# EXPLANATORY COVER SHEET

COUNCILMAN'S BILL NO. <u>CB-1571</u>

#### SPONSOR: MAYOR NOVAK

- TITLE: A BILL FOR AN ORDINANCE REZONING FROM COMMERCIAL C-5 CONDITIONAL TO COMMERCIAL C-5 CONDITIONAL, CERTAIN REAL PROPERTY IN THE CITY OF NORTHGLENN LOCATED AT 2295 EAST 120<sup>TH</sup> AVENUE (THE NORTHEAST CORNER OF CLAUDE COURT AND 120<sup>th</sup> AVENUE), COUNTY OF ADAMS, STATE OF COLORADO, AMENDING THE ZONING MAP OF THE CITY OF NORTHGLENN, AND IMPOSING PENALTIES FOR VIOLATIONS OF THE ORDINANCE.
- PURPOSE: ORDINANCE 867, BY WHICH PART OF THE PROPERTY WAS ZONED TO COMMERCIAL C-5 CONDITIONAL IN 1987, WAS ADOPTED TO ACCOMMODATE AN AUTO REPAIR CENTER WITH THE CONDITIONS THAT THE PROPERTY BE DEVELOPED IN SUBSTAINTIAL CONFORMITY WITH THE SITE PLAN OR EXHIBIT 1 AND THAT THE BUILDING FINISH WOULD BE IN SUBSTATNTIAL CONFORMITY WITH THE ELEVATIONS PROVIDED IN EXHIBIT 2. THIS DEVELOPMENT WAS NEVER UNDERTAKEN. THE REMAINING PORTION OF THE PROPERTY IS CURRENTLY UNZONED AND WAS PART OF THE UNION PACIFIC RAILROAD RIGHT OF WAY AND WAS TRANSFERRED TO THE CITY OF NORTHGLENN FROM THE CITY OF THORNTON.

THE APPLICANT, "MOTOSPA", WISHES TO REZONE THE C-5 CONDITIONAL DISTRICT AND UNZONED PORTION OF THE PROPERTY (CASE Z-1-06) TO C-5 CONDITIONAL. THIS WILL ESTABLISH ZONING FOR THE UNZONED PORTION OF THE PROPERTY AND RESET THE SITE PLAN AND ZONING CONDITIONS TO BUILD AND OPERATE A CAR WASH AND PLAN FOR A FUTURE OFFICE BUILDING AND DRIVE-IN RESTAURANT. CHANGING THE CONDITIONS WILL CREATE A NEW C-5 CONDITIONAL ZONE DISTRICT AND WOULD REMOVE 1987 CONDITIONS AND SITE EXHIBITS 1 AND 2. THE NEW SET OF CONDITIONS AND PLAN SET (EXHIBIT 1) ARE PRESENTED IN THIS ORDINANCE. A CAR WASH, OFFICE, AND RESTARAUNT ARE ALLOWED UNDER C-5 ZONING.

### ADDITIONAL EXPLANATORY REMARKS:

THE PLANNING COMMISSION CONDUCTED A PUBLIC HEARING ON THIS REQUEST ON MAY 23<sup>RD</sup>, 2006. AT THE HEARING THE APPLICANT SPOKE IN FAVOR OF THE RE-ZONING WHILE ONE RESIDENTIAL NEIGHBOR SOUTH OF 120<sup>TH</sup> SPOKE AGAINST THE PROJECT. OPPOSITION WAS ORIENTED AROUND NEGATIVE VISUAL IMPACTS, NOISE, TRAFFIC INCREASES, AND GARBAGE. FURTHER, THE NEIGHBOR FELT THAT UNACCEPTABLE HOURS OF OPERATION WOULD EXACERBATE THE IMPACTS.

BEING SYMPATHETIC WITH NEIGHBOR, THE PLANNING COMMISSION VOTED TO ADD EXTRA CONDITIONS ON NOISE AND HOURS OF OPERATION TO REDUCE NEGATIVE IMPACTS. THESE ARE INCLUDED IN THE CONDITIONS SECTION OF THE ORDINANCE. THE COMMISSION VOTE WAS 6-1 IN FAVOR, WITH COMMISSIONER REIF DECENTING.

## SPONSORED BY: MAYOR NOVAK

COUNCILMAN'S BILL

ORDINANCE NO.

