



Otten Zoning Map Amendment

City Council – May 21, 2024

Property Owner:

Donald M. Otten Revocable Trust

Project Contact:

Thomas Otten

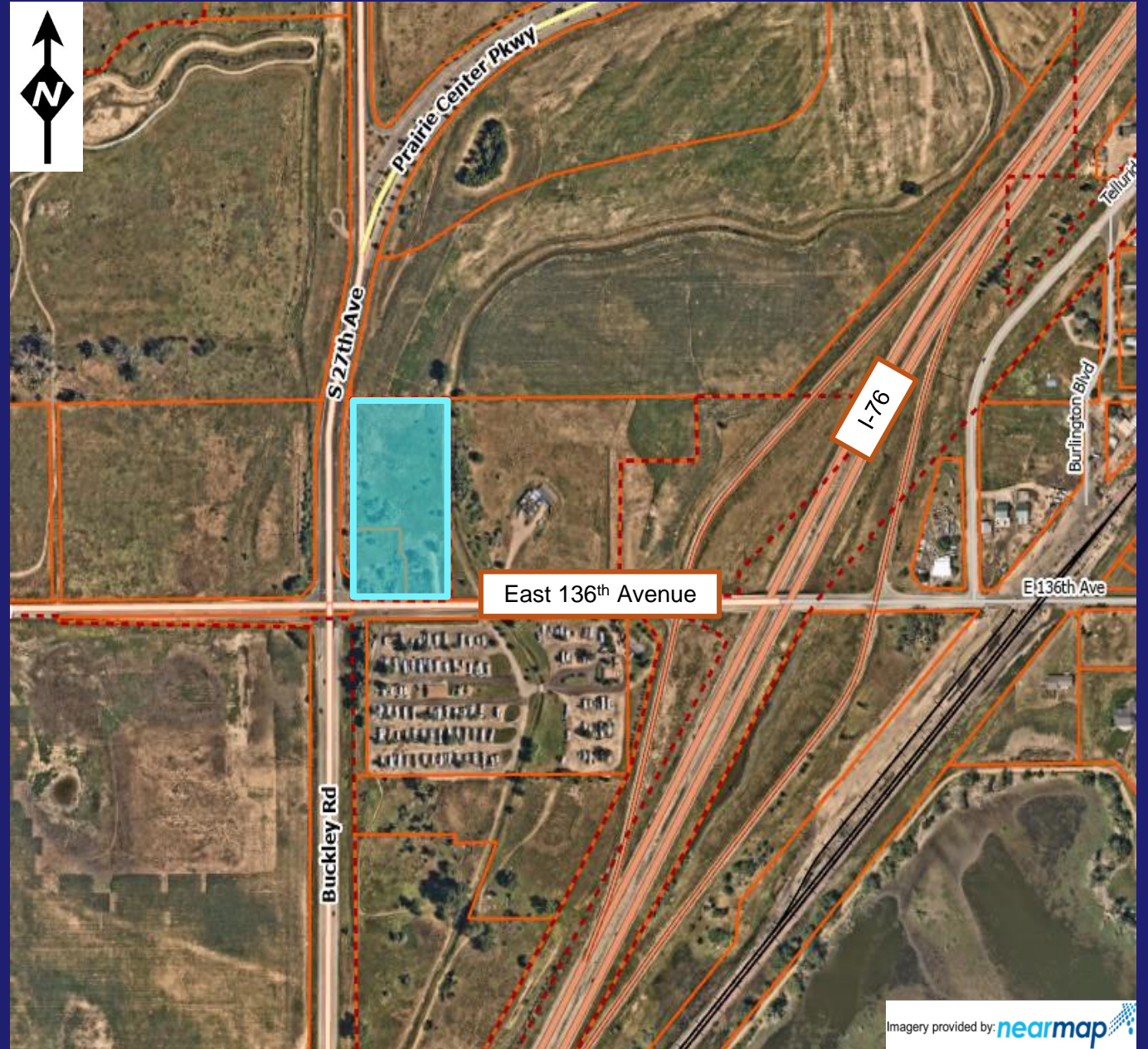
City Staff Representative:

Summer McCann, Senior Planner



Subject Property Location

- The Property is generally located to the north of East 136th Avenue, south of Prairie Center Parkway, east of South 27th Avenue, and west of I-76.



Aerial Map



Purpose

- The request is to rezone the Property from A-2 (Agriculture – 2) under Adams County to C-2 (Restricted Retail and Services) under the City of Brighton.



Process

- Zoning is the second step in the land development process.
- An application for annexation into the City of Brighton is being reviewed concurrently.
- Staff used the Zoning Map Amendment criteria from the *Land Use & Development Code* to review the proposal.



Proposed Zoning

Allowed Uses (C-2, Restricted Retail and Services):

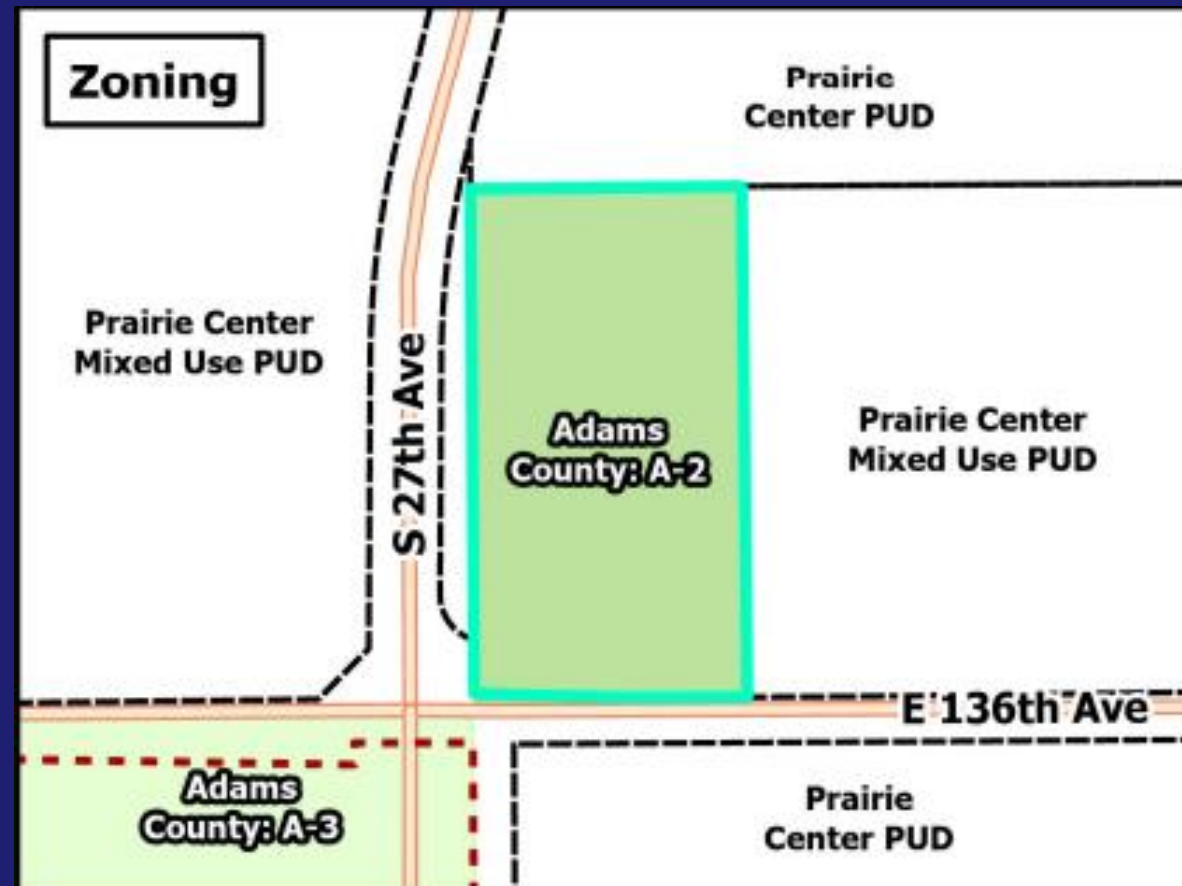
- Article 4 of the *Land Use & Development Code*
 - The C-3 district provides a wider variety of small and moderate scale retail, service, civic and employment uses. It is centrally located and along arterial streets or intersections, and where transitions and buffers between lower-density residential and low-intensity uses are possible.
 - Allowed Uses: Retail, Services, Office uses, etc.



Background

The Property is currently:

- Zoned Adams County A-2 (Agriculture-2).
- Unplatted (not yet subdivided).
- In the process of Annexation into the City.



