

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
<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>	
<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.</p> <p>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.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			



REZONING GUIDE

Rezoning Application Page 2 of 3

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 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. 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 type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
<p>Additional Review Criteria for Non-Legislative Rezonings: 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 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="margin-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or</p> <p style="margin-left: 20px;">b. A City adopted plan; or</p> <p style="margin-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. Please provide an attachment describing the justifying circumstance.</p> <p><input type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District. 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:	
<p><input type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format)</p> <p><input type="checkbox"/> Proof of Ownership Document(s)</p> <p><input type="checkbox"/> Review Criteria, as identified above</p>	
ADDITIONAL ATTACHMENTS	
Please identify any additional attachments provided with this application:	
<p><input type="checkbox"/> Written Authorization to Represent Property Owner(s)</p> <p><input type="checkbox"/> Individual Authorization to Sign on Behalf of a Corporate Entity</p>	
Please list any additional attachments:	




REZONING GUIDE

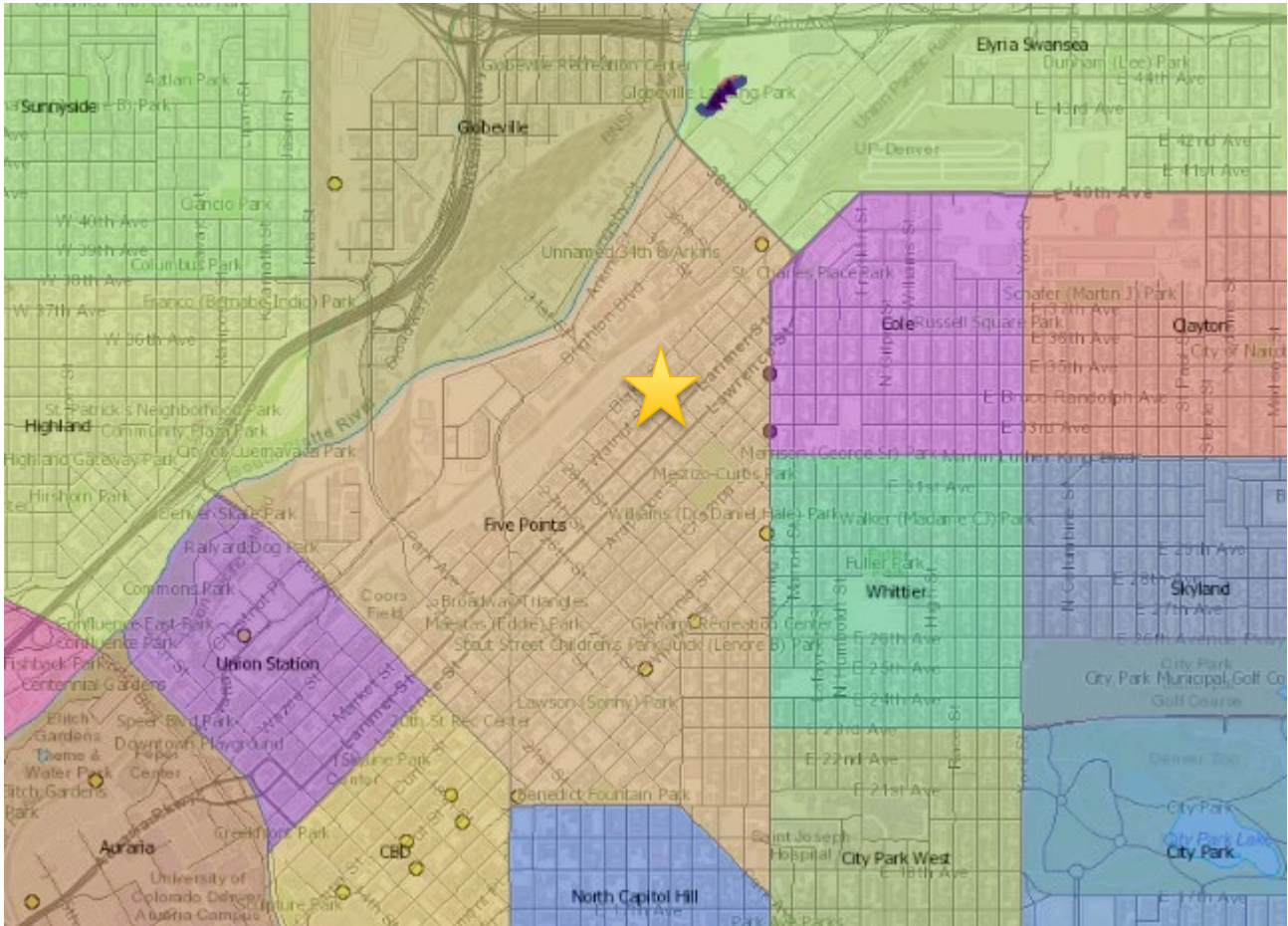
Rezoning Application Page 3 of 3

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

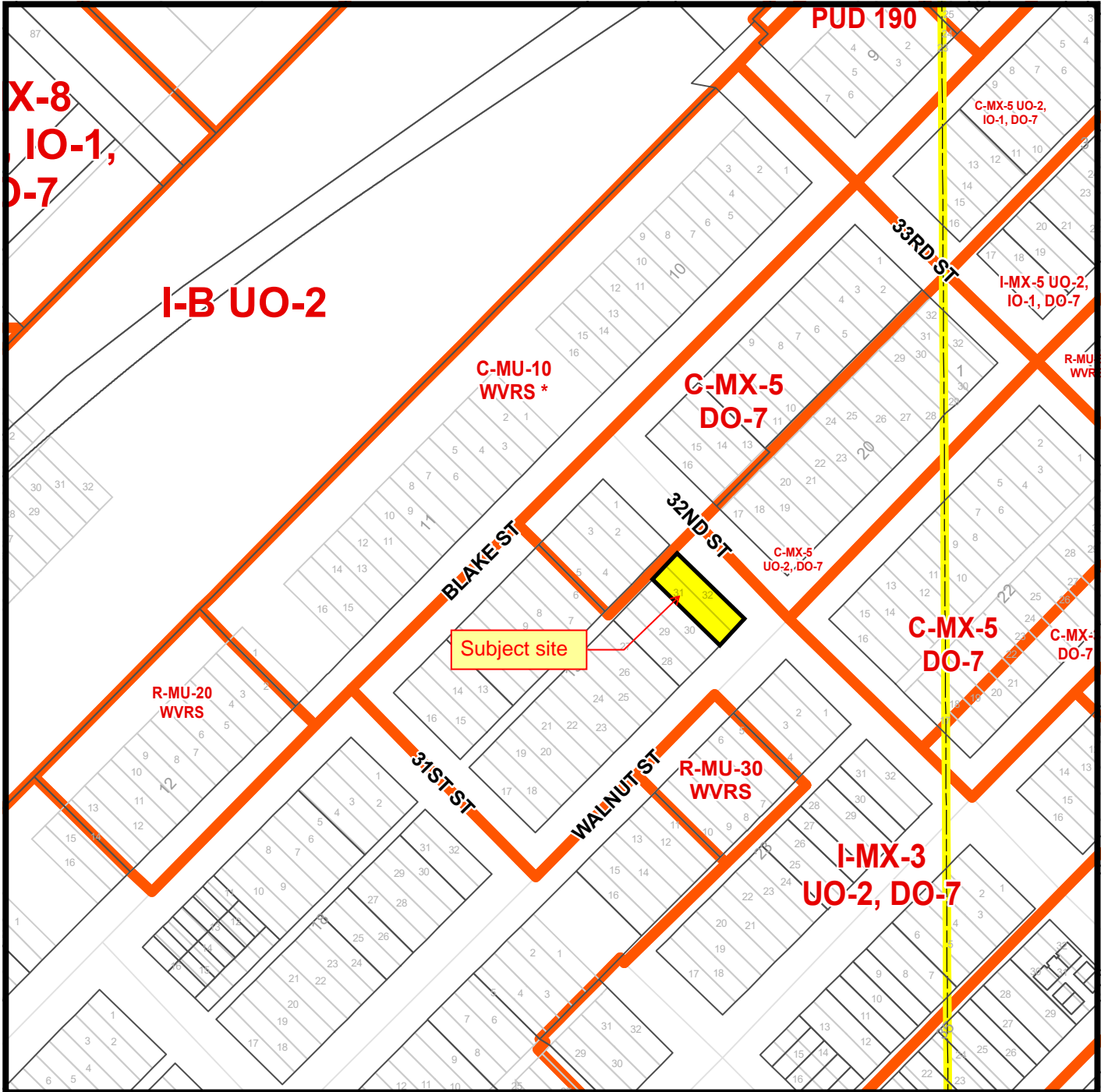
We, the undersigned represent that we are the owners of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify 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	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	Has the owner authorized a representative in writing? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	YES
						

Five Point Neighborhood



Zoning Map





2019178722

Page: 1 of 4

12/20/2019 08:32 AM
City & County of Denver
Electronically Recorded

R \$28.00

WD

D \$130.00



State Documentary Fee
Date:
\$130.00

Special Warranty Deed
(Pursuant to C.R.S. 38-30-113(1)(b))

