

## Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	4338 Lipan ST LLC	Representative Name	<del>Billy Wang</del>
Address	4435 Irving ST	Address	<del>4435 Irving ST</del>
City, State, Zip	Denver, CO 80211	City, State, Zip	<del>Denver, CO 80211</del>
Telephone	303-246-0729	Telephone	<del>303-246-0729</del>
Email	sophiumdev@gmail.com	Email	<del>sophiumdev@gmail.com</del>
<p><b>*If More Than One Property Owner:</b> All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p><b>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</b></p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p> <p>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.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	<b>4338 N Lipan ST</b>		
Assessor's Parcel Numbers:	02214-04-040-000		
Area in Acres or Square Feet:	18,959		
Current Zone District(s):	U-RH-2.5		
PROPOSAL			
Proposed Zone District:	<b>U-RX-3</b>		

**REVIEW CRITERIA**

<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p>	<input checked="" type="checkbox"/> <b>Consistency with Adopted Plans:</b> 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. Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.
	<input checked="" type="checkbox"/> <b>Uniformity of District Regulations and Restrictions:</b> 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.
	<input checked="" type="checkbox"/> <b>Public Health, Safety and General Welfare:</b> The proposed official map amendment furthers the public health, safety, and general welfare of the City.

<p>Additional Review Criteria for Non-Legislative Rezonings: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</p>	<p><b>Justifying Circumstances - One of the following circumstances exists:</b></p> <input type="checkbox"/> The existing zoning of the land was the result of an error. <input type="checkbox"/> The existing zoning of the land was based on a mistake of fact. <input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.
	<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: 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 Denver Zoning Code and the property retained Former Chapter 59 zoning.
	<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. Please provide an attachment describing the justifying circumstance.

<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. Please provide an attachment describing how the above criterion is met.
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**REQUIRED ATTACHMENTS**

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

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

**ADDITIONAL ATTACHMENTS**

Please identify any additional attachments provided with this application:


- Written Authorization to Represent Property Owner(s)
- Individual Authorization to Sign on Behalf of a Corporate Entity

Please list any additional attachments:



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

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

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	YES
4338 Lipan ST LLC	4338 N Lipan ST Denver, CO 80211 303-246-0729 sophiumdev@gmail.com	100%	Billy Wang		(B)	Yes
				6.20.19		
			BILLY WANG		DATE	

**Zone Lot 1 4338 Lipan ST**

**Legal Description: 4338 Lipan ST Denver, CO 80211lo**

**Parcel Number: 02214-04-040-000**

**A parcel of land being all of Lots 3 through 8 inclusive of Block 1 of viaduct addition to Denver subdivision, lying within the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of section 21, Township 3 South, Range 68 West of the Sixth principal meridian, city and county of Denver, State of Colorado more Particularly described as follows:**

**Basis of Bearings: A 20 foot Range Line in N Kalamath ST Between W 43<sup>rd</sup> Avenue and West 44<sup>th</sup> Avenue having an assumed bearing of South 00°3'16" West, A distance of 363.22 Feet between a drag tooth in Range box at the intersection of North Kalamath Street and West 44<sup>th</sup> Avenue and a 2 Inch aluminum cap (PLS 9329) in range box found at the intersection of North Kalamath Street and West 43<sup>rd</sup> Avenue.**

**Beginning at the Northeast Corner of said Lot 3; Thence along the East line of said Lot 3, South 00°04'07" West, A distance of 151.67 Feet thence North 89°54'07" West, A distance of 125.05 Feet: Thence North 00°04'58" East, A distance of 151.60 Feet to the Northwest corner of said Lot 3; Thence along the North line of said Lot 3, South 89°56'11" East, A distance of 125.01 Feet to the point of Beginning.**

**Containing ±18,958.92 SQ FT or ±0.435 Acres, More or Less**

**Lot and Block Description:**

**Lots 3 to 11, inclusive Block 1, Viaduct Addition to Denver, City and County of Denver, State of Colorado**



2018018962

Page: 1 of 1

02/16/2018 04:14 PM  
City & County of Denver  
Electronically Recorded

R \$13.00

WD

D \$90.50

### WARRANTY DEED

This Deed, made February 15, 2018

Between **Templo Bethel Assembly of God, a Colorado non-profit corporation** of the County Denver, State of Colorado, grantor(s) and **4338 Lipan St LLC, a Colorado limited liability company**, whose legal address is **4435 Irving Street, Denver, CO 80211**, County of Denver, and State of Colorado, grantee.

