



## Legislation Text

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**File #:** Z-955-19, **Version:** 1

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AN ORDINANCE REZONING FROM ADCO AG TO AG THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED AT 10560 AND 10650 BRIGHTON ROAD HENDERSON, COLORADO, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING.

### **Summary and Background Information:**

Due to issues with the City's GIS system, some residents adjacent to the subject properties were not properly given notification of the public hearing that occurred on May 6, 2019 and therefore a new public hearing is required in the event that a resident might have comments regarding this zoning annexation case.

Saul Rodriguez Ronquillo is requesting the approval of two different parcels for annexation into Commerce City. The combined parcels are approximately 3.52 acres in size and they are currently vacant. The subject properties are located at 10560 & 10650 Brighton Rd. Henderson, CO. Both properties are currently zoned Adams County Residential. The applicant is requesting that the properties be rezoned Commerce City Agricultural. At this time, the applicant is proposing to construct two dwelling units and establish a residence in one of the lots; the other dwelling unit will be sold once it is constructed. The application is being processed concurrently with the annexation case (AN-252-19), and inclusion into the northern Infrastructure General Improvement District case (NIGID -164-19)

The Planning Commission has recognized that the proposed zone change and proposed use are consistent with the Comprehensive Plan, will not negatively impact surrounding properties, and will have the potential to positively improve the character of the neighborhood.

**Staff Responsible (Department Head):** Chris Cramer, Director of Community Development

**Staff Member Presenting:** Brayan Marin, City Planner

**Financial Impact:** N/A

**Funding Source:** N/A

### **Staff Recommendation:**

On April 3rd, 2019, the Planning Commission held a public hearing, took testimony, and voted (5 to 0) to forward the zone change request to City Council with a recommendation for approval, subject to the findings of fact.

On May 6, 2019, City Council held a public hearing, took testimony, and voted 6-2 to approve this zoning request subject to the findings of fact.

**Alternative:** One option would be for City Council to approve the request as submitted by the applicant; a second option would be to approve the request subject to conditions; a third option would be for City Council to deny the request.

**Suggested Motion:** I move that the City Council enter a finding that the requested Annexation Zoning for the subject properties contained in case **Z-955-19** meets the criteria of the Land Development Code and, based upon such finding, approve the Annexation Zoning.