



## Legislation Text

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**File #:** Z-990-24, **Version:** 1

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AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY REZONING THE PROPERTY GENERALLY LOCATED AT 6601 COLORADO BOULEVARD FROM AGRICULTURAL DISTRICT (AG) & LIGHT INTENSITY INDUSTRIAL DISTRICT (I-1) TO MEDIUM INTENSITY INDUSTRIAL DISTRICT (I-2)

### **Summary & Background**

Galloway & Company, Inc. is requesting a zone change from AG (Agricultural) and I-1 (Light Intensity Industrial) to I-2 (Medium Intensity Industrial) on approximately 11.13-acres. The intent of the rezone is to allow a new 30,000 square foot industrial warehouse building with outdoor storage.

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 A corresponding final subdivision plat was processed to separate the I-1 portion of the lot but was withdrawn by the applicant before completion.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.

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.

The site will be primarily accessed off of Colorado Boulevard, to the east through an existing driveway. Minimal impact to traffic analysis and roadway conditions are anticipated with the new zoning.

The site currently meets, or will be able to meet once developed, all the relevant City standards and Land Development Code (LDC) requirements for the proposed I-2 (Medium Intensity Industrial) zone district. These requirements include, but are not limited to: minimum lot area, minimum lot frontage, minimum floor area ratio and setbacks. A full analysis of the approval criteria can be found within the Zone Change Report.

Relevant approval criteria are as follows (LDC Sec. 21-3232(5)):

### Zone Changes

(5) Approval Criteria. 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
- (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 Responsible (Department Head):** Jared Gerber, Community Development

**Staff Presenting:** Dalton Guerra, City Planner

**Financial Impact:** N/A

**Funding Source:** N/A

**\*Planning Commission Recommendation:** On February 6, 2024, this case was presented to the Planning Commission. The Planning Commission held a public hearing, took testimony, and voted (4 to 0) to forward the Zone Change request to City Council with a recommendation for approval.

**\*City Council:** A public hearing was held on March 4, 2024 before the City Council. Presentations were made by staff and the applicant and public comment was received. After closing the public hearing, the City Council voted to continue the hearing to the March 18, 2024 regular meeting. New attachments added since the first reading are, 1) A supplemental presentation, 2) Planning Commission Meeting Minutes, and 3) an Updated Code Enforcement Referral, and 4) an Updated Applicant Presentation.

**Action Alternatives:**

Approve the application in accordance with the PC recommendation;

Approve the application with conditions; or

Deny the application