



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	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
*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):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			
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 type="checkbox"/> Yes - State the contact name & meeting date _____ <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 type="checkbox"/> Yes - if yes, state date and method _____ <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 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):</p> <hr/>
<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 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>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 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 type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</p> <p>In the review criteria narrative attachment, please provide a separate section describing how the rezoning aligns with a) the proposed district neighborhood context description, b) the general purpose statement, and c) the specific intent statement found in the Denver Zoning Code.</p>

REQUIRED ATTACHMENTS

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

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

ADDITIONAL ATTACHMENTS (IF APPLICABLE)

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

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

PROPERTY OWNER 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

3275 and 3315 Denargo Street Rezoning Application Attachments

April 20, 2022

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Attachment 1: Review Criteria Narrative

Review Criteria Narrative

3275 and 3315 Denargo Street Rezoning Application

April 20, 2022

Included:

- General Review Criteria: Consistency with Adopted Plans
- General Review Criteria: Uniformity of District Regulations and Restrictions:
- General Review Criteria: Public Health, Safety, and Welfare
- Review Criteria for Non-Legislative Rezonings: Justifying Circumstances:
- Review Criteria for Non-Legislative Rezonings: Consistency with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District

General Review Criteria: Consistency with Adopted Plans

Rezoning 3275 and 3315 Denargo Street as proposed aligns with the following adopted City & County of Denver plans:

Plan Title	Key Areas of Alignment
River North Plan (2003)	The River North Plan calls out Denargo Market for “significant mixed-use development with destination commercial uses, anchored by housing, and benefitting from its relationship to the river corridor and downtown,” (p. 75).
River North Design Overlay District (DO-7) (2017)	The Project supports many key purpose statements from the River North Design Overlay , including the promotion of “creative, high-quality design,” the promotion of “vibrant pedestrian street frontages with active uses and street-fronting building entries,” the promotion of “active transportation options such as walking and biking,” (DZC 9.4.5.11.B, numbers 2, 6, and 9).
Housing an Inclusive Denver (2018)	The Project’s anticipated affordable housing provisions under the forthcoming agreement with the Department of Housing Stability will align with the Housing an Inclusive Denver goal to “promote development of new affordable, mixed-income and mixed-use housing stock,” (p. 120). It further supports the goals of this plan by creating affordable housing in “areas of opportunity...that have strong amenities such as transit, jobs, high quality education and health care,” (p. 7).
Comprehensive Plan 2040 (2019)	<p>This map amendment and the proposed supporting voluntary affordable housing agreement, supports many of the overarching Vision Elements in Comprehensive Plan 2040. Specifically, this amendment will support the vision to be equitable, affordable and inclusive, to create strong and authentic neighborhoods, and to ensure this area of the City is economically diverse and vibrant.</p> <p>This amendment also supports many key Goals of Comprehensive Plan 2040, some of which are listed below.</p>

	<p>1.2 Support housing as a continuum to serve residents across a range of incomes, ages and needs.</p> <p>1.5 Reduce the involuntary displacement of residents and businesses.</p> <p>2.2 Enhance Denver’s neighborhoods through high-quality urban design.</p> <p>3.1 Deliver a multimodal network that encourages more trips by walking, rolling, biking and transit.</p> <p>3.6 Build and maintain safe bicycle and pedestrian networks.</p> <p>4.3 Sustain and grow Denver’s local neighborhood businesses.</p> <p>4.8 Expand participation in arts and culture and ensure that arts and culture are accessible to all.</p> <p>6.1 Create and enhance environments that support physical activity and healthy living.</p>
<p>Blueprint Denver (2019)</p>	<p>The Project supports many goals of Blueprint Denver, only some of which are highlighted below:</p> <p>The “Neighborhood Contexts” section of Blueprint Denver assigns the Urban Center neighborhood designation to the parcels included in this application (p.139). An Urban Center includes a “A high mix of uses throughout the area, with multi-unit residential typically in multi-story, mixed-use building forms.</p> <p>The “Future Places” section of Blueprint Denver proposes high-intensity residential uses for the Project Area included in this application (p. 143). According to Blueprint Denver, “While the focus is residential, these are typically mixed-use areas with many commercial, retail and other complementary uses” (p.149).</p> <p>The “Urban Center Places” section of Blueprint Denver recommends the Denargo Project Area as a High-Density Residential Area, that would create an urban center neighborhood where development is “the most intense...of the city outside of downtown,” (p. 255). The plan continues to support a</p>

'mix of uses throughout-including many large-scale multi-unit residential buildings....[and where] buildings are generally the tallest of the residential places in this context," (p. 261).

