



## Zone Map Amendment (Rezoning) - Application

<b>PROPERTY OWNER INFORMATION*</b>		<b>PROPERTY OWNER(S) REPRESENTATIVE**</b>	
<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Property Owner Name	64TH & TOWER LLC	Representative Name	Kristin Dean - Norris Design
Address	1555 BLAKE ST., STE 210	Address	1101 Bannock St.
City, State, Zip	DENVER, CO 80202-1866	City, State, Zip	Denver, CO 80204 <span style="float: right;">+</span>
Telephone	720-917-4286	Telephone	303-892-1166
Email	jordan.swisher@bruebaukol.com	Email	KDean@norris-design.com
*All standard zone map amendment applications must be initiated by owners (or authorized representatives) of at least 51% of the total area of the zone lots subject to the rezoning. See page 4.		**Property owner shall provide a written letter authorizing the representative to act on his/her behalf. ***If contact for fee payment is other than above, please provide contact name and contact information on an attachment.	
<b>SUBJECT PROPERTY INFORMATION</b>			
Location (address):	6298 N ARGONNE ST.		
Assessor's Parcel Numbers:	00102-26-001-000		
Area in Acres or Square Feet:	6.27 ac		
Current Zone District(s):	C-MU-20, AIO (WVRS) and C-MU-30, UO-1, AIO (WVRS)		
<b>PROPOSAL</b>			
Proposed Zone District:	S-MX-3, AIO		
<b>PRE-APPLICATION INFORMATION</b>			
In addition to the required pre-application meeting with Planning Services, did you have a concept or a pre-application meeting with Development Services?	<input checked="" type="checkbox"/> <b>Yes - State the contact name &amp; meeting date</b> <small>EMILY COLLINS / CONCEPT REVIEW MTG 3-1-22</small> <input type="checkbox"/> <b>No - Describe why not (in outreach attachment, see bottom of p. 3)</b>		
Did you contact the City Council District Office regarding this application?	<input checked="" type="checkbox"/> <b>Yes - if yes, state date and method</b> <u>E-MAIL OUTREACH &amp; MEETING</u> <input type="checkbox"/> <b>No - if no, describe why not (in outreach attachment, see bottom of p. 3)</b>		

REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)	
<p>General Review Criteria DZC Sec. 12.4.10.7.A</p> <p>Check box to affirm <b>and</b> include sections in the review criteria narrative attachment</p>	<p><input checked="" type="checkbox"/> <b>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.</b></p> <p>Please provide a review criteria narrative attachment describing <b>how</b> the requested zone district is consistent with the policies and recommendations found in <b>each</b> of the adopted plans below. Each plan should have its' own subsection.</p> <p><b>1. Denver Comprehensive Plan 2040</b></p> <p>In this section of the attachment, describe <b>how</b> the proposed map amendment is consistent with <i>Denver Comprehensive Plan 2040's</i> a) equity goals, b) climate goals, and c) any other applicable goals/strategies.</p> <p><b>2. Blueprint Denver</b></p> <p>In this section of the attachment, describe <b>how</b> the proposed map amendment is consistent with: a) the neighborhood context, b) the future place type, c) the growth strategy, d) adjacent street types, e) plan policies and strategies, and f) equity concepts contained in <i>Blueprint Denver</i>.</p> <p><b>3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable):</b> Far Northeast Area Plan and Gateway Subdivision Rules and Regulations</p>
<p>General Review Criteria: DZC Sec. 12.4.10.7. B &amp; C</p> <p>Check boxes to the right to affirm <b>and</b> include a section in the review criteria for Public Health, Safety and General Welfare narrative attachment.</p>	<p><input checked="" type="checkbox"/> <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.</b></p> <p><input checked="" type="checkbox"/> <b>Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</b></p> <p>In the review criteria narrative attachment, please provide an additional section describing <b>how</b> the requested rezoning furthers the public health, safety and general welfare of the City.</p>
<p>Review Criteria for Non-Legislative Rezoning: DZC Sec. 12.4.10.8</p> <p>For Justifying Circumstances, check box and include a section in the review criteria narrative attachment.</p> <p>For Neighborhood Context, Purpose and Intent, check box <b>and</b> include a section in the review criteria narrative attachment.</p>	<p><b>Justifying Circumstances - One of the following circumstances exists:</b></p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error;</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact;</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints of development created by the natural characteristics of the land, including, but not limited to , steep slopes, floodplain, unstable soils, and inadequate drainage;</p> <p><input checked="" 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="padding-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or,</p> <p style="padding-left: 20px;">b. A City adopted plan; or</p> <p style="padding-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.</p> <p>In the review criteria narrative attachment, please provide an additional section describing the selected justifying circumstance. If the changing conditions circumstance is selected, describe changes since the site was last zoned. Contact your pre-application case manager if you have questions.</p> <p><input checked="" type="checkbox"/> <b>The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</b></p> <p>In the review criteria narrative attachment, please provide a separate section describing <b>how</b> the rezoning aligns with a) the proposed district neighborhood context description, b) the general purpose statement, and c) the specific intent statement found in the Denver Zoning Code.</p>

**REQUIRED ATTACHMENTS**

Please check boxes below to affirm the following **required** attachments are submitted with this rezoning application:

- Legal Description of subject property(s). **Submit as a separate Microsoft Word document.** View guidelines at: <https://www.denvergov.org/content/denvergov/en/transportation-infrastructure/programs-services/right-of-way-survey/guidelines-for-land-descriptions.html>
- Proof of ownership document for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed, or (c) Title policy or commitment dated no earlier than 60 days prior to application date. If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.
- Review Criteria Narratives. See page 2 for details.

**ADDITIONAL ATTACHMENTS (IF APPLICABLE)**

Additional information may be needed and/or required. Please check boxes below identifying additional attachments provided with this application.


- Written narrative explaining reason for the request** (optional)
- Outreach documentation attachment(s).** Please describe any community outreach to City Council district office(s), Registered Neighborhood Organizations (RNOs) and surrounding neighbors. If outreach was via email- please include email chain. If the outreach was conducted by telephone or meeting, please include contact date(s), names and a description of feedback received. If you have not reached out to the City Council district office, please explain why not. (optional - encouraged )
- Letters of Support.** If surrounding neighbors or community members have provided letters in support of the rezoning request, please include them with the application as an attachment (optional).
- Written Authorization to Represent Property Owner(s)** (if applicable)
- Individual Authorization to Sign on Behalf of a Corporate Entity** (e.g. if the deed of the subject property lists a corporate entity such as an LLC as the owner, this document is required.)
- Other Attachments.** Please describe below.



# REZONING GUIDE

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

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

Property Owner Name(s) (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, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
<b>EXAMPLE</b> 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>	01/12/20	(A)	YES
John Fair	64TH & TOWER LLC 1555 BLAKE ST STE210 DENVER, CO 80202-1866	100%	 Manager	2/16/22 - 1	A	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
						YES
						YES
						YES

# 6298 N ARGONNE ST

<b>Owner</b>	64TH & TOWER LLC 1555 BLAKE ST STE210 DENVER, CO 80202-1866
<b>Schedule Number</b>	00102-26-001-000
<b>Legal Description</b>	DENVER GATEWAY CENTER FLG 7 B4 L1
<b>Property Type</b>	DRY FARM LAND
<b>Tax District</b>	425F

## Print Summary

Property Description			
<b>Style:</b>	OTHER	<b>Building Sqr. Foot:</b>	0
<b>Bedrooms:</b>		<b>Baths Full/Half:</b>	0/0
<b>Effective Year Built:</b>	0000	<b>Basement/Finish:</b>	0/0
<b>Lot Size:</b>	272,960	<b>Zoned As:</b>	C-MU-10

## Authorization Letter

The undersigned hereby consents and agrees to the following with respect to that certain real property located in the City of Denver, Denver County, Colorado, described as follows (the “**Land**”):

LOT 1, BLOCK 4, DENVER GATEWAY CENTER FILING NO. 7, CITY AND COUNTY OF DENVER, STATE OF COLORADO

Also known by street address 6298 N ARGONNE ST., Denver, CO, and assessor’s schedule or parcel number 00102-26-001-000.

1. The undersigned is the record owner of title to the Land.
2. The undersigned hereby authorizes NORRIS DESIGN, a Colorado limited liability company and its employees, agents, consultants and contractors (collectively, “**Norris**”) to act on its behalf to contact any governmental authority, utility provider or other party directly with respect to delivery of electrical service and other utilities to the Property (whether at current capacity or additional capacity or services) and to obtain any other certificates, approvals or permits necessary for Norris’s intended use of the Land, in Norris’s discretion (“**Approvals**”).
3. Norris is hereby authorized to execute and submit applications and submittals with respect to the Approvals.


Dated: February 15, 2022.

**Signature Block**

**64th & TOWER, LLC,**  
a Colorado limited liability company

By: GP 64TH & TOWER, LLC, a Colorado limited liability company, its Manager

By: Fair Capital, LLC, a Colorado limited liability company, One of two Managers  
and its sole Project Manager

By:  \_\_\_\_\_  
Name: John Fair  
Title: Manager

**WRITTEN CONSENT OF A MANAGER  
OF  
64<sup>th</sup> & TOWER, LLC**

March 8, 2022

The undersigned, being a manager of GP 64<sup>th</sup> & Tower, LLC, a Colorado limited liability company (the "Company"), in lieu of holding a special meeting, hereby adopts, approves, and consents to the following preambles and resolutions by written consent pursuant to the Operating Agreement of the Company (the "Operating Agreement"), and the Colorado Limited Liability Company Act (Colo. Rev. Stat. §§ 7-80-101, *et seq.*) (the "Law"):

WHEREAS, the Company is the sole manager of 64<sup>th</sup> & Tower, LLC, a Colorado limited liability company ("64<sup>th</sup> & Tower"), which is the sole member and managing member of 64<sup>th</sup> & Tower, LLC, a Colorado limited liability company ("Owner");

WHEREAS, pursuant to the Operating Agreement, a Manager of the Company, acting individually, has the ability to direct, manage and control the business of the Company, without the consent or concurrence of any other Manager;

WHEREAS, John Fair is a manager of the Company;

WHEREAS, the Company desires to cause Owner to rezone (the "Rezoning") certain real property owned by Owner, which is generally located at 6298 N Argonne St., Denver, Colorado;

WHEREAS, in connection with the Rezoning, Owner will execute and deliver certain documents necessary to effectuate the Rezoning (collectively, the "Rezoning Documents"); and

NOW, THEREFORE, BE IT RESOLVED, the undersigned, being a manager of the Company, hereby approves, in all respects, the Rezoning and the execution and delivery of the Rezoning Documents;

FURTHER RESOLVED, that John Fair, in his capacity as a manager of the Company, in the Company's capacity as the manager of and on behalf of 64<sup>th</sup> & Tower, in its capacity as the sole managing member of and on behalf of Owner, be, and hereby is, authorized and directed to execute and deliver the Rezoning Documents, each containing such terms, provisions, modifications, and changes as such person deems appropriate, and to take such other and further actions and to execute and deliver such other and further documents as may be reasonably necessary to effectuate the Rezoning, as such person shall determine in his reasonable discretion;

FURTHER RESOLVED, that any and all actions taken on behalf of the Company prior to the date hereof and in connection with the Rezoning are hereby ratified, confirmed, and approved in all respects;



FURTHER RESOLVED, that this consent may be executed in counterparts, including facsimile or other electronic signatures, each of which shall be deemed an original for all purposes and all of which will constitute one and the same instrument; and

FURTHER RESOLVED, that the actions taken by this consent shall have the same force and effect as if taken by the undersigned at a special meeting of the managers of the Company, duly called and constituted pursuant to the Law and the Operating Agreement.

*[Signature page follows]*

IN WITNESS WHEREOF, the undersigned, a manager of the Company, hereby consents to, approves, and adopts the foregoing preambles and resolutions effective as of the date first above written.

**64th & TOWER, LLC,**  
a Colorado limited liability company

By: GP 64TH & TOWER, LLC, a Colorado limited liability company, its Manager

By: Fair Capital, LLC, a Colorado limited liability company, One of two Managers and its sole Project Manager

By:  \_\_\_\_\_  
Name: John Fair  
Title: Manager

March 10, 2022

Development Services  
City and County of Denver  
201 W. Colfax Ave., Dept 205  
Denver, CO 80202

**RE: E. 63<sup>RD</sup> & ARGONNE ST. (COTTAGES AT GATEWAY) – REZONING SUBMITTAL (2021PM0000449)  
BLOCK 4, LOT 1, DENVER GATEWAY CENTER, FILING NO. 7**

Dear Sir or Madam,

We are pleased to submit this formal Rezoning application on behalf of the owner, Brue Baukol, and the applicant, Boulder Creek Neighborhoods. The following team of consultants has been assembled to complete this application:

<p><b>Applicant:</b> Boulder Creek Neighborhoods Mike Cooper 712 Main St. Louisville, CO 80027 720-837-5491 / MCooper@LiveBoulderCreek.com</p>	<p><b>Owner:</b> Brue Baukol Capital Partners Jordan Swisher 1555 Blake Street, Suite 210 Denver, CO 80202 M: 720.917.4286 / jordan.swisher@bruebaukol.com</p>
<p><b>Civil Engineer:</b> JR Engineering Kurtis Williams 7200 S. Alton Way, Suite C400 Centennial, CO 80112 (303) 740-9393 / JWilliams@JREngineering.com</p>	<p><b>Planner / Landscape Architect</b> Norris Design Kristin Dean 1101 Bannock St. Denver, CO 80204 303-892-1166 / kdean@norris-design.com</p>

We look forward to working with the City and County of Denver through the application and review process for the proposed community along E. 63<sup>rd</sup> Ave. Please reach out to me if you have any comments, questions, or requests for additional information.

Sincerely,  
Norris Design



Kristin Dean, AICP  
Senior Associate

## CONTEXT AND PROJECT OVERVIEW

The Cottages at Gateway community is planned to be an alley-loaded for-rent residential community on approximately 6.27 acres of vacant land located at the southeast corner of E. 63<sup>rd</sup> Ave. and Argonne St. (the “Property”). The proposed community consists of approximately 95 two-story rental townhome units (approximately 15.2 du/ac), predominantly 3-bedroom townhomes featuring attached 2-car garages and covered front porches. The Property is bounded by proposed streets to the north (E. 63<sup>rd</sup> Ave.) and east (N. Ceylon St.), and an existing street to the west (Argonne St.). A seven-acre open space area borders the Property to the south. The community will include a myriad of pedestrian connections adjacent to and throughout the site to access the neighborhood parks and open space to the south. All homes will include front porches, fostering social interactions and create an overall sense of connection and community.

The project is currently under review for an LDR Framework Plan (2021-LDR-0000009). The site is zoned C-MU-20 (& 30) WVRS\*/AIO (Commercial Mixed-Use District with Waivers). Surrounding zoning includes GTWY, and C-MU-30 WVRS\*/AIO. A Rezoning Pre-Application meeting was held on January 14, 2022 and it was agreed to by both the City Staff and the applicant that a rezoning to S-MX-3 would be an appropriate zoning district. The applicant is therefore submitting an application to rezone the Property to **S-MX-3, AIO**.

## CONSISTENCY WITH ADOPTED PLANS

The Cottages at Gateway plan and the proposed rezoning expressly meets the vision, goals and policies of applicable adopted plans and documents as summarized below.

### Comprehensive Plan 2040

#### Vision Element: Equitable, Affordable and Inclusive

- Goal 1: Ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities
  - Strategy A – Increase development of housing units close to transit and mixed-use development.
    - The proposed development expands housing options within close proximity to public transit, including major bus routes and a commuter rail station.
- Goal 2: Build housing as a continuum to serve residents across a range of incomes, ages and needs.
  - Strategy A – Create a greater mix of housing options in every neighborhood for all individuals and families.
    - The proposed community provides a unique Missing Middle housing type of 3-bedroom townhome rental unit with attached 2-car garage. This will expand housing diversity within the City and County of Denver and increase the diversity of housing options in this area of the City where housing needs are underserved. This home type does not yet have a presence in the surrounding market and will thus increase the diversity of housing and housing equity in the Far Northeast area of Denver.

#### Vision Element: Strong and Authentic Neighborhoods

- Goal 1: Create a city of complete neighborhoods
  - Strategy B – Ensure neighborhoods offer a mix of housing types and services for a diverse population.
    - The proposed rental townhomes will provide an important Missing Middle housing type, which is in high demand in the city of Denver and the Gateway neighborhood. The key elements of the Missing Middle includes:

- Multi-unit, clustered buildings, providing a scale of housing between single-family homes and large apartment and condo buildings
  - Compatible in scale with single-family homes
  - Attainable housing choices to middle-income families without subsidies between 90–110% AMI
- Strategy C – Ensure neighborhoods are safe, accessible, and well-connected for all modes.
    - The proposed community will provide vehicular, pedestrian, and bicycle infrastructure, thereby promoting and encouraging various modes of transportation.

Vision Element: Environmentally Resilient

- Goal 8: Clean our soils, conserve land and grow responsibly.
  - Strategy A – Promote infill development where infrastructure and services are already in place.
    - The subject Property has been platted, and all public right of way and infrastructure is in place or will be constructed to serve the development as proposed.
  - Strategy B – Encourage mixed-use communities where residents can live, work, and play in their own neighborhoods.
    - The Property is in a growing and diverse mixed-use area with a variety of existing and planned land uses in the vicinity. Lodging uses exist to the west of the Property, and commercial mixed-use development is planned directly north of the Property. A school is anticipated to the east of the Property, and a large open space/detention area exists immediate south of the Property. Additional residential uses are either existing or anticipated further to the east and south. The proposed community will contribute to a diverse supply of residential types and expand housing choices, allowing more opportunity for future residents to live near places of employment and recreation facilities.

Vision Element: Healthy and Active

- Goal 1: Create and enhance environments that support physical activity and healthy living.
  - Strategy B – Promote walking, rolling and biking through the development of a safe and interconnected multimodal network.
    - The proposed community will expand mobility choices by providing pedestrian and bicycle infrastructure and increasing connectivity in the surrounding area. Additionally, proposed townhomes front on common sidewalks and open space areas, promoting a walkable environment, healthy lifestyles, and social interaction.

**Blueprint Denver**

The Property is located within a “Future Growth Area”, is identified within a “Suburban” Neighborhood Context, and has a Future Place Type designation of “High-Medium Residential”. The High-Medium Residential designation anticipates a mix of medium-scale, multi-unit residential types, with structures up to 5 stories in height. The conceptual plan envisions 95 townhomes on 6.26 acres for a density of 15.17 du/acre. With the mixed-use community planned to the north of E. 63<sup>rd</sup> Ave., these two communities will result in a mix of residential homes with neighborhood-serving retail.

The Property lies within the DIA Influence Overlay Zone (AIO), which prohibits single and two-unit residential uses, and prohibits multi-unit residential uses north of 64<sup>th</sup> Ave. The proposed community is located south of 64<sup>th</sup> Ave. and will not include single or two-unit residential uses, fully compliant with these provisions.

This walkable, residential neighborhood will expand mobility options and advance accessibility and equity goals. The proposed Rezoning advances the following policies within Blueprint Denver:

Goal 1: Serve all Denver residents with a diverse range of affordable housing options.

- The proposed community contributes to a diverse and inclusive housing supply and provides a needed Missing Middle form of housing.

Goal 3: Develop safe, high-quality mobility options that prioritize walking, rolling, biking and transit and connect people of all ages and abilities to their daily needs.

- The proposed community expands pedestrian and bicycle infrastructure, promotes accessibility, provides mobility options, and prioritizes alternative modes of transportation.

Goal 7: Foster great urban design and the creation of authentic places that thoughtfully integrate streets, public spaces and private property.

- The proposed community features high-quality site design with thoughtful integration of streets, sidewalks, public and private open space areas, and efficient connectivity to surrounding uses. Homes will front public streets and also frame internal landscape courts, with connections to the public right of way and open space areas.

Goal 10: Promote a healthy community with equitable access to healthy living for all residents.

- The proposed community promotes public health and well-being by providing pedestrian-oriented neighborhood with equitable access to public park and open space areas, nearby businesses, and public transit. Homes fronting on common gathering spaces foster social interaction and active lifestyles.

## Far Northeast Area Plan

The Cottages at Gateway community and proposed rezoning complies with applicable policies, strategies, and recommendations within the Far Northeast Area Plan.

The proposed rezoning responds directly to the lack of housing diversity within the Far Northeast Area. According to Section 1.2.4 of the plan, the area “lacks diversity of housing options related to housing size and housing type.” The proposed community contributes to the much-needed housing as the area continues to grow and develop. Offering for-rent townhomes will provide a unique housing alternative that does not currently exist in the area.

The Property lies within a “Suburban” context, and the Future Places map within the Far Northeast Area Plan identifies Property within a High-Medium designation. The proposed rezoning supports the Future Places designation as envisioned within the Far Northeast Area Plan by contributing to a broader mix of medium-scale, multi-unit residential types. Furthermore, the proposed townhome community features 2-story homes which complies with the Far Northeast Area Plan’s recommended maximum building height of 5 stories.

The Far Northeast Area Plan recognizes the need to “take steps to address the concentration of Former Chapter 59 zoning” in the area (LU-16, page 207). The proposed rezoning will update the zoning designation to align with future place designations within Blueprint Denver, promoting more harmonious and compatible land use patterns in the area.

The proposed rezoning supports the following recommendations within the Far Northeast Area Plan:

LU-5.1: Create pedestrian friendly streets through attractive building facades, street trees, landscaping, lighting and street furnishings.

- The public streets all feature detached sidewalks and tree lawns. The Cottages at Gateway homes feature large front porches and front the public streets.

LU-5.2: Promote an urban street relationship by locating buildings close to the street, particularly along centers and corridors.

- The proposed community will feature homes fronting on the public right of way with direct pedestrian access from public sidewalks to building entrances. Expanded sidewalk and trail network will create a more engaging, pedestrian-oriented environment.

LU-8.1: Provide safe and efficient routes for pedestrians and bicyclists.

- The proposed community will implement sidewalks and bicycle infrastructure to encourage access and mobility and enhancing safety of the non-motoring public.

LU-16: Rezone Former Chapter 59 properties into the Denver Zoning Code.

- The proposed rezoning will update the zoning designation to align with future place designations within Blueprint Denver, promoting more harmonious and compatible land use patterns in the area.

**Gateway Subdivision Rules and Regulations and Design Guidelines:** The Rezoning is consistent with the provisions contained within the Gateway Subdivision Rules and Regulations adopted on March 15, 2000. The proposed development conforms to all applicable requirements including the provision of neighborhood park areas.

The proposed rezoning conforms to the Gateway Urban Design Standards and Guidelines (adopted 1999). The proposed community supports the intent of the Gateway District Design Standards and Guidelines in the following areas:

- Establish a practical, interconnected system of streets, parks and parkways that allow easy orientation and convenient access for all modes of transportation.
  - The established roadway network supports a well-planned and integrated multi-modal network, and the proposed vehicular and pedestrian improvements will promote inter-connectivity and expand mobility options throughout the area.
- Accommodate a broad mix of development types that encourage alternative transportation, especially walking, and transit use.
  - The proposed residential development will increase housing supply and expand housing diversity in the Gateway area while encouraging mobility options, including walking, rolling, cycling, and transit use.
- Develop a built environment that provides a diversity, configuration and scale of development that promotes pedestrian activity, a sense of place and community.
  - The proposed rezoning will promote housing diversity and provide a pedestrian-oriented neighborhood that will complement existing and planned uses in the area. The proposed community will activate existing open space areas, establish a sense of community, and encourage social integration.

## UNIFORMITY OF DISTRICT REGULATIONS

The proposed rezoning and associated map amendment results in uniform district regulations and restrictions. The S-MX-3 zoning designation is compatible with the zoning of surrounding properties and is well integrated with existing and proposed land uses in the area. Establishing the base zoning under the “Suburban (S)” Neighborhood Context provides the most flexibility for the future rezoning of surrounding properties considering the intent supports a variety of residential and commercial building forms. This zone district is consistent with other properties in the area that have been rezoned from the old zoning code to the updated Denver Zoning Code and also provides a transition in density between higher densities to the west and existing single-family homes to the east. West of Tower Rd., a significant amount of land has been rezoned to “S” zonings including S-MX-8 and 8A, S-MX-12, and S-MX-12A. Thus, rezoning the subject Property to S-MX-3 contributes to the continuity of the zoning districts in the Gateway area of Denver.

The S-MX-3 zone district is typically applied to areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired. The design standards provide flexibility in building siting while supporting a consistent pattern of buildings placed closer to the street to offer an active street front. Sites are limited to low intensity uses and the low scale General building form to encourage a more pedestrian-oriented environment. The zoning district design standards encourage high-quality development that aligns with the City's vision and intent of the Property as well as supporting adopted plans and policies as described above.

## **FURTHER PUBLIC HEALTH, SAFETY AND WELFARE**

Rezoning the Property to align with the current Zoning Code furthers the public health, safety and welfare by facilitating high-quality and responsible growth that conforms to the City's current zoning regulations and standards. The rezoning also promotes the provision of diverse and inclusive housing options and promotes accessible and equitable neighborhoods. The S-MX-3 zone district achieves a building form, site design, and community character that advances the interests of the public through expanded public park and recreation facilities, public sidewalks, landscaping, and roadway improvements. Furthermore, the proposed rezoning advances several important public goals and policies contained within adopted plans as described above.

## **JUSTIFYING CIRCUMSTANCES**

The City and County of Denver Zoning Code became effective on June 25, 2010 (and restated in its entirety on July 1, 2021), while the subject Property retained its former Chapter 59 zoning designation. The existing zoning designation is incompatible with existing and future uses in the area and would not foster integrated and responsible development. It is in the public interest to rezone the Property to align with the current Zoning Code, Blueprint Denver, and the Far Northeast Area Plan. Rezoning also meets the rezoning criteria under Section 12.4.10.8.A.4.c, which states that it is in the public interest to rezone Property that retained Former Chapter 59 zoning. Furthermore, the Far Northeast Area Plan recognizes the need to "take steps to address the concentration of Former Chapter 59 zoning" in the area (LU-16, page 207). The proposed rezoning will update the zoning designation to align with current designations and associated regulations, promoting more harmonious and compatible land use patterns in the area.

## **CONSISTENCY WITH NEIGHBORHOOD CONTEXT, ZONE DISTRICT PURPOSE AND INTENT**

The requested S-MX-3 zone district and the proposed Cottages at Gateway community conforms to the Suburban neighborhood context and general character (Section 3.1.1 of the Denver Zoning Code) by providing multi-unit residential that will align with the "General" building form. The site design and building form aligns with the S-MX-3 General Purpose by balancing the importance of street presence while promoting safe, active, and pedestrian-scaled character (Section 3.2.4.1 of the Denver Zoning Code). Consistent with the district's Specific Intent (Section 3.2.4.2.D) the two-story townhomes will front collector streets and will achieve the intended building scale between 1 and 3 stories.

## **PUBLIC OUTREACH**

Public outreach for this rezoning application has been conducted in accordance with the City's Rezoning Guide. The applicant met with Councilwoman Gilmore's office of March 8, 2022. During that meeting, the applicant discussed the proposal and provided detail regarding the for-rent townhome product, the overall community design, and the general themes around the programming for the open space, parks and trail connections. Councilwoman Gilmore was very supportive of this type of housing, considering it is a home type somewhat between multifamily and single-family detached homes. She saw a need in the community that this housing product met, including being a housing option for teachers and those growing/graduating to eventual single-family housing. Additional discussion points centered on the following:



- Parking: The adequacy of parking was discussed, and it was agreed that the parking planned for the community is adequate, meets minimum on-site and off-street requirements and is supplemented with abundant on-street parking.
- Lighting: Councilwoman Gilmore mentioned lighting is important and that the neighborhood feel safe.
- Open space: Councilwoman Gilmore was generally supportive of the amount of open space, with the proposed 10% minimum plus the additional courtyards proposed.
- Affordable housing: Boulder Creek Neighborhoods stated that this is not currently part of the proposal and that the proposed housing product targets middle income residents and families.

The following Registered Neighborhood Organizations were notified via email:

- Master Homeowners Association for Green Valley Ranch
- Green Valley Ranch Citizen's Advisory Board
- Northern Corridor Coalition
- Montbello 20/20
- Denver for ALL
- Inter-Neighborhood Cooperation (INC)

A copy of each email sent is included with this narrative. To date, there has been no response to the email from any of the RNOs.

Additionally, as a requirement of the LDR process, a Community Meeting was held on January 11, 2022. The RNOs were all notified of the meeting along with adjacent property owners and Councilwoman Gilmore's office, all in accordance with the City's noticing requirements for LDR Community Meetings. No members of the public, nor representatives from the RNOs attended the meeting. However, Melissa Sotelo, Council Aid to Councilmember Stacie Gilmore, District 11 attended and asked the following questions:

- Will affordable homes be provided with the project?
  - *Response: The LDR will establish affordable housing requirements and will be worked out with the City during that process.*
- Will there be any murals/public art?
  - *There is an opportunity to incorporate art into the public/open space which would be a part of the overall amenity package.*
- Will there be crosswalks at access points
  - *Yes, pedestrian crosswalks will be provided in addition to other pedestrian and bicycle improvements.*
- What is planned for public parks and playgrounds?
  - *Open space areas are shown on conceptual plan, but the specific park, open space and amenities have not been fully planned. Those details will be considered and reviewed later in the process and approved as part of the SDP.*

# Ty Robbins

---

**From:** Ty Robbins  
**Sent:** Tuesday, February 15, 2022 9:57 AM  
**To:** 'roseathomas@gmail.com'  
**Subject:** Cottages at Gateway Rezoning Proposal - Green Valley Ranch HOA

Dear Master Homeowners Association for Green Valley Ranch:

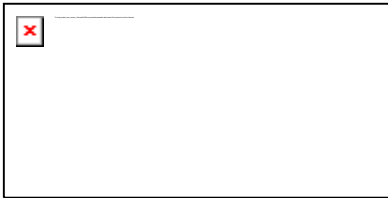
Norris Design, on behalf of Boulder Creek Neighborhoods, is preparing a rezoning application for approximately 6.26 acres of vacant land at the southeast corner of Argonne Street and E. 63<sup>rd</sup> Avenue. The property is legally described as Block 4, Lot 1, Denver Gateway Center, Filing No. 7 and is currently zoned C-MU-20 (& 30) WVRS\*/AIO (Commercial Mixed-Use District with Waivers).

The rezoning application will propose a new zoning designation of **S-MX-3 (Suburban Mixed-Use)** to accommodate a proposed for-rent townhome community known as Cottages at Gateway with a density of approximately 15.2 dwelling units per acre.

We welcome your questions and feedback as it relates to the proposed rezoning, and we look forward to continued engagement and participation with the community.

Please do not hesitate to contact me with any questions or concerns.

Sincerely,



**Ty Robbins, AICP**  
Project Manager | Planner  
1101 Bannock Street | Denver, CO 80204  
P 303.892.1166



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# Ty Robbins

---

**From:** Ty Robbins  
**Sent:** Tuesday, February 15, 2022 10:00 AM  
**To:** chair@mygvr.org  
**Subject:** Cottages at Gateway Rezoning Proposal - GVR Citizen's Advisory Board

Dear Green Valley Ranch Citizen's Advisory Board:


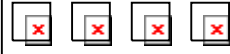
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Sincerely,

	<p><b>Ty Robbins, AICP</b> Project Manager   Planner 1101 Bannock Street   Denver, CO 80204 P 303.892.1166</p> 
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# Ty Robbins

---

**From:** Ty Robbins  
**Sent:** Tuesday, February 15, 2022 10:06 AM  
**To:** president@denverinc.org; excomm@denverinc.org  
**Subject:** Cottages at Gateway Rezoning Proposal - Inter-Neighborhood Cooperation

Dear Inter-Neighborhood Cooperation:

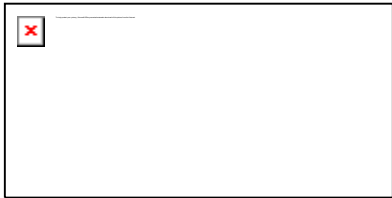

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	<p><b>Ty Robbins, AICP</b> Project Manager   Planner 1101 Bannock Street   Denver, CO 80204 P 303.892.1166</p> 
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# Ty Robbins

---

**From:** Ty Robbins  
**Sent:** Tuesday, February 15, 2022 10:03 AM  
**To:** annladywhite63@gmail.com  
**Subject:** Cottages at Gateway Rezoning Proposal - Montbello 20/20

Dear Montbello 20/20:

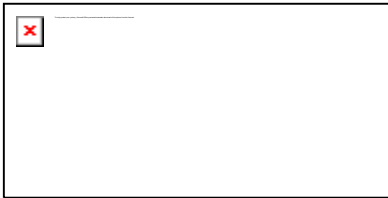
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**Ty Robbins, AICP**  
Project Manager | Planner  
1101 Bannock Street | Denver, CO 80204  
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# Ty Robbins

---

**From:** Ty Robbins  
**Sent:** Tuesday, February 15, 2022 10:01 AM  
**To:** northerncorridorcoalition@comcast.net; marytsam@comcast.net  
**Subject:** Cottages at Gateway Rezoning Proposal - Northern Corridor Coalition

Dear Northern Corridor Coalition:

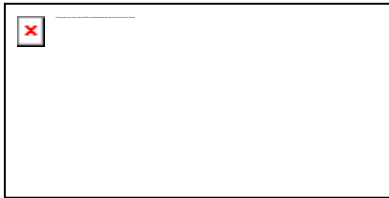
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1101 Bannock Street | Denver, CO 80204  
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# Ty Robbins

---

**From:** Ty Robbins  
**Sent:** Tuesday, February 15, 2022 10:04 AM  
**To:** info@denver4all.org; president@denver4all.org  
**Subject:** Cottages at Gateway Rezoning Proposal - Denver for ALL

Dear Denver for ALL:

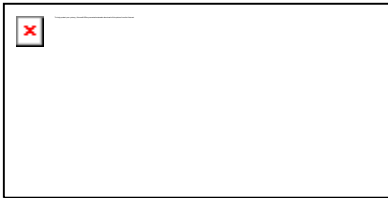
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Project Manager | Planner  
1101 Bannock Street | Denver, CO 80204  
P 303.892.1166



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## Ty Robbins

---

**From:** Ty Robbins  
**Sent:** Tuesday, February 15, 2022 10:14 AM  
**To:** District11@denvergov.org; chiquita.sanders@denvergov.org; melissa.sotelo@denvergov.org  
**Subject:** Cottages at Gateway Rezoning Proposal - Stacie Gilmore (Council District 11)  
**Attachments:** EXHIBIT A CONCEPT PLAN.pdf

Dear Stacie Gilmore:

Norris Design, on behalf of Boulder Creek Neighborhoods, is preparing a rezoning application for approximately 6.26 acres of vacant land at the southeast corner of Argonne Street and E. 63<sup>rd</sup> Avenue. The property is legally described as Block 4, Lot 1, Denver Gateway Center, Filing No. 7 and is currently zoned C-MU-20 (& 30) WVRS\*/AIO (Commercial Mixed-Use District with Waivers).

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We welcome your questions and feedback as it relates to the proposed rezoning, and we look forward to continued engagement and participation with the community.

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**Ty Robbins, AICP**

Project Manager | Planner

1101 Bannock Street | Denver, CO 80204  
P 303.892.1166



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**From:** [Ty Robbins](#)  
**To:** [District11@denvergov.org](mailto:District11@denvergov.org); [chiquita.sanders@denvergov.org](mailto:chiquita.sanders@denvergov.org); [melissa.sotelo@denvergov.org](mailto:melissa.sotelo@denvergov.org)  
**Subject:** RE: Cottages at Gateway Rezoning Proposal - Stacie Gilmore (Council District 11)  
**Date:** Wednesday, February 23, 2022 8:54:00 AM

---

Hello Councilmember Gilmore:

We wanted to follow up and confirm if you have any questions or concerns regarding this proposed rezoning.

Feel free to contact me with any questions.

Thank you,

**Ty Robbins, AICP**  
Project Manager | Planner

**NORRIS DESIGN**  
P 303.892.1166

---

**From:** Ty Robbins  
**Sent:** Tuesday, February 15, 2022 10:14 AM  
**To:** [District11@denvergov.org](mailto:District11@denvergov.org); [chiquita.sanders@denvergov.org](mailto:chiquita.sanders@denvergov.org); [melissa.sotelo@denvergov.org](mailto:melissa.sotelo@denvergov.org)  
**Subject:** Cottages at Gateway Rezoning Proposal - Stacie Gilmore (Council District 11)

Dear Stacie Gilmore:

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