

# PLANNING COMMISSION RESOLUTION

## RIVERFRONT SUBDIVISION

### PUD ZONING

RESOLUTION NO. 15-07

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BRIGHTON RECOMMENDING TO THE CITY COUNCIL APPROVAL OF THE RIVERFRONT SUBDIVISION PUD (PLANNED UNIT DEVELOPMENT) ZONING REQUEST, WITH CONDITIONS, FOR AN APPROXIMATELY 53.1152 ACRE PROPERTY, GENERALLY LOCATED IN SECTION 6, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.**

***WHEREAS***, Mark Campbell and Lloyd Land of Brighton Investment Properties, LLC, (the “Owner”) own 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***, in accordance to the public notice requirements of the *Land Use and Development Code*, the Planning Commission of the City of Brighton finds and declares that a Notice of Public Hearing was mailed to all property owners within 300 feet of the Property, a public notice was published in the *Brighton Standard Blade*, and a sign was posted on the Property, all for no less than fifteen (15) days prior to the Planning Commission public hearing; and

***WHEREAS***, on May 28, 2015 the Applicant provided a letter to the City certifying that all applicable Mineral Owners and/or Mineral Lessees associated with the Property were provided written notice of the Planning Commission public hearing, for no less than thirty (30) days prior to said public hearing, in accordance with Title 24, Section 65.5 of the Colorado State Statutes (C.R.S.); and

***WHEREAS***, the Planning Commission conducted a public hearing to review and consider the PUD pursuant to the applicable provisions and criteria set forth in the *Land Use and Development Code*; and

**WHEREAS**, at the public hearing, the Planning Commission received and considered all relevant evidence and testimony from City Staff, the Applicant, and other Interested Parties, including the public at large; and

**WHEREAS**, the Planning Commission finds and determines that the PUD does follow the intent of the *Comprehensive Plan* in providing for the future of the City; complies with the requirements of the City of Brighton *Land Use and Development Code*; addresses a unique situation, complies with applicable standards; is integrated with adjacent development; sufficiently mitigates adverse impacts; provides for sufficient facilities and services to serve the Property; will be phased appropriately; could not be accomplished in another manner; and is scheduled to be reviewed by the City Council in a timely manner.

**NOW THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Brighton, Colorado, hereby recommends to the City Council APPROVAL of the Riverfront Subdivision PUD, subject to the following conditions:

1. The Planning Commission approval of the PUD is subject to City Council approval of the annexation and shall only become effective on the date of the City Council approval of the annexation of the Property; and
2. Should the City Council not approve annexation of the Property, the Planning Commission approval of the PUD shall be considered null and void; and
3. The Planning Commission recommends that the PUD should be revised prior to any final approval, and specifically, that following uses should be prohibited on the Property: lumber yard, RV and large vehicle storage, outdoor storage, morgue; and
4. The Planning Commission further recommends that the use, "Repair, Heavy Equipment," should only be permitted, if at all, indoors within a building that complies with the IDS.

**RESOLVED**, this 30<sup>th</sup> day of June, 2015.

**CITY OF BRIGHTON, COLORADO  
PLANNING COMMISSION**

  
Archie Demarest, Chairperson

**ATTEST:**

  
Diane Phin, Secretary

**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.]





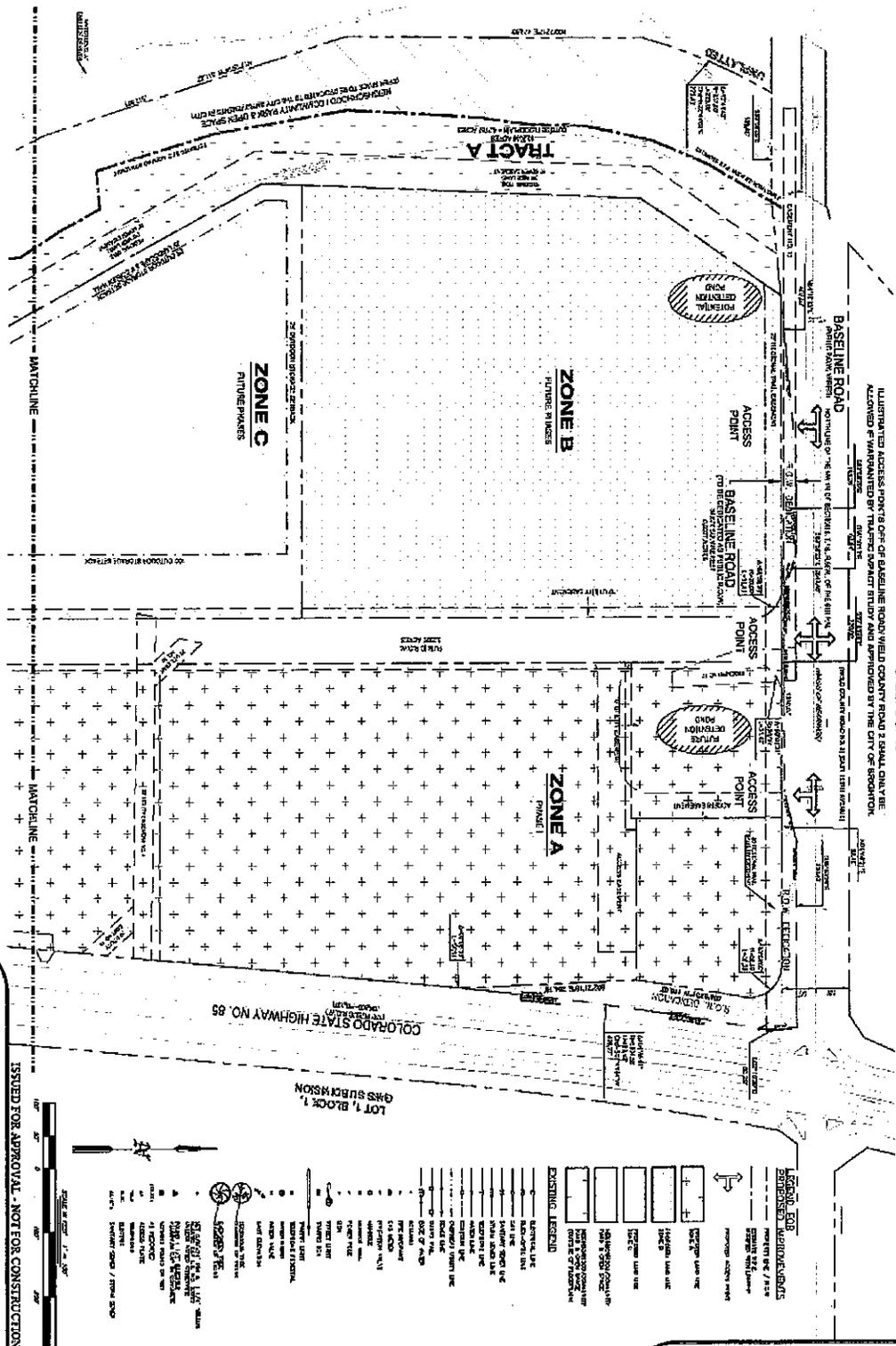




# RIVERFRONT SUBDIVISION P.U.D. PLAN

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 11,  
TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN,  
CITY OF BRIGHTON, CO, 80503, STATE OF COLORADO  
SHEET 5 OF 10

ILLUSTRATED ACCESS POINTS OF E BASELINE ROAD, WARD COUNTY ROAD 1 SHALL ONLY BE  
ALLOWED IF WARRANTED BY TRAFFIC IMPACT STUDY AND APPROVED BY THE CITY OF BRIGHTON.



