

1 **AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2014

COUNCIL BILL NO. CB14-0305
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

6 **A BILL**

7 **For an ordinance changing the zoning classification for 3600 East Alameda**
8 **Avenue, 319 South Garfield Street, 301 South Garfield Street and 314 South**
9 **Monroe Street.**

10
11 **WHEREAS**, the City Council has determined, based on evidence and testimony presented
12 at the public hearing, that the map amendment set forth below conforms with applicable City laws,
13 is in accordance with the Comprehensive Plan, is necessary to promote the public health, safety
14 and general welfare of the City, is justified by one of the circumstances set forth in Section
15 12.4.10.14 of the Denver Zoning Code, and is consistent with the neighborhood context and the
16 stated purpose and intent of the proposed zone district;

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

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

- 21 1. That the land area hereinafter described is presently classified as B-4, with waivers, UO-1
22 and UO-2.
- 23 2. That the Owner proposes that the land area hereinafter described be changed to C-MX-5.

24 **Section 2.** That the zoning classification of the land area in the City and County of
25 Denver described as follows shall be and hereby is changed from B-4, with waivers, UO-1 and UO-
26 2 to C-MX-5:

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29 **[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]**
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1 A PARCEL LOCATED IN THE SOUTHEAST QUARTER OF SECTION 12 AND
2 THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 4 SOUTH, RANGE 68
3 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF
4 DENVER, STATE OF COLORADO, BEING A PORTION OF BLOCK 49,
5 BURLINGTON CAPITOL HILL TOGETHER WITH THE ALLEY IN SAID BLOCK
6 49 AND ALSO THE SOUTHERLY LINE AS DEFINED BY A 40 FOOT OFFSET
7 FROM THE PROPERTY LINE ALONG EAST ALAMEDA AVE. LYING WITHIN
8 THE FOLLOWING DESCRIBED BOUNDARY:
9

10 BEGINNING AT THE NORTHEASTERLY CORNER OF LOT 10 OF SAID BLOCK
11 49, BURLINGTON CAPITOL HILL ALSO BEING A POINT ON THE WESTERLY
12 RIGHT-OF-WAY LINE OF SOUTH GARFIELD ST. AND ALSO THE SOUTHERLY
13 RIGHT OF WAY LINE OF EAST ALAMEDA AVE.; THENCE ALONG SAID
14 WESTERLY RIGHT-OF-WAY LINE S00°00'04"E A DISTANCE OF 40.00 FEET;
15 THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE THE
16 FOLLOWING THREE (3) COURSES: 1) N89°58'22"W A DISTANCE OF 125.08
17 FEET; 2) THENCE N89°58'22"W A DISTANCE OF 15.00 FEET; 3) THENCE
18 N89°58'22"W A DISTANCE OF 125.07 FEET, TO A POINT ON THE EASTERLY
19 RIGHT-OF-WAY LINE OF SOUTH MONROE ST.; THENCE ALONG SAID
20 EASTERLY RIGHT-OF-WAY LINE N00°00'11"E A DISTANCE OF 40.00 FEET, TO
21 A POINT ON THE SOUTHERLY RIGHT OF WAY LINE EAST ALAMEDA AVE. ;
22 THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING
23 THREE (3) COURSES: 1) S89°58'22"E A DISTANCE OF 125.07 FEET; 2) THENCE
24 S89°58'22"E A DISTANCE OF 15.00 FEET; 3) THENCE S89°58'22"E A DISTANCE
25 OF 125.06 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF
26 SOUTH GARFIELD ST. ALSO BEING THE POINT OF BEGINNING
27

28 BASIS OF BEARINGS

29 BEARINGS ARE BASED ON AN ASSUMED BEARING OF S00°02'40"E ALONG
30 THE EASTERLY LINE OF BLOCK 4, BURNSDALE BETWEEN THE NORTHEAST
31 CORNER OF LOT 50 AND THE NORTHEAST CORNER OF LOT 44 AND BEING
32 MONUMENTED BY A FOUND 17 FOOT OFFSET CHISELED CROSS AT THE
33 NORTHEAST CORNER OF LOT 50 AND A FOUND 17 FOOT CHISELED CROSS
34 AT THE NORTHEAST CORNER OF LOT 44.
35

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

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

40 1. That the land area hereinafter described is presently classified as B-4, with waivers, UO-1
41 and UO-2.

