

# CITY COUNCIL ORDINANCE

## ZONING FOR THE PRAIRIE CORNER SUBDIVISION

ORDINANCE NO.: 2211

INTRODUCED BY: Martinez

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE REZONING OF AN APPROXIMATELY 7.127 ACRE AREA OF LAND GENERALLY LOCATED IN SECTION 22, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, KNOWN AS PRAIRIE CORNER FROM A ZONING DESIGNATION OF PUD (PLANNED UNIT DEVELOPMENT) TO A ZONING DESIGNATION OF C-3 (GENERAL RETAIL AND SERVICES).

*WHEREAS*, this matter came before the City Council upon that certain zoning request by Prairie Corner, LLC, (the “Owner”); and

*WHEREAS*, the specific request submitted by the Owner is for review and approval, of a proposed zoning application (the “Application”) for the approximate 7.127 acre property generally known as the Prairie Corner Subdivision, more particularly described in **Exhibit A**, attached hereto and by this reference made a part hereof (the “Property”); and

*WHEREAS*, the properties described in **Exhibit A** are part of the expired Third Creek Meadows PUD, Planned Unit Development; and

*WHEREAS*, Prairie Corner, LLC has applied to zone the property from an expired PUD (Planned Unit Development) to C-3 (General Retail and Services); and

*WHEREAS*, the proposed zoning designation of C-3 (General Retail and Services) for the Property is compatible with the land uses that exist in this area; and

*WHEREAS*, the proposed C-3 (General Retail and Services) zoning designation for the Property generally complies with the principles and policies described in the *Comprehensive Plan*; and

*WHEREAS*, the Planning Commission made a recommendation of approval of the Application by Resolution to the City Council after holding a public hearing on July 14, 2015; and

*WHEREAS*, the City Council conducted a public hearing on the Application on July 21, 2015 and thereupon confirmed that written Notice of such public hearing was properly published in the *Brighton Standard Blade* on June 24, 2015, was posted upon the Property, and otherwise mailed and delivered to property owners within 300 feet of the Property, all for no less than

fifteen (15) days prior to the City Council meeting, in accordance with applicable law; and

**WHEREAS**, the City Council reviewed the Application pursuant to the applicable provisions and criteria set forth in the City of Brighton's *Land Use and Development Code* and the *Comprehensive Plan*; and

**WHEREAS**, at the public hearing, the City Council properly received and considered all relevant evidence and testimony from City Staff, the Applicant, and other Interested Parties, including the public at large; and

**WHEREAS**, the City Council finds and determines that the Application, follows the intent of the *Comprehensive Plan* in providing for the future of the City; complies with the requirements of the City of Brighton *Land Use and Development Code*; provides consistency with the purpose and intent of these regulations; promotes compatibility with surrounding areas; is harmonious with the existing character of the neighborhood; and is not detrimental to the immediate area or its future development, or to 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:***

1. That the rezoning of the Property, as described in **Exhibit A**, attached hereto, from PUD (Planned Unit Development) to C-3 (General Retail and Services) is hereby approved.
2. That the Zoning Map of the City shall be amended to reflect said zone change as described in **Exhibit A** and as shown in **Exhibit B**, attached hereto, and incorporated herein by this reference.

***INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED THIS 21<sup>st</sup> DAY OF JULY, 2015.***

CITY OF BRIGHTON, COLORADO

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Richard N. McLean, Mayor

ATTEST:

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Natalie Hoel, City Clerk

APPROVED AS TO FORM:

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Margaret R. Brubaker, Esq., City Attorney

Published in the *Brighton Standard Blade*  
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***INTRODUCED, PASSED ON SECOND READING, AND ORDERED PUBLISHED  
BY TITLE ONLY THIS 4<sup>th</sup> DAY OF AUGUST, 2015.***

CITY OF BRIGHTON, COLORADO

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Richard N. McLean, Mayor

ATTEST:

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Natalie Hoel, City Clerk

Published in the *Brighton Standard Blade*  
Second Publication: August 12, 2015

## Exhibit A-Legal Description

### PARCEL ONE:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, ADAMS COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 22, WHENCE THE EAST QUARTER CORNER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN BEARS NORTH 00 DEGREES 24 MINUTES 42 SECONDS WEST A DISTANCE OF 2644.37 FEET;

