



## Legislation Details (With Text)

<b>File #:</b>	Z-915-15	<b>Version:</b>	1	<b>Name:</b>	Os Rosemary LLC; Rezone from I-1 to I-2; 8350 Rosemary St.
<b>Type:</b>	Zoning Ordinances	<b>Status:</b>	Passed		
<b>File created:</b>	1/26/2015	<b>In control:</b>	City Council		
<b>On agenda:</b>	4/6/2015	<b>Final action:</b>	4/6/2015		
<b>Title:</b>	AN ORDINANCE REZONING THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED AT 8350 ROSEMARY STREET, COMMERCE CITY, COLORADO, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING				

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Z-915-15 Final, 2. V-Map

Date	Ver.	Action By	Action	Result
4/6/2015	1	City Council	approved on second & final reading	
3/2/2015	1	City Council	introduced by council as seated and approved on first reading	Pass

AN ORDINANCE REZONING THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED AT 8350 ROSEMARY STREET, 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 is requesting to rezone the subject property from I-1 to I-2 to be able to market the property for sale to the wider variety of potential users that would be allowed within the I-2 zone district. At this time, there is no buyer or user identified, and no development is proposed.

The 1998 Irondale Comprehensive Plan identified the Rosemary Street corridor for commercial and light industrial uses, and the 2010 city-wide update of the comprehensive plan identified the corridor for Industrial/Distribution uses that align with the direction of the previous Irondale plan. However, since the latest comprehensive plan update, staff became aware that the Union Pacific Railroad purchased property throughout Irondale for a future rail connection to the Burlington-Northern Railroad. This connection would be adjacent to the subject property to the south. In addition, the Cherokee Pipeline runs along East 84th Avenue, which borders the subject property to the north. These changes make the area more appropriate for the medium intensity industrial uses of the I-2 zone district, which is commonly found along rail lines throughout the city. Given that the subject property has remained vacant and undeveloped since it was originally zoned I-1 at the time of its annexation in 1985, expanding the allowed uses will provide the opportunity for it to develop in accordance with the standards of the Land Development Code with an attractive industrial development that is compatible with the surrounding area.

To ensure that the intent of the Irondale plan and the Comprehensive Plan is being met, the proposed conditions would require that new development front Rosemary Street. In addition, due to the subject

property being bordered on all four sides by existing or future rights-of-way, no access will be allowed from Rosemary Street to prevent the creation of wide curb cuts and driveways that would disrupt the streetscape. Access will be allowed from East 83<sup>rd</sup> Avenue, East 84<sup>th</sup> Avenue, and the future Syracuse Street. This will preserve the intent to create an attractive and more commercialized corridor through Irondale.

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

**Staff Member Presenting:** Caitlin Hasenbalg-Long

**Financial Impact:** \$N/A

**Funding Source:** N/A

**Planning Commission Recommendation:**

On February 3, 2015, the Planning Commission held a public hearing, took testimony, and voted (5-0) to forward the zoning request to City Council with a recommendation for approval, subject to the findings of fact, two conditions, and three advisories, as follows:

*Conditions:*

- 1. No vehicular access shall be allowed from Rosemary Street. Since the property is bordered on all sides by existing or future right-of-way, vehicular access from Rosemary Street will not be permitted; however, access from the north and south of the property is still possible via East 83rd and 84th Avenues, as well as from the east via the future Syracuse Street.*
- 2. Due to the property having multiple frontages, and the desire to increase building presence and a commercial appearance along Rosemary Street, the side of the property fronting Rosemary Street shall be considered the front of the property, the sides fronting East 83rd and 84th Avenues shall be considered the sides of the property, and the side fronting the future Syracuse Street shall be considered the rear of the property. In the event that the property is subdivided, those lots with frontage along Rosemary Street shall consider Rosemary Street to be the front of the properties.*

*Advisories:*

- 1. A Public Improvements Agreement (PIA) for future infrastructure improvements must be signed prior to issuance of any building permits or recording of any subdivision plats.*
- 2. A traffic study must be completed prior to issuance of any building permits.*
- 3. A development plan must be approved by the Community Development Department prior to issuance of any building permits.*