



Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
*All standard zone map amendment applications must be initiated by owners (or authorized representatives) of at least 51% of the total area of the zone lots subject to the rezoning. See page 4.		**Property owner shall provide a written letter authorizing the representative to act on his/her behalf. ***If contact for fee payment is other than above, please provide contact name and contact information on an attachment.	
SUBJECT PROPERTY INFORMATION			
Location (address):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			
PRE-APPLICATION INFORMATION			
In addition to the required pre-application meeting with Planning Services, did you have a concept or a pre-application meeting with Development Services?		<input type="checkbox"/> Yes - State the contact name & meeting date _____ <input 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 type="checkbox"/> Yes - if yes, state date and method _____ <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 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> <hr/>
<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 type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p> <p>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 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 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.)
- Other Attachments.** Please describe below.



REZONING GUIDE

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
Regas Christou	768 N Mariposa Street Denver, CO 80204 (303)898 - 0836 regaschristou@gmail.com	100%	<i>Regas Christou</i>		A	YES
						YES
						YES
						YES

List of Exhibits

- Exhibit A:** Property Legal Description
- Exhibit B:** Description of Consistency with Adopted City Plans (DRMC 12.4.10.7 (A, B & C))
- Exhibit C:** Description of Justifying Circumstances and Neighborhood Context (DRMC 12.4.10.8 (A&B))
- Exhibit D:** Letter of Authorization for STARBOARD Realty Group, LLC to act as Representative
- Exhibit E:** Proof of Ownership, Deed
- Exhibit F:** Outreach Documentation

EXHIBIT A

Property Legal Description

LEGAL DESCRIPTION

768 MARIPOSA STREET

THE NORTH ½ OF LOT 2 BLOCK 36, HUNTS ADDITION, CITY OF AND COUNTY OF DENVER, STATE OF COLORADO.

EXHIBIT B

Description of Consistency with Adopted City Plans

Exhibit B

Statement of Compliance with General Review Criteria (DZC § 12.4.10.7)

This application proposes to rezone the approximately 0.071-acre property located at 768 Mariposa Street from I-A UO-2 to C-MS-5 (the "Property") to facilitate use of the Property that is consistent with the recommendations in the adopted Plans.

The Property is a vacant lot located in the Lincoln Park Neighborhood. The Property is on the east side of Mariposa, just south of 8th Avenue. Today the Property is zoned I-A UO-2. Existing context surrounding the Property include: I-A UO-2, C-MS-5 UO-1, UO-2, and U-TU-B. Adjacent to the property is single-unit residential, commercial/retail, and industrial. There is bicycle modal priority on Mariposa Street as well as multiple streets nearby including 10th Avenue and Galapagos Street. The Property is within half a mile of the 10th & Osage light rail station which serves lines D, E, and H. There are two RTD bus routes within a ¼ mile; route 1 that connects riders from Alameda Light Rail Station to Lakewood and route 9 that connects riders to Union Station and Lakewood. La Alma park is located a half a mile from the Property.

The lot is 25 feet wide and is incompatible with current industrial zoning. It would be unreasonable and impossible to build any industrial structure in this narrow, small lot. The map amendment requests to rezone the Property to the C-MS-5 Zone District. This zone district would be identical to the adjacent property to the north, owned by the same owner. This would allow a modest extension of the local corridor and for feasible development of the Property. This will also allow the Property to offer real neighborhood serving uses in both housing and job opportunities than what exists in the zoning today. The successful rezoning will allow for a mix of uses which will blend in with, support, and sustain the existing character of the neighborhood.

The Lincoln Park neighborhood is a dynamic, mixed use neighborhood with a broad range of cultural and public facilities. The neighborhood is rich with opportunities to improve, enhance, and support the existing population. These changes have resulted in the need to rezone the Property to implement adopted Plan recommendations and meet community wants and needs.

REVIEW CRITERION DZC § 12.4.10.7. A – Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans.

This proposed map amendment is consistent with the Denver Comprehensive Plan 2040, La Alma / Lincoln Park Neighborhood Plan (2010), and Blueprint Denver (2019).

The proposed map amendment is consistent with many objectives of Denver Comprehensive Plan 2040 including:

VISION ELEMENTS: STRONG AND AUTHENTIC NEIGHBORHOODS

GOAL 1: Create a city of complete neighborhoods.

STRATEGIES:

- *Ensure neighborhoods offer a mix of housing types and services for a diverse population.*
- *Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities.*

GOAL 4: Ensure every neighborhood is economically strong and dynamic.

VISION ELEMENTS: EQUITABLE, AFFORDABLE AND INCLUSIVE

GOAL 1: Ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities.

STRATEGIES:

- *Increase development of housing units close to transit and mixed-use developments.*

GOAL 2: Build housing as a continuum to serve residents across a range of incomes, ages and needs.

STRATEGIES:

- *Create a greater mix of housing options in every neighborhood for all individuals and families.*

GOAL 3: Develop housing that is affordable to residents of all income levels.

