

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2014

COUNCIL BILL NO. CB14-0524
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance changing the zoning classification for land located at approximately 6700-7398 and 6701-7399 Lowry Boulevard and 6701-7399 Archer Place.

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 necessary to promote the public health, safety and general welfare of the City, is justified by one of the circumstances set forth in Section 12.4.10.8 of the Denver Zoning Code, is consistent with the neighborhood context and the stated purpose and intent of the proposed zone district, and the waivers comply with Section 12.4.10.6 of the Denver Zoning Code;

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

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

1. That the land area hereinafter described is presently classified as O-1.
2. That the Owner proposes that the land area hereinafter described be changed to G-RH-3, with waivers.

Section 2. That the zoning classification of the land area in the City and County of Denver described as follows shall be and hereby is changed from O-1 to G-RH-3, with waivers:

A part of the Southeast Quarter of Section 8, Township 4 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows;

COMMENCING at the East Quarter Corner of said Section 8;
thence North 89°59'52" West, along the northerly line of said Southeast Quarter of Section 8, a distance of 120.00 feet;
thence South 00°02'35" West, parallel with and 120.00 feet west of the easterly line of said Southeast Quarter of Section 8, a distance of 30.00 feet to the southerly line of E. 1st

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Ave. and the northwest corner of Lowry Filing No. 3 recorded at Reception Number 9800190950 in the Clerk and Recorder's Office of said City and County of Denver; thence North 89°59'52" West, along said southerly line of E. 1st Ave., a distance of 1093.52 feet to the centerline of proposed Oneida Ct.; thence along said centerline of proposed Oneida Ct. the following three (3) courses:

- 1.) South 00°00'08" West a distance of 240.38 feet to a point of curve;
- 2.) along the arc of a curve to the left having a radius of 230.00 feet, a central angle of 25°55'12", an arc length of 104.05 feet and whose chord bears South 12°57'30" East a distance of 103.17 feet;
- 3.) South 25°55'07" East a distance of 107.45 feet to the **POINT OF BEGINNING**;

thence along said centerline of proposed Oneida Ct. and S. Oneida Ct. the following six (6) courses:

- 1.) South 25°55'07" East a distance of 35.24 feet to a point of curve;
- 2.) along the arc of a curve to the right having a radius of 1000.00 feet, a central angle of 7°40'29", an arc length of 133.95 feet and whose chord bears South 22°04'53" East a distance of 133.85 feet;
- 3.) South 18°14'39" East a distance of 102.50 feet;
- 4.) South 10°31'57" East a distance of 124.75 feet to a point of curve;
- 5.) along the arc of a curve to the right having a radius of 1000.00 feet, a central angle of 10°31'57", an arc length of 183.83 feet and whose chord bears South 05°15'59" East a distance of 183.57 feet;
- 6.) South 00°00'00" East a distance of 139.13 feet to the centerline of proposed Archer Pl.;

thence along said centerline of proposed E. Archer Pl. the following three (3) courses:

- 1.) North 90°00'00" West a distance of 308.38 feet to a point of curve;
- 2.) along the arc of a curve to the right having a radius of 198.00 feet, a central angle of 22°03'36", an arc length of 76.23 feet and whose chord bears North 78°58'12" West a distance of 75.76 feet;
- 3.) North 67°56'24" West a distance of 29.67 feet;

thence South 00°00'29" West a distance of 150.60 feet to the northerly line of Bayaud Ave.;

thence North 89°59'31" West, along said northerly line of Bayaud Ave., a distance of 269.34 feet;

thence North 00°00'29" East a distance of 224.50 feet to the northerly line of proposed E. Archer Pl.;

thence along said northerly line of proposed E. Archer Pl. the following two (2) courses:

- 1.) North 89°59'31" West a distance of 194.94 feet to a point of curve;
- 2.) along the arc of a curve to the right having a radius of 168.50 feet, a central angle of 39°39'42", an arc length of 116.64 feet and whose chord bears North 70°09'40" West a distance of 114.33 feet;

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1 thence South 39°33'30" West a distance of 29.50 feet to the centerline of proposed E.
2 Archer Pl. and a point of non-tangent curve;

3
4 thence along said centerline of proposed E. Archer Pl. and Niagara St. the following four
5 (4) courses:

- 6
7 1.) along the arc of a curve to the right having a radius of 198.00 feet, a central angle
8 of 50°32'10", an arc length of 174.64 feet and whose chord bears North 25°04'44"
9 West a distance of 169.03 feet;
10 2.) North 00°11'21" East a distance of 199.95 feet to a point of curve;
11 3.) along the arc of a curve to the right having a radius of 198.00 feet, a central angle
12 of 10°18'24", an arc length of 35.62 feet and whose chord bears North 05°20'33"
13 East a distance of 35.57 feet;
14 4.) North 10°29'45" East a distance of 153.37 feet;

15
16 thence South 89°54'16" East a distance of 270.02 feet;
17 thence North 86°58'42" East a distance of 350.14 feet;
18 thence North 85°01'11" East a distance of 284.53 feet to the **POINT OF BEGINNING**.

19
20 Containing 678,516 square feet or 15.577 acres, more or less.

21
22 **Basis of bearings:** Bearings are based on the northerly line of the Southeast Quarter of
23 Section 8, Township 4 South, Range 67 West, of the Sixth Principal Meridian, City and
24 County of Denver, State of Colorado as being North 89°59'52" West. The East Quarter
25 Corner of said Section 8 is a 3 1/4" aluminum cap in a range box stamped BRW INC,
26 PLS 20683. The Center of said Section 8 is a 3 1/4" aluminum cap Witness Corner
27 stamped URS CORP, PLS 20683.

28
29 in addition thereto those portions of all abutting public rights-of-way, but only to the centerline
30 thereof, which are immediately adjacent to the aforesaid specifically described area.

31 **Section 3.** Pursuant to Section 12.4.10.6 (Waivers of Rights and Obligations and Approval
32 of Reasonable Conditions) of the Denver Zoning Code, the Owner of the property has agreed to
33 waive certain rights or obligations of the Denver Zoning Code and instead comply with the following
34 waivers:

- 35 1. Section 6.3.3.4.A (Urban House), B (Duplex), C (Garden Court) and D (Row House)
36 building form tables in the Denver Zoning Code is hereby waived and, instead the "Urban
37 House," "Duplex" and "Row House" building form tables, filed in the office of the City Clerk
38 on July 15, 2014, under City Clerk's Filing No. 2014-0618, shall apply.
39 2. Sections 6.3.4.5.A (Detached Accessory Dwelling Unit), B (Detached Garage) and C (Other
40 Detached Accessory Structures) building form tables in the Denver Zoning Code are hereby
41 waived and instead the single "Detached Accessory Structures" building form table, filed in

the office of the City Clerk on July 15, 2014, under City Clerk's Filing No. 2014-0618-A,
shall apply.

Section 4: That this ordinance shall be recorded by the Manager of Community Planning and
Development in the real property records of the Denver County Clerk and Recorder.

COMMITTEE APPROVAL DATE: June 24, 2014

MAYOR-COUNCIL DATE: July 1, 2014

PASSED BY THE COUNCIL: _____, 2014

_____ - PRESIDENT

APPROVED: _____ - MAYOR _____, 2014

ATTEST: _____ - CLERK AND RECORDER,
EX-OFFICIO CLERK OF THE
CITY AND COUNTY OF DENVER

NOTICE PUBLISHED IN THE DAILY JOURNAL: _____, 2014; _____, 2014

PREPARED BY: Karen A. Aviles, Assistant City Attorney DATE: July 17, 2014

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

D. Scott Martinez, Denver City Attorney

BY: _____, Assistant City Attorney DATE: _____, 2014