

BY AUTHORITY

ORDINANCE NO. _____

COUNCIL BILL NO. CB24-1025

SERIES OF 2024

COMMITTEE OF REFERENCE:

AMENDED 9-23-2024

Land Use, Transportation & Infrastructure

A BILL

For an ordinance changing the zoning classification for 2500 East 1st Avenue in Cherry Creek.

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, will result in regulations and restrictions that are uniform within the PUD-G 36 district, 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 the proposed PUD-G 36 meets the criteria set forth in Section 12.4.9.10 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:

- a. The land area hereinafter described is presently classified as B-3.
- b. It is proposed that the land area hereinafter described be changed to PUD-G 36.

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 B-3 to PUD-G 36:

A PORTION OF THE CHERRY CREEK B-3 DISTRICT; LOCATED IN THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN; CITY AND COUNTY OF DENVER, STATE OF COLORADO; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3-1/4 INCH DIAMETER BRASS CAP MARKED PLS 34579 IN RANGE BOX FOUND FOR THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 12;
THENCE ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 12, SOUTH 89°50'37" EAST, FOR 130.26 FEET;
THENCE PERPENDICULAR TO THE PREVIOUSLY DESCRIBED LINE, SOUTH 00°09'23" WEST, FOR 133.73 FEET TO THE NORTHWEST CORNER OF SAID B-3 DISTRICT AND THE POINT OF BEGINNING.

THENCE ALONG THE LINES OF SAID B-3 DISTRICT THE FOLLOWING FOUR (4) COURSES:

- 1 1. EASTERLY FOR 62.06 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO
2 THE RIGHT HAVING A RADIUS OF 65.00 FEET AND A CENTRAL ANGLE OF
3 54°42'12", THE CHORD OF WHICH BEARS NORTH 73°30'30" EAST FOR 59.73
4 FEET;
- 5 2. THENCE SOUTH 79°08'24" EAST FOR 58.20 FEET;
- 6 3. EASTERLY FOR 188.68 FEET ALONG THE ARC OF A TANGENT CURVE TO THE
7 LEFT HAVING A RADIUS OF 1010.00 FEET AND A CENTRAL ANGLE OF 10°42'12",
8 THE CHORD OF WHICH BEARS SOUTH 84°29'30" EAST FOR 188.40 FEET;
- 9 4. SOUTH 89°50'37" EAST FOR 520.41 FEET;

10
11 THENCE SOUTH 00°05'28" WEST FOR 688.28 FEET TO THE SOUTH LINE OF SAID B-3
12 DISTRICT;

13
14 THENCE ALONG THE LINES OF SAID B-3 DISTRICT THE FOLLOWING TWO (2) COURSES:

- 15
16 1. WESTERLY FOR 825.05 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO
17 THE LEFT HAVING A RADIUS OF 2751.75 FEET AND A CENTRAL ANGLE
18 OF 17°10'44", THE CHORD OF WHICH BEARS SOUTH 88°55'10" WEST FOR 821.97
19 FEET;
- 20 2. THENCE NORTH 00°02'37" EAST FOR 717.29 FEET TO THE POINT OF BEGINNING;

21
22 CONTAINING AN AREA OF 560,026 SQUARE FEET OR 12.856 ACRES, MORE OR LESS.

23
24 BASIS OF BEARINGS: THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 12,
25 TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN IS ASSUMED TO
26 BEAR N00°02'37"E, MONUMENTED ON THE NORTH BY A 3-1/4" BRASS CAP STAMPED PLS
27 34879 IN RANGE BOX AND MONUMENTED ON THE SOUTH BY A 2" BRASS CAP, ILLEGIBLE,
28 IN RANGE BOX

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

31 **Section 3.** PUD-G 36, as filed in the words and figures contained and set forth therein, available
32 in the office and on the web page of City Council, and filed in the office of the City Clerk ~~on the 19th day~~
33 ~~of August, 2024, under City Clerk's Filing No. 20240103~~ on the 18th day of September, 2024 under
34 City Clerk's Filing No. 20240103A, is hereby approved.

35 **Section 4.** That this ordinance shall be recorded by the Manager of Community Planning and
36 Development in the real property records of the Denver County Clerk and Recorder.

37 **[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

1 COMMITTEE APPROVAL DATE: August 13, 2024

2 MAYOR-COUNCIL DATE: August 20, 2024

3 PASSED BY THE COUNCIL: September 23, 2024

4 *Amund P. Sandora* - 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: August 22, 2024

11 Pursuant to Section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of
12 the City Attorney. We find no irregularity as to form and have no legal objection to the proposed
13 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
14 § 3.2.6 of the Charter.

15
16 Kerry Tipper, Denver City Attorney

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18 BY: *Anshul Bagga*, Assistant City Attorney DATE: September 24, 2024