

TO: Land Use, Transportation, and Infrastructure Committee
FROM: Jeff Hirt, Senior City Planner
DATE: January 24, 2019
RE: Official Zoning Map Amendment Application #2018I-00127
3600 block of Downing Street, bounded by Downing St., 37th Ave., Marion St., and 36th Ave., and including vacated portions of Lawrence St. & including vacated portions of Lawrence St. south of 36th Ave.
Rezoning from B-4 with waivers and conditions, UO-1, UO-2; U-SU-A1; and C-MX-3, UO-1, UO-2 to C-MX-5, UO-1, UO-2, IO-1, DO-7; C-MX-3, UO-1, UO-2, IO-1, DO-7; and C-MS-5, UO-1, UO-2

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for Application #2017I-00162 for a rezoning from B-4 with waivers and conditions, UO-1, UO-2; U-SU-A1; and C-MX-3, UO-1, UO-2 to C-MX-5, UO-1, UO-2, IO-1, DO-7; C-MX-3, UO-1, UO-2, IO-1, DO-7, C-MX-3, IO-1, DO-7; and C-MS-5, UO-1, UO-2.

Request for Rezoning

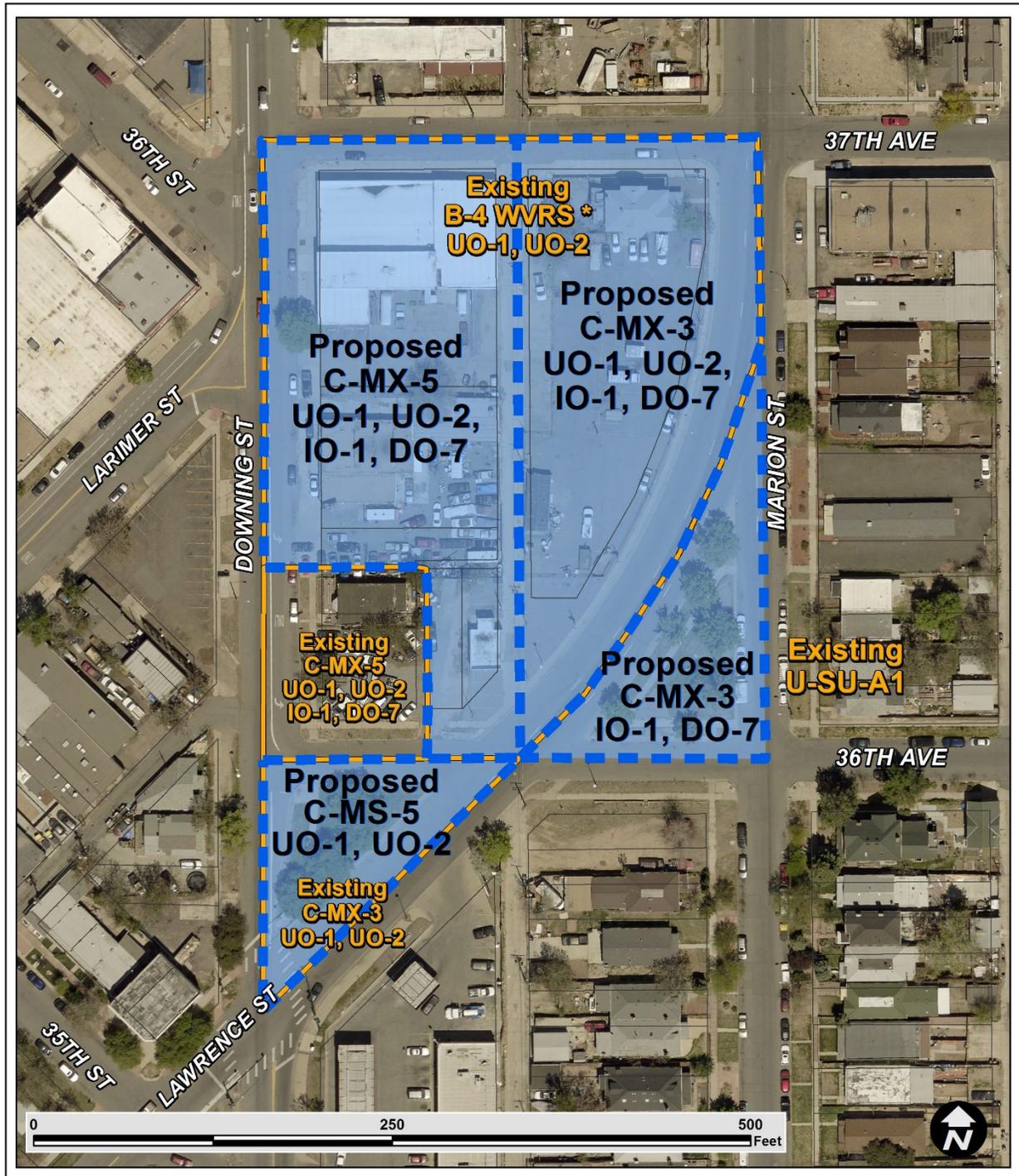
Application: #2018I-00127
Addresses: 3618, 3620, 3630, 3632, 3648, 3650, 3660 Downing Street; 1217, 1219 East 36th Avenue; 3659 Marion Street
Neighborhood/Council District: Cole/Council District 9
RNOs: Inter-Neighborhood Cooperation, RiNo Art District, UCAN, Five Points Business District, Cole Neighborhood Association, Opportunity Corridor Coalition of United Residents, Denver Arts and Culture Initiative, Center City Residents Organization, Curtis Park Neighbors, The Points Historical Redevelopment Corporation, Rio Norte
Area of Properties: +/- 112,361 SF (2.6 acres)
Current Zoning: B-4 with waivers and conditions, UO-1, UO-2; U-SU-A1; C-MX-3, UO-1, UO-2
Proposed Zoning: C-MX-5, UO-1, UO-2, IO-1, DO-7; C-MX-3, UO-1, UO-2, IO-1, DO-7; C-MX-3, IO-1, DO-7; C-MS-5, UO-1, UO-2
Property Owner(s): Trihouse, LLC
Applicant: Albus Brooks, Council District 9

Summary of Rezoning Request

- The subject site includes eight parcels that are two blocks from the 38th and Blake commuter rail station. It also includes the Lawrence Street right-of-way as it crosses Downing Street and traverses the site where the original diagonal Denver street grid meets the east-west/north-south street grid.
- The 38th and Blake Station Area Plan (2009) recommends “squaring off” the 3500 and 3600 blocks of Downing Street by vacating Lawrence Street on the subject site. The rezoning request

boundaries reflect both the current and planned reconfiguration of the 3500 and 3600 blocks of Downing Street.

- The Lawrence Street areas on the subject site were recently transferred from public right-of-way to private ownership as part of the planned Lawrence Street reconfiguration in this area. The Colorado Department of Transportation (CDOT) previously owned the Lawrence Street right-of-way and adjacent small green spaces and offered these areas for sale, and the applicant team acquired the land in 2018 to “square off” the 3500-3600 blocks of Downing Street and redevelop the 3600 block of Downing for a mixed use project.
- The subject site has five one- and two-story nonresidential buildings and one residential building all built in the 1880s or early 1900s. The buildings are not city-designated Historic Structures.
- The requested zone districts can be summarized as follows (see map below illustrating proposed zone districts):
 - The C-MX zone districts are mixed use zone districts that allow a wide range of residential and commercial uses with minimum build to and transparency requirements intended to promote active pedestrian areas on public streets. The C-MX-5 zone district allows 5 stories and 70 feet in building height, while the C-MX-3 zone district allows 3 stories and 45 feet in building height.
 - The C-MS-5 zone district is a main street zone district that allows a wide range of residential and commercial uses with a maximum building height of 5 stories and 70 feet. C-MS-5 is typically applied linearly along entire block faces of arterial streets, which the adjacent Downing Street is.
 - The River North Design Overlay (DO-7) is intended to promote high quality design, a human scale that promotes vibrant pedestrian-oriented streets, and multi-modal transportation options. These design standards mandate a higher design quality and street level activation than the C-MX base zone district and the overlay would apply to portions of the subject site north of 36th Avenue.
 - The city adopted the 38th and Blake Incentive Overlay (IO-1) in 2018 to implement the 38th and Blake Station Area Height Amendments (2016) by requiring affordable housing and other community benefits for development that exceeds defined base building heights. The IO-1 overlay would apply to portions of the subject site north of 36th Avenue.
 - UO-1 is the Adult Use Overlay District that permits some adult business uses with limitations. UO-2 is the Billboard Use Overlay District that permits “outdoor general advertising devices” with limitations. The proposed rezoning would carry forward the current boundaries of the UO-1 and UO-2 overlay districts.



Existing Context

The subject site encompasses the 3600 block of Downing Street and a portion of the 3500 block of Downing Street. Lawrence Street traverses the site as the original diagonal Denver street grid meets the east-west/north-south street grid at Downing Street. West of the alley dividing each block are primarily nonresidential uses fronting Downing Street, which is common along this corridor as one of Denver’s original streetcar corridors. East of the alley are mostly single unit residential buildings with some nonresidential buildings on the east side of Marion Street.

The subject site also includes two green space areas totaling approximately 11,000 square feet (10% of the rezoning area). These areas were previously owned by CDOT as part of the Lawrence Street right-of-way. These two green spaces were also transferred to private property ownership and have C-MX-3/UO-1/UO-2 and U-SU-A1 zoning.

	Existing Zoning	Existing Land Uses	Existing Building Form/Scale
Site	B-4 with waivers and conditions, UO-1, UO-2; C-MX-3, UO-1, UO-2; U-SU-A1	Commercial/Retail, Industrial, Single Unit Residential, Vacant	<p><u>3600 Block of Downing:</u> Five 1- and 2-story commercial buildings built in the 1880s and early 1900s surrounded by surface parking, with some oriented to Downing Street and others adjacent to the alley that splits this block. One 2.5-story residential structure and accessory structure oriented to Marion Street built in 1884. Lawrence Street traverses this block and an approximately 5,000 SF area currently functions as green space that was previously owned by CDOT and is now in private property ownership.</p> <p><u>3500 Block of Downing:</u> The portion of the 3500 block of Downing proposed for the rezoning currently contains a portion of Lawrence Street and a 6,000 square foot green space area that currently functions as green space. This green space was also previously owned by CDOT and is now in private property ownership where Lawrence Street traverses the site and where the original diagonal Denver grid meets the east-west/north-south street grid.</p> <p>See the Lawrence Street Reconfiguration section below for discussion of status of Lawrence Street on the subject site.</p>
North	C-MX-8, UO-1, UO-2, IO-1, DO-7; C-MX-3, UO-1, UO-2, IO-1, DO-7	Single Unit Residential, Two Unit Residential, Commercial/Retail	Mix of 1- and 2-story commercial and residential buildings built in the 1920s with alley access. The 38 th and Blake commuter rail station is located 2 blocks north of the subject site.
South	C-MS-3, UO-1, UO-2; U-SU-A1	Commercial/Retail, Single Unit Residential, Public	A one-story convenience store building with an accessory car wash building and two gas station canopies is oriented to Downing Street. The eastern ½ of the block facing Marion Street is a mix of 1- to 1.5-story single unit residential buildings and a 1-story school.

	Existing Zoning	Existing Land Uses	Existing Building Form/Scale
East	U-MX-3, UO-1, UO-2; U-SU-A1	Industrial, Single Unit Residential, Two Unit Residential, Public	Mostly 1- and 1.5-story single unit residential buildings with commercial buildings at the corner of Marion Street and 37 th Avenue. East of the subject site on the 3500 block of Marion Street are 1- and 1.5-story single unit residential buildings.
West	C-MX-8, UO-1, IO-1, DO-7; I-MX-3, UO-2, IO-1, DO-7; C-MX-3, UO-1, UO-2, IO-1, DO-7	Vacant, Industrial, Single Unit Residential, Multi-Unit Residential, Commercial/Retail,	Mix of 1- and 2-story commercial buildings.

Existing Block, Lot, and Street Pattern

The original diagonal Denver street grid meets the east-west/north-south urban Denver street grid at Downing Street. Both street grids are interrupted by commuter and freight rail tracks north and west of the subject site. Alleys are present on all surrounding blocks.

Lawrence Street Reconfiguration

Lawrence Street traverses Downing Street and through the subject site and connects across the two street grids. The 38th and Blake Station Area Plan (2009) recommends vacation of this portion of Lawrence Street (see map from plan below). These portions of Lawrence Street transferred from Colorado Department of Transportation CDOT ownership to private ownership in 2018. The applicant team is working with, and providing funding for, the Department of Public Works to implement the reconfiguration of Lawrence Street in accordance with the 38th and Blake Station Area Plan. This realignment must address traffic engineering issues on surrounding blocks including on Downing and Marion Streets and 36th and 37th Avenues. The rezoning request boundaries reflect the current private ownership and future construction plans that would “square off” both the 3500 and 3600 blocks of Downing Street to match the north-south street grid east of the subject site.

Image from 38th and Blake Station Area Plan

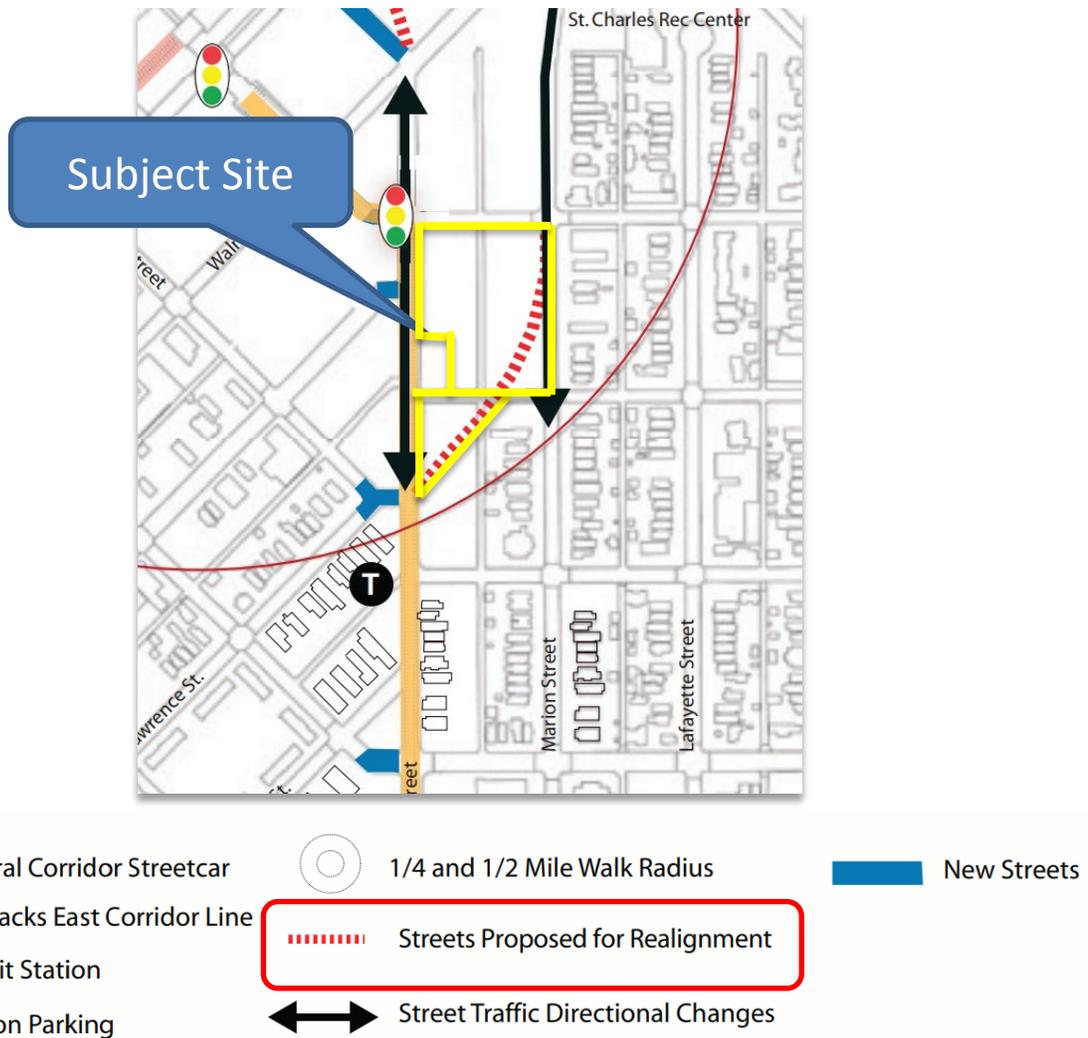
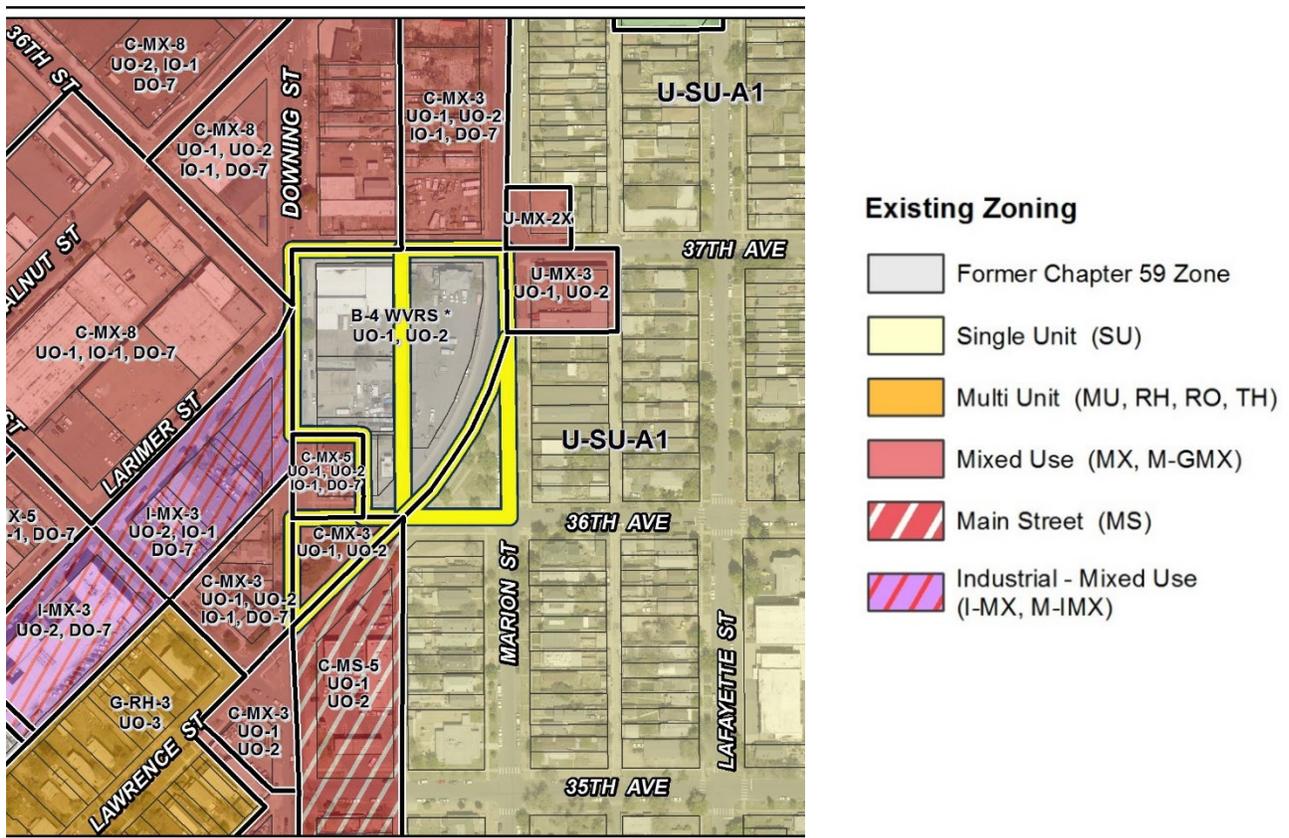


Figure 4.12 – Proposed Street and Directional Changes

1. Existing Zoning

The existing zoning on the site includes all the following zone districts:

- B-4 with waivers and conditions (Former Chapter 59 zone district)
- UO-1 (Adult Use Overlay)
- UO-2 (Billboard Use Overlay)
- C-MX-3 (Commercial Mixed Use 5-Story)
- IO-1 (38th and Blake Incentive Overlay)
- DO-7 (River North Design Overlay)
- U-SU-A1 (Single Unit Residential)



B-4 with waivers and conditions

B-4 is a Former Chapter 59 business zone district that allows a wide range of nonresidential and residential uses, including multi-unit residential, retail, and office. Building size is regulated by a maximum floor area ratio of 2:1 with bulk plane standards. Ordinance Number 29, Series 2002 (see Attachment 2) includes waivers that address land uses and conditions that address affordable housing requirements for any residential project. For additional B-4 standards see Former Chapter 59 Division 7.

