



TO: Denver City Council
FROM: Theresa Lucero, Senior City Planner
DATE: April 7, 2016
RE: Official Zoning Map Amendment Application #2015I-00169
210 St. Paul Street
Rezoning from PUD-G #1 to C-CCN-7 and C-CCN-8

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, staff recommends *approval* for map amendment application #2015I-00169 for a rezoning from PUD-G #1 to C-CCN-7 and C-CCN-8

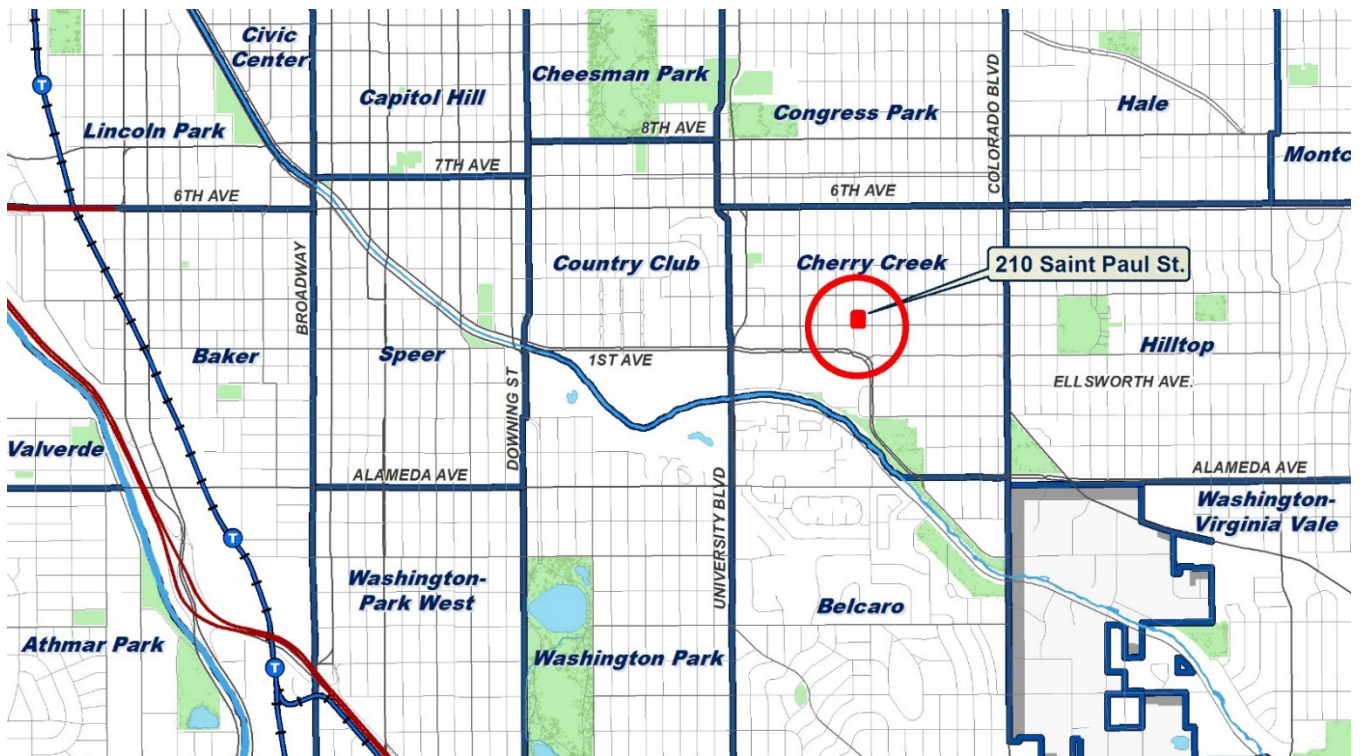
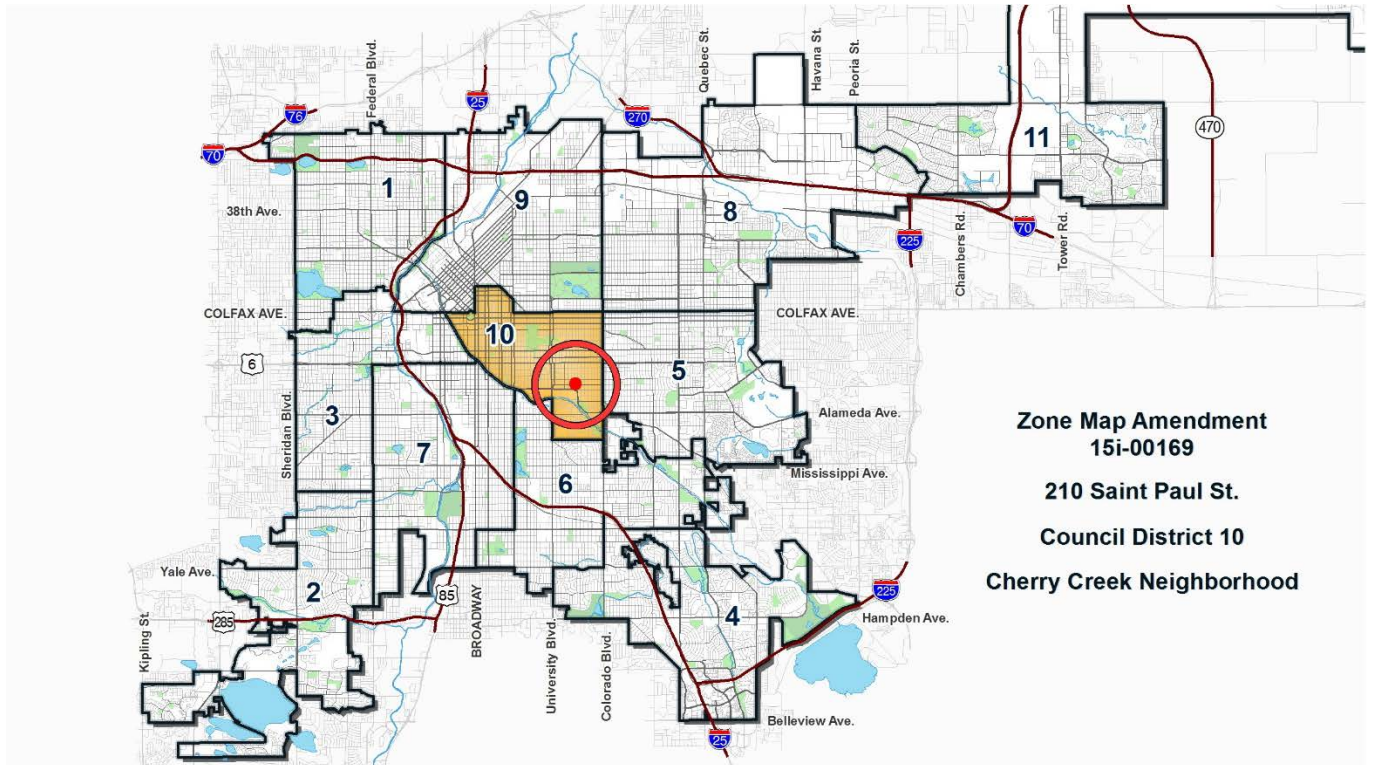
Request for Rezoning

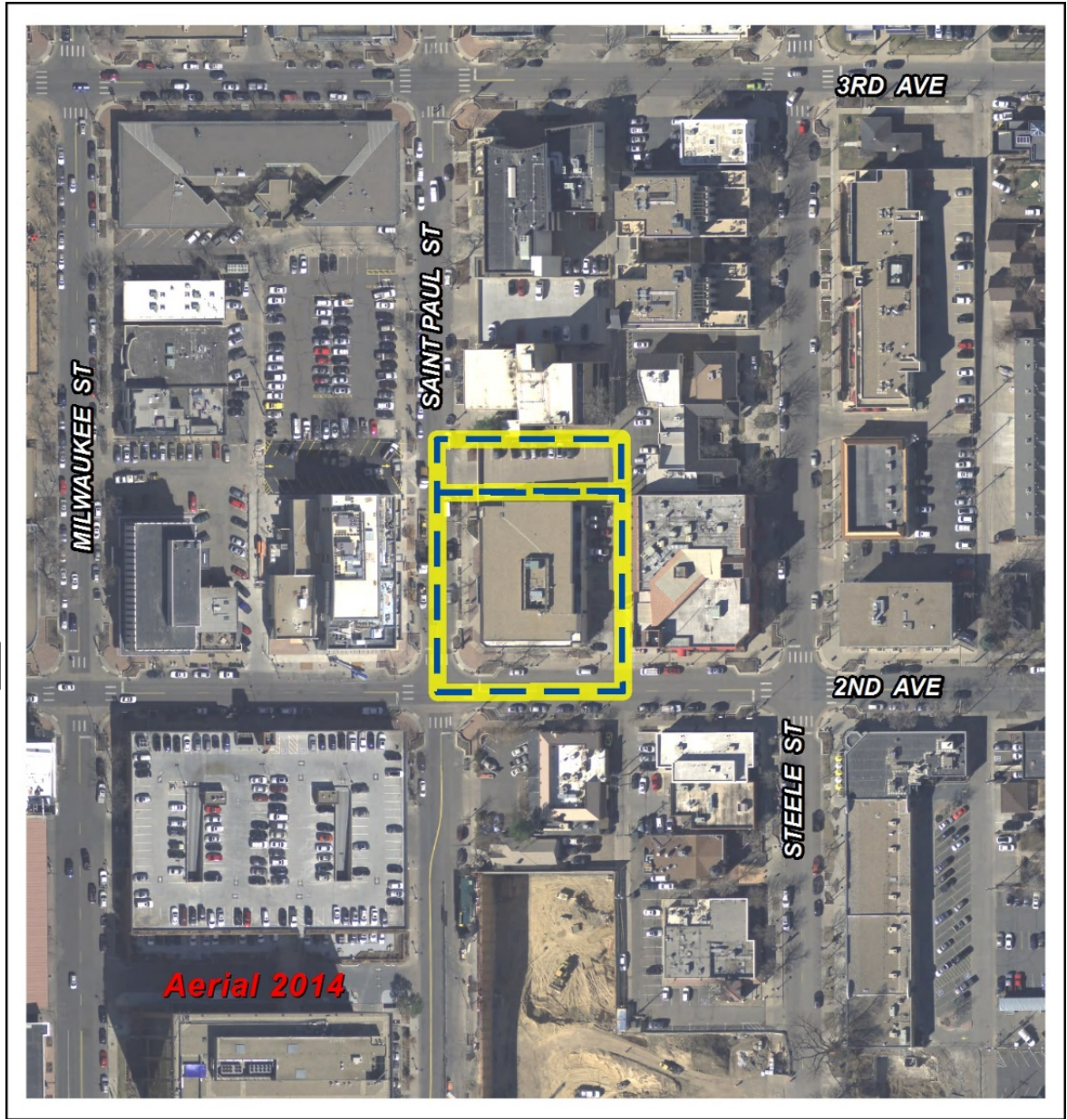
Application:	2015I-00169
Address:	210 St. Paul Street
Neighborhood/Council District:	Cherry Creek Neighborhood / City Council District 10
RNOs:	Cherry Creek Area Business Alliance; Cherry Creek North Neighborhood Association; Cherry Creek North Business Improvement District; Harman Neighborhood Association, Inc.; Capitol Hill United Neighborhoods, Inc.; Denver Neighborhood Association, Inc.; Inter-Neighborhood Cooperation
Area of Property:	25,205 SF square feet or 0.57 acres
Current Zoning:	PUD-G #1
Proposed Zoning:	C-CCN-7 and C-CCN-8
Property Owner(s):	2 nd & St Paul, LLC and BAH-PLA, LLC
Owner Representative:	Phil Workman

Summary of Rezoning Request

- The subject property is a single parcel which contains one existing commercial structure that was built in 1979.
- The property owner proposes to rezone the subject property to the same zone district as surrounding properties in order to redevelop the entire property for residential occupancy with ground story retail.
- The C-CCN-8 district is proposed for the larger southern portion of the property, and the C-CCN-7 district is proposed for the smaller norther portion of the property (see map on page 3).

The proposed **C-CCN-7** and **C-CCN-8** (Urban **C**enter, **C**herry **C**reek **N**orth, with **7** and **8**–story height limits) zone districts are intended for use in the Cherry Creek North mixed use shopping district with retail, restaurant, office and entertainment land uses that are in keeping with the existing character and scale of the area. The districts encourage pedestrian-oriented development through primary street setbacks, open space incentives, and building forms that allow light and views between buildings. The C-CCN-7 and 8 zone districts are focused on local, collector and arterial streets where a building scale of 1 to 7 or 8 stories is desired. Further details of the zone districts can be found in Article 7 of the Denver Zoning Code (DZC).





Existing Context

The subject property is located in southeast Denver in the Cherry Creek Statistical Neighborhood. The property is in the central portion of the neighborhood, 1 block north of the Cherry Creek Shopping Center, 4 blocks south of 6th Avenue, 8 blocks west of Colorado Boulevard and, 3 blocks east of University Boulevard. The adjacent Cherry Creek North shopping area is comprised of a mixture of commercial land uses, zone lots of varying sizes and structures ranging in scale from 1 to 8-stories.

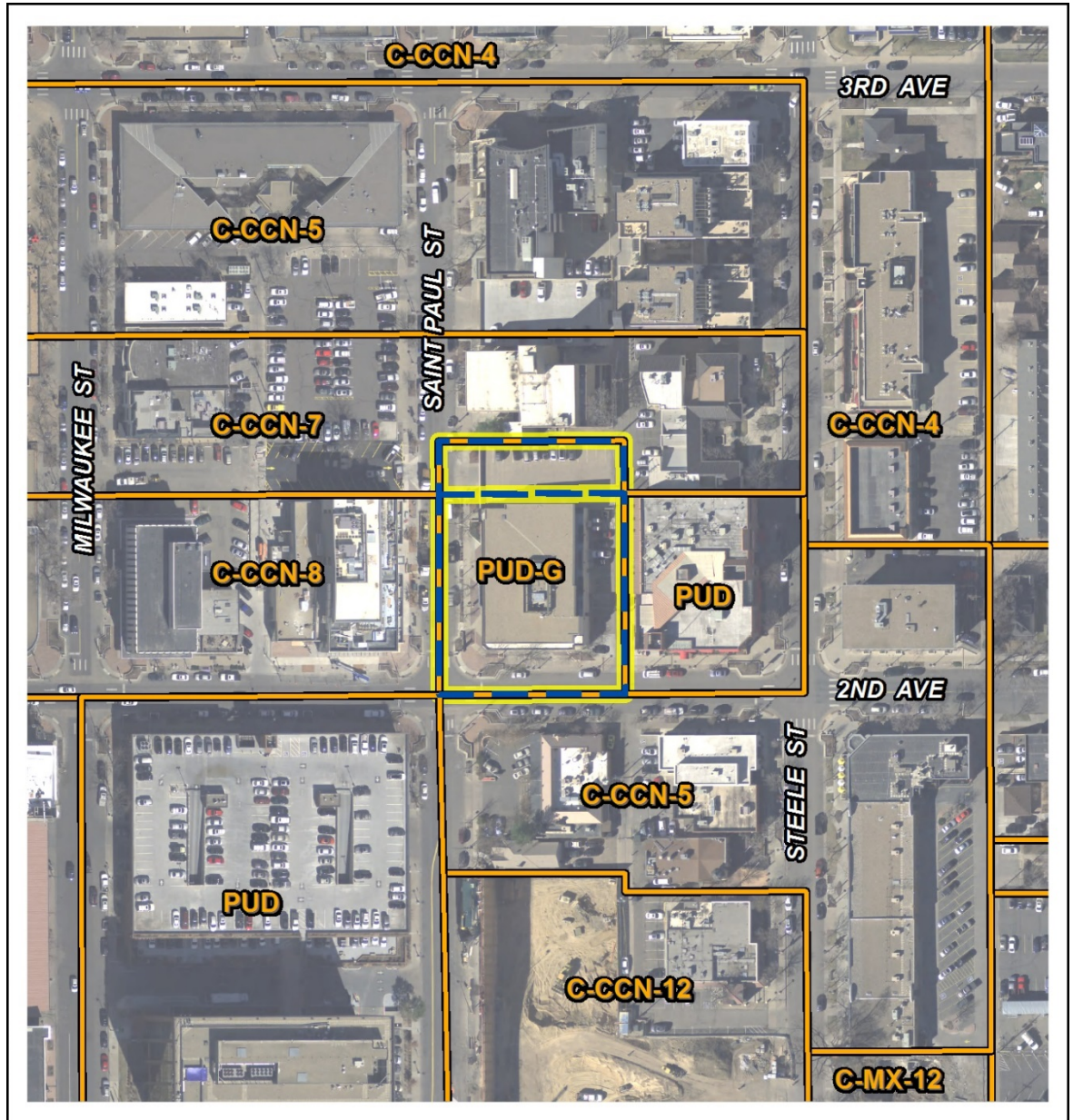
Area parks include James N. Manley Park at 4th & University, the Cherry Creek Greenway and Trail aligned along Cherry Creek, Pulaski and City of Karmiel Park between Bayaud and Alameda Avenues along Cherry Creek North Drive, and across Colorado Boulevard Burns and Cranmer Parks. Area schools include Bromwell Elementary School located at 3rd and Josephine Street, Good Shepherd

Catholic Church at 6th and Elizabeth, Hill Middle School a 5th and Clermont Street and Graland Country Day School at 1st and Clermont Street.

