

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	Slawomir & Beata Pietraszek	Representative Name	Howard Kent - CDFM Archiotectural
Address	2635 White Rock Lane	Address	1110 East 17th Avenue
City, State, Zip	Colorado Springs, CO 80904	City, State, Zip	Denver, CO 80218
Telephone	719 459 7928	Telephone	303 355 2302
Email	slawek@newvisionhotels.com	Email	Howard@CDFMArch.com
<p>*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.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p>	
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):	270 South Madison Street, Denver, CO 80209 Lot 17 & 18 Block 41 Burlington Capitol Hill Addition, City & County of Denver, State of Colorado +		
Assessor's Parcel Numbers:	0512527009000		
Area in Acres or Square Feet:	6,250		
Current Zone District(s):	PUD 624 in G-RH-3 District		
PROPOSAL			
Proposed Zone District:	G-RH-3		
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>
	<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:

- Legal Description (required to be attached in Microsoft Word document format)
- Proof of Ownership Document(s)
- Review Criteria

ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- Written Authorization to Represent Property Owner(s)

Please list any additional attachments:

270 S Madison Legal Description.doc 270 S Madison Warranty Deed.pdf 270 S Madison Prop Transfer Declaration.pdf
 270 S Madison Review Criteria.pdf 270 S Madison Owner Authorization to Represent.pdf
 Rezoning_(270 S Madison) Application-3.pdf 270 S Madison Review Fee Waiver.pdf

REZONING GUIDE

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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>Slawomir P. Przaszek</i> <i>Beata Przaszek</i>	<i>270 S. Madison</i> <i>Denver, CO</i> <i>80209</i>	<i>100%</i>	<i>[Signature]</i> <i>Beata Przaszek</i>	<i>03/09/15</i>	<i>Warranty Deed</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

May 4th, 2015

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Subject Property Current Conditions: 270 South Madison Street – West View

PROPOSED REZONING SUMMARY

The request for rezoning of the property is made with careful consideration of the neighborhood in which the property resides, Cherry Creek East. The existing PUD 624 was established in 2008 for a new Duplex on the site and was designed in 2006 & 7, but not constructed. The single family residence built in the 1950's is still on the site and vacant. The appearance and configuration of the design does not meet today's marketing requirements and the new Owner also wishes to live in one half of the proposed Duplex.

Since the 2008 zoning change, residential projects on nearby sites have pursued individual zone changes and have subsequently commenced construction. In 2010, City Council approved and establishing a revised Zoning Code. This application is prepared on behalf of the property owner who wishes to "opt-in" to the adopted zoning for the area zoning in order to bring these parcels in line with current city zoning principles. Blueprint Denver (2002) identified this site and area as an Area of Change.

The new form-based zoning code (2010), which introduced a series of context and form-based zone districts, including G-RH-3, which is most appropriate to this area and site. The requested zone classification, G-RH-3, is a multi-unit district allowing Urban House, Detached Acc. Dwelling Unit., Duplex, Garden Court and Row House building forms. The tallest building form has a maximum height of three stories. The amendment is being requested in response to the changed and changing market conditions in the Cherry Creek East neighborhood since the property was last reviewed. Recently, the City updated the Cherry Creek Area Plan (2012) and included recommended building heights/maximums, which identified this site as appropriate for 3 story zoning.

The proposed official map amendment of the project per the G-RH-3 zoning is consistent with the City's adopted plans including the Denver Comprehensive Plan 2000, Blueprint Denver, and the Cherry Creek Area Plan. The proposed Townhouse style Duplex is consistent other uses in the area and with the Neighborhood Context. The G-RH-3 zoning would be a minor down-zone from the density currently allowed in PUD 624 and would be identical to neighboring properties currently zoned G-RH-3.

Additionally, the City encourages owners of old PUDs to consider rezoning into standard zone districts, when appropriate and supported by adopted plans, in order to help unify district regulations. The request to rezone the property to G-RH-3 is in line with these policy goals. Therefore, the G-RH-3 zone map amendment accomplishes the owner's goal of undertaking an improvement to the property and the map amendment also better implements the City's adopted plans and policies. Abandoning the design as required in the PUD allows the opportunity for a new design that is reflective of today's design standards

GENERAL REVIEW CRITERIA

The proposed map amendment is consistent with the City's five review criteria and all adopted plans. The attachments that follow addresses each of the 5 review criteria in further detail

- 1) Consistency with Adopted Plans
 - a. Denver Comprehensive Plan 2000
 - b. Blueprint Denver
 - c. Cherry Creek Area Plan
- 2) Uniformity of District Regulations
- 3) Public Health, Safety and General Welfare
- 4) Description of Justifying Circumstances
- 5) Consistency with Neighborhood Context

CRITERIA 1: Consistency with Adopted Plans

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.

CRITERIA 1a: Denver Comprehensive Plan 2000

The Denver Comprehensive Plan 2000 provides many supporting elements to this rezoning application. The text following are excerpts from the Plan used to detail how the proposed map amendment is consistent with the goals of the Denver Comprehensive Plan 2000.

