

**CITY OF CENTENNIAL,  
COLORADO**

**ORDINANCE NO. 2016-O-20**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL,  
COLORADO REZONING CERTAIN PROPERTIES LOCATED AT THE  
NORTHEAST CORNER OF EAST ARAPAHOE ROAD AND SOUTH QUEBEC  
STREET AND AT THE NORTHEAST AND NORTHWEST CORNERS OF EAST  
ARAPAHOE ROAD AND SOUTH POTOMAC STREET FROM GENERAL  
COMMERCIAL (CG) TO ACTIVITY CENTER (AC) UNDER THE LAND  
DEVELOPMENT CODE, AND AMENDING THE OFFICIAL ZONING MAP**

WHEREAS, the City initiated a small scale rezoning of 22 parcels of land totaling approximately 41.636 acres (the "Subject Properties") from General Commercial (CG) to Activity Center (AC) under the Land Development Code ("LDC"); and

WHEREAS, the Subject Properties are located at the northeast corner of East Arapahoe Road and South Quebec Street ("Arapahoe and Quebec Parcels") and at the northeast and northwest corners of East Arapahoe Road and South Potomac Street ("Arapahoe and Potomac Parcels") in the City of Centennial; and

WHEREAS, the Subject Properties consist of the Arapahoe and Quebec Parcels, which parcels are legally described as follows:

Tracts 1-3, Heritage Place Shopping Center, and

That Part Of Lots 1-3 Blk 1 Walnut Hills North 1st Flg Lying Wly Of The Fol Desc Line Beg 340.26 Ft E & 60 Ft N Of The Sw Cor Of Sec 21-5-67 Th N 612.66 Ft To The Ne Cor Of Sd Lot 2 Ex Roads Walnut Hills North 1st Flg, and

That Part Of Tract 5 & The West 35.17 Ft Of Tract 4 Heritage Place Shopping Center Desc As Beg At The Nw Cor Of Sd Tract 5 Th E 450.17 Ft Th S 612.8 Ft Th W 300.17 Ft Th N 150 Ft Th W 150 Ft Th N 462.66 Ft To Beg Heritage Place Shopping Center, and

That Parcel Beg 10.26 Ft E Of Sw Cor Lot 3 Th N 150 Ft Th E 150 Ft Th S 150 Ft Th W 150 Ft To Beg Blk 1 Walnut Hills North 1st Flg, and

Tract 4 Ex Wly 35.17 Ft Heritage Place Shopping Center, and

Tract 5 Ex The Wly 450.17 Ft M/L Heritage Place Shopping Center, and

Part Of Lot 58 Desc As Beg At Sw Cor Of Sec 21, Th Ely Alg S Line 955.26 Ft Th Nly 60 Ft To Pob Th Ely 150 Ft, Th Nly 150 Ft, Th Wly 150 Ft, Th Sly 150 Ft To Beg Sec 21-5-67 Clark Colony, and

Part Of Lots 2 & 3 Blk 1 Desc As Beg At Se Cor Lot 3 Blk 1 Th W 175 Ft Th Nly 220.83 Ft To Pt On N Line Of Lot 2 Blk 1 Th Alg Curve To Rt 301.42 Ft To Beg Ex Road Walnut Hills North 1st Flg, and

Lot 3, Blk 1 Greenwood Retail Plaza 2nd Flg

Consisting of 19.011 acres, more or less; and

WHEREAS, the Subject Properties additionally consist of the Arapahoe and Potomac Parcels, which parcels are legally described as follows:

Tract A, Castlewood Filing No. 1, and

Tract B, Castlewood Filing No. 1, and

Tract C, Castlewood Filing No. 1, and

Lot 9, Castlewood Filing No. 6, and

Lots 1-7, Block 1, Castlewood Filing No. 11, and

Tract M, Castlewood Filing No. 12

Consisting of 22.625 acres, more or less; and

WHEREAS, the City of Centennial Planning and Zoning Commission considered the City-initiated rezoning at a duly noticed public hearing conducted on October 26, 2016, and forwarded its favorable recommendation to City Council; and

