



Zone Change Report

Case #Z-990-23

Planning Commission Date: February 6, 2024

City Council Date: March 4, 2024

GENERAL INFORMATION

PROJECT NAME	6601 Colorado Boulevard
LOCATION	6601 Colorado Boulevard
SITE SIZE	11 Acres
CURRENT ZONING	AG (Agricultural District) and I-1 (Light Intensity Industrial District)
APPLICANT	Galloway & Company Inc.
OWNER	6601 Colorado Holding LLC
CASE PLANNER	Dalton Guerra

REQUEST

The request is to rezone the property from AG (Agricultural District) and I-1 (Light Intensity Industrial District) to I-2 (Medium Intensity Industrial District).

ZONING

The zoning of a property determines what uses are allowed/not allowed and sets bulk development standards such as setbacks, lot size requirements, and maximum building heights. The City has a variety of zoning districts including residential districts, commercial districts, industrial districts, and other districts such as Public, Agricultural, and Mixed-Use. Zoning districts help create consistency and predictability for development across the City. Zoning districts are general in nature and do not determine what user will occupy a specific parcel. However, zoning districts do determine what types of uses are allowed (and prohibited) on all parcels within a particular district. Zoning is approved by the City Council in the form of an ordinance and “runs with the land” meaning that the zoning for a parcel remains in effect unless it is modified by a subsequent zoning process.

BACKGROUND AND CASE HISTORY

This property has been zoned AG (Agricultural District) since it was incorporated into the City. In 2016, a portion of the lot was rezoned to I-1 (Z-937-16). A corresponding final subdivision plat was processed to separate the I-1 portion of the lot but was withdrawn by the applicant before completion. This resulted in the current split zoning of the lot. Please refer to the zoning map at the end of this report for a visual representation of the zoning.

ADDITIONAL INFORMATION

There is a proposed Development Plan (D-551-23) and Consolidation Plat (S23-0003) which are currently under review for this site. Both applications are contingent upon this rezone request being approved. The Development Plan consists of one warehouse building approximately 30,000 sf. in size with an outdoor storage area. Outdoor storage is an allowed accessory use within the I-2 zoning district. The consolidation plat will combine the two existing parcels (6601 Colorado Blvd & 6625 Colorado Blvd) into one 11-acre lot.

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. In addition, rezoning the entire lot to I-2 will bring the property into conformance with the future land use designation of the Comprehensive Plan, while also correcting the split-zoning. This case is supported by the following goals as outlined in the Commerce City Comprehensive Plan:

- Land Use and Growth (Goal LU 1.1) – Growth and Future Land Use Plan Consistency
 - The proposed re-zone is consistent with the Future Land Use Plan designation of General Industrial for this property.
- Land Use and Growth (Goal LU 2.1) – Infill Development Promoted
 - The property is currently unplatted with older residential buildings on it and a large outdoor storage area. A re-zone to I-2 will promote re-development of the site and enhance it.
- Land Use and Growth (Goal LU 3.3) – Compatible Uses in All Neighborhoods
 - The surrounding area is zoned I-1, I-2, and I-3. There is a single-family subdivision to the east but redevelopment of the site will include enhanced landscaping, screening, and a new warehouse building that will meet the City's design standards.
- Land Use and Growth (Goal LU 3.5) – Historic City Neighborhoods Preserved/Revitalized
 - The Adams Heights neighborhood is identified as a neighborhood that is in need of buffering from industrial activities. A re-zone of the subject property will allow redevelopment which includes site improvements that will adequately buffer the proposed use from the neighborhood.
- Land Use and Growth (Goal LU 4.2) – Historic City and Irondale Industrial Areas Strengthened
 - The Historic City has been identified as an area that needs to promote and strengthen industry and employment. A re-zone of this property will allow for a new warehouse use and promote industry and employment in an area that is predominately industrial.
- Economic Development (Goal ED 2.3) – Strengthen Employment Land Base
 - This goal aims to retain and strengthen the industrial base within the Historic City. Re-zoning this property will help retain and strengthen the industrial land use with enhanced site improvements.

