



TO: City Council
FROM: Curt Upton, Senior City Planner
DATE: July 7, 2016
RE: Official Zoning Map Amendment Application #2015I-00039
446 N. Sheridan Blvd.
Rezoning from PUD 119 to E-MX-3

Staff Report and Recommendation

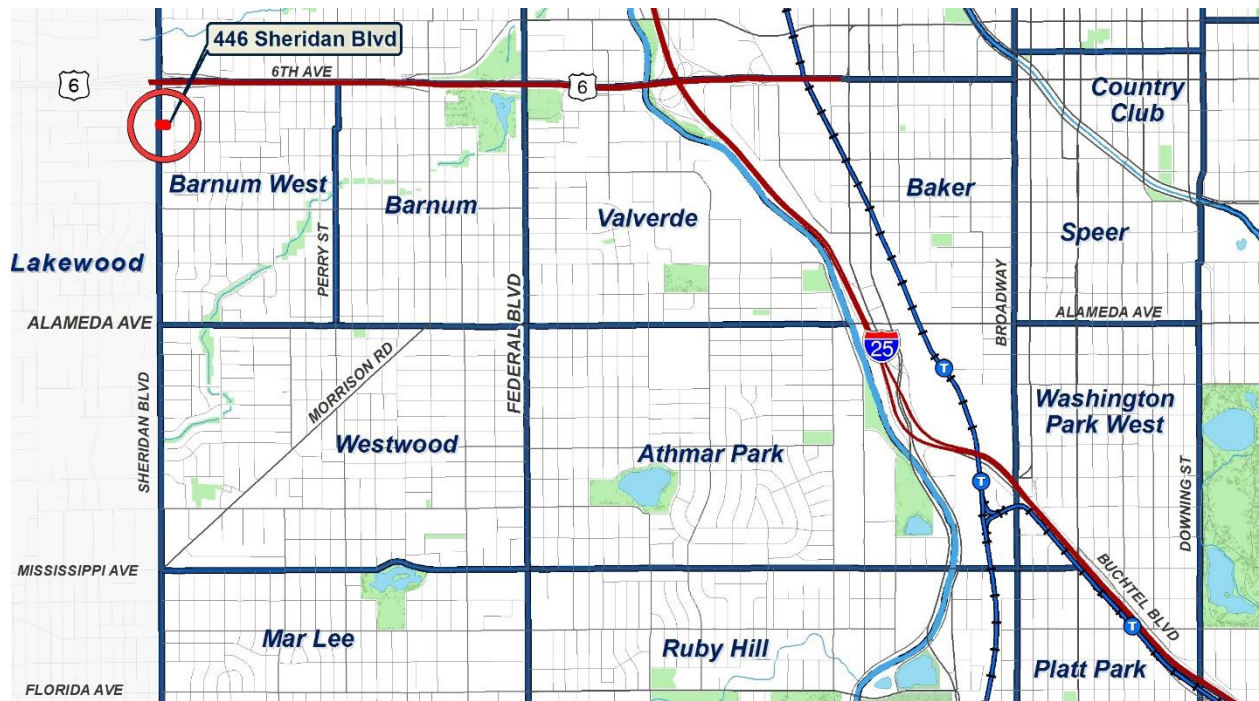
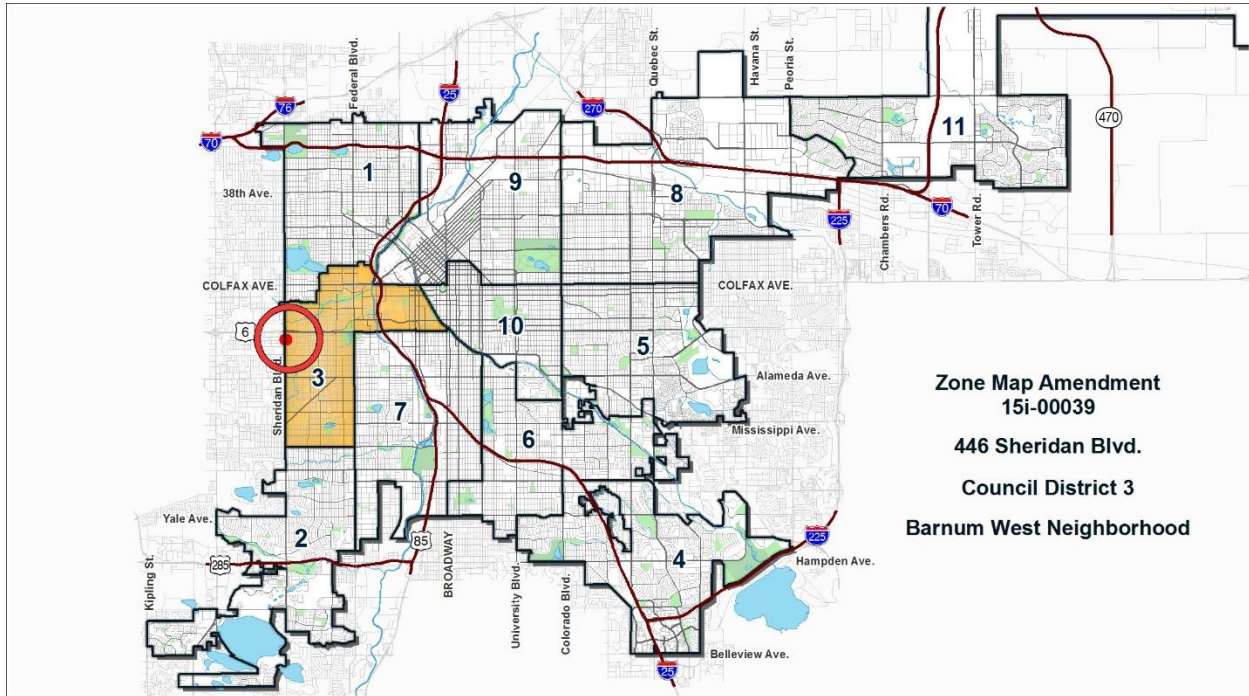
Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2015I-00039 for a rezoning from PUD 119 to E-MX-3.

Request for Rezoning

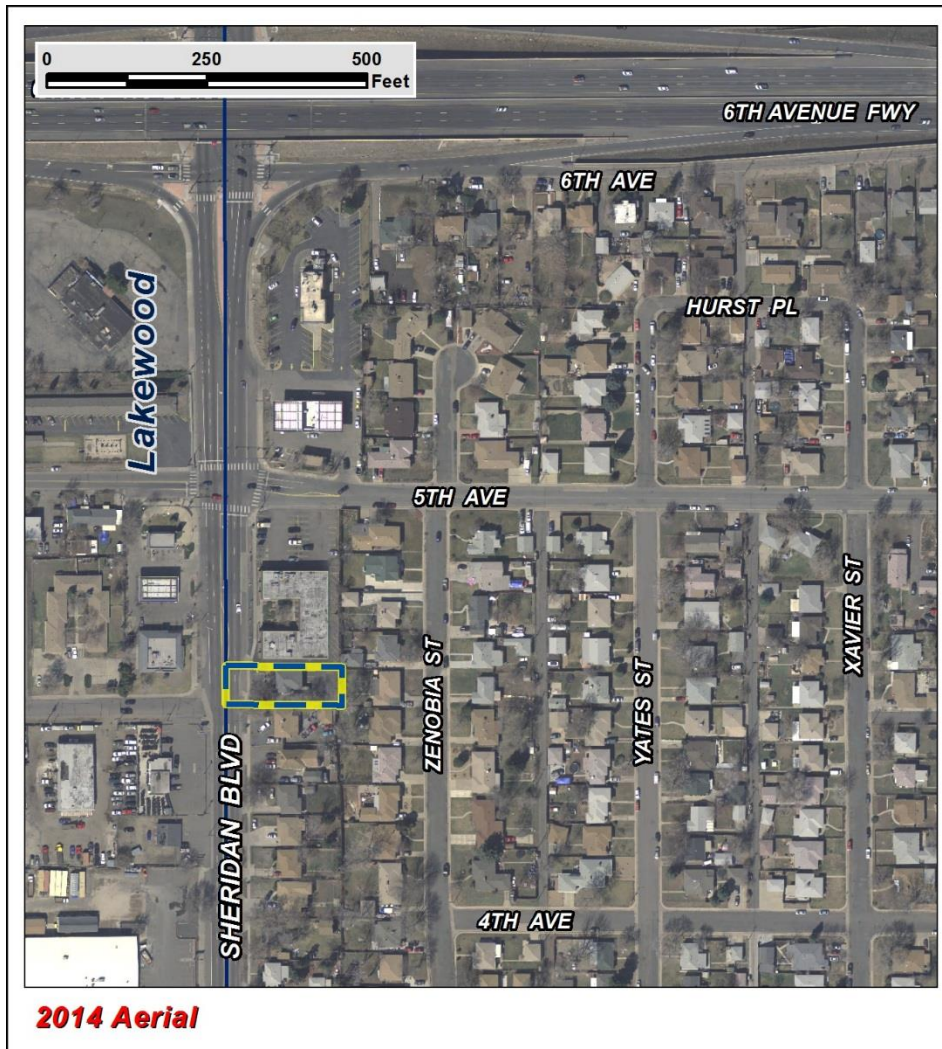
Application:	#2015I-00039
Address:	446 N. Sheridan Blvd.
Neighborhood/Council District:	Barnum West / Council District 3
RNOs:	Denver Neighborhood Association, Inc.; Inter-neighborhood Cooperation (INC); Concerned Citizens for Barnum, Inc
Area of Property:	8,398 square feet
Current Zoning:	PUD 119
Proposed Zoning:	E-MX-3
Property Owner(s):	Apex Real Estate Solutions LLC
Owner Representative:	Phil Workman

Summary of Rezoning Request

- The subject property is located in the Barnum West Statistical Neighborhood, near the intersection of Sheridan Blvd. and 5th Avenue. The site is currently occupied by a real estate office within a repurposed single family structure.
- The site is currently zoned PUD 119. The PUD was created to allow office uses within the single family structure.
- The property owners are requesting a rezoning from PUD 119 to E-MX-3 in order to change the mix of uses allowed on the site and facilitate redevelopment.
- The requested E-MX-3 zone district is in the Urban Edge Neighborhood Context, allowing a **Mix** of uses, up to **3** stories in height.
- Further details of the zone district can be found in Article 4 of the Denver Zoning Code (DZC).



