



# Case #Z-945-17-19-20-21-23

## Nexus North at DIATC PUD Zone Document Amendment No. 3

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Location: 8500 block of Quintero Street  
Applicant: Becknell Industrial  
Request: PUD Zone Document Amendment

# Case Summary

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- Location: 8500 block of Quintero Street
- Request: Approval of Amendment No. 3 to the Nexus North at DIATC PUD Zone Document to permit additional land uses and modify bulk standards for Planning Area 3
- Current zoning: PUD
- Future land use plan: Office/Flex

# Case Background

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- The Nexus North at DIATC PUD Zone Document was originally approved by City Council in 2019
- Amendment 1 was approved in 2020
  - Allowed planning areas to be modified by a certain percentage at a staff level
- Amendment 2 was approved in 2021
  - Modified the acreage and boundaries of the planning areas

# Location

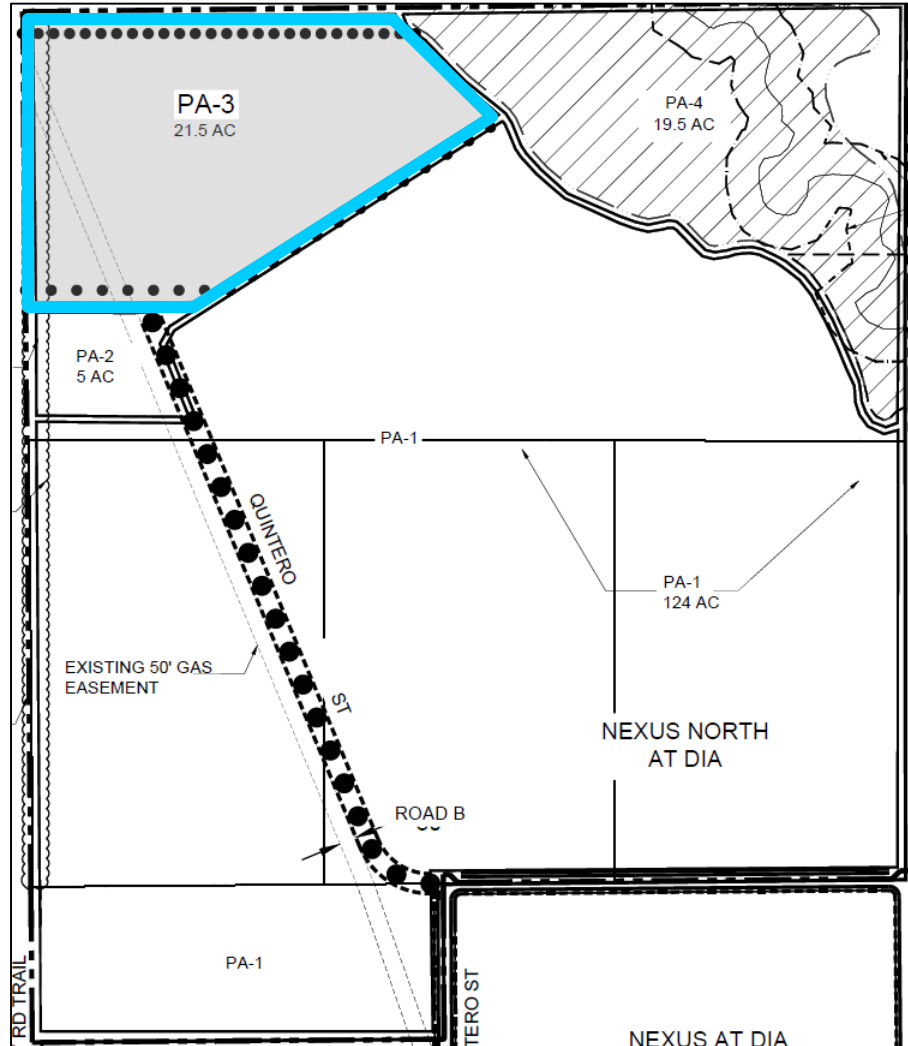




# Site Photos



# Zone Document



# Proposed Amendment

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- Currently, in Planning Area #3 a wide variety of commercial, office, and industrial uses are currently allowed.
- Nexus North at DIATC Amendment No. 3 is proposing to add three Warehousing & Distribution land uses in Planning Area 3 to the currently approved land use table.
- These three proposed uses are already permitted (and have been constructed) in adjacent Planning Areas within this development

