

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2016

COUNCIL BILL NO. CB16-0624
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance changing the zoning classification for 1601-1671 Pearl Street and 524-538 East 17th 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 consistent with the City’s adopted plans, furthers the public health, safety and general welfare of the City, is justified by one of the circumstances set forth in Section 12.4.10.8 of the Denver Zoning Code, and is consistent with the neighborhood context and the stated purpose and intent of the proposed zone district, and meets the criteria set forth in 12.4.10.9 of the Denver Zoning Code;

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-MX-5, DO-1, C-MX-8, DO-1, C-MS-8, DO-1, and C-MS-8.

2. That the Owner proposes that the land area hereinafter described be changed to PUD–G15, DO1.

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-MX-5, DO-1, C-MX-8, DO-1, C-MS-8, DO-1, and C-MS-8 to PUD–G15, DO1:

LEGAL DESCRIPTION

**LOTS 21 THROUGH 40, INCLUSIVE, BLOCK 299 – CLEMENTS’
ADDITION TO THE CITY OF DENVER
SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 3 SOUTH,
RANGE 68 WEST, SIXTH PRINCIPAL MERIDIAN, CITY AND
COUNTY OF DENVER, STATE OF COLORADO**

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

1 **Section 3.** The complete application with such supporting material as designated by the
2 Land Use, Transportation & Infrastructure Committee of the City Council filed in the words and figures
3 contained and set forth in the Application for Zone Map Amendment (District Plan), available in the
4 office and on the web page of City Council, and filed in the office of the City Clerk on the 7th day of
5 September, 2016, under City Clerk's Filing No. 2016-0383, is hereby approved.

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

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

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

14 COMMITTEE APPROVAL DATE: August 23, 2016

15 MAYOR-COUNCIL DATE: August 30, 2016

16 PASSED BY THE COUNCIL: _____

17 _____ - PRESIDENT

18 APPROVED: _____ - MAYOR _____

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

22 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____;

23 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: September 8, 2016

24 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
25 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
26 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
27 § 3.2.6 of the Charter.

28 Denver City Attorney

29 BY: _____, Assistant City Attorney DATE: _____