

ORDINANCE NO. 15
Series 2022

November 15, 2022: Introduced as Council Bill 17, Series 2022 by Mayor Pro Tem Katy Brown, seconded by Councilor Dan Sheldon and considered in full text on first reading. Passed by a vote of 5 yes and 0 no.

December 14, 2022: Considered in full text on second reading. Passed by a vote of 6 yes and 0 no.

**A BILL FOR AN ORDINANCE OF THE CITY OF CHERRY HILLS VILLAGE
TO REZONE A PARCEL OF LAND OWNED BY BRAVE ENGLEWOOD NO. 2, LLC,
LEGALLY DESCRIBED AS LOT 1, BLOCK 1, AMENDED PLAT OF LOT 1, BLOCK 1,
HIGHLINE MEADOWS IN CHERRY HILLS,
FROM R-4 (.5-ACRE RESIDENTIAL) TO R-1 (2.5-ACRE RESIDENTIAL), AND
AMENDING THE OFFICIAL ZONING MAP CONSISTENT THEREWITH**

WHEREAS, pursuant to Section 16-7-350(a) of the Municipal Code (the "Code"), rezoning of a specific parcel, lot, or property may be initiated by application of the property owner; and

WHEREAS, pursuant to Sections 16-2-20(c) and 16-7-350(a) of the Code, the City Council is authorized to initiate and approve amendments to the Official Zoning Map of the City of Cherry Hills Village; and

WHEREAS, BRAVE Englewood No. 2, LLC is the record property owner of a certain parcel of land located at the southwest corner of E. Hampden Avenue and S. Monroe Street (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 has initiated a rezoning of the Subject Property, by submitting an application dated May 25, 2022, seeking to rezone the Subject Property from the R-4 Zoning District (.5-Acre Residential) to the R-1 Zoning District (2.5-Acre Residential) (the "Application"); and

WHEREAS, the Planning and Zoning Commission ("P&Z") held a duly noticed public hearing on October 11, 2022, to consider the Application and following the conclusion of the public hearing voted to recommend approval of the Application 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 rezoning 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 a finding that the proposed rezoning will better facilitate implementation of the city's Master Plan as required by Section 16-2-40 of Code relating to rezoning applications, and does so find;

NOW, THEREFORE, the Council of the City of Cherry Hills Village, ordains:

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. Rezoning Approved. The zoning classification of the Subject Property shall be, and is hereby, changed from the R-4 Zoning District (.5-Acre Residential) to the R-1 Zoning District (2.5-Acre Residential).

Section 3. Zoning Map Amendment. The Official Zoning Map of the City of Cherry Hills Village is hereby amended to show the change in zoning classification set forth in Section 2 of this Ordinance, and a certified copy of such amendment shall be filed with the City Clerk.

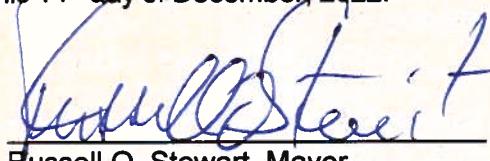
Section 4. Safety Clause. The City Council of the City of Cherry Hills Village deems this Ordinance to be necessary for the public health, safety and welfare.

Section 5. **Severability.** If any provision of this Ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this Ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this Ordinance are not determined by the court to be inoperable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion be declared invalid.

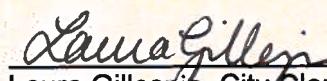
Section 6. **Effective Date.** This Ordinance shall become effective ten (10) days after publication after second reading in accordance with Section 4.5 of the Charter for the City of Cherry Hills Village.

Adopted as Ordinance No. 15, Series 2022, by the City Council of the City of Cherry Hills Village, Colorado this 14th day of December, 2022.

(SEAL)

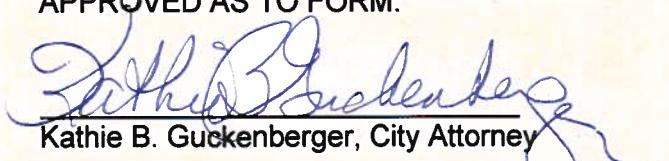

Russell O. Stewart, Mayor

ATTEST:


Laura Gillespie, City Clerk

Published in *The Villager*
Published: 12-22-22
Legal #: 10955

APPROVED AS TO FORM:


Kathie B. Guckenberger, City Attorney

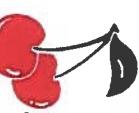
CITY OF CHERRY HILLS VILLAGE
ADOPTION OF ORDINANCE
ORDINANCE 15, SERIES 2022

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OF LAND OWNED BY BRAVE
ENGLEWOOD NO. 2, LLC,
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Copies of the Ordinances are on
file at the office of the City Clerk
and may be inspected during regu-
lar business hours.

Published in *The Villager*
Published: December 22, 2022
Legal # 10955

ATTACHMENT A TO ORDINANCE 15, SERIES 2022



CHEERRY HILLS VILLAGE OFFICIAL ZONING MAP

Subject property of Council Bill 17, Series 2022, rezoned to R-1.

Zoning Category

	Non-Conforming Lot Area
	C-1, Community District
	O-1, Open Space, Parks and Recreation Area District
	O-2, Open Space, Conservation and Historic Area District
	R-1, 1/2-Acre Residential District
	R-2, 1 1/4-Acre Residential District
	R-3, 1-Acre Residential District
	R-3A, Variable Lot Residential District
	R-4, 1/2-Acre Residential District
	R-5, 16,000-Square-Foot Residential District

