

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2017

COUNCIL BILL NO. CB17-0729
COMMITTEE OF REFERENCE:
4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance changing the zoning classification for 1400 South Irving Street**
7 **and 1436 South Irving Street in Mar Lee.**

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, will result in regulations and restrictions that are uniform within the S-MU-3 district, is
12 justified by one of the circumstances set forth in Section 12.4.10.8 of the Denver Zoning Code, and
13 is consistent with the neighborhood context and the stated purpose and intent of the proposed zone
14 district;

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

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

- 19 a. The land area hereinafter described is presently classified as PUD 180.
20 b. It is proposed that the land area hereinafter described be changed to S-MU-3.

21 **Section 2.** That the zoning classification of the land area in the City and County of Denver
22 described as follows shall be and hereby is changed from PUD 180 to S-MU-3:

23 **Legal Description**

24 **1436 SOUTH IRVING STREET:**

25 NORTH ½ OF LOT #43 EXCEPT THE EAST 165 FEET THEREOF; AND
26 LOT #44 EXCEPT THE NORTH 115 FEET AND THE WEST 121 FEET THEREOF; AND
27 ALL OF LOT #45,
28 GARFIELD HEIGHTS, NEW FILING,
29 CITY AND COUNTY OF DENVER, COLORADO.

30 **1400 SOUTH IRVING STREET:**

31 A PORTION OF LOT #44,
32 GARFIELD HEIGHTS, NEW FILING, CITY AND COUNTY OF DENVER, STATE OF
33 COLORADO;
34 BEGINNING AT A POINT ON THE NORTH LINE OF LOT 44 10’ EAST OF THE NW
35 CORNER OF SAID LOT;

1 THENCE EAST 111.0' ALONG THE NORTH LINE OF SAID LOT TO THE NE CORNER
2 OF THAT PARCEL OF LAND DESCRIBED IN RECEPTION NUMBER 1994084943, CITY
3 AND COUNTY OF DENVER CLERK AND RECORDER RECORDS;
4 THENCE SOUTH 115.0' AND PARALLEL WITH THE EAST LINE OF SAID LOT 44 TO
5 THE SE CORNER OF SAID PARCEL, ALSO BEING ON THE SOUTH LINE OF SAID
6 LOT 44;
7 THENCE WEST 121.0' ALONG THE SOUTH LINE OF SAID LOT TO THE SW CORNER
8 THEREOF;
9 THENCE NORTH 105.0' ALONG THE WEST LINE OF SAID LOT TO A POINT 10'
10 SOUTH OF THE NW CORNER OF SAID LOT;
11 THENCE NE TO POINT OF BEGINNING.

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

16 COMMITTEE APPROVAL DATE: June 27, 2017

17 MAYOR-COUNCIL DATE: July 4, 2017 by Consent

18 PASSED BY THE COUNCIL: _____

19 _____ - PRESIDENT

20 APPROVED: _____ - MAYOR _____

21 ATTEST: _____ - CLERK AND RECORDER,
22 EX-OFFICIO CLERK OF THE
23 CITY AND COUNTY OF DENVER

24 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____;

25 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: July 6, 2017

26 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
27 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
28 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
29 § 3.2.6 of the Charter.

30 Kristin M. Bronson, Denver City Attorney

31 BY: _____, Assistant City Attorney DATE: _____