NO. <u>CB-1571</u> Series of 2006

Series of 2006

A BILL FOR AN ORDINANCE REZONING FROM COMMERCIAL C-5 CONDITIONAL TO COMMERCIAL C-5 CONDITIONAL, CERTAIN REAL PROPERTY IN THE CITY OF NORTHGLENN LOCATED AT 2295 EAST 120<sup>TH</sup> AVENUE (THE NORTHEAST CORNER OF CLAUDE COURT AND 120<sup>th</sup> AVENUE), COUNTY OF ADAMS, STATE OF COLORADO, AMENDING THE ZONING MAP OF THE CITY OF NORTHGLENN, AND IMPOSING PENALTIES FOR VIOLATIONS OF THE ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. <u>Change of Zoning District</u>. Pursuant to the provisions of the Northglenn Zoning Ordinance as amended and upon the recommendation of the Northglenn Planning Commission (Case No. Z-1-06), a zoning change from Commercial C-5 Conditional to Commercial C-5 Conditional is hereby allowed and granted for the approximately 3.5 acres of real property in the City of Northglenn, Colorado, described as follows, to-wit:

Lot 2 of the Bunker Hill Subdivision Filing Number 2, Adams County and un-zoned City of Northglenn Parcel Number 2 from Union Pacific Railroad Title Commitment described as: A Part of the Southwest Corner of Section 36, Township 1 South, Range 68 West, City of Northglenn, Adams County Colorado.

Section 2. <u>Conditions</u>. The conditions established and approved by the Planning Commission of the City of Northglenn for Commercial C-5 Conditional granted in Section 1 of this Ordinance, are hereby established as the conditions of the change of zoning effected by this Ordinance, as follows:

- 1. The existing building exterior shall appear and be maintained in substantial conformity with the building elevations shown in Exhibit 1, Case No. Z-1-06, on file in the City of Northglenn, Planning Department.
- 2. The site shall be constructed, landscaped, and signed in substantial conformity with the plan set Exhibit 1, Case No. Z-1-06, on file in the City of Northglenn, Planning Department.
- 3. The carwash will not be operated beyond 8 P.M. daily.
- 4. Upon receipt of noise complaints, hours of operation will be reviewed and restricted by staff within the guidelines provided in Article 9-13, the City of Northglenn Noise Ordinance.

Section 3. <u>Change of Zone Maps</u>. The official zoning map of the City of Northglenn, pursuant to the provisions of Section 11-3-1 of the Municipal Code of the City of Northglenn, as amended, and the comprehensive Master Plan of the City of Northglenn shall be and hereby are ordered amended to conform with the provisions of Section 1 of this Ordinance.

Section 4. <u>Enforcement of Conditions</u>. The conditions established by Section 2 of this Ordinance shall be construed and enforced pursuant to the provisions of Chapter 11 of the Municipal Code of the City of Northglenn, and a violation of any such condition or conditions shall be deemed a violation of this Ordinance.

Section 5. <u>Repeal of Existing Ordinance</u>. The conditions of Ordinance No. 867 by which this property was previously zoned Commercial C-5 Conditional, is hereby repealed.

Section 6. <u>Violations-Penalty</u>. Violations of the provisions of this Ordinance shall be punishable by a fine of not more than one thousand dollars (\$1,000.00), or by imprisonment for a period of not more than one (1) year, or both such fine and imprisonment.

INTRODUCED, READ, AND POSTED this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

KATHLEEN M. NOVAK Mayor

ATTEST:

DIANA L. LENTZ, CMC City Clerk

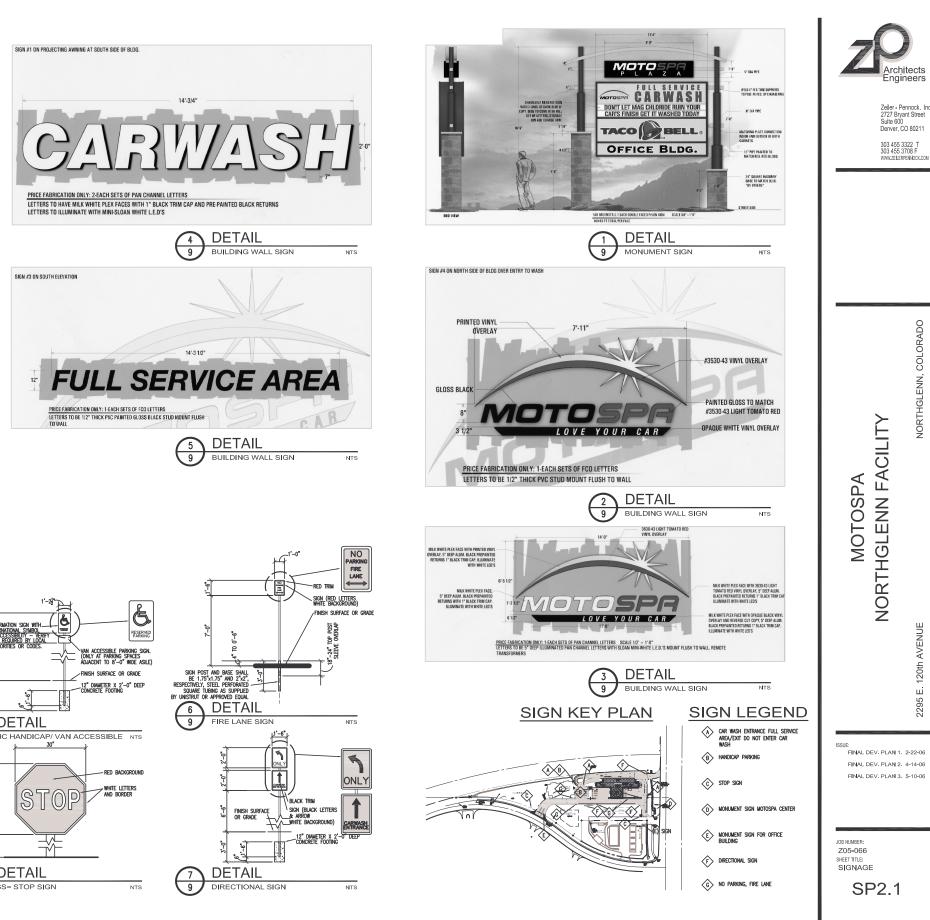
PASSED ON SECOND AND FINAL READING this \_\_\_\_\_, day of \_\_\_\_\_, 2006.

KATHLEEN M. NOVAK Mayor

ATTEST:

APPROVED AS TO FORM:

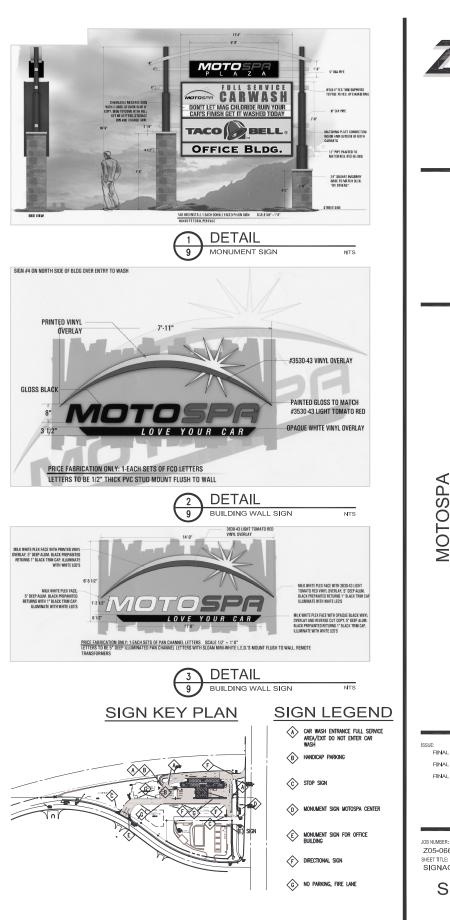
DIANA L. LENTZ, CMC City Clerk City Attorney

