

**PLANNING COMMISSION RESOLUTION**  
**CHAPEL HILL**  
**PLANNED UNIT DEVELOPMENT**

RESOLUTION NO.: 15-06

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BRIGHTON, FAVORABLY RECOMMENDING APPROVAL OF A REZONING FROM R-1-A, R-3 AND C-O TO THE CHAPEL HILL PLANNED UNIT DEVELOPMENT (PUD) WITH AN UNDERLYING ZONING OF R-1 (SINGLE-FAMILY RESIDENTIAL), TO THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, SUBJECT TO SPECIFIC CONDITIONS AS SET FORTH HEREIN.**

*WHEREAS*, the Applicant, Mr. Brad Whitfield (the “Applicant”), representing the primary property owner, Larsen Real Estate, LLC (the “Owner”), as well as the owners of two residences on the property; The Joann and Danny Briggs Living Trusts and Susan Cvancara (the “Residence Owners”), is requesting a favorable recommendation of approval of the Chapel Hill Planned Unit Development (the “PUD”), to the City Council of the City of Brighton, as more specifically described in **Exhibit A (Legal Description)** and **Exhibit B (PUD)**, attached hereto and incorporated herein, and subject to specific conditions as set forth herein; and

*WHEREAS*, the proposed PUD contains approximately 10.44 acres which was zoned R-1-A (Single- and Two- Family Residential), R-3 (Multiple-Family Residential), and C-O (Commercial Office) via Ordinance 1709 on September 18, 2001 and the Applicant has proposed to rezone the property to PUD with an underlying zoning of R-1 (Single-Family Residential); and

*WHEREAS*, the proposed PUD remains in conformance with the City’s *Comprehensive Plan*, which designates the Property for Medium Density Residential; and

*WHEREAS*, the PUD is in compliance with the *Land Use and Development Code* in terms of the PUD requirements set forth in the City’s PUD zone district regulations, and the Residential Design Standards; and

*WHEREAS*, the Planning Commission conducted a public hearing on the PUD application on May 12, 2015 and thereupon confirmed that written notice of such public hearing was properly published in the *Brighton Standard Blade* on April 22, 2015, and posted on the Property, and otherwise mailed and delivered to property owners within 300 feet of the Property, and meets the notification requirements of the *Land Use and Development Code*; and

*WHEREAS*, at the public hearing, the Planning Commission properly 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 of the City of Brighton has reviewed the Chapel Hill PUD, and finds and declares that the PUD is generally compatible with the surrounding area and will not be detrimental to the future development of the area or the health, safety, or welfare of the inhabitants of the City of Brighton.

**NOW THEREFORE, BE IT RESOLVED** that the City of Brighton Planning Commission is hereby favorably recommending the rezoning of the Property from R-1-A, R-3 and C-O to the Chapel Hill PUD with an underlying zoning of R-1 (Single-Family Residential), as more specifically described in **Exhibits A and B**, attached hereto and incorporated herein, to the City Council of the City of Brighton.

**RESOLVED**, this 12<sup>th</sup> day of May, 2015.

**CITY OF BRIGHTON, COLORADO  
PLANNING COMMISSION**

  
Archie Demarest, Chairperson

**ATTEST:**

  
Diane Phin, Secretary

# Exhibit A

## Legal Description

### DESCRIPTION OF CHAPEL HILL PUD

A PORTION OF CHAPEL HILL SUBDIVISION FILING NO. 2 AND CHAPEL HILL SUBDIVISION FILING NO. 2, AMENDMENT NO. 1 DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF BLOCKS 2 AND 3, CHAPEL HILL SUBDIVISION FILING NO. 2 TO BEAR NORTH 89°31'49" WEST AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