The "Growth Strategy" section of **Blueprint Denver** recommends the Denargo Project Area as a High Growth Residential Area, where "a strategic and intentional approach to direct most of our growth to key centers and corridors helps to achieve citywide equity goals to benefit all residents," (p. 248).

The "Residential Areas" section of **Blueprint Denver** describes mobility in Urban Centers as "A continuous and well-connected pedestrian network and high levels of bicycle network connectivity," (p.260).

This application is also consistent with the 1) context (urban center), 2) future place (residential high) and 3) growth strategy mapped for this area in **Blueprint Denver**.

The Urban Center Context notes that "Urban center neighborhoods are dense and vibrant areas that support residents and visitors. This context contains high intensity residential and significant employment areas. Development typically contains a high mix of uses, with good street activation and connectivity. Residents living in this context are well served by high-capacity transit and have access to ample amenities and entertainment options. Urban center areas are easily navigated and accessible due to predictable street grids, well-connected sidewalk networks, and strong connections to rail service and the transit priority street network. These areas offer good walkability and access to amenities. Parking is predominately managed on-street, with off-street demand met with parking garages." This describes the Denargo Market neighborhood, and this map amendment would support the evolution of this neighborhood into an Urban Center.

The Future Place: Residential High classification in **Blueprint Denver** describes "a high mix of uses throughout, including many large-scale, multi-unit residential uses. Commercial uses are prevalent. Buildings are generally the tallest of the residential places in this context. There is high lot coverage and shallow setbacks." Again, this describes the Denargo Market neighborhood, and this map amendment would support the evolution of this neighborhood into an Urban Center by ensuring these parcels develop accordingly.

Blueprint Denver highlights the Future Street Types and classifies Denargo Street, which abuts these parcels in question, as a Mixed Use Collector Street. Mixed Use Streets are described as including a "mix of uses including retail, office, residential and restaurants. Buildings are pedestrian-oriented,

	<p>typically multi-story, usually with high building coverage with a shallow front setback. A street wall is present but may vary.” Collector Streets are described as something “between a local street and an arterial street; they collect movement from local streets and convey it to arterial streets.” This rezoning supports the classifications and associated descriptions for Denargo Street.</p> <p>Lastly, Blueprint Denver outlines the growth strategy for this area as a “High & Med-High” area, where “most growth is guided to regional centers, community centers and corridors, select districts and high and medium-high intensity residential areas.” This map amendment supports this growth strategy by encouraging additional density where Blueprint Denver recommends it happen.</p>
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Additionally, the applicant is aware of the **South Platte River Corridor Study**. While not an officially adopted plan, the parcels subject to this map amendment are included in the boundaries of the South Platte River Corridor Study. The applicant is supportive of the document’s purpose to study “the potential cleanup and reuse of river- oriented development and neighborhood revitalization along the urbanized South Platte River corridor in Denver.” This rezoning would support the results of this study “to encourage economic development and investment along the corridor.” (p. iv.)

The applicant is also aware of the **Railroad Safety Report** (July, 2016). The parcels subject to this map amendment are proximate to the Burlington Northern Santa Fe Railroad and the RTD N Line tracks. Similar to recently developed multi-family projects, future development on the site will do all that is required to support the City’s goal of keeping residents, visitors, employees, City staff and First Responders safe in the unlikely event of rail incidents.

General Review Criteria: Uniformity of District Regulations and Restrictions:

The parcels subject to this map amendment were rezoned in 2010 to I-B, UO-2. Since that time, the neighborhood has transformed significantly into a mixed-use district. Currently the parcels are surrounded by land with C-MX, DO-7 zoning designations. The application of C-MX-16 and the DO-7 Design Overlay provide consistency with neighboring C-MX parcels within the DO-7 boundary while aligning with Denver plan guidance documents. Specifically, the adjacent parcels to the south and east have C-MX-16, DO-7 zoning designations. The intent is to match these neighbors to create consistency in the neighborhood.

General Review Criteria: Public Health, Safety, and Welfare

The nature of the proposed map amendment is to permit redevelopment of two parcels of land located within an area defined as an Urban Center in *Blueprint Denver*. The proposed map amendment allows for development as envisioned in *Blueprint Denver* and it aligns with the following goals and recommendations relating to health, safety, and welfare as outlined in *Blueprint Denver*.

1. *Promote and anticipate planned growth in major centers and corridors and key residential areas connected by rail service and transit priority streets. (A) Use zoning and land use regulations to encourage higher-density, mixed-use development in transit-rich areas including...High and medium-high residential areas in the downtown and urban center contexts, (P.72).*

Blueprint Denver designates the parcels included in this application as part of an Urban Center where “residential uses are high intensity” and “While the focus is typically residential, these are typically mixed-use areas with many commercial, retail, and other complementary uses.”(p. 149 *Blueprint Denver*). Dense mixed- use development will provide necessary housing, commercial office space, and amenities in this growing neighborhood.

