

REZONING GUIDE

Rezoning Application Page 1 of 3

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER CHECK IF POINT OF	F CONTACT FOR APPLICATION
Property Owner Name	10 Colorado, LLC
Address	7701 S. Wellington St.
City, State, Zip	Centennial, CO 80122
Telephone	303.641.7594
Email	Imoreacpa@gmail.com

*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 autho-rized in writing to do so. See page 3.

	ER(S) REPRESENTATIVE** OF CONTACT FOR APPLICATION
Representative Name	Mike Kortendick, AICP
Address	PO Box 9
City, State, Zip	Evergreen, CO 80437
Telephone	303.670.5100
Email	mjkort@landform.us

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

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.

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.

SUBJECT PROPERTY INFORMATION Location (address and/or boundary description): 10 S. Colorado Blvd. Assessor's Parcel Numbers: 0607309001000 Area in Acres or Square Feet: 12,500 s.f. Current Zone District(s): E-SU-D **PROPOSAL** Proposed Zone District: E-TU-C



REZONING GUIDE

Rezoning Application Page 2 of 3

REVIEW CRITERIA					
General Review Criteria: The proposal must	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.				
comply with all of the general review criteria DZC Sec. 12.4.10.7	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 clas sification 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.				
Additional Review Criteria for Non-Legislative Rezonings: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8	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 on 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. Please provide an attachment describing the justifying circumstance. 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.				
REQUIRED ATTACHI	Please provide an attachment describing how the above criterion is met.				
Please ensure the followin	g required attachments are submitted with this application:				
Legal Description (rec Proof of Ownership D Review Criteria, as ide	quired to be attached in Microsoft Word document format) ocument(s) entified above				
ADDITIONAL ATTAC	HMENTS				
	nal attachments provided with this application:				
Written Authorization Individual Authorization	to Represent Property Owner(s) on to Sign on Behalf of a Corporate Entity				
Please list any additional a					

Last updated: May 24, 2018

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REZONING GUIDE

Rezoning Application Page 3 of 3

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 In- terest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification state- ment	Date	Indicate the type of owner-ship 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?
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	John Olan Smith Jasie O. Smith	01/01/12	(A)	YES
Adrian Parashiv	7701 S Wellington Street. Centennial, CO 80122	50	and a	1/1/18	В	Yes
oretta Morea	7701 S Wellington Street Centennial, CO 80122	50	Syl	1/1/18	В	Yes

Last updated: February 22, 2017

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PAGES

201 W Collax Ave. Dept 205

720-865-2974 - rezoning - denvergov org

10 COLORADO LLC

7374 S Pennsylvania St Littleton CO 80122 Tel: 303-641-7594/720-217-7680 Fax: 720-222-2001

January 25, 2019

To Whom It May Concern,

We are writing this letter to give Mike Kortendick, AICP, with Landform Inc., full authorization to apply for a zone changing permit on behalf of our company, 10 Colorado LLC, for the land located at 10 S Colorado Blvd, Denver, CO 80246

10 Colorado LLC is the full owner of the land located at 10 S Colorado Blvd, Denver, CO 80246.

We thank you for your attention for this matter and we are looking forward to a positive outcome.

Please do not hesitate to contact us if you have any additional questions or concerns.

Sincerely yours,

Adrian Paraschiv, member

Loretta Morea, member

10 Colorado LLC

10 Colorado LLC.

7701 S Wellington Street Centennial, CO 80122 Tel: 303-641-7594 / 720-217-7680 Fax: 303-795-7044 Email: paraschiva@me.com

November 22, 2017

To Whom It May Concern,

This Letter is to Certify that Loretta Morea is a 50% Member of the Corporation: 10 S Colorado Blvd. LLC. As such Loretta has full authorization to sign on behalf of the Corporation.

10 Colorado LLC is the full owner of the land located at 10 S Colorado Blvd, Denver, CO 80246.

We thank you for your attention to this matter and we are looking forward to a positive outcome. Please do not hesitate to contact us if you have any additional questions.

Adrian Paraschiva,

Sincerety va

Managing Member 10 Colorado LLC.

WARRANTY DEED

THIS DEED, made this 13th day of November, 2017, between

ROPLANT KAREL ANTON VAN DER HELIDE AND MARY KINDELVAN DER HELIDE

of County of Desiver, State of Calavade, granter, and

to COLORADO ILC

whose legal address is 6 Ravenswood Road, Charry Hills, CO \$0113, grantee:

WITNESSETH, That the granters for end is consideration of the sum of Four Handred Vilters Thomsand and 00/100 (3415,000.00), the receipt and sufficiency of which is bursby acknowledged, have granted, bergained, solid and conveyed, and by these presents do grant, bergain, sell, convey and confirm, unto the grantes, its helm and seriges forever, all the real property together with improvements, if any, situate, lying and being in the County of Denver, and State of Colorado described as follows:

PLOT 1, BLOCK 53, BASTERN CAPITOL HILL SUBDIVISION, CITY AND COUNTY OF DERVER, STATE OF COLORADO.

as known by street and number as: 10 SOUTH COLORADO BOULEVARD, DENVER, CO 90346

TOGETHER with all and singular the heseditaments and appartenances thursto belonging, or in anywise apparentating, and the reversions and reversions, remainder and remainders, rents, issues and profess thereof, end all the astem, right, title, interest, claim and domand whatsoever of the granters, either in law or equity, of, in and to the above bergained paramises, with the help and apparentances.

TO HAVE AND TO HOLD the said previous above bergained and described, with the apparentances, custo the presentatives, the near and assigns forever. And the granters, for themselves/him/herself, their his help, and personal representatives, do coverent, grant, bergain, and agree to and with the granter, to hairs and estimate, that the cold remaining and delivery of these presents, he is well setted of the premises above conveyed, has good, sare, perfect, absolute and indefinable esten of these times, in law, in first and affected has good right, full power and lawful authority to grant, bergain, all and convey the same in measure and elements, and restrictions of whatever kind or mature soever, except. except

"Except ()) General taxes for the current year, a lieu not yet due and psyable, (ii) Resements, restrictions, reservetions and rights of way of record,
(iii) Distribution utility resonants (including cable TV),
(iv) The following specifically described rights of third parties. 2006.
(v) Inclusion of the property within any special taxing district,
(vi) The benefits and burdons of any declaration and party wall agreement, if any and (vii) none

The grantes shall and will WARRANT AND POREVER DEFEND the above-largelined premises in the quiet and possession of the grantee, its beins and ensigns, against all and every persons are persons in which an ensign of the grantee, its beins and ensigns, against all and every persons are persons in which the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITHERS WHEREOF, the greater has executed this deed on the date set forth above. Recelent Karel Onton vander Heyde

DE LIGHT CANCELLANT OF THE HELDE MARY KINDELVAN DER HELDE AS ATTORNEY IN PACT

Mary vanderfleijde MARY KHOKLVAN DER HELIDE

STATE OF COLORADO COUNTY OF Arapaha

was extensiveledged before me this 13th day of November, 2017 by ROELANT KADEL ANTON The faregoing instrument was eximowinded before me this 1322 day at recomment, and of MARY KINDELVAN DER. VAN DER HELIDE MARY KINDELVAN DER HELIDE AS ATTOUNEY IN PACT and MARY KINDELVAN DER. RELIDE

My Commission acquires

ELIZABETH K. LOPEZ NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20134022308 My Commission Expires April 8, 2021

MERIDIAN TITLE & SECROW, LLC

[SEAL]

Landform, Inc. P.O. Box 9 Evergreen, Colorado 80437-0009

February 13, 2019

City and County of Denver Community Planning and Development ATTN.: Planning Services 201 West Colfax Denver, CO 80202

RE: 10 South Colorado Boulevard Plan Conformance Rationale

Dear Planning Services Professional:

The purpose of this correspondence is to provide you and other recipients with a concise summary of the subject proposal as it relates to the following Plans:

- Denver Comprehensive Plan 2000
- Comprehensive Plan 2040 (Proposed)
- Blueprint Denver
- Blueprint Denver (Proposed)

Introduction:

The purpose of this application is to respectfully request a Rezoning/Zone Map Amendment for the vacant lot located at 10 South Colorado Blvd. The subject property is immediately adjacent to existing S. Colorado Blvd. being approximately ten feet from the easterly right-of-way line.

Denver Comprehensive Plan 2000

Denver's Comprehensive Plan 2000 identifies a set of broad range principles to support a vision of a city that is livable for all of its people. The following Plan strategies align with the subject Rezoning proposal:

- Stewardship of Resources Objective 2 / Strategy 2-F: Promoting infill development within Denver at sites where services and infrastructure are already in place (p. 39).
- Environment and the Community Objective 4 / Strategy 4-A: Promote the
 development of sustainable (in-fill) communities and centers of activity where
 shopping, jobs, recreation and schools are accessible by multiple forms of
 transportation, providing opportunities for people to live where they work (p.41).

- Environment and the Community Objective 4 / Strategy 4-D: Promote convenient public transit for the community, including buses, light rail and other alternatives to single-occupancy vehicles (p. 41).
- Citywide Land Use and Transportation Plan Objective 1 / Strategy 1-H: Encourage development of housing that meets the increasingly diverse needs of Denver's present and future residents in the Citywide Land Use and Transportation Plan (p. 58).
- Residential Neighborhoods and Business Centers Strategy Objective 3 / Strategy 3-B: Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses (p. 60).
- Denver's Legacies Objective 3 / Strategy 3-A: Identify areas in which increased density and new users are desirable and can be accommodated (p. 99)

The proposed Zone Map Amendment to enable the subsequent construction of two residential duplex units aligns with all the above listed Denver Comprehensive Plan 2000 criteria and will ensure the projects compatibility with the exiting built environment.

Denver Comprehensive Plan 2040 (Public Review Draft #2, January 7, 2019)

The Goals of the *Equitable, Affordable and Inclusive* recommendations in the Denver Comprehensive Plan 2040 (Public Review Draft dated January 7, 2019) state:

- 1) To insure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities;
- 2) Build housing as a continuum to serve residents across a range of incomes, areas and needs:
- 3) Develop housing that is affordable to residents of all income levels.

This Rezoning proposal to enable the construction of two side-by-side duplex units aligns with the Plans Strategies by providing housing units close to transit and other mixed use developments (Goal 1, Strategy A.); Create a greater mix of housing options for all individuals and families (Goal 2., Strategy A.); increase the provision development of family-friendly housing, including units with multiple bedrooms in multifamily developments (Goal 2, Strategy D.).

[Source: Goals 1, 2 & 3 Page 28]

Blueprint Denver (2002)

The vision for Blueprint Denver was laid out in the Denver Comprehensive Plan 2000, (Plan 2000) and it furthers the principals of Metro Vision 2020, the Plan for the Denver region that the City has adopted. Plan 2000 created its vision for the community through a series of general goals, visions of success and specific objectives and strategies.

Residential Areas and Neighborhoods—Blueprint Denver (p. 41) states that a neighborhood is an area that consists primarily of residential land uses. A city should

contain neighborhoods that offer a variety of housing types, as well as compliment landuse types such as stores, parks and schools that provides the basic needs of nearby residents. The document further defines four basic types of residential areas:

- Mixed-use
- Urban residential
- Single-Family / duplex residential
- Single-family residential

Typical densities associated with Single Family / duplex residential ae between 10 and 20 housing units per acre area-wide, and single family detached structures often predominate (p. 42).

Areas of Stability—Blueprint Denver identifies "Committed Areas" being stable neighborhoods that may benefit from the stabilizing effects of minor infill development rather than large scale, major development (p. 122).

