



# Zoning Map Amendment Report

## Case #Z25-0005

*Planning Commission Date: February 3, 2026*

*City Council Date: March 2, 2026*

### **GENERAL INFORMATION**

|                        |  |
|------------------------|--|
| <b>PROJECT NAME</b>    | Commerce City Northern Police Substation |
| <b>LOCATION</b>        | 13701 East 104 <sup>th</sup> Avenue      |
| <b>SITE SIZE</b>       | 4.58 Acres                               |
| <b>CURRENT ZONING</b>  | AG (Agricultural District)               |
| <b>PROPOSED ZONING</b> | P (Public)                               |
| <b>APPLICANT</b>       | City of Commerce City                    |
| <b>CASE PLANNER</b>    | Nic Berry                                |

### **REQUEST**

This zoning map amendment if approved, would modify the zoning of the property located at 13701 East 104<sup>th</sup> Avenue from AG (Agricultural) to the P (Public) in the 2025 Land Development Code. Once zoned, the site will be developed as a police substation.

### **ZONING**

The zoning of a property determines what uses are allowed or not allowed and sets bulk development standards such as setbacks, lot size requirements, and maximum building heights. The City of Commerce City (City) has a variety of straight zoning districts including residential districts, commercial districts, and industrial districts. Zoning Map Amendments are approved by the City Council in the form of an ordinance and “runs with the land” meaning that the zoning for a parcel remains in effect unless it is modified by a subsequent Zoning Map Amendment.

### **BACKGROUND AND CASE HISTORY**

The subject property had previously been a family farm until the early 1970s with a single-family home constructed sometime prior to the 1950s. The property was annexed into Commerce City in 1990 and was given the Agricultural zoning at that time. By July of 2023, Commerce City had purchased the subject property with the intent to develop the property for a Police Substation.

Should this zoning map amendment application be approved, applications for a Development Plan and Final Plat will follow. Right-of-way improvements associated with the Development Plan and Final Plat applications could include the expansion of Potomac Street on the west side of the property and East 104<sup>th</sup> Way on the north side of the property.

## **PROJECT ANALYSIS**

### **Site Overview**

The subject property is adjacent to developed neighborhoods to the north and west (Potomac Farms) and with vacant land to the south (future Commons at 104<sup>th</sup>) and east. The requested zoning map amendment is for approximately 4.58 acres, located at 13701 East 104<sup>th</sup> Avenue. The property has been vacant since 2023.

### **Road Network Impacts & Improvements**

There are numerous roadway improvements that will occur with a future application. These include a right turn pocket on East 104<sup>th</sup> Avenue, expanding Potomac Street, and expanding East 104<sup>th</sup> Way. These improvements align with the transportation plan and would be required with any development at this site. These improvements will help mitigate the impacts of increased traffic to this area.

### **2045 Comprehensive Plan**

## **COMPREHENSIVE PLAN ANALYSIS**

### **Character Areas**

The subject property is located within the Northern Neighborhoods character area. The proposed Public zoning allows for the development of the Police Substation which is in compliance with the Character Area land uses. City staff found that this Zoning Map Amendment meets the following Character Areas (Land Use) goals and objectives.

- Goal 1.1: Provide neighborhood-level services within residential areas, as appropriate
- Goal 2.2: Recognize that Commerce City's population will continue to increase and positively foster the City's continued growth.
- Goal 2.5: Strategically improve roadway, water, and wastewater capacity to support future growth.
- Goal 5: Integrate new public gathering spaces and activity centers into the City's future development at key locations throughout the City.

### **Commerce and Employment**

The proposed Zoning Map Amendment allows for the development of a police substation. This type of development will help to meet the Safe, Healthy, and Livable City core principle; "A safe environment, healthy workforce, and affordable access to housing, transportation, and other amenities offer the infrastructure and environment for businesses to be productive and successful in Commerce City." The development of the substation will assist in improving response times.

