

BY AUTHORITY

ORDINANCE NO. **4245**

COUNCILLOR'S BILL NO. **11**

SERIES OF 2024

INTRODUCED BY COUNCILLORS

DeMott, Nurmela

A BILL

FOR AN ORDINANCE RE-ZONING PROPERTY AT 3699 WEST 73RD AVENUE FROM B1 BUSINESS DISTRICT TO PLANNED UNIT DEVELOPMENT DISTRICT AND AMENDING THE CITY OF WESTMINSTER ZONING MAP ACCORDINGLY

Whereas, the owner ("Owner") of certain property within the City known as 3699 West 73rd Avenue, consisting of 0.172 acres located generally at 3699 West 73rd Avenue, as shown in Exhibit A and described in Exhibit B, attached hereto and incorporated herein (the "Property"), submitted an application to the City (the "Application") to rezone the Property from B1 Business zoning district to the Planned Unit Development ("PUD") zoning district, in accordance with Section 11-5-14, W.M.C., and for a concomitant amendment to the Westminster Zoning Map (the "Zoning Map"); and

Whereas, on March, 12, 2024, after notice complying with Section 11-5-13(A), W.M.C., the Planning Commission held a public hearing on the Application and recommended approval of the requested rezoning and Zoning Map amendment; and

Whereas, notice of the public hearing before the City Council has been provided and certified by the Owner in compliance with Section 11-5-13(A), W.M.C.; and

Whereas, the City Council, having considered the recommendation of the Planning Commission, has completed a public hearing and has accepted and considered oral and written testimony on the requested rezoning and Zoning Map amendment; and

Whereas, the City Council finds that the Owner has met its burden of proving that the requested rezoning and Zoning Map amendment will further the public good and will meet the overall purpose and intent of the Westminster Comprehensive Plan and Section 11-5-14, W.M.C., particularly as the proposed development is compatible and harmonious with existing public and private development in the surrounding area.

THE CITY OF WESTMINSTER ORDAINS:

Section 1. The City Council hereby approves the requested rezoning and Zoning Map amendment and authorizes City staff to make the necessary changes to the Westminster Zoning Map and the text thereof to show the designation of the Property as "Planned Unit Development."

Section 2. If any section, paragraph, clause, word or any other part of this ordinance shall be held to be invalid or unenforceable by a court of competent jurisdiction, such part deemed unenforceable shall not affect any of the remaining provisions.

Section 3. This ordinance shall take effect upon its passage after second reading.

INTRODUCED, PASSED ON FIRST READING, AND TITLE AND PURPOSE ORDERED PUBLISHED this 22nd day of April, 2024.

PASSED, ENACTED ON SECOND READING, AND FULL TEXT ORDERED PUBLISHED this 6th day of May, 2024.

Nancy McNally

Mayor

ATTEST:

[Signature]

City Clerk

APPROVED AS TO LEGAL FORM:

David Frankel

City Attorney's Office

EXHIBIT A



GIS-Apps\WestGIS\ArcGIS93Templates\Westminster_Basic_93.mxd

VICINITY MAP



EXHIBIT B

LEGAL DESCRIPTION

A PORTION OF THE SE 1/4 OF SEC. 31, T2S, R68W, OF THE 6TH P.M. CITY OF WESTMINSTER, COUNTY OF ADAMS LOTS 1 & 2, BLOCK 2, WILSON'S SUBDIVISION, BOOK #2, PAGE #16, RECEPTION #102164, DATED MAY 23, 1924 LYING WITHIN THE SE 1/4 OF SECTION 31, TOWNSHIP 2 SOUTH, RANGE 68 WEST OF THE 6TH P.M. IN THE CITY OF WESTMINSTER, COUNTY OF ADAMS, STATE OF COLORADO