

## **RESOLUTION NO. 1787**

### **A RESOLUTION OF THE GOLDEN CITY COUNCIL DENYING A REQUEST TO AMEND THE GOLDEN RIDGE FILING NO. 2 PUD AND ADOPTING FINDINGS OF FACT PERTAINING TO THE DENIAL**

WHEREAS, NexCore GR Land LLC, has submitted a request to amend a portion of the Golden Ridge Filing No. 2 PUD, affecting property owned by NexCore GR Land LLC known as Lot 3, Block 1, Golden Ridge Subdivision, Filing No. 6 ; and

WHEREAS, the Golden Planning Commission conducted a public hearing on the question of the PUD amendment, on May 2, 2007, with legal notice published as required by Chapter 18.48 of the Golden Municipal Code; and

WHEREAS, the Planning Commission conveyed its recommendation to City Council regarding the proposed amendment; and

WHEREAS, on July 12, 2007, City Council conducted a public hearing on the request, and following that public hearing voted 6 – 1 to not adopt Ordinance 1770 which would have effectuated the requested PUD amendment for the portion of the Golden Ridge Filing No. 2 PUD owned by NexCore GR Land LLC; and

WHEREAS, City Council wishes to adopt findings pertaining to the denial of the requested PUD amendment.


THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. City Council hereby denies the request of NexCore GR Land LLC for the amendment of the Golden Ridge Filing No.2 PUD. City Council adopts the following findings of fact with respect to the request and states that the denial of the request is based upon these findings:

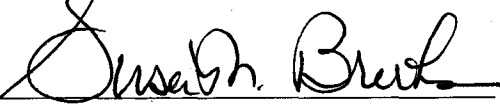
- a. The proposed PUD Amendment fails to sufficiently promote the health safety and welfare of the inhabitants of Golden by permitting a scale and intensity of infill land uses that would not be compatible with surrounding neighborhoods and the commercial character of the property.
- b. The record and evidence provided to City Council contain information showing that the request does not sufficiently comply with the following City of Golden Comprehensive Plan sections and goals:
  - Pursuant to Land Use Goal 2 J., the size, scale, and density of the proposal does not represent compatibility to surrounding areas.
  - Pursuant to Economic Vitality Strategy 5F., the proposal does not maintain the commercial character of the property.
- c. The record and evidence provided to City Council contain information showing that the request does not sufficiently comply with the provisions of Section 18.28.350 of

the Golden Municipal Code in that at the proposed scale, the proposal will result in an over-intensive use of land.

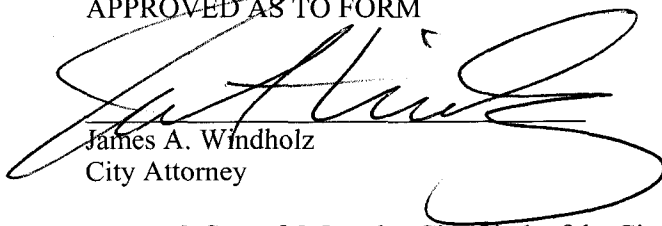
Adopted this 9th day of August, 2007.

  
\_\_\_\_\_  
Charles J. Baroch  
Mayor

ATTEST:

  
\_\_\_\_\_  
Susan M. Brooks, CMC  
City Clerk

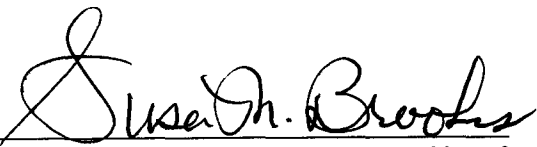
APPROVED AS TO FORM

  
\_\_\_\_\_  
James A. Windholz  
City Attorney

I, Susan M. Brooks, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing is a true copy of a certain Resolution adopted by the City Council of the City of Golden, Colorado at a rescheduled regular meeting thereof held on the 9th day of August, A.D., 2007.

(SEAL)

ATTEST:

  
\_\_\_\_\_  
Susan M. Brooks, City Clerk of the City of  
Golden, Colorado