STRATEGIES:

- *Use land use regulations to enable and encourage the private development of affordable, missing middle and mixed-income housing, especially where close to transit.*

VISION ELEMENTS: CONNECTED, SAFE AND ACCESSIBLE PLACES

GOAL 8: Strengthen multimodal connections in mixed-use centers and focus growth near transit.

STRATEGIES:

- *Strengthen multimodal connections in mixed-use centers and focus growth near transit.*
- *Promote transit-oriented development and encourage higher density development, including affordable housing, near transit to support ridership.*

VISION ELEMENTS: ENVIRONMENTALLY RESILIENT

GOAL 8: Clean our soils, conserve land and grow responsibly.

STRATEGIES

- *Encourage mixed-use communities where residents can live, work and play in their own neighborhoods.*
- *Focus growth by transit stations and along high- and medium-capacity transit corridors.*
- *Promote infill development where infrastructure and services are already in place.*

The proposed C-MS-5 zone district would allow for compatible infill development that would enable a mix of neighborhood serving uses that do not exist in the zoning today. The Property is in a diverse neighborhood that the community envisions to be a desirable area to live, work, and play in. This zone district offers increased opportunities for housing, amenities, and services that contribute to and enhance the neighborhood character. Successful rezoning will result in a variety of options for an undeveloped and underutilized lot. The Property is accessible to parks, designated bike lanes/routes, a light rail station and RTD transit routes allowing it to be accessible by multiple modes of transportation. As Denver continues to grow and become more dense, it is important to plan around our mobility system. This rezoning will enable a range of residential and commercial uses in an appropriate location, making it consistent with Denver Comprehensive Plan 2040 Vision Elements and Goals.

The proposed map amendment is consistent with the objectives of Blueprint Denver 2019 including:

The **Blueprint Denver Futures Place** designation for the subject property is *Value Manufacturing* in a *District* context.

Districts contexts are described as:

“Districts are contexts with a specially designed purpose, such as education campuses, civic centers or manufacturing areas. They can be mixed-use and offer a diverse range of amenities and complementary services to support the district’s purpose. (BPD pg. 278)

Manufacturing Districts contexts are described as:

“Manufacturing areas play a major role in the city’s economy, serving as primary place of employment and commerce in the Denver region.” (BPD pg. 284)

Value Manufacturing Districts contexts are described as:

“Value manufacturing districts serve the primary purpose of light manufacturing, wholesale trade, transportation and warehousing.” (BPD pg. 285)

Growth Strategy for this area is designated as:

Districts:* 15% new jobs and 5% new households

*“The future places map shows which place description(s) should be used to evaluate the appropriateness of the proposed zone district. Since it is a citywide map, the boundaries of the mapped places **should be interpreted with limited flexibility, especially at edges**, if the request furthers the goals of Blueprint Denver and is consistent with the overall intent of the places map.” (BPD pg. 66)*

Street Type for the Property is designated as:

Residential Collector: *“Primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses. Buildings on residential streets usually have modest set back. The Depth of the setback varies by neighborhood context.” (BPD pg. 160)*

The purpose of this proposed rezoning is to address an unusual and unique land use setting. The Property is a 25-foot wide lot. While it is zoned an industrial zone district today and designated as a future manufacturing district, it is impractical and unrealistic to design a manufacturing, wholesale trade, transportation, or warehousing structure as suggested by Blueprint Denver. The I-A development standards including setbacks, parking requirements, and FAR metrics render the 25-foot wide lot undevelopable under the current I-A zoning.

The proposed rezoning aims to solve this issue through a compatible and functional district that will still meet the recommendations of the plan. The proposed C-MS-5 zone district is identical to the current zone district of the property immediately north of it. The Property is less than 100 feet from 8th Avenue – a main street arterial. Blueprint designates lots of various sizes abutting this part of 8th Avenue as a Local Corridor under the General Urban neighborhood context. Local corridors provide options for dining, entertainment, and shopping and may also include some residential and employment uses. A goal of Blueprint Denver is to support a mixed-use corridor along this stretch and successful rezoning of the site would support that by making development and redevelopment more feasible. This zone district would offer a diverse range of amenities and complimentary services to support the district’s purpose.

The C-MS- 5 zone district will still address the Growth Strategy of this District by supporting developments that can provide both job and housing opportunities. Due to the small size of the lot, housing options would be modest in density which would meet the recommendation of the Growth Strategy. The Property is located on a designated residential collector which recommends primarily

residential uses, but may also include retail nodes or similar uses, allowed uses under C-MS-5 are compatible with the designated street type. Main Street zone districts are intended to promote safe, active, and pedestrian-scaled commercial streets that enhance the convenience, ease and enjoyment of transit, walking, shopping, and public gathering along them. It will appeal to the desired uses of small-scale multi-unit residential, mixed-use, and commercial uses through modest density. Located within a half a mile from the 10th & Osage station and near multiple RTD bus routes, along with bike friendly routes and dedicated lanes, this makes it an excellent multi modal accessible location for both residents and those visiting for work, amenities, or services. Importantly, the Property is under common ownership with the C-MS-5 property adjacent to the north. Combining the two sites under C-MS-5 makes sense to put both properties to productive use.

