

# Bromley Park Planned Unit Development 26<sup>th</sup> Amendment Zone Change

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**City Council – March 2, 2021**  
*Continued from February 16, 2021*

<b>Applicant:</b>	Cynthia Leibman, <i>Page Southerland Page, Inc.</i>
<b>Property Owner:</b>	Columbo 11 LLC
<b>City Staff Representative:</b>	Mike Tylka, <i>AICP, Senior Planner</i>

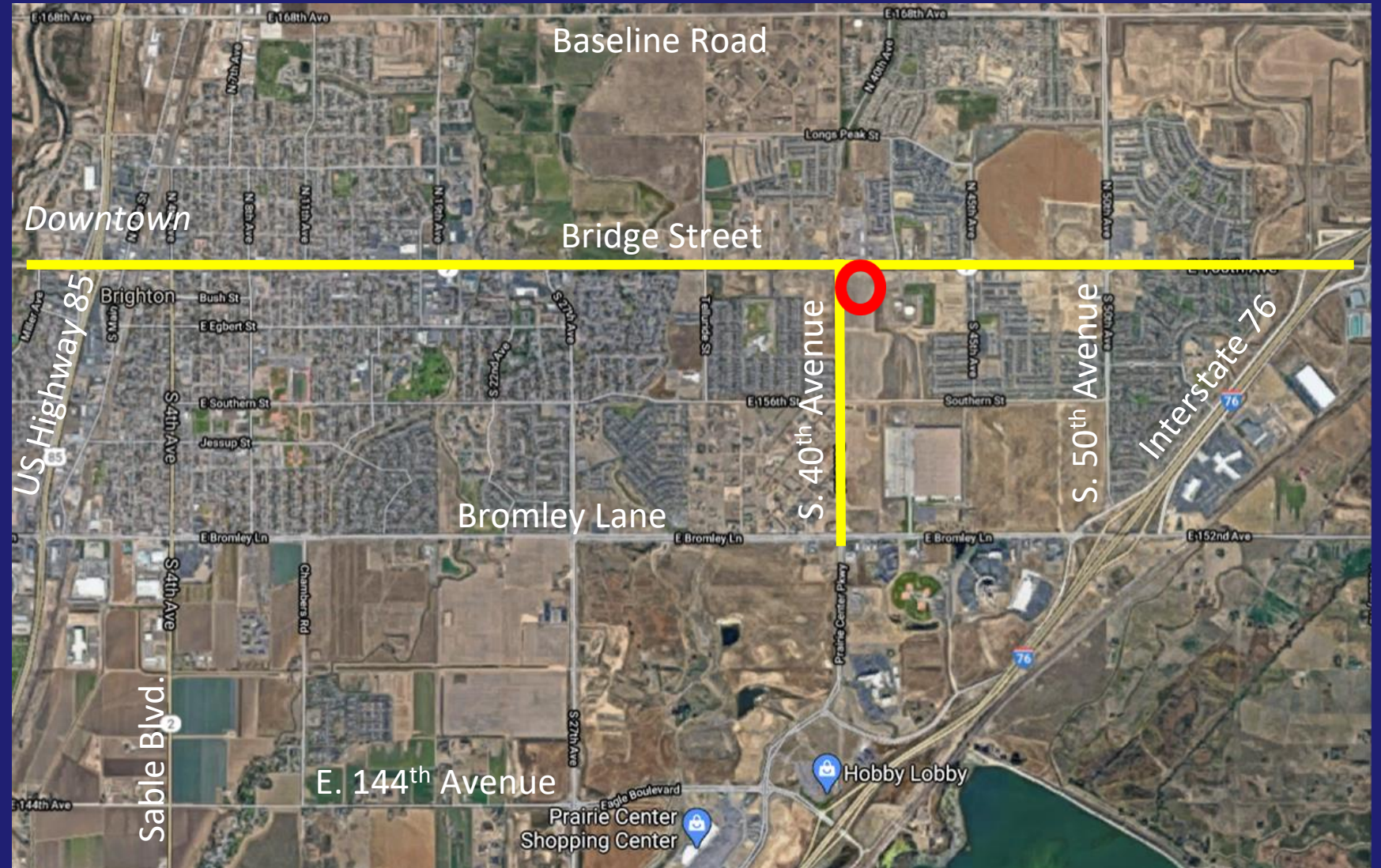
## Strategic Focus Area

- Recognizable and Well-Planned Community



Subject	Property	Location
Mathematics	123 Main St	New York, NY
Science	456 Oak Ave	Los Angeles, CA
History	789 Pine Rd	Chicago, IL
Art	101 Elm St	San Francisco, CA
Music	202 Maple Dr	Seattle, WA
Physical Education	303 Birch Ln	Portland, ME
Language Arts	404 Cedar St	San Diego, CA
Foreign Languages	505 Walnut Ave	Phoenix, AZ
Health	606 Spruce Rd	Denver, CO
Computer Science	707 Ash Dr	San Jose, CA
Environmental Studies	808 Hickory St	San Antonio, TX
Business	909 Sycamore Ave	San Jose, CA
Engineering	1010 Dogwood Ln	San Jose, CA
Architecture	1111 Magnolia St	San Jose, CA
Law	1212 Redwood Ave	San Jose, CA
Medicine	1313 Cypress Rd	San Jose, CA
Education	1414 Juniper Dr	San Jose, CA
Psychology	1515 Fir St	San Jose, CA
Sociology	1616 Cedar Ave	San Jose, CA
Anthropology	1717 Birch Rd	San Jose, CA
Geography	1818 Elm St	San Jose, CA
Political Science	1919 Maple Dr	San Jose, CA
Economics	2020 Pine Ln	San Jose, CA
Environmental Science	2121 Oak Ave	San Jose, CA
Public Health	2222 Birch St	San Jose, CA
Healthcare Management	2323 Elm Ave	San Jose, CA
Healthcare Law	2424 Maple St	San Jose, CA
Healthcare Ethics	2525 Pine Dr	San Jose, CA
