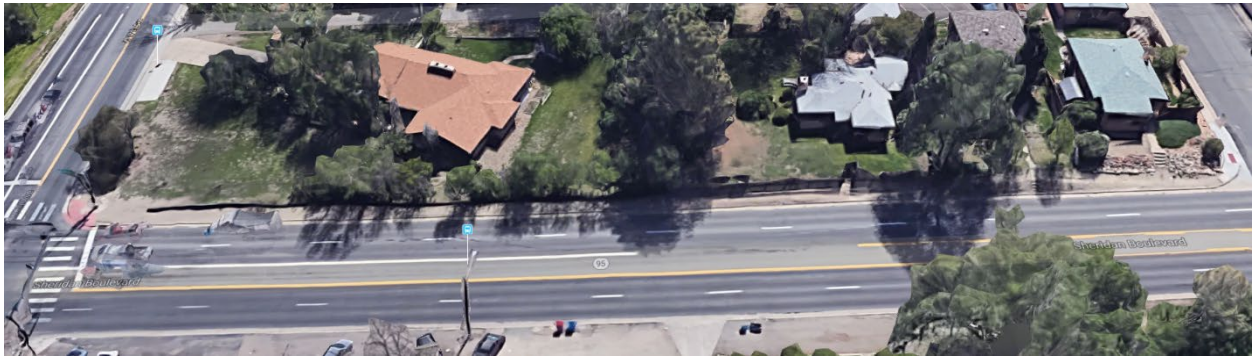


**Applicant Briefing to Denver City Council  
CB 19-0577 / Rezoning Application 2018I-00015  
Rezoning 1634-1680 N. Sheridan Blvd  
to  
U-MS-2 & U-MS-3**

**1634 – 1680 N. Sheridan**



**Designated Urban Residential Low-Medium in Blueprint Denver 2019 – Up to 3 Stories in Height**

**1634 – 1680 N. Sheridan**



**Note: No Sidewalk on Sheridan**

**September 11, 2019**

**DATE:** September 11, 2019  
**TO:** Members of Denver City Council  
**SUBJECT:** CB 19-0577 / Rezoning Application 2018I-00015 Rezoning 1634-1680 N. Sheridan Blvd  
**FROM:** Bruce O'Donnell, Owner's Representative

Members of City Council:

This packet provides documentation supporting the basis and rationale why City Council should vote yes to approve CB 19-0577 rezoning 1634-1680 N. Sheridan to U-MS-2 and U-MS-3.

#### **QUICK EXECUTIVE SUMMARY**

1. Blueprint Denver and the West Colfax Plan support this rezoning request
2. CPD and Planning Board both recommend that City Council approve the rezoning
3. Community Support exists for the rezoning.
4. Even though over a year of good faith efforts to reach compromise with neighbors through mediation was not successful, the applicants have recorded a **PROTECTIVE COVENANT AND DEED RESTRICTION** against the Property. In response to neighborhood input the recorded Covenant:
  - Limits building heights to lower than allowed in zoning.
  - Requires two buildings.
  - Requires parking minimums greater than allowed in zoning.
  - Prohibits undesired uses.
  - Requires 3-bedroom units.
  - Limits use of rooftops.

The neighbors opposing this rezoning request successfully lobbied for Low-Medium Residential in Blueprint 2019. Previous Blueprint drafts had a Medium-High designation. The resulting adoption of Low-Medium in Blueprint Denver acknowledges this important community input.

As Blueprint identifies, this is an ideal location to introduce modest density and broader housing choices at an underutilized location on a Mixed Use Arterial begging for redevelopment. The thoughtful combination of U-MS-2 and U-MS-3 zoning, in combination with the recorded Protective Covenant and Deed Restriction is the ideal zoning outcome for this property.

Please affirm Blueprint Denver 2019's Low – Medium Residential plan recommendation and vote yes to approve CB 19-0577.

## **TABLE OF CONTENTS**

1. Recorded Protective Covenant and Deed Restriction
2. Process Summary
3. Conceptual Building Height and Massing Studies
4. Images of Sheridan Pedestrian Zone
5. Letters of Support
6. Mediation Report
7. Proposed and Offered Good Neighbor Agreement
8. Alley Use and Condition



**DEED RESTRICTION AND PROTECTIVE COVENANT**

THIS DECLARATION OF DEED RESTRICTION is made by Cory J. Manders, David J. Weber, David Weber and Rickey E. Lang (hereinafter collectively referred to as "Declarants") whose addresses are, respectfully, 1634, 1640, 1642, 1650 & 1680 N. Sheridan Blvd. Denver, CO 80214.

WITNESSETH

WHEREAS, Declarants owns in fee simple, certain real property situated in the County of Denver, State of Colorado, hereinafter referred to as the "Property" and described as follows:

ADDRESS	ASSESSOR PARCEL #	LEGAL DESCRIPTION
1634 Sheridan	0231303005000	BRINKHAUS' SLOAN LAKE ADDITION 2ND FILING BLOCK 3 LOTS 15 & 16
1640 & 1642 Sheridan	0231303013000	BRINKHAUS' SLOAN LAKE ADDITION 2ND FILING BLOCK 3 LOTS 13 & 14
1650 Sheridan	0231303004000	BRINKHAUS' SLOAN LAKE ADDITION 2ND FILING BLOCK 3 LOTS 9 TO 12
1680 Sheridan	0231303014000	BRINKHAUS' SLOAN LAKE ADDITION 2ND FILING BLOCK 3 LOTS 1 TO 8

WHEREAS, Declarants desires to establish certain restrictions and requirements on future development of the Property under U-MS-2 and U-MS-3 zoning;

NOW, THEREFORE, Declarants, as owners of the Property, for themselves; and their heirs, executors, administrators, successors and assigns, declares that the Property is held and hereafter shall be conveyed, subject to the following covenants, rights, reservations, limitations, and restrictions:

1. The height of buildings on the Property will be capped at and not exceed thirty-nine feet (39') from the Base Plane (as defined in the Denver Zoning Code) to the top of the building parapet. Further, building height to the top of the parapet is capped at 49.5 feet (49.5') above grade at the boundary line on the Property between the U-MS-2 and U-MS-3 zone districts.
2. The Property shall be developed with a minimum of two buildings separated by a common area. The common area shall have a north / south dimension of not less than twenty-five (25) feet. Buildings on the Property may share a single common foundation, basement and parking structure and in such case shall share a single common Base Plane.

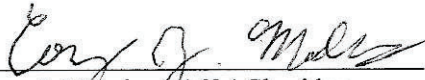
3. For all Residential Uses on the Property there shall be a minimum of one (1) parking space per residential dwelling unit on the Property.
4. For Dwelling, Multi-Unit uses on the Property, a minimum of 3% of the dwelling units shall be 3-bedroom units.
5. The following Uses are hereby prohibited on the Property:
  - Marijuana Sales
  - Liquor Store
  - Check Cashing Service
6. No rooftop may be used or occupied for a purpose or activity that would require non-residential zoning or a commercial use permit. Uses of the rooftop shall be limited to uses allowed in residential zone districts and shall be limited to building amenities for building residents such as gardens, resident gathering places, picnic areas and swimming pools such as are commonly found on multi-family buildings. "Green Roofs" and solar renewable energy installations are also allowed.
7. The Covenant shall take effect subject to and only in the event that: (i), Denver City Council approves the rezoning of the Property to U-MS-2 and U-MS-3 on September 16, 2019; (ii), such approval becomes non appealable; and (iii), the ordinance documenting such rezoning is published in the City of Denver Zoning Map showing the Property zoned as U-MS-2 and U-MS-3. The rezoning of the Property to U-MS-2 and U-MS-3 shall be a condition precedent to the enforceability of this Covenant. If the Property is not zoned U-MS-2 and U-MS-3, this Covenant is invalid and has no further force or effect.
8. This Covenant shall run with the land and be binding upon the heirs and successors in interest to the Property for a period of 10 years commencing on the date the Covenant is recorded in the Denver Clerk and Recorder's Office.

This Covenant and any amendments hereto shall be in writing and recorded against the Property in the Denver Clerk and Recorder's Office. Any amendments to this Covenant shall require the unanimous consent and approval of the Declarants.

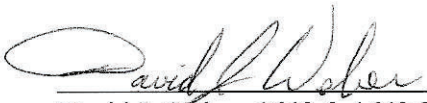
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IN WITNESS WHEREOF, Declarants have duly executed this Declaration the day and year stated below.


DECLARANTS:

  
Cory J. Manders, 1634 Sheridan

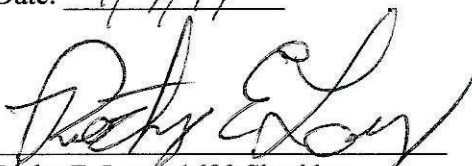
Date: 9/7/19

  
David J. Weber, 1640 & 1642 Sheridan

Date: 9/7/19

  
David Weber, 1650 Sheridan

Date: 9/7/19

  
Ricky E. Lang, 1680 Sheridan

Date: 7 SEP 2019

TO: Members of Denver City Council  
FROM: Bruce O'Donnell Owner's Representative  
SUBJECT: CB 19-0577 Rezoning 1634-1680 N Sheridan to U-MS-2 & U-MS-3 (2018i-00015)

This document provides a recap of the process and supporting rational for the approval of the rezoning request.

1. Filed original Rezoning Application on March 15, 2018, requesting to rezone to G-MS-5
  - (CPD has always pushed for MS zoning and would not support MX, RX, MU, etc. due to MS Plan Support and Sheridan being a Mixed Use Arterial)
  - G-MS-5 was consistent with West Colfax Plan and Blueprint 2002, both calling for Main Street with buildings up to 5 stories in height.
2. Neighbors on Zenobia opposed the G-MS-5 application. CPD requested the applicant voluntarily enter into mediation with Steve Charbonneau, which we did and a mediation working group was established.

3. Through Mediation and in direct response to mediation group input the Applicant offered a Good Neighbor Agreement with a Deed Restriction & Protective Covenant:
  - Combination of 2 and 3 story buildings (down from 5)
  - Cap on building height of 39' < 45' allowed in zoning code. As measured in code using Base Plane due to slope.
  - Commitment to two buildings
  - A parking minimum of 1 space per dwelling unit.
  - ROW dedication of 16' on Sheridan for a detached sidewalk and tree lawn
4. During mediation the new Blueprint Denver 2019 was being worked on with lots of public comment during the drafts being shared with the public. Blueprint put the Property in the Urban Neighborhood Context and early drafts showed Community Corridor land use with building height recommendations of 5 stories.
5. During Public Comment on Blueprint draft Immediate Neighbors on Zenobia lobbied for and successfully achieved getting the land use designation changed from Community Corridor to Residential Low-Medium. (Applicant had unsuccessfully pushed for keeping Community Corridor or Residential High-Medium.) As a result on March 21, 2019 the Applicant refiled the rezoning application to a combination of U-MS-2 and U-MS-3. This is exactly in line with what the neighbors said they wanted and successfully achieved in the Final Blueprint. In addition, the 2 story zoning forces a step down in the building height in response to input from immediate Zenobia neighbors and the mediation group.



## PUBLIC COMMENT FROM ZENOBIA NEIGHBORS ON BLUEPRINT DRAFT

On the places map, the region along Sheridan between 16th and 17th changed from a 'Local Corridor' in the original draft to 'High Medium' residential area, which is still described as generally supporting '5 story' buildings. This is incredibly frustrating that the plan still seems to justify 5 story buildings given the current configuration of the neighborhood and overwhelming neighborhood sentiment that 5 story buildings are entirely inappropriate here.

As you know, the entire 'low residential' neighborhood surrounding these properties is fighting an effort by those property owners along Sheridan to upzone from their current 2 story residential property zone code to allow for 5 stories, and surrounding neighbors also provided significant feedback about the previous draft maps seemingly still justifying this scale of high density redevelopment in the currently low density neighborhood. So, it seems the change to 'High Medium' in this new draft is still largely ignoring the sentiment of the surrounding community about these properties, and what neighbors found so objectionable about the earlier draft.

Neighbors were not so much upset about potential mixed-user / commercial development along here, but were outraged at a plan that could be used to justify construction of potentially 50-70ft tall buildings and 100's of units separated by just a narrow alley from a neighborhood of largely 1 story, single family homes. Even in a 3 story zoning code, the slope of the street could be leveraged by a developer to get an extra above ground floor and an extra 12' feet above the already generous 45' foot height restriction. It is ridiculous to consider construction of that scale as respectful of the adjacent properties, who would have their view of the sky and foothills entirely blocked and their back yard privacy ruined.

Furthermore, and almost more significantly, the properties along Sheridan here do not have direct access to Sheridan, and so the burden of increased traffic and parking would fall to the adjacent neighborhood streets. The properties along Sheridan are no more equipped to handle high density than the properties along Zenobia, so why are they being singled out for 'High Medium' residential redevelopment at the expense of established low density neighborhood that they are in.


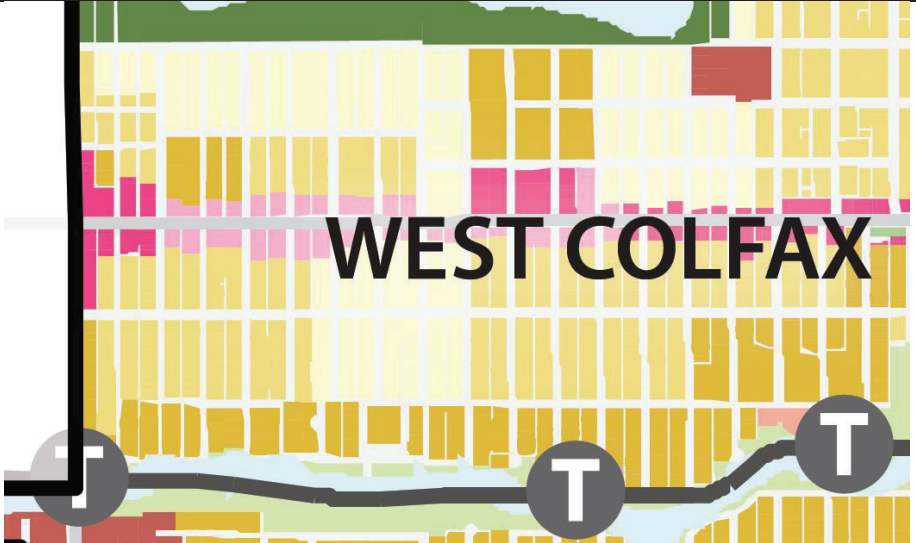
It's like CPD is applying an oversimplified formula of 'Sheridan is a busy street', so let's allow them to build tall buildings, without even considering how traffic flow into and out of those properties would work, or how tall buildings there would do nothing but diminish the surrounding properties and quality of life for the established residents. Having spent so much time trying to gather this input from the neighbors, and to provide this input to CPD both in person, and in written feedback to the surveys, and through RNO letters, it is now incredibly frustrating to see that CPD has ignored this input and has released a new draft plan that still justifies 5 story, high density development here.

Given the details of the surrounding properties, the topology of neighborhood streets, and the overwhelming sentiment of the surrounding neighborhood, these properties should be low, or low-medium places as most in this plan. A place type designation of low, or low-medium would still allow development of higher density row homes or small apartments, like what has been done closer to the light rail station. However, a place-type designation that seemingly justifies 5 story buildings, is ridiculous and is not reflective of neighborhood input to these plans.


**This comment is part of and represents the Zenobia neighbor's and mediation group's successful efforts to get Blueprint Denver 2019 to identify this property as RESIDENTIAL LOW-MEDIUM with buildings up to 3 stories in height. The U-MS-2 / U-MS-3 Rezoning exactly meets this Blueprint recommendation achieved by the Zenobia neighbors & Mediation Group.**

6. **CPD Staff Report Recommends approval:** Consistency with new Blueprint 2019 and West Colfax Plan which was reaffirmed as a supplement to new Comp Plan 2040

**ADOPTED PLAN SUPPORT – Blueprint Denver 2019**

<p><b>Low-Medium</b></p>  <p>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 at intersections. Vacant institutional uses on corners or at select sites may be appropriate locations to introduce additional residential intensity. Buildings are generally 3 stories or less in height. Higher-intensity buildings should be compatibly integrated.</p> <p><b>LAND USE &amp; BUILT FORM</b></p> <p>For guidance on how to apply these descriptions to rezon</p> <p><b>MOBILITY</b></p> <p>A more continuous pedestrian network with detached sidewalks. Bicycle network is typically protected on arterials and integrated into on street facilities when occurring on local streets.</p> <p><b>QUALITY-OF-LIFE INFRASTRUCTURE</b></p> <p>Good access to parks and outdoor spaces of various sizes. Private yards are often smaller. Street trees should be prevalent and regularly spaced in generous tree lawns.</p> <hr/> <p><b>Blueprint Denver 2019</b></p>	 <p><b>WEST COLFAX</b></p> <p><b>Low – Medium / 3 Story Recommendation</b></p>
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## ADOPTED PLAN SUPPORT – West Colfax Plan



**DENVER**  
THE MILE HIGH CITY

### West Colfax Plan (2006)

- Main Street
  - 2-5 Stories
  - Mixed use

FOR CITY SERVICES VISIT [DenverGov.org](http://DenverGov.org) | CALL 311

Legend:

- Main Street Mixed Use Area
- Town Center Growth Area
- Residential Stabilization Area
- Residential Growth Opportunity Area
- Main Street
- Multimodal Green Street
- Pedestrian/Bike Route
- Light Rail (approximate alignment)
- Bridge

**Recommends Main Street Up to 5 Stories & 65' building heights**

7. Planning Board unanimous recommendation for approval to City Council
  
8. The mediation group has never responded to the offered Good Neighbor Agreement, Deed Restriction and Protective Covenant.
  
9. A valid Protest Petition has been filed requiring a super majority vote for the rezoning. Not enough signatures were gathered in Denver so the validity of the petition relies on signatures for a single 10,000 Sq. Ft. property in Edgewater Jefferson County that is owned by investors in Arvada and Wheatridge who are not Denver constituents and can't vote or pay taxes in Denver.
  
10. We can still commit to absolute building height above grade of 49.5'. Neighbors have said this is important. At the request of neighbors we met again on August 14 to discuss this, as well as exploring commitments to provide a minimum percentage of 3 bedroom units, prohibit incompatible uses and place use limitations on rooftops. We are working on all this. Ar eopen to compromise and are hopeful of achieving positive outcomes for the community.

11. Neighbors do not use alley for access – all homes on Zenobia have front loaded garages using Zenobia St., not alley.
12. There are letters of support from 5 neighboring property owners and Walk Denver.

### **SUMMARY**

- THE IMMEDIATE ZENOBIA NEIGHBORS FOUGHT FOR AND WON RESIDENTIAL LOW-MEDIUM IN BLUEPRINT. THIS APPLICATION EXACTLY MEETS THE LOW-MEDIUM CRITERIA.
- THERE IS NO SIDEWALK ON SHERIDAN. ONLY DEVELOPMENT UNDER REZONING WILL REQUIRE DETACHED SIDEWALK AND TREE LAWN.
- THERE IS EXPLICIT ADOPTED PLAN SUPPORT FOR APPROVING THIS REZONING
- SIGNIFICANT CONCESSIONS HAVE BEEN OFFERED BY THE APPLICANT IN DIRECT RESPONSE TO COMMUNIYT INPUT AND MEDIATION

The Applicant formally requests that Denver City Council approve CB 19-0577 rezoning 1334. 1650, 1642, 1650 and 1680 N. Sheridan Boulevard from U-RH-3A and U-SU-C2 to U-MS-2 and U-MS-3.

## **ATTACHED EXHIBITS AND SUPPORTING DOCUMENTATION**

1. Building Height Analysis
2. Letters of Support
3. Mediators Reports to City (2)
4. Proposed Good Neighbor Agreement
5. Proposed Protective Covenant and Deed Restriction
6. CPD Height and Massing Analysis
7. Zenobia Street and Alley Context

**BLDG HEIGHT  
EAST GRADE:**

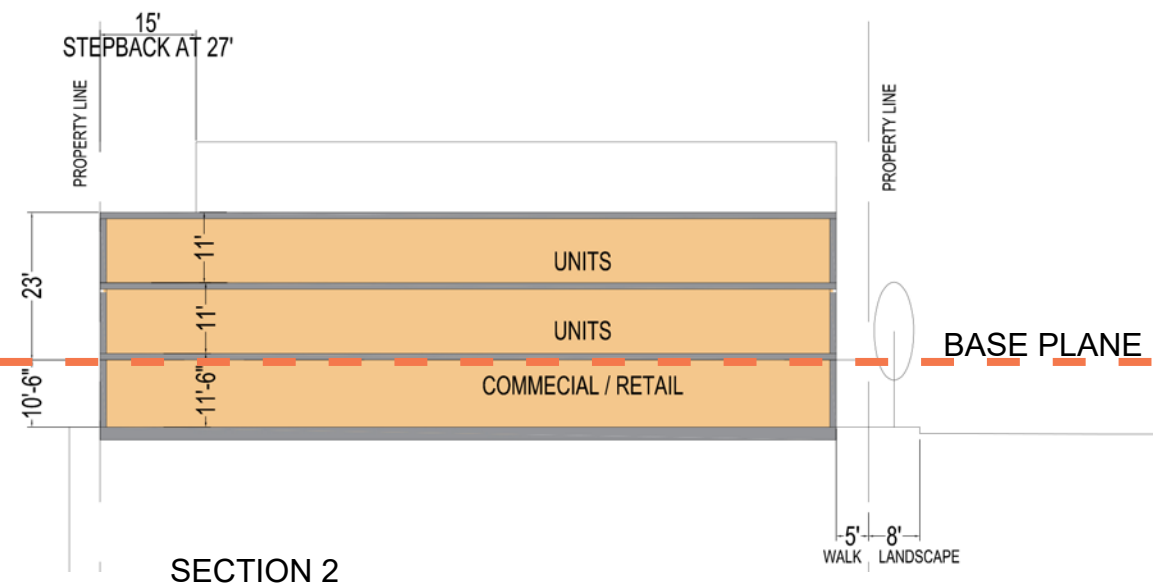
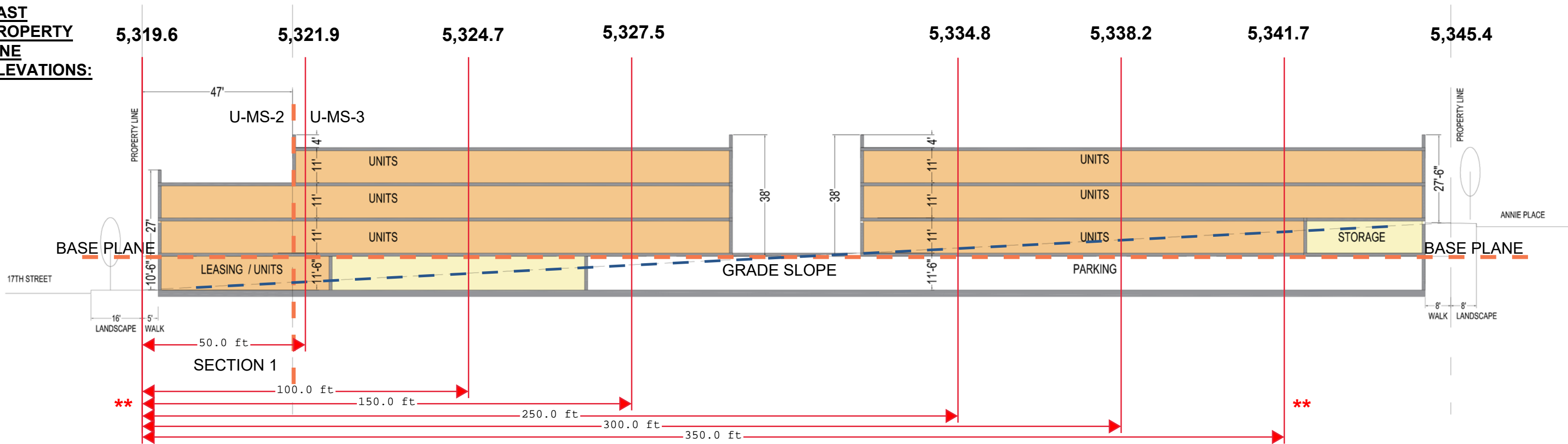
49.5'      46.7'      43.9'      36.6'      33.2'      29.7'

**BASE PLANE  
DELTA:**

10.5'      7.7'      4.9'      -2.4'      -5.8'      -9.3'

**EAST  
PROPERTY  
LINE  
ELEVATIONS:**

5,319.6      5,321.9      5,324.7      5,327.5      5,334.8      5,338.2      5,341.7      5,345.4



**50' AT EAST PROPERTY LINE**

**BASE PLANE = 5,332.4**

**\*\*RED DISTANCE ARROWS (PDF MEASURING TOOL) ARE NOT EXACT TO SCALE\*\***

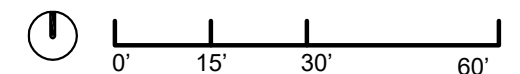


KTGY Architecture + Planning  
820 16th St. Suite 500  
Denver, CO 80202  
303.825.6400  
ktgy.com

