

ORDINANCE NO. 2415
INTRODUCED BY: Blackhurst

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE REZONING OF A PORTION OF THE BROMLEY PARK PLANNED UNIT DEVELOPMENT 3RD AMENDMENT TO THE BROMLEY PARK PLANNED UNIT DEVELOPMENT 28TH AMENDMENT FOR THE APPROXIMATELY 0.852 ACRE PROPERTY, GENERALLY LOCATED TO THE NORTH OF EAST BRIDGE STREET, WEST OF NORTH 42ND AVENUE, EAST OF THE NORTH 40TH AVENUE ALIGNMENT AND SOUTH OF PIONEER PLACE SITUATED WITHIN THE BUFFS LANDING DEVELOPMENT, MORE PARTICULARLY LOCATED IN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO

WHEREAS, Little Big Fish LLC (the “Owner”) is the owner of certain real property of approximately 0.852-acres in size, generally located to the north of east Bridge Street, west of North 42nd Avenue, east of the North 40th Avenue Alignment and south of Pioneer Place, and as more particularly described in EXHIBIT A, attached hereto (the “Property”); and

WHEREAS, Chad August of MAH Architectural Group (the “Applicant,”) has requested approval of the Bromley Park Planned Unit Development 28th Amendment, attached hereto as EXHIBIT B and incorporated herein (the “PUD”), on behalf of Owner; and

WHEREAS, City staff used the criteria outlined for a Planned Development in the *Land Use & Development Code* for its review and procedures related to the application; and

WHEREAS, the Planning Commission conducted a public hearing on February 9, 2023, to review and consider the PUD pursuant to the applicable provisions and criteria set forth in the *Land Use & Development Code*, and provided a recommendation of approval to the City Council; and

WHEREAS, the City Council opened a public hearing on March 7, 2023 where it conducted its review and considered the PUD pursuant to the applicable provisions and criteria set forth in the *Land Use & Development Code*; and

WHEREAS, in accordance with the public notice requirements of the *Land Use & Development Code*, a Notice of Public Hearing was mailed to all property owners within 300 feet of the Property, a public notice was published on the City’s website, and a sign was posted on the Property, all for no less than fifteen (15) days prior to the City Council public hearing; and

WHEREAS, at the public hearing, the City Council received and considered all relevant evidence and testimony from City staff, the Applicant, and other interested parties, including the public at large; and

WHEREAS, City Council hereby 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 *Land Use & Development Code*; is generally consistent with the Comprehensive Plan and will better implement said plan beyond what could be accomplished under application of a general zoning district and development standards; provides benefits from any flexibility that promotes

general public health, safety, and welfare of the community, and that said flexibility is not strictly to benefit the Applicant or a single project; the flexibility provided allows future projects on the Property to better meet or exceed the intent of the base zoning district; the proposed adjustments to the standards do not undermine the intent or design objects of those standards when applied to the Property; reflects generally accepted and sound planning and urban design principles with respect to applying the goals and objects of the Comprehensive Plan; and meets all of the review criteria for a Zoning Map Amendment.

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

Section 1. The Bromley Park Planned Unit Development 28th Amendment is hereby approved.

Section 2. The City Zoning Map shall be amended to reflect said zoning change.

Section 3. As provided in City Charter Section 5.9(A), this Ordinance either as presented or as amended, shall be published in full as it was adopted prior to taking final action. This Ordinance shall be in full force and effect five days after its final publication, as provided in City Charter Section 5.8, except as set forth herein.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED, THIS 7TH DAY OF MARCH, 2023.

PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY THIS 21ST DAY OF MARCH, 2023.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

Published in the *Brighton Standard Blade*

First Publication: March 16, 2023

Final Publication: March 30, 2023

APPROVED AS TO FORM:

YASMINA GIBBONS, Deputy City Attorney

EXHIBIT A

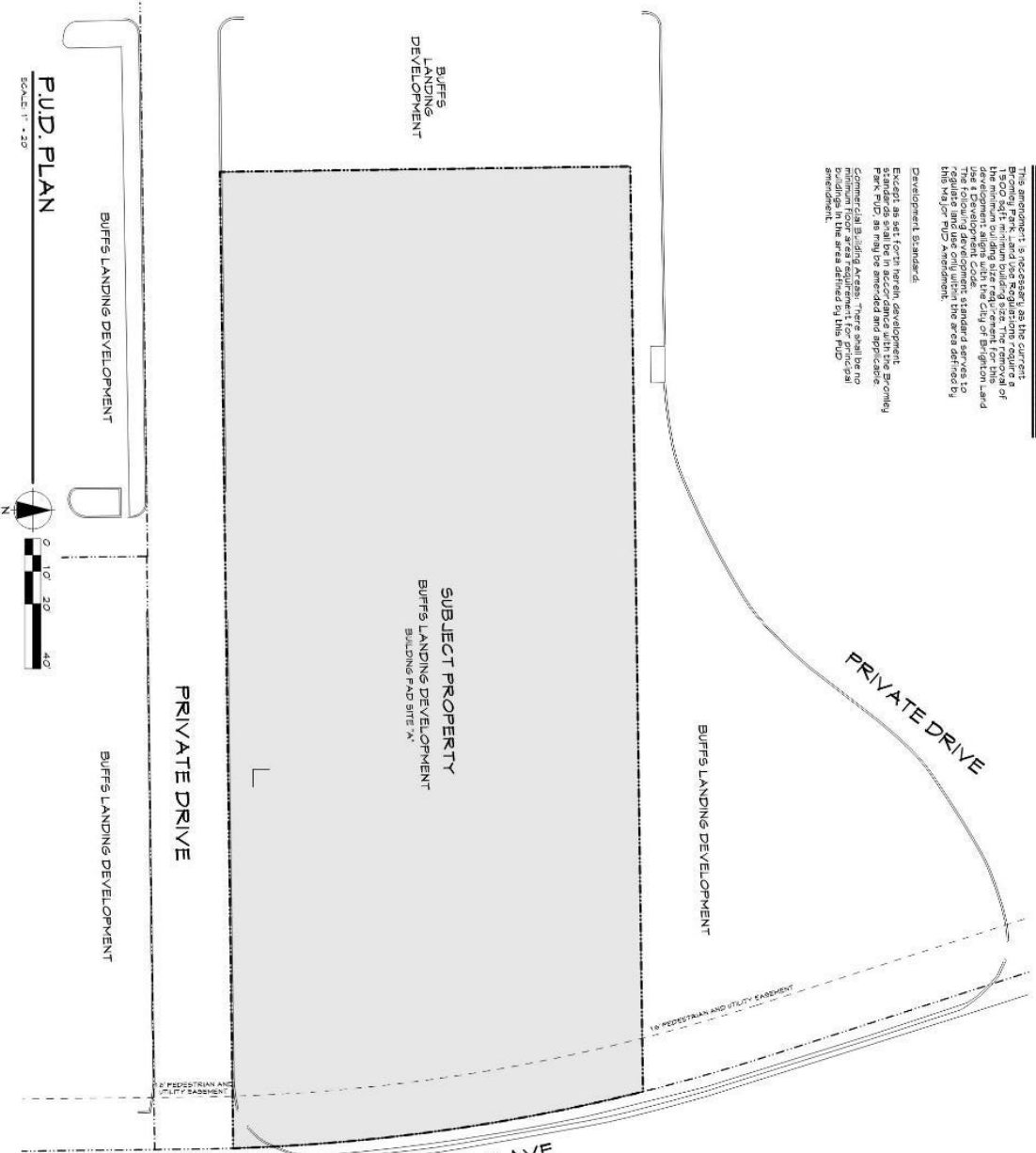
SOUTHWEST 1/4 OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,
CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO.

- THAT PORTION OF LOT 1, BLOCK 34, BRIGHTON EAST FARMS FILING NO. 1, ACCORDING TO THE PLAT RECORDED IN FILE 18 AT MAP 590 RECEPTION NO. C0893219 ON NOVEMBER 30, 2001 AT THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER, KNOWN AS BUILDING PAD "A", ON THE MAP OF BUFFS LANDING DEVELOPMENT, RECORDED FEBRUARY 10, 2005 AT RECEPTION NO. **20050210000140570**, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1;
THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 1, NORTH 89°42'46" EAST, A DISTANCE OF 513.10 FEET; THENCE CONTINUING ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 90°, A RADIUS OF 55.00 FEET, AN ARC LENGTH OF 86.39 FEET AND A CHORD BEARING NORTH 44°42'46" EAST; THENCE CONTINUING NORTH 00°17'14" WEST, A DISTANCE OF 162.42 FEET; THENCE CONTINUING ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 01°03'35", A RADIUS OF 598.00 FEET, AN ARC LENGTH OF 11.06 FEET AND A CHORD BEARING NORTH 00°49'02" WEST TO THE POINT OF BEGINNING; THENCE SOUTH 89°37'51" WEST, A DISTANCE OF 300.00 FEET; THENCE NORTH 00°22'09" WEST, A DISTANCE OF 126.00 FEET; THENCE NORTH 89°37'51" EAST, A DISTANCE OF 284.37 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 1; THENCE ALONG SAID EASTERLY LINE, ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 12°11'18", A RADIUS OF 598.00 FEET, AN ARC LENGTH OF 127.21 FEET AND A CHORD BEARING SOUTH 07°26'28" EAST TO THE POINT OF BEGINNING.
COUNTY OF ADAMS, STATE OF COLORADO.

PURPOSE AND INTENT:

This amendment is necessary as the current Brimley Park Land Use Regulations require a minimum building size of 10,000 sq. ft. for the development, which is not consistent with the City of Brighton Land Use Regulations. The following development standard serves to regulate land use only within the area defined by this Major PUD Amendment.

Development Standard:
 Except as set forth herein, development in the Brimley Park PUD, as may be amended and applicable Commercial Building Areas: There shall be no minimum floor area requirement for principal structures within the area defined by this PUD amendment.



DRC Accepted
 01/11/2023

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Group



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Drawn By	CKA
Checker	CKA
CITY SUBMITTAL 1:	08.23.22
CITY RE-SUBMITTAL 1:	09.28.22
CITY RE-SUBMITTAL 2:	10.28.22
CITY RE-SUBMITTAL 3:	11.29.22
CITY RE-SUBMITTAL 4:	12.13.22
Description	PUD PLAN
Date Drawn	AUGUST 08, 2022
Scale	1" = 20'-0"
Legal Description	SW 1/4 Sec. 8, Township 1 South, Range 70 East, Tenth Meridian, Adams County, Colorado
Sheet Number	SHEET 2 OF 2