



201 W. Colfax Ave., Dept. 205  
Denver, CO 80202  
p: 720.865.2915  
f: 720.865.3052  
[www.denvergov.org/CPD](http://www.denvergov.org/CPD)

**TO:** Denver City Council  
**FROM:** Courtland Hyser, Principal City Planner  
**DATE:** October 13, 2016  
**RE:** Official Zoning Map Amendment Application #2015I-00175  
3700 Marion St.  
Rezoning from U-SU-A1 to U-MX-2x

## Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for application #2015I-00175 for a rezoning from U-SU-A1 to U-MX-2x.

## Request for Rezoning

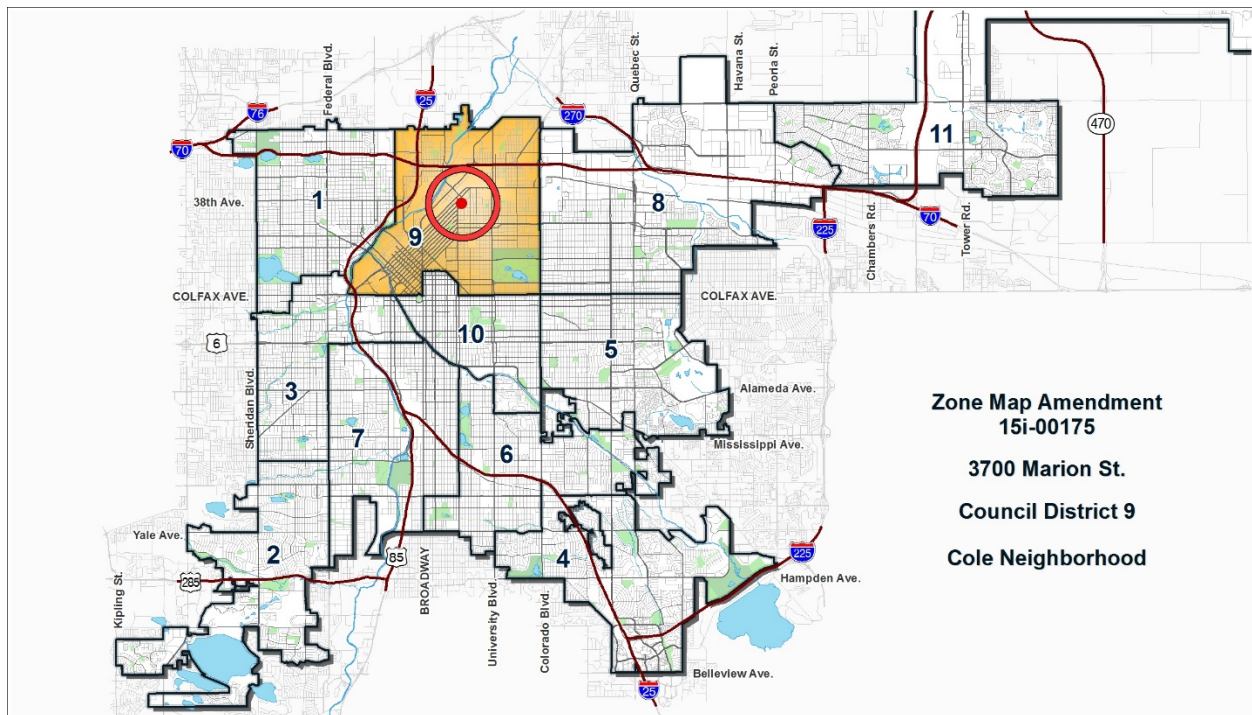
Application:	#2015I-00175
Address:	3700 Marion St.
Neighborhood/Council District:	Cole / Council District 9
RNOs:	Cole Neighborhood Association, Five Points Business District, United Community Action Network, North Neighborhoods Democratic Council, Denver Neighborhood Association, Inter-Neighborhood Cooperation
Area of Property:	4,870 SF (0.11 AC)
Current Zoning:	U-SU-A1
Proposed Zoning:	U-MX-2x
Property Owner(s):	Noah Manos, Cosmo LTD