STARBOARD Realty Group, LLC  
770 Sherman Street, Suite 108  
Denver, CO 80203

**17th and Sheridan**  
DENVER, CO #20170258

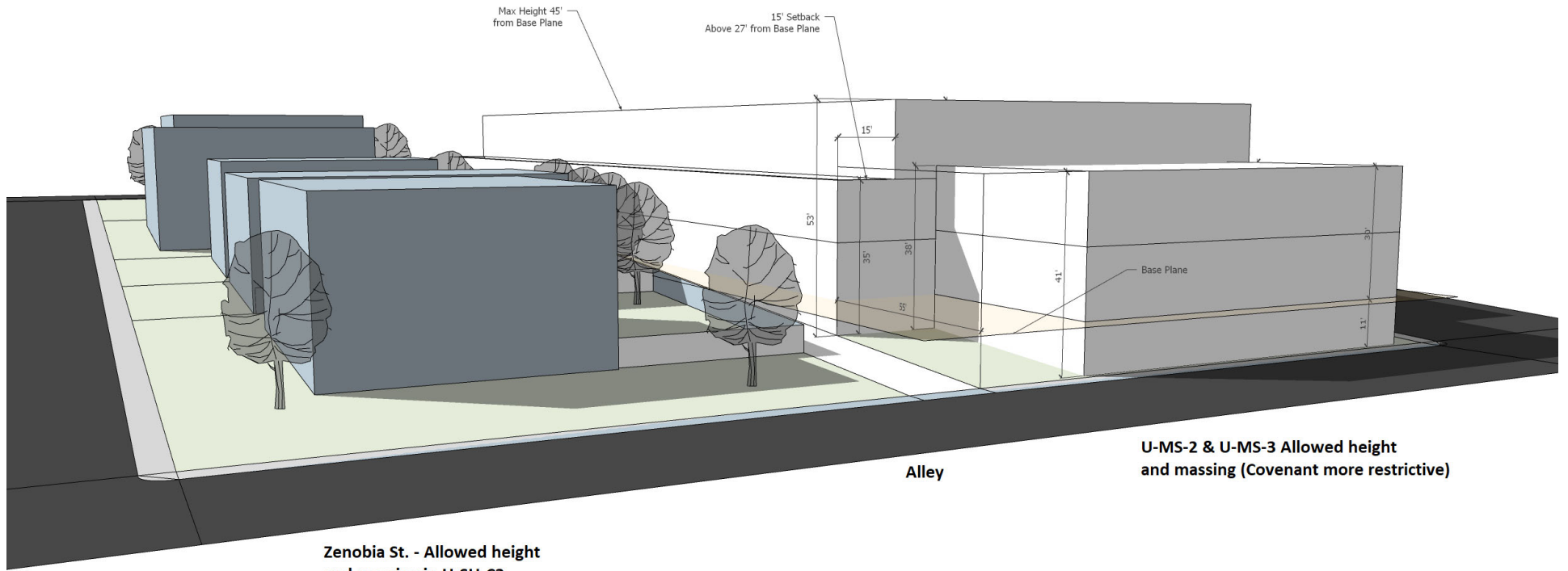
**SITE STUDIES & MASSING**  
FEBRUARY 7, 2019



U-MS-2 / U-MS-3 SECTIONS

Massing Study

VIEW LOOKING SOUTH FROM 17TH AVE.



SOURCE: City of Denver Community Planning & Development



## Sheridan Right of Way & Pedestrian Zone

Today there is no sidewalk or Tree Lawn on Sheridan. It is unsafe with no handicap access. There is not sufficient Right of Way to allow for much needed pedestrian realm improvements.



**These images show the existing condition of the Sheridan frontage of 1634-1680 Sheridan.**

Only through rezoning and subsequent redevelopment can the City obtain the needed 16' of additional Right of Way for Sheridan to require and enable an 8' Tree Lawn and an 8' detached sidewalk.

# RTD Bus routes nearby See Letter of Support from Walk Denver

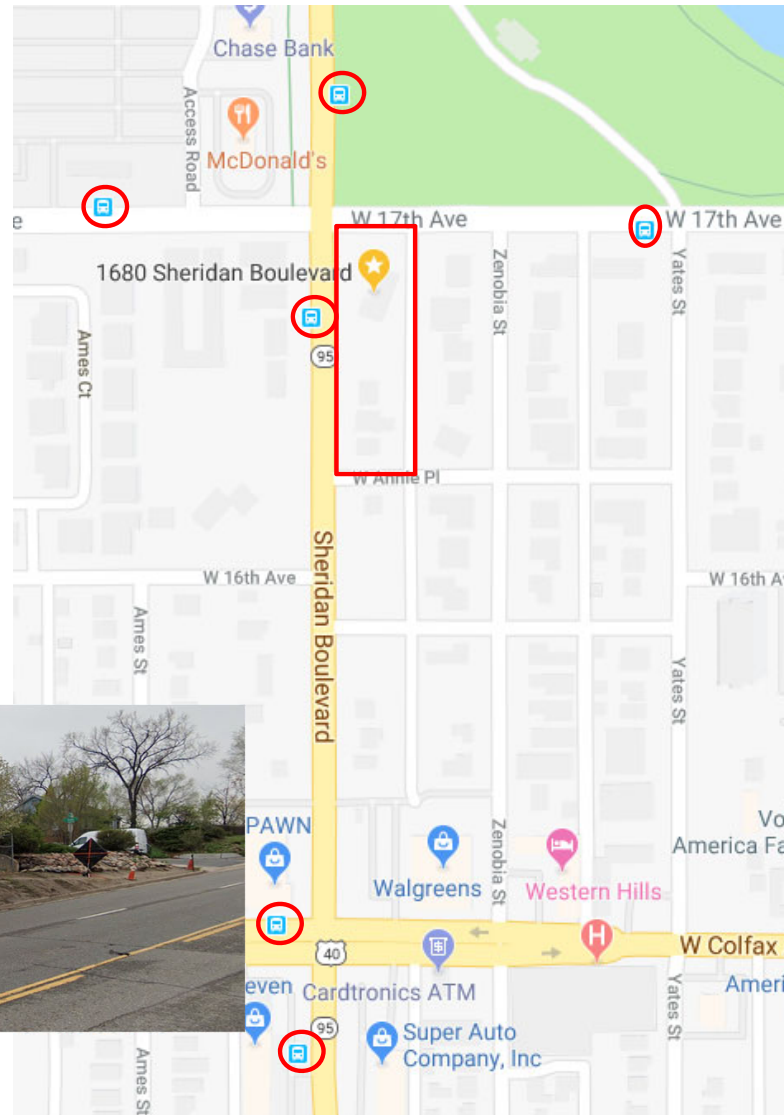
Within a ¼ Mile:

- Route 20
- Route 50
- Route 51
- Route 16
- Route 16L

Within a ¾ mile:

- Route 9
- Sheridan Station: W Rail Line

**NO SIDEWALK:**





August 12, 2019

Members of Denver City Council  
1437 Bannock St. Room 451  
Denver, CO 80202

RE: Support for Rezoning Application #2018I-00015 at 1634 - 1680 Sheridan Blvd.

Dear Denver City Council,

WalkDenver is pleased to write this letter of support for the rezoning application 2018I-00015 for the properties located at 1634-1680 Sheridan Blvd on the northeast block of Sheridan Blvd between W. 17th Avenue and W. Annie Place in the West Colfax Neighborhood.

Today, this side of Sheridan Blvd completely lacks a sidewalk despite being an active street that connects Colfax and Sloan's Lake. Sheridan is also identified as part the High Injury Network in Denver's *Vision Zero Action Plan* and as a priority corridor for frequent transit in the *Denver Moves Transit* plan, further underscoring the urgent need to provide safe accommodations for people walking along this corridor. WalkDenver not only supports pedestrian improvements on Sheridan Boulevard, but also zoning that allows for the density and mix of uses required to make walking, biking, and transit practical ways to get around and to maximize the number of people who can access and benefit from the planned transit improvements. We further support zoning in which the applicants take the initiative of contributing to the community by committing to improve the safety and walkability of their neighborhood.

We therefore welcome the proposed U-MS-2 and U-MS-3 zoning. The property is currently zoned U-SU-C2 and U-RH-3A, which prohibits all non-residential uses, and is under-utilized and partially vacant. U-MS-2 and U-MS-3 zoning would enable a pedestrian-friendly development in a transit-served location, allow for a variety of uses including residential, retail, commercial, and other services, and would strengthen the viability of the neighborhood while increasing access to neighborhood serving amenities.

