



Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
CHECK IF POINT OF CONTACT FOR FEE PAYMENT***		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Property Owner Name	Claudrey LLC	Representative Name	Jennifer Carpenter
Address	400 S. Broadway	Address	116 Inverness Circle East, Suite 340
City, State, Zip	Denver, CO, 80209	City, State, Zip	Englewood, Colorado 80112 +
Telephone	303-941-8112	Telephone	303-734-1777
Email	sleger@uniqueprop.com	Email	jcarpenter@LAIdesigngroup.com
*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):	4235 N Columbine Street and 2535 E 40th Avenue		
Assessor's Parcel Numbers:	02243-00-066-000	02243-00-063-000	
Area in Acres or Square Feet:	4235 N Columbine St. 175,225 SQ.FT. or 4.023 ACRES	2335 E. 40th AVE. 23,677 SD.FT. or 0.544 ACRES	
Current Zone District(s):	I-B (4235 N Columbine St) and I-A (2535 E 40th Ave)		
PROPOSAL			
Proposed Zone District:	I-MX-5 with Waivers I-MX-3		
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"/> Yes - State the contact name & meeting date _____ <input checked="" type="checkbox"/> No - Describe why not (in outreach attachment, see bottom of p. 3)		
Did you contact the City Council District Office regarding this application?	<input checked="" type="checkbox"/> Yes - if yes, state date and method <u>Virtual on April 23rd</u> <input type="checkbox"/> No - if no, describe why not (in outreach attachment, see bottom of p. 3)		

REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)	
<p>General Review Criteria DZC Sec. 12.4.10.7.A</p> <p>Check box to affirm and include sections in the review criteria narrative attachment</p>	<p><input checked="" type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.</p> <p>Please provide a review criteria narrative attachment describing how the requested zone district is consistent with the policies and recommendations found in each of the adopted plans below. Each plan should have its' own subsection.</p> <p>1. Denver Comprehensive Plan 2040</p> <p>In this section of the attachment, describe how 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>2. Blueprint Denver</p> <p>In this section of the attachment, describe how the proposed map amendment is consistent with: a) the neighborhood context, b) the future place type, 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>3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable):</p> <p>Elyria and Swansea Neighborhoods Plan</p>
<p>General Review Criteria: DZC Sec. 12.4.10.7. B & C</p> <p>Check boxes to the right to affirm and include a section in the review criteria for Public Health, Safety and General Welfare narrative attachment.</p>	<p><input checked="" type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input checked="" type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p> <p>In the review criteria narrative attachment, please provide an additional section describing how the requested rezoning furthers the public health, safety and general welfare of the City.</p>
<p>Review Criteria for Non-Legislative Rezoning: DZC Sec. 12.4.10.8</p> <p>For Justifying Circumstances, check box and include a section in the review criteria narrative attachment.</p> <p>For Neighborhood Context, Purpose and Intent, check box and include a section in the review criteria narrative attachment.</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 of development created by the natural characteristics of the land, including, but not limited to , steep slopes, floodplain, unstable soils, and inadequate drainage;</p> <p><input checked="" type="checkbox"/> 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="padding-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or,</p> <p style="padding-left: 20px;">b. A City adopted plan; or</p> <p style="padding-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.</p> <p>In the review criteria narrative attachment, please provide an additional section describing the selected justifying circumstance. If the changing conditions circumstance is selected, describe changes since the site was last zoned. Contact your pre-application case manager if you have questions.</p> <p><input checked="" type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</p> <p>In the review criteria narrative attachment, please provide a separate section describing how 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>

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.

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)
- Outreach documentation attachment(s).** Please describe any community outreach to City Council district office(s), Registered Neighborhood Organizations (RNOs) and surrounding neighbors. If outreach was via email- please include email chain. If the outreach was conducted by telephone or meeting, please include contact date(s), names and a description of feedback received. If you have not reached out to the City Council district office, please explain why not. (optional - encouraged)
- 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.)
- Affordable Housing Review Team Acceptance Letter**
- 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 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, (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>	01/12/20	(A)	YES
Sam Leger Claudrey LLC	400 S. Broadway Denver, CO 80209 303-941-8112 sleger@uniqueprop.com	100%	Samuel Leger <small>Digitally signed by Samuel Leger Date: 2024.07.25 12:23:04 -06'00'</small>	7/25/24	(A)	YES
						YES
						YES
						YES



Legal Description (Per ZLA Application)



DENVER
THE MILE HIGH CITY

Development Services

201 W Colfax Ave, Dept 203
Denver, CO 80202-5350

www.denvergov.org/developmentservices

Zone Lot Amendment Review Comments

Project Name: Josephine Workforce Housing
 Project Address: 4235 N. Columbine Street
 Project Master Number: 2024-ZLAM-0000048
 Review Number: 7th ZLAM Submittal
 Date: April 17, 2025
 Project Coordinator: Tiffany Holcomb

The following comments must be addressed in order to proceed with the development process. All subsequent submittals should be submitted electronically.

With the project resubmittal, please indicate whether or not the change was made and provide a response as applicable. Please contact me if you have any questions.

Project Coordinator / Zoning – Tiffany Holcomb **Tiffany.Holcomb@DenverGov.org**

- Status: Approved.
- The ZLAM is ready to be approved and recorded. Staff will record the ZLAM next week when back in the office and provide you confirmation of the recordation when I have a reception number available.

Applicant Response: Change Made Change Not Made
 Applicant Comment:

Survey – Scott Castaneda, 720-913-4521 **Robert.Castaneda@DenverGov.org**

- Status: Approved.
- Applicant Response: Change Made Change Not Made
 Applicant Comment:

EXHIBIT A

CITY AND COUNTY OF DENVER, STATE OF COLORADO

DESCRIPTION - See Sheet 4 for Map

EXISTING ZONE LOT DESCRIPTIONS

EXISTING ZONE LOT A

A PARCEL OF LAND, AS RECORDED BY SPECIAL WARRANTY DEED IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER AT RECEPTION NUMBER 2015111284:

PARCEL A:

THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 68 WEST, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF COLUMBINE STREET WITH THE NORTH LINE OF 40TH AVENUE (FORMERLY COUNTY ROAD NO. 34);
THENCE NORTHERLY ALONG THE WEST LINE OF SAID COLUMBINE STREET 813.75 FEET TO THE SOUTH LINE OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY;
THENCE WESTERLY ALONG SAID SOUTH RIGHT-OF-WAY LINE 244.32 FEET TO THE EAST LINE OF JOSEPHINE STREET AS ESTABLISHED BY ORDINANCE NO. 42 OF THE SERIES OF 1898;
THENCE SOUTHERLY ALONG THE PRODUCED EAST LINE OF JOSEPHINE STREET EXTENDED SOUTH FROM THE FIRST ADDITION TO SWANSEA, 796.62 FEET TO THE NORTH LINE OF SAID 40TH AVENUE;
THENCE EASTERLY ALONG THE NORTH LINE OF SAID 40TH AVENUE 243.72 FEET TO THE POINT OF BEGINNING,

EXCEPTING THEREFROM THOSE PORTIONS ACQUIRED BY REGIONAL TRANSPORTATION DISTRICT, A POLITICAL SUBDIVISION OF THE STATE OF COLORADO IN RULE AND ORDER RECORDED MAY 9, 2014 AT RECEPTION NO. 2014052947;

CITY AND COUNTY OF DENVER,
STATE OF COLORADO.

TOGETHER WITH A PORTION OF VACATED JOSEPHINE STREET RIGHT-OF-WAY, AS RECORDED IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER AT RECEPTION NUMBER _____, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/16 QUARTER CORNER OF SECTION 24;

THENCE NORTH 72°22'33" EAST, A DISTANCE OF 342.35 FEET, TO A POINT ON THE SOUTH LINE OF SAID VACATED JOSEPHINE STREET RIGHT-OF-WAY, AND THE POINT OF BEGINNING (POINT OF BEGINNING "A");

THENCE NORTH 00°09'01" EAST, A DISTANCE OF 301.47 FEET, TO A POINT ON THE NORTH LINE OF SAID VACATED JOSEPHINE STREET RIGHT-OF-WAY;

CONTINUED NEXT SHEET



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-----LAND DESCRIPTION-----

REVISIONS		Orig. Issue Date: 8/13/2024	Sheet
		Drawn By: BMH	1
		Checked By: KJK	of
		Project No. UP23047	10



R&R ENGINEERS-SURVEYORS, INC.
1635 W. 13TH AVENUE, SUITE 310
DENVER, COLORADO 80204
303-753-6730
www.rrengineers.com

EXHIBIT A

CITY AND COUNTY OF DENVER, STATE OF COLORADO

DESCRIPTION - See Sheet 4 for Map

EXISTING ZONE LOT A (CONTINUED)

THENCE ALONG THE NORTH LINE OF SAID VACATED JOSEPHINE STREET RIGHT-OF-WAY NORTH 27°36'55" EAST, A DISTANCE OF 65.05 FEET, TO THE NORTHEAST CORNER THEREOF, SAME BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF JOSEPHINE STREET AND THE WEST LINE OF THAT PARCEL OF LAND RECORDED AT RECEPTION NUMBER 2015111284;

THENCE ALONG THE EAST LINE OF SAID VACATED JOSEPHINE STREET RIGHT-OF-WAY, SAME BEING SAID WEST LINE OF THAT PARCEL OF LAND RECORDED AT RECEPTION NUMBER 2015111284, SOUTH 00°09'01" WEST, A DISTANCE OF 350.16 FEET, TO THE SOUTHEAST CORNER OF SAID VACATED JOSEPHINE STREET RIGHT-OF-WAY;

THENCE ALONG THE SOUTH LINE OF SAID VACATED JOSEPHINE STREET RIGHT-OF-WAY SOUTH 73°24'24" WEST, A DISTANCE OF 31.33 FEET, TO THE POINT OF BEGINNING;

AND;

TOGETHER WITH A PORTION OF VACATED COLUMBINE STREET RIGHT-OF-WAY, AS RECORDED IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER AT RECEPTION NUMBER _____, DESCRIBED AS FOLLOWS:

BEGINNING (POINT OF BEGINNING "B") AT THE NORTHWEST CORNER OF SAID VACATED COLUMBINE STREET RIGHT-OF-WAY, SAME BEING THE INTERSECTION OF THE EAST LINE OF SAID PARCEL OF LAND RECORDED AT RECEPTION NUMBER 2015111284, AND SAID SOUTH RIGHT-OF-WAY LINE OF UNION PACIFIC RAILROAD;

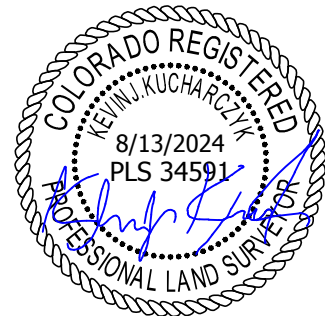
THENCE ALONG THE NORTH LINE OF SAID VACATED COLUMBINE STREET RIGHT-OF-WAY NORTH 86°08'39" EAST, A DISTANCE OF 30.07 FEET;

THENCE SOUTH 00°08'47" WEST, A DISTANCE OF 308.61 FEET, TO A POINT ON THE SOUTH LINE OF SAID VACATED RIGHT-OF-WAY;

THENCE ALONG SAID SOUTH LINE OF VACATED COLUMBINE STREET RIGHT-OF-WAY SOUTH 16°16'05" WEST, A DISTANCE OF 108.04 FEET, TO THE SOUTHWEST CORNER THEREOF, SAME BEING A POINT ON THE WEST RIGHT-OF-WAY LINE OF COLUMBINE STREET AND SAID EAST LINE OF THAT PARCEL OF LAND RECORDED AT RECEPTION NUMBER 2015111284;

THENCE ALONG THE WEST LINE OF VACATED COLUMBINE STREET RIGHT-OF-WAY, SAME BEING THE EAST LINE OF SAID PARCEL OF LAND RECORDED AT RECEPTION NUMBER 2015111284, NORTH 00°08'47" EAST, A DISTANCE OF 410.31 FEET, TO THE NORTHWEST CORNER OF SAID VACATED RIGHT-OF-WAY, AND THE POINT OF BEGINNING.

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-----LAND DESCRIPTION-----			
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		Project No. UP23047	
			R&R ENGINEERS-SURVEYORS, INC. 1635 W. 13TH AVENUE, SUITE 310 DENVER, COLORADO 80204 303-753-6730 www.rrengineers.com

EXHIBIT A

CITY AND COUNTY OF DENVER, STATE OF COLORADO

DESCRIPTION - See Sheet 4 for Map

EXISTING ZONE LOT A (CONTINUED)

ALSO EXCEPTING THAT PARCEL OF LAND LYING NORTH OF THE NORTH LINE OF THE EAST 40TH AVENUE RIGHT-OF-WAY AND SOUTHEASTERLY OF SAID PARCEL ACQUIRED BY REGIONAL TRANSPORTATION DISTRICT, A POLITICAL SUBDIVISION OF THE STATE OF COLORADO IN RULE AND ORDER RECORDED MAY 9, 2014 AT RECEPTION NO. 2014052947.

CONTAINING A CALCULATED TOTAL COMBINED AREA OF 175,225 SQUARE FEET OR 4.023 ACRES.



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-----LAND DESCRIPTION-----

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EXHIBIT A

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 24,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY AND COUNTY OF DENVER, STATE OF COLORADO

MAP - See Sheets 1-3 for Description

UNION PACIFIC RAILROAD (100' RoW)

30' ACCESS EASEMENT
REC. NO. 2024071296

POINT OF BEGINNING "B"

ACCESS EASEMENT
UPON THE VACATION OF COLUMBINE
STREET RIGHT-OF-WAY
REC. NO. 2024071296

COLUMBINE STREET
PORTION VACATED BY
REC. NO. _____

JOSEPHINE STREET
PORTION VACATED BY
REC. NO. _____

JOSEPHINE STREET (60' PUBLIC RoW)

**4235 N. COLUMBINE ST.
PARCEL A
EXISTING ZONE LOT A
175,225 SQ.FT.
OR 4.023 ACRES**

LINE TABLE		
Line #	Bearing	Length
L1	N86°08'39"E	274.81'
L2	S00°08'47"W	308.61'
L3	S16°16'05"W	108.04'
L4	S15°53'03"W	101.65'
L5	S24°42'44"W	92.78'
L6	S37°23'26"W	91.05'
L7	S47°49'22"W	93.74'
L8	S57°37'06"W	46.33'
L9	S64°08'21"W	16.22'
L10	S73°24'24"W	31.33'
L11	N00°09'01"E	301.47'
L12	N27°36'55"E	65.05'
L13	N00°09'01"E	392.91'

POINT OF BEGINNING
EXISTING ZONE LOT A

POINT OF BEGINNING "A"

E. 40TH AVENUE (PUBLIC RoW Varies)



0' 80'
SCALE: 1"=80'

NOTE

This map is to depict the accompanying
description and is for informational purposes only.
It does not represent a monumented land survey.



-----LAND DESCRIPTION-----

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EXHIBIT B

CITY AND COUNTY OF DENVER, STATE OF COLORADO
DESCRIPTION - See Sheet 7 for Map

EXISTING ZONE LOT B

A PARCEL OF LAND, AS RECORDED BY SUPPLEMENTAL ORDER FOR POSSESSION IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER AT RECEPTION NUMBER 2012139155:

PARCEL NO. EC-31R OF THE RTD EAST CORRIDOR COMMUTER RAIL PROJECT, BEING A PORTION OF A TRACT OF LAND DESCRIBED AT RECEPTION NUMBER 9600045595, PARCEL I, RECORDED ON APRIL 8, 1996 IN THE CITY AND COUNTY OF DENVER CLERK AND RECORDER'S OFFICE, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 24;

THENCE S45°16'21"E A DISTANCE OF 927.77 FEET TO A POINT LYING ON THE EASTERLY RIGHT-OF-WAY LINE OF COLUMBINE STREET, SAID POINT BEING THE POINT OF BEGINNING (POINT OF BEGINNING "C");

THENCE N00°08'47"E COINCIDENT WITH SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 206.92 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD COMPANY;

THENCE N86°08'39"E COINCIDENT WITH SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 195.44 FEET;

THENCE S53°43'56"W A DISTANCE OF 37.50 FEET;

THENCE S50°48'36"W NON-TANGENT WITH THE FOLLOWING DESCRIBED CURVE A DISTANCE OF 54.93 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 19°58'46", A RADIUS OF 473.43 FEET, A CHORD BEARING OF S40°09'19"W A DISTANCE OF 165.09 FEET, AND AN ARC DISTANCE OF 164.25 FEET;

THENCE S24°03'11"W NON-TANGENT WITH THE LAST DESCRIBED CURVE A DISTANCE OF 41.21 FEET TO THE POINT OF BEGINNING,

SAID PARCEL NO. EC-31R CONTAINING 16,013 SQUARE FEET, (0.368 ACRES), MORE OR LESS.

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-----LAND DESCRIPTION-----			
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		Drawn By: BMH	of 10
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		Project No. UP23047	
			R&R ENGINEERS-SURVEYORS, INC. 1635 W. 13TH AVENUE, SUITE 310 DENVER, COLORADO 80204 303-753-6730 www.rrengineers.com

EXHIBIT B

CITY AND COUNTY OF DENVER, STATE OF COLORADO
DESCRIPTION - See Sheet 7 for Map

EXISTING ZONE LOT B (CONTINUED)

TOGETHER WITH A PORTION OF VACATED COLUMBINE STREET RIGHT-OF-WAY, AS RECORDED IN THE OFFICE OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER AT RECEPTION NUMBER _____, DESCRIBED AS FOLLOWS:

BEGINNING (POINT OF BEGINNING "D") AT THE NORTHEAST CORNER OF SAID VACATED RIGHT-OF-WAY, SAME BEING THE INTERSECTION OF THE WEST LINE OF SAID PARCEL EC-31R, AND THE SOUTH RIGHT-OF-WAY LINE OF UNION PACIFIC RAILROAD;

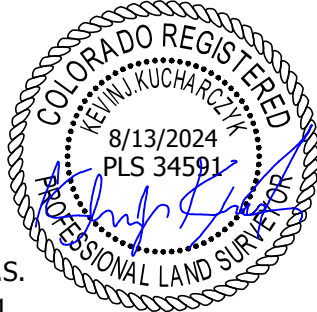
THENCE ALONG THE EAST LINE OF SAID VACATED RIGHT-OF-WAY, SAME BEING THE WEST LINE OF SAID PARCEL EC-31R, SOUTH 00°08'47" EAST, A DISTANCE OF 206.92 FEET, TO THE SOUTHEAST CORNER OF SAID VACATED RIGHT-OF-WAY, SAME BEING THE SOUTHWEST CORNER OF SAID PARCEL EC-31R;

THENCE ALONG THE SOUTH LINE OF SAID VACATED RIGHT-OF-WAY SOUTH 16°16'05" WEST, A DISTANCE OF 108.04 FEET;

THENCE NORTH 00°08'47" EAST, A DISTANCE OF 308.61 FEET, TO A POINT ON THE NORTH LINE OF SAID VACATED RIGHT-OF-WAY;

THENCE ALONG THE NORTH LINE OF SAID VACATED RIGHT-OF-WAY NORTH 86°08'39" EAST, A DISTANCE OF 30.07, TO THE NORTHEAST CORNER THEREOF, AND THE POINT OF BEGINNING,

CONTAINING A CALCULATED TOTAL COMBINED AREA OF 23,677 SQUARE FEET OR 0.544 ACRE.



KEVIN J. KUCHARCZYK, P.L.S.
COLORADO REG. NO. 34591
FOR AND ON BEHALF OF
R&R ENGINEERS-SURVEYORS, INC.

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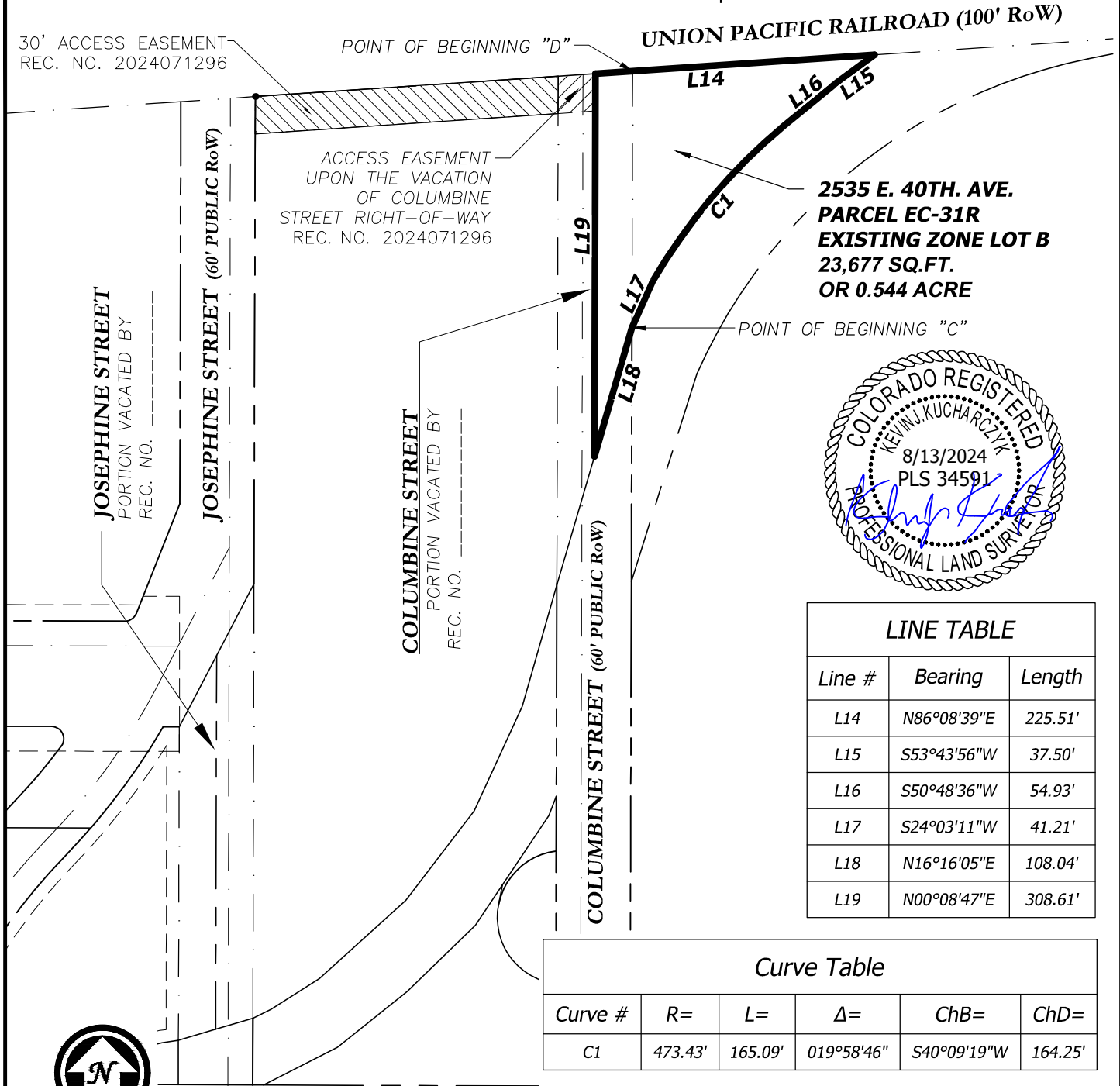
-----LAND DESCRIPTION-----			
REVISIONS		Orig. Issue Date: 8/13/2024	Sheet 6
		Drawn By: BMH	of 10
		Checked By: KJK	
		Project No. UP23047	
			R&R ENGINEERS-SURVEYORS, INC. 1635 W. 13TH AVENUE, SUITE 310 DENVER, COLORADO 80204 303-753-6730 www.rrengineers.com

EXHIBIT B

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 24,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY AND COUNTY OF DENVER, STATE OF COLORADO

MAP - See Sheets 5-6 for Description



**2535 E. 40TH. AVE.
PARCEL EC-31R
EXISTING ZONE LOT B
23,677 SQ.FT.
OR 0.544 ACRE**



LINE TABLE

Line #	Bearing	Length
L14	N86°08'39"E	225.51'
L15	S53°43'56"W	37.50'
L16	S50°48'36"W	54.93'
L17	S24°03'11"W	41.21'
L18	N16°16'05"E	108.04'
L19	N00°08'47"E	308.61'

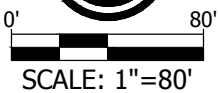
Curve Table

Curve #	R=	L=	Δ=	ChB=	ChD=
C1	473.43'	165.09'	019°58'46"	S40°09'19"W	164.25'

E. 40TH AVENUE (PUBLIC RoW Varies)

NOTE

This map is to depict the accompanying description and is for informational purposes only. It does not represent a monumented land survey.



LAND DESCRIPTION

REVISIONS	LAND DESCRIPTION		Sheet
	NO.	DESCRIPTION	
			7
			of
			10



R&R ENGINEERS-SURVEYORS, INC.
1635 W. 13TH AVENUE, SUITE 310
DENVER, COLORADO 80204
303-753-6730
www.rrengineers.com

EXHIBIT C

CITY AND COUNTY OF DENVER, STATE OF COLORADO

DESCRIPTION - See Sheet 10 for Map

PROPOSED ZONE LOT DESCRIPTION

PROPOSED ZONE LOT C

THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 68 WEST, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/16 QUARTER CORNER OF SAID SECTION 24;

THENCE NORTH 72°22'33" EAST, A DISTANCE OF 342.35 FEET, TO A POINT ON THE SOUTH LINE OF THE VACATED PORTION OF JOSEPHINE STREET RECORDED IN THE OFFICE OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER AT RECEPTION NO. _____, AND THE POINT OF BEGINNING;

THENCE NORTH 00°09'01" EAST, A DISTANCE OF 301.47 FEET TO A POINT ON THE NORTH LINE OF SAID VACATED PORTION OF JOSEPHINE STREET;

THENCE ALONG SAID NORTH LINE OF SAID VACATED PORTION OF JOSEPHINE STREET NORTH 27°36'55" EAST, A DISTANCE OF 65.05 FEET TO THE NORTHEAST CORNER OF SAID VACATED PARCEL, SAME BEING A POINT ON THE EAST RIGHT-OF-WAY LINE OF JOSEPHINE STREET;

THENCE ALONG SAID EAST RIGHT-OF-WAY LINE OF JOSEPHINE STREET NORTH 00°09'01" EAST, A DISTANCE OF 392.91 FEET, TO THE SOUTH LINE OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY;

THENCE ALONG SAID SOUTH LINE OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY NORTH 86°08'39" EAST, A DISTANCE OF 500.33 FEET, TO A POINT OF INTERSECTION WITH THE NORTHERLY LINE OF PARCEL NO. EC-31-REV1 OF THE RTD EAST CORRIDOR COMMUTER RAIL PROJECT AS RECORDED IN THE OFFICE OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER AT RECEPTION NO. 2012139155;

THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINES OF SAID PARCEL EC-31-REV1 THE FOLLOWING FOUR (4) COURSES:

1. SOUTH 53°43'56" WEST, A DISTANCE OF 37.50 FEET;
2. SOUTH 50°48'36" WEST, A DISTANCE OF 54.93 FEET, TO A POINT ON A CURVE;
3. ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 473.43 FEET, A CENTRAL ANGLE OF 19°58'46", AN ARC LENGTH OF 165.09 FEET, THE CHORD OF WHICH BEARS SOUTH 40°09'19" WEST, 164.25 FEET;
4. SOUTH 24°03'11" WEST, A DISTANCE OF 41.21 FEET, TO THE EAST RIGHT-OF-WAY LINE OF COLUMBINE STREET;

CONTINUED NEXT SHEET

-----LAND DESCRIPTION-----

REVISIONS		Orig. Issue Date: 8/13/2024	Sheet
		Drawn By: BMH	8
		Checked By: KJK	of
		Project No. UP23047	10



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1635 W. 13TH AVENUE, SUITE 310
DENVER, COLORADO 80204
303-753-6730
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EXHIBIT C

CITY AND COUNTY OF DENVER, STATE OF COLORADO

DESCRIPTION - See Sheet 10 for Map

PROPOSED ZONE LOT C (CONTINUED)

THENCE ALONG THE SOUTH LINE OF THE VACATED PORTION OF SAID COLUMBINE STREET RECORDED IN THE OFFICE OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER AT RECEPTION NO.

_____ SOUTH 16°16'05" WEST, A DISTANCE OF 216.08 FEET TO A POINT ON THE WEST LINE OF SAID COLUMBINE STREET, SAME BEING THE NORTHEAST CORNER OF PARCEL EC-30 OF THE RTD EAST CORRIDOR COMMUTER RAIL PROJECT AS RECORDED IN THE OFFICE OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER AT RECEPTION NO. 2014052947;

THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY LINES OF SAID PARCEL EC-30 THE FOLLOWING SIX (6) COURSES:

1. SOUTH 15°53'03" WEST, A DISTANCE OF 101.65 FEET;
2. SOUTH 24°42'44" WEST, A DISTANCE OF 92.78 FEET;
3. SOUTH 37°23'26" WEST, A DISTANCE OF 91.05 FEET;
4. SOUTH 47°49'22" WEST, A DISTANCE OF 93.74 FEET;
5. SOUTH 57°37'06" WEST, A DISTANCE OF 46.33 FEET;
6. SOUTH 64°08'21" WEST, A DISTANCE OF 16.22 FEET, TO THE SOUTHEAST CORNER OF SAID VACATED PORTION OF JOSEPHINE STREET;

THENCE ALONG THE SOUTH LINE OF SAID VACATED PORTION OF JOSEPHINE STREET SOUTH 73°24'24" WEST, A DISTANCE OF 31.33 FEET, TO THE POINT OF BEGINNING,

CONTAINING A CALCULATED AREA OF 198,902 SQUARE FEET OR 4.566 ACRES, MORE OR LESS.

KEVIN J. KUCHARCZYK, P.L.S.
 COLORADO REG. NO. 34591
 FOR AND ON BEHALF OF
 R&R ENGINEERS-SURVEYORS, INC.

Oct 02, 2024 - 1:27pm Plotted by: mpellegrini C:\Temp\AutoCAD\AcPublish_17396\UP23047_ZLAM_EXHIBIT-C.dwg


-----LAND DESCRIPTION-----			
REVISIONS			Orig. Issue Date: 8/13/2024
			Drawn By: BMH
			Checked By: KJK
			Project No. UP23047
			Sheet 9 of 10
			
			R&R ENGINEERS-SURVEYORS, INC. 1635 W. 13TH AVENUE, SUITE 310 DENVER, COLORADO 80204 303-753-6730 www.rrengineers.com

EXHIBIT C

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 24,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN,
CITY AND COUNTY OF DENVER, STATE OF COLORADO

MAP - See Sheets 8-9 for Description

UNION PACIFIC RAILROAD (100' RoW)

30' ACCESS EASEMENT
REC. NO. 2024071296

ACCESS EASEMENT
UPON THE VACATION
OF COLUMBINE
STREET RIGHT-OF-WAY
REC. NO. 2024071296

PROPOSED ZONE LOT C
198,902 SQ.FT.
OR 4.566 ACRES



LINE TABLE		
Line #	Bearing	Length
L37	N00°09'01"E	301.47'
L38	N27°36'55"E	65.05'
L39	N00°09'01"E	392.91'
L40	N86°08'39"E	500.33'
L41	S53°43'56"W	37.50'
L42	S50°48'36"W	54.93'
L43	S24°03'11"W	41.21'
L44	S16°16'05"W	216.08'
L45	S15°53'03"W	101.65'
L46	S24°42'44"W	92.78'
L47	S37°23'26"W	91.05'
L48	S47°49'22"W	93.74'
L49	S57°37'06"W	46.33'
L50	S64°08'21"W	16.22'
L51	S73°24'24"W	31.33'

Curve Table					
Curve #	R=	L=	Δ=	ChB=	ChD=
C1	473.43'	165.09'	019°58'46"	S40°09'19"W	164.25'

E. 40TH AVENUE (PUBLIC RoW Varies)



0' 80'
SCALE: 1"=80'

NOTE

This map is to depict the accompanying description and is for informational purposes only. It does not represent a monumented land survey.

-----LAND DESCRIPTION-----

REVISIONS	Sheet	
	of	10

Orig. Issue Date:	8/13/2024	Sheet	10
Drawn By:	BMH	of	10
Checked By:	KJK	Project No.	UP23047



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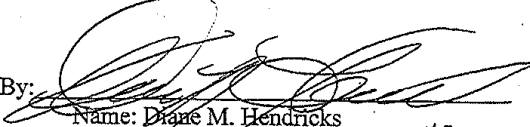


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Deeds

EXECUTED on the date of the acknowledgment herein below, to be effective however as of the 6 day of August, 2015.

HENDRICKS COMMERCIAL PROPERTIES, LLC
a Wisconsin limited liability company

By: 
Name: Diane M. Hendricks
Title: Manager and Chairperson of Board ^{the}

STATE OF WISCONSIN §
 §
COUNTY OF ROCK §

This instrument was acknowledged before me on the 6 day of August, 2015, by Diane M. Hendricks, Manager and Chairperson of ^{the} Board of Hendricks Commercial Properties, LLC, a Wisconsin limited liability company, on behalf of said company.

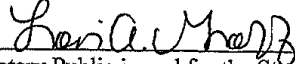

Notary Public in and for the State of Wisconsin



EXHIBIT "A" TO SPECIAL WARRANTY DEED

Real property in the City of Denver, County of Denver, State of Colorado, described as follows:

Parcel A:

That part of the Northwest quarter of the Southwest quarter of Section 24, Township 3 South, Range 68 West, described as follows:

Beginning at the intersection of the West line of Columbine Street with the North line of 40th Avenue (formerly County Road No. 34);
Thence Northerly along the West line of said Columbine Street 813.75 feet to the South line of the Union Pacific Railroad right-of-way;
Thence Westerly along said South right-of-way line 244.32 feet to the East line of Josephine Street as established by Ordinance No. 42 of the Series of 1898;
Thence Southerly along the produced East line of Josephine Street extended South from the First Addition to Swansea, 796.62 feet to the North line of said 40th Avenue;
Thence Easterly along the North line of said 40th Avenue 243.72 feet to the Point of Beginning,

Excepting therefrom those portions acquired by Regional Transportation District, a political subdivision of the State of Colorado in Rule and Order recorded May 9, 2014 at Reception No. 2014052947,

City and County of Denver,
State of Colorado.

Parcel B:

An easement and right-of-way for the maintenance and operation of a spur track and incidental purposes, as described in Agreement from Western Electric Company, Incorporated, to the Denver Fire Clay Company recorded January 20, 1966 in Book 9550 at page 559, across that part of the Northwest quarter of the Southwest quarter of Section 24, Township 3 South, Range 68 West of the 6th P.M., more particularly described as follows:

Beginning at a point which is the intersection of the Southerly right-of-way line of the Union Pacific Railroad with the Easterly line of Columbine Street;
Thence Easterly along said Southerly right-of-way line a distance of 63.05 feet;
Thence in a Southwesterly direction on a curve to the left of 16°26'00" and having a radius of 349.85 feet to a point on the Easterly line of Columbine Street, said point being 36.17 feet South of the Point of Beginning;
Thence North along the Easterly line of Columbine Street a distance of 36.17 feet to the Point of Beginning,

City and County of Denver,
State of Colorado.

APN: 0224300066000 and 0224300067000

EXHIBIT "B" TO SPECIAL WARRANTY DEED

- Terms, conditions, provisions, obligations, easements and agreements as set forth in the Agreement recorded January 20, 1966 in Book 9550 at Page 559.
- Terms, conditions, provisions, obligations, easements and agreements as set forth in the Covenant recorded June 17, 1977 in Book 1459 at Page 447
- Terms, conditions, provisions, obligations, easements and agreements as set forth in the Easement Deed by Court Order in Settlement of Landowner Action recorded March 19, 2013 at Reception No. 2013038643.
- Existing leases and tenancies
- Matters shown on ALTA/ACM Land Title Survey by Clark Land Surveying, Inc. dated November 13, 2013 a Job No. 13487.
 - The North edge of pavement of 40th Avenue encroaches along the South boundary of property.
 - Rights of others in railroad spur track and turntables lying outside of recorded easement



07/12/2024 04:14 PM
City & County of Denver
Electronically Recorded

R \$18.00

D \$6.30

QCD

QUIT CLAIM DEED

THIS DEED is dated the 8th day of July 2024, and is made by and between the **REGIONAL TRANSPORTATION DISTRICT**, a political subdivision of the State of Colorado ("Grantor"), whose legal address is 1660 Blake St., Denver, Colorado 80202, and **CLAUDREY, LLC**, a Colorado Limited Liability Company, ("Grantee"), whose legal address is 303 S Broadway, Suite 200-350, Denver, Colorado 80209.

WITNESSETH, that the Grantor, for and in consideration of the sum of SIXTY THREE THOUSAND AND 00/100 DOLLARS (\$63,000.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby remise, release, sell, and **QUIT CLAIM**, unto the Grantee, and the Grantee's heirs, successors and assigns, forever, all the right, title, interest, claim and demand which the Grantor has in and to the real property, together with any improvements thereon, located in the PROPERTY LOCATION, State of Colorado, described as follows:

SEE EXHIBIT "A" attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging, or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the Grantee, its heirs and assigns forever.

IN WITNESS WHEREOF, the Grantor executed this deed on the date set forth above.

GRANTOR

REGIONAL TRANSPORTATION DISTRICT:

Debra Johnson
General Manager and Chief Executive Officer

Approved as to legal form:

Beckwith, Aimee -
22099

Digitally signed by Beckwith,
Aimee - 22099
Date: 2024.05.16 14:59:44 -06'00'

Aimée Beckwith
Senior Associate General Counsel
Date:

STATE OF COLORADO)
) ss.
COUNTY OF DENVER)

Recording Requested By: 00503336
FNTG-NCS Colorado
D.F. \$6.30

The foregoing instrument was acknowledged before me this 08 day of July, 2024, by Debra Johnson as General Manager and Chief Executive Officer of the Regional Transportation District.

WITNESS my hand and official seal.

(SEAL)

Notary Public

My commission expires: 08/17/2024

Christine Aragon
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID# 20154022600
MY COMMISSION EXPIRES 08/17/2024

EXHIBIT "A"
PARCEL NO. EC-31R
Date: February 18, 2011
DESCRIPTION

Parcel No. EC-31R of the RTD East Corridor Commuter Rail Project, containing 16,013 square feet, (0.368 Acres), being a portion of a tract of land described at Reception Number 9600045595, Parcel 1, recorded on April 8, 1996 in the City and County of Denver Clerk and Recorder's Office, located in the Southwest Quarter of Section 24, Township 3 South, Range 68 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, being more particularly described as follows:

COMMENCING at the West 1/4 Corner of said Section 24;
 THENCE S45°16'21"E a distance of 927.77 feet to a point lying on the Easterly right-of-way line of Columbine Street, said point being the **POINT OF BEGINNING**;

THENCE N00°04'56"E coincident with said Easterly right-of-way line a distance of 207.29 feet to a point on the Southerly right-of-way line of the Union Pacific Railroad Company;

THENCE N86°04'46"E coincident with said Southerly right-of-way line a distance of 195.97 feet;

THENCE S53°40'05"W a distance of 38.16 feet;

THENCE S50°44'45"W non-tangent with the following described curve a distance of 54.93 feet;

THENCE along the arc of a curve to the left, having a central angle of 19°58'54", a radius of 473.43 feet, a chord bearing of S40°05'20"W a distance of 164.27 feet, and an arc distance of 165.10 feet;

THENCE S23°59'20"W non-tangent with the last described curve a distance of 41.21 feet to the **POINT OF BEGINNING**.

Said Parcel No. EC-31R containing 16,013 square feet, (0.368 Acres), more or less.

Basis of Bearings: All bearings are based on the line connecting "D 394" to "DR B" being a grid bearing of N77°31'03"E as obtained from a Global Positioning System (GPS) survey based on National Geodetic Survey (NGS) data. Said grid bearing is NAD 83 (CONUS), UTM Zone 13 North. "D 394" (PID KK1292) is a NGS mark monumented with a 3.5 inch disk set flush in concrete bridge abutment, stamped in part "NGS D 394 1983". "DR B" (PID DH9129) is a NGS mark monumented with a flange encased stainless steel rod in 5 inch logo box and cap surrounded by concrete collar, flange stamped in part "DR B 807".

Prepared by:
 Kenneth W. Carlson PLS 24942
 For and on behalf of Jacobs Engineering Group, Inc.
 707 17th Street #2300
 Denver, CO 80202
 303.820.5240





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Proof Of Ownership – Ownership Statement Signed

OWNERSHIP STATEMENT - CORPORATION OR LIMITED LIABILITY COMPANY

(a) CLAUDREY LLC ("Entity") is the owner of the following property:

(b) 4235 Columbine St, Denver, CO

A copy of the deed(s) evidencing the owner's interest in the property is attached. Any documents conveying any interest in the property to someone else by the owner are also attached.

I am the (c) MANAGER for the Entity. I have the legal authority to bind the Entity regarding obligations and this property. I have attached the most recent recorded Statement of Authority of the Entity.

- My legal authority to bind the Entity both financially and concerning this property is unlimited.
- My legal authority to bind the Entity financially and/or concerning this property is limited as follows:

- The Entity is the sole owner of the property.
- The Entity owns the property with other(s). The other owners of the property are:

On behalf of Entity, I have reviewed the application for the (d) 4235 Columbine Rezoning

I have the following knowledge or evidence of a possible boundary conflict affecting the property:

(e) N/A

I understand the continuing duty of the Entity to inform the City planner of any changes regarding my authority to bind the Entity and/or regarding ownership, easement, right-of-way, encroachment, lienholder and any other interest in the land.

I swear under penalty of perjury that the information in this Ownership Statement is true, complete and correct.

Signature of Entity representative: [Signature]

Printed name of person signing: Sam Leger

State of Colorado)

County of Denver) ss.

Subscribed and sworn to before me on this 25th day of July, 2024

by Sam Leger

Witness my hand and seal.

My Notary Commission expires on 11/19/25

[LISA FERRARA MCCOY]
 Notary Public - State of Colorado
 Notary ID: 20134073126
 [My Commission Expires 11-19-2025]

[Signature]
 Notary Public Signature



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Narrative



Initial Submittal: August 30, 2024
 Submittal 1a: October 3, 2024 *Revised
 Submittal 2: February 26, 2025
 Submittal 3: May 6, 2025

2024-00045
ZONE MAP AMENDMENT (Rezoning) SUBMITTAL #3
RE: 4235 N Columbine Street - Denver, Colorado

INTRODUCTION

CONTACT INFORMATION:

Client	Property Owner	Applicant / Project Representative
CLAUDREY LLC ATTN: Sam Leger, CEO 303 S Broadway, STE 200-350 Denver, CO 80209-1558 Phone: 303-321-5888 sleger@uniqueprop.com Unique Properties	CLAUDREY LLC 303 S Broadway, STE 200-350 Denver, CO 80209-1558	LAI Design Group Attn. Jennifer Carpenter 116 Inverness Drive East #340 Englewood, Colorado 80112 Phone: 303.734.1777 jcarpenter@laidesigngroup.com

SUBJECT PROPERTY INFORMATION (Legal Descriptions on Separate Exhibit):

Schedule	Address	Lot Size	Notes
0224300066000	4235 N COLUMBINE ST	175,225 SF (4.023 Ac)	Zone Lot A (includes appropriate vacated ROW) Claudrey LLC
0224300063000	2535 E 40TH AVE	23,677 SF (0.544 Ac)	Zone Lot B (includes appropriate vacated ROW) Claudrey LLC
N/A	Josephine St. ROW Vacation (Parcel 1 – ½ RTD & ½ Claudrey LLC)	18,089 SF (0.415 Ac) Parcel 1	Approved 2023-VACA-0000007
N/A	Columbine St. ROW Vacation (Parcel 2)	18,517 SF (0.425 Ac) Parcel 2	Approved 2023-VACA-0000007

*All four (4) parcels are referred to as **“the Property”** throughout the narrative

Existing Zoning	Proposed Zoning	Current Overlay / Neighborhood Districts
I-B w/UO-2 and I-A w/UO-2	I-MX 3	Elyria & Swansea Neighborhoods

PROPERTY BACKGROUND:

LAI Design Group represents Claudrey, LLC (**“the Applicant”**) with respect to this rezoning application. The Property consists of approximately 4.567 acres located within the Elyria & Swansea neighborhood north of Downtown Denver. The Property is situated east of the I-25 and I-70 interchange in the northern portion of the City and is bounded by Josephine Street to the west, the Union Pacific Railroad to the north, the Regional Transportation District (RTD) commuter rail line to the south, and vacated Columbine Street Right-of-Way (ROW) to the east. The 14-acre parcel south/southeast of RTD and the vacated Columbine was rezoned in 2019 to I-MX-3. Today, the Property is undeveloped and is used for vehicle storage – there are no occupied structures on the Property. **The Applicant intends to develop the Property as a mixed-use, mixed-income housing development using the guiding principles of the Expanding Housing Affordability Policy to provide approximately 291 apartment units including a mix of unit sizes from studios to 2-bedroom units with possible amenities on-site such as neighborhood serving retail/commercial, community room and outdoor space, game/club room, fitness center, storage facilities, and laundry services. (“the Project”).** The property’s proximity to I-25, I-70,



the York/Josephine and 40th Avenue Corridors, as well as adjacency to bus stops, bike and share services, allow for multi-modal transportation and micro-mobility options for getting in around Denver and the greater Metro Area. To fully achieve the Property’s potential, a rezoning (“**Application**”) from I-B w/UO-2 and IA w/UO-2 to **I-MX-3** is necessary. A cohesive and inclusive project of the highest quality would follow **I-MX-3** zone districts development standards. Approval of the Application will meet the significant need for high-quality, mixed-income housing in Denver while maintaining the potential for industrial/commercial spaces through the I-MX zone district. Furthermore, approval of the Application will develop infill on land that is deemed unused and underutilized within an existing urban and developed area.

The proposed rezoning would create live/work opportunities on an undeveloped site that offers neither housing nor jobs opportunities today. The proposed rezoning would not only bring those benefits to the Elyria-Swansea community, but it would provide greater predictability in terms of land use and built form. 80205 and 80216 are some of the most polluted zip codes in the country. The rezoning request would remove the heavy industrial zoning which has negatively impacted the area but create a path for future job creation geared more towards small businesses and the surrounding community. Furthermore, the proposed **I-MX-3** zone district would foster a **3-story**, mixed-use project whereas the existing heavy industrial zoning does not currently have a height limit.

COMMUNITY ENGAGEMENT:

The Applicant and their team have conducted a significant amount of community engagement regarding the proposed rezoning. Our outreach efforts began in September of 2023 and have been ongoing as the project has evolved, This section has been updated to reflect that process. To date, the Applicants have had over a dozen conversations and formal meetings with representatives from Registered Neighborhood Organizations (RNOs) and other groups whose boundaries cover the property. In these conversations, community members have expressed their support for the proposed rezoning and subsequent development of the property into a mixed-use, mixed-income project. This support is represented by the five support letters from the RNOs outlined below as well as some individual citizens who live in the area. Two recent letters of support are attached for reference as Exhibit A.

- United Community Action Network (UCAN)
- The Denver North Business Association
- Clayton United
- Cole Neighborhood Association
- Globeville Civic Partners

As part of our Community Engagement efforts, we have gone through great effort to keep GES Coalition apprised of our goals and aspirations for the site. We had a call in January of 2024 which included Nola Miguel, Ana Varela, and several members of the community whom they invited. During that initial call in January 2024, we discussed rezoning to I-MX-5. However, since that call we have had limited interaction with GES Coalition leadership. We reached out multiple times, including most recently via email in October of 2024, November of 2024, December of 2024, and January of 2025. In February and March of 2025, we pivoted from the desired I-MX-5 to I-MX-3, in part because the I-MX-3 zone district aligns well with the Elyria Swansea Neighborhood plan. In our initial meeting with GES Coalition, we heard a desire for us to align with the small area plan as closely as possible, hence the change to do so. In April 2025, we reached out to GES coalition again to inform them of the change from 5 to 3 stories, but did not receive a response. We’ve also informed all RNOs about the change from 5 to 3 stories and we continue to have their support.

Based on community conversations and recalling former Councilwoman Ortega’s passion for train safety, the Applicant hired a railway expert to review and make recommendations to ensure any future development on the property prioritizes public safety of those living and working on the property. The third-party consultant’s conclusions suggest there is no major concern for safety having the rail and a mixed-use project in proximity to one another. As design of the project is refined, the Applicant will continue to be mindful to incorporate key elements of Councilwoman Ortega’s freight rail ordinance that was ultimately voted down by City Council in June 2023. The railway experts report is attached as Exhibit B.

PROJECT STATUS:

A **Concept Submittal** (2023-CONCEPT-0000073) was previously submitted to Development Services led by Tiffany Holcomb.
 A **ROW Vacation** (2023-VACA-0000007) **is completed January 2025.**
 A **Zone Lot Amendment** (2024-ZLAM-0000048) pre-application was submitted on April 9, 2024 and assigned to Tiffany Holcomb.
As of 12/2/2024 approvals were pending on the ROW Vacation approval and record numbers being released.
Rezone Preapplication: 1st Meeting was August 4, 2023 and a second meeting was held April 4, 2024 both with Tony Lechbuga.
 Initial Submittal: August 30, 2024
 Submittal 1a: October 3, 2024 *Revised
 Comments returned November 8, 2024
 *Numerous meetings and coordination discussions have occurred with the Applicant Team and CPD since November 2024
 Submittal 2: February 24, 2025

OBJECTIVE: Obtain approval of a Zone Map Amendment (Rezoning) from I-B w/UO-2 and IA w/OU-2 to I-MX3

The Industrial Context consists of areas of industrial use as well as areas subject to transitions from exclusively industrial use to mixed use.

Industrial Mixed-Use districts are intended to develop in a pedestrian-oriented pattern, with buildings built up to the street and an active Street Level. I-MX districts are also intended to provide a transition between mixed use areas and I-A and I-B Industrial Districts. This district accommodates a variety of industrial, commercial, civic and residential uses and encourage affordable housing.

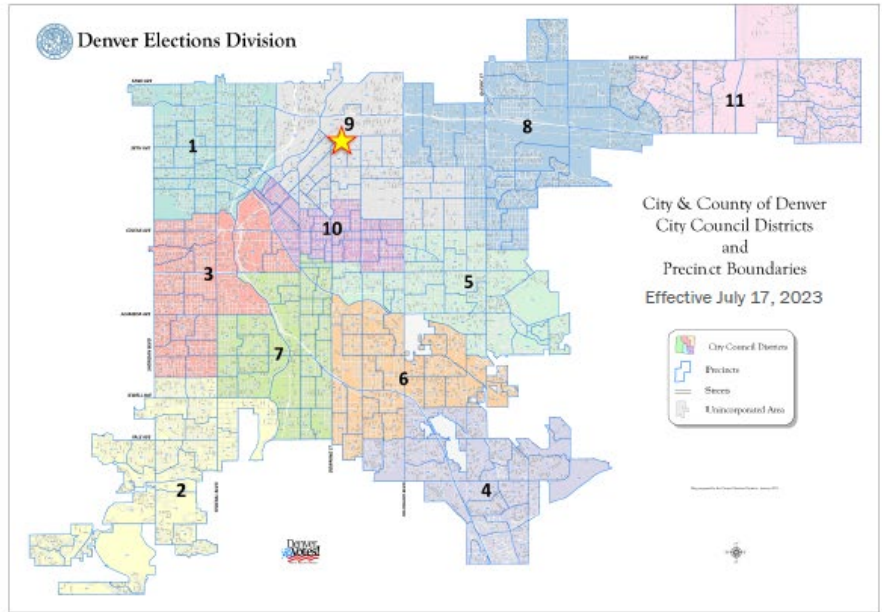
Specifically, I-MX-3 applies to industrially-dominate areas (w/mixed-uses) served primarily by local or collector streets with a building height of 3 stories. I-MX-3 is compatible to adjacent parcels / surrounding development that was rezoned to I-MX-3 in 2019. Rezoning to I-MX-3 supports the development of a building that creates an active street realm resulting in a pedestrian-oriented pattern which is the intended use of Mixed-Use Districts. The York / Josephine Corridor Study and Design Project is currently underway and rezoning to Industrial Mixed-Use (I-MX-3) will add vibrancy to this neighborhood and provide a transition between mixed use areas and I-A or I-B industrial Districts. An I-MX-3 zoning will provide much needed housing along the York/Josephine Corridor with excellent access to public transportation without losing the industrial feel of the neighborhood and allowing for those two uses to work together. As we strive for sensible city planning, there are many precedents I-MX-3 zoning along these corridors with good access to bus and rail lines. This application for I-MX-3 zoning is consistent with the spirit and intent of the Comprehensive Plan, Blueprint Denver and Elyria & Swansea Neighborhoods Plan as you will read further in this narrative.



LOCATION and CONTEXT:

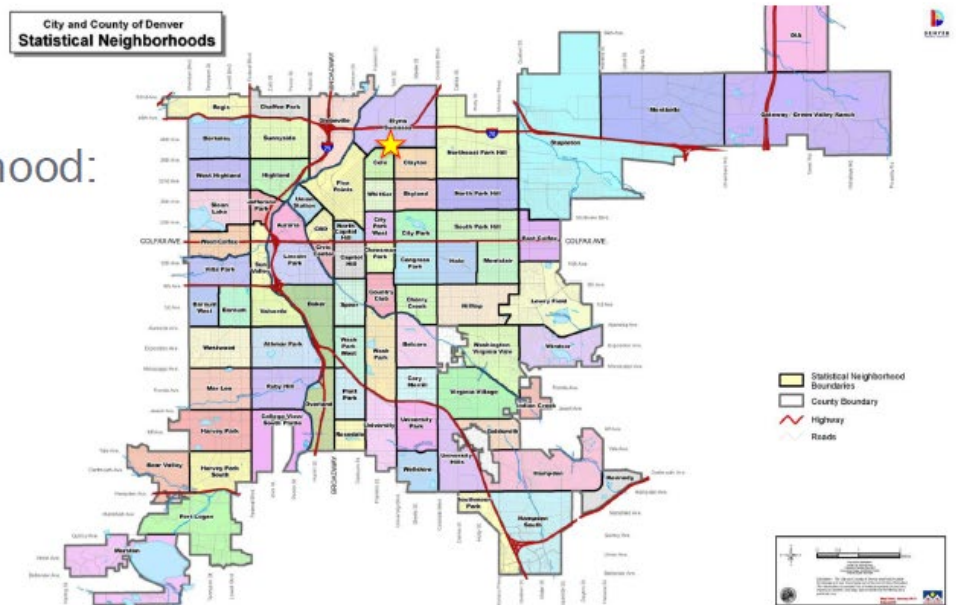
Location

Council District 9
- Councilperson
Watson

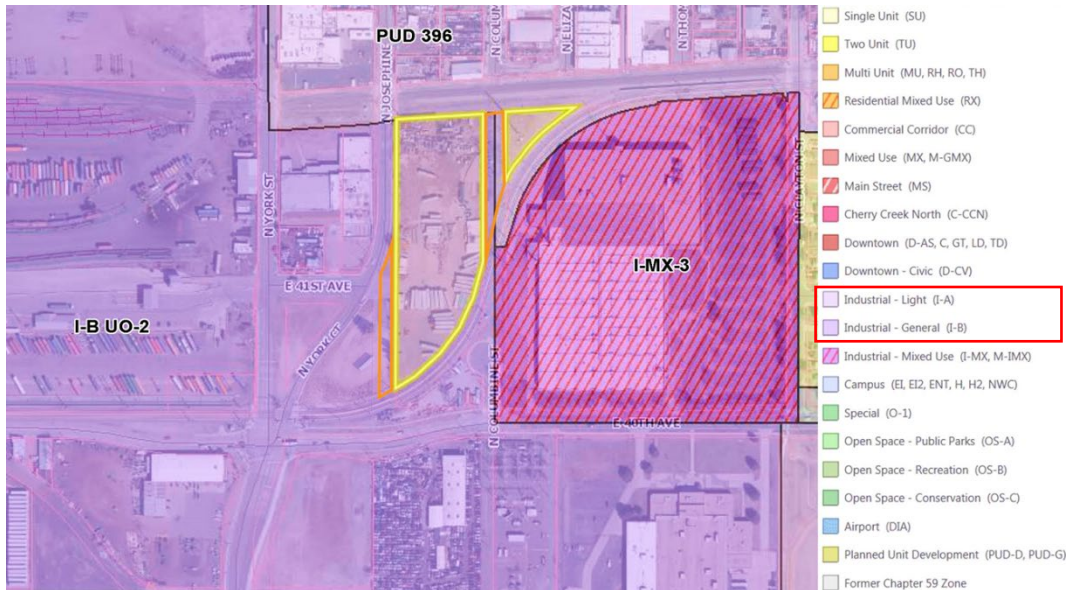


Location

Statistical Neighborhood:
Elyria-Swansea



Existing Zoning – I-B, UO-2 and I-A, UO-2



Existing District Contains UO-2



UO-2 Billboard Use Overlay
It is the Applicant's choice whether to retain. See Section 10.10.20 for limitations.