# Existing Land Use Table

	PA-1	PA-2	PA-3	PA-4
Manufacturing, Food	R	R	R	NA
Manufacturing, Machinery	R	R	R	NA
Manufacturing, Metal	R	R	R	NA
Manufacturing, Textile	R	R	R	NA
Manufacturing, Wood	R	R	R	NA

R=Allowed by Right

C=Conditional Use

NA=Not Allowed

- These are examples of industrial uses in the approved land use table
- There are a number of additional permitted uses not shown





# Proposed Land Use Table

Warehousing & Distribution		PA-1	PA-2	PA-3	PA-4
	Data Center	R	R	R	NA
	Household Moving Center	R	C	NA	NA
	Motor Freight Transportation Terminal	R	C	NA	NA
	Mini Storage	C	C	NA	NA
	Produce Storage and Warehousing	R	C	R	NA
	Retail Sales in Conjunction with Warehousing	R	C	R	NA
	Warehousing and Storage, General	R	C	R	NA

R=Allowed by Right

C=Conditional Use

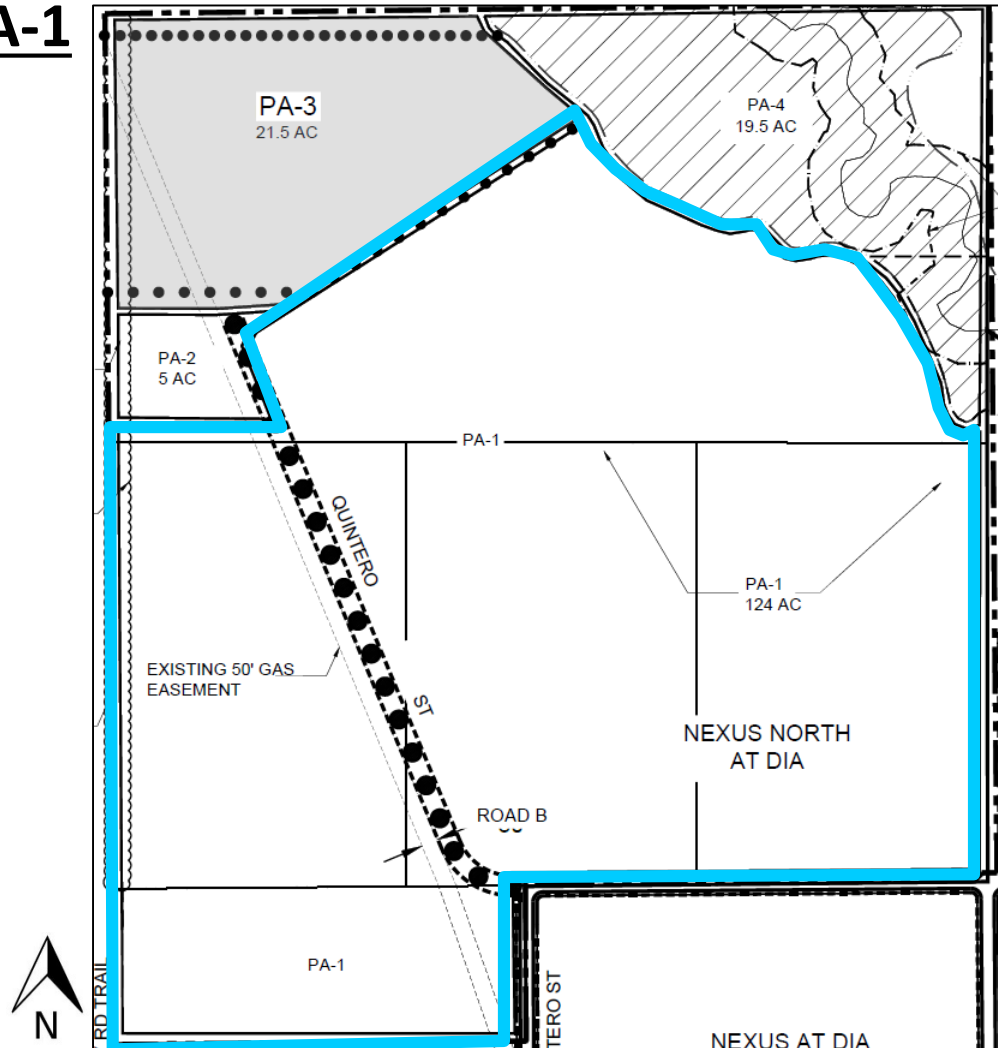
NA=Not Allowed



# Zone Document

## Permitted land uses in PA-1

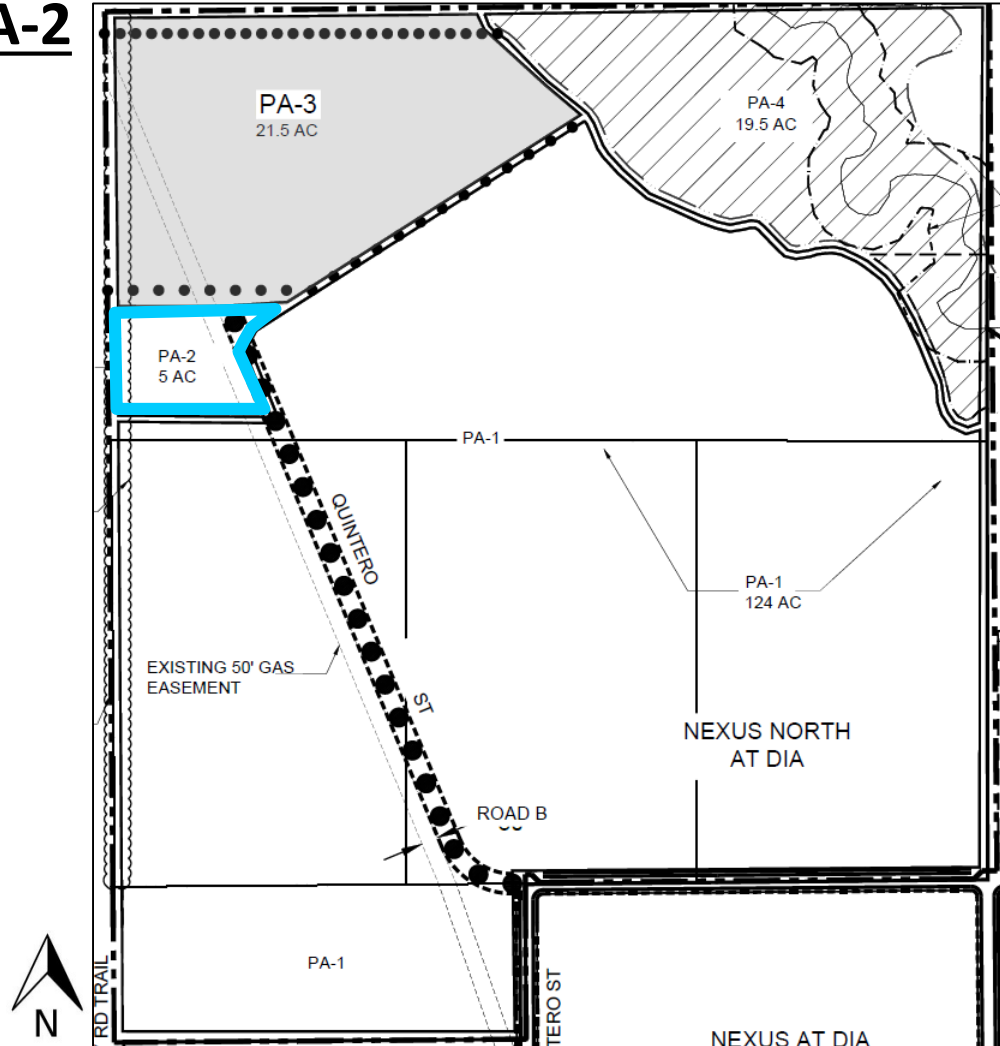
- Commercial
- Retail
- Restaurant
- Office
- Industrial
- Warehousing & Distribution
- Public



