

REZONING

RESOLUTION NO. It was moved by Commissioner duly seconded by
Commissioner to adopt the following Resolution:

WHEREAS, application has been made by Zipper Line Strategies for the rezoning of certain property hereinafter described from Agricultural-1 (A-1) zone district to Residential Multi-family (R-MF) zone district, case no. CZ25-001; and

WHEREAS, after a hearing on this matter, the Arapahoe County Planning Commission made a favorable recommendation for said change in zoning subject to certain stipulations as set forth in the record of said Planning Commission proceedings; and

WHEREAS, following the Planning Commission hearing, public notice of a hearing before the Arapahoe County Board of County Commissioners (“the Board”) has been properly given of such proposed rezoning by publication on January 8, 2026 in the Littleton Independent, Englewood Herald and Centennial Citizen, newspapers of general circulation within the County of Arapahoe, by posting of said property and by mail notification of adjacent property owners in accordance with the Arapahoe County Zoning Resolution; and

WHEREAS, pursuant to statute, the Land Development Code, and in accordance with such public notice, a public hearing was held before the Board of County Commissioners at the Arapahoe County Administration Building, 5334 South Prince Street, Littleton, Colorado, on the 3rd day of February, 2026 at 9:30 o'clock a.m., at which time evidence and testimony were presented to the Board concerning said rezoning request; and

WHEREAS, the administrative record for this Case includes, but is not limited to, all duly adopted ordinances, resolutions and regulations, together with all Department of Development Services and Infrastructure Management processing policies which relate to the subject matter of the public hearing, the staff files and reports of the Planning and Engineering case managers, and all submittals of the applicant; and

WHEREAS, representations, statements and positions were made by or attributed to the applicant or its representatives on the record, including representations made at hearing and contained in the materials submitted to the Board by the applicant and County staff; and

WHEREAS, the applicant has agreed to all conditions of approval recommended by County staff, and has agreed to execute all agreements and to convey all rights of way and easements recommended by staff, except as stated in this resolution; and

WHEREAS, pursuant to the authority vested unto the Board of County

Commissioners by Article 20 of Title 29 and Article 28 of Title 30 C.R.S. as amended, and in accordance with the Arapahoe County Land Development Code, the Board has concluded that the public health, safety, convenience and general welfare, as well as good zoning practice, justifies granting a change in the zoning of the hereinafter described property subject to the conditions precedent and/or other conditions as hereinafter delineated.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County as follows:

1. The Board of County Commissioners for Arapahoe County hereby grants and approves rezoning of the following parcel from Agricultural-1 (A-1) zone district to Residential Multi-family (R-MF) zone district, case no. CZ25-001, subject to the conditions precedent and/or other conditions as hereinafter delineated.

LEGAL DESCRIPTION

LOT 4, BLOCK 1, HAMPDEN TOWN CENTER SUBDIVISION FILING NO. 6, IN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO

2. Approval of this rezoning is based upon the following understandings, agreements and/or representations:
 - a) The applicant's assent and/or agreement to make all modifications to the final version of the documents that are necessary to conform the documents to the form and content requirements of the County in existence at the time the documents are submitted for signature.
 - b) The representations, statements and positions contained in the record that were made by or attributed to the applicant and its representatives, including all such representations made at hearing and statements contained in materials submitted to the Board by the applicant and County staff.
3. Approval of this rezoning shall be and is subject to the following conditions precedent and/or other conditions, which the applicant has accepted and which the applicant is also deemed to accept by preparing a mylar for signature by the Chairman of the Board of County Commissioners within sixty (60) days of this date and by continuing with the development of the property:
 - a) The applicant's compliance with the conditions of the Arapahoe County Planning Commission as set forth in the record of its proceedings, except as may be modified by this Resolution.

- b) The applicant's compliance with all conditions of approval recommended by the staff case managers in the written staff reports presented to the Board, and any conditions stated by staff on the record.
 - c) The applicant's compliance with all additional conditions of approval stated by the Board, including:
 - 1. The applicant shall submit a revised Dayton Station Rezoning Plan consistent with the direction provided by Mapping staff within thirty (30) days of this approval.
 - 2. The applicant shall submit a properly signed, dated, and stamped Phase I Drainage Report and Traffic Impact Study consistent with the requirements and procedures set forth in the Land Development Code.
 - 3. Upon approval of the necessary Administrative Site Plan, but prior to final execution of the same, the applicant shall pay fees in lieu of land dedication to offset the impacts of the development per LDC §§ 5-3.2.B.3 & 5-3.2.B.9, in the amount of \$311,323.75 to Arapahoe County Open Spaces and in the amount of \$149,470.78 to Cherry Creek Schools.
 - d) The applicant's performance of all commitments and promises made by the applicant or its representatives and stated to the Board on the record or contained within the materials submitted to the Board.
- 4. Upon the applicant's completion of any and all changes to the rezoning mylar as may be required by this Resolution, the Chairman of the Board of County Commissioners is hereby authorized to sign same.
 - 5. That the Zoning Map of Arapahoe County shall be and the same is hereby amended to conform to and reflect said change in zoning.
 - 6. County planning, engineering and legal staff are authorized to make any changes to the mylar form of the approved document as may be needed to conform the documents to the form and content requirements of the County in existence at the time the documents are submitted for signature, and to make such other changes that are expressly stated by staff before the Board, or are recommended by staff in the written staff reports, or are referred to by the movant Commissioner. No other deviation or variance from the form and content of the documents submitted for the Board's consideration are approved except to the extent stated in this resolution.
 - 7. The County Attorney is authorized to make appropriate modifications to this Resolution and underlying documents, as needed, to correct errors and omissions, and to accurately reflect the matters presented to the Board and to record and clarify, as necessary, the Board's action.

The vote was:

Commissioner Baker, ___; Commissioner Campbell, ___; Commissioner Fields, ___;
Commissioner Summey, ____; Commissioner Warren-Gully, ___.

The Chair declared the motion carried and so ordered.