



# REZONING GUIDE

## 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  |                             |
| <input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***  |  | <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***  |                             |
| Property Owner Name   | Dave Coldiron  | Representative Name  | Justin Archuletta           |
| Address   | 2675 Forest St.  | Address  | 2223 Eliot St               |
| City, State, Zip  | Denver, CO 80207   | City, State, Zip   | Denver, CO 80211            |
| Telephone   | 303.949.7604   | Telephone  | 303.881.6520                |
| Email   | dcoldiron@tscribe.com  | Email  | Justin.Archuletta@gmail.com |
| *All standard zone map amendment applications must be initiated by owners (or authorized representatives) of at least 51% of the total area of the zone lots subject to the rezoning. See page 4. |  | **Property owner shall provide a written letter authorizing the representative to act on his/her behalf.<br>***If contact for fee payment is other than above, please provide contact name and contact information on an attachment. |                             |
| SUBJECT PROPERTY INFORMATION  |  |  |                             |
| Location (address):   | 1772 & 1788 S. Acoma St<br>Denver, CO 80223  |  |                             |
| Assessor's Parcel Numbers:  | 0522610007000, 0522610008000   |  |                             |
| Area in Acres or Square Feet:   | 15,610 SQ. FT.   |  |                             |
| Current Zone District(s):   | I-A, UO2   |  |                             |
| PROPOSAL  |  |  |                             |
| Proposed Zone District:   | I-MX-5   |  |                             |
| 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 _____<br><input checked="" type="checkbox"/> No - Describe why not (in outreach attachment, see bottom of p. 3)                 |  |                             |
| Did you contact the City Council District Office regarding this application?  | <input checked="" type="checkbox"/> Yes - if yes, state date and method <u>Email, 07/01/22</u><br><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<br/>DZC Sec. 12.4.10.7.A</p> <p>Check box to affirm and include sections in the review criteria narrative attachment</p>  | <p><input checked="" type="checkbox"/> <b>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.</b></p> <p>Please provide a review criteria narrative attachment describing <b>how</b> the requested zone district is consistent with the policies and recommendations found in <b>each</b> of the adopted plans below. Each plan should have its' own subsection.</p> <p><b>1. Denver Comprehensive Plan 2040</b></p> <p>In this section of the attachment, describe <b>how</b> 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><b>2. Blueprint Denver</b></p> <p>In this section of the attachment, describe <b>how</b> 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><b>3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable):</b><br/>Shattuck District Plan, Overland Neighborhood Plan</p>  |
| <p>General Review Criteria:<br/>DZC Sec. 12.4.10.7. B &amp; C</p> <p>Check boxes to the right to affirm and include a section in the review criteria for Public Health, Safety and General Welfare narrative attachment.</p>   | <p><input checked="" type="checkbox"/> <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.</b></p> <p><input checked="" type="checkbox"/> <b>Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</b></p> <p>In the review criteria narrative attachment, please provide an additional section describing <b>how</b> the requested rezoning furthers the public health, safety and general welfare of the City.</p>   |
| <p>Review Criteria for Non-Legislative Rezonings:<br/>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><b>Justifying Circumstances - One of the following circumstances exists:</b></p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error;</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact;</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints of development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage;</p> <p><input checked="" type="checkbox"/> Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:</p> <p style="padding-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or,</p> <p style="padding-left: 20px;">b. A City adopted plan; or</p> <p style="padding-left: 20px;">c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</p> <p><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (overlay Zone Districts) of this Code.</p> <p>In the review criteria narrative attachment, please provide an additional section describing the selected justifying circumstance. If the changing conditions circumstance is selected, describe changes since the site was last zoned. Contact your pre-application case manager if you have questions.</p> <p><input checked="" type="checkbox"/> <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.</b></p> <p>In the review criteria narrative attachment, please provide a separate section describing <b>how</b> 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> |

Last updated: February 16, 2021

Return completed form and attachments to [rezoning@denvergov.org](mailto:rezoning@denvergov.org)

**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 is document is required.)
- Other Attachments.** Please describe below.



# REZONING GUIDE

## PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

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

| Property Owner Name(s)<br>(please type or print legibly) | Property Address<br>City, State, Zip<br>Phone<br>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:<br>(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?<br>(YES/NO) |
|--|--|--|---|----------|--|---|
| <b>EXAMPLE</b><br>John Alan Smith and<br>Josie Q. Smith  | 123 Sesame Street<br>Denver, CO 80202<br>(303) 555-5555<br>sample@sample.gov | 100%   | <i>John Alan Smith</i><br><i>Josie Q. Smith</i>   | 01/12/20 | (A)  | YES   |
| Dave Coldiron  | 2675 Forest St<br>Denver, CO 80207<br>303.949.7604<br>dcoldiron@tscribe.com  | 100%   | <i>[Signature]</i>  | 8/4/22   | (A)  | <b>YES</b><br>NO  |
|  |  |  |   |          |  | YES   |
|  |  |  |   |          |  | YES   |
|  |  |  |   |          |  | YES   |

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# Authorization to Represent Property Owner

## Re: Rezoning Application of 1772 & 1788 S. Acoma St

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8/1/2022

Denver Community Planning & Development  
201 W. Colfax Ave. Dept. 205  
Denver, CO 80202

Community Planning & Development:

I hereby authorize Justin Archuletta to represent me within the rezoning application for the property I own located at 1772 & 1788 S. Acoma St. in Denver, CO 80211.

Thank you,



Dave Coldiron

Owner:

1772 & 1788 S. Acoma St  
Denver, CO 80211

# **NARRATIVE**(DRMC 12.4.10.7 (A, B & C))

Addressing Consistency with Adopted Plans; Uniformity of District Regulations and Restrictions; Public Health, Safety, and General Welfare; Justifying Circumstances; Consistency with Neighborhood Context and Purpose and intent of Zone District.

For Proposed Rezoning from current IA UO-2 Zone District to I-MX-5

## **A. CONSISTENCY WITH ADOPTED PLANS**

The property located at 1772 & 1788 S. Acoma St. is subject to the following adopted City Plans:

- Comprehensive Plan 2040
- Blueprint Denver
- Shattuck District Plan
- Overland Neighborhood Plan

### **i Applicant Introduction:**

This application proposes to rezone two adjacent parcels totaling 15,610 sq ft (0.358 acres) in the Overland Park Neighborhood. The current zoning designation for the subject property, Light Industrial, Billboard Overlay (IA, UO-2), is a special zone district established under *Article 9. Special Contexts and Districts* of the Denver Zoning Code.

“Special” is a fitting designation for the subject property as analysis of its location and characteristics reveal it to be a transitional property from many land use and planning perspectives. The current Denver zoning code also contains a special recognition for properties like the one in question that have a nonconforming single family use type in the I-A zone district. Furthermore, the parcels are located immediately adjacent to properties with different city planning designations in terms of zone district, future place type, and growth strategies. These unique considerations for the property in question make it worthy of special rezoning consideration

Many different “fabrics” of the surrounding neighborhood’s character intersect at this property’s location and the current zoning and existing single family residential use are inadequate for stitching the surroundings together in a harmonious manner.

The proposed *Industrial – Mixed Use – 5 Stories* (“I-MX-5) zone district would allow for infill development of the subject property in a manner that would allow it to contribute to meeting the Vision and Goals as laid out in each of the adopted city plans as discussed in more detail below while also helping to blend the fabric of the neighborhood more harmoniously. It would also ensure that the land use type in this location is no longer at odds with the land use intended by the zoning district designation.

## COMPREHENSIVE PLAN 2040

*“Comprehensive Plan 2040 is the vision for Denver and its people. It reflects the voice of thousands of residents and is the guiding document for shaping the city we will become over the next twenty years...The vision, composed of six vision elements, is the backbone of this plan. It knits together a set of long-term, integrated goals. The vision and goals provide a common language to connect the plans, policies and programs of multiple city departments.” (Comprehensive Plan 2040).*

### VISION ELEMENT: Equitable, Affordable, and Inclusive

*“In 2040, Denver is an equitable, inclusive community with a high quality of life for all residents, regardless of income level, race, ethnicity, gender, ability or age.”*

- **GOAL 1: Ensure all Denver residents have safe, convenient, and affordable access to basic services and a variety of amenities.**
  - **Strategy A:** 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.**
  - **STRATEGY A:** Create a greater mix of housing options in every neighborhood for all individuals and families.
  - **STRATEGY B:** Ensure city policies and regulations encourage every neighborhood to provide a complete range of housing options
  - **STRATEGY C:** Foster communities of opportunity by aligning housing strategies and investments to improve economic mobility and access to transit and services.
- **GOAL 3: Develop housing that is affordable to residents of all income levels.**
  - **STRATEGY A:** Use land use regulations to enable and encourage the private development of affordable, missing middle and mixed-income housing, especially where close to transit.

