

ORDINANCE NO: _____

INTRODUCED BY: _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE REZONING OF PORTIONS OF THE BROMLEY PARK PLANNED UNIT DEVELOPMENT 2ND AND 16TH AMENDMENTS TO THE BROMLEY PARK PLANNED UNIT DEVELOPMENT 24TH AMENDMENT FOR THE APPROXIMATELY 63.62-ACRE PROPERTY GENERALLY LOCATED TO THE IMMEDIATE NORTHEAST OF THE INTERSECTION OF SOUTH 40TH AVENUE AND SOUTHERN STREET AND FOR TWENTY THREE LOTS GENERALLY LOCATED TO THE SOUTHEAST OF THE INTERSECTION OF SOUTH 45TH AVENUE AND BRIDGE STREET IN BRIGHTON, COLORADO. THE BROMLEY PARK PLANNED UNIT DEVELOPMENT 24TH AMENDMENT IS GENERALLY LOCATED IN SECTION 10, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, ALL IN THE CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO

WHEREAS, Brookfield Residential (Colorado) LLC (the “Applicant”), has filed an application (the “Application”) for the Bromley Park Planned Unit Development (“PUD”) 24th Amendment and a zone change of certain real property of approximately 63.62-acres in size, located to the immediate northeast of the intersection of S. 40th Avenue and Southern Street and twenty-three (23) residential lots generally located to the southeast of the intersection of S. 45th Avenue and Bridge Street as more particularly described in Exhibit “A,” attached hereto (the “Properties”); and

WHEREAS, the Applicant seeks to change the zoning of the Properties from the existing Bromley Park PUD 2nd and 16th Amendments to the proposed Bromley Park PUD 24th Amendment, as set forth in Exhibit “B,” attached hereto; and

WHEREAS, the Planning Commission conducted a public hearing on December 12, 2019, to review and consider the PUD pursuant to the applicable provisions and criteria set forth in the Land Use and Development Code, and provided a recommendation of approval to the City Council; and

WHEREAS, the City Council conducted a public hearing on January 21, 2020, to review and consider the PUD pursuant to the applicable provisions and criteria set forth in the Land Use and Development Code; 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, at the public hearing, the City Council received and considered all relevant evidence and testimony from City staff, the Applicant, and other interested parties, including the public at large; and

WHEREAS, City Council hereby finds and determines that the PUD does follow the intent of the Comprehensive Plan in providing for the future of the City; complies with the requirements of the Land Use and Development Code; addresses a unique situation and complies with applicable standards; is integrated with adjacent development; sufficiently mitigates adverse impacts; provides for sufficient facilities and services to serve the Properties; will be phased appropriately; and could not be accomplished in another manner.

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

Section 1. The Properties are hereby rezoned as the Bromley Park PUD 24th Amendment.

Section 2. The City Zoning Map shall be amended to reflect said zoning change.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED, THIS 4th DAY OF FEBRUARY, 2020.

PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY THIS 18th DAY OF FEBRUARY, 2020.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

Published in the *Brighton Standard Blade*

First Publication: February 12, 2020

Final Publication: February 26, 2020

APPROVED AS TO FORM:

JACK D. BAJOREK, City Attorney

EXHIBIT A **Legal Description**

LEGAL DESCRIPTION (PARCEL 1)

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 10;
THENCE SOUTH 89°42'46" WEST ALONG THE NORTHERLY LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1722.12 FEET;
THENCE SOUTH 00°17'14" EAST, A DISTANCE OF 759.01 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00°25'32" EAST, A DISTANCE OF 517.17 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 23.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC LENGTH OF 36.13 FEET;

THENCE NORTH 89°34'28" EAST, A DISTANCE OF 268.04 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE HAVING A RADIUS OF 23.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 57°21'08", AN ARC LENGTH OF 23.02 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 53.00 FEET;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 114°42'16", AN ARC LENGTH OF 106.10 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 23.00 FEET;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 57°21'08", AN ARC LENGTH OF 23.02 FEET;
THENCE NORTH 89°34'28" EAST, A DISTANCE OF 113.84 FEET;
TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 232.00 FEET;

THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 20°56'33", AN ARC LENGTH OF 84.80 FEET;

THENCE NORTH 68°37'55" EAST, A DISTANCE OF 86.88 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 268.00 FEET;
THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21°04'51", AN ARC LENGTH OF 98.61 FEET;
THENCE NORTH 89°42'46" EAST, A DISTANCE OF 144.37 FEET;

THENCE SOUTH 00°17'19" EAST, A DISTANCE OF 36.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 23.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 00°17'14" EAST;

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC LENGTH OF 36.13 FEET;

THENCE SOUTH 00°17'14" EAST, A DISTANCE OF 100.34 FEET;

THENCE SOUTH 89°43'03" WEST, A DISTANCE OF 138.28 FEET;

THENCE SOUTH 00°24'19" EAST, A DISTANCE OF 1,301.58 FEET;

THENCE SOUTH 89°43'40" WEST, A DISTANCE OF 1,629.39 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 55.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 45°19'21" WEST;

THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°50'46", AN ARC LENGTH OF 86.25 FEET;

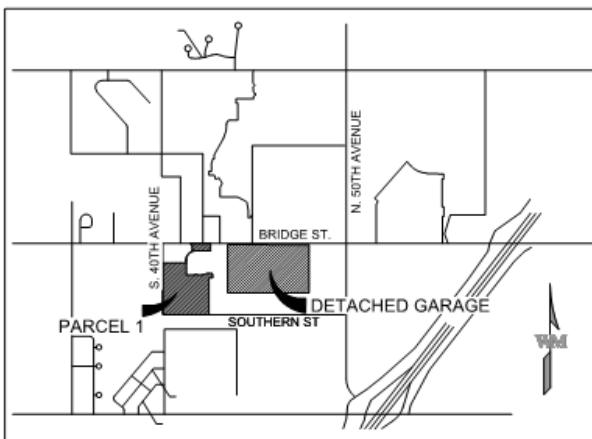
THENCE NORTH 00°25'47" WEST, A DISTANCE OF 1,787.50 FEET;

THENCE NORTH 89°34'28" EAST, A DISTANCE OF 862.38 FEET, TO THE POINT OF BEGINNING.

PARCEL AREA CONTAINING 63.62 ACRES

LEGAL DESCRIPTION (DETACHED CAR GARAGE)

FILING 3 LOTS 1, 4, 39, 40, 49, 50, 55 AND 58, BLOCK 2; LOTS 34, 52, 56, 57 AND 62, BLOCK 4; LOTS 7, 12, 13 AND 20, BLOCK 7; LOTS 1, 8, 9 AND 13, BLOCK 11; LOTS 1 AND 5, BLOCK 12.



VICINITY MAP

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BROMLEY PARK P.U.D. 24TH AMENDMENT (MAJOR)
BEING A PART OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH,
RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF
ADAMS, STATE OF COLORADO

LEGAL DESCRIPTION (PARCEL 1)

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 10; THENCE SOUTH 89°42'46" WEST ALONG THE NORTHERLY LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 172.12 FEET; THENCE SOUTH 00°17'14" EAST, A DISTANCE OF 789.01 FEET TO THE POINT OF BEGINNING.

THESE SOUTH 00°25'32" EAST, A DISTANCE OF 517.17 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY HAVING A RADIUS OF 23.00 FEET;

THESE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 70°00'00", AN ARC LENGTH OF 58.13 FEET;

THE LINE NORTH 89° 34' 28" EAST, A DISTANCE OF 260.04 FEET TO THE BEGINNING OF A
TANGENT CURVE CONCAVE HAVING A RADIUS OF 23.00 FEET;
THE LINE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF
53° 21' 00", AN ARC LENGTH OF 23.02 FEET TO THE BEGINNING OF A REVERSE CURVE
CONCAVE SOUTHERLY HAVING A RADIUS OF 93.00 FEET.

THESE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $114^{\circ}42'16''$, AN ARC LENGTH OF 106.10 FEET TO THE BEGINNING OF A REVERSE CURVE CONTINUE EASTERLY HAVING A RADIUS OF 23.00 FEET.

THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 57°21'36" AN ARC LENGTH OF 23.02 FEET.

THE LINE NORTH 89° 34' 28" EAST, A DISTANCE OF 113.84 FEET,
TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF
232.00 FEET.

THEENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 20°56'33", AN ARC LENGTH OF 84.80 FEET.

THE LINE NORTH 69°37'50" EAST, A DISTANCE OF 86.00 FEET TO THE BEGINNING OF A
TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 266.00 FEET;
THE LINE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21°04'51", AN
ARC LENGTH OF 96.61 FEET.

THENCE NORTH 89°42'46" EAST, A DISTANCE OF 144.37 FEET;

THESE SOUTH 00°17'19" EAST, A DISTANCE OF 36.00 FEET TO THE BEGINNING OF A
NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 23.00 FEET,
THE RADIUS POINT OF SAID CURVE BEARS SOUTH 00°17'14" EAST.

THESE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $90^{\circ}00'00''$, AN ARC LENGTH OF 36.13 FEET.