THIS DEED, made on DECEMBER 19, 2019 by **DENVER SANITARY CO., A COLORADO CORPORATION, ALSO KNOWN AS DENVER SANITARY COMPANY, INC., A COLORADO CORPORATION** Grantor(s), of the **City and County of Denver** and State of **Colorado** for the consideration of **(\$1,300,000.00) ***One Million Three Hundred Thousand and 00/100***** dollars in hand paid, hereby sells and conveys to **PREMIUM GROUP PROPERTIES, LLC, A COLORADO LIMITED LIABILITY COMPANY** whose street address is **3141 WALNUT STREET #203A, DENVER, CO 80205**, County of **Denver**, and State of **Colorado**, the following real property in the **City and County of Denver**, and State of Colorado, to wit:

LOTS 31 AND 32, BLOCK 19, CASE AND EBERT'S ADDITION TO THE CITY OF DENVER, COUNTY OF DENVER, STATE OF COLORADO.

also known by street and number as: **3161 WALNUT ST, DENVER, CO 80205**

with all its appurtenances and warrants the title to the same against all persons claiming under me, subject to the matters shown in the attached Exhibit A, which, by reference, is incorporated herein.

(SEE ATTACHED "SIGNATURE PAGE")

When recorded return to: **PREMIUM GROUP PROPERTIES, LLC, A COLORADO LIMITED LIABILITY COMPANY**
3141 WALNUT STREET #203A, DENVER, CO 80205



Special Warranty Deed

SIGNATURE PAGE

DENVER SANITARY CO., A COLORADO CORPORATION, ALSO KNOWN AS DENVER SANITARY COMPANY, INC., A COLORADO CORPORATION

By: Jane L. Smith

Print Name: JANE L. SMITH

Title: PRESIDENT

By: _____

Print Name: _____

Title: _____

State of _____)
County of _____)ss.
_____)

The foregoing instrument was acknowledged before me on this day of Dec. 17, 2019 by Jane L. Smith AS President OF DENVER SANITARY CO., A COLORADO CORPORATION, ALSO KNOWN AS DENVER SANITARY COMPANY, INC., A COLORADO CORPORATION

Witness my hand and official seal

My Commission expires: 3/4/20 Kristi Kellow
Notary Public



State of _____)
County of _____)ss.
_____)

Sworn to before me on this day of _____ by _____ AS _____ OF DENVER SANITARY CO., A COLORADO CORPORATION, ALSO KNOWN AS DENVER SANITARY COMPANY, INC., A COLORADO CORPORATION

Witness my hand and official seal

My Commission expires: _____
Notary Public

Special Warranty Deed

SIGNATURE PAGE

DENVER SANITARY CO., A COLORADO CORPORATION, ALSO KNOWN AS DENVER SANITARY COMPANY, INC., A COLORADO CORPORATION

By: _____

Print Name: _____

Title: _____

By: Joan Giardino-LOPEZ

Print Name: JOAN GIARDINO-LOPEZ

Title: VICE PRESIDENT

State of _____)
County of _____)ss.

The foregoing instrument was acknowledged before me on this day of _____ by _____ AS

_____ OF DENVER SANITARY CO., A COLORADO CORPORATION, ALSO KNOWN AS DENVER SANITARY COMPANY, INC., A COLORADO CORPORATION

Witness my hand and official seal

My Commission expires: _____ Notary Public

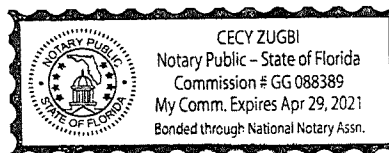
State of _____)
County of _____)ss.

Sworn to before me on this day of 12/17/19 by Joan T. Giardino-LOPEZ AS

VICE PRESIDENT OF DENVER SANITARY CO., A COLORADO CORPORATION, ALSO KNOWN AS DENVER SANITARY COMPANY, INC., A COLORADO CORPORATION

Witness my hand and official seal

My Commission expires: 4/29/21 Cecy Zupka Notary Public



3161 WALNUT ST

Owner	PREMIUM GROUP PROPERTIES LLC 3141 WALNUT ST 203A DENVER , CO 80205-2926
Schedule Number	02275-05-015-000
Legal Description	L 31 & 32 BLK 19 CASE & EBERTSADD
Property Type	INDUSTRIAL - WAREHOUSE
Tax District	474B

Print Summary

Property Description			
Style:	OTHER	Building Sqr. Foot:	6178
Bedrooms:		Baths Full/Half:	0/0
Effective Year Built:	1973	Basement/Finish:	0/0
Lot Size:	6,247	Zoned As:	I-MX-3

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

Current Year			
	Actual	Assessed	Exempt
Land		\$687,200	\$199,290 \$0
Improvements		\$688,200	\$199,580
Total		\$1,375,400	\$398,870

Prior Year			
	Actual	Assessed	Exempt
Land		\$562,200	\$163,040 \$0
Improvements		\$409,900	\$118,870
Total		\$972,100	\$281,910

Real Estates Property Taxes for current tax year

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

	Installment 1 (Feb 28 Feb 29 in Leap Years)	Installment 2 (Jun 15)	Full Payment (Due Apr 30)
Date Paid			
Original Tax Levy	\$15,180.20	\$15,180.19	\$30,360.39
Liens/Fees	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Paid	\$0.00	\$0.00	\$0.00
Due	\$15,180.20	\$15,180.19	\$30,360.39

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	Scheduled to be Paid by Mortgage Company ⓘ	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: **\$22,937.61**

Assessed Value for the current tax year

Assessed Land	\$199,290.00	Assessed Improvements	\$199,580.00
Exemption	\$0.00	Total Assessed Value	\$398,870.00

Exhibit A

1. GENERAL TAXES FOR THE YEAR OF CLOSING.
2. DISTRIBUTION UTILITY EASEMENTS (INCLUDING CABLE TV).
3. THOSE SPECIFICALLY DESCRIBED RIGHTS OF THIRD PARTIES NOT SHOWN BY THE PUBLIC RECORDS OF WHICH GRANTEE HAS ACTUAL KNOWLEDGE AND WHICH WERE ACCEPTED BY GRANTEE IN ACCORDANCE WITH § 8.3 (OFF-RECORD TITLE) AND § 9 (NEW ILC OR NEW SURVEY) OF THE CONTRACT TO BUY AND SELL REAL ESTATE RELATING TO THE REAL PROPERTY CONVEYED BY THIS DEED.
4. INCLUSION OF THE PROPERTY WITHIN ANY SPECIAL TAXING DISTRICT.
5. ANY SPECIAL ASSESSMENT IF THE IMPROVEMENTS WERE NOT INSTALLED AS OF THE DATE OF GRANTEE'S SIGNATURE TO THE CONTRACT TO BUY AND SELL REAL ESTATE RELATING TO THE REAL PROPERTY CONVEYED BY THIS DEED, WHETHER ASSESSED PRIOR TO OR AFTER CLOSING.
6. ORDINANCE NO. 20180017, SERIES OF 2018 FOR CHANGING THE ZONING CLASSIFICATION RECORDED FEBRUARY 14, 2018 UNDER RECEPTION NO. 2018017393.



12/20/2019 08:32 AM
City & County of Denver
Electronically Recorded

R \$18.00

MIS

D \$0.00

WHEN RECORDED
RETURN TO:



STATEMENT OF AUTHORITY

(§38-30-172, C.R.S.)

1. This Statement of Authority relates to an entity¹ named
PREMIUM GROUP PROPERTIES, LLC, A COLORADO LIMITED LIABILITY COMPANY
2. The type of entity is a:

<input type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Corporation <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> General Partnership <input type="checkbox"/> Limited Partnership <input type="checkbox"/>	<input type="checkbox"/> Registered Limited Liability Partnership <input type="checkbox"/> Registered Limited Liability Limited Partnership <input type="checkbox"/> Limited Partnership Association <input type="checkbox"/> Government or Governmental Subdivision or Agency <input type="checkbox"/> Trust
---	---
3. The entity is formed under the laws of **Colorado**
4. The mailing address for the entity is **3141 WALNUT STREET #203A, DENVER, CO 80205**
5. The name position of each person authorized to execute instruments conveying, encumbering or otherwise affecting title to real property on behalf of the entity is **WAHID G. ENAYAT AS THE SOLE MEMBER**
6. The authority of the foregoing person(s) to bind the entity: is² not limited is limited as follows:
7. Other matters concerning the manner in which the entity deals with interests in real property:
8. This Statement of Authority is executed on behalf of the entity pursuant to the provisions of §38-30-172, C.R.S. ³
9. This Statement of Authority amends and supersedes in all respects any and all prior dated Statements of Authority executed on behalf of the entity.

Executed **this day of** 12-19-2019

(SEE ATTACHED "SIGNATURE PAGE")

¹This form should not be used unless the entity is capable of holding title to real property.
²The absence of any limitation shall be prima facie evidence that no such limitation exists.
³The statement of authority must be recorded to obtain the benefits of the statute.



Statement of Authority - Buyer/Borrower

SIGNATURE PAGE

PREMIUM GROUP PROPERTIES, LLC, A COLORADO LIMITED LIABILITY COMPANY

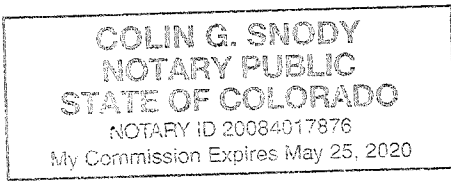
By: [Signature]
WAHID G. ENAYAT, SOLE MEMBER

State of Colorado)
County of Denver)ss.
)

The foregoing instrument was acknowledged before me on this day of 12-19-2019 by WAHID G. ENAYAT AS THE SOLE MEMBER OF PREMIUM GROUP PROPERTIES, LLC, A COLORADO LIMITED LIABILITY COMPANY

