

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> <p>If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.</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:			



REZONING GUIDE

Rezoning Application Page 2 of 3

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 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. 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 Rezonings: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</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"/> Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:</p> <p style="margin-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or</p> <p style="margin-left: 20px;">b. A City adopted plan; or</p> <p style="margin-left: 20px;">c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</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. 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. 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:	
<p><input type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format)</p> <p><input type="checkbox"/> Proof of Ownership Document(s)</p> <p><input type="checkbox"/> Review Criteria, as identified above</p>	
ADDITIONAL ATTACHMENTS	
Please identify any additional attachments provided with this application:	
<p><input type="checkbox"/> Written Authorization to Represent Property Owner(s)</p> <p><input type="checkbox"/> Individual Authorization to Sign on Behalf of a Corporate Entity</p>	
Please list any additional attachments:	

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

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

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	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	Has the owner authorized a representative in writing? (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)	YES
Gary Cucarola	3225 Denargo Street Denver, Colorado 80216	50%	<i>Gary J. Cucarola</i>	4-20-20	B	YES
Big Hat Land Company	3225 Denargo Street Denver, Colorado 80216	50%	<i>Gary J. Cucarola</i>	4-20-20	B	YES

State Documentary Fee
Date 01 APRIL 08
\$ 130.00

SPECIAL WARRANTY DEED

L & H BARLOW INVESTMENT COMPANY, LLP, a Colorado limited liability partnership, 2169 E. Phillips Place, Centennial, Colorado 80122, County of Arapahoe, State of Colorado, as Grantor, for and in consideration of One Million Three Hundred Thousand Dollars (US \$1,300,000.00) hereby sells and conveys to **GARY J. CUCAROLA** and **BIG HAT LAND COMPANY, A COLORADO LIMITED LIABILITY COMPANY**, whose address is 3225 Denargo Street, Denver Colorado 80216, as Grantees, all right, title and interest in and to the real property and all improvements thereon described as follows:

SEE EXHIBIT A HERETO ATTACHED AND BY THIS RERERENCE MADE A PART HEREOF

With all its appurtenances, and Grantor warrants the title against all persons claiming under Grantor, subject to liens for real estate taxes and assessments, easements of record or in existence, and recorded declarations, restrictions, reservations and covenants, if any, including but not limited to a reservation of all minerals and mineral rights, including oil and gas rights, as reserved by the Union Pacific Railroad Company in Warranty Deed recorded March 4, 1969 in Book 9998 at Page 405 and an easement for sewer and water pipes and incidental purposes as reserved by the City and County of Denver in Ordinance No. 98, recorded January 5, 1987 at Reception No. 72494 over a portion of vacated West 32nd Avenue recorded in the records of the Clerk and Recorder of the City and County of Denver, State of Colorado.

Grantees hereby acknowledge and agree that Grantees accept the real property herein conveyed in AS IS condition WITH ALL FAULTS and that Grantees hereby waive, and Grantor hereby disclaims, all warranties of any type or kind whatsoever with respect to the physical aspects, condition, and or use of the real property, express or implied, including by way of description but not limitation, those of fitness for a particular purpose, tenantability, habitability and use

Street address: 3225 Denargo Street, Denver, Colorado 80216
Assessor's Parcel No.: 0227402009000

Documentary Fee: \$130.00

Executed and delivered as of the 1st day of April, 2008.

L & H BARLOW INVESTMENT COMPANY, LLP, a Colorado limited liability partnership,

By: Val John Barlow, M.D.
Val John Barlow, M.D., Partner

By: Sherri B. Karaian
Sherri B. Karaian, Partner

By: Lisa A. Barlow
Lisa A. Barlow, Partner

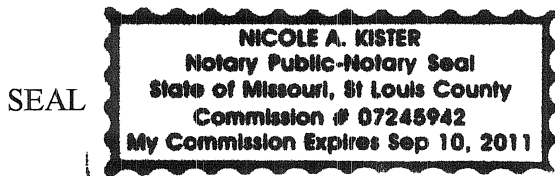


70207313

STATE OF MISSOURI)
) ss.
COUNTY OF Saint Louis)

The foregoing instrument was acknowledged before me this 18 day of March, 2008, by Val John Barlow, M.D. as a partner of L & H Barlow Investment Company, LLP, a Colorado limited liability partnership.

Witness my hand and official seal. My commission expires: Sept. 10, 2011

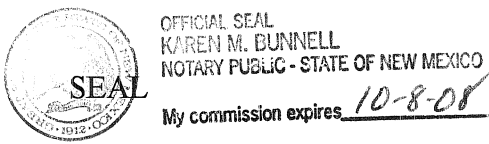


Nicole A. Kister
Notary Public

STATE OF NEW MEXICO)
) ss.
COUNTY OF BERNALILLO)

The foregoing instrument was acknowledged before me this 24 day of March, 2008, by Sherri B. Karaian as a partner of L & H Barlow Investment Company, LLP, a Colorado limited liability partnership.

Witness my hand and official seal. My commission expires: 10-8-08

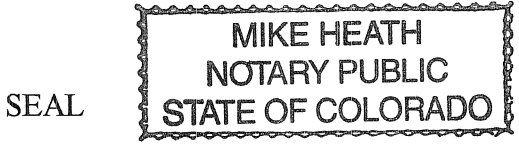


Karen M Bunnell
Notary Public

STATE OF COLORADO)
) ss.
COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 1st day of April, 2008, by Lisa A. Barlow as a partner of L & H Barlow Investment Company, LLP, a Colorado limited liability partnership.

Witness my hand and official seal. My commission expires: _____



[Signature]
Notary Public

Exhibit A
To
Special Warranty Deed with L & H Barlow Investment Company, LLP, as Grantor and
Gary J. Cucarola and Big Hat Land Company, LLC as Grantees

Legal Description

A PARCEL OF LAND LOCATED IN BLOCKS 10 AND 15 OF THE GARDEN ADDITION TO DENVER, TOGETHER WITH A VACATED PORTION OF WEST 32ND AVENUE, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 7, BLOCK 10, GARDEN ADDITION TO DENVER; THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID BLOCK 10 EXTENDED, A DISTANCE OF 335.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF DENARGO STREET AS DESCRIBED IN ORDINANCE NO. 163-1949 OF THE DENVER COUNTY RECORDS;

THENCE ON A DEFLECTION ANGLE TO THE RIGHT OF 90 DEGREES 00 MINUTES 00 SECONDS ALONG SAID RIGHT-OF WAY A DISTANCE OF 336.84 FEET TO A POINT ON THE EASTERLY LINE OF THE UNION PACIFIC RAILROAD PROPERTY;

THENCE ALONG THE EASTERLY LINE OF SAID UNION PACIFIC AND BURLINGTON NORTHERN RAILROAD PROPERTIES; THE FOLLOWING TWO (2) COURSES:

1) ON A DEFLECTION ANGLE TO THE RIGHT OF 128 DEGREES 07 MINUTES 12 SECONDS A DISTANCE OF 235.17 FEET TO A POINT ON A CURVE NON-TANGENT TO THE PRESENT COURSE;

2) THENCE ON A DEFLECTION ANGLE TO THE RIGHT OF 00 DEGREES 21 MINUTES 12 SECONDS TO THE TANGENT OF SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 28 DEGREES 23 MINUTES 10 SECONDS, A RADIUS OF 496.44 FEET AND AN ARC LENGTH OF 245.95 FEET TO THE POINT OF BEGINNING,

EXCEPTING THEREFROM THAT PORTION CONVEYED TO METRO WASTEWATER RECLAMATION DISTRICT IN WARRANTY DEED RECORDED MARCH 4, 1996 AT RECEPTION NO. 9600027292,

CITY AND COUNTY OF DENVER,
STATE OF COLORADO

After Recording, Please Return To:
Peter B. Nagel
999 Eighteenth Street, Suite 1745
Denver, Colorado 80202

STATEMENT OF AUTHORITY

Pursuant to C.R.S. § 38-30-172

Big Hat Land Company, LLC

This Statement of Authority is made on behalf of Big Hat Land Company, LLC pursuant to C.R.S. § 38-30-172.

1. *Name of Entity:*

Big Hat Land Company, LLC

2. *Type of Entity and State, Country, or Other Governmental Authority Under Whose Laws It Was Formed:*

Limited Liability Company, Colorado

3. *Mailing Address for the Entity:*

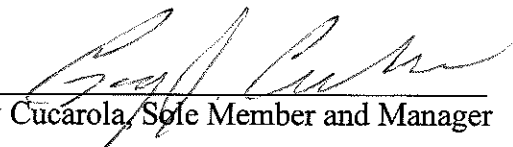
3225 Denargo Street
Denver, Colorado 80216

4. *Name and Position of Person Authorized to Execute Instruments Conveying, Encumbering, or Otherwise Affecting Title To Real Property on Behalf of the Entity:*

Gary Cucarola
Sole Member and Manager

Executed this 20 day of April, 2020.

BIG HAT LAND COMPANY, LLC

By: 
Gary Cucarola, Sole Member and Manager

STATE OF COLORADO)
) ss.
CITY AND COUNTY OF DENVER)

The foregoing instrument was acknowledged before me by Gary Cucarola, as Sole member and Manager of Big Hat Land Company, LLC, this ____ day of _____, 2020.

WITNESS my hand and official seal.

My commission expires: _____.

[SEAL]

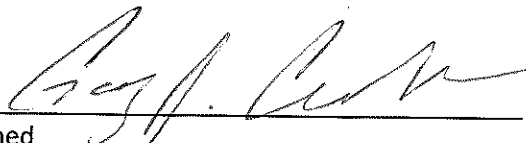
DENARGO MARKET PHASE VI – ZONE MAP AMENDMENT LETTER OF AUTHORIZATION

We, Gary Cucarola and the Big Hat Land Company, do hereby give Kimley-Horn and Associates, Inc. authorization to act on our behalf during the Zone Map Amendment process for the Denargo Market Phase VI project.


Signed _____

4-20-20
Date

Big Hat Land Company, LLC,
by Gary Cucarola, its sole member


Signed _____

4-20-20
Date



August 21, 2020

Community Planning & Development
City and County of Denver
201 W. Colfax Avenue, Dept. 205
Denver, Colorado 80202

RE: **Denargo Market Phase VI**
3225 Denargo Street
Zone Map Amendment - Application #2020I-00055

To Whom It May Concern,

This document will serve as supporting documentation for the Zone Map Amendment Application for 3225 Denargo Street (1.49 acres) which is currently zoned as I-B, UO-2. The zone lot is to undergo rezoning for Urban Center, Mixed Use with 16 stories maximum height and the River North Design Overlay District (C-MX-16, DO-7).

The rezoning would support a future development at the site anticipated to provide 16 levels of multi-family residential units with amenity spaces and leasing and retail space on the ground floor. Parking will be provided in an above-ground structure in the first four levels which will generally be wrapped with units along the Project frontage and provide approximately 384 spaces. The units are a mix of efficiencies, one and two bedrooms with a target of 326 residential units for lease. The ground floor amenity and leasing space is anticipated to be up to 2,600 SF along with a retail/restaurant space of approximately 5,800 SF which will provide activation along the Denargo Street rights-of-way.