Existing Context

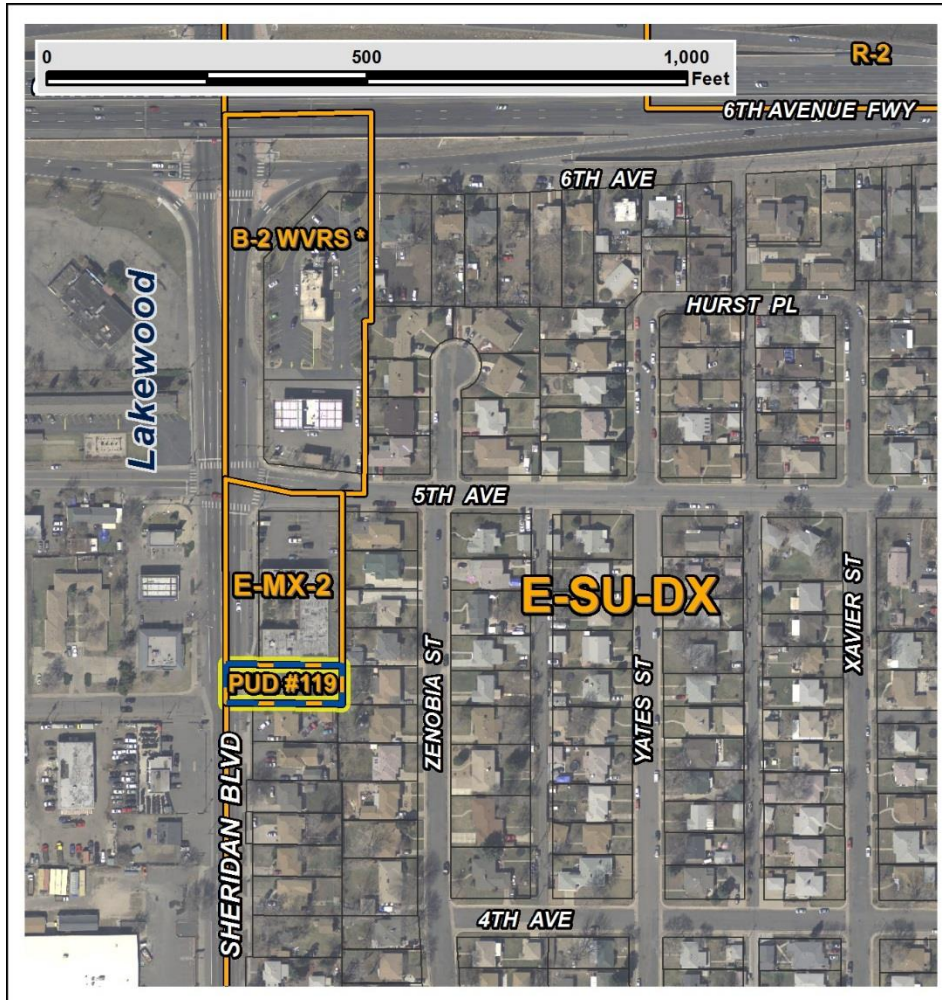


The property is located adjacent to Sheridan Blvd. approximately one block south of the 6th Avenue freeway. The site contains a real estate office within a repurposed single family house. Conventional suburban single family houses are located to the south and east. A courtyard-style single story office building is located to the north. To the west is the City of Lakewood where Sheridan is lined with auto-oriented uses, including a gas station, tire shop, and used car dealership.

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

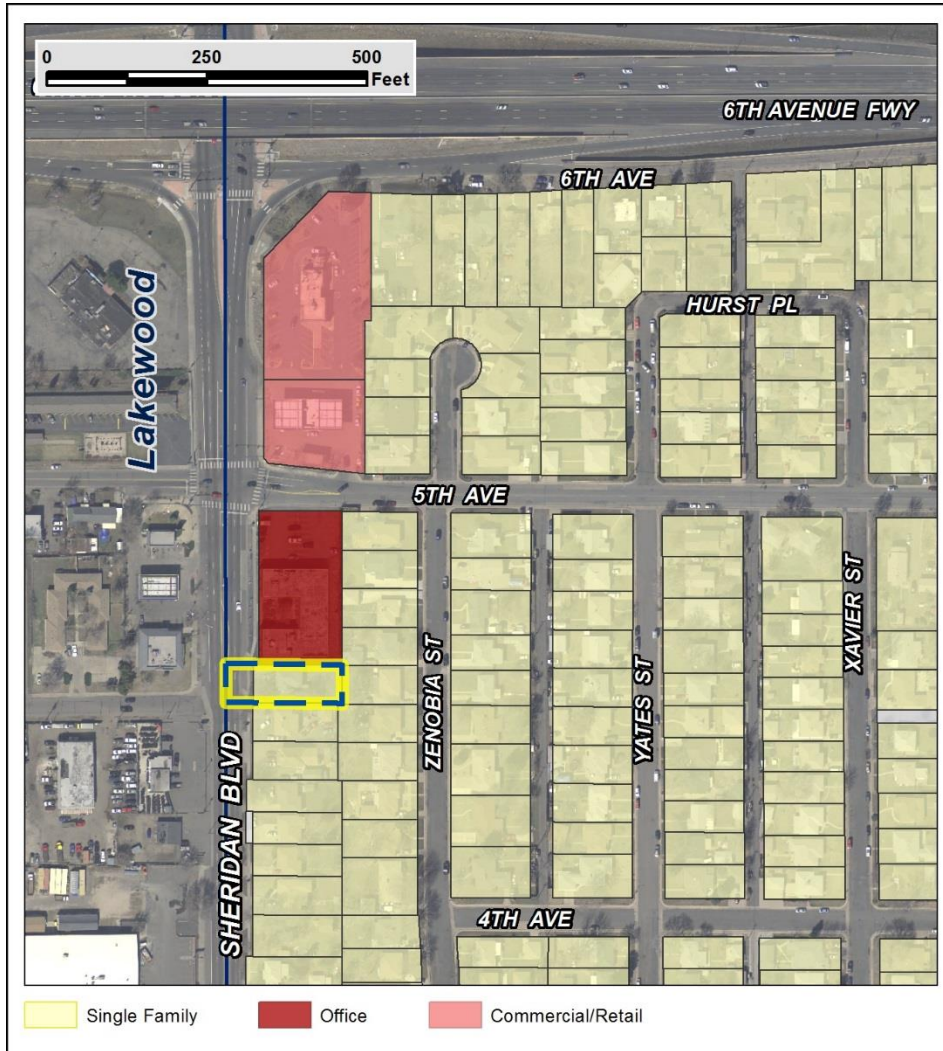
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	PUD 119	Office	One-story, single family residential building; surface parking between the building and the street	<p>Blocks are consistently rectangular and oblong. Alleys are generally present although not behind the subject site.</p> <p>Suburban-scaled commercial strips and single family lots line Sheridan Boulevard.</p> <p>The street pattern is interrupted by Highway 6 approximately one block to the north.</p>
North	E-MX-2	Office	One story courtyard office building; adjacent surface parking on north side.	
South	E-SU-Dx	Single family residential	One-story single family residential buildings. Suburban ranch style with parking and vehicular access in the front. Several front yards are used for surface parking.	
East	E-SU-Dx	Single family residential	One-story single family suburban ranch style residential buildings; some with parking and vehicular access in the front and others with alley-loaded garages (east of Zenobia)	
West	City of Lakewood	Commercial; industrial	One-story gas station; convenience store; auto tire shop; auto dealership.	

1. Existing Zoning



The current zoning applied to the site is PUD 119 which allows office uses within the existing single family residential structure. The E-SU-Dx district applies to properties to the south and east. The district stands for Urban Edge Neighborhood context – Single Unit. The Dx option allows urban and suburban house building forms with a minimum lot area of 6,000 square feet. The property to the north of the subject site is zoned E-MX-2, which stands for Urban Edge Neighborhood Context - Mixed use – 2 story maximum height. E-MX-2 is intended to encourage a mix of residential and commercial uses within buildings designed to encourage active street fronts.

2. Existing Land Use Map



3. Existing Building Form and Scale



Subject site; looking east



Subject site; looking south



Subject site; looking north



Subject Site; looking west

Summary of City Agency Referral Comments

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

Development Services: Approved - No Comments

Asset Management: Approved - No Comments

Environmental Health – Approved; Notes: DEH concurs with the proposed zoning change. The Denver Department of Environmental Health (DEH) has information indicating the presence of a Superfund site at the property and surrounding area. Under oversight by the U.S. Environmental Protection Agency, the majority of the site was cleaned up and conditions are protective of human health and the environment. Contaminated soils in residential yards were excavated and disposed off-site where necessary and institutional controls have been implemented for the remaining few residential properties where access was not granted.

General Notes: Most of Colorado is high risk for radon, a naturally occurring radioactive gas. Due to concern for potential radon gas intrusion into buildings, DEH suggests installation of a radon mitigation system in structures planned for human occupation or frequent use. It may be more cost effective to install a radon system during new construction rather than after construction is complete.

Scope & Limitations: DEH performed a limited search for information known to DEH regarding environmental conditions at the subject site. This review was not intended to conform to ASTM standard practice for Phase I site assessments, nor was it designed to identify all potential environmental conditions. In addition, the review was not intended to assess environmental conditions for any potential right-of-way or easement conveyance process. The City and County of Denver provides no representations or warranties regarding the accuracy, reliability, or completeness of the information provided.

City Surveyor – Approved; originally reviewed and denied due to not conforming to our standard land description format. Reviewed again and will acquiesce since the body of the land description is acceptable.

Parks and Recreation: Approved – No Comments

Public Review Process

- CPD staff provided informational notice of receipt of the rezoning application to affected members of City Council and registered neighborhood organizations (RNOs) on December 16th, 2015.
- The property has been legally posted for a period of 15 days announcing the April 20th, 2016, Denver Planning Board public hearing, and written notification of the hearing has been sent to all affected registered neighborhood organizations and City Council members.
- Following Planning Board review, the rezoning application will be referred to the Neighborhoods and Planning (PLAN) Committee of the City Council for review at a public meeting. The PLAN Committee meeting is tentatively scheduled for May 25th, 2016.
- Following the Neighborhoods and Planning Committee review, the rezoning application is typically referred to the full City Council for final action at a public hearing.
- The RNOs identified on page 1 were notified of this application.
- At the time of this staff report, no public comment had been received.

Criteria for Review / Staff Evaluation

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

DZC Section 12.4.10.7

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

DZC Section 12.4.10.8

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

1. Consistency with Adopted Plans

The following adopted plans apply to this property:

- *Denver Comprehensive Plan 2000*
- *Blueprint Denver (2002)*
- *Barnum/Barnum West Neighborhood Plan (1986)*

Denver Comprehensive Plan 2000

The proposal is consistent with many *Denver Comprehensive Plan 2000* strategies, including:

- Land Use Strategy 1-D – Recognize the multiple transportation functions of arterial corridors, as well as their importance for commercial activity and projecting the city’s image
- Environmental Sustainability Strategy 2-F – Conserve land by: promoting infill development with Denver at sites where services and infrastructure are already in place. Designing mixed-use communities and reducing sprawl, so that residents can live, work and play within their own neighborhoods.
- Environmental Sustainability Strategy 4-A – Promote the development of sustainable communities and centers of activity where shopping, jobs, recreation and schools are accessible by multiple forms of transportation, providing opportunities for people to live where they work. (pg 41)
- Land Use Strategy 3-B – Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses. (pg 60)
- Mobility Strategy 4-E – Continue to promote mixed-use development, which enables people to live near work, retail and services. (pg 78)

The proposed map amendment will enable mixed-use development at an infill location where services and infrastructure are already in place and at a scale that is consistent with the surrounding neighborhood. The mixed use proposal will also facilitate additional opportunities for live, work, and play within the neighborhood and support commercial activity along an arterial corridor.

