

ORDINANCE NO. Z-945-17-19-20

INTRODUCED BY: ALLEN-THOMAS, FRANK, GRIMES, GUARDIOLA, HURST,  
HUSEMAN, MADERA, NOBLE

AN ORDINANCE AMENDING ORDINANCE Z-945-17-19 AND REZONING THE “NEXUS NORTH AT DIA” PUD ZONE DOCUMENT TO ALLOW CERTAIN CONDITIONS TO THE ZONING FOR THE PROPERTY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF BUCKLEY ROAD AND EAST 88TH AVENUE IN COMMERCE CITY, COLORADO.

WHEREAS, the owner of the property generally known as Nexus North (“Property”), described specifically in Exhibit A to this ordinance, has requested to rezone the Property and amend the “NEXUS NORTH AT DIA” PUD Zone Document applicable to the Property as approved through Ordinance Z-945-17-19, as set forth in Exhibit A (“PUD Zone Document Amendment”);

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

**SECTION 1.** In accordance with Section 21-3180 of the City’s Land Development Code, all required notice of a Public Hearing to be held on December 3, 2019, by the Planning Commission of the City regarding the requested zoning was given, including the publication on November 26, 2019, in the Sentinel-Express, a legal newspaper of general circulation in the City, the mailing of notice to all owners of property within 300 feet of the Property, and the posting of one sign on the property for at least 7 days prior to the hearing. Said hearing was conducted all in compliance with law and a motion was made and approved by a 5-0 vote to find that the requested zoning in case Z-945-17-19-20, as set forth in Exhibit A, meets the criteria of the Land Development Code and, based upon such finding, recommend that the City Council approve the requested zoning;

**SECTION 2.** In accordance with Section 21-3180 of the City’s Land Development Code, all required notice of a Public Hearing to be held on December 16, 2019, by the City Council of the City regarding the requested zoning was given, including the publication on December 3, 2019, in the Sentinel-Express, the mailing of notice to all owners of property within 300 feet of the Property, and the posting of one sign on the property for at least 7 days prior to the hearing. Said hearing was conducted on December 16, 2019, and was conducted all in compliance with law.

**SECTION 3.** Based on the record before it, the City Council finds, consistent with the Commerce City Land Development Code, Section 21-3251(3), as follows:

- a. The proposed PUD Zone Document Amendment is consistent with all applicable City adopted plans;
- b. The requested PUD Zone Document Amendment will continue to comply with the purpose and intent of the PUD district;
- c. The PUD Zone Document will continue to comply with all applicable city standards;
- d. The Property has been integrated with adjacent property;

- e. This PUD Zone Document Amendment is similar to what is currently approved for the portions of the PUD included with this request and should not result in any additional impacts beyond those associated with the current PUD Zone Document;
- f. Sufficient public safety, transportation and utility facilities are available to serve the Property; and
- g. The proposed changes to the PUD Zone Document could not be achieved through other processes.

**SECTION 4.** The City Council approves of the PUD Zone Document Amendment and the rezoning of Property as provided therein. The zoning map of the City of Commerce City shall be amended to reflect the zoning provided in this ordinance.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED  
THIS 16TH DAY OF DECEMBER 2019.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED  
THIS 6TH DAY OF JANUARY 2020.

CITY OF COMMERCE CITY COLORADO

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Benjamin A. Huseman, Mayor

ATTEST

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Laura J. Bauer, MMC, City Clerk

***Exhibit “A”***  
***(PUD Zone Document)***  
***Case #Z-945-17-19-20***

***See attachment Exhibit “A”***