#### **i** Applicant:

**The proposed I-MX-5 zone district would further the Equitable, Affordable, and Inclusive Vision Element and corresponding Goals listed above by:**

Allowing for infill development that meets the Comprehensive Plan’s goal of encouraging growth near transit and mixed-use developments while simultaneously expanding the mix of housing options available in the Overland Park neighborhood. By enabling mixed-use development at this location, it would promote density that would expand the neighborhood’s inventory of affordable housing options, with a minimum of 10% of the units in future developments required to be income restricted in conformance with Denver’s recently enacted “Expanding Housing Affordability” policy.

Denver’s Zoning Code defines one of the General Purposes of Industrial Mixed Use Districts as:

“c. The Industrial Mixed Use districts accommodate a variety of industrial, commercial, civic and residential uses and **encourage affordable housing**.” (D.Z.C. 9.1.2.1)

Five story mixed-use zoning would incentivize a future residential unit count subject to the Expanding Housing Affordability policy while ensuring future development would simultaneously

align with complementary Vision Goals related to employment, commercial activity, and neighborhood fabric.

The property is located one block west of South Broadway, an existing Arterial transit corridor with multi-modal transit options. Bus stops for both North and Southbound routes are located within a 2-minute walk from the property. Bicyclists can also access Denver's network of bike lanes beginning two blocks north on Iowa St. Light Rail service is also available to pedestrians via the Evans Station, located 12 minutes away by foot or can be transferred to from bus routes servicing either the Evans or Broadway light rail station.

I-MX-5 zoning would help meet the city and neighborhood's ever-expanding need for housing and would add density to the neighborhood in a location that minimizes disruption to the existing fabric and character while also decreasing the city's dependence on vehicular traffic. This increases the equitable access to housing and transportation for Denver's diverse population.

## VISION ELEMENT: Strong and Authentic Neighborhoods

*"In 2040, Denver's neighborhoods are complete, unique, and reflective of our city's diverse history"*

- **GOAL 1: Create a city of complete neighborhoods**
  - **Strategy A:** Build a network of well connected, vibrant, mixed-use centers and corridors.
  - **Strategy B:** Ensure neighborhoods offer a mix of housing types and services for a diverse population.
  - **Strategy C:** Ensure neighborhoods are safe, accessible and well-connected for all modes.
  - **Strategy D:** Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities.
- **GOAL 2: Enhance Denver's neighborhoods through high-quality urban design.**
  - **Strategy C:** Create people-oriented places that embrace community character with thoughtful transitions, aspirational design and an engaging public realm.
  - **Strategy D:** Use urban design to contribute to economic viability, public health, safety, environmental well-being, neighborhood culture, and quality of life.
- **GOAL 4: Ensure every neighborhood is economically strong and dynamic**
  - **Strategy A:** Grow and support neighborhood-serving businesses.

### **i** Applicant:

**The proposed I-MX-5 zone district would further the Strong and Authentic Vision Element and corresponding Goals and Strategies listed above by:**

Allowing for future development that would address the discontinuity in the fabric of the neighborhood at this location. Individual single-family homes were not intended to fill the need for a transition from the building forms and uses located in an industrially zoned area to more pedestrian-oriented residential and mixed-use commercial districts. The existing single-family



homes are the sole residential use on this block and their scale makes them feel out of context adjacent to the large industrial and commercial buildings surrounding them.

The Denver Zoning Code specifically codifies a grandfathered protection for redevelopment of properties with a nonconforming historic single-family use in the I-A zone district. This carve out is a specific acknowledgment that the city has competing interests for land use in the I-A area, as the Zoning Code also includes the following restriction in its definition of the general purpose and intent of the I-A Light Industrial District: “No new residential uses may be established in the I-A zone district in order to promote a stable employment base for the city.” (DZC 9.1.2.2)

As defined by the Denver Zoning Code, I-MX-5 zoning represents an Industrial Mixed-Use district with a General Purpose “to provide a transition between mixed use areas and I-A or I-B industrial Districts” providing a solution that addresses the needs of properties with siting characteristics of 1772 & 1788 S Acoma (DZC 9.1.2.1). This zoning designation would meet the goals of current I-A zoning to promote a stable employment base by allowing for an increase in commercial activity, while also honoring the historic use and contribution of housing inventory to the neighborhood by this property. The general need across the city for increased density in thoughtful locations with superior mass transit access make this location a thoughtful target for a change in zoning that allows it to meet all three of these goals.

I-MX-5 zoning would also provide an effective and thoughtful transition from the commercial mixed-use corridor along South Broadway to the immediate east with the remaining I-A zone district to the immediate west and north.

Mixed-Use development at this location would bring new commercial opportunity to the neighborhood, enhance opportunity for existing businesses, and diversify the overall neighborhood’s economic activity.

The design requirements of future developments subject to I-MX-5 zoning would encourage building massing, transparency, and pedestrian-oriented street level activation. It would also enhance safety and equitable access to the neighborhood by encouraging development that would result in street and sidewalk improvements (existing sidewalks are non-accessible) as well as increase housing equity by replacing two units of residential inventory that are non-accessible to residents unable to use stairs with an increased number of units that will all be required to be visitable or accessible via a required street level entrance.

## VISION ELEMENT: Connected, Safe, and Accessible Places

*“In 2040, Denver is connected by safe, high-quality, multimodal transportation options”*

- **GOAL 8: Strengthen multimodal connections in mixed-use centers and focus growth near transit.**
  - **Strategy B:** Promote transit-oriented development and encourage higher density development, including affordable housing, near transit to support ridership.

### **i** Applicant:

**The proposed I-MX-5 zone district would further the Connected, Safe, and Accessible Vision Element and corresponding Goals and Strategies listed above by:**

Encouraging both commercial and residential growth along a transit-oriented corridor that would support ridership. This density would also create new affordable housing inventory for the neighborhood.

## VISION ELEMENT: Environmentally Resilient

*“In 2040, Denver is a thriving, sustainable city connected to nature and resilient to climate change.”*

- **GOAL 8: Clean our soils, conserve land, and grow responsibly**
  - **Strategy A:** Promote infill development where infrastructure and services are already in place.
  - **Strategy B:** Encourage mixed-use communities where residents can live, work, and play in their own neighborhoods.

### **i** Applicant:

**The proposed I-MX-5 zone district would further the Environmentally Resilient Vision Element and corresponding Goals and Strategies listed above by:**

Encouraging mixed-use infill development in a location with existing infrastructure and services, notably water, stormwater, and alternative transportation services such as bus, bike, and light rail. This allows for responsible growth that enhances the neighborhood’s walkability and will be an opportunity to bring more jobs and commercial services to serve existing residents. Enabling residential growth in this location will conserve land and help promote housing that is not reliant on automobiles that further tax our environment.

## BLUEPRINT DENVER

*“Blueprint Denver provides the foundation for citywide policies and recommendations related to land use, transportation, design and growth.”* (Blueprint Denver page 6)

Blueprint Denver acknowledges rezonings are an appropriate tool and provides guidance as to what components of Blueprint Denver should be considered when evaluating a rezoning request at the parcel level.

The proposed I-MX-5 zone district is consistent with the recommendations of Blueprint Denver as it relates to:

- Neighborhood Context
- Growth Strategy
- Plan Policies and Strategies
- Future Place Type
- Adjacent Street Types

## Neighborhood Context

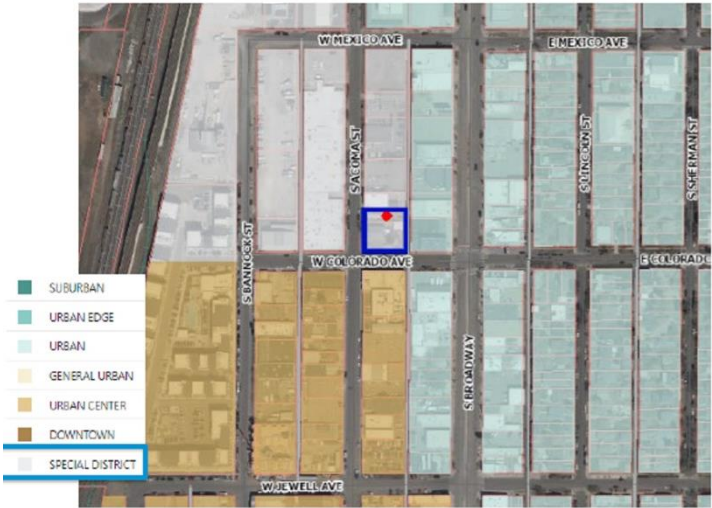
Blueprint Denver designates the Neighborhood Context for the area in question as a Special District type. Although the planning document refrains from providing general context recommendations for the “District” category as a whole as there are many sub-district types, it acknowledges *“Some districts are*

well established places with [sic] while others are **dynamic in nature with significant changes expected over the next 20 years**. Districts are often developed with a specific use or purpose in mind but **some are highly mixed-use**” (Blueprint Denver pg. 280).

