



Legislation Details (With Text)

File #: Z-945-17-19-20 **Version:** 1 **Name:**

Type: Zoning Ordinances **Status:** Passed

File created: 11/12/2019 **In control:** City Council

On agenda: 1/6/2020 **Final action:** 1/6/2020

Title: 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.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance - Final, 2. Ordinance, 3. Exhibit "A" - PUD Zone Document, 4. Vicinity Map, 5. Staff Report, 6. Narrative Letter, 7. Planning Commission Minutes of December 3, 2019, 8. Presentation

Date	Ver.	Action By	Action	Result
1/6/2020	1	City Council	approved on second & final reading	
12/16/2019	1	City Council	introduced by council as seated and approved on first reading	Pass

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.

Summary and Background Information: The applicant wishes to amend the Nexus North PUD Zone Document to allow for the construction of a large warehouse distribution facility (>750,000 sq. ft.) in Planning Area (PA) 1, while maintaining the same total area of PA-3 uses (primarily flex, office, tech and research) as the original Nexus North PUD.

The proposed amendment does not change any of the approved uses, bulk standards, or design standards for the project. It grants the Community Development Director the ability to administratively approve the expansion of PA-1 to allow for a warehouse distribution facility greater than 750,000 sq. ft.

This expansion of PA-1 would likely eliminate all, or a majority of, PA-2 but the applicant would be required to maintain the same amount of acreage for PA-3. PA-3 would likely move towards the north west corner of the property to accommodate the expansion of PA-1 (Figure 1.2). These changes in Planning Area configurations are only permissible for a project greater than 750,000 sq. ft. Alterations to the planning areas for projects not meeting this threshold are still permissible, but only as originally approved in the PUD, with changes to PA-1 limited to 6% and 15% for the other Planning Areas.

The Planning Commission is supportive of this amendment because it preserves the desirable, more office intense, uses in PA-3 while accommodating a similarly desirable large-scale warehouse distribution project that would be unique in the Metro Area. The Planning Commission is also supportive of the limited scope of the amendment; only allowing for changes in the Planning Areas for this specific type of project and preserving the overall integrity of the PUD unless a special opportunity comes along.

As detailed in the Staff Report to Planning Commission and the staff presentation to Council, this application is reviewed under PUD zone document standards contained in section 21-3251 of the Land Development Code.

Staff Responsible (Department Head): Roger Tinklenberg, Interim Community Development Director

Staff Member Presenting: Jenny Axmacher, Planner

Financial Impact: N/A

Funding Source: N/A

Planning Commission Recommendation: On December 3, 2019, the Planning Commission held a public hearing, took testimony, and voted (5-0) to forward the amendment request to City Council with a recommendation for approval, subject to the findings of fact.

Suggested Motion:

- 1) I move to accept the recommendation of the Planning Commission in this case.
- 2) I move to introduce and approve Zoning Ordinance Z-945-17-19-20 on first reading by Council as seated.