

BRIGHTON CITY COUNCIL ORDINANCE

RODRIGUEZ CAMACHO SUBDIVISION ZONE CHANGE

ORDINANCE NO.: 2292
INTRODUCED BY: Mills

AN ORDINANCE OF THE CITY OF BRIGHTON CITY COUNCIL, APPROVING THE REZONING OF AN APPROXIMATELY 0.03 ACRE AREA OF LAND GENERALLY LOCATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, FROM A ZONING DESIGNATION OF LIGHT INDUSTRIAL (I-1) TO A ZONING DESIGNATION OF DOWNTOWN (DT).

WHEREAS, this matter came before the City Council upon that certain request of Emil Tanner of Emil Designs, Inc. (the “Applicant”); and

WHEREAS, the Applicant, is acting on behalf of Raquel Camacho Armendariz and Carlos Rodriguez Flores (the “Owners”), the property owners of land described in **Exhibit A** and shown in **Exhibits B** and **C**; and

WHEREAS, the property described in **Exhibit A** has a zoning designation of Light Industrial (I-1); and

WHEREAS, the Applicant, on behalf of the Owners, has applied to change the zoning designation from Light Industrial (I-1) to Downtown (DT); and

WHEREAS, the proposed zoning designation of Downtown (DT) for the subject property is compatible with the land uses that exist in this area; and

WHEREAS, the proposed Downtown (DT) 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’s *Land Use and Development Code*, Public Notice of the City Council public hearing was published in the *Brighton Standard Blade* on August 29th, 2018, for not less than fifteen (15) days prior to the City Council public hearing; and

WHEREAS, pursuant to the City of Brighton’s *Land Use and Development Code*, Public Notice of the City Council public hearing was posted with a sign upon the subject property, on August 14th, 2018, for not less than fifteen (15) days prior to the City Council public hearing; and

WHEREAS, pursuant to the City of Brighton’s *Land Use and Development Code*, Public Notice of the City Council public hearing was sent via regular U.S. mail to all property owners within 300’ of the proposed rezoning area, on August 29th, 2018, for not less than fifteen (15) days prior to the City Council public hearing; and

WHEREAS, the City Council conducted a public hearing to review and consider the Zone Change pursuant to the applicable provisions and criteria set forth in the *Land Use and Development Code*;

WHEREAS, at the public hearing, the City Council received and considered all relevant evidence and testimony from City Staff, the Applicant or Owners, and other interested parties, including the public at large; and

WHEREAS, the City Council finds and determines that the proposed zone change complies with the *Comprehensive Plan* and other master plans of the City; and complies with the requirements of the *Land Use and Development Code* and the Downtown (DT) zone district; and provides consistency with the purpose and intent of the *Land Use and Development Code*; and provides compatibility with the surrounding areas, is harmonious with the character of the neighborhood, and is not detrimental to the immediate area, or future development of the area, or 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, AS FOLLOWS:

Section 1. That the approximately 0.03 acre area more particularly described in **Exhibit A** attached hereto and incorporated herein by this reference, is hereby re-zoned to a zoning designation of Downtown (DT).

Section 2. That the Zoning Map of the City of Brighton shall be amended to reflect said re-zoning.

**INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED,
THIS 18TH DAY OF SEPTEMBER 2018.**

CITY OF BRIGHTON, COLORADO

Kenneth J. Kreutzer, Mayor

ATTEST:

Natalie Hoel, City Clerk

Published in the *Brighton Standard Blade*

First Publication: September 26, 2018

APPROVED AS TO FORM:

Jack D. Bajorek, City Attorney

**PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED,
BY TITLE ONLY, THIS 2ND DAY OF OCTOBER 2018.**

CITY OF BRIGHTON, COLORADO

Kenneth J. Kreutzer, Mayor

ATTEST:

Natalie Hoel, City Clerk

Published in the *Brighton Standard Blade*

Last Publication: October 10, 2018

EXHIBIT A

LEGAL DESCRIPTION OF THE RE-ZONING AREA

THAT PORTION OF LOT 13, DAVIS AND RIGG'S ADDITION TO BRIGHTON, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEARINGS CONTAINED HEREIN ARE BASED ON THE EASTERLY RIGHT-OF-WAY LINE OF NORTH MAIN STREET AS BEARING NORTH 13°40'00" EAST BETWEEN A FOUND 1-INCH DIAMETER BRASS WASHER STAMPED LS 27269 AND NAIL AT THE SOUTHWESTERLY CORNER OF LOT 3, WALTER SUBDIVISION, RECORDED JULY 14, 2004 AS INSTRUMENT NUMBER 20040714000609170 AND A FOUND NO. 5 REBAR WITH RED PLASTIC CAP STAMPED LS 27269 AT THE NORTHWEST CORNER OF LOT 2, WALTER SUBDIVISION.

