

# **BRIGHTON CITY COUNCIL ORDINANCE**

## **BROMLEY INTERCHANGE SUBDIVISION LOTS 1 AND 2 AND SOUTHERN DRAINAGE PARCEL ZONE CHANGE**

**AN ORDINANCE OF THE CITY OF BRIGHTON CITY COUNCIL, APPROVING THE REZONING OF AN APPROXIMATELY 14.18 ACRE AREA OF LAND GENERALLY LOCATED IN THE NORTHWEST QUARTER OF SECTION 14, 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 BP (BUSINESS PARK) TO A ZONING DESIGNATION OF C-3 (GENERAL RETAIL AND SERVICES).**

**ORDINANCE NO.: 2276**

**INTRODUCED BY: Humbert**

**WHEREAS**, this matter came before the City Council upon that certain request by the Applicant, Michael Leigh of Leigh Enterprises, LLC; and

**WHEREAS**, the Applicant, is the property owner of Lot 2 of the Bromley Interchange Subdivision and the drainage parcel to the south of the subdivision, as described in **Exhibit A** and shown in **Exhibit B**; and

**WHEREAS**, KG Store 939 as owner of Lot 1 of the Bromley Interchange, as described in **Exhibit A** and shown in **Exhibit B**, through their authorized representative, Ryan Halder of Kum & Go LC, have granted their permission for their property to be included in the request; and

**WHEREAS**, the properties described in **Exhibit A** have a zoning designation of BP, Business Park; and

**WHEREAS**, Leigh Enterprises, LLC wishes to develop or offer Lot 2 for sale with a wide variety of commercial land uses of which some are not permitted in BP (Business Park) zoning; and

**WHEREAS**, Leigh Enterprises, LLC has applied to change the zoning designation from BP (Business Park) to C-3 (General Retail and Services); and

**WHEREAS**, the proposed zoning designation of C-3 (General Retail and Services) for the subject properties is compatible with the land uses that exist in this area; and

**WHEREAS**, the proposed C-3 (General 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 January 17<sup>th</sup>, 2018, 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 January 17<sup>th</sup>, 2018, 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 January 17<sup>th</sup>, 2018, 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-3 (General 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 14.18 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-3 (General 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 6<sup>TH</sup> DAY OF FEBRUARY 2018.**

CITY OF BRIGHTON, COLORADO

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Kenneth J. Kreutzer, Mayor

ATTEST:

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Natalie Hoel, City Clerk

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*APPROVED AS TO FORM:*

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Margaret Brubaker, Esq., City Attorney

**PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED,  
BY TITLE ONLY, THIS 20<sup>TH</sup> DAY OF FEBRUARY 2018.**

CITY OF BRIGHTON, COLORADO

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Kenneth J. Kreutzer, Mayor

ATTEST:

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Natalie Hoel, City Clerk

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**EXHIBIT A**

LEGAL DESCRIPTION OF THE RE-ZONING AREA

Lots 1 and 2, Bromley Interchange Subdivision, City of Brighton, County of Adams, State of Colorado

LEGAL DESCRIPTION

FOR SOUTH BEEBE DRAW METRO DISTRICT EASEMANT TRACT REC NO. 2007000033056  
(ACQUIRED FROM ADAMS COUNTY PUBLIC RECORDS AND MAPS)

A PARCEL OF LAND IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 14;

THENCE SOUTH 00°49'09" WEST ALONG THE WESTERLY LINE OF SAID SECTION A DISTANCE OF 662.49 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF INTERSTATE 76 AS DESCRIBED IN BOOK 3470 AT PAGE 232 IN THE ADAMS COUNTY CLERK AND RECORDER'S OFFICE AND THE POINT OF BEGINNING;

THENCE NORTH 62°44'22" EAST ALONG SAID SOUTHERLY LINE A DISTANCE OF 391.78 FEET;

THENCE SOUTH 27°15'38" EAST A DISTANCE OF 225.86 FEET;

THENCE SOUTH 39°51'09" EAST A DISTANCE 191.91 FEET;

THENCE SOUTH 50°08'51" WEST A DISTANCE OF 760.81 FEET TO THE WESTERLY LINE OF SAID SECTION;

THENCE NORTH 00°49'09" EAST ALONG SAID WESTERLY LINE A DISTANCE OF 656.26 FEET TO THE POINT OF BEGINNING.

CONTAINING 265,553 SQUARE FEET, OR 6.096 ACRES, MORE OR LESS.

FOR THE PURPOSE OF THIS DESCRIPTION THE BEARINGS ARE BASED ON THE WESTERLY LINE OF SAID SECTION 14 AS MONUMENTED BY A 2- ½" ALUMINUM CAP STAMPED PLS 16154 AT THE WEST QUARTER CORNER AND 3- ¼" ALUMINUM CAP IN THE RANGE BOX STAMPED PLS 25384 AT THE NORTHWEST CORNER, BEARING NORTH 00°49'09" EAST, 2627.96 FEET.

**EXHIBIT B**

MAP OF THE RE-ZONING AREA

