Agenda Date: 12/2/2024 **Version:** 1 **Status:** Agenda Ready

In Control: City Council **File Type:** Zoning Ordinances

Agenda Number:

AN ORDINANCE APPROVING THE ONE BUCKLEY PUD ZONE DOCUMENT AMENDMENT TO CREATE NEW PLANNING AREAS, ALLOW ADDITIONAL COMMERCIAL LAND USES, ALLOW RESIDENTIAL LAND USES, AND ESTABLISH BULK AND DESIGN STANDARDS FOR THE PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF EAST 120TH AVENUE AND BUCKLEY ROAD

Summary & Background

The One Buckley PUD Amendment (Z-792-05-24) was presented to City Council on October 7, 2024. City Council closed the public hearing and began discussions to include conditions of approval. After further discussion, the applicant requested a continuance of the One Buckley PUD Amendment to adjust their proposal to address the Council concerns. The City Council voted 9-0 to continue the request to December 2nd, 2024.

The original Cutler Farms Commercial PUD Zone Document was approved by City Council in 2005. The Cutler Farms Commercial PUD contains one 34-acre planning area that only allows commercial, private open space, church, and school land uses. Residential is not an allowed use under the current PUD.

The proposed amendment will create three planning areas: A, B, and C. Planning Area A is 15 acres located on the hard corner of East 120th Avenue and Buckley Road. Planning Area A has a commercial designation and will not allow residential uses. Planning Area B is 15 acres and is designated specifically for residential uses. The residential land use types allowed include single-family attached, single-family detached, and multi-family. Planning Area C is 3.8 acres located along Buckley Road and is designated for both residential and commercial. Planning Area C allows fewer commercial uses than Planning Area A but allows the same residential uses as Planning Area B with the addition of vertical mixed-use products.

Each planning area has specific bulk standards for the land uses that are allowed within the planning area. These bulk standards include maximums and minimums for standards such as density, lot size, lot frontage, building height, and setbacks.

PUD Zone Document approval criteria - Land Development Code Section 21-3251(3)

A PUD zone document may be approved only if:

(a) The PUD zone document is consistent with the policies and goals of the comprehensive plan, any applicable adopted area plan, or community plan of the City, or reflects conditions that have changed since the adoption of the comprehensive plan;

(b) The PUD zone document is consistent with any previously reviewed PUD concept schematic;

(c) The PUD:

i. Addresses a unique situation, confers a substantial benefit to the City, or incorporates creative site design such that it achieves the purposes set out in section 21-4370 (PUD Zone District) and represents an improvement in quality over what could have been accomplished through strict applications of the otherwise applicable district or development standards. This may include but is not limited to improvements in open space; environmental protection; tree/vegetation preservation; efficient provision of streets, roads, and other utilities and services; unique architecture or design, or increased choice of living and housing environments; or

ii. The PUD is required to avoid completely prohibiting a legal, permitted business use within the City;

(d) The PUD complies with all applicable City standards not otherwise modified or waived by the City;

(e) The PUD is integrated and connected with adjacent development through street connections, sidewalks, trails, and similar features;

(f) To the maximum extent feasible, the proposal mitigates any potential significant adverse impacts on adjacent properties or on the general community;

(g) Sufficient public safety, transportation, and utility facilities and services are available to serve the subject property, while maintaining sufficient levels of service to existing development;

(h) As applicable, the proposed phasing plan for development of the PUD is rational in terms of available infrastructure, capacity, and financing; and

(i) The same development could not be accomplished through the use of other techniques, such as height exceptions, variances, or minor modifications.

Staff Responsible (Department Head): Jeff Brasel, Interim Community Development Director
Staff Presenting: Dalton Guerra, Senior Planner

Financial Impact: N/A
Funding Source: N/A

Planning Commission Recommendation: On September 3, 2024, this case was presented to the Planning Commission. The Planning Commission held a public hearing, took testimony, and voted (4 to 1) to forward the PUD Amendment request to City Council with a recommendation for approval.

Actions:

Approve the application, in accordance with the PC recommendation;
Approve the application with conditions;
Deny the application; or
Continue the application