

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	High Wire Properties, LLC	Representative Name	Mary Noga
Address	3845 Tennyson St, Suite 145	Address	3845 Tennyson St, Suite 145
City, State, Zip	Denver, CO 80212	City, State, Zip	Denver, CO 80212
Telephone	303-209-3031	Telephone	303-506-2048
Email	admin@highwireproperties.com	Email	molli.noga@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.	
SUBJECT PROPERTY INFORMATION			
Location (address):	4785 Tejon St Denver, CO 80211		
Assessor's Parcel Numbers:	0221204004000		
Area in Acres or Square Feet:	10,297 SF		
Current Zone District(s):	U-SU-C		
PROPOSAL			
Proposed Zone District:	U-MX-3		
PRE-APPLICATION INFORMATION			
In addition to the required pre-application meeting with Planning Services, did you have a concept or a pre-application meeting with Development Services?	<input type="checkbox"/> Yes - State the contact name & meeting date _____ <input 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 _____ <input type="checkbox"/> No - if no, describe why not (in outreach attachment, see bottom of p. 3)		

REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)

<p>General Review Criteria DZC Sec. 12.4.10.7.A</p> <p>Check box to affirm and include sections in the review criteria narrative attachment</p>	<p><input checked="" type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.</p> <p>Please provide a review criteria narrative attachment describing how the requested zone district is consistent with the policies and recommendations found in each of the adopted plans below. Each plan should have its' own subsection.</p> <p>1. Denver Comprehensive Plan 2040</p> <p>In this section of the attachment, describe how the proposed map amendment is consistent with <i>Denver Comprehensive Plan 2040's</i> a) equity goals, b) climate goals, and c) any other applicable goals/strategies.</p> <p>2. Blueprint Denver</p> <p>In this section of the attachment, describe how the proposed map amendment is consistent with: a) the neighborhood context, b) the future place type, c) the growth strategy, d) adjacent street types, e) plan policies and strategies, and f) equity concepts contained in <i>Blueprint Denver</i>.</p> <p>3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable): Sunnyside Neighborhood Plan (see attached)</p>
<p>General Review Criteria: DZC Sec. 12.4.10.7. B & C</p> <p>Check boxes to the right to affirm and include a section in the review criteria for Public Health, Safety and General Welfare narrative attachment.</p>	<p><input checked="" type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input checked="" type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p> <p>In the review criteria narrative attachment, please provide an additional section describing how the requested rezoning furthers the public health, safety and general welfare of the City.</p>
<p>Review Criteria for Non-Legislative Rezonings: DZC Sec. 12.4.10.8</p> <p>For Justifying Circumstances, check box and include a section in the review criteria narrative attachment.</p> <p>For Neighborhood Context, Purpose and Intent, check box and include a section in the review criteria narrative attachment.</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error;</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact;</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints of development created by the natural characteristics of the land, including, but not limited to , steep slopes, floodplain, unstable soils, and inadequate drainage;</p> <p><input 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"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</p> <p>In the review criteria narrative attachment, please provide a separate section describing how the rezoning aligns with a) the proposed district neighborhood context description, b) the general purpose statement, and c) the specific intent statement found in the Denver Zoning Code.</p>

REQUIRED ATTACHMENTS

Please check boxes below to affirm the following **required** attachments are submitted with this rezoning application:

- Legal Description of subject property(s). **Submit as a separate Microsoft Word document.** View guidelines at: <https://www.denvergov.org/content/denvergov/en/transportation-infrastructure/programs-services/right-of-way-survey/guidelines-for-land-descriptions.html>
- Proof of ownership document for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed, or (c) Title policy or commitment dated no earlier than 60 days prior to application date. If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.
- Review Criteria Narratives. See page 2 for details.

ADDITIONAL ATTACHMENTS (IF APPLICABLE)

Additional information may be needed and/or required. Please check boxes below identifying additional attachments provided with this application.

