

COMMUNITY DEVELOPMENT
Planning Division

Brighton

South Main Redevelopment Planned Development

City Council – August 1, 2023

Applicant(s): Alex Gonzalez, Evergreen-Hwy 85 and Bromley LLC
Jennifer Gray, Acme Workshop
Brighton Urban Renewal Authority

Property Owner: Nick Di Mario, Senior Planner, AICP Candidate

City Staff Representative:

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Planned Developments (PDs)

A Planned Development:

- The planned development process is intended for development concepts that require a higher degree of specific planning based on the scale and complexity of the project, the relationship of the project to the context, and the ability to meet the purpose, intent and objectives of this code with more flexible application of the standards.
- A planned development application is a type of zoning map amendment based on a specific and integrated development plan, and must follow the procedures and meet the requirements of the rezoning process.

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Purpose

- The request is to approve the Planned Development for the subject Property.

Annexation → Zoning → Platting-Subdivision Plan → Platting-Final Plat → Site Plan Review → Permits

- Planned Developments are considered a form of zoning.
- Zoning is the second step in the land development process.

Process

- The *Land Use & Development Code* allows for the approval of a Planned Development.
- Staff used the Planned Development and Zoning Map Amendment criteria from the *Land Use & Development Code* to review the proposal.

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Subject Property Location

- The Property is generally located at the northwest corner of S. Main St. and W. Bromley Ln., with a portion to the northeast of S. Main St. and W. Bromley Ln. adjacent to Jensen Foods.



Aerial Map

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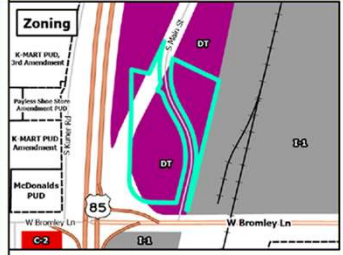
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Background

The Property:

- Zoned Downtown (DT) in 2013 via Ordinance 2159
- 4.15 acres in size
- Not currently subdivided



Zoning Map

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Proposed Planned Development

Purpose of the PD

- Unique shape and geometry of the site
- Colorado Department of Transportation (CDOT) right-of-way adjacent to site
- Site is bound by right-of-way on 3 sides

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Lot Size: 7,000 - 65,000
Lot Width: 40' wide
Setbacks:
Front = 30'
Interior Side = 0'
Corner Side = 25'
Rear = 15'

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Proposed Planned Development (cont'd)

Proposed Development Standards

- Utilize CDOT right-of-way to meet landscape buffer criteria
- Broader range of uses
- Signage utilizing City name and branding
- Amendment language

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Proposed PD (cont'd)

Utilize CDOT Right-of-Way as a Buffer:

- 50' landscape buffer required by the Land Use & Development Code (red).
- CDOT right-of-way to be utilized as a buffer area (yellow).
- Allows property to utilize up to 104' of buffer area within CDOT right-of-way.

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Proposed PD (cont'd)

Utilize CDOT Right-of-Way as a Buffer (cont'd):

- Sufficient on-site landscape buffering in addition to the utilization of CDOT right-of-way.

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Proposed PD (cont'd)

Examples

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Proposed PD (cont'd)

Broader Range of Uses:

- PD will allow a range of commercial by-right and conditional uses from the C-3 zone district.
- Includes retail, animal care, day cares, grocery stores, lodging, medical care, office uses, recreation and entertainment, drive through car washes and gas stations.
- Prohibits check cashing business, pawn shops, vehicle service and repair (major) and sexually oriented businesses.
- Conditional Use Permits (CUPs) no longer required for accessory drive through uses (coffee shops, fast food restaurants, etc.).

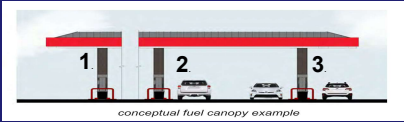
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Proposed PD (cont'd)

Examples



conceptual fuel canopy example



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Proposed PD (cont'd)

Signage Utilizing City Name and Branding:

- PD proposes to construct several signs on the Property.
- City Monument Sign subject to the following:
 - City logo and name shall be incorporated
 - City logo to be no less than 35 square feet
 - City logo and name shall be illuminated

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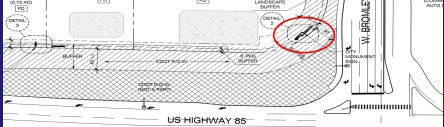
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Proposed PD(cont'd)

City Monument Sign Conceptual Design:

City Monument Sign-Elevation

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Be Brighton Comprehensive Plan

- The Subject Property is designated as Mixed Use – Commercial.




