ORDINANCE NO: <u>2304</u> INTRODUCED BY: Johnston

AN ORDINANCE OF THE CITY OF BRIGHTON CITY COUNCIL, APPROVING THE SOUTHGATE BRIGHTON PUD, 3RD AMENDMENT OF AN APPROXIMATELY 15.45-ACRE AREA OF LAND GENERALLY LOCATED IN THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO

WHEREAS, Arcus Southgate, LLC (the "Owner"), is the owner of land approximately 15.45 acres in size, generally located south of 120th Avenue and east of Southgate Boulevard, and more specifically described in EXHIBIT A and shown in EXHIBIT B, attached hereto and incorporated herein (the "Property"); and

WHEREAS, Karen Henry, Henry Design Group (the "Applicant"), on behalf of the Owner, has requested approval of the Southgate Brighton PUD (Planned Unit Development), 3rd Amendment ("PUD Amendment") specifically described in EXHIBIT B; and

WHEREAS, in accordance with the public notice requirements of the Land Use and Development Code, a Notice of Public Hearing was mailed to all property owners within 300 feet of the Property, a public notice was published in the *Brighton Standard Blade*, 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, on October 25, 2018, a neighborhood meeting was held; and

WHEREAS, the Property has a zoning designation of Southgate Brighton PUD, 1st Amendment; and

WHEREAS, the Applicant, on behalf of the Owner, has applied to amend the Southgate Brighton PUD, 1st Amendment to allow for the portion described in EXHIBIT A to be changed to allow for attached single family homes; and

WHEREAS, the proposed PUD Amendment is compatible with the land uses that exist in this area; and

WHEREAS, the proposed PUD Amendment generally complies with the principles and policies described in the Comprehensive Plan; and

WHEREAS, the Planning Commission conducted a public hearing on January 24, 2019, to review and consider the PUD Amendment pursuant to the applicable provisions and criteria set forth in the Land Use and Development Code; and

WHEREAS, the City Council conducted a public hearing on March 6, 2019, to review and consider the PUD Amendment pursuant to the applicable provisions and criteria set forth in the Land Use and Development Code; and

WHEREAS, at the public hearing, the City Council received and considered all relevant evidence and testimony from City staff, the Applicant and Owner, and other interested parties, including the public at large; 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; complies with the requirements of the Land Use and Development Code and the PUD zone district; 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:

<u>Section 1.</u> The approximately 15.45-acre portion of the Southgate Brighton PUD, more particularly described in <u>EXHIBIT A</u>, attached hereto and incorporated herein by this reference, is hereby amended as the Southgate Brighton PUD, 3rd Amendment.

<u>Section 2.</u> The Zoning Map of the City of Brighton shall be amended to reflect said rezoning.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED, THIS 19TH DAY OF MARCH, 2019.

PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED, BY TITLE ONLY, THIS $2^{\rm ND}$ DAY OF APRIL, 2019.

	CITY OF BRIGHTON, COLORADO			
	KENNETH J. KREUTZER, Mayor			
ATTEST:				
NATALIE HOEL, City Clerk	_			
Published in the <i>Denver Post</i> First Publication: March 27, 2019				
Published in the <i>Brighton Standard Blade</i> Final Publication: April 10, 2019				
APPROVED AS TO FORM:				
IACK D. BAJORFK City Attorney	_			

EXHIBIT A

LEGAL DESCRIPTION

VILLAGE AT SOUTHGATE SUBDIVISION, LOT 1, BLOCK 3 AND LOT 1, BLOCK 4.