Building materials are planned to include storefront glazing, brick, cementitious paneling, concrete and metal panel. The main residential lobby is located along Denargo Street with additional pedestrian access points along Denargo Street. The parking garage is accessed from a private access drive from Denargo Street. Pedestrian access for the Project will be provided along the Project perimeter at various locations to promote activation at the street frontages. An upper level deck or outdoor community space is also planned for Levels 5 and 16. Preliminary floor plans are included in this application for reference.

We have reached out to a total of 10 neighborhood groups to gain their feedback on the rezoning. We received positive feedback from the RiNo Art District and the Ballpark Collective thus far, and we will be meeting with the Elyria-Swansea-Globeville Business Association during their August board meeting to discuss the Project. We are still trying to contact and set up meeting times with the GES Coalition, Inter-Neighborhood Cooperation, Northeast Denver Friends and Neighbors, Center City Denver Residents Organization, Denver Arts and Culture Initiative, UCAN, Rio Norte.

A summary of supporting documentation for review criteria complying with Denver Zoning Code section 12.4.10.7 along with Additional Review Criteria for a Non-Legislative Rezoning per Denver zoning Code section 12.4.10.8) is provided.

1. Consistency with Adopted Plans

There are currently 3 plans adopted by the City which pertain to the parcel: Blueprint Denver 2019, Comprehensive Plan 2040, and River North Plan 2003. The rezoning of this parcel complies with the goals of the adopted plans.

Blueprint Denver 2019

Rezoning the I-B, UO-2 parcel to C-MX-16, DO-7 is consistent with the rezoning components of the Blueprint Denver 2019 as listed below:

- *Neighborhood Context*
Rezoning to C-MX-16 will be compatible with the existing zone lots located to the north, northeast, and east parcels that provide a high residential, mixed-use neighborhood. The proposed new zoning is consistent with the Blueprint Denver Neighborhood Context Map for an Urban Center context. The Urban Center neighborhood context describes an area of higher residential density with street activation, walkability and access to amenities.
- *Future Places*
This C-MX-16 zone district is consistent with the goals and strategies of the Blueprint Denver 2040 Future Places Map for this area. The proposed rezone area falls within the high residential areas in D and UC context designations. The Blueprint Denver identifies buildings in these contexts as the tallest of residential places with high lot coverage and shallow setbacks.
- *Street Type*
The proposed C-MX-16 Urban Center zone district is located along a Mixed-Use Collector with proximity and direct access to a Mixed-Use Arterial. Rezoning of the I-B, UO-2 property will allow for a prominent multi-story mixed-use building. This will allow for the goals of both the Mixed-Use Collector to be achieved through redevelopment. The full redevelopment will provide pedestrian-oriented transportation methods though detached walks.
- *Growth Strategy*
High and High-Medium Residential Areas in D and C Contexts (p. 50)
The River North area is identified as an area of growth. As noted on page 50 of Denver Blueprint, these D and C Context areas are expected to take on 5% of employment and 15% of housing in Denver by 2040. The rezone and full development of Denargo Market Phase VI will provide additional bedrooms and multifamily units for the future housing needs of River North.
- *Policies and Strategies*
 - o **Land Use and Built Form – General**
 - Policy 1: Promote and anticipate planned growth in major centers and corridors and key residential areas connected by rail service and transit priority streets.
 - The area is identified as an area of growth in Blueprint Denver and the mixed-use development will provide additional housing and employment

- opportunities.
 - Policy 2: Incentivize or require efficient development of land, especially in transit-rich areas.
 - The existing industrial building and surface parking areas would be removed with the Project and replaced with a high density mixed used development.
 - Policy 5: Integrate mitigation of involuntary displacement of residents and/or businesses into major city projects.
 - A voluntary affordable housing agreement will provide a total of 10% affordable units to the neighborhood. These units will be provided in a variety of unit types, have the same high-quality unit features and finishes as the market rate apartments, and have equal access to building amenities as the market rate tenants.
 - Policy 8: Promote environmentally responsible and resource-efficient practices for the design, construction and demolition of buildings.
 - The Project will comply with the Denver Green Building Ordinance.
- **Land Use and Built Form – Housing**
 - Policy 6: Increase the development of affordable housing and mixed-income housing, particularly in areas near transit, services and amenities.
 - The Project would provide 5% affordable housing units of all units developed at an affordable level of 60% of the area median income and 5% affordable housing units of all units developed at an affordable level of 80% of the area median income for a length of affordability no less than 60 years through a voluntary affordable housing agreement.
 - Policy 8: Capture 80 percent of new housing growth in regional centers, community centers and corridors, high-intensity residential areas, greenfield residential areas, innovation flex districts and university campus districts.
 - The Project would provide approximately 326 new dwelling units that would include 10% affordable units.
- **Land Use and Built Form – Economics**
 - Policy 6: Ensure Denver and its neighborhoods have a vibrant and authentic retail and hospitality marketplace meeting the full range of experiences and goods demanded by residents and visitors.
 - The retail spaces will provide Denargo Market neighborhood and adjacent neighborhood residents activation for the primarily residential area.
- **Land Use and Built Form – Design Quality & Preservation**
 - Policy 3: Create exceptional design outcomes in key centers and corridors.
 - The Project will be designed with high-quality architectural features that will comply with the RiNo Overlay District design guidelines.
 - Policy 4: Ensure an active and pedestrian friendly environment that provides a true mixed-use character in centers and corridors.
 - Street activation would be provided with the leasing and retail spaces on

the ground floor along with the enhanced streetscape in Denargo Street.

○ **Mobility**

- Policy 1: Encourage mode-shift - more trips by walking and rolling, biking and transit - through efficient land use and infrastructure improvements.
 - This is encouraged through the mixed-use development, the enclosed bike parking spaces that will be provided above code, and by working with RTD to provide a bus stop along the Project frontage.
- Policy 2: Align the impacts of private development with transportation infrastructure and promote development that creates walkable, transit-friendly communities.
 - The existing streetscape along the Project frontage will be replaced and enhanced.
- Policy 3: On all streets, prioritize people walking and rolling over other modes of transportation.
 - The existing sidewalk will be replaced with an ADA compliant walkway.
- Policy 6: Reduce impacts from development to pedestrian and bicycle mobility during construction.
 - A protected walk could be provided during construction to keep the walkway open for pedestrians.
- Policy 7: Make transit more affordable to Denver residents.
 - As part of the Project we will engage RTD to provide a bus stop along the project frontage to provide an alternative transit option to residents of the Denargo Market neighborhood.

○ **Quality-of-Life Infrastructure**

- Policy 1: Expand tools and regulations to ensure high-quality parks and outdoor public spaces keep pace with Denver’s growth.
 - The Project is planned to exceed the required 15% private open space to create visual interest and provide pedestrian activation.
- Policy 2: Protect and expand Denver’s tree canopy on both public and private property
 - New streetscape will be provided with the Project development that will include new trees to enhance and improve the tree canopy for Denargo Street
- Policy 3: Minimize flooding and effectively manage stormwater as part of a larger integrate ecological system
 - The building finished floor elevation will be set 1’ above the 100-year storm event per the FLO-2D stormwater analysis provided by the City.
- Policy 4: Promote environmentally friendly development strategies in the public and private realms
 - Detention and water quality for the Project is anticipated to be provided beneath the private access road that would provide a pumped discharge at historic rates to the existing public storm sewer network in Denargo

Street.

- Policy 5: Ensure attractive streets and outdoor spaces in all centers and corridors, giving priority to pedestrian spaces and amenities.
 - The pedestrian realm would be activated by providing leasing and retail spaces on the ground floor along with new sidewalk and tree lawn.
- Policy 10: Work with public and private partners to improve access to shops, restaurants, entertainment, civic uses, services and a variety of daily needs for all Denver residents.
 - The project would bring additional retail space to the primarily residential Denargo Market neighborhood.

Denver Comprehensive Plan 2040

Rezoning the I-B, UO-2 parcel to C-MX-16, DO-7 is consistent with the vision elements of the Denver Comprehensive Plan 2040 as listed below:

- *Equitable, Affordable and Inclusive, Goal 3, Strategy B* – Use land use regulations to enable and encourage the private development of affordable, missing middle and mixed-income housing, especially where close to transit (p. 28).
 - With this high-density residential development, a voluntary housing agreement will be pursued to provide 5% affordable housing units of all units developed at an affordable level of 60% of the area median income and 5% affordable housing units of all units developed at an affordable level of 80% of the area median income for a length of affordability no less than 60 years.
 - These units will be provided in a variety of unit types, have the same high-quality unit features and finishes as the market rate apartments, and have equal access to building amenities as the market rate tenants.
- *Strong and Authentic Neighborhoods, Goal 2, Strategy D* – Use urban design to contribute to economic viability, public health, safety, environmental well-being, neighborhood culture, and quality of life (p. 34).
 - The rezoning of this parcel will bring the development goals in line with the adopted plans for the area. The full development of Denargo Market Phase VI will help to build a strong and authentic neighborhood and improve the economic viability and neighborhood culture through new housing and employment opportunities.
- *Connected, Safe and Accessible Places, Goal 6, Strategy A* – Create a citywide network for bicycling, walking and rolling that is safe and accessible to people of all ages and abilities (p. 41).
 - As part of the Denargo Market Phase VI development, the existing street frontage will be removed and updated to provide an enhanced pedestrian corridor along Denargo Street. Existing City streetlights will also be replaced per the current City standard.

- As part of the Project we will engage RTD to provide a bus stop along the project frontage to provide an alternative transit option to residents of the Denargo Market neighborhood.
- *Economically Diverse and Vibrant, Goal 7, Strategy A* – Encourage the development of creative districts (p. 47).
 - The Denargo Market Phase VI development will incorporate a mixture of uses that will enhance the River North neighborhood context which will continue to make the River North neighborhood a desirable community to both live and work. The development will continue the enhancement of this creative arts district.
- *Environmentally Resilient, Goal 8, Strategy B* – Encourage mixed-use communities where residents can live, work and play in their own neighborhoods (p. 54).
 - The future redevelopment of this parcel would meet the City’s commitment to environmental standards and provide new housing opportunities for many to both live and work in the creative River North neighborhood.
- *Healthy and Active, Goal 2, Strategy A* – Ensure equitable access to parks and recreation amenities for all residents (p. 58).
 - The Denargo Market Phase VI redevelopment will provide a fitness center as an amenity for future residents. Additionally, the proximity to the downtown core, parks and recreation facilities, and the South Platte River will provide future residents with opportunities to enjoy the community.

River North Plan 2003

Rezoning the I-B, UO-2 parcel to C-MX-16, DO-7 is consistent with specific goals listed in the General Framework of the River North Plan 2003 along with helping to resolve issues identified.

- Much of the land in the study area is currently underutilized.
 - The proposed rezoning would allow the site to be redeveloped into an area that is consistent with adopted plans for the neighborhood.
- The current zoning does not allow some appropriate uses, allows other inappropriate uses, and does not provide appropriate development and design standards for new development.
 - The rezoning of this parcel will bring them in line with the desired residential and commercial mixed-use designation and remove the industrial use zone district that is discouraged in this area.
- Create opportunities for employees of current and future employers to live within the study boundaries and seek to connect residents of adjacent neighborhoods with jobs within the Plan’s boundaries.
 - The proposed zone district would provide an opportunity to redevelop the parcel into a high residential area that would provide a service for residents that would look to work

and live in the neighborhood.