# Zone Document

## Permitted land uses in PA-2

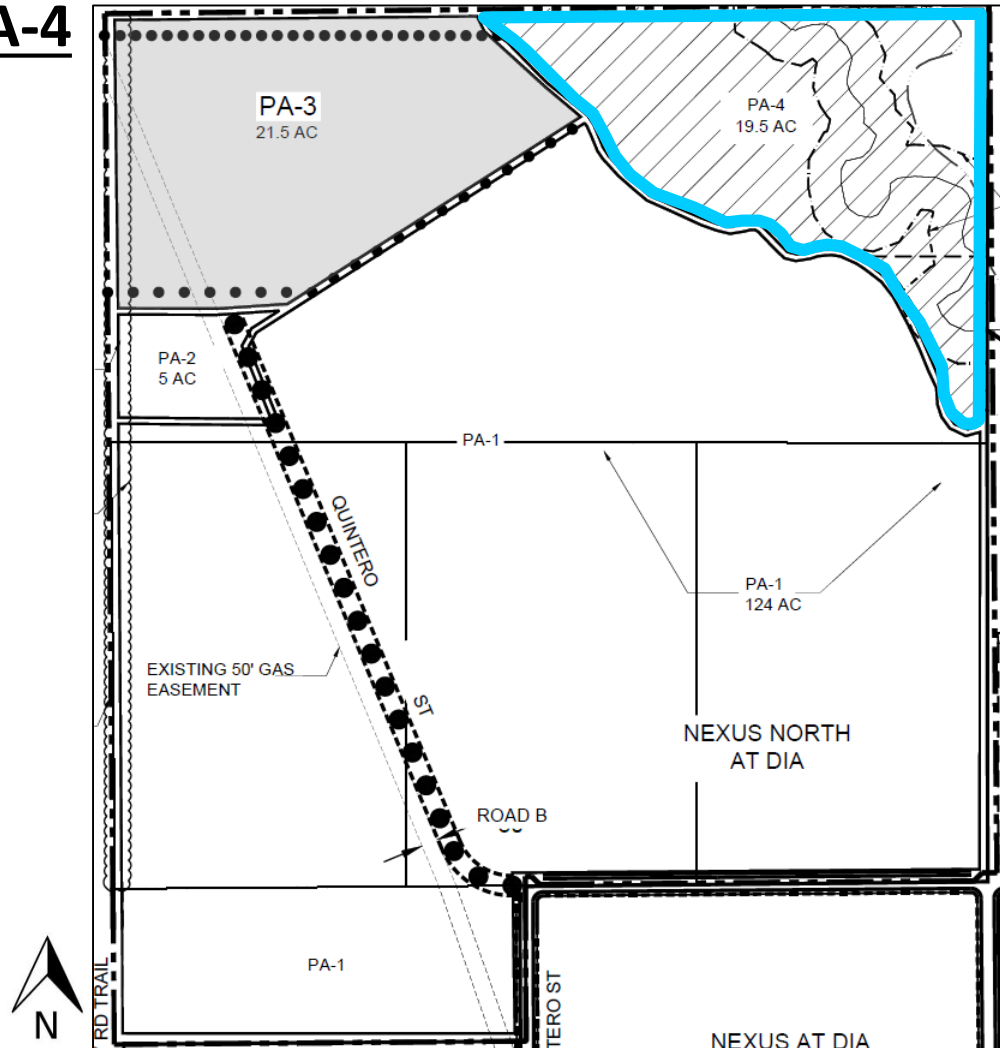
- Commercial
- Retail
- Restaurant
- Office
- Industrial
- Public



# Zone Document

## Permitted land uses in PA-4

- Public
- Parks
- Facilities



# Applicant's Request

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- Becknell Industrial is requesting approval of an amendment to the Nexus North at DIATC Zone Document to permit warehouse and distribution land uses in Planning Area 3
- The maximum front yard setback will also be reduced from 100' to 0'



