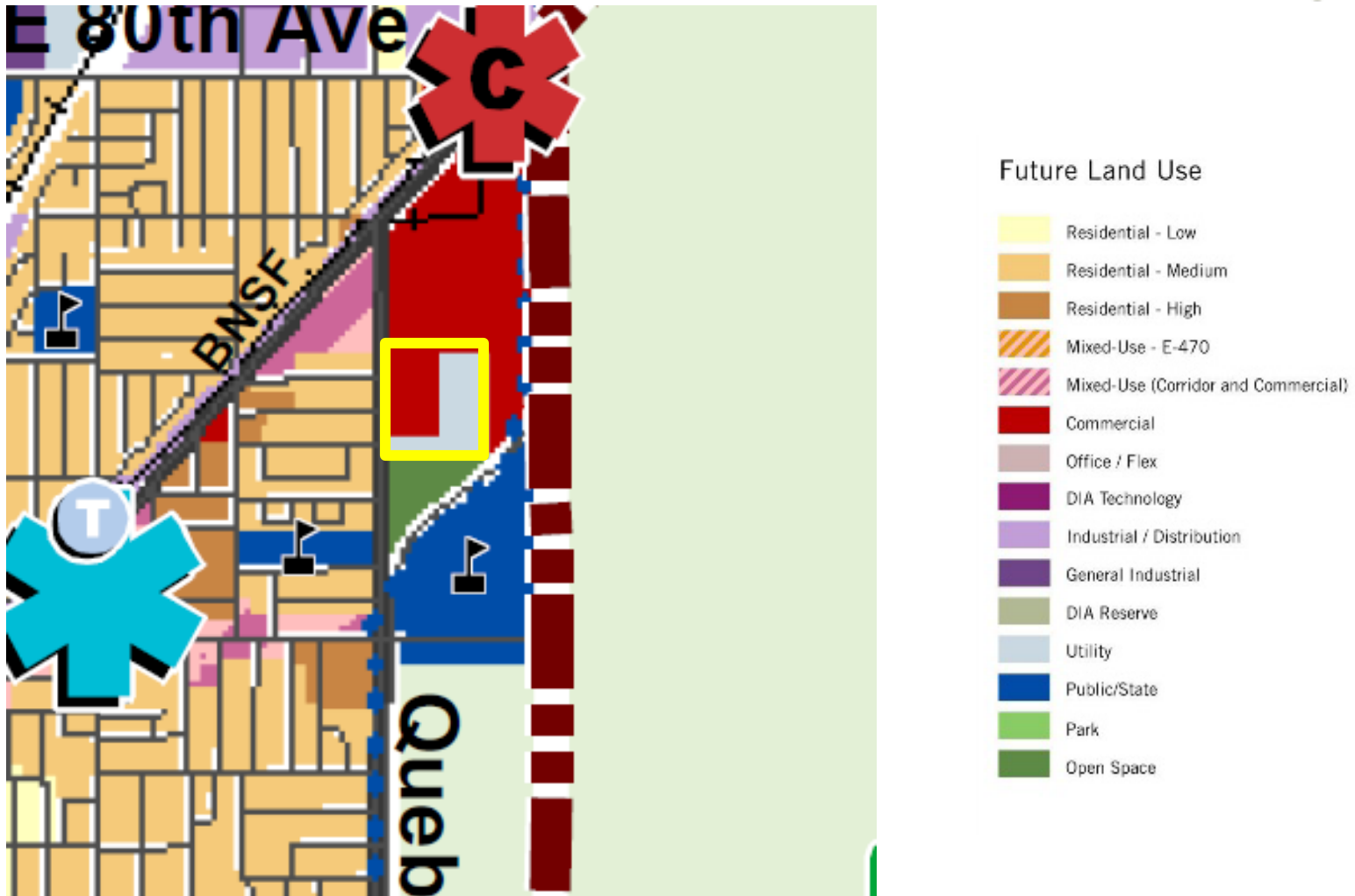


Background and Applicant's Request

- Currently vacant, part of the Prairie Gateway (Victory Crossing) PUD
 - Allows variety of commercial uses, but not water treatment facility
- Proposed use of water treatment facility
 - ~17,000 sq. ft. building
 - PFAS treatment to serve current and future need, meet federal guidance
 - Requires rezone to Public to allow water treatment facility by CUP



Future Land Use Plan



Site Aerial



Site Photos



View from Quebec St. NE



View from Quebec St. SE

Case Analysis

- Proposed use in concurrent applications is consistent with Public zoning
- DRT agencies reviewed project; no outstanding comments or objections for rezone
- There is sufficient evidence in the record to demonstrate that the rezoning meets the approval criteria in LDC Sec. 21-3232(5), with one condition.



Commerce
CITY

Proposed Condition

The South Adams County Water and Sanitation District (SACWSD) shall cause the Property to be consolidated via plat with the adjacent property, known as 7400 Quebec Street and encompassing the existing Klein Water Treatment Facility, within six (6) months of SACWSD taking fee title ownership of the Property.

Public Comment

- As of December 18, 2023
 - Staff has received three emails and three phone calls
 - Asked questions and for additional information
- Neighborhood meeting conducted for CUP on November 29, 2023

Case Considerations

- Zone Change is consistent with the Comprehensive Plan goals
- Zone Change allows the vacant site to develop adjacent to existing facility and serve future utility needs
- Supported by the Energy, Equity, and Environment Division



Planning Commission

- On November 8, 2023, the Planning Commission held a public hearing, took testimony, and voted (5 to 0) to forward Z23-0002 to City Council with a recommendation for approval, with one condition.