COMMENCING AT THE NORTHWEST CORNER OF LOT 13, BLOCK 1, DAVIS AND RIGG'S ADDITION TO BRIGHTON;

THENCE SOUTH 13°40'00" WEST ALONG THE WESTERLY BOUNDARY LINE OF SAID BLOCK 1, AND ALONG THE WESTERLY LINE OF LOT 3 WALTER SUBDIVISION AND ALONG THE EASTERLY RIGHT-OF-WAY LINE OF NORTH MAIN STREET A DISTANCE OF 37 FEET TO A FOUND NO. 3 REBAR, A CORNER OF LOT 3, WALTER SUBDIVISION, BEING THE POINT OF BEGINNING;

THENCE SOUTH 76°20'29" EAST ALONG THE SOUTHERLY LINE OF SAID LOT 3 A DISTANCE OF 57.62 FEET TO A POINT ON A NON-TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 459.18 FEET, A CHORD THAT BEARS SOUTH 64°12'18" WEST AND A CHORD DISTANCE OF 74.63 FEET;

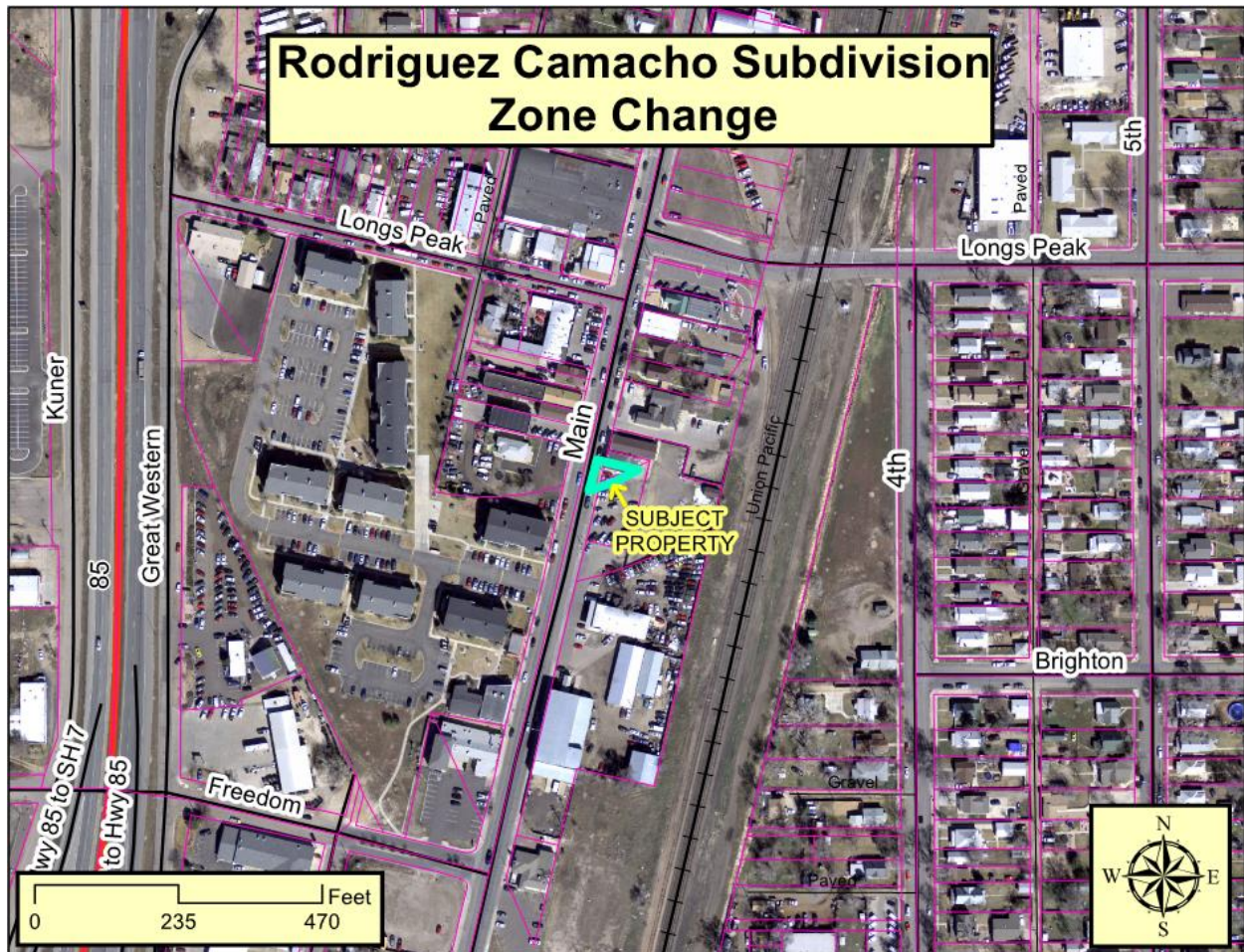
THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 74.71 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF NORTH MAIN STREET;

THENCE NORTH 13°40'00" EAST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF NORTH MAIN STREET AND ALONG THE WESTERLY LINE OF LOT 13, BLOCK 1 DAVIS AND RIGG'S ADDITION TO BRIGHTON, A DISTANCE OF 47.43 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS: 1442 SQUARE FEET OR 0.03 ACRES MORE OR LESS.

EXHIBIT B

CITY STAFF'S MAP OF THE RE-ZONING AREA



APPLICANT'S MAP OF THE RE-ZONING AREA

