

ORDINANCE NO. Z-722-00-21

INTRODUCED BY: ALLEN-THOMAS, DAVIS, DOUGLAS FORD, GRIMES, HURST,
HUSEMAN, MADERA, NOBLE

AN ORDINANCE AMENDING THE SIGN SCHEDULE CONTAINED IN THE POTOMAC FARMS PUD LOCATED GENERALLY AT THE NORTHWEST CORNER OF 104TH AVENUE AND WORCHESTER DRIVE BY APPROVING THE POTOMAC FARMS PUD AMENDMENT #1

WHEREAS, the owner of the property generally located at the northwest corner of E. 104th Avenue and Worchester Drive in the City of Commerce City (“City”) and described in the Potomac Farms PUD Zone Document attached to and incorporated in this ordinance as Exhibit A (“Property”), has submitted an application to amend the PUD Zone Document to update, modernize, and allow additional entryway signs within the Planned Unit Development zone district, 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 Commerce City Planning Commission and the City Council of Commerce City regarding the requested zoning was given, including by: publication on February 22, 2022 in the Sentinel Express, a legal newspaper of general circulation in the City of Commerce City and March 15, 2022 in the Denver Post; mailing on February 22, 2022, 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 February 18, 2022, and March 25, 2022, 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 Potomac Farms Amendment #1;

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 21-3251, with regard to the proposed amendment of the Potomac Farms Zone Document as set forth in Exhibit A that:

- (a) The PUD Zone Document is consistent with the policies and goals of the comprehensive plan, any applicable adopted area plan, or community plan of the city, or reflects conditions that have changed since the adoption of the comprehensive plan;
- (b) The PUD Zone Document is consistent with any previously reviewed PUD concept schematic;

- (c) The PUD Zone Document addresses a unique situation, confers a substantial benefit to the city, or incorporates creative site design such that it achieves the purposes set out in section 21-4370 (PUD Zone District) and represents an improvement in quality over what could have been accomplished through strict applications of the otherwise applicable district or development standards. This may include but is not limited to improvements in open space; environmental protection; tree/vegetation preservation; efficient provision of streets, roads, and other utilities and services; unique architecture or design, or increased choice of living and housing environments;
- (d) The PUD Zone Document complies with all applicable city standards not otherwise modified or waived by the city;
- (e) The PUD Zone Document is integrated and connected with adjacent development through street connections, sidewalks, trails, and similar features;
- (f) To the maximum extent feasible, the PUD Zone Document mitigates any potential significant adverse impacts on adjacent properties or on the general community;
- (g) Sufficient public safety, transportation, and utility facilities and services are available to serve the Property, while maintaining sufficient levels of service to existing development;
- (h) As applicable, the proposed phasing plan for development of the PUD Zone Document is rational in terms of available infrastructure, capacity, and financing; and
- (i) The same development could not be accomplished through the use of other techniques, such as height exceptions, variances, or minor modifications.

SECTION 3. The City Council hereby accepts the recommendation of the Planning Commission regarding the requested amendment and approves the Potomac Farms PUD Amendment #1.

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 4TH DAY OF APRIL, 2022.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED
THIS 2ND DAY OF MAY, 2022.

CITY OF COMMERCE CITY, COLORADO

Benjamin A. Huseman, Mayor

ATTEST

Dylan A. Gibson, City Clerk

Exhibit A
POTOMAC FARMS
PROPOSED FIRST AMENDMENT- PUD ZONE DOCUMENT
(Legal Description)
Case #Z-722-00-22

A PORTION OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 12, THENCE N 44° 57' 48" W, A DISTANCE OF 42.33 FEET TO THE POINT OF BEGINNING;

THENCE, S 89° 59' 38" W, ALONG A LINE 30.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE SAID SOUTHEAST 1/4, A DISTANCE OF 2,612.87 FEET TO A POINT ON THE WEST LINE OF THE SAID SOUTHEAST 1/4; THENCE, N 00° 20' 13" E, ALONG THE WEST LINE OF THE SAID SOUTHEAST 1/4, A DISTANCE OF 1,290.76 FEET TO A POINT; THENCE DEPARTING SAID WEST LINE, S 89° 56' 01" E, A DISTANCE OF 1,320.00 FEET TO A POINT; THENCE, N 00° 20' 13" E, A DISTANCE OF 1,320.00 FEET TO A POINT ON THE NORTH LINE OF THE SAID SOUTHEAST 1/4; THENCE, S 89° 56' 01" E, ALONG THE NORTH LINE OF THE SAID SOUTHEAST 1/4, A DISTANCE OF 1,291.33 FEET TO A POINT; THENCE DEPARTING SAID NORTH LINE, S 00° 18' 13" W ALONG A LINE 30.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF THE SAID SOUTHEAST 1/4, A DISTANCE OF 2,607.45 FEET TO THE POINT OF BEGINNING.

CONTAINING 5,072,770 SQUARE FEET OR 116.455 ACRES MORE OR LESS

Exhibit B
POTOMAC FARMS
PROPOSED FIRST AMENDMENT- PUD ZONE DOCUMENT
Z-722-00-22