



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

Rezoning Application Page 4 of 4

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
Avalanche Funding LLC	5040 Acoma Street Denver, CO 80216 303-918-1215 fred@5040group.com	100%		6/24/21	A	YES
						YES
						YES
						YES

Last updated: February 16, 2021

Return completed form and attachments to rezoning@denvergov.org

201 W. Colfax Ave., Dept. 205

Denver, CO 80202

720-865-2974 • rezoning@denvergov.org

EXHIBIT A

Property Legal Description

Legal Description

2501 N OGDEN STREET

LOTS 27 AND 28, BLOCK 10, BARTHS ADDITION,
CITY AND COUNTY OF DENVER, STATE OF COLORADO

Legal Description

2515 N OGDEN STREET

LOTS 21 AND 22, BLOCK 10, BARTHS ADDITION,
CITY AND COUNTY OF DENVER, STATE OF COLORADO

Legal Description

2531 N OGDEN STREET

LOTS 23 TO 26 INCLUDING, BLOCK 10, BARTHS ADDITION,
CITY 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 0.57-acre property located at 2531 N. Ogden Street from Former Chapter 59 PUD 25 to U-SU-A1, UO-3 (the "Property") to facilitate use of the Property that is consistent with the recommendations in the adopted Plans.

The Property is in the Five Points Neighborhood on the west side of N. Ogden, between 25th and 26th Avenue. Today the Property is zoned PUD 25 allowing for the use of a mortuary including a viewing room and additional parking spaces; it is also bound to Former Chapter 59 R-4 regulations. The PUD was designed to accommodate the mortuary House of Hills Inc. 1980 operations.

Existing context surrounding the Property include OS-A, U-RH-2.5, U-SU-A1; overlays in the area include: UO-1, UO-2, UO-3. Immediately to the east, south, and west of the Property are residential zoning, north of the Property is Lenore B. Quick Park, a .43-acre public park that includes a jungle gym and play area. Located within a ½ mile of the 30th & Downing Transit Station, which connects riders to multiple RTD transit routes including the L Light Rail line, and the 27th & Welton Light Rail stop. There are dedicated bike lanes within a ½ mile on 25th Avenue, 31st Avenue, Champa Street, and Stout Street. The Property is located within a ¼ mile of a Denver Health Clinic and a Recreation Center, amongst other amenities.

The map amendment requests to rezone the Property from PUD 25 to the U-SU-A1, UO-3 Zone District. This would allow the Property to be utilized for single unit residential uses rather than the tailored commercial/mortuary or R-4 uses in the current PUD. The successful rezoning will allow for the development of 8 single family homes with the allowance for an accessory dwelling unit (ADU). This will blend in with, support, and sustain the existing residential character of the neighborhood. It will contribute to zoning conformity by being removed from its Former Chapter 59 zoning. The proposed map amendment would enable modest growth in an appropriate scale and form while diversifying the housing stock that the City 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, Blueprint Denver (2019), Northeast Downtown Neighborhood Plan (2011).

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.*

VISION ELEMENTS: EQUITABLE, AFFORDABLE, AND INCLUSIVE

GOAL 1: Ensure all of 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.*

VISION ELEMENTS: ENVIRONMENTALLY RESILIENT

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

STRATEGIES

- *Promote infill development where infrastructure and services are already in place.*
- *Focus growth by transit stations and along high- and medium-capacity transit corridors.*

The proposed U-SU-A1, UO-3 zone district allows for a single family home with an additional dwelling unit that is accessory to the primary single-family use. This zone district is identical to the majority of the surrounding zoning. Accessory dwelling units can provide housing for individuals or families with different incomes, ages, and needs than the single-family homes that are found in much of the Five Points neighborhood. The proposed U-SU-A1, UO-3 zoning would allow development at an intensity consistent with the surrounding neighborhood that would increase the diversity and supply of housing in the area.

In addition, the proposed map amendment would allow additional building forms compatible with the existing neighborhood. The proposed map amendment will allow for modest density on the site of an existing home where infrastructure and services such as water, stormwater, and streets already exist. This allows Denver to grow responsibly and promotes land conservation. The Property is located by two Medium Capacity Transit Corridors: Welton street and Downing Street. Welton Street is also designated by Blueprint Denver as a Community Corridor. Therefore, the proposal is consistent with multiple strategies of the vision elements in *Comprehensive Plan 2040*.

