

# Rezone to Remove Development Concept Master Plan ZON2021-0005

**City Council**

**October 4, 2022**

**Darrell Gesick, Planner III**



# Location



- South of 10<sup>th</sup> Street, East of 83<sup>rd</sup> Avenue, West of 80<sup>th</sup> Avenue, and North of 12<sup>th</sup> Street
- Surrounding Zoning and Land uses:
  - North: C-H – Undeveloped Land
  - East: R-H – Undeveloped and R-L – Single-Family
  - South: R-H – Multi-Family
  - West: C-H and C-L – Public Service Easement

# Request & Site Background

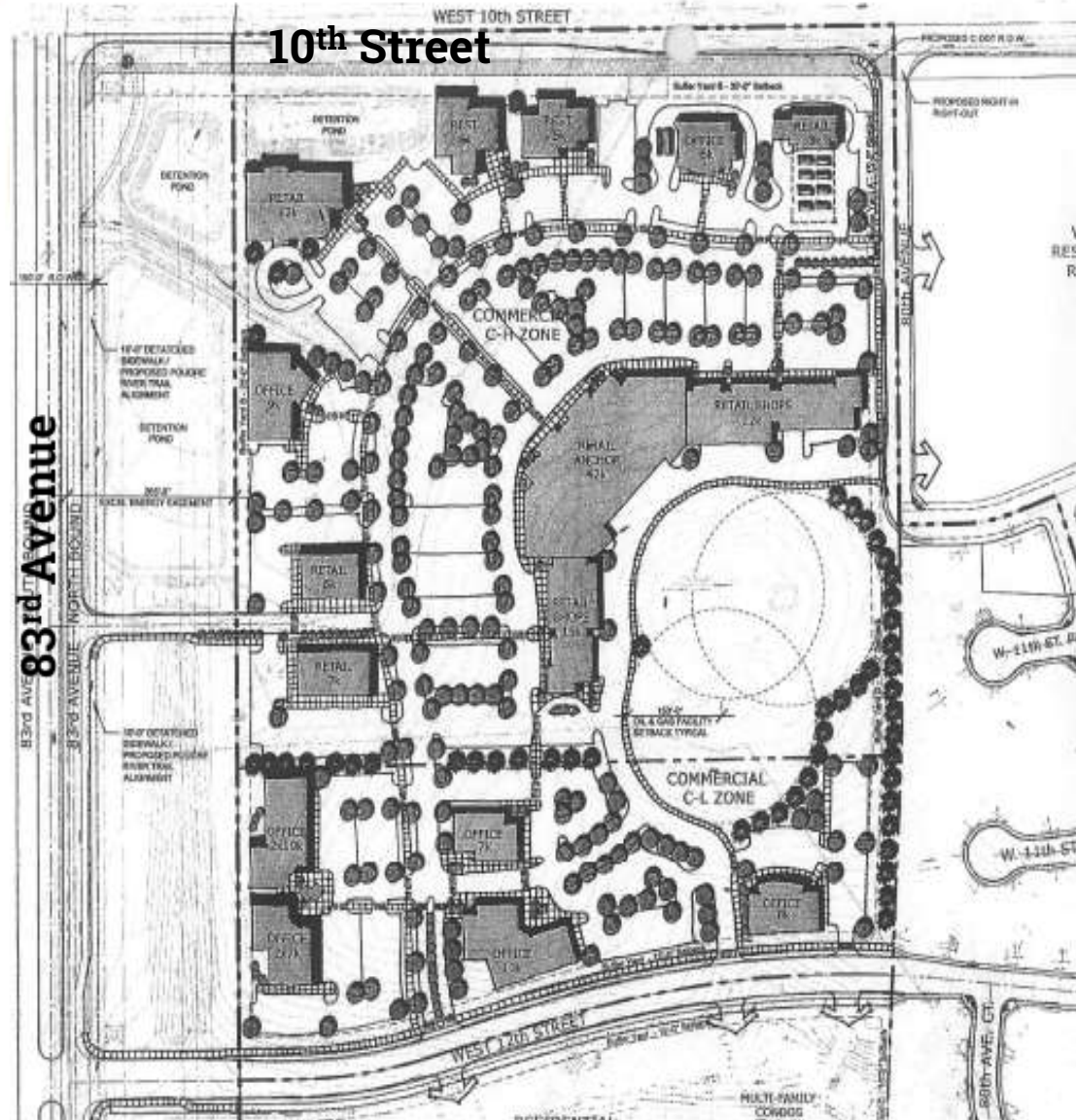
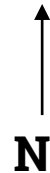
- **Background:**
  - In 1994, the property was annexed and zoned Residential and Commercial
  - In 2007, site was rezoned to Commercial Low and Commercial High with Development Concept Master Plan (DCMP) established
- **Request:**
  - Requests removal of the DCMP overlay designation to allow for more development options for site design and uses
  - The DCMP is an obsolete zone overlay under the current Code
  - A DCMP remains effective until removed using the same procedures under which the original plan was approved; therefore, a rezone is required





