

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2012

COUNCIL BILL NO. CB12-0731
COMMITTEE OF REFERENCE:
4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance changing the zoning classification for properties located at 360**
7 **S. Monroe Street.**
8

9 **WHEREAS**, the City Council has determined, based on evidence and testimony presented
10 at the public hearing, that the map amendment set forth below conforms with applicable City laws,
11 is in accordance with the Comprehensive Plan, is necessary to promote the public health, safety
12 and general welfare of the City, is justified by one of the circumstances set forth in Section
13 12.4.10.14 of the Denver Zoning Code, and is consistent with the neighborhood context and the
14 stated purpose and intent of the proposed zone district;

15 **NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF**
16 **DENVER:**

17 **Section 1.** That upon consideration of a change in the zoning classification of the land area
18 hereinafter described, Council finds:

- 19 1. That the land area hereinafter described is presently classified as B-4, with waivers.
20 2. That the Owner proposes that the land area hereinafter described be changed to C-MX-8.

21 **Section 2.** That the zoning classification of the land area in the City and County of
22 Denver described as follows or included within the following boundaries shall be and hereby is
23 changed from B-4, with waivers, to C-MX-8.

24
25 **[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]**
26

THREE PARCELS OF LAND WITHIN BLOCK 4, BURNSDALE, LOCATED IN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN CITY AND COUNTY OF DENVER, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL A:

ALL OF LOTS 3 THROUGH 11, BLOCK 4, BURNSDALE EXCEPT THE NORTHERLY 38 ½ INCHES OF SAID LOT 3; SAID PARCEL BEING SUBORDINATELY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE WESTERLY LINE OF LOT 3, BEING 38 ½ INCHES SOUTH OF THE NORTHERLY LINE OF LOT 3 AND BEING THE POINT OF BEGINNING;
THENCE N89°56'07"E ALONG A LINE 38 ½ INCHES SOUTH OF AND PARALLEL TO THE NORTHERLY LINE OF SAID LOT 3, A DISTANCE OF 125.07 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 3;
THENCE S00°02'40"E ALONG THE EASTERLY LINE OF SAID LOTS 3 THROUGH 11, A DISTANCE OF 221.97 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 11;
THENCE S89°56'02"W ALONG THE SOUTHERLY LINE OF SAID LOT 11, A DISTANCE OF 125.07 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 11;
THENCE N00°02'40"W ALONG THE WESTERLY LINE OF SAID LOTS 3 THROUGH 11, A DISTANCE OF 221.97 FEET TO THE POINT OF BEGINNING
SAID PARCEL CONTAINS 0.637 ACRES (27,763 SQUARE FEET) PLUS OR MINUS.

PARCEL B:

ALL OF LOTS 39 THROUGH 48, BLOCK 4, BURNSDALE; SAID PARCEL BEING SUBORDINATELY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID LOT 39 ALSO BEING THE POINT OF BEGINNING;
THENCE N00°02'40"W ALONG THE WESTERLY LINE OF SAID LOTS 39 THROUGH 48, A DISTANCE OF 250.20 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 48;
THENCE N89°56'07"E ALONG THE NORTHERLY LINE OF SAID LOT 48, A DISTANCE OF 125.07 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 48;
THENCE S00°02'40"E ALONG THE EASTERLY LINE OF SAID LOTS 39 THROUGH 48, A DISTANCE OF 250.20 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 39;
THENCE S89°56'02"W ALONG THE SOUTHERLY LINE OF SAID LOT 39, A DISTANCE OF 125.07 FEET TO THE POINT OF BEGINNING.
SAID PARCEL CONTAINS 0.718 ACRES (31,293 SQUARE FEET) PLUS OR MINUS.

PARCEL C:

COMMENCING AT A POINT ON THE SOUTHEAST CORNER OF LOT 12 BLOCK 4 BURNSDALE, ALSO BEING THE POINT OF BEGINNING;
THENCE N89°56'02"E ALONG THE SOUTHERLY LINE OF SAID LOT 12 EXTENDED A DISTANCE OF 15.00 FEET TO THE NORTHWESTERLY CORNER OF LOT 38 BLOCK 4 BURNSDALE;
THENCE S00°02'40"E ALONG THE WESTERLY LINE OF LOTS 27 THROUGH 38 BLOCK 4 BURNSDALE, A DISTANCE OF 295.24 FEET TO A POINT ON THE NORTHERLY RIGHT-OR-WAY LINE OF EAST DAKOTA AVENUE;

THENCE S89°55'55"W ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF EAST DAKOTA AVENUE A DISTANCE OF 13.11 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF CHERRY CREEK NORTH DRIVE;
 THENCE N42°56'47"W ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF CHERRY CREEK NORTH DRIVE A DISTANCE OF 186.50 FEET TO A POINT ON THE WESTERLY LINE OF LOT 19 BLOCK 4 BURNSDALE;
 THENCE N00°02'40"W ALONG THE WESTERLY LINE OF LOTS 12 THROUGH 19 BLOCK 4 BURNSDALE, A DISTANCE OF 167.59 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT 12 BEING 16.00 FEET SOUTH OF THE NORTHERLY LINE OF SAID LOT 12;
 THENCE N89°56'02"E ALONG A LINE 16.00 FEET SOUTH OF AND PARALLEL TO THE NORTHERLY LINE OF SAID LOT 12 A DISTANCE OF 85.00 FEET;
 THENCE S59°09'44"E A DISTANCE OF 17.56 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 12;
 THENCE N89°56'02"E ALONG THE SOUTHERLY LINE OF SAID LOT 12 A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING.
 SAID PARCEL CONTAINS 0.769 ACRES (33,514 SQUARE FEET) PLUS OR MINUS.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

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

COMMITTEE APPROVAL DATE: October 16, 2012
 MAYOR-COUNCIL DATE: October 23, 2012

PASSED BY THE COUNCIL: _____, 2012
 _____ - PRESIDENT

APPROVED: _____ - MAYOR _____, 2012

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

NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2012; _____, 2012

PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: October 25, 2012

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

Douglas J. Friednash, Denver City Attorney

BY: _____, Assistant City Attorney DATE: _____, 2012