

1 ORDINANCE NO. Z-629-96

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3 INTRODUCED BY: ALLEN, BENALLO, BUSBY, COLE, CROOKHAM,

4
5 MITCHELL, SZYMANSKI, TETER

6
7 AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP
8 OF THE CITY OF COMMERCE CITY, COLORADO, FOR REZONING FROM
9 COMMERCE CITY C-3 TO COMMERCE CITY PUD ZONE DISTRICT, OF THE
10 PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A
11 PART HEREOF, NUMBERED 5601 QUEBEC STREET, COMMERCE CITY,
12 COLORADO.

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14 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY,
15 COLORADO, AS FOLLOWS:

16 SECTION 1. The City Council of the City of Commerce City, Colorado finds and
17 declares that it has caused to be published in the Commerce City Express, a legal
18 newspaper of general circulation in the City of Commerce City, Notice of Public Hearing
19 by the Planning Commission of the city of Commerce City, held February 13, 1996,
20 concerning land hereinafter described, and that said Notice was published February 6,
21 1996 and that said Hearing was conducted all in compliance with law.

22 SECTION 2. The City Council of the City of Commerce City, Colorado further
23 finds and declares that it has caused to be published in the Commerce City Express, a legal
24 newspaper of general circulation in the City of Commerce City, Notice of Public Hearing
25 held on March 4, 1996 regarding rezoning of land hereinafter described, and that said
26 Notice was published February 20, 1996, and that said Hearing was conducted all in
27 compliance with law.

1 SECTION 3. That the property described in Exhibit "A" attached hereto and
2 made a part hereof, now zoned Commerce City C-3 be rezoned Commerce City PUD as
3 defined in the Commerce City Zoning Ordinance.

4 SECTION 4. That the zoning map of the City of Commerce City, Colorado be
5 and is hereby amended to reflect the zoning amendment as provided in this ordinance.

6 SECTION 5. That the rezoning is approved from Commerce City C-3 to
7 Commerce City PUD, subject to the following conditions:

8 A. This action shall not create a vested property right pursuant to
9 Article 68 of Title 24, Colorado Revised Statutes.

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11 B. The applicant shall amend the PUD Plan to state that all commercial
12 uses in the C-2 and C-3 zone districts and truck refueling are
13 allowed as uses-by-right on the property. Truck refueling shall be
14 allowed to the extent shown on the PUD Plan submitted as a part
15 of this application.

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17 C. The applicant shall receive approval of the drainage study from the
18 Department of Public Works before a building permit is issued for
19 any development on the site.

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21 D. All of the improvements shown on the PUD Plan shall be
22 completed before a Certificate of Occupancy is issued for the
23 building.

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25 E. Construction of the building shall begin by October 4, 1996 and be
26 completed by October 4, 1997.

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28 F. A Site Plan shall be submitted, reviewed by the Planning
29 Commission, and approved by the City Council before any
30 development or use may occur on the portion of the property
31 labeled "future area of occupation". Applicant agrees that if there
32 is any unauthorized use of that portion of the property, the
33 applicant will correct the problem to the satisfaction of the City
34 Council.

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36 G. The applicant shall dedicate and/or provide an easement for the
37 necessary right-of-way for the City entry sign by October 4, 1996
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H. The applicant shall receive approval of a development plan from the Department of Community Development prior to issuance of a building permit for any construction on the subject property.

SECTION 6. Failure to comply with any or all of the said conditions shall constitute basis for rezoning of the subject property to that zoning existing immediately prior to passage of this ordinance, it being expressly determined by this City Council that the rezoning herein granted is not proper zoning in the absence of compliance with the conditions herein contained.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED this 4th day of March, 1996.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED this 18th day of March 1996.

CITY OF COMMERCE CITY, COLORADO

BY David R. D. Busby
David R. D. Busby, Mayor

ATTEST:

Judith H. Ridgely
City Clerk