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City Clerk  
City of Cherry Hills Village  
2450 E. Quincy Ave.  
Cherry Hills Village, CO 8013

Arapahoe County Clerk & Recorder, Nancy A. Doty

Reception #: B5115761

Recording Fee: \$31.00

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Date Recorded: 8/5/2005 11:26:48 AM

21

## ORDINANCE NO. 09 Series 2005

June 21, 2005: Introduced as Council Bill 10 Series 2005 by Councilmember Fred Boutin, seconded by Councilmember Bonnie Blum, and considered by the title only on first reading. Passed unanimously.

July 19, 2005: Considered in full text on second reading. Passed unanimously

### A BILL FOR AN ORDINANCE TO REZONE CERTAIN PARCELS OF LAND DESCRIBED HEREIN FROM R-1, 2 1/2-ACRE RESIDENTIAL DISTRICT TO C-1, COMMUNITY DISTRICT

WHEREAS, the City Council submitted an application requesting rezoning of the parcels of land described in the attached Exhibits A and Exhibits B, located on the southeast corner of Quincy Avenue and University Boulevard from its current zoning of R-1, 2 1/2-Acre Residential District, to C-1, Community District; and

WHEREAS, the Planning and Zoning Commission held a public hearing of said application on June 14, 2005, considered its content and testimony, and submitted its recommendation for approval to the City Council and otherwise fully complied with the requirements of law; and

WHEREAS, the City Council held a public hearing on said application on June 21, 2005; and

WHEREAS, the City Council finds that the proposed rezoning is consistent with the requirements outlined in Section 16-2-40 of the Cherry Hills Village Municipal Code relating to rezoning applications; and

WHEREAS, the City Council finds that the proposed rezoning addressing changes in area conditions since the City incorporated, which changes justify the need for a new Village Center and a rezoning of property for purposes of the same, in order to provide for increased services to the residents of the community; and

WHEREAS, the City Council finds that the proposed rezoning is consistent with the Cherry Hills Village Master Plan in that it will allow the City to continue to provide services and increase the efficiency of the various governmental services associated with the Village Center, including police protection, fire protection, community development, municipal court, public works, parks and recreation, and general administration services and facilities; and

WHEREAS, the City Council finds that the proposed area to be rezoned is immediately adjacent to the existing Village Center site, which has been in this location since it was originally constructed in 1963; and

WHEREAS, the City Council finds that the proposed rezoning is compatible with surrounding uses in the immediate vicinity and will maintain a centralized "Village Center" to the residents of the community; and

WHEREAS, the City Council finds that the proposed rezoning will also result in a reduction of the number of structures that are located within the floodplain and floodway of Greenwood Gulch, because the proposed Village Center, South Metro Fire Station, and Public Works facility will be moved to the north and east away from Greenwood Gulch;

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

Section 1. The zoning classification of the parcels of land described in Exhibit A and Exhibit B shall be, and is hereby, changed from R-1, 2.5 Acre Residential District to C-1, Community District.

ABF554

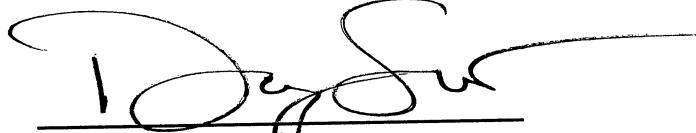
Section 2. The City of Cherry Hills Village Zoning Map is hereby amended to show the change in zoning classification set forth in Section 1 of this ordinance and a certified copy of such amendment shall be filed with the City Clerk.

Section 3. The City Council of the City of Cherry Hills Village deems this ordinance to be necessary for the public health, safety and welfare.

Section 4. Should any section, clause, sentence, or part of this ordinance be adjudged by any court to be unconstitutional or invalid, the same shall not affect, impair or invalidate the ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 5. Effective Date. This ordinance shall take effect in accordance with the City of Cherry Hills Village Home Rule Charter.

Adopted as Ordinance No. 09, Series 2005, by the City Council of the City of Cherry Hills Village, Colorado, and signed and approved by its Mayor and Presiding Officer this 19th day of July, 2005.



