

1 **BY AUTHORITY**

2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2017

COUNCIL BILL NO. CB17-0841

COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance changing the zoning classification for 385, 395, 405 & 415 South**  
7 **Cherokee Street in Baker.**

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 C-MX-16 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 I-B, UO-2.

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

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 I-B, UO-2 to C-MX-16:

23 **LEGAL DESCRIPTION**

24 A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 SOUTH,  
25 RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF  
26 COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

27  
28 COMMENCING AT THE NORTHEAST CORNER OF BLOCK 53, FIRST ADDITION TO THE BYERS SUBDIVISION;  
29 THENCE ALONG THE EASTERLY LINE OF SAID BLOCK 53 AND A PORTION OF BLOCK 54, BEING THE  
30 WESTERLY LINE OF SOUTH CHEROKEE STREET, S00°09'12"W A DISTANCE OF 460.69 FEET;  
31 THENCE ALONG A LINE BEING 135.00 FEET SOUTHERLY OF AND PARALLEL WITH THE NORTHERLY LINE  
32 OF SAID BLOCK 54, N89°49'51"W A DISTANCE OF 116.41 FEET;  
33 THENCE ALONG THE SOUTHERLY AND WESTERLY LINE OF A PARCEL OF LAND DESCRIBED IN RECEPTION  
34 NO. 2004137125 FILED AT DENVER COUNTY CLERK AND RECORDERS OFFICE THE FOLLOWING TWO (2)  
35 CONSECUTIVE COURSES;

36 1.) N89°49'51"W A DISTANCE OF 32.50 FEET;

37 2.) THENCE N22°25'56"W A DISTANCE OF 29.19 FEET;

1 THENCE N89°49'51"W A DISTANCE OF 190.69 FEET TO A POINT ON THE WESTERLY LINE OF SAID BLOCK  
2 54 SAID POINT BEING THE POINT OF BEGINNING;  
3 THENCE ALONG THE WESTERLY LINE OF SAID FIRST ADDITION TO THE BYERS SUBDIVISION, S22°49'16"E  
4 A DISTANCE OF 387.30 FEET;  
5 THENCE 112.55 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF  
6 275.00 FEET, A CENTRAL ANGLE OF 23°27'01" AND A CHORD WHICH BEARS N32°07'37"W A DISTANCE  
7 OF 111.77 FEET;  
8 THENCE S60°11'57"W A DISTANCE OF 13.91 FEET;  
9 THENCE N29°48'03"W A DISTANCE OF 128.99 FEET;  
10 THENCE N89°51'04"W A DISTANCE OF 4.91 FEET;  
11 THENCE 164.26 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF  
12 2264.06 FEET, A CENTRAL ANGLE OF 04°09'25" AND A CHORD WHICH BEARS N29°17'30"W A DISTANCE  
13 OF 164.23 FEET;  
14 THENCE S89°49'51"E A DISTANCE OF 19.56 FEET;  
15 THENCE N00°10'09"E A DISTANCE OF 14.28 FEET;  
16 THENCE S89°49'51"E A DISTANCE OF 51.05 FEET TO THE POINT OF BEGINNING.

17  
18 BASIS OF BEARINGS

19  
20 BEARINGS ARE BASED ON AN ASSUMED BEARING OF N00°45'32"W ALONG THE EASTERLY LINE OF THE  
21 NORTHWEST QUARTER OF SECTION 15, BEING MONUMENTED BY A FOUND STONE IN RANGE BOX AT  
22 THE NORTH QUARTER CORNER AND A FOUND STONE IN RANGE BOX AT THE CENTER QUARTER CORNER.

23  
24 in addition thereto those portions of all abutting public rights-of-way, but only to the centerline  
25 thereof, which are immediately adjacent to the aforesaid specifically described area.

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

28 **[THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK]**

1 COMMITTEE APPROVAL DATE: August 8, 2017  
2 MAYOR-COUNCIL DATE: August 15, 2017  
3 PASSED BY THE COUNCIL: \_\_\_\_\_ September 18, 2017  
4 \_\_\_\_\_ *ALB* - PRESIDENT  
5 APPROVED: \_\_\_\_\_ *JL* - MAYOR Sep 19, 2017  
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: August 17, 2017  
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: *DB*, Assistant City Attorney DATE: Aug 16, 2017