



**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ASPEN, COLORADO, TO REZONE SPECIFIC PROPERTIES FROM LODGE PRESERVATION TO UNDERLYING ZONING WITH A LODGE PRESERVATION OVERLAY**

**ORDINANCE NO. 2, SERIES OF 1997**

**WHEREAS**, on August 26, 1996, Aspen City Council approved Ordinance No. 29, Series of 1996, which recinded the Lodge Preservation (LP) Zone District and provided GMQS Exemptions for conversion and expansion of existing lodges; and

**WHEREAS**, at the time of adoption of said Ordinance, City Council directed staff to initiate the rezoning of all LP properties to the most appropriate underlying zoning as a class action; and

**WHEREAS**, the Aspen Planning and Zoning Commission has reviewed the proposed map amendments under the applicable standards as contained in Section 26.92 of the Aspen Municipal Code, has considered staff's recommendations, and has taken and considered public comment at a public hearing on the 17th day of December, 1996; and

**WHEREAS**, by a vote of 5-0, the Planning Commission did recommend approval of the proposed rezonings to City Council; and

**WHEREAS**, the Aspen City Council has reviewed the map amendments under the applicable provisions of the Municipal Code as identified herein, has considered the recommendations of staff and the Planning and Zoning Commission, and has taken and considered public comment at public hearing; and

**WHEREAS**, the City Council finds that the proposed map amendments meet or exceed all applicable development standards and are consistent with the goals and elements of the Aspen Area Community Plan; and

**WHEREAS**, the City Council finds that this Ordinance furthers and is necessary for public health, safety, and welfare; and

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASPEN COLORADO:**



Section 1: Pursuant to Section 26.92.020 of the Municipal Code, the City Council finds:

1. The proposed map amendments are not in conflict with the provisions of Chapter 26 of the Municipal Code or the Aspen Area Community Plan.
2. The proposed map amendments will promote the public interest and character of the City of Aspen.

Section 2: Pursuant to Section 26.92 of the Aspen Municipal Code (Map Amendments), the City of Aspen Zone District Map is hereby amended to rezone all properties presently zoned Lodge Preservation to their underlying zone district with a Lodge Preservation Overlay. The name, address, legal description, and proposed zone district for each property are included in Exhibit A; and

Section 3: This Ordinance shall not affect any existing litigation and shall not operate as an abatement of any action or proceeding now pending under or by virtue of the ordinances repealed or amended as herein provided, and the same shall be conducted and concluded under such prior ordinances.

Section 4: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional in a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions thereof.

Section 5: That the City Clerk is directed, upon the adoption of this ordinance, to record a copy of this ordinance in the office of the Pitkin County Clerk and Recorder.

Section 6: A public hearing on the Ordinance was held on the 10th day of February, 1997 at 5:00 in the City Council Chambers, Aspen City Hall, Aspen Colorado, fifteen (15) days prior to which hearing a public notice of the same was published in a newspaper of general circulation within the City of Aspen.

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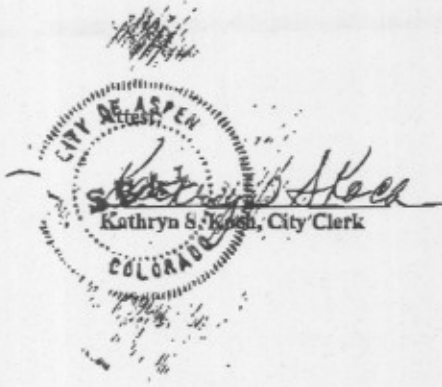
INTRODUCED, READ AND ORDERED PUBLISHED as provided by law, by the City

Council of the City of Aspen on the 13th day of January, 1997.

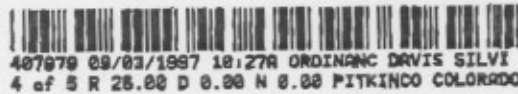


John Bennett  
John Bennett, Mayor

FINALLY, adopted, passed and approved this 10th day of February, 1997.



