



Case # Z-988-23

Location: 7160 Eudora Dr
Applicant: 7160 Eudora Dr LLC
Request: Zone Change

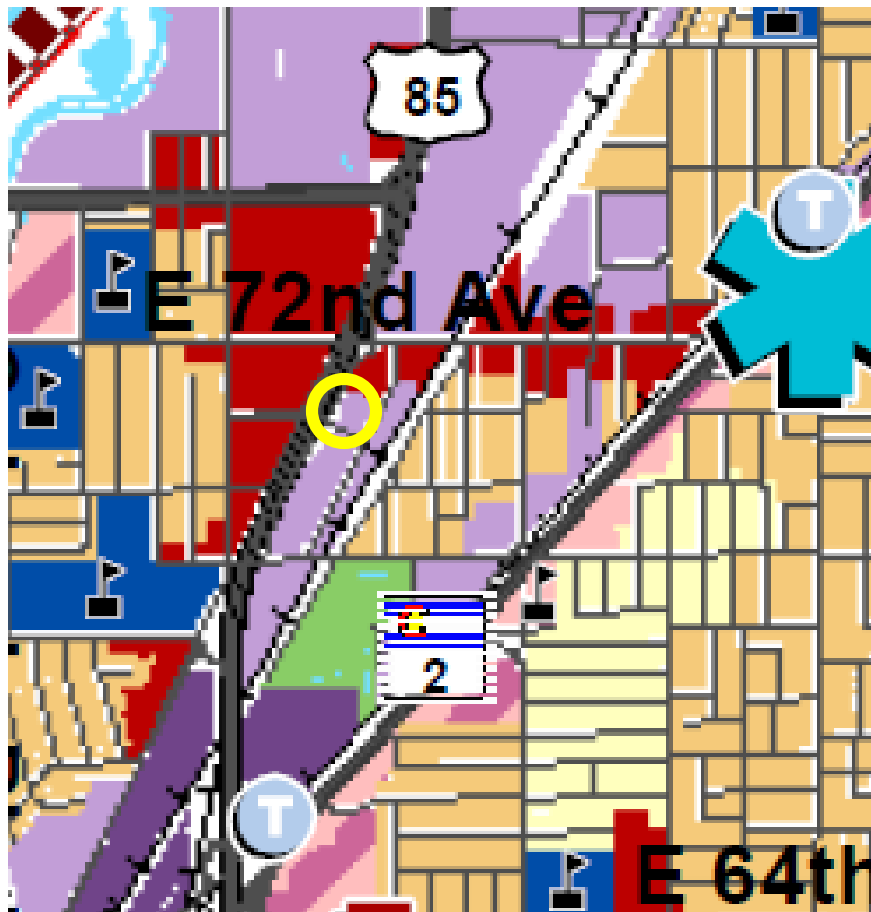
Case Summary

- 7160 Eudora (south of E 72nd Ave, between Eudora Dr. and Elm St.)
- Request: Zone Change
- Current zoning: I-2
- Proposed zoning: I-1
 - Allow fuel sales and convenience store use
- Future land use: Industrial/Distribution
- Concurrent Development Plan (D-547-23) and Plat (S-828-23) under administrative review

