

BRIGHTON CITY COUNCIL ORDINANCE

ORDINANCE NO.: _____

INTRODUCED BY: _____

AN ORDINANCE, OF THE CITY OF BRIGHTON CITY COUNCIL, APPROVING THE REZONING OF AN APPROXIMATELY 53.1152 ACRE AREA OF LAND GENERALLY LOCATED IN SECTION 6, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, FROM AN ADAMS COUNTY ZONING DESIGNATION OF I-3 (INDUSTRIAL) TO A ZONING DESIGNATION OF PUD (PLANNED UNIT DEVELOPMENT) WITH AN UNDERLYING ZONE DESIGNATION OF MU (MIXED USE); TO BE KNOWN AS THE RIVERFRONT PUD.

WHEREAS, Mark Campbell and Lloyd Land of Brighton Investment Properties, LLC, (the “Owner”) owns an approximately 53.1152 acre property, generally located south of Baseline Road, west of US-85, and east of the South Platte River, and more specifically described in **EXHIBIT A**, attached hereto (the “Property”); and

WHEREAS, the Applicant, Steve Walters, Real Estate Project Manager, Love’s Travel Stops & Country Stores (the “Applicant”), on behalf of the Owner, has requested approval of the RIVERFRONT SUBDIVISION PUD (the “PUD”), attached hereto as **EXHIBIT B**; and

WHEREAS, the Property is currently undergoing the annexation process with the City Council; and

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

WHEREAS, the proposed PUD (Planned Unit Development) zoning designation for the Rezoning Area 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 June 3, 2015, 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 May 29, 2015, 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 Area, on May 29, 2015, for not less than fifteen (15) days prior to the City Council public hearing; 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 (Planned Unit Development) 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 53.1152 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 (PUD) to be known as the Riverfront PUD, with an underlying zoning designation of MU (Mixed Use).

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

Section 3. That the City Council requires that the PUD shall be revised prior to any final approval, and specifically, that the following uses should be designated on the PUD as prohibited on the Property: lumber yard, RV and large vehicle storage, outdoor storage, morgue; and the use, "Repair, Heavy Equipment," should only be permitted, if at all, indoors within a building that complies with the IDS.

**INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED,
THIS 21ST DAY OF JULY 2015.**

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

Published in the *Brighton Standard Blade*

First Publication: _____

APPROVED AS TO FORM:

Margaret Brubaker, Esq., City Attorney

**PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED,
BY TITLE ONLY, THIS ____ DAY OF _____, 2015.**

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

Published in the *Brighton Standard Blade*

Last Publication: _____

EXHIBIT A
LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 6, TOWNSHIP 1 SOUTH,
RANGE 66 WEST, OF THE 6TH P.M., CITY OF BRIGHTON, COUNTY OF ADAMS, STATE
OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SECTION 6; THENCE S00°22'17"W ALONG THE WEST LINE OF SAID NW 1/4 OF SECTION 6 A DISTANCE OF 276.11 FEET TO A POINT OF NON-TANGENT CURVE ON THAT PARCEL OF LAND DESCRIBED AS PARCEL 3 IN DEED RECORDED IN BOOK 2955 AT PAGE 664, ADAMS COUNTY, COLORADO RECORDS AND THE POINT OF BEGINNING; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT WHOSE CHORD BEARS N22°44'02"E A DISTANCE OF 223.43 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 13°41'42", A RADIUS OF 937.00 FEET, AN ARC LENGTH OF 223.96 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF BASELINE ROAD; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE OF BASELINE ROAD; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE THE FOLLOWING SEVEN (7) COURSES: (1) THENCE S89°58'29"E A DISTANCE OF 169.45 FEET NON-TANGENT TO THE LAST DESCRIBED CURVE; (2) THENCE N84°18'53"E A DISTANCE OF 402.00 FEET; (3) THENCE S89°58'29"E A DISTANCE OF 148.26 FEET; (4) THENCE S68°10'13"E A DISTANCE OF 53.84 FEET; (5) THENCE S89°58'29" E A DISTANCE OF 320.00 FEET; (6) THENCE N75°59'21"E A DISTANCE OF 82.46 FEET; (7) THENCE S89°58'29"E A DISTANCE OF 288.42 FEET TO A POINT OF THE WESTERLY RIGHT-OF-WAY LINE OF US HIGHWAY 85 AS DESCRIBED IN DEED RECORDED AT BOOK 503 AT PAGE 197, ADAMS COUNTY COLORADO RECORDS; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING SIX (6) COURSES: (1) THENCE S02°16'29"E A DISTANCE OF 60.29 FEET TO A POINT OF NON-TANGENT CURVE; (2) THENCE ALONG A NON-TANGENT CURVE TO THE LEFT WHOSE CHORD BEARS S07°41'44" W A DISTANCE OF 499.42 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 04°55'47", A RADIUS OF 5,804.58 FEET, AN ARC LENGTH OF 499.27 FEET TO A POINT OF TANGENT; (3) THENCE S05°13'51"W ALONG SAID TANGENT A DISTANCE OF 1484.51 FEET TO A POINT OF CURVE; (4) THENCE ALONG THE ARC OF A CURVE TO THE LEFT WHOSE CHORD BEARS S04°37'42" W A DISTANCE OF 171.94 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 01°11'34", A RADIUS OF 8,260.11 FEET, AN ARC LENGTH OF 171.94 FEET TO A POINT OF NON-TANGENT; (5) THENCE S25°54'30" W, ALONG SAID NON-TANGENT LINE, A DISTANCE OF 48.18 FEET; (6) THENCE S00°17'21" W A DISTANCE OF 34.00 FEET TO A POINT ON THE SOUTH LINE OF SAID NW 1/4 OF SAID SECTION 6; THENCE N89°31'21"W ALONG SAID SOUTH LINE A DISTANCE OF 12.00 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN BOOK 37 AT PAGE 511, SAID ADAMS COUNTY, COLORADO RECORDS; THENCE N00°03'29"E ALONG THE EAST LINE OF SAID PARCEL AND CONTINUING ALONG THE EAST LINE OF THAT PARCEL DESCRIBED IN BOOK 240 AT PAGE 149, SAID ADAMS COUNTY COLORADO RECORDS, A DISTANCE OF 600.45 FEET TO THE NORTHEAST CORNER OF SAID PARCEL DESCRIBED IN BOOK 240 AT PAGE 149; THENCE N89°23'31"W A DISTANCE OF 784.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL; THENCE S00°03'29"W ALONG THE WEST LINE OF SAID

