

#### Z-616-95-21

Location: Applicant: Request: 9940 Havana Street Scannell Properties (owner Timothy McManus) Remove zoning conditions, rezone approx. 1.87 acre portion from I-2 to PUBLIC

### **Subject Property**

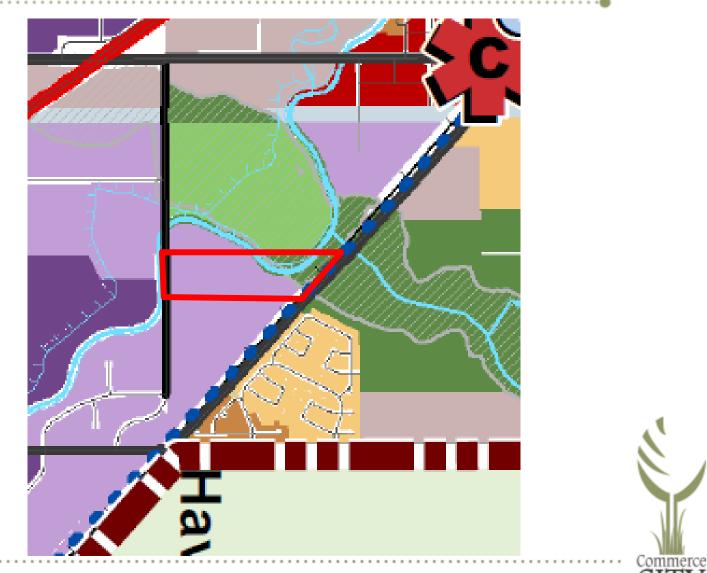
Approx. 1.87 acres to be rezoned to PUBLIC 96TH AVE

Remove zoning conditions

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#### **Future Land Use**



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## **Case History**

- Existing Cast Transportation Subdivision Lot 4:
  - Zoned AG with annexation in 1985
  - Rezoned to I-2 with conditions in 1995
  - Proposed development plan for a contractor's yard denied in 1999
  - No development plan approved by City Council in accordance with the zoning conditions
  - Currently undeveloped; concurrent development plan and plat applications in administrative review



# **Applicant's Request**

- Remove zoning conditions from 1995
- Rezone approx. 1.87 acre tract A from I-2 to PUBLIC
- Concurrent subdivision plat (S-783-21) and development plan (D-469-21) under administrative review process
  - Subdivision plat for three industrial lots and one tract
  - Development plan for three industrial warehouse buildings totaling approx. 302,500 square feet

