ORDINANCE NO. PUDA23-0004

INTRODUCED BY: CHACON, DOUGLAS, DOUGLAS DUKES, FORD, KIM, MADERA, NOBLE, TETER

AN ORDINANCE APPROVING THE BURLINGTON NORTHERN/CATELLUS PUD ZONE DOCUMENT AMENDMENT 6 TO EXPAND THE ALLOWED COMMERCIAL USES, TO INCLUDE AN AUTOMOBILE WASHING FACILITY, AS PERMITTED USES AT THE PROPERTY GENERALLY LOCATED AT 12411 EAST 104TH AVENUE AND CONSISTING OF 1.06 ACRES

WHEREAS, the owner of the property generally located 12411 East 104<sup>th</sup> Avenue in the City of Commerce City ("City") and described in Exhibit A, attached hereto and incorporated herein, has submitted an application to amend the existing PUD Zone Document to allow additional land uses, including an automobile washing facility;

WHEREAS, in accordance with Section 21-3180 of the City's Land Development Code, all required notices of public hearings before the Planning Commission of the City and the City regarding the requested zoning was given, including by: publication on November 21, 2024 and February 20, 2025 in the Sentinel Express, a legal newspaper of general circulation in the City of Commerce City; mailing on November 19, 2024, and January 21, 2025, through the United States Postal Service in the manner required by the Land Development Code; and posting placards on the property that is the subject of the application on November 22, 2024, and January 28, 2025, in the manner and for the duration required by the Land Development Code;

WHEREAS, following a public hearing conducted in compliance with law, the Planning Commission made findings and recommended that the City Council deny the Burlington Northern/Catellus PUD Zone Document Amendment 6; and

WHEREAS, the City Council has conducted a public hearing regarding the requested zoning.

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

- **SECTION 1.** The foregoing recitals are incorporated into this ordinance as findings of fact. The City Council authorizes any action by it on the requested zoning outside of the period of time provided by Section 10.11 of the City Charter.
- **SECTION 2.** The City Council of the City of Commerce City finds, consistent with the Commerce City Land Development Code, Section 21-3251, with regard to the proposed PUD Zone Document Amendment for the Burlington Northern/Catellus PUD Zone Document Amendment 6 as set forth in Exhibit B, attached hereto and incorporated herein, that:
  - (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;

- (b) The PUD Zone Document is consistent with any previously reviewed PUD concept schematic;
- (c) The PUD Zone Document 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;
- (d) The PUD Zone Document complies with all applicable city standards not otherwise modified or waived by the city;
- (e) The PUD Zone Document is integrated and connected with adjacent development through street connections, sidewalks, trails, and similar features;
- (f) To the maximum extent feasible, the PUD Zone Document mitigates any potential significant adverse impacts on adjacent properties or on the general community;
- (g) Sufficient public safety, transportation, and utility facilities and services are available to serve the Property, while maintaining sufficient levels of service to existing development;
- (h) As applicable, the proposed phasing plan for development of the PUD Zone Document is rational in terms of available infrastructure, capacity, and financing; and
- (i) The same development could not be accomplished through the use of other techniques, such as height exceptions, variances, or minor modifications.

**SECTION 3.** The City Council hereby overrules the recommendation of the Planning Commission and approves the Burlington Northern/Catellus PUD Zone Document Amendment 6. The zoning map of the City of Commerce City, Colorado, is hereby amended to reflect the rezoning approved by this ordinance.

**SECTION 4.** This ordinance shall be effective as provided in Section 5.3(g) of the City Charter.

INTRODUCED,	PASSED ON FIRST	Γ READING AND	PUBLIC NOTICE	E ORDERED
THIS 3RD DAY OF MA	ARCH, 2025.			

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS 7TH DAY OF APRIL, 2025.

	CITY OF COMMERCE CITY, COLORADO
ATTEST	Steven J. Douglas, Mayor
Dylan A. Gibson, City Clerk	

# Exhibit A (Legal Description) Case #PUDA23-0004

Lot 2, Block 1, Turnberry Market Place Filing No. 4

Contains 47,345 square feet or 1.0869 acres, more or less.

