

1603, 1611, 1613 & 1619 7th Avenue Rezone ZON2022-0008

City Council
January 17, 2023
Darrell Gesick, Planner III



Location

- Southwest corner of 16th Street and 7th Avenue – Consists of 1603, 1611, 1613, and 1619 7th Avenue
- Surrounding Zoning and Land Uses:
 - North: C-H – Commercial Use/Coffee Shop/Residential
 - East: R-H – Residential
 - South: R-H – Residential
 - West: C-H – Commercial Restaurant/Residential

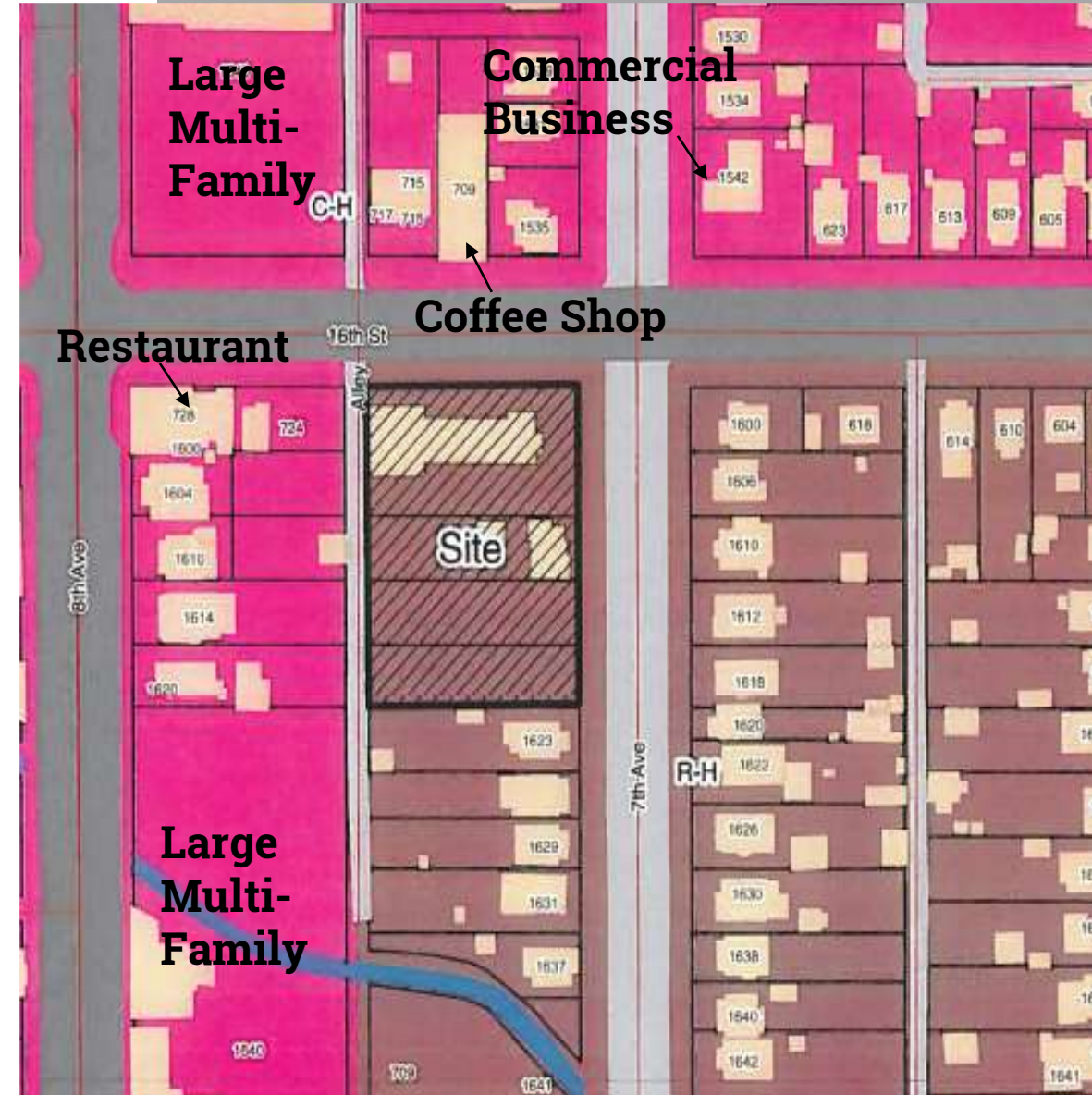


Photo Aerial

- **Former Church Building**
- **Consists of four lots**
- **One lot has a single-family dwelling with a detached garage**
- **Dirt parking area that the church used**



Request & Site Background

- **Request:**
 - **Rezone 1.722 acres from R-H (Residential High Density) to MU-H (Mixed Use High Intensity)**
- **Background:**
 - **Subject site was developed as a church in the 1920's and remained as a church until recently**
 - **Recently purchased by the applicant**
 - **Applicant is proposed to provide service type uses for the surrounding area, such as, hair salon, counseling, and therapeutic massage**
 - **Future Minor Subdivision**
 - **Future Site Plan Application**



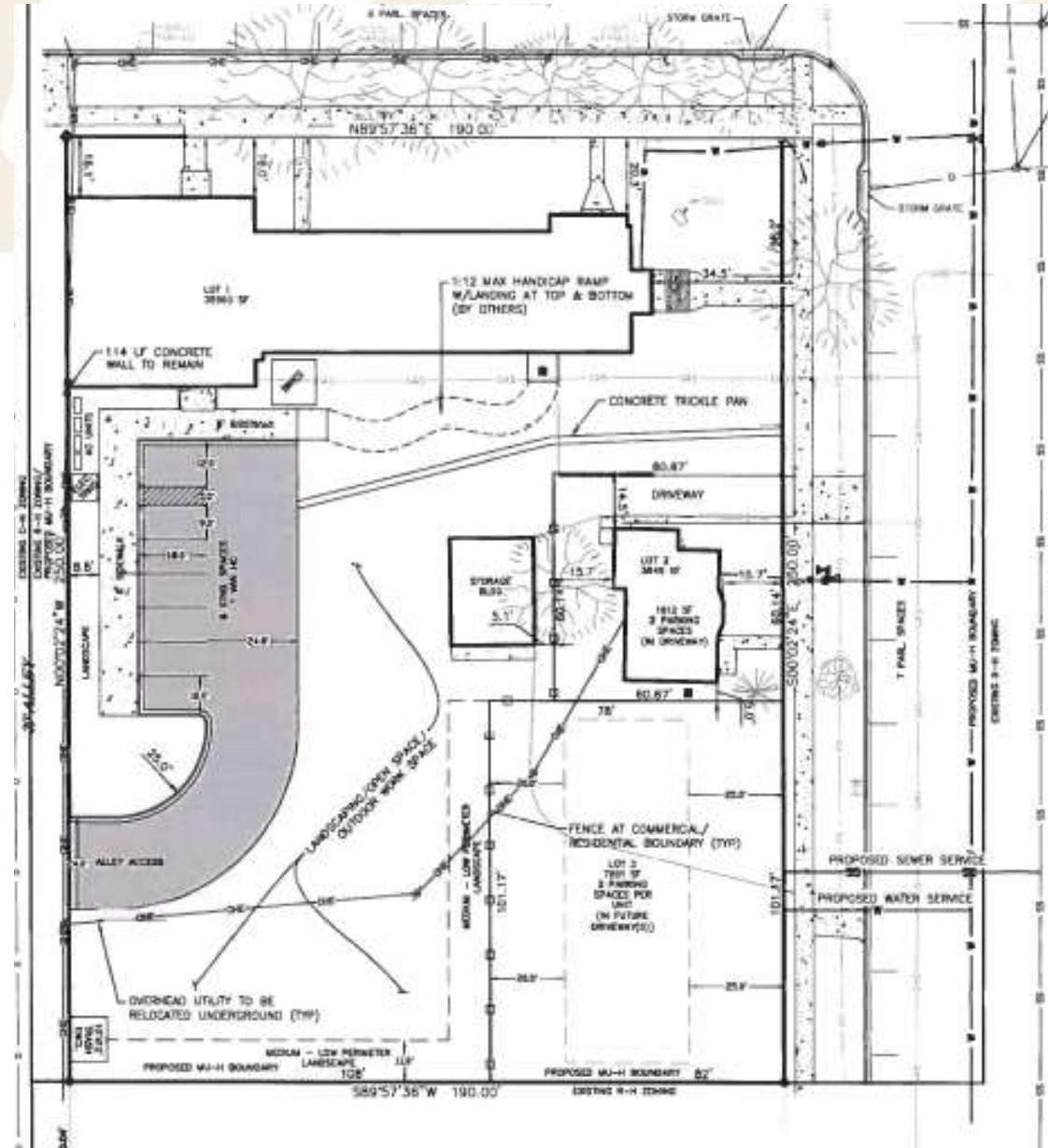
Zoning Suitability Map

Proposed Conditions:

- Conceptual Plan
- All existing structures to remain
- Add parking area
- Landscaping upgrade



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Use Comparison

R-H Zone:

- **Residential**
- **Residential Care – Group Home**
- **Assembly (Up to 499 people)**
- **Schools**
- **Child Care**
- **Lodging – Short Term Rental**
- **Lodging – Bed and Breakfast**

Mixed Use High Intensity:

- **Same as the R-H zone:**
- **Animal Care – Boarding**
- **Food and Beverage – Restaurant**
- **Medical**
- **Office**
- **Personal Service**
- **Retail – Limited**

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

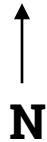
- **A total of 114 notice letters were mailed to property owners within the general vicinity**
- **Signs posted on the property**
- **Received one phone call – General questions about the intent of the rezone**

Recommendation

- **Complies with Section 24-204(b) 1-9**
- **Planning Commission reviewed the request and conducted a public hearing on December 13, 2022, and voted 7-0 to recommend approval of the request**



- **Rezone 1.722 acres**



Approval Criteria

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

1)	<p>The proposal is in <u>accordance</u> with the <u>goals and objectives</u> of the <u>Comprehensive Plan</u> and any other plan, policy, or guidance adopted pursuant to that plan</p>
	<ul style="list-style-type: none">• <i>Comprehensive Plan GC-4.2 (Reinvestment/Adaptive Reuse)</i>• <i>Comprehensive Plan GC- 4.3 (Infill Compatibility)</i>• <i>In addition- GC-1.2, GC-2.2, GC-2.3, EH-2.4, EH-2.5, EH-2.6 (Compact Development, Jobs/Housing Balance, Pedestrian Oriented Development, Walkable Neighborhood)</i>• <i>Rezoning would encourage reinvestment of an existing structure</i>
2)	<p>The proposal can <u>fulfill the intent</u> of the <u>zoning district</u> considering the relationship to the surrounding areas</p>
	<ul style="list-style-type: none">• <i>Rezoning would allow for more development options</i>
3)	<p>The <u>area changed</u> or is it changing to such a degree that it is in the public interest to rezone the subject property to <u>encourage development or redevelopment</u> of the area?</p>
	<ul style="list-style-type: none">• <i>Surrounding area has been developed out for many years</i>• <i>Current zoning limits development options – Limits types of uses in the area</i>• <i>Rezoning allows for more development options</i>• <i>It is in the public interest to rezone the site</i>

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 <u>existing zoning is inappropriate given development trends in the vicinity</u></p> <ul style="list-style-type: none">• <i>Current zoning and use has been in place since 1920's</i>• <i>Small addition to the southern side of the building</i>• <i>Current zoning not necessarily inappropriate, but the uses proposed for the site would only be allowed in C-L and C-H zone, which would impact the neighborhood</i>• <i>Rezoning to MU-H would allow for more development options without impact</i> |
| 5) | <p>The <u>proposed zoning will enable development in character with existing or anticipated development</u> 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> <ul style="list-style-type: none">• <i>Would provide complimentary development to surrounding land uses</i>• <i>This would be a reasonable transition of zoning</i>• <i>Any new development application would be reviewed for compliance with the City's Development Code.</i> |

Approval Criteria

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

6)	<p>The City or other agencies have the <u>ability to provide services</u> or facilities that may be necessary for anticipated uses in the proposed district</p> <ul style="list-style-type: none">• <i>Greeley provides services to the site</i>• <i>Any new development application would be reviewed for compliance with the City's Development Code.</i>
7)	<p>The change <u>will serve a community need</u>, provide an amenity, or <u>accommodate development</u> that is <u>not possible under the current zoning</u> 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">• <i>The proposed zoning would allow for more development options</i>• <i>Allows for more potential services for the community</i>
8)	<p>Any reasonable anticipated negative <u>impacts</u> on the area or adjacent property either <u>are mitigated</u> 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">• <i>Any impacts resulting from the rezone would be mitigated as part of the development review process</i>• <i>Traffic and drainage would be further evaluated at the time of a site plan application</i>

Approval Criteria

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

9) The recommendations of professional staff or advisory review bodies

- *Staff recommends approval of this rezoning request*



Site Analysis Map

Existing Conditions:

- Existing building used as a church
- One Single-Family Dwelling
- One detached garage
- Large gravel parking area