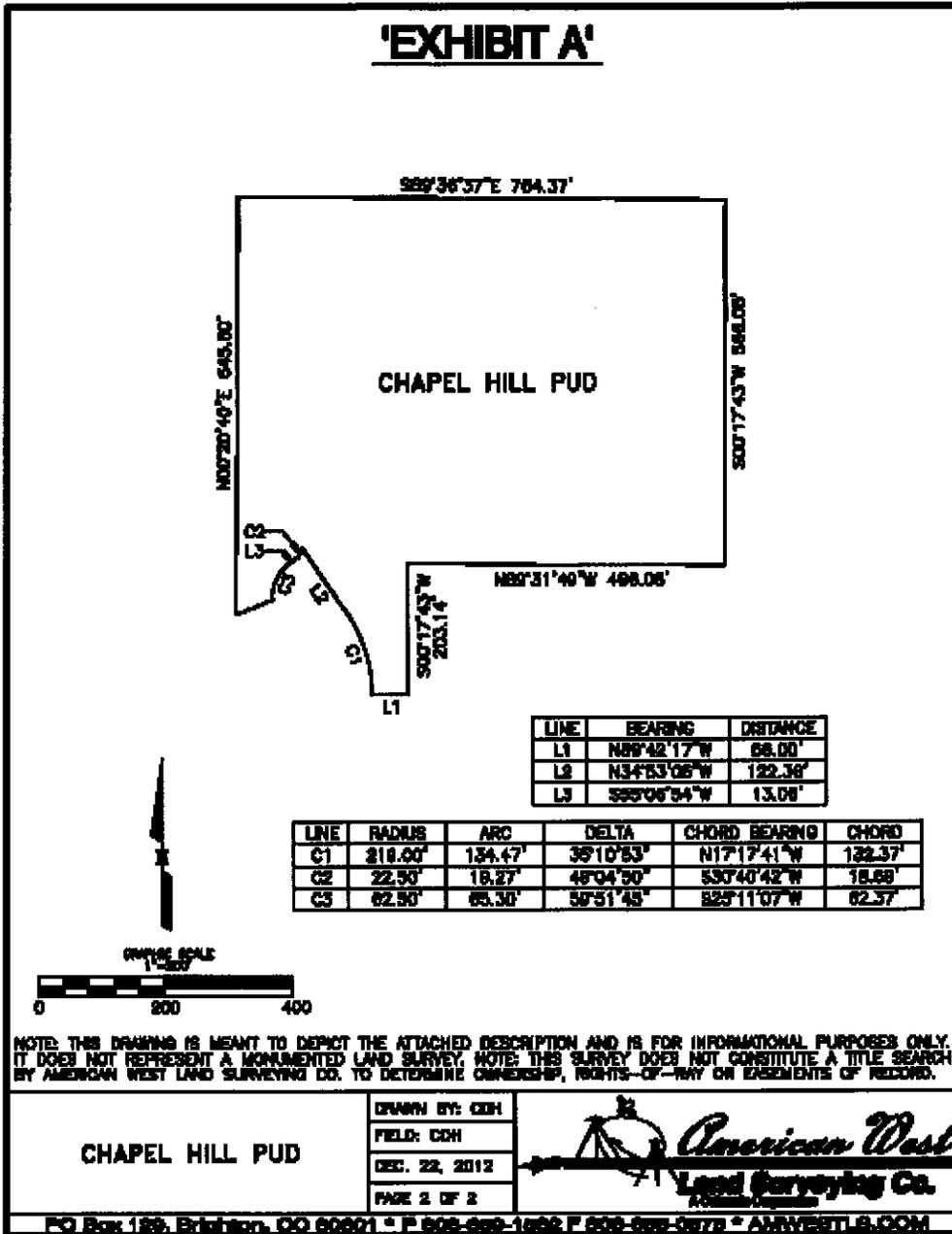
BEGINNING AT THE SOUTHEAST CORNER OF LOT 2, BLOCK 3, CHAPEL HILL SUBDIVISION FILING NO. 2; THENCE NORTH 89°31'49" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID BLOCKS 2 AND 3, A DISTANCE OF 496.06 FEET TO THE SOUTHWEST CORNER OF LOT 1, BLOCK 2, CHAPEL HILL SUBDIVISION FILING NO. 2; THENCE SOUTH 00°17'43" WEST, COINCIDENT WITH THE EAST LINE OF TRACT C, CHAPEL HILL SUBDIVISION FILING NO. 2, A DISTANCE OF 203.14 FEET TO THE SOUTHEAST CORNER OF SAID TRACT C; THENCE NORTH 89°42'17" WEST, A DISTANCE OF 56.00 FEET TO THE WEST RIGHT-OF-WAY LINE CHAPEL HILL DRIVE AND THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 219.00 FEET AND A CENTRAL ANGLE OF 35°10'48", WHOSE CHORD BEARS NORTH 17°17'41" WEST, A DISTANCE OF 132.37 FEET; THENCE NORTHERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND COINCIDENT WITH SAID RIGHT-OF-WAY LINE, A DISTANCE OF 134.47 FEET; THENCE NORTH 34°53'05" WEST, COINCIDENT WITH SAID RIGHT-OF-WAY LINE, A DISTANCE OF 122.36 FEET TO THE BEGINNING OF A CURVE ON THE EAST LINE OF TRACT G, CHAPEL HILL SUBDIVISION FILING NO. 2, SAID CURVE BEING CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 22.50 FEET AND A CENTRAL ANGLE OF 49°04'26", WHOSE CHORD BEARS SOUTH 30°34'42" WEST, A DISTANCE OF 18.69 