PUD PLAN - NORTH

ISSUED FOR APPROVAL - NOT FOR CONSTRUCTION

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

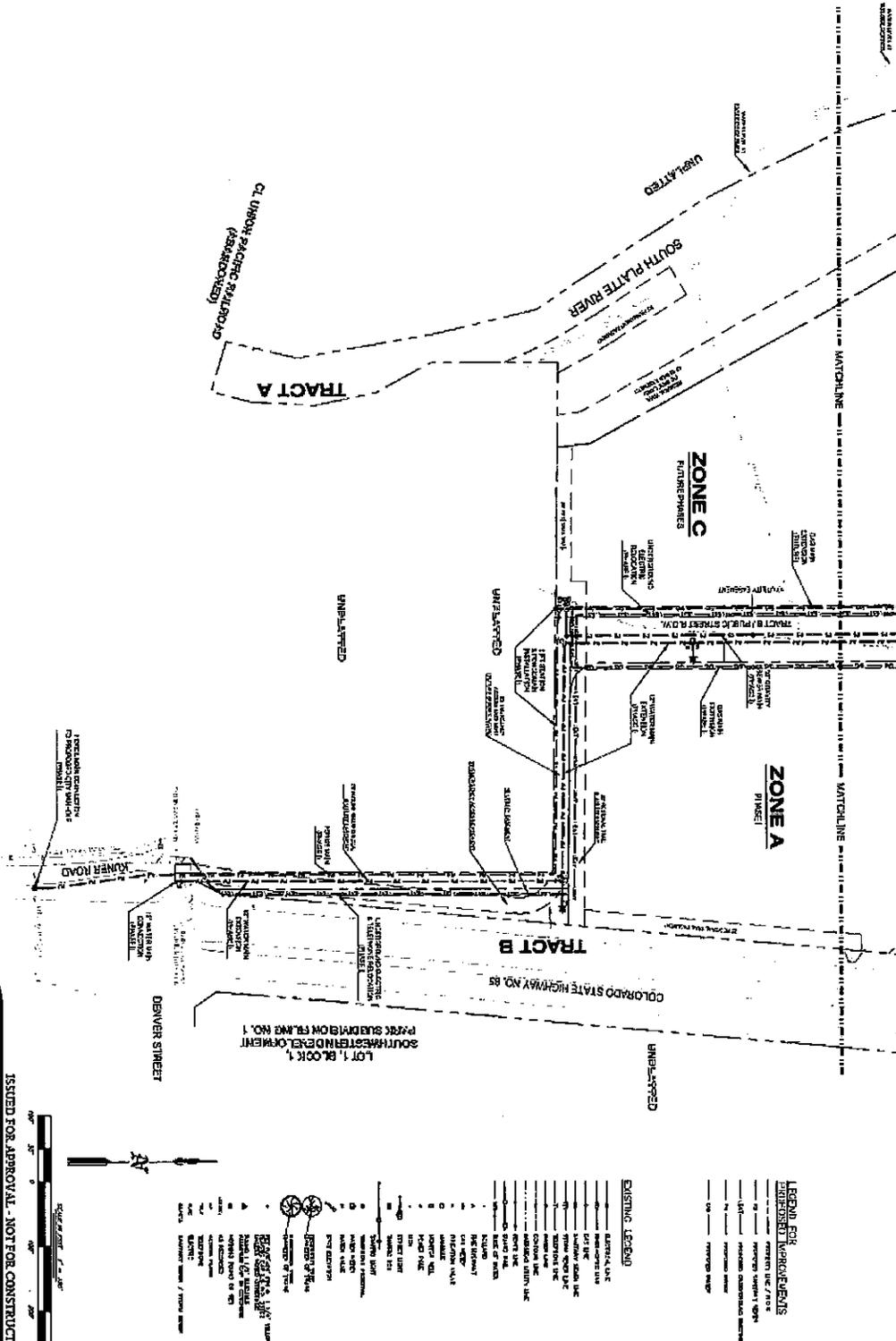


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# RIVERFRONT SUBDIVISION P.U.D. PLAN

TOWNSHIP SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN  
 CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO  
 SHEET 9 OF 15



