

**CITY OF WHEAT RIDGE  
INTRODUCED BY COUNCIL MEMBER URBAN  
COUNCIL BILL NO. 23  
ORDINANCE NO. 1682  
Series of 2019**

**TITLE: AN ORDINANCE APPROVING THE INITIAL ZONING OF PROPERTY RECENTLY ANNEXED INTO THE CITY AND LOCATED IN SECTION 17, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO TO INDUSTRIAL EMPLOYMENT (I-E), MIXED USE – COMMERCIAL TRANSIT ORIENTED DEVELOPMENT (MU-C TOD), AND MIXED USE – NEIGHBORHOOD (MU-N) (CASE NO. WZ-19-08 / 52<sup>ND</sup> AVE ZONING)**

**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**, Jefferson County has submitted a land use application for approval of initial zoning of property recently annexed to the Industrial Employment (I-E) zone district as illustrated in the attached **Exhibits A and C**, Mixed Use – Commercial Transit Oriented Development (MU-C TOD) zone district as illustrated in the attached **Exhibit B**, and Mixed Use – Neighborhood (MU-N) zone district as illustrated in the attached **Exhibit D** for right-of-way located along the north portion of 52<sup>nd</sup> Avenue, between Ward Road and Tabor Street; and,

**WHEREAS**, the City of Wheat Ridge has adopted a comprehensive plan—*Envision Wheat Ridge*—which calls for mixed-use employment land uses along 52<sup>nd</sup> Avenue, supporting the Wheat Ridge • Ward Station Vision; and,

**WHEREAS**, the City of Wheat Ridge Planning Commission held a public hearing on December 19, 2019 and voted to recommend approval of zoning the property to Industrial Employment (I-E), Mixed Use – Commercial Transit Oriented Development (MU-C TOD), and Mixed Use – Neighborhood (MU-N).

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

**Section 1.** Upon application by Jefferson County, approval of initial zoning of property recently annexed to the Industrial Employment (I-E) zone district as illustrated in the attached **Exhibits A and C**, Mixed Use – Commercial Transit Oriented Development (MU-C TOD) zone district as illustrated in the attached **Exhibit B**, and Mixed Use – Neighborhood (MU-N) zone district as illustrated in the attached **Exhibit D** for right-of-way located along the north portion of 52<sup>nd</sup> Avenue, between Ward Road and Tabor Street and pursuant to the findings made based on testimony and evidence presented at a public hearing before the

Wheat Ridge City Council, I-E, MU-C TOD, and MU-N zoning is approved for land as described in the attached Exhibits A, B, C, and D.

**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 9<sup>th</sup> day of December, 2019, ordered it published with Public Hearing and consideration on final passage set for Monday, January 13, 2020 at 7:00 o'clock p.m., in the Council Chambers, 7500 West 29<sup>th</sup> 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 7 to 0, this 13th day of January, 2020.

SIGNED by the Mayor on this 13<sup>th</sup> day of January, 2020.

By:

  
\_\_\_\_\_  
Bud Starker, Mayor

ATTEST:

  
\_\_\_\_\_  
Steve Kirkpatrick, City Clerk



Approved As To Form:

A handwritten signature in black ink, appearing to read "Gerald E. Dahl", written over a horizontal line.

Gerald E. Dahl, City Attorney

First Publication: December 12, 2019  
Second Publication: January 16, 2020  
Wheat Ridge Transcript  
Effective Date: January 31, 2020

**EXHIBIT 'A'**  
**CASE WZ-19-08 / 52<sup>ND</sup> AVENUE ZONING**  
**LEGAL DESCRIPTION OF PARCEL 1 INITIAL ZONING TO I-E**

(see attached)

**EXHIBIT A**

**Parcel 1 Initial Zoning to I-E**

SHEET 1 OF 2

A PARCEL OF LAND BEING A PART OF THE SOUTH 30 FEET OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, AND ALSO BEING A PORTION OF THE NORTH 30 FEET OF A 60-FOOT WIDE ROAD AS SHOWN ON "PLAT OF STANDLEY HEIGHTS" AS RECORDED IN THE RECORDS OF JEFFERSON COUNTY IN BOOK 2, AT PAGE 68, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17, SAID POINT BEING THE **POINT OF BEGINNING**;  
THENCE N00°18'49"W ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17, A DISTANCE OF 30.00 FEET;  
THENCE N89°11'13"E, A DISTANCE OF 180.00 FEET TO A POINT ON THE WEST LINE EXTENDED OF LOT 1, BLOCK 1, CRESTONE INDUSTRIAL MINOR SUBDIVISION FILING NO. 1 AS RECORDED IN THE RECORDS OF JEFFERSON COUNTY AT RECEPTION NUMBER 94055570;  
THENCE S00°18'49"E ALONG SAID WEST LINE EXTENDED, A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER OF SECTION 17;  
THENCE S89°11'13"W ALONG SAID SOUTH LINE, A DISTANCE OF 180.00 FEET TO THE **POINT OF BEGINNING**.

