



TO: Denver Planning Board
FROM: Rob Haigh, Senior City Planner
DATE: March 27, 2024
RE: Official Zoning Map Amendment Application #2021I-00281

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for Application #2021I-00281.

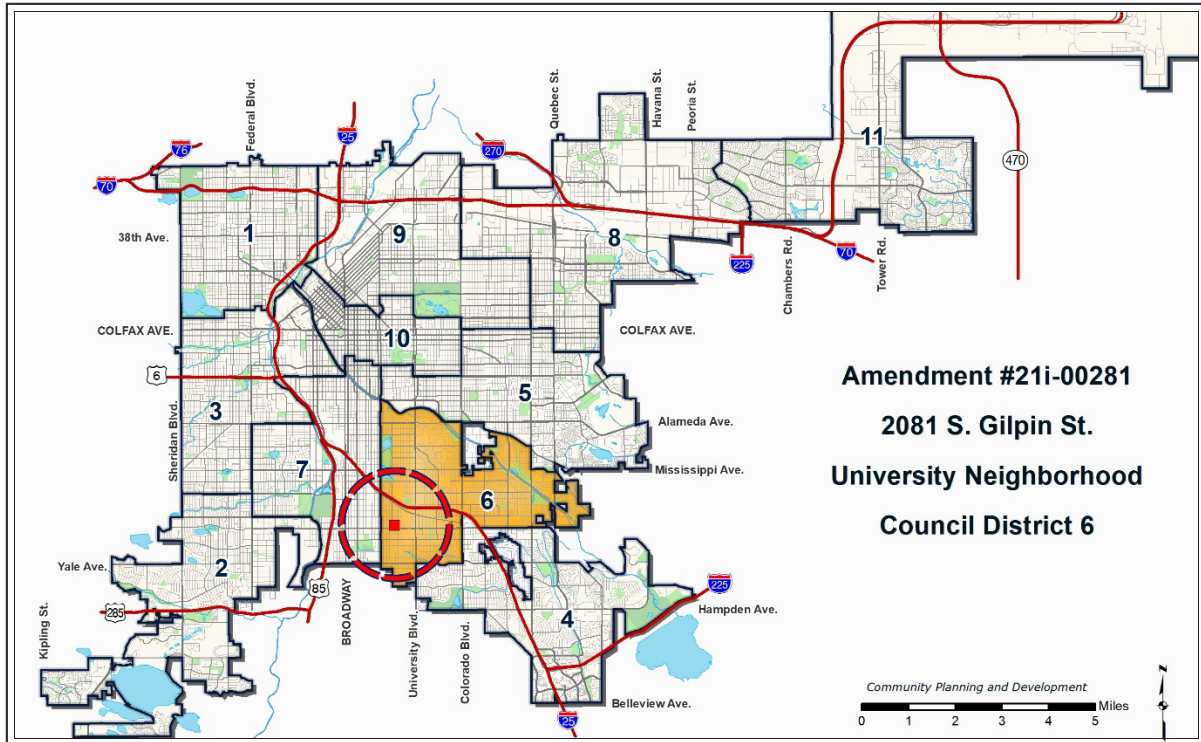
Request for Rezoning

Address: 2081 South Gilpin Street
Neighborhood/Council District: University / Council District 6 – Paul Kashmann
RNOs: Inter-Neighborhood Cooperation (INC), University Neighbors Neighborhood Association, Strong Denver
Area of Property: 4,690 square feet
Current Zoning: U-SU-C
Proposed Zoning: U-MS-3
Property Owner(s): FAR SORR LLC

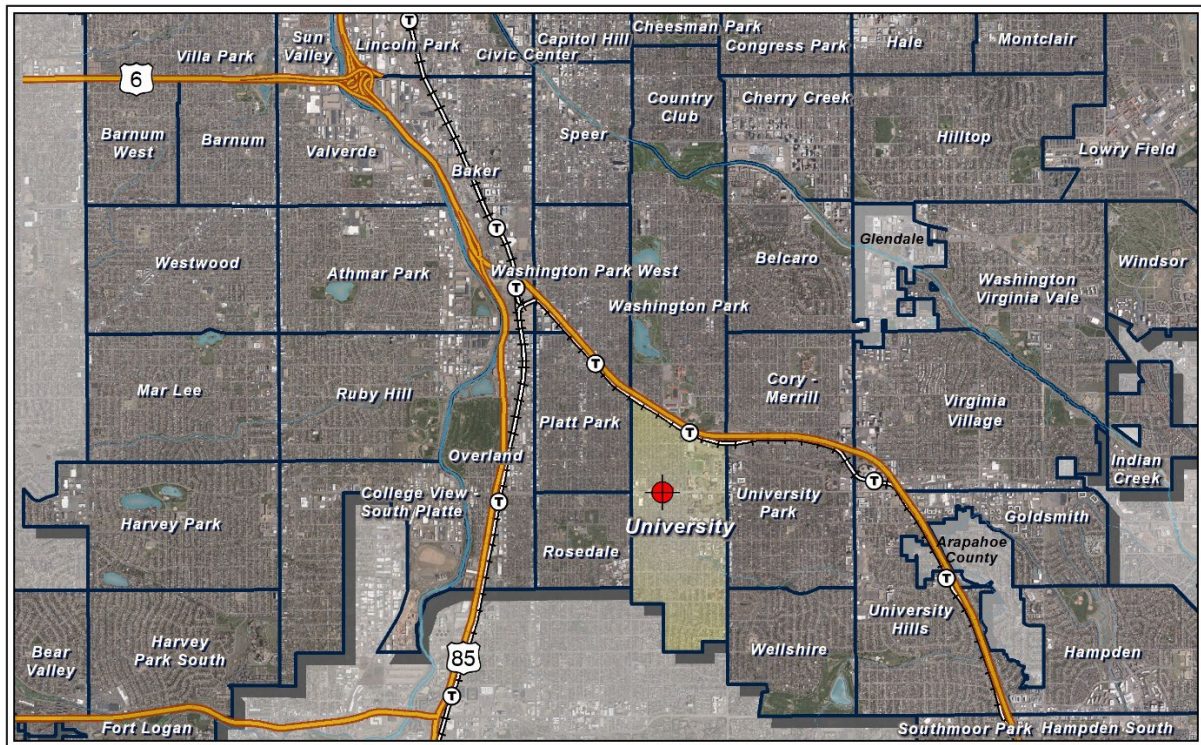
Summary of Rezoning Request

- The subject property contains a single-unit home built in 1950, located between East Evans Avenue and East Asbury Avenue, along the west side of South Gilpin Street.
- The property owner of the subject site also owns the property immediately to the south that is already zoned U-MS-2. The applicant is requesting to rezone the site to facilitate redevelopment in conjunction with the southern property.
- The proposed U-MS-3 Zone District (**U**rb**a**n, **M**ain **S**treet, **3** stories) is intended to “promote safe, active, and pedestrian-scaled commercial streets through building forms that clearly define and activate the public street edge.” The U-MS-3 Zone District applies primarily to collector and arterial street corridors or may be embedded within a commercial shopping center or mixed-use area, where a building scale of 1 to 3 stories is desired. The Zone District allows for construction of the Town House and Shopfront primary building forms, and drive thru services and restaurants are allowed subject to geographic limitations. The maximum height of the allowed primary building forms ranges from 38 to 45 feet. Further details of the zone districts can be found in Article 5 of the Denver Zoning Code (DZC).
- On the subject property, only the southern 10’ of the property will be permitted to exceed 27 feet in height due to required upper story setbacks from the adjacent protected districts. Further details of the zone districts can be found in Article 5 of the Denver Zoning Code (DZC).

City Location



Neighborhood Location - University



Aerial View



Existing Context

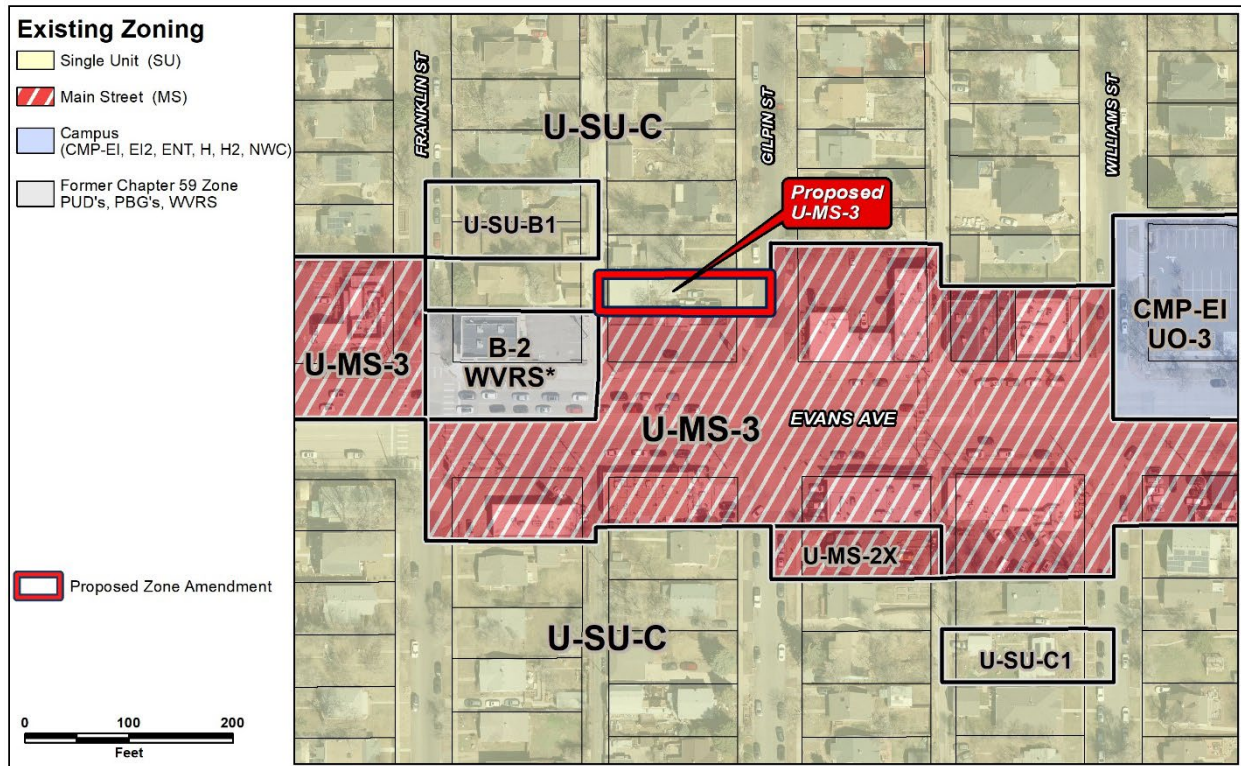
The subject property is in the University statistical neighborhood, which is characterized mostly by single-unit residential uses, the University of Denver campus, and mixed use areas along East Evans Avenue, South Downing Street, and South University Boulevard. The subject property is located just north of East Evans Avenue and is separated from this main street corridor by a narrow parcel that was most recently used for a commercial retail business. The property is at the border between the mixed-use corridor along East Evans Avenue and the primarily residential area to the north. Generally, there is a pattern of rectangular blocks in a street grid pattern with alley access. The subject property is about one-half mile northeast of Harvard Gulch Park. There is an RTD bus stop at East Evans Avenue and South Gilpin Street, which has 30-minute headways. The RTD light rail University of Denver station is 0.4 miles northeast from the subject property.

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	U-SU-C	Vacant Single-unit Residential	1 story house with detached garage on alley	Generally regular grid of streets;

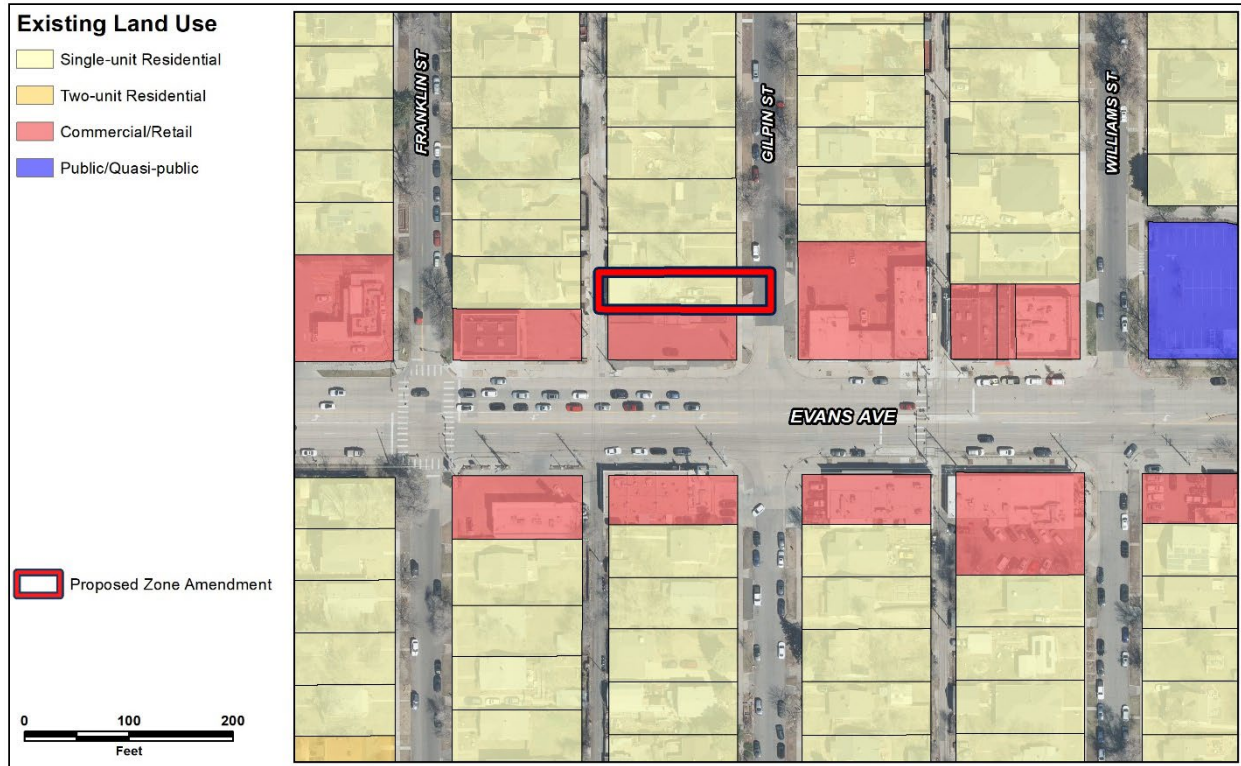
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
North	U-SU-C	Single-unit Residential	1 story house with detached garage on alley	Block sizes and shapes are consistent and rectangular. Detached sidewalks with tree lawns and existing alleys. Garages and on-street vehicle parking.
South	U-MS-3	Vacant Retail	Vacant gas station structure with retail sales	
East	U-MS-3	Eating & Drinking establishment, retail	1 story mixed-use building with surface parking on the back	
West	U-SU-C	Single-unit Residential	1 story house with attached garage at alley	

Existing Zoning



The U-SU-C zone district is a single-unit district allowing only the Urban House primary building form on a minimum zone lot of 5,500 square feet. The maximum allowed height is 2.5 stories or 30 to 35 feet in the front 65% of the zone lot, 1 story and 17 to 19 feet in the rear 35% of the zone lot. It allows two accessory structure forms: Detached Garage and Other Detached Accessory Structure with a maximum height of 15 to 17 feet. The intent of the district is to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context.

Existing Land Use Map



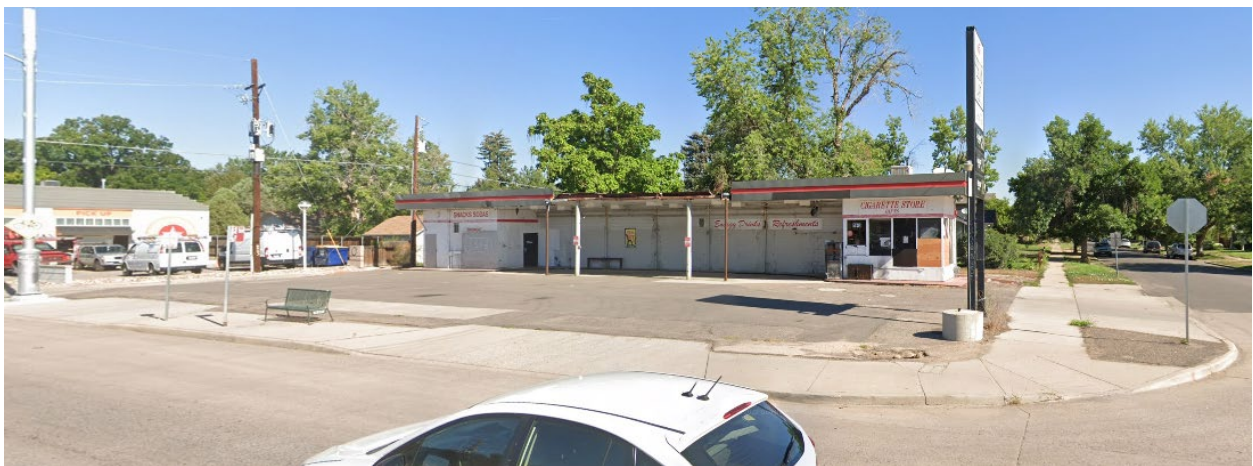
The most recent use of the subject property is single-unit residential which is similar to the uses to the north of the property. The existing land uses to the south, east, and along East Evans Avenue are predominately commercial/retail.

Existing Building Form and Scale (all images from Google Maps)

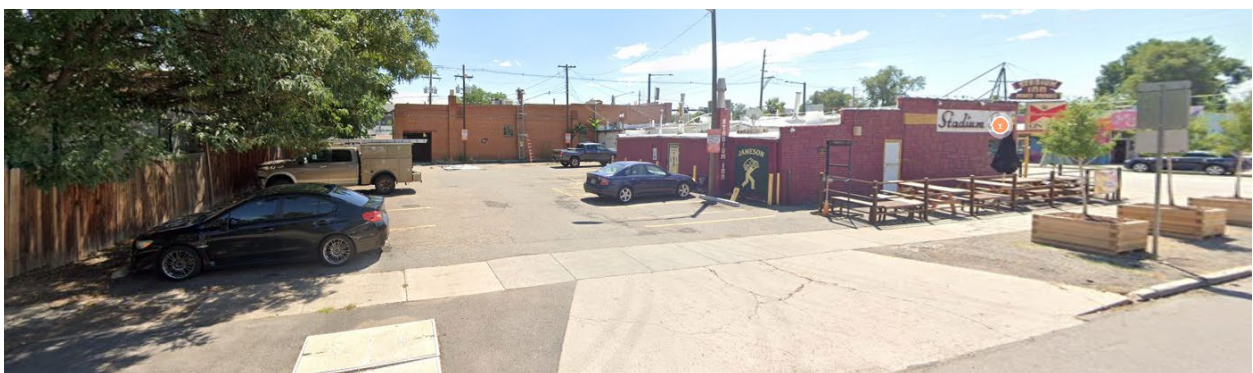




North - View of the properties to the north, looking west on South Gilpin St.