**WITNESS**, That the grantor, for and in the consideration of the sum of **NINE HUNDRED FIVE THOUSAND DOLLARS AND NO/100'S (\$905,000.00 )** the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of Denver, State of Colorado described as follows: **State Doc Fee: \$ 90.50**

**Lots 3 to 11, inclusive, Block 1, Viaduct Addition to Denver, City and County of Denver, State of Colorado**

also known by street and number as **4338 Lipan Street, Denver, CO 80211.**

**TOGETHER** with all and singular hereditaments and appurtenances, thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

**TO HAVE AND TO HOLD** said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the ensembling and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind of nature so ever, **except for taxes for the current year, a lien but not yet due and payable, and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Buyer in accordance with section 8.1 (Title Review) of the contract dated October 23, 2017, between the parties.**

The grantor shall and will **WARRANT AND FOREVER DEFEND** the above-bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

**IN WITNESS WHEREOF**, the grantor has executed this on the date set forth above.

**SELLER:**

**Templo Bethel Assembly of God,**  
**a Colorado non-profit corporation**

By: Robert V. Coronado  
**Rev. Robert V. Coronado,**  
**Senior Pastor**

**STATE OF COLORADO**  
**COUNTY OF DENVER**

) ss:

The foregoing instrument was acknowledged, subscribed and sworn to before me **February 15, 2018** by **Rev. Robert V. Coronado** as Senior Pastor on behalf of **Templo Bethel Assembly of God, a Colorado non-profit corporation.**

Witness my hand and official seal.

Jennifer A York  
Notary Public  
My Commission expires: 5/25/2019

JENNIFER A YORK  
Notary Public  
State of Colorado  
My Commission Expires: May 25, 2019  
LIC# 19914006389

N0014800

Warranty Deed  
WD (DSI Rev. 1/30/17)

Page 1

Printed: 2/15/2018 12:24 PM by JY  
Escrow No.: N0014800-020-JY

**Recording Requested by:**  
**FNTG-NCS Colorado**





Colorado Secretary of State  
 Date and Time: 02/07/2018 03:23 PM  
 ID Number: 20181116553  
 Document number: 20181116553  
 Amount Paid: \$50.00

Document must be filed electronically.  
 Paper documents are not accepted.  
 Fees & forms are subject to change.  
 For more information or to print copies  
 of filed documents, visit [www.sos.state.co.us](http://www.sos.state.co.us).

ABOVE SPACE FOR OFFICE USE ONLY

**Articles of Organization**

filed pursuant to § 7-80-203 and § 7-80-204 of the Colorado Revised Statutes (C.R.S.)

1. The domestic entity name of the limited liability company is

4338 Lipan St LLC

*(The name of a limited liability company must contain the term or abbreviation "limited liability company", "Ltd. liability company", "limited liability co.", "Ltd. liability co.", "limited", "l.l.c.", "llc", or "Ltd.". See §7-90-601, C.R.S.)*

*(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)*

2. The principal office address of the limited liability company's initial principal office is

Street address

PO Box 12415

*(Street number and name)*

Denver

*(City)*

CO

*(State)*

80212

*(ZIP/Postal Code)*

United States

*(Country)*

*(Province – if applicable)*

Mailing address

*(leave blank if same as street address)*

PO Box 12415

*(Street number and name or Post Office Box information)*

Denver

*(City)*

CO

*(State)*

80212

*(ZIP/Postal Code)*

United States

*(Country)*

*(Province – if applicable)*

3. The registered agent name and registered agent address of the limited liability company's initial registered agent are

Name

*(if an individual)*

Wang

*(Last)*

Billy

*(First)*

*(Middle)*

*(Suffix)*

or

*(if an entity)*

*(Caution: Do not provide both an individual and an entity name.)*

Street address

PO Box 12415

*(Street number and name)*

Denver

*(City)*

CO

*(State)*

80212

*(ZIP Code)*

Mailing address

*(leave blank if same as street address)*

PO Box 12415

*(Street number and name or Post Office Box information)*

Denver CO 80212  
(City) (State) (ZIP Code)

(The following statement is adopted by marking the box.)

The person appointed as registered agent has consented to being so appointed.

4. The true name and mailing address of the person forming the limited liability company are

Name  
(if an individual) Wang Billy  
(Last) (First) (Middle) (Suffix)

or

(if an entity)  
(Caution: Do not provide both an individual and an entity name.)