The proposed map amendment is consistent with the objectives of the La Alma / Lincoln Park Neighborhood Plan (2020) including:

The Plan divides the Plan Area into Character Areas and provides direction for each. The Property is located on the boarder of the “*Main Street Corridor Character Area*” and the “*Industrial Character Area*.”

- Encourage mixed use development with a diversity of uses.

Relevant vision and goals for *Main Street Corridor Character Areas*:

- Promote multi-stories mixed use buildings

Main Street Corridor Character Areas recommendations:

- Support infill development of retail, office, live-work and residential uses.
- Develop vacant land in a manner that is consistent with the surrounding land uses in terms of character and use.

Relevant vision and goals for *Industrial Character Areas*:

- Mixed land uses are supported in adjacent character areas - to give employees access to commercial uses with walking distance

Industrial Character Areas Primary Opportunities:

- Vacant and underutilized properties offer opportunities for business expansion and infill development.

The plan designates the Property as being in an Area of Change: “The purpose of Areas of Change is to channel growth here it will be beneficial and can best improve access to jobs, housing and services. A major goal being to increase economic activity in the area to benefit existing residents and businesses, and here necessary, provide the stimulus to redevelop.” (LALPNP 21)

Land Use and Urban Design Recommendations:

- Apply mixed use zoning to Areas of Change
- Encourage a mixture of uses that assure the availability of neighborhood services and amenities

The plan recommends building heights of up to 5 stories for the Property.

The C-MS-5 zoning is an appropriate district that aligns with the vision, goals, and recommendations of the La Alma / Lincoln Park Neighborhood Plan. The proposed zone district contributes to maintaining the character of the La Alma / Lincoln Park neighborhood while embracing the Plans vision through low to mid-rise building heights and mixed-use projects through the development of a vacant and underutilized lot. These districts will contribute to the plan’s vision and uses of encouraging inviting, pedestrian-

friendly, and transit accessible developments. The proposed zone district would allow for a variety of housing options along with commercial and office uses that could create new job opportunities. While it is uncertain how a property will be utilized within its zoning in the future, it is valuable to the neighborhood and the City that the C-MS-5 zoning introduces more housing and job opportunities to the area than what is offered in the zoning today.

REVIEW CRITERION DZC § 12.4.10.7.B – 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.

Future development of the Property will result in uniformity of C-MS-5 district regulations and restrictions.

REVIEW CRITERION DZC § 12.4.10.7.C – Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.

The proposed map amendment will further the public health, safety, and general welfare of the City by facilitating the improvement and development of the Property as desired by the City's adopted plan.

EXHIBIT C

Description of Justifying Circumstances and Neighborhood Context

Exhibit C

Statement of Compliance of Additional Review Criteria for Non-Legislative Rezoning (DZC § 12.10.8)

CRITERION DZC § 12.4.10.8.A - Justifying Circumstances - One of the following circumstances exists:

“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”

The .07 acre Property is a vacant parcel in a Value Manufacturing District in the La Lama / Lincoln Park neighborhood. The vacant lot is 25 feet wide and is incompatible with current industrial zoning. The map amendment requests to rezone the Property to the C-MS-5 Zone District. This zone district would be identical to the adjacent property to the north, owned by the same owner. This would allow a modest extension of the local corridor and for feasible development of the Property.

As Denver continues to grow, this warrants the introduction of a mix of uses which are not allowed in its current zoning. In response to change represented by such unprecedented growth and the resulting need for neighborhood serving amenities, employment options and services. The proposed map amendment is in response to these changing conditions and the need for density and mixed development along main street arterials. The C-MS-5 zone district supports a growing population that can walk, bike, or use public transit to neighborhood amenities, entertainment, retail, and services. The La Alma / Lincoln Park neighborhood’s diverse character is supported by its cultural charm and local retail, restaurants, and community events. The successful rezoning will allow for a mix of uses which will blend in with, support, and sustain the existing character of the neighborhood.

The Property consists of underdeveloped land that is efficiently served by existing infrastructure. Rezoning will further the policy goals and multiple City plans directing conversion of the Property to a vibrant mixed-use or main street area.

This rezoning will be an implementation step of the policy, land use and transportation goals identified in the aforementioned Plans. Once rezoned, the Property can accommodate the urban densities and mix of uses prescribed in the plans. This rezoning is necessary for the following reasons:

1. Conformance with the La Alma / Lincoln Park Neighborhood Plan (2010)
2. The ability to increase multi-modal connectivity along 8th avenue.
3. Improves the transition from main street developments to industrial in the Westwood neighborhood.
4. Further implementation of Blueprint Denver (2019).

The proposed Zone District offered by the applicant provide the form-based context to enable what the community and Denver’s elected officials desire for the furtherance of the neighborhood. Design elements imbedded in the zoning such as building height and orientation will help create a quality community the City and its residents will be proud of. The desire and need for more residential and employment options in the area is growing and a C-MS-5 zone district can aid to these community wants and needs.