PARCEL A DISTANCE OF 200.00 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL, SAID CORNER ALSO BEING THE NORTHWEST CORNER OF SAID PARCEL OF LAND DESCRIBED IN BOOK 37 AT PAGE 511; THENCE, ALONG THE WEST LINE OF SAID PARCEL, THE FOLLOWING FOUR (4) COURSES: (1) THENCE S27°45'31"E A DISTANCE OF 100.00 FEET; (2) THENCE S11°15'31"E A DISTANCE OF 100.00 FEET; (3) THENCE S03°14'29"W A DISTANCE OF 100.00 FEET; (4) THENCE S14°14'29"W A DISTANCE OF 65.73 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF AN ABANDONED RAILROAD; THENCE N72°34'37"W ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 80.96 FEET TO A POINT ON THE CENTERLINE OF THE SOUTH PLATTE RIVER, SAID CENTERLINE BEING THE EAST LINE OF THAT PARCEL OF LAND BEING PARCEL 2 OF THAT DEED RECORDED IN BOOK 2955 AT PAGE 665, SAID ADAMS COUNTY, COLORADO RECORDS; THENCE, ALONG SAID CENTERLINE AND SAID EASTERLY LINE, THE FOLLOWING SIX (6) COURSES: (1) THENCE N13°04'15"E A DISTANCE OF 115.35 FEET; (2) THENCE N09°42'28"W A DISTANCE OF 222.68 FEET; (3) THENCE N13°14'03"W A DISTANCE OF 164.18 FEET; (4) THENCE N32°25'42"W A DISTANCE OF 309.14 FEET; (5) THENCE N25°55'42"W A DISTANCE OF 260.00 FEET; (6) THENCE N17°29'34"W A DISTANCE OF 511.22 FEET TO A POINT ON THE WEST LINE OF SAID NW 1/4 OF SAID SECTION 6; THENCE N00°22'17"E ALONG SAID WEST LINE OF SAID NW 1/4 A DISTANCE OF 479.63 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS (2,313,699 SQUARE FEET) 53.1152 ACRES

EXHIBIT B
RIVERFRONT SUBDIVISION PUD

[PUD begins on the next page.]

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 6,
TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN
CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO
SHEET 1 OF 10

LEGAL DESCRIPTION:

[illegible]

(4) THENCE 568.1013% A DISTANCE OF 53.84 FEET;

[7] THENCE 509°58'29"E A DISTANCE OF 208.42 FEET OF US HIGHWAY 95 AS DESCRIBED IN DEED RECORDED

1-800-441-2344

[4] THENCE ALONG THE ARC OF A CURVE TO THE LEFT

THE NE 1/4 31' 21" W ALIGN SAID SOUTH LINE A DIS
OF THAT PARCEL OF LAND DESCRIBED IN BOOK 37 AT

260 AT PAGE 140. THE NE NE $33^{\circ} 1' W$ A DISTANCE
SAID PARCEL: THENCE $S 10^{\circ} 03' 29'' W$ ALONG THE WEST
BOUNDARY LINE CORNER OF SAID PARCEL: 4.140

(2) THENCE S11°15'31"E A DISTANCE OF 100.00 FEET;

THENCE N72°34'37"W ALONG SAID NORTH RIGHT-OF-WAY CENTERLINE OF THE SOUTH PLATTE RIVER, 56

(1) THENCE N13°04'15"E A DISTANCE OF 115.35 FEET;

[5] THENCE N25°55'42"W A DISTANCE OF 260.00 FEET

THENCE N00°22'17"E ALONG SAID WEST LINE OF SAID
OF BEGINNING.

