



Bromley Farms PUD Vested Property Rights Extension Request

City Council – September 18, 2018

Applicant:	Jack Hoagland, Privateer Bromley LLC
Property Owner:	Thomas Hartley Family
City Staff Representative:	Mike Tylka, AICP, Senior Planner



Strategic Plan

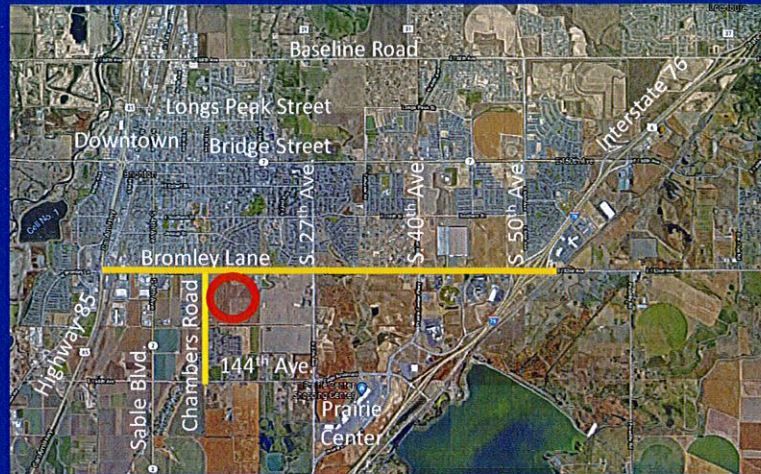
- Recognizable and Well-Planned Community
 - Brighton's unique history and culture provides the foundation for a well-planned and authentic community identity. We add economic value by incorporating our distinct identity into our plans for the future.





Subject Property Location

- Located to southeast of the intersection of Bromley Lane and Chambers Road.
- Located directly north of Indigo Trails.
- Located southwest of the historic farm and water park.



Aerial Map

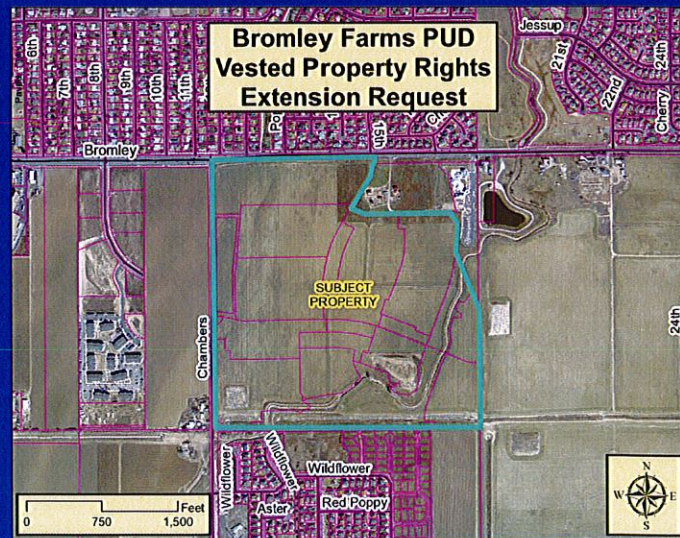
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Purpose

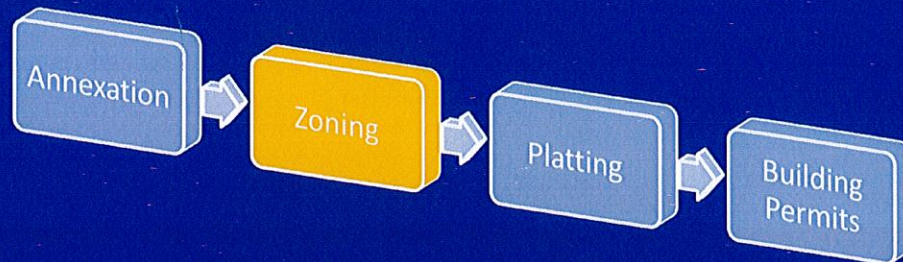
- Request for an extension of vested property rights for the Planned Unit Development (PUD) zoning document.



