

BRIGHTON CITY COUNCIL ORDINANCE

ORDINANCE NO.: _____

INTRODUCED BY: _____

AN ORDINANCE, OF THE CITY OF BRIGHTON CITY COUNCIL, APPROVING THE REZONING OF AN APPROXIMATELY 53.1152 ACRE AREA OF LAND GENERALLY LOCATED IN SECTION 6, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, FROM AN ADAMS COUNTY ZONING DESIGNATION OF I-3 (INDUSTRIAL) TO A ZONING DESIGNATION OF PUD (PLANNED UNIT DEVELOPMENT) WITH AN UNDERLYING ZONE DESIGNATION OF MU (MIXED USE).

WHEREAS, Mark Campbell and Lloyd Land of Brighton Investment Properties, LLC, (the “Owner”) owns 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, the proposed zoning designation of PUD (Planned Unit Development) for the Rezoning Area is compatible with the land uses that exist in this area; and

WHEREAS, the proposed PUD (Planned Unit Development) zoning designation for the Rezoning Area generally complies with the principles and policies described in the *Comprehensive Plan*; and

WHEREAS, pursuant to the City of Brighton *Land Use and Development Code*, Public Notice of the City Council public hearing was published in the *Brighton Standard Blade* on June 3, 2015, for not less than fifteen (15) days prior to the City Council public hearing; and

WHEREAS, pursuant to the City of Brighton *Land Use and Development Code*, Public Notice of the City Council public hearing was posted with a sign upon the subject property, on May 29, 2015, for not less than fifteen (15) days prior to the City Council public hearing; and

WHEREAS, pursuant to the City of Brighton *Land Use and Development Code*, Public Notice of the City Council public hearing was sent via regular U.S. mail to all property owners

within 300' of the proposed Rezoning Area, on May 29, 2015, for not less than fifteen (15) days prior to the City Council public hearing; and

WHEREAS, the City Council finds and determines that the proposed zone change complies with the *Comprehensive Plan* and other master plans of the City; and complies with the requirements of the *Land Use and Development Code* and the PUD (Planned Unit Development) zone district; and provides consistency with the purpose and intent of the *Land Use and Development Code*; and provides compatibility with the surrounding areas, is harmonious with the character of the neighborhood, and is not detrimental to the immediate area, or future development of the area, or the health, safety, or welfare of the inhabitants of the City.

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

Section 1. That the approximately 53.1152 acre area more particularly described in **Exhibit A** attached hereto and incorporated herein by this reference, is hereby re-zoned to a zoning designation of Planned Unit Development (PUD), with an underlying zone designation of MU (Mixed Use).

Section 2. That the Zoning Map of the City of Brighton shall be amended to reflect said re-zoning.

**INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED,
THIS 21ST DAY OF JULY 2015.**

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

Published in the *Brighton Standard Blade*
First Publication: July 29, 2015

APPROVED AS TO FORM:

Margaret Brubaker, Esq., City Attorney

**PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED,
BY TITLE ONLY, THIS 4TH DAY OF AUGUST, 2015.**

CITY OF BRIGHTON, COLORADO

Richard N. McLean, Mayor

ATTEST:

Natalie Hoel, City Clerk

Published in the *Brighton Standard Blade*
Last Publication: _____

EXHIBIT A

Page 3 of 17

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.

