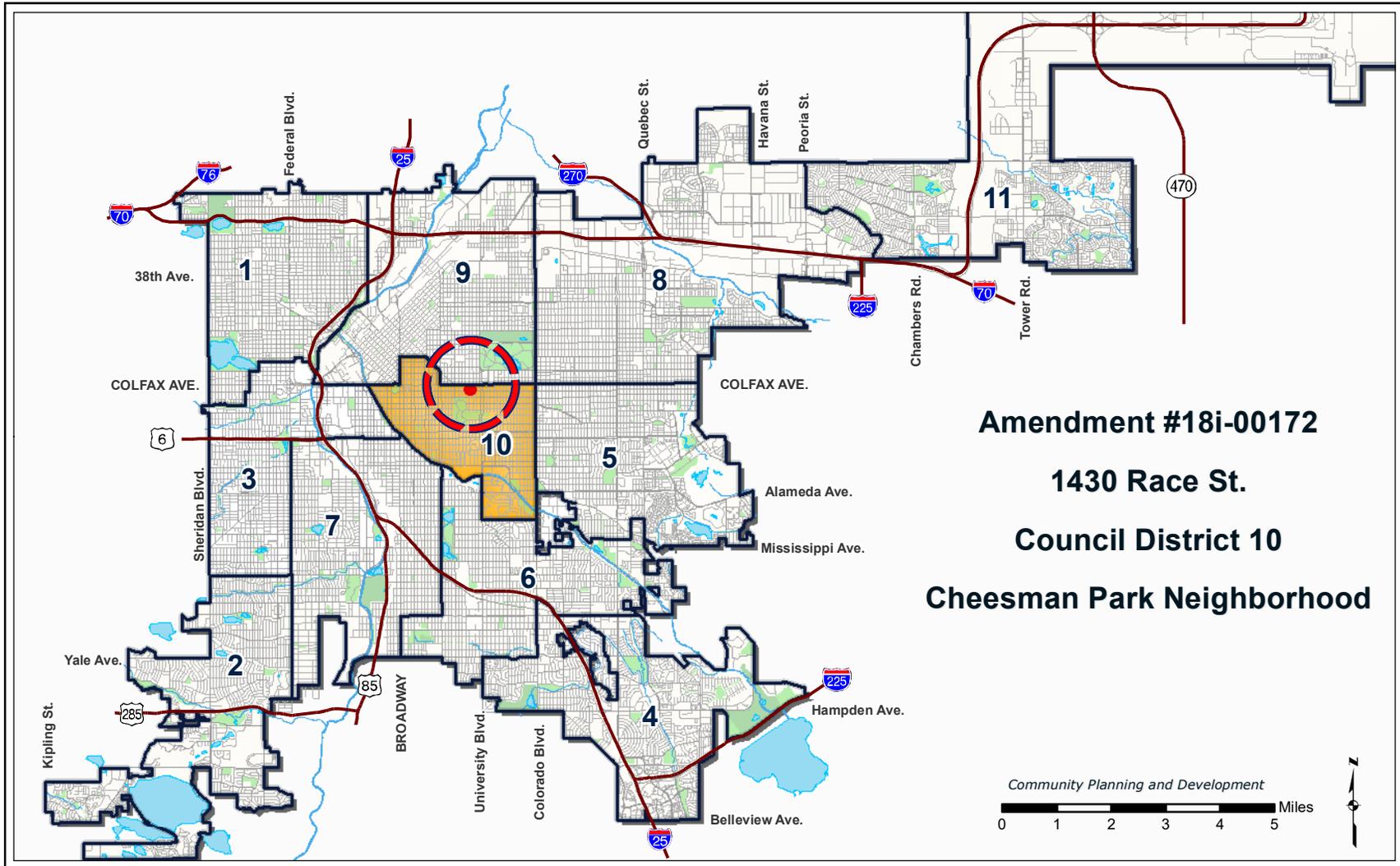


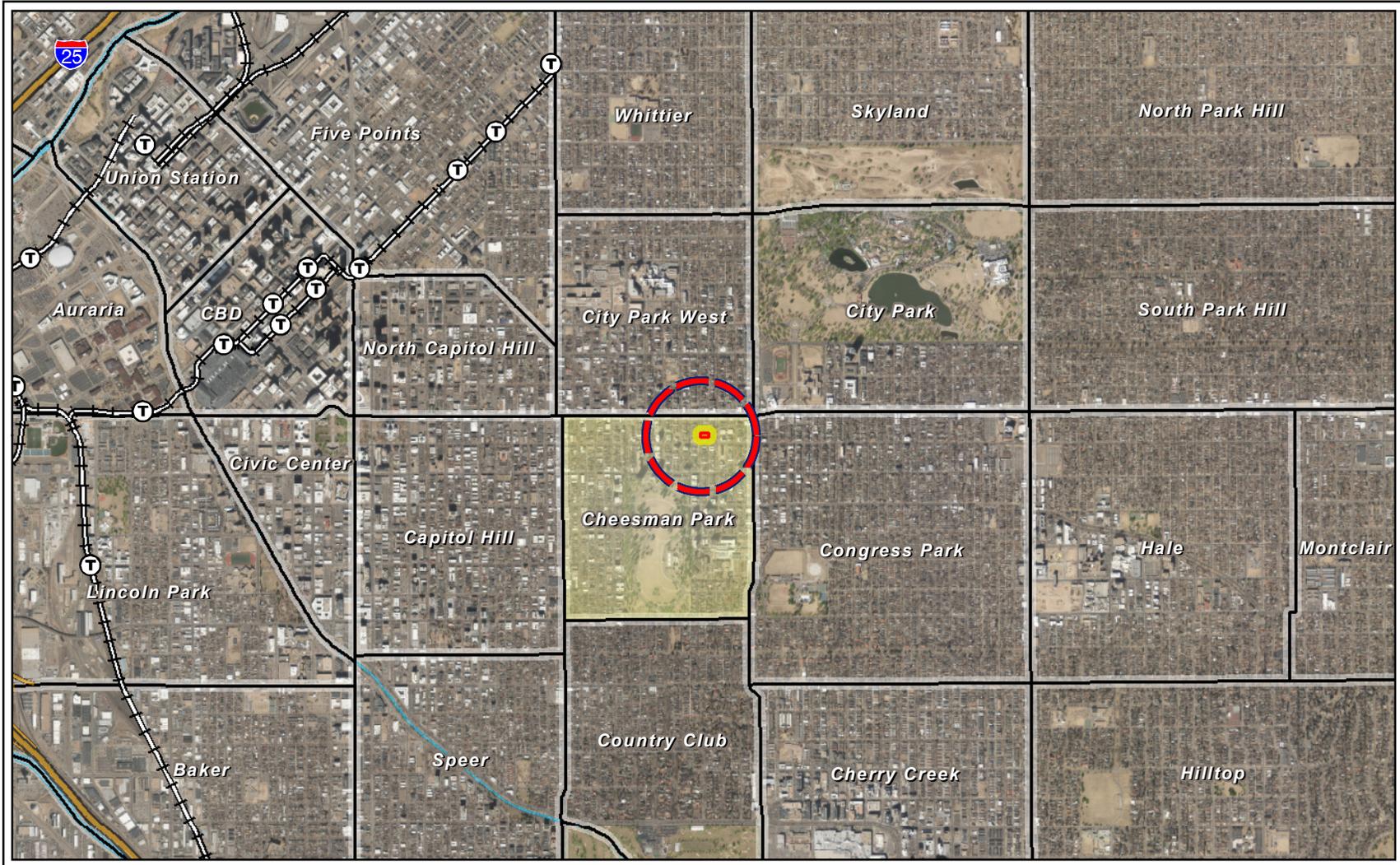
Zone Map Amendment 18i-00172 City Location

From PUD #554 to G-RX-3



Map Date: November 13, 2019

Zone Map Amendment 18i-00172 From PUD #554 to G-RX-3
Neighborhood Location - Cheesman Park



Map Date: November 13, 2019

Zone Map Amendment 18i-00172
Aerial - 2019

From PUD #554 to G-RX-3

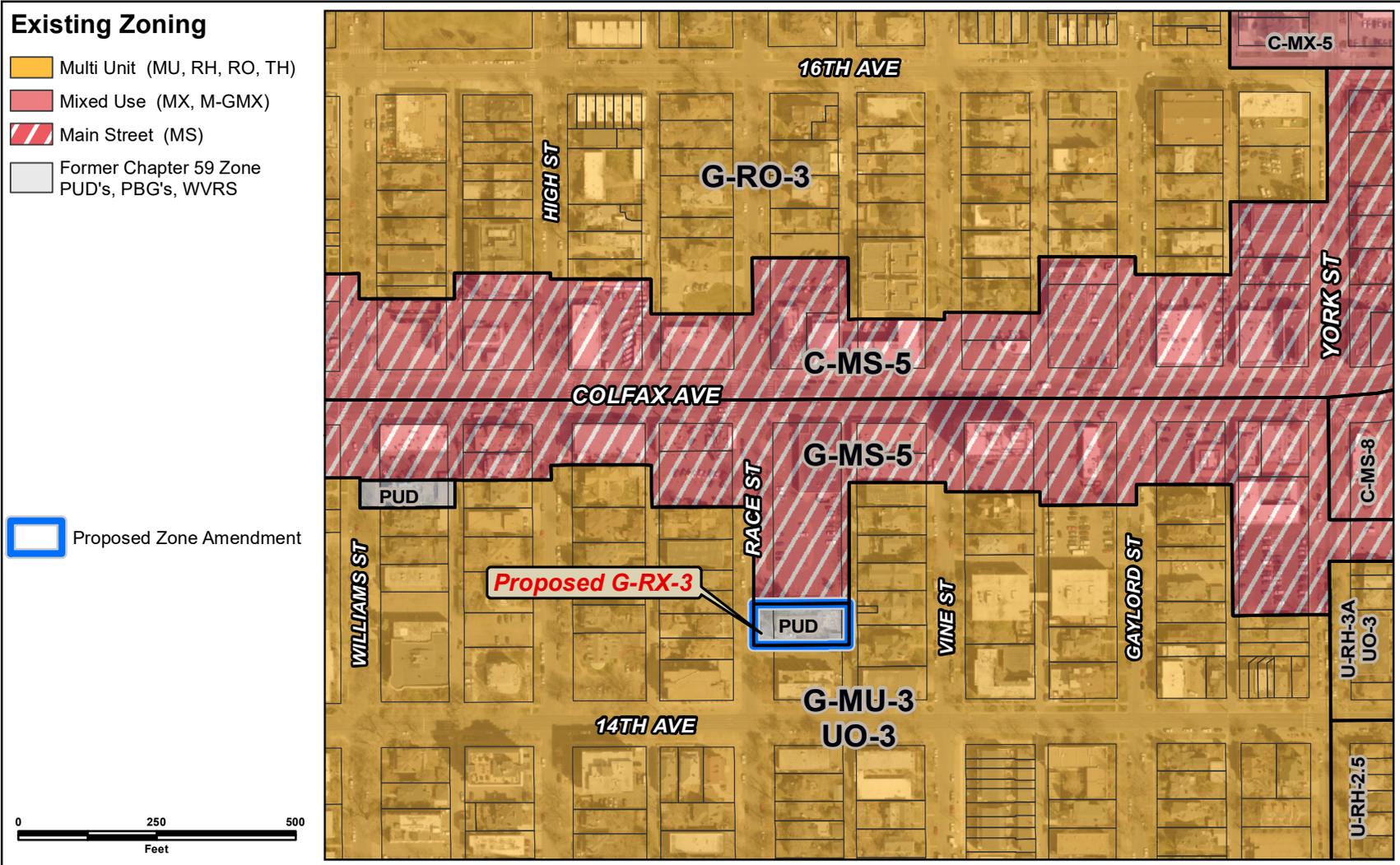


Map Date: November 13, 2019

Zone Map Amendment 18i-00172

From PUD #554 to G-RX-3

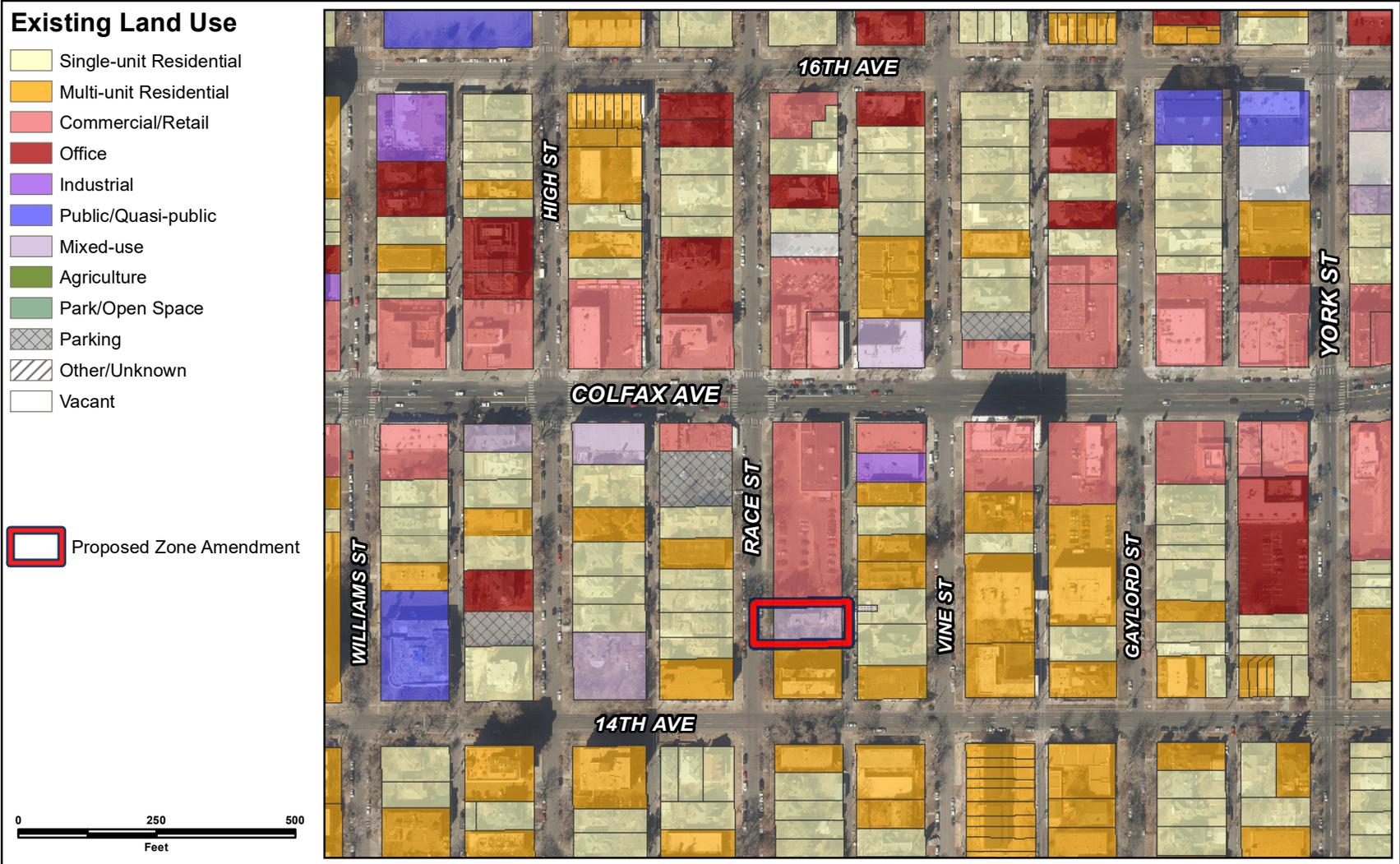
Existing Zoning



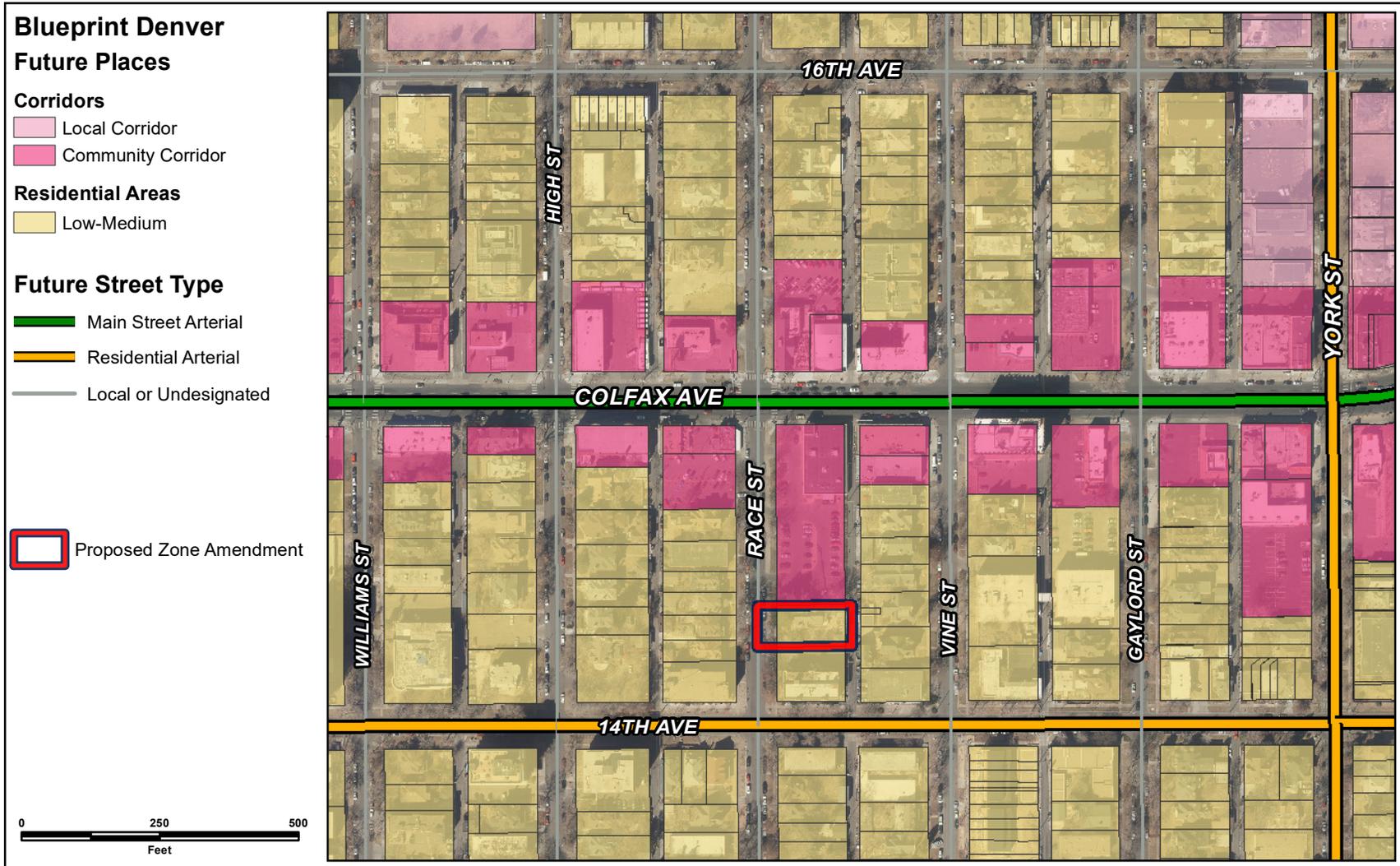
Zone Map Amendment 18i-00172

From PUD #554 to G-RX-3

Existing Land Use



Zone Map Amendment 18i-00172 From PUD #554 to G-RX-3 Blueprint Denver Future Places and Streets



Map Date: November 13, 2019

Zone Map Amendment 18i-00172 From PUD #554 to G-RX-3 Blueprint Denver Future Neighborhood Contexts



Map Date: November 13, 2019

Zone Map Amendment 18i-00172 From PUD #554 to G-RX-3

Blueprint Denver Future Growth Strategy



Map Date: November 13, 2019

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:			



REZONING GUIDE

Rezoning Application Page 2 of 3

REVIEW CRITERIA

<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p>	<p><input 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 Rezonings: 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:

<input type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format)
<input type="checkbox"/> Proof of Ownership Document(s)
<input type="checkbox"/> Review Criteria, as identified above

ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

<input type="checkbox"/> Written Authorization to Represent Property Owner(s)
<input type="checkbox"/> Individual Authorization to Sign on Behalf of a Corporate Entity

Please list any additional attachments:

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
Helen Strader	1430 Race Street Denver, CO 80206 303-521-0272 S54600@aol.com	100%	<i>Helen Strader</i>		A	yes

List of Exhibits

- Exhibit A:** Property Legal Description
- Exhibit B:** Description of Consistency with Adopted City Plans (DRMC 12.4.10.13 (A, B & C))
- Exhibit C:** Description of Justifying Circumstances and Neighborhood Context (DRMC 12.4.10.14 (A&B))
- Exhibit D:** Letter of Authorization for STARBOARD Realty Group, LLC to act as Representative
- Exhibit E:** Proof of Ownership, Assessors Record
- Exhibit F:** Signature Authority Authorization for A Capital Inn Inc

EXHIBIT A

Property Legal Description

1430 RACE STREET

LOTS 25, 26 AND 27, BLOCK 31,
WYMAN'S ADDITION TO THE CITY OF DENVER,
CITY 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 0.215-acre properties located at 1430 Race Street from Former Chapter 59 PUD 554 to G-RX-3, (the "Property") to facilitate use of the Property that is consistent with the recommendations in the adopted Plans.

The Property is located in the Cheesman Park Neighborhood and the Wyman Historic Landmark District. The Property is on the east side of Race Street, north of 14th Avenue. Today the Property is zoned PUD 554 allowing only Bed and Breakfast Inn or Former Chapter 59 R-3 uses. Existing context surrounding the Property include: G-MU-3 UO-3, G-MU-20 UO-3, C-MS-5, G-MS-5, U-RH-2.5 UO-3, U-RH-3 UO-3. Located within 1 ½ mile of the Civic Center Transit Station and within ¼ mile of major RTD transit routes via Colfax Avenue, 12th Avenue, York Street, and Josephine Street. There are dedicated bike lanes within a ¼ mile on 16th Avenue and on 12th Avenue. Denver as a city has been experiencing exponential growth, especially areas in close proximity to downtown. These changes have resulted in the need to rezone the Property to meet community wants and needs.

The map amendment requests to rezone the Property to the G-RX-3 Zone District. This would allow the Property to be utilized for a variety of uses rather than only Bed and Breakfast Inn or R-3 uses per PUD 554. The successful rezoning will allow for a mix of uses which will blend in with, support, and sustain the existing historic character of the neighborhood. It will contribute to zoning conformity by being removed from its Former Chapter 59 zoning.

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, Blueprint Denver (2019), East Colfax Small Area Plan (2004), and Capitol Hill / Cheesman Park Neighborhood Plan (1993).

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 3: Preserve the authenticity of Denver's neighborhoods and celebrate our history, architecture and culture.

STRATEGIES:

- *Support the stewardship and reuse of existing buildings, including city properties.*

GOAL 4: Ensure every neighborhood is economically strong and dynamic

VISION ELEMENTS: ECONOMICALLY DIVERSE AND VIBRANT

GOAL 3: Sustain and grow Denver’s local neighborhood businesses.

STRATEGIES

- *Promote small, locally-owned businesses and restaurants that reflect the unique character of Denver.*

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.*

The proposed G-RX-3 zone district would enable a mix of uses to a property in an area that continues to be a desirable and historically rich neighborhood. It is a contributing structure in a historic district which protects the building from being demolished, thus encouraging adaptive reuse of an existing structure. The Property is close to designated bike lanes/routes and multiple RTD transit routes that connect riders to the Civic Center Station allowing it to be accessible by multiple forms of transportation. This rezoning will enable residential and commercial uses within an existing structure 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** *Place* designation for the subject property is *Low-Medium Residential* in a *General Urban* neighborhood context.

General Urban neighborhoods are described as:

“General urban neighborhoods are vibrant places with proximity to Denver’s major centers like Downtown and Cherry Creek. Homes in this context vary from apartment/condo complexes to compact single-unit homes. Development should be sensitive to the existing neighborhood character and offer residents a mix of uses, with good street activation and connectivity. Residents living in this context are well served by transit and enjoy access to abundant amenities and entertainment options. (BPD pg. 213)

General urban neighborhoods are typically located at the edge of higher intensity contexts like urban center and downtown. They are largely residential, with a significant amount of neighborhood services and office embedded within. Larger mixed-use areas are often located along key streets. Example neighborhoods in this context include Cherry Creek North and large portions of Capitol Hill, Speer and West Colfax neighborhoods.” (BPD pg. 222).

Low-Medium Residential areas are described as:

“Areas where the predominate use is residential. Although they are primarily residential in nature, they are supported by a variety of embedded uses needed for a complete neighborhood including schools, parks and commercial/retail uses.” (BPD pg. 246)

General Urban Low-Medium Residential Land use and Built Form:

“This area is primarily residential, with a mix of unit types. Single- and two-unit homes are interspersed with lower scale multi-unit buildings. Limited neighborhood serving commercial can be found, particularly at intersections. Heights are generally up to 3 stories. Lot coverage may be high and setbacks should generally respect the existing character with buildings orienting to the street.” (BPD pg. 246)

The G-RX-3 zoning is an appropriate district that compliments the characteristics of General Urban neighborhoods and complies with the vision of a Low-Medium Residential area. RX zone districts are primarily intended to accommodate residential uses, commercial uses are secondary. G-RX-3 has a max height of 3 stories, which is the designated max height for Low-Medium residential. It will appeal to the desired uses of multi- unit residential, office, and low intensity commercial through modest density. With the Civic Center Station and multiple RTD bus routes nearby 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, offices, or services.

Growth Strategy for this area is designated as:

All other areas of the city: *10% of new jobs and 20% of new households.*

The RX zoning appeals to the City’s growth strategy for this area by allowing residential uses. The zoning equally allows office and low intensity commercial uses which could increase the potential of new jobs.

Street Type for the Property is designated as:

Local: *“Local streets can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses.” (BPD pg. 160)*

Cross street to the north: *Colfax Avenue - Main Street Arterial*

Cross street to the south: *14th Avenue - Residential Arterial*

The Property is located on Race Street, an undesignated local. The RX zoning is primarily a residential zone district which is appropriate and comply with the characteristics for this street type. The Property is also located between Colfax Avenue, a Main Street Arterial and a 14th Avenue, a Residential Arterial. Main Street Arterials are characterized by a mix of uses including retail, services and restaurants, as well as residential. Residential Arterials are described as having primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses. The RX zoning is a great transiting zone district from the commercial and retail intense Colfax Avenue, to the predominantly residential zoning along 14th Avenue. (BPD pg. 158-160)

The proposed map amendment is consistent with the objectives of the Capitol Hill / Cheesman Park Neighborhood Plan (1993) including:

DENSITY RECOMMENDATION 1a:

SUPPORT COMPATIBLE HIGHER DENSITY

Support higher density residential development in the neighborhood, when that development is located and designed to be compatible with the character and livability of the neighborhood, particularly the immediate area and when that development does not necessitate the demolition of an historic or architecturally significant structure.

BUSINESS RECOMMENDATION 2:

ENCOURAGE A DIVERSITY OF BUSINESSES

Direct economic development programs in the neighborhood primarily to encouraging small, diverse businesses. Similarly, support building designs and land use patterns which encourage small, pedestrian-oriented businesses. The exception to this recommendation would be destination businesses which would help draw customers to other, smaller businesses. Large destination businesses should be carefully located, most likely on East Colfax, Lincoln, or Broadway.

“CHEESMAN PARK NORTH” DISTRICT

“Zoning in the district is primarily R-3 (a high density apartment zoning district), although the commercial property facing onto East Colfax is zoned B-4 (a general business zoning district)

The Cheesman Park North District is largely residential, with a combination of single-family homes, apartment conversions of single-family homes, older low-rise apartments and newer mid-rise and high-rise apartments. The district has a legacy of large, architecturally significant Victorian homes and mature landscaping.” (CHCPNP pg. 110)

VISION

“Cheesman Park North will be stabilized as a desirable, well maintained medium density residential area with a diversity of rental and owner-occupied housing opportunities for singles, couples, and families of various sizes and income levels. While there will be some residential infill development, the historic character of the neighborhood will be preserved and enhanced. The impact of traffic along 13th, 14th, and Colfax Avenues will be mitigated. Transit will be readily accessible and the parking demand will be accommodated. Pedestrian accessibility to Cheesman Park and City Park will be improved.” (CHCPNP pg. 110)

USES

Residential areas: SINGLE AND MULTIPLE FAMILY RESIDENTIAL

Retail areas: RETAIL AND RESIDENTIAL / RETAIL MIXED-USE PROJECTS

The G-RX-3 zoning, by offering a mix of uses, is an appropriate district that complies with the recommendations of the Capitol Hill / Cheesman Park Neighborhood Plan by supporting both residential, office, and low intensity commercial uses through the utilization of historic buildings. This zoning contributes to maintaining the residential character of the “Cheesman Park North” district through low to mid-rise building heights and mixed-use projects that embraces and enhances its historic charm. Today, the Cheesman Park North area is predominantly residential, even 25+ years after the implementation of the neighborhood plan. As the neighborhood grew, the integration of a few neighborhood serving retail along 13th Avenue became a good fit and addressed needs of the community. The Property being located

between pedestrian active 13th Avenue and business driven Colfax avenue makes it an appropriate location for a residential mixed- use zone district. This district will contribute to the plan’s vision and uses of encouraging inviting, pedestrian-friendly, and transit accessible mixed-use developments.

The proposed map amendment is consistent with the objectives of the East Colfax Small Area Plan (2004) including:

Vision Statement (ECSAP pg. 70)

Colfax Avenue in 2020 will be a multi-modal, commercial and residential “Main Street” that complements and sustains the nearby neighborhoods and encourages walking, biking and transit use. The corridor teems with activity on the street and captures the attention of commuters and visitors.

- *Housing density on the corridor supports transit and sustainable urban growth.*
- *Significant structures have been preserved and adaptively reused.*

Colfax welcomes and embraces neighborhood diversity that encompasses a wide variety of ages, lifestyles, economic circumstances, ethnic groups and family types. Colfax exemplifies the best of what a city can offer: a vibrant, hip, and progressive urban avenue.

Additional Infill & Building Remodel (ECSAP pg. 71):

- *Preservation & infill promotes strong architecture*
- *Efficient land use pattern provides more housing options*
- *More residents promote a viable business climate*

Future Land Use Concept Map: Medium Density Residential

Goals (ECSAP pg. 80)

- *Encourage the location of commercial, housing, employment, open space and civic uses within walking distance of transit stops.*
- *Provide a mix of housing types (townhouse, rowhouse, duplex, multi-family, live work and artist studio), occupancy status (rental and ownership units), densities and costs (low-income, affordable and market rate).*
- *Encourage infill and redevelopment along East Colfax that complements historic resources along and near the corridor.*
- *Preserve and adaptively reuse historic resources in the study area.*

Recommendations (ECSAP pg. 81)

- *Support infill development of retail, office and residential uses. Consider the complementary nature of a project in the context of surrounding or nearby uses. Encourage both horizontal and vertical mixed use. Mixed-use projects, with commercial or public uses on the ground floor and residential (including low-income, affordable housing and market rate) and/or office on the upper levels, are especially appropriate. Minimize construction projects with extremely low site coverage ratios. Discourage low density, single use development with excessive parking.*

The East Colfax Small Area Plan designates this property as being in a *Mixed-Use District: Midtown Colfax* (ECSAP pg. 120)

Mixed-Use District - Midtown Colfax Vision (ECSAP pg. 126)

Infill development (Ramada Inn, the Upper Colfax Business Center) and adaptive reuse of historic resources (Colonnade, Alta Court, Rosenstock, Bourbon Square) in the Upper Colfax Historic Business District form the basis of the identity and future redevelopment model for Midtown Colfax. Office, or residential, over retail characterizes the mix of uses.

The G-RX-3 zoning is an appropriate district that complies with the vision, goals, and recommendations of the East Colfax Small Area Plan. The proposed zone district contributes to maintaining the historic residential character of the Wyman district while embracing the Midtown Colfax vision through low to mid-rise building heights and mixed-use projects. Rezoning to G-RX-3 allows for adaptive reuse for a historic building. The Property being located right off Colfax avenue makes it an appropriate location for a residential mixed- use zone district, directly implementing the goals of the plan. This district will contribute to the plan’s vision and uses of encouraging inviting, pedestrian-friendly, and transit accessible mixed-use developments.

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 G-RX-3 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 plans.

Applying Equity Concepts for Small Rezoning:

In Blueprint Denver Section 3.1; Plan In Action: Applying Blueprint Denver to Rezoning, Blueprint states:

“Equity Concepts: Because the data available to measure the equity concepts is not available at the parcel-level scale, and they are intended to show patterns across large areas, they cannot be effectively applied to small-scale rezonings. Given the above, they are not intended to be part of the evaluation for smaller rezonings. However, they should be used to evaluate large area rezonings”.

While Blueprint Denver acknowledges that Equity Concepts are difficult to apply to small single-parcel rezonings such as this one we believe these are important criteria to address in our city. This rezoning may help this small property contribute to a more equitable Denver in the following ways:

Equity Concept 1: Expanding Housing and Jobs Diversity - *providing a better and more inclusive range of housing and employment options in all neighborhoods.*

The Importance of Housing and Jobs Diversity

It is the desire of many residents and stakeholders for all neighborhoods to accommodate some level of growth and to incorporate a greater variety of housing and employment options. If done right, this can enable more inclusive and diverse communities.” (BPD pg. 40)

The G-RX-3 zone district will open the property to a variety of uses that are not offered in the current PUD, which only allows Bed & Breakfast. This 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 a G-RX-3 zoning introduces more housing and job opportunities to the area than with the PUD zoning today.

The rezoning allows the introduction of housing and employment opportunities that do not exist today. The property is well located near major employment centers to include the hospital district 5 blocks north and downtown to the west.

Equity Concept 2: Improving Access to Opportunity - creating more equitable access to quality-of-life amenities, health and quality education.