CONCEPTUAL UTILITY PLAN - SOUTH

ISSUED FOR APPROVAL - NOT FOR CONSTRUCTION

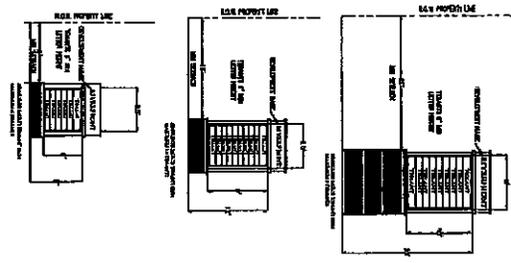
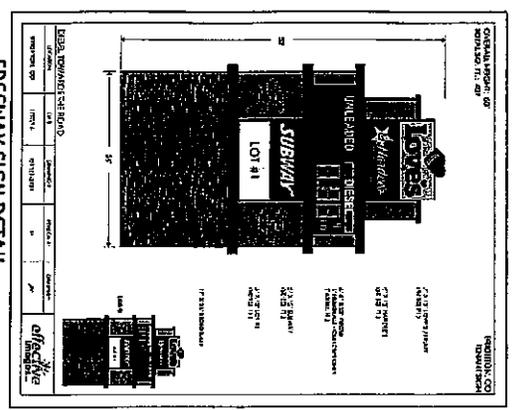
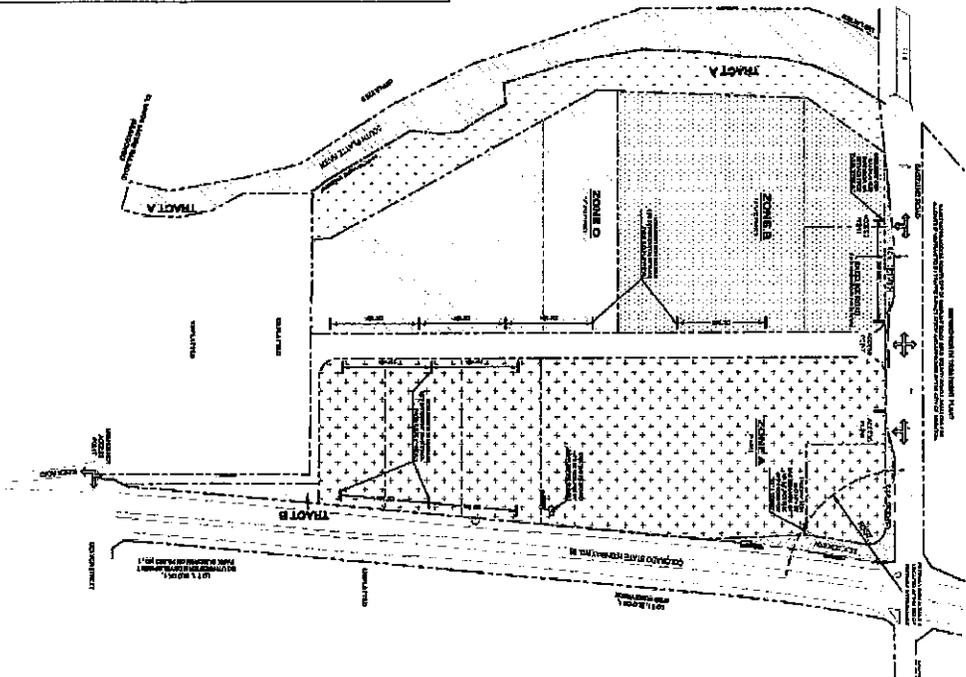
RIVERFRONT SUBDIVISION PUD  
 US HWY 85 @ E BASELINE ROAD  
 BRIGHTON, COLORADO



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**RIVERFRONT SUBDIVISION P.U.D. PLAN**  
 A MAP OF LAND BELONGING TO THE CITY OF BRIGHTON, COLORADO  
 CITY OF BRIGHTON, COLORADO, STATE OF COLORADO  
 SHEET 10 OF 10



**FREEMWAY SIGN DETAIL**

**SIGN PLAN**

ISSUED FOR APPROVAL - NOT FOR CONSTRUCTION

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

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