WHEREAS, public notice has been properly given of the proposed zoning of the Subject Properties by publication in *The Villager*, a newspaper of general circulation within the City of Centennial, and by mail notification of adjacent property owners, CenCON and participants who signed in to community meetings, in accordance with the applicable provisions of the LDC; and

WHEREAS, in accordance with the LDC, a public hearing was held before the City Council at the Centennial Civic Center, 13133 E. Arapahoe Road, Centennial, Colorado at which time evidence and testimony were presented to the City Council concerning said zoning proposal; and

WHEREAS, the record for this case includes, but is not limited to, the LDC, the City of Centennial Comprehensive Plan, and all other applicable ordinances, resolutions and regulations, together with all City of Centennial land use application processing policies that relate to the subject matter of the public hearing, reports, studies and all other documents and submittals to the City concerning this proposed action, any evidence or correspondence submitted by members of the public at the public hearing, and the staff files and reports of the Community Development Department pertaining to this City-initiated rezoning; and

WHEREAS, pursuant to Article 23 of Title 31, C.R.S., as amended, City Council has determined that the proposed zoning of the Subject Properties, subject to any conditions set forth herein, furthers the public health, safety, convenience and general welfare of the community;

generally conforms with the City's Comprehensive Plan, as amended and updated; is compatible with surrounding uses; and otherwise meets the applicable criteria set forth in the LDC; and

WHEREAS, approval of this Ordinance on first reading is intended only to confirm that the City Council desires to comply with state law and the LDC by setting a public hearing in order to provide the public an opportunity to present testimony and evidence regarding the rezoning. Approval of this Ordinance on first reading does not constitute a representation that the City Council, or any member of the City Council, supports, approves, rejects, or denies the proposed zoning.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTENNIAL, COLORADO:**

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

**Section 2. Zoning of Property Approved.** The City Council hereby grants and approves the rezoning of the Subject Properties from General Commercial (CG) to Activity Center (AC) under the LDC. Following the effective date of this Ordinance, the Subject Properties shall be zoned Activity Center (AC) under the LDC.

**Section 3. Amendment of Zoning Map.** The Official Zoning Map of the City of Centennial shall be amended following the effective date of this Ordinance to conform to and reflect the Subject Properties' Activity Center (AC) zone district classification.

**Section 4. Severability.** Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

**Section 5. Repeal.** Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

**Section 6. Effective Date.** Except as otherwise expressly provided herein, the provisions of this Ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD ON THE \_\_\_ DAY OF \_\_\_\_\_, 2016.

CITY OF CENTENNIAL

By: \_\_\_\_\_  
Cathy A. Noon, Mayor

Approved as to Form:

\_\_\_\_\_  
For City Attorney's Office

I hereby certify that the above Ordinance was introduced to the City Council of the City of Centennial at its meeting of \_\_\_\_\_, 2016 and ordered published one time by title only in *The Villager* newspaper on \_\_\_\_\_, 2016, and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

ATTEST:

SEAL

By: \_\_\_\_\_  
City Clerk or Deputy City Clerk

FINALLY ADOPTED, PASSED, APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED PUBLISHED BY TITLE ONLY, IN *THE VILLAGER* NEWSPAPER AND IN FULL ON THE CITY WEB SITE IN ACCORDANCE WITH SECTION 2-1-110 OF THE MUNICIPAL CODE BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS MEETING HELD ON THE \_\_\_ DAY OF \_\_\_\_\_, 2016, BY A VOTE OF \_\_\_ IN FAVOR AND \_\_\_ AGAINST.

CITY OF CENTENNIAL

By: \_\_\_\_\_  
Cathy A. Noon, Mayor

I hereby certify that the above Ordinance was finally adopted by the City Council of the City of Centennial at its meeting of \_\_\_\_\_, 2016, and ordered published by title only, one time by *The Villager* newspaper on \_\_\_\_\_, 2016 and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

SEAL

ATTEST:

By: \_\_\_\_\_  
City Clerk or Deputy City Clerk