

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2023

COUNCIL BILL NO. CB23-1665
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance changing the zoning classification for 1227 - 1271 South Pearl Street in Platt Park.

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 U-MS-5 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;

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 U-MS-3.
- b. It is proposed that the land area hereinafter described be changed to U-MS-5.

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 U-MS-3 to U-MS-5:

PARCEL 1 - 1227 SOUTH PEARL STREET

LOTS 40 AND 41, INCLUSIVE, BLOCK 14, SHERMAN SUBDIVISION, LOCATED IN THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL 2 - 1229 SOUTH PEARL STREET

LOT 39 AND THE NORTH 5.00 FEET OF LOT 38, BLOCK 14, SHERMAN SUBDIVISION, LOCATED IN THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

1 **PARCEL 3 - 1231 SOUTH PEARL STREET**

2 LOTS 36 TO 38, EXCEPT THE NORTH 5.00 FEET OF LOT 38, BLOCK 14, SHERMAN
3 SUBDIVISION, LOCATED IN THE NORTHEAST ONE-QUARTER OF THE NORTHEAST
4 ONE-QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH
5 PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

6 **PARCEL 4 - 1249 SOUTH PEARL STREET**

7 A PARCEL OF LAND BEING A PORTION OF LOTS 34 AND 35, BLOCK 14, SHERMAN
8 SUBDIVISION, LOCATED IN THE NORTHEAST ONE-QUARTER OF THE NORTHEAST
9 ONE-QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH
10 PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO
11 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

12 BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 35, THENCE SOUTH 00° 00'
13 00" WEST, ALONG THE EAST LINE OF SAID LOT 35 AND SAID LINE EXTENDED 37.50
14 FEET;

15 THENCE NORTH 89° 59' 12" WEST, PARALLEL WITH THE NORTH LINE OF SAID LOT
16 35 A DISTANCE OF 90.35 FEET;

17 THENCE NORTH 00° 00' 00" EAST, A DISTANCE OF 37.50 FEET TO THE NORTH LINE
18 OF SAID LOT 35;

19 THENCE SOUTH 89° 59' 12" EAST, ALONG THE NORTH LINE OF SAID LOT 35, A
20 DISTANCE OF 90.35 FEET TO THE POINT OF BEGINNING.

21 **PARCEL 5 - 1251 SOUTH PEARL STREET**

22 A PARCEL OF LAND BEING A PART OF LOTS 33, 34 AND 35, BLOCK 14, SHERMAN
23 SUBDIVISION, LOCATED IN THE NORTHEAST ONE-QUARTER OF THE NORTHEAST
24 ONE-QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH
25 PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO
26 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

27 COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 35;

28 THENCE SOUTH 00°00'00 WEST ALONG THE EAST LINE OF SAID LOT 35 AND SAID
29 LINE EXTENDED, A DISTANCE OF 37.50 FEET TO THE TRUE POINT OF BEGINNING;

30 THENCE CONTINUING ALONG SAID ABOVE DESCRIBED COURSE, A DISTANCE OF
31 15.57 FEET;

32 THENCE NORTH 89°59'12" WEST, PARALLEL WITH THE NORTH LINE OF SAID LOT
33 35, A DISTANCE OF 49.00 FEET;

34 THENCE SOUTH 00°00'00 WEST, A DISTANCE OF 20.35 FEET;

35 THENCE NORTH 89°59'12" WEST, PARALLEL WITH THE NORTH LINE OF SAID LOT
36 35, A DISTANCE OF 76.00 FEET TO THE WEST LINE OF SAID LOT 35 EXTENDED;

37 THENCE NORTH 00°00'00" EAST ALONG SAID WEST LINE EXTENDED, A DISTANCE
38 OF 73.42 FEET TO THE NORTHWEST CORNER OF SAID LOT 35;

39 THENCE SOUTH 89°59'12" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 34.65
40 FEET;

41 THENCE SOUTH 00°00'00" WEST, A DISTANCE OF 37.50 FEET;

1 THENCE SOUTH 89°59'12" EAST, PARALLEL WITH THE NORTH LINE OF SAID LOT 35,
2 A DISTANCE OF 90.35 FEET TO THE TRUE POINT OF BEGINNING.

3 **PARCEL 6 - 1253 SOUTH PEARL STREET**

4 LOTS 30 TO 33, BLOCK 14, SHERMAN SUBDIVISION, EXCEPTING THEREFROM THAT
5 PORTION DESCRIBED IN WARRANTY DEED RECORDED AUGUST 20, 2002 AT
6 RECEPTION NO. 2002144151, LOCATED IN THE NORTHEAST ONE-QUARTER OF THE
7 NORTHEAST ONE-QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68
8 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE
9 OF COLORADO.

10 **PARCEL 7 - 1271-1275 SOUTH PEARL STREET**

11 LOTS 28 AND 29, INCLUSIVE, AND THE NORTH 12.50 FEET OF LOT 27, BLOCK 14,
12 SHERMAN SUBDIVISION, LOCATED IN THE NORTHEAST ONE-QUARTER OF THE
13 NORTHEAST ONE-QUARTER OF SECTION 22, TOWNSHIP 4 SOUTH, RANGE 68
14 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE
15 OF COLORADO.

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

18 **Section 3.** That this ordinance shall be recorded by the Manager of Community Planning and
19 Development in the real property records of the Denver County Clerk and Recorder.

20 COMMITTEE APPROVAL DATE: November 7, 2023

21 MAYOR-COUNCIL DATE: November 14, 2023 by Consent

22 PASSED BY THE COUNCIL: _____

23 _____ - PRESIDENT

24 APPROVED: _____ - MAYOR _____

25 ATTEST: _____ - CLERK AND RECORDER,
26 EX-OFFICIO CLERK OF THE
27 CITY AND COUNTY OF DENVER

28 NOTICE PUBLISHED IN THE DAILY JOURNAL: _____ ; _____

29 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: November 16, 2023

30 Pursuant to Section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of
31 the City Attorney. We find no irregularity as to form and have no legal objection to the proposed
32 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
33 § 3.2.6 of the Charter.

34
35 Kerry Tipper, Denver City Attorney

36 BY: *Anshul Bagga*, Assistant City Attorney DATE: Nov 15, 2023
37 _____