

## 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 FEE PAYMENT***		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION <input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Property Owner Name	CV DANCE LLC	Representative Name	Caitlin Quander
Address	1644 Platte Street, Suite 130	Address	675 15th Street, Suite 2900
City, State, Zip	Denver, CO 80202	City, State, Zip	Denver, CO 80202
Telephone		Telephone	303-223-1233
Email		Email	cquander@bhfs.com
<p>*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.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p> <p>***If contact for fee payment is other than above, please provide contact name and contact information on an attachment.</p>	
SUBJECT PROPERTY INFORMATION			
Location (address):	2625 E 3rd Ave, Denver, CO 80206		
Assessor's Parcel Numbers:	0512211045000		
Area in Acres or Square Feet:	18,750 sq. ft.		
Current Zone District(s):	CCN w/ Conditions		
PROPOSAL			
Proposed Zone District:	C-CCN-4		
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"/> <b>Yes - State the contact name &amp; meeting date <u>Olga Mikhailova - 8/28/25</u></b> <input type="checkbox"/> <b>No - Describe why not (in outreach attachment, see page 3)</b>		
Did you contact the City Council District Office, applicable Registered Neighborhood Organization, and adjacent property owners and tenants regarding this application?	<input checked="" type="checkbox"/> <b>Yes - State date below and describe method in outreach attachment, see page 3</b> _____		

**REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)**

<p>General Review Criteria DZC Sec. 12.4.10.7.A</p> <p>Check box to affirm <b>and</b> include sections in the review criteria narrative attachment</p>	<p><input checked="" type="checkbox"/> <b>Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans.</b></p> <p>Please provide a review criteria narrative attachment describing <b>how</b> the requested zone district is consistent with the policies and recommendations found in <b>each</b> of the adopted plans below. Each plan should have its own section.</p> <p><b>1. Denver Comprehensive Plan 2040</b></p> <p>In this section of the attachment, describe <b>how</b> 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><b>2. Blueprint Denver</b></p> <p>In this section of the attachment, describe <b>how</b> the proposed map amendment is consistent with: a) the neighborhood context, b) the future place, 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><b>3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable):</b></p> <p>Cherry Creek Area Plan. Please reference cover letter for discussion of consistency with adopted plans.</p> <hr/>
<p>General Review Criteria DZC Sec. 12.4.10.7.A.1</p> <p><b>Only check this box if your application is not consistent with 12.4.10.7.A</b></p>	<p><input type="checkbox"/> <b>Community Need Exception: The City Council may approve an official map amendment that does not comply with subsection 12.4.10.7.A if the proposed official map amendment is necessary to provide for an extraordinary community need that was not anticipated at the time of the adoption of the city's plans.</b></p> <p>Please provide a narrative attachment describing <b>how</b> the requested zone district is <b>necessary</b> to provide for an extraordinary community need that was not anticipated at the time of the adoption of the city's plans.</p>
<p>General Review Criteria: DZC Sec. 12.4.10.7. B &amp; C</p> <p>Check boxes to the right to affirm <b>and</b> include a section in the review criteria for the public interest narrative attachment and for consistency with the neighborhood context and the stated purpose and intent of the proposed zone district.</p>	<p><input checked="" type="checkbox"/> <b>Public Interest: The proposed official map amendment is in the Public Interest.</b></p> <p>In the review criteria narrative attachment, please provide an additional section describing <b>how</b> the requested rezoning is in the public interest of the city.</p> <p><input checked="" type="checkbox"/> <b>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.</b></p> <p>In the review criteria narrative attachment, please provide a separate section describing <b>how</b> 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.
- Outreach documentation.** Pre-application outreach is required. The minimum requirement is outreach to the City Council District Office, Registered Neighborhood Organizations, and adjacent neighbors. Please describe all community outreach and engagement to these and any other community members or organizations. The outreach documentation must include the type of outreach, who was contacted or met with, the date of the outreach or engagement, and a description of feedback received, if any. If outreach was via email, the applicant may include a copy of the email. The outreach documentation attachment should be sent as a PDF or Word Doc, separate from other required attachments.

## 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)
- 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.) (if applicable)
- Affordable Housing Review Team Acceptance Letter** (if applicable)
- 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) <small>(please type or print legibly)</small>	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)
<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>	01/12/20	(A)	YES
CV Dance LLC	1644 Platte Street, Suite 130 Denver, CO 80202  303.291.2200 dnichols@nicholspartnership.com	100	<b>Daniel Nichols</b> <small>Digitally signed by Daniel Nichols Date: 2025.10.20 15:49:50 -06'00'</small>		B	YES NO
						YES NO
						YES NO
						YES NO

November 14, 2025

Caitlin S. Quander  
Attorney at Law  
303.223.1233 direct  
cquander@bhfs.com

City and County of Denver  
Community Planning and Development  
201 W. Colfax Ave., Dept. 205  
Denver, CO 80202

RE: Cover Letter to 2625 E. 3<sup>rd</sup> Avenue Rezoning Application

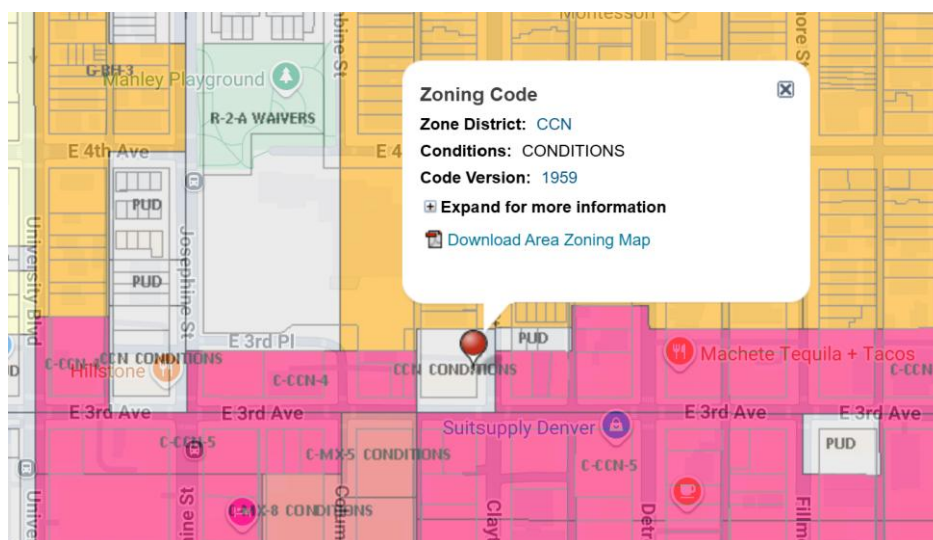
Dear Community Planning and Development Team:

