



Legislation Text

File #: Z-956-19, **Version:** 1

AN ORDINANCE REZONING FROM AGRICULTURAL TO INDUSTRIAL-1 THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED ON A PORTION OF 8705 ROSEMARY STREET AND THE SOUTHWEST CORNER OF ROSEMARY STREET AND EAST 88th AVENUE, COMMERCE CITY, COLORADO, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING.

Summary and Background Information:

The applicant, Cadence Development, and the property owners, Julia and Frank Agazio, are requesting the rezone of a portion of the property on a portion of 8705 Rosemary Street. The subject area is approximately 2.33 acres of the overall approximately 6.7 acre property and is at the southwest corner of Rosemary Street and East 88th Avenue. The applicant is requesting a rezone from Agricultural (AG) to Light Intensity Industrial (I-1) in order to be able to develop this property with a 7-11 fueling station and convenience store. The existing house will remain in the southern portion of the portion of the property zoned AG. A concurrent development plan and subdivision plat are in the administrative review process. All current regulations and standards will be required to be met with these applications. The proposed rezone is consistent with the General Industrial future land use indicated in the Irondale Neighborhood and Infrastructure Plan. The Planning Commission recommended one condition with the rezone to ensure that the zoning is consistent with the proposed plat. That condition states "The final subdivision plat application shall be completed, approved, and recorded within 6 months of the date of rezone and prior to any development plan approval or prior to any building permits being issued for the property."

The Planning Commission has recognized that the proposed zone change and proposed use are consistent with the Comprehensive Plan and Irondale Neighborhood and Infrastructure Plan, will not negatively impact surrounding properties, and will have the potential to positively improve the character of the neighborhood.

Staff Responsible (Department Head): Chris Cramer, Director of Community Development

Staff Member Presenting: Stacy Wasinger, City Planner

Financial Impact: N/A

Funding Source: N/A

Staff Recommendation:

On May 7, 2019, the Planning Commission held a public hearing, took testimony, and voted (5 to 0) to forward the zone change request to City Council with a recommendation for approval with one

condition, subject to the findings of fact.

Suggested Motion:

I move that the City Council enter a finding that the requested Zoning for the subject property contained in case Z-956-19 meets the criteria of the Land Development Code and, based upon such finding, approve the zone change request with one condition:

- A. “The final subdivision plat application shall be completed, approved, and recorded within 6 months of the date of rezone and prior to any development plan approval or prior to any building permits being issued for the property.”