

COMMUNITY DEVELOPMENT
Planning Division

Brighton

Magpie Property Zoning Map Amendment

City Council – August 16, 2022

Applicant: Madison Jones, Lovett Industrial

Property Owner(s): Magpie Run Properties LLC, Connie Surabian, Lazarus Surabian, David Wenzel, Stacey Wenzel Steel, Betty Mathis

City Staff Representative: Nick Di Mario, Associate Planner


1

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Strategic Focus Area

- Recognizable and Well-Planned Community



2

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Subject Property Location

- The property is generally located to the north of E. 152nd Ave. (E. Bromley Ln.) and east of the Burlington Northern Santa Fe Railroad.



3

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Subject Property Location

- The property is approximately 95.105 acres in size.



Aerial Map (Google Maps)

4


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Purpose and Proposal

- The request is to rezone the Property from A-3 (Agriculture – 3) under Adams County to I-1 (Light Industrial) under the City of Brighton.

Process



- Zoning is the second step in the land development process.
- This request is being reviewed concurrent to the annexation of the property.
 - Annexation Petition deemed to be substantially compliant with C.R.S. 31-12-107(1) on July 5, 2022.

5

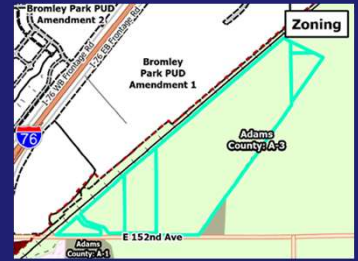
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Background

The Property is:

- Currently in annexation process,
- Unplatted, and
- Zoned A-3 by Adams County.



Zoning Map

6

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Proposed Zoning

Allowed Uses (I-1, Light Industrial):

- Article 4 of the *Land Use & Development Code*
 - I-1 (definition): *The I-1 district provides primarily service, employment, manufacturing, and distribution uses at a scale, intensity and format that won't have significant impact on adjacent uses, and which can mix with supporting and compatible service and retail uses.*
 - Allowed Uses: Manufacturing, Storage and Warehousing, Vehicle – Service and Repair, etc.

7

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Comprehensive Plan

The Subject Property is designated a mix of Agriculture and Natural Resource Conservation.

Future Land Use Map

8

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Proposed vs. Future Zoning

Industrial Zoning vs. Agriculture Designation

- Unincorporated agricultural land creates unforeseen opportunities.
- High developer interest to rezone for industrial uses for properties in close proximity to residential, mixed use, and commercial zones (e.x. Prairie Center and Adams Crossing).

Natural Resource Conservation

- Due to the existence of a FEMA Regulatory Floodplain.
- Prior to development, owner shall submit a letter of map revision (LOMR) to FEMA demonstrating the site is no longer encumbered by a 100 year floodplain.
- Once approved by FEMA, designation is no longer needed.

9

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Comprehensive Plan (cont'd.)

Areas of Alignment:

- Chapter 2: Current Context and Values**
 - Workforce & Job Opportunities – *Opportunities*
 - Development Pattern – *Sustainability*
- Chapter 3: Future Land Use Plan and Opportunity Areas**
 - Policy 9. *Retain and Expand the Bromley Interstate Business Park*
- Chapter 4: City Wide Principles, Policies & Strategies**
 - Managing Growth Principle 1: *Policy 1.1 and 1.3*
 - Freestanding City Principle 2: *Policy 2.1, 2.2, and 2.4*

10

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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.)

- 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.*
- 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.*
- The City or other agencies have the ability to provide services or facilities that may be necessary for anticipated uses in the proposed district.*
- 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.*
- The recommendations of any professional staff or advisory review bodies.*

11

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Public Notice and Comment

- Public Notice was provided in accordance with the *Land Use & Development Code*.
- On July 28th:
 - Two signs were posted on the Property.
- On July 29th:
 - Written notice was mailed to all property owners within 1,000 feet of the Property.
 - Notice was published on the City's Website.
- City staff posted information for the public hearing on various social media sites.
- A neighborhood meeting was held on March 16, 2022.
- Planning staff has not received any formal comment in advance of this hearing.

12

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Summary of Findings

- ✓ *The Development Review Committee has reviewed this project and recommended approval.*
- ✓ *The Planning Commission heard the request on July 14, 2022 and recommended approval by a 3 to 1 vote.*
- ✓ *Staff finds the Zoning Map Amendment is in general compliance with the requirements as outlined in the Land Use & Development Code.*
- ✓ *Staff finds that the Zoning Map Amendment is in general compliance with the goals and objectives as set forth by the Comprehensive Plan.*

City Staff Recommendation

- ✓ *Staff recommends approval of the Magpie Property Zoning Map Amendment.*

13

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Options for City Council

- ☐ Approve the Zoning Map Amendment via Ordinance as drafted;
- ☐ Approve a modified Zoning Map Amendment via Ordinance;
- ☐ Deny the Zoning Map Amendment via Ordinance with specific findings to justify the denial; or
- ☐ Continue the Zoning Map Amendment to be heard at a later, specified date if the City Council feels it needs more information to ensure compliance with the approval criteria as set forth by the *Land Use & Development Code*.

14