

1 BY AUTHORITY

2 ORDINANCE NO.
3 SERIES OF 2014

COUNCIL BILL NO. CB14-0705
COMMITTEE OF REFERENCE:
Neighborhood & Planning

6 A BILL

7 **For an ordinance changing the zoning classification of 151, 155, 165, 171 and**
8 **175 South Harrison Street.**

10 **WHEREAS**, Ordinance No. 333, Series of 2010 ("Ordinance No. 333") adopted a new
11 zoning code for the City and County of Denver (Denver Zoning Code) and amended in its entirety
12 former Chapter 59 (Zoning) of the Denver Revised Municipal Code, as defined in Ordinance No.
13 333 ("Former Chapter 59"), by enacting a new Chapter 59;

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

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

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

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

26
27 **Section 1.** That the zoning classification for the land area in the City and County of Denver
28 described as follows shall be and hereby is changed from Former Chapter 59 PUD #625 to Former
29 Chapter 59 PUD #637:

30
31 **151, 155, 165, 171, 175 SOUTH HARRISON STREET**

32
33 **LEGAL DESCRIPTION:**

34 LOTS 21, 22, 23, 24, 25, 26, 27 AND 28, BLOCK 29, BURLINGTON
35 CAPITOL
36 HILL ADDITION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.
37

38 Also described as:

1
2 **LEGAL DESCRIPTION: 151 SOUTH HARRISON STREET**

3 LOT 27 AND 28, BLOCK 29, BURLINGTON CAPITOL HILL ADDITION,
4 CITY AND COUNTY OF DENVER, STATE OF COLORADO.
5

6 EXCEPT THAT PART MORE PARTICULARLY DESCRIBED AS FOLLOWS:
7

8 BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 27,
9 THENCE NORTH ALONG THE EAST LINE OF SAID LOTS A DISTANCE OF
10 19.60 FEET,
11 THENCE WEST AND PARALLEL WITH THE SOUTH LINE OF SAID LOT A
12 DISTANCE OF 59.56 FEET,
13 THENCE NORTH AND PARALLEL WITH THE EAST LINE OF SAID LOTS A
14 DISTANCE OF 24.70 FEET,
15 THENCE WEST AND PARALLEL WITH THE SOUTH LINE OF SAID LOT A
16 DISTANCE OF 24.99 FEET,
17 THENCE SOUTH AND PARALLEL WITH THE EAST LINE OF SAID LOTS A
18 DISTANCE OF 18.30 FEET,
19 THENCE WEST AND PARALLEL WITH THE SOUTH LINE OF SAID LOT A
20 DISTANCE OF 40.51 FEET
21 TO A POINT OF THE WEST LINE OF SAID LOTS,
22 THENCE SOUTH ALONG SAID WEST LINE A DISTANCE OF 26.00 FEET
23 TO THE SOUTHWEST
24 CORNER OF SAID LOT 27,
25 THENCE EAST ALONG THE SOUTH LINE OF SAID LOT A DISTANCE OF
26 125.06 FEET TO THE
27 POINT OF BEGINNING,
28

29 **LEGAL DESCRIPTION: 155 S HARRISON STREET**

30 THAT PART OF LOTS 27 AND 28, BLOCK 29, BURLINGTON CAPITOL
31 HILL ADDITION, CITY AND
32 COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY
33 DESCRIBED AS FOLLOWS:
34

35 BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 27,
36 THENCE NORTH ALONG THE EAST LINE OF SAID LOTS A DISTANCE OF
37 19.60 FEET,
38 THENCE WEST AND PARALLEL WITH THE SOUTH LINE OF SAID LOT A
39 DISTANCE OF 59.56 FEET,
40 THENCE NORTH AND PARALLEL WITH THE EAST LINE OF SAID LOTS A
41 DISTANCE OF 24.70 FEET,
42 THENCE WEST AND PARALLEL WITH THE SOUTH LINE OF SAID LOT A
43 DISTANCE OF 24.99 FEET,
44 THENCE SOUTH AND PARALLEL WITH THE EAST LINE OF SAID LOTS A
45 DISTANCE OF 18.30 FEET,
46 THENCE WEST AND PARALLEL WITH THE SOUTH LINE OF SAID LOT A
47 DISTANCE OF 40.51 FEET
48 TO A POINT OF THE WEST LINE OF SAID LOTS, THENCE SOUTH
49 ALONG SAID WEST LINE A

1 DISTANCE OF 26.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT
2 27,
3 THENCE EAST ALONG THE SOUTH LINE OF SAID LOT A DISTANCE OF
4 125.06 FEET TO THE
5 POINT OF BEGINNING.
6

7 **LEGAL DESCRIPTION: 165 SOUTH HARRISON STREET**

8 LOTS 25 AND 26, BLOCK 29, BURLINGTON CAPITOL HILL ADDITION,
9 CITY AND COUNTY OF
10 DENVER, STATE OF COLORADO.
11

12 **LEGAL DESCRIPTION: 171 SOUTH HARRISON STREET**

13 LOTS 23 AND 24, BLOCK 29, BURLINGTON CAPITOL HILL ADDITION,
14 CITY AND COUNTY OF DENVER, STATE OF COLORADO.
15

16 **LEGAL DESCRIPTION: 175 SOUTH HARRISON STREET**

17 LOT 21 AND 22, BLOCK 29, BURLINGTON CAPITOL HILL ADDITION,
18 CITY AND COUNTY OF DENVER, STATE OF COLORADO.
19

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

22 **Section 2.** PUD #637 as designated by the Neighborhood and Planning Committee of the
23 City Council filed in the words and figures contained and set forth therein, available in the office
24 and on the web page of City Council, and filed in the office of the City Clerk on the 24th day of
25 September, 2014, under City Clerk's Filing No. 2014-0844, is hereby approved.

26 **Section 3.** Said PUD #637, as provided in Former Chapter 59 of the Denver Revised
27 Municipal Code, shall regulate the use and development of the land area hereinabove described.

28 **Section 4.** None of the land area hereinabove described shall be used or occupied and no
29 structure or structures shall be designed, erected, altered, used or occupied thereon except in
30 conformity with all provisions of said PUD #637 except upon performance of all conditions therein
31 set forth.

32 **Section 5.** This Ordinance shall be recorded by the Department of Community Planning
33 and Development among the records of the Clerk and Recorder of the City and County of Denver.
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2 COMMITTEE APPROVAL DATE: September 18, 2014

3 MAYOR-COUNCIL DATE: September 23, 2014

4 PASSED BY THE COUNCIL: _____, 2014
5 _____ - PRESIDENT

6 APPROVED: _____ - MAYOR _____, 2014

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

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

11 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: September 25, 2014

12 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
13 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
14 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
15 § 3.2.6 of the Charter.

16 D. Scott Martinez, Denver City Attorney

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