South - View of properties to the south, looking north on East Evans Ave.



East - View of properties to the east, looking east on South Gilpin St.



West - View of the properties to the west, directly across the alley from site, looking east on South Franklin St

Proposed Zoning

The requested U-MS-3 Zone District is found in the Urban neighborhood context and the intent of the district is to “promote safe, active, and pedestrian-scaled commercial streets through building forms that clearly define and activate the public street edge.” Additionally, the Main Street district standards are intended to ensure new development contributes positively to established residential neighborhood and character, improving the transition between commercial development and adjacent residential neighborhoods. The Zone District allows for construction of the Town House and Shopfront primary building forms, and drive thru services and restaurants are allowed since the subject property is more than ¼ mile from a light rail train platform. These building forms are typically applied linearly along entire block faces of commercial, industrial, main, mixed-use and residential arterial streets. Multi-unit residential uses are typically located along local streets, residential and mixed-use arterials, and main streets.

While the U-MS-3 Zone District allows for heights up to 3 stories, or 45 feet, the subject property would be limited to the maximum allowed height of 27 feet on the northern 25 feet of the site given it is located adjacent to a protected district. For additional details of the requested zone district, see Article 5 of the Denver Zoning Code.

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

Design Standards	U-SU-C (Existing)	U-MS-3 (Proposed)
Primary Building Forms Allowed	Urban House	Town House, Shopfront, Drive Thru Services, Drive Thru Restaurant
Maximum Height in Stories/Feet, Front 65% of Zone Lot	2.5 stories / 30-35 feet	3 stories / 45 feet
Maximum Height in Stories/Feet, Rear 35% of Zone Lot	1 story / 17-19 feet	3 stories / 45 feet
Zone Lot (Min.)	5,500 square feet	n/a
Zone Lot Width (Min.)	50 feet	n/a
Primary Street Block Sensitive Setback Required / If not	Yes / 20 feet	0 feet
Side Street Setback (Min.)	5 feet	0 feet
Side Interior Setback (Min.)	5 feet	10 feet, adjacent to a protected district
Rear Alley / No Alley	12 feet / 20 feet	0 feet / 10 feet
Upper Story Setback Above 27' adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	n/a	15 feet / 25 feet
Detached Accessory Building Forms Allowed	Detached Garage, Other Detached Accessory Structures	Detached Accessory Dwelling Unit, Detached Garage, Other Detached Accessory Structures

Summary of City Agency Referral Comments

As part of the DZC review process, the rezoning application is referred to potentially affected city agencies and departments for comment. A summary of agency referral responses follows:

Assessor: Approved – No Response.

Asset Management: Approved – Response

Denver Public Schools: Approved – No Response.

Development Services - Fire: Approved – No Comments.

Development Services – Project Coordination: Approved – No Response.

Development Services - Transportation: Approved – No Response.

Development Services – Wastewater: Approved – No Comments.

Parks and Recreation: Approved – No Comments.

Public Health and Environment: Approve Rezoning Only – Will require additional information at Site Plan Review.

The Denver Department of Public Health and Environment, Environmental Quality Division (EQD) performed a limited search for environmental information regarding environmental conditions at the project site. This review was not intended to conform to the ASTM standard practice for environmental site assessments, nor was it designed to identify all potential environmental conditions. The EQD provides no representations or warranties regarding the accuracy, reliability, or completeness of the information provided.

This review was not intended to assess environmental conditions for any property interest dedication or grant. Nor does this review constitute an approval or action by the EQD concerning any property dedication or grant associated with the project.

--A petroleum release(s) from an underground fuel storage tank(s) has been documented at a nearby property(ies). For more information on petroleum releases, please contact the Colorado Department of Labor and Employment, Division of Oil and Public Safety (OPS) at 303-318-8547 or by email at cdle_remediation@state.co.us.

EQD does not guarantee approval of any proposed development project at this site by providing a response to this Official Map Amendment Referral Agency Review Request. Future development is subject to existing land use controls and other environmental requirements in accordance with applicable local, state, and federal environmental regulations and statutes. EQD recommends the Property Owner conduct an environmental site assessment to determine the potential presence, nature,

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and extent of possible contamination on the site and to identify specific cleanup needs associated with future development. EQD may have additional information about localized potential environmental concerns at the site. However, providing such information about a specific site is beyond the scope of these zoning application comments.

Department of Transportation & Infrastructure – City Surveyor: Approved – See Comments Below.

Recommend adding the quarter section, township, and range to the description. A Revised .docx file is attached

Public Review Process

	Date
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	11/06/2023
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, registered neighborhood organizations, and property owners:	3/19/2023
Planning Board Public Hearing:	4/3/2024
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting (tentative) :	4/9/2024
Land Use, Transportation and Infrastructure Committee of the City Council (tentative) :	4/23/2024
Property legally posted for a period of 21 days and CPD notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations (tentative) :	5/13/2024
City Council Public Hearing (tentative) :	6/3/2024

- **Registered Neighborhood Organizations (RNOs)**
 - To date, staff has not received comment letters from Registered Neighborhood Organizations.
- **Other Public Comment**
 - To date, staff has received one letter in support of the proposed rezoning.

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 application:

- *Denver Comprehensive Plan 2040 (2019)*
- *Blueprint Denver (2019)*

Denver Comprehensive Plan 2040

The proposed rezoning to a 3-story main street zone district would allow for mixed-use development that includes in increased density of residential uses along the border of an established neighborhood and a mixed use corridor, consistent with the following strategies in the **Equitable, Affordable, and Inclusive** vision element:

- Equitable, Affordable, and Inclusive Goal 1, Strategy A: *Increase development of housing units close to transit and mixed-use developments.*
- Equitable, Affordable, and Inclusive Goal 1, Strategy B: *Improve equitable access to resources that improve quality of life, including cultural and natural amenities, health care, education, parks, recreation, nutritious food and the arts.*
- Equitable, Affordable and Inclusive Goal 2, Strategy A - *Create a greater mix of housing options in every neighborhood for all individuals and families (p. 28).*

Similarly, the proposed U-MS-3 zoning would allow for a broader variety of uses including housing, retail services, and employment at an intensity consistent with the desire for dense, walkable, mixed-use neighborhoods along major corridors. The proposed rezoning would create a more viable development parcel along East Evans Avenue without extending the mixed use area any further north than it already exists on this block of South Gilpin Street. Further, the application of main-street zoning contributes to the city's aspirational network of well-connected mixed-use corridors and is therefore consistent with the following strategies in the **Strong and Authentic Neighborhoods** vision element:

- Strong and Authentic Neighborhoods Goal 1, Strategy A – *Build a network of well connected, vibrant, mixed-use centers and corridors (p. 34).*
- Strong and Authentic Neighborhoods Goal 1, Strategy B – *Ensure neighborhoods offer a mix of housing types and services for a diverse population (p. 34).*

- Strong and Authentic Neighborhoods Goal 1, Strategy D – *Encourage quality infill development that is consistent with the surrounding neighborhoods and offers opportunities for increased amenities* (p. 34).

The land use pattern detailed in the previous paragraph is also consistent with the following strategies in the **Environmentally Resilient** vision element. This site is an infill location where infrastructure is already in place allowing residents to live, work and play in the area. The proposal focuses any future growth that results from this rezoning close to mixed-use development and transit. Compact infill development near transportation options and existing infrastructure assists in improving public health indicators while reducing water usage.

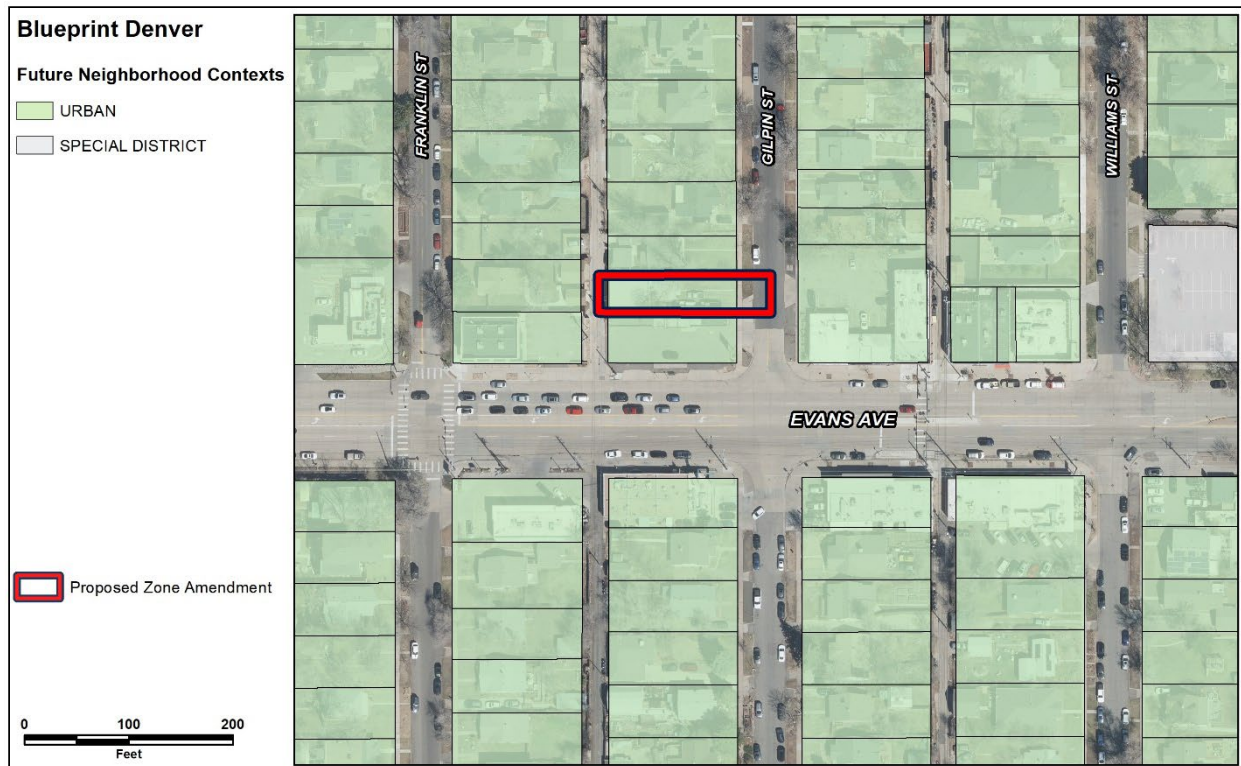
- Environmentally Resilient Goal 8, Strategy A – *Promote infill development where infrastructure and services are already in place* (p. 54).
- Environmentally Resilient Goal 8, Strategy B – *Encourage mixed-use communities where residents can live, work, and play in their own neighborhoods* (p. 54).

Rezoning to facilitate redevelopment of this site advances the Environmentally Resilient strategies of *Comprehensive Plan 2040*. The requested map amendment would allow for a broader variety of uses including housing, retail services, and employment at an intensity consistent with the desire for dense, walkable, mixed-use neighborhoods expressed in *Comprehensive Plan 2040*.

Blueprint Denver

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

Blueprint Denver Future Neighborhood Context

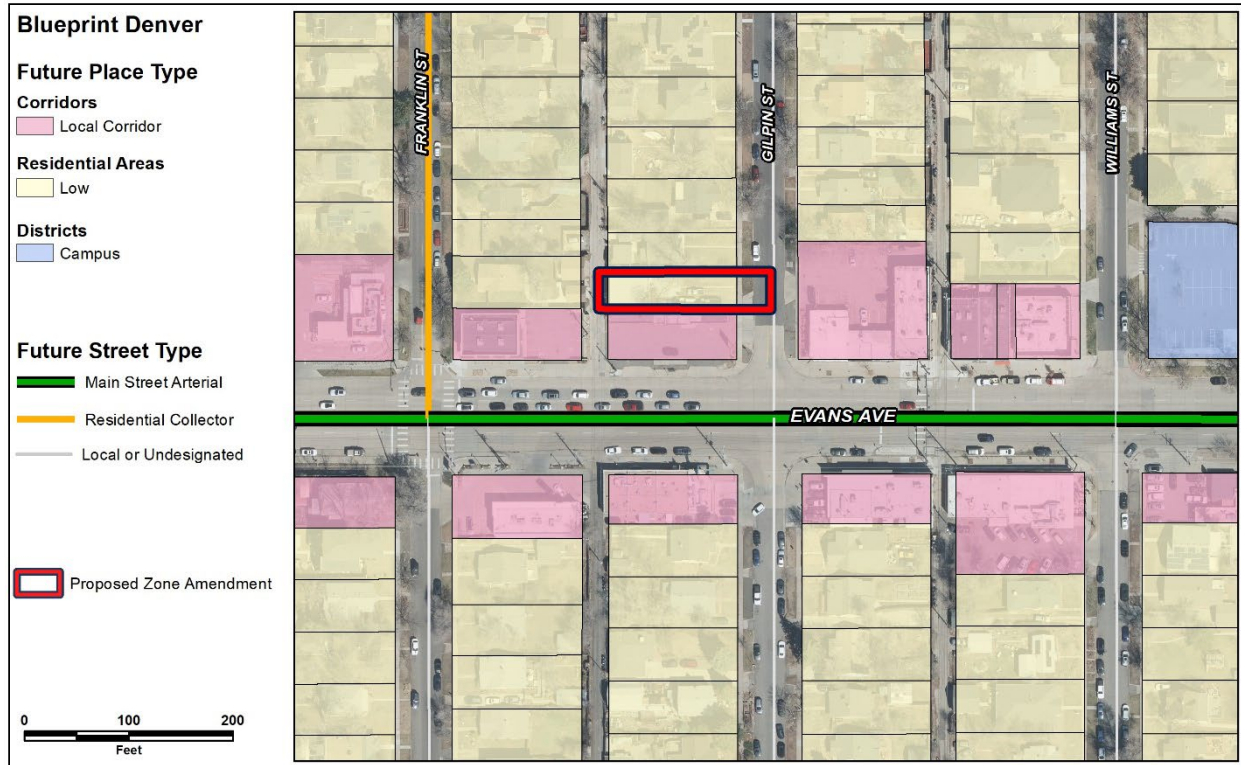


In *Blueprint Denver*, future neighborhood contexts are used to help understand differences between land use, built form, and mobility at a high scale, between neighborhoods. The subject site is shown on the context map as Urban neighborhood context, the description of which is used to guide appropriate zone districts (p. 66). The Urban neighborhood context is described as containing “small multi-unit residential and low-intensity mixed-use buildings are typically embedded in single-unit and two-unit residential areas. Block patterns are a regular grid with consistent alley access. Where they occur, multi-unit buildings are low scale. Mixed-use buildings are sited in a pedestrian-friendly manner near the street” (p. 222)

The proposed U-MS-3 Zone District is within the Urban Neighborhood Context and is intended “to promote safe, active, and pedestrian-scaled commercial street through building forms that clearly define and activate the public street edge” and “should be applied where a higher degree of walkability and pedestrian activity is desired than required along a Corridor, Mixed Use, or Residential Mixed Use zone district” (DZC Section 5.2.5.1). The U-MS-3 Zone District is consistent with *Blueprint Denver*’s future neighborhood context of Urban because it will promote an urban, mixed-use environment that

will be compatible with the development along East Evans Avenue and provide a transition to the existing residential area to the north.

Blueprint Denver Future Place



The subject site is designated within a Low Residential future place type on the *Blueprint Denver* Future Place map. This place type is “predominately single- and two-unit uses on smaller lots. Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible,” and “building heights are generally up to 2.5 stories in height” (p. 230).

However, *Blueprint Denver* acknowledges the need for location-specific analysis and states that “The future places map shows which place description(s) should be used to evaluate the appropriateness of the proposed zone district. Since it is a citywide map, the boundaries of the mapped places should be interpreted with limited flexibility, especially at the edges, if the request furthers the goals of *Blueprint Denver* and is consistent with the overall intent of the places map” (p. 66). The property directly to the south is within the Local Corridor Future Place Type, intended to provide a variety of commercial and residential uses in a pedestrian-oriented pattern with an active street level.

While there is no small area plan to provide additional guidance for this area, the subject property is a particularly narrow parcel adjacent to a Local Corridor future place type that surrounds the East Evans Avenue corridor. The depth of the Local Corridor Future Places designation along East Evans Avenue appears to vary for individual properties and appears to correspond with the use and current zoning of each individual parcel at the time of adoption of *Blueprint Denver*. Additionally, the northern boundary

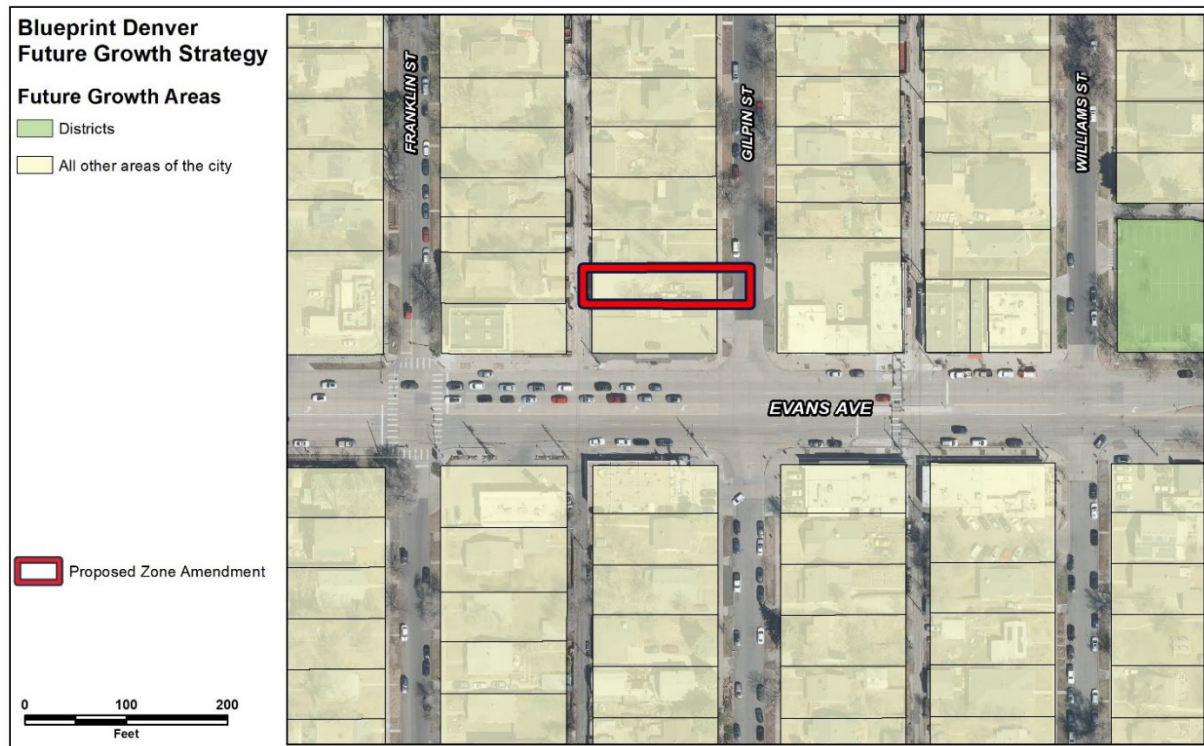
of the subject property is further south than the northern boundary of other parcels that are mapped as Local Corridor along East Evans Avenue.

