

**CITY OF CENTENNIAL,  
COLORADO**

**ORDINANCE NO. 2014-O-43**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL,  
COLORADO REZONING PROPERTY KNOWN AS 20099 E. ARAPAHOE  
ROAD, FROM AGRICULTURAL (A-1) UNDER THE 2001 LAND  
DEVELOPMENT CODE TO AUTO-URBAN RESIDENTIAL (RA) UNDER THE  
2011 LAND DEVELOPMENT CODE, AND AMENDING THE OFFICIAL  
ZONING MAP**

WHEREAS, Alpert Signature Homes, Inc. (“Applicant”), on behalf of the current owner Jonna Emery Wynkoop (the “Owner”), has submitted an application to rezone property consisting of 10.037 acres, more or less, and as more particularly described in **Exhibit A**, a copy of which is attached hereto (the “Property”); and

WHEREAS, the Applicant has submitted the Greenfield West Rezoning Plan, formerly known as the Wynkoop Rezoning Plan (Case No. LU-14-00080) to the City, a copy of which is on file with the Community Development Department and is incorporated herein by reference; and

WHEREAS, in accordance with the 2011 Land Development Code (“2011 LDC”) the Applicant proposes to rezone the Property from Agricultural (A-1) under the 2001 Land Development Code (“2001 LDC”) to Auto-Urban Residential (RA) under the 2011 LDC; and

WHEREAS, the City of Centennial Planning and Zoning Commission considered the zoning proposal at a duly noticed public hearing, and forwarded its favorable recommendation to City Council; and

WHEREAS, public notice has been properly given of the proposed zoning of the Property by publication in *The Villager*, a newspaper of general circulation within the City of Centennial, by posting of said Property and by mail notification of adjacent property owners in accordance with the applicable provisions of the 2011 LDC; and

WHEREAS, in accordance with the 2011 LDC, a public hearing was held before the City Council at the Centennial Civic Center, 13133 E. Arapahoe Road, Centennial, Colorado at which time evidence and testimony were presented to the City Council concerning said zoning proposal; and

WHEREAS, the administrative record for this case includes, but is not limited to, the 2001 LDC, the 2011 LDC, the City of Centennial Comprehensive Plan, and all other applicable ordinances, resolutions and regulations, together with all City of Centennial land use application processing policies that relate to the subject matter of the public hearing, reports, studies and all other submittals of the Applicant, the Owner, the Applicant’s and the Owner’s designated representative(s), as applicable, any evidence or correspondence submitted by members of the public at the public hearing, and the staff files and reports of the Community Development Department pertaining to this application; and

WHEREAS, pursuant to Article 23 of Title 31, C.R.S., as amended, City Council has determined that the proposed zoning of the Property, subject to any conditions set forth herein, furthers the public health, safety, convenience and general welfare of the community; generally conforms with the City's Comprehensive Plan, as amended and updated; is compatible with surrounding uses; and otherwise meets the applicable criteria set forth in the 2011 LDC; and

WHEREAS, approval of this Ordinance on first reading is intended only to confirm that the City Council desires to comply with state law and the 2011 LDC by setting a public hearing in order to provide the Applicant, the Owner and the public an opportunity to present testimony and evidence regarding the zoning application. Approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects, or denies the proposed zoning.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, ORDAINS:**

**Section 1. Recitals Incorporated.** The recitals contained above are incorporated herein by reference and are adopted as findings and determinations of the City Council.

**Section 2. Zoning of Property Approved.** The City Council hereby grants and approves rezoning of the Property from Agricultural (A-1) under the 2001 LDC to Auto-Urban Residential (RA) under the 2011 LDC, as depicted on the Greenfield West Rezoning Plan (Case No. LU-14-00080) ("Zoning Plan").

**Section 3. Amendment of Zoning Map.** The Official Zoning Map of the City of Centennial shall be amended to conform to and reflect the Property's RA zone district classification. The Community Development Department is directed to make such changes to the Official Zoning Map and shall be authorized to make necessary technical corrections to the Zoning Plan.

