

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2016

COUNCIL BILL NO. CB16-0508  
COMMITTEE OF REFERENCE:  
Neighborhoods & Planning

**A BILL**

**For an ordinance changing the zoning classification for 3801 Himalaya Road.**

**WHEREAS**, the City Council has determined, based on evidence and testimony presented at the public hearing, that the map amendment set forth below conforms with applicable City laws, is consistent with the City's adopted plans, furthers the public health, safety and general welfare of the City, will result in regulations and restrictions that are uniform within the S-MX-3 district, is justified by one of the circumstances set forth in Section 12.4.10.8 of the Denver Zoning Code, and is consistent with the neighborhood context and the stated purpose and intent of the proposed zone district;

**NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

**Section 1.** That upon consideration of a change in the zoning classification of the land area hereinafter described, Council finds:

1. That the land area hereinafter described is presently classified as B-2, with waivers and conditions.

2. That the Owner proposes that the land area hereinafter described be changed to S-MX-3.

**Section 2.** That the zoning classification of the land area in the City and County of Denver described as follows shall be and hereby is changed from B-2, with waivers and conditions to S-MX-3:

Legal Description

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6th PRINCIPAL MERIDIAN; CITY AND COUNTY OF DENVER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 22;

THENCE NORTH 83°24'47" WEST, A DISTANCE OF 460.32 FEET TO A POINT ON THE EAST BOUNDARY OF GREEN VALLEY RANCH FILING NO. 33, BEING THE SOUTHEAST CORNER OF TRACT F OF SAID GREEN VALLEY RANCH FILING NO. 33, AS PLATTED UNDER RECEPTION NUMBER 2001005856 IN THE RECORDS OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER, ALSO BEING THE POINT OF BEGINNING;

THENCE NORTH 00°00'25" EAST, ALONG SAID EAST BOUNDARY, A DISTANCE OF 439.12 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF 40TH AVENUE, AS PLATTED IN GREEN VALLEY RANCH FILING NO. 20 UNDER RECEPTION NUMBER 9700088416 IN SAID RECORDS, BEING THE BEGINNING OF A NON-

1 TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 1,965.00 FEET, THE RADIUS POINT OF SAID  
2 CURVE BEARS SOUTH 03°09'39" EAST;

3  
4 THENCE, ALONG SAID SOUTHERLY RIGHT-OF-WAY, THE FOLLOWING THREE (3) COURSES;

- 5  
6 1. EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°10'03", AN ARC LENGTH  
7 OF 108.63 FEET;
- 8  
9 2. SOUTH 89°59'35" EAST, A DISTANCE OF 273.72 FEET TO THE BEGINNING OF A TANGENT  
10 CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 15.00 FEET;
- 11  
12 3. SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC  
13 LENGTH OF 23.56 FEET TO THE NORTHWEST CORNER OF THAT PARCEL OF LAND  
14 DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NUMBER 2004256582 IN  
15 SAID RECORDS;

16  
17 THENCE, ALONG THE WESTERLY AND NORTHERLY BOUNDARY OF SAID PARCEL, THE FOLLOWING THREE  
18 (3) COURSES;

- 19  
20 1. SOUTH 00°00'22" WEST, A DISTANCE OF 371.60 FEET TO THE BEGINNING OF A TANGENT  
21 CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 50.00 FEET;
- 22  
23 2. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°05'29", AN ARC  
24 LENGTH OF 77.75 FEET;
- 25  
26 3. SOUTH 89°05'51" WEST, A DISTANCE OF 348.14 FEET TO THE POINT OF BEGINNING.

27  
28 CONTAINING AN AREA OF 3.988 ACRES, (173,726 SQUARE FEET), MORE OR LESS.

29  
30 in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof,  
31 which are immediately adjacent to the aforesaid specifically described area.

32 **Section 3.** That this ordinance shall be recorded by the Manager of Community Planning and  
33 Development in the real property records of the Denver County Clerk and Recorder.

1 COMMITTEE APPROVAL DATE: July 20, 2016

2 MAYOR-COUNCIL DATE: July 26, 2016

3 PASSED BY THE COUNCIL: August 29, 2016

4 [Signature] - PRESIDENT

5 APPROVED: [Signature] - MAYOR Aug 31, 2016

6 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
7 EX-OFFICIO CLERK OF THE  
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_, 2016; \_\_\_\_\_, 2016

10 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: July 28, 2016

11  
12 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
13 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
14 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to  
15 § 3.2.6 of the Charter.

16  
17 Denver City Attorney

18  
19 BY: [Signature], Assistant City Attorney DATE: July 28, 2016

Signature:

Email: