

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2018

COUNCIL BILL NO. CB18-0288  
COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

**A BILL**

**For an ordinance changing the zoning classification for 3649 East 40th Avenue and 3600 East 41st Avenue in Elyria Swansea.**

**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 C-MX-5 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:

- a. The land area hereinafter described is presently classified as I-A, UO-2 and C-MU-10 with waivers.
- b. It is proposed that the land area hereinafter described be changed to C-MX-5.

**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 I-A, UO-2 and C-MU-10 with waivers to C-MX-5:

**3649 E.40th AVENUE, DENVER, CO. 80205**

LEGAL DESCRIPTION

The North 5 feet of Lot 17, all of Lots 18, 19, 20, 21, 22, and 23, Block 9 Swansea Heights, together with the west ½ of vacated Garfield Street adjacent to said Lots, and together with the east ½ of vacated alley adjacent to said Lots, City and County of Denver, State of Colorado

**3600 E.41st AVENUE, DENVER, CO. 80205**

LEGAL DESCRIPTION

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 and the North 5 feet of Lot 12, Block 9, Swansea Heights, and Monroe Street between 40th Avenue and 41st Avenue as stated in Ordinance Number 408, Series of 1990

1 of the City and County of Denver vacating said land, being the East 35.45 (35.35 per Assessor) feet of  
2 vacated Monroe Street adjacent to said Lots, Block 9, Swansea Heights, City and County of Denver, State  
3 of Colorado per City and County of Denver Assessor

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

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

8 COMMITTEE APPROVAL DATE: March 27, 2018

9 MAYOR-COUNCIL DATE: April 3, 2018

10 PASSED BY THE COUNCIL: \_\_\_\_\_ May 7, 2018

11 \_\_\_\_\_ - PRESIDENT PRO-TEM

12 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_

13 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
14 EX-OFFICIO CLERK OF THE  
15 CITY AND COUNTY OF DENVER

16 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_;

17 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: April 5, 2018

18 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
19 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
20 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to  
21 § 3.2.6 of the Charter.

22 Kristin M. Bronson, Denver City Attorney

23 BY: Kristin M. Bronson, Assistant City Attorney DATE: Apr 4, 2018