



TO: Denver City Council
FROM: Theresa Lucero, Senior City Planner
DATE: February 25, 2016
RE: Official Zoning Map Amendment Application #2015I-00142
668-670 North Inca Street
Rezoning from PUD #144 to U-RH-3A

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, staff recommends that Planning Board recommend *approval* to City Council for map amendment application #2015I-00142 for a rezoning from PUD #144 to U-RH-3A.

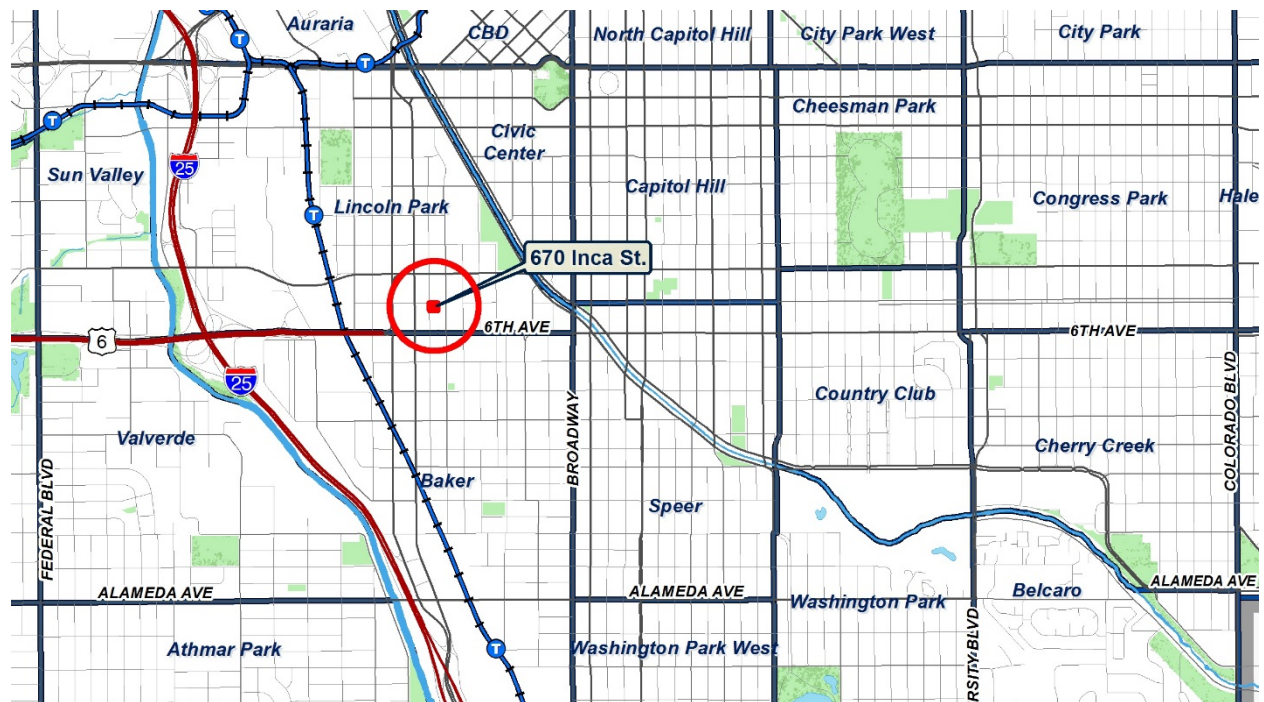
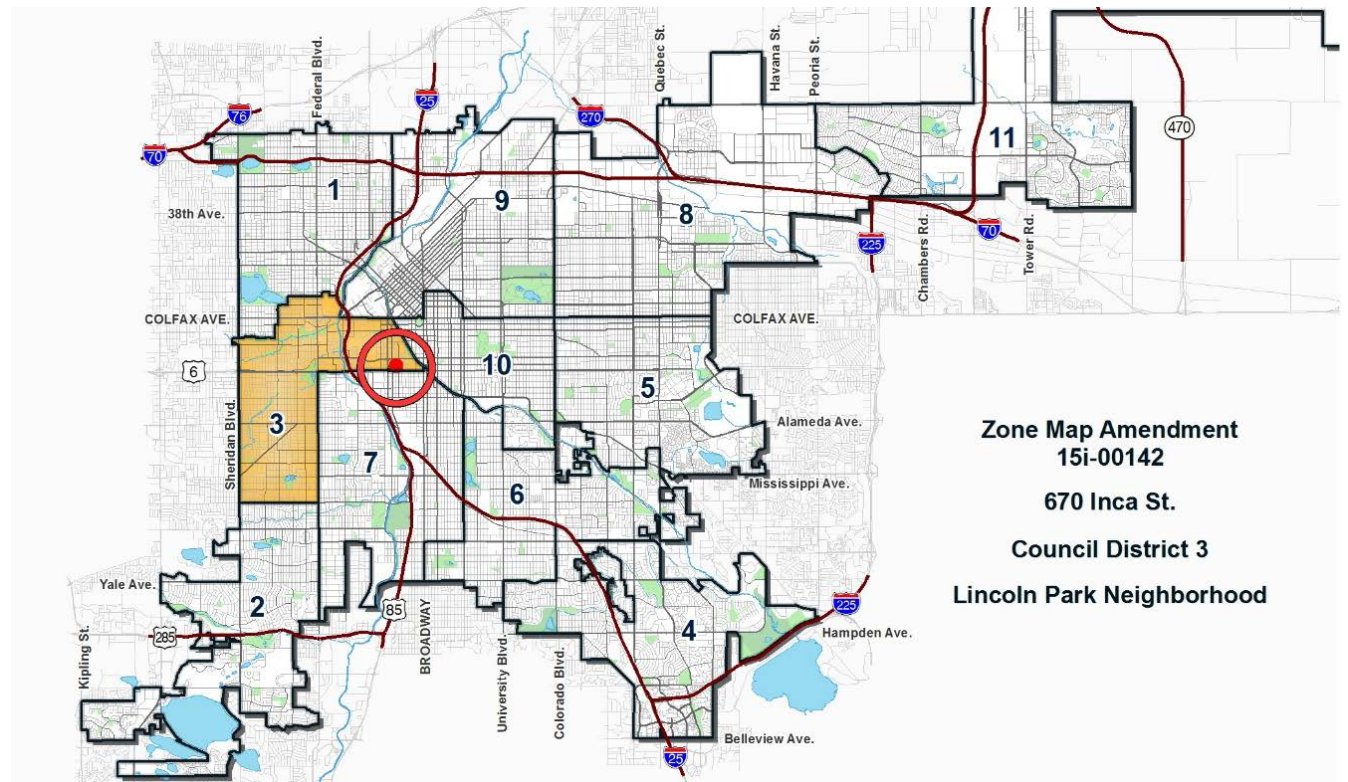
Request for Rezoning