2. *Capture 80% of new housing growth in regional centers, community centers and corridors, high-intensity residential areas, greenfield residential areas, innovation flex districts and university campus districts, (P.86).*

According to the Urban Center Places map (P.255), the parcels included within this application are intended to provide an opportunity for high density housing.

3. *Preserve high-value manufacturing areas and allow low-value manufacturing areas to transition to higher intensity uses.*

While the parcels within the Denargo Market neighborhood were formerly zoned for industrial uses, nearly all the parcels have since undergone rezonings to allow for greater density and mixed-use development. The parcels subject to this map amendment are the last to undergo the rezoning process to allow for mixed use density as called for by *Blueprint Denver*.

4. *Ensure an active and pedestrian-friendly environment that provides a true mixed-use character in centers and corridors.*

The proposed CM-16 DO-7 zoning supports safe and active streets by including requirements such as build-to, transparency, and street level active uses. The DO-7 active use requirements will ensure this pedestrian experience is further enhanced with retail uses or street-level activity.

5. *Encourage mode-shift – more trips by walking and rolling, biking and transit – through efficient land use and infrastructure.*

The proposed C-MX-16 DO-7 zoning designation provides opportunities for mixed-use development where residents can live, work, and recreate easily in the same neighborhood. The parcels subject to the proposed map amendment can be accessed via the South Platte River Trail as well as the Brighton Boulevard cycle track, providing commuters with safe alternative transportation options.

Additionally, concurrent with this rezoning application, the applicant intends to enter into a voluntary affordable housing agreement with the City of Denver and is in advanced discussions with the Office of Housing Stability (HOST). This agreement will be brought before City Council simultaneously with the rezoning map amendment.

Review Criteria for Non-Legislative Rezoning: 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 due to the changing conditions in the immediate neighborhood of Denargo Market. For example, multiple new apartment buildings are complete or under construction, Brighton Boulevard has been transformed from an industrial connector street to a multi-modal street serving pedestrians, cyclists and cars. In short, the character of River North, and Denargo Market in particular, is rapidly changing and the rezoning request is justified to recognize these changing conditions.

Additionally, it is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (overlay Zone Districts) of this Code. This application proposes applying the supplemental zoning regulations of the DO-7, and the application of the DO-7 to this site is consistent with the intent and purpose of the Design Overlay district, supplementing the otherwise generally applicable zone district standards with additional design limits appropriate to the River North area.

The rezoning of these parcels would not only realign the zoning with plan guidance documents, but it will also make the zoning consistent with surrounding parcels that were rezoned to various C-MX designations, including CMX-16. Applying the DO-7 overlay to these parcels provides further consistency with the neighborhood since these parcels are located within the DO-7 boundary outlined by the City of Denver.

Blueprint Denver explains that “Centers should be consistent with the character of the surrounding area in scale and design” and “They should have an active street level presence and contain a good mix of commercial, retail, office, and residential uses.” (p.256) The intent statements of the proposed C-MX-16 zone district and the DO-7 support this.

The following intent statements for Mixed Use zone districts (including C-MX-16) are consistent with Urban Centers as described in *Blueprint Denver*:

- A. *The Mixed Use zone districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate public street edge.* Mixed use zoning design criteria supports multilevel buildings that occupy a high level of lot coverage to activate the public realm. The application of the DO-7 overlay further refines these criteria with high levels of transparency, street level active uses, and building articulation at ground level.

B. *Mixed Use zone districts are intended to enhance the convenience, ease, and enjoyment of transit, walking, shopping, and public gathering within and around the city’s neighborhoods.*

The proposed density supports smart growth in the Denargo Market neighborhood as envisioned in Denver plan guidance documents.

C. *Compared to the Main Street districts, the Mixed Use districts are focused on creating mixed, diverse neighborhoods. Where Main Street districts are applied to key corridors and retail streets within a neighborhood, the Mixed Use districts are intended for a broader application at the neighborhood scale.*

This proposal aims to expand the application of CM-X and DO-7 zoning across the site to establish a larger cohesive mixed-use community.

F. *Mixed Use buildings have a shallow front setback range. The build-to requirements are high.*

The build-to-requirements reinforce the *Blueprint Denver* intent statement that Urban Centers “should have an active street level presence and contain a good mix of commercial, retail, office, and residential uses (p.256).”

Review Criteria for Non-Legislative Rezoning: Consistency with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District

<i>Denver Zoning Code Language</i>	<i>Application Consistency</i>
Neighborhood Context Description	
<p>Section 7.1.1 GENERAL CHARACTER The Urban Center Neighborhood Context consists of multi-unit residential and mixed-use commercial strips and commercial centers. Multi-unit residential uses are typically in multi-story mixed use building forms. Commercial buildings are typically Shopfront and General forms. Multi-unit residential uses are primarily located along residential collector, mixed-use arterial, and local streets. Commercial uses are primarily located along main and mixed-use arterial streets.</p>	<p>The parcels subject to this map amendment are located along Denargo Street, a mixed-use arterial street. The proposed zoning height will allow for up to 16 stories of either commercial office or residential uses with street level activation, both of which are appropriate for this location.</p>
<p>Section 7.1.2 STREET, BLOCK AND ACCESS PATTERNS The Urban Center Neighborhood Context consists of a regular pattern of block shapes surrounded by an orthogonal street grid. Orthogonal streets provide a regular pattern of pedestrian and vehicular connections through this context and there is a consistent presence of alleys. Block sizes and shapes are consistent and include detached</p>	<p>The parcels included in this proposal are currently tied into the regulating street network within the Denargo Market neighborhood. Future development will maintain consistency with the existing street grid and right-of-way improvements (i.e. sidewalks, tree lawns, and street parking).</p>

sidewalks, tree lawns, street and surface parking, and landscaping in the front setback.	
<p>Section 7.1.3 BUILDING PLACEMENT AND LOCATION All building typically have consistent orientation and shallow front setbacks with parking at the rear and/or side of the building.</p>	The parcels included in this proposal are tied into an existing network of streets. Any internal circulation will be an extension of the established grid. Setbacks and parking requirements will be consistent with adjacent parcels due to the same C-MX-16 zoning designation.
<p>Section 7.1.4 BUILDING HEIGHT The Urban Center Neighborhood Context is characterized by moderate to high building heights to promote a dense urban character. Lower scale structures are typically found in areas transitioning to a less dense urban neighborhood.</p>	The proposed C-MX-16 zoning directly aligns with the surrounding parcels to ensure appropriate height relationships within the Denargo Market neighborhood.
<p>Section 7.1.5 MOBILITY There are high levels of pedestrian and bicycle use with the greatest access to multi-modal transportation system.</p>	The parcels are directly connected to a future protected bicycle lane along Denargo Street.
7.2.2.1 General Purpose	
<p>7.2.2.1.A. The Mixed Use zone districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate the public street edge.</p>	The proposed CM-X-16, DO-7 zoning includes design criteria such as street level active uses, ground level transparency, and build-to requirements in order to activate the public realm. Future development on these parcels will be required to adhere to design requirements that will contribute significantly more activation than the current zoning would require.
<p>7.2.2.1.B. The Mixed Use zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's neighborhoods.</p>	The proposed CM-16, DO-7 zoning supports smart growth in the Denargo Market neighborhood through density and a mix of uses. Future office and/or residential uses with street level activation will support the overall development of the neighborhood as a place where residents and visitors can live, work, and recreate.
<p>7.2.2.1.C. The Mixed Use zone district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the</p>	The proposed zoning aligns with the surrounding parcels to ensure a smooth height transition throughout the Denargo Market neighborhood. The application of the DO-7 overlay further

transition between commercial development and adjacent residential neighborhoods.	contributes to consistency at the ground level with activation design requirements.
7.2.2.1.D. Compared to the Main Street districts, the Mixed Use districts are focused on creating mixed, diverse neighborhoods. Where Main Street districts are applied to key corridors and retail streets within a neighborhood, the Mixed Use districts are intended for broader application at the neighborhood scale.	This proposal aims to expand the application of CM-X and DO-7 zoning across the site to establish a larger cohesive community with a mix of uses that support one another.
7.2.2.1.E. In the Urban Center Neighborhood Context, the Mixed Use zone districts require the same level of pedestrian enhancements as the Main Street zone districts. In the Urban Center Neighborhood Context, the primary difference between the Mixed Use zone districts and the Main Street zone districts is Main Street districts mandate shopfront buildings at the street edge.	This proposal includes the DO-7 overlay as part of the zoning designation to ensure consistency in public realm enhancements that go beyond the requirements of the C-MX zoning.
7.2.2.1.E. Mixed use buildings have a shallow front setback range. The build-to requirements are high.	The proposed C-MX-16 zoning requires a high build-to requirement (70%) with 0' setbacks.
7.2.2.2. Specific Intent	
7.2.2.2.E – Mixed Use – 16 (C-MX-16) C-MX-16 applies to areas or intersections served primarily by major arterial streets where a building scale of 3 to 16 stories is desired.	The parcels subject to this map amendment are located along a mixed-use arterial street. As such, the 16-story designation is appropriate, as evidenced by the surrounding C-MX-16 parcels.

Attachment 2: Reason for Request

Reason for Request

3275 and 3315 Denargo Street Rezoning Application

February 11, 2022

Summary

This application requests an amendment to the zoning designations for the parcels at 3275 and 3315 Denargo Street from I-B, UO-2 to C-MX-16, DO-7. The rezoning of these parcels would not only realign the zoning with plan guidance documents but will also make the zoning consistent with surrounding parcels. Rezoning efforts within the Denargo Market neighborhood over the past few years have supported Denver's growth plans for an Urban Center by applying C-MX zoning and this application requests to continue this effort. This amendment proposes to match the zoning designations of the parcels directly adjacent on the east and south sides. Both sites have recently acquired C-MX-16, DO-7 designations. Applying the DO-7 overlay provides further consistency with the neighborhood since these parcels are located within the DO-7 boundary outlined by the City of Denver.

The parcels included in this map amendment request are part of a rapidly transforming mixed-use neighborhood. These parcels are some of the last remaining sites in the neighborhood to undergo a rezoning for C-MX designations. The current I-B, UO-2 zoning designations reflect the former industrial uses associated with site rather than the future high-intensity mixed uses recommended by plan guidance documents. Rezoning to C-MX-16, DO-7 expands on the public and private investments for smart growth in this quickly developing Urban Center.

In addition to adherence with plan guidance documents, this map amendment request also supports Denver's goals for health, safety, and welfare. This rezoning supports Denver's goal to build housing in walkable, active neighborhoods with multimodal connections. Because these parcels are located on a future protected bike lane, development on these sites supports Denver's goal to encourage alternative modes of transportation. In order to ensure future development supports equity goals for inclusionary housing, the applicant will enter into an agreement with the Department of Housing Stability to provide housing for residents with a range of incomes and needs.

Ultimately, this rezoning provides an opportunity to achieve growth in accordance with Denver's vision for the future. High density housing and commercial uses will help to sustain an active and inclusive neighborhood near one of the City's greatest amenities, the South Platte River.

Attachment 3: Outreach Summary

3275 and 3315 Denargo Street Rezoning Application, Outreach Summary as of 05/06/22

City of Denver Staff Meetings

- 10/20/21 - Pre-Application Meeting with Planning Services (Jason Morrison)
- 11/3/21 – Meeting with HOST (Andrew Johnston) re: affordable housing commitments
- 4/11/22 – Meeting with HOST (Andrew Johnston) re: affordable housing commitments

City Councilmember Meetings

Councilmember	District	Outreach Date/Method(s)	Meeting Date	Notes
CdeBaca	9	11/19/21 – Email 5/3 - Email	12/9/22 (Virtual)	Councilwoman CdeBaca did not want to meet with us and referred us to her Community Liaison (the meeting was held 12/9/21); we reached out to Councilwoman CdeBaca's office again on May 3 rd
Ortega	At Large	11/19/21 – Email 12/2/21 – Email		Declined meeting; emailed information on 1/5 and 1/11
Kniech	At Large	11/5/21 - Email	12/14/21 (Virtual)	Declined meeting; emailed information on 1/14
Sandoval	1	11/5/21 - Email		
Flynn	2	11/5/21 - Email	11/18/21 (Virtual)	Declined meeting; emailed information on 1/14
Torres	3	11/5/21 - Email		
Black	4	11/5/21 - Email	12/10/21 (Virtual)	Declined meeting; emailed information on 1/14
Sawyer	5	11/5/21 - Email		
Kashmann	6	11/5/21 - Email	11/23/21 (Virtual)	Declined meeting; emailed information on 1/14
Clark	7	11/5/21 - Email	1/10/22 (Virtual)	
Herndon	8	11/5/21 - Email	12/3/21 (Virtual)	
Hinds	10	11/5/21 - Email	11/23/21 (Virtual)	
Gilmore	11	11/5/21 - Email	12/1/21 (Virtual)	

