



TO: Land Use, Transportation and Infrastructure Committee
FROM: Brandon Shaver, Senior City Planner
DATE: December 29, 2022
RE: Official Zoning Map Amendment Application #2020I-00178
2107, 2111, 2115 & 2119 West 29th Avenue
Rezoning from U-MS-3 & G-MU-3, UO-3 to U-MS-3, DO-8

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for Application #2020I-00178.

Request for Rezoning

Address: 2107, 2111, 2115 & 2119 West 29th Avenue
Neighborhood/Council District: Highland / Council District 1
RNOs: Inter-Neighborhood Cooperation (INC), Highland United Neighbors, Inc., Strong Denver
Area of Property: 14,000 square feet or 0.32 acres
Current Zoning: U-MS-3 & G-MU-3, UO-3
Proposed Zoning: U-MS-3, DO-8
Property Owner(s): Marcia & John Mueller/Lee Cotone
Owner Representative: Theodore Schultz

Summary of Rezoning Request

- The subject properties are located in the Highland statistical neighborhood at the northwest corner of West 29th Avenue and North Umatilla Street.
- While the application contains four different addresses, there are only three parcels, as 2107 and 2111 West 29th Avenue are related to the same parcel.
- 2115 and 2119 West 29th Avenue are currently zoned G-MU-3 UO-3, and they contain two single-unit dwellings built in 1900 and 1896 respectively. 2107 and 2111 West 29th Avenue are currently zones U-MS-3 and contain a two-story office building built in 1935.
- The property owners, with Theodore Schultz as their representative, are proposing to rezone the properties to U-MS-3 DO-8 to better facilitate redevelopment.
- The proposed U-MS-3, **U**rbane, **M**ain **S**treet, **3** stories, zone district allows the town house and shopfront primary building forms and drive thru services and restaurants. The maximum height of the allowed primary building forms ranges from 38 to 45 feet and there are no protected districts within the surrounding blocks. This district is intended for use in the Urban Neighborhood Context, which is characterized by primarily single and two-unit uses with small-scale commercial sometimes embedded. More often commercial uses are located along mixed-use arterials or on main streets. Further details of the zone district can be found in the proposed zone district of this staff report (below) and in Article 5 of the Denver Zoning Code.

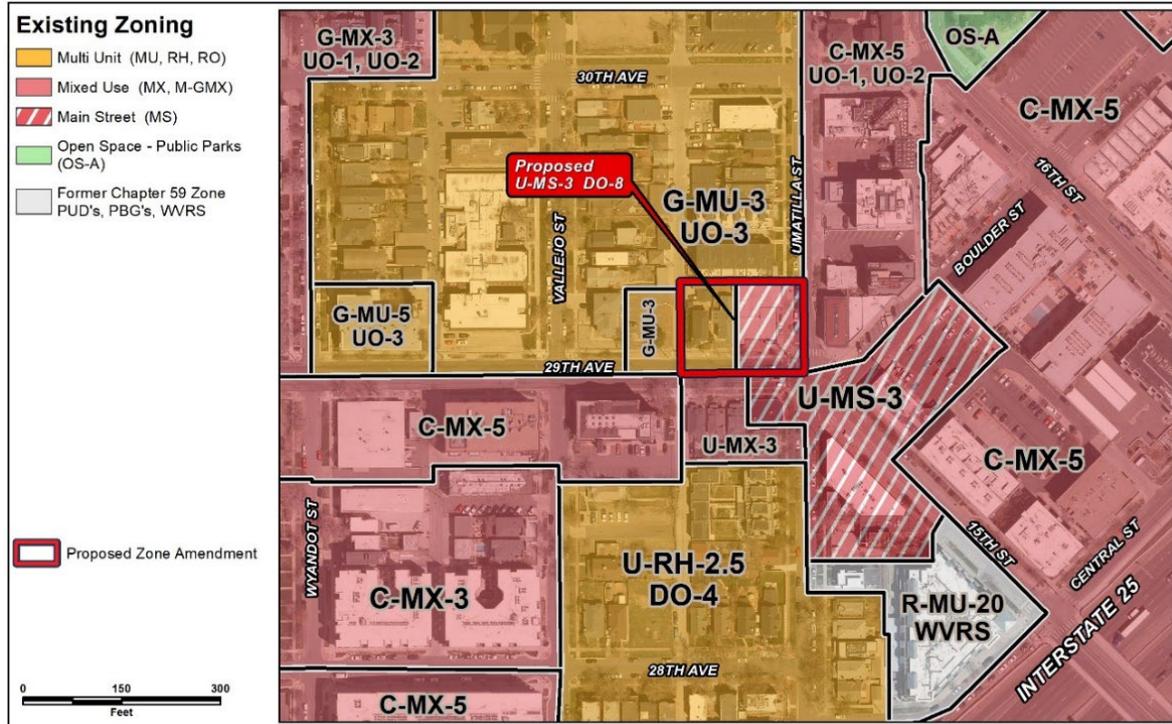


The subject property is located within the Highland statistical neighborhood, at the northwest corner of West 29th Avenue and North Umatilla Street. Hirshorn Park is located one block north and one block east of the subject site. The subject properties combined are approximately 140 feet wide and 100 feet deep. The subject site is just over one-half mile from the Union Station LRT and is also served by RTD bus route 28 along West 29th Avenue and 15th Street. Additionally, there are striped bike lanes with some buffered sections along West 29th Avenue stretching from city limits at North Sheridan Boulevard east to North Umatilla Street.

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

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
2115 and 2119 West 29 th Avenue	G-MU-3, UO-3	Single-unit Residential	1-story residence and 2-story residence both with entrances above street level	Block sizes and shapes are consistent and rectangular and shaped by a grid street pattern. The street pattern shifts to the downtown diagonal grid forming a five-point intersection at West 29 th Avenue, North Umatilla Street, 15 th Street and Boulder Street. Detached sidewalks are most common west of the major intersection.
2107 and 2111 West 29 th Avenue	U-MS-3	Mixed use	2-story stucco and brick office building	
North	G-MU-3, UO-3	Multi-unit Residential	3-story slot-home style townhomes	
East	U-MS-3	Mixed-use	3-story brick mixed use building	
South	U-MX-3	Single-unit Residential and Office	Three 1.5-story residential structures	
West	G-MU-3	Single-unit Residential	Surface parking lot	

1. Existing Zoning



The U-MS-3 zone district has a maximum height of 45 feet. The U-MS-3 zone district is a main street zone district which allows the town house, shopfront, drive thru services and drive thru restaurants primary building forms. Main street zone districts are intended to promote an urban, mixed-use, built-to environment and are typically applied linearly along entire block faces of commercial, industrial, main, mixed-use and residential arterial streets.

The G-MU-3 zone district has a maximum height of 40 feet. The G-MU-3 zone district is a multi-unit district allowing urban house, duplex, garden court, town house, and apartment building forms. Block sensitive setbacks apply to all building forms in the G-MU-3 zone district. A variety of residential uses, including multi-unit, are allowed.

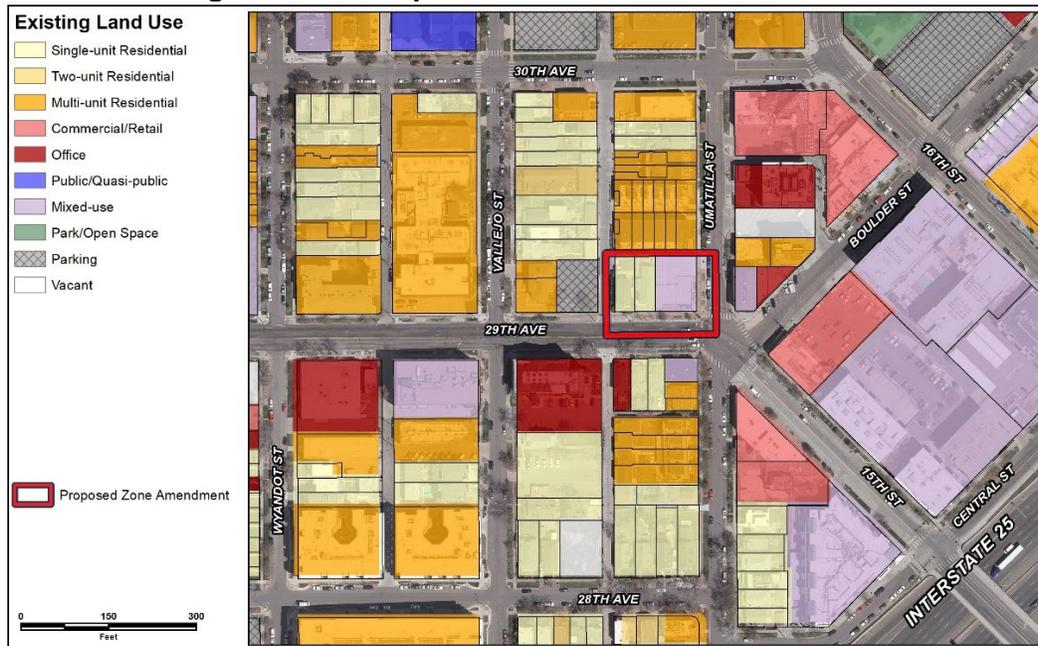
The UO-3 Historic Structure Use Overlay District is currently mapped on the site, as well as surrounding properties to the north and west. There is not currently a Landmarked Historic Structure on the subject site. The UO-3 district is intended to encourage preservation, protection, adaptive reuse and enhancement of structures designated as City Landmarks and may only be established in conjunction with an underlying Residential Zone District, such as the current G-MU-3. The overlay allows three commercial uses (with use limitations) in qualifying Historic Structures:

1. Office, not including dental/medical office or clinic
2. Art studio
3. Bed and breakfast lodging

2. View Plane

The subject property is within the Park at 51st Avenue and Zuni Street View Plane. The intent of this view plane is to preserve the view of the Central Business District (southeast of the subject property) from 51st and Zuni Park (north of the subject property). No part of any structure within the view plane may exceed an elevation of 5,347 feet above mean sea level. Therefore, the site is subject to a maximum height restriction of 88-94 feet. The proposed zone district of U-MS-3 has a lower height restriction of 45 feet maximum height for primary structures (with allowances for height incentives noted later in this staff report) and would not exceed the view plane.

3. Existing Land Use Map



4. Existing Building Form and Scale (Source: Google Maps)



Site - Aerial view, looking northeast



Site - from West 29th Avenue, looking northeast



Site - from the corner of West 29th Avenue and Umatilla Street, looking west



North – from North Umatilla Street



East – from West 29th Avenue



South – from West 29th Avenue



West – from West 29th Avenue

Proposed Zoning

U-MS-3 Zone District

The applicant is requesting to rezone to Urban Main Street 3 Stories (U-MS-3), a main street zone district which allows the Town House, Shopfront, drive thru services and drive thru restaurants primary building forms. Main Street zone districts are intended to promote an urban, mixed-use, built-to environment and are typically applied linearly along entire block faces of commercial, industrial, main, mixed-use and residential arterial streets (as designated in *Blueprint Denver*).

DO-8 (Active Centers and Corridors Design Overlay)

The Active Centers and Corridors **Design Overlay District (DO-8)** will be applied and is intended to encourage neighborhood mixed-use areas that support nonresidential active uses at the Street Level, promote active pedestrian-oriented building frontages, and provide sufficient space for transitions between the public realm and private residential Dwellings.

The primary building forms allowed in the existing zone district and the proposed zone district are summarized below.

Design Standards	G-MU-3, UO-3 (Existing)	U-MS-3, DO-8 (Proposed)
Primary Building Forms Allowed	Urban House, Duplex, Garden Court, Town House, Apartment	Shopfront, Town House
Height in Stories / Feet (max)	3 stories / 30-40 feet*	3 stories / 38-45 feet*
Primary Street Build-To Ranges	70% within 10' to 20'*	Shopfront (Residential): 2'-10' (7' - 15') Town house: 75% within 10'-15'
Minimum Zone Lot Size/Width	25' to 75'*	Shopfront: N/A Town House: 38'
Primary Street Setbacks (min)	5' to 20'*	Shopfront: 7' Town House: N/A
Street Level Height (min.)	N/A	Shopfront: 14'
Street Level Nonresidential Active Uses for a minimum depth of 15 feet (min % of Primary Street/Key Street frontage meeting Build-To requirement)	N/A	75% (Zone lots greater than 50' wide)

*Standard varies between building forms

** The district allows incentive heights up to 4 Stories and 55 feet in the Shopfront building form with the provision of enhanced affordable housing

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 response

Asset Management: Approved – No comments

Denver Public Schools: Approved – No response

Department of Public Health and Environment: Approved – No response

Denver Parks and Recreation: Approved – No comments

Public Works – R.O.W. - City Surveyor: Approved – No comments

Development Services - Transportation: Approved – No comments

Development Services – Wastewater: Approved – See comments below

DES 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 response

Development Services – Fire Prevention: Approved – No response

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:	6/10/21
Revised application submitted:	7/29/22
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:	11/1/22
Planning Board Public Hearing (voted unanimously in favor):	11/16/22
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:	12/19/22
Land Use, Transportation and Infrastructure Committee of the City Council meeting:	1/3/23
Property legally posted for a period of 21 days and CPD notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations (tentative):	1/10/23
City Council Public Hearing (tentative):	2/13/23

Public Outreach and Input

- **Registered Neighborhood Organizations (RNOs)**
 As of the date of this report, staff has received one letter of support for the rezoning from the Planning and Community Development (PCD) Committee of Highland United Neighbors, Inc. (HUNI) RNO pertaining to this application. It is attached to this staff report.
- **Other Public Comment**
 As of the date of this report, staff has received four written public comments in opposition to this application.
 - The comments received voiced concerns related to limited parking in the area, building design, loss of views and building height. It should be noted that the current zoning allows for buildings up to 3 stories in height as would the proposed zoning.

Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC Section 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

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

1. Consistency with Adopted Plans

The following adopted plans currently apply to this property:

- *Denver Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *Highland Neighborhood Plan (1986)*

Denver Comprehensive Plan 2040

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies, which are organized by vision element.

The proposed rezoning would allow for mixed-use development within an established neighborhood, consistent with the following strategies in the Equitable, Affordable and Inclusive vision element:

- Equitable, Affordable and Inclusive Goal 2, Strategy A - *Create a greater mix of housing options in every neighborhood for all individuals and families (p. 28).*

Similarly, the proposed U-MS-3 DO-8 zoning would allow for a broader variety of uses including housing, retail services, and employment at an intensity consistent with the desire for dense, walkable, mixed-use neighborhoods close to downtown. Further, the application of main street zoning contributes to the city's aspirational network of well-connected mixed-use corridors and is therefore consistent with the following strategies in the Strong and Authentic Neighborhoods vision element:

- Strong and Authentic Neighborhoods Goal 1, Strategy A – *Build a network of well connected, vibrant, mixed-use centers and corridors (p. 34).*
- Strong and Authentic Neighborhoods Goal 1, Strategy B – *Ensure neighborhoods offer a mix of housing types and services for a diverse population (p. 34).*
- Strong and Authentic Neighborhoods Goal 1, Strategy D – *Encourage quality infill development that is consistent with the surrounding neighborhoods and offers opportunities for increased amenities (p. 34).*

Similarly, the land use pattern detailed in the previous paragraph is also consistent with the following strategies in the Environmentally Resilient vision element:

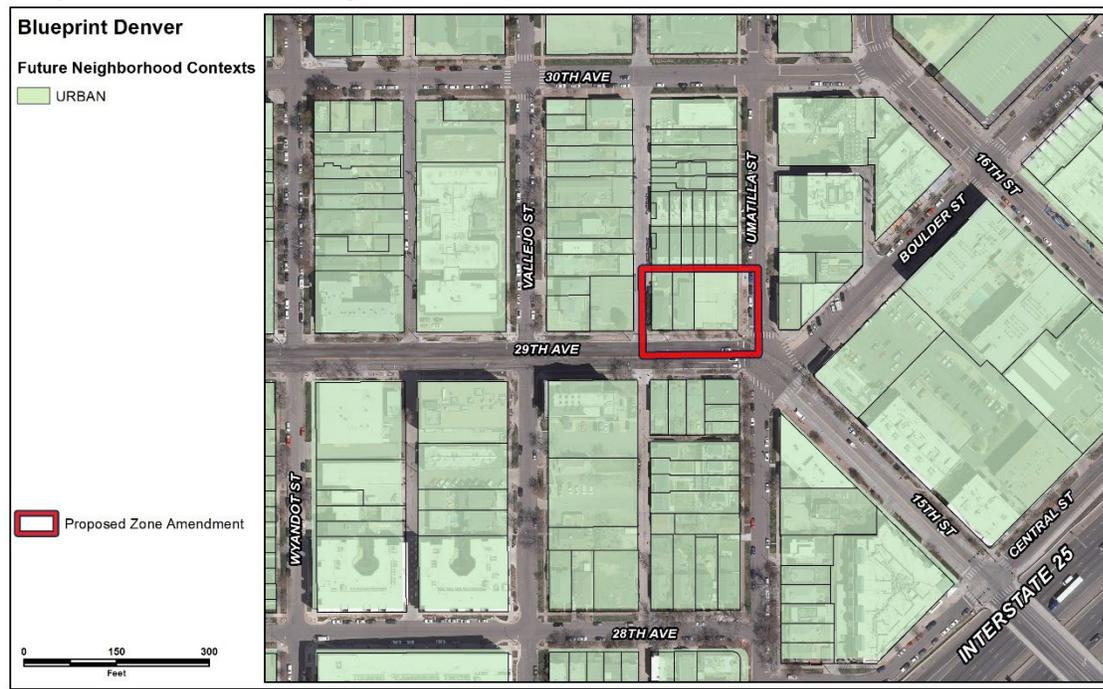
- Environmentally Resilient Goal 8, Strategy A – *Promote infill development where infrastructure and services are already in place* (p. 54).
- Environmentally Resilient Goal 8, Strategy B – *Encourage mixed-use communities where residents can live, work and play in their own neighborhoods* (p. 54).