The proposed rezoning is consistent with the West Colfax Plan which calls for Main Street with buildings up to 5 stories in height and also with Blueprint Denver which designates this location as Urban Neighborhood Context with a Low Medium Residential Future Place with building heights of 3 stories, making U-MS-3 and U-MS-2 ideal zone districts to implement these plan recommendations. In addition, we understand the applicant has offered to further reduce building heights through a deed restriction in response to neighborhood input.



The attributes of the U-MS-2 and U-MS-3 zoning are appropriate and will be a great fit for the neighborhood. Please include this letter of support in the packet for City Council for their August 19 public hearing on this rezoning.

Sincerely,

A handwritten signature in black ink that reads "Jill Locantore". The signature is written in a cursive, flowing style.

Jill Locantore  
WalkDenver Executive Director

Cc: Kirsten Crawford, Denver City Attorney Office  
Theresa Lucero, Community Planning & Development

**Ben & Sharron Klein  
1620 Perry Street  
Denver, CO 80204**

May 7, 2019

Denver Planning Board  
c/o Ms. Theresa Lucero  
Senior City Planner  
Community Planning & Development  
City and County of Denver  
201 W. Colfax Ave. Dept. 205  
Denver, CO 80202

RE: Support for Rezoning Application #2018I-00015 at 1634 - 1680 Sheridan Blvd.

Dear Ms. Lucero,

We are the owners of 1602 and 1620 N. Sheridan Blvd., which consists of all the property between 16<sup>th</sup> Ave. and Annie Place on Sheridan Blvd. We are an immediate neighbor of the properties seeking rezoning and are pleased to write this letter of support for rezoning application 2018I-00015 for the properties located at 1634-1680 Sheridan Blvd on the northeast block of Sheridan Blvd between W. 17th Avenue and W. Annie Place in the West Colfax Neighborhood.

We welcome the U-MS-2 and U-MS-3 zoning for many reasons. As Denver continues to grow, we believe it is important to support zoning that accommodates a variety of uses including residential, retail, commercial, and other services. Today the Property is zoned U-SU-C2 and U-RH-3A which prohibits all non-residential uses. This block is under-utilized and partially vacant, and this side of Sheridan Blvd currently does not have a proper sidewalk despite being an active street that connects Colfax and Sloan's Lake. In fact, Sheridan Blvd is identified as a Mixed Use Arterial, and unlike SU or RH zoning, MS is appropriate for an arterial such as Sheridan.

The applicant conducted extensive community outreach and listened to neighbor input. They facilitated a mediation process with neighbors and neighborhood groups and worked with them to come to a compromise which resulted in amending the original proposed rezoning application for U-MS-5 to the scaled down U-MS-2 and U-MS-3 zone districts in direct response to input from immediate neighbors. Rezoning to U-MS-2 and U-MS-3 keeps a modest height limit but allows the introduction of multi-family and limited street level retail and service developments that are consistent with City's plans and vision for this area and will enhance the character and walkability of the neighborhood.

This rezoning to U-MS-3 and U-MS-2 is consistent with the West Colfax Plan which calls for Main Street with buildings up to 5 stories in height and also with Blueprint Denver which designates this location as Urban Neighborhood Context with a Low Medium Residential Future Place which building heights of 3 stories, making U-MS-3 and U-MS-2 ideal zone districts to implement these plan recommendations. In

addition, I understand the applicant has offered to further reduce building heights through a deed restriction in response to neighborhood input.

The property's location makes it a great compliment to the existing establishments and the building height of 3 stories is appropriate. This in turn will contribute to West Colfax's over all atmosphere, activate the street and make this diverse neighborhood more vibrant and interesting to explore, live, work, and play in.

The attributes of the U-MS-2 and U-MS-3 zoning will be a great fit for the neighborhood. Please include this letter of support in the packet for Planning Board for their May 15 public hearing on this rezoning.

Sincerely,

A handwritten signature in cursive script that reads "Sharron Klein". The signature is written in dark ink and is positioned below the word "Sincerely,".

Sharron Klein

Cc: Joel Nobel, Chair, Denver Planning Board  
Rafael Espinoza, Denver City Council District 1  
Theresa Lucero, Community Planning & Development

**Isaac L. Leon  
1628 Zenobia St.  
Denver, CO 80204**

August 1, 2019

Members of Denver City Council  
1437 Bannock St. Room 451  
Denver, CO 80202

RE: Public Hearing August 19 for CB 19-0577 Rezoning 1634 – 1680 Sheridan

Dear Council Members:

I am the owner of and live at 1628 Zenobia Street. Because my property is within 200' of the properties at 1634 – 1680 Sheridan seeking rezoning to U-MS-2 and U-MS-3 I am eligible to sign the Protest Petition being circulated by Zenobia Street neighbors.

I am contacting you to let you know that I have not and will not sign the Protest Petition. In addition, I want you to know that I am in favor of the rezoning and support the U-MS-2 and U-MS-3 rezoning request. I urge City Council to approve this rezoning at your August 18 hearing.

I support the rezoning as it will facilitate positive change in the neighborhood and is consistent with and is an implementation step for the recommendation in Blueprint Denver 2019 and the West Colfax Neighborhood Plan. The Residential Low – Medium designation is appropriate for this stretch of Sheridan, an identified Mixed Use Arterial proximate to Sloan's Lake Park and the West Colfax Enhanced Transit Corridor. Rezoning this property will attract desirable reinvestment in the area and improve the vicinity by requiring a much-needed sidewalk and landscaping on Sheridan for a safe pedestrian environment.

As Blueprint identifies, this is an ideal location to introduce modest density and broader housing choices at an underutilized location begging for redevelopment. The thoughtful combination of U-MS-2 and U-MS-3 zoning is the ideal zoning outcome for this property.

Please affirm Blueprint Denver 2019's Low – Medium Residential plan recommendations and vote yes on CB 19-0577.

Sincerely,

Isaac Leon



CC: Kirsten Crawford, Denver City Attorney's Office

**1605 Sheridan Boulevard LP  
1415 Park Avenue West  
Denver, CO 80205**

August 1, 2019

Members of Denver City Council  
1437 Bannock St. Room 451  
Denver, CO 80202

RE: Public Hearing August 19 for CB 19-0577 Rezoning 1634 – 1680 Sheridan

Dear Council Members:

I am the owner of the property located at 1605 Sheridan Boulevard. Because my property is within 200' of the properties at 1634 – 1680 Sheridan seeking rezoning to U-MS-2 and U-MS-3 I am eligible to sign the Protest Petition being circulated by Zenobia Street neighbors.

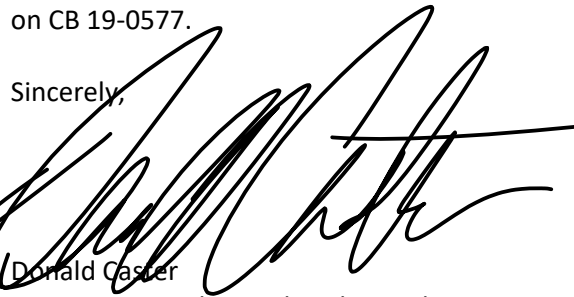
I am contacting you to let you know that I have not and will not sign the Protest Petition. In addition, I want you to know that I am in favor of the rezoning and support the U-MS-2 and U-MS-3 rezoning request. I urge City Council to approve this rezoning at your August 18 hearing.

I support the rezoning as it will facilitate positive change in the neighborhood and is consistent with and is an implementation step for the recommendation in Blueprint Denver 2019 and the West Colfax Neighborhood Plan. The Residential Low – Medium designation is appropriate for this stretch of Sheridan, an identified Mixed Use Arterial proximate to Sloan's Lake Park and the West Colfax Enhanced Transit Corridor. Rezoning this property will attract desirable reinvestment in the area and improve the vicinity by requiring a much-needed sidewalk and landscaping on Sheridan for a safe pedestrian environment.

As Blueprint identifies, this is an ideal location to introduce modest density and broader housing choices at an underutilized location begging for redevelopment. The thoughtful combination of U-MS-2 and U-MS-3 zoning is the ideal zoning outcome for this property.

Please affirm Blueprint Denver 2019's Low – Medium Residential plan recommendations and vote yes on CB 19-0577.

Sincerely,



Donald Gaster  
Managing Member and Authorized Representative

CC: Kirsten Crawford, Denver City Attorney's Office



**Catalina Edgewater LLC  
3457 Ringsby Court, Unit 212  
Denver, CO 80216**

August 7, 2019

Members of Denver City Council  
1437 Bannock St. Room 451  
Denver, CO 80202

RE: Public Hearing August 19 for CB 19-0577 Rezoning 1634 – 1680 Sheridan

Dear Council Members:

I am the owner of the 33-unit Catalina Apartments located at 5280 W. 17<sup>th</sup> Ave. Because my property is within 200' of the properties at 1634 – 1680 Sheridan seeking rezoning to U-MS-2 and U-MS-3 I am eligible to sign the Protest Petition being circulated by Zenobia Street neighbors.