- Build upon the unique land uses that exist and identify redevelopment sites and opportunities that foster creation of a compatible mix of uses.
 - o Rezoning the parcel to C-MX-16 would bring a mixture of uses that will incorporate residential units along with a retail or restaurant component.

- Improve and create new connections within the River North Area, to downtown, and to nearby neighborhoods especially improved pedestrian and bicycle connections.
 - o Pedestrian connections will be provided by means of enhanced detached walks along the project frontage.
 - o Coordinate with RTD to provide a bus stop along the project frontage to provide a transit option to residents of the Denargo Market neighborhood to connect to downtown and nearby neighborhoods.

- By adding new development to the current uses and structures, create a unique environment both in terms of an eclectic mix of uses and exciting, innovative architecture.
 - o High-quality architectural design elements and site features would be incorporated into the project to enhance the character of the neighborhood.

2. Uniformity of District Regulations and Restrictions

The application seeks to rezone this parcel to C-MX-16 with the DO-7 overlay zone district. The current I-B, UO-2 zoning does not meet purpose of the River North Design Overlay or adopted plans of the area. The new proposed zone districts will support and meet the City's vision for this area.

3. Public Health, Safety and General Welfare

The development of a high-density residential building will improve the general welfare of the public by pursuing a voluntary housing agreement to provide 5% affordable housing units of all units developed at an affordable level of 60% of the area median income and 5% affordable housing units of all units developed at an affordable level of 80% of the area median income for a length of affordability no less than 60 years. These units will be provided in a variety of unit types, have the same high-quality unit features and finishes as the market rate apartments, and have equal access to building amenities as the market rate tenants.

In addition, accessible sidewalk connectivity will be provided along the project frontage which will enhance the neighborhood area and we will coordinate with RTD to inquire about providing a bus stop along the project frontage to provide an alternative transit option to residents of the Denargo Market neighborhood

4. Justifying Circumstances

The Justifying Circumstances are found in Section 12.4.10.8.A. The parcel qualifies under subsections A.4.a and A.5.

The conditions of the neighborhood have changed significantly over recent years. Neighborhood changes began with the adoption of Denargo Market Urban Design Standards and Guidelines and General Development Plan. Both plans created a vision of a mixed-use community that turns the Denargo Market neighborhood into an urban center destination. Since the adoption of those guiding documents, public and private infrastructure has been improved. Several parcels have already undergone urban center redevelopment. Urban center redevelopment has been completed at 2525 and 2797 Wewatta Way, while 2520 Wewatta Way and 3325 Denargo Street remain under construction. All the aforementioned addresses are changing an underutilized area into a high-density urban center.

The City has established an overlay zone district, River North Design Overlay District (DO-7), which promotes a vibrant, urban center redevelopment context for the Denargo Market area. The rezone of this parcel would meet the specific criteria for overlay districts as outlined in DZC Section 9.4.5.1.B. The full redevelopment of the Denargo Market Phase VI parcel will reinforce the desired urban center context for the redeveloping River North neighborhood. The proposed rezone will be consistent with the City of Denver adopted River North Plan 2003, as outlined above, in that the development would generate opportunities for both housing and employment, and foster creation of a compatible mix of uses. Rezoning the parcel to C-MX-16 would bring a mixture of uses that will incorporate residential units along with a retail or restaurant component in an urban center context.

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

The requested C-MX-16 zoning is consistent with the adjacent neighborhood context, zone district purpose and intent as the parcel is bordered by PUD-G #12, R-MU-30, C-MX-8, and C-MX-16 properties. Blueprint Denver specifically notes this neighborhood area is of Urban Center context with requirements for high residential development with buildings that are generally the tallest of the residential plans in this context. The proposed zone map amendment will allow for this Urban Center context to be realized.

According to the Denver Zoning Code ("DZC") Section 7.2.2, the general purpose of the Mixed-Use Districts is intended to:

- promote safe, active, and pedestrian-scaled, diverse areas using building forms that clearly define and activate the public street edge
- enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's neighborhoods
- ensure new development contributes positively to established residential neighborhoods and character and improves the transition between commercial development and adjacent residential neighborhoods
- focused on creating mixed, diverse neighborhoods

- require pedestrian enhancements
- have shallow front setback range, with high build-to requirements

The Denargo Market Phase VI redevelopment will be consistent in meeting these DZC goals for a new Mixed-Use district and will provide pedestrian connectivity through the construction of detached walks along the mixed-use collector street.

The specific intent of the C-MX-16 zone districts applies to areas served primarily by major arterial streets where a building scale of 3 to 16 stories is desire. The Denargo Market Phase VI development meets the C-MX-16 intent of the DZC because of the proximity and direct access to a Mixed-Use Arterial and will ultimately meet the story requirement of the zone district.

Summary of Request

As presented within this letter, the re-zoning of the specified parcel is beneficial in that it allows for the unencumbered development of a high-density residential product that will both serve and improve the surrounding neighborhood community.

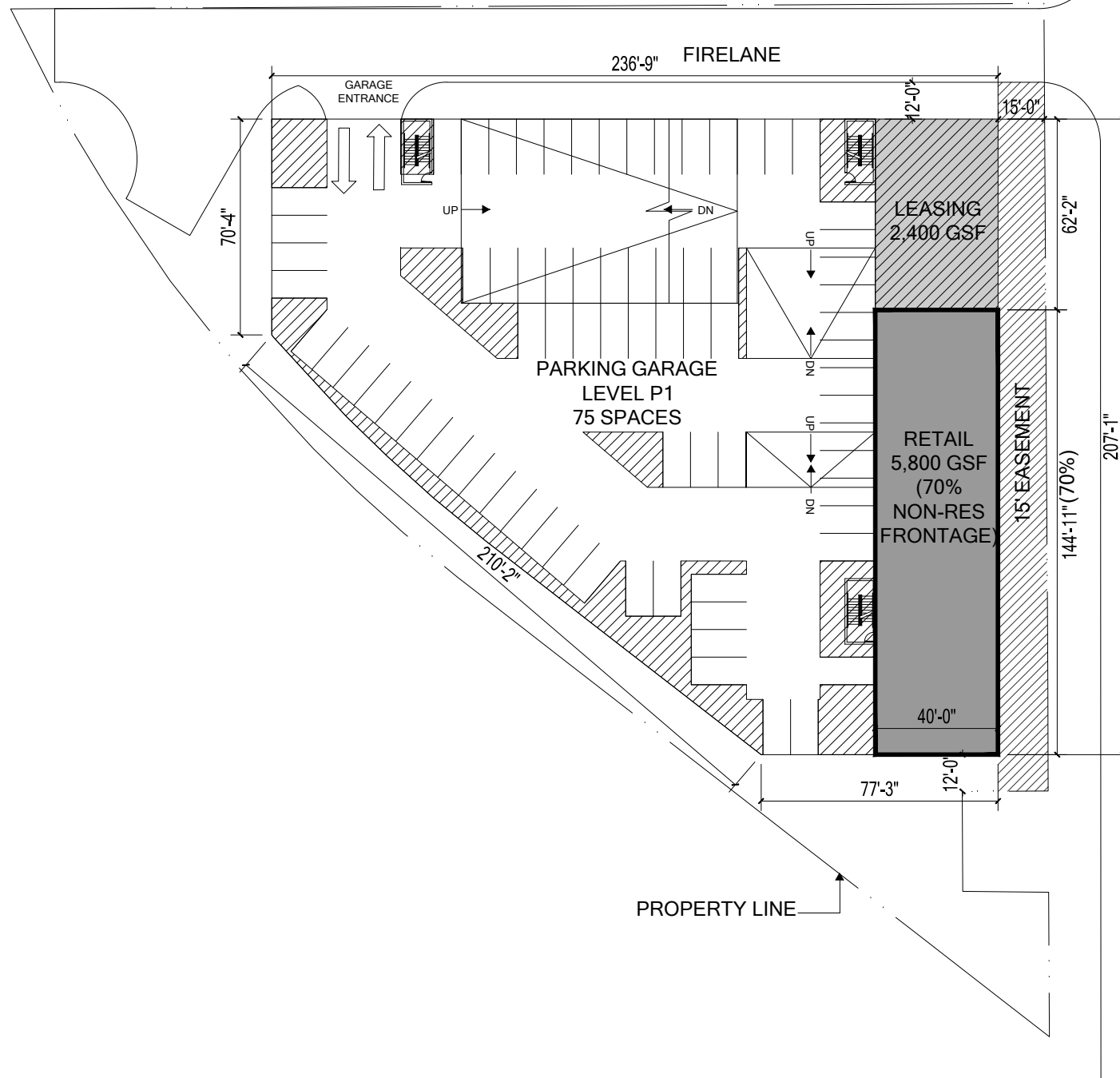
Please contact me at (303) 228-2322 or meaghan.turner@kimley-horn.com should you have any questions.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



Meaghan Turner, PE
Project Manager



DENARGO STREET

CREA - DM6- SP01											6/30/2020
UNIT TYPE	EFFICIENCY	1 BR		2 BR		TOTALS					
		A	B	Total Units	Apart. NSF (NIC Balc. SF)	Leasing Office NSF	Amenity Space NSF	Retail (NIC in Resid.)	GSF (NIC Balc and Garage)	Apart. Net Efficiency	
AREA (SF)											
BALCONY (SF)											
LEVEL 1	0	0	0	0	0	0	2,400		5,600	8,000	80%
LEVEL 2	0	0	0	0	0	0					80%
LEVEL 3	3	6	2	11	8,000					10,000	80%
LEVEL 4	3	6	2	11	8,000					10,000	80%
LEVEL 5	5	11	4	20	14,880		6,000			24,600	80%
LEVEL 6	7	14	5	26	19,680					24,600	80%
LEVEL 7	7	14	5	26	19,680					24,600	80%
LEVEL 8	7	14	5	26	19,680					24,600	80%
LEVEL 9	7	14	5	26	19,680					24,600	80%
LEVEL 10	7	14	5	26	19,680					24,600	80%
LEVEL 11	7	14	5	26	19,680					24,600	80%
LEVEL 12	7	14	5	26	19,680					24,600	80%
LEVEL 13	7	14	5	26	19,680					24,600	80%
LEVEL 14	7	14	5	26	19,680					24,600	80%
LEVEL 15	7	14	5	26	19,680					24,600	80%
LEVEL 16	6	13	5	24	18,080		2,000			24,600	80%
Subtotal	87	176	63	326							
Total SF/Type	0	0	0		245,760	2,400	8,000	5,600	323,200	76.04%	
Total Balc./Type											
										326	Ave. Apt. 750 SF

PARKING CALCULATIONS

Per Unit Type	Total BDR	Parking Coefficient	Residential Required Parking per LDC	Parking Per Level (averaged)	Retail Parking Required	Total Required Parking	Urban Parking Reduction per 4.3.3.E.3	Parking Provided (5 Levels)
Bedrooms	1	1	2					
Total BDR	87	176	126	389	1	389	76.8	20
						409		384