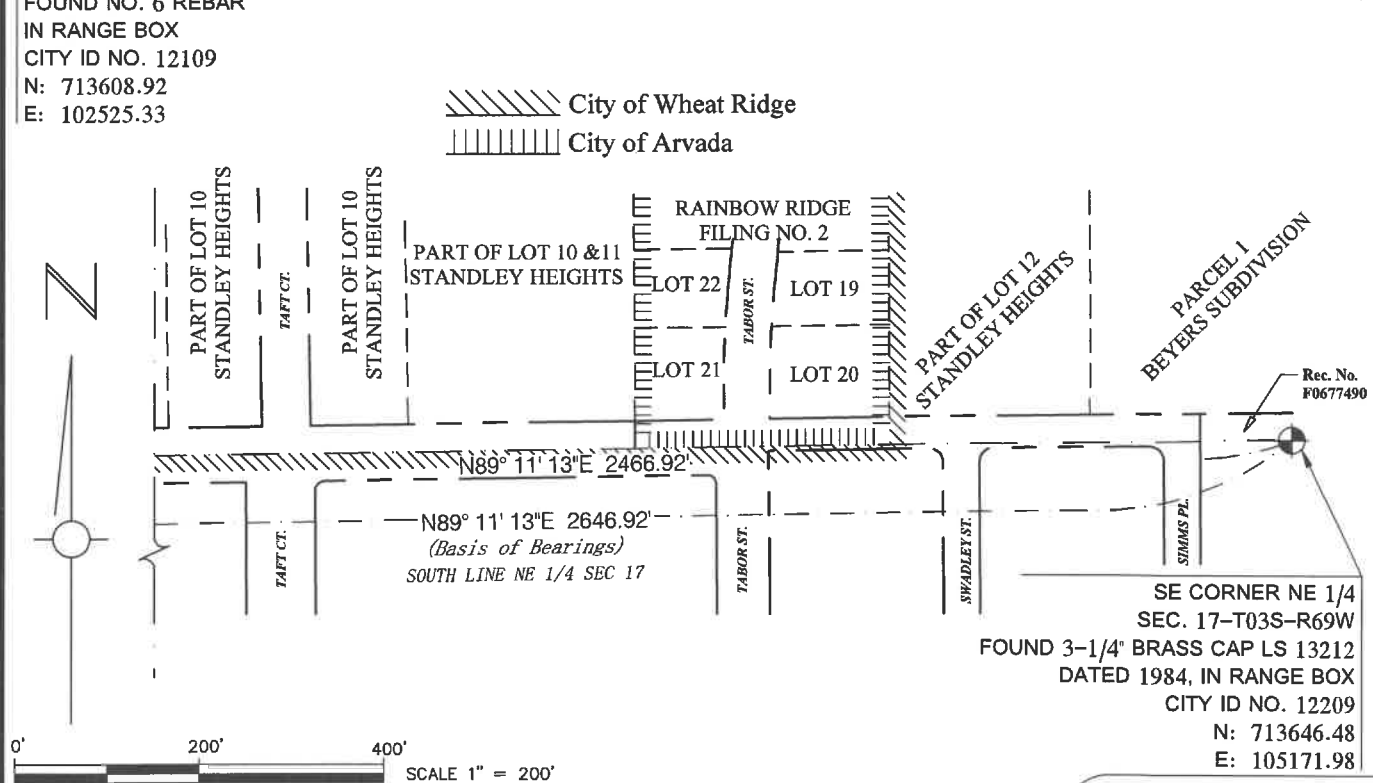
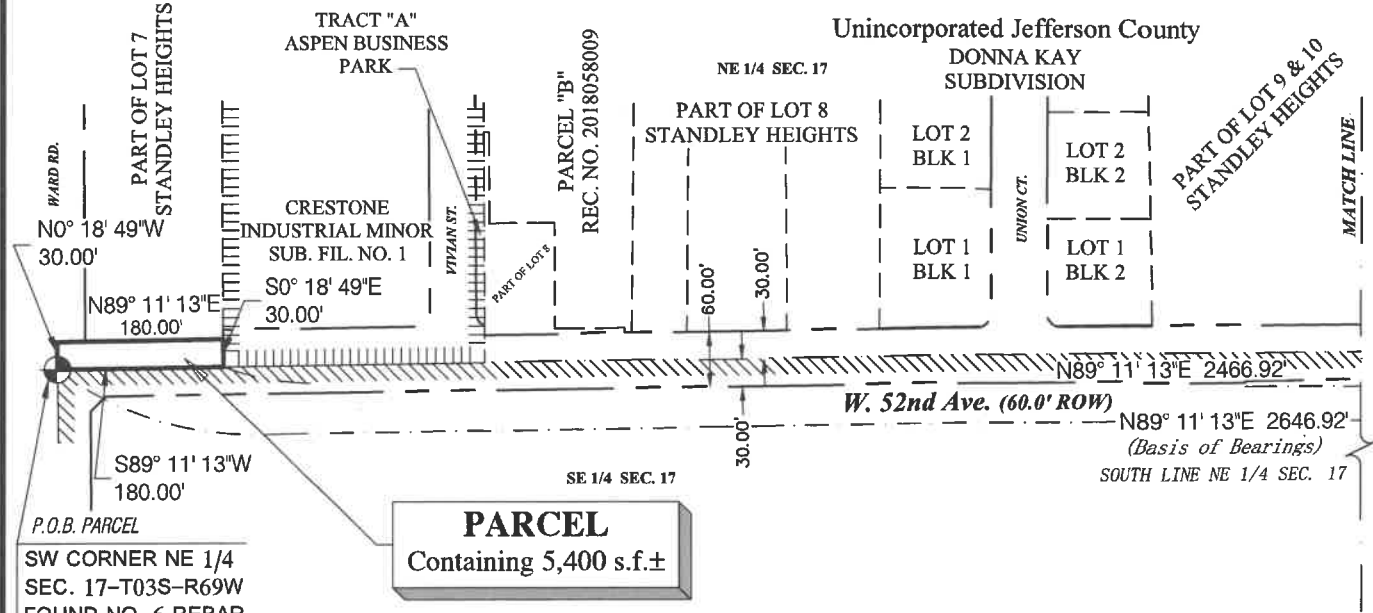
CONTAINING 5,400 SQ. FT. (0.1240 ACRES) MORE OR LESS.

