

McCann, Summer

From: Derick Okada [REDACTED]
Sent: Monday, December 9, 2024 4:45 PM
To: McCann, Summer
Subject: Re: Singh Property

Follow Up Flag: Follow up
Flag Status: Flagged

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Hi Summer,

Thank you for your clarification. I believe that my statements regarding stormwater retention are still relevant. I appreciate your acknowledgment.

Kind regards,
Derick Okada

On Dec 9, 2024, at 5:15 PM, McCann, Summer <SAMcCann@brightonco.gov> wrote:

Hi Derick,

Thank you for your comments. I just want to clarify that the Singh Property proposal is only for commercial zoning. They are proposing to rezone the entire site to C-2 (Restricted Retail and Services) which does not allow for apartment complexes. I believe there may have been some confusion, as they were originally proposing a mixed-use development in alignment with the comprehensive plan but later revised the proposal to be entirely commercial.

I will still happily include your comments in the official record, but I wanted to clarify the proposal. Please let me know if you have any questions.

Thank you,

<image001.png>

Summer McCann
Senior Planner
City of Brighton
O 303.498.1240
500 S 4th Ave., Brighton, CO 80601
samccann@brightonco.gov

From: d j [REDACTED]
Sent: Monday, December 9, 2024 3:00 PM

Greta Finlay
17981 E. 152nd Ave
Brighton, CO 80601

To whom it may concern,

This letter is to voice my opposition to the proposed zoning change of Singh Rashpal and Kaur Rajwant located at 13767 E. 120th Ave.

My property is located at 12060 Wheeling Street, Brighton, CO 80640 and it is located next to Mr. Singh Rashpal and Mrs. Kaur Rajwant's property with a shared fence line.

I never received a notice of a neighborhood meeting regarding a proposed zoning change to the Singh and Kaur property in April/May of 2024, nor at any other time. In fact, Singh and Kaur have never communicated any plans to me with regards to their property contrary to their promises and assurances to me years ago.

Singh and Kaur's property sits within a small rural residential neighborhood and rezoning their property to commercial (C-2) would be an eye-sore, out of place, out of character to the existing structures and neighboring homes, a violation of our property rights with regards to expectations of already established and existing zoning, and more personally, a violation of Singh and Kaur's promises and assurances to me that they would never build something commercial on their property.

I request that you deny the rezoning application based on:

- 1) It has already received preferential zoning of PUD in approximately 2004, without neighborhood appeals and civil suits based on Singh and Kaur's promises they would never build commercial on their site.
- 2) It is clearly designated in the City of Brighton's Comprehensive Plan as Mixed Use **Residential**, and a commercial development is not appropriate inside of our small rural residential neighborhood.

If you do not intend to deny recommendation of this inappropriate zoning change, than I request that you stop processing the application until all requirements are met under the neighborhood meeting requirements for a zoning map amendment.

Thank you,
Greta Finlay

integrity!

Sincerely,

Greta Finlay

12060 Wheeling Street, Brighton, CO 80640

Natalija Finlay and Arthur Laubach
12060 Wheeling Street
Brighton, CO 80640

December 10, 2024

City of Brighton Planning Commission
Community Development
500 S 4th Ave
Brighton, CO 80601

Re: Strong Opposition to Proposed Zoning Change from Singh & Kaur PUD to C-2

Dear Summer McCann and Members of the Planning Commission,

We are writing to express our strong opposition to the proposed zoning change requested by our neighbors at property address 13767 E. 120th Ave, Brighton, CO, 80601. Our properties share a fence line, and as long-time residents of this community, we are deeply invested in preserving the character, integrity, and residential nature of our neighborhood.

In the 20 years that I have lived here, I, Natalija Finlay, have only met our neighbors once, many years ago, during a public hearing regarding their application to annex their property out of unincorporated Adams County into the City of Brighton and change their zoning. At the time, their stated intent was to pursue a small family run business that would not negatively affect our property values or the character of our neighborhood. Mr. Singh promised to collaborate with me, and the neighbors, on any development proposals in efforts quell opposition and adverse legal action back then. However, our fears have come true: Singh and Kaur intend to pursue profit-driven commercial development at the expense of our small residential community.

