

BY AUTHORITY

ORDINANCE NO.  
SERIES OF 2009

**184**

COUNCIL BILL NO. **103**  
COMMITTEE OF REFERENCE:

Blueprint Denver

A BILL

**For an ordinance changing the zoning classification for approximately 10601 through 11499 East 26<sup>th</sup> Avenue.**

**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 in accordance with the Comprehensive Plan, is justified either by changed or changing conditions or to correct manifest error in the prior zoning and is necessary to promote the public health, safety and general welfare;

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

**Section 1.** That the zoning classification of the area in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed from R-1 to R-MU-20.

A PART OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING A PORTION OF FUTURE STAPLETON FILING NO. 16, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 26, BEING ON THE CENTERLINE OF THE FUTURE R.O.W. FOR 26<sup>TH</sup> AVENUE; THENCE N89°39'23"E, ALONG SAID CENTERLINE, A DISTANCE OF 590.16 FEET TO A POINT ON THE CENTERLINE OF THE FUTURE R.O.W. FOR SAID 26<sup>TH</sup> AVENUE, BEING THE POINT OF BEGINNING;

THENCE N00°17'27"W, A DISTANCE OF 446.04 FEET TO A POINT OF CURVE;

THENCE ALONG A CURVE TO THE LEFT HAVING A DELTA OF 47°31'59", A RADIUS OF 624.10 FEET AND AN ARC LENGTH OF 517.76 FEET TO A POINT ON A CURVE BEING ON THE CENTERLINE OF THE FUTURE R.O.W. FOR MARTIN LUTHER KING JR. BLVD;

THENCE ALONG SAID CENTERLINE OF THE FUTURE R.O.W. FOR MARTIN LUTHER KING JR. BLVD THE FOLLOWING TWO (2) COURSES:

1. ALONG A CURVE TO THE RIGHT HAVING A DELTA OF 13°44'36", A RADIUS OF 1183.50 FEET, AN ARC LENGTH OF 283.88 FEET AND A CHORD BEARING S64°06'10"E, A DISTANCE OF 283.20 FEET TO A POINT OF TANGENT;
2. S57°13'52"E, ALONG SAID TANGENT, A DISTANCE OF 694.32 FEET TO THE CENTERLINE OF THE FUTURE R.O.W. FOR 26<sup>TH</sup> AVENUE;

THENCE ALONG SAID CENTERLINE OF FUTURE R.O.W. FOR 26<sup>TH</sup> AVENUE THE FOLLOWING THREE (3) COURSES:

1. S32°46'08"W, ALONG SAID CENTERLINE, A DISTANCE OF 331.10 FEET TO A POINT OF CURVE;

2. ALONG A CURVE TO THE RIGHT HAVING A DELTA OF 56°53'15", A RADIUS OF 275.00 FEET AND AN ARC LENGTH OF 273.04 FEET TO A POINT OF TANGENT;
3. S89°39'23"W, ALONG SAID TANGENT, A DISTANCE OF 222.47 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 349,344 SQUARE FEET OR 8.020 ACRES MORE OR LESS.

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID EAST LINE BEARING N00°41'16"W, BASE ON NAD 83/92 STATE PLANE CENTRAL ZONE COORDINATES, AND AS MARKED BY A FOUND 3-1/4" BRASS CAP STAMPED LS 16848 AT THE CENTER OF SAID SECTION 26 AND BY A FOUND STONE WITH CHISELED "+" AT THE SOUTH QUARTER CORNER OF SAID SECTION 26.

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

4 **Section 2.** That this ordinance shall be recorded by the Department of Zoning Administration  
5 among the records of the Clerk and Recorder of the City and County of Denver.

6 COMMITTEE APPROVAL DATE: February 11, 2009 MAYOR-COUNCIL DATE: February 17, 2009

7 PASSED BY THE COUNCIL March 23 2009

8 James Cobb - PRESIDENT

9 APPROVED: Joe Hibel - MAYOR March 24, 2009

10 ATTEST: Stephanie O'Malley - CLERK AND RECORDER,  
11 EX-OFFICIO CLERK OF THE  
12 CITY AND COUNTY OF DENVER

13 NOTICE PUBLISHED IN THE DAILY JOURNAL Feb. 25, 2009; Mar. 26, 2009

14 PREPARED BY: <sup>KM</sup> KAREN AVILES, ASSISTANT CITY ATTORNEY, February 19, 2009

15 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
16 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
17 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to  
18 § 3.2.6 of the Charter.

19 David R. Fine, City Attorney

20 BY: David R. Fine, Assistant City Attorney DATE: February 19, 2009

