

CITY OF WHEAT RIDGE
INTRODUCED BY COUNCIL MEMBER URBAN
COUNCIL BILL NO. 01-2015
ORDINANCE NO. 1564
Series of 2015

TITLE: AN ORDINANCE APPROVING THE REZONING OF PROPERTY LOCATED AT 4295 HARLAN STREET FROM RESTRICTED COMMERCIAL (RC) TO MIXED USE-NEIGHBORHOOD (MU-N) (CASE NO. WZ 14-11/ KAPLAN)

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, Benjamin Kaplan and Lauren Searcy have submitted a land use application for approval of a zone change to the Mixed Use-Neighborhood zone district for property located at 4295 Harlan Street; and

WHEREAS, the City of Wheat Ridge has adopted a comprehensive plan—*Envision Wheat Ridge*—which calls for a mix of land uses and appropriate transitions between commercial corridors and neighborhoods; and

WHEREAS, the City of Wheat Ridge Planning Commission held a public hearing on December 18, 2014 and voted to recommend approval of rezoning the property to Mixed Use-Neighborhood (MU-N).

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

Section 1. Upon application by Benjamin Kaplan and Lauren Searcy for approval of a zone change ordinance from Restricted Commercial (RC) to Mixed Use-Neighborhood (MU-N) for property located at 4295 Harlan 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:

THE EAST 135 FEET OF THE NORTH 75 FEET OF LOT OR PLOT 1, KAREN SUBDIVISION, COUNTY OF JEFFERSON, STATE OF COLORADO

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.

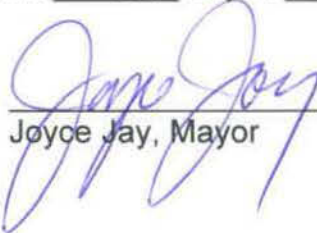
Section 4. Severability; Conflicting Ordinance Repealed. If any section, subsection or clause of the ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances 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 12th day of January, 2015, ordered it published with Public Hearing and consideration on final passage set for **Monday, February 9, 2015 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 9th day of February, 2015.

SIGNED by the Mayor on this 9th day of February, 2015.




Joyce Jay, Mayor

ATTEST:




Janelle Shaver, City Clerk



The seal is circular with the text "CITY OF WHEAT RIDGE" around the top and "COLORADO" around the bottom. In the center, the word "SEAL" is written in large, bold letters, flanked by two stars.

Approved as to Form



Gerald Dahl, City Attorney

1st publication: January 15, 2015
2nd publication: February 12, 2015
Wheat Ridge Transcript:
Effective Date: February 27, 2015