

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2019

COUNCIL BILL NO. CB19-0187
COMMITTEE OF REFERENCE:
4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance changing the zoning classification for 3220 Shoshone Street in**
7 **Highland.**

8 **WHEREAS**, the City Council has determined, based on evidence and testimony presented
9 at the public hearing, that the map amendment set forth below conforms with applicable City laws,
10 is consistent with the City’s adopted plans, furthers the public health, safety and general welfare of
11 the City, will result in regulations and restrictions that are uniform within the U-RX-3 district, is
12 justified by one of the circumstances set forth in Section 12.4.10.8 of the Denver Zoning Code, and
13 is consistent with the neighborhood context and the stated purpose and intent of the proposed zone
14 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 a. The land area hereinafter described is presently classified as U-RH-2.5, DO-4.
- 20 b. It is proposed that the land area hereinafter described be changed to U-RX-3.

21 **Section 2.** That the zoning classification of the land area in the City and County of Denver
22 described as follows shall be and hereby is changed from U-RH-2.5, DO-4 to U-RX-3:

23 **LEGAL DESCRIPTION (PARCEL 1)**

24 THAT PART OF LOT 2, BLOCK2, H. WITTER’S NORTH DENVER ADDITION, CITY AND
25 COUNTY OF DENVER, COLORADO, LYING NORTHEAST OF THE NORTHEAST LINE
26 OF 18TH STREET PROJECTED NORTHWESTERLY, AS SAID STREEET NOW EXIST
27 BETWEEN BLOCKS 17 AD 18 OF KASSERMAN’S ADDITION TO DENVER, CITY AND
28 COUNTY OF DENVER, COLORADO, EXCEPT THE NORTH 10 FEET OF THE EAST 95
29 FEET THEREOF AND EXCEPT THE EAST 5 FEET OF THE SOUTH 176.80 FEET
30 THEREOF.
31

32 **LEGAL DESCRIPTION (PARCEL 2)**

33 THAT PORTION OF LOT 2, BLOCK 2, H. WITTER'S NORTH DENVER ADDITION LYING
34 SOUTHWEST OF THE NORTHEAST LINE OF 18TH STREET PROJECTED
35 NORTHWESTERLY, AS SAID STREET NOW EXISTS BETWEEN BLOCKS 17 AND 18
36 OF KASSERMAN'S ADDITION TO DENVER AND DESCRIBED IN THE WARRANTY
37 DEED RECORDED JULY 15, 1887 IN BOOK 344 AT PAGE 135 IN THE RECORDS OF
38 THE CLERK AND RECORDER'S OFFICE OF THE COUNTY OF ARAPAHOE, STATE OF
39 COLORADO, SITUATED IN THE NORTHWEST 1/4 OF SECTION 28, TOWNSHIP 3

1 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY & COUNTY OF DENVER, STATE OF
2 COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

3 COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2, BLOCK 2;

4 THENCE SOUTH 00°04'23" EAST, ALONG THE WEST LINE OF SAID LOT 2 AND
5 ALONG THE EAST RIGHT-OF-WAY LINE OF SHOSHONE STREET, A DISTANCE OF
6 100.02 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO LIES ON THE
7 NORTHWESTERLY EXTENSION OF SAID NORTHEAST LINE OF 18TH STREET;

8 THENCE SOUTH 45°06'59" EAST, DEPARTING SAID WEST LINE OF LOT 2 AND
9 ALONG THE NORTHWEST EXTENSION OF THE NORTHEAST LINE OF 18TH STREET,
10 A DISTANCE OF 123.04 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 2,
11 BLOCK 2 AND A POINT ON THE NORTH RIGHT-OF-WAY LINE OF WEST 32ND
12 AVENUE;

13 THENCE SOUTH 89°59'58" WEST, DEPARTING SAID NORTHWEST PROJECTION OF
14 THE NORTHEAST LINE OF 18TH STREET AND ALONG THE NORTH RIGHT-OF-WAY
15 LINE OF WEST 32ND AVENUE, A DISTANCE OF 87.07 FEET TO THE SOUTHWEST
16 CORNER OF SAID LOT 2, BLOCK 2 AND A POINT ON THE EAST RIGHT-OF-WAY LINE
17 OF SHOSHONE STREET;

18 THENCE NORTH 00°04'23" WEST, DEPARTING SAID NORTH RIGHT-OF-WAY LINE
19 AND ALONG THE EAST RIGHT-OF-WAY LINE FOR SHOSHONE STREET, A DISTANCE
20 OF 86.83 FEET TO THE POINT OF BEGINNING.

21 CONTAINING 3,780 SQUARE FEET OR 0.09 ACRES, MORE OR LESS

22
23 FOR THE PURPOSE OF THIS DESCRIPTION THE BEARINGS ARE BASED ON THE
24 WEST LINE OF SAID LOT 2, BLOCK 2, H. WITTER'S NORTH DENVER ADDITION AS
25 MONUMENTED BY A NAIL WITH A 1" BRASS TAG LS 23689 AT A 18.5' OFFSET TO
26 THE NORTHWEST CORNER OF SAID LOT 2 AND BY A #5 REBAR W/ 1-1/4" ORANGE
27 PLASTIC CAP STAMPED LS 38026 AT THE SOUTH END AND BEARS SOUTH 0°04'23"
28 EAST.

29
30 in addition, thereto those portions of all abutting public rights-of-way, but only to the centerline
31 thereof, which are immediately adjacent to the aforesaid specifically described area.

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

34 **[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]**

1 COMMITTEE APPROVAL DATE: March 5, 2019

2 MAYOR-COUNCIL DATE: March 12, 2019

3 PASSED BY THE COUNCIL: _____

4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____

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

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

10 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: March 14, 2019

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

15 Kristin M. Bronson, Denver City Attorney

16 BY: _____, Assistant City Attorney DATE: _____