

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
<p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			
Does the proposal comply with the minimum area requirements specified in DZC Sec. 12.4.10.3:	<input 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. 12.4.10.13</p>	<p><input 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 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 type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.14</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</p> <p><input type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that rezoning that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area</p> <p><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code.</p> <p>Please provide an attachment describing the justifying circumstance.</p> <p><input 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

Please ensure the following required attachments are submitted with this application:

- Legal Description (required to be attached in Microsoft Word document format)
- Proof of Ownership Document(s)
- Review Criteria

ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- Written Authorization to Represent Property Owner(s)

Please list any additional attachments:

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

We, the undersigned represent that we are the owners of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Property owner representative written authorization? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	NO
Alicia Svaldi	2610-2638 West 13th Ave. Denver, CO 80204	100%	<i>Alicia Svaldi</i>	04/03/2015	(A)	Yes

Last updated: June 20, 2014

 Return completed form to rezoning@denvergov.org
311 | FOR INFORMATION & CITY SERVICES

201 W. Colfax Ave., Dept. 205

Denver, CO 80202

 720-865-2974 • rezoning@denvergov.org

Denver Property Assessment and Taxation System (3.2.2)

2610 W 13TH AVE

Owner	Schedule Number	Legal Description	Property Type	Tax District
TDK SUB 2 LLC 7261 POPPY WAY ARVADA , CO 80007-7533	0505401018000 PIN 161148120	L 15 EXC E 18IN BLK 5 FAIRVIEW	VACANT LAND	DENV

Summary

Style:	OTHER	Reception No:	2014141357	Year Built:	0000
Recording Date:	11/19/2014	Building Sqr. Foot:	0	Document Type:	WD
Bedrooms:		Sale Price:	000300000	Baths Full/Half:	0/0
Mill Levy:	83.054	Basement/Finish:	0/0	Zoning Used for Valuation:	IA
Lot Size:	2,940				

Note: Valuation zoning may be different from City's new zoning code.

Assessment

	Actual	Assessed	Exempt
Current Year			
Land	\$23,100	\$6,700	\$0
Improvements	\$0	\$0	
Total	\$23,100	\$6,700	
Prior Year			
Land	\$23,100	\$6,700	\$0
Improvements	\$0	\$0	
Total	\$23,100	\$6,700	

Denver Property Assessment and Taxation System (3.2.2)

2618 W 13TH AVE UNIT -2620

Owner	Schedule Number	Legal Description	Property Type	Tax District
TDK SUB 2 LLC 7261 POPPY WAY ARVADA , CO 80007-7533	0505401017000 PIN 161148111	L 16 TO 18 INC BLK 5 FAIRVIEW	INDUSTRIAL, MISC IMPS	DENV

Summary

Style:	OTHER	Reception No:	2014141358	Year Built:	0000
Recording Date:	11/19/2014	Building Sqr. Foot:	0	Document Type:	WD
Bedrooms:		Sale Price:	000200000	Baths Full/Half:	0/0
Mill Levy:	83.054	Basement/Finish:	0/0	Zoning Used for Valuation:	IA
Lot Size:	9,370				

Note: Valuation zoning may be different from City's new zoning code.

Assessment

	Actual	Assessed	Exempt
Current Year			
Land	\$93,500	\$27,120	\$0
Improvements	\$1,000	\$290	
Total	\$94,500	\$27,410	
Prior Year			
Land	\$93,500	\$27,120	\$0
Improvements	\$1,000	\$290	
Total	\$94,500	\$27,410	

Denver Property Assessment and Taxation System (3.2.2)

2630 W 13TH AVE

Owner	Schedule Number	Legal Description	Property Type	Tax District
TDK SUB 2 LLC 7261 POPPY WAY ARVADA , CO 80007-7533	0505401016000 PIN 161148103	L 19 BLK 5 FAIRVIEW	RESIDENTIAL	DENV

Summary

Style:	ONE-STORY	Reception No:	2014141360	Year Built:	1890
Recording Date:	11/19/2014	Building Sqr. Foot:	1075	Document Type:	WD
Bedrooms:	3	Sale Price:	000175000	Baths Full/Half:	1/0
Mill Levy:	83.054	Basement/Finish:	0/0	Zoning Used for Valuation:	IA
Lot Size:	3,125				

Note: Valuation zoning may be different from City's new zoning code.