Healthcare Policy	2626 Oak Rd	San Jose, CA
Healthcare Economics	2727 Birch Ave	San Jose, CA
Healthcare Law	2828 Elm St	San Jose, CA
Healthcare Ethics	2929 Maple Dr	San Jose, CA
Healthcare Policy	3030 Pine Ln	San Jose, CA
Healthcare Economics	3131 Oak Ave	San Jose, CA
Healthcare Law	3232 Birch St	San Jose, CA
Healthcare Ethics	3333 Elm Ave	San Jose, CA
Healthcare Policy	3434 Maple St	San Jose, CA
Healthcare Economics	3535 Pine Dr	San Jose, CA
Healthcare Law	3636 Oak Rd	San Jose, CA
Healthcare Ethics	3737 Birch Ave	San Jose, CA
Healthcare Policy	3838 Elm St	San Jose, CA
Healthcare Economics	3939 Maple Dr	San Jose, CA
Healthcare Law	4040 Pine Ln	San Jose, CA
Healthcare Ethics	4141 Oak Ave	San Jose, CA
Healthcare Policy	4242 Birch St	San Jose, CA
Healthcare Economics	4343 Elm Ave	San Jose, CA
Healthcare Law	4444 Maple St	San Jose, CA
Healthcare Ethics	4545 Pine Dr	San Jose, CA
Healthcare Policy	4646 Oak Rd	San Jose, CA
Healthcare Economics	4747 Birch Ave	San Jose, CA
Healthcare Law	4848 Elm St	San Jose, CA
Healthcare Ethics	4949 Maple Dr	San Jose, CA
Healthcare Policy	5050 Pine Ln	San Jose, CA
Healthcare Economics	5151 Oak Ave	San Jose, CA
Healthcare Law	5252 Birch St	San Jose, CA
Healthcare Ethics	5353 Elm Ave	San Jose, CA
Healthcare Policy	5454 Maple St	San Jose, CA
Healthcare Economics	5555 Pine Dr	San Jose, CA
Healthcare Law	5656 Oak Rd	San Jose, CA
Healthcare Ethics	5757 Birch Ave	San Jose, CA
Healthcare Policy	5858 Elm St	San Jose, CA
Healthcare Economics	5959 Maple Dr	San Jose, CA
Healthcare Law	6060 Pine Ln	San Jose, CA
Healthcare Ethics	6161 Oak Ave	San Jose, CA
Healthcare Policy	6262 Birch St	San Jose, CA
Healthcare Economics	6363 Elm Ave	San Jose, CA
Healthcare Law	6464 Maple St	San Jose, CA
Healthcare Ethics	6565 Pine Dr	San Jose, CA
Healthcare Policy	6666 Oak Rd	San Jose, CA
Healthcare Economics	6767 Birch Ave	San Jose, CA
Healthcare Law	6868 Elm St	San Jose, CA
Healthcare Ethics	6969 Maple Dr	San Jose, CA
Healthcare Policy	7070 Pine Ln	San Jose, CA
Healthcare Economics	7171 Oak Ave	San Jose, CA
Healthcare Law	7272 Birch St	San Jose, CA
Healthcare Ethics	7373 Elm Ave	San Jose, CA
Healthcare Policy	7474 Maple St	San Jose, CA
Healthcare Economics	7575 Pine Dr	San Jose, CA
Healthcare Law	7676 Oak Rd	San Jose, CA
Healthcare Ethics	7777 Birch Ave	San Jose, CA
Healthcare Policy	7878 Elm St	San Jose, CA
Healthcare Economics	7979 Maple Dr	San Jose, CA
Healthcare Law	8080 Pine Ln	San Jose, CA
Healthcare Ethics	8181 Oak Ave	San Jose, CA
Healthcare Policy	8282 Birch St	San Jose, CA
Healthcare Economics	8383 Elm Ave	San Jose, CA
Healthcare Law	8484 Maple St	San Jose, CA
Healthcare Ethics	8585 Pine Dr	San Jose, CA
Healthcare Policy	8686 Oak Rd	San Jose, CA
Healthcare Economics	8787 Birch Ave	San Jose, CA
Healthcare Law	8888 Elm St	San Jose, CA
Healthcare Ethics	8989 Maple Dr	San Jose, CA
Healthcare Policy	9090 Pine Ln	San Jose, CA
Healthcare Economics	9191 Oak Ave	San Jose, CA
Healthcare Law	9292 Birch St	San Jose, CA
Healthcare Ethics	9393 Elm Ave	San Jose, CA
Healthcare Policy	9494 Maple St	San Jose, CA
Healthcare Economics	9595 Pine Dr	San Jose, CA
Healthcare Law	9696 Oak Rd	San Jose, CA
Healthcare Ethics	9797 Birch Ave	San Jose, CA
Healthcare Policy	9898 Elm St	San Jose, CA
Healthcare Economics	9999 Maple Dr	San Jose, CA

