



TO: Denver City Council
FROM: Jason Morrison, Senior City Planner
DATE: August 20th, 2020
RE: Official Zoning Map Amendment Application #2019I-00074

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2019I-00074.

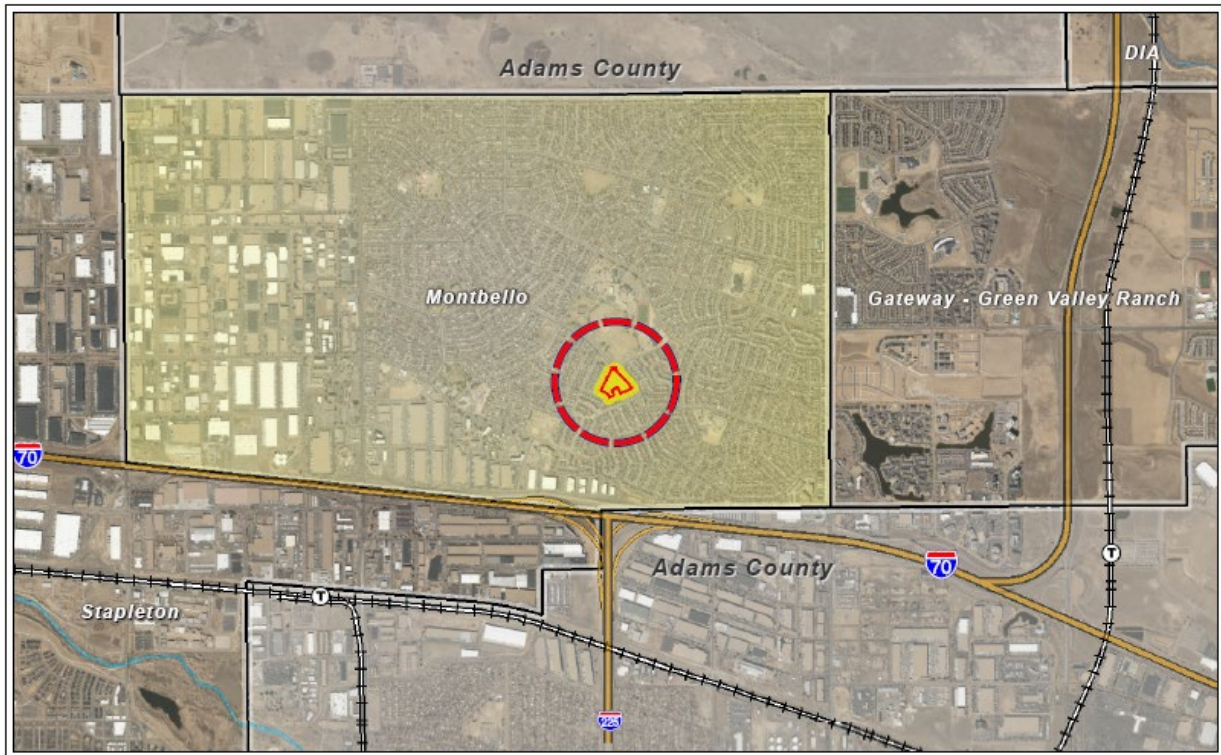
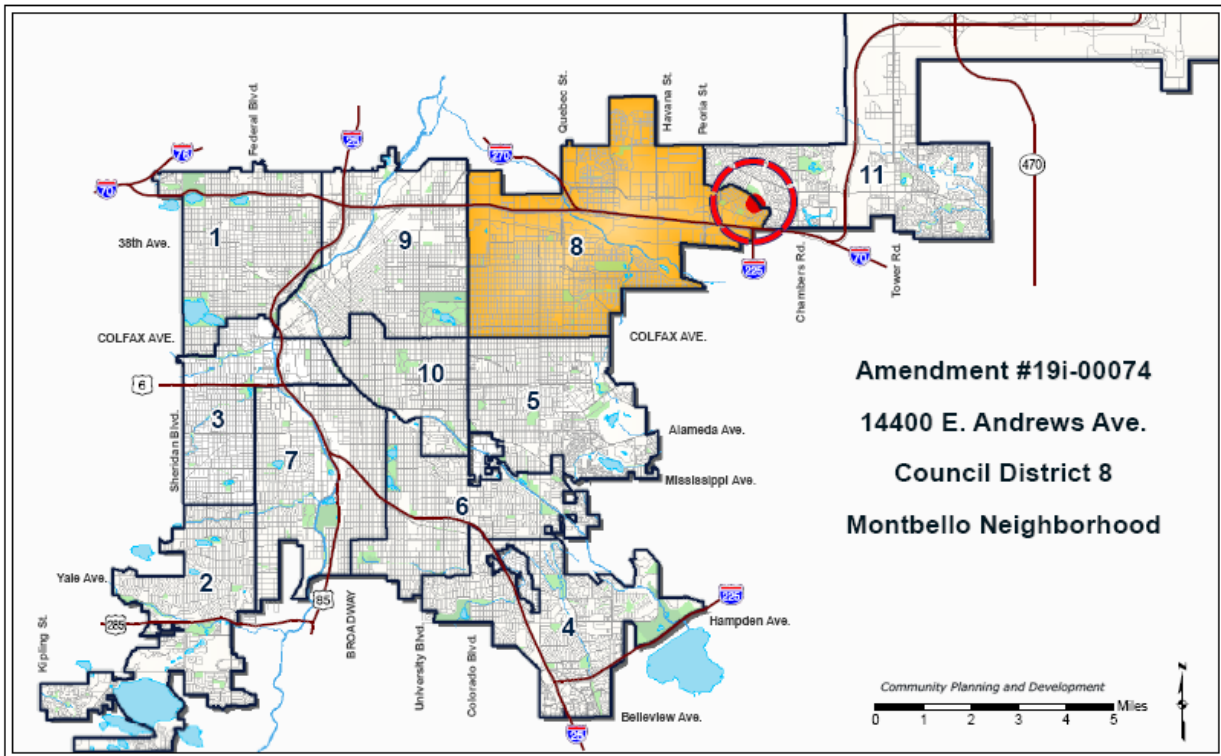
Request for Rezoning

Address: 14400 & 14422 E. Andrews Drive, 14408, 14419 & 14421 E. Elk Drive
Neighborhood/Council District: Montbello Neighborhood / Council District 8
RNOs: Far Northeast Neighbors, Inc.; Opportunity Corridor Coalition of United Residents; Montbello 20/20; Northern Corridor Coalition; Montbello Neighborhood Improvement Association; Inter-Neighborhood Cooperation (INC)
Area of Property: 189,962 square feet or 4.36 acres
Current Zoning: S-SU-D
Proposed Zoning: S-RH-2.5
Property Owner(s): M & T Bryant Construction and Inspection Services, LLC.
Owner Representative: Robin Bryant

Summary of Rezoning Request

- The subject site is in the Montbello Neighborhood on the northwest corner of E. Elk Drive and E. Andrews Drive.
- The subject site originally contained a church but has since been demolished.
- The applicant is requesting this rezoning to have flexibility to construct a variety of building forms including suburban houses, duplexes and row houses.
- The requested S-RH-2.5 (Suburban, Row House, 2.5 Story Maximum Height) zone district is a multi-unit district and allows suburban house, duplex and row house building forms up to 2.5 stories in height. Further details of the S-RH-2.5 zone district can be found in Article 3 of the Denver Zoning Code (DZC).
- The site is currently zoned S-SU-D (suburban context, single unit) which is a single-unit district allowing suburban houses with a minimum zone lot area of 6,000 square feet.

Existing Context





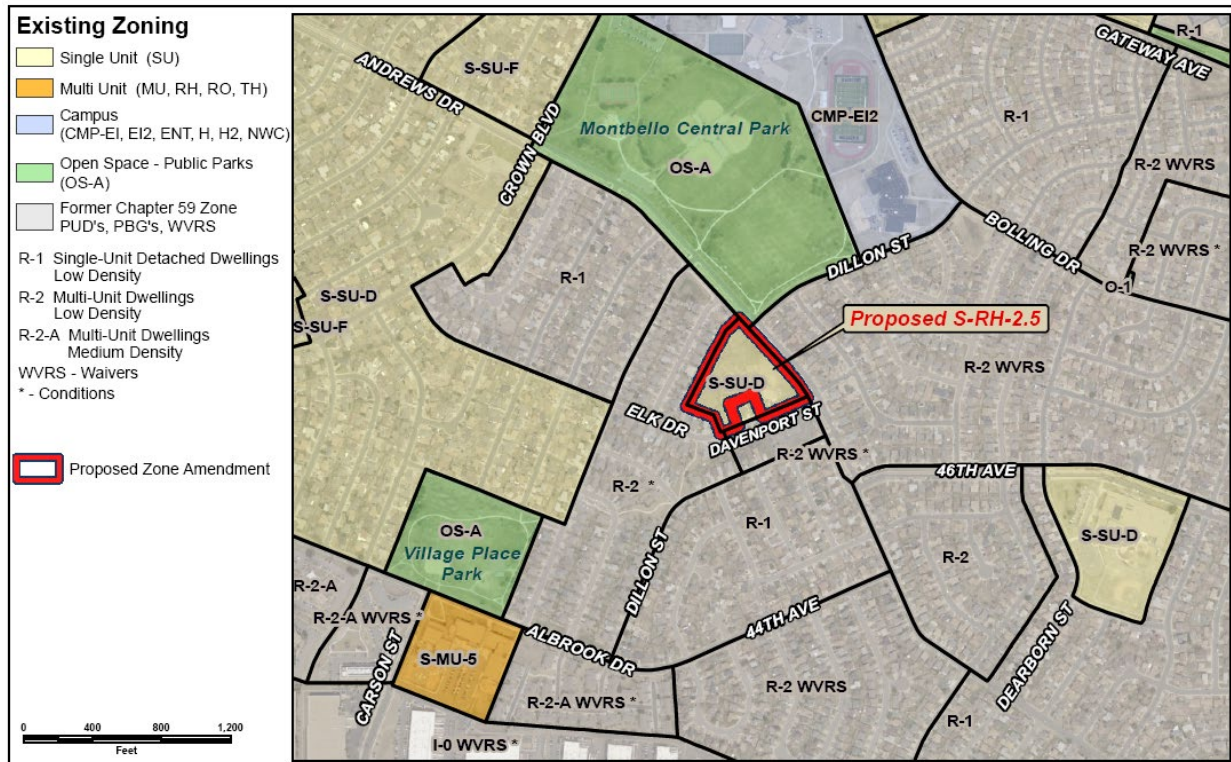
The subject site is located in the Montbello neighborhood at the northwest corner of E. Elk Drive and E. Andrews Drive. The area is predominately composed of single-unit residential buildings; however, the site sits immediately adjacent to two-unit residential to the west and southwest. Montbello Central Park and Montbello High School are located across E. Andrews Drive to the north and Village Place Park is less than ¼ mile southwest. The subject site is located less than ½ mile from a concentration of industrial uses near the vicinity of Interstate 70 and Interstate 225.

The following table summarizes the existing context proximate to the subject site:

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	S-SU-D	Vacant	N/A	Irregular pattern of block shapes surrounded by curvilinear streets within a modified grid and no alleys.
North	R-2 with waivers and OS-A	Single-Unit Residential; Park	1-story house	
South	R-2 with waivers and conditions	Single/Two-Unit Residential; Public/Quasi-Public Religious Assembly	1-story house; 2-story duplex; 1-story building	The subject property lies at the intersection of a Collector Street and an Undesignated Local street.
East	R-2 with waivers	Single-Unit Residential	1-story house	

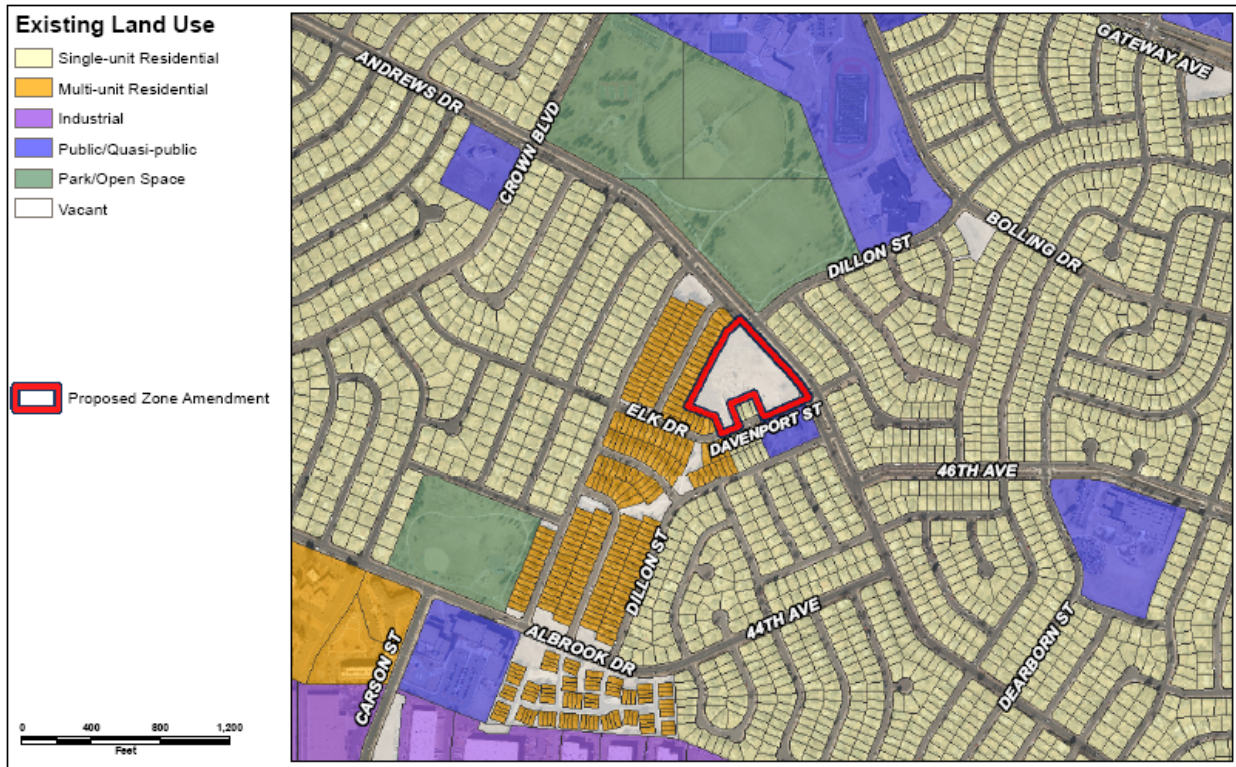
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
West	R-2 with conditions	Two-Unit Residential	2-story duplex	

1. Existing Zoning



The existing zoning on the subject site is S-SU-D, which is a single-unit district in the Suburban Neighborhood context. It allows suburban houses with a minimum zone lot area of 6,000 square feet. Lots are typically 50 feet wide. The Suburban House is the only allowed primary building form. Allowed accessory building forms are the detached garage and other detached accessory structures building forms. The maximum allowed height for primary structures is 30 to 35 feet (depending on lot width), and setback requirements are 5 feet for the sides and 12 to 20 feet for the rear. Primary street setbacks are block sensitive, depending on the setbacks of nearby structures. There is no minimum parking requirement for single-unit residential uses. For additional details of the zone district, see DZC Article 3.

2. Existing Land Use Map



3. Existing Building Form and Scale

All images are from Google Street View.



Subject site facing west from the E. Elk Drive and E. Andrews Drive intersection.



Single-unit residential north of the subject site, facing west from E. 47th Avenue.



Two-unit residential south of the subject site, facing south from E. Elk Drive.



Single-unit residential south of the subject site, facing south from E. Elk Drive.



One-story church south of the subject site, facing south from E. Elk Drive.



Two-unit residential west of the subject site, facing west from Cornish Court.

Proposed Zoning

The requested zoning on the subject site is S-RH-2.5, which is a multi-unit zone district in the suburban neighborhood context. In the S-RH-2.5 zone district the Suburban House, Duplex, and Row House building forms are allowed primary building forms. Maximum height allowed is 2.5 stories or 30 to 35 feet for the Suburban House and Duplex building forms, and 35 feet for the Row House building form. For additional details of the requested zone district, see Article 3 of the DZC.

The primary building forms allowed in the existing zone district and the proposed zone district are summarized here:

Design Standards	Existing S-SU-D	Proposed S-RH-2.5
Primary Building Forms Allowed	Suburban House	Suburban House, Duplex, and Row House
Height in Stories / Feet (max)	2.5 stories / 30'-35'*	2.5 stories /30'-35'**
Primary Street Build-To Percentages (min)	N/A	Row House: 50% Other forms: no build-to
Primary Street Build-To Ranges	N/A	Row House: 0' to 80' Other forms: no build-to
Minimum Zone Lot Size/Width	3,000 sf / 25'	Suburban house: 6,000sf/50' Duplex: 4,500sf/37.5' Row House: 6,000sf/50'
Primary Street Setbacks (min)	15'-20'*	Suburban House, Duplex: Block sensitive or 15'-20'*** Row House: Block sensitive or 10'
Building Coverages (max)	50%	Suburban House, Duplex: 50% Row House: no max building coverage

*Standards vary between zone lot width

**Standards vary based on building form and zone lot width

Summary of City Agency Referral Comments

As part of the Denver Zoning Code review process, the rezoning application is referred to potentially affected city agencies and departments for comment. A summary of agency referral responses follows:

Assessor: Approved – No Response

Asset Management: Approved – No Comments

Denver Public Schools: Approved – No Response

Department of Public Health and Environment: Approved – See Comments Below

- Notes. DEH concurs with the request and is not aware of environmental conditions that should be considered for this rezoning request.
- General Notes: Most of Colorado is high risk for radon, a naturally occurring radioactive gas. Due to concern for potential radon gas intrusion into buildings, DEH suggests installation of a radon mitigation system in structures planned for human occupation or frequent use. It may be more cost effective to install a radon system during new construction rather than after construction is complete.
- If renovating or demolishing existing structures, there may be a concern of disturbing regulated materials that contain asbestos or lead-based paint. Materials containing asbestos or lead-based paint should be managed in accordance with applicable federal, state and local regulations.

