



**TO:** Land Use, Transportation, and Infrastructure Committee  
**FROM:** Francisca Peñafiel, Senior City Planner  
**DATE:** November 23, 2022  
**RE:** Official Zoning Map Amendment Application #2022I-00056

### Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for Application #2022I-00056.

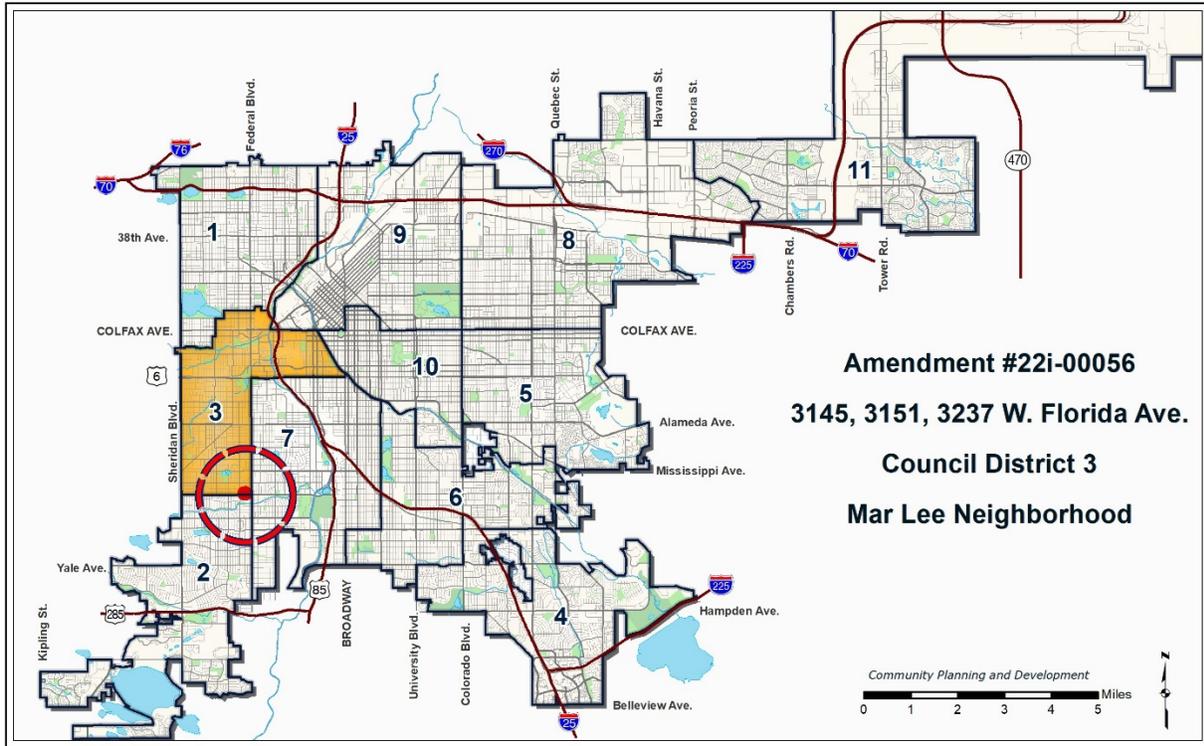
### Request for Rezoning

Address: 3237, 3145, 3151 & 3155 West Florida Avenue  
Neighborhood/Council District: Mar Lee / Council District 3 – Jamie Torres  
RNOs: Inc., Inter-Neighborhood Cooperation (INC), South Mar Lee/Brentwood/Sharon Park Neighbors, Far East Center, Strong Denver  
Area of Property: 116,685 square feet or 2.67 acres  
Current Zoning: S-SU-D and PUD 611  
Proposed Zoning: S-MU-3  
Property Owner(s): Florina Silvas  
Property Representative: Nanci Kerr

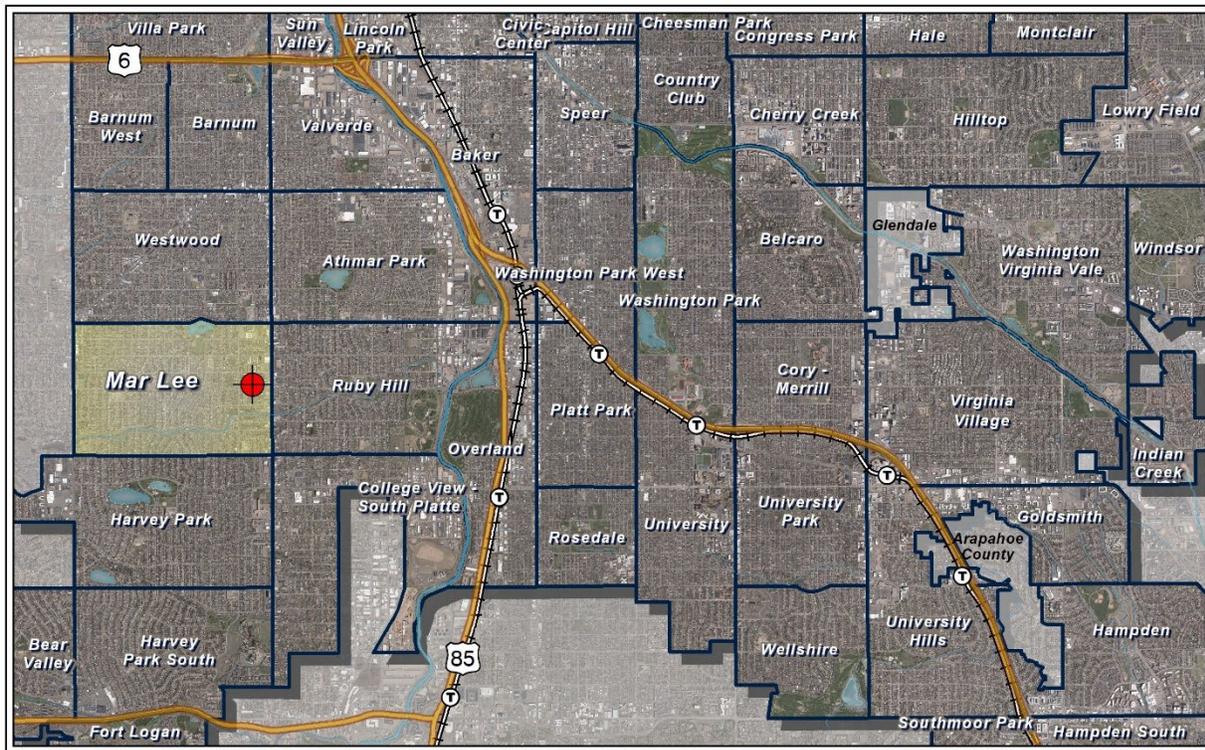
### Summary of Rezoning Request

- The subject properties are located in the Mar Lee statistical neighborhood between South Federal Boulevard and South Irving Street along West Florida Avenue.
- While the application contains four different addresses, there are only three parcels, as 3151 and 3155 West Florida Avenue are related to the same parcel.
- The properties at 3145, 3151 and 3155 West Florida Avenue are currently zoned PUD 611, which is a Former Chapter 59 custom zone district. They are occupied by three buildings that are currently used as a Child Care Center. The property at 3137 West Florida Avenue is currently zoned S-SU-D and occupied by a single-unit home. All three parcels are owned by the same property owner.
- The applicant is requesting this rezoning to expand the Day Care Center Use and to bring the properties currently zoned PUD 611 into the Denver Zoning Code.
- The proposed zone district, S-MU-3 (**S**uburban **M**ulti-**U**nit – **3** stories) allows for primarily residential uses in the suburban house, duplex, row house and apartment building forms up to a maximum height of three stories and 40 feet. Further details of the existing and requested zone districts can be found in Article 3 of the Denver Zoning Code (DZC).

### City Location



### Neighborhood Location – Mar Lee



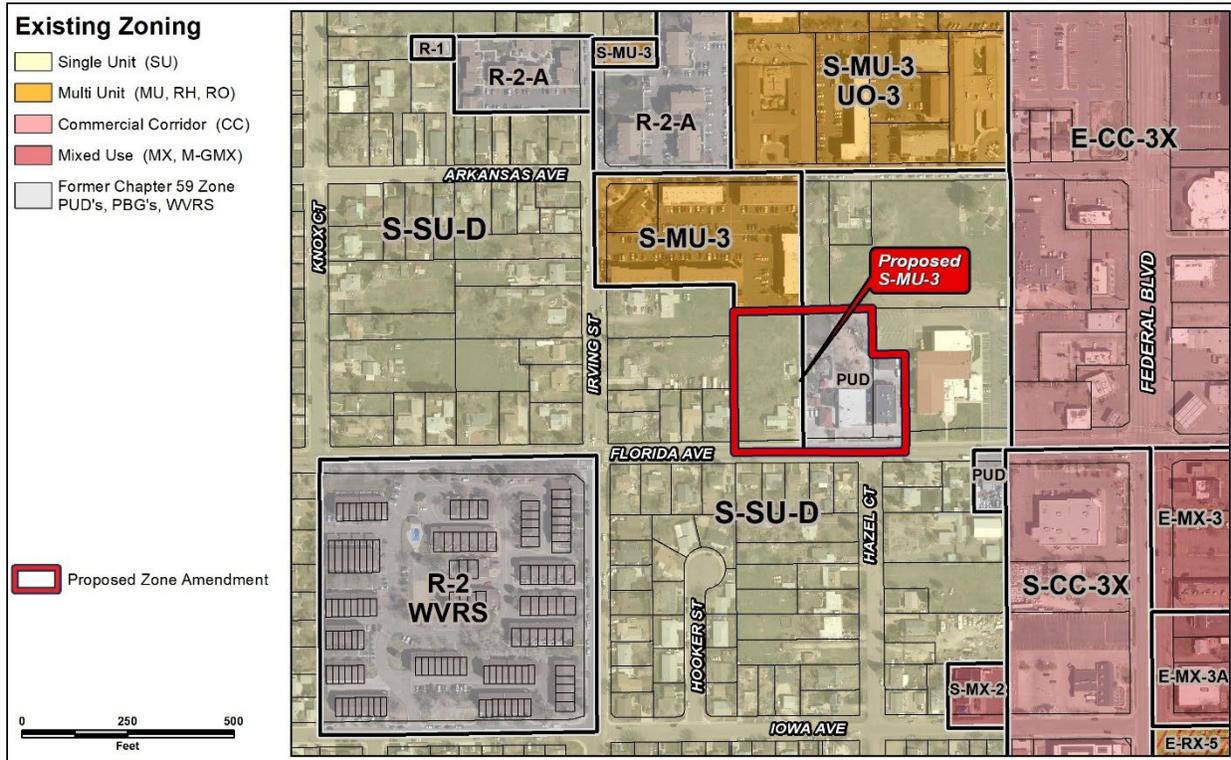
## Existing Context

The subject property is in the Mar Lee statistical neighborhood, which is characterized mostly by single-unit residential uses with commercial/retail uses at the edges, along South Federal Boulevard and South Sheridan Boulevard. The subject properties are located one and a half blocks north of the Sanderson Gulch Trail and two blocks east from Charles Schenck Community School, the elementary school that serves the neighborhood. Generally, North of West Florida Avenue, there is a pattern of rectangular blocks in a street grid pattern interrupted by some multi-unit bigger parcels. South of West Florida Avenue the street grid tends to be more suburban and is interrupted by the gulch. Alleys are generally not present. RTD bus route 14 runs east-west on West Florida Avenue, with a 30-minute headway. On South Federal Boulevard 500 feet east of the site, RTD bus routes 30, 31 and 36L run north-south with a 30–60-minute headway.

The following table summarizes the existing context proximate to the subject site:

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
3237 West Florida Avenue	S-SU-D	Single-unit Residential	1-story house with detached garage and surface parking in the lot. Most of the lot is vacant in the back.	Generally regular grid of streets north of West Florida Avenue, with some of the larger commercial parcels interrupting the grid. More suburban grid southwest of the subject sites. Vehicular access is generally from the street with vehicle parking in front of buildings. Alleys are generally not present.
3151 & 3155 West Florida Avenue	PUD 611	Public/Quasi-public daycare	1-story house with detached garage and surface parking	
3145 West Florida Avenue	PUD 611	Public/Quasi-public daycare	2-story brick building with playground and surface parking in the front and back.	
East	S-SU-D	Single-unit Residential	1-story house with attached garage and driveway from West Florida Avenue.	
North	S-SU-D and S-MU-3	Multi-unit /Single-unit Residential	Vacant lot/surface parking for 3-story multi-unit buildings	
West	S-SU-D	Public/Quasi-public	2-story brick church with surface parking	
South	S-SU-D	Single-unit Residential	1-story houses with driveways on West Florida Avenue	

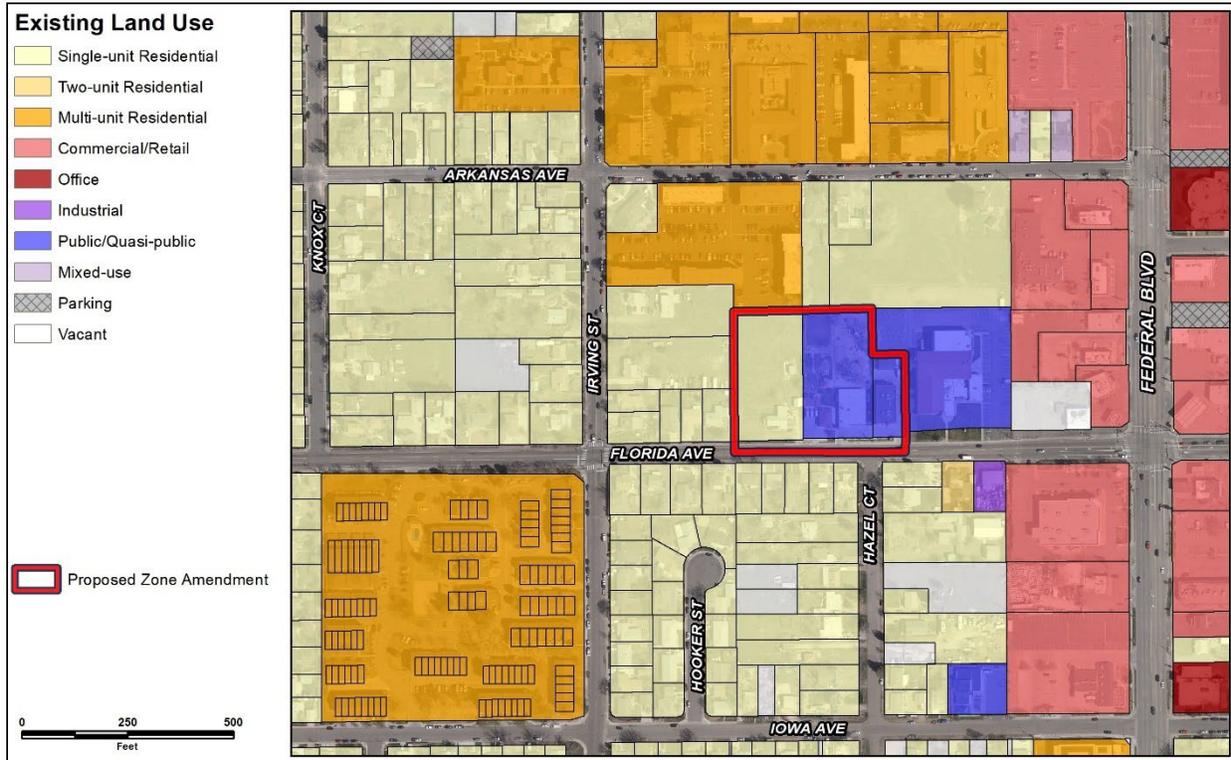
### 1. Existing Zoning



The existing zoning at 3237 West Florida Avenue is S-SU-D, which is a single-unit residential district in the Suburban Neighborhood Context. It allows only the Suburban House building form with a minimum zone lot area of 6,000 square feet. Lots are typically 50 feet wide. Allowed accessory building forms are the detached garage and other detached accessory structures. The maximum allowed building height for primary structures is 30 to 35 feet (depending on lot width), and setback requirements are 5 feet for the sides and 12 to 20 feet for the rear. Primary street setbacks are block sensitive, depending on the setbacks of nearby structures. There is no minimum parking requirement for single-unit residential uses. For additional details of the zone district, see DZC Article 3.

The existing zoning at 3155, 3151 and 3145 West Florida Avenue is PUD 611, which is a Former Chapter 59 zone district. The PUD was approved in 2008 and rezoned the properties from R-1 to PUD 611 to allow the expansion of the day care center. PUD 611 allows for a single-unit residential use or childcare use with related administrative office uses. It allows for a maximum height of 2 stories or 25 feet and requires a minimum of 24 off-street parking spaces.

## 2. Existing Land Use Map



## 3. Existing Building Form and Scale (all images from Google Maps)



3237 West Florida Avenue - View of the subject property, looking northeast.



**3145, 3151 & 3155 West Florida Avenue - View of the subject properties, looking northeast.**



**3145, 3151 & 3155 West Florida Avenue - View of the subject properties, looking northwest.**



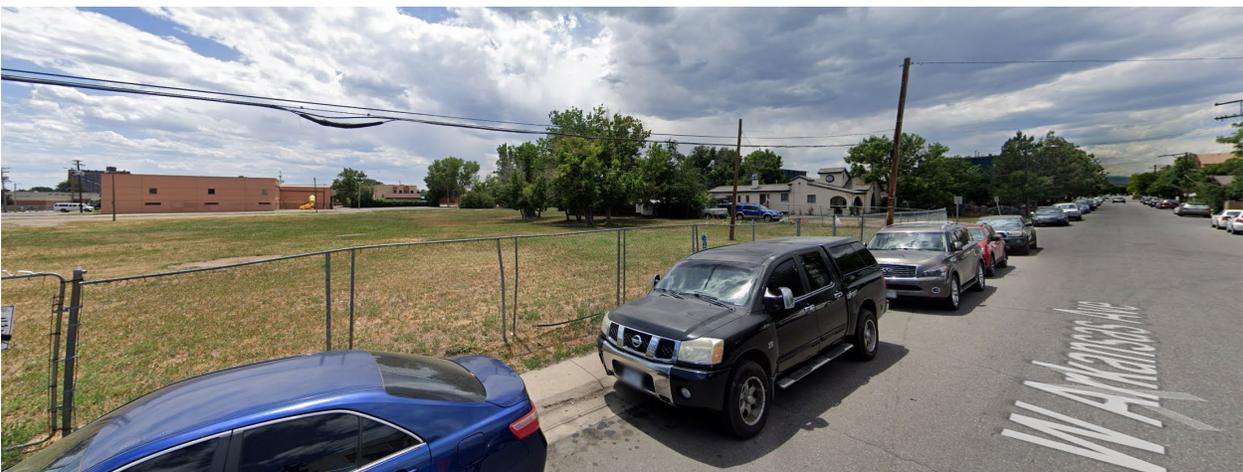
**East - View of the church east of the subject site, looking northwest on West Florida Avenue.**



**West** - View of the properties to the west of the subject sites, looking north on West Florida Avenue.



**South** - View of the properties to the south of the subject sites (across West Florida Avenue).



**North** - View of the properties north of the subject sites, along West Arkansas Avenue.

## Proposed Zoning

The **S-MU-3**, **S**uburban, **M**ulti-unit, **3**-story district is a multi-unit zone district in the suburban context. In the S-MU-3 zone district the Suburban House, Duplex, Row House and Apartment building forms are allowed primary building forms. Maximum height allowed is three stories or 40 feet. Further details of the zone district can be found in Article 3 of the Denver Zoning Code.

The design standards for the existing zone districts and the proposed zone district are summarized below.

Design Standards	Existing S-SU-D	Existing PUD 611	Proposed S-MU-3
Primary Building Forms Allowed	Suburban House	N/A	Suburban House, Duplex, Row House, and Apartment
Height in Stories / Feet (max)	2.5 stories / 30'-35'*	2 stories/25'	3 stories / 40'*
Primary Street Build-To Percentages (min)	N/A	N/A	Row House, Apartment: 50% Other forms: no build-to
Primary Street Build-To Ranges	N/A	N/A	Row House, Apartment: 0' to 80' Other forms: no build-to
Minimum Zone Lot Size/Width	6,000 sf / 50'	N/A	Suburban House: 6,000sf / 50' Duplex: 4,500sf / 37.5' Row House, Apartment: 6,000sf / 50'
Primary Street Setbacks (min)	Block sensitive or 15'**	N/A	Suburban House: Block sensitive or 15'-20' (whichever is less)** Duplex: Block sensitive or 20' (whichever is less) Row House, Apartment: 10'
Building Coverages (max)	50%	.22 FAR	Suburban House, Duplex: 50% Other forms: no max building coverage

\*Standards varies between building forms

\*\*Standards vary based on building form and zone lot width

## **Summary of City Agency Referral Comments**

As part of the DZC review process, the rezoning application is referred to potentially affected city agencies and departments for comment. A summary of agency referral responses follows:

**Assessor:** Approved – No Response.

**Asset Management:** Approved – No Comments.

**Development Services - Fire:** Approved – No Response.

**Denver Public Schools:** Approved – No Response.

**Development Services - Project Coordination:** Approved – See Comments Below.  
After rezone, PUD will still act as Site Plan until new SDP is approved and recorded.

**Development Services - Transportation:** Approved – No Response.

**Development Services - Wastewater:** Approved – No Response.

**Parks and Recreation:** Approved – No Comments.

**Public Health and Environment:** Approve Rezoning Only - Will require additional information at Site Plan Review.

Denver Department of Public Health & Environment - Division of Environmental Quality (EQ) does not guarantee approval of any proposed development project at this site by providing a response to this Official Map Amendment Referral Agency Review Request. Future development is subject to existing land use controls and other environmental requirements in accordance with applicable local, state, and federal environmental regulations and statutes. EQ recommends the Property Owner conduct an environmental site assessment to determine the potential presence, nature, and extent of possible contamination on the site and to identify specific cleanup needs associated with future development. EQ may have additional information about localized potential environmental concerns at the site. However, providing such information about a specific site is beyond the scope of these zoning application comments.

**Public Works – City Surveyor:** Approved – No Comments.

**Public Review Process**

	<b>Date</b>
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	<b>08/30/2022</b>
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, registered neighborhood organizations, and property owners:	<b>10/18/2022</b>
Planning Board Public Hearing: (Recommended for approval con consent agenda)	<b>11/02/2022</b>
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting:	<b>11/14/2022</b>
Land Use, Transportation and Infrastructure Committee of the City Council:	<b>11/29/2022</b>
Property legally posted for a period of 21 days and CPD notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations:	<b>12/19/2022</b>  (tentative)
City Council Public Hearing:	<b>01/17/2023</b>  (tentative)

- **Registered Neighborhood Organizations (RNOs)**
  - To date, staff has not received any letters from RNOs.
  
- **Other Public Comment**
  - To date, staff has not received any comment letters from members of the public.

## **Criteria for Review / Staff Evaluation**

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.7 and 12.4.10.8, as follows:

### **DZC Section 12.4.10.7**

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and General Welfare

### **DZC Section 12.4.10.8**

1. Justifying Circumstances
2. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

## **1. Consistency with Adopted Plans**

The following adopted plans apply to this application:

- Denver Comprehensive Plan 2040 (2019)
- Blueprint Denver (2019)

### ***Denver Comprehensive Plan 2040***

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies, including:

The proposal is consistent with many Denver Comprehensive Plan strategies, including:

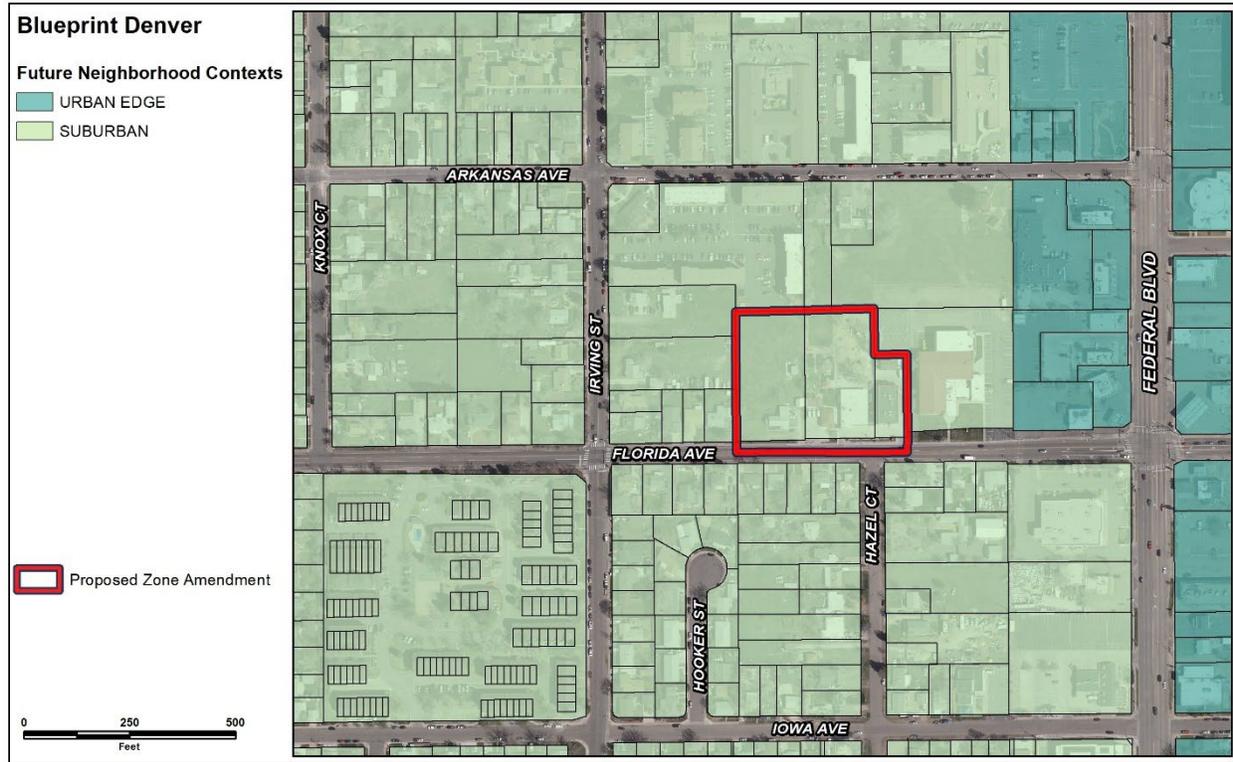
- Strong and Authentic Neighborhoods Goal 1, Strategy B – Ensure neighborhoods offer a mix of housing types and services for a diverse population (p. 34).
- Strong and Authentic Neighborhoods Goal 1, Strategy D – Encourage quality infill development that is consistent with the surrounding neighborhoods and offers opportunities for increased amenities (p. 34).
- Environmentally Resilient Goal 8, Strategy 8 – Promote infill development where infrastructure and services are already in place (p. 54).
- Environmentally Resilient Goal 8, Strategy B – Encourage mixed use communities where residents can live, work and play in their own neighborhoods (p. 54).

The proposed map amendment will enable continued operation and expansion of an existing day care center in close proximity to transit and amenities. The S-MU-3 allows for a variety of residential building forms and includes form standards that ensure development is consistent with the surrounding neighborhood. The rezoning is consistent with Denver Comprehensive Plan 2040.

**Blueprint Denver (2019)**

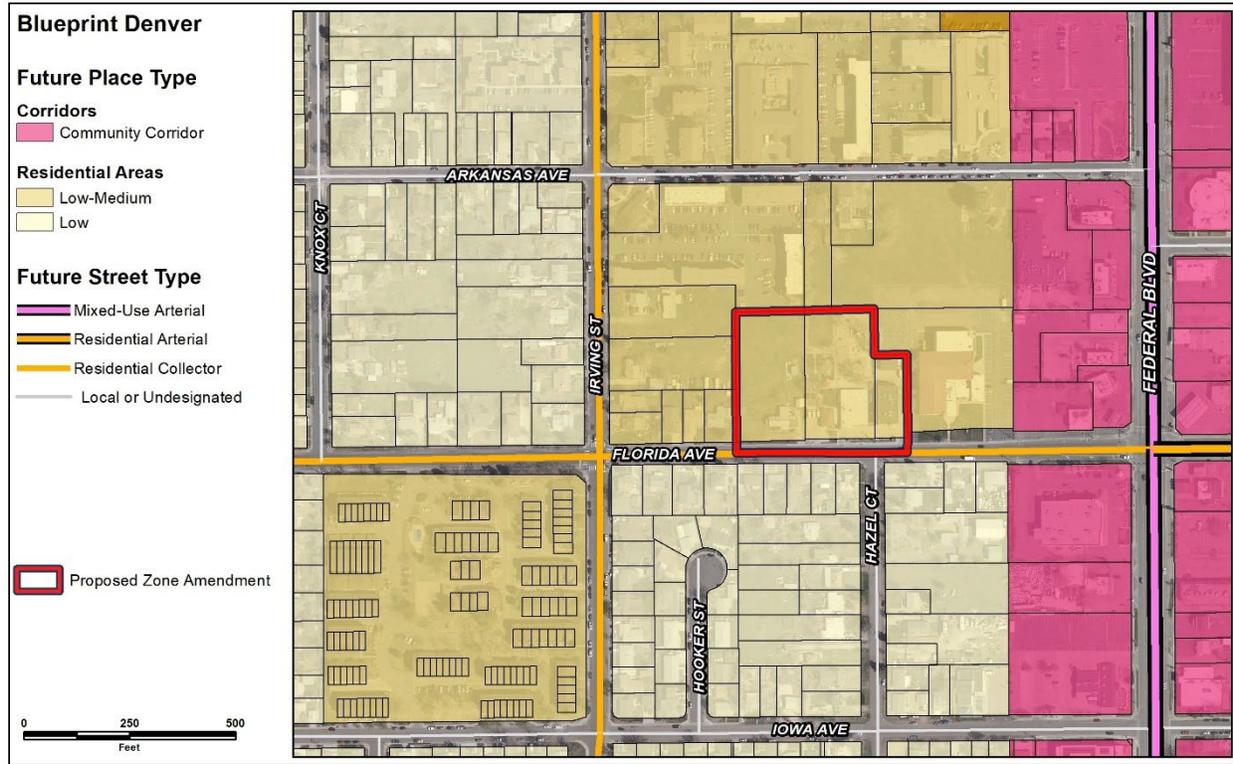
Blueprint Denver identifies the subject property as a Low Medium Residential area within the Suburban Neighborhood Context and provides guidance for the future growth strategy for the city.

**Blueprint Denver Future Neighborhood Context**



The subject property is within the Suburban Neighborhood Context. “The suburban context represents the most varied development in Denver’s neighborhoods. Homes in this context are largely single-unit but can also include higher intensity residential. Commercial development is focused along main corridors and centers bordering residential areas. Although this context is more auto oriented than others, there should still be quality multimodal connectivity” (p. 185). The proposed S-MU-3 zone district is part of the Suburban context in the DZC. The residential zone districts are intended to “promote and protect residential neighborhoods within the character of the Suburban Neighborhood Context” and “regulations allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood” (DZC 3.2.2.1). Further, “standards of the row house and multi-unit districts promote existing and future patterns of multiple buildings on a single zone lot” (DZC 3.2.2.1). The proposed S-MU-3 district is a multi-unit district that allows a mix of residential building forms, consistent with the surrounding Suburban character. The proposed rezoning is consistent with Blueprint Denver’s context guidance.

**Blueprint Denver Future Place**

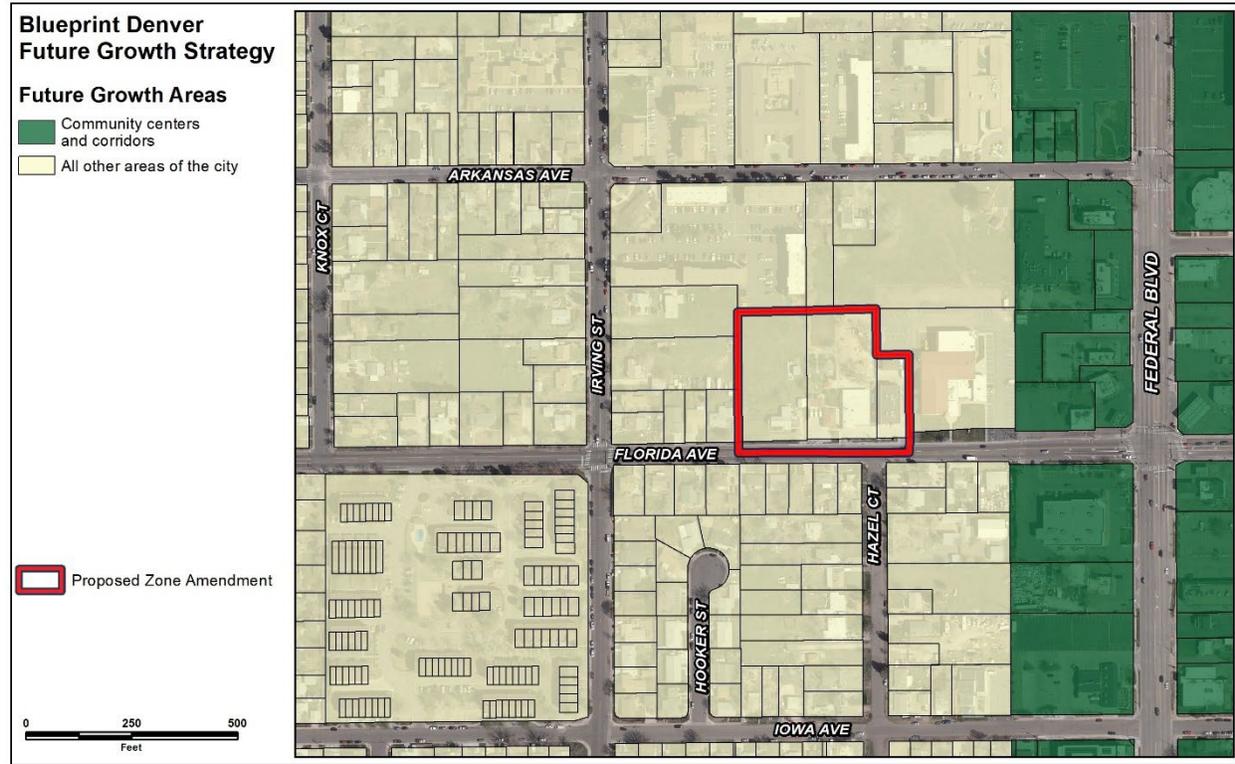


The Future Places map designates the subject property as a Low-Medium Residential Area. Blueprint Denver describes the aspirational characteristics of Low-Medium in the Urban Edge context as “a mix of low- to mid-scale multi-unit residential options...small-scale multi-unit buildings are interspersed between single- and two-unit residential....buildings are generally 3 stories or less in height” (p. 212). Consistent with this guidance, the proposed S-MU-3 district allows a mix of building forms, including suburban house, duplex, row house, and apartment. The 3-story district height is consistent with the existing and surrounding context and appropriate for the low-medium designation in this location.

**Blueprint Denver Future Street Types**

In *Blueprint Denver*, street types work together with the future place to evaluate the appropriateness of the intensity of the adjacent development (p. 67). *Blueprint Denver* classifies West Florida Avenue as a Residential Collector Future Street Type, which are designated as “Primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses” (p. 160). The proposed S-MU-3 district is consistent with this description because it allows for primarily residential uses.

**Blueprint Denver Growth Strategy**



In Blueprint Denver, this subject property is within areas of the city that are expected to see 20% of new housing growth and 10% of new employment growth by 2040 (p. 50- 51). These areas are expected to take a smaller amount of growth than other areas of the city, and the growth is “intended to strengthen the existing character of our neighborhoods” (p. 49). The proposed map amendment to S-MU-3 will allow for multi-unit housing consistent with the existing context of the site and neighborhood. Therefore, the proposed rezoning is consistent with the Blueprint Denver growth strategy.

**Former Chapter 59 and Custom Zoning**

Blueprint Denver recommends “rezon[ing] properties from the Former Chapter 59 zoning code so that the entire city is covered by the DZC...” (p.73). The proposed rezoning from a Former Chapter 59 zone district to a DZC zone district is consistent with Blueprint Denver’s recommendations.

**2. Uniformity of District Regulations and Restrictions**

The proposed rezoning to S-MU-3 will result in the uniform application of zone district building form, use and design regulations.

### **3. Public Health, Safety and General Welfare**

The proposed official map amendment furthers the public health, safety, and general welfare of the City through implementation of the city's adopted plans and applying the modern zoning regulations of the Denver Zoning Code to the subject property that is currently zoned under Former Chapter 59 zone district. Further, the proposed S-MU-3 district will provide more predictable building forms and height standards than the current Former Chapter 59 zone district.

### **4. Justifying Circumstance**

The application identifies changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.8.A.4.c., "Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include: A City adopted plan." As discussed above, Blueprint Denver, adopted in 2019, clearly calls for the allowance of mid-scale multi-unit residential options.

It is also a Justifying Circumstance that "the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning." Part of the subject property is currently zoned under Former Chapter 59. Therefore, rezoning from Former Chapter 59 zoning into the Denver Zoning Code is an appropriate justifying circumstance.

### **4. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements**

The requested S-MU-3 zone district is within the Suburban Neighborhood Context. This district is characterized by single-unit and multi-unit residential, commercial strips and centers, and office parks. Multi-unit building forms are typically separated from single-unit residential and consist of row houses and occasional mid- and high-rise apartment building forms. The proposed rezoning of this property to S-MU-3 is consistent with the neighborhood context description, and the existing improvements to the property generally conform to the expectation of low-rise apartment forms.

The requested rezoning is consistent with the General Purpose of Residential Districts because the zone district will promote and protect residential neighborhoods within the Suburban Neighborhood Context. The zone district will provide predictable building forms, allow for reinvestment in this existing development, and accommodate possible future redevelopment that furthers the district's goals (DZC 3.2.2.1).

The specific intent of the S-MU-3 is defined by DZC Section 3.2.2.2.1 as follows: "S-MU- is a multi-unit district and allows suburban house, duplex, town house, garden court and apartment building forms up to 3, 5, 8, 12, 20 stories in height." The requested rezoning is consistent with the specific intent of the S-MU-3 zone district because the site and much of the immediate context are characterized by multi-unit residential uses.

## **Attachments**

1. Application



## Zone Map Amendment (Rezoning) - Application

<b>PROPERTY OWNER INFORMATION*</b>		<b>PROPERTY OWNER(S) REPRESENTATIVE**</b>	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Property Owner Name	Florina Silvas	Representative Name	Nanci Kerr
Address	3237 West Florida Avenue	Address	1550 Larimer Street Suite 605
City, State, Zip	Denver, CO 80219	City, State, Zip	Denver, CO 80202 <span style="float: right;">+</span>
Telephone	303-936-2055	Telephone	303-592-1122
Email	flo@denverchild.com	Email	nkerr@skytogram.com
*All standard zone map amendment applications must be initiated by owners (or authorized representatives) of at least 51% of the total area of the zone lots subject to the rezoning. See page 4.		**Property owner shall provide a written letter authorizing the representative to act on his/her behalf. ***If contact for fee payment is other than above, please provide contact name and contact information on an attachment.	
<b>SUBJECT PROPERTY INFORMATION</b>			
Location (address):	3237, 3145, 3151 & 3155 West Florida Avenue Denver, CO 80219		
Assessor's Parcel Numbers:	05202-12-005-000; 05202-12-088-000; 05202-12-086-000		
Area in Acres or Square Feet:	50,800 + 50,513 + 15,372 = 116,685 SF		
Current Zone District(s):	S-SU-D; PUD 611		
<b>PROPOSAL</b>			
Proposed Zone District:	S-MU-3		
<b>PRE-APPLICATION INFORMATION</b>			
In addition to the required pre-application meeting with Planning Services, did you have a concept or a pre-application meeting with Development Services?	<input checked="" type="checkbox"/> <b>Yes - State the contact name &amp; meeting date</b> <u>7/21/21-Zoom Meeting w/Tanner A</u> <span style="float: right;">+</span> <input type="checkbox"/> <b>No - Describe why not (in outreach attachment, see bottom of p. 3)</b>		
Did you contact the City Council District Office regarding this application ?	<input checked="" type="checkbox"/> <b>Yes - if yes, state date and method</b> <u>7/29/21-Zoom Meeting w/Council Member Torres. 8/27/21-Zoom Meeting w/Council Members Flynn &amp; Torres.</u> <span style="float: right;">+</span> <input type="checkbox"/> <b>No - if no, describe why not (in outreach attachment, see bottom of p. 3)</b>		

REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)	
<p>General Review Criteria DZC Sec. 12.4.10.7.A</p> <p>Check box to affirm <b>and</b> include sections in the review criteria narrative attachment</p>	<p><input checked="" type="checkbox"/> <b>Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.</b></p> <p>Please provide a review criteria narrative attachment describing <b>how</b> the requested zone district is consistent with the policies and recommendations found in <b>each</b> of the adopted plans below. Each plan should have its' own subsection.</p> <p><b>1. Denver Comprehensive Plan 2040</b></p> <p>In this section of the attachment, describe <b>how</b> the proposed map amendment is consistent with <i>Denver Comprehensive Plan 2040's</i> a) equity goals, b) climate goals, and c) any other applicable goals/strategies.</p> <p><b>2. Blueprint Denver</b></p> <p>In this section of the attachment, describe <b>how</b> the proposed map amendment is consistent with: a) the neighborhood context, b) the future place type, c) the growth strategy, d) adjacent street types, e) plan policies and strategies, and f) equity concepts contained in <i>Blueprint Denver</i>.</p> <p><b>3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable):</b> N/A</p>
<p>General Review Criteria: DZC Sec. 12.4.10.7. B &amp; C</p> <p>Check boxes to the right to affirm <b>and</b> include a section in the review criteria for Public Health, Safety and General Welfare narrative attachment.</p>	<p><input checked="" type="checkbox"/> <b>Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</b></p> <p><input checked="" type="checkbox"/> <b>Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</b></p> <p>In the review criteria narrative attachment, please provide an additional section describing <b>how</b> the requested rezoning furthers the public health, safety and general welfare of the City.</p>
<p>Review Criteria for Non-Legislative Rezoning: DZC Sec. 12.4.10.8</p> <p>For Justifying Circumstances, check box and include a section in the review criteria narrative attachment.</p> <p>For Neighborhood Context, Purpose and Intent, check box <b>and</b> include a section in the review criteria narrative attachment.</p>	<p><b>Justifying Circumstances - One of the following circumstances exists:</b></p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error;</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact;</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints of development created by the natural characteristics of the land, including, but not limited to , steep slopes, floodplain, unstable soils, and inadequate drainage;</p> <p><input checked="" type="checkbox"/> Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:</p> <p style="padding-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or,</p> <p style="padding-left: 20px;">b. A City adopted plan; or</p> <p style="padding-left: 20px;">c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</p> <p><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (overlay Zone Districts) of this Code.</p> <p>In the review criteria narrative attachment, please provide an additional section describing the selected justifying circumstance. If the changing conditions circumstance is selected, describe changes since the site was last zoned. Contact your pre-application case manager if you have questions.</p> <p><input checked="" type="checkbox"/> <b>The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</b></p> <p>In the review criteria narrative attachment, please provide a separate section describing <b>how</b> the rezoning aligns with a) the proposed district neighborhood context description, b) the general purpose statement, and c) the specific intent statement found in the Denver Zoning Code.</p>

**REQUIRED ATTACHMENTS**

Please check boxes below to affirm the following **required** attachments are submitted with this rezoning application:

- Legal Description of subject property(s). **Submit as a separate Microsoft Word document.** View guidelines at: <https://www.denvergov.org/content/denvergov/en/transportation-infrastructure/programs-services/right-of-way-survey/guidelines-for-land-descriptions.html>
- Proof of ownership document for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed, or (c) Title policy or commitment dated no earlier than 60 days prior to application date. If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.
- Review Criteria Narratives. See page 2 for details.

**ADDITIONAL ATTACHMENTS (IF APPLICABLE)**

Additional information may be needed and/or required. Please check boxes below identifying additional attachments provided with this application.

- Written narrative explaining reason for the request** (optional)
- Outreach documentation attachment(s).** Please describe any community outreach to City Council district office(s), Registered Neighborhood Organizations (RNOs) and surrounding neighbors. If outreach was via email- please include email chain. If the outreach was conducted by telephone or meeting, please include contact date(s), names and a description of feedback received. If you have not reached out to the City Council district office, please explain why not. (optional - encouraged )
- Letters of Support.** If surrounding neighbors or community members have provided letters in support of the rezoning request, please include them with the application as an attachment (optional).
- Written Authorization to Represent Property Owner(s)** (if applicable)
- Individual Authorization to Sign on Behalf of a Corporate Entity** (e.g. if the deed of the subject property lists a corporate entity such as an LLC as the owner, this document is required.)
- Other Attachments.** Please describe below.

## PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

We, the undersigned represent that we are the owner(s) of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/12/20	(A)	YES
Florida, LLC	3237 W Florida Avenue Denver, CO 80219 (720) 341-1845 flo@denverchild.com	100%	Florina Silvas <small>Digitally signed by Florina Silvas Date: 2022.07.12 17:11:28 -06'00'</small>	7/12/22	B	YES
Florida, LLC	3145 W Florida Avenue Denver, CO 80219 (720) 341-1845 flo@denverchild.com	100%	Florina Silvas <small>Digitally signed by Florina Silvas Date: 2022.07.12 17:17:50 -06'00'</small>	7/12/22	B	YES
Florida, LLC	3151 & 3155 W Florida Avenue Denver, CO 80219 (720) 341-1845 flo@denverchild.com	100%	Florina Silvas <small>Digitally signed by Florina Silvas Date: 2022.07.12 17:18:21 -06'00'</small>	7/12/22	B	YES

# 3145 W FLORIDA AVE

<b>Owner</b>	FLORIDA LLC 3151 W FLORIDA AVE DENVER, CO 80219-4003
<b>Schedule Number</b>	05202-12-088-000
<b>Legal Description</b>	PT OF S1/2 OF PLOT 42 GARFIELD HGTS NEW FLG COMM SW COR TH N200FT TH E 77.62FT TH S 200FT TH W 77.62FT TO POB EXC PTNDIF RCP 2012034388
<b>Property Type</b>	INDUSTRIAL-PRESCHOOL
<b>Tax District</b>	DENVER

## Print Summary

### Property Description

<b>Style:</b>	OTHER	<b>Building Sqr. Foot:</b>	8120
<b>Bedrooms:</b>		<b>Baths Full/Half:</b>	0/0
<b>Effective Year Built:</b>	2014	<b>Basement/Finish:</b>	0/0
<b>Lot Size:</b>	15,372	<b>Zoned As:</b>	PUD

**Note:** Valuation zoning may be different from City's new zoning code.

#2022i-00056

Current Year			
Actual	Assessed	Exempt	
Land		\$151,800	\$44,020 \$0
Improvements		\$1,024,000	\$296,960
Total		\$1,175,800	\$340,980

Prior Year			
Actual	Assessed	Exempt	
Land		\$151,800	\$44,020 \$0
Improvements		\$1,024,000	\$296,960
Total		\$1,175,800	\$340,980

### Real Estates Property Taxes for current tax year



**System Upgrade Underway:**

Due to a system upgrade, payment information is taking longer to update and may not reflect the current status of your account.

Mill Levy \* **74..618** \*

Please click on additional information below to check for any delinquencies on this property/schedule number and for tax sale information.

#2022i-00056

**Installment 1**

**Installment 2**

**Full Payment**

	(Feb 28 Feb 29 in Leap Years)	(Jun 15)	(Due Apr 30)
<b>Date Paid</b>	2/10/2022	2/10/2022	
<b>Original Tax Levy</b>	\$12,721.62	\$12,721.62	\$25,443.24
<b>Liens/Fees</b>	\$0.00	\$0.00	\$0.00
<b>Interest</b>	\$0.00	\$0.00	\$0.00
<b>Paid</b>	\$12,721.62	\$12,721.62	\$25,443.24
<b>Due</b>	\$0.00	\$0.00	\$0.00

### Additional Information

**Note:** If "Y" is shown below, there is a special situation pertaining to this parcel. For additional information about this, click on the name to take you to an explanation.

<b>Additional Assessment</b> ⓘ	N	<b>Prior Year Delinquency</b> ⓘ	N
<b>Additional Owner(s)</b> ⓘ	N		
<b>Adjustments</b> ⓘ	N	<b>Sewer/Storm Drainage Liens</b> ⓘ	N
<b>Local Improvement Assessment</b> ⓘ	N	<b>Tax Lien Sale</b> ⓘ	N
<b>Maintenance District</b> ⓘ	N	<b>Treasurer's Deed</b> ⓘ	N

#2022i-00056

**Pending Local Improvement** ⓘ

N

Real estate property taxes paid for prior tax year: **\$24,705.43**

**Assessed Value for the current tax year**

<b>Assessed Land</b>	\$44,020.00	<b>Assessed Improvements</b>	\$296,960.00
<b>Exemption</b>	\$0.00	<b>Total Assessed Value</b>	\$340,980.00

# 3151 W FLORIDA AVE

<b>Owner</b>	FLORIDA LLC 3151 W FLORIDA AVE DENVER, CO 80219-4003
<b>Schedule Number</b>	05202-12-086-000
<b>Legal Description</b>	GARFIELD HGTS NEW FLG E/2 OF S/2 OF L43 EXC PTN DIF RCP2012034388
<b>Property Type</b>	INDUSTRIAL-PRESCHOOL
<b>Tax District</b>	DENVER

## Print Summary

### Property Description

<b>Style:</b>	OTHER	<b>Building Sqr. Foot:</b>	6028
<b>Bedrooms:</b>		<b>Baths Full/Half:</b>	0/0
<b>Effective Year Built:</b>	1960	<b>Basement/Finish:</b>	0/0
<b>Lot Size:</b>	50,513	<b>Zoned As:</b>	PUD

**Note:** Valuation zoning may be different from City's new zoning code.

#2022i-00056

Current Year			
Actual	Assessed	Exempt	
Land		\$447,000	\$129,630 \$0
Improvements		\$394,200	\$114,320
Total		\$841,200	\$243,950

Prior Year			
Actual	Assessed	Exempt	
Land		\$447,000	\$129,630 \$0
Improvements		\$394,200	\$114,320
Total		\$841,200	\$243,950

**Real Estates Property Taxes for current tax year**

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**System Upgrade Underway:**  
 Due to a system upgrade, payment information is taking longer to update and may not reflect the current status of your account.

Mill Levy \* **74..618** \*  
 Please click on additional information below to check for any delinquencies on this property/schedule number and for tax sale information.

