

CITY OF WHEAT RIDGE, COLORADO
RESOLUTION NO. 15
Series of 2010

TITLE: A RESOLUTION APPROVING A SPECIAL USE PERMIT TO ALLOW A MAJOR AUTO REPAIR FACILITY IN A COMMERCIAL-ONE (C-1) ZONE DISTRICT ON PROPERTY LOCATED AT 4395 XENON STREET

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 Brent Allred and Richard Maher for approval of a major auto repair facility at property located at 4395 Xenon Street and zoned Commercial-One (C-1); and

WHEREAS, the request for the Special Use Permit began as an administrative process which registered multiple written objections and a petition of opposition 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 April 26, 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 MAJOR AUTO REPAIR FACILITY IN A COMMERCIAL-ONE (C-1) ZONE DISTRICT BE APPROVED FOR THE FOLLOWING REASONS:

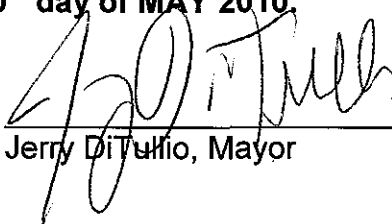
1. This request for a Special Use meets all applicable criteria as required by Section 26-114 of the City of Wheat Ridge Code of Laws.
2. There will be no detrimental effect on health, safety, welfare, or convenience to the public in the area.
3. The applicant has made an attempt to mitigate all impacts and concerns addressed in the letters of objection, neighborhood comments, and from staff comments.
4. The special use will not create adverse impacts greater than allowed under existing zoning for the property.
5. There will be no impact on the light, air, or water to adjacent property owners.

6. The special use will not create or contribute to blight in the neighborhood and will not over burden the capacities of the existing streets, parks, schools, and other public facilities and services.
7. The proposed facility is in substantial compliance with the ASDM.
8. Given the unusual shape of the property and other encumbrances on the property other development opportunities would be difficult.

With the following conditions:


1. The Special Use Permit be prescribed to the property and may be inherited
2. Proof of all State of Colorado certificates and approvals be submitted along with building permits.
3. The site be developed in compliance with Exhibits 6 and 9.”

DONE AND RESOLVED THIS 10th day of MAY 2010.



Jerry DiTullio, Mayor

ATTEST:



Michael D. Snow, City Clerk