- The Property is generally located to the southeast of the intersection of Bridge Street and S. 40th Avenue and north and east of Fire Station 52.



## Aerial Map (Google Maps)



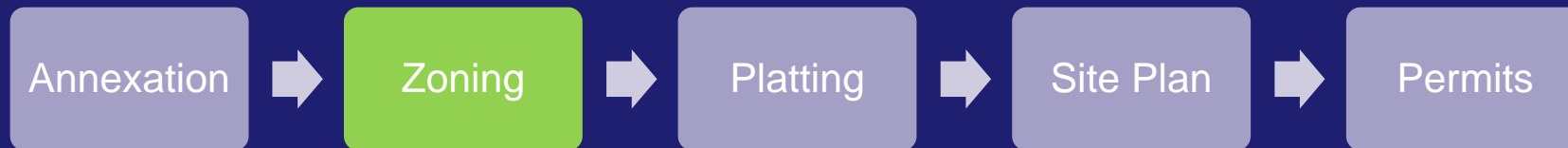
## Subject Property Location

- The Property is approximately 11.412 acres in size.



## Purpose

- The request is to rezone the Property via a PUD amendment.



## Proposal

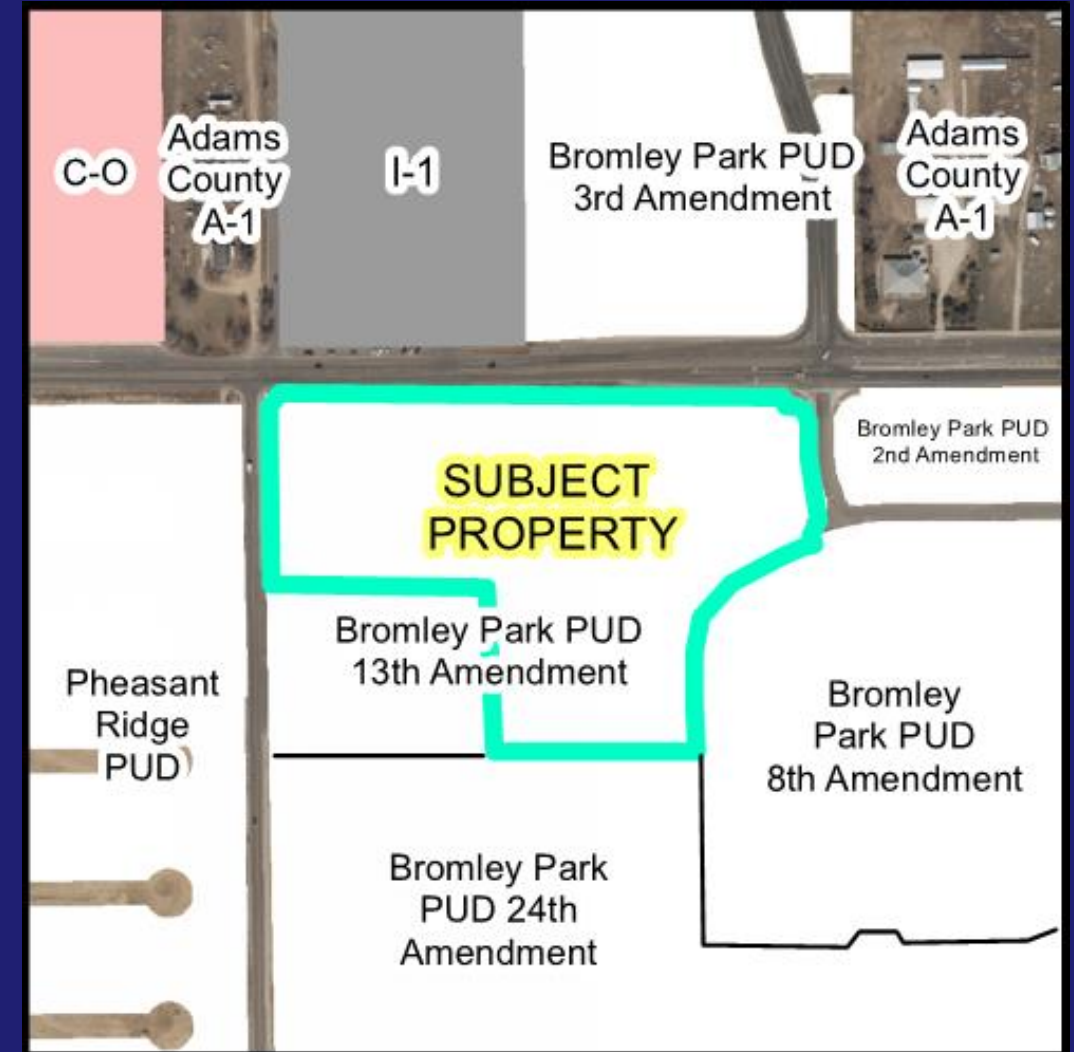
- The Owner desires to expand the allowed uses on the site and alter certain site development standards.

## Process

- The Bromley Park PUD and its accompanying Land Use Regulations allow a Major PUD Amendment.
- The Bromley Park Land Use Regulations do not call out review criteria.
- Staff used the Planned Development criteria from the *Land Use & Development Code* for review purposes.

## Background

- The Property:
  - Was annexed in 1986;
  - Is currently zoned as part of the Bromley Park PUD 13<sup>th</sup> Amendment that limits uses to those of the C-3 zone district; and
  - Has had a mix of commercial and multi-family zoning designations in the past.



Zoning Map





BEING A PORTION OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 10, TOWNSHIP 1 SOUTH  
RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS,  
STATE OF COLORADO

THE INTENT OF THIS AMENDMENT IS TO COMPLY WITH THE DEVELOPMENT STANDARDS OF THE REST OF THE BROMLEY PARK COMMERCIAL CORRIDORS WHILE ALSO ALLOWING COMMERCIAL AND MULTI-FAMILY USES AT THIS PROPERTY AS IS CONSISTENT WITH THE HISTORICAL ZONING OF THE PROPERTY AND NEARBY CURRENT AND FUTURE LAND USES.