- Written narrative explaining reason for the request** (optional)
- Outreach documentation attachment(s).** Please describe any community outreach to City Council district office(s), Registered Neighborhood Organizations (RNOs) and surrounding neighbors. If outreach was via email- please include email chain. If the outreach was conducted by telephone or meeting, please include contact date(s), names and a description of feedback received. If you have not reached out to the City Council district office, please explain why not. (optional - encouraged)
- Letters of Support.** If surrounding neighbors or community members have provided letters in support of the rezoning request, please include them with the application as an attachment (optional).
- Written Authorization to Represent Property Owner(s)** (if applicable)
- Individual Authorization to Sign on Behalf of a Corporate Entity** (e.g. if the deed of the subject property lists a corporate entity such as an LLC as the owner, this is document is required.)
- Other Attachments.** Please describe below.

We had a video conference with Isreal Cruz, Associate City Planner, with Community Planning and Development on 09/02/2020 as part of the rezoning pre-application review, but we did not have a meeting with the Development Services, as we are not changing the exterior of the building.

Additional Attachments:

4785 Tejon St - City and County of Denver Zoning Map.pdf
 Gmail - 4785 Tejon St - Rezoning Application.pdf
 4785 Tejon St - Land Title Survey.pdf
 4785 Tejon St - Zone 1 of 3 - Compliance Letter.pdf
 4785 Tejon St - GSA IV Easement and Lease Assignment and Agreement.pdf

Gmail - 4785 Tejon St.rezoning.pdf
 Gmail - RNO email - Rezoning for 4785 Tejon St.pdf
 4785 Tejon St - Property Details.pdf
 4785 Tejon St - Phase I Environmental Site Assessment.pdf
 4785 Tejon St - Letter to Neighbors.pdf

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

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

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/12/20	(A)	YES
High Wire Properties, LLC Mary Noga and Jeffrey Sherman	3845 Tennyson St Suite 145 Denver, CO 80212 303-209-3031	100%	<i>Mary A Noga</i> <i>Jeffrey Sherman</i>	12/18/20	B	YES NO
						NO
						NO
						NO



10/21/2020 05:09 PM
City & County of Denver
Electronically Recorded

R \$18.00

WD

D \$100.00

After recording return to:

High Wire Properties, LLC
3845 Tennyson Street, Suite 145
Denver, Colorado 80212

SPECIAL WARRANTY DEED

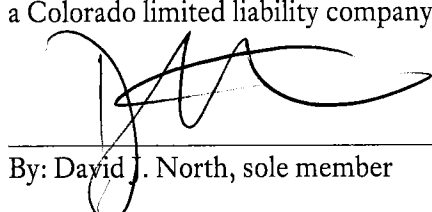
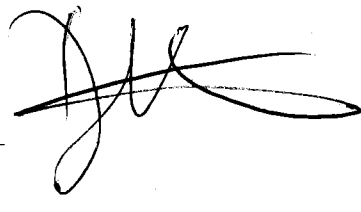
(Statutory Form - C.R.S. § 38-30-113(1)(b))

4785Tejon, LLC, a Colorado limited liability company (the "**Grantor**"), whose street address is 1174 Fillmore Street, Denver, Colorado 80206, of the City and County of Denver and State of Colorado, for the consideration of one million and no/100ths U.S. Dollars (\$1,000,000.00), in hand paid, hereby sells and conveys to **High Wire Properties, LLC**, a Colorado limited liability company, whose street address is 3845 Tennyson Street, Suite 145, Denver, Colorado 80212, of the City and County of Denver and State of Colorado, the real property described on **Exhibit A** attached hereto, with all its appurtenances (the "**Property**"), and warrants the title to the same against all persons claiming under Grantor, subject to "statutory exceptions" as defined in §38-30-113(5)(a), C.R.S.

Signed this 19th day of October, 2020.

Grantor:

4785Tejon, LLC,
a Colorado limited liability company

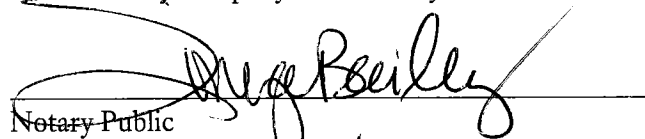
 

By: David J. North, sole member

STATE OF COLORADO)
) ss.
CITY AND COUNTY OF DENVER)

The foregoing instrument was acknowledged before me on October 19, 2020, by David J. North, as sole member of 4785Tejon, LLC, a Colorado limited liability company. Witness my hand and official seal.

