

## 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 FEE PAYMENT***		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
*All standard zone map amendment applications must be initiated by owners (or authorized representatives) of at least 51% of the total area of the zone lots subject to the rezoning. See page 4.		**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.  ***If contact for fee payment is other than above, please provide contact name and contact information on an attachment.	
SUBJECT PROPERTY INFORMATION			
Location (address):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			
PRE-APPLICATION INFORMATION			
In addition to the required pre-application meeting with Planning Services, did you have a concept or a pre-application meeting with Development Services?		<input type="checkbox"/> <b>Yes - State the contact name &amp; meeting date</b> . Property owner submitted a Concept <input type="checkbox"/> <b>No - Describe why not (in outreach attachment, see page 3)</b>	
Did you contact the City Council District Office, applicable Registered Neighborhood Organization, and adjacent property owners and tenants regarding this application?		<input type="checkbox"/> <b>Yes - State date below and describe method in outreach attachment, see page 3</b> _____	

## REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)

<p>General Review Criteria DZC Sec. 12.4.10.7.A</p> <p>Check box to affirm <b>and</b> include sections in the review criteria narrative attachment</p>	<p><input type="checkbox"/> <b>Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans.</b></p> <p>Please provide a review criteria narrative attachment describing <b>how</b> the requested zone district is consistent with the policies and recommendations found in <b>each</b> of the adopted plans below. Each plan should have its own section.</p> <p><b>1. Denver Comprehensive Plan 2040</b></p> <p>In this section of the attachment, describe <b>how</b> the proposed map amendment is consistent with <i>Denver Comprehensive Plan 2040's</i> a) equity goals, b) climate goals, and c) any other applicable goals/strategies.</p> <p><b>2. Blueprint Denver</b></p> <p>In this section of the attachment, describe <b>how</b> the proposed map amendment is consistent with: a) the neighborhood context, b) the future place, c) the growth strategy, d) adjacent street types, e) plan policies and strategies, and f) equity concepts contained in <i>Blueprint Denver</i>.</p> <p><b>3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable):</b></p> <hr/>
<p>General Review Criteria DZC Sec. 12.4.10.7.A.1</p> <p><b>Only check this box if your application is not consistent with 12.4.10.7.A</b></p>	<p><input type="checkbox"/> <b>Community Need Exception: The City Council may approve an official map amendment that does not comply with subsection 12.4.10.7.A if the proposed official map amendment is necessary to provide for an extraordinary community need that was not anticipated at the time of the adoption of the city's plans.</b></p> <p>Please provide a narrative attachment describing <b>how</b> the requested zone district is <b>necessary</b> to provide for an extraordinary community need that was not anticipated at the time of the adoption of the city's plans.</p>
<p>General Review Criteria: DZC Sec. 12.4.10.7. B &amp; C</p> <p>Check boxes to the right to affirm <b>and</b> include a section in the review criteria for the public interest narrative attachment and for consistency with the neighborhood context and the stated purpose and intent of the proposed zone district.</p>	<p><input type="checkbox"/> <b>Public Interest: The proposed official map amendment is in the Public Interest.</b></p> <p>In the review criteria narrative attachment, please provide an additional section describing <b>how</b> the requested rezoning is in the public interest of the city.</p> <p><input type="checkbox"/> <b>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.</b></p> <p>In the review criteria narrative attachment, please provide a separate section describing <b>how</b> the rezoning aligns with a) the proposed district neighborhood context description, b) the general purpose statement, and c) the specific intent statement found in the Denver Zoning Code.</p>

**REZONING GUIDE**

Rezoning Application Page 3 of 4

**REQUIRED ATTACHMENTS**

Please check boxes below to affirm the following **required** attachments are submitted with this rezoning application:

- ☐ **Legal Description of subject property(s).** Submit as a **separate Microsoft Word document**. View guidelines at: <https://www.denvergov.org/content/denvergov/en/transportation-infrastructure/programs-services/right-of-way-survey/guidelines-for-land-descriptions.html>
- ☐ **Proof of ownership document** for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed, or (c) Title policy or commitment dated no earlier than 60 days prior to application date. 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.
- ☐ **Review Criteria Narratives.** See page 2 for details.
- ☐ **Outreach documentation.** Pre-application outreach is required. The minimum requirement is outreach to the City Council District Office, Registered Neighborhood Organizations, and adjacent neighbors. Please describe all community outreach and engagement to these and any other community members or organizations. The outreach documentation must include the type of outreach, who was contacted or met with, the date of the outreach or engagement, and a description of feedback received, if any. If outreach was via email, the applicant may include a copy of the email. The outreach documentation attachment should be sent as a PDF or Word Doc, separate from other required attachments.

