

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2016

COUNCIL BILL NO. CB16-0216
COMMITTEE OF REFERENCE:
Neighborhoods & Planning

A BILL

For an ordinance changing the zoning classification for 4800 Race Street.

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-3, C-MX-5 and C-MX-8 districts, 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 districts;

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-B/UO-2.
2. That the Owner proposes that the land area hereinafter described be changed to C-MX-3, C-MX-5 and 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 I-B/UO-2 to C-MX-3, C-MX-5 and C-MX-8:

AREA 1: (proposed C-MX-3)

A PORTION OF LOTS 18 AND 19, BLOCK 40, KEENER'S SUBDIVISION; AND A PORTION OF LOTS 18 AND 19, BLOCK 39, KEENER'S SUBDIVISION; TOGETHER WITH ALL PORTIONS OF THE VACATED ALLEYS, VACATED VINE STREET AND THE WEST ½ OF VACATED GAYLORD STREET ADJACENT TO SAID LOTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SE1/4 SE1/4 OF SECTION 14, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M.; THENCE N89°31'54E ALONG THE SOUTH LINE OF THE SAID SE1/4 SE1/4 OF SECTION 14, 204.04 FEET TO A POINT ON THE EAST LINE OF RACE STREET EXTENDED; THENCE N00°28'06"W ALONG SAID EAST LINE OF RACE STREET EXTENDED, 30.00 FEET TO THE SOUTHWEST CORNER OF LOT 18, BLOCK 40, KEENER'S

1 SUBDIVISION; THENCE CONTINUING ALONG THE EAST LINE OF RACE STREET N00°28'06"W,
2 25.00 FEET; THENCE DEPARTING FROM SAID EAST LINE N89°31'16"E, 569.99 FEET TO A POINT
3 ON THE EAST LINE OF THE WEST ½ OF VACATED GAYLORD STREET; THENCE S00°28'15"E
4 ALONG THE EAST LINE OF THE WEST ½ OF VACATED GAYLORD STREET, 25.00 FEET TO THE
5 SOUTHEAST CORNER OF LOT 19, BLOCK 39, KEENER'S SUBDIVISION; THENCE S89°31'16"W
6 ALONG THE NORTH LINE OF 48TH AVENUE, 569.99 FEET TO THE TRUE POINT OF
7 BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

8
9 THE ABOVE DESCRIBED PARCEL CONTAINS 14,250 SQUARE FEET OR 0.3271 ACRES MORE
10 OR LESS.

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 AREA 2: (proposed C-MX-5)

15
16 LOTS 14 TO 17, LOTS 20 TO 23, AND A PORTION OF LOTS 13, 18, 19 AND 24, BLOCK 40,
17 KEENER'S SUBDIVISION; AND LOTS 14 TO 17, LOTS 20 TO 23, AND A PORTION OF LOTS 13,
18 18, 19 AND 24, BLOCK 39, KEENER'S SUBDIVISION; TOGETHER WITH ALL PORTIONS OF THE
19 VACATED ALLEYS, VACATED VINE STREET AND THE WEST ½ OF VACATED GAYLORD
20 STREET ADJACENT TO SAID LOTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO,
21 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

22
23 BEGINNING AT THE SOUTHWEST CORNER OF THE SE1/4 SE1/4 OF SECTION 14, TOWNSHIP 3
24 SOUTH, RANGE 68 WEST OF THE 6TH P.M.; THENCE N89°31'54"E ALONG THE SOUTH LINE OF
25 THE SAID SE1/4 SE1/4 OF SECTION 14, 204.04 FEET TO A POINT ON THE EAST LINE OF RACE
26 STREET EXTENDED; THENCE N00°28'06"W ALONG SAID EAST LINE OF RACE STREET
27 EXTENDED, 55.00 FEET TO THE TRUE POINT OF BEGINNING BEING A POINT ON THE WEST
28 LINE OF SAID LOT 18, BLOCK 40; THENCE CONTINUING ALONG THE EAST LINE OF RACE
29 STREET N00°28'06"W, 125.00 FEET TO A POINT ON THE WEST LINE OF SAID LOT 13, BLOCK
30 40; THENCE DEPARTING FROM SAID EAST LINE N89°31'16"E, 569.98 FEET TO A POINT ON THE
31 EAST LINE OF THE WEST ½ OF VACATED GAYLORD STREET; THENCE S00°28'15"E ALONG
32 THE EAST LINE OF THE WEST ½ OF VACATED GAYLORD STREET, 125.00 FEET; THENCE
33 DEPARTING FROM SAID EAST LINE OF THE WEST ½ OF VACATED GAYLORD STREET
34 S89°31'16"W, 569.99 FEET TO THE TRUE POINT OF BEGINNING, CITY AND COUNTY OF
35 DENVER, STATE OF COLORADO.

