



Commerce City

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Commerce City, CO 80022
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Council Communication

File Number: LUP-058-24

Agenda Date: 8/5/2024

Version: 1

Status: Public Hearing

In Control: City Council

File Type: Ordinance

AN ORDINANCE AMENDING THE city of commerce city comprehensive plan for the property GENERALLY LOCATED AT THE SOUTHWEST CORNER OF EAST 88TH AVENUE AND E-470, FROM dia technology TO utility

Summary & Background

There are three related applications being reviewed concurrently with this Land Use Plan Amendment:

- Annexation (AN-263-24)
- Zoning (Z-705-99-00-09-24)
- Vacation of Right-of-Way (V-93-24)

The applicant is requesting approval to amend the Future Land Use Map from DIA Technology to Utility for a 110-acre property, located generally at the southwest corner of East 88th Avenue and E-470. The property is currently zoned Adams County Agriculture-3 (A-3) and is requested to be rezoned to Commerce City Planned Unit Development (PUD) via annexation zoning case Z-705-99-00-09-24.

The proposed use of landfill operations within the proposed PUD zoning is not compatible with the current land use designation of DIA Technology. The Utility designation is more appropriate for the proposed land uses that will include the main entrance into the landfill, weigh stations, and other landfill operations. Therefore, the applicant is requesting a land use plan amendment to allow for the proposed zoning within case Z-705-99-00-09-24.

Approval of this amendment would not allow the existing landfill footprint to expand by right. There are a number of processes and approvals that would be required from the State, County, and City if the footprint of the existing landfill were to expand. This amendment is being requested to allow for supporting landfill operations to be placed on the subject property including the main entrance, weigh stations, and operations. The Utility designation would allow for the proposed uses but a future expansion of the landfill footprint would require approval by City Council.

Comprehensive Plan Amendment approval criteria - Land Development Code Section 21-2110(3)

All other comprehensive plan amendments shall be reviewed by the planning commission and approved by the city council. Such amendments may be recommended by the

planning commission and approved by the city council when the proposed amendment:

- (a) Is consistent with the overall intent of the comprehensive plan;
- (b) Is consistent with the purposes set forth in section 21-2100 above;
- (c) Is necessary or desirable because of changing social values, new planning concepts, or other social or economic conditions;
- (d) Will not have a negative effect on the immediate area;
- (e) Will not have a negative effect on the future development of the area; and
- (f) Will promote the public health, safety, and general welfare of the people of the city.

Staff Responsible (Department Head): Jeff Brasel, Deputy Director Community Development

Staff Presenting: Dalton Guerra, Senior Planner

Financial Impact: N/A

Funding Source: N/A

Planning Commission Recommendation: On June 4, 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 land use plan amendment request to City Council with a recommendation for approval.

Actions:

Approve the application, in accordance with the PC recommendation;
Approve the application with conditions; or
Deny the application