

Ordinance #

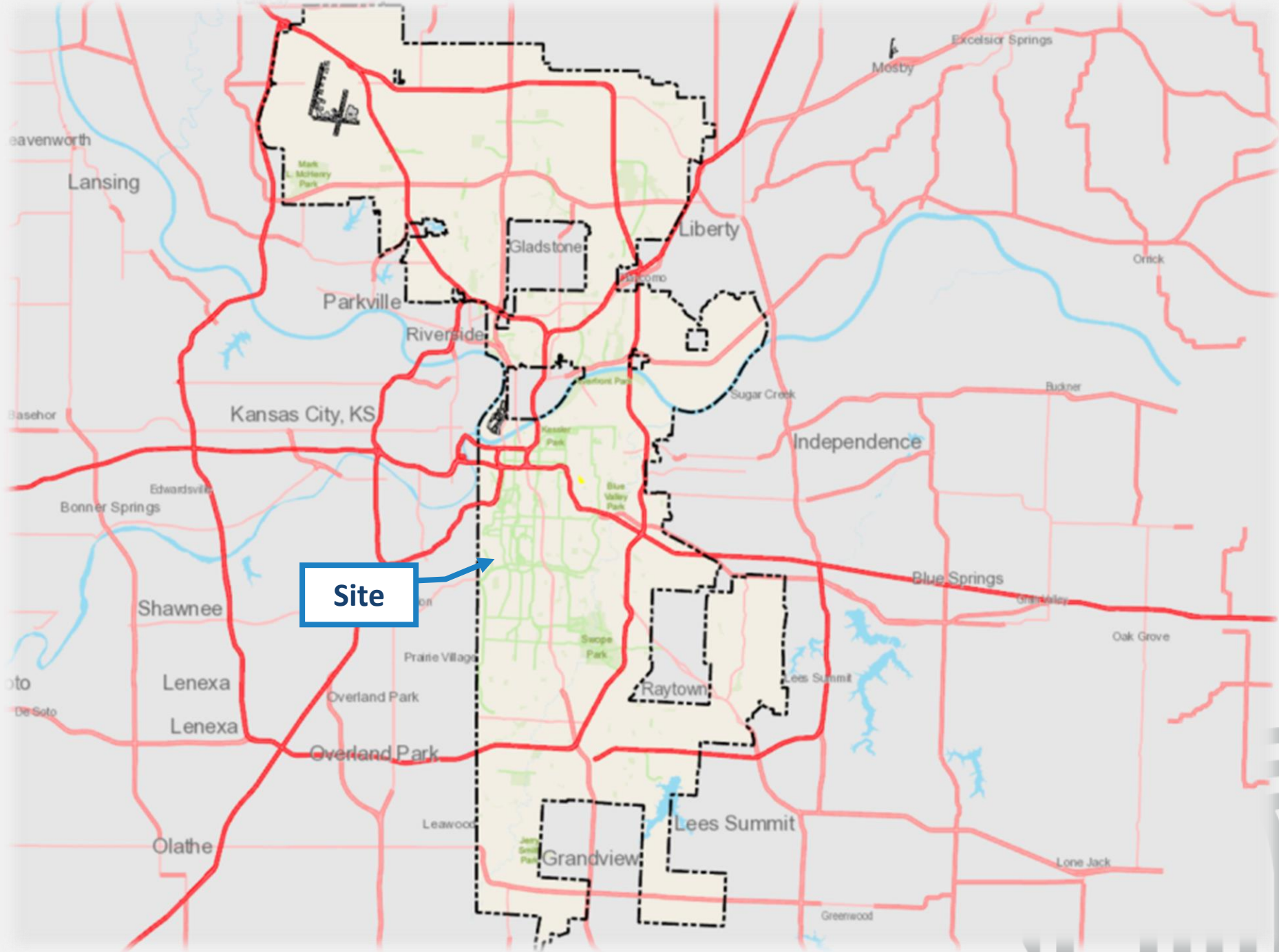
CD-CPC-2024-00148

A request to rezone the subject property from UR (Urban Redevelopment) to B3-2 (Community Business) so the site can be redeveloped.

11.20.2024

City Plan Commission





Summit St
Summit St



W 39th St

W 39

Site



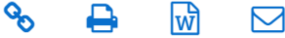


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Key Points

- ORD 170939, multi-unit apartment complex (Expired).
- Proposal = parking lot and potential drive-through components for a marijuana dispensary at 637 W 39th (directly to the west).
- 629 W 39th St can only be redeveloped if,
 1. New Development Plan approved.
 2. Rezoned (out of the UR designation).

88-515-08 - REVIEW CRITERIA



In reviewing and making decisions on proposed zoning map amendments, the city planning and development director, city plan commission and city council must consider at least the following factors:

88-515-08-A. conformance with adopted plans and planning policies;

88-515-08-B. zoning and use of nearby property;

88-515-08-C. physical character of the area in which the subject property is located;

88-515-08-D. whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;

88-515-08-E. suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations;

88-515-08-F. length of time the subject property has remained vacant as zoned;

88-515-08-G. the extent to which approving the rezoning will detrimentally affect nearby properties; and

88-515-08-H. the gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.

88-515-08 - REVIEW CRITERIA



In reviewing and making decisions on proposed zoning map amendments, the city planning and development director, city plan commission and city council must consider at least the following factors:

88-515-08-A. conformance with adopted plans and planning policies;

88-515-08-B. zoning and use of nearby property;

88-515-08-C. physical character of the area in which the subject property is located;

All properties to the north, east, and west of the subject site are zoned B3-2, including office buildings, a car wash, and an auto repair shop.





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88-515-08-D. whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;

88-515-08-E. suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations;

88-515-08-F. length of time the subject property has remained vacant as zoned;

88-515-08-G. the extent to which approving the rezoning will detrimentally affect nearby properties; and

With an expired UR Plan attached to the subject site, the property may remain vacant unless a new UR Plan or rezoning is approved.

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88-515-08-E. suitability of the subject property for the uses to which it has been restricted under the existing zoning regulations;

88-515-08-F. length of time the subject property has remained vacant as zoned;

88-515-08-G. the extent to which approving the rezoning will detrimentally affect nearby properties; and

88-515-08-H. the gain, if any, to the public health, safety, and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.

Rezoning the subject property, back to its base zoning district, will not detrimentally affect nearby properties.

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City Staff Recommendation

APPROVAL