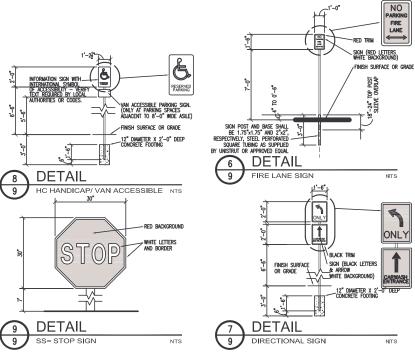


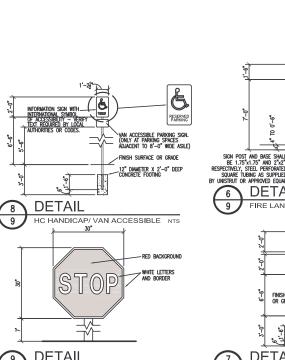


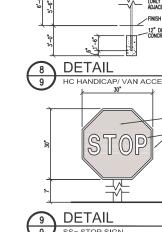














Architects

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COLORADO

IGLENN,

NORTH

3

20th

ш 2295

NORTHGLENN FACILITY

# **MOTOSPA NORTHGLENN**

**REZONING - PARCEL A AND LOT 2 ZONING - C-5 CONDITIONAL** FINAL DEVELOPMENT PLAN NORTHGLENN, COLORADO

**PROJECT TEAM** 

#### ABBREVIATIONS

#### SITE DATA

l process includes rezoning Onsistent with lot 2, parcel

THE PROPOSED RETAIL/RESTAURANT AND COMMERCIAL OFFICE DEVELOPMENT PADS ARE FOR FUTURE DEVELOPMENT. EXACT SIZE AND MAKEUP OF THESE BUILDINGS WILL BE CONSISTENT WITH C-5 ZONING REGULATIONS.

