

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2019

COUNCIL BILL NO. CB19-0058
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance changing the zoning classification for the 3600 Block of Downing, bounded by Downing Street, 37th Avenue, Marion Street, and 36th Avenue, and including vacated portions of Lawrence Street south of 36th Avenue in Cole.

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 C-MX-5, UO-1, UO-2, IO-1, DO-7; C-MX-3, UO-1, UO-2, IO-1, DO-7; C-MX-3, IO-1, DO-7; and C-MS-5, UO-1, 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 B-4 with waivers and conditions, UO-1, UO-2; U-SU-A1; and C-MX-3, UO-1, UO-2.

b. It is proposed that the land area hereinafter described be changed to C-MX-5, UO-1, UO-2, IO-1, DO-7; and C-MX-3, UO-1, UO-2, IO-1, DO-7; C-MX-3, IO-1, DO-7; and C-MS-5, UO-1, 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 B-4 with waivers and conditions, UO-1, UO-2 to C-MX-5, UO-1, UO-2, IO-1, DO-7; and C-MX-3, UO-1, UO-2, IO-1, DO-7:

C-MX-5, UO-1, UO-2, IO-1, DO-7 ZONE DISTRICT BOUNDARY:

A PARCEL OF LAND BEING THE WEST ½ OF BLOCK 16, HYDE PARK ADDITION, LOCATED IN THE NORTHWEST ¼ OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

1 BEGINNING AT THE SOUTHWEST CORNER OF LOT 15, BLOCK 16, HYDE PARK
2 ADDITION; THENCE N00°02'56"W ALONG THE WEST LINE OF SAID LOT 15 AND SAID
3 LINE EXTENDED, 375.28 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 16,
4 HYDE PARK ADDITION; THENCE S89°58'50"E ALONG THE NORTH LINE OF SAID LOT
5 1 AND SAID LINE EXTENDED, 133.58 FEET; THENCE S00°03'34"E, 375.24 FEET TO A
6 POINT ON THE NORTH RIGHT-OF-WAY LINE OF 36TH AVENUE; THENCE
7 N89°59'50"W ALONG SAID NORTH RIGHT-OF-WAY LINE, 133.64 FEET TO THE POINT
8 OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

9
10 THE ABOVE DESCRIBED PARCEL CONTAINS 50,138 SQUARE FEET OR 1.151
11 ACRES MORE OR LESS.

12
13 in addition, thereto those portions of all abutting public rights-of-way, but only to the centerline
14 thereof, which are immediately adjacent to the aforesaid specifically described area.

15
16 **C-MX-3, UO-1, UO-2, IO-1, DO-7 ZONE DISTRICT BOUNDARY:**

17
18 A PARCEL OF LAND BEING THE EAST ½ OF BLOCK 16, HYDE PARK ADDITION,
19 LOCATED IN THE NORTHWEST ¼ OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 68
20 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO,
21 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

22
23 BEGINNING AT THE SOUTHWEST CORNER OF LOT 15, BLOCK 16, HYDE PARK
24 ADDITION; THENCE S89°59'50"E ALONG THE SOUTH LINE OF SAID LOT 15 AND
25 SAID LINE EXTENDED, 133.64 FEET TO THE TRUE POINT OF BEGINNING; THENCE
26 N00°03'34"W, 375.24 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF
27 37TH AVENUE; THENCE S89°58'50"E ALONG SAID SOUTH RIGHT-OF-WAY LINE,
28 133.58 FEET TO THE NORTHEAST CORNER OF LOT 30, BLOCK 16, HYDE PARK
29 ADDITION; THENCE S00°04'06"E ALONG THE EAST LINE OF SAID LOT 30 AND SAID
30 LINE EXTENDED, 375.20 FEET TO THE SOUTHEAST CORNER OF LOT 16, BLOCK 16,
31 HYDE PARK ADDITION; THENCE N89°59'50"W ALONG THE SOUTH LINE OF SAID
32 LOT 16 AND SAID LINE EXTENDED, 133.64 FEET TO THE POINT OF BEGINNING,
33 CITY AND COUNTY OF DENVER, STATE OF COLORADO.

34
35 THE ABOVE DESCRIBED PARCEL CONTAINS 50,133 SQUARE FEET OR 1.151
36 ACRES MORE OR LESS.

37
38 in addition, thereto those portions of all abutting public rights-of-way, but only to the centerline
39 thereof, which are immediately adjacent to the aforesaid specifically described area.

