



TO: Denver City Council
FROM: Curt Upton, Senior City Planner
DATE: May 19, 2016
RE: Official Zoning Map Amendment Application #2015I00107
4353 N. Cherokee Street
Rezoning from I-A, UO-2 to C-RX-8

Staff Report and Recommendation

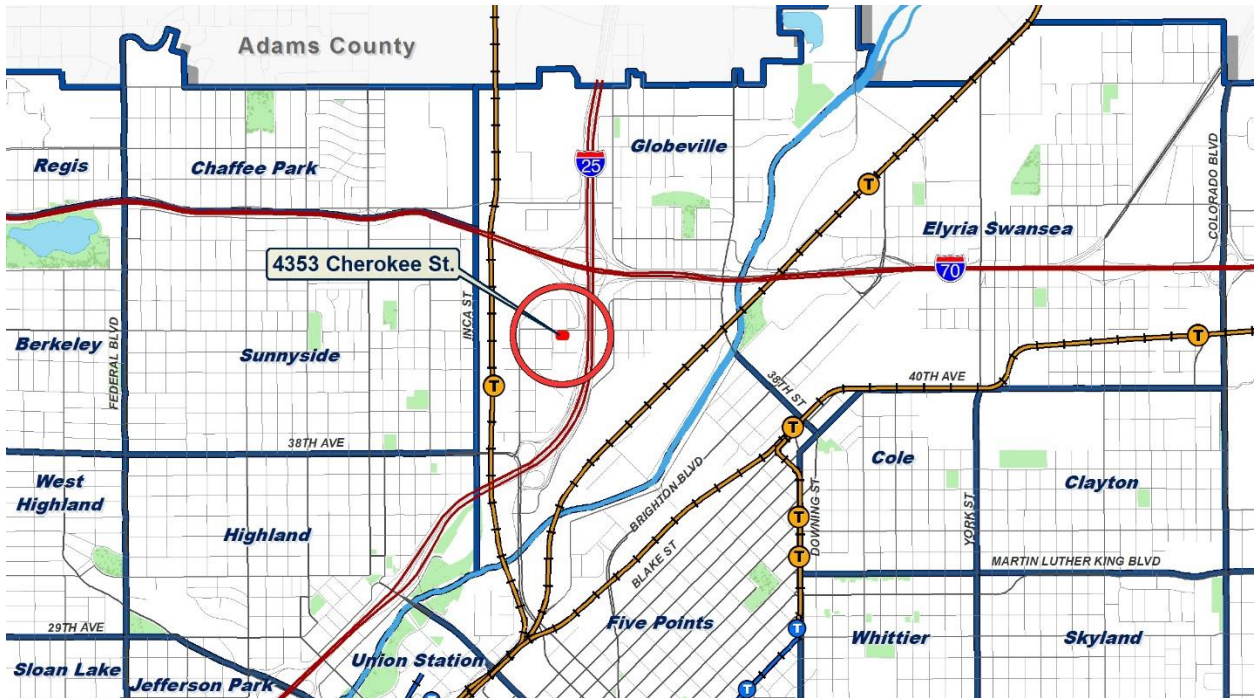
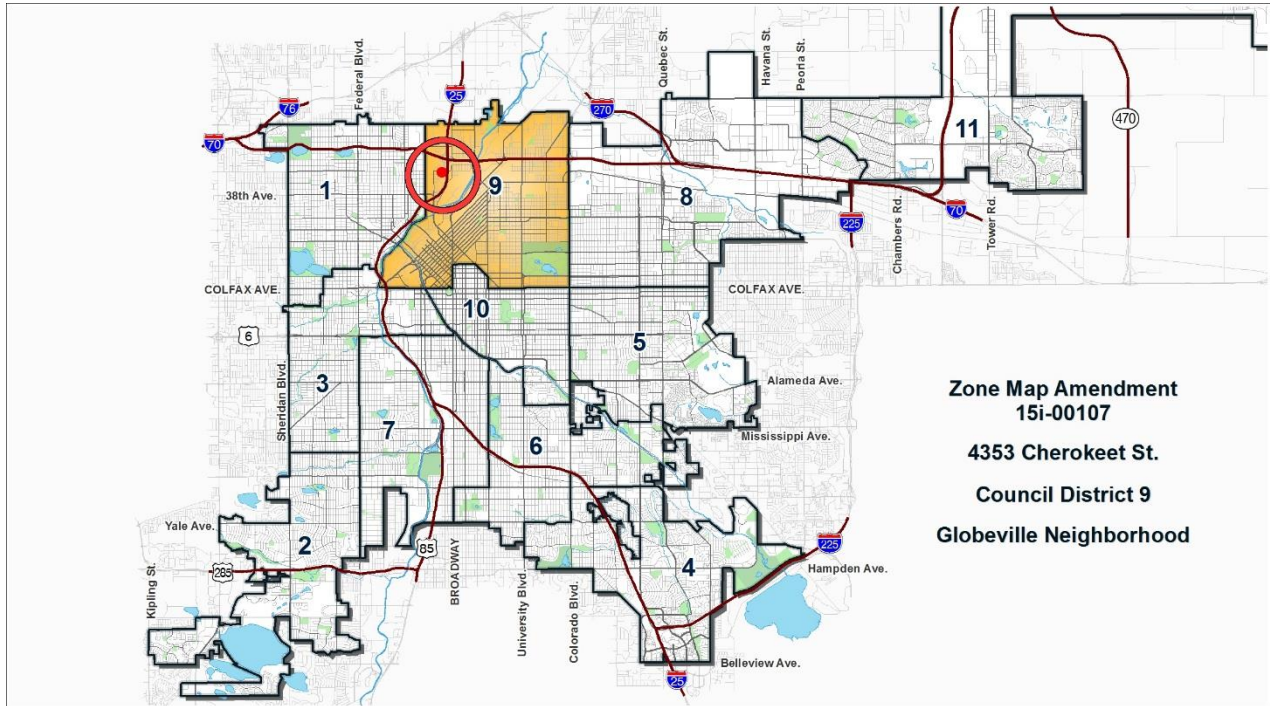
Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2015I00107 for a rezoning from I-A, UO-2 to C-RX-8.

Request for Rezoning

| | |
|--------------------------------|---|
| Application: | #2015I00107 |
| Address: | 4353 N. Cherokee Street |
| Neighborhood/Council District: | Globeville / Council District 9 |
| RNOs: | Denver Neighborhood Association, Inc.; Denver Urban Resident Association; Elyria/ Swanssea/Globeville Business Association; Globeville Civic Association #1; Globeville Civic Association #2; Inter-neighborhood Cooperation; North Highlands Neighbors Association; United Community Action Network Inc. |
| Area of Property: | 5,530 square feet |
| Current Zoning: | I-A, UO-2 |
| Proposed Zoning: | C-RX-8 |
| Property Owner(s): | JM Properties Inc. |
| Owner Representative: | Eric Blase |

Summary of Rezoning Request

- The subject property is located in the Globeville Statistical Neighborhood, near the intersection of North Cherokee Street and West 44th Avenue. The site is currently occupied by a single family residential structure.
- The site is currently zoned I-A (Light Industrial) with the UO-2 Billboard Use Overlay.
- The property owners are requesting a rezoning from I-A UO-2 to C-RX-8 in order to change the mix of uses allowed across the site and facilitate redevelopment. Though a rezoning request does not approve a specific development or permit a specific use, the property owners' intent through this rezoning is to allow residential mixed-use development.
- The requested C-RX-8 zone district is in the Urban **C**enter context, allowing **R**esidential **M**ixed uses, generally up to **8** stories in height. C-RX districts are intended to be primarily residential, while allowing complimentary non-residential land uses such as office and retail on the ground floor. Further details of the zone district can be found in Article 7 of the Denver Zoning Code (DZC). The rezoning request does not maintain the UO-2 Billboard Use Overlay.