Mailing address PO Box 12415  
(Street number and name or Post Office Box information)

Denver CO 80212  
(City) (State) (ZIP/Postal Code)  
United States  
(Province – if applicable) (Country)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

The limited liability company has one or more additional persons forming the limited liability company and the name and mailing address of each such person are stated in an attachment.

5. The management of the limited liability company is vested in

(Mark the applicable box.)

one or more managers.

or

the members.

6. (The following statement is adopted by marking the box.)

There is at least one member of the limited liability company.

7. (If the following statement applies, adopt the statement by marking the box and include an attachment.)

This document contains additional information as provided by law.

8. (Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are \_\_\_\_\_  
(mm/dd/yyyy hour:minute am/pm)

Notice:

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is named in the document as one who has caused it to be delivered.

9. The true name and mailing address of the individual causing the document to be delivered for filing are

Wang Billy  
(Last) (First) (Middle) (Suffix)  
PO Box 12415  
(Street number and name or Post Office Box information)  
Denver CO 80212  
(City) (State) (ZIP/Postal Code)  
United States  
(Province – if applicable) (Country)

*(If the following statement applies, adopt the statement by marking the box and include an attachment.)*

- This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

**Disclaimer:**

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).



June 24, 2019

4338 Lipan St LLC

PO Box 12415

Denver, CO 80212

RE: 4338 Lipan LLC

To Whom it may concern:

Billy Wang is a member manager of 4338 Lipan ST LLC and is the authorized representative for 4338 Lipan LLC, throughout the entire rezoning application process for the property located at: 4338 N Lipan ST.

Thank you for your time. Please let me know if you have any questions.

Sincerely,



Billy Wang

Manager, 4338 Lipan ST LLC

PO Box 12415

Denver, CO 80212

303-246-0729

sophiumdev@gmail.com

## Review Criteria Attachment for 4338 N Lipan ST Denver, CO 80211

### Zoning Application:

This zoning application encompasses one parcel of land under one owner. We have chosen to apply for **U-RX-3** for this parcel at 4338 N Lipan ST. We have done so in accordance with the **Blueprint Denver 2019, 41<sup>st</sup> and Fox Station, Sunnyside Neighborhood plan and Comprehensive 2040 Plan**. The plans, adopted by the City of Denver, call for the maximum structure height of 3 stories and we are requesting the maximum to make the best use of this underutilized land. The parcel to the North is currently zoned as I-A, UO-2. The parcel to the West is zoned GMU-3. Parcels to the South and East are currently zoned U-RH-2.5. This parcel is within ½ mile radius of the 41<sup>st</sup> and Fox Street Station. Changing the zoning of this parcel would reflect the mixed use and residential plan that has already been adopted by the city. **U-RX-3**, Urban Residential Mixed Use, would be an ideal change and create natural location for a neighborhood center. This location on the corner of 44th AVE and Lipan ST is already accessible for bus transportation and is within walking and biking distance of the 41st & Fox ST station.

### **Review Criteria for 4338 Lipan ST Denver, CO 80211:**

1. **Consistency with Adopted Plans:** The proposed official map amendment is consistent with the City's adopted plans and 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. The property is located on Lipan and 44<sup>th</sup> ST within the Fox Station corridor. This area has been identified by the City of Denver as an area of change and a TOD (Transit Oriented Development, pg 2 Intro) . The proposed change to **U-RX-3** would provide a mix of uses that are appropriate for such and urban setting. The map amendment will permit development of commercial and residential uses. The property is currently a church, which may be will be used as a church and gathering spot for the next 2 years

**1.1 Denver Comprehensive Plan 2040 - Equitable, Affordable and Inclusive.**

***Goal 1 -Ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities. (p28)***

**Strategy A. Increase development of housing units close to transit and mixed use developments. (p28)**

The proposed rezoning of **4338 N Lipan ST to U-RX-3** would permit the use of the land to develop a multi unit building which will offer studio, 1 & 2 bedroom units that are within walking/biking distance to the light rail station at Fox & 41st. This location is currently on a RTD bus route.

***Goal 2 - Build housing as a continuum to serve residents across a range of Incomes, ages and needs. (p28)***

**Strategy A: Create a greater mix of housing options in every neighborhood for all individuals and families. (p28)**

Currently there are very few multi family options in the Sunnyside neighborhood. This zoning change would allow us to build a much needed multi family housing option. Most of the neighborhood consists of single family or 2 unit structures. There is a need of a more diverse selection of housing.

***Strong Authentic Neighborhoods***

***Goal 1: Create a city of complete neighborhoods.***

**Strategy B - Ensure neighborhoods offer a mix of housing types and service for a diverse population. (p34)**

Small multi-unit residential and mixed use areas are typically embedded in an Urban neighborhood as defined by the Comprehensive plan. (p36) Granting the change to U-RX-3 would offer a new housing option for a diverse neighborhood.

**Strategy D - Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities. (p34)**

The requested rezoning to U-RX-3 will contribute to the Sunnyside neighborhood by allowing for a commercial and multi family development and would create a natural gathering spot for a community supported small business. (ie; coffee or ice cream shop). This proposed development would also offer housing options that are close to transit and encourage walking/biking.

**1.2 Blueprint Denver** Vision is to have “A city of complete neighborhoods and complete networks: connecting Denverites to all of their daily needs.” (p28) As part of the vision Denver is cognizant of the importance of managing growth throughout the city. Development of transit supported areas are key in managing the growth. “Regional centers and community centers and corridors should attract almost two-thirds of all new jobs and half of new households.” (p49) **4338 N Lipan ST** is within the corridor and is an area of growth. It has access to multiple forms of transportation and is a natural place for a Multi family and small commercial location.

“Consider changes to the zoning code that would allow greater land use flexibility for these types of sites that vacate, such as appropriately scaled higher-density housing or limited neighborhood services. This approach could require adaptive reuse of existing structures in exchange for greater land use flexibility or requirements for providing community improvements such as affordable housing, open space or community-serving spaces” (p75)

**Neighborhood Context Designation:** **4338 N Lipan ST** designation is Urban. Urban Context is described generally as “having a wide variety of homes from Multi-unit developments to compact single unit homes.” ‘Development should be compatible with the existing neighborhood character and offer residents a mix of uses with good street activation and connectivity’ (p222)

**Future Places Map:** **4338 N Lipan ST** is designated as Low-Medium density which is described as: “Mix of low- to mid-scale multi-unit residential options. Small-scale multi-unit buildings are interspersed between single- and two-unit residential. Limited mixed- use along some arterial and collector streets and at intersections. Vacant institutional uses on corners or at select sites may be appropriate locations to introduce additional residential intensity. Buildings are generally 3 stories or less in height.” (p232).

**Growth Strategy:** **4338 N Lipan ST** is designated as “all other areas of the city” (p50) but is adjacent to City corridor. As all parts of Denver will experience growth by 2040, all other areas of the city are expected to add 10% of jobs and 20% of housing. (p.51)

**Street Type:** **4338 N Lipan ST** is designated as a “Residential Collector” street. Primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses. (p160)



**1.3 Fox Street Station** - The 41st and Fox Station will develop over the coming decades into the focal point of a diverse, transit supportive and environmentally sustainable urban center. Many new residents and businesses will be drawn to the convenient location close to Downtown near some of Denver's most vibrant urban neighborhoods.(p.vii)

In the **41st & Fox ST** plan the Sunnyside neighborhood, which incorporates this property at **4338 N Lipan ST**, is located on the west side of the Union Pacific, Burlington Northern and Santa Fe railroad tracks (p4 Intro). This neighborhood is connected to the 41st and Fox Station by a new pedestrian bridge over the railroad tracks (p14 Plan Concept). Plans also indicate a new vehicle or pedestrian bridge over the railroad tracks at 44th AVE as a future project.

Also, in the **41st and Fox ST Plan** this property located at **4338 N Lipan ST** was designated as Urban Residential. (p14) The description of Urban residential is as such: 1f. Urban Residential (1-3 stories) is located at the transition to the established Sunnyside neighborhood. This will create an improved edge for adjacent residential areas and the Quigg Newton Homes. A range of housing types including single family houses, accessory dwelling units, duplexes, townhouses, and small condominium and apartment buildings will provide a variety of housing options for residents living near the transit station.(p16)

The zoning change to U-RX-3 for **4338 N Lipan ST** would foster transit oriented development, offer a transition between the Industrial & residential areas, and allow for another option for housing within the transit area.

**1.4 Sunnyside Neighborhood Plan** - The far eastern edge of the Sunnyside Neighborhood is Zoned for industrial uses.(p12) This property is near the old area that was developed from the smelters and railyards. The desire for the neighborhood is to keep the commercial areas concentrated along the main arterials. Generally, when a commercial or industrial zone abuts a residential zone, the zoning requires small, neighborhood-serving businesses or light industries to serve as a buffer or transition zone. This new zoning would allow for the recommended buffer or "transition" zone between the industrial and residential areas (p14) and also another option for housing.