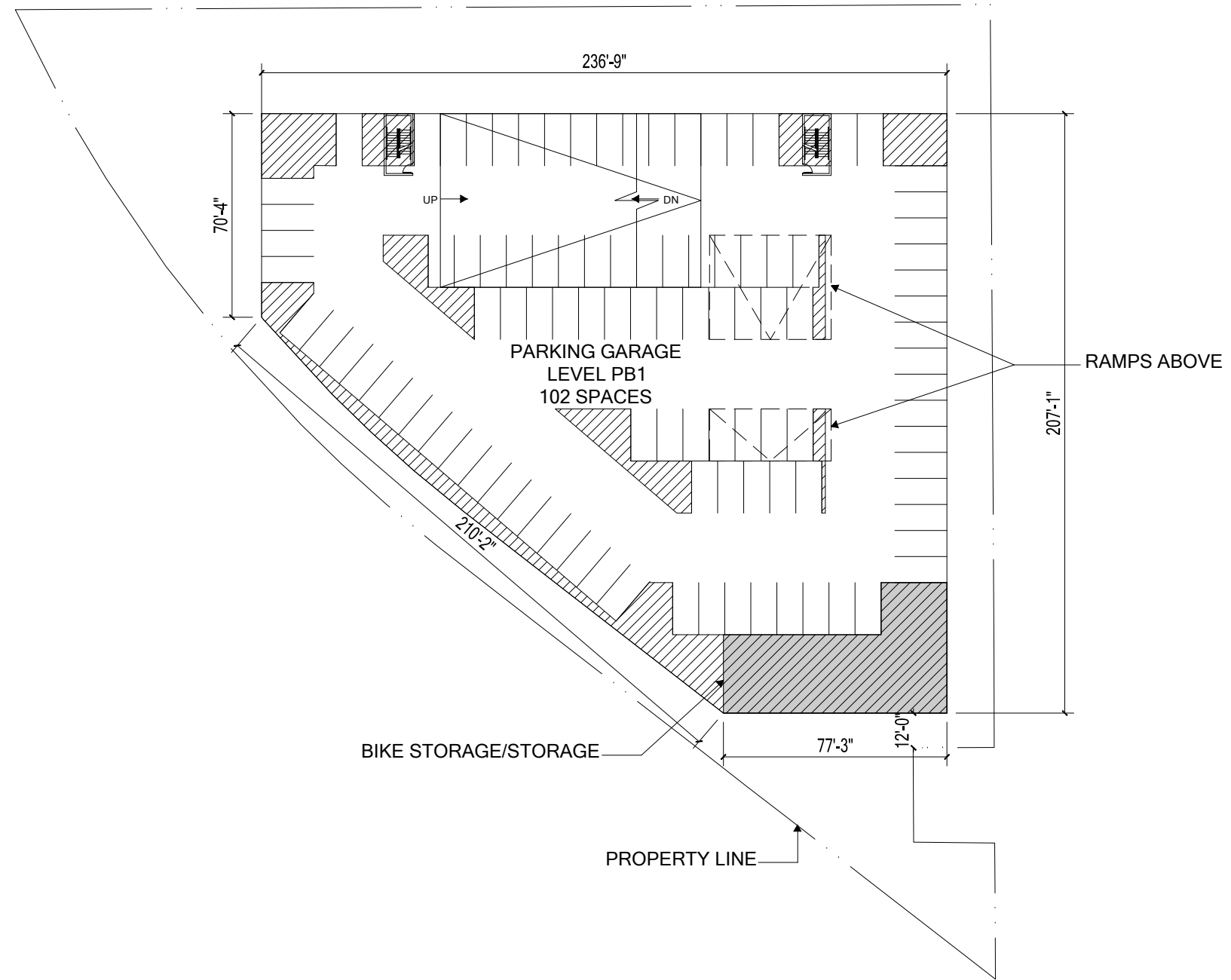
SITE PLAN / LEVEL 1

Denargo Market Phase 6
Denver, CO

Job #: -
Date: 06.30.2020
Drawn by: SKG

Scale: 1:50
File Name: P:\Pending and Other Projects\Cypress Real Estate Advisors\DM6\CREA DM6_Site Plan_2020 06 30.dwg
Not for regulatory approval, permitting, or construction





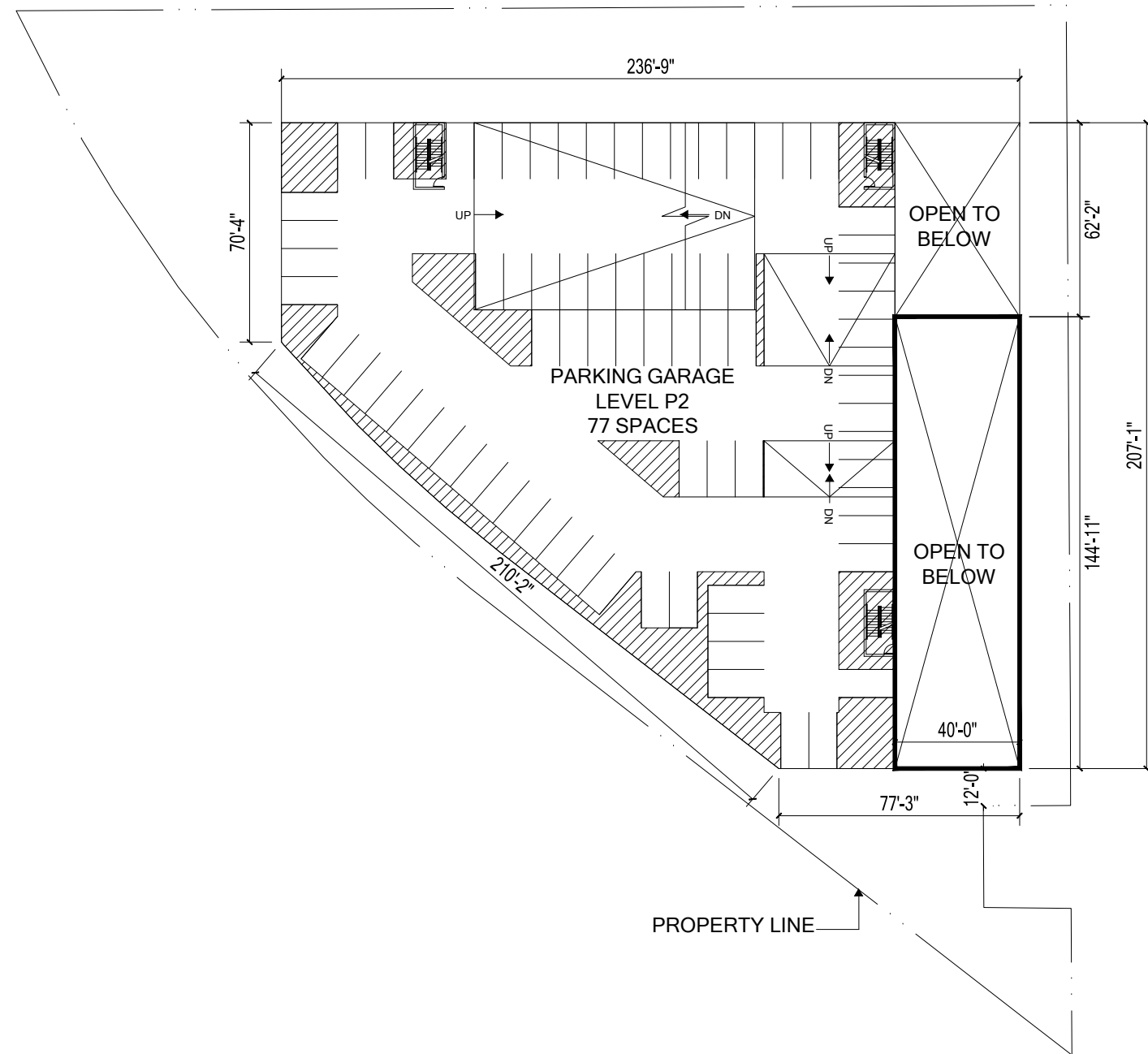
LEVEL B1

Denargo Market Phase 6
Denver, CO

Job #: -
Date: 06.30.2020
Drawn by: SKG

Scale: 1:50
File Name: P:\Pending and Other Projects\Cypress Real Estate Advisors\DM6\CREA DM6_Site Plan_2020 06 30.dwg
Not for regulatory approval, permitting, or construction





LEVEL 2

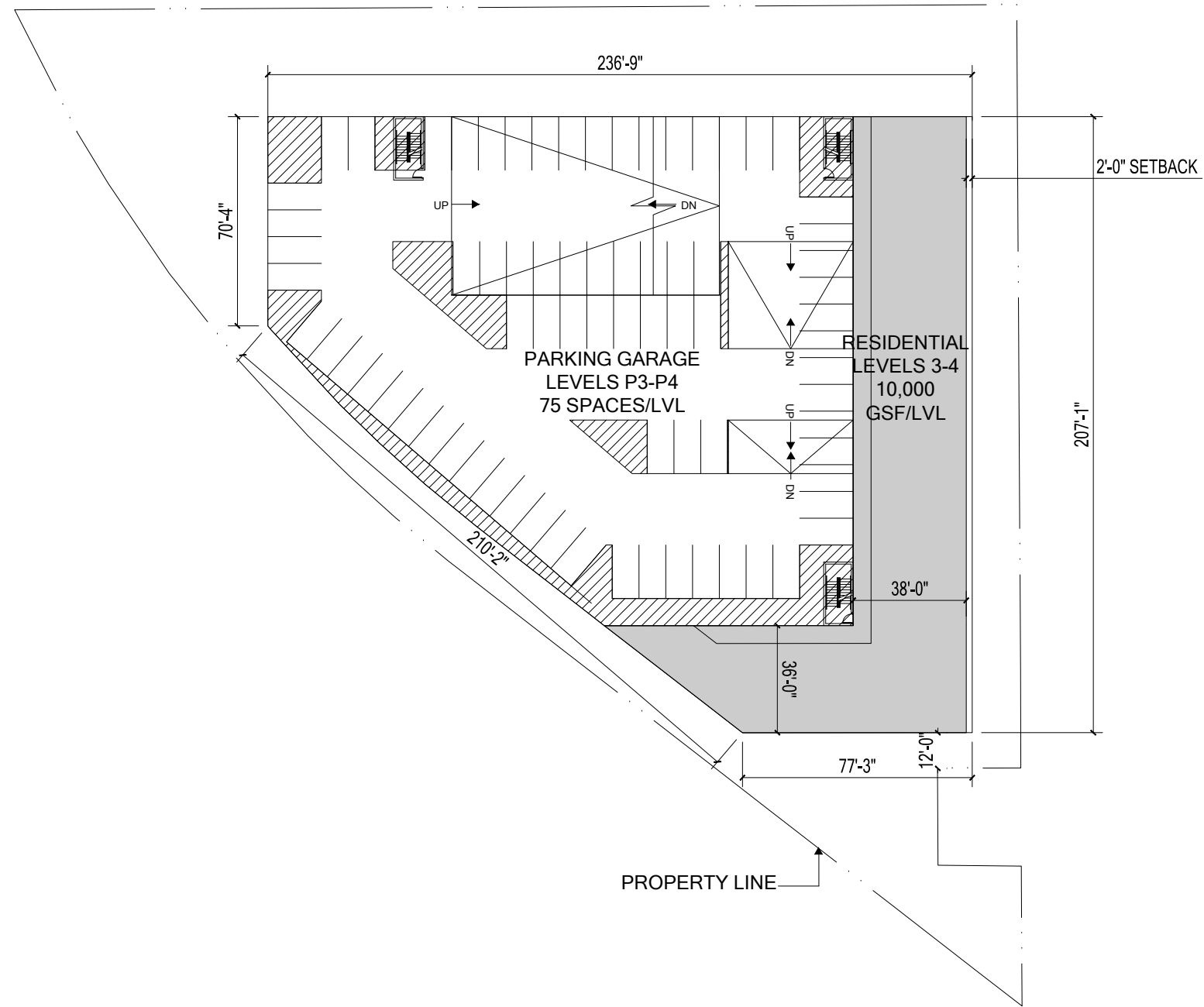


Denargo Market Phase 6
Denver, CO

Job #: -
Date: 06.30.2020
Drawn by: SKG

Scale: 1:50
File Name: P:\Pending and Other Projects\Cypress Real Estate Advisors\DM6\CREA DM6_Site Plan_2020 06 30.dwg
Not for regulatory approval, permitting, or construction