Witness my hand and official seal

My Commission expires: 5/25/2020 [Signature]
Notary Public



[Handwritten mark]



Premium Group Properties, LLC

3141 Walnut Street, Suite 203A, Denver, Colorado 80205

Phone (303) 204-7003

May 12th, 2020

Community Planning & Development
City and County of Denver
201 W. Colfax Avenue, Dept. 205
Denver, Colorado 80202

RE: 3161 Walnut Street, Denver CO. Zone Map Amendment
Log #: 2020 PM-0000105

Ladies and Gentlemen,

This document will serve as supporting documentation for the Zone Map Amendment Application for 3161 Walnut Street 6,247ft² (0.14 AC) which is currently zoned I-MX-3, UO-2, DO-7. The subject zone lots will undergo rezoning to match the new development in the area. 3161 Walnut will be rezoned for Urban Center – Residential Mixed Use – 5 stories maximum height (C-MX-5), River North Design Overlay District (DO-7) , and consistent with adopted plans.

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

This application proposes to rezone the approximately 6,247 square foot property located at 3161 Walnut Street in Denver Colorado from I-MX3, UO-2, DO-7 to C-MX-5, DO-7 (the “Property”) to facilitate mixed use development of the Property consistent with the recommendations in the adopted plans.

The Property is in the River North Art District (RiNo) Neighborhood, located at the intersection of Walnut Street and 32nd Street. The site is less than 0.5 miles to 38th and Blake RTD Light Rail station.

The existing zoning is Industrial-Mixed Use three stories or less with UO-2 Billboard Use Overlay and DO-7 River North Design Overlay.

Review Criterion (DZC 12.4.10.7 A) The proposed official map amendment is consistent with the City’s adopted plans. The proposed map zoning amendment is consistent with the following adopted plans:

- **Comprehensive plan 2040 (adopted April 22, 2019)** The subject property rezoning is consistent with the plan providing a city that's made up of strong and authentic neighborhoods. Providing well-connected, safe and accessible places that are easy to get to by public transportation. The new use of the property will provide a community that is economically diverse and vibrant with promoting healthy and active city with access to the types of amenities and experiences that make Denver uniquely Denver. It provides equitable, inclusive community with a high quality of life for all residents, regardless of income level, race, ethnicity, gender, ability or age. The rezoning of the parcel will bring these parcel

and development goals in line with the adopted plans for the area. The full development help to build a strong and authentic neighborhood and improve the economic viability and neighborhood culture.

Rezoning of the subject parcel is consistent with the goals, vision elements and strategy of the Denver Comprehensive Plan 2040 as listed below:

- **Goal 1, Strategy A-** The subject property rezoning will promote increase development of housing units close to transit and mixed-use developments. Union Station and 38th and Blake St Station is less than 0.5 miles from the site.
- **Goal 2, Strategy C-** Foster communities of opportunity by aligning housing strategies and investments to improve economic mobility and access to transit and services.
- **Goal 3, Strategy B-** Equitable, Affordable and Inclusive use land use regulations to enable and encourage the private development of affordable, missing middle and mixed-income housing, especially where close to transit. This means the benefits of growth and change are equitably shared by all income level communities. It also means providing reliable and quality basic service, including public safety to all income levels.
- **Strong and Authentic Neighborhoods Goal 1 Strategy A thru D,** – connected, vibrant, mixed-use centers and corridors that ensure neighborhoods offer a mix of housing types and services for a diverse population. The new development increases the neighborhood safety and encourages quality infill development that is consistent with the surrounding.
- **Strong and Authentic Neighborhoods Goal 2 Strategy D,** - Use urban design to contribute to economic viability, public health, safety, environmental well-being, neighborhood culture, and quality of life. The rezoning of the subject parcel will bring development goals in line with the adopted plans for the area. The full development of site will help to build a strong and authentic neighborhood and improve the economic viability and neighborhood culture with new housing and business opportunities.

• **Blueprint Denver (adopted April 22, 2019)** The subject property rezoning is consistent with the citywide adoption of land use providing complete neighborhoods and complete transportation networks with a measured, common-sense approach to new growth and land-use decisions through the lens of social equity. Blueprint Denver 2019 Rezoning the I-MX-3, DO-7, UO-2 parcels to C-MX-5, DO-7 is consistent with the rezoning components of the Blueprint Denver 2019 as listed below:

- **- Neighborhood Context-page (136)**
Rezoning to C-MX-5 will be compatible with the existing zone lots located to the north, East and west parcels that provide a high residential, mixed-use neighborhood. The proposed new zoning is consistent with the Blueprint Denver Neighborhood Context Map for an Urban Center context. The Urban Center neighborhood context describes an area of higher residential density with street activation, walkability and access to amenities. A high mix of uses throughout the area, with multi-unit residential typically in multi-story, mixed-use building forms. Block patterns are generally regular with consistent alley access. Larger scale buildings close to the street. Walkable and bikeable with access to transit but still mostly reliant on cars.
- **- Expanding Housing and Job Diversity- page (40)**
The proposed rezoning of the site will be increasing the range of housing and job options will also advance the important goal to maintain and increase racial, ethnic and socioeconomic diversity in Denver's neighborhoods. The rezoning and development of the site will be desiring

to many residents and stakeholders for all neighborhoods promoting growth and to incorporate a greater variety of housing and employment options.

