

1 BY AUTHORITY

2 ORDINANCE NO.
3 SERIES OF 2013

COUNCIL BILL NO. CB13-0229
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

6 **A BILL**

7 **For an ordinance changing the zoning classification of for 1683, 1685, 1687,**
8 **1691, 1693 and 1695 East Cedar Avenue.**

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11 **WHEREAS**, the City Council has determined, based on evidence and testimony presented
12 at the public hearing, that the map amendment set forth below conforms with applicable City laws,
13 is in accordance with the Comprehensive Plan, is necessary to promote the public health, safety
14 and general welfare of the City, is justified by one of the circumstances set forth in Section
15 12.4.10.14A of the Denver Zoning Code, is consistent with the neighborhood context and the
16 stated purpose and intent of the proposed zone district; and meets the criteria set forth in Section
17 12.4.10.15 of the Denver Zoning Code;

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

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

- 23 1. That the land area hereinafter described is presently classified as S-SU-D.
24 2. That the Owner proposes that the land area hereinafter described be changed to
25 Planned Unit Development District General (PUD-G):

26 **Section 2.** That the zoning classification for the land area in the City and County of Denver
27 described as follows shall be and hereby is changed from S-SU-D to Planned Unit Development
28 District General (PUD-G):

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1 A part of Block 18, Shackleton Place Subdivision according to the official City and
2 County of Denver re-survey plat, together with the contiguous half of S. Williams St.
3 vacated by Ord. 28, 1927 on the east side and with the contiguous half of S. Gilpin St.
4 vacated by Ord. 98, 1921 on the west side and together with the alley within said
5 Block 18 vacated by Ord. 62, 1921 all being in the City and County of Denver.

6 Beginning at the point of intersection between the North line of Cedar Ave. and the
7 centerline of said vacated S. Gilpin St.; thence northerly along said centerline a
8 distance of 599.45 feet to a point on the South right-of-way of Bayaud Ave. which is
9 also the North line of said Block 18 extended; thence on an angle to the right of
10 $90^{\circ}09'00''$ and along said South right-of-way line of Bayaud Ave. and along said
11 North line of Block 18 extended and along the North line of said Block 18 a distance
12 of 125.37 feet to a point of non-tangent curve which is the southwesterly line of the
13 official channel of Cherry Creek; thence on a deflection angle to the right of
14 $36^{\circ}18'07''$ from the tangent of said curve to the left having a radius of 884.02 feet a
15 central angle of $14^{\circ}49'21''$ an arc distance of 228.70 feet to a point of intersection
16 with the centerline of said vacated S. Williams St.; thence departing from said
17 southwesterly line on an angle of $68^{\circ}22'14''$ from the tangent to aforesaid curve and
18 along the centerline of vacated S. Williams St. a distance of 215.32 feet; thence on an
19 angle to the right of $90^{\circ}09'00''$ a distance of 169.88 feet; thence on an angle to the
20 left of $90^{\circ}09'00''$ a distance of 24.90 feet; thence on an angle to the right of
21 $90^{\circ}09'00''$ a distance of 124.88 feet; thence on an angle to the left of $90^{\circ}09'00''$ a
22 distance of 131.92 feet to a point of curvature; thence along a curve to the left having
23 a radius of 83.72 feet and a central angle of $32^{\circ}00'00''$ an arc distance of 46.76 feet to
24 a point of reverse curve; thence along a curve to the right having a radius of 113.72
25 feet and a central angle of $32^{\circ}00'00''$ an arc distance of 63.51 feet to a point of
26 tangency; thence along said tangent a distance of 12.58 feet to a point on said North
27 right-of-way line of Cedar Ave.; thence on an angle to the right of $90^{\circ}09'00''$ and
28 along said right-of-way line a distance of 60.00 feet to the point of beginning,
29 containing in all 106,959 square feet of 2.455 acres, more or less.
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31 in addition thereto those portions of all abutting public rights-of-way, but only to the
32 centerline thereof, which are immediately adjacent to the aforesaid specifically described area.

33 **Section 2.** The complete application with such supporting material as designated by the
34 Land Use, Transportation and Infrastructure Committee of the City Council filed in the words and
35 figures contained and set forth in the Application for Zone Map Amendment (District Plan),
36 available in the office and on the web page of City Council, and filed in the office of the City Clerk
37 on the 12th day of April, 2013, under City Clerk's Filing No. 2013-0333, is hereby approved.

38 **Section 3.** Said District Plan together with a Site Plan, as provided in Section 12.4.3 of the
39 Denver Zoning Code, shall regulate the use and development of the land area hereinabove
40 described.

41 **Section 4.** None of the land area hereinabove described shall be used or occupied and no
42 structure or structures shall be designed, erected, altered, used or occupied thereon except in
43 conformity with all provisions of said District Plan and a Site Plan, as provided in Section 12.4.3 of
44 the Denver Zoning Code, and except upon performance of all conditions therein set forth.