CRITERION DZC § 12.4.10.8.B – The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.

C-MS-5 is in the Urban Center Neighborhood context and is characterized by the Denver Zoning Code as consisting of multi-unit residential and mixed-use commercial strips and commercial centers. Multi-unit residential uses are typically in multi-story mixed use building forms. Commercial buildings are typically Shopfront and General forms. The Denver Zoning Code’s intent for this district applies primarily to collector or arterial street corridors, or may be embedded within a larger commercial shopping center or mixed-use area, where a building scale of 2 to 5 stories is desired (Denver Zoning Code 7.1 – 7.2.4).

This stated purpose of this district is intended to enhance the convenience, ease and enjoyment of walking, shopping and public gathering within and around the city’s residential neighborhoods. It ensures new development that contributes positively to established character of the neighborhood and improve the transition between commercial development and adjacent residential neighborhoods. The Denver Zoning Code describes the general purpose of Main Street zone districts are “intended to promote safe, active, and pedestrian-scaled commercial streets through the use of building forms that clearly define and activate the public street edge” (Denver Zoning Code 7.2.4). Today, the neighborhood context around the Property is a mix of Mixed-Use and Main-Street zoning. The proposed C-MS-5 Zone District of the Property will allow Uptown neighborhood area to continue to grow into the Urban Village the city plans are envisioning as it will allow for residential-focused mixed-use in an appropriate, transit-served location. It will promote the desired intent of a vibrant, accessible, neighborhood context by improving access to jobs, housing and services. Rezoning to C-MS-5 on the Property meets the intended purpose of the zone district.

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.

EXHIBIT D

Letter of Authorization for STARBOARD Realty Group, LLC to act as Representative

REGAS CHRISTOU
1045 N SHERMAN STREET, SUITE 304
DENVER, CO 80203

May 18, 2022

Mr. Bruce O'Donnell
STARBOARD Realty Group, LLC
1115 Acoma Street, Suite 107
Denver, CO 80204
bodonnell@starboardrealtygroup.com
720-441-3310

Dear Bruce,

This letter serves as authorization for STARBOARD Realty Group, LLC to act on behalf of and represent Regas Christou for the purpose of submitting and processing the rezoning application for the property owned by Regas Christou at 768 N Mariposa Street in Denver, CO.

Sincerely,



Regas Christou

EXHIBIT E

Proof of Ownership, Deed



05/02/2022 12:11 PM
City & County of Denver
Electronically Recorded

R \$23.00

WD

D \$30.00

SPECIAL WARRANTY DEED

THIS DEED, Made this 29th day of April, 2022, between Rita Henry Trust of the said County of and State of Colorado, grantor, and Regas Christou whose legal address is: 6050 Greenwood Plaza Blvd., Suite 110, Greenwood Village, CO 80111 of the County of Arapahoe , and State of Colorado, grantee

State Doc Fee: \$30.00
Recording Fee: \$23.00
22000310162

WITNESS, that the grantor, for and in consideration of the sum of Three Hundred Thousand Dollars and No Cents (\$300,000.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantee, his heirs and assigns forever, all the real property, together with improvements if any, situate, lying and being in the said County of Denver and State of Colorado described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

also known by street and number as: 768 North Mariposa Street, Denver, CO 80204

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee, and the Grantee's heirs and assigns forever. The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree that the Grantor shall and will WARRANT THE TITLE AND DEFEND the above described premises, in the quiet and peaceable possession of the Grantee and the heirs and assigns of the Grantee, against all and every person or persons claiming the whole or any part thereof, by, through, or under the Grantor except and subject to: Statutory Exceptions as defined in C.R.S. § 38-30-113(5)(a)

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

RITA HENRY TRUST

By: *Rita Henry*
Rita Henry, Trustee

State of Colorado
County of Denver

The foregoing instrument was acknowledged before me this 18th day of April, 2022 by Rita Henry as Trustee of the Rita Henry Trust.

Witness my hand and official seal.

Brianna Corwin
Notary Public Brianna Corwin
My Commission Expires: _____

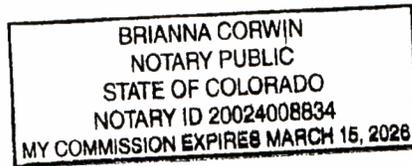


EXHIBIT "A"
LEGAL DESCRIPTION

The North 1/2 of Lot 2, Block 36,
HUNT'S ADDITION TO DENVER,
City and County of Denver,
State of Colorado.

