

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2022

COUNCIL BILL NO. CB22-0885
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance changing the zoning classification for 3275 and 3315 Denargo Street in Five Points.

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-16, DO-7 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 IB, UO2.
- b. It is proposed that the land area hereinafter described be changed to C-MX-16, DO-7.

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 IB, UO2 to C-MX-16, DO-7:

PARCEL I:

A parcel of land described as Parcel I, in Special Warranty Deed (Deed) recorded November 8, 2021 at Reception Number 2021208851, City and County of Denver, Colorado, Clerk and Recorder’s Office, located in Block 9, of the Garden Addition to Denver (Book 2, Page 73) and the vacated portions of West 33rd Avenue, and West Moncrieff Place, situated in the Northwest 1/4 of Section 27, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, described as follows:

Beginning at a Number 4 Rebar with a 1-1/4” Yellow Plastic Cap Stamped “MANHARD LS 38445” found at the Southwest Corner of Lot 4, of said Block 9, Garden Addition to Denver; Thence N00°17’37”W along the West Line of said Lot 4 and along the Easterly Line of the Burlington Northern Railroad property a distance of 154.99 (155.00 deed) feet to a Number 5 Rebar found at the Southwest Corner of Parcel II of said Special Warranty Deed (Deed) recorded November 8, 2021 at Reception Number 2021208851, City and County of Denver, Colorado, Clerk and Recorder’s Office;

1 Thence N89°42'31"E along the south line of said Parcel II, a distance of 411.64 feet (410.00
2 Deed) to a Number 4 Rebar with a 1-1/4" Aluminum Cap stamped "ZBS INC. PLS 11484"
3 on the West Right of Way (R.O.W.) of Denargo Street;
4 Thence S00°18'35"E along the West R.O.W. Line of Denargo Street, distance of 320.09
5 (320.00 Deed) feet to the Southeast Corner of the Vacated West Moncrieff Place
6 (Ordinance Number 161 – Series 1947);
7 Thence S89°43'16"W along the South Line of Vacated West Moncrieff Place, a distance of
8 336.85 (335.00 Deed) feet to the Southwest Corner of Vacated West Moncrieff Place;
9 Thence along the Northeasterly Line of said Burlington Northern Railroad Property the
10 following four (4) courses;

- 11
- 12 1) Thence N00°16'44"W a distance of 20.00 feet;
- 13 2) Thence S89°43'16"W a distance of 25.00 feet to a found Number 4 Rebar with a 1-1/4"
14 Yellow Plastic Cap Stamped "MANHARD PLS 38445".
- 15 3) Thence N00°05'39"W, a distance of 20.08 (20.00 Deed) to a found Number 4 Rebar with 1-
16 1/4" Red Plastic Cap stamped "COLO ENGN AND SURVEY 26958";
- 17 4) Thence N22°05'19"W a distance of 134.56 (134.60 Deed) to the **Point of Beginning**.
- 18

19 Parcel Contains (126,138 Square Feet) 2.8957 Acres.

20
21 AND

22
23 PARCEL II:

24
25 A parcel of land described as Parcel II, in Special Warranty Deed (Deed) recorded
26 November 8, 2021 at Reception Number 2021208851, City and County of Denver,
27 Colorado, Clerk and Recorder's Office, being a portion of Lots 20 to 35, inclusive, Block 5,
28 Garden Addition to Denver (Book 2, Page 73), a part of Vacated West 33rd Avenue
29 (Ordinance Number 161 – Series 1947) and of unplatted property situated in the Northwest
30 1/4 of Section 27, Township 3 South, Range 68 West of the Sixth Principal Meridian, City
31 and County of Denver, State of Colorado, described as follows:

32
33 **Commencing** at a Number 4 Rebar with a 1-1/4" Yellow Plastic Cap Stamped "MANHARD
34 LS 38445" found at the Southwest Corner of Lot 4, of said Block 9, Garden Addition to
35 Denver;
36 Thence N00°17'37"W along the West Line of said Lot 4 and along the Easterly Line of the
37 Burlington Northern Railroad Property a distance of 154.99 (155.00 deed) feet to a Number
38 5 Rebar found at the Southwest Corner of Parcel II of said Special Warranty Deed (Deed)
39 recorded November 8, 2021 at Reception Number 2021208851, City and County of Denver,
40 Colorado, Clerk and Recorder's Office and the **Point of Beginning**;
41 Thence N00°17'37"W along said Easterly Line of the Burlington Northern Railroad Property
42 a distance of 99.93 (100.00 deed) feet to a Number 5 Rebar with a 1-1/4" Aluminum Cap
43 stamped "ZBS INC. PLS 11848" found at the Northwest Corner of said Parcel II;
44 Thence N89°40'43"E along the North Line of said Parcel II, a distance of 411.62 (411.45
45 Deed) to a nail stem in concrete found on the West Right of Way (R.O.W.) Line of Denargo
46 Street;
47 Thence S00°18'35"E along the East Line of said Parcel II and along said West R.O.W. Line,
48 a distance of 100.14 (100.00 Deed) feet to a Number 4 Rebar with 1-1/4" Aluminum Cap
49 stamped "ZBS INC. PLS 11848" found at the Southeast Corner of said Parcel II;

1 Thence S89°42'31"W along the South Line of said Parcel II, a distance of 411.64 (411.45
2 Deed) feet to the **Point of Beginning**.

3
4 Parcel Contains (41,177 Square Feet) 0.9453 Acres, more or less.

5
6 Bearings are based on the assumption that the 40' Range Line in Denargo Street bears
7 N00°18'35"W as referenced and bounded by a #5 rebar with 2" aluminum cap stamped
8 "AZTEC LS 33204" in a Range Box found at the intersection of Denargo Street and
9 Wewatta Way and a #5 rebar with 2" aluminum cap stamped "AZTEC LS 33204" in a Range
10 Box found at the intersection of Denargo Street and Delgany Street.

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

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

15 COMMITTEE APPROVAL DATE: August 2, 2022

16 MAYOR-COUNCIL DATE: August 9, 2022

17 PASSED BY THE COUNCIL: _____ September 12, 2022

18 _____ - PRESIDENT

19 APPROVED: _____ - MAYOR Sep 13, 2022

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

23 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

24 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: August 11, 2022

25 Pursuant to Section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of
26 the City Attorney. We find no irregularity as to form and have no legal objection to the proposed
27 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
28 § 3.2.6 of the Charter.

29
30 Kristin M. Bronson, Denver City Attorney

31
32 BY: Jonathan Griffin, Assistant City Attorney DATE: Aug 11, 2022