

CITY OF WHEAT RIDGE, COLORADO
INTRODUCED BY COUNCIL MEMBER REINHART
Council Bill No. 25
Ordinance No. 1499
Series of 2011

TITLE: AN ORDINANCE APPROVING A PLANNED COMMERCIAL DEVELOPMENT (PCD) SPECIFIC OUTLINE DEVELOPMENT PLAN ON PROPERTY LOCATED AT 7495 W. 29th AVENUE (CASE NO. WZ-11-04/MCPN)

WHEREAS, the property located at 7495 W. 29th Avenue was rezoned from R-2, Residential-Two, to Planned Commercial Development pursuant to Case No. WZ-05-10; and,

WHEREAS, a subsequent request for approval of a Specific Outline Development Plan was approved for the same property pursuant to Case No. WZ-08-01; and,

WHEREAS, neither of these approved development scenarios were constructed; and,

WHEREAS, a land use application has been filed for a Planned Commercial Development Specific Outline Development plan for said property in order to construct a medical clinic.

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

Section 1. Upon application by Metro Community Providers' Network (MCPN), approval of a Planned Commercial Development (PCD) Specific Outline Development Plan for property located at 7495 W. 29th Avenue, and pursuant to the findings made based on testimony and evidence presented at a public hearing before the Wheat Ridge City Council, a PCD Specific Outline Development Plan is hereby approved for the following described property:

A TRACT OF LAND IN THE SOUTHEAST 1/4 OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE 6TH P.M., COUNTY OF JEFFERSON, STATE OF COLORADO, STATE OF COLORADO, BEING THE WEST 1/2 OF LOT 3, BLOCK 1, BARTH'S SUBDIVISION, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER QUARTER CORNER OF SAID SECTION; THENCE SOUTH 02 DEGREES 55 MINUTES 34 SECONDS EAST, 661.25 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF WADSWORTH BOULEVARD, WHICH IS THE TRUE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 19 MINUTES 32 SECONDS EAST ALONG SAID RIGHT OF WAY LINE 635.80 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WEST 29th AVENUE; THENCE

NORTH 89 DEGREES 50 MINUTES 18 SECONDS EAST, ALONG SAID NORTH RIGHT-OF-WAY LINE, 315.06 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 56 SECONDS WEST, 635.39 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF WEST 30th AVENUE; THENCE SOUTH 89 DEGREES 54 MINUTES 45 SECONDS WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 315.54 FEET TO THE TRUE POINT OF BEGINNING.

BASIS OF BEARINGS: THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 26, BEING MONUMENTED ON THE NORTH END BY A 4" BRASS CAP IN RANGE BOX STAMPED "LS 13212" AND ON THE SOUTH END BY A 4" BRASS CAP IN RANGE BOX, ILLEGIBLE, AND HAVING A BEARING OF SOUTH 00 DEGREES 19 MINUTES 32 SECONDS EAST PER CITY OF WHEATRIDGE HORIZONTAL AND VERTICAL CONTROL BASE MAP.

Section 2. Vested Property Rights. Approval of this zoning and Specific ODP approval 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 adjusted 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 8th day of August, 2011, 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 September 12, 2011, 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 12th day of September, 2011.

SIGNED by the Mayor on this 12th day of September, 2011.



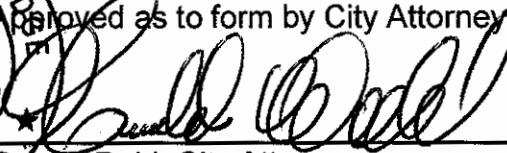
Jerry DiTullio, Mayor

ATTEST:



Michael Snow, City Clerk



Approved as to form by City Attorney


Gerald Dahl, City Attorney

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