

BRIGHTON CITY COUNCIL ORDINANCE

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).

ORDINANCE NO.: 2254

INTRODUCED BY: Wallin

WHEREAS, the Brighton Housing Authority (the “Applicant”) is contracting to acquire a property approximately 1.12 acres in size, located at 575 Bush Street, and more specifically described in **EXHIBIT A**, attached hereto (the “Property”); and

WHEREAS, the Applicant, through James Miles-Lambert, Miles-Lambert Architecture, Inc., has requested approval of the Water Works Apartments PUD Zone Change (“the Zone Change”); and

WHEREAS, the proposed zoning designation of PUD-R (Planned Unit Development-Residential) for the Property is compatible with the land uses that exist in this area; and

WHEREAS, the proposed PUD (Planned Unit Development) zoning designation for the Property generally complies with the principles and policies described in the *Comprehensive Plan*; and

WHEREAS, pursuant to the City of Brighton *Land Use and Development Code*, Public Notice of the City Council public hearing was published in the *Brighton Standard Blade* on February 22, 2017, for not less than fifteen (15) days prior to the City Council public hearing; and

WHEREAS, pursuant to the City of Brighton *Land Use and Development Code*, Public Notice of the City Council public hearing was posted with a sign upon the subject property, on March 15, 2017, for not less than fifteen (15) days prior to the City Council public hearing; and

WHEREAS, pursuant to the City of Brighton *Land Use and Development Code*, Public Notice of the City Council public hearing was sent via regular U.S. mail to all property owners within 300’ of the proposed Rezoning, on February 17, 2017, for not less than fifteen (15) days prior to the City Council public hearing; and

WHEREAS, the Planning Commission conducted a public hearing on March 14, 2017 to review and consider the Zone Change pursuant to the applicable provisions and criteria set forth in the *Land Use and Development Code*, continued the hearing on March 28, 2017 to discuss the parking study, and recommended approval; and

WHEREAS, the City Council finds and determines that the proposed Zone Change complies with the *Comprehensive Plan* and other master plans of the City; and complies with the requirements of the *Land Use and Development Code* and the PUD-R (Planned Unit Development-Residential) zone district; and provides consistency with the purpose and intent of the *Land Use and Development Code*; and provides compatibility with the surrounding areas, is harmonious with the character of the neighborhood, and is not detrimental to the immediate area, or future development of the area, or the health, safety, or welfare of the inhabitants of the City.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AS FOLLOWS:

Section 1. That the approximately 1.12 acre area more particularly described in **Exhibit A** attached hereto and incorporated herein by this reference, is hereby re-zoned to a zoning designation of Planned Unit Development-Residential (PUD-R), with an underlying zone designation of R-3 (Multiple Family Residential).

Section 2. That the Zoning Map of the City of Brighton shall be amended to reflect said re-zoning.

**INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED,
THIS 4TH DAY OF APRIL 2017.**

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

Published in the *Brighton Standard Blade*
First Publication: April 12, 2017

APPROVED AS TO FORM:

Margaret Brubaker, Esq., City Attorney

**PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED,
BY TITLE ONLY, THIS 18TH DAY OF APRIL, 2017.**

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

Published in the *Brighton Standard Blade*

Last Publication: April 26, 2017

EXHIBIT A
LEGAL DESCRIPTION

PARCEL A:

A PIECE OF LAND SITUATE IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT WHICH IS 223 1/2 FEET SOUTH AND 629 FEET 8 1/2 INCHES EAST OF THE QUARTER CORNER STONE AT THE NORTHWEST CORNER OF NORTHEAST 1/4 (NE 1/4) OF SAID SECTION SEVEN (7) IN THE ABOVE NAMED TOWNSHIP AND RANGE AND WHICH POINT IS IN THE EAST LINE OF AN ALLEY DEDICATED TO THE PUBLIC BY ROSWELL SKEEL, JR.; THENCE EAST PARALLEL WITH THE SOUTH LINE OF BRIDGE STREET 106 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF FIFTH STREET 311 1/2 FEET TO A POINT IN THE NORTH LINE OF BUSH STREET; THENCE WEST ALONG SAID NORTH LINE OF BUSH STREET 106 FEET; THENCE NORTH ALONG THE EAST LINE OF THE ALLEY ABOVE MENTIONED 311 1/2 FEET TO A POINT OF COMMENCEMENT.

PARCEL B:

THE SOUTH ONE HUNDRED AND FORTY (140) FEET OF LOT THIRTY-THREE (33), BLOCK TWENTY-SIX (26), WALNUT GROVE SECOND ADDITION TO BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO.