Blueprint Denver

According to the 2002 Plan Map adopted in *Blueprint Denver*, this site has a concept land use of Single Family Residential and is located within an Area of Stability.

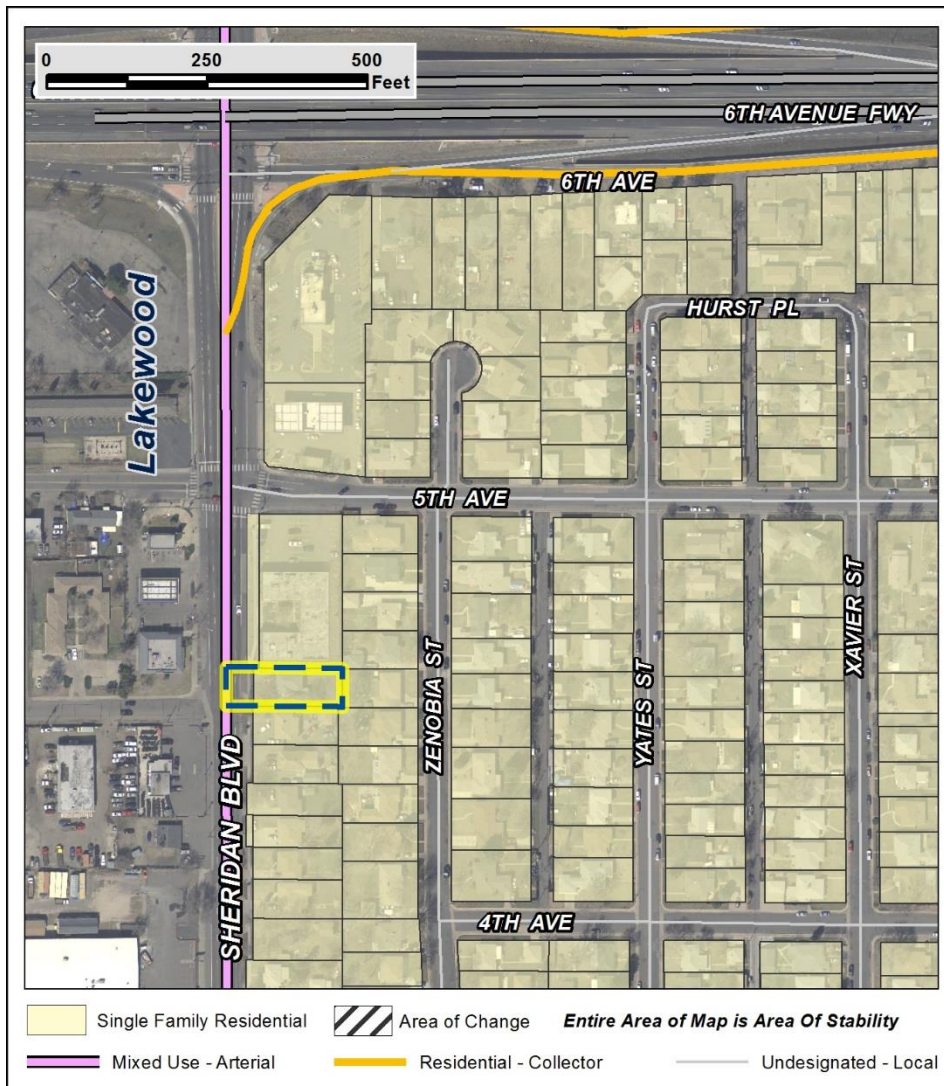
Future Land Use

Blueprint Denver defines the Single Family Residential concept land use as “Neighborhoods of single family houses represent the majority of Denver’s residential areas, particularly those developed after 1900 and especially those built after 1940. Densities are fewer than 10 units per acre, often less than six units per acre neighborhood-wide, and the employment base is significantly smaller than the housing base. Single-family homes are the predominant residential type.” (pg. 42) Single family neighborhoods are defined under a broader category of Residential Areas and Neighborhoods, which *Blueprint Denver* states: “A neighborhood is an area that consists primarily of residential land uses. A city should contain neighborhoods that offer a variety of housing types, as well as complementary land-use types such as stores, parks and schools that provide the basic needs of nearby residents . . . Neighborhoods are primarily residential but vary in density, size and adjacency of non-residential uses” (page 41).

Importantly, the *Blueprint Denver* Plan Map designates future land uses at a broad scale on a citywide basis. When paired with the *Blueprint Denver* street classification of Mixed Use Arterial (see map below) the proposed E-MX-3 zone district is consistent with the single family residential land use designation.

The zone district is intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods. The proposed rezoning will not result in a reduction of existing single family residential uses. And, while the proposal may result in an increase in commercial uses, the area will maintain a significantly smaller employment base relative to the housing base.

2002 Blueprint Denver Future Land Use Map



Area of Change / Area of Stability

The subject site is in an Area of Stability. In general, *Blueprint Denver's* goal for Areas of Stability is "to identify and maintain the character of an area while accommodating some new development and redevelopment." (pg. 120)

The Map Amendment application is consistent with *Blueprint Denver's* Area of Stability recommendations, as the proposed rezoning will encourage redevelopment while maintaining the character of the area. The proposed rezoning utilizes the same Neighborhood Context as the surrounding zone districts, limits height to 3 stories, and requires a height step-back for a sensitive transition to adjacent protected districts.

Street Classifications

Blueprint Denver classifies Sheridan Blvd. as a Mixed Use Arterial. According to *Blueprint Denver*, "Arterials are designed to provide a high degree of mobility and generally serve longer vehicle trips to, from, and within urban areas. Denver's arterial system interconnects major urban elements such as the central business district, employment centers, large urban and suburban commercial centers and residential neighborhoods." (pg 51). Mixed Use Streets are "located in high-intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity" and are "attractive for pedestrians and bicyclists" (pg 57).

The Map Amendment application is consistent with *Blueprint Denver's* Mixed Use Arterial Street Classification recommendation, as the proposed zone district will encourage higher intensity, mixed use development with pedestrian oriented street frontages.

Small Area Plan: Barnum/Barnum West Neighborhood Plan (1986)

The Barnum West Neighborhood Plan is almost 30 years old and is primarily focused on preserving and enhancing the character of the neighborhood. However, the plan does acknowledge that there is "inappropriate zoning in residential areas and along arterials". (pg. 11). Relevant goals contained within the plan include: "encourage new businesses to locate in areas already zoned for business use" (p.3) and "maintain, upgrade, and promote existing business zones." (p.12).

The proposed rezoning is consistent with the identified issues and goals within the plan. The E-MX-3 zone district is intended to apply along arterial and collector streets. Further, the district will encourage new businesses at a location adjacent to land that is already zoned for business use and promote an upgrade to the subject site through redevelopment.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to E-MX-3 will result in the uniform application of zone district building form, use, and design regulations.

3. Public Health, Safety and General Welfare

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

4. Justifying Circumstance

The application identifies changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.8.A.4, "The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area." The application identifies the addition of transit service in the area as a justifying circumstance that has brought about changes in the surrounding community. A light rail station was opened six blocks north in 2013, and bus service frequency along Sheridan Blvd. increased at the same time.

Other justifying circumstances include:

- In 2010 the properties surrounding the site were rezoned as part of the City's comprehensive rezoning process, including E-MX applied to the adjacent properties to the north. The adoption of the new zoning code and the availability of the E-MX zone districts provides a new opportunity to rezone the property and improve the transition from an auto-intensive Mixed Use arterial to established single family residential.
- Some of the properties along Sheridan Boulevard are in need of reinvestment as they continue to age, as some were built in the mid-20th century.

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

Neighborhood Context Description

The proposed E-MX-3 zone district is within the Urban Edge Neighborhood Context. The Urban Edge Neighborhood Context is characterized by a mix of elements from both the Urban and Suburban Neighborhood Contexts and commercial uses are generally located along local streets, arterials, and main streets. The E-MX-3 district matches the urban edge neighborhood context of the surrounding area and will be applied along an arterial street.

Zone District Purpose and Intent

According to DZC 4.2.4.1.A, the general purpose of the E-MX zone districts is to promote safe, active, and pedestrian-scaled, diverse areas and enhance the convenience and ease of walking, shopping and

public gathering within and around the city's neighborhoods. According to DZC 4.2.4.2.D, the specific intent of the E-MX-3 district is to apply to areas or intersections served primarily by collector and arterial streets where a building scale of 1 to 3 stories is desired. Design standards provide options for varied building placement while still offering an active street front. The rezoning to E-MX-3 is consistent with the zone district purpose and intent through the application of the zone district standards and the proposed location along an arterial street.

Staff Recommendation

Based on the analysis set forth above, CPD staff finds that the application for rezoning the property located at 446 N. Sheridan Blvd. (#2015I-00039) to the E-MX-3 zone district meets the requisite review criteria. Accordingly, staff recommends approval of the rezoning.

Planning Board Recommendation

Following the public hearing, the Planning Board Voted to recommend that the Denver City Council approve the rezoning application.

Attachments

1. Application
2. PUD #119

446 Sheridan

LEGAL DESCRIPTION

The South 60 ft. of the West 180 ft. of the N $\frac{1}{2}$, SW $\frac{1}{2}$, NW $\frac{1}{2}$, NW $\frac{1}{2}$, of Section 7, Township 4 South, Range 68 West, of the 6th P.M., except the West 30 ft. of said South 60 ft. of West 180 ft., City and County of Denver, State of Colorado.

P.U.D. 446 Sheridan Boulevard
 Property Address or Location

1. Date of pre-application conference June 1, 1983
2. Submittal date of preliminary application July 26, 1983
3. Submittal date of completed application September 14, 1983
4. Deadline for Planning Board Meeting _____
 (within 45 days after receipt of completed application)
5. Planning Board meeting date _____

2. a. Maximum gross floor area for each proposed use. Explain or define the uses. Terms like "retail" or "light industrial" must be defined in detail. To do this the applicants should refer to the various uses listed in a specific zone district of the Zoning Code.

For residential projects - indicate the maximum dwelling units <u>2</u>	<u>General Office and/or use</u>	<u>2,600</u> Sq. Ft.
	<u>Residential Units use</u>	_____ Sq. Ft.
Density or the ratio of dwelling units per acre equals <u>N/A</u>	_____ use	_____ Sq. Ft.
	TOTAL	<u>2,600</u> Sq. Ft.