**Section 4. Severability.** Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

**Section 5. Repeal.** Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

**Section 6. Effective Date.** Except as otherwise expressly provided herein, the provisions of this Ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD ON THE \_\_\_ DAY OF \_\_\_\_\_, 2014.

CITY OF CENTENNIAL

By: \_\_\_\_\_  
Cathy A. Noon, Mayor

Approved as to Form:

\_\_\_\_\_  
For City Attorney's Office

I hereby certify that the above Ordinance was introduced to the City Council of the City of Centennial at its meeting of \_\_\_\_\_, 2014 and ordered published one time by title only in *The Villager* newspaper on \_\_\_\_\_, 2014, and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

ATTEST:

SEAL

By: \_\_\_\_\_  
City Clerk or Deputy City Clerk

FINALLY ADOPTED, PASSED, APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED PUBLISHED BY TITLE ONLY, IN *THE VILLAGER* NEWSPAPER AND IN FULL ON THE CITY WEB SITE IN ACCORDANCE WITH SECTION 2-1-110 OF THE MUNICIPAL CODE BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS MEETING HELD ON THE \_\_\_ DAY OF \_\_\_\_\_, 2014, BY A VOTE OF \_\_\_ IN FAVOR AND \_\_\_ AGAINST.

CITY OF CENTENNIAL

By: \_\_\_\_\_  
Cathy A. Noon, Mayor

I hereby certify that the above Ordinance was finally adopted by the City Council of the City of Centennial at its meeting of \_\_\_\_\_, 2014, and ordered published by title only, one time by *The Villager* newspaper on \_\_\_\_\_, 2014 and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

SEAL

ATTEST:

By: \_\_\_\_\_  
City Clerk or Deputy City Clerk

**Exhibit A**

Legal Description of Subject Property  
(Greenfield West Rezoning Plan, Case No. LU-14-00080)

THE EAST 330 FEET OF THE NORTH ONE-HALF OF THE SOUTH ONE-HALF OF SECTION 22, TOWNSHIP 5 SOUTH, RANGE 66 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 5 SOUTH, RANGE 66 WEST OF THE 6<sup>TH</sup> P.M., MONUMENTED BY A 2" ALUMINUM CAP STAMPED "LS 25965" AT THE EAST ONE-QUARTER CORNER AND A 3-1/4" ALUMINUM CAP STAMPED "LS 38252" AT THE SOUTHEAST CORNER, BEING ASSUMED TO BEAR N00 00'50" E A DISTANCE OF 2649.95 FEET.

BEGINNING AT THE EAST ONE-QUARTER CORNER OF SAID SECTION 22, THENCE ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 22, S00 00'50"W A DISTANCE OF 1325.15 FEET TO THE SOUTHEAST CORNER OF THE EAST 330 FEET OF THE NORTH ONE-HALF OF THE SOUTH ONE-HALF OF SAID SECTION 22 AND THE NORTH LINE OF PINEY CREEK RANCHES FILING NO. 2;

THENCE ON THE SOUTH LINE OF THE NORTH ONE-HALF OF THE SOUTH ONE-HALF OF SAID SECTION 22, AND THE NORTH LINE OF SAID PINEY CREEK RANCHES FILING NO. 2, N89 45'15" W, A DISTANCE OF 331.01 FEET;

THENCE ON THE WESTERLY LINE OF SAID EAST 330 FEET AND ON THE EASTERLY LINE OF SAID PINEY CREEK RANCHES FILING NO. 2, N00 04'24" E A DISTANCE OF 1322.12 FEET TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 22;

THENCE ON SAID NORTH LINE, N89 43'14" E A DISTANCE OF 329.62 FEET TO THE POINT OF BEGINNING,

CONTAINING A CALCULATED AREA OF 437,209 SQUARE FEET OR 10.0369 ACRES.

AIN: 2073-22-4-00-004

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/s/ Barbara Setterlind, City Clerk