The proximity of an amenity (including quality jobs, schools, parks, health care services and healthy food), the affordability of that amenity, and the safety and ease of access to that amenity are important elements of access to opportunity. Equitable access to opportunity strengthens our collective prosperity and improves outcomes for all. In areas with high access to opportunity, it is important to increase the range of affordable housing options so that residents of all income levels can live in these neighborhoods.” (BPD pg. 32-35)

Nearby Amenities:

Grocery with fresh fruit and vegetables:

- King Soopers, Safeway (2), Sprouts, 12th Ave Market

Transit:

- RTD Bus Routes 15, 24
- Bike lanes: Cheesman Park, 12th Ave, 16th Ave, Williams / Lafayette Sts. MLK, E 31st

Parks and Recreation:

- Cheesman Park is 3 blocks away

Schools:

- East High
- Morey Middle School
- Dora Moore Elementary

Health Care Services:

- Presbyterian St. Lukes Hospital
- Kaiser Permanente
- St. Joseph Hospital
- Children's Hospital

The 1430 Race Property has relatively more Access to Opportunity and so is an ideal place to introduce mixed use zoning. Rezoning to G-RX-3 will allow more uses of the property to have access to these quality of life amenities than does the more limiting Chapter 59 PUD.

Equity Concept 3: Reducing Vulnerability to Displacement - stabilizing residents and businesses who are vulnerable to involuntary displacement due to increasing property values and rents.

The 1430 Race Property is in an area that is designated as relatively more vulnerable to displacement. The proposed G-RX-3 zone district would enable residential and a mix of neighborhood serving uses that do not exist in the PUD today, this includes a mix of low scale residential uses and low intensity commercial uses the ability to add housing and jobs here should help mitigate displacement.

The Property is in a historically rich neighborhood that continues to be a desirable area to live, work, and play in. This zone district offers increased opportunities for amenities and services that contribute to and enhance the vibrant neighborhood character. The building is a contributing structure in a historic district, protecting it from demolition. Successful rezoning will result in a variety of options for reuse of the unique building all of which have the chance to positively address these important city-wide equity concepts.

EXHIBIT C

Description of Justifying Circumstances and Neighborhood Context

Exhibit C

Statement of Compliance of Additional Review Criteria for Non-Legislative Rezoning (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: That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning”

Today, the Property is under a Former Chapter 59 Zoning PUD 554.

“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 .215-acre Property is located in the Cheesman Park neighborhood in the Wyman Historic Landmark District. As a General Urban neighborhood immediately outside of downtown, this area has experienced and is continuing to experience substantial change. Hundreds of new housing units have been delivered in recent years and more are on the way. This density is supporting a growing population that can walk, bike, or use public transit to neighborhood amenities, entertainment, retail, and services. Cheesman Park’s historic character is supported by its unique residential charm and local retail, restaurants, and services.

With the tremendous growth in Denver in recent years, this part of Denver continues to be a popular neighborhood to live in and play in, this warrants the introduction of residential, office, and low intensity commercial uses which are not allowed in its current PUD. The desire and need for residential options with allowed mixed-uses in the area is growing and a G-RX-3 zone district will contribute 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.

G-RX-3 is in the General Urban Neighborhood Context is characterized by multi-unit residential uses in a variety of building forms. Single-unit and two-unit residential uses are also found in a mix of residential building forms. Commercial uses occur in a variety of building forms that may contain a mixture of uses within the same structure. The Denver Zoning Code’s intent for G-RX-3: applies to residentially-dominated areas served primarily by local or collector streets where a building scale of 1 to 3 stories is desired. (Denver Zoning Code 6.2.4.2)

“The Residential Mixed Use zone districts are intended to promote safe, active, and pedestrian scaled, diverse areas through the use of building forms that clearly define and activate the public realm. The Residential Mixed Use zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city’s residential neighborhoods. Compared to the Mixed Use districts, the Residential Mixed Use districts are primarily intended to accommodate residential uses. Commercial uses are secondary to the primary residential use of the district, and provide neighborhood-scaled shops and offices for residents to conveniently access goods and services within walking distance. Buildings in a Residential Mixed Use district can have commercial

uses, but upper stories are reserved exclusively for housing or lodging accommodation uses. A building can be solely residential or solely commercial; however, buildings containing only commercial uses are limited in total gross floor area to 10,000 square feet consistent with the district purpose.” (Denver Zoning Code 6.2.4.1)

Today, the neighborhood context around the Property is a mix of commercial, multi-unit residential and mixed-use zoning. The proposed G-RX-3 zone district of the Property is fitting with the existing context and will allow the Cheesman Park neighborhood area to continue to grow into the General Urban Neighborhood the city plans are envisioning. It will allow for residential-focused mixed-use developments in an appropriate, transit-served location. It will promote a safe, active, pedestrian-scaled residential area while improving access to jobs, housing and services. Rezoning to G-RX-3 on the Property meets the intent and 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

**A CAPITOL INN INC
1430 RACE STREET
DENVER, CO 80206**

April 25, 2019

Mr. Bruce O'Donnell
STARBOARD Realty Group, LLC
770 Sherman Street, Suite 108
Denver, CO 80203
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 A Capitol Inn Inc for the purpose of submitting and processing the rezoning application for the property owned by A Capitol Inn Inc at 1430 Race Street in Denver, CO.

Sincerely,



Helen Strader

Title:

EXHIBIT E

Proof of Ownership, Assessors Record

1430 N RACE ST

Owner	A CAPITOL INN INC 1430 RACE ST DENVER , CO 80206-2014
Schedule Number	05021-03-005-000
Legal Description	WYMANS ADD B31 L25 TO 27
Property Type	COMMERCIAL - HOTEL
Tax District	188A

Print Summary

Property Description			
Style:	OTHER	Building Sqr. Foot:	1300
Bedrooms:		Baths Full/Half:	0/0
Effective Year Built:	0000	Basement/Finish:	0/0
Lot Size:	9,371	Zoned As:	PUD

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

Current Year			
Actual	Assessed	Exempt	
Land		\$613,000	\$72,350 \$0
Improvements		\$1,085,000	\$123,950
Total		\$1,698,000	\$196,300

Prior Year			
Actual	Assessed	Exempt	
Land		\$572,200	\$67,530 \$0
Improvements		\$632,300	\$71,710
Total		\$1,204,500	\$139,240

Exhibit F
Signature Authority Authorization

7

WARRANTY DEED

THIS DEED, Made this 4th day of October, 2002, between
JOHN CREMMINS, JIM CREMMINS AND AMY CREMMINS

of the city and County of DENVER and State of COLORADO, grantor, and
A CAPITOL INN, INC., A COLORADO CORPORATION

whose legal address is 9071 W. 66TH AVE.
ARVADA, CO 80004

of the County of JEFFERSON and State of COLORADO, grantee:

WITNESSETH, That the grantor for and in consideration of the sum of (\$ 799,000.00) SEVEN HUNDRED
NINETY-NINE THOUSAND & 00/100

DOLLARS, 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
city and County of DENVER and State of Colorado described as follows:

Lots 25, 26 and 27, Block 31,
WYMAN'S ADDITION TO THE CITY OF DENVER,
City and County of Denver,
State of Colorado.

also known by street and number as: 1430 RACE STREET, DENVER, CO 80206

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion
and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand what-
soever 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, his heirs and
assigns forever. And the grantor, for himself, his heirs, and personal representatives, does covenant, grant, bargain, and agree to and with
the grantee, his heirs and assigns, that at the time of the ensembling and delivery of these presents, he is well seized of the premises above
conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and
lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all
former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except
those specific Exceptions shown on the attached as "EXHIBIT 1".

The grantor shall and will WARRANTY AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession
of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular
number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

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

John Cremmins by Jim Cremmins as attorney in fact.
JOHN CREMMINS BY JIM CREMMINS AS ATTORNEY IN FACT
Creminns

JIM CREMMINS

Amy Cremmins
AMY CREMMINS

State of COLORADO)

**EXHIBIT 1
EXCEPTIONS**

File Number: 90138194

1. Distribution utility easements (including cable TV).
2. Those specifically described rights of third parties not shown by the public records of which Buyer has actual knowledge and which were accepted by Buyer in accordance with paragraph 8b of contract Form No. CBS 1-9-99 [Matters Not Shown by the Public Records].
3. Inclusion of the Property within any special taxing district.
4. The benefits and burdens of any declaration and party wall agreements, if any.
5. Taxes for the year 2002, and subsequent years thereto.
6. Terms, conditions, provisions and obligations contained in Ordinance No. 74, Series of 1993, designating the Wyman Historic District as a district for preservation and adopting design standards, recorded October 20, 1993, at Reception Number 9300145233.
7. Terms, conditions, provisions and obligations contained in Ordinance No. 40, Series of 1996, relating to zoning, recorded January 22, 1996, at Reception Number 9600009118.
8. Existing leases and tenancies.

ARTICLES OF INCORPORATION

Form 200 Revised July 1, 2002

Filing fee: \$50.00

Deliver to: Colorado Secretary of State

Business Division,

1560 Broadway, Suite 200

Denver, CO 80202-5169

This document must be typed or machine printed

Copies of filed documents may be obtained at **Error! Bookmark not defined.** ABOVE SPACE FOR OFFICE USE ONLY

20021230415 C

\$ 50.00

SECRETARY OF STATE

08-20-2002 14:38:26

Pursuant to § 7-102-102, Colorado Revised Statutes (C.R.S.), the individual named below causes these Articles of Incorporation to be delivered to the Colorado Secretary of State for filing, and states as follows:

1. The entity name of the corporation is: A Capitol Inn, INC.
The entity name of a corporation must contain the term "corporation", "incorporated", "company", or "limited", or an abbreviation of any of these terms. § 7-90-601(3)(a), C.R.S.

2. The corporation is authorized to issue: (number) 100 shares of (class) A
(number) _____ shares of (class) _____

If more classes are authorized, include attachment indicating class(es) and number of shares in each class.

3. The street address of the corporation's initial registered office and the name of its initial registered agent at that office are: Street Address (must be a street or other physical address in Colorado)
1430 Race Street, Denver, CO 80206

If mail is undeliverable to this address, ALSO include a post office box address. _____

_____ ; Registered Agent Name: Helen Strader

4. The address of the corporation's initial principal office is: 1430 Race St, Denver, CO 80206.

5. The name and address of the incorporator is:
Name Helen Strader
Address: 1430 Race St., Denver, CO 80206

6. If applicable, these articles are to have a delayed effective date of September 15, 2002 not to exceed 90 days)

7. The (a) name or names, and (b) mailing address or addresses, of any one or more of the individuals who cause this document to be delivered for filing, and to whom the Secretary of State may deliver notice if filing of this document is refused, are: Helen Strader 9071 W. 66th Ave. Arvada, CO 80004

OPTIONAL, The electronic mail and/or Internet address for this entity is/are: e-mail S54600@aol.com
Web site _____

The Colorado Secretary of State may contact the following authorized person regarding this document:
name Helen Strader address 9071 W. 66th Ave. Arvada, CO
voice 303-467-0389 fax _____ e-mail S54600@aol.com

MFR

rm

Application For Zone Map Amendment

City and County of Denver
Department of Zoning Administration

201 W. Colfax Avenue, Dept. 205
Phone: 720-865-2975 Fax: 720-865-3057

1. Application Number

4671

2. Date Submitted
July 7, 2003

3. Fee

\$1,000.00

4. Applicant (attach completed ownership
information sheet)
Adagio Bed & Breakfast

5. Address
1430 Race Street
Denver, CO 80206

6. Phone Number
303-370-6911

7. Interest
Owners

8. Contact Person
Helen Strader

9. Contact Person's Address
1430 Race St.
Denver, CO 80206

10. Contact's Phone Number
303-370-6911

11. Location of proposed change
1430 Race Street
Denver, CO 80206

12. Legal Description of property: (If Legal Description is lengthy, Please attach additional Sheet. If your text does not fit in the lot, block and addition form fields use the form field under the asterisk)

Lots: 25 to 27

Block 31

Addition: Wyman's Addition to Denver

*

13. Area of subject property.

9,375

sq. ft. .2152 acres

14. Present Zone.

PUD 397

15. Proposed Zone.

PUD #554

16. Describe the nature and effect of the proposed amendment.

The property is currently zoned PUD 397 and is located in Central Denver. The property is on a block with Walgreens parking lot to the north and an apartment building parking lot to the south. We seek a new PUD to allow the use of six bedrooms instead of five and the right to serve the public with regard to private dinner parties and receptions.

