

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2019

COUNCIL BILL NO. CB19-1058
COMMITTEE OF REFERENCE:
4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance changing the zoning classification for 2100 South Colorado**
7 **Boulevard, 4040 East Evans Avenue, 2140 South Albion Street, 2130-2150 South**
8 **Colorado Boulevard and 4102-4108 East Evans Avenue in University Hills.**

9 **WHEREAS**, the City Council has determined, based on evidence and testimony presented
10 at the public hearing, that the map amendment set forth below conforms with applicable City laws,
11 is consistent with the City’s adopted plans, furthers the public health, safety and general welfare of
12 the City, will result in regulations and restrictions that are uniform within the C-MX-12 district, is
13 justified by one of the circumstances set forth in Section 12.4.10.8 of the Denver Zoning Code, and
14 is consistent with the neighborhood context and the stated purpose and intent of the proposed zone
15 district;

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

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

- 20 a. The land area hereinafter described is presently classified as C-MX-5 and C-MX-5, UO-
21 1, UO-2.
- 22 b. It is proposed that the land area hereinafter described be changed to C-MX-12.

23 **Section 2.** 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 C-MX-5 and C-MX-5, UO-1, UO-2 to C-
25 MX-12:

- 26 • 2100 S. Colorado Blvd - PARCEL 1

27
28 THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY
29 OF DENVER, STATE OF COLORADO, AND DESCRIBED AS FOLLOWS: ALL
30 THAT CERTAIN PIECE OR PARCEL OF REAL ESTATE SITUATE IN THE
31 CITY AND COUNTY OF DENVER, STATE OF COLORADO DESCRIBED AS
32 FOLLOWS: LOTS 1, 2, 3 AND 4, BLOCK 1, WARREN’S UNIVERSITY
33 HEIGHTS, THE PLAT OF WHICH IS OF RECORD IN PLAT BOOK A1 AT
34 PAGE 39 OF ARAPAHOE COUNTY RECORDS, CITY AND COUNTY OF
35 DENVER, STATE OF COLORADO LESS AND EXCEPT THAT PART OF LOTS
36 1 AND 2 DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE
37 WEST LINE OF LOT 2 WHICH IS 4.97 FEET SOUTH OF THE NORTHWEST

1 CORNER OF SAID LOT 2; THENCE EAST, PARALLEL WITH THE NORTH
2 LINE OF LOT 2, A DISTANCE OF 8.0 FEET; THENCE ALONG THE ARC OF
3 A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.0 FEET, A DISTANCE
4 OF 39.27 FEET TO A POINT WHICH IS SOUTH, AT RIGHT ANGLES TO THE
5 NORTH LINE OF LOT 1, A DISTANCE OF 5.0 FEET; THENCE NORTHEAST
6 A DISTANCE OF 91.52 FEET TO A POINT ON THE EAST LINE OF LOT 1
7 WHICH IS 1.14 FEET SOUTH OF THE NORTHEAST CORNER OF LOT 1;
8 THENCE NORTH, ALONG THE EAST LINE OF LOT 1 A DISTANCE OF 1.14
9 FEET TO THE NORTHEAST CORNER OF LOT 1; THENCE WEST, ALONG
10 THE NORTH LINE OF LOT 1 A DISTANCE OF 123.38 FEET TO THE
11 NORTHWEST CORNER OF LOT 1; THENCE SOUTH, ALONG THE WEST
12 LINE OF LOTS 1 AND 2 A DISTANCE OF 29.97 FEET, MORE OR LESS, TO
13 THE POINT OF BEGINNING.

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

17
18 • 2130-2150 S Colorado Blvd - PARCEL 2

19
20 FILE THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF
21 DENVER, STATE OF COLORADO, AND DESCRIBED AS FOLLOWS: 3L 5 TO 9,
22 INCLUSIVE, AND LOT 40 AND S 20 FEET OF LOT 41 AND WEST 23.375 FEET, LOT 42
23 TO 48, INCLUSIVE, AND OF NORTH 5 FEET OF LOT 41 BLOCK 1, WARRENS
24 UNIVERSITY HEIGHTS AND 1/2 OF VACATED ALBION STREET ADJACENT TO LOT
25 40 AND SOUTH 20 FEET OF LOT 41 EXCEPT PART OF LOT 48 TO THE CITY, CITY
26 AND COUNTY OF DENVER, STATE OF COLORADO.

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
31 • 4040 E. Evans Ave - PARCEL 3

32
33 THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF
34 DENVER, STATE OF COLORADO, AND DESCRIBED AS FOLLOWS: 3L 42 TO 48 INC
35 & N 5FT OF L41 EXC W 23.375 FT & W 1/2 VAC S ALBION ST ADJ L42 TO 48 INC & N
36 5FT OF L41 BLK 1 WARRENS UNIV HEIGHTS EXC PT L48 TO CITY, CITY AND
37 COUNTY OF DENVER, STATE OF COLORADO.

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

- 3
- 4 • 4102-4108 E. Evans Ave – PARCEL 4
- 5

6 THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF
7 DENVER, STATE OF COLORADO, AND DESCRIBED AS FOLLOWS: THE EAST 1/2 OF
8 VACATED ALBION STREET, WEST OF AND ADJACENT TO LOT 1 THROUGH 6,
9 INCLUSIVE, BLOCK 2, WARREN'S UNIVERSITY HEIGHTS, CITY AND COUNTY OF
10 DENVER, STATE OF COLORADO.

11

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
- 15 • 2140 S ALBION ST - PARCEL 5
- 16

17 THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF
18 DENVER, STATE OF COLORADO, AND DESCRIBED AS FOLLOWS: LOTS 7, 8 AND 9,
19 BLOCK 2, AND THE EAST 1/2 OF VACATED ALBION STREET, WEST OF AND
20 ADJACENT TO SAID LOTS, WARREN'S UNIVERSITY HEIGHTS, CITY AND COUNTY
21 OF DENVER, STATE OF COLORADO. PARCEL 6 FILE NO 1090NTL THE LAND
22 REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF DENVER, STATE
23 OF COLORADO, AND DESCRIBED AS FOLLOWS: LOTS 1, 2, 3, 4, 5 AND 6, BLOCK
24 2, WARREN'S UNIVERSITY HEIGHTS, EXCEPTING THE EAST HALF OF THE
25 VACATED ALBION STREET WEST OF AND ADJACENT TO SAID LOTS; AND LOTS 39,
26 40, 41, 42, 43, 44, 45, 46, 47 AND 48, BLOCK 2, WARREN'S UNIVERSITY HEIGHTS,
27 CITY AND COUNTY OF DENVER, STATE OF COLORADO. PARCEL 7 FILE NO
28 1061NTL THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY
29 OF DENVER, STATE OF COLORADO, AND DESCRIBED AS FOLLOWS: LOTS 35 TO
30 38, BLOCK 2, WARREN'S UNIVERSITY HEIGHTS, CITY AND COUNTY OF DENVER,
31 STATE OF COLORADO.

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

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

1 COMMITTEE APPROVAL DATE: October 22, 2019

2 MAYOR-COUNCIL DATE: October 29, 2019

3 PASSED BY THE COUNCIL: December 2, 2019 _____

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: October 31, 2019

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: TJ B, Assistant City Attorney DATE: Oct 30, 2019