

PLANNING COMMISSION RESOLUTION

Bromley Park PUD-17th Amendment

PUD ZONING

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BRIGHTON RECOMMENDING TO THE CITY COUNCIL APPROVAL OF THE BROMLEY PARK PUD 17TH AMENDMENT FOR AN APPROXIMATELY 1.6 ACRE PROPERTY, GENERALLY LOCATED IN THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, COMMONLY KNOWN AS THE NORTH STAR SUBDIVISION.

WHEREAS, Theodore Shipman of North Star Equities, LLC, (the “Owner”) owns an approximately 1.6 acre property, generally located on the north east corner of 50th Avenue and Grosbeak Street **EXHIBIT A**, attached hereto (the “Property”); 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 March 3, 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, the Property is directly adjacent to the Bromley Park PUD and will connect to its infrastructure.

WHEREAS, the Property will become a part of the existing Bromley Park PUD as it is directly adjacent to the neighborhood.

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 Bromley Park PUD 17th Amendment, 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

RESOLVED, this 13th day of October, 2015.

**CITY OF BRIGHTON, COLORADO
PLANNING COMMISSION**

Archie Demarest, Chairperson

ATTEST:

Diane Phin, Secretary

**EXHIBIT A
LEGAL DESCRIPTION**

A PARCEL OF LAND LYING IN THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 11, WHENCE THE NORTH QUARTER CORNER THEREOF BEARS N89.48'26"E, A DISTANCE OF 2637.19 FEET; THENCE S00°18'18" E ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 11, 759.88 FEET, THENCE N89.48'26"E, 30.00 FEET TO THE POINT OF BEGINNING; THENCE N89°48'26" E, 521.78 FEET TO A POINT ON THE BOUNDARY OF BROMLEY PARK FILING NO.5; THENCE ALONG SAID BOUNDARY THE FOLLOWING TWO (2) COURSES:

- 1.) S00°18'18"E, A DISTANCE OF 125.00 FEET;
- 2.) S89°48'26"W, A DISTANCE OF 521.78 FEET;

THENCE N00°18'18"W, A DISTANCE OF 125.00 FEET TO THE POINT OF BEGINNING,

COUNTY OF ADAMS,
STATE OF COLORADO

**EXHIBIT B
BROMLEY PARK PUD-17TH AMENDMENT**

[PUD begins on the next page.]

BROMLEY PARK PUD 17th AMENDMENT (MAJOR)
TRACT A, BROMLEY PARK FILING NO. 5 AND AN UNPLATTED PORTION OF A PART OF THE
NORTHWEST QUARTER OF SECTION 11, LOCATED IN THE NORTHEAST QUARTER OF SECTION 11,
TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO
 1 OF 2

LEGAL DESCRIPTION OF PUD AREA

KNOW ALL PEOPLE BY THESE PRESENTS THAT THE UNDERSIGNED WARRANT THAT IS OWNERS OF A PARCEL OF LAND BEING ALL OF TRACT A, BROMLEY PARK FILING NO. 5 AND AN UNPLATTED PORTION OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 11, THENCE THE NORTH QUARTER CORNER THEREOF BEARS BEARING E, A DISTANCE OF 283.78 FEET; THENCE SOUTH 17° E, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 11, A DISTANCE OF 792.66 FEET; THENCE SOUTH 17° E, ALONG THE EASTERN BOUNDARY OF TRACT A, BROMLEY PARK FILING NO. 5, THENCE SOUTH 17° E, ALONG THE EASTERN BOUNDARY OF TRACT B, BROMLEY PARK FILING NO. 5, THENCE SOUTH 17° E, ALONG THE BOUNDARY OF TRACT A, BROMLEY PARK FILING NO. 5, THENCE ALONG THE EASTERN AND SOUTHERN BOUNDARY OF SAID TRACT A THE FOLLOWING FOUR (4) COURSES:

- 1) THENCE N89°42'57"E A DISTANCE OF 124.1 FEET;
- 2) THENCE S89°19'27"W A DISTANCE OF 844 FEET TO A POINT ON THE NORTHERN RIGHT OF WAY LINE OF GROESBECK STREET;
- 3) THENCE S89°19'27"W, ALONG THE NORTHERN RIGHT OF WAY LINE OF GROESBECK STREET, A DISTANCE OF 424.1 FEET;
- 4) THENCE CONTINUING ALONG THE NORTHERN RIGHT OF WAY LINE OF GROESBECK STREET, ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 524.2 FEET, AN ARC LENGTH OF 24.8 FEET, A CENTRAL ANGLE OF 39°42'21", AND A CHORD BEARING N37°27'21"W A DISTANCE OF 41.8 FEET;
- THENCE S89°19'27"W, A DISTANCE OF 424.1 FEET; THENCE N07°19'17"W, A DISTANCE OF 124.0 FEET TO THE POINT OF BEGINNING.

COUNTY OF ADAMS,
 STATE OF COLORADO
 SAID PARCEL CONTAINS 0.8227 SQUARE FEET, 1.86 ACRES, MORE OR LESS.

CERTIFICATE OF OWNERSHIP

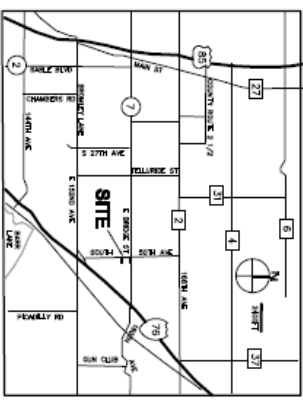
NORTH STAR EQUITIES, LLC, A COLORADO LIMITED LIABILITY COMPANY, BEING THE OWNER(S) OF THE LANDS HERIN DESCRIBED LOCATED IN THE CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, HEREBY SUBMIT THIS PLANNED UNIT DEVELOPMENT PLAN AND ASKEE TO PERFORM UNDER TERMS HEREON.

BY: _____ AS MANAGER

STATE OF _____)
 COUNTY OF _____) SS _____)
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2015 A.D., BY _____ AS MANAGER OF NORTH STAR EQUITIES, LLC, A COLORADO LIMITED LIABILITY COMPANY

WITNESS MY HAND AND OFFICIAL SEAL

NOTARY PUBLIC: _____
 MY COMMISSION EXPIRES: _____



PLAT MAP

NOTES:

1. THE SINGLE-FAMILY RESIDENTIAL HOMES WILL NEED TO MEET THE RESIDENTIAL DESIGN STANDARDS, SECTION 17-44 OF THE MUNICIPAL CODE.
2. THE FOOT COUNTRYSIDE UTILITY AND GARAGE EXISTENCE, WITH A WIDTH AS INDICATED, DEMONSTRATED, ARE HEREBY GUARANTEED ALONG EACH SIDE LOT LINE NOT ADJACENT TO A STREET, FENCES, LANDSCAPING WITH SPRINKLER, NUISANCE STICK OR OTHER DEVICES OR ARCHITECTURAL FEATURES MAY BE LOCATED WITHIN THESE EASEMENTS PROVIDED THEY DO NOT INTERFERE WITH THE USE OF, OBSTRUCT THE OPERATION OF OR ACCESS TO THE EASEMENT. THE EASEMENTS SHALL BE THE PROPERTY OF THE CITY OF BRIGHTON AND SHALL BE SUBJECT TO THE CITY OF BRIGHTON'S RIGHT OF ACCESS TO SAID EASEMENTS BY THE CITY OF BRIGHTON WITHOUT LIABILITY FOR DAMAGES ARISING THEREFROM, ROOF OVERHANGS, CANTILEVER BAY OR BOX WINDOWS, WINDOW WELLS, OR FINISHES. FOUNDATION COUNTERBORES MAY BROADEN UP TO TWO FEET OVER THE EASEMENT. FOUNDATION COUNTERBORES MAY BROADEN UP TO TWO FEET, PROVIDED THE FOUNDATION IS NOT DEEPER THAN THE FOUNDATION OF THE ADJACENT LOT AND DOES NOT MORE THAN ONE FOOT FROM THE FOUNDATION WALL.

APPROVAL BY THE PLANNING COMMISSION

APPROVED BY THE CITY OF BRIGHTON PLANNING COMMISSION
 THIS _____ DAY OF _____, 2015

DIRECTOR _____

APPROVAL BY THE CITY OF BRIGHTON CITY COUNCIL

APPROVED BY THE CITY OF BRIGHTON CITY COUNCIL
 THIS _____ DAY OF _____, 2015 BY:

MAYOR _____

CLERK AND RECORDER'S CERTIFICATE

THIS MAP WAS FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER IN THE CITY AND COUNTY OF COLORADO, _____, 2015 BY:

DEPUTY _____ CLERK AND RECORDER

RECEPTION NO. _____

1	12/7/15	REC. SIMON	TITLE
2	12/7/15	REC. SIMON	TITLE
3	12/7/15	REC. SIMON	TITLE
4	12/7/15	REC. SIMON	TITLE
5	12/7/15	REC. SIMON	TITLE
6	12/7/15	REC. SIMON	TITLE
7	12/7/15	REC. SIMON	TITLE
8	12/7/15	REC. SIMON	TITLE
9	12/7/15	REC. SIMON	TITLE
10	12/7/15	REC. SIMON	TITLE

