



**COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT**

CASE NO.: RCU2017-00020

CASE NAME: FULTON AVENUE REZONING

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Board of County Commissioners

September 12, 2017

CASE No.: RCU2017-00020	CASE NAME: Fulton Avenue Rezoning
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Owner's Name:	Adams County
Applicant's Name:	Adams County
Applicant's Address:	4430 S. Adams County Parkway, Brighton, CO 80601
Location of Request:	Approximately 1,500 feet south of the intersection of Bromley Lane and Fulton Avenue.
Parcel #:	0156918200005
Nature of Request:	Rezone from Agricultural-1 (A-1) to Industrial-1 (I-1)
Zone District:	Agriculture-1 (A-1)
Site Size:	20.00 acres
Proposed Uses:	Light Industrial
Existing Use:	Agricultural
Hearing Date(s):	PC: August 24, 2017/ 6:00 pm
	BOCC: September 12, 2017/ 9:30 am
Report Date:	August 25, 2017
Case Manager:	Greg Barnes 
PC Recommendation:	APPROVAL with 4 Findings-of-Fact

SUMMARY OF APPLICATION

Background:

Adams County, owner of the property, is seeking to rezone the subject property from Agriculture-1 (A-1) to Industrial-1 (I-1). Currently, the property is leased for farming, and there are no structures located on the 20-acre parcel. The County has begun preparation for the sale of this property, as the County no longer has a need for the property.

The property is currently zoned A-1, Agricultural. Per Section 3-08-01 of the County's Development Standards and Regulations, the purpose of the A-1 designation is to provide a rural single-family dwelling where the minimum lot area for a home site is intended to provide for a rural living experience. The current zoning of the property is inconsistent with the adopted comprehensive plans for this property, which all show its future land use designation as industrial. According to the County's Comprehensive Plan, the purpose of the industrial land use designation is to provide opportunities for a full range of industrial and employment activities, as well as increase employment and contribute to the County's tax base. Rezoning the property to a

zone district that is consistent with the comprehensive plan designation will demonstrate to potential buyers the highest and best use for the property under the most appropriate zone district.

Development Standards and Regulations Requirements:

Section 2-02-13-06-02 of the County's Development Standards and Regulations outlines the approval criteria for rezoning of a property. These include compliance with the requirements and purposes of the Development Standards and Regulations, consistency with the Comprehensive Plan, and compatibility with the surrounding area. The proposed request is consistent with the Development Standards and Regulations. Per Section 3-23-01 of the County's Development Standards and Regulations, the purpose of the I-1 zone district is to provide a general commercial and restricted industrial district designed to provide a variety of compatible businesses, warehouses, and offices. Uses permitted in the I-1 zone district include light industrial or commercial, such as office, warehousing, business parks, retail, or restaurants. Rezoning the property to I-1 to allow for such uses will be compatible to the surrounding uses. The subject request also conforms to the dimensional requirements for the I-1 district. Per Section 3-23-07 of the County's Development Standards and Regulations, the required minimum lot size for properties in the I-1 zone district is one (1) acre. The minimum lot width required is one-hundred (100) feet. The subject property is twenty (20) acres and has two-hundred (200) feet of frontage along Fulton Avenue, thus conforming to the minimum dimensional requirements for lot size and width in the I-1 zone district.

Future Land Use Designation/Comprehensive Plan:

The future land use designation on the subject property is industrial. Per Chapter 5 of the Adams County Comprehensive Plan, industrial areas are intended to provide a setting for a wide range of employment uses, including manufacturing, warehousing, distribution, and supporting retail. The I-1 zone district permits employment uses and supporting retail, which is consistent with the intent of the industrial future land use designation; therefore the proposed zoning designation of I-1 would be compatible with the goals of the Comprehensive Plan.

The subject property is also located within the boundaries of The District Plan, adopted as an amendment to the County's Comprehensive Plan. Both Adams County and the City of Brighton collaborated to create and adopt this District Plan in 2016. This plan envisions a variety of commercial, residential, and industrial (e.g. manufacturing, transport and processing facilities) uses that support traditional and innovative agricultural enterprises. The plan also recognizes the need for local processing and distribution facilities that support locally-produced foods. Rezoning the subject property to I-1 will be consistent with the District Plan goals to have such industrial uses that could support manufacturing and processing facilities.

Site Characteristics:

Currently, the site is used for farming and there are no permanent structures on the property. The property currently has access on Fulton Avenue, which abuts the property to the west. The property borders the City of Brighton's municipal jurisdiction to the west, north, and east. Because of proximity of the property to the City of Brighton's municipal boundaries, future development is likely to require annexation of the property into the city. Water and sewer services will be provided by the City upon annexation.

Surrounding Zoning Designations and Existing Use Activity:

Northwest City of Brighton/PUD Retail	North City of Brighton/I-1 Vacant/Agricultural	Northeast City of Brighton/I-1 Light Industrial
West City of Brighton/I-2 Office/Light Industrial	Subject Property A-1 Vacant/Agricultural	East City of Brighton/I-1 Light Industrial
Southwest A-1 Vacant/Agricultural	South A-1 Vacant/Agricultural	Southeast A-1 Vacant/Agricultural

Compatibility with the Surrounding Area:

The properties to the east and west are developed with industrial uses, such as offices, warehousing, manufacturing, and mini-storage. Many of these uses are permitted within the County's I-1 zone district. The properties to the north and south are currently used for farming; however, they are surrounded by commercial and industrial uses. In addition, the property to the north is zoned by the City of Brighton Industrial-1 (I-1), although it is currently used agriculturally. Rezoning of the subject property will not be out of character to the majority of the surrounding uses, and consistent with the County's Comprehensive Plan and District Plan.

The property boundary is eighty percent contiguous to the City of Brighton's municipal boundary. According to the Colorado's Municipal Annexation Act of 1965 (Colorado Revised Statutes 31-12-101), the City of Brighton could annex the property since its boundary is more than one-sixth contiguous to the City's municipal boundary. During the referral period, Brighton staff provided comments expressing concerns with rezoning the property within the County's zone districts because development will likely require annexation into the City. Both the City and the County's Comprehensive Plans are consistent for this property. It is Adams County's desire as the property owner to demonstrate to potential buyers what the likely permitted uses are for this property so that it can be appropriately positioned and marketed for sale to a buyer. Rezoning this property under the county's zoning does not impede the City of Brighton's abilities to require annexation and development to occur within their regulations at the appropriate time when development is proposed.

PLANNING COMMISSION UPDATE:

The Planning Commission (PC) considered this case on August 24, 2017. No one from the public spoke at the hearing. The Planning Commission voted (4-0) to recommend approval of the request.

STAFF RECOMMENDATION:

Based upon the application, the criteria for approval for a rezoning, and a recent site visit, staff recommends Approval of this request with 4 findings-of-fact.

RECOMMENDED FINDINGS OF FACT REZONING

1. The Zoning Map amendment is consistent with the Adams County Comprehensive Plan.
2. The Zoning Map amendment is consistent with the purposes of these standards and regulations.
3. The Zoning Map amendment will comply with the requirements of these standards and regulations
4. The Zoning Map amendment is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.

CITIZEN COMMENTS

Notifications Sent	Comments Received
25	1

All property owners within one-thousand (1,000) feet of the subject property were notified of the request. As of writing this report, staff has received one response from those notified. This person expressed concerns with potential traffic impacts that may result from approval of the rezoning request. It is a requirement of both the City of Brighton and Adams County to review traffic studies for proposed development to ensure potential impacts associated with a development are mitigated.

