

**CITY OF WHEAT RIDGE, COLORADO**

**RESOLUTION NO. 13**

Series of 2010

**TITLE: A RESOLUTION DENYING A SPECIAL USE PERMIT TO ALLOW A DAYCARE FOR UP TO 60 CHILDREN AS AN ANCILLARY USE TO A CHURCH IN A RESIDENTIAL-ONE (R-1) ZONE DISTRICT – SUP 09-03 – WELLSRING BIBLE CHURCH**

**WHEREAS**, Chapter 26, Article I of the Wheat Ridge Code of Laws establishes the procedures for the City's review and approval of Special Use Permits; and

**WHEREAS**, an application for a Special Use Permit has been received from Steve Gay and Kelly Hagan for approval a daycare center at property located at 3010 Newland Street and zoned residential-one (R-1); and

**WHEREAS**, the request for the Special Use Permit began as an administrative process which registered 4 written objections during the 10-day posting and notification period; and

**WHEREAS**, the Community Development Director denied an administrative decision for the application pursuant to Chapter 26, Section 114(E); and

**WHEREAS**, the request has been forwarded to City Council to be heard at a public hearing; and

**WHEREAS**, notice of the City Council public hearing was properly published in the Wheat Ridge Transcript on February 4, 2010.

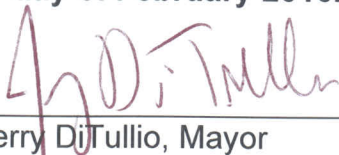
**NOW THEREFORE BE IT RESOLVED by the City Council of the City of Wheat Ridge, Colorado, as follows:**

**A SPECIAL USE PERMIT TO ALLOW A DAYCARE FOR UP TO 60 CHILDREN AS AN ANCILLARY USE TO A CHURCH IN A RESIDENTIAL-ONE (R-1) ZONE DISTRICT IS HEREBY DENIED, FOR THE FOLLOWING REASONS**


1. The applicant is requesting a child care facility that is not associated or ancillary to the church use.
2. Stand alone daycare centers in any residential zone district are prohibited by City Code.
3. The special use would create adverse impacts greater than allowed under existing zoning for the property.
4. There would be a significant impact to adjacent property owners.
5. The request would negatively impact the character and residential nature of the neighborhood.
6. The request compromises the safety and convenience of the people in the area already using the adjacent streets due to an increase of vehicle trips per day on local streets.
7. The request will increase the intensity of the use on the property as the church currently is unused during the day.

8. There were objections regarding the request during the 10-day posting period.

**DONE AND RESOLVED THIS 22<sup>nd</sup> day of February 2010.**

  
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Jerry DiTullio, Mayor

ATTEST:

  
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Michael D. Snow, City Clerk