Assessment

	Actual	Assessed	Exempt
Current Year			
Land	\$24,600	\$1,960	\$0
Improvements	\$29,700	\$2,360	
Total	\$54,300	\$4,320	
Prior Year			
Land	\$24,600	\$1,960	\$0
Improvements	\$29,700	\$2,360	
Total	\$54,300	\$4,320	

Denver Property Assessment and Taxation System (3.2.2)

2638 W 13TH AVE

Owner	Schedule Number	Legal Description	Property Type	Tax District
TDK SUB 2 LLC 7261 POPPY WAY ARVADA , CO 80007-7533	0505401015000 PIN 161148090	L 20 TO 22 BLK 5 FAIRVIEW	RESIDENTIAL	DENV

Summary

Style:	ONE-STORY	Reception No:	2014127393	Year Built:	1915
Recording Date:	10/20/2014	Building Sqr. Foot:	828	Document Type:	WD
Bedrooms:	2	Sale Price:	000390000	Baths Full/Half:	1/0
Mill Levy:	83.054	Basement/Finish:	0/0	Zoning Used for Valuation:	IA
Lot Size:	9,370				

Note: Valuation zoning may be different from City's new zoning code.

Assessment

	Actual	Assessed	Exempt
Current Year			
Land	\$98,400	\$7,830	\$0
Improvements	\$1,000	\$80	
Total	\$99,400	\$7,910	
Prior Year			
Land	\$98,400	\$7,830	\$0
Improvements	\$1,000	\$80	
Total	\$99,400	\$7,910	

ADDENDUM TO PROPOSED OFFICIAL ZONE MAP AMENDMENT FOR:

2610-2638 W. 13th Avenue

Parcel Numbers: 161148129, 161148111, 161148103, 161148090

Current Zoning: I-A, UO-2

Proposed Zoning: C-MX-8

Legal Description: Parcel A (...8129):

- Address: 2610 W 13th Ave.
- Legal Description: L 15 EXC E 18IN BLK 5 FAIRVIEW

Parcel B (...8111):

- Address: 2618-2620 W 13th Ave.
- Legal Description: L 16 TO 18 INC BLK 5 FAIRVIEW

Parcel C (...8103):

- Address: 2630 W 13th Ave.
- Legal Description: L 19 BLK 5 FAIRVIEW

Parcel D (...8090):

- Address: 2638 W 13th Ave.
- Legal Description: L 20 TO 22 BLK 5 FAIRVIEW



Property Owner:

TDK Sub2, llc
7261 Poppy Way
Arvada, CO 80007

Authorized Representative:

Peter Hynes, AIA
Urbitecture
110 16th Street #404
Denver, CO 80202
303-892-8957
phynes@urbitecture.com

PROJECT SUMMARY:

For and on behalf of TDK Sub2, llc, Urbitecture is pleased to submit this zone map amendment for the purpose of redeveloping the aforementioned land parcels into “Ubuesque”, an artistic center and performing arts venue (used interchangeably with the term “Project”). The current zoning is I-A, and when the new zoning code was adopted a majority of the Decatur-Federal Station Area was zoned out of the Industrial uses and into Mixed-Use zone districts. As a result, the Project property and its surroundings are changing to such a degree that rezoning the property is in the public interest to encourage redevelopment of the site and help catalyze redevelopment around the Decatur-Federal Transit Station.

We are requesting a change to C-MX-8, a mixed-use zone district that allows Ubuesque and associated industry cluster uses. Although we can develop the project within the existing I-A zone, the required 20’ front setback is problematic and would be contradictory to the “build-to” desires of the City and new Zoning Code.

EXHIBIT A – DESCRIPTION OF CONSISTENCY WITH ADOPTED PLANS

The proposed zone map amendment is consistent with the following adopted City plans:

- A.1: Decatur-Federal Station Area / Sun Valley Neighborhood Plan
- A.2: Blueprint Denver
- A.3: Comprehensive Plan 2000
- A.4: Uniformity of District Regulations and Restrictions
- A.5: Public Health, Safety, and General Welfare
- A.6: Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

A.1: DECATUR-FEDERAL STATION AREA / SUN VALLEY NEIGHBORHOOD PLAN

The Decatur-Federal Station Area / Sun Valley Neighborhood Plan was completed in 2013 and is quite supportive of our map amendment request.

- Development Concept (pg. 16)
“Physical assets and amenities anchor cities and neighborhoods. Natural features, a regional greenway, a stadium or entertainment destination, distinctive historic buildings, unique cultural facilities - these are elements which people remember.”

The Ubuesque concept is that of a unique artistic center and performing arts venue. Ubuesque will seat 250-300 and will provide a performance venue for acrobats, contortionists, music bands, plays and dance, fashion shows, interactive artistic performances, and educational programming. This type of venue can serve as the catalyst project for large scale neighborhood redevelopment or anchor a creative industry cluster.

- A.2.C. – Encourage Business, Attract Diversity (pg. 24)
“Attract a diversity of large and small businesses to the area that serve the shopping, entertainment, services, training and employment needs of Sun Valley residents, employees and visitors. Attracting a mixture of businesses can add to the sense of place and neighborhood character of Sun Valley.”

Ubuesque will help diversify the cultural, entertainment, and artistic characteristics of Sun Valley by assembling a mixture of creative industries in the performing arts, fashion and design, and artistic support. As a business, the productions at Ubuesque will require support from outside businesses in catering, set construction, non-profit management, marketing, and booking operations, education, and studio training. As an establishment, Ubuesque will provide a non-prejudicial venue for any cultural and/or artistic production.