SONYA BAILEY
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20024020306
MY COMMISSION EXPIRES JULY 6, 2022


Notary Public
My commission expires: 7/6/22

Recording Requested by:
FNTG-NCS Colorado

NCD27832

**EXHIBIT A
to Special Warranty Deed**

Property Description

The North 85.10 Feet of the East 121 Feet of Plot 4, Block 4, North Highlands, City and County of Denver, State of Colorado.

For informational purposes only: APN: 0221204004000

Commonly known as 4785 N. Tejon Street, Denver, Colorado 80211.

December 18, 2020

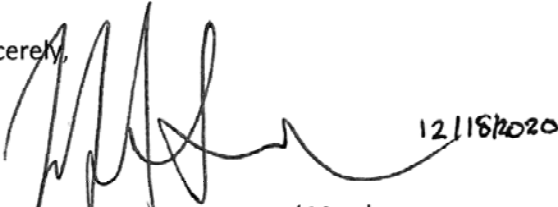
Community Planning and Development
201 W. Colfax Ave., Dept. 205
Denver, CO 80202

Re: Zone Map Amendment (Rezoning) – Application – Statement of Authority

Please let this letter serve as written property owner authorization for applicant representation for High Wire Properties, LLC, for the property located at 4785 Tejon St., Denver, CO 80211, rezoning submittal.

Mary (Molli) Noga is a member of High Wire Properties, LLC, the entity that 100% owns the property located at 4785 Tejon St., and also has the authority to represent the property owner in the rezoning application process for the above referenced submittal.


Sincerely,



12/18/2020

Jeffrey S. Sherman, Manager / Member
High Wire Properties, LLC
3845 Tennyson St., Suite 145
Denver, CO 80212
Phone: (303) 209-3031
Email: admin@highwireproperties.com

4785 Tejon St, Denver, CO 80211-1200, Denver County

	Beds	Bldg Sq Ft	Lot Sq Ft	Sale Price
	N/A	6,015	10,297	\$1,000,000
	Baths	Yr Built	Type	Sale Date
	N/A	2001	OFC BLDG	10/19/2020

OWNER INFORMATION			
Owner Name	High Wire Properties LLC	Mailing ZIP 4	2107
Mailing Address	3845 Tennyson St	Mailing Carrier Route	C025
Mailing City & State	Denver, CO	Owner Occupied	No
Mailing Zip	80212		

LOCATION INFORMATION			
Property Zip	80211	Topography	Flat/Level
Property Zip4	1200	Neighborhood Code	Chaffee Park-0219
Property Carrier Route	C044	Neighborhood Name (OnBoard)	Sunnyside
School District	Denver County 1	Traffic	Curb / Gut
Elementary School	Trevista	Township	03S
Middle School	Skinner	Range	68W
High School	North	Section	21
Subdivision	Highland	Quarter	NW
Zoning	U-SU-C	Block	4
Census Tract	2.02	Lot	4

TAX INFORMATION			
PIN	2212-04-004	% Improved	81%
Alternate PIN	160725889	Tax District	DENV
Schedule Number	0221204004000		
Legal Description	E 121FT OF PLOT 4 EXC S 100FT T HEREOF BLK 4 N HIGHLANDS		

ASSESSMENT & TAX				
Assessment Year	2020 - Preliminary	2019	2018	2017
Market Value - Land	\$363,900	\$363,900	\$318,400	\$318,400
Market Value - Improved	\$1,586,500	\$1,586,500	\$1,086,200	\$1,086,200
Market Value - Total	\$1,950,400	\$1,950,400	\$1,404,600	\$1,404,600
Assessed Value - Land	\$105,531	\$105,530	\$92,340	\$92,340
Assessed Value - Improved	\$460,089	\$460,090	\$315,000	\$315,000
Assessed Value - Total	\$565,620	\$565,620	\$407,340	\$407,340
YOY Assessed Change (%)	0%	38.86%	0%	
YOY Assessed Change (\$)	\$0	\$158,280	\$0	

Tax Year	Total Tax	Change (\$)	Change (%)
2017	\$31,420		
2018	\$31,514	\$94	0.3%
2019	\$40,790	\$9,276	29.44%