Registered Neighborhood Meetings

RNO	Outreach Date/Method(s)	Meeting	Required RNO?	Notes
DeNo Business Association	11/19/21 – Email 1/13/22 – Email 2/9 - Email 3/15 – Email 3/23/22 – Email 3/29/22 – Email 4/14 - Email	1/11/22 (Virtual)	Yes	Emailed follow-up information on 1/13/22 Board drafting support letter
United Northeast Denver Residents	11/19/21 – Email 1/21/22 – Email 2/10 – Email 2/22 - Email	May	Yes	
INC	11/19/21 – Email 12/2/21 – Email 4/14/22 – Email	Pending if requested by RNO	Yes	
Denver for All	11/19/21 – Email 12/2/21 – Email 2/8/22 - Email	Pending if requested by RNO	Yes	
District 9 Neighbor Coalition	11/19/21 – Email 12/2/21 – Email	Pending if requested by RNO	Yes	
Reclaim the East Side	11/19/21 – Email 12/2/21 – Email 2/8/22 – Email 4/14/22 - Email	Pending if requested by RNO	Yes	
UCAN	11/19/21 – Email 12/2/21 – Email 2/8/22 – Email 4/14/22 - Email	Pending if requested by RNO	Yes	
Rio Norte	11/19/21 – Email 12/2/21 – Email 2/8/22 – Email	Pending if requested by RNO	No	
Curtis Park	11/19/21 – Email 12/2/21 – Email 2/8/22 – Email 4/14/22 - Email	Pending if requested by RNO	No	
RINO Arts District	1/4/22 – In Person Conversation 1/7/22 – Email (attached)	Pending if requested by RNO	Yes	
Heart of Five Points	4/1/22 – Email 4/6/22 – Email 4/14/22 - Email	Requested by RNO, scheduling in process	Yes	Coordinating a meeting date ASAP
Ballpark Collective	2/8/22 – Email 4/14/22 - Email	Pending if requested by RNO	No	
GES Coalition	3/16/22 – Email 4/1/22 – Email 4/14/22 – Email 5/3/22 – Emails (2)	Declined meeting	No	

Attachment 4: Authorization to Represent Property Owner

JV LoDo Denargo LLC

February 4, 2022

Community Planning and Development
Rezoning
201 West Colfax Avenue, Department 205
Denver, Colorado 80202

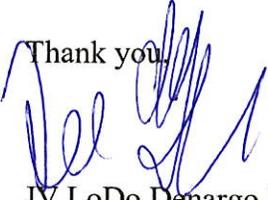
RE: Rezoning Application

Dear Rezoning Department:

The undersigned represents that I am an authorized owner of the property described opposite my name and that I do hereby request initiation of the rezoning application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate.

Property Owner Name: JV LoDo Denargo LLC
Property Address: 3275 & 3315 Denargo Street, Denver, CO 80216
Property Ownership: 100%
Ownership Document: Special Warranty Deed dated November 4, 2021
Authorized Representative: Sarah Komppa, Tryba Architects
1620 Logan Street, Denver, Colorado 80203
303-831-4010

Thank you



JV LoDo Denargo LLC
Authorized Signatory
Lee Golub

Attachment 5: Authorization to Sign on Behalf of a Corporate Entity

CERTIFICATE OF

JV DENARGO LLC

JV LoDo Denargo LLC, a Delaware limited liability company, hereby certifies as follows as of this 4th day of February, 2022:

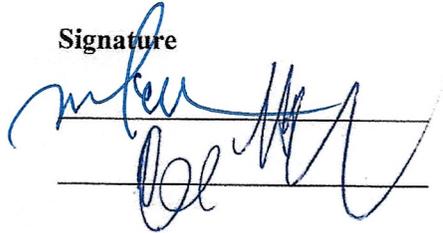
1. Attached hereto as Exhibit A is a true, correct and complete copy of the Written Consent (the "Consent") of the Board of Directors of Golub Real Estate Corp. ("Golub") setting forth the signing authority of certain officers of Golub on behalf of JV LoDo Denargo LLC.
2. Below are the specimen signatures of certain authorized signatories of Golub authorized pursuant to the Consent to execute certain documents on behalf of JV LoDo Denargo LLC.

Name and Title

Michael Newman, Director

Lee Golub, Director

Signature



Dated: February 4, 2022

JV LoDo Denargo LLC,
a Delaware limited liability company

By: JV Denargo LLC,
a Delaware limited liability company
its sole member

By: GF Denargo Investor, LLC
a Delaware limited liability company
its manager

By: GOCO Denargo Investors, LLC
its administrative manager

By: Golub Real Estate Corp.
Its manager

By: 
Name: Michael Newman
Title: Director

EXHIBIT A

**WRITTEN CONSENT
OF THE BOARD OF DIRECTORS OF
GOLUB REAL ESTATE CORP.**

FEBRUARY 4, 2022

The undersigned, being all of the members of the Board of Directors (collectively, the “**Board**”) of Golub Real Estate Corp., an Illinois corporation (the “**Corporation**”), do hereby adopt the following resolutions by written consent:

WHEREAS, pursuant to the Bylaws of the Corporation, as amended from time to time (as amended, the “**Bylaws**”), the Board has the full, exclusive and complete power of management and control of the conduct and operation of the Corporation business subject to the terms of the Bylaws;

WHEREAS, the Corporation is the manager of GOCO Denargo Investors, LLC, which is the administrative manager of GF Denargo Investor, LLC, which is the manager of JV Denargo LLC, which is the sole member of JV LoDo Denargo, LLC (“**LoDo**”);

