



## Legislation Details (With Text)

<b>File #:</b>	Pres 17-01	<b>Version:</b>	1	<b>Name:</b>	City Owned Property at 102nd & Alton
<b>Type:</b>	Presentation	<b>Status:</b>		<b>Status:</b>	Agenda Ready
<b>File created:</b>	8/18/2016	<b>In control:</b>		<b>In control:</b>	City Council
<b>On agenda:</b>	2/27/2017	<b>Final action:</b>		<b>Final action:</b>	
<b>Title:</b>	Potential Rezoning of PIN #172115000015: Property Zoned Agricultural at E 102nd Avenue and Alton Street.				
<b>Sponsors:</b>					
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. Vicinity Map, 2. MMJ Buffer Map 102nd & Alton Potential, 3. MMJ Buffer Map 102nd & Alton Current, 4. Presentation				

Date	Ver.	Action By	Action	Result
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Potential Rezoning of PIN #172115000015: Property Zoned Agricultural at E 102<sup>nd</sup> Avenue and Alton Street.

### Summary and Background Information:

The subject property is currently owned by the city and zoned Agricultural. The purpose of this council study session is to explore a city initiated rezoning of the property, in order to potentially allow marijuana uses to occur in the vicinity. The request was initiated by a property owner in the area, who wanted to use his property for marijuana uses. Land Development Code Section 21-5249(b), retail marijuana sales are not allowed on properties within 500 feet of property zoned agricultural, and retail cultivation is not allowed on properties within 1,000 feet.

The subject property was annexed as part of cases AN-118-92 and AN-119-92, and zoned from ADCO A-3 to Commerce City AG in case Z-565-92. The vacant property was deeded to the city in November of 1991, and according to case research was not specifically given to the city for any particular use.

Rezoning the subject property to Public would open up a total of 14 previously ineligible properties to be used for marijuana retail sales or cultivation. The attached exhibits show a map of these properties, and a list of the business licensing information for each of the 14 properties.

### Staff Responsible (Department Head):

Chris Cramer, Community Development Director

### Staff Member Presenting:

Domenic Martinelli, Planner

Steve Timms, Planning Manager

### Financial Impact:

N/A

### Funding Source:

N/A

**Staff Recommendation:**

Approval

**Suggested Motion:**

N/A