We represent CV Dance, LLC ("**Applicant**") with respect to the enclosed application to rezone the approximately 18,750 square foot property located at 2625 East 3<sup>rd</sup> Avenue (the "**Property**") from CCN with Conditions to C-CCN-4 (the "**Rezoning**"), in the City and County of Denver, Colorado (the "**City**").

This letter is provided as part of the Rezoning application and to provide the City with additional information that may aid City staff, Planning Board, and City Council in reviewing the application.

## **BACKGROUND**

The Property is currently zoned Cherry Creek North Zone District ("**CCN**") with Conditions, as shown in the depiction below. The CCN zoning is under Former Chapter 59 (the "**Former Chapter 59 Code**") and is outdated and antiquated.



The reason for the Rezoning is to allow the Applicant to redevelop the Property using a zone district that conforms with the current Denver Zoning Code (the "**Code**"). If the Rezoning is approved, it is the Applicant's intent to build a mixed-use, for-sale condominium project.

The proposed Rezoning to the Urban Center Neighborhood Context, Cherry Creek North 4 ("**C-CCN-4**") would enable a more cohesive neighborhood design aligning it with surrounding properties already zoned C-CCN-4, consistent with the vision for the Cherry Creek North neighborhood under the Code. The proposed zone district is consistent with the recommendations and policy goals found in Denver Comprehensive Plan 2040, Blueprint Denver, and the Cherry Creek Area Plan.

The Rezoning also provides an opportunity for the Property to come under and comply with the current Denver Zoning Code (the "**Code**"). While the redevelopment proposed on the Property is the driving force behind this Rezoning, eliminating Former Chapter 59 Code zoning also furthers City goals.

### **PROJECT DESCRIPTION**

The Applicant intends to build a mixed-use, for-sale condominium building if the Rezoning is approved (the "**Project**"). The redevelopment will include the design elements of the C-CCN-4 zone district in the Code, upper story stepbacks for building adjacent to G-RH-3 as a Protected District (as defined in the Code), and go through the design review process with the Cherry Creek North Design Advisory Board.

Following Section 11.2.6 of the Code, the street level of the building will be reserved for nonresidential active uses that invite high-intensity customer, visitor and residential interactions. This, in turn, will contribute to the activation, economic vitality, and safety of the Cherry Creek neighborhood.

The Rezoning allows the Applicant to ensure the Project is compatible with the surrounding area, in building form, density and design. The vision is to construct the Project in a way that seamlessly integrates with the architectural identity of the neighborhood. With any redevelopment that occurs, the Applicant also plans to improve the pedestrian environment around the building, by activating the street with landscaping, new sidewalks, and bicycle parking to encourage multi-modal transportation.

### **CITY MEETINGS AND NEIGHBORHOOD OUTREACH**

The Applicant team has engaged in a lengthy and thorough community outreach process that began well before the Rezoning application process.

Starting in May 2025, the Applicant began meeting with and listening to neighbors, City staff, and community groups, including the Cherry Creek North Neighborhood Association, Cherry Creek North Business Improvement District and the Cherry Creek Steering Committee, to create a development plan that is sensitive and responsive to the community. The Applicant modified the proposed Project to address certain comments received during this process.

The Applicant has kept Denver City Councilwoman Amanda Sawyer, who represents the District in which the Property is located, and her staff apprised of the outreach to the community and feedback received.

The Community Outreach Report included with this Rezoning application details the outreach the Applicant has engaged in for the Project and demonstrates the strong commitment to soliciting and responding to community feedback. The Applicant will continue to meet with neighborhood organizations and individual neighbors for the duration of the Rezoning process.

### **ANALYSIS**

For the Rezoning of the Property from CNN with Conditions under the Former Chapter 59 Code to C-CCN-4 in the current Code, City Council may approve the zone map amendment if the proposed rezoning complies with specified criteria. Code, § 12.4.10.7. What follows is an analysis of how the application for the Rezoning satisfies each of these criteria.

#### **I. Criteria for Zone Map Amendments**

The City Council may approve an official zone map amendment if the proposed rezoning complies with specified criteria. Code, § 12.4.10.7. The Rezoning of the Property to C-CCN-4 complies with those criteria, as explained in detail below.

1. The proposed official map amendment is consistent with the City's adopted plans. Code, § 12.4.10.7.A.

The Rezoning of the Property to C-CCN-4 is consistent with the City's adopted plans, including the Comprehensive Plan, Blueprint Denver, and the Cherry Creek Area Plan.

##### *a. Comprehensive Plan 2040*

The City's Comprehensive Plan 2040 ("**Comp Plan**") was adopted in 2019 as "a holistic and sustainable vision to guide the future of Denver." p.10. The City uses the Comp Plan as a "guide for important policies and decisions" and to "provide a framework and common goals for all city plans, guide policy decisions, inform changes to city regulations, inform the city's resource and budgeting decisions, and evaluate and measure progress toward achieving citywide goals." p.11. In that vein, the Comp Plan sets forth six vision elements and numerous strategies to help guide future development within the City. The proposed Rezoning aligns closely with many of the strategies and recommendations in the Comp Plan, including, but not limited to:

- Vision Element 1: Equitable, Affordable and Inclusive
  - Goal 1.1: "Ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities."

- Strategy A: “Increase development of housing units close to transit and mixed-use developments.”

