

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2024

COUNCIL BILL NO. CB24-0983
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance changing the zoning classification for 4050 North Colorado Boulevard and associated properties in Northeast Park Hill.

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-5 and C-MX-8 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 B-3 with Waivers and Conditions.
- b. It is proposed that the land area hereinafter described be changed to 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 B-3 with Waivers and Conditions to C-MX-5:

PARCEL B (C-MX-5)

A PARCEL OF LAND IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER AND CONSIDERING THE WEST LINE OF THE PARK HILL NORTH PARCEL ZONE LOT AS RECORDED AT RECEPTION NO. 2013107015 IN THE RECORDS OF DENVER COUNTY CLERK AND RECORDER TO BEAR NORTH 00°53'01" WEST, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

1
2 THENCE NORTH 08°06'30" EAST A DISTANCE OF 622.73 FEET TO THE EASTERLY RIGHT-
3 OF-WAY OF COLORADO BOULEVARD, THE SOUTHWESTERLY CORNER OF SAID NORTH
4 PARCEL, AND THE POINT OF BEGINNING;

5
6 THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID NORTH PARCEL THE FOLLOWING
7 SEVENTEEN (17) COURSES:

- 8 1) SOUTH 89°52'53" EAST A DISTANCE OF 219.44 FEET;
- 9 2) SOUTH 00°06'59" WEST A DISTANCE OF 39.00 FEET TO A POINT OF CURVATURE;
 - 10 a. ALONG A NON-TANGENT CURVE TO THE RIGHT HAVING A CENTRAL ANGLE
 - 11 OF 17°55'21", A RADIUS OF 81.59 FEET, AN ARC LENGTH OF 25.52 FEET AND A
 - 12 CHORD THAT BEARS SOUTH 50°29'19" EAST A DISTANCE OF 25.42 FEET TO A
 - 13 POINT OF REVERSE CURVATURE;
- 14 3) ALONG A REVERSE CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 47°39'56", A
- 15 RADIUS OF 24.00 FEET, AN ARC LENGTH OF 19.97 FEET AND A CHORD THAT BEARS
- 16 SOUTH 65°21'37" EAST A DISTANCE OF 19.40 FEET;
- 17 4) NORTH 90°00'00" EAST A DISTANCE OF 4.05 FEET TO A POINT OF CURVATURE;
 - 18 a. ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 90°00'00", A
 - 19 RADIUS OF 2.00 FEET, AN ARC LENGTH OF 3.14 FEET AND A CHORD THAT
 - 20 BEARS NORTH 45°00'00" EAST A DISTANCE OF 2.83 FEET;
- 21 5) NORTH 00°00'00" EAST A DISTANCE OF 15.50 FEET;
- 22 6) NORTH 90°00'00" EAST A DISTANCE OF 78.00 FEET;
- 23 7) SOUTH 00°00'00" EAST A DISTANCE OF 15.50 FEET TO A POINT OF CURVATURE;
 - 24 a. ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 90°00'00", A
 - 25 RADIUS OF 2.00 FEET, AN ARC LENGTH OF 3.14 FEET AND A CHORD THAT
 - 26 BEARS SOUTH 45°00'00" EAST A DISTANCE OF 2.83 FEET;
- 27 8) NORTH 90°00'00" EAST A DISTANCE OF 70.98 FEET TO A POINT OF CURVATURE;
 - 28 a. ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 90°00'00", A
 - 29 RADIUS OF 2.00 FEET, AN ARC LENGTH OF 3.14 FEET AND A CHORD THAT
 - 30 BEARS NORTH 45°00'00" EAST A DISTANCE OF 2.83 FEET;
- 31 9) NORTH 00°00'00" EAST A DISTANCE OF 15.50 FEET;
- 32 10) NORTH 90°00'00" EAST A DISTANCE OF 95.50 FEET;
- 33 11) SOUTH 00°00'00" EAST A DISTANCE OF 15.50 FEET TO A POINT OF CURVATURE;
 - 34 a. ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 90°00'00", A
 - 35 RADIUS OF 2.00 FEET, AN ARC LENGTH OF 3.14 FEET AND A CHORD THAT
 - 36 BEARS SOUTH 45°00'00" EAST A DISTANCE OF 2.83 FEET;
- 37 12) NORTH 90°00'00" EAST A DISTANCE OF 8.19 FEET TO THE WESTERLY RIGHT-OF-WAY
- 38 OF ALBION STREET AS SHOWN ON ALBION STREET SUBDIVISION FILING NO. 1
- 39 RECORDED AT RECEPTION NO. 2003197552 IN SAID RECORDS;

