

ORDINANCE NO. Z-418-87-95-19

INTRODUCED BY: _____

AN ORDINANCE AMENDING ORDINANCE Z-418-87-95 TO REMOVE ALL REMAINING CONDITIONS FROM THE ZONING FOR THE PROPERTY LOCATED AT 8150 SYRACUSE STREET COMMERCE CITY, COLORADO.

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 the City has caused to be published in the Commerce City Sentinel Express, a legal newspaper of general circulation in the City of Commerce City, a Notice of Public Hearing by the Planning Commission of the City of Commerce City, held May 7, 2019 concerning the amendment of ordinance Z-418-87-95 (attached hereto as Exhibit A and the rezoning of property at 8150 Syracuse Street, Commerce City, Colorado and that said Notice was published April 30, 2019 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 property located at 8150 Syracuse Street contained in case Z-418-87-95-19 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 the City 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 June 3, 2019 concerning the amendment of ordinance Z-418-87-95 and the rezoning of property at 8150 Syracuse Street, Commerce City, Colorado, and that said Notice was published on May 21, 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 be mailed by the United States Postal Service, the federal postal system, Notice of Public Hearing held on May 7, 2019 and June 3, 2019 concerning the amendment of ordinance Z-418-87-95 and the rezoning of property at 8150 Syracuse Street, Commerce City, Colorado, and that said Notice was mailed on April 24, 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 May 7, 2019 and June 3, 2019 concerning the amendment of ordinance Z-418-87-95 and the rezoning of property at 8150 Syracuse Street, Commerce City, Colorado, and that said Notice was posted on April 26, 2019 and May 24, 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 removal of zoning conditions is consistent with the policies and goals of the Comprehensive Plan, as well as the Irondale Neighborhood and Infrastructure

Plan policies and goals and Future Land Use Map General Industrial designation adopted for the area;

- b. The change is compatible with potential development, surrounding land uses and the natural environment because future development will meet all standards and regulations for lighting, parking, etc. to maintain compatibility;
- c. The change 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 change 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 change, given need to provide or maintain a proper mix of uses both within the city and the immediate area of the proposed use because removal of the conditions will streamline future development; and
- f. The Irondale area in which the change to remove zoning conditions is requested is expected to develop more industrial and commercial uses in the future and it is in the public interest to allow a new use or activity.

SECTION 6 Ordinance Z-418-87-95-19 of the City of Commerce City, rezoning the property at 8150 Syracuse Street, Commerce City, Colorado, as described in Exhibit “A” attached hereto and made a part hereof, by the deletion and removal of conditions: A, which requires a development plan to be approved by Council prior to any site improvements, change in use, development of any kind, issuance of building permits, or subdivision; B, which requires that the approved development plan shall be recorded as a deed restriction with Adams County; and C, which requires that the applicant shall sign a development agreement for future public improvements .

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED
THIS 3RD DAY OF JUNE 2019.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED
THIS ____ DAY OF ____ 2019.

CITY OF COMMERCE CITY, COLORADO

Sean Ford, Mayor

ATTEST

Laura J. Bauer, MMC, City Clerk

Exhibit "A"
(Legal Description)
Case #Z-418-87-95-19

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN THE SOUTH ONE-HALF (S 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 28, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ADAMS COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER (SE COR) OF THE EAST ONE-HALF (E 1/2) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 28, ALSO KNOWN AS THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF SYRACUSE STREET AND THE SOUTHERLY RIGHT-OF-WAY OF 81ST AVENUE; THENCE $N00^{\circ}40'36''E$ ALONG THE EAST LINE OF THE EAST ONE-HALF OF THE NORTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 28 ALSO KNOWN AS THE EAST LINE OF SYRACUSE STREET AS SHOWN ON ANNEXATION PLAT RECORDED IN FILE 16, MAP 452 ADAMS COUNTY RECORDS, A DISTANCE OF 251.46 FEET TO THE POINT OF TRUE BEGINNING;

THENCE CONTINUING $N00^{\circ}40'36''E$ ALONG THE SAID RIGHT-OF-WAY LINE OF SYRACUSE STREET, A DISTANCE OF 70 FEET; THENCE $S89^{\circ}19'34''E$, A DISTANCE OF 331.53 FEET MORE OR LESS; THENCE $S00^{\circ}37'26''W$ ALONG THE WEST LINE OF THE EAST ONE-HALF OF THE NORTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 28, A DISTANCE OF 70 FEET; THENCE $N89^{\circ}19'34''W$ A DISTANCE OF 331.59 FEET MORE OR LESS TO THE POINT OF BEGINNING; CONTAINING 0.53 ACRES MORE OR LESS;

ALSO A PARCEL OF LAND STARTING AT SAID INTERSECTION OF SYRACUSE STREET AND 81ST AVENUE; THENCE $N00^{\circ}40'36''E$ ALONG SAID EASTERLY RIGHT-OF-WAY OF SYRACUSE STREET A DISTANCE OF 321.46 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING $N00^{\circ}40'36''E$, A DISTANCE OF 129.6 FEET MORE OR LESS; THENCE $S89^{\circ}19'34''E$ A DISTANCE OF 20.0 FEET, THENCE $S00^{\circ}40'36''W$, A DISTANCE OF 70.00 FEET; THENCE $S89^{\circ}19'34''E$, A DISTANCE OF 122.0 FEET; THENCE $N00^{\circ}40'36''E$, A DISTANCE OF 70.0 FEET; THENCE $S89^{\circ}19'34''E$, A DISTANCE OF 189.42 FEET, THENCE $S00^{\circ}37'26''W$ ALONG SAID WEST LINE AS SHOWN ON ANNEXATION PLAT RECORDED IN FILE 16, MAP 452, ADAMS COUNTY RECORDS, A DISTANCE OF 129.6 FEET MORE OR LESS; THENCE $N89^{\circ}19'34''W$, A DISTANCE OF 331.53 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING; CONTAINING 0.79 ACRES MORE OR LESS.