**BASIS OF BEARINGS:** BEARINGS FOR BOTH PARCELS ARE BASED ON THE ASSUMPTION THAT THE SOUTH LINE OF THE NE 1/4 OF SECTION 17 BEARS N89°11'13"E, PER CITY OF WHEAT RIDGE MODIFIED NAD83/92 (NAD83 HARN) STATE PLANE COORDINATE SYSTEM. THE SOUTHWEST CORNER NE 1/4 OF SECTION 17 IS A FOUND NO. 6 REBAR IN RANGE BOX AND THE SOUTHEAST CORNER NE 1/4 OF SECTION 17 IS A FOUND 3 1/4" BRASS CAP LS 13212 DATED 1984 IN A RANGE BOX.

Prepared By: Robert B. Taylor, PLS #28291

For and on behalf of:  
Jefferson County Transportation & Engineering  
100 Jefferson County Parkway, Suite 3500  
Golden, Colorado 80419  
(303) 271-8495

**PARCEL 1 INITIAL ZONING TO I-E EXHIBIT**  
 NE 1/4 SECTION 17, TOWNSHIP 03 SOUTH, RANGE 69 WEST 6th P.M.  
 SHEET 2 OF 2



Note: This exhibit does not represent a monumented survey and is intended only to depict the attached property description.

		DIVISION OF <b>TRANSPORTATION AND ENGINEERING</b> 100 JEFFERSON CNTY PKWY, STE 3500 GOLDEN CO, 80419 (303) 271-8495	
		DATE: 11/5/19 DRAWN BY: J.A.L.	
<b>PARCEL 1 INITIAL ZONING TO I-E</b> <b>WEST 52ND AVENUE</b>			
FILE: G:\PROJECTS\5042_Special Projects_5th Floor\52nd Ave. Annex\5042_W52Ave_Zoning1.dwg			

**EXHIBIT 'B'**  
**CASE WZ-19-08 / 52<sup>ND</sup> AVENUE ZONING**  
**LEGAL DESCRIPTION OF PARCEL 2 INITIAL ZONING TO MU-C TOD**

(see attached)

**EXHIBIT B**

**Parcel 2 Initial Zoning to MU-C TOD**

SHEET 1 OF 2

A PARCEL OF LAND BEING A PART OF THE SOUTH 30 FEET OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, AND ALSO BEING A PORTION OF THE NORTH 30 FEET OF A 60-FOOT WIDE ROAD AS SHOWN ON "PLAT OF STANDLEY HEIGHTS" AS RECORDED IN THE RECORDS OF JEFFERSON COUNTY IN BOOK 2, AT PAGE 68, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17;

THENCE N89°11'13"E ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 466.07 FEET TO A POINT ON THE EAST LINE EXTENDED OF TRACT "A", ASPEN BUSINESS PARK AS RECORDED IN THE RECORDS OF JEFFERSON COUNTY AT RECEPTION NUMBER 77921630, SAID POINT BEING THE **POINT OF BEGINNING**;  
THENCE N00°18'28"W ALONG SAID EAST LINE EXTENDED, A DISTANCE OF 30.00 FEET;  
THENCE N89°11'13"E, A DISTANCE OF 82.05 FEET A POINT ON THE WEST LINE EXTENDED OF LOT 1A, WHEATRIDGE INDUSTRIAL CENTER SUBDIVISION AS RECORDED IN THE RECORDS OF JEFFERSON COUNTY AT RECEPTION NUMBER F0672939;  
THENCE S00°17'56"E ALONG SAID WEST LINE EXTENDED, A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 17;  
THENCE S89°11'13"W ALONG SAID SOUTH LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 82.05 FEET TO THE **POINT OF BEGINNING**;

CONTAINING 2,461 SQ. FT. (0.0565 ACRES) MORE OR LESS.