Staff finds that the guidance in *Blueprint Denver* and the specific context of the subject property supports the consideration of the proposed U-MS-3 zone district as a part of the Local Corridor Future Place designation that is mapped along East Evans Avenue. Furthermore, because it allows for the mixed-use development of pedestrian-friendly building forms (up to three stories) that define and activate the public street edge along Evans Avenue and enables a transition from the East Evans Avenue Corridor through the upper story setback requirements in the Denver Zoning Code, the proposed U-MS-3 zone districts is found to further the goals of *Blueprint Denver* and staff finds it to be consistent with the overall intent of the future places map.

Blueprint Denver Future Street Types

In *Blueprint Denver*, street types work together with the future place to evaluate the appropriateness of the intensity of the adjacent development (p. 67). *Blueprint Denver* classifies South Gilpin Street as Local or Undesignated Future Street Types, which “can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses.” (p. 161). To the south, East Evans Avenue is classified as a Main Street Arterial Future Street Type, which are “Characterized by a mix of uses including retail, services and restaurants, as well as residential. Buildings are pedestrian oriented, with little front setback, a continuous street wall, and high transparency. Street level uses are highly activated, including cafe seating in the right-of-way.” (p.160). The proposed U-MS-3 district is consistent with these descriptions.

Blueprint Denver Growth Strategy



Blueprint Denver's growth strategy map is a version of the future places map, showing the aspiration for distributing future growth in Denver (p. 51). The subject property is part of the "All other areas of the city" growth area. These areas anticipate experiencing around 20% of new housing growth and 10% of new employment growth by 2040 (p. 51). This growth area is "mostly residential areas with embedded local centers and corridors, take a smaller amount of growth intended to strengthen the existing character of our neighborhoods" (p. 49). The proposed map amendment to U-MS-3 will allow growth to the number of households and potential employment options in this area by a mix of uses and greater density of residential uses on this small lot.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to U-MS-3 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 the implementation of the City's adopted plans and by allowing for redevelopment in a manner that will provide for the construction of additional neighborhood-serving residential and amenities, thereby providing residents more opportunities to live, work, and play within their neighborhood. The proposed rezoning would also facilitate housing density near a mix of uses and transit amenities, which have been linked to increased physical activity,¹ decreased obesity,² and decreased driving.³

4. Justifying Circumstance

The application identifies the adoption of *Blueprint Denver* as the Justifying Circumstance under DZC Section 12.4.10.8.A.4, "Since the date of the approval of the existing Zone District, there has been a change to such as degree that the proposed rezoning is in the public interest. Such a change may include: Changed or changing conditions in a particular area, or in the city generally; or a city adopted plan; or that the city adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning."

Additionally, staff finds that the adoption of *Blueprint Denver* serves as a justifying circumstance as it promotes the development of a mixed-use corridor along East Evans Avenue. The specific mapping of the future place type along this corridor is inconsistent in depth, but because this property is within the depth of many parcels along East Evans that were mapped as Local Corridor Future Places, the future place type can be interpreted with flexibility since this property will contribute to the vibrancy of the

¹ Ewing, R., and R. Cervero. 2010. "Travel and the Built Environment: A Meta-Analysis." *Journal of the American Planning Association* 76 (3): 265-94

² Ewing, R., T. Schmid, R. Killingsworth, A. Zlot, and S. Raudenbush. 2003. "Relationship between Urban Sprawl and Physical Activity, Obesity, and Morbidity." *American Journal of Health Promotion* 18: 47-57.

³ Frumkin, Frank, and Jackson 2004; Fran et al. 2006; Ewing et al. 2008; Stone 2008.

corridor if redeveloped and does not extend the mixed-use area further north into the adjacent residential neighborhood than was originally intended by the plan. Staff finds that aligning the parcel's zoning with the underutilized parcel to the south may help encourage redevelopment of both parcels with other plan-recommended uses, thus implementing area plan guidance for the Local Corridor future place type and nearby Transit-Oriented Development in this area. This is an appropriate justifying circumstance for the proposed rezoning".

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

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

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

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

Attachments

1. Application
2. Public comment



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	
<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Property Owner Name	Far Sorr LLC	Representative Name	Otten Johnson c/o Cory Rutz
Address	P.O. Box 6277	Address	950 17th Street, Suite 1600
City, State, Zip	Denver, CO 80206	City, State, Zip	Denver, CO 80202 +
Telephone		Telephone	
Email	bwagner@lookfarinvestments.com	Email	crutz@ottenjohnson.com
*All standard zone map amendment applications must be initiated by owners (or authorized representatives) of at least 51% of the total area of the zone lots subject to the rezoning. See page 4.		**Property owner shall provide a written letter authorizing the representative to act on his/her behalf. ***If contact for fee payment is other than above, please provide contact name and contact information on an attachment.	
SUBJECT PROPERTY INFORMATION			
Location (address):	2081 South Gilpin Street		
Assessor's Parcel Numbers:	0526213014000		
Area in Acres or Square Feet:	4,690 square feet, more or less		
Current Zone District(s):	Urban Single Unit C (U-SU-C)		
PROPOSAL			
Proposed Zone District:	Urban Main Street 3 (U-MS-3)		
PRE-APPLICATION INFORMATION			
In addition to the required pre-application meeting with Planning Services, did you have a concept or a pre-application meeting with Development Services?	<input checked="" type="checkbox"/> Yes - State the contact name & meeting date <u>O. Mikhailvoa/Concept SDP Submitted 06/27/22</u> <input type="checkbox"/> No - Describe why not (in outreach attachment, see bottom of p. 3)		
Did you contact the City Council District Office regarding this application ?	<input checked="" type="checkbox"/> Yes - if yes, state date and method <u>06/28/23 via virtual meeting</u> <input type="checkbox"/> No - if no, describe why not (in outreach attachment, see bottom of p. 3)		

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

REQUIRED ATTACHMENTS

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

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

ADDITIONAL ATTACHMENTS (IF APPLICABLE)

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

- Written narrative explaining reason for the request** (optional)
- Outreach documentation attachment(s).** Please describe any community outreach to City Council district office(s), Registered Neighborhood Organizations (RNOs) and surrounding neighbors. If outreach was via email- please include email chain. If the outreach was conducted by telephone or meeting, please include contact date(s), names and a description of feedback received. If you have not reached out to the City Council district office, please explain why not. (optional - encouraged) *Please see Attachment 3 to this rezoning application for information on outreach efforts to date.*
- Letters of Support.** If surrounding neighbors or community members have provided letters in support of the rezoning request, please include them with the application as an attachment (optional).
- Written Authorization to Represent Property Owner(s)** (if applicable)
- Individual Authorization to Sign on Behalf of a Corporate Entity** (e.g. if the deed of the subject property lists a corporate entity such as an LLC as the owner, this document is required.)
- Other Attachments.** Please describe below.

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

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

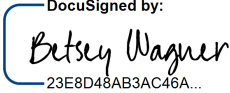
Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/12/20	(A)	YES
Far Sorr LLC	P.O. Box 6277 Denver, CO 80206	100%	<i>See attached signature page and authorization from property owner.</i>		A	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
						YES
						YES
						YES

**SIGNATURE PAGE
TO REZONING APPLICATION**

2081 SOUTH GILPIN STREET

Far Sorr LLC,
a Delaware limited liability company

By: Lookfar Investments LLC,
a Colorado limited liability company,
its Manager

By: 
Name: Betsey wagner
Title: Manager

October 6, 2023

CORY M. RUTZ
303 575 7531
CRUTZ@OTTENJOHNSON.COM

VIA ELECTRONIC SUBMISSION

Community Planning & Development
City and County of Denver
201 W. Colfax Avenue
Denver, Colorado 80202

Re: Rezoning Application for 2081 South Gilpin Street

Dear Community Planning & Development:

This firm represents Far Sorr LLC (the “**Applicant**”), with respect to certain real property located at 2081 South Gilpin Street (the “**Property**”) in the City and County of Denver (the “**City**”). This letter is submitted in support of the Applicant’s application for rezoning of the Property (the “**Rezoning**”) from the Urban Single Unit C (“**U-SU-C**”) zone district to the Urban Main Street 3 (“**U-MS-3**”) zone district under the Denver Zoning Code (“**Code**”), as discussed at the pre-application meeting for the Rezoning on July 6, 2023.

The Applicant has contacted the University Neighbors Neighborhood Association related to the proposed Rezoning (the “**UNNA**”), and the Applicant looks forward to continuing to engage with the UNNA throughout the Rezoning process. In addition, the Applicant attended a virtual meeting on June 28, 2023, with Councilman Kashmann related to the proposed Rezoning.

Property Background and Context

The Property is an approximately 4,690 square foot parcel located near the northwest corner of East Evans Avenue and South Gilpin Street within the University neighborhood. The Property is currently developed with an abandoned gas station. The Applicant also owns the property directly to the south at 1645 East Evans Avenue (the “**Evans Property**”) (together with the Property, the “**Properties**”), which is zoned U-MS-3 and is occupied by associated parking for the abandoned gas station. The Applicant intends to combine the Properties through a zone lot amendment, which is being concurrently reviewed as part of a Concept Site Development Plan application that is under review by the City (see Case Nos. 2022-PM-460 and 2022-CONCEPT-0000334).

The proposed Rezoning is compatible with the surrounding area, which includes commercial uses along the East Evans Avenue corridor that are generally zoned within the U-MS-3 and B-2 zone districts, with residential located to the north, and as further described in this written narrative.