Use the space at the bottom of the page for additional information

* SEE BELOW

b. The maximum height of structures shall be (stories) 1 which shall not exceed a total of 22 feet. Rooftop features (Solar collectors, antennas, chimneys, flues, vents, air conditioning equipment) may exceed these height limit by 5 (feet). Flagpoles may exceed these height limits.

c. Off-street parking: The project shall contain space for parking 6 vehicles. Applicant will abide by Article V, Off-Street Parking Requirements. yes no. If not, list the following; dimensions of parking spaces and aisles, ratio of parking spaces to building floor area by use, ratio of compact cars to regular-sized parking spaces. Use the blank space below.

Off-Street Loading Spaces. The project will contain 0 off-street loading spaces. Applicant will provide such spaces in conformance with Article VI, Off-Street Loading Requirements: yes no. If not, list the dimensions of the spaces provided.

NOTE:

The use of the terms "Article" or "Section" refer to portions of the Revised Municipal Code of the City and County of Denver.

The space below may be used to provide additional information.

* 2A. The existing structures contain 1,327 sq. ft.. New additions may be added to bring the total square footage to 2600.

P.U.D. at 494 Sheridan
Property Address or Location

d. Setbacks for buildings (excluding fences and walls).

The north setback shall be 5 ft. The east setback shall be 5 ft.

The south setback shall be 4 ft. The west setback shall be 20 ft.

N/A

~~The minimum spacing between buildings shall be 6 ft. Other important spacing requirements are:~~ All existing structures may remain in place

e. Land Coverage by buildings and impervious surfaces by use are as follows:

Building Coverage 1327 * sq. ft. = 14.7 % of total area.

Streets and Drives 408 sq. ft. = 4.5 % of total area.

Walks, Patios 165 sq. ft. = 1.8 % of total area.

Paved Recreation areas -0- sq. ft. = 0 % of total area.

Front parking area = 1600 sq ft 17.7% of total area

3500 TOTAL = 38.7%

* Additional 1273 sq ft may be added to existing structures at a later date.

f. Surface Drainage: The owner understands that the rules and regulations of the Wastewater Management Division will require certain design considerations and construction features to control surface water runoff. The site contains , does not contain a flood hazard area as identified by the Urban Drainage and Flood Control District (Contact the Wastewater Management Division, 295-1451).

g. Interior streets, drives and pedestrian walkways within the P.U.D. district, if any, are shown on the District Plan. N/A

h. Easements: Existing utility or access easements located on the property are as follows: N/A

i. Buffering features or methods: (Natural foliage areas, berms, fences or walls) Natural foliage areas shall consist of (what plant materials?) existing 5' fence on east end of property and plant hedge of 1 gallon evergreens, placed 2 ft. apart, a maximum of 5 ft. high and shall be located (where?) on the south property line from garage to west set back of 20 ft. All such foliage shall be maintained in a healthy and growing condition.

Supplement to item I

If street trees are to be utilized or for any plantings in the Public Right-of-way, owner shall contact City Forester (575-3053, 575-2571) for proper species and placement.

P.U.D. at 494 Sheridan
Property Address or Location

The maximum height of fences or walls on the P.U.D. district boundaries and within the building setback areas shall be 5 feet, and shall be located (where?) East end of property. Such fences or walls shall be: solid and view-obscuring , or open and view-permitting . The owner shall commence construction of buffering features prior to occupancy of completed dwelling units or within 180 calendar days of site plan approval. In addition fences or walls may be constructed according to Sec. 59-134(b)(5)...R-1 regulations.

The maximum height of fences or walls within the interior areas of the district shall be 6 feet.

Earthen berms or mounds are proposed (where?) N/A
and shall be no more than _____ feet in height.

- j. Boat, camper, trailer and recreation vehicle storage will , will not , be permitted on the property. If permitted, the number of each type will be as follows: _____.

The location of these storage areas shall be shown on the District Plan. The maximum height of solid screening fences or walls shall be N/A feet, and are shown on the District Plan.

- k. 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.
- l. School population: Project will have a school population of .72 children; Elementary School .12; Junior High School .20; Senior High School .40. (Ratios can be provided by the Denver Public Schools, 837-1000, Facility Planning).
- m. The project contain the following types and sizes of areas:

Lawn areas including any landscaped buffer areas	<u>5500</u> sq. ft.
Large, landscaped open areas (over 10,000 sq. ft.)	<u>N/A</u> sq. ft.
Active recreation areas with play equipment, etc.	<u>N/A</u> sq. ft.
Others, (describe)	

P.U.D. at 494 Sheridan
Property Address or Location

n. External effects: (vibration, heat, glare, radiation, and fumes). These effects will be regulated by Sec. 59-248(2)(3) which regulate uses in the B-1 zone.

o. The natural terrain will be restored in the following areas:

N/A

p. Utilities (public and private) serving the property are adequate, inadequate; they are located Electric from East
Sewer and water West in Sheridan Boulevard

For information contact the Public Service Company.. 571-3747; Mountain Bell 624-3119; and the Denver Water Department.. 623-2500, Ext 415.

If inadequate, the following measures have been recommended by the appropriate utility to provide service. _____

q. Sign Controls: The project will be regulated by the following:
Sec. 59-537. Signs Permitted in all Districts, yes ; no ;
Sec. 59-538. Sign Area Measurement, yes , no , and
Sec. 59-250 Regulations for the B-1 districts.

r. Outdoor Storage of products, materials or Solid Waste will , will not , be permitted on the property. If permitted such storage is shown on the District Plan. Screening will , will not , be provided. If so, such screening will consist of a solid wall or fence 6 feet high.

s. Current traffic volumes on streets in the project area should be shown on the "Existing Conditions Map." These volumes are available for major streets from the Traffic Engineering Division, or the Planning Office or may be estimated by the applicant based on a professional study. Streets for which no estimate is available should be noted.

Site generated traffic should be estimated and noted by applicant based on proposed project type, size, and other relevant factors. Ratios for estimating traffic are available from the Traffic Engineering (575-5781) or the Planning Office. (575-3268)
Estimate 10 trips in / 10 trips out : Dailey Mon-Fri

For projects with total daily site generated traffic of more than 200 vehicle trips, or for projects in areas with special problems, more detailed analysis may be required and the applicant should contact the Planning Office for further guidance.

t. Public Transportation. The nearest bus stop is located about 15 ft. from the property on Sheridan Boulevard
Avenue or Street

P.U.D. at 494 Sheridan
Property Address or Location

u. Public Facilities:

The nearest Elementary school is Newlon at 361 Vrain
name address

The nearest Junior High school is Lake at 1820 Lowell Blvd.
name address

The nearest Senior High school is West at 951 Elatti
name address

The nearest Denver Fire Station is Station No. 25 at 501 Knox Court
address

The nearest Police Station is at 3929 W. Florida
address

The nearest Recreation Center is at 360 Hooker
address

The nearest Library is at West 1st & Lowell Blvd.
address

v. Home Occupations: If residential dwelling units are contained within the project, home occupations will , will not , be permitted. If so permitted, they will be regulated by Sec. 59-132(4) (R-1 zone).

w. Temporary Uses: Uses by temporary permit will be regulated by Sec. N/A (zone).

x. Accessory Uses: Will be permitted and regulated by Sec. N/A (zone).

y. Interim Uses: Prior to the development of this project, the property will be used on an interim basis for existing residential (describe in detail the following: size, height and location of all interim buildings, provision for parking, term of interim use, etc.). No changes to existing residence will occur.

3. On 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. Its relationship to the Comprehensive Plan; where the applicant's objectives are not in substantial conformance with the Comprehensive Plan the statement shall include the changed or changing conditions that justify approval of the proposed P.U.D. District. (For help on this please contact Denver Planning Office).
- c. How the proposed P.U.D. District is to relate to the character of the surrounding neighborhood.

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

5. The "District Plan" is attached as the last page of this application.

3A The purpose of this P.U.D. is as follows:

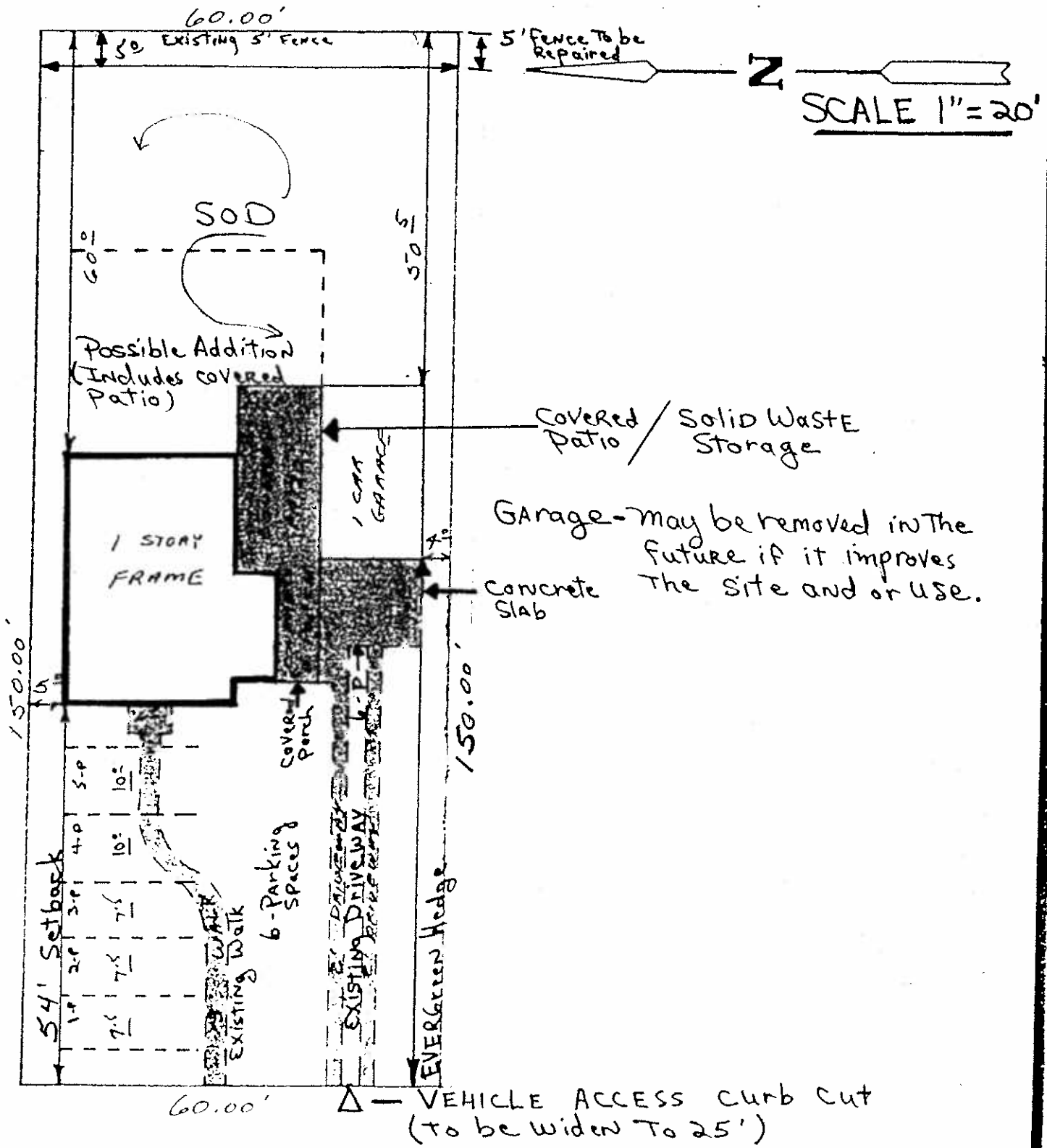
- 1) The existing structure to be used as general offices or two residential units.
- 2) The property could be used as a relief valve to the currently over-crowded parking condition of the office building at 494 Sheridan. The existing parking is very inadequate causing on-street parking on both 5th Avenue and Zenobia Street.

3B The P.U.D. District relates to the comprehensive plan according to Section B-10 of the plan. The District, being bounded by both commercial and residential areas, would not only fit in with commercial business, but would be able to serve those residential areas as well. The District is ideally suited for legal, accounting or similar business purposes. This type use would be a positive factor within the neighboring residential community. Access to and from the P.U.D. Districts and the commercial property to the north would compliment each other as would there be an advantage to additional commercial services than are presently available. The P.U.D. District relates to Sections T-24 and T-25 the comprehensive plan by improving the desirability of the neighborhood. Parking is currently a problem at the commercial property to the north of the P.U.D. District. The current situation forces on-street parking on both Zenobia Street and 5th Avenue. The P.U.D. District could handle some overflow parking in the front and the possibility of future parking in the rear could alleviate this problem. Additional landscape buffer along the eastern boundary would be provided to enhance the P.U.D. District as suggested in Section B-2 of the comprehensive plan.

3C The P.U.D. District is currently a single family residence bounded on the east and south by single family residences, on the north by a commercial office building and on the west by various commercial properties. The exterior of the P.U.D. District will retain the residential appearance to blend with the neighboring residences. Parking will be made available in the front and the possibility of future parking in the rear of the existing structure as an extension of the parking lot belonging to the commercial office building at 494 Sheridan to the north of the P.U.D. District. This parking area may be used as an overflow for the currently over crowded parking situation at 494 Sheridan. This parking area could allow enough relief that cars will no longer be forced to park on either 5th Avenue or Zenobia Street, thus relieving an irritation to the residents. A landscape buffer will be constructed to the east. A change in use of this property would provide for a cleaner, neater and more usable area than its current use.

Future allowance for parking in rear with formal cross access agreement from parking lot next door or access may be thru the existing garage area. This would require a minor modification P.U.D..

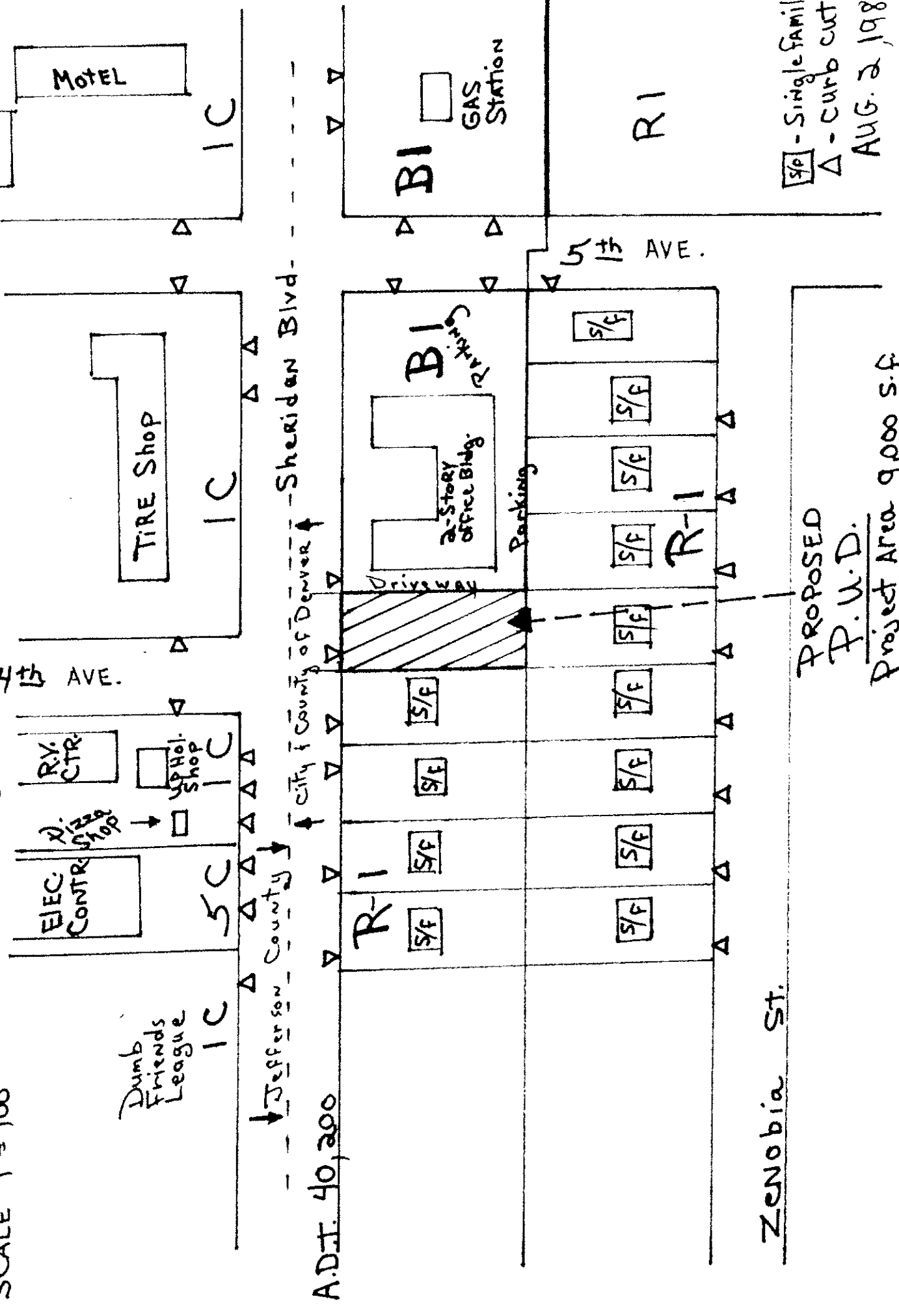
District Plan Map





SCALE 1" = 100'

EXISTING CONDITIONS



[S/F] - Single Family
 Δ - Curb cut
 AUG. 2, 1983

PROPOSED
 P.U.D.
 Project Area 9,000 S.F.

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	Apex Real Estate Solutions LLC	Representative Name	Phil Workman
Address	446 Sheridan Boulevard	Address	7290 E 1st Ave
City, State, Zip	Denver, CO 80226	City, State, Zip	Denver, CO 80230
Telephone	720-389-7230	Telephone	303-825-1671
Email	joebellio@gmail.com	Email	phil@thepachnercompany.com
<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>	
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.			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	446 Sheridan Boulevard Denver, CO 80226		
Assessor's Parcel Numbers:	0507230032000		
Area in Acres or Square Feet:	8,398		
Current Zone District(s):	PUD 119		
PROPOSAL			
Proposed Zone District:	E-MX-3		
Does the proposal comply with the minimum area requirements specified in DZC Sec. 12.4.10.3:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

REVIEW CRITERIA

<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p>	<p><input checked="" type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.</p> <p>Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</p> <p><input checked="" type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input checked="" type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
<p>Additional Review Criteria for Non-Legislative 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 checked="" type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area.</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.</p> <p>Please provide an attachment describing the justifying circumstance.</p> <p><input checked="" type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</p> <p>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:

- Legal Description (required to be attached in Microsoft Word document format)
- Proof of Ownership Document(s)
- Review Criteria

ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- Written Authorization to Represent Property Owner(s)

Please list any additional attachments:

VE 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 and understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

Property Owner(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner In- terest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of owner- ship documen- tation provided: (A) Assessor's record, (B) war- ranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Property owner repre- sentative written authori- zation? (YES/NO)
EXAMPLE John Alan Smith and Rose Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 jasm@jexample.gov	100%	<i>John Alan Smith</i> <i>Rose Q. Smith</i>	7/23/15		NO
Apex Real Estate Solutions LLC	446 Sheridan Blvd	100%	<i>Apex Real Estate Solutions LLC Ruph m Bellu member</i>	7-23-15	A	Yes

Last updated: June 20, 2014

Return completed form to rezoning@denvergov.org

311 | FOR INFORMATION &
CITY SERVICES

FOR MORE INFORMATION, VISIT DENVERGOV.ORG
OR CALL 311

Legal Description 446 SHERIDAN

THE SOUTH 60 FEET OF THE WEST 180 FEET OF THE NORTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 7, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN. EXCEPT THE WEST 30 FEET, AND EXCEPT THAT PORTION APPROPRIATED TO THE CITY AND COUNTY OF DENVER STIPULATED RULE AND DECREE RECORDED AUGUST 21, 2003, UNDER RECEPTION NO. 2003176050, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

RECORDATION REQUESTED BY:

State Street Bank & Trust
California Street Banking Center
1641 California Street
Suite 100
Denver, CO 80202

WHEN RECORDED MAIL TO:

State Street Bank & Trust
A/E: Loan Administration
8450 E. Crescent Plaza, Suite 150
Greenwood Village, CO 80111

SEND TAX NOTICES TO:

Austin Peterson
444 17th Street Suite 803
Denver, CO 80202

FOR RECORDER'S USE ONLY

DEED OF TRUST

MAXIMUM PRINCIPAL AMOUNT SECURED. The limit of this Deed of Trust shall not exceed at any one time \$120,000.00 except as allowed under applicable Colorado law.

THIS DEED OF TRUST is dated June 22, 2010, among Austin Peterson, whose address is 444 17th Street Suite 803, Denver, CO 80202 ("Grantor"); State Street Bank & Trust, whose address is California Street Banking Center, 1641 California Street, Suite 100, Denver, CO 80202 (referred to below sometimes as "Lender" and sometimes as "Beneficiary"); and the Public Trustee of the City and County of Denver, Colorado (referred to below as "Trustee").

COURTESY AND GRANT. For valuable consideration, Grantor hereby irrevocably grants, transfers and assigns to Trustee for the benefit of Lender as Beneficiary all of Grantor's right, title, and interest in and to the following described real property, together with all existing or subsequently erected or affixed buildings, improvements and fixtures; all easements, rights of way, and appurtenances; all water, water rights and ditch rights (including stock in ditches with ditch or irrigation rights); and all other rights, royalties, and profits relating to the real property, (including without limitation all minerals, oil, gas, geothermal and similar matters, (the "Real Property") located in Denver County, State of Colorado:

THE SOUTH 60 FEET OF THE WEST 180 FEET OF THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, EXCEPT THE WEST 30 FEET, AND EXCEPT THAT PORTION APPROPRIATED TO THE CITY AND COUNTY OF DENVER STIPULATED RULE AND DECREE RECORDED AUGUST 21, 2003, UNDER RECEPTION NO. 2003176050, CITY AND COUNTY DENVER, STATE OF COLORADO

The Real Property or its address is commonly known as 446 Sheridan Boulevard, Denver, CO 80226.