THENCE SOUTH 87 DEGREES 58 MINUTES 31 SECONDS EAST A DISTANCE OF 571.08 FEET TO THE NORTHEAST CORNER OF PARCEL 11A OF THE DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO PROJECT NO. ID-1 (CX) 76-1 (138) RECORDED IN BOOK 4001 AT PAGE 758, BEING A PORTION OF THE PROPERTY DESCRIBED IN BOOK 3010 AT PAGE 127 IN THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE AND BEING THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 00 MINUTES 49 SECONDS EAST ALONG A LINE 30.00 FEET SOUTHERLY OF AND PARALLEL WITH THE NORTHERLY LINE OF SAID NORTHWEST QUARTER OF SECTION 22, A DISTANCE OF 423.02 FEET;

THENCE THE FOLLOWING TWO (2) COURSES ALONG WESTERLY AND NORTHWESTERLY LINES OF A PARCEL OF LAND DESCRIBED IN BOOK 445 AT PAGE 514 RECORDED IN SAID COUNTY OFFICE;

1.) SOUTH 06 DEGREES 20 MINUTES 11 SECONDS EAST A DISTANCE OF 104.56 FEET;  
2.) THENCE SOUTH 38 DEGREES 28 MINUTES 27 SECONDS WEST A DISTANCE OF 869.07 FEET;

THENCE THE FOLLOWING FOUR (4) COURSES ALONG THE NORTHEASTERLY, EASTERLY AND SOUTHEASTERLY LINES OF SAID PARCEL 11A, RECORDED IN BOOK 3010 AT PAGE 127;

1.) NORTH 20 DEGREES 38 MINUTES 54 SECONDS WEST A DISTANCE OF 47.48 FEET;  
2.) THENCE NORTH 51 DEGREES 28 MINUTES 11 SECONDS WEST A DISTANCE OF 256.02 FEET;

3.) THENCE NORTH 09 DEGREES 53 MINUTES 43 SECONDS WEST A DISTANCE OF 107.87 FEET;

4.) THENCE NORTH 36 DEGREES 12 MINUTES 27 SECONDS EAST A DISTANCE OF 578.58 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION CONVEYED TO CRAIG CARLSON, BLAKE CARLSON; RYAN CARLSON, LEE CARLSON AND CLARK CARLSON IN QUIT CLAIM DEED RECORDED FEBRUARY 9, 2001 AT RECEPTION NO. C0759943.

COUNTY OF ADAMS  
STATE OF COLORADO

### PARCEL TWO

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, ADAMS COUNTY, COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 22, WHENCE THE EAST QUARTER CORNER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN BEARS NORTH 00 DEGREES 24 MINUTES 42 SECONDS WEST A DISTANCE OF 2644.37 FEET;

THENCE SOUTH 87 DEGREES 58 MINUTES 31 SECONDS EAST A DISTANCE OF 571.08 FEET TO THE NORTHEAST CORNER OF PARCEL 11A OF THE DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO PROJECT NO. ID-1 (CX) 76-1 (138) RECORDED IN BOOK 4001 AT PAGE 758, BEING A PORTION OF THE PROPERTY DESCRIBED IN BOOK 3010 AT PAGE 127 IN THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE, AND BEING THE POINT OF BEGINNING;

THENCE NORTH 89 DEGREES 00 MINUTES 49 SECONDS EAST ALONG A LINE 30.00 FEET SOUTHERLY OF AND PARALLEL WITH THE NORTHERLY LINE OF SAID NORTHWEST QUARTER OF SECTION 22, A DISTANCE OF 165.60 FEET;

THENCE SOUTH 62 DEGREES 36 MINUTES 38 SECONDS WEST A DISTANCE OF 296.47 FEET;

THENCE NORTH 36 DEGREES 12 MINUTES 27 SECONDS EAST ALONG THE EASTERLY LINE OF SAID PARCEL 11A OF THE DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO, PROJECT NO. ID-1 (CX) 76-1 (138) RECORDED IN BOOK 3010 AT PAGE 127 A DISTANCE OF 165.50 FEET TO THE POINT OF BEGINNING.

BASIS OF BEARING FOR THIS PROPERTY DESCRIPTION IS THE EASTERLY LINE OF THE SOUTH HALF OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, MONUMENTED BY THE EAST QUARTER CORNER OF SAID SECTION 16, A 3 1/4" ALUMINUM CAP ON NUMBER 6 REBAR, LS#23027 AND BY THE NORTHWEST CORNER OF SAID SECTION 22, A 3 1/4" ALUMINUM CAP ON A 2" PIPE, LS#10734. SAID LINE BEARS N00°24'42"W (ASSUMED).

COUNTY OF ADAMS  
STATE OF COLORADO

Exhibit B



# Prairie Corner

