

CITY OF WHEAT RIDGE  
INTRODUCED BY COUNCIL MEMBER URBAN  
COUNCIL BILL NO. 20  
ORDINANCE NO. 1582  
Series of 2015

**TITLE: AN ORDINANCE APPROVING A ZONE CHANGE FROM INDUSTRIAL-EMPLOYMENT (I-E), COMMERCIAL-ONE (C-1) AND AGRICULTURAL-ONE (A-1) TO INDUSTRIAL-EMPLOYMENT (I-E) FOR PROPERTY LOCATED AT 4901 MARSHALL STREET**

**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**, LSC Denver Colorado LLC has submitted a land use application for approval of a zone change to Industrial-Employment for property located at 4901 Marshall Street; and,

**WHEREAS**, the subject property has long been underutilized, and the Industrial-Employment zone district will accommodate redevelopment of the site; and,

**WHEREAS**, the proposed zone change is supported by the City's Comprehensive Plan—*Envision Wheat Ridge* and the zone change criteria specified in Section 26-112.

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

**Section 1.** Upon application by LSC Denver Colorado LLC for approval of a zone change ordinance from Industrial-Employment (I-E), Commercial-One (C-1) and Agricultural-One (A-1) to Industrial-Employment (I-E) for property located at 4901 Marshall 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:

A parcel of land situated in the southwest one-quarter of Section 13, Township 3 south, Range 69 west of the 6<sup>th</sup> principal meridian, City of Wheat Ridge, County of Jefferson, State of Colorado, more particularly described as follows:

Commencing at the southwest corner of the said southwest one-quarter of section 13 and considering the west line of said southwest one quarter to bear N00°73'53"W with all bearing s herein relative thereto;

Thence N22°52'47"E, a distance of 729.20 feet to the point of beginning, said point also being the southeast corner of a Colorado Department of Transportation (CDOT) parcel recorded at reception no.79086148 and the northern most corner of a CDT parcel recorded at reception no.80069724 and the southwest corner of a parcel recorded at reception no.80057553;

Thence continuing the same bearing along the southern boundary of said parcel recorded at reception no.80057553, N74°44'32"E, a distance of 406.56 feet to the southwest corner of a parcel recorded at reception no.80057553;

Thence continuing the same bearing along the southern boundary of said parcel recorded at reception no.80057553, N74°44'32"E, a distance of 202.06 feet to a point on the westerly right-of-way for Marshall St.;

Thence along said westerly right-of-way on a non-tangent curve to the left having a radius of 919.44 feet through a central angle of 29°49'08", an arc distance of 478.51 feet, having a chord which bears S17°20'36"E, a distance of 473.13 feet;

Thence S00°02'10"E, a distance of 282.14 feet to the northeast corner of a CDOT parcel recorded at reception no.80069724;

Thence the following three courses along the northeasterly boundary of said parcel contain 286,161 square feet or 6,570 acres, more or less:

1. Continuing along the same bearing, N60°58'40"W, a distance of 358.60 feet;
2. N41°10'10"W, a distance of 67.60 feet;
3. N29°47'55"W, a distance of 242.00 feet to the point of beginning.

**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 objective 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.

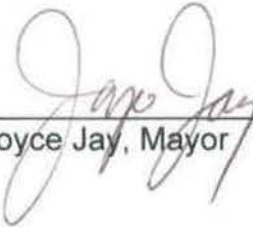
**INTRODUCED, READ, AND ADOPTED** on first reading by a vote of 8 to 0 on this 24<sup>th</sup> day of August, 2015, ordered it published with Public Hearing and

consideration on final passage set for **Monday, September 28, 2015 at 7:00 o'clock p.m.**, in the Council Chambers, 7500 West 29<sup>th</sup> 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  28<sup>th</sup>  day of  September , 2015.

SIGNED by the Mayor on this  28<sup>th</sup>  day of  September , 2015.

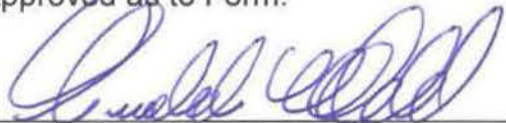


  
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Joyce Jay, Mayor

ATTEST:

  
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Janelle Shaver, City Clerk

Approved as to Form:

  
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Gerald Dahl, City Attorney

1<sup>st</sup> publication: August 27, 2015  
2<sup>nd</sup> publication: October 1, 2015  
Wheat Ridge Transcript:  
Effective Date: October 16, 2015