

## WAIVER AND CONDITION REQUEST FORM

Rezoning Case Application No.: 2024I-00145

Applicant Name: Byers Place Partners LLC

Section 12.4.10.12, Denver Zoning Code, authorizes the City Council to adopt waivers or reasonable conditions to an Official Map Amendment at the request of the applicant, provided the applicant approves such waivers or conditions in writing.

Per Denver Zoning Code Section 12.4.10.6, Waivers of Rights and Obligations and Approval of Reasonable Conditions, I, the undersigned applicant for the property under application for the rezoning referenced herein, request that the I-MX-3 zoning classification of the land described herein include the following waiver:

### Waivers

Code Reference	Proposed Alternative	Justification
9.1.9.5. District Specific Standards	<ul style="list-style-type: none"><li>Waive the right to all primary Permitted Uses in Denver Zoning Code Section 9.1.9.5, for the Street Level, except for Permitted Uses in the Industrial, Manufacturing, &amp; Wholesale Primary Use Classification. The only accessory uses allowed at Street Level shall be those accessory to a primary nonresidential use.</li></ul>	Because the site is in a Manufacturing Preservation Area, land uses that are best aligned with planned guidance are industrial or manufacturing uses "Industrial, Manufacturing & Wholesale primary use classification"

Once adopted, the waivers and/or conditions cited above shall apply to all successors and assigns, who along with the present owner(s), shall be deemed to have waived all objections as to the constitutionality of these provisions.

Approved 7/14/25



Mark Homlish, owner  
Byers Place Partners LLC