BY AUTHORITY

ORDINANCE NO. _____ COUNCIL BILL NO. CB22-0965

SERIES OF 2022 COMMITTEE OF REFERENCE:

Land Use, Transportation & Infrastructure

A BILL

For an ordinance changing the zoning classification for 3400 East Bayaud Avenue and 121 South Madison Street in Cherry Creek.

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 G-RX-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 C-MX-3.

b. It is proposed that the land area hereinafter described be changed to G-RX-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 C-MX-3 to G-RX-5:

A PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY & COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

<u>3400 E. BAYAUD AVENUE</u>
LOTS 1, 2, 3, 4, 5, 6 AND 7, BLOCK 33, TOGETHER WITH THE EAST 1/2 OF VACATED SOUTH COOK STREET ADJACENT TO SAID LOTS 1, 2, 3, 4, 5, 6 AND 7, BURLINGTON CAPITOL HILL ADDITION, ACCORDING TO THE RECORDED PLAT THEREOF, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

<u>121 SOUTH MADISON STREET</u>
LOTS 33 TO 36, INCLUSIVE, BLOCK 33, BURLINGTON CAPITOL HILL ADDITION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

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: August 16, 2022

MAYOR-COUNCIL DATE: August 23, 2022

PASSED BY THE COUNCIL: _____

_____ - PRESIDENT

APPROVED: _____ - MAYOR _____

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

NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: August 25, 2022

Pursuant to Section 13-9, 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.

Kristin M. Bronson, Denver City Attorney

BY: _____, Assistant City Attorney DATE: _____