# PUD Sheet 1

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- Cover Sheet
- No changes proposed



# PUD Sheet 2

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- Project Design and Intent
- No changes proposed



# PUD Sheet 3

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- Existing Conditions
- No changes proposed



# PUD Sheet 4

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- Land Use Schematic
- No changes proposed



# PUD Sheet 5

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- Bulk Standards
- Maximum front yard setback has been reduced from 100' to N/A





# PUD Sheet 6

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- Land Use Table
- The following land uses have been changed from “NA” (Use not Allowed) to “R” (Allowed by Right) in Planning Area 3:
  - *Produce Storage and Warehousing*
  - *Retail Sales in Conjunction with Warehouse Establishment*
  - *Warehousing and Storage, General*

# PUD Sheet 7


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- Street Cross-Sections
- No changes proposed



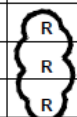
# Proposed PUD

## PRIMARY STRUCTURE BULK STANDARDS

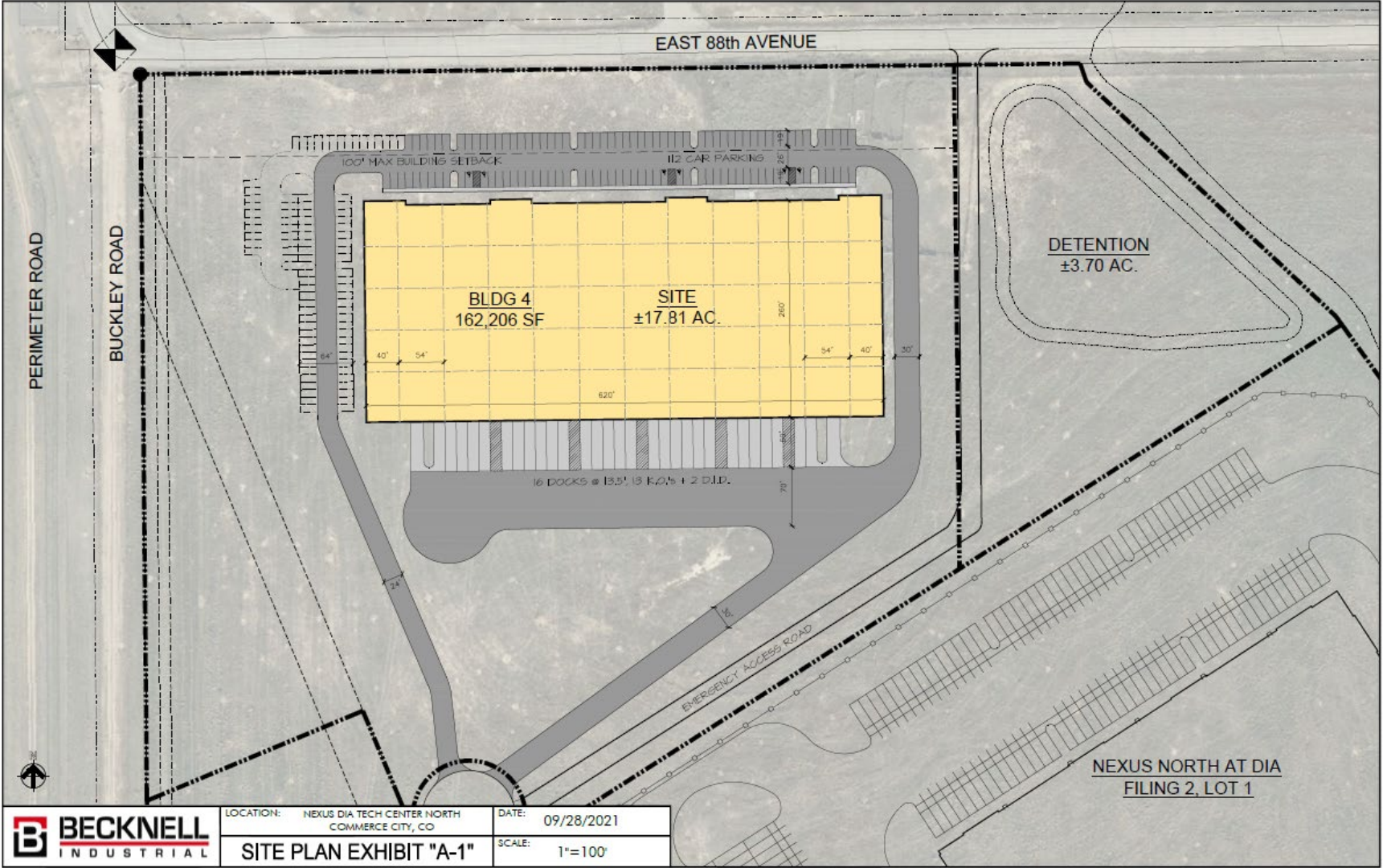
PLANNING AREA	MAXIMUM BUILDING HEIGHT	MINIMUM LOT SIZE	MINIMUM LOT FRONTAGE	MINIMUM FRONT SETBACK (SEE NOTE 1)	MAXIMUM FRONT SETBACK (SEE NOTE 1)
PA-1	100'-0"	1 ACRE	80'-0"	20'-0"	100'-0"
PA-2	100'-0"	1 ACRE	80'-0"	20'-0"	100'-0"
PA-3 (SEE NOTE 5)	100'-0"	1 ACRE	80'-0"	20'-0"	NA 
PA-4 (SEE NOTE 4 AND 5)	NA	NA	NA	NA	NA

