

**TOWN OF TIMNATH, COLORADO
ORDINANCE NO. 9, SERIES 2024**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF TIMNATH
APPROVING THE PLANNED DEVELOPMENT OVERLAY AMENDMENT FOR THE
LADERA SUBDIVISION PHASE 2, GENERALLY LOCATED WEST OF CR-5 AND
NORTH OF KECHTER ROAD**

WHEREAS, Connell, LLC (the “Developer”) has submitted a Planned Development Overlay Amendment for the Ladera Subdivision, more particularly described in **Exhibit A** (legal description) and **Exhibit B** (Planned Development Overlay) and attached hereto and incorporated herein by this reference (the “Property”); and

WHEREAS, a properly noticed public hearing was held on January 16, 2024, and the above described Planned Development Overlay Amendment was recommended for approval to the Town Council by the Town of Timnath Planning Commission; and

WHEREAS, a properly noticed public hearing with the Town Council was held on February 13, 2024 and upon hearing the statements of staff, the applicant(s) and giving consideration to the recommendations, the Town Council determines as provided below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO:

Section 1. Property Zoned

That Article 3 of the Timnath Land Use Codes and the map referred to therein as the "Official Zoning Map of the Town of Timnath", said map being part of said Zoning Code and showing the boundaries of the district specified, shall be and the same is hereby amended in the following particulars, to wit:

The proposed RC zoning is amended with the addition of a Planned Development Overlay – See attached **Exhibits A&B**

Section 2. Conditions

1. The removal of the parking reduction for restaurants/standard & fast food without drive-thru, restaurants with drive-thru, and business/commercial/retail uses.
2. Allow staff to continue to work with applicant to address all unresolved non-substantive technical comments to the satisfaction of Town Staff and Referral Agencies.

Section 3. Public Hearing

The Town Council held a public hearing on Tuesday, February 13, 2024 regarding the zoning of the property.

Section 4. Severability

If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or

constitutionality of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or parts be declared unconstitutional or invalid.

Section 5. Effective Date

This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Ordinance available for inspection by the public during regular business hours.

INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, ON JANURARY 23, 2024, AND SET FOR PUBLIC HEARING, AND SECOND READING AT 6:00 P.M. ON FEBRUARY 13, 2024 AT THE TIMNATH TOWN CENTER, 4750 SIGNAL TREE DRIVE, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 23RD DAY OF JANUARY, 2024.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON FEBRUARY 13, 2024.

TOWN OF TIMNATH, COLORADO

DocuSigned by:

Mark Soukup

3BDD94680F9C4E8...

Mark J. Soukup, Mayor

ATTEST:

DocuSigned by:

Milissa Peters-Garcia

07A6AF3B02114D7...

Milissa Peters-Garcia, CMC
Town Clerk

EXHIBIT A

Legal Description of Property Proposed for Amended Planned Development Overlay

LOT 2A, AMENDED PLAT OF TRACT A, JOHN W. SWETS FARM CORP. EXEMPTION PLAT AND CWH PROPERTIES LLC BOUNDARY LINE ADJUSTMENT.

PARCEL CONTAINS 2,310,815 SQUARE FEET OR 53.05 ACRES, MORE OR LESS.

LOT 3, AMENDED PLAT OF TRACT A, JOHN W. SWETS FARM CORP. EXEMPTION PLAT AND CWH PROPERTIES LLC BOUNDARY LINE ADJUSTMENT.

PARCEL CONTAINS 5,418,963 SQUARE FEET OR 124.40 ACRES, MORE OR LESS.

