



DENVER
THE MILE HIGH CITY

201 W Colfax Ave, Dept 205
Denver, CO 80202
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www.denvergov.org/planning

TO: Denver City Council – LUTI Committee
FROM: Deirdre Oss, AICP, Senior City Planner
DATE: June 16, 2011
RE: Zoning Map Amendment Application #20111-00014
2715 S. Colorado Blvd from B-3 w/waivers to S-CC-3x

Staff Report and Recommendation

Based on the criteria for review including legal basis evaluation and compliance with adopted City plans, Staff recommends approval for application #20111-00014 for a rezoning from **B-3 w/waivers to S-CC-3x**.

I. Scope of Rezoning

Application: **#20111-00014**
Address: 2715 S. Colorado Blvd.
Neighborhood/Council District: Council District #4 - Lehmann
RNOs: University Park Community Council; South Jackson Street
Neighborhood Association; University Hills Neighborhood
Association; Inter-Neighborhood Cooperation
Area of Property: Approximately 12,432 SF/.28 acres
Current Zoning: B-3 with waivers
Proposed Zoning: **S-CC-3x**
Applicant/Owner: Mary Simms-Owner
Contact Person: Andy Peters/Applicant

II. Summary of Proposal

The applicant proposes an updated zone district to reflect changing conditions on the site in the vicinity of Yale and Colorado Boulevard. The proposal to rezone to S-CC-3x is consistent with much of the updated zoning along the corridor and as this site directly abuts single family residential to the west, the S-CC-3x district is designed with less intense neighborhood-scale uses.

III. Justifying Circumstances

Pursuant to Section 12.4.10.14, requiring justification for the amendment request, the land and the environs has changed or are changing to the degree that it is in the public interest to encourage redevelopment. The lease at this location is due to expire, leaving a limited number of uses allowable on the site compared to corridor uses existing along Colorado Boulevard today. Many properties in the vicinity were rezoned as part of the Citywide zoning update, and the owner is seeking similar zoning on the property.

IV. Existing Context

This site is 120-feet south of property located at the southwest corner of Colorado and Yale. Typical of a suburban commercial corridor, there are diverse conditions with regard to lot size and setbacks. There is no alley at the rear of this block, resulting in direct abutment to the fence line of single family residential properties to the west.

While the west side of the Colorado Boulevard corridor is composed of 100-foot wide commercial lots abutting single family to the west, the east side of Colorado Boulevard includes large-scale retail development at University Hills shopping center. The subject property as well as a couple to the south abut the west property line fence with a five-foot setback and incorporate parking in the front portion of the lot. Property directly north and two properties directly south of the subject property are closer to Colorado Boulevard with a 30-foot buffer in the rear of the lots used for parking.

Although auto-oriented, Colorado Boulevard is considered an Enhanced Transit Corridor and at this location in addition to bus service is less than one mile from the Yale light rail station to the east.



	Existing Zoning	Existing Land Use	Blueprint Denver
Site	B-3 with w/waivers (waives out many retail/commercial uses including eating places)	retail sales/service	Single Family Residential
North	S-CC-3	office-residential conversion	Single Family Residential
South	B-3 w/wvrs; waives out significant amount of retail and commercial uses	retail building	Single Family Residential
West	S-SU-D	single-family residential	Single Family Residential
East	B-3	Large-scale retail	Town Center

V. Summary of Agency Referral Responses

This rezoning has been reviewed for concurrence with the Denver Zoning Code and other applicable City Codes as utilized by the referral agencies listed below.

- Development Services-Survey: Approved
- Development Services-Transportation: Approved
- Denver Fire: Approved
- Denver Parks: Approved
- Asset Management: Approved

VI. Notice, Public Process & Public Comment

The property was posted for a period of 15 days announcing the Denver Planning Board public meeting, and written notification of the public meeting has been sent to all affected registered neighborhood organizations. Notification has been sent for the LUTI Committee meeting. Extensive public outreach has been conducted by the applicant including initial notices to adjacent residents, a town hall meeting, and letters to RNOs.

The following resident concerns were addressed at the Town Hall Meeting and again during the Planning Board hearing of June 15, 2011.

- Bulk and mass of buildings, dumpster location and access: Residents expressed concern about future building height and location of accessory uses on the site. Current zoning allows up to 75 feet with no limit to the number of stories. The proposed zoning limits the future building height to three stories, requires a rear setback minimum of 10

feet and any portion of a new building above 27 feet will have to be set back 25 feet from the rear property line. While the S-CC-3x district will allow new uses to occupy the existing building, future changes to the building or a replacement building will be required to complete the site development plan process to address accessory structures, access, and building form.

- Hours of operation: Residents expressed concern with 24-hour uses occupying the site, specifically indicating future restaurants. Outdoor eating and serving areas less than 100 feet from adjacent residential districts have hour restrictions starting at 10:00 P.M. on weeknights and 11:00 P.M. on weekends.
- Noise and Odors: Denver Environmental Health monitors and enforces Denver's Noise and Air Pollution ordinances, while the Department of Public Health and Environment regulates odors for the state. All complaints may be made to the Denver 3-1-1- call center.

VII. Criteria for Review / Staff Evaluation

Pursuant to the Denver Zoning Code, Section 12.4.10.13 and 12.4.10.13, there are three criteria for review of all map amendments and two additional review criteria applied to non-legislative map amendments. The first three include:

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

These are explained in the following sections. The remaining two criteria include (*Justifying Circumstances* (explained in Section III above) and *Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements* (elements of the Denver Zoning Code)).

- **Neighborhood Contexts**

The requested zone district is within the Suburban Neighborhood Context, which consists of single and multi-unit residential and mixed-use commercial strips, town centers, and office development. Development in this context as a higher reliance on the automobile but still includes access to multimodal transportation facilities. Colorado Boulevard is considered an enhanced transit corridor. The subject site is proximate to auto and pedestrian facilities connected to Colorado Center Station and Yale Station.

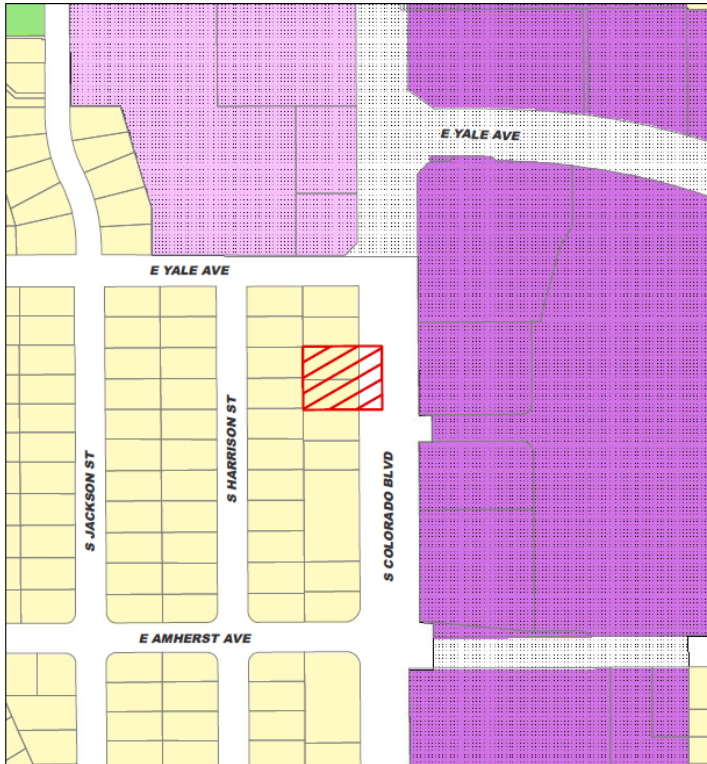
- **Zone District Purpose**

According to the general purpose stated in the Denver Zoning Code, Commercial Corridor zone districts are intended to balance the need for safe, active, pedestrian-scaled diverse areas with the need for convenient automobile access. Specifically, S-CC-3x is primarily assigned to auto-oriented arterial street corridors where a building scale of one to three stories is desired with less intense uses than S-CC-3. S-CC-3x, compared to the existing B-3 use waivers, allows a full range of retail and commercial uses.