SPECIAL WARRANTY DEED

THIS DEED, Made this 29th day of April, 2022, between Rita Henry Trust of the said County of and State of Colorado, grantor, and Regas Christou whose legal address is: 6050 Greenwood Plaza Blvd., Suite 110, Greenwood Village, CO 80111 of the County of Arapahoe , and State of Colorado, grantee

State Doc Fee: \$30.00

Recording Fee: \$23.00

22000310162



WITNESS, that the grantor, for and in consideration of the sum of Three Hundred Thousand Dollars and No Cents (\$300,000.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantee, his heirs and assigns forever, all the real property, together with improvements if any, situate, lying and being in the said County of Denver and State of Colorado described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

also known by street and number as: 768 North Mariposa Street, Denver, CO 80204

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee, and the Grantee's heirs and assigns forever. The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree that the Grantor shall and will WARRANT THE TITLE AND DEFEND the above described premises, in the quiet and peaceable possession of the Grantee and the heirs and assigns of the Grantee, against all and every person or persons claiming the whole or any part thereof, by, through, or under the Grantor except and subject to: Statutory Exceptions as defined in C.R.S. § 38-30-113(5)(a)

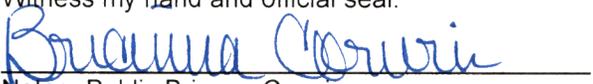
IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

RITA HENRY TRUST

By: 
Rita Henry, Trustee

State of Colorado
County of Denver

The foregoing instrument was acknowledged before me this 18th day of April, 2022 by Rita Henry as Trustee of the Rita Henry Trust.

Witness my hand and official seal.

Notary Public Brianna Corwin
My Commission Expires: _____

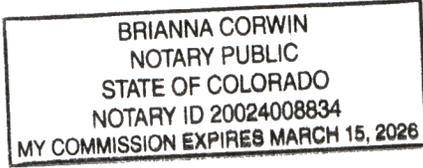


EXHIBIT "A"
LEGAL DESCRIPTION

The North 1/2 of Lot 2, Block 36,
HUNT'S ADDITION TO DENVER,
City and County of Denver,
State of Colorado.

TD-1000

Confidential Document

This form provides essential market information to the county assessor to ensure accurate, fair and uniform assessments of all property. This document is not recorded, is kept confidential, and is not available for public inspection.

This declaration must be completed and signed by either the grantor (seller) or grantee (buyer). Questions 1, 2, 3, and 4 may be completed (prefilled) by a third party, such as a title company or closing agent, familiar with details of the transaction. The signatory should confirm accuracy before signing.

This form is required when conveyance documents are presented for recording. If this form is not completed and submitted, the county assessor may send notice. If the completed and signed form is not returned to the assessor within 30 days of notice, the assessor may impose a penalty of \$25.00 or 0.025% (0.00025) of the sale price, whichever is greater.

Additional information as to the purpose, requirements, and level of confidentiality regarding this form are outlined in Colorado Revised Statutes, sections 39-14-102, 39-5-121.5, and 39-13-102.

1. Physical Address and/or legal description of the real property sold: Please do not use P.O. Box numbers.
768 North Mariposa Street, Denver, CO 80204

2. Type of property purchased: [] Single Family Residential [] Townhome [] Condominium [] Multi-Unit Residential
[] Commercial [] Industrial [] Agricultural [] Mixed Use [x] Vacant Land [] Other

3. Date of Closing: 4/29/2022 Date of contract: 2/14/2022

4. Total Sale Price: include all real and personal property: \$300,000.00 Contracted price (if different from final sale price)

5. List any personal property included in the transaction that materially impacts the total sales price. Personal property may include, but is not limited to, machinery or equipment, vehicles, exceptional appliances, electronic devices, furniture, or anything that would not typically transfer with the real property (attach additional pages if necessary).

Table with 2 columns: Description, Approximate Value. Includes rows for N/A and Personal Property Total.

If no personal property is listed, the entire purchase price will be assumed to be for the real property.

6. Did the total sale price include a trade or exchange of additional real or personal property? [x] No [] Yes
If Yes, approximate value of the goods or services as of the date of closing: \$
If Yes, does this transaction involve a trade under IRS Code Section 1031? [x] No [] Yes

7. Was 100% interest in the real property purchased? [] No [x] Yes
Mark "No" if only a partial interest is being purchased. If No, interest purchased %

8. Is this a transaction between related parties or acquaintances? This includes persons connected by blood or marriage, or business affiliates, or those acquainted prior to the transaction. [x] No [] Yes

9. Please mark type of sale: [] Builder (new construction) [x] Public (MLS or Broker Representation)
[] Private (For Sale by Owner) [] Other (describe)

10. Mark any of the following that apply to the condition of the improvements at the time of purchase.
[] New [] Excellent [] Good [] Average [] Fair [] Poor [] Salvage

11. Type of financing: (Mark all that apply)



05/02/2022 12:21 PM
City & County of Denver
Electronically Recorded

R \$23.00

WD

D \$59.50

SPECIAL WARRANTY DEED

THIS DEED, Made this 29th day of April, 2022, between New Direction IRA, Inc., a Colorado corporation, FBO Rita Henry IRA of the said County of Boulder and State of Colorado, grantor, and Regas Christou whose legal address is: of the County of , and State of Colorado, grantee

