

ORDINANCE NO: 2329
INTRODUCED BY: Humbert

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE REZONING OF AN APPROXIMATELY 20.00 ACRE AREA OF LAND, TO BE KNOWN AS THE MARRONE TRUCKING FACILITY, GENERALLY LOCATED IN THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, FROM A ZONING DESIGNATION OF ADAMS COUNTY INDUSTRIAL-1 TO ZONING DESIGNATION OF LIGHT INDUSTRIAL (I-1)

WHEREAS, this matter came before the City Council upon that certain request of Sarah Lavery of EnviroFinance Group (the “Applicant”); and

WHEREAS, the Applicant is acting on behalf of Kenneth M. Marrone and Marrone EAT, LLC (the “Property Owners”), who are the property owners of land described in EXHIBIT A and shown in EXHIBIT B (the “Property”); and

WHEREAS, the Property has a current zoning designation of Adams County Industrial-1; and

WHEREAS, the Applicant has applied to change the zoning designation from Adams County Industrial-1 to City of Brighton Light Industrial (I-1); and

WHEREAS, annexation to the City of Brighton will occur before a City zoning district is approved; and

WHEREAS, in accordance with the public notice requirements of the Land Use and Development Code, 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 City Council public hearing; and

WHEREAS, the City Council conducted a public hearing on January 21, 2020, 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, 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 Light Industrial (I-1) 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. The Property is hereby rezoned as Light Industrial (I-1).

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

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED, THIS 21st DAY OF JANUARY, 2020.

PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY THIS 4th DAY OF FEBRUARY, 2020.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

Published in the *Brighton Standard Blade*

First Publication: January 29, 2020

Final Publication: February 12, 2020

APPROVED AS TO FORM:

JACK D. BAJOREK, City Attorney

EXHIBIT A LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE SOUTH LINE OF THE SOUTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SAID SECTION 18 TO BEAR SOUTH 89°43'16" WEST (MONUMENTS DESCRIBED ON PLAT), AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE CENTER $\frac{1}{4}$ CORNER OF SAID SECTION 18, FROM WHICH THE SOUTH $\frac{1}{4}$ CORNER OF SAID SECTION 18 BEARS SOUTH 00°12'39" EAST, 2655.91 FEET; THENCE SOUTH 89°43'16" WEST, 30.00 FEET ALONG THE SOUTH LINE OF THE SE $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SAID SECTION 18 TO THE WESTERLY RIGHT OF WAY LINE OF SABLE BOULEVARD; THENCE CONTINUING SOUTH 89°43'16" WEST, 571.00 FEET ALONG THE SOUTH LINE OF THE SE $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SAID SECTION 18 TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89°43'16" WEST 718.50 FEET ALONG THE SOUTH LINE OF THE SE $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SAID SECTION 18 TO THE CENTER-WEST $\frac{1}{16}$ CORNER OF SAID SECTION 18; THENCE NORTH 00°05'49" WEST, 927.89 FEET ALONG THE WEST LINE OF THE SE $\frac{1}{4}$ OF THE NW $\frac{1}{4}$ OF SAID SECTION 18 TO THE SOUTHERLY LINE OF THAT TRACT OF LAND CONVEYED TO WAL-MART REAL ESTATE BUSINESS TRUST AS DESCRIBED IN SPECIAL WARRANTY DEED RECORDED JUNE 20, 2000 IN BOOK 6165 AT PAGE 243 OF THE RECORDS OF ADAMS COUNTY, COLORADO; THENCE NORTH 89°46'09" EAST, 3.70 FEET ALONG THE SOUTHERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN SAID BOOK 6165 AT PAGE 243 TO AN ANGLE POINT THEREOF; THENCE NORTH 00°13'51" WEST, 125.75 FEET ALONG THE EASTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN SAID BOOK 6165 AT PAGE 243 TO A POINT OF CURVE TO THE RIGHT THEREOF; THENCE NORTHEASTERLY, 176.63 FEET ALONG THE ARC OF SAID CURVE AND ALONG THE EASTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN SAID BOOK 6165 AT PAGE 243 TO THE SOUTHERLY LINE OF THAT TRACT OF LAND CONVEYED TO THE CITY OF BRIGHTON AS DESCRIBED IN WARRANTY DEED RECORDED AUGUST 17, 1988 IN BOOK 5433 AT PAGE 377 OF THE RECORDS OF ADAMS COUNTY, COLORADO, SAID ARC HAVING A RADIUS OF 310.00 FEET, A CENTRAL ANGLE OF 32°38'44", AND BEING SUBTENDED BY A CHORD THAT BEARS NORTH 16°05'31" EAST, 174.25 FEET; THENCE NORTH 89°44'20" EAST, 663.02 FEET ALONG THE SOUTHERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN SAID BOOK 5433 AT PAGE 377 TO A POINT FROM WHICH THE TRUE POINT OF THE BEGINNING BEARS SOUTH 00°15'40" EAST; THENCE SOUTH 00°15'40" EAST, 1220.61 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 871,310 SQUARE FEET OR 20.00 ACRES OF LAND, MORE OR LESS.

PART OF THE NW 1/4 OF SECTION 18, TOWNSHIP 1 SOUTH,
RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

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