



## 25 N. 8<sup>th</sup> Avenue Zone Change Request

City Council – January 21, 2020

Applicant:

Dianne Leary

Property Owner:

Lawrence T. Gobble

City Staff Representative:

Sean Pesek, Assistant City Planner



## Strategic Focus Area

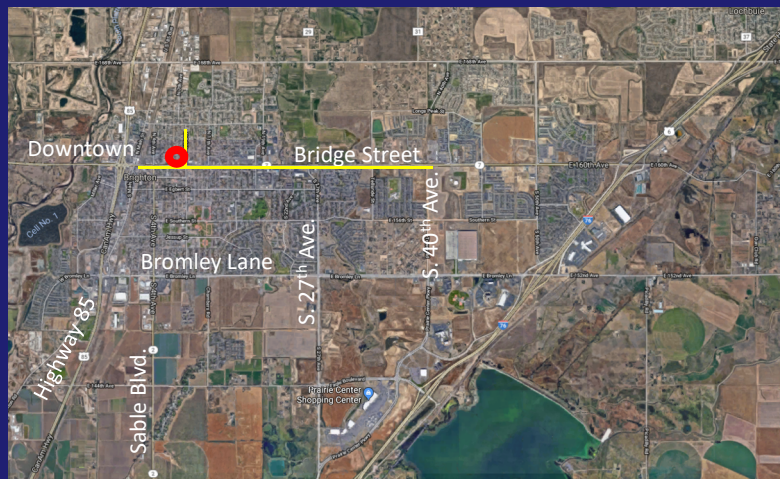
- Recognizable and Well-Planned Community





## Subject Property Location

- Located on the west side of N. 8<sup>th</sup> Avenue and to the north of Bridge Street.
- Addressed as 25 N. 8<sup>th</sup> Avenue.



Aerial Map

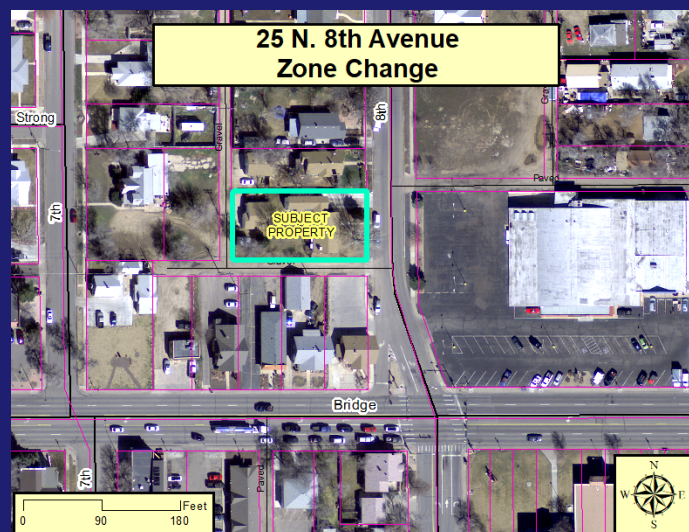
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## Purpose

- Request for a zone change for one parcel from Restricted Retail and Services (C-2) to Single-to-Eight-Family Residential (R-2).
- Current owners seek to rezone the property to R-2 to allow the current tenants to receive a residential loan to purchase the property from the owner of record.



Aerial Map

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## New Code Transition

- In the City's transition to the newly adopted code, applications submitted prior to the effective date of January 1, 2020, were reviewed by staff using the previous *Land Use and Development Code* and such sections and criteria are referenced in the staff report and this presentation.