State Doc Fee: \$59.50
Recording Fee: \$23.00



22000310163

WITNESS, that the grantor, for and in consideration of the sum of Five Hundred Ninety Five Thousand Dollars and No Cents (\$595,000.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantee, his heirs and assigns forever, all the real property, together with improvements if any, situate, lying and being in the said County of Denver and State of Colorado described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

also known by street and number as: 778 North Mariposa Street, Denver, CO 80204

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee, and the Grantee's heirs and assigns forever. The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree that the Grantor shall and will WARRANT THE TITLE AND DEFEND the above described premises, in the quiet and peaceable possession of the Grantee and the heirs and assigns of the Grantee, against all and every person or persons claiming the whole or any part thereof, by, through, or under the Grantor except and subject to: Statutory Exceptions as defined in C.R.S. § 38-30-113(5)(a)

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

NEW DIRECTION IRA, INC., a Colorado corporation, FBO
RITA HENRY IRA

By Lori Johnson
Lori Johnson, Authorized Signer

Lori Johnson
As authorized signer for NDIRA
FBO Acct# _____

READ AND APPROVED

By Rita Henry
Rita Henry

State of Colorado
County of Boulder

The foregoing instrument was acknowledged before me this 15 day of April, 2022 by Lori Johnson as Authorized Signer for New Direction IRA, Inc., a Colorado corporation, FBO Rita Henry IRA.

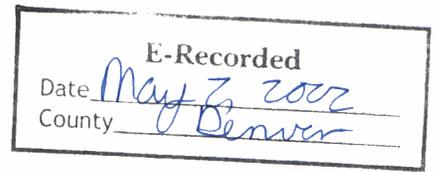
Witness my hand and official seal.

Laura Briels
Notary Public
My Commission Expires: 8-13-2024

LAURA BRIELS
Notary Public
State of Colorado
Notary ID # 20204028095
My Commission Expires 08-13-2024

**EXHIBIT "A"
LEGAL DESCRIPTION**

Lot 1, Block 36,
HUNT'S ADDITION TO DENVER,
City and County of Denver,
State of Colorado.



SPECIAL WARRANTY DEED

THIS DEED, Made this 29th day of April, 2022, between New Direction IRA, Inc., a Colorado corporation, FBO Rita Henry IRA of the said County of Boulder and State of Colorado, grantor, and Regas Christou whose legal address is: of the County of , and State of Colorado, grantee

State Doc Fee: \$59.50

Recording Fee: \$23.00



22000310163

WITNESS, that the grantor, for and in consideration of the sum of Five Hundred Ninety Five Thousand Dollars and No Cents (\$595,000.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantee, his heirs and assigns forever, all the real property, together with improvements if any, situate, lying and being in the said County of Denver and State of Colorado described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

also known by street and number as: 778 North Mariposa Street, Denver, CO 80204

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee, and the Grantee's heirs and assigns forever. The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree that the Grantor shall and will WARRANT THE TITLE AND DEFEND the above described premises, in the quiet and peaceable possession of the Grantee and the heirs and assigns of the Grantee, against all and every person or persons claiming the whole or any part thereof, by, through, or under the Grantor except and subject to: Statutory Exceptions as defined in C.R.S. § 38-30-113(5)(a)

EXHIBIT "A"
LEGAL DESCRIPTION

Lot 1, Block 36,
HUNT'S ADDITION TO DENVER,
City and County of Denver,
State of Colorado.

TD-1000

Confidential Document

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This declaration must be completed and signed by either the grantor (seller) or grantee (buyer). Questions 1, 2, 3, and 4 may be completed (prefilled) by a third party, such as a title company or closing agent, familiar with details of the transaction. The signatory should confirm accuracy before signing.

This form is required when conveyance documents are presented for recording. If this form is not completed and submitted, the county assessor may send notice. If the completed and signed form is not returned to the assessor within 30 days of notice, the assessor may impose a penalty of \$25.00 or 0.025% (0.00025) of the sale price, whichever is greater.

Additional information as to the purpose, requirements, and level of confidentiality regarding this form are outlined in Colorado Revised Statutes, sections 39-14-102, 39-5-121.5, and 39-13-102.

1. Physical Address and/or legal description of the real property sold: Please do not use P.O. Box numbers. 778 North Mariposa Street, Denver, CO 80204

2. Type of property purchased: [] Single Family Residential [] Townhome [] Condominium [] Multi-Unit Residential [x] Commercial [] Industrial [] Agricultural [] Mixed Use [] Vacant Land [] Other

3. Date of Closing: 4/29/2022 Date of contract: 2/16/2022

4. Total Sale Price: include all real and personal property \$595,000.00 Contracted price (if different from final sale price)

5. List any personal property included in the transaction that materially impacts the total sales price. Personal property may include, but is not limited to, machinery or equipment, vehicles, exceptional appliances, electronic devices, furniture, or anything that would not typically transfer with the real property (attach additional pages if necessary).

Table with 2 columns: Description, Approximate Value. Includes rows for Personal Property Total.

If no personal property is listed, the entire purchase price will be assumed to be for the real property.