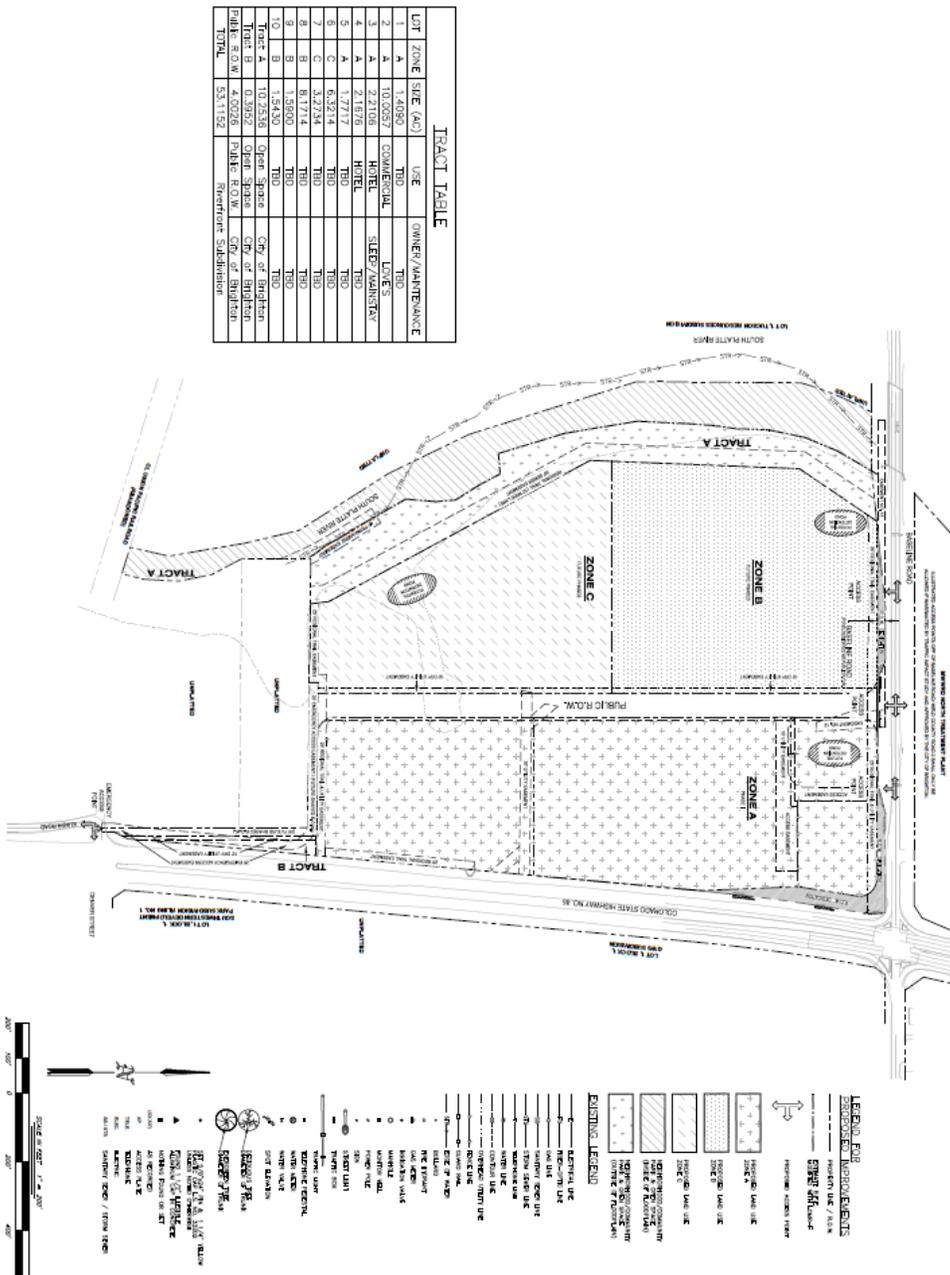
PARCEL CONTAINS (2,313,699 SQUARE FEET) 53.1152 ACRES

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 8,
TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN
CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO
SHEET 4 OF 10



LOT	ZONE	SIZE (A/C)	USE	OWNER/MAINTENANCE
1	A	1.4080	TBD	TBD
2	A	10.0057	COMMERCIAL	LOVE'S
3	A	2.2108	HOTEL	SLEEP/WAISTRAW
4	A	2.1975	HOTEL	TBD
5	A	2.1975	HOTEL	TBD
6	C	8.3214	TBD	TBD
7	C	8.2724	TBD	TBD
8	B	8.1714	TBD	TBD
9	B	1.5900	TBD	TBD
10	B	1.5430	TBD	TBD
TRACT A				
TRACT A 10.2538 Open Space City of Brighton				
TRACT B 4.2052 Open Space City of Brighton				
TRACT C 4.2052 Open Space City of Brighton				
TOTAL 53.1152 Riverfront Subdivision				