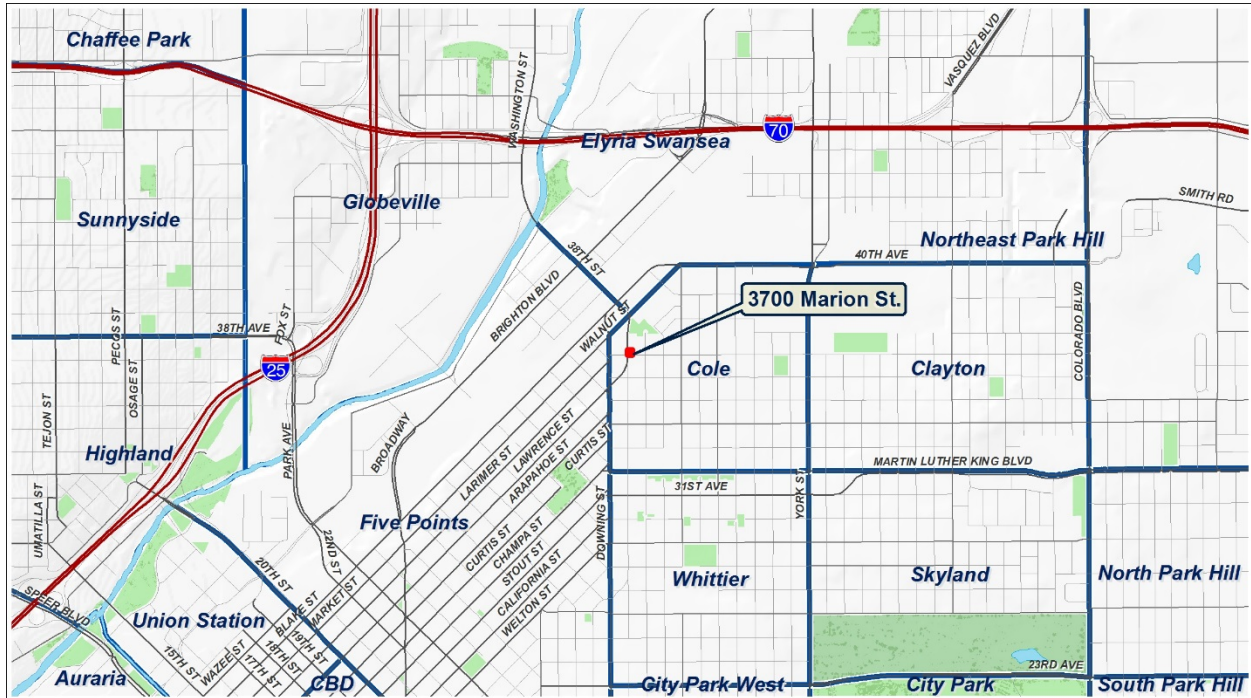
## Summary of Rezoning Request

- The subject property is located in the Cole neighborhood at the intersection of Marion Street and 37<sup>th</sup> Avenue. The property is currently vacant, but formerly held an 8 unit apartment building that was constructed in the early 1900s. The building caught fire and was subsequently demolished in 2014.
- The structure that formerly occupied the site was originally constructed as a shopfront building that was later converted to multi-unit residential.
- In the 2010 citywide rezoning, many embedded commercial buildings in Cole, and on 37<sup>th</sup> Ave in particular, were rezoned to U-MX-2x. The subject property would likely have been zoned U-MX-2x consistent with this pattern if not for the fact that the property was being used solely as multi-unit residential at the time.
- The current U-SU-A1 district would allow a single unit dwelling and an accessory dwelling unit (ADU) to be constructed on the site.
- The property owner is requesting to rezone to U-MX-2x to facilitate the redevelopment of the property, which has a shallow lot depth and is therefore difficult to redevelop under the

provisions of DZC 11.2.3, which allows for a legally established multi-unit use to be re-established in an SU zone district by making use of the single unit or duplex building forms.

- The requested U-MX-2x district stands for Urban Neighborhood Context – Mixed Use – 2 Stories Maximum. The x indicates that the use list is limited in order to ensure compatibility with nearby residential uses. The district applies to small sites served primarily by local streets embedded within an existing or proposed neighborhood. These are typically one or two parcels and are limited to low scale building forms and low intensity uses.
- Further details of the proposed zone district can be found in Article 5 of the Denver Zoning Code (DZC).





### Proposed Rezoning

The applicant is requesting to rezone to U-MX-2x, which stands for Urban Neighborhood Context – Mixed Use – 2 Stories Maximum. The x indicates that the use list is limited in order to ensure compatibility with adjacent or nearby residential uses. The district applies to small sites served primarily by local streets embedded within an existing or proposed neighborhood. These are typically one or two parcels and are limited to low scale building forms and low intensity uses. Further details of the proposed zone district can be found in Article 5 of the Denver Zoning Code (DZC).

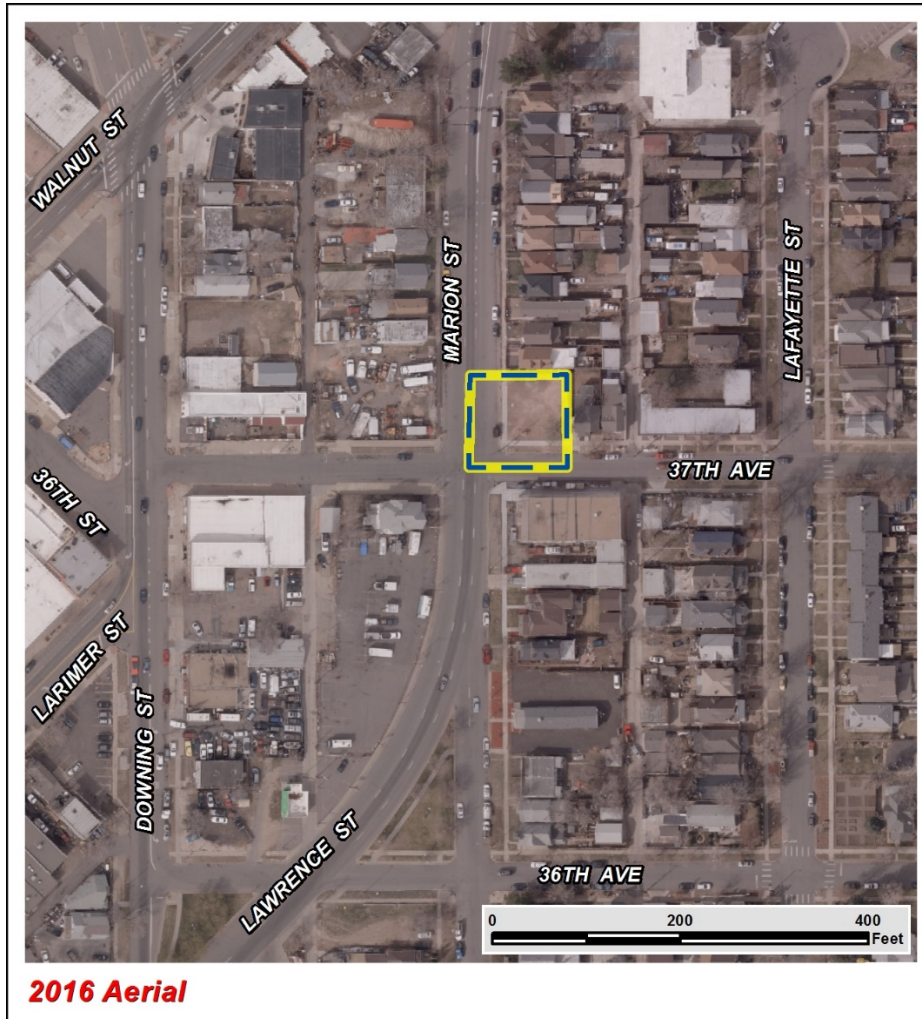
In the 2010 citywide rezoning, many of the embedded commercial properties in Cole that had residential zoning were rezoned to U-MX-2x. The building that was formerly located at 3700 Marion was originally constructed as a commercial mixed use building and was later adaptively reused as multi-unit residential. Had the subject site been in commercial use at the time of the 2010 citywide rezoning, it's likely that it would have received U-MX-2x zoning like the other embedded commercial and mixed use buildings in Cole.



