**BY AUTHORITY**

ORDINANCE NO. _____ COUNCIL BILL NO. CB24-0262

SERIES OF 2024 COMMITTEE OF REFERENCE:

Land Use, Transportation & Infrastructure

**A BILL**

**For an ordinance changing the zoning classification for 4100 East Arkansas Avenue and 1451 South Ash Street in Virginia Village.**

**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-5A 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 S-MX-3.

b. It is proposed that the land area hereinafter described be changed to S-MX-5A.

**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 S-MX-3 to S-MX-5A:

Parcel A:
That part of Block 26, Cherry Creek Gardens, described as follows:

Beginning at a point 30 feet South of the Northeast corner of said Block 26, thence West and parallel with the North line of said Block 26 a distance of 45 feet to the true point of beginning. Thence Southeasterly at an angle to the left of 134° 58' 45" a distance of 21.21 feet to a point 30 feet West of the East line of said Block 26; thence South and parallel to the East line of said Block 26 a distance of 285.81 feet, more or less, to a point 300 feet North of the South line of said Block 26; thence West and parallel to the South line of said Block 26 to the West line of said Block 26; thence North along the West line of said Block to a point 30 feet South of the North line of said Block; thence East and parallel to the North line of said Block a distance of 258.93 feet, more or less, to the true point of beginning.
City and County of Denver,
State of Colorado,

Parcel B:
That portion of Block 26, Cherry Creek Gardens, described as follows:

Beginning 330.65 feet South and 30 feet West of the Northeast corner of Block 26;
Thence South 100 feet;
Thence West 172.56 feet;
Thence North 100 feet;
Thence East 172.56 feet to the True Point of Beginning,
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: March 19, 2024

MAYOR-COUNCIL DATE: N/A

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: March 21, 2024

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.

Kerry Tipper, Denver City Attorney

BY: _____, Assistant City Attorney DATE: _____