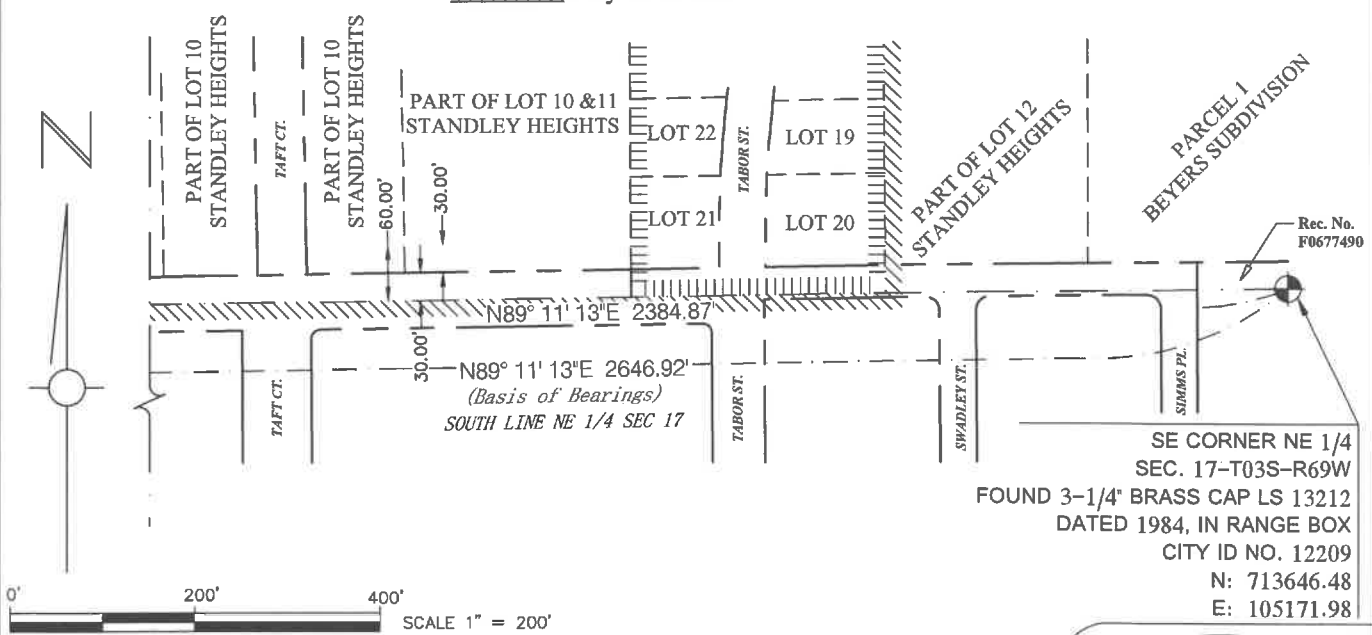
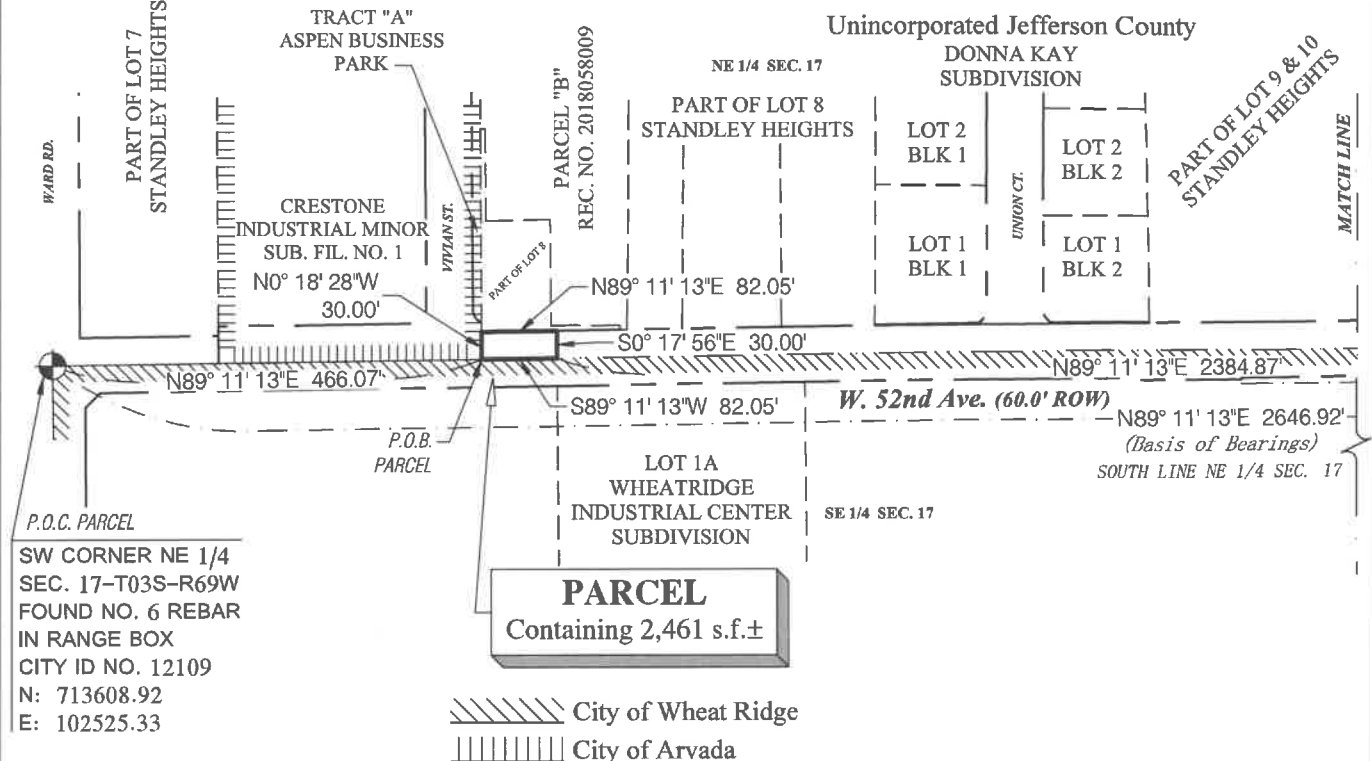
**BASIS OF BEARINGS:** BEARINGS FOR BOTH PARCELS ARE BASED ON THE ASSUMPTION THAT THE SOUTH LINE OF THE NE 1/4 OF SECTION 17 BEARS N89°11'13"E, PER CITY OF WHEAT RIDGE MODIFIED NAD83/92 (NAD83 HARN) STATE PLANE COORDINATE SYSTEM. THE SOUTHWEST CORNER NE 1/4 OF SECTION 17 IS A FOUND NO. 6 REBAR IN RANGE BOX AND THE SOUTHEAST CORNER NE 1/4 OF SECTION 17 IS A FOUND 3 1/4" BRASS CAP LS 13212 DATED 1984 IN A RANGE BOX.