ADJ AFF ANC ALUM ANOD BD BLDG BLKG BM BOT	area drain Adjustable Above Finished Floor Anchor Aluminum Anodized	FWC GA GALV GB GC	FABRIC WALL COVERING GAGE GALVANIZED GRAB BAR	rd Recpt Refr Reinf	ROOF DRAIN Receptacle Refrigerator Reinforce (D) (ING) (Ment)
AFF ANC ALUM ANOD BD BLDG BLKG BM BOT	Above Finished Floor Anchor Aluminum Anodized	GALV GB	GALVANIZED GRAB BAR	REFR	REFRIGERATOR
ALUM ANOD BD BLDG BLKG BM BOT	ALUMINUM ANODIZED			REINF	REINFORCE (D) (ING) (MENT)
ANOD BD BLDG BLKG BM BOT	ANODIZED	GC			
BD BLDG BLKG BM BOT			GENERAL CONTRACT (OR)	REV	REVISIONS/REVISED
BLDG BLKG BM BOT	BOARD	GL	glass Glue Laminated	rfg R0	roofing Rough opening
BM Bot	BUILDING	GB	GYPSUM BOARD	ROW	RIGHT OF WAY
BOT	BLOCKING	HB	HOSE BIBB	RT	Resilient tile
	BEAM	HC	HANDICAPPED	SAC	SUSPENDED ACOUSTICAL CEILIN
	BOTTOM BEARING	HD HDR	Heavy Duty Header	SB SC	SPLASH BLOCK SOLID CORE
	BUILT-UP ROOF	HDWR	HARDWARE	SD	STORM DRAIN
CAB	CABINET	нт	height	SECT	SECTION
	CERAMIC TILE	HM	HOLLOW METAL	SGC	SUSPENDED GYP BOARD CEILIN
	CAST IRON PIPE	HW HWH	HOT WATER	SH	SHOWER
	CONSTRUCTION JOINT CONTROL JOINT	HWH ID	hot water heater Inside daaweter	shthg Sim	Sheathing Similar
	CEILING	INCAND	INCANDESCENT	SM	Sheet Metal
	CENTER LINE	INCL	INCLUDE (ING)	SPEC	SPECIFICATION
	CLEAR	INSUL	INSULATION	SPKR	SPEAKER
	CORRUGATED METAL PIPE	INV	INVERT	SQ.	SQUARE
	CONCRETE MASONRY UNIT	JST JT	joist joint	SF	Square Feet Square Inch
	COLUMN	LAW	LAVATORY	SY	SQUARE YARD
	CONCRETE	UF	LINEAR FOOT	SS	SANITARY SEWER
	CONNECTION	шн	LONG LEG HORIZONTAL	SST	STAINLESS STEEL
	CONTINUOUS (ATION)	Ш٧	LONG LEG VERTICAL	ST	STORM SEWER
	Carpet Cabinet Unit Heater	LT LT WT	light Lightweight	STC STD	Sound transmission class standard
	CABINET UNIT HEATER CUBIC YARD	MAS	Lightweight Masonry	STD STL	STANDARD
	DEMOLITION	MAX	MAXIMUM	STR	STRUCTURAL
DF	DRINKING FOUNTAIN	MED	MEDIUM	SURF	SURFACE
	DIMENSION	MH	MANHOLE	SUSP	SUSPENDED
	DOWN	MIN	MINIMUM	T	TREAD
	DOOR DOWNSPOUT	MO MSB	MASONRY OPENING MOP SERVICE BASIN	T&B TAG	TOP AND BOTTOM TONGUE AND GROOVE
	DISHWASHER	MTL	METAL	TD	TRENCH DRAIN
	DRAWING	MULL	MULLION	TEL	TELEPHONE
	DOWEL	(N)	NEW		TEMPERED GLASS
	DRAWER	NA	NOT APPLICABLE	771	TOP OF FINISH FLOOR
	EACH FACE ELEVATION	NIC NO	NOT IN CONTRACT NUMBER	THK Tob	THICKNESS (THICK) TOP OF BEAM
	ELECTRICAL	NTS	NOT TO SCALE	TOC	TOP OF BLAM TOP OF CONCRETE (CURB)
	ELEVATOR	0C	ON CENTER	TOF	TOP OF FOOTING
ENCL	ENCLOSURE	OD	OUTSIDE DWWETER	TOJ E	TOP OF JOIST
	EQUAL	OFF	OFFICE	TOS	TOP OF STEEL
	EQUIPMENT EASEMENT	OPNG OPP	OPENING OPPOSITE	tosl Tot	top of slab Total
	ELECTRICAL WATER COOLER	PBD	PARTICLEBOARD	TOW	TOP OF WALL
	EXPANSION	PC	PRECAST	TS	TUBE STEEL
exp blt	EXPANSION BOLT	PERF	PERFORATED	TYP	TYPICAL
	EXPANSION JOINT	PERIM	PERIMETER	UG	UNDERGROUND
EXIST (E) FD		PERP	PERPENDICULAR	UNEX	UNEXCAVATED
	FLOOR DRAIN FOUNDATION	РL РL	Plate Property line	unfin Uno	Unfinished Unless noted otherwise
	FIRE EXTINGUISHER CABINET	PLAN	PLASTIC LAMINATE	UNU	URINAL
FE	FIRE EXTINGUISHER	PLBG	PLUMBING	UTIL	UTILITY
	FINISH FLOOR	PLYND	PLYWOOD	VC	VERTICAL CURVE
	FIRE HOSE CABINET	PNL	PANEL	VERT	VERTICAL
	Fire Hydrant Finish	POL PP	Polished Power Pole	VOL W/	VOLUME WITH
	FLOW LINE	PR	PAR	₩/0	WITHOUT
	FLOOR (ING)	PTD	PAINTED	WC	WATER CLOSET
FLUOR	FLUORESCENT	PTN	PARTITION	WD	WOOD
	FACE OF CONCRETE	PVC	POLYVINYL CHLORIDE	WDW	WINDOW
	FACE OF FINISH	PVMT Qt	PAVEMENT QUARRY TILE	WF WL	WIDE FLANGE
	FACE OF MASONRY FACE OF STUDS	QTY	QUARRY IILE.	WL	WIND LOAD WATER RESISTANT
	FIREPROOFING	R	RISER/RADIUS	WT	WEIGHT
FRP	FIBER REINFORCED PANEL	RA	Return air	WWF	WELDED WIRE FABRIC
FTG	FOOTING	RB	RUBBER BASE	XFMR	TRANSFORMER
	TE SPECIE				