**ADDITIONAL ATTACHMENTS (IF APPLICABLE)**

Additional information may be needed and/or required. Please check boxes below identifying additional attachments provided with this application.

- ☐ **Written narrative explaining reason for the request** (optional)
- ☐ **Letters of Support.** If surrounding neighbors or community members have provided letters in support of the rezoning request, please include them with the application as an attachment (optional)
- ☐ **Written Authorization to Represent Property Owner(s)** (if applicable)
- ☐ **Individual Authorization to Sign on Behalf of a Corporate Entity** (e.g. if the deed of the subject property lists a corporate entity such as an LLC as the owner, this document is required.) (if applicable)
- ☐ **Affordable Housing Review Team Acceptance Letter** (if applicable)
- ☐ **Other Attachments.** Please describe below.

## PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

We, the undersigned represent that we are the owner(s) 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 legibly)	Property Address City, State, Zip	Property Owner In- terest % of	Please sign below as an indication of your		Indicate the type of owner- ship documen- tation provided: (A) Assessor's (B) Power of Attorney, (C) or Agent, or as	Has the owner author- ized a represent- ative in writing? (YES/NO)
<div style="border: 2px solid black; padding: 10px; text-align: center;">           Application initiated by the Manager of Community Planning and Development. No owner authorization required per DZC 12.4.10.4.A.b         </div>						
<b>EXAMPLE</b> John Alan Smith Josie Q. Smith	(555) 555-5555 sample@sample.gov		<i>Josie Q. Smith</i>			YES

## Purpose of the Rezoning

The Executive Director of Community Planning and Development is requesting to rezone the property at 8250 East 40<sup>th</sup> Avenue from OS-A (Open Space Public Parks District) to I-B (General Industrial District) to rectify an error made during the 2010 rezoning to the Denver Zoning Code. The Former Chapter 59 zoning map showed the property correctly zoned as I-2 (Heavy Industrial zone district), the property was rezoned in error to OS-A (Open Space Public Parks District) in 2010. The property was incorrectly identified as city-owned in the City database at the time, resulting in the error.



## Criteria for Review

The criteria for review of this rezoning application are found in Denver Zoning Code Section 12.4.10.7, as follows:

1. Consistency with Adopted Plans
2. Public Interest
3. Consistency with Neighborhood Context Description, Zone District Purpose, and Intent Statements

### 1. Consistency with Adopted Plans

The proposed I-B zone district is consistent with the adopted plans as it will amend an error from 2010, when this private property was inadvertently rezoned from Former Chapter 59, I-2 heavy Industrial to OS-A public open space, as part of Sand Creek Bulk Fuel Farm. The proposed I-B is a General Industrial District in the Denver Zoning Code that will allow the property owner to expand industrial operations on site.

Because this property was mistakenly mapped as part of Sand Creek Bulk Fuel Farm open space during the 2010 citywide rezoning, *Blueprint Denver* identifies the subject property as part of a Park and Open Space future place within the Urban Center Neighborhood Context. Given the known error in the map, and consistent with the surrounding context, the correct future place guidance is for Regional Center, which “contains a high mix of uses— providing a dynamic environment of living, dining, entertainment and shopping, while incorporating a diverse set of employment options”. The proposed I-B zone district is consistent with *Blueprint Denver* as it will allow the property owner to expand their industrial uses, what could result in diverse set of employment options near transit.

The Central Park Station Area Plan has a concept land use map that classifies the area surrounding the site as TOD/Employment, which is defined as “areas near transit stations should take advantage of the multi-modal nature of the location regardless of the predominant existing or future uses. The TOD Employment is a sub-category of the Transit Oriented Development land use concept found in *Blueprint Denver*. TOD Employment recognizes the potential for a large amount of employment, including industrial uses, near a transit station. These areas may have existing industrial uses requiring access to major arterials or interstates and are adjacent to heavy rail facilities, yet should work to promote pedestrian and bicycle access and allow for additional uses such as office buildings and hotel accommodations. Although not common in the Denver area, other areas with commuter rail service have stations in industrial areas with significant employee ridership. Portions of the Stapleton Industrial Area could serve as an example of this land use concept in the future”. The proposed I-B zone district is consistent with the small area plan as it will allow for industrial uses near the Central Park RTD station.

