



# **Case # Z-692-98-20**

## **Nativity Lutheran Church**

Location: 12500 E. 104<sup>th</sup> Ave.....

Applicant: Michael Bieniek / LLC Telecom Services

Request: Zone Change from AG (Agricultural) to C-3  
(Regional Commercial) District

# Notice

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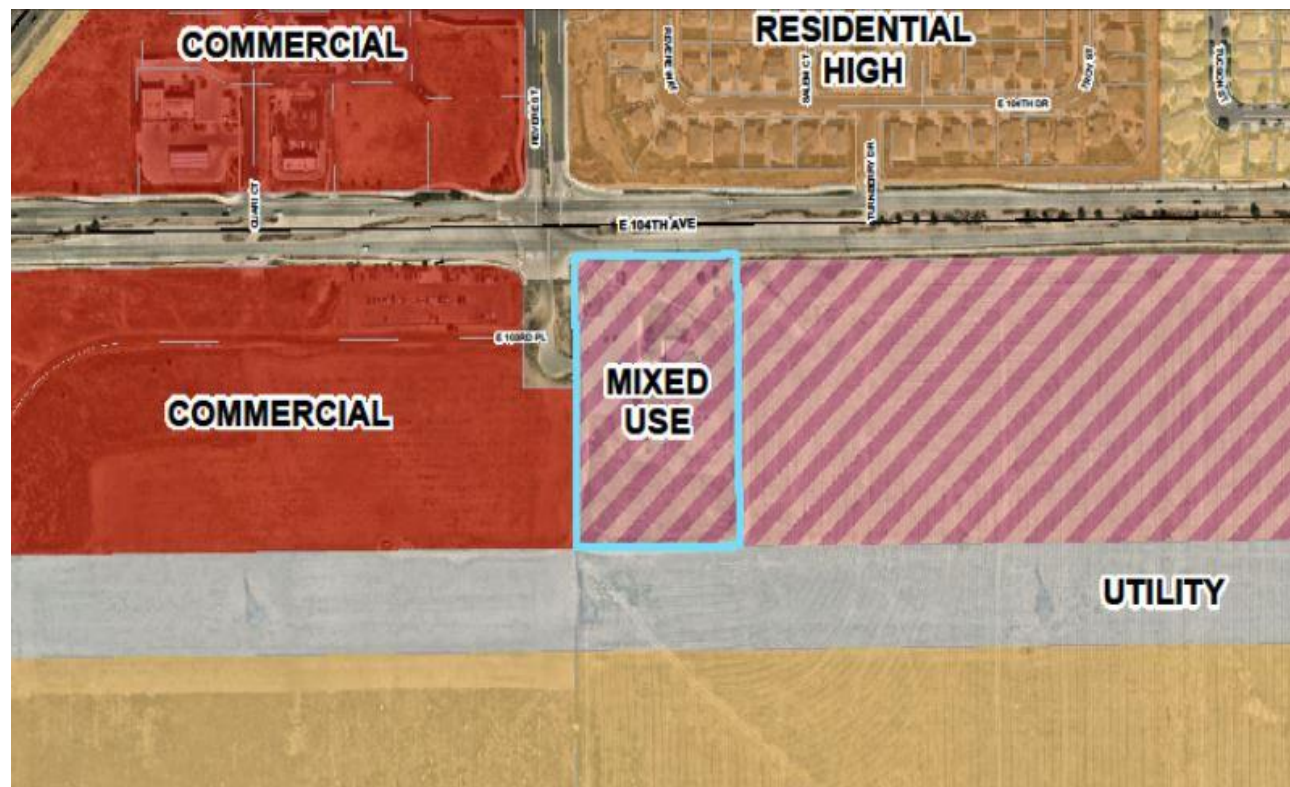
All Information pertinent to notice and  
Publication is in the Record.

# Site Summary

- **Address:** 12500 E. 104<sup>th</sup> Ave.
- **Lot Size:** 4.99 Acres
- **Annexation into Commerce City:**  
AN-131-96
- **Current zoning:**  
Agricultural (Z-692-98)
- **Current Use:** Use-by-Permit for Church (A-1403-98)
- **Future land use:** Mixed Use



