



**TO:** City Council  
**FROM:** Curt Upton, Senior City Planner  
**DATE:** July 7, 2016  
**RE:** Official Zoning Map Amendment Application #2015I-0185  
2151 Eliot Street  
Rezoning from U-TU-B to G-MU-3

## Staff Report and Recommendation

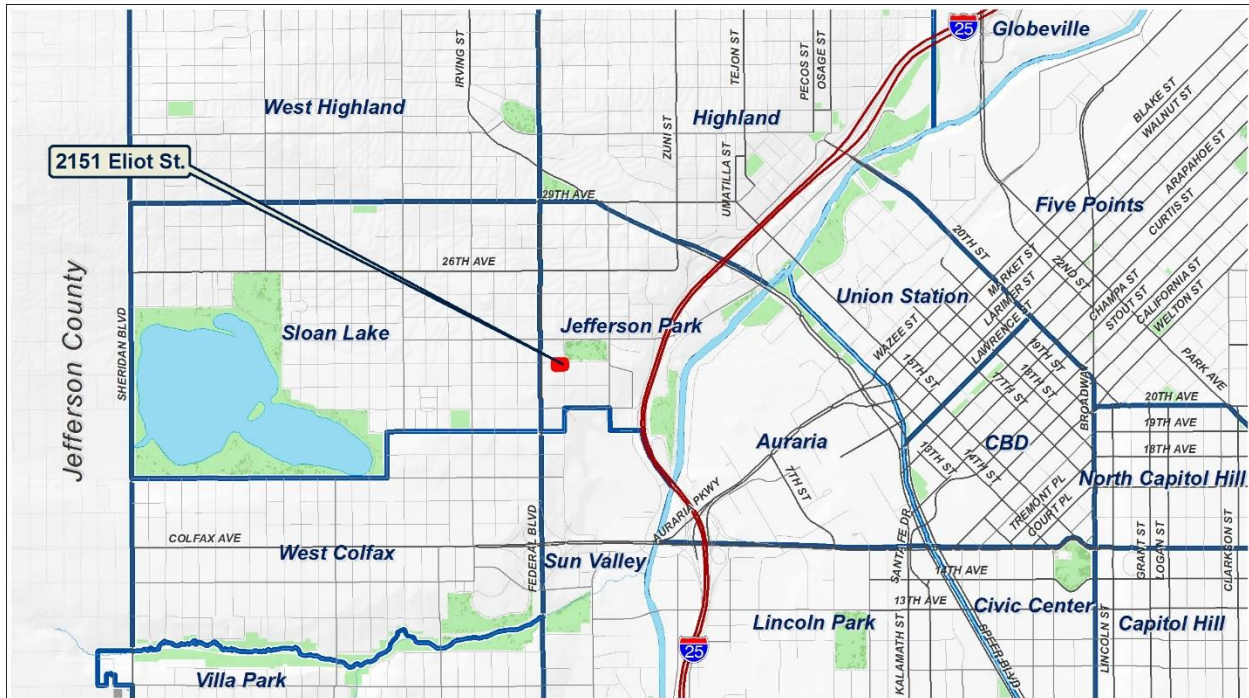
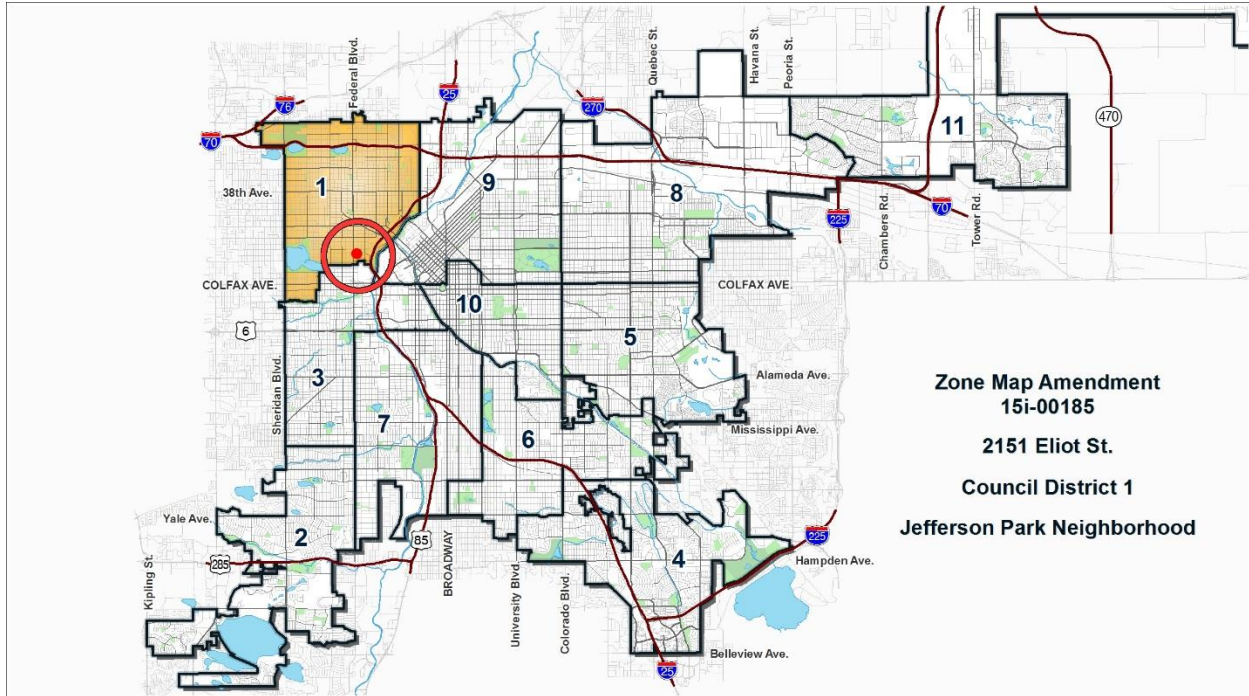
Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2015I-00167 for a rezoning from U-TU-B to G-MU-3.

## Request for Rezoning

Application:	#2015I-00185
Address:	2151 Eliot Street
Neighborhood/Council District:	Jefferson Park / Council District 1
RNOs:	Jefferson Park United Neighbors, Federal Boulevard Corridor Improvement Partnership, Denver Urban Residents Association, Denver Neighborhood Association, Inter-Neighborhood Cooperation
Area of Property:	6,250 SF
Current Zoning:	U-TU-B
Proposed Zoning:	G-MU-3
Property Owner(s):	Daniel and Melissa Rice
Owner Representative:	Daniel Rice

## Summary of Rezoning Request

- The subject property is located in the Jefferson Park Statistical Neighborhood, at the intersection of 22<sup>nd</sup> Avenue and Eliot Street. The site is currently occupied by a single family house.
- The site is zoned U-TU-B which stands for **Urban Neighborhood Context-Two Unit-B**. The district allows single and two unit residential houses on a minimum zone lot area of 4,500 square feet. Allowed building forms are the urban house, detached accessory dwelling unit, duplex and tandem house building forms
- The property owner is requesting a rezoning to redevelop the site with additional residential units, consistent with adopted plans.
- The requested G-MU-3 district stands for General Neighborhood Context – Multi Unit – 3 stories maximum. G-MU-3 is a multi-unit district allowing urban house, duplex, row house, garden court, and apartment building forms. The tallest building form has a maximum height of three stories.
- Further details of the zone district can be found in Article 6 of the Denver Zoning Code (DZC).



**Proposed Rezoning**



## Existing Context

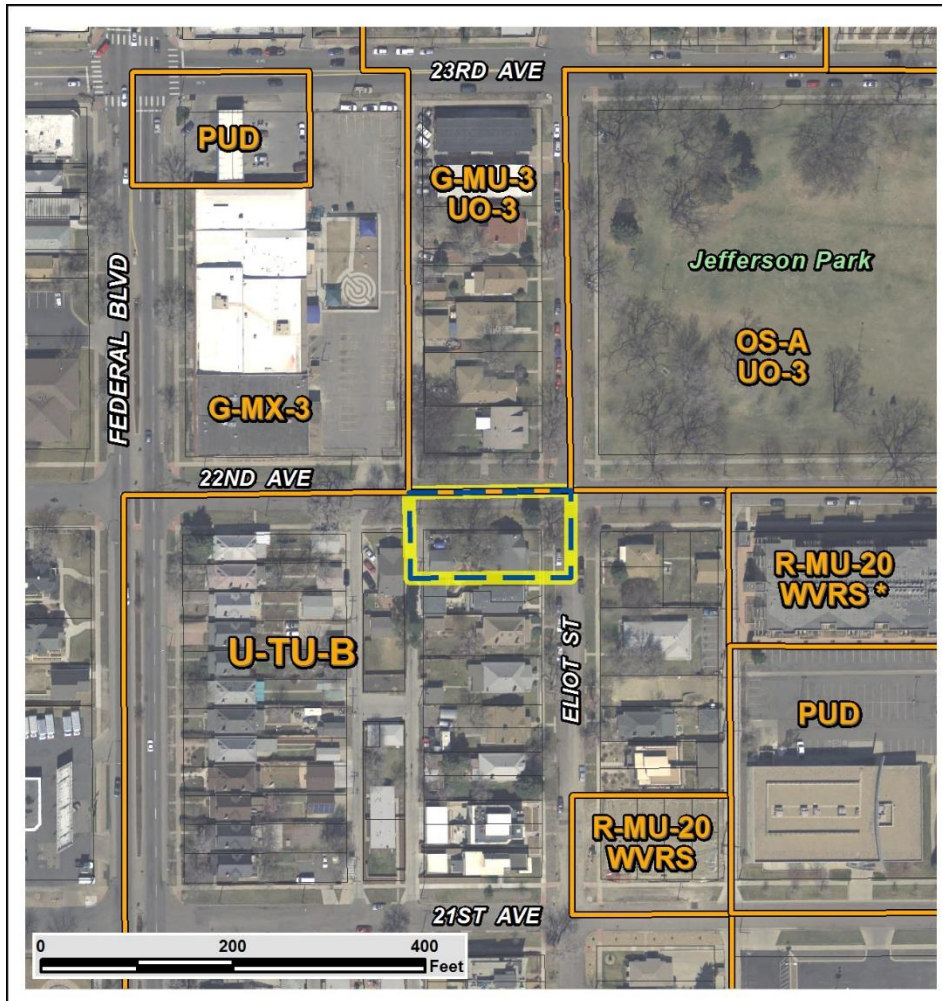


The site is located on the southwest corner of 22<sup>nd</sup> Avenue and Eliot Street and is occupied by a single family house. Jefferson Park is located across 22<sup>nd</sup> Avenue to the northeast. The area surrounding the site contains a mix of single unit, two unit, and multi-unit residential of one to three stories.

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

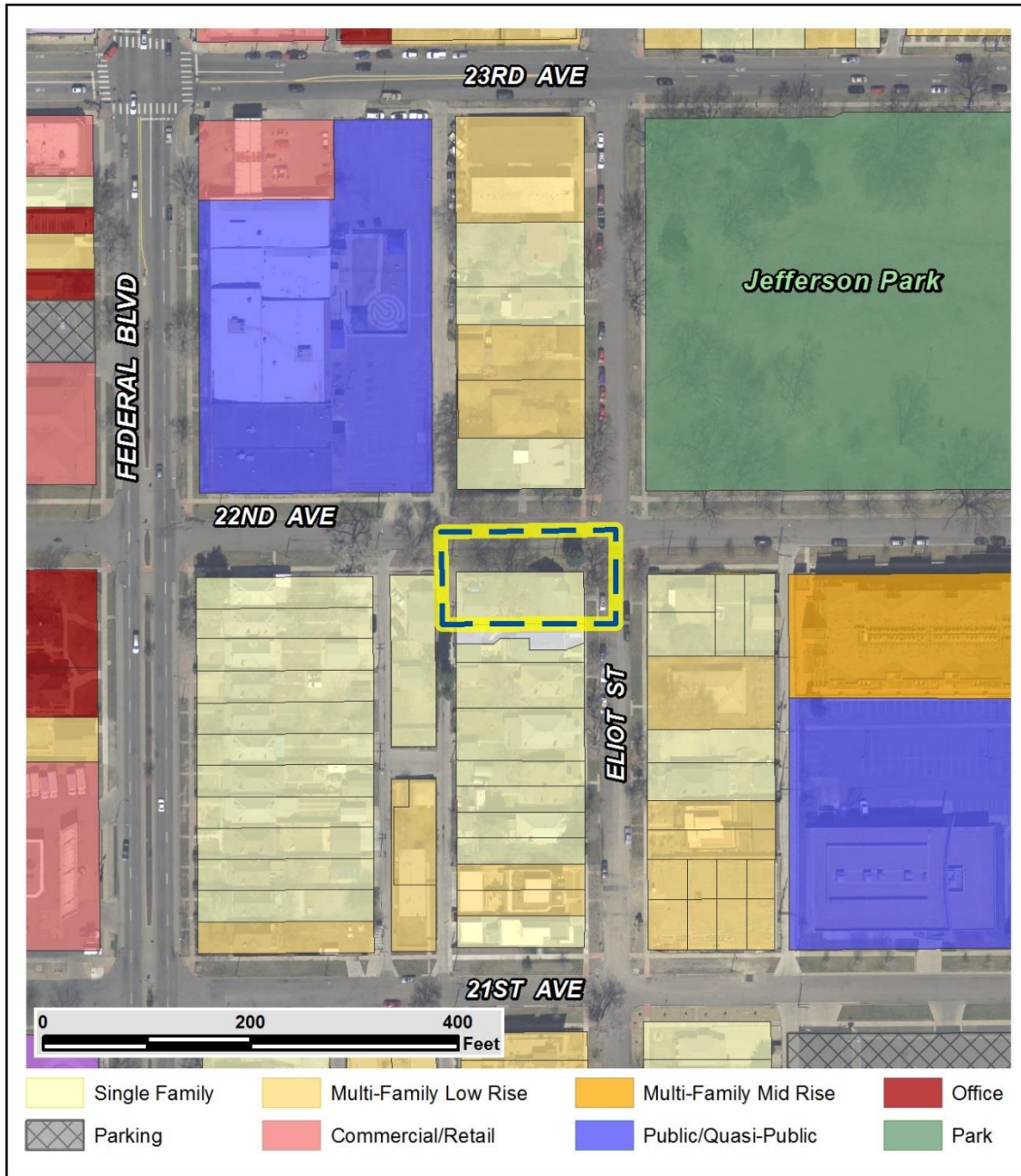
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	U-TU-B	Single family residential	Urban single family house with front porch and alley access.	Small urban lots and short, rectangular grid block pattern. Rear-loaded garages with alleys. Detached sidewalks with tree lawns and pedestrian oriented building frontages.
North	G-MU-3 UO-3	Single family residential	Urban single family house with front porch and alley access.	
South	U-TU-B	Two unit residential	Urban two unit duplex 3 stories	
East	U-TU-B	Two unit residential	Urban two unit duplex 3 stories	
West	U-TU-B	Single family residential	Urban single family house with front porch and alley access.	

### 1. Existing Zoning



The site is zoned U-TU-B which stands for **Urban Neighborhood Context-Two Unit-B**. The district allows single and two unit residential houses on a minimum zone lot area of 4,500 square feet and a maximum height of 2.5 stories and 30 feet. Urban house, detached accessory dwelling unit, duplex and tandem house are the allowed building forms.

## 2. Existing Land Use Map



**3. Existing Building Form and Scale**  
(Google Street View)



Subject Site, looking southwest



Subject Site, looking southeast





Subject Site, looking northwest



Subject Site, looking northeast

## **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 - There is no objection to the rezone, however applicant should be under notice that the Public Works will not approve any development of this property without assurance that there is sufficient sanitary and storm sewer capacity. A sanitary study and drainage study may be necessary. These studies may result in a requirement for the developer to install major infrastructure improvements or a limit to development if current infrastructure is insufficient.

**Asset Management:** Approved - No Comments

**Parks and Recreation:** Approved

**City Surveyor** – Approved; – See comments:

LEGAL DESCRIPTION:

Lot 31 and the North 20 Feet of Lot 30, Block 8, Rathbone Heights, City and County of Denver, State of Colorado

## 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 29<sup>th</sup>, 2015.
- The property has been legally posted for a period of 15 days announcing the May 18<sup>th</sup>, 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 25<sup>th</sup> 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.
  
- The Jefferson Park United Neighbors (JPUN) Land Use Committee provided a letter of opposition. The letter indicated that the committee might be in support of the request if the following conditions were met:
  - 1) support from a majority of the neighbors;
  - 2) no more than 3-4 units in the duplex form;
  - 3) a presentation of the initial massing of the proposed development to the Committee;
  - 4) a deed restriction or other restriction that limits the development to 3-4 units in the duplex form.
- A neighboring property owner to the east (2898 W. 22<sup>nd</sup> Ave.) provided an email indicating support if a deed restriction is put in place that limits the development to 3-4 units and a clear parking plan is provided if 4 units are built.

## 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)*
- *Jefferson Park Neighborhood Plan (2005)*

### Denver Comprehensive Plan 2000

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

- Environmental Sustainability Strategy 2-F – Conserve land by: promoting infill development within Denver at sites where services and infrastructure are already in place and designing mixed-use communities and reducing sprawl, so that residents can live, work and play within their own neighborhoods.
- 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;
- Legacies Strategy 3-A - Identify areas in which increased density and new uses are desirable and can be accommodated.
- Neighborhood Strategy 1-F – Invest in neighborhoods to help meet citywide goals and objectives for a range of housing types and prices, community facilities, human services and mobility.

The proposed map amendment will facilitate higher density infill development in a location identified in plans where increased density is desirable and will also encourage a greater range of housing types and prices.

### Blueprint Denver

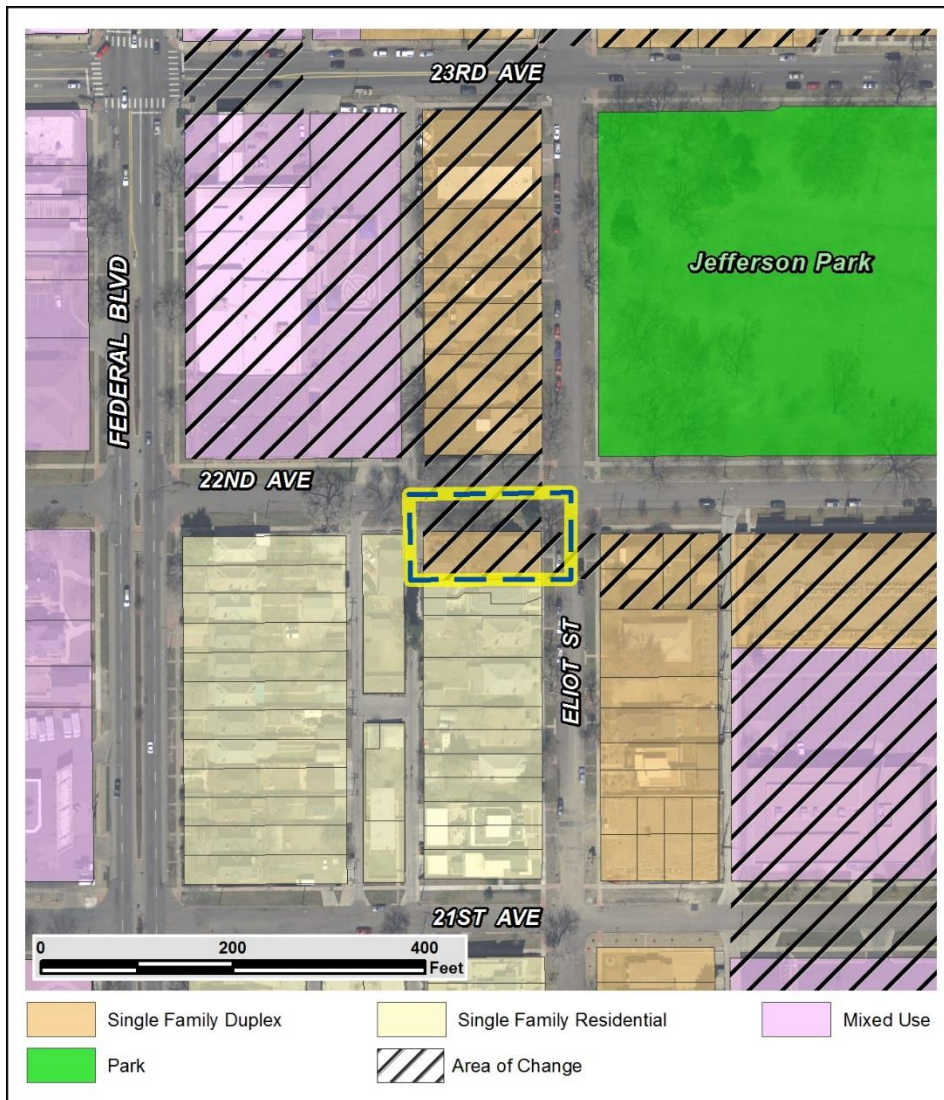
According to the 2002 Plan Map adopted in *Blueprint Denver*, this site has a concept land use of Single Family Duplex and is located within an Area of Change.

### Future Land Use

According to *Blueprint Denver*, Single Family Duplex neighborhoods “are moderately dense areas that are primarily residential but with some complementary, small-scale commercial uses. There is a mixture of housing types, including single-family houses, duplexes, townhouses and small apartment buildings” (p. 42).

The proposed Map Amendment is consistent with *Blueprint Denver’s* recommendations for the Single Family Duplex concept land use, as the G-MU-3 zone district will encourage moderately dense residential uses such as townhouses and small apartment buildings.

**2002 Blueprint Denver Future Land Use Map**

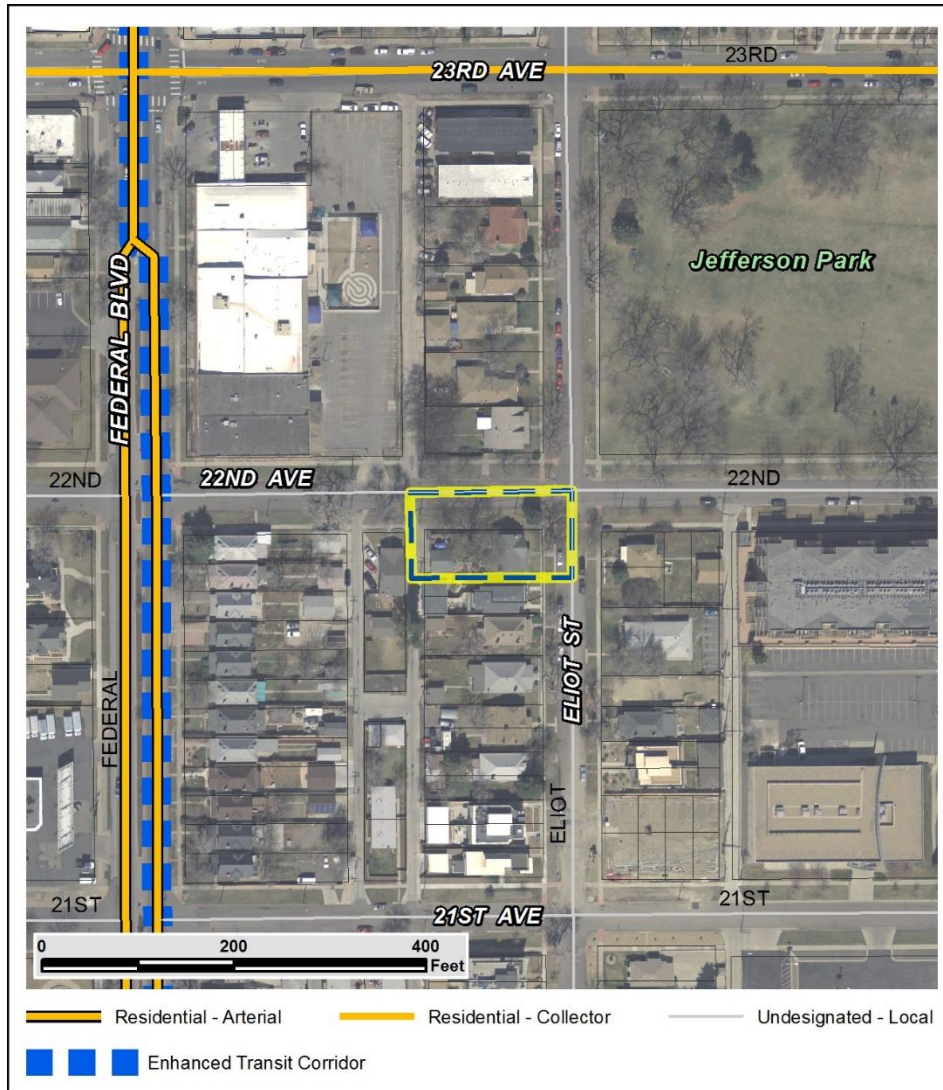


**Area of Change**

According to Blueprint Denver, the purpose of Areas of Change is to “channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and short auto trips. Areas of Change are parts of the city where most people agree that development or redevelopment would be beneficial” (p.127).

The Map Amendment application is consistent with the recommendations for Areas of Change, as the proposed zone district will encourage a redevelopment of the property at a higher density compared to the existing zoning.

**Street Classifications**

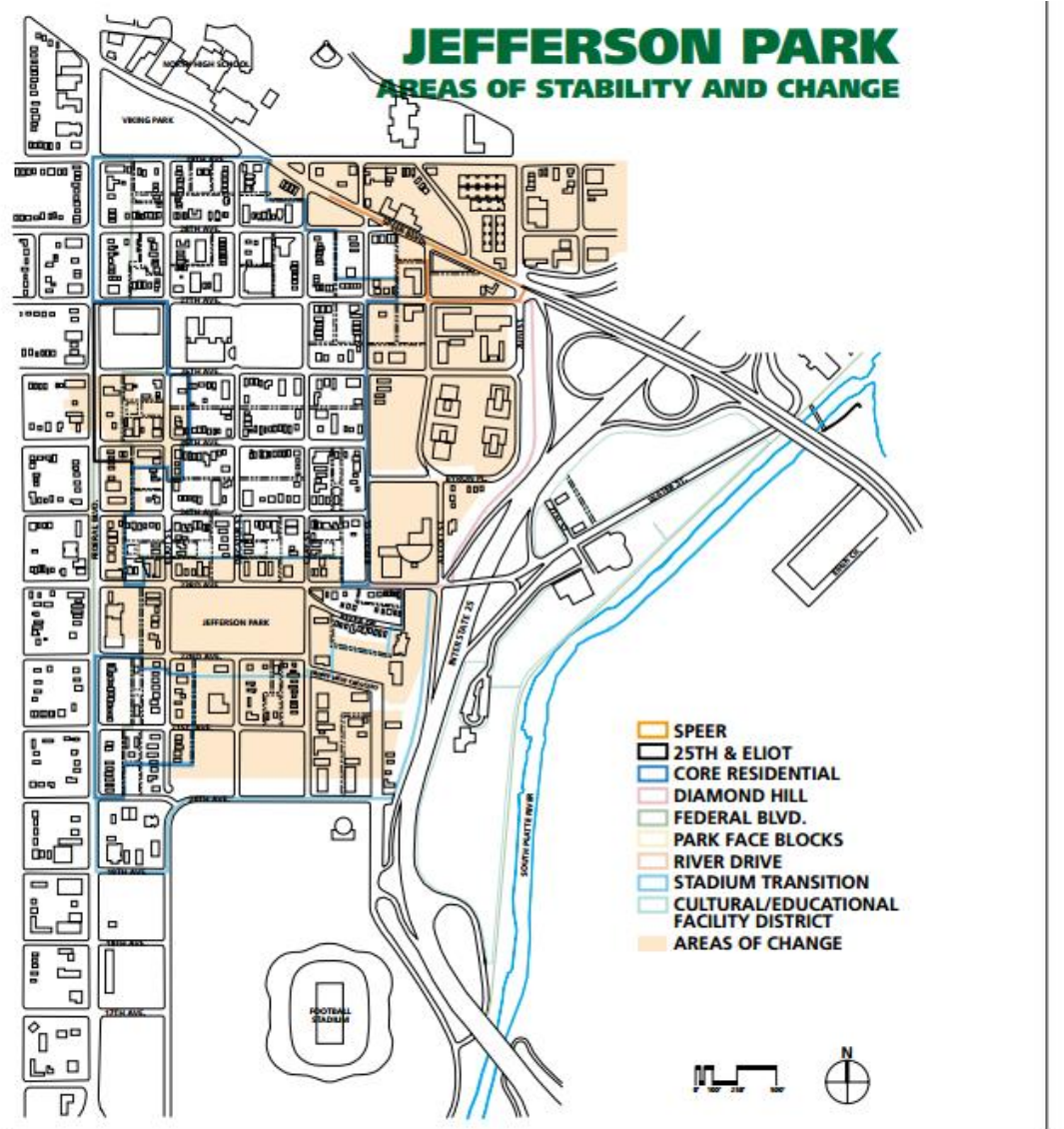


According to Blueprint Denver, both 22<sup>nd</sup> Avenue and Eliot Street are classified as Undesignated Local. Local residential streets are designed to emphasize walking, bicycling and land access over mobility. (p.55) Federal Boulevard is located approximately 1 block to the west and is classified as an Enhanced Transit Corridor. These corridors are recommended for “enhanced bus transit services such as higher frequency bus service, BRT and priorities for intelligent transportation systems (ITS) investments (including bus priority signalization)” (p. 98)

The Map Amendment application is consistent with *Blueprint Denver’s* recommendations for Undesignated Local and Enhanced Transit Corridors, as the proposed zone district will encourage more density and pedestrian oriented street frontages.

### Jefferson Park Neighborhood Plan (2005)

The Jefferson Park Neighborhood Plan was adopted by City Council in 2005, and applies to the subject property. The Plan identifies Areas of Change and Areas of Stability in the neighborhood that provide guidance on where growth should occur. The Plan also organizes the neighborhood into sub-areas, including the Park Face Sub Area, where this property is located. Additionally, the plan recommends “bringing zoning into closer conformance with the land use vision, enhancing residents’ ability to work, shop and recreate within the neighborhood, the creation of focal points within the neighborhood, with the primary focal point as Jefferson Park, and the accommodation of new development in underutilized areas of the neighborhood.” (p.25)



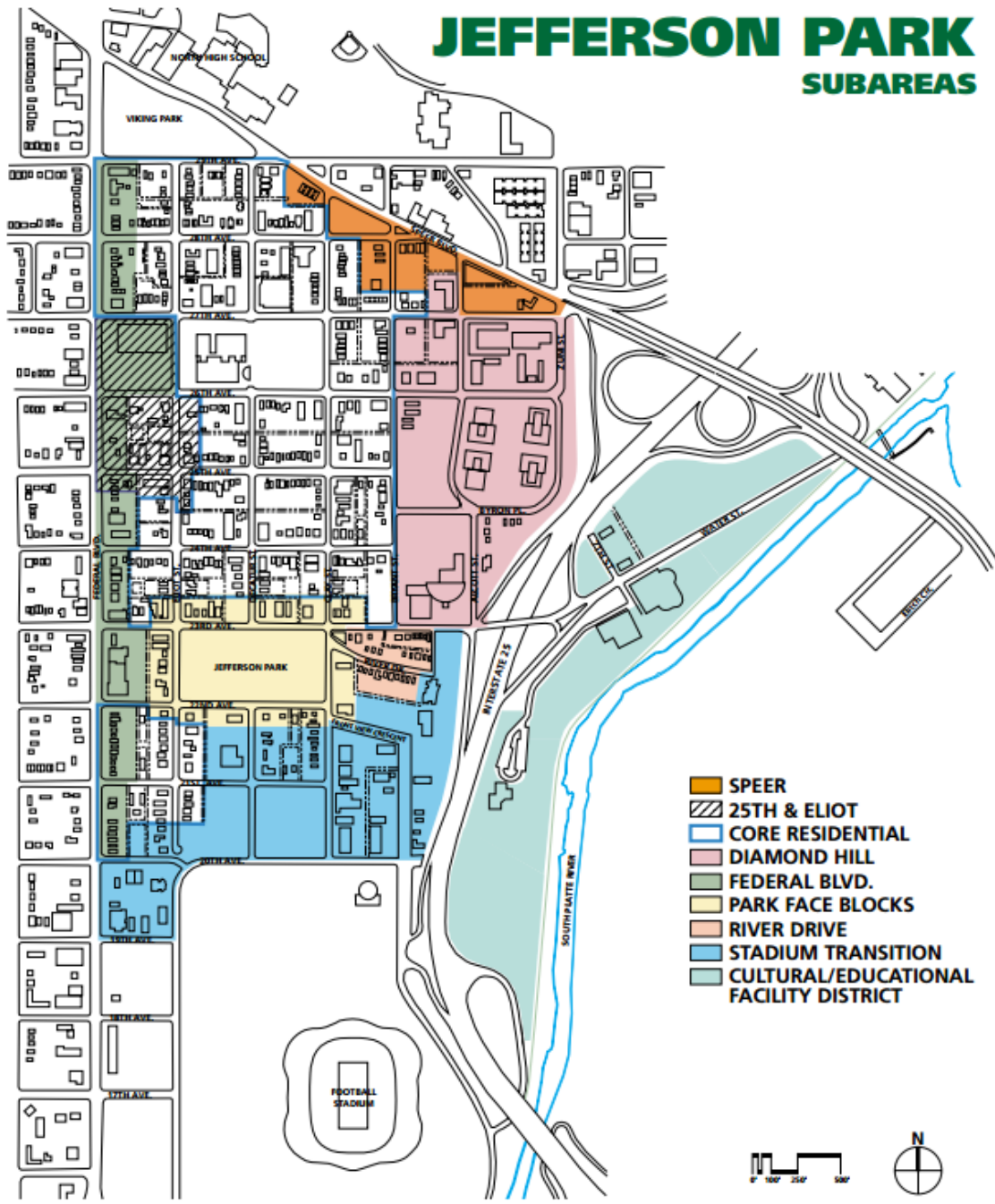
### **Jefferson Park Neighborhood Plan - Park Face Sub-Area**

The vision for the Park Face Blocks Subarea includes the “Park functioning as the cultural heart of the neighborhood. The streets surrounding the Park will be lined with a variety of town homes, condominiums, apartments and single-family homes all sharing views into a beautiful urban oasis. The Park will serve as a true community gathering spot, hosting family picnics, casual games and occasional concerts or performances. The Park perimeter will be defined by development that is of a greater density than the core residential subarea with buildings of up to 45’ high on the blocks facing the north, south and west sides of the park.” (p.45)

The Plan identifies the following goals for the Sub-Area: 1) Increase activity in the Park. 2) Increase safety and reduce illegal activity in the Park. 3) Maintain and support continued residential uses around the Park. (p.46)

In addition, the plan recommends that the City “Investigate a zoning change to a zone district or a combination of zone district and overlay district, which allows development of the park perimeter that is of a greater density than the core residential subarea with buildings of up to 45’ height on the blocks facing the north, south and west sides of the park, and up to 35’ height on the block facing the east side of the park” (p.36) and to “Improve Park safety by increasing activity in the park and providing an opportunity for additional housing facing the park.” (p.37)





The proposed Map Amendment is consistent with the Vision, Goals, and Recommendations of the Jefferson Park Neighborhood Plan, as the G-MU-3 zone district will encourage greater residential density in the Park Face Sub-Area in the form of apartments and townhomes with building heights of up to 40'. The proposed rezoning will also encourage more "eyes on the park", facilitate additional access and activity in the park, and reinforce it as the neighborhood's primary focal point.

## **2. Uniformity of District Regulations and Restrictions**

The proposed rezoning to G-MU-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 demand for housing within the Jefferson Park neighborhood has increased and the surrounding area is changing in the form of new residential development and neighborhood amenities. The proposed rezoning of the subject property to G-MU-3 will allow for redevelopment consistent with the surrounding properties and the adopted plans while addressing the increased demand for housing.

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

### Neighborhood Context Description

The requested zone district is within the General Urban Neighborhood Context which is characterized by multi-unit residential uses in a variety of building forms. Single-unit and two-unit residential uses are also found in a mix of residential forms. Low-scale commercial areas are embedded within residential areas. Residential uses are primarily located along local and residential arterial streets. The proposed Map Amendment is consistent with this context, as the G-MU-3 district will facilitate multi-unit housing along a residential street.

### Zone District Purpose and Intent

According to the general purpose stated in the Denver Zoning Code, the intent of the Residential districts is to promote and protect higher density residential neighborhoods within the character of the General Urban Neighborhood Context. These regulations allow for multi-unit districts with a variety of residential building forms. In particular the G-MU-3 Zone district is a multi unit district allowing urban house, duplex, row house, garden court, and apartment building forms. The tallest building form has a maximum height of three stories. The proposed rezoning is consistent with the General Purpose and Intent, as it will encourage multi-unit residential of up to 3 stories within the character of the General Urban Neighborhood Context.

### **Staff Recommendation**

Based on the analysis set forth above, CPD staff finds that the application for rezoning the property located at 2151 Eliot Street (#2015I-00185) to the G-MU-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. RNO and Neighbor Letters



## LAND USE COMMITTEE

May 13, 2016

Curt Upton  
Community Planning and Development  
201 W. Colfax Ave, Dept. 205  
Denver, CO 80202

RE: Application # 2015I-00185 – Request for a rezone from U-TU-B to G-MU-3

Mr. Upton

Jefferson Park United Neighbors (JPUN) is the Registered Neighborhood Organization (RNO) for the neighborhood in which the property that is the subject of the above zoning variance request is located. JPUN has a Land Use Committee (LUC) which meets regularly to review zoning, construction, traffic and other issues of immediate concern to the residents of our area.

The Jefferson Park United Neighbors Land Use Committee has met with Daniel Rice on 3 different occasions to discuss his application #2015I-00185 for rezone for 2151 Eliot Street. In the first meeting after reviewing his request, the LUC felt we would be open to the re-zone assuming he met the following conditions:

- 1) He was able to get support of a majority of the neighbors
- 2) We are open to looking at no more than 3 or 4 units in the duplex form
- 3) He provides some initial massing of a proposed plan and present at JPUN LUC meeting with the opportunity for neighbors to comment
- 4) The city is open to putting deed restrictions, or some other sort of restrictions in place that do not allow for a blanket rezone to GMU-3 but limit what can be built to what is listed in point 2

Daniel presented / updated us on our requests at our latest Land Use meeting held May 12<sup>th</sup> (as well as our previous April Land Use meeting). He has presented viable plans that meet the criteria and we have also now been able to now confirm that a majority of his immediate neighbors are supportive of his efforts (but only with the proposed plans/restrictions in place). We have also heard concerns from various other nearby residents who do not want up zoning to G-MU-3 to be a trend in the block, but have had their concerns addressed with the restrictions discussed. They have been notified that the only lot in their block that is listed as an area of change is 2151 Eliot.

We feel that the proposed duplex form is consistent with the block/neighborhood context where the re-zone request occurs. We also feel that a straight G-MU-3 rezone with no restrictions would allow for buildings that do not fit the context of the block. As such we request that the city allow the rezone request to go through with a duplex form waiver/restriction attached. In doing so this would restrict the max height to 30' which would be consistent with the rest of the zoning (U-TU-B) on the block.

Please let me know if we can give any further clarification on our position on this matter.



## LAND USE COMMITTEE

Sincerely,



Justin Potter  
LUC Chair  
Potter.Justin@gmail.com

Daniel Rice  
2151 Eliot Land Owner  
drice@providenceic.com

## **Upton, Curt - CPD Planning Services**

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**From:** Mike Evans <dmevans32@aol.com>  
**Sent:** Tuesday, April 26, 2016 5:29 PM  
**To:** Upton, Curt - CPD Planning Services  
**Subject:** Rezoning Efforts

Hello Curt,

My name is Mike Evans. I live at 2898 W. 22nd ave Denver Co, 80211. My neighbors are Daniel and Melissa Rice. As you know they are seeking to rezone their property. Daniel has been diligent in keeping me informed of his progress and asking my opinion. I support their proposal as long as two conditions are met. That deed restrictions prevent building more than 3 to 4 units. Second, that if 4 units are built we have a clear parking plan. The neighborhood is already experiencing parking issues.

Please call with any questions. As stated above, Daniel has done a terrific job of engaging my family in the process.

Mike Evans (303) 888-0184

Sent from my iPad

## Daniel Rice

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**Subject:** FW: Rezone Letter

**From:** Miriam Lang [mailto:miriam.r.lang@gmail.com]  
**Sent:** Tuesday, March 08, 2016 9:32 AM  
**To:** Daniel Rice <drice@providenceic.com>  
**Cc:** Melissa Rice <madrice@comcast.net>  
**Subject:** Re: Rezone Letter

Hi Daniel, sorry for the delay in responding. We don't have any questions at this time. I'm sure we will later on though as things progress further. We respect what you are trying to do - as you need to do what's best for your family & your investment, and wish you luck with it all!

Thanks,

On Wed, Mar 2, 2016 at 9:10 AM, Daniel Rice <[drice@providenceic.com](mailto:drice@providenceic.com)> wrote:

Hi Miriam,

I hope you and Daniel are doing well. I want to reach out to you again to see if you have any interest in sitting down with me to discuss where we are on the rezoning of our property? I would guess at this point we are about a quarter to half way through the overall process and are in the stage of developing a few development sketches. If you would like to meet, I'd be happy to go over the preliminary details of what I know at this time.

Thanks!

Daniel

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**From:** Daniel Rice  
**Sent:** Monday, December 21, 2015 8:50 PM  
**To:** '[miriam.r.lang@gmail.com](mailto:miriam.r.lang@gmail.com)' <[miriam.r.lang@gmail.com](mailto:miriam.r.lang@gmail.com)>  
**Cc:** 'Melissa Rice' <[madrice@comcast.net](mailto:madrice@comcast.net)>  
**Subject:** Rezone Letter

Hi Miriam.

Thanks for letting stopping to speak with me this evening and allowing me to impede your progress to a warm house! As we discussed tonight, Melissa and I recently submitted an application to rezone our property. At this time we don't know what our final plans will be but our current house is causing us headaches and a rezone is a first step to finding a solution. Attached is an "formal" information letter that we are providing to our immediately adjacent neighbors. If you could please review and provide feedback that would be greatly appreciated. If I can answer any questions, I'd be glad to. I'm sending this as a word file so to make it easier for you to put any comments on the second page. If you want to get in touch with me, please feel free to call, shoot me a text, or email.

Also, if you and Daniel will be here over Christmas and don't have plans, we will be walking over to a Christmas eve service on Thursday evening at 5 if you guys are interested in joining us.

Thanks again speaking with me in the cold!

**Daniel Rice, PE**

Providence Infrastructure Consultants  
4901 East Dry Creek Road, Suite 210  
Centennial, Colorado 80122

Tele: [\(303\) 997-5035](tel:(303)997-5035) | Cell: [\(720\) 318-5410](tel:(720)318-5410)

Email: [drice@providenceic.com](mailto:drice@providenceic.com) | Web: [www.providenceic.com](http://www.providenceic.com)

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Miriam Lang



## Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
<p><b>*If More Than One Property Owner:</b>            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><b>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</b></p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			
Does the proposal comply with the minimum area requirements specified in DZC Sec. 12.4.10.3:		<input type="checkbox"/> Yes <b>See DZC Sec 12.4.10.3 (B.2)</b>	<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>	<input type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.  Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.
	<input type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.
	<input type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</p>	<p><b>Justifying Circumstances - One of the following circumstances exists:</b></p> <input type="checkbox"/> The existing zoning of the land was the result of an error. <input type="checkbox"/> The existing zoning of the land was based on a mistake of fact. <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. <input 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. <input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code.  Please provide an attachment describing the justifying circumstance.
	<input type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.  Please provide an attachment describing how the above criterion is met.
	<p><b>REQUIRED ATTACHMENTS</b></p> <p>Please ensure the following required attachments are submitted with this application:</p> <input type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format) - See Attachment No. 1 <input type="checkbox"/> Proof of Ownership Document(s) - See Attachment No. 2 <input type="checkbox"/> Review Criteria - See Attachment No. 3
<p><b>ADDITIONAL ATTACHMENTS</b></p> <p>Please identify any additional attachments provided with this application:</p> <input type="checkbox"/> Written Authorization to Represent Property Owner(s)	
<p>Please list any additional attachments:</p>   	



# REZONING GUIDE

Rezoning Application Page 3 of 3

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

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

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Property owner representative written authorization? (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>	01/01/12	(A)	NO
Daniel R and Melissa A Rice	2151 Eliot Street Denver, CO 80211 (720) 318-5410 madrice@comcast.net	100%	<i>[Signature]</i> <i>Melissa A. Rice</i>	12/16/2015	(A)	NO
				12/16/2015	(A)	
				12/16/2015	(A)	
				12/16/2015	(A)	
				12/16/2015	(A)	

Last updated: February 4, 2015

Return completed form to [rezoning@denvergov.org](mailto:rezoning@denvergov.org)



**ATTACHMENT NO. 2  
 ZONE MAP AMENDMENT – PROOF OF OWNERSHIP  
 2151 ELIOT STREET, DENVER, CO 80211**

**2151 ELIOT ST**

Owner	Schedule Number	Legal Description	Property Type	Tax District
RICE, DANIEL R & MELISSA A 2151 ELIOT ST DENVER, CO 80211-5131	0232129021000 PIN 160928046	RATHBONE HEIGHTS 02321 B8 L31 & N 20FT OF L30	RESIDENTIAL	DENV

Summary | Assessment | Assessment Protest | Taxes | Comparables | Neighborhood Sales | Chain of Title

Property Summary

Property Map

**Additional Property Information**

**Zoning**   
 Zone District: U-TU-B  
 Code Version: 2010

**Neighborhood**   
 Jefferson Park

**Subdivision**   
 RATHBONE HEIGHTS

**Historic Landmark District**   
 No

**Historic Landmark**   
 No

**Enterprise Zone**   
 Yes

**2151 ELIOT ST**  
 DENVER, CO 80211-5131  
 Schedule Number: 0232129021000  
 Owner:  
 RICE, DANIEL R & MELISSA A  
 2151 ELIOT ST  
 DENVER, CO  
  
[Directions](#) | [Street View](#) |

**ATTACHMENT NO. 3  
ZONE MAP AMENDMENT NARRATIVE  
2151 ELIOT STREET, DENVER, CO 80211**

**TO:** Community Planning and Development  
City and County of Denver, State of Colorado  
Attention: Ms. Sara White, Associate City Planner  
201 West Colfax Avenue, Department 205  
Denver, Colorado 80202

**FROM:** Daniel R. and Melissa A. Rice  
2151 Eliot Street  
Denver, Colorado 80211

**DATE:** December 2, 2015

**RE: Rezone of 2151 Eliot Street, Denver, Colorado**

This narrative provides documentation related to the rezoning request of the above reference subject property:

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## **1. OVERVIEW**

As provided in the pre-application and this application documentation, the rezoning of 2151 Eliot Street is being requested to revise the zoning to be more consistent with other uses bordering Jefferson Park. Furthermore, this rezoning request is being made to bring the property into conformance with adopted neighborhood plan and Blue Print Denver. The remaining memorandum sections discuss how the proposed rezoning aligns with the City's Community Planning and Development Review Criteria.

## **2. MINIMUM AREA REQUIREMENTS**

While the subject property does not contain the minimum area required for zone classification 'G-MU-3', the subject property is exempt from minimum area requirements. In accordance with DZC Regulation 12.4.10.3.B.2, the subject property contains the following exemption:

- *2. The subject property is adjacent to the same Zone District designation sought for the subject property (for example, the subject property seeks a rezoning to G-MU-5 and is adjacent to property already zoned G-MU-5). For the purposes of this provision, adjacency shall not be destroyed by the existence of a dedicated public right-of-way.*

Applicant Statement: The subject property applicant seeks a rezone similar to the adjacent property located north at 2201 N. Eliot. In addition, 21 of 31 properties that are 'park facing' that currently have the proposed requested zoning of G-MU-3 (**See Attachment No. 3**).

## **3. CONSISTENCY WITH ADOPTED PLANS**

As stated above, the rezoning of the subject property brings the property into conformance with recommendations, vision, principals, and action plan of:

- 1) The City's adopted land use and transportation plan (Ref: Blue Print Denver).
- 2) The adopted neighborhood plan, (Ref: Jefferson Park Neighborhood Plan, Pages 26, 45, 46, 73, 82). The subject property is located within the Park Face Blocks Subarea of the Neighborhood Plan. Below are excerpts from the adopted neighborhood Plan.

### **Blueprint Denver (2002)**

#### **Chapter 1, Introduction, Page 5**

*Blueprint Denver will outline the specific steps that must be taken to achieve the Plan 2000 vision. There are several key concepts that are central to Blueprint Denver's successful implementation. The plan will direct growth to Areas of Change and manage and limit change in Areas of Stability. Areas of Stability include the vast majority of Denver and are primarily the fairly stable residential neighborhoods where minimal change is expected during the next 20 years. The goal is to maintain the character of these areas yet accommodate some new development and redevelopment to prevent stagnation. Meanwhile, the vast*

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*majority of new development will be funneled to areas that will benefit from and thrive on an infusion of population, economic activity and investment. These places are Areas of Change.*

Applicant Statement: The subject property is located within an 'Area of Change' (**See Attachment No 5**).

**Chapter 3, Blueprint Denver Concept, Pages 17, 18, 19, 26**

*The result was an innovative map that illustrated "Areas of Change" and "Areas of Stability." The Areas of Change represent those parts of the city where change is either underway or desirable. Areas of Stability represent the majority of Denver's residential areas where there is a prevailing character that should be preserved or enhanced through reinvestment.*

*Appropriately located and attractive density stimulates positive change and development in areas with strong links to transit.*

*There are 26 Areas of Change that serve as the basis of the Blueprint Denver concept. Certain features may characterize an Area of Change, such as:*

- *Underutilized land near downtown and along the South Platte River*
- *Areas undergoing positive change that is expected to continue*
- *Areas adjacent to and around transit stations (both existing and planned)*
- *Areas along corridors with frequent bus service that can accommodate development, especially where there is potential for a pedestrian-friendly shopping environment*
- *Areas with special opportunities such as where major public or private investments are planned*

*Higher density always reduces land consumption, but it only has transportation benefits when paired with a land-use mix that provides destinations within a convenient walking distance, in areas that have access to transit and transportation corridors, and in areas that have street patterns that are interconnected and developed with sidewalks.*

Applicant Statement: The subject property is located within an 'Area of Change'. In addition, the subject property is located approximately 300 feet from RTD Bus Route 28 with a direct connection to downtown via 23<sup>rd</sup> Avenue.

**Chapter 4, The Plan Map, Pages 41**

*These [mixed use] areas have a sizable employment base as well as housing. Intensity is higher in mixed-use areas than in other residential areas. Land uses are not necessarily mixed in each building or development or even within each block. But within the neighborhood, residential and non-residential uses are within walking distance of one another. The proportion of residential to commercial uses varies considerably from one mixed-use district to another. The Golden Triangle, Uptown and the Jefferson Park-Highland Area of Change are examples of mixed-use districts.*



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Single family duplex residential areas are moderately dense areas that are primarily residential but with some complementary, small-scale commercial uses. However, the employment-base is minor compared to the housing base. There is a mixture of housing types, including single-family houses, duplexes, townhouses and small apartment buildings.

Applicant Statement: The applicant is request a MU classification for the subject property. This classification will provide the flexibility needed to allow for the potential mixture of housing types described above and is consistent with land use concept in Blueprint Denver.

**Chapter 5, The Land Use Component, Page 74**

*Mixed-use zoning provides for a mixture of uses enabling residents to live, shop and work in the same area.*

Applicant Statement: The subject property allows persons to enjoy shopping and working in very close proximity to their residence, see public health discussion below.

**Chapter 7, Areas of Stability and Areas of Change, Pages 127, 137, 141**

The purpose of Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips. Areas of Change are parts of the city where most people agree that development or redevelopment would be beneficial. Mixed-use zoning provides for a mixture of uses enabling residents to live, shop and work in the same area.

*Jefferson Park-Highland – mixed-use neighborhood*

*The Jefferson Park–Highland area overlooks downtown from the west. This sub-area retains much of the mix of residential, commercial, industrial and institutional uses that characterize historically self-contained neighborhoods. The type of mixed-use development envisioned intends to revive the best of these characteristics and respect the scale of historic buildings. Urban apartments mixed with pockets of retail with housing above will be one type of redevelopment along collectors and arterials. Bordering these mixed-use streets will be townhouses and higher density residential buildings. In addition to these general redevelopment directions, this sub-area proposal identifies a location for a neighborhood center to serve residents' needs. The portion of the Highland neighborhood included in this Area of Change is distinguished by its many historic buildings and districts, as well as its new residential development. Some of the major employment, sports facilities and nodes of historic buildings in Jefferson Park create different challenges.*

*Small area plans will be the primary mechanism for compiling a set of implementation strategies tailored to the specific conditions and vision of an area.*

Applicant Statement: The subject property allows convenient bike, walking, or public transit access to work, shopping, recreation, and services. The subject property is located close to Jefferson Park's revitalized business

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district located at the intersection of 25<sup>th</sup> Avenue and Eliot Street. Visions, goals, and strategies of the Jefferson Park Neighborhood Plan are discussed below in relation to the proposed rezone of the subject property.

**Chapter 9, Blueprint Denver Implementation, Page 164**

*In the meantime, when zoning map amendments are proposed, the Plan Map (and any refinements generated through small area plans) will be used as a policy guide for staff recommendations and City Council action.*

*Over time, the zoning map itself must be amended to make it more compatible with the Blueprint Denver Plan Map. This means that zoning in some Areas of Change will be modified to provide the range of uses, intensity of development, and development and design standards reflected in the land-use types.*

Applicant Statement: Rezoning the subject property will allow the property to better conform to the original goals and recommendations of Blueprint Denver and the Jefferson Park Neighborhood Plan.

**Jefferson Park Neighborhood Plan (2005)**

**Plan – Neighborhood Framework, Land Use / Urban Form / Zoning, Pages 25, 26**

*Recommendations*

- *The neighborhood association, with the assistance from Denver Community Planning and Development, should prepare an application for a map amendment that would add an OD-9 zone overlay district to the R-3 zoned portions of the Core Residential Subarea and Park Face Block.*
- *Neighborhood issues, analysis, and urban design principles will be provided for use in the City's efforts to rewrite the zoning code and create new zone districts that reflect the existing and desired conditions in Denver's inner-ring of neighborhoods.*
- *As new zone districts are created through the rewrite of the new zoning code, consider rezoning the edges of the park to allow slightly greater height and density than R-2.*
- ....

By rezoning the subject property from U-TU-B to G-MU-3, a slightly greater height and slightly greater density would be possible and allow the property to better confirm to the recommendations of the neighborhood plan.

**Plan – Subareas, Park Face Blocks, Pages 45, 46**

*Vision*

*The vision for the Park Face Blocks Subarea includes the Park functioning as the cultural heart of the neighborhood. The streets surrounding the Park will be lined with a variety of town homes, condominiums, apartments and single-family homes all sharing views into a beautiful urban oasis. The Park will serve as*

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*a true community gathering spot, hosting family picnics, casual games and occasional concerts or performances. The Park perimeter will be defined by development that is of a greater density than the core residential subarea with buildings of up to 45' high on the blocks facing the north, south and west sides of the park, and up to 35' height on the blocks facing the east side of the park. The former police station site will have been redeveloped into affordable housing and a small police substation. Neighborhood issues, analysis, and urban design principles will be provided for use in the City's efforts to rewrite the zoning code and create new zone districts that reflect the existing and desired conditions in Denver's inner-ring of neighborhoods.*

*Recommendations*

- *Investigate a zoning change to a zone district or a combination of zone district and overlay district, which allows development of the park perimeter that is of a greater density than the core residential subarea with buildings of up to 45' height on the blocks facing the north, south and west sides of the park, and up to 35' height on the block facing the east side of the park.*
- *Pursue a view plane preservation ordinance preserving the view of Downtown Denver from the west side of Jefferson Park.*
- *Enforce speed limits on streets surrounding the park.*
- *Work with Public Works Transportation to address a variety of traffic issues and perceived pedestrian safety problems. This effort should consider the possibility of traffic calming measures to slow auto traffic and facilitate pedestrian comfort on the streets around the Park.*
- *Improve Park safety by increasing activity in the park and providing an opportunity for additional housing facing the park.*

*Principles*

- *Visual interest and human scale should be provided through the use of prominent windows and entries at the street-facing facades and through architectural variation, including form, materials, detail, and color.*
- *On multi-storied structures, building bases should be defined and articulated using techniques such as a change in brick course, materials, color, or detailing on the building.*
- *In the residential subareas, building heights should be a maximum of three stories at the front or street entrance. Additional stories should be stepped back from the front.*
- *In the Park Face Blocks Subarea, buildings heights should be no higher than 45' on the blocks facing the north, south, and west sides of the park, and should be no higher than 35' on the block facing the east side of the park.*
- *Along Speer Boulevard, buildings should be no higher than 6 stories.*

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- *Along Federal Boulevard, new development should be of a similar height to that allowed under the current R-2 zoning: 35'.*
- *In the Diamond Hill subarea, new development should be no more than 140' in the interior of the subarea; 35', or 3 stories, on the north side of West 23rd and along Bryant.*

Applicant Statement: Over the years, and specially the last several years, the vision of the Park becoming a community focal point and gathering spot is coming to fruition. In recent years, Jefferson Park United Neighbors (JPUN) has organized summer concert series that have been held in the park and the neighborhoods annual spring park cleanup day has continued strong from many years. The park recently had its aging playground replaced with a more modern 'kid friendly' playground which has resulted in greater use and increased interaction among neighbors. In addition, the perimeter of the park is being defined by greater density. Rezoning the subject property, which is located on the perimeter of the park, will be in line with the vision, recommendations, and principals of the neighborhood plan.

**Urban Design – Key Design Principals, Pages 45, 46**

Massing and Scale, Principals

- *Visual interest and human scale should be provided through the use of prominent windows and entries at the street-facing facades and through architectural variation, including form, materials, detail, and color.*
- *On multi-storied structures, building bases should be defined and articulated using techniques such as a change in brick course, materials, color, or detailing on the building.*
- *In the residential subareas, building heights should be a maximum of three stories at the front or street entrance. Additional stories should be stepped back from the front.*
- *In the Park Face Blocks Subarea, buildings heights should be no higher than 45' on the blocks facing the north, south, and west sides of the park, and should be no higher than 35' on the block facing the east side of the park.*
- *Along Speer Boulevard, buildings should be no higher than 6 stories.*
- *Along Federal Boulevard, new development should be of a similar height to that allowed under the current R-2 zoning: 35'.*
- *In the Diamond Hill subarea, new development should be no more than 140' in the interior of the subarea; 35', or 3 stories, on the north side of West 23rd and along Bryant.*

Applicant Statement: Rezoning the subject property, which is located on the perimeter of the park, will be in line with the massing and scaling principals of the neighborhood plan.

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**4. UNIFORMITY OF DISTRICT REGULATIONS AND RESTRICTIONS**

Applicant Comments: The proposed rezoning will result in regulations and restrictions that are uniform for each kind of building throughout the G-MU-3 district per the adopted Denver Zoning Code. By replacing the current U-TU-B zone with the proposed G-MU-3 zone, the subject property will maintain consistency and neighborhood uniformity including building form, setbacks, build-to requirements, building height and street activation that are characteristic to the surrounding neighborhood and build upon the surrounding context.

**5. PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE**

Applicant Comments: The rezoning of the subject property to G-MU-3 and any future development that would be allowed can further public health, safety and general welfare by increasing the walkability of the neighborhood, thereby improving access to jobs, housing, services, businesses, and recreational and sporting venues with less frequent and shorter automobile trips as recommended in Blueprint Denver. Taking advantage of the walkable and bike-able neighborhood has the potential to create a safer environment, increase local business use, enhance the social environment, and improve health by providing alternatives to automobile travel. Below is a table of walking / biking distances to a variety of local businesses, services, and recreational sporting venues in very close proximity to the subject property.

<b>Destination*</b>	<b>Walking / Biking Distance</b>
Bike Route D-3 (Along Eliot Street, Link to S. Platte Trail and Downtown)	0 feet
Jefferson Park	130 feet
RTB Bus Stop (Route 28 to Downtown)	600 feet
Bike Route D-6 (Route to Downtown)	600 feet
25 <sup>th</sup> and Eliot Commercial District (restaurants, coffee shop, gym, clothing)	1,300 feet
Denver B-Cycle Station (23 <sup>rd</sup> and Clay)	1,400 feet
Car Rental (Enterprise)	1,750 feet
Church (Riverside Church) (23 <sup>rd</sup> and Bryant)	1,900 feet
Sports Authority Field at Mile High Stadium	2,000 feet
Safeway Grocery Store	2,000 feet
South Platte River Trail System Access via Bike Route D-3	0.8 mi
Denver Children’s Museum	0.8 mi
Denver Aquarium	0.6 mi
REI and Confluence Park	0.9 mi
Sloans Lake (along 22 <sup>nd</sup> Avenue)	1.0 mi
RTD Light Rail Station (Decatur/Federal Station)	1.0 mi
RTD Light Rail Station (Sports Authority Field)	1.1 mi
Elitch Gardens	1.3 mi
1,Pepsi Center	1.4 mi
Coors Field	2.3 mi
Downtown Work Commute (17 <sup>th</sup> and Stout)	2.5 mi

\* Rezoning Applicants have personally walked or biked to all of the destinations listed over the years since moving to the Jefferson Park neighborhood in 2007.

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## **6. JUSTIFYING CIRCUMSTANCES**

- *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.*

Applicant Comments: Due to the subject property's close proximity to the various venues, businesses, and recreational amenities listed in the previous section; the demand for housing within the Jefferson Park neighborhood has increased and the surrounding area is changing. The proposed rezoning of the subject property to G-MU-3 will allow for redevelopment consistent with the surrounding properties while addressing the demand for housing in close proximity to the amenities the neighborhood and downtown provide.

## **7. CONSISTENCY WITH NEIGHBORHOOD CONTEXT**

- *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.*

Applicant Comments: By approving the request to rezone the subject property from the existing U-TU-B zone to the G-MU-3 zone, the proposed zoning change will allow the subject property to be consistent with neighborhood context and meet the stated purpose and intent of the proposed zone district in that:

1. The subject property will better match the zoning and character of the surrounding 'park facing' neighborhood properties.
2. It encourages the implementation of the recommended goals established in the approved planning documents including Blueprint Denver and Jefferson Park Neighborhood Plan.

## **8. SUMMARY**

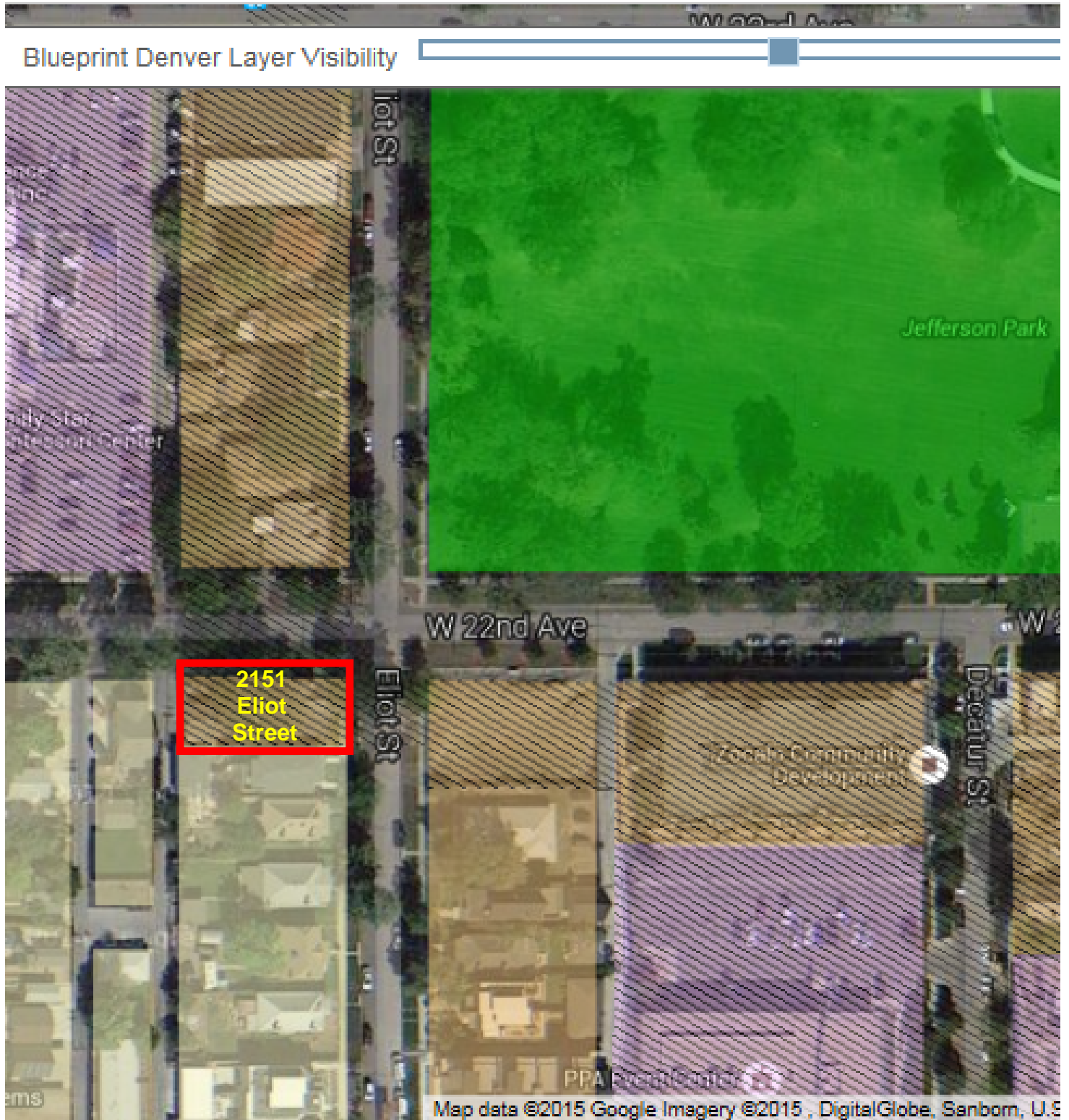
In providing a summary of the goals established in the planning documents, a description of compliance with the established Zoning Change Review Criteria and the potential benefits to the adjacent neighborhood; we kindly request that City's Community and Development staff and City Council approve the zone map amendment request for the subject property at 2151 Eliot Street.

**ATTACHMENT NO. 4  
 ZONE MAP AMENDMENT – PARK FACING PROPERTIES SUMMARY  
 2151 ELIOT STREET, DENVER, CO 80211**

No.	Property Address	Owner	Zoning	Parcel Size	Current Use
1	2201 N. Eliot Street	Amos Depuy	G-MU-3	6250	SF Residential
2	2215 N. Eliot Street	Eliot Partners, LLC	G-MU-3	7173	Multi-Unit Development (In Progress)
3	2215 N. Eliot Street	Eliot Partners, LLC	G-MU-3	6604	Multi-Unit Development (In Progress)
4	2231 N. Eliot Street	Eliot Real Estate, LLC	G-MU-3	4690	SF Residential, Empty, Developer Owned
5	2235 N. Eliot Street	Rosemary and Reynaldo Vasquez	G-MU-3	7810	SF Residence
6	2239 N. Eliot Street	2239-2269 Eliot Street, LLC	G-MU-3	12500	Multi-Unit 2-Story Apartment Complex
7	2301 N. Eliot Street	Neuva Americana III , LLC	G-MU-3	9240	Multi-Unit 3-Story Apartment Complex
8	2855 W. 23rd Avenue	Parkview Lofts Properties, LLC	G-MU-3	7059	Multi-Unit 2-Story Apartment Complex
9	2849 W. 23rd Avenue	Judith Battista	G-MU-3	6260	SF Residence
10	2839 W. 23rd Avenue	Moises Tapia	G-MU-3	6260	SF Residence
11	2831 W. 23rd Avenue	Maestas Development Corporation	G-MU-3	6260	Multi-Unit 3-Story Apartment Complex
12	2827 W. 23rd Avenue	Brent Weakley	G-MU-3	3120	SF Residence
13	2755 W 23rd Avenue	3MK Holdings, LLC	G-MU-3	13300	Multi-Unit 2-Story Apartment Complex
14	2733 W. 23rd Avenue	Jefferson Park Apartments, LLC	G-MU-3	12500	Multi-Unit 2-Story Apartment Complex
15	2723 W. 23rd Avenue	Patrick McNeirney	G-MU-3	3120	SF Residence
16	2301 Clay Street	3MK Holdings, LLC	G-MU-3	14000	Multi-Unit 3-Story Apartment Complex
17	2647 W. 23rd Avenue	Scott Riopelle	G-MU-3	3620	SF Residence
18	2151 Clay Street	Mark Lohaus	G-RH-3	2400	SF Residence
19	2718 W 22nd Avenue	James Sullivan	G-RH-3	1600	SF Residence
20	2722 W 22nd Avenue	Christopher Pearson	G-RH-3	2460	1/2 Duplex (2 Story)
21	2724 W 22nd Avenue	Florencia Vitaver	G-RH-3	3840	1/2 Duplex (2 Story)
22	2185 Bryant Street	IMP Element 47, LLC	PUD	Varies	4-Story Mixed Use (Apts/Retail)
23	2801-2809 W. 23rd Avenue	Multiple Owners	R-3	Varies	5-Unit, 2.5-Story Row Houses
24	2758-2798 W 22nd Avenue	Multiple Owners	R-MU-20	10386	3-Story Rowhomes (9 Units)
25	2195 Decatur Street	Zocola Condominums	R-MU-20	Varies	3-Story Multi-Unit Condo Building
26	2240 Clay Street	River Clay Condominums	R-MU-30	Varies	5-Story Mixed Use (Condos/Retail)
27	2641 W. River Drive	River Commerical LLC	U-MX-2X	3020	2-Story Restaurant (In Progress)
28	2150 Eliot Street	Nadine Janker	U-TU-B	2324	1/2 Duplex (3 Story)
29	2878 W 22nd Avenue	Ingvar Alarik	U-TU-B	2284	1/2 Duplex (3 Story)
30	2898 W 22nd Avenue	David Michael Evans	U-TU-B	2025	1/2 Duplex (3 Story)
31	2151 Eliot Street	Daniel and Melissa Rice	U-TU-B	6250	SF Residence
				166355	
			GMU-3	129766	78%

ATTACHMENT NO. 5  
ZONE MAP AMENDMENT – REFERENCE MAPS  
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Blueprint Denver Area of Change Map (Zoomed)