Zoning Map



Review Criteria

In making its decision, the City Council shall use the following criteria (Section 2.03 B.):

B. Review, recommendations and decisions for a proposed zoning map amendment shall be based on the following criteria:

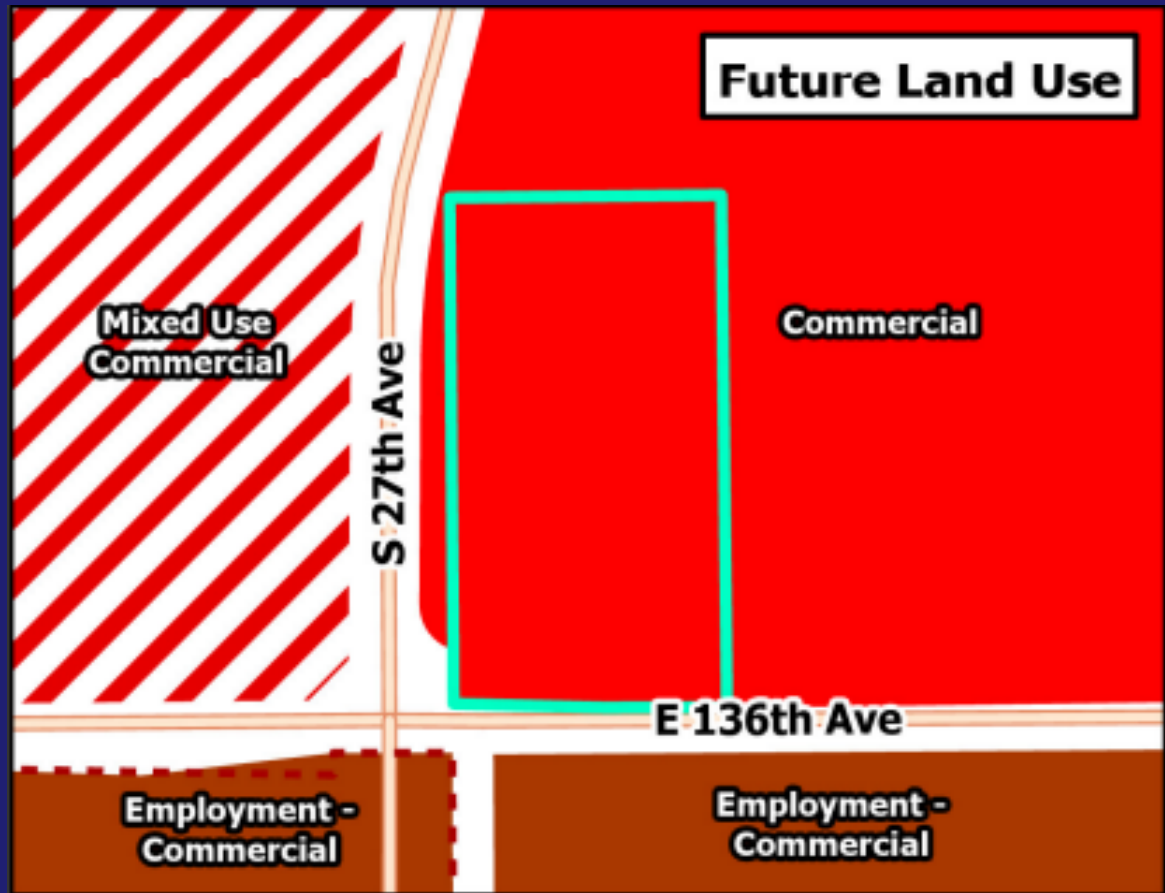
- 1. The proposal is in accordance with the goals and objectives of the Comprehensive Plan and any other plan, policy or guidance adopted pursuant to that plan.*



Review Criteria

Comprehensive Plan

- The Property is designated as Commercial, and is within the City's growth boundary.



