

1 **BY AUTHORITY**

2 ORDINANCE NO. _____
3 SERIES OF 2019

COUNCIL BILL NO. CB19-0403
COMMITTEE OF REFERENCE:

4 Community Planning and Development

5 **A BILL**

6 **For an ordinance changing the zoning classification of 1683, 1685, 1687, 1691,
7 1693, 1695, and 1699 Cedar Avenue in Washington Park.**

8 **WHEREAS**, the City Council has determined, based on evidence and testimony presented
9 at the public hearing, that the map amendment set forth below conforms with applicable City laws,
10 is consistent with the City's adopted plans, furthers the public health, safety and general welfare of
11 the City, will result in regulations and restrictions that are uniform with the PUD-G 22 district, is
12 justified by one of the circumstances set forth in Section 12.4.10.8 of the Denver Zoning Code, is
13 consistent with the neighborhood context and the stated purpose and intent of the proposed zone
14 district, and meets the criteria set forth in 12.4.10.9 of the Denver Zoning Code;

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

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

- 19 a. That the land area hereinafter described is presently classified as PUD-G 5.
20 b. It is proposed that the land area hereinafter described be changed to PUD-G 22.

21 **Section 2.** That the zoning classification for the land area in the City and County of Denver
22 described as follows shall be and hereby is changed from PUD-G 5 to PUD -G 22:

23 A part of Block 18, Shackleton Place Subdivision according to the official City and County
24 of Denver re-survey plat, together with the contiguous half of S. Williams St. vacated by
25 Ord. 28, 1927 on the east side and with the contiguous half of S. Gilpin St. vacated by Ord.
26 98, 1921 on the west side and together with the alley within said Block 18 vacated by Ord.
27 62, 1921, all being in the City and County of Denver and more particularly described as
28 follows:

29
30 Beginning at the point of intersection between the North line of Cedar Ave. and the
31 centerline of said vacated S. Gilpin St.; thence northerly along said centerline a distance of
32 599.45 feet to a point on the South right-of-way of Bayaud Ave. which is also the North line
33 of said Block 18 extended; thence on an angle to the right of 90° 09' 00" and along said
34 South right-of-way line of Bayaud Ave. and along said North line of Block 18 extended and
35 along the North line of said Block 18 a distance of 125.37 feet to a point on a non-tangent
36 curve which is the southwesterly line of the official channel of Cherry Creek; thence on a
37 deflection angle to the right of 36° 18' 07" from the tangent of said curve to the left having
38 a radius of 884.02 feet and a central angle of 14° 49' 21" an arc distance of 228.70 feet to
39 a point of intersection with the centerline of said vacated S. Williams St.; thence departing

1 from said southwesterly line on an angle to the right of 68° 22' 14" from the tangent to the
2 aforesaid curve and along said centerline of vacated S. Williams St. a distance of 215.32
3 feet; thence on an angle to the right of 90° 09' 00" a distance of 169.88 feet; thence on an
4 angle to the left of 90° 09' 00" a distance of 24.90 feet; thence on an angle to the right of
5 90° 09' 00" a distance of 124.88 feet; thence on an angle to the left of 90° 09' 00" a
6 distance of 131.92 feet to a point of curvature; thence along a curve to the left having a
7 radius of 83.72 feet and a central angle of 32° 00' 00" an arc distance of 46.76 feet to a
8 point of reverse curve; thence along a curve to the right having a radius of 113.72 feet and
9 a central angle of 32° 00' 00" an arc distance of 63.51 feet to a point of tangency; thence
10 along said tangent a distance of 12.58 feet to a point of said North right-of-way line of
11 Cedar Ave.; thence on an angle to the right of 90° 09' 00" and along said right-of-way a
12 distance of 60.00 feet to the point of beginning, containing in all 106,959 square feet or
13 2.455 acres, more or less.
14

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

17 **Section 3.** The complete application with such supporting material as designated by the
18 Land Use, Transportation & Infrastructure Committee of the City Council filed in the words and figures
19 contained and set forth in the Application for Zone Map Amendment (District Plan), available in the
20 office and on the web page of City Council, and filed in the office of the City Clerk on the 8th day of
21 May 2019, under City Clerk's Filing No. 20190034, is hereby approved.

22 **Section 4.** Said District Plan together with a Site Development Plan, as provided in Section
23 12.4.3 of the Denver Zoning Code, shall regulate the use and development of the land area
24 hereinabove described.

25 **Section 5.** None of the land area hereinabove described shall be used or occupied and no
26 structure or structures shall be designed, erected, altered, used or occupied thereon except in
27 conformity with all provisions of said District Plan and a Site Development Plan, as provided in Section
28 12.4.3 of the Denver Zoning Code, and except upon performance of all conditions therein set forth.

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

1 COMMITTEE APPROVAL DATE: April 30, 2019

2 MAYOR-COUNCIL DATE: May 7, 2019

3 PASSED BY THE COUNCIL: _____

4 _____ - PRESIDENT

5 APPROVED: _____ - MAYOR _____

6 ATTEST: _____ - CLERK AND RECORDER,
7 EX-OFFICIO CLERK OF THE
8 CITY AND COUNTY OF DENVER

9 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____; _____

10 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: May 9, 2019

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

15 Kristin M. Bronson, Denver City Attorney

16 BY: *Kristin J. Crawford*, Assistant City Attorney DATE: May 9, 2019