40
41 **Section 3.** That the zoning classification of the land area in the City and County of
42 Denver described as follows shall be and hereby is changed from U-SU-A1 to C-MX-3, IO-1, DO-7:

43
44 **C-MX-3, IO-1, DO-7 ZONE DISTRICT BOUNDARY (EAST PARCEL):**

45
46 A PARCEL OF LAND BEING A PORTION OF BLOCK 16, HYDE PARK ADDITION,
47 LOCATED IN THE NORTHWEST ¼ OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 68
48 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO,
49 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

1
2 BEGINNING AT THE SOUTHEAST CORNER OF LOT 16, BLOCK 16, HYDE PARK
3 ADDITION; THENCE N89°59'50"W ALONG THE SOUTH LINE OF SAID LOT 16, 109.62
4 FEET; THENCE DEPARTING FROM SAID SOUTH LINE N44°57'10"E, 39.72 FEET;
5 THENCE N35°41'40"E, 61.83 FEET; THENCE N30°02'59"E, 61.99 FEET; THENCE
6 N23°40'54"E, 35.47 FEET TO A POINT ON THE EAST LINE OF SAID BLOCK 16, HYDE
7 PARK ADDITION; THENCE S00°04'06"E ALONG SAID EAST LINE OF SAID BLOCK 16,
8 164.46 FEET TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE
9 OF COLORADO.

10
11 THE ABOVE DESCRIBED PARCEL CONTAINS 7,706 SQUARE FEET OR 0.1769
12 ACRES MORE OR LESS.

13
14 in addition, thereto those portions of all abutting public rights-of-way, but only to the centerline
15 thereof, which are immediately adjacent to the aforesaid specifically described area.

16
17 **Section 4.** That the zoning classification of the land area in the City and County of
18 Denver described as follows shall be and hereby is changed from C-MX-3, UO-1, UO-2 to C-MS-5,
19 UO-1, UO-2:

20
21 **C-MS-5, UO-1, UO-2 ZONE DISTRICT BOUNDARY:**

22
23 A PARCEL OF LAND BEING A PORTION OF BLOCK 17, HYDE PARK ADDITION,
24 LOCATED IN THE NORTHWEST ¼ OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 68
25 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO,
26 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

27
28 BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 17, HYDE PARK
29 ADDITION; THENCE S89°59'50"E ALONG THE NORTH LINE OF SAID LOT 1 AND SAID
30 LINE EXTENDED, 156.15 FEET TO A POINT ON THE NORTH LINE OF LOT 30, BLOCK
31 17, HYDE PARK ADDITION; THENCE S44°58'19"W, 21.20 FEET TO A POINT ON THE
32 EAST LINE OF THE EXISTING PUBLIC ALLEY; THENCE S46°49'18"W, 21.92 FEET TO
33 A POINT ON THE WEST LINE OF THE EXISTING PUBLIC ALLEY; THENCE
34 S44°09'02"W, 114.98 FEET; THENCE S50°10'34"W, 58.55 FEET TO THE SOUTHWEST
35 CORNER OF LOT 6, BLOCK 17, HYDE PARK ADDITION; THENCE N00°02'56"W ALONG
36 THE WEST LINE OF SAID LOT 6 AND SAID LINE EXTENDED, 150.00 FEET TO THE
37 POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

38
39 THE ABOVE DESCRIBED PARCEL CONTAINS 12,090 SQUARE FEET OR 0.2775
40 ACRES MORE OR LESS.

41
42 **BASIS OF BEARINGS:**

43
44 AN ASSUMED BEARING OF N89°59'55"E BEING A 4' OFFSET LINE TO THE SOUTH
45 LINE OF BLOCK 1, HYDE PARK ADDITION, BETWEEN TWO MONUMENTS 354.14
46 FEET APART; BOTH MONUMENTS BEING CHISELED CROSSES IN THE CONCRETE
47 CURB, ONE AT THE NORTHEAST CORNER OF THE INTERSECTION OF DOWNING
48 STREET AND 37TH AVENUE AND THE OTHER AT THE NORTHEAST CORNER OF
49 THE INTERSECTION OF MARION STREET AND 37TH AVENUE.

1
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 5.** That this ordinance shall be recorded by the Manager of Community Planning and
5 Development in the real property records of the Denver County Clerk and Recorder.

6 COMMITTEE APPROVAL DATE: January 29, 2019

7 MAYOR-COUNCIL DATE: February 5, 2019

8 PASSED BY THE COUNCIL: _____

9 _____ - PRESIDENT

10 APPROVED: _____ - MAYOR _____

11 ATTEST: _____ - CLERK AND RECORDER,
12 EX-OFFICIO CLERK OF THE
13 CITY AND COUNTY OF DENVER

14 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

15 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: February 7, 2019

16 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
17 the City Attorney. We find no irregularity as to form and have no legal objection to the proposed
18 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
19 § 3.2.6 of the Charter.

20 Kristin M. Bronson, Denver City Attorney

21 BY: _____, Assistant City Attorney DATE: _____