

1 **BY AUTHORITY**

2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2017

COUNCIL BILL NO. CB17-0615  
COMMITTEE OF REFERENCE:  
4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance changing the zoning classification for 2901 Broadway in Five**  
7 **Points.**

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 consistent with the City’s adopted plans, furthers the public health, safety and general welfare of  
11 the City, will result in regulations and restrictions that are uniform within the C-MX-16 district, is  
12 justified by one of the circumstances set forth in Section 12.4.10.8 of the Denver Zoning Code, and  
13 is consistent with the neighborhood context and the stated purpose and intent of the proposed zone  
14 district;

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

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

- 19 a. The land area hereinafter described is presently classified as R-MU-30 waivers and  
20 conditions and I-B, UO-2.
- 21 b. It is proposed that the land area hereinafter described be changed to C-MX-16.

22 **Section 2.** That the zoning classification of the land area in the City and County of Denver  
23 described as follows shall be and hereby is changed from R-MU-30 waivers and conditions and I-B,  
24 UO-2 and to C-MX-16:

25 **Description of the Real Property**

26 THOSE PARCELS OF LAND LYING IN THE SOUTHWEST QUARTER OF SECTION 27,  
27 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY  
28 AND COUNTY OF DENVER, STATE OF COLORADO, LABELED AS "PARCEL 1", "PARCEL 2"  
29 AND "PARCEL 3" IN THAT CERTAIN SPECIAL WARRANTY DEED RECORDED SEPTEMBER  
30 18, 2014 AT RECEPTION NUMBER 2014113780 IN THE REAL ESTATE RECORDS OF THE  
31 CITY AND COUNTY OF DENVER, COLORADO, ALSO DESCRIBED AS FOLLOWS:

32  
33 **COMMENCING** AT THE CENTER QUARTER CORNER OF SAID SECTION 27, FROM  
34 **WHENCE** THE WEST ONE-QUARTER CORNER OF SAID SECTION 27 BEARS SOUTH  
35 89°59'53” WEST, A DISTANCE OF 2646.01 FEET, WITH ALL BEARINGS HEREON RELATIVE  
36 THERETO;

1 THENCE SOUTH 89°59'53" WEST ALONG THE EAST-WEST CENTERLINE OF SAID SECTION  
2 27, A DISTANCE OF 417.55 FEET;

3  
4 THENCE DEPARTING SAID EAST-WEST CENTERLINE, SOUTH 00°00'07" EAST, A DISTANCE  
5 OF 75.62 FEET TO **THE POINT OF BEGINNING** BEING THE NORTHEAST CORNER OF THAT  
6 CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL 1, IN SAID SPECIAL WARRANTY  
7 DEED RECORDED AT RECEPTION NO. 2014113780 IN SAID RECORDS; ALSO BEING A  
8 POINT ON THE SOUTH BOUNDARY OF TRACT B (WEWATTA WAY), OF DENARGO  
9 MARKET SUBDIVISION FILING NO. 2, PER THE PLAT RECORDED AT RECEPTION NO.  
10 2012049308 IN SAID RECORDS;

11  
12 THENCE ALONG THE SOUTH BOUNDARY OF SAID TRACT B AND THE NORTH  
13 BOUNDARY OF THAT CERTAIN PARCEL OF LAND DESCRIBED AS PARCEL 3 IN SAID  
14 SPECIAL WARRANTY DEED, NORTH 89°58'19" EAST, A DISTANCE OF 13.00 FEET TO THE  
15 BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 195.00  
16 FEET;

17 THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 20°56'19", AN  
18 ARC LENGTH OF 71.26 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 3;

19  
20 THENCE DEPARTING SAID SOUTH BOUNDARY, AND ALONG THE EAST BOUNDARY OF  
21 SAID PARCEL 3, SOUTH 00°01'41" EAST, A DISTANCE OF 118.43 FEET TO THE SOUTHEAST  
22 CORNER OF SAID PARCEL 3 AND THE NORTHEAST CORNER OF THAT CERTAIN PARCEL  
23 OF LAND DESCRIBED AS PARCEL 2 IN SAID SPECIAL WARRANTY DEED;

24  
25 THENCE ALONG THE EASTERLY AND SOUTHERLY BOUNDARIES OF SAID PARCEL 2, THE  
26 FOLLOWING 3 COURSES:

- 27
- 28 1. SOUTH 00°01'41" EAST, A DISTANCE OF 77.02 FEET TO THE NORTHWESTERLY  
29 BOUNDARY OF A PARCEL OF LAND OWNED BY UNION PACIFIC RAILROAD  
30 COMPANY;
  - 31
  - 32 2. ALONG SAID NORTHWESTERLY BOUNDARY, SOUTH 48°04'18" WEST, A DISTANCE OF  
33 10.49 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY  
34 HAVING A RADIUS OF 564.03 FEET;
  - 35
  - 36 3. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 6°21'22" AN  
37 ARC LENGTH OF 62.57 FEET TO THE MOST EASTERLY CORNER OF LOT 1, BLOCK 1,  
38 SAID DENARGO MARKET SUBDIVISION FILING NO. 2;

39 THENCE ALONG THE COMMON BOUNDARY OF SAID PARCEL 2 AND SAID LOT 1, BLOCK  
40 1, THE FOLLOWING 3 COURSES:

- 41
- 42 1. NON-TANGENT TO SAID CURVE, NORTH 50°40'14" WEST, A DISTANCE OF 39.71 FEET;
  - 43
  - 44 2. SOUTH 89°58'19" WEST, A DISTANCE OF 217.56 FEET TO THE SOUTHWEST CORNER OF  
45 SAID PARCEL 2;
  - 46
  - 47 3. NORTH 00°01'24" WEST, A DISTANCE OF 54.90 FEET TO THE NORTHWEST CORNER OF  
48 SAID PARCEL 2 AND THE SOUTHWEST CORNER OF SAID PARCEL 1;

1 THENCE ALONG THE COMMON BOUNDARY BEING THE WEST BOUNDARY OF SAID  
2 PARCEL 1 AND THE EAST BOUNDARY OF SAID LOT 1, BLOCK 1, NORTH 00°01'41" WEST, A  
3 DISTANCE OF 148.63 FEET TO THE SOUTH BOUNDARY OF SAID TRACT B (WEWATTA  
4 WAY) AND THE NORTHWEST CORNER OF SAID PARCEL 1;

5  
6 THENCE ALONG THE COMMON BOUNDARY BEING THE SOUTH BOUNDARY OF SAID  
7 TRACT B AND THE NORTH BOUNDARY OF SAID PARCEL 1, NORTH 89°58'19" EAST, A  
8 DISTANCE OF 222.17 FEET TO **THE POINT OF BEGINNING**.

9  
10 CONTAINING 1.444 ACRES (62,902 SQ. FT.), MORE OR LESS.

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

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

17 COMMITTEE APPROVAL DATE: June 6, 2017

18 MAYOR-COUNCIL DATE: June 13, 2017 July 17, 2017

19 PASSED BY THE COUNCIL: \_\_\_\_\_

20 *Alan Bink* - PRESIDENT

21 APPROVED: *Allegra "Hagerty" Haynes* - MAYOR Jul 19, 2017

22 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
23 EX-OFFICIO CLERK OF THE  
24 CITY AND COUNTY OF DENVER

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

26 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: June 15, 2017

27 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
28 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
29 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to  
30 § 3.2.6 of the Charter.

31 Kristin M. Bronson, Denver City Attorney

32 BY: *JB*, Assistant City Attorney DATE: Jun 15, 2017