

ORDINANCE NO. Z-968-21

INTRODUCED BY: ALLEN-THOMAS, FRANK, GRIMES, GUARDIOLA, HURST,
HUSEMAN, MADERA, NOBLE, SMITH

AN ORDINANCE REZONING FROM C-3 (COMMERCIAL) TO I-2 (MEDIUM-INTENSITY INDUSTRIAL DISTRICT) THE PROPERTY LOCATED AT 7167 E 53RD PL., COMMERCE CITY, COLORADO, AS DESCRIBED IN EXHIBIT A, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING.

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

SECTION 1. The City Council of the City of Commerce City, Colorado (“City Council”), finds that notice of the public hearing concerning proposed ordinance Z-968-21 and the rezoning of property at 7167 E 53rd Place, more specifically defined in Exhibit A, attached hereto and incorporated herein, before the City Council to be held on this May 3, 2021 and June 7, 2021, respectively, were properly given as required by the Land Development Code, including by: publication on March 30, 2021, and April 13, 2021 in the Sentinel-Express, a legal newspaper of general circulation in the City of Commerce City; mailing on March 27, 2021, 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 March 26, 2021 and April 23, 2021, in the manner and for the duration required by the Land Development Code.

SECTION 2. The City Council of the City of Commerce City, Colorado, further finds that the public hearings concerning proposed ordinance Z-968-21 and the rezoning of property at 7167 E 53rd Place, Commerce City, Colorado, before the Planning Commission of the City of Commerce City and the City Council were conducted in compliance with law.

SECTION 3. The City Council of the City of Commerce City finds, consistent with the Commerce City Land Development Code, Section 21-3232(5), as follows with regard to the proposed rezoning of the property at 7167 E 53rd Place from C-3 to I-2:

- a. 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;
- b. The proposed zone district and allowed uses are compatible with proposed development, surrounding land uses and the natural environment;
- c. 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;
- d. 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;
- e. 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

- f. 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.

SECTION 4. Ordinance Z-968-21 of the City of Commerce City, rezoning the property at 7167 E 53rd Place, Commerce City, Colorado, as described in Exhibit A, is hereby approved and said property is hereby rezoned to I-2 (Medium-Intensity Industrial District) as defined in the Commerce City Land Development Code. The zoning map of the City of Commerce City, Colorado, is hereby amended to reflect the rezoning approved by this ordinance.

SECTION 5. This ordinance shall be effective upon as set forth in Section 5.3 of the City Charter.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED
THIS 3RD DAY OF MAY 2021.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED
THIS 7TH DAY OF JUNE 2021.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk

Exhibit A
(Legal Description)
Case #Z-968-21

LEGAL DESCRIPTION:

THE UNDER SIGNED, BEING THE OWNERS OF A PARCEL OF LAND SITUATED IN THE NORTHEAST ONE-QUARTER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF COMMERCE CITY COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A:

TRACT 42, KEMP SUBDIVISION, ADAMS COUNTY, COLORADO ACCORDING TO THE SUBDIVISION PLAT THEREOF RECORDED IN PLAT BOOK 4 AT PAGE 35 OF THE ADAMS COUNTY RECORDS, EXCEPT THE SOUTH 5 FEET THEREOF CONVEYED TO THE CITY OF COMMERCE CITY FOR ROAD PURPOSES BY DEED RECORDED OCTOBER 29, 1975 IN BOOK 2026 AT PAGE 263 OF SAID RECORDS.

PARCEL B:

TRACT 43, KEMP SUBDIVISION, ADAMS COUNTY, COLORADO ACCORDING TO THE SUBDIVISION PLAT THEREOF RECORDED IN PLAT BOOK 4 AT PAGE 35 OF THE ADAMS COUNTY RECORDS.

CONTAINING 165,000 SQUARE FEET OR 3.79 ACRES MORE OR LESS.