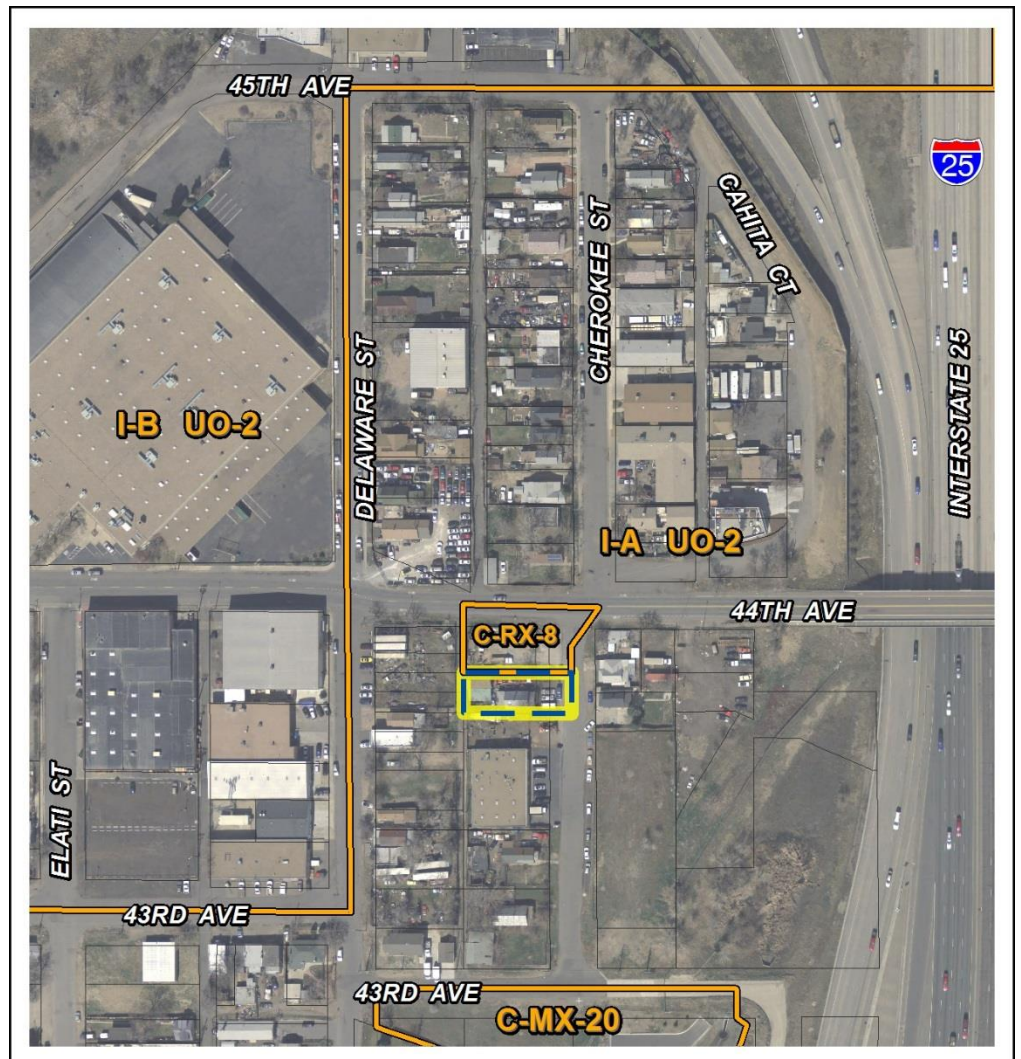
Existing Context

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

| | Existing Zoning | Existing Land Use | Existing Building Form/Scale | Existing Block, Lot, Street Pattern |
|-------|-------------------------------|---|---|---|
| Site | I-A UO-2 | Single family residential | One-story, single family residential building; moderate setback from N Cherokee St with unimproved parking area between the structure and the street | <p>Block sizes and shapes are consistently oblong in the immediately surrounding blocks; however, larger industrial and multi-family sites disrupt the regular block pattern at the edges of surrounding infrastructure. Alleys are generally present within regular, oblong blocks.</p> <p>Residential lots are generally small, while industrial and multifamily assemblages are larger and more irregular.</p> <p>The street pattern is interrupted by Interstate-25, Interstate-70, and the Burlington Northern rail lines. Larger sites generally abut these roadways.</p> |
| North | C-RX-8; I-A UO-2 and I-B UO-2 | Single family residential, multi-family residential industrial, manufacturing | Mix of one-story and one-and-a-half-story single and multi-family residential buildings; generally one-story industrial and manufacturing buildings; varied but generally shallow setbacks; larger industrial sites have irregular orientation. | |
| South | I-A UO-2 and C-MX-20 | Single family residential, industrial, multi-family residential | One-story and one-and-a-half-story single residential buildings; one-story industrial building; moderate setbacks with some parking between the building face and street; 3-story multi-family complex with interior surface parking | |
| East | I-A UO-2 | Single family residential, vacant | One-story and one-and-a-half-story single residential buildings with parking between the building face and street; large vacant parcel | |
| West | I-A UO-2 and I-B UO-2 | Single family residential, commercial, vacant | One-story single residential buildings; one-story commercial building and vacant parcel with parking between the building face and street; one-story industrial forms | |

1. Existing Zoning

The site is located near the southwest corner of the intersection of North Cherokee Street and West 44th Avenue. The surrounding blocks include single family and multi-family residential structures and a mix of industrial, manufacturing, and vacant sites. Uses transition to primarily large industrial, manufacturing, and distribution sites to the west nearing the Burlington Northern rail lines. Building heights are generally low scale and range from one to three stories throughout the area. Interstate-25 and Interstate-70 are located to the east and north of the subject site, and West 44th Avenue provides a multimodal connection over Interstate-25 to the eastern portion of the Globeville Neighborhood.



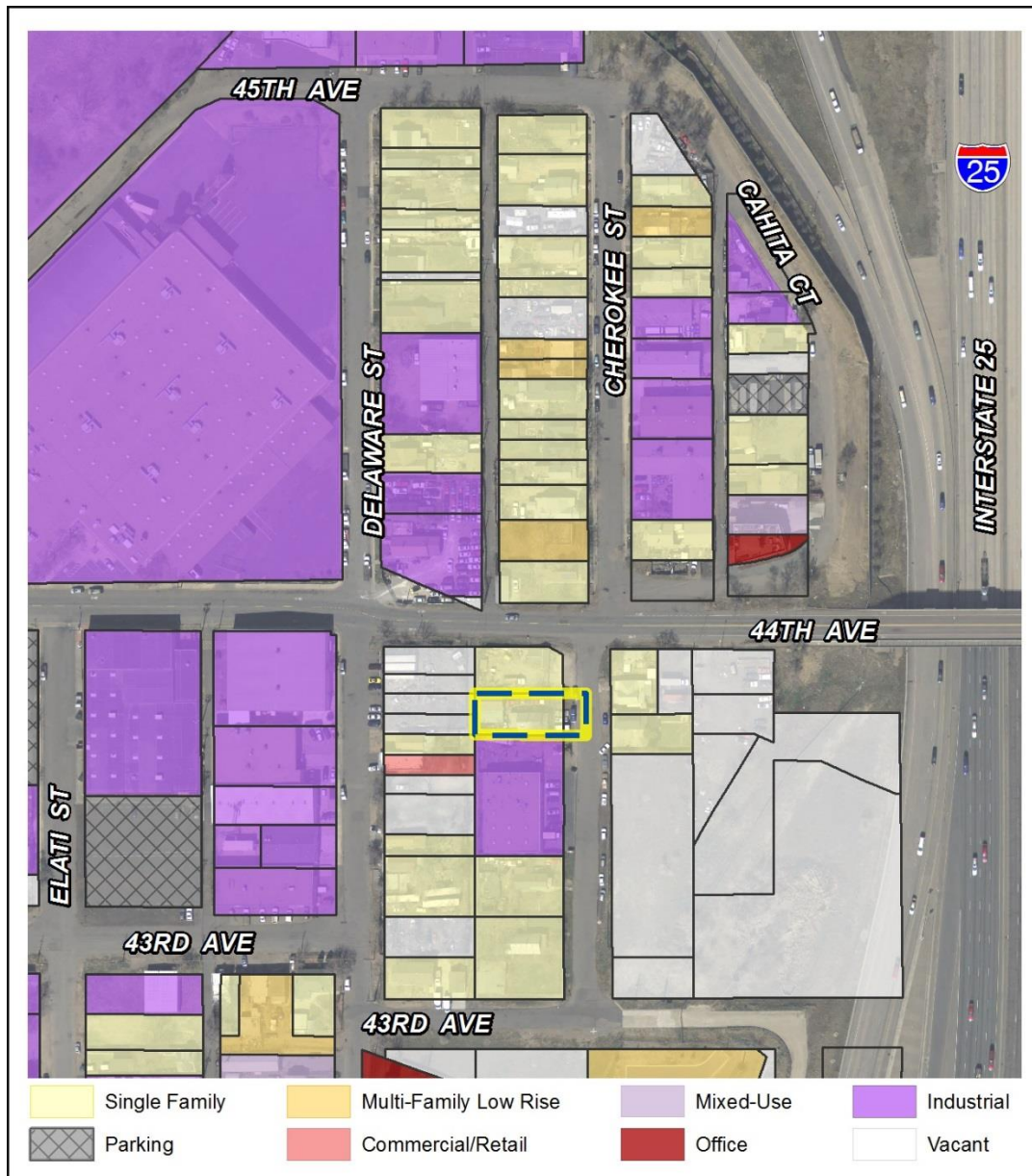
West 44th Avenue is also served by one RTD bus route— Route 8, North Broadway/Huron— providing thirty minute service during peak hours. The subject site is located less than half a mile from the future 41st and Fox station to be served by the G Line. Streets in the immediate area are often interrupted by curb cuts, surface parking areas, and curbs, gutters, and sidewalks are often not present.

The current zoning applied to the site and surrounding areas is I-A UO-2. This Light Industrial neighborhood context zone district permits office, business, and light industrial uses. Residential uses are only permitted where an existing residential structure existed prior to July 1, 2004. The I-A zone district allows the General and Industrial building forms and regulates building mass through a maximum Floor Area Ratio of 2.0. The I-A zone district does not specify a maximum building height except that when a site is within 175' of a Protected District, the maximum permitted building height is 75' (the subject site is not within 175' of a Protected District so this height limit does not apply). Building forms within the I-A zone district do not include a build-to requirement, transparency

requirement, or street level activation standards, and surface parking is permitted between the building and primary and side streets.

The UO-2 Billboard Use Overlay permits “outdoor general advertising device” signs, also known as “billboards,” within the applicable area. Additional standards and limitations regarding minimum separation and distance requirements apply. Currently, no billboards exist on the subject site.

2. Existing Land Use Map



3. Existing Building Form and Scale



Subject site, looking west.



Subject site, looking east.



One-story, single family residential structure and one-story industrial building to the south of the subject site, looking north



One-story industrial structure with outdoor auto storage to the northwest of the subject site



One and one-and-a-half residential structures to the north of the subject site, looking south

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:

Asset Management: Approved - No Comments

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

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

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

Public Works – City Surveyor: Approved - No Comments

Parks and Recreation: Approved

Public Review Process

- CPD staff provided informational notice of receipt of the rezoning application to affected members of City Council and registered neighborhood organizations (RNOs) on December 4th, 2015.
- The property has been legally posted for a period of 15 days announcing the March 16th, 2016, Denver Planning Board public hearing, and written notification of the hearing has been sent to all affected registered neighborhood organizations and City Council members.
- Following Planning Board review, the rezoning application will be referred to the Neighborhoods and Planning (PLAN) Committee of the City Council for review at a public meeting. The PLAN Committee meeting is tentatively scheduled for April 6th, 2016.
- Following the Neighborhoods and Planning Committee review, the rezoning application is typically referred to the full City Council for final action at a public hearing.
- The RNOs identified on page 1 were notified of this application. A letter of support has been received from the Globeville Civic Association #2 Registered Neighborhood Association
- At the time of this staff report, no further public comment had been received.

Criteria for Review / Staff Evaluation

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

DZC Section 12.4.10.7

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

DZC Section 12.4.10.8

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

1. Consistency with Adopted Plans

The following adopted plans apply to this property:

- *Denver Comprehensive Plan 2000*
- *Blueprint Denver (2002)*
- *41st and Fox Station Area Plan (2009)*
- *Globeville Neighborhood Plan (2014)*

Denver Comprehensive Plan 2000

Denver's *Comprehensive Plan 2000* identifies a set of broad guiding principles that unite to form a coherent and compelling vision of a livable city. The C-RX-8 map amendment proposal is consistent with these "Vision[s] of Success" through the enabling of compact, mixed-use, pedestrian-oriented development at an appropriate location:

Compact development ■ Compact urban centers will meet the needs of 21st-century living while reinforcing the valued characteristics of Denver's neighborhoods. Development and redevelopment of urban centers presents opportunities to concentrate population and land uses within a limited geographic space. Compact development will improve neighborhood cohesion, reduce urban sprawl and connect residents more directly to services and amenities within their immediate living environment. (pg 55)

Density and diversity ■ Exciting new mixed-use and pedestrian-oriented areas will develop, offering a higher concentration of housing, retail, services, employment and transportation, all within walking distance. (pg 96)

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

- Environmental Sustainability Strategy 2-F – Conserve land by: promoting infill development with Denver at sites where services and infrastructure are already in place. Designing mixed-use communities and reducing sprawl, so that residents can live, work and play within their own neighborhoods. Creating more density at transit nodes. (pg 39)
- Environmental Sustainability Strategy 4-A – Promote the development of sustainable communities and centers of activity where shopping, jobs, recreation and schools are accessible by multiple forms of transportation, providing opportunities for people to live where they work. (pg 41)
- Land Use Strategy 3-B – Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses. (pg 60)
- Land Use Strategy 4-A - Encourage mixed-use, transit-oriented development that makes effective use of existing transportation infrastructure, supports transit stations, increases transit patronage, reduces impact on the environment, and encourages vibrant urban centers and neighborhoods. (pg 60)
- Mobility Strategy 4-E – Continue to promote mixed-use development, which enables people to live near work, retail and services. (pg 78)
- Denver's Legacies Strategy 3-A – Identify areas in which increased density and new uses are desirable and can be accommodated. (pg 99)

The proposed map amendment will enable residential mixed-use development at an infill location where services and infrastructure are already provided and where transit-oriented development investment is taking place. With the opening of the 41st and Fox Station in early 2016, the surrounding area will be catalyzed and offer opportunities for sustainable transit-oriented living, consistent with *Comprehensive Plan 2000*. The C-RX-8 zone district broadens the variety of uses to include residential

uses and allows increased density appropriate for this transit-oriented development infill development. The rezoning is consistent with these Plan recommendations.

Blueprint Denver

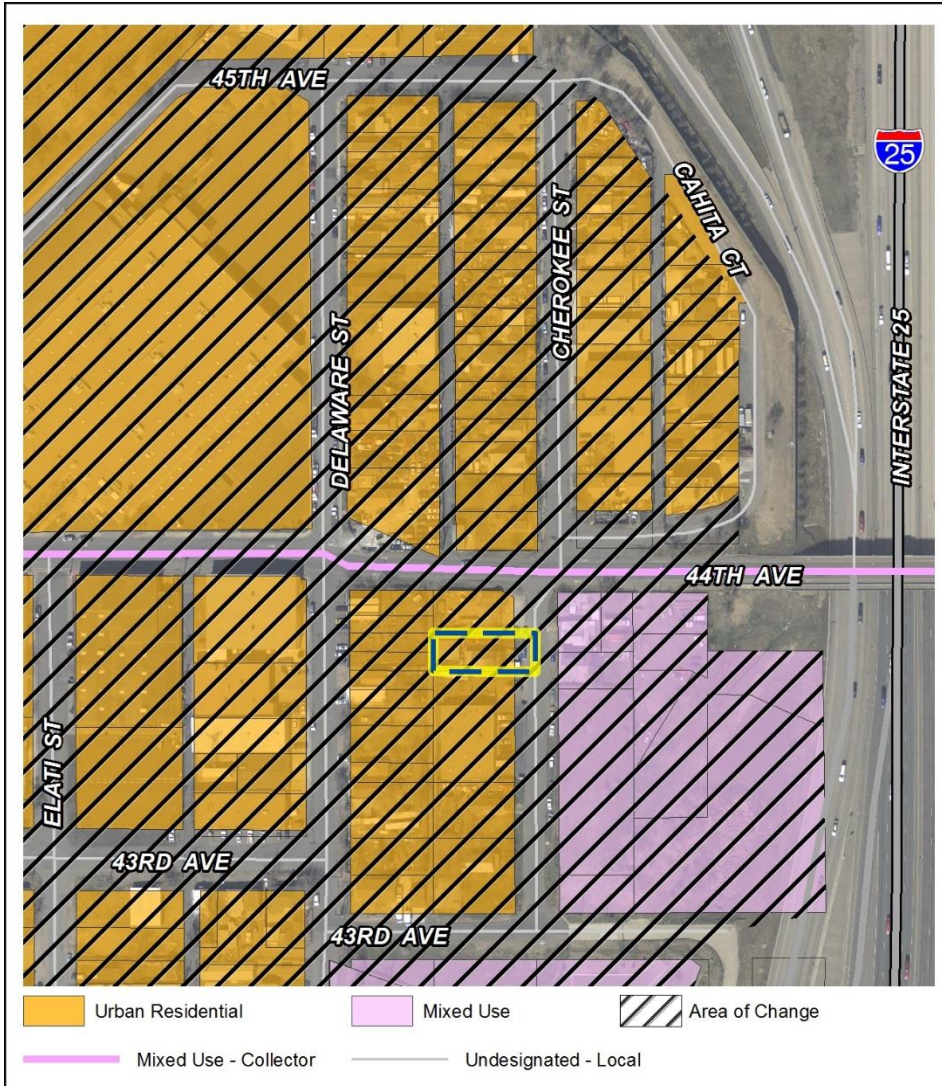
According to the 2002 Plan Map adopted in *Blueprint Denver*, this site has a concept land use of Urban Residential and is located within an Area of Change.

Future Land Use

According to *Blueprint Denver*, the site is designated with a concept land use of Urban Residential. Such areas are “higher density and primarily residential but may include a noteworthy number of complementary commercial uses” (pg 41). *Blueprint Denver* also notes that “retail or other similar active uses on the main floor” are appropriate options for Urban Residential Areas along with “prominent street facing entries,” “extensive ground floor windows,” and “pedestrian scaled facades and contextual design” (pg 66). A mixture of housing types is present in these Urban Residential areas, including single family houses, townhouses, small multifamily apartments, and sometimes mid to high-rise residential structures (pg 41).

The proposed map amendment supports the *Blueprint Denver* Urban Residential concept land use designation by allowing for higher density residential uses, while also allowing a limited number and square footage of complementary commercial uses in a primarily residential area that forms a transition between mixed-use commercial districts and residential neighborhoods. The General form within the C-RX zone districts includes build-to, transparency, entrance, and upper story setback standards and prohibits the location of surface parking between the building and the primary and side streets, implementing the design recommendations stated in *Blueprint Denver*. A mix of housing types is also permitted in the C-RX-8 zone district, while residential uses are highly limited in the current I-A UO-2 zone district.

