

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
APPROVING AN EXTENSION TO A SITE PLAN AMENDMENT
PERTAINING TO PARCELS OWNED BY DENVER FIRST CHURCH OF THE NAZARENE
AND GENERALLY LOCATED AT 3800 E. HAMPDEN AVENUE
AND 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 on which its main facilities are situated (the "Main Facilities Property"), being approximately 10.17 acres in size, located at 3800 E. Hampden Avenue, and more particularly described in **Exhibit A**, attached hereto and incorporated herein; and

WHEREAS, DFCN is also the record property owner of a certain parcel of land adjacent to the Main Facilities Property, and located in the 3500 block of South Monroe Street, being that property (the "Overflow Parking 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, pursuant to Resolution 8, Series 2021, the City Council approved a Site Plan Amendment that removed an obligation for DFCN to maintain 264 parking spaces on the Overflow Parking Property subject to two conditions:

1. The Shared Parking Agreement with Brave Church must be executed within 90 days of approval of the Site Plan Amendment by City Council, as calculated based on the effective date of the resolution; and
2. Prior to the issuance of permits resulting in any site demolition or site work pertaining to the Overflow Parking Property, DFCN will be required to submit appropriate documentation to the City and applicable referral partners for review and approval, and notification to the Covington HOA.

; and

WHEREAS, DFCN timely submitted an initial written request for an extension to Condition 1 on May 18, 2021; and

WHEREAS, DFCN submitted an additional request for an extension of eight (8) months to the 90-day timeframe in Condition 1 on May 26, 2021, a narrative justifying their request on June 4, 2021 ("Request"), and another request for an eight (8) month extension from the August 31, 2021, meeting date; and

WHEREAS, pursuant to Section 16-7-290 of the Cherry Hills Village Municipal Code ("Code"), the City provided notice of a City Council meeting to be held on July 20, 2021; and

WHEREAS, the City Council thereafter held such duly-noticed meeting on the Request, at which time evidence and testimony were presented to the City Council, and which meeting was continued to the August 31, 2021, City Council meeting; and

WHEREAS, the City Council determines that testimony and other evidence in the record supports findings that there is good and reasonable cause for the Request; and that DFCN has provided reasonable assurances that it will fulfill Condition 1 within the extended term, and therefore finds that the Request meets the criteria outlined in Section 16-7-290(e)(3) of Chapter 16 of the Code, relating to extensions of approvals, and complies with all other applicable provisions of the Code.

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. Site Plan Amendment Extension Approved. The City Council approves the extension of the Site Plan Amendment subject to the amended Condition 1 set forth in Section 3 below. The original Condition 2 from Resolution 8, Series 2021 remains unchanged.

Section 3. Conditions Imposed. The extension of the Site Plan Amendment herein approved is subject to the following condition:

1. The Shared Parking Agreement with BRAVE Church must be fully executed by DFCN and BRAVE Church and recorded on or before April 30, 2022.

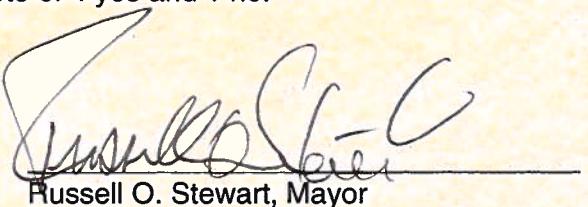
Section 4. Effective Date. This Resolution shall be effective immediately upon its adoption.

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 31st day of August, 2021, by a vote of 4 yes and 1 no.