#2022i-00056	<b>Installment 1</b>	<b>Installment 2</b>	<b>Full Payment</b>
--------------	----------------------	----------------------	---------------------

	(Feb 28 Feb 29 in Leap Years)	(Jun 15)	(Due Apr 30)
<b>Date Paid</b>	2/14/2022	2/14/2022	
<b>Original Tax Levy</b>	\$9,101.54	\$9,101.54	\$18,203.08
<b>Liens/Fees</b>	\$0.00	\$0.00	\$0.00
<b>Interest</b>	\$0.00	\$0.00	\$0.00
<b>Paid</b>	\$9,101.54	\$9,101.54	\$18,203.08
<b>Due</b>	\$0.00	\$0.00	\$0.00

### Additional Information

**Note:** If "Y" is shown below, there is a special situation pertaining to this parcel. For additional information about this, click on the name to take you to an explanation.

<b>Additional Assessment</b> ⓘ	N	<b>Prior Year Delinquency</b> ⓘ	N
<b>Additional Owner(s)</b> ⓘ	N		
<b>Adjustments</b> ⓘ	N	<b>Sewer/Storm Drainage Liens</b> ⓘ	N
<b>Local Improvement Assessment</b> ⓘ	N	<b>Tax Lien Sale</b> ⓘ	N
<b>Maintenance District</b> ⓘ	N	<b>Treasurer's Deed</b> ⓘ	N

#2022i-00056

**Pending Local Improvement** ⓘ

N

Real estate property taxes paid for prior tax year: **\$17,645.80**

**Assessed Value for the current tax year**

<b>Assessed Land</b>	\$129,630.00	<b>Assessed Improvements</b>	\$114,320.00
<b>Exemption</b>	\$0.00	<b>Total Assessed Value</b>	\$243,950.00

# 3237 W FLORIDA AVE

<b>Owner</b>	FLORIDA LLC 3151 W FLORIDA AVE DENVER, CO 80219-4003
<b>Schedule Number</b>	05202-12-005-000
<b>Legal Description</b>	W1/2 OF S1/2 OF PLOT 43 GARFIELD HGTS NEW FLG
<b>Property Type</b>	SFR Grade C
<b>Tax District</b>	DENVER

## Print Summary

### Property Description

<b>Style:</b>	13: 1 STORY	<b>Building Sqr. Foot:</b>	1566
<b>Bedrooms:</b>	4	<b>Baths Full/Half:</b>	2/0
<b>Effective Year Built:</b>	1927	<b>Basement/Finish:</b>	0/0
<b>Lot Size:</b>	50,800	<b>Zoned As:</b>	S-SU-D

**Note:** Valuation zoning may be different from City's new zoning code.

#2022i-00056

Current Year				
	Actual	Assessed	Exempt	
Land		\$359,500	\$24,990	\$0
Improvements		\$40,100	\$2,790	
Total		\$399,600	\$27,780	

Prior Year				
	Actual	Assessed	Exempt	
Land		\$359,500	\$25,700	\$0
Improvements		\$40,100	\$2,870	
Total		\$399,600	\$28,570	

**Real Estates Property Taxes for current tax year**

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**System Upgrade Underway:**  
 Due to a system upgrade, payment information is taking longer to update and may not reflect the current status of your account.

Mill Levy \* **74..618** \*  
 Please click on additional information below to check for any delinquencies on this property/schedule number and for tax sale information.

#2022i-00056	<b>Installment 1</b>	<b>Installment 2</b>	<b>Full Payment</b>
--------------	----------------------	----------------------	---------------------

	(Feb 28 Feb 29 in Leap Years)	(Jun 15)	(Due Apr 30)
<b>Date Paid</b>	2/11/2022	2/11/2022	
<b>Original Tax Levy</b>	\$1,065.93	\$1,065.93	\$2,131.86
<b>Liens/Fees</b>	\$0.00	\$0.00	\$0.00
<b>Interest</b>	\$0.00	\$0.00	\$0.00
<b>Paid</b>	\$1,065.93	\$1,065.93	\$2,131.86
<b>Due</b>	\$0.00	\$0.00	\$0.00

### Additional Information

**Note:** If "Y" is shown below, there is a special situation pertaining to this parcel. For additional information about this, click on the name to take you to an explanation.

<b>Additional Assessment</b> ⓘ	N	<b>Prior Year Delinquency</b> ⓘ	N
<b>Additional Owner(s)</b> ⓘ	N		
<b>Adjustments</b> ⓘ	N	<b>Sewer/Storm Drainage Liens</b> ⓘ	N
<b>Local Improvement Assessment</b> ⓘ	N	<b>Tax Lien Sale</b> ⓘ	N
<b>Maintenance District</b> ⓘ	N	<b>Treasurer's Deed</b> ⓘ	N

#2022i-00056

**Pending Local Improvement** ⓘ

N

Real estate property taxes paid for prior tax year: **\$1,912.03**

**Assessed Value for the current tax year**

<b>Assessed Land</b>	\$25,700.00	<b>Assessed Improvements</b>	\$2,870.00
<b>Exemption</b>	\$0.00	<b>Total Assessed Value</b>	\$28,570.00

**SPECIAL WARRANTY DEED**

**THIS DEED**, Made this 31<sup>st</sup> day of January, 2012,  
 between Ricardo G. Silvas, grantor(s), and Florida, LLC, a Colorado limited liability company, whose legal  
 address is 3151 W. Florida Avenue, Denver, Colorado 80219,  
 grantee(s):

**WITNESS**, that the grantor(s), for and in consideration of the sum of  
 ONE HUNDRED SEVEN THOUSAND ONE HUNDRED SIXTY SEVEN AND  
 00/100 DOLLARS (\$107,167.00), the receipt and sufficiency of which is hereby  
 acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell,  
 convey and confirm, unto the grantee(s), his heirs and assigns forever, all the real property together with  
 improvements, if any, situate, lying and being in the City and County of Denver, State of Colorado described as  
 follows:

THAT PART OF PLOT 42, GARFIELD HEIGHTS, NEW FILING DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE SOUTHWEST CORNER OF SAID PLOT 42; THENCE NORTH 200 FEET;  
 THENCE EAST AND PARALLEL WITH THE NORTH PLOT LINE A DISTANCE OF 77.62 FEET;  
 THENCE SOUTHERLY AND PARALLEL WITH THE EAST PLOT LINE A DISTANCE OF 200 FEET;  
 THENCE WESTERLY 77.62 FEET TO THE POINT OF BEGINNING, CITY AN COUNTY OF DENVER,  
 STATE OF COLORADO

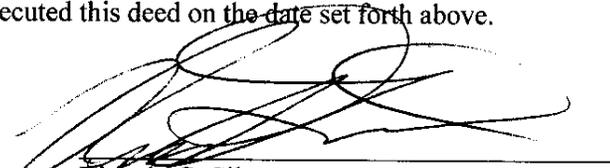
as known by street and number as: 3145 West Florida Avenue, Denver, Colorado 80219;

**TOGETHER** with all and singular the hereditaments and appurtenances thereto belonging, or in anywise  
 appertaining, and the reversion and reversions, remainders, rents, issues and profits thereof, and all the estate,  
 right, title, interest, claim and demand whatsoever of the grantor(s), either in law or equity, of, in and to the  
 above bargained premises, with the hereditaments and appurtenances;

**TO HAVE AND TO HOLD** the said premises above bargained and described, with the appurtenances, unto  
 the grantee(s), his heirs and assigns forever. The grantor(s), for himself, his heirs, and personal representatives or  
 successors, does covenant and agree that he shall and will WARRANT AND FOREVER DEFEND the above-  
 bargained premises in the quiet and peaceable possession of the grantee(s), his heirs and assigns, against all and  
 every person or persons lawfully claiming the whole or any part thereof, by, through or under the grantor(s).

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

**IN WITNESS WHEREOF**, the grantor has executed this deed on the date set forth above.

  
 Ricardo G. Silvas

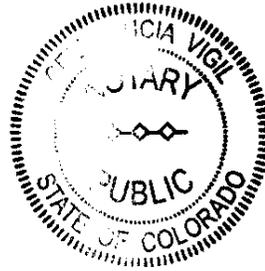
STATE OF COLORADO }  
 } ss.  
 COUNTY OF DENVER }

The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of January, 2012, by Ricardo G. Silvas.

My Commission Expires: 07/11/2015

Witness my hand and official seal.

Celia Lucia Vigil  
Notary Public



<p>Please include a typed self-addressed envelope</p> <p><b>MUST BE TYPED</b>  <b>FILING FEE: \$50.00</b>  <b>MUST SUBMIT <u>TWO</u> COPIES</b></p>	<p>Mail to: Secretary of State Corporations Section</p> <p>1560 Broadway, Suite 200  Denver, CO 80202  (303) 894-2251  Fax (303) 894-2242</p>	<p>For office use only</p> <p>FILED  DONETTA DAVIDSON  <b>COLORADO SECRETARY OF STATE</b>  20021087365 C  \$ 50.00  SECRETARY OF STATE  04-05-2002 15:25:21</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**ARTICLES OF ORGANIZATION  
OF  
FLORIDA, LLC**

I, the undersigned natural person, of the age of eighteen years or more, acting as organizer of a limited liability company under the Colorado Limited Liability Company Act, adopt the following Articles of Organization for such limited liability company:

FIRST: The name of the limited liability company is:

FLORIDA, LLC

*OK*

SECOND: Principal place of business:

3151 West Florida Avenue  
Denver, Colorado 80219

THIRD: The street address and mailing address of the initial registered office of the limited liability company is:

3151 West Florida Avenue  
Denver, Colorado 80219

The name of its proposed registered agent in Colorado at that address is: FLORINA N. SILVAS

FOURTH: The management is vested in managers.

FIFTH: The name and business address of the initial manager is:

NAME	ADDRESS
FLORINA N. SILVAS	3151 West Florida Avenue Denver, Colorado 80219

SIXTH: The name and address of each organizer is:

NAME	ADDRESS
FLORINA N. SILVAS	3151 West Florida Avenue Denver, Colorado 80219

IN WITNESS WHEREOF, the undersigned has caused these Articles of Organization to be executed this 1<sup>st</sup> day of April, 2002.

ORGANIZER:

  
\_\_\_\_\_  
FLORINA N. SILVAS  
3151 West Florida Avenue  
Denver, Colorado 80219





02/16/2022 11:17 AM  
City & County of Denver  
Electronically Recorded

R \$18.00

BSD

D \$0.00

WHEN RECORDED, RETURN TO:

MOYE WHITE LLP  
1400 16<sup>TH</sup> STREET, SIXTH FLOOR  
DENVER, CO 80202  
ATTN: ED NAYLOR

**BARGAIN AND SALE DEED**

KNOW ALL BY THESE PRESENTS, That FLORINA SILVAS, an individual, for the consideration of the sum of TEN and 00/100 DOLLARS, (\$10.00), in hand paid, hereby sells and conveys to FLORIDA, LLC, a Colorado limited liability company, the "Grantee," whose legal address is 3151 W. Florida Ave., Denver, Colorado 80219, the following real property in the County of Denver and State of Colorado, to wit:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN.

With all its appurtenances

Signed this 30 day of 11

**GRANTOR:**

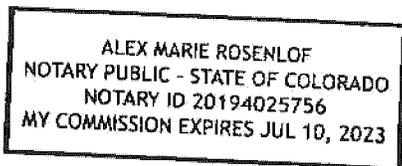
  
Florina Silvas

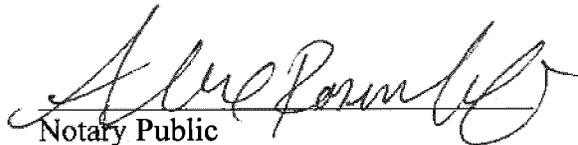
STATE OF COLORADO )  
 ) ss.  
CITY AND COUNTY OF DENVER )

The foregoing instrument was acknowledged before me this 30<sup>th</sup> day of November 2021, by Florina Silvas.

Witness my hand and official seal.  
My commission expires: 7/10/2023

[ S E A L ]



  
Notary Public

**EXHIBIT A**  
**To Bargain and Sale Deed**

**LEGAL DESCRIPTION**

Southwest 1/4 of Tract 43,  
Garfield Heights, New Filing,  
City and County of Denver, State of Colorado.

<p>Please include a typed self-addressed envelope</p> <p><b>MUST BE TYPED</b>  <b>FILING FEE: \$50.00</b>  <b>MUST SUBMIT <u>TWO</u> COPIES</b></p>	<p>Mail to: Secretary of State Corporations Section</p> <p>1560 Broadway, Suite 200  Denver, CO 80202  (303) 894-2251  Fax (303) 894-2242</p>	<p>For office use only</p> <p>FILED  DONETTA DAVIDSON  <b>COLORADO SECRETARY OF STATE</b>  20021087365 C  \$ 50.00  SECRETARY OF STATE  04-05-2002 15:25:21</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**ARTICLES OF ORGANIZATION  
OF  
FLORIDA, LLC**

I, the undersigned natural person, of the age of eighteen years or more, acting as organizer of a limited liability company under the Colorado Limited Liability Company Act, adopt the following Articles of Organization for such limited liability company:

FIRST: The name of the limited liability company is:  
FLORIDA, LLC OK

SECOND: Principal place of business:  
3151 West Florida Avenue  
Denver, Colorado 80219

THIRD: The street address and mailing address of the initial registered office of the limited liability company is:  
3151 West Florida Avenue  
Denver, Colorado 80219

The name of its proposed registered agent in Colorado at that address is: FLORINA N. SILVAS ✓

FOURTH: The management is vested in managers. ✓

FIFTH: The name and business address of the initial manager is:

NAME	ADDRESS
FLORINA N. SILVAS	3151 West Florida Avenue Denver, Colorado 80219

SIXTH: The name and address of each organizer is:

NAME	ADDRESS
FLORINA N. SILVAS	3151 West Florida Avenue Denver, Colorado 80219

IN WITNESS WHEREOF, the undersigned has caused these Articles of Organization to be executed this 1<sup>st</sup> day of April, 2002.

ORGANIZER:

  
\_\_\_\_\_  
FLORINA N. SILVAS  
3151 West Florida Avenue  
Denver, Colorado 80219



05/12/2021 03:49 PM  
City & County of Denver  
Electronically Recorded

R \$18.00

WD

D \$53.00

**WARRANTY DEED**

**THIS DEED**, made this 11 day of May, 2021, between  
David P. Hoffman  
of the County of Denver, State of Colorado, grantor, and  
Florina Silvas  
whose legal address is 3237 West Florida Avenue, Denver, CO 80219,  
grantee:

State Doc Fee: \$53.00  
Recording Fee: \$23.00

**WITNESSETH**, That the grantor for and in consideration of the sum of (\$530,000.00) Five Hundred Thirty Thousand Dollars and No Cents, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, his heirs and assigns forever, all the real property together with improvements, if any, situate, lying in the County of Denver and being in the State of Colorado described as follows:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

also known by street and number as: 3237 West Florida Avenue, Denver, CO 80219

**TOGETHER** with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

**TO HAVE AND TO HOLD** the said premises above bargained and described, with the appurtenances, unto the Grantee(s), his/her/their assigns forever. And the Grantor(s) for himself/themselves, his/her/their heirs and personal representatives, do(es) covenant, grant, bargain and agree to and with the Grantee(s), his/her/their heirs and assigns, that at the time of the ensembling and delivery of these presents, he/she/they is/are well seized of the premises being conveyed, has/have good, sure, perfect and absolute estate of inheritance, in law, in fee simple, and has/have good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind and nature whatsoever, except as stated below.

**SUBJECT NEVERTHELESS to the statutory exceptions as defined in §38-30-113(5)(a) C.R.S.**

The grantor shall and will **WARRANT AND FOREVER DEFEND** the above-bargained premises in the quiet and peaceable possession of the grantee, his/her/their heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

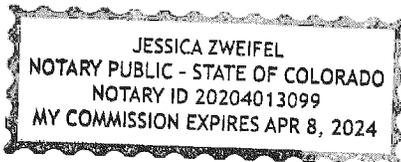
**IN WITNESS WHEREOF**, the grantor has executed this deed on the date set forth above.

  
\_\_\_\_\_  
David P. Hoffman

STATE OF COLORADO  
COUNTY OF DENVER

This instrument was acknowledged before me this 11 day of May, 2021 by David P. Hoffman.

Notary Public JESSICA ZWEIFEL  
My Commission Expires: 4-8-24



File No.: 21-191386

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Southwest 1/4 of Tract 43,  
Garfield Heights, New Filing,  
City and County of Denver, State of Colorado.

File No.: 21-191386

#2022i-00056



FLORIDA  
L.L.C.

July 27, 2021

To Whom It May Concern:

Please allow Nanci Kerr with Sky to Ground LLC to represent Florida LLC, Florina Silvas, Denver Child Care Center and Denver Child Care Academy with all entitlement matters with the City of Denver.

If you have any questions or concerns, please feel free to contact me at (303) 936-2055 or email me at flo@denverchild.com.

Thank you.