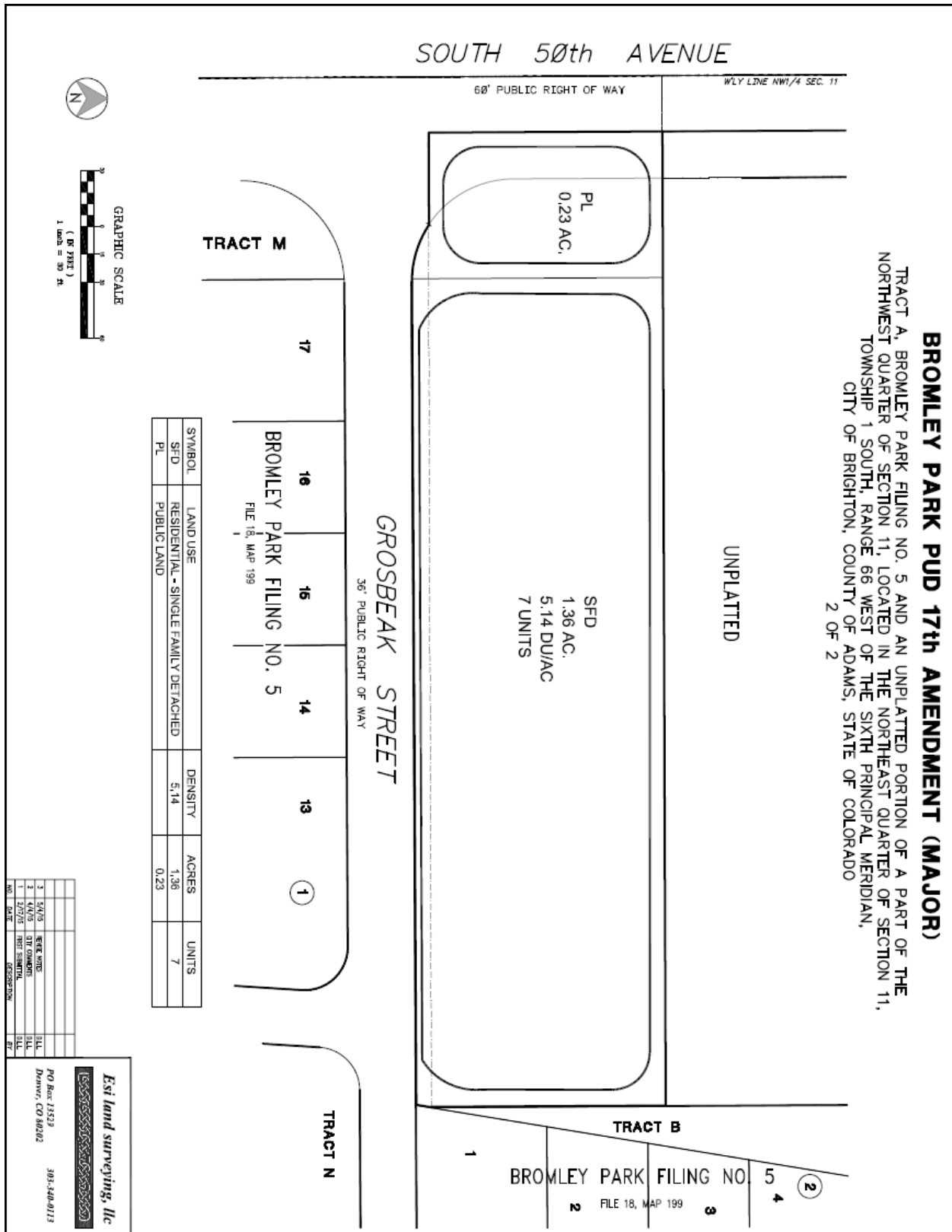
Est land surveying, llc

PO Box 13539
 Denver, CO 80202

303-340-0113

BROMLEY PARK PUD 17th AMENDMENT (MAJOR)

TRACT A, BROMLEY PARK FILING NO. 5 AND AN UNPLATTED PORTION OF A PART OF THE NORTHWEST QUARTER OF SECTION 11, LOCATED IN THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO
2 OF 2



SYMBOL	LAND USE	DENSITY	ACRES	UNITS
SFD	RESIDENTIAL - SINGLE FAMILY DETACHED	5.14	1.36	7
PL	PUBLIC LAND		0.23	



NO.	DATE	DESCRIPTION	BY
1	5/15/13	ENTER MBE	SKL
2	4/15/13	ENTER MBE	SKL
1	5/27/13	REVISION	SKL

Est land surveying, llc

PO Box 13533
Denver, CO 80202

303-540-0113