

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2014

COUNCIL BILL NO. CB13-0956
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance changing the zoning classification for 7800 East 53rd Place,
7 8130 East 56th Avenue and 8900 East 56th Avenue.**
8

9 **WHEREAS**, the City Council has determined, based on evidence and testimony presented
10 at the public hearing, that the map amendment set forth below conforms with applicable City laws,
11 is in accordance with the Comprehensive Plan, is necessary to promote the public health, safety
12 and general welfare of the City, is justified by one of the circumstances set forth in Section
13 12.4.10.14 of the Denver Zoning Code, and is consistent with the neighborhood context and the
14 stated purpose and intent of the proposed zone district;

15 **NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY**
16 **OF DENVER:**

17 **Section 1.** That upon consideration of a change in the zoning classification of the land area
18 hereinafter described, Council finds:

- 19 1. That the land area hereinafter described is presently classified as M-RH-3 and OS-B.
20 2. That the Owner proposes that the land area hereinafter described be changed to M-RX-5.

21 **Section 2.** That the zoning classification of the land area in the City and County of
22 Denver described as follows shall be and hereby is changed from M-RH-3 and OS-B to M-RX-5:

23
24 A part of the Northwest Quarter of Section 15 and a part of the North Half of Section 16,
25 Township 3 South, Range 67 West of the Sixth Principal Meridian, City and County of
26 Denver, State of Colorado, more particularly described as follows:
27

28 **COMMENCING** at the Northeast Corner of said Section 16;
29 thence South 20°23'41" East a distance of 228.12 feet to the intersection of the centerline
30 of proposed Central Park Blvd. and the easterly extension of the southerly line of a parcel
31 of land for proposed Open Space and the **POINT OF BEGINNING**;

32
33 thence along the centerline of proposed Central Park Blvd. the following three (3)
34 courses:

- 35 1.) South 00°00'00" East a distance of 542.73 feet to a point of curve;
36
37 2.) along the arc of a curve to the left having a radius of 800.00 feet, a central angle
38 of 21°28'40", an arc length of 299.89 feet and whose chord bears South 10°44'20"
39 East a distance of 298.13 feet; **[continued on next page]**

1 3.) South 21°28'40" East a distance of 17.36 feet to the intersection with the
2 centerline of proposed 54th Ave.;

3
4 thence along said centerline of proposed 54th Ave. and along the centerline of proposed
5 Wabash Way the following five (5) courses:

- 6 1.) South 68°31'20" West a distance of 209.21 feet to a point of curve;
- 7 2.) along the arc of a curve to the right having a radius of 700.00 feet, a central angle
8 of 21°28'40", an arc length of 262.40 feet and whose chord bears South 79°15'40"
9 West a distance of 260.87 feet;
- 10 3.) North 90°00'00" West a distance of 132.05 feet to a point of curve;
- 11 4.) along the arc of a curve to the left having a radius of 1000.00 feet, a central angle
12 of 60°51'00", an arc length of 1062.03 feet and whose chord bears South
13 59°34'30" West a distance of 1012.82 feet;
- 14 5.) South 29°09'00" West a distance of 81.19 feet to the intersection with the
15 centerline of proposed 53rd Ave. and a point of non-tangent curve;

16
17 thence along said centerline of proposed 53rd Ave. the following four (4) courses:

- 18 1.) along the arc of a curve to the left having a radius of 1375.00 feet, a central angle
19 of 41°41'15", an arc length of 1000.43 feet and whose chord bears North
20 79°26'30" West a distance of 978.51 feet to a point of compound curve;
- 21 2.) along the arc of a curve to the left having a radius of 4000.00 feet, a central angle
22 of 5°38'34", an arc length of 393.95 feet and whose chord bears South 76°53'35"
23 West a distance of 393.79 feet;
- 24 3.) South 74°04'17" West a distance of 421.11 feet to a point of curve;
- 25 4.) along the arc of a curve to the right having a radius of 1000.00 feet, a central
26 angle of 10°22'43", an arc length of 181.14 feet and whose chord bears South
27 79°15'39" West a distance of 180.89 feet to the intersection with the centerline of
28 proposed Trenton St.;

29
30 thence along said centerline of proposed Trenton St. and the centerline of proposed 55th
31 Ave. the following five (5) courses:

- 32
33 1.) North 05°33'00" West a distance of 135.25 feet to a point of curve;
- 34 2.) along the arc of a curve to the right having a radius of 4000.00 feet, a central
35 angle of 3°15'51", an arc length of 227.88 feet and whose chord bears North
36 03°55'04" West a distance of 227.85 feet;
- 37 3.) North 02°17'09" West a distance of 326.51 feet to a point of curve;
- 38 4.) along the arc of a curve to the right having a radius of 570.00 feet, a central angle
39 of 92°17'09", an arc length of 918.09 feet and whose chord bears North 43°51'26"
40 East a distance of 822.02 feet;
- 41 5.) North 90°00'00" East a distance of 88.83 feet to the intersection with the
42 centerline of proposed Uinta St.;

43
44 thence North 00°00'00" West, along said centerline of proposed Uinta St., a distance of
45 323.20 feet to the intersection with the centerline of proposed 55th Pl.;

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49 **[continued on next page]**

1 thence along said centerline of proposed 55th Pl. the following five (5) courses:
2 1.) North 90°00'00" East a distance of 456.81 feet to a point of curve;
3 2.) along the arc of a curve to the left having a radius of 500.00 feet, a central angle
4 of 12°41'23", an arc length of 110.74 feet and whose chord bears North 83°39'18"
5 East a distance of 110.51 feet to a point of reverse curve;
6 3.) along the arc of a curve to the right having a radius of 450.00 feet, a central angle
7 of 25°22'47", an arc length of 199.33 feet and whose chord bears North 90°00'00"
8 East a distance of 197.71 feet to a point of reverse curve;
9 4.) along the arc of a curve to the left having a radius of 500.00 feet, a central angle
10 of 12°41'23", an arc length of 110.74 feet and whose chord bears South 83°39'18"
11 East a distance of 110.51 feet;
12 5.) North 90°00'00" East a distance of 456.81 feet to the intersection with the
13 centerline of proposed Wabash St.;