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

The **Blueprint Denver** *Place* designation for the subject property is *Low Residential* in an *Urban* neighborhood context.

Urban neighborhoods are described as:

“The urban neighborhood context is widely distributed throughout the city. Homes vary from multi-unit developments to compact single-unit homes. Development in this context should be sensitive to the existing neighborhood character and offer residents a mix of uses, with good street activation and connectivity. Residents living in this context have access to varied transit options and amenities.

The urban context is walkable due to a predictable street grid in residential areas and the availability of transit and dedicated bike lanes. These areas offer access to neighboring areas and commercial nodes, with some small mixed-use nodes within the neighborhood. Parking is predominately off-street complemented by managed on-street options.” (BPD pg. 221)

Residential areas are described as:

“Areas where the predominate use is residential. Although they are primarily residential in nature, they are supported by a variety of embedded uses needed for a complete neighborhood including schools, parks and commercial/retail uses.” (BPD pg. 232)

Urban Low Residential Land use and Built Form:

“Predominately single- and two-unit uses on smaller lots. Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible. Medium building coverage. Buildings are generally up to 2.5 stories in height.” (BPD pg. 232)

Growth Strategy for this area is designated as:

All other areas of the city: 10% of new jobs and 20% of new households.

Street Type for the Property is designated as:

Local: *“Local streets can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses.” (BPD pg. 160)*

The U-SU-A1, UO-3 zoning is an appropriate district that compliments the characteristics of Urban neighborhoods and is in character with a Low Residential area. The Denver Zoning Code states that SU zone districts are intended to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context. These regulations are also intended to reinforce desired development patterns in existing neighborhoods while accommodating reinvestment. The SU zoning appeals to the City’s growth strategy for this area by allowing residential uses. Located on a local street, it will appeal to the desired uses of residential uses.

With the recently renovated Lenore B. Quick Park immediately north of the Property, this makes it an excellent location for single family developments. The Property is located within a ¼ mile of a Denver Health Clinic and a Recreation Center and several other amenities. Welton Street is also designated as a Community Corridor. The Property is located by two Medium Capacity Transit Corridors: Welton street and Downing Street. With the 30th & Downing Station and multiple RTD bus routes nearby along with bike friendly routes and dedicated lanes, this makes it an ideal multi modal accessible location.

Applying Equity Concepts for Small Rezonings:

In section 3.1 Plan In Action: Applying Blueprint Denver to Rezonings states, “Equity Concepts: Because 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, they are not intended to be part of the evaluation for smaller rezonings. However, they should be used to evaluate large area rezonings”.

While Blueprint Denver acknowledges that Equity Concepts are difficult to apply to small single-parcel rezonings such as 2531 Ogden, and instead CPD looks to properties subject to LDR criteria to apply Equity criteria, we believe these are important criteria to address in Denver. The rezoning of 2531 Ogden may help this small property contribute to a more equitable Denver in the following ways:

Equity Concept: Expanding Housing and Jobs Diversity - *providing a better and more inclusive range of housing and employment options in all neighborhoods.*

The Importance of Housing and Jobs Diversity

It is the desire of many residents and stakeholders for all neighborhoods to accommodate some level of growth and to incorporate a greater variety of housing and employment options. If done right, this can enable more inclusive and diverse communities.” (BPD pg. 40)

The U-SU-A1 district will allow the property to transition from an antiquated mortuary to detached housing allowing Accessory Dwelling Units as a permitted use. Zone Districts that allow ADUs create the possibility for increased housing diversity.

Today, the PUD does not allow residential uses. Once rezoned to U-SU-A1 future residents will reside and have easy access to numerous employment opportunities including:

- The Hospital District
- Downtown and the Central Business District
- RiNo

Equity Concept: Improving Access to Opportunity - creating more equitable access to quality-of-life amenities, health and quality education.

The proximity of an amenity (including quality jobs, schools, parks, health care services and healthy food), the affordability of that amenity, and the safety and ease of access to that amenity are important elements of access to opportunity. Equitable access to opportunity strengthens our collective prosperity and improves outcomes for all. In areas with high access to opportunity, it is important to increase the range of affordable housing options so that residents of all income levels can live in these neighborhoods.” (BPD pg. 32-35)

Amenities within a ½ mile:

Grocery with fresh fruit and vegetables:

- Safeway at 757 E 20th Ave.

Transit:

- 27th & Welton Rail Station
- RTD Bus Routes: 28, 12, 32 & 43
- Bike lanes: Lafayette St., E. 29th Ave., E. 22nd Ave.

Parks and Recreation:

- Lenore B. Quick Park
- Mestizo- Curtis Park & Community Pool
- City Park
- Fuller Park

Schools:

- Whittier Elementary School
- Manual High School
- DSST Cole Middle School
- Denver Language School – Gilpin Campus

Health Care Services:

- St. Joseph Hospital
- Presbyterian St. Luke’s Hospital

- Kaiser Permanente
- Rocky Mountain Hospital for Children

The proposed map amendment is consistent with the objectives of the Northeast Downtown Neighborhood Plan (2011) including:

Vision, Guiding Principles (NEDNP pg. 10-11):

VISION STATEMENT: The Northeast Downtown area will remain a diverse collection of urban neighborhoods with unique and distinct character. Transitions between neighborhoods will be seamless and promote the unique character of each area. Excellent street connectivity, an enhanced public realm, and good access to transit will make this an area of choice for residents, businesses, and services.

Economic Development Opportunity (NEDNP pg. 11):

- Housing development opportunities should expand the range of housing types and price ranges.

Concepts and Recommendations (NEDNP pg. 20-21):

A.3 Low Intensity Development in Residential

Neighborhoods In areas with established residential neighborhood character, including Curtis Park, San Rafael, and the neighborhood edge east of Downing Street (Cole and Whittier):

- Maintain the current mix of low scale building forms such as urban house, duplex, and rowhouse.
- Allow new development to replicate existing development patterns, including small lots, shallow set backs and high building coverage with parking and access in the rear/off the alley.
- Allow a mix of land uses consisting primarily of residential uses with limited neighborhood-serving commercial.

Framework Strategies (NEDNP pg. 95-97):

- A.3 Low intensity development in residential neighborhoods
- C.2 Promote Economic and Housing Diversity
- C.3 Encourage Housing Density

The Property is in an area designated as **Single Family Residential**.

Single Family Residential: Neighborhoods of single-family houses in Northeast Downtown represent older, residential neighborhoods that do not have a significant mix of housing types. Commercial uses are limited to small buildings providing neighborhood services.

Height recommendations for **Single Family Residential** is 2.5 stories.

The Property is in the **Enterprise Hill, San Rafael** neighborhood of Five Points.

N.28 Land Use (NEDNP pg. 89): San Rafael is a residential neighborhood characterized by single family land use patterns, but with a variety of multifamily, institutional, and commercial uses distributed throughout the neighborhood. Single family residential tends to be located mid-block on named streets, while attached housing types are more typical on the corners and facing numbered streets.

The U-SU-A1, UO-3 zoning, is an appropriate district that complies with the recommendations of the Northeast Downtown Neighborhood Plan by supporting a low intensity residential development. The U-SU-A1, UO-3 zone district would also allow for increased housing opportunities through its allowance for an ADU. This zoning contributes to maintaining the residential character of the San Rafael neighborhood through single family development in low scale building forms. The max height for U-SU-A1, UO-3 is 2.5 stories making it consistent with the recommended maximum height 2.5 stories for single family residential. Today, the San Rafael Neighborhood area is predominantly residential. The Property being located between Community Corridor Welton street and a residentially dense area makes it an appropriate location for a low scale residential district. The Property's is walking distance from many community amenities such as the Lenore B. Quick Park and Glenarm Recreation Center, this makes it an ideal location for a residential district as the plan recommends.

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 U-SU-A1, UO-3 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; or a city adopted plan; or that the city adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.”

Justifying circumstances for rezoning 2531 North Ogden Street include:

1. *Retained a Former Chapter 59 zoning*
2. *Changed or changing conditions in a particular area, or in the city generally*

“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: That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning”

Today, the Property is under a Former Chapter 59 Zoning PUD 25. Since the implementation of PUD 25, city wide plans including Blueprint Denver 2019 and Comprehensive Plan 2040 have been adopted. Successful rezoning will allow for zoning conformity and support the initiatives directed under the new city adopted plans.

“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 .57 acre Property is in a residentially dense neighborhood consisting of predominantly single unit homes. In Denver, hundreds of new housing units have been delivered in recent years and more are on the way. This growing population has called for not only an increase of housing units but for a variety of housing options as well. As an Urban residential neighborhood immediately outside of downtown, this area will continue to be a desirable neighborhood to live in and will need to be able to provide options for the diverse population.

The adoption of Blueprint Denver in 2019 has introduced new land use recommendations and strategies to address Denver’s growing population. Blueprint Denver recommends adding additional housing in areas near transit, services, and amenities. The Property is within ½ a mile of a Community Corridor, several RTD routes including a Transit Station, a Denver Health Clinic, a Recreation Center and many other services and amenities.

In addition, in 2016, the RTD A Line connecting Union Station to Denver International Airport opened. The Property is just over a mile from the 38th & Black Station on the A Line. This major transit and public infrastructure investment is a changing condition near the property that reinforces the wisdom of expanding housing stock and allowing ADUs in the vicinity and for the Property specifically.

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.

U-SU-A1 is a single unit district in the Urban neighborhood context and which is characterized by the Denver Zoning Code by “single-unit and two-unit residential uses. Small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas. Single-unit residential structures are typically the Urban House building form. (DZC 5.1.1). The proposed map amendment is consistent with surrounding building forms and is appropriate for the street type the Property is located on, therefore in character to the Urban neighborhood context.

This general purpose of this residential district is to “to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context. These regulations allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood. The building form standards, design standards, and uses work together to promote desirable residential areas. The regulations provide certainty to property owners, developers, and neighborhoods about the limits of what is allowed in a residentially-zoned area. These regulations are also intended to reinforce desired development patterns in existing neighborhoods while accommodating reinvestment.” (DZC 5.2.2.1). The specific intent of the U-SU-A1 zone district is “a single unit district allowing urban houses and detached accessory dwelling units with a minimum zone lot area of 3,000 square feet. Blocks typically have a pattern of 25 foot wide lots. This district requires the shallowest setbacks and allows the highest lot coverage in the Urban Neighborhood Context. Setbacks and lot coverage standards accommodate front and side yards similar to U-SU-A but allowing a detached accessory dwelling unit building form in the rear yard.” (DZC 5.2.2.2). This ensures new development that contributes positively to established character of the neighborhood.

The proposed rezoning also includes the UO-3 Overlay. The UO-3 is a Historic Structure Use Overlay that can be applied to contributing structures in a designated Historic District. The intent of this overlay is “to encourage preservation, protection, adaptive use, and enhancement of Historic Structures, or otherwise to promote the Landmark Preservation purposes as stated in DRMC Sec. 30-1”. This overlay permits for certain commercial uses: “notwithstanding the limitations applicable in the underlying zone district, the following commercial uses shall be permitted in this overlay zone district: 1. Office, not including dental/medical office or clinic 2. Art studio 3. Bed and breakfast lodging”. (Denver Zoning Code 9.4.4.8)

Today, the immediate neighborhood context around the Property is residential zoning, many with the U-SU-A1, UO-3 zoning. The proposed U-SU-A1, UO-3 zone district of the Property will further embrace the residential character of the Five Points neighborhood through modest density. It will uphold the purpose of a residential district in an Urban neighborhood context by reinforcing the desired development patterns while accommodating reinvestment.

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

**AVALANCHE FUNDING LLC
5040 ACOMA STREET
DENVER, CO 80216**

January 11, 2021

Mr. Bruce O'Donnell
STARBOARD Realty Group, LLC
770 Sherman Street, Suite 108
Denver, CO 80203
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 AVALANCHE FUNDING LLC the property owner, for the purpose of submitting and processing the rezoning application for the property located at 2501, 2515, 2531 N Ogden Street in Denver, CO.