BEING PORTIONS OF PARCELS ONE-A AND ONE-B AS DESCRIBED AND CONVEYED IN THAT CERTAIN SPECIAL WARRANTY DEED RECORDED DECEMBER 28, 2007 AT RECEPTION NO. 2007090118091 IN THE OFFICIAL RECORDS OF THE COUNTY OF ADAMS, STATE OF COLORADO, LYING WITHIN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER (N/W 1/4), FROM WHENCE THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER (N/W 1/4) BEARS SOUTH 00°25'16" EAST A DISTANCE OF 2638.49 FEET, WITH ALL BEARINGS HEREIN RELATED THERETO:

THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER (NW 1/4), SOUTH 00°25'18" EAST, 50.00 FEET TO A POINT ON THE SOUTH LINE OF BRIDGE STREET, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID PARCEL ONE-A, AND BEING THE POINT OF BEGINNING:

THENCE ALONG SAID SOUTH LINE OF BRIDGE STREET, NORTH 89°42'48" EAST,  
1076.38 FEET TO A POINT ON THE BOUNDARY OF BRIGHTON CROSSING FILING No.

THENCE ALONG SAID BOUNDARY THE FOLLOWING EIGHT (8) COURSES

1. LEAVING SAID SOUTH LINE OF BRIDGE STREET, SOUTH 0°17'14" EAST, 15.00 FEET TO A NON-TANGENT CURVE TO THE RIGHT CONCAVE SOUTHWESTERLY;
2. SOUTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 55.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 45°17'14" EAST AND HAS A CHORD LENGTH OF 77.78 FEET THROUGH A CENTRAL ANGLE OF 90°00'00", FOR AN ARC LENGTH OF 77.78 FEET TO A POINT OF TANGENCY;
3. SOUTH 0°17'14" EAST, 53.93 FEET TO A TANGENT CURVE TO THE LEFT CONCAVE EASTERLY;
4. SOUTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 268.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 10°29'52" EAST AND HAS A CHORD LENGTH OF 54.71 FEET THROUGH A CENTRAL ANGLE OF 20°21'17", FOR AN ARC LENGTH OF 54.71 FEET TO A POINT OF TANGENCY;
5. SOUTH 20°36'31" EAST, 12.29 FEET TO A TANGENT CURVE TO THE RIGHT CONCAVE NORTHWESTERLY;
6. SOUTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 23.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 24°53'35" WEST AND HAS A CHORD LENGTH OF 36.56 FEET THROUGH A CENTRAL ANGLE OF 91°08'12", FOR AN ARC LENGTH OF 36.56 FEET TO A REVERSE CURVE TO THE LEFT CONCAVE SOUTHEASTERLY;
7. SOUTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 381.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 68°07'14" WEST AND HAS A CHORD LENGTH OF 30.68 FEET THROUGH A CENTRAL ANGLE OF 04°36'53", FOR AN ARC LENGTH OF 30.68 FEET TO A POINT OF NON-TANGENCY;
8. SOUTH 11°11'13" EAST, 8.00 FEET TO A POINT ON THE BOUNDARY OF THE AFOREMENTIONED PARCEL ONE-B.

THENCE ALONG SAID BOUNDARY OF SAID PARCEL ONE-8 THE FOLLOWING FOUR (4) COURSES:

1. SOUTHWESTERLY, LONG A CURVE TO THE LEFT CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 363.0 FEET, AND WHOSE LONG CHORD BEARS SAID 32° 41'39" WEST AND HAS A CHORD LENGTH OF 356.67 FEET, THROUGH A CENTRAL ANGLE OF 66°44'18". FOR AN ARC LENGTH OF 419.66 FEET TO A POINT OF TANGENCY;
2. SOUTH 08°25'32" EAST, 90.17 FEET TO A POINT;
3. SOUTH 89°34'28" WEST, 899.79 FEET TO THE AFORESAIDED WEST LINE OF SAID NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 10;
4. SAID WEST LINE, NORTH 00°25'16" WEST, 711.22 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM LOT 1 AND ANY PUBLIC RIGHTS-OF-WAY DEDICATED ON THE PLAT OF BRIGHTON CROSSING - FILING NO. 5, LOT 1 AS RECORDED MAY 20, 2016 AT RECEPTION NO. 2016000039271 IN THE OFFICIAL RECORDS OF ADAMS COUNTY, COLORADO.

CONTAINING 497.112 SQUARE FEET OR 11.412 ACRES OF LAND, MORE OR LESS



WE, THE UNDERSIGNED, BEING THE OWNER(S) AND/OR DEVELOPER(S) OF THE LAND HEREIN DESCRIBED LOCATED IN THE CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, HEREBY SUBMIT THIS PLAN AND AGREE TO PERFORM UNDER THE TERMS NOTED HEREON.