4. The Denver Air Pollution Control Ordinance (Chapter 4- Denver Revised Municipal Code) specifies that contractors shall take reasonable measures to prevent particulate matter from becoming airborne and to prevent the visible discharge of fugitive particulate emissions beyond the property on which the emissions originate. The measures taken must be effective in the control of fugitive particulate emissions at all times on the site, including periods of inactivity such as evenings, weekends, and holidays.
5. Denver’s Noise Ordinance (Chapter 36–Noise Control, Denver Revised Municipal Code) identifies allowable levels of noise. Properties undergoing Re-Zoning may change the acoustic environment but must maintain compliance with the Noise Ordinance. Compliance with the Noise Ordinance is based on the status of the receptor property (for example, adjacent Residential receptors), and not the status of the noise-generating property. Violations of the Noise Ordinance commonly result from, but are not limited to, the operation or improper placement of HV/AC units, generators, and loading docks. Construction noise is exempted from the Noise Ordinance during the following hours, 7am–9pm (Mon–Fri) and 8am–5pm (Sat & Sun). Variances for nighttime work are allowed, but the variance approval process requires 2 to 3 months. For variance requests or questions related to the Noise Ordinance, please contact Paul Riedesel, Denver Environmental Health (720-865-5410).
6. Scope & Limitations: DEH performed a limited search for information known to DEH regarding environmental conditions at the subject site. This review was not intended to conform to ASTM standard practice for Phase I site assessments, nor was it designed to identify all potential environmental conditions. In addition, the review was not intended to assess environmental conditions for any potential right-of-way or easement conveyance process. The City and County of Denver provides no representations or warranties regarding the accuracy, reliability, or completeness of the information provided.

Denver Parks and Recreation: Approved – No Comments

Public Works – R.O.W.- City Surveyor: Approved – No Comments

Development Services – Project Coordination: Approved – No Response

Development Services - Fire Protection: Approved – No Response

Development Services – Transportation: Approved – No Response

Development Services- Wastewater: Approved – No Response

Public Review Process

	Date
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	3/5/2020
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, registered neighborhood organizations, and property owners:	6/2/2020
Planning Board voted unanimously to recommend approval:	6/17/2020
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting:	6/29/2020
Land Use, Transportation and Infrastructure Committee moved the bill forward:	7/14/2020
Property legally posted for a period of 21 days and CPD notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations:	8/3/20
City Council Public Hearing:	8/24/20

- **Registered Neighborhood Organizations (RNOs):** To date, staff has received two comment letters in support of the rezoning from Registered Neighborhood Organizations.
- **Other Public Comment:** To date, staff has received no additional public comment.

Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.7 and 12.4.10.8, as follows:

DZC Section 12.4.10.7

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions

3. Public Health, Safety and General Welfare

DZC Section 12.4.10.8

1. Justifying Circumstances
2. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

1. Consistency with Adopted Plans

The following adopted plans currently apply to this property:

- *Denver Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *Far Northeast Area Plan (2019)*

Denver Comprehensive Plan 2040

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies. The following strategies apply from the Equitable, Affordable and Inclusive vision element:

- Equitable, Affordable and Inclusive Goal 1, Strategy A – *Increase development of housing units close to transit and mixed-use developments* (p. 28).
- Equitable, Affordable and Inclusive Goal 2, Strategy A – *Create a greater mix of housing options in every neighborhood* (p. 28).

The proposed S-RH-2.5 zone district would allow for development that would increase the diversity and supply of housing in the area and increase the development of housing units close to existing transit lines (routes on E. 44th and E. 51st Avenues which serve high-capacity transit on Peoria Street and Chambers Road) served by the Regional Transportation District. The request is therefore consistent with the above strategies in Comprehensive Plan 2040.

Similarly, the following strategies apply from the Strong and Authentic Neighborhoods vision element:

- Strong and Authentic Neighborhoods Goal 1, Strategy B – *Ensure neighborhoods offer a mix of housing types and services for a diverse population* (p. 34).
- Strong and Authentic Neighborhoods Goal 1, Strategy D – *Encourage quality infill development that is consistent with the surrounding neighborhoods and offers opportunities for increased amenities* (p. 34).

In addition to adding to the diversity of housing types, the proposed map amendment would allow additional building forms compatible with the existing neighborhood, specifically the two-unit residential buildings located to the west and south of the subject property. The request is therefore consistent with the above strategies in Comprehensive Plan 2040.

Finally, the following strategies apply from the Environmentally Resilient vision element:

- Environmentally Resilient Goal 8, Strategy A – *Promote infill development where infrastructure and services are already in place* (p. 54).
- Environmentally Resilient Goal 8, Strategy C – *Focus growth by transit stations and along high- and medium-capacity transit corridors* (p. 54).

The proposed map amendment is in an area where services and infrastructure are already in place. Similarly, the proposal focuses growth near existing bus routes servicing high-capacity transit along Peoria Street and Chambers Road. The request is therefore consistent with the above strategies in *Comprehensive Plan 2040*.

Blueprint Denver

Blueprint Denver was adopted in 2019 as a supplement to *Comprehensive Plan 2040* and establishes an integrated framework for the city's land use and transportation decisions. *Blueprint Denver* identifies the subject site as part of a "Low Residential" area within the Suburban Neighborhood Context and provides guidance from the future growth strategy for the city.

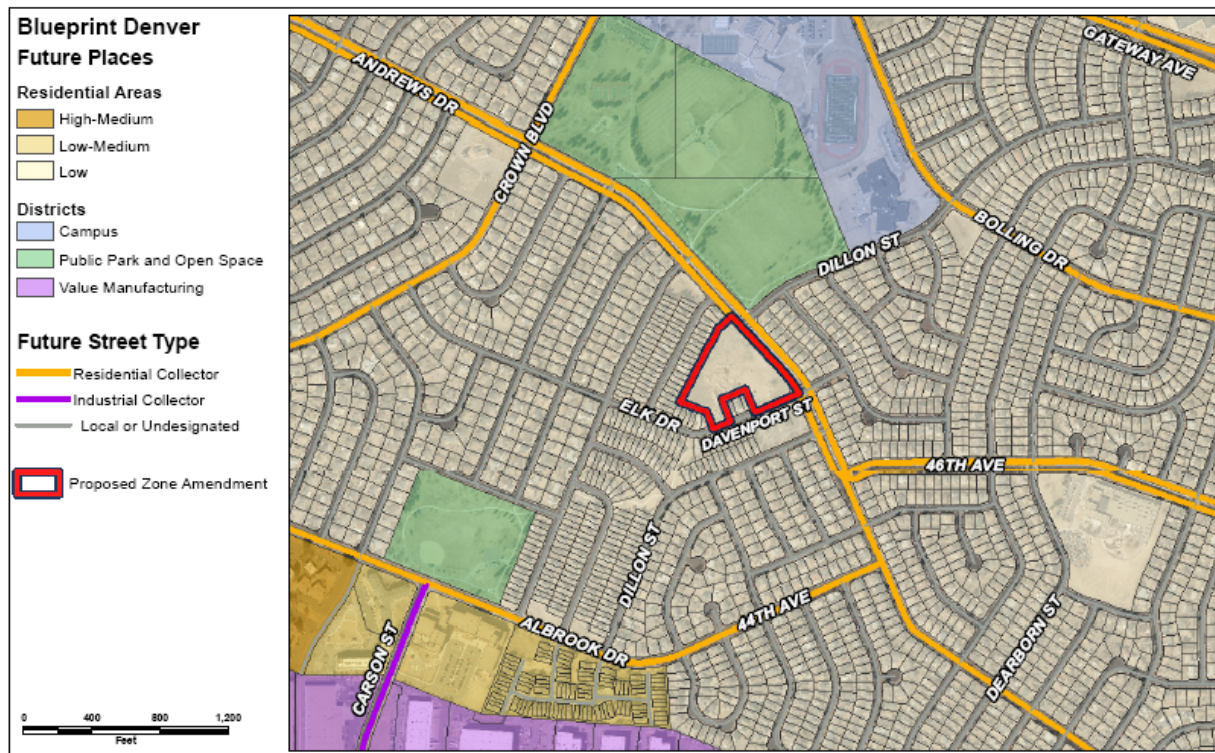


Blueprint Denver Future Neighborhood Context

In *Blueprint Denver*, future neighborhood contexts are used to help understand differences in things like land use and built form and mobility options at a higher scale, between neighborhoods. The requested rezoning is shown on the context map above as Suburban Neighborhood Context. "The suburban context represents the most varied development in Denver's neighborhoods. Homes in this context are largely single-unit but can also include higher intensity residential. Commercial development is focused along main corridors and centers bordering residential areas. Although this context is more auto-oriented than others, there should still be quality multimodal connectivity" (p. 185). The proposed S-RH-2.5 zone district is part of the Suburban context in the Denver Zoning Code. The residential zone

districts are intended to “promote and protect residential neighborhoods within the character of the Suburban Neighborhood Context” and “regulations allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood” (DZC 3.2.2.1). Further, “standards of the row house and multi-unit districts promote existing and future patterns of multiple buildings on a single zone lot” (DZC 3.2.2.1). The proposed S-RH-2.5 district is a multi-unit district that allows a mix of residential building forms, consistent with the surrounding Suburban character. The proposed rezoning is consistent with Blueprint Denver’s context guidance.

Blueprint Denver Future Places



The Future Places map designates the subject property as a “Low Residential” area. *Blueprint Denver* describes the aspirational characteristics of “Low Residential” in the Suburban context as “generally characterized by single-unit uses on larger lots. Accessory dwelling units and compatible two-unit uses are appropriate and can be thoughtfully integrated” (p. 198). *Blueprint Denver* does specify, however, that, “vacant institutional uses on corner or select sites may be appropriate locations to introduce additional suburban residential intensity” (p. 198). The subject site, originally owned by Church of Christ Jurisdiction, contained a church which has since been demolished. The request to rezone to S-RH-2.5 is an opportunity to introduce additional residential building forms appropriately scaled for the neighborhood and close to transit and civic uses.

