

1 BY AUTHORITY

2 ORDINANCE NO. _____
3 SERIES OF 2010

COUNCIL BILL NO. 10-1009
COMMITTEE OF REFERENCE:
4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance changing the zoning classification for 210 St. Paul St., from**
7 **PUD #269 to a General Planned Unit Development District (PUD).**
8

9 **WHEREAS**, the City Council has determined, based on evidence and testimony presented at
10 the public hearing, that the map amendment to a PUD as set forth below conforms with applicable
11 City laws; is in accordance with the Comprehensive Plan; is necessary to promote the public health,
12 safety and general welfare of the City; is justified by one of the circumstances set forth in Section
13 12.4.10.14A of the Denver Zoning Code, and is consistent with the neighborhood context and the
14 stated purpose and intent of the PUD zone district stated in Division 9.6 of the Denver Zoning Code;
15 the PUD District and the PUD District Plan conform with Division 9.6; the development proposed is
16 not feasible under any other zone district and would require an unreasonable number of variances or
17 conditions and waivers; and the PUD District and the PUD District Plan establish permitted uses that
18 are compatible with existing land uses adjacent to the subject property and establish building forms
19 that are compatible with adjacent existing building forms or which are made compatible through
20 appropriate transactions at the boundaries of the PUD District Plan;

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

23 **Section 1.** That the zoning classification for the land areas in the City and County of
24 Denver described as follows or included within the following boundaries shall be and hereby is
25 changed from PUD #269 to General PUD:

26 **Plots 1 and 2,**
27 **Block 57,**
28 **Harmons Sub-Division**
29 **City and County of Denver, State of Colorado**

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

32 **Section 2.** The complete application with such supporting material as designated by the
33 Land Use, Transportation, and Infrastructure Committee of the City Council all as filed in the Office

1 of the City Clerk of the City and County of Denver on the 24th day of November, 2010, Filing No. 10-
2 1172 be and hereby is adopted and approved as the General PUD District Plan for the development
3 of the land area hereinabove described.

4 **Section 3.** Said General PUD District Plan together with any site development plans, as
5 provided in Division 9.6 of the Denver Zoning Code, shall regulate the use and development of the
6 land area hereinabove described.

7 **Section 4.** None of the land area hereinabove described shall be used or occupied and no
8 structure or structures shall be designed, erected, altered, used or occupied thereon except in
9 conformity with all provisions of said General PUD District Plan and site development plan(s), and
10 except upon performance of all conditions therein set forth.

11 **Section 5.** This Ordinance shall be recorded by the Department of Community Planning
12 and Development among the records of the Clerk and Recorder of the City and County of Denver.

13 COMMITTEE APPROVAL DATE: November 16, 2010

14 MAYOR-COUNCIL DATE: November 23, 2010

15 PASSED BY THE COUNCIL: _____, 2010
16 _____ - PRESIDENT

17 APPROVED: _____ - MAYOR _____, 2010

18 ATTEST: _____ - CLERK AND RECORDER,
19 EX-OFFICIO CLERK OF THE
20 CITY AND COUNTY OF DENVER

21 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2010; _____, 2010

22 PREPARED BY: Karen A. Aviles, ASSISTANT CITY ATTORNEY DATE: November 23, 2010

23 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
24 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
25 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to §
26 3.2.6 of the Charter.

27 David R. Fine, City Attorney

28 BY: _____, Assistant City Attorney DATE: _____, 2010