Prepared By: Robert B. Taylor, PLS #28291

For and on behalf of:  
Jefferson County Transportation & Engineering  
100 Jefferson County Parkway, Suite 3500  
Golden, Colorado 80419  
(303) 271-8495



**PARCEL 2 INITIAL ZONING TO MU-C TOD EXHIBIT**  
**NE 1/4 SECTION 17, TOWNSHIP 03 SOUTH, RANGE 69 WEST 6th P.M.**  
**SHEET 2 OF 2**



Note: This exhibit does not represent a monumented survey and is intended only to depict the attached property description.

**JEFFERSON COUNTY COLORADO**

DIVISION OF  
**TRANSPORTATION AND ENGINEERING**  
 100 JEFFERSON CNTY PKWY, STE 3500  
 GOLDEN CO, 80419 (303) 271-8495



DATE: 11/5/19	PARCEL 2 INITIAL ZONING TO MU-C TOD WEST 52ND AVENUE
DRAWN BY: J.A.L.	

FILE: G:\PROJECTS\5042\_Special Projects\_5th Floor\52nd Ave. Annex\5042\_W52Ave\_Zoning2.dwg

**EXHIBIT 'C'**  
**CASE WZ-19-08 / 52<sup>ND</sup> AVENUE ZONING**  
**LEGAL DESCRIPTION OF PARCEL 3 INITIAL ZONING TO I-E**

(see attached)

## EXHIBIT C

### Parcel 3 Initial Zoning to I-E

SHEET 1 OF 2

A PARCEL OF LAND BEING A PART OF THE SOUTH 30 FEET OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, AND ALSO BEING A PORTION OF THE NORTH 30 FEET OF A 60-FOOT WIDE ROAD AS SHOWN ON "PLAT OF STANDLEY HEIGHTS" AS RECORDED IN THE RECORDS OF JEFFERSON COUNTY IN BOOK 2, AT PAGE 68, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17;

THENCE N89°11'13"E ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 548.12 FEET TO A POINT ON THE WEST LINE EXTENDED OF LOT 1A, WHEATRIDGE INDUSTRIAL CENTER SUBDIVISION AS RECORDED IN THE RECORDS OF JEFFERSON COUNTY AT RECEPTION NUMBER F0672939; SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE N00°17'56"W ALONG SAID WEST LINE EXTENDED, A DISTANCE OF 30.00 FEET; THENCE N89°11'13"E, A DISTANCE OF 1,040.27 FEET TO A POINT ON THE WEST LINE EXTENDED OF LOT 1, BLOCK 1, HANCE'S SUBDIVISION REPLAT NO. 2 AS RECORDED IN THE RECORDS OF JEFFERSON COUNTY AT RECEPTION NUMBER 2018087433;

THENCE S00°17'56"E ALONG SAID WEST LINE EXTENDED, A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 17;

THENCE S89°11'13"W ALONG SAID SOUTH LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 1,040.27 FEET TO THE **POINT OF BEGINNING**;

CONTAINING 31,208 SQ. FT. (0.7164 ACRES) MORE OR LESS.

**BASIS OF BEARINGS:** BEARINGS FOR BOTH PARCELS ARE BASED ON THE ASSUMPTION THAT THE SOUTH LINE OF THE NE 1/4 OF SECTION 17 BEARS N89°11'13"E, PER CITY OF WHEAT RIDGE MODIFIED NAD83/92 (NAD83 HARN) STATE PLANE COORDINATE SYSTEM. THE SOUTHWEST CORNER NE 1/4 OF SECTION 17 IS A FOUND NO. 6 REBAR IN RANGE BOX AND THE SOUTHEAST CORNER NE 1/4 OF SECTION 17 IS A FOUND 3 1/4" BRASS CAP LS 13212 DATED 1984 IN A RANGE BOX.

