

1 **BY AUTHORITY**

2 ORDINANCE NO. \_\_\_\_\_

COUNCIL BILL NO. CB19-0401

3 SERIES OF 2019

COMMITTEE OF REFERENCE:

4 Community Planning and Development

5 **A BILL**

6 **For an ordinance changing the zoning classification for the area bounded by 17th**  
7 **Avenue, Lowell Boulevard, 16th Avenue, Newton Street & 1570, 1572, 1576, 1578,**  
8 **1580, 1584, 1586, 1590, 1592 Meade Street in West Colfax.**

9 **WHEREAS**, the City Council has determined, based on evidence and testimony presented  
10 at the public hearing, that the map amendment set forth below conforms with applicable City laws,  
11 is consistent with the City's adopted plans, furthers the public health, safety and general welfare of  
12 the City, will result in regulations and restrictions that are uniform with the PUD-G 21 and U-TU-C  
13 districts, is justified by one of the circumstances set forth in Section 12.4.10.8 of the Denver Zoning  
14 Code, is consistent with the neighborhood context and the stated purpose and intent of the  
15 proposed zone districts; and that the PUD-G 21 district meets the criteria set forth in 12.4.10.9 of  
16 the Denver Zoning Code;

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

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

21 a. That the land area hereinafter described is presently classified as PUD 8 and U-  
22 TU-C.

23 b. It is proposed that the land area hereinafter described be changed to PUD-G 21.

24 **Section 2.** That the zoning classification for the land area in the City and County of Denver  
25 described as follows shall be and hereby is changed from PUD 8 and U-TU-C to PUD-G 21:

26 Overall Legal Description of Area to be zoned PUD-G 21

27 LOTS 1 THROUGH 28, INCLUSIVE, BLOCK 3, PIERSON'S ADDITION TO DENVER,  
28 TOGETHER WITH THE VACATED ALLEY IN SAID BLOCK, AND TOGETHER WITH  
29 THE WEST 1/2 OF VACATED MEADE STREET ADJACENT TO SAID LOTS 15  
30 THROUGH 28, CITY AND COUNTY OF DENVER, STATE OF COLORADO, AND  
31 LOTS 1 THROUGH 28, INCLUSIVE, BLOCK 4, PIERSON'S ADDITION TO DENVER,  
32 TOGETHER WITH THE VACATED ALLEY IN SAID BLOCK 4; TOGETHER WITH THAT  
33 PORTION OF THE EAST 1/2 OF VACATED MEADE STREET ADJOINING SAID LOTS 1  
34 TO 14; AND, TOGETHER WITH THAT PORTION OF THE NORTH 1/2 OF VACATED  
35 WEST 16TH AVENUE ADJOINING, DESCRIBED AS FOLLOWS:  
36 BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 15, BLOCK 4, THENCE  
37 SOUTH ALONG THE WEST LINE OF LOWELL BOULEVARD, A DISTANCE OF 34  
38 FEET; THENCE WESTERLY AND PARALLEL WITH THE SOUTH LINE OF SAID BLOCK

1 4, A DISTANCE OF 145.12 FEET, THENCE SOUTHERLY TO A POINT ON THE  
2 CENTERLINE OF WEST 16TH AVENUE, A DISTANCE OF 6 FEET; THENCE  
3 WESTERLY ALONG THE SAID CENTERLINE TO A POINT ON THE EAST LINE OF  
4 MEADE STREET; THENCE NORTHERLY TO THE SOUTHWEST CORNER OF SAID  
5 LOT 14, BLOCK 4; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID BLOCK 4  
6 TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE  
7 OF COLORADO.