ISSUED FOR APPROVAL - NOT FOR CONSTRUCTION

OVERALL PUD PLAN

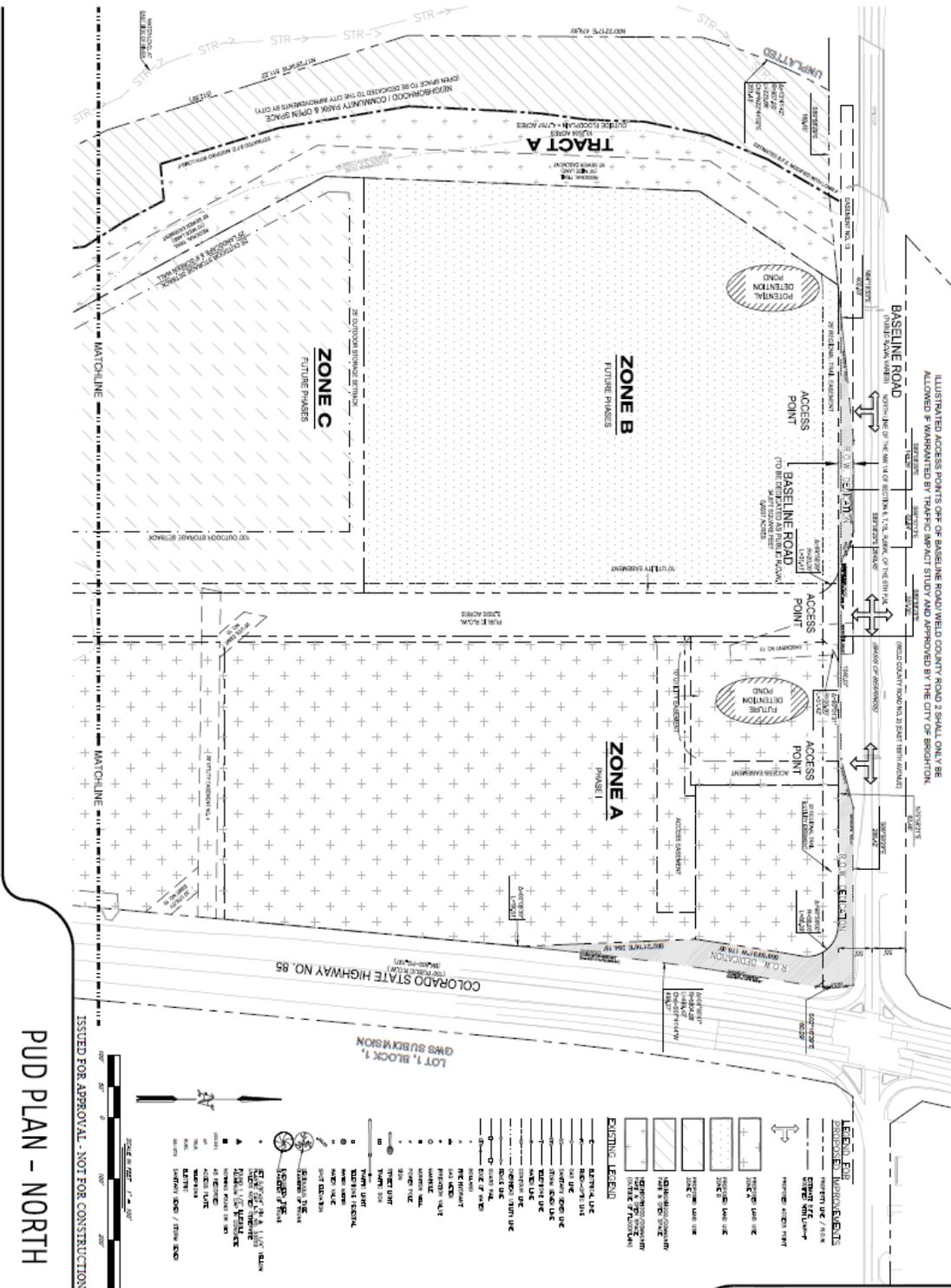
RIVERFRONT SUBDIVISION PUD
US HWY 85 @ E BASELINE ROAD
BRIGHTON, COLORADO

RESOURCECONSULTING
CIVIL ENGINEERING
2223 Quail Run Drive - Resource Suite 02
Baton Rouge, Louisiana 70808
ResourceConsulting@hotmail.com
Tel. (225) 761-9905, Fax (225) 766-6672

RC 130626v8
Date: 05/27/15
Sheet: 4 of 10

RIVERFRONT SUBDIVISION P.U.D. PLAN

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 8,
TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN
CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO
SHEET 8 OF 10



ILLUSTRATED ACCESS POINTS OFF OF BASELINE ROAD/WELD COUNTY ROAD 2 SHALL ONLY BE
ALLOWED & MAINTAINED BY TRAFFIC IMPACT STUDY AND APPROVED BY THE CITY OF BRIGHTON.

