



PLANNING COMMISSION Proceedings

April 23, 2019

**City Center South
Council Chambers Room
1001 11th Avenue
1:15 p.m.**

I. Call to Order

Chair Yeater called the meeting to order at 1:15 p.m. Commissioners Schulte, Andersen, Modlin and Rarick were present. (Commissioner Briscoe was absent and one vacancy exists.)

II. Approval of minutes for meeting held on March 26, 2019

Commissioner Andersen moved to table the approval of minutes of the meeting held on March 26, 2019 to better reflect the specific comments and concerns of the issues. Commissioner Rarick seconded the motion. The motion carried 5-0. (Commissioner Briscoe was absent and one vacancy exists.)

III. A public hearing to consider a use by special review for 32 horizontal oil and gas wells with associated equipment on one centralized pad site and one production facility on a 41.55 acre site zoned H-A (Holding Agriculture) located south of US Highway 34, east of 83rd Avenue and north of 28th Street, with 10.93 acres proposed for drilling and extraction purposes

Project Name: SRC Ridge 33-17 Use by Special Review
Case No.: USR2018-0015
Applicant: Corey Sheahan, on behalf of SRC Energy Inc.
Location: South of US Highway 34, east of 83rd Avenue, north of 28th Street
Presenter: Marian Duran, Planner II

Commissioner Yeater recused himself from this matter.

Commissioner Rarick volunteered to serve as Chair. The applicant was advised that a full vote of the four commissioners present would be required to pass the vote. The applicant accepted the conditions.

IV. A public hearing to consider a preliminary plan amendment on 55.440 acres of property within the Promontory PUD, Area B, located south of Highway 34 Business, west of Promontory Parkway, east of Promontory Circle, and north of 16th Street, for the purpose of adding churches, schools, and recreational area uses

Project Name: Promontory Preliminary PUD, Area B, 1st Amendment
Case No.: PUD 2019-0002
Applicant: Sam Coutts, on behalf of Promontory Investors LLC, and State Farm Mutual Automobile Insurance Company
Location: South of Highway 34 Business, west of Promontory Parkway, east of Promontory Circle, north of 16th Street
Presenter: Mike Garrott, Planning Manager

Mr. Garrott addressed the commission and requested to present both projects as one presentation with two separate motions.

V. A public hearing to consider a rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development), with specific uses, on 55.440 acres of property located south of Highway 34 Business, west of Promontory Parkway, east of Promontory Circle, and north of 16th Street

Project Name: Promontory Preliminary PUD, Area B, Rezone
Case No.: ZON2019-0001
Applicant: Sam Coutts, on behalf of Promontory Investors LLC, and State Farm Mutual Automobile Insurance Company
Location: South of Highway 34 Business, west of Promontory Parkway, east of Promontory Circle, north of 16th Street
Presenter: Mike Garrott, Planning Manager

Mr. Garrott addressed the Commission and stated this would amend a portion of the Promontory PUD. He clarified that this project was also known as the Tri-Pointe PUD. He stated the location of the project and presented an overview of the area. Mr. Garrott presented aerial and vicinity maps showing the area. Mr. Garrott gave background history of the development. He shared history about what the area was originally envisioned for land use purposes and clarified that mixed uses were allowed. Mr. Garrott stated that the development proposal complies with the criteria found in Section 18.30.050(c) (3) of the Development Code. There is no approved Zoning Suitability Plan for this property. The provided Zoning Suitability Map showed that this property could be developed in accordance with the Development Code. Mr. Garrott stated that staff is unaware of any potential hazards that presently exist on the site. He clarified that there are no environmental impacts. He stated the site could be accessed from Promontory Circle, 16th Street and Promontory Parkway. Mr. Garrott added that a church, school and park use should not negatively impact the area. Notices were mailed out to surrounding property owners and Mr. Garrott clarified some of the concerns about the use of the area from the public in neighboring residents. One phone call was received about this proposal. Staff recommended approval.

Mr. Mueller addressed the Commission by adding that this proposal was in conjunction with Christ Community Church and may cause a conflict of interest for the commissioner.

