

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	SFK, LLC	Representative Name	Lee Driscoll
Address	123 S. 3rd Ave. Suite 27	Address	2645 E. 2nd Ave. Suite 200
City, State, Zip	Sandpoint, ID 83864	City, State, Zip	Denver, CO 80206
Telephone	208 263 6255	Telephone	303 641 7525
Email	j.nye@jfco.net	Email	lee@wynkoop.com
<p>*If More Than One Property Owner: 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>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</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):	2220 Blake Street, Denver CO 80205		
Assessor's Parcel Numbers:	0227902005000		
Area in Acres or Square Feet:	9,382 sf		
Current Zone District(s):	R-MU-30 with waivers and conditions		
PROPOSAL			
Proposed Zone District:	C-MX-5		

REVIEW CRITERIA

<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p>	<p><input checked="" type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan. 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.</p> <p><input checked="" type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input checked="" type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</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 on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</p> <p><input checked="" type="checkbox"/> Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:</p> <p>a. Changed or changing conditions in a particular area, or in the city generally; or</p> <p>b. A City adopted plan; or</p> <p>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. Please provide an attachment describing the justifying circumstance.</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. Please provide an attachment describing how the above criterion is met.</p>

REQUIRED ATTACHMENTS

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

<input checked="" type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format)
<input checked="" type="checkbox"/> Proof of Ownership Document(s)
<input checked="" type="checkbox"/> Review Criteria, as identified above

ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

<input checked="" type="checkbox"/> Written Authorization to Represent Property Owner(s)
<input checked="" type="checkbox"/> Individual Authorization to Sign on Behalf of a Corporate Entity

Please list any additional attachments:

REZONING GUIDE



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)
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>	01/01/12	(A)	YES
SFK, LLC Susan Fenton Kubiak	123 S 3rd Ave. Suite 27 Sandpoint ID 83864	100%	<i>Lee F. Driscoll</i>	3.19.19 11.7.18	A	Yes
	j.nye@jfco.com					

2220 Blake Street
Denver, CO 80205

Property Description

**LOTS 10, 11 AND 12, BLOCK 35, STECK'S ADDITION TO DENVER
ALSO DESCRIBED AS LOTS 10, 11 AND 12, BLOCK 35, EAST DENVER,
CITY AND COUNTY OF DENVER, STATE OF COLORADO**



Owner	Schedule Number	Legal Description	Property Type	Tax District
SFK LLC 123 S 3RD AVE 27 SANDPOINT , ID 83864-1262	0227902005000	L10 TO 12 INC BLK 35 STECKS ADD	COMMERCIAL - RESTAURANT	DENV



Real Estates Property Taxes for current tax year

Please click on additional information below to check for any delinquencies on this property/schedule number and for tax sale information.

	Installment 1 (Feb 28 Feb 29 in Leap Years)	Installment 2 (Jun 15)	Full Payment (Due Apr 30)
Date Paid			
Original Tax Levy	\$20,518.04	\$20,518.02	\$41,036.06
Liens/Fees	\$0.00	\$0.00	\$0.00



Paid	\$0.00	\$0.00	\$0.00
Due	\$20,518.04	\$20,518.02	\$41,036.06

[Pay This Tax Now](#)

Note: The amount of interest shown, if any, is good through the end of this month. This information is not to be used in place of a Certificate of Taxes Due. Please call the Treasurer's Office for these at (720) 913-9300.

Liens/Fees amount displayed are good through the last day of February. Please be advised that paying the liens/fees after February will result in additional interest accrued on the parcel. Please contact 720-913-9300 to get the payoff amount for lien/fees.

[View Delinquent Interest Chart](#)

Additional Information

Assessed Value for the current tax year

SFK, LLC
123 S. 3rd Ave. Suite 27
Sandpoint ID 83864

November 5, 2018

To Whom It May Concern:

RE: Breckenridge-Wynkoop, LLC

Breckenridge-Wynkoop is an authorized representative of SFK, LLC for the purpose of SFK's rezoning application for SFK's property located at 2200 Blake Street, Denver CO 80205.