SHEET INDEX:

OVERALL PUJO PLAN (200 SCALE)
PUJO PLAN - NORTH (100 SCALE)
PUJO PLAN - SOUTH (100 SCALE)
OVERALL CONCEPTUAL UTILITY PLAN (200 SCALE)
CONCEPTUAL UTILITY PLAN - NORTH (100 SCALE)
CONCEPTUAL UTILITY PLAN - SOUTH (100 SCALE)
SIGN PLAN (200 SCALE)



CITY APPROVAL
APPROVED BY PLANNING COM.
OF _____, _____.

ACCEPTED BY CITY COUNCIL OF THE CITY OF BRIGHTON THIS ____ DAY
OF ____, 20__.

MAY 2011

P.U.D. No. _____ RECEPTION No. _____
ACCEPTED FOR FILING IN THE OFFICE OF THE COUNTY CLERK
ADAMS COUNTY AT BRISTOLTON, COLORADO ON
THIS _____ DAY OF _____, 20____ AT _____ O'CLOCK _____ P.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY
OF ____ 20__.

BY _____

MY COMMISSION EXPIRES ON _____

NOTARY PUBLIC

ISSUED FOR APPROVAL - NOT FOR CONSTRUCTION

RC 130626v8

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RIVERFRONT SUBDIVISION PUD
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BRIGHTON, COLORADO



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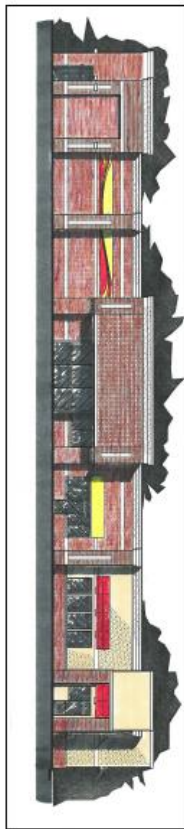
A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 6,
TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN
CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO
SHEET 3 OF 10

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ISSUED FOR APPROVAL - NOT FOR CONSTRUCTION



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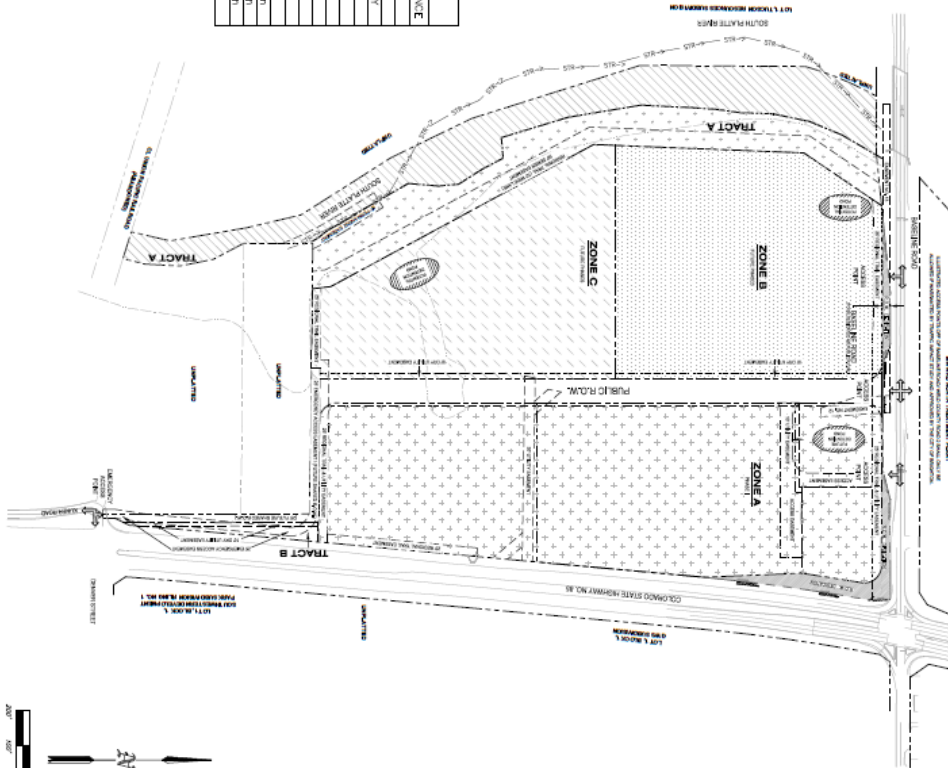
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RIVERFRONT SUBDIVISION P.U.D. PLAN

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 8,
TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN
CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO
SHEET 4 OF 10

TRACT TABLE			
LOT	ZONE	SIZE (AC)	OWNER/MAINTENANCE
1	A	1.4060	TRD
2	A	10.0057	COMMERCIAL
3	A	2.2108	HOTEL
4	A	2.1875	HOTEL
5	A	1.7177	TRD
6	C	6.3214	TRD
7	C	5.2724	TRD
8	B	8.1714	TRD
9	B	1.5900	TRD
10	B	1.5430	TRD
TRACT A	10.2538	Open Space	CITY OF BRIGHTON
TRACT B	0.4052	Open Space	CITY OF BRIGHTON
TRACT C	0.4458	Open Space	CITY OF BRIGHTON
TOTAL	53.1152		Riverfront Subdivision



OVERALL PUD PLAN

ISSUED FOR APPROVAL - NOT FOR CONSTRUCTION



RIVERFRONT SUBDIVISION PUD
US HWY 85 @ E BASELINE ROAD
BRIGHTON, COLORADO



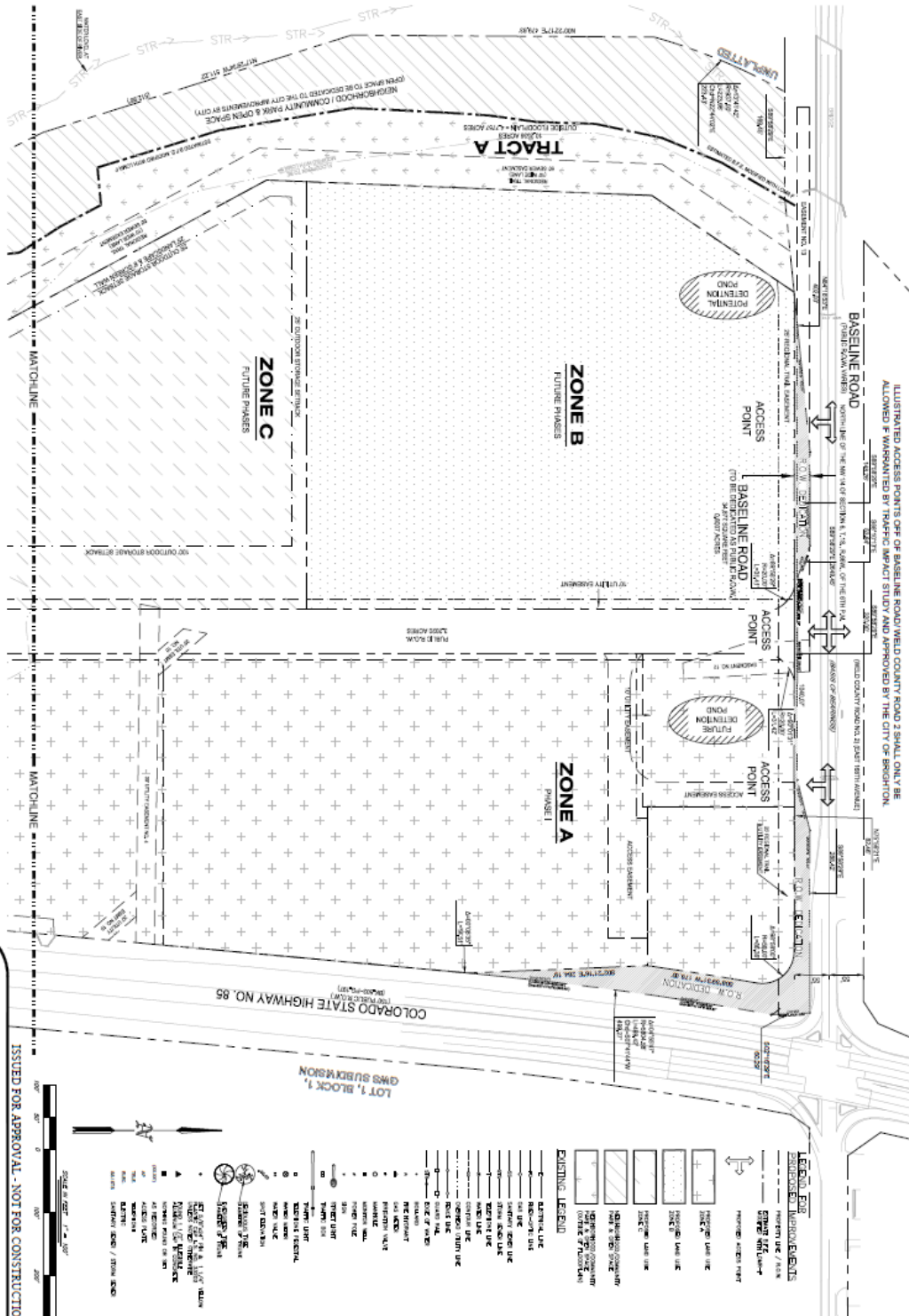
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RC 130626v8
10/1/2013
6669 10-27-2013