Vicinity Map



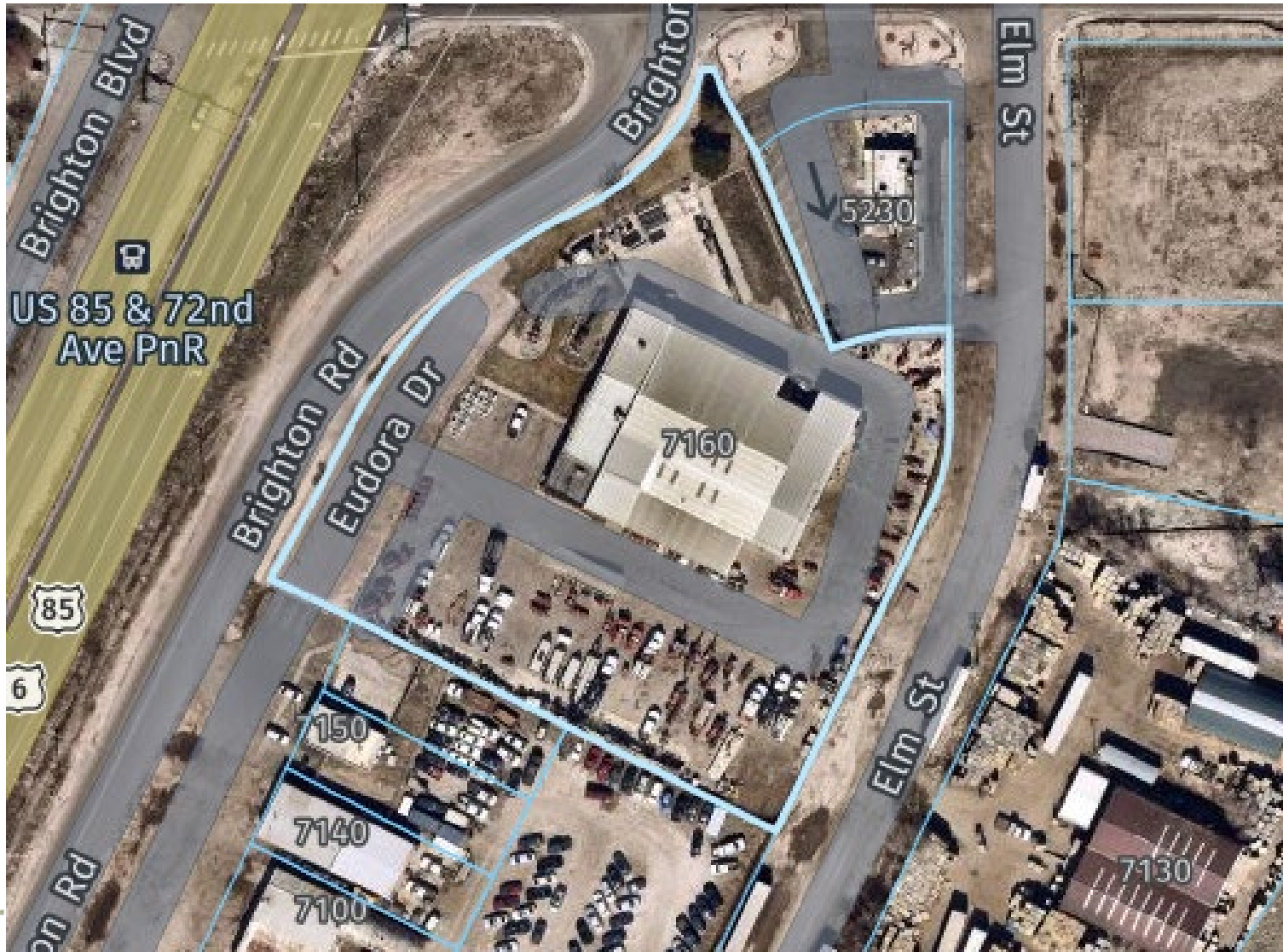
Future Land Use Plan



Future Land Use

- Residential - Low
- Residential - Medium
- Residential - High
- Mixed-Use - E-470
- Mixed-Use (Corridor and Commercial)
- Commercial
- Office / Flex
- DIA Technology
- Industrial / Distribution
- General Industrial
- DIA Reserve
- Utility
- Public/State
- Park
- Open Space

Site Aerial



Background and Applicant's Request

- Currently Ditch Witch of the Rockies
 - Existing business moving to another, larger site within the City
- Approx. 2.31 acres
- Proposed use of Kum & Go
 - Fueling station and ~4,000 sq. ft. convenience store
 - Existing structure to be removed
 - Requires rezone to I-1 to allow convenience store use

Site Photos



View from Eudora Dr.



View from Elm St.

Case Analysis

- Proposed use in concurrent applications is consistent with I-1 zoning
- DRT agencies reviewed project; no outstanding comments or objections for rezone
- There is sufficient evidence in the record to demonstrate that the rezoning meets the approval criteria in LDC Sec. 21-3232(5)

Case Considerations

- Zone Change is consistent with the Comprehensive Plan
- Zone Change allows the site to redevelop into a compatible use for the area and existing uses rather than being vacant when the current use moves
- Additional improvements will be installed with the subdivision plat and development plan

PC Recommendation

- On June 6, 2023, the Planning Commission held a public hearing, took testimony, and voted (4 to 1) to forward Z-988-23 to City Council with a recommendation for approval.





Staff is available to answer any questions.

The applicant is also present to speak on behalf of this request and to answer any questions that the City Council may have.



Zone Change Approval Criteria

Sec. 21-3232(5)- Rezoning or Zone Changes Approval Criteria:

(a) The zone change corrects a technical mistake on the part of the city in classifying a parcel within a specific zoning district; or:

- N/A

(b) The zone change meets all of the following:

(i) The proposed zone district and allowed uses are consistent with the policies and goals of the comprehensive plan, any applicable adopted area plan, or community plan of the city;

- The proposed zone change is consistent with the future land use designation and the policies and goals of the comprehensive plan. This includes LU 2.1 to promote infill development

Zone Change Approval Criteria

Sec. 21-3232(5)- Rezoning or Zone Changes Approval Criteria:

(ii) The proposed zone district and allowed uses are compatible with proposed development, surrounding land uses and the natural environment;

- Surrounding uses are primarily industrial or commercial and the proposed zone is compatible. As an infill site, the proposed development will have limited impact on the natural environment in the area. The applicant has completed an ESA.



Zone Change Approval Criteria

Sec. 21-3232(5)- Rezoning or Zone Changes Approval Criteria:

(iii) The proposed zone district will have, or future development can provide, efficient and adequate provision of public services, including but not limited to, water, sewerage, streets, and drainage;

- This infill site has existing infrastructure and future development will provide any additional or upgraded facilities required.



Zone Change Approval Criteria

Sec. 21-3232(5)- Rezoning or Zone Changes Approval Criteria:

(iv) The proposed zone district will have, or future development can provide, efficient and adequate provision of public uses including but not limited to, parks, schools, and open space;

- The proposed zone will not impact public uses directly and adequate open space, parks, and other public uses exist in the area.

(v) There is a community need for the zoning district in the proposed location, given need to provide or maintain a proper mix of uses both within the city and the immediate area of the proposed use; and

- The proposed zone is consistent with the area and will allow the redevelopment of the site with uses appropriate to surrounding area.

Zone Change Approval Criteria

Sec. 21-3232(5)- Rezoning or Zone Changes Approval Criteria:

(vi) The area for which zone change is requested has changed or is changing to such a degree that it is in the public interest to allow a new use or density.

- This area has been transitioned to industrial over many years and developments. Allowing this site to be fully utilized for a new redevelopment will help with economic development in the area and city, and benefit the public interest.