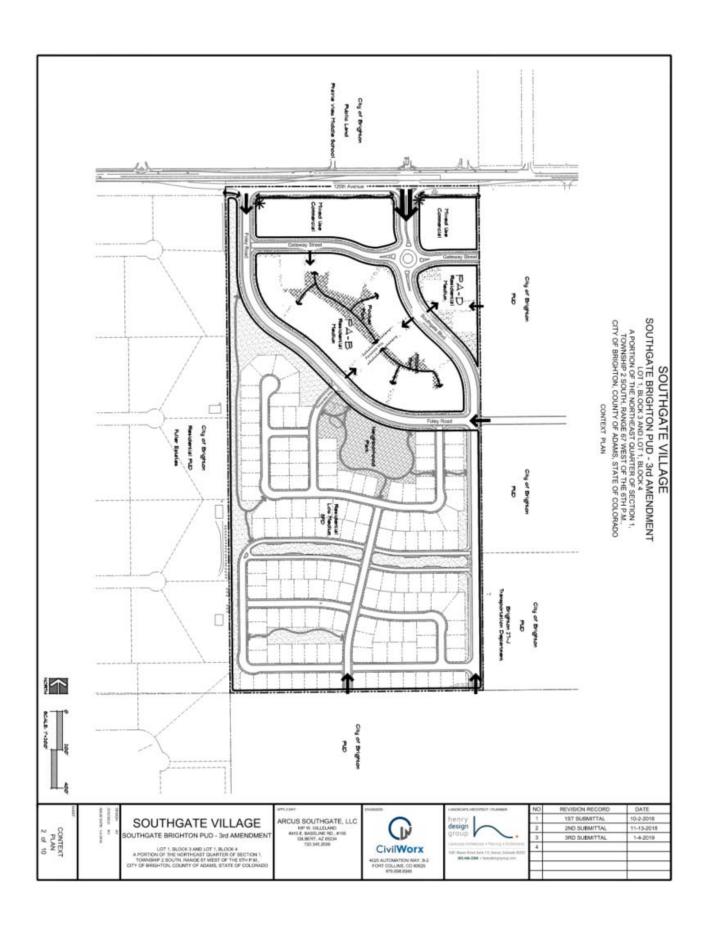
A PORTION OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO

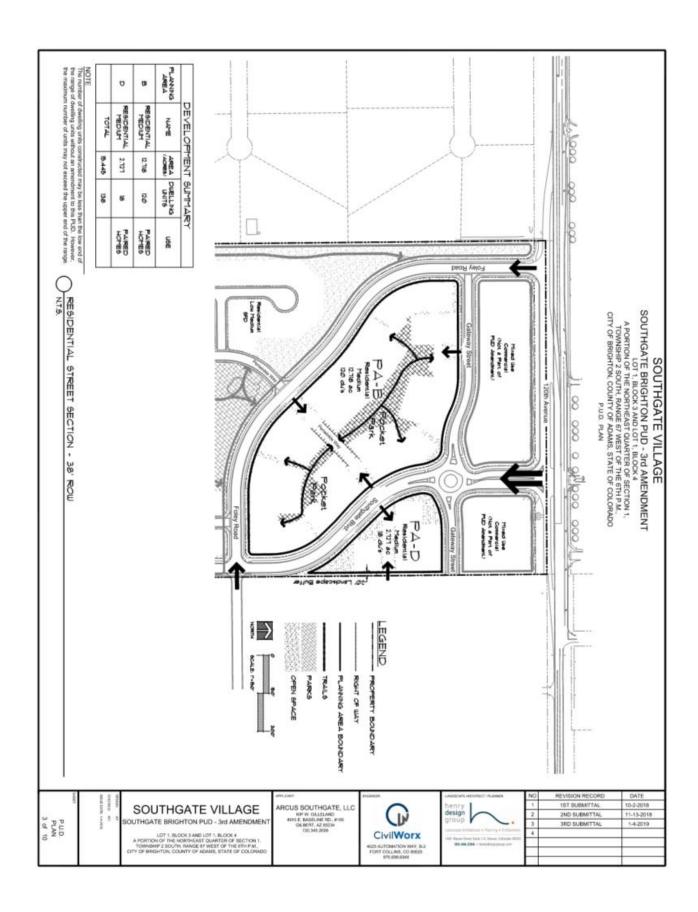
CONTAINS 15.45 ACRES OR LESS

EXHIBIT B SOUTHGATE BRIGHTON PUD, 3RD AMENDMENT

(BEGINS ON NEXT PAGE)