PUD PLAN - NORTH

ISSUED FOR APPROVAL - NOT FOR CONSTRUCTION



- EXISTING LEGEND**
- 12" WATER MAIN
 - 18" WATER MAIN
 - 24" WATER MAIN
 - 30" WATER MAIN
 - 36" WATER MAIN
 - 42" WATER MAIN
 - 48" WATER MAIN
 - 54" WATER MAIN
 - 60" WATER MAIN
 - 66" WATER MAIN
 - 72" WATER MAIN
 - 78" WATER MAIN
 - 84" WATER MAIN
 - 90" WATER MAIN
 - 96" WATER MAIN
 - 102" WATER MAIN
 - 108" WATER MAIN
 - 114" WATER MAIN
 - 120" WATER MAIN
 - 126" WATER MAIN
 - 132" WATER MAIN
 - 138" WATER MAIN
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 - 2112" WATER MAIN
 - 2118" WATER MAIN
 - 2124" WATER MAIN
 - 2130" WATER MAIN
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 - 2358" WATER MAIN
 - 2364" WATER MAIN
 - 2370" WATER MAIN
 - 2376" WATER MAIN
 - 2382" WATER MAIN
 - 2388" WATER MAIN
 - 2394" WATER MAIN
 - 2400" WATER MAIN
 - 2406" WATER MAIN
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 - 2418" WATER MAIN
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 - 2574" WATER MAIN
 - 2580" WATER MAIN
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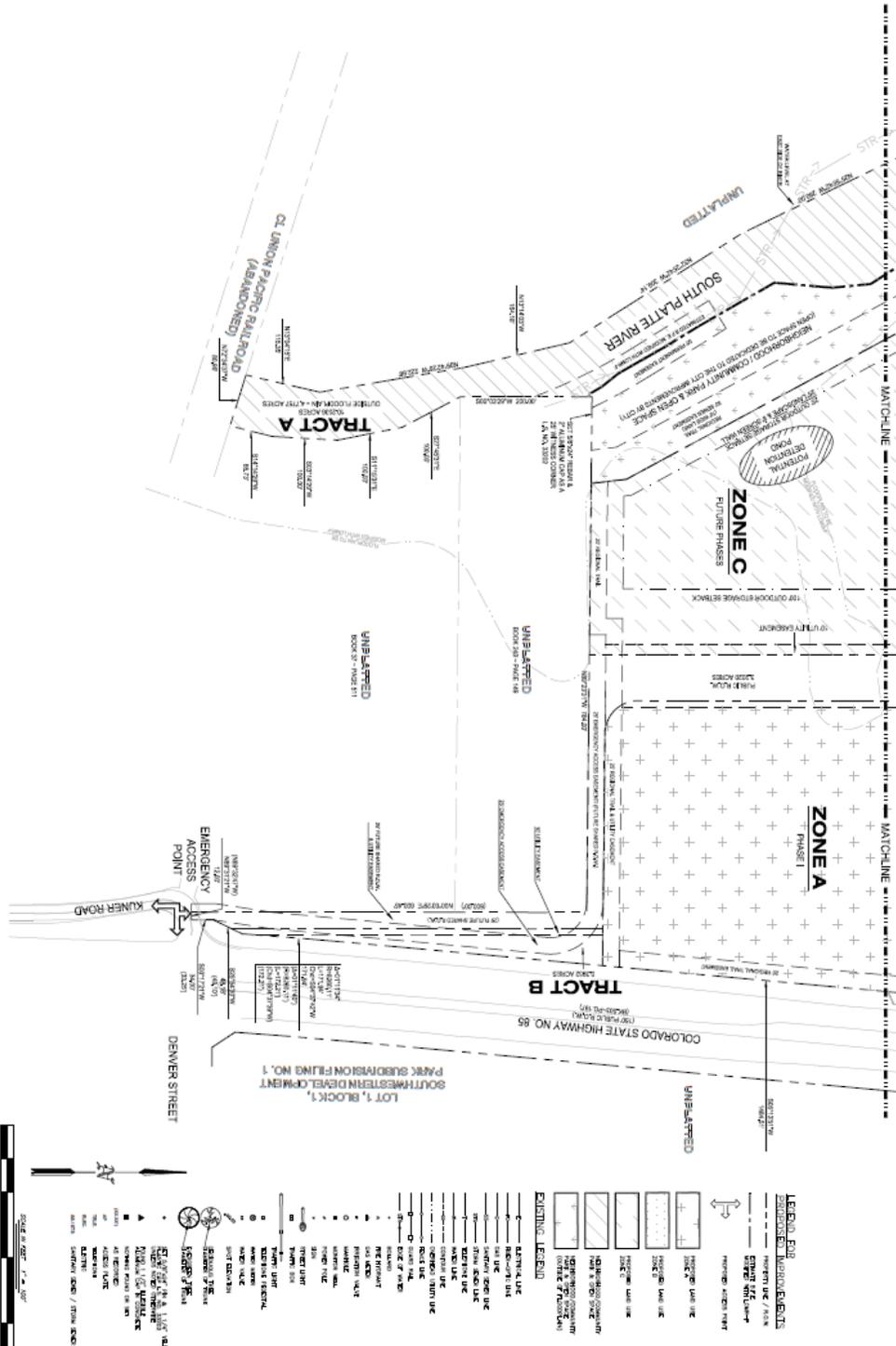
RIVERFRONT SUBDIVISION PUD
US HWY 85 @ E BASELINE ROAD
BRIGHTON, COLORADO