The requested map amendment would allow for a broader variety of uses including housing, retail services, and employment at an intensity consistent with the desire for dense, walkable, mixed-use neighborhoods expressed in Comprehensive Plan 2040.

Blueprint Denver (2019)

Blueprint Denver was adopted in 2019 as a supplement to *Comprehensive Plan 2040* and establishes an integrated framework for the city’s land use and transportation decisions. *Blueprint Denver* identifies the subject property as part of a Residential Low Medium place within the Urban Neighborhood Context and provides guidance from the future growth strategy for the city.

Blueprint Denver Future Neighborhood Context

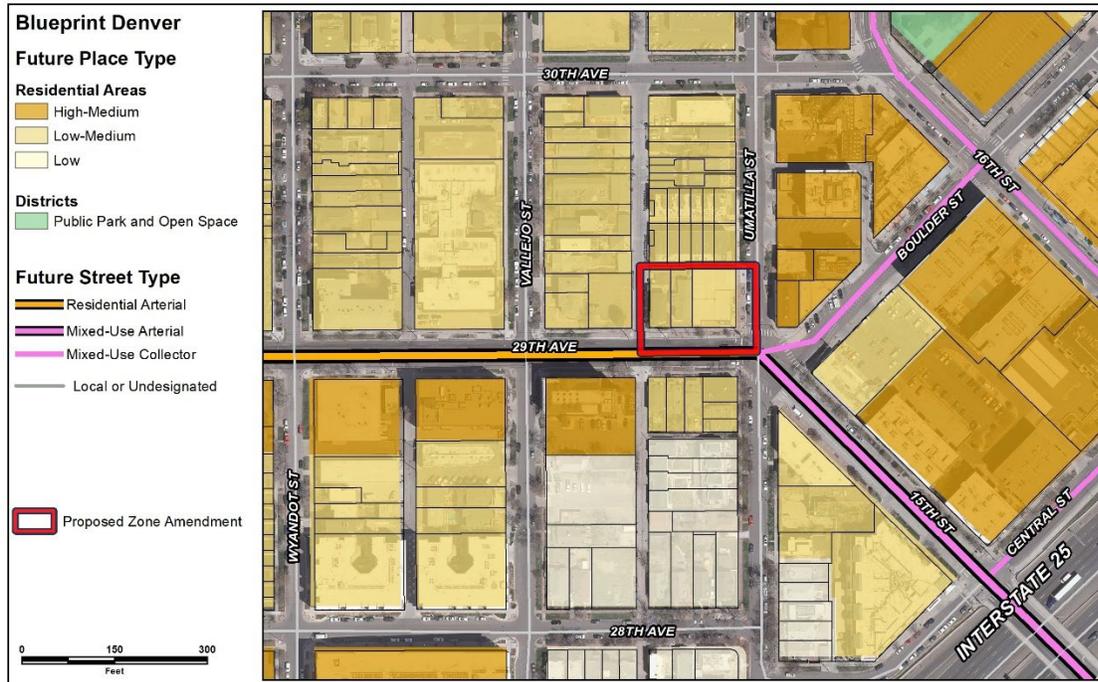


The subject property is shown on the context map as an Urban Neighborhood Context, the description of which is used to guide appropriate zone districts. “Small multi-unit residential and low-intensity mixed-use buildings are typically embedded in single-unit and two-unit residential areas. Block patterns are a regular grid with consistent alley access. Where they occur, multi-unit buildings are low scale. Mixed-use buildings are sited in a pedestrian-friendly manner near the street” (p. 222).

U-MS-3 DO-8 is a zone district within the Urban Neighborhood Context and is intended “to promote safe, active, and pedestrian-scaled commercial street through building forms that clearly define and

activate the public street edge” and “should be applied where a higher degree of walkability and pedestrian activity is desired than required in a Corridor, Mixed Use, or Residential Mixed Use zone district” (DZC Section 5.2.5.1). U-MS-3 DO-8 is consistent with *Blueprint Denver’s* future neighborhood context of Urban because it will promote an urban, mixed-use built-to environment that will be compatible with the existing residential area.

Blueprint Denver Future Places

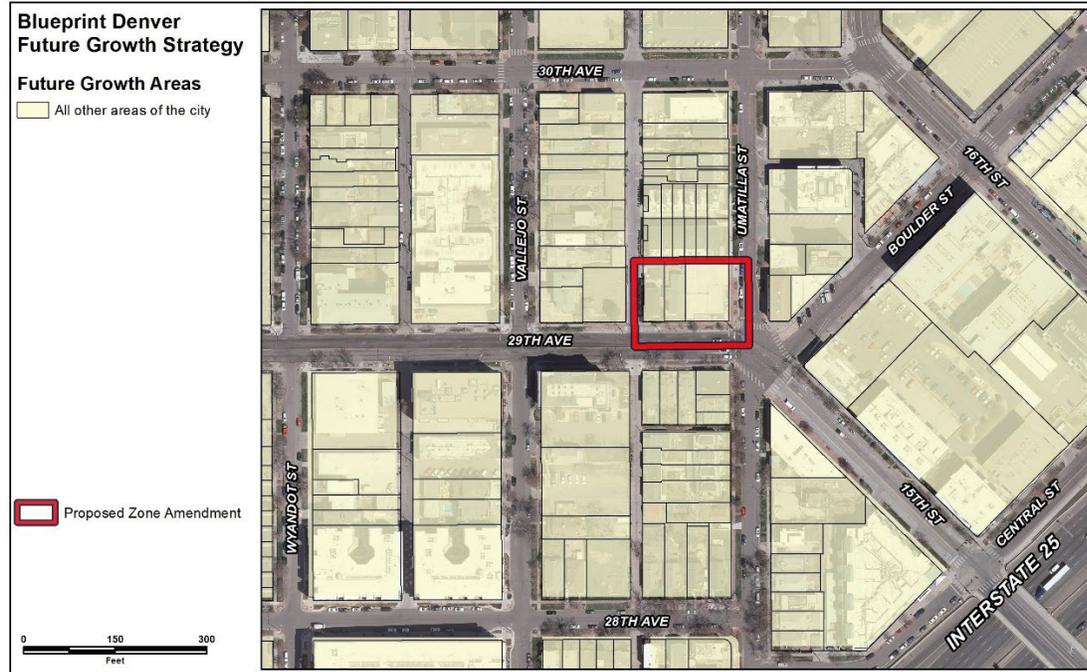


Within the Urban Neighborhood Context, the subject property is categorized as a Residential Low-Medium Future Place with a land use and built form defined by *Blueprint Denver* as “small-scale multi-unit buildings are interspersed between single- and two-unit residential. Limited mixed-use along some arterial and collector streets and at intersections... Buildings are generally 3 stories or less in height” (p. 232). The proposed U-MS-3 DO-8 zone district, allowing pedestrian-friendly building forms with base heights up to 3 stories that activate the public street edge, is compatible with this Future Place type. Furthermore, the zone district is consistent as it would allow for mixed-use to occur at limited locations along an arterial street at an existing neighborhood node along 29th Avenue.

Street Types

In *Blueprint Denver*, Future Street Types work in concert with the Future Places to evaluate the appropriate intensity of adjacent development (p. 67). *Blueprint Denver* classifies West 29th Avenue as a Residential Arterial, which are “primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses” (p. 161). This area of 29th Avenue has a variety of uses and is an existing retail node. The proposed U-MS-3 DO-8 district is consistent with the street type guidance because it would allow for a mix of uses at a pronounced retail node.

Growth Strategy



Blueprint Denver's growth strategy map is a version of the future places map, showing the aspiration for distributing future growth in Denver (p. 51). The subject property is part of the "All other areas of the city" growth area. These areas anticipate experiencing around 20 percent of new housing growth and 10 percent of new employment growth by 2040 (p. 51). This growth area contains "mostly residential areas with embedded local centers and corridors (that) take a smaller amount of growth intended to strengthen the existing character of our neighborhoods" (p. 49). The proposed U-MS-3 DO-8 zone district is appropriate in this growth area as it adds the opportunity for both housing and employment growth. Therefore, the proposed rezoning is consistent with the *Blueprint Denver* growth strategy.

Additional Strategies

In *Blueprint Denver*, there are recommendations that form a comprehensive list of policies and strategies to guide implementation of the plan. They are organized by the three elements of complete neighborhoods. There are several strategies around applying design overlays to retain neighborhood character:

- Land Use and Built Form, Design Quality and Preservation – Policy 02 Strategy C: Use design overlays as targeted tools in developing or redeveloping areas that have a specific design vision, ideally one articulated through a planning process. Although these overlays tend to be specific to a particular area ... it is also appropriate to create design overlays for multiple areas where common design outcomes are desired.
- Land Use and Built Form, Design Quality and Preservation – Policy 03 Strategy D: Use design overlays in limited areas to direct new development towards a desired design character unique to that area that cannot be achieved through other tools. Design overlays are most effective where a design vision has been articulated through a planning process.

edge and are compatible with existing and planned building heights. The proposed zone district would provide uniform main-street zoning applied to this half of the face block. Redevelopment of all three parcels would create a neighborhood gateway that recognizes the importance of this intersection as called out in the plan, allow for a mix of residential and commercial uses, and provide a better transition between the higher intensity of uses east of the intersection and the less intense but mixed-uses along West 29th Avenue. For these reasons, the requested U-MS-3 DO-8 zone district is consistent with the neighborhood plan.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to U-MS-3, DO-8 will result in the uniform application of zone district building form, use and design regulations.

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare through implementation of the city's adopted land use plans. The proposed rezoning would also facilitate mixed-use development and foster neighborhood-supportive reinvestment on a site that would benefit from assemblage and thoughtful redevelopment.

4. Justifying Circumstances

Changed or changing conditions in the area and city adopted plans serve as the Justifying Circumstances 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 a change may include: Changed or changing conditions in a particular area, or in the city generally; or, a city adopted plan...."

Since the property was last rezoned in 2010, the Highland neighborhood has seen substantial redevelopment and reinvestment, including significant streetscape improvements along mixed-use corridors. As a result, there has been additional residential and commercial development in the area. The combination of changes in the neighborhood justifies the proposed rezoning with the map amendment to U-MS-3 DO-8 being in the public interest.

In addition, the City has adopted the *Comprehensive Plan 2040* and *Blueprint Denver* since the approval of the existing G-MU-3, UO-3 and U-MS-3 zone districts. As stated throughout this report, the proposed rezoning meets the intent of these plans. The application also is justified by DZC Section 12.4.10.8.A.5, which says "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." This application proposes applying the supplemental zoning regulations of the DO-8. As further detailed below, application of the DO-8 to this site is consistent with the intent and purpose of the Design Overlay district, supplementing the otherwise generally applicable zone district standards with additional design limits.

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

The requested U-MS-3 district is within the Urban Neighborhood Context, which is characterized by primarily single-unit and two-unit residential uses with small-scale commercial sometimes embedded with residential areas. More often commercial uses are located along mixed-use arterials or on main streets. Buildings are generally low to mid-scale, and residential buildings typically have consistent moderate to deep front setbacks. There typically is a regular pattern of block shapes surrounded by orthogonal streets within a grid (DZC 5.1). The subject site is in an area that reflects these characteristics. Therefore, the proposed rezoning to U-MS-3 is consistent with the neighborhood context description.

The general purpose of the Urban main street districts is to “promote safe, active and pedestrian-scaled commercial streets through building forms that clearly define and activate the public street edge, and that enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering.” The building form standards “are intended to promote an urban, mixed-use, built-to environment” where “buildings have a shallow front setback range, and the build-to requirements are high and the maximum building coverage is significant” (DZC 5.2.5.1). The proposed U-MS-3 district would allow for compatible infill development fitting with the character of the surrounding commercial corridor. Therefore, it is consistent with the Urban Main Street District purpose statements.

The specific intent of the U-MS-3 district is the district “applies primarily to collector and arterial street corridors or may be embedded within a larger commercial shopping center or mixed use area, where a building scale of 1 to 3 stories is desired” (DZC 5.2.5.2.D). The subject site is located on a residential arterial street and therefore, the proposed map amendment is consistent with the U-MS-3 intent.

The Active Centers and Corridors Design Overlay (DO-8) has many purposes, including “To enable greater flexibility for outdoor eating and serving areas and similar exterior uses, increase space for pedestrians, buffer private residential dwellings from the public realm, and minimize the visibility of surface parking areas through the application of new or modified Siting Standards; To ensure street level heights consistent with nonresidential active uses, encourage street level windows, and clearly distinguish entries into individual dwelling units with additional features through the application of new or modified design element standards; To promote activation of the street and sidewalk with nonresidential active uses at the street level of structures with long street-facing frontages, and locate new structures containing only residential uses on only narrow lots, in districts that allow 3 stories or more of building height through the application of new or modified use building form standards.” (DZC Section 9.4.5.12.D). The site, with its location in an existing mixed-use area and prominence highlighted in the neighborhood plan guidance, warrants special attention to detail with regards to activation, building entries and other human-scaled elements. Thus, the proposed map amendment is consistent with the purpose statements of the design overlay district.

Attachments

1. Application
2. RNO letter of support
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 checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	Please see attached	Representative Name	Theodore Schultz for Theodore Schultz Architect, LLC
Address		Address	863 Santa Fe Drive
City, State, Zip		City, State, Zip	Denver, CO 80204
Telephone		Telephone	303-875-8719
Email		Email	ted@tlsarchitect.com
*All standard zone map amendment applications must be initiated by owners (or authorized representatives) of at least 51% of the total area of the zone lots subject to the rezoning. See page 4.		**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.	
SUBJECT PROPERTY INFORMATION			
Location (address):	Please see attached		
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:	U-MS-3, DO-8		
PRE-APPLICATION INFORMATION			
In addition to the required pre-application meeting with Planning Services, did you have a concept or a pre-application meeting with Development Services?	<input checked="" type="checkbox"/> Yes - State the contact name & meeting date <u>Please See Attached</u>	<input type="checkbox"/> No - Describe why not (in outreach attachment, see bottom of p. 3)	
Did you contact the City Council District Office regarding this application ?	<input checked="" type="checkbox"/> Yes - if yes, state date and method <u>Please See Attached</u>	<input type="checkbox"/> No - if no, describe why not (in outreach attachment, see bottom of p. 3)	

REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)

<p>General Review Criteria DZC Sec. 12.4.10.7.A</p> <p>Check box to affirm and include sections in the review criteria narrative attachment</p>	<p><input checked="" type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.</p> <p>Please provide a review criteria narrative attachment describing how the requested zone district is consistent with the policies and recommendations found in each of the adopted plans below. Each plan should have its' own subsection.</p> <p>1. Denver Comprehensive Plan 2040</p> <p>In this section of the attachment, describe how the proposed map amendment is consistent with <i>Denver Comprehensive Plan 2040's</i> a) equity goals, b) climate goals, and c) any other applicable goals/strategies.</p> <p>2. Blueprint Denver</p> <p>In this section of the attachment, describe how the proposed map amendment is consistent with: a) the neighborhood context, b) the future place type, c) the growth strategy, d) adjacent street types, e) plan policies and strategies, and f) equity concepts contained in <i>Blueprint Denver</i>.</p> <p>3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable): Highland Neighborhood Plan (1986)</p>
<p>General Review Criteria: DZC Sec. 12.4.10.7. B & C</p> <p>Check boxes to the right to affirm and include a section in the review criteria for Public Health, Safety and General Welfare narrative attachment.</p>	<p><input checked="" type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input checked="" type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p> <p>In the review criteria narrative attachment, please provide an additional section describing how the requested rezoning furthers the public health, safety and general welfare of the City.</p>
<p>Review Criteria for Non-Legislative Rezoning: DZC Sec. 12.4.10.8</p> <p>For Justifying Circumstances, check box and include a section in the review criteria narrative attachment.</p> <p>For Neighborhood Context, Purpose and Intent, check box and include a section in the review criteria narrative attachment.</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 of development created by the natural characteristics of the land, including, but not limited to , steep slopes, floodplain, unstable soils, and inadequate drainage;</p> <p><input checked="" type="checkbox"/> Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:</p> <p style="padding-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or,</p> <p style="padding-left: 20px;">b. A City adopted plan; or</p> <p style="padding-left: 20px;">c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</p> <p><input checked="" type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (overlay Zone Districts) of this Code.</p> <p>In the review criteria narrative attachment, please provide an additional section describing the selected justifying circumstance. If the changing conditions circumstance is selected, describe changes since the site was last zoned. Contact your pre-application case manager if you have questions.</p> <p><input checked="" type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</p> <p>In the review criteria narrative attachment, please provide a separate section describing how the rezoning aligns with a) the proposed district neighborhood context description, b) the general purpose statement, and c) the specific intent statement found in the Denver Zoning Code.</p>



