

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2025

COUNCIL BILL NO. CB25-1071
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance changing the zoning classification for 1717 East 39th Avenue in Cole.

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, is in the public interest, 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-B, UO-2 and C-MU-10 with Waivers.

b. It is proposed that the land area hereinafter described be changed to C-MX-12 and C-MX-16

Section 2. That the zoning classification of the land area in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed from I-B, UO-2 to C-MX-16:

A PARCEL OF LAND BEING ALL OF LOTS 1 THROUGH 11 AND A PORTION OF LOT 12 AND A PORTION OF LOTS 29 THROUGH 40, BLOCK 2, PROVIDENT PARK AND A PORTION OF THE 16 FOOT ALLEY VACATION WITHIN SAID BLOCK 2 PER ORDINANCE NO. 48, SERIES 1921, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 2, SAID POINT BEING THE POINT OF BEGINNING;
THENCE ALONG THE NORTHERLY LINE OF SAID BLOCK 2 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST 40TH AVENUE, N89°47'51"E 240.84 FEET;
THENCE S00°00'00"E A DISTANCE OF 286.35 FEET;

1 THENCE S90°00'00"W A DISTANCE OF 239.78 FEET TO A POINT ON THE
2 WESTERLY LINE OF SAID BLOCK 2 AND A POINT ON THE EASTERLY RIGHT-
3 OF-WAY LINE OF FRANKLIN STREET;
4 THENCE ALONG SAID WESTERLY AND EASTERLY LINE, N00°12'43"W A
5 DISTANCE OF 285.50 FEET TO THE POINT OF BEGINNING.
6

7 SAID PARCEL CONTAINS 1.577 ACRES OR 68,710 SQUARE FEET MORE OR
8 LESS.
9

10 BASIS OF BEARINGS
11

12 BEARINGS ARE BASED ON THE 22.68 FOOT RANGE LINE IN WILLIAMS
13 STREET ASSUMED TO BEAR S00°13'18"E AND BEING MONUMENTED BY A
14 FOUND #6 REBAR WITH 2-1/2" ALUMINUM CAP PLS #38074 AT THE
15 INTERSECTION OF EAST 40TH AVENUE AND WILLIAMS STREET AND A FOUND
16 #6 REBAR WITH 3" BRASS CAP IN RANGE BOX PLS #36053 AT THE
17 INTERSECTION OF EAST 39TH AVENUE AND WILLIAMS STREET.
18

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

21 **Section 3.** That the zoning classification of the land area in the City and County of Denver
22 described as follows or included within the following boundaries shall be and hereby is changed from
23 I-B, UO-2 and C-MU-10 with Waivers to C-MX-12:
24

25 A PARCEL OF LAND BEING ALL OF LOTS 13 THROUGH 28 AND A PORTION OF
26 LOT 12 AND A PORTION OF LOTS 29 THROUGH 40, BLOCK 2, PROVIDENT
27 PARK AND A PORTION OF THE 16 FOOT ALLEY VACATION WITHIN SAID
28 BLOCK 2 PER AT ORDINANCE NO. 48, SERIES 1921, AND GILPIN STREET
29 RIGHT-OF-WAY VACATION PER ORDINANCE 80, SERIES AND LOTS 1
30 THROUGH 28 AND A PORTION OF LOTS 24 THROUGH 27, BLOCK 3,
31 PROVIDENT PARK AND A PORTION OF THE 16 FOOT ALLEY VACATION
32 LOCATED WITHIN SAID BLOCK 3 LOCATED IN THE SOUTHEAST QUARTER OF
33 SECTION 23, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL
34 MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING
35 MORE PARTICULARLY DESCRIBED AS FOLLOWS:
36

37 COMMENCING AT THE NORTHEAST CORNER OF SAID BLOCK 3, SAID POINT
38 BEING THE POINT OF BEGINNING;

39 THENCE ALONG THE EASTERLY LINE OF SAID BLOCK 3 AND THE WESTERLY
40 RIGHT-OF-WAY LINE OF WILLIAMS STREET, S00°13'18"E A DISTANCE OF
41 336.68 FEET TO THE NORTHEAST CORNER OF THE PROPERTY RECORDED
42 AT RECEPTION NO. 2000046892;