The waivers prohibit several uses, including liquor stores, gun shops, tattoo shops and several light industrial uses.

The conditions require affordable housing units for any residential uses on the subject site. No nonresidential uses would be subject to the affordable housing requirements. The specific requirements include:

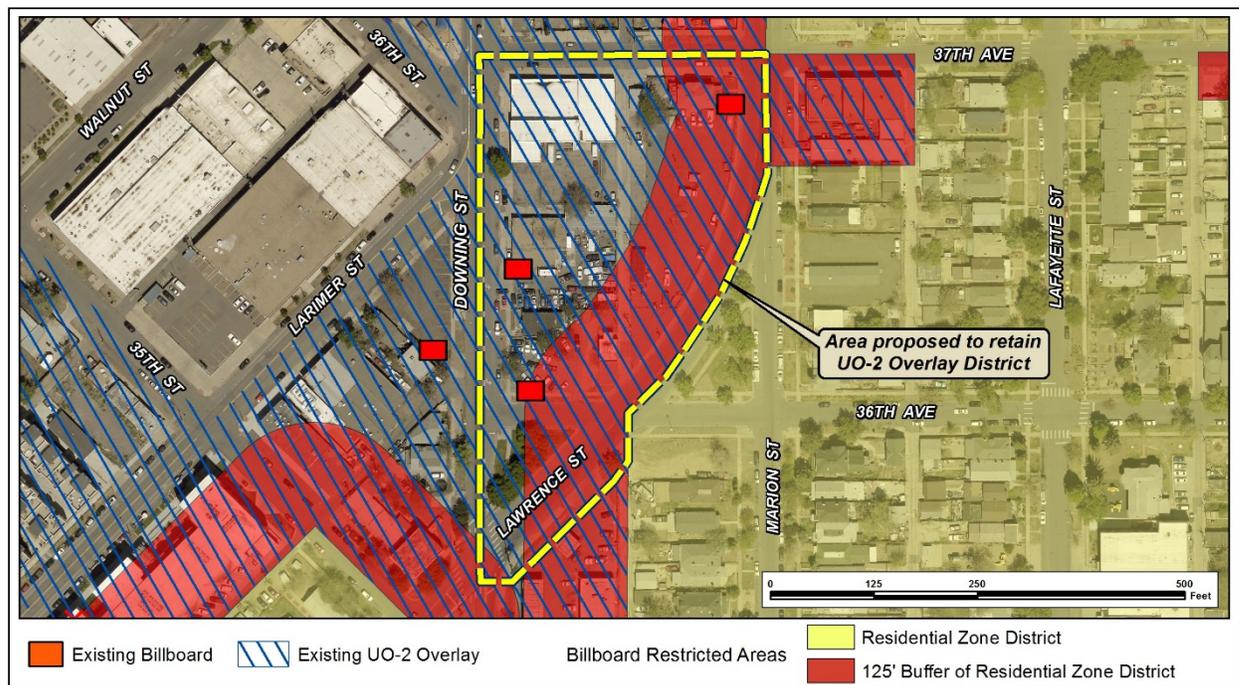
- That 10% of for-sale units have a maximum purchase price of \$140,000 (with annual cost adjustments from 2002, the time the city approved the condition);
- That 10% of for-rent units be available only to tenants earning no more than 80% median family income, and with maximum rents specified; and
- That an affordable housing plan is required for any residential project that must be approved by the Director of the Community Planning and Development Agency (which no longer exists) prior to zoning permit.

Such conditions were common in the months preceding adoption of Denver’s Inclusionary Housing Ordinance in 2002, which was largely replaced in 2016 by a dedicated affordable housing fund program administered by the Office of Economic Development.

The B-4 zone district is also subject to Denver Zoning Code protected district standards when within 175 feet of any U-SU-A1 zone district, which applies on this site. Per Former Chapter 59 Section 96 (a), no buildings may be above 75 feet in height within 175 feet of any protected district. Denver Revised Municipal Code (DRMC) Section 59-2 (c) establishes U-SU-A1 as a protected district regulating building heights in the B-4 zone district.

UO-1 and UO-2 Use Overlay Districts

UO-1 is the Adult Use Overlay District that permits some adult business uses with limitations. See DZC Section 9.4.4.6. UO-2 is the Billboard Use Overlay District that permits “outdoor general advertising devices” with limitations.



There are three existing billboards on the site. Most of the eastern and southern halves of the site are restricted from the placement of future billboards due to the proximity of residential zone districts to the east and south. Additional standards and limitations regarding minimum separation and distance requirements also apply. See DZC Section 9.4.4.7.

C-MX-3 Zone District

C-MX-3 is a mixed use zone district that permits a maximum height of 3 stories and 45 feet. It also requires a minimum build-to of 70% with 40% transparency on Primary Streets. The minimum primary street setback is 0 feet. A wide range of residential and commercial land uses are allowed. For additional details regarding building form standards in the C-MX-3 zone district, see DZC Section 7.3.3.4.

IO-1 (38th and Blake Incentive Overlay)

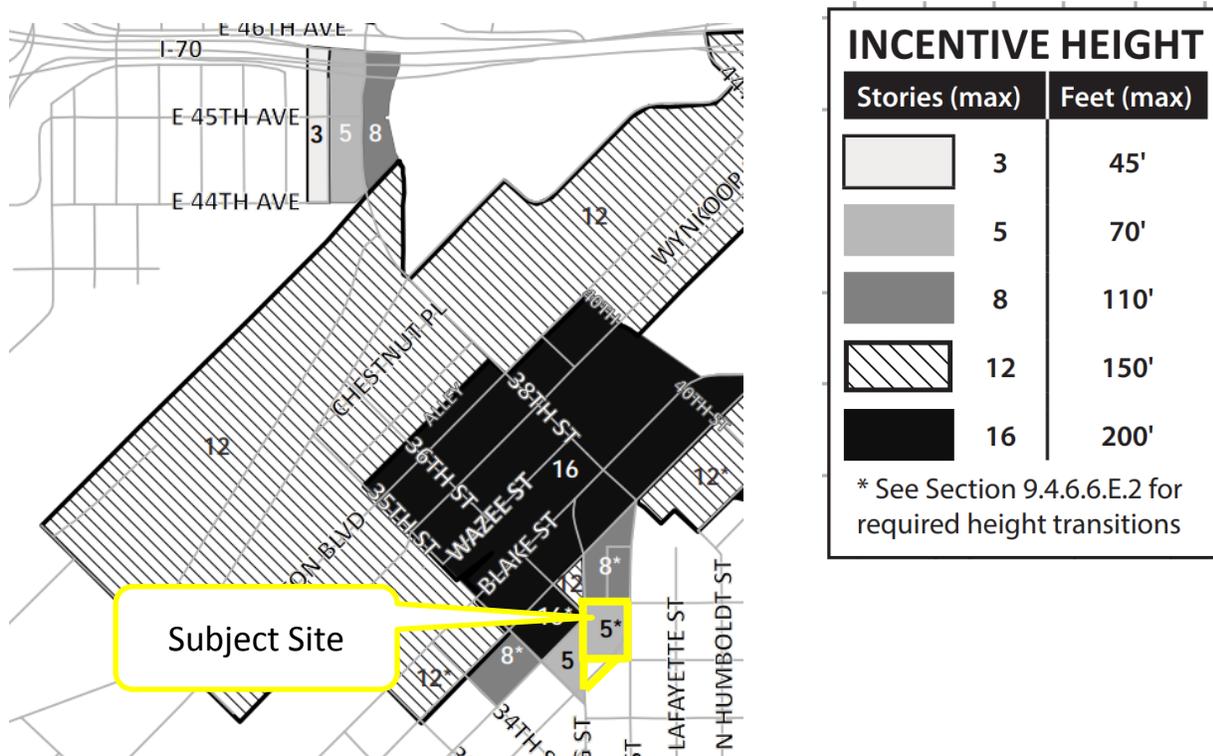
The 38th and Blake Station Area Incentive Overlay district was established in 2018. The purpose of the overlay district is to implement the 38th and Blake Station Area Height Amendments (2016) by requiring affordable housing and other community benefits for development that exceeds defined base building heights. DZC Section 9.4.6.6 establishes that no overlay-based affordable housing or community benefit requirements apply to buildings that do not exceed the maximum building height set forth in the base zone district. The overlay district establishes a map-based maximum incentive height framework (see map below). The maximum incentive height may only be 75 feet within 175 feet of a Protected District.

The IO-1 map in the DZC sets forth a maximum incentive building height of 5 stories for the 3600 block of Downing Street and the west side of the 3600 block of Marion Street through height transitions. Therefore, if the rezoning is approved, then the IO-1 overlay district would not provide any building height incentive for the portion of the 3600 block of Downing Street that would be zoned C-MX-5. If the portion of the 3600 block of Marion Street is approved for the requested C-MX-3 zoning, then the IO-1 overlay district would allow up to 5 stories in most of this area provided all IO-1 requirements are met. To promote compatibility with the lower-scale district across Marion Street, the maximum height would remain 3 stories and 45 feet in the first 35 feet from the Marion Street zone lot line.

The IO-1 map does not apply to areas south of 36th Avenue.

See Section 9.4.6 for more details on the IO-1 zone district. The IO-1 overlay district currently only applies to the area of the subject site zoned C-MX-5.

Map of IO-1 Incentive Height Areas



DO-7 (River North Design Overlay)

The River North (RiNo) Design Overlay addresses a variety of urban design objectives. Per DZC Section 9.4.5.11, the purpose of the overlay district is to promote high quality design, a human scale that promotes vibrant pedestrian-oriented streets, and multi-modal transportation options. Specifically, the overlay addresses build-to requirements, residential setbacks, parking location and access, and building design such as mass reduction and transparency. The DO-7 sets forth the following requirements in addition to any base DZC zone district:

- A 16-foot minimum street level height;
- 50% transparency along primary streets (compared to 40% in the C-MX zone districts) and 40% transparency along side streets (compared to 25% in the C-MX zone districts); and
- For lots over 18,750 square feet in area or wider than 150 feet, 70% of all street level building frontages on Primary Streets must be occupied by street level nonresidential active uses. DZC Section 9.4.5.11.F.3 of the DO-7 overlay district defines street level nonresidential active uses by prohibiting several uses including all types of residential, Light Automobile Services, Mini-Storage Facilities, and Light Wholesale Trade or Storage.

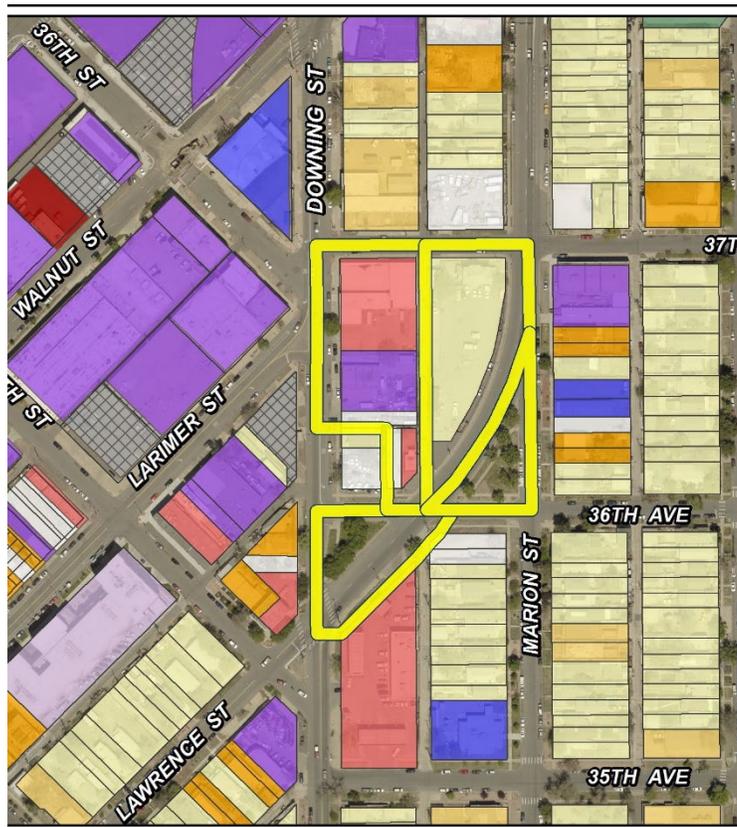
See Section 9.4.5.11 for more details on the DO-7 zone district. The DO-7 overlay district currently only applies to the area of the subject site zoned C-MX-5.

U-SU-A1 (Single Unit Residential)

The U-SU-A1 is a single unit district allowing urban houses and detached accessory dwelling units with a minimum zone lot area of 3,000 square feet. For additional details on the U-SU-A1 zone district, refer to Article 5 of the Denver Zoning Code (DZC).

2. Existing Land Use Map

The 3600 block of Downing Street has a mix of commercial, industrial, and single-unit residential areas along with some vacant areas. A portion of the 3600 block of Marion Street (west side) is currently green space as part of the Lawrence Street right-of-way. The portion of the 3500 block of Downing Street in the proposed rezoning area is currently green space and mapped as part of the Lawrence Street right-of-way. The blocks west of Downing Street and the portions of blocks east of Downing Street that have Downing Street frontage are mostly nonresidential. East of the alleys dividing the blocks between Downing Street and Marion Street transitions to mostly residential uses. The block on the east side of Marion Street has a mix of industrial, public, and single- and multi-unit residential uses.



Existing Land Use

-  Single-unit Residential
-  Two-unit Residential
-  Multi-unit Residential
-  Commercial/Retail
-  Industrial
-  Mixed-use
-  Office
-  Parking
-  Public/Quasi-public
-  Vacant

3. Existing Building Form and Scale Images

The existing building form and scale of the subject site and adjacent properties are shown in the images on the following pages. (Source: Google Earth)

Subject Property Images

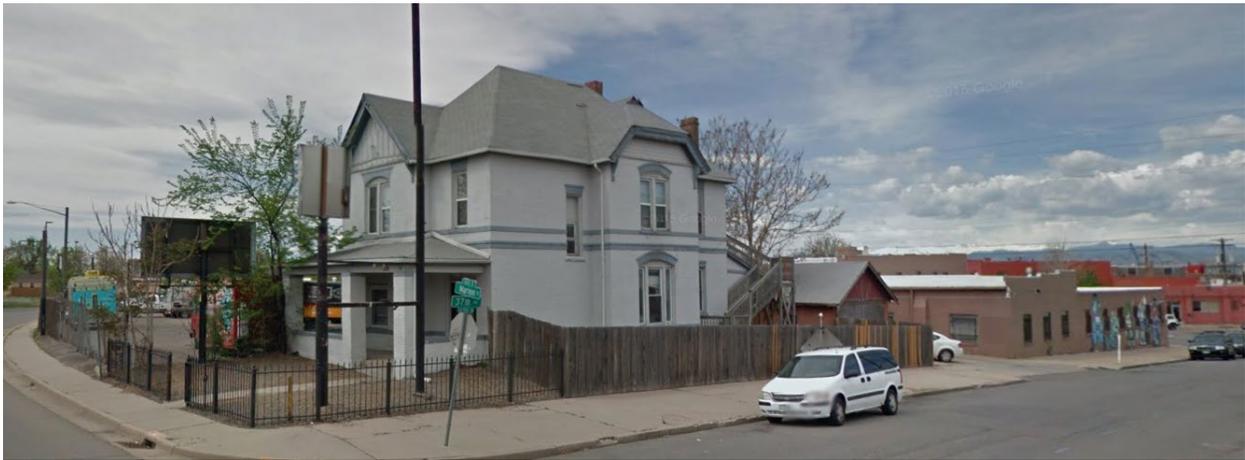
Subject Property Looking Northwest



Subject Property (3650 and 3660 Downing St.) Looking East from Downing Street



Subject Property (3659 Marion Street) Looking South from 37th Avenue



Subject Property Looking West from Marion Street at 36th Avenue



Subject Property (3600 and 3616 Downing St.) Looking Northeast from 36th Avenue



Subject Property (portion of 3500 Block of Downing) Looking North-Northeast from Lawrence Street



Surrounding Property Images

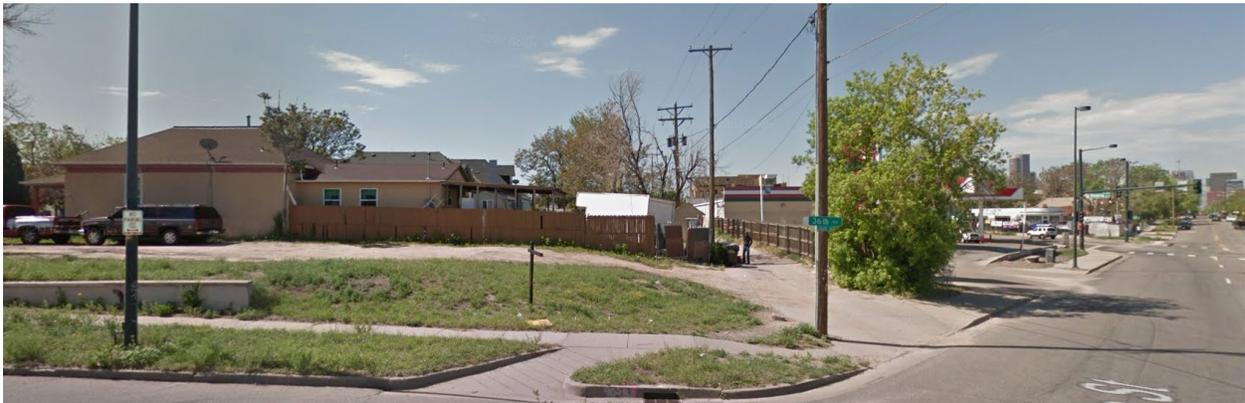
Surrounding Property Looking Northwest from Downing Street at 36th Street



Surrounding Property Looking West from Downing Street at 36th Avenue



Surrounding Property Looking South from 36th Avenue at Lawrence Street



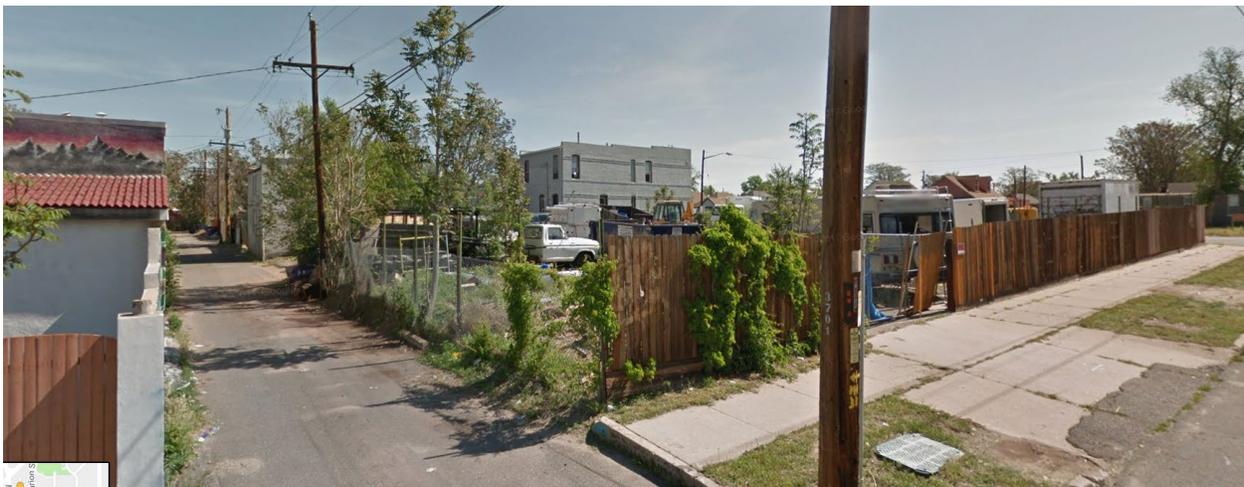
Surrounding Property Looking East from Marion Street



Surrounding Property North of Subject Property Looking East from Downing Street



Surrounding Property Looking North from 37th Avenue



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:

Assessor: Approved - no comment

Real Estate: Approved - no comment

Denver Public Schools: Approved - no comment

Department of Public Health and Environment: Approved with comments.

