

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2018

COUNCIL BILL NO. CB18-1225
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance changing the zoning classification for 1901 7th Street in Auraria.

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 D-CPV-R and D-CPV-C districts, 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 CMP-ENT.
- b. It is proposed that the land area hereinafter described be changed to D-CPV-R, and D-CPV-C.

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 CMP-ENT to D-CPV-R:

“THE RIVER MILE ZONE DISTRICT 1”

A PORTION OF “PARCEL ONE” DESCRIBED IN SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO. 2015075788 IN THE OFFICIAL RECORD’S OF THE CLERK AND RECORDER’S OFFICE OF THE CITY AND COUNTY OF DENVER, STATE OF COLORADO AND A PORTION OF ELITCH CIRCLE RIGHT-OF-WAY ALL SITUATED IN THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID CITY, COUNTY AND STATE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 33;

THENCE NORTH 00°17’33” WEST ALONG THE WESTERLY LINE OF SAID SECTION 33, A DISTANCE OF 1,204.77 FEET;

THENCE NORTH 89°42’27” EAST, A DISTANCE OF 29.09 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THE OFFICIAL CHANNEL OF THE SOUTH PLATTE RIVER;

THENCE ALONG SAID EASTERLY BOUNDARY AND THE EASTERLY BOUNDARY SAID OF “PARCEL ONE” THE FOLLOWING THREE (3) COURSES

1
2 1. NORTH 49°18'33" EAST, A DISTANCE OF 35.80;
3 2. NORTH 49°17'28" EAST, A DISTANCE 51.13 FEET; FEET
4 3. NORTH 26°03'32" EAST, A DISTANCE OF 102.28 FEET TO THE POINT OF BEGINNING;
5 THENCE CONTINUING ALONG SAID EASTERLY BOUNDARY'S THE FOLLOWING ELEVEN (11) COURSES:
6
7 1. NORTH 26°03'32" EAST, A DISTANCE OF 26.07 FEET;
8 2. NORTH 03°59'21" EAST, A DISTANCE OF 1,368.41 FEET;
9 3. NORTH 05°09'08" EAST, A DISTANCE OF 197.04 FEET;
10 4. NORTH 06°45'17" EAST, A DISTANCE OF 207.24 FEET;
11 5. NORTH 12°44'41" EAST, A DISTANCE OF 172.09 FEET;
12 6. NORTH 19°57'15" EAST, A DISTANCE OF 84.53 FEET;
13 7. NORTH 32°48'13" EAST, A DISTANCE OF 74.95 FEET;
14 8. NORTH 58°08'17" EAST, A DISTANCE OF 61.39 FEET;
15 9. NORTH 78°06'31" EAST, A DISTANCE OF 63.81 FEET;
16 10. NORTH 64°51'34" EAST, A DISTANCE OF 70.84 FEET;
17 11. NORTH 45°54'47" EAST, A DISTANCE OF 1,027.02 FEET TO THE SOUTHERLY BOUNDARY OF DEED
18 RECORDED AT BOOK 2082, PAGE 210 IN SAID OFFICIAL RECORDS;
19 THENCE ALONG SAID SOUTHERLY BOUNDARY AND THE NORTHERLY BOUNDARY OF SAID "PARCEL ONE"
20 THE FOLLOWING TWO (2) COURSES:
21
22 1. SOUTH 72°28'28" EAST, A DISTANCE OF 31.77 FEET;
23 2. NORTH 81°34'57" EAST, A DISTANCE OF 418.54 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY OF
24 ELITCH CIRCLE;
25 THENCE DEPARTING SAID NORTHWESTERLY RIGHT-OF-WAY AND SAID NORTHERLY BOUNDARY SOUTH
26 46°08'32" EAST, A DISTANCE OF 40.00 FEET TO A LINE PARALLEL WITH AND DISTANT 40.00 FEET
27 SOUTHEASTERLY TO THE NORTHWESTERLY RIGHT-OF-WAY OF ELITCH CIRCLE;
28
29 THENCE ALONG SAID PARALLEL LINE AND THE SOUTHWESTERLY PROLONGATION THEREOF SOUTH
30 43°51'28" WEST, A DISTANCE OF 1978.41 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE
31 EASTERLY HAVING A RADIUS OF 70.00 FEET;
32
33 THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC LENGTH OF
34 109.96 FEET;
35
36 THENCE TANGENT TO SAID CURVE SOUTH 46°08'32" EAST, A DISTANCE OF 214.17 FEET;
37
38 THENCE SOUTH 43°51'28" WEST, A DISTANCE OF 35.00 FEET TO THE BEGINNING OF A TANGENT CURVE
39 CONCAVE EASTERLY HAVING A RADIUS OF 330.00 FEET;
40
41 THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°42'29", AN ARC LENGTH OF
42 263.26 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE WESTERLY HAVING A RADIUS OF
43 330.00 FEET;
44
45 THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 27°19'12", AN ARC LENGTH OF
46 157.35 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY HAVING A RADIUS OF
47 1,361.20 FEET;
48
49 THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 24°04'36", AN ARC LENGTH OF
50 572.00 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS
51 OF 330.00 FEET;
52
53 THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 49°59'56", AN ARC
54 LENGTH OF 287.97 FEET;
55 THENCE SOUTH 51°23'31" WEST, A DISTANCE OF 35.10 FEET TO THE POINT OF BEGINNING.
56