Future Land Use Map

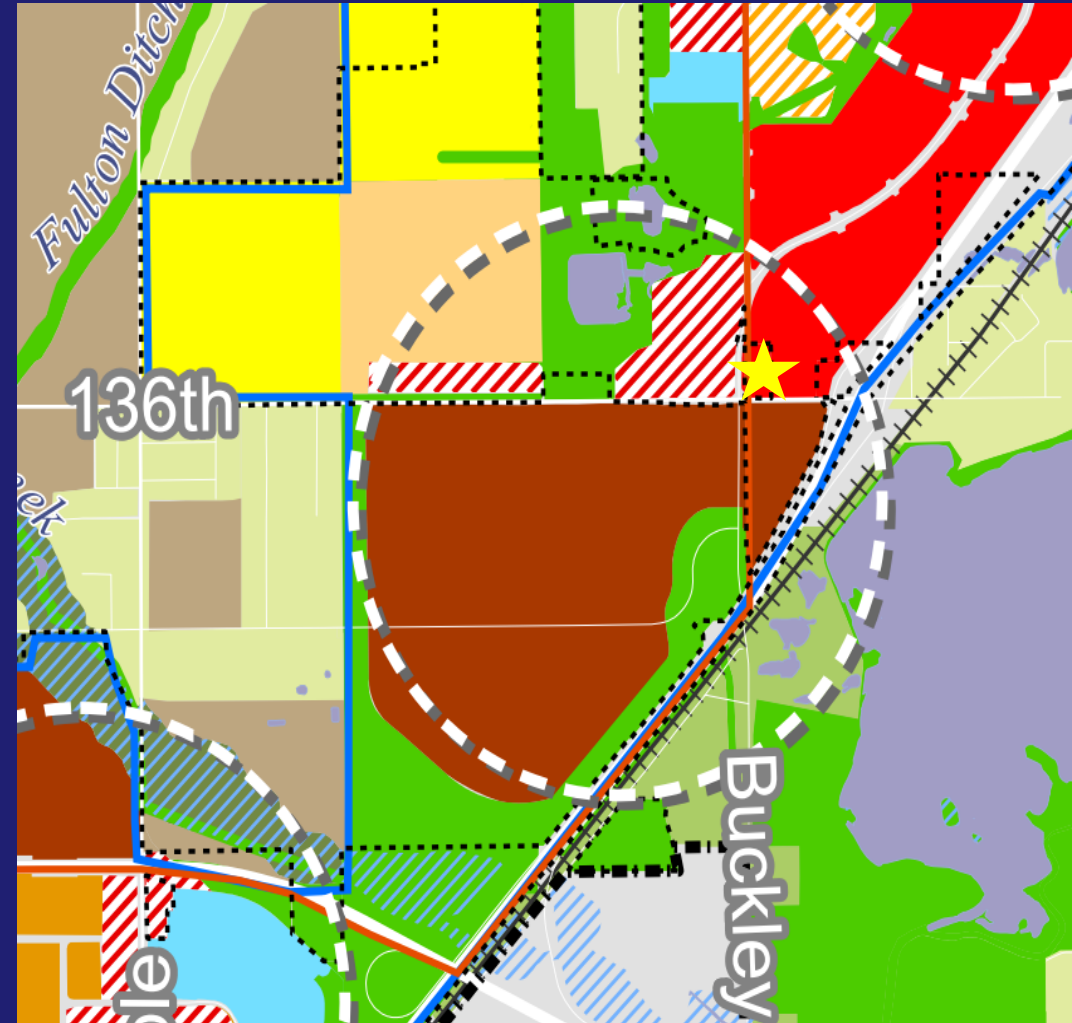


Review Criteria

Comprehensive Plan

Chapter Three: Future Land Use Plan & Opportunity Areas

- **Number 5.** *Annex the Bracksieck Property and Encourage an Intense Mix of Uses Focused on Regional Commerce and Corporate Office in the Prairie Center Urban Center*
- **Number 10.** *Throughout the City, Concentrate Commercial Development at Key Intersections to Serve Surrounding Areas*
- **Number 16.** *27th Avenue / Buckley Road Opportunities*





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Review Criteria

Comprehensive Plan

Chapter Four: Citywide Principles, Policies & Strategies

- **Policy 1.1** - *New Growth Should Favor Existing Areas of Infrastructure Investment and Planning*
- **Policy 1.3** - *Private Development Should “Pay its Own Way” by Bearing an Equitable Portion of the Costs of Expanding Municipal Infrastructure*
- **Policy 2.1** - *Brighton Will Continue to Develop in a Self-Sufficient and Sustainable Manner (Live, Learn, Work, Shop and Play) with an Appropriate Balance between Residential and Non-Residential Uses*



BrightonSM

Review Criteria

- 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.*



Public Notice and Comment

- Public Notice was provided in accordance with the *Land Use & Development Code*.
- On May 1st:
 - ✓ Public hearing signs were posted on the Property.
- On May 6th:
 - ✓ Written notice was mailed to all property owners within 300 feet of the Property.
 - ✓ Notice was published on the City's Website.
- City staff posted information for the public hearing on Facebook and NextDoor.
- A neighborhood meeting was held on February 1, 2023.
- Planning staff has not received any formal comments in advance of this hearing.



Summary of Findings

- ✓ The Development Review Committee has reviewed this project and recommends approval.
- ✓ The Planning Commission heard the request on April 11, 2024 and unanimously recommended approval.
- ✓ Staff finds the Zoning Map Amendment is in compliance with the requirements as outlined in the *Land Use & Development Code*.

City Staff Recommendation

- ✓ Staff recommends approval of the Otten Zoning Map Amendment.



Options for City Council

- Approve the Zoning Map Amendment as presented via ordinance;
- Approve the Zoning Map Amendment with changes to the drafted ordinance;
- Deny the Zoning Map Amendment with justification for the denial; or
- Continue the Zoning Map Amendment to be heard at a later specified date.