



DENVER
THE MILE HIGH CITY

Community Planning and Development
Planning Services

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Denver, CO 80202
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f: 720-865-3056
www.denvergov.org/planning

TO: Denver City Council
FROM: Courtland Hyser, Senior City Planner
DATE: April 17, 2014
RE: Zoning Map Amendment #2013I-00029
2157 Downing Street - **Rezoning from PUD 96 to U-MX-3**

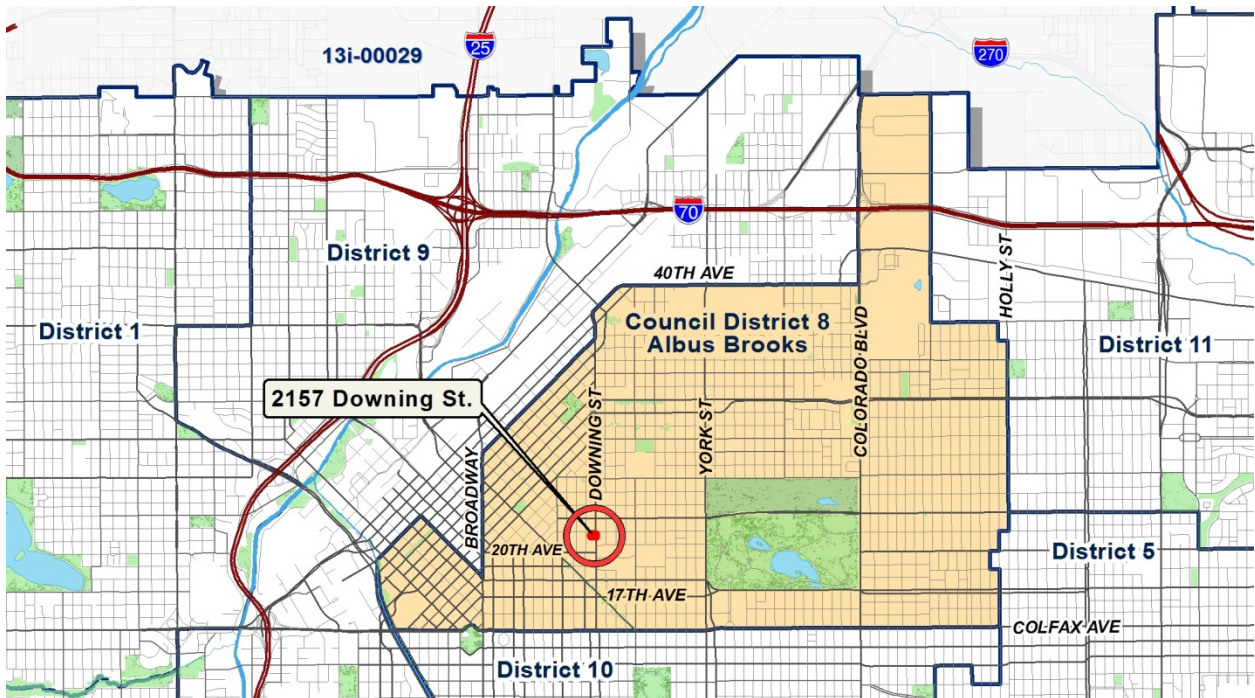
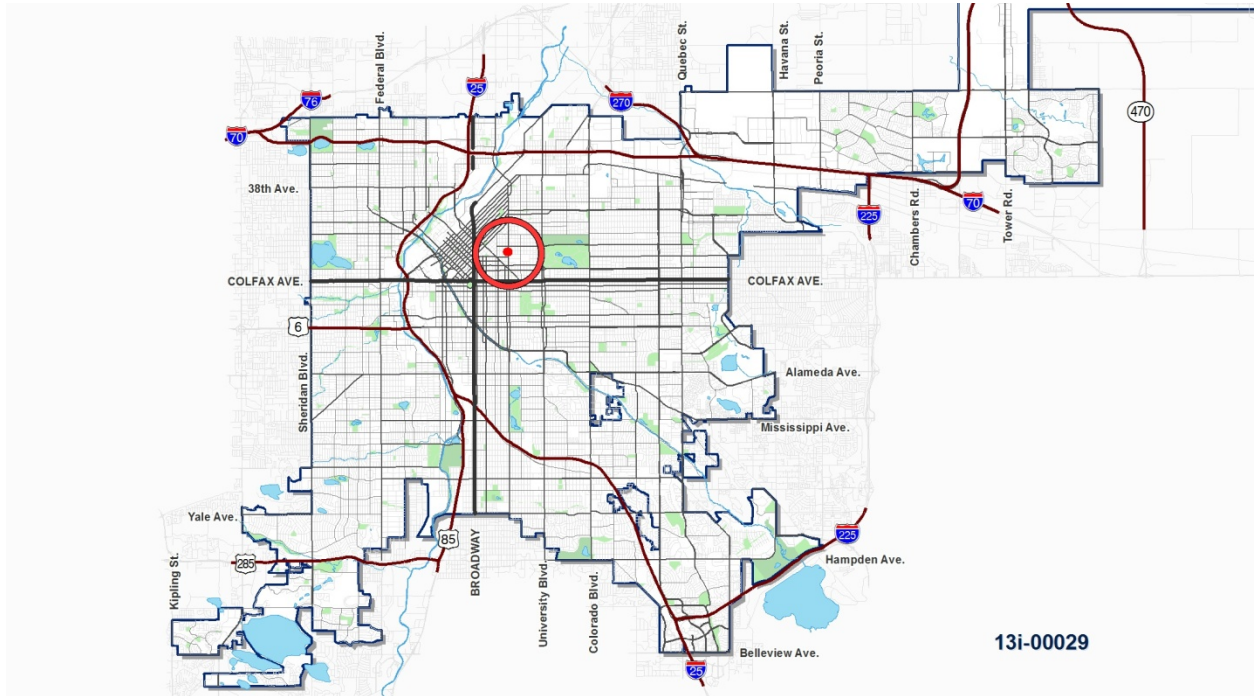
Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, staff recommends **approval** for proposed map amendment #2013I-00029 for a rezoning from PUD 96 to U-MX-3.

Request for Rezoning

| | |
|--------------------------------|---|
| Proposed map amendment: | #2013I-00029 |
| Address: | 2157 Downing Street |
| Neighborhood/Council District: | Five Points / Council District #8 |
| RNOs: | Capitol Hill United Neighbors, Old San Rafael Neighborhood Association, Five Points Historic Association, Northeast Community Congress for Education, The Points Historical Redevelopment Corp, Five Points Business District, Denver Neighborhood Association, Inter-Neighborhood Cooperation, City Park West Neighborhood Organization, City Park Friends and Neighbors |
| Area of property: | .20 acre / 8909 square feet |
| Current Zoning: | PUD 96 |
| Proposed Zoning: | U-MX-3 |
| Contact Person: | David Bergner, Studio PBA/WDB Residential Partners |

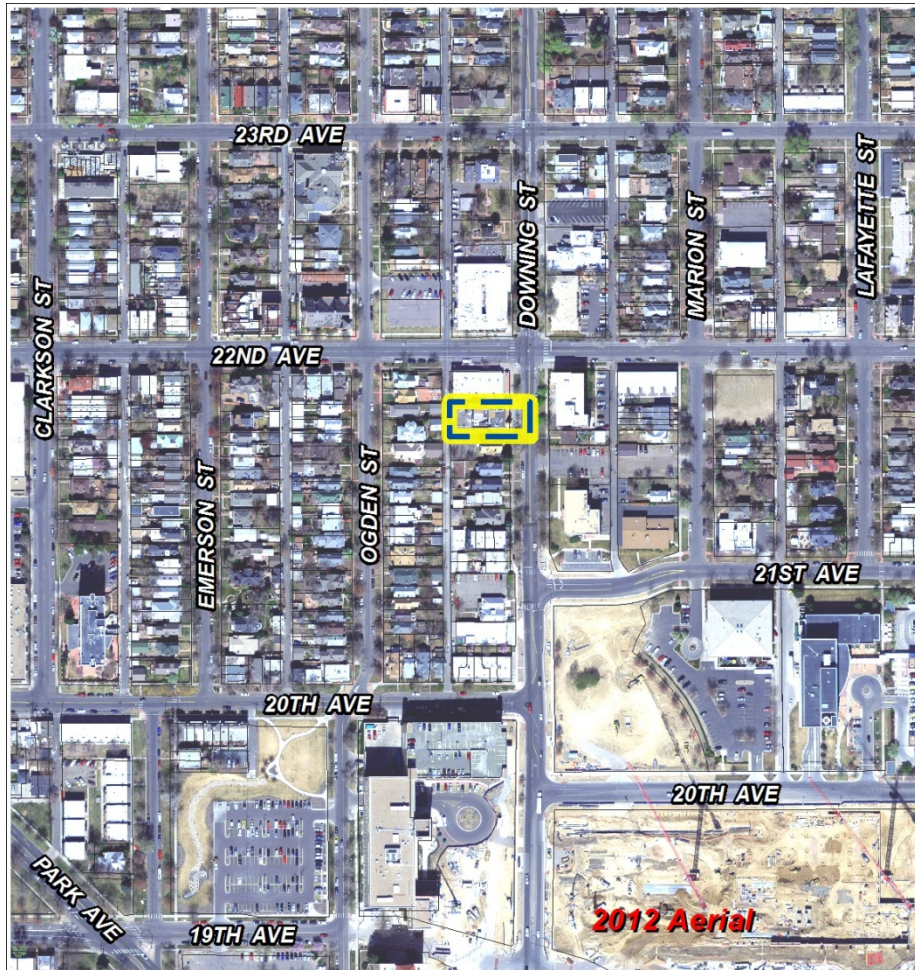






Summary of Rezoning Request

The property proposed for rezoning is located on the west side of Downing Street near the corner of 22nd Ave. The site is currently a restaurant/lounge named Randall's. The existing zoning for the site is PUD 96, which was approved in 1983. The requested zoning for the site is U-MX-3 in the Urban Neighborhood Context. Details of the zone district can be found in Article 5 of the Denver Zoning Code (DZC). The property owner is seeking to rezone because the current PUD does not allow any uses on the site other than a restaurant/lounge. The property owner is requesting to rezone to U-MX-3, which is the predominant zone district that is currently mapped on Downing between 21st Ave and 23rd Ave. If the rezoning request is approved, the property owner intends to develop 12 to 14 townhomes on the site.



The subject property: 2157 Downing Street

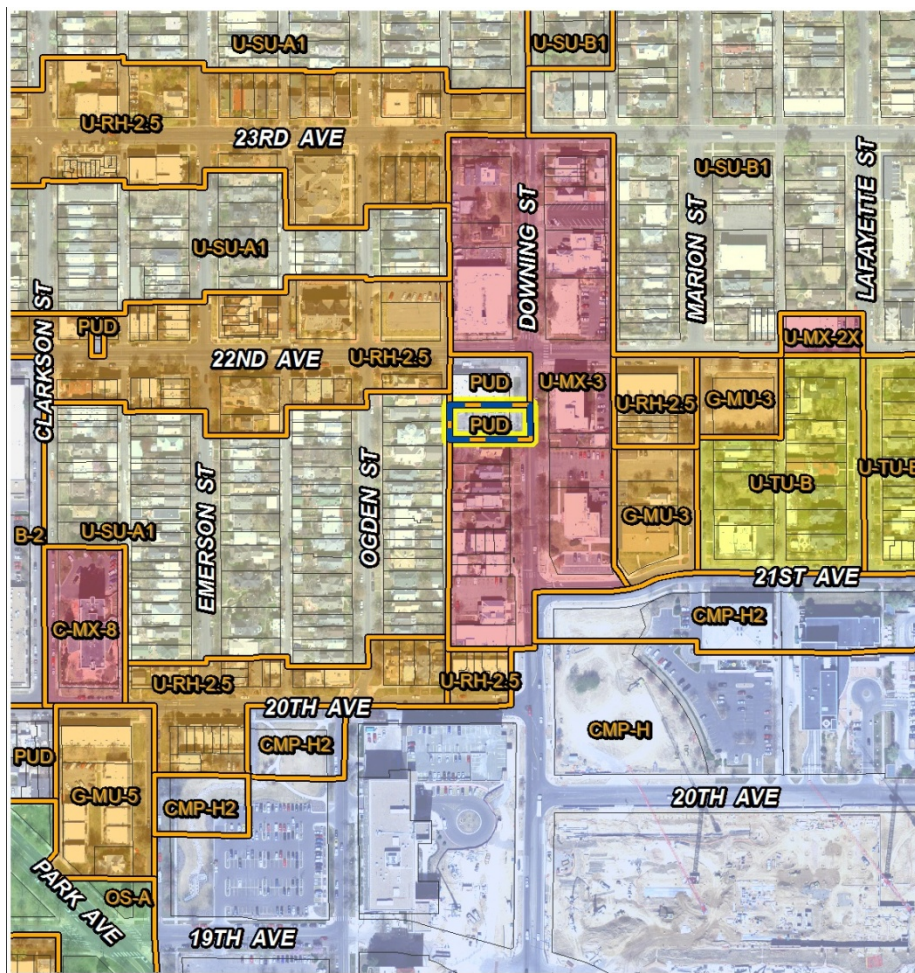
Existing Context

The subject property is located in the Five Points Neighborhood Statistical Area. Within Five Points, the site is located along the eastern edge of the San Rafael Neighborhood. Although San Rafael is a National Register Historic District, there is no local landmark historic district in place, nor is the subject property a designated landmark structure. The subject property is located approximately a block and a half north of the Exempla St. Joseph Hospital expansion project.

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

| | Existing Zoning | Existing Land Use | Blueprint Denver | Existing Block, Lot, Street Pattern |
|-------|-----------------|-------------------------------|---|--|
| Site | PUD 96 | Restaurant/Lounge | Commercial Corridor – Area of Stability | Regular grid of streets; Block sizes and shapes are consistent and rectangular. Vehicle parking to the rear or side of buildings (alley access). |
| North | PUD 616 | Retail- liquor store | Commercial Corridor – Area of Stability | |
| South | U-MX-3 | Vacant Lot | Commercial Corridor – Area of Stability | |
| East | U-MX-3 | Residential – multi-family | Commercial Corridor – Area of Stability | |
| West | U-SU-A1 | Residential- single family | Single Family Residential – Area of Stability | |

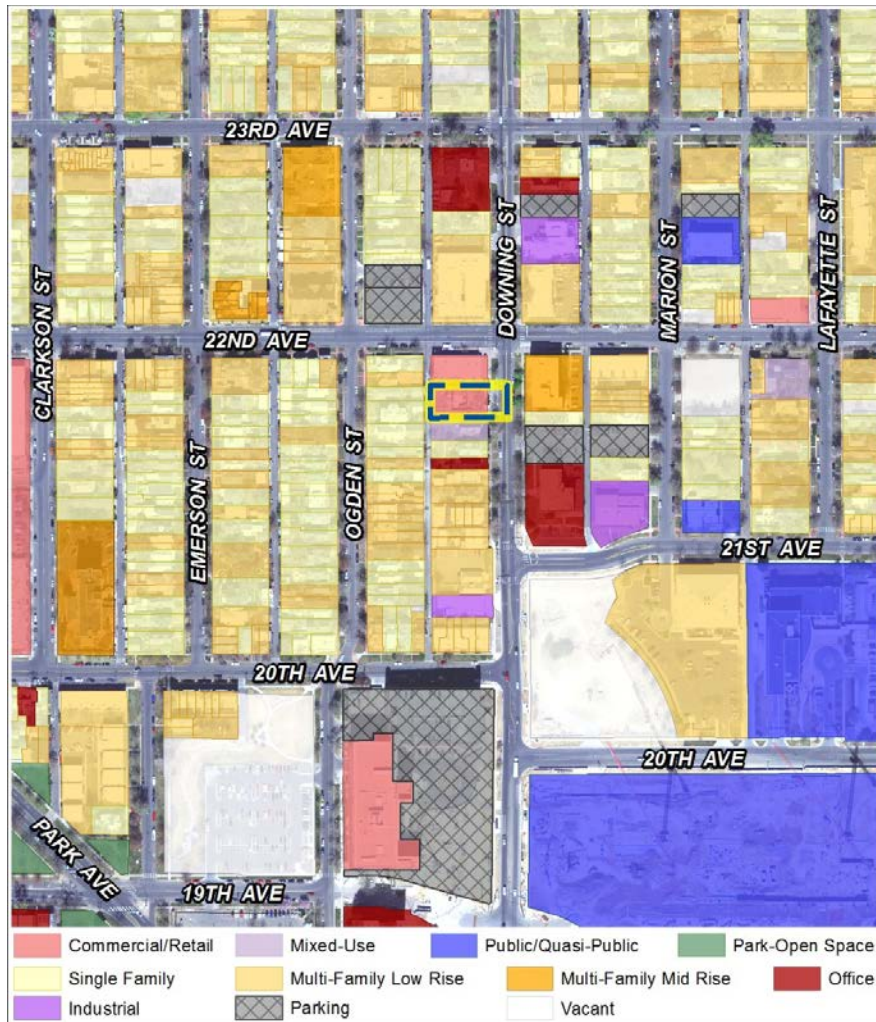
1. Existing Zoning



The existing PUD was created in 1983 under Former Chapter 59. The standards in the PUD are specific to Pierre's Supper Club, which was an established use at the time. The PUD was created to enable the renovation and expansion of Pierre's. A restaurant and lounge is the only use allowed by the PUD and most of the standards in the PUD are specific to the lot and structure as it was proposed to exist post-renovation. The maximum building height allowed by the PUD is 30ft.

The proposed zone district, U-MX-3 would allow for a maximum building height of 3 stories within 40 to 45 feet for most building forms. U-MX-3 has an expansive list of allowed uses, with residential uses ranging from single-unit to multi-unit, and allowed commercial uses including office, retail, and service uses. The property's current use as an eating and drinking establishment is allowed in the U-MX-3. For more detailed information see Article 5 of the DZC.

2. Existing Land Use Map



The existing land use of the subject site is a restaurant and lounge. A liquor store is located adjacent to the property to the north. An apartment building is located across Downing to the east. To the south is a vacant lot, and single family homes are located across the alley to the west.

3. Existing Building Form and Scale



View of subject site from Downing Street



View of subject site from the parking lot behind the restaurant



Single family residential across the alley to the west



Apartments across Downing Street to the east



Vacant lot south of the subject site, viewed from Downing Street.



Liquor store north of the subject site, viewed from the corner of 22nd Ave and Downing

The buildings in the immediate vicinity range from 1 to 5 stories and have shallow setbacks from the sidewalk. Most of the single-family residential structures in the area are 2-2.5 stories. The apartment building across the street is 5 stories tall. Parking is typically located between buildings and side streets or in the rear, serviced by alleys.

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:

Asset Management: Approved- No Comments

Fire Department: Approve Rezoning Only - Will require additional information at Site Plan Review

Parks and Recreation: No comments

Development Services – Transportation: DS Transportation approves the subject zoning change. The applicant should note that redevelopment of this site may require additional engineering, ROW dedication to the City, access changes, traffic studies and/or right of way improvements. The extent of the required design and improvements will be determined once this property begins the redevelopment process. The results of any traffic studies may require the construction of off-site mitigation or may limit the proposed density of the project. Please let me know if you have any questions.

Development Services- Waste Water: There is no objection to the rezone, however applicant should be under notice that the Public Works will not approve any development of this property without assurance that there is sufficient sanitary and storm sewer capacity. A sanitary study and drainage study may be necessary. These studies may results in a requirement for the developer to install major infrastructure improvements or a limit to development if current infrastructure is insufficient.

Public Works – City Surveyor: Reviewed land description in request. It is in conformance with city records and is approved for rezoning purposes ONLY.

Public Review Process

CPD Staff provided informational notice of receipt of the rezoning application to affected members of City Council and registered neighborhood organizations on February 4, 2014.

The property was legally posted for a period of 15 days announcing the Denver Planning Board public hearing date of February 19, 2014, and written notification of the hearing was sent to all affected registered neighborhood organizations and City Council members.

The Planning Board received one letter of support for the rezoning and no letters of opposition. The letter is included as an attachment to this staff report.

CPD Staff provided informational notice of the LUTI agenda item to affected members of City Council and registered neighborhood organizations on February 28th, 2014.

Prior to the City Council public hearing, the property was legally posted for a period of 21 days announcing the April 21, 2014 public hearing. Written notification of the hearing was sent to all affected registered neighborhood organizations and City Council members.

Criteria for Review / Staff Evaluation

The criteria for review of this legislative rezoning proposal are found in DZC, Sections 12.4.10.13, as follows:

DZC Section 12.4.10.13

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and General Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context Description, Zone District Purpose and Intent

1. Consistency with Adopted Plans

The following adopted plans apply to this property:

- Denver Comprehensive Plan 2000
- Blueprint Denver (2002)
- Welton-Downing Triangle Neighborhood Plan (1986)
- Northeast Downtown Neighborhoods Plan (2011)

Denver Comprehensive Plan 2000

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

- Environmental Sustainability Strategy 2-F – Conserve land by promoting infill development with Denver at sites where services and infrastructure are already in place; designing mixed use communities and reducing sprawl so that residents can live, work and play within their own neighborhoods.
- Mobility Strategy 4-E – Continue to promote mixed-use development, which enables people to live near work, retail and services.

- Land Use Strategy 3-B – Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses.
- Legacies Strategy 3-A – Identify areas in which increased density and new uses are desirable and can be accommodated.

The proposed U-MX-3 zone district significantly broadens the variety of allowed uses from the current PUD, allows for the option of mixed use development, and increases allowed densities on the site while observing development standards to help ensure compatibility with the surrounding neighborhood. The rezoning proposal is consistent with these plan recommendations.

Blueprint Denver

According to the 2002 Plan Map adopted in Blueprint Denver, the site has a concept land use of **Commercial Corridor** and is located in an **Area of Stability**.

Future Land Use

“Commercial corridors are linear business districts primarily oriented to heavily used arterial streets. They share similarities with pedestrian shopping corridors but are larger and accommodate more auto traffic. Because of the heavy traffic, special design features are necessary for buildings to be accessible and visible to someone driving by, while also practical for transit, bicycle and pedestrian use. Commercial corridors are favored locations for big-box retail, which can present special design challenges. Many corridors accommodate major bus transit routes and have significant numbers of transit users. Well-designed commercial corridors include street trees, wide sidewalks, on-street parking and attractive bus stops, and, as a result, exhibit a fair amount of pedestrian activity.” (P. 45)

Area of Change / Area of Stability

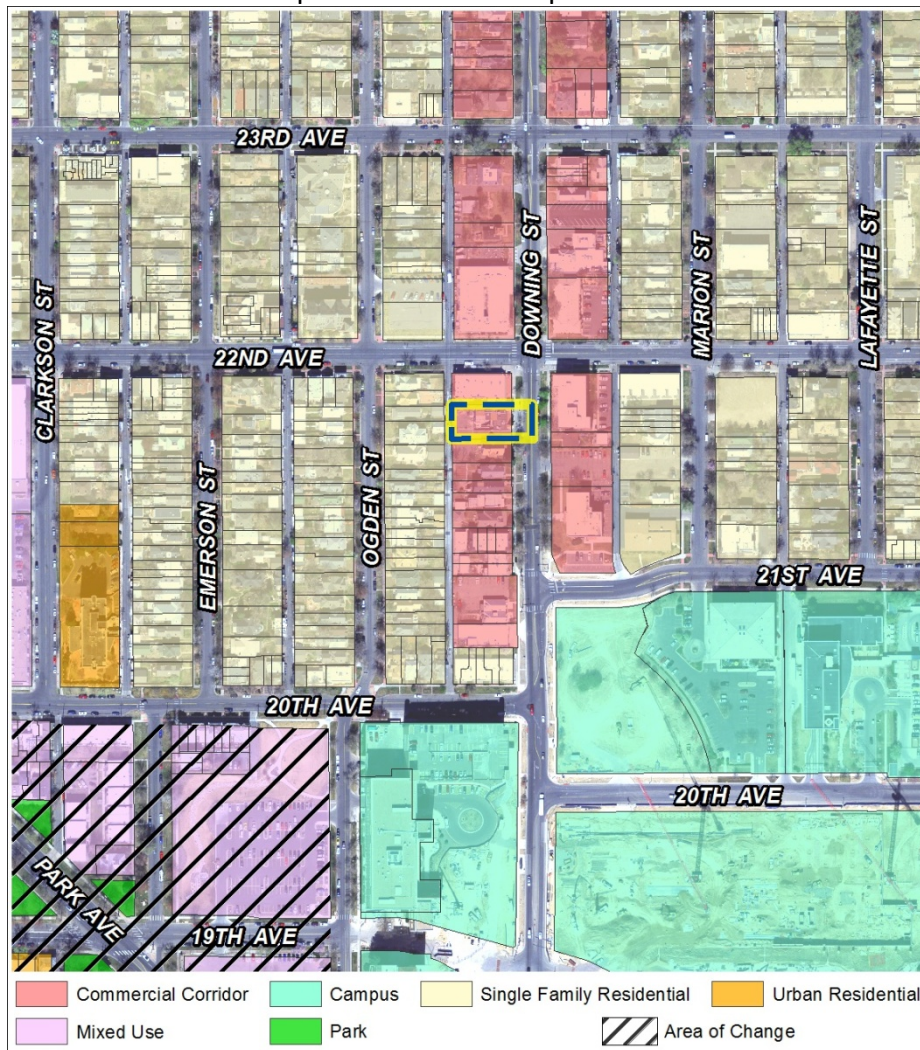
“Areas of Stability include the vast majority of Denver, primarily the stable residential neighborhoods and their associated commercial areas, where limited change is expected during the next 20 years. The goal for the Areas of Stability is to identify and maintain the character of an area while accommodating some new development and redevelopment.” (P.120) In the case of the subject site, which is located on an identified commercial corridor (Downing Street) but is also adjacent to an established residential neighborhood, the proposed rezoning is consistent with Blueprint Denver’s expressed intent for Areas of Stability: to protect the character of the area while also accommodating appropriate new development.

Street Classifications

According to Blueprint Denver, Downing Street has a concept street classification of Mixed Use - Arterial. Arterial streets are designed for a high degree of mobility connecting major points throughout commercial and residential developments.

The proposed U-MX-3 zone district broadens the variety of allowed uses and enables the option for mixed-use development that relates to Downing as the primary street. The rezoning is consistent with these plan recommendations.

Blueprint Denver Concept Landuse



Small Area Plan: Welton-Downing Triangle Neighborhood Plan

The Welton-Downing Triangle Neighborhood Plan (1986) provides guidance for the triangle-shaped area roughly bounded by California St, 20th Ave, and Downing St. The plan places the

subject site in Subarea 9: the City Park West Edge. The existing uses in this subarea at the time were described as a “mixture of offices, retail, and residential uses that have developed over time and work quite well together” (p.106). The plan recommends evaluating the R-4 zoning that was predominant within the subarea at the time, which “encourages redevelopment of this area to much higher densities than exist”, and “should be studied for possible revisions that would ensure quality development and a sensitive integration into two abutting neighborhoods in terms of uses, scale, and design compatibility” (p.108).

In the time since this plan was written, this evaluation of zoning has taken place via the 2010 citywide zoning update. That process determined that U-MX-3 was the appropriate zone district in this area to accomplish the objectives listed above. The proposed rezoning of this site to U-MX-3 is consistent with the referenced content of the Welton-Downing Triangle Plan.

Small Area Plan: Northeast Downtown Neighborhoods Plan

The Northeast Downtown Neighborhoods (NEDN) Plan (2011) established specific land use, building form, and density recommendations for this area. The plan emphasizes the importance of effectively transitioning from higher density corridors, such as Downing Street, to lower density areas, such as the residential core of San Rafael. Recommendation A.2 (page 18) provides detail on this concept:

“A.2 Moderate Intensity Development Transitioning to Residential Neighborhoods

Where higher intensity development transitions to residential neighborhoods, and along main street corridors (Welton, Downing, and Larimer):

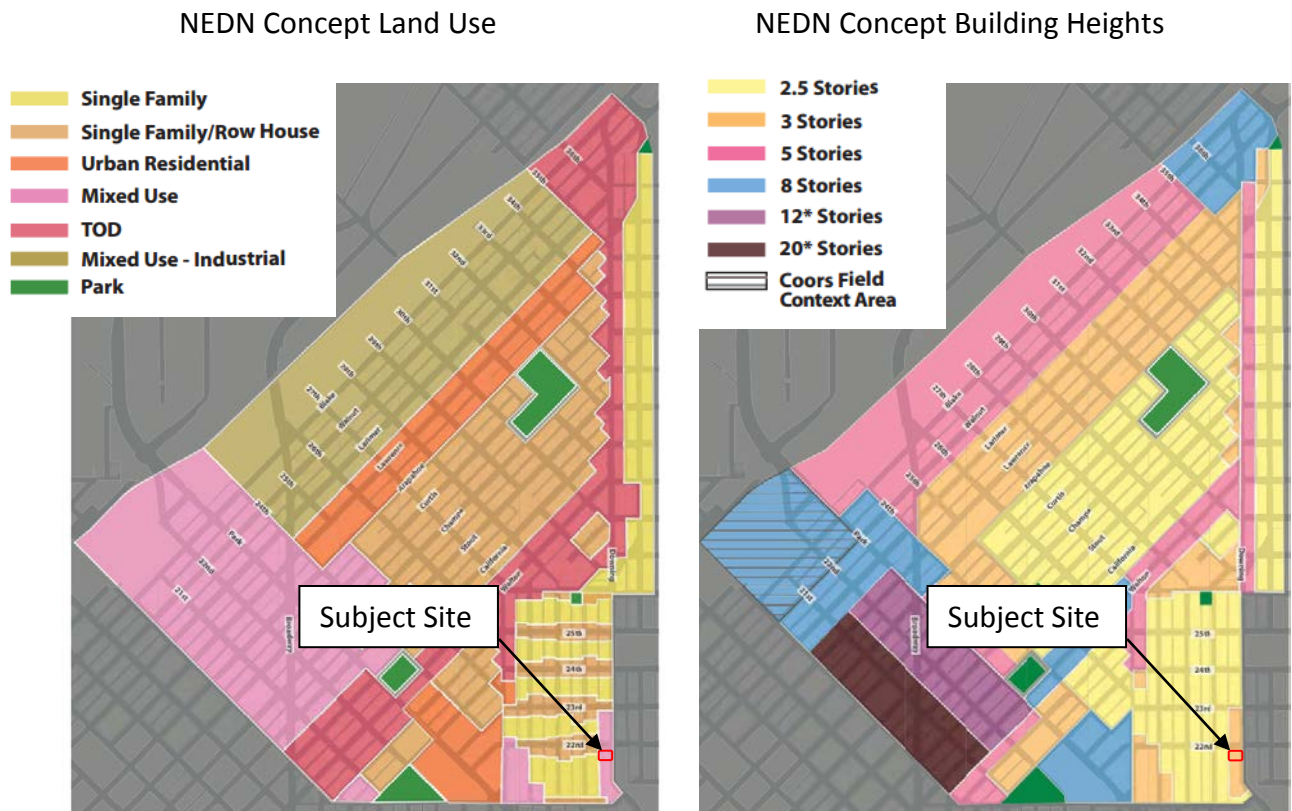
- Allow a moderate and mixed scale of general, shopfront, apartment and rowhouse building forms.
- Site building forms in a context sensitive manner with emphasis on orienting to the street with parking and access in the rear/off the alley.
- Promote the use of design elements that link the building directly to the street environment, such as ground story activation, transparent window openings and doorways at the street.
- Make use of design elements, such as upper story setbacks, as necessary, to minimize massing adjacent to residential areas.
- Allow a mix of uses within the area and within buildings.
- Encourage TOD along transit corridors with sensible transitions to adjacent residential neighborhoods.
- Make use of streetscape elements that support and promote pedestrian and bicycle use, such as wide sidewalks, bike racks, public trash cans, pedestrian scale lighting, and tree wells or tree lawns.”

The plan’s Future Land Use and Height maps identify the subject site as Mixed Use with a maximum building height of 3 stories. The plan defines Mixed Use as follows (page 16):

“These areas have both a sizable employment base as well as a variety of mid to high density housing options. Intensity is higher in mixed-use areas than in predominantly residential areas. Land uses can be, but are not necessarily, mixed in each building, development, or block. Pedestrian access is of importance within the area, with residential and

non-residential uses always within short walking distance of one another.”

The proposed U-MX-3 zone district broadens the variety of allowed uses and requires height, siting and design elements that are consistent with the referenced NEDN Plan recommendations.



2. Uniformity of District Regulations and Restrictions

The proposed rezoning to U-MX-3 will result in the uniform application of zone district building form, use and design regulations. The current PUD zoning was left in place during the 2010 Denver Zoning Code (DZC) update while adjacent sites were mapped into the new code. Updated zoning will encourage uniform application of the new DZC in this area.

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the City primarily through implementation of the City’s adopted land use plans.

4. Justifying Circumstances

The rezoning application identifies changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.14.A.4, "The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area." This change in the surrounding environment is demonstrated by the on-going construction of the Exempla St. Joseph medical campus less than two blocks away from the subject site. Furthermore, the proposed zoning is consistent with the vision established in Blueprint Denver and the Northeast Downtown Neighborhoods Plan.

5. Consistency with Neighborhood Context Description, Zone District Purpose and Intent

"The Urban Neighborhood Context is primarily characterized by single-unit and two-unit residential uses. Small scale multi-unit residential uses and commercial areas are typically embedded in residential areas. Single-unit residential structures are typically Urban House forms. Multi-unit building forms are typically Row House forms embedded with other residential building forms. Commercial buildings are typically Shop front and General forms that may contain a mixture of uses within the same building. Single- and two-unit residential uses are primarily located along local and residential arterial streets. Multi-unit residential uses are located along local streets, residential and mixed use arterials, and main streets. Commercial uses are primarily located along mixed use arterial or main streets but may be located at or between intersections of local streets" (DZC 5.1.1).

According to the zone district intent stated in the Denver Zoning Code (DZC 5.2.3), the Mixed Use districts in the Urban Neighborhood Context are intended to accomplish the following:

- The Mixed Use Zone Districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of town house, row house, courtyard apartment, apartment, and general building forms that clearly define and activate the public street edge.
- The Mixed Use Zone Districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's neighborhoods.
- The Mixed Use Zone District standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.
- Compared to Main Street districts, the Mixed Use districts are focused on creating mixed, diverse neighborhoods. The Mixed Use districts are intended for corridors, embedded neighborhoods business areas and larger sites.
- In the Urban Neighborhood Context, the Mixed Use Zone Districts promote a pedestrian-active street front. Buildings are pulled up to the street with parking at the side or rear of the building; however, the front setback range is deeper than the front

setback range for the Main Street districts. The required percentage of the building façade that must be located in the front setback area is less than the percentage for the Main Street districts.

The specific intent of the U-MX-3 district states that “U-MX-3 applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired” (DZC 5.2.3.2.C).

The proposed rezoning would lead to development that is consistent with the neighborhood context description, zone district purpose and intent.

Planning Board Recommendation

At its meeting held February 19, 2014, the Denver Planning Board recommended **approval** of this map amendment by unanimous vote.

Staff Recommendation

Based on the analysis set forth in this staff report, CPD staff finds that the application to rezone the property at 2157 Downing St. to a U-MX-3 zone district meets the requisite review criteria. Accordingly, staff recommends approval.

Attachments

1. Letter of support from Uptown Hospital District Urban Design Forum
2. Application

Charles O. Brantigan, MD, FCCP, FACS



Certified by The American Board of Surgery
Certified by The American Board of Thoracic Surgery
Certified in General Vascular Surgery
Certified in Surgical Critical Care

Vascular Surgery

HISTORIC GEBHARD MANSION 2253 DOWNING STREET DENVER, COLORADO 80205 303-830-8822 1-800-992-4676

6 February 2014

Denver Planning Board
c/o Courtland Hyser
Community Planning and Development
Via email Courtland.Hyser@denvergov.org

Ladies and Gentlemen of the Planning Board

I am writing to you on behalf of the Uptown Hospital District Urban Design Forum asking that you support the rezoning of 2157 Downing St from PUD to UMX3.

The Hospital District Urban Design Forum is an organization created when the Hospital District Urban Design Plan was adopted by City Council in 1992 and updated in 2007. The Forum is made up of representatives of the registered neighborhood organizations, the medical institutions and the City. Its task is to make recommendations on land use planning in the area surrounding the hospitals.

Paul and David Bergner presented a proposal to build townhouses on 2135 and 2157 Downing at our meeting on 10 December 2013. They proposed rezoning 2157, a PUD, to the underlying zoning of that block of Downing St, UMX3. When the new zoning code was created every block in our neighborhood was considered and what we thought was appropriate zoning was designated. Considerable thought was given to the corner of Downing and 22nd and to the 2100 block of Downing. UMX3 seemed to be the most appropriate zoning. The Forum was enthusiastic about the proposal and asked for more information. The Bergner's company, StudioPBA, closed on the property which at that point was bank owned. At our meeting on 28 January 2014 schematic drawings of a townhouse development were presented. While the plans are rudimentary at this point, the Forum enthusiastically supports the proposed rezoning that will allow these plans to go forward. Note that the possible historic significance of the restaurant on the site was considered and rejected.

The Forum asks you to support the proposed rezoning.

Sincerely yours

CO Brantigan MD FACS FCCP
Chairman, Uptown Hospital District Urban Design Forum



Zone Map Amendment (Rezoning) - Application

1/26/12

| PROPERTY OWNER INFORMATION* | | PROPERTY OWNER(S) REPRESENTATIVE** | |
|--|---|--|---------------------|
| <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION | | <input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION | |
| Property Owner Name | Citywide Banks | Representative Name | David Bergner |
| Address | 2157 Downing St. | Address | 1575 Gilpin St. |
| City, State, Zip | Denver, CO 80205 | City, State, Zip | Denver, CO 80218 |
| Telephone | | Telephone | 303.996.7589 |
| Email | | Email | dbergner@ptbarc.com |
| <p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p> | | <p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p> | |
| <p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p> | | | |
| SUBJECT PROPERTY INFORMATION | | | |
| Location (address and/or boundary description): | 2157 Downing Street | | |
| Assessor's Parcel Numbers: | 0235305035000 | | |
| Legal Description: (Can be submitted as an attachment. If metes & bounds, a map is required.) | L26 & 27 & N1/2 L25 & S 10FT of L28 BLK 9 San Rafael ADD 2nd. FLG | | |
| Area in Acres or Square Feet: | 8950 SF +/- | | |
| Current Zone District(s): | PUD | | |
| PROPOSAL | | | |
| Proposed Zone District: | U-MX-3 | | |

| REVIEW CRITERIA | |
|--|--|
| <p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.13</p> | <p><input checked="" type="checkbox"/> 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</p> <p>Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</p> <p><input checked="" type="checkbox"/> 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.</p> <p><input checked="" type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p> |
| <p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.14</p> | <p>Justifying Circumstances - One of the following circumstances exists:</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 on 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"/> The land or its surroundings has changed or is changing to such a degree that rezoning that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area</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>Please provide an attachment describing the justifying circumstance.</p> <p><input checked="" type="checkbox"/> 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.</p> <p>Please provide an attachment describing how the above criterion is met.</p> |
| ATTACHMENTS | |
| Please check any attachments provided with this application: | |
| <p><input checked="" type="checkbox"/> Authorization for Representative</p> <p><input type="checkbox"/> Proof of Ownership Document(s)</p> <p><input checked="" type="checkbox"/> Legal Description</p> <p><input checked="" type="checkbox"/> Review Criteria</p> | |
| Please list any additional attachments: | |
| | |



PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION

We, the undersigned represent that we are the owners 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.

Table with 7 columns: Property Owner Name(s), Property Address, Property Owner Interest %, Please sign below as an indication of your consent..., Date, Indicate the type of ownership documentation provided..., Property owner representative written authorization? (YES/NO). Rows include an example and Citywide Banks.



DENVER
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COMMUNITY PLANNING & DEVELOPMENT

CUSTOMER GUIDE

Appendix Page 3

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION

We, the undersigned represent that we are the owners 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 (must sign in the exact same manner as title to the property is held) | Date | Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved | Property owner representative written authorization? (YES/NO) |
|--|--|--|---|----------|---|---|
| EXAMPLE John Alan Smith and Josie Q. Smith | 123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov | 100% | John Alan Smith <i>Josie Q. Smith</i> | 01/01/12 | (A) | NO |
| Citywide Banks | 2157 Downing St. Denver, CO 80205 | 100% | David Bergner <i>[Signature]</i> | 12.4.13 | (A) | yes |
| | | | Chalmers Turner <i>[Signature]</i> | | | |
| | | | | | | |
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| | | | | | | |

www.denvergov.org/rezoning

311
for City Services
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201 W. Colfax Ave., Dept. 205
Denver, CO 80202
720.865.2983 • rezoning@denvergov.org

2157 Downing Street, LLC

1575 Gilpin Street • Denver, CO 80218
303.592.2904 • fax 303.592.2387

To Whom It May Concern,

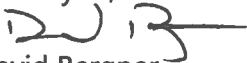
I am in the process of applying for a rezoning of 2157 Downing Street. The full legal description of the property is:

North ½ of lot 25; and all of lots 26 and 27 and the south 10 feet of lot 28, block (9), San Rafael Addition to Denver, second filing, City and County of Denver, State of Colorado.

