

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2017

COUNCIL BILL NO. CB17-0436
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

**For an ordinance changing the zoning classification for 4000, 4020 & 4120
Brighton Blvd. in Elyria Swansea.**

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 I-MX-8, UO-2 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 I-MX-5, UO-2.
- b. It is proposed that the land area hereinafter described be changed to I-MX-8, UO-2.

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 I-MX-5, UO-2 to I-MX-8, UO-2:

LEGAL DESCRIPTION:

A TRACT OF LAND LOCATED IN SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF BLOCK 27, ST. VINCENT ADDITION, SAID POINT ALSO BEING THE INTERSECTION OF THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BRIGHTON BOULEVARD AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF 40TH STREET; THENCE N44°35'17"E ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BRIGHTON BOULEVARD, 1378.55 FEET; THENCE S45°10'49"E

1 ALONG A LINE PARALLEL WITH THE SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF 40TH
2 STREET, 263.67
3 FEET; THENCE S44°22'29"W, 18.63 FEET; THENCE S45°10'19"E, 185.50 FEET; THENCE
4 S39°23'04"W,
5 91.46 FEET TO A POINT THAT IS 457.5 FEET, MORE OR LESS, SOUTHEASTERLY FROM THE
6 SOUTHEASTERLY RIGHT-OF-WAY LINE OF BRIGHTON BOULEVARD; THENCE S44°35'17"W ON A
7 LINE
8 PARALLEL WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BRIGHTON BOULEVARD, 1274.09
9 FEET TO
10 A POINT THAT IS 5.27 FEET SOUTHWESTERLY OF THE SOUTHWESTERLY LINE OF BLOCK 28, ST.
11 VINCENT
12 ADDITION; THENCE N45°10'49"W ALONG A LINE PARALLEL WITH AND 5.27 FEET FROM THE
13 SAID
14 SOUTHWESTERLY LINE OF SAID BLOCK 28 AND SAID LINE EXTENDED, 191.51 FEET TO A POINT
15 5.27 FEET
16 SOUTHWESTERLY OF THE SOUTHERLY CORNER OF SAID BLOCK 27; THENCE N44°35'17"E, 5.27
17 FEET TO
18 THE MOST SOUTHERLY CORNER OF SAID BLOCK 27; THENCE N45°10'49"W ALONG THE
19 SOUTHWESTERLY
20 LINE OF SAID BLOCK 27, 266.03 FEET TO THE POINT OF BEGINNING.

21
22 THE ABOVE DESCRIBED PARCEL CONTAINS 627,745 SQUARE FEET OR 14.4110 ACRES MORE OR
23 LESS.

24 CERTIFICATE OF SURVEY: I HEREBY CERTIFY THAT ON AUGUST 26, 2016, A SURVEY WAS MADE
25 OF THE
26 ABOVE DESCRIBED PROPERTY UNDER MY DIRECT SUPERVISION AND THE CORNERS WERE SET
27 AS
28 SHOWN, HOLDING FOUND POINTS AND PLAT DISTANCES WHEREVER POSSIBLE AND UTILIZING
29 CITY OF
30 DENVER SURVEY INFORMATION FOR CONTROL.

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

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

1 COMMITTEE APPROVAL DATE: April 25, 2017

2 MAYOR-COUNCIL DATE: May 2, 2017

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: May 11, 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: _____, Assistant City Attorney DATE: _____