The subject property falls within the Committed Areas sub-category of the Areas of Stability. The goal for Areas of Stability are to maintain the character of an area while accommodating some new development and redevelopment at appropriate locations (p. 129).

Street Classification—S. Colorado Boulevard and W. Colfax Avenue (the latter being situated 5 blocks north of the subject property) are both classified as arterial streets. "Arterials are designed to provide a high degree of mobility and generally serve longer vehicle trips to, from, and within urban areas. Denver's arterial system interconnects major urban elements such as the central business district, employment centers, large urban and suburban commercial centers and residential neighborhoods (p. 51)."

The RTD Route 40 bus on this section of S. Colorado Blvd. runs (north & south) at approximate 15 minute intervals during peak periods and approximate 30 minute intervals during non-peak timeframes. W. Colfax Avenue is situated 5 blocks to the north, where east & west bound buses also run with similar frequency. As such, the subject proposal is situated in an area where the dwellings future inhabitants will have transportation alternatives.

This Rezoning application for two side-by-side duplexes aligns with the general goals, visions, specific objectives and strategies of Blueprint Denver.

Blueprint Denver (Public Review Draft, January 7, 2019

According to the Land Use and Built Form Housing Recommendations in the Blueprint Denver Public Review Draft dated, January 7, 2019 "Diversify housing options by exploring opportunities to integrate missing middle housing into low and low medium residential areas. The "Missing Middle refers to housing types that fall between high-density and single-family houses, such as *duplexes*, fourplexes, row homes and townhomes. Missing middle is not just the type of housing-- it captures units that are

attainable to middle-income households who still struggle to afford housing in Denver (Policy 2, p.82). This Rezoning/Zone Map Amendment will provide missing middle housing in an infill location, following Blueprint Denver's recommendation.

Blueprint Denver's Policy (#2) stipulates that residential neighborhoods should retain their unique character as infill development occurs (p.99). The scale/massing and size of the proposed duplex units will ensure that they remain compatible with the existing single-family residences situated near the subject.

Predicated on the foregoing, the subject proposal will provide an underserved housing type that will help transition between the adjacent arterial roadway and the single-family residential units situated to the east.

Closing:

In consideration of all the facts presented herein and speaking for the Owners and Technical & Design Team, we collectively believe that this requested Zone Map Amendment proposal conforms to the goals and objectives memorialized within the previously cited Community Plans and Blueprint Denver, including the updated draft versions.

Additionally, the proposal is compatible with the existing built environment and should harmoniously integrate with those existing land uses in the adjacent and surrounding area and will be a welcome addition to this existing neighborhood.

Again, also speaking for the group, we thank you for your consideration and evaluation of this proposal and look forward to advancing to the next step in your Rezoning process.

Should I have forgotten anything, or if you would like to discuss any aspect of this proposal in further detail, simply contact me using any of the information that is contained on this letterhead.

Thank you.

Sincerely

Michael | Kortondiak A LO F

Landform, Inc. P.O. Box 9 Evergreen, Colorado 80437-0009

February 19, 2019

City and County of Denver Community Planning and Development ATTN.: Planning Services 201 West Colfax Denver, CO 80202

RE: 10 South Colorado Boulevard

Supplemental Statement of Uniformity of District Regulations, Statement of Furthering the Public Health, Safety and Welfare, Justifying Circumstances and Statement of Consistency within Neighborhood Context, Zone District Purpose and Intent

Dear Planning Services Professional:

The purpose of this correspondence is to provide you and other recipients with a concise summary of the subject proposal as it relates to the following zoning criteria:

- Statement of Uniformity of District Regulations
- Statement of Furthering the Public Health, Safety and Welfare
- Justifying Circumstances
- Statement of Consistency within Neighborhood Context, Zone District Purpose and Intent

Introduction

The purpose of this application is to respectfully request a Rezoning/Zone Map Amendment for the vacant lot located at 10 South Colorado Blvd. to allow two side-by-side residential duplex units, each also having an accessory 2-car garage. The subject property is immediately adjacent and east of existing S. Colorado Blvd. being approximately ten feet from the easterly right-of-way line and south of existing Ellsworth Avenue.

