

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2014

COUNCIL BILL NO. CB14-0504  
COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

**A BILL**

**For an ordinance changing the zoning classification for 3300 East 1<sup>st</sup> Avenue.**

**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 in accordance with the Comprehensive Plan, is necessary to promote the public health, safety and general welfare of the City, is justified by one of the circumstances set forth in Section 12.4.10.14 of the Denver Zoning Code, 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:

1. That the land area hereinafter described is presently classified as C-MX-5.
2. That the Owner proposes that the land area hereinafter described be changed to C-MX-8.

**Section 2.** That the zoning classification of the land area in the City and County of Denver described as follows shall be and hereby is changed from C-MX-5 to C-MX-8:

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1 A PORTION OF THE SE 1/4 OF SECTION 12, TOWNSHIP 4 SOUTH,  
2 RANGE 68 WEST OF THE 6TH P.M., BLOCK 16, BURLINGTON CAPITAL HILL  
3 ADDITION, ORDINANCE 130 SERIES 1928, DATED SEPTEMBER 28, 1928  
4 CITY AND COUNTY OF DENVER, STATE OF COLORADO.

5  
6 DESCRIBED AS FOLLOWS: LOTS 1 THROUGH 8 AND LOTS 23 THROUGH 40,  
7 TOGETHER WITH THE NORTH 174.17 FEET OF ALLEY IN BLOCK 16  
8 VACATED BY ORDINANCE NO. 280 SERIES OF 1978, BLOCK 16,  
9 BURLINGTON CAPITOL HILL ADDITION, ACCORDING TO THE RECORDED  
10 PLAT THEREOF, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

11  
12 EXCEPT THOSE PARTS OF LOTS 33 AND 34, BLOCK 16, BURLINGTON  
13 CAPITOL HILL ADDITION, DESCRIBED AS FOLLOWS:

14  
15 BEGINNING AT A POINT ON THE WEST LINE OF LOT 34, BLOCK 16,  
16 BURLINGTON CAPITOL HILL ADDITION, SAID POINT BEING 1.18 FEET  
17 NORTH OF THE SOUTHWEST CORNER THEREOF; THENCE EASTERLY AND  
18 PARALLEL WITH SOUTH LINE OF SAID LOT 34, A DISTANCE OF 125 FEET  
19 TO A POINT ON THE EAST LINE OF SAID LOT 34, SAID POINT BEING 1.18  
20 FEET NORTH OF THE SOUTHEAST CORNER THEREOF, THENCE  
21 SOUTHERLY ALONG THE EAST LINE OF LOTS 33 AND 34 SAID BLOCK 16,  
22 25 FEET; THENCE WESTERLY AND PARALLEL WITH THE SOUTH LINE OF  
23 SAID LOT 33, 125 FEET TO THE WEST LINE OF SAID LOT 33; THENCE  
24 NORTHERLY ALONG THE WEST LINE OF SAID LOTS 33 AND 34, 25 FEET TO  
25 THE POINT OF BEGINNING,

26  
27 AND EXCEPT THE NORTH 5.0 FEET OF LOTS 1 AND 40, BLOCK 16,  
28 BURLINGTON CAPITOL HILL ADDITION, AND THE VACATED ALLEY  
29 ADJACENT TO SAID NORTH 5.0 FEET OF SAID LOTS 1 AND 40 AS DEEDED  
30 TO THE CITY AND COUNTY OF DENVER IN DEED RECORDED AUGUST 7,  
31 1978 IN BOOK 1720 AT PAGE 446, CITY AND COUNTY OF DENVER, STATE  
32 OF COLORADO.

33  
34 in addition thereto those portions of all abutting public rights-of-way, but only to the centerline  
35 thereof, which are immediately adjacent to the aforesaid specifically described area.

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

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1 COMMITTEE APPROVAL DATE: June 24, 2014

2 MAYOR-COUNCIL DATE: July 8, 2014

3 PASSED BY THE COUNCIL: \_\_\_\_\_, 2014

4 \_\_\_\_\_ - PRESIDENT

5 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_, 2014

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

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_, 2014; \_\_\_\_\_, 2014

10 PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: July 17, 2014

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 D. Scott Martinez, Denver City Attorney

16 BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_, 2014