6. Did the total sale price include a trade or exchange of additional real or personal property? [x] No [] Yes. If Yes, approximate value of the goods or services as of the date of closing: \$. If Yes, does this transaction involve a trade under IRS Code Section 1031? [x] No [] Yes

7. Was 100% interest in the real property purchased? [] No [x] Yes. Mark "No" if only a partial interest is being purchased. If No, interest purchased %

8. Is this a transaction between related parties or acquaintances? This includes persons connected by blood or marriage, or business affiliates, or those acquainted prior to the transaction. [x] No [] Yes

9. Please mark type of sale: [] Builder (new construction) [x] Public (MLS or Broker Representation) [] Private (For Sale by Owner) [] Other (describe)

10. Mark any of the following that apply to the condition of the improvements at the time of purchase. [] New [] Excellent [] Good [] Average [] Fair [] Poor [] Salvage

11. Type of financing: (Mark all that apply)

EXHIBIT F

Outreach Documentation

1. Per this requirement in the Rezoning Application Form:

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)

No concept meeting with Development Services has taken place. As explained in the application narrative, the Property is not developable under its current I-A zoning. When combined with the property to the north (778 N. Mariposa, which is also owned by the Applicant) the Property can be put to productive use as the combined parcel will be large enough to redevelop. As such, the purpose of this rezoning is simply to get the same C-MS-5 zoning on both parcels to foster new opportunities for the community.

2. Per this requirement in the Rezoning Application Form:

Did you contact the City Council District Office regarding this application ?	<input checked="" type="checkbox"/> Yes - if yes, state date and method <u>Refer to Exhibit G</u> <input type="checkbox"/> No - if no, describe why not (in outreach attachment, see bottom of p. 3)
---	---

Refer to the following email chain documenting correspondence with City Council District 3.



Bruce O'Donnell <bodonnell@starboardrealtygroup.com>

Re: [EXTERNAL] Fwd: Meeting Request - Proposed Rezoning in District 3

1 message

Bruce O'Donnell <bodonnell@starboardrealtygroup.com>

Tue, Feb 15, 2022 at 9:42 AM

To: "Torres, Jamie C. - CC Member District 3 Denver City Council" <Jamie.Torres@denvergov.org>

Cc: "Gurule, Angelina - CC YA2245 City Council Aide" <Angelina.Gurule@denvergov.org>

Hi Jamie -

Thanks for your timely email. We expect to submit the rezoning application this week and engage with the community right away.

Bruce

Bruce C. O'Donnell



STARBOARD REALTY GROUP, LLC

STARBOARD Realty Group, LLC

Work: 720-441-3310

Cell: 303-810-3674

E Mail: bodonnell@starboardrealtygroup.com

Web: www.starboardrealtygroup.com www.denverzoning.com

On Tue, Feb 15, 2022 at 9:40 AM Torres, Jamie C. - CC Member District 3 Denver City Council <Jamie.Torres@denvergov.org> wrote:

Hi Bruce, I've been able to connect with CPD on this and don't have an issue with the rezoning setting precedent or expanding rezonings beyond the vacant property. Let me know what your next steps are.

Jamie Torres | Councilwoman

Pronouns: she, her, hers

District 3 – Denver City Council

1437 Bannock Street, Rm 451, Denver CO 80202

Phone: (720) 337-3333

[Dial 3-1-1 for City Services](#)

Correspondence with this office is an open record under the Colorado Open Records Act and must be made available to anyone requesting it unless the correspondence clearly states or implies a request for confidentiality.

From: Bruce O'Donnell <bodonnell@starboardrealtygroup.com>
Date: Tuesday, December 14, 2021 at 10:22 AM
To: Torres, Jamie C. - CC Member District 3 Denver City Council
<Jamie.Torres@denvergov.org>
Cc: Rocha Vasquez, Daisy - CC YA2246 City Council Aide Senior
<Daisy.RochaVasquez@denvergov.org>
Subject: Re: [EXTERNAL] Fwd: Meeting Request - Proposed Rezoning in District 3

Thanks - I'm sure 10 to 15 minutes is all it will take. If you're willing, I'd be interested in meeting at the property: 768 / 778 Mariposa.

Thank you

Bruce C. O'Donnell



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Work: 720-441-3310

Cell: 303-810-3674

E Mail: bodonnell@starboardrealtygroup.com

Web: www.starboardrealtygroup.com www.denverzoning.com

On Tue, Dec 14, 2021 at 10:17 AM Torres, Jamie C. - CC Member District 3 Denver City Council <Jamie.Torres@denvergov.org> wrote:

Hi Bruce, we will schedule a time.

Jamie Torres | Councilwoman, District 3

Pronouns: she, her, hers

Denver City Council

1437 Bannock Street, Rm 451, Denver CO 80202

Phone: (720) 337-3333 (hablamos Español)

Dial 3-1-1 for City Services

[Facebook](#) | [Twitter](#) | [Instagram](#) | [D3news](#) | [Web](#)

Correspondence with this office is an open record under the Colorado Open Records Act and must be made available to anyone requesting it unless the correspondence clearly states or implies a request for confidentiality.

