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Bromley Park Planned Unit Development 28th Amendment Major PUD Amendment

City Council – March 7, 2023

Applicant: Chad August, MAH Architectural Group
 Property Owner: Little Big Fish LLC
 Prospective Property Owner: Brady and Company 1 LLC
 City Staff Representative: Summer McCann, Associate Planner


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Subject Property Location

- The property is generally located to the north of East Bridge Street, west of North 42nd Avenue, east of the North 40th Avenue alignment and south of Pioneer Place situated within the Buffs Landing Development.



Aerial Map (Google Maps)

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Purpose

- The request is to rezone the Property via Planned Unit Development (PUD) Amendment.




Process

- The *Bromley Park Land Use Regulations* allow for a Major PUD Amendment.
- Staff used the New Planned Development criteria and the Zoning Map Amendment criteria from the *Land Use & Development Code* to review the proposal.

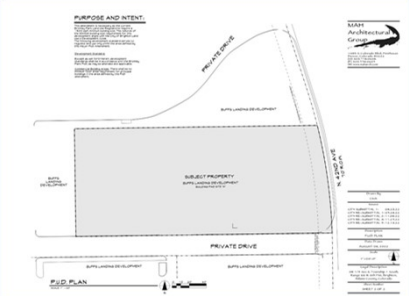
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Proposal

- To remove only the minimum 1,500 square foot floor area of principal building standard from the existing "Commercial" zoning.



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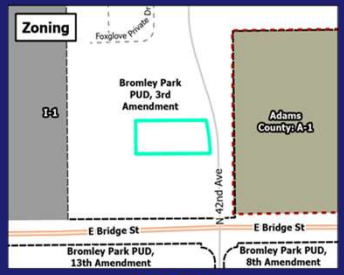
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Background

The Property:

- Annexed in 1986 as part of the Bromley Park Annexation
- Platted in 2005 under the Buffs Landing Development
- Currently zoned "Commercial" under the Bromley Park PUD, 3rd Amendment



Zoning Map

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Comprehensive Plan

- The Subject Property is designated as Commercial.



Future Land Use Map



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Comprehensive Plan

Chapter Four:

- **Policy 1.1** - New Growth Should Favor Existing Areas of Infrastructure Investment and Planning
- **Policy 2.2** - Use Infrastructure Investments and the Urban Service Area Map to Focus Urban Development
- **Policy 5.2** - Support Brighton's Non-Downtown Commercial Centers, Focusing Growth within Existing Investment Areas Where Possible

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Land Use & Development Code

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

1. **Planned Developments:**
 - 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

- i. The plan meets all of the review criteria for a Zoning Map Amendment (Section 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 February 17th :
 - ✓ Written notice was mailed to all property owners within 300 feet of the Subject Property.
 - ✓ Notice was published on the City's Website.
 - ✓ Two signs were posted on the Subject Property.
- 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.

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Summary of Findings

- ✓ The Development Review Committee has reviewed this project and recommends approval.
- ✓ The Planning Commission heard the request on February 9, 2023 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 Bromley Park Planned Unit Development 28th Amendment.

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Options for City Council

- Approve the Zone Change via PUD Amendment via Ordinance as drafted;
- 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 City Council feels it needs more information to ensure compliance with the approval criteria as set forth in the *Land Use & Development Code*.

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