Commissioner Andersen had a question about precluding a church being due the tax impacts in the metropolitan district. Mr. Garrott stated he was unsure, and commented on the 1999 vision that was intended. Commissioner Modlin asked for clarification about buffer in the area being used as separation from the neighboring areas. Mr. Garrott stated the buffer would separate the areas and help with the flow of traffic. Commissioner Yeater asked about any legal issues between the metro districts and a change in the taxable rate in that area. Mr. Garrott stated that the owners would be the only ones to object and he is not aware of any issues at this point.

Russell Lee on behalf of Ripley Design addressed the Commission with history about development in this area. He stated that the project would increase the community use and bring in Imagine Greeley policies rather than commercial only development. He shares that the community would enjoy the use of the area and generate activity and passion for this part of town.

Patrick Groom attorney for the applicant addressed the Commission and shared background about the two parcels and how they both are striving for new and useful development in the area. He stated that it would have no impact from the metro districts. He stated that further development will be encouraged. The metro district is not affected from this amendment proposal.

Commissioner Schulte addressed the applicant with questions about schools and asked what his thoughts were about any technical or clerical errors that may have crept in to this process. Mr. Groom addressed the Commission with the question of what uses should be approved at this time not what uses were approved twenty years ago. Commissioner Schulte asked if the church is intending to develop a parochial school. Mr. Groom stated that there are not any plans for a parochial school. He clarified that the intent of the church is to locate a central campus that will attract parishioners from surrounding areas and to broaden their footprint. Commissioner Modlin questioned when the project would begin. Mr. Groom stated it would begin after approval and the land was purchased, and had no exact date that construction would begin.

Commissioner Yeater opened the public hearing at 2:10 p.m. There being no comment, the public hearing closed at 2:10 p.m.

Mr. Garrott addressed the Commission and entered the recommended motion for project name Promontory Preliminary PUD, Area B, 1st Amendment case number PUD2019-0002 into the record. Mr. Garrott also clarified that being a PUD it could possibly be submitted in the future as a Final PUD/site plan, which would also require Planning Commission approval.

Commissioner Andersen moved based on the application received and the Project Summary and accompanying analysis, the Planning Commission find that the proposed amendment to the Promontory Preliminary PUD, Area B meets the applicable Development Code criteria, Sections 18.30.050(c) (3) a. b. f. g. and h. and Section 18.32.040(b) 1 and 2; and therefore, recommends approval of the rezone to the City Council.

Commissioner Rarick addressed the Commission about Tri-Point and added that the intent for this area was intended for the mixed used development and is in favor of the proposal

Commissioner Modlin seconded the motion. The motion carried 5-0. (Commissioner Briscoe was absent and one vacancy exists.)

Commissioners Andersen moved based on the application received and the Project Summary and accompanying analysis, the Planning Commission find that the proposed amendment to the Promontory Preliminary PUD, Area B meets the applicable Development Code criteria, Sections 18.32.040(b) 1 and 2; and therefore, recommends approval of the Preliminary PUD to the City Council.

Commissioner Rarick seconded the motion. The motion carried 5-0. (Commissioner Briscoe was absent and one vacancy exists.)

VI. A public hearing to consider rezone of 1.62 acres of property located at 2700 and 2720 35th Avenue from PUD (Planned Unit Development) to C-H (Commercial High Intensity) zoning for the purpose of redeveloping two parcels of land into a convenience store with gas sales.

Project Name: 2700 and 2720 35th Avenue Rezone
Case No.: ZON2018-0018
Applicant: Corey Stinar, on behalf of Circle K Stores
Location: 2700 and 2720 35th Avenue
Presenter: Darrell Gesick, Planner III

Mr. Gesick addressed the Commission and entered the staff report into the record. He stated the location of the rezone request and surrounding land uses with some site characteristics. He continued with a project overview and background of the property. Mr. Gesick presented a Zoning Suitability Map. He stated that the purpose of redevelopment was for a convenience store with gas sales. The rezone would be from PUD (Planned Unit Development) to C-H (Commercial High Intensity). Mr. Gesick pointed out that the existing PUD already functions as a C-H zone and stated the impact would be minor. Mr. Gesick clarified that no noise impacts are anticipated with the rezone request. Any potential noise created would be regulated by the municipal code. Mr. Gesick stated that public notices were mailed to surrounding property owners, and two phone calls were received with questions about the proposal. Neither caller objected to the proposal. Mr. Gesick stated that traffic is one of the main concerns from the public.