



Brighton Crossing Filing No. 2, 8th Amendment Final Plat and Development Agreement

CITY COUNCIL MEETING – November 4, 2024

Applicant/Owner:
City Staff Representative:

Brookfield Residential (Colorado) LLC
Nick Di Mario, AICP, Senior Planner



Code Transition Statement

In the City's transition to the code adopted with an effective date of January 1, 2020, applications submitted prior to said effective date, such as the subject applications, were reviewed by City staff using the previous *Land Use & Development Code* and such sections and criteria are referenced in this presentation and accompanying report.



Purpose

- Consideration of a Final Plat for the creation of a 161 lot subdivision and approval of an accompanying Development Agreement Amendment.

Processes

- Platting is the third step in the land use entitlement process.



- The Property is generally located to the south of Longs Peak Street, north of E. Bridge Street, east of the Brighton Crossing Filing No. 1 Subdivision and west of the Speer Canal.

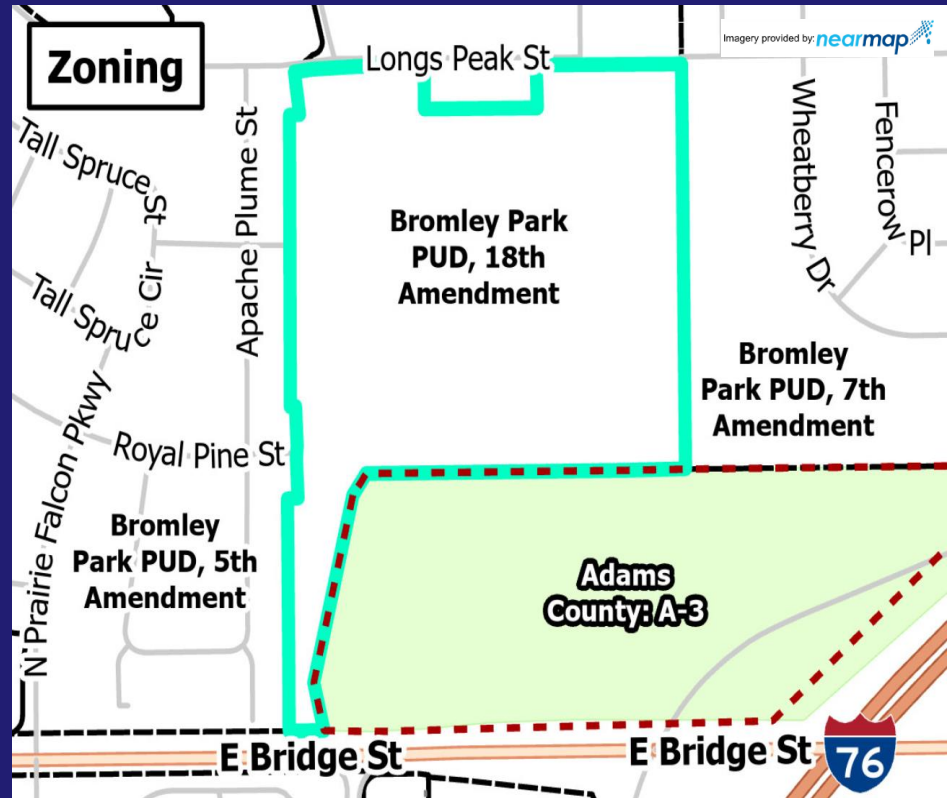




Background

The Property:

- Was annexed in 1985 as part of the Bromley Park Annexation.
- Is zoned Single Family Detached under the Bromley Park PUD 18th Amendment.
- Was originally platted by the Brighton Crossing Filing No. 2 Final Plat.
- Was most recently platted into 'super-blocks' by the Brighton Crossing Filing No. 2 6th Amendment Final Plat.