36
37 THE ABOVE DESCRIBED PARCEL CONTAINS 71,248 SQUARE FEET OR 1.6356 ACRES MORE
38 OR LESS.

39
40 in addition thereto those portions of all abutting public rights-of-way, but only to the centerline
41 thereof, which are immediately adjacent to the aforesaid specifically described area.

42 AREA 3: (proposed C-MX-8)

43
44 LOTS 1 TO 12, LOTS 25 TO 36, AND A PORTION OF LOTS 13 AND 24, BLOCK 40, KEENER'S
45 SUBDIVISION; AND LOTS 1 TO 12, LOTS 25 TO 36, AND A PORTION OF LOTS 13, AND 24,
46 BLOCK 39, KEENER'S SUBDIVISION; TOGETHER WITH ALL PORTIONS OF THE VACATED
47 ALLEYS, VACATED VINE STREET AND THE WEST ½ OF VACATED GAYLORD STREET

1 ADJACENT TO SAID LOTS, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE
2 PARTICULARLY DESCRIBED AS FOLLOWS:

3
4 BEGINNING AT THE SOUTHWEST CORNER OF THE SE1/4 SE1/4 OF SECTION 14, TOWNSHIP 3
5 SOUTH, RANGE 68 WEST OF THE 6TH P.M.; THENCE N89°31'54E ALONG THE SOUTH LINE OF
6 THE SAID SE1/4 SE1/4 OF SECTION 14, 204.04 FEET TO A POINT ON THE EAST LINE OF RACE
7 STREET EXTENDED; THENCE N00°28'06"W ALONG SAID EAST LINE OF RACE STREET
8 EXTENDED, 180.00 FEET TO THE TRUE POINT OF BEGINNING BEING A POINT ON THE WEST
9 LINE OF SAID LOT 13, BLOCK 40; THENCE CONTINUING ALONG THE EAST LINE OF RACE
10 STREET N00°28'06"W, 314.99 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, BLOCK 40;
11 THENCE DEPARTING FROM SAID EAST LINE N89°32'37"E ALONG THE SOUTH LINE OF 49TH
12 AVENUE, 539.97 FEET TO THE NORTHEAST CORNER OF SAID LOT 36, BLOCK 39; THENCE
13 S00°28'15"E ALONG THE EAST LINE OF SAID LOT 36, BLOCK 40, 25.00 FEET TO THE
14 SOUTHEAST CORNER OF SAID LOT 36, BLOCK 40; THENCE DEPARTING FROM SAID EAST
15 LINE OF SAID LOT 36, BLOCK 40, N89°32'37"E, 30.00 FEET TO A POINT ON THE EAST LINE OF
16 THE WEST ½ OF VACATED GAYLORD STREET; THENCE S00°28'15"E ALONG THE SAID EAST
17 LINE OF THE WEST ½ OF VACATED GAYLORD STREET, 289.76 FEET; THENCE DEPARTING
18 FROM SAID EAST LINE OF THE WEST ½ OF VACATED GAYLORD STREET S89°31'16"W, 569.98
19 FEET TO THE TRUE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF
20 COLORADO.

21
22 THE ABOVE DESCRIBED PARCEL CONTAINS 178,722 SQUARE FEET OR 4.1029 ACRES MORE
23 OR LESS.

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

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

1 COMMITTEE APPROVAL DATE: April 6, 2016.

2 MAYOR-COUNCIL DATE: April 12, 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: April 14,
11 2016

12

13 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
14 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
15 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
16 § 3.2.6 of the Charter.

17 D. Scott Martinez, Denver City Attorney

18 BY: _____, Assistant City Attorney DATE: _____, 2016