Mr. Arthur Laubach met the neighbors on one occasion when he unexpectedly attended a meeting arranged by Singh and Kaur with another neighbor, where he learned of Singh and Kaur's ongoing efforts to overbuild and overcrowd their relatively small acreage lot in our residential neighborhood.

Our fears were well-founded. Despite owning a home within our neighborhood, it appears that Singh and Kaur do not live here or participate in our small rural community. Instead, they reside in a lavish home in a different neighborhood, while their property here has been neglected, showing little pride of ownership. Over the years, they have floated plans for developments entirely incompatible with our residential area—strip malls, car washes, and massive apartment complexes. Each of these proposals threatens to destroy the rural charm of our community and diminish the property values of every homeowner in our small neighborhood.

During the annexation and rezoning process many years ago, Mr. Singh and Mrs. Kaur promised the community that they would not take actions that would undermine the character of our neighborhood. However, their continued attempts to impose intrusive, non-residential projects in the heart of our community demonstrate a clear disregard for those promises. Their promises have been broken, and the cumulative effect of their neglect and plans for development have left us deeply concerned about the future of our neighborhood.

It is evident that Singh and Kaur's primary concern is profit, not the well-being of our neighborhood. Their actions and proposals show no regard for the families who call this neighborhood home, nor for the quiet, rural lifestyle that drew us to this neighborhood in the first place. The proposed zoning change would only further erode our neighborhood's character, turning it into a commercialized space inconsistent with the reasons many of us moved here and invested in our homes.

We urge the City of Brighton to uphold the zoning protections that preserve our residential neighborhood. Our homes, our community, and our quality of life should outweigh the profit motives of absentee property owners who have consistently ignored the needs and desires of the neighboring residents. Granting this zoning change would set a dangerous precedent, allowing self-serving individual interests to chip away at the identity of small residential neighborhoods like ours.

This proposed change poses significant risks to the character and quality of our residential neighborhood, as well as to the well-being of its residents. Some of the things to consider are:

1. Incompatibility with Residential Character

The neighborhood in which the Singh and Kaur property sits is primarily zoned for residential, characterized by low-density single-family homes on small acreage. The rezoning to C-2 would permit commercial activities that are inherently incompatible with the established residential character of our neighborhood. Residents take great pride in their properties, cherishing their small plots of land. This neighborhood values the preservation of small acreages, open spaces, and natural resources, contributing to the area's unique character, mature landscape, and cherished rural living.

2. Size and Scale of Past Proposed Developments Leave Concern for Future Developments

Singh and Kaur have previously floated developments that were grossly disproportionate to the existing structures in our neighborhood, which are all primarily single-family homes with some outbuildings. Allowing C-2 zoning would give Singh and Kaur carte blanche freedom to build a commercial development that would dominate the landscape, significantly altering the rural and residential character of the neighborhood.

3. Noise and Light Pollution

Businesses operating under C-2 zoning often extend their hours into evenings and weekends, causing unwanted noise and light pollution. This disruption to our daily lives will negatively affect the comfort and well-being of residents, reducing overall quality of life.

4. Well Water Quality and Safety

The construction and operation of commercial facilities could pose risks to our well water supply, particularly due to the increased water usage, as well as, the significant potential for contamination from commercial activities. Increased development and commercial activities strains local resources, including water infrastructure. Depending on the type of commercial businesses, there may be risks of water contamination or reduced water quality due to improper handling of runoff, pollutants, or other environmental factors. The community's access to clean and safe water must be a priority when considering zoning changes.

5. Other Environmental Impacts

Noise pollution, light pollution, and well water contamination are not the only environmental concerns. Drainage is a serious concern with the amount of water shed expected by large commercial buildings. The proximity of neighboring homes to any proposed commercial structures raises serious concerns about the impact on their foundations. Excessive water runoff can erode the soil around foundations, increase hydrostatic pressure against foundation walls, and saturate the ground, leading to cracks, shifting, flooding, and even structural failure over time

6. Decline in Property Values

Rezoning this property to C-2 raises legitimate concerns about declining property values in the surrounding residential neighborhood. The unsightliness of commercial buildings, coupled with sound/noise disturbances of commercial activities and increased traffic, would negatively impact the desirability and visual appeal of the neighborhood. This would lead to a decrease in property values, as potential buyers would be deterred by the presence of a commercial buildings in what is supposed to be a quiet residential neighborhood.

