

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2011

COUNCIL BILL NO. CB11-0471
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance changing the zoning classification of 9100 East Lowry Boulevard.

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 in accordance with the Comprehensive Plan, is necessary to promote the public health, safety and general welfare of the City, is justified by one of the circumstances set forth in Section 12.4.10.14 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.
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 or included within the following boundaries shall be and hereby is changed from B-2 with waivers to S-MX-3:

[BALANCE OF PAGE INTENTIONALLY LEFT BLANK]

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 10; THENCE S71°34'54"E A DISTANCE OF 913.18 FEET TO THE NORTHWEST QUARTER OF A PARCEL OF LAND RECORDED AT RECEPTION NUMBER 2004029226, SIAD POINT BEING THE POINT OF BEGINNING; THENCE N36°30'03"W A DISTANCE OF 6.98 FEET TO THE SOUTHEASTERLY LINE OF TRACT B (PROPOSED LOWRY BOULEVARD) OF LOWRY FILING NO. 14; THENCE ALONG SAID SOUTHERLY LINE THE FOLLOWING COURSES; 1) N53°27'42"E A DISTANCE OF 40.42 FEET TO A POINT OF CURVATURE 2) THENCE 223.11 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 938.00 FEET, A CENTRAL ANGLE OF 13°37'41" AND A CHORD WHICH BEARS N60°16'33"E A DISTANCE OF 222.58 FEET TO A POINT ON THE NORTHEASTERLY LINE OF THAT PARCEL RECORDED AT RECEPTION NUMBER 2004029226 EXTENDED; THENCE S36°31'08"E, ALONG SAID NORTHEASTERLY LINE A DISTANCE OF 295.49 FEET; THENCE S53°36'16"W, ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL RECORDED AT RECEPTION NUMBER 2004029226, A DISTANCE OF 261.54 FEET; THENCE N36°30'03"W, ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL RECORDED AT RECEPTION NUMBER 2004029226, A DISTANCE OF 314.27 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 82,154 SQUARE FEET (1,886 ACRES) MORE OR LESS.

BASIS OF BEARING: BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 10, SAID LINE BEARS S89°51'45"E PER THE CITY AND COUNTY OF DENVER LOWRY AIR FORCE BASE BOUNDARY SURVEY, RECORDED 4/09/96 IN BOOK 23 AT PAGES 102 AND 103 OF THE COUNTY SURVEYORS LAND SURVEY / RIGHT-OF-WAY SURVEYS .

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

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

COMMITTEE APPROVAL DATE: June 28, 2011

MAYOR-COUNCIL DATE: July 5, 2011

PASSED BY THE COUNCIL: _____, 2011

_____ - PRESIDENT

APPROVED: _____ - MAYOR _____, 2011

ATTEST: _____ - CLERK AND RECORDER,
EX-OFFICIO CLERK OF THE
CITY AND COUNTY OF DENVER

NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2011; _____, 2011

PREPARED BY: KAREN A. AVILES, Assistant City Attorney DATE: July 7, 2011

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

David W. Broadwell, Denver City Attorney

BY: _____, City Attorney DATE: _____, 2011