Respectfully,

Florina Silvas  
Florida LLC  
Chief Executive Manager

Cc: Nanci Kerr, Sky to Ground LLC

## **Project Narrative**

<b><u>Address</u></b>	<b><u>Current Zoning</u></b>	<b><u>Proposed Zoning</u></b>	<b><u>Site Area SF</u></b>
3237 W. Florida Ave.	S-SU-D	S-MU-3	50,800
3145 W. Florida Ave.	PUD 611	S-MU-3	50,513
3151 & 3155 W. Florida Ave.	PUD 611	S-MU-3	15,372
		Total	116,685

**Location:** These adjacent properties are located just west of S. Federal Blvd. on the north side of W. Florida Ave.

**Property Owner:** Florida, LLC

**Owner's Representative:** Sky to Ground, LLC

**Council District:** 3 (Jamie Torres)

**Neighborhood:** Mar Lee

**Existing Land Uses:** Single-unit residential and child care centers

**Surrounding Zoning:** PUD 611, S-SU-D and S-MU-3

**Surround Land Uses:** Single-Unit Residential, Multi-Unit Residential, Public/Quasi Public

**Maximum Building Height:** ~ 102-104 FT

**Description:**

Denver Child Care Center has a long and storied 60-year history on this site, in the Mar Lee neighborhood, and the southwest Denver community.

1960: Denver Child Care Center begins operating in a brick building located at 3151 W. Florida Ave. and includes an occupied single-family home at 3155 W. Florida Ave.

2007: Zone Map Amendment application was submitted by the owners Florina and Ricardo Silvas to do the following:

- Change the existing zoning for the childcare center located on 3151 & 3155 (Parcel A) from R-1 to PUD
- Add adjoining lot 3145 W. Florida Ave (Parcel B), owned by Ricardo Silvas to the PUD

2009-2010: Single family home on lot 3145 is demolished and new 2-story building to expand the childcare center is completed.

May 2021: Flo Silvas purchases the adjoining property to the west, 3237 W. Florida Ave. The large 116,685 SF lot contains a small single family detached house and is currently zoned as S-SU-D.

As the need for safe reliable childcare in the community continues to grow, the applicant seeks to expand the current childcare center by adding a gymnasium and parking.

The path forward starts by re-zoning all four lots to S-MU-3. This will eliminate the PUD zoning based off the 1956 Former Chapter 59 Code.

If the rezoning is successful, then applications for a Zone Lot Amendment and Site Plan will follow.

## **Review Criteria Narrative**

### **12.4.10.7 – A. Consistency with Adopted Plans**

#### 1. Denver Comprehensive Plan 2040

##### **Equitable, Affordable, and Inclusive**

- Goal 1 – ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities.
  - Strategy C: Improve equitable access to resources that improve quality of life, including cultural and natural amenities, health care, education, parks, recreation, nutritious food and the arts. (p. 28)

*The proposed zoning will allow for an improved quality of life through creating safe access for the adjacent childcare center to learn, exercise, interact and engage in healthy play year-round.*

- Goal 9 – improve equitable access to quality education and lifelong learning opportunities.
  - Strategy B: Improve the quality, availability and affordability of early childhood care, education and child development services. (p. 30)

*This proposed zoning expands the opportunity for those children ages six months to 12 years to receive affordable, safe, high quality pre-education care and socialization opportunities.*

##### **Strong and Authentic Neighborhoods**

- Goal 4 – ensure every neighborhood is economically strong and dynamic.
  - Strategy A: Grow and support neighborhood-serving businesses. (p. 34)

*The adjacent childcare center has been serving the neighborhood since 1960. The proposed zoning will allow for them to expand the services offered onsite year-round while maintaining the same number of children.*

##### **Economically Diverse and Vibrant**

- Goal 3 – sustain and grow Denver’s local neighborhood businesses.
  - Strategy B: Target investments and small business support to the most underserved or distressed neighborhoods. (p. 46)

*The adjacent childcare center has one of the largest enrollments of children in the Colorado Childcare Assistance Program (CCAP) in Southwest Denver. The proposed zoning will allow for the center to continue providing quality childcare in a distressed area.*

##### **Environmentally Resilient**

- Goal 8 – Clean our soils, conserve land and grow responsibly.
  - Strategy A: Promote infill development where infrastructure and services are already in place. (p. 54)

*This lot is currently surrounded by others with a higher and better use. The proposed zoning would provide quality infill near current infrastructure, allowing for expanded services without increased traffic.*

## 2. Blueprint Denver 2019

- Future Neighborhood Context – Suburban (S)
  - Range of uses from single-unit and multi-unit residential to commercial corridors and centers. Block patterns are generally irregular with curvilinear streets. Alleys are not commonly found. Buildings are typically setback from the street and range in scale. (p. 136)

*This location is consistent with the suburban context, it is consistent with the surrounding neighborhood and is located on a residential connector (W. Florida Ave) that directly connects to a mixed-use arterial (S. Federal Blvd).*

- Future Places Concept - Low Medium Residential
  - Mix of low- to mid-scale multi-unit residential options. Small-scale multi-unit buildings are interspersed between single- and two-unit residential. Limited mixed-use along some arterial and collector streets and some intersections. Vacant institutional uses at intersections or select sites along some residential arterial and collector streets may be appropriate locations to introduce additional residential intensity. A variety of lower scale residential forms including row houses and small multi-unit buildings are found. Buildings are generally 3 stories or less in height. (p. 201)

*The proposed zoning of S-MU-3 will allow for smaller mixed-use which is appropriate as the adjacent childcare center currently stands at 2 stories and will provide appropriate height for future expansion of the childcare campus accordingly. This will create an appropriate transition from the surrounding single and multi-unit buildings to the mixed-use area on S. Federal Blvd.*

- Growth Area Strategy – All other areas of the city
  - 10% of new jobs by 2040
  - 20% of new households by 2040

*This site is in an area designated for 20% household growth by 2040 within a suburban neighborhood context. The proposed zoning change to S-MU-3 will allow for the needed expansion of the childcare center to support the increase in households and increased need for subsidized and unsubsidized childcare.*

- Future Street Type – W. Florida Ave: Residential Collector
  - Primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses. Buildings on residential streets usually have a modest setback. The depth of the setback varies by neighborhood context. (p. 160)

#### **12.4.10.7 – B. Uniformity of District Regulations and Restrictions**

*The proposed site is currently zoned under S-SU-D and the owner's adjacent site is zoned as PUD under Former Chapter 59 zoning regulations. The rezoning of the sites to S-MU-3 will allow for the removal of the current custom PUD zoning. This will enable the sites to be brought into the current Denver Zoning Code Regulations while creating uniformity with the surrounding zoning.*

#### **12.4.10.7 – C. Public Health, Safety and General Welfare**

*The proposed official map amendment will further public health, safety and general welfare of the city through creating new opportunities to improve on the basic goods and services provided with in the Southwest area and Mar Lee neighborhood. The proposed rezoning would allow for improvements that would provide a safe area for play and exercise year-round on a childcare campus that has been a neighborhood staple since 1960.*

#### **12.4.10.8 – A. Justifying Circumstances**

4. Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:

- b. A City adopted plan
  - *The original PUD 611 for a large portion of the site was approved in 2008. Since that time, the Comprehensive Plan 2040 and Blueprint Denver have been adopted. The proposed rezoning plan is consistent with these plans. There is not currently an updated Southwest Area Plan.*
- c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.
  - *A portion of the site is currently zoned PUD under the Former Chapter 59 zoning. The proposed rezoning would bring the entire site into the current Denver Zoning Code as S-MU-3.*

#### **12.4.10.8 – Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements**

The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed zone district.

##### **3.1.1 Suburban Neighborhood Context General Character**

- The Suburban Neighborhood Context is characterized by single-unit and multi-unit residential, commercial strips and centers, and office parks. Single-unit residential consists typically of the Suburban House building form with street-facing garages. Multi-unit building forms are typically separated from single-unit residential and consist of Row

House and occasional mid-and high-rise Apartment building forms. Commercial buildings are typically separated from residential and consist of Shopfront and General forms. Single-unit residential uses are primarily located away from residential and commercial arterial streets. Multi-unit residential and commercial uses are primarily located along arterial and collector streets.

### 3.2.1 Residential Districts

#### 3.2.2.2 Specific Intent

I. Multi-Unit 3 – (S-MU-3) S-MU-3 is a multi-unit district and allows suburban house, duplex, row house, and apartment building forms up to 3 stories in height.



# Application For Zone Map Amendment

City and County of Denver  
Zoning Administration

201W. Colfax Avenue, Dept. 205  
Phone: 720-865-3000 Fax: 720-865-3057

1. Application Number  
071-00133

2. Date Submitted  
12-12-07  
2-11-08  
3-26-08

3. Fee  
2000

4. Applicant (attach completed ownership information sheet)  
Parcel A: Florida LLC, Florina Silvas  
Parcel B: Ricardo G. Silvas

5. Address  
3243 S. KING WAY  
DENVER, CO 80236

6. Phone Number  
303-936-2055  
720-341-1845

7. Interest  
Owners

8. Contact Person  
**Glen Gidley, Zoning And Planning Associates**

9. Contact Person's Address  
**8684 W. Warren Dr., Lakewood, Co. 80227**

10. Contact's Phone Number  
**303-763-5221 (O)**  
**303-204-7342 (C)**  
**866-903-8218 (F)**

11. Location of proposed change  
3151 & 3155 W. Florida Ave. (Parcel A)  
3145 W. Florida Ave. (Parcel B)

12. Legal Description of property: *(If Legal Description is lengthy, Please attach additional Sheet. If your text does not fit in the lot, block and addition form fields use the form field under the asterisk)*

Lots: Block: Addition:

\*  
SEE ATTACHED LEGAL DESCRIPTION

13. Area of subject property.  
66,340 sq. ft. 1.52 acres

14. Present Zone.  
R-1

15. Proposed Zone:  
PUD

15. Describe the nature and effect of the proposed amendment.  
The existing large child care center, Denver Child Care Center, has been operating at 3151 W. Florida since 1960 and includes a brick building used as the child care center, and a single family home at 3155, which is tenant occupied, however the ground area behind the home and the driveway have been used for the child care business also since the early 1960's. There will be no proposed changes to 3151/3155 W. Florida Ave, other than changing the zoning from existing R-1 to PUD to change the status from legal non-conforming to a permitted use. The adjoining property to the east, 3145, is owned by Florina Silva's son. That property is currently a tenant occupied single family home. The plan is to extend the child care use to 3145, remove the existing home, and construct a new 2 story building with basement to provide for age separation of infants from older children.

16. Explain in detail the legal basis for the proposal: either (a) the error in the map as approved by City Council, or (b) the changed or changing conditions that make the map amendment necessary. In this application, changed or changing conditions make the map amendment necessary. The majority of the subject property has been continuously used as a large child care center since the early 1960's. At some point during that time, the use became "legal non-conforming". Rezoning will fully legalize the existing use. Additionally, there have been many changes to the neighborhood in the past 47 years, such as more intensive land uses to the east and north. A large church was built immediately to the east with its parking wrapping around to the north. Also, several large apartment buildings and an office building were built to the north and north west. These newer uses have contributed to a change in character of the neighborhood.

17. State the land use and development proposed for the property to be rezoned. Include the time schedule (if any) for development. The primary land use will be "Child Care Center" as permitted in the R-2 zone. This will extend throughout the entire 1.52 acres, and will include the existing facilities on 3151/3155 W. Florida Ave. (Parcel A), and the new building proposed for 3145 W. Florida Ave. (Parcel B). The new building will be 2 stories, plus a basement, which will be used primarily for younger children (3 years and under), as well as administrative offices and service areas. Residential use of the home located at 3155 W. Florida may continue, or may be converted to additional child care space as future demand increases. If converted, only modifications required for building access and interior remodeling would occur. Construction of the new building is anticipated to occur in 2009.

19. List all the attached exhibits

20. Applicant signature  
*Florina Silva*

wall sign will be placed on the proposed new building.

The existing single family home on 3145 W. Florida Ave. will be removed for construction of the new building, however the garage will remain. The existing single

family home on 3155 W. Florida Ave., west of the existing child care center, may continue as a home, or may be converted to child care space if needed.

b. Although the MarLee neighborhood does not currently have a formally adopted Neighborhood Plan, it has a distinctive character of its own. Denver's Comprehensive Plan provides that such neighborhoods should strive to strengthen the positive attributes so as to sustain neighborhood health and vitality. Denver Child Care Center is a neighborhood-based facility that provides needed services to residents who must find safe, affordable and personalized child care. The owners live in the neighborhood and care deeply for the welfare of the children entrusted to their care, and they care for the welfare of their neighborhood, as well. The expansion of Denver Child Care Center will allow for families to earn a living, which in turn, improves the economic health of the City.

The large church built immediately to the east of Denver Child Care Center is also a positive community attribute. Although it is much larger in scale and impact to the neighborhood than DCCC, it also provides for a good physical transition between commercial uses to the east, and residential uses to the west. The large apartment buildings developed to the north and northwest have physically changed the character of the neighborhood, however, have also created additional need for local child care services so that those residents may also pursue employment.

In conclusion, the applicant believes that the requested rezoning and subsequent expansion of the Denver Child Care Center is not just in compliance with Denver's Comprehensive Plan, but is helping to implement it's goals, objectives and strategies!

c. Within 50 to 150 feet of the Denver Child Care center, there are 2 other PUD zone districts and O-1 zoning, in addition to R-2 zoning. The PUD district requested by the Denver Child Care center will not negatively affect the character of the surrounding neighborhood. In fact, it will remove an existing dilapidated home and replace it with a new building that will be a neighborhood asset. To ensure that the proposed new building at 3145 W. Florida Ave. will be in context and compatible with the nearby residential neighborhood, the applicant shall submit to the provisions of Section 59-313(c)(5)c. of the Denver Revised Municipal Code (Building Design Criteria in the Mixed-Use Zones) during the PUD Site Plan review process.

**1. SCHEDULE**

- a. Date of pre-application conference  
 City representative(s) present MAY 30, 2007.
- b. Submittal date of preliminary application DEC. 12, 2007.
- c. Submittal date of completed application FEB. 11, 2008.
- d. Application is scheduled for a:  
 Planning Board Hearing on MAR. 19, 2008.  
 Planning Office Hearing on \_\_\_\_\_  
 Planning Staff Review.

**2. DESCRIPTION OF PLANNED UNIT DEVELOPMENT (PUD)**

The use of terms “Article” or “Section” refer to portions of the Revised Municipal Code of the City and County of Denver. It is required that the current terms and uses already defined in Section 59-2 of the Zoning Ordinance be used in describing this proposal. Terms like “retail” or “light industrial” require further definition. Gross floor area shall include interior balconies and mezzanines, but shall not include parking garages, any story of a building where at least seventy-five percent (75%) of that floor is occupied by mechanical equipment or any story where the ceiling is less than four (4) feet above grade. Attach additional sheets if necessary.

**a. MAXIMUM GROSS FLOOR AREA FOR EACH PROPOSED USE**

	Use	Maximum Square Feet
A.	DWELLING, SINGLE-UNIT	962
B.	CHILD CARE CENTER & RELATED ADMINISTRATIVE OFFICES	14762*
C.		
D.		
	Total Square Feet	14762

MAXIMUM FLOOR AREA RATIO (F.A.R) = .22

The floor area ratio is the ratio between the gross floor area of a building to the area of the zone lot on which the building is constructed. NOTE: Land area dedicated for public streets is not included in the area of the zone lot.

MAXIMUM NUMBER OF DWELLING UNITS: 1.

MAXIMUM NUMBER OF DWELLING UNITS PER ACRE 0.66 D.U./AC.

\*Existing Bldg. SF 3915 + Proposed Bldg SF 9885 + Conversion of Existing Single Family Residence SF 962 = 14,762 SF

**b. LAND COVERAGE BY BUILDINGS AND IMPERVIOUS SURFACES**

	<b>SQUARE FT</b>	<b>% OF SITE AREA</b>
Maximum area of building coverage (including garage(s) and all other accessory structures):	10680	16.1
Maximum area of drives and parking:	13342	20.1
Maximum area of other impervious surfaces:	5168	7.8
<b>MAXIMUM TOTAL OF BUILDING AND IMPERVIOUS SURFACES</b>	<b>29180</b>	<b>44.0</b>

\*

**c. LANDSCAPED AND/OR PERMEABLE AREAS**

	<b>SQUARE FEET</b>	<b>% OF SITE AREA.</b>
Minimum area of live or organic landscaped lot coverage:	23817	35.9
Approximate area of non-live material coverage (graveled or other areas with permeable surfaces):	13343	20.1
<b>MINIMUM TOTAL OF LANDSCAPED AND/OR PERMEABLE AREAS:</b>	<b>37160</b>	<b>56.0</b>

\*

**d. PROJECT AREA TOTALS (totals of "b" and "c" above)**

	<b>SQUARE FEET</b>
Building and impervious surfaces:	29180
Landscaped and/or permeable areas:	37160
<b>TOTAL SITE AREA: (This area must equal the site area listed on page 1)</b>	<b>66340</b>

\*

**e. SETBACKS**

The minimum setbacks for buildings are shown on the District Plan and the District Plan shall apply. A building envelope may be used to graphically depict the minimum setbacks required.