Lastly, this Official Map Amendment would implement the original intent of Rezoning Ordinance 20100431, for the 2010 citywide rezoning from Former Chapter 59 to the Denver Zoning.

### 2. Public Interest

The proposed official map amendment furthers the public interest, through implementation of the city’s adopted land use plan and by correctly mapping the zone district originally intended in the citywide rezoning of 2010 from Former Chapter 59 to the Denver Zoning Code.

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

The requested zone district is within the Industrial Neighborhood Context which generally consists of areas of light industrial, heavy industrial and general industrial areas, as well as areas subject to transitions from industrial to mixed-use (DZC 9.1.1). Given the surrounding context the request of a zone district from the Industrial Context is appropriate for this site.

I-B is classified as the General Industrial District. The purpose of the General Industrial Zone Districts is to be an employment area containing industrial uses that are generally more intense than uses permitted in the I-A (Light Industrial) zone district. The overall purpose and intent of the district is to promote industrial development and economic activity. No new residential uses may be established in the I-B zone district in order to promote and continue a stable employment base for the city (DZC 9.1.2.1.B).

The proposed official map amendment is consistent with the Neighborhood Context Description, Zone District Purpose and Intent Statement by correctly mapping the zone district originally intended for 8250 East 40<sup>th</sup> Avenue in the citywide rezoning of 2010 from Former Chapter 59 to the Denver Zoning Code.

## **Required Outreach**

- Initial notification to Council
  - Email sent to Council member Lewis on 11/8/2025. PDF attached
  - Email sent to Council members At Large Parady and Gonzalez-Guiterrez on 11/12/2025. PDF attached
  
- Initial Notification to RNO
  - Email sent to Inter-Neighborhood Cooperation (INC) on 11/12/2025
  - Email sent to Central Park United Neighbors on 11/12/2025
  - Email sent to Opportunity Corridor Coalition of United Residents on 11/12/2025



**Subject:** Rezoning to amend a mapping error at 8250 E 40th Ave  
**Sent:** 11/7/2025, 11:25:56 AM  
**From:** Penafiel, Fran F. - CPD CE2159 City Planner Principal<Francisca.Penafiel@denvergov.org>  
**To:** Lewis, Shontel M. - CC Member District 8 Denver City Council; Huizar-Arellano, Bre A. - CC YA2245 City Council Aide; Carey, Jesse - CC City Council Aide Senior  
**Cc:** Tonikian, Victoria - MO Deputy Legislative Director; Casias, Angela C. - MO Executive Officer; Showalter, Sarah K. - CPD Director of Planning & Policy; Weigle, Elizabeth K. - CPD Rezoning Planning Supervisor

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Dear Council member Lewis,

We would like to make you aware of a rezoning application in your district that CPD will be submitting next week. The property, located at 8250 E 40<sup>th</sup> Avenue, would be rezoned from OS-A (public open space) to I-B (industrial). I've included a screenshot below that shows the location.

The property owner recently submitted a site development plan to expand their operations. At that time, it came to our attention that a portion of their property is incorrectly zoned OS-A. After researching further, we determined that the zoning map error occurred during the 2010 rezoning to the Denver Zoning Code as the property was incorrectly identified as city-owned in our database at the time.

Unfortunately, the Denver Zoning Code does not provide an administrative remedy for these situations, so we will need to go through the rezoning process. Because the zone district was mapped in error, the Denver Zoning Code allows the application to skip Planning Board and move directly to the Community Planning and Housing committee. We will work with Council member Parady to schedule it on consent for committee once the application is submitted.

CPD is planning to submit the rezoning next Friday, November 14<sup>th</sup>. Please let us know if you have any questions or if you would like to discuss before we submit the application.



Fran



Fran Peñafiel | Principal City Planner  
Community Planning and Development | City & County of Denver  
Pronouns | She/Her/Hers  
phone: 720.865.3283 | Hablo Español

**Subject:** Rezoning to amend a mapping error at 8250 E 40th Ave  
**Sent:** 11/12/2025, 2:47:02 PM  
**From:** Penafiel, Fran F. - CPD CE2159 City Planner Principal<Francisca.Penafiel@denvergov.org>  
**To:** Office of Councilwoman Sarah Parady; Office of Councilwoman Serena Gonzales-Gutierrez; Gonzales-Gutierrez, Serena - CC Member District 12 Denver City Council  
**Cc:** Ochoa, Emily S. - CC YA2246 City Council Aide Senior; Khayat Kholghy, Sina - CC YA2246 City Council Aide Senior; Levy, Zarah - CC YA2246 City Council Aide Senior; Burley, Zachary - CC YA2246 City Council Aide Senior; Ives, Megan - CC Senior City Council Aide; Zender, Jessica M. - CC YA2246 City Council Aide Senior; Hayward, Chantel - CC City Council Aide; Palmisano, Luke W. - CC YA3101 Legislative Policy Analyst Senior

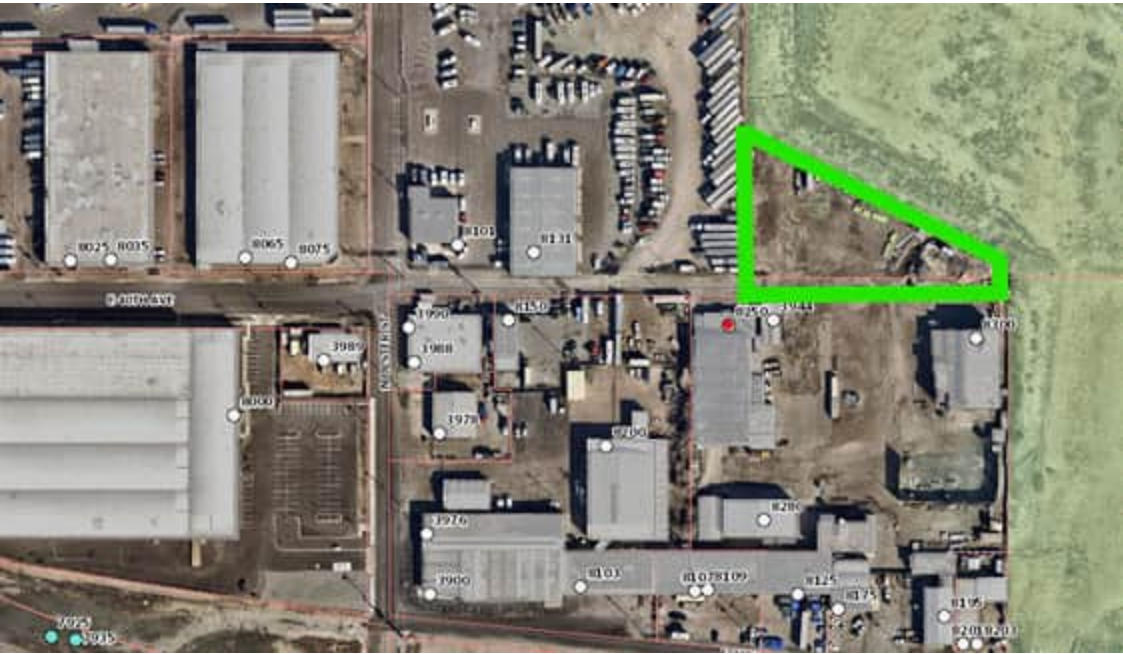
Dear Council members Parady and Gonzales-Gutierrez,

We would like to make you aware of a rezoning application in district 8 that CPD will be submitting by the end of this week. The property, located at 8250 E 40<sup>th</sup> Avenue, would be rezoned from OS-A (public open space) to I-B (industrial). I’ve included a screenshot below that shows the location.

The property owner recently submitted a site development plan to expand their operations. At that time, it came to our attention that a portion of their property is incorrectly zoned OS-A. After researching further, we determined that the zoning map error occurred during the 2010 rezoning to the Denver Zoning Code as the property was incorrectly identified as city-owned in our database at the time.

Unfortunately, the Denver Zoning Code does not provide an administrative remedy for these situations, so we will need to go through the rezoning process. Because the zone district was mapped in error, the Denver Zoning Code allows the application to skip Planning Board and move directly to the Community Planning and Housing committee (DZC Section 12.4.10.4.F). We would like to ask Council member Parady to schedule it on consent for committee once the application is submitted.

CPD is planning to submit the rezoning on Friday, November 14<sup>th</sup>. Please let me know if you have any questions or if you would like to discuss before we submit the application.



Fran

**Subject:** Rezoning to amend a mapping error at 8250 E 40th Ave  
**Sent:** 11/12/2025, 3:00:16 PM  
**From:** Penafiel, Fran F. - CPD CE2159 City Planner Principal<Francisca.Penafiel@denvergov.org>  
**To:** 'occur.denver@gmail.com'

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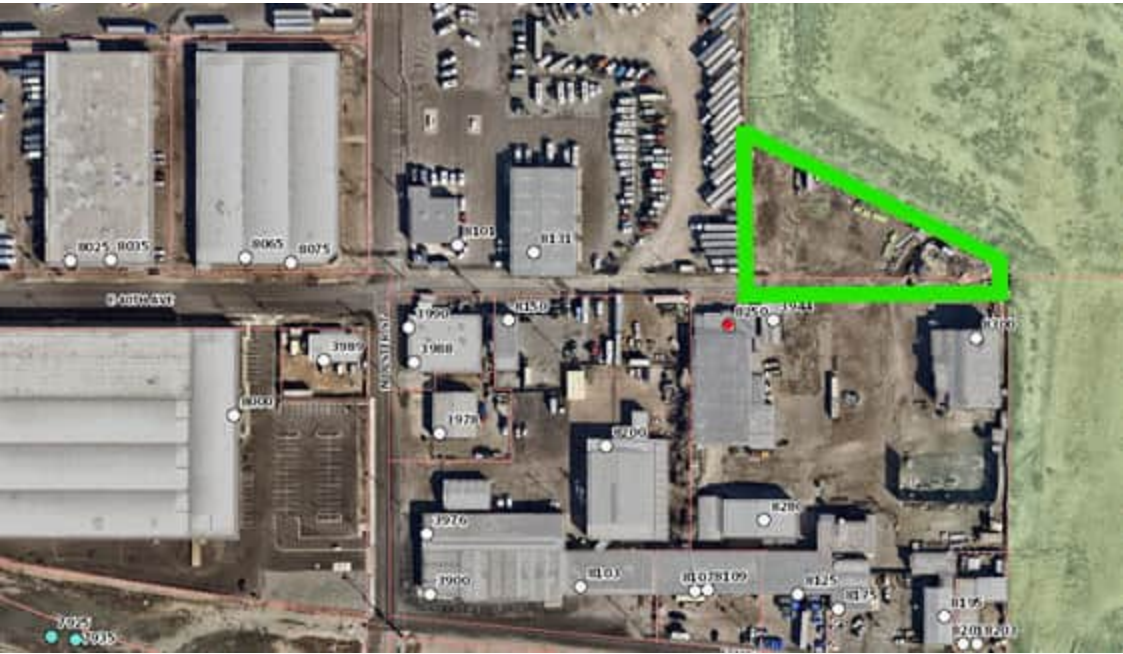
Opportunity Corridor Coalition of United Residents,

Community Planning and Development would like to make you aware of a rezoning application in district 8 that we will be submitting by the end of this week. The property, located at 8250 E 40<sup>th</sup> Avenue, would be rezoned from OS-A (public open space) to I-B (industrial). I've included a screenshot below that shows the location.

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CPD is planning to submit the rezoning on Friday, November 14<sup>th</sup>. Please let me know if you have any questions or if you would like to discuss before we submit the application.



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**Subject:** Rezoning to amend a mapping error at 8250 E 40th Ave  
**Sent:** 11/12/2025, 2:56:18 PM  
**From:** Penafiel, Fran F. - CPD CE2159 City Planner Principal<Francisca.Penafiel@denvergov.org>  
**To:** president@denverinc.org; excomm@denverinc.org