In compliance with the general intent of the City of Brighton Comprehensive Plan, the Southgale Village PUID provides the City with a complianmentary land use within the overall Southgale Brighton PUID. The PUID provides a coordinated and harmonious development which will best promote the health, safety, order, convenience, prosperity and general welfere of its readorsts. The PUID responds to the goals and policies of the City of Brighton Comprehensive Plun and is planned to onsure high pualty development compatible with the surrounding land uses and the natural environment. STATEMENT OF PURPOSE & INTENT Southgate Vilage is proposed as the first amendment to the Southgate Brighton Planned Unit Development (PUD). The 15.45-acre site is proposed as a distinctive paired home neighborhood and is planned as a continuation of the Southgate Brighton mixed use neighborhood. Single family detached homes are located south of the site and Southgate Brighton future Mixed Use Commercial development is located along the frontage of 120th Avenue north of the site. The single intensity detached homes and commercial areas are not subject to this amendment. LOT T, BLOCKS AWAI LOT T, SELECTIC TO SECTION T, A PORTICING OF THE KNORTHLAST CAMPITER OF SECTION T, TOWNISHIP 2 BOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY OF BRIGHTON, COUNTY OF ADMIS, STATE OF COLORADO EGAL DESCRIPTION village at Southgate Metropotian District shall provide maintenance of detention, water quality and regional detention facilities. Parks and Copen Space shall be provided in accordance with the City of Brighton replacements and the the Lyc Ordinance in locations periminarily identified on the PHID plan. final public land distinction requirements will be determined and finalized at the time of Fiscal Platting. We significant historic sites are located on the property. Ownership and maintenance of all neighborhood parks, tracts, etc. shall be addressed at the time of Final Plat and in the Development Agreement. Southgate Brighton shall be platted in phases. facilities shall conform with the City of Brighton's SHEET INDEX OOMER SHEET CONTEST PLAN DESIGN STANDARDS CONCEPTUAL LANDSCAPE PLAN CONCEPTUAL LANDSCAPE PLAN CONCEPTUAL TRUITY PLAN CONCEPTUAL ARCHITECTURE ELEVATIONS Planner / Landscape Architect Henry Design Group 1501 Wazzee Street, 1-C Denver, CO 80202 303,446,2368 Owner / Applicant Arcus Southgate, LLC 4915 E. Baseline Rd., #105 Gilbert, AZ 85234 4025 Automation Way, B-2 Fort Collins, CO 80525 970.698.6046 VICINITY MAP SOUTHGATE BRIGHTON PUD - 3rd AMENDMENT LOT 1, BLOCK 3 AND LOT 1, BLOCK 4 A PORTION OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO 100 Н SOUTHGATE VILLAGE ļ Marie and 3118 III, Append of the last 1 Ħ ē ATTEST JHT NO APPROVED BY THE CITY OF BRIGHTON CITY COUNCIL CITY OF BRIGHTON APPROVAL PLANNING COMMISSION APPROVAL RECEPTION NUMBER CLERK AND RECORDER COUNTY CLERK AND RECORDER IN THE STATE OF COLORADO, THIS P.U.D. PLAN WAS FILED FOR RECORD IN THE OFFICE OF THE AD-CLERK AND RECORDER NOTARY PUBLIC MY COMMISSION EXPIRES ON THE FOREGOING INSTRUMENT NOTARIAL OWNER: NOTED HEREON SUBMIT THIS PLAN AND AGREE TO PERFORM UNDER THE TERMS BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, HEREBY OF THE LAND HEREIN DESCRIBED LOCATED IN THE CITY OF CERTIFICATE OF OWNERSHIP APPROVED BY THE CITY OF BRIGHTON PLANNING COMMISSION, THIS THE UNDERSIGNED, BEING THE OWNER (S) AND/OR DEVELOPER(S) CITY CLERK MAYOR PRINTED NAME DAY OF DAY OF ARCUS SOUTHGATE, LLC. DAY OF WAS ACKNOWLEDGED BEFORE ME THIS REVISION RECOR DATE ARCUS SOUTHGATE, LLC KP W. GILLELAND 4915 E. BASELINE RD., 81105 GLBERT, AZ 85394 720,345,2666 1ST SUBMITTAL SOUTHGATE VILLAGE OUTHGATE BRIGHTON PUD - 3rd AMENDMENT (P 2 2ND SUBMITTAL 11-13-2018 COVER 1 of 10 1-4-2019 3RD SUBMITTAL CivilWorx 4025 AUTOMATION WAY, B-2 FORT COLLINS, CO 80625 970,598,6365





