

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	Armando Pagan	Representative Name	Armando Pagan
Address	4707 Pearl Street	Address	4707 Pearl Street
City, State, Zip	Denver, Co 80216	City, State, Zip	Denver, Co 80216
Telephone	303-330-4179	Telephone	303-330-4179
Email	armando.pagan@ygher.com	Email	armando.pagan@ygher.com
*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.		**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.	
Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	4365 N. Cherokee Street		
Assessor's Parcel Numbers:	160751430		
Area in Acres or Square Feet:	6105 Sq. Ft		
Current Zone District(s):	I-A, UO-2		
PROPOSAL			
Proposed Zone District:	C-RX 8		
Does the proposal comply with the minimum area requirements specified in DZC Sec. 12.4.10.3:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p>	<p><input checked="" type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.</p> <p>Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</p> <p><input checked="" type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input checked="" type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</p> <p><input checked="" type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area.</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>Please provide an attachment describing the justifying circumstance.</p> <p><input checked="" type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</p> <p>Please provide an attachment describing how the above criterion is met.</p>
REQUIRED ATTACHMENTS	
Please ensure the following required attachments are submitted with this application:	
<input checked="" type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format) <input type="checkbox"/> Proof of Ownership Document(s) <input checked="" type="checkbox"/> Review Criteria	
ADDITIONAL ATTACHMENTS	
Please identify any additional attachments provided with this application:	
<input type="checkbox"/> Written Authorization to Represent Property Owner(s)	
Please list any additional attachments:	



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

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

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Property owner representative written authorization? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	NO
<i>Armando Payan</i>	<i>4365 Cherokee Denver Colorado 80216 303-667-4506 armandopayan@yahoo.com</i>	<i>100%</i>	<i>[Signature]</i>	<i>5-16-2015</i>	<i>(A)</i>	<i>YES</i>

Last updated: February 4, 2015

Return completed form to rezoning@denvergov.org

311 | FOR INFORMATION & CITY SERVICES

201 W. Colfax Ave., Dept. 205
 Denver, CO 80202
 720-865-2974 • rezoning@denvergov.org

The South 5.00 feet of Lot 31 , and all of Lots 32 and 33, Block 1, Burlington, City and County of Denver , State of Colorado

①

WARRANTY DEED

THIS DEED, Made this 30th day of June, 2000,
between Elaine R. Lucero

of the City and County of Denver and State of Colorado
grantor, and Armando Payan

480

whose legal address is 4365 Cherokee Street, Denver, CO 80216

of the City and County of Denver and State of Colorado, grantee:

WITNESSETH, That the grantor, for and in consideration of the sum of FORTY EIGHT THOUSAND AND
NO/100

-----DOLLARS, (\$48,000.00)

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 City and County of Denver, and State of Colorado,
described as follows:

The South 5.00 feet of Lot 31, and all of Lots 32 and 33, Block 1, Burlington,
City and County of Denver, State of Colorado

also known by street and number as 4365 Cherokee Street, Denver, Colorado 80216

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and
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, his
heirs and assigns forever. And the grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain and
agree to and with the grantee, his heirs and assigns, that at the time of the ensembling and delivery of these presents, he is well
seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in
fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form
as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments,
encumbrances and restrictions of whatever kind or nature soever, except for taxes for the current year, a lien but not yet due or
payable, easements, restrictions, reservations, covenants and rights-of-way of record, if any.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession
of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.
The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.
IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

Elaine R. Lucero
Elaine R. Lucero

STATE OF COLORADO)
COUNTY OF DENVER) ss.

The foregoing instrument was acknowledged before me this 30th day of June, 2000 by
Elaine R. Lucero

My Commission Expires 4/10/2001
LISA CHAPPLE
NOTARY PUBLIC
STATE OF COLORADO

Witness my hand and official seal.
[Signature]
Notary Public
Lisa Chapple

TITLE AMERICA MR 13709C00



Real Property Records

Date last updated: Friday, May 15, 2015

Real Property Records Search

If you have a question about the value, ownership, or characteristics of this property, or any other property in Denver, please call the Assessor at 720-913-4162.