REVOLVING LINE OF CREDIT. This Deed of Trust secures the indebtedness including, without limitation, a revolving line of credit, which obligates Lender to make advances to Borrower so long as Borrower complies with all the terms of the Note.

Grantor presently assigns to Lender (also known as Beneficiary in this Deed of Trust) all of Grantor's right, title, and interest in and to all present and future leases of the Property and all benefits from the Property. In addition, Grantor grants to Lender a Uniform Commercial Code security interest in the Personal Property and Benefits.

THIS DEED OF TRUST, INCLUDING THE ASSIGNMENT OF RIGHTS AND THE SECURITY INTEREST IN THE BENEFITS AND PERSONAL PROPERTY, IS GIVEN TO SECURE (A) PAYMENT OF THE INDEBTEDNESS AND (B) PERFORMANCE OF ANY AND ALL OBLIGATIONS UNDER THE NOTE, THE RELATED DOCUMENTS, AND THIS DEED OF TRUST. THIS DEED OF TRUST IS GIVEN AND ACCEPTED ON THE FOLLOWING TERMS:

GRANTOR'S REPRESENTATIONS AND WARRANTIES. Grantor warrants that: (a) this Deed of Trust is executed at Borrower's request and not at the request of Lender; (b) Grantor has the full power, right, and authority to enter into this Deed of Trust and to hypothecate the Property; (c) the provisions of this Deed of Trust do not conflict with, or result in a default under any agreement or other instrument binding upon Grantor and do not result in a violation of any law, regulation, court decree or order applicable to Grantor; (d) Grantor has established adequate means of obtaining from Borrower on a continuing basis information about Borrower's financial condition; and (e) Lender has made no representation to Grantor about Borrower (including without limitation the creditworthiness of Borrower).

GRANTOR'S WARRANTIES. Grantor waives all rights or defenses arising by reason of any "tort action" or "anti-deficiency" law, or any other law which may prevent Lender from bringing any action against Grantor, including a claim for deficiency to the extent Lender is otherwise entitled to a claim for deficiency, before or after Lender's commencement or completion of any foreclosure action, either judicially or by exercise of a power of sale.

PAYMENT AND PERFORMANCE. Except as otherwise provided in this Deed of Trust, Borrower shall pay to Lender all indebtedness secured by this Deed of Trust as it becomes due, and Borrower and Grantor shall perform all their respective obligations under the Note, this Deed of Trust, and the Related Documents.

POSSESSION AND MAINTENANCE OF THE PROPERTY. Borrower and Grantor agree that Borrower's and Grantor's possession and use of the Property shall be governed by the following provisions:

Possession and Use. Until the occurrence of an Event of Default, Grantor may (1) remain in possession and control of the Property; (2) use, operate or manage the Property; and (3) collect the Benefits from the Property.

Duty to Maintain. Grantor shall maintain the Property in tenable condition and promptly perform all repairs, replacements, and maintenance necessary to preserve its value.

Compliance With Environmental Laws. Grantor represents and warrants to Lender that: (1) During the period of Grantor's ownership of the Property, there has been no use, generation, manufacture, storage, treatment, disposal, release or threatened release of any Hazardous Substance by any person on, under, about or from the Property; (2) Grantor has no knowledge of, or reason to believe that there has been, except as previously disclosed to and acknowledged by Lender in writing, (a) any breach or violation of any Environmental Laws, (b) any use, generation, manufacture, storage, treatment, disposal, release or threatened release of any Hazardous Substance on, under, about or from the Property by any prior owners or occupants of the Property, or (c) any actual or threatened litigation or claims of any kind by any person relating to such matters; and (3) Except as previously disclosed to and acknowledged by Lender in writing, (a) neither Grantor nor any tenant, contractor, agent or other authorized user of the Property shall use, generate, manufacture, store, treat, dispose of or release any Hazardous Substance on,

27152 CORFO

Denver Property Assessment and Taxation System (3.2.3)

446 SHERIDAN BLVD

Owner	Schedule Number	Legal Description	Property Type	Tax District
APEX REAL ESTATE SOLUTIONS LLC 446 SHERIDAN BLVD LAKEWOOD , CO 80226-8104	0507230032000 PIN 163032195	T4 R68 S7 NW/4 PT BEG 240FT S & 150FT W OF COR OF S LJ W 5THAVE & E LJ SHERIDAN BV S 60FT W 140FT N 55.75FT NELY 4.37FT E 138.63FT	RESIDENTIAL	DENV

Summary

Style:	ONE-STORY	Reception No:	2010088842	Year Built:	1953
Recording Date:	8/10/2010	Building Sqr. Foot:	960	Document Type:	QC
Bedrooms:	2	Sale Price:	000000000	Baths Full/Half:	1/0
Mill Levy:	83.054	Basement/Finish:	0/0	Zoning Used for Valuation:	EMX
Lot Size:	8,398				

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

Assessment

	Actual	Assessed	Exempt
Current Year			
Land	\$100,800	\$8,020	\$0
Improvements	\$38,200	\$3,040	
Total	\$139,000	\$11,060	
Prior Year			
Land	\$67,200	\$5,350	\$0
Improvements	\$27,700	\$2,210	
Total	\$94,900	\$7,560	

October 22, 2015

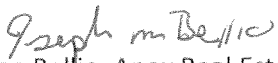
Denver Community Development and Planning

201 W Colfax Ave Department 205

Denver, CO 80202

Written Authorization for Rezoning of property located at 3446 Sheridan Boulevard, Denver, CO 80226

Phil Workman has the authority to represent the property owner in the rezoning application process for the above referenced property.


Joe Bellio, Apex Real Estate Solutions, LLC



For this Record...

- Filing history and documents
- Get a certificate of good standing
- File a form
- Subscribe to email notification
- Unsubscribe from email notification

- Business Home
- Business Information
- Business Search

- FAQs, Glossary and Information

Summary

Details			
Name	Apex Real Estate Solutions LLC		
Status	Good Standing	Formation date	02/10/2009
ID number	20091087652	Form	Limited Liability Company
Periodic report month	February	Jurisdiction	Colorado
		Term of duration	Perpetual
Principal office street address	446 Sheridan Blvd, Denver, CO 80226, United States		
Principal office mailing address	n/a		

Registered Agent	
Name	Joseph Michael Bellio
Street address	446 Sheridan Blvd, Denver, CO 80226, United States
Mailing address	n/a

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APPLICATION FOR ZONE MAP AMENDMENT

Assessor's Parcel Numbers

0507230032000

446 Sheridan Boulevard rezone – Legal Description

T4 R68 S7 NW/4 PT BEG 240FT S
& 150FT W OF COR OF S LI W 5TH
AVE & E LI SHERIDAN BV S 60FT
W 140FT N 55.75FT NELY 4.37FT
E 138.63FT

Adherence to Review Criteria

The nature of the proposed map amendment is to permit rezoning of a parcel of property consisting of 8,398 sq. feet. Located in the Barnum neighborhood and located on Sheridan Boulevard.. There has been significant change in the immediate area brought about by the transit station and other transit opportunities of this ideal close in location. These changes have resulted in the need to rezone in order to meet market and community needs and wants.

This map amendment request is in order to provide a zone district E-MX3 which is an identified zone district in the zoning code, more preferably than the existing restrictive PUD and in concert with the adjoining properties zoning and with flexibility for future development throughout the neighborhood.

The effect of the proposed amendment is justified as it will allow the redevelopment of underutilized property which will stimulate the revitalization of the entire surrounding neighborhood and the improvement of Sheridan Boulevard. The successful rezoning will allow for a dynamic high quality project which will blend in with the development to the north, while offering an expanded array of options for the community.

Select Legal Basis for the Zone Map Amendment

This application is supported by adherence to identified review criteria.

- Consistency with Adopted Plans
- Uniformity of District Regulations
- Justifying Circumstances

- Consistency with Neighborhood Context, Zone District Purpose and Intent

The Denver Comprehensive Plan 2000

Comprehensive Plan 2000 recognizes continued residential development pressures and opportunities.

Environmental Sustainability Strategies

- 2-F: Promoting infill development within Denver at sites where services and infrastructure are already in place Designing mixed use communities and reducing sprawl, so that residents can live, work and play within their own neighborhoods.

Land Use Strategies

- 1-C: Incorporate relevant recommendations from neighborhood corridor and area plans
- 1-D: Recognizes the multiple transportation functions of arterial corridors on as well as their importance for commercial activity and projecting the City's image.
- 1-H: Encourage development of housing that meets the increasingly diverse needs of Denver's present and future residents
- 3-A: Complete neighborhood and area plans for parts of Denver where development or redevelopment is likely or desirable.
- 3-B: Encourage quality infill development that is consistent with the character of the surrounding neighborhood that offers opportunities for increased density and more amenities.
- 4-B: Ensure that land use policies and decisions support a variety of mobility choices.

Mobility Strategies

- 3-C: Provide safe and convenient pedestrian and bicycle facilities within urban centers and new development areas.

Legacies Strategies

- 3-A: Identify areas in which increased density and new uses are desirable and can be accommodated.

Blueprint Denver

This application also supports the guiding principles of the land use and transportation vision of Blueprint Denver

Residential Areas and Neighborhoods

A neighborhood is an area that consists primarily of residential land uses. A city should contain neighborhoods that offer a variety of housing types, as well as complementary land use types such as stores, parks and schools that provide the basic needs of nearby residents.

Urban Residential

Urban residential neighborhoods are higher density and primarily residential but may include a noteworthy number of complementary commercial uses.

This application respects the adjacency of the neighborhood to the east and south and supports the vitality of the neighborhood through complementary commercial uses and stores.

Denver Zoning Code

The zoning classification, EMX3 was selected in order to maintain uniformed within the block as well as provide the ability to make the relatively small parcel viable for mixed uses (including, residential, retail or office). The application supports the General Purpose and Definition of Mixed Use.

This application advances those purposes in the following particulars underlined below;

4.2.4.1 General Purpose

A. The Mixed Use Zone Districts are intended to promote safe, active, and pedestrian-scaled, diverse areas and enhance the convenience and ease of walking, shopping and public gathering within and around the city's neighborhoods.

B. There is a diverse menu of Mixed Use Zone Districts in the Urban Edge Neighborhood Context to recognize the diverse pattern of mixed use places in these neighborhoods.

C. The Mixed Use districts are appropriate along corridors, embedded in neighborhoods and on large sites.

D. The building form standards of the Mixed Use Zone Districts balance the importance of street presence and provision of parking through build-to requirements. Street Level activation and parking lot screening along the right-of-way. Predictable flexibility in building form options recognizes the varied development pattern of Urban Edge Neighborhoods.

E. The Mixed Use Zone District standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

4.2.4.2

Mixed Use – 3 (E-MX-3)

E-MX-3 applies to areas or intersections served primarily by collector and arterial streets where a building scale of 1 to 3 stories is desired. Design standards provide options for varied building placement while still offering an active street front.

This application adheres to the EMX3 classification and advances the goals of the Denver Zoning Code.

Barnum West Neighborhood Plan

The Barnum West Neighborhood Plan was approved December, 1986. The neighborhood plan is a planning document for directing and managing change and investment. The plan is not an official zone map and does not imply any implicit rights to a particular zone or to the land uses permitted within (Barnum West Neighborhood Plan page 6). Given that the plan is almost 30 years old, it is still a document which must be consulted for guidance with a zoning application. Also, given that this plan is almost 30 years old and a significant amount of change has occurred in Barnum West, an updated neighborhood plan should be anticipated soon and would be guided by neighborhood input as well as Blueprint Denver and the Comprehensive Plan as cited above.

The proposed rezoning is within an identified business area in the Barnum West Neighborhood Plan. One of the goals of the Plan is to upgrade and promote existing business zones contained in the neighborhood. (Barnum West

Neighborhood Plan page 12). Additionally, although the plan does not support the transition from residential uses to business uses, this is a transition from an existing business use (PUD) to a proposed mixed use (EMX3) which is not in conflict with the residential goal. In fact, residential uses may be contemplated with the proposed rezoning.

Specifically, along Sheridan Boulevard, the Barnum West Neighborhood Plan expresses concern regarding the lack of landscaping, setbacks and parking along the business zones. (Page 23) Design guidelines and setbacks standards identified in the Denver Zoning Code positively address these concerns as well as the requirement in the EMX3 that any parking must not be between the building and the street but behind the building to improve the pedestrian and streetscape experience – these factors facilitate the goal of the Plan. Also the Plan identified Sheridan Boulevard a major arterial, a criteria for EMX3 zoning.

Although the Plan is almost 30 years old, a lot of the concerns expressed in the Plan are addressed in the proposed rezoning and advance the goals of the Plan. Rezoning this property from an undesirable PUD to a more appropriate classification which provides an adequate buffer and adds to the viability and vitality of the adjoining neighborhood as well as the major arterial it abuts.

DRCOG 2035 Plan

Enhancing and incentivizing infill and redevelopment activity can help reverse the damage and promote the economic vitality of older neighborhoods and communities. (DRCOG 2035 Plan page 18)

We request Community Planning and Development support of this application.

446 Sheridan

LEGAL DESCRIPTION

The South 60 ft. of the West 180 ft. of the N $\frac{1}{2}$, SW $\frac{1}{2}$, NW $\frac{1}{2}$, NW $\frac{1}{2}$, of Section 7, Township 4 South, Range 68 West, of the 6th P.M., except the West 30 ft. of said South 60 ft. of West 180 ft., City and County of Denver, State of Colorado.

P.U.D. 446 Sheridan Boulevard
 Property Address or Location

1. Date of pre-application conference June 1, 1983
2. Submittal date of preliminary application July 26, 1983
3. Submittal date of completed application September 14, 1983
4. Deadline for Planning Board Meeting _____
 (within 45 days after receipt of completed application)
5. Planning Board meeting date _____

2. a. Maximum gross floor area for each proposed use. Explain or define the uses. Terms like "retail" or "light industrial" must be defined in detail. To do this the applicants should refer to the various uses listed in a specific zone district of the Zoning Code.

For residential projects - indicate the maximum dwelling units <u>2</u>	<u>General Office and/or</u> use	<u>2,600</u> Sq. Ft.
	<u>Residential Units</u> use	_____ Sq. Ft.
	_____ use	_____ Sq. Ft.
Density or the ratio of dwelling units per acre equals <u>N/A</u>		
	TOTAL	<u>2,600</u> Sq. Ft.

Use the space at the
bottom of the page for
additional information

* SEE BELOW

- b. The maximum height of structures shall be (stories) 1 which shall not exceed a total of 22 feet. Rooftop features (Solar collectors, antennas, chimneys, flues, vents, air conditioning equipment) may exceed these height limit by 5 (feet). Flagpoles may exceed these height limits.
- c. Off-street parking: The project shall contain space for parking 6 vehicles. Applicant will abide by Article V, Off-Street Parking Requirements. yes no. If not, list the following; dimensions of parking spaces and aisles, ratio of parking spaces to building floor area by use, ratio of compact cars to regular-sized parking spaces. Use the blank space below.

Off-Street Loading Spaces. The project will contain 0 off-street loading spaces. Applicant will provide such spaces in conformance with Article VI, Off-Street Loading Requirements: yes no. If not, list the dimensions of the spaces provided.

NOTE:

The use of the terms "Article" or "Section" refer to portions of the Revised Municipal Code of the City and County of Denver.

The space below may be used to provide additional information.

- * 2A. The existing structures contain 1,327 sq. ft.. New additions may be added to bring the total square footage to 2600.

P.U.D. at 494 Sheridan
Property Address or Location

d. Setbacks for buildings (excluding fences and walls).

The north setback shall be 5 ft. The east setback shall be 5 ft.

The south setback shall be 4 ft. The west setback shall be 20 ft.

N/A

~~The minimum spacing between buildings shall be 6 ft. Other important spacing requirements are:~~ All existing structures may remain in place

e. Land Coverage by buildings and impervious surfaces by use are as follows:

Building Coverage 1327 * sq. ft. = 14.7 % of total area.

Streets and Drives 408 sq. ft. = 4.5 % of total area.

Walks, Patios 165 sq. ft. = 1.8 % of total area.

Paved Recreation areas -0- sq. ft. = 0 % of total area.

Front parking area = 1600 sq ft 17.7% of total area

3500 TOTAL = 38.7%

* Additional 1273 sq ft may be added to existing structures at a later date.

f. Surface Drainage: The owner understands that the rules and regulations of the Wastewater Management Division will require certain design considerations and construction features to control surface water runoff. The site contains , does not contain a flood hazard area as identified by the Urban Drainage and Flood Control District (Contact the Wastewater Management Division, 295-1451).

g. Interior streets, drives and pedestrian walkways within the P.U.D. district, if any, are shown on the District Plan. N/A

h. Easements: Existing utility or access easements located on the property are as follows: N/A

i. Buffering features or methods: (Natural foliage areas, berms, fences or walls) Natural foliage areas shall consist of (what plant materials?) existing 5' fence on east end of property and plant hedge of 1 gallon evergreens, placed 2 ft. apart, a maximum of 5 ft. high and shall be located (where?) on the south property line from garage to west set back of 20 ft. All such foliage shall be maintained in a healthy and growing condition.

Supplement to item I

If street trees are to be utilized or for any plantings in the Public Right-of-way, owner shall contact City Forester (575-3053, 575-2571) for proper species and placement.

P.U.D. at 494 Sheridan
Property Address or Location

The maximum height of fences or walls on the P.U.D. district boundaries and within the building setback areas shall be 5 feet, and shall be located (where?) East end of property. Such fences or walls shall be: solid and view-obscuring , or open and view-permitting . The owner shall commence construction of buffering features prior to occupancy of completed dwelling units or within 180 calendar days of site plan approval. In addition fences or walls may be constructed according to Sec. 59-134(b)(5)...R-1 regulations.

The maximum height of fences or walls within the interior areas of the district shall be 6 feet.

Earthen berms or mounds are proposed (where?) N/A
and shall be no more than _____ feet in height.

- j. Boat, camper, trailer and recreation vehicle storage will , will not , be permitted on the property. If permitted, the number of each type will be as follows: _____.

The location of these storage areas shall be shown on the District Plan. The maximum height of solid screening fences or walls shall be N/A feet, and are shown on the District Plan.

- k. 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.
- l. School population: Project will have a school population of .72 children; Elementary School .12; Junior High School .20; Senior High School .40. (Ratios can be provided by the Denver Public Schools, 837-1000, Facility Planning).
- m. The project contain the following types and sizes of areas:

Lawn areas including any landscaped buffer areas	<u>5500</u> sq. ft.
Large, landscaped open areas (over 10,000 sq. ft.)	<u>N/A</u> sq. ft.
Active recreation areas with play equipment, etc.	<u>N/A</u> sq. ft.
Others, (describe)	

P.U.D. at 494 Sheridan
Property Address or Location

n. External effects: (vibration, heat, glare, radiation, and fumes). These effects will be regulated by Sec. 59-248(2)(3) which regulate uses in the B-1 zone.

o. The natural terrain will be restored in the following areas:

N/A

p. Utilities (public and private) serving the property are adequate, inadequate; they are located Electric from East
Sewer and water West in Sheridan Boulevard

For information contact the Public Service Company.. 571-3747; Mountain Bell 624-3119; and the Denver Water Department.. 623-2500, Ext 415.

If inadequate, the following measures have been recommended by the appropriate utility to provide service. _____

q. Sign Controls: The project will be regulated by the following:
Sec. 59-537. Signs Permitted in all Districts, yes ; no ;
Sec. 59-538. Sign Area Measurement, yes , no , and
Sec. 59-250 Regulations for the B-1 districts.

r. Outdoor Storage of products, materials or Solid Waste will , will not , be permitted on the property. If permitted such storage is shown on the District Plan. Screening will , will not , be provided. If so, such screening will consist of a solid wall or fence 6 feet high.

s. Current traffic volumes on streets in the project area should be shown on the "Existing Conditions Map." These volumes are available for major streets from the Traffic Engineering Division, or the Planning Office or may be estimated by the applicant based on a professional study. Streets for which no estimate is available should be noted.

Site generated traffic should be estimated and noted by applicant based on proposed project type, size, and other relevant factors. Ratios for estimating traffic are available from the Traffic Engineering (575-5781) or the Planning Office. (575-3268)
Estimate 10 trips in / 10 trips out : Dailey Mon-Fri

For projects with total daily site generated traffic of more than 200 vehicle trips, or for projects in areas with special problems, more detailed analysis may be required and the applicant should contact the Planning Office for further guidance.

t. Public Transportation. The nearest bus stop is located about 15 ft. from the property on Sheridan Boulevard
Avenue or Street

P.U.D. at 494 Sheridan
Property Address or Location

u. Public Facilities:

The nearest Elementary school is Newlon at 361 Vrain
name address

The nearest Junior High school is Lake at 1820 Lowell Blvd.
name address

The nearest Senior High school is West at 951 Elatti
name address

The nearest Denver Fire Station is Station No. 25 at 501 Knox Court
address

The nearest Police Station is at 3929 W. Florida
address

The nearest Recreation Center is at 360 Hooker
address

The nearest Library is at West 1st & Lowell Blvd.
address

v. Home Occupations: If residential dwelling units are contained within the project, home occupations will , will not , be permitted. If so permitted, they will be regulated by Sec. 59-132(4) (R-1 zone).

w. Temporary Uses: Uses by temporary permit will be regulated by Sec. N/A (zone).

x. Accessory Uses: Will be permitted and regulated by Sec. N/A (zone).

y. Interim Uses: Prior to the development of this project, the property will be used on an interim basis for existing residential (describe in detail the following: size, height and location of all interim buildings, provision for parking, term of interim use, etc.). No changes to existing residence will occur.