Existing Context – Land Use

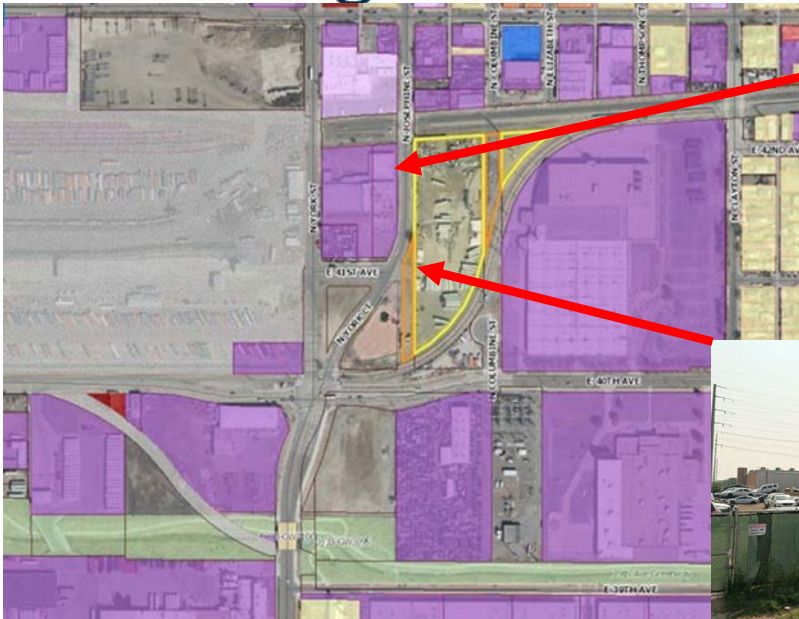


Vacant

Adjacent to:

- Industrial
- Mixed-Use
- Transportation

Existing Context – Building Form/Scale





PROCESS:

A typical rezoning process varies from 4-6 months. At this time, the following steps have been completed.

- 1) Pre-Application Review (Completed)
 - a. 1st Meeting was August 4, 2023 and a second meeting was held April 4, 2024 both with Tony Lechbuga
- 2) Outreach to RNO
(Registered Neighborhood Organizations)
 - a. United Community Action Network (UCAN)
 - b. Elyria and Swansea Neighborhood Association/GES Coalition
 - c. Denver North Business Association
 - d. Clayton United
 - e. Cole Neighborhood
 - f. Globeville Civic Partners
- 3) Submit a Complete Application

REZONING REVIEW CRITERIA

General Review Criteria (DZC. Sec. 12.4.10.7.A)

- 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.

There are three (3) City adopted plans that guide the land use and development of the Property:

- 1. Denver Comprehensive Plan 2040
- 2. Blueprint Denver (2019)
- 3. Elyria & Swansea Neighborhoods Plan (2015)

1. Denver Comprehensive Plan 2040

In this section, describe how the proposed map amendment is consistent with Denver Comprehensive Plan 2040’s. This Comprehensive Plan is a holistic and sustainable vision to Guide the Future of Denver by creating vision and goals that tie together the city’s plans, goals and policies.

The proposed map amendment is consistent with the following Denver Comprehensive Plan 2040 vision elements, goals, strategies, and recommendations.

- **Equitable, Affordable, and Inclusive P. 28**
 - Rezoning will reduce the number of cost-burdened households.
 - Rezoning will support Denver’s goals to become an equitable, inclusive community with a high quality of life for all residents, regardless of income level, race, ethnicity, gender, ability, or age.
 - GOAL 1: Ensure all Denver residents have safe, convenient, and affordable access to basic services and a variety of amenities.
 - The rezoning request will foster a project that may include uses such as neighborhood serving commercial, co-working, business incubator/maker spaces, a lounge, community room and outdoor space, game/club room, fitness center, storage facilities, and laundry services. The Project is located 500 feet from RTD bus stops, ½ mile of I-70, 1-1/2 mile to I-25 and 1-mile to Colorado Blvd where there are additional bus transfers, as well as commercial/retail uses. (Strategies A, C, D)
 - GOAL 2: Build housing as a continuum to serve residents across a range of incomes, ages and needs.
 - The rezoning request will foster a mixed-use, mixed-income project that will include income restricted units. Unit will include a mix of studios to 3-bedroom units to accommodate households of varying sizes, ages and family needs. (Strategies A, C, D)

- GOAL 3: Develop housing that is affordable to residents of all income levels.
 - As a mixed-income project, the Applicant will include units at a mix of Area Medium Income (AMI) levels. The Project intent is to meet if not exceed Denver's current requirements. (Strategies B, D)
 - GOAL 5: Reduce the involuntary displacement of residents and businesses.
 - This Project will improve the area and create affordable housing in the neighborhood. (Strategies A, B)
 - GOAL 7: Make neighborhoods accessible to people of all ages and abilities.
 - The Project will comply with all ADA Standards for accessibility in regard to access and in available unit types. The Project's proximity to a variety of transit options also promotes accessibility. (Strategies A, B, C)
 - GOAL 8: Increase housing options for Denver's most vulnerable populations.
 - The rezoning request will foster a project that Project provides affordable housing per the Standards set by Denver. Providing housing in an area with multiple transit options encourages residents to commute for work or get out to explore, which enhances ones quality of life. (Strategies A, B, D)
 - GOAL 9: Improve equitable access to quality education and lifelong learning opportunities.
 - The Projects location with access to transit allows residents to have access to educational facilities and other learning opportunities. The proposed rezoning fosters a mixed-use Project which may include vocation opportunities and makers spaces on the ground floor of the building. This kind of mixed-use project provides greater education and learning opportunities. Future residential units will have full internet access, providing education and learning opportunities that will help to narrow the digital divide. (Strategies A, B, D)
- **Strong and Authentic Neighborhoods P. 33**
 - Rezoning will increase the number of affordable and market rate units with convenient access to transit, jobs, and neighborhood serving commercial.
 - Rezoning will complete neighborhoods through goals that are unique and reflective of the city's diverse history.
 - GOAL 1: Create a city of complete neighborhoods.
 - The Project will foster infill on an undeveloped, unutilized. site and complete a neighborhood that needs housing and enhanced streets and connections. (Strategies A, B, C, D)
 - GOAL 2: Enhance Denver's neighborhoods through high-quality urban design.
 - The Applicant and Owner have completed several development projects in Denver Metro and throughout the State of Colorado. These projects have been of high quality and design standards and will bring the same standards to this Project. The Applicant and Owner have a trusted relationship with City and ensures the Project will be of quality design and innovation across the public and private realm. (Strategies A, B, C, D)
 - GOAL 3: Preserve the authenticity of Denver's neighborhoods and celebrate our history, architecture and culture.
 - It is the Applicant's intent to apply a connection to the history and current culture of the neighborhood through potential art (color, mural) or use of exterior materials on the elevations. (Strategies D)
 - GOAL 4: Ensure every neighborhood is economically strong and dynamic.
 - The Property is currently vacant. The rezoning will foster the construction of a mixed-use project which will provide significant job opportunities for the trades. The project will also create ongoing jobs within ground floor commercial and business incubator/maker spaces. The mixed-use project would provide both housing and job opportunities, thus providing the ability to improve one's quality of life. (Strategies A, B)
 - GOAL 6: Empower Denverites to be involved and collaborative in city government.
 - The Applicant has put a particular focus on community engagement efforts. They've gone above and beyond to make sure everyone who is directly or indirectly affected by the Project can voice their opinion.

- GOAL 1: Ensure economic mobility and improve access to opportunity.
 - The Project intent is to have spaces that could provide training or education/outreach and business as part of the mixed use on the ground floor. (Strategies A, B, C)
 - GOAL 2: Grow a strong, diversified economy.
 - The Application will allow development infill of an underutilized site to provide jobs and housing which will in turn strengthen the local economy. (Strategies A, B, C, D)
 - GOAL 3: Sustain and grow Denver's local neighborhood businesses.
 - The Project will increase residents in the neighborhood who will have safer streets to travel to local business, which will generate demand for services. Residents who wish to work near their home will seek jobs here or jobs that are available by ways of the local transportation system. (Strategies A, B, C)
 - GOAL 4: Ensure Denver has a productive, educated, competitive and knowledgeable workforce.
 - The Project will provide residents with a home and an environment that is safe and results in a better quality of life which in turn builds confident individuals that seek education and employment. (Strategies A, B, C)
 - GOAL 6: Enable Denver's youth to access quality education and compete in the global economy.
 - The Property is in the Denver Public School District. There are 5 primary school options for K-5 within 1-mile, the Neighborhood/Enrollment Zone Middle School is Bruce Randolph less than ½ mile away, and Manual High School is 1.39 miles away. The location and condition of a child's home (this Project) plays a significant role in their physical, cognitive and emotional development and well-being, which impacts their education. Improved attendance, better cognitive and behavioral health and improved academic achievements. (Strategies A, B)
 - GOAL 8: Expand participation in arts and culture and ensure that arts and culture are accessible to all.
 - The Project could provide space for participation of individuals who want to showcase their interest of art and culture. (Strategies A)
 - GOAL 9: Stimulate the growth of ideas and innovation.
 - The Application will foster infill development of an underutilized site. Residents of the Project, with a stable and safe place to live and can choose to go out into the community and have positive experiences. The Project may include ground floor community serving commercial, business incubator/market spaces that can stimulate the growth of ideas and innovation. (Strategies A, B)
- **Environmentally Resilient p.51**
 - Rezoning will reduce Denver's impact on climate change by cleaning up currently vacant misused site, developing more sustainably, adding trees and other landscape elements to the property and within the off-site improvement areas.
 - Rezoning will promote Denver through the following goals as a thriving, sustainable city connected to nature and resilient to climate change.
 - GOAL 1: Mitigate climate impact by significantly reducing greenhouse gas emissions.
 - The Property location encourages the use of mass transit which reduces pollution. The future Project includes the opportunity to incorporate solar which embraces clean and renewable sources. (Strategies A, B, D)
 - GOAL 2: Prepare for and adapt to climate change.
 - The Project will evaluate sustainable building practices as well as add landscape to enhance tree canopies on the site. (Strategies A, B)
 - GOAL 3: Conserve water and use it more efficiently.
 - The Project will refer to Denver Water to conserve water and increase water efficiency for indoor and outdoor use. (Strategies A, B)
 - GOAL 4: Integrate stormwater into the built environment by using green infrastructure to improve water quality and reduce runoff.

- As much as feasible, the Project will embrace stormwater as an asset, plant trees, use low-water landscape and look at opportunities for green infrastructure. (Strategies A, D, E)
- GOAL 6: Protect and expand Denver’s green infrastructure network.
 - The Property currently does not have any trees or landscape. A future Project will add green infrastructure including trees and plants, thus expanding the City’s tree canopy. (Strategies A, B, C)
- GOAL 7: Improve solid waste diversion and conserve raw materials.
 - The Project would invest in the research and analysis of recycled materials in the construction of new buildings as it is not cost restrictive. (Strategy D)
- GOAL 8: Clean our soil, conserve land and grow responsibly.
 - The Rezoning satisfies the City’s goal to promote infill development where infrastructure and services are already in place. Mixed Use with a higher residential capacity conserves land by increasing the number of residents that can be housed on the same land area. It will encourage mixed-use development where residents can live, work and play. The Project will add growth high-and medium-capacity transit corridors. The Rezoning will allow preliminary due diligence and phase 1 environmental reports to identify, remediate and restore contaminated soils. (Strategies A, B, C, E)
- GOAL 9: Protect and improve air quality.
 - As mentioned above, the Property is located multiple means of transportation systems which encourages public transportation, minimizes the number of cars on the road and number of trips and reduces air pollution. (Strategies A, B)
- **Healthy and Active p. 57**
 - Rezoning will allow opportunities to reduce health inequalities between Denver neighborhoods.
 - Rezoning will create access to safe, accessible, and healthy communities with a focus on the following goals.
 - GOAL 1: Create and enhance environments that support physical activity and healthy living.
 - The Project will promote walking and biking with improved off-site improvements and access to the York/Josephine corridor, as well as design safe public space for all residents. The Project will include indoor and secure bike storage, passive green space and potentially a fitness center. (Strategies A, B, C)
 - GOAL 3: Ensure access to affordable, nutritious and culturally diverse foods in all neighborhoods.
 - The Rezoning to Mixed Use will permit a retailer which potentially could sell groceries. (Strategies A)

Conclusion (Denver Comprehensive Plan 2024): Rezoning this Property aligns with the goals and strategies of the Comprehensive Plan. The I-MX-3 designation will allow the Applicant to develop a 3-story, mixed-use, mixed income property where residents can live, work, and play in their own neighborhood while being safe and healthy.

2. **Blueprint Denver**

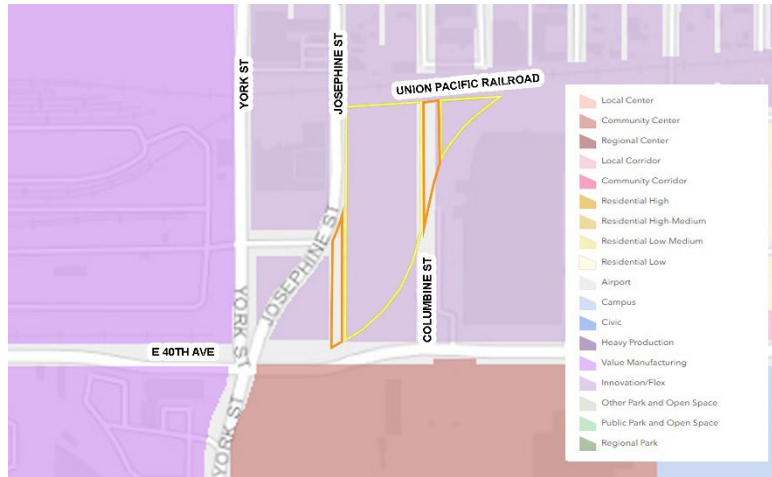
In this section, describe how the proposed map amendment is consistent with Blueprint Denver.

The proposed map amendment is consistent with the following Blueprint Denver objectives, strategies, and recommendations.

a) **Neighborhood Context – Special District**

Rezoning the property to I-MX-3 aligns with the property’s location within the Districts category of the Future Neighborhood Context designation. Districts are often places with a specifically designed purpose, such as educational campuses or industrial areas, have a strong primary purpose. This rezone will allow for infill development to create block patterns by adhering to building form and scale based on the specific use. These places can be highly mixed-use and offer a diverse range of amenities (flexible outdoor and hardscaped plazas) and complementary services to support the district’s primary function which this property will deliver.

Blueprint Denver



Districts

- Often developed with a specific use
- Some highly mixed use
- Important job center

b) Future Places – Innovation/Flex

The property is located within the Innovation / Flex category. Innovation/Flex neighborhoods are intended to provide a buffer from heavy production and value manufacturing areas of the city while transitioning into more urban, mixed-use residential and retail neighborhoods. Rezoning of this property within districts will serve the purpose of craft/maker space, high-tech design, and manufacturing with a mix of employment, while also providing residential housing options for people working at these companies. Residential uses are compatible with this district and therefore, the proposed use is consistent.

c) Growth Strategy – New Employment & New Housing

The property shown on the Growth Strategy map within Blueprint Denver designates 15% of new employment and 5% of new housing to occur here by 2040. Higher intensity residential areas near downtown, mid-scale housing in innovation/flex districts and low-scale greenfield residential all contribute to Denver's future housing stock. This rezone will provide both housing and employment and satisfy this strategy.

d) Street Types & Mobility – Mixed Use Arterial

North Josephine Street, which borders the property, is categorized as a Mixed-Use Arterial by Blueprint Denver. North Josephine Street does not currently meet the City and County of Denver Standards. Off-site improvements which would be required with development once the rezone is approved, would include reviving the pedestrian realms of new sidewalks, lighting, landscape which will enhance the overall pedestrian experience, and improve mobility and safety on the street.

e) Plan Policies and Strategies

When applying Blueprint Denver to Rezoning the following are always applicable: Neighborhood context, place, and street type and addressed above with solid consistency.

Land Use and Built Form - General Recommendations

Policy 1. Promote and anticipate planned growth in major centers and corridors and key residential areas connected by rail service and transit priority streets (pg. 72)

- *Strategy A. Use zoning and land use regulations to encourage higher-density, mixed-use development in transit-rich areas.*
- *Strategy C. Support the implementation of Denver Moves: Transit.*

Policy 2. Incentivize or require efficient development of land, especially in transit-rich areas (pg. 72)

Strategy A. In regional centers, urban center community centers and urban center community corridors, study and implement requirements or incentives for density. An example of a tool to implement this could include establishing minimum building heights.

- *Strategy C. Allow increased density in exchange for desired outcomes, such as affordable housing, especially in transit-rich areas.*

Policy 5. Integrate mitigation of involuntary displacement of residents and/or businesses into major city projects (pg. 74)

- *Strategy B. Where the potential for involuntary displacement is identified, evaluate and implement methods to mitigate displacement, such as incentives or requirements for on-site income-restricted housing and/or affordable commercial spaces.*

The proposed **I-MX-3** represents a significantly more efficient land use as it promotes development within walking distance of public transit. The proposed map amendment would facilitate appropriate density and mixed uses including income restricted units, along a **corridor** within an Innovation / Flex District.

Land Use and Built Form – Housing Recommendations

Policy 6. Increase the development of affordable housing and mixed-income housing, particularly in areas near transit, services and amenities (pg. 85)

- *Strategy A. Incentivize affordable housing through zoning, especially in regional centers, community centers and community corridors adjacent to transit. This could include a process— informed by community input—to create citywide height bonuses in the zoning code, where additional height is allowed in exchange for income restricted units. Incentives for affordable housing are particularly important for areas that score high in Vulnerability to Displacement and score low in Housing Diversity.*

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. (pg. 86)

- *Strategy C. Ensure land use regulations, small area plans and major transit investments support desired growth areas.*
- *Strategy D. Advance housing affordability recommendations from this plan and Housing an Inclusive Denver to ensure new units include units affordable to a range of income levels.*

The proposed map amendment from to **I-MX-3** would foster the development of residential, mixed-income housing project within an Innovation / Flex District.