- A.3. – Celebrate Culture (pg. 25)
 - A.3.B. – Promote a Cultural Center

Ubuesque is an interactive cultural center that will seat a 250-300 seat audience. Ubuesque's international artistic team is poised to provide a performance, education, and training space for any cultural performance. In fact, Ubuesque encourages and will rely upon patronage from all peoples and cultures.

- A.3.C. – Support Public Art (pg. 25)

Ubuesque is art friendly and will support just about any public art installation.

- A.3.D. – Support Community Events and Celebrations (pg. 25)

Ubuesque hopes to participate in the planning efforts to realign 13th Avenue to Holden Place. This would allow a partnership between Ubuesque and Sun Valley to close the existing 13th Avenue on days when outdoor performances, events, marketplaces, and festivals are held. In addition, while the venue is being planned, Ubuesque will activate the vacant land and provide a potential location for community events and celebrations.

- C.1.A. – Create A Livable TOD Community (pg. 40)

Ubuesque will be the first new project to catalyze the Decatur-Federal Station. Other projects will follow and continue the entertainment and arts theme. So long as this theme of innovation, arts, and entertainment is embraced, purposeful residential development will follow and provide the foundation for a livable TOD community the entire city can enjoy.

- C.1.B. – Facilitate High Quality Urban Design (pg. 40)

Ubuesque is a use-by-right in the current I-A zoning. The I-A zone requires compliance with a 20' front setback. As the setback requirement does have a challenging impact on the facility site plan, it will also have a negative contextual impact as the remainder of the neighborhood will most likely be constructed to the property line. In effect, as the neighborhood develops, Ubuesque would be the only building sited 20' back from the property line, in an I-A zone, ultimately creating a fragmented urban fabric. Therefore, we are requesting C-MX-8 zoning to allow a site design consistent with the City's desires of high quality urban design and contextual zoning.

Further, Ubuesque will have a maximum building height of 8 stories, creating an active edge along 13th Avenue, and providing visual interest from Colfax, Federal, Sports Authority Field, and I-25.

- C.1.D. – Improve the Visual Environment (pg. 42)

Ubuesque is sited caddy-corner to the Xcel Substation. We purposefully located Ubuesque so as to provide a buffer between future residential development and the substation. Aesthetically, we intend the project to provide a transition between the industrial substation and the residential and commercial uses eventually located along Decatur.

- C.3.D. – Actively Recruit Innovative Businesses (pg. 52)

Relocating from Paris, France, Ubuesque will add employment and jobs. In addition, catering, theater support, and arts/entertainment businesses will thrive around Ubuesque. We also feel that the construction of Ubuesque will house additional non-profits, arts industries, music studios, dance troupes, fashion designers, and others. Within the C-MX-8 zone, Ubuesque will create an entertainment/artistic center anchoring an industry cluster of performance, fashion, creativity, music, and performance support.

- D.1.C – Improve the Built Environment in a Way That Helps Walking, Biking, or Taking Transit Become Default Choices for Residents and Employees (pg. 58)

Located within ¼ mile of the Decatur-Federal Light Rail Station, our intent is to generate as much default ridership as possible. In addition, we would gladly consider a B-Cycle station in our development. Finally, if Old 13th Ave can be closed for festivals and outdoor events, Ubuesque would serve as a wonderful backdrop to the natural activity and gather interest from Jefferson County and Denver County residents who prefer to travel by rail and not worry about parking or driving late at night.

- D.1.F. – Consider Public Health and Safety Impacts of New Development (pg. 59)

Ubuesque will be occupied during the day and evening with lighting that will be prevalent in the evening. The additional lighting and “eyes on the streets” will provide additional crime prevention through environmental design.

- D.2.C. – Create High Performing Buildings and Neighborhoods (pg. 60)

Ubuesque intends to build as “green” as is economically feasible.

- D.3.A. – Create New Jobs (pg. 61)

Ubuesque began in Paris and is relocating to Denver. Upon completion, Ubuesque will provide permanent jobs within the venue, many construction jobs, and enable the retention of many employees of creative industry firms. In addition, additional businesses and groups may find Ubuesque to be a neighborhood amenity and worthy of locating around.

- Transit Oriented Development (pg. 83)

“Plan vision- Highest intensity of development and mixture of multifamily residential, office and commercial land uses concentrated in a very walkable compact neighborhood with great access to transit and amenities.

Neighborhood Context- This vision corresponds to the Urban Center Neighborhood Context. The General Urban Neighborhood Context may also apply.

Zoning Analysis- Several properties planned for TOD have industrial (I-A) zoning. Land uses permitted in the I-A district do not align with those recommended for the TOD area. The I-A district will not implement the uses, form, building heights or character envisioned for the TOD area.