STATEMENT OF PURPOSE AND INTENT

Southgate Village is proposed as the third amendment to the Southgate Brighton Planned Unit Development (PUD). The 15.45-scre site is proposed as a distinctive pariest home neighborhood is planned as a continuation of the Southgate Brighton mixed use neighborhood. Single family detached homes are located south of the site and. Southgate Brighton faure commercial development is located along the findtage of 120th Avenue north of the site. The single stamily detached homes and commercial areas are not subject to this recommendation.

The PUD is intended to regulate the use of the land, the bulk, maximum height, minimum fot area, minimum fot white, minimum selbacks, uses permitted, sociessory uses and buildings. It will also provide design controls associated with the design, alting and landscaping of the proposed uses. These design controls are intended to complement the City of Brighton's Residential Design controls are intended to complement the City of Brighton's Residential Design controls are intended to complement the City of Brighton's Residential Design controls are intended.

in compliance with the general intent of the City of Brighton Comprehensive Plan, the Southgate Village PUD provides the City with a complementary land use within the overall Southgate Beignan PUD. The PUD provides a conditionated and harmonicus development which will best promote the health, safety, order, commence, prospiny and general welfare of its residents. The PUD responds to the goals and policies of the City of Brighton Comprehensive Plan and is planned to ensure high quality development compatible with the surrounding land uses and the natural environment. overall, the PUD will provide a pedestrian network throughout the neighborhood

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with trails and sidewalks connecting to the central open space/park and the nearby neighborhood park within the Southgate Brighton single family neighborhood. The PLD will also provide an alternate home type complementary to the single family neighborhood to broaden the market

AUTHORITY AND DEFINITIONS

Approval of Plans

this document shall become the governing zoning document for the development of all uses within Southgate Nilage PUD - Southgate Brighton 3rd Amendment area only, Items not covered by These stipulations shall be governed by the City of Brighton Residential Desego Sandarders by the City of Brighton Residential Desego Sandarders. Jpon approval of and adoption of this PUD by the City of Brighton City Council,

The provisions of this PUD shall prevail and govern the development Southgate Village PUD providest, however, where the provisions of the PUD do not clearly address a specific subject, the provisions of the City of Brighton Zoning Ordinance for the underlying Zone District shall apply, as determined by the Community Development devotor.

Underlying Zone Districts

The underlying City of Brighton Zone Districts Residential - 2 (R-2).

- Definitions (All terms as defined in the City of Brighton Land Use and Development Code, as amended shall apply to the terms herein unless otherwise defined below.)
- Lot Width: The horizontal distance measured at the established front yard setback line side lot lines as
- Paired Home: A dwelling with primary ground floor access to the outside which shares a common wall with one other unit without openings. Each paired home is located on a fee simple lot.

SOUTHGATE VILLAGE

SOUTHGATE BRIGHTON PUD - 3rd AMENDMENT LOT 1, BLOCK 3 AND LOT 1, BLOCK 4

DATE

10-2-2018

11-13-2018

1-4-2019

A PORTION OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO

DESIGN STANDARDS

- Fee Simple: has the right! npile: Private ownership in real estate in which the owner right to control, use and transfer properly at will.
- Building Cladding Material: Cladding is a material used to provide a decorative and protective sith on a building it can be made of wood, masonry, stucos, composite materials or convocite and although it deem't support the structure, it does protect against elements like wind or rain. Cladding does not include any glazzed surfaces or decorative trims.