Land Use and Built Form – Economics

Policy 3. Preserve high-value manufacturing areas and allow low-value manufacturing areas to transition to higher intensity uses. (pg. 86)

- *Strategy D. Within innovation / flex districts, enable housing and other uses to complement manufacturing. Promote urban, pedestrian-friendly building forms that are appropriate for vibrant, mixed-use districts.*
- *Strategy E. Study and implement changes to the zoning code to ensure appropriate zone district(s) to implement the innovation/flex district desired uses and building forms.*

Land Use and Built Form - Design Quality & Preservation

Policy 3. Create exceptional design outcomes in key centers and corridors. (pg. 102)

- *Strategy E. Revise the zoning code to provide standards for new mixed-use development that better responds to the surrounding context. Standards to examine for improvement include build-to ranges, transparency minimums, lot coverage, and entry features.*

Policy 7. Improve requirements for landscaping, with a focus on climate-appropriate vegetation, for private property. (pg. 105)

- *Strategy C. Limit the amount of impervious surface, such as paved areas, allowed on zone lots. This should be calibrated by context to reflect the differences between higher intensity areas, such as the urban center and downtown contexts, and lower-intensity residential areas*

The proposed map amendment **I-MX-3** would foster a development that creates a better transition from residential to the west and heavy industrial to the west.

Mobility – Recommendations

Policy 1. Encourage mode-shift — more trips by walking and rolling, biking and transit — through efficient land use and infrastructure improvements (pg. 108)

- *Strategy E. Promote mixed-use development in all centers and corridors.*

Policy 2. Align the impacts of private development with transportation infrastructure and promote development that creates walkable, transit-friendly communities. (pg. 108)

- *Strategy C. For centers and corridors downtown and in the urban center contexts, where access to transit is high, study and implement maximums for off-street parking in private development to encourage the use of alternative modes of transportation.*

Policy 7. Make transit more affordable to Denver residents (pg. 111)

- *Strategy A. Provide increased transit access for transit dependent residents by increasing the amount of affordable housing near rail stations and along transit priority streets. This is especially important for areas that score low in Access to Opportunity.*

The proposed map amendment to **I-MX-3** would promote mixed use and multifamily residential growth in an Innovation / Flex District. The site's location on an arterial and in proximity to bus line and light rail make it a sensible place for density and promotes multimodal activity.

Quality-of-Life Infrastructure

Policy 4. Promote environmentally-friendly development strategies in the public and private realms. (pg. 120)

- *Strategy F. Include water conservation requirements for landscaping for new developments, such as irrigation standards that incorporate water budgeting and hydrozone analysis. Promote efficient water use for landscaping.*

The proposed map amendment to **I-MX-3** includes Quality-of-life infrastructure that will be incorporated on site and surrounding area. This includes trees, plants, and outdoor spaces that will create gathering areas for a mixed-income residential community. The rezone **I-MX-3** will promote the development of a mixed use, multifamily project in an Innovation / Flex District that provides residents **with** affordable housing, access to nearby job opportunities, all within walking distance of public transit.

f) Equity Concepts

When applying equity concepts to a rezoning the data available to measure the equity concepts is not available at the parcel-level scale, and they are intended to show patterns across large areas, they cannot be effectively applied to small-scale rezonings. Given the above, equity concepts are not intended to be part of the evaluation for smaller rezonings. The following equity scores were provided at the pre-application rezoning meeting and therefore still acknowledged.

**Highlights most inequitable scores which this rezoning could increase scores for a better/stronger outlook*

1. Access to Opportunity (Property Score: 3.22/5.0 More Access)

GOAL: to offer residents the same access to basic services, quality education, transportation options, healthcare services, healthy food and amenities:

a. grocery stores (fresh food)

RE: Future development with **I-MX-3** designation could provide fresh food (comm/retail and amenity uses) on-site can be accomplished with community gardens, local markets, produce boxes, or food distribution/food delivery.

b. public transit.

RE: Future development with **I-MX-3** designation would require off-street improvements and enhance mobility and safety on the street and connectivity/access to transit (bus and rail stops).

2. Vulnerability to Displacement (Property Score: 3.0/3.0 More Vulnerable)

GOAL: to offer existing residents and local businesses the affordability to stay in the neighborhood they call home.

a. Education Attainment

RE: Future development with **I-MX-3** designation would allow income-restricted/affordable units for the most vulnerable populations with associated service providers will help in housing those vulnerable to displacement.

b. Median Household Income

RE: Future development with **I-MX-3** designation would allow more income-restricted/affordable units for the most vulnerable populations with associated service providers will help in housing those vulnerable to displacement.

c. Percent Renter Occupied

RE: Future development with **I-MX-3** designation would allow more income restricted/affordable units with a preference to people who already live or recently lived in the neighborhood will reduce the vulnerability of displacement.

3. Housing Diversity (3.0/5.0 More Diversity)

GOAL: to offer residents a variety of housing options to accommodate households of different ages, sizes and incomes.

a. Mix of Rented and owned Homes

RE: Future development with **I-MX-3** designation would allow a mix of housing depending on identified populations

RE: Future development with **I-MX-3** designation would allow a mix of bedrooms/unit on identified populations

b. Diversity in Housing Costs

RE: Future development with **I-MX-3** designation would allow the opportunity to provide alternative options to reduce housing costs

4. Job Diversity (Retail Jobs) is lower than Citywide Averages

GOAL: to offer residents a range of quality jobs which enables people of different incomes and education levels to find employment and wealth-building. There are currently no jobs associated with undeveloped property. With that, the **I-MX-3** zoning would foster a mixed-use development with the creation of job opportunities and particularly those geared towards small business owners on the ground floor of a future development.

Conclusion (Blueprint Denver):

The proposed rezoning to **I-MX-3** aligns closely with the goals outlined in Blueprint Denver which call for this Innovation Flex area to serve as a buffer from heavier production and value manufacturing areas of the City. **I-MX-3** would facilitate a mixed-use, mixed-income project and foster the addition of housing and job opportunities on what is currently an undeveloped piece of property. The rezoning would foster appropriate levels of density along a mixed-use **corridor** and

within proximity to the 38th & Brighton and 40th & Colorado commuter rail stations.

3. Elyria & Swansea Neighborhoods Plan

The Elyria & Swansea Neighborhoods Plan, known as “the Plan” was adopted nearly a decade ago to establish a long-range vision with guiding principles, recommendations, and implementation strategies for improving the future of the Elyria and Swansea neighborhoods.

The existing Neighborhood plan designates the property as Industrial Mixed Use, and therefore rezoning to I-MX is consistent with the vision and principles of the Plan. In 2015 local plan guidance suggested a 3-story zoning which is the requested zone district (I-MX-3). Unlike the existing zoning, the I-MX-3 zoning would promote a mixed-use, mixed-income project that would benefit the community with housing and jobs, while providing greater predictability of zoning heights to transition and buffer distance residential uses.

The property is located within the Plans’ Industrial Mixed Use area which is similar to Mixed Use and Employment uses, but with recognition that light industrial uses, such as light manufacturing with smaller warehouses can be compatible with a variety of housing types. These areas have both a sizable employment base as well as a variety of single-family duplex, and mid-to-high density housing options. Land uses can be, but are not necessarily, mixed in each building, development, or block. Pedestrian access is important within the area, with residential and non-residential uses always within walking distance of one another.

Again, similar to the goals of the Comp Plan and Blueprint Denver this Plans’ Industrial Mixed-Use designation creates a buffer or transition between heavier industrial uses and adjacent residential by encouraging mixed use infill development.

Strategies such as:

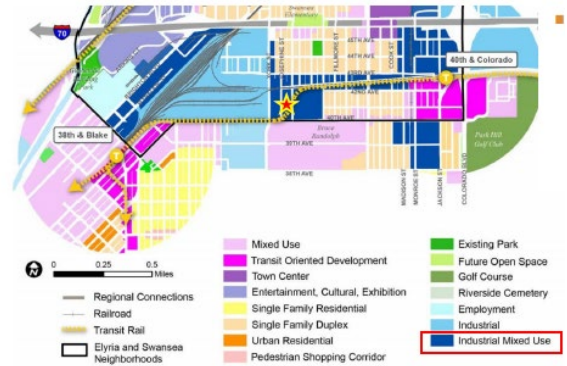
- New development should orient pedestrian friendly buildings to the street and locate parking and truck loading to the rear.
- Wherever possible, encourage shared truck loading areas and internal/private drivers between light industrial flex and adjacent industrial uses.
- Light industrial flex buildings should be built to encourage pedestrian activity and in a manner that is compatible with residential development sharing the street frontage. Key elements include buildings with front windows and doors oriented to the street, sidewalks, tree lawns and street trees and on street parking. Other architectural enhancements include awnings, punctuated corners, and windows on the first and second levels.

There are four (4) Guiding Principles of Elyria and Swansea which represent in broad categories the goals and aspirations of the neighborhood and provide a framework for recommendations and strategies.

- Unique: Rezoning will cultivate the neighborhood identity and embrace culture.
- Strong: Rezoning will establish a balance of land use strategies, compose an urban design strategy, manage, and improve storm drainage and water quality, and improve access to housing, jobs, services & education.
- Connected: Rezoning will permit a complete street network, improve existing street connections, create walkable pedestrian realms, create bikeable connections and enrich access to transit.
- Healthy: Rezoning will allow infill to occur on a dilapidated and vacant site by improving environmental quality, improve opportunities for multimodal connections, increase access to goods and services, enhance community safety, and support improvement for mental health and wellbeing.

Below are the specific recommendations within each of those categories the proposed I-MX-3 rezoning support.

Graphic: Elyria & Swansea Neighborhood Map



UNIQUE – Issues and Opportunities

Recommendation 3 - EMBRACE ELYRIA AND SWANSEA’S CULTURE

- A.7 Create Community Gathering Spaces - Create unique places with diverse uses, activities, services and gathering spaces that help to draw people together and create desirable destinations in the community. These opportunities include locations near the rail stations, the proposed I-70 covers, and the future National Western Center (pg. 19).
- A.9 Promote Pop-Up Economy - Encourage social gathering by providing spaces for swap meets, flea markets, and open-air public markets as a community and economic development model for low-income and under-served neighborhoods.
 - Create public spaces with market-place activities in mind to maximize use and activity.
 - Streamline permitting of events and vendor permits to improve accessibility, affordability and straightforwardness. The permitting process should be affordable and should provide for bartering/trading opportunities to take place in informal spaces. (pg. 20).
- A.10 Encourage Safety Through Visibility and Accessibility - Consider best practices in environmental design to create public places that feel safe, and to encourage intended use and enjoyment of spaces (pg. 21).

The proposed **zone** map amendment to **I-MX-3** would help foster a unique gathering place to draw people together within the community. Ground floor, dedicated space could be utilized for community gatherings as well as pop-up economy events such as swap meets and farmers markets. The **zone** map amendment to **I-MX-3** would encourage development on a currently unsterilized, undeveloped heavy industrial property. Development of this site and the inclusion of active use on the ground floor along Josephine Street would encourage safety, visibility and accessibility.

STRONG – Recommendations

Recommendation 1 - ESTABLISH A BALANCED LAND USE STRATEGY

- B.1 Refire Areas of Change and Areas of Stability - The Areas of Stability within the study area of this Plan should be considered reinvestment areas where the character is desirable to maintain but would benefit from reinvestment through modest infill. Reinvestment areas are intended to encourage investment but in a more limited and targeted way than Areas of Change. For Elyria and Swansea to be strong neighborhoods in the future, growth and change should occur in Areas of Change while enhancing Areas of Stability, including Traditional Residential Areas. By encouraging strategic growth, the quality of life in the Traditional Residential Areas will be enhanced while promoting a re-imagining of the Areas of Change within Elyria and Swansea (pg. 25 and 26).
- B.2 Establish A Strong Compilation of Land Uses That Balances The Needs of Residents, Commerce, and Industry - Blueprint Denver establishes land use categories that describe the particular character and scale that is desired in the future. This Plan uses these categories as the foundation for its recommended Concept Land Use Map. An additional land use category, Industrial Mixed Use, has been added to reflect land use strategies that are specific to Elyria and Swansea.
 - Industrial Mixed Use: Similar to Mixed Use and Employment uses, but with recognition that light industrial uses, such as light manufacturing with smaller warehouses can be compatible with a variety of housing types. These areas have both a sizable employment base as well as a variety of single-family duplex, and mid-to-high density housing options. Land uses can be, but are not necessarily, mixed in each building, development, or block. Pedestrian access is

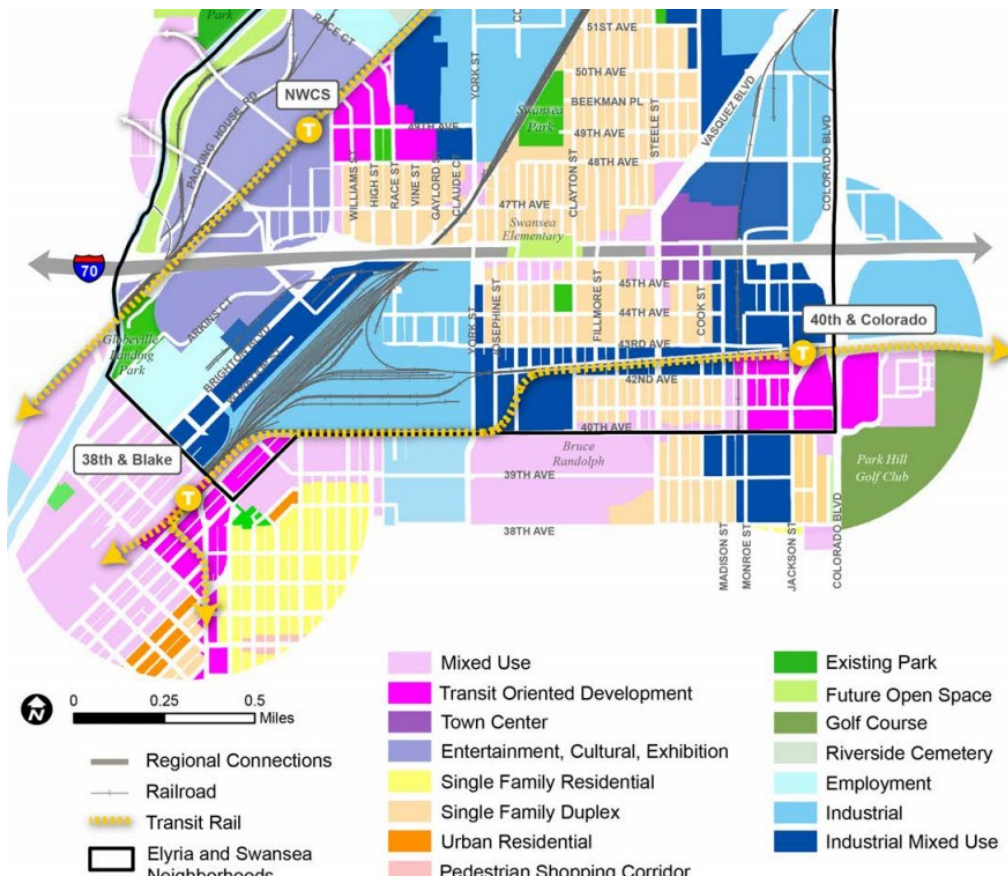
Figure 1. Areas of Change Map



important within the area, with residential and non-residential uses always within walking distance of one another (pgs. 26-28)

The proposed **zone** map amendment is located within an Area of Change as shown in the Areas of Change Map in Figure 1. The rezoning to **I-MX-3** would focus future growth on a property that's surrounded by other Areas of Change and not adjacent to an Area of Stability. This is important to note as this rezoning provides for a thoughtful transition between future residential development on the old AT&T site to the east and heavier industrial uses to the west while still having a significant buffer from more stable single-family neighborhoods to the north. This rezone would encourage development in a designated reinvestment area while enhancing the quality of life in Traditional Residential Areas with neighborhood serving, ground floor uses and activation.

Figure 2. Concept Land Use Map



- B.3 Increase Housing Choices - Encourage investment in new housing to expand the total number of residences and to provide for a diversity of housing types to bring more people of all ages and income levels into the neighborhood (see Future Land Use descriptions under Recommendation B.1, and Character Areas (including Residential, the 40th and Colorado Station Area, the National Western Center and Station Area, and the 38th and Blake Station Area) (pg. 29).
- B.4 Diversity and Increase Employment Opportunities in Mixed Use and Industrial Areas - Future commuter rail stations, the National Western Center and I-70 investments will likely attract a variety of commercial and mixed-use development to Elyria and Swansea. New industrial users should be cleaner and more productive in terms of offering more employment, broadening the tax base and increasing the number of exportable goods and services (pg. 29).

- B.5 Improve Transition Between Industrial and Residential Uses - To improve compatibility between residential and more intensive industrial areas, development between these uses should be consistent with the Industrial Mixed-Use land use designation (see E.3, E.8 and E.22) (pg. 29).

The proposed rezoning to **I-MX-3** would encourage investment in new housing and expand housing diversity in the area as it would foster the development of a mixed-income project containing income-restricted and market rate units. Within the plan's Concept Land Use Map in Figure 2, the subject project is identified as Industrial Mixed Use. The Industrial Mixed-Use designation states the following:

"Industrial Mixed Use: Similar to Mixed Use and Employment uses, but with recognition that light industrial uses, such as light manufacturing with smaller warehouses can be compatible with a variety of housing types. These areas have both a sizable employment base as well as a variety of single-family duplex, and mid-to-high density housing options. Land uses can be, but are not necessarily, mixed in each building, development, or block. Pedestrian access is important within the area, with residential and non-residential uses always within walking distance of one another (see E.8)."

The proposed **I-MX-3** zoning is more closely aligned with the Industrial Mixed Use plan designation than the existing heavy industrial, I-B zoning that covers the property today. Mixed Use zoning is intended to foster development of a mixed-use, mixed-income community with job opportunities on the ground floor and housing opportunities above. It's important to note the Industrial Mixed Use plan designation provides support for mid-to-high-density housing options, thus bolstering our modest request for **I-MX-3**.

The proposed **I-MX-3** zoning is intended to promote increased employment opportunities within a mixed-use industrial area while removing the more intense, heavier industrial zoning that's negatively impacted the Elyria/Swansea neighborhoods. Most importantly, the proposed **I-MX-3** zoning serves as a better transition between current and future residential development to the east and existing heavy industrial development to the west. The proposed zoning and future development would serve as that buffer and is entirely consistent with the Industrial Mixed-Use land use designation in the plan.

