



# STAFF REPORT

## Planning Commission

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### CASE #Z-204-79-15-20

<b>PC Date:</b>	May 12, 2020	<b>Case Planner:</b>	Stacy Wasinger
<b>CC Date:</b>	June 1, 2020		
<b>Location:</b>	8600 Rosemary Street, Commerce City, CO 80022		
<b>Applicant:</b>	South Adams County Fire Department (SACFD)	<b>Owner:</b>	Same as Applicant
<b>Address:</b>	6050 Syracuse Street Commerce City, CO 80022	<b>Address:</b>	Same as Applicant

### Case Summary

<b>Request:</b>	Zone Change from I-2 to Public
<b>Project Description:</b>	Request to rezone a 0.50 acre tract from I-2 to Public, to allow a 6,082 square foot expansion to an existing fleet services building for South Adams County Fire Department; a concurrent development plan and consolidation plat are under review.
<b>Issues/Concerns:</b>	Consolidation plat be complete for rezone Expand existing public use
<b>Key Approval Criteria:</b>	<ul style="list-style-type: none"><li>• Comprehensive Plan</li><li>• Land Development Code (LDC)</li></ul>
<b>Staff Recommendation:</b>	Approval
<b>Current Zone District:</b>	I-2 (Medium Intensity Industrial District) and Public
<b>Comp Plan Designation:</b>	Public/State and General Industrial

#### Attachments for Review: *Checked if applicable to case.*

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Applicant's Narrative Summary     | <input checked="" type="checkbox"/> Vicinity Map |
| <input checked="" type="checkbox"/> Proposed Site Plan and Elevations | <input type="checkbox"/>                         |

## Background Information

### Site Information

<b>Site Size:</b>	0.50 acres to be rezoned (1.74 acres total with existing site)
<b>Current Conditions:</b>	Fire Station No. 4 and fleet maintenance building on adjacent parcel
<b>Existing Right-of-Way:</b>	Rosemary Street to the west
<b>Neighborhood:</b>	Irondale
<b>Existing Buildings:</b>	Fire Station No. 4 and fleet maintenance building
<b>Buildings to Remain?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Site in Floodplain</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

### Surrounding Properties

	<u>Existing Land Use</u>	<u>Occupant</u>	<u>Zoning</u>
<b>North</b>	Commercial; Public/Utility	Ministerios Palabra de Vida church; Commerce City Municipal Services Center	C-1; PUBLIC
<b>South</b>	Industrial	M and C Associates LLC	ADCO
<b>East</b>	Industrial	Instel Steel	I-2
<b>West</b>	Residential	Unoccupied residential (current annexation/rezone and development plan application for used auto-dealership)	ADCO

### Case History

There are two parcels that encompass the overall Fire Station No. 4 development: the property with the current Fire Station and Fleet Maintenance buildings and the vacant Tract A adjacent to the east. The latter is the subject of this rezone request. The property with the current fire station was originally developed as a volunteer fire station in 1960 in unincorporated Adams County. The property was annexed into Commerce City in 1979, and subsequently zoned AG-Agricultural in case #Z-204-79. At that time, fire stations were allowed within the AG zone district with approval of a Use-by-Permit by the Board of Adjustment, which was granted for the subject property in 1980 in case #A-448-80. Since the adoption of the Land Development Code (LDC) in 2009, fire stations are only allowed in the PUBLIC zone district. A rezone from AG to PUBLIC in 2015 allowed the current Fire Station No. 4 to be built in place of the previous building from 1960. The additional 0.50 acre parcel to the east currently zoned I-2 was separated from the larger Instel Steel property for South Adams County Fire Department use in 2017. An expansion to the fleet maintenance building is proposed on this parcel. The property is currently vacant and must be rezoned to Public to allow the expansion of the fire station fleet maintenance building. The existing maintenance shop building was constructed in 2007.

<u>Case</u>	<u>Date</u>	<u>Request</u>	<u>Action</u>
Z-204-79	September 1979	Annexation zoning from A-1 Adams County to AG Commerce City	<b>Approval</b>
A-448-80	March 1980	Use-by-Permit for a fire station in the AG zone district	<b>Approval</b>
Z-204-79-15	July 2015	Rezone from AG to Public	<b>Approval</b>
D-266-15	September 2015	Development Plan to rebuild Fire Station No. 4 and develop site as currently used	<b>Approval</b>

## Applicant's Request

The current request is to rezone a 0.50 acre tract from I-2 to Public to allow a 6,082 square foot expansion to an existing fleet services building and to consolidate a lot and a tract into one lot.