The Project’s location in the heart of Cherry Creek would create housing development close to transit and other mixed-use development. In addition, the planned amenity and outdoor spaces guarantee that both residents and community members benefit from the Project’s completion.

- Vision Element 1: Equitable, Affordable and Inclusive
  - Goal 1.2: “Support housing as a continuum to serve residents across a range of incomes, ages and needs.”
  - Strategy C: “Foster communities of opportunity by aligning housing strategies and investments to improve economic mobility and access to transit and services.”

The Project’s planned construction of condominium units promotes the above goal, ensuring that individuals and families of mixed ages and backgrounds will occupy these spaces, thus strengthening the fabric of Cherry Creek’s community. Providing additional housing options, particularly condominium ownership options, should help improve economic mobility and the Property’s location is one surrounded by existing services making them more accessible.

Further, development of retail and restaurant uses on the ground floor will represent a significant investment in the Cherry Creek community and create new jobs, both at the construction stage and following completion. Further, replacing the current dance studio with new, more concentrated commercial uses, may improve opportunities for economic mobility employing more individuals than currently exists at this location.

- Vision Element 2 - Strong and Authentic Neighborhoods
  - Goal 2.1: “Create a city of complete neighborhoods.”
    - Strategy A: “Build a network of well-connected, vibrant, mixed-use centers and corridors.”
    - Strategy B: “Ensure neighborhoods offer a mix of housing types and services for a diverse population.”

As articulated above, the planned condominium development will provide housing alternatives for all members of the Cherry Creek community, promoting the goal of providing a mix of housing types via the increased density of the condominium development. Further, the location of the Project will connect more residents to the mixed use amenities located in Cherry Creek in addition to adding a retail and restaurant uses on its ground floor, which will diversify the mixed-use offerings in the area.

- Vision Element 2 - Strong and Authentic Neighborhoods
  - Goal 2.2: “Enhance Denver’s neighborhoods through high-quality urban design.”
    - Strategy B: “Establish a scalable, predictable and adaptable approach to improve design quality across the city.”
    - Strategy C: “Create people-oriented places that embrace community character with thoughtful transitions, aspirational design and an engaging public realm.”
    - Strategy D: “Use urban design to contribute to economic viability, public health, safety, environmental well-being, neighborhood culture, and quality of life.”

If the Property is rezoned and redeveloped, the Project will activate the Property’s street frontage and invite pedestrian and bicycle traffic across improved sidewalks, which creates a more pedestrian-friendly environment than what currently exists. The Applicant is working with a well-known architecture team, Shears Adkins Rockmore, and intends to deliver a high-quality urban design that integrates seamlessly into the existing neighborhood. Currently, we have heard that there are common vehicle and pedestrian conflicts at the alley exit onto Third Avenue and the Applicant hopes to resolve some of those issues with better urban design and engagement with the public realm. In addition, the Project anticipates the provision of secure bicycle parking, which will further facilitate the use of bicycles as a viable and safe mode of transportation.

- Vision Element 3 – Connected, Safe and Accessible Places
  - Goal 3.3: “Maximize the public right-of-way to create great places.”
    - Strategy A: “Create streets to foster economic activity, contribute to great urban design and accommodate green infrastructure, including street trees.”

The Project will include enhancements to the public right-of-way and public realm. Improvements to the public right-of-way and public realm will include an engaging ground floor with commercial uses that activate the street, foster economic activity, and provide a dynamic pedestrian experience. The Applicant is committed to high-quality urban design principles, incorporating sustainable features and green infrastructure throughout the site. Additionally, enhanced screening along the northern property boundary will provide opportunities for additional trees and landscaping, further contributing to a greener, more attractive streetscape.

- Vision Element 4 – Economically Diverse and Vibrant
  - Goal 4.1: “Ensure economic mobility and improve access to opportunity.”
    - Goal 1, Strategy C: “Support business development and grow the talent necessary to compete in the global economy.”

The ground floor commercial uses at the Project will create new business opportunities and jobs for Denver residents, promoting economic mobility and improving access to opportunity.

- Vision Element 5 – Environmentally Resilient
  - Goal 5.8: “Clean our soils, conserve land and grow responsibly.”
    - Strategy A: “Promote infill development where infrastructure and services are already in place.”
    - Strategy B: “Encourage mixed-use communities where residents can live, work and play in their own neighborhoods.”

The Rezoning will promote responsible growth by reconfiguring the current dance studio into a denser, multi-family condominium structure, which will comply with current Denver green building permits and codes. Through the development of the ground floor retail use, the Rezoning will also further the goal of increasing soft density in a mixed-use community where residents can live, work and play in their own Cherry Creek neighborhood.

- Vision Element 6 – Healthy and Active
  - Goal 6.1: “Create and enhance environments that support physical activity and healthy living.”
    - Strategy B: “Promote walking, rolling and biking through the development of a safe and interconnected multimodal network.”

The Project will construct a new sidewalk along the Property’s street frontage and bring the building closer to the street, transforming the area into a more active, pedestrian-friendly environment. These improvements will significantly enhance the pedestrian experience, encouraging walking, rolling, and biking trips within Cherry Creek. Additionally, ground-floor retail uses will activate the streetscape, fostering a vibrant and engaging public realm while contributing to a safer, more interconnected multimodal network.

While the Rezoning would likely accomplish many more strategies and recommendations in the Comp Plan, the above list demonstrates the extent to which the Rezoning is consistent with the adopted Comp Plan.

*b. Blueprint Denver*

The City’s Blueprint Denver (“**Blueprint**”) was updated in 2019 and “explores the fundamental relationship between where we live, work and play and how we move throughout the city.” p.9. It is “the framework for the city’s major land use and transportation decisions, establishing citywide policies and specific strategies to achieve the [Comp Plan’s] vision for an inclusive city in 2040.” p.7. Blueprint serves as a supplement to the Comp Plan and is meant to guide implementation of the Comp Plan’s six vision elements and goals.