8 PUD-G 21 Subarea Legal Descriptions

9  
10 SUBAREA A

11 A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 31,  
12 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN;  
13 COMMENCING AT THE NORTHWEST CORNER OF BLOCK 3, PIERSONS ADDITION;  
14 THENCE ALONG THE NORTH LINE AND ITS PROLONGATION THEREOF  
15 N89°48'05"E, A DISTANCE OF 284.00 FEET;  
16 THENCE S00°19'08"E PARALLEL WITH THE WEST LINE OF SAID BLOCK 3, A  
17 DISTANCE OF 134.04 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO  
18 BEING ON A LINE THAT IS 228.00 FEET NORTH OF AND PARALLEL WITH THE  
19 SOUTH LINE OF SAID BLOCK 3;  
20 THENCE ALONG SAID PARALLEL LINE S89°47'18"W, A DISTANCE OF 210.00 FEET;  
21 THENCE PARALLEL TO THE WEST LINE OF SAID BLOCK 3 S00°19'08"E, A  
22 DISTANCE OF 90.00 FEET TO A POINT ON A LINE THAT IS 138.00 FEET NORTH OF  
23 AND PARALLEL WITH THE SOUTH LINE OF SAID BLOCK 3;  
24 THENCE ALONG SAID PARALLEL LINE N89°47'18"E, A DISTANCE OF 210.00 FEET;  
25 THENCE PARALLEL TO THE WEST LINE OF SAID BLOCK 3 N00°19'08"W, A  
26 DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING.

27  
28 CONTAINING 18,900 SQUARE FEET OR 0.434 ACRES, MORE OR LESS.

29  
30 BASIS OF BEARINGS IS THE EAST LINE OF BLOCK 2 PIERSON'S ADDITION BEING  
31 N00°19'08" W BETWEEN THE FOUND 2.75' BY 4.0' OFFSET CROSSES AT THE NE  
32 AND SE ENDS OF THE BLOCK.

33  
34 SUBAREA B

35 A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 31,  
36 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN;  
37 COMMENCING AT THE NORTHWEST CORNER OF BLOCK 3, PIERSONS ADDITION;  
38 THENCE ALONG THE NORTH LINE AND ITS PROLONGATION THEREOF  
39 N89°48'05"E, A DISTANCE OF 284.00 FEET;  
40 THENCE S00°19'08"E PARALLEL WITH THE WEST LINE OF SAID BLOCK 3, A  
41 DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING;  
42  
43 THENCE PARALLEL WITH THE SAID NORTH LINE OF BLOCK 3 S89°48'05"W, A  
44 DISTANCE OF 90.00 FEET;  
45 THENCE S00°19'08"E, A DISTANCE OF 104.06 FEET TO A POINT ON A LINE THAT IS  
46 228.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID BLOCK 3;  
47 THENCE ALONG SAID PARALLEL LINE N89°47'18"E, A DISTANCE OF 90.00 FEET;  
48 THENCE N00°19'08"W, A DISTANCE OF 104.04 FEET TO THE POINT OF BEGINNING.  
49

1 CONTAINING 9,365 SQUARE FEET OR 0.215 ACRES, MORE OR LESS.

2  
3 BASIS OF BEARINGS IS THE EAST LINE OF BLOCK 2 PIERSON'S ADDITION BEING  
4 N00°19'08"W BETWEEN THE FOUND 2.75' BY 4.0' OFFSET CROSSES AT THE NE  
5 AND SE ENDS OF THE BLOCK.

6  
7 SUBAREA C

8 A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 31,  
9 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN;  
10 COMMENCING AT THE SOUTHWEST CORNER OF BLOCK 3, PIERSONS ADDITION;  
11 THENCE ALONG THE WEST LINE OF SAID BLOCK 3 N00°12'42"W, A DISTANCE OF  
12 138.00 FEET TO THE POINT OF BEGINNING;  
13 THENCE CONTINUING N00°19'08"W, A DISTANCE OF 224.11 FEET TO THE  
14 NORTHWEST CORNER OF SAID BLOCK 3;  
15 THENCE ALONG THE SAID NORTH LINE AND IT'S PROLONGATION THEREOF  
16 N89°48'05"E, A DISTANCE OF 284.00 FEET;  
17 THENCE S00°19'08"E, A DISTANCE OF 30.00 FEET;  
18 THENCE PARALLEL WITH THE SAID NORTH LINE OF BLOCK 3 S89°48'05"W, A  
19 DISTANCE OF 90.00 FEET;  
20 THENCE S00°19'08"E, A DISTANCE OF 104.06 FEET TO A POINT ON A LINE THAT IS  
21 228.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID BLOCK 3;  
22 THENCE ALONG SAID PARALLEL LINE S89°47'18"W, A DISTANCE OF 120.00 FEET;  
23 THENCE S00°19'08"E, A DISTANCE OF 90.00 FEET;  
24 THENCE S89°47'18"W, A DISTANCE OF 74.00 FEET TO THE WEST LINE OF SAID  
25 BLOCK 3, ALSO BEING THE POINT OF BEGINNING.