REQUIRED ATTACHMENTS

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

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

ADDITIONAL ATTACHMENTS (IF APPLICABLE)

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

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

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

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

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
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>	01/12/20	(A)	YES
Moon Studios, LLC; Managing Member: John E. Mueller	2107 W. 29th Avenue, Denver, CO 80211 303-477-2002 Johnmproductions@comcast.net	100%	<i>[Signature]</i>	7-26-22	(A)	YES
Marcia M. Mueller & John E. Mueller	2115 W 29th Ave, Denver, CO 80211 303-455-0711 mmueller@westbrookrlty.com	100%	<i>Marcia M. Mueller John E. Mueller</i>	7-26-22 7-26-22	(A)	YES
Lee M. Cotone	2119 W 29th Ave, Denver, CO 80211 720-891-0971 lee4121@yahoo.com	100%	<i>Lee M. Cotone</i>	7/29/22	(A)	YES
						<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

Zone Map Amendment (Rezoning) - Application

Property Owner Information:

Property 1:

Property Owner Name: Moon Studios, LLC;
John E. Mueller, Managing Member
Address: 2107 W. 29th Avenue, Denver, CO 80211
Telephone: 303-477-2002
Email: Johnmproductions@comcast.net

Property 2:

Property Owner Name: Marcia M.
Mueller & John E. Mueller
Address: 2115 W 29th Ave, Denver, CO 80211
Telephone: 303-455-0711
Email: mmueller@westbrookrlty.com

Property 3:

Property Owner Name: Lee M. Cotone
Address: 2119 W 29th Ave, Denver, CO 80211
Telephone: 720-891-0971
Email: lee4121@yahoo.com

Subject Property Information:

Property 1:

Location (address):
2107 W. 29th Avenue, Denver, CO 80211
Assessor's Parcel Number:
0228319016000
Area in Acres or Square Feet: 7,000 SF
Current Zone District: U-MS-3

Property 2:

Location (address):
2115 W. 29th Ave, Denver, CO 80211
Assessor's Parcel Number:
0228319015000
Area in Acres or Square Feet: 3,500 SF
Current Zone District: G-MU-3, UO-3

Property 3:

Location (address):
2119 W. 29th Ave, Denver, CO 80211
Assessor's Parcel Number:
0228319014000
Area in Acres or Square Feet: 3,500 SF
Current Zone District: G-MU-3, UO-3

Pre-Application Information:

Pre-application meeting with Francisca Penafiel 10/13/2020

- Clarification emails: 12/3/20, and 12/18/20

City Council District Office Contacts:

1. Teams meeting with Council Person, Amanda Sandoval 10/29/20
2. Zoom meeting with HUNI 12/08/20
3. Teams meeting with Council Aide District 1, Naomi Grunditz 01/06/21
4. Zoom meeting with HUNI 08/10/21
5. Zoom meeting with HUNI 12/14/21
6. Zoom meeting with HUNI 03/08/22
7. Zoom meeting with HUNI 04/12/22
8. Zoom meeting with HUNI 05/03/22

Legal Descriptions for 2107 – 2119 West 29th Avenue

2107 & 2111 W. 29th Ave.

THE EAST 1/2 OF THE LOTS 16 TO 19, BLOCK 11, UNION ADDITION
SITUATED IN THE SW 1/4 OF SECTION 28, T.3.S., R.68.W. OF THE SIXTH P.M.
CITY & COUNTY OF DENVER, STATE OF COLORADO

2115 W. 29th Ave.

PARCEL A:

THE EAST 1/2 OF THE WEST 70 FEET OF LOTS 16 TO 19, INCLUSIVE, BLOCK 11,
UNION ADDITION

TOGETHER WITH:

PARCEL B:

AN EASEMENT IN, TO, UPON AND OVER THE NORTH TEN (10) FEET OF THAT
PARCEL OF REAL PROPERTY DESCRIBED
AS THE WEST 35 FEET OF LOTS 16 THROUGH 19, BLOCK 11, UNION ADDITION,
CITY AND COUNTY OF DENVER, STATE OF
COLORADO, RECORDED MAY 15, 2001 AT RECEPTION NO, 2001076125
SITUATED IN THE SW 1/4 OF SECTION 28, T.3.S., R.68.W. OF THE SIXTH P.M.
CITY & COUNTY OF DENVER, STATE OF COLORADO

2119 W. 29th Ave.

THE WEST 35 FEET LOTS 16 TO 19, BLOCK 11, UNION ADDITION,
SITUATED IN THE SW 1/4 OF SECTION 28, T.3.S., R.68.W. OF THE SIXTH P.M.
CITY & COUNTY OF DENVER, STATE OF COLORADO

2107 W 29TH AVE

Owner	MOON STUDIOS LLC 2111 W 29TH AVE DENVER, CO 80211-3801
Schedule Number	02283-19-016-000
Legal Description	UNION ADD B11 E/2 OF L16 TO 19
Property Type	OFFICE W/MIXED USE
Tax District	DENVER

Print Summary

Property Description

Style:	OTHER	Building Sqr. Foot:	5466
Bedrooms:		Baths Full/Half:	0/0
Effective Year Built:	1935	Basement/Finish:	0/0
Lot Size:	7,000	Zoned As:	U-MS-3

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

Current Year

Actual	Assessed	Exempt	
Land	\$770,000	\$99,360	\$0
Improvements	\$1,689,700	\$337,320	
Total	\$2,459,700	\$436,680	

Prior Year

Actual	Assessed	Exempt	
Land	\$770,000	\$100,480	\$0
Improvements	\$1,689,700	\$338,700	
Total	\$2,459,700	\$439,180	

Real Estates Property Taxes for current tax year

System Upgrade Underway:
 Due to a system upgrade, payment information is taking longer to update and may not reflect the current status of your account.

Mill Levy * 74.618 *
 Please click on additional information below to check for any delinquencies on this property/schedule number and for tax sale information.

	Installment 1 (Feb 28 Feb 29 in Leap Years)	Installment 2 (Jun 15)	Full Payment (Due Apr 30)
Date Paid	2/25/2022		
Original Tax Levy	\$16,385.36	\$16,385.36	\$32,770.72
Liens/Fees	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Paid	\$16,385.36	\$0.00	\$16,385.36
Due	\$0.00	\$16,385.36	\$16,385.36

Additional Information

Note: If "Y" is shown below, there is a special situation pertaining to this parcel. For additional information about this, click on the name to take you to an explanation.

Additional Assessment ⓘ	N	Prior Year Delinquency ⓘ	N
Additional Owner(s) ⓘ	N		
Adjustments ⓘ	N	Sewer/Storm Drainage Liens ⓘ	N
Local Improvement Assessment ⓘ	N	Tax Lien Sale ⓘ	N
Maintenance District ⓘ	N	Treasurer's Deed ⓘ	N
Pending Local Improvement ⓘ	N		

Real estate property taxes paid for prior tax year: **\$32,776.38**

Assessed Value for the current tax year

Assessed Land	\$100,480.00	Assessed Improvements	\$338,700.00
Exemption	\$0.00	Total Assessed Value	\$439,180.00

2107 W 29TH AVE

Owner MOON STUDIOS LLC
 2111 W 29TH AVE
 DENVER, CO 80211-3801

Schedule Number 02283-19-016-000

Legal Description UNION ADD B11 E/2 OF L16 TO 19

Property Type OFFICE W/MIXED USE

Tax District DENVER

Real Estates Property Taxes for current tax year

System Upgrade Underway:
 Due to a system upgrade, payment information is taking longer to update and may not reflect the current status of your account.

Mill Levy **
 Please click on additional information below to check for any delinquencies on this property/schedule number and for tax sale information.

	Installment 1 (Feb 28 Feb 29 in Leap Years)	Installment 2 (Jun 15)	Full Payment (Due Apr 30)
Date Paid	2/25/2022		
Original Tax Levy	\$16,385.36	\$16,385.36	\$32,770.72
Liens/Fees	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Paid	\$16,385.36	\$0.00	\$16,385.36
Due	\$0.00	\$16,385.36	\$16,385.36

Additional Information

Note: If "Y" is shown below, there is a special situation pertaining to this parcel. For additional information about this, click on the name to take you to an explanation.

Additional Assessment ⓘ	N	Prior Year Delinquency ⓘ	N
Additional Owner(s) ⓘ	N		
Adjustments ⓘ	N	Sewer/Storm Drainage Liens ⓘ	N
Local Improvement Assessment ⓘ	N	Tax Lien Sale ⓘ	N
Maintenance District ⓘ	N	Treasurer's Deed ⓘ	N
Pending Local Improvement ⓘ	N		

2115 W 29TH AVE

Owner MUELLER,MARCIA M
 MUELLER,JOHN E
 2111 W 29TH AVE
 DENVER, CO 80211-3801

Schedule Number 02283-19-015-000

Legal Description E1/2 OF W 70FT OF L 16 TO 19 INC BLK 11 UNION ADD

Property Type SFR Grade C, D, or E, w/RK

Tax District DENVER

Print Summary

Property Description

Style:	1 STORY	Building Sqr. Foot:	1490
Bedrooms:	4	Baths Full/Half:	2/0
Effective Year Built:	1900	Basement/Finish:	0/0
Lot Size:	3,500	Zoned As:	G-MU-3

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

Current Year

Actual	Assessed	Exempt
Land	\$381,200	\$27,260 \$0
Improvements	\$280,900	\$20,080
Total	\$662,100	\$47,340

Prior Year

Actual	Assessed	Exempt
Land	\$381,200	\$27,260 \$0
Improvements	\$280,900	\$20,080
Total	\$662,100	\$47,340

Real Estates Property Taxes for current tax year

System Upgrade Underway:
 Due to a system upgrade, payment information is taking longer to update and may not reflect the current status of your account.

Mill Levy * 74.195 *
 Please click on additional information below to check for any delinquencies on this property/schedule number and for tax sale information.

	Installment 1 (Feb 28 Feb 29 in Leap Years)	Installment 2 (Jun 15)	Full Payment (Due Apr 30)
Date Paid			
Original Tax Levy	\$1,756.19	\$1,756.20	\$3,512.39
Liens/Fees	\$0.00	\$0.00	\$0.00
Interest	\$35.13	\$0.00	\$0.00
Paid	\$0.00	\$0.00	\$0.00
Due	\$1,791.32	\$1,756.20	\$3,512.39

Additional Information

Note: If "Y" is shown below, there is a special situation pertaining to this parcel. For additional information about this, click on the name to take you to an explanation.

Additional Assessment ⓘ	N	Prior Year Delinquency ⓘ	N
Additional Owner(s) ⓘ	Y		
Adjustments ⓘ	N	Sewer/Storm Drainage Liens ⓘ	N
Local Improvement Assessment ⓘ	N	Tax Lien Sale ⓘ	N
Maintenance District ⓘ	N	Treasurer's Deed ⓘ	N
Pending Local Improvement ⓘ	N		

Real estate property taxes paid for prior tax year: **\$3,413.97**

Assessed Value for the current tax year

Assessed Land	\$27,260.00	Assessed Improvements	\$20,080.00
Exemption	\$0.00	Total Assessed Value	\$47,340.00

2119 W 29TH AVE

Owner COTONE,LEE M
4121 HOOKER ST
DENVER, CO 80211-1621

Schedule Number 02283-19-014-000

Legal Description W 35FT OF L 16 TO 19 INC BLK 11 UNION ADD

Property Type SFR Grade C

Tax District DENVER

Print Summary

Property Description

Style:	2 STORY	Building Sqr. Foot:	1701
Bedrooms:	2	Baths Full/Half:	2/0
Effective Year Built:	1896	Basement/Finish:	0/0
Lot Size:	3,500	Zoned As:	G-MU-3

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

Current Year

Actual	Assessed	Exempt	
Land	\$381,200	\$27,260	\$0
Improvements	\$310,900	\$22,230	
Total	\$692,100	\$49,490	

Prior Year

Actual	Assessed	Exempt	
Land	\$381,200	\$27,260	\$0
Improvements	\$310,900	\$22,230	
Total	\$692,100	\$49,490	

Real Estates Property Taxes for current tax year

System Upgrade Underway:

Due to a system upgrade, payment information is taking longer to update and may not reflect the current status of your account.

Mill Levy * 74.195 *

Please click on additional information below to check for any delinquencies on this property/schedule number and for tax sale information.

	Installment 1 (Feb 28 Feb 29 in Leap Years)	Installment 2 (Jun 15)	Full Payment (Due Apr 30)
Date Paid	3/22/2021	3/22/2021	3/22/2021
Original Tax Levy	\$1,835.94	\$1,835.97	\$3,671.91
Liens/Fees	\$0.00	\$0.00	\$0.00
Interest	\$0.00	\$0.00	\$0.00
Paid	\$1,835.94	\$1,835.97	\$3,671.91
Due	\$0.00	\$0.00	\$0.00

Additional Information

Note: If "Y" is shown below, there is a special situation pertaining to this parcel. For additional information about this, click on the name to take you to an explanation.

Additional Assessment ⓘ	N	Prior Year Delinquency ⓘ	N
Additional Owner(s) ⓘ	N		
Adjustments ⓘ	N	Sewer/Storm Drainage Liens ⓘ	N
Local Improvement Assessment ⓘ	N	Tax Lien Sale ⓘ	N
Maintenance District ⓘ	N	Treasurer's Deed ⓘ	N
Pending Local Improvement ⓘ	N		

Real estate property taxes paid for prior tax year: **\$3,569.02**

Assessed Value for the current tax year

Assessed Land	\$27,260.00	Assessed Improvements	\$22,230.00
Exemption	\$0.00	Total Assessed Value	\$49,490.00

Brandon A. Shaver
Senior City Planner
Community Planning and Development
1437 Bannock Street
City and County of Denver
Denver, Colorado 80202

July 28, 2022

RE: Moon Studios, LLC, a Colorado Limited Liability Company
2107-2111 West 29th Avenue
Denver, Colorado 80211

Dear Brandon,

This is to confirm that Moon Studios LLC is a single member Limited Liability Company formed on February 3, 2015 with the Colorado Secretary of State, ID No. 20151086539. John E. Mueller is the authorized owner/member to sign on behalf of the Moon Studios, Limited Liability Company.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Mueller", written over a faint, illegible printed name.

John E. Mueller
Moon Studios LLC
Member

Brandon A. Shaver
Senior City Planner
Community Planning and Development
1437 Bannock Street
City and County of Denver
Denver, Colorado 80202

July 18, 2022

Dear Brandon,

Please be advised through this letter that Theodore Schultz, Architect is acting as the representative for Moon Studios, LLC in the rezoning application for 2107-2011 West 29th Avenue, Denver, CO 80211.

Thank you,

A handwritten signature in black ink, appearing to read "John E. Mueller", written over the "Thank you," text.

John E. Mueller, Member
Moon Studios, LLC

Brandon A. Shaver
Senior City Planner
Community Planning and Development
1437 Bannock Street
City and County of Denver
Denver, Colorado 80202

July 18, 2022

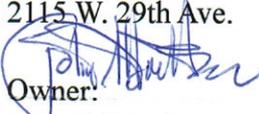
Dear Brandon,

Please be advised through this letter that Theodore Schultz, Architect is acting as the representative in the rezoning application for 2115 and 2119 West 29th Avenue, Denver, CO 80211.

Thank you,


Marcia Mueller *7-19-2022*

Owner:
2115 W. 29th Ave.


Owner: *7-19-2022*

John E. Mueller
2115 W. 29th Ave.

See Cotone 7/19/22
Lee Cotone
Owner:
2119 W. 29th Ave.

Written Narrative - Explaining Reason for Request

The applicants who own 2107, 2115 and 2119 W. 29th Avenue are requesting the following rezoning of the three adjacent parcels to U-MS-3, DO-8 as follows:
The current zoning U-MS-3 of parcel 2107 W. 29th Avenue to be changed to U-MS-3, DO-8; the current zoning G-MU-3, UO-3 of both the 2115 and 2119 parcels be changed to U-MS-3, DO-8

27 June 2021

Property Owners:

2107 W. 29th Avenue: Moon Studios, LLC; John E. Mueller, Managing Member
(Current zoning U-MS-3)
2115 W. 29th Avenue: John E. and Marcia M. Mueller (current zoning G-MU-3, UO-3)
2119 W. 29th Avenue: Lee M. Cotone (current zoning G-MU-3, UO-3)

Property Owners' Representative:

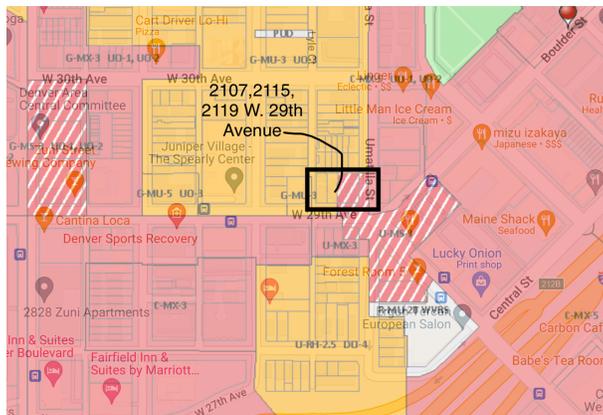
Theodore Schultz, Manager
Theodore Schultz, Architect, LLC

Current condition:

There are three, adjacent, subject parcels:

- 2107 W. 29th Avenue is prominently located at the intersection where 15th Street terminates and turns to W. 29th Avenue and where Umatilla and Boulder Streets also converge into what is a vitally important and prominent corner in the Highland Neighborhood. This parcel is current zoned U-MS-3.
- 2115 and 2119 W. 29th Ave. each have a single family home on a 3,500 s.f. parcel of land, for a total of 7,000 sf of land and are both zoned G-MU-3, UO-3.

