

CITY OF LITTLETON, COLORADO

ORDINANCE NO. 25

Series, 2016

INTRODUCED BY COUNCIL MEMBERS: _____

**AN ORDINANCE OF THE CITY OF LITTLETON,
COLORADO, APPROVING THE REZONING AND
AMENDED RIVERSIDE GENERAL PLANNED
DEVELOPMENT PLAN**

WHEREAS, the planning commission held a public hearing on October 24, 2016 to consider a proposal to approve a rezoning from PD-C (Planned Development-Commercial) to PD-R (Planned Development-Residential) and an amended general planned development plan for the Riverside General Planned Development Plan, located at 5000 and a portion of 4900 South Prince Street, more specifically described in Exhibit “A”, which is attached hereto and made a part hereof by this reference;

WHEREAS, at the public hearing, the planning commission voted to recommend the city council approve the proposed rezoning and amended general planned development plan; and

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

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

Section 1: The city council finds that the proposed rezoning of a portion of the Riverside General Planned Development Plan, located at 5000 and a portion of 4900 South Prince Street, described on the attached Exhibit “A”, meets the criteria set forth in Section 10-12-1 of the Littleton City Code in that the rezoning is consistent with the goals and policies of the comprehensive plan and promotes the general welfare of the community.

Section 2: The city council further finds that approval of the proposed amended general planned development plan conforms to the stated intent of the planned development district as specified in sections 10-2-23(A), (B) and (C) of the city code with the following conditions:

1. That the Zoning Comparison Chart and the Site Development and Design Standards, Paragraph A of the Amended Riverside General Planned Development Plan be amended as follows:

ZONING COMPARISON CHART
 (EXCERPT)

	EXISTING RIVERSIDE GPDP AMENDMENT PD-C ZONE	PROPOSED RIVERSIDE GPDP 2 ND AMENDMENT PD-R ZONE
BUILDING HEIGHT	30' MAX. FOR STRUCTURES WITHIN 150' OF SINGLE FAMILY RESIDENTIAL	4-STORY UNITS: 52' MAX. HEIGHT TO TOP OF ROOF. 3-STORY UNITS WITH ACCESS PORTALS TO DECK: 52' 3-STORY UNITS: 48' MAX, HEIGHT TO TOP OF ROOF

SITE DEVELOPMENT AND DESIGN STANDARDS

A. BUILDING HEIGHT:

B. THE MAXIMUM ALLOWED HEIGHT FOR A 3-STORY STRUCTURE SHALL BE 48' FROM FINISHED GRADE TO TOP OF ROOF RIDGE, **WITH THE EXCEPTION OF ACCESS PORTALS TO DECK UNITS THAT COULD BE UP TO 52 FEET SPECIFICALLY FOR THE ACCESS PORTAL.** ~~THE MAXIMUM ALLOWED HEIGHT FOR A 4-STORY STRUCTURE (INCLUDING A 3-STORY UNIT WITH A 4TH-STORY ROOF DECK) SHALL BE 52' FROM FINISHED GRADE TO TOP OF ROOF RIDGE.~~ ANY VARIATION FROM THIS MAXIMUM REQUIRES REVIEW AND APPROVAL BY THE DEVELOPER **CITY.**

Section 3: The city council hereby approves the rezoning and amended general planned development plan for the Riverside General Planned Development Plan.

Section 4: 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 5: 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 1st day of November, passed on first reading by a vote of 7 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 15th day of November, 2016, 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 15th day of November, 2016 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

Bruce O. Beckman
MAYOR

APPROVED AS TO FORM:

Kenneth S. Fellman
ACTING CITY ATTORNEY

Legal Description of Property to be Rezoned
from PD-C to PD-R

TRACTS B AND D, BLOCK 1, RIVER SIDE, A PLANNED DEVELOPMENT, AS SET FORTH ON THE PLAT RECORDED JUNE 19, 1986 IN PLAT BOOK 90, PAGE 48, EXCEPT THAT PORTION CONVEYED IN DEED RECORDED APRIL 13, 2004 AT RECEPTION NO. B4065836, COUNTY OF ARAPAHOE, STATE OF COLORADO,

TOGETHER WITH A PORTION OF ADJACENT RIGHT-OF-WAY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHWEST CORNER OF SAID PORTION OF TRACT D;

THENCE ALONG THE BOUNDARIES OF SAID TRACT B AND D, THE FOLLOWING SIX (6) COURSES;

1. NORTH 47°16'53" EAST, A DISTANCE OF 111.91 FEET;
2. SOUTH 89°53'40" EAST, A DISTANCE OF 163.70 FEET;
3. SOUTH 00°08'47" EAST, A DISTANCE OF 33.98 FEET;

4. SOUTH 88°41'40" EAST, A DISTANCE OF 93.57 FEET;
5. SOUTH 46°09'54" EAST, A DISTANCE OF 70.92 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 715.68 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 69°29'50" EAST;
6. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 31°55'12", AN ARC LENGTH OF 398.71 FEET TO THE NORTHEAST QUARTER OF SAID PORTION CONVEYED IN DEED RECORDED APRIL 13, 2004 AT RECEPTION NO. B4065836;