COUNTY AGENCY COMMENTS

Staff reviewed the request and had no concerns with the proposed rezoning.

REFERRAL AGENCY COMMENTS

The City of Brighton's Community Development Department reviewed the request and expressed opposition to rezoning of the property. The City staff stated that the subject property is subject to annexation into the City, and annexation of the property will result in a rezoning of the property by the City; therefore, the City opposes the County's initiated rezoning of the property.

Responding with Concerns:

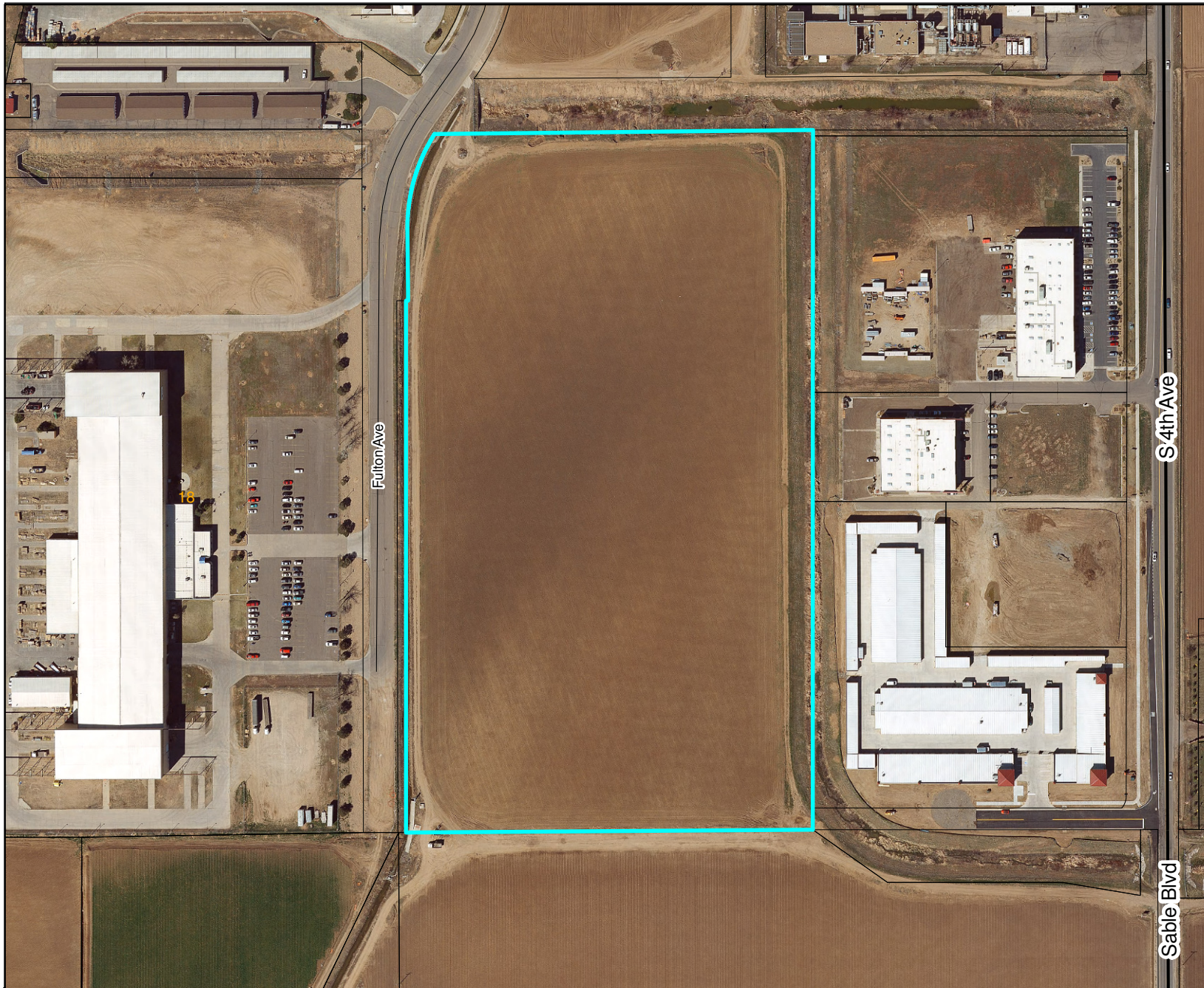
City of Brighton Community Development

Responding without Concerns:

Brighton Fire Department
CDOT
CDPHE
School District 27J
Tri-County Health Department
United Power
Xcel Energy

Notified but not Responding / Considered a Favorable Response:

Century Link
Colorado Division of Wildlife
Comcast
Metro Wastewater Reclamation
RTD



LEGEND

- ★ Special Zoning Conditions
- 3 Section Numbers
- +— Railroad
- Major Water
- Zoning Line
- Sections