VIII. Consistency with Adopted Plans / Staff Evaluation

The proposal is consistent with adopted plans. Applicable plans for this site include:

- Denver Comprehensive Plan 2000
- Blueprint Denver



A. Consistency with the Denver Comprehensive Plan 2000

The proposal is consistent with and positively addresses many Denver Comprehensive Plan strategies, including:

- a. Environmental Sustainability 2-F, 4-A;
- b. Land Use 1-B, 1-C, 3-B;
- c. Mobility 4-E;
- d. Legacies 3-A, 3-B;
- e. Housing 6-A; and
- f. Economic Activity 4-B (3rd bullet), 5-A.

The proposed rezoning to S-CC-3x aligns the subject property with existing zoning to the south is supported by these policies promoting a full range of uses appropriate for the Colorado Boulevard commercial corridor.

B. Consistency with Blueprint Denver

According to Blueprint Denver, this site has a future concept land use of Single Family Residential in an Area of Stability.

Single Family Residential neighborhoods are lower-density with an employment base significantly smaller than the residential development. Colorado Boulevard has specifically developed with office and commercial uses over the years, further reinforcing its place in this stable neighborhood as a land use transition between a busy arterial mixed-use boulevard and the residential to the west. Areas of Stability are considered in two ways; committed areas are stable neighborhoods that may benefit from minor infill development. Reinvestment Areas are neighborhoods with a desirable character but with opportunity for modest reinvestment. Colorado Boulevard is experiencing this type of reinvestment north, and east of this site along the corridor.

Colorado Boulevard is designated as a Mixed Use Arterial, confirming a land use approach focused on a mix of uses with building forms sensitive to adjacent residential neighborhoods.

Allowed Uses and Building Form

The S-CC-3x district allows a variety of residential, neighborhood-serving and commercial retail building forms including town house, apartment, drive-thru, and general forms of up to 3 stories.

While many retail and commercial uses were waived out of the existing B-3 zoning, many similar uses exist in the vicinity, and are allowed within nearby S-CC-3 and S-CC-3x zoning.

IX. Uniformity of District Regulations and Restrictions

The proposed rezoning to S-CC-3x will result in the uniform application of zone district building form, use and design regulations to all buildings within the subject property, and will be consistent with the desired character along this corridor based on new zoning applied during the Code Update.

X. Public Health, Safety and General Welfare

The proposed rezoning will bring the property into conformance with adopted City plans and the Colorado Station General Development Plan.

XI. Staff Recommendation and Planning Board Recommendation

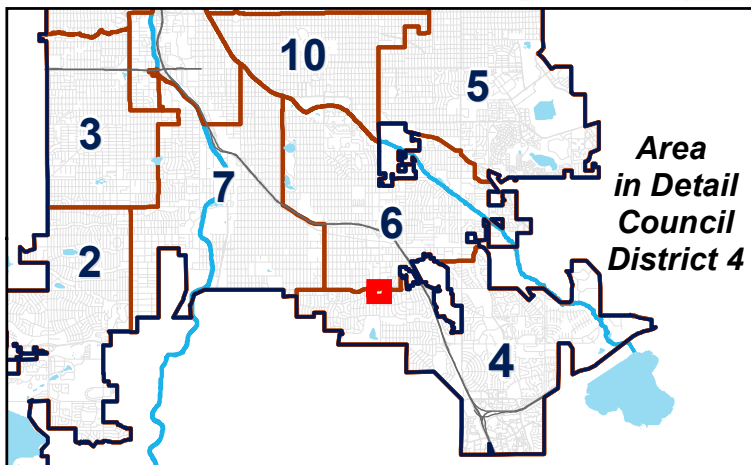
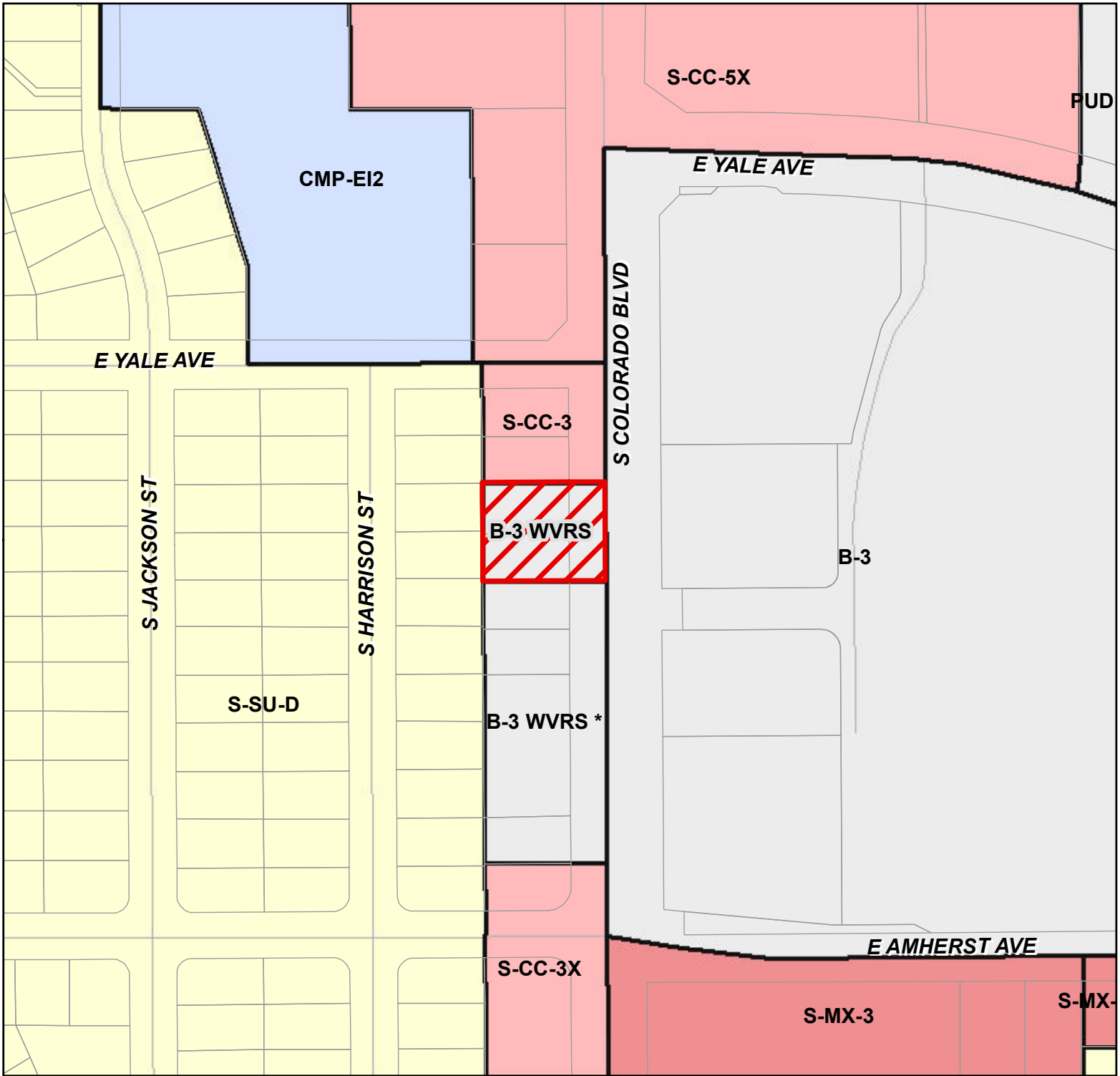
Based on the criteria for review as defined above, CPD Staff recommends **approval** for rezoning the property generally located at 2715 S. Colorado Boulevard from B-3 w/waivers to S-CC-3x.