Future Land Use Map

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Be Brighton Comprehensive Plan

Chapter Three: Future Land Use Plan & Opportunity Areas

- Number 3.** Continue to Encourage Reinvestment in the Downtown Urban Center
- Number 7.** South Main Redevelopment

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Be Brighton Comprehensive Plan

Chapter Four: Citywide Principles, Policies & Strategies

- Policy 1.1** – New Growth Should Favor Existing Areas of Infrastructure Investment and Planning
- Policy 1.2** – New Municipal Investments in Infrastructure and Public Facilities Should Strategically Further the Plan's Broader Vision and Principles
- Policy 1.3** – Private Development Should "Pay its Own Way" by Bearing an Equitable Portion of the Costs of Expanding Municipal Infrastructure
- Policy 1.4** – All Principles and Policies Pertaining to New Development Should also be Applied in Cases of Infill and Redevelopment

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Be Brighton Comprehensive Plan

Chapter Four: Citywide Principles, Policies & Strategies

- **Policy 1.5** – Carry Out Ongoing, Transparent and Cooperative Interagency and Interdepartmental Planning Efforts
- **Policy 2.1** – Brighton Will Continue to Develop in a Self-Sufficient Manner (Live, Learn, Work, Shop, and Play) with an Appropriate Balance Between Residential and Non-Residential Uses
- **Policy 2.2** – Use Infrastructure Investments and the Urban Service Area Map to Focus Urban Development

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Chapter Four: Citywide Principles, Policies & Strategies

- **Policy 2.4** – Concentrate Urban Development in Urban Areas, and Agricultural Operations in Agricultural Areas
- **Policy 4.1** – Encourage Development Patterns that Support All Travel Modes
- **Policy 5.1** – Protect and Enhance the Economic Health of Downtown and Brighton's Unique Identity
- **Policy 8.1** – Encourage Redevelopment of Strategic Areas and Promote Infill Development

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Land Use & Development Code

- The City Council in making its decision shall use the following criteria (Section 2.04 C.):

1. *New Planned Developments: Review, recommendations and decisions for newly proposed planned developments shall be based on the following criteria:*
 - a. *The plan better implements the Comprehensive Plan, beyond what could be accomplished under the application of general zoning districts and development standards.*
 - b. *The benefits from any flexibility in the proposed plan promote the general public health, safety and welfare of the community, and in particular, that of the areas immediately near or within the proposed project, and the proposed flexibility is not strictly to benefit the applicant or a single project.*

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Land Use & Development Code

- c. *The flexibility in the proposed plan allows the project to better meet or exceed the intent statements of the base zoning district(s).*
- d. *The proposed adjustments to the standards do not undermine the intent or design objectives of those standards when applied to the specific project or site.*
- e. *The plan reflects generally accepted and sound planning and urban design principles with respect to applying the goals and objectives of the Comprehensive Plan to the area.*

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Land Use & Development Code

- f. *The plan meets all of the review criteria for a zoning map amendment (Sec. 2.03 B.)*

1. *The proposal is in accordance with the goals and objectives of the Comprehensive Plan and any other plan, policy or guidance adopted pursuant to that plan.*
2. *The proposal will support development in character with existing or anticipated development in the area, including the design of street, civic spaces and other open spaces; the pattern, scale and format of buildings and sites; and the integration, transitions and compatibility of other uses.*
3. *The City or other agencies have the ability to provide services or facilities that may be necessary for anticipated uses in the proposed district.*
4. *The change will serve a community need, amenity or development that is not possible under the current zoning or that was not anticipated at the time of the initial zoning of the property.*
5. *The recommendations of any professional staff or advisory review bodies.*

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Public Notice and Comment

- Public Notice was provided in accordance with the *Land Use & Development Code*.
- On July 17th
 - ✓ Notice was published on the City's Website.
 - ✓ Written notice was mailed to all property owners within 1,000 feet of the Subject Property.
 - ✓ Three signs were posted on the Subject Property
- City staff posted information for the public hearing on Facebook and Nextdoor.
- The Interactive Development Map was updated to include the date and time of this meeting.
- A neighborhood meeting was held on April 13, 2021.
- Planning staff has not received any formal comments in advance of this hearing.

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Summary of Findings

- ✓ The Development Review Committee has reviewed this project and recommends approval.
- ✓ Staff finds the Planned Development is in general compliance with the requirements as outlined in the *Land Use & Development Code*.

Planning Commission

- ✓ Unanimously voted to recommend approval of the PD on June 6, 2023.

City Staff Recommendation

- ✓ Staff recommends approval of the South Main Redevelopment Planned Development.

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Options for City Council

- ☐ Approve the PD as presented via ordinance;
- ☐ Approve the PD with changes to the drafted ordinance;
- ☐ Deny the PD; or
- ☐ Continue the PD to be heard at a later specified date.

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