## RESOLUTION APPROVING LEEPER INDUSTRIAL PARK, AMENDMENT NO. 1 TO CREATE ONE LOT FROM TWO EXISTING PARCELS, CONSISTING OF APPROXIMATELY 20.587 ACRES, LOCATED GENERALLY AT 3741 E. 64TH AVENUE AND 3801 E. 64TH AVENUE, GENERALLY THE NORTHEAST CORNER OF MONROE STREET AND EAST 64TH AVENUE

## NO. 2023-062

WHEREAS, the City of Commerce City has received an application for a subdivision plat for the property known as Leeper Industrial Park, Amendment No. 1 (the "Subdivision"), located at 3741 and 3801 E. 64<sup>th</sup> Avenue and as depicted on Exhibit A, attached hereto and incorporated herein by reference;

WHEREAS, the Community Development Director, consistent with its authority as stated in the City of Commerce City Land Development Code, Section 21-3243(4)(c), has requested that this Subdivision be reviewed through the public hearing process; and

WHEREAS, in accordance with Section 21-3180 of the City's Land Development Code, all required notices of public hearings before the Planning Commission of the City of Commerce and the City Council regarding the requested subdivision plat was given, including by publication on April 6, 2023, and in the Sentinel Express, a legal newspaper of general circulation in the City of Commerce City, and in the Sentinel Express on April 27, 2023; mailing on April 7, 2023, through the United States Postal Service in the manner required by the Land Development Code; and posting placards on the property that is the subject of the application on April 7, 2023, in the manner and for the duration required by the Land Development code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

**SECTION 1. Findings.** The recitals to this resolution are incorporated as findings of the City Council. This resolution is found to be necessary for the preservation of the public health, safety, and welfare and in the public interest.

**SECTION 2. Findings.** The City Council of the City of Commerce City, Colorado, finds, consistent with the Commerce City Land Development Code Section 21-3243(3), after a duly noticed public hearing held in compliance with legal requirements, as follows:

- 1. The subdivision is consistent with any approved rezoning, concept plan or PUD Zone Document;
- 2. The subdivision is consistent with and implements the intent of the specific zoning district in which it is located;
- 3. There is no evidence to suggest that the subdivision violates any state, federal, or local laws, regulations, or requirements;
- 4. The general layout of lots, roads, driveways, utilities, drainage facilities, and other services within the proposed subdivision is designed in a way that minimizes the amount of land

disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, and otherwise accomplishes the purposes and intent of the land development code;

- 5. The subdivision complies with all applicable city standards and does not unnecessarily create lots or patterns of lots that make compliance with such standards difficult or infeasible;
- 6. Any adverse effect has been or will be mitigated to the maximum extent feasible;
- 7. Adequate and sufficient public safety, transportation, utility facilities and services, recreation facilities, parks, and schools are available to serve the subject property, while maintaining sufficient levels of service to existing development;
- 8. A new development agreement between the city and the applicant which addresses the construction of required public improvements is not applicable; and
- 9. The phasing plan for development of the subdivision is not applicable.

**SECTION 3. Findings.** Leeper Industrial Park, Amendment No. 1, attached at Exhibit A., is hereby approved.

RESOLVED AND PASSED THIS 5TH DAY OF JUNE 2023.

	CITY OF COMMERCE CITY, COLORADO	
	Benjamin A. Huseman, Mayor	
ATTEST		
Dylan A. Gibson, City Clerk		