40
41 THENCE ALONG SAID WESTERLY RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES:

- 42 1) SOUTH 00°06'59" WEST A DISTANCE OF 275.52 FEET TO A POINT OF CURVATURE;
 - 43 a. ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 90°00'00", A
 - 44 RADIUS OF 113.50 FEET, AN ARC LENGTH OF 178.29 FEET AND A CHORD THAT
 - 45 BEARS SOUTH 45°06'59" WEST A DISTANCE OF 160.51 FEET TO THE
 - 46 NORTHERLY RIGHT-OF-WAY OF 40TH AVENUE;

47
48 THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY THE FOLLOWING FIVE (5) COURSES:

- 49 1) NORTH 89°53'01" WEST A DISTANCE OF 69.69 FEET TO A POINT OF CURVATURE;

- 2) ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 51°51'35", A RADIUS OF 212.00 FEET, AN ARC LENGTH OF 191.89 FEET AND A CHORD THAT BEARS SOUTH 64°11'11" WEST A DISTANCE OF
 - a. 185.40 FEET TO A POINT OF REVERSE CURVATURE;
- 3) ALONG A REVERSE CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 51°51'35", A RADIUS OF 49.50 FEET, AN ARC LENGTH OF 44.80 FEET AND A CHORD THAT BEARS SOUTH 64°11'11" WEST A DISTANCE OF 43.29 FEET;
- 4) NORTH 89°53'01" WEST A DISTANCE OF 109.17 FEET TO A POINT OF CURVATURE;
- 5) ALONG SAID CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 90°00'00", A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 78.54 FEET AND A CHORD THAT BEARS NORTH 44°53'01" WEST A DISTANCE OF 70.71 FEET TO SAID EASTERLY RIGHT-OF-WAY OF COLORADO BOULEVARD;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY THE FOLLOWING FOUR (4) COURSES:

- 1) NORTH 00°06'59" EAST A DISTANCE OF 197.01 FEET;
- 2) NORTH 12°07'22" EAST A DISTANCE OF 65.00 FEET;
- 3) NORTH 05°07'22" EAST A DISTANCE OF 165.00 FEET;
- 4) NORTH 00°53'01" WEST A DISTANCE OF 76.73 FEET TO THE POINT OF BEGINNING;

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

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 B-3 with Waivers and Conditions to C-MX-8:

PARCEL A (C-MX-8)

A PARCEL OF LAND LYING WITHIN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, FROM WHENCE THE WEST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19 BEARS NORTH 00°06'28" EAST, WITH ALL BEARINGS HEREON BEING REFERENCED TO THIS LINE; THENCE NORTH 08°06'49" EAST, A DISTANCE OF 622.76 FEET TO THE EASTERLY RIGHT-OF-WAY OF COLORADO BOULEVARD ALSO BEING THE NORTHWESTERLY CORNER OF THAT BOUNDARY DESCRIBED IN SPECIAL WARRANTY DEED AS RECORDED UNDER RECEPTION NO. 2007021783 IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER AND THE POINT OF BEGINNING;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY OF COLORADO BOULEVARD AND THE SOUTHERLY RIGHT-OF-WAY OF SMITH ROAD THE FOLLOWING SIX (6) COURSES:

- 1) NORTH 00°53'01" WEST, A DISTANCE OF 313.27 FEET;
- 2) NORTH 11°06'59" EAST, A DISTANCE OF 85.00 FEET;
- 3) NORTH 38°06'59" EAST, A DISTANCE OF 105.00 FEET;
- 4) NORTH 55°38'31" EAST, A DISTANCE OF 62.82 FEET;
- 5) NORTH 81°37'25" EAST, A DISTANCE OF 138.44 FEET;

1 6) NORTH 86°08'59" EAST, A DISTANCE OF 290.04 FEET TO THE WESTERLY BOUNDARY
2 OF TRACT B, PARK HILL TOWN CENTER SUBDIVISION FILING NO. 1 RECORDED AT
3 RECEPTION NO. 2004129062, IN SAID RECORDS;

