ORDINANCE NO	
INTRODUCED BY:	

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE REZONING VIA PLANNED DEVELOPMENT OF THE MOUNTAIN VIEW ESTATES SUBDIVISION, FILINGS 1 AND 2, FROM R-1 AND R-1-B TO THE MOUNTAIN VIEW ESTATES PLANNED DEVELOPMENT, GENERALLY LOCATED TO THE NORTH OF BRIDGE ST., SOUTH OF BASELINE RD., WEST OF TELLURIDE ST., AND EAST OF THE BRIGHTON LATERAL DITCH, AND LOCATED IN A PORTION OF THE WEST HALF OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6^{TH} PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO

WHEREAS, AMREPCO, INC. (the "Owner") is the owner of certain real property of approximately 165.7-acres in size, located to the north of Bridge St., south of Baseline Rd., west of Telluride St., and east of the Brighton Lateral Ditch, and as more particularly described in Exhibit A, attached hereto (the "Property"); and

WHEREAS, Josie Kohnert of Redland (the "Applicant"), has filed an application (the "Application") for the Mountain View Estates Planned Development ("the PD") and a zone change of the Property on behalf of the Owner; and

WHEREAS, the Applicant and Owner seek to change the zoning of the Property from the existing R-1 and R-1-B zoning to the proposed Mountain View Estates PD, as set forth in Exhibit B, attached hereto; 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 January 13, 2022, to review and consider the PD pursuant to the applicable provisions and criteria set forth in the *Land Use & Development Code*, and recommended approval to the City Council; and

WHEREAS, the City Council opened a public hearing on February 1, 2022 where it conducted its review and considered the PD 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 1,000 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 PD 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:

<u>Section 1.</u> The Property is hereby rezoned as the Mountain View Estates Planned Development.

<u>Section 2.</u> The City Zoning Map shall be amended to reflect said zoning change.

<u>Section 3</u>. 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 for five days after its final publication, as provided in City Charter Section 5.8.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED, THIS 1st DAY OF FEBRUARY, 2022.

PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY THIS 15^{th} DAY OF FEBRUARY, 2022.

	CITY OF BRIGHTON, COLORADO
ATTEST:	GREGORY MILLS, Mayor
NATALIE HOEL, City Clerk	
Published in the <i>Brighton Standard Blade</i> First Publication: February 9, 2022 Final Publication: February 23, 2022	
APPROVED AS TO FORM:	
VASMINA SHALISH Assistant City Attorney	

EXHIBIT A

Legal Description

LEGAL DESCRIPTION

- JEGAL DESCRIPTION AND DEDICATION FILING NO. 1: GNOW ALL MEN BY THESE PRESENTS THAT AMREPCO INC., BEING THE OWNER OF THAT PART OF THE
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(LEGAL DESCRIPTION CONTINUED ON SHEET 2)

 $\frac{EXHIBIT\;B}{Planned\;Development\;as\;provided\;by\;the\;Applicant}$

Redland

SMV SMV

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PROJECT NO.

