

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2024

COUNCIL BILL NO. CB24-1209
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance changing the zoning classification for 10353 East Mississippi Avenue in Windsor.

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:

- a. The land area hereinafter described is presently classified as B-1 with a condition.
- b. It is proposed 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-1 with a condition to S-MX-3:

10353 E MISSISSIPPI AVENUE

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF DENVER, STATE OF COLORADO, AND IS DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING A PORTION OF TRACT 9, RANGE VIEW SECOND FILING LOCATED IN THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 15 ASSUMED TO BEAR NORTH 89°34'45" EAST.

BEGINNING AT THE NORTHEAST CORNER OF TRACT 9, RANGE VIEW SECOND FILING, WHENCE THE SOUTHEAST QUARTER OF SAID SECTION 15 BEARS SOUTH 45°28'29" EAST, A DISTANCE OF 466.83 FEET, MORE OR LESS;

1 THENCE SOUTH 00°26'02" EAST, ALONG THE EAST LINE OF SAID TRACT 9, A DISTANCE OF
2 269.79 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF EAST MISSISSIPPI AVENUE AS
3 DESCRIBED IN RECEPTION NO. 93-0068665;

4
5 THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO COURSES:
6 1. SOUTH 89°34'45" WEST, A DISTANCE OF 274.63 FEET;
7 2. NORTHWESTERLY 39.26 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT
8 HAVING A RADIUS OF 25.00 FEET AND A CENTRAL ANGLE OF 89°58'04", THE CHORD OF
9 WHICH BEARS NORTH 45°26'13" WEST, A DISTANCE OF 35.35 FEET TO THE EASTERLY
10 RIGHT-OF-WAY LINE OF SOUTH GENEVA STREET AS SHOWN ON THE PLAT OF RANGE
11 VIEW SECOND FILING;

12
13 THENCE NORTH 00°27'11" WEST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A
14 DISTANCE OF 244.74 FEET TO THE NORTHWEST CORNER OF SAID TRACT 9;

15
16 THENCE NORTH 89°33'58" EAST, ALONG THE NORTHERLY LINE OF SAID TRACT 9, A
17 DISTANCE OF 299.71 FEET TO THE POINT OF BEGINNING

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

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

22 COMMITTEE APPROVAL DATE: September 24, 2024

23 MAYOR-COUNCIL DATE: October 1, 2024

24 PASSED BY THE COUNCIL: _____

25 _____ - PRESIDENT

26 APPROVED: _____ - MAYOR _____

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

30 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

31 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: October 3, 2024

32 Pursuant to Section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of
33 the City Attorney. We find no irregularity as to form and have no legal objection to the proposed
34 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
35 § 3.2.6 of the Charter.

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37 Kerry Tipper, Denver City Attorney

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39 BY: Anshul Bagga, Assistant City Attorney DATE: Oct 2, 2024