# Proposed PUD

PLANNING AREAS		PA-1	PA-2	PA-3	PA-4
Outdoor Storage (See Note 4 and 5)	Above-ground storage tanks < 48,000 gallons (accessory use only)	R-A	NA	NA	NA
	Above-ground storage tanks of propane < 10,000 cubic feet capacity	R-A	NA	NA	NA
Printing and Publishing	Printing and related support activities	R	R	R	NA
	Publishing industry	R	R	R	NA
Research and Development Services	Bio-medical, Pharmaceutical, Other Medical Manufacturing	R	R	R	NA
	Scientific R&D services	R	R	R	NA
	Testing laboratories, medical	R	R	R	NA
	Testing laboratories, non-medical	R	R	R	NA
	Trade and technical uses	R	R	R	NA
Truck/Transportation Services	Transportation terminal	R	NA	NA	NA
	Trailer sales and service limited to use for private passenger motor vehicles	R	NA	NA	NA
	Truck sales (non-trailer)	R	NA	NA	NA
	Truck stop (natural gas sales) (accessory use only)	R-A	NA	NA	NA
Warehousing & Distribution	Data Center	R	R	R	NA
	Household moving center	R	C	NA	NA
	Motor freight transportation terminal and shipping, excluding couriers	R	C	NA	NA
	Mini-storage and warehouse without outdoor storage	C	C	NA	NA
	Produce storage and warehousing	R	C	R	NA
	Retail sales in conjunction with warehouse establishment	R	C	R	NA
	Warehousing and storage, general	R	C	R	NA
Wholesale Establishments (including accessory offices)	Building materials, garden equipment, and supply dealers	R	R	R	NA
	Food production	R	R	R	R
	Grocery and related product wholesale	R	R	R	NA
	Retail sales in conjunction with wholesaling	R	R	R	NA
	Warehousing and wholesaling establishments excluding explosives and live animals	R	C	P	NA
	Wholesale establishments incidental to other principal uses	R	R	R	NA
	Wholesale houses and distributors (including warehouse clubs)	R	R	R	NA