North: \_\_\_\_\_ feet                      Front: \_\_\_\_\_ feet  
 South: \_\_\_\_\_ feet                      OR      Rear: \_\_\_\_\_ feet  
 East: \_\_\_\_\_ feet                      Side: \_\_\_\_\_ feet  
 West: \_\_\_\_\_ feet

The minimum spacing between buildings shall be **6.0** feet

Permitted encroachments into the minimum setbacks for buildings shall conform to Section 59 – 120(b)(4) of the R-1 zone district.

Official Parkway Setback requirements for this P.U.D. are: NA feet for buildings and NA feet for signs.

\*

**f. MAXIMUM HEIGHTS OF STRUCTURES**

The maximum height of structures shall be 2 stories, which shall not exceed a total of 25 feet. **NOTE:** The height of a building shall be determined by the vertical distance from the highest point of a pitched roof or the top of parapet around a flat roof to the average elevation of the corners of the proposed building at the finished grade.

Rooftop features (such as solar collectors, antennas, chimneys, flues, vents and air conditioning equipment) may exceed the maximum height of structures by 6.0 feet. However, if an elevator is required, an elevator shaft may exceed the maximum height of structures by 10.0 feet.

Bulk plane restrictions  shall  shall not be required. If required, bulk plane restrictions shall conform to Section 59 – NA of the NA zone district. **NOTE:** Solar collectors and mechanical equipment are not exempted from bulk plane regulations!!

\*

**g. OFF-STREET PARKING**

This project shall contain off-street parking spaces at the ratios shown in the following chart. If completed to the maximum floor area, the project shall contain a minimum of 24 off-street parking spaces, of which 2 parking spaces will be provided for and used by vans used by the child care center. (See location on District Plan). Parking for residential uses should be expressed in number of spaces per dwelling unit. **NOTE:** Any floor area utilized by a permitted use listed under 2.a. in a story where the ceiling is less than four (4) feet above grade shall be calculated into the off-street parking requirement.

**\*In regards to those vehicular parking spaces shown on the District Plan Map which adjoin either W. Florida Ave. or the residence to the west of the subject property, a 42" to 48" solid decorative wall or fence, or evergreen hedge shall be placed between the head-in parking spaces and the adjoining street or residence so as to mitigate effects of headlights.**

DWELLING, SINGLE-UNIT

Use A

2 spaces/du

Parking Ratio

CHILD CARE CENTER & OFFICES

Use B

1 space/615 gfa

Parking Ratio

Use C

NA square feet

Parking Ratio

P.U.D at 3145,3151, & 3155 W. Florida Ave.  
(Address)

          
Use D

NA square feet  
Parking Ratio

NUMBER OF OFF-STREET PARKING SPACES PER  
DWELLING UNIT:         2        

MINIMUM NUMBER OF OFF-STREET PARKING SPACES FOR PERSONS  
WITH DISABILITIES: 2.

Does this P.U.D. comply with the use and maintenance requirements of Section  
59-585(2)-(9)? Yes  No

Do the parking spaces and/or aisles in this P.U.D. comply with the requirements  
of Section 59-588, Chart No. 1?  Yes  No. If no complete the following  
section:

PARKING SPACE

Universal space dimensions \_\_\_\_\_  
Compact space dimensions \_\_\_\_\_  
Large space dimensions \_\_\_\_\_  
Ratio of compact spaces to large spaces \_\_\_\_\_

DRIVING AISLES

Aisle widths \_\_\_\_\_  
Angle of stalls \_\_\_\_\_

Will this project contain parking for bicycles? Yes  No  If yes, bicycle  
parking requirements shall be NA. Will this (these) bicycle parking area(s)  
comply with the rules and regulations for dimensional and equipment standards of  
Section 59-582(e)? Yes  No  If not, bicycle parking fixtures and  
locations shall be approved by the City Bicycle Planner (720-865-2453).

**h. OFF-STREET LOADING**

This project contains 0 off-street loading space(s). Will this (these) space(s)  
conform with dimensions required in Section 59-599? Yes  No  If not,  
off-street loading space dimension requirements shall be: NA.

\*

**i. SURFACE DRAINAGE**

The rules and regulations of the Wastewater Management Division will require certain design and construction considerations to control surface water runoff. Does the site contain a flood hazard area as identified by the Federal Emergency Management Agency?  Yes  No Does the site contain wetland areas?  Yes  No For assistance in answering these questions, contact the Wastewater Management Division at 303-446-3400.

\*

**j. INTERIOR STREETS, DRIVES, PARKING AREAS AND PEDESTRIAN WALKWAYS**

Interior streets, drives, parking areas and pedestrian walkways within the P.U.D. district, if any, are shown on the District Plan.

\*YES

**k. EASEMENTS**

Existing and/or proposed utility and/or access easements are shown on the District Plan or are located as follows: NONE.

\*

**l. LANDSCAPING AND BUFFERING**

Areas to be landscaped must be shown on the District Plan. However, a more detailed landscaping plan may be required by the Planning Office as a part of this application. All foliage shall be maintained in a healthy, growing and safe condition. NOTE: A detailed landscaped plan is required as a part of the site plan review phase after the rezoning is approved.

NUMBER OF EXISTING TREES: 19.

MINIMUM NUMBER OF TREES TO BE PLANTED:

On private property: 2.

On public right of way or in tree lawns: 0.

If street trees are proposed or required in the public right-of-way, such trees shall be installed in accordance with the requirements of the City Forester (303-964-2480). If street tree plantings are required within the right-of-way of a state highway, contact the Colorado Department of Transportation for approval (303-757-9930).

MINIMUM SIZE OF TREES AT TIME OF PLANTING:

Evergreens/Coniferous (height): 0.

Deciduous (caliper): 0.

- Ornamental (caliper): 2"
- MINIMUM % OF EVERGREEN OR CONIFEROUS TREES: 0.
- MINIMUM NUMBER OF SHRUBS TO BE PLANTED ON PRIVATE PROPERTY: 14.
- MINIMUM SIZE OF CONTAINER AND HEIGHT AND/OR SPREAD REQUIREMENTS FOR PLANTED SHRUBS: 3 GAL.

Does the proposed P.U.D. comply with parking lot parking lot landscaping requirements of Section 59-585(11) Yes  No

All foliage shall be maintained in a healthy, growing and safe condition.

#### FENCES AND/OR WALLS

The height of fences and/or walls which may be built in the P.U.D. district, except for the front setback space, shall be a minimum of 3.5 feet and a maximum of 6.0 feet

The height of fences and/or walls which may be built within the P.U.D. district front setback space shall be a minimum of 3.0 feet and a maximum of 3.5 feet

Size and types of materials permitted for such fences and/or walls are shown on the District Plan. Fences and/or walls shall be either solid and view obscuring or open and view permitting as required by the District Plan. NOTE: Any fence heights exceeding the preceding requirements shall be subject to Section 59-38(11), Overheight Fences and Walls.

Will earthen berms or mounds be installed? Yes  No  Such earthen berms or mounds shall be landscaped and shown on the District Plan. The height of earthen berms or mounds shall be a minimum of NA feet and a maximum of NA feet.

\*

#### m. **BOAT, CAMPER, TRAILER AND RECREATIONAL VEHICLE STORAGE**

Boat, camper, trailer and recreation vehicle storage  is  is not permitted on the property. All such storage facilities shall be shown on the District Plan. If boat, camper, trailer and recreation vehicle storage areas are permitted, screening fences **are required**. Such fences shall be **solid and view obstructing**. Fences shall be a minimum of NA feet and a maximum of NA feet in height.

MAXIMUM LENGTH OF BOAT, CAMPER, TRAILER AND/OR RECREATION VEHICLE PERMITTED: NA.

\*

**n. DEDICATIONS AND IMPROVEMENTS**

The owner understands that City ordinances and agency rules and regulations may require the dedication of additional street right-of-way and the construction of certain public improvements. VACATIONS AND/OR DEDICATIONS MUST BE APPROVED PRIOR TO OR AT THE PUBLIC HEARING ON THIS PROPOSAL. If this proposal involves the vacation of certain public rights-of-way for incorporation into the project area, contact the Public Works Department at 720-865-3124.

\*

**o. EXTERNAL EFFECTS**

Vibration, heat, glare, radiation and fumes shall be regulated by Section 59-92 of the R-1 zone district.

Reflective glass **shall not** be used.

Every use, unless expressly exempted, shall be operated within a completely enclosed structure.  Yes  No

**\*Outdoor play areas shall not be enclosed by buildings.**

**p. NATURAL TERRAIN**

The existing grade of the site **will not** be altered.

\*

**q. UTILITIES**

Describe where the utilities (public and private) serving the property are located  
All utilities are served from W. Florida Ave..

For information contact the following:

Denver Water Board	303-628-6100
Qwest	303-451-2706
Excel Energy	303-571-7502
Wastewater Management	303-446-3590

\*

**r. SIGNS**

The project is regulated by the following:

Section 59-537, Signs permitted in all districts  
Section 59-538, Sign area measurement  
Section 59- 548, Sign regulations for the R-1 zone district (**except as modified below**).

If no specific regulations are referenced above, please indicate the following:

MAXIMUM NUMBER OF SIGNS:

3.

MAXIMUM SIGN AREA:	32 SF/Sign.
TOTAL MAXIMUM SIGN AREA:	96 SF.
NUMBER OF GROUND SIGNS ALLOWED:	1.
NUMBER OF JOINT ID SIGNS ALLOWED:	0.
MAXIMUM SIGN AREA PER JOINT ID SIGN:	0.
TOTAL MAXIMUM JOINT ID SIGN AREA:	0.
TEMPORARY SIGNS ALLOWED:	0.
NUMBER OF CANOPIES AND AWNINGS:	1.
CANOPIES AND AWNINGS WILL BE BACKLIT?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

NOTE: All ground, monument, and joint ID sign locations and setbacks must be shown on the District Plan.

\*

s. **OUTDOOR STORAGE OF PRODUCTS, MATERIALS OR SOLID WASTE**

Outdoor storage of products and/or materials  is  is not permitted. If permitted, what products and/or materials are allowed? NA

Fences for outdoor storage areas shall be provided. Said fences are solid and shall be a minimum of NA feet and a maximum of NA feet in height.

Outdoor storage of solid waste is permitted. If permitted, fences for such outdoor storage areas shall be provided. Said fences shall be solid and shall be a minimum of 6.0 feet and a maximum of 6.0 feet in height.

NOTE: All outdoor storage areas must be shown on the District Plan.

\*The only outdoor storage will be the trash bin within the solid fence enclosure.

t. **TRANSPORTATION**

The current traffic volumes on streets in or adjacent to the project must be shown on the Existing Conditions Map. These volumes are available for major streets from the Transportation Engineering Division (720-865-3150), the Community Planning & Development Agency Office (720-865-2915) or may be estimated by the applicant based on a professional traffic study. Streets for which no estimate is available should be so noted on the Existing Conditions Map.

The projected traffic volumes (current traffic volumes on streets in or adjacent to the project + site generated traffic) must be shown on the District Plan. Site generated traffic should be estimated based on the proposed project type, size, and other relevant factors. Ratios for estimating traffic are available in the Institute of Transportation Engineers reference books at the library.

For projects with total daily site generated traffic of more than 200 vehicle trips, or for projects in areas with special problems, a more detailed analysis may be required, and the applicant should contact the Transportation Engineering Division for further guidance.

**PUBLIC TRANSPORTATION**

The nearest bus stop is located (where?): West Bound – 175 feet east of the property; East Bound – 100 feet east of the property.

\*

**u. SCHOOLS**

Future school sites **will not** be dedicated as a part of this project.

\*

**v. HOME OCCUPATIONS**

Home occupations **are** permitted. If so permitted, home occupations shall conform to Section 59-89 of the R-1 zone district.

\*

**w. USES BY TEMPORARY PERMIT**

Uses by temporary permit are regulated by Section 59-89(b) of the R-1 zone district.

\*

**x. ACCESSORY USES**

Accessory uses are regulated by Section 59-87(b) of the R-1 zone district.

\*

**y. INTERIM USES**

Prior to the development of this project, the property will be used on an interim basis for the following uses within the existing buildings: NA.

\*

**z. PHASING**

Will the project be developed in phases?  Yes  No If yes, specify the phasing and the improvements to be constructed in each phase. NA.

Anticipated starting date

JAN 2009.

Anticipated completion date

DEC 2009.

NOTE: A separate site plan review is required for all P.U.D.'s prior to obtaining zoning or building permits for construction. Contact the Zoning Administration (720-865-3000) for more details. This process may be started after the Planning Board hearing has been completed.

\*

**3. WRITTEN STATEMENT**

On an attached page a written statement is given generally describing:

- a. The proposed P.U.D. and the market which it is intended to serve.

P.U.D at 3145,3151, & 3155 W. Florida Ave.  
(Address)

- b. The proposed P.U.D. and its relationship to the Denver Comprehensive Plan. Where the applicant's objectives are not in substantial conformance with the Denver Comprehensive Plan, the applicant should discuss the changing conditions that justify approval of the proposed P.U.D. District. For help on this contact the Community Planning & Development Agency Office (720-865-2915).
- c. How, the proposed P.U.D. District is to relate to the character of the surrounding neighborhood.

**4. EXISTING CONDITIONS MAP**

The Existing Conditions Map is attached following the written statement described above.

**5. DISTRICT PLAN**

The District Plan is attached following the Existing Conditions Map.

This application includes the following listed and attached drawings or renderings:

- architectural concepts
- building elevations
- facade treatments
- exterior building materials
- and/or other important features (list): \_\_\_\_\_

**6. ACKNOWLEDGMENT**

The applicant for this P.U.D. is the owner or owners of all the property contained within the proposed P.U.D. District or is the agent for the owner or owners of all the property contained within the proposed P.U.D. District. NOTE: Agents must supply proof of agency from the owner or owners of the property at the time of application.

The applicant understands that vested property rights shall be created ninety (90) days after the approval of this District Plan by the Denver City Council. These vested property rights shall remain vested for a period of three (3) years in accordance with Section 59-29.

FLORIDA, LLC. By Florina Silvas, President

Ricardo Silvas

Print or type Applicant's Name(s)



Applicant's Signature(s)

P.U.D at 3145,3151, & 3155 W. Florida Ave.  
 (Address)

**PUD SUMMARY SHEET**

**Application #** 071-00133  
**Address/Location** 3145,31251&3155 W. Florida Ave.  
**Total Land Area** 66,340 SF

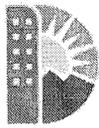
Permitted Uses	
Use A	DWELLING; SINGLE-UNIT
Use B	CHILD CARE CENTER & RELATED ADMINISTRATIVE OFFICES
Use C	

	Proposed Uses			
	Use A	Use B	Use C	Total
Maximum Gross Floor Area (sq. ft.)	962	14,762		14,762
Floor Area Ratio (nonresidential uses)		.22		.22
Maximum Number of Dwelling Units	1			1
Density (dwelling units per acre)	.66			.66
Land Coverage				
Buildings:	962	9718		10,680
Drives and Parking:		13,342		13,342
Other		5168		5168
Parking				
Number of Spaces	2	22		24
Ratios (spaces:gross floor area):	2/du	1/615		
Landscaping				
Area of Live Landscaping (sq. ft.):	2500	21,317		23,817
Area of Non-Live Landscaping (sq.ft.):	300	13,043		13,343

Building Setbacks As Per District Plan					
North	NA	Feet	Front	NA	feet
South	NA	Feet	Rear	NA	feet
East	NA	Feet	Side	NA	feet
West	NA	Feet			

Parkway Setbacks					
Buildings	NA	Feet	Signs	NA	feet
<b>Required Separation Between Buildings:</b>					
				6.0	feet
<b>Maximum Building Height</b>					
Stories	2	Feet	25		

NOTE: FOR COMPLETE PUD REQUIREMENTS, REFER TO APPLICATION # **071-00133**



**DENVER**  
THE MILE HIGH CITY

Community Planning and Development  
Planning Services  
Plan Implementation

201 W Colfax Ave, Dept 205  
Denver, CO 80202  
p: 720-865-2915  
f: 720-865-3056  
[www.denvergov.org/planning](http://www.denvergov.org/planning)

## APPLICANT & OWNER INFORMATION SHEET

[1] Section 59-648(c) of the Denver Zoning Code requires an applicant for rezoning to provide the applicant's name, address, and respective ownership interest, if any, in the application. In addition, unless subject to paragraph [2] below, the applicant must provide, in the space provided on this form, a list of all the owners of the property and the holders of deeds of trust, identifying which owners and holders of deeds of trust are represented by the applicant.

[2] If the application is for the designation of an area as a B-2, B-3, R-X or PUD zone district, the applicant must submit the concurrence of the owners and holders of deeds of trust of the entire land area, and any structures thereon, to be included in the proposed district. In such cases, this form must be completed for each individual owner, together with sufficient evidence of ownership for each owner and holder of a deed of trust. Documentation of ownership interest includes, but is not limited to: copies of deeds, powers of attorney, and or corporate and partnership registrations with the Secretary of State may be required to verify ownership.

Application Number	Applicant's Name
07I-00133	FLORINA SLIVAS, PRESIDENT - FLORIDA LLC

Property Address
3145, 3151 & 3155 W. FLORIDA AVE., DENVER, CO 80219

Applicant's Address
3243 S. KING WAY, DENVER, CO 80236

Indicate as accurately as possible the form of interest in the property, and the amount held by the individual or entity listed as "applicant" above.