At their regular meeting of June 15, 2011, the Denver Planning Board voted 7-1, with one abstention to recommend approval of the application.

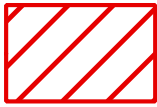
Attachments:


- 1. Map Series - Aerial, Zoning, Blueprint Map**
- 2. Official Zone Map Amendment Application, Including Neighborhood Outreach Material**

Pending Zone Map Amendment #2011I-00014



Application #2011I-00014
Location: 2715 - 2727 S. Colorado Blvd.

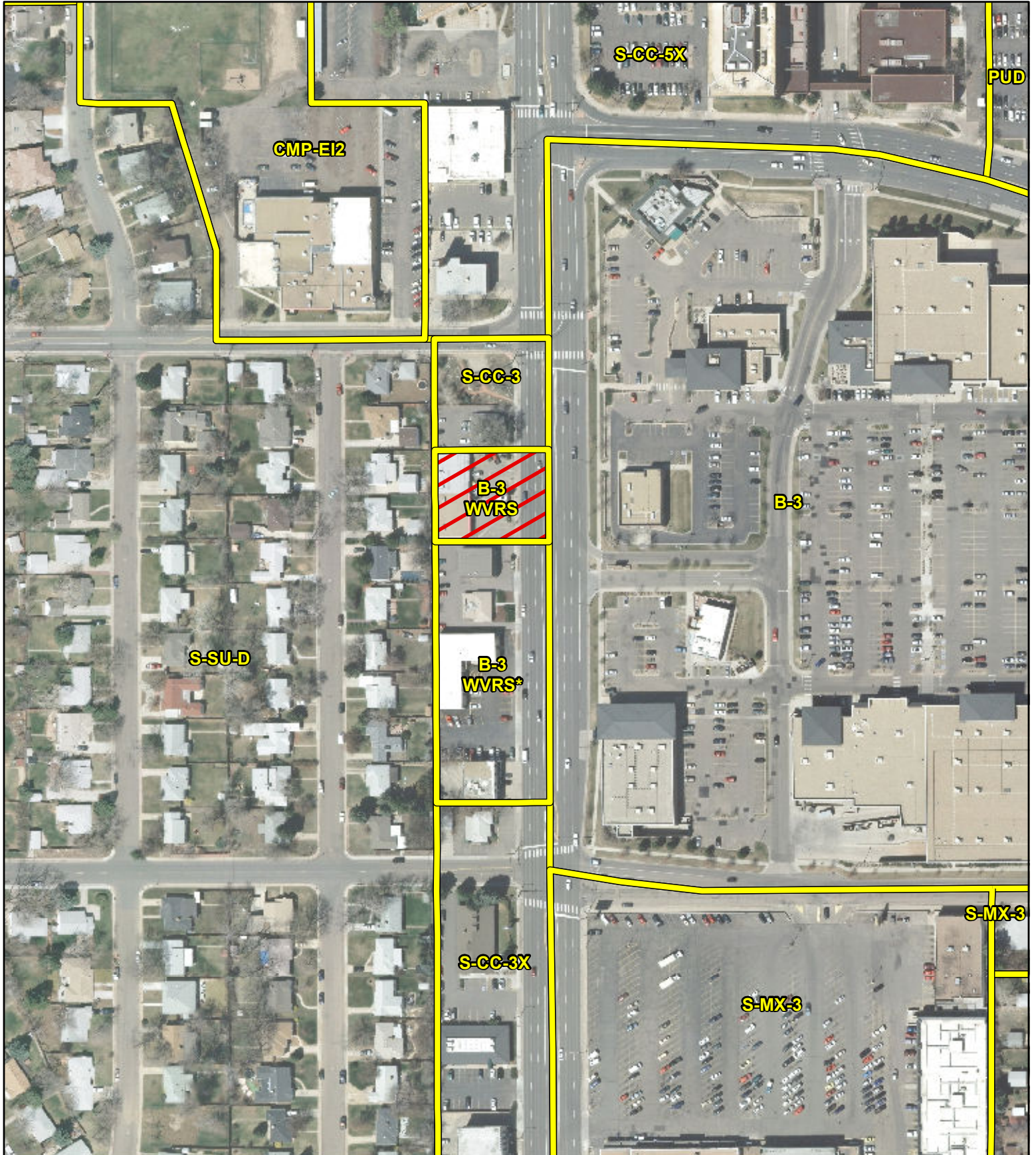
 Proposed Rezoning
From: B-3 WVRS
To: S-CC-3X

 0 100 200 400
Feet

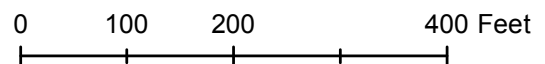
Map Date: 4/20/11

Pending Zone Map Amendment - Aerial & Zoning Overlay

 Application #2011-00014



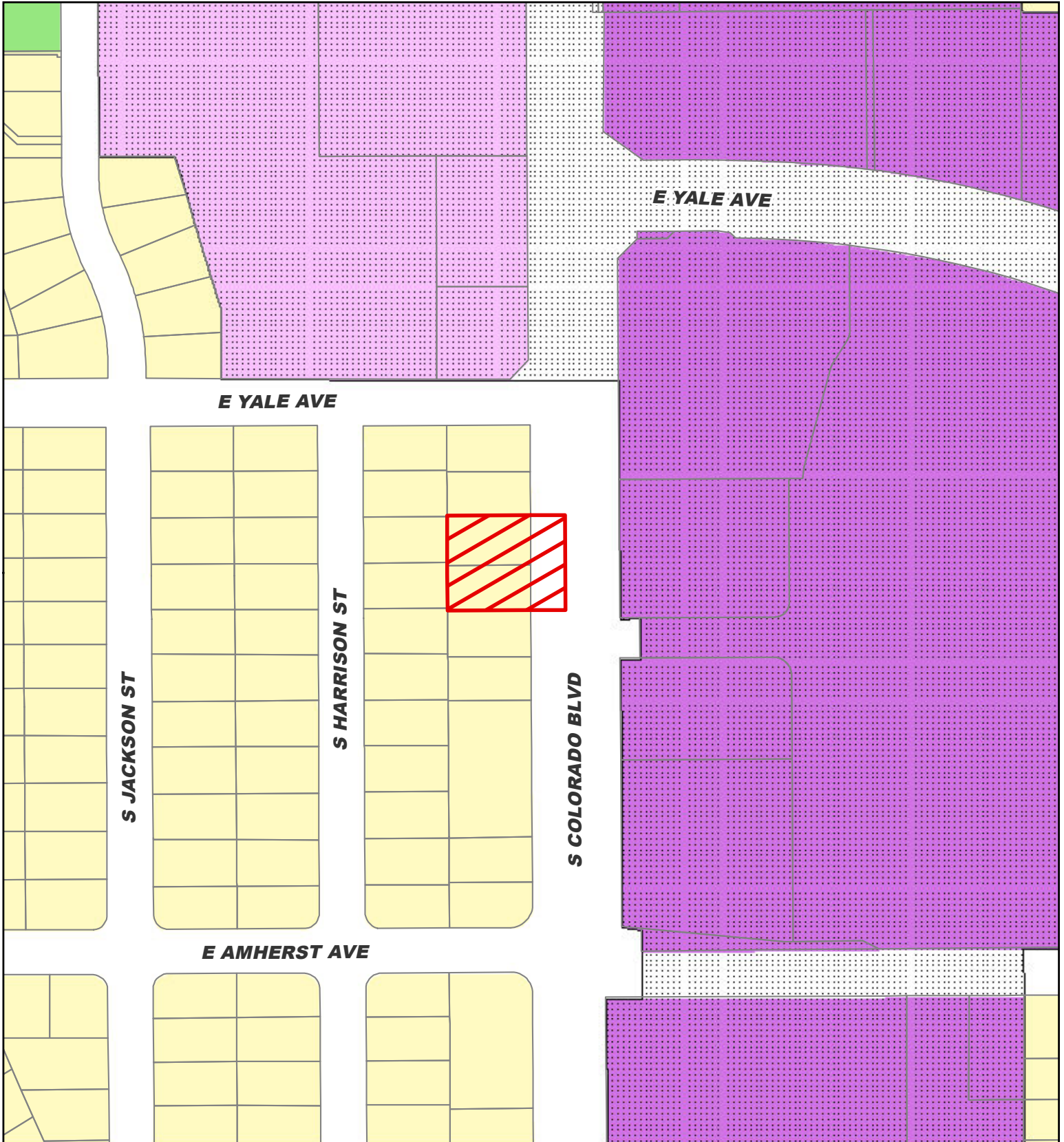
Aerial Photo: April 2008
Community Planning and Development



Map Date: 4/20/11

Pending Zone Map Amendment - Blueprint Denver Overlay


 Application #2011I-00014



 Single Family Residential

 Town Center

 Mixed Use

 Area of Change

 Pending Zoning Amendment

0 100 200 400 Feet

Map Date: 4/20/11





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Planning Services
Plan Implementation

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APPLICATION FOR ZONE MAP AMENDMENT

Application #	20111-00014	Date Submitted	4/17/2011	Fee Required	\$1000	Fee Paid	\$1000
APPLICANT INFORMATION				CONTACT INFORMATION (Same as Applicant? <input checked="" type="checkbox"/>)			
Applicant Name	Andy Peters, Agent for Mary F. Simms			Contact Name			
Address	5672 S Estes Way			Address			
City, State, Zip	Littleton, CO 80123-2321			City, State, Zip			
Telephone / Fax	303-501-9949			Telephone / Fax	/		
Email	apeters3045@yahoo.com			Email			
Subject Property Location [Please Include Assessor's Parcel Number(s)]							
2715 S Colorado Blvd, Denver, CO 80222 2717 S Colorado Blvd, Denver, CO 80222 PARCEL 0536101016000							
2725 S Colorado Blvd, Denver, CO 80222 2727 S Colorado Blvd, Denver, CO 80222 PARCEL 0536101011000							
Legal Description of Subject Property							
2715/2717 S Colorado Blvd, Parcel 0536101016000, WELLSHIRE HEIGHTS B5 S 16FT OF L21 & L20 EXC S 12 FT 2725/2727 S Colorado Blvd, Parcel 0536101011000, WELLSHIRE HEIGHTS B5 S 12FT OF L20 & N 50FT OF L19							
Area of Subject Property (Acres/Sq Ft)		Present Zone District		Proposed Zone District (Waivers and Conditions Require Separate form)			
2715/2717 S Colorado Blvd Lot size: 7704.09 SF 2725/2727 S Colorado Blvd Lot size: 6973.50 SF		B-3 w/waivers (Ord. #482-07)		S-CC-3x			
Describe the nature and effect of the proposed Zone Map Amendment							
Subject property is currently zoned B3 with waivers. Owner desires to rezone to the current zoning classification Suburban Commercial Corridor - 3 (S-CC-3x) to permit more general uses of this property, specifically eating establishments.							
Select Legal Basis for the Zone Map Amendment and explain in detail				Error in the map as approved by City Council		<input type="checkbox"/>	
				Changed or Changing Conditions that make a Zone Map Amendment Necessary		<input checked="" type="checkbox"/>	
The lease at 2715 S Colorado Blvd expires soon and the opportunity to release the property is greatly diminished because current waivers do not permit eating establishments at this location. Ordinance 2010-333 was passed June 21, 2010 effectively establishing a new official zoning code for the City and County of Denver. Properties located near or adjacent to our properties were automatically rezoned from B1 to either S-CC-3 or S-CC-3x, both of which do allow eating establishments. We are requesting that the current zoning of B-3 (with waivers) be replaced by the new S-CC-3x zoning classification.							
State the land use and the development proposed for the subject property. Include the time schedule (if any) for development							
These properties will continue to be used for retail sales and service. This rezoning request will permit additional types of retail outlets, to include eating establishments. No changes to the land or structures are anticipated.							
Required Exhibits				Additional Exhibits			
Applicant & Owner Information Sheet				<input checked="" type="checkbox"/>			
Maps - Required for Final Submissions				<input type="checkbox"/>			
Case Manager	Deirdre Oss						
Signature							Date
							5/10/2011

APPLICANT & OWNER INFORMATION SHEET

[1] Section 59-648(c) of the Denver Revised Municipal Code requires that an applicant for rezoning provide the applicant's name, address, and respective ownership interest, if any, on the application. In addition, unless subject to paragraph [2] below, the applicant must provide, in the space provided on this form, a list of all the owners of the property and the holders of deeds of trust, identifying which owners and holders of deeds of trust are represented by the applicant.

[2] If the application is for designation of an area as B-2, B-3, R-X or PUD zone district, the applicant must submit the concurrence of the owners and holders of deeds of trust of the entire land area to be included in the proposed district (and any structures thereon). In such cases, this form must be completed for each individual owner, together with sufficient evidence of ownership for each owner and holder of a deed of trust. Documentation verifying ownership interest may include (but is not limited to): Copies of deeds, powers of attorney, and corporate/partnership registrations filed with the Secretary of State.

Application Number

2011I-00014

Applicant's Name

Andy Peters, Agent for Mary F. Simms (Owner)

Property Address(es)

2715, 2717, 2725, 2727 S. Colorado Blvd, Denver, CO 80222

Applicant's Address

5672 S Estes Way, Littleton, CO 80123-2321

NOTE: If application is for rezoning to B-2, B-3, R-X or PUD, and the applicant is not the property owner, this form must be accompanied by a Power of Attorney statement from the property owner.

Indicate as accurately as possible the form of interest in the property, and the amount held by the individual or entity listed as "applicant" above.

Fee Title Owner (Has Deed of Ownership)	All	<input checked="" type="checkbox"/>
	A Portion	<input type="checkbox"/>
Contract Owner	All	<input type="checkbox"/>
	A Portion	<input type="checkbox"/>
Holder of a Security Interest	All	<input type="checkbox"/>
	A Portion	<input type="checkbox"/>

List the names and addresses of all owners and holders of Deeds of Trust for the property, if any, and indicate which owners or holders of deeds of trust are represented by the applicant in the space below (please add additional pages, if needed).

Mary F. Simms, 5800 S Elati Street, Littleton CO 80120 (represented by applicant)

Signature of Applicant

Peters

Date Signed

5/10/2011

SUMMARY OF OUTREACH EFFORTS

ZMA APPLICATION # 2011I-00014

2715-2727 S. Colorado Blvd, Denver, CO 80222

The following actions have been taken to date regarding outreach efforts related to the rezoning request for this application:

- 4/7/2011 Letters mailed to each of the registered neighborhood organizations that lie within 200' of the property as well as District 4 Councilwoman Peggy Lehmann. (Letter of Intent to Rezone.pdf)
- 4/7-5/1/2011 Received calls from Tom Schaefer, S Jackson St Neighborhood Association, Randy Marcove, University Hills Neighborhood Association and Tom Gonella, University Park Community Council all indicating no objection to the rezoning request.
- 4/12/2011 Survey letter delivered to each of the 11 residences on S. Harrison St directly behind the property. Four written responses have been received to date all expressing no objection to the rezoning. (Neighborhood Notification Letter Responses.pdf)
- 4/15/2011 Spoke with Mr. Richard Davies, Wellshire Heights association to discuss the letter of intent to rezone (a copy of which was mailed to him by Councilwoman Lehmann's office). He indicated that the organization was dormant and had not registered for the current year but that he would call a neighborhood meeting once a hearing was officially scheduled to work on preventing eating establishments to be permitted.
- 5/4/2011 Emailed registered neighborhood organizations a survey letter, received one response from Tom Gonnella, University Park Community Council indicating no position would be taken either way since our property is not actually located in his neighborhood. (Neighborhood Association Survey Emails.pdf)
- 5/5/2011 Met with Councilwoman Peggy Lehmann to discuss rezoning application. She suggested scheduling an all-inclusive 'town-hall' style meeting to include all of the registered neighborhood organizations plus the Wellshire Heights Association (which is no longer registered). She also advised me that two of the neighborhood organizations belong in Councilman Charlie Brown's District 6.

5/6/2011 Sent a letter to Councilman Brown notifying him of the rezoning request and the pending town hall meeting to be scheduled (Honorable Charlie Brown May 6.pdf)

Honorable Peggy Lehmann
Councilwoman,
Denver City Council District 4
3540 S. Poplar St., Suite 102
Denver, CO 80237

April 7, 2011

Dear Councilwoman Lehmann:

The purpose of this letter is to advise you that we intend to request a zoning amendment be made to classify the following addresses from B-3 (with waivers) to the new zoning classification of S-CC-3x:

2715 S Colorado Blvd, Denver, CO 80222	
<u>2717 S Colorado Blvd, Denver, CO 80222</u>	Parcel 0536101016000
2725 S Colorado Blvd, Denver, CO 80222	
<u>2727 S Colorado Blvd, Denver, CO 80222</u>	Parcel 0536101011000

As you may recall, the owner of these properties, Mary F. Simms worked with the City Council to adjust the zoning in 2007 to allow a print shop to be located on the premises (ordinance 2007-482). Unfortunately, in this process she waived many other uses normally accorded a B-3 zoning, to include eating establishments.

On June 21, 2010 the Denver City Council passed ordinance 2010-333 adopting a new official zoning code for the City and County of Denver. Any areas that were classified 'with waivers' were not automatically rezoned to the new standards, to include the above-referenced properties.

The adjacent property at 2709 S Colorado Blvd that was previously assigned B-1 zoning was automatically reassigned to the new zoning classification S-CC-3. The other nearby properties that were previously zoned B-1 (2795 – 2901 S Colorado Blvd) were reassigned to the slightly more restrictive S-CC-3x classification.

In the next few weeks we will be filing a formal application to have these properties rezoned to S-CC-3x with the primary intent to allow eating establishments.

Requesting the -3x zoning would prohibit the following types of Retail businesses that would otherwise be permitted (with limitations) with the standard S-CC-3 zoning:

- Body art establishments
- Retail sales, service & repair – firearms
- Auto/Motorcycle/Light truck sales
- Auto Services/Heavy
- Heavy Vehicle/Equipment sales

Furthermore, the following types of businesses are not permitted with either S-CC-3 or S-CC-3x zoning:

- Adult Businesses – all types
- Pawn Shops

I would be pleased to meet with you at any time to discuss this rezoning request and provide more information as needed or address any concerns you may have. Thank you in advance for your support of this measure.

Sincerely,



Andy Peters, on behalf of
Mary F. Simms, Owner
5672 S Estes Way
Littleton, CO 80123
303-501-9949

Cc:

City of Denver
Community Planning and Development
ATTN: Deirdre Oss
201 W Colfax Ave, Dept 205
Denver, CO 80202

Mr. Tom Gonella
University Park
Community Council
2270 S Adams St
Denver, CO 80210

April 7, 2011

Dear Mr. Gonella:

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Mary F. Simms, Owner
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Littleton, CO 80123
303-501-9949

Cc:

City of Denver
Community Planning and Development
ATTN: Deirdre Oss
201 W Colfax Ave, Dept 205
Denver, CO 80202

Mr. Randy Marcove
University Hills
Neighborhood Association
3474 S Dexter St
Denver, CO 80222

April 7, 2011

Dear Mr. Marcove:

The purpose of this letter is to advise you that we intend to request a zoning amendment be made to classify the following addresses from B-3 (with waivers) to the new zoning classification of S-CC-3x:

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Andy Peters, on behalf of
Mary F. Simms, Owner
5672 S Estes Way
Littleton, CO 80123
303-501-9949

Cc:

City of Denver
Community Planning and Development
ATTN: Deirdre Oss
201 W Colfax Ave, Dept 205
Denver, CO 80202

Mr. Tom Shafer
South Jackson Street
Neighborhood Association
2445 S Jackson St
Denver, CO 80210

April 7, 2011

Dear Mr. Shafer:

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Andy Peters, on behalf of
Mary F. Simms, Owner
5672 S Estes Way
Littleton, CO 80123
303-501-9949

Cc:

City of Denver
Community Planning and Development
ATTN: Deirdre Oss
201 W Colfax Ave, Dept 205
Denver, CO 80202

Print - Close Window

Subject: RE: Carmen Mgmt LLC Rezoning App 2715 S colorado Blvd
From: Gonnella, Tom (Tom.Gonnella@LincolnTrustco.com)
To: apeters.3045@yahoo.com;
Date: Thu, 05 May 2011 11:31:04

Andy,

Since this is not in our neighborhood, UPCC will not take a position either way. Good luck with your amendment.

Tom Gonnella

direct - 303-658-3777

University Park Community Council

From: Andy Peters [mailto:apeters.3045@yahoo.com]
Sent: Wednesday, May 04, 2011 12:18 PM
To: president@upcc.us
Subject: Carmen Mgmt LLC Rezoning App 2715 S colorado Blvd

I have filed a rezoning application with the City of Denver and they have requested that I thoroughly document my outreach efforts to adjoining neighborhood organizations.

With this added request from the city I was wondering if you could sign the attached form expressing your approval (or at least - non-objection) to my rezoning application?

I am willing to drop by this evening (if possible) to have you sign the original if this would not be an inconvenience to you.

Additionally, a simple response to this email may suffice.

Either way, I cannot amend and resubmit my application until I hear back from you.

Thank you for your assistance in this matter.

Sincerely,

Andy Peters

Carmen Management LLC

303-501-9949

This information is privileged and confidential and is intended only for the person or entity to which it is addressed. Any review, retransmission, dissemination or other use of this information (including attachments) by persons or entities other than the intended recipient is prohibited. If you are not the intended recipient, please delete the information from your system and contact the sender.

Mr. Tom Gonella
University Park
Community Council
2270 S Adams St
Denver, CO 80210

May 4, 2011

Dear Mr. Gonella:

The purpose of this letter is to request your support for a zoning amendment that has been submitted to the City of Denver Community Planning and Development Department in order to reclassify the following addresses from B-3 (with waivers) to the new zoning classification of S-CC-3x:

Sign-A-Rama sign shop: 2715 S Colorado Blvd, Denver, CO 80222
Mai's Tailor Shop: 2717 S Colorado Blvd, Denver, CO 80222
Repeat Boutique clothing store: 2727 S Colorado Blvd, Denver, CO 80222

The City Council voted to adjust the zoning in 2007 to allow a print shop (Sign-A-Rama) to be located on the premises (ordinance 2007-482). Unfortunately, in this process other uses normally accorded a B-3 zoning, to include eating establishments, were waived out.

On June 21, 2010 the Denver City Council passed ordinance 2010-333 adopting a new official zoning code for the City and County of Denver. Any areas that were classified 'with waivers' were not automatically rezoned to the new standards, to include the above-referenced properties.

The adjacent property at 2709 S Colorado Blvd (dentist office) that was previously assigned B-1 zoning was automatically reassigned to the new zoning classification S-CC-3 as were other nearby properties 2795 – 2901 S Colorado Blvd, allowing all of them to have eating establishments located there..

Our application to have these properties rezoned to S-CC-3x is with the primary intent of allowing eating establishments here. The designation S-CC-3 stands for Suburban neighborhood – commercial corridor – no more than 3 stories tall buildings. The x designator has certain types of business restrictions that the standard -3 zoning permits. We are requesting the more restrictive -3x zoning as shown below.

Requesting the -3x zoning would prohibit the following types of Retail businesses that would otherwise be permitted (with limitations) with the standard S-CC-3 zoning:

- Body art establishments
- Retail sales, service & repair – firearms
- Auto/Motorcycle/Light truck sales
- Auto Services/Heavy
- Heavy Vehicle/Equipment sales

Furthermore, the following types of businesses are not permitted with either S-CC-3 or S-CC-3x zoning:

- Adult Businesses – all types
- Pawn Shops

In these difficult economic times we find that all businesses are struggling just to survive, much less grow. It is no different for us, trying to maintain these properties and have the lease space fully occupied. Sign-A-Rama will be vacating their premises soon and the majority of inquiries I've received for leasing this space are primarily related to locating an eating establishment here (ice cream shop/take-out pizza shop) on this highly visible, highly trafficked storefront facing S. Colorado Blvd.

Please sign the section below indicating your support for this change. Having neighborhood approval of this request is greatly appreciated. I would be pleased to meet with you at any time to discuss this rezoning request and provide more information as needed or address any concerns you may have.

Sincerely,



Andy Peters
Carmen Management, LLC.
5672 S Estes Way
Littleton, CO 80123
303-501-9949

YES: _____ WE HAVE NO OBJECTIONS TO THE REZONING REQUEST DESCRIBED ABOVE

NO: _____ WE ARE NOT IN FAVOR OF THIS REZONING REQUEST BECAUSE:

SIGNATURE: _____ DATE: ____/____/____

PRINTED NAME: _____ PHONE: () ____ - ____

ADDRESS: _____

Print - Close Window

Subject: Carmen Mgmt LLC rezoning app 2715 S Colorado Blvd
From: Andy Peters (apeters.3045@yahoo.com)
To: themarcoves@msn.com;
Date: Wed, 04 May 2011 12:19:16

I have filed a rezoning application with the City of Denver and they have requested that I thoroughly document my outreach efforts to adjoining neighborhood organizations.

With this added request from the city I was wondering if you could sign the attached form expressing your approval (or at least - non-objection) to my rezoning application?

I am willing to drop by this evening (if possible) to have you sign the original if this would not be an inconvenience to you.

Additionally, a simple response to this email may suffice.

Either way, I cannot amend and resubmit my application until I hear back from you.

Thank you for your assistance in this matter.

Sincerely,

Andy Peters
Carmen Management LLC
303-501-9949

University Hills Neighborhood Assoc

Mr. Randy Marcove
University Hills
Neighborhood Association
3474 S Dexter St
Denver, CO 80222

May 4, 2011

Dear Mr. Marcove:

The purpose of this letter is to request your support for a zoning amendment that has been submitted to the City of Denver Community Planning and Development Department in order to reclassify the following addresses from B-3 (with waivers) to the new zoning classification of S-CC-3x:

Sign-A-Rama sign shop:	2715 S Colorado Blvd, Denver, CO 80222
Mai's Tailor Shop:	2717 S Colorado Blvd, Denver, CO 80222
Repeat Boutique clothing store:	2727 S Colorado Blvd, Denver, CO 80222

The City Council voted to adjust the zoning in 2007 to allow a print shop (Sign-A-Rama) to be located on the premises (ordinance 2007-482). Unfortunately, in this process other uses normally accorded a B-3 zoning, to include eating establishments, were waived out.

On June 21, 2010 the Denver City Council passed ordinance 2010-333 adopting a new official zoning code for the City and County of Denver. Any areas that were classified 'with waivers' were not automatically rezoned to the new standards, to include the above-referenced properties.

The adjacent property at 2709 S Colorado Blvd (dentist office) that was previously assigned B-1 zoning was automatically reassigned to the new zoning classification S-CC-3 as were other nearby properties 2795 – 2901 S Colorado Blvd, allowing all of them to have eating establishments located there..

Our application to have these properties rezoned to S-CC-3x is with the primary intent of allowing eating establishments here. The designation S-CC-3 stands for Suburban neighborhood – commercial corridor – no more than 3 stories tall buildings. The x designator has certain types of business restrictions that the standard -3 zoning permits. We are requesting the more restrictive -3x zoning as shown below.

Requesting the -3x zoning would prohibit the following types of Retail businesses that would otherwise be permitted (with limitations) with the standard S-CC-3 zoning:

- Body art establishments
- Retail sales, service & repair – firearms
- Auto/Motorcycle/Light truck sales
- Auto Services/Heavy
- Heavy Vehicle/Equipment sales

Furthermore, the following types of businesses are not permitted with either S-CC-3 or S-CC-3x zoning:

- Adult Businesses – all types
- Pawn Shops

In these difficult economic times we find that all businesses are struggling just to survive, much less grow. It is no different for us, trying to maintain these properties and have the lease space fully occupied. Sign-A-Rama will be vacating their premises soon and the majority of inquiries I've received for leasing this space are primarily related to locating an eating establishment here (ice cream shop/take-out pizza shop) on this highly visible, highly trafficked storefront facing S. Colorado Blvd.

Please sign the section below indicating your support for this change. Having neighborhood approval of this request is greatly appreciated. I would be pleased to meet with you at any time to discuss this rezoning request and provide more information as needed or address any concerns you may have.

Sincerely,



Andy Peters
Carmen Management, LLC.
5672 S Estes Way
Littleton, CO 80123
303-501-9949

YES: _____ WE HAVE NO OBJECTIONS TO THE REZONING REQUEST DESCRIBED ABOVE

NO: _____ WE ARE NOT IN FAVOR OF THIS REZONING REQUEST BECAUSE:

SIGNATURE: _____ DATE: ___/___/___

PRINTED NAME: _____ PHONE: () _____

ADDRESS: _____

Print - Close Window

Subject: Carmen Mgmt LLC Rezoning APP - 2715 S Colorado Blvd
From: Andy Peters (apeters.3045@yahoo.com)
To: tom.schafer1@comcast.net;
Date: Wed, 04 May 2011 12:16:55

I have filed a rezoning application with the City of Denver and they have requested that I thoroughly document my outreach efforts to adjoining neighborhood organizations.

With this added request from the city I was wondering if you could sign the attached form expressing your approval (or at least - non-objection) to my rezoning application?

I am willing to drop by this evening (if possible) to have you sign the original if this would not be an inconvenience to you.

Additionally, a simple response to this email may suffice.

Either way, I cannot amend and resubmit my application until I hear back from you.

Thank you for your assistance in this matter.

Sincerely,

Andy Peters
Carmen Management LLC
303-501-9949

S. Jackson St. Neighborhood Assoc

Mr. Tom Shafer
South Jackson Street
Neighborhood Association
2445 S Jackson St
Denver, CO 80210

May 4, 2011

Dear Mr. Shafer:

The purpose of this letter is to request your support for a zoning amendment that has been submitted to the City of Denver Community Planning and Development Department in order to reclassify the following addresses from B-3 (with waivers) to the new zoning classification of S-CC-3x:

Sign-A-Rama sign shop: 2715 S Colorado Blvd, Denver, CO 80222
Mai's Tailor Shop: 2717 S Colorado Blvd, Denver, CO 80222
Repeat Boutique clothing store: 2727 S Colorado Blvd, Denver, CO 80222

The City Council voted to adjust the zoning in 2007 to allow a print shop (Sign-A-Rama) to be located on the premises (ordinance 2007-482). Unfortunately, in this process other uses normally accorded a B-3 zoning, to include eating establishments, were waived out.

On June 21, 2010 the Denver City Council passed ordinance 2010-333 adopting a new official zoning code for the City and County of Denver. Any areas that were classified 'with waivers' were not automatically rezoned to the new standards, to include the above-referenced properties.

The adjacent property at 2709 S Colorado Blvd (dentist office) that was previously assigned B-1 zoning was automatically reassigned to the new zoning classification S-CC-3 as were other nearby properties 2795 – 2901 S Colorado Blvd, allowing all of them to have eating establishments located there..

Our application to have these properties rezoned to S-CC-3x is with the primary intent of allowing eating establishments here. The designation S-CC-3 stands for Suburban neighborhood – commercial corridor – no more than 3 stories tall buildings. The x designator has certain types of business restrictions that the standard -3 zoning permits. We are requesting the more restrictive -3x zoning as shown below.

Requesting the -3x zoning would prohibit the following types of Retail businesses that would otherwise be permitted (with limitations) with the standard S-CC-3 zoning:

- Body art establishments
- Retail sales, service & repair – firearms
- Auto/Motorcycle/Light truck sales
- Auto Services/Heavy
- Heavy Vehicle/Equipment sales

Furthermore, the following types of businesses are not permitted with either S-CC-3 or S-CC-3x zoning:

- Adult Businesses -- all types
- Pawn Shops

In these difficult economic times we find that all businesses are struggling just to survive, much less grow. It is no different for us, trying to maintain these properties and have the lease space fully occupied. Sign-A-Rama will be vacating their premises soon and the majority of inquiries I've received for leasing this space are primarily related to locating an eating establishment here (ice cream shop/take-out pizza shop) on this highly visible, highly trafficked storefront facing S. Colorado Blvd.

Please sign the section below indicating your support for this change. Having neighborhood approval of this request is greatly appreciated. I would be pleased to meet with you at any time to discuss this rezoning request and provide more information as needed or address any concerns you may have.

Sincerely,



Andy Peters
Carmen Management, LLC.
5672 S Estes Way
Littleton, CO 80123
303-501-9949

YES: _____ WE HAVE NO OBJECTIONS TO THE REZONING REQUEST DESCRIBED ABOVE

NO: _____ WE ARE NOT IN FAVOR OF THIS REZONING REQUEST BECAUSE:

SIGNATURE: _____ DATE: ___/___/___

PRINTED NAME: _____ PHONE: () ___-___

ADDRESS: _____

Our Neighbor at
2716 S Harrison St
Denver, CO 80210

April 12, 2011

Dear Neighbor:

The purpose of this letter is to request your support for a zoning amendment that has been submitted to the City of Denver Community Planning and Development Department in order to reclassify the following addresses from B-3 (with waivers) to the new zoning classification of S-CC-3x:

Sign-A-Rama sign shop: 2715 S Colorado Blvd, Denver, CO 80222
Mai's Tailor Shop: 2717 S Colorado Blvd, Denver, CO 80222
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Please sign the section below indicating your support for this change. Having neighborhood approval of this request is greatly appreciated. I would be pleased to meet with you at any time to discuss this rezoning request and provide more information as needed or address any concerns you may have.

Sincerely,



Andy Peters
Carmen Management, LLC.
5672 S Estes Way
Littleton, CO 80123
303-501-9949

YES: I HAVE NO OBJECTIONS TO THE REZONING REQUEST DESCRIBED ABOVE

NO: I AM NOT IN FAVOR OF THIS REZONING REQUEST BECAUSE:

SIGNATURE: Jo Ann McCarty DATE: 4/20/11

PRINTED NAME: JO ANN McCARTY PHONE: 303 756-4995

ADDRESS: 2716 S. Harrison St
Denver, CO 80210

Our Neighbor at
2724 S Harrison St
Denver, CO 80210

April 12, 2011

Dear Neighbor:

The purpose of this letter is to request your support for a zoning amendment that has been submitted to the City of Denver Community Planning and Development Department in order to reclassify the following addresses from B-3 (with waivers) to the new zoning classification of S-CC-3x:

Sign-A-Rama sign shop: 2715 S Colorado Blvd, Denver, CO 80222
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Sincerely,



Andy Peters
Carmen Management, LLC.
5672 S Estes Way
Littleton, CO 80123
303-501-9949

YES: I HAVE NO OBJECTIONS TO THE REZONING REQUEST DESCRIBED ABOVE

NO: I AM NOT IN FAVOR OF THIS REZONING REQUEST BECAUSE:

SIGNATURE: William Walters DATE: 4/13/11

PRINTED NAME: William Walters PHONE: () -

ADDRESS: 2724 S. Harrison St
Denver, CO 80210

April 12, 2011

Our Neighbor at
2748 S Harrison St
Denver, CO 80210

Dear Neighbor:

The purpose of this letter is to request your support for a zoning amendment that has been submitted to the City of Denver Community Planning and Development Department in order to reclassify the following addresses from B-3 (with waivers) to the new zoning classification of S-CC-3x:

Sign-A-Rama sign shop:	2715 S Colorado Blvd, Denver, CO 80222
Mai's Tailor Shop:	2717 S Colorado Blvd, Denver, CO 80222
Repeat Boutique clothing store:	2727 S Colorado Blvd, Denver, CO 80222

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- Pawn Shops

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Please sign the section below indicating your support for this change. Having neighborhood approval of this request is greatly appreciated. I would be pleased to meet with you at any time to discuss this rezoning request and provide more information as needed or address any concerns you may have.

Sincerely,



Andy Peters
Carmen Management, LLC.
5672 S Estes Way
Littleton, CO 80123
303-501-9949

YES: I HAVE NO OBJECTIONS TO THE REZONING REQUEST DESCRIBED ABOVE

NO: I AM NOT IN FAVOR OF THIS REZONING REQUEST BECAUSE:

SIGNATURE: Dennis R. Hall DATE: 4/14/11

PRINTED NAME: DENNIS R HALL PHONE: 303 1958 5164

ADDRESS: 2748 S. HARRISON ST
Denver, CO 80210

April 12, 2011

Our Neighbor at
2780 S Harrison St
Denver, CO 80210

Dear Neighbor:

The purpose of this letter is to request your support for a zoning amendment that has been submitted to the City of Denver Community Planning and Development Department in order to reclassify the following addresses from B-3 (with waivers) to the new zoning classification of S-CC-3x:

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- Pawn Shops

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Please sign the section below indicating your support for this change. Having neighborhood approval of this request is greatly appreciated. I would be pleased to meet with you at any time to discuss this rezoning request and provide more information as needed or address any concerns you may have.