Implementation Strategy- The menu of zone districts offered within the Urban Center Neighborhood Context and the General Urban Neighborhood Context are better suited to implement the vision for the TOD area.”

As previously mentioned, Ubuesque is a use-by-right in the I-A zone district. However, we agree, the I-A zone district does not align with those recommended for the TOD area. Therefore, Ubuesque is requesting a zone map amendment to change zoning from I-A to C-MX-8.

A.2: BLUEPRINT DENVER

Blueprint Denver was completed in 2002 and identifies this location as an “Area of Change”. In addition, there are numerous strategies that discuss infill development, areas where land use and transportation are closely linked, and:

- Transit-Oriented Development (pg. 44):

“Transit-oriented developments offer an alternative to traditional development patterns by providing housing, services, and employment opportunities for a diverse population in a configuration that facilitates pedestrian and transit access.”

Ubuesque, located within ¼ mile of the Decatur-Federal Station, is strategically sited to provide access for light rail passengers, bicyclists from the Platt River bike path, and pedestrians from within the neighborhood. The performance space will be an

attractive building, focus on the entertainment industry to help balance the mix of uses within the TOD, and infill underutilized sites with higher density development.

- Map Amendments (pg. 75)

"In other instances it may be necessary to change the zoning in an area to establish the appropriate framework for achieving the vision for each Area of Change. For example, some areas near downtown are zoned for industrial use but are slated for mixed-use development. In this case, the underlying zoning would need to be changed to a mixed-use district."

This statement is exactly what we face with Ubuesque. Our project is a use-by-right in the current I-A zone. However, we all feel that our project best aligns with the City vision through a rezoning to C-MX-8.

- Area of Change (pg. 127)

"Areas of Change are found throughout Denver. These areas have many characteristics, but some of the most common traits are close proximity to a commercial arterial street, along a historical trolley route, adjacent to an existing or planned light-rail stop, or locations in older industrial areas, or in large vacant areas. Opportunities for pedestrian-oriented, mixed-use development can be found in most of these areas."

Blueprint Denver considers the site for Ubuesque as an Area of Change. Furthermore, the site is within a ¼ mile of the Decatur-Federal light rail station, near the historic Platt Valley Trolley, located in an older industrial area with non-conforming uses, and is an opportunity for a pedestrian oriented, mixed-use development. Ubuesque is a project that will exemplify development's positive impacts on community and is the epitome of a project worthy of a zone map amendment.

- Map Amendments (pg. 130)

"In some cases it may be necessary to change the zoning to establish the appropriate framework for achieving the vision for Areas of Change. For instance, some areas near downtown are zoned for industrial use but are slated for mixed-use development. In this case, the underlying zoning would need to be changed to a mixed-use zone district."

Ubuesque is sited in an I-A zone just outside of downtown. As such, this request for a zone map amendment is quite relevant and appropriate for the Sun Valley community as the industrial zones are envisioned to be redeveloped by Blueprint Denver.

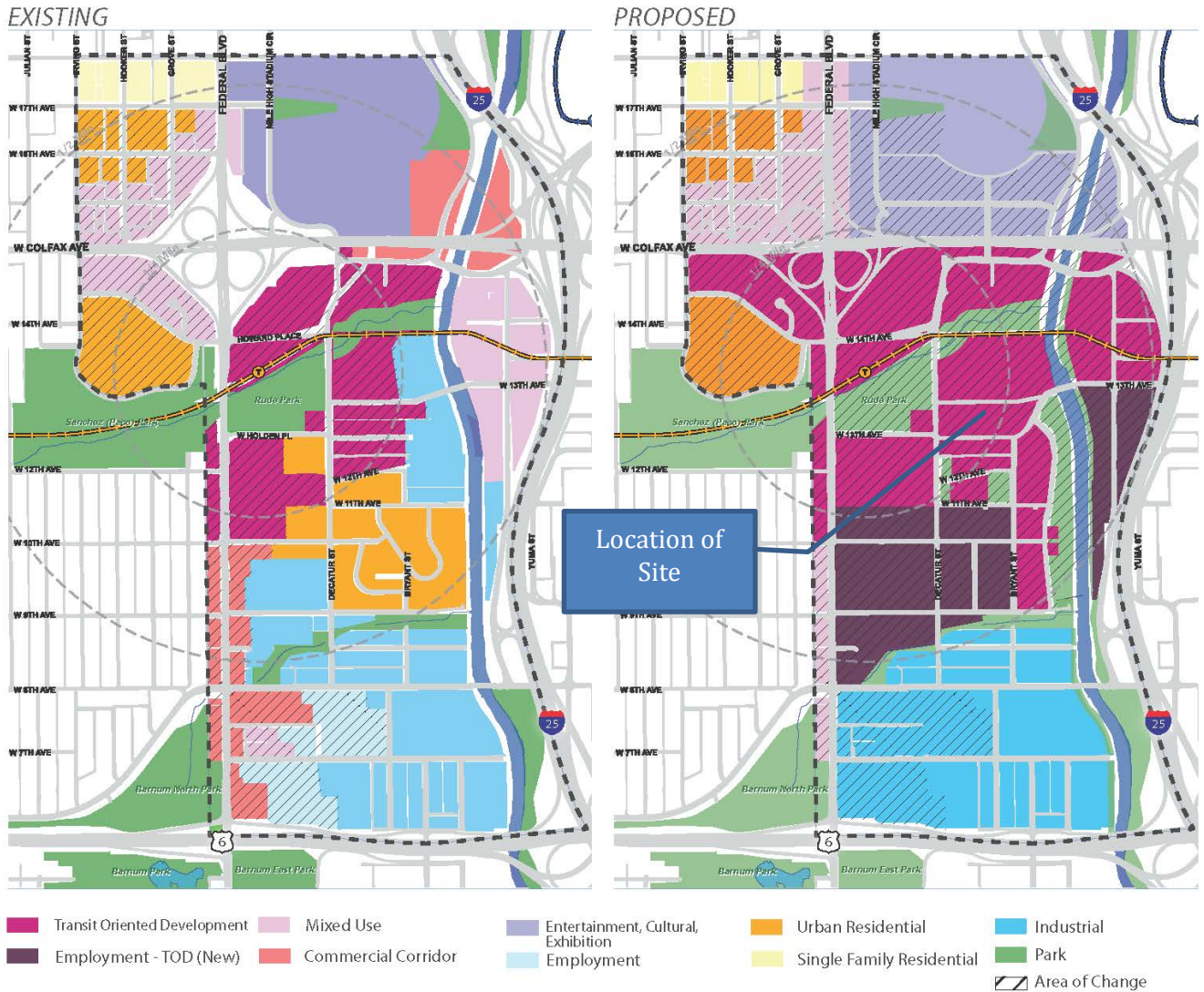
- West Colfax Light Rail Station Area – TOD with urban residential (pg. 137)

“...The TOD surrounding the Federal Station needs connections to destinations as well as new mixed-uses.”

Ubuesque will be a destination arts and performance center. This zone map amendment request to change from I-A to C-MX-8 will allow Ubuesque to provide a mix of uses in conformance with Blueprint Denver’s vision for the West Colfax Light Rail Station Area.

- Below is a map from the Decatur-Federal Station Area / Neighborhood Plan. The map below depicts the site within the ¼ mile TOD radius and identifies this location as an Area of Change:

BLUE PRINT DENVER- CONCEPT LAND USES AND AREAS OF CHANGE



A.3: DENVER COMPREHENSIVE PLAN 2000

The Denver Comprehensive Plan 2000, in many passages, cites the needs of infill development, environmental stewardship, activating transit nodes, and mixed-use buildings. Following are strategies that highlight the correlation between Plan 2000 and this zone map amendment request.

- Environmental Sustainability Chapter:

- Burdens and Benefits - Strategy 1-B (pg. 37): *Promote public-private sector involvement and cooperation with citizens to formulate plans and actions that achieve shared responsibilities and benefits.*

Currently, representatives of Ubuesque are attending community and RNO meetings as well as participating with the Denver Housing Authority as participants on the Sun Valley commercial and connectivity committee. It is our hope that, as a team, we can create a development plan worthy of community approval and placemaking praise. Without community approval and appreciation, we feel that our project would not achieve a high degree of success.

- Stewardship of Resources - Strategy 2-F (pg. 39): *Conserve land by a) Promoting infill development within Denver at sites where services and infrastructure are already in place, b) Designing mixed-use communities and reducing sprawl so that residents can live, work, and play in their own neighborhoods, c) Creating more density at transit nodes, d) adopting construction practices in new developments that minimize the disturbance of land, and e) sharing parking at activity centers...*

Ubuesque is an urban infill project. Currently, four (4) dwelling units exist in (3) three residential structures. The existing residential uses are vacant and considered non-conforming within the current I-A Zone. In addition, being that the structures are vacant, the land underlying the structures is underutilized. In need of only modification and adjustment, wet and dry utilities for Ubuesque are existing and in place. Our only hope for infrastructure is the realignment of West 13th Avenue to Holden Place with a goal of providing better access to Sun Valley from Federal Boulevard. We will provide a mixed-use facility and this zone map amendment request will provide for greater density at the Federal -Decatur Transit node reducing the need for sprawl. Finally, we intend our design and construction practices to be environmentally responsible and respectful of the community.

- Land Use Chapter:

- Objectives and Strategies - Strategy 1-C (pg. 57): *Incorporate relevant recommendations from neighborhood, corridor and area plans that area supplements to Plan 2000. Examples are the plans for Stapleton, Lowry, Gateway, Federal Boulevard, Central Platte Valley, and the Golden Triangle.*

As mentioned earlier, the Decatur-Federal Station Area / Sun Valley Neighborhood Plan is supportive of this zone map amendment request in that it catalyzes a redevelopment effort, creates a foundation for a livable TOD, and conforms to similar mixed-use adjacent zone districts.

