

PLANNING COMMISSION RESOLUTION

A RESOLUTION OF THE CITY OF BRIGHTON PLANNING COMMISSION, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF THE REZONING OF AN APPROXIMATELY 7.127 ACRE AREA OF LAND GENERALLY LOCATED IN SECTION 22, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH 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).

RESOLUTION NO. _____

WHEREAS, this matter came before the Planning Commission upon that certain request by the Applicant, Prairie Corner, LLC, by and through its duly authorized representative, Mark Kieffer; 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 Rezoning Area 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 Rezoning Area generally complies with the principles and policies described in the *Comprehensive Plan*; and

WHEREAS, pursuant to the City of Brighton *Land Use and Development Code*, Public Notice of the Planning Commission public hearing was published in the *Brighton Standard Blade* on June 24, 2015, for not less than fifteen (15) days prior to the Planning Commission public hearing; and

WHEREAS, pursuant to the City of Brighton *Land Use and Development Code*, Public Notice of the Planning Commission public hearing was posted with a sign within the Rezoning Area, on June 19, 2015, for not less than fifteen (15) days prior to the Planning Commission public hearing; and

WHEREAS, pursuant to the City of Brighton *Land Use and Development Code*, Public Notice of the Planning Commission public hearing was sent via regular U.S. mail to all property owners within 300' of the proposed Rezoning Area, on June 19, 2015, for not less than fifteen (15) days prior to the Planning Commission public hearing; and

WHEREAS, the Planning Commission finds and determines that, after reviewing the proposal to change the zoning of the Rezoning Area from a zoning designation of expired PUD (Planned Unit Development) to a zoning designation of C-3 (General Retail and Services) at a public hearing, proper notice of the Planning Commission public hearing to consider the proposed rezoning was provided and that the proposed rezoning is consistent with the *Comprehensive Plan* and with the provisions of the *Land Use and Development Code*.

NOW THEREFORE, BE IT RESOLVED, that the City of Brighton Planning Commission does hereby recommend, to the City Council, approval of the rezoning of the Rezoning Area, described in **Exhibit A** and shown in **Exhibit B**, from a zoning designation of expired PUD (Planned Unit Development) to a zoning designation of C-3 (General Retail and Services).

RESOLVED, this 14th day of July 2015.

**CITY OF BRIGHTON, COLORADO
PLANNING COMMISSION**

Archie Demarest, Chairperson

ATTEST:

Diane Phin, Secretary

EXHIBIT A
Legal Description of the Rezoning Area

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
Map of the Rezoning Area



Prairie Corner

