

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2020

COUNCIL BILL NO. CB19-1361  
COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

**A BILL**

**For an ordinance changing the zoning classification for 4338 Lipan Street in Sunnyside.**

**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 U-RX-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:

- a. The land area hereinafter described is presently classified as U-RH-2.5.
- b. It is proposed that the land area hereinafter described be changed to U-RX-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 U-RH-2.5 to U-RX-3:

Parcel Number: 02214-04-040-000

A parcel of land being all of Lots 3 through 8 inclusive of Block 1 of viaduct addition to Denver subdivision, lying within the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of section 21, Township 3 South, Range 68 West of the Sixth principal meridian, city and county of Denver, State of Colorado more Particularly described as follows:

Basis of Bearings: A 20 foot Range Line in N Kalamath ST Between W 43<sup>rd</sup> Avenue and West 44<sup>th</sup> Avenue having an assumed bearing of South 00°3’16” West, A distance of 363.22 Feet between a drag tooth in Range box at the intersection of North Kalamath Street and West 44<sup>th</sup> Avenue and a 2 Inch aluminum cap (PLS 9329) in range box found at the intersection of North Kalamath Street and West 43<sup>rd</sup> Avenue.

Beginning at the Northeast Corner of said Lot 3; Thence along the East line of said Lot 3, South 00°04’07” West, A distance of 151.67 Feet thence North 89°54’07” West, A distance of 125.05 Feet: Thence North 00°04’58” East, A distance of 151.60 Feet to the Northwest corner of said Lot 3; Thence along the North line of said Lot 3, South 89°56’11” East, A distance of 125.01 Feet to the point of Beginning.

1  
2 Containing ±18,958.92 SQ FT or ±0.435 Acres, More or Less  
3

4 Lot and Block Description:

5 Lots 3 to 11, inclusive Block 1, Viaduct Addition to Denver, City and County of Denver, State  
6 of Colorado  
7

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

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

12 COMMITTEE APPROVAL DATE: December 17, 2019

13 MAYOR-COUNCIL DATE: December 24, 2019 by Consent

14 PASSED BY THE COUNCIL: \_\_\_\_\_

15 \_\_\_\_\_ - PRESIDENT

16 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_

17 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
18 EX-OFFICIO CLERK OF THE  
19 CITY AND COUNTY OF DENVER

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

21 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: January 2, 2020

22 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
23 the City Attorney. We find no irregularity as to form and have no legal objection to the proposed  
24 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to  
25 § 3.2.6 of the Charter.

26 Kristin M. Bronson, Denver City Attorney

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