The combined three parcels total 14,000 sf of land and face W. 29th with 175' of frontage from Umatilla Street west to the alley. To the north, there are slot-townhomes, zoned G-MU-3, UO-3. The current vacant lot to the west, just past the alley and currently used as a parking area for the Wheeler building, has been rezoned to G-MU-3. The alleyway is currently used for parking access, trash and recycle services for 2115 and 2119 W. 29th Avenue and is of key importance to providing parking access and services for the combined site.



Uniquely, these three abutting parcels lie at the interface of the rotated Downtown Core Denver Street Grid and the Jeffersonian Cardinal-oriented Street Grid (which organizes the balance of the city). As a result of these two unique interfacing grids, the parcels form a small, consistent “peninsula” of land, located at the lower end of the Highland Neighborhood - literally “LOHI”. This prominent corner can be viewed as the “head” of 15th Street for anyone driving, biking or walking from downtown Denver. Notably the location serves as a point of connection, transition and gateway to the Neighborhood especially as it sits below the view plane of the iconic Asbury Church (at 30th and Vallejo) seen prominently above the site and intersection.

The current intersection where the properties are located was at the apex for the early Denver Tramway Streetcar network (1880’s) where trolleys traveled in and out of downtown. In part because of this, the five streets intersection today is both visually disorienting and physically challenging for all mobilities to pass through. A consistent zoning of the three parcels at this prominent corner will better define the northwest corner of the intersection into a more connected, vibrant and visually enticing project with the surrounding neighborhood.

The proposed rezoning to residential and commercial mixed-use will better unify the three parcels into one development, provide alley access to the 2107 W. 29th Avenue site for parking and trash, while providing a unified transition from the cohered “peninsula” of land and the intersection to the adjacent slot homes, historic single-family residences, and apartments to the north. Rezoning will tie in the three-story residential and commercial development along W. 29th Avenue from Umatilla to Zuni. The project will provide a more coherent connection to the commercial uses along the “Old Highland Business District” Historic District on 15th Street and will truly make this corner the gateway to the Highland Neighborhood.

Recent rezoning history:

In 2010, 2107 W. 29th Avenue was rezoned to MS-3 (Main Street; 3 stories), from R-3, since the historic use was a church. This rezoning was during the review process but prior to the completion of the citywide rezoning later in 2010. This rezoning was to accommodate the existing users, including the property owner’s photography studio and a separate graphic design studio. MS-3 was chosen as the preferred and appropriate Zone District and was unanimously supported by Highland United Neighborhood, Inc. for the following reasons documented in the 2010 rezoning application:

“MS-3 Zoning has the following attributes which assure that the premises continue to have a prominence at the intersection and will accommodate artist’s studios and allow other businesses to use the building. MS-3 will continue the efficient utilization of land, near a transit area and sustainable development in a commercial corridor, and improve appearance and function of a commercial corridor. MS-3 building standards are ideal for the property as it is at such a high-profile corner. Those features include display windows (lots of glass), a broad mix of allowed use, flexible parking standards and a height of 45’. The property is highly suited to MS-3 as it is located in a mixed-use area of residential and

commercial. Blueprint Denver identifies this area as “Mixed-use” and “Area of Change.”

Reason for Request to Rezone:

The rezoning from U-MS-3 of parcel 2107 W. 29th Avenue to U-MS-3, DO-8 and the companion rezoning of parcels 2115 and 2119 W. 29th Avenue from G-MU-3 to U-MS-3, DO-8 will not bring significant differences in terms of context description, design standards, general intent or building form intent:

- G-MU-3 allows 3-story Townhouse Form and the 3-Story Apartment Building Form. U-MS-3 allows Townhouse or Shopfront Building Forms of the same height in stories.
- In the U-MS-3 there are smaller setback requirements and an allowance of 45' in height versus 40' in height when compared to the G-MU-3.
- Both districts look for walkable neighborhoods and good relation to the street. U-MS-3 requires more transparency / street level activation.
- There are similarities in uses allowed. Multi-unit residential can be achieved in both districts. G-MU-3 permits many commercial uses such as Libraries, Day Cares and Limited Use of such entities as schools, community centers, public safety, religious and public assembly buildings.
- The U-MS-3 district expands on those potential uses found in the G-MU-3 with additional retail, restaurant and office type uses.
- The intent of the DO-8 Overlay Zone District is to further expand on the above qualities of U-MS-3 and “encourage neighborhood mixed-use areas that support nonresidential active uses at street level, promote active, pedestrian-oriented building frontages, and provide sufficient space for transitions between the public realm and private residential dwellings”. This reasoning to add the DO-8 overlay to the three parcels was developed in collaboration the City of Denver and with the Highland United Neighborhood Planning and Community Development Committee as more activation of the site was desired by all parties.

The U-MS-3, DO-8 zone district will provide many desired outcomes articulated in the Denver Comprehensive Plan 2040, in its subset plan Blueprint Denver and in the Highland Neighborhood Plan. It is the intent of the Owners to create a cohesive peninsula of land under the zone district U-MS-3, DO-8 that will better relate to the U-MS-3 zoning along the adjacent 15th Street corridor and better transition from C-MX-5 to the east on Umatilla and Boulder Streets and from the U-MX- 3 across 29th Avenue to the south.

Many similarities between the current zoning and proposed U-MS-3, DO-8 remain in terms of allowed residential uses, character, setback and building form while largely maintaining current restrictions on scale and mass. The surrounding properties will ultimately benefit by a more cohesive site, which will mean a more relatable project that better transitions to adjacent types of development.

Taken together, the site features, location and nearby uses point to the benefit of rezoning the 2107, 2115 and 2119 W. 29th parcels to make a coherent corner site at W.

29th Avenue and Umatilla Street. The City encourages zoning that is contiguous with abutting, relatable, naturally cohesive sites. A rezoning of this site is called for in the Highland Neighborhood Plan, is consistent with Blueprint Denver and the 2040 Comprehensive Plan (see the accompanying “Review Criteria Narrative”). Additionally, it is consistent with the proposed design overlay by Councilperson Amanda Sandoval for “Active Center and Corridor Design Overlay” in some Highland Neighborhood corridors. While this site is not specifically within one of these corridors, it does fit the expressed neighborhood vision of ensuring Main Street properties are truly mixed-use (not solely residential, large block apartment buildings or townhouses) while ensuring a more visually appealing, walkable development with street level retail knitting together the adjacent commercial streets. The remapping encourages a nod to the past historic prominence of the site and envisions a future project that embraces community benefit and uses and highlights the unifying features of a healthy neighborhood.

We look forward to working with and further gaining from ideas and input from Neighborhood Groups, City Council and staff towards creating this very positive change for the Neighborhood and the City.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ted Schultz', written in a cursive style.

Ted Schultz, Principal
For Theodore Schultz, Architect, LLC
Property Owner’s Representative for the Rezoning

Review Criteria Narrative

Describing Consistency with Adopted Plans

The applicants who own 2107, 2115 and 2119 W. 29th Avenue are requesting the following rezoning of the three adjacent parcels to U-MS-3, DO-8 as follows:

The current zoning U-MS-3 of parcel 2107 W. 29th Avenue to be changed to U-MS-3, DO-8; the current zoning G-MU-3, UO-3 of both the 2115 and 2119 parcels be changed to U-MS-3, DO-8

June 27, 2022

Property Owners:

2107-2111 W. 29th Avenue: Moon Studios, LLC; John E. Mueller, Managing Member
(Current zoning U-MS-3)

2115 W. 29th Avenue: John E. and Marcia M. Mueller (current zoning G-MU-3, UO-3)

2119 W. 29th Avenue: Lee M. Cotone (current zoning G-MU-3, UO-3)

Property Owners' Representative:

Theodore Schultz, Manager
Theodore Schultz, Architect, LLC

The property owners and their representative have studied and utilized the “Highland Neighborhood Plan” (adopted by the then Denver Planning Department with participation from Neighborhood Task Forces), the “Denver Comprehensive Plan 2040” and its subset plan “Blueprint Denver” (both developed by the City of Denver) to guide and influence the proposed rezoning. The proposed rezoning of the three parcels 2107, 2115 and 2119 W. 29th Avenue is consistent with and adheres to visions, goals and strategies of each plan as outlined in *italics* in the following summaries:

Highland Neighborhood Plan

Summary of Plan Goals (6 in total, found on pages 10 through 12):

Goal 1) Heightened neighborhood pride

As expressed in the accompanying Written Narrative prepared by the Owners, having a consistent zoning across the three adjacent lots of 2107, 2115 and 2119 W. 29th Avenue would afford the opportunity for a unified development on this prominent “peninsula” of land that serves as a gateway to the Highland Neighborhood. Consistent zoning is the key to realize the community-wide benefit inherent in this important site.

Currently 2107 W. 29th Avenue is zoned U-MS-3. By extending the same zoning to the two neighboring properties to the west and adding the Overlay District DO-8 to all three, the U-MS-3, DO-8 would allow the option for consistent store front uses on the site and a better functioning and more unifying project for the neighborhood. Potential for com-

mercial uses represents the significant difference between U-MS-3 and G-MU-3 (height, density and residential uses are very similar).

An active, cohesive storefront would tie together the existing commercial corridors of Historic 15th Street, 29th Avenue, Central, Boulder and Umatilla Streets. There is vibrancy in these adjacent streets with many iconic establishments that help make Lower Highland a destination and Denver a great city. It is the expectation of the owners that the development will contribute to the vitality and pride of the neighborhood and city.

Goal 2) Maintain and stabilize residential character

Highlands is a neighborhood of strong residential character accented with historic commercial corners and streets as well as newly developed mixed-use. It is essential to maintain the character of the established neighborhood with safe and pleasant streets while providing opportunities for a variety of housing types and commercial nodes serving the neighborhood on appropriate, transitional sites. In terms of residential character, the zone districts have the following distinctions and similarities:

-G-MU-3 allows residential uses in a 3-story maximum Townhouse or Apartment Building Form.

-U-MS-3 allows similar residential uses to the Apartment Form in its allowed 3-story maximum Shopfront Form - but with the added potential of specific commercial uses. The ground floor would be more pedestrian friendly with street activation and tie-in to the existing, historic uses along 15th Street. The DO-8 overlay would heighten this opportunity.

Goal 3) Balance mix of housing types

It is important to offer many housing types in the Neighborhood to keep it vibrant and accessible. The desired flexibility for housing of the current zoning is largely maintained in this rezoning proposal with the potential for multi-residential units of varying sizes allowed in the Shopfront Form.

Goal 4) Promote business development

U-MS-3, DO-8 zoning would help achieve the goal of promoting business development, bringing beneficial business right where it belongs, adjacent to and complimenting existing surrounding ground floor retail stores and services. The five-way intersection of 15th Street, W. 29th Avenue, Umatilla Street and Boulder Street (a one block, one way street) is currently disjointed. The site rezoning will allow integration of the surrounding street retail by providing complimentary storefronts and services that will enhance and unify the intersection. The site affords tremendous opportunities to take advantage of the view corridor to and from adjacent lower downtown Denver, while keeping the view plain fully open to the iconic Highland Church to the northwest.

Goal 5) Encourage neighborhood participation

The Owners of the subject properties are long-time residents of the Highland Neighborhood. It is their intent to collaborate with and seek input from their neighbors. The applicant has had multiple meetings with the Highland United Neighborhood Association

Community and Planning Development Committee and has garnered their written support for the redoing, and has previously met twice with Councilperson Amanda Sandoval or her staff to present the vision for the properties and receive input. In both instances the participants recognized the importance of the project, given its prominent location at the gateway to the Highland area.

Goal 6) Zoning - lessen future neighborhood development impacts and promote zoning changes which are consistent with neighborhood goals

The Highland Neighborhood Plan was developed after thorough input from a diverse group of citizens and task forces. The Plan clearly identifies specific zoning changes recommended to realize the above neighborhood goals. On page 66 the Plan specifically notes the subject sites along with the corner lot to be redeveloped under a PUD. The map below from Page 13b shows clearly the extent of the desired PUD from the corner of 29th Avenue and Umatilla Street west to the alley:

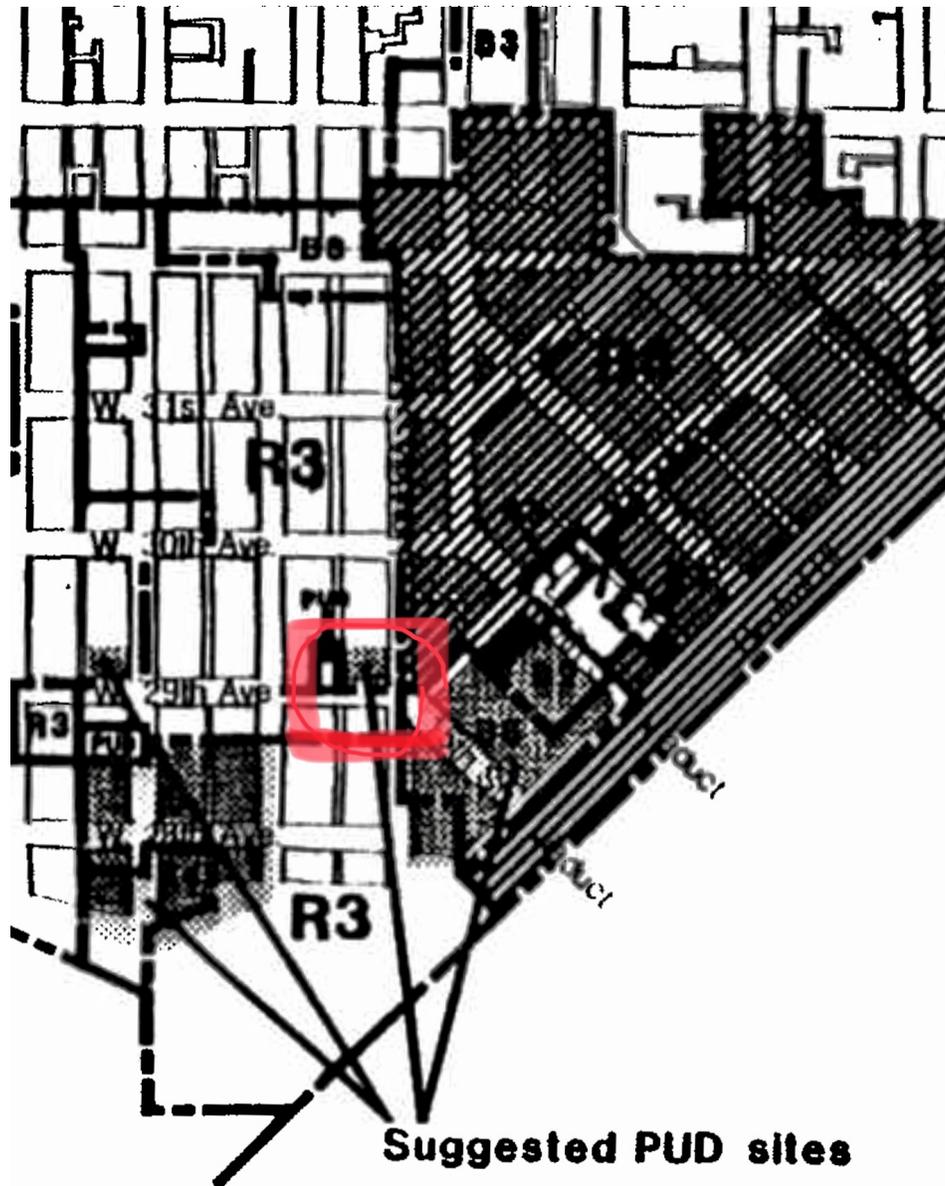
6. P.U.D.

New developments or significant redevelopments should go through the existing Planned Unit Development process and be evaluated according to the goals established in the plan.

Locations:

- A. The "Highland Block", 15th Street between Boulder and Central Streets.
- B. The lower Bluffs area bounded by West 29th Avenue on the north, west 27th Avenue on the south, Vallejo Street on the east, and the alley east of Wyandot on the west.
- C. The northwest corner of west 29th Avenue and Umatilla.
- D. Northwest corner of W. 29th Avenue and Wyandot.