### Existing Context

The subject property is located in Cole at the intersection of Marion Street and 37th Avenue. The lot is currently vacant, but formerly held an 8 unit apartment building. The apartment building burned down in 2014 and was subsequently demolished. The area surrounding the site is primarily residential, with commercial, industrial, and institutional uses located amongst the residential, especially on busier local streets and on corners. Typical building heights in the area are one and two stories.





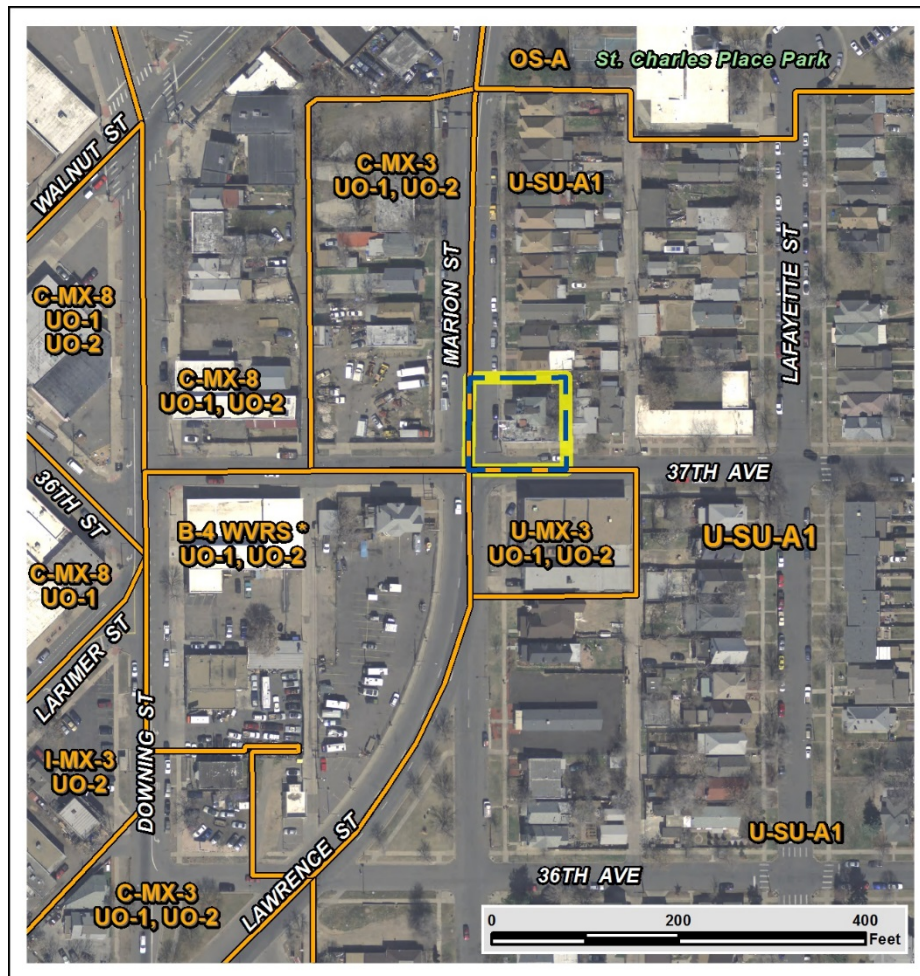
The following table summarizes the existing context proximate to the subject site:

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	U-SU-A1	Vacant	n/a	Small urban lots and rectangular grid block pattern. Rear-loaded garages with alleys. Pedestrian-oriented building frontages predominate. Detached sidewalks with tree lawns.
North	U-SU-A1	Single family residential	Urban single family house with alley access, 1.5 stories	
South	U-MX-3, UO-1, UO-2	Industrial	Brick industrial building with alley access, 2 stories	
East	U-SU-A1	Single family residential	Urban single family house with alley access, 1 story	

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
West	U-MX-3, UO-1, UO-2	Vacant/Outdoor Storage	n/a	

### 1. Existing Zoning

The site is currently zoned U-SU-A1. This zoning was put in place as part of the 2010 citywide rezoning. Prior to 2010, the site and surrounding properties were zoned R-2-A. The U-SU-A1 is a single unit district allowing urban houses and detached accessory dwelling units with a minimum zone lot area of 3000 square feet. The subject property is 4,870 SF and would therefore be allowed to construct one house and an ADU under this zoning. For additional details on the U-SU-A1 zone district, please refer to Article 5 of the Denver Zoning Code (DZC).

