

RESOLUTION NO. 08-2019

A RESOLUTION GRANTING A USE BY SPECIAL REVIEW

WHEREAS, 2630 9th Avenue LLC, owner of certain property located at 2630 9th Avenue, Garden City, CO 80631, and more specifically described as Lot 13, Block 16, Town of Rosedale, formerly platted as Lot 13, Block 16, First Addition to Arlington Park, County of Weld, State of Colorado, together with Easterly 20 feet of vacated 9th Avenue adjacent to said Lot, as described in Ordinance No. 4-1993 recorded January 19, 1994 at Reception No. 2369829 and the Northerly 20 feet of vacated 27th Street adjacent to said Lot, as described in Ordinance No. 2-1987 recorded October 2, 1991 at Reception No. 2264997, County of Weld, State of Colorado, has filed an application for a Use By Special Review; and

WHEREAS, the property is zoned Residential-Business; and,

WHEREAS, the applicant intends to demolish the existing house and convert the entire lot to a parking lot on the property for use by “LivWell I, LLC” d/b/a as LivWell customers and employees, which business is located at 2647 8th Avenue, Unit B, in Garden City; and,

WHEREAS, the property is zoned Residential-Business and a parking lot is allowed in the Residential-Business zone as a Use By Special Review.

WHEREAS, adequate notice has been published and the Board of Trustees conducted a public hearing on this matter on the 5th day of March, 2019.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF GARDEN CITY, COLORADO AS FOLLOWS:

Section 1 Grant of Use By Special Review. After a public hearing on this matter and no adverse comments were received at the public hearing, the Board of Trustees by this Resolution approves the Use by Special Review with the following conditions:

(a) The applicant shall provide a copy of the demolition permit from the Colorado Department of Public Health and Environment.

(b) The applicant shall provide a copy of the drainage plan prepared by an engineer.

(c) The property owner, 2630 9th Avenue LLC, whose sole member and manager being John Lord, shall rededicate to the Town four feet on the Westerly portion of the property on 9th Avenue, which was a previously vacated right of way and owner shall prepare and record a deed or dedication transferring the appropriate amount of property to the Town of Garden City prior to using the property as a parking lot and present to Town Hall such recorded deed or dedication.

(d) The Use By Special Review herein granted may be reviewed by the Board of Trustees annually.

Section 2. Owner. This Use by Special Review is granted to 2630 9th Avenue LLC, 600 Grant Street, Suite 650, Denver, CO 80203, the sole member and manger being John Lord, Property Owner, which as of this date is a legitimate registered business with the Colorado Secretary of State and the registered agent as of this date is listed as Range LLP, 600 Grant Street, Suite 650, Denver, CO 80203.

PASSED, ADOPTED AND APPROVED THIS 19TH DAY OF MARCH, 2019.

TOWN OF GARDEN CITY

By: _____
Town Mayor

ATTEST:

Town Clerk