Notes. DEH concurs with the proposed rezoning; however, there are environmental conditions associated with the site. DEH has information to indicate the site is located within the boundaries of Operable Unit 1 (OU 1) of the Vasquez Boulevard/I-70 Superfund site which is associated with elevated levels of metals in soil; however, OU 1 only includes residential properties, so most of the parcels included in this site were not tested by the U.S. Environmental Protection Agency. DEH also has information suggesting part of the site may have been used as a salvage yard. The developer should assure site conditions are safe for the proposed future use (e.g., prevent exposure to contaminated soils).

Additionally, DEH has information of past documented petroleum releases from underground fuel tank systems on and near the site, and information chlorinated solvents have been detected in groundwater at nearby properties.

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

Denver's Noise Ordinance (Chapter 36–Noise Control, Denver Revised Municipal Code) identifies allowable levels of noise. Properties undergoing Re-Zoning may change the acoustic environment, but must maintain compliance with the Noise Ordinance. Compliance with the Noise Ordinance is based on the status of the receptor property (for example, adjacent Residential receptors), and not the status of the noise-generating property. Violations of the Noise Ordinance commonly result from, but are not limited to, the operation or improper placement of HV/AC units, generators, and loading docks. Construction noise is exempted from the Noise Ordinance during the following hours, 7am–9pm (Mon–Fri) and 8am–5pm (Sat & Sun). Variances for nighttime work are allowed, but the variance approval process requires 2 to 3 months. For variance requests or questions related to the Noise Ordinance, please contact Paul Riedesel, Denver Environmental Health (720-865-5410).

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

Parks & Recreation: Approved – no comments.

Public Works – Right-of-Way – Surveyor: Approved – with comments. Will require additional information at Site Plan Review.

Development Services – Transportation: Approved - no comments.

Development Services – Wastewater: Approved – with comments.

DS Wastewater approves the subject zoning change. The applicant should note that redevelopment of this site may require additional engineering including preparation of drainage reports, construction documents, and erosion control plans. Redevelopment may require construction of water quality and detention basins, public and private sanitary and storm sewer mains, and other storm or sanitary sewer improvements. Redevelopment may also require other items such as conveyance of utility, construction, and maintenance easements. The extent of the required design, improvements and easements will be determined during the redevelopment process. Please note that no commitment for any new sewer service will be given prior to issuance of an approved SUDP from Development Services.

Development Services – Project Coordination: Approved – no comments.

Development Services – Fire Prevention: Approved - no comments.

Public Review Process

	Date
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners	9/26/18
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, registered neighborhood organizations, and property owners	12/24/18
Planning Board public hearing. Planning Board recommended approval by a vote of 9-0.	1/9/19
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting (tentative)	1/15/19
Land Use, Transportation and Infrastructure Committee of the City Council review	1/29/19
Property legally posted for a period of 21 days and CPD written notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations (tentative)	2/18/19
City Council Public Hearing (tentative)	3/11/19

The RNOs identified on page 1 were notified of this application. As of the date of this staff report, city staff has received 132 public comments (see Attachment 3).

The Curtis Park RNO letter supports the rezoning, while citing concern over the design of any redevelopment and surrounding infrastructure improvements given the prominence of the site in relation to the light rail station and convergence of several streets. The RiNo Arts District RNO letter supports the rezoning and proposed infrastructure improvements in and around the subject site.

Two comments representing four properties support the rezoning request for the existing commercially zoned areas but are in opposition to the removal of the green space areas.

128 of the comments support the rezoning request. The reasons for support vary, but generally address the desire for redevelopment of this site and the potential for a mixed use project with affordable housing.

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)*
- *38th and Blake Station Area Plan (2009) and 38th and Blake Station Area Height Amendments (2016)*
- *Elyria Swansea Neighborhood Plan (2015)*
- *Northeast Downtown Neighborhoods Plan (2011)*

Denver Comprehensive Plan 2000

The request is consistent with several Denver Comprehensive Plan 2000 strategies, including:

- Environmental Sustainability Strategy 2-F:
 - *Conserve land by promoting infill development at sites where services and infrastructure are already in place (p. 39).*
 - *Conserve land by creating more density at transit nodes (p. 39).*
- 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 (p. 60).*
- Land Use Strategy 4-A: *Encourage mixed-use, transit-oriented development that makes effective use of existing transportation infrastructure, supports transit stations, increases transit patronage, reduces impact on the environment, and encourages vibrant urban centers and neighborhoods (p. 60).*
- Land Use Strategy 4-B: *Ensure that land-use policies and decisions support a variety of mobility choices, including light rail, buses, paratransit, walking and bicycling, as well as convenient access for people with disabilities (p. 60).*
- Mobility Strategy 3-B: *Promote transit-oriented development (TOD) as an urban design framework for urban centers and development areas. Development at transit stations should provide both higher ridership to the transit system and viability and walkability in the area (P. 76).*
- Mobility Strategy 5-D: *Determine the potential for transit-oriented development at public transit stations, and encourage such opportunities whenever possible (p. 79).*

The proposed map amendment would promote transit-oriented infill development at a location where services and infrastructure are in place to serve the property. The subject site is located within 2 blocks of the 38th and Blake Station commuter rail platform and is an infill site that is integrated with the urban Denver street grid.

Blueprint Denver (2002)

According to *Blueprint Denver*, most of the subject site has a concept land use of Transit Oriented Development and is located within an Area of Change. The two green space areas are part of the Lawrence Street right-of-way as it traverses the subject site and do not have a land use designation.

Future Land Use

Blueprint Denver describes Transit-Oriented Development as areas where land uses have a direct correlation to the function of a mass transit system. These development sites are located at stations or stops along bus or rail lines within a mass transit network. Some key attributes of TOD commonly include a balanced mix of uses and compact, mid- to high-density development (p. 44).

Area of Stability / Area of Change

Most of the site is in an Area of Change. Areas of Change are parts of the city where new growth and redevelopment can best be accommodated because there is existing infrastructure in the area and sites have not realized their full development potential. Certain features characterize an Area of Change, such as areas adjacent to and around transit stations (p. 19).

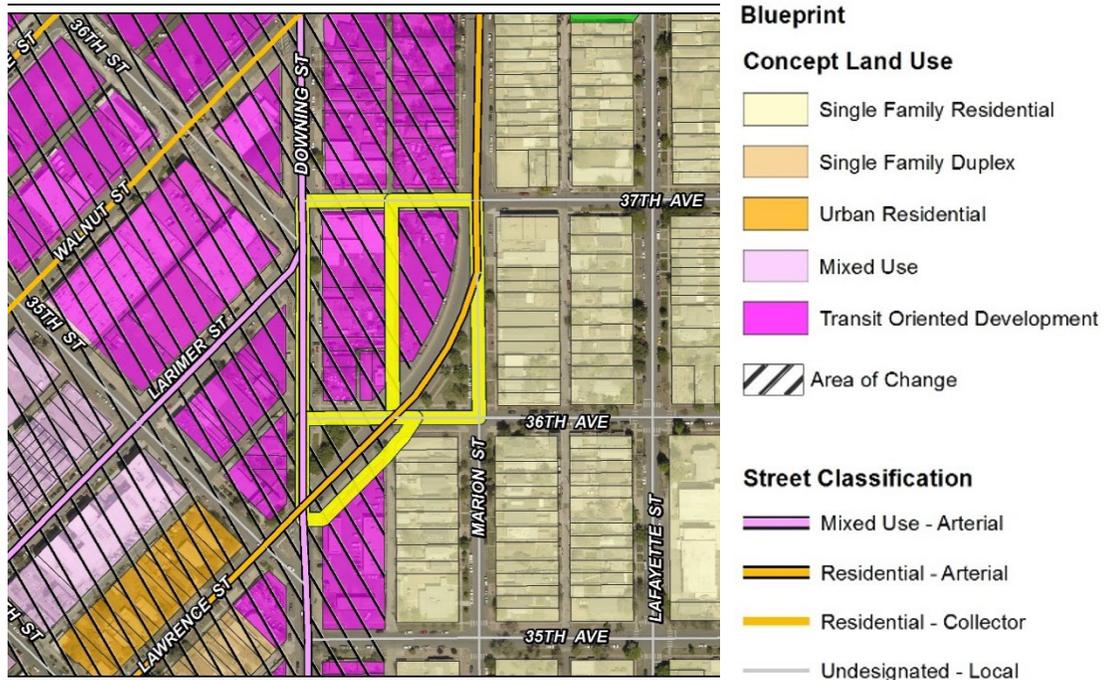
The green space area northwest of the corner of 36th Avenue and Marion Street is in an Area of Stability. The goal of areas of stability is to “maintain the character of these areas yet accommodate some new development and redevelopment to prevent stagnation” (p. 5) Due to the future change in the street network at this location, targeted reinvestment is appropriate, compatible with the Area of Change designation on the balance of the future block.

Street Classifications

Lawrence Street and the portion of Marion Street north of Lawrence Street are classified by Blueprint Denver as Residential Collector streets. Collectors are designed to provide a greater balance between mobility and land access within residential, commercial and industrial areas (p. 51). Residential Collector streets are designed to emphasize walking, bicycling and land access over mobility (p. 55).

Downing Street is classified by Blueprint Denver as a Mixed-Use Arterial. Arterials are designed to provide a high degree of mobility and generally serve longer vehicle trips to, from, and within urban areas (p. 51). Mixed-use streets are located in high-intensity mixed use commercial, retail and residential areas with substantial pedestrian activity (p. 57).

36th Avenue, 37th Avenue, and the portion of Marion Street south of Lawrence Street are classified by Blueprint Denver as Undesignated Local Streets. Blueprint Denver states, “the design features of local streets are influenced less by traffic volumes and are tailored more to providing local access. Mobility on local streets is typically incidental and involves relatively short trips at lower speeds to and from other streets” (p. 51).



The request is consistent with Blueprint Denver policies for the following reasons:

- Regarding the Transit Oriented Development (TOD) future land use classification, the rezoning would support mid- to high-density development at a location within two blocks of a commuter rail station;
- Regarding the Area of Change classification, the rezoning would accommodate development on a site with existing services and infrastructure; and
- The area is served by a mixed-use arterial street which is consistent with the uses allowed in the combination of mixed use commercial zone districts proposed for the site.

38th and Blake Station Area Plan (2009) and 38th and Blake Station Area Height Amendments (2016)

The subject site has areas with future concept land uses of Mixed Use – Main Street and Urban Residential.

The Mixed Use – Main Street designation applies west of the alley between Marion and Downing Streets. Mixed Use – Main Street future land uses encourage a strong mix of housing, office, and commercial uses with flexible use requirements that respect the residential fabric of the neighborhood and reinforce linear development patterns along commercial streets. The character of these mixed use streets should clearly define and activate the public realm by locating buildings, entrances and windows in a way that creates an active and lively pedestrian scaled commercial corridor (p. 48).

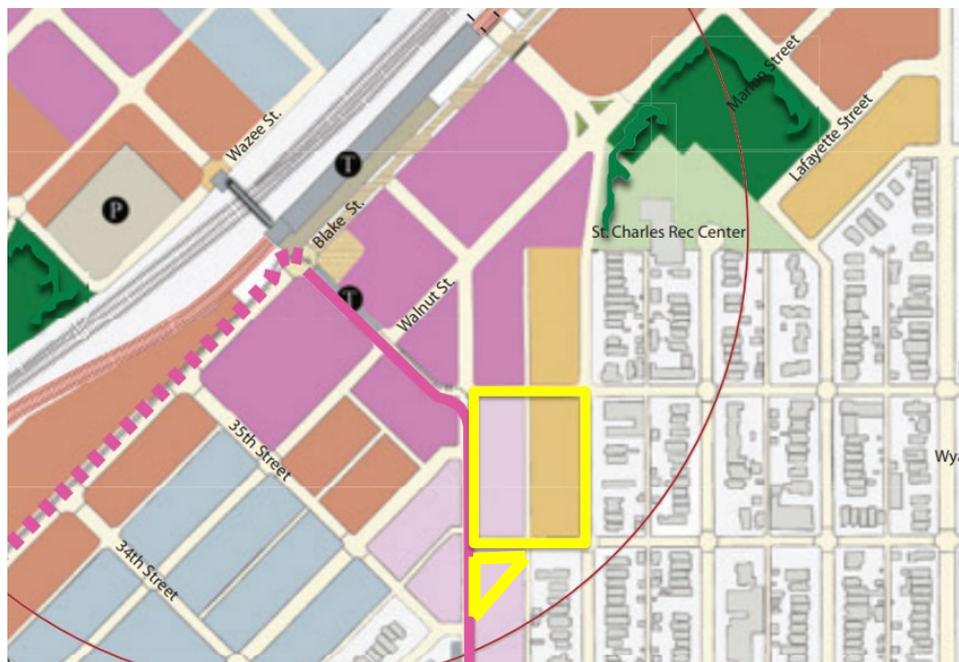
The Urban Residential designation applies east of the alley between Marion and Downing Streets. Urban Residential future land uses are primarily residential but may include a limited number of commercial uses to serve daily needs such as a drycleaner, bank, video store or neighborhood market. This designation is intended to serve as a transition between more intense development and existing single-

family neighborhoods. A mixture of housing types is present, including historic single-family houses, townhouses, and small multifamily apartments. (p. 49).

The following are additional relevant 38th and Blake Station Area Plan policies:

- Place Making Objective - *Promote infill within the station area to create development that supports transit ridership, residential, and neighborhood-serving retail and services* (p. 16).
- Recommendation LU-4: *Downing Mixed Use - Encourage mixed-use development along Downing from 35th to Walnut Street that emphasizes Downing as a main street for the neighborhoods to access goods and services and includes residential.* (p. 51)

38th and Blake Station Area Future Land Use Map



LEGEND

Mixed Use -TOD Core	Mixed-Use- Employment	Possible Future Blake Streetcar Connection
Mixed Use - Main Street	Open Space and Parks	Central Corridor Street Car
Mixed Use - Residential	New Open Space and Parks	Mixed Pedestrian -Auto Street
Urban Residential	FasTracks East Corridor Line	Pedestrian Plaza

38th and Blake Station Area Height Amendments (2016)

The 38th and Blake Station Area Height Amendments adopted in 2016 provide the most recent, focused recommendations for building heights on the subject site. These height recommendations supersede conflicting building height guidance provided in the 38th and Blake Station Area Plan, Northeast Downtown Neighborhoods Plan, and Elyria & Swansea Neighborhood Plan as explicitly stated in each of these plans (see p. 52 of the 38th and Blake Station Area Plan, p. 19 of the Northeast Downtown Neighborhoods Plan, and p. 31 of the Elyria & Swansea Neighborhoods Plan).

Different maximum base height and incentive heights apply across the subject site. On the 3600 block of Downing west of the alley, the maximum base and incentive height is 5 stories. On the 3600 block of Marion east of the alley alignment, the maximum base height is 3 stories and the incentive height is 5 stories, with a transition down to 3 stories for a narrow portion along the west side of Marion Street. The incentive overlay boundaries do not include any areas south of 36th Avenue, so those portions of the subject site would not be eligible for any height incentives.

Most of the eastern ½ of the subject site on the 3600 block of Marion Street is the only area that allows an incentive height greater than the base height. If this this area were rezoned to C-MX-3, there would be the option to increase the building height to 5 stories if the IO-1 overlay district requirements are met, except for a narrow strip along Marion Street where the maximum height would remain 3 stories to transition to the neighborhood to the east.



The request is consistent with 38th and Blake Station Area Plan and 38th and Blake Station Area Height Amendments policies for the following reasons:

- The base zone district building heights proposed are consistent with the recommended building heights for the subject site;
- Regarding the Mixed Use – Main Street future land use designation for the western ½ of the subject site, the C-MX-5 and C-MS-5 zone districts and DO-7 design overlay will allow a mix of uses and require enhanced design and activation of the public realm;
- Regarding the Urban Residential future land use designation for the eastern ½ of the subject site, the C-MX-3 zone district would allow residential and limited commercial uses on a block adjacent to Downing Street, a mixed use corridor;

- The rezoning would promote infill, mixed use development in the station area that supports the transit infrastructure; and
- The rezoning area will support mixed use development on Downing Street, an identified main street for mixed use and neighborhood services.

Elyria & Swansea Neighborhoods Plan (2015)

The subject sites are not in the Elyria & Swansea neighborhood boundaries, but they are included in the overall study area of this plan, which included areas within one-half mile of the 38th and Blake Station, and the subject sites are shown as part of the overall land use, building height, and infrastructure framework.

The Elyria & Swansea Neighborhoods Plan's concept future land use map identifies the subject site as Transit Oriented Development (TOD). These development sites are located at stations or stops along mass transit lines, especially rail lines. Transit-Oriented Developments provide housing, services, and employment opportunities for a diverse population in a configuration that facilitates pedestrian and transit access (p. 27).

The Elyria & Swansea Neighborhoods Plan's Future Maximum Building Heights Map does not have building height recommendations for the subject site.

The request is consistent with Elyria & Swansea Neighborhoods Plan policies for the following reasons:

- The C-MX and C-MS zone districts and DO-7 design overlay will allow a mix of uses and in a configuration (through build to requirements) that facilitates pedestrian and transit access, particularly along Downing Street.

Northeast Downtown Neighborhoods Plan (2011)

The Northeast Downtown Neighborhoods Plan future concept land use map identifies the subject site as primarily Transit Oriented Development (TOD). Transit-oriented developments provide housing, services, and employment opportunities for a diverse population in a configuration that facilitates pedestrian and transit access. Within Northeast Downtown, TOD occurs at several different scales, reacting to the amount and type of transit service and the context of the existing adjacent neighborhoods (p. 16).

The existing green space that is part of the Lawrence Street right-of-way north of 36th Avenue is shown as part of the street grid and an extension of the Single Family future land use east of Marion Street. However, this plan did not contemplate the "squaring off" of the 3600 block of Downing as is currently underway.

The Northeast Downtown Neighborhoods Plan Concept Height Map shows the subject site as 5 stories west of the alley and 3 stories east of the alley. This is consistent with the building height recommendations in the 38th and Blake Station Area Height Amendments.

The following are additional relevant Northeast Downtown Neighborhoods Plan policies:

- TOD Recommendations - *Promote Transit Oriented Development of an appropriate scale at three locations, including Neighborhood serving, main street retail and mixed use – Welton-Downing Corridor between 25th and Welton and 38th and Blake* (p. 59).

- Transformative Concepts Affecting Downing/Welton - *Focusing appropriately scaled development that is oriented towards the transit investment on Welton and Downing encourages walkable, urban neighborhoods that have easy access to daily needs and amenities (p. 82).*
- Siting - *The desired street character of Welton and Downing is a main street feel that acknowledges the important presence of high quality transit service in the corridor. Buildings in the corridor should maintain the build-to line to provide a consistent street edge and promote pedestrian activity. Buildings should be placed to best assist with transitions to adjacent neighborhoods. The visual impacts of parking should be minimized by being located at the rear of the building (p. 84).*
- Design Elements - *Building scale should promote a main street character and be oriented towards either Downing or Welton, with prominent main entrances situated for pedestrian access. A high level of transparency on the ground floor is desired (p. 84).*

The request is consistent with Northeast Downtown Neighborhoods Plan policies for the following reasons:

- The rezoning would promote development in a transit-oriented development area at a scale recommended in the plan; and
- The C-MX, C-MS, and DO-7 design overlay districts will encourage development to orient to Downing Street and the 38th and Blake station through build-to and street level activation requirements, promoting a main street character.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning would result in the uniform application of zone district building form, use, and design regulations for the subject properties.

3. Public Health, Safety and General Welfare

The proposed official map amendment would further the public health, safety, and general welfare of the City through implementation of adopted plans. Specifically, the request will implement land use, development, and building height recommendations from the 38th and Blake Station Area Plan and Height Amendments. The request will also implement land use and development recommendations from the Comprehensive Plan, Blueprint Denver, Northeast Downtown Neighborhoods Plan, and Elyria & Swansea Neighborhoods Plan. The incentive overlay will provide community benefits or affordable housing if heights are increased above the base height. The design overlay will ensure a more pedestrian-friendly environment with street-level activation and higher quality building design.

4. Justifying Circumstance

The rezoning is justified under DZC Section 12.4.10.8.A.4, "Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include: Changed or changing conditions in a particular area; or A City adopted plan."

The Northeast Downtown Neighborhoods Plan, Elyria & Swansea Neighborhoods Plan, and 38th and Blake Station Area Plan Height Amendments were all adopted since the date of the approval of the existing zone districts on the subject site. The 38th and Blake Station also opened in 2016, with multiple

sites concurrently or subsequently redeveloping in the immediately surrounding area, representing changed conditions to a degree that the proposed rezoning is in the public interest.