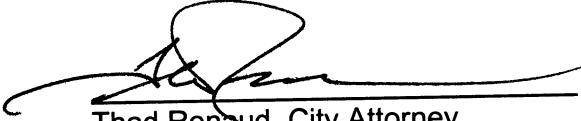
Douglas C. Scott, Mayor

ATTEST:



Jennifer Pettinger, City Clerk

APPROVED AS TO FORM:



Thad Renaud, City Attorney

# RE-ZONING

## EXHIBIT A

SHEET 1 OF 2

### PARCEL DESCRIPTION

A PORTION OF TRACTS 1 AND 2, MEADE SUBDIVISION AS RECORDED IN THE RECORDS OF ARAPAHOE COUNTY AUGUST 10, 1966, AT PLAT BOOK 18 PAGE 88, LYING IN THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF CHERRY HILLS VILLAGE, COUNTY OF ARAPAHOE, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

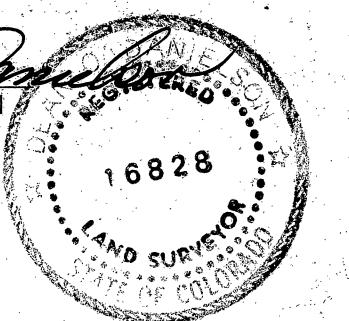
BEGINNING AT THE NORTHWEST CORNER OF TRACT 2, MEADE SUBDIVISION; THENCE S 37°17'56" E ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF MEADE LANE 411.88 FEET; THENCE N 00°00'48" W 500.22 FEET TO THE SOUTH RIGHT OF WAY LINE OF E. QUINCY AVENUE AND THE NORTH LINE OF SAID TRACT 1; THENCE N 89°16'32" W 29.39 FEET TO A POINT OF TANGENT CURVE; THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 16°15'40", A DISTANCE OF 56.76 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF SAID E. QUINCY AVENUE; THENCE S 44°42'40" W ALONG THE NORTHWESTERLY LINE OF SAID TRACTS 1 AND 2, A DISTANCE OF 223.10 FEET TO THE POINT OF BEGINNING; CONTAINING 69,112 SQUARE FEET MORE OR LESS.

FOR THE PURPOSES OF THIS EXHIBIT THE BASIS OF BEARINGS IS THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 5 SOUTH, RANGE 68 WEST BEING N 89°16'32" E AS EVIDENCED BY THE CORNERS AS SHOWN HEREON.

I, DEAN O. DANIELSON, A DULY REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

  
DEAN O. DANIELSON  
L.S. NO. 16828

4/6/05



**BELL SURVEYING COMPANY**  
500 KALAMATH ST. • DENVER, CO. 80204  
(303) 629-0165

Date: 4/06/2005 Drawing No. 0504-101  
Ordered By: CHERRY HILLS VILLAGE

THIS DESCRIPTION IS NOT THE RESULT OF A MONUMENTED LAND SURVEY. IT IS INTENDED ONLY TO DEFINE THE PARCEL DESCRIBED AND SHOWN HEREON.

EXHIBIT A

SHEET 2 OF 2

NW CORNER SEC. 12  
T. 5 S. R. 68 W.  
FOUND 3 1/4" CAP  
IN RANGE BOX  
L.S. 11434

$\Delta = 16^\circ 15' 40''$   
 $R = 200.00'$   
 $L = 56.76'$

(NOT TO SCALE) BASIS OF BEARINGS  
N 89° 16' 32" W 29.39'

N 89° 16' 32" W 29.39'

N 89° 16' 32" W 29.39'

N 85° 13' 05" W  
504.65'

POINT OF  
BEGINNING  
NW CORNER  
TRACT 2

LOT 1  
CHERRY CREEK SCHOOL  
FILING NO. 1

E. QUINCY AVENUE

S. UNIVERSITY BOULEVARD  
ROW WIDTH VARIES

C-1

TRACT 2  
MEADE  
SUBDIVISION

TRACT 1  
MEADE  
SUBDIVISION

R-1

R-1

R-1

TRACT 3  
MEADE  
SUBDIVISION

CHERRY HILLS VILLAGE CENTER

C-1

TRACT 16  
MEADE SUBDIVISION

MEADE  
ROW  
LANE

SCALE 1"=100'



