

1 **BY AUTHORITY**

2 ORDINANCE NO. \_\_\_\_\_  
3 SERIES OF 2018

COUNCIL BILL NO. CB18-0617  
COMMITTEE OF REFERENCE:

4 Land Use, Transportation & Infrastructure

5 **A BILL**

6 **For an ordinance changing the zoning classification of 2500 East 44th Avenue,  
7 4348 Columbine Street, 4301 & 4349 Elizabeth Street in the Elyria Swansea  
8 neighborhood.**

9 **WHEREAS**, the City Council has determined, based on evidence and testimony presented  
10 at the public hearing, that the map amendment set forth below conforms with applicable City laws,  
11 is consistent with the City's adopted plans, furthers the public health, safety and general welfare of  
12 the City, will result in regulations and restrictions that are uniform with the PUD-G 18 district, is  
13 justified by one of the circumstances set forth in Section 12.4.10.8 of the Denver Zoning Code, is  
14 consistent with the neighborhood context and the stated purpose and intent of the proposed zone  
15 district, and meets the criteria set forth in 12.4.10.9 of the Denver Zoning Code;

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

18 **Section 1.** That upon consideration of a change in the zoning classification of the land area  
19 hereinafter described, Council finds:

- 20 a. That the land area hereinafter described is presently classified as E-TU-B.  
21 b. It is proposed that the land area hereinafter described be changed to PUD-G 18.

22 **Section 2.** That the zoning classification for the land area in the City and County of Denver  
23 described as follows shall be and hereby is changed from E-TU-B to Planned Unit Development  
24 District (PUD-G-18):

25 **LEGAL DESCRIPTION**

26 Lots 1 Through 16, Block E, Mouat's Resubdivision of Part of Swansea, and Block 67,  
27 1st Addition to Swansea, City and County of Denver, State of Colorado.

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

30 **Section 3.** The complete application with such supporting material as designated by the  
31 Land Use, Transportation & Infrastructure Committee of the City Council filed in the words and figures  
32 contained and set forth in the Application for Zone Map Amendment (District Plan), available in the  
33 office and on the web page of City Council, and filed in the office of the City Clerk on the 20th day  
34 of June, 2018, under City Clerk's Filing No. 2018-0293, is hereby approved.

1           **Section 4.** Said District Plan together with a Site Development Plan, as provided in Section  
2 12.4.3 of the Denver Zoning Code, shall regulate the use and development of the land area  
3 hereinabove described.

4           **Section 5.** None of the land area hereinabove described shall be used or occupied and no  
5 structure or structures shall be designed, erected, altered, used or occupied thereon except in  
6 conformity with all provisions of said District Plan and a Site Development Plan, as provided in Section  
7 12.4.3 of the Denver Zoning Code, and except upon performance of all conditions therein set forth.

8           **Section 6.** This Ordinance shall be recorded by the Manager of Community Planning and  
9 Development in the real property records of the Clerk and Recorder of the City and County of Denver.

10 COMMITTEE APPROVAL DATE: June 19, 2018

11 MAYOR-COUNCIL DATE: June 26, 2018

12 PASSED BY THE COUNCIL: August 13, 2018 \_\_\_\_\_

13 \_\_\_\_\_ - PRESIDENT

14 APPROVED:  \_\_\_\_\_ - MAYOR August 14, 2018

15 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,

16 EX-OFFICIO CLERK OF THE  
17 CITY AND COUNTY OF DENVER

18 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_;

19 PREPARED BY: Adam C. Hernandez, Assistant City Attorney                                  DATE: July 12, 2018

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

24 Kristin M. Bronson, Denver City Attorney

25 BY:  \_\_\_\_\_, Assistant City Attorney                                  DATE: Jul 10, 2018