I am contacting you to let you know that I have not and will not sign the Protest Petition. In addition, I want you to know that I am in favor of the rezoning and support the U-MS-2 and U-MS-3 rezoning request. I urge City Council to approve this rezoning at your August 18 hearing.

I support the rezoning as it will facilitate positive change in the neighborhood and is consistent with and is an implementation step for the recommendation in Blueprint Denver 2019 and the West Colfax Neighborhood Plan. The Residential Low – Medium designation is appropriate for this stretch of Sheridan, an identified Mixed Use Arterial proximate to Sloan's Lake Park and the West Colfax Enhanced Transit Corridor. Rezoning this property will attract desirable reinvestment in the area and improve the vicinity by requiring a much-needed sidewalk and landscaping on Sheridan for a safe pedestrian environment.

As Blueprint identifies, this is an ideal location to introduce modest density and broader housing choices at an underutilized location begging for redevelopment. The thoughtful combination of U-MS-2 and U-MS-3 zoning is the ideal zoning outcome for this property.

Please affirm Blueprint Denver 2019's Low – Medium Residential plan recommendations and vote yes on CB 19-0577.

Sincerely,



Joe Vostrejs  
Managing Member and Authorized Representative

CC: Kirsten Crawford, Denver City Attorney's Office

**S & A Pinnacle LLC  
3030 E. Asbury Ave.  
Denver, CO 80210**

August 1, 2019

Members of Denver City Council  
1437 Bannock St. Room 451  
Denver, CO 80202

RE: Public Hearing August 19 for CB 19-0577 Rezoning 1634 – 1680 Sheridan

Dear Council Members:

I am the owner of the duplex located at 1659 & 1661 Sheridan Boulevard. Because my property is within 200' of the properties at 1634 – 1680 Sheridan seeking rezoning to U-MS-2 and U-MS-3 I am eligible to sign the Protest Petition being circulated by Zenobia Street neighbors.

I am contacting you to let you know that I have not and will not sign the Protest Petition. In addition, I want you to know that I am in favor of the rezoning and support the U-MS-2 and U-MS-3 rezoning request. I urge City Council to approve this rezoning at your August 18 hearing.

I support the rezoning as it will facilitate positive change in the neighborhood and is consistent with and is an implementation step for the recommendation in Blueprint Denver 2019 and the West Colfax Neighborhood Plan. The Residential Low – Medium designation is appropriate for this stretch of Sheridan, an identified Mixed Use Arterial proximate to Sloan's Lake Park and the West Colfax Enhanced Transit Corridor. Rezoning this property will attract desirable reinvestment in the area and improve the vicinity by requiring a much-needed sidewalk and landscaping on Sheridan for a safe pedestrian environment.

As Blueprint identifies, this is an ideal location to introduce modest density and broader housing choices at an underutilized location begging for redevelopment. The thoughtful combination of U-MS-2 and U-MS-3 zoning is the ideal zoning outcome for this property.

Please affirm Blueprint Denver 2019's Low – Medium Residential plan recommendations and vote yes on CB 19-0577.

Sincerely,



Salar Nabavian  
Managing Member and Authorized Representative

CC: Kirsten Crawford, Denver City Attorney's Office

Lamy Weber  
3034 W. 24<sup>th</sup> Ave  
Denver, CO 80211

September 4, 2019

**RE:** Support for application for 1634 – 1680 Sheridan Blvd

Dear Councilwoman Sandoval,


I am writing this letter in reference to the rezone proposal on 17<sup>th</sup> and Sheridan Blvd. Since I will not be in attendance at the Final Council Meeting on September 16<sup>th</sup> because of a previous commitment, I was hoping you could read my point of view about the rezone.

My husband and I have owned the properties at 1640-42 & 1650 Sheridan Blvd for 17 years and have worked hard to maintain them, but based on the conditions of the properties, we feel it is best to have them redeveloped. I never imagined that it would be such a difficult task, especially after trying to work and compromise with the neighbors. It appears this was an exercise in frustration. Even so, I want you to know a little bit about my background as a note to think about when deciding how to use this land.

To begin with, I was born in Vietnam and lived there until the age of 26 when I came to America. If you didn't know it Vietnam is only slightly larger than the State of New Mexico, and only 1 ¼ times larger than Colorado. Yet my country has a population of **97 million people**, and if one does the math that means it has *16 times more people* per square kilometer than Colorado. Also, about 30% of the land is agricultural and 40% of the land is forested. My point in giving you this info is to highlight the fact that if Vietnam used the land as they do in Colorado, there would be very little open space. The reason why Vietnam still has a lot of space is because the cities and towns are much more compacted than in America. One of my first memories of coming to Colorado was seeing how much land there was, and how few people were walking on the streets. Also, the numbers of cars here amazed me, and how dependent on cars people are in this country. This is not the case in Vietnam.

My goal here is not to badmouth this country. That is the least of my intentions. Instead, I am writing this to show that there is a lot of waste in America and I feel the land & resources could be used better. I also have to say that I think the block on 17<sup>th</sup> and Sheridan would be much better utilized as medium sized apartments instead of houses that most people cannot afford. Thank you for reading this!

Sincerely,



Lamy Weber

**Colin and Alison Terry**  
**3025 W. 24<sup>th</sup> Ave**  
**Denver, Colorado 80211**

September 6, 2019

Council District 1 Office  
City & County Building  
1437 Bannock St., Room 451  
Denver, CO 80202

RE: Support for the Rezoning Application on 1634 – 1680 Sheridan Blvd

To Councilwoman Sandoval and other Council Members:

My wife and I have owned a house on 3025 W. 24<sup>th</sup> Ave for the last 13 years, and as a reference point, we are located only a ¼ block from Federal Blvd. We were lucky in that we bought our house when prices were low and affordable and we fell in love with our location because we are near downtown, grocery shopping, and restaurants. This neighborhood has seen much growth over the years – especially in regards to density. Yet at the same time, the neighborhood has kept much of its diversity.

We feel that the block on 17<sup>th</sup> and Sheridan shares many of the same characteristics as our immediate neighborhood. In our neighborhood we live across the street from Boulevard School, which is 4 stories tall and we live next to two boarding houses, three Mexican restaurants, a Safeway, a Seven-Eleven, a Marijuana store, a Playhouse and much, much more. What I am getting at is that we live in an economically, racially, and commercially diverse neighborhood and it is a fun and exciting – and thriving. What is sad to see, though, is many people now cannot afford this neighborhood – or cannot find a place to live that has a prime location. The same is happening all over Sloan's Lake. The area around 17<sup>th</sup> and Sheridan has the same kind of diversity as our area on Federal Blvd.

From what I gather, many neighbors in the West Sloan's Lake Area are needlessly in fear of new housing that is mostly popping up in Infill areas and major Streets. My main response to their fears about the new changes is that, overall, we are seeing a much more exciting and active community, with better access to resources for living, shopping, entertainment, and transportation. All of this adds up to a better quality of life – for everyone. Finally, I believe that the Rezone of the Block on 17<sup>th</sup> & Sheridan to U-MS-3 will continue the trend of smart-development with more walkability in the neighborhood and improved access to mass transit, shopping and more.

I just hope that the City Council is not swayed by neighbors' fears and sees the logic in building a more inclusive neighborhood that give more people the opportunity to enjoy all that the Sloan's Lake Neighborhood has to offer.

Sincerely,

  
Colin and Alison Terry



Mrs. Hannah McDermott  
and Mr. Gabriel Kelly Ramirez  
1640 Sheridan Blvd.  
Denver, CO 80214

September 9, 2019

Council District 1 Office  
City & County Building  
1437 Bannock St., Room 451  
Denver, CO 80202

RE: Support for the Rezoning Application on 1634 –1680 Sheridan Blvd.

To Council Woman Sandoval and other Council Members,

I support the rezoning of 1634-1680 Sheridan Blvd. My husband Gabe and I have been tenants of 1640 Sheridan Blvd, one of the properties up for rezoning, for two years. We love living in this duplex and this neighborhood, but we know this block of Sheridan should be rezoned to allow for medium sized apartments.

I grew up in Los Angeles, very close to Hollywood. I have seen LA transform for the better in the years since I have lived there, largely in more urban neighborhoods. Increased public transportation and efforts to make urban, walkable and livable neighborhoods have taken areas like Hollywood from sleazy and empty to hip and lively. This part of Sloan's Lake has unreached potential. People want to live close to the grocery store, the bus, the park! That is exactly why Gabe and I rented this home when we moved here 2 years ago from Brooklyn, NY.

We lived in NY for five years, and we loved the convenience of public transportation and all the excitement of the city, but ultimately, we wanted a better lifestyle and more outdoor space. We only had one car for our first year in Denver, and because Gabe works out near DIA, he got the car most days. So I took the 16 Bus down Colfax to work, or I rode my bike along 20<sup>th</sup> St. in the dedicated bike path. I could walk to King Soopers, and Target, and Sloan's Lake Park, and even to Alamo Draft House and Planet Fitness and Arc on Colfax. There are 3 bus lines within 2 blocks to go downtown or to the light rail. It's so convenient! I would have felt trapped in some neighborhoods without a car, but it was very doable here because of how developed this street already is.

Gabe and I love this duplex, and we have had no issues in the two years we have lived here. However, the house clearly has some larger structural issues and limitations. The house is old, small and doesn't have much character making up for it either. If someone were to buy this house, I would be surprised if they didn't tear it down and build something large and modern. However, this stretch of Sheridan is always loud and bright, and there are sirens and people walking between Colfax and Sloan's Lake and McDonald's at all hours. Basically, Sheridan Blvd is a big street and feels like a big street, not a neighborhood.

We are happy to have our bedroom facing the alley because it is much quieter than Sheridan, but I wouldn't say it's nice. The alley is great because we can park there, but there is also always parking available on Annie Pl. The alley is dirty and dark and creepy at night. People often walk through the alley to get between Colfax and 17<sup>th</sup> because there is no sidewalk on Sheridan. There are often homeless people hanging out. There is a lot of very old garbage and often furniture people are throwing out. Gabe just couldn't take it anymore, so one day in the early Spring we picked up trash along the alleyway, and we joked about how clearly no one had ever done this before because some of the things we were collecting were so old. It still looks bad though; it's unkempt.

I have always thought that Sheridan Blvd. between Colfax and 17<sup>th</sup> was underutilized. Three blocks, sandwiched between Colfax Ave with a Walgreens and new apartment building, and 17<sup>th</sup> with a mall and hugely popular park, are a few old houses and as many empty lots. I think it would be a good location for apartments, because this already feels like an urban area, just underdeveloped.

Sincerely,

Hannah McDermott &  
Gabriel Kelly-Ramirez

## 1634, 1640, 1642, 1650 & 1680 North Sheridan Boulevard Rezoning Mediation

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Monday, August 5, 2019

Update

Theresa Lucero:

On May 14, 2019, I sent you a summary in regards to your request that I work with the property owners at 1634, 1640, 1642, 1650 & 1680 North Sheridan Boulevard, the three RNO's, and the immediate neighbors, in the hope of mediating an agreement on the property owner's request to rezone. I promised to let you know if any additional activity or correspondence happened on my end. Here is a short update.

In one of our meetings Rafael Espinoza suggested that it might be very helpful if exact maximum build heights were identified at key points along the alley and included in an agreement. The neighbors agreed that this would be of value to them.

It was difficult getting the survey and when I finally did, there were alley measurements, but no maximum build heights.

However, I received an email from Bruce O'Donnell on June 20, 2019 and attached was a drawing with the elevations and maximum build height measurements identified.

I immediately emailed both the immediate neighbors and the RNO's, explaining that I had this information and asked if they would like to review the drawing and discuss any possible points of agreement. I did not receive any response.

That's all!

Thank you,  
Steve Charbonneau

# 1634, 1640, 1642, 1650 & 1680 North Sheridan Boulevard Rezoning Mediation

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Tuesday, May 14, 2019

Theresa Lucero:

Thank you for referring the rezoning request for 1634, 1640, 1642, 1650 & 1680 North Sheridan Boulevard to mediation. I am out of town and your deadline for my summary is fast approaching. As of today, I have not received a final decision from the neighborhood. I was told they had a meeting to discuss the proposed Good Neighbor Agreement and Covenants and Deed Restrictions this past Sunday. I have asked twice by email what their decision was but have not received a response.

## **A bit of history and context -**

We began this about a year ago. We had a representative group of immediate neighbors, three RNO's, the applicants and their representative all involved in mediation. There were numerous delays, slow responses and additional neighborhood and applicant work that took place. I have met with the applicants and immediate neighbors separately. I have also met with them together at least four times.

We began with a request from the applicants for G-MS-5 zoning. They explained that they believe this is consistent with the applicable City plans.

The immediate neighbors argued that if a rezoning was necessary, it should be more in keeping with the neighborhood and along the lines of row house type zoning; including significantly less height, adequate parking, and they did not want a solid wall of housing facing their back yards or looking down into their homes.

After exploring numerous options, base plane issues for this specific property, and different possible zonings that addressed some of the restrictions; the applicants agreed to a more restrictive rezoning that is a combination of U-MS-2 and U-MS-3 with covenants and deed restrictions. A drawing of what was proposed was discussed and in theory we reached what I would call a foundation for a potential agreement. Then the difficulty of reducing the proposed drawing to covenants and deed restrictions threatened to destroy any good will and possible agreement we had.

Throughout the process the immediate neighbor's continued to request row house type zoning. The applicants did not agree, nor feel this was a good use of the property and inconsistent with City plans. Also, the applicants said they could not provide the requested 16 feet of additional right of way if they went with a different rezoning category.

Ultimately, the applicants agreed to specifically define the verbal and visual agreements that came out of our four meetings in a covenant and deed restriction contract, which is attached. A Good Neighbor Agreement will also accompany the contractual form and is attached. The points of specific concern and agreement are:

1. A request from the neighbors for a ratio of one parking space per living unit. This was agreed to by the applicant.
2. A requirement that two distinct buildings (and not one continuous building) be built on the zone lot with minimum separation of twenty-five feet, both to break up the massing and to allow for views through the open space. This was agreed upon by the applicant.
3. A third issue is the maximum height specified for the northeast corner where the U-MS-3 zoning begins. A maximum height "not to exceed 48 feet" was discussed over the course of several

meetings and agreed upon. However, the formula and actual definition of how this is calculated are in dispute and therefore not agreed upon. The applicants agreed to “not exceed thirty-nine feet (39’) from the Base Plane (as defined in the Denver Zoning Code) to the top of the building parapet.” Some of the neighbors disagree that this definition equates to ensuring the “building will not exceed 48 feet”.

I am attaching both the proposed Good Neighbor Agreement and the Covenant and Deed Restriction contract, which demonstrate the hard work both applicants and neighbors have put into attempting to find a resolution.

Over the weekend I received the final proposal the applicants have agreed upon and signed. It is attached. I have not heard from the immediate neighbors or specified RNO’s as to their decision. I have to get this to you in order to meet the Planning Board deadline. If I learn more over the next few days, I will let you know.

Thank you,  
Steve Charbonneau



MEMORANDUM OF UNDERSTANDING & GOOD NEIGHBOR AGREEMENT  
CONCERNING AN APPLICATION FOR A  
ZONE MAP AMENDMENT FOR  
1634, 1640, 1650 & 1680 N. SHERIDAN BLVD., DENVER CO 80226

THIS AGREEMENT is entered into by and between the West Colfax Association of Neighbors, the Sloan's Lake Citizen's Group and the Sloan's Lake Neighborhood Association, all being registered neighborhood associations in the City and County of Denver, (the Associations"); and Cory J. Manders, David Weber & Ricky E. Lang (collectively the "Applicant").

A. THE ASSOCIATIONS are registered neighborhood associations in Denver, Colorado whose neighborhood contains the property at 1634, 1640, 1642, 1650 and 1680 N. Sheridan Blvd. Denver, Colorado (the "Property").

B. The Applicant owns the Property and has applied for a Zone Map Amendment to change the zoning of the Property from U-SU-C2 and U-RH-3A to U-MS-2 and U-MS-3 (hereinafter the "Application") for the Property.

C. Applicant wants THE ASSOCIATIONS to provide letters of non-opposition of its Application.

D. The Applicant desires to establish certain requirements and restrictions on the future development of the Property.

E. THE ASSOCIATIONS agree to not oppose Applicant's Application and will inform Denver Community Planning and Development in writing that they do not oppose the Application subject to the agreements herein.