RIVERFRONT SUBDIVISION P.U.D. PLAN

A PARCELS OF LAND SITUATED IN THE NW 1/4 OF SECTION 8,
TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN
CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO
SHEET 5 OF 10

ILLUSTRATED ACCESS POINTS OFF OF BASELINE ROAD/WEED COUNTY ROAD 2 SHALL ONLY BE
ALLOWED & MAINTAINED BY TRAFFIC IMPACT STUDY AND APPROVED BY THE CITY OF BRIGHTON.



PUD PLAN - NORTH

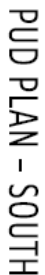
RIVERFRONT SUBDIVISION PUD
US HWY 85 @ E BASELINE ROAD
BRIGHTON, COLORADO



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RC 130626v8
DATE 11-25-2013

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 8,
TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO
SHEET 6 OF 10

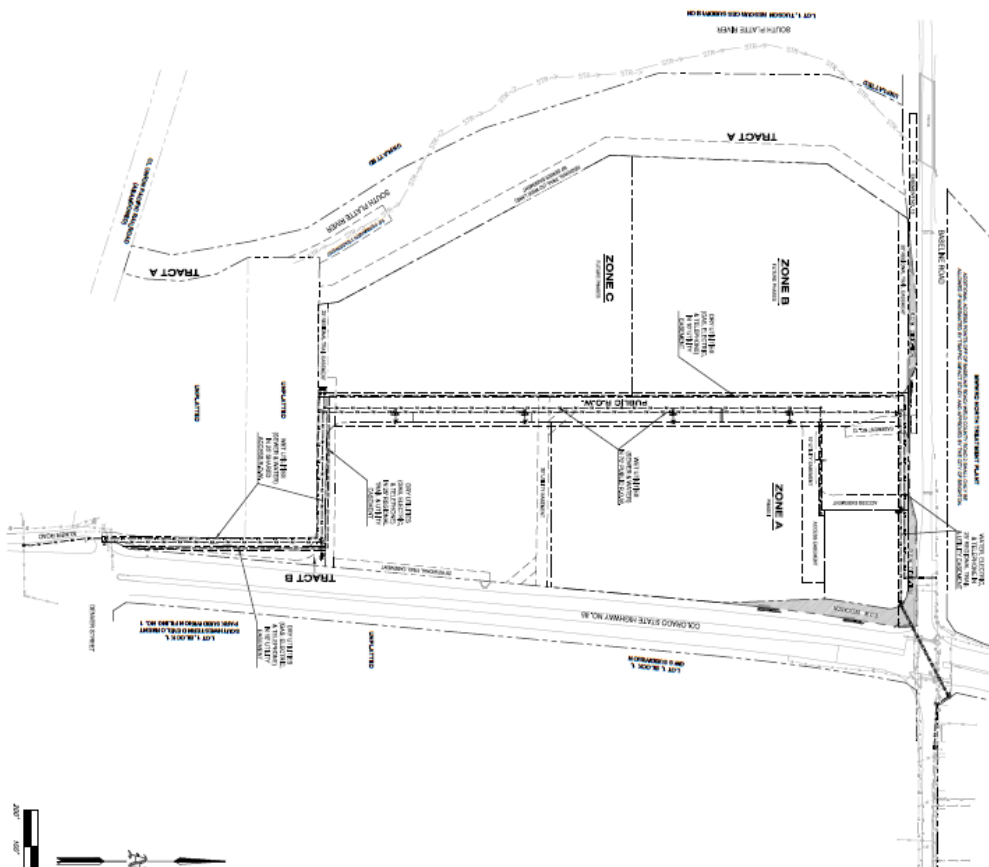


A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 8,
TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN
CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO
SHEET 7 OF 10

RC 130626v8
File: 130626v8.mp4

drawn up
date: 05-21-2015

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*THIS PLAN TO BE USED AS AN OVERALL REFERENCE ONLY
FOR MORE DETAIL, SEE SHEETS 8 & 9

