

1 **BY AUTHORITY**

2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2011

COUNCIL BILL NO. CB11-0705  
COMMITTEE OF REFERENCE:  
4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance changing the zoning classification of 4455 E. 12<sup>th</sup> Ave.**

7  
8 **WHEREAS**, the City Council has determined, based on evidence and testimony presented  
9 at the public hearing, that the map amendment set forth below conforms with applicable City laws,  
10 is in accordance with the Comprehensive Plan, is necessary to promote the public health, safety  
11 and general welfare of the City, is justified by one of the circumstances set forth in Section  
12 12.4.10.14 of the Denver Zoning Code, and is consistent with the neighborhood context and the  
13 stated purpose and intent of the proposed zone district;

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

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

- 18 1. That the land area hereinafter described is presently classified as E-SU-DX.  
19 2. That the Owner proposes that the land area hereinafter described be changed to  
20 CMP-EI2.

21 **Section 2.** That the zoning classification of the land area in the City and County of  
22 Denver described as follows or included within the following boundaries shall be and hereby is  
23 changed from E-SU-DX to CMP-EI2:

24  
25 **[BALANCE OF PAGE INTENTIONALLY LEFT BLANK]**

THE SOUTH 21 FEET OF LOTS 12 AND 37, BLOCK 5, BELLEVUE PARK, TOGETHER WITH THE VACATED ALLEY ADJACENT THERETO AND ALL OF LOT 13, BLOCK 5, BELLEVUE PARK TOGETHER WITH THE WEST 7.5 FEET OF THE VACATED ALLEY ADJACENT THERETO; SITUATED IN THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6<sup>TH</sup> P.M.; CITY AND COUNTY OF DENVER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BASIS OF BEARINGS:**

THE WEST LINE OF BLOCK 5 OF SAID BELLEVUE PARK, IS ASSUMED TO HAVE A BEARING OF N 00°07'03" W.

**ZONE BOUNDARY**

COMMENCING AT THE NORTHWEST CORNER OF LOT 8, BLOCK 5 OF SAID BELLEVUE PARK;

THENCE S 00°07'03" E, ALONG THE EAST RIGHT- OF- WAY OF BIRCH STREET, A DISTANCE OF 104.05 FEET TO THE POINT OF BEGINNING;

THENCE N 89°54'35" E A DISTANCE OF 265.28 FEET TO A POINT ON THE WEST RIGHT- OF- WAY OF CLERMONT STREET;

THENCE S 00°06'40" E, ALONG THE WEST RIGHT OF WAY LINE OF CLERMONT STREET, A DISTANCE OF 21.01 FEET TO THE SOUTHEAST CORNER OF SAID LOT 37;

THENCE S 89°54'29" W, ALONG THE SOUTH LINE OF LOT 37, A DISTANCE OF 132.63 FEET TO THE CENTERLINE OF A VACATED ALLEY AS RECORDED IN BOOK 2437 AT PAGE 414 IN THE OFFICE OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER;

THENCE S 00°05'25" E, ALONG THE CENTERLINE OF SAID ALLEY, A DISTANCE OF 25.00 FEET;

THENCE S 89°54'37" W, ALONG THE SOUTH LINE OF LOT 13, A DISTANCE OF 132.63 FEET TO A POINT ON THE EAST RIGHT- OF- WAY OF BIRCH STREET;

THENCE N 00°07'11" W, ALONG THE EAST RIGHT- OF- WAY OF BIRCH STREET, A DISTANCE OF 46.02 FEET TO THE POINT OF BEGINNING.

CONTAINS: 8,892 SQUARE FEET OR 0.2 ACRES, MORE OR LESS.

1  
2  
3  
4  
5  
6

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: October 4, 2011

2 MAYOR-COUNCIL DATE: October 11, 2011

3 PASSED BY THE COUNCIL: \_\_\_\_\_, 2011

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

5 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_, 2011

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

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_, 2011; \_\_\_\_\_, 2011

10 PREPARED BY: KAREN A. AVILES, Assistant City Attorney DATE: October 13, 2011

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 Douglas J. Friednash, Denver City Attorney

16 BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_, 2011