Request for Comments

Case Name: Harvest Acres York Rezoning
Case Number: RCU2022-00043

December 13, 2022

The Adams County Planning Commission is requesting comments on the following application: Request to rezone 2.9 acres from Agricultural-1 to Industrial-2. This request is located at 6495 YORK ST. The Assessor's Parcel Number is 0182502403014, 0182502403015, 0182502403027, 0182502403028.

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720) 523-6800 by 01/06/2023 in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to DDeBoskey@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates may be forwarded to you upon request. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/current-land-use-cases.

Thank you for your review of this case.

David DeBoskey
Planner I
**Application Type:**

- Conceptual Review
- Subdivision, Preliminary
- Subdivision, Final
- Plat Correction/Vacation
- Preliminary PUD
- Final PUD
- Rezone
- Special Use
- Temporary Use
- Variance
- Conditional Use
- Other: __________________________

**PROJECT NAME:** 6535 York, LLC Rezoning

**APPLICANT**

- **Name(s):** Christine Francescani
- **Phone #:** 303-894-4435
- **Address:** 1801 California St, Suite 2600
- **City, State, Zip:** Denver, CO 80202
- **2nd Phone #:**
- **Email:** cfrancescani@fwlaw.com

**OWNER**

- **Name(s):** 6535 York, LLC c/o Mark Goodman
- **Phone #:** 720-440-6270
- **Address:** 789 Sherman Street, Suite 660
- **City, State, Zip:** Denver, CO 80203
- **2nd Phone #:**
- **Email:** mgoodman@goodmancommre.com

**TECHNICAL REPRESENTATIVE (Consultant, Engineer, Surveyor, Architect, etc.)**

- **Name:**
- **Phone #:**
- **Address:**
- **City, State, Zip:**
- **2nd Phone #:**
- **Email:**
DESCRIPTION OF SITE

Address: 6495-6535 York Street

City, State, Zip: Denver, CO 80229

Area (acres or square feet): 1.00, 1.10, 0.58

Tax Assessor Parcel Number: 0182502403015, 0182502403014, 0182502403028

Existing Zoning: A-1

Existing Land Use: Industrial vehicle tow yard, industrial vehicle tow yard, vacant

Proposed Land Use: Proposed rezoning to I-2. No development or change in land use anticipated. Purpose of project is to bring current uses into harmony with surrounding uses and zoning.

Have you attended a Conceptual Review? YES X NO

If Yes, please list PRE#: PRE2022-00042

I hereby certify that I am making this application as owner of the above described property or acting under the authority of the owner (attached authorization, if not owner). I am familiar with all pertinent requirements, procedures, and fees of the County. I understand that the Application Review Fee is non-refundable. All statements made on this form and additional application materials are true to the best of my knowledge and belief.

Name: Christine Francesconi, Fairfield and Woods
On behalf of Owner, 6535 York, LLC

Date: 11/30/22

Name: [Signature]
December 1, 2022

Adams County Community and Economic Development Department
4430 S Adams County Parkway
Suite W2000
Brighton, CO 80601

Re: 6495 York Street Rezoning and Replat

Dear County Staff,

I am submitting this application on behalf of 6535 York, LLC, for a rezoning from A-1 to I-2 the property owner for parcels 0182502403028, 0182502403014, and 0182502403015 in unincorporated Adams County, along with a replat of the property in order to meet the minimum lot size requirements for I-2 zoned properties pursuant to sections 2-02-15-06 and 2-02-18-04 of the County’s Development Standards and Regulations.

The purpose of the rezoning is to bring the properties, surrounding uses, and surrounding zoning and character into harmony with each other. There is no development or change in land use planned for the properties. Currently there is no water or sewer service on the properties, as the current uses do not utilize water or sewer and there is no development planned for the properties.

Written Explanation of Project

I. Current Form & Use of Property

The properties outlined below are currently zoned A-1 with an underlying future land use of Industrial, and thus are appropriate for a rezoning to I-2 concurrently with a replat to meet I-2 lot size requirements.