Please do not hesitate to contact me with any questions.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Susan Kubiak". The signature is fluid and cursive, with a large initial "S" and "K".

Susan Kubiak
Manager
SFK, LLC
123 S. 3rd Avenue, Suite 27
Sandpoint, ID 83864
208-263-6255
j.nye@jfco.net

June 26, 2019

City and County of Denver
Community Planning and Development
201 West Colfax Ave,
Denver, CO 80202

To whom it may concern,

We are requesting to have the property located at 2220 Blake Street in the Ballpark Neighborhood rezoned from R-MU-30 to C-MX-5. The commercial user, Cherry Cricket Ballpark, would like to have the zoning changed to enable the restaurant to have more prominent signage on the exterior of the building. C-MX-5 zoning would allow the restaurant to do a projecting sign consistent with C-MX-5 zoning and subject to landmark approval. Under the Current zoning R-MU-30 the exterior signage is limited to a wall sign mounted to the exterior of the building which has limited visibility from the adjacent street corners.

Currently virtually every surrounding block allows for blade and Marque signs which make restaurants much more visible, activate the street and make it safe and comfortable for pedestrians to walk along the streets particularly in the evening when it is dark. It appears that this has most commonly been achieved by obtaining waivers within R-MU-30 zoning. The lack of prominent signage on Blake Street between 22nd and 23rd streets makes pedestrians think that there is nothing happening on the block because it appears dark compared to adjacent blocks with prominent signage. Consequently, pedestrians avoid walking on the block which actually further de-activates the street particularly in the evening.

Denver Zoning Code Criteria

1. Consistency with Adopted Plans

The proposed zoning to C-MX-5 is consistent for the cities vision for the neighborhood and supported by all City and County of Denver adopted plans. The following plans apply to the subject property.

Denver Comprehensive Plan 2040

Blueprint Denver: A Land Use and Transportation Plan (2019)

Downtown Area Plan (2007)

Northeast Downtown Neighborhoods Plan (2011)

The proposed new zoning is consistent with the intent of the Denver Comprehensive Plan 2040 vision to make Denver a highly livable city and is in the public's interest by encouraging safe, vibrant, and successful mixed use communities. The rezoning would serve a number of the

Denver Comprehensive Plan goals. In particular to manage growth and change through effective land use policies to sustain Denver's high quality of life and to create a sustainable opportunity that provides opportunities for all including people in need of work. Change in zoning would also build on the assets of the Ballpark Neighborhood and help foster a city-wide sense of community.

a. Denver Comprehensive Plan (2040)

Rezoning to C-MX-5 is consistent with the specific goals and strategies of the Denver Comprehensive Plan (2040). Specific goals and strategies that apply are:

1. Vision Element: Strong Authentic Neighborhoods. Goal 1, Strategy A-Build a network of well connected, vibrant, mixed-use centers and corridors (p.34). The requested rezoning to C-MX-5 will contribute to the vibrancy of the Ballpark District by allowing signage that is characteristic of vibrant urban areas.
2. Vision Element: Strong Authentic Neighborhoods. Goal 1, Strategy C-Ensure Neighborhoods are safe, accessible and well-connected for all modes (p.34). The requested rezoning to C-MX-5 will allow more prominent signage which will activate the street and encourage more pedestrians to walk along the block thereby making it safer. The entire block often appears dark, empty and dangerous at night.
3. Vision Element: Strong Authentic Neighborhoods. Goal 2, Strategy D Use urban design to contribute to economic viability, public health and safety, environmental well-being, neighborhood culture, and quality of life (p.34). The requested rezoning to C-MX-5 will allow signage that is more consistent with the Coors field signage and help incorporate the street into the heart of the ballpark neighborhood thereby increasing its economic viability.
4. Vision Element: Economically Diverse and Vibrant. Goal 10, Strategy B Support the creation, expansion and economic vitality of Denver food businesses to accelerate economic opportunity (p.48). The requested rezoning to C-MX-5 will allow signage that tastefully draws attention to individual restaurants to demonstrate their vitality thereby contributing to economic viability of Denver food businesses.
5. Vision Element: Economically Diverse and Vibrant. Goal 10, Strategy C Spur innovation and entrepreneurship across food and agricultural businesses (p.48). The requested rezoning to C-MX-5 will allow signage will help new businesses draw attention to their establishments and foster increased sales.
6. Vision Element: Denver is a city of safe, accessible and healthy communities.: Goal 1 Create and enhance environments that support physical activity and healthy living (p.58). The requested rezoning to C-MX-5 will allow signage that will make the street feel safe to walk through helping to create a pedestrian friendly walking multimodal street connecting the Lodo neighborhood and neighborhoods to the north.