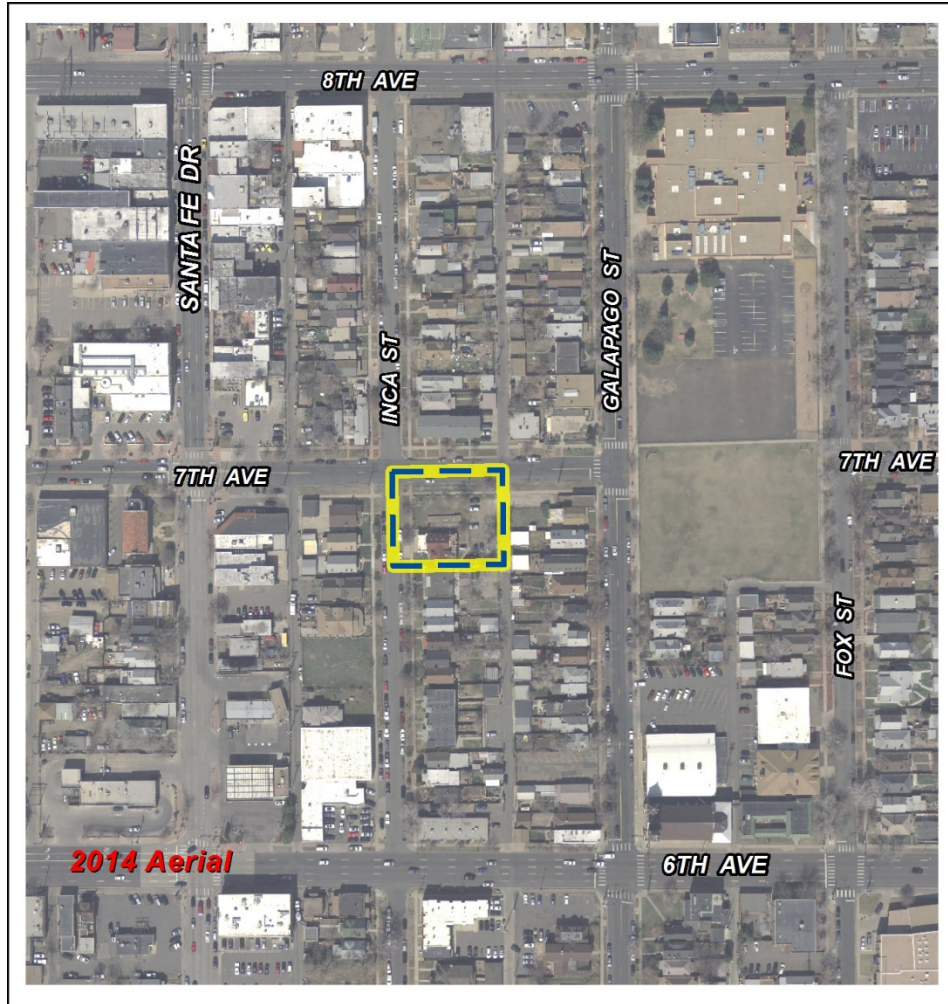
Application:	2015I-00142
Address:	668-670 North Inca Street
Neighborhood/Council District:	La Alma/Lincoln Park Neighborhood Association, La Alma Neighborhood Association, Denver's Art District on Santa Fe, Santa Fe Drive Redevelopment Corporation, Denver Urban Resident Association, Denver Neighborhood Association, Inc.; Inter-Neighborhood Cooperation
Area of Property:	12,500 SF square feet or 0.29 acres
Current Zoning:	PUD #144
Proposed Zoning:	U-RH-3A
Property Owner(s):	reVision Real Estate, LLC
Owner Representative:	Tim Politis, One Line Studio, LLC

Summary of Rezoning Request

- The subject property is a single parcel which is vacant on the north half of the property and the south half of the property contains one existing single-family residential structure that was built in 1886.
- The property owner proposes to rezone the subject property to develop the vacant portion of the property with townhome units.

The proposed **U-RH-3A** (**U**rban, **R**ow **H**ouse, with a **3**-story height limit) zone district is intended for use in small-scale urban residential and commercial areas where Urban House and Row house forms are typical. Row House districts are multi-unit zone districts allowing Row House buildings up to 2.5 stories with a maximum overall structure width facing the street. The "**A**" suffix indicates apartments up to 3 stories are allowed on corner lots where at least one of the intersecting streets is a collector or arterial street, as well as urban house, detached accessory dwelling units, duplex and tandem house building forms. Further details of the zone districts can be found in Article 5 of the Denver Zoning Code (DZC).





Existing Context

The subject property is located in south central Denver in the Lincoln Park Statistical Neighborhood. The property is in the southeast portion of the neighborhood. Surrounding the subject site are:

- 6th Avenue 1 block south
- Santa Fe Drive 1 block west
- Denver Health 4 blocks east
- Broadway 8 blocks east
- Speer Boulevard 9 blocks east

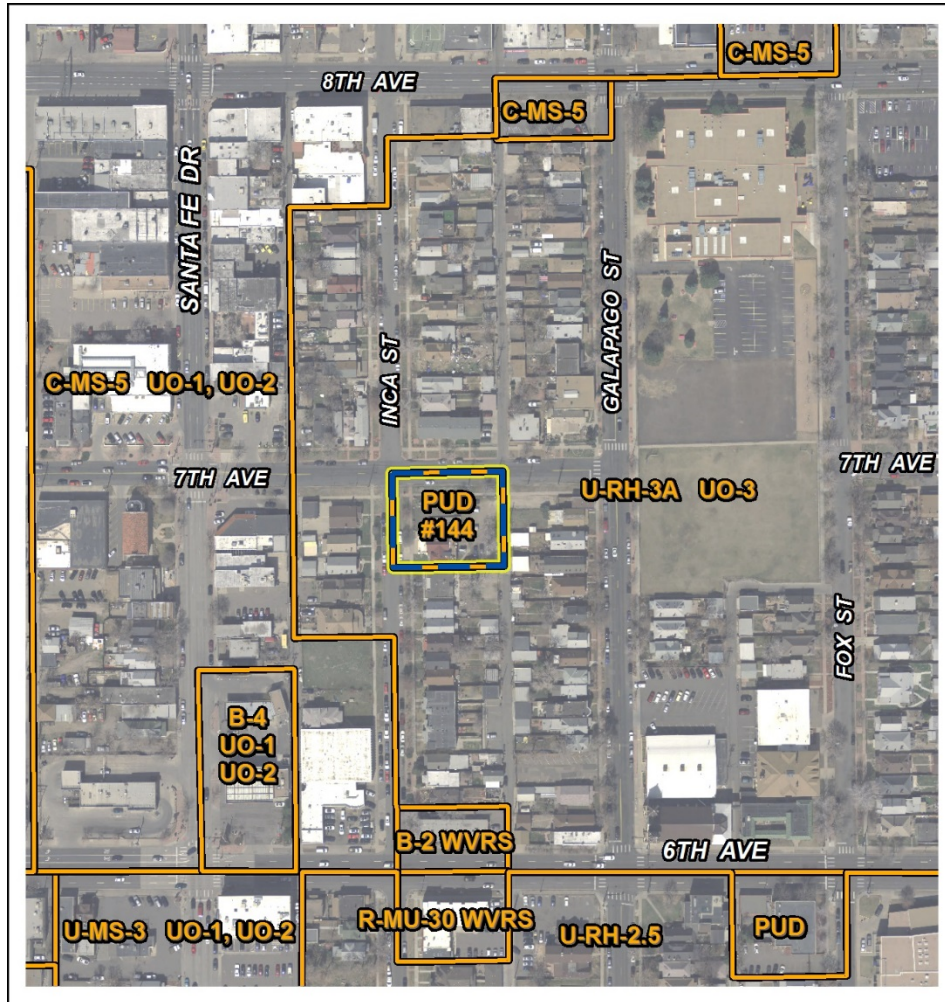
Area parks include Sunken Gardens Park at 8th & Speer Boulevard, Lincoln Park at 11th & Mariposa Street and the Cherry Creek Trail adjacent to Speer Boulevard. Area schools include West High School/West Leadership Academy located at 11th and Elati Street, Denver Center for International Studies at 6th Avenue and Fox Street, and Girls Athletic Leadership School at 8th Avenue and Galapago Street. St. Joseph’s Catholic Church is 2 blocks east.

The physical context of the neighborhood is a traditional street grid with rectilinear blocks with alleys. Sidewalks are generally detached with tree lawns separating 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 #144	Residential/vacant	2-story residential building	Regular grid streets shaping a consistent pattern of rectilinear blocks with alleys; Vehicle parking is both surface and garage and to the rear of buildings (alley access).
North	U-RH-3A/VO-3	Rowhouse	2-story residential building (4 units)	
South	U-RH-3A/VO-3	Residential	1-story duplex	
East	U-RH-3A/VO-3	Residential	1-2-story single-family residential structures	
West	U-RH-3A/VO-3	Residential	1-2-story single-family residential structures	

1. Existing Zoning



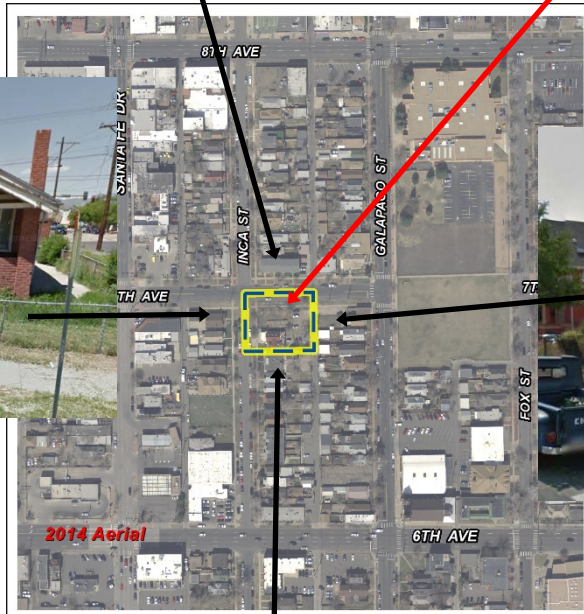
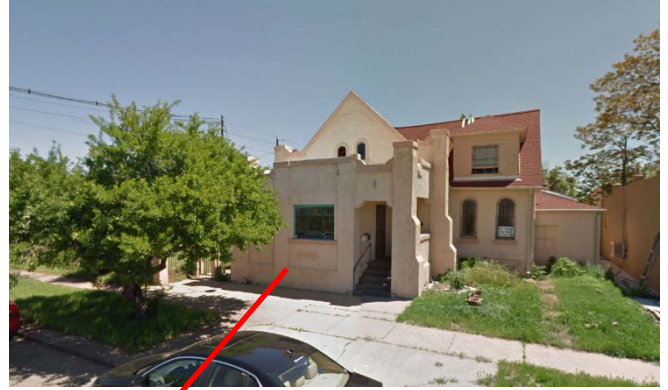
Because the existing zone district is a PUD, the subject property was not rezoned in the 2010 citywide rezoning. The PUD is a Former Chapter 59 district approved in 1984. The PUD allows the existing structure to be maintained as a single family house or be used as an office and design studio. No new structures were contemplated by the PUD.

2. Existing Land Use Map



Existing Land Use

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.

Parks and Recreation: Approved

Public Works – City Surveyor: Approved, no comments.

Environmental Health: Approved with the following comments. 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 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 October, 22, 2015.

Planning Board

- The property was legally posted for a period of 15 days announcing the January 6, 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 January 6 meeting Planning Board unanimously recommended approval of the proposed 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 was scheduled for January 20, 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 February 29, 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 no comment letters from Registered Neighborhood Organizations.

Other Public Comment

To date, one other public comment letters has 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)
- La Alma/Lincoln Park Neighborhood Plan (2010)