The South Adams County Fire Department (SACFD) was formed in 1952 to serve the areas that are today Commerce City and unincorporated Adams County. The current Fire Station No. 4 at 8600 Rosemary Street, located on the southeast corner of East 86th Avenue and Rosemary Street, was constructed in 2015 to replace an older fire station building. As the surrounding area has grown and developed, SACFD proposes to expand the fleet maintenance to the additional 0.50 site to provide more fleet service capacity. The applicant narrative states *"South Adams County Fire acquired the subject property with the express intent of expanding the fire and life safety support services already located at the Station #4 and Fleet Maintenance complex. The Intsel Steel West Subdivision "carved out" the subject property, designated as Tract A, in support of the greater public interest that would be served by the expansion of the fire departments maintenance facilities."* Since the proposed use is designated as a public use in the Land Development Code, this zone change to PUBLIC is needed to be able to expand the fleet maintenance building in conformance with the LDC.

SACFD believes that with the proposed zone change *"the proposed land use is consistent with the Comprehensive Plan and as an expansion of the vital public safety services it will only enhance the surrounding area."* The narrative further states that there will be no impact on services or surrounding uses and that all infrastructure is adequate to serve the proposed 6,082 square foot building expansion.

According to the concurrent development plan application, there will be no changes to access or the existing Fire Station No. 4. The building addition will include 3 additional bays for fleet maintenance and a secure parking area to the east side of the building addition for fleet vehicles undergoing maintenance. No inoperable vehicles are proposed to be stored on site. All landscaping and site development will comply with City standards for the proposed PUBLIC zone district. The building expansion is proposed to contain similar elevations and materials to the existing fleet maintenance building.

Finally, the applicant states that they need this zone change for its ability to ensure proper fire services can be provided to meet the demands of the community's residents and business. The narrative states that the *"new facility will allow the Department to maintain their fleet to ensure reliable performance of their apparatus and maintain response times."*

## Development Review Team Analysis

*The Development Review Team (DRT) reviewed the request to change the zoning from I-2 to PUBLIC against the goals found in the City's Comprehensive Plan. That analysis is provided below:*

### Comprehensive Plan

The DRT recommendation for this case is supported by the following Comprehensive Plan Goals:

<u>Section</u>	<u>Goal</u>	<u>Description</u>
Land Use	LU 1a	Future Land Use Plan as Guide: Use the Future Land Use Plan (FLUP) to guide development patterns and mix of uses and amendments to the Land Development Code (LDC).
<b><u>Analysis:</u></b>	The rezoning aligns the property with the Future Land Use Plan while allowing the current use of the property to be expanded. The boundaries of the Future Land Use Plan Map are not intended to be property specific and this rezone allows the expansion of an existing public service use identified in both the Comprehensive Plan and Irondale Neighborhood and Infrastructure Plan.	
<u>Section</u>	<u>Goal</u>	<u>Description</u>

<u>Section</u>	<u>Goal</u>	<u>Description</u>
Safety and Wellness	SW 1d	Fire District Coordination: Coordinate with fire districts to address provision of land for fire stations within growth areas.
<b><u>Analysis:</u></b>	By rezoning the subject property to the PUBLIC zone district and consolidating it with their current site, SACFD is expanding their service capacity and will meet current LDC standards.	
<u>Section</u>	<u>Goal</u>	<u>Description</u>
Public Facilities and Infrastructure	PF 1.6	Fire Protection Coordination: Coordinate with South Adams County, Sable-Altura, and Brighton Fire Protection Districts to ensure development does not outpace adequate fire protection.
<b><u>Analysis:</u></b>	Through the rezoning of the subject property, the SACFD will be able to expand the current use to meet community needs, bringing additional investment and improvements to the Irondale neighborhood while also enhancing the level of service that can be provided to the new industrial developments which have occurred in the area in the last 20 years.	

The case history indicates that this fire station site has been in operation on this property since 1960, when the volunteer station was originally constructed to serve the community. However, as the area redevelops and the population of the area served by SACFD grows, there is a need to expand the use to maintain a level of service. The requested zone change would match the proposed use of the 0.50 acre tract with the appropriate public zoning classification.

