



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.

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.

Commissioner Andersen expressed concerned about the traffic and asked if any plans were in place to work on the traffic backups from the carwash off 28th Street entrance to the new convenience store.

Allison Baxter, Transportation Planner, addressed the Commission about complaints received from the public about the traffic blocking 33rd Avenue to the east. She is hoping the car wash and the convenience store will work together to address this issue, but the city will communicate with the car wash to provide more stacking on their site to help with traffic flow. Ms. Baxter stated that 28th Street and 35th Avenue are currently operating at a level of service for left hand turns and stated she is aware of the traffic issue and is aware that the traffic is only getting worse with this proposal. Commissioner Yeater questioned that given the PUD design, whether CDOT anticipated any change with traffic on 28th Street. Ms. Baxter stated that movement would change, but she was unsure it would change entirely. She stated it would be part of the interchange and movement would be reduced on 28th Street if it became part of the frontage road. Ms. Baxter stated property owners would work together in this process of change.

Commissioner Rarick questioned replacement for the underground gas tanks. Mr. Gesick stated that the gas tanks would be replaced.

Applicant Corey Stinar, on behalf of Circle K Stores addressed the Commission and thanked staff for the presentation and was open to questions from the Commission. Commissioner Yeater stated that he was aware of the monitoring of state oil for this proposal, and asked for clarification from the applicant about changing out the tanks. Mr. Stinar stated the applicant would be responsible for changing out the tanks.

Commissioner Yeater opened the public hearing at 2:28 p.m. There being no comment, the public hearing closed at 2:28 p.m.

Commissioner Rarick moved based on the application received and the preceding analysis, the Planning Commission find that the proposed rezoning from PUD (Planned Unit Development) Zone District to C-H (Commercial High Intensity) Zone District meets Development Code Section 18.30.050(c)(3) a, b, f, g and h; and therefore, recommend approval of the rezone to the City Council.

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

VII. Staff Report

Brad Mueller, Community Development Director, addressed the Commission about the university district and shared background information about improvements and developments that include 16th Street from 8th Avenue to 10th Street and north of central campus. Mr. Mueller also stated that the Parks Department received a grant to reimagine parks and public spaces. Commissioner Modlin asked about new development and requested details on new development projects. Mr. Mueller stated several developments were in planning process and suggested we provide the commissioners with the monthly development report.