LEVELS 3-4

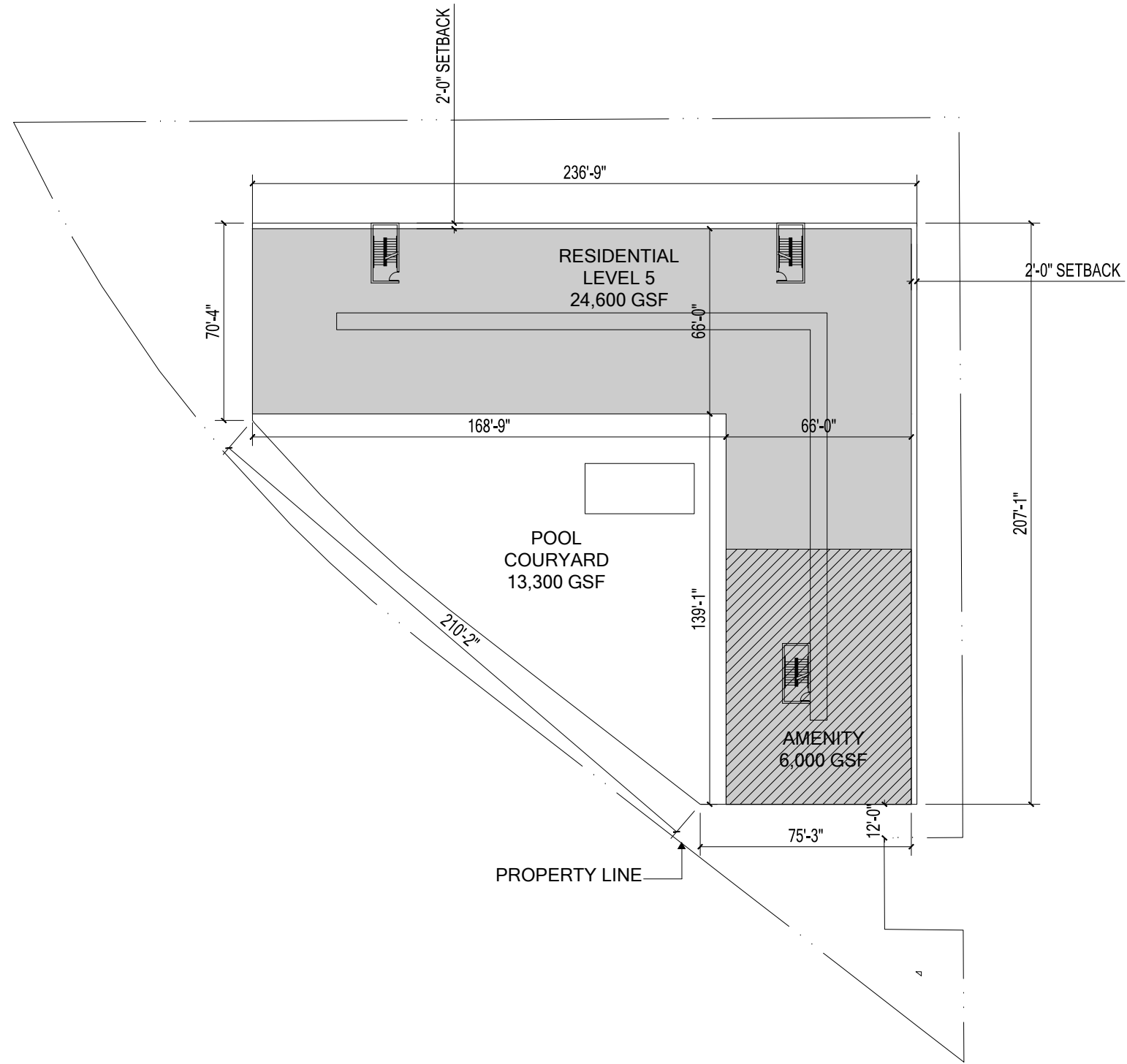


Denargo Market Phase 6
Denver, CO

Job #: -
Date: 06.30.2020
Drawn by: SKG

Scale: 1:50
File Name: P:\Pending and Other Projects\Cypress Real Estate Advisors\DM6\CREA DM6_Site Plan_2020 06 30.dwg
Not for regulatory approval, permitting, or construction





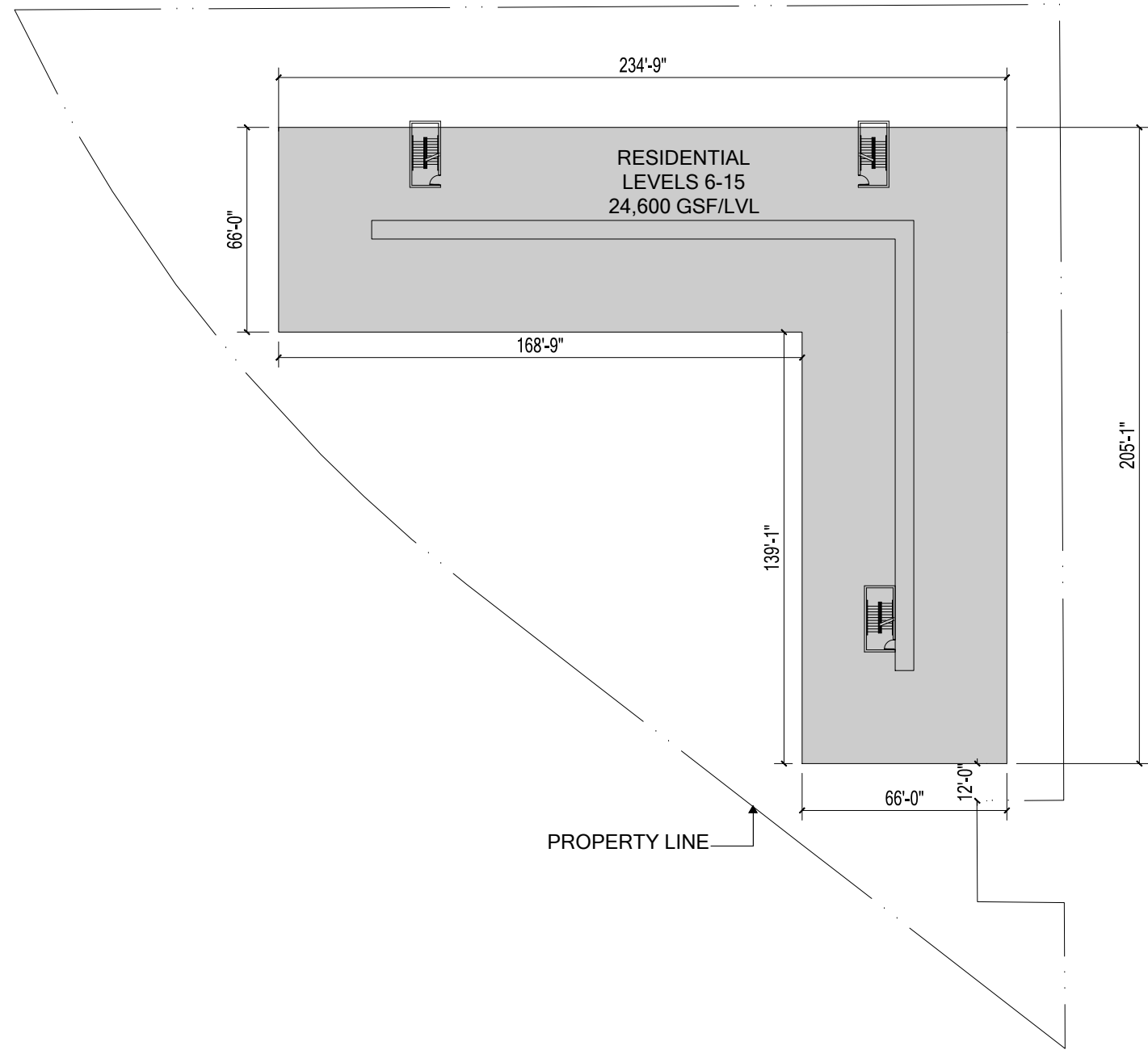
LEVEL 5

Denargo Market Phase 6
Denver, CO

Job #: -
Date: 06.30.2020
Drawn by: SKG

Scale: 1:50
File Name: P:\Pending and Other Projects\Cypress Real Estate Advisors\DM6\CREA DM6_Site Plan_2020 06 30.dwg
Not for regulatory approval, permitting, or construction