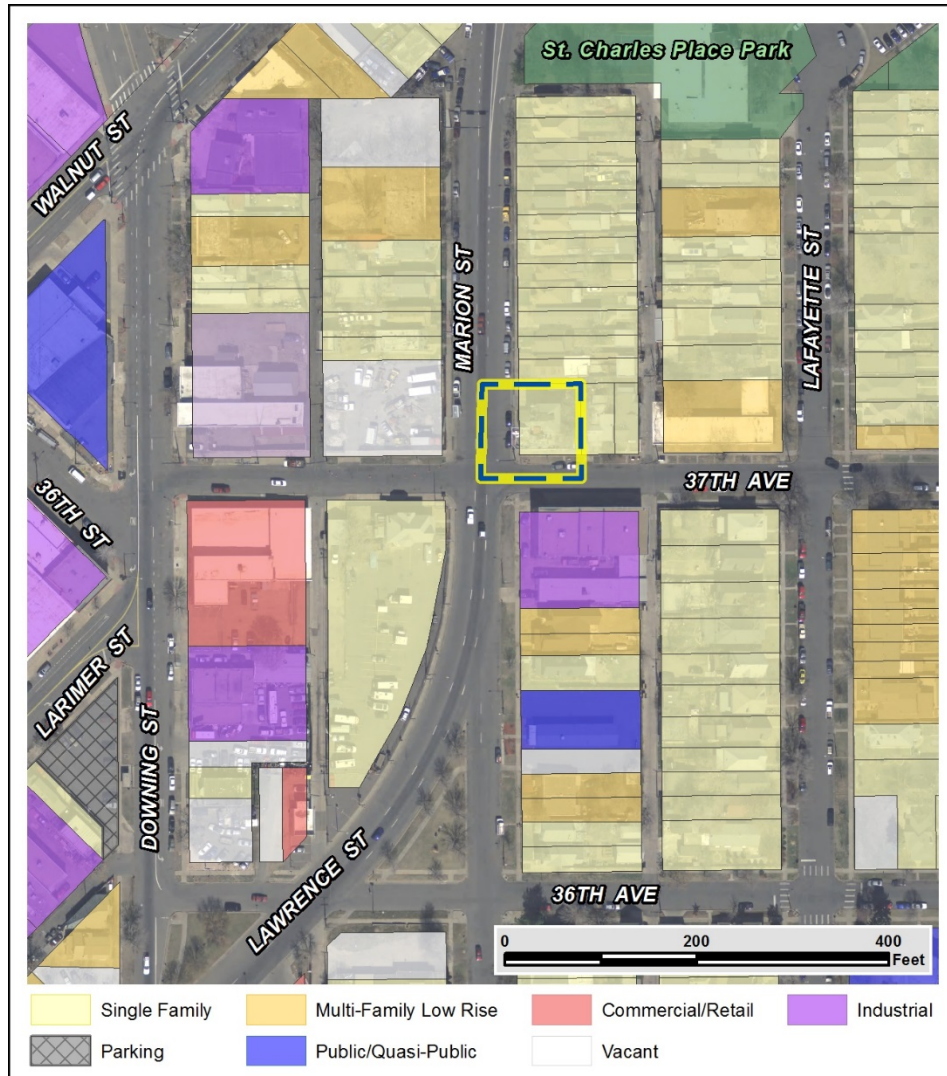


### 2. Existing Land Use Map

The subject site is a vacant lot. The lot itself is shallower than surrounding properties and does not extend to the alley. Rather, a single family home is located along the rear property line facing 37<sup>th</sup>



Ave. The area surrounding the site is predominantly residential, with single family being the most common residential type. Higher density residential and non-residential uses are sprinkled throughout the neighborhood. Typical building heights in the area are one and two stories, although adopted plans call for increased intensity to the west towards the 38<sup>th</sup> & Blake commuter rail station.



### 3. Existing Building Form and Scale



View of the subject site from Marion Street, looking east. A single family home that faces 37<sup>th</sup> Ave is located adjacent to the rear property line, resulting in a shallow lot depth for the subject site.



View of the single family home adjacent to and north of the subject site.





The vacant lot across Marion Street to the west is currently being used for outdoor storage of vehicles and materials.



This single family home is located caddy-corner (southwest) from the subject site across 37<sup>th</sup> Ave and Marion St. Outdoor vehicle storage is adjacent to the house.



This industrial building is located south of the subject site, across 37<sup>th</sup> Ave.

### Historical Context

For this rezoning, the historical context of the site is relevant because of the form and character of the building that caught fire in 2014 and was subsequently demolished. Although it was converted to sole residential use at some point in its history, the building was originally constructed as a neighborhood-scale mixed use shopfront building with a corner entrance.



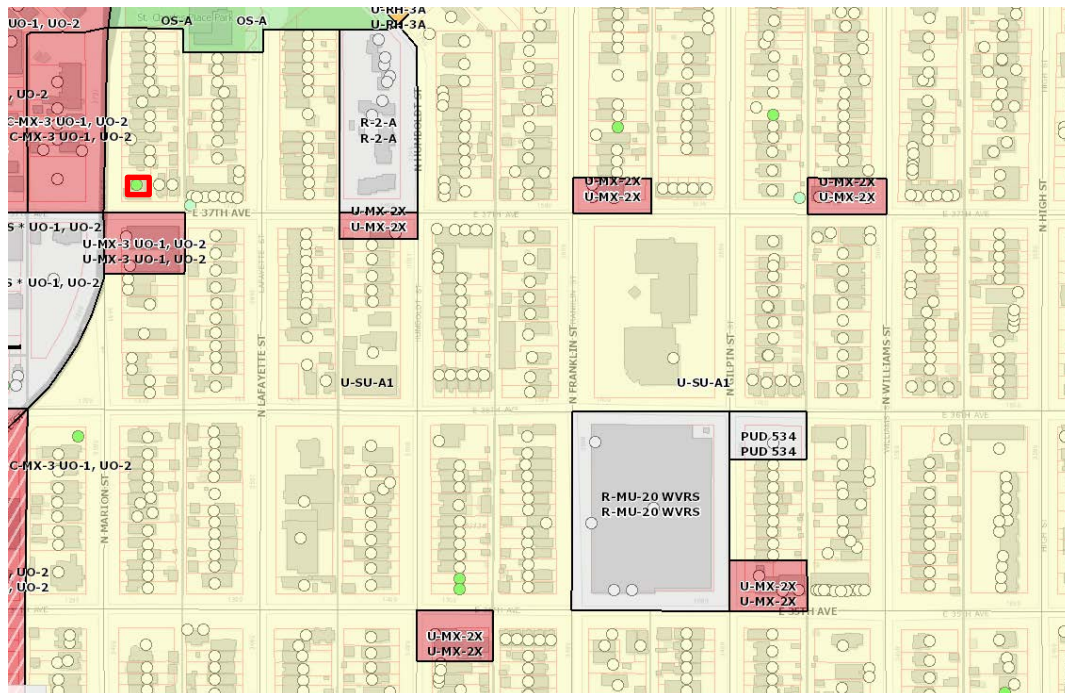
The former building as it appeared in August, 2011.  
Source: Google Street View





The ruins of the former structure as it appeared in August, 2014.  
Source: Google Street View

The 2010 citywide rezoning process made an effort to identify embedded commercial buildings in the Cole neighborhood and give them mixed use zoning. This pattern can be seen east of the subject site on 37<sup>th</sup> Ave, where U-MX-2x zoning has been applied to similarly situated properties. Had the subject site been in commercial use at the time, it's likely that it would have received U-MX-2x zoning like the other embedded commercial and mixed use buildings in Cole.



U-MX-2x zoning is mapped extensively in Cole to allow for the continued use of embedded commercial and mixed use buildings.

## 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:

**Public Works – Surveyor:** Approve Rezoning Only - Will require additional information at Site Plan Review

**Development Services – Transportation:** Approved – See Comments Below

Any new development proposal on this site may be subject to improvements in the right-of-way per Public Works standards.

**Asset Management:** Approved – No Comments

## Public Review Process

The public process for the proposed rezoning is summarized below:

- **Informational Notice-** CPD staff provided informational notice of receipt of the rezoning application to affected members of City Council and registered neighborhood organizations (RNOs) on June 15<sup>th</sup>, 2016.
- **Planning Board-** The property was posted for a period of 15 days announcing the August 17<sup>th</sup>, 2016 Denver Planning Board public hearing, and written notification of the hearing was sent to all affected registered neighborhood organizations and City Council members. **Planning Board recommended approval of the proposed rezoning by a vote of 11-0.**
- **Land Use, Transportation, and Infrastructure Committee-** Following Planning Board review, the rezoning application was referred to the Land Use, Transportation, and Infrastructure (LUTI) Committee of the City Council for review at a public meeting. Written notification of the August 30<sup>th</sup>, 2016 LUTI meeting was sent to all affected registered neighborhood organizations and City Council members. The LUTI committee voted to refer the rezoning application to the full City Council for final action at a public hearing.
- **City Council-** The City Council public hearing is scheduled for October 17<sup>th</sup>, 2016.
- The RNOs identified on page 1 were notified of this application.
- As of the date of this staff report, no comments have been received regarding this application.

## Criteria for Review / Staff Evaluation

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

### **DZC Section 12.4.10.7**

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

### **DZC Section 12.4.10.8**

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



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

The following adopted plans apply to this property:

- *Denver Comprehensive Plan 2000*
- *Blueprint Denver (2002)*
- *Northeast Downtown Neighborhoods Plan (2011)*

#### **Denver Comprehensive Plan 2000**

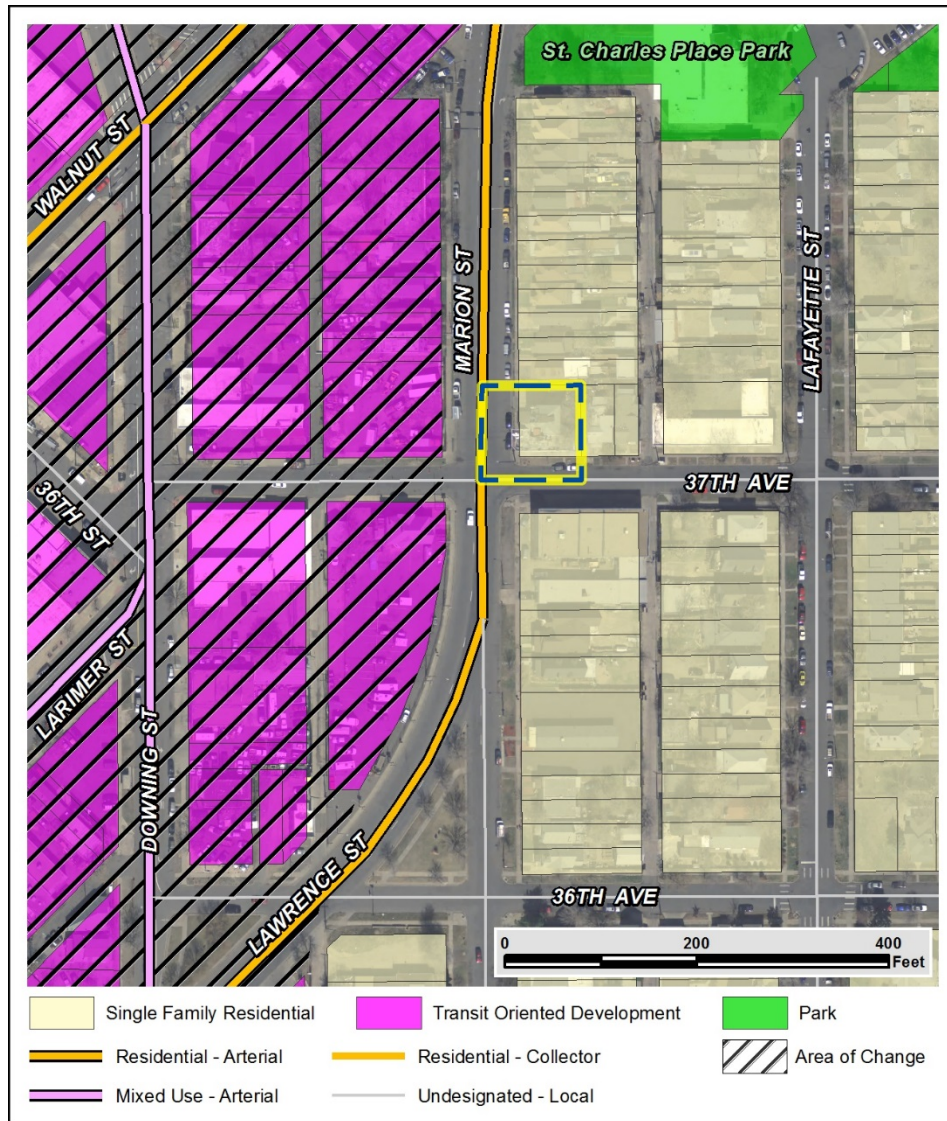
The proposed rezoning is consistent with the following *Denver Comprehensive Plan 2000* strategies:

- Environmental Sustainability Strategy 2-F – Conserve land by: promoting infill development within Denver at sites where services and infrastructure are already in place and designing mixed-use communities and reducing sprawl, so that residents can live, work and play within their own neighborhoods.
- 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;
- Neighborhood Strategy 1-F – Invest in neighborhoods to help meet citywide goals and objectives for a range of housing types and prices, community facilities, human services and mobility.

The proposed zone district broadens the variety of allowed uses and housing types from the current zoning while observing development standards and use limitations to help ensure compatibility with the surrounding neighborhood. The rezoning proposal is consistent with the referenced plan recommendations from *Denver Comprehensive Plan 2000*.

#### **Blueprint Denver**

According to the 2002 Plan Map adopted in *Blueprint Denver*, this site has a concept land use of Single Family Residential and is located within an Area of Stability.



**Future Land Use**

Blueprint Denver characterizes single family residential areas as follows: “Neighborhoods of single family houses represent the majority of Denver’s residential areas, particularly those developed after 1900 and especially those built after 1940. Densities are fewer than 10 units per acre, often less than six units per acre neighborhood-wide, and the employment base is significantly smaller than the housing base. Single-family homes are the predominant residential type” (p. 42).

Blueprint Denver’s description of single family residential acknowledges that although single family homes are the predominant land use type, they are not the only land use type, and furthermore that single family residential areas can have an employment base, albeit a much smaller one than the housing base. Although it acknowledges the presence of non-single family land uses in this way,

Blueprint Denver does not give guidance regarding the appropriate location of such uses within single family residential areas.

Following on the practice from the 2010 citywide rezoning of granting Cole's embedded commercial buildings U-MX zoning, the subject site is a rational location for compatible commercial mixed use development as described by Blueprint Denver. This rationale is based on the fact that the former structure was originally designed as a commercial mixed use building, and that similarly situated properties within the Cole neighborhood, and on 37<sup>th</sup> Ave. in particular, have received U-MX-2x zoning in the past. The U-MX-2x zone district is most appropriate for allowing complementary small scale commercial uses in residential areas because it is the least intensive in terms of building forms and allowed uses.

### **Area of Stability**

According to Blueprint Denver, "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).

The proposed Map Amendment application is consistent with the recommendations for Areas of Stability, as the proposed zone district will accommodate mixed use redevelopment that is compatible with the existing neighborhood character.

### **Street Classifications**

According to Blueprint Denver, Marion is classified as a residential arterial and 37<sup>th</sup> Avenue is classified as an undesignated local street. Residential arterial streets "serve longer distance trips than residential local or collector streets, and maintaining through capacity is a higher priority on a residential arterial than on a residential collector or local street" (p. 62). Local residential streets "are designed to emphasize walking, bicycling and land access over mobility" (p. 55).

The Map Amendment application is consistent with *Blueprint Denver's* street classification recommendations, as the proposed zone district will encourage a pedestrian-oriented street frontage that is characteristic of local streets such as 37<sup>th</sup> and compatible with residential arterial streets such as Marion.

### **Northeast Downtown Neighborhoods Plan (2011)**

The Northeast Downtown Neighborhoods Plan provides guidance for this area. The plan has land use, building height, and policy recommendations that are relevant to the proposed rezoning. The plan recommends Single Family, 2.5 stories for the subject site.



Like Blueprint Denver, the Northeast Downtown Neighborhoods Plan’s description of the single family land use includes some allowances for non-single family uses: “Neighborhoods of single family houses in Northeast Downtown represent older, residential neighborhoods that do not have a significant mix of housing types. Commercial uses are limited to small buildings providing neighborhood services” (p. 16). Also like Blueprint Denver, the Northeast Downtown Neighborhoods Plan does not provide specific guidance as to where non-residential uses are appropriate within these areas. Rather, it recommends replicating existing development patterns as articulated in recommendation A.3 (p. 20):

■ **A.3 Low Intensity Development in Residential Neighborhoods**

In areas with established residential neighborhood character, including Curtis Park, San Rafael, and the neighborhood edge east of Downing Street (Cole and Whittier):

- Maintain the current mix of low scale building forms such as urban house, duplex and rowhouse.
- Allow new development to replicate existing development patterns, including small lots, shallow setbacks and high building coverage with parking and access in the rear/off the alley.
- Make use of entry features that connect the building and front yards to the street.
- Allow a mix of land uses consisting primarily of residential uses with limited neighborhood-serving commercial.
- Encourage the use of streetscape elements that promote residential character and pedestrian and bicycle use, such as detached sidewalks, pedestrian scale lighting, and tree lawns.



Recommendation A.3 allows for limited neighborhood-serving commercial along the edge of the Cole neighborhood that replicates existing development patterns. The proposed Map Amendment is consistent with this recommendation, as the proposed U-MX-2x zoning will allow for the construction of a two-story neighborhood-serving commercial mixed use building in a location where such a building once stood.

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

The subject property received U-SU-A1 zoning during the 2010 Denver Zoning Code (DZC) update while similarly-situated embedded commercial buildings in Cole, and on 37<sup>th</sup> Ave in particular, received U-MX-2x zoning. By observing this established pattern, the proposed rezoning to U-MX-2x will result in the uniform application of zone district building form, use, and design regulations.

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

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

## **4. Justifying Circumstance**

The application identifies changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.8.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." In this case, relevant changed conditions include the ongoing revitalization of Cole and nearby Five Points and RiNo, the opening of the 38<sup>th</sup> & Blake commuter rail station a few blocks to the west, and the resulting use of 37<sup>th</sup> Ave as a primary pedestrian route to the station from Cole. An additional changed condition is the loss of the original structure to fire in 2014.

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

### Neighborhood Context Description

The requested zone district is within the Urban Neighborhood Context which is "primarily characterized by single-unit and two-unit residential uses...Commercial buildings are typically Shop Front and General forms that may contain a mixture of uses within the same building...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).

The proposed Map Amendment is consistent with this context description, as the proposed U-MX-2x district will allow for commercial mixed use development on a corner lot, consistent with the established development patterns of the existing neighborhood.

### Zone District Purpose and Intent

According to the general purpose stated in the Denver Zoning Code, the purpose of the Mixed Use Districts is "to enhance the convenience, ease and enjoyment of transit, walking, shopping, and public gathering within and around the city's residential neighborhoods" and furthermore the Mixed Use Districts "are intended for corridors, embedded neighborhood business areas and larger sites". (DZC

5.2.3.1.B and D). In particular, the U-MX-2x zone district “applies to small sites served primarily by local streets embedded in within an existing or proposed neighborhood. These are typically one or two parcels and are limited to low scale building forms and low intensity uses” (DZC 5.2.3.2.B).