Sincerely,

(PRINTED NAME) *Fred Torr*
Authorized Representative, AVALANCHE FUNDING LLC

by Joyce member

EXHIBIT E

Proof of Ownership, Assessors Record

2501 N OGDEN ST APPRX

Owner	AVALANCHE FUNDING INC 5040 ACOMA ST DENVER , CO 80216-2010
Schedule Number	02352-06-018-000
Legal Description	L 27 & 28 BLK 10 BARTHS ADD
Property Type	
Tax District	DENV

Print Summary

Property Description			
Style:		Building Sqr. Foot:	0
Bedrooms:		Baths Full/Half:	0/0
Effective Year Built:	0000	Basement/Finish:	0/0
Lot Size:	6,250	Zoned As:	PUD

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

Current Year			
	Actual	Assessed	Exempt
Land		\$362,400	\$105,100 \$0
Improvements		\$1,000	\$290
Total		\$363,400	\$105,390

Prior Year			
	Actual	Assessed	Exempt
Land		\$362,400	\$105,100 \$0
Improvements		\$1,000	\$290
Total		\$363,400	\$105,390

2515 N OGDEN ST

Owner	AVALANCHE FUNDING LLC 5040 ACOMA ST DENVER , CO 80216-2010
Schedule Number	02352-06-015-000
Legal Description	L 21 & 22 BLK 10 BARTHS ADD
Property Type	
Tax District	DENV

Print Summary

Property Description			
Style:		Building Sqr. Foot:	0
Bedrooms:		Baths Full/Half:	0/0
Effective Year Built:	0000	Basement/Finish:	0/0
Lot Size:	6,250	Zoned As:	PUD

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

Current Year			
	Actual	Assessed	Exempt
Land		\$362,400	\$105,100 \$0
Improvements		\$6,700	\$1,940
Total		\$369,100	\$107,040

Prior Year			
	Actual	Assessed	Exempt
Land		\$362,400	\$105,100 \$0
Improvements		\$6,700	\$1,940
Total		\$369,100	\$107,040

2531 N OGDEN ST

Owner	AVALANCHE FUNDING LLC 5040 ACOMA ST DENVER , CO 80216-2010
Schedule Number	02352-06-016-000
Legal Description	L 23 TO 26 INC BLK 10 BARTHS ADD
Property Type	INDUSTRIAL - MORTUARY
Tax District	DENV

Print Summary

Property Description			
Style:		Building Sqr. Foot:	9531
Bedrooms:		Baths Full/Half:	0/0
Effective Year Built:	1900	Basement/Finish:	0/0
Lot Size:	12,500	Zoned As:	PUD

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

Current Year			
	Actual	Assessed	Exempt
Land		\$646,800	\$187,570 \$0
Improvements		\$30,800	\$8,930
Total		\$677,600	\$196,500

Prior Year			
	Actual	Assessed	Exempt
Land		\$646,800	\$187,570 \$0
Improvements		\$30,800	\$8,930
Total		\$677,600	\$196,500

EXHIBIT F

Signature Authority Authorization for

AVALANCE FUNDING, LLC

STATEMENT OF AUTHORITY
(38-30-172, C.R.S.)

1. This Statement of Authority relates to an entity named Avalanche Funding, LLC.
And is executed on behalf of the entity pursuant to the provisions of
Section 38-30-172 C.R.S.
2. The type of entity is a Colorado limited Liability Company
3. The mailing address for the entity is:
5040 Acoma Street
Denver, CO 80216
4. The entity is formed under the laws of Colorado
5. The name of the person(s) authorized to execute instruments conveying, encumbering, or otherwise
affecting title to real property on behalf of the entity is:
Fred J. Orr
Michael Disberger
6. The authority of the foregoing person(s) to bind the entity is Not limited OR Limited as follows:
7. Other matters concerning the manner in which the entity deals with interest in real property:

Dated this 12th day of December, 2018.

[Signature]
Fred J. Orr, Member

[Signature]
Kevin Hunt, Member

[Signature]
Michael Disberger, Mgr/Member

State of Colorado
City of Denver
County of Denver

The foregoing instrument was acknowledged before me this 12th day of December
2018, by
Fred J. Orr, Kevin Hunt and Michael Disberger as the
Members of
Avalanche Funding, LLC, a Colorado limited liability company.

Witness my hand and official seal.
Cathleen S. Ryan
Notary Public
My commission expires:

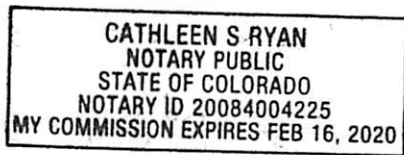


EXHIBIT G

Denver Affordable Housing Nexus Study

Rationale and support documentation for payment of Linkage Fee rather than the Build Alternative.

Denver Affordable Housing Nexus Study



SUBMITTED TO:

City of Denver
Office of Economic Development
201 W. Colfax Ave. #907
Denver, CO 80202

SUBMITTED BY:

David Paul Rosen & Associates

3527 Mt. Diablo Blvd, #361
Lafayette, CA 94549
510-451-2552
510-451-2554 Fax
david@draconsultants.com
www.draconsultants.com

3941 Hendrix Street
Irvine, CA 92614
949-559-5650
949-559-5706 Fax
nora@draconsultants.com
www.draconsultants.com

September 8, 2016

Nexus Methodology and Use of the IMPLAN Model

This analysis uses a number of conservative assumptions that understate the number of low and moderate income households and maximum justifiable nexus fee amounts. Therefore, the housing impacts are likely even greater than indicated in the analysis.

The methodology used for the residential nexus analysis begins with the estimated sales prices of a prototypical single-family home or condominium development, or rents at an apartment complex, and moves through a series of linkages to the incomes of the households that purchase or rent the units, the annual expenditures of those households on goods and services, the jobs associated with the delivery of these goods and services, the income of the workers performing those jobs, the household income of those worker households, and finally to the affordability level of the housing needed by those worker households. The steps of the analysis are as follows:

1. Define a prototypical market-rate residential development.
2. Estimate the household income distribution of the households purchasing or renting these homes.
3. Estimate the disposable household income of those households.
4. Estimate the number of new full-time employees required to provide the goods and services purchased by these households.
5. Estimate the number of new households associated with this employment growth.
6. Estimate the income distribution of these new employee households.
7. Estimate the number of new households requiring affordable housing.

The number of low and moderate income housing units necessary to house the new households equals the performance requirement or build alternative for each prototype. The performance requirements that are equivalent to the maximum justifiable nexus fees, expressed as a percentage of total units in the prototype, are summarized in Table 22 for the housing prototypes by income level.

Table 22

**Estimated Affordable Housing Performance Requirements
Residential Prototypes**

Denver Affordable Housing Nexus and Inclusionary Housing Study

Prototype	Percent of Total Units in Prototype			
	Under 30% AMI	30% AMI to 60% AMI	60% AMI to 80% AMI	80% AMI to 120% AMI
Single-Family Infill	N/A	N/A	N/A	N/A
Owner Townhomes	3%	8%	3%	3%
12-Story Owner	2%	6%	2%	2%
5-Story Rental	1%	4%	1%	1%
20-Story Rental	2%	6%	2%	2%

EXHIBIT H

Neighborhood Outreach

Neighborhood Outreach Timeline

- March 9 – Virtual Zoom meeting – Old San Rafael neighborhood organization.
 - Introductory meeting for proposed rezoning.
- March 10 - Virtual Zoom meeting – the Heart of 5 points neighborhood association.
 - Introductory meeting
- May 4th - In person neighborhood walk through with Marty with the Old San Rafael neighborhood organization.
 - Building forms to include variation in roof pitches and design, the importance of front porches and stoops, alley loaded garages, detached sidewalk, and landscaping to replace the existing curb cuts and parking.
- June 8th - In person meeting with Old San Rafael neighborhood organization.
 - Share design concepts as a follow up to the neighborhood walking tour on May 4th and to discuss additional community outreach priorities to include direct mail to immediate neighbors.
- Proposed Rezoning Letter was mailed to immediate neighbors on July 1st.