GENERAL PUD STIPULATIONS AND DESIGN STANDARDS

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- the HOA or Metro District. Pocket parks of less than three acres shall be owned and maintained by
- The central open space/park will be designed and improved by the developer and its successors and assigns or Metro District. Open space corridors shall be owned and maintained by the HOA or

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- All park and open space dedications shall occur at the time of Final Paul.

 The dedications shall be on a community wide basis based on the PUD.

 Pain and final dwelling unit count at time of Final Plat. However, each

 Final Plat does not need to stand alone in meeting open space and park
- A central open space corridor and pocket park is proposed with interconnecting trails within open space areas. The pocket park and open space areas will court toward any outstanding open space and park land dedication requirements.

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Any overall shortage in park and open space dedication will be met through cash-in-lieu of land.

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Open space and park land dedication shall be based on the overall Southgate Brighton PUD as amended. Southgate Village PUD - Southgate Brighton - 3rd Amendment is not required to meet all ents on site.

RESIDENTIAL- PAIRED HOMES (Planning Areas B and D)

- Intent: Residential-Medium is intended to accommodate single family
- Gross Density: 8.93 Dwelling Units Per Acre

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- uses allowed in the R-2 City of Brighton Zone District.
- Single family paired homes

 Construction Trailers: Temporary construction storage yards, construction trailers and offices are permitted during the
- construction/sales period only.

 Apricalizar libes: Crop production and grazing are permitted until the commencement of construction within the Planning Area where the Agricultural activity is occurring.

 Sales Facilities: Temporary sales trailers and model homes
- Brighton Zoning Code Including sales centers are permitted in all residential Planning.

 Accessory, Temporary and Conditional Uses

 Shall be permitted as described in the Tabulation of Uses of the City of

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< VARIATIONS TO THE SINGLE FAMILY DETACHED RESIDENTIAL DESIGN STANDARDS (RDS) SECTION 17-44-228, 230 - 250) Model comparisons are subject to the section below.

SINGLE FAMILY PAIRED RESIDENTIAL DESIGN STANDARD

- Each homebuilder shall provide four (4) different floorplans for pa mirrored floorplan shall not be counted as a separate plan.
- such as Farm House, Craftsman and Prairie. options shall be provided for each built

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- elevation style shall not be repeated next door of
- The same building type shall not be repeated next door but
 built directly across the alley providing it has a different built
 it may be a some floorplans can be repeated next door or directly a
 likely provided they are in a different building type.
 All buildings wit have rear building garages off the alleyways, no gi
 All buildings wit have rear building the provided they are the statement of the alleyways.
- front public roads.

 Mix of roof colors: Where asphalt shingles are used three (3) distinctions are required to be dispersed throughout the neighborhood. Paint Schemes:
- A minimum of 4 colors will be included in each paint scheme; r body color, secondary body color, trim color, and accent color. A minimum of 6 paint schemes will be used throughout the mair
- neighborhood.

 Front Porch: All unifes will have a porch with a minimum five-foot (§°) in depth and eight-foot (§°) in width inclusive of walk space to the front door.

 Each front elevation shall contain two (2) of the following design elements:

 A front porch with a minimum stackool (§°) in depth and lewelve-foot

 A front porch with a minimum stackool (§°) in depth and lewelve-foot
- (12') in width inclusive of walk space to the front door
- 2. Window grids
 3. Two (2) distinctive siding materials; wide lap siding, narrow lap siding, board & battlen, shingler, masonry, etc.
 4. A 5:12 roof jelch on the primary roof on the front façade. Roof pliches less than 5:12 may be used on secondary roof forms as appropriate for the architectural skyle for the home. Fall roofs are permitted as a popropriate for the architectural skyle for the home. Fall roofs are permitted as a proportion for the architectural skyle for the home.