Denver Comprehensive Plan 2000

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

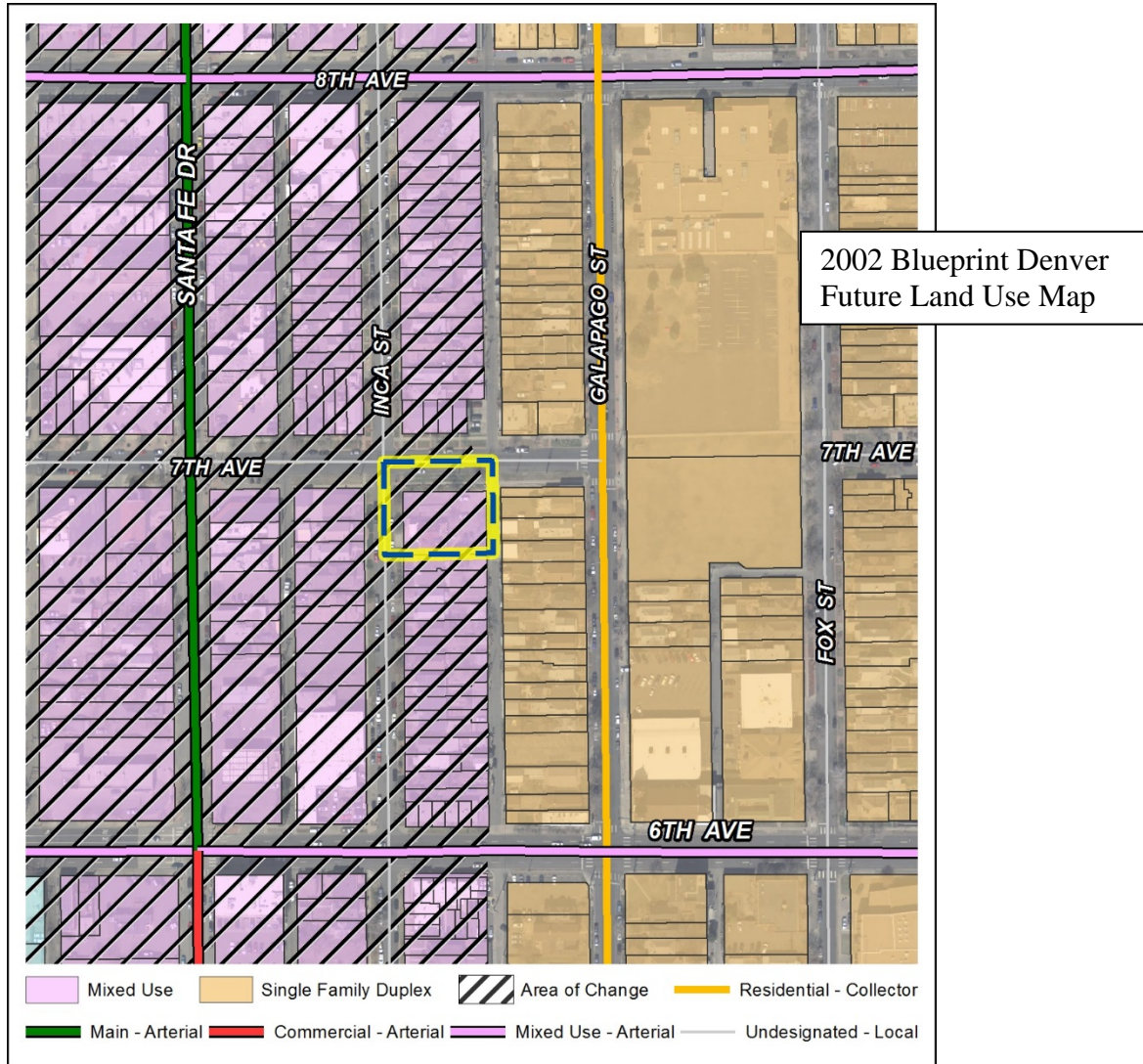
- **Environmental Sustainability** Strategy 2-F – “**Conserve land by promoting infill development within Denver at sites where services and infrastructure are already in place**” (p. 39).
- **Land Use** Strategy 3-B – “**Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses**” (p. 60).
- **Legacies** Strategy 3-A – “**Identify areas in which increased density and new uses are desirable and can be accommodated**” (p. 99).

The rezoning is consistent with these Plan recommendations. The proposed U-RH-3A zone district allows a variety of residential land uses and limited civic and commercial uses. Building forms allowed are urban house, detached accessory dwelling units, duplex and tandem house forms. The map

amendment will enable the redevelopment of the vacant portion of the property with townhome units at a scale that is consistent with the existing neighborhood.

Blueprint Denver

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



Future Land Use

The Blueprint Denver Mixed Use concept land use designation is described in the Plan as containing “a sizeable employment base as well as housing” and “Intensity is higher in mixed-use areas than in other residential areas. Land uses are not necessarily mixed in each building or development or even within each block. But within the neighborhood, residential and non-residential uses are within walking distance of one another” (p.41). The proposed redevelopment of

townhomes is consistent with this land use concept because additional residential density will contribute to the vitality of the Santa Fe mixed use area.

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...common traits are close proximity to a commercial arterial street, along a historical trolley route, adjacent to existing or planned light-rail stops, or locations in older industrial area or in large vacant areas”* (p. 127).

The rezoning application is consistent with the Blueprint Denver Area of Change recommendation of channeling growth where it can improve access to services with fewer and shorter auto trips. Expanding and redeveloping property in close proximity to the mixed use Arts District on Santa Fe Drive make this proposal consistent with the goals of Areas of Change.

Street Classifications

Blueprint Denver classifies both Inca Street and 7th Avenue as Undesignated Local streets. According to Blueprint Denver, local streets are *“tailored more to providing local access.”* The U-RH-3A zone district allows for a slightly higher-intensity residential land use envisioned for Areas of Change.

La Alma/Lincoln Park Neighborhood Plan (2010)

The La Alma/Lincoln Park Neighborhood Plan was adopted by City Council in September 2010, and applies to the subject property. The Plan updates and incorporates recommendations from earlier plans. Pertinent Plan components include Vision and Goals, Framework Plan and Character Area Plans.

Vision and Goals

An overall goal of the Plan is *“Redevelopment is focused in three areas: the 10th & Osage Station area, the Santa Fe Corridor and along 13th Avenue west of Osage Street.”* Another overall goal is *“Stability is improved within existing residential areas, and supported by zoning within established residential character areas”* (p. 15). The U-RH-3A zone district supports the goal of stabilizing existing residential areas by matching the proposed zone district to that of the surrounding properties.

Framework Plan

The Framework Plan provides a broad perspective and overall concepts to guide neighborhood development. This portion of the Plan states the *“northern and southern residential character areas in La Alma/Lincoln Park are designated Areas of Stability”* (p. 20). For the subject property the Framework Plan recommends:

- *“Apply appropriate small lot residential zoning in residential Areas of Stability to maintain the character of the neighborhood while allowing moderate infill and density”* (p. 22).
- *“Building height should...Be limited to 1-2 stories in the northern residential area and 1-3 stories in the southern residential neighborhood”* (p. 24) (See Land Use and Building Heights Maps below.).