When a rezoning request is made to change the zoning from single-unit uses to allow two-unit uses, *Blueprint Denver* states that, “the appropriateness of the request depends upon adopted small area plan

guidance, neighborhood input, and existing zoning patterns. A departure from the established zoning pattern may be appropriate if the intent is to set a new pattern for the area, as expressed by an adopted small area plan, significant neighborhood input, and existing zoning patterns” (p. 199). As set forth in the *Far Northeast Neighborhood Plan* section below, there is adopted small area plan guidance that supports two-unit and multi-unit residential uses enabled by this zoning, specifically on vacant corner lots once containing an institutional use. Additionally, significant neighborhood input informed the adoption of the Far Northeast Neighborhood Plan, and this application includes letters of support from two Registered Neighborhood Organizations in the Montbello neighborhood. Finally, there is an existing zoning pattern of R-2 surrounding the subject site which is a multi-unit zone district allowing for a maximum height of 30-35 feet depending on lot size.

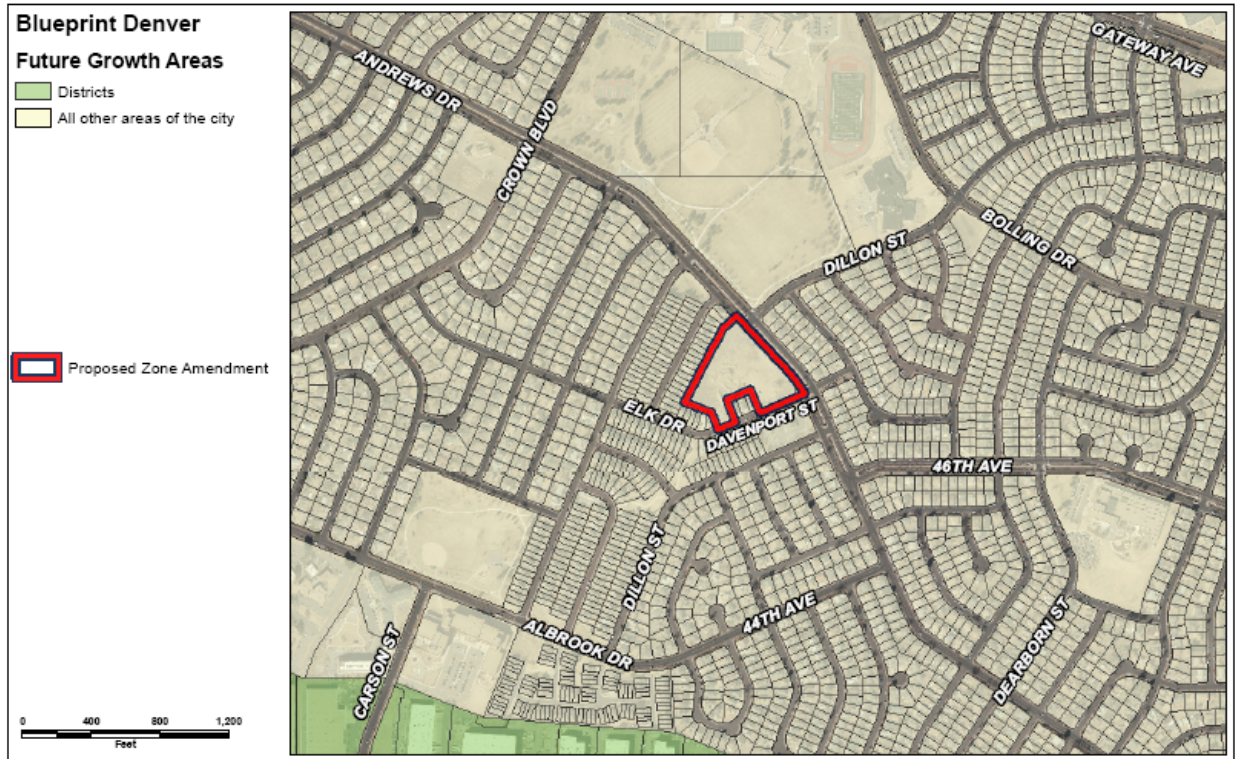
The proposed S-RH-2.5 district allows a mix of building forms, including suburban house, duplex, and row house building forms that will be thoughtfully integrated into the neighborhood. The 2.5-story zone district height is appropriate for the surrounding R-2 zoning and single- and two-unit context and allows for the introduction of additional suburban residential intensity on a vacant corner site.

Street Types

In *Blueprint Denver*, street types work in concert with the future place to evaluate the appropriateness of the intensity of the adjacent development (p. 67). *Blueprint Denver* classifies E. Andrews Drive as a Residential Collector street and E. Elk Drive as an undesignated local street. Residential Collector streets, “collect movement from local streets and convey it to arterial streets (p.154)”. These streets contain primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses. Local streets are, “designed for the highest degree of property access and the lowest amount of through movement” (p. 154). Local streets can vary in their land uses and are found in all neighborhood contexts, but they are most often characterized by residential uses.

The S-RH-2.5 district allows for a variety of residential building forms and is consistent with this plan direction for this location and is appropriate along the existing residential arterial and local street.

Growth Strategy



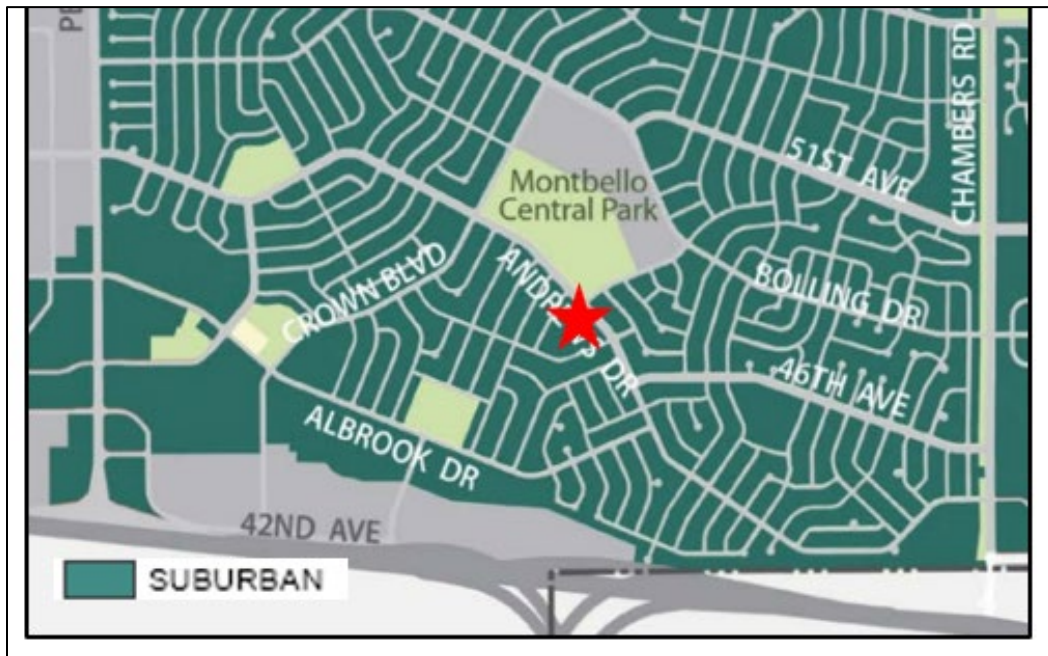
Blueprint Denver's growth strategy map is a version of the future places map, showing the aspiration for distributing future growth in Denver (p. 51). The subject property is located within "All other areas of the city, which are anticipated to see around 20% of new housing growth and 10% of new employment growth by 2040" (p. 51). The proposed map amendment to S-RH-2.5 will enable compatible growth for this location.

Far Northeast Area Plan

The *Far Northeast Area Plan* contains a framework plan for the entire plan area and recommendations for smaller neighborhood areas. Within the *Far Northeast Area Plan* the subject site is within the Suburban Neighborhood Context, is identified as “Low Residential” future place, and is recommended for a maximum building height of 2.5 stories.

Suburban Context

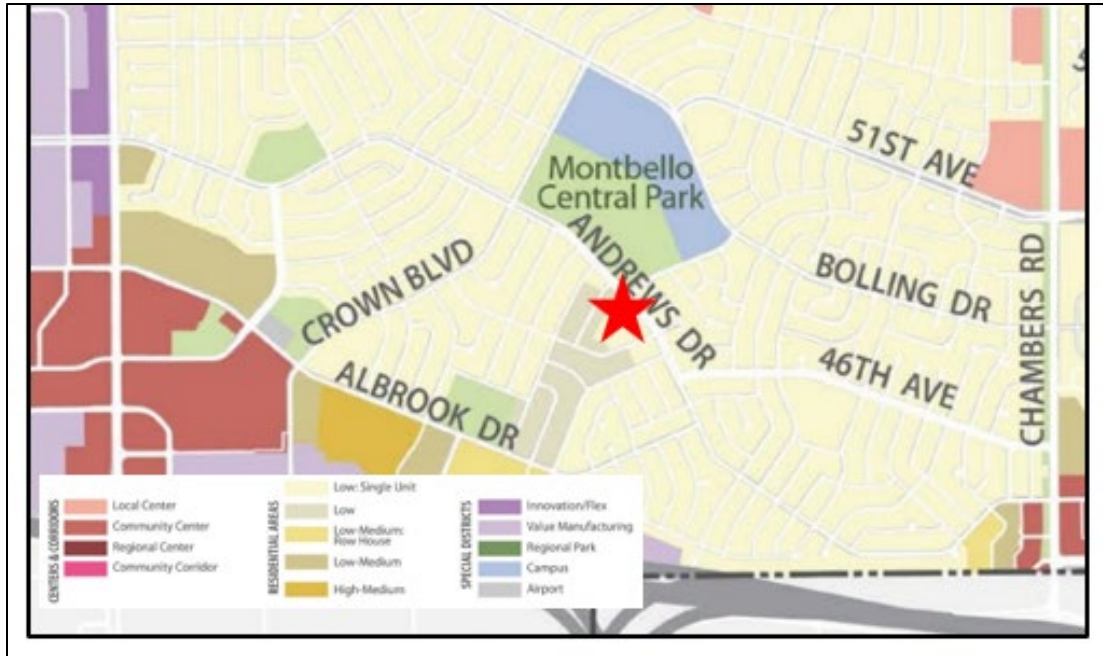
The *Far Northeast Area Plan* designates the subject site as within the Suburban neighborhood context and describes the context as “largely single-unit but can also include higher intensity residential. Commercial development is focused along main corridors and centers bordering residential areas. Although this context is more auto-oriented than others, there should still be quality multi-modal connectivity” (p. 31). The proposed S-RH-2.5 zone district will allow single and two-unit residential uses along with low-scale multi-unit development and conforms with the Suburban neighborhood context.



Future Place and Building Height

The *Far Northeast Area Plan* designates the subject site as within a “Low: Single Unit Residential” Future Place with a 2.5-story maximum building height. The plan describes this area as having predominately residential uses where single-unit homes are appropriate (p.34).

However, Land Use and Built Form Policy LU - 1.1.3. allows for flexibility when it comes to larger, vacant lots. The recommendation is to, “allow large lots with embedded institutional uses, such as schools and churches, to transition to low/medium residential if the institutional use leaves” as long as the new uses are “appropriately scaled to the surrounding neighborhood” and “minimize impacts to the existing neighborhood character” (p.34). Low/Medium residential uses in the *Far Northeast Area Plan* consist of, “small, multi-unit buildings including row houses, and single and two-unit residential” (p.35).



The subject site is a vacant corner lot that was once a church. Although the site is mapped as “Low: Single-Unit Residential”, Land Use and Built Form Policy LU - 1.1.3. provides flexibility and allows large lots with former embedded institutional uses, such as schools and churches, to transition to low/medium residential uses if the institutional use leaves and if the uses are compatible with the surrounding neighborhood character.



The S-RH-2.5 zone district is a multi-unit zone district that allows for suburban house, duplex and row house building forms up to 2.5 stories in maximum height. The general intent of this residential district is to promote and protect residential neighborhoods and the building form standards, design standards and uses work together to promote desirable residential areas. Further, the maximum height guidance is consistent with the surrounding single-unit and two-unit residential uses. Therefore, the S-RH-2.5 zone district mapped at this specific location meets the intent of the “Low: Single-Unit Residential” future place type and the maximum height guidance in the *Far Northeast Neighborhood Plan*

Far Northeast Area Plan Denver Montbello Neighborhood Guidance

The *Far Northeast Area Plan* includes additional guidance for individual neighborhoods. The subject site is within the Montbello neighborhood where the plan identifies various character areas. The plan states that, “maintaining the character of Montbello’s existing residential areas is a high priority for the community” (p. 143). Plan guidance also acknowledges that, “the existing residential areas within Montebello should not see significant amounts of new development beyond any remaining undeveloped residential parcels” (p.143). The plan further recognizes the existing land use regulations that are in place to ensure development is compatible with the surrounding neighborhood.

The proposed rezoning to S-RH-2.5 of the subject site implements this guidance in that it allows for compatible residential uses of 2.5 stories on an undeveloped parcel, and those single-unit, two-unit and low-scale multi-unit uses are compatible with the surrounding character of the immediate areas. The application is consistent with the guidance for the Montebello neighborhood in the *Far Northeast Area Plan*.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to S-RH-2.5 will result in the uniform application of zone district building form, use and design regulations.

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the City, primarily through implementation of the city’s adopted land use plans as detailed above. The proposal will also maintain compatible scale and intensity in terms of allowed mix of residential uses and allowed building scale.

4. Justifying Circumstance

The application identifies several changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.8.A.4, “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 changes or changing conditions in a particular area, or in the city generally.” Specifically, the steady population growth in the City has created a need “in the city generally” for additional density and a variety of housing types. Additionally, the trends of the City and vision in the recently adopted Far Northeast Area Plan focus on promoting residential building forms, types and sizes that create more

housing diversity and appeal to households of various sizes and income levels. *The Far Northeast Area Plan* charted a different direction for large vacant, formerly institutional sites such as this one, and therefore, the adoption of the plan can also be a changed circumstance that justifies the request to rezone.

5. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

The requested S-RH-2.5 zone district is within the Suburban neighborhood context. This district is characterized by single-unit and multi-unit residential, commercial strips and centers, and office parks. Multi-unit building forms are typically separated from single-unit residential and consist of Row House and occasional mid- and high-rise apartment building forms (DZC Division 3.1). The surrounding Montbello neighborhood includes such a mix of uses and building forms, as further described in the *Blueprint Denver* analysis above, and therefore the proposed rezoning of this property to S-RH-2.5 is consistent with the neighborhood context description.

The requested rezoning is consistent with the General Purpose of Residential Districts because the zone district will promote and protect residential neighborhoods within the Suburban Neighborhood Context. The zone district will provide predictable building forms, allow for reinvestment on this undeveloped site, and accommodate possible future redevelopment that furthers the district's goals (DZC Section 3.2.2.1). The Specific Intent of the S-RH-2.5 zone district is defined by DZC Section 3.2.2.2.I as follows: "S-RH-2.5 is a multi-unit district and allows suburban house, duplex and row house building forms up to 2.5 stories in height." The requested rezoning is consistent with the Specific Intent of the S-RH-2.5 zone district.

Attachments

1. Application
2. RNO comment letters

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	M&T Bryant Construction and	Representative Name	Robin Bryant
Address	1327 S. Akron Way	Address	1327 S. Akron Way
City, State, Zip	Denver, CO 80247	City, State, Zip	Denver, CO 80247
Telephone	720-275-0945	Telephone	720-581-0773
Email	markatwisdom@hotmail	Email	robin@landbuildcommunity
<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):	14400 E. Andrews Dr., 14422 E. Andrews Dr., 14421 E. Elk Dr., 14419 E. Elk Dr., and 14403 E. Elk Dr. Denver, CO 80239		
Assessor's Parcel Numbers:	00192-00-046-000		
Area in Acres or Square Feet:	4.35		
Current Zone District(s):	S-SU-D		
PROPOSAL			
Proposed Zone District:	S-RH-2.5		

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 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. Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</p> <p><input checked="" type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input checked="" type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</p> <p><input checked="" type="checkbox"/> 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 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. 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 checked="" type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format)</p> <p><input checked="" type="checkbox"/> Proof of Ownership Document(s)</p> <p><input checked="" type="checkbox"/> Review Criteria, as identified above</p>	
ADDITIONAL ATTACHMENTS	
Please identify any additional attachments provided with this application:	
<p><input checked="" type="checkbox"/> Written Authorization to Represent Property Owner(s)</p> <p><input checked="" type="checkbox"/> Individual Authorization to Sign on Behalf of a Corporate Entity</p>	
Please list any additional attachments:	
<ol style="list-style-type: none"> 1. Exhibit F - List of Community Partnerships and Planned Educational Workshops. 2. Exhibit G - Community Support Letters. 3. Exhibit H - Site Plan Current and Proposed (Aerial View). 	

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 Josie Q. Smith</i>	01/01/12	(A)	YES
M&T BRYANT CONSTRUCTION AND INSPECTION SERVICES, LLC. MARK BRYANT	14400 E. Andrews Dr. Denver, CO 80239 (720) 275-0945 markatwisdom@hotmail.com	100%	<i>Mark Bryant</i>	11/18/19	A	Yes
M&T BRYANT CONSTRUCTION AND INSPECTION SERVICES, LLC. MARK BRYANT	14422 E. Andrews Dr. Denver, CO 80239 (720) 275-0945 markatwisdom@hotmail.com	100%	<i>Mark Bryant</i>	11/18/19	A	Yes
M&T BRYANT CONSTRUCTION AND INSPECTION SERVICES, LLC. MARK BRYANT	14421 E. Elk Dr. Denver, CO 80239 (720) 275-0945 markatwisdom@hotmail.com	100%	<i>Mark Bryant</i>	11/18/19	A	Yes
M&T BRYANT CONSTRUCTION AND INSPECTION SERVICES, LLC. MARK BRYANT	14419 E. Elk Dr. Denver, CO 80239 (720) 275-0945 markatwisdom@hotmail.com	100%	<i>Mark Bryant</i>	11/18/19	A	Yes
M&T BRYANT CONSTRUCTION AND INSPECTION SERVICES, LLC. MARK BRYANT	14408 E. Elk Dr. Denver, CO 80239 (720) 275-0945 markatwisdom@hotmail.com	100%	<i>Mark Bryant</i>	11/18/19	A	Yes

Last updated: May 24, 2018

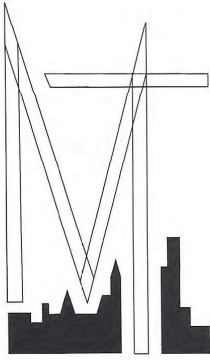
Return completed form to rezoning@denvergov.org

201 W. Colfax Ave., Dept. 205

Denver, CO 80202

720-865-2974 • rezoning@denvergov.org

EXHIBIT A
Letter of Authorization



M&T BRYANT

Construction and Inspection Services LLC

P.O. Box 371135

Denver, Colorado 80237

720-275-0945

markatwisdom@hotmail.com

November 18, 2019

Mrs. Robin Bryant
Land Build Community Developers LLC
1327 South Akron Way
Denver, Colorado 80247
robin@landbuildcommunitydevelopers.com

Dear Robin,

This letter serves as authorization for Land Build Community Developers LLC to act on behalf of, and represent M&T Bryant Construction and Inspection Services LLC for the purpose of submitting and processing the rezoning application for the properties located at 14400 East Andrews Drive, 14422 East Andrews Drive, 14421 Elk Drive, 14419 Elk Drive, 14408 Elk Drive in Denver, Colorado.