The physical context of the neighborhood is a traditional street grid with rectilinear blocks with alleys. Sidewalks are generally detached with landscaping embedded in the sidewalk. The following table summarizes the existing context adjacent to the subject site:

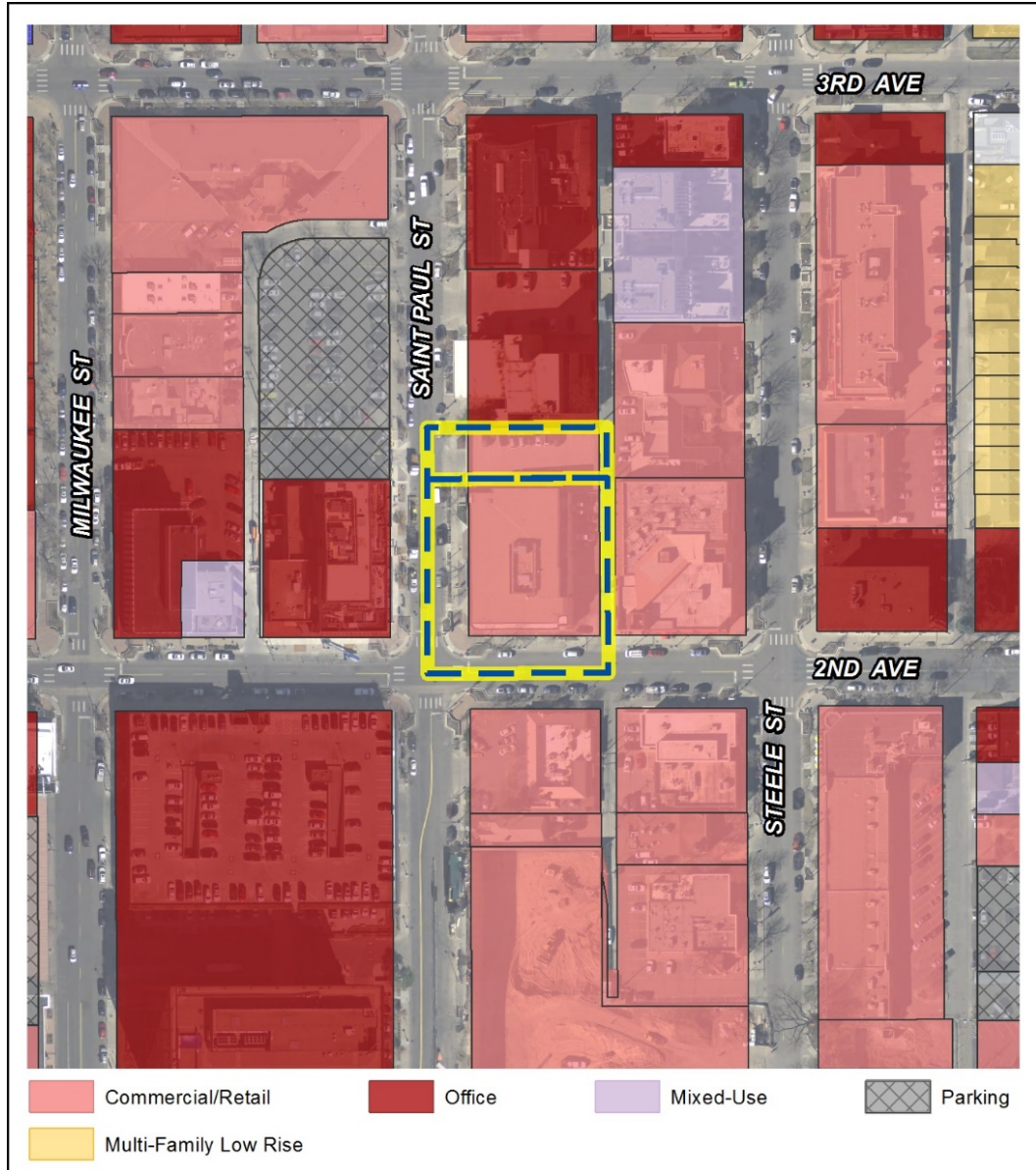
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	PUD-G #1	Commercial	2-story commercial structure	Regular grid streets shaping a consistent pattern of rectilinear blocks with alleys; Vehicle parking is both structured and to the side or rear of buildings (alley access).
North	C-CCN-7	Office	3-4 story commercial structure	
South	C-CCN-5	Restaurant	1-story commercial structure	
East	PUD 313	Office	2-story commercial structure	
West	C-CCN-8	Office	1-3-story mixed use structures	

1. Existing Zoning

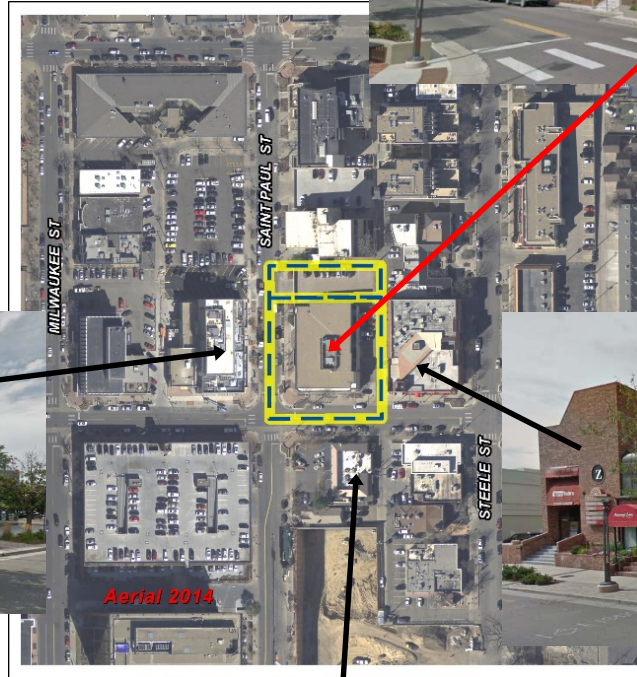


PUD-G #1 was approved in 2011 and limits the maximum square feet of structures to 47,000 square feet and the maximum number of dwelling units to 19. The PUD also limits maximum height to 5-stories, or 55 feet.

2. Existing Land Use Map



3. Existing Building Form and Scale



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.

Public Works – City Surveyor: Approved.

Public Works - Wastewater: Approved see comments below. There is no objection to the rezone, however applicant should be under notice that Public Works will not approve any development of this property without assurance that there is sufficient sanitary and storm sewer capacity. A sanitary study and drainage study may be required. These studies may result in a requirement for the developer to install major infrastructure improvements or a limit to development if current infrastructure is insufficient. Approval of this rezone on behalf of Wastewater does not state, or imply, public storm/sanitary infrastructure can, or cannot, support the proposed rezoning.

Parks and Recreation: Approved.

Public Review Process

Informational Notice

- CPD staff provided informational notice of receipt of the rezoning application to affected members of City Council and Registered Neighborhood Organizations on December 2, 2015.

Planning Board

- The property was legally posted for a period of 15 days announcing the February 3, 2016, Denver Planning Board public hearing, and written notification of the hearing was sent to all affected registered neighborhood organizations and City Council members. At the meeting the Planning Board voted unanimously (8-0) to recommend that City Council approve the rezoning.

Neighborhoods and Planning Committee

- 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 was scheduled for March 2, 2016. Electronic notice of the meeting will be sent to all affected Registered Neighborhood Organizations 10 days in advance of the meeting. At the meeting Committee members voted to move the application forward to a public hearing before the full City Council.

City Council

- Following PLAN Committee review, the rezoning application is typically referred to the full City Council for final action at a public hearing. The City Council public hearing is scheduled for April 11, 2016. Electronic notice of the public hearing will be sent to all affected Registered Neighborhood Associations and notification signs will be posted on the property 21 days in advance of the hearing.

Registered Neighborhood Organizations (RNOs)

- To date, CPD has received one comment letter from the Cherry Creek North Neighborhood Association, a Registered Neighborhood Organization. The letter indicates the organization does not submit letters of support, and there is no opposition to the rezoning application. The letter is attached to this report.

Other Public Comment

To date, no other public comments have 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)
- Cherry Creek Area Plan (2012)

Denver Comprehensive Plan 2000

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

- **Environmental Sustainability** Strategy 2-F – “**Conserve land by promoting infill development within Denver at sites where services and infrastructure are already in place**” (p. 39).
- **Land Use** Strategy 3-B – “**Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses**” (p. 60).
- **Economic Activity** 4-B – “**Enhance existing business centers and establish new business centers in a manner that offers a variety of high-quality uses that support Denver’s business environment, complements neighboring residential areas, generates public revenue, and creates jobs. Maintain the Cherry Creek Shopping Center, Cherry Creek North and other nearby areas as the premier retail destination in the Denver metro area and the Rocky Mountain region**” (p. 135).