Recommendation 2 - DEVELOP AND IMPLEMENT AN URBAN DESIGN STRATEGY

- B.9 Encourage Building Forms That Activate Streets and Public Spaces - In areas designated on the Concept Land Use Map as Entertainment, Cultural, Exhibition, Transit Oriented Development, Mixed Use, Industrial Mixed Use, and Town Center:
 - Siting - Promote urban character by minimizing setbacks to provide a consistent street edge and to support pedestrian activity.
 - Reinforce the character and quality of public streets with buildings that provide consistent siting, pedestrian orientation, and access to the street.
 - Minimize the visual impacts of parking by structuring it within the development, or by locating surface lots to the rear or side of buildings.
 - Locate commercial, mixed use and multi-family residential buildings with frontages at or near the public right-of-way (pg. 30)
 - Design Elements - Give prominence to the pedestrian realm as a defining element of the Elyria and Swansea character.
 - Locate uses other than parking on the ground floors to activate buildings and the street. Provide transparency and street facing entries to help activate and improve safety on the street.
 - Create open and inviting building facades with street facing entries to activate uses on the ground-floor.
 - Encourage visually interesting and human-scaled facades and variation in building form (pg. 30).
- B.11 Improve Pedestrian Character with Enhanced Streetscapes - Streets are public spaces for people as well as arteries for the mobility system. Well-designed streets act as a catalyst for neighborhood transformations and can generate higher revenue for businesses and higher value for homeowners.
 - Consider future development opportunities that could result in new or enhanced streets, where significant pedestrian activity is likely to be generated. Street cross sections and details should be especially considered for development in Transit Oriented Development, Town Center Industrial Mixed Use and Mixed-Use future land use areas (pg. 34).

- B.12 Encourage Development of Key Opportunity Sites - The land use and urban design strategies in this Plan are intended to create places that attract residents, employees, and visitors to Areas of Change, especially around future rail transit stations. A wide array of development opportunities exists including small residential infill, repurposing outdated buildings, and redevelopment of underdeveloped parcels (pg. 36).

The proposed **I-MX-3** zoning would promote urban development that would orient itself along the Josephine Street edge and promote vibrancy through active ground floor uses. A new development would greatly enhance the existing streetscape along Josephine and provide increased connectivity between 40th Avenue and 43rd Avenue. This proposal would encourage development on an undeveloped, underutilized parcel that represents a key gateway opportunity into the Elyria-Swansea neighborhoods.

Recommendation 5 - IMPROVE ACCESS TO HOUSING, JOBS, SERVICES & EDUCATION

- B.23 Increase Access to Housing – Residents desire to maintain housing affordability as neighborhood investments and new development projects create greater diversity in housing, services and employment. They also would like to gain the necessary training and skills required to work for local employers.
 - Work with property owners near transit stations to explore development options, and to identify funding sources to support income restricted residential development and, if necessary, environmental assessment and remediation.
 - Identify vacant and distressed parcels, blocks and potential redevelopment sites with a priority to develop those sites for new residential housing. Regularly check the status of government or quasi-government owned properties, such as the City and County of Denver, the Denver Housing Authority, the Colorado State Land Board, Colorado Department of Transportation and the Regional Transportation District, to see if suitable parcels become available for development.
 - Support the creation of family appropriate affordable housing projects that include more bedrooms and offer proximate and safe access to educational facilities, recreational opportunities and fresh food.
 - Provide a broad range of housing types by allowing for moderate increases in density (pg. 46).
- B.24 Establish Affordable and Mixed Income Housing Strategies and Funding Opportunities
 - Promote a mix of income-diverse residential units that serve critical needs individuals (those requiring services in addition to housing), workforce populations in the rental market, and workforce populations ready to pursue home ownership.
 - Encourage sustainable residential development that offers savings to renters and homeowners in the form of reduced utility and transportation costs (pg. 47)
- B.25 Improve Access to Jobs and Services
 - Focus on business recruitment to invest in employment, industrial, light industrial flex and mixed-use areas throughout the neighborhood.
 - Identify partnerships to promote more affordable and culturally relevant retail, including access to basic daily necessities such as pharmacy, food market, banking and other desired services.
 - Work with the Denver Office of Economic Development and non-profit partners to expand job training through workforce center training, language training, job incubator centers, and to coordinate existing job training programs.

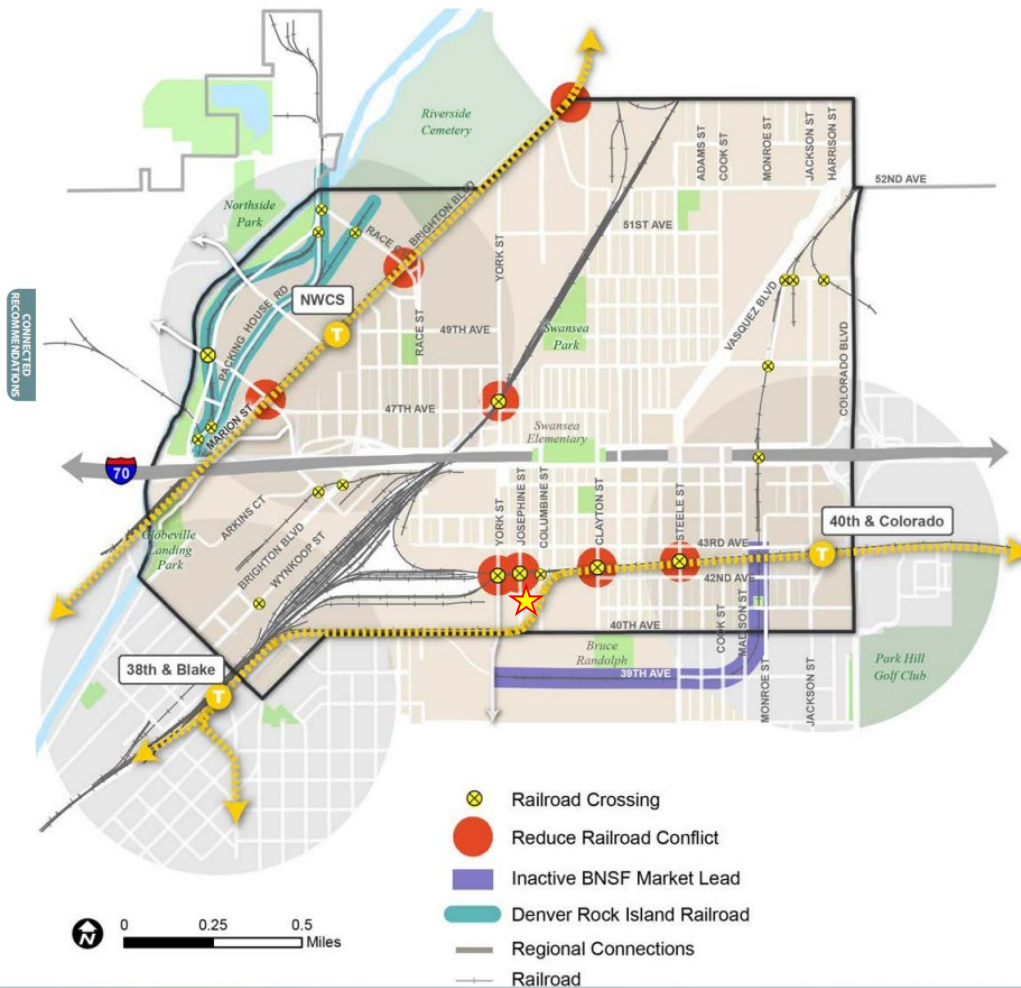
The proposed **I-MX-3** zoning will foster mixed-use, mixed-income development that will contain income-restricted units which will help provide additional affordable housing options in the area. The applicant is willing to look at incorporating larger units into the building to provide families with greater access to educational and recreational facilities in the area. The **I-MX-3** zoning will support job creation in the area with a potential focus or goal to include a small business/incubator space on the ground floor of a future development.

CONNECTED – Recommendations

Recommendation 1 - REDUCE RAILROAD CONFLICTS

Figure 3. Railroad Map

RAILROAD MAP



Recommendation 3 - CREATE A WALKABLE ELYRIA AND SWANSEA

- C.26 Build Sidewalks Associated with New Development - New infill and redevelopment will provide detached sidewalks in areas of change where new street improvements could occur as a result of private investment. Required street improvements will be determined as part of the site plan review process prior to approval and construction of new development (pg. 59).
- C.27 Pedestrian Priority Intersections - Because so few streets connect through Elyria and Swansea, the streets that do connect are in very high demand by all modes. These streets serve as the main connections for trucks and automobiles, host existing and future bicycle and pedestrian connections, and are routes for bus transit (see page 61).

- Explore opportunities to provide high-quality connections for pedestrians and cyclists at priority intersections on arterial streets where the pedestrian crossing movement should be enhanced to better balance the use among all modes of travel in the right-of-way.

Per community feedback and their intent to develop a quality project, the applicant hired a railroad safety consultant, PLG, to complete a Rail Safety Analysis for the site. The report outlines existing conditions as well as potential improvements that could improve railroad/pedestrian safety in the area. The applicant is still considering which improvements to implement, but those improvements would help reduce railroad conflict as called for in the plan.

The proposed **I-MX-3** zoning would facilitate new development including new & improved detached sidewalks **with landscape and lights** along Josephine Street. The development and associated improvements would promote better connectivity from 40th Avenue to 43rd Avenue.

HEALTHY – Recommendations

Recommendation 1 - IMPROVE ENVIRONMENTAL QUALITY

- D1. Improve Industrial/Residential Compatibility - Minimize negative environmental impacts on residential neighborhoods from industrial uses through methods such as land use designation, zoning, buffering, or other means (pg. 77).
- D11. Improve Street Infrastructure-Prioritize Street infrastructure improvements, including sidewalks, bike lanes, bus stop furnishings, and intersection crossings, to achieve the goals of the 2014 City Council Priorities, Denver Moves (2011) and the Strategic Transportation Plan (2008) (pg. 79).
- D17. Attract Key Retail and Services - Incentivize development of retail goods and services, including a grocery store (pg. 81).
- D20. Use Mixed Use Development to Improve Access to Goods and Services - Promote mixed use development to support a variety of commercial and retail businesses and services throughout the community and around new rail stations.
- D21. Create Neighborhood-Focused Flex Space - Develop a flexible market space that can support a variety of neighborhood goods and services and culturally relevant activities (pg. 81).

The proposed **I-MX-3** zoning would improve industrial/residential compatibility by serving as a buffer zone between residential to the east and heavy industrial to the west. A new development would foster infrastructure improvements including sidewalks and bike lines. The **I-MX-3** zoning would help foster the development of additional retail goods and services in the area by guaranteeing ground floor activation below a diversity of housing opportunities in a mixed-use project. With significant neighborhood input **the application has an opportunity to provide** a neighborhood focused flex space that can be used for job creation, community events, education and other community needs.

CHARACTER AREA STRATEGIES – Recommendations

E. 3 – Buffer the Edge Between Industrial and Residential Uses - Light Industrial transitions along neighborhood edges should be encouraged to provide a visual and noise buffer between residential and industrial areas (see Concept Land Use Map).

- Encourage landscaping and streetscape improvements along streets shared by industrial uses and residential uses.
- Encourage transition of industrial uses embedded in residential areas into lighter flex industrial uses, multi-family residential or mixed uses that better relate to adjacent lower scale residential uses, and that could provide some complementary neighborhood services.
- Encourage pedestrian-friendly light industrial-flex infill development along the edges of industrial areas that abut residential areas. These transitional uses could also provide space for desired neighborhood services (see E.8) (pg. 89-90).

E7. Encourage Infill Development - Encourage infill development to improve the quality of the built environment including streets, storm water drainage, sidewalks, lighting and utilities in industrial areas. Improved industrial sites can improve the visual quality, perception of safety, drainage, pedestrian circulation through added sidewalks, and reduce airborne dust through landscaping and other site improvements.



E8. Improve The Relationships Between Industrial and Residential Uses - Improve the relationship between heavier industrial uses and adjacent residential by encouraging light industrial mixed use infill development to serve as a buffer, or transition between existing residential areas and heavier industrial uses.

- Where existing residential and industrial uses are likely to remain as adjacent uses, explore voluntary agreements between property owners, public and nonprofit partners to improve streetscapes and landscaping between industrial properties that share streets with established residential use (pg. 94-95).

The proposed I-MX-3 zoning provides for a transition between existing/future residential to the east and heavy industrial uses to the west. The rezoning encourages mixed-use development that will provide complementary neighborhood services. The proposed rezoning encourages infill development that will improve the quality of the built environment including sidewalks, lighting and utilities in a transition area between residential and industrial.

Conclusion (Elyria & Swansea Neighborhood Plan): The Elyria-Swansea plan specifically states that Industrial Mixed-Use areas may feature high-density housing options while plan guidance in 2015 called for 3-Story height guidance which is what this application is providing. The zoning application and project will indeed enhance pedestrian access and make Elyria-Swansea, safer, more connected, and more vibrant. The Applicant believes the tenets of the Plan, which strive towards community building and place-making, along with the support obtained by local RNO's for the rezoning request validate CPD to support the I-MX-3 rezone and facilitate development of underutilized land for mixed-use, community serving opportunities.

General Review Criteria (DZC. Sec. 12.4.10.7.B&C)

- **Uniformity of District Regulations & Restrictions (I-MX-3):**

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.

RE: With a successful zone map amendment to I-MX-3 any future structure and site development will adhere to all applicable rules on building height, site design elements, and pedestrian access outlined in District Regulations & Restrictions. The Industrial Mixed-Use districts are intended to develop in a pedestrian-oriented pattern, with buildings built up to the street and an active Street Level. The Industrial Mixed-Use districts are also intended to provide a transition between mixed use areas and I-A or I-B industrial Districts. The Industrial Mixed-Use districts accommodate a variety of industrial, commercial, civic, and residential uses.

- **Public Health, Safety, and Welfare:**

The proposed official map amendment furthers the public health, safety, and general welfare of the City.

RE: Approval of I-MX-3 and successful completion of development will promote public health, safety, and general welfare by implementing the City's adopted land use policies. Development (or infill) of the vacant property will bring new residents and businesses to the neighborhood; therefore, the pedestrian realm will improve implementation of offsite improvements that include sidewalks, pedestrian and vehicular lighting and enhanced street activation and transparency elements that will add to public health, safety, and general welfare. Property redevelopment will support adjacent transit by increasing bus and commuter rail patronage put forward by City transportation initiatives.

General Review Criteria for Non-Legislative Rezoning (DZC Sec. 12.4.10.8)

Justifying Circumstances (1 of 5 Circumstances exists for the request of a zone map amendment):

- 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:
 - Changed or changing conditions in a particular area, or in the city generally; or,
 - A city adopted plan; or

c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 Zoning.

RE: The changing conditions of Denver regarding housing and innovation/flex employment promotes the need for the rezoning to I-MX-3. Following the three (3) adopted plans the property is consistent with each vision or guiding principle to support a rezoning to I-MX-3. The Comp Plan: I-MX-3 designation will allow the property the opportunity to provide a 3-story, mixed-use development of and promote a place where residents can live, work, and play in their own neighborhood while being safe and healthy. Blueprint Denver: The rezoning heavily aligns with the intent of neighborhood, place, growth and street goals. While the “the Plan” with similar to the goals of the Comp Plan and Blueprint Denver, this industrial Mixed-Use designation creates a buffer or transition between heavier industrial uses and adjacent residential by encouraging mixed use infill development.

Rezoning to I-MX-3 will support the development of buildings that are built to the street and create an active street realm resulting in a pedestrian-oriented pattern which is the intended use of Mixed-Use Districts. Rezoning to Industrial Mixed-Use (I-MX-3) will provide a transition between mixed use areas and I-A or I-B industrial Districts. I-MX-3 accommodates a variety of industrial, commercial, civic, and residential uses, which this rezoning will allow for development to provide housing for an underserved population.

The area has and will continue to change over time. The former AT&T site was rezoned several years ago to industrial mixed-use, and a large residential project is planned for the property. The York / Josephine Corridor Improvement project will help facilitate greater connectivity and multimodal, north/south activity along the corridor. The two nearby commuter rail stations, and in particular the 38th and Blake station, continue to see extensive residential and commercial growth. The City’s two most recent planning documents, Comprehensive Plan 2040 and Blueprint Denver, pave the way for development and mixed-use projects within Innovation Flex areas of the City, especially those located along these corridors and close to transit.

□ **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.**

a. **Describe how the rezoning aligns with the proposed district neighborhood context:**

The general character of the Industrial Context consists of areas of light industrial, heavy industrial and general industrial areas, as well as areas subject to transitions from industrial to mixed-use. The Industrial Context includes parts of the city where outdoor uses and activities are accommodated, with appropriate screening, including outdoor storage, heavy commercial services, and waste services. Forms are often tall single-story buildings or multi-story buildings with tall ceilings that accommodate industrial processes, loading bays, and specialized equipment. Industrial uses are primarily located along or in proximity to highways or arterial streets and often include heavy rail access.

Rezoning to I-MX-3 aligns with Denver’s Industrial Mixed Use district neighborhood context by:

- Being able to develop in a pedestrian-oriented pattern, with buildings built up to the street and an active Street Level.
- Being able to provide a transition between mixed use areas, residential. and I-A or I-B Industrial Districts.
- The ability to accommodate a variety of industrial, commercial, civic and residential uses and encourage affordable housing.

b. **Describe how the rezoning aligns with the general-purpose statement:**

The rezoning and potential development will align with the following: The Industrial Mixed-Use districts are intended to develop in a pedestrian-oriented pattern, with buildings built up to the street and an active Street Level. The Industrial Mixed-Use districts are also intended to provide a transition between mixed use areas and I-A or I-B

industrial Districts. The Industrial Mixed-Use districts accommodate a variety of industrial, commercial, civic and residential uses. This will be followed as the project progresses through Denver’s Concept and Site Plan Development.

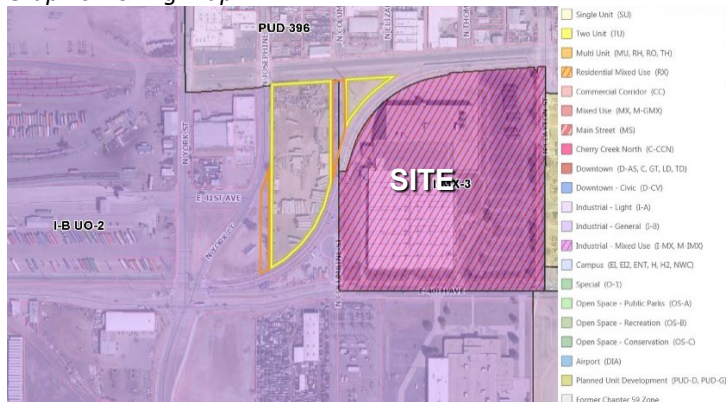
c. **Describe how the rezoning aligns with the specific intent statement found in the Denver Zoning Code**

This rezoning, which will change the property from **I-B w/OU-2** and **IA w/OU-2** to **I-MX-3**, will be compliant with the standards and provisions of the Denver Zoning Code, while encouraging quality development in Denver reflective of the goal, policies, and strategies found in the Comprehensive Plan.

In Summary to the detail above, this rezoning to I-MX-3 aligns as follows:

- Rezoning is consistent with Adopted Plans
- Rezoning furthers public health, safety and welfare
- Rezoning is justified
- Rezoning is consistent **and compatible** with the neighborhood context
- Rezoning aligns with the proposed zone district’s purpose and intent
- Rezoning will result in consistent regulations for each property with the same zoning designation citywide.

