

D-5

BY AUTHORITY

ORDINANCE NO. 626
SERIES OF 2009

COUNCIL BILL NO. 560
COMMITTEE OF REFERENCE:
Blueprint Denver

A BILL

For an ordinance changing the zoning classification for a portion of 5225 through 5229 Leetsdale Drive, 420 and 428 South Forest Street, 5301 through 5307 and 5411 Leetsdale Drive, 485 South Grape Street, and 400 South Grape Street to B-2, B-4, and a Planned Unit Development District (PUD).

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 in accordance with the Comprehensive Plan, is justified either by changed or changing conditions or to correct manifest error in the prior zoning and is necessary to promote the public health, safety and general welfare;

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

Section 1. That the zoning classification for the land areas in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed from PUD #9 to B-2, B-4, and PUD:

The zoning classification of the area in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed from PUD #9 to PUD:

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City & County Of Denver ORD R0.00 D0.00

BLOCKS 14 AND 15

A PORTION OF BLOCKS 14 AND 15 OF SOUTH CAPITOL HILL (A.K.A. ALTAMONTE) AS ORIGINALLY RECORDED IN ARAPAHOE COUNTY, LOCATED IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF LOTS 5 THROUGH 23 OF SAID BLOCK 14 AS PLATTED IN SAID SOUTH CAPITOL HILL TOGETHER WITH THE EAST HALF OF SOUTH GRAPE STREET VACATED BY ORDINANCE 434-1979 ADJACENT THERETO AND TOGETHER WITH THE WEST HALF OF THE ALLEY VACATED BY ORDINANCE 571-1980 ADJACENT THERETO.

ALL OF LOTS 5 THROUGH 20 AND LOTS 28 THROUGH 44 IN SAID BLOCK 15 AS PLATTED IN SAID SOUTH CAPITOL HILL TOGETHER WITH ALL OF THE ALLEY VACATED BY ORDINANCE 202-1956 ADJACENT THERETO, AND TOGETHER WITH THE EAST HALF OF SOUTH GLENCOE STREET VACATED BY ORDINANCE 434-1979 ADJACENT TO SAID LOTS 5 THROUGH 20, AND TOGETHER WITH WEST HALF OF SOUTH GRAPE STREET VACATED BY ORDINANCE 434-1979 ADJACENT TO SAID LOTS 28 THROUGH 44.

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

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The zoning classification of the area in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed from PUD #9 to B-2:

BLOCK 16

A PORTION OF BLOCK 16, SOUTH CAPITOL HILL (A.K.A. ALTAMONTE), LOCATED IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF LOTS 5 THROUGH 8 IN SAID BLOCK 16 TOGETHER WITH THE WEST HALF OF THE ALLEY VACATED BY ORDINANCE 359-1983 ADJACENT THERETO.

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

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The zoning classification of the area in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed from PUD #9 to B-4:

BLOCK 16

A PORTION OF BLOCK 16, SOUTH CAPITOL HILL (A.K.A. ALTAMONTE), LOCATED IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 4 SOUTH, RANGE 67 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF LOTS 9 AND 10 IN SAID BLOCK 16, AND THE WEST HALF OF THE ALLEY VACATED BY ORDINANCE 359-1983 ADJACENT THERETO.

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in addition thereto those portions of all abutting public rights-of-way, but only to the centerline

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1 thereof, which are immediately adjacent to the aforesaid specifically described area.

2 **Section 2.** In relation for the area being rezoned from PUD #9 to PUD only, the complete
3 application with such supporting material as designated by the Zoning Committee of the City
4 Council filed in the Office of the City Clerk of the City and County of Denver, on September 29,
5 2009, in the City Clerk Filing No. 09-936 be and hereby is adopted and approved as the District
6 Plan for the development of the land area hereinabove described. Said District Plan together with
7 a Site Plan, as provided in Chapter 59 of the Denver Revised Municipal Code, shall regulate the
8 use and development of the land area hereinabove described as being rezoned from PUD #9 to
9 PUD only. None of the land area being rezoned from PUD #9 to PUD hereinabove described shall
10 be used or occupied and no structure or structures shall be designed, erected, altered, used or
11 occupied thereon except in conformity with all provisions of said District Plan and Site Plan, and
12 except upon performance of all conditions therein set forth.

13 **Section 3.** This Ordinance shall be recorded by the Department of Zoning Administration
14 among the records of the Clerk and Recorder of the City and County of Denver.

15 COMMITTEE APPROVAL DATE: September 23, 2009

16 MAYOR-COUNCIL DATE: September 29, 2009

17 PASSED BY THE COUNCIL November 2 2009

18 [Signature] - PRESIDENT

19 APPROVED: [Signature] - MAYOR Nov. 3 2009

20 ATTEST: [Signature] - CLERK AND RECORDER,
21 EX-OFFICIO CLERK OF THE
22 CITY AND COUNTY OF DENVER

23 NOTICE PUBLISHED IN THE DAILY JOURNAL Oct. 9, 2009; Nov. 6, 2009

24 PREPARED BY: KAREN A. AVILES, ASSISTANT CITY ATTORNEY, September 28, 2009

25 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
26 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
27 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
28 § 3.2.6 of the Charter.

29 David R. Fine, City Attorney

30 BY: [Signature], Assistant City Attorney DATE: 10-1, 2009