THENCE SOUTH 02°17'14" EAST, A DISTANCE OF 100.34 FEET;

THENCE SOUTH 89°43'00" WEST, A DISTANCE OF 138.28 FEET;

THENCE SOUTH 00°24'19" EAST, A DISTANCE OF 1,301.56 FEET;

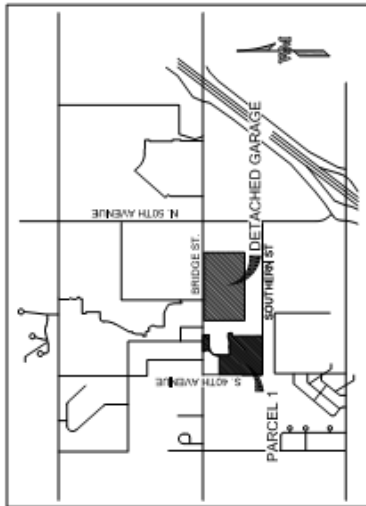
THE LINE SOUTH 69°43'40" WEST, A DISTANCE OF 5,029.39 FEET TO THE BEGINNING OF A
 DOUBLE-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 65,000 FEET.
 THE RADIUS POINT OF SAID CURVE BEARS NORTH 45°19'21" WEST.

THEN BE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°50'46". AN ARC LENGTH OF 86.25 FEET.

THESE NORTH 00°25.47' WEST, A DISTANCE OF 1,787.60 FEET:

THENCE NORTH 89°34'28" EAST, A DISTANCE OF 882.38 FEET, TO THE POINT OF BEGINNING.

PARCEL AREA CONTAINING 63.62 ACRES



VICINITY MAP

LEGAL DESCRIPTION (DETACHED CAR GARAGE)

FILLING 3 LOTS 1, 4, 39, 40, 49, 50, 55 AND 58, BLOCK 2; LOTS 34, 52, 56, 57 AND 62, BLOCK 4; LOTS 7, 12, 13 AND 20, BLOCK 7; LOTS 1, 8, 9 AND 13, BLOCK 11; LOTS 1 AND 5, BLOCK 12.

DEVELOPMENT STANDARDS

EXCEPT AS SET FORTH HEREIN, DEVELOPMENT STANDARDS SHALL BE IN ACCORDANCE WITH THE BROMLEY PARK PLUD RECORDED APRIL 13, 1987 IN BOOK 3301 AT PAGE 848 IN THE RECORDS OF THE ADAMS COUNTY, COLORADO, CLERK AND RECORDER'S OFFICE. DESIGN STANDARDS SHALL BE IN ACCORDANCE WITH THE BRIGHTON RESIDENTIAL DESIGN STANDARDS, AS SAME MAY BE AMENDED FROM TIME TO TIME.

LOTS IDENTIFIED IN THE FILING 3 LEGAL DESCRIPTION TO THE LEFT SHALL BE ALLOWED TO EXCEED THE 800 SF MAXIMUM DETACHED GARAGE REQUIREMENT SET FORTH IN THE PUD BUT SHALL NOT EXCEED 900 SF.

PURSUANT TO EXHIBIT G OF THE FIRST AMENDMENT TO THE BROMLEY PARK
 EVALUATION AGREEMENT, DATED DECEMBER 16, 1966, AND RECORDED IN ADAMS
 COUNTY RECORDS IN BOOK 3301, COMMENCED AT PAGE 499, THIS AMENDMENT
 MEETS THE CRITERIA OF A MAJOR PUD AMENDMENT AS SET FORTH IN THE
 TRANSFER OF DENSITY AND AMENDMENT PROCESS SECTIONS OF THE BROMLEY
 AND USE REGULATIONS.

RDs, DESIGN, SETBACK, AND ENCROACHMENT STANDARDS WILL FOLLOW THE LAND USE AND DEVELOPMENT CODE STANDARDS IN PLACE AT THE TIME OF PROJECT SUBMITTAL (2019).

APPROVAL BY THE CITY BRIGHTON CITY COUNCIL
APPROVED BY THE CITY OF BRIGHTON CITY COUNCIL, THIS ____ DAY OF
20__

MANAGER

ADAMS COUNTY CLERK AND RECORDER'S CERTIFICATE

THIS PUD AMENDMENT WAS FILED FOR RECORD IN THE OFFICE OF THE ADAMS
COUNTY CLERK AND RECORDER, IN THE STATE OF COLORADO AT _____, ON THIS
____ DAY OF _____ A.D. 20____.

COUNTRY CLERK AND RECORDER

DEPUTY
BY:

RECEPTION NO.

940 south Broadway suite 230 Denver, CO 80202 P.303.581.3333 F.303.581.3333 denver@waremalcomb.com		WARE MALCOMB CIVIL ENGINEERING & SURVEYING		JOB NO. 18-4022 DRAWING NO. T-CLJ DATE 8/10/20 SCALE 1"=10'		SHEET 1 OF 3	
REMARKS CITY COMMENTS CITY COMMENTS CITY COMMENTS		REMARKS CITY COMMENTS CITY COMMENTS CITY COMMENTS		DATE 1/20/19 8/5/19 1/15/19		REMARKS CITY COMMENTS CITY COMMENTS CITY COMMENTS	