LEEPER INDUSTRIAL PARK AMENDMENT NO. 1  A CONSOLIDATION OF LOT 3, LEEPER INDUSTRIAL PARK AND A PARCEL OF LAND ALL SITUATED IN THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO SHEET 1 OF 2			
LEGAL DESCRIPTION AND DEDICATION:	VICINITY MAP	NOTICE IS HEREBY GIVEN:	
MNOW BY ALL MEN BY THESE PRESENTS THAT FEL 4425, LLC, A COLORADO LIMITED LIASILITY COMPANY BEING THE OMER MOUNTAIN VIEW BOME AND TRUST A LETM HOLDER OF THAT HAVE OF THE SOUTHAND ON CAMPIER OF THE CULTUM OF COMPARED CITY, COURTY OF ADMRS, STATE OF COLORADO, DESCRIBED AS FOLDER, HIGHER ARTICLAW,	SCALE: 1'=2000'	A. MAY CONSTRUCTION ACROSS EXISTING SUBDIVISION LOT LINES IS IN VIOLATION OF THE SUBDIVISION REGULATIONS OF THE CITY, EXCEPT AS HEREIN AUTHORIZED.  B. ANY DIVISION OF AN EXISTING SERVISION LOT, OR CONVEYANCE OF A PART OF AN EXISTING SUBDIVISION	
LOT 3, LEEPER INDUSTRIAL PARK AS RECORDED ON JULY 8, 1996 IN FILE NO. 17, MAP NO. 488, RECEPTION NO. CO145016, ALSO SEING PARCEL A, IN RECEPTION NO. 201800012550, ADMS COUNTY RECORDS,	E.III	LOT, IS IN VIOLATION OF THIS ARTICLE UNLESS: 1) APPROVED BY THE CITY OF COMMERCE CITY; OR 2) IS EXCEPTED FROM THE DEFINITION OF "SUBDIVISION" AS PROVIDED BY THE SUBDIVISION REGULATIONS.	
AND THAT PARCEL OF LAND DESCRIBED AS PARCEL B IN RECEPTION NO. 2618000012350, ADMING COUNTY RECORDS; TOGETHER BEING MORE PARTICULABLY DESCRIBED AS FOLLOWS:		C. THIS PLAT DOES NOT ESTABLISH WATER AVAILABILITY FOR THE BURJECT PROPERTY, WATER AND MASTERITE SERVICE IS PROVIDED BY THE BOUTH AND COUNTY WATER AND ANAITATION DISTRICT. INVESTIGATION OF THE CURRENT WATER AVAILABILITY FOR THE PROPERTY AND ACQUISITION OF ANY ACCITIONAL WATER REQUIRED FOR DEVICLOPMENT OF THE PROPERTY HALL BE THE DOLE REPORTABILITY OF THE OFFEL OFFEL FOR ALL SUCCESSIONS AND	
COMMENDE AT THE SOUTHWAST COMENT OF THE SOUTHWAST COMENTE AND SOUTHWAST ONE CONTINUE AND SOUTHWAST ONE	SITE	ASSIGNAL OPPLICAMENT APPROVALS STILL NOT BE ORNITTO SITCHOST PROGRES PARTIE ANALASEALITY.  In the STORM WASTE OF DETERMINANT COUNTY PAND STORM THE DEMANAGE ASSIGNATE THORN REGERM, SWALL SECONSTITUCTO AND WANTAKING OF THE OWNER AND SIRECULAR THORNS, BELLE, SUCCESSIONS AND ASSIGNAL TO RESERVE THAT AND CONTINUOUS OF THE OWNER AND SIRECULAR THORNS, BELLE SUCCESSIONS AND ASSIGNATION OF THE OWNER ASSIGNATION OF THE OWNER OWNER ASSIGNATION OF THE OWNER ASSIGNATION, AND NO CHARGES OF THE OWNER ASSIGNATION, AND NO CHARGES OF THE OWNER ASSIGNATION.	
ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 1; THENCE MONTH OD 13:14* EAST ALDMO SAID.  REST LINE, A DISTANCE OF 1264-00 FEET TO THE MONTHMEST COMERCY OF SAID SOUTHEAST ONE-QUARTER SAID SECTION 1, ALSO BEING THE MONTHWEST COMERCY OF SAID SOUTHEAST ONE-QUARTER SAID SECTION 1, ALSO BEING THE MONTH WEST COMERCY OF SAID SOUTHEAST ONE QUARTER SAID.  SO 'SS 'CS' SAIT. ALDMO THE MONTH LINE OF SAID SOUTHEAST ONE QUARTER OF THE SOUTHEAST ONE QUARTER SAID.	CAST AUTO PARE	ALTERATION AFFORMS THE WORKLES COMMONTHED IN THE DESIRANCE EMERCETS WILL BE MADE RETRIBUTED.  THE AFFORMAL OF THE CITY OF COMMENCE CITY.	