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

Neighborhood Context Description

The requested C-MX zone districts are in the Urban Center Neighborhood Context, which consists of multi-unit residential, mixed use, and commercial centers. All buildings typically have consistent orientation and shallow front setbacks with parking at the rear and/or side of the building. There are high levels of pedestrian and bicycle use with the greatest access to multi-modal transportation system.

The request is consistent with the Urban Center Neighborhood Context description because it promotes mixed use development with excellent access to a multimodal transportation system, with the 38th and Blake Station area two blocks away from the subject site.

Zone District Purpose and Intent Statements: C-MX-3, C-MX-5, C-MS-5

C-MX-3 applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired. C-MX-5 applies to areas or intersections served primarily by collector or arterial streets where a building scale of 1 to 5 stories is desired. The Main Street zone districts are intended to promote safe, active, and pedestrian-scaled commercial streets through the use of building forms that clearly define and activate the public street edge. C-MS-5 applies primarily to collector or arterial street corridors or may be embedded within a larger commercial shopping center or mixed-use area, where a building scale of 2 to 5 stories is desired.

The proposed C-MX-3 area has frontage on collector and local streets. The proposed C-MX-5 and C-MS-5 areas have frontage on an arterial. The desired scale of building heights in this area were articulated by adopted plans and the proposed zone districts are consistent with those desired building scales. Therefore, the proposed zoning is consistent with the zone district purpose and intent statements for C-MX-3, C-MX-5, and C-MX-8

Zone District Purpose Statement: DO-7

DZC Section 9.4.5.11.B articulates the general purpose of the River North Design Overlay District (DO-7):

1. Implement adopted plans; and
2. Promote creative, high-quality, design in the general area covered by the adopted 38th and Blake Station Area Height Amendments and the RiNo Business Improvement District;
3. Provide flexibility to support the diverse design traditions of RiNo;
4. Activate the South Platte River frontage to promote the river as a neighborhood asset;
5. Maintain human scale and access to daylight as heights and densities increase throughout the district;
6. Promote vibrant pedestrian street frontages with active uses and street-fronting building entries;
7. Provide transitions between residential frontages and mixed-use streets;
8. Ensure that buildings are designed to adapt to new uses as the district changes and evolves;
9. Promote active transportation options, such as walking and biking;
10. Minimize potential conflict points between pedestrians and motor vehicles;
11. Minimize the visibility of surface and structured parking areas for vehicles; and

12. Encourage small, privately-owned, open spaces to increase design diversity along the street frontage and support pedestrian activity.

The subject site is located in the area covered by the adopted 38th and Blake Station Area Height Amendments and the RiNo Business Improvement District. It is located in an area where vibrant street frontages, active uses, and street-fronting building entries are desired as identified above, and applying the DO-7 would implement the adopted plans. Therefore, the rezoning to DO-7 is consistent with the general purpose statement of the district.

Zone District Purpose Statement: IO-1

DZC Section 9.4.6.6.B provides the general purpose of the 38th & Blake Station Area Incentive Overlay District (IO-1):

1. Ensure that higher-intensity development in the area covered by the adopted 38th and Blake Station Area Height Amendments complements public transit investments by providing specific community benefits as recommended by the adopted plan; and
2. Implement specific adopted plan policies for the 38th and Blake Station area by requiring additional affordable housing and other community benefits in excess of standard requirements for development above plan-specified Base Heights; and
3. Implement an incentive-based system that recognizes development entitlements within Underlying Zone Districts while allowing greater development potential for projects that provide community benefits in excess of standard requirements.

Since the site is located within the 38th and Blake Station area where specific community benefits and affordable housing are desired for development of greater intensity than standard requirements, it is consistent with the general purpose of the IO-1 zone district to apply it to the subject site.

Attachments

1. Rezoning application
2. Ordinance Number 29, Series 2002
3. Public comments



Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
<p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p> <p>If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			

Applicant: Albus Brooks, Councilman District 9
 albus.brooks@denvergov.org
 (720) 337-7709



REZONING GUIDE

Rezoning Application Page 2 of 3

REVIEW CRITERIA

<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p>	<p><input type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan. Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</p> <p><input type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
<p>Additional Review Criteria for Non-Legislative Rezonings: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</p> <p><input type="checkbox"/> Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:</p> <p style="margin-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or</p> <p style="margin-left: 20px;">b. A City adopted plan; or</p> <p style="margin-left: 20px;">c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</p> <p><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code. Please provide an attachment describing the justifying circumstance.</p> <p><input type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District. Please provide an attachment describing how the above criterion is met.</p>

REQUIRED ATTACHMENTS

Please ensure the following required attachments are submitted with this application:

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

ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- Written Authorization to Represent Property Owner(s)
- Individual Authorization to Sign on Behalf of a Corporate Entity

Please list any additional attachments:

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

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

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith Josie Q. Smith</i>	01/01/12	(A)	YES
Trihouse, LLC	3648-3360 Downing St. 3630 - 3632 Downing St. 3618- 3620 Downing St. 1213 - 1215 E. 36th Ave 1217-1219 E. 36th Ave. 3659 Marion St. Denver, CO 80205	100%		8/20/18	A	Yes
Bright Roof, LLC	3616 N. Downing St. Denver, CO 80205	100%		8/20/18	A	Yes
Havana Gold, LLC	Downing Street and 36th Avenue Denver, CO 80205	100%		8/20/18	A	Yes



10/25/2018

Attn:
Jeff Hirt, Senior City Planner

Planning Services
Denver Community Planning and Development
201 W Colfax Street
Dept 205
Denver, CO 80202

Subject: Additional Review Criteria for Rezoning of 3600 Downing (36th & Marion)

Planning Staff,

The following memo outlines Additional Review Criteria for Rezoning at 3600 Downing Street:

- OZ Architecture has been asked to provide exhibits for the proposed rezoning at 3600 Downing Street. Please reference exhibit CP-01. The following narrative provides a summary of additional review criteria for your consideration.
- The subject parcel is a block bounded by Downing, 36th, Marion, and 37th and includes vacated portions of Lawrence St. Also included is an additional (triangle-shaped) parcel just south of 37th and bounded by Downing, 37th, and vacated portions of Lawrence St. The subject parcel will be an aggregate of the following parcels:

Parcel Address	Existing Zoning	Proposed Zoning (Reference Plan Exhibit)
3659 Marion St	B-4 with Waivers, UO-1, UO-2	Western ½ of 3600 Block of Downing: C-MX-5, UO-1, UO-2, IO-1, DO-7; Eastern ½ of 3600 Block of Downing: C-MX-3, UO-1, UO-2, IO-1, DO-7
3648 Downing St Unit 3660	B-4 with Waivers, UO-1, UO-2	
3630 Downing St		
3618 Downing St Unit 3620		
1217 E 36 th Ave		
1213 E 36 th Ave		
3616 Downing St		
3600 Downing St		
Area bounded by Lawrence St, Marion St, and 37 th St; CDOT Parcels 7-EX, 8-EX, 9-EX, 10-EX, 11-EX, 12-EX, 13-EX, 14-EX, 16-EX	U-SU-A1	Southeastern Portion of 3600 Block of Downing: C-MX-3, IO-1, DO-7
Area bounded by Downing, 36 th , and Lawrence St; CDOT Parcels 17-EX, 18-EX, 15-EX	C-MX-3, UO-1, UO-2	C-MS-5, UO-1, UO-2

- The existing zoning (see table above) of the subject parcel is primarily B-4 WVRS with additional overlays (Chapter 59). Remaining portions of the subject parcel are currently C-MX-5. Portions of the subject parcel which are CDOT parcels are currently located within the right of way along Marion St and Lawrence St are designated as C-MX-3 and U-SA-A1. The objective of this rezoning is to consolidate the aggregated parcels and various zoning designations into one primary zoning which is consistent with the intent of the current Denver Zoning Code and formal area plans.
- The subject parcel is included in the 38th & Blake Station Area Plan and associated height amendment adopted in 2016. According to the vision statement of this area plan, future development should emphasize, among other things, “emerging new residential” districts and “provide a mix of uses.” Mixed-Use Residential is also a stated land use



recommendation for this area. Located within the ¼ mile radius of Blake St station, the subject parcel is a prime location for strategically place mixed, residential and commercial uses as envisioned by the area plan.

5. As described in the mobility plan (38th & Blake Station Area Plan, page 21), the block bounded by Downing, 36th, and 37th is highlighted for recommended upgrades to pedestrian improvements. Specifically, new development should provide improved continuity for pedestrian routes to and from adjacent neighborhoods and primary corridors. The proposed redevelopment would provide this continuity as well as new residential and retail services along these corridors, improving the pedestrian experience and helping to achieve the mobility goals stated in the area plan.
6. As allowed by the Blake St. Station Area Incentive Overlay (IO-1), the subject parcel is eligible to be zoned up to 5 stories with portions of the block subject to height transition along Marion St.
7. The proposed redevelopment is consistent with both the scale and land use goals described in the 38th & Blake Street Area Plan. By rezoning, the subject parcel is better positioned to provide the mix of services and density to capitalize on its location within ¼ miles of the transit station. The applicant recognizes that for portions of the subject parcel that fall within height transitions described in IO-1, it will be desirable to reduce the scale of the redevelopment to accommodate those restrictions and complement the residential scale of the existing properties along Marion Street. In an effort to acknowledge the smaller-scale residential character along that corridor, the applicant proposes to zone the eastern ½ of the 3600 block of Downing as C-MX-3 while the western ½ is zoned C-MX-5. The small triangular area bounded by Downing and 36th Street is proposed as C-MS-5 which is consistent with parcels immediately adjacent.
8. The proposed rezoning and subsequent redevelopment of this property will provide tangible benefits to the local area. In addition to meeting stated goals of the area plan, this redevelopment has the potential to bring positive outcomes for the Five Points and Cole neighborhoods. The mix of housing, affordable housing, retail and services will create a nexus of activity and opportunity for residents. The street and pedestrian upgrades that will be included with this redevelopment will greatly improve vital established and future connections between neighborhoods and urban infrastructure. And located at a prominent junction between Rino, Five Points, Cole, and the Blake corridor, this promises to be a landmark and gateway which we hope will express the character and identity of these unique Denver neighborhoods. This is an opportunity to provide much needed housing, small retail and services while creating a well-designed and walkable urban zone. We look forward to working closely with neighborhood groups, city staff, and all stakeholders on this proposal.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read 'Matthew Schexnider', written over a horizontal line.

Matthew Schexnider
Architect, OZ Architecture



3003 Larimer Street
Denver, Colorado 80205
phone 303.861.5704
www.ozarch.com

36th & DOWNING
36th & DOWNING
DENVER, CO, 80205

PROJ. NO. 117146.00
DRAWN: MS
CHECKED: Checker
APPROVED: Approver
DATE: 20181025

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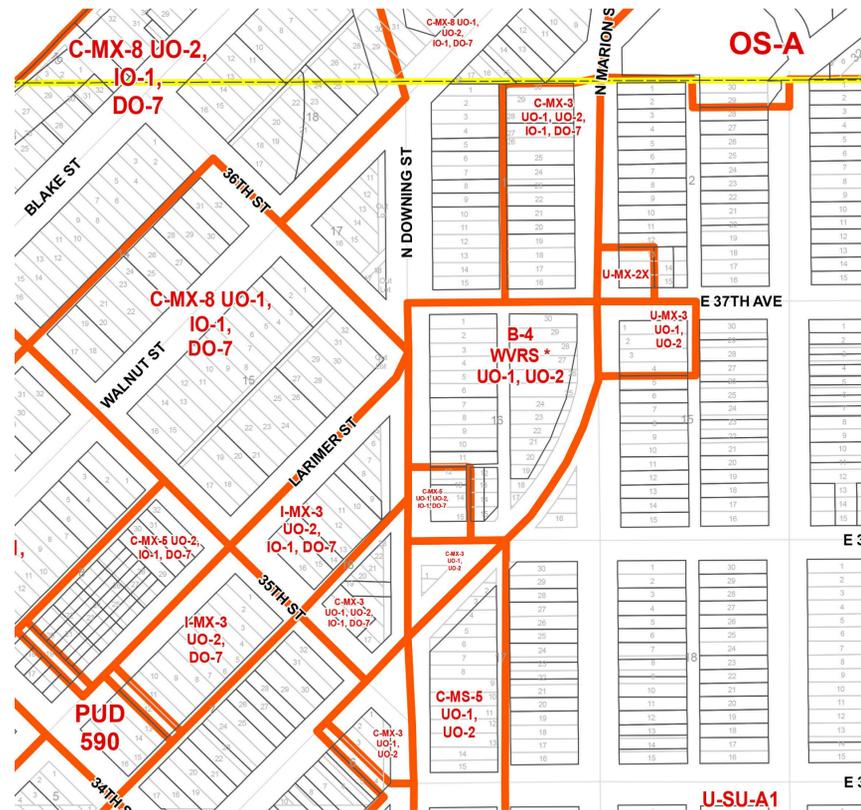
36th & DOWNING

ISSUED FOR:
NOT FOR
CONSTRUCTION

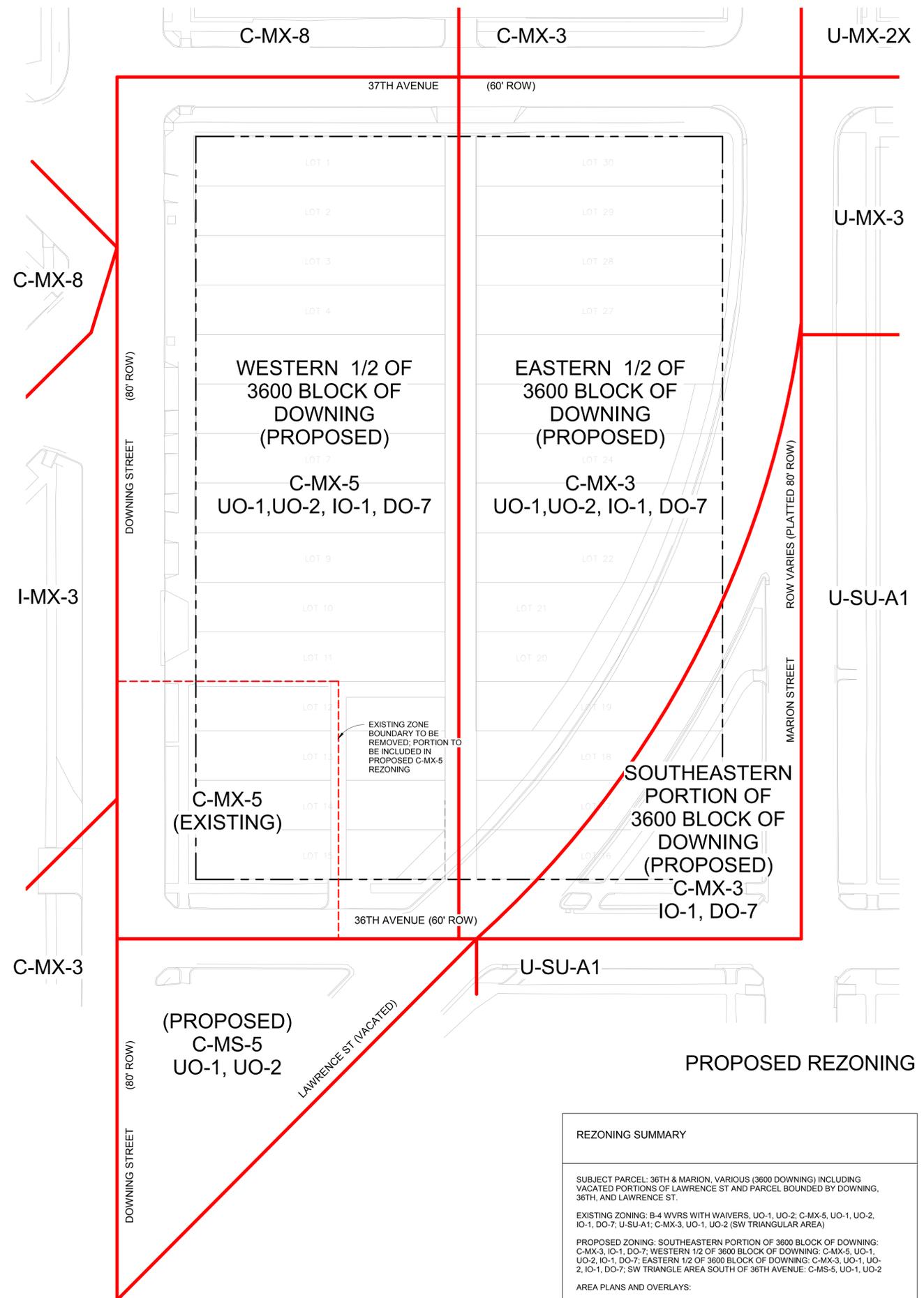
SHEET TITLE:
SITE PLAN

SCALE: As indicated
SHEET NUMBER

CP-01



EXISTING ZONING

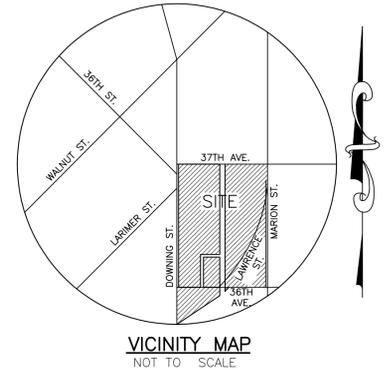


PROPOSED REZONING

REZONING SUMMARY
SUBJECT PARCEL: 36TH & MARION, VARIOUS (3600 DOWNING) INCLUDING VACATED PORTIONS OF LAWRENCE ST AND PARCEL BOUNDED BY DOWNING, 36TH, AND LAWRENCE ST.
EXISTING ZONING: B-4 WVRs WITH WAIVERS, UO-1, UO-2; C-MX-5, UO-1, UO-2, IO-1, DO-7; U-SU-A1; C-MX-3, UO-1, UO-2 (SW TRIANGULAR AREA)
PROPOSED ZONING: SOUTHEASTERN PORTION OF 3600 BLOCK OF DOWNING: C-MX-3, IO-1, DO-7; WESTERN 1/2 OF 3600 BLOCK OF DOWNING: C-MX-5, UO-1, UO-2, IO-1, DO-7; EASTERN 1/2 OF 3600 BLOCK OF DOWNING: C-MX-3, UO-1, UO-2, IO-1, DO-7; SW TRIANGLE AREA SOUTH OF 36TH AVENUE: C-MS-5, UO-1, UO-2
AREA PLANS AND OVERLAYS: 38TH & BLAKE STATION AREA PLAN INCENTIVE OVERLAY IO-1

ZONE DISTRICT BOUNDARY AND LEGAL DESCRIPTIONS

PARCEL LOCATED IN THE NORTHWEST 1/4 OF SECTION 26,
TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M.
BLOCK 16 AND A PORTION OF BLOCK 17, HYDE PARK ADDITION,
CITY AND COUNTY OF DENVER
SHEET 1 OF 1

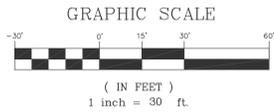


SHEET INDEX:
SHEET 01: COVER SHEET, BOUNDARY AND RANGE LINE CALCULATIONS
SHEET 02: SURVEY AND IMPROVEMENTS
SHEET 03: UTILITY AND TOPOGRAPHY