CHARACTERISTICS			
Lot Acres	0.2364	Basement Type	Basement
Lot Sq Ft	10,297	# Buildings	1
Land Use - County	Office Bldg 2+ Story	Stories	2
Land Use - CoreLogic	Office Building	Heat Type	Hot Air
Year Built	2001	Garage Type	Parking Avail
Bldg Sq Ft - Basement	2,604	Quality	Average
Bldg Sq Ft - Total	6,015	Equipment	Ls1
Bldg Sq Ft - Finished	6,015		

FEATURES

Feature Type	Size/Qty
Hydr Pass Elev	2,500
Paving - Asphalt Park	6,300
Paving - Conc - Average	393
Und Spnklr	1,000

ESTIMATED VALUE

Value As Of **11/27/2020**
LAST MARKET SALE & SALES HISTORY

Sale Date	10/19/2020		Deed Type	Special Warranty Deed	
Sale Price	\$1,000,000		Owner Name	High Wire Properties LLC	
Price per SqFt - Finished	\$166.25		Seller	4785tejon LLC	
Document Number	174036				
Sale Date	10/19/2020	04/21/2016	03/14/2014	10/21/2013	10/20/2011
Sale Price	\$1,000,000	\$1,850,000	\$750,000		\$210,000
Nominal				Y	
Buyer	High Wire Properties L LC	4785tejon LLC	Zg Ents LLC	Lead Denver LLC	Lead Properties IV LLC
Seller	4785tejon LLC	Zg Ents LLC	Lead Denver LLC	Lead Properties IV LLC	North Vly Bk
Document Number	174036	52181	29401	156359	118905
Document Type	Special Warranty Deed	Warranty Deed	Special Warranty Deed	Special Warranty Deed	Special Warranty Deed
Title Company	Fntg-Ncs Colorado	Land Title Guarantee	First Colorado	Attorney Only	Land Title Guarantee

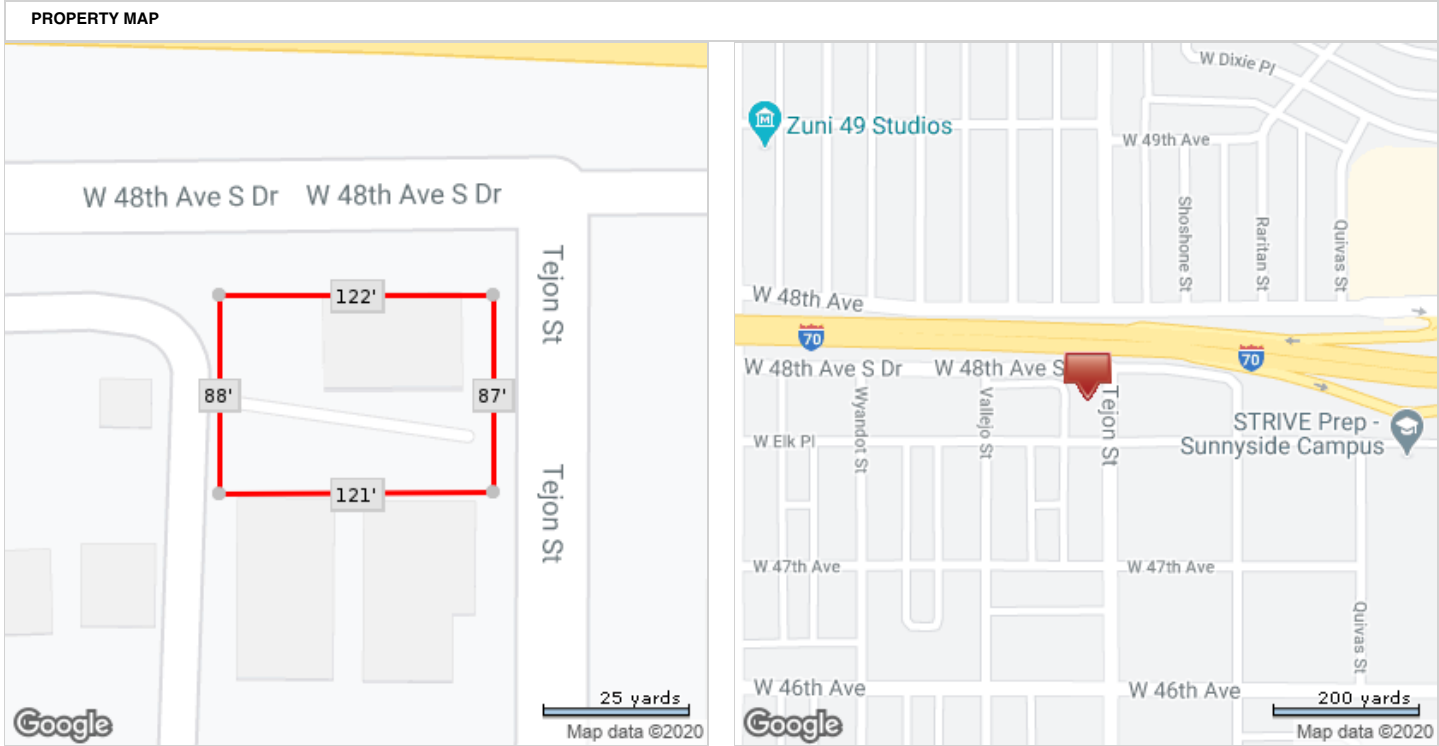
Sale Date			08/16/2011		
Sale Price					
Nominal			Y		
Buyer			North Vly Bk		
Seller			4785 Tejon Street LLC		
Document Number			93593		
Document Type			Warranty Deed		
Title Company					