- Economic Development (Goal ED 3.3) – Ensure Availability of Industrial Land and Buildings
 - A re-zone of the property will maintain the Future Land Use Designation of General Industrial and preserve this land for new industrial business.
- Fiscal Stability (Goal FS 2.2) – Core Employment Uses
 - A re-zone of the property will retain and strengthen the industrial and employment land base by ensuring that the new industrial use is consistent with the Future Land Use Plan.
- Redevelopment and Reinvestment (Goal RR 2.1) – Historic City Industry Retained
 - A re-zone of this property would allow light industrial and warehousing uses which are a priority for retaining industrial uses within the Historic City.
- Appearance and Design (Goal AD 2.3) – Historic City and Irondale Cohesive Appearance
 - Redevelopment of the site will require improvements to the landscaping, screening, and building design standards for the property. The site will be improved beyond what is existing.

PROJECT ANALYSIS

Site Overview

The requested rezoning is for approximately 11 acres, located at 6601 Colorado Boulevard. A small portion of the property is developed with existing single-family buildings. Per the submitted development plan, all structures currently on the site would be demolished before the site is redeveloped.

In this particular area of the City, the majority of land uses are industrial. This site is bordered by industrial uses with I-1, I-2, and I-3 zoning to the north and south. The nearest residential zoning to this property is the Adams Heights subdivision to the east of Colorado Boulevard. There are residential uses directly to the southeast of the subject property on the east side of Colorado Boulevard which are zoned I-3.

Neighborhood Meeting

A neighborhood meeting was conducted on August 30, 2023 at Eagle Pointe Recreation Center. Approximately 14 residents were in attendance to ask questions and provide comments about the rezoning request. The main concern from neighboring property owners was the proposed outdoor storage within I-2 zoning. They would prefer that the property is re-zoned to I-1 instead of I-2 to prohibit outdoor storage as an accessory use for the warehouse building. If the re-zone to I-2 is approved the residents would like to see efforts made to screen the outdoor storage from public view. The applicant has indicated that outdoor storage would be in the rear of the property with adequate landscaping, fencing, and other methods of screening to prevent the public from seeing the storage from Colorado Boulevard.

Overall Analysis

The proposed zone change has been reviewed by the Development Review Team (DRT) including Planning, Public Works, Engineering, South Adams County Fire District, and South

Adams County Water and Sanitation District. The DRT has reviewed the proposal against all 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, landscaping, and setbacks. There were no comments from referral agencies in opposition to the proposed zone change. A preliminary traffic and drainage report have been reviewed by the DRT and will be approved at the time that the pending Development Plan is approved.

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 Plan, which identifies these parcels as '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 allows for the proposed warehouse development as a permitted land use. In addition, the site is bordered by industrial uses with I-1, I-2, and I-3 zoning to the north and south. Furthermore, the 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 Commerce City Public Works and Engineering 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. A non-residential parks impact fee will be paid at the time that building permits are issued. *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 lot, 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.

In this particular area of the City, the majority of adjacent land uses are industrial. Adjacent properties to the north and south are zoned I-1, I-2, and I-3 with industrial uses currently in operation. The nearest residential uses to this property are 3 single-family residences directly southeast with I-3 zoning designations; and the closest major residential neighborhood is the Adams Heights subdivision to the east of Colorado Boulevard. In addition, this property was already partially zoned I-1 and rezoning the entire property to I-2 will rectify the issue of having a split-zoned property. It will also bring the property into conformance with the Comprehensive Plan. *Therefore, it can be found that this application meets Criteria (vi).*

CONSIDERATIONS FOR REQUESTED ZONE CHANGE

1. Rezoning to I-2 is consistent with the Comprehensive Plan.
2. Rezoning brings the currently split-zone lot into conformance.
3. Rezoning allows the site to develop in an industrial manner, subject to all current Code requirements.
4. Outdoor storage is allowed within the requested I-2 zoning district.
5. Existing residential homes are located in the vicinity (some zoned residential, some zoned industrial).

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 **6601 Colorado Boulevard** contained in case **Z-990-23** 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 **6601 Colorado Boulevard** contained in case **Z-990-23**

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 6601 Colorado Boulevard** contained in case **Z-990-23** 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 6601 Colorado Boulevard** contained in case **Z-990-23** fails to meet the criteria of the Land Development Code and based upon such finding, deny the Zone Change.