Sincerely,

By: Mark Bryant 11-18-2019
Authorized Signor/Owner date

EXHIBIT B

Proof Of Ownership Assessors Record

14400 E ANDREWS DR

Owner M & T BRYANT CONSTRUCTION AND
1327 S AKRON WAY
DENVER , CO 80247-2252

Schedule Number 00192-00-046-000

Legal Description S19 3S 66W PT NW/4 BEG SE COR L26 B6 VISTAS (REC 2016092343 "ZONE LOT 1") DAF *

Property Type

Tax District DENV

Print Summary

Property Description

Style:	OTHER	Building Sqr. Foot:	0
Bedrooms:		Baths Full/Half:	0/0
Effective Year Built:	0000	Basement/Finish:	0/0
Lot Size:	189,962	Zoned As:	S-SU-D

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

Current Year

Actual	Assessed	Exempt
Land	\$1,078,900	\$312,880 \$0
Improvements	\$0	\$0
Total	\$1,078,900	\$312,880

Prior Year

Actual	Assessed	Exempt
Land	\$944,000	\$273,760 \$0
Improvements	\$0	\$0
Total	\$944,000	\$273,760

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			7/11/2019
Original Tax Levy	\$10,589.73	\$10,589.72	\$21,179.45
Liens/Fees	\$0.00	\$0.00	\$0.00
Interest	\$317.69	\$317.69	\$635.38
Paid	\$10,907.42	\$10,907.41	\$21,814.83
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	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: \$21,116.20

Assessed Value for the current tax year

Assessed Land	\$273,760.00	Assessed Improvements	\$0.00
Exemption	\$0.00	Total Assessed Value	\$273,760.00

EXHIBIT C

Statement of Authority

Certificate of Good Standing

Statement of Address Correction

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity named M&T Bryant Construction and Inspection Services LLC, a Colorado limited liability company, and is executed on behalf of the entity pursuant to the provisions of C.R.S. §38-30-172.
2. The name of the entity is: M&T Bryant Construction and Inspection Services LLC
3. The entity is a: LLC
4. The mailing address for the entity is: PO Box 371135, Denver, CO 80237
5. The name(s) of the person(s) authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity are: Mark Anthony Bryant, Manager
6. The authority of the foregoing person(s) is: not limited
7. Other matters concerning the manner in which the entity deals with interests in real property: NONE

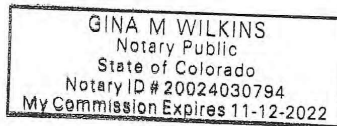
Executed this 23rd day of October, 2015, by:

Mark Anthony Bryant
 Printed Name: Mark Anthony Bryant
 Title: Manager

STATE OF COLORADO)
) ss.
 COUNTY OF Denver)

The foregoing instrument was acknowledged before me this 23rd day of October, 2015, by Mark Anthony Bryant as Manager of M&T Bryant Construction and Inspection Services LLC.

Witness my hand and official seal.



[Signature]

 Notary Public
 My commission expires: 11-12-2022

OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

M&T Bryant Construction and Inspection Services LLC

is a

Limited Liability Company

formed or registered on 03/09/2015 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20151171009 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 09/20/2019 that have been posted, and by documents delivered to this office electronically through 09/23/2019 @ 12:33:46 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 09/23/2019 @ 12:33:46 in accordance with applicable law. This certificate is assigned Confirmation Number 11815065 .



Jena Griswold

Secretary of State of the State of Colorado

*****End of Certificate*****
Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."



Colorado Secretary of State
 Date and Time: 04/30/2019 08:46 AM
 ID Number: 20151171009

Document must be filed electronically.
 Paper documents are not accepted.
 Fees & forms are subject to change.
 For more information or to print copies
 of filed documents, visit www.sos.state.co.us.

Document number: 20191371089
 Amount Paid: \$10.00

ABOVE SPACE FOR OFFICE USE ONLY

Statement of Correction
Correcting the Principal Office Address
 filed pursuant to § 7-90-305 of the Colorado Revised Statutes (C.R.S.)

1. The entity ID number and the entity name, or, if the entity does not have an entity name, the true name are

Entity ID number 20151171009
(Colorado Secretary of State ID number)

Entity name or True name M&T Bryant Construction and Inspection Services LLC

2. The document number of the filed document that is corrected is 20181416274

3. The principal office address as stated in the document identified above is incorrect.

Such address, as corrected, is

Street address 1327 South Akron Way
(Street number and name)

Denver CO 80247
(City) (State) (ZIP/Postal Code)

United States
(Country)

Mailing address
 (leave blank if same as street address) (Street number and name or Post Office Box information)

(City) (State) (ZIP/Postal Code)

(Province - if applicable) (Country)

4. (If applicable, adopt the following statement by marking the box and include an attachment.)

This document contains additional information as provided by law.

Notice:

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that such document is such individual's act and deed, or that such individual in good faith believes such document is the act and deed of the person on whose behalf such individual is causing such document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S. and, if applicable, the constituent documents and the organic statutes, and that such individual in good faith believes the facts stated in such document are true and such document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is identified in this document as one who has caused it to be delivered.

5. The true name and mailing address of the individual causing this document to be delivered for filing are

Bryant	Mark		
<small>(Last)</small>	<small>(First)</small>	<small>(Middle)</small>	<small>(Suffix)</small>
1327 South Akron Way			
<small>(Street number and name or Post Office Box information)</small>			
Denver	CO	80247	
<small>(City)</small>	<small>(State)</small>	<small>(Zip/Postal Code)</small>	
	United States		
<small>(Province – if applicable)</small>	<small>(Country)</small>		

(If applicable, adopt the following statement by marking the box and include an attachment.)

This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

Disclaimer:

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).

LEGAL DESCRIPTION

14400 E. ANDREWS DR., 14422 E. ANDREWS DR., 14408 E. Elk DR.,
14421 E. Elk DR., 14419 E. ELK DR.
DENVER, COLORADO 80239

EXHIBIT"A"

LEGAL DESCRIPTION

THAT PORTION OF THE PARCEL DESCRIBED UNDER RECEPTION NO. 2015064245 IN THE RECORDS OF THE CLERK AND RECORDER OF THE CITY AND COUNTY OF DENVER AND LOCATED IN THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 66 WEST OF THE 6TH P .M., AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: CONSIDERING THE 20-FOOT RANGE LINE LOCATED IN ELK DRIVE BETWEEN TOW FOUND 2.25• DIAMETER ALUMINUM CAPS STAMPED LS 32439 IN RANGE BOXES TO BEAR N 68° 07' 19° E, 433.23 FEET, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO. BEGINNING AT SOUTHEAST CORNER OF LOT 26, BLOCK 6, THE VISTAS, AS RECORDED UNDER RECEPTION NO. 9700092855. SAID POINT OF BEGINNING ALSO BEING THE MOST SOUTHERLY CORNER OF THAT PARCEL OF LAND DESCRIBED IN DEED RECORDED AT RECEPTION NO. 2015064245 AND BEING ON THE NORTHWESTERLY RIGHT-OF-WAY OF ELK DRIVE; THENCE ALONG THE FOLLOWING FIVE (5) COURSES ALONG THE EASTERLY AND NORTHERLY BOUNDARIES OF SAID BLOCK 6, THE VISTAS;

1. THENCE N 21° 49'47"W,85.20FEET;
2. THENCE N 70° 45' 07" W, 86.07 FEET;
3. THENCE N 68° 29' 28" W. 80.31 FEET;
4. THENCE N 27° 44' 56" E, 485.68 FEET;
5. THENCE N 47°15' 15" E. 80.12 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 6, THE VISTAS AND A POINT ON THE SOUTHWESTERLY RIGHT-OF WAY OF EAST ANDREWS DRIVE; THENCE S 42° 44' 35• E, 465.27 FEET ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY OF EAST ANDREWS DRIVE; THENCE ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY OF EAST ANDREWS DRIVE 69.11 FEET ON THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A

RADIUS OF 550.04 FEET, A CENTRAL ANGLE OF $07^{\circ} 11' 57''$, AND SUBTENDED BY A CHORD BEARING $S 39^{\circ} 11' 43'' E$, 69.07 FEET;
THENCE 51.16 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 30.00 FEET, A CENTRAL ANGLE OF $97^{\circ} 42' 42''$, AND SUBTENDED BY A CHORD BEARING $S 13^{\circ} 21' 37'' W$, 45.18 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF WAY OF ELK DRIVE;
THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY OF ELK DRIVE 48.82 FEET ON AN ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 475.00 FEET, A CENTRAL ANGLE OF $05^{\circ} 53' 22''$. AND SUBTENDED BY A CHORD BEARING $S 65^{\circ} 11' 23'' W$, 48.80 FEET; THENCE $S 68^{\circ} 07' 11'' W$. 170.56 FEET ALONG SAID NORTHWESTERLY RIGHT-OF-WAY OF ELK DRIVE;
THENCE $N 21^{\circ} 52' 49'' W$, 120.00 FEET;
THENCE $S 68^{\circ} 07' 11'' W$, 150.00 FEET; THENCE $S 21^{\circ} 52' 49'' E$, 120.00 FEET TO A POINT ON SAID NORTHWESTERLY RIGHT-OF-WAY OF ELK DRIVE;
THENCE $S 68^{\circ} 07' 11'' W$; 112.66 FEET ALONG SAID NORTHWESTERLY RIGHT-OF-WAY OF ELK DRIVE TO THE POINT OF BEGINNING. CITY AND COUNTY OF DENVER. STATE OF COLORADO.