- FOUND MONUMENT LEGEND**
- ① FOUND 3/8" ALLOY DISK STAMPED PLS 16406 2.86' NORTH AND 0.45' WEST OF CALCULATED CORNER
 - ② FOUND CHISELED CROSS 0.26' EAST AND 0.02' SOUTH OF CALCULATED CORNER
 - ③ FOUND NO. 5 REBAR WITH 1.5" DIA. ALLOY CAP STAMPED PLS 16406 0.43' EAST OF CALCULATED CORNER
 - ④ FOUND ILLEGIBLE ALLOY DISK 0.26' EAST AND 0.07' SOUTH OF CALCULATED CORNER
 - ⑤ FOUND ILLEGIBLE ALLOY DISK 0.13' EAST AND 0.03' SOUTH OF CALCULATED CORNER
 - ⑥ FOUND NO. 5 REBAR WITH 1.5" DIA. ALLOY CAP STAMPED PLS 16406 0.06' EAST OF CALCULATED CORNER
 - ⑦ FOUND NO. 5 REBAR WITH 1.5" DIA. ALLOY CAP STAMPED PLS 16406 AT CALCULATED CORNER
 - ⑧ FOUND ILLEGIBLE ALLOY DISK 0.17' WEST OF CALCULATED CORNER
 - ⑨ FOUND ILLEGIBLE ALLOY DISK 0.23' WEST AND 0.03' SOUTH OF CALCULATED CORNER
 - ⑩ FOUND ILLEGIBLE ALLOY DISK 0.41' WEST AND 0.04' SOUTH OF CALCULATED CORNER
 - ⑪ FOUND NAIL 0.17' WEST AND 0.09' SOUTH OF CALCULATED CORNER
 - ⑫ FOUND 3/8" ALLOY DISK STAMPED PLS 16406 0.82' EAST OF CALCULATED CORNER
 - ⑬ FOUND NO. 5 REBAR WITH 1.5" DIA. ALLOY CAP STAMPED PLS 16406 0.22' WEST OF CALCULATED CORNER
 - ⑭ FOUND NO. 5 REBAR WITH 1.5" DIA. ALLOY CAP STAMPED PLS 16406 0.31' WEST OF CALCULATED CORNER
 - ⑮ FOUND 1.5" ALLOY DISK STAMPED PLS 16406 0.37' WEST OF CALCULATED CORNER
 - ⑯ FOUND PK NAIL 0.33' WEST AND 0.10' SOUTH OF CALCULATED CORNER
 - ⑰ FOUND NO. 5 REBAR WITH 1.5" DIA. ALLOY CAP STAMPED PLS 16406 0.17' WEST OF CALCULATED CORNER
 - ⑱ FOUND NO. 5 REBAR WITH 1.5" DIA. ALLOY CAP STAMPED PLS 16406 0.20' WEST OF CALCULATED CORNER
 - ⑲ FOUND NO. 5 REBAR WITH RED CAP STAMPED "ARCHER" 0.37' WEST AND 0.28' SOUTH OF CALCULATED CORNER
 - ⑳ FOUND NO. 5 REBAR WITH NO CAP STAMPED PLS 2375

- LEGEND**
- SET NO. 5 REBAR WITH GREEN CAP STAMPED PLS 38284
 - ⊗ SET ALLOY DISK STAMPED PLS 38284
 - ⊙ FOUND MONUMENT AS NOTED
 - ⊕ FOUND CHISELED CROSS IN CONCRETE
 - ⊕ CALCULATED SURVEY POINT
 - A.M. ~ AS MEASURED IN FIELD
 - REC. ~ DEED OR PLAT DISTANCE
 - CALC. ~ CALCULATED
 - PROPERTY BOUNDARY
 - - - RANGE LINE
 - LOT LINE

LINE	LENGTH	BEARING
L1	21.20'	S44°58'19"W
L2	21.92'	S46°49'18"W
L3	39.72'	N44°57'10"E
L4	61.83'	N35°41'40"E
L5	61.99'	N30°02'59"E
L6	35.47'	N23°40'54"E



POINT OF BEGINNING ZONE DISTRICT BOUNDARY
C-MX-3 BOUNDARY (EAST PARCEL)

POINT OF BEGINNING ZONE DISTRICT BOUNDARY
C-MX-5 BOUNDARY (WEST PARCEL)

LEGAL DESCRIPTION C-MX-3 (U0-1, U0-2, I0-1, DO-7) ZONE DISTRICT BOUNDARY (WEST PARCEL):
A PARCEL OF LAND BEING THE WEST 1/2 OF BLOCK 16, HYDE PARK ADDITION, LOCATED IN THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF LOT 15, BLOCK 16, HYDE PARK ADDITION; THENCE S89°59'50"E ALONG THE SOUTH LINE OF SAID LOT 15 AND SAID LINE EXTENDED, 133.64 FEET TO THE TRUE POINT OF BEGINNING; THENCE N00°03'34"W, 375.24 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF 37TH AVENUE; THENCE S89°58'50"E ALONG SAID SOUTH RIGHT-OF-WAY LINE, 133.58 FEET TO THE NORTHEAST CORNER OF LOT 30, BLOCK 16, HYDE PARK ADDITION; THENCE S00°04'06"E ALONG THE EAST LINE OF SAID LOT 30 AND SAID LINE EXTENDED, 210.74 FEET; THENCE S23°40'54"E, 35.47 FEET; THENCE S30°02'59"E, 61.99 FEET; THENCE S35°41'40"W, 61.83 FEET; THENCE S44°57'10"W, 39.72 FEET TO A POINT ON THE SOUTH LINE OF SAID BLOCK 16, HYDE PARK ADDITION; THENCE S00°04'06"E ALONG SAID EAST LINE OF SAID BLOCK 16, 164.46 FEET TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

LEGAL DESCRIPTION C-MX-3 (U0-1, U0-2, I0-1, DO-7) ZONE DISTRICT BOUNDARY (EAST PARCEL):
A PARCEL OF LAND BEING THE EAST 1/2 OF BLOCK 16, HYDE PARK ADDITION, LOCATED IN THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF LOT 15, BLOCK 16, HYDE PARK ADDITION; THENCE S89°59'50"E ALONG THE SOUTH LINE OF SAID LOT 15 AND SAID LINE EXTENDED, 133.64 FEET TO THE TRUE POINT OF BEGINNING; THENCE N00°03'34"W, 375.24 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF 37TH AVENUE; THENCE S89°58'50"E ALONG SAID SOUTH RIGHT-OF-WAY LINE, 133.58 FEET TO THE NORTHEAST CORNER OF LOT 30, BLOCK 16, HYDE PARK ADDITION; THENCE S00°04'06"E ALONG THE EAST LINE OF SAID LOT 30 AND SAID LINE EXTENDED, 210.74 FEET; THENCE S23°40'54"E, 35.47 FEET; THENCE S30°02'59"E, 61.99 FEET; THENCE S35°41'40"W, 61.83 FEET; THENCE S44°57'10"W, 39.72 FEET TO A POINT ON THE SOUTH LINE OF SAID BLOCK 16, HYDE PARK ADDITION; THENCE S00°04'06"E ALONG SAID EAST LINE OF SAID BLOCK 16, 164.46 FEET TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

LEGAL DESCRIPTION C-MX-5 (U0-1, U0-2, I0-1, DO-7) ZONE DISTRICT BOUNDARY:
A PARCEL OF LAND BEING THE WEST 1/2 OF BLOCK 16, HYDE PARK ADDITION, LOCATED IN THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF LOT 15, BLOCK 16, HYDE PARK ADDITION; THENCE N00°02'56"W ALONG THE WEST LINE OF SAID LOT 15 AND SAID LINE EXTENDED, 156.15 FEET TO A POINT ON THE NORTH LINE OF LOT 30, BLOCK 17, HYDE PARK ADDITION; THENCE S44°58'19"W, 21.20 FEET TO A POINT ON THE EAST LINE OF THE EXISTING PUBLIC ALLEY; THENCE S46°49'18"W, 21.92 FEET TO A POINT ON THE WEST LINE OF THE EXISTING PUBLIC ALLEY; THENCE S44°09'02"W, 114.98 FEET; THENCE S50°10'34"W, 58.55 FEET TO THE SOUTHWEST CORNER OF LOT 6, BLOCK 17, HYDE PARK ADDITION; THENCE N00°02'56"W ALONG THE WEST LINE OF SAID LOT 6 AND SAID LINE EXTENDED, 150.00 FEET TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

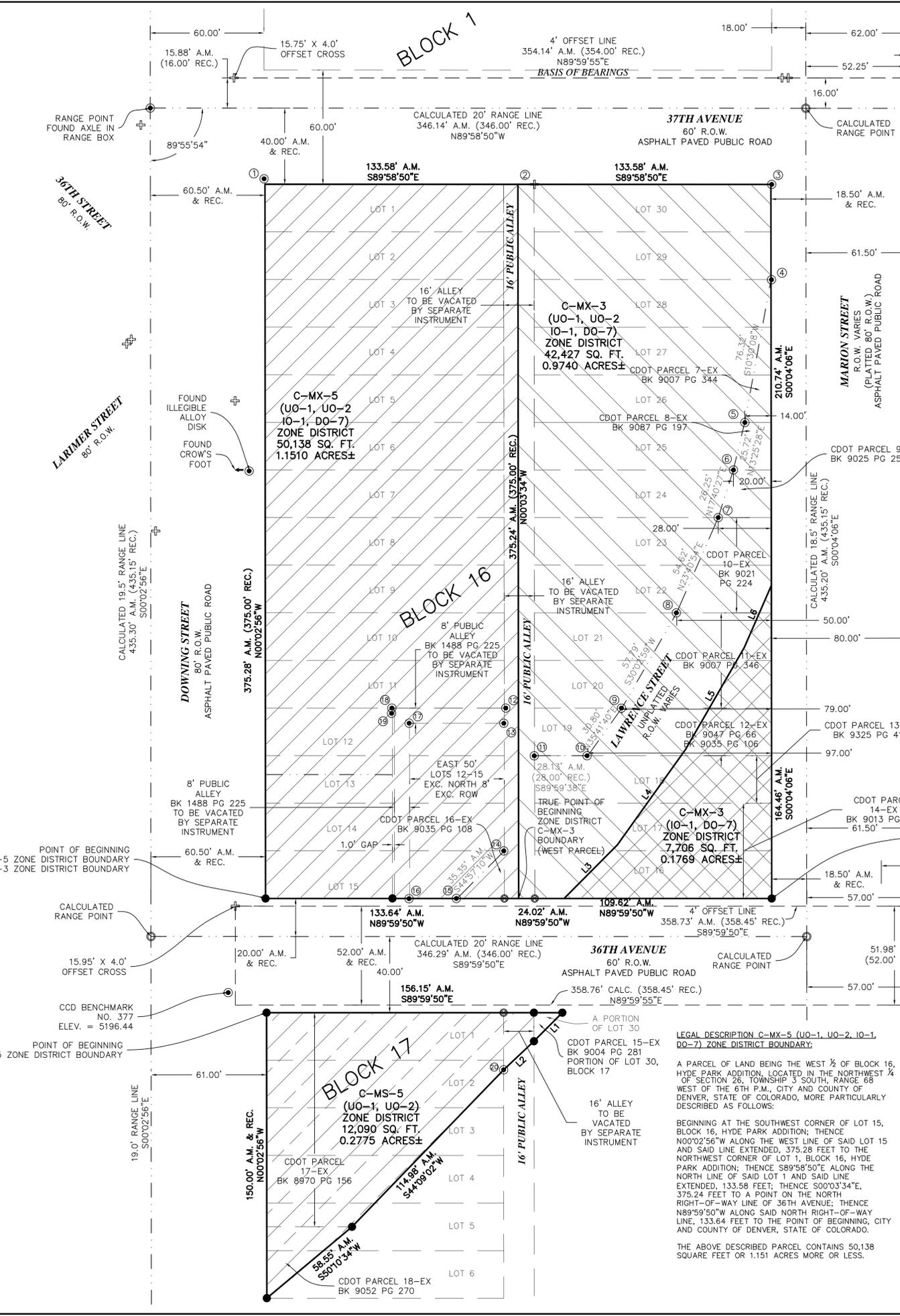
LEGAL DESCRIPTION C-MS-5 (U0-1, U0-2) ZONE DISTRICT BOUNDARY:
A PARCEL OF LAND BEING A PORTION OF BLOCK 17, HYDE PARK ADDITION, LOCATED IN THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 17, HYDE PARK ADDITION; THENCE S89°59'50"E ALONG THE NORTH LINE OF SAID LOT 1 AND SAID LINE EXTENDED, 156.15 FEET TO A POINT ON THE NORTH LINE OF LOT 30, BLOCK 17, HYDE PARK ADDITION; THENCE S44°58'19"W, 21.20 FEET TO A POINT ON THE EAST LINE OF THE EXISTING PUBLIC ALLEY; THENCE S46°49'18"W, 21.92 FEET TO A POINT ON THE WEST LINE OF THE EXISTING PUBLIC ALLEY; THENCE S44°09'02"W, 114.98 FEET; THENCE S50°10'34"W, 58.55 FEET TO THE SOUTHWEST CORNER OF LOT 6, BLOCK 17, HYDE PARK ADDITION; THENCE N00°02'56"W ALONG THE WEST LINE OF SAID LOT 6 AND SAID LINE EXTENDED, 150.00 FEET TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 50,138 SQUARE FEET OR 1.151 ACRES MORE OR LESS.

THE ABOVE DESCRIBED PARCEL CONTAINS 42,427 SQUARE FEET OR 0.9740 ACRES MORE OR LESS.

THE ABOVE DESCRIBED PARCEL CONTAINS 7,706 SQUARE FEET OR 0.1769 ACRES MORE OR LESS.

THE ABOVE DESCRIBED PARCEL CONTAINS 12,090 SQUARE FEET OR 0.2775 ACRES MORE OR LESS.



LEGAL DESCRIPTION C-MX-5 (U0-1, U0-2, I0-1, DO-7) ZONE DISTRICT BOUNDARY:
A PARCEL OF LAND BEING THE WEST 1/2 OF BLOCK 16, HYDE PARK ADDITION, LOCATED IN THE NORTHWEST 1/4 OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF LOT 15, BLOCK 16, HYDE PARK ADDITION; THENCE N00°02'56"W ALONG THE WEST LINE OF SAID LOT 15 AND SAID LINE EXTENDED, 133.64 FEET TO THE TRUE POINT OF BEGINNING; THENCE N00°03'34"W, 375.24 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF 37TH AVENUE; THENCE S89°58'50"E ALONG THE NORTH LINE OF SAID LOT 1 AND SAID LINE EXTENDED, 133.58 FEET; THENCE S00°03'34"E, 375.24 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF 36TH AVENUE; THENCE N89°59'50"W ALONG SAID NORTH RIGHT-OF-WAY LINE, 133.64 FEET TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 50,138 SQUARE FEET OR 1.151 ACRES MORE OR LESS.

LEGAL DESCRIPTION C-MX-5 (UO-1, UO-2, IO-1, DO-7) ZONE DISTRICT BOUNDARY:

A PARCEL OF LAND BEING THE WEST ½ OF BLOCK 16, HYDE PARK ADDITION, LOCATED IN THE NORTHWEST ¼ OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 15, BLOCK 16, HYDE PARK ADDITION; THENCE N00°02'56"W ALONG THE WEST LINE OF SAID LOT 15 AND SAID LINE EXTENDED, 375.28 FEET TO THE NORTHWEST CORNER OF LOT 1, BLOCK 16, HYDE PARK ADDITION; THENCE S89°58'50"E ALONG THE NORTH LINE OF SAID LOT 1 AND SAID LINE EXTENDED, 133.58 FEET; THENCE S00°03'34"E, 375.24 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF 36TH AVENUE; THENCE N89°59'50"W ALONG SAID NORTH RIGHT-OF-WAY LINE, 133.64 FEET TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 50,138 SQUARE FEET OR 1.151 ACRES MORE OR LESS.

LEGAL DESCRIPTION C-MX-3 (UO-1, UO-2, IO-1, DO-7) ZONE DISTRICT BOUNDARY (WEST PARCEL):

A PARCEL OF LAND BEING A PORTION OF BLOCK 16, HYDE PARK ADDITION, LOCATED IN THE NORTHWEST ¼ OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 15, BLOCK 16, HYDE PARK ADDITION; THENCE S89°59'50"E ALONG THE SOUTH LINE OF SAID LOT 15 AND SAID LINE EXTENDED, 133.64 FEET TO THE TRUE POINT OF BEGINNING; THENCE N00°03'34"W, 375.24 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF 37TH AVENUE; THENCE S89°58'50"E ALONG SAID SOUTH RIGHT-OF-WAY LINE, 133.58 FEET TO THE NORTHEAST CORNER OF LOT 30, BLOCK 16, HYDE PARK ADDITION; THENCE S00°04'06"E ALONG THE EAST LINE OF SAID LOT 30 AND SAID LINE EXTENDED, 210.74 FEET; THENCE S23°40'54"W, 35.47 FEET; THENCE S30°02'59"W, 61.99 FEET; THENCE S35°41'40"W, 61.83 FEET; THENCE S44°57'10"W, 39.72 FEET TO A POINT ON THE SOUTH LINE OF BLOCK 16, HYDE PARK ADDITION; THENCE THENCE N89°59'50"W ALONG SAID SOUTH LINE OF SAID BLOCK 16 AND SAID LINE EXTENDED, 24.02 FEET TO THE TRUE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 42,427 SQUARE FEET OR 0.9740 ACRES MORE OR LESS.

LEGAL DESCRIPTION C-MX-3 (IO-1, DO-7) ZONE DISTRICT BOUNDARY (EAST PARCEL):

A PARCEL OF LAND BEING A PORTION OF BLOCK 16, HYDE PARK ADDITION, LOCATED IN THE NORTHWEST ¼ OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 16, BLOCK 16, HYDE PARK ADDITION; THENCE N89°59'50"W ALONG THE SOUTH LINE OF SAID LOT 16, 109.62 FEET; THENCE DEPARTING FROM SAID SOUTH LINE N44°57'10"E, 39.72 FEET; THENCE N35°41'40"E, 61.83 FEET; THENCE N30°02'59"E, 61.99 FEET; THENCE N23°40'54"E, 35.47 FEET TO A POINT ON THE EAST LINE OF SAID BLOCK 16, HYDE PARK ADDITION; THENCE S00°04'06"E ALONG SAID EAST LINE OF SAID BLOCK 16, 164.46 FEET TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 7,706 SQUARE FEET OR 0.1769 ACRES MORE OR LESS.

LEGAL DESCRIPTION C-MS-5 (UO-1, UO-2) ZONE DISTRICT BOUNDARY:

A PARCEL OF LAND BEING A PORTION OF BLOCK 17, HYDE PARK ADDITION, LOCATED IN THE NORTHWEST ¼ OF SECTION 26, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 17, HYDE PARK ADDITION; THENCE S89°59'50"E ALONG THE NORTH LINE OF SAID LOT 1 AND SAID LINE EXTENDED, 156.15 FEET TO A POINT ON THE NORTH LINE OF LOT 30, BLOCK 17, HYDE PARK ADDITION; THENCE S44°58'19"W, 21.20 FEET TO A POINT ON THE EAST LINE OF THE EXISTING PUBLIC ALLEY; THENCE S46°49'18"W, 21.92 FEET TO A POINT ON THE WEST LINE OF THE EXISTING PUBLIC ALLEY; THENCE S44°09'02"W, 114.98 FEET; THENCE S50°10'34"W, 58.55 FEET TO THE SOUTHWEST CORNER OF LOT 6, BLOCK 17, HYDE PARK ADDITION; THENCE N00°02'56"W ALONG THE WEST LINE OF SAID LOT 6 AND SAID LINE EXTENDED, 150.00 FEET TO THE POINT OF BEGINNING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

THE ABOVE DESCRIBED PARCEL CONTAINS 12,090 SQUARE FEET OR 0.2775 ACRES MORE OR LESS.

BASIS OF BEARINGS:

AN ASSUMED BEARING OF N89°59'55"E BEING A 4' OFFSET LINE TO THE SOUTH LINE OF BLOCK 1, HYDE PARK ADDITION, BETWEEN TWO MONUMENTS 354.14 FEET APART; BOTH MONUMENTS BEING CHISELED CROSSES IN THE CONCRETE CURB, ONE AT THE NORTHEAST CORNER OF THE INTERSECTION OF DOWNING STREET AND 37TH AVENUE AND THE OTHER AT THE NORTHEAST CORNER OF THE INTERSECTION OF MARION STREET AND 37TH AVENUE.

PREPARED BY:

DAMIEN CAIN
STATE OF COLORADO PLS 38284
FOR AND ON BEHALF OF
39 NORTH ENGINEERING AND SURVEYING LLC
PREPARED ON SEPTEMBER 18, 2018
REVISED ON OCTOBER 29, 2018

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity named TRIHOUSE, LLC, A COLORADO LIMITED LIABILITY COMPANY
2. The type of entity is: Limited Liability Company
3. The entity is formed under the laws of COLORADO
4. The mailing address for the entity is 3535 LARIMER STREET, DENVER, CO 80205
5. The name and position of each person authorized to execute instruments conveying, encumbering or otherwise affecting title, zoning or anything else real estate related on behalf of the entity is MARTIN CHERNOFF or ANDREW M. FEINSTEIN, MANAGERS.
6. The authority of the foregoing person(s) to bind the entity is not limited.
7. This Statement of Authority amends and supersedes in all respects any and all prior dated Statements of Authority executed on behalf of the entity.