Criteria for Rezoning

Pursuant to the Code, applications for rezoning must meet all “general review criteria” set forth in Section 12.4.10.7 as well as (i) at least one of the “justifying circumstances” of the first group of “additional review criteria” set forth in Section 12.4.10.8.A, and (ii) the general additional review standard set forth in Section 12.4.10.8.B. The Rezoning to U-MS-3 meets these review criteria as follows:

General Review Criteria: 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 the adoption of the City’s plan. Code § 12.4.10.7.A.

The Rezoning is consistent with the City’s two adopted plans that guide the use and development of this Property: (i) the Denver Comprehensive Plan 2040 (“**Comprehensive Plan**”), and (ii) Blueprint Denver 2019 (“**Blueprint Denver**”), both of which were adopted after the Property was zoned to the U-SU-C zone district. The Rezoning’s consistency with these adopted plans is further described below. We note that there is also the University-Colorado Multi-Station Plan and Mobility Study (the “**Study**”) in effect for the area that includes the Property. However, this Study is not applicable to the proposed Rezoning and has therefore not been addressed in this written narrative.

COMPREHENSIVE PLAN

The Comprehensive Plan identifies six Vision Elements that inform the long-term goals that guide Denver’s future. The proposed Rezoning will enable the City to accomplish its visions and goals established by these Vision Elements in a number of ways.

In particular, the Comprehensive Plan intends to create an equitable, affordable and inclusive Denver. The Rezoning is in an ideal location to achieve this vision by allowing redevelopment of the Property for a mix of uses, including additional housing. The Property’s location along East Evans Avenue which is designated as a Medium Capacity Transit street under Blueprint Denver, ensures that this corridor will prioritize transit as part of implementation of *Denver Moves: Transit Plan*, adopted in 2019 (Blueprint Denver, p. 179). In addition, the Property’s location within a half-mile radius of the RTD University Station, proximity to the University of Denver, as well as a number of commercial services, will allow residents to reduce their reliance on vehicles in order to travel to work and meet other daily needs. This specifically addresses Goal 1, Strategy A of the Equitable, Affordable and Inclusive Vision Element, which aims to “increase development of housing units close to transit and mixed-use developments” (p. 28). It also addresses Goal 1 of the Connected, Safe and Accessible Spaces Vision Element, which is to “deliver a multimodal network that encourages more trips by walking, rolling, biking and transit” (p. 40). Redevelopment of this infill site will further ensure that growth is guided toward an area where infrastructure, services, and transit are already in place, and will enable the City to conserve land and grow responsibly by remediating an abandoned gas station with contaminated soils, thus fulfilling strategies identified by Goal 8 of the Environmentally Resilient Vision Element (p. 54).

The Rezoning offers an opportunity to create a mixed-use development that will provide for additional street-level activation, a mix of housing options within the neighborhood, and an added economic base for area businesses. This will implement Goal 1, Strategies A and D under the Strong and Authentic Neighborhoods Vision Element, which strives to “build a network of well-connected, vibrant, mixed-use centers and corridors” and “encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities” (p. 34). Redevelopment of the Property will be designed so that it relates to the surrounding neighborhood and provides additional commercial amenities to the area. In addition, the

proposed street-level commercial space will provide opportunities for small, preferably locally-owned businesses to serve the community, which will address Goal 3, Strategy A of the Economically Diverse and Vibrant Vision Element (p. 46). Additionally, by incorporating missing middle multi-family dwelling units to an area that is mainly comprised of single-family detached housing, the project addresses Goal 2, Strategy A of the Equitable, Affordable and Inclusive Vision Element to “create a greater mix of housing options in every neighborhood for individuals and families” (p. 28).

BLUEPRINT DENVER

Blueprint Denver serves as a supplement to the Comprehensive Plan, and the Vision Elements “provide the basis for the goals, policies and strategies found within Blueprint Denver” (Blueprint Denver, p. 7). The proposed Rezoning will further the goals, policies and strategies identified under Blueprint Denver as described below.

Urban Neighborhood Context. The Property, as well as the surrounding area, is designated within the Urban Neighborhood Context under Blueprint Denver, which notes that development in this context “should be compatible with the existing neighborhood character and offer residents a mix of uses with good street activation and connectivity” (p. 222). Small multi-unit residential and low-intensity mixed use buildings are typically embedded within the Urban Neighborhood Context, and are sited in a pedestrian-friendly manner near the street.

The proposed U-MS-3 zone district will ensure that redevelopment of the Property is consistent with this urban form, by allowing for a mix of uses in order to create street activation in the area. In addition, building heights and the permitted uses under the U-MS-3 zone district will be compatible with the surrounding area, and provide a natural transition between the commercial uses along East Evans Avenue and residential uses just to the north. When making a determination on building height for a rezoning, Blueprint Denver states that transitions from higher intensity to lower intensity areas should be taken into consideration (p. 66). Building heights in the U-MS-3 zone district are limited to three stories in height, and with therefore provide a natural transition to the U-SU-C zone district to the north, which limits heights to 2.5 stories. In addition, the required upper story setbacks for development adjacent to a protected district under the U-MS-3 zone district, such as the neighboring U-SU-C zone district, will provide an additional transition element that will ensure that development will be compatible to the residential area to the north.

Low Residential Future Places. The Property is further classified as a Low Residential Future Place within Blueprint Denver. Blueprint Denver acknowledges that in some contexts, some higher intensity residential uses may be mixed throughout an area designated as a Low Residential Future Place, with neighborhood serving retail found in some key locations (p. 149). Blueprint Denver further states that Low Residential Future Places are supported by a variety of embedded uses needed for a complete neighborhood (p. 149). The proposed Rezoning will allow for both neighborhood serving retail and multi-family dwelling units along East Evans Avenue, which is identified as a transit priority street in Blueprint Denver. This location for these uses is appropriate and will ensure they are in close proximity to transit and an established commercial corridor, and away from areas that are mainly comprised of low density residential uses.

It is important to note that the Evans Property is classified as a Local Corridor Future Place, and is adjacent to properties that are similarly classified along East Evans Avenue. Such designation primarily provides options for dining, entertainment and shopping, and may also include some residential and employment uses (Blueprint Denver, p. 228). Heights of three stories are envisioned within areas designated as the Local Corridor Future Place. While the Low Residential Future Places envisions heights of 2.5 stories, Blueprint Denver acknowledges that the surrounding context should be taken into consideration for proposed rezonings (p. 66).

In this instance, the Properties are directly adjacent to a Main Street Arterial that includes a number of commercial businesses generally located within the U-MS-3 zone district with a building height allowance of 3 stories. Therefore, the rezoning is compatible with the future context of the area.

Blueprint Denver further acknowledges that “mapped places should be interpreted with limited flexibility, especially at edges, if the request furthers the goals of Blueprint Denver and is consistent with the overall intent of the places map” (p. 66). The Property is located at the edge of the Local Corridor Future Places designation under Blueprint Denver’s Future Places map. The depth of the Local Corridor Future Places designation along East Evans Avenue appears to vary for individual properties and appears to correspond with the condition and current zoning of each individual parcel at the time of adoption of Blueprint Denver, rather than proposing the appropriate future development for this transit priority corridor. Without a rezoning of the Property to the U-MS-3 zone district, redevelopment will be limited due to the lot width constraints of the two Properties separately—notwithstanding that other adjacent frontages have deeper lot depths. By combining the zone lot of the Properties and zoning as one single parcel, the resulting lot depth will remain less than the deepest along East Evans Avenue, but land more in the middle of the varying depths. The proposed Rezoning to the U-MS-3 zone district is appropriate at this location as it is at the edge of the Local Corridor Future Places designation, and is directly adjacent to properties that are also zoned within the U-MS-3 zone district. The Rezoning is also compatible with the Low Residential Future Places designation by allowing a mix of uses in a key area of the University neighborhood, and therefore meets the overall intent of the Future Places map.

Street Type. The Properties are adjacent to East Evans Avenue, which is classified as both a Main Street Arterial, as well as a Medium Capacity Transit Priority Street. Indeed, a key goal identified by Blueprint Denver seeks to “focus higher intensity growth in walkable mixed-use centers and along transit priority streets” (p. 23). Blueprint Denver further states that a Main Street is “characterized by a mix of uses including retail, services and restaurants, as well as residential” (p. 158), and that limited mixed use, along some arterial and collector streets where commercial has been established, can occur within areas designated as Low Residential Future Places (p. 232). Therefore, rezoning the Property to the U-MS-3 zone district is appropriate given the surrounding commercial uses, as well as the East Evans Avenue street designations, which support a mix of uses, and will allow residents and visitors to easily access transit. However, without the Rezoning, the Properties will be limited in their ability to develop into a mix of uses as envisioned by Blueprint Denver due to the lot width constraints of the Properties individually.

Blueprint Denver Recommendations. Blueprint Denver identifies a number of recommendations in order to implement its vision that are organized into three elements of complete neighborhoods: Land Use and Built Form, Mobility, and Quality-of-Life Infrastructure. The Rezoning implements the recommendations and elements for complete neighborhoods under Blueprint Denver as further discussed below.

The Rezoning will incentivize efficient development of land, especially in transit-rich areas through “redevelopment of opportunity sites” and the use of “zoning and land use regulations to encourage higher-density, mixed-use development in transit-rich areas,” as identified under Policy 02 of the Land Use & Built Form: General Element (p. 72). The Properties are located proximate to a number of transit opportunities, including being within a half-mile of the RTD University Station, as well as being adjacent to a bus stop located at the intersection of East Evans Avenue and South Gilpin Street along RTD Route 21. Therefore, the proposed Rezoning to the U-MS-3 zone district will support Blueprint Denver’s growth strategy to locate higher density development near transit, and “to guide new housing and jobs to areas with the infrastructure to support higher density, missed-use development” (p. 72). The U-MS-3 zone district will also allow for additional housing within an area that is expected to add 20 percent of new households by 2040 and 10 percent of new jobs by 2040 based upon the Blueprint Denver growth strategy map (p. 51).