Blueprint promotes “great urban design and the creation of authentic places that thoughtfully integrate streets, public spaces and private property,” and “enduring and compatible design that responds to an evolving community while embracing historic assets and cultural heritage.” p.22-23. In addition to meeting the specific policy goals and strategies outlined below, the proposed Project advances each of these overarching goals. The Rezoning will allow the Property to be redeveloped as mixed-use, ground floor commercial with residential condominiums above, making it compatible with the mixed-use neighborhood that surrounds it.

Blueprint sets forth specific policy goals and strategies to achieve its vision, organized by the three elements of a complete neighborhood: Land Use and Built Form, Mobility, and Quality-of-Life Infrastructure. The proposed Rezoning aligns closely with many of the strategies and recommendations, including, but not limited to:

- Land Use and Built Form Policy Recommendations
  - General Policy 01: “Promote and anticipate planned growth in major centers and corridors and key residential areas connected by rail service and transit priority streets.”
    - Strategy A: “Use zoning and land use regulations to encourage higher-density, mixed-use development in transit-rich areas.”

The Project represents an additional step in the City’s regional growth of the vibrant mixed-use Cherry Creek community. Located near several transit priority streets, the Rezoning, if approved, will create multi-family condominiums and a ground floor retail use in an area that continues to develop its mixed-use identity. Further, the Rezoning will allow this Property to align with the zone district recommended in planning documents and with the zone district of surrounding properties, utilizing zoning and land use regulation to encourage higher-density, mixed-use development in an appropriate infill location.

- Land Use and Built Form Policy Recommendations
  - General Policy 03: “Ensure the Denver Zoning Code continues to respond to the needs of the city, while remaining modern and flexible.”
    - Policy 03 Background: “The city adopted the Denver Zoning Code (DZC) in 2010. Although the majority of the city was rezoned in 2010 to be included in DZC, a significant portion of Denver is still covered by the old zoning code, called Former Chapter 59. This presents challenges to consistent and efficient administration and means that many properties are not able to enjoy the benefits of a modern, flexible and context-based zoning code.”
    - Strategy A: “Rezone properties from the Former Chapter 59 zoning code so that the entire city is covered by the DZC, including continuing to incentivize owners to come out of the old code.”

The Rezoning would accomplish this Blueprint recommendation by bringing the Property from under the existing Former Chapter 59 Code to current Code with C-CCN-4. The proposed Rezoning will create a more cohesive and context-sensitive neighborhood pattern by aligning the Property with adjacent parcels already zoned C-CCN-4. This furthers Blueprint's goal of having modern, flexible and uniform land use regulations.

- Land Use and Built Form Policy Recommendations
  - Housing Policy 08: "Capture 80 percent 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."
    - Strategy A: "Align high-density residential areas near regional centers to support housing growth near major job centers with access to transit priority streets."

Situated in the heart of Cherry Creek, the Project will contribute high density, multi-family housing to this major job center.

- Land Use and Built Form Policy Recommendations
  - Design Quality & Preservation Policy 03: "Create exceptional design outcomes in key centers and corridors."
    - Strategy C: "Create a system of design tools, including standards and guidelines, that are scalable and repeatable to enable baseline design requirements that can be applied to a range of contexts and locations and be modified with a smaller subset of locally-applicable features."

The Project will enable context-appropriate redevelopment of the Property. As part of the development process, the Project will be reviewed by the Cherry Creek North Design Advisory Board to ensure it is consistent with, and furthers, the Cherry Creek North Design Standards and Guidelines.

- Mobility Policy Recommendations
  - Policy 01: "Encourage mode-shift – more trips by walking and rolling, biking and transit – through efficient land use and infrastructure improvements."

As articulated previously, planned improvements to the sidewalks and streetscapes adjoining the Property will encourage more trips by walking, rolling, biking, and transit. Adding more for-sale, multi-family housing in the Cherry Creek Neighborhood will reinforce the live, work, and play environment that allows so many residents to walk, roll and bike throughout their day.

- Quality-of-Life Infrastructure Policy Recommendations

- Policy 10: “Work with public and private partners to improve access to shops, restaurants, entertainment, civic uses, services and a variety of daily needs for all Denver residents.”
  - Policy 10, Strategy B: “Develop incentives to promote human scaled, accessible and inclusive mixed-use centers and corridors.”

The Rezoning will ensure that there are more users for Cherry Creek’s restaurants, shops, and businesses, in addition to adding to the business community through the development of the ground-floor retail space. The mixed-use development, informed by the C-CCN-4 requirements of active uses on the ground-floor will reinforce the human scaled, accessible and inclusive mixed-use center that exists in Cherry Creek.

Blueprint also uses “neighborhood contexts, places and street types to provide a framework to evaluate proposed rezonings (official map amendments).” p.25. Blueprint states that “when a new zone district is proposed for a site, the neighborhood contexts map and description should be used to guide which zone districts are appropriate.” p.66. The Property is located in the Urban Center Neighborhood Context which Blueprint describes as “dense and vibrant areas that support residents and visitors.” p.251. This context contains high intensity residential and significant employment areas. Development typically contains a substantial mix of uses, with good street activation and connectivity. *Id.* The Project is intended to exemplify the vision for a development in the Urban Center Neighborhood Context.

The Property is also located in a “pedestrian enhanced area.” These are areas where the surrounding land uses offer opportunities to enhance the pedestrian environment to create walkable, vibrant public spaces. p.168. This includes creating a wider pedestrian realm, prioritizing people walking and rolling over other modes of transportation, and installing enhanced street amenities such as trees, landscaping, benches, and public art. *Id.* The Property’s planned amenity and outdoor spaces, in addition to the provision of additional bicycle parking will enhance the sidewalk, making it more vibrant and accessible.

Block patterns in the Urban Center Neighborhood Context are generally a regular grid with consistent alley access. p.253. Buildings are usually multi-story with a high degree of lot coverage. *Id.* There is minimal reliance on single occupancy vehicles, with high levels of people walking and riding bicycles. *Id.* Parking is generally structured with on-street availability. *Id.* Lastly, the Urban Center Neighborhood Context includes smaller scale public parks and privately owned, publicly accessible outdoor spaces and plazas. *Id.* Ultra-urban green infrastructure is common. *Id.* The Project anticipates including green infrastructure and privately owned, publicly accessible outdoor space.

Finally, Blueprint includes a Future Places map, which describes the various scales and type of development that will characterize the City in 2040. The Property is mapped as “Community Center,” notably a key point of transition between the Residential Low-Medium designation to the north and the Regional Center designation to the south across East Third Avenue.

“Regional centers and community centers and corridors should attract almost two-thirds of all new jobs and half of new households.” p.49. The Project is consistent with this providing for increased mixed-use density in a key location for the City. Blueprint describes that Community Center provides a mix of office, commercial and residential uses. p.256. Buildings are larger in scale than local centers and orient to the street, which this Project will do.

“Strong degree of urbanism with mostly continuous building frontages and distinct streetscape elements that define the public realm” are key components of Community Center. The Applicant intends for the Project to have a high-level of architectural quality and design to add to the urban experience. While Blueprint describes that “Heights can be generally up to 12 stories in the taller areas, and should transition gradually within the center’s footprint to the surrounding residential areas,” C-CCN-4 is the appropriate four-story height to transition between the taller buildings to the south in Cherry Creek North and the lower residential neighborhood to the north. p. 256.

For the foregoing reasons, the Rezoning is consistent with Blueprint.

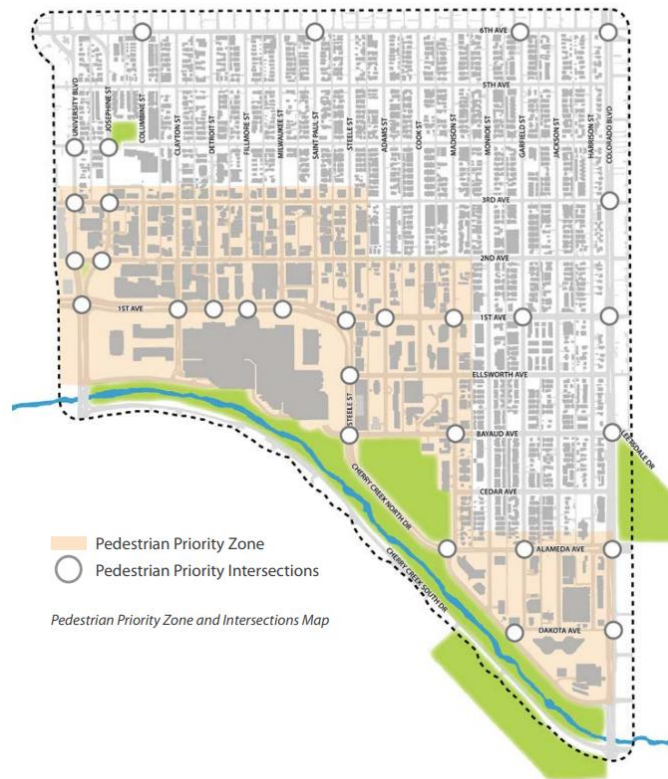
*c. Cherry Creek Area Plan*

The Cherry Creek Area Plan (“**Area Plan**”) was adopted in 2012 and is the neighborhood-specific plan that guides land use and transportation planning efforts through 2030 in the Cherry Creek area. It includes overarching frameworks, which apply to the entire plan area and provide the background to support the recommendations under the Area Plan. The Area Plan creates different geographical subareas. It also provides plan implementation suggestions in terms of the types of implementation and priorities, including the multiple steps that may be necessary to work toward implementation of the frameworks.

Several visions within the overarching framework are advanced through the proposed Rezoning:

- **A Connected Cherry Creek.** This mobility and connectivity framework articulates an overall strategy for keeping Cherry Creek livable and prosperous by balancing the different transportation modes within the Cherry Creek Area. Regardless of the mode chosen, the goal is for those who live, work, or play in Cherry Creek to continue to navigate safely, efficiently and reliably to and from the area. p.12.
  - Recommendation A.2.A: “Strengthening the priority of pedestrians in Cherry Creek can contribute to the area’s vision for great neighborhoods and economic prosperity.” p.16. The Pedestrian Priority Zones are depicted below, and include parts of East 3<sup>rd</sup> Avenue, where the Property is located. Various pedestrian enhancement options identified in the Area Plan include, but are not limited to: curb extensions, well-marked crosswalks, countdown pedestrian signals, street trees, on-street parking, public art, among others. *Id.*

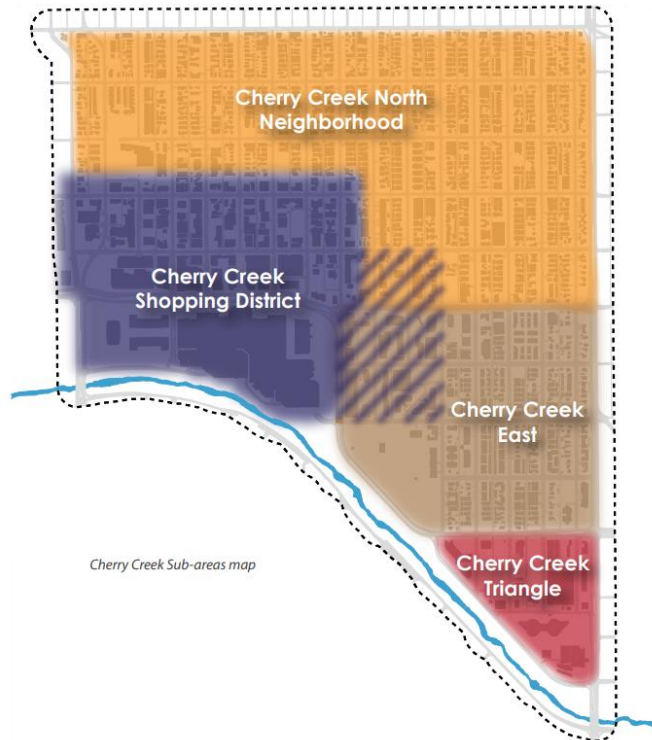
- The redevelopment of the Property that the Rezoning will allow for improvements to the pedestrian experience and reinforce the important mobility and connectivity framework that is a focus of the Area Plan.



