

Questionnaire

Zone Change



500 South 4th Avenue Brighton, CO 80601
www.brightonco.gov 303.655.2017

Respond to each of the questions below in the “insert response” box. If responding digitally, please delete the “insert response” prior to typing your answer without changing the font and color settings as demonstrated below.

1. What is the existing zone district designation of the property? And what is the zone district designation that is being requested?

The existing designations of the lots are DT – Downtown and C-3 – General Retail and Services. Lots 1 and 2 will be rezoned as C-3.

2. What type of development and uses are proposed (or are contemplated) by the zoning request?

Lot 1 will accommodate a Convenience Store with Fuel and Lot 2 is proposed to accommodate a Drive Thru Restaurant.

3. State how the proposal is consistent with the goals, policies and objectives of the Comprehensive Plan (suggest listing each goal, policy and objective and how they are met).

The proposed site is consistent with the intent of the Comprehensive Plan by providing the following:

- ***Principle 1: Growth Management***
 - *The development of this lot with the rezoning to a General Retail and Services is compliant with the future planning areas.*
 - *This site is within the Urban Service Area A. Services are already provided to this site, and future utility installation should not have a negative impact on the development of future utilities.*
 - *The rezoning of these lots will provide a clarified zoning consistent with Policy 1.3.*
 - *The proposed site is being reviewed for compliance through the City of Brighton consistent with Policy 1.1.*
 - *A drainage report has been completed for Lots 1 and 2 and shall be compliant with the Master Storm Water Plan and consistent with Policy 1.6.*
- ***Principle 2: Development Framework***

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- *The proposed development is within Urban Service Area A and service is already provided by the City of Brighton.*
- *Consistent with Policy 2.7, the proposed site is within the downtown area of Brighton and within an Urban Center. The site has provided pedestrian access and bicycle parking areas to encourage pedestrian use to the site.*
- **Principle 3: Freestanding City**
 - *The site is consistent with Policy 3.3 by providing employment within the City of Brighton and supporting employees to further their education.*
- **Principle 4: Open Space**
 - *The site is consistent with the zoning in this area and will provide adequate open space within the site to conform to the zoning and land use regulations.*
- **Principle 5: Planning Areas**
 - *The site is consistent with Policy 5.4 by providing sidewalks and landscaping along Bridge Street and improving pedestrian safety along.*
 - *This store provides employment opportunities within the City of Brighton and within the North Brighton Employment Corridor, consistent with Policy 5.5.*
- **Principle 6: Transportation**
 - *The design does not alter any of the existing traffic patterns around the site.*
- **Principle 7: Economic Development**
 - *By improving pedestrian facilities and landscaping along Bridge Street, the site is consistent with Policy 7.3.*
- **Principle 8: Residential Neighborhoods**
 - *This site is not in a residential area and is not in conformance with this section of the Comprehensive Plan.*
- **Principle 9: Community Design**
 - *The site is in conformance with Policy 9.4 with the installation with right of way landscaping and pedestrian facilities.*
- **Principle 10: Redevelopment**
 - *The site is not being redeveloped and is not in conformance with this section of the Comprehensive Plan.*
- **Principle 11: Natural Environment**
 - *The development of Lot 1 and Lot 2 will require the completion of a drainage analysis and stormwater management plan. This is in conformance with Policy 11.1.*

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- **Principle 12: Development Impact Equality**
 - *Kum & Go will fund the development of Lot 1 and sell Lot 2 for development in the future.*
- **Principle 13: Recreation and Tourism**
 - *While Kum & Go stores are not a recreational facility, they do offer a wide variety of products for its customers and is located in a convenient location for those traveling along US 85.*
- **Principle 14: Historic Resources**
 - *This site is not within a historic area and is not in conformance with this section of the Comprehensive Plan.*
- **Principle 15: Sustainability**
 - *New Kum & Go buildings are designed and constructed to obtain LEED certification. Any redevelopment of this site would likely involve the construction of a LEED certified structure.*

4. State how the proposal provides consistency with the purpose and intent of, and complies with the requirements of the Land Use and Development Code, Section II.8. (Zone Changes), and with the proposed zone district requirements.

Section 17-8-80 outlines zone change requirements. The owner of record (Kum & Go) has initiated the zone change request per section 17-8-80 (2). Section 17-8-80 (5) outlines the zone change criteria:

- a. *Complies with the comprehensive plan.*
The comprehensive plan and consistencies are outlined in question 4.
- b. *Complies with the requirements of the Land Use and Development Code and within the zone district.*
The Kum & Go site complies with the requirements of the zone district.
- c. *Provides consistency with the purpose and intent of the Land Use and Development Code.*
The Kum & Go site is consistent with the requirements of the Land Use and Development Code for Brighton.
- d. *Provides compatibility with the surrounding areas and is harmonious with the character of the neighborhood and is not detrimental for the immediate area.*

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The properties to the north and east are consistent with a commercial zone. Multifamily residential to the south provides a buffer between zone districts and this zoning will not be detrimental to the area.

5. Explain how the proposal is compatible with the surrounding land use and zoning designations. Include a list of surrounding zoning designations, land uses and conditions.

The surrounding developments are as follows:

West – Commercial car wash (DT: Downtown Zoning)

East – CDOT ROW and US 85 (DT: Downtown Zoning)

South – Multi-family residential (DT: Downtown Zoning)

North – Restaurants and truck rental facility (C-3: General Retail and Services)

This site is consistent with the surrounding commercial developments and the Multi-Family residential development to the south provides a buffer for this commercial area.

6. Explain how the proposal is not detrimental to the immediate area, the future development of the area, or the health, safety, or welfare of the inhabitants of the City.

This proposal is not detrimental to the immediate area because it is only expanding the existing facilities in place in order to relieve congestion within the development. Health, safety, and welfare will not be affected by this development. Use would be pulled from existing pass-by traffic in the area. Additional stormwater runoff associated with increased impervious area will not surpass the allowable flows to the City's infrastructure.

7. Indicate why the current zoning is not appropriate given the surrounding land use, zoning, and factors which have changed since the current zoning was established.

The existing zoning is DT: Downtown and C-3: General Retail and Services. A DT zoning is not appropriate because it is a vague zoning according to the City of Brighton. C-3 zoning will provide more guidance to the development of these properties in the future. Lot 1, Kum and Go Store Number 940 and Lot 2, Platte View Farm are being replatted and the areas will be altered. If the plat is completed without a Zone change, Lot 1, Kum & Go #940 Replat No. 1 would have two zonings.

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8. Provide general site information and describe unique physical features or characteristics of the site (e.g., flood plain, steep slopes, rock formations, easements, utilities, wells, structures, trees), which present opportunities or constraints for development.

The existing site contains a convenience store and vacant land. The slopes within the developed area are minimal and contain landscaping. The slopes in the undeveloped area are minimal with minimal native grasses and weeds. There are no present floodplains or large rock formations in this area.

9. If a specific use or development is contemplated with the zoning request, what other approval processes are required to accomplish the development proposal (i.e., variance(s), conditional use(s), subdivision plats, comprehensive plan amendments, licensing, permits, etc.).

The use for this development would be a convenience store with fuel on Lot 1 and a restaurant with a drive thru on Lot 2.