

ORDINANCE NO: 2368
INTRODUCED BY: Blackhurst

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE REZONING OF THE 57 N. 10TH AVENUE PROPERTY ZONING REQUEST FROM THE “NEIGHBORLY HOUSING SERVICES” (PUD) TO THE R-2 (MIXED-DENSITY RESIDENTIAL) ZONE FOR THE APPROXIMATELY 0.1722 ACRE PROPERTY, GENERALLY LOCATED ON PART OF THE SOUTHEAST OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY ADAMS, STATE OF COLORADO

WHEREAS, Diana Lara is the owner (the “ Owner,”) of approximately 0.1722 acres of property, generally located on the southwest corner of N.10th Avenue approximately one hundred feet from the intersection with Walnut St. and more specifically described in EXHIBIT A, and shown in EXHIBIT B, attached hereto (the “Property”); and

WHEREAS, Richard White from HJD Consulting (the “Applicant,”) and Owner seek to change the zoning of the Property from the existing “House of Neighborly Services (PUD) to the R-2 (Mixed-Density Residential) zone, as set forth in EXHIBIT B, attached hereto; and

WHEREAS, the City Council finds it appropriate to allow a rezoning for the property and to use the criteria outlined in the *Land Use & Development Code* for its review and procedures related to the application; and

WHEREAS, the Planning Commission conducted a public hearing on July 8th, 2021 to review and consider the rezoning pursuant to the applicable provisions and criteria set forth in the *Land Use & Development Code*, and provided a recommendation of approval to the City Council; and

WHEREAS, in accordance with the public notice requirements of the *Land Use & Development Code*, a Notice of Public Hearing was mailed to all property owners within 300 feet of the Property, a public notice was published on the City’s website, and a sign was posted on the Property, all for no less than fifteen (15) days prior to the City Council public hearing; and

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 hereby finds and determines that the Zone Change is consistent with the Comprehensive Plan and other master plans of the City; complies with the requirements of the *Land Use & Development Code* and with the zone district; provides consistency with the purpose and intent of the *Land Use & Development Code*; provides compatibility with surrounding areas, is harmonious with the character of the neighborhood and is not detrimental to the immediate area, the future development of the area, or the health, safety, or welfare of the inhabitants of the City; and meets all of the review criteria for a zoning map amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO AS FOLLOWS:

Section 1. The Property is hereby rezoned as R-2 (Mixed-Density Residential).

Section 2. The City Zoning Map shall be amended to reflect said zoning change.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED, THIS 17TH DAY OF AUGUST, 2021.

PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY THIS 7TH DAY OF SEPTEMBER, 2021.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

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First Publication: August 25, 2021

Final Publication: September 15, 2021

APPROVED AS TO FORM:

ALICIA CALDERÓN, City Attorney

EXHIBIT A

LEGAL DESCRIPTION

Kidders and Schoonmakers Addition, Block 1, Lot 3

Located in Section 6, Township 1 South, Range 66 West of the Sixth Principal Meridian, City of
Brighton, County of Adams, State of Colorado

Addressed as 57 N. 10th Avenue

Approximately 0.1722 acres of land

EXHIBIT B

PROPERTY MAP