FEET; THENCE SOUTHERLY AND SOUTHWESTERLY ALOING THE ARC OF SAID CURVE AND COINCIDENT WITH THE SOUTH LINE OF TRACT G, A DISTANCE OF 19.27 FEET; THENCE SOUTH 55°06'54" WEST COINCIDENT WITH THE SOUTH LINE OF TRACT G, A DISTANCE OF 13.06 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 62.50 FEET AND A CENTRAL ANGLE OF 59°51'35", WHOSE CHORD BEARS SOUTH 25°11'07" WEST, A DISTANCE OF 62.37'; THENCE SOUTHWESTERLY AND SOUTHERLY ALONG THE ARC OF SAID CURVE AND COINCIDENT WITH THE SOUTH LINE OF SAID TRACT G, A DISTANCE OF 65.30 FEET; THENCE SOUTH 68°19'07" WEST, COINCIDENT WITH THE SOUTH LINE OF SAID TRACT G, A DISTNACE OF 60.41 FEET TO THE SOUTHWEST CORNER OF SAID TRACT G; THENCE NORTH 00°20'40" EAST, COINCIDENT WITH THE WEST LINE OF CHAPEL HILL SUBDIVISION FILING NO. 2, A DISTANCE OF 645.60 FEET TO THE NORTHWEST CORNER OF CHAPEL HILL SUBDIVISION FILING NO. 2; THENCE SOUTH 89°36'37" EAST, COINCIDENT WITH THE NORTH LINE OF CHAPEL HILL SUBDIVISION FILING NO. 2, A DISTANCE OF 764.37 FEET TO THE NORTHEAST CORNER OF CHAPEL HILL SUBDIVISION FILING NO. 2; THENCE SOUTH 00°17'43" WEST, COINCIDENT WITH THE EAST LINE OF CHAPEL HILL SUBDIVISION FILING NO. 2, A DISTANCE OF 566.05 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 454,575 SQUARE FEET OR 10.44 ACRES, MORE OR LESS.