### **Arts, Culture, & Tourism**

As a part of the development of the substation, the city will install a public art feature. In addition to the aesthetic appeal of public art, Goal 3.2 of the Comprehensive Plan states, "Increase public art and ensure it is representative of the community." While the public art piece has not been selected at this point. The council will have input on that selection process.

Additionally, the East 104<sup>th</sup> Avenue Corridor plan calls for the intersection of East 104<sup>th</sup> Avenue and Potomac Street to be an “improved intersection.” The installation of a public art piece will help to achieve this improvement.

### **Transportation and Mobility**

As previously mentioned in the Road Network Impacts & Improvements section of this Zoning Map Amendment Report, the Zoning Map Amendment application in conjunction with the Development Plan and Final Plat applications include improving existing City roadways (East 104<sup>th</sup> Avenue, Potomac Street, and East 104<sup>th</sup> Way) Because of these roadway improvements, City staff found that the application meets Goal 1: Create and maintain a well-connected and safe transportation network that includes auto, bicycle, pedestrian, and transit options, maximizing mobility and supporting the City’s growth and Goal 1.1: Ensure land use decisions are coordinated with transportation considerations.

### **Public Facilities and Infrastructure**

The Comprehensive Plan provides several recommendations around public facilities that this application is following up on. These include “Identify the existing deficiencies of public safety services and determine what actions the City can take to ensure that all residents continue to be served” and “Locate a justice/police center in the Northern Range of Commerce City.” Additionally, some of the goals of the Comprehensive Plan around Public Facilities and Infrastructure include Goal 2: Maintain high-quality public safety and emergency response services and Goal 2.1: Support an effective and efficient Police Department

### **Overall Analysis**

Through the City of Commerce City’s review process various Development Review Team (DRT) agencies including the South Adams County Water and Sanitation District, South Adams County Fire Department, 27J School District, Xcel Energy, and City of Commerce City, Economic and Community Vitality Division, Geographic Information Services Division, Parks, Recreation and Golf Department, Planning Division, Public Works Department, and Engineering Review Division and all agencies had no objections to the Zoning Map Amendment.

## **ZONING MAP AMENDMENT APPROVAL CRITERIA**

A decision for this case must be based on the following approval criteria for a Zoning Map Amendment from Sec. 21-7220(C) and the Common Decision Criteria from Section 21-7140 of the 2025 Land Development Code. An application may be approved if:

### **Section 21-7220 (C)**

**Criteria 1. Technical Error. The Zoning Map Amendment corrects a technical error on the part of the City in classifying a parcel within a specific zoning district; or**

*Not applicable*

**Criteria 2. Adherence to Criteria. The Zoning Map Amendment meets all of the following:**

- a. The range of allowed uses allowed by the amendment are compatible with proposed development, surrounding land uses, and the natural environment;**

The Police Substation proposed is allowed by right within the P (Public) zoning district. The overall project fits within the neighborhood context like how Commerce City has historically placed Fire Stations. Additionally, the location makes sense with direct access on East 104<sup>th</sup> Avenue as one of the largest east/west roadways. Additionally, nearby to the north is Interstate 76 as a regional connection. *Therefore, it can be found that this application **meets Criteria (2a).***

**b. The proposed amendment will have, or future development can provide, efficient and adequate provision of public services and uses; and**

The Police Substation proposed for development is considered a public use by Land Development Code. Additionally, the future development is anticipating to incorporate public art, community rooms and other amenities used by the public. *Additionally, this property is able to connect to existing utility lines within East 104<sup>th</sup> Avenue and Potomac Street. Therefore, it can be found that this application **meets Criteria (2b).***

**c. 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.**

The need for a Police Station has been building for several years. As development continues to occur, and the City's population grows it has strained the capacity of the Civic Center for police employees. Additionally, urban development in the Northern Range has raised response times. To begin to relieve some of these pressures this property was identified and purchased by the City for development of a police substation. *Therefore, it can be found that this application **meets Criteria (2c).***

