

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2018

COUNCIL BILL NO. CB18-0172
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance changing the zoning classification for 301, 303 and 327 South Harrison Street in Belcaro.

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-5 and C-MX-8 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 B-4 with waivers, UO-1, UO-2.
- b. It is proposed that the land area hereinafter described be changed to C-MX-5 and C-MX-8.

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 B-4 with waivers, UO-1, UO-2 to C-MX-5:

**Legal Description
C-MX-5 AREA**

A PORTION OF LAND WITHIN LOTS 9 AND 10, BLOCK 47 OF BURLINGTON CAPITAL HILL ADDITION, RECORDED AT BOOK 5, PAGE 14, TOGETHER WITH A PORTION OF VACATED S. HARRISON STREET PER AMENDED ORDINANCE 0046 SERIES 1988, LOCATED WITHIN THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST QUARTER CORNER SECTION 13, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN; THENCE ALONG THE NORTHEAST LINE OF SAID SECTION 13, S89°39’23”W A DISTANCE OF 215.98 FEET; THENCE N00°15’55”W A DISTANCE OF 72.58 FEET TO THE EASTERLY LINE OF SAID S. HARRISON STREET RIGHT-OF-WAY VACATION BEING THE POINT OF BEGINNING;

1 THENCE S89°49'01"W A DISTANCE OF 134.63 FEET TO A POINT ON THE WESTERLY LINE OF
2 SAID LOT 9;
3 THENCE ALONG THE WESTERLY LINE OF SAID LOTS 9 AND 10, N00°15'57"W A DISTANCE OF
4 33.00 FEET;
5 THENCE N89°49'01"E A DISTANCE OF 134.63 FEET TO THE EASTERLY LINE OF SAID S.
6 HARRISON STREET RIGHT-OF-WAY VACATION;
7 THENCE ALONG SAID EASTERLY LINE S00°15'55"E A DISTANCE OF 33.00 FEET TO THE POINT
8 OF BEGINNING;

9
10 SAID PARCEL CONTAINS 0.102 ACRES (4,443 SQUARE FEET), MORE OR LESS.

11
12 ALL DIMENSIONS ARE IN U.S. SURVEY FEET.

13
14 BASIS OF BEARING: BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST
15 QUARTER OF SECTION 13, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL
16 MERIDIAN, BEING ASSUMED TO BEAR NORTH 89°39'22" EAST AND MONUMENTED AS SHOWN
17 HEREON.

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

20 **Section 3.** That the zoning classification of the land area in the City and
21 County of Denver described as follows shall be and hereby is changed from B-4 with
22 waivers, UO-1, UO-2 to C-MX-8:

23 **Legal Description**
24 **C-MX-8 AREA**

25
26 A PORTION OF LAND WITHIN LOTS 6 THRU 9, BLOCK 47 OF BURLINGTON CAPITAL HILL
27 ADDITION, RECORDED AT BOOK 5, PAGE 14, AND WITHIN LOTS 46 THRU 50, BLOCK 2 OF
28 BURNSDALE SUBDIVISION, RECORDED AT BOOK 18, PAGE 45, TOGETHER WITH A PORTION OF
29 VACATED S. HARRISON STREET PER AMENDED ORDINANCE 0046 SERIES 1988, LOCATED
30 WITHIN THE SOUTHEAST QUARTER OF SECTION 12 AND THE NORTHEAST QUARTER OF
31 SECTION 13, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY
32 AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS
33 FOLLOWS:

34
35 COMMENCING AT THE NORTHEAST QUARTER CORNER SECTION 13, TOWNSHIP 4 SOUTH,
36 RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN; THENCE ALONG THE NORTHEAST LINE OF
37 SAID SECTION 13, S89°39'23"W A DISTANCE OF 215.98 FEET TO THE EASTERLY LINE OF SAID S.
38 HARRISON STREET RIGHT-OF-WAY VACATION BEING THE POINT OF BEGINNING;
39 THENCE ALONG SAID EASTERLY LINE, S00°18'57"E A DISTANCE OF 131.38 FEET;
40 THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 46 EXTENDED, S89°43'42"W A DISTANCE
41 OF 134.62 FEET TO THE SOUTHWEST CORNER OF SAID LOT 46;
42 THENCE ALONG THE WESTERLY LINE OF SAID LOTS 46 -50, N00°19'14"W A DISTANCE OF 131.29
43 FEET;
44 THENCE ALONG THE WESTERLY LINE OF SAID LOTS 6-9, N00°15'57"W A DISTANCE OF 72.87
45 FEET;
46 THENCE N89°49'01"E A DISTANCE OF 134.63 FEET TO SAID EASTERLY LINE OF S. HARRISON
47 STREET RIGHT-OF-WAY VACATION;
48 THENCE ALONG SAID EASTERLY LINE, S00°15'55"E A DISTANCE OF 72.58 FEET TO THE POINT
49 OF BEGINNING;

50
51 SAID PARCEL CONTAINS 0.631 ACRES (27,471 SQUARE FEET), MORE OR LESS.

52
53 ALL DIMENSIONS ARE IN U.S. SURVEY FEET.
54

1 BASIS OF BEARING: BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST
2 QUARTER OF SECTION 13, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL
3 MERIDIAN, BEING ASSUMED TO BEAR NORTH 89°39'22" EAST AND MONUMENTED AS SHOWN
4 HEREON.

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

7 **Section 4.** That this ordinance shall be recorded by the Manager of Community Planning and
8 Development in the real property records of the Denver County Clerk and Recorder.

9 COMMITTEE APPROVAL DATE: February 27, 2018

10 MAYOR-COUNCIL DATE: March 6, 2018

11 PASSED BY THE COUNCIL: _____ April 16, 2018

12 _____ *Alan Banks* - PRESIDENT

13 APPROVED: _____ - MAYOR _____

14 ATTEST: _____ - CLERK AND RECORDER,
15 EX-OFFICIO CLERK OF THE
16 CITY AND COUNTY OF DENVER

17 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

18 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: March 8, 2018

19 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
20 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
21 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
22 § 3.2.6 of the Charter.

23 Kristin M. Bronson, Denver City Attorney

24 BY: _____ *Kristin J. Crawford*, Assistant City Attorney DATE: Mar 6, 2018