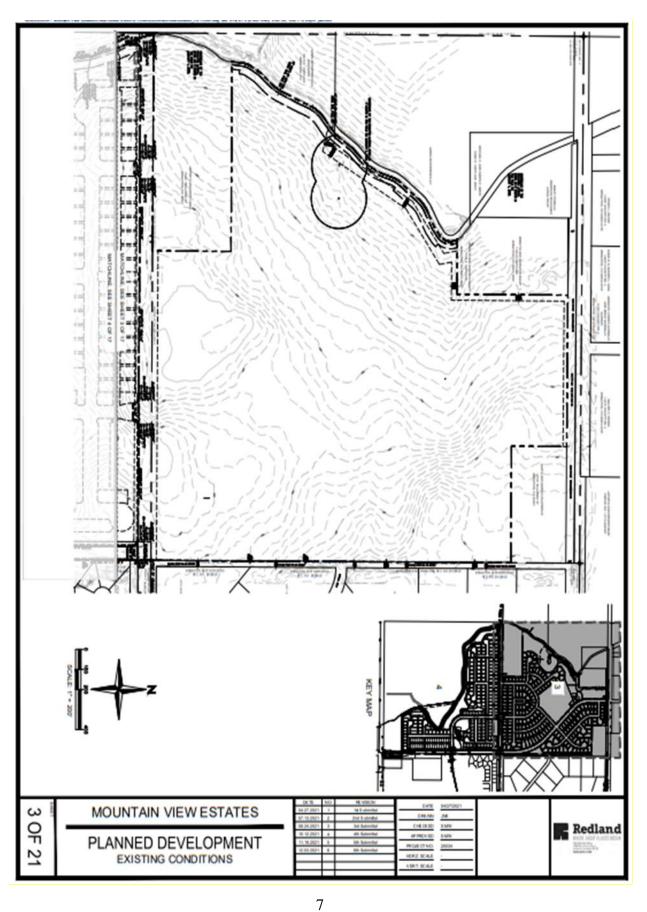
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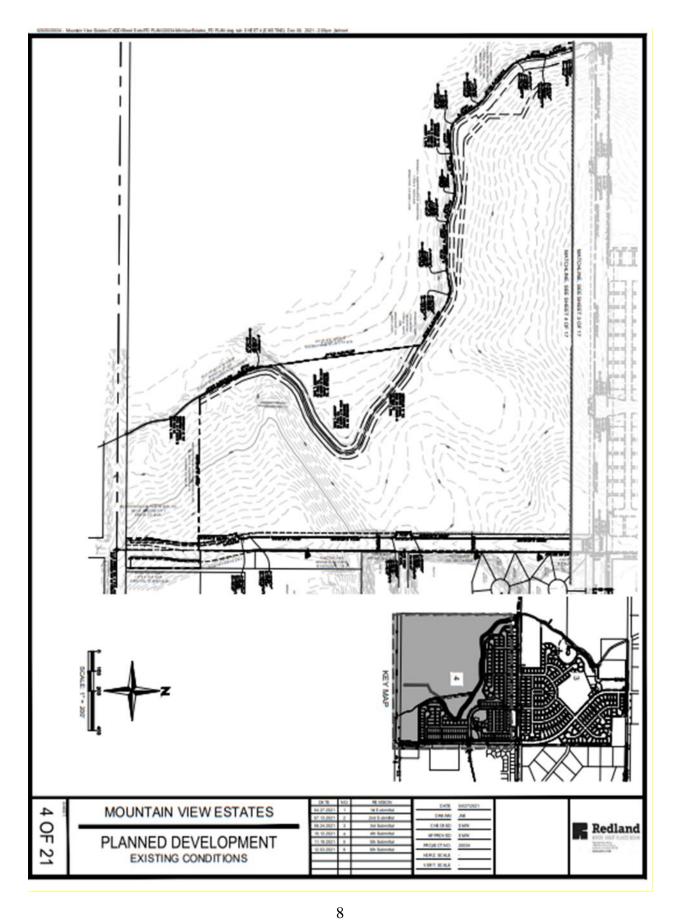
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