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**TO:** Denver City Council  
**FROM:** Francisca Peñafiel, Senior City Planner  
**DATE:** September 15, 2022  
**RE:** Official Zoning Map Amendment Application #2021I-00180

#### Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2021I-00180.

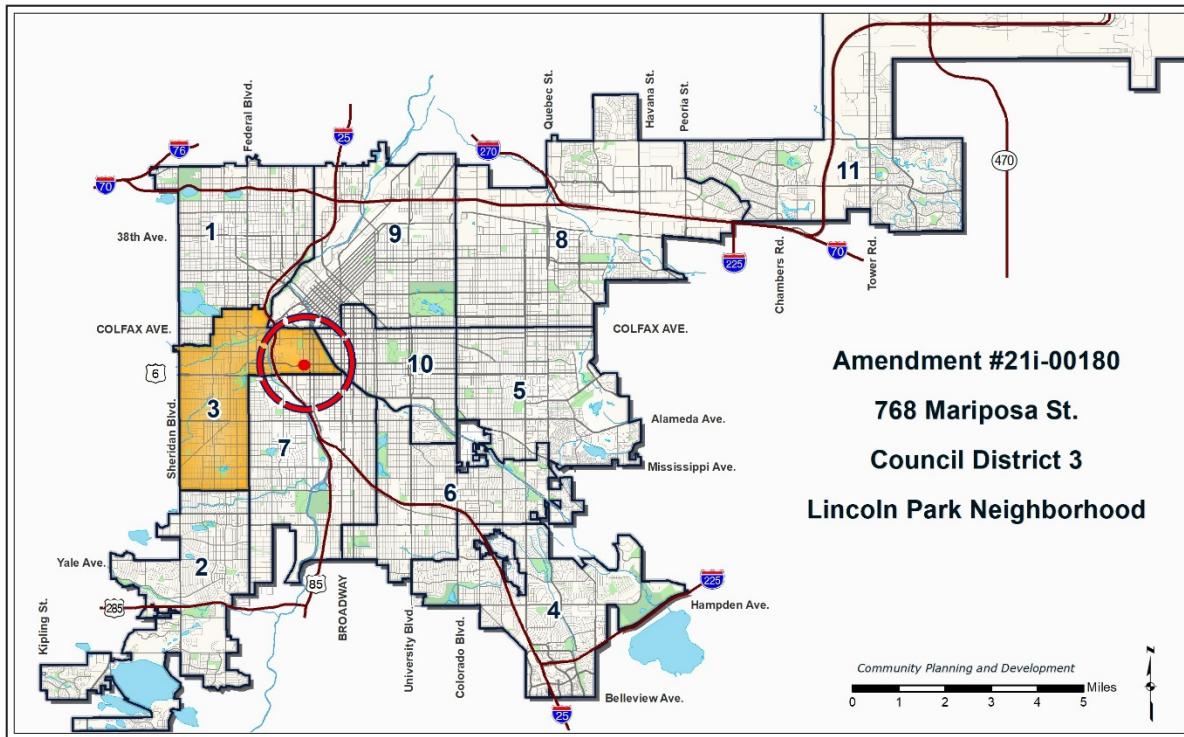
#### Request for Rezoning

Address: 768 N Mariposa Street  
Neighborhood/Council District and CM: Lincoln Park / Council District 3, CM Torres  
RNOs: United Northwest Denver, Inter-Neighborhood Cooperation (INC), La Alma Lincoln Park Neighborhood Association, La Alma Lincoln Park Neighborhood Association, La Alma Neighborhood Association  
Area of Property: 3,124 square feet or 0.07 acres  
Current Zoning: I-A, UO-2  
Proposed Zoning: C-MS-5  
Property Owner(s): Regas Christou  
Owner Representative: Bruce O'Donnell

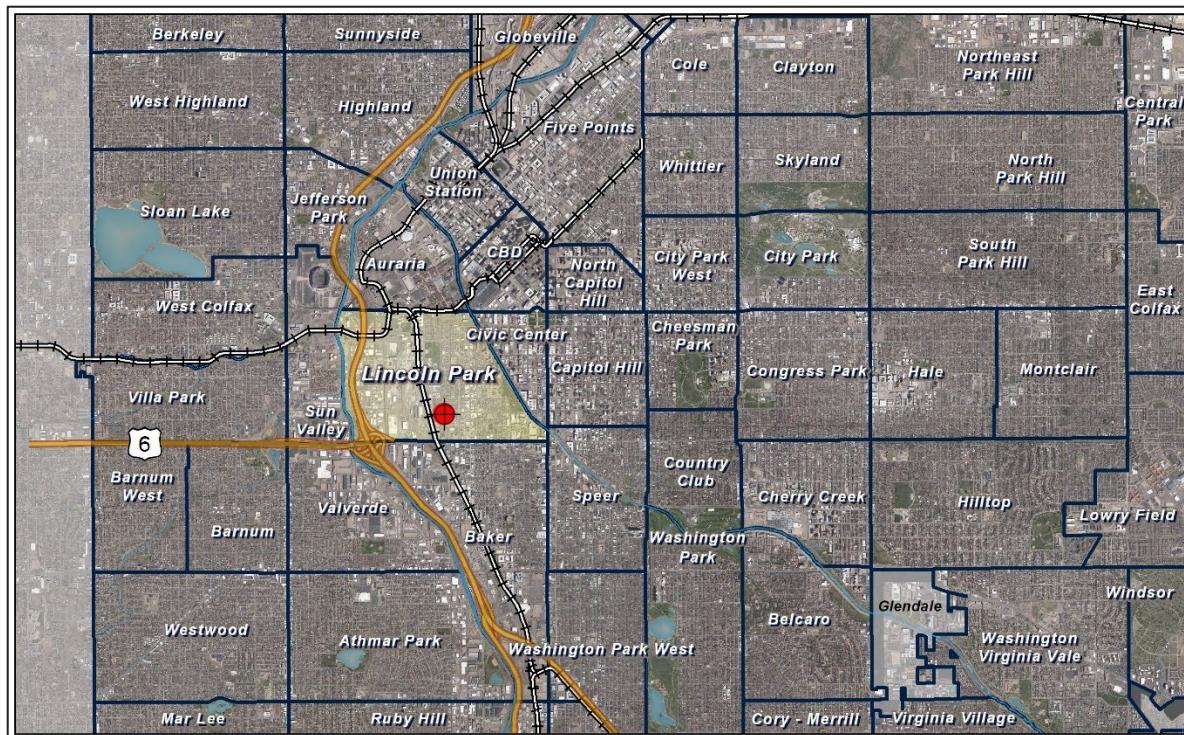
#### Summary of Rezoning Request

- The property is a 25 feet wide vacant lot on the east side of Mariposa Street just south of 8<sup>th</sup> Avenue. The property is located one block east of the rail tracks, in the Lincoln Park statistical neighborhood.
- The applicant is requesting to rezone the site to allow for redevelopment in conjunction with the adjacent property to the north, owned by the same property owner.
- The site is currently zoned I-A (Light Industrial District), UO-2 (Billboard Use Overlay District) which allows employment activities like businesses, offices and industrial activities, but prohibits new residential uses. The UO-2 district allows outdoor general advertising devices.
- The requested C-MS-5 zone district (Urban Center – Main Street – 5 Stories) zone district is typically applied linearly along entire block faces of commercial, industrial, main, mixed-use and residential arterial streets. It should be applied where active street level retail is desired or within larger mixed-use areas to promote street level retail activity. C-MX-5 applies where a building scale of 2 to 5 stories is desired. Further details about the C-MS-5 zone district can be found in Article 7 of the Denver Zoning Code (DZC).

## Existing Context



## Neighborhood Location – Lincoln Park





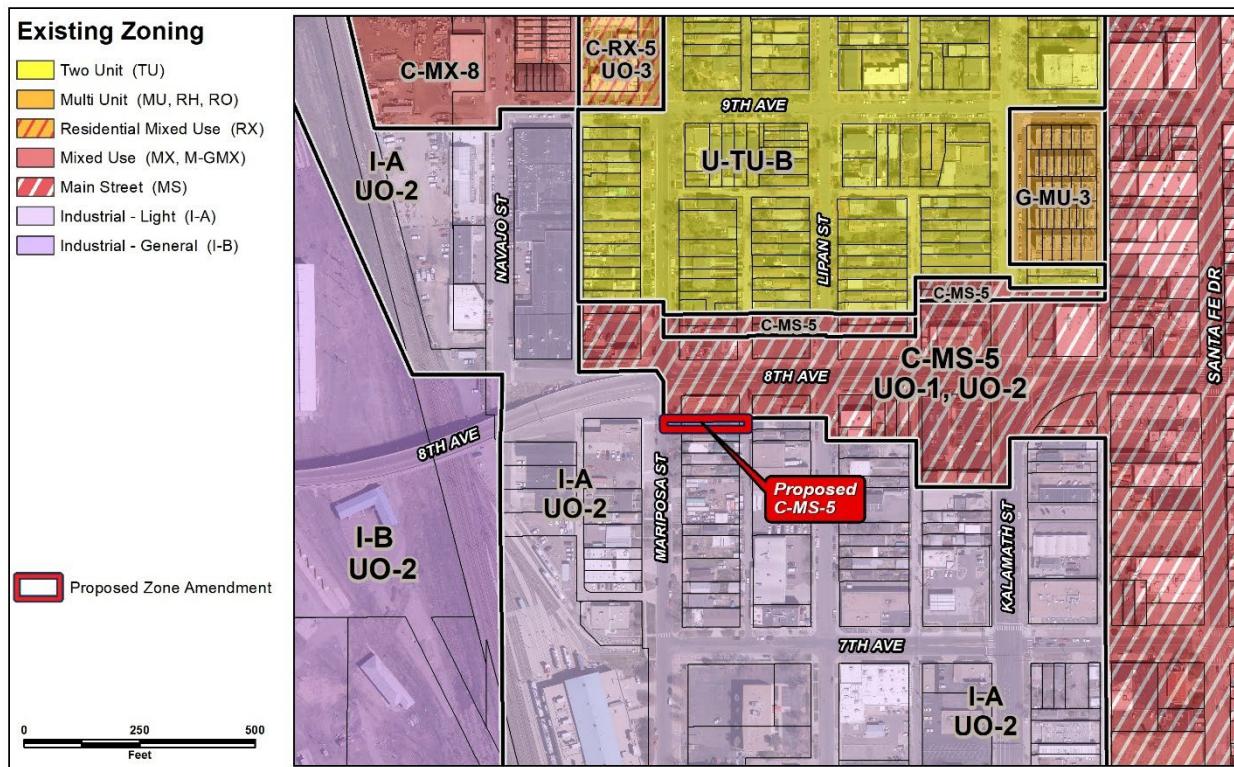
The subject property is located between West 8<sup>th</sup> Avenue and West 7<sup>th</sup> Avenue, along the east side of Mariposa Street. It is located two blocks north of West 6<sup>th</sup> Avenue Freeway and four blocks south of La Alma Lincoln Park, which provides a variety of recreational opportunities. Substantial redevelopment has occurred on the blocks to the north in recent years, most of which houses residential, retail and neighborhood services. The site is currently vacant but if rezoned, it could be developed in conjunction with the abutting property directly north, currently zoned C-MS-5.

The subject property is within half a mile of the RTD 10<sup>th</sup> & Osage light rail station. This station services light rail lines D, E and H. RTD bus routes 9 and 1 runs just north of the site on 8<sup>th</sup> Avenue and provide service to Union Station in the eastbound direction and Lakewood in the westbound direction.

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  | I-A, UO-2       | Vacant                  | N/A  | Generally regular grid of streets with alleys; however, the grid is interrupted by the rail corridor and large oddly shaped industrial sites to the west. |
| North | C-MS-5          | Commercial/Retail       | 1 story commercial building with parking on the alley side |   |
| South | I-A, UO-2       | Single-unit Residential | 1 story residential buildings                              |   |
| East  | I-A, UO-2       | Single-unit residential | 3 story residential buildings                              |   |
| West  | I-A, UO-2       | Industrial - warehouse  | 2 story industrial building                                |   |

## Existing Zoning

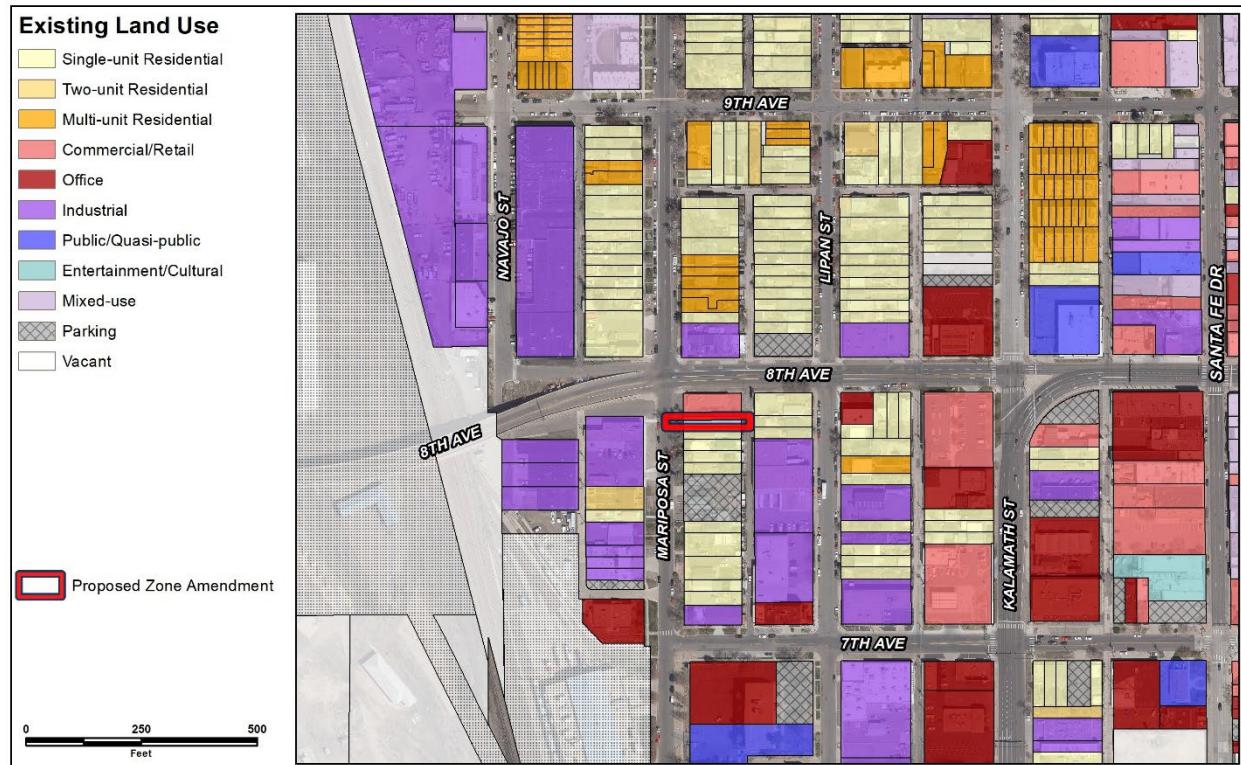


The existing zoning on the subject property is I-A, UO-2. I-A is a light industrial zone district in the Industrial Context. It allows office, business, and light industrial uses. Residential uses are only permitted where a residential structure existed prior to July 1, 2004. The General and Industrial building forms are allowed in the I-A zone district, and building mass is regulated by a maximum Floor Area Ratio of 2.0. No maximum building height is specified for the zone district except for when a site is within 175 feet of a Protected District, in which case the maximum permitted building height is 75 feet. The subject property is not within 175 feet of a protected zone district.

There are no build-to requirements, transparency requirements, or street level activation standards in the I-A zone district. Surface parking is permitted between the building and primary and side streets. For additional details on the zone district, see DZC Division 9.1.

The UO-2 Billboard Use Overlay allows for “outdoor general advertising device” signs (i.e. billboards) within the applicable area. Additional standards and limitations regarding minimum separation and distance requirements also apply. There are currently no billboards on the subject site, and the applicant is proposing to eliminate the UO-2 overlay on the property. For additional details on the overlay, see DZC Section 9.4.4.7.

### Existing Land Use Map



### Existing Building Form and Scale (all images are from google street view).



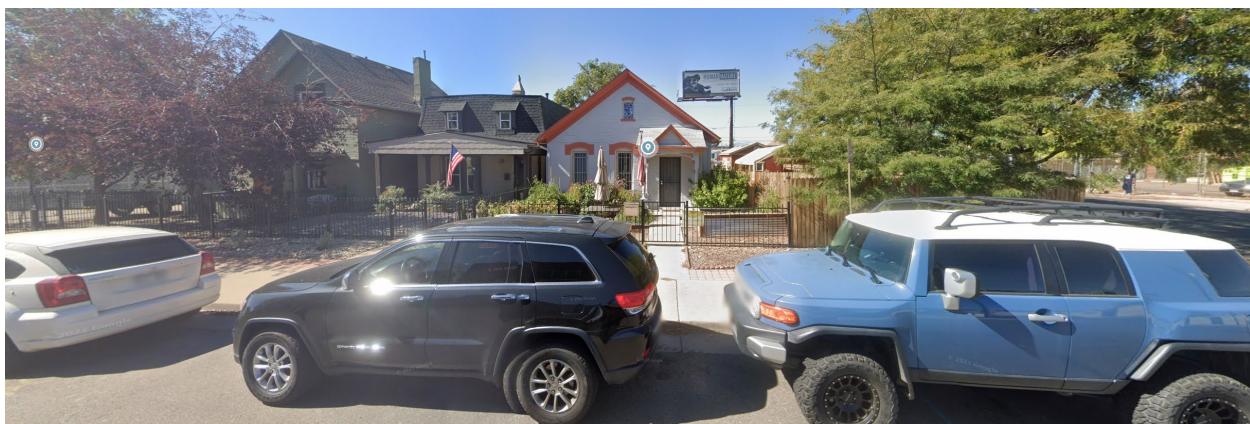
**Site:** View of the subject site, looking east on Mariposa Street.



**North:** View of the building directly north from the subject site, looking southeast at the intersection of 8<sup>th</sup> Avenue and Mariposa Street.



**South:** View of the homes south of the subject site, looking northeast on Mariposa Street.



**East:** View of the homes east (across the alley) from the subject site, looking west from Lipan Street.



**Northeast:** View from the corner of 8<sup>th</sup> Avenue and Lipan Street, looking southwest.



**West:** View of the two-story industrial building just west from the subject site, looking west from Mariposa Street.

### Proposed Zoning

The requested C-MS-5 zone district has a maximum height of five stories or 70' with allowable encroachments. The minimum primary street front setback is 0', except for the town house building form which has a 10' minimum primary street setback. A variety of residential and commercial uses are allowed. Minimum vehicle parking requirements in the C-MS-5 zone district are generally lower than the minimum vehicle parking requirements in the existing I-A zone district. For additional details of the requested zone district, see DZC Article 7.

The primary building forms allowed in the existing zone district and the proposed zone district are summarized below.

| Design Standards                   | I-A, UO-2 (Existing)  | C-MS-5 (Proposed)   |
|------------------------------------|---|---|
| Primary Building Forms Allowed     | General, Industrial   | Town House; Drive Thru Services*; Drive Thru Restaurant*; Shopfront |
| Stories/Heights (max)              | N/A, except max height of 75' within 175' of a protected district | 5 stories/70'   |
| Primary Build-To Percentages (min) | N/A   | 70% to 75%**  |
| Primary Build-To Ranges            | N/A   | 0' to 5', 10' to 15'**  |
| Minimum Zone Lot Size/Width        | N/A   | N/A   |
| Primary Street Setbacks (min)      | 20'   | 0' to 10'* *  |
| Primary Street Transparency (min)  | N/A   | 40% to 60%**  |
| Floor Area Ratio (max)             | 2:1 FAR   | N/A   |

\* Building form not allowed within a ¼ mile of a transit station platform. This site is within ¼ mile of the 10<sup>th</sup> and Osage light rail station platform.

\*\*Standard varies between building forms

### **Summary of City Agency Referral Comments**

As part of the DZC 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.

**Denver Parks and Recreation:** Approved – No comments.

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

**Development Services - Transportation:** Approved – No response.

**Development Services – Wastewater:** Approved – No response.

**Development Services – Project Coordination:** Approved – No response.

**Development Services – Fire Prevention:** Approved – No response.

**Department of Public Health and Environment:** Approved – See comments below.

- Nearby petroleum releases have been documented with the Colorado Division of Oil and Public Safety. For more information, please visit <https://ops.colorado.gov/Petroleum> or call 303-318-8525.
- Gas/service stations may have historically operated nearby. These facilities can be associated with releases of petroleum products, solvents, and other hazardous materials resulting in soil and groundwater contamination that can also negatively impact indoor air quality.

Although EQ is not aware of contaminated environmental media at the Site, there is potential to encounter undocumented contamination and regulated materials during onsite redevelopment activities. Proper due diligence, including environmental site assessments, should be conducted by the property owner/developer to determine the presence, nature, and extent of potential contamination and to identify any specific cleanup needs for their property prior to commencing soil disturbing activities.

State and federal environmental regulations and guidance may be applicable to the handling and disposition of suspect materials depending on the conditions encountered. If encountered, contaminated environmental media, and regulated materials must be properly managed in accordance with applicable environmental regulations.

Because of the potential for vapor intrusion into buildings from contaminated soil or groundwater, the applicant may wish to consider installation of a vapor mitigation system in enclosed structures, which would also accommodate concerns for naturally occurring radon gas. This is of special concern should the proposal include on-grade or below-grade living or working spaces.

### Public Review Process

|  | <b>Date</b>     |
|--|-----------------|
| CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:   | <b>03/03/22</b> |
| 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:              | <b>07/05/22</b> |
| Planning Board Public Hearing  | <b>07/20/22</b> |
| 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 (10) working days before the meeting: | <b>07/19/22</b> |
| Land Use, Transportation and Infrastructure Committee of the City Council moved the bill forward:  | <b>08/09/22</b> |
| 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:  | <b>08/29/22</b> |
| City Council Public Hearing:   | <b>09/19/22</b> |

- **Public Outreach and Input**
  - **Registered Neighborhood Organizations (RNOs)**
    - As of the publishing of this staff report, no letters of support or opposition have been received from RNOs.
  - **General Public Comments**
    - As of the publishing of this staff report, one letter of support was received from members of the public.

### **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 apply to this property:

- *Denver Comprehensive Plan 2040* (2019)
- *Blueprint Denver* (2019)
- *La Alma Lincoln Park Neighborhood Plan* (2012)

#### ***Denver Comprehensive Plan 2040***

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies, which are organized by vision element.

The proposed rezoning would facilitate the development of a vacant site and an abutting underutilized site that would allow for additional housing options near transit within an established neighborhood, consistent with the following strategies in 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 for all individuals and families (p. 28).
- Equitable, Affordable and Inclusive Goal 2, Strategy B – Create a greater mix of housing options in every neighborhood for all individuals and families (p. 28).

The proposed rezoning would facilitate transforming 8<sup>th</sup> Avenue into a mixed-use center by allowing a mix of housing and services, including neighborhood-serving businesses, through pedestrian-oriented infill, which is consistent with the following strategies in the Strong and Authentic Neighborhoods vision element:

- Strong and Authentic Neighborhoods Goal 1, Strategy A – Build a network of well connected, vibrant, mixed-use centers and corridors (p. 34).
- 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).
- Strong and Authentic Neighborhoods, Goal 4, Strategy A – Grow and support neighborhood-serving businesses (p. 35).

The proposed map amendment would allow for compatible infill development in an established neighborhood with accessible parks and recreation facilities, services and bus and light rail transit, consistent with the following strategies from the Environmentally Resilient vision element:

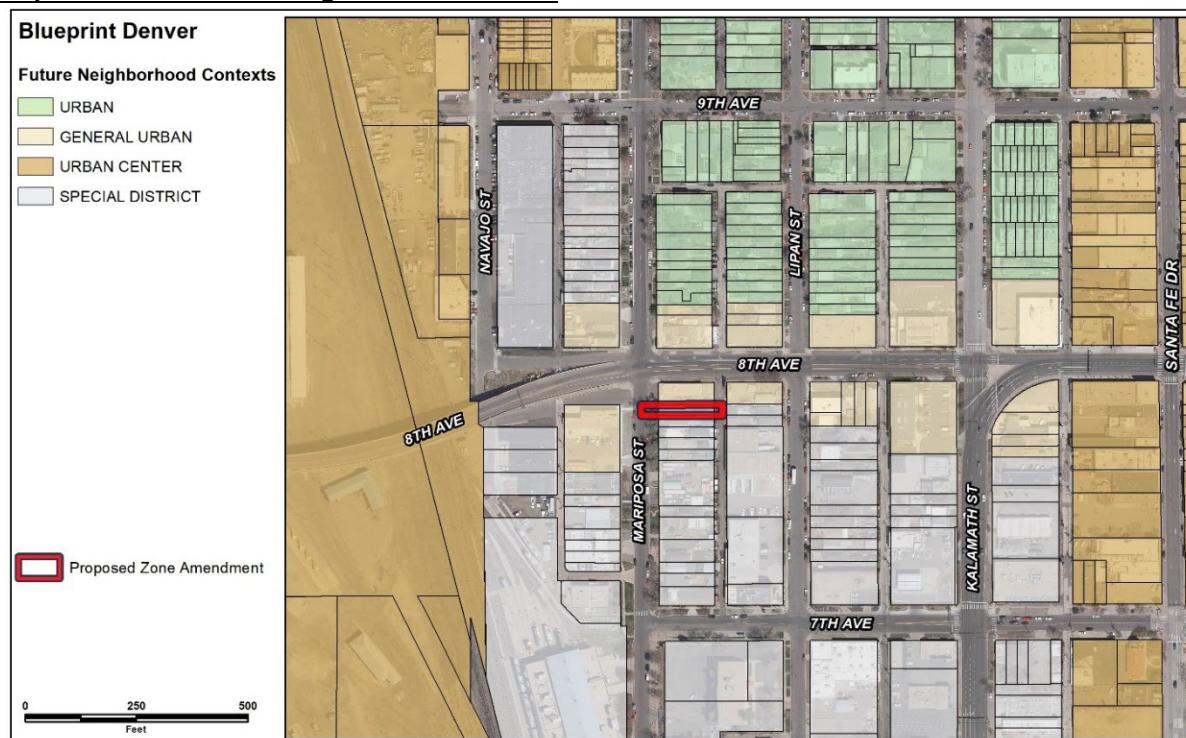
- Environmentally Resilient Goal 8, Strategy A - Promote infill development where infrastructure and services are already in place (p.54).
- Environmentally Resilient Goal 8, Strategy B – Encourage mixed-use communities where residents can live, work and play in their own neighborhoods. (p. 54)
- Environmentally Resilient Goal 8, Strategy C – Focus growth by transit stations and along high- and medium-capacity transit corridors (p. 54).

For these reasons, the proposed rezoning is consistent with 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 property as value manufacturing future place type within a special district 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 understand differences across land use and built form and mobility options at a higher scale, between neighborhoods. The subject property is within the District Context. Blueprint states, "Districts are contexts with a specially designed purpose, such as educational campuses, civic centers or manufacturing areas. They can be mixed-use and offer a diverse range of amenities and complementary services to support the district's purpose." (p. 278). "Residential uses are largely limited to the campus and innovation/flex districts. Other places in Denver benefit from districts containing uses that may not be generally compatible with less intense uses." (p. 280). The subject site directly abuts an area within the General Urban context, which "are typically located at the edge of higher intensity contexts like urban center and downtown" (p. 241) and are characterized by multi-unit residential and community-serving mixed uses. This context is identified for properties abutting or near the stretch of 8<sup>th</sup> Ave. between two areas designated with the Urban Center Context: properties around the 10<sup>th</sup> and Osage station and former railroad facilities to the west, and properties along Santa Fe Dr. to the east.

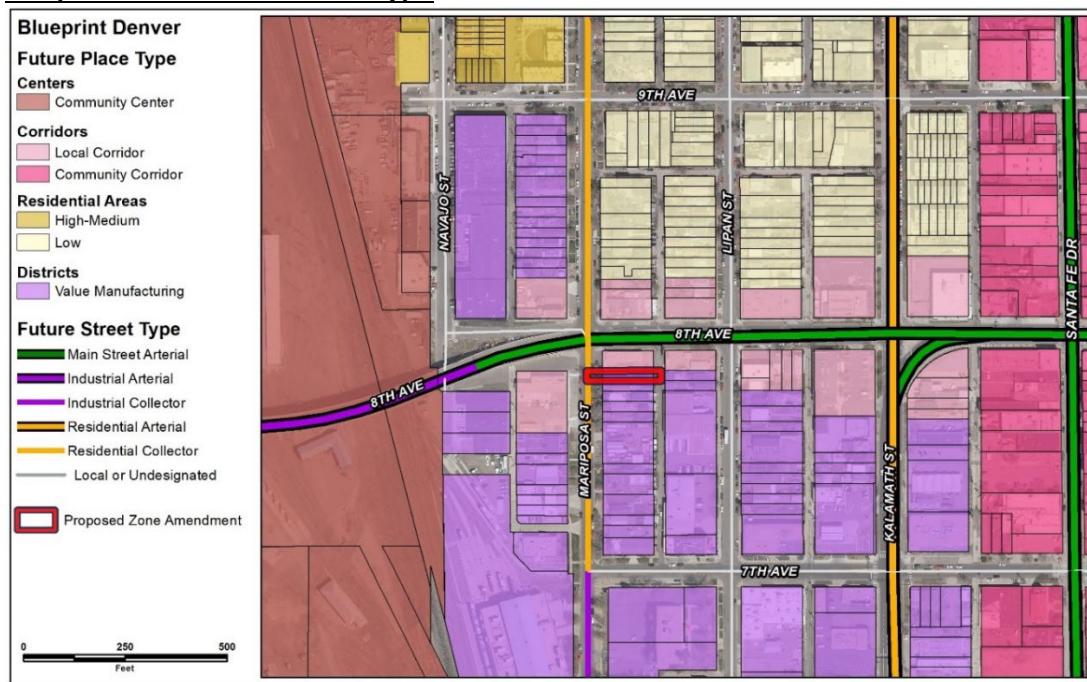
Consistent with area-specific recommendations from the applicable area plan (see *La Alma Lincoln Park Area Plan*, below), properties along 8<sup>th</sup> Ave. at this location identified as being within Blueprint's General Urban context have Main Street zone districts. However, the zone district applied to this area in 2010, C-

MS-5, is from the Urban Center (C) Neighborhood Context, matching the zone districts applied in Urban Centers to the west and east described above. Districts in the Urban Center context are intended to promote development that “typically contains a substantial mix of uses, with good street activation and connectivity,” (p. 253).

The applicant for this rezoning proposed C-MS-5 to be consistent with the zoning of the abutting property, enabling redevelopment that spans both parcels with a single set of regulations. Staff finds that the proposed C-MS-5 is consistent as it achieves very similar outcomes and goals as a General Urban neighborhood context zone district would achieve. Districts in both the Urban Center and General Urban neighborhood contexts allow the same Shopfront building form with nearly identical standards for building form (height, transparency, etc.) and uses.

The proposed C-MS-5 base zone district is part of the Urban Center context and is “intended to promote safe, active, and pedestrian-scaled diverse commercial streets through the use of building forms that clearly define and activate the public street edge” and “the Main Street district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character and improves the transition between commercial development and adjacent residential neighborhoods.” (DZC 7.2.4.1). The subject site is located at the edge of the area with a recommended future neighborhood context of Special District. Blueprint Denver acknowledges that neighborhood contexts are mapped at a citywide scale and that boundaries of contexts may be interpreted with limited flexibility if the request furthers Blueprint goals. (p. 66). The proposed C-MS-5 zone district allows for a mix of uses and allowable building forms that contribute to street activation consistent with Blueprint and Area Plan recommendations in this area. Additionally, it would align the zoning requirements of this property with the parcel directly to its north allowing redevelopment in a single zone district. The subject site is a 25-foot-wide vacant parcel directly abutting single-unit residential uses to its south, which makes future redevelopment with industrial uses unlikely. This proposed rezoning would create a 75-foot deep developable area in combination with the underutilized parcel to the north, increasing the likelihood of development of both parcels with community-serving uses and contributing to a more consistent depth of Main Street zoning along 8<sup>th</sup> Ave, which is generally 100 feet or more deep north and south of 8<sup>th</sup> Avenue in this area. This aligns with Blueprint’s recommendation to encourage infill redevelopment of underutilized parcels in community centers and corridors (p. 49). Taking these factors into consideration, staff finds the proposed rezoning to an Urban Center context is consistent with Blueprint Denver.

## ***Blueprint Denver Future Place Type***



*Blueprint Denver* designates the subject property as Value Manufacturing Future Place Type. This Future Place Type in the District context is described as serving “the primary purpose of light manufacturing, wholesale trade, transportation and warehousing” (p. 285). “Residential uses are not compatible. These areas typically consist of single or multitenant buildings, that are designed for freight movement with some storage and typically do not provide pedestrian-oriented features such as street level transparency” (p.285)

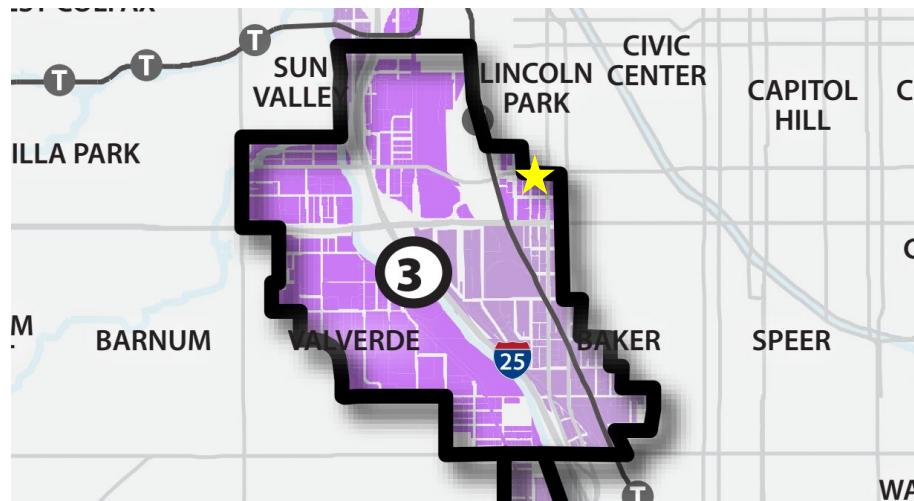
However, Blueprint Denver acknowledges the need for location-specific analysis. “The future places map shows which place description(s) should be used to evaluate the appropriateness of the proposed zone district. Since it is a citywide map, the boundaries of the mapped places should be interpreted with limited flexibility, especially at the edges, if the request furthers the goals of Blueprint Denver and is consistent with the overall intent of the places map” (p. 66). The property directly to the north is within the Local Corridor Future Place Type, intended to provide a variety of commercial and residential uses in a pedestrian-oriented pattern with an active street level.

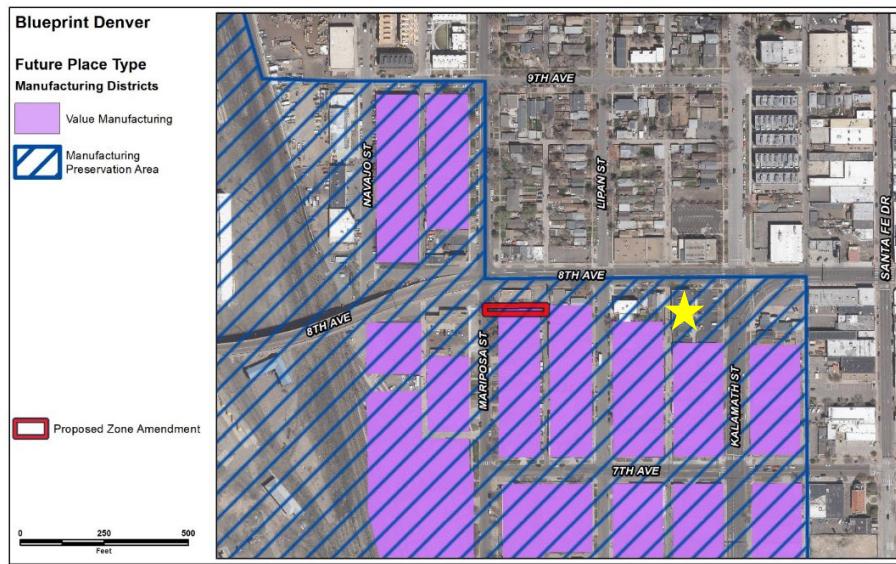
The Local Corridor future place type recommends a maximum height of up to 3 stories (p. 244). However, Blueprint Denver provides that “small area plans will provide more certain height guidance through maps of proposed building height,” and “factors to consider when applying *Blueprint Denver* building height guidance may include guidance from a small area plan and surrounding context, including existing and planned building height...” (p. 66). As further detailed below in the analysis of the La Alma Lincoln Park Neighborhood Plan, these factors support a higher maximum building height of 5 stories in this location.

As such, staff finds the proposed C-MS-5 zone district, consistent with neighboring parcels facing 8<sup>th</sup> Ave., will allow for the development of this small, vacant parcel combined with the parcel to its north, consistent with the Local Corridor Future Place Type mapped in Blueprint Denver along 8<sup>th</sup> Ave.

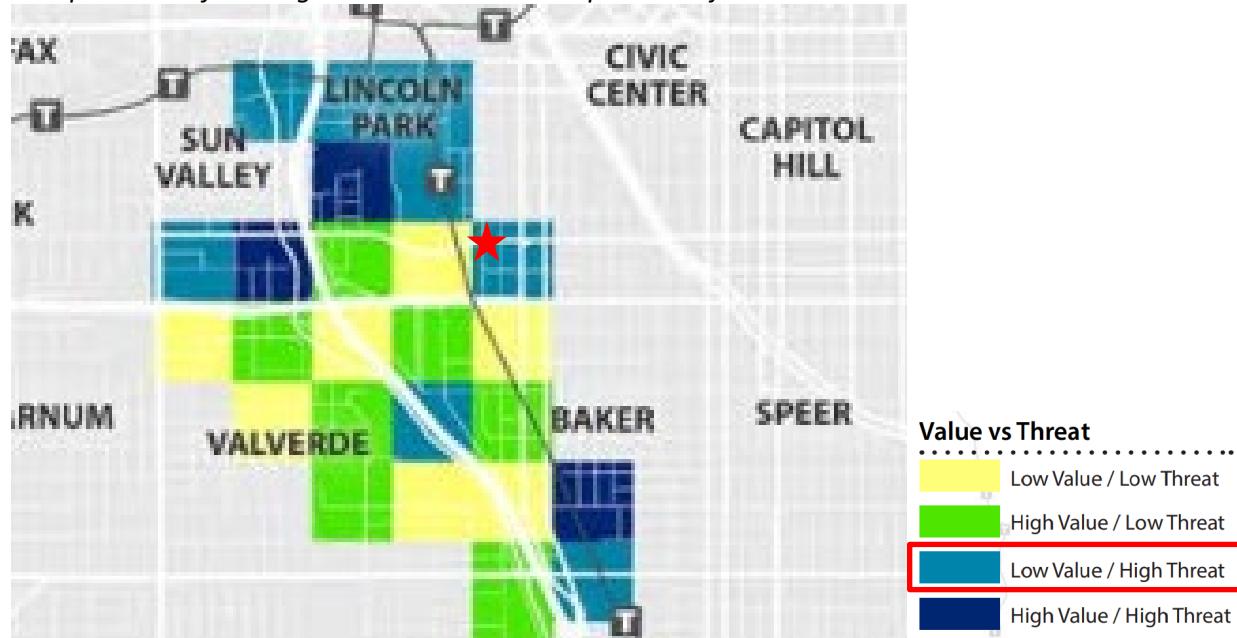
#### **Manufacturing Preservation Areas**

Blueprint Denver identifies eight areas in the city to preserve the ability to continue and expand manufacturing uses (p. 289). This small site falls just within the boundary of the Manufacturing Preservation Area. The Manufacturing Preservation Area boundary appears to follow the centerline of 8<sup>th</sup> Avenue. However, the Manufacturing Districts map (p. 286-287) identifies the subject site as part of the Low Value/High Threat area, which Blueprint acknowledges may evolve to other uses over time: "Areas with low value and high threat are "convert" areas and can change to other uses" (p. 287). The subject site is a small parcel situated between main street commercial uses on 8<sup>th</sup> Ave. and existing single-unit homes to the south along Mariposa and is unlikely to be developed for manufacturing uses. As such, staff finds the rezoning of this property to C-MS-5 is consistent with Blueprint Denver's recommendations for Manufacturing Preservation Areas.





Blueprint Manufacturing Preservation Areas Map with subject site indicated with a star.



Blueprint Manufacturing Preservation Areas Map with subject site indicated with a star.

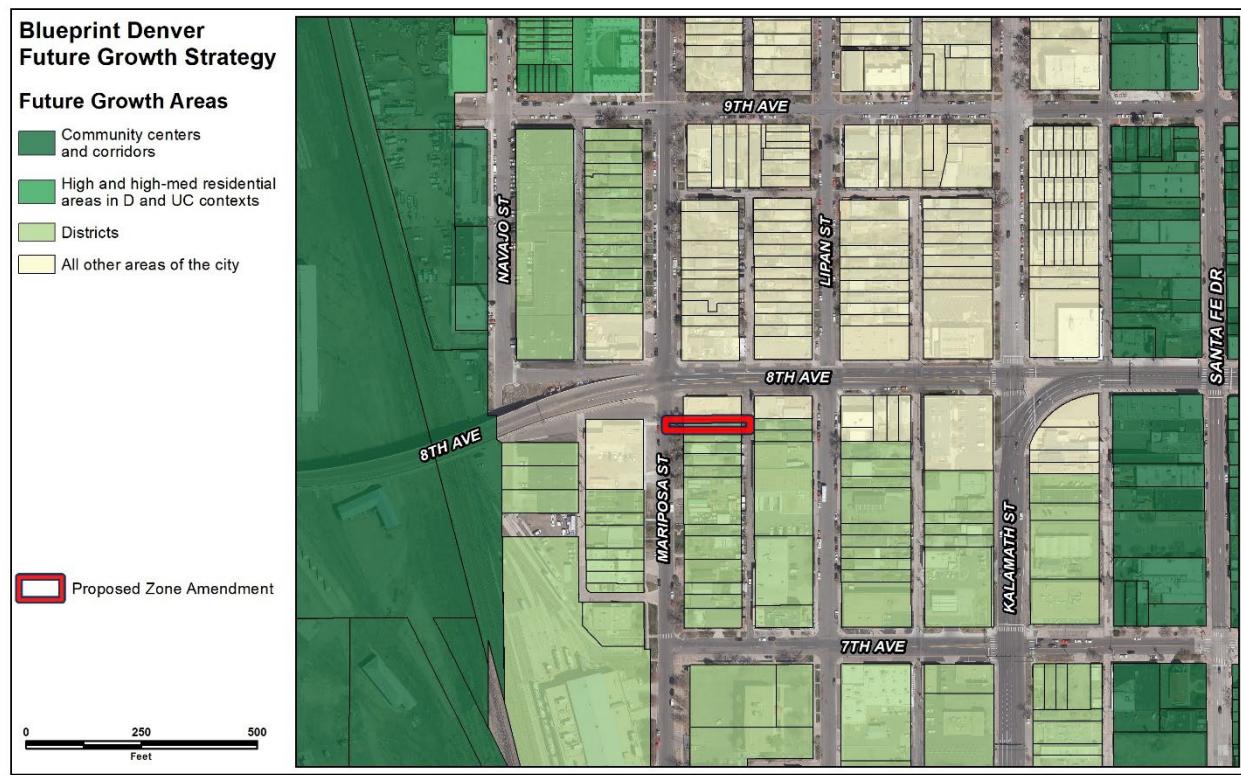
#### Blueprint Denver Street Types

In *Blueprint Denver*, future street types work in concert with the future place type to evaluate the appropriateness of the intensity of the adjacent development (p. 67). *Blueprint Denver* classifies Mariposa Street as a Residential Collector. *Blueprint Denver* states that “Primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses. Buildings on residential streets usually have a modest setback. The depth of the setback varies by neighborhood context” (p. 160). Once rezoned and combined with 778 N. Mariposa St., the combined lot will have frontage on 8<sup>th</sup> Avenue, which is classified as a Main Street Arterial, where MS zone districts are

appropriate. Given the flexibility for adjacent uses and building form for these Street Types, the proposed C-MS-5 zone district would be consistent with these Future Street Type classifications.

### **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 part of the districts area. Citywide, districts are anticipated to see around 5% of new housing growth and 15% of new employment growth by 2040 (p. 51). *Blueprint* notes that "Higher intensity residential areas near downtown, mid-scale housing in innovation/flex districts and low-scale greenfield residential all contribute to Denver's future housing stock. (p.49)" The proposed map amendment to C-MS-5 will allow mixed-use growth in this area, which is an intended location for this kind of growth and helps to support the future employment and housing growth anticipated by *Blueprint Denver*. Therefore, this proposed rezoning is consistent with the growth strategy.



### **La Alma Lincoln Park Neighborhood Plan (2012)**

The subject property is within the boundaries of the La Alma Lincoln Park Neighborhood Plan. The Plan divides the Plan Area into Character Areas and provides direction for each. The subject site is located on the border of the "Main Street Corridor Character Area" and the "Industrial Character Area," and the plan notes that "boundaries are not absolute and some characteristics overlap district boundaries." (p. 38)

The Plan identifies the following relevant vision, goals and recommendations for the Main Street Corridor Character Area:

- Encourage mixed use development with a diversity of uses.
- Promote multi-stories mixed use buildings.
- Support infill development of retail, office, live-work and residential uses.
- Develop land in a manner that is consistent with the surrounding land uses in terms of character and use.

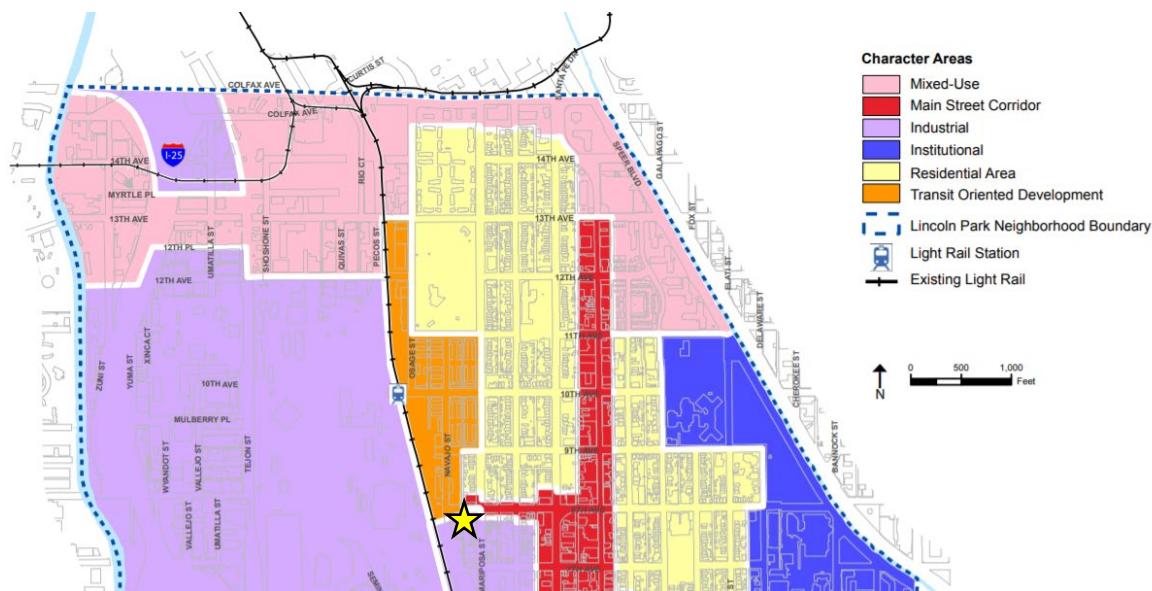
The Plan identifies the following relevant vision, goals and opportunities for Industrial Character Area:

- Mixed land uses are supported in adjacent character areas – to give employees access to commercial uses with walking distance.
- Vacant and underutilized properties offer opportunities for business expansion and infill development.

The plan designates the Property as being in an Area of Change: "The purpose of Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services. A major goal being to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop." (p. 21) Because of this vacant property's small size and surrounding residential uses, mixed-use redevelopment in combination with the property to the north in the Main Street Corridor Character area is more feasible than redevelopment for industrial uses.

#### Land Use and Urban Design Recommendations:

- Apply mixed use zoning to Areas of Change
- Encourage a mixture of uses that assure the availability of neighborhood services and amenities



Designated Character Areas Map (La Alma Lincoln Park Neighborhood Plan – 2012).

The plan recommends building heights of up to 5 stories for the subject site (p. 25). Consistent with the plan's acknowledgement that character areas are not absolute, staff analyzed the proposed C-MS-5 zoning and found it to be an appropriate district that aligns with the vision, goals, and recommendations of the La Alma / Lincoln Park Neighborhood Plan. The proposed zone district contributes to maintaining the character of the neighborhood while embracing the Plan's vision through low to mid-rise building heights and mixed-use projects through the development of a vacant and underutilized lot.

## **2. Uniformity of District Regulations and Restrictions**

The proposed rezoning to C-MS-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 through implementation of the city's adopted land use plans. The proposed zone district will allow for transit-supportive uses near a transit station and require pedestrian-oriented design in a Transit-Oriented neighborhood.

## **4. Justifying Circumstance**

The application identifies several changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.8, including recent redevelopment in the area oriented toward nearby transit infrastructure. As discussed above, many adopted plan recommendations state that redevelopment of the area with transit-supportive uses is desired, including residential uses. The site's existing I-A zone district does not allow residential uses, but the size and location of the site adjacent to single-unit residential uses likely precludes development with industrial uses. Staff agrees that aligning the parcel's zoning with the underutilized parcel to the north may help encourage redevelopment of both parcels with other plan-recommended uses, thus implementing area plan guidance for Main Street Corridor and nearby Transit-Oriented Development in this area. This is an appropriate justifying circumstance for the proposed rezoning.

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

As described in the Denver Zoning Code, the General Character of the Urban Center (C-) district will include "multi-unit residential and mixed-use commercial strips and commercial centers." It is also described as follows: "Multi-unit residential uses are typically in multi-story mixed use building forms. Commercial buildings are typically Shopfront and General forms. Multi-unit residential uses are primarily located along residential collector, mixed-use arterial, and local streets. Commercial uses are primarily located along main and mixed-use arterial streets" (DZC Section 7.1.1). The site is located on a residential collector street and the general area is transforming into a Transit-Oriented neighborhood with a mix of uses. These conditions make the rezoning consistent with the Urban Center Neighborhood Context description.

The C-MS zone districts are “intended to promote safe, active and pedestrian-scaled, commercial streets through the use of building forms that clearly define and activate the public street edge” (DZC Section 7.2.4.1.A). As these districts are also intended to enhance the ease of walking and support transit, C-MS-5 is consistent and appropriate given the purpose of the district and the location in which it has been requested.

According to the zone district intent stated in the Denver Zoning Code, the C-MS-5 district “applies primarily to collector or arterial street corridors or may be embedded within a larger commercial shopping center or mixed-use area, where a building scale of 2 to 5 stories is desired” (DZC Section 7.2.4.2.A). The site is directly served by a collector street. As such, the site and rezoning are consistent with the specific zone district intent.

**Attachments**

1. Application



## Zone Map Amendment (Rezoning) - Application

|  |   |
|--|---|
| <b>PROPERTY OWNER INFORMATION*</b>   |   |
| <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION   |   |
| <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***  |   |
| Property Owner Name  |   |
| Address  |   |
| City, State, Zip   |   |
| Telephone  |   |
| Email  |   |
| <p>*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.</p> |   |
| <b>PROPERTY OWNER(S) REPRESENTATIVE**</b>  |   |
| <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION   |   |
| <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***  |   |
| Representative Name  |   |
| Address  |   |
| City, State, Zip   |   |
| Telephone  |   |
| Email  |   |
| <p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p>  |   |
| <p>***If contact for fee payment is other than above, please provide contact name and contact information on an attachment.</p>  |   |
| <b>SUBJECT PROPERTY INFORMATION</b>  |   |
| Location (address):  |   |
| Assessor's Parcel Numbers:   |   |
| Area in Acres or Square Feet:  |   |
| Current Zone District(s):  |   |
| <b>PROPOSAL</b>  |   |
| Proposed Zone District:  |   |
| <b>PRE-APPLICATION INFORMATION</b>   |   |
| In addition to the required pre-application meeting with Planning Services, did you have a concept or a pre-application meeting with Development Services?   | <input type="checkbox"/> Yes - State the contact name & meeting date _____<br><input 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 type="checkbox"/> Yes - if yes, state date and method _____<br><input type="checkbox"/> No - if no, describe why not (in outreach attachment, see bottom of p. 3)  |



## REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)

|   |  |
|---|--|
| <p>General Review Criteria<br/>DZC Sec. 12.4.10.7.A</p> <p>Check box to affirm <b>and</b> include sections in the review criteria narrative attachment</p>  | <p><input type="checkbox"/> <b>Consistency with Adopted Plans:</b> 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 <b>how</b> the requested zone district is consistent with the policies and recommendations found in <b>each</b> of the adopted plans below. Each plan should have its' own subsection.</p> <p><b>1. Denver Comprehensive Plan 2040</b></p> <p>In this section of the attachment, describe <b>how</b> the proposed map amendment is consistent with <i>Denver Comprehensive Plan 2040</i>'s a) equity goals, b) climate goals, and c) any other applicable goals/strategies.</p> <p><b>2. Blueprint Denver</b></p> <p>In this section of the attachment, describe <b>how</b> the proposed map amendment is consistent with: a) the neighborhood context, b) the future place type, c) the growth strategy, d) adjacent street types, e) plan policies and strategies, and f) equity concepts contained in <i>Blueprint Denver</i>.</p> <p><b>3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable):</b></p>   |
| <p>General Review Criteria:<br/>DZC Sec. 12.4.10.7. B &amp; C</p> <p>Check boxes to the right to affirm <b>and</b> include a section in the review criteria for Public Health, Safety and General Welfare narrative attachment.</p>   | <p><input type="checkbox"/> <b>Uniformity of District Regulations and Restrictions:</b> The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input type="checkbox"/> <b>Public Health, Safety and General Welfare:</b> 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 <b>how</b> the requested rezoning furthers the public health, safety and general welfare of the City.</p>  |
| <p>Review Criteria for Non-Legislative Rezonings:<br/>DZC Sec. 12.4.10.8</p> <p>For Justifying Circumstances, check box and include a section in the review criteria narrative attachment.</p> <p>For Neighborhood Context, Purpose and Intent, check box <b>and</b> include a section in the review criteria narrative attachment.</p> | <p><b>Justifying Circumstances - One of the following circumstances exists:</b></p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error;</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact;</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints of development created by the natural characteristics of the land, including, but not limited to , steep slopes, floodplain, unstable soils, and inadequate drainage;</p> <p><input 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> <ul style="list-style-type: none"><li>a. Changed or changing conditions in a particular area, or in the city generally; or</li><li>b. A City adopted plan; or</li><li>c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</li></ul> <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 type="checkbox"/> <b>The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</b></p> <p>In the review criteria narrative attachment, please provide a separate section describing <b>how</b> the rezoning aligns with a) the proposed district neighborhood context description, b) the general purpose statement, and c) the specific intent statement found in the Denver Zoning Code.</p> |



## REZONING GUIDE

Rezoning Application Page 3 of 4

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



## REZONING GUIDE

Rezoning Application Page 4 of 4

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

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

| Property Owner Name(s)<br>(please type or print<br>legibly) | Property Address<br>City, State, Zip<br>Phone<br>Email                                  | Property<br>Owner In-<br>terest % of<br>the Area of<br>the Zone<br>Lots to Be<br>Rezoned | Please sign below as<br>an indication of your<br>consent to the above<br>certification state-<br>ment | Date     | Indicate the<br>type of owner-<br>ship documen-<br>tation provided:<br>(A) Assessor's<br>record, (B) war-<br>ranty deed, (C)<br>title policy or<br>commitment,<br>or (D) other as<br>approved | Has the<br>owner auth-<br>orized a<br>represen-<br>tative in<br>writing?<br>(YES/NO) |
|---|---|--|---|----------|---|--|
| <b>EXAMPLE</b><br>John Alan Smith and<br>Josie Q. Smith     | 123 Sesame Street<br>Denver, CO 80202<br>(303) 555-5555<br>sample@sample.gov            | 100%   | <i>John Alan Smith<br/>Josie Q. Smith</i>   | 01/12/20 | (A)   | YES  |
| Regas Christou  | 768 N Mariposa Street<br>Denver, CO 80204<br>(303)898 - 0836<br>regaschristou@gmail.com | 100%   | <i>Regas Christou</i>   |          | A   | YES  |
|   |   |  |   |          |   | YES  |
|   |   |  |   |          |   | YES  |
|   |   |  |   |          |   | YES  |

## **List of Exhibits**

**Exhibit A:** Property Legal Description

**Exhibit B:** Description of Consistency with Adopted City Plans (DRMC 12.4.10.7 (A, B & C))

**Exhibit C:** Description of Justifying Circumstances and Neighborhood Context (DRMC 12.4.10.8 (A&B))

**Exhibit D:** Letter of Authorization for STARBOARD Realty Group, LLC to act as Representative

**Exhibit E:** Proof of Ownership, Deed

**Exhibit F:** Outreach Documentation

**EXHIBIT A**

**Property Legal Description**

**LEGAL DESCRIPTION**

**768 MARIPOSA STREET**

THE NORTH ½ OF LOT 2 BLOCK 36, HUNTS ADDITION, CITY OF AND COUNTY OF DENVER, STATE OF COLORADO.

**EXHIBIT B**

**Description of Consistency with Adopted City Plans**

## Exhibit B

### **Statement of Compliance with General Review Criteria (DZC § 12.4.10.7)**

This application proposes to rezone the approximately 0.071-acre property located at 768 Mariposa Street from I-A UO-2 to C-MS-5 (the “Property”) to facilitate use of the Property that is consistent with the recommendations in the adopted Plans.

The Property is a vacant lot located in the Lincoln Park Neighborhood. The Property is on the east side of Mariposa, just south of 8<sup>th</sup> Avenue. Today the Property is zoned I-A UO-2. Existing context surrounding the Property include: I-A UO-2, C-MS-5 UO-1, UO-2, and U-TU-B. Adjacent to the property is single-unit residential, commercial/retail, and industrial. There is bicycle modal priority on Mariposa Street as well as multiple streets nearby including 10<sup>th</sup> Avenue and Galapagos Street. The Property is within half a mile of the 10<sup>th</sup> & Osage light rail station which serves lines D, E, and H. There are two RTD bus routes within a ¼ mile; route 1 that connects riders from Alameda Light Rail Station to Lakewood and route 9 that connects riders to Union Station and Lakewood. La Alma park is located a half a mile from the Property.

The lot is 25 feet wide and is incompatible with current industrial zoning. It would be unreasonable and impossible to build any industrial structure in this narrow, small lot. The map amendment requests to rezone the Property to the C-MS-5 Zone District. This zone district would be identical to the adjacent property to the north, owned by the same owner. This would allow a modest extension of the local corridor and for feasible development of the Property. This will also allow the Property to offer real neighborhood serving uses in both housing and job opportunities than what exists in the zoning today. The successful rezoning will allow for a mix of uses which will blend in with, support, and sustain the existing character of the neighborhood.

The Lincoln Park neighborhood is a dynamic, mixed use neighborhood with a broad range of cultural and public facilities. The neighborhood is rich with opportunities to improve, enhance, and support the existing population. These changes have resulted in the need to rezone the Property to implement adopted Plan recommendations and meet community wants and needs.

#### **REVIEW CRITERION DZC § 12.4.10.7. A – Consistency with Adopted Plans: The proposed official map amendment is consistent with the City’s adopted plans.**

This proposed map amendment is consistent with the Denver Comprehensive Plan 2040, La Alma / Lincoln Park Neighborhood Plan (2010), and Blueprint Denver (2019).

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

#### ***VISION ELEMENTS: STRONG AND AUTHENTIC NEIGHBORHOODS***

##### **GOAL 1: Create a city of complete neighborhoods.**

###### **STRATEGIES:**

- *Ensure neighborhoods offer a mix of housing types and services for a diverse population.*
- *Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities.*

**GOAL 4: Ensure every neighborhood is economically strong and dynamic.**

**VISION ELEMENTS: EQUITABLE, AFFORDABLE AND INCLUSIVE**

**GOAL 1: Ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities.**

**STRATEGIES:**

- *Increase development of housing units close to transit and mixed-use developments.*

**GOAL 2: Build housing as a continuum to serve residents across a range of incomes, ages and needs.**

**STRATEGIES:**

- *Create a greater mix of housing options in every neighborhood for all individuals and families.*

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

**STRATEGIES:**

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

**VISION ELEMENTS: CONNECTED, SAFE AND ACCESSIBLE PLACES**

**GOAL 8: Strengthen multimodal connections in mixed-use centers and focus growth near transit.**

**STRATEGIES:**

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

**VISION ELEMENTS: ENVIRONMENTALLY RESILIENT**

**GOAL 8: Clean our soils, conserve land and grow responsibly.**

**STRATEGIES**

- *Encourage mixed-use communities where residents can live, work and play in their own neighborhoods.*
- *Focus growth by transit stations and along high- and medium-capacity transit corridors.*
- *Promote infill development where infrastructure and services are already in place.*

The proposed C-MS-5 zone district would allow for compatible infill development that would enable a mix of neighborhood serving uses that do not exist in the zoning today. The Property is in a diverse neighborhood that the community envisions to be a desirable area to live, work, and play in. This zone district offers increased opportunities for housing, amenities, and services that contribute to and enhance the neighborhood character. Successful rezoning will result in a variety of options for an undeveloped and underutilized lot. The Property is accessible to parks, designated bike lanes/routes, a light rail station and RTD transit routes allowing it to be accessible by multiple modes of transportation. As Denver continues to grow and become more dense, it is important to plan around our mobility system. This rezoning will enable a range of residential and commercial uses in an appropriate location, making it consistent with Denver Comprehensive Plan 2040 Vision Elements and Goals.

**The proposed map amendment is consistent with the objectives of Blueprint Denver 2019 including:**

The Blueprint Denver *Futures Place* designation for the subject property is *Value Manufacturing* in a *District* context.

**Districts** contexts are described as:

*“Districts are contexts with a specially designed purpose, such as education campuses, civic centers or manufacturing areas. They can be mixed-use and offer a diverse range of amenities and complementary services to support the district’s purpose. (BPD pg. 278)*

**Manufacturing Districts** contexts are described as:

*“Manufacturing areas play a major role in the city’s economy, serving as primary place of employment and commerce in the Denver region.” (BPD pg. 284)*

**Value Manufacturing Districts** contexts are described as:

*“Value manufacturing districts serve the primary purpose of light manufacturing, wholesale trade, transportation and warehousing.” (BPD pg. 285)*

**Growth Strategy** for this area is designated as:

*Districts\**: 15% new jobs and 5% new households

*“The future places map shows which place description(s) should be used to evaluate the appropriateness of the proposed zone district. Since it is a citywide map, the boundaries of the mapped places **should be interpreted with limited flexibility, especially at edges**, if the request furthers the goals of Blueprint Denver and is consistent with the overall intent of the places map.” (BPD pg. 66)*

**Street Type** for the Property is designated as:

**Residential Collector:** *“Primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses. Buildings on residential streets usually have modest set back. The Depth of the setback varies by neighborhood context.” (BPD pg. 160)*

The purpose of this proposed rezoning is to address an unusual and unique land use setting. The Property is a 25-foot wide lot. While it is zoned an industrial zone district today and designated as a future manufacturing district, it is impractical and unrealistic to design a manufacturing, wholesale trade, transportation, or warehousing structure as suggested by Blueprint Denver. The I-A development standards including setbacks, parking requirements, and FAR metrics render the 25-foot wide lot undevelopable under the current I-A zoning.

The proposed rezoning aims to solve this issue through a compatible and functional district that will still meet the recommendations of the plan. The proposed C-MS-5 zone district is identical to the current zone district of the property immediately north of it. The Property is less than 100 feet from 8<sup>th</sup> Avenue – a main street arterial. Blueprint designates lots of various sizes abutting this part of 8<sup>th</sup> Avenue as a Local Corridor under the General Urban neighborhood context. Local corridors provide options for dining, entertainment, and shopping and may also include some residential and employment uses. A goal of Blueprint Denver is to support a mixed-use corridor along this stretch and successful rezoning of the site would support that by making development and redevelopment more feasible. This zone district would offer a diverse range of amenities and complimentary services to support the district’s purpose.

The C-MS-5 zone district will still address the Growth Strategy of this District by supporting developments that can provide both job and housing opportunities. Due to the small size of the lot, housing options would be modest in density which would meet the recommendation of the Growth Strategy. The Property is located on a designated residential collector which recommends primarily

residential uses, but may also include retail nodes or similar uses, allowed uses under C-MS-5 are compatible with the designated street type. Main Street zone districts are intended to promote safe, active, and pedestrian-scaled commercial streets that enhance the convenience, ease and enjoyment of transit, walking, shopping, and public gathering along them. It will appeal to the desired uses of small-scale multi-unit residential, mixed-use, and commercial uses through modest density. Located within a half a mile from the 10<sup>th</sup> & Osage station and near multiple RTD bus routes, along with bike friendly routes and dedicated lanes, this makes it an excellent multi modal accessible location for both residents and those visiting for work, amenities, or services. Importantly, the Property is under common ownership with the C-MS-5 property adjacent to the north. Combining the two sites under C-MS-5 makes sense to put both properties to productive use.

**The proposed map amendment is consistent with the objectives of the La Alma / Lincoln Park Neighborhood Plan (2020) including:**

The Plan divides the Plan Area into Character Areas and provides direction for each. The Property is located on the border of the “*Main Street Corridor Character Area*” and the “*Industrial Character Area*.”

- Encourage mixed use development with a diversity of uses.

Relevant vision and goals for *Main Street Corridor Character Areas*:

- Promote multi-stories mixed use buildings

*Main Street Corridor Character Areas* recommendations:

- Support infill development of retail, office, live-work and residential uses.
- Develop vacant land in a manner that is consistent with the surrounding land uses in terms of character and use.

Relevant vision and goals for *Industrial Character Areas*:

- Mixed land uses are supported in adjacent character areas - to give employees access to commercial uses with walking distance

*Industrial Character Areas* Primary Opportunities:

- Vacant and underutilized properties offer opportunities for business expansion and infill development.

The plan designates the Property as being in an Area of Change: “The purpose of Areas of Change is to channel growth here it will be beneficial and can best improve access to jobs, housing and services. A major goal being to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.” (LALPNP 21)

Land Use and Urban Design Recommendations:

- Apply mixed use zoning to Areas of Change
- Encourage a mixture of uses that assure the availability of neighborhood services and amenities

The plan recommends building heights of up to 5 stories for the Property.

The C-MS-5 zoning is an appropriate district that aligns with the vision, goals, and recommendations of the La Alma / Lincoln Park Neighborhood Plan. The proposed zone district contributes to maintaining the character of the La Alma / Lincoln Park neighborhood while embracing the Plan's vision through low to mid-rise building heights and mixed-use projects through the development of a vacant and underutilized lot. These districts will contribute to the plan's vision and uses of encouraging inviting, pedestrian-

friendly, and transit accessible developments. The proposed zone district would allow for a variety of housing options along with commercial and office uses that could create new job opportunities. While it is uncertain how a property will be utilized within its zoning in the future, it is valuable to the neighborhood and the City that the C-MS-5 zoning introduces more housing and job opportunities to the area than what is offered in the zoning today.

**REVIEW CRITERION DZC § 12.4.10.7.B – Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.**

Future development of the Property will result in uniformity of C-MS-5 district regulations and restrictions.

**REVIEW CRITERION DZC § 12.4.10.7.C – Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.**

The proposed map amendment will further the public health, safety, and general welfare of the City by facilitating the improvement and development of the Property as desired by the City's adopted plan.

**EXHIBIT C**

**Description of Justifying Circumstances and Neighborhood Context**

## Exhibit C

### Statement of Compliance of Additional Review Criteria for Non-Legislative Rezonings (DZC § 12.10.8)

#### CRITERION DZC § 12.4.10.8.A - Justifying Circumstances - One of the following circumstances exists:

"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: Changed or changing conditions in a particular area, or in the city generally"

The .07 acre Property is a vacant parcel in a Value Manufacturing District in the La Alma / Lincoln Park neighborhood. The vacant lot is 25 feet wide and is incompatible with current industrial zoning. The map amendment requests to rezone the Property to the C-MS-5 Zone District. This zone district would be identical to the adjacent property to the north, owned by the same owner. This would allow a modest extension of the local corridor and for feasible development of the Property.

As Denver continues to grow, this warrants the introduction of a mix of uses which are not allowed in its current zoning. In response to change represented by such unprecedented growth and the resulting need for neighborhood serving amenities, employment options and services. The proposed map amendment is in response to these changing conditions and the need for density and mixed development along main street arterials. The C-MS-5 zone district supports a growing population that can walk, bike, or use public transit to neighborhood amenities, entertainment, retail, and services. The La Alma / Lincoln Park neighborhood's diverse character is supported by its cultural charm and local retail, restaurants, and community events. The successful rezoning will allow for a mix of uses which will blend in with, support, and sustain the existing character of the neighborhood.

The Property consists of underdeveloped land that is efficiently served by existing infrastructure. Rezoning will further the policy goals and multiple City plans directing conversion of the Property to a vibrant mixed-use or main street area.

This rezoning will be an implementation step of the policy, land use and transportation goals identified in the aforementioned Plans. Once rezoned, the Property can accommodate the urban densities and mix of uses prescribed in the plans. This rezoning is necessary for the following reasons:

1. Conformance with the La Alma / Lincoln Park Neighborhood Plan (2010)
2. The ability to increase multi-modal connectivity along 8<sup>th</sup> avenue.
3. Improves the transition from main street developments to industrial in the Westwood neighborhood.
4. Further implementation of Blueprint Denver (2019).

The proposed Zone District offered by the applicant provide the form-based context to enable what the community and Denver's elected officials desire for the furtherance of the neighborhood. Design elements imbedded in the zoning such as building height and orientation will help create a quality community the City and its residents will be proud of. The desire and need for more residential and employment options in the area is growing and a C-MS-5 zone district can aid to these community wants and needs.

**CRITERION DZC § 12.4.10.8.B – The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.**

C-MS-5 is in the Urban Center Neighborhood context and is characterized by the Denver Zoning Code as consisting of multi-unit residential and mixed-use commercial strips and commercial centers. Multi-unit residential uses are typically in multi-story mixed use building forms. Commercial buildings are typically Shopfront and General forms. The Denver Zoning Code's intent for this district applies primarily to collector or arterial street corridors, or may be embedded within a larger commercial shopping center or mixed-use area, where a building scale of 2 to 5 stories is desired (Denver Zoning Code 7.1 – 7.2.4).

This stated purpose of this district is intended to enhance the convenience, ease and enjoyment of walking, shopping and public gathering within and around the city's residential neighborhoods. It ensures new development that contributes positively to established character of the neighborhood and improve the transition between commercial development and adjacent residential neighborhoods. The Denver Zoning Code describes the general purpose of Main Street zone districts are "intended to promote safe, active, and pedestrian-scaled commercial streets through the use of building forms that clearly define and activate the public street edge" (Denver Zoning Code 7.2.4). Today, the neighborhood context around the Property is a mix of Mixed-Use and Main-Street zoning. The proposed C-MS-5 Zone District of the Property will allow Uptown neighborhood area to continue to grow into the Urban Village the city plans are envisioning as it will allow for residential-focused mixed-use in an appropriate, transit-served location. It will promote the desired intent of a vibrant, accessible, neighborhood context by improving access to jobs, housing and services. Rezoning to C-MS-5 on the Property meets the intended purpose of the zone district.

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.

**EXHIBIT D**

**Letter of Authorization for STARBOARD Realty Group, LLC to act as Representative**

**REGAS CHRISTOU  
1045 N SHERMAN STREET, SUITE 304  
DENVER, CO 80203**

May 18, 2022

Mr. Bruce O'Donnell  
STARBOARD Realty Group, LLC  
1115 Acoma Street, Suite 107  
Denver, CO 80204  
[bodonnell@starboardrealtygroup.com](mailto:bodonnell@starboardrealtygroup.com)  
720-441-3310

Dear Bruce,

This letter serves as authorization for STARBOARD Realty Group, LLC to act on behalf of and represent Regas Christou for the purpose of submitting and processing the rezoning application for the property owned by Regas Christou at 768 N Mariposa Street in Denver, CO.

Sincerely,



Regas Christou

**EXHIBIT E**

**Proof of Ownership, Deed**



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Page: 1 of 3

05/02/2022 12:11 PM

R \$23.00

D \$30.00

City & County of Denver  
Electronically Recorded

WD

## SPECIAL WARRANTY DEED

**THIS DEED**, Made this 29th day of April, 2022, between  
Rita Henry Trust  
of the said County of and State of Colorado, grantor, and  
Regas Christou  
whose legal address is: 6050 Greenwood Plaza Blvd., Suite 110, Greenwood  
Village, CO 80111 of the County of Arapahoe , and State of Colorado, grantee

State Doc Fee: \$30.00  
Recording Fee: \$23.00

22000310162



**WITNESS**, that the grantor, for and in consideration of the sum of Three Hundred Thousand Dollars and No Cents (\$300,000.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantee, his heirs and assigns forever, all the real property, together with improvements if any, situate, lying and being in the said County of Denver and State of Colorado described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

also known by street and number as: 768 North Mariposa Street, Denver, CO 80204

**TOGETHER** with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

**TO HAVE AND TO HOLD** the said premises above bargained and described, with the appurtenances, unto the Grantee, and the Grantee's heirs and assigns forever. The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree that the Grantor shall and will **WARRANT THE TITLE AND DEFEND** the above described premises, in the quiet and peaceable possession of the Grantee and the heirs and assigns of the Grantee, against all and every person or persons claiming the whole or any part thereof, by, through, or under the Grantor except and subject to: Statutory Exceptions as defined in C.R.S. § 38-30-113(5)(a)

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

RITA HENRY TRUST

By: Rita Henry  
Rita Henry, Trustee

State of Colorado  
County of Denver

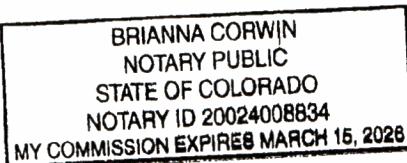
The foregoing instrument was acknowledged before me this 18th day of April, 2022 by Rita Henry as Trustee of the Rita Henry Trust.

Witness my hand and official seal.

Brianna Corwin

Notary Public Brianna Corwin

My Commission Expires: \_\_\_\_\_

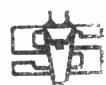


**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

The North 1/2 of Lot 2, Block 36,  
HUNT'S ADDITION TO DENVER,  
City and County of Denver,  
State of Colorado.

## SPECIAL WARRANTY DEED

**THIS DEED**, Made this 29th day of April, 2022, between  
Rita Henry Trust  
of the said County of and State of Colorado, grantor, and  
Regas Christou  
whose legal address is: 6050 Greenwood Plaza Blvd., Suite 110, Greenwood  
Village, CO 80111 of the County of Arapahoe , and State of Colorado, grantee

State Doc Fee: \$30.00  
Recording Fee: ~~\$23.00~~  
22000310162  


**WITNESS**, that the grantor, for and in consideration of the sum of Three Hundred Thousand Dollars and No Cents (\$300,000.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantee, his heirs and assigns forever, all the real property, together with improvements if any, situate, lying and being in the said County of Denver and State of Colorado described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

also known by street and number as: 768 North Mariposa Street, Denver, CO 80204

**TOGETHER** with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

**TO HAVE AND TO HOLD** the said premises above bargained and described, with the appurtenances, unto the Grantee, and the Grantee's heirs and assigns forever. The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree that the Grantor shall and will WARRANT THE TITLE AND DEFEND the above described premises, in the quiet and peaceable possession of the Grantee and the heirs and assigns of the Grantee, against all and every person or persons claiming the whole or any part thereof, by, through, or under the Grantor except and subject to: Statutory Exceptions as defined in C.R.S. § 38-30-113(5)(a)

**IN WITNESS WHEREOF**, the grantor has executed this deed on the date set forth above.

RITA HENRY TRUST

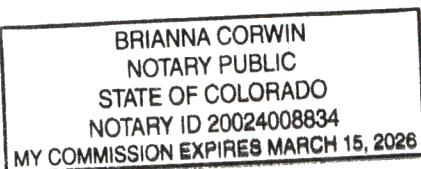
By: Rita Henry  
Rita Henry, Trustee

State of Colorado  
County of Denver

The foregoing instrument was acknowledged before me this 18th day of April, 2022 by Rita Henry as Trustee of the Rita Henry Trust.

Witness my hand and official seal.

Brianna Corwin  
Notary Public Brianna Corwin  
My Commission Expires: \_\_\_\_\_



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

The North 1/2 of Lot 2, Block 36,  
HUNT'S ADDITION TO DENVER,  
City and County of Denver,  
State of Colorado.

## TD-1000

## Confidential Document

This form provides essential market information to the county assessor to ensure accurate, fair and uniform assessments of all property. **This document is not recorded, is kept confidential, and is not available for public inspection.**

**This declaration must be completed and signed by either the grantor (seller) or grantee (buyer).** Questions 1, 2, 3, and 4 may be completed (prefilled) by a third party, such as a title company or closing agent, familiar with details of the transaction. The signatory should confirm accuracy before signing.

This form is required when conveyance documents are presented for recording. If this form is not completed and submitted, the county assessor may send notice. If the completed and signed form is not returned to the assessor within 30 days of notice, the assessor may impose a penalty of \$25.00 or 0.025% (0.00025) of the sale price, whichever is greater.

Additional information as to the purpose, requirements, and level of confidentiality regarding this form are outlined in Colorado Revised Statutes, sections 39-14-102, 39-5-121.5, and 39-13-102.

|    |  |   |            |
|----|--|---|------------|
| 1. | Physical Address and/or legal description of the real property sold: Please do not use P.O. Box numbers.<br><u>768 North Mariposa Street, Denver, CO 80204</u>   |   |            |
| 2. | Type of property purchased: <input type="checkbox"/> Single Family Residential <input type="checkbox"/> Townhome <input type="checkbox"/> Condominium <input type="checkbox"/> Multi-Unit Residential<br><input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Agricultural <input type="checkbox"/> Mixed Use <input checked="" type="checkbox"/> Vacant Land <input type="checkbox"/> Other |   |            |
| 3. | <u>4/29/2022</u>   | <u>2/14/2022</u>                                      |            |
|    | Date of Closing: mm/dd/yyyy  | Date of contract                                      | mm/dd/yyyy |
| 4. | <u>\$300,000.00</u>  | Contracted price (if different from final sale price) |            |
|    | Total Sale Price: include all real and personal property   |   |            |
| 5. | List any personal property included in the transaction that materially impacts the total sales price.<br>Personal property may include, but is not limited to, machinery or equipment, vehicles, exceptional appliances, electronic devices, furniture, or anything that would not typically transfer with the real property (attach additional pages if necessary).   |   |            |
|    | <u>Description</u>   | <u>Approximate Value</u>                              |            |
|    | N/A  | \$  |            |
|    |  | \$  |            |
|    |  | \$  |            |
|    |  | \$  |            |
|    | <u>Personal Property Total</u>   | \$  |            |

If no personal property is listed, the entire purchase price will be assumed to be for the real property.

6. Did the total sale price include a trade or exchange of additional real or personal property?  No  Yes  
If Yes, approximate value of the goods or services as of the date of closing: \$ \_\_\_\_\_  
If Yes, does this transaction involve a trade under IRS Code Section 1031?  No  Yes
7. Was 100% interest in the real property purchased?  No  Yes  
Mark "No" if only a partial interest is being purchased. If No, interest purchased \_\_\_\_\_ %
8. Is this a transaction between related parties or acquaintances? This includes persons connected by blood or marriage, or business affiliates, or those acquainted prior to the transaction.  No  Yes
9. Please mark type of sale:  Builder (new construction)  Public (MLS or Broker Representation)  
 Private (For Sale by Owner)  Other (describe) \_\_\_\_\_
10. Mark any of the following that apply to the condition of the improvements at the time of purchase.  
 New  Excellent  Good  Average  Fair  Poor  Salvage
11. Type of financing: (Mark all that apply)

None (all cash or cash equivalent)  
 New/Mortgage Lender (government-backed or conventional bank loan)  
 New/Private Third Party (nonconventional lender, e.g., relative, friend, or acquaintance)  
 Seller (buyer obtained a mortgage directly from the seller)  
 Assumed (buyer assumed an existing mortgage)  
 Combination or Other: Please explain \_\_\_\_\_

12. Total amount financed \$ \_\_\_\_\_

13. Terms:  
 Variable; Starting interest rate \_\_\_\_\_ %       Fixed; Interest rate \_\_\_\_\_ %  
Length of time \_\_\_\_\_ years  
Balloon payment?  No  Yes If yes, amount \$ \_\_\_\_\_ Due date \_\_\_\_\_

14. Mark any that apply:  Seller assisted down payments  Seller concessions  Special terms or financing  
If marked, please specify terms: \_\_\_\_\_

15. Was an independent appraisal obtained in conjunction with this transaction?  No  Yes

For properties **OTHER THAN** Residential (Residential is defined as: single family detached, townhomes, apartments and condominiums), please complete questions 16 – 18, if applicable.

16. Did the purchase price include a franchise or license fee?  No  Yes  
If yes, franchise or license fee value \$ \_\_\_\_\_

17. Did the purchase price involve an installment land contract?  No  Yes  
If yes, date of contract \_\_\_\_\_

18. If this is vacant land, was an on-site inspection conducted by the buyer prior to the closing?  No  Yes

Please include any additional information concerning the transaction and price paid that you feel is important.

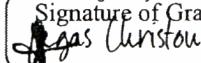
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|  |                 |                         |
|--|-----------------|-------------------------|
| Document signed by:  | 4/29/2022       | Regas Christou          |
| Signature of Grantee (Buyer)   | Date mm/dd/yyyy | Printed name of Grantee |
| <br>0923ABD345F9343C | 4/29/2022       |                         |
| Signature of Grantee (Buyer)   | Date mm/dd/yyyy | Printed name of Grantee |
|  | 4/29/2022       |                         |
| Signature of Grantor (Seller)  | Date mm/dd/yyyy | Printed name of Grantor |
|  | 4/29/2022       |                         |
| Signature of Grantor (Seller)  | Date mm/dd/yyyy | Printed name of Grantor |
|  |                 |                         |

Buyer Mailing Address: Future correspondence (tax bills, property valuations, etc.) regarding this property should be mailed to:

|                   |               |       |          |
|-------------------|---------------|-------|----------|
| Address (mailing) | City          | State | Zip Code |
| Daytime Phone     | Email Address |       |          |

Contact information is kept confidential, for County Assessor and Treasurer use only, to contact buyer with questions regarding this form, property valuation, or property tax information.



2022059094

Page: 1 of 3

05/02/2022 12:21 PM  
City & County of Denver  
Electronically Recorded

R \$23.00  
WD  
D \$59.50

## SPECIAL WARRANTY DEED

**THIS DEED**, Made this 29th day of April, 2022, between  
New Direction IRA, Inc., a Colorado corporation, FBO Rita Henry IRA  
of the said County of Boulder and State of Colorado, grantor, and  
Regas Christou  
whose legal address is: of the County of , and State of Colorado, grantee

State Doc Fee: \$59.50  
Recording Fee: ~~\$23.00~~

22000310163

**WITNESS**, that the grantor, for and in consideration of the sum of Five Hundred Ninety Five Thousand Dollars and No Cents (\$595,000.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantee, his heirs and assigns forever, all the real property, together with improvements if any, situate, lying and being in the said County of Denver and State of Colorado described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

also known by street and number as: 778 North Mariposa Street, Denver, CO 80204

**TOGETHER** with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

**TO HAVE AND TO HOLD** the said premises above bargained and described, with the appurtenances, unto the Grantee, and the Grantee's heirs and assigns forever. The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree that the Grantor shall and will **WARRANT THE TITLE AND DEFEND** the above described premises, in the quiet and peaceable possession of the Grantee and the heirs and assigns of the Grantee, against all and every person or persons claiming the whole or any part thereof, by, through, or under the Grantor except and subject to: Statutory Exceptions as defined in C.R.S. § 38-30-113(5)(a)

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

NEW DIRECTION IRA, INC., a Colorado corporation, FBO  
RITA HENRY IRA

By Lori Johnson  
Lori Johnson, Authorized Signer

Lori Johnson  
As authorized signer for NDIRA  
FBO Asctt

READ AND APPROVED

By Rita Henry  
Rita Henry

State of Colorado  
County of Boulder

The foregoing instrument was acknowledged before me this 15 day of April, 2022 by Lori Johnson as Authorized Signer for New Direction IRA, Inc., a Colorado corporation, FBO Rita Henry IRA.

Witness my hand and official seal.

Laura Brie  
Notary Public  
My Commission Expires: 8-13-2024

LAURA BRIELS  
Notary Public  
State of Colorado  
Notary ID # 20204028095  
My Commission Expires 08-13-2024

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Lot 1, Block 36,  
HUNT'S ADDITION TO DENVER,  
City and County of Denver,  
State of Colorado.

|                        |
|------------------------|
| E-Recorded             |
| Date <u>May 7 2022</u> |
| County <u>Denver</u>   |

## SPECIAL WARRANTY DEED

**THIS DEED**, Made this 29th day of April, 2022, between  
New Direction IRA, Inc., a Colorado corporation, FBO Rita Henry IRA  
of the said County of Boulder and State of Colorado, grantor, and  
Regas Christou  
whose legal address is: of the County of , and State of Colorado, grantee

State Doc Fee: \$59.50  
Recording Fee: \$23.00

 22000310163

**WITNESS**, that the grantor, for and in consideration of the sum of Five Hundred Ninety Five Thousand Dollars and No Cents (\$595,000.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantee, his heirs and assigns forever, all the real property, together with improvements if any, situate, lying and being in the said County of Denver and State of Colorado described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

also known by street and number as: 778 North Mariposa Street, Denver, CO 80204

**TOGETHER** with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

**TO HAVE AND TO HOLD** the said premises above bargained and described, with the appurtenances, unto the Grantee, and the Grantee's heirs and assigns forever. The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree that the Grantor shall and will WARRANT THE TITLE AND DEFEND the above described premises, in the quiet and peaceable possession of the Grantee and the heirs and assigns of the Grantee, against all and every person or persons claiming the whole or any part thereof, by, through, or under the Grantor except and subject to: Statutory Exceptions as defined in C.R.S. § 38-30-113(5)(a)

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

NEW DIRECTION IRA, INC., a Colorado corporation, FBO  
RITA HENRY IRA

By Lori Johnson  
Lori Johnson, Authorized Signer

Lori Johnson  
As authorized signer for NDIRA

File # 202204028095

READ AND APPROVED

By Rita Henry  
Rita Henry

State of Colorado  
County of Boulder

The foregoing instrument was acknowledged before me this 15 day of April, 2022 by Lori Johnson as Authorized Signer for New Direction IRA, Inc., a Colorado corporation, FBO Rita Henry IRA.

Witness my hand and official seal.

Laura Brie  
Notary Public  
My Commission Expires: 8-13-2024

LAURA BRIELS  
Notary Public  
State of Colorado  
Notary ID # 20204028095  
My Commission Expires 08-13-2024

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Lot 1, Block 36,  
HUNT'S ADDITION TO DENVER,  
City and County of Denver,  
State of Colorado.

## TD-1000

## Confidential Document

This form provides essential market information to the county assessor to ensure accurate, fair and uniform assessments of all property. **This document is not recorded, is kept confidential, and is not available for public inspection.**

**This declaration must be completed and signed by either the grantor (seller) or grantee (buyer).** Questions 1, 2, 3, and 4 may be completed (prefilled) by a third party, such as a title company or closing agent, familiar with details of the transaction. The signatory should confirm accuracy before signing.

This form is required when conveyance documents are presented for recording. If this form is not completed and submitted, the county assessor may send notice. If the completed and signed form is not returned to the assessor within 30 days of notice, the assessor may impose a penalty of \$25.00 or 0.025% (0.00025) of the sale price, whichever is greater.

Additional information as to the purpose, requirements, and level of confidentiality regarding this form are outlined in Colorado Revised Statutes, sections 39-14-102, 39-5-121.5, and 39-13-102.

|    |  |   |       |
|----|--|---|-------|
| 1. | Physical Address and/or legal description of the real property sold: Please do not use P.O. Box numbers.<br><u>778 North Mariposa Street, Denver, CO 80204</u>   |   |       |
| 2. | Type of property purchased: <input type="checkbox"/> Single Family Residential <input type="checkbox"/> Townhome <input type="checkbox"/> Condominium <input type="checkbox"/> Multi-Unit Residential<br><input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Agricultural <input type="checkbox"/> Mixed Use <input type="checkbox"/> Vacant Land <input type="checkbox"/> Other |   |       |
| 3. | <u>4/29/2022</u>   | <u>2/16/2022</u>                                      |       |
|    | Date of Closing: mm/dd/yyyy  | Date of contract mm/dd/yyyy                           |       |
| 4. | <u>\$595,000.00</u>  | Contracted price (if different from final sale price) |       |
|    | Total Sale Price: include all real and personal property   |   |       |
| 5. | List any personal property included in the transaction that materially impacts the total sales price. Personal property may include, but is not limited to, machinery or equipment, vehicles, exceptional appliances, electronic devices, furniture, or anything that would not typically transfer with the real property (attach additional pages if necessary).  |   |       |
|    | <u>Description</u>   | <u>Approximate Value</u>                              |       |
|    |  | \$  | _____ |
|    |  | \$  | _____ |
|    |  | \$  | _____ |
|    |  | \$  | _____ |
|    | Personal Property Total  | \$  | _____ |

If no personal property is listed, the entire purchase price will be assumed to be for the real property.

6. Did the total sale price include a trade or exchange of additional real or personal property?  No  Yes  
If Yes, approximate value of the goods or services as of the date of closing: \$ \_\_\_\_\_  
If Yes, does this transaction involve a trade under IRS Code Section 1031?  No  Yes
7. Was 100% interest in the real property purchased?  
Mark "No" if only a partial interest is being purchased. If No, interest purchased \_\_\_\_\_ %
8. Is this a transaction between related parties or acquaintances? This includes persons connected by blood or marriage, or business affiliates, or those acquainted prior to the transaction.  No  Yes
9. Please mark type of sale:  Builder (new construction)  Public (MLS or Broker Representation)  
 Private (For Sale by Owner)  Other (describe) \_\_\_\_\_
10. Mark any of the following that apply to the condition of the improvements at the time of purchase.  
 New  Excellent  Good  Average  Fair  Poor  Salvage
11. Type of financing: (Mark all that apply)

None (all cash or cash equivalent)  
 New/Mortgage Lender (government-backed or conventional bank loan)  
 New/Private Third Party (nonconventional lender, e.g., relative, friend, or acquaintance)  
 Seller (buyer obtained a mortgage directly from the seller)  
 Assumed (buyer assumed an existing mortgage)  
 Combination or Other: Please explain \_\_\_\_\_

12. Total amount financed \$ \_\_\_\_\_

13. Terms:  
 Variable; Starting interest rate \_\_\_\_\_ %       Fixed; Interest rate \_\_\_\_\_ %  
Length of time \_\_\_\_\_ years  
Balloon payment?  No  Yes If yes, amount \$ \_\_\_\_\_ Due date \_\_\_\_\_

14. Mark any that apply:  Seller assisted down payments  Seller concessions  Special terms or financing  
If marked, please specify terms: \_\_\_\_\_

15. Was an independent appraisal obtained in conjunction with this transaction?  No  Yes

**For properties OTHER THAN Residential** (Residential is defined as: single family detached, townhomes, apartments and condominiums), please complete questions 16 – 18, if applicable.

16. Did the purchase price include a franchise or license fee?  No  Yes  
If yes, franchise or license fee value \$ \_\_\_\_\_

17. Did the purchase price involve an installment land contract?  No  Yes  
If yes, date of contract \_\_\_\_\_

18. If this is vacant land, was an on-site inspection conducted by the buyer prior to the closing?  No  Yes

Please include any additional information concerning the transaction and price paid that you feel is important.

---



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|   |                 |                         |
|---|-----------------|-------------------------|
| DocuSigned by:  | 4/29/2022       | Regas Christou          |
| Signature of Grantee (Buyer)  | Date mm/dd/yyyy | Printed name of Grantee |
| <br>3B32ABD34ED343C | 4/29/2022       |                         |
| Signature of Grantee (Buyer)  | Date mm/dd/yyyy | Printed name of Grantee |
|   | 4/29/2022       |                         |
| Signature of Grantor (Seller)   | Date mm/dd/yyyy | Printed name of Grantor |
|   | 4/29/2022       |                         |
| Signature of Grantor (Seller)   | Date mm/dd/yyyy | Printed name of Grantor |

Buyer Mailing Address: Future correspondence (tax bills, property valuations, etc.) regarding this property should be mailed to:

---

|                   |      |       |          |
|-------------------|------|-------|----------|
| Address (mailing) | City | State | Zip Code |
|-------------------|------|-------|----------|

---

|               |               |
|---------------|---------------|
| Daytime Phone | Email Address |
|---------------|---------------|

Contact information is kept confidential, for County Assessor and Treasurer use only, to contact buyer with questions regarding this form, property valuation, or property tax information.

## **EXHIBIT F**

### **Outreach Documentation**

#### **1. Per this requirement in the Rezoning Application Form:**

| <b>PRE-APPLICATION INFORMATION</b>   |  |
|--|--|
| In addition to the required pre-application meeting with Planning Services, did you have a concept or a pre-application meeting with Development Services? | <input type="checkbox"/> Yes - State the contact name & meeting date _____<br><input checked="" type="checkbox"/> No - Describe why not (in outreach attachment, see bottom of p. 3) |

No concept meeting with Development Services has taken place. As explained in the application narrative, the Property is not developable under its current I-A zoning. When combined with the property to the north (778 N. Mariposa, which is also owned by the Applicant) the Property can be put to productive use as the combined parcel will be large enough to redevelop. As such, the purpose of this rezoning is simply to get the same C-MS-5 zoning on both parcels to foster new opportunities for the community.

#### **2. Per this requirement in the Rezoning Application Form:**

|   |   |                    |
|---|---|--------------------|
| Did you contact the City Council District Office regarding this application ? | <input checked="" type="checkbox"/> Yes - if yes, state date and method _____<br><input type="checkbox"/> No - if no, describe why not (in outreach attachment, see bottom of p. 3) | Refer to Exhibit G |
|---|---|--------------------|

Refer to the following email chain documenting correspondence with City Council District 3.



Bruce O'Donnell &lt;bodonnell@starboardrealtygroup.com&gt;

**Re: [EXTERNAL] Fwd: Meeting Request - Proposed Rezoning in District 3**

1 message

**Bruce O'Donnell** <bodonnell@starboardrealtygroup.com>

Tue, Feb 15, 2022 at 9:42 AM

To: "Torres, Jamie C. - CC Member District 3 Denver City Council" &lt;Jamie.Torres@denvergov.org&gt;

Cc: "Gurule, Angelina - CC YA2245 City Council Aide" &lt;Angelina.Gurule@denvergov.org&gt;

Hi Jamie -

Thanks for your timely email. We expect to submit the rezoning application this week and engage with the community right away.

Bruce

Bruce C. O'Donnell



STARBOARD REALTY GROUP, LLC

STARBOARD Realty Group, LLC

Work: 720-441-3310

Cell: 303-810-3674

E Mail: [bodonnell@starboardrealtygroup.com](mailto:bodonnell@starboardrealtygroup.com)Web: [www.starboardrealtygroup.com](http://www.starboardrealtygroup.com) [www.denverzoning.com](http://www.denverzoning.com)

On Tue, Feb 15, 2022 at 9:40 AM Torres, Jamie C. - CC Member District 3 Denver City Council <[Jamie.Torres@denvergov.org](mailto:Jamie.Torres@denvergov.org)> wrote:

Hi Bruce, I've been able to connect with CPD on this and don't have an issue with the rezoning setting precedent or expanding rezonings beyond the vacant property. Let me know what your next steps are.

**Jamie Torres | Councilwoman**

Pronouns: she, her, hers

District 3 – Denver City Council

1437 Bannock Street, Rm 451, Denver CO 80202

Phone: (720) 337-3333

[Dial 3-1-1 for City Services](#)

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

---

**From:** Bruce O'Donnell <[bodonnell@starboardrealtygroup.com](mailto:bodonnell@starboardrealtygroup.com)>

**Date:** Tuesday, December 14, 2021 at 10:22 AM

**To:** Torres, Jamie C. - CC Member District 3 Denver City Council

<[Jamie.Torres@denvergov.org](mailto:Jamie.Torres@denvergov.org)>

**Cc:** Rocha Vasquez, Daisy - CC YA2246 City Council Aide Senior

<[Daisy.RochaVasquez@denvergov.org](mailto:Daisy.RochaVasquez@denvergov.org)>

**Subject:** Re: [EXTERNAL] Fwd: Meeting Request - Proposed Rezoning in District 3

Thanks - I'm sure 10 to 15 minutes is all it will take. If you're willing, I'd be interested in meeting at the property: 768 / 778 Mariposa.

Thank you

Bruce C. O'Donnell



STARBOARD REALTY GROUP, LLC

**STARBOARD Realty Group, LLC**

Work: 720-441-3310

Cell: 303-810-3674

E Mail: [bodonnell@starboardrealtygroup.com](mailto:bodonnell@starboardrealtygroup.com)

Web: [www.starboardrealtygroup.com](http://www.starboardrealtygroup.com) [www.denverzoning.com](http://www.denverzoning.com)

On Tue, Dec 14, 2021 at 10:17 AM Torres, Jamie C. - CC Member District 3 Denver City Council <[Jamie.Torres@denvergov.org](mailto:Jamie.Torres@denvergov.org)> wrote:

Hi Bruce, we will schedule a time.

**Jamie Torres | Councilwoman, District 3**

Pronouns: she, her, hers

Denver City Council

1437 Bannock Street, Rm 451, Denver CO 80202

Phone: (720) 337-3333 (hablamos Español)

Dial 3-1-1 for City Services

[Facebook](#) | [Twitter](#) | [Instagram](#) | [D3news](#) | [Web](#)

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

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**From:** Bruce O'Donnell <[bodonnell@starboardrealtygroup.com](mailto:bodonnell@starboardrealtygroup.com)>  
**Sent:** Tuesday, December 14, 2021 9:20 AM  
**To:** Torres, Jamie C. - CC Member District 3 Denver City Council <[Jamie.Torres@denvergov.org](mailto:Jamie.Torres@denvergov.org)>;  
Rocha Vasquez, Daisy - CC YA2246 City Council Aide Senior <[Daisy.RochaVasquez@denvergov.org](mailto:Daisy.RochaVasquez@denvergov.org)>;  
[penny.marez@denvergov.org](mailto:penny.marez@denvergov.org)  
**Subject:** [EXTERNAL] Fwd: Meeting Request - Proposed Rezoning in District 3

Hi again, I'm still hoping to meet to discuss 768 Mariposa.

Can we please find a time to discuss this rezoning?

Please see original email below from December 3.

Thanks,

Bruce

Bruce C. O'Donnell



STARBOARD REALTY GROUP, LLC

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Work: 720-441-3310

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

From: **Bruce O'Donnell** <[bodonnell@starboardrealtygroup.com](mailto:bodonnell@starboardrealtygroup.com)>

Date: Fri, Dec 3, 2021 at 9:15 AM

Subject: Meeting Request - Proposed Rezoning in District 3

To: Torres, Jamie C. - CA2750 Manager <[Jamie.Torres@denvergov.org](mailto:Jamie.Torres@denvergov.org)>, Rocha Vasquez, Daisy - CC  
YA2245 City Council Aide <[Daisy.RochaVasquez@denvergov.org](mailto:Daisy.RochaVasquez@denvergov.org)>

Hi Jamie and District 3 Team -

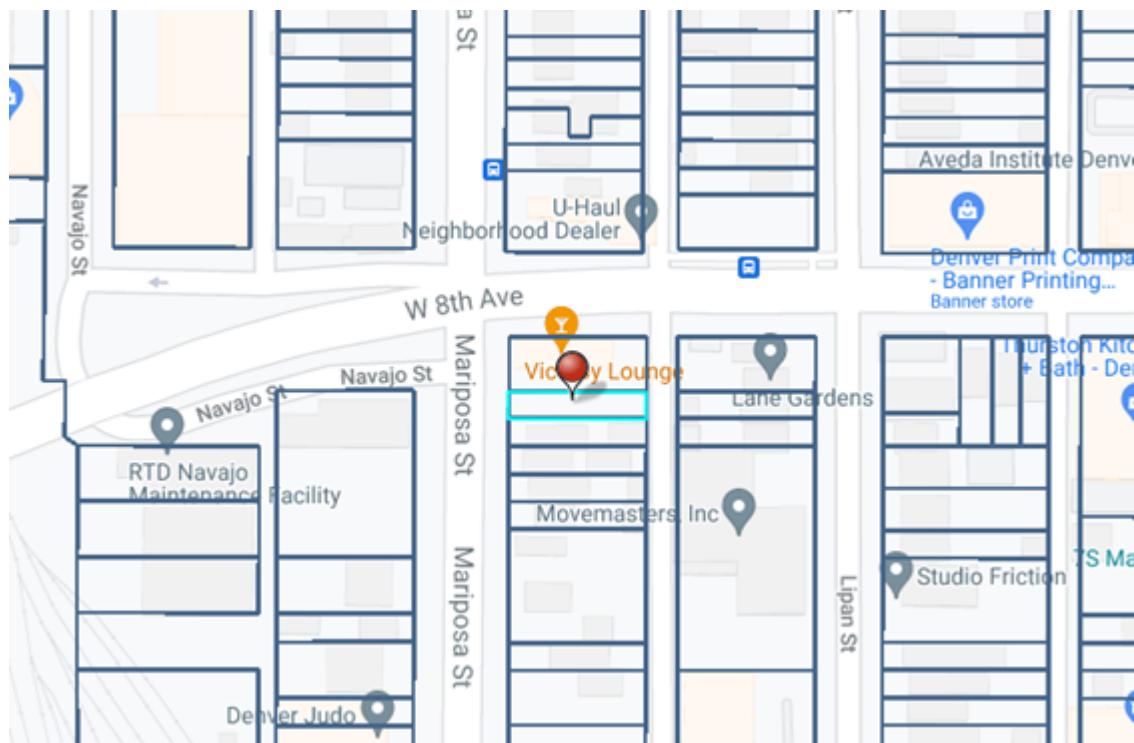
I hope you are all well.

I have an unusual rezoning we are exploring in District 3 and I'd like to meet with you ASAP to discuss it. No rezoning application has been started on or filed. In fact, if you could meet me at the site for 10 minutes it would be super productive.

The location is 768 N. Mariposa St. It is a vacant 25' wide lot zoned I-A. My client owns the property to the north at 778 Mariposa, which is zoned C-MS-5. This is the home of a notorious bar the owner and community would like to see go away.

If the 25' vacant lot can be rezoned to C-MS-5 and combined with the bar lot, there will be a large enough combined property that developers will be interested to come in and redevelop (clean up) the site. The adopted plan direction is a little ambiguous, but I think CPD is on board.

Here's the site:



Here's the Bar:



Here's the 25' vacant lot in the chain link fence:



The owner and I are available to meet next week if you have a few minutes.

Thanks in advance,

Bruce

PS: A long shot I'm sure, but I could meet this afternoon....

Bruce C. O'Donnell



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# Planning Board Comments



Submission date: **20 July 2022, 10:35AM**

Receipt number: **247**

Related form version: **2**

## Your information

Name **Nolan Hahn**

Address or neighborhood **633 Lipan St**

ZIP code **80204**

Email **hahnn12@gmail.com**

## Agenda item you are commenting on

**Rezoning**

## Rezoning

Address of rezoning **768 Mariposa St**

Case number **Rezoning Application #2021I-00180**

## Draft plan

Plan area or neighborhood

## Proposed text amendment

Project name

## Historic district application

Name of proposed historic district

## Comprehensive Sign Plan

Address of comprehensive sign plan

Case number

## DURA Renewal Plan

Address of renewal project

Name of project

## Other

Name of project your would like to comment on

## Submit your comments

Would you like to express support or opposition to the project? **Strong support**

Your comment:

**This rezoning is consistent with the neighborhood plan and when combined with the lot to the north, it offers the only chance for this lot to be redeveloped into multifamily and mixed use housing which is desperately needed in this neighborhood. I am a neighbor with no connection to this project.**

If you have an additional document or image that you would like to add to your comment, you may upload it below. Files may not be larger than 5MB.