ORDINANCE NO. Z-990-24

INTRODUCED BY: CHACON, DOUGLAS, DOUGLAS, DUKES, FORD, KIM, MADERA, NOBLE, TETER

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY REZONING THE PROPERTY GENERALLY LOCATED AT 6601 COLORADO BOULEVARD FROM AGRICULTURAL DISTRICT (AG) & LIGHT INTENSITY INDUSTRIAL DISTRICT (I-1) TO MEDIUM INTENSITY INDUSTRIAL DISTRICT (I-2)

WHEREAS, the owner of the property generally located at 6601 Colorado Boulevard in the City of Commerce City ("City") and described in Exhibit A, attached hereto and incorporated herein, has submitted an application to rezone the Property from Agricultural District (AG) & Light Intensity Industrial District (I-1) to Medium Intensity Industrial District (I-2), as set forth in Exhibit A;

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 January 25th, 2024 and February 22nd, 2024 in the Sentinel Express, a legal newspaper of general circulation in the City of Commerce City; mailing on January 24th, 2024 and February 22nd, 2024 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 January 26th, 2024 and February 23rd, 2024 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 zone change from Agricultural District (AG) and Light Intensity Industrial District (I-1) to Medium Intensity Industrial District (I-2); and

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 21-3232, with regard to the proposed rezoning of the Property from Agricultural District (AG) & Light Intensity Industrial District (I-1) to Medium Intensity Industrial District (I-2) 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 accepts the recommendation of the Planning Commission regarding the requested zoning and approves the requested zone change and the rezoning of the Property from Agricultural District (AG) & Light Intensity Industrial District (I-1) to Medium Intensity Industrial District (I-2), 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 as provided in Section 5.3(g) of the City Charter.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED THIS 18TH DAY OF MARCH 2024.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS 1ST DAY OF APRIL 2024.

CITY OF COMMERCE CITY, COLORADO

_____

Steven J. Douglas, Mayor

ATTEST

_____

Dylan A. Gibson, City Clerk

Exhibit A
(Legal Description)
Case #Z-990-24

LEGAL DESCRIPTION:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY OF COMMERCE CITY, COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: PARCEL A: A PARCEL OF LAND LOCATED IN THE NE 1/4 SE 1/4 OF : A PARCEL OF LAND LOCATED IN THE NE 1/4 SE 1/4 OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 68 WEST, OF THE 6TH P.M., ADAMS COUNTY, STATE OF COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:COMMENCING AT A POINT ON THE WEST LINE OF COLORADO BOULEVARD, WHICH IS 180.0 FEET NORTH AND 30.0 FEET WEST OF THE SOUTHEAST CORNER OF SAID NE 1/4 SE 1/4; THENCE WEST PARALLEL WITH THE SOUTH LINE OF SAID NE 1/4 SE 1/4, A DISTANCE OF 110.0 FEET; THENCE NORTH PARALLEL WITH THE WEST LINE OF COLORADO BOULEVARD, A DISTANCE OF 108.0 FEET; THENCE EAST, PARALLEL WITH THE SOUTH LINE OF SAID NE 1 /4 SE 1/4, A DISTANCE OF 110.0 FEET TO A POINT ON THE WEST LINE OF COLORADO BOULEVARD; THENCE SOUTH, ALONG THE WEST LINE OF COLORADO BOULEVARD, A DISTANCE OF 108.0 FEET OF THE POINT OF BEGINNING. PARCEL B: A PARCEL OF LAND LOCATED IN THE NE 1/4 OF THE SE 1/4 : A PARCEL OF LAND LOCATED IN THE NE 1/4 OF THE SE 1/4 OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:BEGINNING AT A POINT ON THE SOUTH LINE OF THE NE 1/4 OF THE SE 1/4 OF SAID SECTION 1, 30.0 FEET WEST OF THE SE CORNER OF SAID NE 1/4 SE 1/4; THENCE WEST, ALONG THE SOUTH LINE OF SAID NE 1/4 SE 1/4, A DISTANCE OF 1291.95 FEET TO THE SW CORNER OF SAID NE 1/4 SE 1/4; THENCE NORTH, ALONG THE WEST LINE OF SAID NE 1/4 SE 1/4, A DISTANCE OF 338.29 FEET TO A POINT ON A CURVE, SAID CURVE BEING THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE BURLINGTON DITCH; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE AND ON A CURVE TO THE LEFT HAVING A RADIUS OF 562.07 FEET, A CENTRAL ANGLE OF 15°47'42", AN ARC DISTANCE OF 154.95 FEET; THENCE DEPARTING FROM SAID RIGHT OF WAY LINE EAST, PARALLEL WITH THE SOUTH LINE OF SAID NE 1/4 SE 1/4, A DISTANCE OF 415.16 FEET; THENCE SOUTH, PARALLEL WITH THE EAST LINE OF SAID NE 1/4 SE 1/4, A DISTANCE OF 196.00 FEET; THENCE EAST, PARALLEL WITH THE SOUTH LINE OF SAID NE 1/4 SE 1/4, A DISTANCE OF 715.50 FEET TO A POINT 140.0 FEET WEST OF THE EAST LINE OF SAID NE1/4 SE1/4; THENCE SOUTH, PARALLEL WITH THE EAST LINE OF SAID NE1/4 SE1/4, A DISTANCE OF 108.0 FEET; THENCE EAST, PARALLEL WITH THE SOUTH LINE OF SAID NE 1/4 SE 1/4, A DISTANCE OF 110.0 FEET TO A POINT 30.0 FEET WEST OF THE EAST LINE OF SAID NE 1/4 SE 1/4; THENCE

SOUTH, PARALLEL WITH THE EAST LINE OF SAID NE1/4 SE1/4, A DISTANCE OF 180.0 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, AND A PARCEL OF LAND LOCATED IN THE NW 1/4 OF THE SE 1/4 OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE NW 1/4 OF THE SE 1/4 OF SAID SECTION 1; THENCE WEST ALONG THE SOUTH LINE OF SAID NW 1/4 SE 1/4, A DISTANCE OF 255.67 FEET TO A POINT ON A CURVE, WHICH CURVE IS ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF THE BURLINGTON DITCH; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE AND ON A CURVE TO THE RIGHT HAVING A RADIUS OF 239.38 FEET, A CENTRAL ANGLE OF 42°00'13", AN ARC DISTANCE OF 175.49 FEET TO A POINT OF REVERSE CURVE; THENCE NORTHEASTERLY ALONG SAID RIGHT OF WAY LINE AND ON A CURVE TO THE LEFT HAVING A RADIUS OF 562.07 FEET, A CENTRAL ANGLE OF 26°03'31", AN ARC DISTANCE OF 255.63 FEET TO A POINT ON THE EAST LINE OF SAID NW 1/4 SE 1/4; THENCE SOUTH ALONG THE EAST LINE OF SAID NW 1/4 SE 1/4, A DISTANCE OF 338.29 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. CONTAINING 503,006 SQUARE FEET OR 11.547 ACRES MORE OR LESS.