[Link to real property information for this property](#)

[Link to comparable sales information for this property](#)

[Link to chain of title information for this property](#)

[Link to property sales information for this neighborhood](#)

[Back to Property List](#)

[Link to property tax information for this property](#)

[Link to property sales information for all Denver neighborhoods](#)

[Link to map/historic district listing for this Property](#)

The property description shown is data from the Assessor's active, in-progress 2014 file. The "current year" values are from the 2014 tax year for real property tax due in 2015. These values are based on the property's physical status as of January 1, 2014.

PROPERTY INFORMATION

Property Type: RESIDENTIAL

Parcel: 0222305023000

Name and Address Information

Legal Description

PAYAN,ARMANDO
4365 CHEROKEE ST
DENVER, CO 80216-2624

S 5 FT L 31 ALL L 32 & 33 BLK
1 BURLINGTON

Property Address: 4365 CHEROKEE ST

Tax District: DENV

Assessment Information

	Actual	Assessed	Exempt	Taxable
Current Year				
Land	42700	3400		
Improvements	56000	4460		
Total	98700	7860	0	7860
Prior Year				
Land	42700	3400		
Improvements	24900	1980		
Total	67600	5380	0	5380

Style: One Story

Reception No.: 0000102017

Year Built: 1924

Recording Date: 07/19/00

Building Sqr. Foot: 441

Document Type: Warranty

Bedrooms: 1

Sale Price: 48000

Baths Full/1/2: 1/0

Mill Levy: 83.054

Basement/Finished: 240/0

Lot Size: 6,105

[Click here for current zoning](#)

Zoning Used for Valuation: IA

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



REVIEW CRITERIA ATTACHMENT

Zone Amendment Application

4365 N CHEROKEE ST

This zoning amendment application is for a parcel of land at 4365 N Cherokee Street. I am applying for a change of the current I-A UO-2 zoning to C-RX 8. I do so in accordance with Blueprint Denver, the Globeville Neighborhood Plan and the 41st and Fox Station Area Plan.

CONSISTENCY WITH ADOPTED PLANS

Relevant Adopted Plans

The proposed rezoning from I-A UO-2 to C-RX 8 is consistent with the city's vision for the neighborhood and supported by all relevant adopted plans including Blueprint Denver, the 41st & Fox Station Area Plan and the Globeville Neighborhood Plan.

Area of Change

BLUEPRINT DENVER

Blueprint Denver is an addition to the Comprehensive Plan and defines areas of change and areas of stability. While areas of stability are meant to preserve the existing zoning and character, areas of change are meant to be transformed because they will benefit through an infusion of population, economic activity and investment. My property is located within such an area of change and will benefit immensely from the rezoning.

Blueprint Denver also recommends to direct growth and change specifically to the areas surrounding rapid transit stations where expanded transportation choices are available.

My property is located within the half mile radius area for the 41st & Fox Station.

The future intended character for the area where my property is located is "Urban Residential". This character is defined in Blueprint Denver as primarily residential with a higher density that may also include a noteworthy number of complementary commercial uses. New housing is envisioned to be in mid to high-rise structures.

The proposed rezoning to Residential Mixed Use character (C-RX 8) supports the envisioned change and the intention to direct development primarily to areas close to rapid transit. It also meets the envisioned character with its mid-rise 8 stories residential structure and the potential for supplementing commercial uses on the ground floor.

Urban Residential 2-8 Stories

41ST & FOX STATION AREA PLAN

"The 41st and Fox Station will develop over the coming decades into the focal point of a diverse, transit supportive and environmentally sustainable urban center. Many new residents and businesses will be drawn to the convenient location close to Downtown near some of Denver's most vibrant urban neighborhoods" (41st and Fox Station Area Plan). This vision laid out in the Station Area plans describes the area as an urban center, just as we propose. It also emphasizes the mixed-use character of the station area.

The block where my property is located is envisioned as Urban residential, 2-8 stories. "These areas are intended as new, moderate density neighborhoods. On the east side of the tracks, this moderate-density residential will provide a range of housing types that help support the pedestrian shopping district and employment base. New parks and plazas on the east side will provide needed relaxation and breathing space for new residents and help to increase the values of nearby residential buildings." Furthermore the activation of the public space and improvements to the pedestrian connection on 44th are mentioned in the station area plan. With the C-RX 8 zoning in place, new buildings will have to be built up to the property line with significant openings towards the street, activating the public space and enhancing safety. Parking will no longer be possible between the structure and the street, instead there will be space for an enhanced sidewalk and bike lane. With the current industrial zoning, parking is located between the building and the street, creating a car dominated environment. The required setbacks do further take away from the intended activation of the public space. There are no standards for the facade and the allowed industrial uses are contrary to the envisioned residential character for the area. In contrast to the current I-A zoning, the proposed C-RX 8 Urban Residential zoning meets the character, density and uses described in the Station Area plan and allows for the envisioned positive development in the area.

Urban Residential Improvement of 44th Ave

GLOBEVILLE NEIGHBORHOOD PLAN

The Globeville Neighborhood plan was just recently adopted and confirms the vision for the neighborhood as laid out in the 41st and Fox Station Area Plan. It suggests further improvements to 44th Avenue to enhance the connectivity between the new station and the areas East of I-25. Globeville residents were very engaged in the drafting of the plan; the adoption of it proves that the neighborhood supports the goal of changing this area into a medium density urban residential area and to locate improvements along 44th Avenue, and adjacent to the subject property.

UNIFORMITY OF DISTRICT REGULATIONS AND RESTRICTIONS

The rezoning is in the public interest, especially now with a shortage of housing options and 41st Fox Street Station with multi-modal access coming soon to this neighborhood. I believe in supporting the City and County of Denver's new Vision and the Neighborhood's new vision as well. Again the Proposed rezoning will result in the uniform application of Zone district building form, use, and design regulations.

PUBLIC HEALTH, SAFETY AND GENERAL WELFARE

The proposed official map amendment furthers the public health through implementation of the City's adopted land Use plans including Blueprint Denver, the Globeville Neighborhood Plan and the 41st Fox Street Station Area Plan.

JUSTIFYING CIRCUMSTANCES

Need for Rezoning

The property is located in a designated area of change and the current zoning no longer reflects the City's vision for this neighborhood. The rezoning is in the public interest, especially now with a shortage of housing options and 41st & Fox Station with its multi-modal access coming soon to this neighborhood. I myself have been a long time resident and activist in the Globeville neighborhood and I am continuously working to improve the neighborhood. With the property on Cherokee in my possession I am now able to actively work on improving the built environment in my neighborhood. I have also reached out to council members and neighborhood organizations to garner support for this rezoning.

I am therefore requesting this rezoning to encourage future development of the site and the neighborhood as a whole, supporting the City's and the neighborhood's vision for the area and bringing the property to its full potential.

CONSISTENCY WITH APPLICABLE NEIGHBORHOOD CONTEXT

Envisioned C-RX-8 Zoning

The envisioned neighborhood context is Urban Center, which is consistent with the City's vision for the denser and more urban eastern part of the 41st & Fox Station Area where my property is located. C-RX-8 applies to residentially-dominated areas served primarily by collector or arterial streets and my site is located on 44th, a collector which is also designated as a priority street for pedestrian/bike connections.

The Residential Mixed Use Zone District I am proposing is intended to promote a safe, pedestrian scaled and diverse environment. The rezoning will allow for primarily residential uses, with commercial as a possible additional use on the ground floor. This mix of uses, as well as the maximum height of 8 stories is - again - consistent with the "Urban Residential" vision for this block as shown in the Station Area and the Globeville Neighborhood Plan.