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2	BY AUTHORITY
3	ORDINANCE NO COUNCIL BILL NO. CB22-108
4	SERIES OF 2022 COMMITTEE OF REFERENCE
5	Land Use, Transportation & Infrastructur
6	<u>A BILL</u>
7 8 9	For an ordinance changing the zoning classification for 2147 and 2151 Tremont Place in Five Points.
0	WHEREAS, the City Council has determined, based on evidence and testimony presented
1	the public hearing, that the map amendment set forth below conforms with applicable City laws,
2	consistent with the City's adopted plans, furthers the public health, safety and general welfare of the
3	City, will result in regulations and restrictions that are uniform within the G-MU-3 UO-3, with a waiv
4	district, is justified by one of the circumstances set forth in Section 12.4.10.8 of the Denver Zonir
5	Code, and is consistent with the neighborhood context and the stated purpose and intent of the
6	proposed zone district;
7	NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY O
8	DENVER:
9	Section 1. That upon consideration of a change in the zoning classification of the land are
20	hereinafter described, Council finds:
21	a. The land area hereinafter described is presently classified as PUD 194 and PUD 369.
22	b. It is proposed that the land area hereinafter described be changed to G-MU-3 UO-3, wi
23	a waiver.
24	c. The applicant has provided a written representation approving of certain waiver to the
25	requested change in zoning classification related to the development, operation, and maintenance
26	the land area as follows:
27 28 29 30 31 32 33 34	Waive the provision in DZC 9.4.4.8.F.1 that "The applicant for establishment of the bed and breakfast lodging use is the owner of record and uses the structure as his/her principal residence," and instead, a manager or operator of the bed and breakfast lodging use, who may or may not be the property owner, shall use a structure located at either 2137, 2147, 02151 Tremont Place as his/her principal residence. The intent of the waiver is to remove the UO-3 requirement that the owner of the structure housing the bed and breakfast use that same structure as their principal residence and instead require a business manager or operator, who may or may not be the property owner, to live on site or adjacent to the permitted bed and breakfast lodging use.

1	Section 2. That the zoning classification of the land area in the City and County of Denver
2	described as follows or included within the following boundaries shall be and hereby is changed to
3	G-MU-3 UO-3, with a waiver:
4 5 6 7	2147 TREMONT PLACE LOTS 27 & 28, BLOCK 190, CLEMENTS' ADDITION TO THE CITY OF DENVER, CITY AND COUNTY OF DENVER, STATE OF COLORADO.
8 9 10 11 12	2151 TREMONT PLACE LOT 29 AND THE SOUTHWESTERLY ½ OF LOT 30, BLOCK 190, CLEMENTS' ADDITION TO THE CITY OF DENVER, CITY AND COUNTY OF DENVER, STATE OF COLORADO. EXCEPT THAT PORTION DESCRIBED IN BOOK 6271 AT PAGE 175, IN THE RECORDS OF THE DENVER COUNTY CLERK AND RECORDER'S OFFICE.
13	in addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof
14	which are immediately adjacent to the aforesaid specifically described area.
15	Section 3. The foregoing change in zoning classification is based upon the applicant's
16	representations approving a certain waiver, which certain waiver is set forth in Section 1(c) hereof; and
17	no permit shall be issued except in strict compliance with the aforesaid certain waiver. Said certain
18	waiver shall be binding upon all successors and assigns of the owner, who along with the owner shal
19	be deemed to have waived all objections as to the constitutionality of the aforesaid certain waiver.
20	Section 4. That this ordinance shall be recorded by the Manager of Community Planning and
21	Development in the real property records of the Denver County Clerk and Recorder.
22	COMMITTEE APPROVAL DATE: September 13, 2022
23	MAYOR-COUNCIL DATE: September 20, 2022 by Consent
24	PASSED BY THE COUNCIL: October 31, 2022
25	- PRESIDENT
26	APPROVED: MAYOR Nov 1, 2022
27 28 29	ATTEST: CLERK AND RECORDER, EX-OFFICIO CLERK OF THE CITY AND COUNTY OF DENVER
30	NOTICE PUBLISHED IN THE DAILY JOURNAL:;;
31	PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: September 29, 2022
32 33 34 35 36	Pursuant to Section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of the City Attorney. We find no irregularity as to form and have no legal objection to the proposed ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to § 3.2.6 of the Charter.
37	Kristin M. Bronson, Denver City Attorney
38 39	BY: Anshul Bagga , Assistant City Attorney DATE: Sep 28, 2022