EXHIBIT E

Description of Consistency with Adopted City Plans

ZONING INFORMATION:

Current Zoning: S-SU-D

Proposed Zoning: S-RH-2.5

Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.7 and 12.4.10.8, as follows:

DZC Section 12.4.10.7

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and General Welfare

DZC Section 12.4.10.8

1. Justifying Circumstances
2. Consistency with Neighborhood Context Description, Zone District Purpose and Intent

The Property is a part of the Montbello Neighborhood, which falls under the following adopted plans:

1. Denver Comprehensive Plan 2040
2. Blueprint Denver 2019
3. Far Northeast Neighborhoods Plan 2019

Statement of Consistency with Adopted City Plans:

1 The proposed map amendment is consistent with many objectives of **Denver Comprehensive Plan 2040** including:

Vision Element- "Equitable, Affordable, and Inclusive"

GOAL: 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 and increase the development of senior-friendly and family-friendly housing, including units with multiple bedrooms in multifamily developments"*

Rezoning approval from S-SU-D to S-RH-2.5 will allow us to complete Phases 2-4 of Project 14400 E. Andrews, which will consist of 46 units, inclusive of *single-family homes, duplexes and row houses*, all 3 bedrooms, 2-3 baths (“a mix of housing options with multiple bedrooms in a multifamily development”).

Vision Element- “Equitable, Affordable, and Inclusive”

GOAL: Goal 3 “**Develop housing that is affordable to residents of all income levels.**”

Strategies:

A. Maximize and ensure the long-term sustainability of city funding sources for workforce and affordable housing.

B. Use land use regulations to enable and encourage the private development of affordable, missing middle and mixed-income housing, especially where close to transit.

D. Develop and promote programs to help individuals and families, especially those most vulnerable to displacement, access affordable housing.

The authors of this project intend to work with DEDO as well as, Elevation Land trust to ensure the affordable component of this project has long term sustainability in providing affordable housing.

Vision Element- “Equitable, Affordable, and Inclusive”

GOAL: Goal 5 “**Reduce the involuntary displacement of residents and businesses**”

Strategies:

A. Advance a comprehensive approach to mitigating involuntary displacement that includes expanding economic mobility, creating new affordable housing and preserving existing affordability.

This project will strive to employ workers within the community of Montbello by using onsite job interviews and banners/fliers advertising “We’re hiring”.

Vision Element- “Economically Diverse and Vibrant”

GOAL: Goal 2 “**Grown a strong, diversified economy**”

Strategies:

D. Ensure a broad range of jobs to align with the skills and interests of local residents

Vision Element- “Economically Diverse and Vibrant”

GOAL: Goal 4 “**Ensure Denver has a productive, educated, competitive and knowledgeable workforce**”

Strategies:

3. The proposed map amendment is consistent with many objectives of the Far Northeast Neighborhood Initiative Plan.

LU-22. Promote residential building forms, types and sizes that create housing diversity and choice, including Accessory Dwelling Units (ADUs).

22.2. Evaluate re-zonings on their ability to create housing affordability through increased density and building form diversity, (including Accessory Dwelling Units) along with the rezoning criteria required by the Denver Zoning Code.

Recommendations:

LU-1. Maintain the uses, development patterns and character of established residential areas.

1.1.b Allow lots with embedded institutional uses, such as schools and churches, to transition to low/medium residential if the institutional use leaves, provided that the new uses are appropriately scaled to the surrounding neighborhood and designed so as to minimize impacts to neighborhood character.

LU-23. Promote first-time home buyer, money management and financial literacy programs to help house-holds access and maintain housing.

*See our Exhibit E, which supports this recommendation

LU-21. Encourage affordable housing in mixed-income developments that appeal to households of various sizes and income levels.

21.1. Promote affordable housing developments along high-density, mixed-use corridors and centers, and in locations near transit and employment.

b. Projects should reflect existing neighborhood form, context, and materials; incorporate community architectural features, and utilize products and materials that are sustainable and long-lasting

Project 14400 E. Andrews Dr. incorporates many of the recommendations and vision of the Far Northeast NPI. Our project does include a mix of Single Family, Duplex, and Row house units, with the possibility of some units being offered as rentals.

SECTION 2 – UNIFORMITY OF DISTRICT REGULATIONS

The proposed map amendment to S-RH-2.5, would result in the uniform application of the zone district building form, use, and design regulations.

SECTION 3 – PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE

The proposed official map amendment furthers the public health, safety, and general welfare of the City through the implementation of the City's adopted plans.

In addition, the map amendment improves public health, safety, and general welfare through the creation of a viable multifamily neighborhood. This new residential subdivision will bring new healthy attitudes and living to a community that has not seen new construction in years. This community will cultivate a desire for a safe neighborhood, and the need to guard and protect the general welfare of all within its sphere of influence.

SECTION 4 – DESCRIPTION OF JUSTIFYING CIRCUMSTANCES

"Since the date of the approval of existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest due to a City adopted plan ."

From Denver Comprehensive Plan 2040's vision element of *Equitable, Affordable, and Inclusive* to Blueprint Denver's Recommendations to promote developments on large infill sites that integrate with surroundings and will increase the development of Affordable Housing and Mixed Income housing, this rezoning request is **JUSTIFIED** and should be approved. More specifically, the Far Northeast NPI gives us magnifying view of the need for this community. It states that the growth potential is limited compared to some of the other Denver communities. It also states, that when you look at the communities incorporated at Far Northeast Denver, Montbello has the greatest need. Well, our company is prepared to invest in this community offering well built, good quality, visually attractive homes, that are deemed by comparable market analysis and standards as AFFORDABLE. We have met with the Council leaders within our district, as well as, the RNO's in Montbello, and have their support. We are ready to move this project forward upon your rezoning approval.

SECTION 5 – STATEMENT OF NEIGHBORHOOD CONTEXT DESCRIPTION, PURPOSE AND INTENT OF PROPOSED ZONE DISTRICT

The map amendment application requests approval of the S-RH-2.5 zoning code within its Suburban Neighborhood Context.

3.2.2.1 General Purpose

A. The intent of the Residential districts is to promote and protect residential neighborhoods within the character of the Suburban Neighborhood Context. These regulations allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood.

B. The building form standards, design standards, and uses work together to promote desirable residential areas. The standards of the single unit districts promote a consistent pattern of one to two story suburban houses where the wider part of the building orients to the street and access is provided by front-loaded garages. While lot sizes vary, lot coverage is typically low creating generous setbacks and yard space. The standards of the row house and multi-unit promote existing and future patterns of multiple buildings on a single Zone Lot. These building forms include duplex, row house and apartments sometimes organized around common open space and parking areas with an internal circulation system.

C. These standards recognize common residential characteristics within the Suburban Neighborhood Context but accommodate variation by providing a range of Residential Zone Districts.

D. The regulations provide certainty to property owners, developers, and neighborhoods about the limits of what is allowed in a residentially-zoned area. These regulations are also intended

Specific Intent of the proposed Zone District.

Project 14400 E. Andrews Drive is requesting to be re-zoned under code S-RH-2.5. Per the City and Denver Zoning Code, Article 3, *“(S-RH-2.5) is a multi- unit district and allows suburban house, duplex, and row house building forms up to two and one half stories in height.”* Project 14400 E. Andrews Drive falls within the specifications of intent for the requested Zone District.

The 46 Unit Project will consist of the following dwellings:

4- Suburban Houses:

13- Duplexes

16- Row Houses

LandBuildCommunityDevelopers LLC

Property Address: 14400 East Andrews Drive, Denver, Colorado 80239

LAND ALLOCATION - 4.35 ACRES (Phase 2, 3A, 3B, and 4)

SINGLE FAMILY HOMES, DUPLEXES, AND ROW HOUSES

SINGLE FAMILY HOMES PHASE 2 - 4 LOTS (total of 4 homes):

- 6,086 square foot lot @.139 acres (Single Family Home)
 - 6,336 square foot lot @.145 acres (Single Family Home)
 - 8,443 square foot lot @.193 acres (Single Family Home)
 - 7,647 square foot lot @.175 acres (Single Family Home)
- TOTAL = .654 acres. TOTAL = 28,512 square feet

INFRASTRUCTURE PHASE 3 - 4:

- (42, Lots, Horizontal Infrastructure, Detention Pond, and Dillion Street)
- TOTAL = 1.052 acres. TOTAL = 45,568 square feet

DUPLEXES PHASE 3A/3B - 26 LOTS (total of 26 individual units):

- 3,000 square foot lot each, ½ of the Duplex @ .0688 acres.
- 3,000 square foot lot each, ½ of the Duplex @ .0688 acres.
- 3,000 square foot lot each, ½ of the Duplex @ .0688 acres.
- 3,000 square foot lot each, ½ of the Duplex @ .0688 acres.
- 3,000 square foot lot each, ½ of the Duplex @ .0688 acres.
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- 3,000 square foot lot each, ½ of the Duplex @ .0688 acres.
- 3,000 square foot lot each, ½ of the Duplex @ .0688 acres.
- 3,000 square foot lot each, ½ of the Duplex @ .0688 acres.
- 3,150 square foot lot each, ½ of the Duplex @ .0723 acres.
- 3,150 square foot lot each, ½ of the Duplex @ .0723 acres.
- 4,405.5 square foot lot each, ½ of the Duplex @ .101 acres.
- 4,405.5 square foot lot each, ½ of the Duplex @ .101 acres.
- 3,440.5 square foot lot each, ½ of the Duplex @ .078 acres.
- 3,440.5 square foot lot each, ½ of the Duplex @ .078 acres.
- 3,032.5 square foot lot each, ½ of the Duplex @ .0696 acres.
- 3,032.5 square foot lot each, ½ of the Duplex @ .0696 acres.
- 3,119.5 square foot lot each, ½ of the Duplex @ .071 acres.