Variety in housing ■ A strong economy and a rebirth of interest in Denver urban life have created an upward spiral in housing costs, for both home buyers and renters. Some Denver neighborhoods that have long prized the economic diversity within their communities are now threatened with market conditions that could force lower- and middle-income residents and growing families to leave. To encourage a healthy mix of diversity in Denver, the City must try to ensure housing opportunities in a range of types and prices throughout the city. Housing policies must address the needs of people of diverse incomes, household sizes, ages and lifestyles. Adequacy and variety of housing close to work also protect the environment by reducing driving.

Source: Denver Comprehensive Plan 2000 page 13

Emergence of Cherry Creek ■ A new Cherry Creek Shopping Center opened in 1990 and expanded in 1998, replacing its 1956 predecessor. The areas in and around Cherry Creek have blossomed with reinvestment in retail, office and many types of housing.

Source: Denver Comprehensive Plan 2000 page 49

Objective 1 ■ **Citywide Land Use and Transportation Plan Strategies 1-H** Encourage development of housing that meets the increasingly diverse needs of Denver's present and future residents in the Citywide Land Use and Transportation Plan.

Source: Denver Comprehensive Plan 2000 page 58

Neighborhood character ■ The increasing need for a broader array of

housing options requires a more diverse mix of residential types that are both affordable and complementary to neighborhood character.

Source: Denver Comprehensive Plan 2000 page 92

Neighborhoods ■ Throughout the city, residents are very protective of the quality of life in their neighborhoods, which accounts both for the pride that is everywhere evident and for the occasional tensions when change occurs. But change and population growth are inevitable. The life of a city is cyclical. Downtown living seems a novel idea today, but before World War II, Downtown was a neighborhood for tens of thousands of people. The east Cherry Creek neighborhood, formerly solidly modest, middle-income frame homes, is rapidly transforming to upper-income townhouse and condominium residences.

Source: Denver Comprehensive Plan 2000 page 141

CRITERIA 1b: Blueprint Denver

Blueprint Denver provides supporting elements to this rezoning application. The text following are excerpts from the Blueprint used to detail how the proposed map amendment is consistent with the goals of Blueprint Denver. The proposed official map amendment is consistent with the City's adopted plans as follows: In the Blueprint Denver (2002) the East Cherry Creek area was originally designated as an Area of Change but was reevaluated in a Small Area Plan and designated as an Area of Stability with Urban Residential in 2012.

Urban Residential

Urban residential neighborhoods are higher density and primarily residential but may include a noteworthy number of complementary commercial uses. New housing tends to be in mid- to high-rise structures, and there is a greater housing base than employment base. A mixture of housing types is present, including historic single-family houses, townhouses, small multi-family apartments and sometimes high-rise residential structures. Capitol Hill, Cheesman Park, Riverfront Park in the Central Platte Valley and Cherry Creek East are good examples of urban residential areas.

Source: Blueprint Denver page 41

Single Family/Duplex Residential

Single family duplex residential areas are moderately dense areas that are primarily residential but with some complementary, small-scale commercial uses. However, the employment-base is minor compared to the housing base. There is a mixture of housing types, including single-family houses, duplexes, townhouses and small apartment buildings. Typically densities are between 10 and 20 housing units per acre area-wide, and single family detached structures often predominate. Many historic neighborhoods contain this combination of housing types including City Park West, Alamo Placita and portions of West Washington Park. Newer neighborhoods such as Cherry Creek typically have townhouses and duplexes.

Source: Blueprint Denver page 42

Areas of Stability

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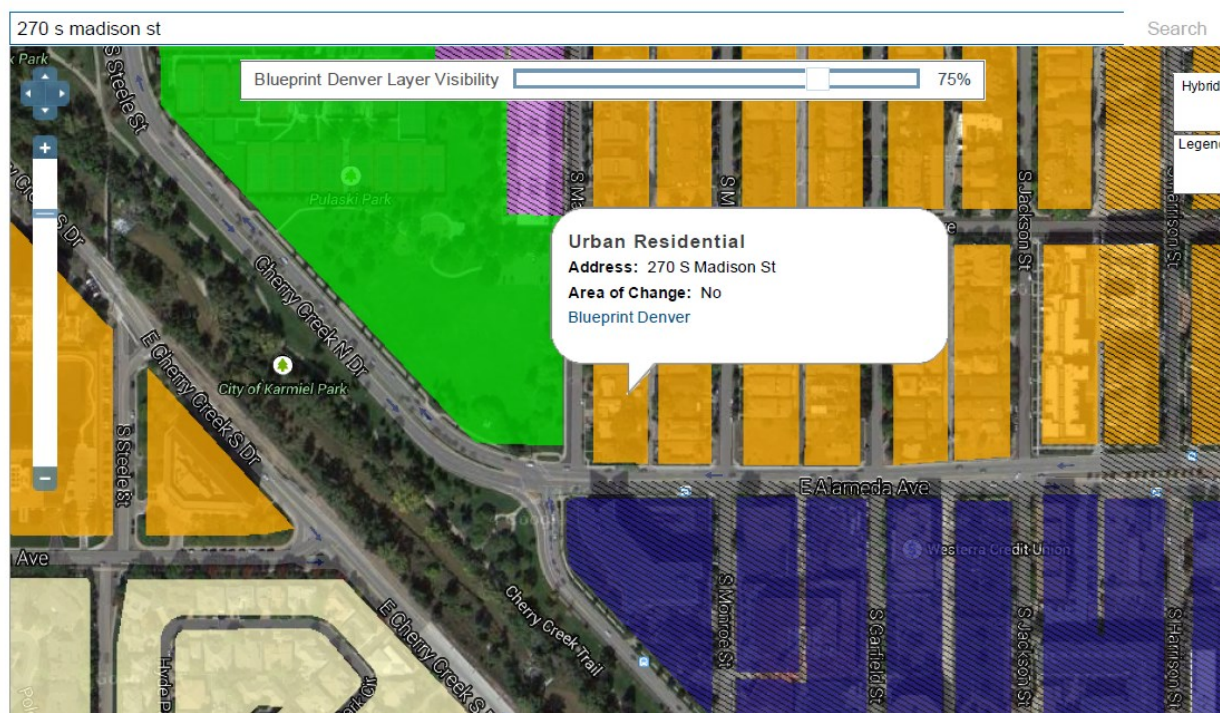
Areas of stability include the stable residential neighborhoods where no significant changes in land use are expected over the next twenty years. The goal is to maintain the character of these areas and accommodate some new development and redevelopment that maintains the vitality of the area.