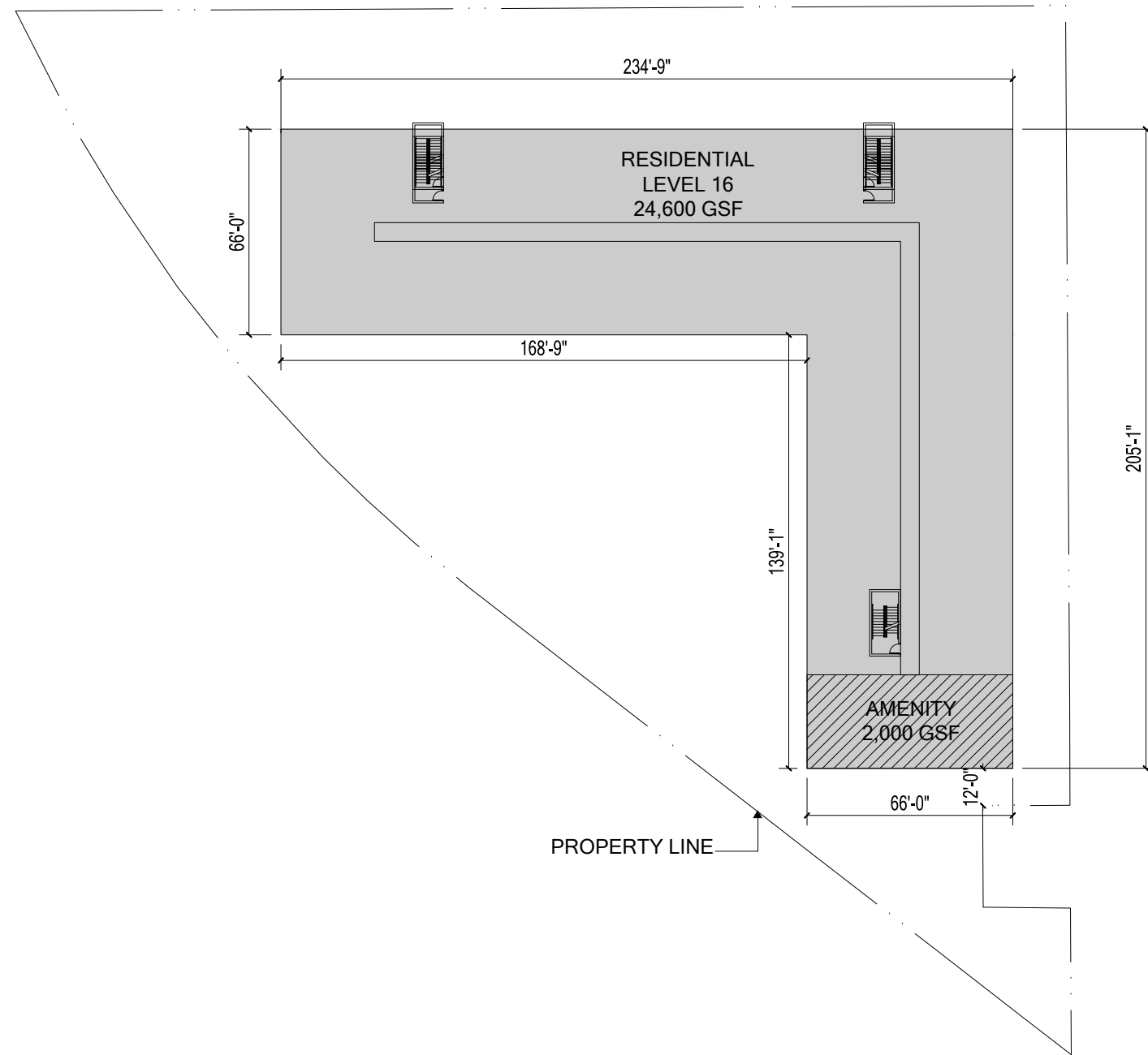
LEVELS 6-15

Denargo Market Phase 6
Denver, CO

Job #: -
Date: 06.30.2020
Drawn by: SKG

Scale: 1:50
File Name: P:\Pending and Other Projects\Cypress Real Estate Advisors\DM6\CREA DM6_Site Plan_2020 06 30.dwg
Not for regulatory approval, permitting, or construction





LEVEL 16

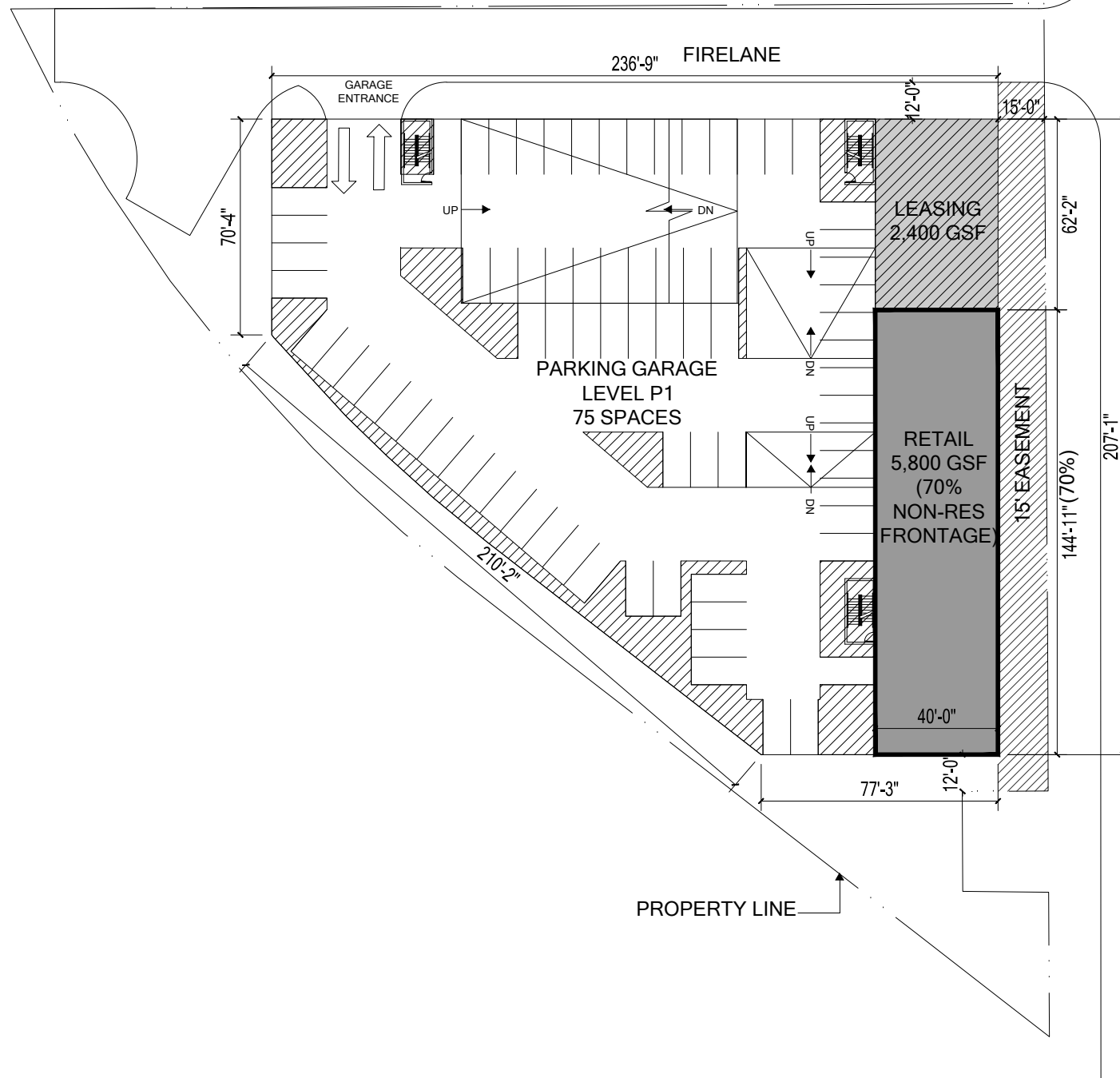


Denargo Market Phase 6
Denver, CO

Job #: -
Date: 06.30.2020
Drawn by: SKG

Scale: 1:50
File Name: P:\Pending and Other Projects\Cypress Real Estate Advisors\DM6\CREA DM6_Site Plan_2020 06 30.dwg
Not for regulatory approval, permitting, or construction



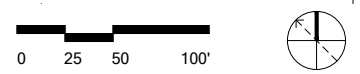


DENARGO STREET

CREA - DM6- SP01											6/30/2020
UNIT TYPE	EFFICIENCY	1 BR		2 BR		TOTALS					
		A	B	Total Units	Apart. NSF (NIC Balc. SF)	Leasing Office NSF	Amenity Space NSF	Retail (NIC in Resid.)	GSF (NIC Balc and Garage)	Apart. Net Efficiency	
AREA (SF)											
BALCONY (SF)											
LEVEL 1	0	0	0	0	0	0	2,400		5,600	8,000	80%
LEVEL 2	0	0	0	0	0	0					80%
LEVEL 3	3	6	2	11	8,000					10,000	80%
LEVEL 4	3	6	2	11	8,000					10,000	80%
LEVEL 5	5	11	4	20	14,880		6,000			24,600	80%
LEVEL 6	7	14	5	26	19,680					24,600	80%
LEVEL 7	7	14	5	26	19,680					24,600	80%
LEVEL 8	7	14	5	26	19,680					24,600	80%
LEVEL 9	7	14	5	26	19,680					24,600	80%
LEVEL 10	7	14	5	26	19,680					24,600	80%
LEVEL 11	7	14	5	26	19,680					24,600	80%
LEVEL 12	7	14	5	26	19,680					24,600	80%
LEVEL 13	7	14	5	26	19,680					24,600	80%
LEVEL 14	7	14	5	26	19,680					24,600	80%
LEVEL 15	7	14	5	26	19,680					24,600	80%
LEVEL 16	6	13	5	24	18,080		2,000			24,600	80%
Subtotal	87	176	63	326							
Total SF/Type	0	0	0		245,760	2,400	8,000	5,600	323,200	76.04%	
Total Balc./Type											
										326	Ave. Apt. 750 SF

PARKING CALCULATIONS

Per Unit Type	Total BDR	Parking Coefficient	Residential Required Parking per LDC	Parking Per Level (averaged)	Retail Parking Required	Total Required Parking	Urban Parking Reduction per 4.3.3.E.3	Parking Provided (5 Levels)
Bedrooms	1	1	2					
Total BDR	87	176	126	389	1	389	76.8	20
						409		384



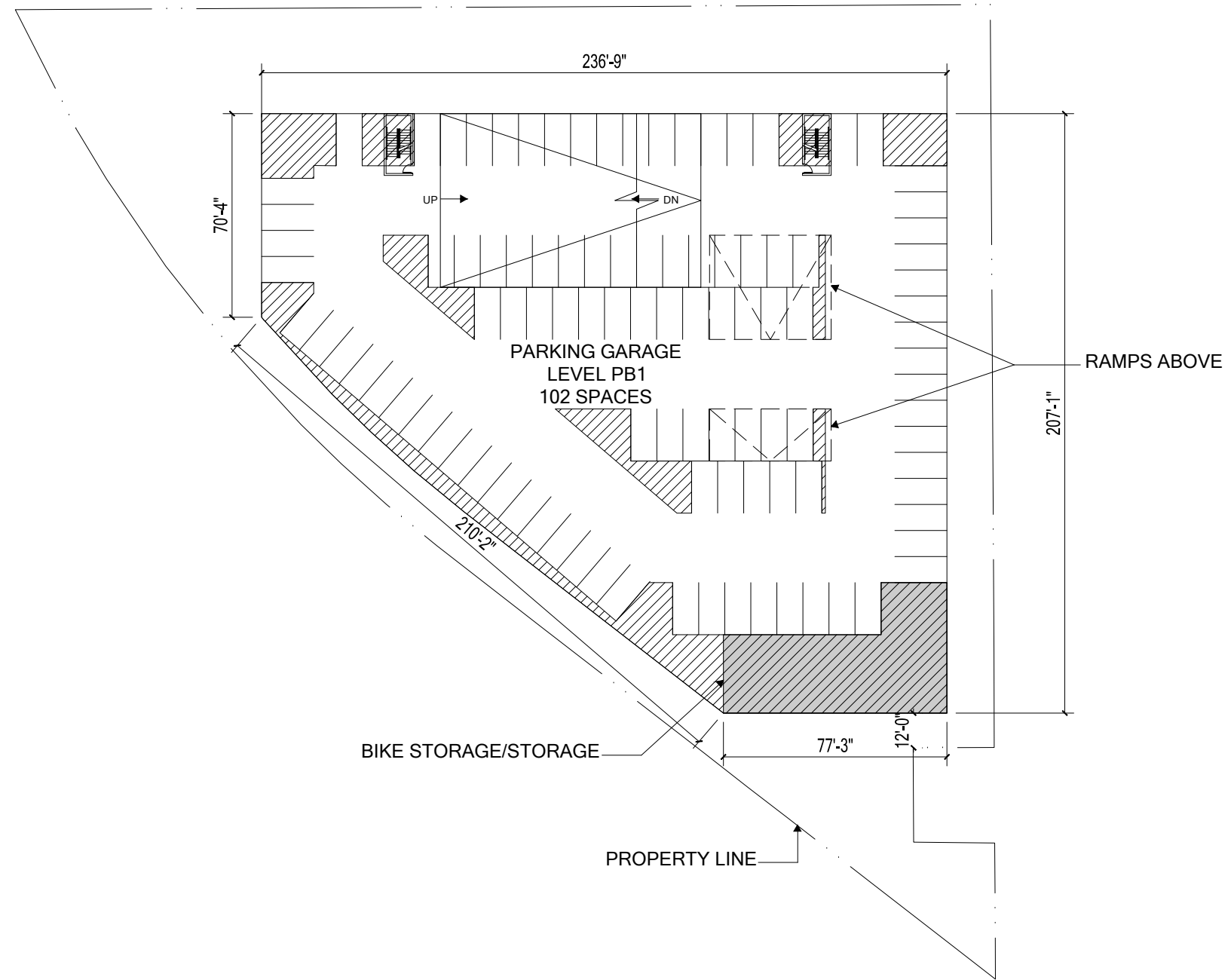
SITE PLAN / LEVEL 1

Denargo Market Phase 6
Denver, CO

Job #: -
Date: 06.30.2020
Drawn by: SKG

Scale: 1:50
File Name: P:\Pending and Other Projects\Cypress Real Estate Advisors\DM6\CREA DM6_Site Plan_2020 06 30.dwg
Not for regulatory approval, permitting, or construction





