

CITY OF WHEAT RIDGE
INTRODUCED BY COUNCIL MEMBER DURAN
COUNCIL BILL NO. 15-2016
ORDINANCE NO. 1606
Series of 2016

TITLE: AN ORDINANCE APPROVING A ZONE CHANGE FROM RESIDENTIAL-ONE C (R-1C) AND RESIDENTIAL-THREE (R-3) TO PLANNED RESIDENTIAL DEVELOPMENT (PRD) WITH AN OUTLINE DEVELOPMENT PLAN FOR PROPERTY LOCATED AT 2826 EATON STREET (CASE NO. WZ-16-05/EATON STREET COTTAGES)

WHEREAS, Chapter 26 of the Wheat Ridge Code of Laws establishes procedures for the City's review and approval of requests for land use cases; and,

WHEREAS, **Squareroot Cottages, LLC** has submitted a land use application for approval of a zone change to a Planned Residential Development zone district with an Outline Development Plan for property located at 2826 Eaton Street; and,

WHEREAS, the proposal meets the zone change criteria; and,

WHEREAS, the proposed zone change is supported by the City's Comprehensive Plan—*Envision Wheat Ridge* and the zone change criteria specified in Section 26-112.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO:

Section 1. Upon application by Squareroot Cottages, LLC for approval of a zone change from Residential-One C (R-1C) and Residential-Three (R-3) to Planned Residential Development (PRD) with an Outline Development Plan for property located at 2826 Eaton Street, and pursuant to the findings made based on testimony and evidence presented at a public hearing before the Wheat Ridge City Council, a zone change is approved for the following described land:

Parcel I:

The North 10 feet of Lot 26 and
All of Lots 27 to 30, inclusive, and
All of Lot 31 Except the North 22 feet,
Block 5,
Lakeside Resubdivision of Blocks one to seven and N ½
Of Block 8, in the original platting of Lakeside,

County of Jefferson,
State of Colorado

Parcel II:
The North 22 feet of Lot 31 and
All of Lots 32 to 35, inclusive,
Block 5,
Lakeside Resubdivision of Blocks one to seven and N ½
Block 8, in the original platting of Lakeside,

County of Jefferson,
State of Colorado

Section 2. Vested Property Rights. Approval of this zone change does not create a vested property right. Vested property rights may only arise and accrue pursuant to the provisions of Section 26-121 of the Code of Laws of the City of Wheat Ridge.

Section 3. Safety Clause. The City of Wheat Ridge hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the City of Wheat Ridge, that it is promulgated for the health, safety, and welfare of the public and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the ordinance bears a rational relation to the proper legislative objective sought to be attained.

Section 4. Severability; Conflicting Ordinance Repealed. If any section, subsection or clause of the ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section 5. Effective Date. This Ordinance shall take effect 15 days after final publication, as provided by Section 5.11 of the Charter.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of 8 to 0 on this 8th day of August, 2016, ordered it published with Public Hearing and consideration on final passage set for **Monday, September 12, 2016 at 7:00 o'clock p.m.**, in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado, and that it takes effect 15 days after final publication.

READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of 6 to 1, this 12th day of September, 2016.

SIGNED by the Mayor on this 12th day of September, 2016.


Joyce Jay, Mayor


ATTEST:



Janelle Shaver, City Clerk



Approved as to Form:



Gerald Dahl, City Attorney

1st publication: August 11, 2016
2nd publication: September 15, 2016
Wheat Ridge Transcript:
Effective Date: September 30, 2016