3. Continuance

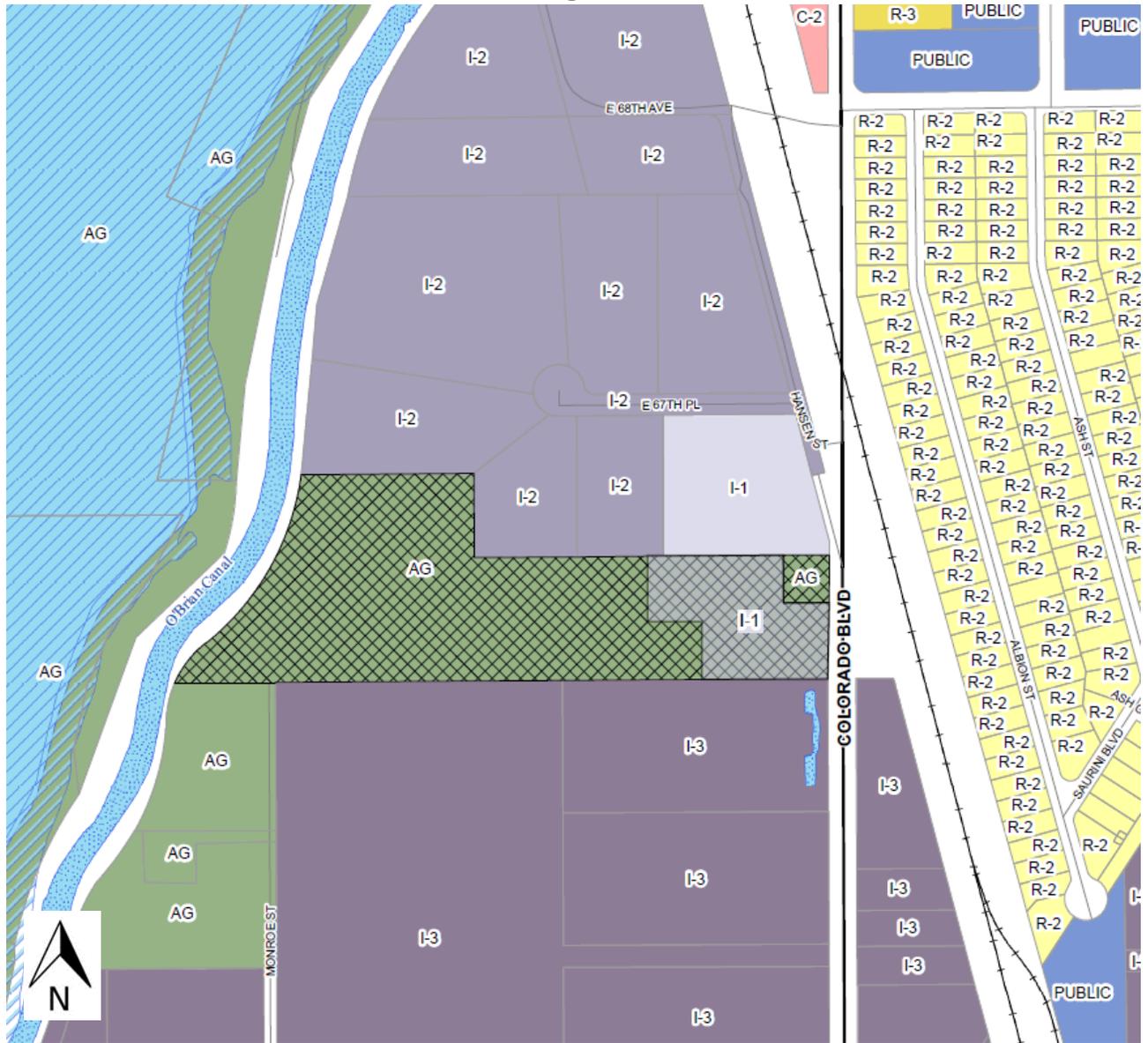
a. Planning Commission

- i. I move that the Planning Commission continue the public hearing of the requested **Zone Change** for the property located **at 6601 Colorado Boulevard** contained in case **Z-990-23** 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 6601 Colorado Boulevard** contained in case **Z-990-23** to:
 1. The next regularly scheduled City Council hearing; or
 2. A date certain.

Zoning Map



Future Land Use Plan



General Industrial

Aerial Map