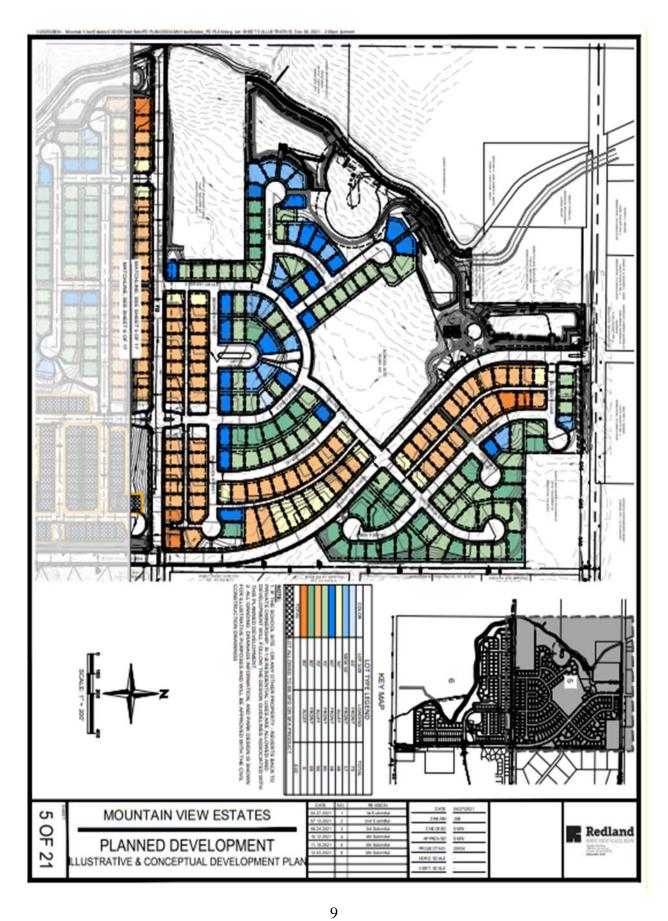
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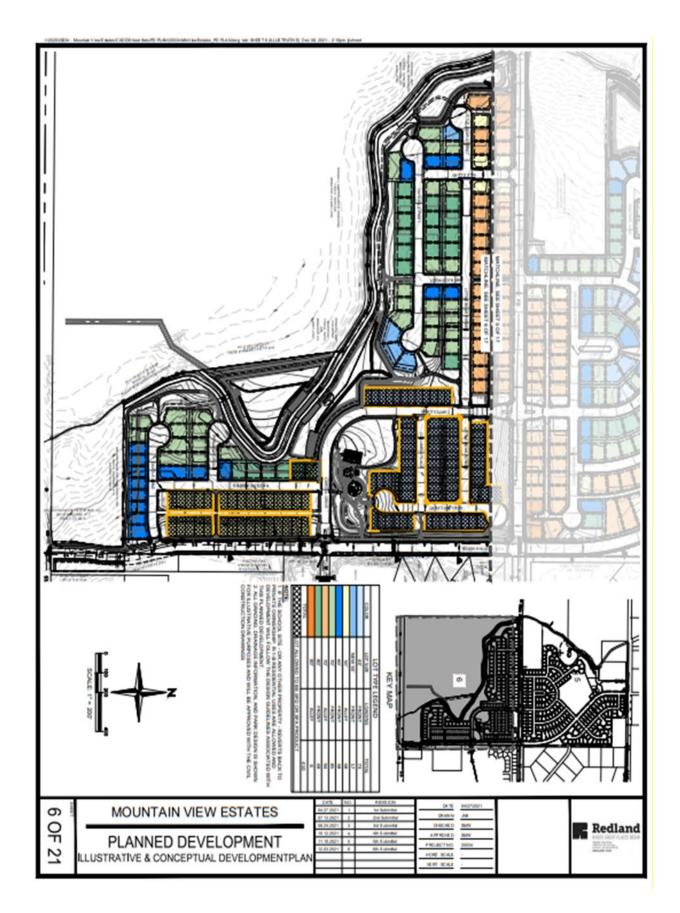
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STATEMENT OF INTENT