SECTION 1 AND ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 667.35 FEET; THENCE ALONG THE EASTERLY PERHETR OF SAID LOT 3, THE FOLLOWING SEVEN (7) COURSES AND DISTANCES; THENCE 1) SOUTH 00°10'60' WEST, A DISTANCE OF 012.8F FEET; THENCE 2) SOUTH 00°42'08' EAST, A DISTANCE OF 016.30 FEET TO THE MEST RIGHT OFF-MAY LINE OF NORTH COURTAND SOULEWARD: THENCE 3) SOUTH 00°15'00' WEST ALONS AND THE TO THE MEST ALONS SOUTH 00°15'00' WEST ALONS SOUTH 00°15'00' WEST ALONS SOUTH 00°15'00' WEST ALONS SOUTH 00°15' OFF MEST ALONS SOUTH 00°15' OFF MEST ALONS SOUTH 00°15' OFF WEST OFF WEST OFF WE		SURVEYOR'S CERTIFICATE:	
MEST RIDET-G-MAY LINE, A DISTANCE OF 00,00 FEET; THOSE 4) MORTH 69-42-94 WEST, A DISTANCE OF MEST A DISTANCE OF MEST A DISTANCE OF 077-48 FEET), PRINCE DOWN 10-94 MOV MEST A DISTANCE OF 077-48 FEET), PRINCE DOWN 10-94 MOV MEST A DISTANCE OF 177-48 FEET), PRINCE DOWN 10-94 MOV MEST ADMINISTRATION OF 177-48 FEET AND MEST ADMINISTRATION OF 187-48 FEET ADMINISTR	LIEN HOLDER ACHIONELEGARNT:  STATE OF COLONACO COUNTY OF	1, MANDOO W, BAYER, A RECISTRED LAND SUMMYING, RECISTRED IS THE STATE OF COLORAGO, DO HEREW CHITTY THAT THEM AND SOMES, PETLINES, INSTITUTE STORES, GO HOTHER SHEARTH IN EVIDENCE OF A PROPERTY OF THE STATE OF FARRIES CETTLY THAT I MAY FREYENDED THE SUMMY SHOWN MERCON, ON SUCH SUMMY WAS PREYEND DUCKE MY DESCRIPTIONS OF THE STATE O	
COMPANS 1809, 420 SOURCE FEET OF 20.447 ACRES MORE ON LESS.  ANALIS DOS BRANDAS IN E SOURCE, LES D' THE SOURCES AND CAMPAIS OF THE SOURCES OF THE SOURCES AND CAMPAIS OF SOURCES OF THE SOURCE AND CAMPAIS OF SOURCE CETY, MARKE OR 1853 OF THE SOURCE OF THE SOURCE MEDITARY, CETY OF CAMPAIS CETY, OUT OF CAMPAIS CETY, SOURCE OF THE SOURCE OF THE SOURCE OF THE SEET OF A 3-1/4" AUGUSTAGE OF, FL.S. 1969,7 (906 DN A MARKE DOX, L.S. 17488 AND ON THE EAST BY A 3-1/4" AUGUSTAGE OF THE SOURCE OF THE S	THE PORBOUND PLAT AND DEDICATION WERE ACMONICEDED BEFORE METHIS BY BRIAN WELDON, MARKET PRESIDENT, FIRST WESTERN TRUST.		
HAME BY THESE PRESENTS ALD OUT, MIGOLYICEO AND FAITTO THE SAME INTO THE LOT AS DOWN ON THIS FAIT.  WINDER THE MARE AND STALL OF LEEPER DIGIDISTAIN, PARK MEMORIES TO. I AND ON DEFERY RECORDSTORY TO THE COITY OF COMMERCE CITY, COUNTY OF ADMIN, STATE OF COLORADO PRILIC RECTIF OF WAY THE FESTIVEL, AND WARRANGS TITLE TO THE MARE, FOR THE PRIVIALLUS MED OF THE PRIVIAL OR MED RESTET AND OTHER PRIVIAL OR MAY AS SHOWN ON THIS FAIT AND HEREW COLORATES SOME ASSERTING TO THE CITY OF COMMERCE CITY AS ARE CREATED THESELY, AND EXPECTED, MORNING REFERENCED ON THE FRIEND AND ADMINISTING TO THE GREEK.	MDTANY PUBLICS MY COMMISSION EXPIRES: MY ADDRESS IS: SURVEYOR'S NOTES:	MANDAD W. BAYER, L.S. NO. 6973 ACCESS, 2000 S. 1041W AVE., BUTE 200, THANTON, CO., 2003	