Blueprint Denver does provide further context recommendations via the Future Place Type envisioned for each District. For the property in question, that is an Innovation/Flex Manufacturing Subtype with the following description:

*Innovation/Flex districts are an ideal location for businesses that need to mix research/design, manufacturing and logistics with an area that has more urban amenities, **a greater mix of uses** and strong transit connections...Due to the innovative nature of the businesses, reduced intensity of use and the **desire to create more vibrant urban places** in these districts, **multi-unit residential is compatible**.* (Blueprint Denver pg. 284)

**Blueprint Denver Future Neighborhood Context Map Detail of Proposed Rezoning Location**



**i Applicant:**

Blueprint Denver provides the following guidance regarding rezonings with respect to Neighborhood Contexts:

*“When a new zone district is proposed for a site, the neighborhood contexts map and description should be used to guide which zone districts are appropriate. **The mapping of neighborhood context is at the citywide scale, so the boundaries of the contexts may be interpreted with limited flexibility** if the request furthers the goals of Blueprint Denver and is consistent with the overall intent of the neighborhood contexts map.”* (Blueprint Denver pg. 66)

The Innovation/Flex District in this area already encompasses many different zoning designations; within two blocks of the subject property can be found:

Heavy Industrial (I-B), Light Industrial (I-A), Urban Center Mixed Use 8 stories (C-MX-8), **Industrial Mixed Use 5 stories (I-MX-5)**.

A change from Light Industrial with Billboard Overlay (IA, UO-2) to Industrial Mixed-Use (I-MX-5) would not change the overall neighborhood context nor the boundary of the special district within which it is located. Approval to I-MX-5 would, however, recognize that this property is located bordering the intersection of three different neighborhood contexts and would refine the Industrial zoning to accurately reflect the property’s context. Immediately east of the property is an Urban Context and immediately south of the property is an Urban Center Context, both of which contain Place Types of mixed use. The Denver Zoning Code specifically defines the General Purpose of Industrial Mixed Use District as **“intended to**

provide a transition between mixed use areas and I-A or I-B Industrial Districts.” (D.Z.C. 9.1.2.1)

An industrial zoning designation would maintain an acknowledgement of both this property's location within and its contributions to a greater Innovation/Flex District. The Mixed-Use component would be compatible with this district context as a variety of uses are imagined for the Innovation/Flex district including industrial, commercial, residential, and mixed-uses. Looking at the greater context of the neighboring properties and their Neighborhood Type Context, industrial mixed-use zoning is appropriate to more seamlessly blend and transition all three different contexts.

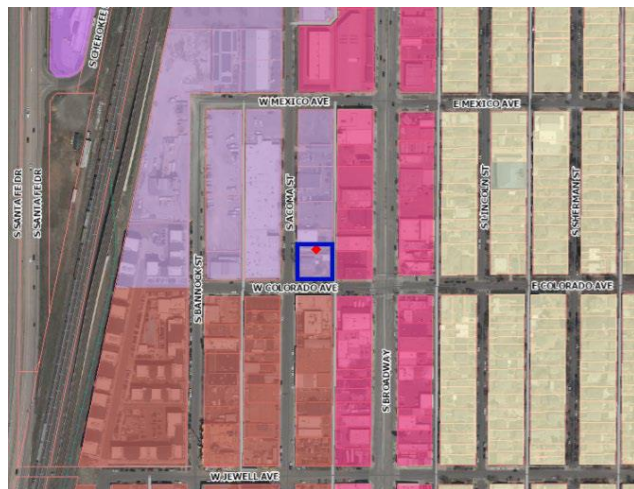
### Future Place Type

Blueprint Denver designates the property in question (as well as the overall district it is located within) to be an Innovation/Flex Future Place Type. The following is the context guidance provided for Land Use and Built Form within this Place Type:

*Assembly facilities, labs, small logistics and warehousing, local food catering, tech firms, value manufacturing and related offices uses are found in these areas. **Residential uses are compatible.** Multi-tenant buildings, often with office uses in the front and manufacturing in the back, are common. **Buildings should orient to the street and contain pedestrian friendly features such as street level transparency.** Building scale varies greatly and can be dependent upon the surrounding context and character.* (Blueprint Denver pg. 285)

Future Place Map Detail from Blueprint Denver (pg. 143)

Note the location's direct adjacency to both a Community Center as well as a Community Corridor.



**i Applicant:**

Blueprint Denver provides the following guidance regarding rezonings with respect to Future Place Type:

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

Just as I-MX-5 is an appropriate zoning type that is compatible with a Special District on the Neighborhood Context level, there is a similar compatibility with the Innovation/Flex Future Place Type. The property in question has historically contributed housing to the District, a compatible use and need recognized by Blueprint Denver. Redevelopment is a natural part of a city's response to population growth, and there is strong Blueprint Denver support for allowing residential density to increase in locations with access to mass transit.

As before, the context of the adjacent neighboring properties and their different Future Place Types are relevant when considering decisions regarding appropriate zoning type for the subject property. Immediately to the east of the property is a Community Corridor and immediately south is a Community Center, both of which are areas designated by Blueprint Denver as targets for mixed-use and high levels of residential growth. There is also precedent in the immediate area and within the same Flex/innovation Future District Type Place; 1630 S. Acoma St., located on the block immediately north of the subject property has I-MX-5 zoning. It too, is framed by Light Industrial (I-A) zoning to the west and Urban Main Street zoning to the east.

In terms of actual zoning designation of immediately adjacent properties, the property to the east along South Broadway is zoned Urban Main Street with height limits of 5 stories (U-MS-5). The current I-A zoning of the subject and surrounding property to the west and north has height limits of 75'. I-MX-5 zoning would have a max height of 5 stories and 70', so max allowable height for development at this site would be decreased by a shift from I-A to I-MX-5 zoning.

## Growth Area Strategy

Blueprint Denver's growth strategy map breaks down anticipated aspirational future growth by Future Place Area. The subject area is part of the "Districts" growth areas. These areas anticipate experiencing around 5% of new housing growth and 15% of new employment growth by 2040. For all district areas across the city 5% may seemingly indicate an aspiration for low intensity growth, but the relative intensity anticipated is raised when also considering that Blueprint Denver states "new households in Innovation Flex and certain Campus (only universities) Districts" (Blueprint Denver pg. 51).

In describing the "Aspirational Growth Strategy" for Denver, Blueprint Denver further states that "Higher intensity residential areas near downtown, **mid-scale housing in innovation/flex districts** and low-scale greenfield residential all contribute to Denver's future housing stock" (pg. 49).

The proposed rezoning to I-MX-5 will allow for the mid-scale housing growth specifically expected and aspired to by Blueprint Denver, especially as it also fulfills Blueprint Denver's goal to focus on "strategic infill locations linked with strong transportation options" (pg. 49).

## Street Types

The subject property in question is a corner lot fronted by two Industrial Collector street types. It also has alley access along its east side. The city block the property is a subsection of is serviced by South Broadway on its east side. South Broadway is a Main Street Arterial type designated as a “High Capacity Transit Corridor” by Blueprint Denver (pg. 179). Blueprint Denver repeatedly emphasizes the importance of encouraging and directing residential growth to areas serviced by mass transit, specifically along transit corridors “that are or aspire to be mixed-use, transit-supportive places and connect neighborhoods and community destinations. (pg. 176).

This location’s access to multi-modal transit options of bike, bus, and light rail via immediate adjacency to an extant transit corridor make it a thoughtful target for rezoning and subsequent growth.

## SHATTUCK DISTRICT PLAN (2002)

The Shattuck District Plan is an economic feasibility plan developed in 2002 for the redevelopment of the Shattuck Superfund Site and Context described by the Shattuck District Plan as follows:

*“The Shattuck Superfund Site is a 6.9-acre area, encompassing a 5.9-acre parcel plus public right-of-ways and other associated hot spots. The focus of this analysis is the 5.9-acre parcel which is located on the northwest corner of Bannock Street and Jewel Avenue, within a mixed-use neighborhood bounded by Santa Fe Drive, Broadway, Iowa Avenue and Evans Avenue (referred to as the “Redevelopment Area”). The Plan context area is a neighborhood with a mix of uses, bounded by Iowa Avenue, Evans Avenue, Santa Fe Drive and Broadway”*

### **i** Applicant:

The Shattuck District Plan was primarily concerned with the redevelopment of the Shattuck Superfund site, which was located two blocks west of the subject property. The environmental remediation of that site and subsequent redevelopment of the Shattuck District is now complete; a large apartment complex “Encore Evans Station” occupies the prior Superfund Site.

Relevant from the Shattuck District Plan is the Plan’s vision for the neighborhood surrounding the Shattuck Superfund Site. The plan states that “fifteen or twenty years from now should see a redeveloped Shattuck site in a productive mixed-use neighborhood emphasizing work force housing and employment opportunities” (Shattuck District Plan pg. 4).

I-MX-5 zoning for the subject property would contribute toward the realization of the Shattuck District Plan’s vision for this mixed-use neighborhood.

## OVERLAND PARK NEIGHBORHOOD PLAN (1993)

The Overland Neighborhood Plan was adopted in 1993 and is the oldest of the planning documents that apply to this property. Though its age does not render it completely inapplicable, more recently adopted plans have updated the planning guidance for the area of Overland Park in which the subject property is located.

The Overland Neighborhood Plan did not provide specific guidance related to residential development for the subject property nor the general area in question as it appears the area was assumed to be an area of stable industrial use (see Plan map at right).

The Shattuck Superfund site was not remediated at the time of the Overland Neighborhood Plan, and the Shattuck Plan's vision for the neighborhood to evolve into vibrant Mixed-Use in the area following remediation was not envisioned at the time of the Overland Neighborhood Plan. Light rail service to the area, a transit option that creates significant changes to land use and planning considerations was similarly incomplete at the time.

The Overland Plan does contain an Urban Design recommendation to "Initiate a corridor study along Broadway which will identify and define sub-districts, address land use and zoning problems, marketing, urban design and transportation" (Overland Plan pg. 28). The South Broadway corridor was recognized then for its contribution to the neighborhood.

Subsequent guidance from The Shattuck Plan, Blueprint Denver, and the Comprehensive Plan 2040 are therefore better guides as they are more recent and better reflect city plan guidance based on the neighborhood's current characteristics.



## B. UNIFORMITY OF DISTRICT REGULATIONS AND RESTRICTITONS

The proposed rezoning to I-MX-5 will result in the uniform application of zone district building form, use, and design regulations.

## C. PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE

The proposed rezoning to I-MX-5 would encourage development that would significantly further Denver's public health, safety, and general welfare. Mixed use development at this location would strengthen the economy of this neighborhood and the city overall by expanding the economic base. Additional residential units at this location would allow residents more housing options that encourage transportation by foot and mass transit, transportation options that increase resident physical activity. By targeting residential growth to these areas Denver can also limit automobile growth and the associated environmental strains and air pollution that reduce community health and welfare.

Further, a new development would enhance physical infrastructure at this location, and would result in sidewalk improvements that enhance pedestrian safety. I-MX-5 zoning at this location would expand commercial services and housing options, including the addition of new affordable housing options at this location that ensure residents of all socioeconomic backgrounds have options to live, work, and play in the Overland Park Neighborhood.

## D. JUSTIFYING CIRCUMSTANCES

The Overland Park neighborhood, especially in the northeast industrial section of the neighborhood, has seen tremendous change and growth over the past 20 years. City planning documents are clear in their recognition that city planning is done at the city-wide level and that the borders between different zones and use types are somewhat fluid and may evolve. That has been and remains the case with this property.

The historic use as single family homes at this location was at odds with the Light Industrial zoning (I-A) type, and the encouraged use was seemingly to preserve industrial activity within the area. The needs of the city and neighborhood have changed and housing, especially housing with multi-modal transit options, has become increasingly important. With South Broadway's designation as a "Transit Priority Street" in Blueprint Denver, reevaluation of zone lots immediately adjacent to this Community Corridor are warranted, especially for cases such as this where a change in zoning does not shift district type, simply allows for a wider variety of uses including a residential use the property already had as a grandfathered use by right.

The rezoning of similar lots in close proximity to the Southwest, including property granted U-MX-8 zoning, also lend credence to the neighborhood's changing conditions that warrant rezoning at this location.

## E. CONSISTENCY WITH NEIGHBORHOOD CONTEXT AND PURPOSE AND INTENT OF ZONE DISTRICT

*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.*

The I-MX-5 zoning proposed for this area aligns with the Denver Zoning Code's context description for Industrial areas.



**General Character:** *“The Industrial Context consists of areas of light industrial, heavy industrial and general industrial areas, as well as areas subject to transitions from industrial to mixed-use”.*

The subject property is situated immediately between an area of industrial use and an area of mixed-use.

**Street, Block, and Access Patterns:** *“The Industrial Context consists of an irregular pattern of large blocks. Vehicle access is typically a drive from the street to a surface parking lot. Truck access, loading, and parking are important attributes. The Industrial Mixed Use Districts have a more urban context with a rectangular street grid and alley access.”*

The subject property has a rectangular street grid and alley access.

**Building Placement and Location:** *Industrial buildings are typically placed to accommodate the specific activity, often with parking surrounding the building. In many cases, the Industrial Context incorporates existing buildings with raised loading docks presenting particular access and parking challenges. Building placement in the Industrial Mixed Use districts is closer to the street with parking, loading and access in the rear of the site. Reuse of existing industrial buildings with street facing loading presents design challenges.*

The alley access at this location would allow for a mixed-use building to be placed closer to the street to engage and interact with pedestrians, while allowing for parking in the rear off the alley.

**Building Height and Form:** *“Building heights range from 1-8 stories which utilize simple forms to maximize open floor space to accommodate warehousing, although older industrial areas include multi-story warehouse buildings, manufacturing uses, adaptive re-use of industrial structures, and multi-storied mixed use buildings. Mobility: The Industrial Context has typically had a relatively low level of access to the multi-modal transit system, although many areas are adjacent to transitioning Areas of Change associated with new or existing rail transit lines.”*

A five-story mixed-used building would fit within the range of 1-8 stories and represents an opportunity to adapt to the change in the areas brought on by the rail transit lines in the area and subsequent residential development throughout the neighborhood.

**Purpose Statement of Industrial Mixed Use Districts (I-MX-3, -5, -8, -12):**

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

The property at this location would benefit from being developed in a pedestrian-oriented pattern, with a mixed-use building built up to the street and an active street level. It also would provide a transition between the mixed-use South Broadway community corridor to the South and the Industrial area to the west. It would also allow for both residential and commercial activities at this location, including mandatory affordable housing.

***Intent Statement***

***Industrial Mixed Use 5 (I-MX-5)*** *I-MX-5 applies to industrially-dominated areas served primarily by collector streets with a maximum building height of 5 stories.*

***Industrial Mixed Use 8 (I-MX-8)*** *I-MX-8 applies to industrially-dominated areas served primarily by collector or arterial streets with a maximum building height of 8 stories.*

Although the subject property is served by an arterial street, with the alley of the block leading out one-half block from South Broadway, a Main Street Arterial, the 8-story zoning would not fit contextually with the size of the lot and the surrounding buildings. I-MX-5 zoning is thus also seen as a fit in this context.

# Outreach Documentation

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## City Council Outreach:

- 07/01/2022: Email (attached) sent to Jolon Clark notifying him of interest in rezoning and requesting a meeting to discuss best practices for working with neighborhood groups in his district.
- 07/06/2022: In person meeting with Jolon Clark to discuss the project. Received direct contact info for president of Overland Park Neighborhood Association.
- 07/13/2022: Email sent to Council-At-Large members Kniech and Ortega. Received response acknowledging receipt from councilmember Kniech but as of 8/5/22 no response from councilmember Ortega. Email threads attached.

## Overland Park Neighborhood Association (“OPNA”):

- 07/01/2022: Email inquiry sent to general OPNA email box notifying them of the intent to apply and expressing interest in working with the neighborhood organization to ensure neighborhood understanding and support.
- 07/06/2022: Direct email to Mara Owens, President of OPNA, following email introduction from Councilmember Clark. Full email thread attached.
- 07/21/2022: Zoom meeting with Mara Owens, introducing the potential rezoning, answering initial questions, and discussing concerns. Agreed to an introductory presentation to the full OPNA general membership.
- 07/28/2022: Introductory Presentation to OPNA general membership regarding the potential rezoning. Agreed to return with more information at the August general membership meeting on 08/25, with a vote to support scheduled for September general membership meeting 09/22. Ongoing discussions as to what the neighborhood will support, what they would like to see from any future development following the rezoning.

