

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
<p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p> <p>If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			

REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p>	<p><input type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan. Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</p> <p><input type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</p> <p><input type="checkbox"/> Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:</p> <p style="margin-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or</p> <p style="margin-left: 20px;">b. A City adopted plan; or</p> <p style="margin-left: 20px;">c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</p> <p><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code. Please provide an attachment describing the justifying circumstance.</p> <p><input type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District. Please provide an attachment describing how the above criterion is met.</p>
REQUIRED ATTACHMENTS	
Please ensure the following required attachments are submitted with this application:	
<p><input type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format)</p> <p><input type="checkbox"/> Proof of Ownership Document(s)</p> <p><input type="checkbox"/> Review Criteria, as identified above</p>	
ADDITIONAL ATTACHMENTS	
Please identify any additional attachments provided with this application:	
<p><input type="checkbox"/> Written Authorization to Represent Property Owner(s)</p> <p><input type="checkbox"/> Individual Authorization to Sign on Behalf of a Corporate Entity</p>	
Please list any additional attachments:	



REZONING GUIDE

Rezoning Application Page 3 of 3

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

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

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

Property Legal Description

Lot Thirteen (13) & Fourteen (14), Block Four (4),
Lawndale,
City and County of Denver,
State of Colorado

2160 S GRANT ST

Owner	GBJ HOLDINGS LLC 7400 E CRESTLINE CIR 250 GREENWOOD VILLA, CO 80111-3655
Schedule Number	05272-09-006-000
Legal Description	L 13 & 14 BLK 4 LAWNSDALE
Property Type	RESIDENTIAL
Tax District	DENV

Print Summary

Property Description			
Style:	ONE-STORY	Building Sqr. Foot:	894
Bedrooms:	2	Baths Full/Half:	1/0
Effective Year Built:	1905	Basement/Finish:	273/0
Lot Size:	6,250	Zoned As:	U-SU-C

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

Current Year			
	Actual	Assessed	Exempt
Land		\$359,200	\$25,680 \$0
Improvements		\$108,400	\$7,750
Total		\$467,600	\$33,430

Prior Year			
	Actual	Assessed	Exempt
Land		\$281,100	\$20,240 \$0
Improvements		\$106,100	\$7,640
Total		\$387,200	\$27,880

Real Estates Property Taxes for current tax year

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

	Installment 1 (Feb 28 Feb 29 in Leap Years)	Installment 2 (Jun 15)	Full Payment (Due Apr 30)
Date Paid	2/28/2019	6/17/2019	
Original Tax Levy	\$1,078.48	\$1,078.46	\$2,156.94
Liens/Fees	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Paid	\$1,078.48	\$1,078.46	\$2,156.94
Due	\$0.00	\$0.00	\$0.00

Additional Information

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

Additional Assessment ⓘ	N	Prior Year Delinquency ⓘ	N
Additional Owner(s) ⓘ	N	Scheduled to be Paid by Mortgage Company ⓘ	N
Adjustments ⓘ	N	Sewer/Storm Drainage Liens ⓘ	N
Local Improvement Assessment ⓘ	N	Tax Lien Sale ⓘ	N
Maintenance District ⓘ	N	Treasurer's Deed ⓘ	N
Pending Local Improvement ⓘ	N		

Real estate property taxes paid for prior tax year: **\$1,889.01**

Assessed Value for the current tax year

Assessed Land	\$20,240.00	Assessed Improvements	\$7,640.00
Exemption	\$0.00	Total Assessed Value	\$27,880.00

STATEMENT OF AUTHORITY

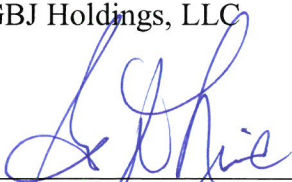
Pursuant to C.R.S. § 38-30-172, the undersigned hereby executes this Statement of Authority on behalf of GBJ Holdings, LLC, a Colorado Limited Liability Company (the "Entity"), and states as follows:

1. The name of the Entity is GBJ Holdings, LLC.
2. The Entity is a Colorado Limited Liability Company.
3. The mailing address for the Entity is 7400 E. Crestline Circle, Suite 250, Greenwood Village, CO 80111.
4. The name and position of the person authorized to execute instruments conveying, encumbering, or otherwise affecting title to properties on behalf of the Entity is Gary D. Levine, Manager of the Entity.
5. The authority of the foregoing person to bind the Entity includes any action required or reasonably necessary in connection with the proposed map amendment to change the zone district for the property located at 2160 S Grant Street, Denver, Colorado from U-SU-C to U-TU-B as well as any related development approvals in connection therewith.

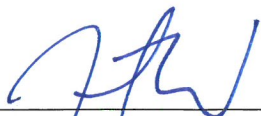
EXECUTED as of the 23 day of July, 2019.



Brett M. Perry, Manager
GBJ Holdings, LLC



Gary D. Levine, Manager
GBJ Holdings, LLC



Justin Land, Manager
GBJ Holdings, LLC

GBJ Holdings, LLC
7400 East Crestline Circle, Suite 250
Greenwood Village, Colorado 80111

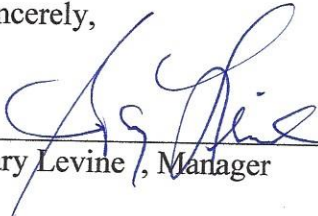
July 25, 2019

Community Planning and Development
City and County of Denver
201 West Colfax Avenue, Department 205
Denver, CO 80202

Community Planning and Development:

This letter serves as authorization for Foster Graham Milstein & Calisher, LLP to act on behalf of and represent GBJ Holdings, LLC for the purpose of submitting and processing the rezoning application for property owned by GBJ Holdings, LLC located at 2160 S Grant Street, Denver, CO.

Sincerely,



Gary Levine, Manager



FOSTER GRAHAM MILSTEIN & CALISHER, LLP
ATTORNEYS AT LAW

360 South Garfield Street
6th Floor Denver, CO 80209
T 303-333-9810 F 303-333-9786

DENVER – BOULDER
fostergraham.com

MEMORANDUM

To: Community Planning & Development – City and County of Denver
From: Erik Carlson - Foster Graham Milstein & Calisher, LLP
Date: October 30, 2019

**Re: First Amended Rezoning Application Narrative – 2160 S Grant Street,
Denver, Colorado**

Foster Graham Milstein and Calisher, LLP (“FGMC”) represents GBJ Holdings, LLC (“GBJ” or the “Applicant”) regarding the real property it owns located at 2160 S Grant Street in Denver, Colorado (the “Property”). On July 23, 2019, GBJ submitted an application for a zone map amendment to change the Property’s underlying zoning from U-SU-C to U-TU-B (the “Application”). This memorandum serves as GBJ’s first amendment to the written narrative submitted with the Application, which identifies how the Application satisfies all of the zone map amendment criteria contained in Sections 12.4.10.7 and 12.4.10.8 of the Denver Zoning Code (the “Code”). This First Amended Rezoning Application Narrative hereby amends and replaces in its entirety the 2160 S Grant Street Rezoning – Application Narrative submitted with the Application.

Background

GBJ owns the Property and currently rents out the single-family home located on the Property. The Property is located in the Rosedale neighborhood, within ½ mile from the Evans RTD Light Rail Station and in close proximity to the Harvard Gulch North Park. There is a duplex residential home adjacent the Property to the rear and a duplex residential home two lots north of the Property. There are also several duplex residential homes adjacent the Property to the west across Grant Street. However, under the Property’s current U-SU-C zoning, only one single-family dwelling unit is allowed on the Property. GBJ desires the flexibility to construct a duplex on the Property in the future in conformance with the existing pattern and context of the neighborhood and therefore, submits this Application.

General Review Criteria – Section 12.4.10.7

The Application complies with all three of the Code’s general review criteria: (1) consistency with adopted plans; (2) uniformity of district regulations and restrictions; and (3) public health, safety and general welfare.

I. Consistency with Adopted Plans

The Code requires that all map amendment applications be consistent with the City and County of Denver’s (the “City”) adopted plans. (Code § 12.4.10.7.A.). The following plans are applicable to the Property:

- A. Comprehensive Plan 2040
- B. Blueprint Denver 2019
- C. Evans Station Area Plan

A. Comprehensive Plan 2040

Denver’s Comprehensive Plan 2040 was adopted by Denver City Council on April 22, 2019, and is comprised of six vision elements, which are the backbone of the plan. (Comp Plan 2040, pg. 10). The Application is consistent with the Equitable, Affordable and Inclusion Vision Element and the Strong and Authentic Neighborhoods Element.

Goal 1 of the Equitable, Affordable and Inclusion Vision Element is to “ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities.” (Comp Plan 2040, pg. 28). Strategy A of Goal 1 is to “increase development of housing units close to transit and mixed-use developments.” (Comp Plan 2040, pg. 28). Additionally, Goal 2 is to “build housing as a continuum to serve residents across a range of incomes, ages and needs.” (Comp Plan 2040, pg. 28). Strategies A, B and C of Goal 2 state: “(A) create a greater mix of housing options in every neighborhood for all individuals and families; (B) ensure city policies and regulations encourage every neighborhood to provide a complete range of housing options; and (C) foster communities of opportunity by aligning housing strategies and investments to improve economic mobility and access to transit and services.” (Comp Plan 2040, pg. 28).

The Application is consistent with the Equitable, Affordable and Inclusion Vision Element because the Application would allow an increase in housing units within ½ mile of the Evans RTD Light Rail Station and the growing mixed-use developments along the Broadway corridor. The Application would also create a greater mix and range of housing options in the Rosedale neighborhood by providing an additional duplex or rowhome, which offers diversity

from the single-family dwelling product. Lastly, the Application furthers the housing strategy of increased density within access to transit and services.

Goal 1 of the Strong and Authentic Neighborhoods Vision Element is to “create a city of complete neighborhoods” and Strategy B of Goal 1 is to “ensure neighborhoods offer a mix of housing types and services for a diverse population.” (Comp Plan 2040, pg. 34). Strategy D of Goal 1 is to “encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities.” (Comp Plan 2040, pg. 34). Furthermore, the Strong and Authentic Neighborhoods Vision Element identifies the appropriate land use in the Urban Neighborhood Context as “small multi-unit residential and mixed-use areas are typically embedded in 1-unit and 2-unit residential areas” and the mobility element of the Urban Neighborhood Context is “less reliance on cars, with a high degree of walkability, bikeability, and good access to transit.” (Comp Plan 2040, pg. 36).

The Application is consistent with the Strong and Authentic Neighborhoods Vision Element because, as explained above, it will offer a greater mix of housing types. The Application will also encourage a moderate increase in density that is consistent with the surrounding neighborhood because of the current existence of other duplex or rowhome housing units in the Property’s neighborhood. Lastly, the Application meets the Urban Neighborhood context of 1-unit and 2-unit residential areas with a focus on mobility and access to Evans RTD Light Rail Station.

Therefore, the Application is consistent with the Comprehensive Plan 2040 because it responsibly increases density and available housing product consistent with the surrounding area and within close proximity to a transit station and mixed-use developments.

B. Blueprint Denver 2019

Blueprint Denver 2019 was adopted by Denver City Council on April 22, 2019, and “provides the foundation for citywide policies and recommendations related to land use, transportation, design and growth.” (Blueprint Denver, pg. 6). Blueprint Denver “uses neighborhood contexts, places and street types to provide a framework to evaluate proposed rezonings.” (Blueprint Denver, pg. 25, 67).

The Property is in the Urban Neighborhood Context, which is defined as “small multi-unit residential and mixed-use areas are typically embedded in 1-unit and 2-unit residential areas.” (Blueprint Denver, pg. 137). The Property is designated on the Future Places map as in a “Low Residential” area. (Blueprint Denver, pg. 143). Blueprint Denver states that Low Residential future places are “predominately single- and two-unit uses on smaller lots” and “duplexes can be thoughtfully integrated where compatible.” (Blueprint Denver, pg. 230). Blueprint Denver also gives specific guidance for applying the Low Residential future place to

proposed rezonings. (Blueprint Denver, pg. 231). Specifically, “when a rezoning request is made to change the zoning to allow two-unit uses, the appropriateness of the request depends upon adopted small area plan guidance, neighborhood input, and existing zoning patterns.” (Blueprint Denver, pg. 231). Blueprint Denver 2019 also provides that a property’s growth strategy designation and street type description are also applicable to rezoning applications. (Blueprint Denver, pg. 67).

The Application is requesting a zone map amendment from U-SU-C to U-TU-B, which is a zone district that would allow two-unit uses on the Property. Accordingly, pursuant to Blueprint Denver, the appropriateness depends on: (1) small area plan guidance; (2) neighborhood input; (3) the existing zoning patterns; (4) growth strategy designation; and (5) street type designations.

1. Small Area Plan Guidance

Explained in greater detail below, the Application is consistent with the Evans Station Area Plan because it would increase the housing variety and density within close proximity to the Evans RTD Light Rail Station.

2. Neighborhood Input

The Applicant has conducted extensive neighborhood outreach regarding the Application. First, prior to submitting the Application, the Applicant met with the only Registered Neighborhood Organization associated with the Property, Rosedale Harvard Gulch Neighborhood Association (“Rosedale Harvard Gulch Organization”). The Rosedale Harvard Gulch Organization board members informed the Applicant that their bylaws prohibit the Rosedale Harvard Gulch Organization from formally supporting or opposing the Application.

Prior to submitting the Application, the Applicant made direct outreach via mail to the property adjacent to the Property to the North, the property adjacent to the Property to the South and via telephone and electronic mail to two properties adjacent the Property to the West across S. Grant Street. The Applicant received one letter of support and no opposition to the Application through this outreach. After submitting the Application, the Applicant mailed letters directly to the property owners of the properties on the 2100 block of S Grant Street and the properties located on the West side of the 2100 block of S Logan Street (the properties that share an alley with the Property). The Applicant received responses from two property owners, both of whom signed a letter of support which are attached to this First Amended Rezoning Narrative.

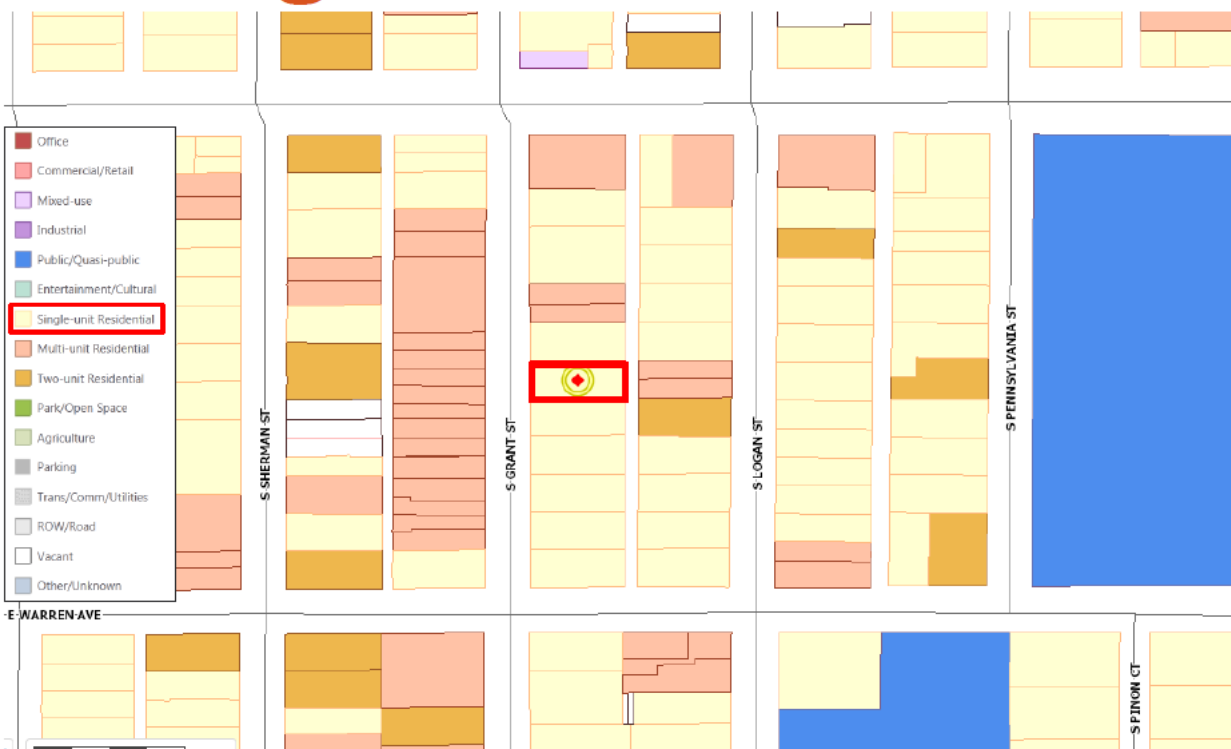
In total, the Applicant has made direct, personal outreach to more than forty (40) property owners who are the closest neighbors to the Property. The Applicant has received three (3) letters of support and has received zero opposition to the Application. Therefore, the Application

is consistent with the neighborhood input criteria contained in Blueprint Denver 2019 because: (1) the Applicant has conducted extensive neighborhood outreach; (2) the Applicant has received three letters of support for the Application from neighbors; and (3) no property owners in the neighborhood have expressed opposition to the Application.

3. Existing Zoning Patterns

The Application is consistent with the existing zoning patterns because of its proximity to other properties located in the U-TU-B zone district and because there are other duplexes and two-unit uses located within the Property’s U-SU-C zone district. The map below shows the Property’s proximity to other duplexes, two-unit uses, and multi-unit uses. The Property is identified by a red diamond and a yellow circle and the pink and orange colors on the map identify the other multi-unit and two-unit residential uses in close proximity to the Property, as labeled in the legend on the left-hand side of the map.

Existing Context – Land Use



As the map above shows, multi-unit uses abut the Property to the east (rear) and west (across Grant Street) and are also located two lots north of the Property and various other places within single-unit zone districts. As the zoning map below shows, the Property, identified by a blue star, is located adjacent to the U-TU-B zone district.



4. Growth Strategy Designation

Blueprint Denver 2019 identifies the Property as located within the “All other areas of the city” Future Growth Area (the “All Other Future Growth Area”). (Blueprint Denver, pg. 50). Blueprint Denver 2019 projects that 20% of the total new housing by 2040 will take place in the All Other Future Growth Area. (Blueprint Denver, pg. 51). Blueprint Denver 2019 states that “[c]ertain future places are anticipated to take on more jobs and housing than others, but all areas of Denver are expected to evolve. A rezoning in an area planned for less growth may still be appropriate, as smaller-scale growth and reinvestment should be occurring in these areas as well.” (Blueprint Denver, pg. 66). Of all six of the growth strategy areas, the All Other Future Growth Area is predicted to have the third highest percentage of housing increase by the year 2040. Therefore, Blueprint Denver 2019 specifically targets increased housing in the All Other Future Growth Area. The Application proposes to increase the density on the Property from permitting only one dwelling unit to permitting two dwelling units. Therefore, the Application is consistent with the growth strategy contained in Blueprint Denver 2019 because the Application is proposing additional housing which is consistent with the goals for the All Other Future Growth Area.

5. Street Type Designation

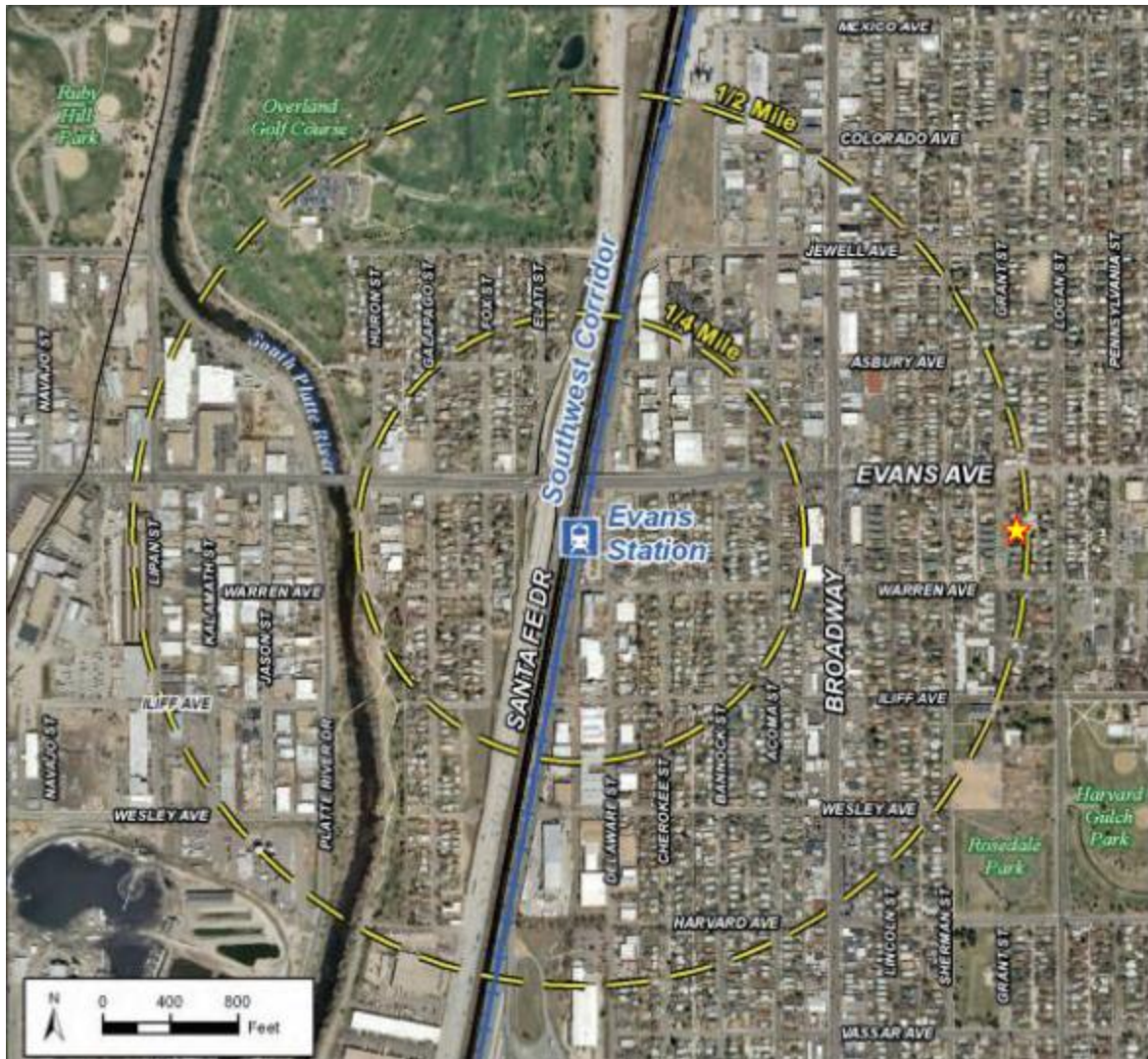
Blueprint Denver 2019 provides that, “[t]he street type descriptions convey key characteristics of different streets and can inform the types of zone districts that would best align with the desired land use and built form characteristics of the street.” (Blueprint Denver, pg. 67).

The Property is located on S. Grant Street, which is identified as a “Local Street” in Blueprint Denver 2019. (Blueprint Denver, pg. 157). Blueprint Denver 2019 states that, “[l]ocal streets can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses.” (Blueprint Denver, pg. 161). The Property is also located near Evans Avenue, which is identified as a “Main Street Arterial” street in Blueprint Denver 2019, which is, “[c]haracterized by a mix of uses including retail, services and restaurants, as well as residential.” (Blueprint Denver, pg. 158). The Application proposes to maintain the residential land use on the Property and therefore, is consistent with the street type designations in Blueprint Denver 2019 because Main Street Arterials (Evans) are specifically identified as serving a mix of uses, including residential, and Local Streets (Grant) are “most often characterized by residential uses.”

As the foregoing explains, the Application is consistent with Blueprint Denver 2019 because: (1) the Application is consistent with the Evans Station Area Plan, as explained below; (2) there is neighborhood support; (3) as shown on the maps above, the existing zoning pattern of the neighborhood includes the requested U-TU-B zone district adjacent to the Property and there are several other duplexes and two-unit uses in the vicinity of the Property; (4) the Application is consistent with the All Other Future Growth Area because it proposes additional housing on the Property; and (5) the Application is consistent with the street type designations because the Application maintains a residential use on the Property.

C. Evans Station Area Plan

The Evans Station Area Plan was adopted on October 12, 2009, and is to “be used to guide decisions regarding appropriate public and private investment within ½ mile of the Evans light rail station.” (Evans Station Area Plan, pg. ix). While the Evans Station Area Plan does not appear on the City’s Plans, Assessments and Studies Map as impacting the Property, the Property is located within the ½ mile radius of the Evans RTD Light Rail Station and thus, as explained above, the Evans Station Area Plan shall be used to guide decisions regarding public and private investments on the Property. The map below is from page viii of the Evans Station Area Plan and shows the plan’s ½ mile radius. The Property is shown by the yellow star on the map below.



The vision of the Evans Station Area Plan is to create “vibrant, sustainable communities with a diverse mix of land use at various densities within a 10-minute walk, or about a half-mile” of the Evans RTD Light Rail Station. (Evans Station Area Plan, pg. ix). The land use recommendations in the Evans Station Area Plan seek to reinforce the vision for the Evans RTD Light Rail Station area and “support transit by having sufficient residential densities and mix of uses to reduce walking distances between residences and other destinations such as neighborhood retail, services, parks, and transit.” (Evans Station Area Plan, pg. 12). Land Use Recommendation 4a states, “increase the supply of housing including for sale and rental housing of varying types and at a variety of price points.” (Evans Station Area Plan, pg. 17). Additionally, while the Property is not specifically identified as “Urban Residential” in the Evans Station Area Plan, the Property does not have a specified land use designation and is located one block east of the Urban Residential District and thus, it is appropriate to consider the Urban Residential goals applicable to the Property. (Evans Station Area Plan, pg. 13). Goal 1c

“encourages a mix of low and medium-density housing types including single family houses, accessory dwelling units (ADUs), duplexes and row houses. (Evans Station Area Plan, pg. 15).

The Application would increase the available housing variety and modestly increase density by allowing a duplex on the Property, a change from the current single-family home. The Property is located within ½ mile of the Evans RTD Light Rail Station and in close proximity to the Urban Residential District in the Evans Station Area Plan, which specifically encourages a mix of duplexes, row houses and single-family houses. Therefore, because the Application satisfies the vision and land use recommendations that focus on bringing housing variety and density to areas in close proximity to the Evans RTD Light Rail Station, the Application is consistent with the Evans Station Area Plan.

II. Uniformity of District Regulations and Restrictions

The Code requires that all zone lot amendments “result[] 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.” (Code § 12.4.10.7.B.). The Application satisfies Code § 12.4.10.7.B because the Property meets the regulations and restrictions for two-unit residential uses within the U-TU-B Zone District. Specifically, the U-TU-B Zone District “allows up to two units on a minimum zone lot of 4,500 square feet” and the Property is 6,250 square feet, and thus, the proposed duplex would meet the regulations and restrictions that are uniform for the same type of building through the U-TU-B Zone District. Furthermore, the Application would result in development that is consistent with the adjacent U-TU-B Zone District. Therefore, the Application satisfies Code § 12.4.10.7.B.

III. Public Health, Safety and General Welfare

The Code requires that all zone lot amendments “further[] the public health, safety and general welfare of the City.” (Code § 12.4.10.7.C). The Application further the public health, safety and general welfare of the City by implementing the goals and objectives of the Denver Comprehensive Plan 2040 and Blueprint Denver 2019 and by providing a modest increase in available housing in the midst of a housing shortage in the City.

Additional Review Criteria – Section 12.4.10.8

The Code also requires that non-legislative rezonings meet the following additional criteria: (A) justifying circumstances; and (B) consistency with neighborhood context description, zone district purpose and intent statements. (Code § 12.4.10.8).

A. Justifying Circumstances

One of the Code’s justifying circumstances is that “[s]ince the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include: (a) Changed or changing conditions in a particular area, or the city generally.” (Code § 12.4.10.8.A.4.). The Application satisfies Code § 12.4.10.8.A.4 because of the overall population growth of the City and the increase in development surrounding the Evans RTD Light Rail Station. Specifically, the steady population growth in the City has created a need “in the city generally” for additional density and a variety of housing types. The Comprehensive Plan 2040, Blueprint Denver and the Evans Station Area Plan all contemplate an increase in density and housing variety for the Property and the surrounding area. Additionally, the trends of the City and visions in the adopted plans focus on adding additional housing density around transit stations, thus, supporting the Application which will allow a residential duplex rather than only a single-family residential home on the Property.

Furthermore, there has been ample redevelopment and reinvestment in the particular area surrounding the Property since the Property was rezoned in 2010 to prove changing conditions. Specifically, since 2010, there has been reinvestment in new commercial uses along South Broadway; as one example, The Post Brewing Company: Rosedale at 2200 S. Broadway. There has also been multi-family redevelopment and reinvestment in the Evans Station Area; as one example, the Evans Station Lofts Apartments at 2140 S Delaware Street. Lastly, within just the past five years alone, at least seventeen (17) new residential units, almost all of which are duplexes, have been built or are currently being built within three blocks of the Property.¹ Thus, there has been significant commercial and residential reinvestment and redevelopment in the Property’s area since its existing zoning was established in 2010.

Therefore, the Application satisfies the justifying circumstance requirement contained in Code § 12.4.10.8.A.4 because there has been both a change to the City generally and a change to the particular area to such a degree that the Application is in the public interest.

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

The Code requires that all non-legislative map amendments be “consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed zone district.” (Code § 12.4.10.8.B.). “The Urban Neighborhood Context is primarily

¹ According to market research, the following is a list of the new residential units in the area: (1) 2160 S Sherman Street; (2) 2164 S Sherman Street; (3) 2156 S Sherman Street; (4) 2121 S Grant Street; (5) 2125 S Grant Street; (6) 2101 S Grant Street; (7) 2107 S Grant Street; (8) 2147 S Sherman Street; (9) 2149 S Sherman Street; (10) 2233 S Sherman Street; (11) 2231 S Sherman Street; (12) 2227 S Sherman Street; (13) 2229 S Sherman Street; (14) 2244 S Lincoln Street; (15) 2240 S Lincoln Street; (16) 2500 S Lincoln Street; and (17) 2504 S Lincoln Street.

characterized by single-unit and two-unit residential uses.” (Code § 5.1.1). Additionally, the Code states that “the intent of the Residential districts is to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context.” (Code § 5.2.2.1). The specific intent of the U-TU-B Zone District is to “allow[] up to two units on a minimum zone lot area of 4,500 square feet” and “allowed building forms are urban house, detached accessory dwelling units, duplex and tandem house building forms.” (Code § 5.2.2.2.N). The Application is consistent with the Urban Neighborhood Context because it proposes a zone district that allows single-unit and two-unit residential uses. The Application is also consistent with the U-TU-B Zone District purpose and intent because the Property meets the minimum lot size requirement for up to two-units under the duplex and tandem house building forms.

Therefore, for the foregoing reasons, the Application satisfies each of the additional review criteria provided in Code § 12.4.10.8.

Conclusion

As the foregoing explains, the Application satisfies the Code’s requirements identified in Section 12.4.10.7 and Section 12.4.10.8. Accordingly, GBJ respectfully requests approval of the Application. Please do not hesitate to contact us with questions, concerns or to discuss further.

June 15th , 2019

Community Planning and Development
City and County of Denver
201 West Colfax Avenue, #205
Denver, CO 80202

Re: Rezoning Application – 2160 S Grant Street, Denver, Colorado

Denver’s Community Planning and Development Department:

I own property and reside in the Rosedale neighborhood of Denver near 2160 S Grant Street (the “Property”). The owners of the Property (GBJ Holdings, LLC) have discussed with me their proposal to rezone the Property from its current U-SU-C Zone District to the U-TU-B Zone District (the “Proposed Rezoning”). Please accept this letter as an expression of my support of the Proposed Rezoning.

As the owners of the Property have explained to me, the approval criteria for rezoning applications include, among other factors, an evaluation of the current context and pattern of the neighborhood and the input of the nearby property owners. I believe that the Proposed Rezoning is consistent with the current context and pattern of the neighborhood. Specifically, the Proposed Rezoning would allow the construction of a duplex on the Property, which is only one dwelling unit more than is allowed under the Property’s current zoning. A duplex would fit the current context and pattern of the neighborhood because there are several existing duplexes in the area, including, but not limited to, several across the street from the Property, two almost immediately north of the Property and two adjacent to the rear of the Property.

The Rosedale neighborhood has changed significantly over the past several years and, as a nearby property owner, I believe that the Proposed Rezoning is not only compatible with the current context and pattern of the area, but would positively contribute to, and encourage, responsible growth in this part of Denver.

Thank you for considering my support of GBJ Holdings, LLC’s proposed rezoning application of 2160 S Grant Street.

Sincerely,

Signature: 

Printed Name: Joe Curtiss-Lusher

Address: 2147 S. Grant St, Denver, CO 80210

October 22, 2019

Community Planning and Development
City and County of Denver
201 West Colfax Avenue, #205
Denver, CO 80202

Re: Rezoning Application – 2160 S Grant Street, Denver, Colorado

Dear Denver’s Community Planning and Development Department:

I co-own 2101, 2109, and 2115 South Logan Street and reside nearby in the University Park neighborhood of Denver near 2160 S Grant Street (the “Property”). The owners of the Property (GBJ Holdings, LLC) have discussed with me their proposal to rezone the Property from its current U-SU-C Zone District to the U-TU-B Zone District (the “Proposed Rezoning”). Please accept this letter as a formal expression of my support of the Proposed Rezoning.

As the owners of the Property have explained to me, the approval criteria for rezoning applications include, among other factors, an evaluation of the current context and pattern of the neighborhood and the input of the nearby property owners. I believe that the Proposed Rezoning is consistent with the current context and pattern of the neighborhood. Specifically, the Proposed Rezoning would allow the construction of a duplex on the Property, which is only one dwelling unit more than is allowed under the Property’s current zoning. A duplex would fit the current context and pattern of the neighborhood because there are several existing duplexes in the area, including, but not limited to, several across the street from the Property, two almost immediately north of the Property and two adjacent to the rear of the Property. Furthermore, I believe increased density in this area will help enhance environmental quality and limit traffic congestion.

The Rosedale neighborhood has changed significantly over the past several years and, as a nearby property owner, I believe that the Proposed Rezoning is not only compatible with the current context and pattern of the area, but would positively contribute to, and encourage, responsible growth in this part of Denver. I believe that architectural design, materials selection, and quality of construction can help to ensure a newly constructed duplex complements and enhances surrounding development.

Thank you for considering my support of GBJ Holdings, LLC’s proposed rezoning application of 2160 S Grant Street.

Sincerely,

Signature:  _____

Printed Name: Ryan McLaw 2101 South Logan, LLC

Address: 2101 S. Logan St., 80210

October 23rd, 2019

Community Planning and Development
City and County of Denver
201 West Colfax Avenue, #205
Denver, CO 80202

Re: Rezoning Application – 2160 S Grant Street, Denver, Colorado

Dear Denver's Community Planning and Development Department:

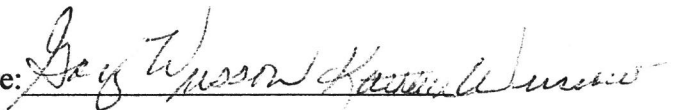
I own property in the Rosedale neighborhood of Denver near 2160 S Grant Street (the "Property"). The owners of the Property (GBJ Holdings, LLC) have discussed with me their proposal to rezone the Property from its current U-SU-C Zone District to the U-TU-B Zone District (the "Proposed Rezoning"). Please accept this letter as a formal expression of my support of the Proposed Rezoning.

As the owners of the Property have explained to me, the approval criteria for rezoning applications include, among other factors, an evaluation of the current context and pattern of the neighborhood and the input of the nearby property owners. I believe that the Proposed Rezoning is consistent with the current context and pattern of the neighborhood. Specifically, the Proposed Rezoning would allow the construction of a duplex on the Property, which is only one dwelling unit more than is allowed under the Property's current zoning. A duplex would fit the current context and pattern of the neighborhood because there are several existing duplexes in the area, including, but not limited to, several across the street from the Property, two almost immediately north of the Property and two adjacent to the rear of the Property.

The Rosedale neighborhood has changed significantly over the past several years and, as a nearby property owner, I believe that the Proposed Rezoning is not only compatible with the current context and pattern of the area, but would positively contribute to, and encourage, responsible growth in this part of Denver.

Thank you for considering my support of GBJ Holdings, LLC's proposed rezoning application of 2160 S Grant Street.

Sincerely,

Signature: 

Printed Name: Gary and Kathleen
Wussow _____

Address: 2182 S. Grant St., Denver
80210 _____