PREPARED BY: CURTIS D. HOOS, PLS 37971  
FOR AND ON BEHALF OF:  
AMERICAN WEST LAND SURVEYING CO.  
BRIGHTON, CO 80601

# Exhibit A Legal Description

## MAP OF CHAPEL HILL PUD

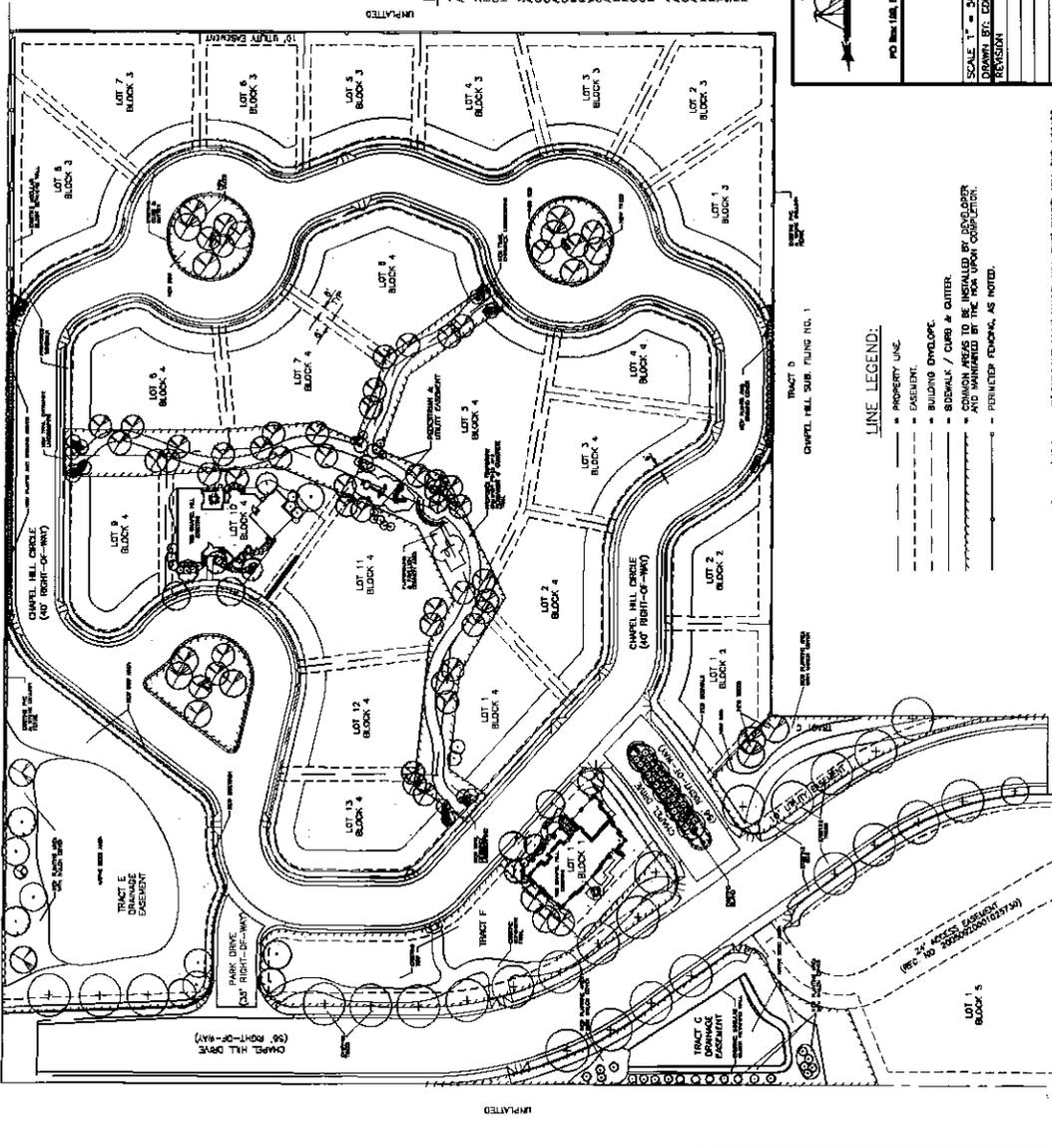






# CHAPEL HILL PUD

## FINAL PUD PLAN



**LANDSCAPE NOTES:**

- 1) LANDSCAPING REQUIREMENTS APPLY TO ALL AREAS OF CHAPEL HILL PUD.
- 2) THE ENTIRE LANDSCAPING OF EACH LOT SHALL BE COMPLETED AND MAINTAINED WITHIN THE CHAPEL HILL HOA BOUNDARIES.
- 3) THE LANDSCAPING SHALL BE COMPLETED AND MAINTAINED WITHIN THE CHAPEL HILL HOA BOUNDARIES.
- 4) LANDSCAPING IS SHOWN ON THIS PLAN WITHIN THE BOUNDARIES OF THE CHAPEL HILL HOA. THE LANDSCAPING SHALL BE COMPLETED AND MAINTAINED WITHIN THE CHAPEL HILL HOA BOUNDARIES.

