

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2016

COUNCIL BILL NO. CB16-0130  
COMMITTEE OF REFERENCE:  
Neighborhoods & Planning

**A BILL**

**For an ordinance changing the zoning classification for 3200 Walnut St., 3220 Walnut St., 3254 Walnut St. and 3235 Larimer St.**

**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 and C-MX-3 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:

1. That the land area hereinafter described is presently classified as I-MX-3, UO-2.
2. That the Owner proposes that the land area hereinafter described be changed to C-MX-5 and C-MX-3.

**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 I-MX-3, UO-2 to C-MX-5:

A PARCEL OF LAND BEING A PART OF LOTS 1 THROUGH 32 AND THE ALLEY VACATED BY ORDINANCE 161 SERIES OF 1973, BLOCK 22, CASE AND EBERT'S ADDITION TO THE CITY OF DENVER , EXCEPTING THEREFROM THE SOUTH 55 FEET OF SAID BLOCK 22, SITUATED IN THE NORTHWEST QUARTER OF SECTION 26 AND THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST CORNER OF SAID LOT 16;  
THENCE NORTH 44°57'29" EAST ALONG THE NORTHWEST LINE OF SAID BLOCK 22, A DISTANCE OF 399.78 FEET TO THE NORTH CORNER OF SAID LOT 1;  
THENCE SOUTH 45°02'14" EAST ALONG THE NORTHEAST LINE OF SAID BLOCK 22, A DISTANCE OF 211.11 FEET TO A POINT ON THE NORTHEAST LINE OF SAID BLOCK 22 BEING 55.00 FEET NORTHWEST OF THE EAST CORNER OF SAID LOT 32;

1 THENCE SOUTH 44°58'03" WEST PARALLEL WITH THE SOUTHEAST LINE OF SAID BLOCK 22, A DISTANCE OF  
2 400.01 FEET TO A POINT ON THE SOUTHWEST LINE OF SAID BLOCK 22 BEING 55.00 FEET NORTHWEST OF  
3 THE SOUTH CORNER OF SAID LOT 17;  
4 THENCE NORTH 44°58'26" WEST ALONG THE SOUTHWEST LINE OF SAID BLOCK 22, A DISTANCE OF 211.05  
5 FEET TO THE POINT OF BEGINNING.

6  
7 PARCEL CONTAINS 84,409 SQUARE FEET OR 1.94 ACRES, MORE OR LESS

8  
9 BEARINGS ARE BASED ON NORTHWEST LINE OF BLOCK 22, CASE AND EBERT'S ADDITION TO THE CITY OF  
10 DENVER, ASSUMED TO BEAR NORTH 44°57'29" EAST.

11  
12 in addition thereto those portions of all abutting public rights-of-way, but only to the centerline  
13 thereof, which are immediately adjacent to the aforesaid specifically described area.

14 **Section 3.** That the zoning classification of the land area in the City and County of Denver  
15 described as follows shall be and hereby is changed from I-MX-3, UO-2 to C-MX-3:

16 A PARCEL OF LAND BEING THE SOUTH 55 FEET OF LOTS 17 THROUGH 32, BLOCK 22, CASE AND EBERT'S  
17 ADDITION TO THE CITY OF DENVER, SITUATED IN THE NORTHWEST QUARTER OF SECTION 26 AND THE  
18 NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL  
19 MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS  
20 FOLLOWS:

21  
22 BEGINNING AT THE SOUTH CORNER OF SAID LOT 17;  
23 THENCE NORTH 44°58'26" WEST ALONG THE SOUTHWEST LINE OF SAID BLOCK 22, A DISTANCE OF 55.00  
24 FEET;  
25 THENCE NORTH 44°58'03" EAST PARALLEL WITH THE SOUTHEAST LINE OF SAID BLOCK 22, A DISTANCE OF  
26 400.01 FEET TO A POINT ON THE NORTHEAST LINE OF SAID BLOCK 22;  
27 THENCE SOUTH 45°02'14" EAST ALONG SAID NORTHEAST LINE, A DISTANCE OF 55.00 FEET TO THE EAST  
28 CORNER OF SAID LOT 32;  
29 THENCE SOUTH 44°58'03" WEST ALONG THE SOUTHEAST LINE OF SAID BLOCK 22, A DISTANCE OF 400.07  
30 FEET TO THE POINT OF BEGINNING

31  
32 PARCEL CONTAINS 22,002 SQUARE FEET OR 0.51 ACRES, MORE OR LESS

33  
34 BEARINGS ARE BASED ON SOUTHEAST LINE OF BLOCK 22, CASE AND EBERT'S ADDITION TO THE CITY OF  
35 DENVER, ASSUMED TO BEAR SOUTH 44°58'03" WEST.

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

39 **Section 4.** That this ordinance shall be recorded by the Manager of Community Planning  
40 and Development in the real property records of the Denver County Clerk and Recorder.

1 COMMITTEE APPROVAL DATE: March 2, 2016.

2 MAYOR-COUNCIL DATE: March 8, 2016.

3 PASSED BY THE COUNCIL: \_\_\_\_\_, 2016

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

5 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_, 2016

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

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_, 2016; \_\_\_\_\_, 2016

10 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: March 10, 2016

11

12 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
13 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
14 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to  
15 § 3.2.6 of the Charter.

16 D. Scott Martinez, Denver City Attorney

17 BY: \_\_\_\_\_, Assistant City Attorney DATE: \_\_\_\_\_, 2016