NOW, THEREFORE, for good and valuable consideration, the parties hereby agree as follows:

1. THE ASSOCIATIONS agree that they will not oppose the Application and will provide written letters of non-opposition (the "Letters") for the Applicant to CPD at the City of Denver.
2. If THE ASSOCIATIONS provide the Letters as set forth herein, Applicant will record the protective covenant (the "Covenant") attached hereto as Exhibit A in the real property records of the City and County of Denver, Colorado within five days of Denver City Council's approval of the Application.
3. The ASSOCIATIONS hereby agree to not pursue a Protest Petition related to the Application.
4. The ASSOCIATIONS hereby agree that they will not undertake efforts to appeal,

challenge or reverse the City's approval of the Application should City Council approve same.

This Agreement is the entire agreement between the parties. No provision of this Agreement may be modified without the written consent of the parties. Nor shall any waiver of any of the provisions be valid or enforceable unless in writing and signed by all parties.

Each person signing below represents that he/she has the authority to execute and deliver this Agreement.

Executed and effective on the latest date set forth below:

**FOR THE ASSOCIATIONS**

**WEST COLFAX ASSOCIATION OF NEIGHBORS**

**By:** \_\_\_\_\_  
**Leah Rounds, President**

**Date:** \_\_\_\_\_

**SLOAN'S LAKE CITIZENS'S GROUP**

**BY:** \_\_\_\_\_  
**Robin Kerns, President**

**Date:** \_\_\_\_\_

**SLOAN'S LAKE NEIGHBORHOOD ASSOCIATION**

**BY:** \_\_\_\_\_  
**Larry Ambrose, President**

**Date:** \_\_\_\_\_

**FOR THE APPLICANT**

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**Cory J. Manders, 1634 Sheridan**

**Date:** \_\_\_\_\_

---

**David J. Weber, 1640 & 1642 Sheridan**

**Date:** \_\_\_\_\_

---

**David Weber, 1650 Sheridan**

**Date:** \_\_\_\_\_

---

**Rickey E. Lang, 1680 Sheridan**

**Date:** \_\_\_\_\_

**EXHIBIT A**

DEED RESTRICTION AND PROTECTIVE COVENANT

SEE ATTACHED

**DEED RESTRICTION AND PROTECTIVE COVENANT**

THIS DECLARATION OF DEED RESTRICTION is made by Cory J. Manders, David J. Weber, David Weber and Rickey E. Lang (hereinafter collectively referred to as “Declarants”) whose addresses are, respectfully, 1634, 1640, 1642, 1650 & 1680 N. Sheridan Blvd. Denver, CO 80214.

WITNESSETH

WHEREAS, Declarants owns in fee simple, certain real property situated in the County of Denver, State of Colorado, hereinafter referred to as the “Property” and described as follows:

<b>ADDRESS</b>	<b>ASSESSOR PARCEL #</b>	<b>LEGAL DESCRIPTION</b>
1634 Sheridan	0231303005000	BRINKHAUS' SLOAN LAKE ADDITION 2ND FILING BLOCK 3 LOTS 15 & 16
1640 & 1642 Sheridan	0231303013000	BRINKHAUS' SLOAN LAKE ADDITION 2ND FILING BLOCK 3 LOTS 13 & 14
1650 Sheridan	0231303004000	BRINKHAUS' SLOAN LAKE ADDITION 2ND FILING BLOCK 3 LOTS 9 TO 12
1680 Sheridan	0231303014000	BRINKHAUS' SLOAN LAKE ADDITION 2ND FILING BLOCK 3 LOTS 1 TO 8

WHEREAS, Declarants desires to establish certain restrictions and requirements on future development of the Property under U-MS-2 and U-MS-3 zoning;

NOW, THEREFORE, Declarants, as owners of the Property, for themselves; and their heirs, executors, administrators, successors and assigns, declares that the Property is held and hereafter shall be conveyed, subject to the following covenants, rights, reservations, limitations, and restrictions:

1. The height of buildings on the Property will be capped at and not exceed thirty-nine feet (39’) from the Base Plane (as defined in the Denver Zoning Code) to the top of the building parapet.
2. The Property shall be developed with a minimum of two buildings separated by a common area. The common area shall have a north / south dimension of not less than twenty-five (25) feet and not exceeding forty (40) feet. Buildings on the Property may share a single common foundation, basement and parking structure and in such case shall share a single common Base Plane.

3. For all Residential Uses on the Property there shall be a minimum of one (1) parking space per residential dwelling unit on the Property.
4. The Declarants shall cause the dedication of sixteen feet (16') of additional Right of Way to Sheridan Blvd. Upon the request of Denver City Council District 1 and the Denver Department of Public Works.
5. The Covenant shall take effect subject to and only in the event that Denver City Council approves the rezoning of the Property to U-MS-2 and U-MS-3 and the ordinance documenting such rezoning is published in the City of Denver Zoning Map showing the Property zoned as U-MS-2 and U-MS-3. The rezoning of the Property to U-MS-2 and U-MS-3 shall be a condition precedent to the enforceability of this Covenant. If the Property is not zoned U-MS-2 and U-MS-3, this Covenant is invalid and has no further force or effect.
6. This Covenant shall run with the land and be binding upon the heirs and successors in interest to the Property for a period of 20 years commencing on the date the Covenant is recorded in the Denver Clerk and Recorder's Office.
7. Any changes or amendments to this Covenant shall be in writing and require the agreement of the West Colfax Association of Neighbors, the Sloan's Lake Citizen's Group and the Sloan's Lake Neighborhood or their successors or replacements as Registered Neighborhood Organizations in the City of Denver, and shall be recorded.

This Covenant and any amendments hereto shall be recorded against the Property in the Denver Clerk and Recorder's Office.

***BOTTOM OF PAGE INTENTIONALLY LEFT BLANK***

IN WITNESS WHEREOF, Declarants have duly executed this Declaration the day and year stated below.

DECLARANTS:

\_\_\_\_\_  
Cory J. Manders, 1634 Sheridan

Date: \_\_\_\_\_

\_\_\_\_\_  
David J. Weber, 1640 & 1642 Sheridan

Date: \_\_\_\_\_

\_\_\_\_\_  
David Weber, 1650 Sheridan

Date: \_\_\_\_\_

\_\_\_\_\_  
Rickey E. Lang, 1680 Sheridan

Date: \_\_\_\_\_

Subscribed and affirmed before me in the county of Denver, State of Colorado,  
this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

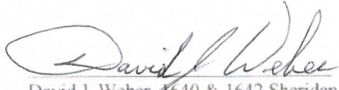
\_\_\_\_\_  
(Notary's official signature)

\_\_\_\_\_  
(Commission Expiration)

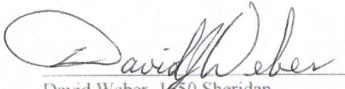
Notary  
Seal

\_\_\_\_\_  
Cory J. Manders, 1634 Sheridan

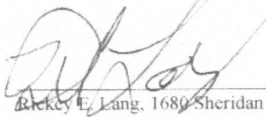
Date: \_\_\_\_\_

  
David J. Weber, 1640 & 1642 Sheridan

Date: May 6, 2019

  
David Weber, 1650 Sheridan

Date: May 6, 2019

  
Mickey E. Lang, 1680 Sheridan

Date: 6 MAY 2019

Subscribed and affirmed before me in the county of Denver, State of Colorado,  
this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
(Notary's official signature)



Guest Signature: \_\_\_\_\_

Cory Manders  
Cory J. Manders, 1634 Sheridan  
Date: 5/6/19

David J. Weber, 1640 & 1642 Sheridan  
Date: \_\_\_\_\_

David Weber, 1650 Sheridan  
Date: \_\_\_\_\_

Rickey E. Lang, 1680 Sheridan  
Date: \_\_\_\_\_

Subscribed and affirmed before me in the county of Denver, State of Colorado,  
this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
(Notary's official signature)



The following photos show that the properties on the west side of Zenobia Street have street facing front loaded driveways that are accessed from either Zenobia Street or Annie Place. There is no alley vehicular access.

# 1641 ZENOBIA STREET – VIEW FROM ANNIE PLACE



# 1641 ZENOBIA STREET – VIEW FROM ZENOBIA STREET



# 1655 ZENOBIA STREET



# 1665 ZENOBIA STREET



# 1675 ZENOBIA STREET



# 5100 W 17<sup>TH</sup> AVENUE – VIEW FROM 17<sup>TH</sup> AVE



# 5100 W 17<sup>TH</sup> AVENUE – VIEW ZENOBIA STREET







The following photos show that the properties on the west side of Zenobia Street have no vehicular access. The alley is primarily used for trash and recycling for these properties. The properties on Zenobia Street do not rely on the alley for vehicular access.





