



## Request for Comments

Case Name: Fox Brighton Comprehensive Plan Amendment

Case Number: PLN2024-00005

July 31, 2024

The Adams County Planning Commission is requesting comments on the following application: **Comprehensive Plan Amendment to change the future land use designation from Mixed Use to Industrial Medium.** This request is located at 9821 Brighton Rd. The Assessor's Parcel Numbers are 0172116000029, 0172116000038, 0172116000039.

Applicant Information: David Fox  
P.O. BOX 461  
Henderson, CO 80640

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 or call (720) 523-6800 by **Tuesday, August 27, 2024 COB** 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 [EGleason@adcogov.org](mailto:EGleason@adcogov.org).

Once comments have been received and the staff report written, the staff report and notice of public hearing dates may be forwarded to you upon request. 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/current-land-use-cases](http://www.adcogov.org/current-land-use-cases).

Thank you for your review of this case.

Ella Gleason  
Senior Long Range Planner

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Re: Comprehensive Plan Amendment application to amend the Future Land Use designation of the (3) parcels @ 9821 Brighton Road, from Mixed Use to Industrial Medium.

Submitted by: David D. Fox, Authorized Agent for the owners, David D. Fox and Nancy S. Fox.

Written Narrative:

The property owners, who reside @ 9821 Brighton Road, Henderson, CO, 80640, are requesting to amend the Adams County Comprehensive Plan - Future Land Use designation of their (3) parcels, # 0172116 000029, # 0172116 000038 & # 0172116 000039, from Mixed Use to Industrial Medium.

The existing three parcels are currently zoned (R-3) with five Residential Dwellings, built in the 1950s. Four are vacant, one is occupied by the owners. Due to age, poor condition and the cost to install all new site utilities, it is not feasible or cost effective to continue using this property as Residential, especially with all the adjacent properties being Industrial Use. This includes the Gravel Pit operations to our North-West. The continuous ground vibrations, dust and noise is unreasonable for any home owner.

None of the Residential Developers we contacted are interested in this location for a Residential or Mixed Use development. Nor are any of the Lenders contacted willing to fund a "Residential" project at this location. Also, the Real Estate Brokers contacted believe this should be an Industrial site, not Residential.

Using Advancing Adams, 2022 Future Land Use, Chapter 2, as a reference, we do not feel our property meets ANY of the following Mixed Use Standards:

- 1) Ideal Mobility: There are NO bicycle lanes, NO side walks. NO bus route along this portion of Brighton Road. The nearest RTD light rail station is near 104th & Colorado Blvd., (3.75 miles). There are NO retail amenities, open space or parks within a reasonable or safe walking distance.
- 2) Land Use Adjacencies: Our property is Not adjacent to or integrated with ANY of the Land Uses listed on either page 14 or 15.

We adjoin (I-2) on the North and South along the I-76 corridor / Frontage Road. (I-1) to the West, and a Gravel Pit to the North-West (3) parcels; (I-1), (A-1) & (I-1).

To amend the Future Land Use designation of the (3) parcels @ 9821 Brighton Road.

However, we do believe our property DOES meet ALL the Standards on page 17 for Industrial Medium.

- 1) Ideal Mobility: According to CDOT, the Interstate-76, Exit 11 Round-About @ 96th Ave., was designed and built to better accommodate the Commercial Truck traffic getting on and off I-76 from 96th Ave., and both the East and West side Interstate Frontage Roads (Brighton Road).

Also, there are two Commercial Freight Rail Depots just across I-76, East of us, that access 96th Ave. The Union Pacific Rail Depot (auto and freight), and Crown Container (shipping containers), near 96th Ave. & Dallas St. (approximately 1mile).

Thus, our location should meet the Standards for Ideal Mobility with the high capacity road and freight network and Multi-modal infrastructure in place that coordinates with the truck and freight routes on the Collectors & Arterials.

- 2) Land Use Adjacencies: As mentioned, all the adjacent properties are of Industrial uses. One of the recommendations for Industrial Medium on page 17 is "Operations may include some nuisances or pollution, therefore, adjacency to residential uses should be avoided". We agree with Adams County.

All the other properties that front the West side of I-76 have a Future Land Use designation of Industrial Medium and are all zoned (I-2). All are currently being operated in an Industrial manner. This is a list of the property addresses and their current uses, South from 100th Ave. to 96th Ave., on Brighton Road.

9999	_____	Rocky Mountain Diesel Emissions: Commercial truck emission testing.
9885	_____	Clear Creek Mechanical: HVAC sales and service.
		Zarco Equipment: Heavy Construction Equipment sandblasting & painting (outside).
9875	_____	The Worx: Commercial truck repair, parts and services.
9841 & 9821	___	Fox property: Residential.
9801 & 9803	___	Holzer: Truck and Equipment yard.
		Commercial Truck and Trailer Repair: Truck & trailer repair facility.
9791 & 9751	___	E-Built Crane Services: Hauling & crane services.
		Construction & Excavating equipment yard.
		Olympic Pallet Corporation: Pallet manufacturing.
9725	_____	Power Screening: Aggregate, sand & gravel screening Equipment.
9715	_____	Majestic Rigging & Transportation: Crane & hauling services.
9699	_____	Ferrell Gas: Propane Gas facility, sales and related services.
9695	_____	Excel Driver Services: Commercial truck driver training (CDL).
9865	_____	Multiple Commercial Truck and Heavy Equipment users at this location.

Conclusion: (continued from page 2)

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Application to amend the Future Land Use designation of the (3) parcels @ 9821 Brighton Road.

Should our Comprehensive Plan Amendment application be approved by Adams County, our next steps would be to consolidate the (3) existing parcels, replat into (1) 5.33 acre parcel and also apply for Industrial Medium (I-2) zoning.

This would then allow us to have the same Land Use Entitlements as our adjoining neighbors and the ability to develop this site into an Industrial use facility. Thus creating a more usable and productive site for the community that is more inline with Adams County's vision for the future development of this area along the West side of the I-76 corridor.

This proposal will not adversely affect the public health, safety or welfare. With the ability to redevelop this location into a more useful site, it would be more of a positive contribution to the community.

Should Adams County have any questions or need any additional supplemental information, please contact me. Thank you for your assistance with this application submittal process.

Sincerely,



David D. Fox  
(Property owner and acting agent)

29 July 2024