Areas of Stability include the vast majority of Denver, primarily the stable residential neighborhoods and their associated commercial areas, where limited change is expected during the next 20 years. The goal for the Areas of Stability is to identify and maintain the character of an area while accommodating some new development and redevelopment.

Source: Blueprint Denver page 120

Blueprint Denver

Blueprint Denver Concept Land Use and Area of Change.



Source: Blueprint Denver

CRITERIA 1c: Cherry Creek Area Plan

The Cherry Creek Area Plan (2012) provides numerous supporting elements to this rezoning application. The text following are excerpts from the Cherry Creek Area Plan used to detail how the proposed map amendment is consistent with the goals of the Plan.

B.1.A AREAS OF STABILITY

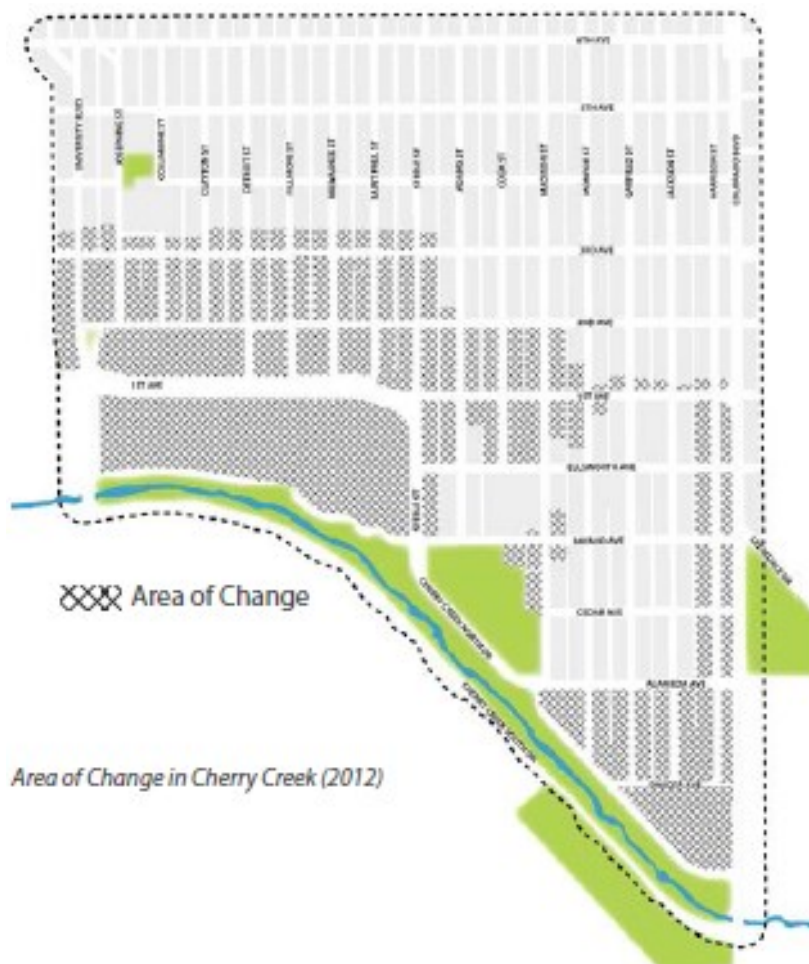
Most of Denver's neighborhoods were identified as Areas of Stability with a primary goal to maintain the cherished characteristics of these neighborhoods. In 2002 Blueprint Denver designated the entire Cherry Creek Area as an Area of Change. Since then, CCN and CCE have transformed from primarily single family neighborhoods with post-World War II era cottage style houses to upscale neighborhoods with a greater mix of housing types including duplexes,

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row houses and apartment and condominium buildings, as well as single family houses. These neighborhoods have stabilized with this new identity over the last decade. They are now characterized by a high quality and diverse housing stock and an enhanced pedestrian environment that equates to a high quality of life for Cherry Creek residents. Overarching recommendations for Areas of Stability include:

- Adjust the Blueprint Denver Areas of Change map to reflect that much of Cherry Creek North and Cherry Creek East neighborhoods are now Areas of Stability.
- Maintain a mix of low scale residential building forms such as single family, duplex, row house and accessory dwelling units; low scale multi-unit buildings are also appropriate in Cherry Creek East, east of Madison.
- Infill development should reinforce pedestrian friendly qualities of existing development patterns including entry features facing the street, moderate setbacks, vehicle parking and access located off the alley, and detached sidewalks with tree lawns.