The Rezoning will also result in the opportunity to provide missing middle housing, as well as affordable housing pursuant to Chapter 27, Article X of the D.R.M.C. This supports Blueprint Denver’s strategy to “allow increased density in exchange for desired outcomes, such as affordable housing, especially in transit-rich areas” under Policy 02 of the Land Use & Built Form: General Element (p. 72). It also implements Policy 02 under Land Use & Built Form: Housing Element, which aims to “diversify housing options by exploring opportunities to integrate missing middle housing into low and low-medium residential areas” (p. 83). Rezoning to the U-MS-3 zone district will allow additional density for residential units within an area designated as low residential than would otherwise be permitted under the current zoning, and therefore provide additional affordable housing and missing middle housing and implement stated goals and policies under Blueprint Denver in order to create complete neighborhoods.

The U-MS-3 zone district will also allow for the development of a mix of uses, which will “increase the number of services and amenities that are available by walking, rolling and biking by integrating more local centers and corridors into residential areas” as identified under Policy 01, Strategy D of the Mobility Element (Blueprint Denver, p. 108). In addition, residents and visitors will benefit from the many transit options, services and amenities that are available nearby, including jobs, restaurants, retail, the University of Denver, as well as light rail and bus transit options. This in turn encourages a “mode-shift – more trips by walking and rolling, biking and transit – through efficient land use and infrastructure improvements” (Blueprint Denver, p. 108).

The Rezoning will also ensure that Policy 10 of the Quality-of-Life Infrastructure Element is addressed by improving access to shops, restaurants and a variety of daily needs. The Rezoning will allow for “safe and convenient access to places and things needed in daily life” (p. 124) by providing housing that allows residents access to existing area services, and by adding a street-level commercial element that will complement existing services.

General Review Criteria: 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. Code § 12.4.10.7.B.

Approval of the Rezoning will result in the uniform application of building form, use, and design regulations. The Applicant seeks no further variance from these regulations. The application of the U-MS-3 zone district on the Property will be no different from U-MS-3 zoning in other locations.

General Review Criteria: Public Health, Safety, and Welfare. The proposed official map amendment furthers the public health, safety and general welfare of the City. Code § 12.4.10.7.C.

Approval of the Rezoning will further the public health, safety, and general welfare by implementing the City’s adopted land use policies, as set forth above. In addition, it will allow for rehabilitation and redevelopment of an abandoned gas station along a Main Street Arterial and Medium Capacity Transit Priority Street. The Rezoning will allow redevelopment of the Properties to a mixed-use project under the proposed U-MS-3 zone district, while maintaining size and scale that is consistent with the Urban Neighborhood Context and Low Residential Future Places designation under Blueprint Denver.

Additional Review Criteria: Justifying Circumstances. Since the date of the approval of the existing zone district, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include: (a) changed or changing conditions in a particular area, or in the City generally; or (b) a

City adopted plan; or (c) that the City adopted the Code and the property retained Former Chapter 59 zoning. Code § 12.4.10.8.A.

The Rezoning satisfies the criteria in clauses (a) and (b), as follows:

Because clause (a) of this criterion includes consideration of changes to the Property itself, it is important to note that the former gas station has been left abandoned for several years, leaving a gap in an otherwise vibrant neighborhood. This change, from a functioning gas station to a vacant building, certainly reduced the Property's contribution to the neighborhood, and, as such, it would be in the public interest to encourage redevelopment of the Property so that it can be more consistent with the rest of the neighborhood.

In addition to the changes to the Property itself, the surrounding area has also undergone a change, which similarly falls under clause (a) of this criterion. Improvements along East Evans Avenue have energized the surrounding area and contributed to an increased interest in mixed-use development. The proposed rezoning would allow the Property to better contribute to the surrounding community, and better serve as a buffer between the lower density neighborhoods just to the north and the high frequency East Evans Avenue corridor.

With respect to clause (b), Blueprint Denver was adopted in 2002, and updated in 2019, and the Comprehensive Plan was adopted in 2019. Each of these plans were adopted following the initial zoning of the Property to the U-SU-C zone district. The Rezoning will better align with the goals and vision set forth by the City's plans, as discussed in further detail above.

Additional Review Criteria: Consistency with Neighborhood Context Description, Zone District Purpose, and Intent Statements. *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. Code § 12.4.10.8.B.*

The Urban Neighborhood Context in Blueprint Denver is primarily characterized by single-unit and two-unit residential units, however small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas (Code § 5.1.1). Multi-unit residential uses are primarily located along local streets, residential and mixed use arterials, and main streets, with commercial uses along mixed-use arterial or main streets (Code § 5.1.1). Commercial buildings typically have consistent orientation and shallow front setbacks with parking at the rear and/or side of the building (Code § 5.1.3). The Urban Neighborhood Context is generally characterized by low scale buildings except for some mid-rise commercial and mixed use structures, particularly at nodes or along arterial streets (Code § 5.1.4). The proposed Rezoning is consistent with the Urban Neighborhood Context as it will allow multi-unit residential uses along South Gilpin Street, with a commercial component facing East Evans Avenue, which is designated as a Main Street Arterial, as envisioned for the Urban Neighborhood Context. In addition, allowing multi-unit residential will allow the Property to achieve the vision to add 20 percent of new households by 2040 and 10 percent of new jobs by 2040 to this area (Blueprint Denver, p. 51).

The Rezoning is also consistent with the intent of the U-MS-3 zone district. The Code states that this zone district is to apply primarily to local or collector street corridors, or may be embedded within a commercial shopping center or mixed-use area, where a building scale of one to three stories is desired (Code § 5.5.2.C). The Properties are located along East Evans Avenue, which is designated as a Main Street Arterial in Blueprint Denver. Blueprint Denver states that a Main Street is "characterized by a mix of uses including retail, services and restaurants" (p. 158). Therefore, the Rezoning complies with the intent for the U-MS-3 zone district to be embedded within a mixed-use area.

Section 5.2.5.1 of the Code states that the general purpose of the main street districts within the urban neighborhood context of the Code is to: (i) promote safe, active and pedestrian-scaled commercial streets through building forms that clearly define and activate the street edge, (ii) enhance the convenience, ease and enjoyment of walking, shopping and public gathering along commercial streets, (iii) ensure new development contributes positively to established residential neighborhoods and character, encourage affordable housing, and improve the transition between commercial development and adjacent residential neighborhoods, (iv) typically align entire block faces of commercial, industrial, main, mixed-use and residential arterial streets linearly along entire block faces, (v) be applied where a higher degree of walkability and pedestrian activity is desired, and (vi) promote an urban, mixed-use, built-to environment regardless of neighborhood context, with a shallow front setback, high build-to requirements, and significant maximum building coverage.

The Rezoning will ensure that the Properties develop consistent to the general purpose of the main street districts under the Code. Development of the Properties will provide an opportunity to activate an otherwise underdeveloped space by permitting a mixed-use development with the potential for a pedestrian-scaled commercial element, and will result in the uniform application of building form, use, and design regulations required under the U-MS-3 zone district. This will allow for a development that activates the street edge and encourages alternate transportation methods due to its proximity to high quality transit options. Finally, rezoning the Property will enable development of affordable and market rate housing in place of an abandoned gas station that is surely viewed as an eyesore in the neighborhood, which will greatly improve the transition between East Evans Avenue and the residential neighborhood to the north.

For the foregoing reasons, the Rezoning meets and complies with the applicable rezoning criteria. As such, on behalf of the Applicant, we respectfully request that the City approve the Rezoning

Sincerely,



Cory M. Rutz
For the Firm

Enclosures

cc: Far Sorr LLC (by e-mail)

Memorandum

TO: Community Planning & Development
City and County of Denver
201 W. Colfax Avenue
Denver, Colorado 80202

FROM: Cory M. Rutz

DATE: February 27, 2024

RE: Rezoning Application for 2081 South Gilpin Street

As a supplement to the rezoning application referenced above (“**Application**”), this letter sets forth a summary of the various community outreach performed by Far Sorr LLC (the “**Applicant**”), and its affiliates with respect to the Application. As discussed in more detail in the other materials submitted with the Application, the Applicant has requested a rezoning of certain real property located at 2081 South Gilpin Street (the “**Property**”) in the City and County of Denver (the “**City**”) from the Urban Single Unit C (U-SU-C) zone district to the Urban Main Street 3 (U-MS-3) zone district under the Denver Zoning Code (“**Code**”).

City Council: The Applicant attended a virtual meeting on June 28, 2023, with Councilman Kashmann related to the proposed Application. This meeting occurred prior to submittal of the formal Application.

RNO: The Applicant has contacted the University Neighbors Neighborhood Association related to the proposed Rezoning (the “**UNNA**”), and has continued to engage with the UNNA as the Application has proceeded.

Adjacent Neighbors: On February 21, 2024, the Applicant visited the following addresses:

- 2075 S Gilpin Street
- 2070 S Gilpin Street
- 2065 S Gilpin Street
- 2070 S Franklin Street
- 2080 S Franklin Street

While the Applicant was not able to connect directly with the residents, the Applicant left letters explain the intent of the Application, along with contact information for the Applicant should any questions arise. As of the date of this letter, the Applicant has not received any response from those residents.

On behalf of the Applicant, we would be happy to update this letter to reflect any additional comments received.

