

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2021

COUNCIL BILL NO. CB21-0157
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance changing the zoning classification for multiple properties in Berkeley and Regis.

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 U-MX-2, DO-8; U-MX-3, DO-8; U-MX-3, UO-1, UO-2, DO-8; U-MS-3, UO-1, UO-2, DO-8; U-MS-5, DO-8; U-MS-5, UO-1, UO-2, DO-8 districts;

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 U-MX-2; U-MX-3; U-MX-3, UO-1, UO-2; U-MS-3, UO-1, UO-2; U-MS-5; U-MS-5, UO-1, UO-2.

b. It is proposed that the land area hereinafter described be changed to U-MX-2, DO-8; U-MX-3, DO-8; U-MX-3, UO-1, UO-2, DO-8; U-MS-3, UO-1, UO-2, DO-8; U-MS-5, DO-8; U-MS-5, UO-1, UO-2, DO-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 U-MX-3 to U-MX-3, DO-8:

BLOCKS 1 TO 40 BOTH INCLUSIVE “BERKELEY”
Block 33, Lots 25 to 48

FIRST ADDITION TO BERKELEY
Block 8, Lots 1 to 19, and Lots 26 to 29
Block 9, Lots 1 to 24

EDBROOKE’S RESUBDIVISION OF BLOCK 32 BERKELEY
Block 32, Lots 29 to 48

WEBER AND OWENS SUBDIVISION OF BLOCKS 1 4 6 9 12 14 AND 19 ARGYLE PARK
Block 1, lots 31 to 36

1 **THOMPSON’S SUBDIVISION OF BLOCKS 2 3 7 10 AND 20 ARGYLE PARK**

2 Block 10, Lots 1 and 2

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 **BLOCKS 73 TO 80, 97 TO 104, 137 TO 144 AND 177 TO 184 INCLUSIVE IN BERKELEY**

7 Block 97, Lots 25 to 48

8 Block 144, Lots 25 to 28

9
10 **BLOCKS 81 to 96 INCLUSIVE BERKELEY**

11 Block 81, Lots 1 and 2, and the North 10 Feet of Lot 3

12 Block 96, Lots 1 to 25

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

16 **BLOCKS 1 TO 40 BOTH INCLUSIVE “BERKELEY”**

17 Block 1, Lots 19 to 28

18 Block 2, Lots 19 to 28

19 Block 3, lots 19 to 29, and the South 3 Feet of Lot 30

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 3.** That the zoning classification of the land area in the City and County of Denver
24 described as follows shall be and hereby is changed from U-MS-5 to U-MS-5, DO-8:

25 **EDBROOKE’S RESUBDIVISION OF BLOCK 32 BERKELEY**

26 Block 32, Lots 25 to 28

27
28 **FIRST ADDITION TO BERKELEY**

29 Block 8, Lots 20 to 24

30
31 in addition, thereto those portions of all abutting public rights-of-way, but only to the centerline
32 thereof, which are immediately adjacent to the aforesaid specifically described area.

33 **Section 4.** That the zoning classification of the land area in the City and County of Denver
34 described as follows shall be and hereby is changed from U-MS-5, UO-1, UO-2 to U-MS-5, UO-1,
35 UO-2, DO-8:

36 **MOUNTAIN VIEW**

37 Block 1, Lots 12 to 23

38 Block 4, Lots 1 to 8

39
40 **WEBER AND OWENS SUBDIVISION OF BLOCKS 1 4 6 9 12 14 AND 19 ARGYLE PARK**

41 Block 1, Lots 1 to 4

1
2 **RESUBDIVISION OF BLOCK 2, AND A PART OF BLOCK 1, MOUNTAIN VIEW**

3 Block 1, Lots 1 to 8 Together with a strip of land 8-1/3 feet wide North and South and 126.3
4 feet along East and West lying South of and adjoining said Lot 8 and the reserved alley, and
5 together with the East 1/2 of the reserved alley lying West of and adjoining said Lots 1 to 8
6

7 **T.J. O'DONNELL'S RESUBDIVISION OF BLOCK 5 ARGYLE PARK**

8 Block 5, Lots 1 to 20
9

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

12 **Section 5.** That the zoning classification of the land area in the City and County of Denver
13 described as follows shall be and hereby is changed from U-MX-3, UO-1, UO-2 to U-MX-3, UO-1,
14 UO-2, DO-8:

15 **MOUNTAIN VIEW**

16 Block 3, Lots 1 to 8

17 Block 4, Lots 9 to 24
18

19 **WEBER AND OWENS SUBDIVISION OF BLOCKS 1 4 6 9 12 14 AND 19 ARGYLE PARK**

20 Block 1, Lots 5 to 18
21

22 **THOMPSON'S SUBDIVISION OF BLOCKS 2 3 7 10 AND 20 ARGYLE PARK**

23 Block 2, Lots 1 to 18

24 Block 3, Lots 1 to 18
25

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

28 **Section 6.** That the zoning classification of the land area in the City and County of Denver
29 described as follows shall be and hereby is changed from U-MS-3, UO-1, UO-2 to U-MS-3, UO-1,
30 UO-2, DO-8:

31 **RESUBDIVISION OF BLOCK 2, AND A PART OF BLOCK 1, MOUNTAIN VIEW**

32 Block 2, Lots 25 to 48
33

34 **WEBER AND OWENS SUBDIVISION OF BLOCKS 1 4 6 9 12 14 AND 19 ARGYLE PARK**

35 Block 4, Lots 1 to 20
36

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

39 **Section 7.** That the zoning classification of the land area in the City and County of Denver
40 described as follows shall be and hereby is changed from U-MX-2 to U-MX-2, DO-8:

41 **BLOCKS 1 TO 40 BOTH INCLUSIVE "BERKELEY"**

42 Block 23, Lots 1 to 5, and the North 3/4 of Lot 46, and lots 47 and 48

1 Block 24, Lots 1 to 12, and the North 1/2 of Lot 43, and Lots 44 to 48
2 Block 25, Lots 1 to 6, and Lots 15 to 25, and the South 1/2 of Lot 26
3 Block 26, Lots 21 to 27
4 Block 27, Lots 17 to 24

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

8 **MELLEIN'S ADDITION**
9 Block 1, Lots 11 to 15

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11 **MCKERNON ADDITION**
12 Block 1, the South 1/2 of Lot 10, and Lots 11 to 21

13
14 **GRAND VIEW**
15 Block 13, The South 3 Feet of Lot 1, and Lot 3 except the South 125 Feet of the East 45
16 Feet

17
18 **HARKNESS HEIGHTS**
19 Block 9, Lots 2 to 10

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

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1 COMMITTEE APPROVAL DATE: February 16, 2021
2 MAYOR-COUNCIL DATE: February 23, 2021 by Consent
3 PASSED BY THE COUNCIL: _____ March 30, 2021

4 *Steve Filmore* - PRESIDENT

5 APPROVED: _____ - MAYOR _____

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

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

10 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: February 25, 2021

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 Kristin M. Bronson, Denver City Attorney

16 BY: *Kristin M. Bronson*, Assistant City Attorney DATE: Feb 24, 2021