- - Future Places- page (140)

The proposed rezoning to C-MX-5 zone district is consistent with the goals and strategies of the Blueprint Denver 2040 Future Places Map for this area. The proposed rezone area falls within the High-Medium residential areas in D and UC context designations. The Blueprint Denver identifies buildings in these contexts as the tallest of residential places with high lot coverage and shallow setbacks. a mix of uses, including multi-unit residential, but at a slightly lower intensity compared to the high residential areas. Heights are generally up to 8 stories. There is high lot coverage and shallow setbacks. Future places work together to promote complete neighborhoods for the residents living within or near each of them. Each place expresses itself differently depending on the neighborhood context where it is located. The subject site is requested to be rezoned as C-MX-5 because Maximum building heights in Ballpark and River North range from three to eight stories. The eight story heights are located in the area's two nodes of density in the Ballpark neighborhood between 20th and 24th, and at the future TOD area at the 38th & Blake station. The three and five story areas are located generally between 24th and 35th, with Blake and Walnut supporting 5 stories and Larimer supporting three to aid in the transition between RiNo and Curtis Park.

- - Street Type-page (152)

Walnut Street is Mixed-Use Arterial street. C-MX-5, DO-7 Urban Center zone districts are located along a Mixed-Use Arterial with proximity and direct access to Main Streets. Rezoning of the I-MX-3 property will allow for a multi-story mixed-use building. This will allow for the goals of the Mixed-Use Arterial to be achieved through redevelopment. The full redevelopment will provide pedestrian-oriented transportation methods through detached walks. Varied mix of uses including retail, office, residential and restaurants. Buildings are pedestrian-oriented, typically multi-story, usually with high building coverage and shallow front setback. A street wall is present.

- - Growth Strategy-page (50) –The River North area is identified as an area of growth for Community Centers and Corridors. The rezoning and development of the site will strengthen the existing neighborhoods through carefully planned infill development that enhances the city's unique character. As noted on page 50 of Denver Blueprint, these areas are expected to increase by 20% of employment and 25% of housing in Denver by 2040. The rezone and full development of the subject site will provide additional bedrooms and multifamily units for the future housing needs of River North. The rezone and full development of this site will provide additional living units, office space and ground floor retail for the future.

- **Pedestrian Priority Area Map:** The site is located one block from Larimer street which is considered pedestrian priority street as well as 32nd street between Walnut and Lawrence Streets which also considered as a Pedestrian Priority street.

- **Future Place Map:** The proposed site is located in the High-Medium Residential Area as specified by the Future Place Maps.

- **Neighborhood Contexts Map:** The proposed site is designated as the Urban Center as specified by the Future Neighborhood Contexts Map.

- **Denver Moves Transit Plan:** Multimodal access to transit stops and stations is essential to increase the number of people served by transit. Safe and comfortable walking and biking access to transit and seamless connections to shared mobility options can be a deciding factor in the decision to ride transit, especially for those with the option to drive.

The subject site meets the objectives and strategies of Denver Moves Transit Plan following sections:

- Compact street networks
- Pedestrian access to transit
- Bicycle access to transit
- Bike share integration
- Bicycles on transit
- Shared and on-demand mobility integration
- On- and off- street parking management strategies
- Park-and-rides

- **Northeast Downtown Neighborhoods Plan:** The proposed site is located in RiNo which has long served as a backbone of the business activities on the edge of Downtown Denver. Recently, additional businesses (such as professional services, creative businesses, and others) have “discovered” the locational advantage and affordability of RiNo. Rezoning and development of the site represents a key opportunity for all of these uses to coexist in a commercial mixed-use community. Walnut Street has seen many new 5 story mixed use residential building as new infill projects in the last three or four years. 38th & Blake Station Area Height Amendments, as adopted under Ordinance 2016-0760, references and updates the building height recommendations as applied to the area near the 38th and Blake commuter rail station. A five-story height datum line is recommended to produce the effect that each new building reads as no more than five stories from street level. An urban design concept that allows taller buildings to relate to a pedestrian scale along the street and to smaller nearby buildings. The proposed site rezoning will allow the new development to meet the desired building height of five story mixed-use building.