AMERICAN WEST  
**American West**  
**Land Surveying Co.**  
 A COLORADO CORPORATION  
 PO Box 108, Brighton, CO 80601-0108 TEL: 303-688-0770 FAX: 303-688-0771 WWW.AMERICANWESTSURVEYING.COM

SCALE: 1" = 50'  
 DRAWN BY: EDH  
 CHECKED BY: MWH  
 REVISION: \_\_\_\_\_  
 DATE: \_\_\_\_\_

LANDSCAPE PLAN

SHEET 3 OF 4

- LINE LEGEND:**
- PROPERTY LINE
  - - - EASEMENT
  - BUILDING ENVELOPE
  - SIDEWALK / CURB & GUTTER
  - AND MAINTAINED BY THE HOA UPON COMPLETION
  - PERMITTED FEATURES, AS NOTED.

# CHAPEL HILL PUD

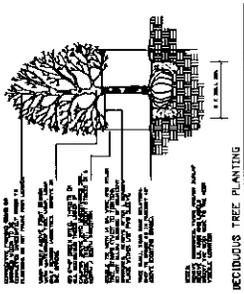
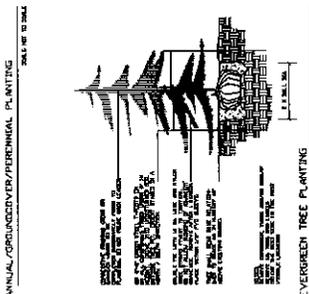
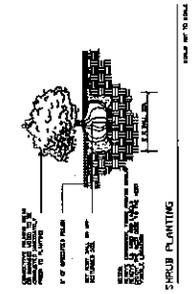
## FINAL PUD PLAN