26  
27 CONTAINING 35,372 SQUARE FEET OR 0.812 ACRES, MORE OR LESS.

28  
29 BASIS OF BEARINGS IS THE EAST LINE OF BLOCK 2 PIERSON'S ADDITION BEING  
30 N00°19'08"W BETWEEN THE FOUND 2.75' BY 4.0' OFFSET CROSSES AT THE NE  
31 AND SE ENDS OF THE BLOCK.

32 SUBAREA D

33 A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 31,  
34 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN;  
35 BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 3, PIERSONS ADDITION;  
36 THENCE ALONG THE WEST LINE OF SAID BLOCK 3 N00°19'08"W, A DISTANCE OF  
37 138.00 FEET;  
38 THENCE N89°47'18"E PARALLEL WITH THE SOUTH LINE OF SAID BLOCK 3, A  
39 DISTANCE OF 284.00 FEET;  
40 THENCE S00°19'08"E, A DISTANCE OF 138.00 FEET TO THE SOUTH LINE OF SAID  
41 BLOCK 3;  
42 THENCE ALONG SAID SOUTH LINE S89°47'18"W, A DISTANCE OF 284.00 FEET TO  
43 THE POINT OF BEGINNING.

44 CONTAINING 39,192 SQUARE FEET OR 0.900 ACRES, MORE OR LESS.

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46 BASIS OF BEARINGS IS THE EAST LINE OF BLOCK 2 PIERSON'S ADDITION BEING  
47 N00°19'08"W BETWEEN THE FOUND 2.75' BY 4.0' OFFSET CROSSES AT THE NE  
48 AND SE ENDS OF THE BLOCK.

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1        SUBAREA E

2        A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 31,  
3        TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN;  
4        BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 4, PIERSONS ADDITION;  
5        THENCE ALONG THE WEST LINE OF SAID BLOCK 4 N00°19'08"W, A DISTANCE OF  
6        212.00 FEET;  
7        THENCE N89°47'18"E, A DISTANCE OF 139.00 FEET;  
8        THENCE S00°19'08"E, A DISTANCE OF 212.00 FEET TO THE SOUTH LINE OF SAID  
9        BLOCK 4;  
10       THENCE ALONG SAID SOUTH LINE S89°47'18"W, A DISTANCE OF 139.00 FEET TO  
11       THE POINT OF BEGINNING.  
12       CONTAINING 29,468 SQUARE FEET OR 0.676 ACRES, MORE OR LESS.

13  
14       BASIS OF BEARINGS IS THE EAST LINE OF BLOCK 2 PIERSON'S ADDITION BEING  
15       N00°19'08"W BETWEEN THE FOUND 2.75' BY 4.0' OFFSET CROSSES AT THE NE  
16       AND SE ENDS OF THE BLOCK.