3. On 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. Its relationship to the Comprehensive Plan; where the applicant's objectives are not in substantial conformance with the Comprehensive Plan the statement shall include the changed or changing conditions that justify approval of the proposed P.U.D. District. (For help on this please contact Denver Planning Office).
- c. How the proposed P.U.D. District is to relate to the character of the surrounding neighborhood.

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

5. The "District Plan" is attached as the last page of this application.

3A The purpose of this P.U.D. is as follows:

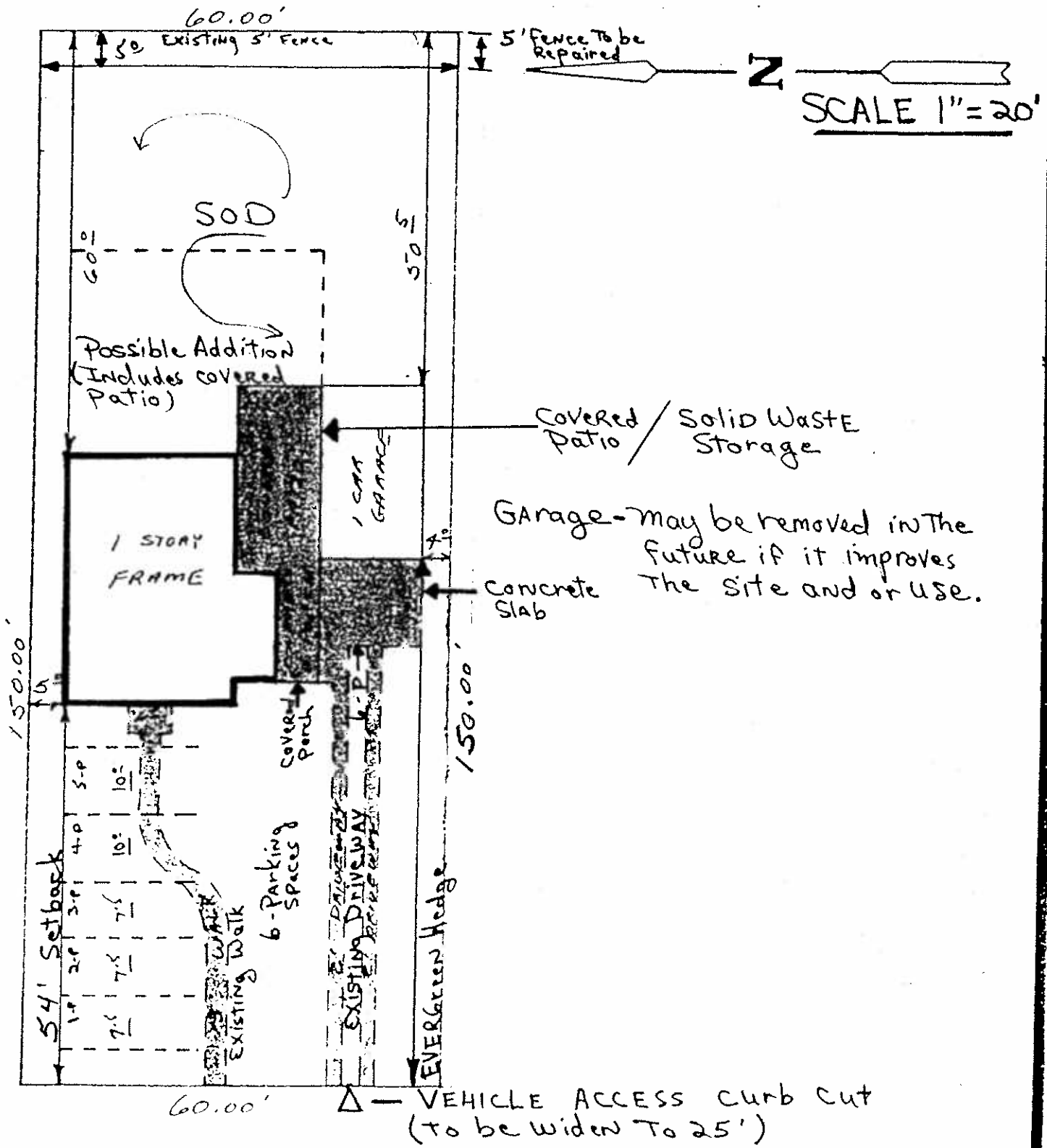
- 1) The existing structure to be used as general offices or two residential units.
- 2) The property could be used as a relief valve to the currently overcrowded parking condition of the office building at 494 Sheridan. The existing parking is very inadequate causing on-street parking on both 5th Avenue and Zenobia Street.

3B The P.U.D. District relates to the comprehensive plan according to Section B-10 of the plan. The District, being bounded by both commercial and residential areas, would not only fit in with commercial business, but would be able to serve those residential areas as well. The District is ideally suited for legal, accounting or similar business purposes. This type use would be a positive factor within the neighboring residential community. Access to and from the P.U.D. Districts and the commercial property to the north would compliment each other as would there be an advantage to additional commercial services than are presently available. The P.U.D. District relates to Sections T-24 and T-25 the comprehensive plan by improving the desirability of the neighborhood. Parking is currently a problem at the commercial property to the north of the P.U.D. District. The current situation forces on-street parking on both Zenobia Street and 5th Avenue. The P.U.D. District could handle some overflow parking in the front and the possibility of future parking in the rear could alleviate this problem. Additional landscape buffer along the eastern boundary would be provided to enhance the P.U.D. District as suggested in Section B-2 of the comprehensive plan.

3C The P.U.D. District is currently a single family residence bounded on the east and south by single family residences, on the north by a commercial office building and on the west by various commercial properties. The exterior of the P.U.D. District will retain the residential appearance to blend with the neighboring residences. Parking will be made available in the front and the possibility of future parking in the rear of the existing structure as an extension of the parking lot belonging to the commercial office building at 494 Sheridan to the north of the P.U.D. District. This parking area may be used as an overflow for the currently over crowded parking situation at 494 Sheridan. This parking area could allow enough relief that cars will no longer be forced to park on either 5th Avenue or Zenobia Street, thus relieving an irritation to the residents. A landscape buffer will be constructed to the east. A change in use of this property would provide for a cleaner, neater and more usable area than its current use.

Future allowance for parking in rear with formal cross access agreement from parking lot next door or access may be thru the existing garage area. This would require a minor modification P.U.D..

District Plan Map



SHERIDAN BLVD.

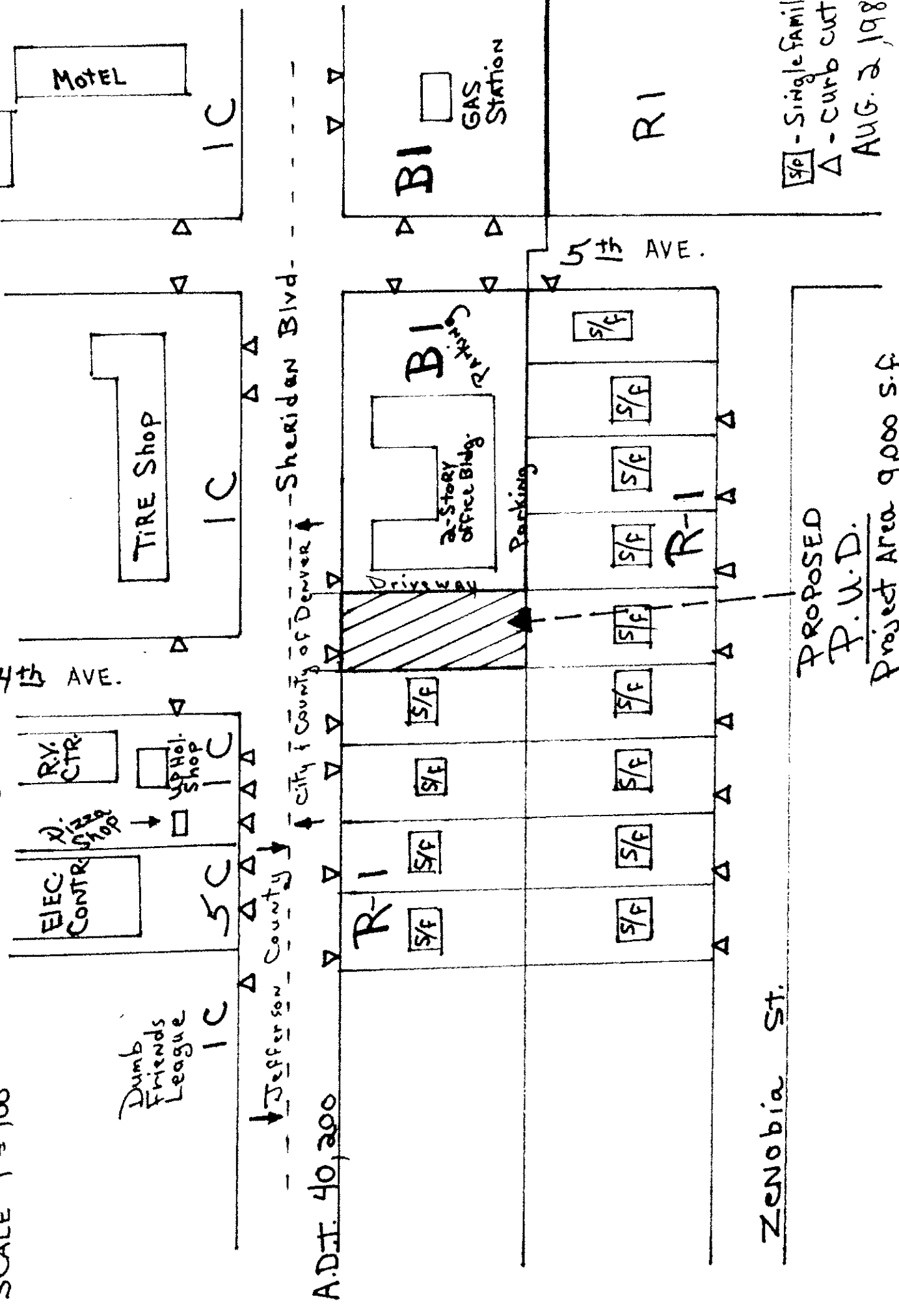
A.D.T. 40,200

Date of Map Aug. 2, 83



SCALE 1" = 100'

EXISTING CONDITIONS



- Single Family
 - Curb cut
 AUG. 2, 1983

PROPOSED
 P.U.D.
 Project Area 9,000 S.F.