

1 BY AUTHORITY

2 ORDINANCE NO.
3 SERIES OF 2014

COUNCIL BILL NO. CB14-0304
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

6 A BILL

7 **For an ordinance changing the zoning classification of 2000 East 28th Avenue.**

8
9 **WHEREAS**, Ordinance No. 333, Series of 2010 (“Ordinance No. 333”) adopted a new
10 zoning code for the City and County of Denver (Denver Zoning Code) and amended in its entirety
11 former Chapter 59 (Zoning) of the Denver Revised Municipal Code, as defined in Ordinance No.
12 333 (“Former Chapter 59”), by enacting a new Chapter 59;

13 **WHEREAS**, the new Section 59-3 (a) (1) of the Denver Revised Municipal Code allows for
14 land retaining PUD zoning under the Former Chapter 59 to be rezoned to a new PUD under
15 Former Chapter 59;

16 **WHEREAS**, the Owner of the hereinafter described land which retained its PUD zoning
17 under Former Chapter 59 desires to rezone to a new PUD under Former Chapter 59; and

18 **WHEREAS**, the City Council has determined, based on evidence and testimony presented
19 at the public hearing, that the map amendment under Former Chapter 59 set forth below
20 conforms with applicable City laws, is in accordance with the Comprehensive Plan, is justified
21 either by changed or changing conditions or to correct manifest error in the prior zoning and is
22 necessary to promote the public health, safety and general welfare.

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

25
26 **Section 1.** That the zoning classification for the land area in the City and County of Denver
27 described as follows shall be and hereby is changed from PUD #572 to PUD #636:

28
29 Lots 1 through 4 and the North ½ of Lot 5, Block 24, Clayton’s Addition
30

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

33 **Section 2.** The complete application with such supporting material as designated by the
34 Land Use, Transportation and Infrastructure Committee of the City Council filed in the words and
35 figures contained and set forth in the Application for Zone Map Amendment (District Plan),
36 available in the office and on the web page of City Council, and filed in the office of the City Clerk

1 on the 29th day of April, 2014, under City Clerk's Filing Nos. 2014-0312 and 2014-0312-A, is
2 hereby approved.

3 **Section 3.** Said District Plan together with a Site Plan, as provided in Former Chapter 59
4 of the Denver Revised Municipal Code, shall regulate the use and development of the land area
5 hereinabove described

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

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

12 COMMITTEE APPROVAL DATE: April 22, 2014

13 MAYOR-COUNCIL DATE: April 29, 2014

14 PASSED BY THE COUNCIL: _____, 2014

15 _____ - PRESIDENT

16 APPROVED: _____ - MAYOR _____, 2014

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

20 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2014; _____, 2014

21 PREPARED BY: Brent A. Eisen, Assistant City Attorney DATE: May 1, 2014

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

26 D. Scott Martinez, Denver City Attorney

27 BY: _____, Assistant City Attorney DATE: _____, 2014