Graphic: Zoning Map



Graphic: Land Use Map



For the foregoing reasons, the Application meets and complies with the applicable rezoning criteria. As such, on behalf of the Applicant, we respectfully request that the City approve the Application. If you require additional information or have any or have any questions about our submittal items, please do not hesitate to call or e-mail me (303) 734-1777 or jcarpenter@laidesigngroup.com. We look forward to working with the City in completing this process in order to contribute to the City and County of Denver.

Sincerely,



Jennifer Carpenter, Principal



Architecture | Landscape Architecture | Real Estate Advisory | Planning & Entitlements | Visual Media

Equity Analysis and Response

ACCESS TO OPPORTUNITY - Creating more equitable access to quality-of-life amenities, health and education.

This report is for parcel: **0224300066000**

The site area's average score is: **3.222222**

The site area's lowest scores in the following categories: **Access to Fresh Foods**

These specific metrics are defined below, along with considerations that align with the goals of Blueprint Denver. The applicant is expected to consider additional proposals that are identified in Equity Menu of Strategies attached to this document.

Built Environment 3

	Social Determinants of Health	Access to Parks	Access to Fresh Food	Access to Healthcare	Child Obesity	Life Expectancy	Access to Transit	Access to Centers and Corridors
Score	2	5	1	4	2	2	2	4.666667
	Less Equitable	Most Equitable	Least Equitable	More Equitable	Less Equitable	Less Equitable	Less Access to Transit	More Access to Centers and Corridors

Metric	Score	Description	Examples of Considerations for Improvement
Social Determinants of Health	2 Less Equitable	Measured by a) % of high school graduates or the equivalent for those 25 years of age or older and b) percent of families below 9.02% of the Federal Poverty Line.	Commit to incorporate affordable childcare uses into future on-site development
Access to Parks	5 Most Equitable	Measured by % of living units within .5 miles walk to a park or an open space 94.29% of households live within .5 mile walk of a park.	Commit to provide publicly accessible open space above and beyond the 10% requirement for sites 5+ acres (higher quantity)
Access to Fresh Food	1 Least Equitable	Measured by % of living units within .5 miles walk to a full service grocery store. 0% of households live within .5 walk of a full service grocery store.	Commit to provide fresh food uses on-site such as: community garden, local market, produce boxes or full-service grocery
Access to Healthcare	4 More Equitable	Access to Health Services - such as clinics, prenatal services, and more. 95.306122% of women received prenatal care during pregnancy.	Conduct a healthcare site gap/market analysis to determine whether future partnership with a regional care facility, satellite offices or urgent care facilities might be appropriate
Child Obesity	2 Less Equitable	Child Obesity measure % of children in the area that are overweight/obese. 0% of children and youth are obese.	Commit to provide additional publicly accessible open space and/or open space features friendly to children such as playgrounds
Life Expectancy	2 Less Equitable	Life expectancy (in years): 76.2	

<p>Access to Transit 2 Less Access to Transit</p>	<p>Commit to provide subsidized Eco passes</p>
<p>Access to Centers and Corridors 4.66667 More Access to Centers and Corridors</p>	<p>Commit to an off-site improvement that addresses pedestrian or bicycle connectivity</p> <p>Commit to mixed-use development on-site with a focus on commercial, retail and community uses that are needed in the area</p>

REDUCING VULNERABILITY TO DISPLACEMENT - Stabilizing residents and businesses who are vulnerable to involuntary displacement due to increasing property values and rents.

For Vulnerability to Involuntary Displacement, the area's score is 3 out of 3.

This means that the area is considered Vulnerable to Displacement.

Specific metrics are defined below, along with considerations that align with the goals of Blueprint Denver. For sites scoring 3 out of 3, please refer to the supplemental data maps attached to this report. The applicant is expected to consider additional proposals that are identified in Equity Menu of Strategies attached to this document.

Educational Attainment

Rental Occupancy

Median Household Income

Score	1	1	1
	Vulnerable	Vulnerable	Vulnerable

Metric	Score	Description	Examples of Considerations for Improvement
Educational Attainment	1 Vulnerable	25-year olds and older without a college degree: 87.4% Citywide Average: 47.5%	Commit to provide on-site income-restricted units for the most vulnerable populations (below 30% AMI, veterans, disabled etc.) with associated service providers (Family Tree or similar) Commit to provide on-site job training or education for neighborhood residents Commit to dedicate land to the city for affordable housing
Rental Occupancy	1 Vulnerable	Percent Renter-occupied: 61.4% Citywide Average: 50.43%	Commit to provide on-site income restricted ownership units with a preference for those units to people who already live or recently lived in the neighborhood Commit to targeted outreach for on-site jobs
Median Household Income	1 Vulnerable	Neighborhood: \$60556 Citywide: \$78,177	Commit to provide on-site job training or education for neighborhood residents Commit to incorporating access to affordable childcare options on-site

EXPANDING HOUSING DIVERSITY - providing a better and more inclusive range of housing in all neighborhoods.

For Housing Diversity, this area's score is 3 out of 5.

The following areas scored the lowest: Owners to Renters, Housing Costs

Specific metrics are defined below, along with considerations that align with the goals of Blueprint Denver. The applicant is expected to consider additional proposals that are identified in Equity Menu of Strategies attached to this document.

	Missing Middle	Diversity of Bedroom Count Per Unit	Owners to Renters	Housing Costs	Income Restricted Units
Score	1	1	0	0	1
	Diverse	Diverse	Not Diverse	Not Diverse	Diverse

Metric	Score	Description	Examples of Considerations for Improvement
Missing Middle	1 Diverse	Percent Housing with 2-19 units:25.12364% Citywide:19% If an area had over 20% middle density housing units, it was considered "diverse", if it was less than 20% middle density it was considered "not diverse."	Commit to provide missing housing typologies on-site (2-19 unit formats), affordable to households between 80-120% AMI
Diversity of Bedroom Count Per Unit	1 Diverse	Ratio: 1.1419 Mix Type: Mixed Measured by comparing the number of housing units with 0-2 bedrooms to the number of units with 3 or more bedrooms	Commit to provide units with 3 or more bedrooms on-site, especially for income-restricted units
Owners to Renters	0 Not Diverse	Owned: 38.615023% Rented: 61.384977% Denver Owners: 49.58% Denver Renters: 50.42%	Commit to provide income-restricted units that are ownership or rental depending on identified need
Housing Costs	0 Not Diverse	Mix Type: High The ratio of (a) housing units affordable to households earning up to 80% of the city's median income to (b) housing units affordable to households earning over 120% of the city's median income.	Commit to alternative options to reduce housing costs, such as participation in a community land trust
Income Restricted Units	1 Diverse	Income Restricted Units: 218 Citywide Average Income Restricted Units: 146 per Census Tract	Commit to provide income-restricted units on-site which will fill in the AMI levels not being met in the census tract

EXPANDING JOB DIVERSITY - providing a better and more inclusive range of employment options in all neighborhoods.

The job mix is dissimilar to the city’s overall job mix, because there is more emphasis on Manufacturing

Specific metrics are defined below, along with considerations that align with the goals of Blueprint Denver. The applicant is expected to consider additional proposals that are identified in Equity Menu of Strategies attached to this document.

	Retail	Innovation	Manufacturing
Score	21.568627%	45.098039%	33.333333%
	Citywide Average: 56.7%	Citywide Average: 35%	Citywide Average: 10%

Metric	Score	Description	Examples of Considerations for Improvement
Total Jobs	408 Jobs	Total Jobs per Acre: 2.555108	Commit to provide on-site jobs, ideally with targeted outreach to specific communities
Retail	88 Jobs 21.568627%	is less than the citywide Retail average of of 52.7% Retail Jobs per Acre: 0.551102	Commit to provide below-market commercial space for small businesses, nonprofits, incubator space, cultural uses or community-serving enterprises
Innovation	184 Jobs 45.098039%	is greater than the citywide Innovation average of of 37.3% Innovation Jobs per Acre: 1.152304	Commit to provide on-site jobs of a certain type to help balance mix of jobs in the area
Manufacturing	136 Jobs 33.333333%	is greater than the citywide Manufacturing average of of 10% Manufacturing Jobs per Acre: 0.851703	Create or contribute to a mentoring program at a local high school Fund a secondary education program (grants to online education or technical school for local residents and/or on-site employees)

EQUITY RESPONSE:

Please provide a response that details how the proposed zoned district will either advance Blueprint Denver’s equity concepts or, at a minimum, prevent further inequitable scores in the immediate and surrounding area. For suggestions, refer to the attached menu of strategies document.

ACCESS TO OPPORTUNITY - Creating more equitable access to quality-of-life amenities, health, and education.

Response from Applicant

Empty response area for Access to Opportunity.

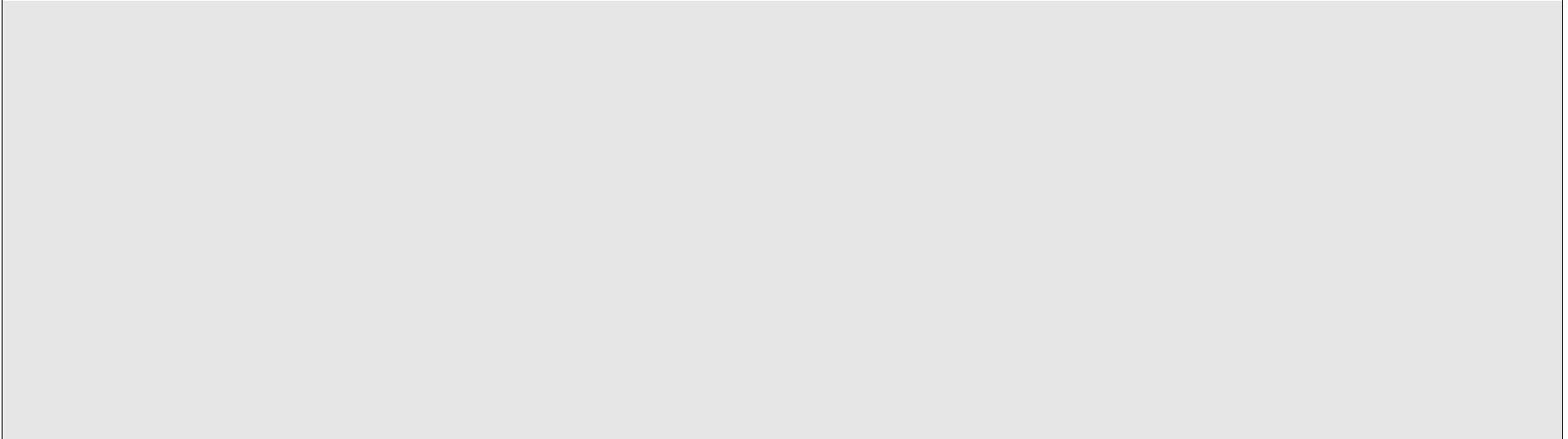
REDUCING VULNERABILITY TO DISPLACEMENT – Stabilizing residents and businesses who are vulnerable to involuntary displacement due to increasing property values and rents.

Response from Applicant

Empty response area for Reducing Vulnerability to Displacement.

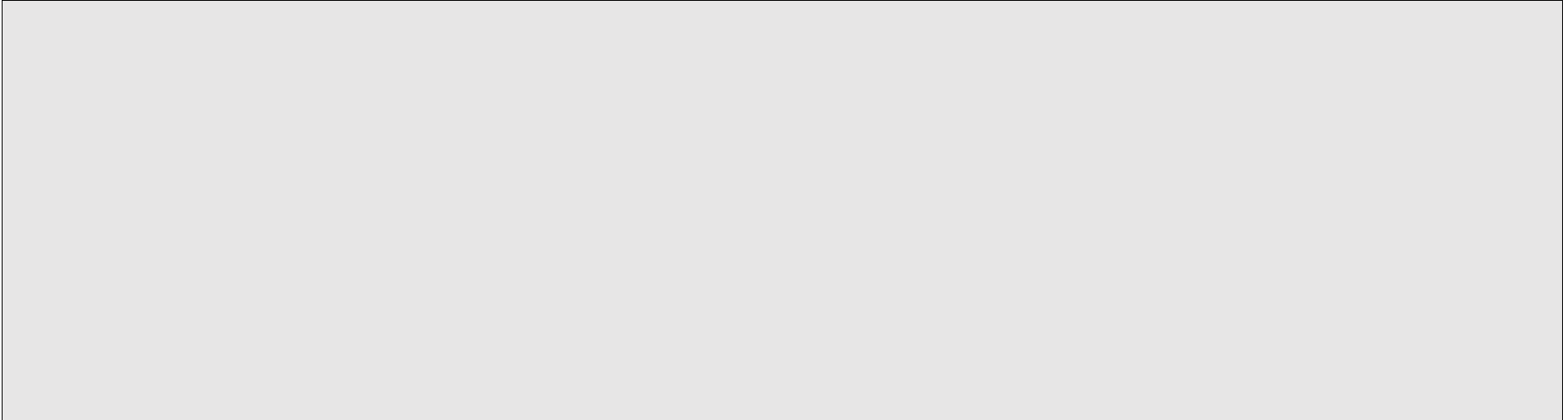
EXPANDING HOUSING DIVERSITY - providing a better and more inclusive range of housing in all neighborhoods.

Response from Applicant

A large, empty rectangular area with a light gray gradient background, intended for the applicant's response to the housing diversity question.

EXPANDING JOB DIVERSITY - providing a better and more inclusive range of employment options in all neighborhoods.

Response from Applicant

A large, empty rectangular area with a light gray gradient background, intended for the applicant's response to the job diversity question.



Architecture | Landscape Architecture | Real Estate Advisory | Planning & Entitlements | Visual Media

Letter of Authorization Signed



07/25/2024

Community Planning & Development
201 W. Colfax Avenue, Dept. 205 - Denver, CO 80202
Rezoning @denvergov.org

**Re: 40th & Josephine - Letter of Authorization
Zone Map Amendment (Rezoning) Submittal #1**

This letter authorizes LAI Design Group to submit the Rezoning Application of 4235 Columbae to the City of Denver on behalf of Clarity LLC.

By: [Signature] Samuel Legor Date: 7/25/24
Property Owner or Authorized Agent Printed Name manager

[Signature]
Property Owner or Authorized Agent Signature

If you have any questions or concerns regarding this application, please feel free to contact me.

Sincerely,

Jennifer Carpenter

Jennifer Carpenter
Principal



Architecture | Landscape Architecture | Real Estate Advisory | Planning & Entitlements | Visual Media

Letters of Support

April 9, 2024
Clayton United Registered Neighborhood Organization
Clayton Neighborhood, Denver, CO



City Planning Dept
Community Planning and Development
City and County of Denver

Re: Denver Rock Drill Rezoning
4235 N. Columbine St

To whom it may concern,

On April 9, 2024, the Clayton United RNO met for the quarterly meeting. In the course of our meeting, we discussed the rezoning of 4235 N. Columbine St. After discussing the implications of this development, our members voted 7 for, 0 against, and 0 abstaining to result in supporting as a neighborhood organization the rezoning Denver Rock Drill site. Concerns raised during the discussion focused on changing of the view plane from the neighborhood.

Please reach out if there are any questions or issues.

Regards,

Jes Driscoll
Secretary
Clayton United RNO
claytonneighborhooddenver@gmail.com

April 29, 2025
Clayton United Registered Neighborhood Organization
Clayton Neighborhood, Denver, CO



City Planning Dept
Community Planning and Development
City and County of Denver

Re: Denver Rock Drill Rezoning
4235 N. Columbine St

To whom it may concern,

On April 9, 2024, the Clayton United RNO met for the quarterly meeting. In the course of our meeting, we discussed the rezoning of 4235 N. Columbine St. After discussing the implications of this development, our members voted 7 for, 0 against, and 0 abstaining to result in supporting as a neighborhood organization the rezoning of the site.

On April 29, 2025, the Clayton United RNO's board were updated on the subsequent updates regarding the zoning efforts. The RNO extends their support with the updates.

Please reach out if there are any questions or issues.

Regards,

Matthew Gullicksrud
President
Clayton United RNO
claytonneighborhooddenver@gmail.com

From: [Gavin Dailey](#)
To: planningboard@denvergov.org
Cc: rob.haigh@denvergov.org
Subject: Zoning requests
Date: Thursday, May 1, 2025 12:42:19 PM

Dear Members of Denver's Planning Board,

My name is Gavin Dailey, and I am a resident living in Denver's District 9 near the Elyria-Swansea neighborhood. I am writing to express my strong support for the rezoning of 4235 Columbine Street from its current I-B, UO-2 designation to an I-MX-3 zoning. Elyria-Swansea is a neighborhood with tremendous potential, and I believe that this rezoning represents a positive step toward continuing the improvement and revitalization of our community. The landowner and developer associated with this property lives here in Denver and has earned a strong reputation for quality work, and I am confident that any future development at 4235 Columbine will be something our neighborhood can take pride in.

Originally, the landowner/developer considered requesting an I-MX-5 zoning. I would have supported that proposal as well. However, I appreciate their responsiveness to community plans and feedback, particularly the guidance provided by the Denver Comprehensive Plan and particularly the Elyria-Swansea Neighborhood Plan, which recommend a three-story maximum for this area. By adjusting their application to seek an I-MX-3 rezoning instead of I-MX-5, they have shown a willingness to align with the long-term vision for our neighborhood.

I am a person who lives with Cerebral Palsy but that doesn't stop me from giving back to my community. I want to help create a Denver that is congruous with the values of inclusivity and equality, and I believe this proposed zoning request accomplishes that. Maintaining the current I-B zoning, which has no height restrictions, risks the possibility of a monolithic and out-of-character structure that would not contribute to Elyria-Swansea's vibrancy and leave that area a dead zone. In contrast, rezoning to I-MX-3 would support appropriately scaled development that encourages new investment, welcomes residents and visitors, and helps create a more vibrant and walkable community.

I respectfully urge the Planning Board to approve the rezoning of 4235 Columbine Street to I-MX-3. This change aligns with our neighborhood plans, respects the character of Elyria-Swansea, and opens the door for thoughtful, community-focused development.

Thank you for considering my support.

Sincerely,

Gavin Dailey

March 25, 2024

Honorable Denver City Councilmembers
1437 Bannock St Room 451
Denver, CO 80202

Dear City Councilmembers:

I am writing as the head of United Community Action Network (UCAN), a registered neighborhood organization covering the Globeville/Elyria-Swansea neighborhoods, to express our strong support for the proposed rezoning of the property located at 4235 N Columbine St.

First, we sincerely appreciate the applicant's willingness to meet with us and other neighborhood groups to garner feedback about the proposed rezoning request. It was great they reached out even before the rezoning application was submitted, something which doesn't always happen during the map amendment process.

We have reviewed the proposed zoning request from I-A, I-B to I-MX-5 and are in support for several reasons.

The proposal would maintain industrial zoning, but also allow for a mix of uses, including much-needed residential. We know our city leaders are committed to addressing our housing crisis. This is an area where we can build a mix of housing types and keep residents in GES. The request will foster a project including income restricted housing as well as market rate, missing middle units which are naturally affordable. We have a significant need in this City for more affordable and workforce housing. This rezoning request will meet that need.