Source: Cherry Creek East Plan page 28



Updated Area of Change from 2012 BPD to Ar2a of Stability CC Area Plan

Source: Cherry Creek East Plan page 29

B.4.A RESPECT THE EXISTING CHARACTER OF STABLE RESIDENTIAL NEIGHBORHOODS.

Cherry Creek is known for the series of great neighborhoods within and surrounding its boundaries. Cherry Creek North Neighborhood and Cherry Creek East include variety of architectural styles and housing types that contribute to the character, quality of life, and diversity of housing choices within the area. These neighborhoods also include shopping choices outside of the Shopping District which are embedded into the neighborhood fabric and provide a prime location for neighborhood gatherings. The choices and varieties of residential, commercial and social opportunities within these residential areas are exactly what define them as great neighborhoods. Continued reinvestment in these areas should reinforce the quality and scale of development that currently exists. Regardless of use, new development should enhance the residential character of these neighborhoods including contributing to the mix of housing types, improving the embedded commercial uses, landscaped block-sensitive setbacks, detached sidewalks, tree lawns, alley access to structures, limited curb cuts and street-facing entries.

Source: Cherry Creek East Plan page 34

D.1.B MORE HOUSING

Residential uses contribute significantly to the vitality of the area. While Cherry Creek North and East continue to experience infill development, the greatest potential for new residential is as a part of mixed-use development in the Shopping District and on vacant parcels in the Cherry Creek Triangle. All of this housing will continue to reinforce the range of housing types already found in the Cherry Creek Area—single family, duplexes, row houses, and condo and apartment towers. Where appropriate, this housing will include retail, office or hotel uses to further the mixed-use character of the area. The area has proven to be very attractive to residential development, so plan recommendations focus on enhancing amenities and removing public policy impediments.

Source: Cherry Creek East Plan page 46

Subarea Strategies

The success of the Cherry Creek Area depends on the health of its individual subareas and surrounding neighborhoods. Maintaining the distinct identity of each district while balancing transitions and improving connections between them in a manner that enhances character, quality, prosperity and livability has always been a key goal in Cherry Creek. This Plan acknowledges four distinct subareas within Cherry Creek.

- **Cherry Creek East** - a highly desirable moderate density residential neighborhood that also includes a high density office and residential district on its western edge

Source: Cherry Creek East Plan page 55

Cherry Creek East

Madison Street serves to define two character areas: east of Madison Street is low-to medium scale residential and west is a mid- to high-rise mixed-use area. Similar to the Cherry Creek North neighborhood, the eastern part of Cherry Creek East has seen much redevelopment over the last two decades. As a result, small cottage style houses have been replaced with duplexes, row houses, large single family homes, accessory dwelling units and multi-family structures.

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Building heights typically range from 1-3 stories, with some 4-5 story buildings along 1st Avenue and Alameda Avenue.

The urban form in Cherry Creek East creates a walkable environment. Detached sidewalks, tree lawns and on-street parking as well as block-sensitive setbacks, alley access to structures, limited curb cuts and street-facing building entry features create a comfortable pedestrian realm. The majority of the area has PUD or Denver Zoning Code G-RH-3 zoning. Recent development has resulted in a mix of housing types and an urban form that enhances the character of the neighborhood.

Source: Cherry Creek East Plan page 70

CHERRY CREEK EAST SUBAREA RECOMMENDATIONS

Rezone PUDs. As opportunities arise with new development or property owner interest, property owners and neighborhood representatives will work together with the City to determine an appropriate Denver Zoning Code district that serves to implement this plan.