PARCEL C:

THE SOUTH ONE HUNDRED FORTY SIX AND ONE HALF (146.5) FEET OF THE NORTH ONE HUNDRED SEVENTY ONE AND ONE HALF (171.5) FEET OF LOT THIRTY-THREE (33) IN BLOCK TWENTY-SIX (26), WALNUT GROVE SECOND ADDITION TO BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO.

PARCELS CONTAINS 1.12 ACRES

EXHIBIT B
WATERWORKS APARTMENTS PUD

[PUD begins on the next page.]

LEGAL DESCRIPTION

[illegible]

ZONING	
EXISTING ZONING	R1 - PUBLIC LAND
PROPOSED ZONING	PLD (P) - PLANNED UNIT DEVELOPMENT / MULTI-FAMILY RESIDENTIAL

SITE DATA

UNITED STATES AIR FORCE	2009
UNITED STATES AIR FORCE	2008
UNITED STATES AIR FORCE	2007
UNITED STATES AIR FORCE	2006
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UNITED STATES AIR	

PROJECT TEAM

CIVIL ENGINEER P. HOSCHKE CONSULTING GROUP 1270 WEST 40TH AVENUE SPRINGFIELD, COLO. 80905 303-733-8386	ARCHITECT J. J. & J. B. HARRINGTON, INC. 8401 EAST 84TH AVENUE DENVER, COLO. 80231 303-750-8200	ENGINEER J. E. HARRINGTON - HARRINGTON, INC. 7210 WEST 40TH AVENUE SPRINGFIELD, COLO. 80905 303-733-8700
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GENERAL NOTES

1. THE DEVELOPMENT SHALL BEAT A FINAL DEVELOPMENT PLAN FOR APPROVAL FROM THE CITY OF GAITHERSBURG, LOUISIANA AND DEVELOPMENT.
2. MAINTENANCE OF ALL PRIVATE STREET AND DRIVEWAY AND DRIVEWAYS IMPROVEMENTS IS A CONTINUING OBLIGATION OF THE DEVELOPER, ITS SUCCESSORS AND ASSIGNEES TO MAINTAIN THE CITY OF GAITHERSBURG, LOUISIANA AND DEVELOPMENT.
3. FOR REGULATIONS THAT ARE NOT SPECIFIED WITHIN THE DEVELOPMENT PLAN, THE CITY OF GAITHERSBURG, LOUISIANA AND DEVELOPMENT SHALL BE THE CITY OF GAITHERSBURG, LOUISIANA AND DEVELOPMENT.
4. ALL SUBSEQUENT ASPECTS OF THE PLAN ARE CONSIDERED, IN WHOLE AND IN PART, TO BE SUBJECT TO CHANGE WITH THE CITY OF GAITHERSBURG, LOUISIANA AND DEVELOPMENT.
5. THE LOCAL, STATE AND FEDERAL GOVERNMENT IS NOT BEING A PARTY TO THIS RESOLUTION.

SIGNATURE BLOCKS

CERTIFICATE OF OWNERSHIP

WE THE UNDERSIGNED, BEING THE OWNERS AND/OR DEVELOPERS OF THE LAND HEREIN DESCRIBED, LOCATED IN THE CITY OF BRISTOL, COUNTY OF ADAMS, STATE OF COLORADO, HEREBY AGREE THAT THIS PLAN AND AGREEMENT SHALL BE SUBJECT TO THE TERMS SET FORTH HEREIN.

OWNER

PLANNING COMMISSION

THE PLANNING COMMISSION OF THE CITY OF SEACONIC RECOMMENDS APPROVAL OF THIS PLAN OF
LAND DEVELOPMENT PLAN THIS _____ DAY OF _____, 20____.

CHAIRPERSON

CITY COUNCIL

THE CITY COUNCIL OF THE CITY OF BOSTON APPROVES THIS PLANNED UNIT DEVELOPMENT PLAN
THIS _____ DAY OF _____ OF 20____.

MAYOR

CLERK AND RECORDER

RECEPTION NO. _____

ORIGINAL PRE AND PRINTED NAME

DRAINING INDEX

MILES-LAMBERT
ARCHITECTURE, INC.