42 2. That the Owner proposes that the land area hereinafter described be changed to C-MX-8.

43 **Section 4.** That the zoning classification of the land area in the City and County of
44 Denver described as follows shall be and hereby is changed from B-4, with waivers, UO-1 and UO-
45 2 to C-MX-8:

1 A PARCEL LOCATED IN THE SOUTHEAST QUARTER OF SECTION 12 AND
2 THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 4 SOUTH, RANGE 68
3 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF
4 DENVER, STATE OF COLORADO, BEING A PORTION OF BLOCK 49,
5 BURLINGTON CAPITOL HILL TOGETHER WITH A PORTION OF BLOCK 4,
6 BURNSDALE, LOTS 1, 2, 3, 49, AND 50 AND ALSO TOGETHER WITH THE
7 ALLEY IN SAID BLOCK 49 BURLINGTON CAPITOL HILL AND BLOCK 4
8 BURNSDALE LYING WITHIN THE FOLLOWING DESCRIBED BOUNDARY:
9

10 BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 49 OF SAID BLOCK 4
11 BURNSDALE, ALSO BEING A POINT ON THE WESTERLY RIGHT-OF-WAY
12 LINE OF SOUTH GARFIELD ST.; THENCE ALONG THE SOUTHERLY LINE OF
13 SAID LOT 49, S89°56'07"W A DISTANCE OF 125.07 FEET, TO A POINT ON THE
14 WESTERLY LINE OF LOTS 49 AND 48 OF SAID BLOCK 4; THENCE ALONG THE
15 WESTERLY LINE OF SAID LOT 48, S00°02'40"E A DISTANCE OF 3.21 FEET;
16 THENCE DEPARTING THE WESTERLY LINE OF SAID LOT 48, S89°56'07"W A
17 DISTANCE OF 15.00 FEET, TO A POINT ON THE EASTERLY LINE OF LOT 3 OF
18 SAID BLOCK 4; THENCE DEPARTING SAID EASTERLY LINE OF LOT 3,
19 S89°56'07"W A DISTANCE OF 125.07 FEET, TO A POINT ON THE WESTERLY
20 LINE OF LOT 3 OF SAID BLOCK 4 ALSO BEING THE EASTERLY RIGHT-OF-
21 WAY LINE OF SOUTH MONROE ST.; THENCE ALONG SAID EASTERLY
22 RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES: 1) N00°02'40"W A
23 DISTANCE OF 58.97 FEET; 2) THENCE N00°00'11"E A DISTANCE OF 74.75
24 FEET; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE THE
25 FOLLOWING THREE (3) COURSES: 1) S89°58'22"E A DISTANCE OF 125.07 FEET;
26 2) THENCE S89°58'22"E A DISTANCE OF 15.00 FEET; 3) THENCE S89°58'22"E A
27 DISTANCE OF 125.08 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY
28 LINE OF SOUTH GARFIELD ST. THENCE ALONG SAID WESTERLY RIGHT-OF-
29 WAY LINE THE FOLLOWING TWO (2) COURSES: 1) S00°00'04"E A DISTANCE
30 OF 74.14 FEET; 2) THENCE S00°02'40"E A DISTANCE OF 55.94 FEET, TO THE
31 POINT OF BEGINNING.
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33 BASIS OF BEARINGS

34 BEARINGS ARE BASED ON AN ASSUMED BEARING OF S00°02'40"E ALONG
35 THE EASTERLY LINE OF BLOCK 4, BURNSDALE BETWEEN THE NORTHEAST
36 CORNER OF LOT 50 AND THE NORTHEAST CORNER OF LOT 44 AND BEING
37 MONUMENTED BY A FOUND 17 FOOT OFFSET CHISELED CROSS AT THE
38 NORTHEAST CORNER OF LOT 50 AND A FOUND 17 FOOT CHISELED CROSS
39 AT THE NORTHEAST CORNER OF LOT 44.
40

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

43 **Section 5.** That this ordinance shall be recorded by the Manager of Community Planning
44 and Development in the real property records of the Denver County Clerk and Recorder.
45

1 COMMITTEE APPROVAL DATE: April 22, 2014
2 MAYOR-COUNCIL DATE: April 29, 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: May 1, 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