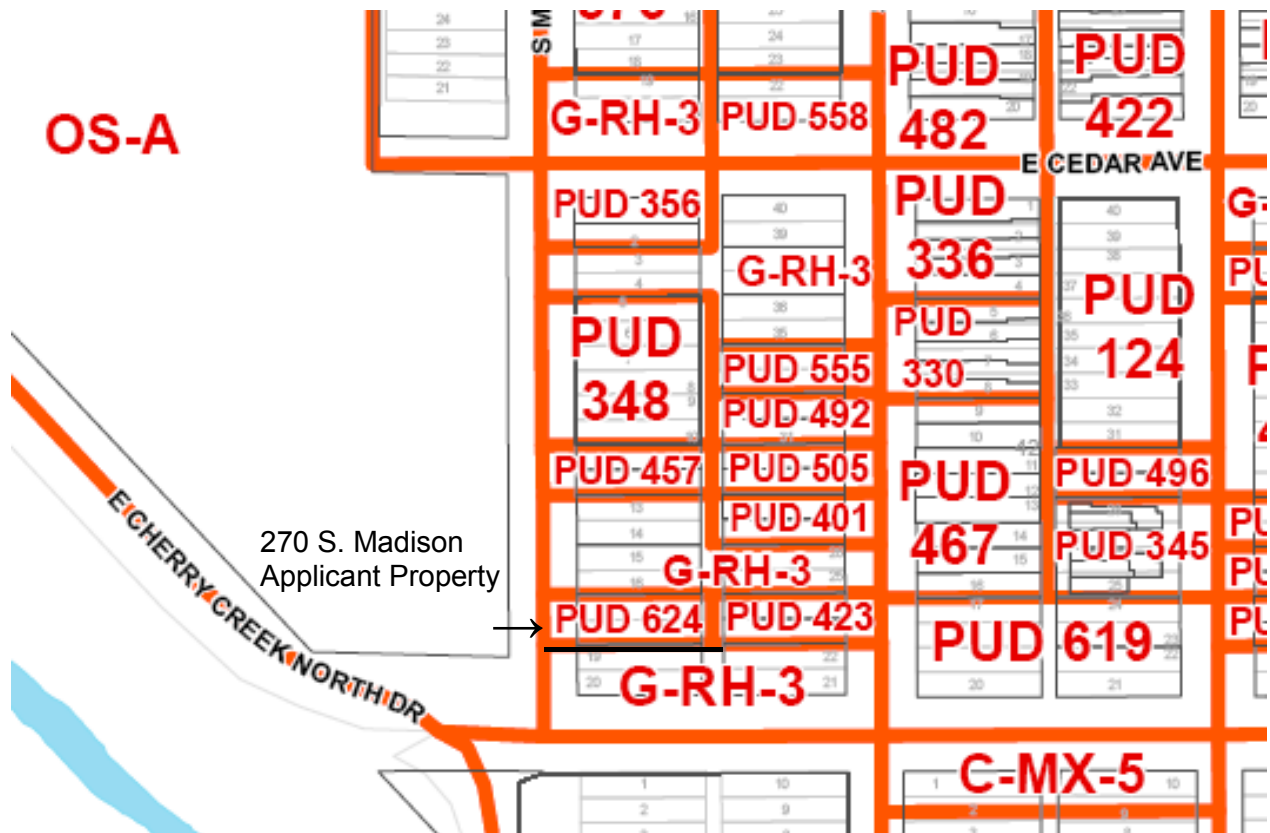
Source: Cherry Creek East Plan page 72

CRITERIA 2: Uniformity of District Regulations and Restrictions

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.

The proposed official map amendment would result in regulations and restrictions that are consistent with surrounding G-RH-3 designations. In fact, the properties to the North and South are zoned G-RH-3. The properties to the East is zoned PUD 423 and is a newly constructed duplex residence. The property across the street to the west, is Pulaski Park zoned OS-A. The map amendment of G-RH-3 will promote uniformity of district regulations in the area/neighborhood.

The proposed official map amendment would result in regulations and restrictions that are consistent with surrounding designations. See Zoning Map of the Surrounding Area below.



Denver Zoning Map Source: City of Denver

CRITERIA 3: Public Health, Safety and General Welfare

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

The proposed official map amendment would allow the redevelopment of buildings that have reached their service life and no longer meet the needs of ownership and the community. The proposed zone map amendment facilitates a much-needed improvement to the condition and quality of the structures on the property.

The 2008 PUD (PUD 624) map amendment does not require detached sidewalks and tree lawns. Rezoning to the G-RH-3 zone district would then require the addition detached sidewalks and tree lawns of for areas such as this. Given the need for a diversity of housing options and desire for properties to continue to reinvest in themselves, the proposed map amendment is reasonable for the promotion of the health, safety, and general welfare of neighborhood and city residents.

The proper use of residential zoning for properties like the applicant property encourage the variety of uses within Cherry Creek that continue to make it a safe, walkable, and sought-after community to live in.



Former character - Cherry Creek North and Cherry Creek East neighborhoods were characterized by small one tory cottage style houses with deep setbacks. Sidewalks were narrow and attached to the street.

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Addendum & Exhibits



New character - Cherry Creek's residential neighborhoods consist of variety of housing types, with large units and 2-3 story buildings. Setbacks are shallow and landscaped. New sidewalks are wider and detached from the street to form an attractive tree lawn.

Source: Cherry Creek Area Plan | Framework Plan

Aging undeveloped PUDs. There are nearly 100 individually adopted PUDs in Cherry Creek East and some of these properties have not been developed. Because PUD zoning typically does not provide the flexibility needed to react to the changing real estate market and updating a PUD entails a lengthy rezoning process, these unbuilt PUD projects create uncertainty for the owner and community.

