

# 3115 35<sup>th</sup> Avenue

## ZON2021-0017

**City Council**

**August 16, 2022**

**Darrell Gesick, Planner III**



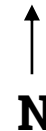
# Request & Site Background

- **Request:**
  - **Rezone 2.11 acres from C-L (Commercial Low Intensity) to C-H (Commercial High Intensity)**
- **Background:**
  - **In 1987, the property was annexed and zoned C-1. Development Code was revised, and the C-L is the modern-day equivalent to C-1**
  - **Parcel currently developed with a 10,400-square-foot building**
  - **Past use was for a wireless internet service provider, with a portion of the building used as a warehouse**



# Location

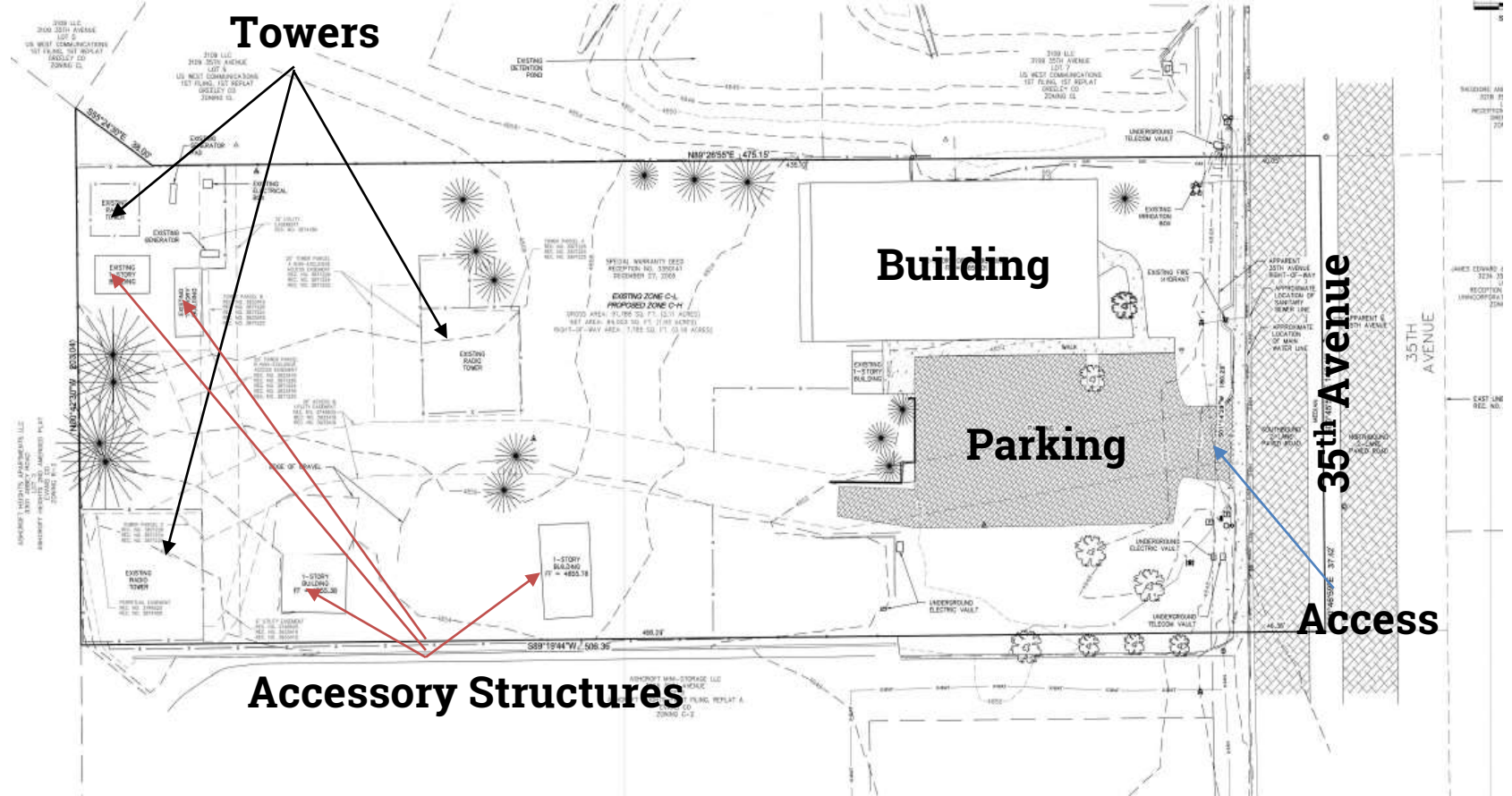
- 3115 35<sup>th</sup> Avenue - South of 29<sup>th</sup> Street, North of 34<sup>th</sup> Street, and West of 35<sup>th</sup> Avenue
- Surrounding Zoning and Land Uses:
  - North: C-L – Commercial/Undeveloped
  - East: R-L and R-1 (Weld County) – Large Lot Residential
  - South: C-2 (Evans) – Storage Units
  - West: R-3 (Evans) – Multi-Family Units