b. Blueprint Denver (2019)

The proposed new zoning is also consistent with Blueprint Denver 2019 vision for an inclusive city. The rezoning will allow more prominent restaurant signage which will activate the street by making it more commercially viable. This in turn will make it more pedestrian friendly serving a vital role to encourage pedestrian traffic both to use the block for commercial and residential purposes and as a connector to walk through neighborhoods. The current zoning with its restriction on commercial signage does exactly the opposite of the goals of Blueprint Denver. In the evening the street is dark and avoided by pedestrians. Consequently, it is a barrier to the free flow of pedestrian traffic effectively creating a pedestrian barrier dividing LoDo from the neighborhoods to the north.

1. Neighborhood Context Designation

Neighborhood context map and description provides a guide to establishing appropriate zone districts. 2200 Blake Street the subject property's rezoning application to C-MX-5 is consistent with Blueprint Denver's future neighborhood context designation. The Downtown Context is described generally as, 'having a high mix of uses with good street activation. Rezoning to C-MX-5 will be compatible with the existing neighborhood character. Rezoning to C-MX-5 will help offer residents a mix of uses with good street activation and connectivity (p.226). Specifically rezoning to C-MX-5 will allow the activation of the street through better commercial signage as exists in all the surrounding blocks. Rezoning to C-MX-5 will also help make the 2200 block of Blake Street safer for pedestrians to walk which will enhance neighborhood connectivity and make it fit better into the surrounding neighborhoods.

2. Future Places Map Designation

The Property is currently zoned High Residential (downtown context) p.274 The proposed rezoning is to urban center context (C-) which is consistent with the goals and strategies of the Blueprint Denver Places Map. The Future places Map (p.143) shows the 2200 Block of Blake Street within the High Residential designation for the purpose of evaluating the rezoning request. The purpose of the rezoning request to (C-) is to allow for more prominent restaurant signage which in this case will actually foster the mutual goals of the High Residential designation in which downtown residential areas are described as: "Downtown residential areas are high-density, high quality mixed-use residential areas with excellent multimodal access to employment, parks, daily needs and amenities. (p.274). The Urban Center Context (C-) states that "Centers in the urban context should be compatible and consistent with character of the surrounding area in scale and design. They should have an active street level presence and provide a mix of uses, including retail and dining. The Urban Center Context fits the ballpark neighborhood perfectly given the scale of all the surrounding buildings. It would also allow for more prominent restaurant signage which would activate the street as has been done in most of the surrounding

blocks through variances. The restriction on reasonable signage on the 2200 block of Blake street has contributed significantly to the repeated failure of several restaurants and the relative underperformance of others making it feel like a singularly blighted block within a thriving neighborhood.

3. Growth Strategy

The subject property falls in the growth strategy for High and High-Medium Residential Areas in D and C contexts which a 5% growth in jobs and a 15% growth in new households by 2040 (p.50). Allowing for the rezoning will help activate the street and encourage both commercial and residential growth by providing for a safer more activated block.

