

ORDINANCE NO. Z-957-20

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

AN ORDINANCE REZONING FROM THE R-1 (SINGLE-FAMILY DETACHED RESIDENTIAL ZONING DISTRICT) TO THE I-1 (LIGHT INTENSITY INDUSTRIAL ZONING DISTRICT) FOR THE PROPERTY KNOWN AS GRUENEWALD SUBDIVISION FILING 1 (TRACT A) GENERALLY LOCATED AT 11100 EAST 108TH AVENUE AND TRACT B (IMMEDIATELY ADJACENT TO THE WEST OF TRACT A), MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING.

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, finds and declares that it has caused to be published in the Commerce City Sentinel Express, a legal newspaper of general circulation in the City of Commerce City, Notice of Public Hearing by the Planning Commission of the City of Commerce City, held December 3, 2019 concerning land hereinafter described, and that said Notice was published on November 26, 2019, and the posting of two signs on the property for at least 7 days prior to the hearing and that said Hearing was conducted all in compliance with law and a motion was made to enter a finding that the requested Zone Change for the known property known as Gruenewald Subdivision Filing 1 Tract A located at 11100 E 108th Avenue, Commerce City, Colorado and Tract B (immediately adjacent to the west of Tract A), contained in case Z-957-20, meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the Zone Change. Said motion was carried by a 5-0 vote.

SECTION 2. The City Council of the City of Commerce City, Colorado further finds and declares that it has caused to be published in the Commerce City Sentinel Express, a legal newspaper of general circulation in the City of Commerce City, Notice of Public Hearing held on January 6, 2020 regarding rezoning of land hereinafter described, and that said Notice was published on December 24, 2019 and that said Hearing was conducted all in compliance with law.

SECTION 3. The City Council of the City of Commerce City, Colorado further finds and declares that the City has caused to mail by the United States Postal Service, the federal postal system, Notice of Public Hearing held on December 3, 2019 and January 6, 2020 concerning the ordinance Z-957-20 and the rezoning of properties known as Gruenewald Subdivision Filing 1 Tract A, located at 11100 E 108th Avenue, Commerce City, Colorado and Tract B (immediately adjacent to the west of Tract A) and that said Notice was mailed on November 20, 2019 and that said Hearing was conducted all in compliance with law.

SECTION 4 The City Council of the City of Commerce City, Colorado further finds and declares that the City has caused to provide Placards on the property which is the subject of the application, Notice of Public Hearing held on December 3, 2019 and January 6, 2020 concerning the ordinance Z-957-20 and the rezoning of properties known as Gruenewald Subdivision Filing 1 Tract A, located at 11100 E 108th Avenue, Commerce City, Colorado and Tract B (immediately

adjacent to the west of Tract A) and that said Notice was posted on November 22, 2019 and December 27, 2019 that said Hearing was conducted all in compliance with law.

SECTION 5 The City of Council finds, consistent with the Commerce City Land Development Code, Section 21-3232(5), as follows:

- 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 6. That the property generally known as Gruenewald Subdivision Filing 1 Tract A, located at 11100 E 108th Avenue, Commerce City, Colorado and Tract B (immediately adjacent to the west of Tract A), as described in Exhibit "A" attached hereto and made a part hereof, now zoned R-1 (Single Family Detached Residential) be rezoned I-1 (Light Intensity Industrial District) as defined in the Commerce City Land Development Code.

SECTION 7. That the zoning map of the City of Commerce City, Colorado be and is hereby amended to reflect the rezoning approved by this ordinance.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED THIS 6TH DAY OF JANUARY 2020.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS 3RD DAY OF JANUARY 2020.

CITY OF COMMERCE CITY COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, Deputy City Clerk

Exhibit "A"
(Legal Description & Zoning Map)
Case #Z-957-20

LEGAL DESCRIPTION:

KNOW ALL MEN BY THESE PRESENTS THAT WILLIAM C. GRUENEWALD, ROBERT W. DERR, AND DERR FAMILY LIMITED PARTNERSHIP, BEING THE OWNERS OF THAT PART OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT A AND TRACT B, OF GRUENEWALD FILING NO. 1,
AT RECEPTION NO. 201000023618 OF THE RECORDS OF THE
ADAMS COUNTY CLERK AND RECORDER,
CITY OF COMMERCE CITY,
COUNTY OF ADAMS,
STATE OF COLORADO.

PARCELS COMBINED CONTAIN 517,410 SQUARE FEET, OR 11.8781 ACRES, MORE OR LESS.

