

# CITY COUNCIL ORDINANCE

## BROMLEY PARK PUD 17<sup>TH</sup> AMENDMENT

ORDINANCE NO.: 2225

INTRODUCED BY: Bell

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING A ZONE CHANGE FROM ADAMS COUNTY A-3 TO THE BROMLEY PARK PUD 17TH AMENDMENT FOR THE APPROXIMATELY 1.6 ACRE PROPERTY, KNOWN AS THE NORTH STAR SUBDIVISION, LOCATED WITHIN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO; AMENDING THE ZONING MAP OF THE CITY TO REFLECT SUCH ZONE CHANGE; AUTHORIZING THE MAYOR TO EXECUTE THE ORDINANCE ON BEHALF OF THE CITY; AND SETTING FORTH OTHER DETAILS RELATED THERETO**

*WHEREAS*, this matter came before the City Council upon that certain zoning request by Theodore Shipman, North Star Equities, LLC (the “Owner”); and

*WHEREAS*, the specific request submitted by the Owner is for review and approval, of a proposed zoning application (the “Application”) for the approximate 1.6 acre property generally known as the Bromley Park PUD-17<sup>th</sup> Amendment, more particularly described in **Exhibit A**, attached hereto and by this reference made a part hereof (the “Property”); and

*WHEREAS*, the Owner is requesting a Zone Change from Adams County A-3 (Agricultural) to Bromley Park PUD-17<sup>th</sup> Amendment (Single Family Detached Residential); and

*WHEREAS*, the Property is concurrently undergoing the annexation process with the City Council; and

*WHEREAS*, the Planning Commission made a recommendation of approval of the Application by Resolution to the City Council after holding a public hearing on October 13, 2015; and

*WHEREAS*, the City Council conducted a public hearing on the Application on October 20, 2015 and thereupon confirmed that written Notice of such public hearing was properly published in the *Brighton Standard Blade* on September 16, 2015, was posted upon the Property, and otherwise mailed and delivered to property owners within 300 feet of the Property, all for no less than fifteen (15) days prior to the City Council meeting, in accordance with applicable law; and

**WHEREAS**, the City Council reviewed the Application pursuant to the applicable provisions and criteria set forth in the City of Brighton’s *Land Use and Development Code* and the *Comprehensive Plan*; and

**WHEREAS**, at the public hearing, the City Council 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 City Council finds and determines that this zoning Application, follows 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*; provides consistency with the purpose and intent of these regulations; promotes compatibility with surrounding areas; is harmonious with the existing character of the neighborhood; and is not detrimental to the immediate area or its future development, or to 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:***

1. That the Bromley Park PUD, 17th Amendment, as described in **Exhibit A**, attached hereto, is hereby approved;
2. That the Zoning Map of the City shall be amended to reflect said zone changes as described in Exhibit B, Bromley Park PUD, 17th Amendment, attached hereto, and incorporated herein by this reference.

***INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED THIS 20<sup>TH</sup> DAY OF OCTOBER, 2015.***

CITY OF BRIGHTON, COLORADO

\_\_\_\_\_  
Richard N. McLean, Mayor

ATTEST:

\_\_\_\_\_  
Natalie Hoel, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Margaret R. Brubaker, Esq., City Attorney

Published in the *Brighton Standard Blade*  
First Publication: October 28, 2015

***INTRODUCED, PASSED ON SECOND READING, AND ORDERED PUBLISHED  
BY TITLE ONLY THIS 16<sup>th</sup> DAY OF FEBRUARY, 2016.***

CITY OF BRIGHTON, COLORADO

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Richard N. McLean, Mayor

ATTEST:

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Natalie Hoel, City Clerk

Published in the *Brighton Standard Blade*  
Second Publication: February 24, 2016

Exhibit A

KNOW ALL PEOPLE BY THESE PRESENTS THAT THE UNDERSIGNED WARRANT IT 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, 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, A DISTANCE OF 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 EASTERN BOUNDARY OF TRACT B, BROMLEY PARK FILING NO. 5; THENCE S00°18'18"E, ALONG THE EASTERN BOUNDARY OF SAID TRACT B, A DISTANCE OF 125.00 FEET TO A POINT ON THE NORTHERN 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°48'26"E A DISTANCE OF 0.28 FEET;
- 2) THENCE S09°19'12"W A DISTANCE OF 8.44 FEET TO A POINT ON THE NORTHERN RIGHT OF WAY LINE OF GROSBEAK STREET;
- 3) THENCE S89°41'42"W, ALONG THE NORTHERN RIGHT OF WAY LINE OF GROSBEAK STREET, A DISTANCE OF 440.64 FEET;
- 4) THENCE CONTINUING ALONG THE NORTHERN RIGHT OF WAY LINE OF GROSBEAK STREET, ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 55.00 FEET, AN ARC LENGTH OF 32.35 FEET, A CENTRAL ANGLE OF 33°42'29", AND A CHORD BEARING N73°27'04"W A DISTANCE OF 31.89 FEET;

THENCE S89°48'26"W A DISTANCE OF 49.48 FEET ; THENCE N00°18'18"W, A DISTANCE OF 125.00 FEET TO THE POINT OF BEGINNING,

COUNTY OF ADAMS,  
STATE OF COLORADO

SAID PARCEL CONTAINS 69,227 SQUARE FEET, 1.59 ACRES, MORE OR LESS.