## Exhibit B (PUD Zone Document) Case #PUDA23-0004

### **BURLINGTON NORTHERN/CATELLUS**

TURNBERRY CAR WASH PUD AMENDMENT NO. 6

LOT 2, BLOCK 1, TURNBERRY MARKET PLACE FILING NO. 4, COUNTY OF ADAMS, STATE OF COLORADO.

12411 E 104th Avenue

Commerce City, CO 80022 SHEET 1 OF 4

VICINITY MAP

12411 E 104th Avenue Commerce City, CO 80022



GENERAL PROJECT NOTES

THIS PUD ZONE DOCUMENT PRIMARILY SEEKS TO AMEND THE POLLOWING:

A. MODIFY THE PERMITTED USE TO THIS SPECIFIC PARCEL TO ADD AN EXPRESS CAR WASH FACILITY AS A PERMITTED USE AMONG OTHER USES PERMITTED IN THE PUD GENERALLY

LEGAL DESCRIPTION

OT 2, BLOCK 1, TURNBERRY MARKET PLACE FILING NO. 4, COUNTY OF ADAMS, STATE OF COLORADO.

Owners Properties

Admovinogement:
State of Colorado
County of Adams } as

Mayor Mayor

BURLINGTON NORTHERN/CATELLUS TURNEERY CAR WASH PUD AMENDMENT NO. 6 COMMERCE CITY, CO

Car Wash Pro Designans 6400 th Sardwass Highwa Saite 4 Chingo, Shaile 40631

N SHEET INDEX
BURLINGTON NORTHERN/CA

BURLINGTON NORTHERN/CATELLUS PUD

NO. SHEET DESCRIPTION

- PLANNING AREA MAP SITE LOCATION / PARCEL
- 3 LAND USE MATRIX 4 BULK STANDARDS

MAP #
RECEPTION #

1 of 4

### BURLINGTON NORTHERN/CATELLUS

TURNBERRY CAR WASH PUD AMENDMENT NO. 6

LOT 2, BLOCK 1, TURNBERRY MARKET PLACE FILING NO. 4, COUNTY OF ADAMS, STATE OF COLORADO.

12411 E 104th Avenue Commerce City, CO 80022 SHEET 2 OF 4

PARCEL AREA	ACRES	% ACRES
PARCEL	1.06	100%



ARCEL AREA

BURLINGTON NORTHERN/CATELLUS TURNEERRY CAR WASH RUD AMBRIDMENT NO. 6 COMMISSES OTH, CO.

Committee disper Car Week Fin Designes 6400 K. Bushmad Highway Suite 4 Oktops, Blook 60601

Issue Clate
Discognici

SECSOCIA Revision Cable GEORGICON

Sheet Title PLANNING AREA HA

PTONE

2 of 4

### BURLINGTON NORTHERN/CATELLUS

TURNBERRY CAR WASH PUD AMENDMENT NO. 6

LOT 2, BLOCK 1, TURNBERRY MARKET PLACE FILING NO. 4, COUNTY OF ADAMS, STATE OF COLORADO.

12411 E 104th Avenue

Commerce City, CO 80022

GENERAL NOTES

CONSTRUCTION WITHIN THE BURLINGTON NORTHERN / CATELLUS
PUD WILL CONFROM TO THE COMMERCE CITY DESIGN STANDARDS
AS ADOPTED AND AMELICAN