MORTGAGE HISTORY

Mortgage Date	10/21/2020	04/21/2016	04/17/2015	03/14/2014	10/15/2009
Mortgage Amount	\$1,120,000	\$1,005,650	\$861,000	\$668,500	\$388,243
Mortgage Lender	First Citizens Bk & Tr Co	Guaranty Bk & Tr Co	Sunflower Bk	Sunflower Bk	North Vly Bk
Borrower	High Wire Properties L LC	4785tejon LLC	Zg Ents LLC	Zg Ents LLC	4785 Tejon Street LLC
Mortgage Type		Conventional	Conventional	Conventional	
Mortgage Purpose	Construction	Resale	Refi	Resale	Construction
Mortgage Int Rate					7.25
Mortgage Int Rate Type			Adjustable Int Rate Loan		
Mortgage Term	15		10	10	1
Mortgage Term	Years		Years	Years	Years

Mortgage Date	02/27/2007	09/21/2006	04/29/2005
Mortgage Amount	\$22,809	\$20,000	\$30,000
Mortgage Lender	North Vly Bk	Private Individual	North Vly Bk
Borrower	Sutton Keith C	Ulibarri Joe I	Ulibarri Joe I
Mortgage Type	Conventional		Conventional
Mortgage Purpose	Nominal	Construction	Refi
Mortgage Int Rate			
Mortgage Int Rate Type			Fixed Rate Loan
Mortgage Term		1	3

FORECLOSURE HISTORY					
Document Type	Release Of Lis Pendens/ Notice	Notice Of Trustee's Sale	Certificate Of Purchase	Notice Of Trustee's Sale	Lis Pendens
Foreclosure Filing Date		05/05/2011		08/22/2008	05/30/2008
Recording Date	10/18/2011	05/13/2011	09/02/2009	08/25/2008	05/30/2008
Document Number	117656	52956	116703	117309	74321
Final Judgment Amount		\$388,148	\$417,065	\$417,065	
Original Doc Date	05/13/2011	10/15/2009	08/04/2004	08/04/2004	
Original Document Number	52956	137244	160436	160436	
Lien Type	Other				



*Lot Dimensions are Estimated



STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity named **High Wire Properties, LLC, a Colorado limited liability company**
And is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.
2. The type of entity is a:

<input type="checkbox"/> Corporation	<input type="checkbox"/> Registered Limited Liability Partnership
<input type="checkbox"/> Nonprofit Corporation	<input type="checkbox"/> Registered Limited Liability Limited Partnership
<input checked="" type="checkbox"/> Limited Liability Company	<input type="checkbox"/> Limited Partnership Association
<input type="checkbox"/> General Partnership	<input type="checkbox"/> Government or Governmental Subdivision or Agency
<input type="checkbox"/> Limited Partnership	<input type="checkbox"/> Trust
3. The entity is formed under the law of the State of Colorado
4. The mailing address for the entity is 3845 Tennyson St.Suite 145, Denver, CO 80212
5. The name and position of each person authorized to execute instruments conveying, encumbering or otherwise affecting title to real property on behalf of the entity is:
Jeffrey S. Sherman, Manager
6. The authority of the foregoing person(s) to bind the entity is not limited limited
as follows: _____
7. Other matters concerning the manner in which the entity deals with interests in real property:
None
8. The Statement of Authority is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.
9. This Statement of Authority amends and supersedes in all respects any prior Statement of Authority executed on behalf of the entity.