The subject site sits at the critically important intersection of (4) Sub-areas of the Plan and at the apex of a "Primary Area of Revitalization". The Sub-areas and Primary Area of Revitalization goals (shown below) emphasize the need for the site to transition from an under-utilized and functionally obsolete commercial building and residences to an active retail mixed-use development, better connecting the property to the larger neighborhood. Main Street Zoning and the DO-8 overlay was devised for this very purpose: to foster transition through well planned and well-sited mixed-use, activation and in the creation of active hubs.



Below are highlighted specific goals and recommendations from the (4) overlapping and inclusive Sub-areas at this site (Sub-areas 6,7,10 and 11) with a clear demonstration of the superiority of U-MS-3, DO-8 to reach those goals.

Sub-Area 6 (“Bluffs Area” bounded by 32nd Avenue to 29th Avenue; Umatilla Street to Zuni Street)

This PUD is specifically called for in written form on page 40 under “Suggested Land Use”:

- Suggested Land Use: - Moderate density residential
- P.U.D. northwest corner of Umatilla Street and W. 29th Avenue.
 - Transition area along Umatilla, and Tejon Streets - residential
 - P.U.D. northwest corner of W. 29th Avenue and Wyandot Street.

Sub-Area 7 (“the area along 29th Avenue between Umatilla and Zuni Streets”)

Within the Sub-area 7, U-MS-3 zoning is a more appropriate zoning than G-MU-3, especially because of the notable mixed-use “characters” outlined below. “Design linkages”, noted under the “recommendations”, emphasize historic and pedestrian connections specifically through storefront window designs and other active street-scale additions. As previously noted, store fronts are not allowed in the current zoning at 2115 and 2119 W. 29th Avenue and it is the opinion of the applicants and of the neighbors we have conferred with that store front retail will better activate the entire site as outlined in the Plan (not just at the corner, where it is currently allowed).

Reproduced from the Plan (also on page 40) are the Character, Goal and Recommendations for this corridor:

Sub-Area 7

Location: Area along W. 29th Avenue between Umatilla and Zuni Streets.

Character: Mixture of office, semi industrial, retail, and residential uses. Building structures are in good condition. The current zoning is B-4.

Goal: Develop area primarily for office, retail, and services.

Recommendations:

- Create design linkages with nearby historic areas on 15th Street, Stonemen's Row, and along Zuni Street by emphasizing the historic character and creating pedestrian connections. Some important features are:
 - . streetscaping
 - . sidewalk lighting
 - . seating
 - . storefront windows designs

Sub-Area 10 (The Bluffs bounded by 32nd Avenue, Umatilla, Boulder and Tejon Streets)

The single goal (copied below) for this area “encourage(s) mixed-use residential, office, and retail development” and specifically notes mixed-use retail and office “focused toward Boulder Street”. Other parts of this sub-area emphasize mixed-use residential. The subject site abuts the higher-intensity area of Boulder and Umatilla Streets where retail and office are encouraged and where Main Street Zoning exists.

Goal: Preserve residential uses and encourage mixed use residential, office, and retail development with emphasis on residential. Mixed use retail and office should be focused toward Boulder Street and be sensitive to their residential neighbors in terms of providing landscaping and buffering between the two uses.

Sub-Area 11 (the area between 15th, Pecos, Central and Boulder Streets)
On page 44 of the Plan the "Highland Block" notes the mixed-use importance of the area.

Goal: Develop as mixed use commercial, retail and residential area. The "Highland Block" on 15th and 16th Street between Boulder and Central Street should be developed in a way which preserves its historical significance and creates a major gateway to the neighborhood.

Recommendations:

- Encourage unified development of the Highland Block.
 - . the block should continue to act as an activity area and focal point for the neighborhood.
 - . develop as a mixed use residential, retail and office project.

Primary Area of Revitalization: 15th Street - Boulder to Central

On pages 20 / 21 this stretch of street is singled out as one of the "most significant blocks in the neighborhood". The subject site sits at the head of this block. The following recommendations are made for this location:

Recommendations:

- Encourage unified development through the P.U.D. process.
- Encourage a mixed use office, retail, and residential development.
- Encourage a higher percentage of residential as part of the development.

In summary, the corner site of 2107-19 West 29th Avenue is singled out as one of the most important sites in the Neighborhood and consequently should be rezoned with the goals of the adjoining/overlapping Sub-Areas and Primary Revitalization area in mind. The ability to coherently redevelop the site and create a better linkage between the Lower Highlands and the “Highland Block” at this key corner of the Highland neighborhood cannot be underscored enough to meet the above goals.

2107 West 29th Avenue (7,000 s.f. - U-MS-3), is a modest size site with perimeter streets that (topographically) ascend up the streets of Umatilla and 29th Avenue. Designing a building to take into consideration the goals of the Neighborhood Plan while addressing alley access, parking, trash and services access and designing viable retail while considering economic vitality and mobility and which architecturally reflects the prominence of the corner would be challenging without the additional sites that reach the alley. The corner will function far better for the community with alley access afforded to this steep and challenged site.

In summary, by rezoning the three sister sites of 2107, 2115 and 2119 West 29th Avenue it will allow for a better, cohesive development with more functional design while providing for a participatory, active, community neighborhood mixed-use project. The three lots together would assure more vitality, connectivity as well as a calming transition at the apex of the Highland neighborhood.

Denver Comprehensive Plan 2040

Written to provide a holistic and sustainable vision to guide the future of Denver, the Comprehensive Plan 2040 creates a vision and goals to tie together the city's various plans and policies. Central to the Plan are (3) applicable Vision Elements to this proposed rezoning each with it's own set of goals and strategies to meet those goals.

Below is an analysis *in italics* of how this combined rezoning from G-MU-3, UO-3 and U-MS-3 to a unified U-MS-3, DO-8 meets the specific goals outlined under the (3) Vision Elements.

Vision Element 1: Equitable, Affordable and Inclusive (what equitable, affordable, and inclusive means to Denver: Diverse, Friendly and Open; Access to Amenities and Services; Affordable Housing and Transportation Choices)

Goal 1 - Ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities.

Applicable Strategies

A. Increase development of housing units close to transit and mixed-use developments. *The specific, local Highland Neighborhood Plan identifies this subject property as a highly desired location for a mixed-use development to serve the Neighborhood and for*

the creation of housing units imbedded in such locations (see analysis of the Neighborhood Plan above). The Denver Comprehensive 2040 Plan places high priority in locally developed plans using the Comprehensive Plan as a city-wide guide. In this case, the plans come to the same determination.

B. Implement a high-quality, affordable and accessible multi-modal transportation system.

The ability to have nearby neighborhood services and amenities as allowed in the U-MS-3 but not in the G-MU-3 provides the opportunity to access the site without the use of a car in a neighborhood where the need for local retail and commercial uses remains high. The overlay of DO-8 heightens this potential.

C. Improve equitable access to resources that improve quality of life, including cultural and natural amenities, health care, education, parks, recreation, nutritious food and the arts.

U-MS-3, DO-8 offers the ability to develop a variety of commercial spaces that would provide nearby residential and office users convenient access to services or with the ability to gather, mingle, shop, eat and experience “resources that improve quality of life.”

Goal 2 - Build housing as a continuum to serve residents across a range of incomes, ages and needs.

Applicable Strategies

A. Create a greater mix of housing options in every neighborhood for all individuals and families.

U-MS-3 zoning also encourages many housing options and in this case is similar to the current G-MU-3.

B. Ensure city policies and regulations encourage every neighborhood to provide a complete range of housing options.

U-MS-3 allows the “Shopfront” building form which is not found in the G-MU-3. The “Shopfront” remains consistent with current neighborhood housing, which is especially important on this transitional site.

C. Foster communities of opportunity by aligning housing strategies and investments to improve economic mobility and access to transit and services.

U-MS-3 allows for housing at this apex of four streets (29th Avenue; 15th, Boulder, and Umatilla Streets) and provides access to a variety of transit options including bus, walking, biking and automobile access. The site fronts the Blueprint Denver-identified “Main Commercial Arterial” of 15th Street (one of the key arterials in and out of downtown Denver). Both traffic and bike lanes front the site on the south. The site is also within a quarter mile of the “High Transit Corridor” of Speer Boulevard, is near the 20th Street overpass and is within walking distance of the 16th Street Pedestrian Bridge with direct access to Platte Street, Commons Park and Lower Downtown and the Inter Modal Transportation Center of Union Station. The site is also in walking distance via the Plat-

te River Trail to Empower Field, Coors Field via Commons Park or 20th Street, and the Ball Center (formerly Pepsi Center), via Speer Blvd., or 15th Street. The Modern Art Museum is nearby - also on 15th Street and the important Historic Theater District in downtown Denver is a 20 minute walk from the site. The importance of this site in relation to walkability, transportation, amenities and services cannot be overstated. The potential of amenities and services on site in the U-MS-3, DO-8 serves to reinforce the implementation of this strategy.

D. Increase the development of senior-friendly and family-friendly housing, including units with multiple bedrooms in multi-family developments.

U-MS-3 allows for dense types of dwelling where G-MU-3 is more geared to single-family units and townhouses. The unique character of the site means that housing will be complimentary to a variety of housing types already in the neighborhood.

Vision Element 2: Strong and Authentic Neighborhoods (What strong and authentic neighborhoods mean to Denver: Diverse, Friendly and Open; Access to Amenities and Services; Equity; Access to Opportunity; Sense of History and Cultural Heritage; Walkable, Bikeable, Accessible and Transit-friendly; Affordable Housing and Transportation).

Goal 1 - Create a city of complete neighborhoods.

Applicable Strategies

A. Build a network of well-connected, vibrant, mixed-use centers and corridors.

The U-MS-3, DO-8 rezoning along the W. 29th Avenue frontage up to the alley from the corner site at the intersection with Umatilla Street frontage will insure connectivity to the surrounding neighborhood. The site location, height and type of use will connect to the already existing vibrant blocks surrounding the site in two ways: the site will transition to the more residential part of the Neighborhood extending from the site to the north and northwest while unifying and capping the commercial part of the Neighborhood from the south, east and northeast of the site. The unified site is the key to the (4) specific Neighborhood Sub-Areas and the Primary Area of Revitalization adjoining the site as noted in the Highland Neighborhood Plan.

B. Ensure neighborhoods offer a mix of housing types and services for a diverse population.

U-MS-3 offers diverse residential building forms that vary from what is available in the G-MU-3 zoning and will compliment the G-MU-3 zoning that will remain in place to the north up Umatilla Street and to the west along 29th Avenue. This U-MS-3 zoning compliments and transitions the CMS-5 zoned properties across Umatilla Street and the other higher density zonings in the blocks leading toward Downtown. The U-MS-3 allows for a diverse mix of services that is expressly not available in the G-MU-3 and is further enhanced by the Neighborhood-expressed desire for the DO-8 overlay, as well.

C. Ensure neighborhoods are safe, accessible and well-connected for all modes.

The integration of the desired commercial uses allowed in the U-MS-3 (which already includes three-story limited residential) will activate and tie-in the surrounding streets

here at this four-street intersection. The integration and transition of uses that this rezoning promotes is all about intentional, well-planned connection at the street intersection level, city grid transition level and neighborhood transition level that all occur here.

D. Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities. *The rezoning as proposed will provide exactly this.*

Goal 2 - Enhance Denver's neighborhoods through high-quality urban design.

Applicable Strategies

C. Create people-oriented places that embrace community character with thoughtful transitions, aspirational design and an engaging public realm.

The conceptual design includes a plaza for retail and commercial use at the street level which is an intentional design element to encourage shop owners and neighbors to gather. Both Blueprint Denver and The Comprehensive Plan 2040 encourage private spaces which reach out to the public; creating connections, transitional spaces, gateways to new businesses, openness and architectural surprises. This design component continues the historical nature and authenticity of the neighborhood. Re-zoning the subject parcels to a more unifying U-MS-3, DO-8 zoning will allow a far better opportunity than G-MU-3 or U-MS-3 without the enhancing overlay to be “people-oriented”, “engaging” and “transitional”. This is especially important at this prominent corner sitting at the head of the identified “Main Commercial Arterial” that is 15th Street and at this site also defined as a “Gateway to the Highland Neighborhood”.

D. Use urban design to contribute to economic viability, public health, safety, environmental well-being, neighborhood culture, and quality of life. *The corner site of 2107 W. 29th Avenue was rezoned purposefully to U-MS-3 in 2010. This proposed rezoning seeks to extend the U-MS-3 to the adjoining 7,000 sf of land (west of the corner site to the alley) and to add the enhancing overlay DO-8 to all three subject parcels in order to more fully meet the goals of the Neighborhood Plan for this specific node, addressing the economic vitality, community, culture and safety issues that comes from vibrant and good planning. It is clear that G-MU-3 is the incorrect zoning for the subject parcels of 2115 and 2119 W. 29th Avenue since it severely limits the overall potential inherent in this strategy.*

Goal 4 - Ensure every neighborhood is economically strong and dynamic.

Applicable Strategies

A. Grow and support neighborhood-serving businesses.

U-MS-3, DO-8 will allow multi-tenant, neighborhood-serving businesses at this long-identified ideal node and center.

B. Embrace the international nature of our neighborhoods through support of immigrant-owned businesses.

The design criteria for storefronts under U-MS-3, DO-8 includes a high degree of transparency and engagement to the street and is well suited for a variety of businesses. The concept for the project envisions multiple small spaces that will allow flexibility: tenants can interact, expand or divide as requirements change, businesses grow or the market demands. The plaza will take advantage of the extraordinary view to the city of Denver, while creating an area for outdoor dining, events and interactions.

Goal 8 - Conduct intentional, equitable and measurable neighborhood planning.

Applicable Strategies

A. Create diverse and inclusive opportunities for communities to participate in planning. *It is vital that this rezoning application process exemplify the above. This application is by long-time owners and participants in the neighborhood. The owner/applicants have discussed the merits of this rezoning with many immediate neighbors, Councilperson Sandoval and her staff and officially with the Highland United Neighborhood Association who have added their written support for the rezoning. We have shared our conceptual plans and ideas and listened intently to their much-appreciated input, applied improvements to the plans based on that collective thinking and look forward to more feedback going forward.*

Vision Element 4: Economically Diverse and Vibrant: (what economically diverse and vibrant means to Denver: Access to Opportunity; Access to Quality Education, Training and Lifelong Learning; Business-Friendly and Entrepreneurial; Diverse Employment Options; Equity)

Goal 3 - Sustain and grow Denver's local neighborhood businesses.

Applicable Strategies

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

U-MS-3, DO-8 will provide the potential for additional small, unique businesses to serve the Highland Neighborhood already known for its diversity, creative cuisine and authentic businesses.

Goal 10 - Create a vibrant food economy and leverage Denver's food businesses to accelerate economic opportunity.

Applicable Strategies

A. Develop Denver as an epicenter for the regional food economy.

U-MS-3, DO-8 at the subject properties will enhance the opportunity to locate new, various small, local and regional sellers or purveyors of food that already make Lower Highland, Highland and Platte Street authentic. These areas thrive on being where people are able to gather and on any given day choose from different cuisines that suit their interests.

B. Support the creation, expansion and economic vitality of Denver food businesses.

The goal of economic vitality, as stated in the Highland Neighborhood Plan, remains a priority in the 2040 Plan. Retail and restaurant food business establishments will be drawn to the site for the view lines both into the plaza and out towards downtown Denver, the visually aesthetic storefronts, the accessibility and proximity to other thriving businesses where a chance still remains to know the owner - who in turn knows the customer. Small footprint design will attract a variety of food or restaurant users, which will create growth of this kind of business, options for diners and employment opportunities close to housing.

Blueprint Denver

Blueprint Denver is a sub-set plan of the Comprehensive 2040 Plan above and, among other tasks, specifically guides rezoning efforts in Denver. “People building projects can use Blueprint Denver as a guide to the strategic and intentional location of new development that exhibits design quality and provides amenities to benefit residents, employees and visitors.” The following demonstrates how this specific small rezoning fits with the recommendations and goals set forth.

There are **(10) principal goals** in this subset plan that “reflect the voice of our community (and) . . . create a guiding framework for the plan vision and recommendations.” Blueprint Denver then goes on to list **(3) Elements of Complete Neighborhoods** each with many unique **Strategies** to meet the **(10) goals**.

Below are the **(10) principal goals** with our comments *in italics* as to how this proposed rezoning meets each goal and lists of the related, specific **Strategies** from each **Element** that are set into action by virtue of this approved rezoning:

Goal 1 - Serve all Denver residents with a diverse range of affordable housing options and quality employment opportunities throughout the city.

The proposed U-MS-3, DO-8 zoning maintains the ability to offer unique housing in a vibrant neighborhood containing diverse housing options. Within a few block radius of the corner (29th Avenue and Umatilla Street) housing includes multi-family; moderate income; for sale lofts, townhomes and condominiums; apartments, senior care living, Section 8, subsidized housing and single-family residences. Additionally important is the ability to add quality employment opportunities not available in the current G-MU-3 zone district.

Goal 2 - Ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities.