Fulton Avenue Rezoning

RCU2017-00020

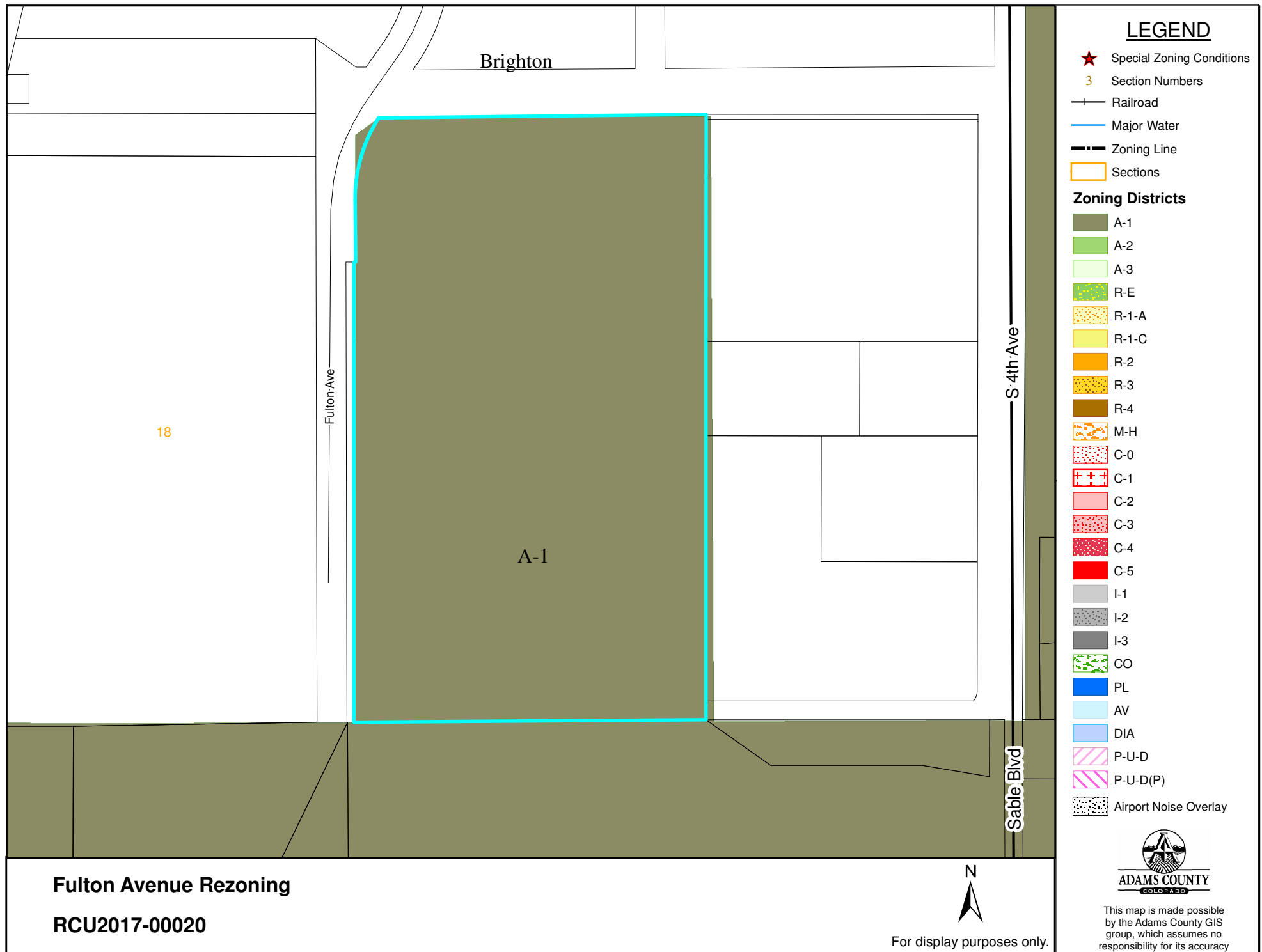


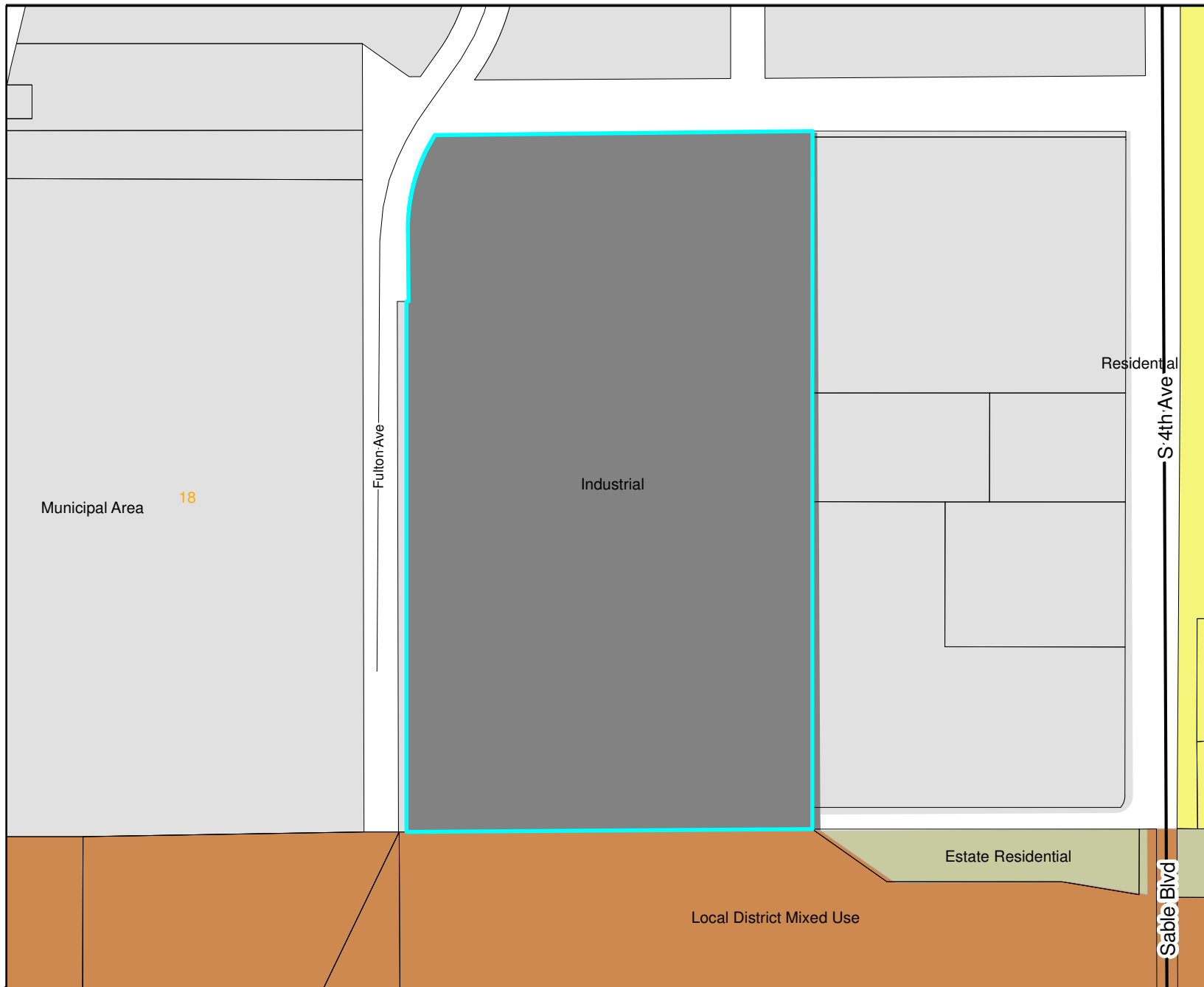
For display purposes only.



ADAMS COUNTY
COLORADO

This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy





LEGEND

- ★ Special Zoning Conditions
- 3 Section Numbers
- +— Railroad
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- Sections