- |                                         |                                         |                        |
|-----------------------------------------|-----------------------------------------|------------------------|
| Fee Title Owner (has deed of ownership) | <input checked="" type="checkbox"/> all |                        |
|                                         | <input type="checkbox"/> a portion      | <input type="text"/> % |
| Contract Holder                         | <input type="checkbox"/> all            |                        |
|                                         | <input type="checkbox"/> a portion      | <input type="text"/> % |
| Holder of a security interest           | <input type="checkbox"/> all            |                        |
|                                         | <input type="checkbox"/> a portion      | <input type="text"/> % |



# APPLICANT & OWNER INFORMATION SHEET

## Page Two

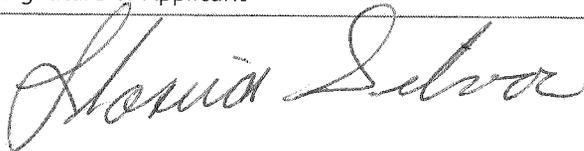
List the names and addresses of all owners and holders of deeds of trusts for the property, if any, and indicate which owners or holders of deeds of trust are represented by the applicant in the space below (please add additional pages, as needed).

EDYTHE O. BLANKENSHIP RESIDUARY TRUST  
4501 E. WARREN AVE.  
DENVER, CO 80222

THE ABOVE HOLD OF DEED OF TRUST IS REPRESENTED BY THE BELOW SIGNED APPLICANT RELATING ONLY TO 3151 & 3155 W. FLORIDA AVE.

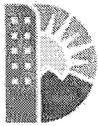
This is to certify that the above information is true and correct to the best of the applicant's knowledge as of the date of this application.

Signature of Applicant



Date Signed

2/7/08



**DENVER**  
THE MILE HIGH CITY

## APPLICANT & OWNER INFORMATION SHEET

**[1]** Section 59-648(c) of the Denver Zoning Code requires an applicant for rezoning to provide the applicant's name, address, and respective ownership interest, if any, in the application. In addition, unless subject to paragraph [2] below, the applicant must provide, in the space provided on this form, a list of all the owners of the property and the holders of deeds of trust, identifying which owners and holders of deeds of trust are represented by the applicant.

**[2]** If the application is for the designation of an area as a B-2, B-3, R-X or PUD zone district, the applicant must submit the concurrence of the owners and holders of deeds of trust of the entire land area, and any structures thereon, to be included in the proposed district. In such cases, this form must be completed for each individual owner, together with sufficient evidence of ownership for each owner and holder of a deed of trust. Documentation of ownership interest includes, but is not limited to: copies of deeds, powers of attorney, and or corporate and partnership registrations with the Secretary of State may be required to verify ownership.

Application Number	Applicant's Name
07I-00133	RICARDO G. SILVAS

Property Address
3145, 3151 & 3155 W. FLORIDA AVE., DENVER, CO 80219

Applicant's Address
3243 S. KING WAY, DENVER, CO 80236

Indicate as accurately as possible the form of interest in the property, and the amount held by the individual or entity listed as "applicant" above.

Fee Title Owner (has deed of ownership)	<input checked="" type="checkbox"/> all		
	<input type="checkbox"/> a portion	<input type="text"/>	%
Contract Holder	<input type="checkbox"/> all		
	<input type="checkbox"/> a portion	<input type="text"/>	%
Holder of a security interest	<input type="checkbox"/> all		
	<input type="checkbox"/> a portion	<input type="text"/>	%



# APPLICANT & OWNER INFORMATION SHEET

## Page Two

List the names and addresses of all owners and holders of deeds of trusts for the property, if any, and indicate which owners or holders of deeds of trust are represented by the applicant in the space below (please add additional pages, as needed).

COUNTRYWIDE MORTGAGE  
LOAN #079112332  
SVB-314 P.O. BOX 5170  
SIMI VALLEY, CA. 93062-5170

THE ABOVE HOLD OF DEED OF TRUST IS REPRESENTED BY THE BELOW SIGNED APPLICANT RELATING ONLY TO 3145 W. FLORIDA AVE.

This is to certify that the above information is true and correct to the best of the applicant's knowledge as of the date of this application.

Signature of Applicant

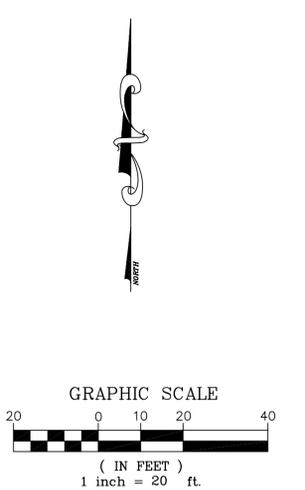
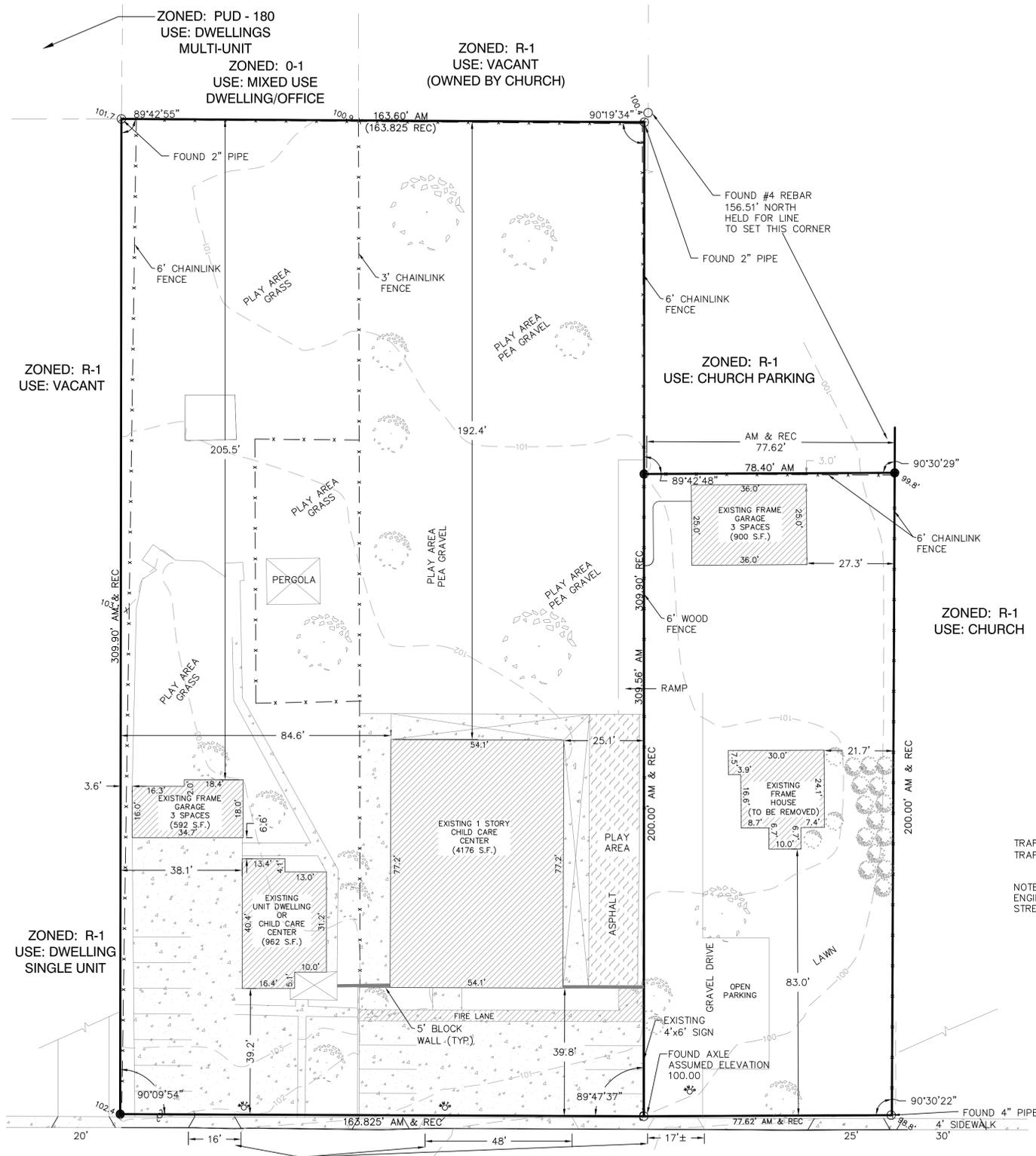


Date Signed

2-7-08

# EXISTING CONDITIONS MAP

PARCEL LOCATED IN THE NW 1/4 OF SECTION 20, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M.



**LEGEND**

- SET #5 REBAR W/RED CAP PLS 37552
- FOUND IRON PIPE
- AM - AS MEASURED IN FIELD
- REC - DEED OR PLAT DISTANCE
- R-O-W - RIGHT-OF-WAY
- x - x - FENCE LINE
- CONCRETE WALL
- ▨ CONCRETE AREA
- ▩ COVERED CONCRETE AREA
- - - - EXIST. OVERHEAD UTILITY
- ⊕ UTILITY POLE

TRAFFIC (WEST BOUND) 5187 (IN 24 HOUR PERIOD)  
 TRAFFIC (EAST BOUND) 4374 (IN 24 HOUR PERIOD)

NOTE: TRAFFIC COUNTS ARE FROM DENVER TRANSPORTATION ENGINEERING TAKEN ON MAY 17, 2007, TAKEN AT SOUTH CLAY STREET AND WEST FLORIDA AVENUE

**LEGAL DESCRIPTION**

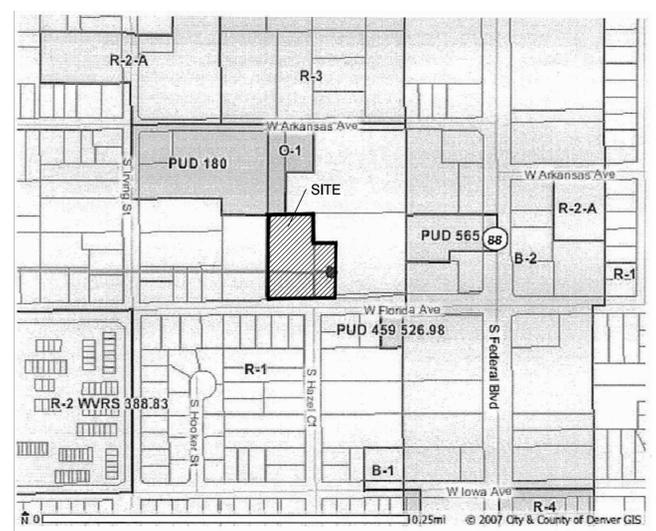
PARCEL A:  
 THE SOUTH 1/2 OF THE EAST 1/2 OF LOT 43, GARFIELD HEIGHTS NEW FILING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

PARCEL B: PART OF THE SOUTH 1/2 OF PLOT 42, GARFIELD HEIGHTS NEW FILING, DESCRIBED AS FOLLOWS: BEGINNING AT THE SW CORNER OF PLOT 42, THENCE NORTH 200 FEET; THENCE EAST 77.62 FEET; THENCE SOUTH 200 FEET; THENCE WEST 77.62 FEET TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

I HEREBY CERTIFY THAT ON APRIL 25, 2007, A SURVEY WAS MADE OF THE ABOVE DESCRIBED PROPERTY UNDER MY DIRECT SUPERVISION AND THE CORNERS WERE SET AS SHOWN, HOLDING FOUND POINTS AND PLAT DISTANCES WHEREVER POSSIBLE. I FURTHER CERTIFY THAT THE IMPROVEMENTS ON THE ABOVE PARCEL ON THIS DATE, APRIL 25, 2007, EXCEPT UTILITY CONNECTIONS, ARE ENTIRELY WITHIN THE BOUNDARIES OF THE PARCEL, EXCEPT AS SHOWN, THAT THERE ARE NO ENCROACHMENTS UPON THE DESCRIBED PREMISES EXCEPT AS INDICATED, AND THAT THERE IS NO EVIDENCE OR SIGN OF ANY EASEMENT CROSSING OR BURDENING ANY PART OF SAID PARCEL, EXCEPT AS NOTED.

CURTIS E CARROLL, PLS  
 COLORADO #37552

1. NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
2. MONUMENT DEFACING STATEMENT: ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
3. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY BEAR CREEK LAND SURVEYING (SURVEYOR) TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHT-OF-WAY OR TITLE OF RECORD, THE SURVEYOR RELIED UPON RECORDED PLAT AND INFORMATION SUPPLIED BY CLIENT



ZONING MAP

ZONED: R-1 USE: DWELLING SINGLE UNIT      ZONED: R-1 USE: DWELLING SINGLE UNIT      ZONED: R-1 USE: DWELLING SINGLE UNIT      ZONED: R-1 USE: DWELLING SINGLE UNIT

**ZAPA**  
 Zoning And Planning Associates  
 Consulting Services in Zoning, Entitlement, Land Use & Real Estate Matters  
 Rezoning, Subdivision, Special Exceptions, Variances, Site Plans, PUDs, etc.

GLEN GIDLEY, AICP  
 303-763-5221 (Office) 303-204-7342 (Cell)  
 866-903-8218 (Fax)  
 EMAIL: glengidley@comcast.net  
 Denver, Colorado

PROJECT NAME: PLANNED UNIT DEVELOPMENT DENVER CHILDCARE CENTER, INC. 3151 WEST FLORIDA AVENUE

DRAWING TITLE: EXISTING CONDITIONS

DRAWN BY: **SteddCAD** 1994 S. Cape Way, Lakewood, CO 80227 303 988 5464

SCALE: 1" = 20'      DATE: February 11, 2008      SHEET NUMBER: 1

D:\PROJECTS\ZAPA\3151 FLORIDA AVENUE\3151 W. FLORIDA.DWG

# DISTRICT PLAN MAP

PARCEL LOCATED IN THE NW 1/4 OF SECTION 20, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH P.M.

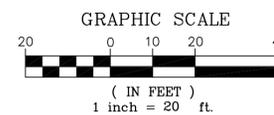
## LEGAL DESCRIPTION

PARCEL A:  
THE SOUTH 1/2 OF THE EAST 1/2 OF LOT 43, GARFIELD HEIGHTS NEW FILING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

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I HEREBY CERTIFY THAT ON APRIL 25, 2007, A SURVEY WAS MADE OF THE ABOVE DESCRIBED PROPERTY UNDER MY DIRECT SUPERVISION AND THE CORNERS WERE SET AS SHOWN, HOLDING FOUND POINTS AND PLAT DISTANCES WHEREVER POSSIBLE. I FURTHER CERTIFY THAT THE IMPROVEMENTS ON THE ABOVE PARCEL ON THIS DATE, APRIL 25, 2007, EXCEPT UTILITY CONNECTIONS, ARE ENTIRELY WITHIN THE BOUNDARIES OF THE PARCEL, EXCEPT AS SHOWN, THAT THERE ARE NO ENCROACHMENTS UPON THE DESCRIBED PREMISES EXCEPT AS INDICATED, AND THAT THERE IS NO EVIDENCE OR SIGN OF ANY EASEMENT CROSSING OR BURDENING ANY PART OF SAID PARCEL, EXCEPT AS NOTED.

