

Brighton

Bromley Park Planned Unit Development 26th Amendment Zone Change


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

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

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Strategic Focus Area

- Recognizable and Well-Planned Community

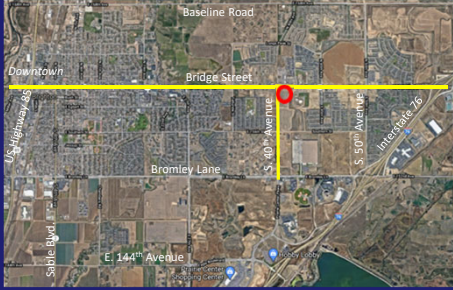


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Subject Property Location

- 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.



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Subject Property Location

- The Property is approximately 11.412 acres in size.



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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.

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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.

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Background

- The Property:
 - Was annexed in 1986;
 - Is currently zoned as part of the Bromley Park PUD 13th 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

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Proposed PUD

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

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

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Proposed PUD

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

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

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Comprehensive Plan

- The Subject Property is designated as Commercial.

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BE INCLUSIVE. BE SUSTAINABLE. BE UNIQUE.

Future Land Use Map

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Land Use & Development Code

- The City Council in making its decision shall use the following criteria (Section 2.04 C.):
 - The plan better implements the Comprehensive Plan, beyond what could be accomplished under application of general zoning districts and development standards.
 - 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

- The flexibility in the proposed plan allows the project to better meet or exceed the intent statements of the base zoning district(s).
- 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.
- 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

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 streets, 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.*

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Public Notice and Comment

- Public Notice was provided in accordance with the *Land Use & Development Code*.
- On January 29th:
 - ✓ 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.



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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 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.

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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*.

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