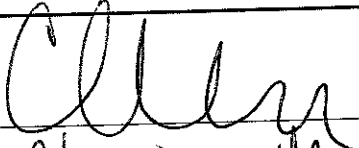
Sincerely,



Andy Peters
Carmen Management, LLC.
5672 S Estes Way
Littleton, CO 80123
303-501-9949

YES: I HAVE NO OBJECTIONS TO THE REZONING REQUEST DESCRIBED ABOVE

NO: I AM NOT IN FAVOR OF THIS REZONING REQUEST BECAUSE:

SIGNATURE:  DATE: 9/12/2011
PRINTED NAME: Christine Marie PHONE: (3) 862-7491
ADDRESS: 2780 S. Harrison St
Denver, CO 80123

Report provided by Denver Maps, City and County of Denver Geographic Information Systems (4/12/2011 12:21:23 PM)

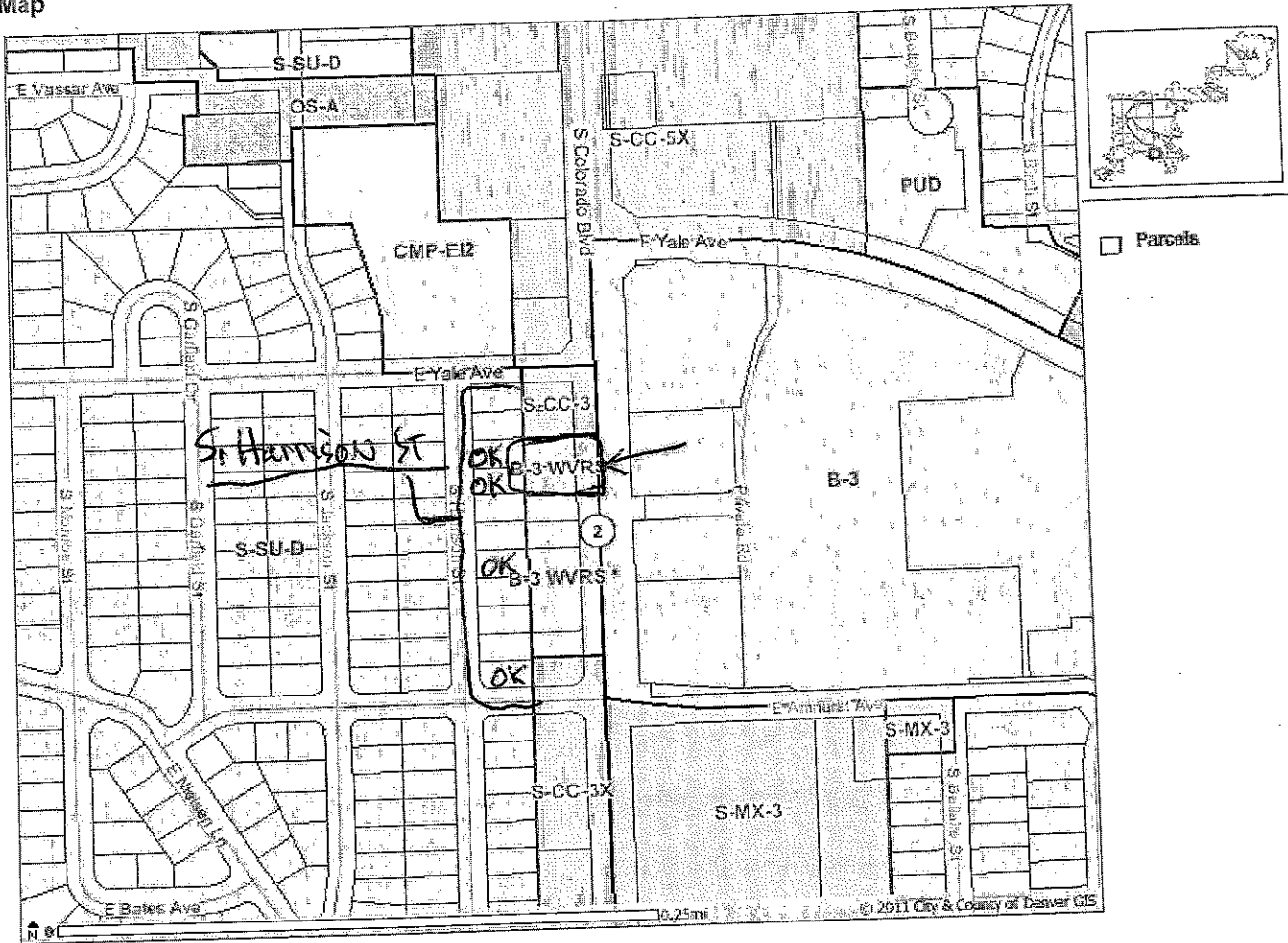


Denver Zoning Code

Summary

The Zoning Map designates the zoning district for every property in Denver. Search by address, intersection or map click.

Map



Zoning

CPD - Zoning Descriptions

Zone District	Zone District Group	Overlay District	Code Version	Zone Use Form	Neighborhood Context	Waivers	Conditions	PUD	Ordinance	Ordinance Year	PBG	Note	GIS Note
S-SU-D	S-SU		2010	SU	SUBURBAN				333	10			

Zoning Map Map#SE 114 (22 x 17 inches, requires Adobe Acrobat Reader)

Zoning - Former Chapter 59 Report

[View the Zoning - Former Chapter 59 Report](#)

Contact Us

If you need information or assistance regarding a Denver city service, we recommend using [Denver's 3-1-1 Self-Service page](#), or call 3-1-1 from your Denver-based telephone, or 720-913-1311 outside of Denver.

Related Links

Durable Power of Attorney

I, **Mary Frances Simms**, principal owner of Carmen Management, LLC, 5800 S Elati St, Littleton, Arapahoe County, CO 80120-2353 designate Andy Peters as my attorney in fact (the agent) to act for me, and on behalf of Carmen Management, LLC.

1. **Authority to Act.** This power of attorney is effective immediately. My agent is authorized to act as indicated below in my name and in the name of Carmen Management, LLC, in place and stead in any way which I myself could do if I were personally present, to the full extent that I am permitted by law to act through an agent.

2. **Powers of Agent.** The Agent shall have the full power and authority to manage and conduct my affairs and those of Carmen Management, LLC in regard to any and all matters related to the management of properties owned and/or managed by myself or Carmen Management, LLC, specifically (but not limited to) the properties located at 2715 – 2727 S Colorado Blvd, Denver, Co 80222, and to exercise my legal rights and powers, including those rights and powers that I may acquire in the future, including the following:

A. **Collect and Manage.** To collect, hold, maintain, improve, invest, lease, or otherwise manage any or all of my or Carmen Management, LLC's real or personal property or any interest therein;

B. **Legal and Administrative Proceedings.** To engage in any administrative or legal proceedings or lawsuits in connection with any matter herein;

C. **Other Matters.** To work with the City of Denver related to zoning or permitting issues affecting the above referenced properties.

3. **Restrictions on Agent's Powers.** Regardless of the above statements, my agent:

Cannot execute documents unrelated to the management of properties owned or managed by me or by Carmen Management, LLC on my behalf.

4. **Durability.** The Agent shall have Power of Attorney until revoked by me in writing.

5. **Reliance by Third Parties.** Third parties may rely upon the representations of the Agent as to all matters regarding powers granted to the Agent. No person who acts in reliance on the representations of the Agent or the authority granted under this Power of Attorney shall incur any liability to me or to my estate for permitting the Agent to exercise any power prior to actual knowledge that the Power of Attorney has been revoked or terminated by operation of law or otherwise.

6. **Indemnification of Agent.** No agent named or substituted in this power shall incur any liability to me for acting or refraining from acting under this power, except for such agent's own misconduct or negligence.

7. **Original Counterparts.** Photocopies of this signed Power of Attorney shall be treated as original counterparts.

8. **Revocation.** I hereby revoke any previous Power of Attorney that I may have given to deal with my property and affairs as set forth herein.

12. **Choice of Law.** All questions concerning the validity and construction of this Durable Power of Attorney shall be determined under the laws of the State of Colorado.

Dated: 4/8/2011
/s/ Mary F. Simms
Mary F. Simms

/s/ Carri Davis
Carri Davis
Witness - Printed Name

/s/ Lounele (Lestine)
Lounele (Lestine)
Witness - Printed Name

Notarization

State of COLORADO

County of Arapahoe

On 4-8-11, Mary F. Simms appeared before me and proved to my satisfaction that she is the person whose name is subscribed to this Durable Power of Attorney, and acknowledged the due execution of the foregoing instrument.

/s/ Sindy Kenner
Notary Public Signature

Sindy Kenner
Printed Name/Notary Number My Commission Expires
04/02/2015

My commission expires:

