

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2024

COUNCIL BILL NO. CB24-0617
COMMITTEE OF REFERENCE:
4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance changing the zoning classification for 4340-4350 South Monaco**
7 **Street in Southmoor Park.**

8
9 **WHEREAS**, the City Council has determined, based on evidence and testimony presented at
10 the public hearing, that the map amendment set forth below conforms with applicable City laws, is
11 consistent with the City’s adopted plans, furthers the public health, safety and general welfare of the
12 City, will result in regulations and restrictions that are uniform within the PUD-G 34 district, is justified
13 by one of the circumstances set forth in Section 12.4.10.8 of the Denver Zoning Code, and is
14 consistent with the neighborhood context and the stated purpose and intent of the proposed zone
15 district; and the proposed PUD-G 34 meets the criteria set forth in Section 12.4.9.10 of the Denver
16 Zoning Code; and

17 **WHEREAS**, this matter was before City Council for a public hearing on June 17, 2024 wherein
18 it was re-referred to the Land Use Transportation and Infrastructure Committee to correct procedural
19 defects in notice for the Planning Board public hearing on the matter. The Land Use Transportation
20 and Infrastructure Committee postponed its review to a date certain in order to allow the Planning
21 Board noticing defects to be cured. On July 9, 2024, the Land Use Transportation and Infrastructure
22 Committee approved the filing of this bill;

23 **NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF**
24 **DENVER:**

25 **Section 1.** That upon consideration of a change in the zoning classification of the land area
26 hereinafter described, Council finds:

27 a. The land area hereinafter described is presently classified as B-4 with Waivers and
28 Conditions, UO-1 UO-2.

29 b. It is proposed that the land area hereinafter described be changed to PUD-G 34.

30 **Section 4.** That the zoning classification of the land area in the City and County of Denver
31 described as follows shall be and hereby is changed from B-4 with Waivers and Conditions, UO-1
32 UO-2 to PUD-G 34:

33 THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF DENVER,
34 STATE OF COLORADO, AND IS DESCRIBED AS FOLLOWS:

1 A PARCEL OF LAND LOCATED IN THE NE ¼ OF SECTION 8, TOWNSHIP 5 SOUTH, RANGE
2 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF
3 COLORADO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
4

5 THE BASIS OF BEARINGS FOR THIS DESCRIPTION IS THE WEST LINE OF THE NE ¼ OF
6 SAID SECTION 8 BEING N 00° 35' 15" E BETWEEN THE C ¼ CORNER (3.0' WITNESS
7 CORNER, A 3.5" ALUMINUM CAP LS 13212) AND N ¼ CORNER (A 3.5" BRASS CAP LS
8 7104);
9

10 COMMENCING AT THE C ¼ CORNER OF SAID SECTION 8;
11

12 THEN N 19° 43' 03" E, A DISTANCE OF 1376.82 FEET TO A POINT ON THE EASTERLY
13 RIGHT OF WAY LINE OF SOUTH MONACO STREET, SAID POINT BEING THE POINT OF
14 BEGINNING;
15

16 THENCE ALONG SAID RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES:

- 17 1) N 25° 25' 33" W, A DISTANCE OF 600.96 FEET TO A POINT OF CURVATURE;
- 18 2) ALONG THE ARC OF A CURVE TO THE RIGHT, 115.21 FEET, HAVING A RADIUS OF
19 537.65 FEET, A CENTRAL ANGLE OF 12° 16' 39" AND A CHORD BEARING AND DISTANCE
20 OF N 19° 20' 14" W, 114.99 FEET, ·
21

22 THENCE N 70° 29' 06" E, A DISTANCE OF 837.77 FEET TO A POINT ON THE WESTERLY
23 RIGHT OF WAY LINE OF INTERSTATE HIGHWAY #25;
24

25 THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE, S 24° 02' 35" E, A DISTANCE OF
26 714.93 FEET, ·

27 THENCE S 70° 29' 06" W, A DISTANCE OF 832.16 FEET TO THE POINT OF BEGINNING;
28

29 EXCEPT ANY PORTION CONTAINED IN RULE AND ORDER OF THE DISTRICT COURT, CASE
30 NO. 01CV3689, RECORDED NOVEMBER 17, 2005 AT RECEPTION NO. 2005197000, DENVER
31 COUNTY RECORDS

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

34 **Section 5.** PUD-G 34, as filed in the words and figures contained and set forth therein, available
35 in the office and on the web page of City Council, and filed in the office of the City Clerk on the 12th day
36 of June, 2024, under City Clerk's Filing No. 20240058A, is hereby approved.

37 **Section 6.** That this ordinance shall be recorded by the Manager of Community Planning and
38 Development in the real property records of the Denver County Clerk and Recorder.

39 **[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

1 COMMITTEE APPROVAL DATE: July 9, 2024
2 MAYOR-COUNCIL DATE: N/A
3 PASSED BY THE COUNCIL: August 12, 2024
4 Amesh P. Sandora - PRESIDENT
5 APPROVED: _____ - MAYOR _____
6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER
9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____
10 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: July 11, 2024
11 Pursuant to Section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of
12 the City Attorney. We find no irregularity as to form and have no legal objection to the proposed
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
14 § 3.2.6 of the Charter.
15
16 Kerry Tipper, Denver City Attorney
17
18 BY: Anshul Bagga, Assistant City Attorney DATE: Jul 11, 2024