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## EXHIBIT B

SHEET 1 OF 2

### PARCEL NO. 1

A PORTION OF MEADE LANE AS DEDICATED ON THE PLAT OF MEADE SUBDIVISION AS RECORDED IN THE RECORDS OF ARAPAHOE COUNTY AUGUST 10, 1966, AT PLAT BOOK 18 PAGE 88, LYING IN THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF CHERRY HILLS VILLAGE, COUNTY OF ARAPAHOE, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF TRACT 2, MEADE SUBDIVISION, THENCE S 37°17'56" E ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF MEADE LANE 411.88 FEET, THENCE S 00°00'48" E 4.58 FEET TO A POINT OF TANGENT CURVE, THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 280.00 FEET, A CENTRAL ANGLE OF 37°17'08", A DISTANCE OF 182.21 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF SAID MEADE LANE; THENCE N 37°17'56" W ALONG THE SOUTHWESTERLY LINE OF SAID MEADE LANE 576.73 FEET TO THE SOUTH RIGHT OF WAY LINE OF EAST QUINCY AVENUE; THENCE N 44°42'40" E ALONG SAID SOUTHERLY RIGHT OF WAY LINE 60.59 FEET TO THE POINT OF BEGINNING; CONTAINING 27,764.5 SQUARE FEET MORE OR LESS,

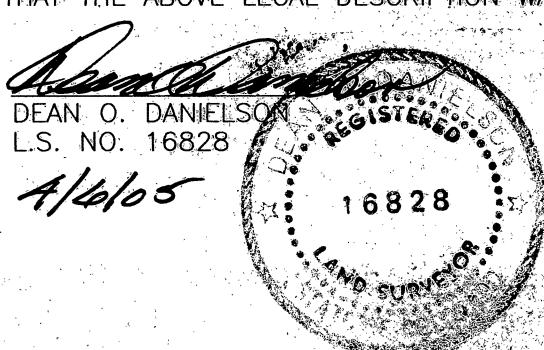
### PARCEL NO. 2

A PORTION OF E. QUINCY AVE. LYING IN THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 5 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF CHERRY HILLS VILLAGE, COUNTY OF ARAPAHOE, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF TRACT 2 MEADE SUBDIVISION, RECORDED IN THE RECORDS OF ARAPAHOE COUNTY AUGUST 10, 1966, AT PLAT BOOK 18 PAGE 88; THENCE S 44°42'40" W 530.86 FEET TO A POINT LYING 85.30 FEET EAST OF THE WEST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 12; THENCE N 00°03'29" E PARALLEL WITH SAID WEST LINE, 113.55 FEET, THENCE N 87°07'27" E 7.77 FEET TO A POINT OF TANGENT CURVE; THENCE THE FOLLOWING SIX (6) COURSES ALONG A LINE LYING 60 FEET SOUTHEASTERLY OF THE NORTH RIGHT OF WAY LINE OF E. QUINCY AVE. AS SHOWN ON THE PLAT OF CHERRY HILLS SCHOOL FILING NO. 1, RECORDED IN THE RECORDS ARAPAHOE COUNTY SEPTEMBER 24, 1982, AT PLAT BOOK 58 PAGE 53; (1) THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 205.00 FEET, A CENTRAL ANGLE OF 26°59'46" A DISTANCE OF 96.59 FEET TO A POINT OF COMPOUND CURVE; (2) THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 685.00 FEET, A CENTRAL ANGLE OF 14° 14'56" A DISTANCE OF 170.35 FEET; (3) THENCE N 45°52'45" E 35.00 FEET TO A POINT OF TANGENT CURVE; (4) THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 905.00 FEET, A CENTRAL ANGLE OF 10°26'56" A DISTANCE OF 165.04 FEET; (5) THENCE N 35°25'49" E 5.00 FEET TO A POINT OF TANGENT CURVE; (6) THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 837.15 FEET, A CENTRAL ANGLE OF 08°06'24" A DISTANCE OF 118.45 FEET TO A POINT OF COMPOUND CURVE; THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 200.00 FEET, A CENTRAL ANGLE OF 30°55'36" A DISTANCE OF 107.95 FEET TO A POINT ON THE NORTHWESTERLY LINE OF SAID TRACT 2; THENCE S 44°42'40" W ALONG THE NORTHWESTERLY LINE OF SAID TRACT 2 A DISTANCE OF 233.10 FEET MORE OR LESS TO THE POINT OF BEGINNING. CONTAINING 15,464 SQUARE FEET MORE OR LESS,

FOR THE PURPOSES OF THIS EXHIBIT THE BASIS OF BEARINGS IS THE NORTH LINE OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 5 SOUTH, RANGE 68 WEST BEING N 89°16'32" E AS EVIDENCED BY THE CORNERS AS SHOWN HEREON.