Executed this Twentieth day of August, 2018

TRIHOUSE, LLC, A COLORADO LIMITED LIABILITY COMPANY



ANDREW M. FEINSTEIN, MANAGER

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity named
BRIGHT ROOF, LLC, A COLORADO LIMITED LIABILITY COMPANY
2. The type of entity is: Limited Liability Company
3. The entity is formed under the laws of COLORADO
4. The mailing address for the entity is 3535 LARIMER STREET, DENVER, CO 80205
5. The name and position of each person authorized to execute instruments conveying, encumbering or otherwise affecting title, zoning or anything else real estate related on behalf of the entity is MARTIN CHERNOFF or ANDREW M. FEINSTEIN, MANAGERS.
6. The authority of the foregoing person(s) to bind the entity is not limited.
7. This Statement of Authority amends and supersedes in all respects any and all prior dated Statements of Authority executed on behalf of the entity.

Executed this Twentieth day of August, 2018

BRIGHT ROOF, LLC, A COLORADO LIMITED LIABILITY COMPANY



ANDREW M. FEINSTEIN, MANAGER

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity named HAVANA GOLD, LLC, A COLORADO LIMITED LIABILITY COMPANY
2. The type of entity is: Limited Liability Company
3. The entity is formed under the laws of COLORADO
4. The mailing address for the entity is 3535 LARIMER STREET, DENVER, CO 80205
5. The name and position of each person authorized to execute instruments conveying, encumbering or otherwise affecting title, zoning or anything else real estate related on behalf of the entity is MARTIN CHERNOFF or ANDREW M. FEINSTEIN, MANAGERS.
6. The authority of the foregoing person(s) to bind the entity is not limited.
7. This Statement of Authority amends and supersedes in all respects any and all prior dated Statements of Authority executed on behalf of the entity.

Executed this Twentieth day of August, 2018

HAVANA GOLD, LLC, A COLORADO LIMITED LIABILITY COMPANY



ANDREW M. FEINSTEIN, MANAGER

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BY AUTHORITY

ORDINANCE NO. **29**
SERIES OF 2002

COUNCIL BILL NO. **1065**
SERIES OF **2001**
COMMITTEE OF REFERENCE:

A BILL

Land Use, Transportation, & Housing

For an ordinance relating to zoning, changing the zoning classification for a specifically described area, located at approximately 3601 Marion Street, reciting a certain waiver proposed by the owner for the zoning classification, reciting a certain reasonable condition approved by the owner for the zoning classification and providing for a recordation of this ordinance.

BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:

Section 1. That upon consideration of a change in the zoning classification of the land area hereinafter described, Council finds:

1. That the land area hereinafter described is presently classified as B-4 and R-2;

2. That the owner proposes that the land area hereinafter described be changed to B-4 with a reasonable waiver and with a reasonable condition it has approved;

3. That in its application the owner has represented that if the zoning classification is changed pursuant to its application, the owner will and hereby does:

(i) Waive the right to use or occupy the subject property or to use, occupy, or erect thereon any structure or structures designed, erected, altered, used or occupied for the following uses by right and uses by special review in the B-4 zone district as identified in Section 59-337(1) of the Denver Revised Municipal Code:

a. Sale at retail, sale at wholesale and warehousing of the following commodities:

22. Food locker plant;

24.5 Gun shop;

27. Liquor; and

35. Newspaper distribution station.

b. Repair, rental and servicing of any article the sale, warehousing, fabrication or assembly of which is permitted in this district including the following:

6. Metal sharpening; and

7. Mirror silvering.

c. Business and personal services uses as follows:

1. Ambulance service; and

5. Body art establishment.

- e. Fabrication. The fabrication or assembly of the following articles:
 - 10. Cosmetics;
 - 14. Fur dyeing;
 - 23. Plastic products; and
 - 24. Taxidermy shop.
- f. Public, quasi-public and/or utility uses, such as the following:
 - 3. Garage for public utility vehicles;
 - 4. Gas regulator station;
 - 5. Landing and take-off area for police rotorcraft;
 - 11. Railway right-of-way;
 - 15. Terminal for intra-city rubber tired vehicles;
 - 16. Utility pumping station; and
 - 17. Water reservoir.

All other provisions of Section 59-337(1) of the Denver Revised Municipal Code shall remain in full force and effect.

4. That the owner approves and agrees, as a reasonable condition to the requested change in zoning classifications related to the development, operation and maintenance of the land area hereinafter described:

(i) That, if any portion of the property is used or occupied or if any portion of a structure or structures is designed, erected, altered, used or occupied for residential uses as enumerated in Section 59-337(1)h of the Denver Revised Municipal Code, affordable dwelling units shall be provided. Said affordable dwelling units shall comply with the following:

- (a) If the subject property is used as for-sale dwelling units, at least ten percent (10%) of the total number of for-sale dwelling units shall be affordable for-sale dwelling units. Affordable for-sale dwelling units, for the purpose of this condition, shall have a maximum purchase price of one hundred and forty thousand dollars (\$140,000) with the purchase price being adjusted annually, beginning January 1, 2002, based upon a residential construction cost index commonly used in the Denver Metro Area. Purchasers of the affordable for-sale dwelling units shall occupy the affordable for-sale dwelling units as their primary residence.
- (b) If the subject property is used as dwelling units for rent, at least ten percent (10%) of the total number of dwelling units for rent shall be affordable dwelling

1 units for rent in terms of the income of the tenants and the rents charged.
2 These affordable dwelling units for rent shall be leased to tenants earning no
3 more than eighty percent (80%) of the median family income, adjusted by
4 household size, based on the U.S. Department of Housing and Urban
5 Development guidelines for the Denver PMSA, Primary Metropolitan Statistical
6 Area, as adjusted annually. The maximum monthly rent for the affordable
7 dwelling units for rent shall be based upon thirty percent (30%) of the median
8 family income, adjusted for household size, divided by twelve (12). For the
9 purpose of calculating maximum monthly rents, a one (1) bedroom dwelling unit
10 for rent is presumed to serve a household with one and one-half (1.5) persons,
11 a two (2) bedroom dwelling for rent is presumed to serve a household with three
12 (3) persons.

13 (c) If the subject property is used as either dwelling units for rent or for-sale
14 dwelling units, the requirement for affordable dwelling units may be met in
15 multiple buildings or multiple phases; however, each phase in the development,
16 when added to the prior completed phases, shall provide at least ten percent
17 (10%) of the total number of dwelling units as affordable dwelling units.

18 (d) An affordable housing plan to implement this condition shall be submitted to and
19 approved by the Director of Community Planning and Development Agency
20 ("CPDA") prior to the issuance of any zoning permit. This affordable housing
21 plan shall, at a minimum, describe the manner in which the long-term
22 affordability of the affordable dwelling units will be insured, the process to be
23 followed in making the affordable dwelling units available, and a description of
24 the location, size and configuration of the affordable dwelling units. If the
25 proposed project changes from for-sale dwelling units to dwelling units for rent
26 or from dwelling units for rent to for-sale dwelling units, a new affordable
27 housing plan must be submitted to and approved by the Director of CPDA prior
28 to the issuance of any zoning permit.

29 (e) The foregoing requirements shall be in effect for a minimum period of twenty
30 (20) years from the date of issuance on the final certificate of occupancy for
31 each phase.

32 **Section 2.** That the zoning classification of the land area in the City and County of Denver
33 described as follows or included within the following boundaries shall be and hereby is changed from

1 B-4 and R-2 to B-4 with a certain waiver which waiver is set forth in Subsection 3 of Section 1
2 hereof and with a certain reasonable condition approved by the owner which reasonable condition
3 is set forth in Subsection 4 of Section 1 hereof:

All of Lots 1 through 11, Block 16, Inclusive,

AND

The East 50 feet of Lots 12 through 15, Inclusive, and the West 67 feet of the North 2 1/2 feet of said Lot 12, Block 16, EXCEPT the North 8 feet of the East 50 feet of said Lot 12, conveyed to the City of Denver by Deed recorded in Book 1488 at page 225 for use as an alley,

EXCEPT that part of said Lot 15 conveyed to The Department of Highways, State of Colorado, by the Deed recorded April 18, 1963 in Book 9035 at Page 108,

AND

That part of Lot 19, Block 16, described as follows:

Beginning at a point on the North line of said Lot 19 which is 79.00 feet West of the Northeast corner of said Lot 19;

Thence West, along the North line of said Lot 19, a distance of 46.0 feet to the Northwest corner of said Lot 19;

Thence South, along the West line of said Lot 19, a distance of 25.0 feet to the Southwest corner of said Lot 19;

Thence East, along the South line of said Lot 19, a distance of 28.0 feet;

Thence Northeast to the point of beginning;

AND

All of Lots 20 and 21, Block 16, EXCEPT that part of said Lots conveyed to The Department of Highways, State of Colorado, by the Deed recorded April 4, 1963 in Book 9007 at Page 346,

AND

All of Lots 22 and 23, Block 16, EXCEPT that part of said Lots conveyed to The Department of Highways, State of Colorado, by the Deed recorded May 1, 1963 in Book 9021 at Page 224,

AND

All of Lot 24, Block 16, EXCEPT that part of said Lot conveyed to The Department of Highways, State of Colorado, by the Deed recorded May 8, 1963 in Book 9025 at Page 255,

AND

All of Lot 25, Block 16, EXCEPT that part of said Lot conveyed to The Department of Highways, State of Colorado, by the Deed recorded August 23, 1963 in Book 9087 at Page 197,

AND

All of Lots 26, 27 and 28, Block 16, EXCEPT that part of said Lots conveyed to The Department of Highways, State of Colorado, by the Deed recorded April 4, 1963 in Book 9007 at Page 344,

AND

All of Lots 29 and 30, Block 16, Hyde Park Addition, City and County of Denver, State of Colorado.

1
2 in addition thereto those portions of all public rights-of-way, but only to the centerline
3 thereof, which are immediately adjacent to the aforesaid specifically described area.
4

5 **Section 3.** That the foregoing change in zoning classification is based upon the representation by
6 the owner that it will waive those certain rights available to it, and, in lieu thereof, agrees to certain
7 limitations which limitations are set forth in Subsection 3 of Section 1 hereof, and is also based upon
8 a reasonable condition approved by the said owner which reasonable condition is set forth in
9 Subsection 4 of Section 1 hereof; and no permit shall be issued except in strict compliance with the
10 aforesaid waiver and the aforesaid reasonable condition. Said waiver and said reasonable condition
11 shall be binding upon all successors and assigns of said owner, who along with said owner shall be
12 deemed to have waived all objections as to the constitutionality of the aforesaid waiver and the
13 aforesaid reasonable condition.

14 **Section 4.** That this ordinance shall be recorded by the Department of Zoning Administration
15 among the records of the Clerk and Recorder of the City and County of Denver.

16 PASSED BY THE COUNCIL January 14 2001

17 Jorge Lopez - PRESIDENT

18 APPROVED: Walter S. Smith - MAYOR 1-15 2001

19 ATTEST: [Signature] - CLERK AND RECORDER,
20 EX-OFFICIO CLERK OF THE
21 CITY AND COUNTY OF DENVER

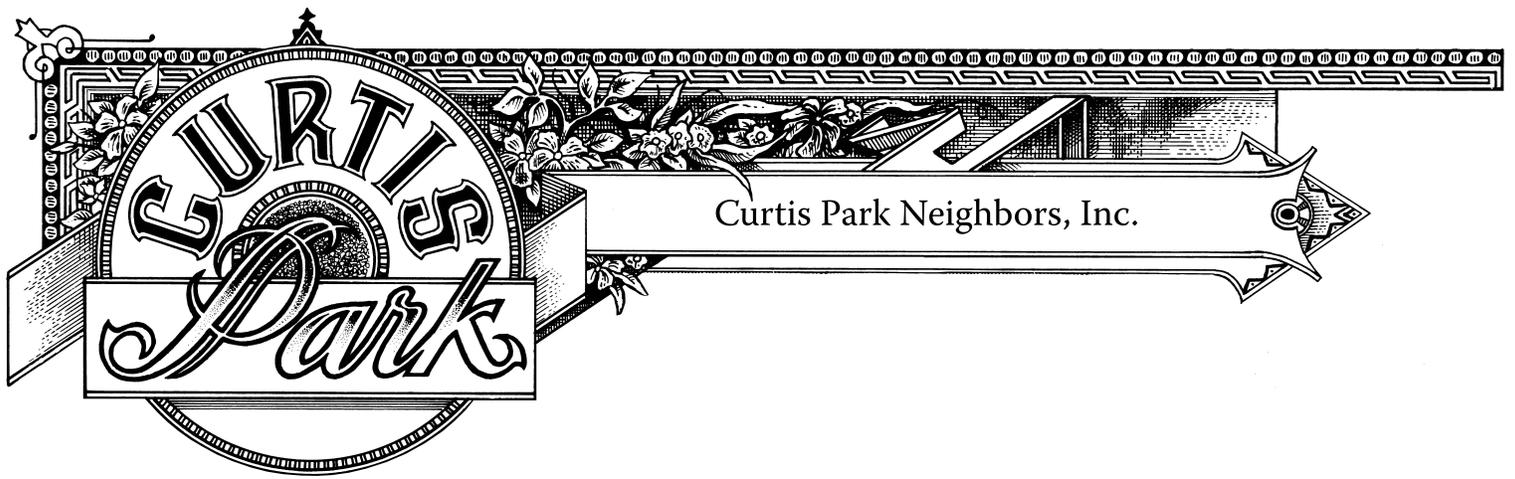
22
23 PUBLISHED IN THE DAILY JOURNAL Dec. 14, 2001 Jan. 18 2002

24
25 PREPARED BY: KAREN A. AVILES, ASSISTANT CITY ATTORNEY 12/5/01

26 REVIEWED BY: [Signature] - CITY ATTORNEY 12/7 2001

27 SPONSORED BY COUNCIL MEMBER(S) _____





December 17, 2018

To: Andrew Feinstien
CC: Councilman Albus Brooks

Regarding Zoning Change and block reconfiguration for 35th and Downing.

Thank you for your presentation concerning the rezoning of the block bordered by Downing and Marion, 35th to 36th at our November Curtis Park Neighbors general meeting.

Following the meeting our board met and voted to endorse the zoning change. We feel strongly that a mixed use development that includes a grocery store and housing on a dense scale is appropriate for the area near the 38th and Blake transit station. The reconfiguration of Marion and Lawrence to bring the street grid back into alignment will also help improve safety for all forms of transportation in the neighborhood. There are a few areas of concern that the board of Curtis Park Neighbors wishes to have addressed as part of the rezoning process.

1, We have asked the developer, and they have agreed, to bring their designs before our design review committee at an early stage to gather input from the community. This location in the neighborhood is very important because it's at the nexus of where Curtis Park, RiNo and Cole come together. The new building will also serve as the book end to Larimer street, which is the main street for much of our community. Because of this we feel that it's important to have an exceptionally well designed building that addresses how the building is viewed as people approach it from Larimer.

2, We would like to see a pedestrian crossing at Larimer and Downing to reach the grocery store. The pedestrian traffic on Larimer continues to grow and to make the grocery store safely accessible to people from Larimer there must be a controlled pedestrian crossing.

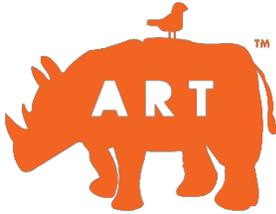
3, We want to be sure that bicycle parking and circulation is addressed in the street design. Marion is labeled as a Neighborhood bike way in Denver Moves and served the key purpose of linking neighbors to the underpass at 38th and Blake. This link needs to have protected bicycle facilities if it is going to feel safe to every day neighbors trying to reach the grocery store and get to 38th and Blake.

4, We want to be sure that City of Denver is planning to move ahead with improving the underpass at Blake and 38th. This is currently a bottleneck for cars and a barrier for pedestrians and bikes. With mid and high-rise buildings going up on either side of the rail line, the connection under the tracks must be improved.

We are excited to see the improvement coming to this part of our neighborhood and look forward to healthy food options and housing options increasing for our neighbors.

Thank you for your time and consideration.

John Hayden
President , Curtis Park Neighbors, 2418 Champa Street Denver CO. 80205



10/29/2018

RiNo Art District

3501 Wazee Street, Suite 109
Denver, Colorado 80216

Denver Planning Board

ATTN: Joel Noble

RE: Rezoning of site bounded by 36th and 37th Avenues, Downing and Marion

Dear Mr. Noble:

This letter is to express our support for the rezoning of the site within the Cole neighborhood bounded by 36th and 37th Avenues, Downing and Marion, from B-4 to C-MX-5 in order that the site may become home to an urban grocer and affordable housing, as well as support for the conversion of Downing and Marion Streets from one-way to two-way streets. We recognize fully that this is a very complicated project, and one with many moving pieces that has required creativity to move through. We are grateful for the developer and business owner's tenacity in pursuing an interesting project that will no doubt add a new dynamic to the neighborhood, and bring important amenities.

We understand there are a few complicating issues. We look forward to working through these matters with you successfully and also utilizing these experiences to help navigate future challenging development processes in the RiNo Art District. We are in favor of this project not only because we see value in the developer's concept, but also because we recognize that the owners have done their due diligence with the community to ensure that the project is supported and will be supported once it is developed. We appreciate that the project fits well within the recently approved design overlay and guidelines.

Additionally, as we look at projects to continue improving northeast Denver, adding more people, density and businesses, we want to be sure our infrastructure will support these changes. We ask that the City continue to push in particular for the conversion of Walnut St. from one-way to two-way, to address improvements to the 38th Street underpass and to address additional congestion related challenges that may impede future success.

We thank you for the opportunity to input on this matter.

Regards,

Jamie Giellis

President, RiNo Art District

3501 Wazee St. • Suite 109 • Denver, Colorado 80216 • 720-710-9111 • rinoartdistrict.org

artwork by @detour303

Rezoning Petition

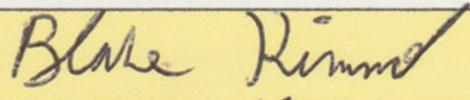
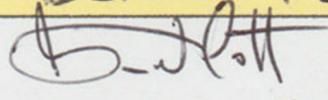
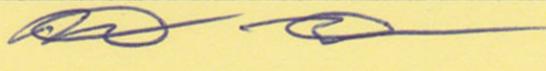
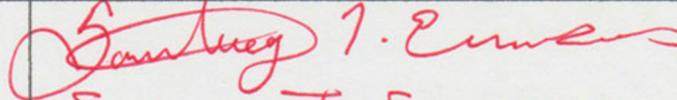
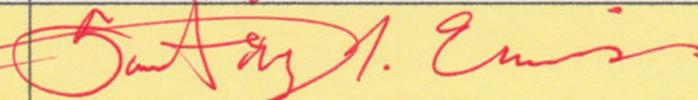
Block Bound by 36th / 37th Downing & Marion
Coalition of property owners within 200 feet of proposed rezoning.

The proposed commercial development project on the block of 3600 Marion that calls for a rezoning of the existing B4 parcel and the vacation of Lawrence street also calls for the destruction of a green space and mature trees at the corner 36th and Marion that is currently zoned Single Unit Residential (U-SU-A1). As property owners within 200 feet of this proposed rezoning we object to the removal of the green space / pocket park (which was maintained by Denver City Parks up until November 30th, 2018). We do approve of the rezoning of B4 to CMX5 & CMX3 and the vacation of Lawrence street as a motor vehicle way.

We demand the city act in the interest of the protected Cole Neighborhood and preserve the location and the current square footage of the existing concentrated green space on the corner of 36th and Marion and the preservation of the mature trees on that parcel by zoning it as such.

We also require the entire 3600 block of Marion street to be considered a local street after the vacation of Lawrence. Currently half of the block is considered a local street while Lawrence remains active.