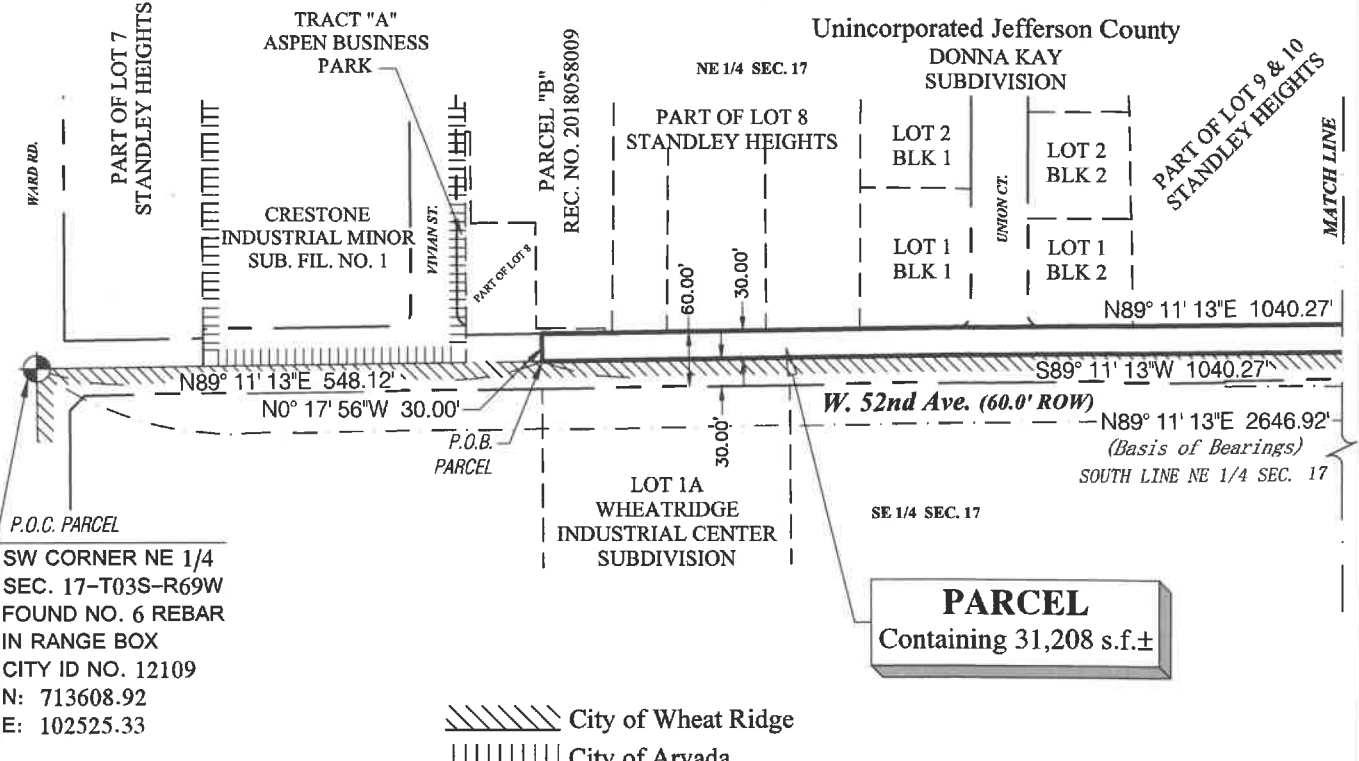
Prepared By: Robert B. Taylor, PLS #28291

For and on behalf of:  
Jefferson County Transportation & Engineering  
100 Jefferson County Parkway, Suite 3500  
Golden, Colorado 80419  
(303) 271-8495

# PARCEL 3 INITIAL ZONING TO I-E EXHIBIT

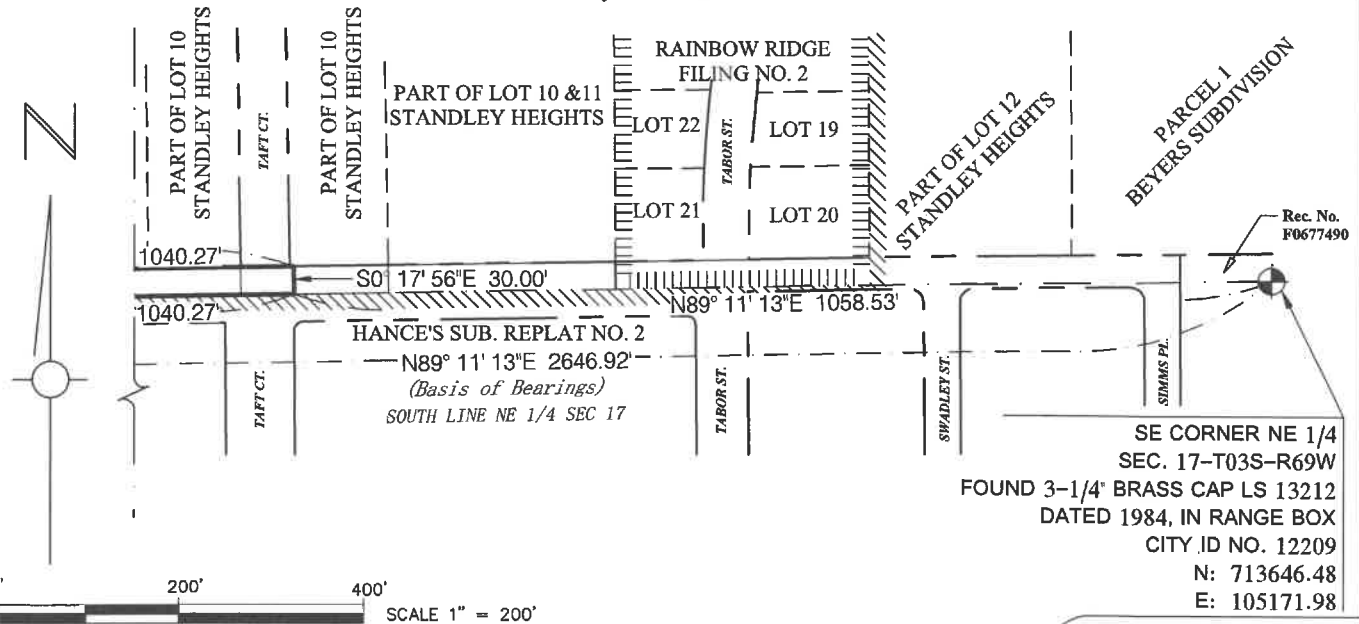
## NE 1/4 SECTION 17, TOWNSHIP 03 SOUTH, RANGE 69 WEST 6th P.M.