OWNERSHIP CERTIFICATE:	NOTICE: ACCORDING TO COLURADO LAW YOU MUST COMMENCE ANY	0.000	
EMEGUTED THIS	LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY MITHEN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CENTIFICATION SHOWN HEREON.	CITY COUNCIL GENTIFICATE:  APPROVAL BY CITY OF COMMERCE CITY, CITY COUNCIL THES DAY OF,  A.D. 20,	
HAMPTON YARDS 8, LLO, A GOLOBADO LIMITED LIABILITY COMPANY  ACKNOWLEDGMENT:	THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY R.W. BAYER & ASSOCIATES, INC. OF THE PROPERTY SHOWN AND DESCRIBED HERCON TO DETERMINE GRNESSHIP OF THIS TRACT OF LAWD.	tomothis	
STATE OF COLORADO COUNTY OF SS	COMPATIBILITY OF THIS DESCRIPTION WITH THOSE OF ADJACENT TRACTS OF LAND, OR ENCUMBRANCES OF RECORD AFFECTING THIS TRACT OF LAND, FOR ALL INFORMATION REGARDING OWNERSHIP, EASEMENT AND RIGHT-OF-MAY THE SURVEYOR RELIED ON THE PLAT OF	ATTEST: CITY CLIRK MAYOR	
THE FOREGOING PLAT AND DEDICATION MERE ACKNOWLEDGED BEFORE ME THIS DAY OF STATE OF THE STATE OF	LIEFER INDUSTRIAL PAIN AND THE ALTA COMMITMENT PREPARED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, ORDER NO. ABJ70671115.1, EFFECTIVE DATE, 08-09-2022 AT 5:00 P.M.	CERTIFICATE OF THE CLERK AND RECORDER: THIS PLAT MAS FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER, IN THE STATE OF	
NOTARY PUBLIC	THIS PROPERTY LIES WITHIN ZONE X (ASEA DETERMINED TO BE OUTSIDE THE 0.2M. ANNUAL CHANCE FLOCO) AND THEREFORE IS NOT WITHIN THE 100 YEAR FLOCO PLAND. PHIR F.E.M.A.F. T.I.R.M., MAP NUMBER DB001C08D4H, MAP REVISED: MAPCH 0.5, 2007.	THIS PLAN MAY FILLD FOR RECORD IN THE SPECIAL OF THE ADMEND CURRY LETTER RECORDING, IN THE STATE OF A.D., 20	
MY COMMISSION EXPIRES: MY ACCRESS IS:	THE LINEAL UNITS USED AND SHOWN HEREON IS U. S. SURVEY FOOT,	Marie	
	THIS PLAT IS IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE WITHIN THE STATE OF COLORADO.	BY	
LIEN HOLDER:	THIS PLAT IS NOT A GUARANTY OR MARRANTY, EITHER EXPRESSED OR IMPLIED.		
EXECUTED THIS DAY OF, 20 FOR FIRST MESTERN TRUST:	DATE OF FIELD WORK: AUGUST 14, 2021.		
87: BRIAN HELDON, MARKET PRESIDENT	Prepared By:  R. V. BAYER & ASSOCIATES, INC.  12.175 TELEOF STREET, UN11 7700  12.175 TELEOF STREET, UN11 7700  12.105 TELEOF STREET	RECEPTION NO:	
	Date Prepared AUGUST 19, 2019 REVISED 12-19-2022 ADD RADIUS PER CITY		

LEEPER INDUSTRIAL PARK AMENDMENT NO. 1

A CONSOLIDATION OF LOT 3, LEEPER INDUSTRIAL PARK AND A PARCEL OF LAND ALL SITUATED IN THE SOUTHEAST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO SHEET 2 OF 2.