7. Conflict with Neighbors and Legal Ramifications:

The proposed C-2 zoning for commercial enterprise creates significant conflict with the existing neighborhood, which, as already mentioned, is residential. The introduction of a large commercial operation disrupts the peaceful, rural character of the area, leading to concerns over noise, traffic, environmental impact, and decreased property values. Legally, this could result in lawsuits for nuisance, hazardous conditions, zoning violations, and property devaluation. The proponents' actions risk undermining community trust and could face serious legal challenges if they proceed without proper consideration of the neighborhood's interests.

8. Intent and Consideration for the Neighborhood

The property owners originally purchased a single-family residence in a residential neighborhood with the intention of rezoning and converting it into a large scale commercial business, without consideration for the impact on the existing community. This neighborhood was chosen by its residents for its peaceful, rural atmosphere, which is entirely incompatible with the proposed commercial use. Singh and Kaur's broken promises and lack of transparency shows a disregard for the community's values and the environment.

9. Increased Traffic and Safety Concerns

Commercial zoning in a residential area will lead to increased traffic, potentially congesting local streets that were not designed for high traffic volumes. This change poses safety risks to wildlife, pets, and pedestrians, particularly children and elderly residents who regularly use these streets.

10. Commercial Zoning Appropriateness:

If Singh and Kaur were intent on operating a large commercial business like the previously floated strip malls, gas stations, car washes, and massive mixed-use complexes, they should have purchased a property in a commercially or industrially zoned neighborhood. These zones are specifically designed to accommodate large-scale operations, including the necessary infrastructure, traffic flow, and environmental controls. Commercial zones are equipped to handle the noise, increased traffic, and potential environmental impact that such businesses entail. By choosing a property in a residential area, the proponents have disregarded the established expectations of the community and the intended use of the land. By attempting to establish large commercial operations in residential areas, the proponents are not only disrupting the community but are also undermining the zoning regulations designed to protect residential areas from incompatible commercial activities.

The responsible course of action would have been to select a location in a commercial or industrially zoned area, where Singh and Kaur could build whatever they desire without negatively impacting residential neighborhoods. This would have ensured that their operations were in harmony with the surrounding land use, avoided conflicts with neighbors, and adhered to the local zoning laws intended to segregate different types of land use for the benefit of all community members. Instead Singh and Kaur purchased a residential home in a residential neighborhood, and then circumvented the established zoning laws, step by step, with annexations and rezoning applications.

11. Availability of Alternative Commercial Zones

Brighton already has designated commercial zones better suited for C-2 businesses. Encouraging the applicants to focus their development enterprises in appropriate areas would support economic growth without encroaching on residential neighborhoods. Their continued attempts at circumventing established zoning areas and community expectations should not be rewarded. They should not be

allowed to further commercialize our small residential neighborhood, diminishing our property values and our right to peaceful possession and use of our properties.

12. Precedent for Future Rezoning

Approval of this rezoning would set a concerning precedent for future requests, inviting more commercial development into residential zones and making it challenging to oppose future commercial encroachments into residential areas. This slippery slope could erode the distinctiveness and appeal of our neighborhood, and “squeeze it out” altogether over time.

13. Alignment with Comprehensive Plan

The City of Brighton’s Comprehensive Plan seeks to balance development with community preservation. Rezoning to C-2 is inconsistent with these objectives and undermines the strategic planning that ensures sustainable growth for the city while respecting established neighborhoods and communities.

14. Safety and Crime Concerns

Commercial zones often attract increased foot and vehicle traffic, which can unfortunately lead to higher risks of crime and safety concerns. The introduction of commercial activities into a residential neighborhood would increase opportunities for theft, vandalism, or other criminal incidences, threatening the safety and security of residents.

We respectfully urge the Planning Commission to consider these points and **deny this rezoning request**. Maintaining the existing and already liberal PUD zoning designation will help safeguard our property interests and quality of life in our neighborhood while supporting the City’s broader goals for balanced and thoughtful development.

Thank you for considering our concerns and for your commitment to safeguarding communities in and around Brighton.