LandBuildCommunityDevelopers LLC

Land Allocation for: 14400 East Andrews Drive, Denver, Colorado 80239

- 3,119.5 square foot lot each, ½ of the Duplex @ .071 acres.
 - 3,059.5 square foot lot each, ½ of the Duplex @ .070 acres.
 - 3,059.5 square foot lot each, ½ of the Duplex @ .070 acres.
 - 3,014.5 square foot lot each, ½ of the Duplex @ .0692 acres.
 - 3,014.5 square foot lot each, ½ of the Duplex @ .0692 acres.
- TOTAL = 1.892 acres. TOTAL = 82,444 square feet**

ROW HOUSES PHASE 4 - (total of 16 individual units):

- *(Acreage includes small landscaped park area adjacent southeast of row houses)*
- TOTAL = .756 acres. TOTAL = 32,962 square feet**

28,512 SQUARE FEET - 4 SINGLE FAMILY HOME LOTS

45,568 SQUARE FEET - INFRASTRUCTURE, STREET, DENTION POND

82,444 SQUARE FEET - 26 DUPLEX HOME LOTS

32,962 SQUARE FEET - 16 ROW HOUSE LOTS

189,486 TOTAL SQUARE FEET = 4.35 ACRES REMAINING PHASE 2, 3A, 3B, 4.



LandBuildCommunityDevelopers LLC
Land Allocation for: 14400 East Andrews Drive, Denver, Colorado 80239

EXHIBIT F

Community Partnerships and Planned Educational
Workshops

Community Partnerships and Planned Educational Workshops 2020

Community Education Partners

ECCC
Keybank
Capital Investment Realty
Stailey Insurance Company
Attorney's Title Guaranty
Montbello Neighborhood Improvement Association
Primerica Financial Services
Mason Premier Credit Services

Planned Educational Workshops 2020

April 2020

Kick-off Planning Meeting: 2020- "An Economy That Works For Everyone"
All Workshop Facilitators to attend

May 2020

Homeownership is a Viable Option
KeyBank/Capital Investment Realty
Presenters: Chad Shipley/Jaime Silva

May 2020

Credit Keys 101
Mason Premier Credit Solutions
Presenters: Tenisha Mason

June 2020

Pride In My Community: Simple Steps to take towards neighborhood revitalization
Montbello Neighborhood Improvement Association
Presenter: Emmett Hobley

June 2020

Financial Debt Analysis and Planning
Primerica Financial Services
Presenter: Rebecca Wilkinson

July 2020

Building Wealth Using Real Estate
Capital Investment Realty
Presenter: Robin Bryant

July 2020

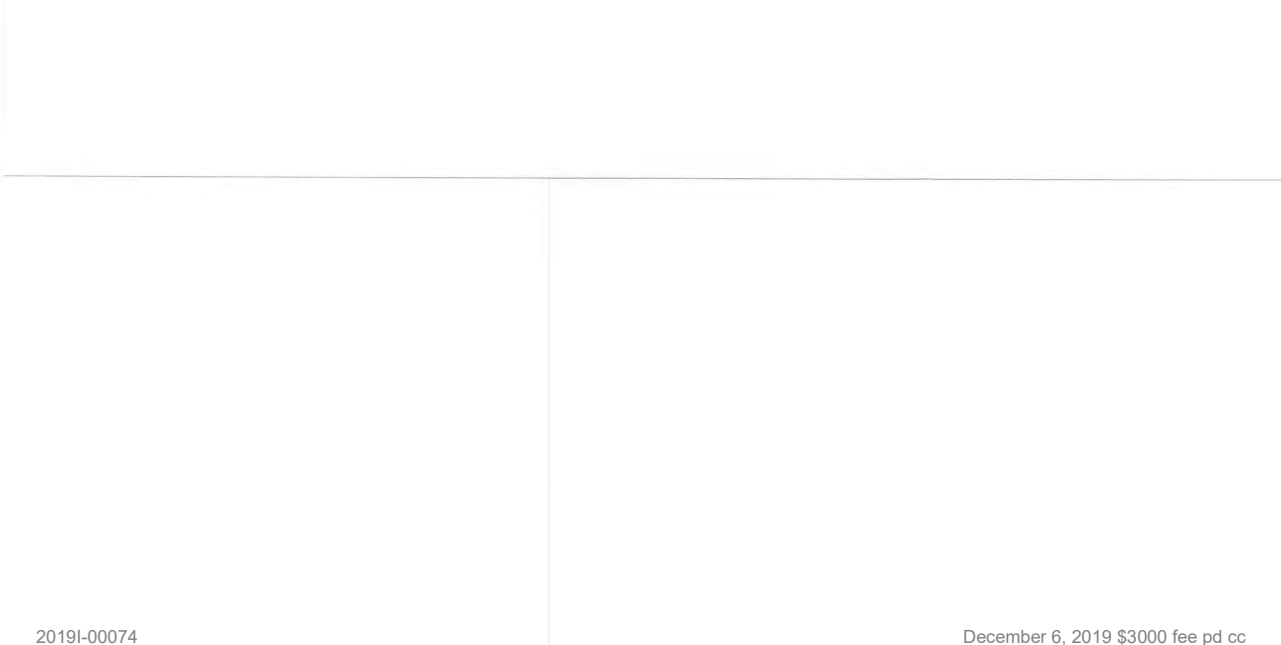
Understanding My Home Insurance Policy
Stailey Insurance
Presenter: Adolfo Lazcano

August 2020

Why do I need Title Insurance?
Attorney's Title
Presenter: Genae Hamilton

EXHIBIT H

Site Plan: Current and Proposed (Aerial View)



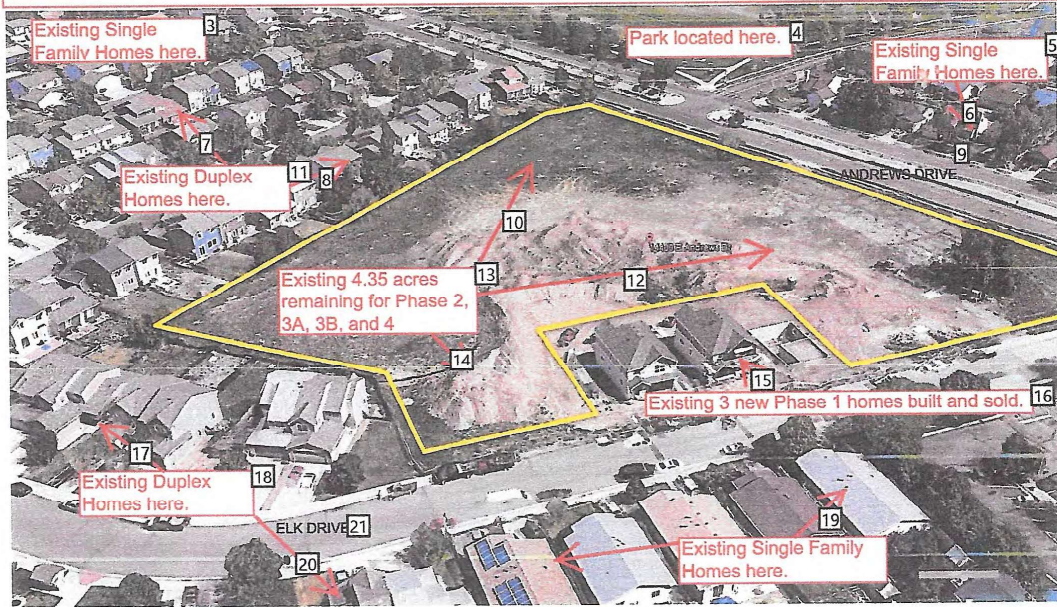
- Building Form/Sc



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SITE FOR PROPOSED 46 UNIT DEVELOPMENT



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EXHIBIT G

Community Support Letters (RNOs)



May 15, 2019

To Whom It May Concern,

I am writing this letter on behalf of Montbello 20/20 Registered Neighborhood Organization in support of the 14400 E Andrews Drive Application for Zoning Change.

The Montbello community needs reasonable housing and as a Registered Neighborhood Organization we understand the changing nature of the Montbello community and fully support the desired zone change which is necessary for this project. Mr. Mark Bryant was forthright in explaining the zoning change to the community, and we are very appreciative of his efforts.

Please accept this letter as our support of the rezoning at 14400 E Andrews Drive. If you have questions regarding this matter please feel free to contact me directly.

Sincerely,

A handwritten signature in cursive script that reads "Ms. Ann White".

Ms. Ann White, Chair
Montbello 20/20 Registered Neighborhood Organization
Annladywhite63@a.com
(303) 917-1679

MONTBELLO NEIGHBORHOOD IMPROVEMENT ASSOCIATION
4860 CHAMBERS RD. # 135
DENVER, COLORADO 80239

TO WHOM IT MAY CONCERN: THE MONTBELLO NEIGHBORHOOD IMPROVEMENT
ASSOCIATION HAS GIVEN MARK AND ROBIN BRYANT THE PERMISSION TO APPLY FOR
REZONING OF THE PROPERTY AT 14400 ANDREWS DR.

THANK YOU,

EMMETT HOBLEY JR.

720-610-6969