Providing U-MS-3, DO-8 on the contiguous three lots will assure the opportunity for a better designed project and convenient access to more services and amenities. The three lot development ultimately takes more beneficial advantage of the site location and provides more opportunity for working near home - and for shopping near home and work. Each of these components help our city thrive. During the Pandemic we real-

ized the importance of retail businesses and restaurants as places to see our neighbors and gather together. We also better understand how small retailers are important to the economic health of our city and state. As applicants we want to ensure the design and development of the corner attracts retailers who help reflect the vibrancy and diversity of our city and contribute to the economic prosperity of the Highland area.

Supporting **Element** from Blueprint Denver:

“Land Use and Built Form” Element of Complete Neighborhoods / Economics / background: “Denver is home to a number of large shopping areas (including Cherry Creek, Downtown, and Northfield) and hundreds of neighborhood shopping areas (from a local marketplace to a neighborhood commercial centers). The range of shopping, dining, and active options include the latest fashion from iconic global brand stores to the neighborhood corner grocery. Denver is noted to have one of the highest concentrations of chef-driven restaurants and brewpubs. Denver's retail scene helps our neighborhoods to provide the places where we love to meet friends and family or relax by reading or shopping. Supporting and retaining existing local businesses that reflect Denver's diversity is key.”

Strategies beneath this **Element** *to meet this goal 2 as well as goals 4 and 6 below with rezoning to U-MS-3, DO-8:*

6A. Support locally-owned businesses—new and old—to expand and evolve to meet the changing needs of residents and visitors. Support could include assisting businesses, especially in the most underserved or distressed neighborhoods, with regulatory processes, education, training, helping with marketing or increasing access to capital.

6B. Attract the world's innovative retail brands to provide shopping experiences and options for both residents and visitors.

6C. Promote Denver as a destination for healthy living and economic opportunity.

6D. Build on Denver's national and regional entertainment options to continue to blend the arts, entertainment, shopping and hospitality into unique Denver experiences.

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

U-MS-3, DO-8 creates the environment to foster use of these alternative modes of transportation by creating near-by services both within the neighborhood and commercial hub which will contribute to a more walkable, varied-mobility neighborhood and help unify the existing and confusing intersections, crosswalks as well as create sidewalk engagement and uses:

Supporting **Element** from Blueprint Denver

“Mobility” Element of Complete Neighborhoods/ background: “All streets in Denver should safely accommodate people walking and rolling by providing a safe

and comfortable pedestrian environment. On all streets, prioritize people walking and rolling over other modes of transportation. Streets can better accommodate the needs of all users when the design of the street takes into consideration the needs of the surrounding land-use character.”

Strategies beneath this **Element** *to meet this goal 3 as well as goal 1 above and goal 4 below with rezoning to U-MS-3, DO-8 and the creation of cohesion, an active plaza and storefronts:*

1D. Increase the number of services and amenities that are available by walking, rolling and biking by integrating more local centers and corridors into residential areas, especially for areas that score low in Access to Opportunity.

1E. Promote mixed-use development in all centers and corridors

3A. Ensure safe pedestrian crossings, especially along the High Injury Network identified by Vision Zero.

3B. Develop access management policies — especially in centers and corridors in the downtown, urban center and general urban contexts — to reduce conflicts between driveways/ garages and pedestrians and cyclists.

3C. Ensure that café seating in the public right-of-way provides ample and high-quality space for pedestrians and streetscaping, especially in areas with high pedestrian volumes.

3D. Develop policies for shared spaces in appropriate locations to safely accommodate all users, flexible spaces and opportunities for events.

Goal 4 - Support a welcoming business environment and the growth of employment centers around the city to promote work and educational opportunities for all residents. *The U-MS-3, DO-8 as proposed with mixed-use residential on the 2nd and 3rd level will support retail and businesses in a mutually enabling environment. In addition, the modest addition of retail will support the businesses in the adjacent “Old Highland Business District” Historic District and in the Highland Block. Both the residential and retail developments in those nearby areas will, in turn - support the planned retail, which is long-standing goal of the Neighborhood. The uses invited in U-MS-3, DO-8 are the type of uses the Neighborhood Plan specifically desires in well planned areas.*

Goal 5 - Focus higher intensity growth in walkable, mixed-use centers and along transit priority streets.

The rezoning is conceived to “complete the circle” by complimenting the retail and service businesses along the “Old Highland Business District” Historic District on 15th Street with its “high-medium uses” (additional housing and retail businesses) while continuing the “low-medium uses” which already exist along the W. 29th Avenue corridor from the intersection to Zuni Street (uses as defined in Blueprint Denver - see more discussion on this below).

Supporting **Element** from Blueprint Denver:

“Land Use and Built Form” Element of Complete Neighborhoods / “Design Quality and Preservation” / background: “Mixed-use buildings should engage the street level and support pedestrian activity. The bulk and scale should be respectful of the surrounding character, especially in transitions to residential areas. Historic buildings can exemplify desired design outcomes in a place.

Strategies beneath this **Element** *to meet this goal 5 as well as goals 6,7 and 8 below with rezoning to U-MS-3, DO-8; creating “exceptional design outcomes in key centers and corridors” through well thought out and participatory changes through (re)zoning:*

3E. Revise the zoning (code) to provide standards for new mixed-use development that better responds to the surrounding context. Standards to examine for improvement include build-to ranges, transparency minimums, lot coverage, and entry features.

3F. Implement additional zoning tools to create appropriate transitions between places, especially for areas where centers and corridors are close to residential places. This may include standards related to height, massing and uses.

3H. Use urban quality evaluation and metrics, often developed through small area planning and assessments, to help define design problems and to help identify possible solutions.

Goal 6 - Enhance the overall character and sense of place of neighborhoods through all stages of development and reinvestment.

The small but critical addition of 7,000 sf land zoned G-MU-3 into the U-MS-3 zoning of the adjacent 7,000 sf sister parcel and adding the enhancing DO-8 overlay to all three parcels unifies what would otherwise be a fragmented site. The “sense of place” is currently disrupted at both this intersection and the corner. This can be corrected through the rezoning. The desire to transform the underlying use of the full corner site has been recognized specifically by the Highland Neighborhood Plan and confirmed by the City of Denver when they approved the rezoning of the corner (2107 W. 29th Avenue) to U-MS-3 in 2010. This is a continuation and enhancement of that vision. The opportunity currently exists to complete the goals stated repeatedly in the various Plans which the Neighborhood has supported for years.

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

The approval of allowed commercial uses in the subject, adjacent parcels to the corner will go a tremendous way in the process of “thoughtfully integrating” and resolving many of the challenges of the intersection at W. 29th Avenue; 15th, Boulder and Umatilla Streets. Through the design, the intent is to “open up” the building and encourage the public to use the corner in a more vital and inviting way.

Goal 8 - Promote enduring and compatible design that responds to an evolving community while embracing historic assets and cultural heritage.

The “low-medium” character of the neighborhood which is defined as “up to 3-stories” will not change in this proposed rezoning and is based on the surrounding historical

context. The commercial uses allowed in the U-MS-3, DO-8 will “embrace the historic assets and cultural heritage” by bridging the mixed-use commercial uses directly across the multi-pointed intersection.

Goal 9 - Guide growth to maintain connections to the outdoors, respond to climate change and protect our environment and natural resources.

U-MS-3, DO-8 promotes uses that open to the street and create vitality where it is needed in commercial hubs. People using this local asset will be able to access it by modalities of outdoor movement. Denver has a new, visionary Green Code that will reduce the greenhouse gas footprint of new or renovated buildings. The housing and businesses in the development will be required to meet these codes. The optimal goal is to reduce the environmental footprint of the neighborhood by making resources and services more centralized, accessible and local.

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

Healthy communities thrive in well-planned neighborhoods that promote strong connections to neighbors and interaction between people. The U-MS-3 and the DO-8 overlay comprise a well thought out zone district designed to meet many of our social needs and sustenance. This site is ideally suited to promote healthy and active living via good zoning, site development and transportation considerations which are all clearly laid out in the Neighborhood Plan and Blueprint Denver.

Supporting **Element** from Blueprint Denver:

“Quality of Life Infrastructure” Element of Complete Neighborhoods / background: “A complete neighborhood is where people of all ages and abilities have safe and convenient access to places and things needed in daily life. This includes a variety of housing types, grocery stores, child care, schools, libraries, social services and other services, as well as active transportation options. The interconnectedness of places and creating complete neighborhoods and places supports community health and well-being.”

Strategies beneath this **Element** to meet this **goal 10** as well as **goals 2 and 7** above with rezoning to U-MS-3, DO-8; to “work with public and private partners to improve access to shops, restaurants, entertainment, civic uses, services and a variety of daily needs for all Denver residents”:

8B. During small area planning, identify opportunities to expand healthy, culturally-relevant food access and programming.

10A. Prioritize street and trail improvements and connections leading to and through existing and future centers and corridors.

10B. Develop incentives to promote human scaled, accessible and inclusive mixed-use centers and corridors.

10C. Promote development that compatibly integrates and includes daily needs such as child care centers, grocery stores and community-serving retail.

Blueprint Denver Future Places and Neighborhood Contexts

Blueprint Denver and its “Future Places” color-coded maps shows the land proposed for this rezoning as “Residential” and anticipating a “Low-Medium” density of growth between 2017 and 2040. The “Residential” category of use is defined in the Plan in this manner:

“These are areas where the predominate use is residential. Although they are primarily residential, they are supported by a variety of embedded uses needed for a complete neighborhood including schools, recreation and nodes of commercial/retail uses.”

Additionally, under “Urban Context” the subject property is designated “Urban Low-Medium Residential” in character under “Neighborhood Contexts”:

“Low-Medium Residential is a “mix of low- to mid-scale multi-unit residential options. Small-scale multi-unit buildings are interspersed between single- and two-unit residential. Limited mixed-use along some arterial and collector streets and some intersections. Vacant institutional uses at intersections or select sites along some residential arterial and collector streets may be appropriate locations to introduce additional residential intensity. A variety of lower scale residential forms including row houses and small multi-unit buildings are found. Buildings are generally 3 stories or less in height”.

Below are our comments *in italics* as to how this proposed rezoning to U-MS-3, DO-8 fits in with these Blue Print Denver identifications and contexts:

This rezoning fits with the above definitions of “Low-Medium Residential” as the 3-story height described is allowed in both the current G-MU-3 and in the proposed U-MS-3. The Highland Neighborhood Plan states that this vital corner is appropriate, even ideal, for low to mid scale multi-unit residences with mixed-in commercial, cohesive use. The subject properties joined with the corner site will enable a beneficial project. These concepts are expressed under the category in the plan of “Local Corridors” as defined this way:

“Corridors are mixed-use places of different scales oriented along a street. They provide spaces for people to engage in social activities and entertainment, such as shopping and dining. Corridors are often embedded in neighborhoods and serve nearby residents”.

And also borrow and adopt from under the Definition of “Local Urban Centers” defined in section 5.3 this way:

A Local Urban Center “primarily provides options for dining, entertainment and shopping. May also include some residential and employment uses. Typically frequented by residents of the neighborhood. Activity levels are lower than other cen-

ter types, with the highest activity during evenings and weekends. Where residential occurs, it should primarily be located to encourage active street frontages. The public realm is typically defined by lower-scale buildings with active frontages providing a more intimate, pedestrian scale. Heights are generally up to 3 stories and generally will not have a transition area as the low intensity easily integrates into the surrounding neighborhood.”

U-MS-3 is designed to accommodate a Local Urban Center - one that fits the goals of each of the applicable plans and is shown to be desired at this site. West 29th Avenue is defined in Blueprint Denver as a “Residential Arterial” and 15th Street (which terminates at the corner and transitions to W. 29th Avenue) is defined as a “Main Commercial Arterial”. Each of these streets are identified in Blueprint Denver for high priority of Biking and Pedestrian Uses for “Future Modal Priority” and fit the prescriptions for social engagement in “Local Corridors” as defined above.

Note on Health, Safety and Welfare:

The proposed official map amendment furthers the public health, safety, and general welfare of the City as evidenced in the satisfaction of the many visions and goals expressed in the above analyzed Plans (which were created in order to foster public health, safety and general welfare). The proposed rezoning to U-MS-3, DO-8 creates the vitality, connection and opportunity that is absent in the G-MU-3 for this identified site.

The Highland Neighborhood Plan states on page 1:

“This plan is intended to promote patterns of land use, urban design, circulation and services which encourage and contribute to the economic, social and physical health, safety and welfare of the people who live and work in the neighborhood.”

The proposed rezoning directly realizes a goal of the plan to remap the subject site to a commercial mixed-use to achieve the above. The overall Neighborhood as well as (4) Sub-areas and a Primary Area of Revitalization identified in the plan are bettered in this way for the people who live and work there.

Both Comprehensive Plan 2040 and its subset plan Blueprint Denver state in their introductions this prominent goal:

“In 2040 . . . Denver is a city of safe, accessible and healthy communities.”

By satisfying many Vision Elements shared across these two Plans (as demonstrated in the Plan analyses above) the proposed rezoning better realizes this goal by making the Highland Neighborhood and City more “Equitable, Affordable and Inclusive”; by creating a “Strong and Authentic Neighborhood” that is “More Economically Diverse and Vibrant.”

Notes on how the rezoning aligns with:

a) the proposed U-MS-3 district Urban Neighborhood Context Description in the Denver Zoning Code (Section 5.2.1)

SECTION 5.1.1 GENERAL CHARACTER - The Urban Neighborhood Context is primarily characterized by single-unit and two-unit residential uses. Small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas. Single-unit residential structures are typically the Urban House building form. Multi-unit building forms typically include the Row House building form embedded with other residential form types. Commercial buildings are typically the Shop front and General building forms that may contain a mixture of uses within the same building. Single- and two-unit residential uses are primarily located along local and residential arterial streets. Multi-unit residential uses are located along local streets, residential and mixed use arterials, and main streets. Commercial uses are primarily located along mixed-use arterial or main streets but may be located at or between intersections of local streets.

U-MS-3 aligns with this character as Shop Front form is identified above. The multi-unit, mixed-use and commercial use that is available in this zone district can be on Residential Arterials (W. 29th Avenue at the subject sites), Main Commercial Arterials (15th Street at the existing U-MS-3 site at the corner) and also at or between intersections. This site is well suited to U-MS-3 as it lies on a multi-pronged intersection and the subject sites when joined with the corner site lie between Umatilla Street and the alley intersection.

SECTION 5.1.2 STREET, BLOCK AND ACCESS PATTERNS - The Urban Neighborhood Context consists of a regular pattern of block shapes surrounded by an orthogonal street grid. Orthogonal streets provide a regular pattern of pedestrian and vehicular connections through this context and there is a consistent presence of alleys. Block sizes and shapes are consistent and primarily include detached sidewalks (though attached sidewalks are also found), tree lawns where provided for by detached sidewalks, street and surface parking, and landscaping in the front setback.

The subject sites are part of a regular block and have alley access and face orthogonal W. 29th Avenue. A benefit of this rezoning is that the corner site of 2107 W. 29th Avenue could have alley access across the subject sites. Given the topography at this Highland site, there is currently no feasible parking or trash access for the single corner site.

SECTION 5.1.3 BUILDING PLACEMENT AND LOCATION - Residential buildings typically have consistent, moderate front setbacks, shallow side setbacks and consistent orientation. Commercial buildings typically have consistent orientation and shallow front setbacks with parking at the rear and/or side of the building.

The rezoning would provide parking for the currently stand-alone corner site. A goal of this rezoning is to provide consistent orientation at the subject sites to go with the same zoning of the corner site. The total frontage along W. 29th Avenue would be a modest 175' of U-MS-3, DO-8 after the rezoning. The consistency in use, setbacks, massing,

form and transparency would be highly beneficial and more consistent with this desired character in the Urban Context.

SECTION 5.1.4 BUILDING HEIGHT - The Urban Neighborhood Context is characterized by low scale buildings except for some midrise commercial and mixed use structures, particularly at nodes or along arterial streets.

This rezoning would not change the three- story scale that is already existing in the current zoning at this node and abutting this Residential Arterial.

SECTION 5.1.5 MOBILITY - There is a balance of pedestrian, bicycle and vehicle reliance with greater access to the multi-modal transportation system.

Through the rezoning to U-MS-3, DO-8 this desired character of multi-modality would be better achieved as noted in the discussion of the (3) Plans above.

b) The General Purpose Statement for the proposed zone district in the Denver Zoning Code (Section 5.2.5.1.A-G, shown below, for U-MS-3):

A. The Main Street zone districts are intended to promote safe, active, and pedestrian-scaled commercial streets through building forms that clearly define and activate the public street edge.

This is a central goal to the proposed rezoning to U-MS-3. The (3) analyzed plans above confirm the subject properties as an ideal location for this purpose.

B. The Main Street zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering along the city's commercial streets.

This too is a central goal to the proposed rezoning to U-MS-3 and the (3) analyzed plans above confirm the subject properties as an ideal location for this purpose also.

C. The Main Street district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

U-MS-3 at the subject properties works to create these desired character and transitions in scale, mass and use between the existing commercial and residential surrounding the site. The proposed overlay district of DO-8 specifically enhances this desired character and transition between commercial and residential uses.

D. Main Street zone districts are typically applied linearly along entire block faces of commercial, industrial, main, mixed-use and residential arterial streets (as designated in Blueprint Denver) or, less frequently, on single zone lots at the intersection of local/collector streets within a residential neighborhood.

U-MS-3 works across these subject sites as they are linearly along the "entire block" along W. 29th Avenue from the alley to Umatilla Street when cohored with the sister property at 2107 W. Umatilla Street that is already zoned U-MS-3. W. 29th Avenue is defined as a "Residential Arterial" in Blue Print Denver and 15th Street (which this block heads at this unique intersection) is defined as a 'Main Commercial Arterial.'

E. In all cases, the Main Street zone districts should be applied where a higher degree of walk ability and pedestrian activity is desired than required in a Corridor, Mixed Use, or Residential Mixed Use zone district.

The (3) Plans analyzed above all call for more vibrant activity and multi-modal flexibility in an area such as where this rezoning to U-MS-3, OD-8 is proposed.

F. In the Urban Neighborhood Context, the Main Street zone districts may also be embedded within a larger commercial shopping center or mixed-use area to promote a pedestrian-active street front within a larger mixed use or commercial development.

The proposed rezoning does lie in the Urban Neighborhood Context and seeks to unify, transition from and serve the larger mixed-use commercial around it with pedestrian active street fronts within this larger context. This is a primary goal of the rezoning.

G. The Main Street zone districts are intended to promote an urban, mixed-use, built-to environment regardless of neighborhood context. Main Street buildings have a shallow front setback range. The build-to requirements are high and the maximum building coverage is significant.

The build-to and maximum coverages required in the U-MS-3, OD-8 fit will into the historic context immediately around the subject sites.

c) The Specific Intent Statement found in the Denver Zoning Code (5.2.5.2 Specific Intent: - Main Street 3 (U-MS-3))

U-MS-3 applies primarily to local or collector street corridors or may be embedded within a commercial shopping center or mixed-use area, where a building scale of 1 to 3 stories is desired.

The proposed rezoning to U-MS-3 meets this specific intent as the subject properties front on W. 29th Avenue defined as a "Residential Arterial" in Blue Print Denver and are a vital part of a mixed-use area. The current G-MU-3 zoning already calls for a maximum of three stories, therefore desired this scale will not change.

Summary

The proposed subject site rezoning from G-MU-3, UO-3 to U-MS-3, DO-8 / U-MS-3 to U-MS-3, OD-8 extends the existing U-MS-3 zoning at the corner lot (from 7,000 sf to 14,000 sf) and adds the enhancing overlay DO-8 to the three subject properties. This ensures the long-standing Highland Neighborhood Plan goal of creating a mixed-use, vibrant development at the gateway to the Lower Highland Neighborhood. Blue Print Denver and Denver Comprehensive Plan 2040 repeatedly demonstrate the appropriateness of this site for redevelopment under U-MS-3, OD-8. We cannot think of a better way to accomplish the goals laid out in each of the three visionary plans, but through the integration of the three parcels into a more effective zone district, U-MS-3, OD-8.

We appreciate the engagement and approvals from and look forward to the further discussions and interactions with our neighbors in Highland, Highland United Neighborhood, Inc., our local representatives and the city of Denver.

Sincerely,

Marcia M. Mueller
Owner 2115 W. 29th Avenue

John E. Mueller
Owner 2115 W. 29th Avenue

Lee M. Cotone
Owner 2119 W. 29th Avenue

Theodore Schultz, Principal
for Theodore Schultz, Architect, LLC
Property Owner's Representative

Written Narrative

Description of Recent Changes to Immediate Area of the Proposed Rezoning

The applicants who own 2107, 2115 and 2119 W. 29th Avenue are requesting the following rezoning of the three adjacent parcels to U-MS-3, DO-8 as follows:

The current zoning U-MS-3 of parcel 2107 W. 29th Avenue to be changed to U-MS-3, DO-8; the current zoning G-MU-3, UO-3 of both the 2115 and 2119 parcels be changed to U-MS-3, DO-8

June 27, 2021

Property Owners:

2107 W. 29th Avenue: Moon Studios, LLC; John E. Mueller, Managing Member
(Current zoning U-MS-3)

2115 W. 29th Avenue: John E. and Marcia M. Mueller (current zoning G-MU-3, UO-3)

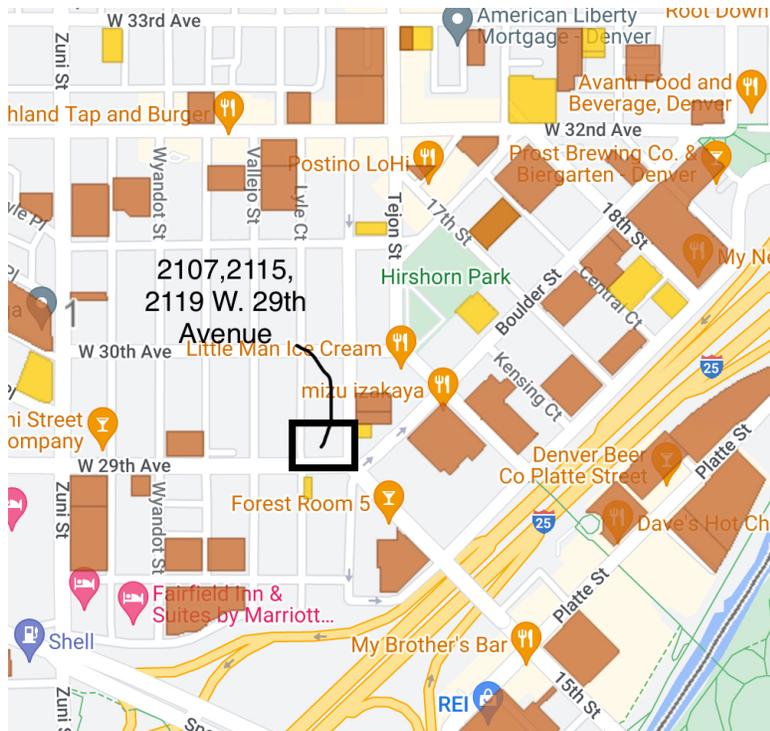
2119 W. 29th Avenue: Lee M. Cotone (current zoning G-MU-3, UO-3)

Property Owners' Representative:

Theodore Schultz, Manager
Theodore Schultz, Architect, LLC

Current condition:

The map copied below, published and updated by Community Planning and Development in Denver, shows the Site Development Plans (SDP) in the surrounding Lower Highland and Platte Street area with existing, approved SDP developments highlighted in brown and SDPs that are "in process" highlighted in yellow.



The map starkly reveals the amount of change that has occurred in the last fifteen years. These developments underscore how dynamic the Neighborhood is, ever-changing and evolving to meet the demands for housing, retail, restaurants and amenities. The subject property is noted in the black highlight at the center core and gateway to the Lower Highland Neighborhood. There have been many keynote developments in the vicinity of the site during the last two decades which have created more interest in living, working and playing in the Lower Highlands and related areas.

Selected Keynote Developments:

April, 2000: The renovation of Forney Museum for the 90,000 s.f. REI Flag ship Store, which is near the Downtown Aquarium (Reopened 2005) and Children's Museum (Expanded 2019).

2001: The redevelopment of Commons Park. (Platte Valley).

August 2001: Opening of Academia Ana Marie Sandoval, a dual language Montessori, DPS Magnet Elementary School.

2002: Millennial Bridge Opens

December 2006: Highland Bridge Opens

July 4, 2008: Redevelopment of Olinger Mortuary - Opening of Little Man Ice Cream.

March 2014: UNICO begins purchases of 100,000 sf of historic properties for the ongoing redevelopment of the buildings for retail and office, triggering the ongoing development of approximately 600,000 s.f. of office and retail space.

October 2017: Grand Opening of the Redevelopment of Confluence Park

2007, 2012, 2017: The expansion of the Auraria Campus was driven by the 2007 initial Master Plan concept of an "institutional neighborhood", but has now been enhanced by the 2012 and 2017 Master Plans which include new dynamic buildings and also additional pedestrian, bike, and mobility access including light rail.

No one is more acutely aware of these changes and their impact than John and Marcia Mueller, collective owners of 2107 and 2115 W. 29th Ave. Marcia has lived in this part of LoHi for 35+ years. She renovated the Union Block Building located at 1501-3 Boulder St. in 1984 with four additional renovations over the years until the sale of the building in 2016. When she moved to LoHi, multiple historic buildings were vacant and there were only a couple of renovated properties at the subject intersection, including the historic Inverness Building (2500 15th Street), which she helped renovate and manage. During her first five years she lived in LoHi, two major buildings were destroyed by fire on 15th Street totaling over 175,000 s.f., evidence that a lack of

residents and businesses was cause for concern. She and John began renovating 2107 West 29th Ave., in 1989.

In the 1980's and 90's multi-family apartment buildings and many homes were also neglected or in need of occupants. The area mirrored that of Lower Downtown where buildings were under-utilized. Double recessions in the 1980's exacerbated the population stagnation of Denver and Lower Highland. Mayor Federico Pena's infrastructure, arts and science bond project in 1990 changed things dramatically. Revamping the road system created better access into the city via Speer Boulevard, 15th and 20th Streets and Park Avenue. The 15th and 16th Street Viaducts were demolished and the 16th replaced with a pedestrian bridge. Coors Field and the Theater and Arts District were also a result of the bond sale. In 1991 the sale of bonds financed Denver International Airport firmly placing Denver "on the map".

The redevelopment of all of the major roadways leading into the city helped access many of Denver's neighborhoods. Slowly there was a recognition that living near downtown Denver was rewarding with access to sports and entertainment facilities, parks, rivers, museums and restaurants.

Marcia and John Mueller chose to make the area their home and plant roots in LoHi which included raising a family and choosing to have their businesses in the Neighborhood. John Mueller's photography studio has been long located at 2107 W. 29th Avenue and Marcia's office for 15 years has been at 15th and Platte Street. Many young families have since, and are currently doing the same. The Neighborhood is also home to retirees, people who live in subsidized housing, seniors living in local care facilities, people who are immigrants, and a myriad of apartment dwellers. Lower Highland and Denver's overall population has increased dramatically since the 1980's, and the growth in population and households is expected to increase by approximately 10.4% in both categories in the next five years. While The neighborhood has changed dramatically it has not lost the sense of community or diversity (as noted in the demographic information attached below).

Stitching together old and new:

Dynamic cities are ever changing. By nature, a robust infrastructure, opportunities for change, a participatory government, design innovation and flexibility create livable cities. Denver has shown the ability to change (or adapt to change) over the last forty years, adding new types of environmentally friendly office buildings, renovating or maintaining relevant historic properties, creating new housing types, adding zoning flexibility to the city codes - all in an effort to attract or maintain residents and businesses to grow roots in the city.

Current Demographics (see attached following CoStar Demographic Report from September 14, 2021):

The below graphs show an increasing population for the Neighborhood (albeit at a lessening rate year over year and further lessening of that rate projected into the future). There is a significant variety of incomes, ages, housing types and household make-ups. Race is predominantly white and hispanic per the data. The demographics dovetail the Neighborhood Plan, the Denver Comprehensive Plan and Blueprint Denver in demonstrating the need for diverse housing, employment and business opportunities and for walkable neighborhoods that will allow people to “grow roots” into the Neighborhood and invest in its long-term well being.

Maintain Character / Create Opportunity:

The impetus behind this specific rezoning to U-MS-3, DO-8 is to maintain the integrity, character and historic positives of the past in activating the street level with small business in nodes where it belongs. The rezoning reinforces the positive effects that have helped the Neighborhood thrive from the time when the Highland Neighborhood Plan was implemented in 1986. U-MS-3, DO-8 for this small but important site localizes, weaves into and connects to the recent development in the immediate area. U-MS-3 underlies the ability to create a well-designed and generous building for this site that has been long-identified as critical to the Neighborhood by activating the ground level.

Again, we look forward to continued working with Neighborhood Groups, City Council and staff towards creating this small but very positive change as an example of well thought-out rezoning in bridging of past and present.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ted Schultz', with a stylized, cursive script.

Ted Schultz, Principal
For Theodore Schultz, Architect, LLC
Property Owner’s Representative

CoStar Demographic Report from September 14, 2021 (following pages):

2101-2111 W 29th Ave

Office - Northwest Denver Submarket
Denver, CO 80211

4,350 SF RBA 0.05 AC Lot 1922 Built Multiple Tenancy

★★★★★

Summary Lease Lease Analysis Peers Sale Tenant Analytics Loan Financials Changes Demographics Public Record Contacts Images Map My Data News

Summary Population Housing Daytime Employment Consumer Spending Traffic Data

Currency: USD (\$) Radius: 2 mile, 5 mile, 10 mile

Population

	2 mile	5 mile	10 mile
2010 Population	79,302	394,615	1,256,628
2021 Population	124,157	482,915	1,457,484
2026 Population Projection	135,150	510,360	1,524,442
Annual Growth 2010-2021	5.1%	2.0%	1.5%
Annual Growth 2021-2026	1.8%	1.1%	0.9%
Median Age	34.2	35.2	35.9
Bachelor's Degree or Higher	51%	43%	37%
U.S. Armed Forces	12	220	639

Population By Race

	2 mile	5 mile	10 mile
White	106,929	414,930	1,231,679
Black	6,876	27,702	93,805
American Indian/Alaskan Native	2,900	11,153	28,305
Asian	3,650	14,092	55,850
Hawaiian & Pacific Islander	220	775	2,701
Two or More Races	3,582	14,265	45,144
Hispanic Origin	39,354	170,857	451,071

Housing

	2 mile	5 mile	10 mile
Median Home Value	\$561,643	\$469,135	\$423,093
Median Year Built	1999	1961	1972

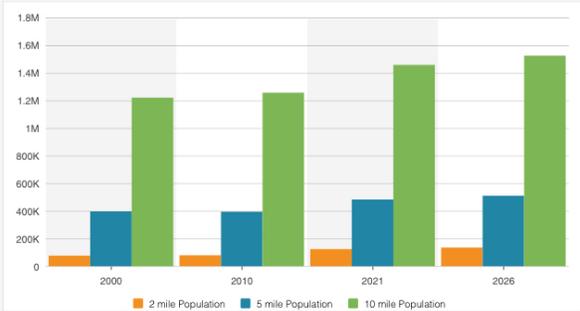
Households

	2 mile	5 mile	10 mile
2010 Households	38,318	177,724	526,694
2021 Households	61,674	220,402	612,306
2026 Household Projection	67,332	233,417	640,719
Annual Growth 2010-2021	5.0%	1.9%	1.3%
Annual Growth 2021-2026	1.8%	1.2%	0.9%
Owner Occupied Households	24,892	102,275	334,992
Renter Occupied Households	42,440	131,143	305,726
Avg Household Size	1.9	2.1	2.3
Avg Household Vehicles	1	2	2
Total Specified Consumer Spending (\$)	\$2.1B	\$7.2B	\$20.6B

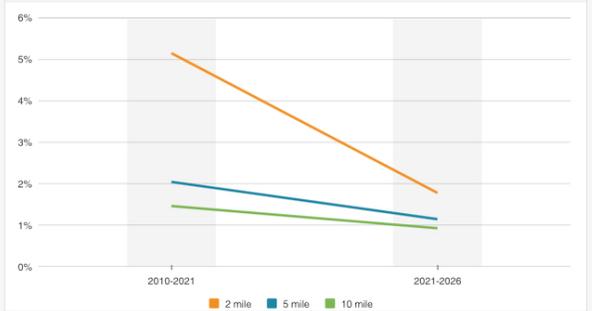
Income

	2 mile	5 mile	10 mile
Avg Household Income	\$111,959	\$100,706	\$98,263
Median Household Income	\$88,329	\$73,165	\$72,895
< \$25,000	11,342	39,136	92,782
\$25,000 - 50,000	7,110	36,857	111,680
\$50,000 - 75,000	8,924	36,855	110,684
\$75,000 - 100,000	6,492	25,571	79,052
\$100,000 - 125,000	6,666	21,653	62,705
\$125,000 - 150,000	6,033	16,279	44,116
\$150,000 - 200,000	6,558	19,003	49,963
\$200,000+	8,550	25,050	61,322