We're continuing to work with the local RNOs in hopes of getting a letter of support for the rezoning and will update the application accordingly.



STARBOARD REALTY GROUP, LLC

@ Historic Evans School
1115 Acoma Street, Suite 107
Denver, Colorado 80204
720-441-3310

www.starboardrealtygroup.com
www.denverzoning.com

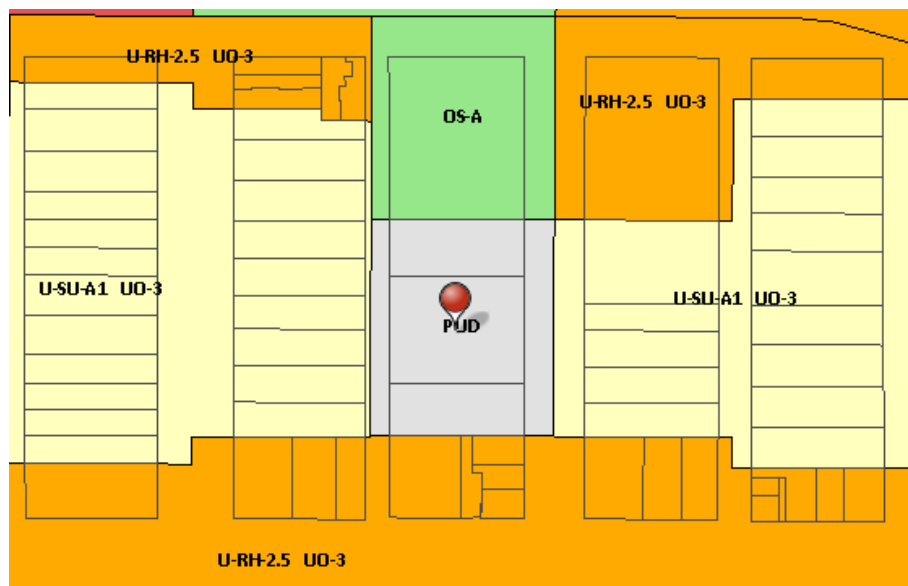
DATE: July 1, 2021
TO: Neighbors of the Taylor Mortuary at 2531 N Ogden Street
SUBJECT: Proposed rezoning at 2531 N Ogden Street

Dear San Rafael Neighbors,

We are contacting you to share information with you about a proposed rezoning of the old mortuary building on Ogden Street between 25th Ave and 26th Ave. The address is 2531 N Ogden Street in San Rafael. This building is currently zoned a PUD, a custom zoning. The Taylor Mortuary is moving its business. The current PUD zoning is tailored specifically to the needs of the mortuary and if left as is it would be difficult for any new occupant to utilize the building as the only allowed use in the current zoning is a mortuary.

The purpose of the rezoning is to redevelop the property to accommodate 8 single unit detached homes using the zone district that is identical to the surrounding properties. The proposed zone district is a residential zone district, which would match with what is found in the neighborhood. STARBOARD represents the homebuilder and current property owner who wish to rezone the property to U-SU-A1, UO-3.

The map below shows the current zoning in the area. The property is zoned a PUD (custom zoning for mortuary uses). Surrounding the property is U-SU-A1, UO-3 (a single unit residential zone district that only allows detached houses) and U-RH-2.5, UO-3 (a row home residential district) and OS-A (open space – park).



Highland Development (<https://highlanddevelopmentco.com>) plans to redevelop the property by building 8 single unit detached homes with alley loaded garages, front stoops / covered porches, and front yards with a detached sidewalk.



Key points:

- The proposed zone district is identical to the surrounding zoning, enabling only single unit detached homes to be built.
- Highland is not pursuing a denser/taller zone district.
- If left as is, the property will likely remain unoccupied/unutilized due to the specific nature of the current PUD. It will be a challenging for a new business to occupy and comply with only mortuary uses allowed in the current zoning.

Thank you and please feel free to contact me should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "BCO'Donnell".