- Residential Neighborhoods and Business Centers – Strategy 3-B (pg. 60): *Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and amenities; and that broadens the variety of compatible uses.*

Our request for a zone map amendment proposes higher density at the TOD. Higher density will allow us to provide a cultural amenity for all future neighborhood development. Further, Ubuesque will provide entertainment and performance arts, as well as providing a practice location for visiting artists and performances. As an entertainment center and industry cluster, Ubuesque will provide infill development consistent with the City and community vision.

- Land Use and Transportation – Strategy 4-A (pg. 60): *Encourage mixed-use, transit oriented development that makes effective use of existing transportation infrastructure, supports transit stations, increases transit patronage, reduces impact on the environment, and encourages vibrant urban centers and neighborhoods.*

Located within ¼ mile of the Decatur-Federal light rail station, Ubuesque is a 250 seat performance space that hopes to draw its guests from the local area and the broader region. As a catalyst project, we anticipate Ubuesque to be the anchor for a cluster of entertainment and artistic industries that may create a vibrant area just South of Mile High Stadium. As a destination location anchoring an artistic cluster, Ubuesque hopes to draw greater than average transit ridership.

- Mobility Chapter:

- Accommodating New Development – Strategy 3-B (pg. 77): *Promote transit oriented development (TOD) as an urban design framework for urban centers and development areas. Development at transit areas should provide both higher ridership to the transit system and viability and walkability in the area.*

Ubuesque is located within ¼ mile of the Decatur-Federal light rail station. Placing a cultural event center in close proximity to the station should provide for both greater transit ridership and an increase in the desire to walk or bike to and within the neighborhood.

- Legacies Chapter:

- Compact Urban Development – Strategy 3-A (pg. 99): *Identify areas in which increased density and new uses area desirable and can be accommodated.*

Our site is currently an I-A zone and the approval of this zone map amendment request would allow higher density and a mix of uses compatible with performing arts, fashion shows, interactive arts festivals, and other entertainment and compatible support businesses.

- Economic Activities Chapter:
 - Expand Economic Opportunities – Strategy 3-A (pg. 133): *Continually update Denver’s target industries in terms of industry advancements and emerging clusters. Currently, Denver’s target industries include information technology, tourism, business and financial services, environmental products and services, and mining and energy exploration and services.*

Ubuesque is within the emerging cluster of music and entertainment entrepreneurs. Several small business incubators and clusters have emerged over the years, but there have been no clusters, in Denver, that have focused directly on the music and interactive arts industries. Ubuesque is poised to participate in helping form and cultivate the performing and interactive arts industry in Denver.

- Strengthen Denver as a destination for business, leisure, and convention business – Strategy 3-C (pg. 133): *Continue to reinforce the Central Platte Valley and Downtown Area as the primary location for sports, leisure, cultural, and convention attractions – and- Expand the role of the performing and visual arts in the City’s economy especially in Downtown.*

Ubuesque is a catalyst for a more elastic Downtown. Located within close proximity of Sports Authority Field, Auraria Higher Education Campus, and Downtown, Ubuesque will help reinforce the Central Platte Valley by providing a cultural destination and expanding the footprint of the performing arts scene. In addition, Ubuesque may provide the much needed spark that will help fuel the flame of positive community development in Sun Valley.

- Solidify Denver’s reputation as a center for international business – Strategy 3-D (pg. 133):

The artistic and production team created the Ubuesque concept while performing in Paris, France. It was their sole decision to relocate to Denver. In addition to performance and interactive arts, Ubuesque has an international network of arts and fashion designers. Ubuesque is excited to bring to Denver fashion shows and performances that would appeal to local and international travelers and residents.

- Neighborhood Economic Development Chapter:

- Support the development of sustainable economies in Denver's poorest neighborhoods – Strategy 5-B (pg. 136):

Ubuesque will be located in Sun Valley, one of the most economically challenged neighborhoods in Denver. It is our hope and feeling that the development of Ubuesque will provide many construction jobs and approximately 8-10 permanent jobs in Sun Valley.

- Neighborhoods Chapter:

- Respect the intrinsic characteristics of individual neighborhoods. Use the City's neighborhood planning process to identify the assets, clarify the residents' goals, and integrate all neighborhoods into the fabric of the City. Neighborhood Planning will accommodate infill and redevelopment – Strategy 1-A (pg. 149):

The infill site for Ubuesque is in a neighborhood whose residents are planning for redevelopment. Through the efforts of the Denver Housing Authority, the City of Denver, and the residents and business owners of Sun Valley much work was done to develop and approve the Sun Valley Neighborhood Plan / Decatur-Federal Station Area Plan. Ubuesque recognizes this effort and is playing an active role as a member of the community.