## Platte Park Peoples Association (“3PA”):

- 07/01/2022: Email inquiry sent to 3PA general email resulting in continuing email thread. Have offered to present to Responsible Development Committee meeting but as of 8/5/22 still waiting on schedule date from the committee.

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## Rezoning Inquiry and Meeting Request

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Justin Archuletta <justin.archuletta@gmail.com>  
To: "Tan, Iris J. - CC YA2245 City Council Aide" <Iris.Tan@denvergov.org>

Tue, Jul 5, 2022 at 8:55 AM

Happy to come down to your office. See you tomorrow at 1pm.

Thanks!

On Tue, Jul 5, 2022 at 9:51 AM Tan, Iris J. - CC YA2245 City Council Aide <Iris.Tan@denvergov.org> wrote:

Justin,

CM Clark is available for zoom and in-person. If you would like to come to our office that is fine too.

### Iris Tan

*District 7 City Council Aide*  
*Office of City Councilman Jolon Clark- District 7*  
[iris.tan@denvergov.org](mailto:iris.tan@denvergov.org) | Dial 3-1-1 for City Services  
Cell: 720-862-5928 Office: 720-337-7777

Hablamos español

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



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**From:** Justin Archuletta <justin.archuletta@gmail.com>

**Sent:** Tuesday, July 5, 2022 9:49 AM

**To:** Tan, Iris J. - CC YA2245 City Council Aide <Iris.Tan@denvergov.org>

**Subject:** Re: [EXTERNAL] Rezoning Inquiry and Meeting Request

Hi Iris,

No problem at all. Could we do 7/6 at 1pm?  
I'm available to meet in person at that time anywhere that's convenient for him if CM Clark would prefer that over zoom.

Thanks,

Justin

On Tue, Jul 5, 2022 at 9:44 AM Tan, Iris J. - CC YA2245 City Council Aide <Iris.Tan@denvergov.org> wrote:

Hi Justin,

2022i-00124

Sorry looks like CM Clark has an important meeting on 7/19 evening. Can we reschedule for this week?

7/6 12pm-3pm

7/7 10am-12pm

7/8 3pm-4pm

## Iris Tan

*District 7 City Council Aide*

*Office of City Councilman Jolon Clark- District 7*

[iris.tan@denvergov.org](mailto:iris.tan@denvergov.org) | Dial 3-1-1 for City Services

Cell: 720-862-5928 Office: 720-337-7777

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**From:** Justin Archuletta <[justin.archuletta@gmail.com](mailto:justin.archuletta@gmail.com)>

**Sent:** Friday, July 1, 2022 4:46 PM

**To:** Tan, Iris J. - CC YA2245 City Council Aide <[Iris.Tan@denvergov.org](mailto:Iris.Tan@denvergov.org)>

**Subject:** Re: [EXTERNAL] Rezoning Inquiry and Meeting Request

Zoom meeting please, thanks!

On Fri, Jul 1, 2022 at 3:09 PM Tan, Iris J. - CC YA2245 City Council Aide <[Iris.Tan@denvergov.org](mailto:Iris.Tan@denvergov.org)> wrote:  
Great. Would you like to meet in person or zoom?

## Iris Tan

*District 7 City Council Aide*

*Office of City Councilman Jolon Clark- District 7*

[iris.tan@denvergov.org](mailto:iris.tan@denvergov.org) | Dial 3-1-1 for City Services

Cell: 720-862-5928 Office: 720-337-7777

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**From:** Justin Archuletta <[justin.archuletta@gmail.com](mailto:justin.archuletta@gmail.com)>  
**Sent:** Friday, July 1, 2022 3:07 PM  
**To:** Tan, Iris J. - CC YA2245 City Council Aide <[Iris.Tan@denvergov.org](mailto:Iris.Tan@denvergov.org)>

**Subject:** Re: [EXTERNAL] Rezoning Inquiry and Meeting Request

Thanks Iris,

I'll take the 7/19 3-4pm slot, please.

Thanks,

Justin

On Fri, Jul 1, 2022 at 3:06 PM Tan, Iris J. - CC YA2245 City Council Aide <[Iris.Tan@denvergov.org](mailto:Iris.Tan@denvergov.org)> wrote:

Hi Justin,

I am happy to get you scheduled. Here are some openings to meet CM Clark.

7/19 3pm-4pm

7/20 10am-12pm, 3pm-4pm

7/21 10am-12:30pm, 1pm-3pm

### **Iris Tan**

*District 7 City Council Aide*

*Office of City Councilman Jolon Clark- District 7*

*[iris.tan@denvergov.org](mailto:iris.tan@denvergov.org) | Dial 3-1-1 for City Services*

*Cell: 720-862-5928 Office: 720-337-7777*

Hablamos español

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City and County of Denver



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**From:** Clark, Jolon M. - CC Member District 7 Denver City Council <[Jolon.Clark@denvergov.org](mailto:Jolon.Clark@denvergov.org)>  
**Sent:** Friday, July 1, 2022 2:55 PM  
**To:** Justin Archuletta <[justin.archuletta@gmail.com](mailto:justin.archuletta@gmail.com)>  
**Cc:** Tan, Iris J. - CC YA2245 City Council Aide <[Iris.Tan@denvergov.org](mailto:Iris.Tan@denvergov.org)>  
**Subject:** Re: [EXTERNAL] Rezoning Inquiry and Meeting Request

2022100124

Justin,

Thanks so much for reaching out. I would love to learn more. Looping in Iris from my team. Iris - Can you help us get a Zoom meeting set up for this?

Thank you!

## **JOLON CLARK**

*Denver City Council District 7*

Phone:(720) 337-7777

Email: [jolon.clark@denvergov.org](mailto:jolon.clark@denvergov.org)

**Sign up for the LD7 e-newsletter [here](#)**

**Keep up-to-date through our Facebook Page [here](#)**

Dial 3-1-1 for City Services

Hablamos Espanol

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

On Jul 1, 2022, at 11:20 AM, Justin Archuletta <[justin.archuletta@gmail.com](mailto:justin.archuletta@gmail.com)> wrote:

Councilmember Clark,

My name is Justin Archuletta and I am reaching out today to see about setting up a time to meet with you to discuss a rezoning application I am working on located in your District at [1772 & 1788 S Acoma](#). I have attached the Pre-Application report provided by city staff for your reference.

I have been hired by the property owner to help assemble the application as well as to handle all the outreach and discussion with the surrounding community stakeholders. To that end, I would greatly appreciate the opportunity to meet with you to give you an overview of the project as well as review and get your feedback regarding our plans for community outreach. I'd like to ensure the outreach not only meets the minimum requirements of the Re-zoning application process, but that it also meets the when considering whether or not to support the rezoning.

In the Pre-application meeting with Community Planning and Development, city staff indicated their belief that city plans (Blueprint Denver, Comprehensive Plan, etc.) contain supporting justification for the proposed rezoning. That said, I realize support from a city planning perspective is just one hurdle to clear and that support from the actual community is also necessary.

While I know most all communities in Denver regret seeing any existing single family homes replaced during development, I do believe that the property in question is unique given its current industrial zoning and the surrounding industrial and commercial uses. The current single family homes definitely seem out of place given their surroundings, and I believe the use and density allowed by the proposed zoning would serve the community well by providing transit oriented housing and ground floor commercial opportunities for our growing population, as well as by enhancing the fabric of the community by providing a better transition from the industrial uses located west to the walkable commercial core along S. Broadway to the east.

It is the hope of both the owner and myself that we can gain support from the community for this project and I want to be sure we do right by the community in soliciting feedback so I truly would appreciate if you might be able to fit me into your busy schedule.

2022i-00124 Thank you,

Justin Archuletta

303-881-6520

[Justin.Archuletta@gmail.com](mailto:Justin.Archuletta@gmail.com)

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

From: **Haigh, Robert M. - CPD City Planner Associate** <[Rob.Haigh@denvergov.org](mailto:Rob.Haigh@denvergov.org)>

Date: Wed, Jun 15, 2022 at 10:18 AM

Subject: RE: [EXTERNAL] Re: Pre-application Review Request - 1772 & 1788 S Acoma St

To: Dave Coldiron <[dcoldiron@tscribe.com](mailto:dcoldiron@tscribe.com)>, [justin.archuletta@gmail.com](mailto:justin.archuletta@gmail.com)

<[justin.archuletta@gmail.com](mailto:justin.archuletta@gmail.com)>, [austin@renegadecapital.co](mailto:austin@renegadecapital.co) <[austin@renegadecapital.co](mailto:austin@renegadecapital.co)>

Dave, Justin, and Austin,

Thanks for meeting with me this morning. Please see the attached slide deck from the pre-application review meeting. As we discussed, staff's preliminary review found that there appears to be plan support for an I-MX-5 zone district at this location.