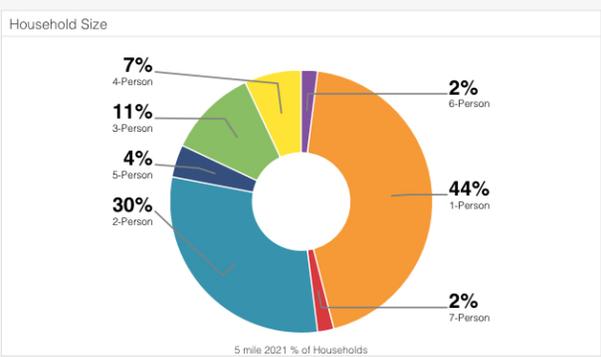
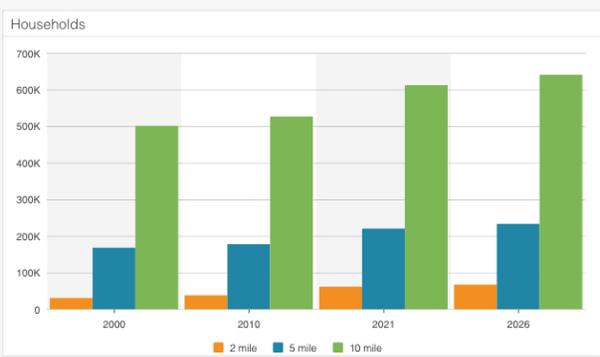
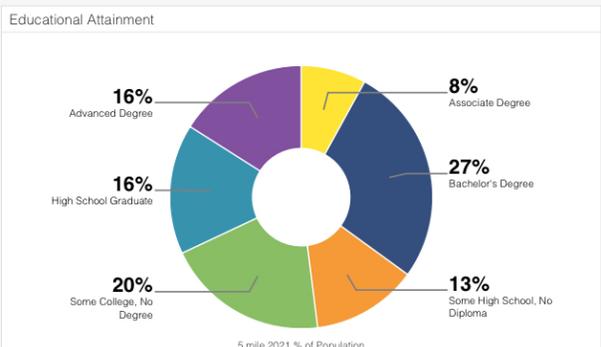
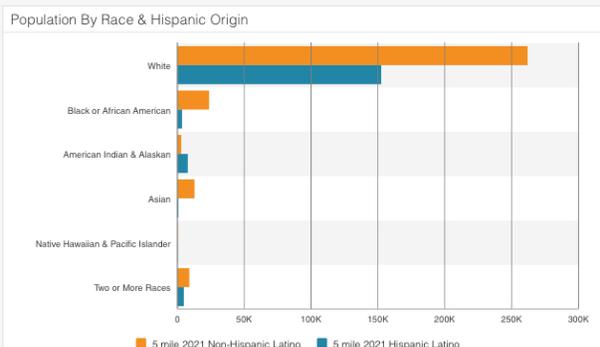
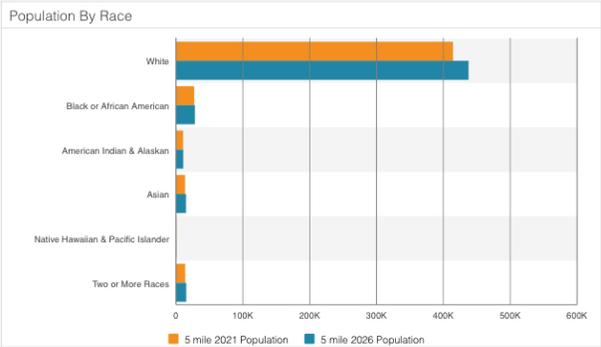
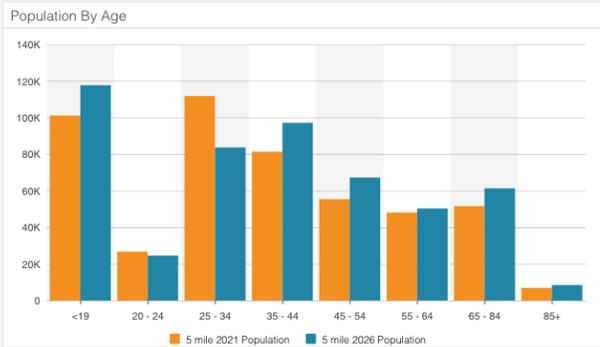
Population



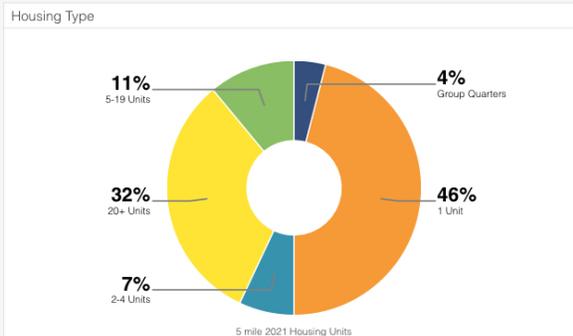
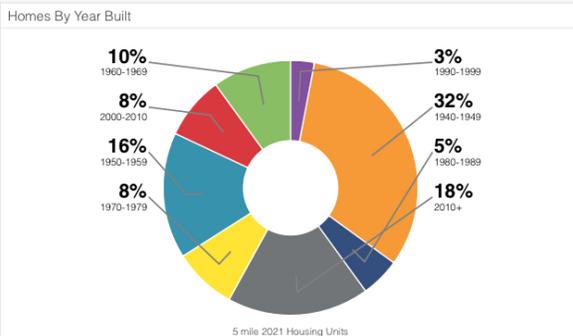
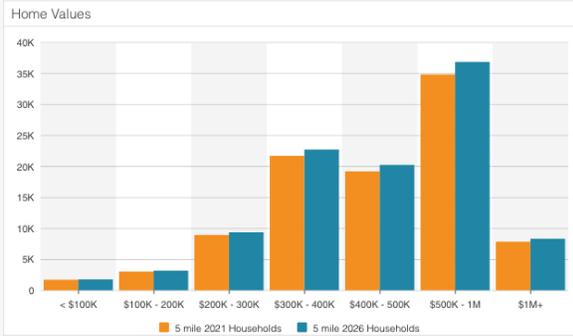
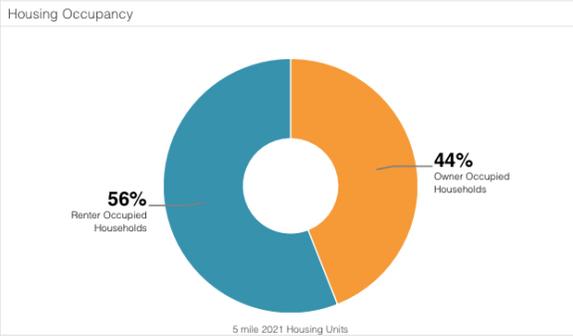
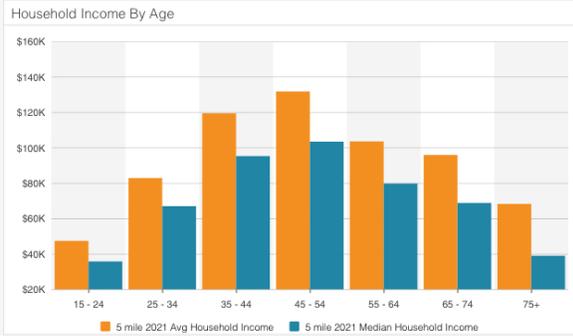
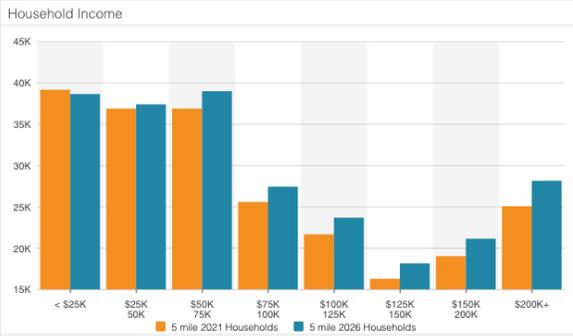
Annual Population Growth



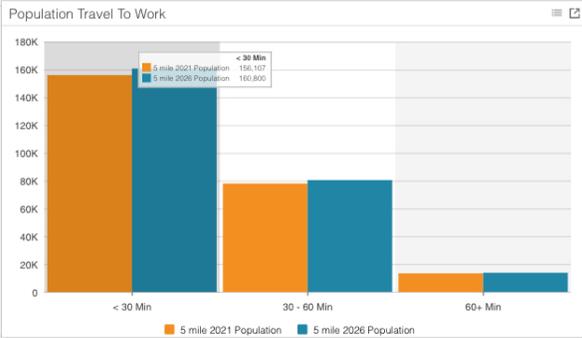
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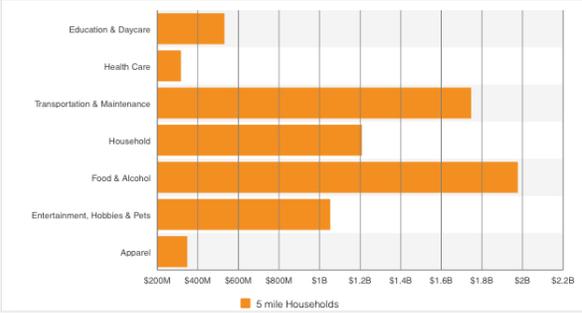
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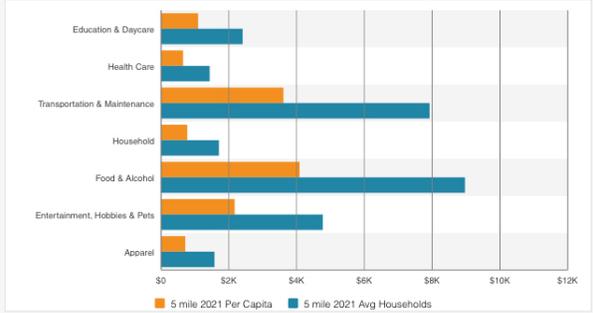
Daytime Employment

Radius	2 mile			5 mile			10 mile		
	Employees	Businesses	Employees Per Business	Employees	Businesses	Employees Per Business	Employees	Businesses	Employees Per Business
Service-Producing Industries	133,903	9,806	14	325,600	30,201	11	687,188	70,753	10
Trade Transportation & Utilities	9,440	1,118	8	45,148	4,691	10	117,241	10,810	11
Information	10,907	383	28	17,381	809	21	27,662	1,668	17
Financial Activities	17,180	1,652	10	33,148	4,065	8	62,166	9,039	7
Professional & Business Services	33,362	2,699	12	57,957	5,756	10	97,507	11,426	9
Education & Health Services	16,119	1,605	10	78,656	8,413	9	189,996	23,601	8
Leisure & Hospitality	24,915	1,147	22	51,578	2,859	18	98,801	5,901	17
Other Services	5,609	858	7	18,524	3,095	6	42,453	7,266	6
Public Administration	16,371	344	48	23,208	513	45	51,362	1,042	49
Goods-Producing Industries	12,602	785	16	39,719	3,059	13	88,645	7,349	12
Natural Resources & Mining	80	27	3	834	139	6	1,861	270	7
Construction	5,922	486	12	20,515	1,919	11	43,789	4,815	9
Manufacturing	6,600	272	24	18,370	1,001	18	42,995	2,264	19
Total	146,505	10,591	14	365,319	33,260	11	775,833	78,102	10

Consumer Spending



Per Capita & Avg Household Spending



Highland United Neighbors, Inc.

P.O. Box 11235, Denver, Colorado 80211

PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE

Authorized by the Board of Directors to represent HUNI in all zoning and planning matters.

May 21, 2022

Ted Schultz
Marcia Mueller

Re: 2111-2115-2119 West 29th Avenue
Proposed Rezoning from G-MU-3 to U-MS-3

Dear Ted and Marcia:

The Planning and Community Development (PCD) Committee of Highland United Neighbors, Inc. (HUNI), met again recently to discuss your latest proposal for rezoning these three parcels to U-MS-3. The committee voted 4-0 to support your application for rezoning subject to two conditions that we discussed with you on May 3rd: adding the DO-8 overlay to the rezoning and applying for a Zone Lot Amendment that would require both Umatilla and 29th Avenue frontages to be considered primary streets. Our strong preference would be for you to apply for the ZLA simultaneously with the rezoning so that these could move forward at the same time.

We think this approach will balance your need for flexibility with the neighborhood's need for some protections for this important site at the top of 15th Street.

Thank you for your efforts to find a good solution! Please keep us posted on your progress through the application process so that we can offer our support at the appropriate time.

Sincerely,

HIGHLAND UNITED NEIGHBORS, INC.

A handwritten signature in black ink that reads "Timothy C. Boers". The signature is written in a cursive style with a large, prominent 'T' and 'B'.

Timothy C. Boers, AIA
Chair, Planning and Community Development Committee

Cc: HUNI Board President
Committee Members
Brandon Shaver
Councilwoman Amanda Sandoval
Council Aide Naomi Grunditz

From: [Jeffrey Romano](#)
To: [Rezoning - CPD](#)
Subject: [EXTERNAL] 2101-2119 W 29th Avenue
Date: Tuesday, November 8, 2022 11:38:30 AM

Hello,

I bought 2915umatilla street in July of 2022. There are 5 other townhomes connected in the lot. All of our units have a rooftop that looks over the buildings that want to be rezoned. If those buildings are built any higher, not a single one of us will have the views that we have today, which was the main reason for purchase. The value of our homes will significantly diminish if the views of the mountains, downtown, and mile high are blocked and the quality of living will also follow.

As far as what happens to the rezoning I don't really care what the buildings are used for however I am strongly against this being built up higher than it is today. Right now across the street we already have a 5 story building going up next to el five and the construction is unbearable and will last through May. I will be travelling Nov 16th during the hearing but I implore you to limit the height at which they can build.

Jeff Romano

From: [dominique jackson](#)
To: [Shaver, Brandon A. - CPD Senior City Planner](#)
Subject: [EXTERNAL] Case number: 2020I-00178
Date: Wednesday, November 9, 2022 5:01:51 PM

2107 2115 & 2119 W 29th Ave

2107 2115 & 2119 W. 29th Ave,

Zoning change: from G-MU-3, UO-3 and U-MS-3 to U-MS-3, DO-8

Case number: 2020I-00178

I am writing in reference to case# 2020I-00178 2107,2115.2119 w 29th ave zoning change. I live at 2849 Umatilla and am not happy with the direction in which this neighborhood is moving. I do not approve of the height and style of some of these buildings going in. Completely wiping the charm from this neighborhood. My views have been destroyed and my parking is limited already. I am writing to express my disapproval of this building being scraped and/or going any higher than it is. Can you please provide me with times of this hearing?

sincerely,

Dominique Jackson
2849 Umatilla Street
970-376-2329

From: [Rezoning - CPD](#)
To: [Shaver, Brandon A. - CPD Senior City Planner](#)
Subject: FW: [EXTERNAL] Application Number 2020i-00178
Date: Wednesday, November 16, 2022 2:01:00 PM
Attachments: [Screen Shot 2022-11-16 at 1.27.36 PM.png](#)

Hi Brandon,

I think this is your case!

Best,
Libbie

From: Brandon <bdougw@proton.me>
Sent: Wednesday, November 16, 2022 1:33 PM
To: Rezoning - CPD <Rezoning@denvergov.org>; Doug <Doug@tufafalls.com>
Subject: [EXTERNAL] Application Number 2020i-00178

Hello Planning Board,

My name is Brandon Walton and I live at 1441 Central St, 80211. I am submitting these comments for Application number 2020i-00178. This property is at the corner of 15th and w 29th.

I have lived in this neighborhood for 13 years now and I believe that rezoning this property as proposed, is a mistake. This parcel is in a location for which great care and consideration should be taken when, and what, to allow for Developers and Construction work to take place. I have attached a picture to show the current allure of the current layout and architecture. Developers have been known to create extra floors, increased ceiling height, and HVAC height, without city approval. Also, it must be taken into consideration that the HVAC and other roof elements will greatly extend ugly visual aesthetics of the proposed building. This current architecture layout provides a historic and creative appeal.

If a rezoning is permitted it should be limited to two floors of actual space. Also, a developer should not be allowed to use creatively bankrupt design in this location. As a historical area, this parcel should be required to designed a building that maintains the allure, and history, of this area. This parcel is in a pinnacle location, and should be required to be designed other than 1st year architecture students. Another square building and generic layout in this location, will be a HUGE mistake and must be avoided.

Additionally, the residents of this area are well aware of the term "residences". This is confusing and intentional misleading. For example, many of these new "residences" are used for Airbnb, and VRBO. Case in point, the building on the south-east corner of w 29th and ZUNI, many of which of Airbnb, and VRBO. All one has to do is look at available listings in the area, and it then becomes evident, that these term are misleading. W 29th and ZUNI, is just another square building. Also, the commercial property next to is vacant, and has been for quite some time..

This area is not in need of any more "commercial" real-estate. If one just walks around the city, many bottom floor, commercial real-estate locations, are vacant and have been vacant for years. Including downtown areas, highland area, and even sunny side. Just take a walk, or drive, around and one can observe all the available commercial real-estate.

These developers and contractors are only interested in making money. They must be required to spend more on this building ascetics and architecture. Also, the inconvenience to the local residents is tremendous. During contraction there is increased graffiti, crime, and, road hazards. These people do not care.

Please, do not allow this proposed re-zoning. Please, slow this process down, so all residents can be considered. Please ponder this carefully, and do not allow another over -sized, square, uncreative building to be built in this location. Please contact me with any questions for concerns.

Sincerely,

Brandon Walton

Sent with [Proton Mail](#) secure email.

From: [Tony Miller](#)
To: [Shaver, Brandon A. - CPD Senior City Planner](#)
Cc: [Arlen Miller](#); [Russell Howell](#)
Subject: [EXTERNAL] Application Number 2020i-0078
Date: Wednesday, July 21, 2021 4:42:43 PM

Brandon,

I recently received an Official Notice of Rezoning Application. I have reviewed Application Number 2020i-00178 and stand in opposition to it. As a neighbor (2930 Umatilla) impacted, is there anything I must do beyond this e mail to formally protest the rezoning? Please let me know.

Regards,

Tony Miller

The Miller Family Companies

28632 Roadside Drive, Suite 155

Agoura Hills, CA 91301