

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2023

COUNCIL BILL NO. CB23-0672
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance changing the zoning classification for 3740-3850 North York Street in Clayton.

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 PUD-G 32 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, and meets the criteria set forth in Section 12.4.10.9 of the Denver Zoning Code;

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 PUD-G 20.
- b. It is proposed that the land area hereinafter described be changed to PUD-G 32.

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 PUD-G 20 to PUD-G 32:

A. Subarea A Legal Description

3840 N York Street

A PARCEL OF LAND BEING A PART OF THE SOUTHEAST ONE QUARTER OF SECTION 23 AND PART OF THE SOUTHWEST ONE-QUARTER OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1, CHEESMAN AND MOFFAT'S ADDITION TO THE CITY OF DENVER, WHICH POINT IS ON THE SOUTH LINE OF THE SOUTHEAST ¼ OF SAID SECTION 23, 47.94 FEET WEST OF THE SOUTHEAST CORNER OF SAID SOUTHEAST ¼ AND WHICH POINT IS ALSO ON THE EAST LINE OF N YORK STREET;
THENCE NORTH 00°07'00" WEST PARALLEL WITH AND 47.94 FEET WEST OF THE EAST LINE OF THE SOUTHEAST ¼ OF SAID SECTION 23 AND ALONG THE EAST LINE

1 OF N YORK STREET, A DISTANCE OF 225.69 FEET TO THE TRUE POINT OF
2 BEGINNING;
3 THENCE NORTH 89°56'24" EAST, A DISTANCE OF 46.57 FEET;
4 THENCE SOUTH 75°42'55" EAST, A DISTANCE OF 46.50 FEET;
5 THENCE NORTH 89°56'24" EAST, A DISTANCE OF 136.23 FEET;
6 THENCE SOUTH 00°07'00" EAST, A DISTANCE OF 17.00 FEET;
7 THENCE NORTH 89°56'24" EAST, A DISTANCE OF 197.17 FEET;
8 THENCE NORTH 00°07'00" WEST, A DISTANCE OF 29.24 FEET;
9 THENCE SOUTH 89°56'24" WEST, A DISTANCE OF 40.00 FEET;
10 THENCE NORTH 00°07'00" WEST, A DISTANCE OF 150.00 FEET;
11 THENCE SOUTH 89°56'24" WEST, A DISTANCE OF 175.00 FEET;
12 THENCE NORTH 00°07'00" WEST, A DISTANCE OF 64.60 FEET;
13 THENCE SOUTH 89°56'24" WEST, A DISTANCE OF 117.15 FEET;
14 THENCE NORTH 00°07'00" WEST, A DISTANCE OF 19.99 FEET;
15 THENCE SOUTH 89°56'24" WEST, A DISTANCE OF 92.85 FEET TO THE EAST LINE OF
16 N YORK STREET;
17 THENCE SOUTH 00°07'00" EAST ALONG THE EAST LINE OF N YORK STREET, A
18 DISTANCE OF 235.31 FEET TO THE TRUE POINT OF BEGINNING, CITY AND COUNTY
19 OF DENVER, STATE OF COLORADO.

20
21 EXCEPT:

22
23 A parcel of land being a part of the Southeast One-Quarter of Section 23 and part of the
24 Southwest One-Quarter of Section 24, Township 3 South, Range 68 West of the 6th
25 Principal Meridian, City and County of Denver, State of Colorado, being more particularly
26 described as follows:

27
28 Commencing at the northwest corner of Lot 1, Block 1, CHEESMAN AND MOFFAT'S
29 ADDITION TO THE CITY OF DENVER, which point is on the south line of the Southeast
30 Quarter of said Section 23, a distance of 47.94 feet west of the southeast corner of said
31 Southeast Quarter and which point is also on the east line of N York Street; thence North 00
32 degrees 07 minutes 00 seconds West, parallel with and 47.94 feet west of the east line of
33 the Southeast Quarter of said Section 23 and along the east line of N York Street, a
34 distance of 346.00 feet to the point of beginning; thence continue North 00 degrees 07
35 minutes 00 seconds West, 115.00 feet;
36 thence North 89 degrees 53 minutes 00 seconds East, 62.00 feet; thence South 00 degrees
37 07 minutes 00 seconds East, 115.00 feet; thence South 89 degrees 53 minutes 00 seconds
38 West, 62.00 feet to the point of beginning.

39
40 Containing 1.69 acres, more or less.

41
42 **3844 N York Street**

43 A parcel of land being a part of the Southeast One-Quarter of Section 23 and part of the
44 Southwest One-Quarter of Section 24, Township 3 South, Range 68 West of the 6th
45 Principal Meridian, City and County of Denver, State of Colorado, being more particularly
46 described as follows:

47
48 Commencing at the northwest corner of Lot 1, Block 1, CHEESMAN AND MOFFAT'S
49 ADDITION TO THE CITY OF DENVER, which point is on the south line of the Southeast
50 Quarter of said Section 23, a distance of 47.94 feet west of the southeast corner of said

Southeast Quarter and which point is also on the east line of N York Street; thence North 00 degrees 07 minutes 00 seconds West, parallel with and 47.94 feet west of the east line of the Southeast Quarter of said Section 23 and along the east line of York Street, a distance of 346.00 feet to the point of beginning; thence continue North 00 degrees 07 minutes 00 seconds West, 115.00 feet; thence North 89 degrees 53 minutes 00 seconds East, 62.00 feet; thence South 00 degrees 07 minutes 00 seconds East, 115.00 feet; thence South 89 degrees 53 minutes 00 seconds West, 62.00 feet to the point of beginning.