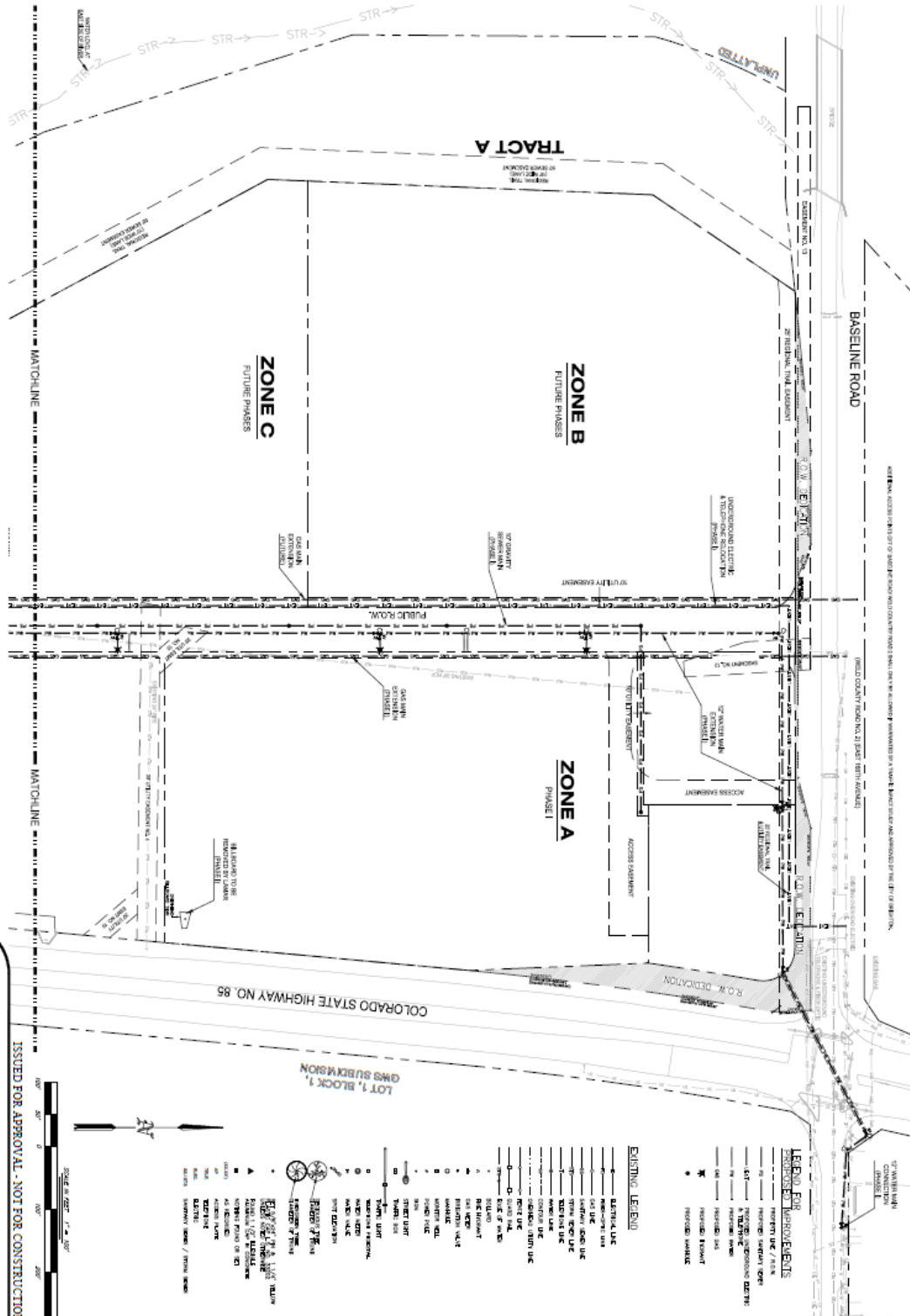
OVERALL CONCEPTUAL UTILITY PLAN

ISSUED FOR APPROVAL - NOT FOR CONSTRUCTION

RIVERFRONT SUBDIVISION PUD
US HWY 85 @ E BASELINE ROAD
BRIGHTON, COLORADO

RIVERFRONT SUBDIVISION P.U.D. PLAN

SECTION 1, TOWNSHIP 1 SOUTH, RANGE 10 WEST OF 10TH PRINCIPAL MERIDIAN
CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO
SHEET 8 OF 10



CONCEPTUAL UTILITY PLAN - NORTH

ISSUED FOR APPROVAL - NOT FOR CONSTRUCTION



RIVERFRONT SUBDIVISION PUD
US HWY 85 @ E BASELINE ROAD
BRIGHTON, COLORADO

EXISTING LEGEND

- EXISTING WATER LINE
- EXISTING SEWER LINE
- EXISTING GAS LINE
- EXISTING ELECTRIC LINE
- EXISTING TELEPHONE LINE
- EXISTING CABLE TV LINE
- EXISTING FIBER OPTIC LINE
- EXISTING RAILROAD
- EXISTING HIGHWAY
- EXISTING STREET
- EXISTING EASEMENT
- EXISTING LOT
- EXISTING BLOCK
- EXISTING SUBDIVISION
- EXISTING ZONE
- EXISTING PHASE
- EXISTING EASEMENT
- EXISTING LOT
- EXISTING BLOCK
- EXISTING SUBDIVISION
- EXISTING ZONE
- EXISTING PHASE

PROPOSED LEGEND

- PROPOSED WATER LINE
- PROPOSED SEWER LINE
- PROPOSED GAS LINE
- PROPOSED ELECTRIC LINE
- PROPOSED TELEPHONE LINE
- PROPOSED CABLE TV LINE
- PROPOSED FIBER OPTIC LINE
- PROPOSED RAILROAD
- PROPOSED HIGHWAY
- PROPOSED STREET
- PROPOSED EASEMENT
- PROPOSED LOT
- PROPOSED BLOCK
- PROPOSED SUBDIVISION
- PROPOSED ZONE
- PROPOSED PHASE
- PROPOSED EASEMENT
- PROPOSED LOT
- PROPOSED BLOCK
- PROPOSED SUBDIVISION
- PROPOSED ZONE
- PROPOSED PHASE

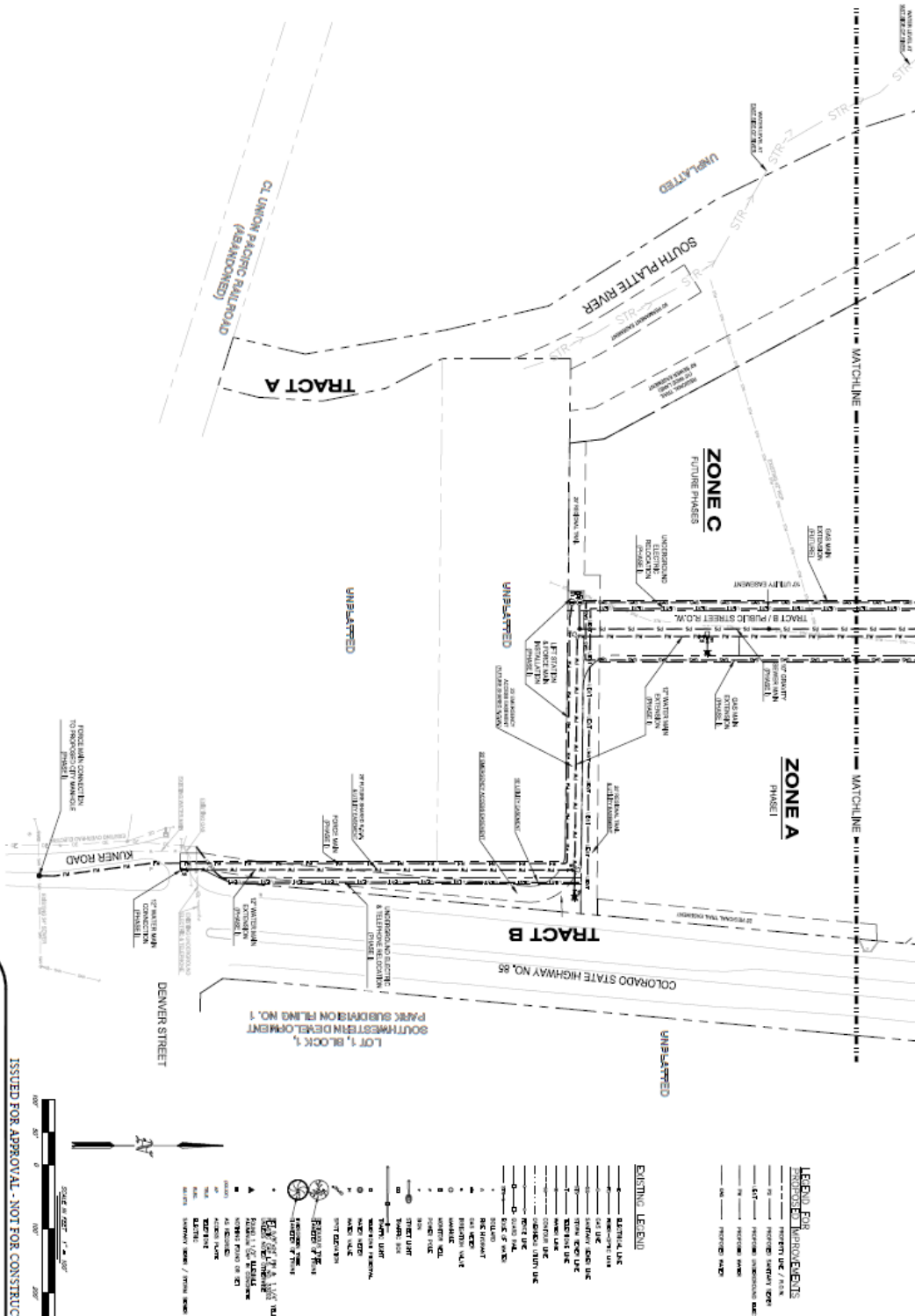


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RC130626v8
Date: 05-21-2013

RIVERFRONT SUBDIVISION P.U.D. PLAN

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 8, TOWNSHIP 35N, RANGE 107E, COUNTY OF ADAMS, STATE OF COLORADO
SHEET 9 OF 10