- Encourage multi-uses of current and future facilities to maximize effective service delivery and financial efficiency – Strategy 7-E (pg. 166):

Ubuesque is making this request to amend the zoning map and change the zoning of this property from I-A to C-MX-8. The requested zoning would allow a greater and denser mix of uses that could maximize the financial efficiency of the non-profit performing arts operator and strengthen the financial feasibility currently and in the future.

- Arts & Culture Chapter:

- Support a full range of artistic and cultural opportunities Denver's neighborhood and among its diverse communities, including festivals, performing and visual arts events, and cultural activities – Strategy 1-C (pg. 201):

Ubuesque is cultural, diverse, and inclusionary. As an interactive performing arts venue, we hope to extend our artistic service out of the building walls and into the street. In the event we occasionally are able to close 13th avenue for outdoor festivals, we will do so with an artistic flair that would make any public marketplace or event shine brightly. In addition, Ubuesque can serve as a backdrop for outdoor events that require visual media, a performance stage, parking, and other services and storage.

- Support further growth, strengthening and development of private and non-profit arts organizations and institutions capable of owning and maintaining artistic and cultural facilities – Strategy 2-D (pg. 202):

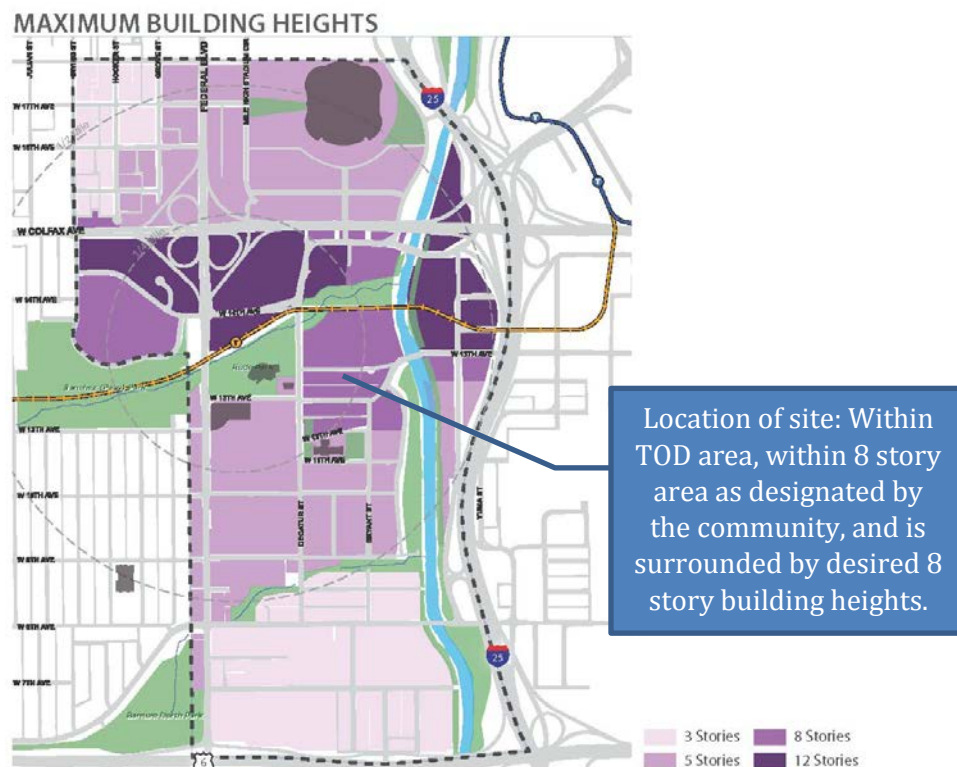
Ubuesque was formed in Paris, France and now calls Denver home. With strong ties to the artistic community, Ubuesque has a plan for growth and a clear path for achievement. Having extensive experience in performing arts, the artistic leadership of Ubuesque is experienced, capable, and prepared to own and maintain Ubuesque.

- Review City regulation of arts and cultural facilities and services, and remove unnecessary barriers to arts-related enterprise – Strategy 2-F (pg. 202):

Ubuesque is not interested in changing broad City regulations. Requested is only to amend the zoning map to allow for a higher density within a TOD, removal of the prohibitive 20' front setback associated with the I-A zone, and establishment of a new cultural facility near Downtown.

A.4: UNIFORMITY OF DISTRICT REGULATIONS AND RESTRICTIONS

This zone map amendment will place this parcel in conformance with City of Denver Zoning desires and the Decatur-Federal Station Area / Neighborhood Plan.



