

**CITY OF WHEAT RIDGE, COLORADO  
RESOLUTION NO. 35  
Series of 2019**

**TITLE: A RESOLUTION APPROVING A MAJOR SUBDIVISION PLAT WITH RIGHT-OF-WAY DEDICATION FOR PROPERTY ZONED MIXED USE - NEIGHBORHOOD (MU-N) AND LOCATED AT 10191 W. 38<sup>TH</sup> AVENUE (CASE NO. WS-19-02 / GEMINI)**

**WHEREAS**, Chapter 26, Article IV of the Wheat Ridge Code of Laws establishes procedures for the City's review and approval of subdivision plats; and,

**WHEREAS**, an application for a subdivision plat with right-of-way dedication was received from John Roach to subdivide property for duplex development located at 10191 W. 38<sup>th</sup> Avenue in the Mixed Use - Neighborhood zone district; and,

**WHEREAS**, all referral agencies have reviewed the request and can serve the property; and,

**WHEREAS**, the City Council has conducted a public hearing complying with all public notice requirements as required by Section 26-109 of the Code of Laws.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHEAT RIDGE, COLORADO, AS FOLLOWS:**

**A MAJOR SUBDIVISION PLAT WITH RIGHT OF WAY DEDICATION FOR PROPERTY ZONED MIXED USE – NEIGHBORHOOD (MU-N) LOCATED AT 10191 W. 38<sup>th</sup> AVENUE 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 of approval.
3. The subdivision plat has been found in compliance with Article IV of Chapter 26 of the Code of Laws.
4. All agencies can provide services to the property with improvements installed and the developer's expense.

And, with the following conditions:

1. Prior to recordation, the applicant shall pay the required fees-in-lieu of parkland dedication.
2. The developer shall enter into a subdivision improvement agreement and a lot sale restriction covenant agreement prior to recordation of the subdivision plat.
3. Prior to issuance of building permits, the developer shall provide homeowners' association covenants for review and approval by staff.

**DONE AND RESOLVED** by the City Council this 24<sup>th</sup> day of June, 2019.



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Bud Starker, Mayor

ATTEST:



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Janelle Shaver, City Clerk

