

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2015

COUNCIL BILL NO. CB14-1076
COMMITTEE OF REFERENCE:
Neighborhoods & Planning

A BILL

For an ordinance changing the zoning classification of certain portions of vacated alleys in the Cherry Creek North area, roughly bounded by 1st Avenue, 3rd Avenue, University and Steele Street.

WHEREAS, by Ordinance No. 602, Series of 2014, the zoning classification for multiple properties in the Cherry Creek North was changed, and

WHEREAS, Ordinance No. 602, Series of 2014 did not change the zoning classifications of certain vacated alleys, in error; and

WHEREAS, it was the intent of City Council to include such vacated alleys in the change of zoning classifications on the official map; and

WHEREAS, this official map amendment is necessary only to correct this error in the official map; and

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, and will result in regulations and restrictions that are uniform within the C-CCN-4, C-CCN-5, C-CCN-7, and C-CCN-8 districts;

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:

1. That the land area hereinafter described is presently classified as C-CCN, or C-MU-10 with waivers and conditions.

2. That the City Council proposes that the land area hereinafter described be changed to C-CCN-4, C-CCN-5, C-CCN-7, or C-CCN-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 C-CCN or C-MU-10 with waivers and conditions to C-CCN-4, C-CCN-5, C-CCN-7, or C-CCN-8:

1 **That the zoning classification of the area in the City and County of Denver**
2 **described as follows or included within the following boundaries shall be**
3 **and hereby is changed from C-CCN to C-CCN-4:**

4 That part of the alley, vacated by Ordinance 36, Series of 1975, lying adjacent to
5 and between Lots 1 and 10, Block 34, Harmans Subdivision.

6 and

7 **That the zoning classification of the area in the City and County of Denver**
8 **described as follows or included within the following boundaries shall be**
9 **and hereby is changed from C-CCN to C-CCN-5:**

10 Those parts of the alley vacated by Ordinance 684, Series of 1978, and Ordinance
11 5, Series of 1979, lying adjacent to and between Lots 4-7, inclusive, Block 58,
12 Harmans Subdivision.

13 and

14 **That the zoning classification of the area in the City and County of Denver**
15 **described as follows or included within the following boundaries shall be**
16 **and hereby is changed from C-CCN to C-CCN-7:**

17 The east ½ of that part of the alley, vacated by Ordinance 211, Series of 1958,
18 lying adjacent to the south 1/3 of Lot 8 and the north ½ of Lot 9, Block 63,
19 Harmans Subdivision.

20 and

21 **That the zoning classification of the area in the City and County of Denver**
22 **described as follows or included within the following boundaries shall be**
23 **and hereby is changed from C-CCN to C-CCN-8:**

24 All that vacated part of the alley, vacated by Ordinance 211, Series of 1958,
25 EXCEPT the east ½ of that portion of said vacated alley lying adjacent to the south
26 1/3 of Lot 8 and the north ½ of Lot 9, Block 63, Harmans Subdivision.

27 All that vacated part of the alley, vacated by Ordinance 253, Series of 1956, and
28 Ordinance 50, Series of 1954 lying in Block 64, Harmans Subdivision.

29 The east ½ of that part of the north-south alley, vacated by Ordinance 238, Series
30 of 1985, lying adjacent to Lot 4 and the north 10' of Lot 5, Block 68, Harmans
31 Subdivision.

32 and

33 **That the zoning classification of the area in the City and County of Denver**
34 **described as follows or included within the following boundaries shall be**
35 **and hereby is changed from C-MU-10 with waivers and conditions to C-CCN-**
36 **8:**

1 All of the vacated alleys and the vacated portions of Josephine St, Columbine St,
2 Clayton St, and 1st Ave, vacated by, and being described in, Ordinance 23 Series
3 of 1953, together with the west 1/2 of the vacated north-south alley, vacated by, and
4 being described in, Ordinance 238, Series of 1985. All said vacated alleys and
5 vacated street portions lying in, or adjacent to, Blocks 65-68, Harmans Subdivision.

6 **Section 3.** That this ordinance shall be recorded by the Manager of Community Planning
7 and Development in the real property records of the Denver County Clerk and Recorder.

8 COMMITTEE APPROVAL DATE: December 11, 2014 (by consent)

9 MAYOR-COUNCIL DATE: December 16, 2014

10 PASSED BY THE COUNCIL: _____, 20__
11 _____ - PRESIDENT

12 APPROVED: _____ - MAYOR _____, 20__

13 ATTEST: _____ - CLERK AND RECORDER,
14 EX-OFFICIO CLERK OF THE
15 CITY AND COUNTY OF DENVER

16 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 20__; _____, 20__

17 PREPARED BY: Adam C. Hernandez, Assistant City Attorney DATE: December 18, 2014

18 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
19 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
20 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
21 § 3.2.6 of the Charter.

22 D. Scott Martinez, Denver City Attorney

23 BY: _____, Assistant City Attorney DATE: _____, 20__