

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2011

COUNCIL BILL NO. CB11-0546
COMMITTEE OF REFERENCE:
4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance changing the zoning classification of 7995 E. Hampden Ave.
7 7785 E. Hampden Ave. and a portion of 7777 E. Hampden Ave.**

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-1.
- 20 2. That the Owner proposes that the land area hereinafter described be changed to
21 S-MX-5.

22 **Section 2.** That the zoning classification of the land area in the City and County of
23 Denver described as follows or included within the following boundaries shall be and hereby is
24 changed from B-1 to S-MX-5:
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26 **[BALANCE OF PAGE INTENTIONALLY LEFT BLANK]**

A PARCEL OF LAND LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 33;

THENCE ALONG THE SOUTHERLY LINE OF SAID SOUTHWEST QUARTER, SOUTH 89°48'40" WEST, 1336.94 FEET TO THE SOUTHERLY PROLONGATION OF THE WESTERLY RIGHT-OF-WAY OF SOUTH TAMARAC DRIVE AS DESCRIBED IN THE DEED TO CITY AND COUNTY OF DENVER, RECORDED AUGUST 15, 1969 IN BOOK 73, PAGE 7, IN THE OFFICE OF THE CLERK AND RECORDER OF SAID COUNTY;

THENCE DEPARTING SAID SOUTHERLY LINE AND ALONG SAID SOUTHERLY PROLONGATION, NORTH 00°11'20" EAST, 70.00 FEET TO THE NORTHERLY RIGHT-OF-WAY OF EAST HAMPDEN AVENUE, AS DESCRIBED IN THE DEED TO THE CITY AND COUNTY OF DENVER RECORDED NOVEMBER 14, 1974 IN BOOK 967, PAGE 231 IN SAID OFFICE OF THE CLERK AND RECORDER, SAID NORTHERLY RIGHT-OF-WAY BEING A LINE PARALLEL WITH AND DISTANT NORTHERLY 70.00 FEET, MEASURED AT RIGHT ANGLES, FROM SAID SOUTHERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 33, SAID POINT ALSO BEING THE **POINT OF BEGINNING**;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY OF SOUTH TAMARAC DRIVE, NORTH 00°11'20" WEST, 359.44 FEET;

THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY, SOUTH 89°48'40" WEST, 479.47 FEET;

THENCE SOUTH 00°11'20" EAST, 359.44 FEET TO SAID NORTHERLY RIGHT-OF-WAY OF EAST HAMPDEN AVENUE;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, NORTH 89°48'40" EAST, 479.47 FEET TO THE **POINT OF BEGINNING**;

CONTAINS 172,339 SQ. FT. OR 3.956 ACRES, MORE OR LESS

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

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.

1 COMMITTEE APPROVAL DATE: July 26, 2011

2 MAYOR-COUNCIL DATE: August 9, 2011

3 PASSED BY THE COUNCIL: _____, 2011

4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____, 2011

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

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2011; _____, 2011

10 PREPARED BY: KAREN A. AVILES, Assistant City Attorney DATE: September 22, 2011

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 Douglas J. Friednash, Denver City Attorney

16 BY: _____, Assistant City Attorney DATE: _____, 2011