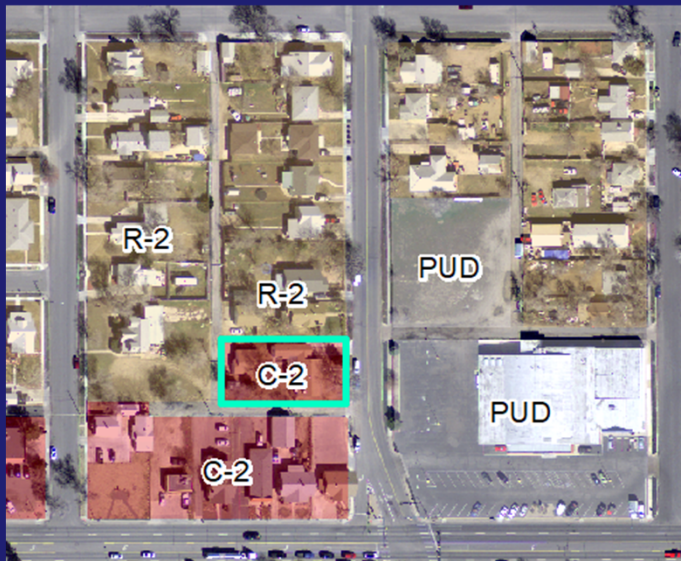
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## Background

- Property platted as part of the Home Addition to Brighton Subdivision in 1919.
- In 1976, the Property was zoned to C-2 as part of Ordinance 905, which divided the City into zoning districts.
- Property was given a commercial zoning designation because a commercial use had existed within the residential dwelling.



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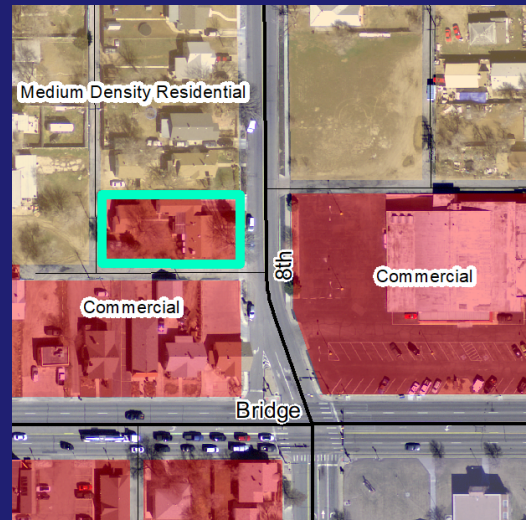


## Comprehensive Plan

- Future Land Use is designated as Commercial.
  - ✓ Current use does not comply with listed primary uses.
  - ✓ Housing development is highly discouraged in this future land use category.
  - ✓ This proposal does adhere to Policy 6.1 of the Distinctive Neighborhoods Principle 6.



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Future Land Use Map

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## Land Use and Development Code

- Zoning Review Criteria in Summary (Section 17-8-80):
  - ✓ Complies with the *Comprehensive Plan* and other master plans of the City.
  - ✓ Complies with the requirements of the *Land Use and Development Code* and with the zone district.
  - ✓ Provides consistency with the purpose and intent of the *Land Use and Development Code*.
  - ✓ Provides compatibility with surrounding areas, is harmonious with the character of the neighborhood and 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.

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## Public Notice and Comment

- Public Notice was provided in accordance with the *Land Use and Development Code*.
- On December 31, 2019:
  - ✓ Written notice was mailed to all property owners within 300 feet of the subject property.
- On January 1, 2020:
  - ✓ Notice was published in the *Brighton Standard Blade*.
  - ✓ One sign was posted on the subject property.
- To date, staff has not received any formal comments.



Sign Location Map



Site Sign Image

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## Recommendations

- ❖ The Planning Commission recommended approval at their December 12, 2019 meeting.
- ❖ Staff is recommending approval of the zone change as it:
  - ✓ Is in accordance with the purpose and intent of the *Comprehensive Plan*, and
  - ✓ Is in accordance with the *Land Use and Development Code*.

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## Options for City Council

- ☐ Approve the Zone Change as presented via Ordinance (*1<sup>st</sup> Reading*);
- ☐ Approve the Zone Change with changes via Ordinance (*1<sup>st</sup> Reading*);
- ☐ Deny the Zone Change with specific findings to justify such action; or
- ☐ Continue the Zone Change to be heard at a later specified date.