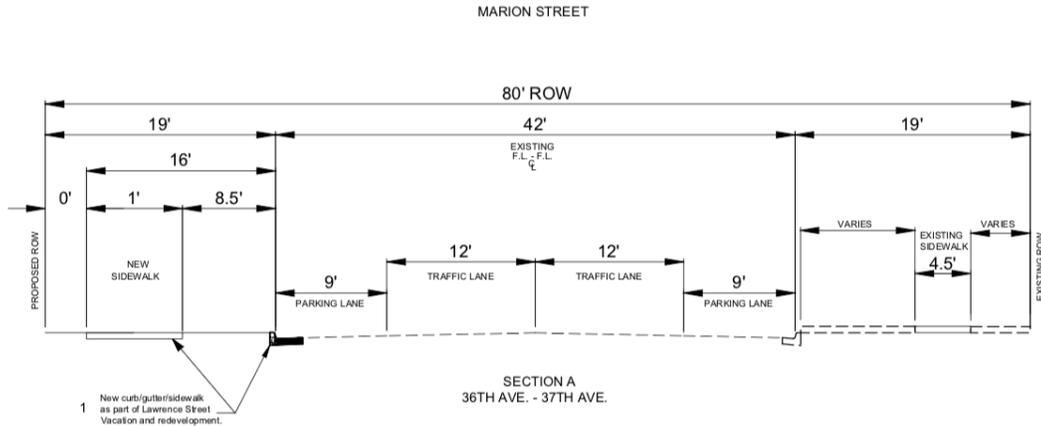
We, the undersigned, represent that we are the owners of the real properties legally described opposite our names and that, as such property owners, we do hereby convey the protest above.

Address and Description of Property	Signature and Printed Name of Owner	Address of Owner	Date Signed
3608 N MARION ST DENVER, 80205 HOME / DUPLEX	 BLAKE KIMMEL	3608 N MARION, DENVER, 80205	12/28 2018
3554 MARION ST. Denver, CO 80205 Home	 AARON POTT	3554 MARION ST. DNUR, CO 80205	12/28/18
3614 N marion st Denver, 80205, CO Home / Duplex	 Matthew Bennett	3614 N marion st denver CO, 80205	12/28/18
3600 Marion St. Denver, CO 80205 Home	 SANTIAGO T. ENCINIAS	3606 Marion Denver, CO 80205	12/29/18
3606 Marion St. Denver, CO 80205 Home	 SANTIAGO T. ENCINIAS	3606 Marion St. Denver, CO 80205	12/29/18

I am a property owner and taxpayer who lives on Marion Street directly adjacent to the proposed rezoning in protected Cole neighborhood.

Local Street Designation

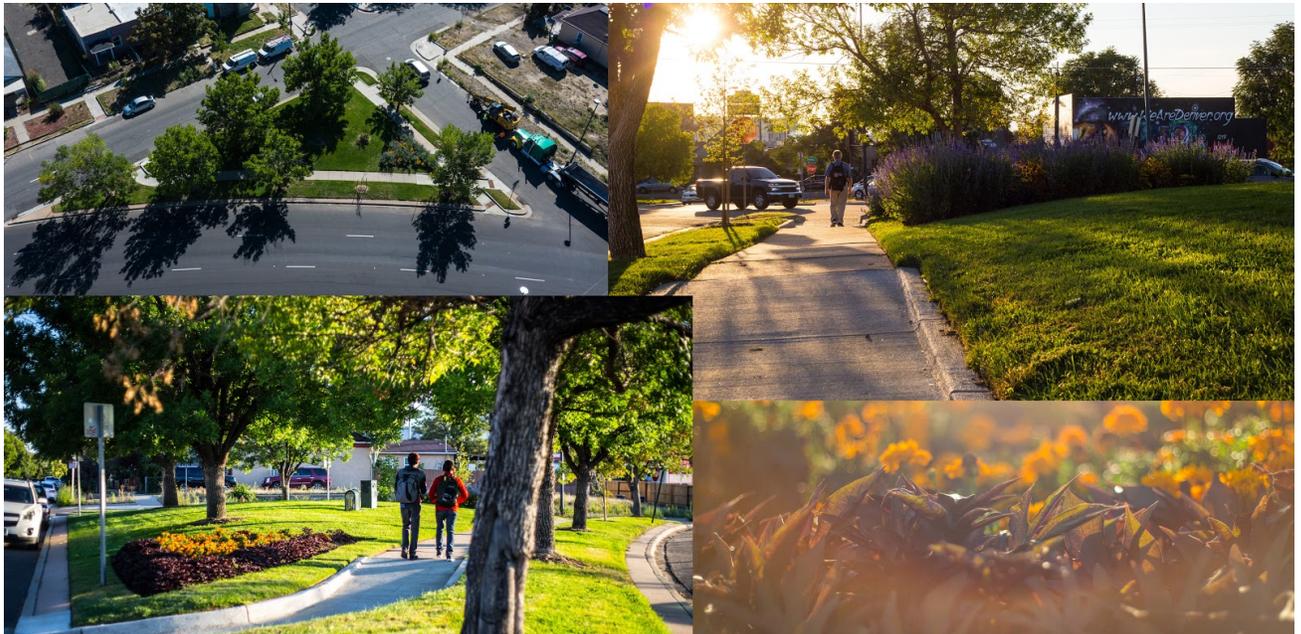
Firstly as the removal of Lawrence as a motor vehicle street is slated in area plans, please ensure that Marion Street is designated **Local** for the entire 3600 Block. Currently only the portion of the street before the Lawrence merge is designated local. The Stantec traffic report justifying the removal of Lawrence shows the future of our block to be an extension of the residential, 42 foot street width on the entirety of this block.



From Stantec Traffic Report | Denver City Planning

Green Space

Denver City Parks has maintained the green spaces that is zoned Single Unit Residential on this parcel as pictured below. These parcels include mature trees and flower .



Green Space @ 36th & Marion St 1G

Green Space Preservation

Preservation of these parcels leads to quality of life and neighborhood health. A 4-foot wide tree lawn around a 3 to 5 story development is NOT a substitute for destruction of concentrated green space and mature trees. Removal of these green spaces goes directly against the Denveright master plan of 2018: ***“The updated Game Plan says parks and public spaces are vital elements of urban infrastructure and recommends propagating them and their associated programming...”*** – Denvergov.org

Guiding Principles

Aspirations describing how we desire the system to be

Goals

The desired result in support of the principles



Every Drop

1. Protect water quality and manage water use.
2. Protect and expand the urban forest.
3. Protect and restore healthy wildlife habitats and functional ecosystems.
4. Employ best sustainable practices for operational resilience.
5. Increase opportunities for people to experience and connect to nature.

From Denvergov.org 1

Quantity of public land disappearing.

Just because it isn't a street carrying cars doesn't mean it needs to be a commercial apartment building. Below is a map signifying the amount of public space evaporating before tax payers eyes. This could be used for bike paths and or expanded green space as density in this area increases rapidly and RTD makes plans for the Central Rail extension up Downing.



Plot #1: 0.53 acres | 22,898.52 feet²

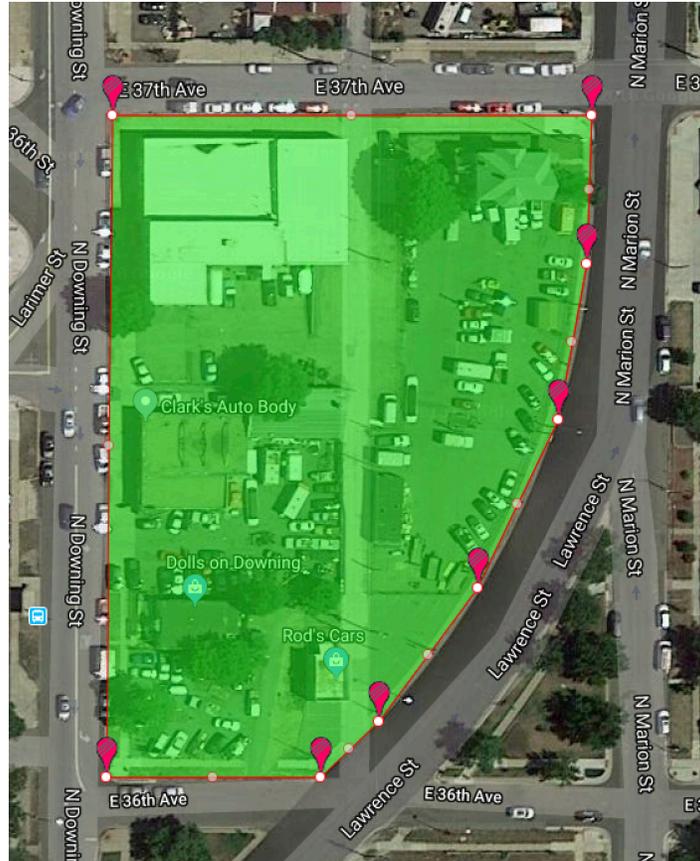
Plot #2: 0.35 acres | 15,430.74 feet²

TOTAL: 0.88 acres | 38,329.26 feet²

[Google Maps Area Calculator 1](#)

Existing Commercial Lot.

The existing commercial lot on this site is **2.3 acres** plenty large to make a significant development profitable. I support the rezoning of the EXISTING commercial lot from the outdated B4 code to the updated CMX-3 and CMX-5 with the intention of adding affordable housing and a grocery store as promised by Albus Brooks and the development team sponsoring this rezoning application.



Google Maps Area Calculator 2

Appeal

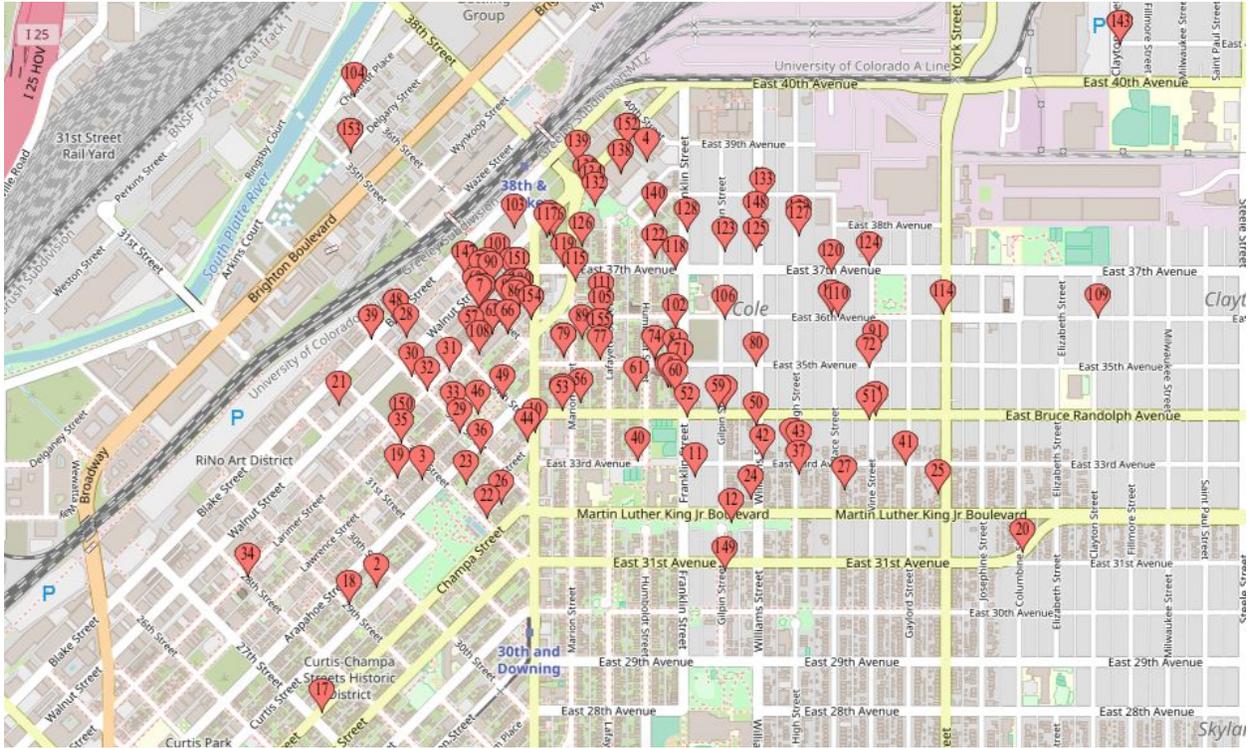
Please reconsider the zoning and end use of the public space on this site especially the existing green space and mature trees that have been maintained by Denver City Parks. Once public space is gone, it is gone forever.

Thank you for your consideration of these concerns.

Blake Kimmel

Property Owner, Tax Payer, Resident
3608 N Marion St | Denver, Colorado | 80205

**EACH PIN REPRESENTS A NEIGHBOR
THAT HAS VOICED THEIR SUPPORT FOR THIS REZONING**



**STRONG SUPPORT FROM OUR NEIGHBORS
AND COMMUNITY STAKEHOLDERS**

“ULC is looking forward to having a new (affordable) grocer in the Cole neighborhood to support our community and getting at least 10% of the development affordable to households at 60%AM and below.”

-Aaron Miripol (1600 Downing, Suite 300)

“Dear Denver Planning Board,

As a neighbor, I support the rezoning application for The Cole Market.

This project has tangible community benefits, and will be an asset to our neighborhood.

Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety.

This rezoning is meeting the felt needs of the community and reflects positive, healthy growth

that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market."

-Abreana Bardossas (3721 Marion St, Denver CO 80205)

"I agree that the neighborhood needs a local food market, affordable housing and improved infrastructure making negotiating the neighborhood safer for pedestrians. I fully support your efforts to improve the Cole neighborhood. Stated simply, amenities like this benefit everyone in the community!"

-Alan Greene (3112 Gilpin Street, Denver, CO)

"Dear Denver Planning Board,

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much-needed affordable housing, create local jobs, and drastically improve pedestrian safety.

This rezoning is meeting the felt needs of the community and reflects positive, healthy growth

that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market."

-Alisha Turak (3424 Vine ST Denver, CO)

"We live in a food desert without a lot of viable food options. Further, that block is not currently adding any value to the neighborhood. This would provide pedestrian appeal, food access, and a practical grocery store."

-Alison Connaughty (1711 Martin Luther King Jr Blvd, Denver CO)

"We are in dire need of a proper place to shop for food in Cole. I am in agreement with all of the reasons/concerns listed above, especially eliminating the food desert, improving pedestrian safety (HUGE issue) and creating jobs in the community."

-Alyson Howard (3774 Franklin Street Denver, CO)

"I've lived in Cole for 11 years and would be thrilled to see a grocery store in the neighborhood. For me personally, this is no closer than the Downing Super, so it only makes sense if this market is better or different."

-Amy McKnight (3639 York Street Denver, CO)

"The immediate neighborhood desperately needs high-quality grocery & "every day" food options that can be easily accessed by foot or by bike. Humans require a variety of food for fuel. I look forward to shopping at the Cole market, and support the rezoning needed to develop this project."

-Andrew Hanna (3500 Blake Street, Denver, CO 80205)

"Dear Denver Planning Board,

As someone who lives and works in Cole/RiNo, I support the rezoning application for The Cole Market.

I see the many benefits this brings to our community, and believe that it will ultimately be a great asset to our neighborhood. Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety. This rezoning is meeting the felt needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.

Thank you!"

-Andy Metzger (1524 E 35th Ave Denver CO)

"We need a large market/store in the area."

-Angelo DAlessandro (3511 Franklin Street, Denver 80205)

"I would like a grocery store and low income/affordable housing."

-Anna Castano (3525 Vine St. Denver CO)

"Dear Denver Planning Board,

I am very excited as a neighbor to see the Cole Market as a potential development. Grocery stores in high-density areas of Denver are in short supply, and the opportunity to build more affordable housing for the area is very attractive. The developer has my full support for their rezoning plans, and I hope you will support them as well.

Sincerely,

Anthony Loeffler"

-Anthony Loeffler (3718 Walnut St. Denver CO)

"Cole is in desperate need of a grocery store! Additional retail shops would be a welcomed addition as well. Looking forward to the reworking of this intersection as well. Currently there are no pedestrian crosswalks from my house to the light rail. I'm hoping this reworking will help with the terrible afternoon rush hour traffic that clogs this intersection as well."

-Ariana Conlon (3524 Humboldt St Denver, CO)

"LOVE IT!!!! We are in a high demand for grocery stores in the area."

-Ashley Averett (3613 Lafayette St. Denver, CO)

“Dear Denver Planning Board,

As a neighbor, I support the rezoning application for The Cole Market.

This project has tangible community benefits, and will be an asset to our neighborhood.

Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety.

This rezoning is meeting the felt needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.

Sincerely,

Barbara Fritz"

-Barbara Fritz (3639 Race Street, Denver CO)

“Dear Denver Planning Board,

As a neighbor, I support the rezoning application for The Cole Market.

This project has tangible community benefits, and will be an asset to our neighborhood.

Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety.

This rezoning is meeting the felt needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.”

-Basil Osman (3549 Lafayette St. Denver, CO)

“Dear Denver Planning Board,

My company owes an office building within a block of The Cole Market. We support the rezoning application for The Cole Market.

This project has tangible community benefits, and will be an asset to our neighborhood.

Rezoning this property from B-4 to C-MX-5 will help provide a great amenity to our tenants and this neighborhood. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.”

-Brian Chen (3601 Walnut St. Denver, CO)

“It would be nice to have a grocery store (not just a junk-food convenience store) close to home.”

-Brian Green (3198 Blake St. 301 Denver, CO)

“Dear Denver Planning Board,

As a neighbor, I support the rezoning application for The Cole Market.

This project has tangible community benefits, and will be an asset to our neighborhood. Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety. This rezoning is meeting the felt needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.

Thank you
Brielle"

-Brielle Killip (1520 E. 35th Ave Denver, CO)

“Dear Denver Planning Board,

As a neighbor, I support the rezoning application for The Cole Market.

This project has tangible community benefits, and will be an asset to our neighborhood. Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety.

This rezoning is meeting the felt needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.”

-Brooke Wilcken (3858 Walnut St. Denver, CO)

“Would love to walk to a grocery store and have more retail in the area”

-Camille Thompson (3415 Vine St. Denver CO)

“I think it is important to have more grocery stores in our neighborhood that are accessible to all. Stores like target, Walmart, King Soopers and Safeway are not close enough to the north neighborhoods. Some people don't have cars or other accessible transportation.

We need stores that have quality produce and other food items. Also, a grocery store in this neighborhood would help to generate the economy and provide employment for people. These are our communities and creating places for us to come and meet, shop, recreate are so essential for progressing a thriving community. It would be to the benefit of other neighboring areas to have more grocery stores and shops accessible. We are community and we take pride in our neighborhoods.

Cheers,

Candi"

-Candis Hitchcock (4431 Fillmore St., Denver, CO 80216)

“I believe that building a better neighborhood starts with grocery access. Nutrition is the cornerstone of health and happiness.”

-Carley Williams (3246 Curtis St. Denver CO)

“I have to drive 10/15 minutes to the nearest grocery store. With the growth in this area we need an accessible store.”

-Cassie Mahar (3441 Gilpin st, Denver CO 80205)

“This project has tangible community benefits, and will be an asset to our neighborhood. Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety. This rezoning is meeting the felt needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.”

-Chad Ellington (3724 Walnut Street Denver, CO)

“The neighborhood needs a grocery to support the residents with good healthy food as reasonable pricing. The current options are either seen as all-organic overpriced options or low-end junk food or convenience store options. We need a market that will serve the neighborhood looking for regular food options without being forced to drive to king soopers or safeway.”

-Chris Maine (3377 Blake St. Denver CO)

“We need more locally owned businesses, especially a locally owned grocery.”

-Chris Thormann (3309 Blake St. Denver CO)

“I commute full time on my bicycle, and not having a grocery store within walking distance of my house makes it very difficult to regularly visit a grocery store. Instead, I drive once a week to the closest grocery, which makes me less likely to buy fresh fruits and veggies (they'll spoil over the course of the week). Having a local market place would immediately improve the neighborhood and my quality of life!”

-Christopher Hart (3302 High Street, Denver CO)

"I live a block away, and it would be so convenient to be able to grocery shop so close. I am also concerned about the bottlenecks of Marion and Downing street, and the worsening traffic down Marion St., Headed north. Would like to have it more pedestrian friendly."

-Cindy Covell (3527 Marion St. Denver CO)

“Because healthy and affordable food options are much needed in the neighborhood especially that can be reached by foot”

-Daniela Borja (3435 Larimer St. Denver CO)

“I support the Cole Market 100%. It is badly needed in this neighborhood. I also am very excited about downing and Marion going back to two way streets. They are ineffective and dangerous the way they are now.”

-David (3527 Lafayette St. Denver CO)

“This project is a great addition to the neighborhood, bringing a much needed grocery store as well as additional affordable housing units. The sponsor of the project is also well suited to build quality product that stands the test of time. Finally, this will help with a complicated intersection and make the neighborhood a more walk-able, pedestrian friendly experience. I strongly support this project!”

-David Jaudes

“We need affordable, fresh food in the neighborhood and downing is a good new business district.”

-Diana Schaack (3451 Humboldt St. Denver, CO)

“Eliminate the food desert! Provide an anchor to the neighborhood.”

