

## BRIGHTON CITY COUNCIL ORDINANCE

AN ORDINANCE OF THE CITY OF BRIGHTON CITY COUNCIL, APPROVING THE REZONING OF AN APPROXIMATELY 3.3 ACRE AREA OF LAND GENERALLY LOCATED IN SECTION 9, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, FROM A ZONING DESIGNATION OF R-3 (MULTIPLE FAMILY RESIDENTIAL) TO A ZONING DESIGNATION OF C-2 (RESTRICTED RETAIL AND SERVICES).

ORDINANCE NO.: 2206

INTRODUCED BY: Edwards

*WHEREAS*, this matter came before the City Council upon that certain request by the Applicant, North Forest Office Space LLC, 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 shown in **Exhibit B**; 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 City Council public hearing was published in the *Brighton Standard Blade* on April 15<sup>th</sup>, 2015, for not less than fifteen (15) days prior to the City Council public hearing; and

**WHEREAS**, pursuant to the City of Brighton *Land Use and Development Code*, Public Notice of the City Council public hearing was posted with a sign upon the subject property, on April 15<sup>th</sup>, 2015, for not less than fifteen (15) days prior to the City Council public hearing; and

**WHEREAS**, pursuant to the City of Brighton *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 April 15<sup>th</sup>, 2015, for not less than fifteen (15) days prior to the City Council public hearing; 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 C-2 (Restricted Retail and Services) 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 3.3 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 C-2 (Restricted Retail and Services).

**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 5<sup>TH</sup> DAY OF MAY 2015.**

CITY OF BRIGHTON, COLORADO

---

Richard N. McLean, Mayor

ATTEST:

---

Natalie Hoel, City Clerk

Published in the *Brighton Standard Blade*  
First Publication: May 13, 2015

*APPROVED AS TO FORM:*

---

Margaret Brubaker, Esq., City Attorney

**PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED,  
BY TITLE ONLY, THIS 19<sup>TH</sup> DAY OF MAY, 2015.**

CITY OF BRIGHTON, COLORADO

---

Richard N. McLean, Mayor

ATTEST:

---

Natalie Hoel, City Clerk

Published in the *Brighton Standard Blade*  
Final Publication: May 27, 2015

**EXHIBIT A**

LEGAL DESCRIPTION OF THE RE-ZONING 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 26 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 26 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 201.38 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.

**Flatirons, Inc.**  
*Surveying, Engineering & Geomatics*



655 FOURTH AVE  
LONGMONT, CO 80501  
PH: (303) 776-1733  
FAX: (303) 776-4355  
[www.FlatironsInc.com](http://www.FlatironsInc.com)

BY:JBLASINGAME FILE:64834- VIC MAP & LEGAL.DWG DATE:1/21/2015 10:02 AM

**EXHIBIT B**

MAP OF THE RE-ZONING AREA

