



# Commerce City

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## Council Communication

File Number: Z-989-23

**Agenda Date:** 8/7/2023

**Version:** 1

**Status:** Public Hearing

**In Control:** City Council

**File Type:** Zoning Ordinances

FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY REZONING THE PROPERTY LOCATED AT 8705 ROSEMARY STREET FROM LIGHT INTENSITY INDUSTRIAL DISTRICT (I-1) AND AGRICULTURAL DISTRICT (AG) TO MEDIUM INTENSITY INDUSTRIAL DISTRICT (I-2)

### Summary & Background

The requested rezoning is for a 6.57 acre lot, located at the southwest corner of E. 88th Avenue and Rosemary Street. A small portion of the lot is developed with an existing single family residence. Per the submitted development plan, all structures currently on the site would be demolished before the site is redeveloped.

In 1980, this property was annexed into the City and zoned AG. Then, in 2019, a portion of the lot was rezoned to I-1 (Z-956-19). A condition was placed on the rezoning that a subdivision would be required to separate out the I-1 portion of the lot. This condition was never fulfilled, resulting in the current split-zoning of the lot. The applicant is proposing to rezone the entire site to I-2 in order to develop the site, as it is currently undevelopable because it is split-zoned.

The subject property is designated on the Future Land Use Map as Industrial / Distribution, while the Irondale Neighborhood & Infrastructure Plan designates the property as General Industrial. The proposed zoning designation of I-2 is consistent with the Future Land Use Map in the Comprehensive Plan, and with the Irondale Neighborhood & Infrastructure Plan.

In general, Irondale has shifted from residential in character to more industrial in character over the years. In this particular area of Irondale, the majority of land uses are industrial. This site is bordered by industrial uses with I-1 and I-2 zoning to the south, and a railway directly to the west. The nearest residential use to this property is a small cluster of 14 residences a quarter mile to the east; and the closest major residential neighborhood is almost a third of a mile to the west.

There is a proposed Development Plan (D-551-23) which is currently under review for this site. The plan consists of one warehouse building, approximately 54,600 sf. in size.

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

**Staff Presenting:** Michael Rosso, City Planner

**Financial Impact:** N/A

**Funding Source:** N/A

**Planning Commission Recommendation:** On May 16, 2023, this case was presented to the Planning Commission. The Planning Commission held a public hearing, took testimony, and voted unanimously to forward the Zone Change request to City Council with a recommendation for approval.

**Potential Motions:**

**Approval**

I move that the City Council enter a finding that the requested Zone Change for the property located at 8705 Rosemary Street contained in case Z-989-23 meets the criteria of the Land Development Code and based upon such finding, approve the Zone Change.

**Denial**

I move that the City Council enter a finding that the requested Zone Change for the property located at 8705 Rosemary Street contained in case Z-989-23 fails to meet the criteria of the Land Development Code and based upon such finding, deny the Zone Change.

**Continuance**

I move that the City Council continue the public hearing of the requested Zone Change for the property located at 8705 Rosemary Street contained in case Z-989-23 to:

The next regularly scheduled City Council hearing; or  
A date certain.

**Remittance back to Planning Commission**

I move that the City Council remit discussion of the requested Zone Change for the property located at 8705 Rosemary Street contained in case Z-989-23 back to Planning Commission for further discussion.