Rezoning or Zone Changes Approval Criteria (LDC Sec. 21-3232(5))

- (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.

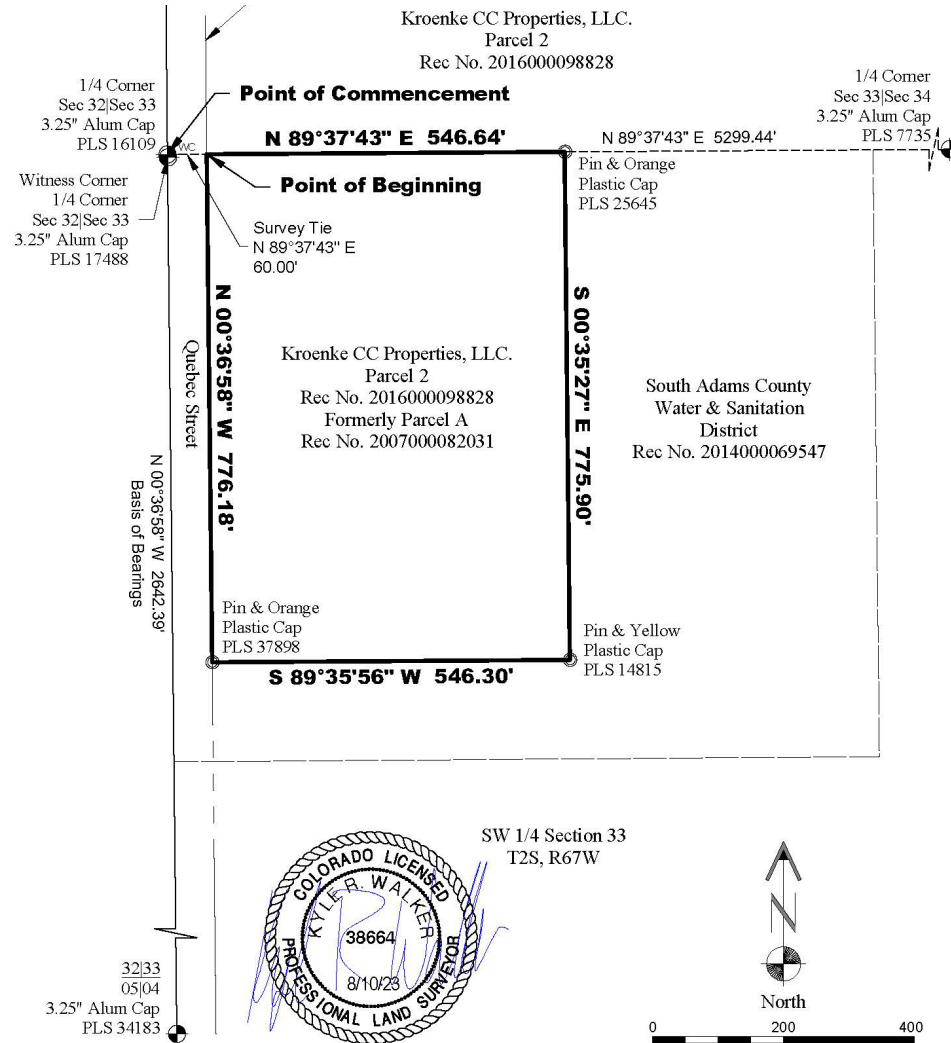


Staff is available to answer any questions.

The applicant is also present to speak on behalf of this request and to answer any questions that the Council may have.



Parcel Exhibit



Zone Change Approval Criteria

Sec. 21-3232(5)- Rezoning or Zone Changes 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:

- N/A

(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;

This application is consistent with the Comprehensive Plan and promotes several goals, including Public Facilities and Infrastructure Goal 1 and Environmental Conservation and Stewardship Goal 4. Therefore, it can be found that this application meets Criteria (i).

Zone Change Approval Criteria

Sec. 21-3232(5)- Rezoning or Zone Changes Approval Criteria:

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

The Public zone district is compatible with the proposed water treatment facility expansion. In addition, the site is bordered by an existing water treatment facility and future non-residential uses to the north. The zone change is not expected to have many impacts, and limits the number of uses from the current zoning. The CUP application that would specifically permit the proposed use will also be required to address all impacts and CUP approval criteria. Therefore, it can be found that this application meets Criteria (ii).

Zone Change Approval Criteria

Sec. 21-3232(5)- Rezoning or Zone Changes Approval 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, including Public Works 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).



Zone Change Approval Criteria

Sec. 21-3232(5)- Rezoning or Zone Changes Approval 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 impact school/parks availability. Therefore, it can be found that this application meets Criteria (iv)..



Zone Change Approval Criteria

Sec. 21-3232(5)- Rezoning or Zone Changes Approval 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 need for this facility is determined by water supply and future growth. The expansion of the existing facility for specific treatment of PFAS is needed to maintain efficient water quality and service as the area SACWSD serves, including Commerce City, grows.

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



Zone Change Approval Criteria

Sec. 21-3232(5)- Rezoning or Zone Changes Approval 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, as depicted in the Prairie Gateway PUD and the Comprehensive Plan is intended for non-residential uses. Allowing a public utility facility to expand in order to continue serving the community is in the public interest. Therefore, it can be found that this application meets Criteria (vi).