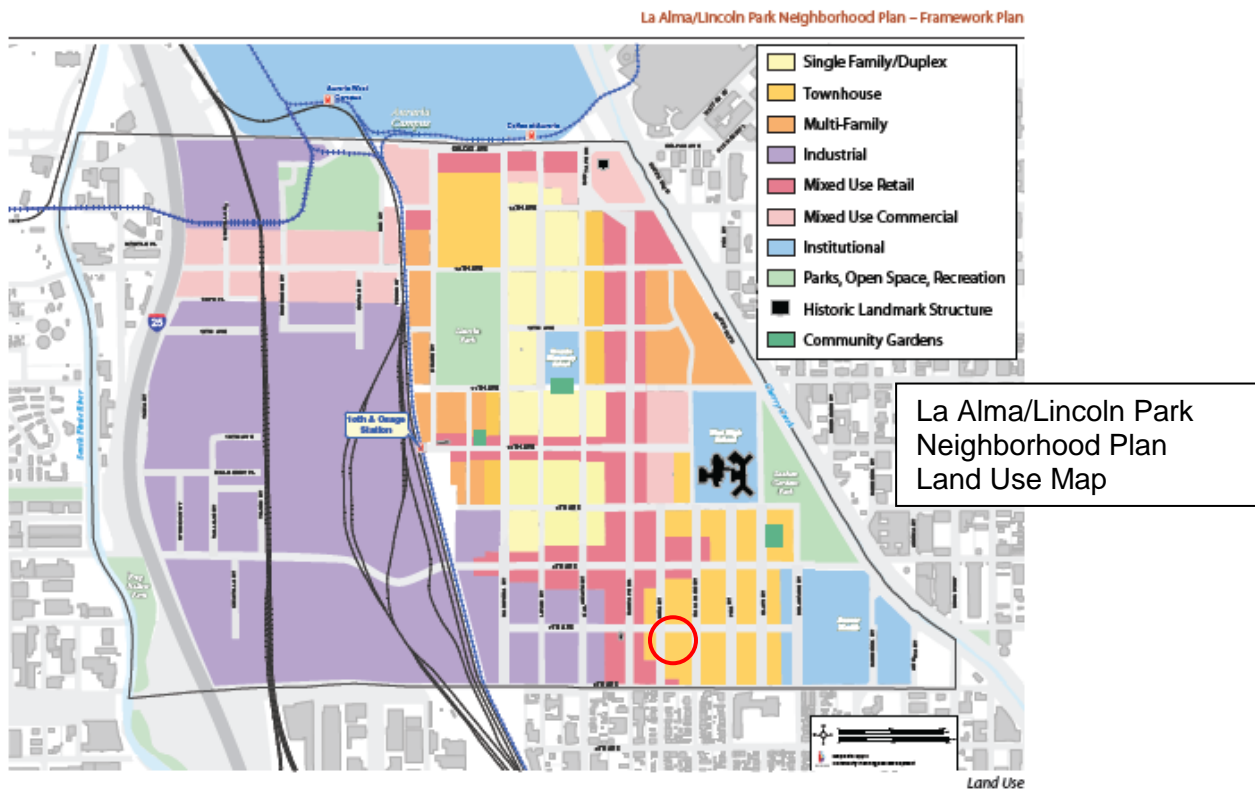
The U-RH-3A zone district implements the recommendation of allowing moderate infill and density at a maximum building height of 3 stories.

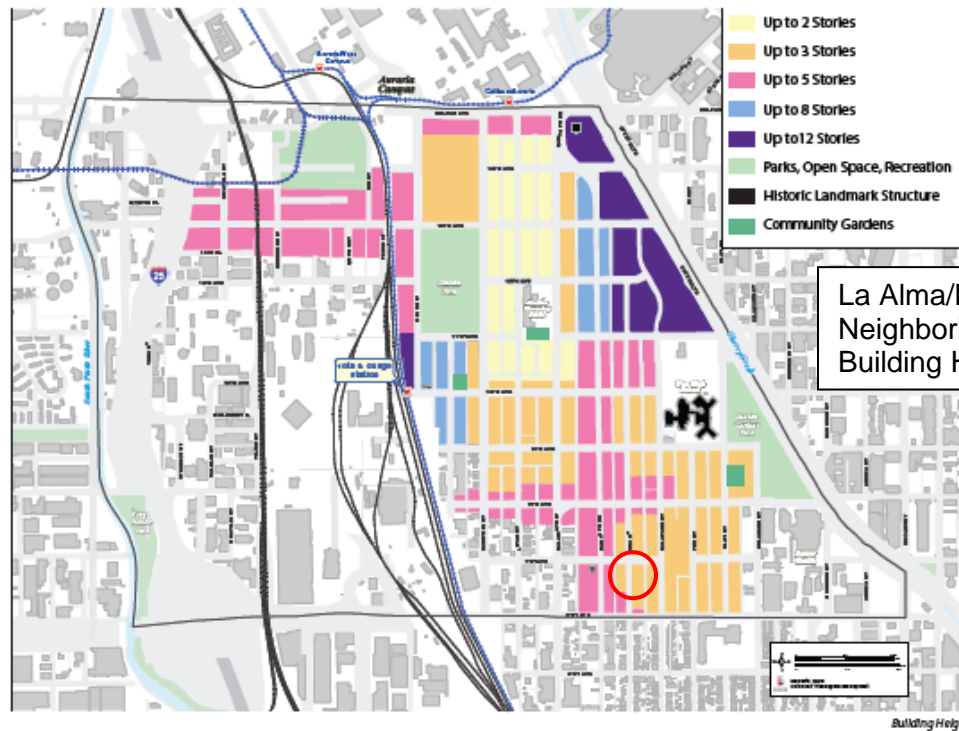
Character Area Plans

The La Alma/Lincoln Park Plan establishes character areas, or areas with distinct characteristics. The subject property is in the southern “Residential Area”, one of the two Residential Areas defined by the Plan. Plan recommendations for this area include:

- “Safeguard the character of established neighborhoods that contain an intact inventory of buildings characteristic of a particular construction era such as Victorian, Craftsman, or Mid-Century Modern” (p. 45).
- “The southern residential character area is roughly bounded by Inca Street to the west, 9th Avenue to the north, Delaware to the east and 6th Avenue to the south. The southern residential area should be zoned an urban neighborhood rowhouse district that allows up to two and a half story rowhouses, and apartments up to 3 stories on certain corner lots (e.g. U-RH-3A)” (p. 46).

The U-RH-3A zone district implements these recommendations.





La Alma/Lincoln Park
Neighborhood Plan
Building Heights Map

2. Uniformity of District Regulations and Restrictions

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

3. Public Health, Safety and Welfare

Because the proposed map amendment implements the area plan, the proposed official map amendment furthers the public health, safety and general welfare of the City.

4. Justifying Circumstances

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

The application identifies the proximity of the property to downtown, the redevelopment and new density at the 10th & Osage light rail station, and the success of the Santa Fe Arts District as the reason for increased demand for new housing in the area. As discussed above, the La Alma/Lincoln Park Neighborhood Plan recognizes the changes taking place in the area and supports safeguarding the character of the residential areas in the neighborhood with new development of modest scale. This is an appropriate justifying circumstance for the proposed rezoning.