Source: Cherry Creek Area Plan | Subarea Strategies



CRITERIA 4: DESCRIPTION OF JUSTIFYING CIRCUMSTANCES

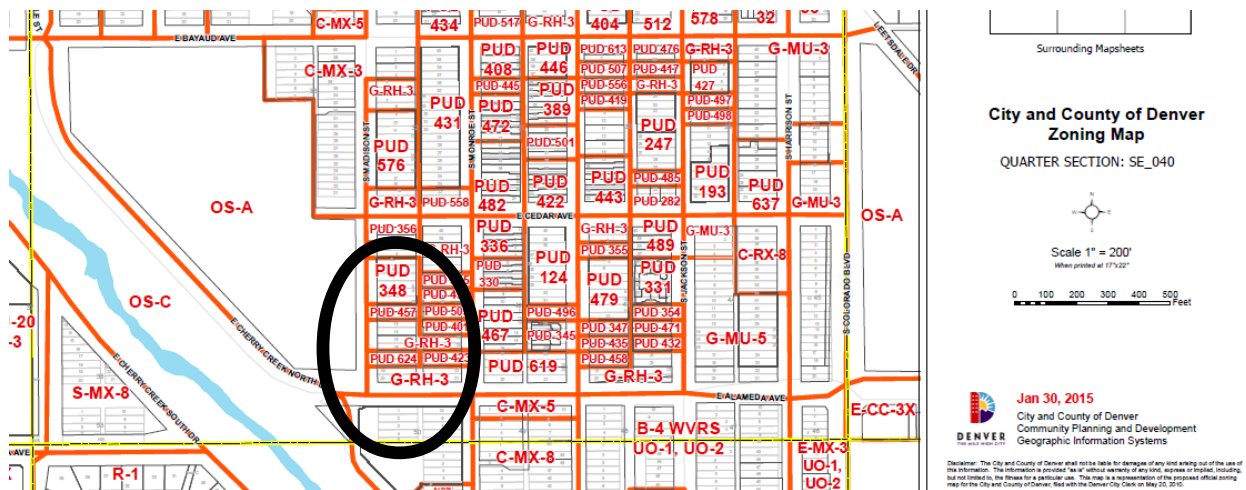
The land or its surroundings has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area.

- The Cherry Creek Area has changed since the 2008 PUD (PUD 624) map amendment. The City also adopted a new, context-based zoning code in 2010, which introduced G-RH-3 as an appropriate zone district for areas such as this. Given the need for a diversity of housing options and desire for properties to continue to reinvest in themselves, the proposed map amendment is reasonable for the promotion of the health, safety, and general welfare of neighborhood and city residents.
- Recent infill / redevelopment of residences on Madison and nearby streets are three story, residential duplex and multi-family buildings.
- The existing PUD zoning on the subject property designates a home connected to the Garage with a minimal rear/side courtyard and shallow setbacks for the sides and front. While these were an acceptable coverage in the past, they are not in keeping with current Owner’s design desires today. The existing PUD design initiated in 2006/7 is somewhat “Suburban” and a new design that is reflective of today’s design standards is requested.

Rezoning of the site to G-RH-3 zoning area reduces the built form of the end project as follows:

	Existing PUD	Proposed G-RH-3
Reduces site coverage	3,651 SF (58.44%)	3,125 SF (50%)
Reduces building area above grade	House 5,799 SF Garage 924 SF	House 5,400 SF max. Garage 960 SF max.
Reduces building height	35’0”	30’0” max.
Increases building setbacks - Front	14’3”	20’0”
Side	House 4’0” Garage 4’0”	House 5’0” Garage 5’0”
Rear	House 19’0” Garage 8’0” min .	House 43’9” min. Garage 8’0” min.

We believe that this actually crates a better living environment. In particular having a detached garage with a back yard versus the PUD’s attached garage with rear court plus a larger front yard facing the park; address Colorado’s great outdoor living opportunities.



Denver Zoning Map Source: City of Denver

CRITERIA 5: CONSISTENCY WITH NEIGHBORHOOD CONTEXT

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.

The proposed official map amendment is consistent with the applicable neighborhood context. The character of the Cherry Creek neighborhood is diverse and includes a wide variety of commercial, hotel, office, single-family residential, and multi-family residential uses. Specifically, the subarea of Cherry Creek East (CCE) supports a mix of residential and office uses and some of the highest residential and employment densities in all of Cherry Creek, as well as the greatest diversity of housing. Cherry Creek East is defined as the area directly east of Cherry Creek Mall, and is bordered by Steele Street, Cherry Creek North Drive, Alameda Avenue, Colorado Boulevard and 1st Avenue.

The properties directly south of First Avenue and West of Madison have almost all been updated in the new code as Urban Neighborhood Residential, predominately G-RH-3. This map amendment would bring 270 South Madison in line with that zoning. Directly to the west of the property is Pulaski Park. The proposed official map amendment is also consistent with the intent of the proposed Zone District. The intent of the General Urban Neighborhood Residential districts is as follows:

Section 6.2.2 RESIDENTIAL DISTRICTS (G-RH-3, G-MU-3 TO -20, G-RO-3, G-RO-5)

6.2.2.1 General Purpose

- A. The intent of the Residential districts is to promote and protect higher density residential neighborhoods within the character of the General Urban Neighborhood Context. These regulations allow for multi-unit districts with a variety of residential building forms.
- B. The building form standards, design standards, and uses work together to promote safe, active, pedestrian scaled residential areas. The standards accommodate the pattern of urban house, duplex, row house, garden court, courtyard apartment and apartment. Buildings orient to the street and access is from the alley. Lot coverage is typically high accommodating a consistent, shallow front yard.
- C. These standards recognize the variation within the General Urban Neighborhood Context and provide eight Residential Zone Districts. The lowest-scale districts with a maximum height of three stories provide a transition to Urban and Urban Edge Neighborhood Contexts. The highest-scale districts with a maximum height of 12 and 20 stories promote a dense, urban residential character where appropriate. The Residential Office (RO) districts provide opportunities for residential and offices uses in low to moderate scale residential building forms.
- D. The regulations provide certainty to property owners, developers, and neighborhoods about the limits of what is allowed in a residentially-zoned area. These regulations reinforce desired patterns in existing neighborhoods and create standards for new neighborhoods.