(SEAL)



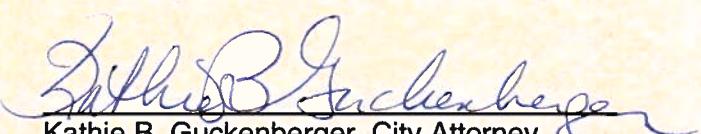
Russell O. Stewart, Mayor

ATTEST:



Laura Gillespie, City Clerk

APPROVED AS TO FORM:



Kathie B. Guckenberger, City Attorney

Exhibit A
Legal Description of Main Facilities Property

A PARCEL OF LAND BEING A PORTION OF BLOCKS 2 THORUGH 4 OF SOUTH UNIVERSITY PARK LOCATED IN THE NORTHEAST ONE-QUARTER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF CHERRY HILLS VILLAGE, COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE NORTH LINE OF THE NORTHEAST ONE-QUARTER OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE WEST END AT THE NORTH ONE-QUARTER CORNER BY A 3" ALUMINUM CAP STAMPED "LS 19003 1995", AND MONUMENTED AT THE EAST END BY THREE REFERENCE MARKS PER MONUMENT RECORDS BY BERTSCH AND LEFEBRE, WITH THE LINE CONSIDERED TO BEAR N89°48'14"E.

COMMENCING AT THE NORTH ONE-QUARTER CORNER OF SAID SECTION 1;

THENCE S87°13'54"E, A DISTANCE OF 1353.47 FEET TO A POINT ON THE WEST BOUNDARY LINE OF BLOCK 4 OF SOUTH UNIVERSITY PARK, AND THE POINT OF BEGINNING, FROM WHENCE THE NORTHWEST CORNER OF LOT 2, BLOCK 4, SOUTH UNIVERSITY PARK BEARS N00°11'04"E, A DISTANCE OF 15 FEET;

THENCE N89°48'14"E ALONG A LINE PARALLEL TO AND 10 FEET NORTH OF THE SOUTH LINE OF SAID LOT 2, BLOCK 4, A DISTANCE OF 296.01 FEET TO A POINT ON THE CENTER LINE OF VACATED GARFIELD STREET;

THENCE S00°11'04" W ALONG THE SAID CENTERLINE OF VACATED GARFIELD STREET, A DISTANCE OF 10.00 FEET TO A POINT ON THE EXTENDED NORTH BOUNDARY LINE OF LOT 3, BLOCK 3, SOUTH UNIVERSITY PARK;

THENCE N89°48'14"E ALONG THE SAID EXTENDED NORTH BOUNDARY LINE OF LOT 3, BLOCK 3, A DISTANCE OF 163.00 FEET TO A POINT ON THE CENTERLINE OF THE NORTH-SOUTH VACATED ALLEY IN SAID BLOCK 3;

THENCE N00°11'04"E, ALONG THE SAID VACATED ALLEY CENTERLINE, A DISTANCE OF 5.00 FEET TO A POINT ON AN EXTENDED LINE BEING PARALLEL TO AND 5.00 FEET NORTH OF THE SOUTH BOUNDARY LINE OF LOT 2, BLOCK 2, SOUTH UNIVERSITY PARK;

THENCE N89°48'14"E ALONG THE SAID EXTENDED LINE BEING PARALLEL TO AND 5.00 FEET NORTH OF THE SOUTH BOUNDARY LINE OF LOT 2, BLOCK 2, A DISTANCE OF 326.01 FEET TO A POINT ON THE CENTERLINE OF THE NORTH-SOUTH VACATED ALLEY IN BLOCK 2;

THENCE S00°11'04" W ALONG THE SAID VACATED ALLEY CENTERLINE IN BLOCK 2, A DISTANCE OF 555.01 FEET TO A POINT ON THE EXTENDED SOUTH BOUNDARY LINE OF SAID BLOCK 2;

THENCE S89°48'14" W ALONG THE SAID BOUNDARY LINE OF SAID BLOCKS 2, 3 AND 4, A DISTANCE OF 785.02 FEET TO A POINT AT THE SOUTHWEST CORNER OF LOT 24, SAID BLOCK 4;

THENCE N00°11'04"E ALONG THE WEST BOUNDARY LINE OF SAID BLOCK 4, A DISTANCE OF 560.01 FEET TO THE POINT OF BEGINNING,

CONTAINING A CALCULATED AREA OF 436,350 SQUARE FEET OR 10.017 ACRES.