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RC 130626v8
DATE: 01-25-2011

RIVERFRONT SUBDIVISION P.U.D. PLAN

A PARCEL OF LAND SITUATED IN THE NW 1/4 OF SECTION 16
 TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN
 CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO
 SHEET 8 OF 10



ISSUED FOR APPROVAL - NOT FOR CONSTRUCTION
PUD PLAN - SOUTH

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

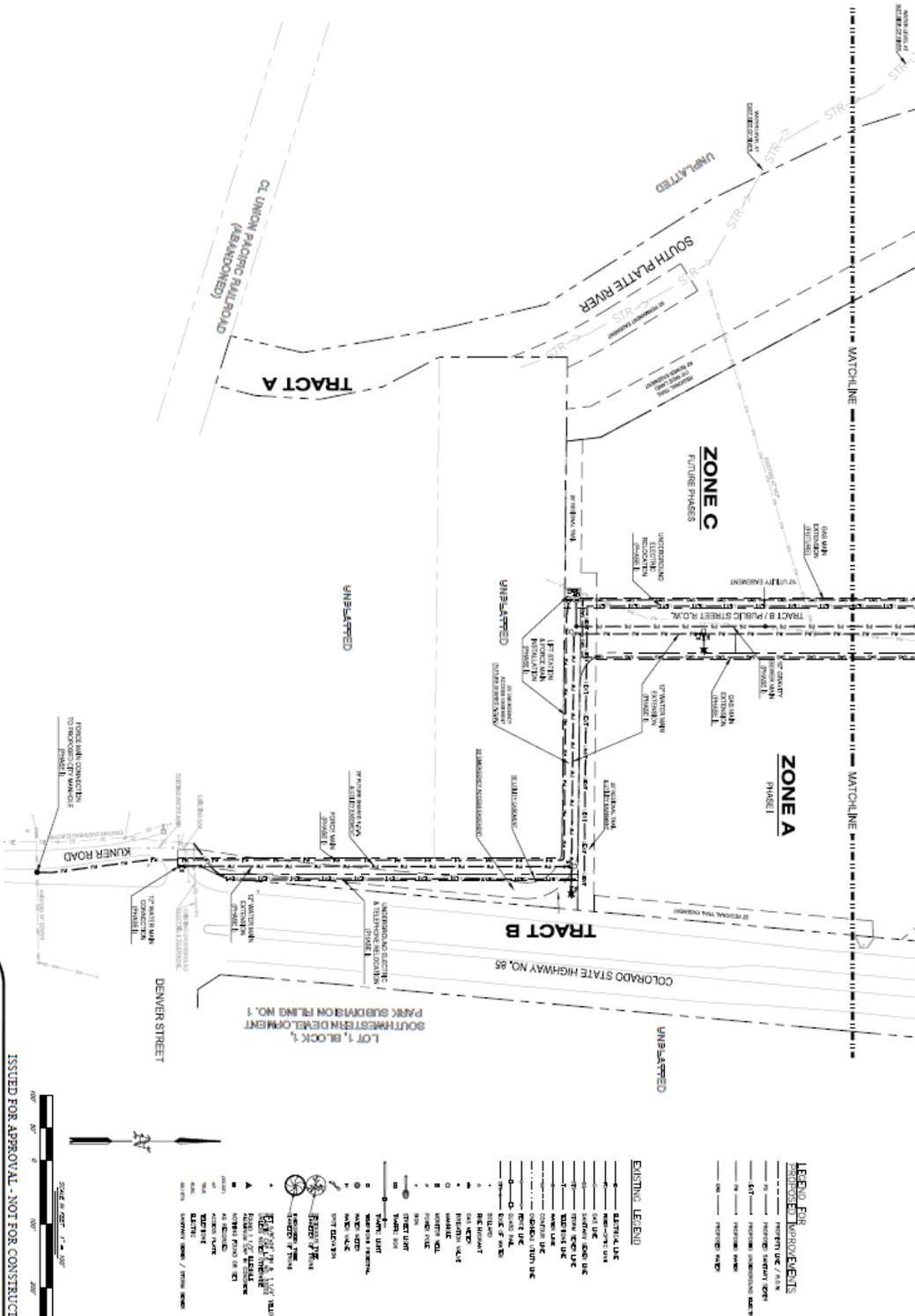


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RC 130626v8
 Date: 08/08/14
 Drawn: 08/21/2013

RIVERFRONT SUBDIVISION P.U.D. PLAN

A PARCEL OF LAND SITUATED IN THE NEW 1/4 OF SECTION 8, TOWNSHIP 37N, RANGE 70E, COUNTY OF ADAMS, STATE OF COLORADO
SHEET 9 OF 10



CONCEPTUAL UTILITY PLAN - SOUTH

ISSUED FOR APPROVAL - NOT FOR CONSTRUCTION



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

- EXISTING LEGEND**
- 12" WATER MAIN
 - 18" WATER MAIN
 - 24" WATER MAIN
 - 30" WATER MAIN
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 - 42" WATER MAIN
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 - 4296" WATER MAIN
 - 4302" WATER MAIN