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

The proposed U-RH-3A zone district is within the Urban Neighborhood context. This context is characterized by low-scale residential and commercial uses embedded in residential areas. Residential structures are typically urban house or rowhouse/townhouse structures. Commercial structures may contain a mixture of uses. Single-unit and multi-unit residential land uses are located on local streets, while commercial uses are located on mixed use or main streets. Street and block patterns are shaped by a grid street system with a consistent presence of alleys. Sidewalks are typically detached and mobility is a balance of pedestrian, bicycle, and vehicle systems. The La Alma/Lincoln Park neighborhood with its grid street system, mixture of single family and low-scale multi-unit residential land uses is an Urban Neighborhood.

The U-RH-3A zone district is a multi-unit zone district intended for use in Urban Neighborhoods to protect and promote desirable residential areas where low-scale building forms are consistent with existing development. The two and a half story rowhouse building form allowed by the zone district is consistent with the area urban neighborhood context and with the district intent of preserving the existing scale of the area.

Staff Recommendation

Based upon the analysis set forth above, CPD staff finds that the application for rezoning the property located at 668-670 Inca Street to a U-RH-3A zone district meets the requisite review criteria. Accordingly, staff recommends approval.

Attachments

1. Application
2. Approved Legal Description
3. Comment Letter (1)

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
<p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			
Does the proposal comply with the minimum area requirements specified in DZC Sec. 12.4.10.3:		<input type="checkbox"/> Yes Per DZC Sec. 12.4.10.3.Part B.2. <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 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 type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
<p>Additional Review Criteria for Non-Legislative 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 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 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:	
<input type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format) <input type="checkbox"/> Proof of Ownership Document(s) <input type="checkbox"/> Review Criteria	
ADDITIONAL ATTACHMENTS	
Please identify any additional attachments provided with this application:	
<input type="checkbox"/> Written Authorization to Represent Property Owner(s)	
Please list any additional attachments:	

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

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

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (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
			<i>W. J. Denver</i>			

Property Address: 668 – 670 N Inca Street

Legal Description:

Lots 1 to 4, Inclusive, Block 17, Elmwood Addition to the City of Denver, City and County of Denver, State of Colorado.

Denver Property Assessment and Taxation System (3.2.3)

[New Search](#)
668 INCA ST

Owner	Schedule Number	Legal Description	Property Type	Tax District
REVISION REAL ESTATE LLC 1332 E 22ND AVE DENVER , CO 80205-5221	0503629002000 PIN 161113661	L 1 TO 4 INC BLK 17 ELMWOOD ADD	RESIDENTIAL	DENV

Summary
Assessment
Assessment Protest
Taxes
Comparables
Neighborhood Sales
Chain of Title

Property Summary
Property Map

Additional Property Information

[Clear results](#)

Zoning [Details](#)
 Zone District: PUD
 Code Version: 1956 - Former
[Chapter 59](#)
[Zoning Map](#)

Neighborhood [Details](#)
 Lincoln Park

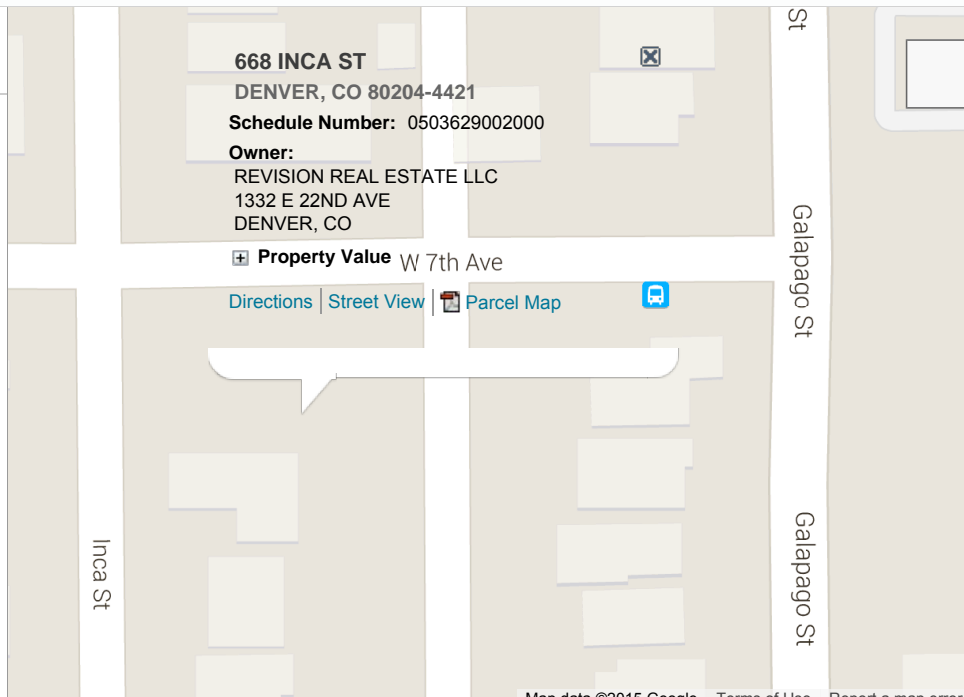
Subdivision [Details](#)
 ELMWOOD ADDITION TO THE CITY OF DENVER

Historic Landmark District [Details](#)
 No

Historic Landmark [Details](#)
 No

Enterprise Zone [Details](#)
 Yes

Floodplain Designation [Details](#)
 Zone: X



668 INCA ST
 DENVER, CO 80204-4421
 Schedule Number: 0503629002000
 Owner:
 REVISION REAL ESTATE LLC
 1332 E 22ND AVE
 DENVER, CO

Property Value W 7th Ave
[Directions](#) | [Street View](#) | [Parcel Map](#)

Map data ©2015 Google Terms of Use Report a map error

reVision Real Estate LLC
1332 E 22nd Ave
Denver, CO 80205
Tel: 303 376 7930
Fax: 303 388 7613
Email: knasser@revisioninc.com

Denver 10/05/2015

RE: rezoning the property at 668-670 Inca Street in Denver

To whom it may concern,

Tim Politis, registered architect in Colorado and owner of One Line Studio LLC, is authorized to represent and act on the behalf of reVision Real Estate LLC in rezoning the property at 668-670 Inca Street in Denver, Colorado.

If you have any questions, please contact us by phone or email at the number or address listed above.

