

BY AUTHORITY

ORDINANCE NO. 249
SERIES OF 2009

COUNCIL BILL NO. 192
COMMITTEE OF REFERENCE:

A BILL

Blueprint Denver

For an ordinance changing the zoning classification of 3405 and 3375 Park Avenue from PUD #353 and PRV to C-MU-30.

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 #353 and PRV to C-MU-30:

A parcel of land located in the West Half of the Northwest Quarter of Section 27, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

- BEGINNING at the Southwest Corner of the Northwest Quarter of said Northwest Quarter;
- THENCE North 00°00'57" East, a distance of 206.47 Feet, along the westerly line of said Northwest Quarter;
- THENCE North 89°56'49" East, a distance of 290.93 Feet, along the northerly line of Parcel 1 as described in a deed to the City and County of Denver recorded at Reception No. 2005072461 in the Clerk and Recorder's Office, to a point of nontangent curvature;
- THENCE with a nontangent curve to the left, the center of bears North 29°01'43" East, with a radius of 604.80 feet, through a central angle of 7°21'24", along an arc length of 77.66 feet, with a chord bearing of South 64°38'59" East, a distance of 77.60 feet, along a northeasterly line of said Parcel 1;
- THENCE South 03°14'32" East, a distance of 73.29 Feet, along the westerly line of an exception to said Parcel 1, which is further described in said deed as Parcel "C" of an instrument recorded at Reception No. 9500036184, to the Southwest Corner of said exception to Parcel 1;
- THENCE South 03°14'45" East, a distance of 289.95 Feet, along an easterly line of Parcel No. R3 as described in a deed to the City and County of Denver recorded at Reception No. 9800047320 in the Clerk and Recorder's Office;
- THENCE South 09°41'36" East, a distance of 235.83 Feet, along an easterly line of said Parcel No. R3;
- THENCE North 89°56'49" East, a distance of 39.50 Feet, along a northerly line of Parcel 2 as described in said deed to the City and County of Denver recorded at Reception No. 2005072461;

1 THENCE South 00°34'16" East, a distance of 324.52 Feet, along the westerly line of the exceptions
2 to said Parcel 2, which are further described in said deed as Parcels "A" and "B" of an
3 instrument recorded at Reception No. 9500036184;
4 THENCE South 49°02'17" West, a distance of 359.13 Feet, along the Northwesterly line of the
5 South Platte River as described in Ordinance No. 25, Series of 1984, to a point of
6 curvature;
7 THENCE along a curve to the right, with a radius of 520.53 feet, through a central angle of
8 11°53'37", along an arc length of 108.05 feet, with a chord bearing of South 54°59'06"
9 West, a distance of 107.86 feet, continuing along said Northwesterly line of the South
10 Platte River to a point of nontangent compound curvature;
11 THENCE with a compound curve to the right, the center of bears North 47°18'41" East, with a
12 radius of 744.49 feet, through a central angle of 3°30'47", along an arc length of 45.65 feet,
13 with a chord bearing of North 40°55'56" West, a distance of 45.64 feet, along a
14 southwesterly line of said Parcel 2 to a point of nontangency;
15 THENCE North 00°00'57" East, a distance of 611.99 Feet, along a westerly line of said Parcel 2;
16 THENCE South 89°56'49" West, a distance of 74.96 Feet, along the southerly line of said Parcel 1;
17 THENCE North 00°00'57" East, a distance of 397.00 Feet, along the westerly line of said Parcel 1,
18 also being the westerly line of said Northwest Quarter, to the POINT OF BEGINNING.

19
20 **Containing an area of 426,761 Square Feet or 9.7971 Acres, more or less**

21
22 in addition thereto those portions of all abutting public rights-of-way, but only to the centerline
23 thereof, which are immediately adjacent to the aforesaid specifically described area.
24
25

26 **Section 2.** The complete application with such supporting material as designated by the
27 Zoning Committee of the City Council filed in the Office of the City Clerk of the City and County of
28 Denver, on this 31st day of March, 2009, in the City Clerk Filing No. 09-270 be and hereby is
29 adopted and approved as the District Plan for the development of the land area hereinabove
30 described.

31 **Section 3.** Said District Plan together with a Site Plan, as provided in Chapter 59 of the
32 Denver Revised Municipal Code, shall regulate the use and development of the land area
33 hereinabove described.

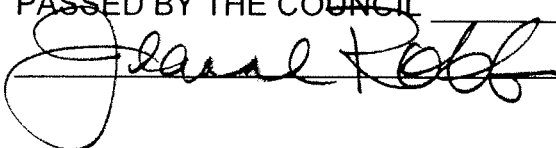
34 **Section 4.** None of the land area hereinabove described shall be used or occupied and
35 no structure or structures shall be designed, erected, altered, used or occupied thereon except in
36 conformity with all provisions of said District Plan and Site Plan, and except upon performance of all
37 conditions therein set forth.

38 **Section 5.** This Ordinance shall be recorded by the Department of Zoning Administration
39 among the records of the Clerk and Recorder of the City and County of Denver.

40 COMMITTEE APPROVAL DATE: March 25, 2009

41 MAYOR-COUNCIL DATE: March 31, 2009

42 PASSED BY THE COUNCIL

43  _____ ^{May 4} 2009
- PRESIDENT

1 APPROVED: [Signature] - MAYOR May 5, 2009

2 ATTEST: [Signature] - CLERK AND RECORDER,
3 EX-OFFICIO CLERK OF THE
4 CITY AND COUNTY OF DENVER

5 NOTICE PUBLISHED IN THE DAILY JOURNAL Apr. 10, 2009; May 8, 2009

6 PREPARED BY: ^{pk} KAREN A. AVILES, ASSISTANT CITY ATTORNEY, April 2, 2009

7 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
8 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
9 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
10 § 3.2.6 of the Charter.

11 David R. Fine, City Attorney

12 BY: [Signature], Assistant City Attorney DATE: 4-1-, 2009

