

ORDINANCE NO. Z-970-21

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

AN ORDINANCE REZONING FROM C-2 (GENERAL COMMERCIAL DISTRICT) TO PUBLIC. THE PROPERTY LOCATED AT 4761 E 69TH AVENUE, 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 hearings concerning proposed ordinance Z-970-21 and the rezoning property at 4761 E 69th Avenue, 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, was 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-970-21 and the rezoning of property at 4761 E. 69th Avenue, 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 4761 E. 69th Avenue from C-2 to Public:

- 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-970-21 of the City of Commerce City, rezoning the property at 4761 E 69th Avenue, Commerce City, Colorado, as described in Exhibit A, is hereby approved and said property is hereby rezoned to PUBLIC 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 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-970-21

LEGAL DESCRIPTION:

KNOW ALL PEOPLE BY THESE PRESENTS THAT SOUTH ADAMS COUNTY FIRE DISTRICT, BEING THE OWNER OF LOTS 21 THROUGH 24 AS SHOWN ABOVE, OF THAT PART OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF LOTS 21, 22, 23, AND 24 IN BLOCK 1 OF THE PLAT OF THE CITY OF ADAMS RECORDED ON SEPTEMBER 1, 1903 AS RECEPTION #8997, SITUATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION SIX (6), TOWNSHIP THREE SOUTH (T3S), RANGE SIXTY-SEVEN WEST (R67W) OF THE SIXTH PRINCIPAL MERIDIAN (6TH P.M.), CITY OF COMMERCE CITY, COUNTY OF ADAMS, AND THE STATE OF COLORADO.