**Section 21-7140 (C)**

**The request complies with the applicable standards of the City's Code, this [LDC](#), and any applicable county, state, or federal requirements.**

*Through the City of Commerce City's review process, the various Development Review Team agencies including the South Adams County Water and Sanitation District, South Adams County Fire Department, Denver International Airport Strategic Planning, United Power, Xcel Energy, and City of Commerce City Economic and Community Vitality Division, Geographic Information Services Division, Parks, Recreation and Golf Department, City Attorney's Office, Planning Division, Public Works Department, and Engineering Review Division found that there is no evidence to suggest that the proposed Zoning Map Amendment will violate any state, federal, or local laws, regulations, or requirements. Therefore, it can be found that this criterion is met.*

The request substantially conforms to any associated prior approval for the [development](#), including, but not limited to, a [PUD Zone Document](#), [Conditional Use Permit](#), or Overall [Development Plan](#).

*The Agricultural zoning currently in place for the subject property was assigned to in 1990 as a part of the inclusion into the City. At the time of the annexation, the property received the agricultural zoning as a placeholder since the development future was unknown at the time. The change to Public would be the zoning establishing the development review standards for which the future applications will have to align with. Therefore, it can be found that this criterion is met.*

The request is consistent with applicable policies of the [Comprehensive Plan](#) and applicable sub-area plans and capital [improvement](#) plans; or, if it addresses a topic that is not contained or not fully developed in the Comprehensive Plan, the request does not impair the implementation of the Comprehensive Plan.

*The proposed Zoning Map Amendment from AG to P is consistent with the 2045 Comprehensive Plan. The request allows the site to develop into a Police Substation to serve the needs of the residents in the Northern Range. The requested Zoning Map Amendment meets the below goals, objectives and core principles of the 2045 Comprehensive Plan. Therefore, it can be found that this criterion is met.*

#### *Character Areas.*

- *Goal 1: Strive for a balanced mix of land uses across the City as represented in the Character Areas Plan and map.*
- *Goal 2.1: Ensure future growth is consistent with the Character Areas Plan and map.*
- *Goal 2.2: Recognize that Commerce City's population will continue to increase and positively foster the City's continued growth.*
- *Goal 2.5: Strategically improve roadway, water, and wastewater capacity to support future growth.*
- *Goal 4: Utilize the Land Development Code standards to improve the City's overall urban design, quality of life, and connectivity through strong regulations.*
- *Goal 8: Improve the overall image and appearance of the City of Commerce City.*

#### *Commerce and Employment*

- *Core Principle: Safe, Healthy, and Livable City: A safe environment, healthy workforce, and affordable access to housing, transportation, and other amenities offer the infrastructure and environment for businesses to be productive and successful in Commerce City.*

#### *Transportation and Mobility*

- *Goal 1: Create and maintain a well-connected and safe transportation network that includes auto, bicycle, pedestrian, and transit options, maximizing mobility and supporting the City's growth.*

- *Goal 1.1: Ensure land use decisions are coordinated with transportation considerations.*

#### *Public Facilities and Infrastructure*

- *Goal 2: Maintain high-quality public safety and emergency response services*
- *Goal 2.1: Support an effective and efficient Police Department*
- *Recommendation: Identify the existing deficiencies of public safety services and determine what actions the City can take to ensure that all residents continue to be served*
- *Recommendation: Locate a justice/police center in the Northern Range of Commerce City*

**The request promotes the purposes of this LDC as established in Sec. 21-1120, Purpose, and in other applicable purpose statements in this LDC.**

*One of the stated purposes of this LDC is to promote and protect public health and safety. The construction of a Police Station in the Northern Range will help to better provide for the safety of Commerce City residents. Additionally, another purpose of the LDC is to “improve the City’s appearance.” The installation of a new building with a public art feature will help to create this improved appearance. Therefore, it can be found that this criterion is met.*