# Site Analysis Map and Zoning Suitability Map

## Existing Conditions:

- Two-Story Building
- Several existing structures on the parcel
- Radio Towers
- Paved Parking
- Landscaping





# Approval Criteria

## **Rezone Criteria – 24-204 – Nine Criteria Used to Evaluate Rezone applications**

- **The proposed Rezone is consistent with the criteria as outlined in your Summary**

# Notification

- **A total of 27 notice letters were mailed to property owners within the general vicinity**
- **Signs posted on the property**
- **Received one phone call – General questions about the intent of the rezone**

# Recommendation

- **Complies with Section 24-204(b) 1-9**
- **Planning Commission reviewed the request and conducted a public hearing on July 26, 2022, and voted unanimously to recommend approval**



- **Rezone 2.11 acres**



# Approval Criteria

## Rezone Criteria – Section 24-204(b) – Nine Criteria Used to Evaluate Rezones

1)	<p>The proposal is in accordance with the goals and objectives of the Comprehensive Plan and any other plan, policy, or guidance adopted pursuant to that plan</p>
	<ul style="list-style-type: none"><li>• <i>Comprehensive Plan GC-4.2 (Reinvestment/Adaptive Reuse)</i></li><li>• <i>Comprehensive Plan GC- 4.3 (Infill Compatibility)</i></li><li>• <i>Rezoning would encourage reinvestment of an existing structure</i></li></ul>
2)	<p>The proposal can fulfill the intent of the zoning district considering the relationship to the surrounding areas</p>
	<ul style="list-style-type: none"><li>• <i>Rezoning would allow for more development options</i></li></ul>
3)	<p>The area changed or is it changing to such a degree that it is in the public interest to rezone the subject property to encourage development or redevelopment of the area?</p>
	<ul style="list-style-type: none"><li>• <i>Surrounding area has been developed out for many years</i></li><li>• <i>Current zoning limits development options</i></li><li>• <i>Rezoning allows for more development options</i></li><li>• <i>It is in the public interest to rezone the site</i></li></ul>

# Approval Criteria

## Rezone Criteria – Section 24-625(c)(3)

- |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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| 4) | <p>The existing zoning has been in place for a substantial time without development, and if this indicates the existing zoning is inappropriate given development trends in the vicinity</p> <ul style="list-style-type: none"><li>• <i>Current zoning has been in place since 1987</i></li><li>• <i>Small addition to the western side of the building in 2011</i></li><li>• <i>Current zoning not necessarily inappropriate, but the uses proposed for the site would only be allowed in C-H zone</i></li><li>• <i>Rezoning would allow for more development options</i></li></ul>                                                                                                                                                              |
| 5) | <p>The proposed zoning will enable development in character with existing or anticipated development in the area considering the design of streets, civic spaces, and other open space; the pattern, scale and format of buildings and site; and the compatibility and transitions with other complimentary uses and development</p> <p>What is the impact on the <u>Zoning Suitability Plan</u>?</p> <ul style="list-style-type: none"><li>• <i>Currently developed with a two story, 10,400-square foot building</i></li><li>• <i>The building is consistent with other buildings and development in the area</i></li><li>• <i>Any new development application would be reviewed for compliance with the City's Development Code.</i></li></ul> |



# Approval Criteria

## Rezone Criteria – Section 24-204(b) – Nine Criteria Used to Evaluate Rezones

6)	<p>The City or other agencies have the ability to provide services or facilities that may be necessary for anticipated uses in the proposed district</p> <ul style="list-style-type: none"><li>• <i>Greeley provides water services to the site</i></li><li>• <i>Evans provides sewer services to the site</i></li></ul>
7)	<p>The change will serve a community need, provide an amenity, or accommodate development that is not possible under the current zoning or that was not anticipated at the time of the initial zoning or the property, making the proposed zoning more appropriate than the current zoning.</p> <ul style="list-style-type: none"><li>• <i>The proposed zoning would allow for more development options</i></li><li>• <i>Allows for more potential services for the community</i></li></ul>
8)	<p>Any reasonable anticipated negative impacts on the area or adjacent property either are mitigated by sound planning, design and engineering practices or are outweighed by broader public benefits to the surrounding community</p> <ul style="list-style-type: none"><li>• <i>Any impacts resulting from the rezone would be mitigated as part of the development review process</i></li><li>• <i>Traffic and drainage would be further evaluated at the time of a site plan application</i></li></ul>

# Approval Criteria

## Rezone Criteria – Section 24-204(b) – Nine Criteria Used to Evaluate Rezones

9)	The recommendations of professional staff or advisory review bodies
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- |  |                                                                                                             |
|--|-------------------------------------------------------------------------------------------------------------|
|  | <ul style="list-style-type: none"><li>• <i>Staff recommends approval of this rezoning request</i></li></ul> |
|--|-------------------------------------------------------------------------------------------------------------|