I included the links I mentioned in the meeting. Please let me know if anything is missing.

Link to the Comprehensive Plan:

[https://www.denvergov.org/content/dam/denvergov/Portals/Denverright/documents/comp-plan/Denver\\_Comprehensive\\_Plan\\_2040.pdf](https://www.denvergov.org/content/dam/denvergov/Portals/Denverright/documents/comp-plan/Denver_Comprehensive_Plan_2040.pdf)

Link to Blueprint Denver:

[https://www.denvergov.org/media/denvergov/cpd/blueprintdenver/Blueprint\\_Denver.pdf](https://www.denvergov.org/media/denvergov/cpd/blueprintdenver/Blueprint_Denver.pdf)

Link to the Zoning Code (Article 9 governs I- districts, and Article 5 governs U- districts if you want to compare the permitted use tables):

<https://www.denvergov.org/Government/Agencies-Departments-Offices/Community-Planning-and-Development/Denver-Zoning-Code>

City Council Members:

<https://www.denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Denver-City-Council/Council-Members>

Information on how to submit your complete application:

<https://www.denvergov.org/content/denvergov/en/community-planning-and-development/zoning/rezoning-map-amendments.html>

ADUs in Denver:



<https://www.denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Community-Planning-and-Development/Denver-Zoning-Code/Text-Amendments/ADUs-in-Denver>

Average Review Times:

<https://www.denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Community-Planning-and-Development/Plan-Review-Times>

Let me know if you have any questions while you begin your outreach and complete your application.

Thank you!

<image001.png>

**Rob Haigh** | Associate City Planner  
Community Planning and Development | City and County of Denver  
[Pronouns](#) | He/Him/His  
phone: (720) 865-2608

[311](#) | [pocketgov.com](#) | [denvergov.org/CPD](#) | [Take Our Survey](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)

<Rezoning\_PreApp\_1772 & 1782 S Acoma.pdf>



Justin Archuletta <justin.archuletta@gmail.com>

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## Rezoning Application Advance Notification

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Justin Archuletta <justin.archuletta@gmail.com>

Wed, Jul 13, 2022 at 2:20 PM

To: "St Peter, Teresa A. - CC YA2246 City Council Aide Senior" <Teresa.St.Peter@denvergov.org>

Teresa,

Appreciate the prompt response. That's all in line with my expectations and understanding of the process.

Thanks,

Justin

On Wed, Jul 13, 2022 at 2:04 PM St Peter, Teresa A. - CC YA2246 City Council Aide Senior <Teresa.St.Peter@denvergov.org> wrote:

Hello Justin,

Thank you for your email.

CW Kniech asked that I respond.

CM Clark is spot on when it comes to general discussions about needs in a specific district when it comes to potential rezonings or pre-applications – that often it is the District Councilmember that could advise on outreach.

And, since you will be filing an official rezoning we should let you know that City Council has obligations to remain neutral until the public hearing is concluded. Council has to use a “quasi-judicial” approach that considers all the facts, and cannot take positions before the public hearing.

That said, information and perspectives like yours are part of the record they are allowed to consider, and so your comments below will be part of the record along with all the other submissions.

Best regards,

Teresa

---

**From:** Justin Archuletta <justin.archuletta@gmail.com>

**Sent:** Wednesday, July 13, 2022 11:46 AM

**To:** kniechatlarge <kniechatlarge@denvergov.org>; Deborah Ortega - Councilwoman At Large <OrtegaAtLarge@Denvergov.org>

**Subject:** [EXTERNAL] Rezoning Application Advance Notification

Councilmembers Kniech and Ortega,

I wanted to reach out and make you both aware of a potential rezoning application I am helping a property owner assemble. The property is located in Councilmember Clark's district and I met with him last week to discuss the rezoning process and to gain his recommendation for outreach to the neighborhood. I am also already working with all applicable neighborhood organizations.

2022i-00124

August 30, 2022 \$1,000 PD CC

My introductory email to Councilmember Clark with more information on the property in question as well as CPD's pre-application report is below.

Councilmember Clark informed me the at-large Councilmembers don't typically get involved in rezoning discussions this early prior to an actual application as your focus is typically on larger city-wide issues, but I did want to provide you both with notification. I am, of course, happy to answer any questions you may have and would be happy to set up a meeting as well if either of you would like.

Sincerely,

Justin Archuletta

303-881-6520

[Justin.Archuletta@Gmail.com](mailto:Justin.Archuletta@Gmail.com)

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

From: **Justin Archuletta** <[justin.archuletta@gmail.com](mailto:justin.archuletta@gmail.com)>

Date: Fri, Jul 1, 2022 at 11:20 AM

Subject: Rezoning Inquiry and Meeting Request

To: <[jolon.clark@denvergov.org](mailto:jolon.clark@denvergov.org)>

Councilmember Clark,

My name is Justin Archuletta and I am reaching out today to see about setting up a time to meet with you to discuss a rezoning application I am working on located in your District at 1772 & 1788 S Acoma. I have attached the Pre-Application report provided by city staff for your reference.

I have been hired by the property owner to help assemble the application as well as to handle all the outreach and discussion with the surrounding community stakeholders. To that end, I would greatly appreciate the opportunity to meet with you to give you an overview of the project as well as review and get your feedback regarding our plans for community outreach. I'd like to ensure the outreach not only meets the minimum requirements of the Re-zoning application process, but that it also meets the when considering whether or not to support the rezoning.

In the Pre-application meeting with Community Planning and Development, city staff indicated their belief that city plans (Blueprint Denver, Comprehensive Plan, etc.) contain supporting justification for the proposed rezoning. That said, I realize support from a city planning perspective is just one hurdle to clear and that support from the actual community is also necessary.

While I know most all communities in Denver regret seeing any existing single family homes replaced during development, I do believe that the property in question is unique given its current industrial zoning and the surrounding industrial and commercial uses. The current single family homes definitely seem out of place given their surroundings,

2022i-00124

and I believe the use and density allowed by the proposed zoning would serve the community well by providing transit oriented housing and ground floor commercial opportunities for our growing population, as well as by enhancing the fabric of the community by providing a better transition from the industrial uses located west to the walkable commercial core along S. Broadway to the east.

It is the hope of both the owner and myself that we can gain support from the community for this project and I want to be sure we do right by the community in soliciting feedback so I truly would appreciate if you might be able to fit me into your busy schedule.

Thank you,

Justin Archuletta

303-881-6520

[Justin.Archuletta@gmail.com](mailto:Justin.Archuletta@gmail.com)

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

From: **Haigh, Robert M. - CPD City Planner Associate** <[Rob.Haigh@denvergov.org](mailto:Rob.Haigh@denvergov.org)>

Date: Wed, Jun 15, 2022 at 10:18 AM

Subject: RE: [EXTERNAL] Re: Pre-application Review Request - 1772 & 1788 S Acoma St

To: Dave Coldiron <[dcoldiron@tscribe.com](mailto:dcoldiron@tscribe.com)>, [justin.archuletta@gmail.com](mailto:justin.archuletta@gmail.com) <[justin.archuletta@gmail.com](mailto:justin.archuletta@gmail.com)>, [austin@renegadecapital.co](mailto:austin@renegadecapital.co) <[austin@renegadecapital.co](mailto:austin@renegadecapital.co)>

Dave, Justin, and Austin,

Thanks for meeting with me this morning. Please see the attached slide deck from the pre-application review meeting. As we discussed, staff's preliminary review found that there appears to be plan support for an I-MX-5 zone district at this location.

I included the links I mentioned in the meeting. Please let me know if anything is missing.

Link to the Comprehensive Plan:

[https://www.denvergov.org/content/dam/denvergov/Portals/Denveright/documents/comp-plan/Denver\\_Comprehensive\\_Plan\\_2040.pdf](https://www.denvergov.org/content/dam/denvergov/Portals/Denveright/documents/comp-plan/Denver_Comprehensive_Plan_2040.pdf)

Link to Blueprint Denver:

[https://www.denvergov.org/media/denvergov/cpd/blueprintdenver/Blueprint\\_Denver.pdf](https://www.denvergov.org/media/denvergov/cpd/blueprintdenver/Blueprint_Denver.pdf)

Link to the Zoning Code (Article 9 governs I- districts, and Article 5 governs U- districts if you want to compare the permitted use tables):

<https://www.denvergov.org/Government/Agencies-Departments-Offices/Community-Planning-and-Development/Denver-Zoning-Code>

City Council Members:

<https://www.denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Denver-City-Council/Council-Members>

Information on how to submit your complete application:

<https://www.denvergov.org/content/denvergov/en/community-planning-and-development/zoning/rezoning-map-amendments.html>

ADUs in Denver:

<https://www.denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Community-Planning-and-Development/Denver-Zoning-Code/Text-Amendments/ADUs-in-Denver>

Average Review Times:

<https://www.denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Community-Planning-and-Development/Plan-Review-Times>

Let me know if you have any questions while you begin your outreach and complete your application.