ITEM	SQUARE FOOTAGE	% OF GROSS		
PROPOSED DEVELOPMENT - GROSS SITE AREA - CARMASH BUILDING FOOTPRINT + HARDSCAPE SURFACE AREA - LANDSCAPE AREA	145,660 SF 10,742 SF 47,067 SF 87,851 SF	100.00% 7.37% 32.31% 60.31%	MOTOSPA NORTHGLENN, LLLP 600 GRANT STREET, SUITE 304 DENVER, COLORADO 80203 303-825-1919 FAX 303-825-0951	
FUTURE DEVELOPMENT     145,680 SF       - GROSS STE AREA     145,680 SF       - OLENDARD FORT     10,742 SF       - DEVELOPMENT FAN 1 FOOTPRINT     2,500 SF       - DEVELOPMENT FAN 2 FOOTPRINT     5,788 SF       - HAROSCHE SURFACE AREA     80,467 SF       - LANDSCAPE SURFACE AREA     46,163 SF		100.00% 7.37% 1.72% 3.98% 55.24% 31.69%	ARCHITECT/ENGINEER ZEILER-PENNOCK, INC. 2727 BRYANT STREET DENVER, COLORADO 80211 303-455-3322 FAX 303-455-3708	
	REQUIRED	ACTUAL	SURVEYOR	
PROPOSED PARKING     1 SPACE/WASH BAY - 7 SPACES       • OARWIGH     1 SPACE/WASH BAY - 7 SPACES       FUTURE DPECIDPMENT PARKING     1 SPACE/WASH BAY - 7 SPACES       • OEPELOPMENT PAN 1     1 SPACE/200 SF - 13 SPACES       • DEVELOPMENT PAN 2     1 SPACE/200 SF - 34 SPACES		13 SPACES 13 SPACES 10 BE DETERMINED 10 BE DETERMINED	R.W. BAYER & ASSOCIATES, INC. 2090 EAST 104TH AVENUE, SUITE 200 THORNTON, COLORADO 80233-4316 (303) 452-4433 FAX: (303) 452-4515	
BUILDING AN	D FIRE CONSTR		APPROVAL CERTIFICATES	
THREE SEPARATED BULDINGS MANUM BULDINGS SZE - TWO : TYPE OF CONSTRUCTION - I B SPRINKLERED SPRINKLERED FIRE HYDRAWTS REQUIRED- 2,250 GPA FIRE HYDRAWTS REQUIRED- 2	ı	2X 5,788 SF = 11,576 SF	PLANNING COMMISSION APPROVAL: THIS FINAL DEVELOPMENT PLAN (FDP) FOR MOTOSPA - NORTHGLENN HAS BEEN APPROVED BY THE PLANNING COMMISSION OF THE CITY OF NORTHGLENN, COLORADO ON THE DAY OF, 20	
LOT 2, BUNKER HILL VILLAGE SUBDA Adams County Records), a Subda ONE-Quarter of Section 35, town Such Principal Meridan, city of State of Colorado. Contains 67, More or Less.	ISION FILING NO. 2 (FILE 17, MAP 500, ISION OF A PART OF THE SOUTHEAST ISION OF A PART OF THE SOUTHEAST OF THE NORTHGLENN, COUNTY OF ADAMS, 015 SQUARE FEET OR 1.538 ACRES		CHAIRMAN - PLANNING COMMISSION	
TOWNSHIP 1 SOUTH, RANCE 68 WES CITY OF NORTIGUEN, COUNTY OF A DESCRIED AS: COMMENCING AT THE SOUTHWEST ONE-OWNERST AND OF BEGINNING: THENCE CONTINUING DISTANCE OF 72.406 FEET TO A POU OF CALIDE COURT, SAID FOURT ALS LEFT, THE DELTA OF SAID COLE IS 640.00 FEET, THE CHORD OF SAID CO THENCE ALLONG THE AD CISTANCE OF 189.33 LINE OF THE SOUTHWEST ONE-OWNERST ONE-OWNERST ONE OF THE SOUTHWEST ONE-OWNERST ONE-OWNERST ONE OF THE SOUTHWEST ONE-OWNERST ONE-OWNERST ONE-OWNE THE AD CISTANCE OF THE SOUTHWEST ONE-OWNERST ONE OF THE SOUTHWEST ONE-OWNERST ONE-OWNERST ONE OF THE SOUTHWEST ONE-OWNERST ONE-OWNERST