

**CITY OF WHEAT RIDGE
INTRODUCED BY COUNCIL MEMBER KUETER
COUNCIL BILL NO. 06
ORDINANCE NO. 1668
Series of 2019**

TITLE: AN ORDINANCE APPROVING THE REZONING OF PROPERTY LOCATED AT 3300 AMES STREET FROM RESIDENTIAL-THREE (R-3) TO PLANNED RESIDENTIAL DEVELOPMENT (PRD) WITH AN OUTLINE DEVELOPMENT PLAN (ODP) (CASE NO. WZ-18-25 / FEASTER)

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, Ames Partners LLC submitted a land use application for approval of a zone change to the Planned Residential Development (PRD) District for property at 3300 Ames Street; and,

WHEREAS, the City of Wheat Ridge has adopted a Comprehensive Plan, Envision Wheat Ridge, which calls for vibrant neighborhoods and diversification of housing stock and household types; and,

WHEREAS, the proposed duplex development is more compatible with the area than alternatives otherwise allowed under the current zoning; and,

WHEREAS, the zone change criteria support the request; and,

WHEREAS, the City of Wheat Ridge Planning Commission held a public hearing on April 4, 2019 and voted to recommend approval of the rezoning of the property to Planned Residential Development (PRD).

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

Section 1. Upon application by Ames Partners, LLC for approval of a zone change ordinance from Residential-Three (R-3) to Planned Residential Development (PRD) for property located at 3300 Ames 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:

LOTS 10 AND 11 TOGETHER WITH THE 1/2 OF THE VACATED ALLEY ADJOINING SAID LOTS, A RESUBDIVISION OF BLOCK 5 OF COLUMBIA HEIGHTS, COUNTY OF JEFFERSON, STATE OF COLORADO.

THE EAST 1/2 OF THE VACATED ALLEY ADJOINING LOTS 12 AND 13, A SUBDIVISION OF BLOCK 5 COLUMBIA HEIGHTS, AS VACATED BY

INSTRUMENT RECORDED JULY 1ST 1957 IN BOOK 1068 PAGE 60,
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 object 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 22nd day of April 2019, ordered it published with Public Hearing and consideration on final passage set for **Monday, May 13, 2019 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 8 to 0, this 13th day of May, 2019.

SIGNED by the Mayor on this 13th day of May, 2019.



William "Bud" Starker, Mayor

ATTEST:



Janelle Shaver, City Clerk
Robyn Satorn, Deputy City Clerk



Approved as to Form



Gerald Dahl, City Attorney

1st publication: April 25, 2019

2nd publication: May 16, 2019

Wheat Ridge Transcript:

Effective Date: May 31, 2019