 1. An enhanced deviation shall be provided on comer side elevation adjacent to public street right-of-way. Each comer side shall contain at least two (2) of the following design elements.

 1. Wrap masonry cladding materials the same as the front elevation of a
- minimum of six (6) feet on the side
 Provide a minimum of three (3) windows
 Provide a covered side porch with minimum dimension of eight (8)
 Provide a covered side porch with minimum dimension of eight (8)
 feet in depth and twelve (12) feet in width inclusive of walk space to
- Window grids
 Window grids
 Window car alley loaded garage is required. Front loaded
- A consistent fence design is required throughout Southgate Village which is in conformance with and for complementary to the fencing within Southgate

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FENCING

- Brighton PUD.

 A 42-inch-high vinyl three rail fence is required on lot lines adjacent to parks, landscape tracts and open space. Incoo is permitted as a front yard wing A six (6) foot high solid vinyl privacy fence is permitted as a front yard wing fence between the homes, on side lot lines and rear lot lines along the alley. Fearcing design and a fence plan shall be provided at the time of FDP and preserved.

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1	LANDSCAPE ARCHITECT / PLANNER:	NO	REVISION RECORD
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ı	design	2	2ND SUBMITTAL
ı	group /	3	3RD SUBMITTAL
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ı	1581 Warren Droot Saite 1-C, Demon, Colorado 80082 303.446.2366 • Newydesigngroup.com		
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UTHGATE, LLC GLLELAND IELINE RD., 9105 RT, AZ 85234 346.2008 4910

CivilWorx FORT COLLINS, CO 80825 970.698.6346

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DESIGN STANDARDS

4 of 10

Residential Medium Paired Homes (Individual Lots Rear Loaded Garage As measured at the front building setback line. Measurement per Brytton Marpal Code. Accessory simulants are not permitted. Parmitted exconactments are building setbacks: Accessory simulants are not permitted. Permitted exconactments into building setbacks: Accessory, simulants excluding out not limited to serve, large windows, chrimeys, entertainment contient, brick ledges, certifievers, countribiting, common, camptes, were geste and its earthinoctural features may exconact into the required setbacks a maximum of 24 inches. Dividious wettis range excreat into required setbacks a maximum of 26 inches. Dividious wettis range excreat into required setbacks a maximum of 26 inches. C. Unerclosed or unconvered patios less than 30 inches above grade may excreate into building setbacks to within five (5) feet of a lit line. d. Exconactments are not acted into assessments without widers approval fine the easuement holder. USE MINIMUM MINIMUM 1750 SF (See Note 1) 22 FT MAXIMUM MAXIMUM BUILDING COVERAGE HEIGHT SOUTHGATE BRIGHTON PUD - 3rd AMENDMENT LOT 1, BLOCK 3 AND LOT 1, BLOCK 4 A PORTION OF THE NORTHEAST CUANTER OF SECTION 1, TOWNSHIP 2 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO 80% (See Note 2) SOUTHGATE VILLAGE 35 FT DESIGN STANDARDS FRONT YARD SETBACK (Porch or Structure) 10 FT 5 FT Exterior Wall 0 FT Common Wall SIDE YARD SETBACK REAR YARD SETBACK 5FT REAR YARD SETBACK TO GARAGE DOOR FACE FOR ALLEY LOADED GARAGES 5FT DATE ARCUS SOUTHGATE, LLC KP W. GLLELAND 4915 E. BASELINE RD, #105 GLBERT, AZ 8534 720,345,208 1ST SUBMITTAL 10-2-2018 SOUTHGATE VILLAGE DESIGN STANDARDS 5 of 10 (h OUTHGATE BRIGHTON PUD - 3rd AMENDMEN 3 3RD SUBMITTAL 1-4-2019 CivilWorx

