



## Council Communication File Number: Z24-0001

**Agenda Date:** 8/19/2024

**Version:** 1

**Status:** Public Hearing

**In Control:** City Council

**File Type:** Zoning Ordinances

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY REZONING THE PROPERTY GENERALLY LOCATED AT 5400 FOREST ST FROM LIGHT INTENSITY INDUSTRIAL DISTRICT (I-1) AND HEAVY INTENSITY INDUSTRIAL DISTRICT (I-3) TO MEDIUM INTENSITY INDUSTRIAL DISTRICT (I-2)

### Summary & Background

*Staff is requesting Council continue JFW Trucking Zone Change (Ordinance Z24-0001) until October 7, 2024.*

JFW Trucking is requesting approval of a zone change from I-1 (Light Intensity Industrial District and I-3 (Heavy Intensity Industrial District to I-2 (Medium Intensity Industrial District). The property consists of six parcels totalling 11.02 acres. The easement known as *Forest Street* is not public right of way and is not part of the zone change application.

This property was part of the original incorporation of Commerce City and was zoned Agricultural and Industrial (I-1) at that time. Prior to JFW Trucking occupying the space, Jones Fine Sand operated at the site.

The purpose of the zone change application is to allow for a trucking facility to include a 39,000 sf building, as well as truck parking, maintenance, washing and fueling. A Development Plan (D24-0001) and a Consolidation Plat (S24-0004) are also under review. If approved, the applicant will consolidate the lots and proceed with their development plan. With the development plan, the site will be reviewed for adequate parking, drainage, and circulation. The application must address environmental concerns, design and landscaping requirements. Approval of the development plan is required before a building permit can be issued.

The Land Development Code (LDC) allows for the property to be rezoned, provided it meets all of the criteria listed in LDC Sec. 21-3232(5). 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:** Jeff Brasel, Interim Community Development Director

**Staff Presenting:** Kathleen Taylor, Senior Planner

**Financial Impact:** N/A

**Funding Source:** N/A

**Planning Commission Recommendation:** On July 2, 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.

**Action Alternatives:**

*Continue to the October 7, 2024 City Council Meeting*

Approve the application in accordance with the PC recommendation;

Approve the application with conditions; or

Deny the application