A.5: PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE

The proposed zone map amendment furthers the public health, safety, and general welfare of the city through:

- Redevelopment of underutilized urban land and redevelopment of vacant and abandoned structures.
- Delivers a cultural destination to an economically challenged and ignored neighborhood.
- Provides more activity in a neighborhood that is prone to crime. More lights and more eyes on the street provide safety for neighborhood residents and business owners.
- Removes abandoned and vacant properties from the opportunity for vandalism, graffiti, and squatting.
- Serves as a catalyst for the redevelopment of Sun Valley and providing a cluster of creative businesses.
- Our location, in a Transit Oriented Development zone, encourages the use of multiple modes of transit with access to light rail, bus, bike routes, and walking paths that help decrease the use of automobiles and increases Denver's long term sustainability and overall quality of health.
- A catalyst project of this type, a performing arts venue, increases the value of the City by through the inclusion of global entertainment, by providing a cultural destination for Sun Valley, and year round entertainment opportunities.

A.6: CONSISTENCE WITH NEIGHBORHOOD CONTEXT DESCRIPTION, ZONE DISTRICT PURPOSE AND INTENT STATEMENTS

The proposed zone map amendment is consistent with the neighborhood context description, zone district purpose and intent statements vis a vis:

- TOD Station Typology:
Per the Decatur-Federal Station Area/Sun Valley Neighborhood Plan, this station area is considered a "Catalyze Station". Additionally, the surrounding neighborhood is categorized as an Urban Center Station with an Entertainment Overlay.

Ubuesque is a catalytic entertainment project. The definition of *Ubuesque* is also its very goal: to challenge authority, question social mores, and embrace cultural celebrations in an absurd or funny way. The performance venue will be available to both local and international touring companies. Each year, three of the in-house shows will be dedicated to seeking local talent, while the remaining activities will be in association with other companies and groups from around the world.

This will be an experimental theatre that anchors a creative cluster of entertainment businesses. As we will challenge authority with the content of our shows, we will also push and play with the boundaries of language, stage and space. We want a night out at our theater to not only push the performer, but also the audience members to

experience and question new things. During the day classes will be available for children and adults to learn and participate in various facets of the arts.

- Denver Zoning Code Character Description:

Urban Center Neighborhood Context: Mixed-use of both residential and commercial uses, high pedestrian activity, and multi-modal transportation. Ubuesque is consistent with the following excerpts from the Denver Zoning Code:

7.1.1 General Character:

Ubuesque is a mixed-use commercial facility, planned as a General Form, activates the street edge, and is located along the 13th Avenue arterial.

7.1.2 Street, Block, and Access Patterns:

Ubuesque is planned within a fairly regular street grid, there is alley access, and the block size and shape is consistent with Denver standards.

Sidewalks along 13th Avenue are irregular. A portion of the sidewalk is detached along 13th and a portion of the sidewalk is attached. Ubuesque will work with the Department of Public Works to plan a sidewalk that meets the goals of the street as well as fire department requirements. Surface parking will be kept in the rear of the building while a single, below-grade parking deck will be accessed from 13th Avenue. Ubuesque is a destination location to be arrived at by foot, bike, car, or light rail. Ubuesque can enhance the convenience, ease and enjoyment of the Decatur-Federal Transit Station as a result of its central and accessible location. In addition, a small plaza is incorporated in the site plan design to help encourage public gathering and assembly.

7.1.3 Building Placement and Location:

Ubuesque is a mixed-use building planned to have minimal front setbacks. In fact, the majority of the façade will be built to the property line and the façade areas that are setback will be limited to the public gathering area and access point for sub-grade parking. Grade level parking and loading will be at the rear of the building.

As a creative cluster of businesses anchored by a 250-300 seat performance theater, Ubuesque will help catalyze Sun Valley into a mixed, diverse neighborhood through the introduction of performing arts businesses and participants.

7.1.4 Building Height

Ubuesque is a moderately tall building with a maximum height of 8 stories. This density contributes to the promotion of a dense urban character in a neighborhood that has

expressed a desire for greater density. Being a catalytic project in a Catalytic TOD, Ubuesque will help provide the international and artistic identity Sun Valley desires.

7.1.5 Mobility

Ubuesque is strategically situated between the Platte River bike path, the Decatur-Federal light rail and bus station, and the Platte River walking trail. Additionally, Federal Boulevard, Interstate 25, and Colfax Avenue are all within a few stop signs. As a result, Ubuesque is accessible by all modes of transportation.

Tom Svaldi
Ubuesque
2610 West 13th Avenue
Denver, CO 80204

April 1st, 2015

Steve Chester, AICP
City of Denver
Community Planning and Development
Rezoning /Map Amendments
201 West Colfax Avenue
Denver, CO 80302

Dear Steve,

Please accept this letter as our authorization for our representative, Urbitecture, to submit and discuss the zone map amendment for and on behalf of Ubuesque (non-profit operator) and TDK Sub2, LLC (property owner) for the combined parcels of 2610-2638 West 13th Avenue, Denver, CO.

Sincerely,



Alicia Svaldi
Owner
TDK Sub2 LLC

TDK Sub2, LLC 7261 Poppy Way Arvada, CO 80007