Fulton Avenue Rezoning

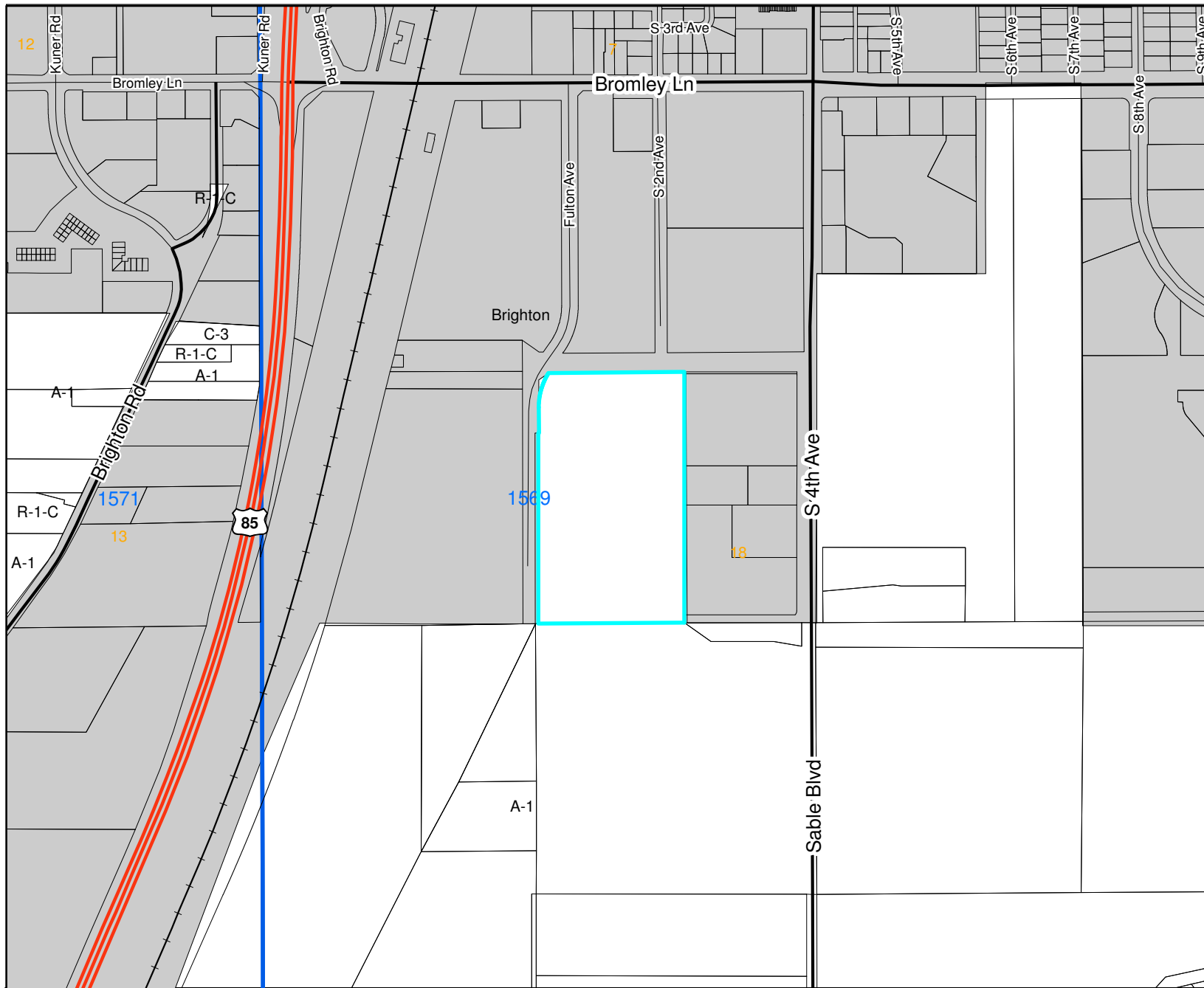
RCU2017-00020



For display purposes only.



This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy



LEGEND

- ★ Special Zoning Conditions
- 3 Section Numbers
- Railroad
- Major Water
- Zoning Line
- Sections

Fulton Avenue Rezoning

RCU2017-00020



For display purposes only.



ADAMS COUNTY
COLORADO

This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy

Community & Economic
Development Department
Development Services Division

www.adcogov.org



4430 South Adams County Parkway
1st Floor, Suite W2000B
Brighton, CO 80601-8218
PHONE 720.523.6800
FAX 720.523.6967

May 4, 2017

Adams County
Community & Economic Development Department
4430 S. Adams County Parkway
Brighton, CO 80601

To Whom It May Concern:

Adams County is seeking to change the zoning designation for a 20-acre parcel of land, which the County owns. The parcel is located at the southeastern terminus of Fulton Street, and approximately 2,000 feet southeast of the intersection of Fulton Street and Bromley Lane. The parcel (Parcel ID# 0156918200005) is currently zoned Agricultural-1 (A-1); however, the County is requesting to change the zoning designation to Industrial-1 (I-1).

In February 2009, Adams County acquired the 20 acres of land from the State of Colorado. At the time, the County sought to use the property as the site of a new juvenile detention facility. However, a different site was selected for the facility, and now the County wishes to rezone the property to allow broader uses than those currently permitted in the A-1 zone district.

The future land use designation on the property is "Industrial". The subject parcel is bordered on three sides by the City of Brighton municipal boundaries. The City of Brighton's future land use designation on the property is also industrial.

The property is also in the County's District Plan. This plan is a regional plan mutually approved and adopted by Adams County and City of Brighton for the areas south of Brighton, intended to encourage development while preserving important farmlands and agricultural character within the district. The subject property is identified in the District Plan with a future land use of industrial. The request to rezone the property to Industrial-1 zoning allows for lighter industrial uses which will be compatible with agricultural and residential uses planned in the District Plan.

We hope the Planning Commission and the Board of County Commissioners will consider approving this request for rezoning.

Greg Barnes
Case Manager

BOARD OF COUNTY COMMISSIONERS

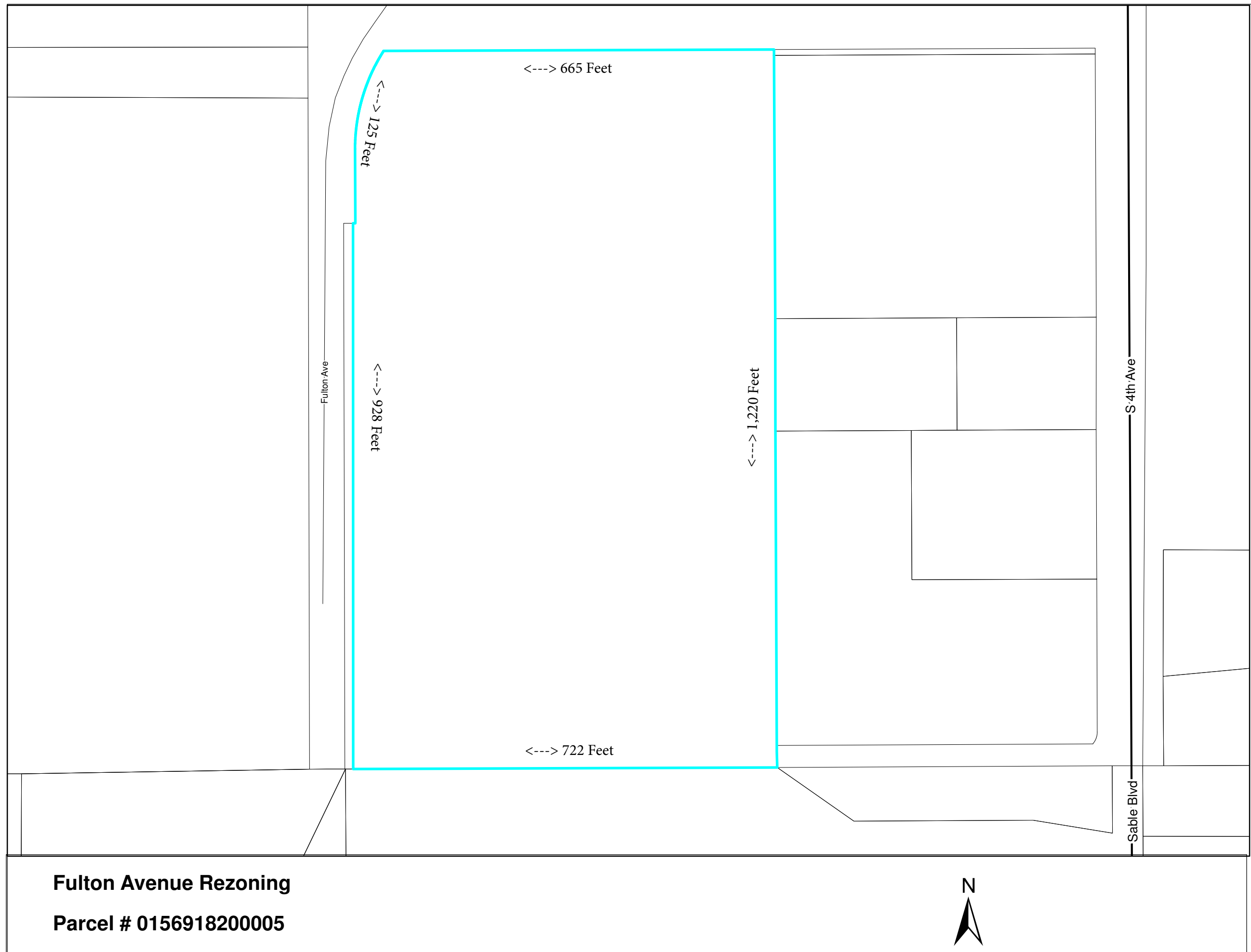
Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Erik Hansen
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Mary Hodge
DISTRICT 5