CURTIS E. CARROLL, PLS  
COLORADO #37552



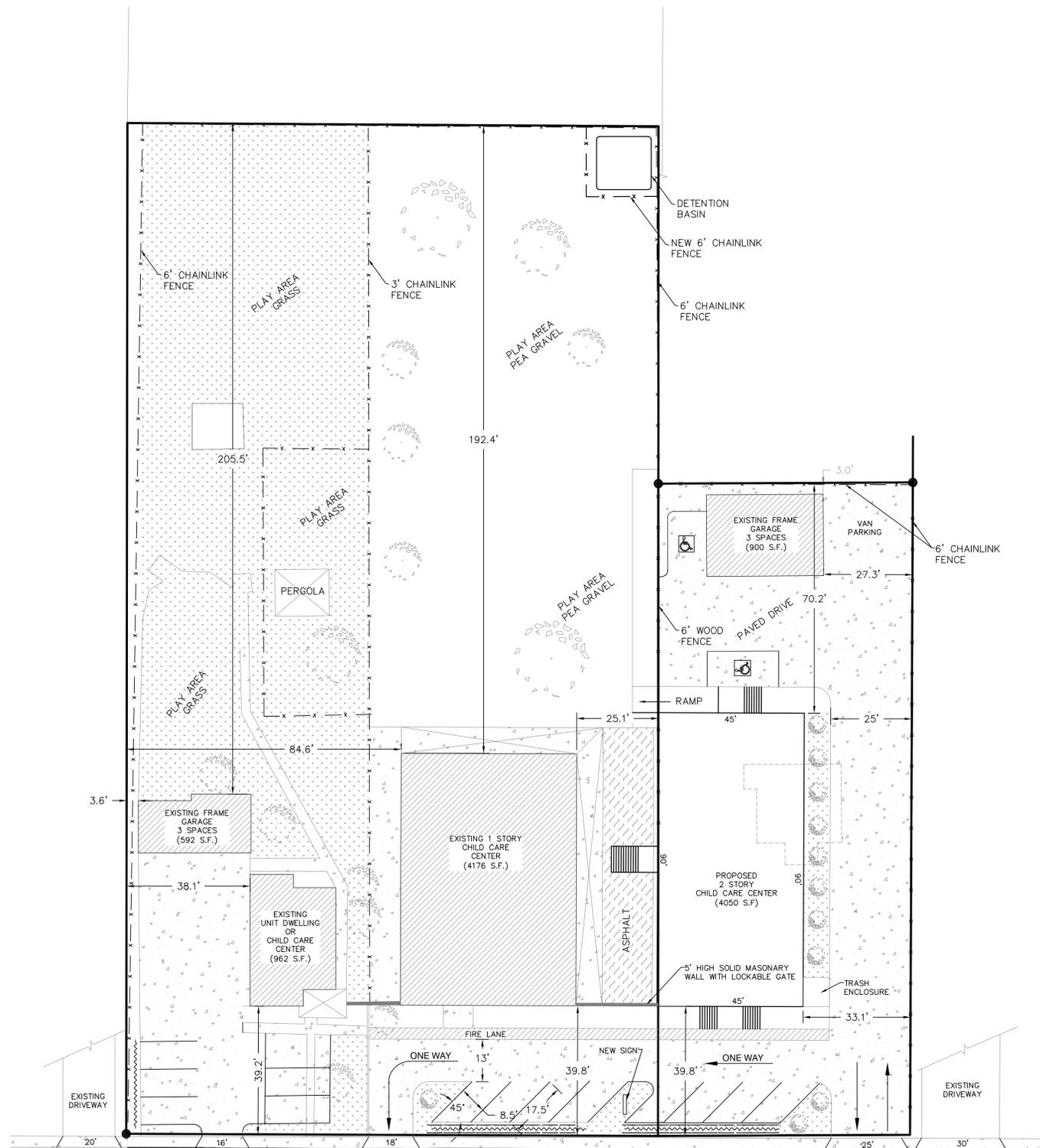
## LEGEND

- LANDSCAPED AREAS
- PAVED (CONCRETE) AREAS
- ASPHALT
- SHRUB
- TREE

## NOTES:

1. AREAS MARKED ~~~~~ SHALL HAVE A SOLID WALL, FENCE OR EVERGREEN HEDGEROW OF 42"-48" TALL TO SCREEN HEADLIGHTS.
2. PROPOSED TWO STORY CHILD CARE CENTER BUILDING IS SUBJECT TO THE PROVISIONS OF ITEM 3.C OF THE PUD NARRATIVE.
3. THE DIMENSIONS AND DESIGN OF ALL CURB CUTS SHALL BE SUBJECT TO THE REVIEW AND APPROVAL BY PUBLIC WORKS -DES (TRANSPORTATION)

TOTAL LAND AREA	66,340 SQ. FT. (1.52 ACRES)
TOTAL BUILDING AREA	10,680 SQ. FT.
MAXIMUM GROSS FLOOR AREA	14,762 SQ. FT.
MINIMUM NO OF PARKING SPACES	24

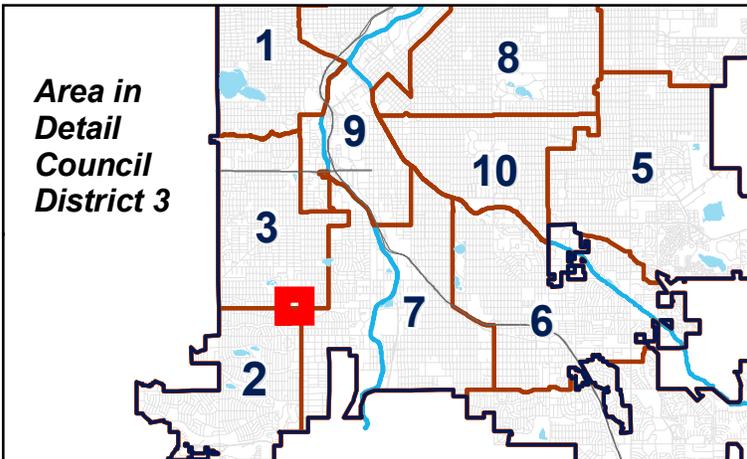
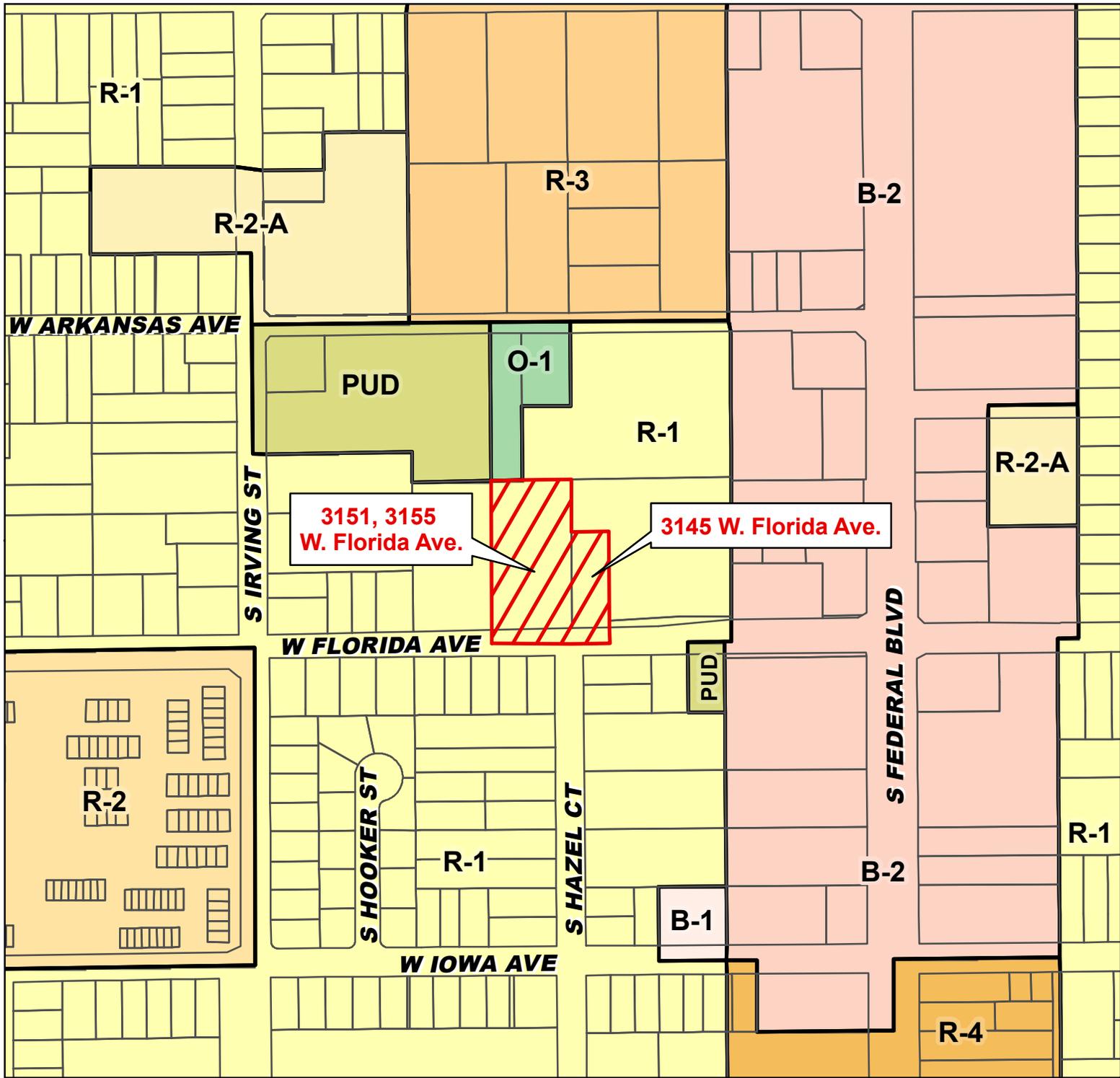


WEST FLORIDA AVENUE  
50' R-0-W  
(VARIES)

**ZAPA**  
Zoning And Planning Associates  
Consulting Services in Zoning, Entitlement,  
Land Use & Real Estate Matters  
Rezoning, Subdivision, Special Exceptions,  
Variances, Site Plans, PUDs, etc.  
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PROJECT NAME	PLANNED UNIT DEVELOPMENT DENVER CHILDCARE CENTER, INC. 3151 WEST FLORIDA AVENUE		
DRAWING TITLE	PROPOSED DEVELOPMENT		
DRAWN BY	SleddCAD	1994 S. Cape Way Lakewood, CO 80227 303 988 5464	
SCALE	1" = 20'	DATE	February 11, 2008
		SHEET NUMBER	2
D:\PROJECTS\ZAPA\3151 FLORIDA AVENUE\3151 W FLORIDA.DWG			

# Pending Zone Map Amendment #2007I-00133



Application #2007I-00133  
 Location: 3151 & 3155 W. Florida Ave. and  
 3145 W. Florida Ave.

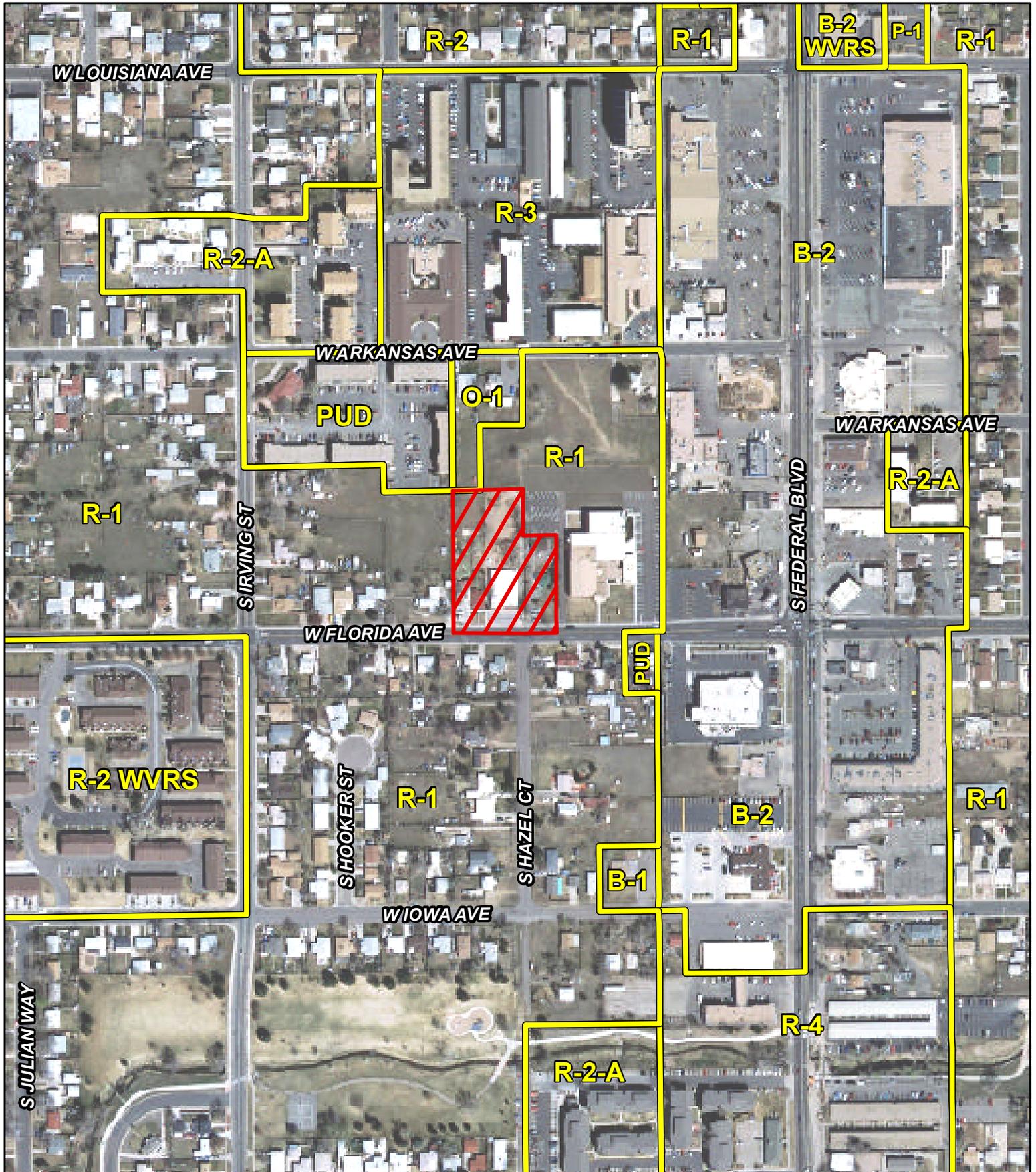
 Proposed Rezoning  
 From: R-1  
 To: PUD

 0 100 200 400  
 Feet

Map Date: 2/01/08

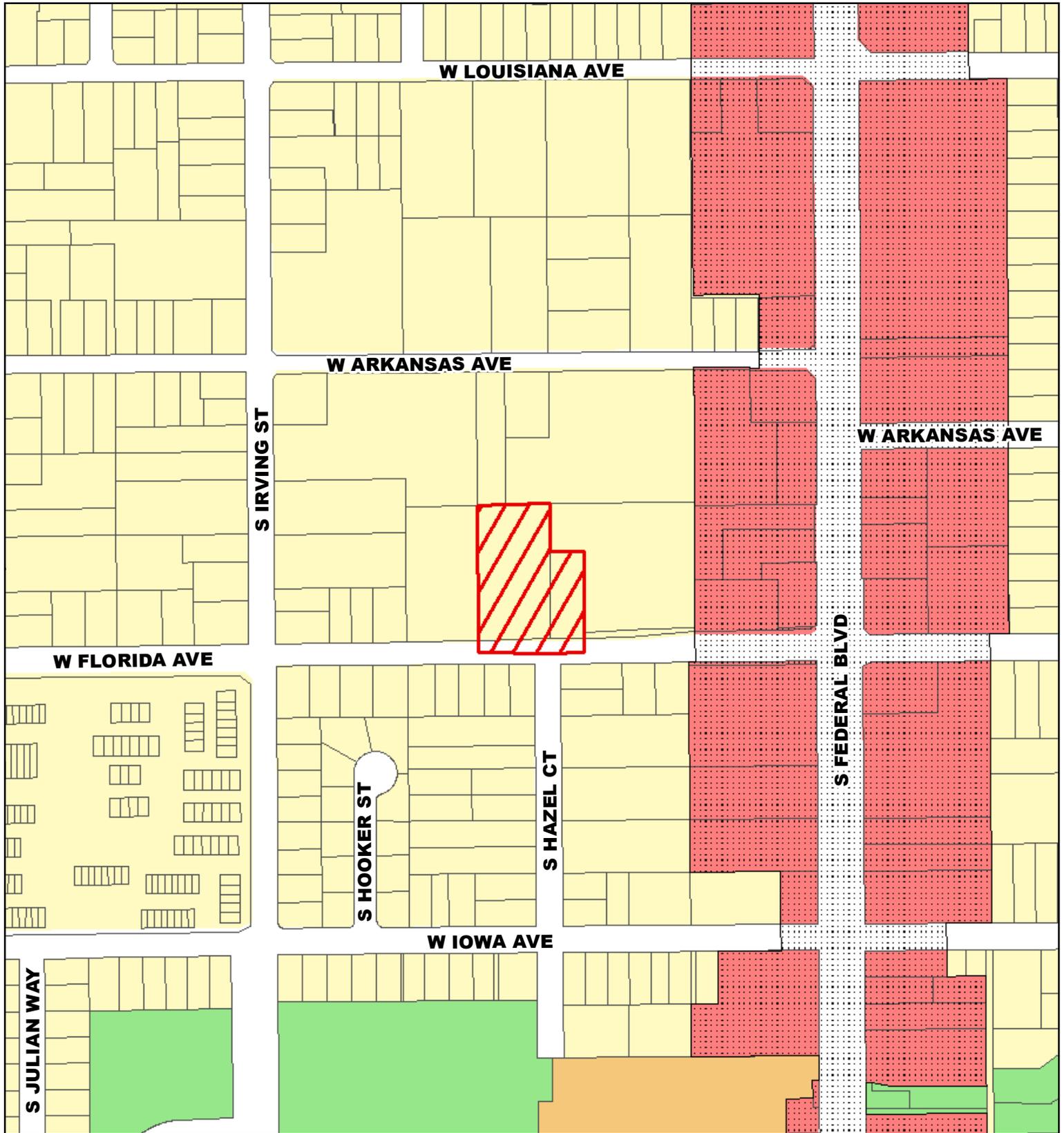
# Pending Zone Map Amendment - Aerial & Zoning Overlay

 Application #2007I-00133



# Pending Zone Map Amendment - Blueprint Denver Overlay

 Application #2007I-00133



-  Single Family Duplex
-  Single Family Residential
-  Park
-  Commercial Corridor
-  Area of Change

0 100 200 400 Feet



Map Date: 2/01/08