CATERNO SERVICES

FRANCH WITHOUT DRIVE THEIL

FRANCH PETERLINES DANG FINANCIA. BESTUTION

FRANCH PETERLINES DANG FINANCIA. BESTUTION

FOOM NO BESTUTIONS DANG FINANCIA. BESTUTION

COMMENCENCE STORE: GROCER STORE; 5.000 SP

ALL OTHER SERVICES OF CHILDENSEN FINANCIA. BAKERY, SPECIALTY FOOD MARKET, COFFEE

ALL OTHER SERVICES FINANCIA. BESTUT. BAKERY, SPECIALTY FOOD MARKET, COFFEE

ALL OTHER SERVICES FINANCIA. BESTUT. BAKERY, SPECIALTY FOOD MARKET, COFFEE

BESTUTION OF THE SERVICES OF CHILDENSEN FINANCIA. BAKERY, SPECIALTY FOOD MARKET, COFFEE

BESTUTION OF THE SERVICES OF SHOP)
OFFICE
BUSINESS OR PROFESSIONAL BUSINESS OF PROFESSIONAL COURTE SERVICE OF THE PROFESSIONAL COURTER SERVICE OF THE BUSINESS OF CUIDOCA REGISATION
SPOCE TRACK (MAMALL OR VEHICLE)
SPOCE TRACK (MAMALL OR VEHICLE)
FURNATURE OR PRADICH DUSTON AND LONG STEPPAR
ALL OTHER SHALL SUB-S
SETAL STALL SHALL SHEEL
SETAL STALL SHALL SHEEL
SETAL STALL SHALL SHEEL
SETAL SHALL SHEEL
SETAL SHALL SHEELS
STALL SHALL
SHALL SHEELS
STALL SHALL
SHALL SHALL
SHALL SHALL
SHALL SHALL
SHALL
SHALL SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL
SHALL PETAL BUSINESS STORE

THERE COMPANIENT STORE

AUTOMOBILE REVIALS

AUTOMOBILE REVIALS

AUTOMOBILE REVIALS

AUTOMOBILE REVIALS

AUTOMOBILE REVIALS

AUTOMOBILE REVIALS

THERE REVIALS

AUTOMOBILE REVIALS

THERE REVIALS

PARCEL LAND USES ALLOWED SHEET 3 OF 4

BURLINGTON NORTHERN/CATELLUS TURBERRY CAR WASH PUD AMBIDMBNT NO. 6 COMMERCE CITY, CO.

Car Wash Fro Designan

LAND USE MATRIX

MAP # RECEPTION #

3 of 4

#### BURLINGTON NORTHERN/CATELLUS

TURNBERRY CAR WASH PUD AMENDMENT NO. 6

LOT 2, BLOCK 1, TURNBERRY MARKET PLACE FILING NO. 4, COUNTY OF ADAMS, STATE OF COLORADO. 12411

E 104th Avenue

Commerce City, CO 80022 SHEET 4 OF 4

BULK STANDARDS

COMMERCIAL BULK STANDARD	REQUIREMENT	
MINIMUM GROSS FLOOR AREA	4900 SQ FEET	
MINIMUM FLOOR AREA RATIO	.05 FAR	
MINIMUM LOT AREA	8,000 SQ FT	
MINIMUM LOT FRONTAGE	60 FT	
MINIMUM FRONT YARD SETBACK	10 FT	
MINIMUM SIDE YARD SETBACK	10 FT	
MINIMUM SIDE YARD ON STREET SETBACK	15 FT	
MINIMUM REAR YARD SETBACK	20 FT	
MAXIMUM BUILDING HEIGHT	75 FT	
ACCESSORY BUILDING HEIGHT MAXIMUM	15 FT	
ACCESSORY FRONT SETBACK MINIMUM	20 FT	
ACCESSORY SIDE SETBACK MINIMUM	5FT	
ACCESSORY SIDE ON STREET SETBACK MINIMUM	20 FT	
ACCESSORY REAR SETBACK MINIMUM	5FT	
PARKING REQUIREMENT	PARKING STANDARDS SHALL COMPLY WITH THE APPLICABLE COMMERCE CITY ZONING CODE BASED ON THE LAND USE	

#### BULK STANDARDS

- ALL SQUAGE SHALL MEET THE REQUIREMENTS OF THE APPLICABLE COMMERCE CITY ZONING CODE.
- ASSISTANTIC AND VISUAL BENACTS OF THE ADDITIONAL FRANKS AREAS ON BURROUGHS AREAS. THE BALL HOT RECENT BOOK SETTINGS TO AN AUG TO THE HOLD IS DA. BETWEEN TOOMS AND TOOM ON TO THE PROPERTY TO THE PURIL HOLD SETTINGS TOOMS.

1. ARCHITECTURAL DEBONWLL BUPWARDS WATERIALS THAT ARE COMPATIBLE WITH THE NATURAL COLOR & TEXTURE. CHARGE IN BUILDING PLANFOR AFFOLILATION PROFIBER PROJECTIONS INFACTO PROPORTIONATELY AROUND THE BUILDING SCHOOL WALLS, WITH SECREMBER AND RECIPIONAL ANONTROTUSE WITHIN THE BURLINGTON HONTHERNOATELLIS FLO WILL BAY THISSE AND REQUIRE FOUR BOSTO AROUTECTUSE.