From: Bruce O'Donnell <bodonnell@starboardrealtygroup.com>
Sent: Tuesday, December 14, 2021 9:20 AM
To: Torres, Jamie C. - CC Member District 3 Denver City Council <Jamie.Torres@denvergov.org>; Rocha Vasquez, Daisy - CC YA2246 City Council Aide Senior <Daisy.RochaVasquez@denvergov.org>; penny.marez@denvergov.org
Subject: [EXTERNAL] Fwd: Meeting Request - Proposed Rezoning in District 3

Hi again, I'm still hoping to meet to discuss 768 Mariposa.

Can we please find a time to discuss this rezoning?

Please see original email below from December 3.

Thanks,

Bruce

Bruce C. O'Donnell



STARBOARD REALTY GROUP, LLC

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Work: 720-441-3310

Cell: 303-810-3674

E Mail: bodonnell@starboardrealtygroup.com

Web: www.starboardrealtygroup.com www.denverzoning.com

----- Forwarded message -----

From: **Bruce O'Donnell** <bodonnell@starboardrealtygroup.com>

Date: Fri, Dec 3, 2021 at 9:15 AM

Subject: Meeting Request - Proposed Rezoning in District 3

To: Torres, Jamie C. - CA2750 Manager <Jamie.Torres@denvergov.org>, Rocha Vasquez, Daisy - CC YA2245 City Council Aide <Daisy.RochaVasquez@denvergov.org>

Hi Jamie and District 3 Team -

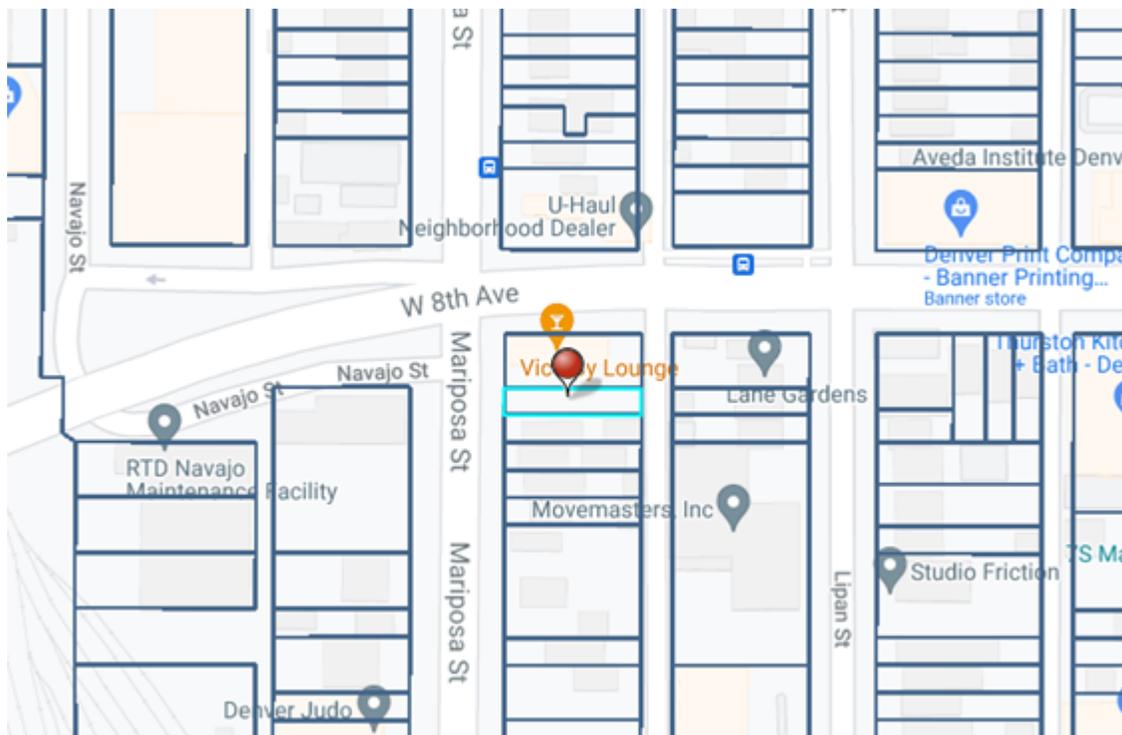
I hope you are all well.

I have an unusual rezoning we are exploring in District 3 and I'd like to meet with you ASAP to discuss it. No rezoning application has been started on or filed. In fact, if you could meet me at the site for 10 minutes it would be super productive.

The location is 768 N. Mariposa St. It is a vacant 25' wide lot zoned I-A. My client owns the property to the north at 778 Mariposa, which is zoned C-MS-5. This is the home of a notorious bar the owner and community would like to see go away.

If the 25' vacant lot can be rezoned to C-MS-5 and combined with the bar lot, there will be a large enough combined property that developers will be interested to come in and redevelop (clean up) the site. The adopted plan direction is a little ambiguous, but I think CPD is on board.

Here's the site:



Here's the Bar:



Here's the 25' vacant lot in the chain link fence:



The owner and I are available to meet next week if you have a few minutes.

Thanks in advance,

Bruce

PS: A long shot I'm sure, but I could meet this afternoon....

Bruce C. O'Donnell



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