

1 CITY OF LITTLETON, COLORADO

2
3 ORDINANCE NO. 22

4
5 Series, 2021

6
7 AN ORDINANCE OF THE CITY OF LITTLETON,
8 COLORADO, APPROVING THE FOURTH AMENDMENT
9 TO THE NEWTON PROPERTY GENERAL PLANNED
10 DEVELOPMENT PLAN (ASPEN GROVE)

11
12 WHEREAS, Title 10, Chapter 2, Section 23 of the Littleton City Code provides
13 for the creation and amendment of Planned Development zoning districts; and

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15 WHEREAS, the property (the “Property”) more specifically described in Exhibit
16 A (Legal Description), which is attached hereto and fully incorporated herein by this reference, is
17 zoned PD-I as part of the Newton Property General Planned Development Plan adopted by
18 Ordinance 7, 1996, as has been amended over time; and

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20 WHEREAS, On April 27, 2021, the owner of the Property, Aspen Grf2, LLC,
21 applied for a fourth amendment to the Newton Property General Planned Development Plan; and

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23 WHEREAS, the planning commission of the City of Littleton, Colorado held a
24 public hearing at its regular meeting of August 23, 2021 to consider a proposed Fourth Amendment
25 to the Newton Property general Planned Development Plan (Aspen Grove), and recommended
26 approval of the proposal with conditions; and

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28 WHEREAS, the city council of the City of Littleton, Colorado held a public
29 hearing on October 5, 2021 to consider the proposed Fourth Amendment to the Newton Property
30 General Planned Development Plan, as it has been revised to address the planning commission
31 conditions, more specifically described in Exhibit B (the “Plan”), attached hereto and fully
32 incorporated herein by this reference; and

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34 WHEREAS, the city council considered evidence and testimony concerning the
35 Plan at said public hearing; and

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37 WHEREAS, the city council finds in fact that the Plan encourages more creative
38 and effective use of land and public or private services, and accommodates changes in land
39 development technology so that the resulting economies benefit the community; and

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41 WHEREAS, the city council finds in fact that the Plan encourages innovation and
42 efficiency in residential development to meet the growing demands for housing of all types and
43 designs for persons of any social or economic status; and

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45 WHEREAS, the city council finds in fact that the Plan encourages innovative
46 development or redevelopment of all land uses to meet the contemporary needs of the community
47 by providing for a greater variety and mix of uses including those which may coexist on the same
48 parcel or within the same building; and

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50 **WHEREAS**, the city council finds in fact that the Plan provides a process which
51 relates the design and development of the Property to the particular characteristics of the Property;
52 and

53
54 **WHEREAS**, the city council finds in fact that the Plan allows a nature and
55 intensity of development which is supported by adequate utilities, transportation network, drainage
56 systems and open space to serve the development, and minimizes impacts on adjacent existing and
57 future development; and

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59 **WHEREAS**, the city council finds in fact that the Plan encourages development
60 that is consistent with the policies and guidelines established in the adopted comprehensive plan
61 for the area and for the city; and

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63 **WHEREAS**, the city council finds in fact that approval of the Plan is in the best
64 interest of the city and promotes the public health, safety, and welfare of its inhabitants.

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

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69 **Section 1:** Approval. Pursuant to its authority under the provisions of the
70 Littleton City Code and the City of Littleton Charter, the city council hereby approves the Fourth
71 Amendment to the Newton Property General Planned Development Plan as shown in Exhibit B.

72
73 **Section 2:** Execution and Recording. The city council hereby authorizes the
74 execution of signatures and recording of Exhibit B within one (1) year from the effective date of
75 this ordinance pursuant to the provisions of Littleton City Code Title 10, Chapter 1, Section 9, sub-
76 sections E and F.

77
78 **Section 3:** Severability. If any part, section, subsection, sentence, clause or
79 phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the
80 validity of the remaining sections of this ordinance. The City Council hereby declares that it would
81 have passed this ordinance, including each part, section, subsection, sentence, clause or phrase
82 hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or
83 phrases may be declared invalid.

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85 **Section 4:** Repealer. All ordinances or resolutions, or parts thereof, in conflict
86 with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer
87 clauses of such ordinance nor revive any ordinance thereby.

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90 INTRODUCTION AS A BILL at a regularly scheduled meeting of the City Council
91 of the City of Littleton on the 7th day of September, 2021, passed on first reading by a vote of 6
92 FOR and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the
93 Municipal Courthouse and on the City of Littleton Website.

PUBLIC HEARING on the Ordinance to take place on the 5th day of October, 2021,
in the Council Chamber, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the
hour of 6:30 p.m., or as soon thereafter as it may be heard.

PASSED on second and final reading, following public hearing, by a vote of _____FOR
and _____ AGAINST on the 5th day of September, 2021 and ordered published by posting at
Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

ATTEST:

Colleen L. Norton
CITY CLERK

Jerry Valdes
MAYOR

APPROVED AS TO FORM:

Reid Betzing
CITY ATTORNEY

