

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2020

COUNCIL BILL NO. CB20-0966
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance changing the zoning classification for 4407, 4501, 4505, 4601, and 4595 West Alameda Avenue in Barnum West.

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 E-MX-3 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 PUD 550 and E-SU-Dx.
- b. It is proposed that the land area hereinafter described be changed to E-MX-3.

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 PUD 550 and E-SU-Dx to E-MX-3:

PARCEL A: (4407 WEST ALAMEDA AVENUE)

THAT PART OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 7, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SAID SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 7; THENCE WEST 160 FEET; THENCE AT A RIGHT ANGLE NORTH 50 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH AT RIGHT ANGLE WITH THE SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER A DISTANCE OF 172.50 FEET (173.06 FEET AS MEASURED) TO THE SOUTH LINE OF THE NORTH 25 FEET OF THE SOUTH ONE HALF OF THE EAST 4 ACRES OF THE SOUTH 15 ACRES OF SAID SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER;

THENCE WEST ALONG SAID SOUTH LINE 191.95 FEET (196.48' AS MEASURED) TO THE WEST LINE OF THE SOUTH ONE HALF OF THE EAST 4 ACRES OF THE SOUTH 15 ACRES OF SAID SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER;

1 THENCE SOUTH ALONG SAID WEST LINE 172.50 FEET (172.40 FEET AS MEASURED) TO A
2 POINT 50 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER OF THE
3 SOUTHWEST ONE-QUARTER;
4 THENCE EAST 191.95 FEET (192.95 FEET AS MEASURED) TO THE TRUE POINT OF
5 BEGINNING.
6

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

9 PARCEL B: (4501 WEST ALAMEDA AVENUE)

10
11 THE NORTH 120 FEET OF THE SOUTH 170 FEET OF THE EAST 1 ACRE OF THE WEST 5
12 ACRES OF THE EAST 9 ACRES OF SOUTH 15 ACRES OF SE1/4 SW1/4 SECTION 7,
13 TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF
14 DENVER, STATE OF COLORADO.
15

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

19 PARCEL C: (4505 WEST ALAMEDA AVENUE)

20
21 A PART OF THE SE1/4 SW1/4 OF SECTION 7, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE
22 6TH P.M., DESCRIBED AS FOLLOWS:
23

24 BEGINNING AT A POINT ON THE WEST LINE AND 50 FEET NORTH OF THE SOUTHWEST
25 CORNER OF THE EAST ONE ACRE OF THE WEST 5 ACRES OF THE EAST 9 ACRES OF THE
26 SOUTH 15 ACRES OF SAID SOUTHEAST QUARTER;
27 THENCE WESTERLY AND PARALLEL TO THE SOUTH LINE OF SAID SE1/4, 176 FEET (169.65
28 FEET AS MEASURED) TO THE SOUTHWEST CORNER OF THE EAST 1 ACRE OF THE WEST 3
29 ACRES OF THE EAST 9 ACRES OF THE SOUTH 15 ACRE;
30 THENCE NORTHERLY ALONG THE WEST LINE OF SAID EAST ONE ACRE OF THE WEST 3
31 ACRES OF THE EAST 9 ACRES OF THE SOUTH 15 ACRES TO THE NORTH LINE OF SAID
32 SOUTH 15 ACRES;
33 THENCE EASTERLY ALONG SAID NORTH LINE, 90.76 FEET (90.83 FEET AS MEASURED) TO
34 THE NORTHWEST CORNER OF THE PROPERTY DESCRIBED IN BOOK 7904 AT PAGE 210;
35 THENCE SOUTHERLY ON AN ANGLE TO THE RIGHT OF 90°02', 55 FEET (55.04 FEET AS
36 MEASURED);
37 THENCE EASTERLY ON AN ANGLE TO THE LEFT OF 90°02', 38 FEET (37.95 FEET AS
38 MEASURED);
39 THENCE SOUTHERLY ON AN ANGLE TO THE RIGHT OF 90°02', 58.92 FEET (59.03 FEET AS
40 MEASURED);
41 THENCE EASTERLY ON AN ANGLE TO THE LEFT OF 90°02', 5.23 FEET;
42 THENCE SOUTHERLY ON AN ANGLE TO THE RIGHT OF 90°02', 211.68 FEET (211.48 FEET AS
43 MEASURED);
44 THENCE EASTERLY ON AN ANGLE TO THE LEFT OF 90°02', 41.36 FEET (41.41 FEET AS
45 MEASURED) TO THE WEST LINE OF SAID EAST ONE ACRE OF THE WEST 5 ACRES OF THE
46 EAST 9 ACRES OF SAID SOUTH 15 ACRES;
47 THENCE SOUTHERLY ALONG SAID WEST LINE TO THE POINT OF BEGINNING.
48

