

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2023

COUNCIL BILL NO. CB22-1552  
COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

**A BILL**

**For an ordinance changing the zoning classification for 3145, 3151, 3155, and 3237 West Florida Avenue in Mar Lee.**

**WHEREAS**, the City Council has determined, based on evidence and testimony presented at the public hearing, that the map amendment set forth below conforms with applicable City laws, is consistent with the City’s adopted plans, furthers the public health, safety and general welfare of the City, will result in regulations and restrictions that are uniform within the S-MU-3 district, is justified by one of the circumstances set forth in Section 12.4.10.8 of the Denver Zoning Code, and is consistent with the neighborhood context and the stated purpose and intent of the proposed zone district;

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

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

- a. The land area hereinafter described is presently classified as S-SU-D and PUD 611.
- b. It is proposed that the land area hereinafter described be changed to S-MU-3.

**Section 2.** That the zoning classification of the land area in the City and County of Denver described as follows shall be and hereby is changed from S-SU-D to S-MU-3:

3237 West Florida Avenue, Denver, CO 80219  
Southwest 1/4 of Tract 43,  
Garfield Heights, New Filing,  
City and County of Denver, State of Colorado

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

**Section 3.** That the zoning classification of the land area in the City and County of Denver described as follows shall be and hereby is changed from PUD 611 to S-MU-3:

3145 West Florida Avenue, Denver, CO 80219

That part of the south 1/2 of Plot 42, Garfield Heights, New Filing described as follows:

Beginning at the Southwest corner of said Plot; thence north along the west line of said Plot, a distance of 200 feet; thence east and parallel with the north line of said Plot a distance of 77.62 feet; thence south and parallel with the east line of said Plot a distance of 200 feet; thence

1 west along the south line of said Plot, a distance of 77.62 feet to the point of beginning; City  
2 and County of Denver, State of Colorado, Excepting therefrom that property described at  
3 Reception Number 2012034388, City and County of Denver Clerk and Recorder's Office.

4 3151 and 3155 West Florida Avenue, Denver, CO 80219

5 The East 1/2 of the South 1/2 of Plot 43,

6 Garfield Heights, New Filing,

7 City and County of Denver, State of Colorado, Excepting therefrom that property described at

8 Reception Number 2012034388, City and County of Denver Clerk and Recorder's Office

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

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

13 COMMITTEE APPROVAL DATE: November 29, 2022

14 MAYOR-COUNCIL DATE: December 6, 2022

15 PASSED BY THE COUNCIL: \_\_\_\_\_

16 \_\_\_\_\_ - PRESIDENT

17 APPROVED: \_\_\_\_\_ - MAYOR \_\_\_\_\_

18 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
19 EX-OFFICIO CLERK OF THE  
20 CITY AND COUNTY OF DENVER

21 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_ ; \_\_\_\_\_

22 PREPARED BY: Nathan J. Lucero, Assistant City Attorney DATE: December 15, 2022

23 Pursuant to Section 13-9, D.R.M.C., this proposed ordinance has been reviewed by the office of  
24 the City Attorney. We find no irregularity as to form and have no legal objection to the proposed  
25 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to  
26 § 3.2.6 of the Charter.

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28 Kerry Tipper, Denver City Attorney

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30 BY: Anshul Bagga, Assistant City Attorney DATE: Dec 15, 2022