I, DEAN O. DANIELSON, A DULY REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.



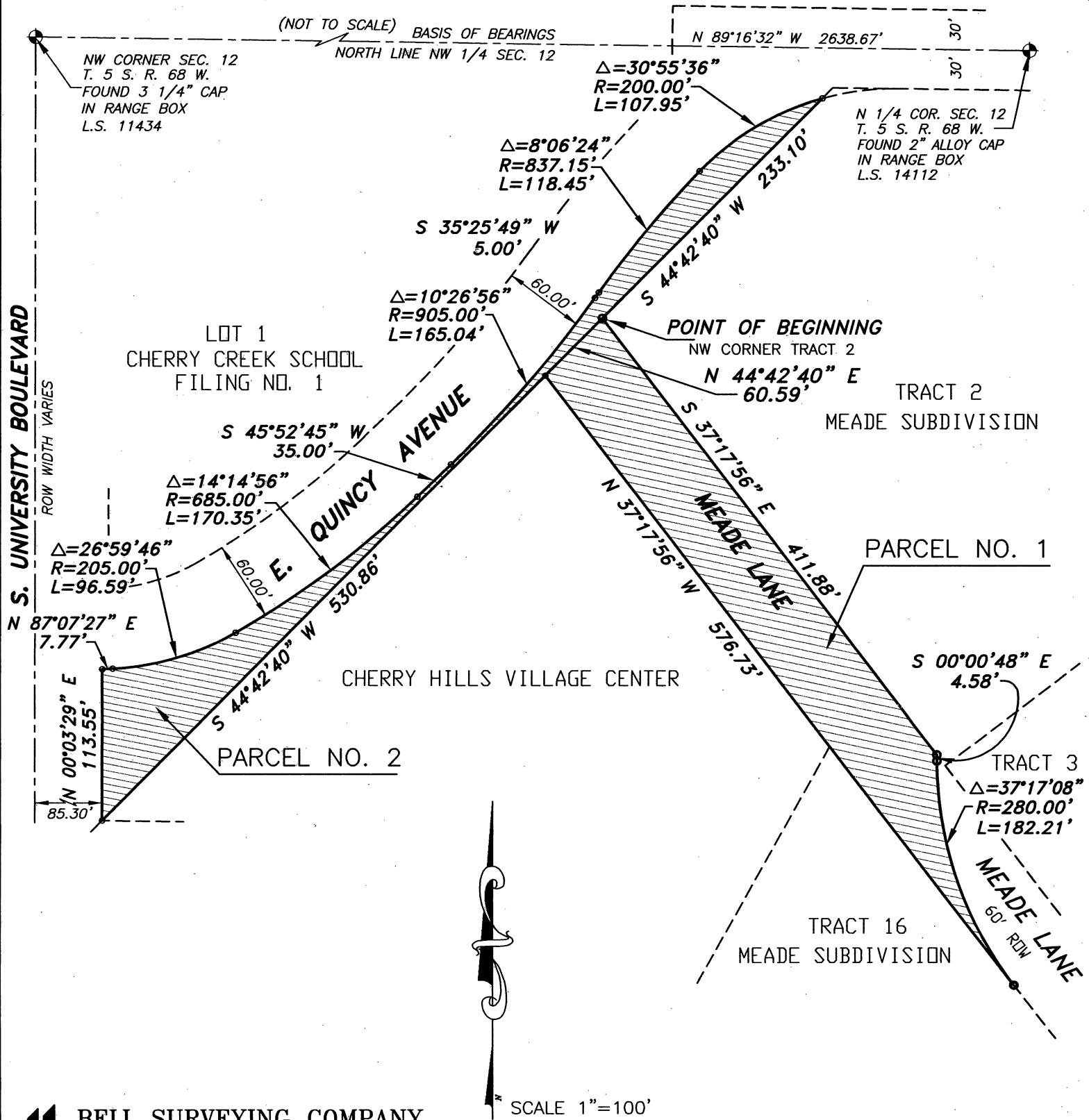
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SHEET 2 OF 2



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