A CONSIDER IN ROOF LINES, INCLUDING THE USE OF STEPPED CORNICE TAXABITIS, A COMMUNITION OF FLAT AND SLOPED ROOFS, OR PITCHED ROOFSWITCH AT LINES TWO (C) ROOF LINE SLIBLATION CHANGES. B. AT LEAST TWO G) CHOS OF NATIONAL BOST INCTIVELY DIFFERENT IN TROTILIES OF MAKENEY PATTERN, WITH BACK OF THE REQUIRED INCTIMALS CONTINUE AT LEAST THEFT PRECIDE (SIN) OF THE EXTREME WALLS OF C. A BINGLE IMPERIOLAS LONG AS DESIGN TREATMENTS BLOCKAS DEPRESENT SCOP LINES, NUMBER OF STORIES, MINIODIN AND DOOR ETHE AND PLACEMENT, AND/OF CAMAGE PLACEMENT ARE MIND TO CREATE AN INTERESTING AND CAMED EXTERNOL.

D. ARIOX, STORE, DE ETUCCO BHALL COVER AT LEAST THETY PRICEST (SIN), OF THE EXTERIOR WALLS OF THE BUILDING THE EURISTICS.

#### ARCHITECTURE STANDARDS (CONT)

LAND USE NOTES

E. OVERWOODED ENVELOPMEND AND LEAST EIGHTEEN (ILLINOMER PART THE ELPPORTING WITH PLAT ROOFS, CORNICE INSURED SE FRIEN.

B. BOOF FORMS BYALL RESPECT THE ADJACENT RESIDENTIAL AND COMMISSION, CO.

C. BURETNITHAL ADPITE AND MACHARIE BICQUINGED TO ADD ARCHITECTURA, CHARACTER WITH BINDOWS AND MARRIES.

PORCHERA BALCONER BHALL BE RECEIVED INTO THE BUILDING FACAGE, PROJECT FROM THE BUILDING FACAGE OR INCORPORATE A COMBINATION OF BOTH AS APPLICABLE.

G. COLORS BAYL I SE INCOMPONITO FROM THE SIGHT AND STATE AND COMMISSION AND COMMI

L. THE BUILDING ORBITATION WID STEPLACEMENT OF THE CLUSHOUSE FACILITIES SHALL SELECKTED TO SERVE AS A FOCAL POINT AND ABSTRY FOR THE WEST-BORDOOD.

III. PROVIDE ARBUSOF OFFILIENCE INTEGRATED INTO KEY ARBAS OF THE OVERALL BITE FLAV. PROVIDING A REFUGE FOR RESIDENTS.

8. BULDINGS BHALL FRONT ALONG 100 THINGE AND FRANCING SHOULD BE FROUNDED IN THE RESIDANCE SIDE. THE PRESENT EXTRAINCE SAYS BE LOCATED ON ANY BIDE OF THE BUILDING, PROVIDED THAT IT HANDWARE ACCOMMENTATION OF METER PROMISED.

C. PROVIDEDVIRRETY INARCHITECTURAL ETILERAND BUILDING CHARACTER SYPRIMITING ALL TURBS OF BOOK BORNS.

S. PROVIDETNO-BTORY APPRAISANCE OF ANY BUILDING OVER 16 PRET IN HEIGHT.

F. CREATE HORIZONTAL ALIGNMENT OF MICHTECTURAL REMINITERSICHARMINDOWS, BLIS, CORNICES MARCHIS STC.

Q. TOPROMOTES MINIE OF HUMBIEGGE SPECIAL ACCENT MYTERIA SAID DESKE DETAILS SHALL SE INCORPORATED WITH ALL PRICE FLOOR PACADES AND PRIMED MEDIC ARCHITICS PRODESTINATING AND ACCENT. H. COLORS SHALL SEINCORPORATED/SON THE SUSTING RESIDENTIAL AND CO. SHALL SE COSPUSSIONTARY AND WASSE.

LATURARY SOLOF EACHE, PARTICH BHALL SE BURFACION ETUCCO, INTEGRALLY COLORED DECORATIVE CONCRETERIOUS, OR ETAIDARD BRICK MARCHITY UNITS.

Highway Sulle 4 Chicago, Silvate 60671

BULK STANDARDS

4 of 4