Rezoning the site to C-MX-5 is consistent with the vision of Northeast Downtown Neighborhood. RiNo has long served as a backbone of the business activities due to the close proximity to Downtown which made it an integral to the City’s economy and employment. Recently, additional businesses (such as professional services, creative businesses, and others) have “discovered” the locational advantage and affordability. RiNo represents a key opportunity for all of these mixed uses to coexist in the community. Five story building height is envisioned in the areas located generally between 24th and 35th, with Blake and Walnut supporting 5 stories mixed use projects featuring apartments and ground floor retail bays with large sidewalks.



• **38th and Blake Station Area Plan:** Future land use vision for the site is designated as Mixed-Use-Employment district. The new development on the subject site will encourage and promotes pedestrian and bike circulation to connect Upper Larimer, Cole and River North neighborhoods to the station and each other with pedestrian paths and bicycle routes. The development of the site will create safe, viable, pedestrian and bike connections to the station from the surrounding neighborhoods. Walnut street is designated as Arterial Street. According to River North Land Use Concept Map, the site is located in the Commercial Mixed-Use district. The 38th & Blake Station Area Height Amendments, as adopted under Ordinance 2016-0760, references and updates the building height recommendations of this plan as applied to the area near the 38th and Blake commuter rail station. The proposed rezoning and development of the site meets the vision for 38th & Blake station area becoming a unique destination that emphasize its historic neighborhoods, and emerging new residential and arts and entertainment districts; provide a mix of uses where feasible and especially near the station. The rezoning and development of the subject site enhances the area by providing housing and living opportunities for people of all incomes, ages and backgrounds. The rezoning and development of the site will emphasize the industrial heritage of the historic neighborhood with development of new residential and commercial entertainment districts; providing a mix of uses where feasible and especially near the station; ensure access and provide enhancements to the South Platte River greenway; provide enough housing and jobs to make non-auto travel modes those of choice; and provide living opportunities for people of all incomes, ages and backgrounds

• **River North Art District** The new use will meet the trendy River North Art District featuring contemporary art galleries and hip concert venues, food halls such as Denver Central Market and The Source, buzzy indoor venues promoting small businesses, restaurants, bar for small plates and craft beer, cocktail lounges, brewpubs with patios and late-night food trucks.

The proposed development provides housing, retail and offices close to existing transit and mixed-use developments, which improve equitable access to resources that improve quality of life, including cultural and social activities. The neighboring amenities provide the Property, and its future residents, immediate access to nearly every type of amenity. Within walking distance of the Property lies; light rail station at 38th and Blake, light rail and bus services at Union Station, CU Denver’s downtown campus,

upper downtown business district, near Safeway, King Soopers, and Whole Foods Grocery Stores, RiNo Arts District, Coors Field, the South Platte Trails, easy access to I-25 and a wide variety of restaurants,

The requested rezoning would enable the development of a compact, mixed-use, pedestrian-oriented development in an appropriate location, making it consistent with Denver's Comprehensive Plan 2040 and its goals. The proposed map amendment is consistent with the objectives of Blueprint Denver (April 2019). The proposed development consists of four-story building providing 4,000 SF of retail on the first floor with 3,000 SF of roof top bar/restaurant, 6,000 SF of office space on second and third levels, 4 one-bedroom residential units and 4 off street parking stalls.

Walnut Street is Mixed Use Arterial which provides varied mix of uses including retail, office, residential and restaurants. Buildings are pedestrian-oriented, typically multi-story, usually with high building coverage with a shallow front setback. A street wall is present with maintaining ground story activation such as window transparency, street facing entrances, human scaled facades.

32nd Street is a street and can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses. 32nd Street in RiNo neighborhood between Lawrence Street and Blake Street is mostly commercial use with new high-density residential apartments.

The proposed map amendment is consistent with the objectives and General Vision for Denver to promote and anticipate planned growth in major neighborhoods and corridors and key residential areas connected by rail service.... Denver's growth strategy is to guide new housing units and jobs to areas with the infrastructure to support higher density, mixed-use development. This requires coordinated implementation of land use changes and transit investments. Many areas of the city, often near transit, allow for greater density than what is being zoned. While the city plans and entitles certain areas to take on more growth, private development requires rezoning of the properties to take full advantage of those entitlements and fulfilling the community vision for vibrant and walkable neighborhoods. The proposed official map amendment furthers the public health, safety, and general welfare of the City by removing an empty obsolete structure, removing contaminated soils, improving the pedestrian environment with ground floor activation and transparency.

Justifying Circumstances: Since the most recent zoning map adopted in 2010, the area has transformed from one predominantly dominated by industrial and commercial uses to more mixed uses of commercial, retail and residential neighborhood, creating a Live-Work environment. The Light Rail Station at 38th and Blake and creation of River North Art District have changed the context of the area significantly to promote vibrant pedestrian street frontages with active uses and street fronting commercial and residential developments. The neighborhood has changed to promote more active lifestyle providing transportation options, such as light rail, scooters, walking and biking. The existing building has been used for industrial purpose since the early 70's providing water treatment from grease traps, sand and oil separators, septic tanks pumping stations and discharging into the public sewer system after treatment. The process requires delivery of waste using heavy pump trucks disposing waste into the holding tanks inside the building. The daily operation of the business created heavy waste and sewer odor in the neighborhood. The existing use of the building is not consistent with the adopted plans for River North Art district neighborhood.