### SHEET 2 OF 2



P.O.C. PARCEL  
SW CORNER NE 1/4  
SEC. 17-T03S-R69W  
FOUND NO. 6 REBAR  
IN RANGE BOX  
CITY ID NO. 12109  
N: 713608.92  
E: 102525.33

**PARCEL**  
Containing 31,208 s.f.±



0' 200' 400' SCALE 1" = 200'

Note: This exhibit does not represent a monumented survey and is intended only to depict the attached property description.

# JEFFERSON

## COUNTY COLORADO

DIVISION OF

**TRANSPORTATION AND ENGINEERING**

100 JEFFERSON CNTY PKWY, STE 3500  
GOLDEN CO, 80419 (303) 271-8495



DATE: 11/5/19	PARCEL 3 INITIAL ZONING TO I-E
DRAWN BY: J.A.L.	WEST 52ND AVENUE
FILE: G:\PROJECTS\5042_Special Projects_5th Floor\52nd Ave. Annex\5042_W52Ave_Zoning3.dwg	

**EXHIBIT 'D'**  
**CASE WZ-19-08 / 52<sup>ND</sup> AVENUE ZONING**  
**LEGAL DESCRIPTION OF PARCEL 4 INITIAL ZONING TO MU-N**

(see attached)

## EXHIBIT D

### Parcel 4 Initial Zoning to MU-N

SHEET 1 OF 2

A PARCEL OF LAND BEING A PART OF THE SOUTH 30 FEET OF THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO, AND ALSO BEING A PORTION OF THE NORTH 30 FEET OF A 60-FOOT WIDE ROAD AS SHOWN ON "PLAT OF STANDLEY HEIGHTS" AS RECORDED IN THE RECORDS OF JEFFERSON COUNTY IN BOOK 2, AT PAGE 68, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 17;

THENCE N89°11'13"E ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 1,588.39 FEET TO A POINT ON THE WEST LINE EXTENDED OF LOT 1, BLOCK 1, HANCE'S SUBDIVISION REPLAT NO. 2 AS RECORDED IN THE RECORDS OF JEFFERSON COUNTY AT RECEPTION NUMBER 2018087433, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE N00°17'56"W ALONG SAID WEST LINE EXTENDED, A DISTANCE OF 30.00 FEET; THENCE N89°11'13"E, A DISTANCE OF 346.26 FEET TO THE SOUTHWEST CORNER OF LOT 21, RAINBOW RIDGE FILING NO. 2, AS RECORDED IN THE RECORDS OF JEFFERSON COUNTY AT RECEPTION NUMBER 77883587;

THENCE S00°17'10"E ALONG THE WEST LINE EXTENDED OF SAID LOT 21, RAINBOW RIDGE FILING NO. 2, A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 17;

THENCE S89°11'13"W ALONG SAID SOUTH LINE OF THE NORTHEAST QUARTER, A DISTANCE OF 346.25 FEET TO THE **POINT OF BEGINNING**;

CONTAINING 10,388 SQ. FT. (0.2385 ACRES) MORE OR LESS.