Sincerely,

Natalija Finlay and Arthur Laubach

McCann, Summer

From: Nikki Sisneros [REDACTED]
Sent: Wednesday, December 11, 2024 2:45 AM
To: McCann, Summer
Cc: Nikki Sisneros
Subject: Re: Singh Property rezoning proposal

Follow Up Flag: Follow up
Flag Status: Flagged

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Summer McCann:

As one of the original owners, we have seen many changes that have compromised what we all expected to be a quite, rural neighborhood. The school in our back yards, the increase in traffic congestion, noise, pollution from vehicle exhaust, and the affects of the new Brighton Ridge development.

We strongly oppose yet another change; the rezoning proposal for the Singh property from PUD to C-2 zoning. The definition of a PUD (Planned Unit Development) District is that it can be developed to meet the needs of the city, PROPERTY OWNERS, RESIDENTS, and developers. In this case, we believe the needs of our established community should be considered over the questionable needs of the city or developers and remain a PUD District.

Respectfully,

Joe and Nikki Sisneros
12045 Wheeling St.

NOTICE TO BRIGHTON PLANNING COMMISSION

December 11, 2024

RE: Singh & Kaur PUD to C-2 Zoning Amendment Application

I, the undersigned, do hereby confirm and assert that I **DID NOT** receive a "Neighborhood Meeting Notice," regarding a zoning map amendment to property address 13767 E. 120 Ave, Brighton CO 80601, as required under Article 2 of the City's Land Use and Development Code.

1. Joe Sisneros Joe Sisneros 12045 Wheeling Street
Printed Name Signature Address
2. Hector Marquez _____ 12020 Wheeling Street
Printed Name Signature Address
3. FRANK SCHWERTFEGER Frank Schwertfeger 12244 Wheeling Court
Printed Name Signature Address
4. ED COOPER Ed Cooper 13465 E. 121st Place
Printed Name Signature Address
5. Natalija Finlay _____ 12060 Wheeling Street
Printed Name Signature Address
6. Derick Okada _____ 12065 Wheeling St.
Printed Name Signature Address

Printed Name

Signature

Address

The applicants have failed to comply with the application requirements set forth under the Brighton Land Use and Development Code, and thus, we request that their application be denied for incompleteness and failure to adhere to the City Codes and policies.

Thank you,
Natalija Finlay and the Aforementioned.

Stop Overcrowding and Rezoning In Our Neighborhood Petition

We, the undersigned residents, strongly oppose the proposed zoning change for the "Singh Rashpal & Kaur Rajwant Property" at 13767 E 120th Ave, Brighton CO 80601. Our objection is based on the detrimental impact this change will have on the character, safety, and well-being of our community.

This zoning change threatens to:

- Overburden local infrastructure, including traffic, parking, and utilities.
- Disrupt the historic and residential nature of the area with inappropriate development.
- Set a harmful precedent for future zoning decisions, diminishing property values and quality of life for current residents.

We respectfully urge the Brighton Planning Commission to deny this zoning request in favor of preserving the integrity and unique character of our neighborhood.

Name	Address	Phone Number	Signature
Natalija Finlay	12060 Wheeling Street	303 652 7779	
Art GURACH	12060 Wheeling St	303 525 7821	
Jim & Nikki Jensen	12045 Wheeling St.	720-878-7018	
George COOPER	13465 E 121 PLACE	303-520-9026	
Ivan Webster	12215 Potomac St.	505-592-1499	
James Webster	12215 Potomac St, 80640	3) 720-5040	
Sunny NGUYEN	12191 Potomac St, CO 80640	303-870-6265	
Tony Griego	12284 Wheeling Ct 80646	302-569-9165	
Kiara Pira	12264 Wheeling Ct	303-304-7261	
FRANK SCHWERTFEGER	12244 WHEELING CT	303-478-6522	

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Name	Address	Phone Number	Signature
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Art LAURACH	12060 Wheeling St	303 585 7821	
Jim Niekirk	12045 Wheeling St.	720-878-7018	
George COOPER	13465 E 121 PLACE	303-520-9026	
Ivan Webster	12215 Potomac St.	505-592-1499	
James Webster	12215 Potomac St, 80640	3) 720-5040	
Sunny NGUYEN	12191 Potomac St, CO 80640	303-870-6265	
Tony Griego	12284 Wheeling Ct 80646	307-589-9165	
Kiara Pira	12264 Wheeling Ct	303-304-7261	
FRANK SCHWERTFEGER	12244 Wheeling Ct	303-478-6582	

[illegible]