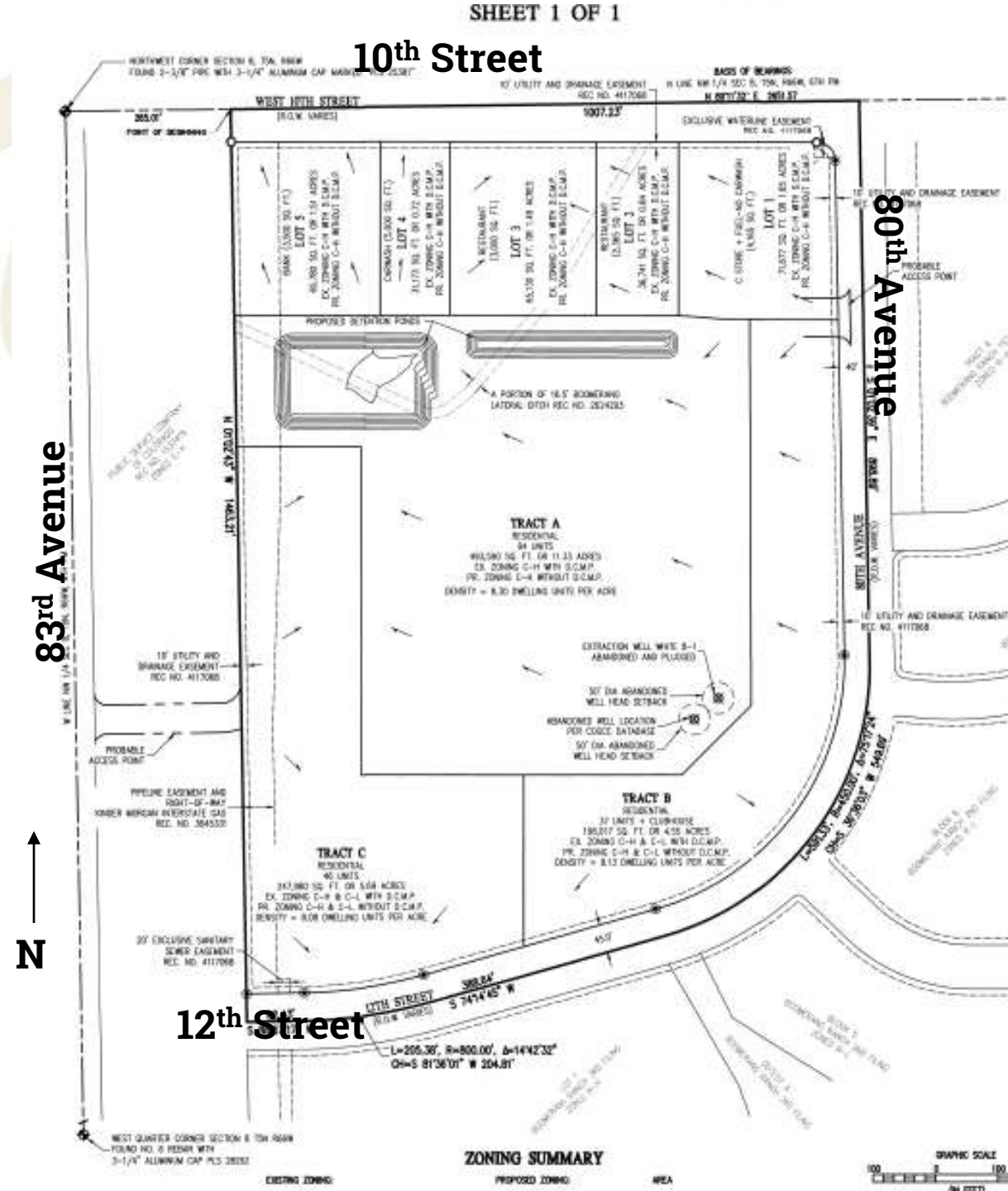
# Development Concept Master Plan

- DCMP included a general layout, access points, uses and general architectural guidelines
- Allowed for Office, Retail, and Restaurants
- Current owner is proposing a different plan and would like to remove the DCMP, which is an obsolete zone overlay under the current Code.



# 10<sup>th</sup> Street

- 
- City of  
**Greeley**  
Colorado



# Approval Criteria

## **Rezone Criteria – 24-625(C)(3) – Eight Criteria Used to Evaluate Rezone applications**

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

# Notification

- **A total of 42 notice letters were mailed to property owners within 500 feet**
- **Signs posted on the property**
- **One phone call received – One person at the hearing – Both wanted to know what was being proposed**

# Recommendation

- **Complies with Section 24-625(c)(3) a, b, f, g, and h**
- **Planning Commission reviewed the request and conducted a public hearing on September 13, 2022, and voted 4-0 to recommend approval**



