

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2018

COUNCIL BILL NO. CB18-0015
COMMITTEE OF REFERENCE:
4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance changing the zoning classification for numerous properties**
7 **located generally within the 38th and Blake Station Area.**

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, and will result in regulations and restrictions that are uniform within the proposed mixed
12 use zone districts and design and height incentive overlay districts; and

13 **WHEREAS**, the City Council has determined on the basis of evidence and testimony
14 presented at the public hearing that application of the height incentive overlay, IO-1 will provide
15 community benefits that further one or more adopted city policies; that such community benefits are
16 best achieved through incentives; will ensure clear and predictable outcomes consistent with the
17 applicable neighborhood context, building forms, and the stated purpose and intent of the applicable
18 zone district; and will apply equally to all similar properties in an area or district to provide equitable
19 outcomes consistent with adopted city policies.

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

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

24 a. The land area hereinafter described is presently classified as I-A, UO-2; I-B, UO-2; CMP-
25 ENT, UO-2; C-MX-3, UO-1, UO-2; C-MX-5, UO-2; I-MX-3, UO-2; I-MX-5, UO-2; R-MU-30 WVRS; and
26 U-MX-2.

27 b. It is proposed that the land area hereinafter described be changed to C-MX-3, DO-7, IO-
28 1; C-MX-5, UO-2, DO-7, IO-1; C-MX-5, UO-1, UO-2, DO-7, IO-1; C-MX-8, UO-2, DO-7, IO-1; C-MX-
29 8, DO-7, IO-1; I-MX-3, UO-2, DO-7, IO-1; I-MX-5, UO-2, DO-7, IO-1; and I-MX-8, UO-2, DO-7, IO-1.

30 **Section 2.** That the zoning classification of the land area in the City and County of Denver
31 described as shown on attached **Exhibit A** and described as follows shall be and hereby is changed
32 from CMP-ENT, UO-2, I-A, UO-2 and I-MX-5, UO-2 to I-MX-8, UO-2, DO-7, IO-1:

1 **Property Description**

2 The Area Bounded by I-70 on the North, Northeasterly Brighton Boulevard on the East, And
3 Northwesterly 44th St. on the West

4 **Together with the following properties known as:**

5	6	7	8
Parcel Schedule Number	Site Address	Deed recorded at Reception Number	
9	0223100013000	4300 BRIGHTON BLVD	2002012485
10	0223100073000	4510 WYNKOOP ST	1996056533
11	0223100075000	4502 WYNKOOP ST	1996056533
12	0223100077000	4510 WYNKOOP ST	1996056532
13	0223100078000	4400 WYNKOOP ST UNIT 4500	2013159159
14	0223100079000	4400 BRIGHTON BLVD	2004060374
15	0223100080000	4500 BRIGHTON BLVD	1998086285
16	0223100084000	4300 BRIGHTON BLVD	2012129268
17	0223100085000	4300 BRIGHTON BLVD	2012129268
18	0223100086000	4300 BRIGHTON BLVD	2012077074
19	0223100087000	4300 BRIGHTON BLVD	2012077074
20	0223100088000	4300 BRIGHTON BLVD	2012077074
21	0223100089000	4360 BRIGHTON BLVD	1958041886
22	0223122008000	4500 RACE ST	2015148615
23	0223122009000	4500 RACE ST MISC	2015148615
24	0223200046000	4301 BRIGHTON BLVD	1923583784
25	0223200189000	1700 44TH ST	1942873324
26	0223200196000	4301 BRIGHTON BLVD	1989033864
27	0223200217000	4375 BRIGHTON BLVD	1999116214
28	0223200218000	4375 BRIGHTON BLVD	2016026032
29	0223200227000	4303 BRIGHTON BLVD	1999215703
30	0223200228000	4305 BRIGHTON BLVD	2013139142
31	0223209001000	1700 44TH ST	

31 All Vacated Street or Alley Rights of Way lying adjacent to described areas.

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

35 **Section 3.** That the zoning classification of the land area in the City and County of Denver
36 described as shown on attached **Exhibit B** and described as follows shall be and hereby is changed
37 from I-A, UO-2 and I-B, UO-2 to I-MX-8, UO-2, DO-7, IO-1:

38 **Property Description**

39 **The following properties known as:**

40	41	42	43
Parcel Schedule Number	Site Address	Deed recorded at Reception Number	
44	0222100001000	4400 WASHINGTON ST	
	0222121014000	4500 WASHINGTON ST	0019920012
	0222121018000	4500 WASHINGTON ST	2013011914

1	0222121019000	4500 WASHINGTON ST	
2	0222138022000	4440 WASHINGTON ST	
3	0222138023000	4430 WASHINGTON ST	2010024679
4	0222138024000	4414 WASHINGTON ST	2015079925
5	0222138025000	4420 WASHINGTON ST	2017018266
6	0222400079000	3705 RINGSBY CT	2016065983
7	0222400100000	3755 RINGSBY CT	2016065983
8	0222400101000	4395 WASHINGTON ST	2015025246