Community & Economic
Development Department
www.adcogov.org



4430 South Adams County Parkway
1st Floor, Suite W2000
Brighton, CO 80601-8204
PHONE 720.523.6800
FAX 720.523.6998

Development Review Team Comments

Date: 8/4/2017

Project Number: RCU2017-00020

Project Name: Fulton Avenue Rezoning

Note to Applicant:

The following review comments and information from the Development Review Team is based on the information you submitted for a rezoning application. Please contact the case manager if you have any questions:

Commenting Division: Building Review

Name of Reviewer: Justin Blair

Date: 05/08/2017

Email: jblair@adcogov.org

No Comment

Commenting Division: Engineering Review

Name of Reviewer: Greg Labrie

Date: 05/24/2017

Email: glabrie@adcogov.org

Complete

ENG1: Development Engineering completed a trip generation analysis for the site using the Institute of Transportation Engineers' Trip Generation Manual, 9th Edition, Volume 2. In accordance to this manual, the full build out of a 20 acre, light industrial site will generate 1,036 vehicles per day. Therefore, after the rezoning process is complete, a level 3 traffic study will be required before any site construction and building permits are issued.

ENG2: A Level-3 drainage report and engineering drainage plans are required to be submitted to Adams County for review and approval after the rezoning process is complete and before any site construction and building permits are approved.

Commenting Division: Environmental Analyst Review

Name of Reviewer: Jen Rutter

Date: 05/05/2017

Email: irutter@adcogov.org

No Comment

Commenting Division: Parks Review

Name of Reviewer: Aaron Clark

Date: 05/09/2017

Email: aclark@adcogov.org

No Comment

Commenting Division: Planner Review

Name of Reviewer: Greg Barnes

Date: 05/26/2017

Email: gibarnes@adcogov.org

Complete

PLN01: The Adams County Comprehensive Plan and the District Plan have identified the property with a future land use designation of Industrial. Efforts to rezone the property to an industrial zone are compatible with these designations.

Commenting Division: ROW Review

Name of Reviewer: Marissa Hillje

Date: 05/26/2017

Email: mhillje@adcogov.org

Complete

ROW1) Access will have to be from the northwest corner of property onto Fulton Ave.

ROW2) No other ROW issues or concerns

Greg Barnes

From: Bradford, Jason [jbradford@brightonco.gov]
Sent: Thursday, May 11, 2017 3:33 PM
To: Greg Barnes
Subject: RE: For Review: Fulton Avenue Rezoning (RCU2017-00020)

Mr. Barnes,

Thank you for the opportunity to comment on this proposal. Please see the City's response to the proposal below:

According to the recently adopted *Local District Plan*, urbanized development of the Property in question should occur within the City of Brighton. Additionally, this Property is shown on the [Land Owner Options Map](#) as being appropriate for annexation and development within the City of Brighton, rather than development within the County.

As such, the Property should be annexed into the City of Brighton and assigned a City of Brighton zoning designation prior to any urban development. It would not be appropriate to re-zone this Property to a County zoning designation, prior to annexation, and the City of Brighton does not support this action. The appropriate action would be to annex the Property into the City of Brighton's boundary and assign the Property a City zoning designation.

Any County zoning designation assigned to the property, prior to annexation, would be required to be changed to a City of Brighton zoning designation at the time of annexation. Additionally, the City does not provide water, sewer, drainage, or other City services to a property that is outside of the City limits. As such, there is little or no purpose in zoning this Property to a County zoning designation prior to annexation to the City of Brighton.

The City looks forward to working cooperatively with the County on the annexation and zoning of this Property. However, the zoning of this Property to a City of Brighton designation should occur along with the annexation of the Property within the City's boundary. If you have any questions or concerns, please let me know.

Cordially,
 Jason Bradford, AICP
 Planning Manager
 Community Development
 City of Brighton
 500 South 4th Avenue
 Brighton, CO 80601
 303-655-2024



Integrity + Vision + Stewardship = A Progressive Community

Think green ...reduce, reuse, recycle.

From: Greg Barnes [<mailto:GJBarnes@adcogov.org>]
Sent: Thursday, May 4, 2017 11:08 AM
To: Greg Barnes <GJBarnes@adcogov.org>
Subject: For Review: Fulton Avenue Rezoning (RCU2017-00020)

Request for Comments

Case Name:

Fulton Avenue Rezoning

Greg Barnes

From: Even, Whitney [weven@brightonfire.org]
Sent: Thursday, May 25, 2017 2:05 PM
To: Greg Barnes
Subject: RE: For Review: Fulton Avenue Rezoning (RCU2017-00020)

Good afternoon Greg,

We do not have any comments on this case at this time. Thank you!

Please be aware that my email address has changed to weven@brightonfire.org and my old email address (wmeans@brightonfire.org) will no longer be in use.

Whitney Even

Deputy Fire Marshal
 Brighton Fire Rescue District
 500 S. 4th Ave. 3rd Floor
 Brighton, CO 80601
 303-654-8040
www.brightonfire.org

From: Greg Barnes [<mailto:GJBarnes@adcogov.org>]
Sent: Thursday, May 4, 2017 11:08 AM
To: Greg Barnes <GJBarnes@adcogov.org>
Subject: For Review: Fulton Avenue Rezoning (RCU2017-00020)

Request for Comments

Case Name: Fulton Avenue Rezoning
 Case Number: RCU2017-00020

May 4, 2017

The Adams County Planning Commission is requesting comments on the following request: **Rezoning of parcel to Industrial-1 (I-1) from Agricultural-1 (A-1).**

This request is located approximately 2,000 feet southeast of the intersection of Bromley Lane and Fulton Avenue. The legal description has been included as an attachment. The Assessor's Parcel Number is 0156918200005.

Applicant Information: Adams County
 Norman Wright
 4430 S. Adams County Parkway
 Brighton, CO 80601

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 (720) 523-6800 by 05/26/2017 in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to GJBarnes@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates will be forwarded to you for your information.

Greg Barnes

From: Loeffler - CDOT, Steven [steven.loeffler@state.co.us]
Sent: Thursday, May 18, 2017 2:54 PM
To: Greg Barnes
Subject: RCU2017-00020, Fulton Avenue Rezoning

Greg,

I have reviewed the referral named above requesting a rezoning of a parcel to Industrial-1 from Agricultural-1 and have no objections.

Thank you for the opportunity to review this referral.

Steve Loeffler
Permits Unit

P 303.757.9891 | F 303.757.9886
2000 S Holly Street, Denver, CO 80222
steven.loeffler@state.co.us | www.codot.gov | www.cotrip.org

Greg Barnes

From: Kuster - CDPHE, Kent [kent.kuster@state.co.us]
Sent: Friday, May 05, 2017 9:54 AM
To: Greg Barnes
Subject: RCU2017-00020

May 5, 2017

Greg Barnes, Case Manager

Community and Economic Development Department

4430 South Adams County Parkway, Suite W2000

Brighton, CO 80601-8204

Re: Case No. RCU2017-00020

Dear Mr. Barnes,

The Colorado Department of Public Health and Environment has no comment on Case No. RCU2017-00020 the Fulton Avenue rezoning.

