

CITY OF WHEAT RIDGE, COLORADO
Resolution No. 23
Series of 2013

TITLE: A RESOLUTION APPROVING A TWO- LOT SUBDIVISION PLAT WITH A RIGHT-OF-WAY DEDICATION FOR PROPERTY ZONED RESIDENTIAL-THREE (R-3) AND NEIGHBORHOOD COMMERCIAL (NC) LOCATED AT 5801 W. 38TH AVENUE/4000 FENTON COURT (CASE NO. MS-13-02/INCARNATION)

WHEREAS, Chapter 26, Article I of the Wheat Ridge Code of Laws establishes the procedures for the City's review and approval of Subdivision Plats; and,

WHEREAS, an application for a subdivision plat was received from Urban Green Development to subdivide property located at 5801 W. 38th Avenue/4000 Fenton Court in a Residential-Three Neighborhood-Commercial zone district; and,

WHEREAS, all referral agencies have reviewed the request and do not have concerns; and,

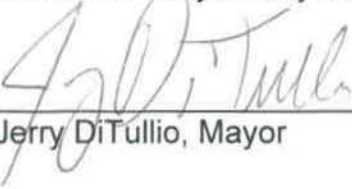
WHEREAS, all required publishing, posting and notification requirements for a July 8, 2013 City Council public hearing have been met.

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

A TWO-LOT SUBDIVISION PLAT WITH A RIGHT-OF-WAY DEDICATION FOR PROPERTY ZONED RESIDENTIAL-THREE (R-3) AND NEIGHBORHOOD COMMERCIAL (NC) LOCATED AT 5801 W. 38TH AVENUE/4000 FENTON COURT (CASE NO. MS-13-02/INCARNATION) IS HEREBY APPROVED FOR THE FOLLOWING REASONS:

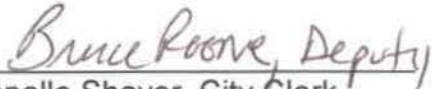
1. City Council has conducted a proper public hearing meeting all public notice requirements as required by Section 26-109 and 26-407 of the Code of Laws.
2. The requested subdivision has been reviewed by the Planning Commission, which has forwarded its recommendation.
3. The subdivision plat has been found in compliance with Article IV of Chapter 26 of the Code of Laws.
4. The applicant pay a fee-in-lieu of parkland dedication prior to the issuance of the first building permit in the amount of 50% of the required fee as determined by a certified appraisal of the property as calculated per Section 26-421.F.2 of the Code OR \$89,500, whichever is less, with 100% of the fee to be paid to the City to be used as allowed by Section 26-421.F.4 of the Code.

DONE AND RESOLVED by the City Council this 8th day of July 2013.



Jerry DiTullio, Mayor

ATTEST:



Janelle Shaver, City Clerk

