

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2016

COUNCIL BILL NO. CB16-0218
COMMITTEE OF REFERENCE:
Neighborhoods & Planning

A BILL

For an ordinance changing the zoning classification for East 56th Avenue and Central Park Boulevard.

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 M-MX-5 and M-RX-5 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 M-RX-5 and OS-B.
2. That the Owner proposes that the land area hereinafter described be changed to M-MX-5 and M-RX-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 M-RX-5 and OS-B to M-MX-5 and M-RX-5:

PARCEL 1 (M-MX-5)

A PARCEL OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 10; THENCE NORTH 00°15'25" WEST, ALONG THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 10, A DISTANCE OF 1126.23 FEET; THENCE NORTH 89°44'35" EAST, A DISTANCE OF 50.00 FEET TO A POINT ON THE WEST LINE OF THAT CERTAIN PARCEL OF LAND IN ANNEXATION MAP RECORDED JANUARY 6, 1970 IN THE OFFICE OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER UNDER BOOK 26 AT PAGE 48, SAID POINT ALSO BEING THE **POINT OF BEGINNING**.

1
2 THENCE NORTH 89°44'35" EAST, A DISTANCE OF 416.00 FEET;
3
4 THENCE SOUTH 00°15'25" EAST, A DISTANCE OF 67.00 FEET TO A 300.00 FOOT RADIUS
5 CURVE WHOSE CENTER BEARS SOUTH 89°44'35" WEST;
6
7 THENCE SOUTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°21'37", AN
8 ARC LENGTH OF 59.48 FEET TO A POINT OF TANGENCY;
9
10 THENCE SOUTH 11°06'13" WEST, A DISTANCE OF 241.39 FEET TO A 544.50 FOOT RADIUS
11 CURVE WHOSE CENTER BEARS SOUTH 78°53'47" EAST;
12
13 THENCE SOUTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°21'37", AN
14 ARC LENGTH OF 107.96 FEET TO A POINT OF TANGENCY;
15
16 THENCE SOUTH 00°15'25" EAST, A DISTANCE OF 70.00 FEET;
17
18 THENCE NORTH 89°44'35" EAST, A DISTANCE OF 1327.27 FEET;
19
20 THENCE SOUTH 05°00'00" WEST, A DISTANCE OF 309.03 FEET TO A 506.50 FOOT RADIUS
21 CURVE WHOSE CENTER BEARS SOUTH 85°00'00" EAST;
22
23 THENCE SOUTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°15'25", AN
24 ARC LENGTH OF 46.47 FEET TO A POINT OF TANGENCY;
25
26 THENCE SOUTH 00°15'25" EAST, A DISTANCE OF 149.26 FEET TO A POINT BEING 75.50 FEET
27 NORTH OF THE SOUTH LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 10;
28
29 THENCE SOUTH 89°29'45" WEST, ALONG A LINE 75.50 FEET NORTH OF AND PARALLEL WITH
30 SAID SOUTH LINE, A DISTANCE OF 1648.74 FEET TO A POINT ON THE WEST LINE OF THE
31 PREVIOUSLY MENTIONED ANNEXATION MAP AND A POINT BEING 50.00 FEET EAST OF THE
32 WEST LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 10;
33
34 THENCE NORTH 00°15'25" WEST, ALONG A LINE 50.00 FEET EAST OF AND PARALLEL WITH
35 SAID WEST LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 10, A DISTANCE OF
36 1050.51 FEET TO THE **POINT OF BEGINNING**.

37
38 THE ABOVE DESCRIBED PARCEL CONTAINS A CALCULATED AREA OF 1,047,395 SQUARE
39 FEET, OR 24.04487 ACRES, MORE OR LESS.

40
41 BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST ONE-
42 QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL
43 MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEARING NORTH
44 00°15'25" WEST, BASED ON NAD 83/92 COLORADO CENTRAL ZONE STATE PLANE
45 COORDINATES, MONUMENTED ON THE SOUTH END BY A FOUND 3-1/4" ALUMINUM CAP IN
46 RANGE BOX, STAMPED "PLS 27936" AND ON THE NORTH END BY A FOUND 3-1/4"
47 ALUMINUM CAP IN RANGE BOX, STAMPED "ZBS INC, PLS 11434".
48

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

51 **PARCEL 2 (M-RX-5)**
52

53 A PARCEL OF LAND LOCATED IN THE WEST ONE-HALF OF SECTION 10, TOWNSHIP 3 SOUTH,
54 RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE
55 OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

1
2 **COMMENCING** AT THE SOUTHWEST CORNER OF SAID SECTION 10; THENCE NORTH
3 00°15'25" WEST, ALONG THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION
4 10, A DISTANCE OF 1126.23 FEET; THENCE NORTH 89°44'35" EAST, A DISTANCE OF 50.00
5 FEET TO A POINT ON THE WEST LINE OF THAT CERTAIN PARCEL OF LAND IN ANNEXATION
6 MAP RECORDED JANUARY 6, 1970 IN THE OFFICE OF THE CITY AND COUNTY OF DENVER
7 CLERK AND RECORDER UNDER BOOK 26, PAGE 48, SAID POINT ALSO BEING THE **POINT OF**
8 **BEGINNING.**
9

