



## Legislation Details (With Text)

<b>File #:</b>	Z-923-15	<b>Version:</b>	1	<b>Name:</b>	Z-923-15: Scott Josifek; Rezone from C-3 to R-1; 6310 Poplar St
<b>Type:</b>	Zoning Ordinances	<b>Status:</b>	Passed		
<b>File created:</b>	4/13/2015	<b>In control:</b>	City Council		
<b>On agenda:</b>	7/6/2015	<b>Final action:</b>	7/6/2015		
<b>Title:</b>	AN ORDINANCE REZONING THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED AT 6310 POPLAR 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. Ordinance Final, 2. PC Minutes, 3. Staff Report, 4. V-Map, 5. Fee Waiver Request, 6. Narrative, 7. Presentation

Date	Ver.	Action By	Action	Result
7/6/2015	1	City Council	approved on second & final reading	
6/1/2015	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 6310 POPLAR 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 subject property located at 6310 Poplar Street is currently zoned C-3, and has a legal non-conforming single-family detached residence on the site that was built in 1955. The property is part of the Section 8 housing program which rents homes to low-income families. The applicant wishes to enclose the back porch to improve the quality of life of the tenants living there, who access the basement laundry room from the back porch. However, non-conforming residential properties are limited in their ability to expand or add on to the primary structure. The availability of adequate insurance and financing for potential buyers is also limited, making the property more difficult to upgrade or sell. The requested zone change to R-1 is consistent with the Comprehensive Plan, and will make the existing use compliant with the Land Development Code. If approved, the conforming status will allow the applicant or subsequent property owners to upgrade the property in compliance with the R-1 standards in the future. A conforming status will also be beneficial to the entire block as many of the surrounding properties are currently zoned residential, which will add a stabilizing force to the neighborhood.

The applicant has also submitted a fee waiver request; the Land Development Code allows a decision-making body to refund application fees paid on land use cases for certain circumstances, including for cases pertaining to property which provides low-income housing.

*Please see attached Planning Commission minutes for detailed background and discussion*

**Staff Responsible (Department Head):** Chris Cramer, Community Development Director  
**Staff Member Presenting:** Caitlin Hasenbalg-Long, City Planner

**Financial Impact:** N/A

**Funding Source:** N/A

**Planning Commission Recommendation:**

On May 5, 2015, 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, subject to the findings of fact.

The Planning Commission also voted (5 to 0) to forward the fee waiver request to City Council with a recommendation for approval.