17  
18       SUBAREA F

19       A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 31,  
20       TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN;  
21       COMMENCING AT THE NORTHWEST CORNER OF BLOCK 3, PIERSONS ADDITION;  
22       THENCE ALONG THE NORTH LINE AND ITS PROLONGATION THEREOF  
23       N89°48'05"E, A DISTANCE OF 284.00 FEET TO THE POINT OF BEGINNING;  
24  
25       THENCE N89°48'05"E, A DISTANCE OF 315.02 FEET TO THE NORTHEAST CORNER  
26       OF SAID BLOCK 4, PIERSONS'S ADDITION;  
27       THENCE ALONG THE EAST LINE AND ITS PROLONGATION THEREOF OF SAID  
28       BLOCK 4 S00°18'22"E, A DISTANCE OF 395.97 FEET TO A POINT ON A LINE THAT IS  
29       34.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID BLOCK 4;  
30       THENCE ALONG SAID LINE S89°47'18"W, A DISTANCE OF 145.12 FEET TO THE  
31       EASTERLY LINE OF VACATED NORTH HALF OF 16<sup>TH</sup> AVENUE;  
32       THENCE ALONG SAID LINE S00°19'08"E, A DISTANCE OF 6.00 FEET TO THE SOUTH  
33       LINE OF VACATED NORTH 16<sup>TH</sup> AVENUE;  
34       THENCE ALONG SAID EASTERLY LINE S89°47'18"W, A DISTANCE OF 124.81 FEET  
35       TO THE SOUTHERLY PROLONGATION OF THE WEST LINE OF SAID BLOCK 4;  
36       THENCE ALONG SAID PROLONGATION N00°19'08"W, A DISTANCE OF 40.00 FEET  
37       TO THE SOUTHWEST CORNER OF SAID BLOCK 4;  
38       THENCE ALONG THE SOUTH LINE OF SAID BLOCK 4 N89°47'18"E, A DISTANCE OF  
39       139.00 FEET;  
40       THENCE N00°19'08"W, A DISTANCE OF 212.00 FEET;  
41       THENCE S89°47'18"W, A DISTANCE OF 139.00 FEET;  
42       THENCE S00°18'01"E, A DISTANCE OF 212.00 FEET TO THE SOUTHWEST CORNER  
43       OF SAID BLOCK 4;  
44       THENCE S89°47'18"W, A DISTANCE OF 45.00 FEET;  
45       THENCE N00°19'08"W, A DISTANCE OF 362.04 FEET TO THE POINT OF BEGINNING.  
46       CONTAINING 94,476 SQUARE FEET OR 2.169 ACRES, MORE OR LESS.

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48       BASIS OF BEARINGS IS THE EAST LINE OF BLOCK 2 PIERSON'S ADDITION BEING  
49       N00°19'08"W BETWEEN THE FOUND 2.75' BY 4.0' OFFSET CROSSES AT THE NE  
50       AND SE ENDS OF THE BLOCK.

1  
2 in addition, thereto those portions of all abutting public rights-of-way, but only to the  
3 centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

4 **Section 3.** The complete application with such supporting material as designated by the  
5 Land Use, Transportation & Infrastructure Committee of the City Council filed in the words and figures  
6 contained and set forth in the Application for Zone Map Amendment (District Plan), available in the  
7 office and on the web page of City Council, and filed in the office of the City Clerk on the 6th day of  
8 May, 2019, under City Clerk's Filing No. 20190035, is hereby approved.

9 **Section 4.** Said District Plan together with a Site Development Plan, as provided in Section  
10 12.4.3 of the Denver Zoning Code, shall regulate the use and development of the land area  
11 hereinabove described.

12 **Section 5.** None of the land area hereinabove described shall be used or occupied and no  
13 structure or structures shall be designed, erected, altered, used or occupied thereon except in  
14 conformity with all provisions of said District Plan and a Site Development Plan, as provided in Section  
15 12.4.3 of the Denver Zoning Code, and except upon performance of all conditions therein set forth.

16 **Section 6.** That upon consideration of a change in the zoning classification of the land area  
17 hereinafter described, Council finds:

- 18 a. That the land area is presently classified as PUD 8.
- 19 b. It is proposed that the land area be changed to U-TU-C.

20 **Section 7.** That the zoning classification for the land area in the City and County of Denver  
21 described as follows shall be and hereby is changed from PUD 8 to U-TU-C

22 BLOCK 5 LOTS  
23 A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 31,  
24 TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID  
25 PROPERTY ALSO LYING IN PIERSON'S ADDITION TO THE CITY OF DENVER AS  
26 RECORDED IN THE RECORDS OF THE CITY AND COUNTY OF DENVER, STATE OF  
27 COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;  
28 LOTS 1-14 OF BLOCK 5 PIERSONS ADDITION, ALONG WITH THE SOUTH HALF OF  
29 VACATED 16<sup>TH</sup> AVENUE PER ORINANCE 86-1979.

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

32 **Section 8.** This Ordinance shall be recorded by the Manager of Community Planning and  
33 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: June 24, 2019

4 \_\_\_\_\_ - PRESIDENT

5 APPROVED: \_\_\_\_\_ - MAYOR Jun 25, 2019

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 16, 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 15, 2019