

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2014

COUNCIL BILL NO. CB14-0841
COMMITTEE OF REFERENCE:
Neighborhoods & Planning

A BILL

For an ordinance changing the zoning classification for land located at 6900-7100 East 1st Avenue.

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 waiver complies 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 a waiver.

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 a waiver:

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Parcel 5B

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 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 the southerly line of E. 1st Ave., a distance of 643.52 feet to the centerline of proposed Pontiac St. and the **POINT OF BEGINING**;

thence along said centerline of proposed Pontiac St. the following two (2) courses:

- 1.) South 00°00'08" West a distance of 78.61 feet to a point of curve;
- 2.) along the arc of a curve to the left having a radius of 500.00 feet, a central angle of 12°31'31", an arc length of 109.28 feet and whose chord bears South 06°15'32" East a distance of 109.06 feet;

thence South 77°02'30" West a distance of 467.96 feet to the centerline of proposed Oneida Ct. and a point of non-tangent curve;

thence along said centerline of proposed Oneida Ct., the following two (2) courses:

- 1.) along the arc of a curve to the right having a radius of 230.00 feet, a central angle of 12°57'38", an arc length of 52.03 feet and whose chord bears North 06°28'41" West a distance of 51.92 feet;
- 2.) North 00°00'08" East a distance of 240.38 feet to said southerly line of E. 1st Ave.;

thence South 89°59'52" East, along said southerly line of proposed E. 1st Ave., a distance of 450.00 feet to the **POINT OF BEGINNING**.

Containing 109,031 square feet or 2.503 acres, more or less.

Basis of bearings: Bearings are based on the northerly line 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 as being North 89°59'52" West. The East Quarter Corner of said Section 8 is a 3 1/4" aluminum cap in a range box stamped BRW INC, PLS 20683. The Center of said Section 8 is a 3 1/4" aluminum cap Witness Corner stamped URS CORP, PLS 20683.

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.

1 **Section 3.** Pursuant to Section 12.4.10.6 (Waivers of Rights and Obligations and Approval
2 of Reasonable Conditions) of the Denver Zoning Code, the Owner of the subject property has agreed
3 to waive certain rights or obligations of the Denver Zoning Code and instead comply with the
4 following waiver:

5
6 No structure erected on the subject property shall exceed 2 ½ (two and one-half)
7 stories up to thirty-five (35) feet in height.

8
9 **Section 4:** That this ordinance shall be recorded by the Manager of Community Planning and
10 Development in the real property records of the Denver County Clerk and Recorder.

11 COMMITTEE APPROVAL DATE: October 15, 2014

12 MAYOR-COUNCIL DATE: October 21, 2014

13 PASSED BY THE COUNCIL: _____, 2014

14 _____ - PRESIDENT

15 APPROVED: _____ - MAYOR _____, 2014

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

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

20 PREPARED BY: Karen A. Aviles, Assistant City Attorney DATE: October 16, 2014

21 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
22 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
23 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
24 § 3.2.6 of the Charter.

25 D. Scott Martinez, Denver City Attorney

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