

CITY OF WHEAT RIDGE
INTRODUCED BY COUNCIL MEMBER DAVIS
COUNCIL BILL NO. 07
ORDINANCE NO. 1640
Series of 2018

TITLE: AN ORDINANCE APPROVING THE REZONING OF PROPERTY LOCATED AT 6320 WEST 44TH AVENUE FROM NEIGHBORHOOD COMMERCIAL (N-C) TO MIXED USE-NEIGHBORHOOD (MU-N) (CASE NO. WZ-18-02 / WEDGWOOD)

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, Chris Wedgwood has submitted a land use application for approval of a zone change to the Mixed Use-Neighborhood (MU-N) zone district for property located at 6320 West 44th Avenue; and,

WHEREAS, the City of Wheat Ridge has adopted a comprehensive plan—*Envision Wheat Ridge*—which calls for a mix of land uses along W. 44th Avenue by virtue of it being designated a neighborhood commercial corridor; and,

WHEREAS, the City of Wheat Ridge Planning Commission held a public hearing on March 1, 2018 and voted to recommend approval of rezoning the property to 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 Chris Wedgwood for approval of a zone change ordinance from Neighborhood Commercial (N-C) to Mixed Use-Neighborhood (MU-N) for property located at 6320 W. 44th Avenue, 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:

THAT PART OF BLOCK 11, LAKE VIEW SUBDIVISION, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 83 FEET WEST OF THE NORTHEAST CORNER OF THE EAST ONE-HALF OF THE NORTH ONE-HALF OF SAID BLOCK 11; THENCE WEST 75 FEET; THENCE SOUTH 150 FEET; THENCE EAST 75 FEET; THENCE NORTH 150 FEET TO THE POINT OF BEGINNING, EXCEPT PORTION THEREOF DESCRIBED IN BOOK 679 AT PAGE 375,

ALSO KNOWN AS 6320 W. 44TH AVENUE, WHEAT RIDGE, CO 80033

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 7 to 0 on this 12th day of March, 2018, ordered it published with Public Hearing and consideration on final passage set for **Monday, April 9, 2018 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 9th day of April, 2018.

SIGNED by the Mayor on this 9th day of April, 2018.



Bud Starker, Mayor


ATTEST:



Janelle Shaver, City Clerk



Approved as to Form



Gerald Dahl, City Attorney

1st publication: March 15, 2018
2nd publication: April 12, 2018
Wheat Ridge Transcript:
Effective Date: April 27, 2018