



Council Communication

File Number: Z-945-17-19-20-21-22

Agenda Date: 4/17/2023

Version: 1

Status: Consent 2nd Reading

In Control: City Council

File Type: Zoning Ordinances

SECOND AND FINAL READING OF AN ORDINANCE APPROVING THE NEXUS NORTH AT DIA PUD ZONE DOCUMENT AMENDMENT NO. 3 TO PERMIT ADDITIONAL LAND USES AND MODIFY BULK STANDARDS FOR THE PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF EAST 88TH AVENUE AND BUCKLEY ROAD

Summary & Background

Becknell Services LLC has submitted this application in order to allow three land uses and modify one bulk standard in Planning Area 3 of the Nexus North at DIA PUD Zone Document. The subject property is located generally at the 8500 block of Quintero Street and contains a total of approximately 21.5 acres. The proposed amendment will allow the following land uses in Planning Area 3: Produce Storage and Warehousing, Retail Sales in Conjunction with Warehouse Establishment, and Warehousing and Storage, General. Additionally, this amendment will reduce the maximum front yard setback from 100 feet to NA for Planning Area 3.

The original PUD was approved by City Council in 2019 with amendments approved in 2020 and 2021. The original PUD and subsequent amendments did not permit the above land uses in Planning Area 3 but did permit them in PA-1 by right and PA-2 with a Conditional Use Permit. The applicant intends to use Planning Area 3 for a warehouse/distribution use similar to how the surrounding planning areas in the PUD are being utilized today. The current approved land use table allows for an extensive list of uses for Planning Area 3 including commercial, restaurants, retail, office, gas stations, industrial, manufacturing, and public uses. The adjacent planning areas allow for similar uses and are already constructed as warehouse/distribution uses. There is no vehicle/truck access to 88th Avenue from the subject property. All traffic must enter the property through Quintero Street. The Development Review Team (DRT) review of the proposed PUD amendment indicates that it meets current zoning and Land Development Code (LDC) requirements. The traffic, drainage, and other technical requirements were reviewed and found to be acceptable by the City's Engineering staff.

Per Section 21-3251(2) of the City's LDC, Planned Unit Developments reviewed by the DRT and the Director of Community Development. Then the Planning Commission holds a public hearing and provides a recommendation to the City Council. City Council holds a public hearing and makes a final decision to approve, approve with conditions, or deny the application based on the approval criteria from Section

21-3251(3).

The Comprehensive Plan and Future Land Use Map call for this area to be Office/Flex. The proposed amendment to allow Warehousing and Storage land uses will be in line with the Future Land Use Plan designation of Office/Flex. Office/Flex allows for light industrial production uses, which is compatible with the overall area and surrounding development.

Update for March 20, 2023 City Council Hearing:

This case came before City Council on February 6, 2023. At that meeting, City Council voted to continue the case to a later date, and it was subsequently scheduled for March 20th, 2023. During the initial City Council hearing, questions about the intent of the project were discussed and clarification on the proposal was requested.

Staff Responsible (Department Head): Tricia McKinnon, Community Development

Staff Presenting: Dalton Guerra, City Planner

Financial Impact: N/A

Funding Source: N/A

Staff Recommendation: Approval of the Zone Change

Suggested Motion: City Council can vote to approve the application, in accordance with the PC recommendation; Approve the application with conditions; or City Council can vote to deny the application.