

# PLANNING COMMISSION RESOLUTION

## MARRONE TRUCKING FACILITY ZONE CHANGE

RESOLUTION NO. 19-12

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BRIGHTON RECOMMENDING TO THE CITY COUNCIL APPROVAL OF THE MARRONE TRUCKING FACILITY ZONING REQUEST FROM ADAMS COUNTY I-1 (INDUSTRIAL-1) TO LIGHT INDUSTRIAL (I-1) FOR AN APPROXIMATELY 20.00 ACRE PROPERTY, 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;**

**WHEREAS**, Kenneth M. Marrone and Marrone ETA, LLC (the "Owners") are the owners of approximately 20.00 acres in size, located east of Fulton Avenue approximately one-quarter mile south of its intersection with Bromley Lane, and more specifically described in **EXHIBIT A** and shown in **EXHIBIT B**, attached hereto (the "Property"); and

**WHEREAS**, Sarah Lavery of EnviroFinance Group, (the "Applicant"), has requested approval of the Marrone Trucking Facility 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.

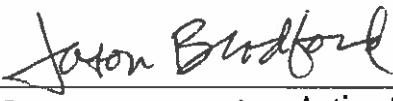
***NOW THEREFORE, BE IT RESOLVED*** that the Planning Commission of the City of Brighton, Colorado, hereby recommends to the City Council approval of the Bromley Interchange Subdivision Zone Change to a City designation of Light Industrial (I-1) from the designation of Adams County I-1 (Industrial-1).

***RESOLVED***, this 12<sup>th</sup> day of December, 2019.

**CITY OF BRIGHTON, COLORADO  
PLANNING COMMISSION**

  
\_\_\_\_\_  
Chris Maslanik, Chairperson

***ATTEST:***

  
\_\_\_\_\_  
Jason Bradford , Acting Secretary

## 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  $\frac{1}{16}$  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, 178.63 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.

## ZONE CHANGE MAP

## MARRONE TRUCKING FACILITY - ZONE CHANGE

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

## PROPERTY DESCRIPTION:

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 8TH 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 CORNER OF SAID SECTION 18, FROM WHICH THE SOUTH CORNER OF SAID SECTION 11 BEARS SOUTH 00°12'30" WEST, 2065.91 FEET; THENCE SOUTH 89°43'18" WEST, 30.00 FEET; ALONG THE SOUTH LINE OF THE NW 1/4 OF SAID SECTION 18 TO THE WESTERLY RIGHT OF WAY LINE OF SAID SECTION 18, 181.00 FEET; THENCE SOUTHEAST 89°43'18" WEST, 371.00 FEET; ALONG THE SOUTH BOUNDARY 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  
¼ OF THE NW ¼ OF CORNER SECTION 18 TO THE  
CENTER-WEST ¼ CORNER OF SAID SECTION 18;  
THENCE NORTH 00°05'49" WEST, 827.28 FEET  
ALONG THE WEST LINE OF THE SE ¼ OF THE NW ¼

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 #163 AT PAGE  
243 OF THE RECORDS OF ADAMS COUNTY.

TRACT ALONG THE SOUTHERLY LINE OF THAT  
TRACT OF LAND AS DESCRIBED IN SAID BOOK  
8165 AT PAGE 243 TO AN ANGLE POINT THEREOF  
THENCE NORTH 00°13'51" WEST, 125.75 FEET  
ALONG THE EASTERY LINE OF THAT TRACT OF

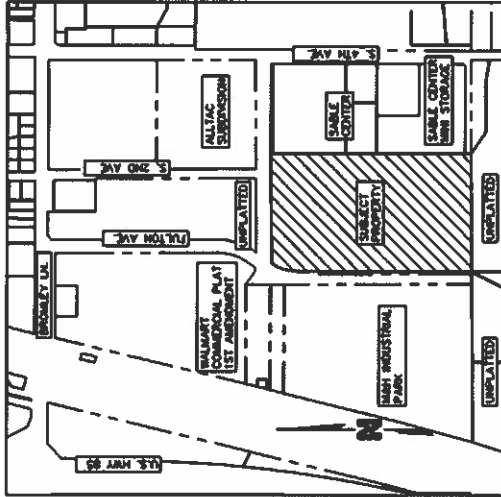
LAND AS DESCRIBED IN SAID BOOK 6166 AT PAGE 243 TOT A POINT OF CURVE TO THE RIGHT THEREOF; THENCE NORTHEASTERLY, 176.63 FEET ALONG THE ARC OF SAID CURVE AND ALONG THE EASTERLY LINE OF THAT TRACT OF LAND AS DESCRIBED IN SAID BOOK 6166 AT

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.

310.00 FEET, A CENTRAL ANGLE OF 32°38'44",  
AND BEING SUBTENDED BY A CHORD THAT  
BEARS NORTH 10°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,  
1,220.61 FEET TO THE TRUE POINT OF  
BEGINNING.

SAID PARCEL CONTAINS 871.310 SQUARE FEET  
OR 20.00 ACRES OF LAND, MORE OR LESS.



VICINITY MAP: NTS

**SURVEYOR'S CERTIFICATION:**

1. NICHOLAS S. SCHRADER, A PROFESSIONAL SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS MAP WAS MADE BY ME OR UNDER MY SUPERVISION AND ACCURATELY REPRESENTS SAID REZONING TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY ME TO DETERMINE OWNERSHIP. FURTHERMORE THIS CERTIFIES THAT AT LEAST ONE-SIXTH (1/6) OF THE PROPERTY HEREON IS CONTIGUOUS WITH THE BOUNDARY OF THE CITY OF BRIGHTON, COLORADO.



NICHOLAS S. SCHRADER PLS 38693  
FOR AND ON BEHALF OF:  
OLSSON

<p><b>25% CHANGE MAP TO THE CITY OF SEBASTIAN FOR MARINE TRAILING</b></p> <p><b>PART OF THE MAP 14 OF SECTION 1A, TOWNSHIP 14 NORTH, RANGE 30 WEST OF THE SIXTH MERIDIAN, HAWAIIAN COUNTY OF AKAHI, STATE OF HAWAII</b></p>		<p><b>olsson</b></p> <p>125 Academy Street Sebastian, FL 32959 Phone: 352.293.2077 Fax: 352.297.2519 www.olsson.com</p>		<p>REV#</p> <p>NO.</p>	<p>DATE</p>	<p>SHEET 1 of 1</p>	<p>PROJECT NO.</p> <p>250217</p> <p>DATE</p> <p>02/20/2018</p> <p>PROJECT NAME</p> <p>25% CHANGE MAP</p> <p>PROJECT LOCATION</p> <p>AKAHI, HAWAII</p>	<p>REVISION DESCRIPTION</p>
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