The proposed rezoning is consistent with the General Purpose and Specific Intent, as it will allow for embedded commercial and mixed use development that is compatible with the established residential character of the Urban Neighborhood Context.

#### **Staff Recommendation**

Based on the analysis set forth above, CPD staff finds that the application for rezoning the property located at 3700 Marion St. (#2015I-00175) to the proposed U-MX-2x meets the requisite review criteria. Accordingly, staff recommends approval of the rezoning.

#### **Attachments**

1. Rezoning Application

## Rezoning Pre-Application Review Request

Save this form to your computer and return it as an email attachment when complete

SUBJECT PROPERTY INFORMATION		
Property Address(es)	3700 Marion St, Denver 80205	
Nearest Major Intersection	Marion St / 37th Ave	
Total Area	4870 FT <sup>2</sup>	
Current Zoning	U- SU - A1	
CONTACT INFORMATION		
Pre-Applicant	Name	Noah Manos
	Company Name	Cosmo LTD
	Email Address	noahmanos@yahoo.com
	Phone:	720-422-3207
	Please indicate if you are: <input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Owner Representative <input type="checkbox"/> Other (specify below)	
POTENTIAL REQUEST		
Describe the purpose/reason for rezoning including whether any demolition is proposed (e.g., redevelop the site, reuse an existing building, expand the permitted uses)	Raw lot after existing building was rased due to fire in 2014. U-TU-C zoning assigned after review by Ken Brewer. Purpose of rezoning result of changing neighborhood context due to new light rail station at 38th and Blake, MX-2X and CMX 5 zoning adjacent to the property. Additionally, because of lot configuration and consequent limitations to building footprint do to U-TU-C zoning assignment.	
Potential zone districts for discussion	U-MX-2X	
Describe any contact with City agencies or departments regarding this property or project (e.g., Neighborhood Inspection Services, Development Services)	PreApplication meeting and subsequent correspondence with Mallory Bettag (Community Planning). Review by Ken Brewer for to establish legal basis of preexisting mutifamily residential use.	
Dates and times you are available to meet in the next two weeks	Anytime	

## Zone Map Amendment (Rezoning) - Application

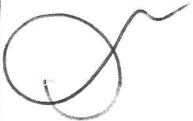
PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	Cosmo LTD	Representative Name	
Address	2228 Race St	Address	
City, State, Zip	Denver CO 80205	City, State, Zip	
Telephone	720-422-3207	Telephone	
Email	noahmanos@yahoo.com	Email	
<p><b>*If More Than One Property Owner:</b>            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><b>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</b></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.			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	3700 Marion St		
Assessor's Parcel Numbers:	226207013000		
Area in Acres or Square Feet:	4870 FT2		
Current Zone District(s):	U-SU-A1,		
PROPOSAL			
Proposed Zone District:	U-MX-2X		
Does the proposal comply with the minimum area requirements specified in DZC Sec. 12.4.10.3:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	



REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</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. 12.4.10.8</p>	<p><b>Justifying Circumstances - One of the following circumstances exists:</b></p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints 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 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>
	<p><input 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>
REQUIRED ATTACHMENTS	
<p>Please ensure the following required attachments are submitted with this application:</p>	
<p><input checked="" type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format)</p> <p><input checked="" type="checkbox"/> Proof of Ownership Document(s)</p> <p><input checked="" type="checkbox"/> Review Criteria</p>	
ADDITIONAL ATTACHMENTS	
<p>Please identify any additional attachments provided with this application:</p>	
<p><input type="checkbox"/> Written Authorization to Represent Property Owner(s)</p>	
<p>Please list any additional attachments:</p>	
<p> </p>	

## 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)
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	John Alan Smith Josie Q. Smith	01/01/12	(A)	NO
Cosmo LTD	3700 Marion St. Denver CO 80205 720-422-3207 noahmanos@yahoo.com	100%		5/4/14	(A)	YES

The West 65 feet of Lots 13,14 and 15, Inclusive, Block 2, Hyde Park Addition,  
County of Denver, State of Colorado.





Real Property Records

Date last updated: Friday, April 22, 2016

 Real Property Records Search

If you have a question about the value, ownership, or characteristics of this property, or any other property in Denver, please call the Assessor at 720-913-4162.

[Link to real property information for this property](#)

[Link to comparable sales information for this property](#)

[Link to chain of title information for this property](#)

[Link to property sales information for this neighborhood](#)

[Back to Property List](#)

[Link to property tax information for this property](#)

[Link to property sales information for all Denver neighborhoods](#)

[Link to map/historic district listing for this Property](#)

**The property description shown is data from the Assessor's active, in-progress 2015 file. The "current year" values are from the 2015 tax year for real property tax due in 2016. These values are based on the property's physical status as of January 1, 2015.**

PROPERTY INFORMATION

Property Type: VACANT LAND

Parcel: 0226207013000

Name and Address Information

Legal Description

COSMO LTD

2228 RACE ST

DENVER, CO 80205-5640

W 65 FT OF L 13 TO 15 INC  
BLK 2 HYDE PARK ADD

Property Address: 3700 MARION ST

Tax District DENV

Assessment Information

	Actual	Assessed	Exempt	Taxable
Current Year				
Land	83000	24070		
Improvements	0	0		
Total	83000	24070	0	24070
Prior Year				
Land	33800	2690		
Improvements	125400	9980		
Total	159200	12670	0	12670

Style: Other

Year Built:

Building Sqr. Foot: 0

Bedrooms:

Reception No.: 2015175047

Recording Date: 12/18/15

Document Type: Warranty

Sale Price: 290000

Baths Full/Half: 0/0

Mill Levy: 78.127

Basement/Finished: 0/0

Lot Size: 4,870

[Click here for current zoning](#)

Zoning Used for Valuation: USU

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

 [Print](#)

**3700 Marion St. - Zone Map Amendment Request**  
**Applicant: Cosmo LTD (Noah Manos, Managing Member)**

REVIEW CRITERIA

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.*

-Northeast Downtown Neighborhoods Plan (2011)

MX 2X zoning directly correlates with the guidelines presented in this plan dated 2011. Context of 3700 Marion falls directly in line with all the non design specific points. Design criteria will be adopted into how development is laid out, including upper set back on north side of property adjacent to residential, and "streetscape elements"

**A.2 Moderate Intensity Development Transitioning to Residential Neighborhoods**

- Allow moderated and mixed scale of general, shopfront, apartment and rohouse 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 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 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 lawns or tree wells.