Far Sorr LLC
c/o Lookfar Investments LLC
P.O. Box 6277
Denver, Colorado 80206

October 5, 2023

Community Planning and Development
City and County of Denver
201 W. Colfax Avenue
Denver, Colorado 80202

Re: Authorization with respect to the proposed land use application for certain real property located at 2081 South Gilpin Street (“**Property**”) in the City and County of Denver (“**City**”)

Community Planning and Development:

The undersigned (“**Owner**”), as owner of the Property, hereby designates Otten Johnson Robinson Neff & Ragonetti, P.C., a Colorado professional corporation (“**Representative**”), being an authorized representative of Owner to submit on behalf of Owner all applications and supporting materials required or requested by the City in connection with rezoning and related land use applications with respect to the Property and any development approvals in connection therewith. In furtherance of the foregoing, Owner requests that any verbal or written communication regarding these applications be given to each Representative, and/or any individuals designated by such Representative, pursuant to such contact information provided by Representative to the City.

Far Sorr LLC,
a Delaware limited liability company

By: Lookfar Investments LLC,
a Colorado limited liability company, its Manager

DocuSigned by:

By: 23E8D48AB3AC46A...
Name: Betsey Wagner
Title: Manager

**WRITTEN CONSENT OF A MANAGER
OF
LOOKFAR INVESTMENTS LLC**

October 6, 2023

The undersigned, being a manager of Lookfar Investments LLC, a Colorado limited liability company (the “Company”), in lieu of holding a special meeting, hereby adopts, approves, and consents to the following preambles and resolutions by written consent pursuant to the Operating Agreement of the Company (the “Operating Agreement”), and the Colorado Limited Liability Company Act (Colo. Rev. Stat. §§ 7-80-101, *et seq.*) (the “Law”):

WHEREAS, the Company is the manager of Far Sorr LLC, a Delaware limited liability company (“Owner”);

WHEREAS, pursuant to the Operating Agreement, a Manager of the Company, acting individually, has the ability to direct, manage and control the business of the Company, without the consent or concurrence of any other Manager;

WHEREAS, Betsey Wagner is a manager of the Company;

WHEREAS, the Company desires to cause Owner to rezone (the “Rezoning”) certain real property owned by Owner, which is generally located at 2081 S. Gilpin Street, Denver, Colorado;

WHEREAS, in connection with the Rezoning, Owner will execute and deliver certain documents necessary to effectuate the Rezoning (collectively, the “Rezoning Documents”); and

WHEREAS, the undersigned deem that the Rezoning, and the execution and delivery of the Rezoning Documents, are each reasonably expected to benefit the Company and Owner, and are in the best interest of the Company and Owner.

NOW, THEREFORE, BE IT RESOLVED, the undersigned, being a manager of the Company, hereby approves, in all respects, the Rezoning and the execution and delivery of the Rezoning Documents;

FURTHER RESOLVED, that Betsey Wagner, in her capacity as a manager of the Company, in the Company’s capacity as the sole manager of and on behalf of Owner, be, and hereby is, authorized and directed to execute and deliver the Rezoning Documents, each containing such terms, provisions, modifications, and changes as such person deems appropriate, and to take such other and further actions and to execute and deliver such other and further documents as may be reasonably necessary to effectuate the Rezoning, as such person shall determine in his reasonable discretion;

FURTHER RESOLVED, that any and all actions taken on behalf of the Company prior to the date hereof and in connection with the Rezoning are hereby ratified, confirmed, and approved in all respects;

FURTHER RESOLVED, that this consent may be executed in counterparts, including facsimile or other electronic signatures, each of which shall be deemed an original for all purposes and all of which will constitute one and the same instrument; and

FURTHER RESOLVED, that the actions taken by this consent shall have the same force and effect as if taken by the undersigned at a special meeting of the managers of the Company, duly called and constituted pursuant to the Law and the Operating Agreement.

[Signature page follows]

IN WITNESS WHEREOF, the undersigned, a manager of the Company, hereby consents to, approves, and adopts the foregoing preambles and resolutions effective as of the date first above written.

MANAGER:

DocuSigned by:
Betsey Wagner
23E8D48AB3AC46A...

BETSEY WAGNER

STATEMENT OF AUTHORITY

Pursuant to C.R.S. § 38-30-172, the undersigned hereby executes this Statement of Authority on behalf of Far Sorr LLC, a Delaware limited liability company (the "Entity"), and states as follows:

The name of the Entity is: Far Sorr LLC.

The Entity is a Delaware limited liability company.

The mailing address for the Entity is: PO Box 6277
 Denver, CO 80206

The name and position of the person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the Entity is Betsey Wagner, in her capacity as Manager of Lookfar Investments LLC, a Colorado limited liability company, as Manager of the Entity.

There are no limitations upon the authority of the person named above or holding the position described above to bind the Entity.

EXECUTED as of this 19th day of October, 2023.

[Signature on following page]

IN WITNESS WHEREOF, the undersigned has executed this Statement of Authority as of the date first written above.

FAR SORR LLC,
a Delaware limited liability company

By: LOOKFAR INVESTMENTS LLC,
a Colorado limited liability company, its
Manager

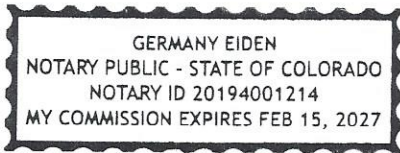
Betsy Wagner
Betsy Wagner, Manager

STATE OF COLORADO)
CITY AND) ss.
COUNTY OF DENVER)

The foregoing Statement of Authority was acknowledged before me this 19 day of October, 2023, by Betsy Wagner, as Manager of Lookfar Investments LLC, a Colorado limited liability company, as Manager of Far Sorr LLC, a Delaware limited liability company.

My commission expires: 2.15.27

WITNESS my hand and official seal.



Germany Eiden
Notary Public, State of Colorado

PROOF OF OWNERSHIP



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Denver Property Taxation and Assessment System

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2081 S GILPIN ST

Owner	Schedule Number	Legal Description	Property Type	Tax District
FAR SORR LLC 3501 BLAKE ST STE210 DENVER, CO 80205-4889	05262-13-014-000	L 26 & S 1/2 OF 27 BLK 12 EVANSTON	SFR Grade D or E	DENVER

[Summary](#) [Property Map](#) [Assessed Values](#) [Assessment Protest](#) [Taxes](#) [Neighborhood Sales](#) [Chain of Title](#)

Chain Of Title Records

Reception Number	Reception Date	Instrument	Sale Date	Sale Price	Grantor	Grantee
2022098150	7/22/2022	SW	7/5/2022	\$825,000	20 GILPIN LLC	FAR SORR LLC
2015178505	12/28/2015	SW	12/22/2015	\$0	GOLDEN,I L	20 GILPIN LLC
0000254667	12/8/2003	SW	11/24/2003	\$0	I L GOLDEN PROPERTIES LLC	GOLDEN,I L
0000149356	10/12/2000	QC	8/3/2000	\$0	GOLDEN,I L	I L GOLDEN PROPERTIES LLC

Kenneth Sam
16441 W Ellsworth Ave
Golden, CO 80401

March 22, 2024

Denver Planning Board,
Denver Community Planning & Development
201 W Colfax Ave, Dept. 205
Denver, CO 80202

Re: Objection Rezone Application #2021i-00281 – 2081 South Gilpin Street

Ladies and Gentlemen:

This letter is to object to the proposed rezone (Application #2021i-00281) of 2081 South Gilpin Street (“**Subject Property**”) from U-SU-C (Urban-Single Unit – C) to U-MS-3 (Urban – Main Street – 3 Story), scheduled for hearing before the Denver Planning Board on April 3, 2024. My wife (Shari Otsuka) and I own the property adjacent to the North of the subject property at 2075 S Gilpin St. (“**2075 S Gilpin**”) through our trust, Kenneth G. Sam and Shari L. Otsuka Trust dated April 12, 2012. In 2012, we purchased 2075 S Gilpin with plans to renovate the existing structure into our retirement home.

An approval of the proposed rezone of the Subject Property would cast a shadow on our plans, both literally and figuratively. We never anticipated that a three-story, multi-family, building would be built adjacent to the South, which would deprive our home of southern sunshine and place it in a perpetual shadow. In addition, approval of the proposed rezone of the Subject Property would adversely affect our quality of living and property value by (i) increasing traffic and congestion, (ii) increasing noise, (iii) creating parking constraints, (iv) diminishing privacy, (v) diminishing neighborhood integrity and (vi) diminishing marketability of 2075 S Gilpin. Under the current U-SU-C zoning of the Subject Property, the occupancy and the height of a structure adjacent to 2075 S Gilpin would be limited and adverse consequences would be avoided.

Approval of the rezoning application would constitute a taking of our property rights, which should be compensated. For the reasons outlined above, we object to the rezoning application of the Subject Property.

I respectfully request the opportunity to speak at the hearing on April 3, 2024. Please contact me if you have any questions at 206-795-6860.

Sincerely,

/s/ Kenneth Sam

Kenneth Sam, Trustee

From: [Berkley Gamble](#)
To: [Haigh, Robert M. - CPD CE0429 City Planner Senior](#)
Subject: [EXTERNAL] # is 2023i-00231
Date: Monday, February 26, 2024 11:17:45 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

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Hi Rob,

I am a neighbor and just want to write a note that I am so excited about the opportunities presented by rezoning the formerly derelict site, and are in support of our proposal. I would love to see this unfold in my neighborhood!

Thanks,

Berkley Gamble

Berkley Gamble-Schweid

Dean Callan & Company
1510 28TH St, Suite 200
Boulder, CO 80303
phone: (303) 945-2017
mobile: (303) 562-6205
berkley@deancallan.com
www.deancallan.com

