

CITY OF WHEAT RIDGE  
INTRODUCED BY COUNCIL MEMBER URBAN  
COUNCIL BILL NO. 11  
ORDINANCE NO. 1644  
Series of 2018

**TITLE: AN ORDINANCE APPROVING THE REZONING OF PROPERTY LOCATED AT 4650 WADSWORTH BOULEVARD FROM RESIDENTIAL-TWO (R-2) TO MIXED USE-NEIGHBORHOOD (MU-N) (CASE NO. WZ-18-06 / BIELICH)**

**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**, Luis Bielich 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 4650 Wadsworth Boulevard; and,

**WHEREAS**, the City of Wheat Ridge has adopted a comprehensive plan—*Envision Wheat Ridge*—which calls for a mix of land uses and reinvestment along Wadsworth Boulevard by virtue of it being designated a primary commercial corridor; and,

**WHEREAS**, the City of Wheat Ridge Planning Commission held a public hearing on April 5, 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 Luis Bielich for approval of a zone change ordinance from Residential-Two (R-2) to Mixed Use-Neighborhood (MU-N) for property located at 4650 Wadsworth Boulevard, 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:

A parcel of land situated, lying and being in the County of Jefferson, State of Colorado, described as follows, to wit:  
LOT 5, BLOCK 1, CLEAR CREEK VISTA, EXCEPT THE WEST 10 FEET OF SUBJECT PROPERTY AS CONVEYED TO THE DEPARTMENT OF HIGHWAYS BY THE STATE OF COLORADO IN DEED RECORDED MAY 13, 1959 IN BOOK 1193 AT PAGE 189, 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 7 to 0 on this 23<sup>rd</sup> day of April, 2018, ordered it published with Public Hearing and consideration on final passage set for **Monday, May 14, 2018 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 1, this 14<sup>th</sup> day of May, 2018.

SIGNED by the Mayor on this 14<sup>th</sup> day of May, 2018.



Bud Starker, Mayor

ATTEST:

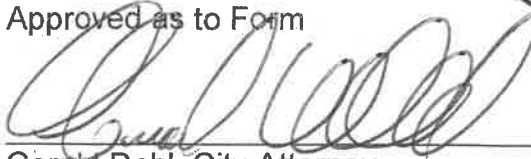


Janelle Shaver, City Clerk



Robin Eaton, Deputy City Clerk

Approved as to Form



Gerald Dahl, City Attorney



1<sup>st</sup> publication: April 26, 2018

2<sup>nd</sup> publication: May 17, 2018

Wheat Ridge Transcript:

Effective Date: June 1, 2018