

CITY OF WHEAT RIDGE, COLORADO
INTRODUCED BY COUNCIL MEMBER DAVIS
COUNCIL BILL NO. 08
ORDINANCE NO. 1514
Series of 2012

TITLE: AN ORDINANCE APPROVING THE REZONING OF PROPERTY LOCATED AT 4695 WADSWORTH BLVD. FROM RESIDENTIAL-TWO (R-2) TO MIXED USE - NEIGHBORHOOD (MU-N) ZONE DISTRICT (CASE NO. WZ-12-03/PATRICK NICHOLS & ASSOCIATES)

WHEREAS, the City of Wheat Ridge is trying to encourage mixed use zoning and development; and

WHEREAS, the zoning and development code was modified to add four new mixed use zoning districts; and,

WHEREAS, Patrick Gooch on behalf of Patrick Nichols & Associates has submitted a zone change application to Mixed Use-Neighborhood for property located at 4695 Wadsworth Blvd.; and,

WHEREAS, the City of Wheat Ridge Planning Commission held a public hearing on May 17, 2012 and voted to recommend approval of a rezoning of the property to Mixed-Use Neighborhood.

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

Section 1. Upon application by Patrick Gooch for Patrick Nichols & Associates, approval of a zone change ordinance for property located at 4695 Wadsworth Blvd. from Residential-Two (R-2) to Mixed Use - Neighborhood (MU-N), and pursuant to the findings made based on testimony and evidence presented at a public hearing before the Wheat Ridge City Council, the following zone change is approved for the following described parcel:

LOT 29, HILLCREST HEIGHTS SUBDIVISION, CITY OF WHEAT RIDGE,
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. If any clause, sentence, paragraph, or part of this Zoning Code or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

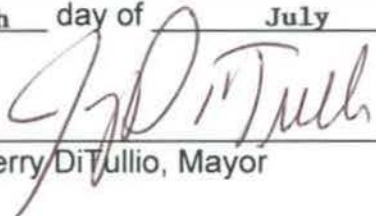
Section 5. Supersession Clause. If any provision, requirements or standard established by this Ordinance is found to conflict with similar provisions, requirements or standards found elsewhere in the Code of Laws of the City of Wheat Ridge, which are in existence as of the date of adoption of this Ordinance, the provisions, requirements and standards here shall supersede and prevail.

Section 6. This Ordinance shall take effect 15 days after final publication.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of 8 to 0 on this 11th day of June, 2012, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge and Public Hearing and consideration on final passage set for July 9, 2012, at 7:00 o'clock p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.

READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of 7 to 0, this 9th day of July, 2012.

SIGNED by the Mayor on this 9th day of July, 2012.



Jerry DiTullio, Mayor

ATTEST:



Janelle Shaver, City Clerk



Approved as to form by City Attorney



Gerald Dahl, City Attorney

1st publication: June 14, 2012
2nd publication: July 12, 2012
Wheat Ridge Transcript
Effective Date: July 27, 2012