THENCE, ALONG THE NORTHERLY BOUNDARY OF SAID PORTION, THE FOLLOWING THREE (3) COURSES;

1. SOUTH 86°40'10" WEST, A DISTANCE OF 124.20 FEET;
2. NORTH 69°10'52" WEST, A DISTANCE OF 54.20 FEET;
3. NORTH 59°10'55" WEST, A DISTANCE OF 149.71 FEET TO A POINT ON THE WESTERLY BOUNDARY OF SAID TRACT D;

THENCE NORTH 89°34'00" WEST, A DISTANCE OF 30.00 FEET;

THENCE NORTH 00°26'00" EAST, A DISTANCE OF 306.06 FEET TO A POINT ON SAID WESTERLY BOUNDARY OF TRACT D;

THENCE NORTH 76°23'40" WEST, ALONG SAID WESTERLY BOUNDARY, A DISTANCE OF 29.44 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 3.308 ACRES, (144,088 SQUARE FEET), MORE OR LESS.

Legal Description of Amended General Planned Development Plan

PORTIONS OF TRACTS B AND D, BLOCK 1, AND TRACT B, BLOCK 2, RIVER SIDE, A PLANNED DEVELOPMENT, AS SET FORTH ON THE PLAT RECORDED JUNE 19, 1986 IN PLAT BOOK 90, PAGE 48, EXCEPT THAT PORTION CONVEYED IN DEED RECORDED APRIL 13, 2004 AT RECEPTION NO. B4065836, COUNTY OF ARAPAHOE, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT B, BLOCK 1, BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 715.68 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 69°29'50" EAST;

THENCE SOUTHERLY ALONG THE EASTERLY BOUNDARY OF SAID TRACT B, BLOCK ONE, AND SAID CURVE THROUGH A CENTRAL ANGLE OF 31°55'12", AN ARC LENGTH OF 398.71 FEET;

THENCE SOUTH 86°40'10" WEST, A DISTANCE OF 124.20 FEET;

THENCE NORTH 69°10'52" WEST, A DISTANCE OF 54.20 FEET;

THENCE NORTH 59°10'55" WEST, A DISTANCE OF 149.71 FEET TO A POINT ON THE WESTERLY BOUNDARY OF SAID TRACT D, BLOCK ONE;

THENCE, ALONG TSAID WESTERLY BOUNDARY, THE FOLLOWING TWO (2) COURSES;

1. NORTH 00°26'00" EAST, A DISTANCE OF 299.04 FEET;
2. NORTH 76°23'40" WEST, A DISTANCE OF 8.57 FEET;

THENCE THE FOLLOWING SIX (6) COURSES;

1. NORTH 02°16'57" EAST, A DISTANCE OF 9.31 FEET;
2. SOUTH 89°34'00" EAST, A DISTANCE OF 8.04 FEET;
3. NORTH 00°26'00" EAST, A DISTANCE OF 16.03 FEET;
4. NORTH 22°53'16" EAST, A DISTANCE OF 47.35 FEET;
5. SOUTH 89°41'52" EAST, A DISTANCE OF 245.78 FEET;
6. SOUTH 46°09'54" EAST, A DISTANCE OF 93.92 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 2.998 ACRES, (130,572 SQUARE FEET), MORE OR LESS.

Exhibit A

Legal Description

A PARCEL OF LAND BEING A PART OF THE NW ¼ OF THE NE ¼ OF SECTION 29, TOWNSHIP 5 SOUTH; RANGE 68, WEST OF THE 6TH P.M., COUNTY OF ARAPAHOE, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LEGAL DESCRIPTION: (FROM TRUSTEE'S DEED, BOOK 4545, PAGE 209 ARAPAHOE COUNTY RECORDS):

A TRACT OF LAND IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, SECTION 29, TOWNSHIP 5 SOUTH, RANGE 68 WEST, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHICH IS 1312 FEET SOUTH AND 364 FEET EAST OF THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE EAST 571.5 FEET TO THE NORTHWESTERLY LINE OF THE COUNTY ROAD; THENCE WEST 645.5 FEET; THENCE SOUTH 323 FEET TO THE TRUE POINT OF BEGINNING, KNOWN AS 6885 SOUTH SANTA FE DRIVE, LITTLETON, COLORADO.

Ordinance No. 25
Series of 2016
Page 6

EXCEPT PARCEL CONVEYED TO COLORADO DEPARTMENT OF TRANSPORTATION AT THE
SOUTHEAST CORNER OF THE PARCEL.

BASIS FOR BEARINGS:

THE WEST RIGHT-OF-WAY LINE OF SOUTH SANTA FE DRIVE BEARS S09°37'00"W PER
THE BOUNDARY ADJUSTMENT PLAT, RECEPTION NO. D3110613, ARAPAHOE COUNTY
RECORDS. ALL MONUMENTS EXIST AS SHOWN HEREON.