

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2016

COUNCIL BILL NO. CB16-0507
COMMITTEE OF REFERENCE:
4 Neighborhoods & Planning

5 **A BILL**

6 **For an ordinance changing the zoning classification for 1145 and 1165 S.**
7 **Broadway.**

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 consistent with the City’s adopted plans, furthers the public health, safety and general welfare of
12 the City, will result in regulations and restrictions that are uniform within the C-MX-12, UO-1 district,
13 is justified by one of the circumstances set forth in Section 12.4.10.8 of the Denver Zoning Code,
14 and is consistent with the neighborhood context and the stated purpose and intent of the proposed
15 zone district;

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

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

- 20 1. That the land area hereinafter described is presently classified as T-MU-30, with waivers
21 and conditions, UO-1.
22 2. That the land area hereinafter described should be changed to C-MX-12, UO-1.

23 **Section 2.** That the zoning classification of the land area in the City and County of
24 Denver described as follows shall be and hereby is changed from T-MU-30, with waivers and
25 conditions, UO-1 to C-MX-12, UO-1:

26 Legal Description

27
28 This legal description is from the Cherokee Redevelopment of the Former Gates Rubber Factory GDP, Parcel #2.
29 Reception #2005048794 recorded 3/22/2005.

30
31 A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH,
32 RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF
33 COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

34
35 COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 22, FROM WHICH THE NORTHWEST
36 CORNER OF SAID SECTION 22 BEARS N 89 55'51" W, 2634.40 FEET; THENCE S 00 05'30" E, ALONG THE
37 EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 22, A DISTANCE OF 81.62 FEET; THENCE
38 N 89 54'30" W, A DISTANCE OF 50.00 FEET TO A POINT ON THE WEST RIGHT OF WAY OF SOUTH
39 BROADWAY STREET AS RECORDED IN ORDINANCE 97, SERIES OF 1898, AND THE EAST LINE OF
40 BLOCK 3, JEROME'S BROADWAY SUBDIVISION 2ND FILING, PLAT RECORDED MARCH 16, 1888 IN BOOK 5
41 AT PAGE 18 OF THE ARAPAHOE COUNTY RECORDS, SAID POINT BEING THE POINT OF BEGINNING;

1 THENCE S 00 05'30" W, ALONG SAID WESTERLY RIGHT OF WAY AND SAID EAST LINE, A DISTANCE OF
2 554.40 FEET TO THE SOUTHEAST CORNER OF SAID BLOCK 3; THENCE N 89 55'51" W, ALONG THE SOUTH
3 LINE OF SAID BLOCK 3 AND THE NORTH RIGHT OF WAY OF ARIZONA AVENUE, AS DEDICATED BY THE
4 SAID PLAT OF JEROME'S BROADWAY SUBDIVISION 2ND FILING, AND SAID LINES EXTENDED, A
5 DISTANCE OF 326.00 FEET TO THE WEST RIGHT OF WAY OF SOUTH ACOMA STREET AS DEDICATED BY
6 SAID PLAT; THENCE S 00 05'30" W, ALONG SAID WEST RIGHT OF WAY, A DISTANCE OF 37.19 FEET TO
7 THE EASTERLY RIGHT OF WAY OF THE ATCHISON, TOPEKA AND SANTA FE RAILROAD AND THE
8 WESTERLY LINE OF BLOCK 1 OF SAID JEROME'S BROADWAY SUBDIVISION 2ND FILING; THENCE N 09
9 25'10" W, ALONG SAID EASTERLY RIGHT OF WAY AND SAID WESTERLY LINE , A DISTANCE OF 631.87
10 FEET TO THE SOUTHERLY LINE OF A PARCEL OF LAND RECORDED IN BOOK 2820 AT PAGE 106 OF
11 THE CITY AND COUNTY OF DENVER RECORDS; THENCE S 89 05'06" E, ALONG SAID SOUTHERLY LINE
12 AND ALONG THE SOUTHERLY LINE OF A PARCEL OF LAND RECORDED IN BOOK 2901 AT PAGE 267 OF
13 THE CITY AND COUNTY OF DENVER RECORDS, A DISTANCE OF 205.83 FEET; THENCE S 89 55'51" E,
14 CONTINUING ALONG SAID SOUTHERLY LINE, A DISTANCE OF 76.60 FEET; THENCE S 44 56'02" E,
15 CONTINUING ALONG SAID SOUTHERLY LINE, A DISTANCE OF 9.90 FEET; THENCE S 89 55'51" E,
16 CONTINUING ALONG SAID SOUTHERLY LINE, A DISTANCE OF 119.69 FEET; THENCE S 44 31'33" E,
17 CONTINUING ALONG SAID SOUTHERLY LINE, A DISTANCE OF 30.33 FEET TO THE POINT OF BEGINNING.
18

19 CONTAINING 221,348 SQUARE FEET OR 5.081 ACRES MORE OR LESS.

20
21 in addition thereto those portions of all abutting public rights-of-way, but only to the centerline
22 thereof, which are immediately adjacent to the aforesaid specifically described area.

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

25 COMMITTEE APPROVAL DATE: July 20, 2016

26 MAYOR-COUNCIL DATE: July 26, 2016

27 PASSED BY THE COUNCIL: _____, 2016

28 _____ - PRESIDENT

29 APPROVED: _____ - MAYOR _____, 2016

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

33 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2016; _____,
34 2016

35 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: July 28, 2016
36

37 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
38 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
39 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
40 § 3.2.6 of the Charter.

41
42 Denver City Attorney

43
44 BY: _____, Assistant City Attorney DATE: _____, 2016