Specifically, under Denver Zoning Code, G-RH-3, is a multi-unit district allowing Urban House, Detached Acc. Dwelling Unit., Duplex, Garden Court and Row House building forms. The tallest building form has a maximum height of three stories. The proposed official map amendment is consistent with the intent of the proposed Zone District.

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Future land use map - Cherry Creek East neighborhood

- Regional Center
- Town Center
- Urban Residential
- Other subareas



Maximum building height map - Cherry Creek East neighborhood

- 12 Stories
- 8 Stories
- 5 Stories
- 3 Stories
- Other subareas

Future land use map - Cherry Creek East neighborhood
 Source: Cherry Creek Area Plan | Subarea Strategies

END GENERAL REVIEW CRITERIA

■ CDFM Architectural ■ 1110 East 17th Avenue ■ Denver, Colorado 80218 ■ 303 355-2302

Re: Rezoning Application Required Attachment - Legal Description:

270 (& 272) South Madison Street, Denver, CO 80209

Lot 17 & 18 Block 41 Burlington Capitol Hill Addition,
City & County of Denver,
State of Colorado

Howard M. Kent Architect

■■■■■■■ *Appropriate Technology for Building Design Construction and Facility Management* ■■■■■■■■
Fax: 303 355-9023 E-mail: admin@CDFMArch.com

May 4th, 2015



State Documentary Fee
 Date: March 05, 2015
 \$ 60.00

Warranty Deed
 (Pursuant to 38-30-113 C.R.S.)

THIS DEED, made on **March 05, 2015** by **DEFNET PROPERTIES LLC, A COLORADO LIMITED LIABILITY COMPANY** Grantor(s), of the County of **SANTA BARBARA** and State of **CALIFORNIA** for the consideration of **(\$600,000.00) *** Six Hundred Thousand and 00/100 ***** dollars in hand paid, hereby sells and conveys to **SLAWOMIR PIETRASZEK AND BEATA PIETRASZEK** Grantee(s), as Joint Tenants, whose street address is **2635 WHITE ROCK LANE COLORADO SPRINGS, CO 80904**, County of **EL PASO**, and State of **COLORADO**, the following real property in the **CITY AND** County of **Denver**, and State of Colorado, to wit:

LOTS 17 AND 18, BLOCK 41, BURLINGTON CAPITOL HILL ADDITION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

also known by street and number as: **270 SOUTH MADISON STREET DENVER CO 80209**

with all its appurtenances and warrants the title to the same, subject to *general taxes for the year 2015 and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantee(s) in accordance with Record Title Matters (Section 8.1) of the Contract to Buy and Sell Real Estate relating to the above described real property; distribution utility easements, (including cable TV); those specifically described rights of third parties not shown by the public records of which Grantee(s) has actual knowledge and which were accepted by Grantee(s) in accordance with Off-Record Title Matters (Section 8.2) and Current Survey Review (Section 9) of the Contract to Buy and Sell Real Estate relating to the above described real property; inclusions of the Property within any special tax district; and other NONE*

Bruce K. Defnet

 DEFNET PROPERTIES LLC, A COLORADO LIMITED LIABILITY COMPANY BY BRUCE K. DEFNET, MANAGER

KELLEY HANLON-THORPE
NOTARY PUBLIC
STATE OF COLORADO
 NOTARY ID 19994002425
 My Commission Expires February 9, 2019

State of *Colorado*)
) ss.
 County of *Denver*)

The foregoing instrument was acknowledged before me on this day of **March 05, 2015** by **BRUCE K. DEFNET AS MANAGER FOR DEFNET PROPERTIES LLC, A COLORADO LIMITED LIABILITY COMPANY**

[Signature]

 Notary Public
 My commission expires 2.9.19

When Recorded Return to: **SLAWOMIR PIETRASZEK AND BEATA PIETRASZEK**
2635 WHITE ROCK LANE COLORADO SPRINGS, CO 80904





REAL PROPERTY TRANSFER DECLARATION - (TD-1000)

GENERAL INFORMATION

Purpose: The Real Property Transfer Declaration provides essential information to the county assessor to help ensure fair and uniform assessments for all property for property tax purposes. Refer to 39-14-102(4), Colorado Revised Statutes (C.R.S.).

Requirements: All conveyance documents (deeds) subject to the documentary fee submitted to the county clerk and recorder for recordation must be accompanied by a Real Property Transfer Declaration. This declaration must be completed and signed by the grantor (seller) or grantee (buyer). Refer to 39-14-102(1)(a), C.R.S.