Executed on October 16, 2020.

High Wire Properties, LLC, a Colorado limited liability company

Jeffrey S. Sherman, Manager

State of Colorado } ss
County of Jefferson

The foregoing instrument was acknowledged before me this 16 day of October, 2020 by **Jeffrey S. Sherman, Manager of High Wire Properties, LLC, a Colorado limited liability company.**

Witness my hand and official seal [Signature]

SONYA BAILEY
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20024020306
MY COMMISSION EXPIRES JULY 6, 2022

[Signature]
Notary Public
My commission expires: 7/6/22

General Review Criteria Narratives
4785 Tejon St
Denver, CO 80211
Application for Rezoning from U-SU-C to U-MX-3

I. General Review Criteria DZC Sec. 12.4.10.7.A

Denver Comprehensive Plan 2040: In this section of the attachment, describe how the proposed map amendment is consistent with *Denver Comprehensive Plan 2040's* a) equity goals, b) climate goals, and c) any other applicable goals/strategies.

1. Equity Goals

- a. **Goal 1: Ensure all Denver residents have safe, convenient, and affordable access to basic services and a variety of amenities.**
 - i. While the property owners currently plan to host offices in this building, a U-MX-3 designation would allow us to improve equitable access to resources that improve quality of life, including cultural and natural amenities, health care, education, nutritious food, and the arts. This neighborhood would benefit from having a small building that could host medical services, restaurants, or arts within walking or biking distance of many residents.
- b. **Goal 5: Reduce the involuntary displacement of residents and businesses.**
 - i. Because the current zoning of 4785 Tejon St is U-SU-C, the rezoning of this land to U-MX-3 would allow the existing building to remain as an office building and/or introduce retail or other small businesses into this community. One of the strategies for this goal is to “stabilize residents and businesses at risk of displacement through programs and policies that help them to stay in their existing community”. Rezoning the land to match the existing building would help ensure that any existing businesses do not get displaced. Another strategy for this goal is to “evaluate city plans, projects, and major regulatory changes for the potential to contribute to involuntary displacement; identify and implement strategies to mitigate anticipated impacts to residents and businesses”. By approving the rezoning to U-MX-3, this building would be able to mitigate any potential future impacts to businesses and residents by ensuring legal, conforming use.

2. Climate Goals

- a. **Goal 1: Mitigate climate impact by significantly reducing greenhouse gas emissions.**
 - i. The strategy that the property owners have implemented for this goal, per the *Denver Comprehensive Plan 2040*, is “reduce energy use by buildings and advance green building design...”. The property owners have implemented this strategy by replacing the roof of the building with an ISO and GAF-TPO 60-mil thermoplastic polyolefin single-ply membrane system, as well as replacing all the building windows (140 total) with LoE³-366 Glass.
- b. **Goal 7: Improve solid waste diversion and conserve raw materials.**
 - i. A strategy for this goal outline is that of “prioritizing the reuse of existing buildings...”. The successful rezoning of 4785 Tejon St. would allow for us to achieve this goal by reusing the existing building and maintaining the use of the building in a formally accepted manner.
- c. **Goal 8: Clean our soils, conserve land, and grow responsibly.**
 - i. As outlined by the *Denver Comprehensive Plan 2040*, one strategy for this goal is “encourage mixed-use communities where residents can live, work and play in their own neighborhoods”. By changing the zoning from U-SU-C, to the requested U-MX-3, the property owners would allow for this by leasing to local community members, and small businesses. The property owners would encourage the use of walking, or biking to work, and would also install bike storage on-site.
- d. **Goal 9: Protect and improve air quality.**
 - i. The strategy the property owners plan to implement for this goal is that of “improving Denver’s air by reducing the use of single-occupancy vehicles...and supporting mixed-use, walkable neighborhoods”. As stated above, the property owners plan to encourage the building occupants to walk, or bike to work as they can. The property owners are also supporting mix-used, walkable neighborhoods by bringing in local small businesses, and not infringing on the pathways of the neighborhood.

