

EDGEWATER PLANNING AND ZONING COMMISSION

RESOLUTION NO. PC 16 - 04

A RESOLUTION RECOMMENDING CONDITIONAL APPROVAL OF AN APPLICATION TO REZONE LOTS 5, 6 AND THE SOUTH 5 FEET OF LOT 4, BLOCK 105 OF THE EDGEWATER SUBDIVISION, KNOWN AS 2480 GRAY STREET, FROM THE COMMERCIAL 1 (C-1) DISTRICT TO THE RESIDENTIAL-COMMERCIAL 1 (RC-1) DISTRICT, TO PERMIT A RESIDENTIAL ADDITION TO THE EXISTING COMMERCIAL BUILDING

WHEREAS, the Planning and Zoning Commission for the City of Edgewater (the "Commission") has received an application and related documents (collectively, the "Application") to rezone that property known as Lots 5, 6 and the south 5 feet of Lot 4, Block 105 of the Edgewater Subdivision, also known as 2480 Gray Street, Edgewater, Colorado (the "Property"); and

WHEREAS, the Commission is required to conduct the initial public hearing on a rezoning application and, thereafter, present its recommendation in writing to the City Council; and

WHEREAS, after notice to the public, the Commission conducted a public hearing on the Application on October 26, 2016, at which time all interested parties were given the opportunity to be heard; and

WHEREAS, based on testimony and evidence received at such hearing, the Commission finds that the Application meets at least one of the rezoning criteria set forth in Edgewater Municipal Code ("Code") Section 16-25-30(b) upon the imposition of one or more conditions and therefore desires to recommend conditional approval of the Application to the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF EDGEWATER, COLORADO:

**Section 1.** The City of Edgewater Planning and Zoning Commission hereby makes the following FINDINGS in regards to the rezoning application filed by Mark Henneberry, to rezone that property known as Lots 5, 6 and the south 5 feet of Lot 4, Block 105 of the Edgewater Subdivision, also known as 2480 Gray Street, Edgewater, Colorado, from the Commercial 1 (C-1) District to the Residential-Commercial 1 (RC-1) District (the "Application"):

1. The Application proposes to rezone the Property for purposes of constructing a new second-story single-family dwelling unit addition to an existing one-story commercial building.

2. The Property is located in the Main Street Opportunity Area identified by the 2013 Edgewater Comprehensive Plan as an area of opportunity “to preserve and build upon its unique character through pedestrian-scale mixed use development.”

3. The Property is bounded by C-1 zone district properties to the north and west, and by R-1 zone district properties to the east and south. The Property therefore presents an opportunity to provide a pedestrian-scale two-story mixed-use transitional property in between the existing surrounding residential and commercial areas.

4. The existing building on the Property is a former post office and is of some local historic interest and significance. Providing for the useful expansion and development of the Property, while maintaining the existing building, is therefore consistent with the Community Vision expressed by the Comprehensive Plan of “valuing our history while looking to the future.”

5. The Code requires every rezoning petition to be accompanied by an associated Site Development Plan (SDP), which provides the manner in which the rezoned property is to be developed. Code Sec. 16-25-10(a). As such, the Commission finds that it is appropriate to condition any approval of the requested rezoning upon the timely approval of the associated SDP.

**Section 2.** Based upon the foregoing findings, the Commission hereby recommends that the City Council **CONDITIONALLY APPROVE** the Application to rezone Lots 5, 6 and the south 5 feet of Lot 4, Block 105 of the Edgewater Subdivision, also known as 2480 Gray Street, Edgewater, Colorado, from the Commercial 1 (C-1) District to the Residential-Commercial 1 (RC-1) District, with the following condition:

1. The Applicant obtains final City-approval of the Site Development Plan associated with this rezoning application, within six (6) months of the effective date of the City Council ordinance approving the rezoning.

**Section 3.** The Clerk of the Commission is directed to forward a fully-executed copy of this Resolution to the City Council as soon as practical after adoption.

INTRODUCED, READ and ADOPTED this 26<sup>th</sup> day of October, 2016.

***/s/ Nathan Stark, Chair***

**ATTEST:**

***/s/ Maylee Barraza  
Clerk to the Commission***