2002 Blueprint Denver Future Land Use Map



Area of Change / Area of Stability

The subject site is in an Area of Change. In general, “The goal for Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips.” Areas of Change provide Denver with the opportunity to focus growth in a way that benefits the City as a whole (pg 127).

The rezoning application is consistent with the *Blueprint Denver* Area of Change recommendations by allowing for limited mixed-use, primarily residential redevelopment at an appropriate, transit-oriented location, improving access to jobs, housing, and services.

Street Classifications

Blueprint Denver classifies West 44th Avenue as a Mixed Use Collector and North Cherokee Street as an Undesignated Local. According to *Blueprint Denver*, “collectors are designed to provide a greater balance between [multimodal] mobility and land access within residential, commercial and industrial areas” (pg 51). West 44th Avenue is the only east/west connection over Interstate-25 to connect the two halves of the Globeville neighborhood bifurcated by the interstate.

According to *Blueprint Denver*, Mixed Use Streets are “located in high-intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity” and are “attractive for pedestrians and bicyclists” (pg 57). The C-RX-8 zone district proposed for the subject site is an appropriate zone district for this mixed-use, higher-capacity street classification through the allowance of the mixed-use residential development contemplated in *Blueprint Denver*. Undesignated Local streets provide primarily local access, appropriate for the small, local segment of North Cherokee Street that will serve future development enabled by the C-RX-8 zone district

The proposed map amendment to C-RX-8 will enable growth in a location that *Blueprint Denver* identifies as appropriate for change and mixed-use, primarily residential development. The existing I-A UO-2 zone district does not accomplish these recommendations, and the rezoning to C-RX-8 at the subject site is consistent with *Blueprint Denver's* guidance.

Small Area Plan: 41st and Fox Station Area Plan

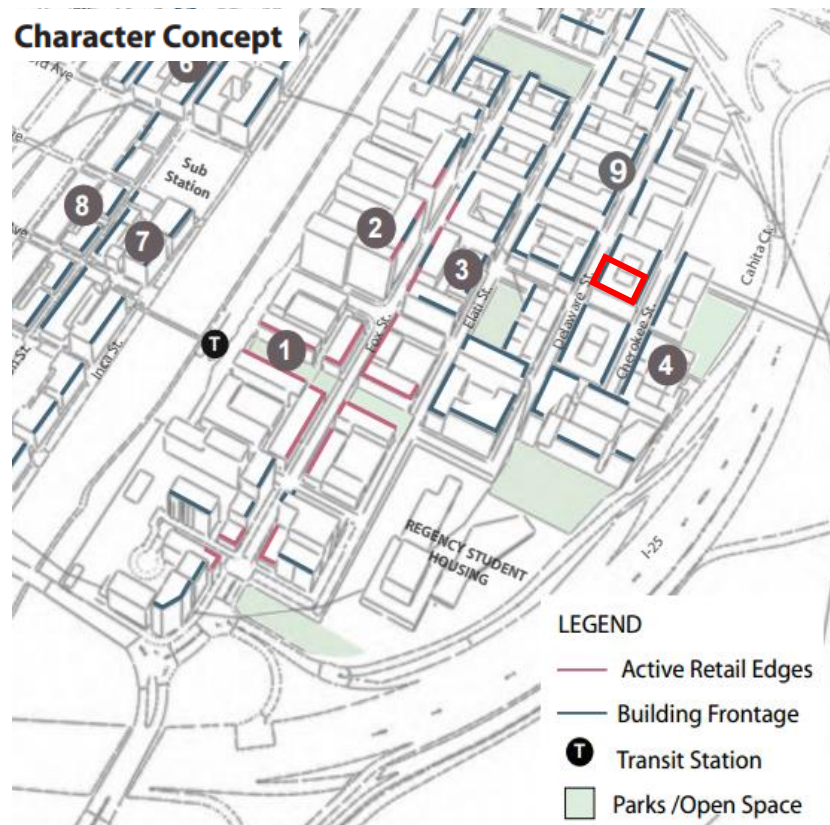
The 41st and Fox Station Area Plan was adopted by City Council in 2009 and applies to the subject property. The plan sets forth a vision for the creation of a “diverse, transit supportive and environmentally sustainable urban center” (pg 9). The plan concept is centered around the development of a high-intensity activity node close to the station on the east side of



the railroad tracks. During the planning process, it was determined that the eastern portion of the station area would develop into an “Urban Center” type to create a complete, transit-friendly neighborhood. The subject site is located within this Urban Center type area.

The subject site is located within the area recommended for Urban Residential uses with a building height of 2-8 stories. These areas are intended as new, moderate-density neighborhoods that provide a range of housing types that help support the pedestrian shopping district and employment base of the station area (pg 16). The proposed C-RX-8 zone district is consistent with both this land use and building height recommendation by allowing residential and limited mixed uses with a maximum building height of 8 stories within the Urban Center Neighborhood Context. The existing I-A UO-2 zone district does not fulfill these plan recommendations.

West 44th Avenue is also identified as a key pedestrian and bicycle street given its critical east/west connection to the eastern portion of the Globeville neighborhood. The opportunity for limited mixed-use development through the C-RX-8 zone district supports this pedestrian and bicycle activity on a key, uniting street connection.



The 41st and Fox Station Area Plan also sets forth urban design recommendations to refine the physical form of buildings. The Character Concept diagram identifies the subject site as appropriate for “building frontages.” Along these key corridors, “building edges should be brought to the sidewalk with minimal setbacks” to “help create places that feel enclosed and oriented toward the street” (pg 18). The build-to, parking location, and transparency standards of the C-RX-8 zone district fulfill these urban design recommendations, while the current I-A UO-2 zoning is deficient in these aspects.

Globeville Neighborhood Plan

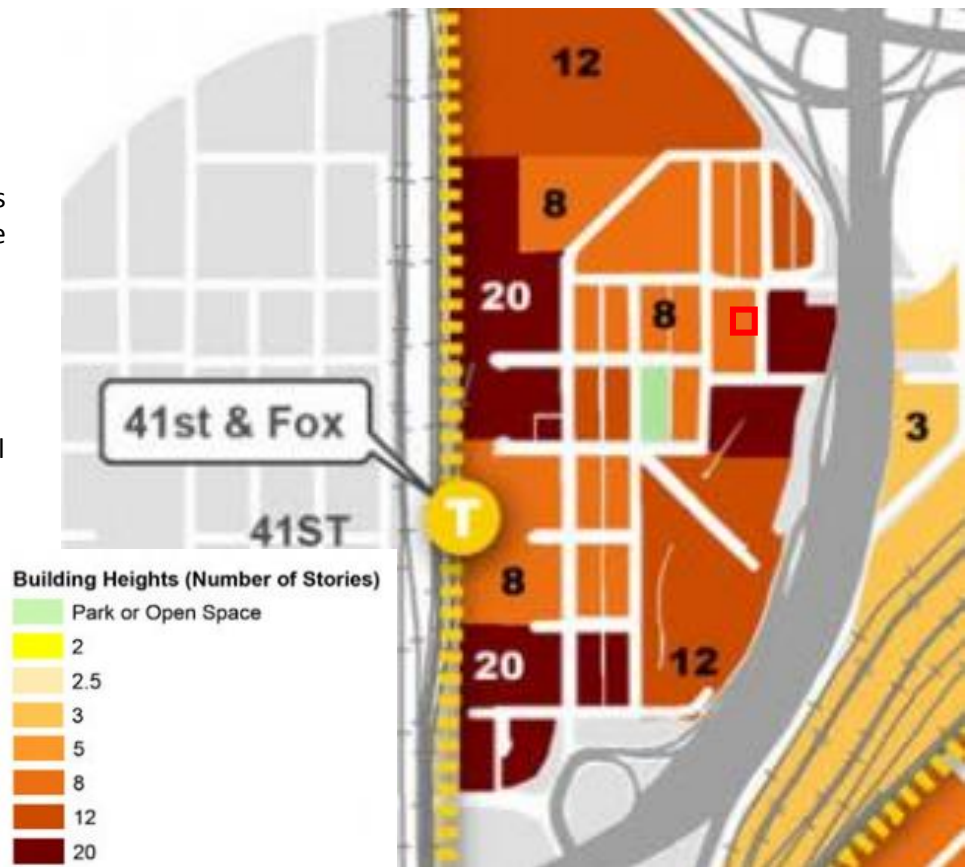
The *Globeville Neighborhood Plan* was adopted by City Council in December 2014 and overlaps with the boundaries of the *41st and Fox Station Area Plan* on the subject site. The *Globeville Neighborhood Plan* reinforces the land use and building height recommendations provided in the *41st and Fox Station Area Plan* for the area of overlap. “The *Globeville Neighborhood Plan* does not update the recommendations of the *41st and Fox Station Area Plan*,” so both adopted plans are considered in determining plan consistency (pg 4). Additionally, the *Globeville Neighborhood Plan* seeks to improve connectivity from the Globeville Residential Neighborhood Core to this area.