Please contact Kent Kuster at 303-692-3662 with any questions.

Sincerely,

Kent Kuster

Environmental Specialist

Colorado Department of Public Health and Environment

Greg Barnes

From: Kerrie Monti [kmonti@sd27j.net]
Sent: Wednesday, May 24, 2017 10:29 AM
To: Greg Barnes
Subject: Re: For Review: Fulton Avenue Rezoning (RCU2017-00020)

Good morning Greg. The school district has no objection to this case. Thanks, as always, for asking!

Kerrie Monti | Planning Manager

School District 27J | 18551 E 160th Avenue | Brighton, CO 80601
303-655-2984 | Fax 303-655-2805

kmonti@sd27j.net | www.sd27j.org



May 19, 2017

Greg Barnes
Adams County Department of Community and Economic Development
4430 South Adams County Parkway, 1st Floor, Suite W2000A
Brighton, CO 80601

RE: Fulton Avenue Rezoning, RCU2017-00020, Fulton Avenue South of Bromley Lane
TCHD Case No. 4396

Dear Mr. Barnes,

Thank you for the opportunity to review and comment on the request to rezone a parcel from Agricultural-1 to Industrial-1, located 2000 feet southeast of Bromley Lane and Fulton Avenue. Tri-County Health Department (TCHD) staff reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design, and has no comments.

Please feel free to contact me at 720-200-1575 or kboyer@tchd.org if you have any questions on TCHD's comments.

Sincerely,

A handwritten signature in black ink, appearing to read "K Boyer", followed by a horizontal line.

Kathy Boyer, REHS
Environmental Health Specialist III

cc: Sheila Lynch, Monte Deatrich, TCHD

Greg Barnes

From: Marisa Dale [mdale@UnitedPower.com]
Sent: Thursday, May 11, 2017 12:30 PM
To: Greg Barnes
Subject: RE: For Review: Fulton Avenue Rezoning (RCU2017-00020)

Hi Greg,

Thank you for inviting United Power, Inc. to review and comment on this referral.

United Power, Inc. has no objection to the rezoning request.

Thank you,
Marisa

Marisa Dale, RWA [Engineering & Rates ROW](#)
500 Cooperative Way, Brighton, CO 80603 | O 303.637.1387 | C 720.334.5282

Schedule: M-Th 7:00-4:30, F 7:00-3:30
Out of the office: May 19, June 2, 16 & 30



From: Greg Barnes [<mailto:GJBarnes@adcogov.org>]
Sent: Thursday, May 04, 2017 11:08 AM
To: Greg Barnes
Subject: For Review: Fulton Avenue Rezoning (RCU2017-00020)

Request for Comments

Case Name: Fulton Avenue Rezoning
Case Number: RCU2017-00020

May 4, 2017

The Adams County Planning Commission is requesting comments on the following request: **Rezoning of parcel to Industrial-1 (I-1) from Agricultural-1 (A-1).**

This request is located approximately 2,000 feet southeast of the intersection of Bromley Lane and Fulton Avenue. The legal description has been included as an attachment. The Assessor's Parcel Number is 0156918200005.

Applicant Information: Adams County
Norman Wright
4430 S. Adams County Parkway
Brighton, CO 80601

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 (720) 523-6800 by 05/26/2017 in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to GJBarnes@adcogov.org.



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

May 5, 2017

Adams County Community and Economic Development Department
4430 South Adams County Parkway, 3rd Floor, Suite W3000
Brighton, CO 80601

Attn: Greg Barnes

Re: Fulton Avenue Rezoning, Case # RCU2017-00020

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the request for the **Fulton Avenue Rezone**. Public Service Company has no objection to this proposed rezone, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

As the project progresses, the property owner/developer/contractor must contact the **Builder's Call Line** at 1-800-628-2121 or <https://xcelenergy.force.com/FastApp> (*register*, application can then be tracked) and complete the application process for any new natural gas service. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the **Utility Notification Center** at 1-800-922-1987 to have all utilities located prior to any construction.

If you have any questions about this referral response, please contact me at (303) 571-3306.

Donna George
Contract Right of Way Referral Processor
Public Service Company of Colorado

From: Joanna Sakata [sakatafarms@aol.com]
Sent: Friday, May 26, 2017 5:29 PM
To: Greg Barnes
Subject: Fulton Avenue Rezoning RCU2017-00020

We received a letter notifying us that Adams County is seeking to change the zoning designation for a 20-acre parcel of land located at the southeastern terminus of Fulton Street. It is currently A-1 and the County is requesting to change it to I-1.

I do have a concern how this will affect the traffic flow in this area. Have there been any traffic studies done? If kept at A-1 zoning there would be very little traffic impact. Depending upon the type of Industry that would qualify under I-1, there could be a harmful impact.

I hope you will consider this when you consider a zone change for this piece of property.

Joanna Sakata

Community & Economic
Development Department
Development Services Division
www.adcogov.org



4430 South Adams County Parkway
1st Floor, Suite W2000B
Brighton, CO 80601-8218
PHONE 720.523.6800
FAX 720.523.6967

Request for Comments

Case Name: Fulton Avenue Rezoning
Case Number: RCU2017-00020

May 4, 2017

The Adams County Planning Commission is requesting comments on the following request: **Rezoning of parcel to Industrial-1 (I-1) from Agricultural-1 (A-1).**

This request is located approximately 2,000 feet southeast of the intersection of Bromley Lane and Fulton Avenue. The legal description has been included in this mailing. The Assessor's Parcel Number is 0156918200005.

Applicant Information: Adams County
Norman Wright
4430 S. Adams County Parkway
Brighton, CO 80601

Please forward any written comments on this application to the Department of Community and Economic Development at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 (720) 523-6800 by 05/26/2017 in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to GJBarnes@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates will be forwarded to you for your information.

The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Greg Barnes
Case Manager

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Erik Hansen
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Mary Hodge
DISTRICT 5

A TRACT OF LAND LOCATED IN THE SE 1/4 OF THE NW 1/4 OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER 1/4 CORNER OF SAID SECTION 18, FROM WHICH THE SOUTH 1/4 CORNER OF SAID SECTION 18 BEARS SOUTH 00 DEGREES 12 MINUTES 39 SECONDS EAST 2655.91 FEET (BASIS OF BEARING), THENCE SOUTH 89 DEGREES 43 MINUTES 16 SECONDS WEST, 30.00 FEET ALONG THE SOUTH LINE OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 18 TO THE WESTERLY RIGHT OF WAY LINE OF SABLE BOULEVARD; THENCE CONTINUING SOUTH 89 DEGREES 43 MINUTES 16 SECONDS WEST, 571.00 FEET ALONG THE SOUTH LINE OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 18 TO THE TRUE POINT OF THE BEGINNING;

THENCE CONTINUING SOUTH 89 DEGREES 43 MINUTES 16 SECONDS WEST, 718.50 FEET ALONG THE SOUTH LINE OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 18 TO THE CENTER-WEST 1/16 CORNER OF SAID SECTION 18;