 - 4308" WATER MAIN
 - 4314" WATER MAIN
 - 4320" WATER MAIN
 - 4326" WATER MAIN
 - 4332" WATER MAIN
 - 4338" WATER MAIN
 - 4344" WATER MAIN
 - 4350" WATER MAIN
 - 4356" WATER MAIN
 - 4362" WATER MAIN
 - 4368" WATER MAIN
 - 4374" WATER MAIN
 - 4380" WATER MAIN
 - 4386" WATER MAIN
 - 4392" WATER MAIN
 - 4398" WATER MAIN
 - 4404" WATER MAIN
 - 4410" WATER MAIN
 - 4416" WATER MAIN
 - 4422" WATER MAIN
 - 4428" WATER MAIN
 - 4434" WATER MAIN
 - 4440" WATER MAIN
 - 4446" WATER MAIN
 - 4452" WATER MAIN
 - 4458" WATER MAIN
 - 4464" WATER MAIN
 - 4470" WATER MAIN
 - 4476" WATER MAIN
 - 4482" WATER MAIN
 - 4488" WATER MAIN
 - 4494" WATER MAIN
 - 4500" WATER MAIN
 - 4506" WATER MAIN
 - 4512" WATER MAIN
 - 4518" WATER MAIN
 - 4524" WATER MAIN
 - 4530" WATER MAIN
 - 4536" WATER MAIN
 - 4542" WATER MAIN
 - 4548" WATER MAIN
 - 4554" WATER MAIN
 - 4560" WATER MAIN
 - 4566" WATER MAIN
 - 4572" WATER MAIN
 - 4578" WATER MAIN
 - 4584" WATER MAIN
 - 4590" WATER MAIN
 - 4596" WATER MAIN
 - 4602" WATER MAIN
 - 4608" WATER MAIN
 - 4614" WATER MAIN
 - 4620" WATER MAIN
 - 4626" WATER MAIN
 - 4632" WATER MAIN
 - 4638" WATER MAIN
 - 4644" WATER MAIN