The *Globeville Neighborhood Plan* confirms the vision for the 41st and Fox station Character Area as a “diverse, transit-supportive, and environmentally sustainable urban center” (pg 15). The *Plan* reinforces the recommended concept land use as Urban Residential, as well as an Area of Change as previously described in adopted plans. Urban residential areas are higher density and primarily residential but may include complementary commercial uses (pg 30). Accordingly, the proposed C-RX-8 zone district is consistent with these land use recommendations since it permits an appropriate, limited mix of non-residential uses and full range of residential uses.

The *Globeville Neighborhood Plan* reinforces the appropriateness of the proposed C-RX-8 zone district through the

Maximum Recommended Building Heights map (pg 36). The subject site is recommended for development no greater than eight stories, and the C-RX-8 zone district fulfills this recommendation. The *Globeville Neighborhood Plan* reinforces the importance of 44th Avenue as a critical connection to the eastern portion of the neighborhood. The *Plan* recommends improving the 44th Avenue bridge to enhance this existing connection and knit the neighborhood together. The residential mixed-use development enabled by the proposed C-RX-8 zone district introduces an appropriate mix of uses along this critical connection whereas the exiting I-A UO-2 zoning does little to encourage multi-modal-friendly redevelopment in the area.



2. Uniformity of District Regulations and Restrictions

The proposed rezoning to C-RX-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 of the City primarily through implementation of the City's adopted land use plans including *Comprehensive Plan 2000*, *Blueprint Denver*, the *41st and Fox Station Area Plan*, and the *Globeville Neighborhood Plan*.

4. Justifying Circumstance

The application identifies changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.8.A.4, "The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area."

Several changed or changing conditions apply to the site and surrounding area. The commuter rail station at the 41st and Fox station is under construction with a projected opening date in fall 2016, creating a shift in transportation opportunity that supports higher-intensity, mixed use development. Recently, other large properties in the immediate station area are pursuing rezoning for future transit oriented redevelopment, signaling an evolution in the surrounding environs. Additionally, as discussed above, many adopted plan recommendations state and further reinforce that redevelopment of the area is desired.

As stated in the application, the current I-A UO-2 zoning does not reflect the City's vision as reinforced by the 2014 *Globeville Neighborhood Plan*, a confirmation of the adopted policy for the subject site.

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

Neighborhood Context Description

The proposed C-RX-8 zone district is within the Urban Center Neighborhood Context. The neighborhood context generally consists of multi-unit residential and mixed-use commercial strips and commercial centers. The Urban Center Neighborhood Context consists of a regular pattern of block shapes surrounded by an orthogonal street grid, providing a pattern of pedestrian and vehicular connections and a consistent presence of alleys. Block sizes and shapes are consistent and include detached sidewalks, tree lawns, street and surface parking, and landscaping in the front setback. Buildings typically have consistent orientation and shallow setbacks with parking at the rear or side of a building. The Urban Center Neighborhood Context is characterized by moderate to high building heights to promote a dense urban character. There are also high levels of pedestrian and bicycle use with the greatest access to the multimodal transportation system (DZC, Division 7.1). It is appropriate to apply zoning within the Urban Center Neighborhood Context at this location through the adopted plan vision

described earlier as well as the multimodal transportation context. The proposed rezoning to C-RX-8 will lead to development that is consistent with the neighborhood context description.

Zone District Purpose and Intent

According to DZC 7.2.3.1.A, the general purpose of the C-RX zone districts is to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate the public realm. The Residential Mixed Use Zone Districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping, and public gathering within and around the city's residential neighborhoods while positively contributing to established residential neighborhoods. The Residential Mixed Use districts are primarily intended to accommodate residential uses. Commercial uses are secondary to the primary residential use of the district, and provide neighborhood-scaled shops and offices for residents to conveniently access goods and services within walking distance. The rezoning to C-RX-8 is consistent with the zone district general purpose, and resulting development will be consistent with the general purpose statement through the application of the C-RX-8 zone district standards.

Staff Recommendation

Based on the analysis set forth above, CPD staff finds that the application for rezoning the property located at 4353 North Cherokee Street (#2015I-00107) to the C-RX-8 zone district meets the requisite review criteria. Accordingly, staff recommends approval of the rezoning.

Planning Board Recommendation

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

Attachments

1. Application
2. RNO support letter

Upton, Curt - CPD Planning Services

From: armando payan <armandopayan@yahoo.com>
Sent: Friday, December 25, 2015 11:19 AM
To: Upton, Curt - CPD Planning Services; Tri Construction Inc.
Subject: Fw: Written Notice of Receipt of Application #2015I-00107: 4353 Cherokee

Please consider this email as a letter of support for the rezoning request listed below at 4353 Cherokee Street Denver , Colorado 80216.

We (Globeville Civic Association #2) have met with the Owner Marcelino Escalantes and we are glad to say we support his request. We believe his project will help the neighborhood (community in all aspects)

-Garden Place Elementary School (Enhancing the Academic Quality by being involved in the Development of the Learning Landscapes at the School)

-Branch Banking-Bring in additional banking services that will provide short term loans to residents, home repair loan to the residents, low interest students loans to the residents etc.

-Medical Services- Bring in a full fledge medical services unit i.e.medical, dental, optical, general practice for the residence etc.

-Grocery Store- Bring in a full fledge store that provides fresh vegetables, produce and dairy products etc.

Again, we believe Marcelino brings a unique foresight, and vision, that leads to a Smart Community environment one that will thrive and set the future for the rest of Denver and the World to follow. This is a once in a life time opportunity.

Please feel free to contact me with any question and or comments that you may have

Sincerely

Armando Payan

----- Forwarded Message -----

From: Rezoning - CPD <Rezoning@denvergov.org>

To:

Cc: "Upton, Curt - CPD Planning Services" <Curt.Upton@denvergov.org>; "Dalton, Kyle A. - Community Planning and Development" <Kyle.Dalton@denvergov.org>; "Showalter, Sarah K - CPD Planning Services" <Sarah.Showalter@denvergov.org>

Sent: Friday, December 4, 2015 2:39 PM

Subject: Written Notice of Receipt of Application #2015I-00107: 4353 Cherokee

| NOTICE OF COMMUNITY PLANNING AND DEVELOPMENT RECEIPT OF OFFICIAL MAP AMENDMENT (REZONING) | | | |
|--|--|--|--|
| APPLICATION # | #2015I-00107 | LOCATION | 4353 Cherokee St. |
| APPLICANT | Eric Blase/Studio 464 Architecture 15940 S. Golden Road Golden, CO 80401 | | |
| PROPOSED ACTION TO REZONE FROM | I-A, UO-2 | TO | C-RX-8 |
| CASE MANAGER | Curt Upton Senior City Planner | PHONE/EMAIL | (720) 865-2942 / Curt.upton@denvergov.org |
| PLANNING BOARD PUBLIC HEARING INFORMATION | | | |
| Once scheduled, information on the Planning Board public hearing will be available at: https://www.denvergov.org/content/denvergov/en/community-planning-and-development/planning-and-design/planning-board.html | | | |
| INTERESTED REGISTERED NEIGHBORHOOD ORGANIZATIONS | | | |
| Denver Neighborhood Association, Inc. Attn: Bradley L. Zieg bradleyzieg@msn.com maharvey@thelegalcenter.org 1285 Dexter St. Denver, CO 80220 | | Globeville Civic Association #2 Attn: Armando Payan armandopayan@yahoo.com 4707 Pearl St. Denver, CO 80216 | |
| Elyria Swansea/Globeville Business Association Attn: Mr. Larry L. Burgess LBur238057@msn.com 3519 Brighton Blvd., Suite D Denver, CO 80216 | | United Community Action Network Inc. Attn: Drew Dutcher UCANMetroDenver@gmail.com drewdutcherdirect@gmail.com 4653 High St. Denver, CO 80216 | |
| Inter-Neighborhood Cooperation (INC) Attn: Larry Ambrose incnotify@denverinc.org PO Box 300684 Denver, CO 80218 | | Globeville Civic Association #1 Attn: Dave Oletski kmmckenna@gmail.com 4930 Logan St. Denver, CO 80216 | |
| North Highlands Neighbors Association Attn: Michael Francone mfrancone@centralstreetcap.com 3900 Elati St. Denver, CO 80216 | | Denver Urban Resident Association Attn: Raymond J. Lyall rlyall.rl@gmail.com 2420 Welton St. Denver, CO 80202 | |
| Globeville K.A.R.E.S. Attn: Bernadette Garcia GlobevilleKares@gmail.com GVKares@gmail.com 4447 Grant St. | | | |

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|---|---|
| Denver, CO 80216 | |
| CITY COUNCIL MEMBERS AT-LARGE | |
| Robin Kniech Robin.Kniech@denvergov.org City and County Bldg., Room 432 Denver, CO 80202 | Deborah Ortega Deborah.Ortega@denvergov.org City and County Bldg., Room 492 Denver, CO 80202 |
| CITY COUNCIL MEMBER – COUNCIL DISTRICT #9 | |
| Albus Brooks 2855 Tremont Pl. Ste. #201 Denver, CO 80205 | |

The above-referenced application and the City’s map amendment process may be viewed at <http://www.denvergov.org/Rezoning/>.