CONCEPTUAL UTILITY PLAN - SOUTH

ISSUED FOR APPROVAL - NOT FOR CONSTRUCTION

RIVERFRONT SUBDIVISION PUD
US HWY 85 @ E BASELINE ROAD
BRIGHTON, COLORADO

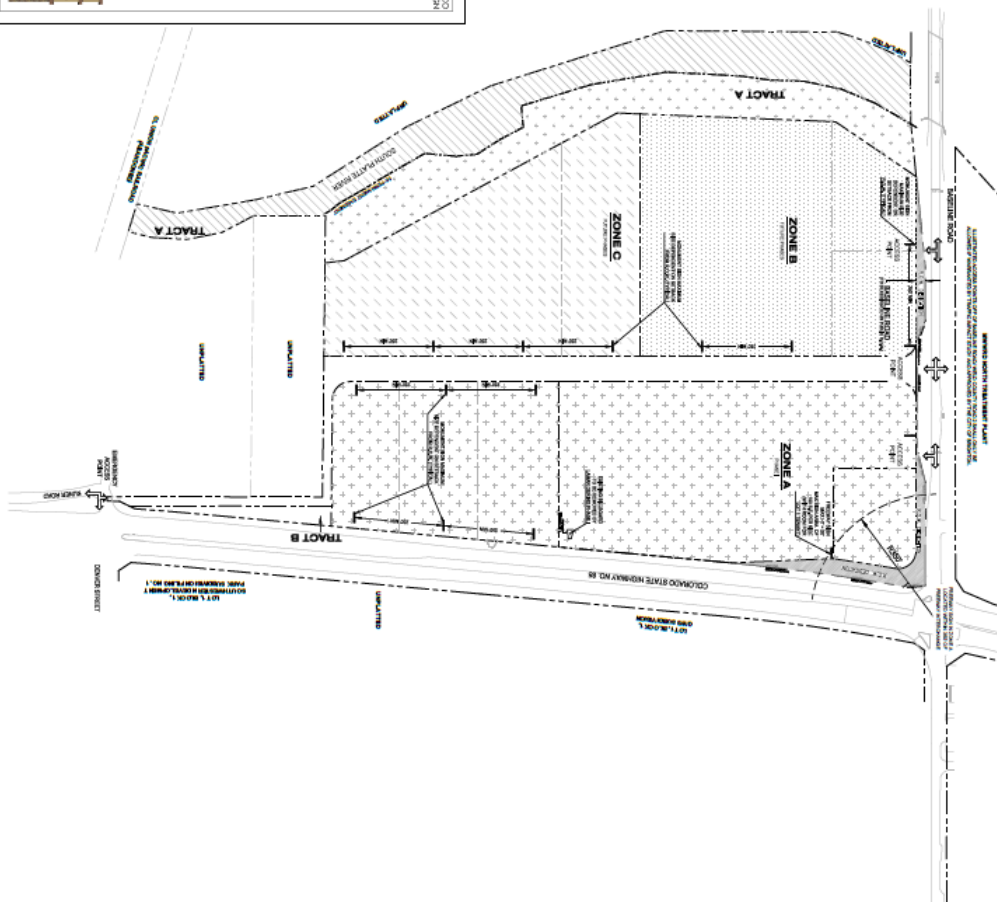


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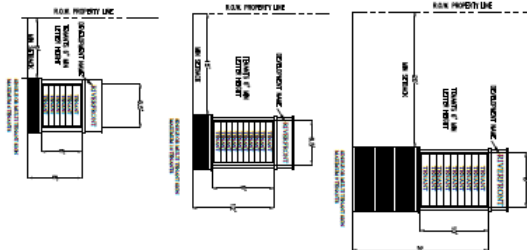
RC130626v8

RIVERFRONT SUBDIVISION P.U.D. PLAN

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 8, TOWNSHIP 35N, RANGE 67E, COUNTY OF ADAMS, STATE OF COLORADO
SHEET 10 OF 10



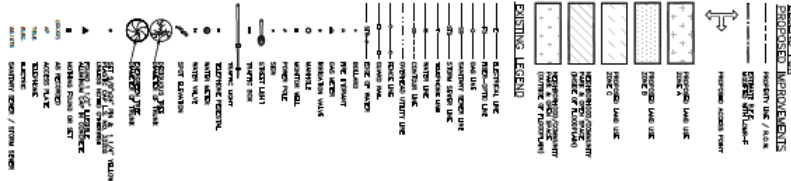
COMMERCIAL SIGN DETAIL



FREEWAY SIGN DETAIL



SIGN PLAN



RIVERFRONT SUBDIVISION PUD
US HWY 85 @ E BASELINE ROAD
BRIGHTON, COLORADO



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