Figure 1: Site Aerial



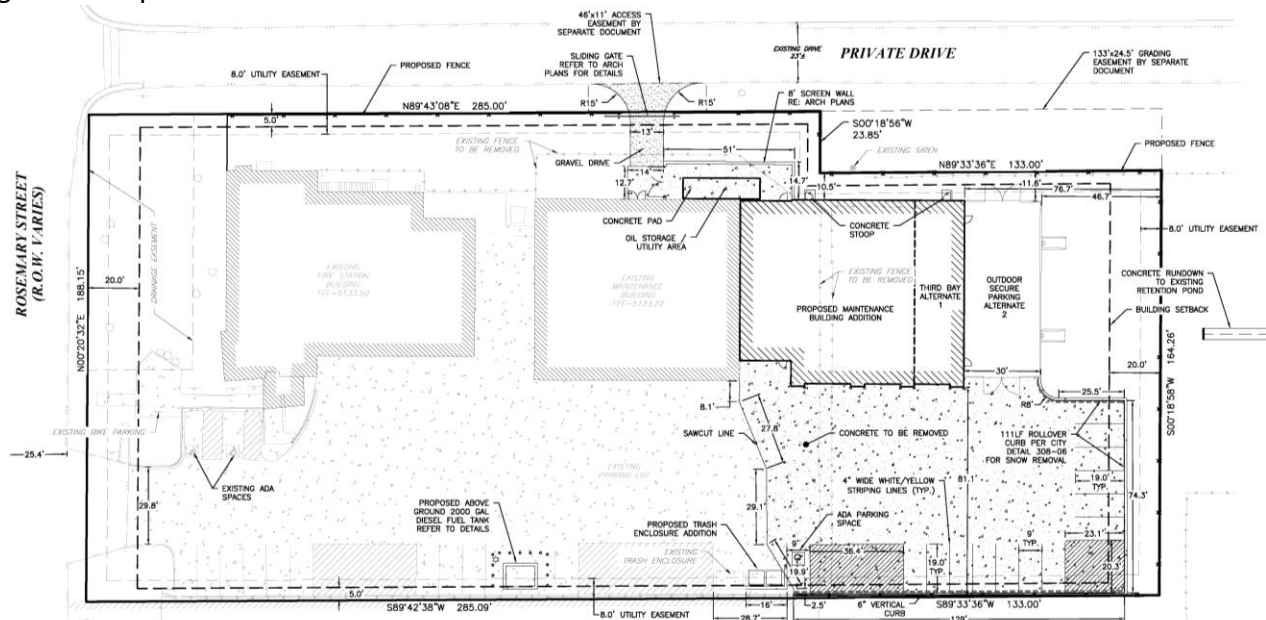
The proposed site redevelopment is currently under administrative review in case #D-266-15-20. SACFD is proposing to build a 37 foot tall single-story (with a mezzanine), 6,082 square-foot building expansion to the east side of the existing fleet services maintenance building. The overall layout of the site will remain the same, with some additional parking, landscaping, and a secure parking storage area for fleet vehicles. The new expansion will continue the same elevation style of the existing maintenance

building. The associated consolidation plat (S-760-20) will combine the existing developed site with the 0.50 acre tract which is the subject of this rezone. The LDC prohibits buildings crossing property lines, requiring the parcels to be combined. A rezone is require to combine the lots because it would otherwise create a split zone property with both PUBLIC and I-2 zone designations, prohibited by the LDC. Staff suggests a condition that the consolidation plat be completed within nine (9) months of the rezone to ensure compliance with the LDC.

The proposed building expansion will not impact the existing access or circulation patterns for the site. The direct access onto Rosemary Street that was improved with the 2015 construction of Fire Station No. 4 will remain the primary access point. There is currently a study regarding the future widening of Rosemary Street and a study to improve the design and function of E 88<sup>th</sup> Avenue, but those will not impact the access and should help improve off-site circulation. There are also markings on the pavement warning traffic not to block the entrance to the Fire Station property; these markings will remain. The rezone and building expansion are not expected to impact existing traffic patterns.