4
5 THENCE ALONG SAID WESTERLY BOUNDARY, SOUTH 00°06'59" WEST, A DISTANCE OF
6 125.61 FEET TO THE WESTERLY RIGHT-OF-WAY OF ALBION STREET, AS SHOWN ON THE
7 ALBION STREET SUBDIVISION FILING NO. 1 PLAT, RECORDED AT RECEPTION NO.
8 2003197552, IN SAID RECORDS AND THE BEGINNING OF A NON-TANGENT CURVE
9 CONCAVE EASTERLY HAVING A RADIUS OF 197.00 FEET, THE RADIUS POINT OF SAID
10 CURVE BEARS SOUTH 56°46'02" EAST;

11
12 THENCE ALONG SAID WESTERLY RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES:
13 1) SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 33°06'59" AN ARC
14 LENGTH OF 113.86 FEET;
15 2) TANGENT TO SAID CURVE, SOUTH 00°06'59" WEST, A DISTANCE OF 384.88 FEET;

16
17 THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY, NORTH 90°00'00" WEST, A
18 DISTANCE OF 8.19 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE
19 NORTHEASTERLY HAVING A RADIUS OF 2.00 FEET;

20
21 THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF
22 90°00'00", AN ARC LENGTH OF 3.14 FEET; THENCE TANGENT TO SAID CURVE, NORTH
23 00°00'00" EAST, A DISTANCE OF 15.50 FEET;
24 THENCE NORTH 90°00'00" WEST, A DISTANCE OF 95.50 FEET;

25
26 THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 15.50 FEET TO THE BEGINNING OF A
27 TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 2.00 FEET;

28
29 THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF
30 90°00'00", AN ARC LENGTH OF 3.14 FEET;

31
32 THENCE TANGENT TO SAID CURVE, SOUTH 90°00'00" WEST, A DISTANCE OF 70.98 FEET
33 TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS
34 OF 2.00 FEET;

35
36 THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF
37 90°00'00", AN ARC LENGTH OF 3.14 FEET; THENCE TANGENT TO SAID CURVE, NORTH
38 00°00'00" EAST, A DISTANCE OF 15.50 FEET;

39
40 THENCE NORTH 90°00'00" WEST, A DISTANCE OF 78.00 FEET;

41
42 THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 15.50 FEET TO THE BEGINNING OF A
43 TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 2.00 FEET;

44
45 THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF
46 90°00'00", AN ARC LENGTH OF 3.14 FEET;

47
48 THENCE TANGENT TO SAID CURVE, NORTH 90°00'00" WEST, A DISTANCE OF 4.05 FEET TO
49 THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A
50 RADIUS OF 24.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS NORTH 00°48'25" EAST;

1
2 THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF
3 47°39'56", AN ARC LENGTH OF 19.97 FEET TO THE BEGINNING OF A REVERSE CURVE
4 CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 81.59 FEET;

5
6 THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF
7 17°55'21", AN ARC LENGTH OF 25.52 FEET TO A POINT ON THE EASTERLY BOUNDARY OF
8 THAT SPECIAL WARRANTY DEED AS RECORDED UNDER RECEPTION NO. 2007021783, IN
9 SAID RECORDS;

10
11 THENCE ALONG SAID EASTERLY BOUNDARY AND THE NORTHERLY BOUNDARY OF SAID
12 SPECIAL WARRANTY DEED THE FOLLOWING TWO (2) COURSES:

- 13 1) NON-TANGENT TO SAID CURVE, NORTH 00°06'59" EAST, A DISTANCE OF 39.00 FEET
14 TO THE NORTHEASTERLY CORNER OF SAID DEED BOUNDARY;
15 2) NORTH 89°52'53" WEST, A DISTANCE OF 219.44 FEET TO THE POINT OF BEGINNING.

16
17 EXCEPT THAT PORTION DESCRIBED IN RESOLUTION NO. CR18-0997, SERIES OF 2018
18 RECORDED OCTOBER 2, 2018 AT RECEPTION NO. 2018125157

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

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

23 COMMITTEE APPROVAL DATE: August 6, 2024

24 MAYOR-COUNCIL DATE: August 13, 2024

25 PASSED BY THE COUNCIL: _____

26 _____ - PRESIDENT

27 APPROVED: _____ - MAYOR _____

28 ATTEST: _____ - CLERK AND RECORDER,
29 EX-OFFICIO CLERK OF THE
30 CITY AND COUNTY OF DENVER

31 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

32 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: August 15, 2024

33 Pursuant to Section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of
34 the City Attorney. We find no irregularity as to form and have no legal objection to the proposed
35 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
36 § 3.2.6 of the Charter.

37
38 Kerry Tipper, Denver City Attorney

39 BY: Jonathan Griffin, Assistant City Attorney DATE: Aug 14, 2024
40