**A.3 Low Intensity Development in Residential Neighborhoods**

-Allow a mix of land uses consisting of primarily of residential uses with limited neighborhood serving commercial.

JUSTIFYING CIRCUMSTANCES

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

There are 2 distinct changes in the local context surround the property that create justifying circumstances for zone map amendment to 3700 Marion that make MX 2X zoning appropriate for the property. Over the past 5 years the intrinsic character of RINO has changed, defining the course for how the area will be developed over the next 15-20 years. The addition of commuter rail station at 38th and Blake St. will catalyze the already ongoing urban revival taking place in this area.

1. The new RTD Fastracks light rail and commuter rail station located at 38th / Blake St, will redefine north Marion as an arterial pedestrian corridor that will consolidate foot traffic between Cole neighborhood, Rino Neighborhood and the new transit hub. MX 2X zoning intends to create street level activation through designated uses that will support and enrich this vital new pedestrian corridor.

2. RINO Arts and Commercial District: Since 2010, this district has transformed into a vibrant part urban of the experience in Denver. A broad range of new businesses have helped redefine the community needs and overall identity in significant ways. The redevelopment of this area is now extending into the northwestern edge of the Cole neighborhood, changing its needs and preexisting character.

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

The local context of 3700 Marion is boarded by CMX 5 zoning and MX 2X zoning on 2 sides and U-SU-A1 on 2 side which situate it well within the stated intention for MX 2X zoning:

-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 the Main Street districts, the Mixed Use districts are focused on creating mixed, diverse neighborhoods. The Mixed Use districts are intended for corridors, embedded neighborhood business areas and larger sites.





Colorado Secretary of State  
 Date and Time: 12/09/2015 06:33 PM  
 ID Number: 20151788497  
 Document number: 20151788497  
 Amount Paid: \$50.00

Document must be filed electronically.  
 Paper documents are not accepted.  
 Fees & forms are subject to change.  
 For more information or to print copies  
 of filed documents, visit [www.sos.state.co.us](http://www.sos.state.co.us).

ABOVE SPACE FOR OFFICE USE ONLY

**Articles of Organization**

filed pursuant to § 7-80-203 and § 7-80-204 of the Colorado Revised Statutes (C.R.S.)

1. The domestic entity name of the limited liability company is

COSMO LTD

*(The name of a limited liability company must contain the term or abbreviation "limited liability company", "Ltd. liability company", "limited liability co.", "Ltd. liability co.", "limited", "l.l.c.", "llc", or "Ltd.". See §7-90-601, C.R.S.)*

*(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)*

2. The principal office address of the limited liability company's initial principal office is

Street address

2228 Race St

*(Street number and name)*

Denver

*(City)*

CO

*(State)*

80205

*(ZIP/Postal Code)*

United States

*(Country)*

*(Province – if applicable)*

Mailing address

(leave blank if same as street address)

*(Street number and name or Post Office Box information)*

*(City)*

*(State)*

*(ZIP/Postal Code)*

*(Province – if applicable)*

*(Country)*

3. The registered agent name and registered agent address of the limited liability company's initial registered agent are

Name

(if an individual)

Manos

*(Last)*

Noah

*(First)*

*(Middle)*

*(Suffix)*

or

(if an entity)

*(Caution: Do not provide both an individual and an entity name.)*

Street address

2228 Race St.

*(Street number and name)*

Denver

*(City)*

CO

*(State)*

80205

*(ZIP Code)*

Mailing address

(leave blank if same as street address)

*(Street number and name or Post Office Box information)*

\_\_\_\_\_  
(City) CO \_\_\_\_\_  
(State) (ZIP Code)

(The following statement is adopted by marking the box.)

The person appointed as registered agent has consented to being so appointed.

4. The true name and mailing address of the person forming the limited liability company are

Name  
(if an individual) Manos William Noah  
(Last) (First) (Middle) (Suffix)

or

(if an entity) \_\_\_\_\_  
(Caution: Do not provide both an individual and an entity name.)

Mailing address 2228 Race St  
(Street number and name or Post Office Box information)

Denver CO 80205  
(City) (State) (ZIP/Postal Code)  
United States  
(Province – if applicable) (Country)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

The limited liability company has one or more additional persons forming the limited liability company and the name and mailing address of each such person are stated in an attachment.

5. The management of the limited liability company is vested in

(Mark the applicable box.)

one or more managers.

or

the members.

6. (The following statement is adopted by marking the box.)

There is at least one member of the limited liability company.

7. (If the following statement applies, adopt the statement by marking the box and include an attachment.)

This document contains additional information as provided by law.

8. (Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are \_\_\_\_\_  
(mm/dd/yyyy hour:minute am/pm)

Notice:

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is named in the document as one who has caused it to be delivered.

9. The true name and mailing address of the individual causing the document to be delivered for filing are

<u>Manos</u>	<u>William</u>	<u>Noah</u>	
<i>(Last)</i>	<i>(First)</i>	<i>(Middle)</i>	<i>(Suffix)</i>
<u>2228 Race St</u>			
<i>(Street number and name or Post Office Box information)</i>			
<hr/>			
<u>Denver</u>	<u>CO</u>	<u>80205</u>	
<i>(City)</i>	<i>(State)</i>	<i>(ZIP/Postal Code)</i>	
<u>United States</u>			
<i>(Province – if applicable)</i>		<i>(Country)</i>	

*(If the following statement applies, adopt the statement by marking the box and include an attachment.)*

- This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

**Disclaimer:**

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).