



**PLANNING AND DEVELOPMENT DEPARTMENT
MEMORANDUM 12-23**

DATE: July 23th, 2012
TO: Honorable Mayor Joyce Downing and City Council Members
FROM: William A. Simmons, City Manager 
Brook Svoboda, Director of Planning and Development 
SUBJECT: CB-1775 - Rezoning for Certain Real Properties at 200 W. 104th Avenue - Starbucks Northglenn Preliminary and Final PUD

BACKGROUND

Attached to this memo is a proposed ordinance, which if approved, would rezone 200 W. 104th Avenue to a Preliminary PUD (Planned Unit Development) to create a Starbucks Drive-Thru. Staff will be presenting the Preliminary and Final PUD application to the Planning Commission for consideration at a public hearing on August 7, 2012. A copy of the staff report with the Planning Commission recommendation will be included for the Council's second reading August 13, 2012, when final action for approval is determined.

PROCEDURE

Traditionally, the order would be preliminary recommendation from the Planning Commission and then first and second readings by the Council, however, in light of working with the applicant to expedite the process, the first reading will occur prior to preliminary review by the Planning Commission.

On August 7, 2012, the Planning Commission will consider the request for the Preliminary and Final PUD. The Planning Commission will make their recommendation to the Council based on the following five criteria for a PUD:

- (1) That a need exists for the proposal;
- (2) That this particular parcel of ground is indeed the correct site for the proposed development;
- (3) That there has been an error in the original zoning; or
- (4) That there have been significant changes in the area to warrant a zone change;
- (5) That adequate circulation exists and traffic movement would not be impeded by development; and
- (6) That additional municipal service costs will not be incurred which the City is not prepared to meet.

Should the Planning Commission make a recommendation for approval of the Preliminary PUD and approve the Final PUD at the time, the final action for approval to rezone the property to PUD will occur at the City Council's second reading scheduled for August 13, 2012. If the rezoning to PUD is ultimately granted by the City Council, the applicant will begin the process of applying for building permits.

BUDGET/TIME IMPLICATIONS:

This ordinance amendment request has no budgetary impacts.

As required by ordinance, on August 7th, 2012, the Planning Commission will review this ordinance along with the Preliminary and Final PUD to provide a recommendation to the City Council for their August 13th, 2012 meeting.

RECOMMENDATION

Staff recommends Council approve CB-1775

STAFF REFERENCE

Brook Svoboda, Director of Planning and Development bsvoboda@northglenn.org or 303.450.8937

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1775
Series of 2012

Series of 2012

A BILL FOR A SPECIAL ORDINANCE REZONING FROM PLANNED UNIT DEVELOPMENT PUD TO PLANNED UNIT DEVELOPMENT PUD, CERTAIN REAL PROPERTY IN THE CITY OF NORTHGLENN LOCATED AT 200 W. 104TH AVENUE, CITY OF NORTHGLENN, COUNTY OF ADAMS, STATE OF COLORADO, AMENDING THE ZONING MAP OF THE CITY OF NORTHGLENN, AND IMPOSING PENALTIES FOR VIOLATIONS OF THE ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Findings of Fact. The City Council hereby makes the following findings of fact:

- A. A need exists for the rezoning from Planned Unit Development (PUD) to Planned Unit Development (PUD);
- B. The property at 200 W. 104th Avenue is the correct location for the proposed development;
- C. Significant changes in the area have occurred to warrant the proposed zone change;
- D. Adequate circulation exists and traffic movement will not be impeded by the proposed development; and
- E. Additional municipal service costs will not be incurred which the City is not prepared to meet.

Section 2. Change of Zoning District. Pursuant to the provisions of the Northglenn Zoning Ordinance, as amended, and upon the recommendation of the Northglenn Planning Commission, a change of zoning from Planned Unit Development PUD to Planned Unit Development PUD is hereby approved pursuant to Section 11-37-2(h) and granted for the real property in the City of Northglenn, Colorado, described as 200 W. 104th Avenue, City of Northglenn, County of Adams, State of Colorado. The City Council determines that this change of zoning district is consistent with the Comprehensive Master Plan of the City of Northglenn.

Section 3. Change of Zone Maps. The official zoning map of the City of Northglenn, pursuant to the provisions of Section 11-3-1 of the Municipal Code of the City of Northglenn, as amended, shall be and hereby is ordered amended to conform with the provisions set in Section 1 of this Ordinance.

Section 4. Violations – Penalty. Violations of the provisions of this Ordinance shall be punishable by a fine of not more than one thousand dollars (\$1,000.00), or by imprisonment for a period of not more than one (1) year, or both such fine and imprisonment.

INTRODUCED, READ AND ORDERED POSTED this ____ day of _____,
2012.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

PASSED ON SECOND AND FINAL READING this ____ day of _____,
2012.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney