

**RESOLUTION NO. 9
SERIES 2021**

**INTRODUCED BY: KATY BROWN
SECONDED BY: AFSHIN SAFAVI**

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
APPROVING WITH CONDITIONS A PRELIMINARY PLAT
FOR A PARCEL OWNED BY DENVER FIRST CHURCH OF THE NAZARENE AND
LOCATED IN THE 3500 BLOCK OF SOUTH MONROE STREET**

WHEREAS, Denver First Church of the Nazarene (“DFCN”) is the record property owner of a certain parcel of land located in the 3500 block of South Monroe Street, being that property (the “Subject Property”) more particularly described as:

**Lot 1, Block 1, Amended Plat of Lot 1, Block 1,
Highline Meadows in Cherry Hills,
City of Cherry Hills Village, County of Arapahoe, State of Colorado;**

and

WHEREAS, DFCN submitted an application dated June 18, 2020, seeking approval of a Preliminary Plat of the Subject Property (the “Application”), together with applications to rezone the Subject Parcel and for a Site Plan Amendment (pertaining to DFCN’s larger adjacent ownership, in order to eliminate the current parking requirements attaching to the Subject Property) (the “Associated Applications”); and

WHEREAS, the Planning and Zoning Commission (P&Z) held a duly noticed public hearing on January 12, 2021 to consider the Application and Associated Applications, and following the conclusion of the public hearing voted to recommend approval of the Application and Associated Applications to City Council, based on the evidence and testimony presented at such hearing; and

WHEREAS, the City provided notice of a City Council public hearing in accordance with all applicable provisions of the Code; and

WHEREAS, the City Council thereafter held such duly-noticed public hearing on the Application and Associated Applications, at which time evidence and testimony were presented to the City Council; and

WHEREAS, the City Council determines that testimony and other evidence in the record supports a finding that the Preliminary Plat is consistent with, and complies with, the requirements outlined in Section 17-3-110 of Chapter 17 of the Municipal Code (the “Code”) relating to preliminary plats, and all other applicable provisions of the Code, and does so find;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
CHERRY HILLS VILLAGE:**

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

Section 2. Preliminary Plat Approved. The preliminary plat referenced herein is hereby approved, subject to the conditions set forth in Section 3 below.

Section 3. Conditions Imposed. The preliminary plat herein approved is subject to the following conditions:

1. At the time of final plat submittal, all final drainage reports and plans must be submitted and prior to approval of the final plat all final drainage reports and plans must be approved by the applicable agencies.
2. As required by the Code, the applicant shall agree to terms for the public and/or private improvements via a Subdivision Improvement Agreement (SIA).

Section 4. Effective Date. This Resolution shall be effective upon the effective date of the ordinance (Council Bill 1, Series 2021) rezoning the Subject Property.

Section 5. Repealer. All resolutions or parts thereof in conflict with this resolution are

hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution or revive any resolution.

Section 6. Severability. If any provision of this resolution is found by a court of competent jurisdiction to be invalid, the remaining provisions of this resolution will remain valid, it being the intent of the City that the provisions of this resolution are severable.

Introduced, passed and adopted at a regular meeting of City Council this 2nd day of March, 2021, by a vote of 6 yes and 6 no.

(SEAL)

DocuSigned by:

Russell O. Stewart

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Russell O. Stewart, Mayor

ATTEST:

DocuSigned by:

Laura Gillespie

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Laura Gillespie, City Clerk

APPROVED AS TO FORM:

DocuSigned by:

Kathie B. Guckenberger

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Kathie B. Guckenberger, City Attorney