

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2018

COUNCIL BILL NO. CB18-0877  
COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

**A BILL**

**For an ordinance changing the zoning classification for 5124, 5128, 5132 & 5136  
West 41st Avenue in Berkeley.**

**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 U-MX-2x 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 U-SU-C1.
- b. It is proposed that the land area hereinafter described be changed to U-MX-2x.

**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 U-SU-C1 to U-MX-2x:

**Legal Description**

The West 81.2 feet of Lots 1, 2 and 3 and the West 81.2 feet of the North ½ of Lot 4, Block 12, Blocks 1 to 40 both inclusive, Berkeley, except the rear or Easterly 8 feet thereof,  
  
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.

1 COMMITTEE APPROVAL DATE: August 21, 2018

2 MAYOR-COUNCIL DATE: August 28, 2018

3 PASSED BY THE COUNCIL: \_\_\_\_\_

4 \_\_\_\_\_ - PRESIDENT

5 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_

6 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
7 EX-OFFICIO CLERK OF THE  
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_;

10 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: September 6, 2018

11 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
12 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to  
14 § 3.2.6 of the Charter.

15 Kristin M. Bronson, Denver City Attorney

16 BY:  \_\_\_\_\_, Assistant City Attorney DATE: Sep 5, 2018 \_\_\_\_\_