3. Any other applicable goals/strategies

- a. **Goal 1 of “Strong and Authentic Neighborhoods”.**
 - i. For this goal, the property owners would implement two strategies which are: “build a network of well-connected, vibrant, mixed-use centers and corridors”, and “ensure neighborhoods offer a mix of housing types and services for a diverse population”. This building would meet these by contributing to the mixed-use center and corridors (surrounding residences and businesses), as well as by offering a mix of professional services to the surrounding community.
- b. **Goal 4 of “Strong and Authentic Neighborhoods”.**
 - i. A strategy the property owners will implement within this goal, is to “grow and support neighborhood-serving businesses”. By leasing to local, professional, small businesses the property owners would be creating a neighborhood-

serving environment. Rezoning of this building would be in support of this goal, by allowing legal, conforming use of these small businesses, allowing them to comfortably grow within the community.

c. **Goal 3 of “Economically Diverse & Vibrant”.**

- i. The property owners would achieve this goal by “promoting small, locally-owned businesses...that reflect the unique character of Denver”. By leasing to a mix of professional services, and by targeting small business owners for these tenants, the property owners would promote each aspect of this strategy.

Blueprint Denver: In this section of the attachment, describe how the proposed map amendment is consistent with:

1. **The neighborhood context:**

1. The neighborhood surrounding 4785 Tejon St is urban, consisting of a mix of: multi-unit homes, businesses, and single-family homes. Please see the attached zoning map, which shows the existing zoning of the nearby neighbors. These nearby zonings include E-MX-2, PUD 279, U-MS-2, U-MS-2X, U-MX-3, and U-TU-C. Land uses nearby include single-unit, two-unit, multi-unit, industrial, and public/quasi-public. Our proposed zoning is therefore consistent with the surrounding neighborhood’s zoning and land uses.

2. **The future place type:**

1. In the *Blueprint Denver*, the future place type for this building is “Local Center”, located within a local corridor. Stated goals of a local center are that it “primarily provides options for dining, entertainment and shopping. May also include some residential and employment uses” and mentions that “heights are generally up to 3 stories, and generally will not have a transition area as the low intensity easily integrates into the surrounding neighborhood” (pg. 226). This is consistent with the desired U-MX-3 zoning that the property owners are requesting. The building is 3-stories, and includes a garden-level floor, which based on the height above the ground qualifies as a floor. There are two additional floors above the garden-level, which also brings the total height of the building to a 3-story classification. Also, according to the *Blueprint Denver*, “Local corridors are typically embedded within residential areas. They are more frequently seen in neighborhoods closer to the city’s core but should become more common in all neighborhoods as Denver continues to evolve” (pg. 143). This further supports the requested zoning, as the property owners would be expanding past the city’s core to further evolve the neighborhood.

3. **The growth strategy:**

1. This area, according to the *Blueprint Denver*, has a growth projection of 10% for new jobs, and 20% for new households through 2040 (considered a part of “All other areas of the city”). The rezoning of this building would support this strategy by stimulating job growth in the area.
4. **Adjacent street types:**
 1. The adjacent street type is considered “residential collector”, per the *Blueprint Denver*. These adjacent streets are Tejon St, and W 48th Ave S Dr. This street type is “primarily residential uses, but may also include schools, civic uses, parks, small retail nodes, and other similar uses”. The requested zoning would support this street type, per the above definition. The property owners would also not interfere with current parking on the streets, as the building has ample parking spots.

Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable):

1. Please see the attached document titled “4785 Tejon St – Sunnyside Neighborhood Plan.pdf”. The Sunnyside Neighborhood Plan includes a map on page 15 showing the location of this property being Mixed-Use. Additionally, according to this plan, “Tejon is a mixture of office, residential, and commercial uses” (pg. 35). The rezoning of this building would support this plan for the Sunnyside Neighborhood.

II. General Review Criteria: DZC Sec. 12.4.10.7. B & C

Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.