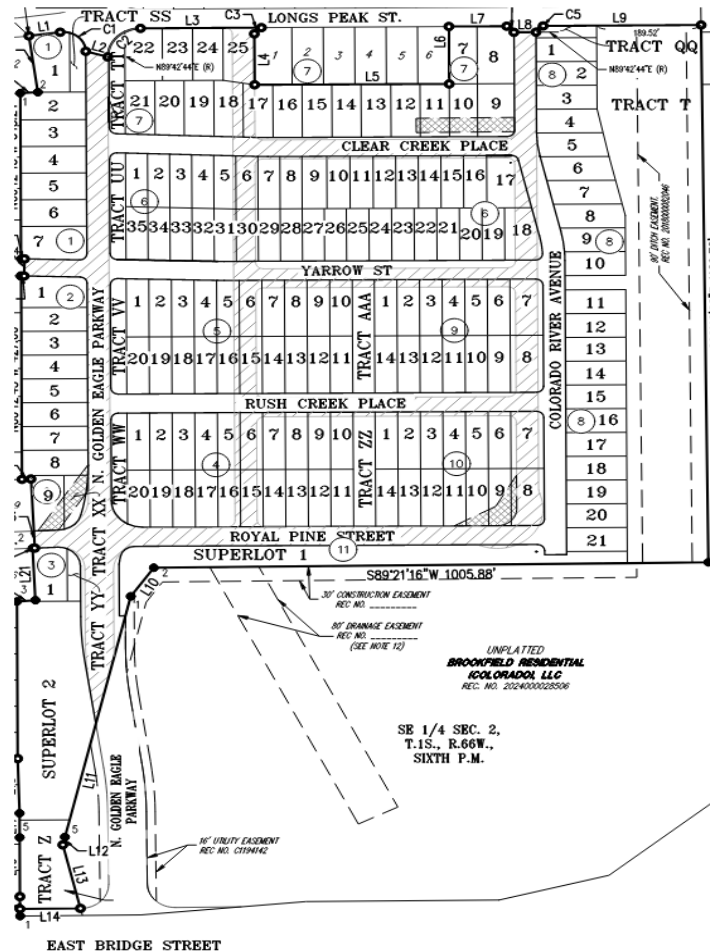




Brighton Crossing Filing No. 2 8th Amendment – Final Plat

The Final Plat:

- Is approximately 33.248 acres in size.
- Designates 161 lots for single family detached residential uses.
- Designates appropriate rights of way and easements for the construction of roads and utilities.
- Designates tracts for landscaping.





Development Agreement Amendment – Overview

- Under the prior (i.e. before 2020) *Land Use & Development Code* (LUDC), final plats are accompanied by development agreements, subject to City Council review and approval.
- Development agreements contain obligations required of the Owner and any future successors and assigns.
- The Property is currently included in the Brighton Crossing Filing No. 2 Development Agreement. As the Property is being re-platted, a development agreement amendment is necessary.
- Accompanied with the proposed Final Plat is the Brighton Crossing Filing No. 2 Development Agreement – 5th Amendment.
- Any items of the original development agreement not amended by the accompanying amendment will remain in full force and effect.

The Development Agreement Amendment will hold the Owner / Developer / District to the following:

- Adhere to the various Pond 308 agreements.
- Design, construct and maintain community mailboxes.
- Design, construct and maintain trails and sidewalks.
- Provide a fee in lieu of water dedication, as is allowed by the applicable annexation agreement.
- Purchase water taps for the irrigation of landscape tracts, and maintain said tracts.
- Erect future development signs.
- Participate in the Capital Facility Fee Foundation (School District 27J).
- Adhere to any provision of the original agreement not amended.

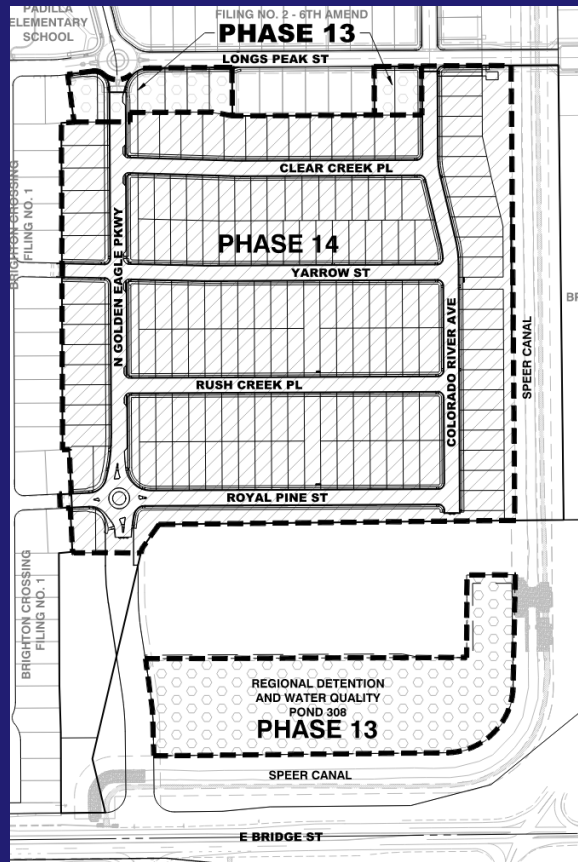




Phasing

Phasing is the process by which the subdivision is separated into distinct phases of construction. No building permits can be issued until the construction of public improvements for a particular phase have been completed.

- The Property is separated into two phases (known as Phases 13 and 14).
- Phase 13 must occur before, or concurrent with, Phase 14.