43 THENCE ALONG THE NORTHERLY AND WESTERLY LINE OF SAID PROPERTY
44 RECORDED AT RECEPTION NO. 2000046892 THE FOLLOWING SIX (6)
45 CONSECUTIVE COURSES:

- 46 1) S89°46'18"W A DISTANCE OF 43.59 FEET;
47 2) THENCE S00°13'40"E A DISTANCE OF 88.68 FEET;

1 3) THENCE S89°46'18"W A DISTANCE OF 82.13 FEET;
2 4) THENCE S00°10'20"E A DISTANCE OF 17.14 FEET;
3 5) THENCE S89°38'07"W A DISTANCE OF 15.30 FEET;
4 6) THENCE S00°10'20"E A DISTANCE OF 58.00 FEET TO A POINT ON THE
5 SOUTHERLY LINE OF SAID BLOCK 3 AND A POINT ON THE NORTHERLY
6 RIGHT-OF-WAY LINE OF EAST 39TH AVENUE;
7 THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, S89°48'03"W A
8 DISTANCE OF 471.45 FEET TO THE SOUTHWEST CORNER OF SAID BLOCK 2;
9 THENCE ALONG THE WESTERLY LINE OF SAID BLOCK 2 AND THE EASTERLY
10 RIGHT-OF-WAY LINE OF FRANKLIN STREET, N00°12'43"W A DISTANCE OF
11 214.88 FEET;
12 THENCE N90°00'00"E A DISTANCE OF 239.78 FEET;
13 THENCE N00°00'00"E A DISTANCE OF 286.35 FEET TO A POINT ON THE
14 NORTHERLY LINE OF SAID BLOCK 2 AND A POINT ON THE SOUTHERLY
15 RIGHT-OF-WAY LINE OF EAST 40TH AVENUE;
16 THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING
17 TWO (2) CONSECUTIVE COURSES:
18 1) N89°47'51"E A DISTANCE OF 65.45 FEET;
19 2) THENCE N89°45'40"E A DISTANCE OF 306.16 FEET TO THE POINT OF
20 BEGINNING.

21
22 SAID PARCEL CONTAINS 5.133 ACRES OR 223,595 SQUARE FEET MORE OR
23 LESS.

24 25 BASIS OF BEARINGS

26
27 BEARINGS ARE BASED ON THE 22.68 FOOT RANGE LINE IN WILLIAMS
28 STREET ASSUMED TO BEAR S00°13'18"E AND BEING MONUMENTED BY A
29 FOUND #6 REBAR WITH 2-1/2" ALUMINUM CAP PLS #38074 AT THE
30 INTERSECTION OF EAST 40TH AVENUE AND WILLIAMS STREET AND A FOUND
31 #6 REBAR WITH 3" BRASS CAP IN RANGE BOX PLS #36053 AT THE
32 INTERSECTION OF EAST 39TH AVENUE AND WILLIAMS STREET.
33
34

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

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

39 COMMITTEE APPROVAL DATE: July 29, 2025

1 MAYOR-COUNCIL DATE: August 5, 2025
2 PASSED BY THE COUNCIL: _____
3 _____ - PRESIDENT
4 APPROVED: _____ - MAYOR _____
5 ATTEST: _____ - CLERK AND RECORDER,
6 EX-OFFICIO CLERK OF THE
7 CITY AND COUNTY OF DENVER
8 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____
9 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: August 7, 2025
10 Pursuant to Section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of
11 the City Attorney. We find no irregularity as to form and have no legal objection to the proposed
12 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
13 § 3.2.6 of the Charter.
14
15 Katie J. McLoughlin, Interim City Attorney
16
17 BY: _____, Assistant City Attorney DATE: _____