

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2021

COUNCIL BILL NO. CB21-0851  
COMMITTEE OF REFERENCE:  
Land Use, Transportation & Infrastructure

**A BILL**

**For an ordinance changing the zoning classification for 3625 West 46th Avenue in Berkeley.**

**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 U-SU-B1 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 U-SU-C.
- b. It is proposed that the land area hereinafter described be changed to U-SU-B1.

**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 U-SU-C to U-SU-B1:

That part of the Northeast quarter of Section 19, Township 3 South, Range 68 West of the 6th Principal Meridian, City and County of Denver, State of Colorado, described as follows: Commencing at a point on the North line of West 46th Avenue, 485.82 feet East of the point of intersection of the North line of West 46th Avenue with the West line of Newton Street in First Addition to Berkeley extended north; thence from said point of beginning East along the North line of West 46th Avenue a distance of 40.74 feet to a point which is 125 feet West of the intersection of the North line of West 46th Avenue with the West line of Lowell Boulevard; thence North and parallel with the West line of Lowell Boulevard, a distance of 125 feet; thence West and parallel with the North line of West 46th Avenue, a distance of 41.52 feet; thence South and parallel with the West line of Newton Street in First Addition to Berkeley extended North distance of 125 feet to the point of beginning.

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

COMMITTEE APPROVAL DATE: August 3, 2021 by Consent

MAYOR-COUNCIL DATE: August 10, 2021 by Consent

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

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

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

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

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

PREPARED BY: Nathan J. Lucero, Assistant City Attorney

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

Kristin M. Bronson, Denver City Attorney

BY: Jonathan Griffin, Assistant City Attorney      DATE: Aug 18, 2021