The zoning map requested change is to rezone the Property to the **C-MX-5, DO-7** Zone District while keeping the existing DO-7 River North Design Overlay District. This would allow the development of a

mix occupancy commercial and/or residential buildings up to five stories. As described in the Denver Zoning Code, the Commercial Mixed-Use districts are intended to provide a transition from existing outdated use to the new transformed mixed use, pedestrian friendly live work neighborhood. The successful rezoning will allow for a quality project that will fit the neighborhood by providing, retail, office and residential uses which responds to the changing context of River North Art District. The proposed project will blend with the adjacent new developments in the area and remain consistent with the existing character of the neighborhood. Currently the site is surrounded by several newly constructed five story buildings. A 5-story condominium building called Factory Flats was built in 2018 imminently across the alley. A new five story development called Camden RiNo with over 300 apartment units is under construction diagonally across the street from the subject site. A new 5 story building is under construction three blocks away at the 35th and Walnut intersection. The Hub is a new eight story office building located 4 blocks away at the 36th and Walnut Street intersection. The existing surrounding zoning is C-MX-5 to the north, east and west of the subject site. Additionally, the nearby zoning of C-MX-5, I-MX-3, C-MU-10 WVRs, R-MU-20 WVR, R-MU-30 WVR, G-RH-3, UO-3 are less than ¼ mile radius to the subject site. Many of the new developments in the area are 5 stories high with zero front lot setback.

Existing Neighborhood Context: Existing Form/Scale of the Walnut street with the recent new developments in the area exemplifies the vision of Denver Blueprint and Northeast Downtown. The existing zoning of the site is I-MX-3, DO-7, UO-2, industrial – Mixed Use – 3 stories with maintaining the operation of billboard uses and meeting the River North Design Overlay District (DO-7) general purpose. The photos below are some of the new developments in the area showing the scale and size of nearby developments.



Proposed C-MX-5 zone change and future development plan: The request for zone change to C-MX-5 will enhance the areas by arterial streets where a building scale of 1 to 5 stories is desired. The Urban Center Neighborhood Context of C-MX-5 is characterized by moderate to high building heights to promote a dense urban character. The Mixed-Use zone C-MX districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate the public street edge and intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's neighborhoods. The Mixed-Use zone district standards intended to ensure new developments contributes positively to established residential neighborhoods character and improves the transition between commercial development and adjacent residential neighborhoods. The rezoning of the proposed site will complement and enhance the vision for the Mixed-Use neighborhoods by providing a 5-story building with shallow front street setback. Below are the preliminary concept photos of the future development on the site, contingent to rezoning approval to C-MX-5. The new development will serve the area with first level commercial and retail uses and providing offices and residential units on the second, third and fourth levels and a commercial roof top space to be used by a restaurant or bar establishment. The scale of the proposed development will enhance the surrounding buildings and scale in the neighborhood.



The requested C-MX-5, DO-7 zoning is consistent with the adjacent neighborhood context, zone district purpose and intent as the subject parcel is bordered by high to medium density new developments consisting of R-MU-30, C-MX-8, and C-MX-16 properties. Blueprint Denver specifically notes this neighborhood area is of Urban Center context with requirements for high residential development with buildings that are generally the tallest of the residential plans in this context. The proposed zone map amendment will allow for this Urban Center context to be realized.

According to the Denver Zoning Code (“DZC”) Section 7.2.2, the general purpose of the Mixed-Use Districts is intended to:

- promote safe, active, and pedestrian-scaled, diverse areas using building forms that clearly define and activate the public street edge
- enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's neighborhoods
- ensure new development contributes positively to established residential neighborhoods and character and improves the transition between commercial development and adjacent residential neighborhoods
- focused on creating mixed, diverse neighborhoods
- require pedestrian enhancements

- have shallow front setback range, with high build-to requirements

The proposed developments will be consistent in meeting these DZC goals for a new Mixed-Use district and will provide pedestrian connectivity through the construction of detached walks along the mixed-use collector street.

Summary of Request - As presented within this letter, the re-zoning of the specified parcel to **C-MX-5, DO-7** is beneficial in that it allows for the unencumbered development of a medium-density residential product that will both serve and improve the surrounding neighborhood community.

Please contact me at (303) 204-7003 or wahid@PGPDenver.com should you have any questions.

Sincerely,
PREMIUM GROUP PROPERTIES, LLC.

A handwritten signature in black ink, appearing to read 'Wahid Enayat', with a long horizontal stroke extending to the right.

Wahid Enayat, PE, SE
Member