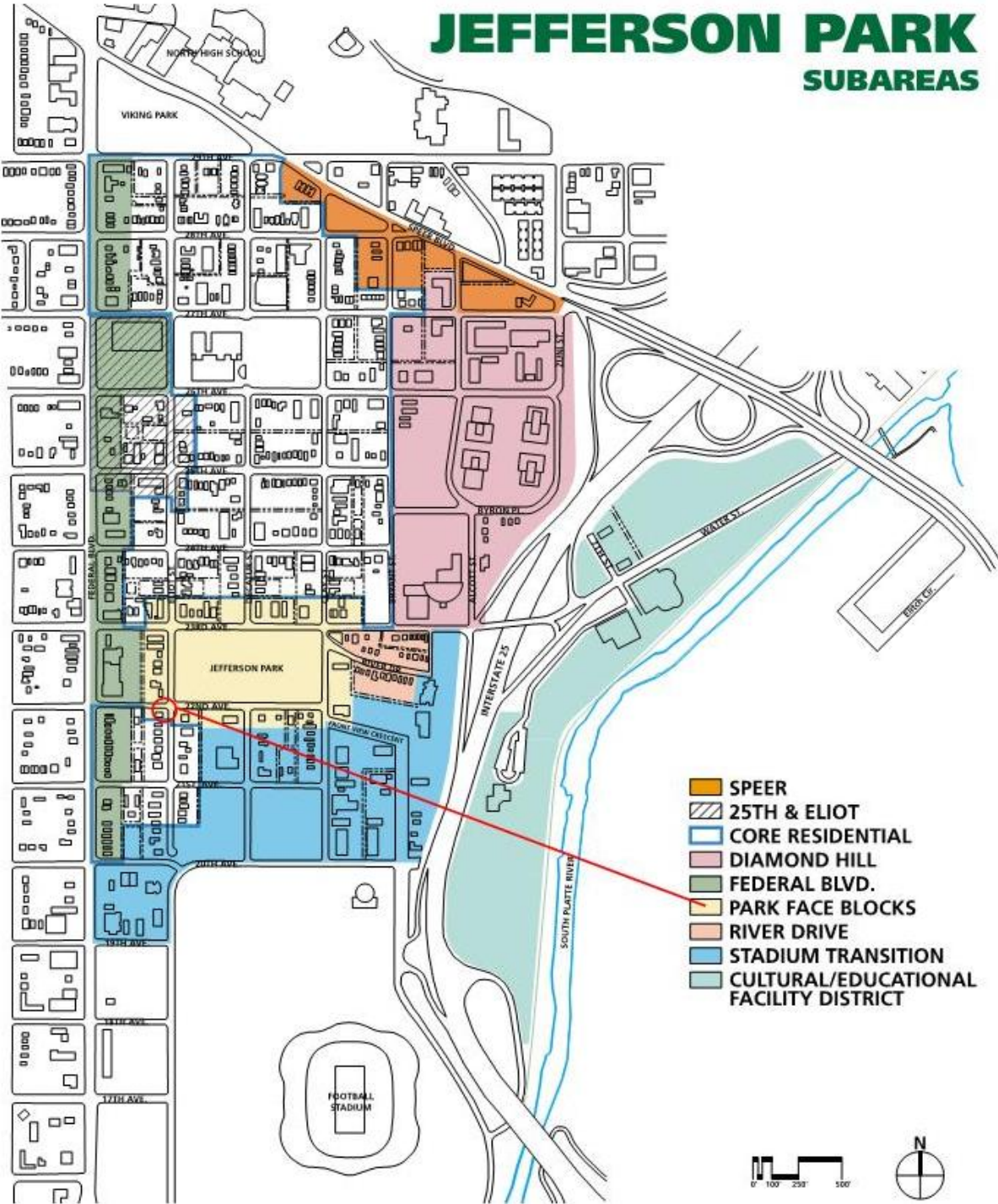






ATTACHMENT NO. 5  
ZONE MAP AMENDMENT – REFERENCE MAPS  
2151 ELIOT STREET, DENVER, CO 80211

Jefferson Park Neighborhood Plan Subareas Map

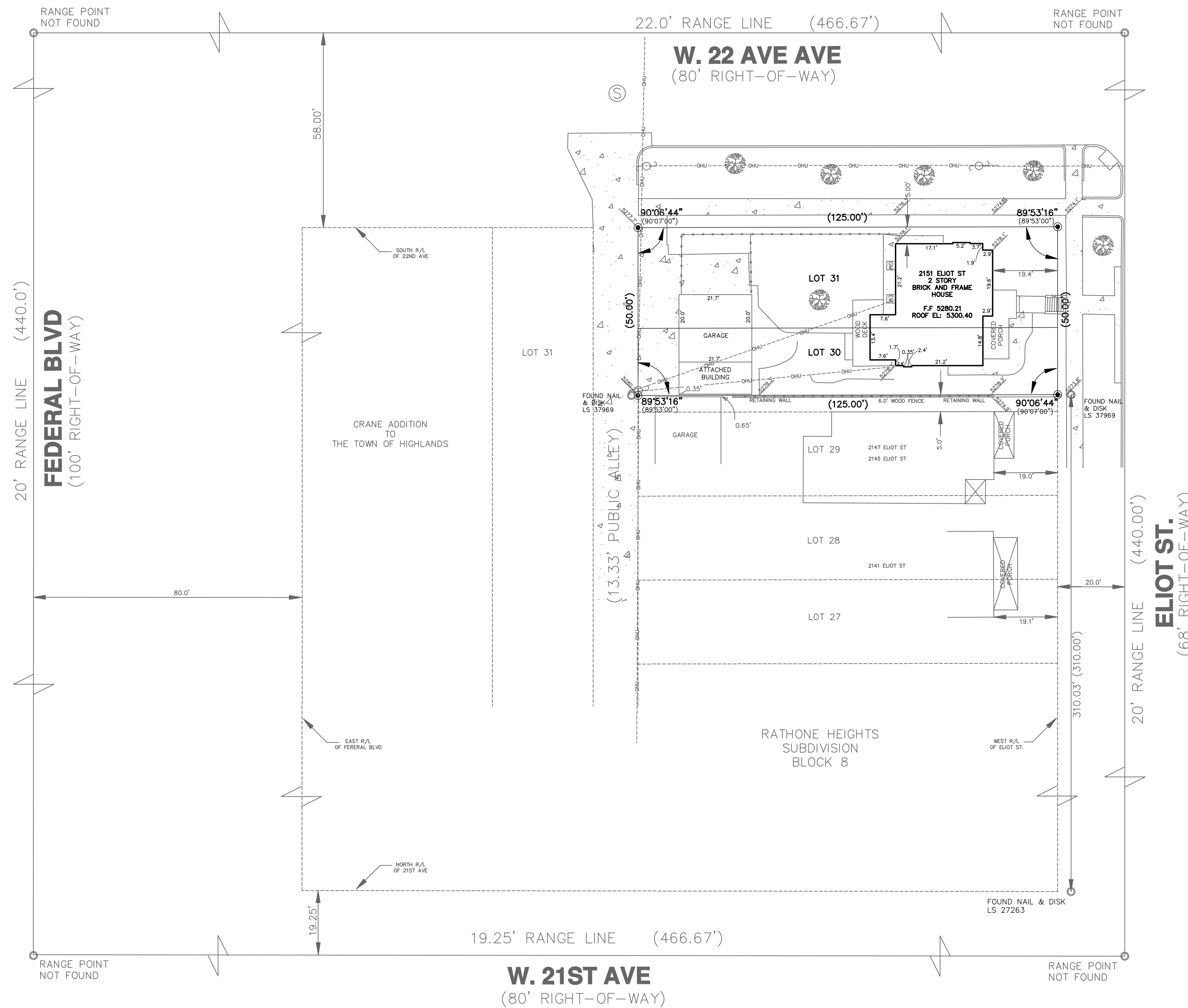
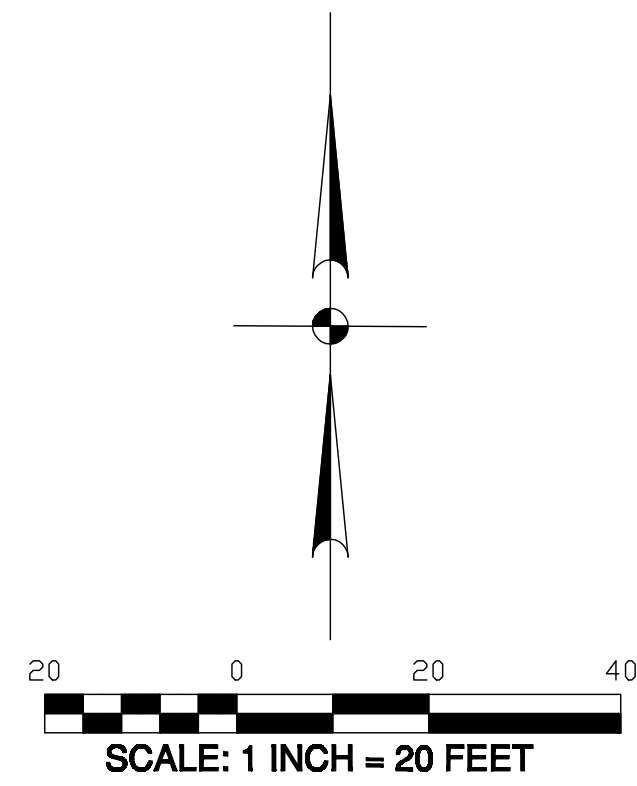


# IMPROVEMENT SURVEY PLAT

**PARCEL LOCATED IN THE  
NORTHEAST QUARTER OF SECTION 32,  
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN  
CITY AND COUNTY OF DENVER, STATE OF COLORADO**

2151 ELIOT STREET

ATTACHMENT NO. 6  
EXISTING IMPROVMENT SURVEY  
2151 ELIOT STREET, DENVER, CO 80211



**LEGEND**

- SET #5 REBAR W/ CAP STAMPED P.L.S. 38164
- ⊕ FOUND CHISELED "+"
- FOUND MONUMENT AS NOTED
- 125.00' MEASURED DISTANCE
- (125') PLATTED / RECORD DISTANCE
- 511.8 SPOT ELEVATION
- BUILDING WALL LINE
- UTILITY POLE
- CONCRETE
- ⊕ WATER MANHOLE
- ⊕ SEWER MANHOLE
- EM ELECTRIC METER
- ⊕ WATER METER
- ⊕ TREE

**LEGAL DESCRIPTION:**

LOT 31 AND THE NORTH 20 FEET OF LOT 30, BLOCK 8,  
RATHBONE HEIGHTS,  
CITY AND COUNTY OF DENVER, STATE OF COLORADO

**SURVEYOR'S STATEMENT**

I, MIGUEL A. ROMERO, A PROFESSIONAL LAND SURVEYOR DULY REGISTERED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT ON JANUARY 27, 2015, A SURVEY WAS MADE OF THE ABOVE DESCRIBED PROPERTY UNDER MY DIRECT SUPERVISION, AND THE CORNERS WERE SET AS SHOWN, HOLDING FOUND POINTS AND PLATTED DISTANCES WHEREVER POSSIBLE, AND UTILIZING CITY AND COUNTY OF DENVER SURVEY INFORMATION FOR CONTROL AND TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEFS, THIS MAP ACCURATELY DEPICTS THE RESULTS OF SAID SURVEY.

NOTE: THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT.



MIGUEL A. ROMERO \_\_\_\_\_ DATE \_\_\_\_\_  
PROFESSIONAL LAND SURVEYOR  
COLORADO REGISTRATION NO. 38164

**1. NOTICE:**

ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

**2. MONUMENT DEFACING STATEMENT:**

ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMIT A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.

3. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHT-OF-WAY OR TITLE OF RECORD, PWSI, INC. RELIED UPON RECORDED PLAT, THE CITY ASSESSOR'S RECORDS AND INFORMATION SUPPLIED BY CLIENT

4. L.S. SEAL, DEPICTED HEREON, VALID ONLY WITH WET SIGNATURE AND DATE WRITTEN THROUGH IT.

5. UTILITIES SHOWN HEREON ARE DRAWN FROM FIELD TIES AND BEST INFORMATION AVAILABLE FROM THE UTILITY COMPANIES. THIS INFORMATION IS FOR GENERAL USE ONLY AND NOT TO BE USED FOR EXCAVATION PURPOSES. CONTRACTOR TO FIELD LOCATE AND VERIFY LOCATION OF ALL UTILITIES PRIOR TO ANY CONSTRUCTION WORK IN AREA SET FORTH ON THIS DRAWING.

6. ALL DISTANCES SHOWN ON THIS SURVEY ARE IN FEET AND HUNDREDTHS OF A FOOT.

7. BASES OF BEARINGS: NO BEARINGS WERE USED IN THIS LAND SURVEY PLAT. INTERIOR ANGLES WERE USED AS PER PLAT. THE INFORMATION SHOWN HEREON WAS OBTAINED FROM THE RECORD PLAT OF SUBJECT PROPERTY AS REFERENCED HEREIN AND THE RECORD TIE BOOKS.

8. BENCHMARK: BM NO. 142A, FEDERAL BLVD AND 21ST AVENUE, CDD BRASS CAP, SE COR., TOP OF CURB @ SPC, NAVD 88 DATUM, ELEVATION 8288.23

**DEPOSIT CERTIFICATE:**

DEPOSITED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_\_ AT \_\_\_\_\_ M., IN BOOK \_\_\_\_\_ OF THE COUNTY SURVEYOR'S LAND SURVEY PLATS/RIGHT-OF-WAY SURVEYS AT PAGE \_\_\_\_\_, RECEPTION NO. \_\_\_\_\_, CITY AND COUNTY OF DENVER RECORDS.

BY: \_\_\_\_\_

DATE: 01-3-2015  
SCALE: 1 INCH = 20 FEET  
DRAWN BY: MAR  
REVIEWED BY: RICK PALMER  
PROJECT NO.: 2015-004

**PWSI, INC.**  
LAND SURVEYING MAPPING CONSTRUCTION TRIMBLE GPS  
3545 SOUTH PLATTE RIVER DRIVE # M-3  
SHERIDAN, COLORADO 80110  
PHONE: (303) 904-1345  
FAX: (303) 904-1346  
EMAIL: RICK@PWSI.NET