The property known as “6495 York Street” is comprised of 4 parcels:

1. #0182502403027: this parcel is not part of this rezoning/replat
2. #0182502403028
   a. Unaddressed
   b. 0.58 Acres
   c. No Improvements

3. #0182502403014
   a. Unaddressed
   b. 1.10 Acres
   c. No Improvements

4. #0182502403015
   a. Unaddressed
   b. 1.00 Acres
   c. No Improvements

Parcel 2 is currently vacant and unused. Parcels 3 and 4 are currently used as an industrial vehicle tow yard and are tenant-occupied. This use has been in-place since at least April of 2017, when the current owner purchased the parcels.

II. Surrounding Zoning

A. The general character of the surrounding parcels is heavy industrial
   1. The parcel to the north (6535 York Street) is zoned I-2.
      - This is a multi-tenant industrial building
   2. The parcel to the northwest (6520 Vine Court) is zoned I-2
      - This is an outdoor industrial storage yard with shop
   3. The parcel to the west & southwest (2025 E 64th Avenue) is zoned I-2
      - This is an outdoor industrial storage yard
   4. The parcel to the south (3 Parcels addressed as 2215 E 64th Avenue) is zoned A-1
      - Owned by Public Service Company of Colorado (Xcel Energy) and is the site of a high-tension power line support & associated equipment
   5. York Street is directly east of the property
   6. The parcel to the east & southeast (6450-6550 York Street) is zoned A-1
- Owned by Metro Water Recovery/Metropolitan Denver Sewage Disposal District #1 and is the site of the district offices for the Robert W. Hite Sewage Treatment Facility

B. Non-boundary area uses

1. Xcel Energy’s Cherokee Generating Station is approximately 500’ south of the property.

2. The Robert W. Hite Sewage Treatment Facility is approximately 800’ south of the property.

III. Purpose of Project

The property owner desires to re-zone and replat the parcels in order to bring the properties, surrounding uses, and surrounding zoning and character into harmony with each other.

IV. Anticipated Development of Project

No development of the project is anticipated or desired at this time.

V. Comprehensive Plan Compliance

The County’s 2022 comprehensive plan, Advancing Adams, lists the future land use for these properties as Industrial Medium, which is consistent with the proposed I-2 zoning.

VI. Conclusion

Rezoning

Section 2-02-15-06-02 of the County’s Development Standards and Regulations governs rezonings. In order to rezone a property, the Planning Commission and Board of County Commissioners must find that:

1. The Zoning Map amendment is consistent with the Adams County Comprehensive Plan;

2. The Zoning Map amendment is consistent with the purposes of these standards and regulations;

3. The Zoning Map amendment will comply with the requirements of these standards and regulations; and

4. The Zoning Map amendment is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.

A rezoning of the property to I-2 is consistent with the comprehensive plan’s designation of Industrial. The current zoning of the property is inconsistent with the adopted Comprehensive Plan and its future land use designation of Industrial. Rezoning the property to a zone district that
is consistent with the Comprehensive Plan designation will advance the County’s long-term goal for providing areas that create a setting for a wide range of industry uses. Pursuant to section 3-26-07-01 of the Development Standards and Regulations, the minimum lot size and lot width for I-2 properties is two (2) acres and one-hundred and twenty-five (125) feet. And lastly, given the County’s proposed future land use map and the uses and zoning of surrounding properties, this rezoning is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County, rezoning these parcels is appropriate and should be supported by staff.

Replat

Section 2-02-18-04-01 of the County’s Development Standards and Regulations allows for a replat “of several lots . . . in which the original subdivision is not substantially modified, and additional lots are not created.” In approving a replat the Director of Community and Economic Development must find that:

1. The [replat] complies with these standards and regulations, and the original conditions of approval;

2. Nonconforming lots are not created, and in the case of nonconforming lots, the nonconformity is not increased;

3. The [replat] is in keeping with the purpose and intent of the subdivision regulations; and

4. The approval will not adversely affect the public health, safety, and welfare.

Replatting the properties in order to meet the minimum lot size for rezoning to I-2 complies with these criteria for approval. The rezoning is appropriate based upon the County’s future land use map and surrounding zoning and uses, and the replat will not substantially modify the original subdivision. Thus, the replat complies with and is in keeping with the purpose and intent of the County’s Development Standards and Regulations, will create a lot that conforms to the new zone district, and will not adversely affect the public health, safety, and welfare.

I look forward to working with you on this process. Please contact me if you have questions or need any additional information at cfrancescani@fwlaw.com (telephone 303-894-4435).

Sincerely,

Christine M. Francescani
FAIRFIELD AND WOODS, P.C.