**Exhibit B**  
**PUD Document**

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**(the PUD document is inserted for the next 2 pages)**

**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 UNDERIGNED WARRANTOR 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 OF SAID SECTION 11 TO THE WEST LINE OF SAID SECTION 11; A DISTANCE OF 725.98 FEET ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 11; A DISTANCE OF 725.98 FEET ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 11; A DISTANCE OF 725.98 FEET THENCE NORTH 42°28'E 30.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 42°28'E 5,527.28 FEET TO A POINT ON THE EASTERN BOUNDARY OF TRACT A, BROMLEY PARK FILING NO. 5; THENCE SOUTH 77°15'E, ALONG THE EASTERN BOUNDARY OF SAID TRACT A, A DISTANCE OF 125.62 FEET TO A POINT ON THE NORTHERN BOUNDARY OF TRACT A, BROMLEY PARK FILING NO. 5; THENCE ALONG THE EASTERN AND SOUTHERN BOUNDARY OF SAID TRACT A THE FOLLOWING POB (4) COURSES:  
1) THENCE NORTH 42°28'E A DISTANCE OF 4.94 FEET;  
2) THENCE SOUTH 77°15'W A DISTANCE OF 5.44 FEET TO A POINT ON THE NORTHERN BENT OF WAY LINE OF GROESBECK STREET;  
3) THENCE SOUTH 42°28'W A DISTANCE OF 4.94 FEET TO A POINT ON THE NORTHERN BENT OF WAY LINE OF GROESBECK STREET;  
4) THENCE CONTINUING ALONG THE NORTHERN BENT OF WAY LINE OF GROESBECK STREET, ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 52.85 FEET, AN ARC LENGTH OF 32.85 FEET, A CENTRAL ANGLE OF 35°42'21", AND A CHORD BEARING N73°25'01"W A DISTANCE OF 31.81 FEET;  
THENCE SURROUNDING A DISTANCE OF 4.94 FEET; THENCE NORTH 77°15'W A DISTANCE OF 124.65 FEET TO THE POINT OF BEGINNING.  
COUNTY OF ADAMS,  
STATE OF COLORADO  
SAID PARCEL CONTAINS 69,227 SQUARE FEET, 1.59 ACRES, MORE OR LESS.

**CERTIFICATE OF OWNERSHIP**

NORIPA STAR EQUITIES, LLC, A COLORADO LIMITED LIABILITY COMPANY, BEING THE OWNERSHIP OF THE LANDS HEREIN DESCRIBED, LOCATED IN THE CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, HEREBY SUBMIT THIS PLANNED UNIT DEVELOPMENT PLAN AND AGREE TO PERFORM UNDER TERMS HEREON.

BY: \_\_\_\_\_ AS MANAGER

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )  
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: \_\_\_\_\_



**NOTES:**

- 1. THE SINGLE-FAMILY RESIDENTIAL HOMES WILL NEED TO MEET THE RESIDENTIAL DESIGN STANDARDS, SECTION 1744 OF THE MUNICIPAL CODE.
- 2. FIVE FOOT NON-EXCLUSIVE UTILITY AND DRAINAGE EASEMENTS, WITH UTILITY AS NOTED, ORIGINATED TO 2 FT. ARE HEREBY GRANTED ALONG EACH SHARED SIDING SIDEWALK TO BE LOCATED AT THE END OF EACH SHARED SIDING SIDEWALK. ALL UTILITIES SHALL BE LOCATED WITHIN THESE EASEMENTS PROVIDED THEY DO NOT INTERFERE WITH THE USE OR OBSTRUCT THE OPERATION OR ACCESS TO SAID EASEMENT, ANY OF THE ABOVE FEELS THAT OBSTRUCT THE OPERATION OR ACCESS TO SAID EASEMENT MAY BE REMOVED BY THE GRANTEE WITHOUT LIABILITY FOR DAMAGES AGAINST THE GRANTEE.
- 3. THE GRANTEE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND EASEMENTS FROM THE CITY OF BRIGHTON AND THE COUNTY OF ADAMS. THE GRANTEE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND EASEMENTS FROM THE COUNTY OF ADAMS AND THE CITY OF BRIGHTON. THE GRANTEE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND EASEMENTS FROM THE COUNTY OF ADAMS AND THE CITY OF BRIGHTON. THE GRANTEE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND EASEMENTS FROM THE COUNTY OF ADAMS AND THE CITY OF BRIGHTON.

**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:

MAJOR

**CLERK AND RECORDER'S CERTIFICATE**

THIS MAP WAS FILED FOR RECORD IN THE OFFICE OF THE ADAMS COUNTY CLERK AND RECORDER IN THE STATE OF COLORADO, \_\_\_\_\_, 2015 BY: \_\_\_\_\_, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015 BY:

DEPUTY \_\_\_\_\_ CLERK AND RECORDER

RECEPTION NO. \_\_\_\_\_

NO.	DATE	DESCRIPTION	BY
1	5/1/15	RECEIVED	_____
2	5/1/15	RECEIVED	_____
3	5/1/15	RECEIVED	_____
4	5/1/15	RECEIVED	_____
5	5/1/15	RECEIVED	_____

**Esti land surveying, llc**  
PO Box 13513  
Denver, CO 80202  
303-348-0113

# 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

SOUTH 50th AVENUE

60' PUBLIC RIGHT OF WAY

WLY LINE NW1/4 SEC. 11

PL  
0.23 AC.

SFD  
1.36 AC.  
5.14 DU/AC  
7 UNITS

UNPLATTED

GROSEBEAK STREET

36' PUBLIC RIGHT OF WAY

BROMLEY PARK FILING NO. 5

FILE 18, MAP 199

TRACT M

17

16

16

14

13

1

TRACT N

TRACT B

BROMLEY PARK FILING NO. 5

FILE 18, MAP 199

5

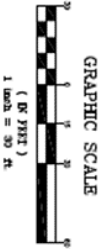
4

3

2

1

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

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