Over time, this area has become more densely developed and industrial in nature, especially to the north of East 88th Avenue, where there has been development of large-scale industrial uses such as Oneida Cold Storage & Warehouse and FedEx Ground. This additional development increases the need for adequate fire protection services in the immediate vicinity. The Irondale Neighborhood and Infrastructure Plan developed in 2017-2018 states that *“several properties in the neighborhood are owned by public entities and operated to provide public services. These include South Adams County Water and Sanitation District, South Adams County Fire Protection District, and Adams County School District 14. These Public/State uses are anticipated to remain similar into the future.”* It is anticipated that the Fire Station use was expected to remain; the proposed expansion is consistent with the current use and helps expand the public service.

Figure 2: Proposed Site Plan



The Comprehensive Plan General Industrial designation does contemplate public uses as a secondary use type. The goals and objectives of the Comprehensive Plan also support expansion of existing facilities, such as those referenced above to support Fire District coordination. In addition, Land Use Goal LU2 to *“phase growth in an orderly, compact manner”* and Public Facilities and Infrastructure Goal

PF1 to “coordinate utilities and infrastructure with future growth” support this type of infill development.

This analysis shows the proposal meets the rezone criteria that “*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.*” Therefore, the DRT has concluded that the zone change request meets the approval criteria. The existing use and proposed zone change are in accordance with the Comprehensive Plan, and will match the character of the surrounding area.

Criteria Met?	Sec. 21-3232. Rezoning or Zone Changes	Rationale
<input type="checkbox"/>	The zone change corrects a technical mistake on the part of the city in classifying a parcel within a specific zoning district;	N/A
	<b>OR</b>	
<input checked="" type="checkbox"/>	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;	The change is consistent with the goals and policies of both the Comprehensive Plan and the Irondale Neighborhood and Infrastructure Plan.
<input checked="" type="checkbox"/>	The proposed zone district and allowed uses are compatible with proposed development, surrounding land uses and the natural environment;	The proposed rezone will allow an expansion of the existing use, which is compatible with the predominantly commercial and industrial uses surrounding the site. The expansion of an existing site utilizes existing infrastructure and is compatible with the natural environment.
<input checked="" type="checkbox"/>	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;	Adequate infrastructure and public services are available for the existing site and the proposed expansion.
<input checked="" type="checkbox"/>	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;	This rezone is expected to have no impact on public uses or parks.
<input checked="" type="checkbox"/>	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 proposed rezone will allow for the expansion of a needed public service use to adequately respond to needs in SACFD service area.
<input checked="" type="checkbox"/>	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.	The Irondale neighborhood and surrounding area continues to grow and redevelop with primarily commercial and industrial uses; fire service is important to these uses and residents and business owners in the fire district.



## Development Review Team Recommendation

Based upon the analysis above, the Development Review Team believes that the application meets the criteria for a Zone Change set forth in the Land Development Code and recommends that the Planning Commission forward the Zone Change request to the City Council with a favorable recommendation, subject to the following condition:

### CONDITIONS:

- A. The consolidation plat to combine the existing Fire Station No. 4 property and Instel Steel West Subdivision Tract A shall be completed within nine (9) months of the rezone date.

## \*Recommended Motion\*

### ***To recommend approval subject to condition(s):***

I move that the Planning Commission enter a finding that, subject to certain conditions, the requested Zone Change for the property located at **Tract A of Instel Steel West Subdivision** contained in case **Z-204-79-15-20** meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Zone Change subject to the following conditions:

- A. The consolidation plat to combine the existing Fire Station No. 4 property and Instel Steel West Subdivision Tract A shall be completed within nine (9) months of the rezone date.*

## Alternative Motions

### ***To recommend approval:***

I move that the Planning Commission enter a finding that the requested Zone Change for the property located at **Tract A of Instel Steel West Subdivision** contained in case **Z-204-79-15-20** meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Zone Change.

### ***To recommend denial:***

I move that the Planning Commission enter a finding that the requested Zone Change for the property located at **Tract A of Instel Steel West Subdivision** contained in case **Z-204-79-15-20** fails to meet the following criteria of the Land Development Code:

*List the criteria not met*

I further move that, based upon this finding, the Planning Commission recommend that the City Council deny the Zone Change.

### ***To continue the case:***

I move that the Planning Commission continue the requested Zone Change for the property located at Tract A of Instel Steel West Subdivision contained in case Z-204-79-15-20 to a future Planning Commission agenda.