Editorial Board

[illegible]

PLANNED UNIT DEVELOPMENT (PUD) PLAN
WATER WORKS APARTMENTS
LOCATED IN THE NE 1/4 OF SECTION 7, T.1S, R.66W, 6TH P.M.,
CITY OF BRIGHTON, ADAMS COUNTY, COLORADO

STATEMENT OF INTENT

STANDARD TO PROVIDE FAMILIES WITH A RELATIVE OF THE SAME SEX AS THE CHILDREN WITHIN THE NEIGHBORHOOD. THE CITY OF CHICAGO'S POLICY OF PROVIDING A RELATIVE OF THE SAME SEX AS THE CHILDREN WITHIN THE NEIGHBORHOOD SHALL NOT BE USED TO PREVENT OR LIMIT THE DEVELOPMENT OF COMMUNITIES WITHIN THE CITY. THE CITY OF CHICAGO'S POLICY OF PROVIDING A RELATIVE OF THE SAME SEX AS THE CHILDREN WITHIN THE NEIGHBORHOOD SHALL NOT BE USED TO PREVENT OR LIMIT THE DEVELOPMENT OF COMMUNITIES WITHIN THE CITY. THE CITY OF CHICAGO'S POLICY OF PROVIDING A RELATIVE OF THE SAME SEX AS THE CHILDREN WITHIN THE NEIGHBORHOOD SHALL NOT BE USED TO PREVENT OR LIMIT THE DEVELOPMENT OF COMMUNITIES WITHIN THE CITY.

ALLOWED USES

1. NO. CHALLENGE:
SINGLE MALE Y ATTACHED - ELDERLY (70 YEARS OLD OR OVER)
NO. SPECIAL INTEREST
SINGLE LITTE FACILITY, INDEPENDENT

PROHIBITED USES

1. ALL STUDIES SPECIFICALLY ALLOWED IN NO ZONE DESIGN
2. NO DOWN LABEL
3. MONOCULTURED CROPS
4. MULTIPLE HARVEST
5. SPECIAL HARVEST ATTACHED
6. NO OTHER CROPS
7. NO OTHER HARVEST
8. RESEARCH, PROTECTIVE
9. RESEARCH, PROTECTIVE
10. SPECIAL HARVEST, ALLOWED
11. SPECIAL HARVEST, ALLOWED
12. SPECIAL HARVEST, ALLOWED

8ITE DESIGN STANDARDS

MUST MEET THE LISTS AND DEVELOPMENT CODE, HIS STANDARDS AND MINIMUMS. CHECK STANDARDS AT THE END OF THE APPROPRIATE SECTION, UNLESS LISTED BELOW AS EXEMPT OR EXCEPTED.

- [illegible]

SITE LIGHTING STANDARDS

ALL CITY LIGHTING WILL MEET THE CHANGING DEMAND OF MICHIGAN, SECTION 17-48-702

ARCHITECTURAL STANDARDS

WOLFF, MARGIT. THE CITY OF BRITAIN LIVED LONG AND PROSPEROUS: COLOS AND THE WILDERNESS. *EXPOSITION OF AMERICAN LITERATURE AND ART*. NEW YORK: THE MUSEUM OF MODERN ART, 1968.

2. **RELATIONS BETWEEN THE STRUCTURAL BUILDING MEMBER FROM WHICH BUILDING WITHIN THE USE OF A SINGLE FAMILY RESIDENCE WILL BE REMOVED AND THE BUILDING FROM WHICH THE BUILDING WITHIN THE USE OF A SINGLE FAMILY RESIDENCE WILL BE REMOVED**
3. **ARCHITECTURAL, MATERIAL, BLANKET, ETC.**

LANDSCAPE STANDARDS

Must Meet the City of Houston Land Use and Development Code, unless另有规定
different or modified

1. THE WISDOM WARD OR OPEN SPACE /LANDSCAPE CONSERVATION WILL BE 20% OF THE SITE AREA.
2. RESIDENT COMMUNAL SPACES LOCATED IN THE RESIDENT HERITAGE BUILDING WILL BE CONSIDERED AS ACTIVE RECREATION SPACES AND COUNTED AS OPEN SPACE /LANDSCAPE CONSERVATION AS WELL AS BUILDING CONSERVATION FOR THE DEVELOPMENT.

CIVIL ENGINEERING STANDARDS

ALSO WITH THE CITY OF BOSTON PUBLIC WORKS STANDARDS AND SPECIFICATIONS, LIAISON WITH
BUILDING DEPARTMENT ON PROJECTS

HISTORIC BUILDING STANDARDS

The study will be reviewed by the Human Subjects Institutional Review Board at Appalachian State University. The study will also be approved by the Institutional Review Boards at each participating site.

2. PRESENT COMMUNITARY SPACES LOCATED IN THE HISTORIC DISTRICT WILL BE CONSIDERED AN ACTIVE RECREATION SPACE AND COUNTED AS OPEN SPACE (LANDSCAPE COVERED BY TREES, GRASS, OR OTHER VEGETATION) FOR THE DISTRICT.