Penalty for Noncompliance: Whenever a Real Property Transfer Declaration does not accompany the deed, the clerk and recorder notifies the county assessor who will send a notice to the buyer requesting that the declaration be returned within thirty days after the notice is mailed.

If the completed Real Property Transfer Declaration is not returned to the county assessor within the 30 days of notice, the assessor may impose a penalty of \$25.00 or .025% (.00025) of the sales price, whichever is greater. This penalty may be imposed for any subsequent year that the buyer fails to submit the declaration until the property is sold. Refer to 39-14-102(1)(b), C.R.S.

Confidentiality: The assessor is required to make the Real Property Transfer Declaration available for inspection to the buyer. However, it is only available to the seller if the seller filed the declaration. Information derived from the Real Property Transfer Declaration is available to any taxpayer or any agent of such taxpayer subject to confidentiality requirements as provided by law. 39-5-121.5, C.R.S. and 39-13-102(5)(c), C.R.S.

1. Address and/or legal description of the real property sold: Please do not use P.O. Box numbers
270 SOUTH MADISON STREET DENVER CO 80209
 2. Type of Property purchased: Single Family Residential Townhome Condominium Multi-Unit Res
 Commercial Industrial Agricultural Mixed Use Vacant Land Other
 3. Date of Closing: March 05, 2015
Date of Contract if different than date of closing: January 27, 2015
 4. Total sale price: Including all real and personal property. \$600,000.00
 5. Was any personal property included in the transaction? Personal property would include, but not limited to, carpeting, draperies, free standing appliances, equipment, inventory, furniture. If the personal property is not listed, the entire purchase price will be assumed to be for the real property as per 39-13-102, C.R.S.
 Yes No If yes, approximate value \$ _____ Describe: _____
 6. Did the total sales price include a trade or exchange of additional real or personal property? If yes, give the approximate value of the goods or services as of the date of closing.
 Yes No If yes, value \$ _____
If yes, does this transaction involve a trade under IRS Code Section 1031? Yes No
 7. Was 100% interest in the real property purchased? Mark "no" if only a partial interest is being purchased.
 Yes No If no, interest purchased: _____ %
 8. Is this a transaction among related parties? Indicate whether the buyer or seller are related. Related parties include persons within the same family, business affiliates, or affiliated corporations.
 Yes No
 9. Check any of the following that apply to the condition of the improvements at the time of purchase:
 New Excellent Good Average Fair Poor Salvage
- If the property is financed, please complete the following:
10. Total amount financed: \$450,000.00
 11. Type of financing: (Check all that apply)
 New Assumed Seller Third Party Combination; Explain _____

12. Terms:

<input type="checkbox"/>	Variable; Starting interest rate	%	_____
<input type="checkbox"/>	Fixed; Interest rate	%	_____
	Length of time	years	_____
	Balloon Payment	<input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, amount _____ Due Date _____

13. Please explain any special terms, seller concessions, or financing and any other information that would help the assessor understand the terms of sale.

For properties other than residential (Residential is defined as: single family detached, townhomes, apartments, and condominiums) please complete questions 14-16 if applicable. Otherwise, skip to #17 to complete.

14. Did the purchase price include a franchise or license fee? Yes No
If yes, franchise or license fee value? _____

15. Did the purchase price involve an installment land contract? Yes No
If yes, date of contract: _____

16. If this was a vacant land sale, was an on-site inspection of the property conducted by the buyer prior to the closing?
 Yes No

Remarks: Please include any additional information concerning the sale you may feel is important.


17. Signed on this day of **March 05, 2015**

Have at least one of the parties to the transaction sign the document, and include an address and a daytime phone number.

Signature of Grantee (Buyer) or Grantor (Seller)



SLAWOMIR PIETRASZEK



BEATA PIETRASZEK

18. All future correspondence (tax bills, property valuations, etc.) regarding this property should be mailed to:

SLAWOMIR PIETRASZEK AND BEATA PIETRASZEK

2635 WHITE ROCK LANE COLORADO SPRINGS, CO 80904

Phone: _____

Slawomir and Beata Pietraszek

2635 White Rock Ln

Colorado Springs, Co 80904

To: Denver Community Planning and Development

201 W. Colfax Ave Dept. 205

Denver, Co 80202


RE: Rezoning of Property located at

270 South Madison Street

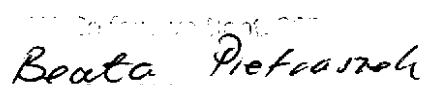
Denver, Co 80209

We as the legal owners of property located at 270 s. Madison St Denver CO 80209 authorize

Howard Kent of CDFM Architectural to initiate this application and act as owner representative.

 05-09-15

Slawomir Pietraszek

 03-09-15

Beata Pietraszek

Property located at 270 South Madison Street

City of Denver, Colorado

Denver, CO 80209

Property located at 270 South Madison Street, Denver, CO 80209

Howard Kent of CDFM Architectural to initiate this application and act as owner representative.

Slawomir and Beata Pietraszek

2635 White Rock Ln

Colorado Springs, CO 80904

May 4th, 2015

Fee waived per CPD policy

2015I-00033