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STACK LOWING

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the governing documents for all development within the project boundary.

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Al term used in these stratets shall have their corrects accorded meaning based, open the centest of their use which this document. The following terms shall have the manning given balow, unless more specifically described, limited or qualified within the standards of this document.

SDREADY DESIGN SERVICES Distorred House - A system told faviling energing to one primary dwering unit, Vanishts of this type are based primary on its size one company, and the parameter of the performance company device; Associated Phase of Associated Conference company to become where it permany awaring units. Associate shares a simple community with, particular companyers with a lawy the community and four auditors to plainted prestrictions.

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also allowing complimentary modern designs. These FD standards are intended to ensure that an adequate expension of event within the length control.

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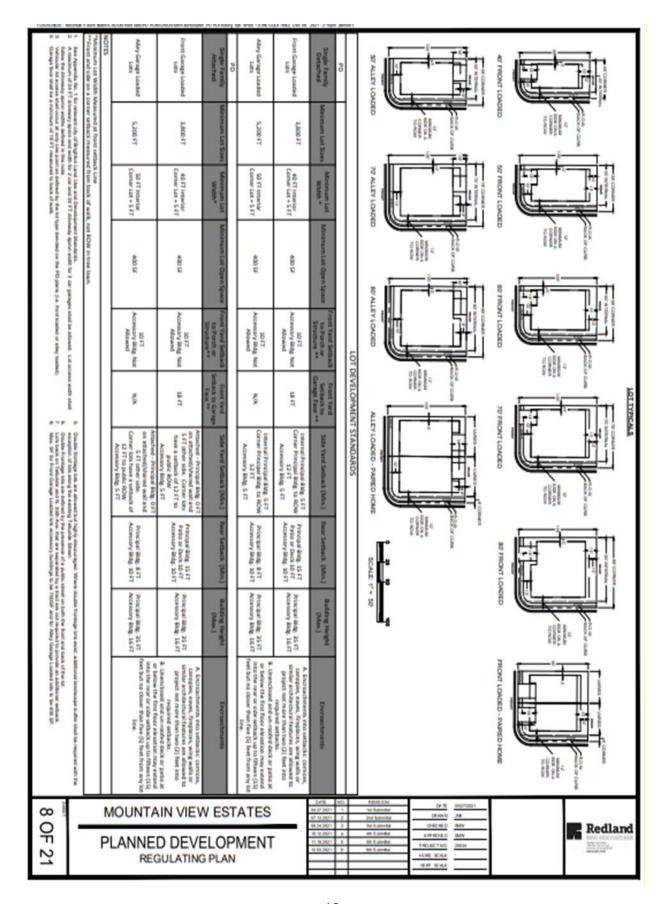
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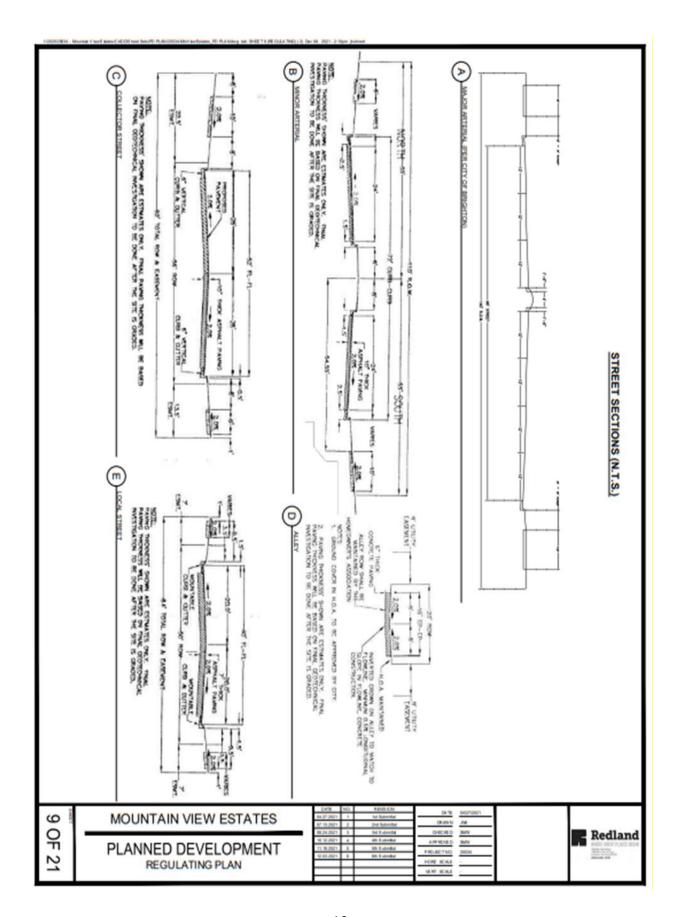
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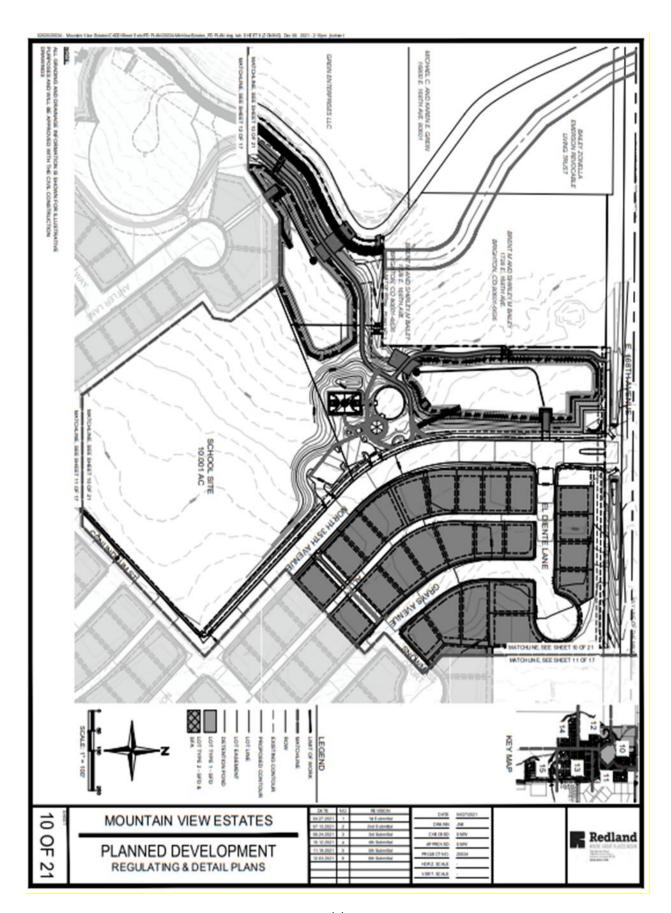
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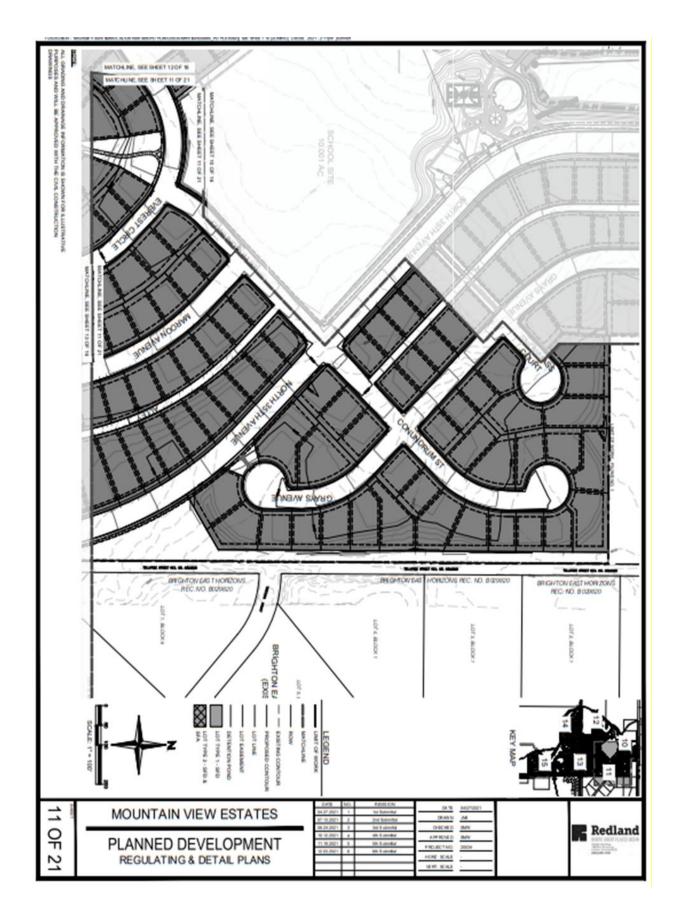
REGULATING PLAN