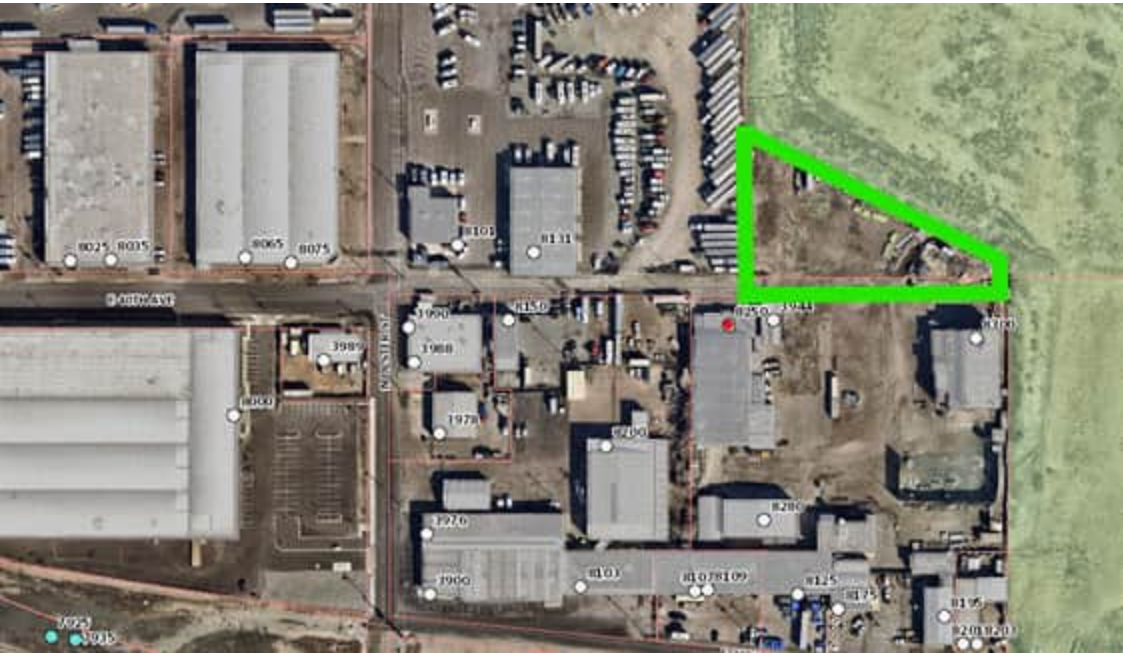
To whom it might concern,

Community Planning and Development would like to make you aware of a rezoning application in district 8 that we will be submitting by the end of this week. The property, located at 8250 E 40<sup>th</sup> Avenue, would be rezoned from OS-A (public open space) to I-B (industrial). I've included a screenshot below that shows the location.

The property owner recently submitted a site development plan to expand their operations. At that time, it came to our attention that a portion of their property is incorrectly zoned OS-A. After researching further, we determined that the zoning map error occurred during the 2010 rezoning to the Denver Zoning Code as the property was incorrectly identified as city-owned in our database at the time.

Unfortunately, the Denver Zoning Code does not provide an administrative remedy for these situations, so we will need to go through the rezoning process. Because the zone district was mapped in error, the Denver Zoning Code allows the application to skip Planning Board and move directly to the Community Planning and Housing committee (DZC Section 12.4.10.4.F).

CPD is planning to submit the rezoning on Friday, November 14<sup>th</sup>. Please let me know if you have any questions or if you would like to discuss before we submit the application.



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phone: 720.865.3283 | Hablo Español

**Subject:** Rezoning to amend a mapping error at 8250 E 40th Ave  
**Sent:** 11/12/2025, 2:58:44 PM  
**From:** Penafiel, Fran F. - CPD CE2159 City Planner Principal<Francisca.Penafiel@denvergov.org>  
**To:** 'bryanpenny@gmail.com'

Dear Bryan,

Community Planning and Development would like to make you aware of a rezoning application in district 8 that we will be submitting by the end of this week. The property, located at 8250 E 40<sup>th</sup> Avenue, would be rezoned from OS-A (public open space) to I-B (industrial). I've included a screenshot below that shows the location.

The property owner recently submitted a site development plan to expand their operations. At that time, it came to our attention that a portion of their property is incorrectly zoned OS-A. After researching further, we determined that the zoning map error occurred during the 2010 rezoning to the Denver Zoning Code as the property was incorrectly identified as city-owned in our database at the time.

Unfortunately, the Denver Zoning Code does not provide an administrative remedy for these situations, so we will need to go through the rezoning process. Because the zone district was mapped in error, the Denver Zoning Code allows the application to skip Planning Board and move directly to the Community Planning and Housing committee (DZC Section 12.4.10.4.F).

CPD is planning to submit the rezoning on Friday, November 14<sup>th</sup>. Please let me know if you have any questions or if you would like to discuss before we submit the application.



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