# Future Land Use Plan



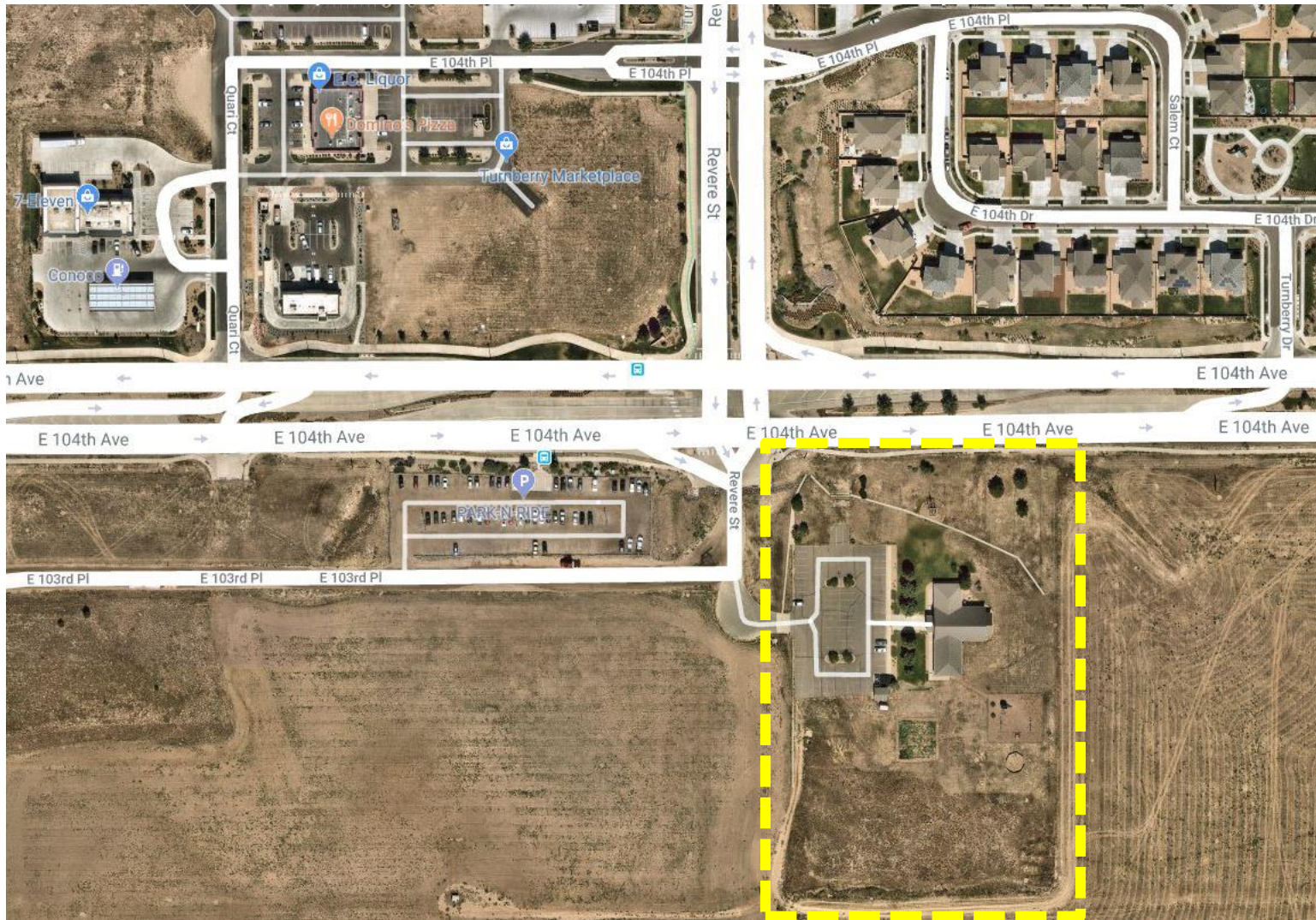
Future Land Use

Future Land Use

- Residential - Low
- Residential - Medium
- Residential - High
- Mixed Use - E-470
- Mixed Use
- Commercial
- Office / Campus
- DIA Technology
- Industrial / Distribution
- General Industrial
- DIA Reserve
- Utility
- Public
- Park
- Open Space / Recreation



# Aerial View



# Current Site Photos

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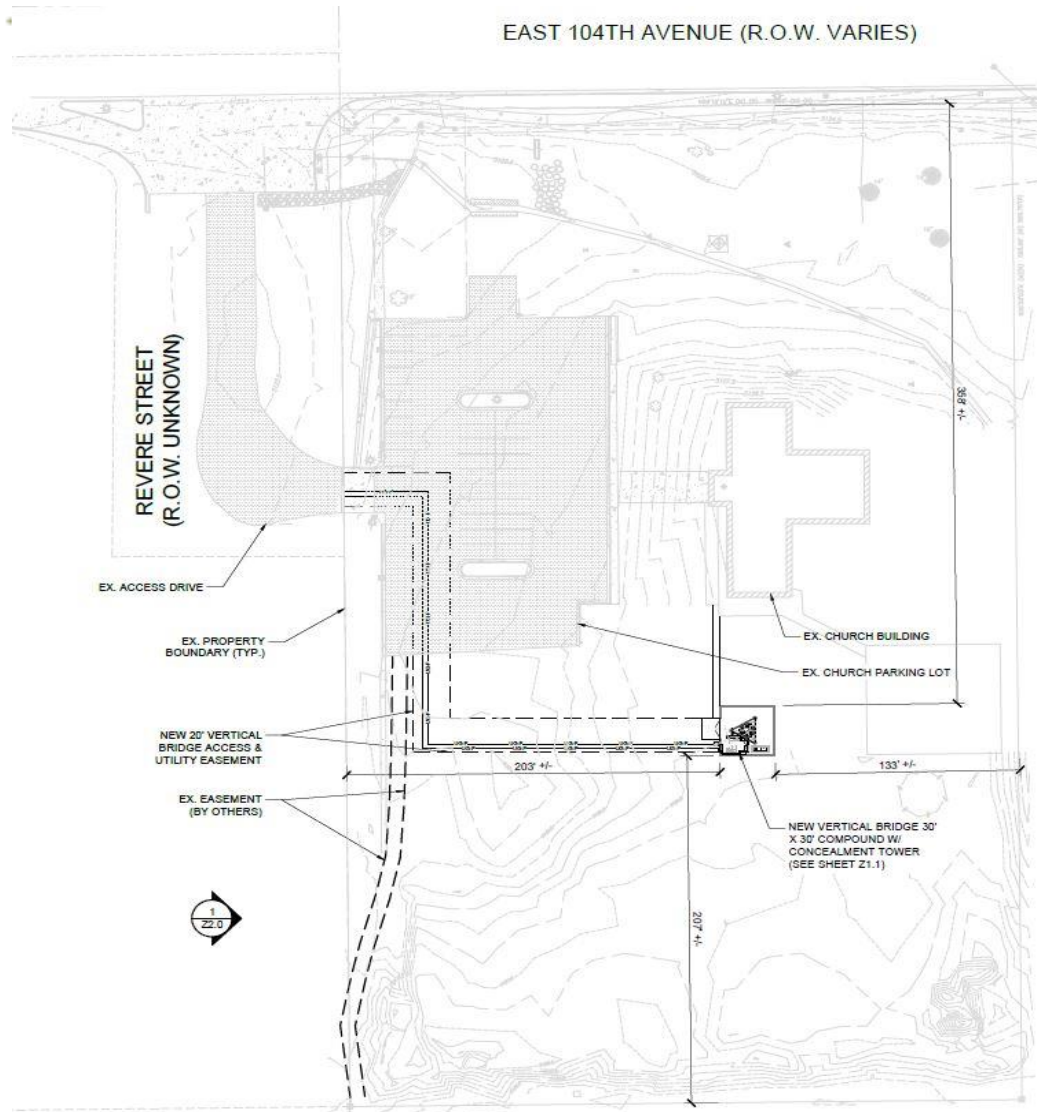


# Request

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- Request: Zone Change from AG (Agricultural) to C-3 (Regional Commercial District)
- Request will bring the existing use into compliance with current Development Code Standards
- The proposed Zone Change will allow property owner to expand its footprint in accordance with LDC Commercial Standards.
- Property owner intends to lease a part of their property (Approx. 900 S.F.) to construct a new concealed telecommunication tower in the rear of the property. Requires approval by BOA

# Proposed Development





# PC Analysis

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- Existing property meets all C-3 design and bulk standards
- C-3 is appropriate zone classification due to its arterial location and proposed improvements.
- Applicant intends to invest in improvements for the property, but the Agricultural zoning status limits the types of upgrades available for the property.
  - building expansions to include the concealed tower not allowed under current zoning
- Meets all approval criteria for zone change

# Zoning Approval Criteria

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- Consistent with the policies and goals of the city Comprehensive Plan
- Compatible with the area and surrounding uses
- Adequately served by utilities amenities
- Serve and balance the uses in the surrounding area
- Public interest in changing zoning to match use

# Required Public Notification

(Pursuant to LDC Sec. 21-3285)

Type of Notification	Code Required	Code Required Minimum Met	Notification Provided
Mail/Postcard to Adjacent Property Owners	Mailed Notification to property owners within 300 feet	✓	19 Adjacent Property Owners Notified
Publication/ Newspaper Notice	Notice in local newspaper	✓	Notice in Denver Post
Placard/Sign on Property	At least one sign on subject property	✓	Two Signs Posted

*All public notification met the requirements of Resolution 2020-30 to provide notice that the meeting may be conducted electronically; advance registration for testifying is required; and information for participation is provided in the published agenda*



# Public Notification

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- As of July 10<sup>th</sup>, staff has received no comments, questions or objections to the proposal.



# Recommendation for Zoning

- On July 1, 2020 Planning Commission voted 5-0 to forward this request to City Council for approval.



Commerce  
CITY



**Staff is available to answer any questions.**

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

