



Legislation Details (With Text)

File #: ID-156-17 **Version:** 1 **Name:** Water Works Apartments PUD
Type: Ordinance **Status:** Agenda Ready
File created: 3/24/2017 **In control:** City Council
On agenda: 4/18/2017 **Final action:**
Title: AN ORDINANCE, OF THE CITY OF BRIGHTON CITY COUNCIL, APPROVING THE REZONING OF AN APPROXIMATELY 1.12 ACRE AREA OF LAND GENERALLY LOCATED IN THE NORTH EAST ¼ OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, FROM A ZONING DESIGNATION OF PL (PUBLIC LAND) TO A ZONING DESIGNATION OF PUD-R (PLANNED UNIT DEVELOPMENT-RESIDENTIAL) WITH AN UNDERLYING ZONE DESIGNATION OF R-3 (MULTIPLE-FAMILY RESIDENTIAL)

Sponsors:

Indexes:

Code sections:

Attachments: 1. CC_Ordinance Water Works PUD, 2. Water Works PUD Final, 3. Water Works_Parking Analysis_updated_022117, 4. 575 Bush Street Parking Analysis, 5. 1700010_Resolution_PC_3.14.17_final

Date	Ver.	Action By	Action	Result
4/18/2017	1	City Council		
4/4/2017	1	City Council		

Department of Community Development

Reference: Water Works Apartments PUD

To: Mayor Richard N. McLean and Members of City Council

Through: Clint Blackhurst, Interim City Manager

Prepared By: Lauren Simmons, AICP, Senior Planner

Date Presented: April 4, 2017

PURPOSE

The Applicant is requesting approval for the approximate 1.12 acre property known as the City Water Works (the "Property") for rezoning to PUD-R (Planned Unit Development-Residential).

APPLICATION SUMMARY

Applicant: James Miles-Lambert, Miles-Lambert Architecture, Inc.

Contracted Owner: Brighton Housing Authority, Joseph Espinosa

Location: 575 Bush Street, northwest corner of Bush Street and 6th Avenue

Site Size: Approximately 1.12 acres

Comprehensive Plan: Downtown

Existing Zone District: Public Land

Surrounding Zones:

Surrounding	Land Use(s)	Zoning
North	Office	CO (Commercial Office)
South	Residential	R-1 (Residential-1)
East	Residential, Commercial	R-1 (Residential-1), CO (Commercial Office) and PUD (Planned Unit Development)
West	Residential	R-1 (Residential-1)

Existing Land Use: Vacant, formerly many public uses (see Background section of this report)

Proposed Land Uses: Single-Family Attached, Elderly Housing (60 years and over)

Senior Living Facility, Independent

BACKGROUND

The Property has been owned and occupied by the City of Brighton since the original building was constructed in 1919. On April 15, 2014, the City Council approved the original structure for a Local Historic Landmark designation.

The building has had many public land uses such as Town Hall, City Water Department, Brighton City Library, over the years, the final being the Brighton Senior Center which has since been relocated to the Eagle View Adult Center. The site currently sits vacant.

COMPREHENSIVE PLAN

The future land use portion of Be Brighton, the Comprehensive Plan, has designated this area as appropriate for Downtown uses. The Downtown designation includes the following primary land uses: such as retail, residential, restaurants, office, and personal services. The use of the subject Property for multi-family is consistent with the Comprehensive Plan, and the rezoning to PUD-R gives the Applicant the ability to address site design and neighborhood concerns within the zoning document.

LAND USE AND DEVELOPMENT CODE

The PUD should be reviewed for conformance with the nine (9) approval criteria, as set forth in Section 17-16-110 of the *Land Use and Development Code* (summarized below):

- a. The PUD addresses a unique situation, confers a substantial benefit to the City, or incorporates creative site design.
- b. The PUD complies with the Comprehensive Plan and all applicable use, development, and design standards set forth in Section 17-16-110, including applicable zoning district standards, the *Subdivision Regulations*, and the *Residential Design Standards* that are not otherwise modified or waived according to the approved terms of the PUD plan.
- c. The PUD Zone District shall comply with all applicable PUD use and development standards set forth in Section

17-16-110.

- d. The PUD is integrated and connected with adjacent development through street connections, sidewalks, trails, and similar features.
- e. To the maximum extent feasible, the proposal mitigates any potential significant adverse impacts on adjacent properties or on the general community.
- f. Sufficient public safety, transportation, educational, and utility facilities and services are available to serve the subject property, while maintaining sufficient levels of service to existing development.
- g. As applicable, the proposed phasing plan for development of the PUD is rational in terms of available infrastructure capacity, marketing, and financing.
- h. The same development could not be accomplished through the use of other techniques, such as height exceptions, variances, or minor modifications.
- i. The applicant has submitted a schedule of development and agrees to the schedule subject to the revocation and withdrawal clauses of this section. (If the applicant is responsible for a delay of more than 6 months between the Planning Commission and City Council review the Planning Commission's previous decision shall be subject to withdrawal.)

PUD DESCRIPTION AND ANALYSIS

The PUD addresses the increase in density, parking standards, as well as compatible architecture with the existing historic building and surrounding residences and is consistent with the *Comprehensive Plan's* designation of Downtown. The neighborhood has a variety of uses that are compatible with a 60 years and older senior apartment community including single-family residential, commercial, office and community uses such as churches.

The existing zoning of Public Land allows for many incompatible uses allowed by right such as animal shelter, kennel (indoor), ambulance facility, hospital and morgue within the neighborhood.

The PUD includes a parking analysis performed by an engineering firm on behalf of the applicant, which was reviewed by the city's staff and sets forth that one parking space per residential unit is more than adequate for the proposed project due to low vehicle ownership rates of potential tenants that are earning between 30% and 60% of Area Median Income (AMI) and are over the age of 60.

The development proposed by the PUD would not likely be able to be accomplished without the utilization of a PUD. The PUD is intended to address the neighborhood concerns that were brought forth at the neighborhood meeting in October of 2016 including uses, potential tenants, and parking. This restriction of land uses and flexibility in requirements for design cohesiveness could not be easily accomplished through the use of techniques other than a PUD.

PUBLIC COMMENT

Notice of the City Council public hearing was mailed to property owners within 300 feet of the Property, published in the Brighton Standard Blade, and a public notice sign was posted on the Property, all for no less than fifteen (15) days prior to the public hearing. Comments received by staff were forwarded to the City Clerk's office.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission heard this item at a meeting on March 14, 2017 and continued the item to March 28, 2017 to further discuss the parking study. Their recommendation will be presented during by staff.

STAFF RECOMMENDATION

The use of senior apartments is compatible with the neighborhood as it utilizes a currently vacant property that is a city-core mixed-use neighborhood. The neighborhood includes several churches, single-family residential, commercial office and commercial businesses. The zoning would restrict the use to those who are 60 and older and allow for an attractive and viable project on the property that not only saves and utilizes the historic city hall and water works building, but gives seniors in the community an affordable housing option.

Staff finds that the proposed PUD conforms to the *Comprehensive Plan's* designation of "Downtown", and the PUD

approval criteria set forth in Section 17-16-110 of the *Land Use and Development Code*. Therefore, staff has prepared a draft City Council Ordinance for approval.

OPTIONS FOR COUNCIL CONSIDERATION

1. Approve the zone change request.
2. Not approve the zone change request for the property with specific findings to justify the denial.

ATTACHMENTS

- PUD Plan (18" x 24")
- Parking Study & Staff Analysis
- Planning Commission Resolution (PUD)
- Ordinance approving PUD