Total area of subject property is 8,909 square feet or 0.2045 acre.

Also known as 2157 Downing Street

Thank you,



David Bergner
2157 Downing Street, LLC

2157 Downing Street, LLC

1575 Gilpin Street • Denver, CO 80218
303.592.2904 • fax 303.592.2387

To Whom It May Concern:

I am looking to rezone the land located at 2157 Downing Street. It is currently a PUD and I would like to rezone it to U-MX-3.

In my application, I marked the box stating;

"The land or its surroundings has changed or is changing to such a degree that rezoning that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area."

I can justify selecting this box with the fact that there is a \$1 Billion medical campus development less than two blocks away. As the medical campus nears completion, there will be thousands of new jobs brought to the area. These medical professionals will need housing and rezoning this land will allow me to meet their needs.

The choice to rezone to U-MX-3 was simple. The entire 2100 and 2200 block of Downing Street is zoned U-MX-3 with the exception of 2157 Downing Street as well as the parcel directly north of 2157 Downing Street. My plan for this development is 12-14 townhomes that will be in keeping with the urban feel of the neighborhood. I will build to scale, 3 stories, and I believe the being along Downing Street helps with the intent of the urban zoning guidelines. Safety is also an aspect that will go into the design of these townhomes as they will have 1-2 car attached garages.

I have met with Councilman Albus Brooks as well as with the RNO's and I walked away from those meetings with a feeling of support behind my efforts to rezone this land.

Thank you,


David Bergner

2157 Downing Street, LLC



November 19, 2013

Mr. Dave Bergner
President
WDB Residential Partners
1575 Gilpin Street
Denver, CO 80218

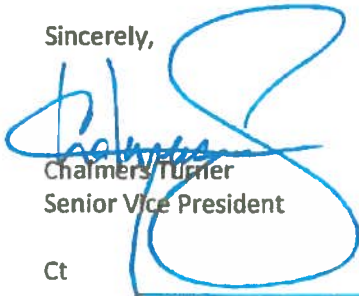
Re: Zoning Change for 2157 Downing Street, Denver, CO 80215

Dear Dave,

Whereas Citywide Banks presently owns the property located at 2157 Downing Street and whereas that subject property is under contract to sell to your firm on or before December 31, 2013, this letter is written to document the permission of the seller, Citywide Banks, for your firm to begin the process of re-zoning the subject property with no objection from Citywide Banks.

Please accept this letter as permission to proceed.

Sincerely,



Chalmers Turner
Senior Vice President

Ct



MONACO & HAMPDEN
6500 E. Hampden Ave. - Denver, CO 80224

December 12, 2013

David Bergner
Michael Zara

To Whom It May Concern:

Chalmers Turner, Senior Vice President for Citywide Banks, a Colorado Corporation has the authority to sign and request information on behalf of Citywide Banks.

Thank you.

Martin J. Schmitz,

Chairman of the Board
303-365-3705

/cjb

cc: Courtland Hyser, AICP
Senior City Planner
Denver Community Planning and Development
201 W. Colfax Ave. Dept. 205
Denver, CO 80202

AURORA
10660 E. Colfax Ave.
Aurora, CO 80010

13731 E. Mississippi Ave.
Aurora, CO 80012

CENTENNIAL
10637 E. Briarwood Cir.
Centennial, CO 80112

CHERRY CREEK
44 Cook St. Suite 110
Denver, CO 80206

DENVER
12075 E. 45th Ave.
Denver, CO 80239

1801 Broadway, Suite 100
Denver, CO 80202

DENVER TECH
CENTER
8101 E. Belleview Ave.
Denver, CO 80237

LAKEWOOD
3290 S. Wadsworth Blvd.
Lakewood, CO 80227

LOWRY TOWN
CENTER
200 Quebec St. Bldg. 700
Suite 101 - Denver, CO 80230

SANTA FE
1490 S. Santa Fe Dr.
Denver, CO 80223

WHEAT RIDGE
4855 Ward Rd., Bldg. 2, Suite 100
Wheat Ridge, CO 80033

Call 303-365-3600
for any metro area location

or
Visit us online at
www.citywidebanks.com



Paul T. Bergner, AIA, Architect, PC
 1575 Gilpin Street
 Denver, CO 80218

COLLEGIATE PEAKS BANK
 2101 North Ursula St., Unit 25
 Aurora, CO 80018
 (303) 451-1300
 82-599-1021

9039

12/4/2013

PAY TO THE ORDER OF City of Denver Development Services

\$ **1,000.00

One Thousand and 00/100 ***** DOLLARS

City of Denver Development Services
 201 West Colfax Ave
 Dept. 205
 Denver, CO 80202



 AUTHORIZED SIGNATURE

MEMO
 2157 Downing Street Rezoning

⑈009039⑈ ⑆102105997⑆ 041 0016790⑈

Security features. Details on back.

Paul T. Bergner, AIA, Architect, PC

9039

City of Denver Development Services
 6186 · Consulting Expense Rezoning Fee

12/4/2013

1,000.00

CPB - Operating Acco 2157 Downing Street Rezoning

1,000.00

Paul T. Bergner, AIA, Architect, PC

9039

City of Denver Development Services
 6186 · Consulting Expense Rezoning Fee

12/4/2013

1,000.00

CPB - Operating Acco 2157 Downing Street Rezoning

1,000.00