

ORDINANCE NO. 2467
INTRODUCED BY: Green

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE PETERS ZONING MAP AMENDMENT FROM ADAMS COUNTY A-3 TO C-3 FOR AN APPROXIMATELY 3.0 ACRE PROPERTY, GENERALLY LOCATED TO THE NORTH OF EAST BROMLEY LANE, SOUTH OF SOUTHERN STREET, EAST OF TOWER ROAD AND WEST OF THE SOUTH 45TH AVENUE ALIGNMENT, MORE PARTICULARLY LOCATED IN THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO

WHEREAS, William E. Peters (the "Owner") is the owner of approximately 3.0 acres of real property more specifically described in EXHIBIT A, attached hereto and incorporated herein (the "Property"); and

WHEREAS, the Owner has requested approval of the Peters Zoning Map Amendment, attached hereto as EXHIBIT B (the "Zoning Map Amendment"); and

WHEREAS, City Staff used the criteria for a Zoning Map Amendment as outlined in Section 2.03(B) of the *Land Use & Development Code* for its review and procedures related to the application; and

WHEREAS, the Planning Commission conducted a public hearing on July 27, 2023, to review and consider the Application pursuant to the applicable provisions and criteria set forth in the *Land Use & Development Code*, and provided a recommendation of approval to the City Council; and

WHEREAS, the City Council opened a public hearing on January 21, 2025 where it conducted its review and considered the Application pursuant to the applicable provisions and criteria set forth in the *Land Use & Development Code*; and

WHEREAS, in accordance with the public notice requirements of the *Land Use & Development Code*, a Notice of Public Hearing was mailed to all property owners within 300 feet of the Property, 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 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 other interested parties, including the public at large.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AS FOLLOWS:

Section 1. The City Council finds and determines that the proposed Zoning Map Amendment: (1) is in accordance with the goals and objectives of the Comprehensive Plan and any other plan, policy or guidance adopted pursuant to that plan; (2) will support development in character with existing or anticipated development in the area, including the design of streets, civic spaces and other open space, the pattern, scale and format of buildings and sites, and the integration, transitions and compatibility of other uses; (3) is able to be served by the City or other agencies that

provide services or facilities that may be necessary for anticipated uses in the proposed district; (4) will serve a community need, amenity or development that is not possible under the current zoning or that was not anticipated at the time of the initial zoning of the property; and (5) is recommended for approval by any professional staff or advisory review bodies.

Section 2. The Property is hereby rezoned C-3 as more particularly set forth in EXHIBIT A and as the Peters Property Zoning Map Amendment as generally shown in EXHIBIT B.

Section 3. The City Zoning Map shall be amended to reflect the above change.

Section 4. As provided in City Charter Section 5.9(A), this Ordinance either as presented or as amended, shall be published in full as it was adopted prior to taking final action. This Ordinance shall be in full force and effect five days after its final publication, as provided in City Charter Section 5.8, except as set forth herein.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED, THIS 21st DAY OF JANUARY 2025.

PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY THIS 4th DAY OF FEBRUARY 2025.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

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First Publication: January 30, 2025

Final Publication: February 13, 2025

APPROVED AS TO FORM:

YASMINA GIBBONS, Deputy City Attorney

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6th PRINCIPAL MERIDIAN; COUNTY OF ADAMS, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 10, FROM WHICH THE CENTER QUARTER CORNER OF SAID SECTION 10 BEARS NORTH 00°46'00" WEST, A DISTANCE OF 2,638.77 FEET, WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE NORTH 00°46'00" WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF SECTION 10, A DISTANCE OF 30.00 FEET TO THE **POINT OF BEGINNING**;

THENCE SOUTH 89°19'46" WEST, A DISTANCE OF 205.00 FEET;

THENCE NORTH 00°46'00" WEST, A DISTANCE OF 260.00 FEET;

THENCE SOUTH 89°19'46" WEST, A DISTANCE OF 97.00 FEET;

THENCE NORTH 00°46'00" WEST, A DISTANCE OF 235.86 FEET;

THENCE NORTH 89°19'46" EAST, A DISTANCE OF 302.00 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 10;

THENCE SOUTH 00°46'00" EAST, ALONG SAID EAST LINE, A DISTANCE OF 495.86 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 2.859 ACRES, (124,530 SQUARE FEET), MORE OR LESS.

EXHIBIT B

ZONING MAP

PETERS PROPERTY ZONING MAP

SITUATED IN THE SOUTHWEST QUARTER OF SECTION 10,
TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO