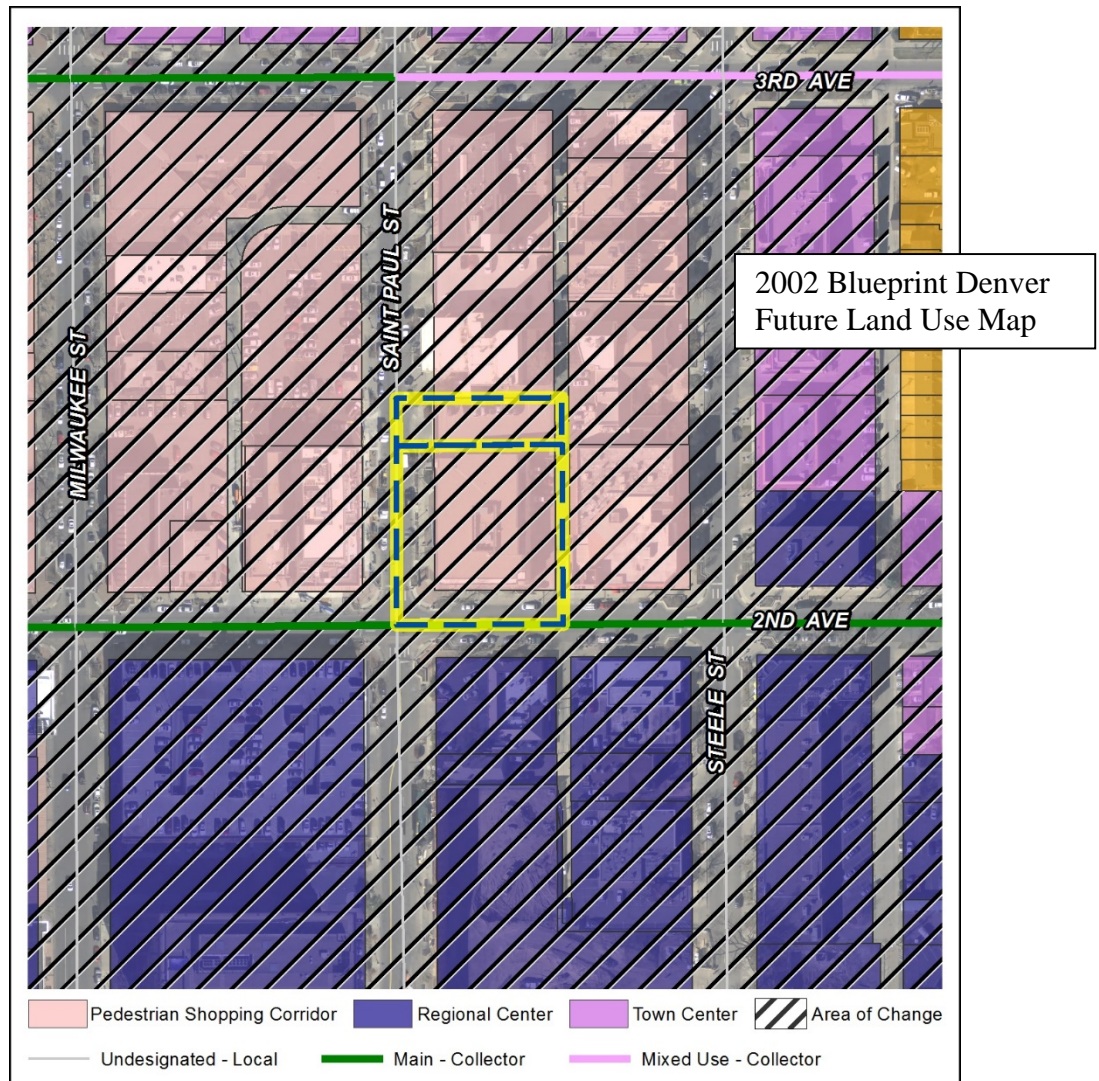
The rezoning is consistent with these Plan recommendations. The proposed C-CCN-7 and C-CCN-8 zone districts allow a variety of residential and commercial land uses. The map amendment will enable the redevelopment for residential and retail land uses.

Blueprint Denver

According to the 2002 Plan Map adopted in Blueprint Denver, this site has a concept land use of Pedestrian Shopping Corridor and is located in an Area of Change.

Future Land Use

The Blueprint Denver Pedestrian Shopping Corridor concept land use designation is described in the Plan as containing a mix of shopping, entertainment, service and employment land uses generally oriented in a linear pattern. "Pedestrian shopping corridors have a continuous street frontage of buildings, wide sidewalks, on-street parking, and shared parking among businesses" (p. 45). The proposed redevelopment of the existing retail land use into a mix of residential with ground floor retail is consistent with this land use concept because additional residential and commercial land uses contribute to the vitality of the Pedestrian Shopping Corridor.



Area of Change / Area of Stability

As noted, the subject property 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...A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide a stimulus to redevelop”* (p. 127). For the Cherry Creek Area of Change Blueprint Denver states *“The neighborhood vision is to continue redeveloping the area in a manner that focuses on livability and produces a well-integrated blend of residential, regional and neighborhood retail, office, hotel, open space, and public uses in a pedestrian-friendly environment”* (p. 134).

The rezoning application is consistent with the Blueprint Denver Area of Change recommendation of channeling growth where it can improve access to housing and services with fewer and shorter auto trips. Expanding and redeveloping residential and commercial land uses in close proximity to the shopping and services of the Cherry Creek Shopping Center and Cherry Creek North Shopping Area make this proposal consistent with the goals of Areas of Change.

Street Classifications

Blueprint Denver classifies St. Paul Street as an Undesignated Local street and 2nd Avenue as a Mixed Use Collector. According to Blueprint Denver, local streets are *“tailored more to providing local access”* and *“collectors are designed to provide a greater balance between mobility and land access within residential, commercial and industrial areas.”* The C-CCN-7 and C-CCN-8 zone districts allow the higher-intensity mixture of uses envisioned for areas served by collector streets in a Pedestrian Shopping Corridor/Area of Change.

Small Area Plan: Cherry Creek Area Plan (2012)

The Cherry Creek Area Plan offers guidance for both the overall neighborhood, in the Framework Plan, and for subareas within the neighborhood. The Framework Plan discusses the mixed use character of the Cherry Creek Neighborhood. *“Part of the character of Cherry Creek is its mixture of land uses. Retail and service uses appealing to both local and regional shoppers, office and established residential neighborhoods weave an interdependent mixed-use urban environment resulting in a variety of amenities benefiting the quality of life. [...] Continued introduction of office space, retail, and residential units will enhance the mixed-use nature of the neighborhood and reinforce the plan vision. As in most mixed-use districts throughout the country, the desire to maintain the character of Cherry Creek must be balanced with the thoughtful redevelopment of underutilized properties”* (pg. 26-27).

Framework Plan

The Framework Plan recommends that growth be targeted appropriately and economic activity be concentrated. The Plan updated the Blueprint Denver Map of Areas of Change and offers this guidance for Areas of Change: *“The Areas of Change in Cherry Creek have the greatest potential to accommodate this growth, both in terms of market demand and available land. Although not every property will see significant redevelopment, overall these areas benefit from new development, reinvestment, and more intense use. Areas of Change include the Shopping District, Cherry Creek Triangle, 1st Avenue, the commercial node at Madison and Bayaud and Harrison Street south of 1st Avenue”* (pg. 29). And further, the Plan provides these recommendations for targeting growth in these Cherry Creek Areas of Change:

- “Acknowledge that to remain prosperous, Cherry Creek must continue to grow and change. In order for this growth to occur in a way that reinforces the quality of life for Cherry Creek residents, the bulk of this growth should occur in these areas rather than stable neighborhoods” (p. 29).
- “Update the Blueprint Denver map to reflect revised Areas of Change boundaries. The updated Areas of Change are targeted to receive most of Cherry Creek’s residential and commercial growth over the next twenty years” (p. 29).
- “Modify land use policy, zoning regulations and design guidelines to encourage appropriate reinvestment to assure that Areas of Change continue to mature in positive ways” (p. 29).

The subject property is circled on the updated Cherry Creek Areas of Change map below.



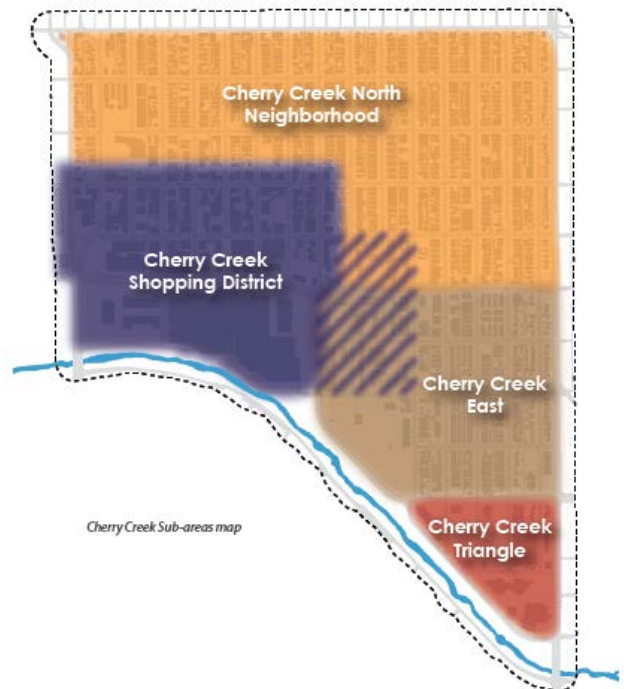
Further, to concentrate economic activity, the Plan recommends encouraging moderate scale development in mixed use areas of change. “Areas of Change which are not adjacent to higher intensity locational criteria [multi-modal streets, major intersections and major public open spaces] are appropriate for mid-rise buildings to accommodate continued growth. General locations include the Shopping District and 1st Avenue (east of Steele), and some existing mixed-use areas within Cherry Creek North Residential and Cherry Creek East.” Plan recommendation include: “Encourage mid-rise buildings to promote reinvestment and to help transition development intensity and buffer stable residential areas from higher intensity locations” (p. 32). Further the Plan recommends the continued evolution of the mixed use areas. “The Cherry Creek Shopping District has evolved into an 18-hour, mixed-use neighborhood consisting of retail, commercial and residential land uses. Continued development in the district has resulted in the introduction of residential units in the district, encouraging expanded options and diversity of residents” (p. 34).

Finally, the Framework Plan recommends a prosperous Cherry Creek and continued reinvestment. *“The Cherry Creek area has thrived with its diverse mix of uses. From its origins as a residential neighborhood, shopping district and mall, expanded uses have included office, hotels and higher density residential. The area has proven to be very attractive to all of these development types, so Plan recommendations focus on enhancing amenities and removing public policy impediments. [...] Residential uses contribute significantly to the vitality of the area. While Cherry Creek North and East continue to experience infill development, the greatest potential for new residential is as part of mixed-use development in the Shopping District and on vacant parcels in the Cherry Creek Triangle. All of this housing will continue to reinforce the range of housing types already found in the Cherry Creek Area – single family, duplexes, row houses, and condo and apartment towers”* (p. 46). The proposed C-CCN-7 and C-CCN-8 zone districts implement the Cherry Creek Area Plan concept of reinvestment and moderately scaled development in a location that the Plan has designated an Area of Change.

Cherry Creek Subareas

The Cherry Creek Area Plan also contains recommendations for subareas defined by the Plan. Subarea recommendations are used in the Plan to supplement the more general Framework Plan recommendations. The subject property is located in the Cherry Creek Shopping District subarea (see the circled area on the subarea map). The subarea is described by the Plan as the region’s most vibrant upscale retail and mixed-use district. Within the Shopping District subarea the subject property is designated a Regional Center. For this portion of the Cherry Creek Shopping District subarea the Plan recommends:

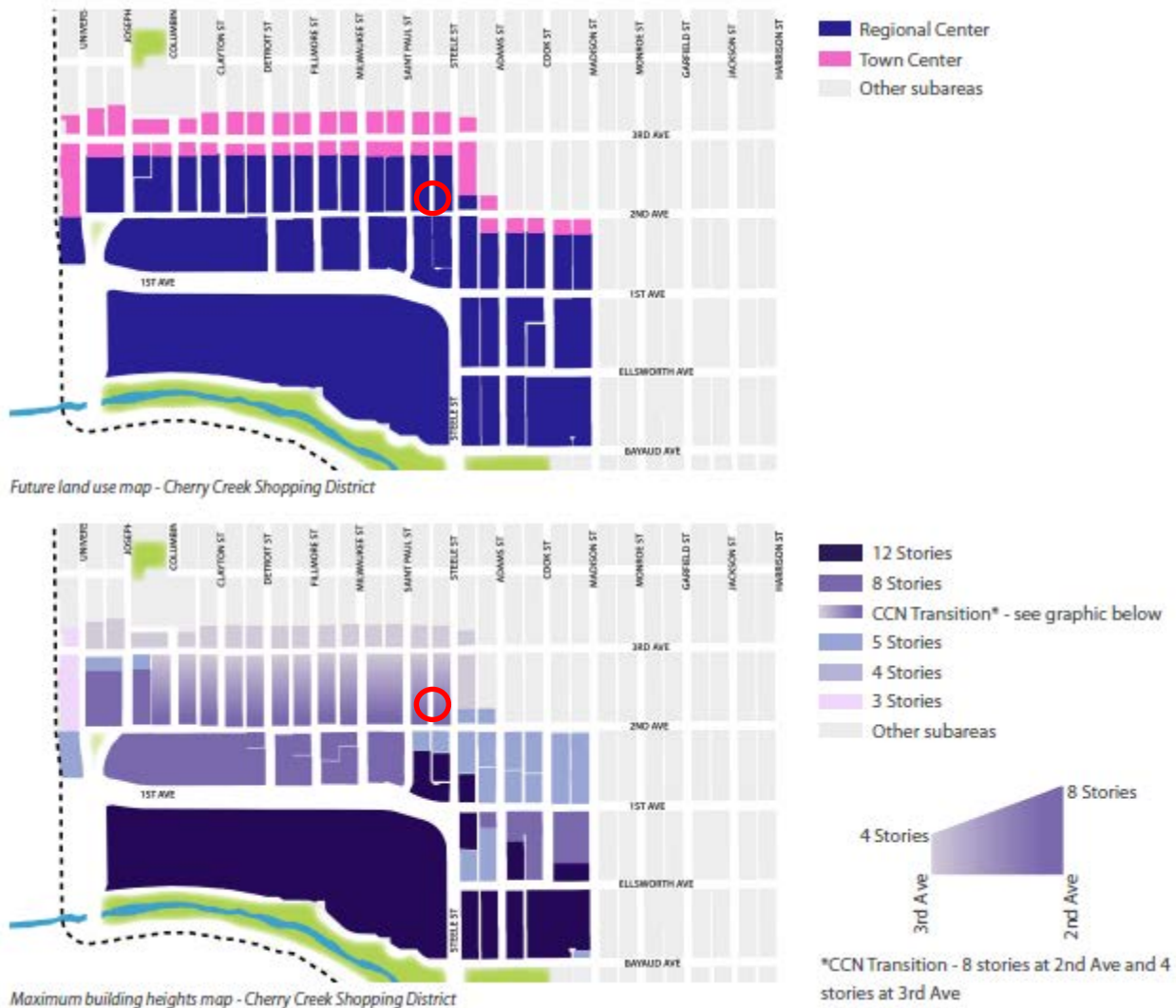
- *“Regional Center and Town Center. Continue to support a mix of uses including office, retail, commercial and multifamily residential. Support compact development patterns and an enhanced public realm including landscaping, wayfinding signage, pedestrian lighting, public art and inviting building entries. The Town Center areas act as an important transition between Regional Center and residential areas in scale and/or use”* (p. 58).
- *“Scale. Maximum building heights in the Shopping District should range from 4 to 12 stories per the Maximum Building Heights Map. Building heights should be lower adjacent to residential areas in Cherry Creek North and Country Club neighborhoods. Higher development intensity is encouraged along multi-modal streets and key intersections. Mid-rise buildings (maximum of 5 to 8 stories) are recommended as transitions between high intensity and low intensity residential neighborhoods”* (p. 58).
- *“CCN Business Improvement District. Enact zoning and other land use regulatory tools for the C-CCN zone district [New CCN zone districts adopted in 2014] to encourage rather than inhibit high quality redevelopment and reinvestment across all parcel sizes, large and small. Retain the positive elements of current zoning including ground floor retail, design review, quality design and arterials, interesting signage, and parking location. Reconsider height, FAR, building form and parking requirements. Engage in an open, transparent and efficient public process that includes*



all stakeholders interests and includes the following goals created by the CCN Urban Form Working Group, 2012:

- o Retain and enhance Cherry Creek’s North unique physical character.
- o Make economic redevelopment economically viable in the entire district.
- o Transition from higher buildings along 2nd to lower buildings along 3rd.
- o Create height transitions from the business district to adjacent residential” (p. 61).

The proposed 7 and 8-story heights conform to the maximum building height recommended in the Cherry Creek Area Plan and provides an appropriate height transition within the Regional Center between 2nd and 3rd Avenues. See the Future Land Use Map and the Maximum Building Heights Map below.



2. Uniformity of District Regulations and Restrictions

The proposed rezoning to C-CCN-7 and C-CCN-8 zone districts 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 by implementing the City's adopted plans for the area.

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.*" As the Cherry Creek Area Plan discusses above, Cherry Creek must continue to grow and change to remain prosperous and to reinforce the quality of life for neighborhood residents. The subject property is located within an area the Cherry Creek Area Plan designates as a Regional Center and an Area of Change, where reinvestment and growth should be directed, and where the character of the area is expected to change, and is indeed changing. The proposed rezoning will acknowledge the changing character of the area and will accommodate the planned reinvestment in the area, and this is an appropriate justifying circumstance for the proposed rezoning.

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

The requested C-CCN-7 and C-CCN-8 zone districts are within the Urban Center Neighborhood Context. The Urban Center Context is characterized by multi-unit residential and mixed use commercial strips and centers in a variety of building forms. Multi-unit residential uses are primarily located along residential collector, mixed-use arterial and local streets. Commercial uses are primarily located along main and mixed-use arterials. The block and street pattern consists of regular block shapes formed by a grid street system. In this context building heights are moderate to high to promote a dense urban character. A high level of connectivity to multi-modal transit is characteristic of the context. The C-CCN-7 and C-CCN-8 zone districts are intended to promote safe, active, and pedestrian-scaled diverse areas with a variety of residential and commercial building forms located on collector or arterial streets. The proposed rezoning of the subject property to C-CCN-7 and C-CCN-8 zone districts is consistent with the Urban Center Context and the specific intent of the C-CCN-7 and C-CCN-8 zone districts.

Staff Recommendation

Based on the analysis set forth above, CPD staff finds that the application for rezoning the property located at 210 St. Paul Street to C-CCN-7 and C-CCN-8 zone districts meet the requisite review criteria. Accordingly, staff recommends *approval*.

Attachments

1. Application
2. Approved Legal Description
3. Cherry Creek North Neighborhood Association Letter



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	2nd&St. Paul LLC BAH-PLA LLC	Representative Name	Phil Workman
Address	3003 E 3rd Ave	Address	7290 E 1 st Ave
City, State, Zip	Denver, CO 80206	City, State, Zip	Denver CO 80230
Telephone	303-996-2324	Telephone	31910-1393
Email	matt@bmcinv.com	Email	phil@thepaolcompany.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):	<p>The subject property is addressed as and described as follows: 210 St. Paul Street North boundary: property line</p>		
Assessor's Parcel Numbers:	0512217022000		
Area in Acres or Square Feet:	25,005 +/-		
Current Zone District(s):	PUDG		
PROPOSAL			
Proposed Zone District:	CCN8 Parcel A CCN7 Parcel-B		
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:	
<p><input checked="" type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format)</p> <p><input checked="" type="checkbox"/> Proof of Ownership Document(s)</p> <p><input checked="" type="checkbox"/> Review Criteria</p>	
ADDITIONAL ATTACHMENTS	
Please identify any additional attachments provided with this application:	
<p><input checked="" type="checkbox"/> Written Authorization to Represent Property Owner(s)</p>	
Please list any additional attachments:	

Last updated: February 4, 2015

Return completed form to rezoning@denvergov.org

311 | FOR INFORMATION & CITY SERVICES

201 W. Colfax Ave., Dept. 205

Denver, CO 80202

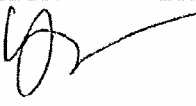
720-865-2974 - rezoning@denvergov.org



REZONING GUIDE

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 Josie Q. Smith</i>	01/01/12	(A)	NO
2nd&St. Paul LLC BAH-PLA LLC 3003 E 3rd Ave Denver, CO 80206	3003 E 3rd Ave Denver, CO 80206	100%		11/23/15	A	yes
					A	
					A	
					A	
					A	

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ZONE LOT PARCEL A EXHIBIT A

LAND DESCRIPTION

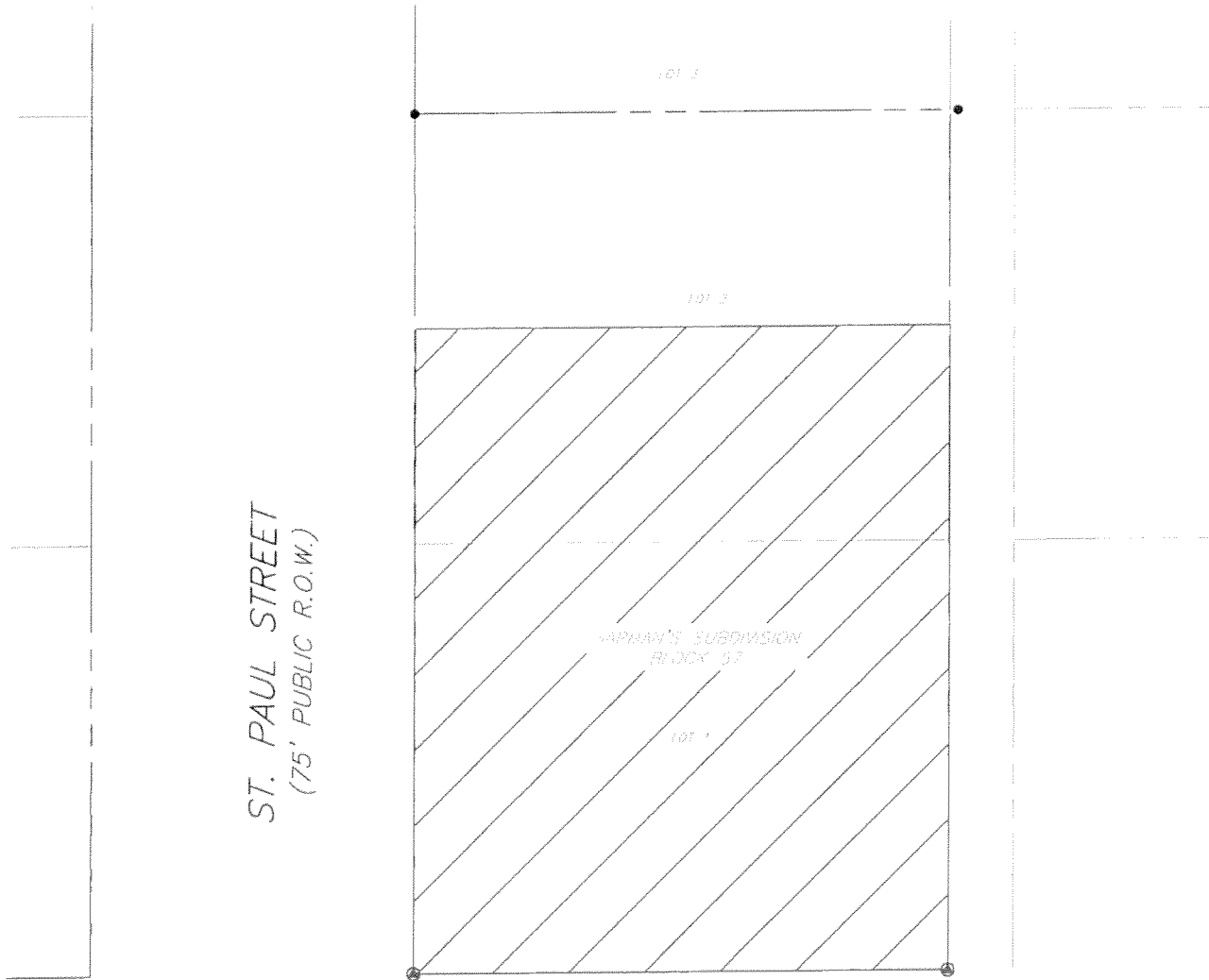
A PARCEL OF LAND BEING ALL OF LOT 1 AND THE SOUTHERN HALF OF LOT 2, BLOCK 57 HARMAN'S SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO

PREPARED BY SCOTT PALING P.E.
REVIEWED BY RICK NOBBE, PLS#23899
FOR AND ON BEHALF OF
MARTIN/MARTIN, INC.
12499 WEST COLFAX AVENUE,
LAKEWOOD, CO, 80215
NOVEMBER 11, 2015



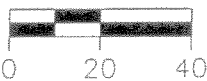
ZONE LOT PARCEL A

SHEET 1 OF 1

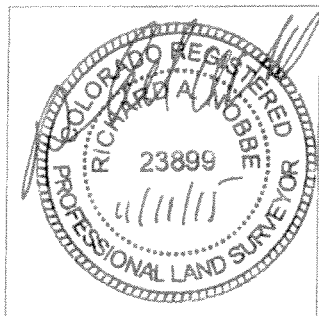


EAST 2ND AVENUE

(70' PUBLIC R.O.W.)



SCALE: 1"=40'
ALL DIMENSIONS ARE
U.S. SURVEY FEET



NOVEMBER 11, 2015

 **MARTIN/MARTIN**
CONSULTING ENGINEERS

12499 WEST COLFAX AVENUE, LAKEWOOD, COLORADO 80215
303.431.6100 MARTINMARTIN.COM

THIS EXHIBIT DOES NOT REPRESENT A
MONUMENTED LAND SURVEY. IT IS ONLY
TO DEPICT THE ATTACHED DESCRIPTION.

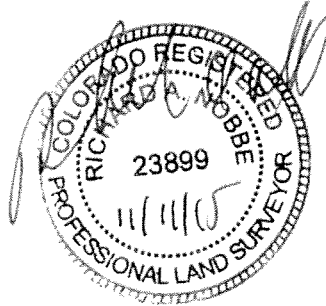
DRAWING LOCATION: C:\SCHLAGETER\15.1001.210 ST. Paul\PLANS\EXHIBITS\zone lots.dwg

ZONE LOT PARCEL B EXHIBIT A

LAND DESCRIPTION

A PARCEL OF LAND BEING THE NORTHERN HALF OF LOT 2, BLOCK 57 HARMAN'S SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO

PREPARED BY SCOTT PALING P.E.
REVIEWED BY RICK NOBBE, PLS#23899
FOR AND ON BEHALF OF
MARTIN/MARTIN, INC.
12499 WEST COLFAX AVENUE,
LAKEWOOD, CO, 80215
NOVEMBER 11, 2015



ZONE LOT PARCEL B

SHEET 1 OF 1



ST. PAUL STREET
(75' PUBLIC R.O.W.)

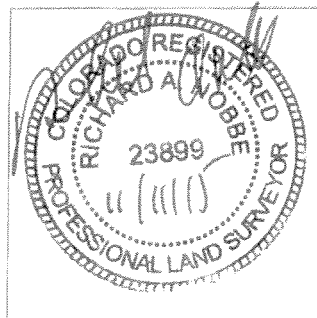
HARRIS'S SUBDIVISION
BLOCK 57

EAST 2ND AVENUE

(70' PUBLIC R.O.W.)



SCALE: 1"=40'
ALL DIMENSIONS ARE
U.S. SURVEY FEET



NOVEMBER 11, 2015

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DRAWING LOCATION: C:\SCHLAGETER\15.1001_210_Sl_Paul\PLANS\EXHIBITS\zone_1013.dwg

APPLICATION FOR ZONE MAP AMENDMENT

210 St. Paul Street

Assessor's Parcel Number

0512217022000

Legal Description

Lot 1 & 2 BLK 57 Harmans Sub

Two Parcels for rezoning purposes

Parcel A Lot 1 and the southern half of Lot 2 BLK 57 Harmans Sub – proposed rezoning to CCN8

Parcel B The northern half of Lot 2 BLK 57 Harmans Sub – proposed rezoning to CCN7

Adherence to Review Criteria

The nature of the proposed map amendment is to permit redevelopment of this property to create conformity with the surrounding Cherry Creek North zoning from the existing PUD.

Cherry Creek is a true neighborhood where knowing your neighbors and socializing with them is part of the fabric that defines the area. The proposed uses respond to the character of the adjacent neighborhood and conform with the adjacent zoning in line with the Cherry Creek Area Plan.

The effect of the proposed amendment will be immediate and positive. Redevelopment of the property will provide residential and employment opportunities with high quality residential uses proposed. This proposed map amendment is in conformance with the Cherry Creek Area Plan

Reinforce Cherry Creek as both a regional and town center

Create permanent quality

Encourage private investment

Enhance the cohesiveness of the district

Reinforce street edges

Improve the streetscape and infrastructure

Select Legal Basis for the Zone Map Amendment

The Denver Comprehensive Plan 2000

Comprehensive Plan 2000 recognizes continued residential development pressures and opportunities.

Environmental Sustainability Strategies

- 2-F: 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.

Land Use Strategies

- 1-B: Reinforce the city's character by building on a legacy of high quality urban design and stable, attractive neighborhoods.
- 1-C: Incorporate relevant recommendations from neighborhood corridor and area plans
- 1-H: Encourage development of housing that meets the increasingly diverse needs of Denver's present and future residents
- 3-A: Complete neighborhood and area plans for parts of Denver where development or redevelopment is likely or desirable.
- 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.
- 4-B: Ensure that land use policies and decisions support a variety of mobility choices.

Mobility Strategies

- 3-C: Provide safe and convenient pedestrian and bicycle facilities within urban centers and new development areas.
- 4-E: Continue to promote mixed use development, which enables people to live near work, retail and services.

Environmental Sustainability

- 2-F: Promote infill development within Denver at sites where services and infrastructure area already in place. Design mixed use communities and reduce sprawl, so that residents can live, work and play within their own neighborhoods.

Legacies Strategies

- 3-A: Identify areas in which increased density and new uses are desirable and can be accommodated.

This application also supports the guiding principles of the land use and transportation vision of Blueprint Denver

- Land Use Goal 3: Diverse Housing Options: provide a diverse mix of housing types (townhouse, rowhouse, duplex, multi-family, live work and artist studio), occupancy status (rental and ownership units), densities and costs (low income, affordable and market rate).

- Land Use Goal 6: Maximize Land Development Potential: Maximize development of urban land through infill on vacant parcels, redevelopment of underutilized parcels or dilapidated properties and adaptive reuse of historic resources.
- Economic Development Goal 2: Redevelopment: Redevelop vacant and underutilized property.
- Economic Development Goal 5: Capitalize on Investment in Light Rail: Leverage additional private investment to capitalize on the public investments in light rail expansion in study area.

Based on the justification found in the aforementioned plans, the proposed rezoning to E-TH-2.5 will result in the uniform application of zone district, building form, and use and design regulations to all buildings within the subject area adherent to the new zoning. This map amendment is hereby submitted.



[Print](#)

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 property tax information for this property](#)

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

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

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

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

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

[Property](#)

[Back to Property List](#)

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: COMMERCIAL - RETAIL

Parcel: 0512217022000

Name and Address Information

Legal Description

2ND & ST PAUL LLC

BAH-PLA LLC

PLOT 1 & 2 BLK 57 HARMANS SUB

3003 E 3RD AVE 201

DENVER, CO 80206-5120

Property Address: 210 SAINT PAUL ST

Tax District 166A

Assessment Information

	Actual	Assessed	Exempt	Taxable
Current Year				
Land	5000000	1450000		
Improvements	365800	106080		
Total	5365800	1556080	0	1556080
Prior Year				
Land	3093800	897200		
Improvements	1347800	390860		
Total	4441600	1288060	0	1288060

Style: Other

Reception No.: 2015150203

Year Built: 1979
Building Sqr. Foot: 19,030
Bedrooms:
Baths Full/Half: 0/0
Basement/Finished: 0/0

Recording Date: 10/26/15
Document Type: Warranty
Sale Price: 12975000
Mill Levy: 100.696

Lot Size: 25,000

[Click here for current zoning](#)

Zoning Used for Valuation: CCN

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

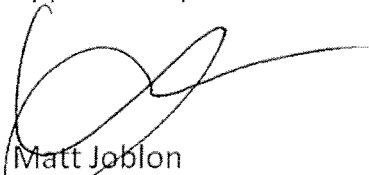
 [Print](#)

November 11, 2015

Denver Community Development and Planning
201 W Colfax Ave Department 205
Denver, CO 80202

Written Authorization for Rezoning of property located at 210 St. Paul St.

Phil Workman has the authority to represent the property owner in the rezoning application process for the above referenced property.



Matt Joblon
2nd & St. Paul LLC
BAH-PLA LLC
3003 E 3rd Ave
Denver, CO 80206



10/26/2015 11:01 AM
City & County of Denver
Electronically Recorded

R \$16.00

MIS

D \$0.00

STATEMENT OF AUTHORITY

1. This Statement of Authority relates to an entity¹ named **2nd & ST. PAUL LLC**, a Colorado limited liability company, and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172, C.R.S.
2. The type of entity is a:

- | | |
|---|---|
| <input type="checkbox"/> corporation | <input type="checkbox"/> registered limited liability partnership |
| <input type="checkbox"/> nonprofit corporation | <input type="checkbox"/> registered limited liability limited partnership |
| <input checked="" type="checkbox"/> limited liability company | <input type="checkbox"/> limited partnership association |
| <input type="checkbox"/> general partnership | <input type="checkbox"/> government or governmental subdivision or agency |
| <input type="checkbox"/> limited partnership | <input type="checkbox"/> trust (Section 38-30-108.5, C.R.S.) |
| <input type="checkbox"/> other: | |

3. The entity is formed under the laws of: **Colorado**
4. The mailing address for the entity is: **3003 E. 3rd Avenue, Suite 201, Denver, CO 80206**
5. The name position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is:

Matthew Joblon, as Manager of JE Holdings LLC, a Colorado limited liability company, as Manager of 2ND & ST. PAUL GP LLC, a Colorado limited liability company, as Manager of 2ND & ST. PAUL HOLDINGS LLC, a Colorado limited liability company, as Manager of 2nd & ST. PAUL LLC, a Colorado limited liability company

- 6.² The authority of the foregoing person(s) to bind the entity is not limited limited as follows:
7. Other matters concerning the manner in which the entity deals with interests in real property: **None.**

¹This form should not be used unless the entity is capable of holding title to real property.
²The absence of any limitation shall be prima facie evidence that no such limitation exists.
³The statement of authority must be recorded to obtain the benefits of the statute.

Executed this as of this 20 day of October, 2015.

2ND & ST. PAUL LLC, a Colorado limited liability company

By: 2ND & ST. PAUL HOLDINGS LLC, a Colorado limited liability company, its Manager

By: 2ND & ST. PAUL GP LLC, a Colorado limited liability company, its Manager

By: JE Holdings LLC, a Colorado limited liability company, its Manager

By: Matthew Joblon, Manager

STATE OF COLORADO)
CITY AND)
COUNTY OF DENVER)

The foregoing instrument was acknowledged before me this 15th day of October, 2015, by Matthew Joblon, as Manager of JE Holdings LLC, a Colorado limited liability company, as Manager of 2ND & ST. PAUL GP LLC, a Colorado limited liability company, as Manager of 2ND & ST. PAUL HOLDINGS LLC, a Colorado limited liability company, as Manager of 2nd & ST. PAUL LLC, a Colorado limited liability company.

My commission expires: 7-29-2018

WITNESS my hand and official seal.

(SEAL)

Judith M. Cloutier
Notary Public

JUDITH M. CLOUTIER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19904009340
MY COMMISSION EXPIRES JULY 29, 2018

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ZONE LOT PARCEL A EXHIBIT A
PAGE 1 OF 2

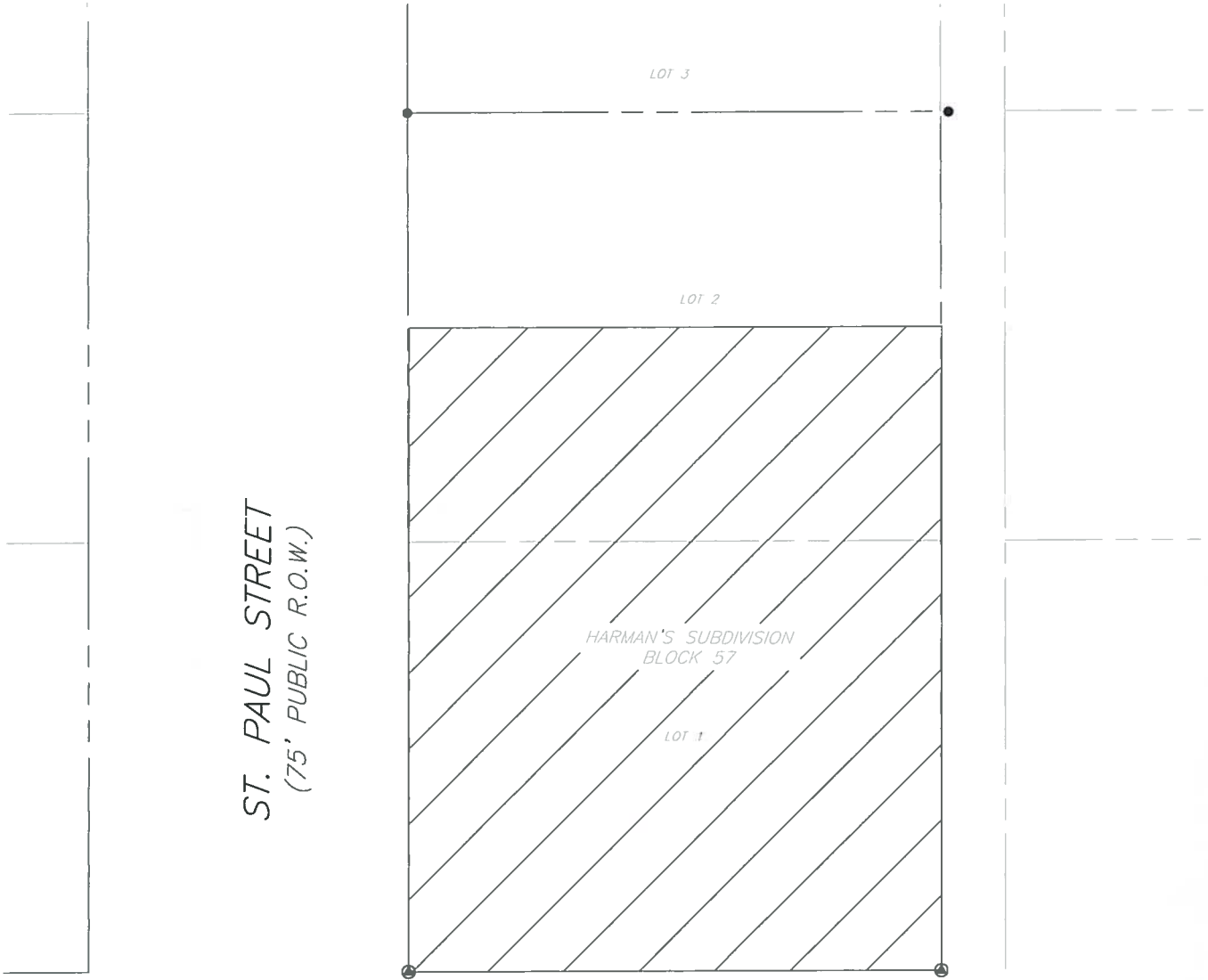
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PREPARED BY SCOTT PALING P.E.
REVIEWED BY RICK NOBBE, PLS#23899
FOR AND ON BEHALF OF
MARTIN/MARTIN, INC.
12499 WEST COLFAX AVENUE,
LAKEWOOD, CO, 80215
NOVEMBER 11, 2015



ZONE LOT PARCEL A EXHIBIT A
PAGE 2 OF 2



ST. PAUL STREET
(75' PUBLIC R.O.W.)

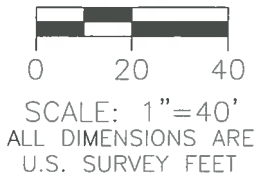
EAST 2ND AVENUE
(70' PUBLIC R.O.W.)

HARMAN'S SUBDIVISION
BLOCK 57

LOT 1

LOT 3

LOT 2



NOVEMBER 11, 2015

 **MARTIN/MARTIN**
CONSULTING ENGINEERS

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ZONE LOT PARCEL B EXHIBIT B
PAGE 1 OF 2

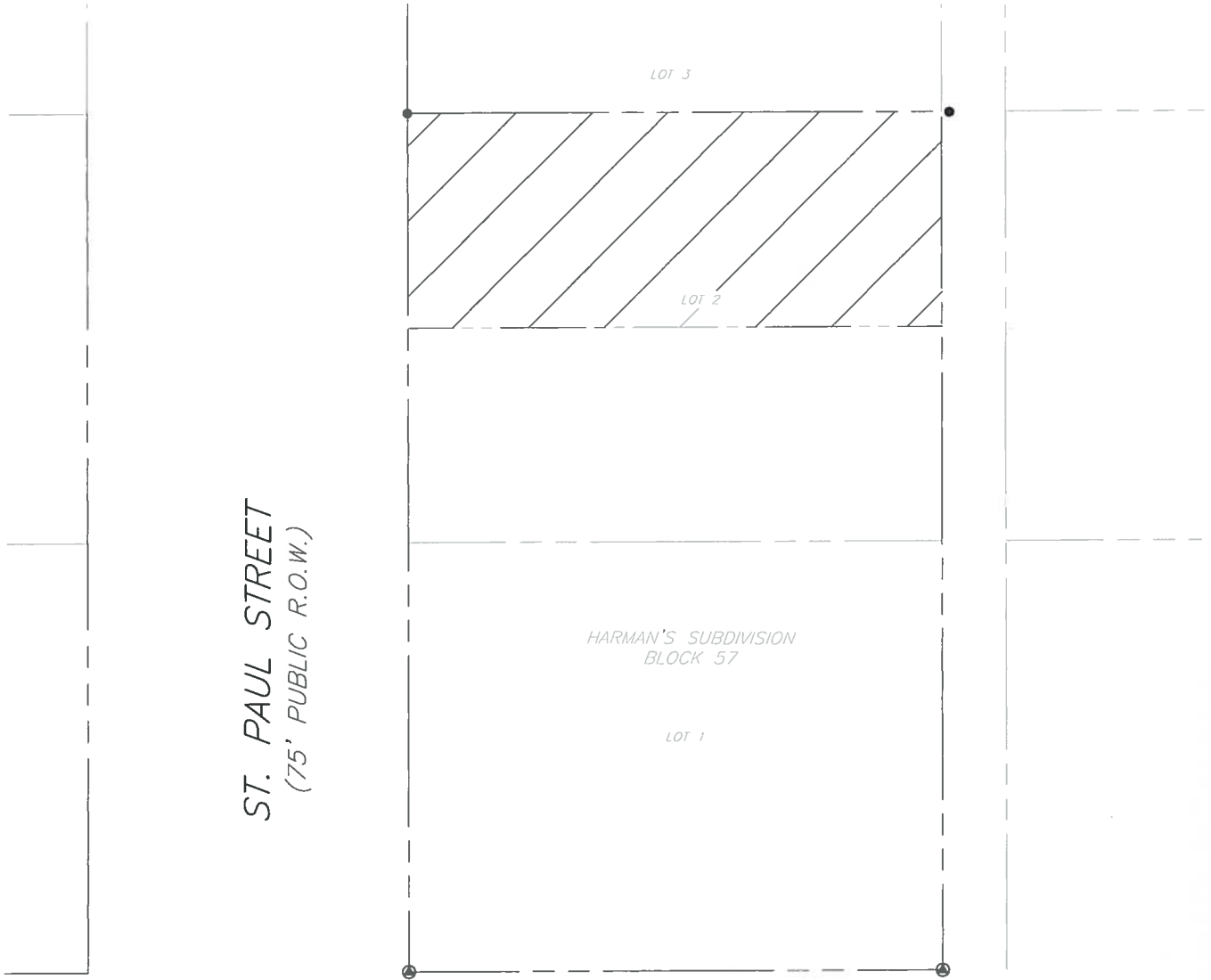
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ZONE LOT PARCEL B EXHIBIT B
PAGE 2 OF 2



DRAWING LOCATION: G:\SCHLAGETER\15.1001.210 St. Paul\PLANS\EXHIBITS\zone lots.dwg



0 20 40
SCALE: 1"=40'
ALL DIMENSIONS ARE
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NOVEMBER 11, 2015

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January 28, 2016

Ms. Julie Underdahl, Chair
Denver Planning Board
201 W Colfax, Dept. 205
Denver, CO 80202

RE: 2015I-00169 – 210 St. Paul

Dear Ms. Underdahl and the Planning Board

The above referenced application is within the boundaries of Cherry Creek North. The applicant, Matt Joblon, presented to the Cherry Creek North Neighborhood Association Residents meeting on October 12, 2015 and again on November 12, 2015 to the Cherry Creek North Board of Directors. In his presentation, Mr. Joblon committed to the inclusion of heated sidewalks on the retail level of the project. He also indicated that, while no elevations were available for viewing at that time, he would continue to keep the neighborhood informed as the project specifics and elevations became available. The policy of the Board of Directors is to not submit letters of support. However, as a result of the applicants' presentation to both the CCNNA members and the board, and based on his representations to the Board, there was no opposition to this application for rezoning from PUD to CCN 8/7.

Sincerely,

Robert A. Vogel, M.D.

Robert A. Vogel, MD
President, CCNNA