



## Legislation Details (With Text)

<b>File #:</b>	ID-33-20	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>		Agenda Ready	
<b>File created:</b>	1/16/2020	<b>In control:</b>		City Council	
<b>On agenda:</b>	2/4/2020	<b>Final action:</b>			
<b>Title:</b>	AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE REZONING OF PORTIONS OF THE BROMLEY PARK PLANNED UNIT DEVELOPMENT 2ND AND 16TH AMENDMENTS TO THE BROMLEY PARK PLANNED UNIT DEVELOPMENT 24TH AMENDMENT FOR THE APPROXIMATELY 63.62-ACRE PROPERTY GENERALLY LOCATED TO THE IMMEDIATE NORTHEAST OF THE INTERSECTION OF SOUTH 40TH AVENUE AND SOUTHERN STREET AND FOR TWENTY THREE LOTS GENERALLY LOCATED TO THE SOUTHEAST OF THE INTERSECTION OF SOUTH 45TH AVENUE AND BRIDGE STREET IN BRIGHTON, COLORADO. THE BROMLEY PARK PLANNED UNIT DEVELOPMENT 24TH AMENDMENT IS GENERALLY LOCATED IN SECTION 10, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, ALL IN THE CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO (FIRST READING, CONTINUED FROM JANUARY 21, 2020)				

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Draft City Council Ordinance, 2. City Staff Report Prepared for City Council's January 21, 2020 Meeting, 3. Copy of the Planning Commission Recommendation, Resolution #19-13, 4. Aerial Map by City Staff, 5. PUD Amendment by Applicant, 6. Neighboring Property Owner Notification, 7. Addresses of Property Owners Notified, 8. Buffer Map of Mailing Area, 9. Newspaper Notice, 10. Newspaper Publication Proof, 11. 33 PPT

Date	Ver.	Action By	Action	Result
2/4/2020	1	City Council		
1/21/2020	1	City Council		

### Department of Community Development

Reference: Bromley Park PUD 24<sup>th</sup> Amendment - Zone Change

**To:** Mayor Gregory Mills and Members of City Council

**Through:** Marv Falconburg, AICP, Acting City Manager

Holly Prather, AICP, Community Development Director

**Prepared By:** Mike Tylka, AICP, Senior Planner

**Date Prepared:** January 28, 2020

### REVIEW

On January 21, 2020, after holding the required public hearing, the City Council voted to continue the Bromley Park Planned Unit Development (PUD) 24<sup>th</sup> Amendment zone change to February 4, 2020 at which point they would like to hear from the applicant on the proposed changes to the current zoning and to the greater development of the subject areas.

### **ITEM BEFORE THE CITY COUNCIL**

The request before the City Council is narrow in scope as it only applies to rezoning. The applicant and property owner, Brookfield Residential, is proposing to amend the existing PUDs in order to:

- Designate the BC 6 property as Single Family Detached for residential use;
- To set subdivision internal street and curb sections for the BC 6 Property; and
- To allow the BC 3 properties the ability to exceed the current PUD's 600 square foot maximum detached garage standard with the size being allowed up to 900 square feet.

*Note: These are the only three changes to the current zoning that are being requested. Please refer to the original staff report and attachments from the January 21, 2020 City Council meeting for further details and reference to the BC 3 and BC 6 areas.*

### **PUBLIC NOTICE REQUIREMENTS**

At the January 21, 2020 City Council public hearing, a few Council members expressed concern regarding adequate notice to the public regarding the public hearing on this item. As required by Section 17-8-30 of the *Municipal Code*, mailings were sent to all property owners within 300 foot of this proposed PUD Amendment. These mailings were sent to the owners of the 337 properties within the 300 foot radius on January 2, 2020 and included a letter describing the proposed zoning as well as the time and place for the public hearing. Also included with the letter was a map of the subject area. Along with the public mailings, four public hearing signs were posted on January 6, 2020 on the subject properties adjacent to neighboring rights-of-way. Additionally, a notice was published in the *Brighton Standard Blade* on January 1, 2020, to give notice to those who are not affected property owners or those who do not drive near the properties on a consistent basis. In advance of a public hearing before City Council, City staff posts the project specific public notice (at least 15 days prior to the hearing) and the agenda packet (the Friday before the hearing) on the City's website. Community Development staff is working with the Public Information Office (PIO) on a standard operating procedure for getting public hearing notices posted on social media platforms as well.

### **REMINDER ON POSSIBLE CITY COUNCIL ACTION**

It is necessary to note that a denial by City Council of the item before it must be because the Council does not find the item to meet one or more of the review criteria outlined in the January 21, 2020 staff report (see attached). If a denial is put forth, the motion must outline the particular review criteria that the Council finds the request to not meet. At this time, the City Council has the same options presented to it at the previous meeting.

### **ATTACHMENTS**

- Draft City Council Ordinance
- City Staff Report Prepared for City Council's January 21, 2020 Meeting
- Copy of the Planning Commission Recommendation, Resolution #19-13
- Aerial Map by City Staff
- PUD Amendment by Applicant
- Neighboring Property Owner Notification
- Addresses of Property Owners Notified
- Buffer Map of Mailing Area
- Newspaper Notice
- Newspaper Publication Proof
- City Staff's Draft Presentation