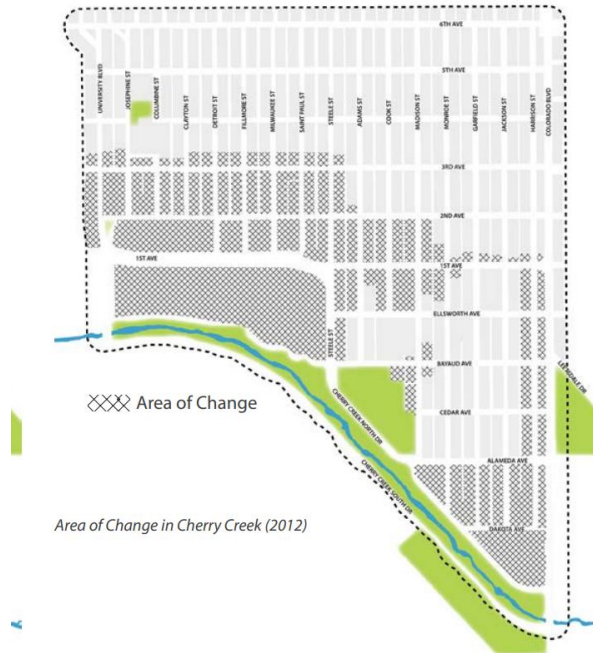
- **A Distinctive Cherry Creek.** This design framework articulates a continued emphasis on quality urban design which has resulted in improved development quality within Cherry Creek. This improvement has impacted residential, commercial and mixed-use locations throughout the area. Continued development should further enhance and reinforce Cherry Creek as a desirable location to live, work and play. p.26. It also creates subareas: Cherry Creek North Neighborhood (CCN), Cherry Creek East (CCE), the Cherry Creek Shopping District and Cherry Creek Triangle (depicted below). In some cases, boundaries between these subareas overlap. Improvements in the neighborhood must continue to realize the importance of identity within Cherry Creek while simultaneously removing barriers between the subareas. It identifies strategies for targeting the right type of growth within the Cherry Creek area. p.27.

The Project will have a high design quality, including undergoing review by the Cherry Creek North Design Advisory Board to ensure consistency with the Cherry Creek Design Standards and Guidelines. The Property is located on the northern edge of the Cherry Creek Shopping District. Properties all along the northern side of East Third Avenue have been zoned C-CCN-4,

recognizing it as an appropriate transition zone district between the more intensive zone districts of C-CCN-8, -7 and -5 to the south and o the residential area to the north.



- Recommendation B.1: Target Growth Appropriately.
  - B.1.B: Areas of Change. The Areas of Change in Cherry Creek have the greatest potential to accommodate growth, both in terms of market demand and available land. “Although not every property will see significant redevelopment, overall these areas benefit from new development, reinvestment, and more intense use.” p.29. These areas are depicted below. In order to achieve this goal, it is recommended that in order to remain prosperous, Cherry Creek “must continue to grow and change. In order for this growth to occur in a way that reinforces the quality of life for Cherry Creek residents, the bulk of this growth should occur in these areas rather than stable neighborhoods.” p.29. The Property is located in the Area Plan’s Areas of Change.
  - The Rezoning will allow for the development of the Property with the Project. This has long been a site that has been identified for a higher and better use and density, consistent with other properties along the northern side of Third Avenue. The Project will provide the infill redevelopment envisioned in this Area of Change with the Area Plan.



- Recommendation B.4: Great Neighborhoods.
  - B.4.B. Encourage the Continued Evolution of Mixed Use Neighborhoods. “The Cherry Creek Shopping District has evolved into an 18-hour, mixed-use neighborhood consisting of retail, commercial and residential uses. Continued development in the district has resulted in the introduction of residential units in the district, encouraging expanded options and diversity for residents. This district has seen an introduction of high quality urban design introduced into a former pattern of renovated and obsolete commercial space. This emergence of quality, design integrity and mix of uses has set the standard for future development. This development results in active streetscapes with layers of pedestrian amenities such as seating, planters, art, cafés and adjoining active retail space. This space is clearly pedestrian-focused with entries, materials, signage and building details scaled to the person. Continued development in this district should reinforce the new standard of quality and pedestrian activity.”
  - The Project would allow for the redevelopment of a one-story, older building into a higher density, four-story, mixed-use building that contributes more fully to the urban architecture and activity of Cherry Creek.

- **A Green Cherry Creek.** “Successful streetscape design reinforces the pedestrian scale and character and enhances the quality, identity, physical function, and economic vitality of an area.” p.42.
  - Recommendation C.3: Streets and Streetscapes.
    - C.3.C: Streetscapes and Pedestrian Amenities. Encourage the use of streetscape amenities that promote high levels of pedestrian activity, physical comfort and visual interest including pedestrian lighting, seating, landscaping, trash receptacles, bike racks and curb extensions at intersections. p.42.
    - The Project would enhance and reinforce the importance of streetscape design focusing on the pedestrian scale of the Cherry Creek neighborhood.
- **A Prosperous Cherry Creek.** “Enhancing the attractiveness and competitiveness as a mixed-use neighborhood with local, regional and national appeal is essential to the economic well-being of the Cherry Creek Area and the City. Optimizing economic and development opportunities benefits residents as well as businesses with more choice of shops and restaurants, access to amenities, and attractive street and building design. National research and best practices are demonstrating that walkable, mixed-use communities are desirable for all age groups and have retained their value and thrived in tough economic times.” p.44.
  - Recommendation D.2. Reinvesting in the Future.
    - D.2.C.: High Quality Development. “Assuring the balance of uses to retain the synergy and enhancing pedestrian-friendly design to enliven the street level are key aspects of high quality development. Setting high standards gives the residents, business owners, building owners and the development community the assurance that their investment in high quality will be reinforced in the future. *Id.*”
    - The Project would include high quality design, including review by the Cherry Creek North Design Advisory Board. The Rezoning would allow for a Project that optimizes a development opportunity for additional commercial and residential to complement the already active Cherry Creek Area.

b. The proposed official map amendment is in the public interest. Code, § 12.4.10.7.B.