EXHIBIT B

Planned Development Overlay

[attached]



2880 North Hayden Blvd., Suite 210
Denver, Colorado 80238
781.333.3333
GallowayUSA.com

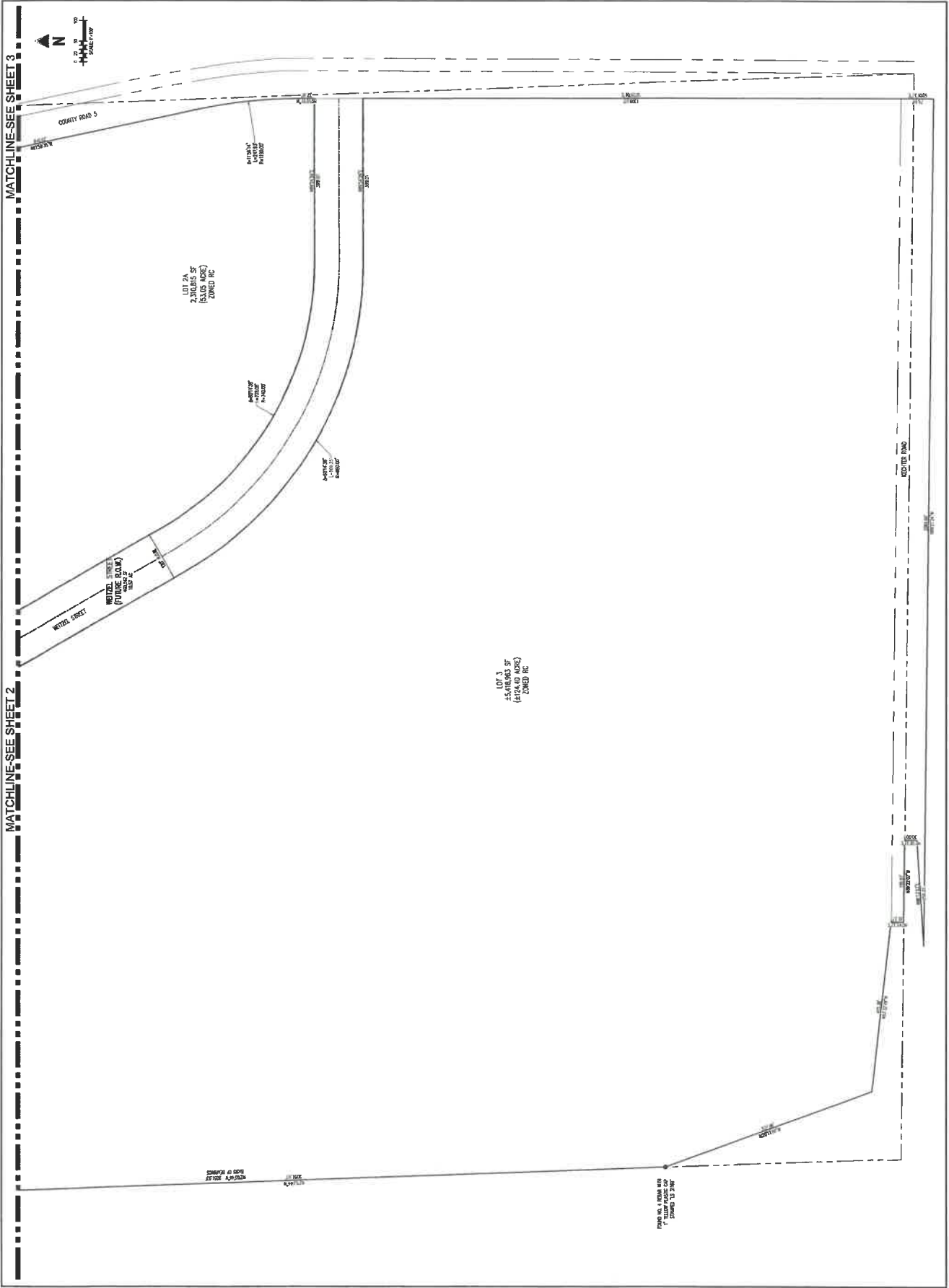
COMPENSATION: \$10,000.00
DATE: 01/15/2024
PROJECT: LADERA SUBDIVISION PHASE 2
SHEET: PLANNED DEVELOPMENT OVERLAY