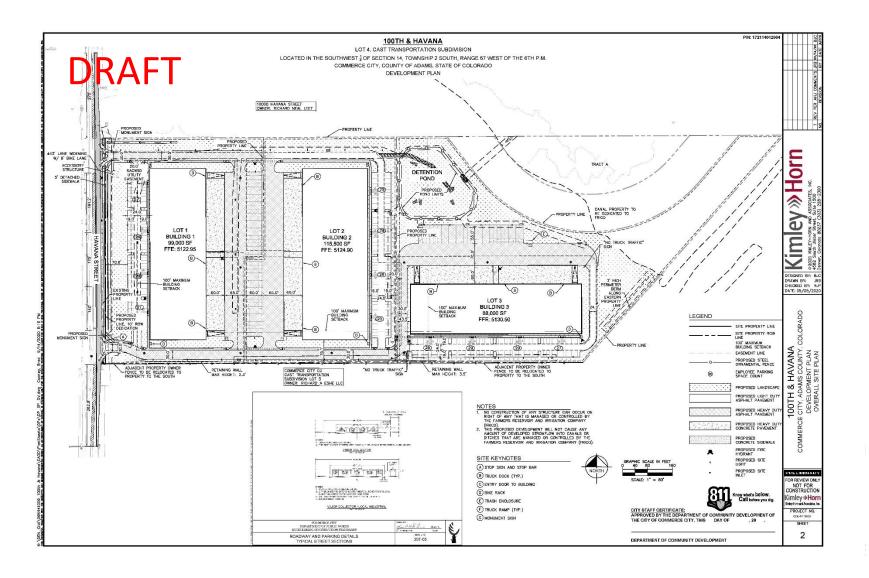


#### **Current Site Aerial**





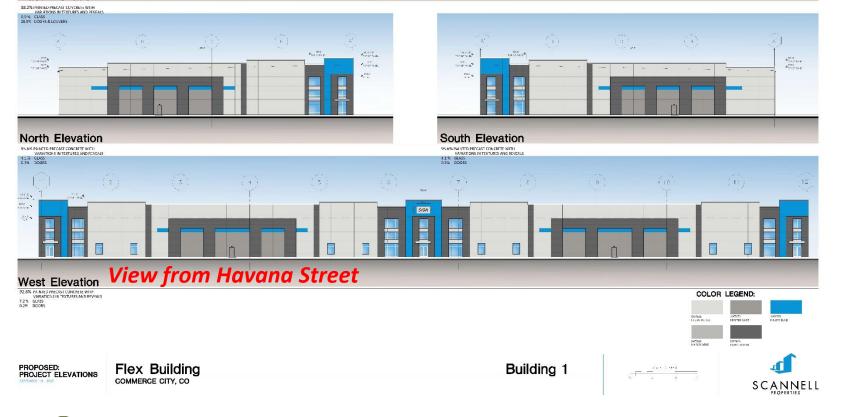
#### **Proposed Development Plan**



### **Building Elevations - 1**



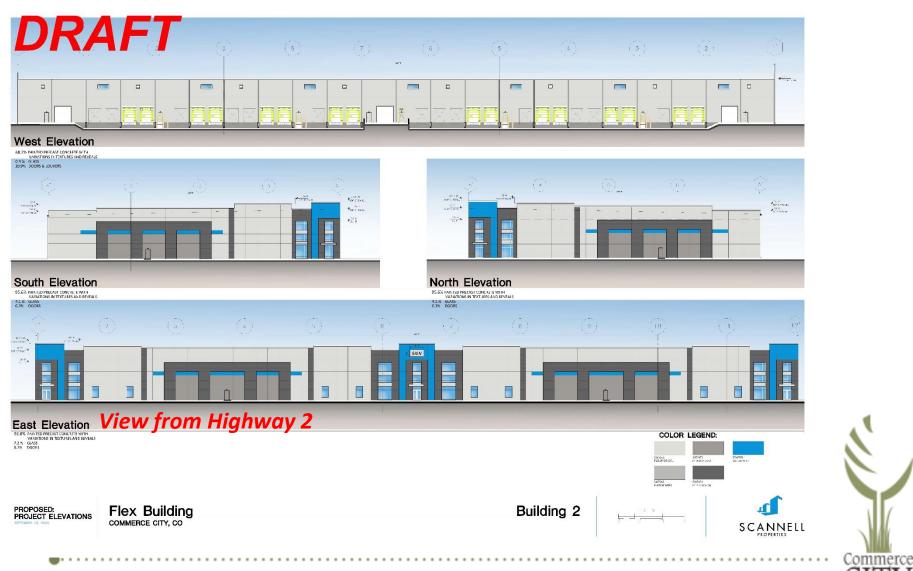




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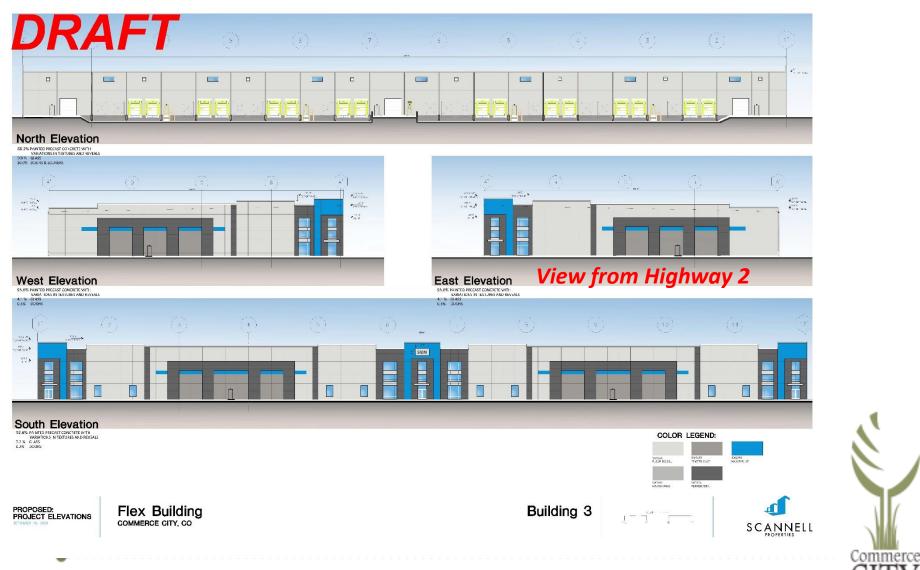
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## **Building Elevations - 2**



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### **Building Elevations - 3**



# **DRT Analysis**

- Based on the applicants request, the DRT believes the rezoning is justified.
  - Similar conditions were common at the time, but current development processes and standards more robust
  - The conditions create more uncertainty
- The removal of conditions and proposed area for the PUBLIC zone is consistent with the future land use for the property and Comprehensive Plan goals.
- Will allow for the development of the property in an industrial area.
- Proposed use in concurrent applications is consistent with I-2 and PUBLIC zoning.



## **Public Improvements**

- A Public Improvements Agreement will be required, including improvements to Havana Street
- No access is proposed to allowed directly to Highway 2
- Current proposed development will meet City requirements



# **Zone Change Approval Criteria**

- The change is compatible with the proposed development & surrounding land uses.
- The area where the change is requested is changing, and it is in the public's interest to allow a new use.
- The change is consistent with any city adopted plans.
- Change is needed to provide proper mix of uses in the area.



#### **Required Public Notification**

(Pursuant to LDC Sec. 21-3285)

Type of Notification	Code Required	Code Required Minimum Met	Notification Provided
Mail/Postcard to Adjacent Property Owners	Mailed Notification to property owners within 500 feet	✓	44 Adjacent Property Owners Notified
Publication/ Newspaper Notice	Notice in local newspaper	$\checkmark$	Notice in Commerce City Sentinel- Express
Placard/Sign on Property	At least one sign on subject property	$\checkmark$	Two Signs Posted

All public notification met the requirements of Resolution 2020-30 to provide notice that the meeting may be conducted electronically; advance registration for testifying is required; and information for participation is provided in the published agenda.

## **DRT Recommendation**

 The Development Review Team recommends that the Planning Commission recommend approval to City Council regarding this case.





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 Commission may have.