WHEREAS, LoDo owns that certain real property commonly known as 3275 and 3315 Denargo Street, Denver, CO 80216. (collectively, the “**Property**”);

WHEREAS, LoDo will enter into certain applications and agreements relating to the zoning of the Property (the “**Zoning Applications**”);

SIGNATURE AUTHORITY

WHEREAS, the Board desires to grant to and confirm that each of the officers of the Corporation (each, an “**Officer**”) has the authority to enter into and bind the Corporation with respect to any and all Zoning Applications to be executed by the Corporation in its capacity as the manager of GOCO Denargo Investors, LLC, which is the administrative manager of GF Denargo Investor, LLC, which is the manager of JV Denargo LLC, which is the sole member of LoDo.

RESOLVED, that each Officer is authorized to act on behalf of the Corporation in its capacity as the manager of GOCO Denargo Investors, LLC, which is the administrative manager of GF Denargo Investor, LLC, which is the manager of JV Denargo LLC, which is the sole member of with respect to the Zoning Applications. The execution and delivery by the Corporation (in its capacity as the manager of GOCO Denargo Investors, LLC, which is the administrative manager of GF Denargo Investor, LLC, which is the manager of JV Denargo LLC, which is the sole member of LoDo) prior to the date of this Written Consent by the Board is hereby ratified, confirmed and approved in all respects as acts of the Corporation.

ENABLING RESOLUTION

RESOLVED, that each Officer, be and hereby is authorized and directed in the name of and on behalf of the Corporation to make all such arrangements, to do and perform all such acts, to execute and the Zoning Applications, and to do everything that such Officer may deem to be reasonable and necessary or appropriate in order to fully implement the foregoing resolutions, and that any and all prior acts done

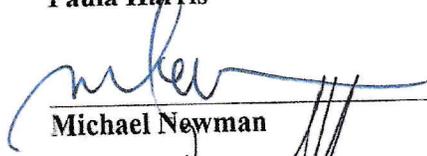
on behalf of the Corporation consistent with the foregoing resolutions be, and the same are hereby, ratified, confirmed and approved in all respects as acts of the Corporation.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, all of the members the Board have made, executed and delivered this
Written Consent as of the date written above.



Paula Harris



Michael Newman



Lee Golub

EAST\187924711.1

Attachment 6: Proof of Ownership (Deeds)

3275 DENARGO ST

Owner	Schedule Number	Legal Description	Property Type	Tax District
JV LODO DENARGO LLC 625 N MICHIGAN AVE STE2000 CHICAGO, IL 60611- 3179	02274-03-009-000	GARDEN ADD B9 & VAC 33RD AV ADJ & VAC MONCRIEFF PL ADJ BEGSW COR L4 B9 TH N 155FT E 410 FT S 320FT W 335FT N 20FT W 25FT N 20FT A/L 21DEG 48MIN 05SEC 134.6FT TO POB	INDUSTRIAL- WAREHOUSE	474B

3315 DENARGO ST

Owner	Schedule Number	Legal Description	Property Type	Tax District
JV LODO DENARGO LLC 625 N MICHIGAN AVE STE2000 CHICAGO, IL 60611-3179	02274-04-001-000	S 80FT OF L 20 TO 35 INC & N 1/2 VAC W 33 AVE ADJ BLK 5GARDEN AVE	INDUSTRIAL-FOOD PROCESSING	474B



11/08/2021 03:28 PM
City & County of Denver
Electronically Recorded

R \$33.00

WD

D \$2,160.00

After Recording Return to:
Polsinelli PC
1401 Lawrence Street, Suite 2300,
Denver, Colorado 80202
Attn: Kristin Walker

SPECIAL WARRANTY DEED

LODO SELF STORAGE, LLC, a Colorado limited liability company, whose address is PO Box 2890, Evergreen, Colorado 80437-2890, and AFTCO 3315 LLC, a Colorado limited liability company, whose address is PO Box 2890, Evergreen, Colorado 80437-2890 (collectively, "Grantor"), for the consideration of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, in hand paid, hereby sells and conveys to JV LoDo Denargo LLC, a Delaware limited liability company, whose address is c/o Golub Real Estate Corp., 625 North Michigan Avenue, Suite 2000, Chicago, Illinois 60611, the real property that is described on Exhibit A attached hereto and made a part hereof, with all its appurtenances, and warrants the title to the same against all persons claiming under Grantor, subject to the matters set forth on Exhibit B attached hereto and made a part hereof.

Signed as of this 4th day of November, 2021.