- **31.26 Rezone acres**

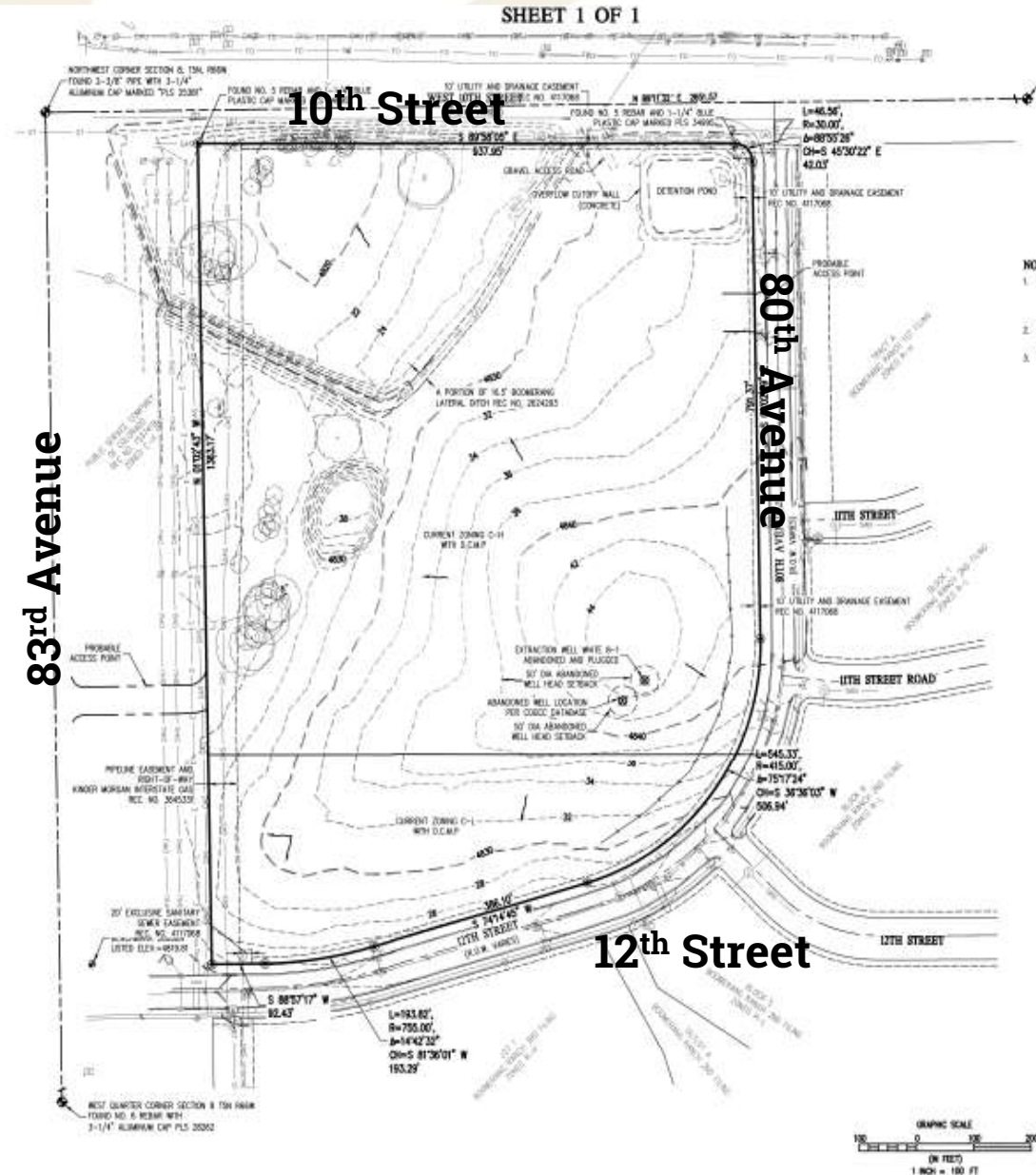




# Site Analysis Map

## Existing Conditions:

- Undeveloped
- Boomerang Ditch
- Plugged and abandoned Well





# Approval Criteria

## Rezone Criteria – Section 24-625(c)(3) – Eight Criteria Used to Evaluate Rezones

A)	Has the area <u>changed</u> to such a degree that it is in the public interest to rezone to <u>encourage development/redevelopment</u> ?
	<ul style="list-style-type: none"><li>• <i>Surrounding area has not changed over the last 15 years</i></li><li>• <i>Surrounding area developed as zoned</i></li><li>• <i>DCMP zoning has been in place for 15 years without development resulting</i></li><li>• <i>Rezoning would allow for more development options</i></li></ul>
B)	Has the existing zoning been in place for at least <u>15 years</u> without substantial development resulting and does the existing zoning appear to be obsolete?
	<ul style="list-style-type: none"><li>• <i>Zoning with DCMP has been in place for over 15 years without development</i></li><li>• <i>Removing the DCMP would allow for more development options in regard to uses and site layout</i></li></ul>
F)	What is the <u>potential impact</u> on the <u>immediate neighborhood</u> and the <u>city</u> as a whole?
	<ul style="list-style-type: none"><li>• <i>Minimal impacts</i></li><li>• <i>Severed by city water and sewer</i></li><li>• <i>Served by city police and fire</i></li><li>• <i>Traffic reviewed by CDOT and Public Works and it was acceptable</i></li><li>• <i>Noise regulated by the Municipal Code</i></li></ul>

# Approval Criteria

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

G) Is the rezone consistent with the policies and goals of the City's Comprehensive Plan?

- *ED-2.4 – Rezone would attract business to serve the area*
- *GC-2.5 – Rezone could provide service to the area and would be in a walking distance to existing residential*

H) What is the impact on the Zoning Suitability Plan?

- *Currently a DCMP is approved on the site and has been in place for 15 years without development*
- *The proposed Zoning Suitability Plan demonstrates on a conceptual level that the site should be able to develop/redeveloped in accordance with the Development Code*

