



# Legal Notice

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**Date:** 11/11/2021

**Subject:** An ordinance of the City of Littleton, approving the fourth amendment to the Newton property General Planned Development Plan (Aspen Grove)

**Passed/Failed:** Passed on second reading and public hearing

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**CITY OF LITTLETON, COLORADO**

**ORDINANCE 22  
SERIES 2021**

**CITY OF LITTLETON, COLORADO**

**ORDINANCE NO. 22**

**Series, 2021**

**AN ORDINANCE OF THE CITY OF LITTLETON,  
COLORADO, APPROVING THE FOURTH AMENDMENT  
TO THE NEWTON PROPERTY GENERAL PLANNED  
DEVELOPMENT PLAN (ASPEN GROVE)**

**WHEREAS**, Title 10, Chapter 2, Section 23 of the Littleton City Code provides for the creation and amendment of Planned Development zoning districts; and

**WHEREAS**, the property (the “Property”) more specifically described in Exhibit A (Legal Description), which is attached hereto and fully incorporated herein by this reference, is zoned PD-I as part of the Newton Property General Planned Development Plan adopted by Ordinance 7, 1996, as has been amended over time; and

**WHEREAS**, On April 27, 2021, the owner of the Property, Aspen Grf2, LLC, applied for a fourth amendment to the Newton Property General Planned Development Plan; and

**WHEREAS**, the planning commission of the City of Littleton, Colorado held a public hearing at its regular meeting of August 23, 2021 to consider a proposed Fourth Amendment to the Newton Property general Planned Development Plan (Aspen Grove), and recommended approval of the proposal with conditions; and

**WHEREAS**, the city council of the City of Littleton, Colorado held a public hearing on October 5, 2021 to consider the proposed Fourth Amendment to the Newton Property General Planned Development Plan, as it has been revised to address the planning commission conditions, more specifically described in Exhibit B (the “Plan”), attached hereto and fully incorporated herein by this reference; and

**WHEREAS**, the city council considered evidence and testimony concerning the Plan at said public hearing; and

**WHEREAS**, the city council finds in fact that the Plan encourages more creative and effective use of land and public or private services, and accommodates changes in land development technology so that the resulting economies benefit the community; and

**WHEREAS**, the city council finds in fact that the Plan encourages innovation and efficiency in residential development to meet the growing demands for housing of all types and designs for persons of any social or economic status; and

**WHEREAS**, the city council finds in fact that the Plan encourages innovative development or redevelopment of all land uses to meet the contemporary needs of the community by providing for a greater variety and mix of uses including those which may coexist on the same parcel or within the same building; and

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50                   **WHEREAS**, the city council finds in fact that the Plan provides a process which  
51 relates the design and development of the Property to the particular characteristics of the Property;  
52 and

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54                   **WHEREAS**, the city council finds in fact that the Plan allows a nature and  
55 intensity of development which is supported by adequate utilities, transportation network, drainage  
56 systems and open space to serve the development, and minimizes impacts on adjacent existing and  
57 future development; and

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59                   **WHEREAS**, the city council finds in fact that the Plan encourages development  
60 that is consistent with the policies and guidelines established in the adopted comprehensive plan  
61 for the area and for the city; and

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63                   **WHEREAS**, the city council finds in fact that approval of the Plan is in the best  
64 interest of the city and promotes the public health, safety, and welfare of its inhabitants.

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66                   **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF**  
67 **THE CITY OF LITTLETON, COLORADO, THAT:**

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69                   **Section 1:** Approval. Pursuant to its authority under the provisions of the  
70 Littleton City Code and the City of Littleton Charter, the city council hereby approves the Fourth  
71 Amendment to the Newton Property General Planned Development Plan as shown in Exhibit B.

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73                   **Section 2:** Execution and Recording. The city council hereby authorizes the  
74 execution of signatures and recording of Exhibit B within one (1) year from the effective date of  
75 this ordinance pursuant to the provisions of Littleton City Code Title 10, Chapter 1, Section 9, sub-  
76 sections E and F.

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78                   **Section 3:** Severability. If any part, section, subsection, sentence, clause or  
79 phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the  
80 validity of the remaining sections of this ordinance. The City Council hereby declares that it would  
81 have passed this ordinance, including each part, section, subsection, sentence, clause or phrase  
82 hereof, irrespective of the fact that one or more parts, sections, subsections, sentences, clauses or  
83 phrases may be declared invalid.

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85                   **Section 4:** Repealer. All ordinances or resolutions, or parts thereof, in conflict  
86 with this ordinance are hereby repealed, provided that this repealer shall not repeal the repealer  
87 clauses of such ordinance nor revive any ordinance thereby.

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90 INTRODUCTION AS A BILL at a regularly scheduled meeting of the City Council  
91 of the City of Littleton on the 7<sup>th</sup> day of September, 2021, passed on first reading by a vote of 6  
92 FOR and 0 AGAINST; and ordered published by posting at Littleton Center, Bemis Library, the  
93 Municipal Courthouse and on the City of Littleton Website.

PUBLIC HEARING on the Ordinance to take place on the 5<sup>th</sup> day of October, 2021,  
in the Council Chamber, Littleton Center, 2255 West Berry Avenue, Littleton, Colorado, at the  
hour of 6:30 p.m., or as soon thereafter as it may be heard.

PASSED on second and final reading, following public hearing, by a vote of 4 FOR  
and 3 AGAINST on the 5<sup>th</sup> day of September, 2021 and ordered published by posting at  
Littleton Center, Bemis Library, the Municipal Courthouse and on the City of Littleton Website.

ATTEST:

DocuSigned by:

*Callen E. Norton*

Callen E. Norton  
CITY CLERK

DocuSigned by:

*Jerry Valdes*

Jerry Valdes  
MAYOR

APPROVED AS TO FORM:

DocuSigned by:

*Reid Betzing*

Reid Betzing  
CITY ATTORNEY

