

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2021

COUNCIL BILL NO. CB21-0391
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance changing the zoning classification for 4995 North Washington Street, 4949 North Washington Street, 4930 North Pearl Street and 4934 North Pearl Street in Globeville.

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 G-MS-5 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-3, UO-2.
- b. It is proposed that the land area hereinafter described be changed to G-MS-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 I-MX-3, UO-2 to G-MS-5:

PARCEL A:

THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., (BEING SHOWN ON THE PLAT OF W.H. CLARK'S SECOND SUBDIVISION), DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON A COUNTY ROAD 230 FEET SOUTH AND 60 FEET WEST OF THE NORTHEAST CORNER OF SAID SOUTHEAST ¼ OF THE SOUTHEAST ¼; THENCE SOUTH AND PARALLEL WITH THE EAST LINE OF SAID SECTION, A DISTANCE OF 50 FEET; THENCE WEST AT RIGHT ANGLES, A DISTANCE OF 230.5 FEET; THENCE NORTH AT RIGHT ANGLES, A DISTANCE OF 50 FEET; THENCE EAST AT RIGHT ANGLES, A DISTANCE OF 230.5 FEET TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

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

3 **PARCEL B:**
4

5 THE NORTH 125 FEET OF PLOT 9, W.H. CLARK'S SECOND SUBDIVISION, CITY AND
6 COUNTY OF DENVER, STATE OF COLORADO.
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 **PARCEL C:**
11

12 THE SOUTH 25 FEET OF THE EAST 50 FEET OF PLOT 10, W.H. CLARK'S SECOND
13 SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.
14

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

17 **PARCEL D:**
18

19 THAT PART OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 15,
20 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., (BEING SHOWN ON THE
21 PLAT OF W.H. CLARK'S SECOND SUBDIVISION), DESCRIBED AS FOLLOWS:
22

23 COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 15; THENCE NORTH
24 ALONG THE EAST LINE OF SAID SECTION FOR 1100.8 FEET; THENCE WEST AT
25 RIGHT ANGLES 60 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH AT
26 RIGHT ANGLES 25 FEET; THENCE WEST AT RIGHT ANGLES 218 FEET MORE OR
27 LESS TO THE EAST LINE OF PLOT 10, W.H. CLARK'S SECOND SUBDIVISION;
28 THENCE SOUTH ALONG THE EAST LINE 25 FEET; THENCE EAST TO THE POINT OF
29 BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.
30

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 **PARCEL E:**
34

35 THE EAST 50 FEET OF PLOT 10, EXCEPT THE SOUTH 25 FEET THEREOF, W.H.
36 CLARK'S SECOND SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF
37 COLORADO.
38

39 in addition, thereto those portions of all abutting public rights-of-way, but only to the centerline
40 thereof, which are immediately adjacent to the aforesaid specifically described area.
41
42

1 **PARCEL F:**

2
3 PLOT 1, W.H. CLARK'S SECOND SUBDIVISION,

4
5 EXCEPT THAT PART OF SAID PLOT 1, BEING A PART OF THE SOUTHEAST 1/4 OF
6 THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF
7 THE 6TH P.M., DESCRIBED AS FOLLOWS:

8
9 COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 15; THENCE NORTH
10 ALONG THE EAST LINE OF SAID SECTION, A DISTANCE OF 1100.8 FEET; THENCE
11 WEST AT RIGHT ANGLES, A DISTANCE OF 60 FEET TO THE TRUE POINT OF
12 BEGINNING; THENCE NORTH AT RIGHT ANGLES, A DISTANCE OF 25 FEET; THENCE
13 WEST AT RIGHT ANGLES, A DISTANCE OF 218 FEET, MORE OR LESS, TO THE EAST
14 LINE OF PLOT 10, W.H. CLARK'S SECOND SUBDIVISION; THENCE SOUTH ALONG
15 SAID EAST LINE, A DISTANCE OF 25 FEET; THENCE EAST TO A POINT THAT IS 60
16 FEET WEST OF THE EAST LINE OF SAID SECTION 15, SAID POINT BEING THE TRUE
17 POINT OF BEGINNING;

18
19 AND EXCEPT THAT PART OF SAID PLOT 1, BEING A PART OF THE SOUTHEAST 1/4
20 OF THE SOUTHEAST 1/4 OF SECTION 15, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF
21 THE 6TH P.M., AS CONVEYED TO THE CITY AND COUNTY OF DENVER IN DEED
22 RECORDED JANUARY 19, 1971 IN BOOK 273 AT PAGE 563, CITY AND COUNTY OF
23 DENVER, STATE OF COLORADO.

24
25 in addition, thereto those portions of all abutting public rights-of-way, but only to the centerline
26 thereof, which are immediately adjacent to the aforesaid specifically described area.

27 **PARCEL G:**

28
29 THAT PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 15,
30 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS:

31
32 BEGINNING AT A POINT 280 FEET SOUTH AND 60 FEET WEST OF THE NORTHEAST
33 CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 15;
34 THENCE SOUTH 50 FEET; THENCE AT RIGHT ANGLES WEST 230 1/2 FEET; THENCE
35 AT RIGHT ANGLES NORTH 50 FEET; THENCE AT RIGHT ANGLES EAST 230 1/2 FEET
36 TO THE POINT OF BEGINNING, BEING A PART OF PLOT 2, W.H. CLARK'S SECOND
37 SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

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

41 **PARCEL H:**

42
43 THE SOUTH 1/2 OF THE NORTH 1/2 OF THE SOUTH 1/2 OF PLOT 9, W.H. CLARK'S
44 SECOND SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

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

3 **PARCEL I:**

4
5 THE SOUTH 1/2 OF THE SOUTH 1/2 OF PLOT 9, W.H. CLARK'S SECOND
6 SUBDIVISION, CITY AND COUNTY
7 OF DENVER, STATE OF COLORADO.

8
9 NOTE: SAID PARCELS A THROUGH I ARE ALSO DESCRIBED AS FOLLOWS:

10
11 PLOT 1, EXCEPT THAT PART OF SAID PLOT 1 AS CONVEYED TO THE CITY AND
12 COUNTY OF DENVER IN DEED RECORDED JANUARY 19, 1971 IN BOOK 273 AT PAGE
13 563, THE NORTH 1/2 OF PLOT 2, ALL OF PLOT 9, AND THE EAST 50 FEET OF PLOT
14 10, ALL IN W.H. CLARK'S SECOND SUBDIVISION, CITY AND COUNTY OF DENVER,
15 STATE OF COLORADO.

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

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

21 COMMITTEE APPROVAL DATE: April 6, 2021

22 MAYOR-COUNCIL DATE: April 13, 2021 by Consent

23 PASSED BY THE COUNCIL: _____ May 17, 2021

24 *Steve Gilmore* _____ - PRESIDENT

25 APPROVED: _____ - MAYOR *Michael* _____ May 21, 2021

26 ATTEST: _____ - CLERK AND RECORDER,
27 EX-OFFICIO CLERK OF THE
28 CITY AND COUNTY OF DENVER

29 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

30 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: April 15, 2021

31 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
32 the City Attorney. We find no irregularity as to form and have no legal objection to the proposed
33 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
34 § 3.2.6 of the Charter.

35 Kristin M. Bronson, Denver City Attorney

36 BY: *Jonathan Griffin*, Assistant City Attorney DATE: Apr 15, 2021