10 All Vacated Street or Alley Rights of Way lying adjacent to described areas.

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

14 **Section 4.** That the zoning classification of the land area in the City and County of Denver
15 described as shown on attached **Exhibit C** and described as follows shall be and hereby is changed
16 from I-MX-5, UO-2 to I-MX-8, UO-2, DO-7, IO-1:

17 **Property Description**

18 The area bounded by 40th St. on the Northeast, Brighton Blvd. on the Northwest, 38th St. on
19 the Southwest, and Wynkoop St. on the Southeast

21 **Together with the following properties known as:**

23	Parcel Schedule Number	Site Address	Deed recorded at Reception Number
24	0223300053000	4000 BLAKE ST	
25	0223300060000	4120 BRIGHTON BLVD	2014108271
26	0223302002000	3950 WYNKOOP ST	2004188171
27	0223309013000	3880 WYNKOOP ST	2014156310
28	0223309014000	3800 WYNKOOP ST	

30 And that portion of parcel 0223300053000 that lies Northwesterly of the midpoint between
31 Lots 1 and 32 of Block 29 and Lots 16 and 17 Block 28 ST VINCENT ADDITION

33 All Vacated Street or Alley Rights of Way lying adjacent to described areas.

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

37 **Section 5.** That the zoning classification of the land area in the City and County of Denver
38 described as shown on attached **Exhibit D** and described as follows shall be and hereby is changed
39 from I-A, UO-2 to C-MX-8, UO-2, DO-7, IO-1:

1 **Property Description**

2 The area bounded by 40th Ave. on the North, Blake St. on the Northwest, 38th St. on the
3 Southwest, and Walnut St. on the Southeast

4
5 **Together with the following properties known as:**

6	Parcel Schedule Number	Site Address	Deed recorded at Reception Number
7	0223310001000	3801 BLAKE ST	
8	0223310018000	3941 BLAKE ST	1978054322
9	0223310022000	3901 BLAKE ST	1977090020
10	0223310024000	3943 BLAKE ST	2011111196
11	0223310027000	3855 BLAKE ST MISC	2016029603
12	0223310028000	3845 BLAKE ST	
13	0223310029000	3825 BLAKE ST	
14	0223310030000	3947 BLAKE ST	2011111196
15	0223310031000	3947 BLAKE ST MISC	2016029603
16	0223310032000	3947 BLAKE ST APPRX	2016029603
17			

18
19 All Vacated Street or Alley Rights of Way lying adjacent to described areas.

20
21 in addition thereto those portions of all abutting public rights-of-way, but only to the centerline
22 thereof, which are immediately adjacent to the aforesaid specifically described area.

23 **Section 6.** That the zoning classification of the land area in the City and County of Denver
24 described as shown on attached **Exhibit E** and described as follows shall be and hereby is changed
25 from I-MX-5, UO-2 and I-B, UO-2 to I-MX-8, UO-2, DO-7, IO-1:

26 **Property Description**

27 **IRONTON ADDITION**

28 **Block 2**

29 Lots 19 Through 44

30 **Block 3**

31 Lots 1 Through 32

32 **Block 6**

33 Lots 4 Through 6

34 **Block 7**

35 Lots 15 Through 29 And Lots 33 Through 41 And the Southwest 22.4 FT of Lot 42

36 **Block 9**

37 Lots 45 Through 51 And The Southwest 2 1/2 FT of Lot 52

38
39 **FIRST ADDITION TO IRONTON**

40 **Block 6**

41 Lots 1 through 6

42 **Block 7**

43 Lots 22 Through 37

44 **Block 9**

1 The Southwest 1 1/2 FT of Lot 14 And Lots 15 Through 51

2 **Block 12**

3 Lots 1 Through 7 and Lots 27 Through 32

4 **Block 16**

5 Lots 1 Through 32

6 **Block 17**

7 Lots 17 Through 49

8

9 **H. Witter's Addition to Denver Colorado**

10 **Block 12**

11 Lots 17 Through 19

12

13 **ST VINCENT ADDITION 2ND FILING**

14 **Block 41**

15 Lots 15 Through 22 And Lots 44 Through 50

16

17 **Together with the following properties known as:**

18

Parcel Schedule Number	Site Address	Deed recorded at Reception Number
0227100028000	1630 35TH ST	1988265644

21

22 All Vacated Street or Alley Rights of Way lying adjacent to described areas.

23

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

26 **Section 7.** That the zoning classification of the land area in the City and County of Denver
27 described as shown on attached **Exhibit F** and described as follows shall be and hereby is changed
28 from I-B, UO-2 to I-MX-3, UO-2, DO-7, IO-1:

29

Property Description

30

Provident Park Addition

31 **Block 4**

32 Lots 1 through 29

33 **Block 5**

34 Lots 1 through 9 And the South 1/4 of Lot 12 And Lots 13 Through 20

35 **Hodgson's Addition to Swansea**

36 **Block 1**

37 The South 16 FT of Lot 2 and all of Lots 3 through 16

38 **Block 2**

39 The South 16 FT of Lot 2 and all of Lots 3 through 16

40

41 **Together with the following properties known as:**

42

Parcel Schedule Number	Site Address	Deed recorded at Reception Number
0223400002000	3900 RACE ST	2015087539

43

1
2 All Vacated Street or Alley Rights of Way lying adjacent to described areas.

