

PLANNING COMMISSION RESOLUTION

A RESOLUTION OF THE CITY OF BRIGHTON PLANNING COMMISSION, RECOMMENDING, TO THE CITY COUNCIL, APPROVAL OF THE REZONING OF LOTS 6 – 20, AND LOTS 35 – 37, BLOCK 16, OF THE WALNUT GROVE ADDITION, FROM A ZONING DESIGNATION OF C-1 (LOCAL RETAIL) AND C-O (COMMERCIAL OFFICE) TO A ZONING DESIGNATION OF DT (DOWNTOWN).

RESOLUTION NO. _____

WHEREAS, according to the *Land Use and Development Code*, Section 17-8-80, Zone Changes, the City Council may initiate a change in the zoning designation for an area of the City; and

WHEREAS, the property owner of the St. Elizabeth’s Episcopal Church (“St. Elizabeth’s Church”), addressed as 70 and 76 S. 3rd Avenue, requested that the City rezone the church’s property from C-1 (Local Retail) to DT (Downtown); and

WHEREAS, the City staff requested that St. Elizabeth’s Church demonstrate addition support for the re-zoning from other property owners in the area; and

WHEREAS, St. Elizabeth’s Church provided the City with two (2) letters of support from residential property owners in the area; and

WHEREAS, during a study session meeting, held on January 13, 2015, the City Council directed staff to present a rezoning proposal for the area around the St. Elizabeth’s Church that would be appropriate and meet the City’s rezoning regulations; and

WHEREAS, given demonstrated support from various property owners in the area, City staff has presented a proposal to rezone Lots 6 to 20, Block 16, of the Walnut Grove Addition to Brighton, as more particularly described in **Exhibit A**, from the existing zoning designation of C-1 (Local Retail) to a zoning designation of DT (Downtown); and

WHEREAS, in order to eliminate an inconsistency in the existing zoning map, and given demonstrated support from the property owner, City staff has presented a proposal to rezone Lots 35 to 37, Block 16, of the Walnut Grove Addition to Brighton, as more particularly described in **Exhibit A**, from the existing zoning designation of C-O (Commercial Office) to a zoning designation of DT (Downtown); and

WHEREAS, the land uses allowed under the DT (Downtown) zone district are compatible with the existing and surrounding land uses in the rezoning area; and

WHEREAS, the existing development patterns found in the rezoning area are compatible with the typical development patterns found in Brighton’s Downtown; and

WHEREAS, the rezoning request does not conflict with the Comprehensive Plan’s designation of the area as being appropriate for “Commercial” uses or with the policies of the “City Core” Planning Area objectives, which emphasize maintaining existing character and support of the Downtown; and

WHEREAS, pursuant to the *Land Use and Development Code*, Section 17-8-80, Zone Changes, public notice of the Planning Commission public hearing was published in the *Brighton Standard Blade*, on February 18, 2015, and public notice was sent by regular U.S. mail to all property owners within 300’ of the rezoning area, and all affected property owners within the rezoning area were provided public notice via certified mail, and two (2) public notice signs were posted in the rezoning area, all for not less than thirty (30) days prior to the Planning Commission public hearing, as required for a City initiated rezoning effort; and

WHEREAS, after reviewing the rezoning request at a public hearing, the Planning Commission finds and determines 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 Properties, described in **Exhibit A**, to a zoning designation of DT (Downtown).

RESOLVED, this 24th day of March, 2015.

**CITY OF BRIGHTON, COLORADO
PLANNING COMMISSION**

Matt Johnston, Acting Chairperson

ATTEST:

Diane Phin, Secretary

EXHIBIT A

Legal Description of the Properties to be rezoned

Lots 6 – 20, and Lots 35 – 37, Block 16, of the Walnut Grove Addition to Brighton, located in Section 7, Township 1 South, Range 66 West of the 6th Principal Meridian, City of Brighton, County of Adams, State of Colorado.