1 CONTAINING AN AREA OF 20.762 ACRES, (904,391 SQUARE FEET), MORE OR LESS.
2 in addition thereto those portions of all abutting public rights-of-way, but only to the centerline
3 thereof, which are immediately adjacent to the aforesaid specifically described area.

4 **Section 3.** That the zoning classification of the land area in the City and County of Denver
5 described as follows shall be and hereby is changed from CMP-ENT to D-CPV-C:

6 **“THE RIVER MILE ZONE DISTRICT 2”**
7

8 A PORTION OF “PARCEL ONE” DESCRIBED IN SPECIAL WARRANTY DEED RECORDED AT RECEPTION NO.
9 2015075788 IN THE OFFICIAL RECORD’S OF THE CLERK AND RECORDER’S OFFICE OF THE CITY AND
10 COUNTY OF DENVER, STATE OF COLORADO AND A PORTION OF ELITCH CIRCLE RIGHT-OF-WAY ALL
11 SITUATED IN THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE
12 SIXTH PRINCIPAL MERIDIAN, SAID CITY, COUNTY AND STATE, BEING MORE PARTICULARLY DESCRIBED
13 AS FOLLOWS:

14
15 **COMMENCING** AT THE SOUTHWEST CORNER OF SAID SECTION 33;

16
17 THENCE NORTH 00°17’33” WEST ALONG THE WESTERLY LINE OF SAID SECTION 33, A DISTANCE OF
18 1,204.77 FEET;

19
20 THENCE NORTH 89°42’27” EAST, A DISTANCE OF 29.09 FEET TO A POINT ON THE EASTERLY BOUNDARY
21 OF THE OFFICIAL CHANNEL OF THE SOUTH PLATTE RIVER;

22
23 THENCE ALONG SAID EASTERLY BOUNDARY NORTH 49°18’33” EAST, A DISTANCE OF 35.80 TO THE
24 EASTERLY BOUNDARY SAID OF “PARCEL ONE” AND THE **POINT OF BEGINNING**;

25
26 THENCE ALONG SAID LAST DESCRIBED EASTERLY BOUNDARY THE FOLLOWING TWO (2) COURSES

- 27
28 1. NORTH 49°17’28” EAST, A DISTANCE 51.13 FEET;
29 2. NORTH 26°03’32” EAST, A DISTANCE OF 102.28 FEET;

30
31 THENCE DEPARTING SAID EASTERLY BOUNDARY NORTH 51°23’31" EAST, A DISTANCE OF 35.10 FEET TO
32 THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 330.00 FEET;

33
34 THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 49°59’56", AN ARC
35 LENGTH OF 287.97 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY HAVING A
36 RADIUS OF 1361.20 FEET;

37
38 THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 24°04’36", AN ARC LENGTH OF
39 572.00 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE WESTERLY HAVING A RADIUS OF
40 330.00 FEET;

41
42 THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 27°19’12", AN ARC LENGTH OF
43 157.35 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE EASTERLY HAVING A RADIUS OF 330.00
44 FEET;

45
46 THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 45°42’29", AN ARC LENGTH OF
47 263.26 FEET;

48
49 THENCE NORTH 43°51’28" EAST, A DISTANCE OF 35.00 FEET;

50
51 THENCE NORTH 46°08’32" WEST, A DISTANCE OF 214.17 FEET TO THE BEGINNING OF A TANGENT CURVE
52 CONCAVE EASTERLY HAVING A RADIUS OF 70.00 FEET;

53
54 THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00’00", AN ARC LENGTH OF
109.96 FEET;

1 THENCE NORTH 43°51'28" EAST, A DISTANCE OF 1,645.67 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY
2 OF ELITCH CIRCLE AND A LINE PARALLEL WITH AND DISTANT 40.00 FEET SOUTHEASTERLY TO THE
3 NORTHWESTERLY RIGHT-OF-WAY OF ELITCH CIRCLE;

4
5 THENCE ALONG SAID PARALLEL LINE AND THE NORTHEASTERLY PROLONGATION THEREOF NORTH
6 43°51'28" EAST A DISTANCE OF 715.56 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF SPEER BOULEVARD;