ONE OF THE SOUTHWEST ONE-OWNERST ONE-OWNERST ONE-OWNERST ONE-OWNERST ONE-OWNERST ONE-OWNERST ONE-OWNERST ONE-OWNERST ONE-OWNERST ONE-OWNERST ONE-OWNERST ONE-OWNERST OWNERST	SOUTHNEST CORNER OF SMO NOTOTOTOTE AURON THE WEST LINE OF ISTANCE OF 87.50 FEET TO THE POINT NOTOTOTOTE AURONG SMO WEST LINE A NT ON THE EASTERLY RIGHT-OF-WAY LINE BEING A POINT ON A CURKE TO THE ISTO'OT. THE ROULS OF SMO CURKE IS JURNE BEARS NOTOTOTOTE, 188.64 FEET, NIRKE AND ALONG SMO LASTERLY RIGHT- IF FEET TO A POINT ON THE SMD WEST THE OF SMD SECTION 36; THENCE		CITY PLANNER CERTIFICATE: THIS FINAL DEVELOPMENT PLAN FOR MOTOSPA - NORTHGLENN HAS BEEN APPROVED ON THE DAY OF 2006. DIRECTOR OF COMMUNITY DEVELOPMENT	
THE MESTERLY RIGHT-OF-WAY LINE POINT ALSO BEING A POINT ON A CI CURVE IS 1426/167, THE ROULDS OF OF SAID CURVE REMOR SOF790/047, OF SAID CURVE REMOR SOF790/047, OF SAID CURVE REMOR SOF790/047, OF SAID CURVE AND ALONG SOF SAID ALONG SAID SOUTH LINE A DISTANCE BEGINNING. CONTAINS 78,645 SQUAR ACCEESS EASI	NT ON THE SOUTH LINE OF THE SECTION 35: THENCE NEWFOOD'W OF 130.74 FEET TO THE POINT OF RE FEET OR 1.305 ACRES MORE OR LESS. EMENT AGREEM THE ACCESS AND UTILITIES EXISTS	IENT	PUBLIC WORKS AND UTILITY APPROVAL:     THIS FINAL DEVELOPMENT PLAN MOTOSPA - NORTHGLE     HAS BEEN APPROVED ON THE, DAY OF, 20     DIRECTOR OF PUBLIC WORKS AND UTILITIES	
BEWEEN LOTS 1 AND 2 OF THE BU AS DESCRIBED IN BOOK 5042, PAGE	NKER HILL VILLAGE SUBDIVISION FILING NO. 2			
PARCEL 1 AND PARCEL A. LOT 2 IS FILING NO. AND IS ZONED C-5, CON FORTH IN ORDINANCE NO. CB-905, I BEEN PREVAUSLY ZONED SINCE THE CITY OF THORNTON AND IS A TRANG RIGHT-0F-WAY AND A SECTION LINE	OF TWO PARCELS OF GROUND - LOT 2. PART OF BUNKER HILLS VILLAGE SUBDIVISION DITIONAL USE. C-5 CONDITIONAL USE IS SET OF SERES OF 1987. PARCEL A WAS NOT CITY OF NORTHGLEWN RAD CENED IT FROM THE UNA PARCEL BETWEEN THE FAULTAUD DIMDING NORTHGLEWN AND THORMTON. THE WIG PARCEL AT C-5. CONDITIONAL USE.		OWNER'S CERTIFICATE: i, ARNE GUDHEIM, HEREBY AFFIRM THAT I AM A PARTNER OF MOTOSPA NORTHGLENN, LLC, OWNER OF THE PROPERTY DESCRIBED HEREIN, KNOWN AS MOTOSPA - NORTHGLENN.	

I, ARNE GUDHEIM, HEREBY AFFIRM THAT I AM A PARTNER OF MOTOSPA NORTHGLENN, LLC, OWNER OF THE PROPERTY DESCRIBED HEREIN, KNOWN AS MOTOSPA -NORTHGLENN. REPRESENTATIVE: DATE:

	CS1.0-C
	SP1.1-S LP1.1-L LP2.1-B E1.2-S E1.3-L C1.1-G C1.3-G SP2.1-S
 DO	C1.0 - S C1.1 - G C1.2 - E C1.3 - G C1.4 - W C1.5 - S C1.6 - S C1.7 - D C1.8 - I C1.8 - I C1.8 - I C1.9 - H C1.10 - H C2.1 - S C2.2 - U C2.4 - U C2.4 - U C2.5 - S C3.1 - S C3.3 - R C4.1 - S C4.1 - S
	STATE C COUNTY THE FOF BEFORE MY COM
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