# Conceptual Site Plan



LOCATION: NEXUS DIA TECH CENTER NORTH  
COMMERCE CITY, CO

DATE: 09/28/2021

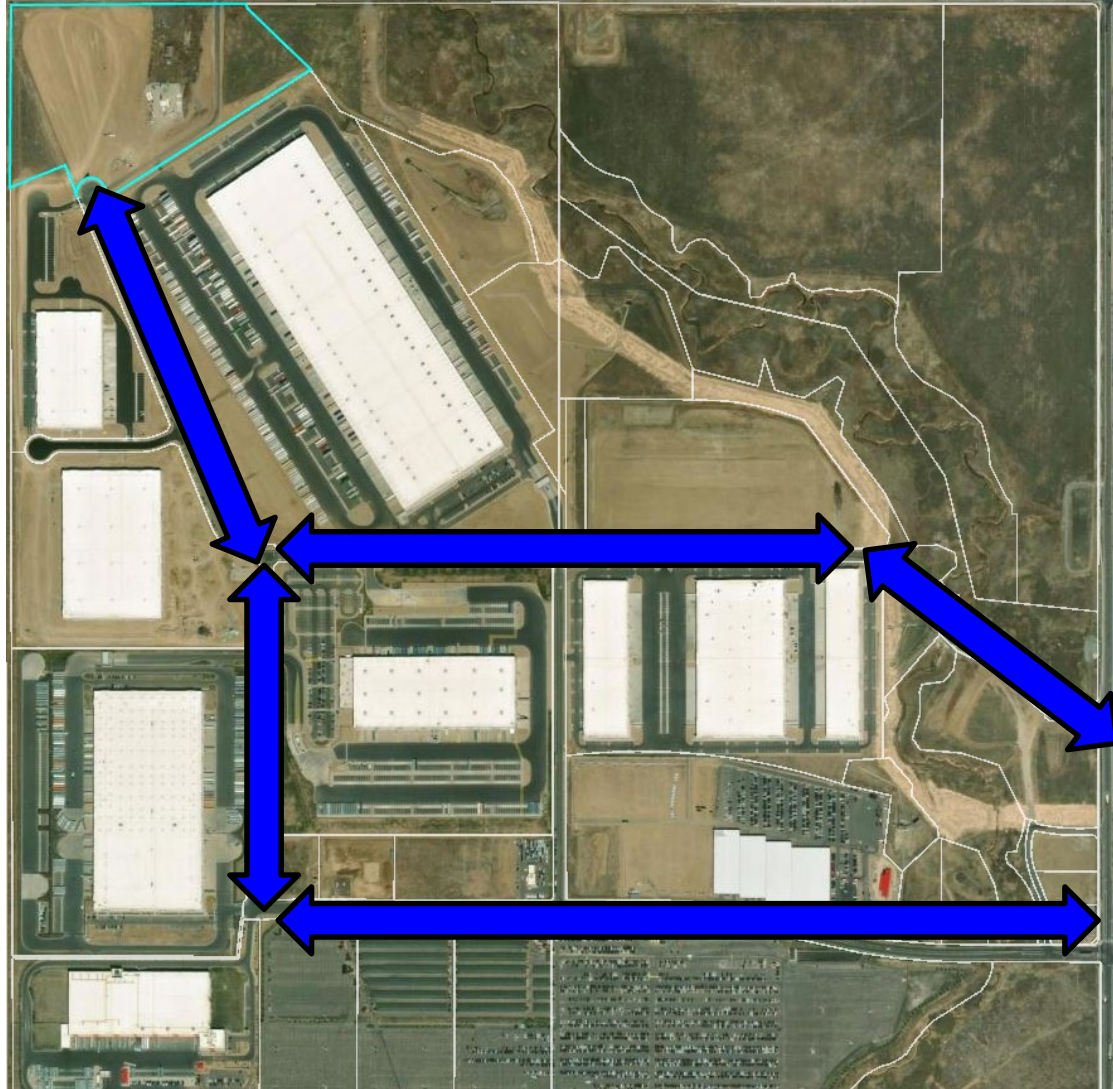
SITE PLAN EXHIBIT "A-1"

SCALE: 1"=100'

NEXUS NORTH AT DIA  
FILING 2, LOT 1



# Truck Access & Circulation



# Analysis

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- Planning Area 3 is more than 1,000' away from the residential subdivision to the north
- There is no truck/vehicle access permitted along 88<sup>th</sup> Avenue. All truck access must travel south
- The building/site will be designed in a way that mitigates potential impacts to the subdivision
  - Enhanced architecture
  - Bay doors facing south
  - Enhanced landscaping