OWNER: COLUMBO 11 LLC, A COLORADO LIMITED LIABILITY COMPANY

BY: \_\_\_\_\_

1192

## STATE OF COLORADO

COUNTY OF \_\_\_\_\_

CITY OF

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS

DAY OF 20

BY

WITNESS MY HAND AND SEAL

MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC (SEAL)

1. EXCEPT AS SET FORTH HEREIN, DEVELOPMENT STANDARDS SHALL BE IN ACCORDANCE WITH THE BROMLEY PARK PUD RECORDED APRIL 13, 1987 IN BOOK 3301 AT PAGE 848 IN THE RECORDS OF ADAMS COUNTY, COLORADO. CLERK AND RECORDERS OFFICE.

2. COMMERCIAL DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE BROMLEY PARK TOWN CENTER REGULATIONS. COMMERCIAL DEVELOPMENT NOT ADDRESSED IN THE BROMLEY PARK TOWN CENTER REGULATIONS SHALL BE IN ACCORDANCE WITH THE BROMLEY PARK LAND USE REGULATIONS. ANYTHING ADDITIONAL NOT COVERED IN THE ABOVE WILL BE IN ACCORDANCE WITH THE CITY OF BRIGHTON'S LAND USE AND DEVELOPMENT CODE AT THE TIME OF PROJECT SUBMITTAL.
3. MULTI-FAMILY DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE CITY OF BRIGHTON'S LAND USE DEVELOPMENT CODE AT THE TIME OF PROJECT SUBMITTAL.
4. MINIMUM REQUIRED PARCEL SIZE IS 0.5 ACRES.

PURSUANT TO EXHIBIT G OF THE FIRST AMENDMENT TO THE BROMLEY PARK ANNEXATION AGREEMENT, DATED DECEMBER 16, 1986, AND RECORDED IN ADAMS COUNTY RECORDS IN BOOK 3301, COMMENCING AT PAGE 899, THIS AMENDMENT MEETS THE CRITERIA OF A MAJOR PUD AMENDMENT AS SET FORTH IN THE TRANSFER OF DENSITY AND AMENDMENT PROCESS SECTIONS OF THE BROMLEY LAND USE REGULATIONS.

APPROVED BY THE BRIGHTON CITY COUNCIL THIS  
DAY OF 20

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
ATTEST

**ATTES**

THIS PUD AMENDMENT WAS FILED FOR RECORD IN THE  
OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER,  
IN THE STATE OF COLORADO AT \_\_\_\_ M. ON THIS  
DAY OF \_\_\_\_ A.D. 20\_\_.

COUNTY CLERK AND RECORDER

BY: \_\_\_\_\_  
DEPUTY

DEPUTY

RECEPTION NO. \_\_\_\_\_

Page/

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www.seppaper.com  
tel. 404.396.3000  
fax 404.396.3900

BROMLEY PARK P.U.D.  
26TH AMENDMENT (MAJOR)

BROOKLYN PARK P.I.D.	
PROJECT NO.	00000000
PLAN	00000000
PROJECT FOLDER	00000000
ADDRESS	
PROJECT NAME	
17-0000-0000	10-00

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BEING A PORTION OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 10, TOWNSHIP 1 SOUTH,  
RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS,  
STATE OF COLORADO

### DEVELOPMENT SUMMARY

PLANNING AREA	LAND USE/PROPOSED PUD DESIGNATION	ACRES
1	COMMERCIAL	11.412

\*COMMERCIAL USES AND DENSITIES SHALL BE AS  
DEFINED IN THE BROMLEY PARK LAND USE REGULATIONS

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Gainesville, Florida 32601  
app@papp.com

tel. 352 332 1499  
fax 352 332 1507

**JOHN H. PAPP, President**  
Arlene Baker, Director, Credit, Finance, Sales & Procurement  
Barbara Ann, Marketing & Customer Relations  
Michael J. Papp, Director, Operations