Thank you
Khalil H Nasser PhD
Owner, reVision Real Estate LLC

A handwritten signature in black ink, appearing to read "Khalil H Nasser", written in a cursive style.

Revision Real Estate LLC

Limited Liability Organizational Documents

Colorado Limited Liability Company

Restricted Private Offering

Not Publicly Traded

Certificate No.
001

Voting Capital
10,000

REVISION REAL ESTATE, LLC.

This Certifies that **Khalil Nasser** is the owner of **Ten Thousand (10,000)** shares of the Voting Capital of **Revision Real Estate, LLC.** transferable only on the books of the Limited Liability Company by the holder hereof in person or by Attorney upon surrender of this Certificate properly endorsed. This restricted Capital Certificate constitutes a private offering and is not for sale on any established stock market. This capital certificate is not registered with the Securities Exchange Commission.

In Witness Whereof the said Corporation has caused this Certificate to be signed by its duly authorized officers and its Corporate Seal (if any) to be hereunto affixed on this 3rd day of October, A.D. 2015.



President

Secretary

Revision Real Estate, LLC

MEMBERS MEETING

This members meeting is hereby convened this 19th day of September, 2007, at 2 PM and at the office of T W Cresswell PC, 7220 W Jefferson Ave, Ste 440, Lakewood, CO 80235 for the purpose of initiating operations of Revision Real Estate, LLC (the company), electing managing members, and other procedures.

BE IT RESOLVED...

At this meeting, Khalil Nasser was elected Managing member of the company with all executive powers of said office. There being no other employees or associates of the company, no officers' positions are deemed necessary.

There being no further business at hand, motion was made to adjourn the meeting and the motion carried by vote.

In Witness Whereof the undersigned attest to the accuracy of the foregoing writing of the minutes of the Voting members meeting. Such foregoing minutes includes 1 pages.

Manager


Khalil Nasser

WAIVER/CONSENT TO ACTION

The Voting members of Revision Real Estate, LLC whose signatures appear below hereby consent to the actions of this meeting (annual or special) held this 26th day of July, 2007. The voting members below also waive any due requirements of notice and/or acknowledge the adequacy of any notice afforded them.


Khalil Nasser

**REVISION REAL ESTATE LLC
OPERATING AGREEMENT**

ARTICLE II, Section 2.1 Initial Members.

Exhibit A.

The initial members of the company are:

Khalil Nasser



EIN Assistant

Your Progress: 1. Identify 2. Authenticate 3. Addresses 4. Details 5. EIN Confirmation

Please confirm your selection.

Due to the number of members in your limited liability company, you are considered a **Single-Member Limited Liability Company (LLC)** as the type of structure applying for an EIN.

- Since you are a **single-member LLC**, you will initially be classified as a **disregarded entity** for the purposes of filing a federal tax return.
 - If the only member of the LLC is an **individual**, the LLC income and expenses are reported on **Form 1040** (U.S. Individual Income Tax Return), Schedule C, E, or F.
 - If the only member of the LLC is not an individual, the LLC income and expenses are reported on the owner/member's tax return.
- If you do not wish to accept the default classification of disregarded entity, you can:
 - File **Form 8832** (Entity Classification Election) to elect **corporate status**, or
 - File **Form 2553** (Election by a Small Business Corporation) to elect **S corporation status**.
- Single-member LLCs may not file a **partnership return**.



You may not continue if:

- You are an **individual** and are the owner of a **single-member LLC with employees**, and you do not already have a sole proprietor EIN.

If you need to change your type of structure, we recommend that you do so **now**, otherwise you will have to start over and re-enter your information. Additional help may be found by reviewing **all types of organizations and structures** before making your selection.

Help Topics

- ? Why do I need two EINs if I am a single-member LLC with employees?
- ? What is Form 1040?
- ? What is Form 8832?
- ? What is Form 2553?

<< Change Type

Continue >>

No ~~EIN~~ EIN Needed

Narrative: Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

The subject property, located at 668-670 N. Inca Street is currently surrounded by adjacent properties designated within a U-RH-3A zone. By converting the subject property from its current zoning of PUD to U-RH-3A, the new designation will align the property to be consistent with the existing zoning on the neighboring properties.

The rezoning of the property to U-RH-3A is consistent with the findings of the following adopted plans:

- Blueprint Denver: A Land Use and Transportation Plan (2002)
- La Alma/Lincoln Park Neighborhood Plan (2010)

Blueprint Denver, published in 2002, identifies the subject property within a highlighted 'Area of Change' promoting Mixed-Use developments with a higher intensity of use.

According to Blueprint Denver,

The purpose of Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop. New investment in these areas should encourage the retention of low-income residents and ensure diverse development that benefits all residents of the city.

Presently, the existing PUD zoning limits development to the existing structure thereby underutilizing the available property by leaving a large vacant portion of the site with limited potential for development at the southeast corner of 7th and Inca. By its nature as an outlier in this urban neighborhood district, the vacant land is left to neglect, is prone to the receipt of litter, and creates a sense of discontinuity in the neighborhood in term of building form, setbacks, build-to requirements and building height.

In contrast, by changing the zoning to U-RH-3A, consistent with the intent of the Blueprint Denver recommendation to encourage development in this area, there is an opportunity to enhance the neglected corner and continue the existing characteristics of the neighborhood including consistent setbacks, build-to requirements and building heights.

The 2010 La Alma/Lincoln Park Neighborhood Plan identifies the subject property within an area allocated for townhouses (page 23) with a height of up to 3 stories (page 25). Regarding the proposed development, page 46 of the 2010 plan indicates:

The southern residential character area is roughly bounded by Inca Street to the west, 9th Avenue to the north, Delaware to the east and 6th Avenue to the south. The southern residential area should be zoned an urban neighborhood rowhouse district that allows up to two and a half story rowhouses, and apartments up to three stories on certain corner lots (e.g., U-RH-3A).

The subject property is located within the designated area described in the text above which identifies U-RH-3A as the preferred zoning with the intended building form of rowhouses supporting the proposed zoning change for this property.

2. Uniformity with District Regulations

The proposed official map amendment will result in regulations and restrictions that are uniform for each kind of building throughout the U-RH-3A district per the adopted Denver Zoning Code.

This is not to say that the change of zoning on the subject property will lead to a development that lacks unique character. The subject property can contain unique improvements that take into consideration the neighboring context that builds upon the existing neighborhood character. By replacing the current PUD zone with the proposed U-RH-3A zone, we are able to take into consideration the fundamental building blocks for consistency and neighborhood uniformity including building form, setbacks, build-to requirements, building height and street activation that are characteristic to the surrounding neighborhood and build upon the surrounding context.