3
4 in addition thereto those portions of all abutting public rights-of-way, but only to the centerline
5 thereof, which are immediately adjacent to the aforesaid specifically described area.

6 **Section 8.** That the zoning classification of the land area in the City and County of Denver
7 described as shown on attached **Exhibit G** and described as follows shall be and hereby is changed
8 from U-MX-2 to C-MX-3 DO-7, IO-1:

9 **Property Description**

10 **Provident Park Addition**
11 **Block 6**
12 Lots 1 and 2

13
14 All Vacated Street or Alley Rights of Way lying adjacent to described areas.

15
16 in addition thereto those portions of all abutting public rights-of-way, but only to the centerline
17 thereof, which are immediately adjacent to the aforesaid specifically described area.

18 **Section 9.** That the zoning classification of the land area in the City and County of Denver
19 described as shown on attached **Exhibit H** and described as follows shall be and hereby is changed
20 from I-A, UO-2 to I-MX-5, UO-2, DO-7, IO-1:

21 **Property Description**

22 The area bounded by Walnut St. on the Northwest, Franklin St. on the East, 39th Ave. on
23 the South,
24 And 40th St. on the South

25
26 All Vacated Street or Alley Rights of Way lying adjacent to described areas.

27
28 in addition thereto those portions of all abutting public rights-of-way, but only to the centerline
29 thereof, which are immediately adjacent to the aforesaid specifically described area.

30 **Section 10.** That the zoning classification of the land area in the City and County of Denver
31 described as shown on attached **Exhibit I** and described as follows shall be and hereby is changed
32 from I-B, UO-2 to I-MX-5, UO-2, DO-7, IO-1:

33 **Property Description**

34 **Ironton Addition**
35 **Block 2**
36 Lots 1 through 18 and Lots 45 through 64
37 **Block 7**
38 The NE 2.6 FT OF L42 and all of Lots 43 through 56

1
2 All Vacated Street or Alley Rights of Way lying adjacent to described areas.

3
4 in addition thereto those portions of all abutting public rights-of-way, but only to the centerline
5 thereof, which are immediately adjacent to the aforesaid specifically described area.

6 **Section 11.** That the zoning classification of the land area in the City and County of
7 Denver described as shown on attached **Exhibit J** and described as follows shall be and hereby is
8 changed from I-MX-3, UO-2 to I-MX-5, UO-2, DO-7, IO-1:

9 **Property Description**

10 **H. Witter's Addition**

11 **Block 3**

12 All of Lots 17 through 32

13 **Block 8**

14 All of Lots 1 through 16

15 **Block 9**

16 All of Lots 17 through 32

17
18 All Vacated Street or Alley Rights of Way lying adjacent to described areas.

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

22 **Section 12.** That the zoning classification of the land area in the City and County of
23 Denver described as shown on attached **Exhibit K** and described as follows shall be and hereby is
24 changed from C-MX-5, UO-2 and I-MX-5, UO-2 to C-MX-8, UO-2, DO-7, IO-1:

25 **Property Description**

26 **IRONTON ADDITION**

27 **Block 6**

28 Lots 10 Through 12 AND Lots 21 Through 32

29
30 All Vacated Street or Alley Rights of Way lying adjacent to described areas.

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 13.** That the zoning classification of the land area in the City and County of Denver
35 described as shown on attached **Exhibit L** and described as follows shall be and hereby is changed
36 from C-MX-3, UO-1, UO-2 to C-MX-5, UO-1, UO-2, DO-7, IO-1:

1 **Property Description**

2 **Hyde Park Addition**
3 **Block 16**

4 The West 67 FT of the South 22 1/2 FT of Lot 12 and the West 67 FT of Lots 13 through 15

5
6 All Vacated Street or Alley Rights of Way lying adjacent to described areas.

7
8 in addition thereto those portions of all abutting public rights-of-way, but only to the centerline
9 thereof, which are immediately adjacent to the aforesaid specifically described area.

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

12 COMMITTEE APPROVAL DATE: January 2, 2018

13 MAYOR-COUNCIL DATE: January 9, 2018

14 PASSED BY THE COUNCIL: _____

15 _____ - PRESIDENT

16 APPROVED: _____ - MAYOR _____

17 ATTEST: _____ - CLERK AND RECORDER,
18 EX-OFFICIO CLERK OF THE
19 CITY AND COUNTY OF DENVER

20 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____;

21 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: January 11, 2018

22 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
23 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
24 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
25 § 3.2.6 of the Charter.

26 Kristin M. Bronson, Denver City Attorney

27 BY: _____, Assistant City Attorney DATE: _____