

CITY OF WHEAT RIDGE
INTRODUCED BY COUNCIL MEMBER MATHEWS
COUNCIL BILL NO. 27
ORDINANCE NO. 1657
Series of 2018

**TITLE: AN ORDINANCE APPROVING AN AMENDMENT TO THE
OUTLINE DEVELOPMENT PLAN FOR THE CAMELOT CLUB
APARTMENTS PLANNED RESIDENTIAL DEVELOPMENT
(PRD) FOR PROPERTY LOCATED AT 4635 AND 4665 KIPLING
STREET (CASE NO. WZ-18-03/KIPLING VILLAGE)**

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, Kipling Village, LLC has submitted a land use application for approval of an amendment to the Outline Development Plan for the Camelot Club Apartments Planned Residential Development (PRD) for property located at 4635 and 4665 Kipling Street; and,

WHEREAS, the City of Wheat Ridge has adopted a comprehensive plan—*Envision Wheat Ridge*—which calls for a neighborhood buffer along the west side of Kipling Street between 44th Avenue and Interstate 70; and,

WHEREAS, the amendment will modernize the zoning documents for the property and allow for additional investment and reinvestment in the community; and,

WHEREAS, the City of Wheat Ridge Planning Commission held a public hearing on September 20, 2018 and voted to recommend approval of rezoning 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 Kipling Village, LLC for approval of a zone change ordinance approving an amendment to the Outline Development Plan for the Camelot Club Apartments Planned Residential Development (PRD) for property located at 4635 and 4665 Kipling 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:

PARCEL A:

THE SOUTH 1/2 MORE OR LESS, CAMELOT CLUB APARTMENTS, ACCORDING TO THE RECORDED PLAT THEREOF, COUNTY OF JEFFERSON, STATE OF COLORADO, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE PLAT OF CAMELOT CLUB APARTMENTS, THENCE SOUTH ALONG THE EAST BOUNDARY LINE

THEREOF A DISTANCE OF 263.11 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE SOUTH ALONG SAID EAST BOUNDARY LINE 263.11 FEET TO THE SOUTHEAST CORNER OF THE PLAT OF CAMELOT CLUB APARTMENTS; THENCE WEST ALONG THE SOUTH BOUNDARY LINE OF THE PLAT OF CAMELOT CLUB APARTMENTS, A DISTANCE OF 619.17 FEET TO THE SOUTHWEST CORNER OF SAID PLAT OF CAMELOT CLUB APARTMENTS; THENCE NORTH ALONG THE WEST BOUNDARY LINE OF THE PLAT OF CAMELOT CLUB APARTMENTS A DISTANCE OF 261.185 FEET TO A POINT ON SAID WEST BOUNDARY LINE THEREOF, WHICH IS 261.185 FEET SOUTH OF THE NORTHWEST CORNER OF SAID PLAT OF CAMELOT CLUB APARTMENTS; THENCE EAST 619.36 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, COUNTY OF JEFFERSON, STATE OF COLORADO, EXCEPT THE EAST 3 FEET OF THE NORTH 200 FEET OF THE SOUTH 263.11 FEET OF CAMELOT CLUB APARTMENTS.

PARCEL C:

A TRACT OF LAND LOCATED IN THE NE1/4 OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M. DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE NE1/4 OF SAID SECTION 21; THENCE SOUTH 0 DEGREES 22 MINUTES 00 SECONDS EAST ALONG THE EAST LINE OF THE NE1/4 OF SAID SECTION 21, A DISTANCE OF 1193.40 FEET, TO THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN BOOK 1013 AT PAGE 343 OF THE JEFFERSON COUNTY RECORDS; THENCE SOUTH 89 DEGREES 14 MINUTES 49 SECONDS WEST PARALLEL WITH THE NORTH LINE OF THE NE1/4 OF SAID SECTION 21 AND ALONG THE NORTH LINE OF THAT TRACT DESCRIBED IN SAID BOOK 1013 AT PAGE 343, A DISTANCE OF 45.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 14 MINUTES 49 SECONDS WEST PARALLEL WITH THE NORTH LINE OF SAID NE1/4 AND ALONG THE NORTH LINE OF THAT TRACT AS DESCRIBED IN BOOK 1013 AT PAGE 343 AND IT'S WESTERLY EXTENSION A DISTANCE OF 619.11 FEET TO A POINT ON THE WEST LINE OF THE E1/2 OF THE E1/2 OF THE NE1/4 OF SECTION 21; THENCE NORTH 0 DEGREES 24 MINUTES 24 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 4.29 FEET TO THE SOUTHWEST CORNER OF THE CAMELOT CLUB APARTMENTS, A SUBDIVISION RECORDED IN THE OFFICIAL RECORDS OF JEFFERSON COUNTY; THENCE NORTH 89 DEGREES 36 MINUTES 00 SECONDS EAST ALONG THE SOUTH LINE OF SAID CAMELOT CLUB APARTMENTS, A DISTANCE OF 619.10 FEET TO THE SOUTHEAST CORNER OF SAID CAMELOT CLUB APARTMENTS; THENCE SOUTH 0 DEGREES 22 MINUTES 00 SECONDS EAST PARALLEL WITH THE EAST LINE OF THE NE1/4 AND 45.00 FEET WESTERLY, A DISTANCE OF 0.48 FEET TO THE TRUE POINT OF BEGINNING, COUNTY OF JEFFERSON, STATE OF COLORADO.

PARCEL D:

THE NORTH 1/2 OF CAMELOT CLUB APARTMENTS, ACCORDING TO THE RECORDED PLAT THEREOF, COUNTY OF JEFFERSON, STATE OF COLORADO, DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF THE PLAT OF CAMELOT CLUB APARTMENTS; THENCE SOUTH ALONG THE EAST BOUNDARY LINE THEREOF A DISTANCE OF 263.11 FEET TO A POINT; THENCE WEST 619.54 FEET, MORE OR LESS, TO A POINT ON THE WEST BOUNDARY LINE OF SAID PLAT WHICH IS 261.185 FEET SOUTH OF THE NORTHWEST CORNER OF THE PLAT OF CAMELOT CLUB APARTMENTS; THENCE NORTH 261.185 FEET, MORE OR LESS TO THE NORTHWEST CORNER OF SAID PLAT; THENCE EAST ALONG THE NORTH BOUNDARY LINE OF THE PLAT OF CAMELOT CLUB APARTMENTS A DISTANCE OF 619.54 FEET MORE OR LESS TO THE POINT OF BEGINNING, COUNTY OF JEFFERSON, STATE OF COLORADO, EXCEPT THE SOUTH 200.00 FEET OF THE NORTH 263.11 FEET OF THE EAST 3.00 FEET THEREOF.

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 8th day of October, 2018, ordered it published with Public Hearing and consideration on final passage set for **Monday, November 26, 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 8 to 0, this 26th day of November, 2018.

SIGNED by the Mayor on this 26th day of November, 2018.

Bud Starker, Mayor

ATTEST:

Janelle Shaver, City Clerk

Robin Estrom, Deputy City Clerk



Approved as to Form

Gerald Dahl, City Attorney

1st publication: October 11, 2018

2nd publication: November 29, 2018

Wheat Ridge Transcript:

Effective Date: December 14, 2018