The City has adopted multiple plans in the interest of public health, safety, and the general welfare, including the Comp Plan, Blueprint and Area Plan. As described in detail above, the Rezoning furthers the goals, policies, and strategies in these City plans, and thus furthers the public interest. In addition, it is a City goal to rezone property from the Former Chapter 59 Code to the new Code where possible. See, e.g., Blueprint, p.73. This Rezoning would help achieve that result.

- c. 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, § 12.4.10.7.C.

The Rezoning seeks to rezone the Property to C-CCN-4, resulting in uniform application of the Code to any building constructed, including uniform regulations and restrictions. Almost every property along the north side of East Third Avenue has been rezoned to C-CCN-4 with the exception of this Property. This Rezoning would provide for greater consistency along the street and with the Urban Center Neighborhood Context, all in furtherance of the Area Plan.

For the reasons detailed above, because the Rezoning is consistent with the Comp Plan, Blueprint and Area Plan, this criterion is met. The Project would allow for the redevelopment of the Property in harmony with the City's adopted plans, each as outlined above. The Property is situated amongst residential and mixed-use commercial uses, and the Project will enhance the neighborhood with neighborhood serving uses, expanded residential and commercial opportunities, and improvements to the pedestrian environment, and is therefore consistent with the stated purpose and intent of the proposed zone district. Therefore, the Rezoning satisfies the third criterion for a map amendment.

### **CONCLUSION**

We hope the foregoing information proves helpful in the City's review of the proposed Rezoning. As discussed in detail above, the Rezoning satisfies all of the criteria in the Code for approval of a zone map amendment to C-CCN-4.

The Applicant has worked hand-in-hand with the City, neighbors, and various other interested parties to ensure that the Rezoning reflects the best use of the Property and allows for development of a Project that will enhance and harmonize with the neighborhood. Therefore, we respectfully request that the City approve the proposed Rezoning.

Sincerely,



Caitlin S. Quander

Encl.

## **LEGAL DESCRIPTION**

THE NORTH 37 1/2 FEET AND THE SOUTH 62 1/2 FEET OF PLOT 10 AND THE SOUTH 1/2 OF PLOT 9, BLOCK 35, HARMANS SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

Known as: 2625 & 2635 E. Third Avenue, Denver, CO 80206



04/01/2025 12:03 PM  
City & County of Denver  
Electronically Recorded

R \$28.00

WD

D \$780.00

RECORDING REQUESTED BY  
AND WHEN RECORDED MAIL TO:

Bruce James, Esq.  
Brownstein Hyatt Farber Schreck, LLP  
675 15<sup>th</sup> Street, Suite 2900  
Denver, CO 80202

DOC FEB: \$780<sup>00</sup>

(Above Space For Recorder's Use Only)

**SPECIAL WARRANTY DEED**

For valuable consideration, receipt of which is acknowledged, **PRO-DANCE PROPERTIES, LLC**, a Colorado limited liability company, whose address is 2625 East Third Avenue, Denver, CO 80206 ("**Grantor**"), grants, bargains, sells and conveys to **CV DANCE, LLC**, a Colorado limited liability company, whose address is c/o The Nichols Partnership Inc., 1644 Platte Street, Suite 130, Denver, Colorado 80202 ("**Grantee**"), that certain real property located in the City and County of Denver, State of Colorado, as legally described on **Exhibit A** attached hereto and made a part hereof (the "**Property**") together with all of Grantor's right, title and interest in and to all improvements and structures located thereon and all easements, appurtenances, rights and privileges appertaining to the Property.

The Property is conveyed subject to:

- (a) The lien of real property taxes for the calendar year 2025, not yet due and payable; and
- (b) All easements, leases, rights of way, covenants, conditions and restrictions which are set forth on **Exhibit B** attached hereto.

TO HAVE AND TO HOLD the said Property unto the Grantee, its successors and assigns. The Grantor, for itself and its successors, agrees that it shall WARRANT AND DEFEND the Property in the quiet and peaceable possession of the Grantee, its successors and assigns, against all and every person claiming the whole or any part thereof, by, through or under the Grantor.

*Signature page follows.*



70864019

IN WITNESS WHEREOF, Grantor has caused its duly authorized representative to execute this instrument as of the date hereinafter written.

Dated as of March 31, 2025.

**PRO-DANCE PROPERTIES**  
a Colorado limited liability company

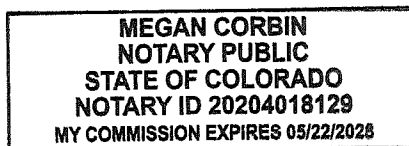
By: Stephanie Prosenjak  
Name: Stephanie Prosenjak  
Title: Manager

STATE OF COLORADO  
COUNTY OF Denver

The foregoing instrument was acknowledged before me this 31<sup>st</sup> day of March, 2025, by Stephanie Prosenjak, as Manager of Pro-Dance Properties, a Colorado limited liability company.