Any questions regarding this application may be directed to the Case Manager above.

RNOs are encouraged to submit the “RNO Position Statement.pdf” located at <http://www.denvergov.org/Rezoning/> by email to Plan Implementation at Rezoning@denvergov.org prior to the Planning Board Hearing.

WRITTEN COMMENTS WILL BE DISPERSED AS FOLLOWS:

Written comments received by 5 p.m. 9 days prior to the Planning Board Public Hearing will be attached to the staff report that is provided to the Board.

Written comments received after that time and prior to 12 p.m. (noon) on the day before the Hearing will be emailed regularly to the Board;

hard copies of these comments also will be distributed to the Board at the Hearing.

Written comments received after 12 p.m. (noon) on the day before the Hearing will not be distributed to the Board; to ensure these comments are considered by the Board, please submit them to the Board during the Hearing.

ALL INTERESTED PERSONS AND ORGANIZATIONS SHOULD EXPRESS THEIR CONCERNS OR SUPPORT AT THE PLANNING BOARD HEARING AND AT THE PUBLIC HEARING BEFORE CITY COUNCIL.



Heidi Tippetts | Operations Assistant
Community Planning and Development | Planning Services
City & County of Denver
720*865*2557 Phone | Heidi.Tippetts@denvergov.org

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 | JM Properties Inc | Representative Name | Eric Blase / Studio 646 Architecture |
| Address | 7799 W. 2nd Avenue | Address | 15940 S. Golden Road |
| City, State, Zip | Lakewood, CO 80226 | City, State, Zip | Golden, CO 80401 |
| Telephone | 303.881.7640 | Telephone | 720.297.9416 |
| Email | m.escalante@icloud.com | Email | eblase@646arch.com |
| <p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p> | | <p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p> | |
| <p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p> | | | |
| SUBJECT PROPERTY INFORMATION | | | |
| Location (address and/or boundary description): | 4353 Cherokee Street | | |
| Assessor's Parcel Numbers: | 160751421 | | |
| Area in Acres or Square Feet: | 5530 sq.ft. | | |
| Current Zone District(s): | I-A, UO-2 | | |
| PROPOSAL | | | |
| Proposed Zone District: | C-MX-8 | | |
| Does the proposal comply with the minimum area requirements specified in DZC Sec. 12.4.10.3: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | |

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

REQUIRED ATTACHMENTS

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

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

ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- Written Authorization to Represent Property Owner(s)

Please list any additional attachments:

- Exhibit A - Legal Description
- Exhibit B - Proof of Ownership
- Exhibit C - General Review Criteria
- Exhibit D - Letter of Authorization
- Exhibit E - Property Assessment
- Exhibit F - Additional Criteria
- Exhibit G - Zoning Map
- Exhibit H - Parcel Map

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

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

| Property Owner Name(s) (please type or print legibly) | Property Address City, State, Zip Phone Email | Property Owner Interest % of the Area of the Zone Lots to Be Rezoned | Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held) | Date | Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved | Property owner representative written authorization? (YES/NO) |
|--|--|--|---|------------|--|---|
| 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</i> <i>Josie Q. Smith</i> | 01/01/12 | (A) | NO |
| Marcelino Escalante JM Properties, Inc. | 7799 W. 2nd Ave Lakewood, CO 303.881.7640 | 100% | <i>ME</i> | 11.11.2015 | (A) | Yes |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

Exhibit A - Legal Description

4353 Cherokee Legal Description

L 34 & 35 BLK 1 BURLINGTON

Exhibit B - Proof of Ownership

Real Property Records

Date last updated: Wednesday, November 11, 2015

 [\[Back\]](#) Real Property Records Search

If you have a question about the value, ownership, or characteristics of this property, or any other property in Denver, please call the Assessor at 720-913-4162.

[Link to real property information for this property](#)

[Link to comparable sales information for this property](#)

[Link to chain of title information for this property](#)

[Link to property sales information for this neighborhood](#)

[Back to Property List](#)

[Link to property tax information for this property](#)

[Link to property sales information for all Denver neighborhoods](#)

[Link to map/historic district listing for this Property](#)

The property description shown is data from the Assessor's active, in-progress 2014 file. The "current year" values are from the 2014 tax year for real property tax due in 2015. These values are based on the property's physical status as of January 1, 2014.

PROPERTY INFORMATION

Property Type: RESIDENTIAL

Parcel: 0222305021000

Name and Address Information

Legal Description

J M PROPERTIES INC

7799 W 2ND AVE

L 34 & 35 BLK 1 BURLINGTON

LAKEWOOD, CO 80226-1411

Property Address: 4353 CHEROKEE ST

Tax District

DENV

Assessment Information

| | Actual | Assessed | Exempt | Taxable |
|--------------|--------|----------|--------|---------|
| Current Year | | | | |
| Land | 38700 | 3080 | | |
| Improvements | 127300 | 10130 | | |
| Total | 166000 | 13210 | 0 | 13210 |
| Prior Year | | | | |
| Land | 38700 | 3080 | | |
| Improvements | 92100 | 7330 | | |
| Total | 130800 | 10410 | 0 | 10410 |

Style: One Story

Reception No.: 2015098086

Year Built: 1901

Recording Date: 07/16/15

Building Sqr. Foot: 1,097

Document Type: Warranty

Bedrooms: 1

Sale Price: 205000

Baths Full/Half: 1/0

Mill Levy: 83.054

Basement/Finished: 201/0

[Click here for current](#)



Summary

For this Record...
 Filing history and documents
 Get a certificate of good standing
 File a form
 Subscribe to email notification
 Unsubscribe from email notification

Business Home
 Business Information
 Business Search

FAQs, Glossary and Information

| Details | | | |
|---|---|-------------------------|-------------|
| Name | J M Properties, Inc. | | |
| Status | Good Standing | Formation date | 03/30/2010 |
| ID number | 20101186856 | Form | Corporation |
| Periodic report month | May | Jurisdiction | Colorado |
| | | Term of duration | Perpetual |
| Principal office street address | 7799 W 2nd Ave, Lakewood, CO 80226, United States | | |
| Principal office mailing address | n/a | | |

| Registered Agent | |
|------------------------|---|
| Name | Marcelino Escalante |
| Street address | 7799 W 2nd Ave, Lakewood, CO 80226, United States |
| Mailing address | 2420 W. 26th Ave., D-300, Denver, CO 80211, United States |

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Exhibit C – General Review Criteria

The proposed map amendment is consistent with the following adopted plans:

1. City of Denver Comprehensive Plan 2000
2. Blueprint Denver: An Integrated Land Use and Transportation Plan
3. 41st Fox Station Area Plan
4. Globeville Neighborhood Plan

Review Criteria 1 - City of Denver Comprehensive Plan 2000

The following is a list of areas where we think the proposed map amendment is consistent with referenced adopted plan. Note: Italicized text following an excerpt from adopted plans is used to rationalize how the proposed map amendment meets the referenced goals and strategies.

Environmental Sustainability Chapter

Strategy 2-F Conserve land by:

- Promoting infill development within Denver at sites where services and infrastructure are already in place.
- Designing mixed-use communities and reducing sprawl, so that residents can live, work and play within their own neighborhoods.
- Creating more density at transit nodes.
- Adopting construction practices in new developments that minimize disturbance of the land.

Rationale: The proposed map amendment meets the intent of this strategy because it is an infill development focused on meeting housing needs. In place infrastructure will be used and enhanced if necessary. This also occurs near a future train station site.

Land Use Chapter

Strategy 1-H Encourage development of housing that meets the increasingly diverse needs of Denver’s present and future residents in the Citywide Land Use and Transportation Plan.

Rationale: The proposed map amendment meets the intent of this strategy because it is an infill development focused on meeting housing needs. The proposed map amendment to a C-MX-8 zoning will allow for future growth and expansion as demand for housing continues to grow.

Strategy 3-B Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses.

Rationale: The proposed map amendment to C-MX-8 will offer maximum density opportunity and also opportunities for development of commercial and retail amenities within the area, which will also encourage and sustain future growth.

Exhibit C – General Review Criteria (cont)

Strategy 4-A Encourage mixed-use, transit-oriented development that makes effective use of existing transportation infrastructure, supports transit stations, increases transit patronage, reduces impact on the environment, and encourages vibrant urban centers and neighborhoods.

Rationale: The proposed map amendment is intended to be supported by the existing / planned train infrastructure and train station. The proposed map amendment will also make use of the planned train station.

Mobility Chapter

Strategy 1-B Promote public transit, both bus and rail, as a safe, attractive and convenient choice for people who might otherwise drive to employment, education, cultural, shopping or other destinations.

Rationale: The proposed map amendment and future development will be designed to support the future station and area growth it will generate.

Strategy 2-A Continue to reinforce Downtown Denver as the main transportation hub for the region, with the proposed intermodal transit facility at Denver Union Terminal as a focal point.

Rationale: The proposed map amendment and future development will be designed to support the future station which ultimately connects to the Denver Union terminal.

Strategy 2-D Create more convenient connections between different modes of transportation, as in pedestrian to transit, bus to light rail, or bike to transit.

Rationale: The proposed map amendment and future development will be designed to support the future station.

Strategy 3-B Promote transit-oriented development (TOD) as an urban design framework for urban centers and development areas. Development at transit stations should provide both higher ridership to the transit system and viability and walkability in the area.

Rationale: The proposed map amendment supports this strategy.

Strategy 4-E Continue to promote mixed-use development, which enables people to live near work, retail and services.

Rationale: The proposed map amendment supports this strategy.

Denver's Legacies Chapter

Strategy 1-E Invest in public infrastructure and amenities strategically to promote community identity and attract development.

Rationale: The proposed map amendment supports this strategy.

Exhibit C – General Review Criteria (cont)

Strategy 6-E Evaluate and address the impact of building codes, development review and other City permitting processes on historic preservation.

Housing Chapter

Strategy 6-A Support mixed-use development consistent with the goals of the Comprehensive Plan's land-use and mobility strategies.

Rationale: The proposed map amendment supports this strategy.

Strategy 6-E Identify and capitalize on opportunities to develop housing along transit lines.

Rationale: The proposed map amendment supports this strategy, as it is adjacent to the future Fox Street Station.

Exhibit C – General Review Criteria (cont)

Review Criteria 2 - Blueprint Denver: An Integrated Land Use and Transportation Plan

The following is a list of areas where we think the proposed map amendment is consistent with referenced adopted plan. Note: Italicized text following an excerpt from adopted plans is used to rationalize how the proposed map amendment meets the referenced goals and strategies.

Chapter 3 Plan Strategy: Direct Growth to Areas of Change

- Areas adjacent to and around transit stations (both existing and planned)
 - Three Types of Areas of Change

To achieve Blueprint Denver’s growth management objective, new development will be directed to three general areas:

- Downtown
- Lowry, Stapleton and Gateway
- Areas where land use and transportation are closely linked

Areas of Change link transit to a somewhat more intensive mixed-use development, while creating pedestrian-friendly places that help reduce the number and lengths of trips made by car. By directing growth to these areas that are appropriate for new development, Blueprint Denver strives to preserve the community’s established neighborhoods. The result will be beneficial for all areas of Denver while also accommodating new residents and jobs.

Rationale: The proposed map amendment supports this strategy.

Chapter 3 – Remaining Areas of Change Strategies

The following strategies support the proposed zone map amendment

- Eliminate auto-oriented zoning standards
- Mixed land uses
- Infill and redevelop vacant and underused properties
- Transit service and transit access
- Economic activity—business retention, expansion and creation

Rationale: The proposed map amendment supports this strategy.

Chapter 4 The Map Plan

Industrial Districts (Page 40)

Industrial as manufacturing and shipment have become more sophisticated, the need for heavy industrial areas adjacent to rail has lessened. Some of these older areas have historic buildings that are suitable for conversion to office and residential, a notable trend in LoDo and the Ballpark District. Others have the potential to be more diverse employment areas. Warehousing remains a viable use with high demand for trucking. Active industrial areas require access to major arterials or interstates. Heavy rail facilities also are often adjacent to industrial districts. Streets in these districts must be able to

Exhibit C – General Review Criteria (cont)

accommodate heavy trucks. Special attention to design, screening and buffering is necessary where industrial districts abut districts that include residential use. Examples of this form of development include the I-70 and South Platte River corridors.

Rationale: The proposed map amendment supports this strategy to repurpose the underutilized industrial area for the proposed mixed use zone designation.

Centers (page 44)

Transit-Oriented Development (TOD) There are many land-use types described in this chapter — downtown, pedestrian-oriented shopping corridors and centers — where creating links between land use and transportation are critical elements. One of the explicit purposes of each of these land-use concepts is to support transit and to create areas that are pleasant places to walk and bike. Transit-oriented developments are distinctly different because these land uses have a direct correlation to the function of a mass transit system. These development sites are located at stations or stops along bus or rail lines within a mass transit network. Transit-oriented developments offer an alternative to traditional development patterns by providing housing, services, and employment opportunities for a diverse population in a configuration that facilitates pedestrian and transit access.¹ Some key attributes of TOD commonly include:

- A balanced mix of uses (residential, retail, office, entertainment, public facilities and others)
- Compact, mid- to high-density development
- Close proximity to transit, emphasizing a pedestrian-friendly and attractive pedestrian environment
- Multi-modal transportation connections (rail, bus, bicycle, pedestrian and others)
- Reduced emphasis on auto parking — including lowered parking requirements, shared parking, parking configurations that mitigate the visual impacts of automobiles, parking structures located near but not necessarily at stations and replacement of surface parking lots with structured parking
- Urban design guidelines to improve character and create a sense of place
- Attractive, multi-story buildings facing the station and adjacent streets
- A variety of housing types and prices, including affordable housing opportunities ■ Access to open space and recreational amenities
- A high degree of connectivity between station area and surrounding neighborhoods

Rationale: The proposed map amendment supports this strategy for development at TOD areas.

Exhibit C – General Review Criteria (cont)

Review Criteria 3 - 41st and Fox Station Area Plan

The following is a list of areas where we think the proposed map amendment is consistent with referenced adopted plan. Note: Italicized text following an excerpt from adopted plans is used to rationalize how the proposed map amendment meets the referenced goals and strategies.

Recommendation LU 1: Land Use Components (page 15)

1c. Mixed-Use Office/Residential (3-20 stories) has a sizable employment base as well as housing and may include a wide variety of uses including hotels and lodging. Intensity is higher in these areas than in the urban residential areas. Land uses are not necessarily mixed in each building but the area will include employment, services and residential uses within walking distance. The proportion of residential to commercial will vary from one development to another. Because these mixed-use developments are within the transit oriented development area, form of the buildings and pedestrian orientation are very important.

Rationale: The site currently resides in an area marked for Urban Residential 2-8 stories, and is located near a main access corridor. Additionally, the site resides directly across Cherokee Street, which is the area identified as Mixed Use Office / Residential (3-20 stories). Therefore, based on it's adjacency to this designated area on the map, the map amendment supports this strategy for development.

UD 1b. Active Edges and Design Elements of Building Ground Floors help create a feeling of activity, safety and visual interest for pedestrians. In the pedestrian shopping districts and along arterial streets, ground floor uses should consist of retail or similar active uses. The ground floors of building in all areas should contain the following elements:

- Prominent, street facing entries
- Extensive ground floor windows and frequent entrances
- Pedestrian scaled facades
- Awnings to protect pedestrians and mark entrances
- Building entrances that meet the sidewalk (no parking between primary structure and the street)

Rationale: The proposed Mixed Use Office / Residential supports the above referenced goals for active ground floors. Additionally, since the site is closely located to 44th Ave, which is designated as a main connection to downtown and over I-25, this area will receive significant automobile traffic and be viable in a mixed use designation.

Recommendation ED 1: Economic Development Strategies (page 27)

ED 1b. Zoning incentives for transit oriented development. Implement new zone districts with TOD supportive attributes, including those for the interim period and the transit operation period. These zones typically allow for increased densities and reductions in required parking, enable mixed-use development, and prohibit uses that would not be transit supportive. Innovative parking standards include parking maximums, no requirement for parking, and unbundling of parking and development.

Rationale: The station area plan supports high density development and zoning.

Blueprint Denver Land Uses (page 44)

Blueprint Denver Land Uses Blueprint Denver divides Denver into “areas of change” where growth should be directed and “areas of stability,” where only limited change should be allowed. In general, “areas of change” tend to be places where land use and transportation are closely linked with good transit service and a mix of uses that can support significant in-fill development. Station areas fit this definition of “areas of change.”

Blueprint Denver’s concept land uses for the station area were based on a station location at 38th and Inca instead of 41st and Fox. It identifies portions of the west side of the station area in Sunnyside and Highland as “areas of change” and “transit oriented development.” This includes the area generally between 44th and 36th Avenue along Inca, Jason and portions of Lipan Street.

Blueprint Denver identifies the area east of the transit station as an industrial area and an “area of stability.” However, through the planning process, it was determined that the eastern portion of the station area is already undergoing a fundamental change in land use. This change in land use began with the development of the Regency Student Housing and has accelerated in recent years. Moreover, the area exhibits the strong link between transportation and land use that defines “areas of change” in Blueprint Denver.

Blueprint Denver identifies several goals for the areas surrounding rail transit stations. These goals include:

A balanced mix of uses

Compact mid- to high-density development

Reduced emphasis on auto parking

Attractive multi-story buildings

A variety of housing types and prices

Access to open space and recreation amenities

A high degree of connectivity between the station area and surrounding neighborhoods

The 41st and Fox Station transit oriented development will embody these objectives as the station links multi-modal transit elements with existing and developing residential and commercial elements in this “area of change.

Rationale: The Fox Street station area plan and Blueprint Denver both support the proposed map amendment.

Exhibit C – General Review Criteria (cont)

Review Criteria 4 – Globeville Neighborhood Plan

The following is a list of areas where we think the proposed map amendment is consistent with referenced adopted plan. Note: Italicized text following an excerpt from adopted plans is used to rationalize how the proposed map amendment meets the referenced goals and strategies.

Small Area Plans: Small area plans set specific visions, recommendations, and strategies for an area. Within the boundary of the Globeville statistical neighborhood, there are three existing small area Plans. This Globeville Neighborhood Plan (2014) relates to and affects these small area Plans as follows:

- **41st and Fox Station Area Plan (2009):** This Globeville Neighborhood Plan (2014) overlaps with the boundaries of the 41st and Fox Station Area Plan generally east of the railroad tracks, west of I-25, and south of I-70. This Globeville Neighborhood Plan (2014) reinforces the recommendations of the 41st and Fox Station Area Plan with respect to the Station Area Plan’s boundaries. As such, within the area of overlap, both Plans should be used to inform decisions that affect this area of the city.

(page 15) VISION: The 41st and Fox Station will develop over the coming decades into the focal point of a diverse, transit supportive, and environmentally sustainable urban center. Many new residents and businesses will be drawn to the convenient location close to downtown and near some of Denver’s most vibrant urban neighborhoods.

(page 30) Transit-Oriented Development (TOD): Transit-oriented developments have land uses with a direct correlation to the function of a mass transit system. These development sites are typically located within a half mile walking distance of a transit station. Transit-oriented developments provide housing, services, and employment opportunities for a diverse population in a configuration that facilitates pedestrian and transit access. Within Globeville, TOD is located in the 41st and Fox Station Area.

Rationale: The Globeville Neighborhood plan and Fox Street Area Plan overlap. Even so, the Globeville Neighborhood plan recognizes the Fox Street Plan and the future TOD development and acknowledges / recognizes that there will be growth and an increase in density in that area. Therefore, the proposed map amendment is consistent with the Globeville Neighborhood Plan.

Exhibit D - Letter of Authorization

JM Properties, Inc.
7799 W. 2nd Avenue
Lakewood, CO 80226

Re: Re-zoning authorization for representative

To whom it may concern,

We hereby formally authorize Eric Blase of Studio 646 Architecture, LLC to act as an owner's representative for the rezoning of the property at 4353 Cherokee Street. Please direct all rezoning correspondence to him.

Thank you,
JM Properties, Inc.

A handwritten signature in black ink, appearing to read 'ME', is positioned below the typed name.

Marcelino Escalante, Director

Exhibit E - Property Assessment

Denver Property Assessment and Taxation System (3.2.3)

4353 CHEROKEE ST

| Owner | Schedule Number | Legal Description | Property Type | Tax District |
|--|--|----------------------------|---------------|--------------|
| J M PROPERTIES INC 7799 W 2ND AVE LAKEWOOD , CO 80226-1411 | 0222305021000 PIN 160751421 | L 34 & 35 BLK 1 BURLINGTON | RESIDENTIAL | DENV |

Summary

| | | | | | |
|------------------------|-----------|----------------------------|------------|-----------------------------------|------|
| Style: | ONE-STORY | Reception No: | 2015098086 | Year Built: | 1901 |
| Recording Date: | 7/16/2015 | Building Sqr. Foot: | 1097 | Document Type: | WD |
| Bedrooms: | 1 | Sale Price: | 000205000 | Baths Full/Half: | 1/0 |
| Mill Levy: | 83.054 | Basement/Finish: | 201/0 | Zoning Used for Valuation: | IA |
| Lot Size: | 5,530 | | | | |

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

Assessment

| | Actual | Assessed | Exempt |
|--------------|-----------|----------|--------|
| Current Year | | | |
| Land | \$38,700 | \$3,080 | \$0 |
| Improvements | \$127,300 | \$10,130 | |
| Total | \$166,000 | \$13,210 | |
| Prior Year | | | |
| Land | \$38,700 | \$3,080 | \$0 |
| Improvements | \$92,100 | \$7,330 | |
| Total | \$130,800 | \$10,410 | |

Lot Size: 5,530

[zoning](#)

Zoning Used for
Valuation:

IA

*Note: Valuation zoning
maybe different from
City's new zoning code.*



[Print](#)

Exhibit F – Additional Criteria: Neighborhood Context and Effect of Rezoning

Neighborhood Context

The proposed map amendment at 4353 N. Cherokee to CMX-8 will not only help to address the changing character of the neighborhood, but it is also appropriate when considering the developing and planned future context of the Fox Street Station. There is evidence for increasing density in housing across Denver, and this area is a prime candidate for meeting that need with the upcoming station.

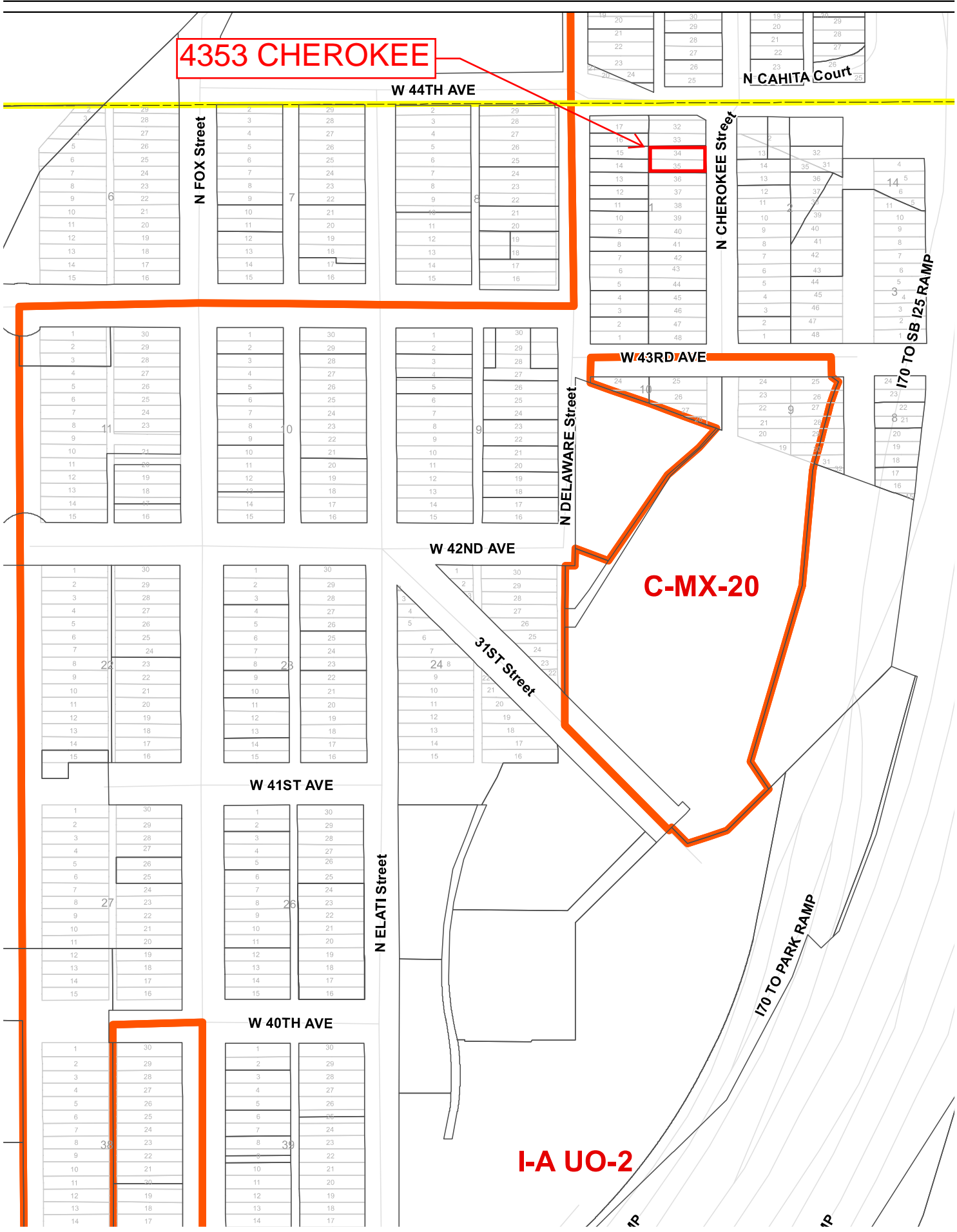
Although the property owner has not yet identified a detailed development plan, the change in zoning gives flexibility for meeting the market need for housing, and desired density outlined in adopted area plans.

Proposed Map Amendment

This proposed map amendment requests the approval of the CMX-8 zone district. The Mixed Use Zone District is intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's neighborhoods. With the coming Fox Street Station, this proposed map amendment will allow this goal to begin to be met.

The effect of the proposed amendment will be immediate and positive. There have already been map amendments in the area which have been approved, and this application is a continuation of a process that has been embraced by the surrounding area.

Exhibit G - Zoning Map



4353 CHEROKEE

W 44TH AVE

N CAHITA Court

N FOX Street

N CHEROKEE Street

W 43RD AVE

N DELAWARE Street

W 42ND AVE

C-MX-20

31ST Street

W 41ST AVE

N ELATI Street

W 40TH AVE

I70 TO PARK RAMP

I-A UO-2

Exhibit H - Parcel Map

4353 CHEROKEE

