

1 **CITY OF LITTLETON, COLORADO**

2
3 **ORDINANCE NO. 35**

4
5 **Series, 2014**

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7 **INTRODUCED BY COUNCIL MEMBERS: STAHLMAN & BRINKMAN**

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10 **AN ORDINANCE OF THE CITY OF LITTLETON,**
11 **COLORADO, APPROVING THE REZONING OF**
12 **PROPERTY KNOWN AS PLUM VALLEY SUBDIVISION,**
13 **LOTS 7-16 FROM PD-X TO PD-C PLANNED**
14 **DEVELOPMENT COMMERCIAL DISTRICT AND**
15 **APPROVING THE PLUM VALLEY SUBDIVISION, LOTS**
16 **7-16 GENERAL PLANNED DEVELOPMENT PLAN.**

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18 **WHEREAS,** the planning board held a public hearing on September 22, 2014 to
19 consider a proposed rezoning and planned development plan for the property known as Plum
20 Valley Subdivision, Lots 7-16, more specifically described in Exhibit "A", which is attached
21 hereto and made a part hereof by this reference;

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23 **WHEREAS,** at the public hearing, the planning board voted to recommend
24 the city council approve the proposed rezoning and general planned development plan; and

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26 **WHEREAS,** the city council considered evidence and testimony concerning the
27 proposed rezoning and general planned development plan at a public hearing;

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29 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE**
30 **CITY OF LITTLETON, COLORADO, THAT:**

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32 **Section 1:** The city council finds that the proposed rezoning of the property
33 known as Plum Valley Subdivision, Lots 7-16, described on the attached Exhibit "A", meets the
34 criteria set forth in Section 10-12-1 of the Littleton City Code in that the rezoning and general
35 planned development plan are consistent with the goals and policies of the COMPLAN and
36 promotes the general welfare of the community.

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38 **Section 2:** The city council further finds that approval of the proposed general
39 planned development plan conforms to the stated intent of the planned development district as
40 specified in sections 10-2-23(A) and (B) of the city code.

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42 **Section 3:** The city council hereby approves the rezoning and the Plum Valley
43 Subdivision, Lots 7-16 General Planned Development Plan.

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45 **Section 4:** The official zoning maps of the City of Littleton shall be amended
46 by including in the PD-C Planned Development Commercial District and excluding from the
47 PD-X District a 11.42 - acre parcel known as Plum Valley Subdivision, Lots 7-16.

Section 5: Severability. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of this ordinance. The city council hereby declares that it would have passed this ordinance, including each part, section, subsection, sentence, clause or phrase hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or phrases may be declared invalid.

Section 6: Repealer. All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

INTRODUCED, AS A BILL at the regularly scheduled meeting of the city council of the of the City of Littleton, Colorado, on the 7th day of October 2014, passed on first reading by a vote of 6 FOR and 0 AGAINST; and ordered published by posting at the Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

PUBLIC HEARING on the Ordinance to take place on the 4th day of November, 2014, in the Council Chamber, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the hour of 6:30 p.m., or as soon as it may be heard.

PASSED on second and final reading, following public hearing, by a vote of _____FOR and _____AGAINST on the 4th day of November, 2014 and ordered published by posting at the Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

ATTEST:

Wendy Heffner
CITY CLERK

Phil Cernanec
PRESIDENT OF CITY COUNCIL

1 APPROVED AS TO FORM:

2

3

4 _____
Kenneth S. Fellman

5 CITY ATTORNEY

PLUM VALLEY SUBDIVISION, LOTS 7-16
GENERAL PLANNED DEVELOPMENT PLAN
REZONING FROM PD-X TO PD-C

EXHIBIT A

A PARCEL OF LAND BEING LOTS 7 THROUGH 16 AND VACATED PLUM DRIVE, PLUM VALLEY, A SUBDIVISION PLAT RECORDED AT RECEPTION NO. 1956098341 IN THE RECORDS OF THE DOUGLAS COUNTY, COLORADO, CLERK AND RECORDER'S OFFICE, LOCATED IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 6 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID COUNTY AND STATE, ADDITIONALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID NORTHEAST QUARTER;

THENCE ALONG THE SOUTHERLY LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER SOUTH $89^{\circ}42'05''$ WEST, A DISTANCE OF 326.31 FEET TO THE SOUTHEAST CORNER OF SAID LOT 11 AND THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID SOUTHERLY LINE SOUTH $89^{\circ}42'05''$ WEST, A DISTANCE OF 989.86 FEET TO THE NORTHEAST SIXTEENTH CORNER OF SAID SECTION 4;

THENCE ALONG THE SOUTHERLY LINES OF SAID LOTS 7 AND 8 SOUTH $89^{\circ}42'24''$ WEST, A DISTANCE OF 444.87 FEET;

THENCE ALONG THE WESTERLY LINE OF SAID LOT 7 NORTH $00^{\circ}17'36''$ WEST, A DISTANCE OF 20.07 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF THE HIGHLINE CANAL AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 598.69 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH $27^{\circ}38'58''$ EAST;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING (9) COURSES:

1. SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $00^{\circ}47'07''$, AN ARC LENGTH OF 8.21 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 112.07 FEET;
2. NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $100^{\circ}03'57''$, AN ARC LENGTH OF 195.73 FEET;
3. TANGENT TO SAID CURVE NORTH $16^{\circ}47'53''$ EAST, A DISTANCE OF 274.93 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 167.88 FEET;
4. NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $74^{\circ}53'12''$, AN ARC LENGTH OF 219.42 FEET;
5. TANGENT TO SAID CURVE SOUTH $88^{\circ}18'55''$ EAST, A DISTANCE OF 438.99 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1,121.28 FEET;
6. EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $13^{\circ}00'08''$, AN ARC LENGTH OF 254.45 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 174.70 FEET;

7. SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF $29^{\circ}45'15''$, AN ARC LENGTH OF 90.72 FEET;
8. TANGENT TO SAID CURVE SOUTH $45^{\circ}33'32''$ EAST, A DISTANCE OF 439.03 FEET;
9. SOUTH $44^{\circ}26'28''$ WEST, A DISTANCE OF 81.57 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 11.423 ACRES, (497,598 SQUARE FEET), MORE OR LESS.