### LANDSCAPING REQUIREMENTS

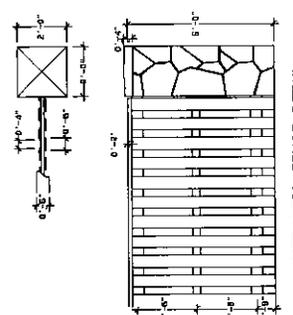
1. TREE PLANTING REQUIREMENTS
  - A. TREE PLANTING SHALL BE PERFORMED PER THE DISTANCE SET FROM THE FRONT AND SIDE PROPERTY LINES. THE DISTANCE FROM THE FRONT PROPERTY LINE TO THE FIRST TREE SHALL BE 10 FEET. THE DISTANCE FROM THE SIDE PROPERTY LINE TO THE FIRST TREE SHALL BE 5 FEET. THE DISTANCE FROM THE REAR PROPERTY LINE TO THE FIRST TREE SHALL BE 5 FEET. THE DISTANCE FROM THE FRONT PROPERTY LINE TO THE LAST TREE SHALL BE 10 FEET. THE DISTANCE FROM THE SIDE PROPERTY LINE TO THE LAST TREE SHALL BE 5 FEET. THE DISTANCE FROM THE REAR PROPERTY LINE TO THE LAST TREE SHALL BE 5 FEET.
  - B. OVER THE REMAINDER OF THE SITE, TREES SHALL BE A MINIMUM OF ONE (1) TREE PER 1,000 SQUARE FEET. THE CALIPER OF TREES SHALL BE 4 INCHES OR GREATER. TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM THE PROPERTY LINES AND 10 FEET FROM EACH OTHER. TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM THE PROPERTY LINES AND 10 FEET FROM EACH OTHER.
  - C. TREES SHOULD BE INTERCATED AND PLANTED WHERE POSSIBLE. IF TREES STAND ALONE IN A PLANTING BED, THEY SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM EACH OTHER AND 10 FEET FROM THE PROPERTY LINES.
2. TREE LANE REQUIREMENTS
  - A. THE AREA BETWEEN THE BACK OF THE CURB AND THE PUBLIC WALK SHALL BE IDENTIFIED AS THE TREE LANE. THIS AREA SHALL BE LANDSCAPED AND IRRIGATED BY THE PROPERTY OWNER.
  - B. FOR EVERY 40' OF STREET FRONTAGE ASSOCIATED WITH EACH PROPERTY, ONE (1) TREE SHALL BE PLANTED IN THE TREE LANE. THE TREE SHALL BE PLANTED WITHIN THE TREE LANE AND SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM THE PROPERTY LINES AND 10 FEET FROM EACH OTHER.
  - C. TREES SHALL BE PLANTED AT A MINIMUM OF 10 FEET FROM THE PROPERTY LINES AND 10 FEET FROM EACH OTHER.
3. PLANTING BED REQUIREMENTS
  - A. PLANTING BEDS SHOULD COMPRISE BETWEEN 25-50% OF THE SITE EXCLUDING BUILDING FOOTPRINT AND DRIVEWAY. LINES OF THE PLANTING BEDS SHOULD BE IDENTIFIED BY AND IN REGARDS TO TREES, SHRUBS, AND PERENNIALS. THE PLANTING BEDS SHOULD BE IDENTIFIED BY AND IN REGARDS TO TREES, SHRUBS, AND PERENNIALS.
  - B. PLANTING BEDS SHOULD BE IDENTIFIED BY AND IN REGARDS TO TREES, SHRUBS, AND PERENNIALS.
  - C. PLANTING BEDS SHOULD BE IDENTIFIED BY AND IN REGARDS TO TREES, SHRUBS, AND PERENNIALS.
4. FENCING
  - A. FENCING SHALL BE PERFORMED PER THE DISTANCE SET FROM THE FRONT AND SIDE PROPERTY LINES. THE DISTANCE FROM THE FRONT PROPERTY LINE TO THE FIRST FENCE SHALL BE 10 FEET. THE DISTANCE FROM THE SIDE PROPERTY LINE TO THE FIRST FENCE SHALL BE 5 FEET. THE DISTANCE FROM THE REAR PROPERTY LINE TO THE FIRST FENCE SHALL BE 5 FEET.
  - B. FENCING SHALL BE PERFORMED PER THE DISTANCE SET FROM THE FRONT AND SIDE PROPERTY LINES. THE DISTANCE FROM THE FRONT PROPERTY LINE TO THE FIRST FENCE SHALL BE 10 FEET. THE DISTANCE FROM THE SIDE PROPERTY LINE TO THE FIRST FENCE SHALL BE 5 FEET. THE DISTANCE FROM THE REAR PROPERTY LINE TO THE FIRST FENCE SHALL BE 5 FEET.
5. COMMON AREA EQUIPMENT
  - A. THE PLANTING EQUIPMENT SHALL BE IDENTIFIED WITH THE LOCAL, BEST PRACTICE DEVELOPMENT. THE EQUIPMENT SHALL BE IDENTIFIED WITH THE LOCAL, BEST PRACTICE DEVELOPMENT.
  - B. THE EQUIPMENT SHALL BE IDENTIFIED WITH THE LOCAL, BEST PRACTICE DEVELOPMENT.
6. IRRIGATION SYSTEMS
  - A. AN IRRIGATION SYSTEM IS REQUIRED FOR ALL PROPERTIES AND COMMON AREAS. THE IRRIGATION SYSTEM SHALL BE DESIGNED TO SEPARATE TURF ZONES FROM SHRUB ZONES.
  - B. ALL IRRIGATION CONTROLLERS SHALL BE EXTERNALLY MOUNTED, SO AS TO ALLOW ACCESS BY THE MAINTENANCE PERSONNEL EMPLOYED BY THE ASSOCIATION.

### PLANT LIST:

SYN. CITY:	COMMON NAME	BOTANICAL NAME	SIZE	COND.
10	DOGWOOD	DOGWOOD	6"	100
11	DOGWOOD	DOGWOOD	6"	100
12	DOGWOOD	DOGWOOD	6"	100
13	DOGWOOD	DOGWOOD	6"	100
14	DOGWOOD	DOGWOOD	6"	100
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100	DOGWOOD	DOGWOOD	6"	100



### PLANTING DETAILS



SHEET 4 OF 4

**American West**  
**Land Surveying Co.**  
 A COLORADO CORPORATION  
 PO Box 108, Englewood, CO 80150-0108 • 303-688-6279 • AMERICANWESTSURVEYING.COM

### LANDSCAPE GUIDELINES

SCALE: 1" = 30'	DATE: APRIL 28, 2013	CLIENT: WHITEFIELD
DRAWN BY: DPH	CHECKED BY: MHR	JOB NO: 13-
REVISION:		DATE:

AMERICAN WEST SURVEYING COMPANY, 108 E. WILSON, ENGLEWOOD, CO 80150-0108