Bruce C. O'Donnell

bodonnell@starboardrealtygroup.com

Address	Owner
---------	-------

GENSER,ROBERT B
 921 E 25TH AVE
 DENVER, CO 80205-5178
 KANE,GREGORY JR
 955 E 25TH AVE
 DENVER, CO 80205-5144

2503 N OGDEN ST
 DENVER, CO 80205-5154
 BRUNNER,SEAN M
 2505 N OGDEN ST
 DENVER, CO 80205-5154

2509 N OGDEN ST
 DENVER, CO 80205-5154
 SIMS,ROBERT
 1007 E 25TH AVE
 DENVER, CO 80205-5250

2516 N OGDEN ST
 DENVER, CO 80205-5155

2520 N OGDEN ST
 DENVER, CO 80205-5155

2528 N OGDEN ST
 DENVER, CO 80205-5155

2532 N OGDEN ST
 DENVER, CO 80205-5155
 DIVINE LOVE
 2536 N OGDEN ST
 DENVER, CO 80205-5155

2550 N OGDEN ST -2560
 DENVER, CO
 SITHAMPARAPILLAI,SARAH
 919 E 25TH AVE
 DENVER, CO 80205-5144
 BELLANDE,PETER L
 917 E 25TH AVE
 DENVER, CO 80205-5144

SMOOKLER,RON
 13828 CHENANGO DR
 AURORA, CO 80015-3905

SMOOKLER,TERESA C
 13828 CHENANGO DR
 AURORA, CO 80015-3905

2516 OGDEN ST LLC
 7995 E MISSISSIPPI AVE APT G6
 DENVER, CO 80247-2041
 LEWIS,JOEL STEPHEN & VIRGINIA
 2520 N OGDEN ST
 DENVER, CO 80205-5155
 BARRON,CHAD N
 2528 N OGDEN ST
 DENVER, CO 80205-5155
 TUELL,WILLIAM
 189 S DEARBORN CIR
 AURORA, CO 80012-1523

OLIVE TREE BUILDING LLC
 433 NORTH LOOP
 HOUSTON, TX 77008-2029

FIELER,CHRISTOPHER H
909 E 25TH AVE
DENVER, CO 80205-5144

MILLER,IAN M
2516 N EMERSON ST
DENVER, CO 80205-5153
TUBRIDY,CONNOR PATRICK
2520 N EMERSON ST
DENVER, CO 80205-5153

MORAN,ELEANOR ANNA
2524 N EMERSON ST
DENVER, CO 80205-5153

MOORE,CHARLOTTE K
2534 N EMERSON ST
DENVER, CO 80205-5153
CROUCH,CLAYTON W
2540 N EMERSON ST
DENVER, CO 80205-5153

2544 N EMERSON ST
DENVER, CO 80205-5171

HOLOWICKI,KELLY
2546 N EMERSON ST
DENVER, CO 80205-5153

TRESVANT,SHARRIE
2548 N EMERSON ST
DENVER, CO 80205-5153

BORKERT,ERIN M
2552 N EMERSON ST
DENVER, CO 80205-5153

MCPHILLIPS,ANDREW J
2562 N EMERSON ST
DENVER, CO 80205-5153

MCPHILLIPS,ANDREW J
2564 N EMERSON ST
DENVER, CO 80205-5153

SALERNO,ANGELA
2566 N EMERSON ST
DENVER, CO 80205-5153

CLOUSE,DANIEL WILLIAM
914 E 26TH AVE
DENVER, CO 80205-5149

MAES,DANIEL
916 E 26TH AVE
DENVER, CO 80205-5149

PITTO,SHEILA JOY
70 PENINSULA RD
BELVEDERE TIBURON, CA 94920-2326

Exhibit I
Reason for Rezoning Request

The purpose of this rezoning is to allow the development of single unit attached houses on the property. This is consistent with the surrounding neighborhood which is also zoned U-SU-A1. Single unit detached homes are not permitted in the current Chapter 59 PUD zoning.

In addition, U-SU-A1 is the only zone district that is supported by adopted plans and may be capable of getting community support. Since 2015 there have been five different rezoning attempts for this property, proposing to rezone it to G-MU-3, G-RH-3 and U-MX-3. These rezoning attempts were all abandoned due to lack of Plan and CPD support as well as RNO opposition; making U-SU-A1 by default the only possible Zone District to rezone to and single unit detached houses the only possible use.