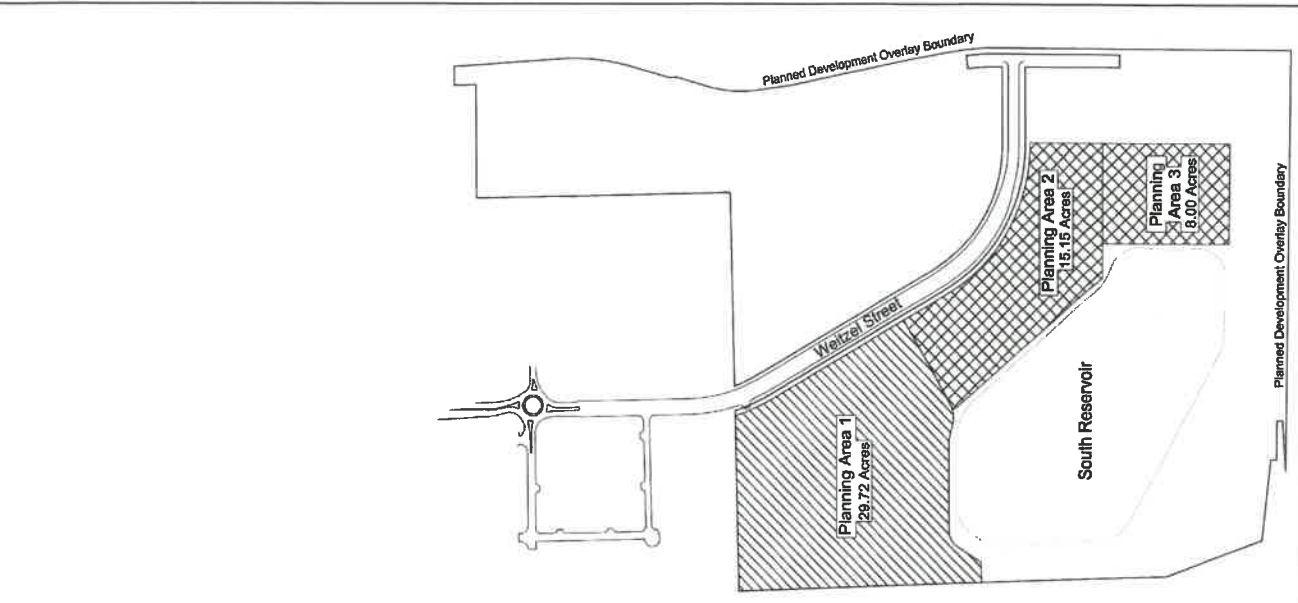


LADERA SUBDIVISION PHASE 2
PLANNED DEVELOPMENT OVERLAY
TIMNATH, CO

NO.	DATE	DESCRIPTION	BY
1.	01/15/24	ISSUED FOR PERMITS	JR
2.	01/15/24	ISSUED FOR PERMITS	JR
3.	01/15/24	ISSUED FOR PERMITS	JR
4.	01/15/24	ISSUED FOR PERMITS	JR
5.	01/15/24	ISSUED FOR PERMITS	JR
6.	01/15/24	ISSUED FOR PERMITS	JR
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8.	01/15/24	ISSUED FOR PERMITS	JR
9.	01/15/24	ISSUED FOR PERMITS	JR
10.	01/15/24	ISSUED FOR PERMITS	JR

Project No: 24000002
Drawn By: ALB
Checked By: JR
Date: 01/15/24
PLANNED DEVELOPMENT OVERLAY





Section	Section Title	Description
1	12.01.01	General provisions...
2	12.01.02	Site plan requirements...
3	12.01.03	Site plan requirements...
4	12.01.04	Site plan requirements...
5	12.01.05	Site plan requirements...
6	12.01.06	Site plan requirements...
7	12.01.07	Site plan requirements...
8	12.01.08	Site plan requirements...
9	12.01.09	Site plan requirements...
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