THENCE NORTH 00 DEGREES 05 MINUTES 49 SECONDS WEST, 927.89 FEET ALONG THE WEST LINE OF THE SE 1/4 OF THE NW 1/4 OF SAID SECTION 18 TO THE SOUTHERLY LINE OF THAT TRACT OF LAND CONVEYED TO WAL-MART REAL ESTATE BUSINESS TRUST AS DESCRIBED IN SPECIAL WARRANTY DEED RECORDED JUNE 20, 2000 IN BOOK 6165 AT PAGE 243 OF THE RECORDS OF ADAMS COUNTY, COLORADO;

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THENCE NORTH 00 DEGREES 13 MINUTES 51 SECONDS WEST, 125.75 FEET ALONG THE EASTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN SAID BOOK 6165 AT PAGE 243 TO A POINT OF CURVE TO THE RIGHT THEREOF;

THENCE NORTHEASTERLY, 176.63 FEET ALONG THE ARC OF SAID CURVE AND ALONG THE EASTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN SAID BOOK 6165 AT PAGE 243 TO THE SOUTHERLY LINE OF THAT TRACT OF LAND CONVEYED TO THE CITY OF BRIGHTON AS DESCRIBED IN WARRANTY DEED RECORDED AUGUST 17, 1998 IN BOOK 5433 AT PAGE 377 OF THE RECORDS OF ADAMS COUNTY, COLORADO, SAID ARC HAVING A RADIUS OF 310.00 FEET, A CENTRAL ANGLE OF 32 DEGREES 38 MINUTES 44 SECONDS, AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 16 DEGREES 05 MINUTES 31 SECONDS EAST, 174.25 FEET; -

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THENCE SOUTH 00 DEGREES 15 MINUTES 40 SECONDS EAST, 1220.61 FEET TO THE TRUE POINT OF BEGINNING.

Community & Economic
Development Department
Development Services Division
www.adcogov.org



4430 South Adams County Parkway
1st Floor, Suite W2000B
Brighton, CO 80601-8218
PHONE 720.523.6800
FAX 720.523.6967

Public Hearing Notification

Case Name:	Fulton Avenue Rezoning
Case Number:	RCU2017-00020
Planning Commission Hearing Date:	08/24/2017 at 6:00 p.m.
Board of County Commissioners Hearing Date:	09/12/2017 at 9:30 a.m.

August 1, 2017

A public hearing has been set by the Adams County Planning Commission and the Board of County Commissioners to consider the following request: **Request to rezone approximately 20 acres to Industrial-1 (I-1) from Agricultural-1 (A-1).**

This request is located approximately 1,500 feet south of the intersection of Bromley Lane and Fulton Avenue on approximately 20.0 acres. The Assessor's Parcel Number is 0156918200005. The legal description of the property is:

A TRACT OF LAND LOCATED IN THE SE 1/4 OF THE NW 1/4 OF SECTION 18, TOWNSHIP 1SOUTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

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BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Erik Hansen
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Mary Hodge
DISTRICT 5

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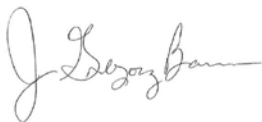
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Applicant Information: ADAMS COUNTY
 4430 S. ADAMS COUNTY PKWY.
 BRIGHTON, CO 80601

The hearing will be held in the Adams County Hearing Room located at 4430 South Adams County Parkway, Brighton CO 80601-8216. This will be a public hearing and any interested parties may attend and be heard. The Applicant and Representative's presence at these hearings is requested. If you require any special accommodations (e.g., wheelchair accessibility, an interpreter for the hearing impaired, etc.) please contact the Adams County Community and Economic Development Department at (720) 523-6800 (or if this is a long distance call, please use the County's toll free telephone number at 1-800-824-7842) prior to the meeting date.

For further information regarding this case, please contact the Community and Economic Development Department, 4430 S Adams County Parkway, Brighton, CO 80601, (720) 523-6800. This is also the location where maps and/or text certified by the Planning Commission may be viewed.

The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.



Greg Barnes
Case Manager

PUBLICATION REQUEST

Fulton Avenue Rezoning

Case Number: RCU2017-00020
Planning Commission Hearing Date: 08/24/2017 at 6:00 p.m.
Board of County Commissioners Hearing Date: 09/12/2017 at 9:30 a.m.

Request: Rezoning of parcel to Industrial-1 (I-1) from Agricultural-1 (A-1).

Location: Approximately 1,500 feet south of Fulton Avenue & Bromley Lane

Parcel Number(s): 0156918200005

Case Manager: Greg Barnes

Case Technician: Megan Ulibarri

Applicant: Adams County - Community & Economic Development Department

GREG BARNES 720-523-6800

**4430 S ADAMS COUNTY PARKWAY
BRIGHTON, CO 80601**

Owner: ADAMS COUNTY
4430 S ADAMS COUNTY PKWY
BRIGHTON, CO 806018222

Representative:

Legal Description:

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**Public Hearing
Fulton Avenue Rezoning**

Case Number: RCU2017-00020

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Case Technician: Megan Ulibarri**

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GREG BARNES
720-523-6800
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Published in the Brighton Standard
Blade August 9, 2017



Referral Listing
Case Number RCU2017-00020
Fulton Avenue Rezoning

Agency	Contact Information
Adams County Development Services - Building	Justin Blair 4430 S Adams County Pkwy Brighton CO 80601 720-523-6825 JBlair@adcogov.org
BRIGHTON FIRE DISTRICT	WHITNEY MEANS 500 South 4th Avenue 3rd Floor BRIGHTON CO 80601 (303) 659-4101 wmeans@brightonfire.org
BRIGHTON SCHOOL DISTRICT 27J	Kerrie Monti 18551 E. 160TH AVE. BRIGHTON CO 80601 303-655-2984 kmonti@sd27j.org
CDPHE - AIR QUALITY	Paul Lee 4300 CHERRY CREEK DRIVE SOUTH DENVER CO 80246-1530 303-692-3127 paul.lee@state.co.us
CDPHE - WATER QUALITY PROTECTION SECT	Patrick Pfaltzgraff 4300 CHERRY CREEK DRIVE SOUTH WQCD-B2 DENVER CO 80246-1530 303-692-3509 patrick.j.pfaltzgraff@state.co.us
CDPHE SOLID WASTE UNIT	Andy Todd 4300 CHERRY CREEK DR SOUTH HMWMD-CP-B2 DENVER CO 80246-1530 303.691.4049 Andrew.Todd@state.co.us
Century Link, Inc	Brandyn Wiedreich 5325 Zuni St, Rm 728 Denver CO 80221 720-578-3724 720-245-0029 brandyn.wiedrich@centurylink.com