NOTICE TO BRIGHTON PLANNING COMMISSION

December 11, 2024

RE: Singh & Kaur PUD to C-2 Zoning Amendment Application

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1. Joe Sisneros Joe Sisneros 12045 Wheeling Street
Printed Name Signature Address
2. Hector Marquez Hector Marquez 12020 Wheeling Street
Printed Name Signature Address
3. FRANK SCHWERTFEGER Frank Schwertfeger 12244 Wheeling Court
Printed Name Signature Address
4. ED COOPER Ed Cooper 13465 E. 121st Place
Printed Name Signature Address
5. Natalija Finlay Natalija Finlay 12060 Wheeling Street
Printed Name Signature Address
6. Derick Okada Derick Okada 12065 Wheeling St.
Printed Name Signature Address
- Brenda Brown Brenda Brown 12265 potomac St
Printed Name Signature Address
- Sonny NGUYEN Sonny Nguyen 12191 potomac St
Printed Name Signature Address

The applicants have failed to comply with the application requirements set forth under the Brighton Land Use and Development Code, and thus, we request that their application be denied for incompleteness and failure to adhere to the City Codes and policies.

Thank you,
Natalija Finlay and the Aforementioned.

To: McCann, Summer <SAMcCann@brightonco.gov>

Subject: Singh Property

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Dear Summer McCann,

I am writing to express my concerns and strong opposition regarding the proposed development on the property generally located to the north of East 120th Avenue, south of East 121st Place, east of Wheeling Street, and west of Potomac Street, known as the Singh Property.

Initially, I understood that this property was designated for commercial use only. However, I have recently learned that the plans now include apartment complexes, which raises several concerns for me:

1. Safety
2. Stormwater management
3. Traffic
4. School overcrowding

Firstly, the development of an apartment complex irrefutably increases the risk of violent and nonviolent crime in close proximity to our small and peaceful neighborhood. Crime statistics show that there is a positive correlation between population density and crime rate. City planners should know that this development would increase the risk of burglary, theft, carjacking, murder, rape, drugs, and other illegal activity to our neighborhood.

Secondly, I am worried about stormwater management. The current plan does not appear adequate to handle runoff during storms, and my property would be directly at risk from improper water management or inadequate drainage plans, such as a retention pond. Currently, stormwater runoff flows through my backyard, and the existing culvert, which is only one foot in diameter, directs this flow into a pond at Prairie View Middle School. This pond is not designed to handle dirty parking lot water from an apartment complex; it is used for irrigation. If it overflows, it will impact the neighborhood on 124th Avenue, which already experiences flooding during heavy rains. It is essential that the development includes appropriate stormwater retention measures on the property.

Additionally, I have concerns regarding traffic. The increased population from the new apartment complexes will exacerbate the existing traffic issues. The bridge over 2nd Creek on 120th Avenue is only two lanes and cannot be expanded without significant reconstruction. Similarly, the bridge over 2nd Creek at Potomac Street is too narrow for a school bus and a small car to cross simultaneously without one vehicle yielding. The bridge on 124th Avenue is also insufficient for current traffic levels. There was a recent meeting regarding a new FEMA flood plan for the area, and it was mentioned that these bridges are significantly undersized to handle a 100-year flood event. Furthermore, I have heard that the state plans to close the intersection of Highway 85 and 124th

Avenue, which would increase traffic on 120th Avenue. 120th Avenue has significant traffic backup during peak hours due to the schools, so it would be irresponsible to add more congestion without first increasing the road capacity.

Another significant concern is school overcrowding. Prairie View Middle School and nearby elementary schools are already at capacity, and new subdivisions will further strain the school system.

In closing, I want to highlight that when this development project was initially proposed many years ago, then-Mayor Polaski supported it for the potential tax revenue benefits to Brighton, rather than Commerce City. I recall this family presenting their case, stating it was their family business—these are the owners of the Tailfeathers convenience stores at 120th and Highway 85, and 120th and Chambers. The project was delayed primarily because water and sewer service lines were not previously available. Now these services are provided, making the project much cheaper for them, but at a significant cost to the neighborhood and surrounding community.

I hope these concerns will be addressed seriously to ensure that the correct decision is made for our community.

Sincerely,

Derick Okada

12065 Wheeling St

Henderson, CO 80640

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ReplyForward

Add reaction