

ORDINANCE NO. 2295

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE ZONE CHANGE OF APPROXIMATELY 64.517 ACRES OF LAND GENERALLY LOCATED IN THE SOUTH ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF WELD, STATE OF COLORADO, FROM A ZONING DESIGNATION OF LIGHT INDUSTRIAL (I-1) TO A ZONING DESIGNATION OF HEAVY INDUSTRIAL (I-2) AND AMENDING THE ZONING MAP ACCORDINGLY

INTRODUCED BY: Baca

WHEREAS, Richard Schara (the “Owner”) is the owner of 64.517 acres located at 13713 Weld County Road 6, more specifically described in Exhibits A and B, attached hereto and incorporated herein (the “Property”); and

WHEREAS, the Property is currently zoned as Light Industrial (I-1); and

WHEREAS, Meaghan Turner of Kimley-Horn, (the “Applicant”), on behalf of the Owner, has applied to change the zoning designation from Light Industrial (I-1) to Heavy Industrial (I-2); and

WHEREAS, the proposed zoning designation of Heavy Industrial (I-2) for the subject property is compatible with the land uses that exist in this area, and generally complies with the principles and policies described in the Comprehensive Plan; and

WHEREAS, the Planning Commission conducted a public hearing on October 9, 2018, to review and consider the Zone Change 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 and 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/or Owner, and other interested parties, including the public at large; and

WHEREAS, the City Council finds and determines that the proposed zone change: (i) complies with the Comprehensive Plan and other master plans of the City; (ii) complies with the requirements of the Land Use and Development Code and the Heavy Industrial (I-2) zone district; (iii) provides consistency with the purpose and intent of the Land Use and Development Code; and (iv) 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:

Section 1. The Property, as more particularly described in Exhibits A and B attached hereto and incorporated herein, is hereby re-zoned to Heavy Industrial (I-2).

Section 2. The City zoning map is hereby amended to reflect said rezoning.

Section 3. All ordinances or parts of ordinances of the City in direct conflict herewith are expressly repealed.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED THIS 16<sup>TH</sup> DAY OF OCTOBER 2018.

PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY THIS 13<sup>TH</sup> DAY OF NOVEMBER 2018.

CITY OF BRIGHTON, COLORADO

---

KENNETH J. KREUTZER, Mayor

ATTEST:

---

NATALIE HOEL, City Clerk

Published in the *Brighton Standard Blade*

First Publication: October 24, 2018

Final Publication: November 21, 2018

APPROVED AS TO FORM:

---

JACK D. BAJOREK, City Attorney

EXHIBIT A

LEGAL DESCRIPTION

THAT PART OF THE SOUTH ONE-HALF SOUTHEAST ONE-QUARTER SECTION 20, TOWNSHIP 1 NORTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF WELD, STATE OF COLORADO, DESCRIBED AS: BEGINNING AT THE SOUTHWEST CORNER SAID SOUTHEAST ONE-QUARTER: THENCE N00°03'08"E ON AN ASSUMED BEARING ALONG THE WEST LINE SAID SOUTH ONE-HALF SOUTHEAST ONE-QUARTER A DISTANCE OF 1328.35 FEET TO THE NORTHWEST CORNER SAID SOUTH ONE-HALF SOUTHEAST ONE-QUARTER: THENCE S89°55'30"E ALONG THE NORTH LINE SAID SOUTH ONE-HALF SOUTHEAST ONE-QUARTER A DISTANCE OF 1735.06 FEET TO A POINT ON THE WESTERLY R.O.W. LINE OF THE FULTON DITCH: THENCE SOUTHEASTERLY ALONG SAID WESTERLY R.O.W. THE FOLLOWING COURSES AND DISTANCES:

S26°00'20"E	96.21 FEET
S33°27'15"E	91.93 FEET
S48°14'55"E	162.67 FEET
S03°49'35"E	187.42 FEET
S17°00'10"E	98.36 FEET
S48°42'00"E	344.26 FEET
S23°00'48"E	53.23 FEET
S02°37'45"E	177.22 FEET
S37°30'55"E	213.24 FEET
S18°53'50"E	167.41 FEET

TO A POINT ON THE SOUTH LINE SAID SOUTH ONE-HALF SOUTHEAST ONE-QUARTER; THENCE N89°49'50"W ALONG SAID SOUTH LINE A DISTANCE OF 2447.16 FEET TO THE POINT OF BEGINNING. SUBJECT TO ROAD R.O.W.

RECORDED EXEMPTION NO. 1471-20-4-RE893

CONTAINS 64.517 ACRES MORE OR LESS.