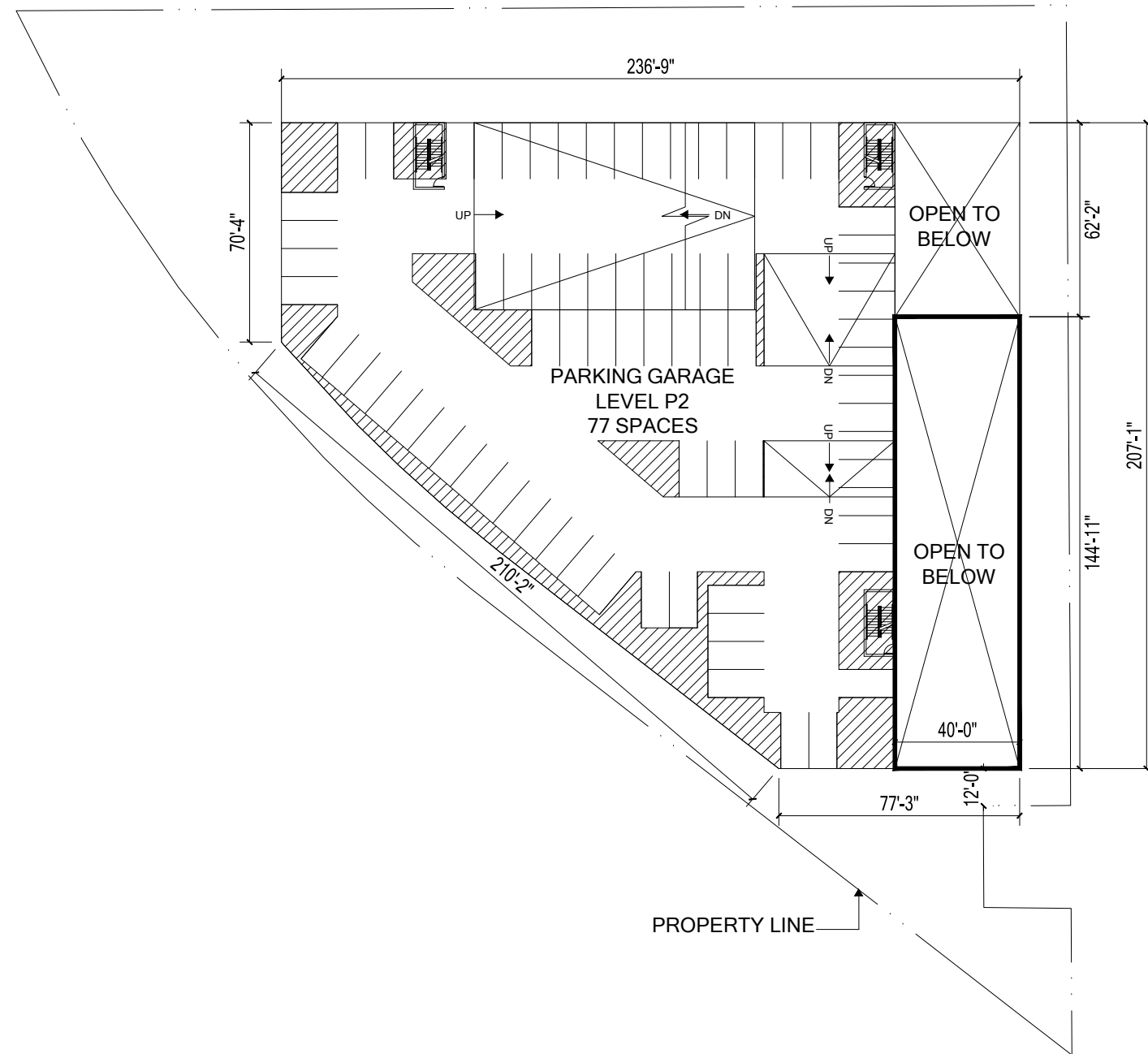
LEVEL B1

Denargo Market Phase 6
Denver, CO

Job #: -
Date: 06.30.2020
Drawn by: SKG

Scale: 1:50
File Name: P:\Pending and Other Projects\Cypress Real Estate Advisors\DM6\CREA DM6_Site Plan_2020 06 30.dwg
Not for regulatory approval, permitting, or construction





LEVEL 2

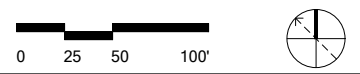
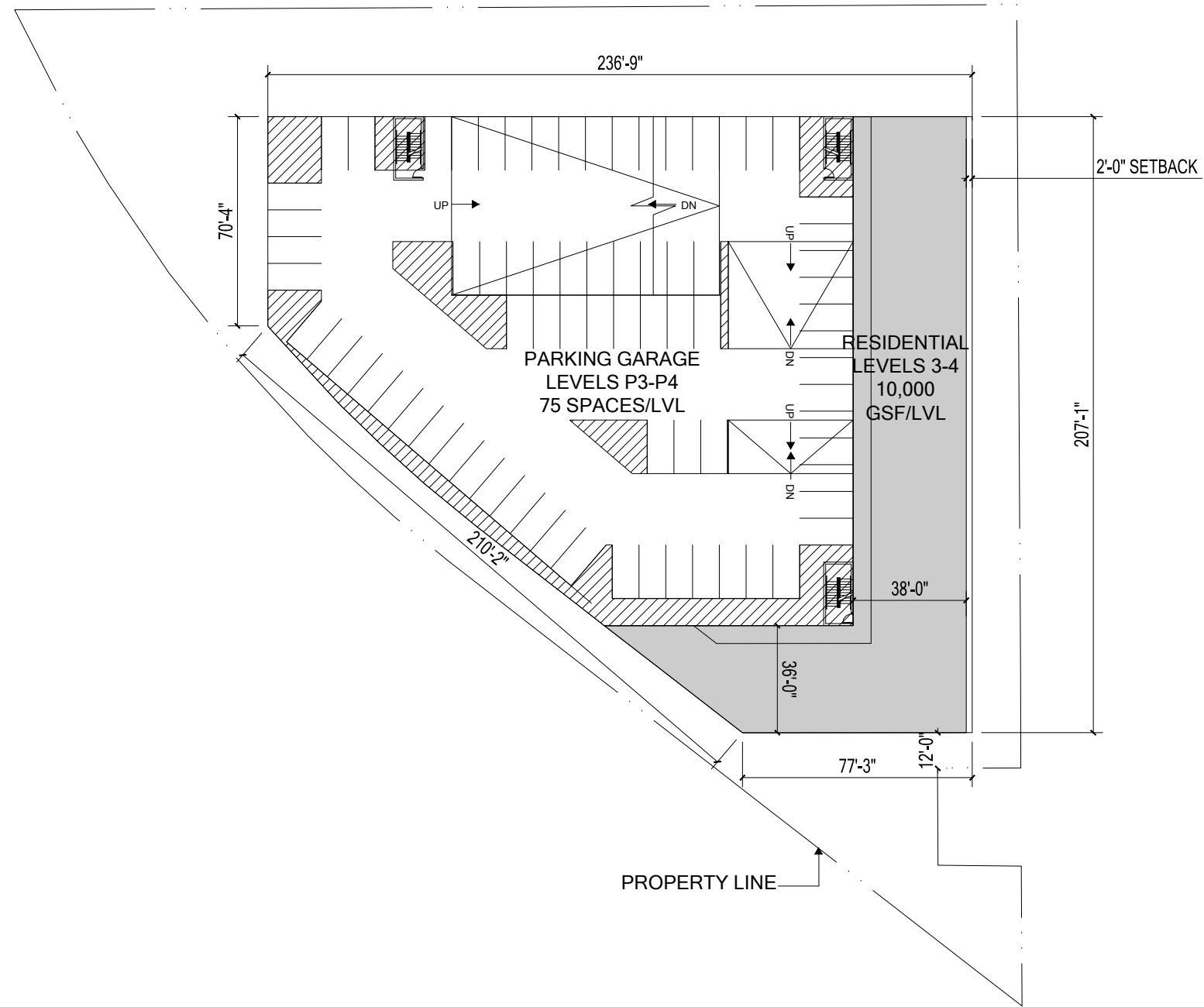


Denargo Market Phase 6
Denver, CO

Job #: -
Date: 06.30.2020
Drawn by: SKG

Scale: 1:50
File Name: P:\Pending and Other Projects\Cypress Real Estate Advisors\DM6\CREA DM6_Site Plan_2020 06 30.dwg
Not for regulatory approval, permitting, or construction





