

RESOLUTION NO. 26-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BRIGHTON, COLORADO, CONSIDERING A RECOMMENDATION TO THE CITY COUNCIL REGARDING THE GREIN PROPERTY PLANNED DEVELOPMENT FOR AN APPROXIMATELY 88.3 ACRE PROPERTY, GENERALLY LOCATED TO THE NORTH OF THE LONGS PEAK STREET ALIGNMENT, SOUTH OF EAST BASELINE ROAD, EAST OF THE FULTON DITCH AND WEST OF THE NORTH 27TH AVENUE ALIGNMENT AND THE BRIGHTON LATERAL DITCH, MORE PARTICULARLY LOCATED IN THE NORTHEAST QUARTER OF SECTION 5 AND THE NORTHWEST CORNER OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO

WHEREAS, Ivan E. Grein Living Trust and CC Realty, LLC (the "Owners") are the owners of approximately 88.303 acres of real property located in the City of Brighton, more particularly described in EXHIBIT A, attached hereto and incorporated herein (the "Property"); and

WHEREAS, the Owners have requested approval of the Grein Property Planned Development, attached hereto as EXHIBIT B (the "PD"); and

WHEREAS, the Planning Commission conducted a public hearing to review and consider the PD pursuant to the applicable provisions and criteria set forth in Section 2.04(C) of 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 1,000 feet of the Property, 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 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 PD: (1) better implements the Comprehensive Plan, beyond what could be accomplished under application of general zone districts; (2) promotes the general public health, safety and welfare of the community; (3) allows the project to better meet or exceed the intent statements of the base zoning districts; (4)

EXHIBIT A
LEGAL DESCRIPTION

THAT CERTAIN PORTION OF THE NORTHEAST QUARTER OF SECTION 5 AND THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 66 WEST, SIXTH PRINCIPAL MERIDIAN, IN THE COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 5;

THENCE ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER, NORTH 89°26'43" EAST, A DISTANCE OF 625.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTH LINE, NORTH 89°26'43" EAST, A DISTANCE OF 1,360.00 FEET TO THE NORTHWEST CORNER OF GREIN SUBDIVISION - SECOND FILING AS SHOWN ON THE RECORDED PLAT THEREOF IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE AT RECEPTION NUMBER C0627016;

THENCE DEPARTING SAID NORTH LINE AND ALONG THE WEST AND SOUTH LINES OF SAID SUBDIVISION THE FOLLOWING THREE (3) COURSES:

- 1) SOUTH 00°33'40" EAST, A DISTANCE OF 1,350.00 FEET;
- 2) NORTH 89°26'43" EAST, A DISTANCE OF 654.00 FEET;
- 3) NORTH 89°17'32" EAST, A DISTANCE OF 492.07 FEET TO THE CENTERLINE OF THE BRIGHTON LATERAL DITCH, SAID CENTERLINE BEING COINCIDENT WITH THE NORTHWESTERLY LINE OF MOUNTAIN VIEW ESTATES SUBDIVISION, FILING NO. 2 AS SHOWN IN SAID RECORDS AT RECEPTION NUMBER 2014000032471, BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 210.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 46°05'22" WEST;

THENCE ALONG SAID NORTHWESTERLY LINE THE FOLLOWING ELEVEN (11) COURSES:

- 1) SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08°15'41", AN ARC LENGTH OF 30.28 FEET;
- 2) TANGENT WITH SAID CURVE, SOUTH 52°10'19" WEST, A DISTANCE OF 60.97 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 210.00 FEET;

4) SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 29°42'06", AN ARC LENGTH OF 59.26 FEET;

5) NON-TANGENT TO SAID CURVE, SOUTH 16°27'10" WEST, A DISTANCE OF 93.65 FEET;

6) SOUTH 17°04'40" WEST, A DISTANCE OF 46.53 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 173.96 FEET;

7) SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 26°07'00", AN ARC LENGTH OF 79.29 FEET;

8) TANGENT WITH SAID CURVE, SOUTH 09°02'20" EAST, A DISTANCE OF 47.21 FEET TO THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 4;

THENCE DEPARTING SAID CENTERLINE AND ALONG SAID SOUTH LINE AND THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 5, SOUTH 89°21'25" WEST, A DISTANCE OF 1,840.78 FEET TO THE EASTERLY LINE OF OVERLAND PARK AS SHOWN IN SAID RECORDS AT RECEPTION NUMBER B586585;

THENCE ALONG SAID EASTERLY LINES OF SAID OVERLAND PARK, THE URBAN CHANNEL AS SHOWN ON THE ANNEXATION MAP IN SAID RECORDS AT RECEPTION NUMBER B497026, CHRISTINE PLACE SUBDIVISION AND SHOWN IN SAID RECORDS AT RECEPTION NUMBER 2017000047035, OVERLAND HILLS AS SHOWN IN SAID RECORDS AT RECEPTION NUMBER C0018528, AND OVERLAND HILLS NORTH AS SHOWN IN SAID RECORDS AT RECEPTION NUMBER C0281940 THE FOLLOWING TWELVE (12) COURSES:

1) NORTH 29°23'17" WEST, A DISTANCE OF 125.49 FEET;

2) NORTH 16°00'27" WEST, A DISTANCE OF 133.06 FEET;

3) NORTH 07°22'17" WEST, A DISTANCE OF 146.56 FEET;

4) NORTH 16°31'37" WEST, A DISTANCE OF 189.90 FEET;

5) NORTH 08°39'33" EAST, A DISTANCE OF 95.07 FEET;

6) NORTH 27°32'53" EAST, A DISTANCE OF 270.07 FEET;

7) NORTH 45°51'26" WEST, A DISTANCE OF 191.14 FEET;

8) NORTH 10°47'26" WEST, A DISTANCE OF 122.60 FEET;

EXHIBIT B
PLANNED DEVELOPMENT
[Attached as a separate document]