Agency	Contact Information
CITY OF BRIGHTON - Planning	Jason Bradford 500 S 4th Ave BRIGHTON CO 80601 303-655-2024 jbradford@brightonco.gov
CITY OF BRIGHTON - WATER & SANATATION DEPT.	ED BURKE 500 S. 4th Ave, 4th Floor BRIGHTON CO 80601 303-655-2084 eburke@brightonco.gov
Code Compliance Supervisor	Eric Guenther eguenther@adcogov.org 720-523-6856 eguenther@adcogov.org
COLORADO DEPT OF TRANSPORTATION	Steve Loeffler 2000 S. Holly St. Region 1 Denver CO 80222 303-757-9891 steven.loeffler@state.co.us
COLORADO DIVISION OF WILDLIFE	Eliza Hunholz Northeast Regional Engineer 6060 BROADWAY DENVER CO 80216-1000 303-291-7454 eliza.hunholz@state.co.us
COLORADO DIVISION OF WILDLIFE	JOSEPH PADIA 6060 BROADWAY DENVER CO 80216 303-291-7132 joe.padia@state.co.us
COMCAST	JOE LOWE 8490 N UMITILLA ST FEDERAL HEIGHTS CO 80260 303-603-5039 thomas_lowe@cable.comcast.com
COUNTY ATTORNEY- Email	Christine Francescani CFrancescani@adcogov.org 6884
Engineering Department - ROW	Transportation Department PWE - ROW 303.453.8787
Engineering Division	Transportation Department PWE 6875
ENVIRONMENTAL ANALYST	Jen Rutter PLN 6841

Agency	Contact Information
METRO WASTEWATER RECLAMATION	CRAIG SIMMONDS 6450 YORK ST. DENVER CO 80229 303-286-3338 CSIMMONDS@MWRD.DST.CO.US
NS - Code Compliance	Augusta Allen 720.523.6206
Parks and Open Space Department	Nathan Mosley mpedrucci@adcogov.org aclark@adcogov.org (303) 637-8000 nmosley@adcogov.org
REGIONAL TRANSPORTATION DIST.	CHRIS QUINN 1560 BROADWAY SUITE 700 DENVER CO 80202 303-299-2439 chris.quinn@rtd-denver.com
SHERIFF'S OFFICE: SO-HQ	MICHAEL McINTOSH nblair@adcogov.org; aoverton@adcogov.org; mkaiser@adcogov.org snielson@adcogov.org (303) 654-1850 aoverton@adcogov.org; mkaiser@adcogov.org; snielson@adcogov.org
Sheriff's Office: SO-SUB	SCOTT MILLER TFuller@adcogov.org; smiller@adcogov.org aoverton@adcogov.org; mkaiser@adcogov.org 720-322-1115 smiller@adcogov.org
TRI-COUNTY HEALTH DEPARTMENT	Sheila Lynch 6162 S WILLOW DR, SUITE 100 GREENWOOD VILLAGE CO 80111 720-200-1571 landuse@tchd.org
TRI-COUNTY HEALTH DEPARTMENT	MONTE DEATRICH 4201 E. 72ND AVENUE SUITE D COMMERCE CITY CO 80022 (303) 288-6816 mdeatrich@tchd.org
Tri-County Health: Mail CHECK to Sheila Lynch	Tri-County Health landuse@tchd.org .
United Power, Inc	Marisa Dale PO Box 929 500 Cooperative Way Brighton CO 80601 303-637-1387 mdale@UnitedPower.com
	720-334-5282

Agency

Contact Information

Xcel Energy

Donna George
1123 W 3rd Ave
DENVER CO 80223
303-571-3306
Donna.L.George@xcelenergy.com

EXHIBIT 6.5 Property Owner Labels

148TH AND SABLE BOULEVARD
BUILDING LLC
1289 S 4TH AVE
BRIGHTON CO 80601-6808

CITY OF BRIGHTON THE
500 S 4TH AVE
BRIGHTON CO 80601-3165

148TH AND SABLE BOULEVARD BUILDING
LOT 3 LLC
1289 S 4TH AVE
BRIGHTON CO 80601-6808

GOLD MINE INVESTORS LLC
962 S 4TH AVE
BRIGHTON CO 80601-6750

ADAMS COUNTY
4430 S ADAMS COUNTY PKWY
BRIGHTON CO 80601-8222

HALLOCK A R AND CO LLLP 49/005% INT
C/O ANNE E SMITH
PO BOX 621785
LITTLETON CO 80162-1785

ANDERSON JERRY D AND
ANDERSON ANNE
14605 SABLE BLVD
BRIGHTON CO 80601-6733

O NEAL FLAT ROLLED METALS LLC
2311 HIGHLAND AVE S STE 200
BIRMINGHAM AL 35205-2975

B AND F PALIZZI LLC
11440 SAN VICENTE BLVD SUITE 200
LOS ANGELES CA 90049

PALIZZI AND SON INC
14820 SABLE BLVD
BRIGHTON CO 80601

BENNETT GLORIA A
14820 SABLE BLVD
BRIGHTON CO 80601

PALIZZI DEBORA M
14840 SABLE BLVD
BRIGHTON CO 80601

BRIGHTON SECURITY STORAGE
1111 FULTON AVE
BRIGHTON CO 80601

PALIZZI DEVARDNAT LLC C/O WESTWOOD
FINANCIAL CORP/ATTN LARRY STERN
11440 SAN VICENTE BLVD STE 200
LOS ANGELES CA 90049-6217

BUTLER JOE
795 NEWLAND CT
BOULDER CO 80303

RBK LLC
1177 S 4TH AVE
BRIGHTON CO 80601-6806

CAPRICE REALTY INVESTMENTS LLC
C/O INTERTAPE POLYMER GROUP /CAROL FAN
100 PARAMOUNT DR STE 300
SARASOTA FL 34232-6051

RV STORAGE LLC
7839 SPRUCE CT
THORNTON CO 80602-5829

CITY OF BRIGHTON
500 S 4TH AVE
BRIGHTON CO 80601-3165

RVP INCORPORATED
16675 JASMINE ST
BRIGHTON CO 80602-6052

VEAL INC UND 50/995% INT
11150 HURON ST STE 100
NORTHGLENN CO 80234-4378

WAGNER BERNARD TRUST 1/2 INT AND
MAYHEW PHYLLIS K TRUST 1/2 INT
14801 E 144TH AVE
BRIGHTON CO 80601-6748

WAL-MART REAL ESTATE BUSINESS TRACT
C/O PROPERTY TAX DEPARTMENT
PO BOX 8050
BENTONVILLE AR 72712-8055

WAL-MART REAL ESTATE BUSINESS TRUST
C/O PROPERTY TAX DEPT
PO BOX 8050 MS 0555
BENTONVILLE AR 72712-8050

YOSHI AND SUZU LLLP
384 E BROMLEY LN
BRIGHTON CO 80601-3064

CERTIFICATE OF POSTING



I, J. Gregory Barnes do hereby certify that I posted the property along

Fulton Avenue, 1500 feet south of the intersection with Bromley Lane

on August 1, 2017

in accordance with the requirements of the Adams County Zoning Regulations

Handwritten signature of J. Gregory Barnes

J. Gregory Barnes



Memorandum

To: Board of County Commissioners
From: J. Gregory Barnes, Planner II *JGB*
Subject: Fulton Avenue Rezoning / Case # RCU2017-00020
Date: August 28, 2017

If the Board of County Commissioners does not concur with the Staff recommendation of Approval, the following findings may be adopted as part of a decision of Denial:

ALTERNATIVE RECOMMENDED FINDINGS OF FACT FOR DENIAL

1. The Zoning Map amendment is inconsistent with the Adams County Comprehensive Plan.
2. The Zoning Map amendment is inconsistent with the purposes of these standards and regulations.
3. The Zoning Map amendment will not comply with the requirements of these standards and regulations
4. The Zoning Map amendment is incompatible with the surrounding area, not harmonious with the character of the neighborhood, detrimental to the immediate area, detrimental to the future development of the area, and detrimental to the health, safety, or welfare of the inhabitants of the area and the County.