

Council Agenda Summary

July 19, 2022

Key Staff Contact: Kristin Cote, Community Development, 970-350-9876

Becky Safarik, Interim Community Development Director, 350-9786

Title:

Consideration of a Request to Rezone from I-L (Industrial Low Intensity) to R-H (Residential High Density), Changing the Underlying Land Use Designations for Approximately 15.433 Acres of Property Located East of 71st Avenue, North of 8th Street and Northeast of 69th Avenue (712 71st Avenue) and Final Reading of an Ordinance Changing the Official Zoning Map to Reflect the Same (HP Rezone), Continued from June 7, 2022

Summary:

The applicant requests to rezone from I-L (Industrial Low Intensity) to R-H (Residential High Density) for a range of possible residential uses.

As background, this land was annexed into the City of Greeley through the North Sheep Draw Annexation on July 20, 1981 and designated as I-L (Industrial-Low Intensity). In 2005 a portion of the site was rezoned, dividing the 156 acre I-L (Industrial Low Intensity) zoning into a mix of C-D (Conservation District), C-H (Commercial High Intensity), R-H (Residential High Density), and I-L (Industrial Low Intensity) with Boomerang Master Plan Design Guidelines that would limit certain uses that are permitted by right, design reviews, and special reviews in the area, and establish specific design criteria through the Design Guidelines, that meet or exceed Development Code standards. In 2014, the existing area was also approved by City Council to include an intergovernmental agreement between the City of Greeley and the City Center West Commercial Metropolitan District. In 2016, a resolution for the Amendment and restated consolidated service plan for the City Center West Commercial Metropolitan District was approved by City Council to consolidate the City Center West Commercial Metropolitan District and the City Center West Residential Metropolitan District No. 2.

In 2015, a minor subdivision application was approved to adjust lot lines around the Hewlett-Packard property to accommodate self-storage. Two years later, a minor subdivision application was approved to adjust lot lines around the Hewlett-Packard property to accommodate Westridge Academy, a K-8 charter school that adjoins the western boundary of this property. In 2022, a minor subdivision application was approved to establish a lot which is proposed to be sold to the adjacent contiguous property owner to the west and a tract – the subject of this rezone - which is proposed to be developed as a residential community. The permitted uses currently allowed within the Boomerang Master Plan Design Guidelines in the R-H (Residential High-Density zone) include residential uses, boarding houses, farming, golf courses, open space, parks, and wireless telecommunications. This property once housed a portion of the Hewlett Packard facility. Upon HP's exit from Greeley in 2003, this property became vacant and fell into a diminished state since then. In 2021, this property was

acquired by the existing owner, who demolished the structures on-site, creating this vacant property for redevelopment.

The Planning Commission recommended approval of the request at the April 26, 2022 meeting by a vote of 4-0.

At the City Council meeting of June 7, 2022, the City Council heard the staff report and Planning Commission recommendation, the applicant's presentation, and from members of the public. Following this input, the Mayor Pro-tem closed the public hearing, at which time the applicant requested the item be continued to a future meeting. City Council voted to continue the request to the July 19, 2022 meeting.

Additional written public comment has been received by the Community Development Department concerning this rezone request. All such comment received by the Department as of noon on Monday, July 18th has been assembled in packets for distribution at the meeting if City Council elects to open the public hearing to receive such input. Council may choose to:

1. By vote, reopen the public hearing to receive and consider the additional written comment only (not accept further oral comment from the public);
2. By vote, open the public hearing to receive both the additional written comment and invite any additional comment from those in attendance in person or virtually; or
3. Decline to accept any further public comment (no vote needed)

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial, or, onetime impact?	
What is the annual impact?	
What fund of the City will provide Funding?	
What is the source of revenue within the fund?	
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. If the request is denied the existing zoning remains in place. The owner of the site may not reapply for the same rezoning request (R-H) for one year.

Other Issues and Considerations:

None noted.

Strategic Work Program Item or 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:

Two motions are needed to approve this requested land use action:

1. A motion that, based on the application received, accompanying analysis and Planning Commission recommendation, the proposed rezoning from I-L (Industrial Low Intensity) to R-H (Residential High Density) is found to be in compliance with Development Code Section 24-204 and, therefore, approve the request.
2. A motion to adopt the ordinance and publish with reference to title only.

Alternately, to deny the requested land use action, the following motion would be in order:

1. A motion that, based on the application received, accompanying analysis and Planning Commission recommendation, the proposed rezoning from I-L (Industrial Low Intensity) to R-H (Residential High Density) is found to **not** be in compliance with Development Code Section 24-204 and, therefore, deny the request.

Attachments:

Ordinance

Planning Commission Summary (Staff Report) (April 26, 2022)

Planning Commission Minutes (April 26, 2022)

PowerPoint Presentation