

ORDINANCE NO.: 2331
INTRODUCED BY: Humbert

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE ZONING OF AN APPROXIMATELY 3.853 ACRE AREA OF LAND TO GENERAL RETAIL AND SERVICES (C-3), GENERALLY LOCATED IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO

WHEREAS, this matter came before the City Council upon that certain request of Mark Connor (the “Owner”); and

WHEREAS, the Owner, has applied for the zoning designation of General Retail and Services (C-3) for property described in Exhibit A and shown in Exhibit B (the “Property”); and

WHEREAS, the Property was annexed as part of the Sable Annex No. 1, Ordinance 1263 on July 7, 1987; and

WHEREAS, the proposed zoning designation of General Retail and Services (C-3) for the subject property is compatible with the land uses that exist in this area; and

WHEREAS, the proposed General Retail and Services (C-3) zoning designation for the zoning area generally complies with the principles and policies described in the Comprehensive Plan; and

WHEREAS, pursuant to the City of Brighton’s Land Use and Development Code, Public Notice of the City Council public hearing was published in the Brighton Standard Blade on January 1, 2020, for not less than fifteen (15) days prior to the City Council public hearing; and

WHEREAS, pursuant to the City of Brighton’s Land Use and Development Code, Public Notice of the City Council public hearing was posted with a sign upon the subject property, on January 6, 2020, for not less than fifteen (15) days prior to the City Council public hearing; 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 February 4, 2020, to review and consider the zoning pursuant to the applicable provisions and criteria set forth in the Land Use and Development Code; and

WHEREAS, at the public hearing, the City Council received and considered all relevant evidence and testimony from City Staff, the Applicant or Owner, and other interested parties, including the public at large; and

WHEREAS, the City Council finds and determines that the proposed zoning 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 General Retail and Services (C-3) 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. That the approximately 3.853 acre area more particularly described in Exhibit A attached hereto and incorporated herein by this reference, is hereby zoned General Retail and Services (C-3).

Section 2. That the Zoning Map of the City of Brighton shall be amended to reflect said zoning.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED,
THIS 4TH DAY OF FEBRUARY 2020.

PASSED ON SECOND AND FINAL READING AND ORDERED PUBLISHED BY
TITLE ONLY THIS 18TH DAY OF FEBRUARY, 2020.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

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APPROVED AS TO FORM:

JACK D. BAJOREK, City Attorney

EXHIBIT A

LEGAL DESCRIPTION OF THE ZONING AREA

A PARCEL OF LAND, BEING A PORTION OF PARCEL 25 OF THE DEPARTMENT OF TRANSPORTATION, STATE OF COLORADO, PROJECT NUMBER F.I.003-I(2), RECORDED IN BOOK 445 AT PAGE 514, LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 22,

THENCE NORTH 89°00'49" EAST ON THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 22, A DISTANCE OF 990.50 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 25, AND THE POINT OF BEGINNING;

THENCE CONTINUING ALONG THE NORTH LINE OF SAID PARCEL 25, NORTH 89°00'49" EAST, A DISTANCE OF 303.04 FEET;

THENCE SOUTH 38°28'34" WEST, A DISTANCE OF 1241.20 FEET;

THENCE NORTH 20°38'54" WEST, A DISTANCE OF 163.63 FEET TO THE NORTHERLY MOST INTERSECTION OF SAID PARCEL 25 AND PARCEL 11A, C.D.O.T. PROJECT NUMBER ID-I(CX) 76-1(138), RECORDED IN BOOK 4001 AT PAGE 758;

THENCE NORTHEASTERLY, ALONG THE NORTHWESTERLY LINE OF SAID PARCEL 25, NORTH 38°28'27" EAST, A DISTANCE OF 869.07 FEET TO AN ANGLE POINT IN SAID NORTHWESTERLY LINE;

THENCE CONTINUING NORTH, ALONG THE WESTERLY LINE OF SAID PARCEL 25, NORTH 06°20'11" WEST, A DISTANCE OF 134.69 FEET TO THE POINT OF BEGINNING.

CONTAINING: 167,836 SQUARE FEET OR 3.853 ACRES.