John Bennett  
John Bennett, Mayor



## EXHIBIT A

Lodge	Address	Legal Description	Proposed Zone District
1. Alpine Lodge	1240 E. Cooper	East 1/2 of Lot 17, All of Lots 18, 19, 20, 21 and 22, Block 17, Riverside Addition to the City of Aspen	R-15A (PUD)
2. Aspen Bed & Breakfast	311 W. Main	Aspen Bed & Breakfast, Units 100-111, 200-211, 300-311, 401-403; East 1/2 of Lot D, all of Lots E, F, G, H and I, Block 45	Office
3. Bavarian Inn	801 W. Blecker	Lots D, E, F, G, H and I, Block 12	R/MF (PUD)
4. Bell Mountain Lodge	720 E. Cooper	Lots K, L, M, N, O, P and 20.73' of Lot Q, Block 105	R/MF (PUD)
5. Boomerang Lodge	500 W. Hopkins	Lots K, L, M, N, O, P, Q, R and S, Block 31	R-6
6. Brass Bed Inn	926 E. Durant	Lots P, Q, R, and S, Block 118, and a strip of land 18 feet in width with all points being parallel to and lying easterly of and adjacent to Lot S in Block 18, bounded on the north by the extension easterly of the southerly line of the alley through said Block 18 and bounded on the south by the northerly line of Durant Ave.	R/MF
7. Christiana Lodge	501 W. Main	Lots A, B, C, D, E, F, G, H and I, Block 31	Office
8. Christmas Inn	232 W. Main	Lots K, L, M and West 1/2 of Lot N, Block 51	Office
9. Copper Horse	328 W. Main	East 1/2 of Lot L and all of Lot M, Block 44	R/MF
10. Cortina	220 E. Main	Lots P and Q, Block 73	Office
11. Crestalhaus	1301 E. Cooper	A tract of land in the Riverside Addition, described as follows: All of Block 21 lying east of the following described line: begin at a point on the northwest line of Vick Avenue where the easterly corner of Lot 8, Block 21, Riverside Addition, bears north 75 30° east 235.7 feet; then north 10 09° west 226.81 feet; then north 37 41° east 120 feet more or less to the south right-of-way line of State Highway 82 and all streets, alleys and parkways lying east of said line and between Colorado Highway 82 and Vick Avenue	R-15
12. Fireside Lodge	130 W. Cooper	Lots K, L, M, N, O and P, Block 61	R/MF

407979 09/03/1997 10:27A ORDINANC DAVIS SILVI  
 S of S R 26.00 D 0.00 N 0.00 PITKINCO COLORADO

13. Hearthstone House	134 E. Hyman	Lots Q, R and S, Block 68	R/MF
14. Hotel Aspen	110 W. Main	Hotel Aspen, Units 101-122, 201-223, 315-318 & 323; East 1/2 of Lots E & O, All of Lots F, G, H, I, P, Q, R and S; easterly 112.04' of alley; Block 58	Office/R-6
15. Hotel Lenado	200 S. Aspen	Lots A, B and C, Block 75	Office
16. Innsbruck Inn	233 W. Main	Lots A, B, C, D and E, Block 52	Office
17. Molly Gibson Lodge/ Aspen Ski Lodge	101 W. Main	Lots O, P and Q, Block 59; Aspen Ski Lodge, Units 1-34; Lots E, F, G, H and I, Block 59	Office/R-6
18. Mountain House Lodge	905 E. Hopkins	Lots A, B, C and D, Block 32, East Aspen Addition	R/MF
19. Northstar	914 E. Waters	Lots M, N and O, Block 119	R/MF
20. St. Moritz Lodge	334 W. Hyman	Lots K, L, M, N and O, Block 46	R-6
21. Shadow Mountain Lodge	232 W. Hyman	Shadow Mountain Lodge at Aspen, Units 1-12; Lots K, L and M, Block 53	R-6
22. Snow Queen Lodge	124 E. Cooper	East 1/2 of Lot P and all of Lot Q, Block 69	R/MF

ASPERN CO BLDG  
 130 S. CALLENA  
 CITY CLERK