[signature pages follow]

20000310711



\$33.00

DF \$2,160.00

**EXHIBIT A
TO
SPECIAL WARRANTY DEED**

Legal Description of Property

PARCEL I:

A parcel of land located in Block 9, of the Garden Addition to Denver and the vacated portions of West 33rd Avenue, and West Moncrieff Place, City and County of Denver, State of Colorado, more particularly described as follows:

Beginning at the Southwest corner of Lot 4, of said Block 9, Garden Addition to Denver;

Thence Northerly along the West line of said Lot 4 extended said West line being the Easterly line of the Burlington Northern Railroad property a distance of 155.00 feet to the Southwest corner of a parcel of land recorded in Book 9790 at Page 863, Denver County records;

Thence on a deflection angle to the right of 90°00'00" along the South line of said parcel a distance of 410.00 feet to a point on the West right-of-way of Denargo Street as described in Ordinance No. 163-1949, Denver County records;

Thence on a deflection angle to the right of 90°00'00" along said right-of-way a distance of 320.00 feet to a point on the Northerly line of Block 10, of said Garden Addition;

Thence on a deflection angle to the right of 90°00'00" along said Northerly line extended a distance of 335.00 feet to the Northwest corner of Lot 7, Block 10, of said Garden Addition said point being on the Easterly line of the Burlington Northern Railroad property;

Thence along said Easterly line the following four (4) courses:

- 1) Thence on a deflection angle to the right of 90°00'00" a distance of 20.00 feet;
 - 2) Thence on a deflection angle to the left of 90°00'00" a distance of 25.00 feet;
 - 3) Thence on a deflection angle to the right of 90°00'00" a distance of 20.00 feet to the Southwest corner of Lot 33, of said Block 9, Garden Addition to Denver;
 - 4) Thence on a deflection angle to the left of 21°48'05" a distance of 134.60 feet to the Point of Beginning,
- City and County of Denver,
State of Colorado.

PARCEL II:

A tract of land 100.0 feet wide, being all those portions of Block 5 and of vacated West 33rd Avenue in Garden Addition to Denver and of unplatted property in the West 1/2 of Section 27, Township 3 South, Range 68 West of the Sixth Principal Meridian, all in the City and County of Denver, State of Colorado, together bounded and described as follows:

Beginning at the Southeast corner of that certain land heretofore conveyed by Union Pacific Railroad Company to the J. S. DILLON & SONS STORES CO., INC. by Warranty Deed dated June 12, 1962, which is a point in the West line of Denargo Street that is 558.41 feet distant North from the East and West center line of said Section 27, measured along said West line of Denargo Street, said point being 11.45 feet distant East measured at right angles, from the East line of said Garden Addition; Thence West along the South boundary line of said tract heretofore conveyed, which is a straight line at right angles to the East line of said Garden Addition, a distance of 411.45 feet to the Southwest corner of said tract heretofore conveyed which is in the West line of Lot 35 in said Block 5; Thence South, at right angles, along the West line of said Lot 35 in Block 5 and along the extension of said West line, a distance of 100.0 feet; Thence East, at right angles, a distance of 411.45 feet to a point in the West line of Denargo Street; Thence North, at right angles, along said West line of Denargo Street, a distance of 100.00 feet to the Point of Beginning,

City and County of Denver,
State of Colorado.

**EXHIBIT B
TO
SPECIAL WARRANTY DEED**

Permitted Exceptions

1. Water rights, claims or title to water.
2. Taxes for the year 2021, a lien not yet due and payable.
3. Mineral reservations, Covenants, Conditions and Restrictions in Warranty Deed recorded March 22, 1966 in Book 9577 at Page 252.
4. Mineral reservations in Warranty Deed recorded March 4, 1969 in Book 9998 at Page 405.
NOTE: Relinquishment and Quitclaim recorded May 6, 1988 at Reception No. R-88-0263786.
5. Reservations for utility purposes as disclosed in Ordinance No. 161, Series of 1947 recorded January 5, 1987 at Reception No. 00072493.
NOTE: Ordinance No. 344, Series of 1981 recorded July 8, 1981 at Reception No. 060689 surrenders, relinquishes and releases easements for the North 1/2 of West 33rd Avenue.
NOTE: Ordinance No. 315, Series of 1988 recorded October 21, 1988 at Reception No. R-88-0272244 vacates a portion of the reserved easements in vacated West Moncrieff Place.
6. Easement Agreement recorded September 14, 1998 at Reception No. 9800152849.
7. Rights of parties with unrecorded leases.
8. The following matters disclosed by ALTA/NSPS Land Title Survey, dated December 1, 2020, prepared by Engineering Service Company, under Project No. 1508.1 to wit:
 - a. Southwesterly corner of Parcel I building encroaches into Denver Water Easement.
 - b. Overhead electrical wires without benefit of recorded easement.