

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2017

COUNCIL BILL NO. CB17-1421
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance changing the zoning classification for 1420 38th Street in Five Points.

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-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 R-MU-30 with waivers.
- b. It is proposed that the land area hereinafter described be changed to 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 R-MU-30 with waivers to C-MX-8:

Legal Description

PARCEL DESCRIPTION:

LOTS 1 TO 7, INCLUSIVE, AND THAT PORTION OF LOTS 8 TO 15, INCLUSIVE, BLOCK 25, RIVERSIDE ADDITION TO DENVER, BEING IN THE SOUTHWEST ONE QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, LYING EAST OF A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF LOT 8 WHICH IS 16 FEET SOUTHWESTERLY OF THE NORTHERN MOST CORNER OF LOT 8, SOUTHWESTERLY TO A POINT 3 FEET SOUTHEASTERLY OF THE WEST CORNER OF LOT 8, SOUTHWESTERLY TO A POINT 11.5 FEET SOUTHEASTERLY OF THE WEST CORNER OF LOT 9, SOUTHWESTERLY TO A POINT 22.5 FEET SOUTHEASTERLY OF THE WEST CORNER OF LOT 10, SOUTHERLY TO A POINT 37 FEET SOUTHEASTERLY OF THE WEST CORNER OF LOT 11, SOUTHERLY TO A POINT 56 FEET SOUTHEASTERLY OF THE WEST CORNER OF LOT 12, SOUTHERLY TO A POINT 45 FEET NORTHWESTERLY FROM THE MOST EASTERLY CORNER OF LOT 14, SOUTHERLY TO A POINT ON THE NORTHWESTERLY LINE OF ALLEY AND 8 FEET SOUTHWESTERLY FROM THE EAST CORNER OF LOT 15, BLOCK 25, RIVERSIDE ADDITION TO DENVER, CITY AND COUNTY OF

1 DENVER, STATE OF COLORADO.

2
3 TOGETHER WITH THAT PORTION OF LOTS 8 TO 15 VACATED BY ORDINANCE NO. 20161315
4 SERIES OF 2017 RECORDED JANUARY 11, 2017 AT RECEPTION NO. 2017003935, FURTHER
5 DESCRIBED AS:
6

7 A PORTION OF LOTS 8 TO 15, INCLUSIVE, BLOCK 25, RIVERSIDE ADDITION TO DENVER, ALSO
8 BEING A PORTION OF DOWNING STREET RIGHT-OF-WAY DESCRIBED AS PARCEL 2 IN
9 ORDINANCE 127 SERIES 2010, BEING IN THE SOUTHWEST ONE QUARTER OF SECTION 23,
10 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY
11 OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:
12

13 BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF LOT 8 WHICH IS 16 FEET
14 SOUTHWESTERLY OF THE NORTHERN MOST CORNER OF LOT 8, THENCE ALONG SAID PARCEL
15 2 OF ORDINANCE 127, SERIES 2010 THE FOLLOWING SEVEN (7) COURSES:
16

- 17 1. SOUTHWESTERLY TO A POINT 3 FEET SOUTHEASTERLY OF THE WEST CORNER OF
- 18 LOT 8;
- 19 2. SOUTHWESTERLY TO A POINT 11.5 FEET SOUTHEASTERLY OF THE WEST CORNER
- 20 OF LOT 9;
- 21 3. SOUTHWESTERLY TO A POINT 22.5 FEET SOUTHEASTERLY OF THE WEST CORNER
- 22 OF LOT 10;
- 23 4. SOUTHERLY TO A POINT 37 FEET SOUTHEASTERLY OF THE WEST CORNER OF LOT
- 24 11;
- 25 5. SOUTHERLY TO A POINT 56 FEET SOUTHEASTERLY OF THE WEST CORNER OF LOT
- 26 12;
- 27 6. SOUTHERLY TO A POINT 45 FEET NORTHWESTERLY FROM THE MOST EASTERLY
- 28 CORNER OF LOT 14;
- 29 7. SOUTHERLY TO A POINT ON THE NORTHWESTERLY LINE OF ALLEY AND 8 FEET
- 30 SOUTHWESTERLY FROM THE EAST CORNER OF LOT 15,

31
32 THENCE SOUTHWESTERLY ALONG SAID ALLEY LINE TO A POINT 10.5'
33 NORTHEASTERLY FROM THE SOUTHERLY CORNER OF LOT 15; THENCE NORTHERLY TO A
34 POINT 60 FEET NORTHWESTERLY FROM THE EASTERLY CORNER OF LOT 14, THENCE
35 NORTHWESTERLY TO A POINT 4.2 FEET SOUTHWESTERLY FROM THE NORTHERLY CORNER
36 OF LOT 13, THENCE NORTHEASTERLY ALONG THE NORTH LINE OF SAID BLOCK 25 TO THE
37 POINT OF BEGINNING.
38

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

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

43 **[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]**

1 COMMITTEE APPROVAL DATE: December 12, 2017

2 MAYOR-COUNCIL DATE: N/A

3 PASSED BY THE COUNCIL: _____

4 _____ - 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: December 14, 2017

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 J. Crawford*, Assistant City Attorney DATE: Dec 13, 2017