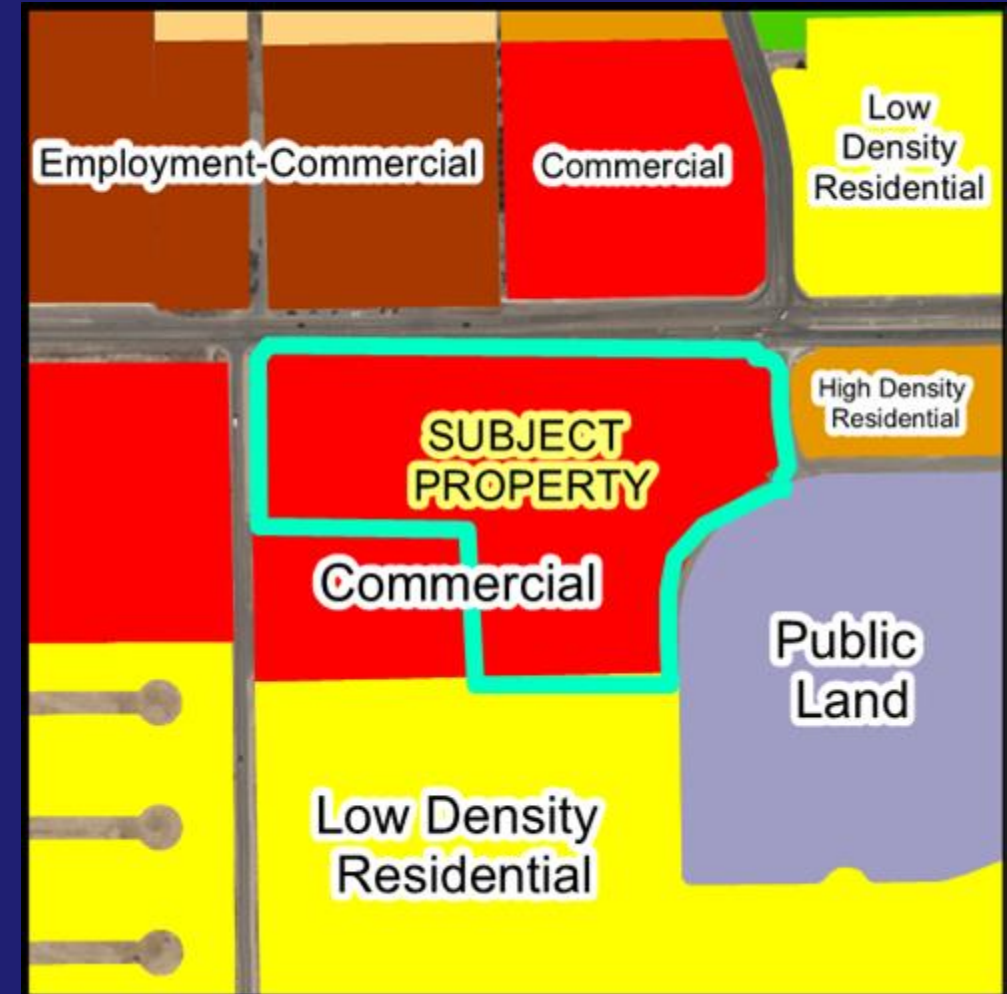
BROMLEY PARK P.U.D.  
26TH AMENDMENT (MAJOR)

BROMLEY PARK P.A.D.

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# Comprehensive Plan

- The Subject Property is designated as Commercial.



Future Land Use Map

## Land Use & Development Code

- The City Council in making its decision shall use the following criteria (Section 2.04 C.):
  - a. The plan better implements the Comprehensive Plan, beyond what could be accomplished under 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.*

## 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.*



## 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 space; 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.*

# Public Notice and Comment

- Public Notice was provided in accordance with the *Land Use & Development Code*.
- On January 29<sup>th</sup>:
  - ✓ Written notice was mailed to all property owners within 1,000 feet of the Subject Property.
  - ✓ Notice was published on the City's website.
  - ✓ Three signs were posted on the Subject Property.
- Planning staff has not received any formal comments in advance of the hearing.
- A neighborhood meeting was held on October 8, 2020.
- City staff posted information for the public hearing and its continuation on various social media sites.



Posted Sign

## Summary of Findings

- ❖ The Development Review Committee has reviewed this project and recommends approval.
- ❖ The Planning Commission heard the request on January 28, 2021 and recommended approval unanimously.
- ❖ Staff finds the PUD Amendment is in general compliance with the requirements as outlined in the *Land Use & Development Code*.

## City Staff Recommendation

- ❖ Staff recommends approval of the PUD Amendment.

# Options for City Council

The City Council has four options when reviewing this PUD Amendment application. City Council may:

- ❑ Approve the Zone Change via PUD Amendment via ordinance;
- ❑ Approve a modified Zone Change via PUD Amendment via ordinance;
- ❑ Deny the Zone Change via PUD Amendment via ordinance 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*.