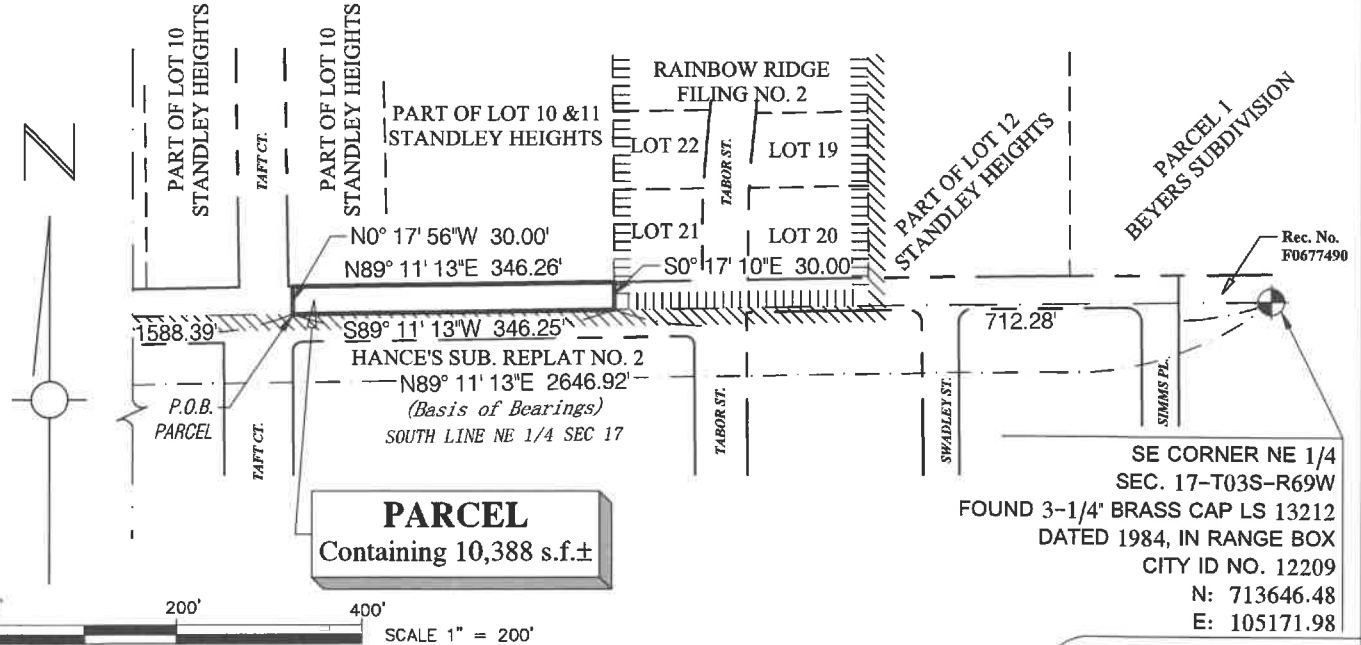
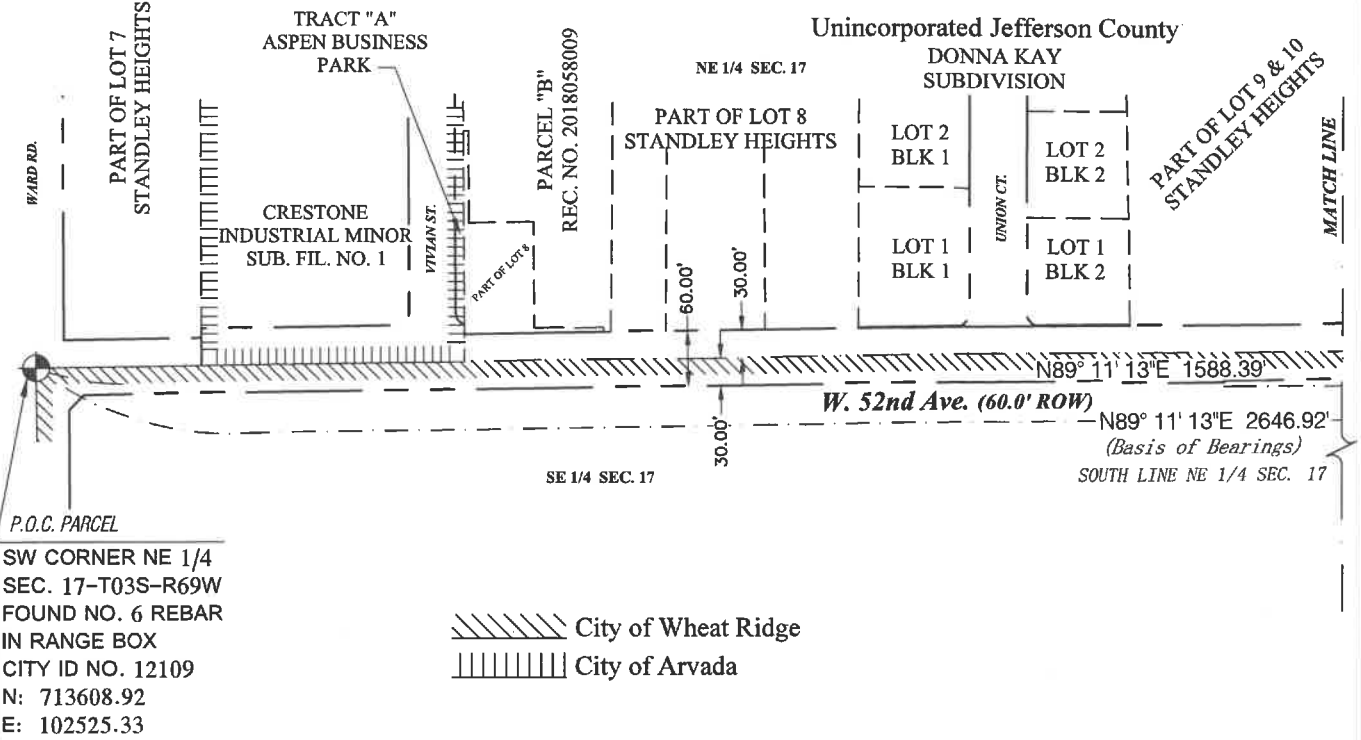
**BASIS OF BEARINGS:** BEARINGS FOR BOTH PARCELS ARE BASED ON THE ASSUMPTION THAT THE SOUTH LINE OF THE NE 1/4 OF SECTION 17 BEARS N89°11'13"E, PER CITY OF WHEAT RIDGE MODIFIED NAD83/92 (NAD83 HARN) STATE PLANE COORDINATE SYSTEM. THE SOUTHWEST CORNER NE 1/4 OF SECTION 17 IS A FOUND NO. 6 REBAR IN RANGE BOX AND THE SOUTHEAST CORNER NE 1/4 OF SECTION 17 IS A FOUND 3 1/4" BRASS CAP LS 13212 DATED 1984 IN A RANGE BOX.

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For and on behalf of:

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**PARCEL 4 INITIAL ZONING TO MU-N EXHIBIT**  
 NE 1/4 SECTION 17, TOWNSHIP 03 SOUTH, RANGE 69 WEST 6th P.M.  
 SHEET 2 OF 2



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**JEFFERSON COUNTY COLORADO** | DIVISION OF TRANSPORTATION AND ENGINEERING  
 100 JEFFERSON CNTY PKWY, STE 3500  
 GOLDEN CO, 80419 (303) 271-8495



DATE: 11/5/19	PARCEL 4 INITIAL ZONING TO MU-N WEST 52ND AVENUE
DRAWN BY: J.A.L.	
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