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

51 PARCEL D: (4601 WEST ALAMEDA AVENUE)

52
53 THE WEST ONE ACRE OF THE EAST FOUR ACRES OF THE WEST FIVE ACRES OF THE EAST
54 NINE ACRES OF THE SOUTH FIFTEEN ACRES OF THE SOUTHEAST QUARTER OF THE

1 SOUTHWEST QUARTER, SECTION 7, TOWNSHIP 4 SOUTH, RANGE 68 WEST, SIXTH
2 PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE
3 PARTICULARLY DESCRIBED AS FOLLOWS:

4
5 COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE
6 SOUTHWEST QUARTER;
7 THENCE WESTERLY ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF THE
8 SOUTHWEST QUARTER A DISTANCE OF 614.84 FEET TO A POINT OF BEGINNING;
9

10 THENCE CONTINUING ALONG AFORESAID LINE 87.86 FEET;
11 THENCE ON AN ANGLE TO THE RIGHT OF 88° 50'00" AND NORTHERLY ALONG A LINE
12 PARALLEL TO THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST
13 QUARTER A DISTANCE OF 495.05 FEET (495.41 FEET AS CALCULATED);
14 THENCE ON AN ANGLE TO THE RIGHT OF 91° 28'0" AND EASTERLY 87.86 FEET;
15 THENCE ON AN ANGLE TO THE RIGHT OF 88° 32'00" AND SOUTHERLY ALONG A LINE
16 PARALLEL TO THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST
17 QUARTER A DISTANCE OF 494.60 FEET (495.40 FEET AS CALCULATED) TO A POINT OF
18 BEGINNING,
19

20 EXCEPT THE SOUTH 50 FEET THEREOF FOR THE RIGHT OF WAY OF WEST ALAMEDA
21 AVENUE,
22

23 EXCEPT THAT PORTION DESCRIBED IN SPECIAL WARRANTY DEEDS RECORDED JULY
24 29, 1992 UNDER RECEPTION NOS. R-92-0085717 AND R-92-0085718, CITY AND COUNTY
25 OF DENVER, STATE OF COLORADO

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

28 PARCEL E: (4595 WEST ALAMEDA AVENUE)

29
30 A PORTION OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST
31 QUARTER OF SECTION 7, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL
32 MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO AND BEING MORE
33 PARTICULARLY DESCRIBED AS FOLLOWS:
34

35 COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER;
36 THENCE N01°11'04"W ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER A DISTANCE
37 OF 50.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE FOR WEST ALAMEDA
38 AVENUE;
39 THENCE S89°58'54"W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND PARALLEL TO THE
40 SOUTH LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 633.00 FEET TO THE POINT OF
41 BEGINNING;
42

43 THENCE S89°58'54"W CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A
44 DISTANCE OF 247.53 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE FOR SOUTH
45 WINONA COURT;
46 THENCE N01°02'39"W ALONG SAID EASTERLY RIGHT-OF-WAY AND A PROLONGATION OF
47 SAID LINE A DISTANCE OF 445.58 FEET (445.34 FEET AS CALCULATED) TO A POINT ON THE
48 SOUTH LINE OF ALAMEDA HILLS FILING NO. 1, SAID POINT ALSO BEING THE NORTHEAST
49 CORNER OF ALAMEDA GARDENS;
50 THENCE N89°57'49"E ALONG THE SOUTH LINE OF SAID ALAMEDA HILLS FILING NO. 1 A
51 DISTANCE OF 247.00 FEET;
52 THENCE S01°06'43"E A DISTANCE OF 445.67 FEET (445.41 FEET AS CALCULATED) TO THE
53 POINT OF BEGINNING.
54

1 EXCEPT THAT PORTION GRANTED TO THE STATE DEPARTMENT OF HIGHWAYS BY
2 RECEPTION NO. 88-0288804, BEING A PARALLELOGRAM 18.0 FEET ADJACENT TO THE
3 NORTH RIGHT-OF-WAY LINE OF WEST ALAMEDA AVENUE AND 7.0 FEET ADJACENT TO THE
4 EAST RIGHT-OF-WAY LINE OF SOUTH WINONA COURT.

5
6 CONTAINING 221,790 SQUARE FEET OR 5.091 ACRES OF LAND, MORE OR LESS.

7
8 in addition, thereto those portions of all abutting public rights-of-way, but only to the centerline
9 thereof, which are immediately adjacent to the aforesaid specifically described area.

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

12 COMMITTEE APPROVAL DATE: September 22, 2020

13 MAYOR-COUNCIL DATE: September 29, 2020

14 PASSED BY THE COUNCIL: _____

15 _____ - PRESIDENT

16 APPROVED: _____ - MAYOR _____

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

20 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

21 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: October 8, 2020

22 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
23 the City Attorney. We find no irregularity as to form and have no legal objection to the proposed
24 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
25 § 3.2.6 of the Charter.

26 Kristin M. Bronson, Denver City Attorney

27 BY: _____, Assistant City Attorney DATE: _____