Thank you!



**DENVER**  
THE MILE HIGH CITY

**Rob Haigh** | Associate City Planner  
Community Planning and Development | City and County of Denver  
Pronouns | He/Him/His  
phone: (720) 865-2608

311 | [pocketgov.com](http://pocketgov.com) | [denvergov.org/CPD](http://denvergov.org/CPD) | [Take Our Survey](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)



Justin Archuletta <justin.archuletta@gmail.com>

## Rezoning Inquiry

**Mara Owen** <mkowen18@gmail.com>  
To: Justin Archuletta <justin.archuletta@gmail.com>

Sat, Jul 16, 2022 at 8:56 AM

Hello Justin,

Thank you for the email and for your patience with the slow response time.

We always appreciate hearing about development proposals early in the process, so thank you for reaching out at this point! I would be happy to put you on the agenda for our July meeting which is on July 28th at 6:30pm (we meet on the fourth Thursdays of the month).

We are going to attempt an in-person meeting (covid dependent, hopefully nothing happens that makes us change our mind) and are planning to meet at The Table Public House ([2190 S Platte River Dr, Denver, CO 80223](#)).

If you want to bring a presentation we will have a projector and screen, just let me know ahead of time so I can have it pulled up and ready to go!

Thanks again for reaching out early, let me know if you have any questions!

*Mara Owen*

Pronouns: she/her/hers

Co-President, **Overland Park Neighborhood Association**

Learn more: [Web](#) | [Instagram](#) | [Facebook](#)

On Wed, Jul 6, 2022 at 6:22 PM Justin Archuletta <justin.archuletta@gmail.com> wrote:

Hi Mara,

Forwarding you an email I sent to what I believe is the general info email for Overland Park Neighborhood Association. It was sent just before the Holiday weekend so it may already be under review with you, in which case I hope you'll excuse the follow up.

When I sent a similar email to the Overland Park group, 3PA, regarding the same project, I was able to get connected with the chair of their Responsible Development Committee. When I asked about a similar contact for Overland Park's neighborhood group, Council member Clark recommended you as someone to get in touch with.

Thanks,

Justin Archuletta  
303-881-6520

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

From: **Justin Archuletta** <justin.archuletta@gmail.com>

Date: Fri, Jul 1, 2022 at 12:43 PM

Subject: Rezoning Inquiry

To: <OPNAinfo@gmail.com>

Overland Park Neighborhood Association Board,

My name is Justin Archuletta and I am reaching out today to see about setting up a time to meet with you to discuss a potential rezoning application for a property located in the Overland Park neighborhood.

The property owner is an acquaintance of mine and has asked me to help him explore the rezoning potential as well as to handle the outreach and discussion with the surrounding community stakeholders. Although not an Overland Park

2022i-00124

August 30, 2022 \$1,000 PD CC

resident myself, I previously served on the board of the Jefferson Park United Neighbors organization (where I currently live) and understand the importance of community engagement from an early stage.

To that end, I would greatly appreciate the opportunity to meet with the executive board, Land Use committee, or whoever would be the appropriate point of contact for an initial meeting to discuss the proposed rezoning, community impact and concerns, and generally involve the community as much as possible throughout the process.

To be clear, I am intentionally reaching out extremely early in this process. The owner of the property has owned the property since 2014 and is not a real estate developer, nor does he have development plans in process at this time. To date, the only activity that has taken place has been a pre-application meeting with city staff from Community Planning and Development to see if a rezoning would even be feasible from a governmental stance.

In that pre-application meeting, city staff was very receptive to the potential and indicated their belief that city plans (Blueprint Denver, Comprehensive Plan, etc.) contain supporting justification for the proposed rezoning. That said, I realize support from a city planning document perspective is just one hurdle to clear and that support from the actual community is vital. I also know that prior rezoning applications within the neighborhood have received mixed support from residents of the neighborhood, but the owner believes his property may be looked at differently than prior requests as it is located in a predominantly industrial area and is surrounded by non-residential uses.

It is the hope of both the owner and myself that this process be undertaken in a collaborative way. I look forward to meeting with you, reviewing the property and hopeful rezoning, and working with you throughout this process.

Thank you,

Justin Archuletta

303-881-6520

[Justin.Archuletta@gmail.com](mailto:Justin.Archuletta@gmail.com)



Justin Archuletta <justin.archuletta@gmail.com>

## Rezoning Inquiry

Justin Archuletta <justin.archuletta@gmail.com>  
To: "Ashley E. Arroyo" <ashleyarroyo@yahoo.com>

Fri, Aug 5, 2022 at 12:32 PM

Hi Ashley,

Just checking in again. I presented to Overland Park Neighborhood Association last week, and will be presenting the project in more detail at their next meeting in August on 08/25. I know the project is outside your neighborhood boundaries, but wanted to be sure to give your organization the opportunity to learn as much as possible about it.

Thanks,

Justin Archuletta

On Tue, Jul 19, 2022 at 4:33 PM Justin Archuletta <justin.archuletta@gmail.com> wrote:  
Sounds good, thanks!

On Tue, Jul 19, 2022 at 4:25 PM Ashley E. Arroyo <ashleyarroyo@yahoo.com> wrote:  
Hi Justin we are in the process of scheduling now. Stay tuned. We are looking at next week and the following. Will keep you posted.

Sent from my iPhone

On Jul 19, 2022, at 5:07 PM, Justin Archuletta <justin.archuletta@gmail.com> wrote:

Hi Ashley,

Any word on the next responsible development committee meeting for P3A?

Thanks,

Justin

303-881-6520

On Wed, Jul 13, 2022 at 10:16 AM Justin Archuletta <justin.archuletta@gmail.com> wrote:  
Hi Ashley,

When we chatted last week you mentioned today would be a good day to check if you had any update on the meeting schedule for the Responsible Development Committee.

Thanks,

Justin

On Wed, Jul 6, 2022 at 12:05 PM Justin Archuletta <justin.archuletta@gmail.com> wrote:  
Hi Ashley,

My apologies for not confirming in advance, but just in case it wasn't on your calendar, I wanted to check in about our meeting today to discuss a potential rezoning.

2022i-00124

August 30, 2022 \$1,000 PD CC



Thanks,

Justin Archuletta

303-881-6520

On Fri, Jul 1, 2022 at 12:52 PM Justin Archuletta <[justin.archuletta@gmail.com](mailto:justin.archuletta@gmail.com)> wrote:

That works!

My cell is 303-881-6520.

Thanks,

Justin

On Fri, Jul 1, 2022 at 12:51 PM Ashley E. Arroyo <[ashleyarroyo@yahoo.com](mailto:ashleyarroyo@yahoo.com)> wrote:

Can we shoot for noon on the 6th?

Sent from my iPhone

On Jul 1, 2022, at 1:49 PM, Justin Archuletta <[justin.archuletta@gmail.com](mailto:justin.archuletta@gmail.com)> wrote:

Ashley,

Thank you for the prompt response. I am available any time on the afternoon of the 5th, or can make any time on the 6th work.

Thanks,

Justin

On Fri, Jul 1, 2022 at 12:46 PM Ashley E. Arroyo <[ashleyarroyo@yahoo.com](mailto:ashleyarroyo@yahoo.com)> wrote:

Hi Justin,

Thanks for reaching out. I would have time to set up a call with you for next week (after the holiday). If there is a day or time that works best for you, let me know.

Thanks!  
Ashley

Sent from my iPhone

On Jul 1, 2022, at 1:33 PM, Justin Archuletta <[justin.archuletta@gmail.com](mailto:justin.archuletta@gmail.com)> wrote:

3PA Board,

My name is Justin Archuletta and I am reaching out today to see about setting up a time to meet with you to discuss a potential rezoning application for a property located in the Overland Park neighborhood adjacent to Platte Park.

The property owner is an acquaintance of mine and has asked me to help him explore the rezoning potential as well as to handle the outreach and discussion with the surrounding community stakeholders. Although not a Platte Park or Overland Park resident myself, I previously served on the board of the Jefferson Park United Neighbors organization (where I currently live) and understand the importance of community engagement from an early stage.

