

PLANNING COMMISSION RESOLUTION

ESCARCEGA PROPERTY ZONE CHANGE

RESOLUTION NO. 19-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BRIGHTON RECOMMENDING TO THE CITY COUNCIL APPROVAL OF THE ESCARCEGA PROPERTY ZONING REQUEST FROM PLATTE RIVER RANCH PLANNED UNIT DEVELOPMENT (PUD) TO RURAL ESTATE (RE) FOR AN APPROXIMATELY 3.823 ACRE PROPERTY, GENERALLY LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO;

WHEREAS, Armando and Sadie Escarcega (the "Owners") are the owners of approximately 3.823 acre property, located at the northeast corner of the intersection of Bromley Lane and 148th Avenue, and more specifically described in **EXHIBIT A**, attached hereto (the "Property"); and

WHEREAS, Lisa Gard, (the "Applicant"), has requested approval of the Escarcega Zone Change ("the Zone Change"); and

WHEREAS, in accordance to the public notice requirements of the *Land Use and Development Code*, the Planning Commission of the City of Brighton finds and declares that a Notice of Public Hearing was mailed to all property owners within 300 feet of the Property, a public notice was published in the *Brighton Standard Blade*, and a sign was posted on the Property, all for no less than fifteen (15) days prior to the Planning Commission public hearing; and

WHEREAS, the Planning Commission conducted a public hearing to review and consider the Zone Change pursuant to the applicable provisions and criteria set forth in the *Land Use and Development Code*; and

WHEREAS, at the public hearing, the Planning Commission received and considered all relevant evidence and testimony from City Staff, the Applicant, and other Interested Parties, including the public at large; and

WHEREAS, the Planning Commission 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 and Development Code* and with the zone district; provides consistency with the purpose and intent of the Land Use and 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 is scheduled to be reviewed by the City Council in a timely manner.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Brighton, Colorado, hereby recommends to the City Council approval of the Escarcega Property Zone Change to a City designation of Rural Estate (RE) from the designation of Platte River Ranch Planned Unit Development (PUD).

RESOLVED, this the 24th day of October, 2019.

**CITY OF BRIGHTON, COLORADO
PLANNING COMMISSION**


Chris Maslanik, Chairperson

ATTEST:



~~Lane Zorich, Acting Secretary~~

Crystal Josey

EXHIBIT A
LEGAL DESCRIPTION AND MAP

THAT PART OF THE SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER, SAID POINT BEING A 3 1/4 INCH DIAMETER ALUMINUM CAP, P.L.S. NO. 25369 IN A RANGE BOX ESTABLISHED AND USED FOR THE HORIZONTAL LOCATION OF PLATTE RIVER RANCH FILING NO. 5, AS RECORDED IN FILE 18, MAP 146, ADAMS COUNTY RECORDS, BEING S89°53'10"W, A DISTANCE OF 47.97 FEET FROM A 3 1/4" DIAMETER ALUMINUM CAP, P.L.S. NO. 27269 RE-ESTABLISHED AND USED FOR THE HORIZONTAL LOCATION OF A PARCEL DESCRIBED IN BOOK 232 AT PAGE 368, ADAMS COUNTY RECORDS; THENCE N00°38'20"E ALONG THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER AS SHOWN ON THE RECORDED PLAT OF SAID PLATTE RIVER RANCH FILING NO. 5, A DISTANCE OF 20.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF EAST 148TH AVENUE AS DESCRIBED IN BOOK 3041 AT PAGE 993, ADAMS COUNTY RECORDS; THENCE N89°53'10"E ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 30.14 FEET TO THE EAST RIGHT-OF-WAY LINE OF BROMLEY LANE AS SHOWN ON THE RECORDED PLAT OF SAID PLATTE RIVER RANCH FILING NO. 5, BEING THE POINT OF BEGINNING; THENCE N00°38'20"E ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 579.05 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, THE RADIUS OF SAID CURVE IS 2365.00 FEET, THE CHORD OF SAID CURVE BEARS N01°22'13"E, 60.38 FEET; THENCE ALONG THE ARC OF SAID CURVE AND ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 61.38 FEET TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF BLOCK 1, SAID PLATTE RIVER RANCH FILING NO. 5; THENCE N89°56'56"E ALONG SAID WESTERLY EXTENSION AND ALONG SAID SOUTH LINE, A DISTANCE OF 384.05 FEET TO THE NORTHWEST CORNER OF A PARCEL DESCRIBED IN BOOK 232 AT PAGE 368, ADAMS COUNTY RECORDS; THENCE S02°12'14"W ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF 449.22 FEET TO THE NORTHEAST CORNER OF A PARCEL DESCRIBED IN BOOK 3041 AT PAGE 993, ADAMS COUNTY RECORDS, BEING MONUMENTED BY A #3 REBAR FLUSH WITH THE GROUND; THENCE S89°00'46"W ALONG THE NORTH LINE OF SAID PARCEL, A DISTANCE OF 338.47 FEET TO THE NORTHWEST CORNER OF SAID PARCEL; THENCE S00°38'20"W ALONG THE WEST LINE OF SAID PARCEL, A DISTANCE OF 185.00 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL, BEING MONUMENTED BY A #3 REBAR FLUSH WITH THE GROUND; THENCE S89°59'00"W ALONG THE NORTH RIGHT-OF-WAY LINE OF EAST 148TH AVENUE AS DESCRIBED IN BOOK 3041 AT PAGE 993, ADAMS COUNTY RECORDS, A DISTANCE OF 34.19 FEET TO THE POINT OF BEGINNING.

ACREAGE TOTALING: 3.823 ACRES

A PART OF THE NORTHEAST 1/4 OF SECTION 13,
TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M.,
CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO.
SHEET 1 OF 2

[illegible]

THE SOUTH LANE OF THE SOUTHWEST ONE-QUARTER OF SECTION 12, TOWNSHIP 1 NORTH, RANGE 2 WEST, BEING INTERESTED IN A 1/4 1/4 ACRES QUARTER ALLEGEDLY OWNED BY THE STATE OF TEXAS, AND ALL THE SOUTHWEST CORNERS AND ALL THE SOUTHWEST CORNERS AND ALL THE SOUTHWEST CORNERS OF THE SOUTHWEST ONE-QUARTER OF SECTION 12 IS ASSIGNED TO THE STATE OF TEXAS. ALL INTERESTS SHOWN HEREON.

[illegible]

2000 0000 CHANGE FROM ESCAPATED ALIENATION
A PART OF THE NEW YORK STATE
TAX, 6.5% OF THE NEW YORK
STATE OF INCOME, REPORT OF STATE OF INCOME

[illegible][illegible][illegible]

CLERK ADVISE: I CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ O'CLOCK _____ P. M. THIS DAY OF _____ 2004, AND IS RECORDED IN RECORD BOOK NO. _____

ZONE CHANGE MAP FOR ESCARCEGA SUBDIVISION

A PART OF THE NORTHEAST 1/4 OF SECTION 13,
TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M.,
CITY OF BROOMFIELD, COUNTY OF ADAMS, STATE OF COLORADO.
SHEET 2 OF 2

