

CITY OF WHEAT RIDGE, COLORADO
INTRODUCED BY COUNCIL MEMBER STITES
Council Bill No. 09
Ordinance No. 1486
Series of 2011

TITLE: AN ORDINANCE APPROVING PLANNED COMMERCIAL DEVELOPMENT (PCD) ZONING FOR PROPERTY LOCATED AT 4105 YOUNGFIELD SERVICE ROAD AND APPROVAL OF A PCD CONCEPT OUTLINE DEVELOPMENT PLAN ON PROPERTY LOCATED AT 4000 CABELA DRIVE AND 4105 YOUNGFIELD SERVICE ROAD (CASE NO. WZ-11-01/CLEAR CREEK CROSSING)

WHEREAS, an Intergovernmental agreement between the City of Wheat Ridge and Jefferson County has been executed regarding property located at 4105 Youngfield Service Road regarding annexation and zoning of said property; and,

WHEREAS, the property is being considered for annexation, and zoning on it must be approved within 90 days of approval of the annexation; and,

WHEREAS, a land use application has been filed for a Planned Commercial Development concept Outline Development plan for property located at 4000 Cabela Drive which incorporates property located at 4105 Youngfield Service Road.

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

Section 1. Upon application by Cabela's, Coors and Jefferson County, approval of Planned Commercial Development (PCD) zoning for property located at 4105 Youngfield Service Road and approval of a PCD concept Outline Development Plan for property located at 4000 Cabela Drive and 4105 Youngfield Service Road, and pursuant to the findings made based on testimony and evidence presented at a public hearing before the Wheat Ridge City Council, Planned Commercial Development zoning and a concept Outline Development Plan are approved for the following described property:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 19, THE SOUTHWEST QUARTER OF SECTION 20, THE NORTHWEST QUARTER OF SECTION 29 AND THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF WHEAT RIDGE, COUNTY OF JEFFERSON, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 29;
THENCE N01°01'46"W A DISTANCE OF 997.38 FEET TO A POINT ON THE

SOUTHERLY LINE OF THE CABELAS / COORS SUBDIVISION FILING NO. 1, AMENDED, AS RECORDED AT RECEPTION NUMBER 2006148911, SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG THE SOUTHERLY AND WESTERLY LINE OF SAID CABELAS / COORS SUBDIVISION FILING NO. 1, AMENDED THE FOLLOWING 14 COURSES: 1) CONTINUING N01°01'46"W A DISTANCE OF 323.41 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30; 2) THENCE S89°10'06"W ALONG THE SOUTHERLY LINE OF NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 1315.31 FEET TO THE SOUTHWEST CORNER OF NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30; 3) THENCE N00°55'43"W ALONG THE WESTERLY LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 1320.36 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 19; 4) THENCE N00°07'26"W ALONG THE WESTERLY LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 19 A DISTANCE OF 913.46 FEET; 5) THENCE S89°07'35"W A DISTANCE OF 57.62 FEET; 6) THENCE 212.18 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 791.19 FEET, A CENTRAL ANGLE OF 15°21'56" AND A CHORD WHICH BEARS N50°55'44"W A DISTANCE OF 211.55 FEET; 7) THENCE 342.40 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 1529.61 FEET, A CENTRAL ANGLE OF 12°49'33" AND A CHORD WHICH BEARS N75°38'47"W A DISTANCE OF 341.69 FEET TO A POINT OF COMPOUND CURVATURE; 8) THENCE 179.98 FEET ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1022.23 FEET, A CENTRAL ANGLE OF 10°05'16" AND A CHORD WHICH BEARS N87°06'12"W A DISTANCE OF 179.75 FEET; 9) THENCE S87°51'10"W A DISTANCE OF 175.73 FEET; 10) THENCE N00°23'08"W A DISTANCE OF 174.56 FEET; 11) THENCE S89°07'35"W A DISTANCE OF 410.63 FEET TO A POINT ON THE WESTERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19; 12) THENCE N00°23'08"W ALONG SAID WESTERLY LINE A DISTANCE OF 171.61 FEET; 13) THENCE 467.85 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 505.40 FEET, A CENTRAL ANGLE OF 53°02'20" AND A CHORD WHICH BEARS N28°13'13"E A DISTANCE OF 451.32 FEET; 14) THENCE N01°42'03"E A DISTANCE OF 141.51 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF STATE HIGHWAY 58; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID HIGHWAY 58 THE FOLLOWING 8 COURSES: 1) N87°01'33"E A DISTANCE OF 1968.69 FEET; 2) THENCE S81°54'27"E A DISTANCE OF 338.62 FEET; 3) THENCE S33°53'52"E A DISTANCE OF 103.60 FEET; 4) THENCE S87°08'19"E A DISTANCE OF 51.00 FEET; 5) THENCE N69°45'24"E A DISTANCE OF 13.67 FEET TO A POINT ON THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19; 6) THENCE N69°45'14"E A DISTANCE OF 383.88 FEET; 7) THENCE S87°08'21"E A DISTANCE OF 142.63 FEET; 8) THENCE 592.11 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT

HAVING A RADIUS OF 577.60 FEET, A CENTRAL ANGLE OF 58°44'05" AND A CHORD WHICH BEARS S57°08'25"E A DISTANCE OF 566.52 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF INTERSTATE HIGHWAY 70; THENCE S00°42'34"E ALONG SAID WESTERLY RIGHT-OF-WAY A DISTANCE OF 765.67 FEET TO THE NORTHEAST CORNER OF THE CABELAS / COORS SUBDIVISION FILING NO. 1, AMENDED; THENCE ALONG THE EASTERLY AND SOUTHERLY LINE OF SAID SUBDIVISION THE FOLLOWING 5 COURSES: 1) S00°41'49"E A DISTANCE OF 1005.12 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29; 2) THENCE S00°45'44"E TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29 A DISTANCE OF 1321.80 FEET; 3) THENCE S00°43'38"E A DISTANCE OF 241.50 FEET; 4) THENCE S06°23'52"W A DISTANCE OF 82.23 FEET; 5) THENCE S89°24'56"W A DISTANCE OF 986.91 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 210.972 ACRES MORE OR LESS.

Section 2. Vested Property Rights. Approval of this zoning and concept ODP approval 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. If any clause, sentence, paragraph, or part of this Zoning Code or the application thereof to any person or circumstances shall for any reason be adjusted by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 5. Supersession Clause. If any provision, requirements or standard established by this Ordinance is found to conflict with similar provisions, requirements or standards found elsewhere in the Code of Laws of the City of Wheat Ridge, which are in existence as of the date of adoption of this Ordinance, the provisions, requirements and standards here shall supersede and prevail.

Section 6. This Ordinance shall take effect 15 days after final publication.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of 6 to 0 on this 14th day of March, 2011, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge and Public Hearing and consideration on final

passage set for April 25, 2011, at 7:00 o'clock p.m., in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado.

READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of 7 to 0, this 25th day of April, 2011.

SIGNED by the Mayor on this 26th day of April, 2011.



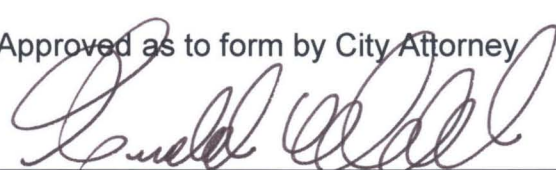
Jerry DiTullio, Mayor

ATTEST:



Michael Snow, City Clerk

Approved as to form by City Attorney



Gerald Dahl, City Attorney

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