

**CITY OF CENTENNIAL,
COLORADO**

ORDINANCE NO. 2022-O-24

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL,
COLORADO REZONING CERTAIN PROPERTY LOCATED SOUTH OF EAST
EASTER AVENUE AND EAST OF SOUTH FULTON STREET FROM OPEN
SPACE AND RECREATION (OSR) TO BUSINESS PARK (BP₁₀₀) UNDER THE
LAND DEVELOPMENT CODE, AND AMENDING THE OFFICIAL ZONING
MAP (CASE NO. RZONE-22-00001)**

WHEREAS, Terra Forma Solutions, Inc. (the “Applicant”) on behalf of Rampart Business Center Owner’s Association (the “Owner”) submitted an application to rezone property consisting of approximately 0.52 acres, more or less, which is located south of East Easter Avenue and east of South Fulton Street in the City of Centennial (the “Property”) from Open Space and Recreation (OSR) to Business Park (BP₁₀₀) under the Land Development Code (“LDC”) (Case No. RZONE-22-00001); and

WHEREAS, the Property is more particularly described in the Meisinger USA Office Parking Lot Expansion Rezoning Plan, a copy of which is on file with the Community Development Department (Case No. RZONE-22-00001) (the “Rezoning Plan”); and

WHEREAS, the City of Centennial Planning and Zoning Commission considered the zoning proposal at a duly noticed public hearing conducted on August 24, 2022, 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 Centennial Citizen*, 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 LDC; and

WHEREAS, in accordance with the 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 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, or the Applicant’s or 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 rezoning; 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 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 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, BE IT ORDAINED BY THE CITY COUNCIL OF CENTENNIAL, COLORADO:

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 Open Space and Recreation (OSR) to Business Park (BP₁₀₀) under the LDC. Following the effective date of this Ordinance, the Property shall be zoned Business Park (BP₁₀₀) under the LDC.

Section 3. Amendment of Zoning Map. The Official Zoning Map of the City of Centennial shall be amended following the effective date of this Ordinance to conform to and reflect the Property's Business Park (BP₁₀₀) zone district classification. The Community Development Department is instructed to record this rezoning (Case No. RZONE-22-00001) in the real property records of Arapahoe County, Colorado.

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 _____, 2022.

CITY OF CENTENNIAL

By: _____
Stephanie Piko, 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 _____, 2022 and ordered published one time by title only in *The Centennial Citizen* newspaper on _____, 2022, 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 CENTENNIAL CITIZEN* 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 _____, 2022, BY A VOTE OF ___ IN FAVOR AND ___ AGAINST.

CITY OF CENTENNIAL

By: _____
Stephanie Piko, Mayor

I hereby certify that the above Ordinance was finally adopted by the City Council of the City of Centennial at its meeting of _____, 2022, and ordered published by title only,

one time by *The Centennial Citizen* newspaper on _____, 2022 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

Published in full on the City's website at: www.centennialco.gov on September 1, 2022 by Christina Lovelace, Deputy City Clerk.