

PLANNING COMMISSION RESOLUTION

A RESOLUTION OF THE CITY OF BRIGHTON PLANNING COMMISSION, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF THE REZONING OF AN APPROXIMATELY 3.3 ACRE AREA OF LAND GENERALLY LOCATED IN SECTION 9, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, FROM A ZONING DESIGNATION OF R-3 (MULTIPLE FAMILY RESIDENTIAL) TO A ZONING DESIGNATION OF C-2 (RESTRICTED RETAIL AND SERVICES).

RESOLUTION NO. 15-04

WHEREAS, this matter came before the Planning Commission upon that certain request by the Applicant, North Forest Office Space, by and through its duly authorized representative, Brett Steinbar; and

WHEREAS, the Applicant, with premises at 191-195 Telluride Street, is in negotiations to purchase the neighboring 3.3 acre property to the south, as described in **Exhibit A**; and

WHEREAS, the property described in **Exhibit A** has a zoning designation of R-3, Multiple Family Residential; and

WHEREAS, North Forest Office Space wishes to conduct a commercial and professional office use at this location, which is not permitted in areas with residential zoning; and

WHEREAS, North Forest Office Space has applied to change the zoning designation from R-3 (Multiple Family Residential) to C-2 (Restricted Retail and Services); and

WHEREAS, the proposed zoning designation of C-2 (Restricted Retail and Services) for the Rezoning Area is compatible with the land uses that exist in this area; and

WHEREAS, the proposed C-2 (Restricted 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 March 25th, 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 March 25th, 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 March 25th, 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 R-3 (Multiple Family Residential) to a zoning designation of C-2 (Restricted 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 R-3 (Multiple Family Residential) to a zoning designation of C-2 (Restricted Retail and Services).

RESOLVED, this 14th day of April 2015.

**CITY OF BRIGHTON, COLORADO
PLANNING COMMISSION**


Archie Demarest, Chairperson

ATTEST:


Diane Phin, Secretary

EXHIBIT A
Legal Description of the Rezoning Area

LEGAL DESCRIPTION

FOR THE PROPOSED COMMERCIAL DEVELOPMENT NEAR THE
INTERSECTION OF TELLURIDE STREET AND HUERFANO STREET
AN 3.37 ACRE PARCEL OF LAND LOCATED IN THE NORTHWEST
QUARTER OF SECTION 9, TOWNSHIP 1 SOUTH,
RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO
SHEET 1 OF 1

THAT PART OF THE NORTHWEST ONE-QUARTER OF SECTION 9, TOWNSHIP 1 SOUTH, RANGE
66 WEST OF THE 6TH PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST ONE-QUARTER; THENCE SOUTH
00 DEGREES 13 MINUTES 49 SECONDS EAST ON AN ASSUMED BEARING ALONG THE EAST
LINE OF SAID NORTHWEST ONE-QUARTER A DISTANCE OF 1085.91 FEET; THENCE SOUTH 89
DEGREES 50 MINUTES 28 SECONDS WEST PARALLEL WITH THE NORTH LINE OF SAID
NORTHWEST ONE-QUARTER A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING;
THENCE CONTINUING SOUTH 89 DEGREES 50 MINUTES 28 SECONDS WEST PARALLEL WITH
SAID NORTH LINE A DISTANCE OF 700.72 FEET TO A POINT ON THE CENTERLINE OF THE
BRIGHTON LATERAL DITCH; THENCE SOUTH 17 DEGREES 51 MINUTES 21 SECONDS WEST
ALONG SAID CENTERLINE A DISTANCE OF 1.75 FEET TO THE BEGINNING OF A CURVE TO THE
LEFT . THE DELTA OF SAID CURVE IS 12 DEGREES 48 MINUTES 25 SECONDS, THE RADIUS OF
SAID CURVE IS 900.94 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 09 DEGREES 07
MINUTES 04 SECONDS WEST 200.96 FEET; THENCE ALONG THE ARC OF SAID CURVE AND
SAID CENTERLINE A DISTANCE OF 201.35 FEET TO A POINT; THENCE NORTH 89 DEGREES 50
MINUTES 26 SECONDS EAST PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST
ONEQUARTER A DISTANCE OF 733.91 FEET TO A POINT 60.00 FEET WEST OF THE EAST LINE
OF SAID NORTHWEST ONE-QUARTER; THENCE NORTH 00 DEGREES 13 MINUTES 49 SECONDS
WEST PARALLEL WITH SAID EAST LINE A DISTANCE OF 200.00 FEET TO THE TRUE POINT OF
BEGINNING;

COUNTY OF ADAMS,
STATE OF COLORADO.

JOB NUMBER: 15-64,834
DRAWN BY: J. BLASINGAME
DATE: JANUARY 21, 2015

THIS IS NOT A "LAND SURVEY PLAT" OR "IMPROVEMENT SURVEY PLAT" AND THIS EXHIBIT IS
NOT INTENDED FOR PURPOSES OF TRANSFER OF TITLE OR SUBDIVISIONS OF LAND. RECORD
INFORMATION SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY CLIENT.

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EXHIBIT B
Map of the Rezoning Area

Telluride Business Park--Phase 2

Area proposed to be rezoned:
R-3 to C-2

Huerfano Street

Estrella Street

Telluride Street

