

BY AUTHORITY

ORDINANCE NO. _____
SERIES OF 2014

COUNCIL BILL NO. CB14-0523
COMMITTEE OF REFERENCE:
Land Use, Transportation & Infrastructure

A BILL

For an ordinance changing the zoning classification for land located near the southwest corner of South Quebec Street and Archer Place at approximately 7000-7300 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 U-SU-B, 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 U-SU-B, 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 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;

[continued on next page]

1 thence South 00°02'35" West, along the westerly line of said Lowry Filing No. 3 being
2 parallel with and 120.00 feet west of said easterly line of the Southeast Quarter of Section
3 8, a distance of 381.74 feet to the northwest corner of Lowry Filing No. 1 recorded at
4 Reception Number 9700089555 in said Clerk and Recorder's Office;

5
6 thence along the westerly lines of said Lowry Filing No. 1 the following four (4) courses:
7 1.) South 00°02'35" West, being parallel with and 120.00 feet west of said easterly
8 line of the Southeast Quarter of Section 8, a distance of 186.54 feet;
9 2.) South 14°00'02" East a distance of 41.21 feet;
10 3.) South 00°02'35" West, being parallel with and 110.00 feet west of said easterly
11 line of the Southeast Quarter of Section 8, a distance of 526.89 feet to the **POINT**
12 **OF BEGINING;**
13 4.) South 00°02'35" West, being parallel with and 110.00 feet west of said easterly
14 line of the Southeast Quarter of Section 8, a distance of 125.00 feet to the
15 northeast corner of Lowry Filing No. 2 recorded at Reception Number
16 9700172497 in said Clerk and Recorder's Office;

17
18 thence North 90°00'00" West, along the northerly line of said Lowry Filing No. 2, a
19 distance of 983.87 feet to the northwest corner of Lowry Filing No. 2 and the northerly
20 line of Bayaud Ave.;

21 thence North 89°59'31" West, along said northerly line of Bayaud Ave., a distance of
22 321.43 feet;

23 thence North 00°00'29" East a distance of 150.60 feet to the centerline of proposed
24 Archer Pl.;

25
26 thence along said centerline of proposed Archer Pl. the following three (3) courses:

- 27
28 1.) South 67°56'24" East a distance of 29.67 feet to a point of curve;
29 2.) along the arc of a curve to the left having a radius of 198.00 feet, a central angle
30 of 22°03'36", an arc length of 76.23 feet and whose chord bears South 78°58'12"
31 East a distance of 75.76 feet;
32 3.) North 90°00'00" East a distance of 1203.50 feet to the **POINT OF BEGINNING.**

33
34 Containing 164,065 square feet or 3.766 acres, more or less.

35
36 **Basis of bearings:** Bearings are based on the northerly line of the Southeast Quarter of
37 Section 8, Township 4 South, Range 67 West, of the Sixth Principal Meridian, City and
38 County of Denver, State of Colorado as being North 89°59'52" West. The East Quarter
39 Corner of said Section 8 is a 3 1/4" aluminum cap in a range box stamped BRW INC,
40 PLS 20683. The Center of said Section 8 is a 3 1/4" aluminum cap Witness Corner
41 stamped URS CORP, PLS 20683.

42
43 in addition thereto those portions of all abutting public rights-of-way, but only to the centerline
44 thereof, which are immediately adjacent to the aforesaid specifically described area.

45 **Section 3.** Pursuant to Section 12.4.10.6 (Waivers of Rights and Obligations and Approval
46 of Reasonable Conditions) of the Denver Zoning Code, the Owner of the property has agreed to

1 waive certain rights or obligations of the Denver Zoning Code and instead comply with the following
2 waivers:

3 1. Section 5.3.3.4.A (Urban House) building form table of Denver Zoning Code is hereby
4 waived and, instead the "Urban House" building form table, filed in the office of the City
5 Clerk on July 15, 2014, under City Clerk's Filing No. 2014-0617, shall apply.

6 2. Sections 5.3.4.5.B (Detached Garage) and C (Other Detached Accessory Structures)
7 building form tables in the Denver Zoning Code are hereby waived and instead the single
8 "Detached Accessory Structures" building form table, filed in the office of the City Clerk on
9 July 15, 2014, under City Clerk's Filing No. 2014-0617-A, shall apply.

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

12 COMMITTEE APPROVAL DATE: June 24, 2014

13 MAYOR-COUNCIL DATE: July 1, 2014

14 PASSED BY THE COUNCIL: _____, 2014

15 _____ - PRESIDENT

16 APPROVED: _____ - MAYOR _____, 2014

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

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

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

22 Pursuant to Section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of
23 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed
24 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to
25 § 3.2.6 of the Charter.

26 D. Scott Martinez, Denver City Attorney

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