1. The first step the property owners took to ensure that we are furthering the public health, safety, and general welfare of the City was to engage NV5 to perform a Phase I Environmental Site Assessment. This assessment looked at the following factors and determined that they were all considered acceptable: Indoor air quality, mold, drinking water, lead-based paint, radon, asbestos, PCB’s, storage tanks, environmental setting, as well as property history. The property owners believe that this supports the surrounding neighborhood in not bringing any harm to the surroundings. Additionally, this was not required of the property owners, but it was decided to have the assessment done to ensure the safety of the occupants, as well as surrounding neighbors.
2. The second point related to this, is that the property owners are aiming to lease the building to professional service providers (although this might expand to retail and/or restaurants in the future). In either case, the property owners will have small-to-no-impact on the surrounding

neighborhood as it relates to carbon emissions and pollution (compared to a building involved in manufacturing).

III. Review Criteria for Non-Legislative Rezoning: DZC Sec. 12.4.10.8

Justifying Circumstance(s): for Justifying Circumstances, check box and include a section in the review criteria narrative attachment.

1. 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:
 - a. Changed or changing conditions in a particular area, or in the city generally; or,
 - b. **A City adopted plan;** or
 - c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.

The above justifying circumstance is supported by the *Blueprint Denver* (adopted in 2019), which recommends this area be a “Local Center”. As mentioned above, stated goals of a Local Center are that it “primarily provides options for dining, entertainment and shopping. May also include some residential and employment uses”. In addition, “heights are generally up to 3 stories, and generally will not have a transition area as the low intensity easily integrates into the surrounding neighborhood” (pg. 226). This is consistent with the desired U-MX-3 zoning that the property owners are requesting as well as the characteristics of the building itself. Also, according to the *Blueprint Denver*, “Local centers and corridors are typically embedded within residential areas. They are more frequently seen in neighborhoods closer to the city’s core but should become more common in all neighborhoods as Denver continues to evolve” (pg. 143). This further supports the requested zoning, as the property owners would be expanding past the city’s core to further evolve the Sunnyside neighborhood.

Although not checked, the property owners also believe that the zoning of this land was the result of an error. This is because of the following facts. The building was built in 1972 and was originally zoned as B-2. In 2010, it was rezoned to U-SU-C, along with the surrounding residential properties. The property owners believe this was in error, as the building has always been utilized as an office building and was most likely included in the classification due to the surrounding properties being mainly residential.

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 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.

2. The proposed district neighborhood context description:

- a. The rezoning aligns with the proposed district neighborhood context description as the Urban Neighborhood Context is primarily characterized by single-unit and two-unit residences, with commercial buildings that are typically the shop front and general building forms that may contain a mixture of uses within the same building. Commercial uses are primarily located along mixed-use arterial or main streets but may be located at or between intersections of local streets. This is consistent with both our location and U-MX-3 zoning.

3. The general-purpose statement:

- a. The rezoning aligns with the general-purpose statement because it will enhance the convenience, ease, and enjoyment of transit, walking, shopping, and public gathering within and around the city's neighborhoods.

4. The specific intent statement found in the Denver Zoning Code:

- a. U-MX-3 zoning applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired. The building is on an intersection of two collector streets (Tejon St and W 48th Ave S Dr) and is legally classified as a 3-story building (according to total building height in most recent survey and building floor elevation/height measurements). Please see attached document titled "4785 Tejon St – Land Title Survey.pdf". Also, the property owners cannot demolish nor add construction to the roof, as there is an easement on the roof owned by an unrelated party (Crown Castle, see agreements attached). Moreover, there is a perpetual lease in place with Sprint, who has cell phone towers installed on top of the roof that the property owners have no control of, as the property owners do not own said easement on the roof. Essentially, this building can never be reconstructed to include additional floors, unless the easement and the lease are abandoned or sold back to the property owners – which is not a foreseen circumstance at this time.

Conclusion: We hope that this analysis proves helpful in the review of the above proposed rezoning. As presented in detail, this proposal satisfies all the criteria of the Denver city code, Blueprint Denver, the Denver Comprehensive Plan 2040, and the Sunnyside Neighborhood Plan

4785 Tejon St Application for Rezoning
General Review Criteria Narratives
Contact: Mary Noga, 303-506-2048

for a non-legislative rezoning. Therefore, we respectfully request that the City approve the proposed rezoning request.

Sincerely,
High Wire Properties, LLC