4. Street type

The street upon which the subject property is located is a Mixed Use Collector (p.157). Rezoning the property will allow for more prominent restaurant signage which will help ensure that the street have a " Varied mix of uses, including retail, office, residential and restaurants (p.159).

Downtown Area Plan (2007)

The proposed new zoning is consistent with and supports the intent of the Downtown Area Plan (2007). The Downtown Area Plan celebrates Denver's emergence as one of the nation's premier urban success stories but it also acknowledges that "Downtown lacks a cohesive pedestrian environment and strong connections to adjacent neighborhoods" (p.8). The rezoning of the building to C-MX-5. Would help make the entire block prosper and contribute to a bustling urban district outside of baseball season. It would make pedestrians comfortable walking the block after dark by providing clear evidence of healthy commercial activity. This would mean that more people would use the street which helps make it safe. It would also help promote connectivity between the RINO neighborhood, the Ballpark Neighborhood and LODO.

Northeast Downtown Neighborhood Plan (2011)

The subject property falls squarely within The Northeast Downtown Neighborhoods Plan (NEDN) (p.72 Map). The NEDN provides the most specific guidance on land use (Mixed Use) and building height. The subject property is located in the area within the NEDN with an 8 story maximum and therefore easily accommodates a C-MX-5 zoning. The proposed new zoning is consistent with and supports NEDN by strengthening the retail corridor by providing a safe street where pedestrians can walk between the LODO and RINO neighborhoods. As noted in the NEDN "Although many of the large social service providers are located in Arapahoe Square adjacent neighborhoods like Ballpark bear many of the negative impacts" (p.72). On non game days and in particular the evening when the 2200 block of Blake Street is relatively dark the presense of homeless individuals on the street and relatively few pedestrians is frightening to many potential pedestrians who avoid walking on the block. Allowing subject property to be

rezoned C-MX-5 would enable more prominent signage which will encourage more people to walk the street and lead to a tipping point where enough pedestrians venture on the block that more will follow creating a virtuous cycle that could quickly transform the 2200 block of Blake Street to a vibrant lively street.

Among the neighborhood concepts and recommendations for the Ballpark neighborhood are design elements that give “prominence to the pedestrian realm as defining element of neighborhood character” (p.74). “Create visually interesting and human-scaled facades” (p.74). Allowing for more interesting and engaging signage as permitted under a C-MX-5 zoning would be greatly helpful in this regard.

Uniformity of District Regulations

Approval of the proposed Zone Map Amendment to District C-MX-5 will result in the uniform application of building form, use, and design regulations. The Property, once redeveloped, will adhere to all applicable regulations on building height, siting, design elements, and pedestrian access. The proposed Zone District is consistent with and reinforces the uniform application of Zone Districts as well as the designated purpose of the Zoning Map to help shape future development to align with distinct but uniform City planning goals.

Further Public Health, Safety and General Welfare

Approval of the proposed Zone Map Amendment will further the public health, safety, and welfare by implementing the City’s adopted land use policies. Re-development of the Property pursuant to the Zone Map Amendment will continue to advance public policy priorities of the City identified for this area of the City.

Justifying Circumstances

Justifying Circumstances are found in Section 12.4.10.8 (A.4). Additional Review Criteria for Non-Legislative Rezoning. The subject property qualifies under subsection A) 4(c). That the City adopted the Denver Zoning Code and the property retained former Chapter 59 zoning.

Consistency with Neighborhood Context, Zone District Purpose and Intent.

The requested C-MX-5 zoning is consistent with the neighborhood context, zone district purpose and Intent. The mapping of neighborhood context is at the citywide scale, so the boundaries of the contexts may be interpreted with limited flexibility if the request furthers the goals of *Blueprint Denver* and is consistent with the overall intent of the neighborhood contexts map. However, neighborhood context should be consistent across an area and should generally not vary at the parcel level. Also, of significance is that most of the surrounding properties have Urban (C-) zoning in place.