Containing 0.16 acres, more or less.

3850 N York Street

A PARCEL OF LAND BEING A PART OF THE SOUTHEAST ONE QUARTER OF SECTION 23 AND PART OF THE SOUTHWEST ONE-QUARTER OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1, CHEESMAN AND MOFFAT'S ADDITION TO THE CITY OF DENVER, WHICH POINT IS ON THE SOUTH LINE OF THE SOUTHEAST $\frac{1}{4}$ OF SAID SECTION 23, 47.94 FEET WEST OF THE SOUTHEAST CORNER OF SAID SOUTHEAST $\frac{1}{4}$ AND WHICH POINT IS ALSO ON THE EAST LINE OF YORK STREET:

THENCE NORTH 00°07'00" WEST PARALLEL WITH AND 47.94 FEET WEST OF THE EAST LINE OF THE SOUTHEAST $\frac{1}{4}$ OF SAID SECTION 23 AND ALONG THE EAST LINE OF YORK STREET, A DISTANCE OF 461.00 FEET TO THE TRUE POINT OF BEGINNING: THENCE NORTH 89°56'24" EAST, A DISTANCE OF 92.85 FEET; THENCE SOUTH 00°07'00" EAST, A DISTANCE OF 19.99 FEET; THENCE NORTH 89°56'24" EAST, A DISTANCE OF 117.15 FEET; THENCE NORTH 00°07'00" WEST, A DISTANCE OF 135.40 FEET; THENCE SOUTH 89°56'24" WEST, A DISTANCE OF 210.00 FEET TO THE EAST LINE OF YORK STREET; THENCE SOUTH 00°07'00" EAST ALONG THE EAST LINE OF YORK STREET, A DISTANCE OF 115.41 FEET TO THE TRUE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

Containing 26,578 SQ. FT. OR 0.6101 ACRES, MORE OR LESS.

B. Subarea B Legal Description

A parcel of land being a part of the southeast one quarter of section 23 and part of the southwest one-quarter of section 24, township 3 south, range 68 west of the 6th principal meridian, City and County of Denver. State of Colorado, being more particularly described as follows: Beginning at the northwest corner of lot 1, block 1, CHEESMAN AND MOFFAT'S ADDITION TO THE CITY OF DENVER, which point is on the south line of the southeast $\frac{1}{4}$ of said section 23, 47.94 feet west of the southeast corner of said southeast $\frac{1}{4}$ and which point is also on the east line of N York Street; Thence north 00°07'00" west parallel with and 47.94 feet west of the east line of the southeast $\frac{1}{4}$ of

1 said section 23 and along the east line of York Street, a distance of 225.69 feet;
2 Thence north 89°56'24" east, a distance of 46.57 feet;
3 Thence south 75°42'55" east, a distance of 46.50 feet;
4 Thence north 89°56'24" east, a distance of 136.23 feet;
5 Thence south 00°07'00" east, a distance of 17.00 feet;
6 Thence north 89°56'24" east, a distance of 197.17 feet;
7 Thence south 00°07'00" east, a distance of 196.22 feet to a point on the south line of the
8 southwest
9 ¼ of said section 24;
10 Thence south 89°48'42" west along the south line of the southwest ¼ of said section 24, a
11 distance
12 of 425.00 feet, more or less, to the point of beginning,
13 City and county of Denver, State of Colorado.

14
15 The described contains 88,265 sq. Ft. Or 2.0263 acres, more or less.

16
17 Together With:

18 Lots 1 through 6, inclusive, and the North One-half of Lot 7, Block 1, CHEESMAN AND
19 MOFFAT'S
20 ADDITION TO THE CITY OF DENVER, and Lots 1 through 6, inclusive, and the North One-
21 half of Lot 7, Block 1, LESSIG ADDITION, City and County of Denver, State of Colorado.

22
23 Containing 17,108 square feet or 0.393 acres, more or less.

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

26 **Section 3.** PUD-G 32, as filed in the words and figures contained and set forth therein, available
27 in the office and on the web page of City Council, and filed in the office of the City Clerk on the 15th day
28 of June, 2023, under City Clerk's Filing No. 20230081, is hereby approved.

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

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

1 COMMITTEE APPROVAL DATE: June 13, 2023
2 MAYOR-COUNCIL DATE: June 20, 2023
3 PASSED BY THE COUNCIL: _____
4 _____ - 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: June 22, 2023
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: _____, Assistant City Attorney DATE: _____