

RESOLUTION NO. 22-4

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BRIGHTON, COLORADO, RECOMMENDING TO CITY COUNCIL APPROVAL OF THE MAGPIE PROPERTY ZONING MAP AMENDMENT FROM ADAMS COUNTY A-3 TO I-1 FOR AN APPROXIMATELY 95.105 ACRES OF PROPERTY, GENERALLY LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 11, THE EAST ONE-HALF OF SECTION 11, THE WEST ONE-HALF OF SECTION 12, AND THE NORTH HALF OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO.**

WHEREAS, Magpie Run Properties LLC, Connie Surabian, Lazarus Surabian, Ryan Steel, Stacey Wenzel Steel, and Betty Mathis (the “Owners,”) are the owners of approximately 95.105 acres of property generally located to the north of East 152<sup>nd</sup> Avenue and east of Burlington Northern Santa Fe Railroad right-of-way, and more specifically described in EXHIBIT A and depicted in EXHIBIT B, attached hereto and incorporated herein (the “Property”); and

WHEREAS, Madison Jones of Lovett Industrial (the “Applicant”), on behalf of Owner, has requested approval of the Magpie Property Zoning Map Amendment as shown in EXHIBIT B; and

WHEREAS, the Planning Commission conducted a public hearing to review and consider the zoning map amendment pursuant to the applicable provisions and criteria set forth in the LUDC; and

WHEREAS, in accordance with the public notice requirements of the LUDC, a notice of public hearing was mailed to all property owners within 1,000 feet of the Properties, 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 Applicant or 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 zoning map amendment is generally consistent with the Comprehensive Plan; reflects generally accepted and sound planning and urban design principles with respect to applying the goals and objects of the Comprehensive Plan; meets all of the review criteria for a zoning map amendment; and is scheduled to be reviewed by the City Council in a timely manner.

Section 2. Recommendation. The Planning Commission hereby recommends to City Council the approval of the Magpie Property Zoning Map Amendment.

**RESOLVED this 14th day of July, 2022.**

CITY OF BRIGHTON, COLORADO  
PLANNING COMMISSION

DocuSigned by:  
  
FEFCE25443E3478  
Chris Maslanik, Chairperson

ATTEST:


DocuSigned by:  
  
7FC9C618DA6C4E6  
Kate Lesser, Secretary

EXHIBIT A  
Legal Description

LEGAL DESCRIPTION:

A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF SECTION 11, THE EAST ONE HALF OF SECTION 11, AND THE WEST ONE HALF OF SECTION 12, ALL IN 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 SOUTHEAST CORNER OF SAID SECTION 11;**

THENCE NORTH 00°44'02" WEST ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 11 A DISTANCE OF 1,924.31 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 35°23'10" WEST A DISTANCE OF 2,321.95 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF EAST 152ND AVENUE;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINES OF EAST 152ND AVENUE THE FOLLOWING EIGHT (8) COURSES:

1. NORTH 89°57'07" WEST A DISTANCE OF 595.88 FEET;
2. NORTH 00°18'27" EAST A DISTANCE OF 20.00 FEET;
3. NORTH 89°57'07" WEST A DISTANCE OF 428.68 FEET;
4. SOUTH 00°02'53" WEST A DISTANCE OF 5.00 FEET;
5. NORTH 89°57'07" WEST A DISTANCE OF 10.00 FEET;
6. NORTH 00°02'53" EAST A DISTANCE OF 5.00 FEET;
7. NORTH 89°57'07" WEST A DISTANCE OF 232.13 FEET;
8. NORTH 89°58'28" WEST A DISTANCE OF 719.67 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF THE SPEER CANAL;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF SPEER CANAL THE FOLLOWING TWO (2) COURSES:

1. ALONG A NON-TANGENT CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 8°53'34", A RADIUS OF 247.57 FEET, AN ARC LENGTH OF 38.42 FEET, AND A CHORD WHICH BEARS NORTH 35°47'39" WEST A DISTANCE OF 38.39 FEET;
2. NORTH 40°14'54" WEST A DISTANCE OF 21.47 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN (C.B. AND Q.) RAILWAY;

THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:

1. NORTH 49°24'57" EAST A DISTANCE OF 1,887.76 FEET;
2. NORTH 49°23'21" EAST A DISTANCE OF 2,396.86 FEET;

THENCE SOUTH 63°55'12" EAST A DISTANCE OF 619.38 FEET;  
THENCE SOUTH 35°23'10" WEST A DISTANCE OF 765.39 FEET TO A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 11;

THENCE SOUTH 00°44'02" EAST ALONG SAID EAST LINE A DISTANCE OF 67.87 FEET TO THE **POINT OF BEGINNING**;

CONTAINING 3,962,896 SQUARE FEET, OR 90.976 ACRES, MORE OR LESS.