7
8 THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY SOUTH 46°08'32" EAST, A DISTANCE OF 57.65 FEET TO
9 THE MOST NORTHERLY CORNER OF SAID "PARCEL ONE" AND THE BEGINNING OF A NON-TANGENT
10 CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1,123.24 FEET, THE RADIUS POINT OF SAID
11 CURVE BEARS SOUTH 46°50'38" WEST;

12
13 THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY AND THE NORTHERLY BOUNDARY OF SAID "PARCEL
14 ONE" THE FOLLOWING FIVE (5) COURSES:

- 15
- 16 1. SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03°56'35", AN ARC LENGTH OF
- 17 77.30 FEET;
- 18 2. NORTH 50°47'13" EAST, A DISTANCE OF 35.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE
- 19 CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1,158.24 FEET, THE RADIUS POINT OF SAID CURVE
- 20 BEARS SOUTH 50°47'13" WEST;
- 21 3. SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°00'32", AN ARC LENGTH OF
- 22 222.55 FEET;
- 23 4. SOUTH 28°12'15" EAST, A DISTANCE OF 16.37 FEET TO THE BEGINNING OF A TANGENT CURVE
- 24 CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1388.24 FEET;
- 25 5. SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 11°51'11", AN ARC LENGTH OF
- 26 287.19 FEET TO THE WESTERLY RIGHT-OF-WAY OF THE BURLINGTON NORTHERN AND SANTA FE
- 27 RAILROAD AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A
- 28 RADIUS OF 1,671.36 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 52°17'22" EAST;
- 29

30 THENCE ALONG SAID WESTERLY RIGHT-OF-WAY AND THE EASTERLY BOUNDARY OF SAID "PARCEL ONE"
31 THE FOLLOWING FIVE (5) COURSES:

- 32
- 33 1. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 06°36'58", AN ARC LENGTH
- 34 OF 193.00 FEET;
- 35 2. SOUTH 31°05'40" WEST, A DISTANCE OF 311.92 FEET TO THE BEGINNING OF A TANGENT CURVE
- 36 CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1128.08 FEET;
- 37 3. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28°37'34", AN ARC LENGTH
- 38 OF 563.61 FEET;
- 39 4. SOUTH 59°43'14" WEST, A DISTANCE OF 941.41 FEET TO THE BEGINNING OF A TANGENT CURVE
- 40 CONCAVE EASTERLY HAVING A RADIUS OF 1328.70 FEET;
- 41 5. THENCE SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 91°47'02", AN ARC
- 42 LENGTH OF 2,128.49 FEET;
- 43

44 THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY ALONG THE SOUTHERLY AND WESTERLY
45 BOUNDARY OF SAID "PARCEL ONE" THE FOLLOWING SEVEN (7) COURSES:

- 46
- 47 1. SOUTH 59°29'56" WEST, A DISTANCE OF 58.01 FEET TO THE BEGINNING OF A NON-TANGENT CURVE
- 48 CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 256.00 FEET, THE RADIUS POINT OF SAID CURVE
- 49 BEARS SOUTH 47°07'13" WEST;
- 50 2. NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°49'36", AN ARC LENGTH
- 51 OF 70.71 FEET;
- 52 3. NORTH 58°42'23" WEST, A DISTANCE OF 247.73 FEET TO THE BEGINNING OF A TANGENT CURVE
- 53 CONCAVE NORTHEASTERLY HAVING A RADIUS OF 193.00 FEET;
- 54 4. NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 33°33'38", AN ARC LENGTH
- 55 OF 113.05 FEET;
- 56
- 57 5. NORTH 25°08'45" WEST, A DISTANCE OF 48.76 FEET TO THE BEGINNING OF A TANGENT CURVE
- 58 CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 134.36 FEET;

1 6. NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°03'05", AN ARC LENGTH
2 OF 44.68 FEET;
3 7. NORTH 44°11'50" WEST, A DISTANCE OF 47.49 FEET TO THE **POINT OF BEGINNING**.
4
5 CONTAINING AN AREA OF 39.716 ACRES, (1,730,041 SQUARE FEET), MORE OR LESS.
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 **Section 4.** That this ordinance shall be recorded by the Manager of Community Planning and
9 Development in the real property records of the Denver County Clerk and Recorder.

10
11 COMMITTEE APPROVAL DATE: November 6, 2018

12 MAYOR-COUNCIL DATE: November 13, 2018

13 PASSED BY THE COUNCIL: _____

14 _____ - PRESIDENT

15 APPROVED: _____ - MAYOR _____

16 ATTEST: _____ - CLERK AND RECORDER,
17 EX-OFFICIO CLERK OF THE
18 CITY AND COUNTY OF DENVER

19 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____;

20 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: November 15, 2018

21 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
22 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
23 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
24 § 3.2.6 of the Charter.

25 Kristin M. Bronson, Denver City Attorney

26 BY: _____, Assistant City Attorney DATE: _____