# PUD Zone Document Approval Criteria

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DRT found that this application meets all approval criteria as outlined in Sec. 21-3251(3) of the LDC:

- (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;
- **Analysis:** The future land use plan designation for this property is Office/Flex. Office/Flex allows for a mix of flex, high-tech space, and production uses. The proposed use of warehouse/distribution is consistent with the office/flex designation and the planning areas within the Nexus North PUD.
- *Staff finds this application **meets this criterion.***

# PUD Zone Document Approval Criteria

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- (b) The PUD zone document is consistent with any previously reviewed PUD concept schematic;
- **Analysis:** The Nexus North PUD concept schematic called for this area to be designated for I-1, Light-intensity Industrial. Warehouse/Distribution is considered a light-intensity industrial use.
- *Staff finds this application **meets this criterion.***

# PUD Zone Document Approval Criteria

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- (c)The PUD 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;
- **Analysis:** The proposed amendment to allow warehouse/distribution in Planning Area 3 will provide an opportunity for this property to be developed with a use that is consistent with the rest of the PUD. Architectural/design standards will be compatible with the existing buildings in the area. Enhanced landscaping will be provided throughout the site.
- *Staff finds this application **meets this criterion.***

# PUD Zone Document Approval Criteria

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- (d) The PUD complies with all applicable city standards not otherwise modified or waived by the city;
- **Analysis:** The proposed amendment meets all applicable city standards and is consistent with the Future Land Use Plan
- *Staff finds this application **meets this criterion.***

# PUD Zone Document Approval Criteria

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- (e) The PUD is integrated and connected with adjacent development through street connections, sidewalks, trails, and similar features;
- **Analysis:** The main access point for this property is to the south off of Quintero Rd. There is emergency access provided to the north off of E 8th Ave but no commercial truck traffic is permitted. Future trails to the Wildlife Arsenal will be provided.
- *Staff finds this application **meets this criterion.***



# PUD Zone Document Approval Criteria

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- (f) To the maximum extent feasible, the proposal mitigates any potential significant adverse impacts on adjacent properties or on the general community;
- **Analysis:** The subject property is surrounded by existing adjacent warehouse/distribution uses. The Buffalo Highlands subdivision is over 1,000 ft to the northeast. The site will be designed in a way that mitigates impacts to the subdivision to the northeast.
- *Staff finds this application **meets this criterion.***



# PUD Zone Document Approval Criteria

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- (g) Sufficient public safety, transportation, and utility facilities and services are available to serve the subject property, while maintaining sufficient levels of service to existing development;
- **Analysis:** This property has been included into the E-470 Commercial Area General Improvement District which provides financial consideration for the installation and maintenance of utilities/services.
- *Staff finds this application **meets this criterion.***

# PUD Zone Document Approval Criteria

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- (h) As applicable, the proposed phasing plan for development of the PUD is rational in terms of available infrastructure, capacity, and financing; and
- **Analysis:** There is no phasing plan being proposed for this project.
- *Staff finds this criterion is **not applicable**.*

# PUD Zone Document Approval Criteria

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- (i) The same development could not be accomplished through the use of other techniques, such as height exceptions, variances, or minor modifications.
- **Analysis:** The only way to allow a warehouse/distribution use on this property is to amend the Nexus North PUD Zone Document to allow such those uses by right in Planning Area 3.
- *Staff finds this application **meets this criterion.***

# Referral Agency Comments

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- Commerce City Parks – Pedestrian trail connection required to the Rocky Mountain Arsenal National Wildlife Refuge Perimeter Trail along the northern property line



# Public Comments

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- As of March 19, 2023 staff received one phone call from the public asking general questions about the location and intent of the request.



# PC Recommendation

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- On December 6, 2022 the Planning Commission voted 5-0 to forward the PUD Amendment to City Council with a recommendation of approval



Staff is available to answer any questions.

The applicant is also present to speak on behalf of this request and to answer any questions that the City Council may have.