To that end, I would greatly appreciate the opportunity to meet with the executive board, Land Use committee, or whoever would be the appropriate point of contact for an initial meeting to discuss the proposed rezoning, community impact and concerns, and generally involve the community as much as possible throughout the process.

To be clear, I am intentionally reaching out extremely early in this process. The owner of the property has owned the property since 2014 and is not a real estate developer, nor does he have development plans in process at this time. To date, the only activity that has taken place has been a pre-application meeting with city staff from Community Planning and Development to see if a rezoning would even be feasible from a governmental stance.

In that pre-application meeting, city staff was very receptive to the potential and indicated their belief that city plans (Blueprint Denver, Comprehensive Plan, etc.) contain supporting justification for the proposed rezoning. That said, I realize support from a city planning document perspective is just one hurdle to clear and that support from the actual community is vital.

It is the hope of both the owner and myself that this process be undertaken in a collaborative way. I look forward to meeting with you, reviewing the property and hopeful rezoning, and working with you throughout this process.

Thank you,

Justin Archuletta

303-881-6520

[Justin.Archuletta@gmail.com](mailto:Justin.Archuletta@gmail.com)

# Proof of Ownership - Assessor Record

## 1772 S ACOMA ST

**Owner** COLDIRON,DAVID  
2675 FOREST ST  
DENVER, CO 80207-3245

**Schedule Number** 05226-10-007-000

**Legal Description** L 20 & N1/2 OF L 21 BLK 10 OVERLAND PARK SUB

**Property Type** SFR Grade C

**Tax District** DENVER

### Print Summary

#### Property Description

|                              |             |                            |       |
|------------------------------|-------------|----------------------------|-------|
| <b>Style:</b>                | 13: 1 STORY | <b>Building Sqr. Foot:</b> | 1215  |
| <b>Bedrooms:</b>             | 3           | <b>Baths Full/Half:</b>    | 1/0   |
| <b>Effective Year Built:</b> | 1890        | <b>Basement/Finish:</b>    | 283/0 |
| <b>Lot Size:</b>             | 4,810       | <b>Zoned As:</b>           | I-A   |

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

#### Current Year

|              | Actual | Assessed         | Exempt          |     |
|--------------|--------|------------------|-----------------|-----|
| Land         |        | \$168,400        | \$11,700        | \$0 |
| Improvements |        | \$112,800        | \$7,840         |     |
| <b>Total</b> |        | <b>\$281,200</b> | <b>\$19,540</b> |     |

#### Prior Year

|              | Actual | Assessed         | Exempt          |     |
|--------------|--------|------------------|-----------------|-----|
| Land         |        | \$168,400        | \$12,040        | \$0 |
| Improvements |        | \$112,800        | \$8,070         |     |
| <b>Total</b> |        | <b>\$281,200</b> | <b>\$20,110</b> |     |

## Real Estates Property Taxes for current tax year

### System Upgrade Underway:

Due to a system upgrade, payment information is taking longer to update and may not reflect the current status of your account.

Mill Levy \* 74..618 \*

Please click on additional information below to check for any delinquencies on this property/schedule number and for tax sale information.

|                   | Installment 1<br>(Feb 28<br>Feb 29 in Leap Years) | Installment 2<br>(Jun 15) | Full Payment<br>(Due Apr 30) |
|-------------------|---|---------------------------|------------------------------|
| Date Paid         | 2/16/2022   | 6/8/2022                  |                              |
| Original Tax Levy | \$750.29  | \$750.29                  | \$1,500.58                   |
| Liens/Fees        | \$0.00  | \$0.00                    | \$0.00                       |
| Interest          | \$0.00  | \$0.00                    | \$0.00                       |
| Paid              | \$750.29  | \$750.29                  | \$1,500.58                   |
| Due               | \$0.00  | \$0.00                    | \$0.00                       |

## Additional Information

Note: If "Y" is shown below, there is a special situation pertaining to this parcel. For additional information about this, click on the name to take you to an explanation.

|                                |   |                              |   |
|--------------------------------|---|------------------------------|---|
| Additional Assessment ⓘ        | N | Prior Year Delinquency ⓘ     | N |
| Additional Owner(s) ⓘ          | N |                              |   |
| Adjustments ⓘ                  | N | Sewer/Storm Drainage Liens ⓘ | N |
| Local Improvement Assessment ⓘ | N | Tax Lien Sale ⓘ              | N |
| Maintenance District ⓘ         | N | Treasurer's Deed ⓘ           | N |
| Pending Local Improvement ⓘ    | N |                              |   |

Real estate property taxes paid for prior tax year: **\$1,699.80**

## Assessed Value for the current tax year

|               |             |                       |             |
|---------------|-------------|-----------------------|-------------|
| Assessed Land | \$12,040.00 | Assessed Improvements | \$8,070.00  |
| Exemption     | \$0.00      | Total Assessed Value  | \$20,110.00 |

# Proof of Ownership - Assessor Record

## 1788 S ACOMA ST

**Owner** COLDIRON,DAVID  
 2675 FOREST ST  
 DENVER, CO 80207-3245

**Schedule Number** 05226-10-008-000

**Legal Description** LOTS 22 TO 24 INC & SOUTH 1/2 OF LOT 21 BLOCK 10 OVERLANDPARK SUB

**Property Type** SFR Grade C

**Tax District** DENVER

### Print Summary

| Property Description         |               |                            |       |
|------------------------------|---------------|----------------------------|-------|
| <b>Style:</b>                | 14: 1.5 STORY | <b>Building Sqr. Foot:</b> | 2134  |
| <b>Bedrooms:</b>             | 4             | <b>Baths Full/Half:</b>    | 1/0   |
| <b>Effective Year Built:</b> | 1907          | <b>Basement/Finish:</b>    | 600/0 |
| <b>Lot Size:</b>             | 10,800        | <b>Zoned As:</b>           | I-A   |

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

| Current Year |        |                  |                 |     |
|--------------|--------|------------------|-----------------|-----|
|              | Actual | Assessed         | Exempt          |     |
| Land         |        | \$378,000        | \$26,270        | \$0 |
| Improvements |        | \$34,700         | \$2,410         |     |
| <b>Total</b> |        | <b>\$412,700</b> | <b>\$28,680</b> |     |

| Prior Year   |        |                  |                 |     |
|--------------|--------|------------------|-----------------|-----|
|              | Actual | Assessed         | Exempt          |     |
| Land         |        | \$378,000        | \$27,030        | \$0 |
| Improvements |        | \$34,700         | \$2,480         |     |
| <b>Total</b> |        | <b>\$412,700</b> | <b>\$29,510</b> |     |

## Real Estates Property Taxes for current tax year

### System Upgrade Underway:

Due to a system upgrade, payment information is taking longer to update and may not reflect the current status of your account.

Mill Levy \* 74..618 \*

Please click on additional information below to check for any delinquencies on this property/schedule number and for tax sale information.

|                   | Installment 1<br>(Feb 28<br>Feb 29 in Leap Years) | Installment 2<br>(Jun 15) | Full Payment<br>(Due Apr 30) |
|-------------------|---|---------------------------|------------------------------|
| Date Paid         | 2/16/2022   | 6/8/2022                  |                              |
| Original Tax Levy | \$1,100.99  | \$1,100.99                | \$2,201.98                   |
| Liens/Fees        | \$0.00  | \$0.00                    | \$0.00                       |
| Interest          | \$0.00  | \$0.00                    | \$0.00                       |
| Paid              | \$1,100.99  | \$1,100.99                | \$2,201.98                   |
| Due               | \$0.00  | \$0.00                    | \$0.00                       |

## Additional Information

Note: If "Y" is shown below, there is a special situation pertaining to this parcel. For additional information about this, click on the name to take you to an explanation.

|                                |   |                              |   |
|--------------------------------|---|------------------------------|---|
| Additional Assessment ⓘ        | N | Prior Year Delinquency ⓘ     | N |
| Additional Owner(s) ⓘ          | N |                              |   |
| Adjustments ⓘ                  | N | Sewer/Storm Drainage Liens ⓘ | N |
| Local Improvement Assessment ⓘ | N | Tax Lien Sale ⓘ              | N |
| Maintenance District ⓘ         | N | Treasurer's Deed ⓘ           | N |
| Pending Local Improvement ⓘ    | N |                              |   |

Real estate property taxes paid for prior tax year: **\$2,193.95**

## Assessed Value for the current tax year

|               |             |                       |             |
|---------------|-------------|-----------------------|-------------|
| Assessed Land | \$27,030.00 | Assessed Improvements | \$2,480.00  |
| Exemption     | \$0.00      | Total Assessed Value  | \$29,510.00 |