

# Council Agenda Summary

May 21, 2019

**Agenda Item Number 18**

Key Staff Contact: Brad Mueller, Community Development Director, 970-350-9786

**Title:**

Public hearing and final reading of an ordinance to consider a change of zone from PUD (Planned Unit Development) to C-H (Commercial High Intensity) zoning for approximately 1.62 acres of property known as the 2700 and 2720 35<sup>th</sup> Avenue Rezone, and public hearing and final reading of an Ordinance changing the official zoning map to reflect the same

**Summary:**

The City of Greeley is considering a request from Corey Stinar, on behalf of Circle K Stores, to rezone approximately 1.62 acres of land, located at 2700 and 2720 35<sup>th</sup> Avenue, from the PUD (Planned Unit Development) Zone District to the C-H (Commercial High Intensity) Zone District (see Attachments A, B, C & D).

The Planning Commission considered the request on April 23, 2019, and unanimously recommended approval to City Council. This ordinance was introduced at the May 7, 2019 Council meeting.

**Fiscal Impact:**

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial, or, onetime impact?	Varies based on build-out
What is the annual impact?	Varies based on build-out
What fund of the City will provide Funding?	Development impact fees, then general revenue sources
What is the source of revenue within the fund?	Development impact fees, then general revenue sources
Is there grant funding for this item?	N/A
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

**Legal Issues:**

Consideration of this matter is a quasi-judicial process which includes the following public hearing steps:

- 1) City staff presentation
- 2) Council questions of staff
- 3) Applicant presentation

- 4) Council questions of applicant
- 5) Public input (hearing opened, testimony - up to three minutes per person, hearing closed)
- 6) Rebuttal, if requested
- 7) Council discussion
- 8) Council decision

**Other Issues and Considerations:**

None noted.

**Applicable Council Priority and Goal:**

Consistency with Comprehensive Plan and Development Code standards.

**Decision Options:**

- 1) Adopt the ordinance as presented; or
- 2) Amend the ordinance and adopt as amended; or
- 3) Deny the ordinance; or
- 4) Continue consideration of the ordinance to a date certain.

**Council's Recommended Action:**

- A) A motion that, based on the application received and subsequent staff analysis, the proposed rezone from PUD (Planned Unit Development) to C-H (Commercial High Intensity) meets Development Code Section 18.30.050(c)(3) a, b, f, g and h; and, therefore, approves the rezone.
- B) A motion to adopt the map change and publish with reference to title only.

**Attachments:**

Ordinance

Planning Commission Minutes-Draft (April 23, 2019)

Planning Commission Summary (Staff Report) (April 23, 2019)