

ORDINANCE NO. Z-984-22

INTRODUCED BY: _____

FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY ZONING THE PROPERTY ANNEXED AS 7001 COLORADO BOULEVARD ANNEXATION FROM ADCO ADAMS COUNTY A-1 TO COMMERCE CITY R-3 (MULTI-FAMILY RESIDENTIAL)

WHEREAS, in conjunction with the related annexation case AN-265-22, the owner of the property known as 7001 Colorado Boulevard Annexation and described in the legal description incorporated in Exhibit A ("Property"), has submitted an application to zone the Property to a R-3 (Multi-Family Residential), upon annexation to the City of Commerce City;

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 and the City regarding the requested zoning was given, including by: publication on April 21, 2022 and June 09, 2022 in the Denver Post; mailing on April 21, 2022 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 21, 2022, and June 10, 2022, in the manner and for the duration required by the Land Development Code;

WHEREAS, following a public hearing conducted in compliance with law, the Planning Commission made findings and recommended that the City Council approve the Annexation Zoning. Said motion was carried by a 5-0 vote.

WHEREAS, the City Council has conducted a public hearing regarding the requested zoning;

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

SECTION 1. The foregoing recitals are incorporated into this ordinance as findings of fact. The City Council authorizes any action by it on the requested zoning outside of the period of time provided by Section 10.11 of the City Charter.

SECTION 2. The City Council of the City of Commerce City finds, consistent with the Commerce City Land Development Code, Section 21-3350(2), that to the proposed rezoning of the property generally located at 7001 Colorado Blvd from ADCO A-1 to Commerce City R-3 Zone District is most compatible with the city's comprehensive plan designation of the property.

Additionally, the City Council of the City of Commerce City finds, consistent with the Commerce City Land Development Code section 21-3232(5), with regard to the proposed zoning, that:

- 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 3. The City Council hereby approves the recommendation of the Planning Commission regarding the requested zoning and approves rezoning of the Property from ADCO A-1 to Commerce City R-3, 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 4. This ordinance shall be effective upon the effective date of the annexation of the Property through AN-265-22, as determined pursuant to C.R.S. 31-12-113(1).

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED
THIS 20TH DAY OF JUNE 2022.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED
THIS ____ DAY OF ____ 20__.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk

Exhibit A
7001 COLORADO-CASE Z-984-22
(Legal Description)