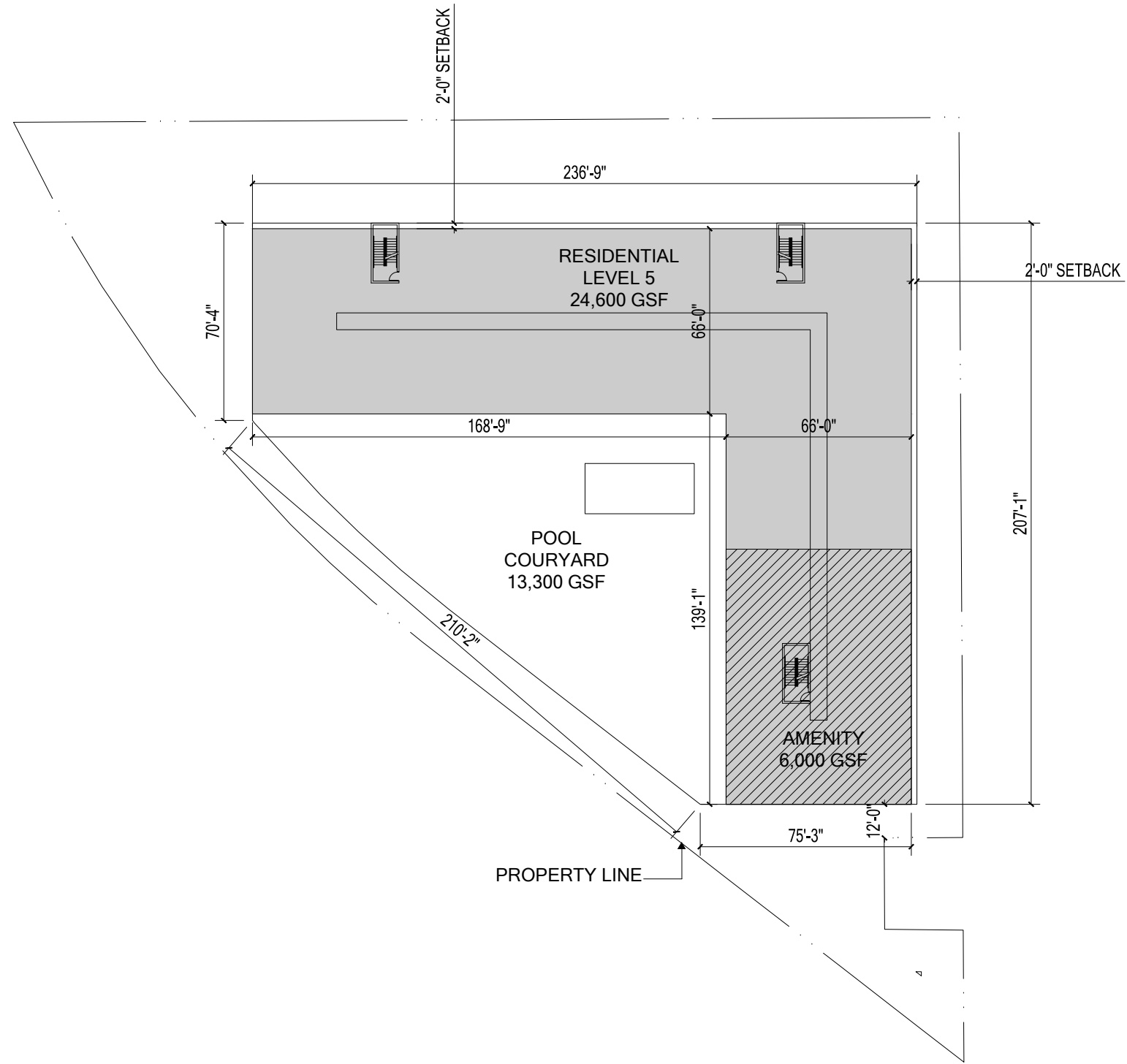
LEVELS 3-4

Denargo Market Phase 6
Denver, CO

Job #: -
Date: 06.30.2020
Drawn by: SKG

Scale: 1:50
File Name: P:\Pending and Other Projects\Cypress Real Estate Advisors\DM6\CREA DM6_Site Plan_2020 06 30.dwg
Not for regulatory approval, permitting, or construction





LEVEL 5

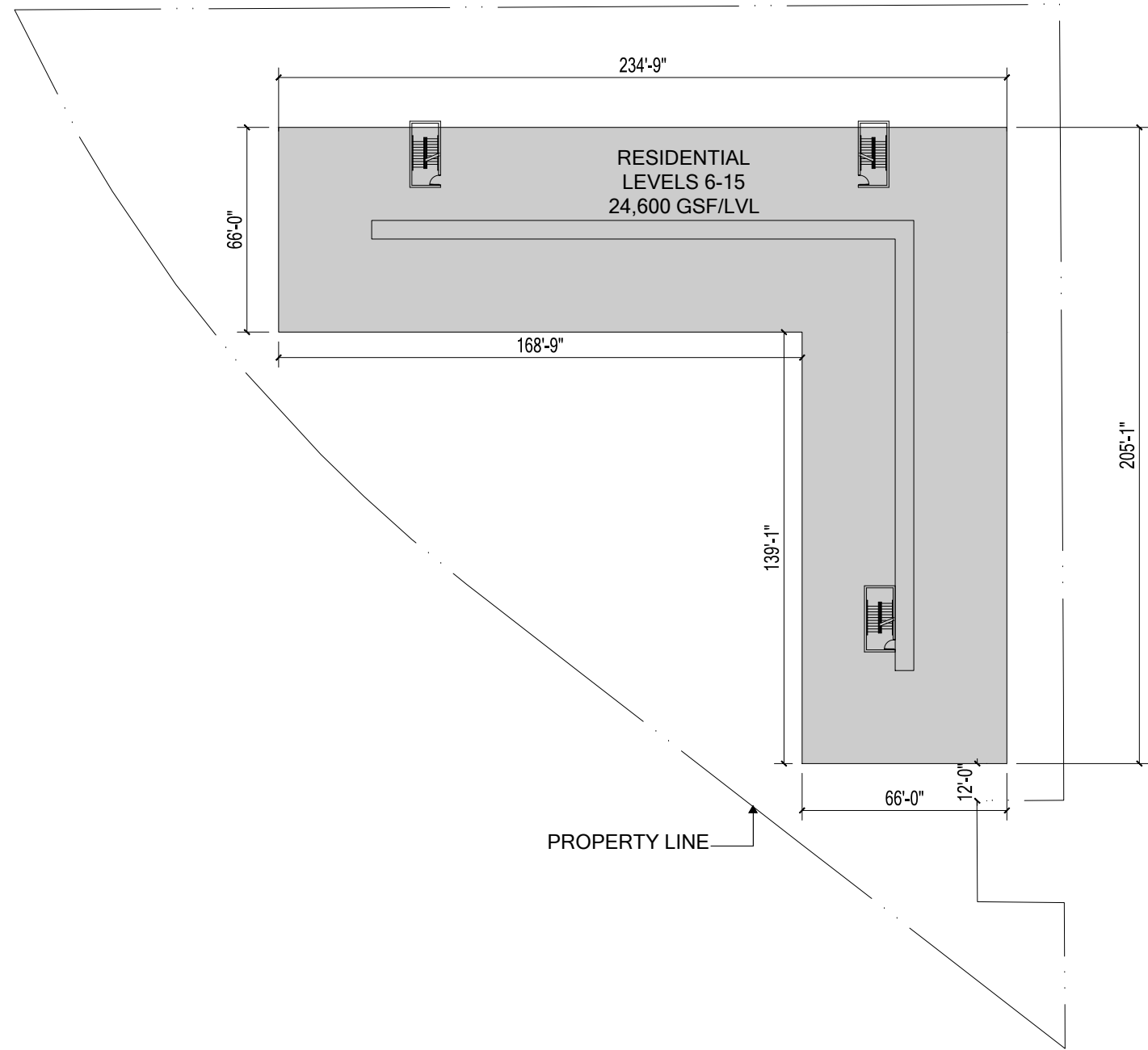


Denargo Market Phase 6
Denver, CO

Job #: -
Date: 06.30.2020
Drawn by: SKG

Scale: 1:50
File Name: P:\Pending and Other Projects\Cypress Real Estate Advisors\DM6\CREA DM6_Site Plan_2020 06 30.dwg
Not for regulatory approval, permitting, or construction





LEVELS 6-15

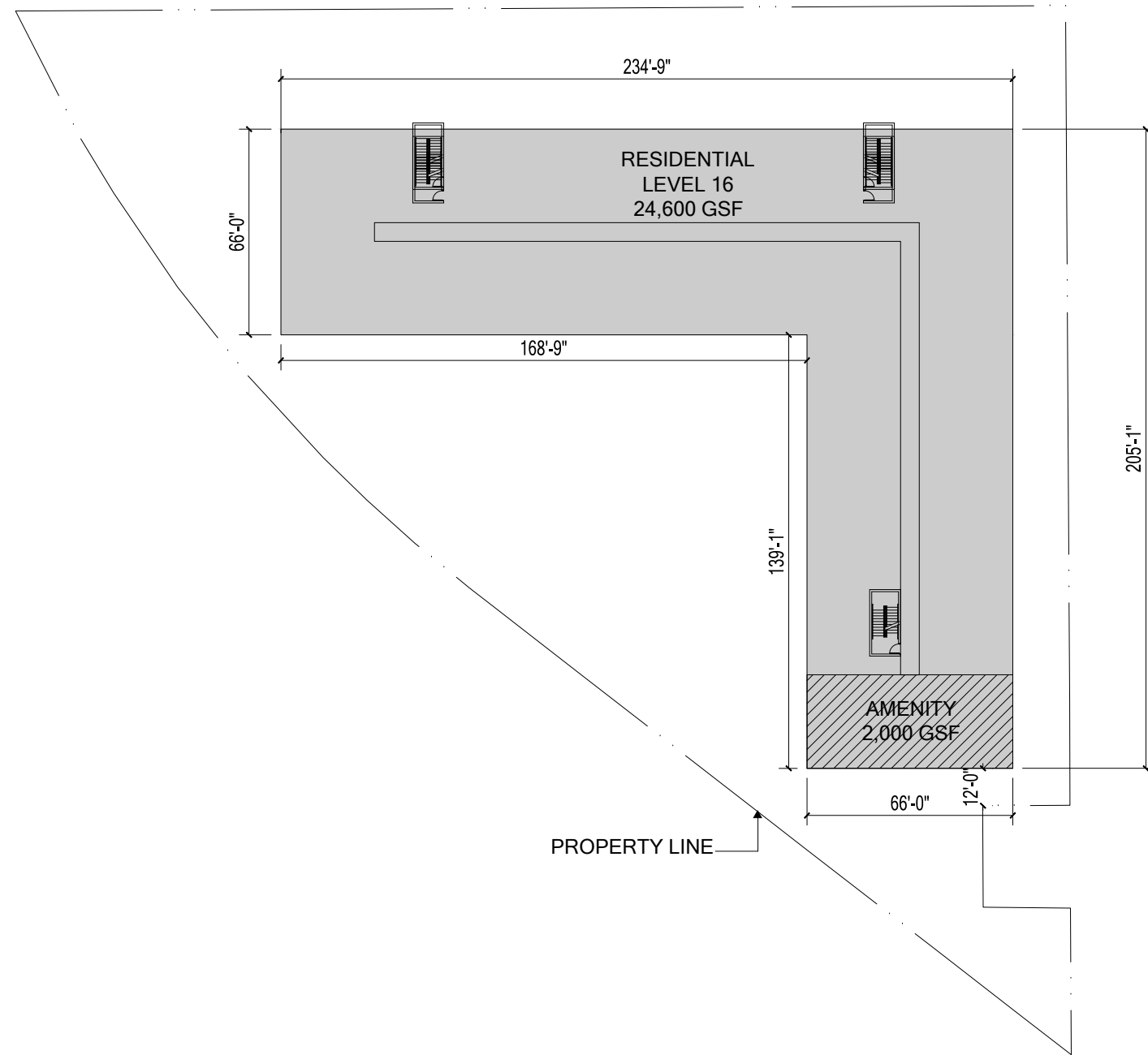


Denargo Market Phase 6
Denver, CO

Job #: -
Date: 06.30.2020
Drawn by: SKG

Scale: 1:50
File Name: P:\Pending and Other Projects\Cypress Real Estate Advisors\DM6\CREA DM6_Site Plan_2020 06 30.dwg
Not for regulatory approval, permitting, or construction





LEVEL 16

Denargo Market Phase 6
Denver, CO

Job #: -
Date: 06.30.2020
Drawn by: SKG

Scale: 1:50
File Name: P:\Pending and Other Projects\Cypress Real Estate Advisors\DM6\CREA DM6_Site Plan_2020 06 30.dwg
Not for regulatory approval, permitting, or construction