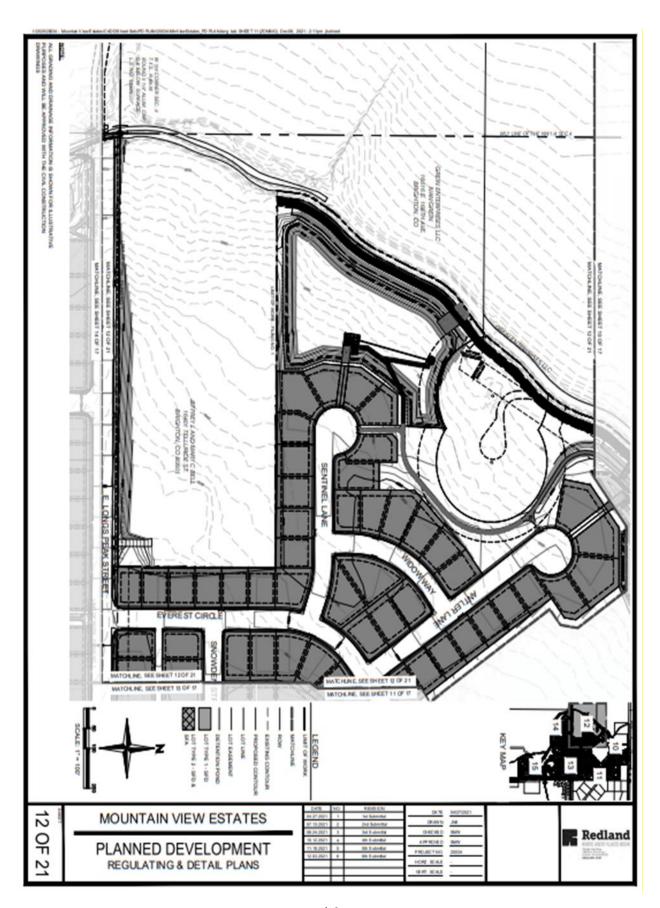
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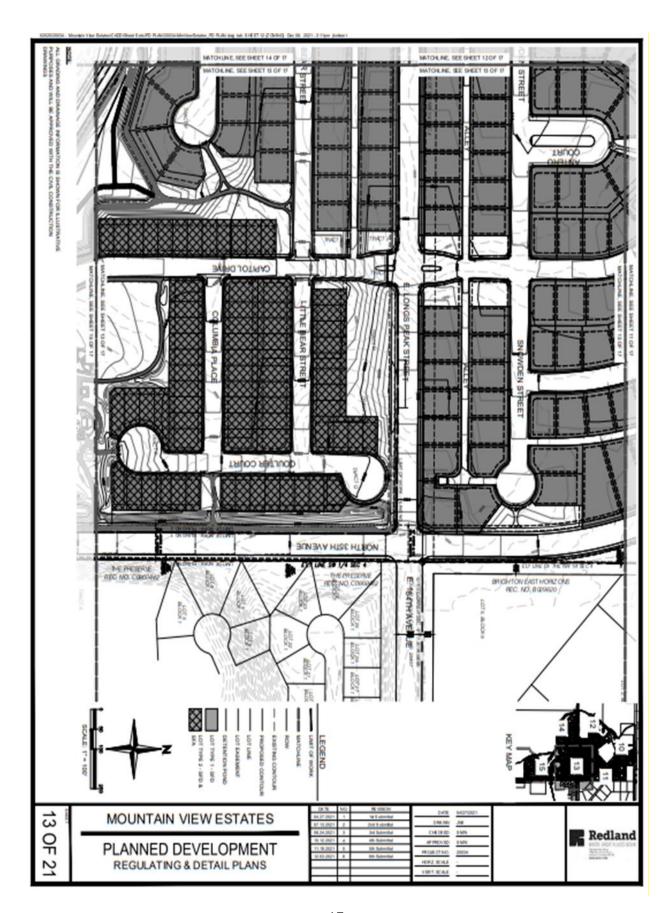


