

RESOLUTION NO. 21-1

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BRIGHTON, COLORADO, RECOMMENDING TO CITY COUNCIL APPROVAL OF THE BROMLEY PARK PLANNED UNIT DEVELOPMENT 26TH AMENDMENT FOR AN APPROXIMATELY 11.412 ACRE PROPERTY, GENERALLY LOCATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO.

WHEREAS, Columbo II LLC (the “Owner,”) is the owner of approximately 11.412 acres of property, generally located to the southeast of the intersection of Bridge Street and S. 40th Avenue, directly north and east of Fire Station 52, and more specifically described in EXHIBIT A and shown in EXHIBIT B, attached hereto (the “Property”); and

WHEREAS, Cynthia Leibman of Page Southerland Page, Inc. (the “Applicant,”) has requested approval of the Bromley Park Planned Unit Development 26th Amendment (the “PUD Amendment”), attached hereto as EXHIBIT B and incorporated herein; and

WHEREAS, the Planning Commission finds it appropriate to allow a Major PUD Amendment as outlined in the adopted Bromley Park Land Use Regulations in place for the Property and to use 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 to review and consider the zone change 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 Properties, 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 Planning Commission public hearing; and

WHEREAS, at the public hearing, the Planning Commission received and considered all relevant evidence and testimony from City staff, the Applicant or Owners, and other interested parties, including the public at large.

NOW THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Brighton, Colorado, as follows:

Section 1. Findings. The Planning Commission finds and determines that the proposed PUD Amendment 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; meets all of the review criteria for a zoning map amendment; and is scheduled to be reviewed by the City Council in a timely manner.

Section 2. Recommendation. The Planning Commission hereby recommends to City Council the approval of the Bromley Park PUD 26TH Amendment.

RESOLVED, this 28th day of January, 2021.

CITY OF BRIGHTON, COLORADO
PLANNING COMMISSION

DocuSigned by:

E5FC626143E3478

Chris Maslanik, Chairperson

ATTEST:

DocuSigned by:

7FC6C618DA6C4EF

Kate Lesser, Secretary

EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION (PARCEL):

BEING PORTIONS OF PARCELS ONE-A AND ONE-B AS DESCRIBED AND CONVEYED IN THAT CERTAIN SPECIAL WARRANTY DEED RECORDED DECEMBER 28, 2007 AT RECEPTION No. 2007000118091 IN THE OFFICIAL RECORDS OF THE COUNTY OF ADAMS, STATE OF COLORADO, LYING WITHIN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER (NW 1/4), FROM WHENCE THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER (NW 1/4) BEARS SOUTH 00°25'16" EAST A DISTANCE OF 2638.49 FEET, WITH ALL BEARINGS HEREIN RELATED THERETO;

THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER (NW 1/4), SOUTH 00°25'16" EAST, 50.00 FEET TO A POINT ON THE SOUTH LINE OF BRIDGE STREET, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID PARCEL ONE-A, AND BEING THE POINT OF BEGINNING;

THENCE ALONG SAID SOUTH LINE OF BRIDGE STREET, NORTH 89°42'46" EAST, 1076.36 FEET TO A POINT ON THE BOUNDARY OF BRIGHTON CROSSING FILING No. 4;

THENCE ALONG SAID BOUNDARY THE FOLLOWING EIGHT (8) COURSES:

1. LEAVING SAID SOUTH LINE OF BRIDGE STREET, SOUTH 00°17'14" EAST, 15.00 FEET TO A NON-TANGENT CURVE TO THE RIGHT CONCAVE SOUTHWESTERLY;
2. SOUTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 55.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 45°17'14" EAST AND HAS A CHORD LENGTH OF 77.78 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00", FOR AN ARC LENGTH OF 86.39 FEET TO A POINT OF TANGENCY;
3. SOUTH 00°17'14" EAST, 53.93 FEET TO A TANGENT CURVE TO THE LEFT CONCAVE EASTERLY;
4. SOUTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 268.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 10°27'52" EAST AND HAS A CHORD LENGTH OF 94.71 FEET, THROUGH A CENTRAL ANGLE OF 20°21'17", FOR AN ARC LENGTH OF 95.21 FEET TO A POINT OF TANGENCY;
5. SOUTH 20°38'31" EAST, 12.29 FEET TO A TANGENT CURVE TO THE RIGHT CONCAVE NORTHWESTERLY;
6. SOUTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 23.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 24°53'35" WEST AND HAS A CHORD LENGTH OF 32.83 FEET, THROUGH A CENTRAL ANGLE OF 91°04'12", FOR AN ARC LENGTH OF 36.56 FEET TO A REVERSE CURVE TO THE LEFT CONCAVE SOUTHEASTERLY;
7. SOUTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 381.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 68°07'14" WEST AND HAS A CHORD LENGTH OF 30.68 FEET, THROUGH A CENTRAL ANGLE OF 04°36'53", FOR AN ARC LENGTH OF 30.69 FEET TO A POINT OF NON-TANGENCY;
8. SOUTH 24°11'13" EAST, 18.00 FEET TO A POINT ON THE BOUNDARY OF THE AFORMENTIONED PARCEL ONE-B;

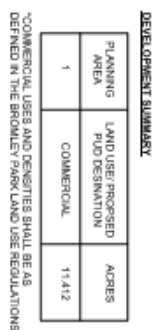
THENCE ALONG SAID BOUNDARY OF SAID PARCEL ONE-B THE FOLLOWING FOUR (4) COURSES:

1. SOUTHWESTERLY ALONG A CURVE TO THE LEFT CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 363.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 32°41'39" WEST AND HAS A CHORD LENGTH OF 396.67 FEET, THROUGH A CENTRAL ANGLE OF 66°44'19", FOR AN ARC LENGTH OF 419.66 FEET TO A POINT OF TANGENCY;
2. SOUTH 00°25'32" EAST, 90.17 FEET TO A POINT;
3. SOUTH 89°34'28" WEST, 899.79 FEET TO THE AFORMENTIONED WEST LINE OF SAID NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 10;
4. ALONG SAID WEST LINE, NORTH 00°25'16" WEST, 711.22 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM LOT 1 AND ANY PUBLIC RIGHTS-OF-WAY DEDICATED ON THE PLAT OF BRIGHTON CROSSING – FILING NO. 5, LOT 1 AS RECORDED MAY 20, 2016 AT RECEPTION NO. 2016000039271 IN THE OFFICIAL RECORDS OF ADAMS COUNTY, COLORADO.

CONTAINING 497,112 SQUARE FEET OR 11.412 ACRES OF LAND, MORE OR LESS.

BEING A PORTION OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO

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