

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2018

COUNCIL BILL NO. CB18-0699
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance changing the zoning classification for 10050 & 10150 East Harvard Avenue and 2570 South Dayton Way in the Hampden neighborhood.

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 S-MU-5 and S-MU-8 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 districts;

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 R-2-A.
- b. It is proposed that the land area hereinafter described be changed to S-MU-8 and S-MU-5.

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 R-2-A to S-MU-8:

WOODSTREAM VILLAGE - LEGAL DESCRIPTION

A TRACT OF LAND BEING A PORTION OF BLOCK 3, WOODSTREAM VILLAGE, A SUBDIVISION LOCATED IN A PART OF THE SOUTH 1/2 OF SECTION 27, AND A PART OF THE NORTH 1/2 OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH P.M. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID BLOCK 3, ALSO BEING THE INTERSECTION OF THE EAST LINE OF SOUTH DAYTON WAY AND THE SOUTH LINE OF HARVARD AVENUE;

THENCE ALONG SAID SOUTH LINE OF HARVARD AVENUE THE FOLLOWING TWO COURSES:

1) NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST A DISTANCE OF 554.55 FEET TO THE BEGINNING OF A 165.00 FOOT RADIUS CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 41 DEGREES, 11 MINUTES, 55 SECONDS;

2) THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 118.64 FEET (THE CHORD OF SAID ARC BEARING NORTH 69 DEGREES, 24 MINUTES, 02 SECONDS EAST 116.10 FEET) TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID SOUTH LINE THE FOLLOWING FOUR COURSES:

1) ALONG THE ARC (THE CHORD OF WHICH BEARS NORTH 46 DEGREES, 54 MINUTES, 02 SECONDS, EAST 10.95 FEET) OF SAID 165 FOOT RADIUS CURVE, HAVING A CENTRAL ANGLE OF 3 DEGREES, 48 MINUTES, 05 SECONDS, A DISTANCE OF 10.95 FEET TO A POINT OF TANGENT;

2) THENCE NORTH 45 DEGREES, 00 MINUTES, 00 SECONDS EAST ALONG SAID TANGENT A DISTANCE OF 373.22 FEET TO THE BEGINNING OF A 100.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 91 DEGREES, 12 MINUTES, 00 SECONDS;

3) THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 159.17 FEET TO A POINT OF TANGENT;

4) THENCE SOUTH 43 DEGREES, 48 MINUTES, 00 SECONDS EAST ALONG SAID TANGENT A DISTANCE OF 590.97 FEET TO THE BEGINNING OF A 172.07 FOOT RADIUS CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 83 DEGREES, 42 MINUTES, 55 SECONDS, ALSO BEING A POINT ON THE NORTHWESTERLY LINE OF VASSAR DRIVE;

THENCE ALONG SAID NORTHWESTERLY LINE OF VASSAR DRIVE THE FOLLOWING THREE COURSES:

1) ALONG THE ARC OF SAID CURVE A DISTANCE OF 251.41 FEET TO A POINT OF TANGENT;

2) THENCE SOUTH 39 DEGREES, 54 MINUTES, 55 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 222.78 FEET TO THE BEGINNING OF A 390.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 50 DEGREES, 11 MINUTES, 29 SECONDS;

3) THENCE ALONG THE ARC (THE CHORD OF WHICH BEARS SOUTH 65 DEGREES, 00 MINUTES, 40 SECONDS WEST 330.82 FEET) OF SAID CURVE A DISTANCE OF 341.64 FEET;

THENCE NORTH 00 DEGREES, 52 MINUTES, 18 SECONDS EAST A DISTANCE OF 263.68 FEET;

THENCE NORTH 89 DEGREES, 07 MINUTES, 42 SECONDS WEST A DISTANCE OF 59.00 FEET;

THENCE SOUTH 00 DEGREES, 52 MINUTES, 18 SECONDS WEST A DISTANCE OF 16.00 FEET;

1 THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS WEST A DISTANCE OF
2 200.75 FEET;
3 THENCE NORTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST A DISTANCE OF 197.00
4 FEET;
5 THENCE NORTH 51 DEGREES, 17 MINUTES, 07 SECONDS EAST A DISTANCE OF 53.49
6 FEET;
7 THENCE NORTH 38 DEGREES, 42 MINUTES, 53 SECONDS WEST A DISTANCE OF
8 279.11 FEET;
9 TO THE TRUE POINT OF BEGINNING,

10 CITY AND COUNTY OF DENVER,
11 STATE OF COLORADO

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 **Section 3.** That the zoning classification of the land area in the City and County of Denver
15 described as follows shall be and hereby is changed from R-2-A to S-MU-5:

16 **DAYTON CROSSING - LEGAL DESCRIPTION**

17 A TRACT OF LAND BEING A PORTION OF BLOCK 3, WOODSTREAM VILLAGE, A
18 SUBDIVISION LOCATED IN A PART OF THE SOUTH 1/2 OF SECTION 27, AND A PART
19 OF THE NORTH 1/2 OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE
20 6TH P.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

21 BEGINNING AT THE NORTHWEST CORNER OF SAID BLOCK 3, ALSO BEING THE
22 INTERSECTION OF THE EAST LINE OF SOUTH DAYTON WAY AND THE SOUTH LINE
23 OF HARVARD AVENUE; THENCE ALONG SAID SOUTH LINE OF HARVARD AVENUE
24 THE FOLLOWING TWO COURSES:

- 25 1) NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS EAST A DISTANCE OF 554.55
26 FEET TO THE BEGINNING OF A 165.00 FOOT RADIUS CURVE TO THE LEFT
27 HAVING A CENTRAL ANGLE OF 41 DEGREES, 11 MINUTES, 55 SECONDS;
- 28 2) THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 118.64 FEET (THE
29 CHORD OF SAID ARC BEARING NORTH 69 DEGREES, 24 MINUTES, 02 SECONDS
30 EAST 116.10 FEET);

31 THENCE SOUTH 38 DEGREES, 42 MINUTES, 53 SECONDS EAST A DISTANCE OF 279.11
32 FEET; THENCE SOUTH 51 DEGREES, 17 MINUTES, 07 SECONDS WEST A DISTANCE
33 OF 53.49 FEET; THENCE SOUTH 00 DEGREES, 00 MINUTES, 00 SECONDS EAST A
34 DISTANCE OF 197.00 FEET; THENCE NORTH 90 DEGREES, 00 MINUTES, 00 SECONDS
35 EAST A DISTANCE OF 200.75 FEET; THENCE NORTH 00 DEGREES, 52 MINUTES, 18
36 SECONDS EAST A DISTANCE OF 16.00 FEET; THENCE SOUTH 89 DEGREES, 07
37 MINUTES, 42 SECONDS EAST A DISTANCE OF 59.00 FEET; THENCE SOUTH 00
38 DEGREES, 52 MINUTES, 18 SECONDS WEST A DISTANCE OF 263.68 FEET TO A POINT
39 ON A 390.00 FOOT RADIUS CURVE TO THE RIGHT, ALSO BEING A POINT ON THE
40 NORTH LINE OF VASSAR DRIVE; THENCE CONTINUING ALONG SAID NORTH LINE
41 OF VASSAR DRIVE THE FOLLOWING FOUR COURSES:

- 1) ALONG THE ARC (THE CHORD OF WHICH BEARS NORTH 84 DEGREES, 24 MINUTES, 18 SECONDS WEST 74.59 FEET) OF SAID 390.00 FOOT RADIUS CURVE HAVING A CENTRAL ANGLE OF 10 DEGREES, 58 MINUTES, 31 SECONDS A DISTANCE OF 74.71 FEET TO A POINT OF TANGENT;
- 2) THENCE NORTH 78 DEGREES, 55 MINUTES, 05 SECONDS WEST A DISTANCE OF 295.00 FEET TO THE BEGINNING OF A 280.00 FOOT RADIUS CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 37 DEGREES, 30 MINUTES, 00 SECONDS;
- 3) THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 183.26 FEET TO A POINT OF TANGENT;
- 4) THENCE SOUTH 63 DEGREES, 34 MINUTES, 55 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 66.43 FEET TO THE INTERSECTION OF SAID NORTH LINE OF VASSAR DRIVE AND SAID EAST LINE OF SOUTH DAYTON WAY;

THENCE ALONG SAID EAST LINE OF SOUTH DAYTON WAY THE FOLLOWING FOUR COURSES:

- 1) ALONG THE ARC (THE CHORD OF WHICH BEARS NORTH 44 DEGREES, 35 MINUTES, 28 SECONDS WEST 272.41 FEET) OF A 560.00 FOOT RADIUS CURVE HAVING A CENTRAL ANGLE OF 28 DEGREES, 09 MINUTES, 14 SECONDS A DISTANCE OF 275.17 FEET TO A POINT OF TANGENT;
- 2) THENCE NORTH 58 DEGREES, 40 MINUTES, 05 SECONDS WEST ALONG SAID TANGENT A DISTANCE OF 90.00 FEET TO THE BEGINNING OF A 380.00 FOOT RADIUS CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 58 DEGREES, 45 MINUTES, 00 SECONDS;
- 3) THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 389.64 FEET TO A POINT OF TANGENT;
- 4) THENCE NORTH 00 DEGREES, 04 MINUTES, 55 SECONDS EAST ALONG SAID TANGENT A DISTANCE OF 79.62 FEET TO THE POINT OF BEGINNING;

EXCEPT THE PORTION BETWEEN THE ARC OF A 20.00 FOOT RADIUS CURVE AND SAID EAST LINE OF SAID DAYTON WAY AT THE FOLLOWING TWO LOCATIONS:

- 1) THE INTERSECTION OF SAID EAST LINE AND SAID SOUTH LINE OF HARVARD AVENUE;
- 2) THE INTERSECTION OF SAID EAST LINE WITH SAID NORTH LINE OF VASSAR DRIVE,

CITY AND COUNTY OF DENVER,
STATE OF COLORADO

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

1 **Section 4.** That this ordinance shall be recorded by the Manager of Community Planning and
2 Development in the real property records of the Denver County Clerk and Recorder.

3 COMMITTEE APPROVAL DATE: June 26, 2018

4 MAYOR-COUNCIL DATE: July 3, 2018 by Consent

5 PASSED BY THE COUNCIL: _____

6 _____ - PRESIDENT

7 APPROVED: _____ - MAYOR _____

8 ATTEST: _____ - CLERK AND RECORDER,
9 EX-OFFICIO CLERK OF THE
10 CITY AND COUNTY OF DENVER

11 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

12 PREPARED BY: Adam C. Hernandez, Assistant City Attorney DATE: July 5, 2018

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

17 Kristin M. Bronson, Denver City Attorney

18 BY: _____, Assistant City Attorney DATE: _____