

**BY AUTHORITY**

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

COUNCIL BILL NO. CB17-0368  
COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

**A BILL**

**For an ordinance changing the zoning classification for 2880 West Holden Place, 1155 North Decatur Street, 1201 North Decatur Street and 1101 North Decatur Street in Sun Valley.**

**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, furthers the public health, safety and general welfare of the City, will result in regulations and restrictions that are uniform within the C-MX-5 district, is justified by one of the circumstances set forth in Section 12.4.10.8 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:

- a. The land area hereinafter described is presently classified as PUD 487.
- b. It is proposed that the land area hereinafter described be changed to C-MX-5.

**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 PUD 487 to C-MX-5:

**SUBAREA 2 PARCEL DESCRIPTION**

A PARCEL OF LAND BEING A PORTION OF BLOCK 2 AND BLOCK 3, WEST FAIRVIEW, A PORTION OF BLOCK 12, SOUTH FAIRVIEW, A PORTION OF BLOCK 3, FAIRVIEW, A PORTION OF VACATED WEST 12<sup>TH</sup> AVENUE ABUTTING SAID BLOCKS 2 AND 3, A PORTION OF THE VACATED ALLEY IN SAID BLOCK 2 ALL SITUATED IN THE NE ¼ OF SECTION 5, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 5, WEST FAIRVIEW, SAID CORNER BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST HOLDEN PLACE; THENCE S 89° 58’ 32” E, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 505.14 FEET TO THE POINT OF BEGINNING THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE, S 00° 17’ 13” E, 333.60 FEET; THENCE S 89° 58’

1 43" E, 269.33 FEET; THENCE S 00° 17' 13" E. 259.20 FEET TO THE NORTHERLY RIGHT-  
2 OF-WAY LINE OF WEST 11<sup>TH</sup> AVENUE; THENCE N 89° 59' 27" E, ALONG SAID  
3 NORTHERLY RIGHT-OF-WAY LINE, 113.07 FEET TO THE SOUTHEAST CORNER OF  
4 SAID BLOCK 12, SOUTH FAIRVIEW BEING ON THE WESTERLY RIGHT-OF-WAY  
5 LINE OF DECATUR STREET; THENCE N 00° 17' 10" W, ALONG SAID WESTERLY  
6 RIGHT-OF-WAY LINE, 592.72 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF  
7 SAID WEST HOLDEN PLACE; THENCE N 89° 58' 32" W, ALONG SAID SOUTHERLY  
8 RIGHT-OF-WAY LINE, 382.41 FEET TO THE POINT OF THE BEGINNING.  
9

10 THE ABOVE DESCRIBED PARCEL CONTAINS 156,870 SQUARE FEET OR 3.60 ACRES  
11 MORE OR LESS.  
12

13 THE BASIS OF BEARINGS BEING THE EASTERLY RIGHT-OF-WAY LINE OF  
14 FEDERAL BOULEVARD BETWEEN WEST 11<sup>TH</sup> AVENUE AND WEST HOLDEN PLACE  
15 AS MONUMENTED ON THE SOUTHERLY END BY 1 – 1 ½" WASHER STAMPED WITH  
16 LS #28649 AND ON THE NORTHERLY END WITH ¾" BRASS TAG STAMPED WITH LS  
17 #18475, SAID LINE ASSUMED TO BEAR N 00° 17' 14" W.  
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 this ordinance shall be recorded by the Manager of Community Planning and  
22 Development in the real property records of the Denver County Clerk and Recorder.

23 COMMITTEE APPROVAL DATE: April 4, 2017

24 MAYOR-COUNCIL DATE: April 11, 2017

25 PASSED BY THE COUNCIL: \_\_\_\_\_

26 \_\_\_\_\_ - PRESIDENT

27 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_

28 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
29 EX-OFFICIO CLERK OF THE  
30 CITY AND COUNTY OF DENVER

31 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_;

32 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: April 13, 2017

33 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
34 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
35 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to  
36 § 3.2.6 of the Charter.

37 Kristin M. Bronson, Denver City Attorney

38 BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_