3. Furthers the public health, safety, and general welfare of the City

The rezoning of the subject property to U-RH-3A and the anticipated future development that the new zoning designation would allow can further public health, safety and general welfare by increasing the walkability of the neighborhood, thereby improving access to jobs, housing and services with fewer and shorter auto trips as recommended in Blueprint Denver. Creating a more walkable neighborhood has the potential to create an environment where more people are on the streets making the public areas safer with more watchful eyes; promoting health by providing alternatives to a car-oriented environment with

greater options for mobility; and, generally enhancing the urban environment, thereby improving the welfare of neighborhood and in a larger context, the City.

4. Justifying Circumstances

The land or its surroundings has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area.

Due to the proximity to downtown, the enhanced development and density at the nearby 10th and Osage light rail station that is within walking distance to the property, and the identification and enhancement of the nearby Santa Fe Arts District, the demand for affordable housing has greatly increased in this area. The proposed rezoning to U-RH-3A will allow for redevelopment consistent with the surrounding properties while addressing the demand for more flexibility and allowing for increased development that is consistent with Denver planning documents.

Consistent with Blueprint Denver 2002 and the 2010 La Alma/Lincoln Park Neighborhood Plan, improving access to jobs, housing and services with fewer and shorter auto trips is a goal for this area. The proposed zoning change provides the framework to meet this goal while maintaining the existing developmental character of the surrounding properties and the neighborhood.

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

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.

By approving the request to rezone the subject property from the existing PUD zone to the U-RH-3A zone, the proposed zoning change will allow the subject property to be consistent with neighborhood context and meet the stated purpose and intent of the proposed zone district in that:

- The subject property will match the zoning of the surrounding neighborhood properties.
- The similar zoning will allow for consistency and the continued preservation of the existing neighborhood character including building form, setbacks, build-to requirements, building height and street activation.
- It encourages the implementation of the recommended goals established in the documented planning documents including Blueprint Denver and the La Alma/Lincoln Park Neighborhood Plan.

- It allows for redevelopment consistent with the density and character of the adjacent existing properties
- It allows the opportunity to create a more walkable neighborhood with the potential to create an environment where more people are on the streets making the public areas safer and promoting health by providing alternatives to a car-oriented environment, thereby improving the welfare of neighborhood and a significant part of the City.

Summary

Given the noted alignment with goals established in the planning documents, description of compliance with the established Zoning Change Review Criteria and potential benefits to the adjacent neighborhood we ask that you consider the zoning change request for 668-670 N. Inca Street.

Sincerely,

A handwritten signature in black ink that reads "Tim Politis". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Tim Politis, AIA, LEED AP
One Line Studio LLC

Property Address: 668 – 670 N Inca Street

Legal Description:

Lots 1 to 4, Inclusive, Block 17, Elmwood Addition to the City of Denver, City and County of Denver, State of Colorado.

From: [Nanci Burtman](#)
To: citycouncildencc@denvergov.org
Cc: [Lucero, Theresa L. - Community Planning and Development](#)
Subject: Zone Change Request for property at the corner of Inca St and 7th Ave in Denver
Date: Thursday, February 25, 2016 11:59:24 AM

Honorable Mayor of Denver and Members of the City Council,

I am writing this letter in protest of the property at the corner of Inca St and 7th being changed from being now zoned as PUD #144 to U-RH-3A.

I live right behind the property mentioned, at 667 Galapago St. I, along with many of the residents in the surrounding area, are concerned about the impact of this zoning change and what it will do to the already dense area of this part of the neighborhood.

Larry Davis, who is my partner, and I attended a previous meeting to voice our concerns and felt very strongly that this was already decided and our voices did not matter in the least bit. No one in the neighborhood was notified by anyone that this was happening. I mentioned to someone at the meeting about doing a petition to get signatures and was told it was too late. When I spoke with Theresa Lucero a few days ago about getting a protest form she told me that was for petitions only. When I said that was not stated on the billboard posted at the property I was told it was because there was no room for it. Had I known I would have been collecting signatures from homeowners around the area showing support against this zone change. Alas, that is not to be. I hope that the City Council will read what I have to say and at least consider our issues and what is happening to Denver today.

The area in consideration is changing rapidly and we all feel it cannot handle any more of the growth that is being developed. All up and down Galapago St and Inca St the homes are changing from small one-story homes to condos and apartments, and with that comes more traffic, more people and more congestion. There is traffic constantly on Santa Fe, 6th Ave, 7th and 8th. There are 2 bus stops on 7th Ave right near the entrance to the property being considered for this zoning change. There is rarely ANY parking available on Inca St between 6th and 7th, and many people who work at the hospital at 8th and Speer park on Galapago and 7th. In other words the neighborhood has parking issues already. This has caused many people to park in the alley between Inca and Galapago. We have called repeatedly because we often have trouble driving through the alley and it is illegal. The building being proposed for the property is to have 14 units and a parking lot. Any of the units will have more than just one person living there. And they will have friends come visit. Again-where will they park?

We have watched Denver grow, in just the last year, so quickly, that it makes our heads spin. Apartment buildings going up everywhere, traffic has multiplied to the nth degree, there is a parking problem all over the city, and the people who live here feel like none of this is being addressed at all. The residents feel that as each new building, apartment, condo comes along it is always approved and nobody considers the true impact that it is having upon our great city, the people who live here and work here and have to drive on our streets and highways and go home each night and search for a parking place.

I had to do this. I often parked 2 blocks away from my home before I found a space. So then we spent a huge sum of money to rebuild our 100+ yr old garage, and now we discover the entrance to the apartment on this property is to be right between our garage and the one next door. Yikes! And I can just envision all those cars trying to get out to 7th where the traffic is or down to 6th where you already have to wait a while.

In other words, I believe the neighborhood cannot handle the burden of this property zoning taking place.

Look at the surrounding area and I think you will agree. Less than 1/2 mile away, at 1170 Galapago is the Marquis @ the Parkway, a huge apartment complex and surrounding 1 story apartment/condos.

There are many apartment/condos recently built on Galapago St from 6th down to 1st and also on Inca. When is this going to stop? Why can't you let this neighborhood just be a neighborhood?

You will not get many residents at the meeting on the 29th. Many of them are older, Spanish speaking people. I know they are not happy with what's going on. Many people are working and cannot attend the meeting. I know they feel the way I do too. Please take what I have said into consideration. You all get to go home to your neighborhoods at the end of the day and this is not your problem. We do not.

Thank you for your time and consideration in this matter. I do not believe that every inch of this great city has to be developed for Denver to continue to be a wonderful place to live.

Nanci Burtman
667 Galapago St

Denver, CO 80204
720-67-6037
nwb671@yahoo.com