

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CHERRY HILLS VILLAGE
APPROVING A FLOODPLAIN VARIANCE
PERTAINING TO PARCELS OWNED BY THE CHERRY HILLS COUNTRY CLUB
AND GENERALLY LOCATED AT 4125 S. UNIVERSITY BOULEVARD**

WHEREAS, Cherry Hills Country Club (the "Country Club") is the record property owner of a certain parcel of land on which its facilities are located (the "Main Facilities Property"), being approximately 186.35 acres in size, located at 4125 S. University Boulevard, and more particularly described in **Exhibit A**, attached hereto and incorporated herein; and

WHEREAS, the Country Club submitted an application for a Floodplain Variance dated April 24, 2020 ("Application"); and

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

WHEREAS, pursuant to the Cherry Hills Village Municipal Code ("Code"), the City provided notice of a City Council hearing to be held on November 2, 2021; and

WHEREAS, the City Council thereafter held such duly-noticed public hearing on the Application, 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 findings that the Floodplain Variance meets the criteria outlined in Section 16-7-530(f), Section 16-7-360(c), and Section 16-7-360(e) of the Code 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. Floodplain Variance Approved. The Floodplain Variance referenced herein is hereby approved, subject to the condition set forth in Section 3 below.

Section 3. Conditions Imposed. The Floodplain Variance herein approved is subject to the following condition:

1. At the conclusion of the project the applicant shall provide "as built" drawings to the City to ensure that construction was consistent with the approved plans submitted with the Application.

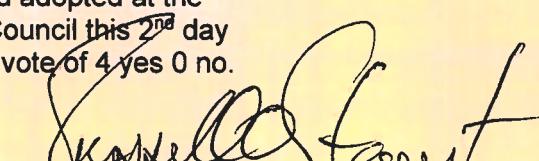
Section 4. Effective Date. This Resolution shall be effective immediately upon its adoption.

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 the
regular meeting of City Council this 2nd day
of November, 2021, by a vote of 4 yes 0 no.

(SEAL)


Russell O. Stewart, Mayor

ATTEST:

Laura Gillespie
Laura Gillespie, City Clerk

APPROVED AS TO FORM:

Kathie B. Guckenberger
Kathie B. Guckenberger, City Attorney

Exhibit A

Approximate Latitude and Longitude of Main Facilities Property

Latitude: 39.642375

Longitude: -104.968295