-Emily Grogg (3778 High St. Denver, CO)

“I believe we need a super market in the area and I'm for the rezoning, but my concern as a local business owner is with the traffic. Our customers complain that the traffic to get into the area gets worse each week, so I'm curious what the plan is to make the area more easily accessible?”

Eric Clancy (3545 Larimer St. Denver CO)

“Dear Denver Planning Board - My name is Erik Arredondo and I am the General Manager of Tracks nightclub located at 35th and Walnut. I am writing in support for the rezoning application of the Cole Market. This project will help create jobs, eliminate our food desert and will benefit all residents who work and live in the area. This is great for our neighborhood and I stand with our neighbors in voicing my support of the overall vision of the Cole Market. Thank you, Erik Arredondo”

-Erik Arredondo (3500 Walnut Street Denver CO)

“Good 4 the economy”

-Ernest Duran (194 S. Irving St. Denver, CO)

“We need better and closer grocery selections offering higher quality food and produce.”

-Garrett Russell (3558 Vine St. Denver, CO)

“This project has tangible community benefits, and will be an asset to our neighborhood. Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety. This rezoning is meeting the felt needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.”

-Glen Sibley (3500 Blake St. Denver, CO)

“The area needs more options for reasonably priced grocery options.”

-Haley Wilcox (4357 Clay St. Denver CO)

“This will create a lot of new jobs.”

-Heather Bender (1180 32nd St. Denver CO)

“It will improve the walkability/Safety from Cole to RiNo along 37th and Downing/Marion St and will provide a grocery store accessible to many neighborhoods.”

-Irving Payan (3745 Williams St. Denver CO)

“been a long time coming”

-Jason Keeter (3601 Franklin St. Denver CO)

“Dear Denver Planning Board,

As a neighbor, I support the rezoning application for The Cole Market.

This project has tangible community benefits, and will be an asset to our neighborhood.

Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety.

This rezoning is meeting the felt needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.”

-Jayson Carrington (3350 High St. Denver, CO)

“As a property owner in the neighborhood I feel the Cole Market is a vital component to the future of the neighborhood. The void of grocers has a negative impact on the current residents and their well being. This is a very NEEDED project to health and well being of the surrounding community. Our family fully supports this project and we hope that the planning board has an equal enthusiasm for the project. Thank you for your consideration.”

-Jeff Oberg (3300 Blake St. Denver, CO)

“I want a healthy, affordable market in my neighborhood that attends to my needs. I'm not too keen on the apartments, but we are desperate for a viable market in the neighborhood and I think the benefits far out way the negatives of this project.”

-Jerrod Wilkins (3635 Lafayette St. Denver, CO)

“It will be a great addition to the community. The neighborhood is in need of convenient, high quality food.”

-Jessi Ryan (3511 Franklin St. Denver, CO)

“I live in nearby RINO and we Need

-grocery store (non chain preferred as that is what the neihhborhood’s vibe is)

-hardware store (non chain, small like ACE hardware, not a home depot nor lowies)

-traditional gym (like 24 hr fitness, not another hipster cycling only, yoga, cross fit, kettle ball, pilates BS)

Good luck. And please no-chain stores or reataurants.”

-John Battisti (3377 Blake St. Denver, CO)

"Dear Denver Planning Board,

As a neighbor, I support the rezoning application for The Cole Market.

This project has tangible community benefits, and will be an asset to our neighborhood.

Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety.

This rezoning is meeting the felt needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.

In addition, this rezoning fits into the 38th and Blake Overlay concept and will create needed density within walking distance to the the 38th and Blake rail station.

Thanks,

John Young"

-John Young (3639 Race St. Denver, CO)

"As a business owner with an office in the neighborhood, The Cole Market project will provide multiple benefits and be a significant addition to the neighborhood. The affordable housing will allow our employees the opportunity to reside closer to our office and eliminate costly

commuting time. Second, the proposed modifications to Downing and Marion streets will increase public safety and improve access to the area. Finally, the addition of a Grocery Store is sadly overdue and will help alleviate the food desert condition.

I therefore fully support this rezoning application and the overall vision of the Cole Market."

-JoLynn Hood (3535 Larimer Street, Denver CO)

"My family and I would love the improvements to the neighborhood provided by the rezoning, adjustment of the traffic pattern, and addition of a quality grocery store within walking/biking distance."

-Jon Conlon (3524 Humboldt St. Denver CO)

"This will be a much-needed addition to our neighborhood."

-Joshua Johnson (3744 Gilpin St. Denver, CO)

"I live and work in the neighborhood and we have no good grocery options anywhere near us. This would be perfect for the neighborhood!"

-Joshua Pollack (3357 Downing St. Denver, CO)

"The Downing Market is not somewhere I enjoy going. A safe place to walk to for groceries and employment opportunities sounds like a good idea."

-Jovita Sanchez (3736 Humboldt St. Denver, CO)

"Dear Denver Planning Board,

As a neighbor, living on the border of Cole, Clayton and Elyria Swansea I support the rezoning application for The Cole Market.

We live in a notable food desert without access to healthy affordable food. Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety. This rezoning is meeting the felt needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my Cole neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.

Thank you for considering this proposal,

Kaitlin Lucas"

-Kaitlin Lucas (4126 Clayton St. Denver, CO)

“I feel this would give neighbors more food options. It would provide more density, which decreases sprawl and traffic. The road would be straightened and returned to a 2 way road which decreases speed and increases visibility. It is difficult to see traffic coming around that curve. It’s dangerous while trying to cross with my children.”

-Kari Olson (1409 Bruce Randolph Ave, Denver CO)

“The market would provide a much needed amenity to the neighborhood and would clean up the chaotic and dangerous street intersections in that area.”

-Katey Trepanier (3937 Humboldt St. Denver CO)

“Dear Denver Planning Board,

As a neighbor, I support the rezoning application for The Cole Market.

This project has tangible community benefits, and will be an asset to our neighborhood.

Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety.

This rezoning is meeting the felt needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.”

-Katherine Libero (3549 Lafayette St. Denver, CO)

“There are limited grocery stores in the area and issues with pedestrian crossings up north. Especially across Downing and mlk. I would love to see more grocery options.”

-Katrina Dwyer (2727 Champa St. Denver, CO)

“The scariest part of my commute home is working my way through that whole intersection to get to my home on 37th and Race. We would also benefit so much from having a grocery store in the neighborhood instead of having to go downtown, Colfax or Stapleton for a decent one.”

-Kelsey Muldoon (3721 Race Street, Denver CO)

“Dear Denver Planning Board,

As a neighbor, I support the rezoning application for The Cole Market.

This project has tangible community benefits, and will be an asset to our neighborhood.

Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety.

This rezoning is meeting the felt needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.”

-Ken Covell (3527 Marion St. Denver, CO)

“We desperately need a grocery store in NE Denver!”

-Kerry McClauss (3144 Columbine St. Denver, CO)

“It will be great to have a quality neighborhood grocery nearby.”

-Kevin Holwerda-Hommes (3630 Race St. Denver, CO)

“We need an affordable grocery store in this area, affordable housing and jobs! Denver long time residents are being pushed out of Denver, the city needs to stay diverse!”

-Kim Erickson (2509 Fairfax St. Denver, CO)

”Dear Denver Planning Board,

As a neighbor, I support the rezoning application for The Cole Market.

This project has tangible community benefits, and will be an asset to our neighborhood.

Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety.

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-Kristen Marquardt (3420 Franklin St. Denver CO)

“Access to affordable food is really tough in our neighborhood - you have to get in the car. We would love to support a local business like this that offers more selection and affordable food than natural grocers.”

-Laird Horigan (4126 Clayton St. Denver, CO)

“The rezoning would allow this project to move forward and provide us the grocery store and more safe streets we have been hoping for. It also allows for increased density in an area where it's desperately needed. I am a big supporter of this project and rezoning.”

-Lia Martinez (3768 High St. Denver, CO)

“Need a nearby quality grocery store and jobs”

-Lois Doll (3440 Gilpin St. Denver, CO)

“Grocery options are great!”

-Louis Wilbrink (3216 Curtis St. Denver, CO)

“As a 12 year resident of the Clayton Neighborhood, there has always been a lack of access to fresh food in our area. I commute by bicycle between downtown and my home and other than very high-end markets there is nowhere for me to purchase any groceries for my family in that

commute. Please consider approving this re-zoning for the health, safety, and wellbeing of our neighborhood!”

-Maggie Thompson (3630 Clayton St. Denver, CO)

“It would be great to have better options within walking distance!!”

-Mandy Wodnick (4141 Lawrence St. Denver, CO)

“Thrilled at the possibility of the a local market for Cole. God speed!”

-Mark Ajluni (3810 Williams St. Denver, CO)

“Dear Denver Planning Board,

As a neighbor, I support the rezoning application for The Cole Market.

This project has tangible community benefits, and will be an asset to our neighborhood.

Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide

much-needed affordable housing, create local jobs, and drastically improve pedestrian safety.

This rezoning is meeting the felt needs of the community and reflects positive, healthy growth

that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning,

and for the overall vision of The Cole Market.”

-Mark Knudson (1020 30th St. Denver, CO)

“Neighborhood has long needed something like this!”

-Matt Melnicoff (1820 Vine St. Denver, CO)

“It is important to continue to redevelop neglected properties in our neighborhood. I think this development will be a positive step in making the community safer, while providing a great amenity and some more affordable housing.”

-Matthew Palmer (3300 Walnut Street, 3343 Larimer Street, 3305 Larimer Street, 3301 Lawrence Street, 2809 Larimer Street, 3200 Larimer Street)

“The neighborhood would totally benefit from a project like this and I support the need for a grocery store that would have a wide variety of food products while also providing jobs for young members of the community”

-Megan Willem (3427 Marion St. Denver, CO)

“I would love to have more walking distance business”

-Melissa Rodriguez (3423 Marion St. Denver, CO)

“Dear Denver Planning Board,

As a neighbor, I support the rezoning application for The Cole Market.

This project has tangible community benefits, and will be an asset to our neighborhood. Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety. This rezoning is meeting the felt needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.”

-Mercy Jaramillo (4725 Josephine St. Denver, CO)

“I am very supportive of the Cole Market, I would love to have a full service grocery store in our food desert. Natural Grocers is not a full service grocery store and is more like Walgreens or Rite Aid or a 7 Eleven (until recently it was called a vitamin store) . We need a full selection for my child and me of fresh produce, meats, cheese, fish and ready made food like Whole Foods, King Soopers or the like. Please, please vote for this grocery store. With all development going on this will at least give us something to support and offset all the changes in the neighborhood.”

-Michael Mathieson (3527 Delgany St. Denver, CO)

“This project has community benefits, and will be an asset to our RiNo neighborhood. Rezoning this property from B-4 to C-MX-5 will provide options for residences and businesses for food and wares, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety. This rezoning is meets the needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.”

-Michael Noda (3560 Walnut St. Denver, CO)

“I think that the Larimer/Downing interchange is a bit of a death-trap. I also agree that this neighborhood is in desperate need of a full-service grocery store.”

-Mike Lamoureux (3309 Blake St. Denver CO)

“The cole market is a community asset in Cole that eliminates our food desert, provides affordable housing, creates local jobs, and improves pedestrian safety. I believe it is a positive step forward to a better neighborhood for everyone.”

-Morgan Taylor (3360 Lawrence St. Denver CO)

”Dear Denver Planning Board,

As a neighbor, I support the rezoning application for The Cole Market.

This project has tangible community benefits, and will be an asset to our neighborhood. Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety. This rezoning is meeting the felt needs of the community and reflects positive, healthy growth

that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.”

-Natalie Ryan (3250 Race St. Denver, CO)

“The area is a food desert and this is a needed addition to the neighborhood.”

-Neil Adam (3706 Walnut St. Denver, CO)

“Dear Denver Planning Board,

As a neighbor, I support the rezoning application for The Cole Market.

This project has tangible community benefits, and will be an asset to our neighborhood.

Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety.

This rezoning is meeting the felt needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.”

-Nick Heguy (3327 Gaylord St. Denver, CO)

“Primarily, I want to eliminate our food desert.”

-Nicola Donaven (1621 E 33rd Ave Denver, CO)

“I think will improve our neighbors in a good way.”

-Nicola Pisani (3561 Larimer St. Denver, CO)

“Dear Denver Planning Board,

As a neighbor, I support the rezoning application for The Cole Market.

This project has tangible community benefits, and will be an asset to our neighborhood.

Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety.

This rezoning is meeting the felt needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.”

-Nikki Naiman (3463 Larimer St. Denver, CO)

“COLE NEIGHBORHOOD LACKS BASIC AMENITIES LIKE ACCESS TO FOOD AND AFFORDABLE HOUSING. MY UNDERSTANDING OF THE REQUEST FOR REZONING WILL HELP SERVICE THE NEEDS OF A COMMUNITY IN DENVER THAT HAS BEEN HISTORICALLY UNDER SERVED.”

-Noah Manos (3700 Marion St. Denver, CO)

“Dear Denver Planning Board,

As a neighbor, I support the rezoning application for The Cole Market.

This project has tangible community benefits, and will be an asset to our neighborhood.

Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety.

This rezoning is meeting the felt needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.”

-Pamela Zorn (3559 Larimer St. Denver, CO)

“I work in the neighborhood 5-7 days per week and would love to have food options that were healthier and less expensive than the current offerings by fast food restaurants.”

-Patrick Brown (1399 35th St. Denver, CO)

“The neighborhood is currently a food desert and is in need of a walkable destination to get basic groceries. With more people moving into this neighborhood, the problem of a lack of food will only be exacerbated and more people will have to drive which will cause more traffic.”

-Paul Berliner (2910 Arapahoe St. Denver, CO)

“Members of the Denver Planning Board:

I have been a Cole resident and homeowner for nearly four decades. I support the rezoning application for the project known as Cole Market. Lack of a full service neighborhood grocery has been a detriment to our community ever since the closing of Safeway in the 1980s.

Rezoning of the project site from (mostly) B-4 to C-MX-5 & C-MX-3 will help eliminate our existing food desert and provide affordable housing in close proximity to the 38th/Blake rail station. The proposal also allows for mending of the broken street grid, thereby improving pedestrian and bike safety.

The requested zoning change is consistent with the station area height plan adopted by community members in a series of public meetings. Moreover, it is compatible with zoning for the block immediately to the north of Cole Market. I urge you to approve the zoning request. Thank you.”

-Paul Brown (3785 N Williams St. Denver, CO)

“There is only one option right now in the neighborhood-- The Downing Supermarket and it is subpar. I understand that the owners have been unwilling to work with developers on improvements so we need another option.”

-Paul Danek (3434 Marion St. Denver, CO)

“As a nearby neighbor and long-time resident, I support the rezoning for the Cole Market. I'm also ecstatic about the benefits it brings to Denver's Near Northeast Neighborhood. Multi-unit housing with excellent proximity to transit. Affordable housing. A safer, walkable, bikeable street grid. A full-sized grocery store.

This rezoning meets the needs of the neighborhood and is a thoughtful connection point between Curtis Park, Cole, and the coming changes with the World Trade Center. Residents will enjoy multiple routes to Downtown via multiple modes of transportation, not to mention close proximity to the 39th Avenue bikeway.

This proposal makes so much sense, and I'm thrilled to support it and encourage it's rezoning as quickly as possible.”

-Paul Davidson (3230 Arapahoe St. Denver CO)

“Please, please rezone for this much need project. I've lived in this Cole food desert for way too long (aka 7 years).”

-Paula Telck (3780 Williams St. Denver, CO)

“This market will help the current and future residents of Cole, RiNo and 5 points. It is sorely needed.”

-Peter Smith (3359 High St Apt A. Denver CO)

“I would love there to be a market over here! There's no solid places to buy groceries in Cole.”

-Rachel Wick (3401 Williams St. Denver CO)

“We need a store for grocery's in the neighborhood”

-Ralph Trujillo (3624 Gilpin St. Denver, CO)

“We need a quality grocery store in our neighborhood. The current grocers is of poor quality and high prices.”

-Randy Armijo (3527 Williams St. Denver, CO)

“We need to address the food desert. Thanks!”

-Reed Morgan (3319 Humboldt St. Denver, CO)

“It's good for the community and will create jobs.”

-Robert Bullock (3535 Larimer St. Denver, CO)

“Dear Denver Planning Board,

As a neighbor, I support the rezoning application for The Cole Market.

This project has tangible community benefits, and will be an asset to our neighborhood.

Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety.

This rezoning is meeting the felt needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.”

-Robert Naiman (3463 Larimer St. Denver, CO)

“I’m in support of the market because it will make Cole a better place to live by improving life for all of my neighbors. It will also help to eliminate the food desert and create access to jobs that does not currently exist here.”

-Ruchi Kapoor (3721 Franklin St. Denver, CO)

“This project has tangible community benefits, and will be an asset to our neighborhood.

Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety.

This rezoning is meeting the felt needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.”

-Ryan Seeley (3235 Larimer St. Denver, CO)

“Dear Denver Planning Board,

As a neighbor, I support the rezoning application for The Cole Market.

This project has tangible community benefits, and will be an asset to our neighborhood.

Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety.

This rezoning is meeting the felt needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.”

-Sam Warren (3340 Williams St. Denver, CO)

“I support the Cole Market development. I currently live a few blocks south on Downing and rarely venture up toward the current site for a few reasons. The area doesn't feel safe or very walkable for pedestrians. The existing space also seems like underused space, and as a resident of the neighborhood, I would love to see a grocery store and other amenities on the site.”

-Sarah Hughes (1009 E 26th Ave, Denver CO)

“Local grocery shopping to fuel the local economy.”

-Shaun Short (3245 York St. Denver, CO)

“Dear Denver Planning Board,

As a neighbor, I support the rezoning application for The Cole Market.

This project has tangible community benefits, and will be an asset to our neighborhood.

Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety.

This rezoning is meeting the felt needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.”

-Shelby Collins (3858 Walnut St. Denver, CO)

“I live in Cole and it would be nice to have a grocery store within walking distance.”

-Stacey Hall (3447 Franklin Street Denver, CO)

“Dear Denver Planning Board,

As a 10+ year resident and neighbor, I support the rezoning application for The Cole Market.

This project has tangible community benefits and will be an asset to our growing neighborhood.

Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety.

The intersection of the proposed site is notoriously dangerous for pedestrians trying to cross the street! This rezoning will meet the needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.

Thank you,

Steven Neale”

-Steven Neale (1370 36th St. Denver, CO)

“The neighborhood needs a mid tier grocery store and I think it's a good compromise from the developer”

-Steven Sampson (3561 Larimer St. Denver, CO)

“Pedestrian safety! This area is ridiculously unsafe as currently configured and this would address all of the major safety issues. The proposal is thoughtful and takes into consideration the

needs and wants of actual residents. I strongly support this rezoning proposal and encourage the council to support similar efforts in Cole and other neighborhoods.”

-Stewart Swan (3754 Marion St. Denver, CO)

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-Storm Ireland (3800 Market St. Denver, CO)

“I would welcome a grocery store close. I won't have to walk, take the A line train and walk some more.”

-Susan L W Gomez (3554 Marion St. Denver, CO)

“This project has tangible community benefits, and will be an asset to our neighborhood. Rezoning this property from B-4 to C-MX-5 will help eliminate our food desert, provide much-needed affordable housing, create local jobs, and drastically improve pedestrian safety. This rezoning is meeting the felt needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.”

-Tai Beldock (2652 Lafayette St. Denver, CO)

”Dear Denver Planning Board,

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-Taylor Wright (3239 Williams St. Denver, CO)

“Dear Denver Planning Board,

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-Tim Allen (3529 Franklin St. Denver, CO)

“Dear Denver Planning Board,

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-Tommy Lee (3500 Larimer St. Denver, CO)

“These neighborhoods have been a food desert for generations. It's time to change that. Everyone deserves access to fresh healthy food.”

-Tracy Weil (3611 Chestnut Place. Denver, CO)

“Looks great and well thought out.”

-Travis Page (3839 Jackson St Denver, CO)

“Dear Denver Planning Board,

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-Tyler Stehly (3745 Vine St. Denver, CO)

“Having a grocery store in this area is only going to benefit the local community as well as the businesses. This projected is a great idea and we support it 100%”

-William Stuart (3559 Larimer St. Denver, CO)

“As a neighbor, I support the rezoning application for The Cole Market.

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much-needed affordable housing, create local jobs, and drastically improve pedestrian safety. This rezoning is meeting the felt needs of the community and reflects positive, healthy growth that will benefit all residents. I stand with my neighbors in voicing my support for this rezoning, and for the overall vision of The Cole Market.”

-Zac Crow