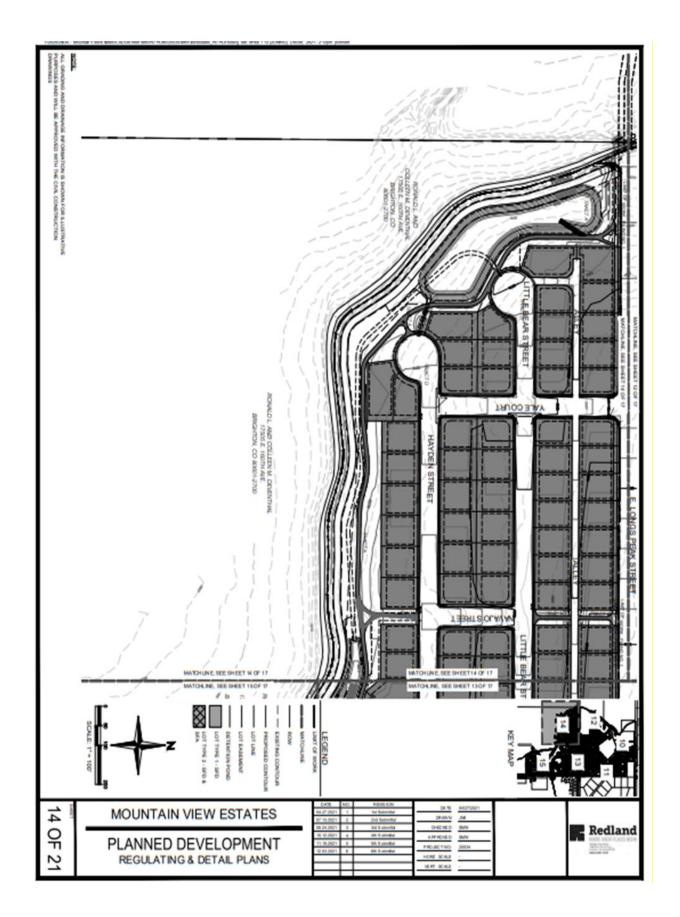


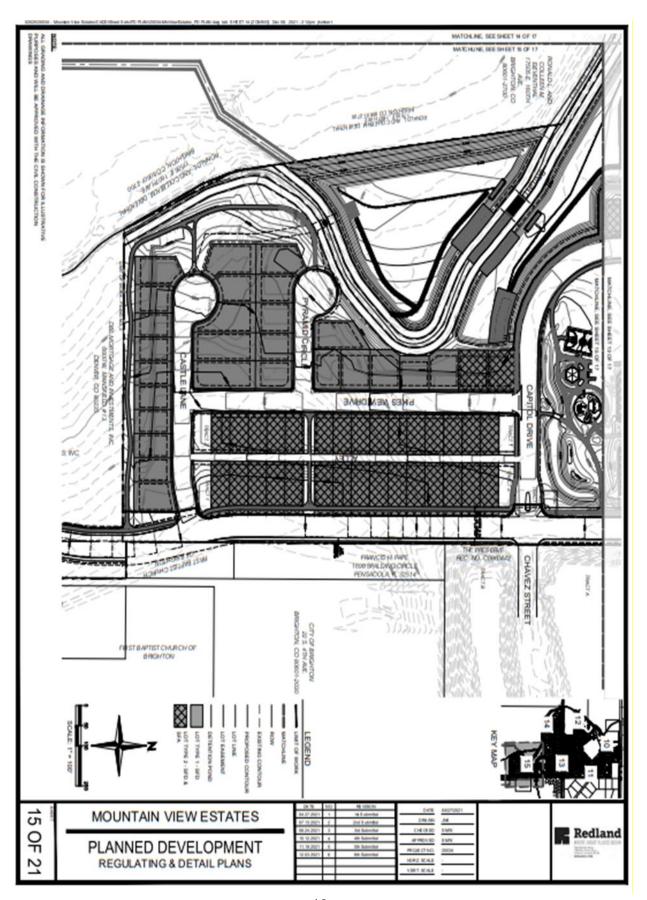


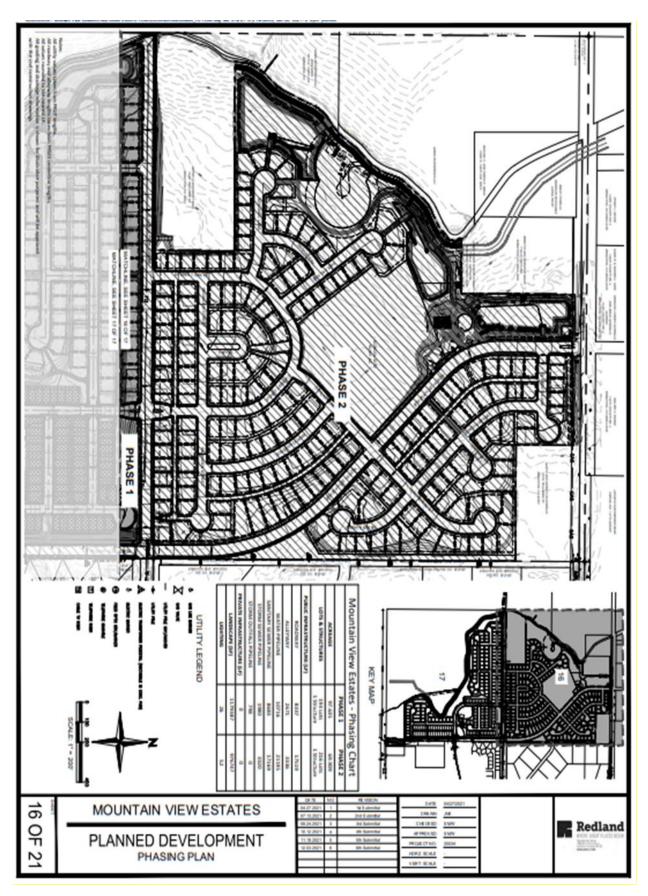


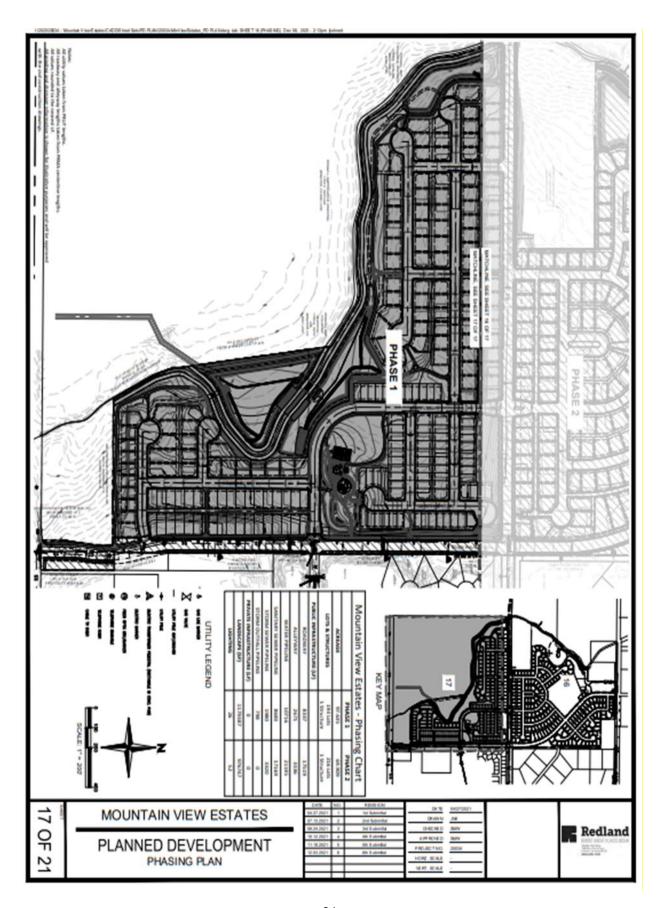












OVERSTORY PLANT LIST



TIONAL PLANTING REQUIREMENTS	SE REFER TO THE PLANNED	UGH AN OUTSIDE REVIEW	DE CONSTRUCTION OR NOT	OT PLANTING, PLANT MATERIAL	SIDPOSED XERIC PLANT LIST FOR	ITAIN WENT ESTATES FILING NO. 1	S, THIS ADDENDUM TO THE	INTEREST OF PURCHGROWN THE
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PLANNED DEVELOPMENT ADDENDUM NO. 2 - XERIC PLANT LIST

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