14
15 thence North 00°00'00" East, along said centerline of proposed Wabash St.,
16 a distance of 16.01 feet to the westerly extension of said southerly line of a parcel of land
17 for proposed Open Space;

18
19 thence South 89°59'57" East, along said westerly extension, said southerly line, and said
20 easterly extension of the southerly line of a parcel of land for proposed Open Space, a
21 distance of 1414.46 feet to the **POINT OF BEGINNING**.

22
23 Containing 4,098,526 square feet or 94.089 acres, more or less.

24
25 **BASIS OF BEARING:** Bearings are based on the east line of the Northeast Quarter of
26 Section 16, Township 3 South, Range 67 West of the Sixth Principal Meridian, City and
27 County of Denver, State of Colorado, bearing South 00°24'42" East based on NAD 83/92
28 Colorado Central Zone State Plane Coordinates. The Northeast Corner of said Section 16
29 is a 3" brass cap stamped PLS 16398 in a range box. The East Quarter Corner of said
30 Section 16 is a 3 1/2" aluminum cap stamped PLS 11434.

31
32 in addition thereto those portions of all abutting public rights-of-way, but only to the centerline
33 thereof, which are immediately adjacent to the aforesaid specifically described area.

34 **Section 3.** That upon consideration of a change in the zoning classification of the land area
35 hereinafter described, Council finds:

- 36 1. That the land area hereinafter described is presently classified as M-RH-3.
37 2. That the Owner proposes that the land area hereinafter described be changed to M-RX-5.

38 **Section 4.** That the zoning classification of the land area in the City and County of
39 Denver described as follows shall be and hereby is changed from M-RH-3 to M-RX-5:

40
41 A part of the Northwest Quarter of Section 15 and a part of the Northeast Quarter of
42 Section 16, Township 3 South, Range 67 West of the Sixth Principal Meridian, City and
43 County of Denver, State of Colorado, more particularly described as follows:
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[continued on next page]

1 **COMMENCING** at the Northeast Corner of said Section 16;
2 thence South 11°03'23" East a distance of 1429.53 feet to the intersection of the
3 centerline of proposed Central Park Blvd. and the centerline of proposed 53rd Ave. and
4 the **POINT OF BEGINNING**;

5
6 thence along the centerline of proposed Central Park Blvd. the following three (3)
7 courses:

- 8
- 9 1.) South 21°28'40" East a distance of 567.69 feet to a point of curve;
- 10 2.) along the arc of a curve to the right having a radius of 1600.00 feet, a central
11 angle of 21°28'40", an arc length of 599.77 feet and whose chord bears South
12 10°44'20" East a distance of 596.27 feet;
- 13 3.) South 00°00'00" East a distance of 47.18 feet to the intersection with the
14 centerline of proposed 51st Dr.;
- 15

16 thence along said centerline of proposed 51st Dr. the following two (2) courses:

- 17
- 18 1.) North 90°00'00" West a distance of 492.81 feet to a point of curve;
- 19 2.) along the arc of a curve to the right having a radius of 1450.00 feet, a central
20 angle of 43°30'53", an arc length of 1101.24 feet and whose chord bears North
21 68°14'34" West a distance of 1074.96 feet;
- 22

23 thence North 46°29'07" West, along said centerline of proposed 51st Dr. and along the
24 centerline of proposed Wabash Way, a distance of 134.79 feet to the intersection with the
25 centerline of proposed 53rd Ave.;

26
27 thence along said centerline of proposed 53rd Ave. the following three (3) courses:

- 28
- 29 1.) North 46°10'48" East a distance of 240.87 feet to a point of curve;
- 30 2.) along the arc of a curve to the right having a radius of 1250.00 feet, a central
31 angle of 24°31'37", an arc length of 535.09 feet and whose chord bears North
32 58°26'37" East a distance of 531.02 feet;
- 33 3.) North 70°42'25" East a distance of 681.99 feet to the **POINT OF BEGINNING**.
- 34

35 Containing 1,213,209 square feet or 27.851 acres, more or less.

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37 **BASIS OF BEARING:** Bearings are based on the east line of the Northeast Quarter of
38 Section 16, Township 3 South, Range 67 West of the Sixth Principal Meridian, City and
39 County of Denver, State of Colorado, bearing South 00°24'42" East based on NAD 83/92
40 Colorado Central Zone State Plane Coordinates. The Northeast Corner of said Section 16
41 is a 3" brass cap stamped PLS 16398 in a range box. The East Quarter Corner of said
42 Section 16 is a 3 ½" aluminum cap stamped PLS 11434.

43
44 in addition thereto those portions of all abutting public rights-of-way, but only to the centerline
45 thereof, which are immediately adjacent to the aforesaid specifically described area.

46 **Section 5.** That this ordinance shall be recorded by the Manager of Community Planning
47 and Development in the real property records of the Denver County Clerk and Recorder.

1 COMMITTEE APPROVAL DATE: December 10, 2013 [by consent]

2 MAYOR-COUNCIL DATE: March 11, 2014

3 PASSED BY THE COUNCIL: _____, 2014

4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____, 2014

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

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2014; _____, 2014

10 PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: March 13, 2014

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 D. Scott Martinez, Denver City Attorney

16 BY: _____, Assistant City Attorney DATE: _____, 2014