17. Explain in detail the legal basis for the proposal: either (a) the error in the map as approved by City Council, or (b) the changed or changing conditions that make the map amendment necessary.

The legal basis for the proposed map amendment is the changed and changing conditions that exist in the area. There is a need for a facility to provide a place for the neighbors to host small parties and receptions. Over time, many larger homes in the neighborhood have been converted to multiple units. While these homes were originally designed for homeowners to host parties for large groups, the homes have been redesigned for multiple units, and can no longer provide space for large groups in social gatherings.

18. State the land use and development proposed for the property to be rezoned. Include the time schedule (if any) for development.

Use of the building and garden areas for the purpose of a Bed & Breakfast facility as well as service to the public for private functions and meetings. There are no proposed developments for the property. One bedroom was converted to two bedrooms several years ago. Anticipated completion date will be one (1) year from approval date.

19. List all the attached exhibits

Sheets 1-6 (District Plan Site & Landscape), Addendum A (Use of the proposed Bed & Breakfast)

20. Applicant's signature.

Helen Strader

Todd Armstrong

Helen Strader 10/7/03
Todd Armstrong 10/7/03

17. Explain in detail the legal basis for the proposal: either a) the error in the map as approved by City Council, or (b) the changed or changing conditions that make the map amendment necessary.

The legal basis for the proposal is “(b) the changed or changing conditions that make the map amendment necessary.”

According to the Neighborhood Plan (Capital Hill/Cheesman Park Neighborhood Plan, Planning and Community Development Office, City and County of Denver) the area neighborhood continues to experience pressures for redevelopment to higher densities and more intense uses. As a result many of the largest houses in the neighborhood have been replaced by apartments and commercial structures. The house on the property was built in 1892 and is one of the few remaining houses which William Lang, architect built, in Denver.

The Neighborhood Plan also identifies gardens as an important asset for neighborhood residents. However it notes that most of these gardens are located on private lands that are being specifically held for redevelopment. This property seeks to preserve its existing garden and make it accessible to the public by allowing a use that is in proper character with such land and provides an economic means of preserving it.

The proposed use helps to keep this historic site available to the neighborhood and improves the perception and image of the neighborhood to the public at large. Most other areas of the neighborhood have already been converted to multiple-units that can no longer provide such use. Increasing market and economic pressures threaten the quality, affordability and preservation of the existing property and its public use. The Neighborhood Plan seeks to retain and improve existing housing and specifically supports the development of higher density use when it does not necessitate the demolition of an historic structure and is compatible with the character of the neighborhood. The change requested allows for the additional and stronger preservation strategy and incentive needed for preserving these historically significant and architecturally interesting structures for the neighborhood.

18. State the land use and development for the proposed property to be rezoned, including the time schedule (if any) for development.

The land use and development for this property will allow the increased use of one additional guest room and an owners' unit inside the house on an ongoing basis, and external use of the existing gardens and the common areas of the house for special events and private receptions under such specific stipulations and conditions as may be agreed under any applicable PUD regulations.

As requested by the zoning department, one additional off-street parking space will be provided for in the northeast corner of the property in an area that does not alter the visible landscaping and plantings.

It is anticipated that the time schedule for additional off street parking will be 4 weeks and that the increased use of property under the new PUD can begin any time thereafter.

1. SCHEDULE

- a. Date of pre-application conference January 15, 2003
 City representative(s) present Kiersten Faulkner, Damoni
Rems, Doug Hendrixson
- b. Submittal date of preliminary application ---
- c. Submittal date of completed application July 9, 2003.
- d. Application is scheduled for a:
 Planning Board Hearing on Aug. 27, 2003.
 Planning Office Hearing on ---
 Planning Staff Review.

2. DESCRIPTION OF PLANNED UNIT DEVELOPMENT (PUD)

The use of terms “Article” or “Section” refer to portions of the Revised Municipal Code of the City and County of Denver. It is required that the current terms and uses already defined in Section 59-2 of the Zoning Ordinance be used in describing this proposal. Terms like “retail” or “light industrial” require further definition. Gross floor area shall include interior balconies and mezzanines, but shall not include parking garages, any story of a building where at least seventy-five percent (75%) of that floor is occupied by mechanical equipment or any story where the ceiling is less than four (4) feet above grade. Attach additional sheets if necessary.

a. MAXIMUM GROSS FLOOR AREA FOR EACH PROPOSED USE

	Use	Maximum Square Feet
A.	Bed & Breakfast Inn or R-3 Uses	4600
B.	On-site catering meals and meeting rooms or R-3 Uses	2000
C.		
D.		
	Total Square Feet	6600

MAXIMUM FLOOR AREA RATIO (F.A.R) 0.64:1

The floor area ratio is the ratio between the gross floor area of a building to the area of the zone lot on which the building is constructed. NOTE: Land area dedicated for public streets is not included in the area of the zone lot.

MAXIMUM NUMBER OF UNITS: 6 Guest Suites +1 owner unit

MAXIMUM NUMBER OF DWELLING UNITS PER ACRE: NA

*

b. LAND COVERAGE BY BUILDINGS AND IMPERVIOUS SURFACES

	SQUARE FT	% OF SITE AREA
Maximum area of building coverage (including garage(s) and all other accessory structures):	2245 sq. ft.	46%
Maximum area of drives and parking:	1174 sq. ft.	24%
Maximum area of other impervious surfaces:	1435 sq. ft.	30%
MAXIMUM TOTAL OF BUILDING AND IMPERVIOUS SURFACES	4854 sq. ft.	100%

c. LANDSCAPED AND/OR PERMEABLE AREAS

	SQUARE FEET	% OF SITE AREA.
Minimum area of live or organic landscaped lot coverage:	4521 sq. ft.	48%
Approximate area of non-live material coverage (graveled or other areas with permeable surfaces):	0	0
MINIMUM TOTAL OF LANDSCAPED AND/OR PERMEABLE AREAS:	4521 sq. ft.	48%

*

d. PROJECT AREA TOTALS (totals of "b" and "c" above)

	SQUARE FEET
Building and impervious surfaces:	4854 sq. ft.
Landscaped and/or permeable areas:	4521 sq. ft.
TOTAL SITE AREA: (This area must equal the site area listed on page 1)	9375 sq. ft.

*

e. SETBACKS

The minimum setbacks for buildings are shown on the District Plan. * A building envelope may be used to graphically depict the minimum setbacks required.

North: 7.5 feet	Front:	10 feet
South: 7.5 feet OR	Rear	20 feet
East: 20 feet	Side:	7.5 feet
West: 10 feet		

*Existing structures allowed to encroach into setbacks as shown on district plan.

The minimum spacing between buildings shall be N/A feet

Permitted encroachments into the minimum setbacks for buildings shall conform to Section 59 - 136(c)(5) of the Revised Municipal Code of the City and County of Denver.

Official Parkway Setback requirements for this P.U.D. are: N/A feet for buildings and N/A feet for signs.

*

f. MAXIMUM HEIGHTS OF STRUCTURES

The maximum height of structures shall be 3 stories which shall not exceed a total of no higher than existing 46 feet NOTE: The height of a building shall be determined by the vertical distance from the highest point of a pitched roof or the top of parapet around a flat roof to the average elevation of the corners of the proposed building at the finished grade.

Rooftop features (such as solar collectors, antennas, chimneys, flues, vents and air conditioning equipment) may exceed the maximum height of structures by feet.

Bulk plane restrictions shall ___ shall not be required. If required, bulk plane restrictions shall conform to Section 59 - 136(d) of the Revised Municipal Code of the City and County of Denver. NOTE: Solar collectors and mechanical equipment are not exempted from bulk plane regulations!!

*

g. OFF-STREET PARKING

This project shall contain off-street parking spaces at the ratios shown in the following chart. If completed to the maximum floor area, the project shall contain a minimum of 4 off-street parking spaces. Parking for residential uses should be expressed in number of spaces per dwelling unit. NOTE: Any floor area utilized by a permitted use listed under 2.a. in a story where the ceiling is less than four (4) feet above grade shall be calculated into the off-street parking requirement.

___ Bed & Breakfast Use A and R-3 Uses	1, 000 sq. ft. Parking Ratio
___ Catered events & meetings Use B	___ 0 ___ square feet Parking Ratio

NUMBER OF OFF-STREET PARKING SPACES PER DWELLING UNIT:
N/A

MINIMUM NUMBER OF OFF-STREET PARKING SPACES FOR PERSONS WITH DISABILITIES: 0.

Does this P.U.D. comply with the use and maintenance requirements of Section 59-585(2)-(9)? Yes No

Do the parking spaces and/or aisles in this P.U.D. comply with the requirements of Section 59-586, Chart No. 1? Yes No. If **no** complete the following section:

 PARKING SPACE

Universal space dimensions	(garage)	<u>8.5 x 17.5</u>
Compact space dimensions	(driveway)	<u>7.5 x 15.5</u>
Large space dimensions	(part of yard off alley)	<u>10 x 17.6</u>
Ratio of compact spaces to large spaces		

DRIVING AISLES

Aisle widths	see district plan
Angle of stalls	see district plan

Will this project contain parking for bicycles? Yes No If yes, bicycle parking requirements shall be . Will this (these) bicycle parking area(s) comply with the rules and regulations for dimensional and equipment standards of Section 59-582(e)? Yes No . If not, bicycle parking fixtures and locations shall be approved by the City Bicycle Planner (720-865-2453).

h. OFF-STREET LOADING

This project contains 0 off-street loading space(s). Will this (these) space(s) conform with dimensions required in Section 59-599? Yes No If not, off-street loading space dimension requirements shall be: .

*

i. SURFACE DRAINAGE

The rules and regulations of the Wastewater Management Division will require certain design and construction considerations to control surface water runoff. Does the site contain a flood hazard area as identified by the Federal Emergency Management Agency? Yes No Does the site contain wetland areas? Yes No For assistance in answering these questions, contact the Wastewater Management Division at 303-446-3400.

*

j. INTERIOR STREETS, DRIVES, PARKING AREAS AND PEDESTRIAN WALKWAYS

Interior streets, drives, parking areas and pedestrian walkways within the P.U.D. district, if any, are shown on the District Plan.

*

k. EASEMENTS

Existing and/or proposed utility and/or access easements are shown on the District Plan or are located as follows: ____.

*

l. LANDSCAPING AND BUFFERING

Areas to be landscaped must be shown on the District Plan. However, a more detailed landscaping plan may be required by the Planning Office as a part of this application. All foliage shall be maintained in a healthy, growing and safe condition. NOTE: A detailed landscaped plan is required as a part of the site plan review phase after the rezoning is approved.

NUMBER OF EXISTING TREES: 29

MINIMUM NUMBER OF TREES TO BE PLANTED: 0

On private property: 0.

On public right of way or in tree lawns: 0.

If street trees are proposed or required in the public right-of-way, such trees shall be installed in accordance with the requirements of the City Forester (303-964-2480). If street tree plantings are required within the right-of-way of a state highway, contact the Colorado Department of Transportation for approval (303-757-9930).

MINIMUM SIZE OF TREES AT TIME OF PLANTING:

Evergreens/Coniferous (height): 6'

Deciduous (caliper): 2"

Ornamental (caliper): 1.5"

MINIMUM % OF EVERGREEN OR CONIFEROUS TREES: 40%

MINIMUM NUMBER OF SHRUBS TO BE PLANTED ON PRIVATE PROPERTY: 0.

MINIMUM SIZE OF CONTAINER AND HEIGHT AND/OR
SPREAD REQUIREMENTS FOR PLANTED SHRUBS: 1 Gal. 1 ft/18"
minimum height and/or spread

Does the proposed P.U.D. comply with parking lot parking lot landscaping requirements of Section 59-585(11) of Denver Revised Municipal code (Section 59-585(10), 1950 Revised Municipal Code as amended) Yes No

All foliage shall be maintained in a healthy, growing and safe condition. All foliage is existing and mature.

FENCES AND/OR WALLS

The height of fences and/or walls which may be built in the P.U.D. district, except for the front setback space, shall be a minimum of 3.0 feet and a maximum of 8.0 feet

The height of fences and/or walls which may be built within the P.U.D. district front setback space shall be a minimum of 3.0 feet and a maximum of 4.0 feet

Size and types of materials permitted for such fences and/or walls are shown on the District Plan. Fences and/or walls shall be either solid and view obscuring or open and view permitting as required by the District Plan. NOTE: Any fence heights exceeding the preceding requirements shall be subject to Section 59-38(11), Overheight Fences and Walls.

Will earthen berms or mounds be installed? Yes No Such earthen berms or mounds shall be landscaped and shown on the District Plan. The height of earthen berms or mounds shall be a minimum of 0 feet and a maximum of 0 feet.

*

m. **BOAT, CAMPER, TRAILER AND RECREATIONAL VEHICLE STORAGE**

Boat, camper, trailer and recreation vehicle storage is is not permitted on the property. All such storage facilities shall be shown on the District Plan. If boat, camper, trailer and recreation vehicle storage areas are permitted, screening fences **are required**. Such fences shall be **solid and view obstructing**. Fences shall be a minimum of feet and a maximum of feet in height.

MAXIMUM LENGTH OF BOAT, CAMPER, TRAILER AND/OR RECREATION VEHICLE PERMITTED: .

*

n. **DEDICATIONS AND IMPROVEMENTS**

The owner understands that City ordinances and agency rules and regulations may require the dedication of additional street right-of-way and the construction of certain public improvements. VACATIONS AND/OR DEDICATIONS MUST BE APPROVED PRIOR TO OR AT THE PUBLIC HEARING ON THIS PROPOSAL. If this proposal involves the vacation of certain public rights-of-way for incorporation into the project area, contact the Public Works Department at 720-865-3124.

*

o. EXTERNAL EFFECTS

Vibration, heat, glare, radiation and fumes shall be regulated by Section 59-92of the Revised Municipal Code of the City and County of Denver (Section 59-81 (a), Revised Municipal Code, as amended).

Reflective glass **may not** be used.

Every use, unless expressly exempted, shall be operated within a completely enclosed structure. Yes No Catering weddings, etc. may be conducted outside.

p. NATURAL TERRAIN

The existing grade of the site **will not** be altered.

*

q. UTILITIES

Describe where the utilities (public and private) serving the property are located
.Gas and Water in Race St.
Sanitary Sewer and Electrical in alley

For information contact the following:

Denver Water Board	303-628-6100
Qwest	303-451-2706
Excel Energy	303-571-7502
Wastewater Management	303-446-3590

*

r. SIGNS

The project is regulated by the following:

Section 59-537, Signs permitted in all districts

Section 59-538, Sign area measurement

If no specific regulations are referenced above, please indicate the following:

MAXIMUM NUMBER OF SIGNS:	1.
MAXIMUM SIGN AREA:	66" wide x 76" high.
TOTAL MAXIMUM SIGN AREA:	<u>46 sq. ft.</u>
NUMBER OF GROUND SIGNS ALLOWED:	1.
NUMBER OF JOINT ID SIGNS ALLOWED:	0.
MAXIMUM SIGN AREA PER JOINT ID SIGN:	0.
TOTAL MAXIMUM JOINT ID SIGN AREA:	0.
TEMPORARY SIGNS ALLOWED:	allowed by ordinance
NUMBER OF CANOPIES AND AWNINGS:	0.
CANOPIES AND AWNINGS WILL BE BACKLIT?	<input type="checkbox"/> Yes <input type="checkbox"/> No

NOTE: All ground, monument, and joint ID sign locations and setbacks must be shown on the District Plan.

*

s. **OUTDOOR STORAGE OF PRODUCTS, MATERIALS OR SOLID WASTE**

Outdoor storage of products and/or materials is not permitted. If permitted, what products and/or materials are allowed?

Fences for outdoor storage areas shall be provided. Said fences are solid and shall be a minimum of 6 feet and a maximum of 6 feet in height.

Outdoor storage of solid waste is permitted. Solid waste trash dumpster in alley. If permitted, fences for such outdoor storage areas shall be provided. Said fences shall be solid and shall be a minimum of 6 feet and a maximum of 6 feet in height.

NOTE: All outdoor storage areas must be shown on the District Plan.

*

t. **TRANSPORTATION**

The current traffic volumes on streets in or adjacent to the project must be shown on the Existing Conditions Map. These volumes are available for major streets from the Transportation Engineering Division (720-865-3150), the Community Planning & Development Agency Office (720-865-2915) or may be estimated by the applicant based on a professional traffic study. Streets for which no estimate is available should be so noted on the Existing Conditions Map.

The projected traffic volumes (current traffic volumes on streets in or adjacent to the project + site generated traffic) must be shown on the District Plan. Site generated traffic should be estimated based on the proposed project type, size, and other relevant factors. Ratios for estimating traffic are available in the Institute of Transportation Engineers reference books at the library.

For projects with total daily site generated traffic of more than 200 vehicle trips, or for projects in areas with special problems, a more detailed analysis may be

required, and the applicant should contact the Transportation Engineering Division for further guidance.

PUBLIC TRANSPORTATION

The nearest bus stop is located (where?): East Colfax Ave.

*Josephine Street; the northwest corner and the southeast corner

u. SCHOOLS

Future school sites **will not** be dedicated as a part of this project.

*

v. HOME OCCUPATIONS

Home occupations **are** permitted. If so permitted, home occupations shall conform to Section 59-89 of the Revised Municipal Code of the City and County of Denver for the R-3 zone district.

w. USES BY TEMPORARY PERMIT

Uses by temporary permit are regulated by Section 59-87 of the Revised Municipal Code of the City and County of Denver (Section 59-86 (b) for the R-3 zone district.

*

x. ACCESSORY USES

Accessory uses are regulated by Section 59-87(b) of the Revised Municipal Code of the city and county of Denver for the R-3 zone district..

y. INTERIM USES

Prior to the development of this project, the property will be used on an interim basis for the following uses within the existing buildings: PUD 397.

*

z. PHASING

Will the project be developed in phases? Yes No If yes, specify the phasing and the improvements to be constructed in each phase. ____.

Anticipated starting date To begin as soon as new PUD is granted.

Anticipated completion date: 1 year from start date.

NOTE: A separate site plan review is required for all P.U.D.'s prior to obtaining zoning or building permits for construction. Contact the Zoning Administration (720-865-3000) for more details. This process may be started after the Planning Board hearing has been completed.

3. WRITTEN STATEMENT In an attached page a written statement is given generally describing:

- a. The proposed P.U.D. and the market which it is intended to serve.
- b. The proposed P.U.D. and its relationship to the Denver Comprehensive Plan. Where the applicant's objectives are not in substantial conformance with the Denver Comprehensive Plan, the applicant should discuss the changing conditions that justify approval of the proposed P.U.D. District. For help on this contact the Community Planning & Development Agency Office (720-865-2915).
- c. How, the proposed P.U.D. District is to relate to the character of the surrounding neighborhood.

4. EXISTING CONDITIONS MAP

The Existing Conditions Map is attached following the written statement described above.

5. DISTRICT PLAN

The District Plan is attached following the Existing Conditions Map.

This application includes the following listed and attached drawings or renderings:

- architectural concepts
- building elevations
- facade treatments
- exterior building materials
- and/or other important features (list): ____site plan, project area, landscape plan

6. ACKNOWLEDGMENT

The applicant for this P.U.D. is the owner or owners of all the property contained within the proposed P.U.D. District or is the agent for the owner or owners of all the property contained within the proposed P.U.D. District. NOTE: Agents must supply proof of agency from the owner or owners of the property at the time of application.

The applicant understands that vested property rights shall be created ninety (90) days after the approval of this District Plan by the Denver City Council. These vested property rights shall remain vested for a period of three (3) years in accordance with Section 59-29.

Applicant's Name(s) Helen J. Strader *Helen J. Strader* Applicant's Signature(s)

Todd A. Armstrong Applicant's Signature(s)

3A: The proposed PUD and the Market it is intended to serve:

The proposed PUD is intended to serve a greater number of guests who stay in the neighborhood and patronize neighborhood businesses. Historically this has always included a significant number of business travelers who wish to avoid staying in large business hotels but otherwise need to be situated close to the downtown Denver area. These individuals rely on local businesses for meals and entertainment and, as air travelers, often rely on public transportation rather than renting local vehicles. This also includes a number of non-business visitors seeking lodgings close to relatives in the actual neighborhood. Casual stays by residents on the outer Denver metro area seeking to enjoy an evening of theater or dining in the neighborhood without the need for a long drive home late at night. Special events include small dinner parties, functions, venues for small business presentations, garden facilities for small weddings and other receptions,.

3B The proposed PUD and its relationship to the Denver Comprehensive Plan. The Capital Hill / Cheesman Park Neighborhood Plan (Planning and Community Development Office, City and County of Denver) is compatible with the Denver Comprehensive Plan and relates to the proposed PUD in the following ways.

Direct economic development programs to encourage small diverse businesses. (Business Issue No. 2, Neighborhood Plan p.29). There are many neighborhood-oriented businesses, but diversity provided by the business is being lost to absentee-owned business. The proposed PUD promotes and sustains a resident owned business and protects the historic character and business diversity of the neighborhood.

Encouraging Pedestrian Oriented Businesses for residents within the neighborhood and a Destination Business for the drawing the outside public. (Housing Recommendations 1c: Neighborhood Plan p.24)The proposed PUD encourages pedestrian oriented business for residents within the neighborhood, most of which has already been converted to multiple dwelling units without sufficient common indoor areas or gardens outside for gatherings. As a historic building and a destination business, the proposed PUD would draw people to the neighborhood for other businesses. This includes catering, flower boutiques and other neighborhood businesses that are likely to be hired to serve such events, as well as serving to promote and improve the public perception of the neighborhood by marketing its attributes.

Develop additional and stronger preservation strategies, programs, incentives, and funding sources for preserving historically significant and architecturally interesting structures and districts in the neighborhood. (Neighborhood Plan p.45) The proposed PUD ties incentives for preservation of the site to the most historically consistent use of gardens and available architecture.

Decrease Crime and Increase Pedestrian security. The higher profile use of the existing gardens requested in the PUD helps to more directly confront neighborhood crime issues and thereby heightens security for all. It discourages graffiti and littering and heightens Pedestrian safety and security in the immediate area.

Preserve the diversity that the existing property brings to the neighborhood. PUD is a separate zoning district that should be looked to uniquely in terms of how it best fits as a point of diversity. The property is bordered on one side by a large parking lot and a Walgreens store. It is bordered on the other side by a small parking lot and multi-story apartment building. The opposite side of the street includes a commercial restaurant, 2 multi-story apartment buildings, several converted multi-unit rental houses and several residential houses with very little room on those properties for the type of plantings that exist and will be preserved by the proposed PUD. The setbacks from the street and south side of property are significantly larger than any other property on the street and afford a more extended view of greenery and planting to all neighbors. The property and gardens account for almost half of all of the visible trees and plantings on the street.

3C. How the proposed PUD District is to relate to the character of the surrounding neighborhood

The proposed PUD will continue to fit well with the surrounding neighborhood as a preserved historic building and maintained garden. In addition it will become more accessible for the direct use the neighborhood by making it available for private functions in addition to bringing outside visitors to stay in the neighborhood and patronize local business.

The house was built in 1892 and is one of the few remaining houses built by William Lang, architect. The house is in excellent physical condition and, along with the gardens, it reflects one of the few remnants of the historic land use patterns in the neighborhood as a redeveloped area. Utilization of the gardens for the purpose of entertaining is in compliance with the original purpose for which the property was intended. The expanses of greenery and landscaping that can be seen from up and down the street as a result of the building's significant setback helps to break the street long façade of stores and multi-storied apartment buildings.

The intended PUD does not conflict with the other existing uses in the neighborhood, the majority of which involve multi-tenant buildings or converted multi-dwelling residences. The PUD property offers more combined greenery and parking than the large buildings which provide parking only and the multi-dwelling residences that provide only a small amount of greenery and no parking.

Outdoor use of the gardens by the public promotes both the pedestrian and social aspect of living in the neighborhood and encourages greater interaction.

PUD SUMMARY SHEET

Application # 4671

Address/Location 1430 Race Street, Denver, CO 80206

Total Land Area 9375 square feet

Permitted Uses	
Use A	Bed & Breakfast Inn or R-3 Uses
Use B	Catering on-site meals and meeting rooms or R-3 Uses

	Proposed Uses			
	Use A	Use B	Use C	Total
Maximum Gross Floor Area (sq. ft.)	4600 sq. ft.	2000 sq. ft.	.	6600 sq. ft.
Floor Area Ratio (nonresidential uses)	66 %	34%		100%
Maximum Number of Dwelling Units				
Density (dwelling units per acre)	6 guest suites+1 owner's unit	living room, dining room, outside catering		6 guest suites+1 owner's unit + living & dining rooms
Land Coverage				
Buildings:	2245 sq. ft.	2245 sq. ft.		2245 sq. ft.
Drives and Parking:	2129 sq. ft.	2129 sq. ft.		2129 sq. ft.
Other	480 sq. ft.	480 sq. ft.		480 sq. ft.
Parking				
Number of Spaces	4	0		4
Ratios (spaces:gross floor area):	1:1000			1:1000
Landscaping				
Area of Live Landscaping (sq. ft.):	4521 sq. ft.	4521 sq. ft.		4521 sq. ft.
Area of Non-Live Landscaping (sq.ft.):	0	0		

Building Setbacks

North	7.5	Feet	Front	10	feet
South	7.5	Feet	Rear	20	feet
East	20	Feet	Side	7.5	feet
West	10	Feet			

Parkway Setbacks

Buildings		Feet	Signs		feet
Required Separation Between Buildings:					
					feet
Maximum Building Height					
Stories	3		Feet	46	

NOTE: FOR COMPLETE PUD REQUIREMENTS, REFER TO APPLICATION # 4671

OWNERSHIP INFORMATION SHEET

City and County of Denver
Department of Zoning Administration
201 W. Colfax Avenue, Dept. 205
Phone: 720-865-3000 Fax: 720-865-3057

The Zoning Ordinance requires that applicants for rezoning provide current and complete ownership information to fulfill consent and notification requirements. If the property has multiple owners, a separate sheet must be completed for each individual owner or entity. Documentation of ownership interest, including but not limited to: copies of deeds, powers of attorney, and or corporate and partnership registrations with the Secretary of State may be required to verify ownership.

Application Number 4671 Property Address 1430 Race Street, Denver, Colorado 80206

Owner's Name A Capitol Inn, dba the Adagio Bed & Breakfast

Owner's Address 1430 Race St., Denver, CO 80206

Note: If the 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 "owner" above.

- Fee title owner (has a deed of ownership)
 - all
 - a portion 100 %
- Contract holder
 - all
 - a portion _____ %
- Holder of a security interest
 - all
 - a portion _____ %

List the names and addresses of all holders of deeds of trusts for the property, if any, and indicate which holders of deeds of trust are represented by the applicant in the space below.

Helen J. Strader, President of Corporation has 75% ownership
Todd A. Armstrong, Secretary of Corporation has 25% ownership

This is to certify that the owner or owners shown above in fact own all or a portion of the land and/or structures affected by this application.

Helen Strader Oct 7, 2003

[Signature] 10.7.03

Addendum "A"

1430 Race Street
PUD Application

The following describes the use of the proposed Bed & Breakfast at 1430 Race Street, Denver, CO 80206:

- a. The number of guest rooms shall not exceed six (6) bedrooms with private baths. One overflow room, and one (1) owner's unit;
- b. The lodging shall provide breakfast as part of the room price;
- c. The interior and exterior of the structure shall be maintained in a manner which reflects the original architectural character of the building and historic district. Also, the property shall be landscaped in a manner that promotes the welfare of the area. The landscaping shall be continuously maintained;
- d. Social events such as weddings, receptions, private parties etc. will be permitted. The number of events and guests will be limited to: (1) individual events of no more than 50 persons once per month from May through September, and (2) individual events of no more than 35 persons at any time during the year. No more than fifty (50) events of either type will be held per year and only one event may be held at a time. Events will not continue past 10:00 p.m. on weekdays and 11:00 p.m. on week-ends. No music, loudspeaker systems or event lighting will be allowed outside.
- e. Valet parking will be implemented as needed.
- f. All events will be strictly supervised by the owner/manager of the Adagio Bed & Breakfast.
- g. Classes, tours and seminars related to historic preservation and/or culinary aspects may take place on the premises. Such events must be completely indoors and limited to no more than 20 participants.
- h. An owner of record will be the operator of the Bed & Breakfast and will use the structure as his/her principal residence.

SYMBOLS:

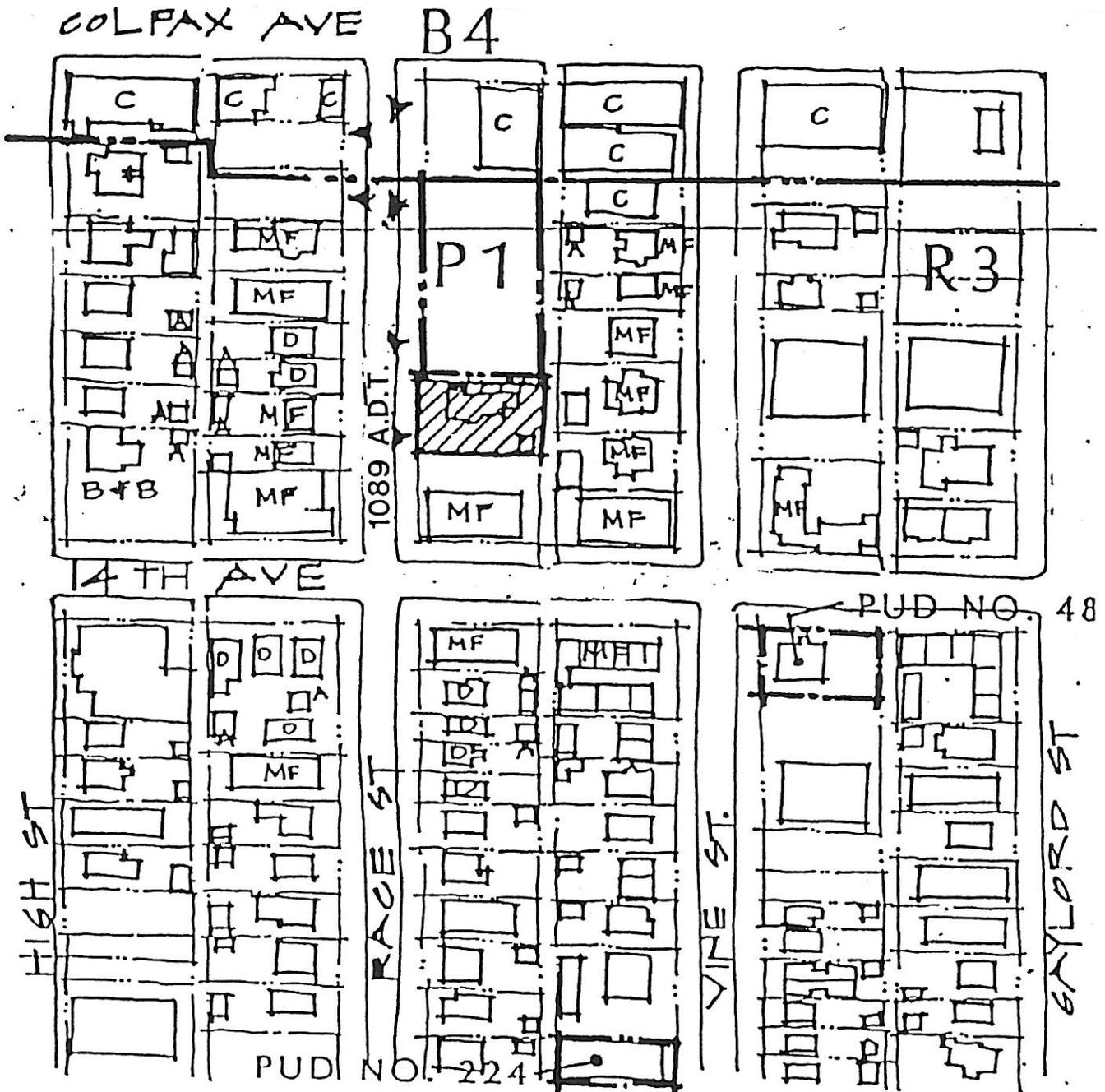
- D = SINGLE FAMILY DWELLING
- MF = MULTI-FAMILY
- C = COMMERCIAL
- A = ACCESSORY STRUCTURE
- ▶ = EXISTING CURB CUT
- ▨ = PROPOSED PUD

PROJECT DATA:

SITE AREA: 9,375 SF
 EXISTING USE: PUD 397

LEGAL DESCRIPTION:

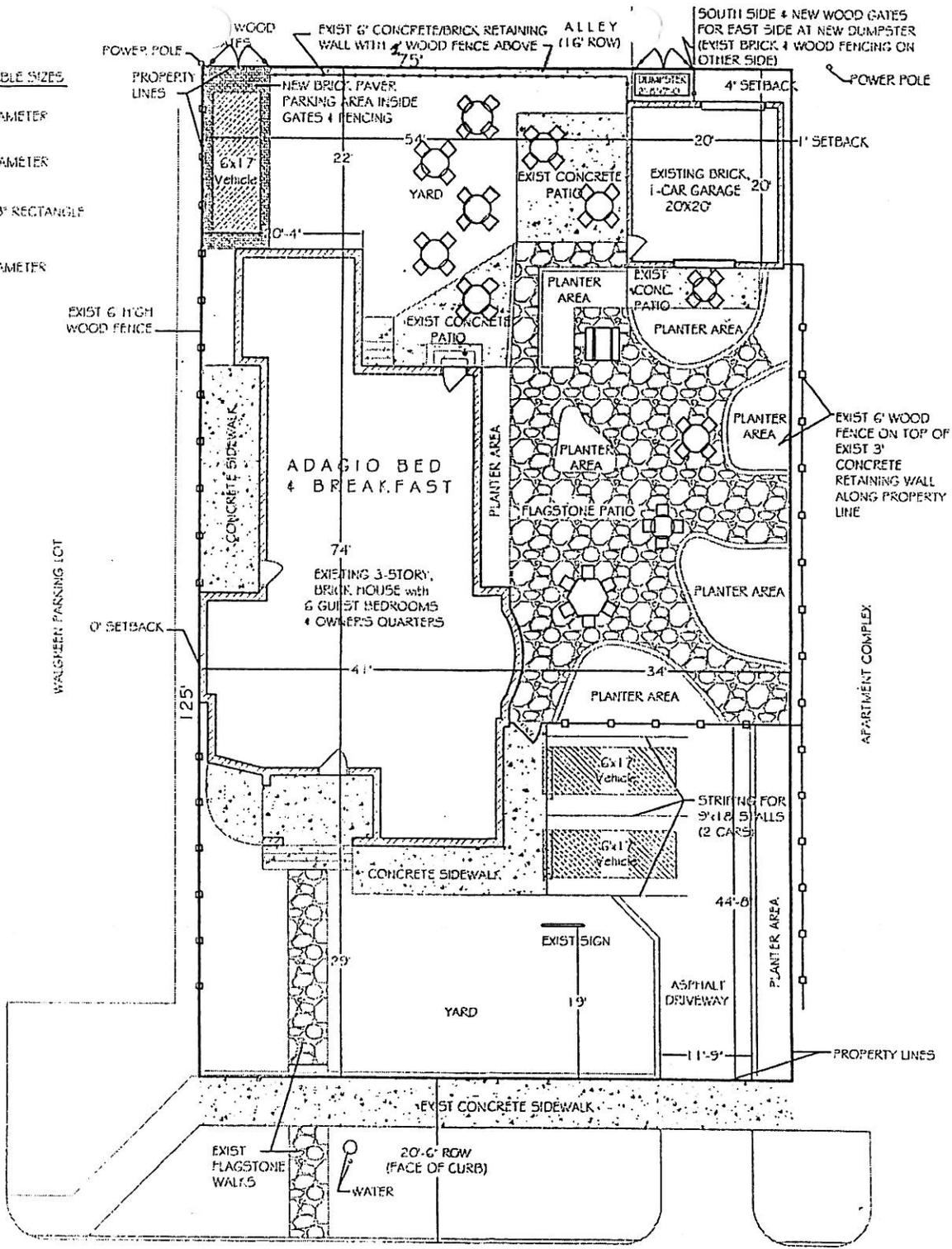
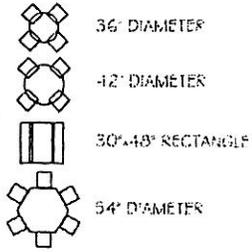
LOTS 25, 26, AND 27, BLOCK 31,
 CITY AND COUNTY OF DENVER,
 STATE OF COLORADO.



NORTH
 DISTRICT PLAN - EXISTING ZONE VICINITY MAP
 NO SCALE

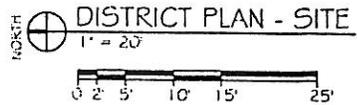
ZONE MAP AMENDMENT - APPLICATION NO. 4671 1430 Race Street Denver, Colorado 80206	JUNE 12, 2003 Rev. JULY 7, 2003	SHEET 1 OF 3
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NEW & EXISTING TABLE SIZES



RACE STREET
(80' ROW)
WATER & GAS IN STREET

NOTES: OUTDOOR SEATING FOR 50 PEOPLE.
SITE AREA = 75' x 125' = 9,375 SF

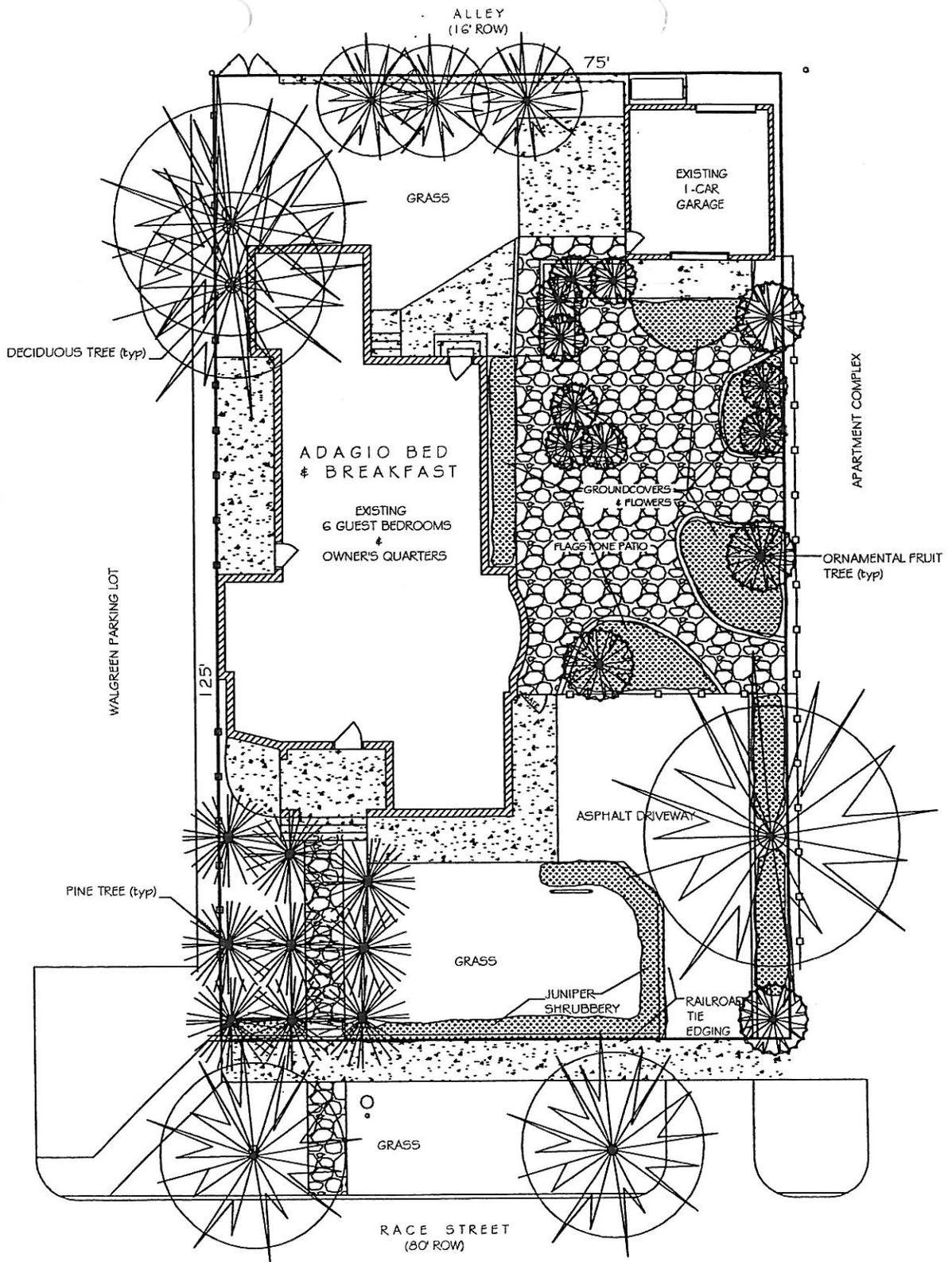


LEGAL DESCRIPTION:
LOTS 25, 26, AND 27, BLOCK 31,
CITY AND COUNTY OF DENVER,
STATE OF COLORADO.

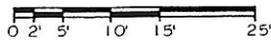
ZONE MAP AMENDMENT - APPLICATION NO. 4671
1430 Race Street Denver, Colorado 80206

JUNE 12, 2003
Rev. JULY 7, 2003
Rev. AUGUST 4, 2003
Rev. SEPT 3, 2003

SHEET 2 OF 3



DISTRICT PLAN - LANDSCAPE
 1" = 20' NOTE: EXISTING LANDSCAPE SHOWN



ZONE MAP AMENDMENT - APPLICATION NO. 4671 1430 Race Street	Denver, Colorado 80206	JUNE 12, 2003 Rev. JULY 7, 2003 Rev. AUGUST 4, 2003	SHEET 3 OF 3
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1290 Williams St, Ste 102 
Denver, CO 80218

303.830.1651 

chun@chundenver.org 

www.chundenver.org 

December 10, 2019

Denver Planning Board
c/o Ms. Ella Stueve, Community Planning and Development
201 W. Colfax Ave. Dept. 205
Denver, CO 80202

RE: 1430 Race Rezoning to G-RX-3; Case Number 2018i-00172

Dear Members of the Denver Planning Board:

Capitol Hill United Neighborhoods (“CHUN”) is issuing this letter concerning the rezoning of the historic Adagio Bed & Breakfast at 1430 Race St in Denver, CO.

CHUN’s mission is *Preserving the Past, Improving the Present, and Planning for the Future of Greater Capitol Hill* through historic preservation, promoting affordable housing and tackling homelessness, encouraging smart land use and responsible zoning, and supporting other community enhancements and citizen engagement. As Denver’s largest, oldest Registered Neighborhood Organization (RNO), CHUN has worked to preserve and activate historic, architectural gems such as the Adagio, while improving the quality of the life in Denver’s Greater Capitol Hill Community.

After a presentation at the September 2019 CHUN Urban Planning Committee Meeting (CHUN-UP), as well as subsequent conversations, it is our organization’s understanding that the current Chapter 59 PUD is likely antiquated because it only allows bed and breakfast uses. Looking ahead, it may be too restrictive to allow the Adagio to respond to the ever-improving and evolving community vibrancy developing along the Colfax Avenue corridor.

The community is fortunate that the Adagio at 1430 Race is a contributing structure to the Wyman Historic District, and it is therefore protected from demolition and exterior renovations will be subject to Landmarks review. The Adagio has, and continues to be a strong, engaged and contributing member of the small business community. For many years, the Adagio has been a steadfast supporter of CHUN. The property and the community will benefit when the Adagio has more flexible zoning and the ability to shape the next phase of the property.

Under a new zoning, the Adagio can better respond to providing uses that will enhance the Colfax corridor and respond to beneficial community goals such as planting and maintaining healthy landscaping and lessening neighborhood parking pressures by

providing more off-street parking. We hope that the requested zoning will provide more environmental and aesthetic changes too—with a particular emphasis on climate appropriate landscaping, aesthetically pleasing décor/landscaping, and other beautification efforts. We also strongly encourage Ms. Strader, the Adagio, et al to consider CHUN's renewed commitment to neighborhood safety, the environment, and diversity and inclusion in the next phases of this project.

G-RX-3 strikes a balanced approach between fitting into appropriate neighborhood context and flexibility to encourage neighborhood vitality at the property and in the surrounding area.

We thank you for your time and the energy you dedicate to create a world-class city.

Sincerely,

A handwritten signature in black ink, appearing to read "Travis Leiker". The signature is fluid and cursive, with a long horizontal line extending to the right.

Travis Leiker, MPA
President, Board of Delegates
Capitol Hill United Neighborhoods