**Adequate facilities, including [public](#) or private [utilities](#), [solid waste](#) service, roads, drainage, and other improvements are present or are planned to be provided by either the City or the applicant.**

*This property is able to connect to existing utility lines within East 104<sup>th</sup> Avenue and Potomac Street. For other services, this property is already included in the South Adams County Water and Sanitation and South Adams County Fire Protection Districts. The Police Substation proposed for development is considered a public use by Land Development Code. Additionally, the future development is anticipating incorporating public art, community rooms and other amenities used by the public. Therefore, it can be found that this criterion is met.*

**The request demonstrates [compatibility](#) with surrounding conforming and permitted land [uses](#) and [structures](#) and with the general character of the area.**

The Police Substation proposed is allowed by right within the P (Public) zoning district. The overall project fits within the neighborhood context like how Commerce City has historically placed Fire Stations. Additionally, the location makes sense with direct access on East 104<sup>th</sup> Avenue as one of the largest east/west roadways. Additionally, nearby to the north is Interstate 76 as a regional connection. *Therefore, it can be found that this criterion is met.*

**The request will not impede the normal and orderly development and improvement of surrounding property.**

*The proposed substation and associate Public zoning will not limit development of the vacant property to the east or south. Properties to the north and west have already been developed and will not be significantly impacted by the development of this property.*

### **STAFF RECOMMENDATION**

Staff finds that this application meets all the approval criteria found within Sec. 21-7220(C) and 21-7140 of the 2025 Land Development Code and recommends the Planning Commission provide a recommendation of approval to City Council for case Z25-0005.

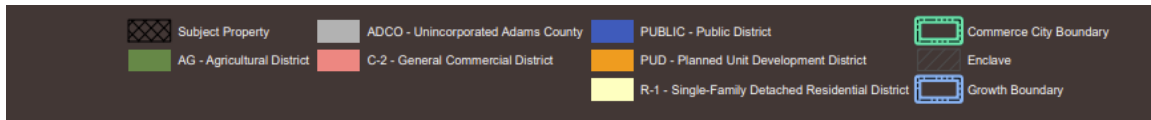
### **CONSIDERATIONS FOR DISCUSSION**

1. The Zoning Map Amendment is complementary with the Comprehensive Plan and surrounding uses.
2. The Zoning Map Amendment allows the site to develop as a police substation to support the needs of the community.
3. The application meets the Zoning Map Amendment approval criteria.

### **POTENTIAL MOTIONS**

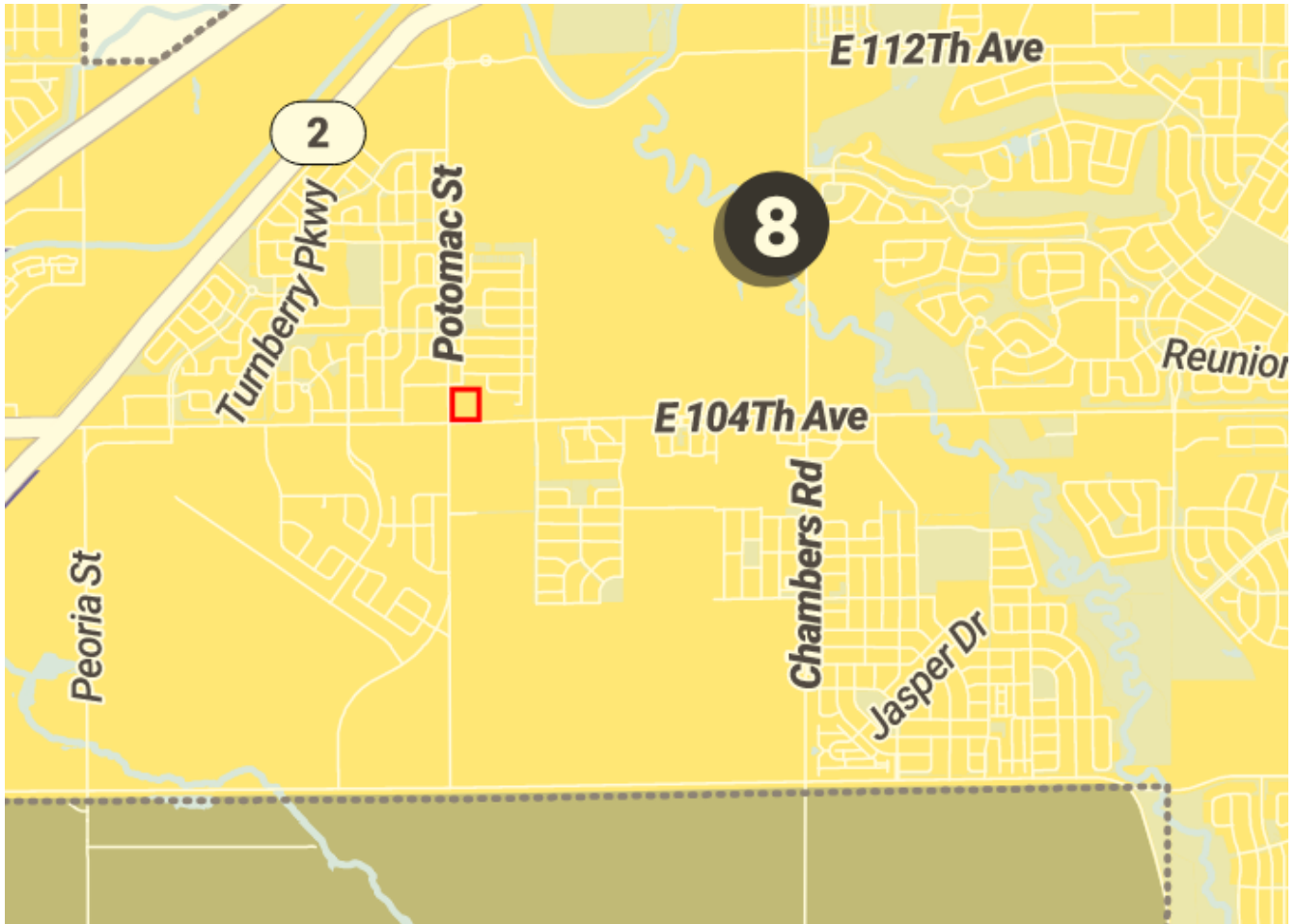
1. Approval
  - a. I move that the Planning Commission enter a finding that the requested **P (Public Zoning District) Zoning** for the property located at **13701 East 104<sup>th</sup> Avenue** contained in case **Z25-0005** meets the criteria of the Land Development Code and based upon such finding, recommend approval of the **P (Public Zoning District) Zoning**.
2. Denial
  - a. I move that the Planning Commission enter a finding that the requested **P (Public Zoning District) Zoning** for the property located at **13701 East 104<sup>th</sup> Avenue** contained in case **Z25-0005** fails to meet the criteria of the Land Development Code and based upon such finding, recommend denial of the **P (Public Zoning District) Zoning**.
    1. \*Insert criteria not met.
3. Continuance
  - a. I move that the Planning Commission continue the public hearing of the **P (Public Zoning District) Zoning** for the property located at **13701 East 104<sup>th</sup> Avenue** contained in case **Z25-0005** to:
    1. The next regularly scheduled Planning Commission hearing; or
    2. A date certain.

# Vicinity/Zoning Map





## 2045 Comprehensive Plan Character Areas



Character Area: Northern Neighborhoods

## Aerial Map



Aerial of site taken September 25, 2025



## Site Photos



View from East 104<sup>th</sup> Avenue facing north



View from Potomac Street facing east