**2. Uniformity of District Regulations:** Our proposed zoning changes, from **U-RH-2.5 to U-RX-3** is consistent with the zoning recommendations made by Blueprint Denver and the 41<sup>st</sup> & Fox Street Station area plan.

This property is requested to be rezoned to U-RX-3. The proposed rezoning strategy is sensitive and responsive to the character and quality of life of the neighborhood, while accommodating much needed residential development. Rezoning to U-RX-3 this will result in the uniform application of zone district building form, use and design regulations

The general purpose of the urban residential designation, and mixed-use zoning, is to promote safe, active and pedestrian-scaled, diverse areas through the allowed building forms to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within this Urban Center neighborhood. As such, the new proposed zoning will support the vision for this area.

**3. Public Health, Safety & General Wellness:**

The proposed rezoning would further the public health, safety and general welfare of the City on several levels and for several reasons. It would allow for development on an underutilized lot, in close proximity to a light rail station. With future residential redevelopment likely, it will improve housing options in the vicinity, while remaining consistent with the surrounding neighborhood context. Additional residences in the neighborhood would likely support neighborhood businesses. And, on larger level detailed above, the proposed rezoning is consistent with plan guidance and the City's broader goals and objectives, including but not limited to the goal of locating density near transit corridors.

**4. Justifying Circumstances:**

The land and its burgeoning surroundings have changed, or is changing to such a degree that the rezoning is in the public & neighborhood interest to encourage a redevelopment of the area and to recognize the changed character of the area.

The proximity of the subject property to the current bus routes and the Fox Street light rail station is a strong justification for a change of zone district. This will allow for mixed use development at an urban density. The recent mixed use developments, specifically ZIA on Inca ST, in the area

provide even further context for the zoning change as this area. With the addition of the multi use path along Inca ST and a possible walking or vehicle bridge on 44th that could connect Sunnyside to Globeville, this location is a natural spot to have a small retail and more housing.

There are a number of new residential projects in the immediate area, rezoning to a district that allows for ground floor retail will be crucial to providing neighborhood-serving uses for the new and existing residents.

**The proposed official map amendment is consistent with the description of the applicable neighborhood context with the stated purpose and intent of the proposed Zone District:**

**5.2.4.2 Specific Intent: Residential Mixed Use-3 (U-RX-3)**

U-RX-3 Refers to residentially-dominated areas served primarily by local or collector streets where a building scale of 1-3 stories is desired.

The proposed zone map amendment for this rezoning application is consistent with the plans that have already been adopted by the city, Blueprint Denver, Fox Street Station, Comprehensive Plan 2040 and the Sunnyside Neighborhood plan. All of these plans have identified this neighborhood as a future growth area. The plans for the Fox & 41st ST Station also include a walking or vehicle bridge to connect 44<sup>th</sup> Ave over the rail track to Globeville. If the bridge is built this would increase the use of 44th AVE and 4338 N Lipan St would be a positive location for a small retail spot and additional housing.

**General Comments:**

Most Sunnyside residents appreciate having small shops and offices nearby and don't mind industry sharing a part of their neighborhood since they add to the diversity and character that are valued elements in Sunnyside. (p14) The proposed land use would provide a small shop(s) and additional housing options. We would utilize Urban design techniques to help cultivate a unified feeling to the neighborhood. (p18) This would create an image that would strengthen the various segments of the this friendly and diverse part of Denver.

The proximity to Downtown and transit makes this location desirable and a logical location for more housing that encourages the use of transit available in the city of Denver. There is also a need for development including some retail and commercial space. (IE: Ice cream or coffee shop, small restaurant, etc.) to create a neighborhood

destination and a transition or buffer area between Industrial and residential area. This zone map amendment would allow both housing and retail/commercial space.

We have also discussed and formulated this rezoning with Rafael Espinosa, City Council Member District #1, Fall 2017. We recently, March 14th 2019, met with Sunnyside United Neighbors, INC. (SUNI) this rezoning plan to a well-received SUNI PCD audience comprised of board members and neighbors.

We have communicated with all the Registered Neighborhood Organizations (RNO's) concerned with the site. We reached out via email to Inter-Neighborhood Cooperation, (INC) and Unite North Metro Denver.

If approved, the effect of the proposed rezoning will not be immediate though it will be very positive. The current church will be leased during such a time we will continue to prepare the property for the new use.