Megan Corbin  
Notary Public, State of Colorado

Commission Expiration:  
May 22, 2028



**EXHIBIT A****LEGAL DESCRIPTION**

THE NORTH 37 1/2 FEET AND THE SOUTH 62 1/2 FEET OF PLOT 10 AND THE SOUTH 1/2 OF PLOT 9, BLOCK 35, HARMANS SUBDIVISION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

Exhibit A

**EXHIBIT B****PERMITTED EXCEPTIONS**

1. RESTRICTIONS, PERTAINING TO THE PRESERVATION OF MOUNTAIN VIEWS AS CONTAINED IN ORDINANCE NO. 60, SERIES OF 1968, RECORDED MARCH 14, 1968 IN BOOK 9854 AT PAGE 231 AND AMENDMENT JANUARY 06, 1969 IN BOOK 9975 AT PAGE 351 AND JULY 30, 1973 IN BOOK 738 AT PAGE 127.
2. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS SET FORTH IN COVENANT RECORDED SEPTEMBER 26, 1972 IN BOOK 570 AT PAGE 306.
3. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE CHERRY CREEK NORTH SPECIAL IMPROVEMENT DISTRICT NO. 1114, AS EVIDENCED BY INSTRUMENT RECORDED JULY 17, 1987, UNDER RECEPTION NO. 00147274 AND INSTRUMENTS RECORDED JANUARY 04, 1990 UNDER RECEPTION NO. R-90-0001139 AND JANUARY 08, 1990 UNDER RECEPTION NO. R-90-0002332.
4. ANY TAX, LIEN, FEE, OR ASSESSMENT BY REASON OF INCLUSION OF SUBJECT PROPERTY IN THE CHERRY CREEK NORTH BUSINESS IMPROVEMENT DISTRICT NO. 1, AS EVIDENCED BY INSTRUMENT RECORDED DECEMBER 09, 1988, UNDER RECEPTION NO. R-88-0340235.
5. TERMS, CONDITIONS, PROVISIONS, BURDENS AND OBLIGATIONS AS SET FORTH IN AND IMPOSED BY ZONING ORDINANCE NO. 225, SERIES OF 2007, RECORDED JUNE 08, 2007 UNDER RECEPTION NO. 2007089031.
6. WAIVERS OF CERTAIN RIGHTS AND/OR REASONABLE CONDITIONS RECORDED JULY 10, 2007 UNDER RECEPTION NO. 2007107296.

Exhibit B



  
Notary Public

# NICHOLS PARTNERSHIP

October 9, 2025

City and County of Denver  
Community Planning and Development  
201 W. Colfax Avenue, Dept. 205  
Denver, CO 80202

To Whom it May Concern,

On behalf of CV DANCE, LLC, as the owner of 2625 E. Third Avenue, Denver, CO 80206, known by the legal description North 37 1/2 Feet and the South 62 1/3 Feet of Plot 10 and the South 1/2 of Plot 9, Block 35, Harmans Subdivision, City and County of Denver, State of Colorado, I affirm ownership of the property and hereby authorize Caitlin Quander and Brownstein Hyatt Farber Schreck, LLP to represent us in the rezoning application for the property listed above.

Please contact us with any questions.

Regards,



Name: Daniel Nichols  
Title: Partner

## Community Engagement and City Council Outreach Summary

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Nichols Partnership engaged Wall Kane Consulting (WKC) to demonstrate their commitment to community engagement during the rezoning process of the Cherry Creek Dance site located at 2625 E 3rd Ave in Denver, Colorado. The summary below outlines the outreach and conversations that have taken place to date by the applicant team and WKC.

### City Council Engagement

- Councilmember Kevin Flynn, District 2 – May 2025
- Councilmember Amanda Sawyer, District 5 – June 2025
- Councilmember Paul Kashmann, District 6 – June 2025
- Councilmember Darrell Watson, District 9 – June 2025
- Councilmember Stacie Gilmore, District 11 - June 2025
- Councilmember Serena Gonzales-Gutierrez, At-Large – June 2025
- Council Pro Tem Diana Romero Campbell, District 4 – July 2025
- Councilmember Flor Alvidrez, District 7 – July 2025

### Adjacent Neighbor Engagement

- Personal letters were sent to all townhome owners to the north of the site in August 2025. The letter provided project information, inviting feedback and offering to meet in-person or on a call. To date, we have not received any responses to those letters, but will conduct additional outreach to those owners as we move forward with the rezoning process.
- Multiple conversations and emails with the adjacent townhome owner at 325 Clayton St. Dialogue with this owner is ongoing.
- Personal letters sent to neighboring businesses, Art For the Nations and Element79 Jewelry, in October 2025 as well as additional property owners surrounding the site.

### Community Meetings & Conversations

- Cherry Creek North Neighborhood Association (CCNNA)
  - Met with Lou Raders, Babs Gerber and Ron Milzer from CCNNA on July 22, 2025. Ms. Raders provided the applicant team with background on the initial rezoning of the site back in 2007 and the reasons behind the original conditions that were placed on the property, all of which related to specific development plans that Cherry Creek Dance had at the time. CCNNA attendees believed it made sense to rezone to the new Cherry Creek North zone district (C-CCN-4) found along 3<sup>rd</sup> Ave and expressed support for a residential condo building vs. office. We also discussed ongoing outreach with adjacent and nearby neighbors with all parties agreeing on the importance of thoughtful transitions/screening between a new development and existing residential to the north.
- Cherry Creek North Business Improvement District
  - Met with Nick LeMasters on August 20, 2025. Mr. LeMasters expressed support for the desired rezoning as well as the possibility of having the alley exit onto Clayton St. vs. 3<sup>rd</sup> Avenue. He also appreciated the goal of developing a for-sale, residential condo

development given the BID's goal of having an active mix of residents and businesses in the area.

- Cherry Creek Steering Committee
  - Met with the Cherry Creek Steering Committee on September 24, 2025. Committee members expressed general support for the rezoning, noting the previous zoning and conditions were put in place for a specific project/use desired by Cherry Creek Dance. Committee members also expressed support for having Nichols Partnership take on the rezoning and project given their strong track record in Cherry Creek and Denver.
- CCNNA Zoning Committee
  - Met with members of the CCNNA Zoning Committee on November 6, 2025. Lou Raiders, Linda Barker and Ron Milzer attended the meeting on behalf of the Zoning Committee. In that meeting, Zoning Committee members expressed general support for the desire to pursue the C-CCN-4 zone district, noting all the work that went into creating that new zoning and how the request is consistent with all other properties to the north of 3<sup>rd</sup> Ave. Our team requested formal support from CCNNA at the meeting and Ms. Raiders noted she would discuss the ask internally with the Zoning Committee and they'd make a recommendation to the CCNNA board.

#### **Ongoing Dialogue**

- Community engagement will continue throughout the rezoning process and we'll work to address stakeholder questions/feedback.