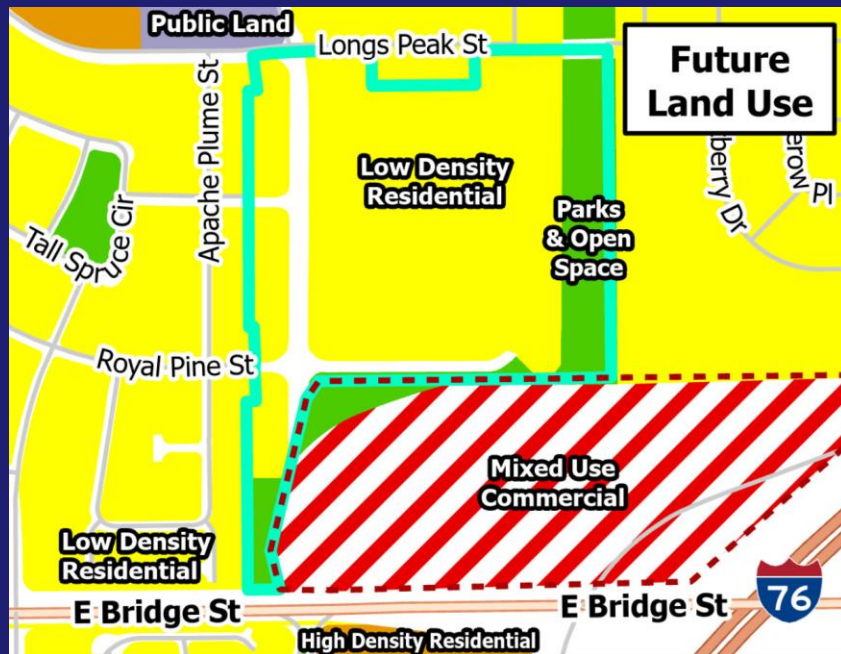
Phasing Plan by Applicant



Review Criteria (Land Use & Development Code)

Be Brighton Comprehensive Plan

- The Property's Comprehensive Plan Designations:
 - Low Density Residential
 - Parks & Open Space



Future Land Use Map



Review Criteria (*Land Use & Development Code*) Be Brighton Comprehensive Plan

Chapter Four: Citywide Principles, Policies & Strategies

- Principle 1: Managing Growth
 - Policies 1.1, 1.2, 1.3 and 1.5
- Principle 2: *The Freestanding City*
 - Policies 2.1, 2.2 and 2.4
- Principle 3: *Open Space and Natural Environment*
 - Policies 3.2 and 3.5
- Principle 4: *Multimodal Transportation*
 - Policy 4.1
- Principle 6: *Promote Neighborhoods*
 - Policies 6.1 and 6.2



Review Criteria (*Land Use & Development Code*)

Section 17-40-250 *Plat Amendment*

- Plat amendments not substantially similar to the approved Final Plat shall be presented to City Council for review and approval.
- In this case, the proposed Final Plat reconfigures lot layouts and locations, easements and roadways from the Brighton Crossing Filing No. 2, 6th Amendment Final Plat.
- All plat amendments shall be reviewed against the applicable review criteria from Section 17-40-210.



Review Criteria (*Land Use & Development Code*)

Section 17-40-210 *Final Plat*

- The Property is in compliance with the *Land Use & Development Code*.
- The development of this Property is in compliance with the applicable PUD zone district. Specifically, the lot layout and width meet the requirements of the Single Family Detached zoning designation.
- The proposed subdivision, where its neighbors are mainly residential, is compatible with the surrounding area. Specifically, the Final Plat continues the development pattern of the subdivision to the west (Brighton Crossing Filing No. 1).



Review Criteria (*Land Use & Development Code*)

Section 17-40-220 *Subdivision Agreement*

- The Applicant has entered into a subdivision agreement.
- The agreement details the infrastructure obligations required to protect the public health, safety and welfare of the City and its residents.
- The agreement requires the submittal of a schedule of improvements for each phase, and a financial guarantee equal to such schedules.
- The agreement maintains the obligations of the original development agreement, specifically but not limited to, the construction of all roadways shown on the construction plans and payment of impact fees.



Public Notice and Comment

- Public Notice was provided in accordance with the *Land Use & Development Code*.

On October 18th:

- ✓ Three signs were posted on the Subject Property.
 - ✓ Written notice was mailed to all property owners within 1,000 feet of the Subject Property.
 - ✓ Notice was published on the City's website.
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- City staff posted information for the public hearing on Facebook and Nextdoor.
 - Planning staff has not received any formal comments in advance of this hearing.



Summary of Findings

- ✓ The Development Review Committee reviewed this proposal and recommended approval of the Final Plat and Development Agreement Amendment.

City Staff Recommendation

- ✓ Staff recommends approval of the Brighton Crossing Filing No. 2, 8th Amendment Final Plat and the Brighton Crossing Filing No. 2 Development Agreement 5th Amendment.



Options for City Council

City Council has four (4) actions it can take after reviewing this application.

Council may:

- ☐ Approve the Final Plat and Development Agreement Amendment via resolution as drafted;
- ☐ Approve a modified Final Plat and Development Agreement Amendment via resolution;
- ☐ Deny the Final Plat and Development Agreement Amendment with specific findings to justify the denial; or
- ☐ Continue the item to be heard at a later, specified date if the Council feels it needs additional information to ensure compliance with the approval criteria as set forth in the *Land Use & Development Code*.