Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*	
☐ CHECK IF POINT OF CONTACT FOR APPLICATION	
☐ CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Property Owner Name	TWIN STAR ENERGY, LLC
Address	7671 SHAFFER PARKWAY
City, State, Zip	LITTLETON, CO 80127
Telephone	UNKNOWN
Email	UNKNOWN

*All standard zone map amendment applications must be initiated by owners (or authorized representatives) of at least 51% of the total area of the zone lots subject to the rezoning. See page 4.

PROPERTY OWNER(S) REPRESENTATIVE**	
☑ CHECK IF POINT OF CONTACT FOR APPLICATION	
☑ CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Representative Name	EMILY FELTON
Address	4582 S ULSTER STREET, SUITE 1500
City, State, Zip	DENVER, CO 80237
Telephone	720.636.8273
Email	EMILY.FELTON@KIMLEY-HORN.COM

**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.

***If contact for fee payment is other than above, please provide contact name and contact information on an attachment.

SUBJECT PROPERTY INFORMATION	
Location (address):	4850 North Federal Boulevard
Assessor's Parcel Numbers:	02174-25-014-000
Area in Acres or Square Feet:	49,573 SF
Current Zone District(s):	B-3, P-1
PROPOSAL	
Proposed Zone District:	E-CC3X
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?	☑ Yes - State the contact name & meeting date Bridget Rassbach, 8/27/2021 ☐ No - Describe why not (in outreach attachment, see bottom of p. 3)
Did you contact the City Council District Office regarding this application ?	☑ Yes - if yes, state date and method Virtual Meeting, September 16, 2021 ☐ No - if no, describe why not (in outreach attachment, see bottom of p. 3)

201 W. Colfax Ave., Dept. 205
Denver, CO 80202
720-865-2974 • rezoning@denvergov.org

REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)

General Review Criteria DZC Sec. 12.4.10.7.A

Check box to affirm and include sections in the review criteria narrative attachment

☑ **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 a review criteria narrative attachment describing **how** the requested zone district is consistent with the policies and recommendations found in **each** of the adopted plans below. Each plan should have its' own subsection.

1. *Denver Comprehensive Plan 2040*

In this section of the attachment, describe **how** the proposed map amendment is consistent with ***Denver Comprehensive Plan 2040***'s a) equity goals, b) climate goals, and c) any other applicable goals/strategies.

2. *Blueprint Denver*

In this section of the attachment, describe **how** the proposed map amendment is consistent with: a) the neighborhood context, b) the future place type, c) the growth strategy, d) adjacent street types, e) plan policies and strategies, and f) equity concepts contained in ***Blueprint Denver***.

3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable):

Federal Boulevard Corridor Plan

General Review Criteria: DZC Sec. 12.4.10.7. B & C

Check boxes to the right to affirm and include a section in the review criteria for Public Health, Safety and General Welfare narrative attachment.

☑ **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.**

☑ **Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.**

In the review criteria narrative attachment, please provide an additional section describing **how** the requested rezoning furthers the public health, safety and general welfare of the City.

Review Criteria for Non-Legislative Rezonings:

DZC Sec. 12.4.10.8

For Justifying Circumstances, check box and include a section in the review criteria narrative attachment.

For Neighborhood Context, Purpose and Intent, check box and include a section in the review criteria narrative attachment.

Justifying Circumstances - One of the following circumstances exists:

☐ The existing zoning of the land was the result of an error;
☐ The existing zoning of the land was based on a mistake of fact;
☐ The existing zoning of the land failed to take into account the constraints of development created by the natural characteristics of the land, including, but not limited to , steep slopes, floodplain, unstable soils, and inadequate drainage;
☑ 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.
☐ 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.

In the review criteria narrative attachment, please provide an additional section describing the selected justifying circumstance. If the changing conditions circumstance is selected, describe changes since the site was last zoned. Contact your pre-application case manager if you have questions.

☑ **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.**

In the review criteria narrative attachment, please provide a separate section describing **how** the rezoning aligns with a) the proposed district neighborhood context description, b) the general purpose statement, and c) the specific intent statement found in the Denver Zoning Code.

REQUIRED ATTACHMENTS

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

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

ADDITIONAL ATTACHMENTS (IF APPLICABLE)

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

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

201 W. Colfax Ave., Dept. 205
Denver, CO 80202
720-865-2974 • rezoning@denvergov.org

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

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

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	John Alan Smith Josie Q. Smith	01/12/20	(A)	YES
Emily Felton	4582 South Ulster Street, Suite 1500 Denver, Co 802337 720.636.8273 Emily.Felton@kimley-horn.com	100%	Emily Felton Emily Felton	11/10/21	C	YES NO
Preet S. Puri	7671 Shaffer Pkwy Littleton, Co 80127	100%	[signature]	1/19/21	B	YES
						YES
						YES

ZONE LOT 1:

BEING ALL OF LOTS 1-6 AND THE WESTERLY 60.00 FEET OF LOTS 43-48, BLOCK 1, EAST BERKELEY, LYING WITHIN THE SOUTHEAST 1/4 OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1, BEING THE NORTHWEST CORNER OF PARCEL 1 AND BEING THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF FEDERAL BOULEVARD, A PUBLIC RIGHT-OF-WAY WITH A WIDTH THAT VARIES AND THE SOUTHERLY RIGHT-OF-WAY OF WEST 49TH AVENUE, A 60-FOOT-WIDE PUBLIC RIGHT-OF-WAY; THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL 1, NORTH 89°56'33" EAST, A DISTANCE OF 193.08 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 1; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 1, SOUTH 00°02'27" EAST, A DISTANCE OF 149.91 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 1, BEING THE SOUTHERLY LINE OF LOT 43; THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL 1, BEING THE SOUTHERLY LINE OF LOT 6 AND LOT 43, SOUTH 89°56'33" WEST, A DISTANCE OF 193.08 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 1, BEING THE EASTERLY RIGHT-OF-WAY OF FEDERAL BOULEVARD, A PUBLIC RIGHT-OF-WAY WITH A WIDTH THAT VARIES; THENCE ALONG THE WESTERLY LINE OF SAID PARCEL 1, BEING THE EASTERLY RIGHT-OF-WAY OF SAID FEDERAL BOULEVARD, NORTH 00°02'27" WEST, A DISTANCE OF 149.91 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 1 AND THE POINT OF BEGINNING.

CONTAINS 28,945 SQUARE FEET OR 0.664 ACRES, MORE OR LESS.

ZONE LOT 2:

BEING ALL OF LOTS 7-12 AND 37-48, BLOCK 1, EAST BERKELEY, EXCEPTING THE WESTERLY 60.00 FEET OF LOTS 43-48, BLOCK 1, EAST BERKELEY AND EXCEPTING A PORTION OF LOTS 11 AND 12, BLOCK 1, EAST BERKELEY, AND EXCEPTING A PORTION OF LOTS 7-11, BLOCK 1, EAST BERKELEY AS DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED AUGUST 14, 2023 AT RECEPTION NO. 2023077642 IN THE OFFICE OF THE CLERK AND RECORDER FOR THE CITY AND COUNTY OF DENVER, STATE OF COLORADO, LYING WITHIN THE SOUTHEAST 1/4 OF SECTION 17, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE 6TH P.M., CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, SAID BLOCK 1, EAST BERKELEY, BEING THE NORTHWEST CORNER OF PARCEL 1 AND BEING THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF FEDERAL BOULEVARD, A PUBLIC RIGHT-OF-WAY WITH A WIDTH THAT VARIES AND THE SOUTHERLY RIGHT-OF-WAY OF WEST 49TH AVENUE, A 60.00-FOOT-WIDE PUBLIC RIGHT-OF-WAY; THENCE ALONG THE NORTHERLY LINE OF SAID PARCEL 1, NORTH 89°56'33" EAST, A DISTANCE OF 193.08 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 1 AND THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE EASTERLY PROLONGATION OF SAID NORTHERLY LINE, NORTH 89°56'33" EAST, A DISTANCE OF 72.99 FEET TO THE NORTHEAST CORNER OF PARCEL 2, BEING THE NORTHEAST CORNER OF LOT 48 AND BEING THE INTERSECTION OF SAID SOUTHERLY RIGHT-OF-WAY OF WEST 49TH AVENUE AND THE WESTERLY RIGHT-OF-WAY OF ELIOT STREET, A 60.00-FOOT-WIDE PUBLIC RIGHT-OF-WAY; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 2, BEING THE WESTERLY RIGHT-OF-WAY OF SAID ELIOT STREET, SOUTH 00°02'27" EAST, A DISTANCE OF 299.82 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 2, BEING THE SOUTHEAST CORNER OF LOT 37; THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL 2, BEING THE NORTHERLY RIGHT-OF-WAY OF INTERSTATE HIGHWAY 70, A PUBLIC RIGHT-OF-WAY WITH A WIDTH THAT VARIES, AS DESCRIBED IN THE INSTRUMENT RECORDED NOVEMBER 5, 1964 IN BOOK 9332, PAGE 526 IN SAID OFFICE OF THE CLERK AND RECORDER, THE FOLLOWING TWO (2) COURSES:

1) SOUTH 89°56'33" WEST, A DISTANCE OF 216.18 FEET TO THE SOUTH CORNER OF SAID PARCEL 2;
2) NORTH 45°00'00" WEST, A DISTANCE OF 55.28 FEET TO THE SOUTHEAST CORNER OF THE PARCEL DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED AUGUST 14, 2023 AT RECEPTION NO. 2023077642;

THENCE ALONG THE EASTERLY LINE OF SAID PARCEL THE FOLLOWING THREE (3) COURSES:

1) NORTH 09°42'24" WEST, A DISTANCE OF 16.69 FEET;
2) NORTH 04°22'06" WEST, A DISTANCE OF 70.63 FEET;
3) NORTH 06°28'23" WEST, A DISTANCE OF 24.05 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 1, BEING THE SOUTHWEST CORNER OF LOT 6;

THENCE ALONG THE SOUTHERLY LINE OF SAID PARCEL 1, NORTH 89°56'33" EAST, A DISTANCE OF 193.08 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 1; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 1, NORTH 00°02'27" WEST, A DISTANCE OF 149.91 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 1 AND THE POINT OF BEGINNING.

CONTAINS 49,076 SQUARE FEET OR 1.127 ACRES, MORE OR LESS.

Kimley»Horn

November 10, 2021

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

RE: ***Raising Cane's – Zone Map Amendment***
Denver, Colorado

Mr. Ibanez,

This document will serve as supporting documentation for the Zone Map Amendment Application for 4850 Federal Boulevard which is included in this application is currently zoned as Shopping Center District (B-3) and Off-Street Parking District (P-1) as retained from Former Chapter 59 Zoning. The zone lot is to undergo rezoning for Urban Edge – Community Corridor – 3 stories maximum height (E-CC-3X). The existing use for the site is commercial/retail. The proposed use for the site is an Eating and Drinking Establishment and the proposed building form is Drive Thru Services.

General Review Criteria Applicable to All Zone Map Amendments (DZC Sec. 12.4.10.7)

1. Consistency with Adopted Plans

The proposed official zone map amendment will serve to create a cohesive E-CC-3X District which will promote a low-density new Urban Edge along the Federal Boulevard commercial corridor that is consistent with the City of Denver's vision for this neighborhood as identified in Blueprint Denver. This area is the southwest corner of the Urban edge as identified in the plan, and shown in **Exhibit A, below**.

Exhibit A: Blueprint Denver Future Neighborhood Map

As noted in Blueprint Denver, this site is identified as a community corridor. While some of the Federal Corridor will be more dense in nature, the importance is realized for a transition to nearby residential

areas. The proposed height of this building is 1 story, and there is a landscape setback adjacent to the north and east sides of the site, which abut residential neighborhoods.

In addition to Blueprint Denver, the proposed rezoning also satisfies various goals within of the Denver Comprehensive Plan 2040. As part of the plan, this site was identified as a Community Center and Corridor with a goal to increase jobs by 20% by 2040. This rezoning into a community corridor is consistent with the goal identified on the plan.

Blueprint Denver: A Land Use and Transportation Plan (2019)
Denver Comprehensive Plan 2040

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

1. Neighborhood Context
   Rezoning to E-CC-3X is consistent with the Blueprint Denver Neighborhood Context Map for Urban Edge context. The Urban Edge neighborhood context describes an area of low density with connections to public transit, walkability and access to amenities with some reliance on cars. The proposed E-CC-3X assemblage is consistent with the intent of Denver Blueprint in providing an Urban Edge neighborhood context allowing convenient vehicle access along Federal Boulevard and increase pedestrian access through the construction of new detached sidewalks along Federal Boulevard.

2. Future Places
   The proposed rezone will create a cohesive Urban Edge E-CC-3X zone district that will allow for the low-density redevelopment for a buffer between the adjacent residential neighborhood to the east and Federal Boulevard, a Commercial Arterial. This cohesive E-CC-3X Urban Edge zone district is consistent with the goals and strategies of the Blueprint Denver 2040 Future Places Map for this area. The proposed rezone area falls within an overall community corridor designation. Community corridors serve to provide space for social engagement and “are often embedded in neighborhoods.” The proposed cohesive E-CC-3X zone district will embed nicely within the existing neighborhood while also maintaining walkability and bike access to the surrounding area. The proposed rezone area is accessible to a larger area of surrounding neighborhoods through its proximity to the nearby RTD facilities. There is pedestrian connection throughout the site and increased pedestrian sidewalk conditions with proposed detached sidewalks along Federal Boulevard to the west of the Site.

3. Street Type
   The proposed E-CC-3X Urban Edge zone district is located adjacent to the commercial arterial of Federal Boulevard. Rezoning to E-CC-3X would support the mix of uses specifically identified within the commercial arterial street type. The E-CC-3X development will provide vehicle-oriented transportation methods though driveway access and on-site parking areas, while maintain pedestrian access with sidewalks having access to the

nearby RTD facilities. This rezoning will allow for the goals of the commercial corridor street type to be achieved through the development of an Urban Edge neighborhood context. As identified in Blueprint Denver, Commercial Arterials typically contain commercial use and buildings are often set back with onsite parking. This rezoning is consistent with that definition of a site adjacent to a Commercial Arterial (Federal Boulevard).

b. Denver Comprehensive Plan 2040

Rezoning to E-CC-3X at 4850 Federal Boulevard is consistent with specific strategies and goals of the Denver Comprehensive Plan 2040 as listed below:

1. Vision Element: Strong and Authentic Neighborhoods Goal 1, Strategy A. Build a network of well-connected, vibrant, mixed-use corridors. The development will provide a connected community corridor with the construction of 5' detached sidewalks along the property frontage. These detached walks will provide direct access to Federal Blvd and the existing RTD facilities nearby.
2. Vision Element: Strong and Authentic Neighborhoods Goal 1, Strategy C. Ensure neighborhoods are safe, accessible and well-connected for all modes. The development will provide a connected community corridor with the construction of 5' detached sidewalks along the property frontage.
3. Vision Element: Connected, Safe and Accessible Places Goal 3, Strategy A. Create streets to foster economic activity, contribute to great urban design and accommodate green infrastructure, including street trees. 5' detached walks will be provided as part of the development. This will allow for the development and growth of street trees along the Federal Boulevard frontage, as walks are detached and an 8' tree lawn is in between the detached walk and Federal Boulevard.
4. Vision Element: Environmentally Resilient Goal 4, Strategy D. Encourage low-impact development that reduces impervious surfaces and positively impacts community health by using trees. The proposed development will decrease the impervious area of the existing site and enhance the development with the implementation of new trees and landscaping. Additionally, existing street trees along 49th Avenue north of the site and along Eliot Street east of the site are able to be preserved due to the less dense development proposed with the E-CC-3X zoning. With this rezoning, at grade water quality and an increase of landscape areas throughout the site will be added as part of the site development.
5. Vision Element: Healthy and Active Goal 1, Strategy B. Promote walking, rolling, and biking through the development of a safe and interconnected multimodal network. The proposed development will construct 5' detached walks along the Federal Boulevard frontage. The construction of these 5' walks will create a safe pedestrian connectivity network to the existing RTD facilities. Additionally, the site will be required to provide bike racks for customers and employees on site.

c. Federal Boulevard Corridor Plan

Rezoning to E-CC-3X at 4850 Federal Boulevard is consistent with the adopted Federal Boulevard Corridor Plan. The development would provide commercial use at the intersection of I-70 and Federal Boulevard that integrates with the nearby residential areas and doesn't provide too much density or visual impact in the buffer to the residential neighborhood. Existing attached sidewalks are to be replaced with 5' detached sidewalks in order to create the standard tree lawn configuration in accordance with the Federal Boulevard Corridor Plan.

2. Uniformity of District Regulations and Restrictions

The proposed zone map amendment for the Raising Cane's project will create a low-density zone district that will allow for a development program that fits the Urban Edge neighborhood context, per Blueprint Denver. The proposed E-CC-3X zone district will serve to enhance the density goal in the immediate area from the existing B-3 and P1 zoning districts. The proposed E-CC-3X is consistent with the zoning across I-70 from the site, and the re-zoned area north of I-70 that is west of the property adjacent to Federal Boulevard. The property directly west of Federal Boulevard has not been rezoned from Chapter 59 zoning and is still B-2. A zoning map has been included below as Exhibit B to illustrate the site and surrounding properties with are consistent with the proposed E-CC-3X zoning.

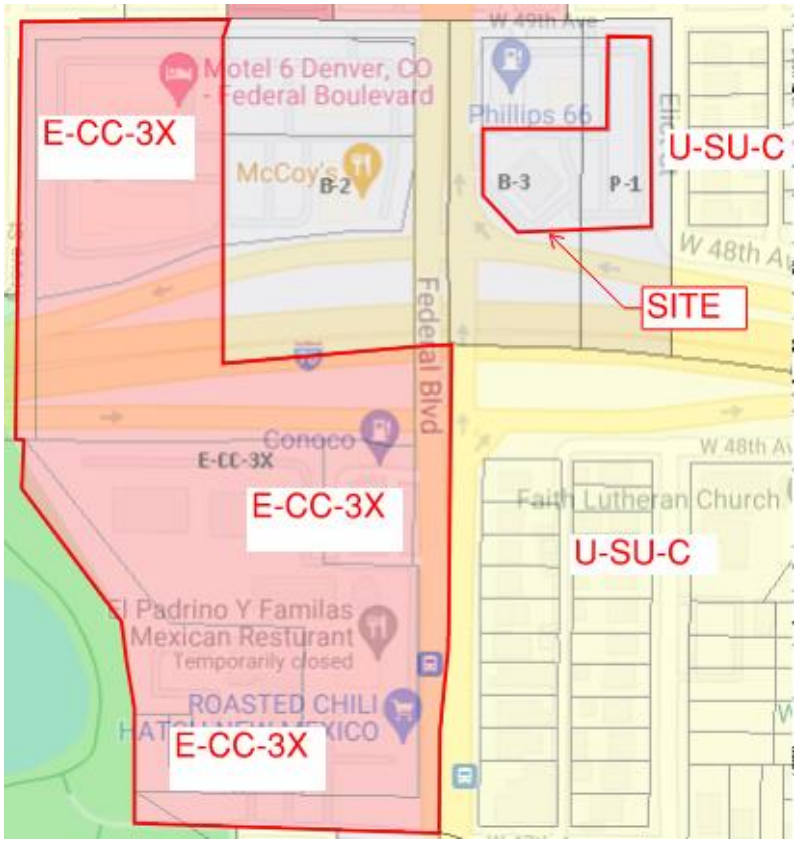

Exhibit B: Rezoning Map

3. Public Health, Safety and General Welfare

The development of a commercial building with increased landscaping, public sidewalk access, lighting, and pedestrian amenities such as patio space and bicycle racks will improve the general welfare of the public by providing safe commercial development adjacent to a state highway, I-70. The proposed rezoning allows for increased safety on the site to control traffic adjacent to Federal Boulevard, a commercial arterial street, and I-70, an industrial collector. The proposal to rezone these parcels to E-CC-3X has coordinated with significant outreach to the Registered Neighborhood organizations offering them a site plan and correspondence with the project team. Our outreach more specifically has consisted of correspondence with Neighborhood Coalitions of Denver, the Berkley Neighborhood Association, District 1 Neighborhood Coalition, Unite North Metro Denver, and the Chaffee Park Neighborhood Association. Additionally, outreach has occurred to District 1 representative Amanda Sandoval, who asked us to specifically focus on outreach to neighbors, and specifically emphasized the Chaffee Park Neighborhood Association. This outreach has been coordinated, and feedback received has been overall positive, with the request to keep the neighborhood informed with screening and buffer options from the existing residential neighborhood east of the site. The proposed rezone has also been coordinated with the City of Denver in conjunction with the Site Development Plan submitted to the Planning Department.

4. Justifying Circumstances

The Justifying Circumstances are found in Section 12.4.10.8.A. The proposed rezone to E-CC-3X qualifies under subsection A.4(c). The City adopted the Denver Zoning Cade and the property retained Former Chapter 59 Zoning. The proposed E-CC-3X rezone assemblage will be consistent with City of Denver adopted Blueprint Denver and Comprehensive Plan 2040 in providing a low-density Urban Edge development.

The parcel listed above is bordered by existing E-CC-3X properties to the North along Federal Boulevard. In addition to the uniform low-density zone district that would be provided, the proposed rezone to E-CC-3X meets the intent of Blueprint Denver and the Denver Comprehensive Plan 2040. The adopted Blueprint Denver notes this neighborhood area is of Urban Edge context which promotes lower scale buildings mixed with residential areas.

The proposed new zoning is in the general interest of the public and surrounding neighborhood, as coordinated with neighborhood outreach meetings and Councilwoman Amanda Sandoval.

5. Consistency with Neighborhood Context, Zone District Purpose and Intent

The requested E-CC-3X zoning is consistent with the adjacent neighborhood context, zone district purpose and intent as the parcel listed above is bordered by E-CC-3X properties. Blueprint Denver specifically notes this neighborhood area is of Urban Edge context with requirements for a mix of suburban and urban contents. The proposed zone map amendment will allow for this Urban Edge

context to be realized, with the inclusion of commercial development within proximity to residential areas, while maintaining access to nearby RTD facilities with the bus route along Federal Boulevard.

According to the Denver Zoning Code (DZC) Division 4.1, the Urban Edge Neighborhood Context consists of "small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas." Urban Edges are characterized by moderate to deep front setbacks with lower building heights. Moderate levels of pedestrian activity with access to multi-model transportation is expected in Urban Edges, but still maintain some reliance on vehicle transportation. The site's development will be consistent in meeting these DZC goals for a new Urban Edge. The Site's E-CC-3X development will provide a low-density property along the Federal Boulevard commercial corridor with pedestrian connectivity through the construction of detached walks along the Federal Boulevard frontage.

The specific intent of the E-CC-3X zone district is to provide a "safe, active, and pedestrian-scaled, diverse areas with the need for convenient automobile access" along Federal Boulevard. The Site's E-CC-3X development will meet the Urban Edge E-CC-3X intent of the DZC by way of a 1-story commercial drive thru restaurant development and enhanced streetscape design.

Summary of Request

As presented within this letter, the re-zoning of the specified parcels is beneficial in that it allows for the unencumbered development of a high-density mixed-use product that will both serve and improve the surrounding neighborhood community.

Please contact me at (720) 636-8273 or Emily.Felton@kimley-horn.com with any questions.

Sincerely,
KIMLEY-HORN AND ASSOCIATES, INC.

Emily Felton, PE

ACTION OF THE MEMBERS AND THE MANAGER OF TWIN STAR ENERGY, LLC (the "Company") TAKEN BY UNANIMOUS WRITTEN CONSENT IN LIEU OF A MEETING

The undersigned, being all of the members and the sole manager of the Company (respectively, the "Members" and the "Manager"), do hereby consent to and adopt the following resolutions, which actions shall have the same force and effect as if taken by unanimous affirmative vote at a meeting of the Members and of the Manager of the Company duly called and held, and direct that this written consent to such action be filed with the minutes of the proceedings of the Company:

WHEREAS, the Company has determined that it is in the best interests of the Company to enter into certain real estate transactions, including, without limitation, the sale and lease back from time to time of certain of the properties owned and operated by the Company ("Real Estate Transactions"); and

WHEREAS, Preet S. Puri, as Manager of the Company, is authorized to execute, on behalf of and for the Company, any documents related to or constituting the purchase, sale or lease of the Company's properties; and

WHEREAS, the Company has determined that it is in the interest of the Company that Satish S. Chander be authorized to execute, on behalf of and for the Company, any documents related to or constituting the purchase, sale or lease of the Company's properties.

NOW THEREFORE, BE IT RESOLVED, that the Company and its Members and Manager hereby acknowledge that Preet S. Puri and Satish S. Chander, duly elected and authorized representatives of the Company, be and are hereby authorized, empowered and directed, either singly or jointly, to take such actions on behalf of the Company as they deem necessary and appropriate relative to and in furtherance of the purchase, sale or lease of the Company's properties;

FURTHER RESOLVED, that the Company and its Members hereby authorize and direct Preet S. Puri or Satish S. Chander, in their capacity as duly authorized representatives of the Company acting as such, to negotiate, execute and deliver on behalf of the Company in their individual capacity, any and all documents and instruments, of any nature and in any form whatsoever, which, in their discretion, are required in order for the Company to close the purchase, sale or lease of the Company's properties pursuant to the terms of any such respective purchase, sale or lease agreements following the presentation and approval of such purchase, sale or lease agreements to the Members and Manager of the Company, and to cause the Company's performance under such documents and instruments necessary to close or consummate the respective purchase, sale or lease transaction;

FURTHER RESOLVED, that any and all actions heretofore taken by the Company or taken by Preet S. Puri or Satish S. Chander, in their capacity as duly authorized representatives of the Company, in furtherance of the foregoing resolutions are hereby certified, ratified and confirmed.

WITNESS the consent of the Members and Manager of TWIN STAR ENERGY, LLC, a Colorado limited liability company, effective as of December 1, 2018.

MEMBERS:

K & G PETROLEUM, LLC, a Colorado limited liability company

By: _____
Name: Preet S. Puri
Title: Manager

ASPEN PETROLEUM, LLC, a Colorado limited liability company

By: _____
Name: Preet S. Puri
Title: Manager

K & G STORE, INC., a Colorado corporation

By: _____
Name: Preet S. Puri
Title: President

MANAGER:

_____
Preet S. Puri

AGENT AUTHORIZATION FORM

STREET ADDRESS: 4850 North Federal Boulevard, Denver, CO 80221

A PORTION OF THE SE 1/4 OF SEC.17 T3S, R68W, OF THE 6TH P.M.

Please print:
Property Owner: _____

Property Owner: _____

The undersigned, registered property owners of the above noted property, do hereby authorize

James Waller, of Kimley-Horn
(Contractor / Agent) (Name of consulting firm)

to act on my behalf and take all actions necessary for the processing, issuance and acceptance of this permit or certification and any and all standard and special conditions attached.

Property Owner's Address (if different than property above):

_____

Telephone: _____

We hereby certify the above information submitted in this application is true and accurate to the best of our knowledge.

_____ _____
Authorized Signature Authorized Signature

Date: 5-11-22 Date: _____

2022i-00047

Felton, Emily

From:	Felton, Emily
Sent:	Thursday, September 2, 2021 1:53 PM
To:	berkeleyneighborhoodassoc@gmail.com; ruddenwendy@gmail.com
Cc:	Crail, Hannah
Subject:	4850 North Federal Boulevard Rezoning Application 2021PM0000166
Attachments:	4850 Federal Concept Plan.pdf

Wendy and the Berkley Neighborhood Association -

This notice is to inform you of an application for change of use for the property located at 4850 N. Federal Blvd. The site was previously a Village Inn and is now vacant structure. A proposal will be presented to rezone the property to E-CC-3x which will allow the proposed use for a quick-serve restaurant with a drive-thru. The restaurant will utilize the site with a new energy-efficient building, an enhanced landscape and appropriate screening as needed to provide privacy for any neighboring businesses and residents.

We are looking forward to working with the community to develop a proposal that is comprehensive with the neighborhood plan and serves the neighborhood well. Please reach out with any feedback you may have as you look through the attached site plan and the information.

Thanks,

Emily Felton, P.E.
Kimley-Horn | 3801 Automation Way, Suite 210, Fort Collins, CO 80525
Direct: 720.636.8273 | Mobile: 972.979.4902 | www.kimley-horn.com

Celebrating 14 years as one of FORTUNE's 100 Best Companies to Work For

Felton, Emily

From:	Felton, Emily
Sent:	Thursday, September 2, 2021 1:53 PM
To:	board@chaffeepark.org; jasonthornyak@gmail.com
Cc:	Crail, Hannah
Subject:	4850 North Federal Boulevard Rezoning Application 2021PM0000166
Attachments:	4850 Federal Concept Plan.pdf

Jason and Chaffee Park Neighborhood Association –

This notice is to inform you of an application for change of use for the property located at 4850 N. Federal Blvd. The site was previously a Village Inn and is now vacant structure. A proposal will be presented to rezone the property to E-CC-3x which will allow the proposed use for a quick-serve restaurant with a drive-thru. The restaurant will utilize the site with a new energy-efficient building, an enhanced landscape and appropriate screening as needed to provide privacy for any neighboring businesses and residents.

We are looking forward to working with the community to develop a proposal that is comprehensive with the neighborhood plan and serves the neighborhood well. Please reach out with any feedback you may have as you look through the attached site plan and the information.

Thanks,

Emily Felton, P.E.
Kimley-Horn | 3801 Automation Way, Suite 210, Fort Collins, CO 80525
Direct: 720.636.8273 | Mobile: 972.979.4902 | www.kimley-horn.com

Celebrating 14 years as one of FORTUNE's 100 Best Companies to Work For

Felton, Emily

From:	Felton, Emily
Sent:	Thursday, September 2, 2021 1:53 PM
To:	District1NCDen@gmail.com
Cc:	Crail, Hannah
Subject:	4850 North Federal Boulevard Rezoning Application 2021PM0000166
Attachments:	4850 Federal Concept Plan.pdf

Tim and District 1 Neighborhood Coalition –

This notice is to inform you of an application for change of use for the property located at 4850 N. Federal Blvd. The site was previously a Village Inn and is now vacant structure. A proposal will be presented to rezone the property to E-CC-3x which will allow the proposed use for a quick-serve restaurant with a drive-thru. The restaurant will utilize the site with a new energy-efficient building, an enhanced landscape and appropriate screening as needed to provide privacy for any neighboring businesses and residents.

We are looking forward to working with the community to develop a proposal that is comprehensive with the neighborhood plan and serves the neighborhood well. Please reach out with any feedback you may have as you look through the attached site plan and the information.

Thanks,

Emily Felton, P.E.
Kimley-Horn | 3801 Automation Way, Suite 210, Fort Collins, CO 80525
Direct: 720.636.8273 | Mobile: 972.979.4902 | www.kimley-horn.com

Celebrating 14 years as one of FORTUNE's 100 Best Companies to Work For

Felton, Emily

From:	Crail, Hannah
Sent:	Monday, September 20, 2021 10:22 AM
To:	gina.volpe@denvergov.org; amanda.sandoval@denvergov.org; naomi.grunditz@denvergov.org
Cc:	Felton, Emily; Waller, James
Subject:	4850 North Federal Boulevard: Post Meeting
Attachments:	4850 North Federal Boulevard Rezoning Application 2021PM0000166; 4850 North Federal Boulevard Rezoning Application 2021PM0000166; 4850 North Federal Boulevard Rezoning Application 2021PM0000166; 4850 North Federal Boulevard Rezoning Application 2021PM0000166; 4850 North Federal Boulevard Rezoning Application 2021PM0000166

Hello Gina,
My partner James spoke with you last week about the project located at 4850 North Federal Boulevard.
You had a question/concern about community outreach, and we actually have already started that work. We have only received one response back from Jason Hornyak with Chaffee Park Neighborhood Association.
We also reached out to Neighborhood Coalitions of Denver, the Berkley Neighborhood Association, District 1 Neighborhood Coalition, Unite North Metro Denver, and Chaffee Park Neighborhood Association. See emails attached.

Please fill free to reach out with anything else that you need 😊

Thank you,

Hannah Crail | Analyst
Kimley-Horn | 3801 Automation Way, Suite 210, Fort Collins, CO 80525
Direct: 970-986-6807 **|** www.kimley-horn.com
Connect with us: Twitter **|** LinkedIn **|** Facebook **|** Instagram

Celebrating 14 years as one of FORTUNE's 100 Best Companies to Work For

2022i-00047

August 10, 2022 Former Ch 59 No Fee

Felton, Emily

From:	Felton, Emily
Sent:	Thursday, September 2, 2021 1:53 PM
To:	neighborhoodcoalitionsofdenver@gmail.com
Cc:	Crail, Hannah
Subject:	4850 North Federal Boulevard Rezoning Application 2021PM0000166
Attachments:	4850 Federal Concept Plan.pdf

Bryan and Neighborhood Coalitions of Denver –

This notice is to inform you of an application for change of use for the property located at 4850 N. Federal Blvd. The site was previously a Village Inn and is now vacant structure. A proposal will be presented to rezone the property to E-CC-3x which will allow the proposed use for a quick-serve restaurant with a drive-thru. The restaurant will utilize the site with a new energy-efficient building, an enhanced landscape and appropriate screening as needed to provide privacy for any neighboring businesses and residents.

We are looking forward to working with the community to develop a proposal that is comprehensive with the neighborhood plan and serves the neighborhood well. Please reach out with any feedback you may have as you look through the attached site plan and the information.

Thanks,

Emily Felton, P.E.
Kimley-Horn | 3801 Automation Way, Suite 210, Fort Collins, CO 80525
Direct: 720.636.8273 | Mobile: 972.979.4902 | www.kimley-horn.com

Celebrating 14 years as one of FORTUNE's 100 Best Companies to Work For

Felton, Emily

From:	Felton, Emily
Sent:	Thursday, September 2, 2021 1:52 PM
To:	jaguirrejja@aol.com
Cc:	Crail, Hannah
Subject:	4850 North Federal Boulevard Rezoning Application 2021PM0000166
Attachments:	4850 Federal Concept Plan.pdf

Fran and Unite North Metro Denver –

This notice is to inform you of an application for change of use for the property located at 4850 N. Federal Blvd. The site was previously a Village Inn and is now vacant structure. A proposal will be presented to rezone the property to E-CC-3x which will allow the proposed use for a quick-serve restaurant with a drive-thru. The restaurant will utilize the site with a new energy-efficient building, an enhanced landscape and appropriate screening as needed to provide privacy for any neighboring businesses and residents.

We are looking forward to working with the community to develop a proposal that is comprehensive with the neighborhood plan and serves the neighborhood well. Please reach out with any feedback you may have as you look through the attached site plan and the information.

Thanks,

Emily Felton, P.E.
Kimley-Horn | 3801 Automation Way, Suite 210, Fort Collins, CO 80525
Direct: 720.636.8273 | Mobile: 972.979.4902 | www.kimley-horn.com

Celebrating 14 years as one of FORTUNE's 100 Best Companies to Work For