Aerial Map

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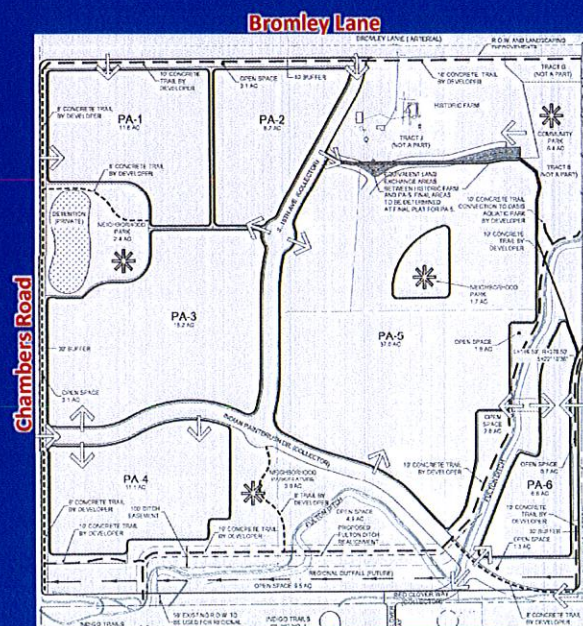
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Bromley Farms PUD Summary



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Background

- Approximately 135.14 acres.
- Part of the Hishinuma Annexation in 2001.
- Formerly part of the Hishinuma Farms PUD.
- Approved for a six year vesting period for the Bromley Farms PUD in 2011.
- Granted a two year vested property rights extension set to expire on December 6, 2018.

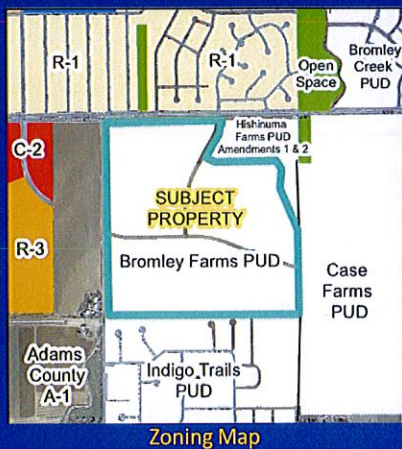


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Background



- Three conditions were placed on the two year extension.
 1. That all ensuing development of the Property subject to the Bromley Farms PUD shall meet all applicable City standards in effect at the time of such development, including, without limitations, those related to transportation, drainage, and utilities.
 2. That no further extension of the vested property rights for the Bromley Farms PUD will be accepted or considered by the City unless and until a final plat for the Property is finalized on or before December 6, 2018 which conforms to the Bromley Farms PUD in its entirety.
 3. That Sheets 8, 12, 13, and 14 of the PUD are no longer valid and, as such, shall not be considered applicable or satisfactory as to any development of the Property subject to the Bromley Farms PUD.

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Comprehensive Plan

- The Property is split amongst the designations of High Density Residential, Low Density Residential, and Parks & Open Space.



Future Land Use Map



Land Use and Development Code

- Article 17-56, Vested Property Rights.
- A vested property right means *"the right to undertake and complete the development and use of property under the terms and conditions of a site specific development plan and shall be deemed established upon final approval of the application for site specific development plan."*



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Analysis

- One of the three conditions of the two-year extension has not been strictly met.
 - City staff does find that the applicant has met the intent of the second condition placed on the last extension.
- City Staff wants to again note that future development within the PUD will meet all applicable standards at such time related to transportation, drainage, and utilities.



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Public Notice and Comment

- Public Notice was provided in accordance with the *Land Use and Development Code*.
- On August 22th:
 - ✓ Two signs were posted on the subject property.
- On August 29th:
 - ✓ Notice was published in the *Brighton Standard Blade*.
 - ✓ Written notice was mailed to all property owners within 300 feet of the subject property.
- Planning staff has not received any formal comments.



Sign Location Map



Site Sign Images



Findings and Recommendations

- ❖ The Planning Commission unanimously recommended approval at their August 14th Meeting.
- ❖ Staff is recommending approval of the extension for a period of three (3) years, to expire on December 6, 2021, with three (3) conditions.



Staff Recommendation

- ❖ The recommended conditions are as follows:
 1. That all ensuing development of the Property subject to the Bromley Farms PUD shall meet all applicable City standards in effect at the time of such development, including, without limitations, those related to transportation, drainage, and utilities.
 2. That no further extension of the vested property rights for the Bromley Farms PUD will be accepted or considered by the City unless and until a final plat for the Property is finalized on or before December 6, 2021, which conforms to the Bromley Farms PUD in its entirety.
 3. That Sheets 8, 12, 13, and 14 of the PUD are no longer valid and, as such, shall not be considered applicable or satisfactory as to any development of the Property subject to the Bromley Farms PUD.



Options for City Council

- ☐ Approve the Resolution as drafted with three conditions;
- ☐ Approve the Resolution with altered or amended language, with or without conditions;
- ☐ Deny the request with specific findings to justify said denial; or
- ☐ Continue the request to be heard at a later specified date.