10 THENCE NORTH 00°15'25" WEST, ALONG A LINE BEING 50.00 EAST OF AND PARALLEL WITH
11 THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 10 AND ALONG THE
12 WEST LINE OF SAID BOOK 26, PAGE 48, A DISTANCE OF 1528.06 FEET;
13

14 THENCE NORTH 00°15'13" WEST, ALONG A LINE BEING 50.00 FEET EAST OF AND PARALLEL
15 WITH THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 10 AND
16 ALONG THE WEST LINE OF SAID BOOK 26, PAGE 48, A DISTANCE OF 519.38 FEET;
17

18 THENCE NORTH 60°01'05" EAST, A DISTANCE OF 98.05 FEET TO A POINT ON A 306.50 FOOT
19 RADIUS CURVE WHOSE CENTER BEARS NORTH 29°58'55" WEST;
20

21 THENCE NORTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF
22 40°11'41", AN ARC LENGTH OF 215.02 FEET TO A POINT OF TANGENCY;
23

24 THENCE NORTH 19°49'24" EAST, A DISTANCE OF 62.92 FEET TO A POINT ON A 668.50 FOOT
25 RADIUS CURVE WHOSE CENTER BEARS SOUTH 70°10'36" EAST;
26

27 THENCE EASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 106°45'53", AN
28 ARC LENGTH OF 1245.68 TO A POINT ON A 2093.50 FOOT RADIUS COMPOUND CURVE
29 WHOSE CENTER BEARS SOUTH 36°35'18" WEST;
30

31 THENCE SOUTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 27°36'23",
32 AN ARC LENGTH OF 1008.69 FEET;
33

34 THENCE SOUTH 64°11'40" WEST, A DISTANCE OF 0.50 FEET TO A 2093.00 FOOT RADIUS NON-
35 TANGENT CURVE WHOSE CENTER BEARS SOUTH 64°11'41" WEST;
36

37 THENCE SOUTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 55°01'53", AN
38 ARC LENGTH OF 2010.28 FEET;
39

40 THENCE SOUTH 29°13'34" WEST, A DISTANCE OF 8.61 FEET;
41

42 THENCE SOUTH 60°46'26" EAST, A DISTANCE OF 0.50 FEET;
43

44 THENCE SOUTH 29°13'34" WEST, A DISTANCE OF 106.85 FEET TO A TANGENT 788.50 FOOT
45 RADIUS CURVE WHOSE CENTER BEARS SOUTH 60°46'26" EAST;
46

47 THENCE SOUTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 24°13'34", AN
48 ARC LENGTH OF 333.40 FEET;
49

50 THENCE SOUTH 05°00'00" WEST, A DISTANCE OF 39.69 FEET;
51

52 THENCE SOUTH 89°44'35" WEST, A DISTANCE OF 1327.27 FEET;
53

54 THENCE NORTH 00°15'25" WEST, A DISTANCE OF 70.00 FEET TO A TANGENT 544.50 FOOT
55 RADIUS CURVE WHOSE CENTER BEARS NORTH 89°44'35" EAST;
56

1 THENCE NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°21'37", AN
2 ARC LENGTH OF 107.96 FEET;

3
4 THENCE NORTH 11°06'13" EAST, A DISTANCE OF 241.39 FEET TO A TANGENT 300.00 FOOT
5 RADIUS CURVE WHOSE CENTER BEARS NORTH 78°53'47" WEST;

6
7 THENCE NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°21'37", AN
8 ARC LENGTH OF 59.48 FEET;

9
10 THENCE NORTH 00°15'25" WEST, A DISTANCE OF 67.00 FEET;

11
12 THENCE SOUTH 89°44'35" WEST, A DISTANCE OF 416.00 FEET TO THE **POINT OF BEGINNING.**

13
14 THE ABOVE DESCRIBED PARCEL CONTAINS A CALCULATED AREA OF 5,706,578 SQUARE
15 FEET, OR 131.00500 ACRES, MORE OR LESS.

16
17 BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST ONE-
18 QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL
19 MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEARING NORTH
20 00°15'25" WEST, BASED ON NAD 83/92 COLORADO CENTRAL ZONE STATE PLANE
21 COORDINATES, MONUMENTED ON THE SOUTH END BY A FOUND 3-1/4" ALUMINUM CAP IN
22 RANGE BOX, STAMPED "PLS 27936" AND ON THE NORTH END BY A FOUND 3-1/4"
23 ALUMINUM CAP IN RANGE BOX, STAMPED "ZBS INC, PLS 11434".
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.

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30 **[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]**

31

1 COMMITTEE APPROVAL DATE: April 13, 2016.
2 MAYOR-COUNCIL DATE: April 19, 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 28, 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