The subject property has remained undeveloped and does not provide housing or job opportunities to the neighborhood. Future development under I-MX zoning could bring jobs as well as mixed-income housing, including deed restricted affordable housing under the Expanding Housing Affordability ordinance. When city council is considering the Public, Health, Safety & Welfare criteria for this project, we hope you'll look at the possibility of having the parcel remain undeveloped vs. how the rezoning could bring in affordable and missing middle housing. Those units are not only much needed, but they can change the lives of those living in them.

Blueprint Denver (pg. 68) calls out the importance of looking at a handful of factors when looking at building height guidance including transitions. The proposed I-MX-5 for this property is the right kind of transition from the surrounding industrial property on three sides and the large I-MX-3 property to the east which serves as a buffer between residential neighborhoods. This is a place to add a bit more density – on a mixed-use 40th Avenue, yet walkable to two different light rail stations.

We sincerely appreciate your time and consideration. On behalf of United Community Action Network, we hope you will also support this rezoning project.

Sincerely,


Armando Payan

United Community Action Network

April 10, 2024

Honorable Denver City Councilmembers
1437 Bannock St Rm 451
Denver, CO 80202

Dear City Councilmembers:

I am writing as the President of the Cole Neighborhood Association, a registered neighborhood organization in the City & County of Denver, to express our support for the proposed rezoning of the property located at 4235 Columbine St.

Our organization has carefully reviewed the proposed request from I-A, I-B to I-MX-5 and is supportive for the following reasons:

- The proposal would maintain industrial context of the area, but also allow for a mix of uses, including much-needed residential. If our city leaders are committed to addressing our housing crisis, we need to identify areas where we can build a mix of housing types and especially near transit.
- The rezoning proposal would help foster development on an undeveloped and under-utilized parcel. Future development under I-MX zoning could foster the creation of jobs as well as mixed-income housing, including deed restricted affordable housing under the Expanding Housing Affordability ordinance. When council is applying the Public, Health, Safety & Welfare criteria to this proposal, weigh the possibility of having the parcel remain undeveloped vs. how the rezoning could foster the construction of much needed affordable and missing middle housing. Those units are not only much needed, but they can change the lives for those living in them.
- Blueprint Denver (pg. 68) calls out the importance of looking at a handful of factors when looking at building height guidance including transitions. The proposed I-MX-5 for this property is an appropriate transition from the surrounding industrial property on three sides and the large I-MX-3 property to the east. This is a smart place to put density – on a mixed-use arterial, walkable to transit and with significant use and distance buffers from residential neighborhoods.

In addition, we'd like to express our appreciation to the property owner and their team for engaging in meaningful community engagement around this proposal. We appreciate their willingness to reach out to us early in the process, hear our feedback and work to incorporate it into a future project.

We sincerely appreciate your time and consideration. We understand your job isn't an easy one, but we thank you for doing it. On behalf of Cole Neighborhood Association, we hope you'll support this thoughtful rezoning proposal.

Sincerely,

Mark Ajluni

Mark Ajluni
President
Cole Neighborhood Association



February 19, 2024

To whom it may concern:

On behalf of the Denver North Business Association (DeNoBA), I am writing to express our strong support for the proposed mixed-use development project located at 4235 N Columbine Street, and support the zoning change of I-A, I-B to I-MX-5.

Regarding the project, we are particularly enthusiastic about the inclusion of mixed-use residential units in your project and the 14,000+ sq feet of innovation/flex space. This type of development aligns perfectly with our vision for a vibrant and diverse community where residents can live, work, and enjoy themselves within walking distance.

We also recognize the critical need for more housing options in Denver, particularly for individuals and families who fall within the low to moderate Area Median Income (AMI) range of 40-70%. Whenever possible, we stress the importance of meeting the AMI levels where able. This not only benefits residents by providing affordable living options but also strengthens the local economy by attracting a wider range of talent and fostering a more inclusive community. We are confident that this project will be a valuable asset to our neighborhood, and we look forward to seeing it come to fruition.

Please do not hesitate to contact manager@denvernorthbusinessassociation.org if you require any additional information or assistance as you move forward with this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeremy Stern". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jeremy Stern, President
Denver North Business Association

A photograph of a complex railway track system with multiple tracks crossing and curving, set against a white background with diagonal white lines. A thin green line is visible on the left side of the image.

Rail Safety Analysis

July 9, 2024

Prepared for:
Claudrey, LLC

Scope & Qualifications



- PLG was hired by Claudrey (property developer) to provide an independent and objective rail safety analysis in relation to its development of apartments near freight and rail tracks. The goal of the analysis is to assess potential safety risks and to advise on whether and how those should be mitigated.
- The rail assessment was conducted in June and July 2024. It included developing an understanding of the rail traffic in relation to the site, and site visits to observe the operations of the rail infrastructure, safety appurtenances and the general layout.
- The analysis and the site visits were conducted by Steve Truitt, a railroad operating expert who held senior management roles at three Class I railroads (UP, KCS and CSX) and at a major shortline railroad holding company (RailAmerica). Over a 40-year rail operations career, Steve held many relevant roles, including VP of Safety and Chief Transportation Officer for KCS railroad.
- PLG is a Chicago-based transportation consulting firms that was founded more than 20 years ago. It advises major shippers, transportation providers and investors related to issues involving all modes and aspects of freight transportation.

STEVE TRUITT Senior Consultant

Steve is an accomplished transportation executive with 40+ years of distinguished leadership in the rail industry. He has held executive roles at several Class I railroads, including KCS, Union Pacific, and CSX Transportation. Steve served as KCS's VP & Chief Transportation Officer, spearheading critical Precision Scheduled Railroading initiatives that drove record operational efficiency. Before that, he held Sr. Operations management positions at UP, directing service units spanning multiple states. At CSX, Steve spent decades rising through transportation operations, engineering, and labor relations roles. As GM, he implemented crew rationalization, unlocking \$8+ million annual savings. His leadership delivered productivity gains, reduced transit times, and improved safety across his tenures. Steve's extensive operational expertise & business acumen are invaluable assets in the transportation sector.

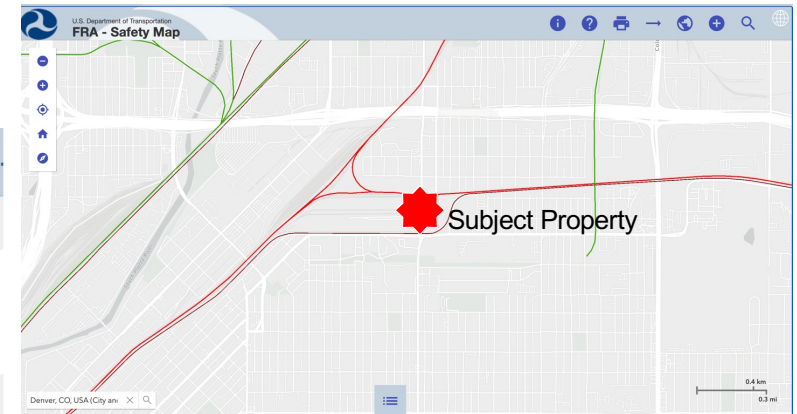
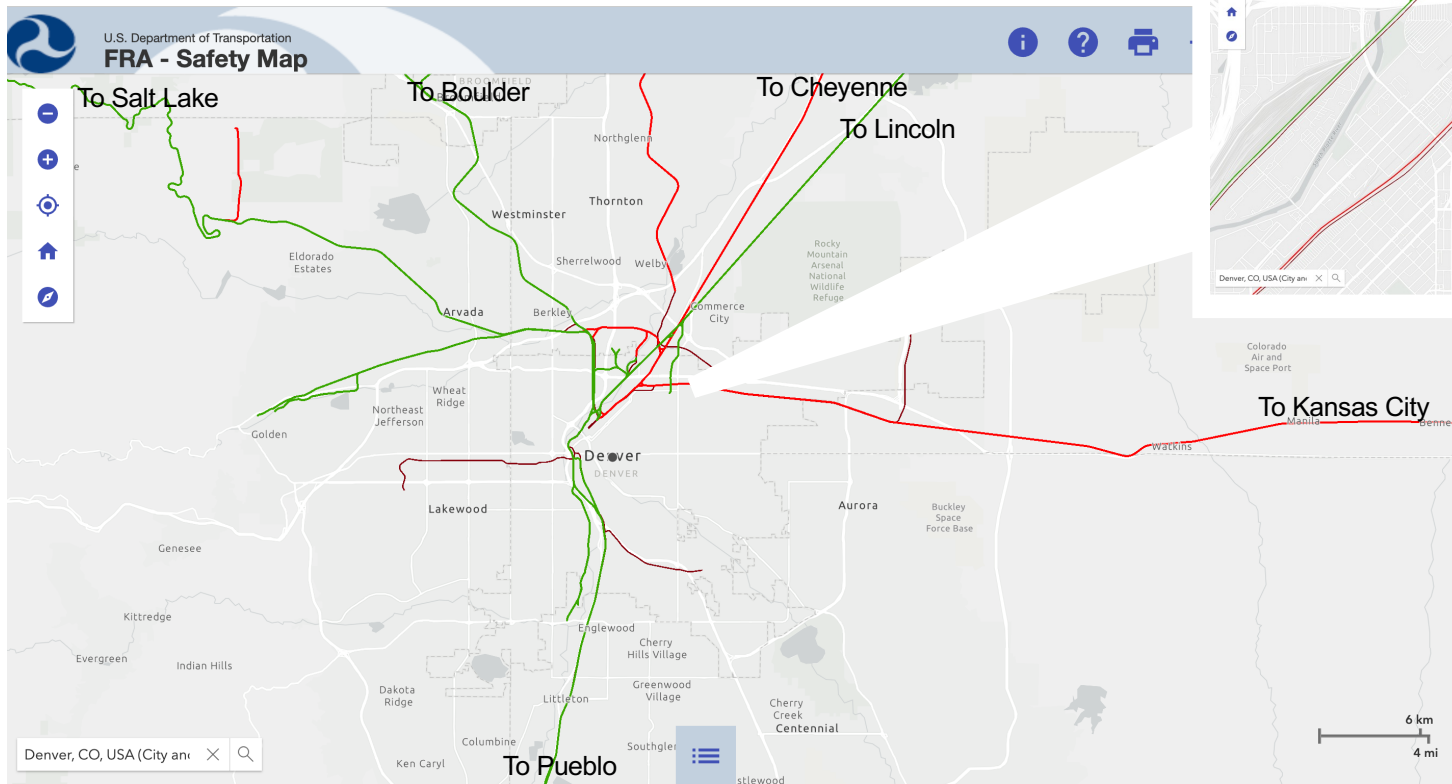
EXPERIENCE

- Kansas City Southern (KCS)
 - VP Chief Transportation Officer
 - VP Safety
 - General Manager
- Regional Vice President, RailAmerica
- Union Pacific Railroad (UP)
 - Superintendent Wichita Service Unit/Transportation Dispatch Ctr.
 - Dir. of Terminal Operations
- GM, CSX Transportation

EXPERTISE

- Rail Transportation
- Intermodal
- Supply Chain Design & Implementation
- Business Strategy
- Assessment & Optimization
- Operations
- Mining, Minerals & Metals
- Manufacturing
- Chemicals/Renewables/Oil & Gas

Area Rail Map



- Subject Property is situated near UP's intermodal yard
- UP Limon Subdivision- to Kansas City along northern property line
- RTD passenger rail on its eastern property line
- High volume passenger activity between downtown and airport

Layout of rail and crossings near property

- UP- Limon subdivision
- 25 mph train speed limit (in practice trains slower- yard limits)
- Rail signage along property's northern fence line but no fence along UP right of way

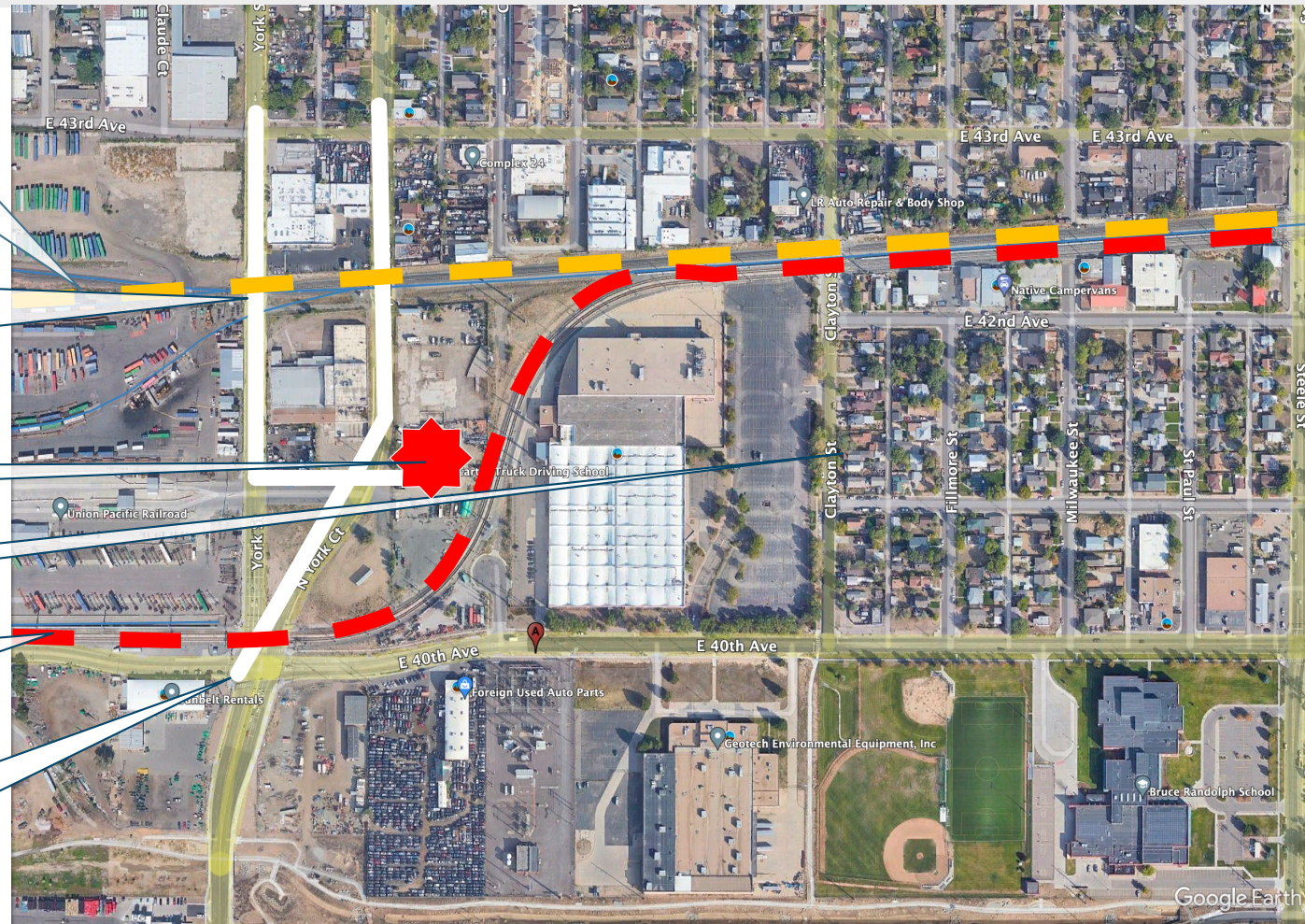
- Northern Ingress/Egress
- RR crossings (Josephine & York)
- Signage and vehicular crossbar
- (no pedestrian crossbar)

Subject Property

Other residential along UP & RTD

- RTD- Passenger Rail
- 20 MPH in S-curve east of property
- 6-foot fence with warning signs-

- Southern Ingress/Egress-
- RTD Crossing
- Quiet Zone crossing with vehicular and pedestrian crossbar



Key Observations & Conclusions

- Two of the property lines of the property are bordered by active rail rights of way
- Combination of freight and passenger rail infrastructure near the property
- Speeds are slow on these areas (max 25 mph for both rail and passenger)
- Freight rail is not a high-volume line in relation to other segments of rail in Denver and elsewhere in the country
 - 3 trains per day
 - Railyard operating practices places more switching activity on the western side of the yard, away from property
 - Track is rated for 25 mph, but trains move slower in this area because they are entering / exiting the yard limits
- Passenger rail is a high volume but is fenced along the right of way
 - 22 hours per day, every 15 min
- The rail installation, crossings and operations meet or exceed FRA's regulations and statutes related to construction and operation of railroad tracks.
- The proposed development near railroad tracks is not an unusual scenario in terms of residential property use near rail tracks.
 - At locations nearby in Denver and throughout the country, similar situations occur safely with the interaction of rail freight and passenger operations.
- Quiet zone allows for trains to approach crossing without routinely blowing horn, but requires other safety devices to compensate for not sounding the horn
- Crew must sound horn if they see a vehicle or pedestrian on the track or at risk of being injured



Downtown Denver has many examples of freight & passenger rail in close proximity to residential



In New Orleans, NOPB railroad is located next to Uptown residential neighborhoods and passes through a riverfront park in the French Quarter.,

Recommendations



Although PLG observed no situation that violated FRA regulations or that are out of the norm for safe rail regulations, we believe there are ways to improve rail safety as part of the development and standard practices of the subject property, we recommend several approaches for improving rail safety

RTD

- We have no recommendations in relation to the RTD track, which is already fenced and has sufficient signage.

UP-

- Potential improvements to the northern property line along UP's right of way could include one or more of the recommendations below:
 - Additional signage warning of the presence of active rail tracks & operations
 - Fence or barrier along UP's right of way on client's north property line to control pedestrian access to Quiet Zone Crossings
 - Crossing gate with pedestrian crossbar at Josephine

Railroad Safety Awareness

- Develop informational brochure to alert residents of active tracks and safety best practices
- Periodic, voluntary resident and community education on railroad safety- Participation in Operation Lifesaver.

Glossary

Yard Limits- trains and engines, except designated class trains, within yard limits must move prepared to stop within one half the range of vision but not exceeding 20 m.p.h. unless the main track is known to be clear by block signal indications.

Railroad Crossings- At grade crossing of a roadway or walkway with a rail right of way. Federal law governs the markings and safety devices used at these intersections.

Quiet Zone- Localities can meet certain safety requirements and designate a segment of a rail line with one or more consecutive public highway-rail grade crossings a “quiet zone” . Upon satisfying the regulation’s technical requirements, locomotive horns would not be routinely sounded within this quiet zone.

Intermodal- Type of railroad traffic in which intermodal freight containers (usually, 20 foot, 40 foot or 53 foot in length) are shipped on specialized railcars, often stacked two containers high. This specialized rail traffic is used to transport goods from a port or as an alternative to long distance trucking. It is usually handled as a unit train (not mixed with other types of cargo) in a scheduled service from city to city.

Vehicular Crossbar- An active railroad crossing safety device in which a physical obstruction to roadway traffic is lowered when a train approaches a crossing

Pedestrian Crossbar- Similar to a vehicular crossbar, but designed to prevent a pedestrian from entering a walkway crossing of a railroad track when a train is approaching.