Statement of Uniformity with District Regulations

It is being requested that the subject property be Rezoned from E-SU-D to E-TU-C to allow for a maximum of (2) duplex units. The proposed land use is similar in character to the existing single-family residential uses that exist to the east and northern compass points, the latter being situated across the existing Ellsworth Avenue right-of-way.

Additionally, the subject Rezoning will serve as a graduated density buffer and transition between the existing right-of-way associated with the S. Colorado Blvd. arterial roadway situated to the west and the existing parking lot located to the south of the subject.

The sought Rezoning enhances the existing described residential as-built environment and other surrounding land uses since the design is similar in character, thusly being sensitive to the existing neighborhood and quality of life, while providing much needed diversity in the housing product type.

Statement of Furthering the Public Health, Safety and Welfare

While high prices and low housing inventory have dominated the news about Denver's housing market for the past several years, many new immigrants, being drawn to the region by record unemployment and the quality of life, are unable to find an alternative to rental housing. As new (and typically younger) residents enter the workforce, few entry-level housing options exist.

While Rezoning the subject property to accommodate 2 side-by-side duplex units will have a negligible impact with addressing Denver's housing issue, the proposal does represent an incremental step in the right direction. Or put another way, this subject Rezoning to allow duplexes on this infill lot will help provide a spectrum of housing options that can support a vibrant and diverse community.

The proposed Zone Map Amendment advances the City's Public Health, Safety and general Welfare primarily through meeting the recommendations, goals and objectives of the adopted and draft Comprehensive Plans, including Blueprint Denver.

Justifying Circumstances

The Denver Zoning Code stipulates that: "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 the City generally; and b) A City adopted Plan" [SOURCE: Section 12.4.10.8].

This currently vacant infill site, situated next to an existing arterial roadway, serves to both buffer the existing single-family detached housing product situated to the east and north, the latter located across Ellsworth Avenue. Again, while the proposal will serve as a transitional land use to the existing built environment, it serves the public interest by providing a housing product other than the typically higher priced single-family detached home which is currently out of the reach for many single buyers or households.

I don't believe that many native or long-term Denverites would argue the fact that things have certainly changed in Denver and when combined with the City's Comprehensive Plans and Blueprint Denver (both adopted and current Draft versions) the subject proposal aligns with the cited regulation (as above). [Please also refer to the

companion *Plan Conformance Rationale*, dated February 13, 2019, as previously submitted.]

<u>Statement of Consistency within Neighborhood Context, Zone District Purpose and Intent</u>

According to the Denver Zoning Code both the existing E-SU-D and proposed E-TU-C zoning designations *General Purpose* is to:

- A. Promote and protect residential neighborhoods within the character of the *Urban Edge Neighborhood Context*—also allowing for some multi-unit districts, but not to such an extent to detract from the overall image and character of the residential neighborhood. [SOURCE: DZC 4.2.2.1.A., Page 4.2-1]
- B. Ensure that building form standards, design standards, and uses work together to promote desirable residential areas. [SOURCE: DZC 4.2.2.1.B., Page 4.2-1]
- C. That the standards recognize common residential characteristics within the Urban Edge Neighborhood Context but accommodate variation by providing eight Residential Zone Districts. [SOURCE: DZC 4.2.2.1.C, Page 4.2-2]
- D. The regulations provide certainty to property owners, developers, and neighborhoods about the limits of what is allowed in a residentially-zoned area. The regulations also intending to reinforce desired development patterns in existing neighborhoods while accommodating reinvestment. [SOURCE: DZC 4.2.2.1.D, Page 4.2-2]

The subject proposal for 2-duplex units does provide higher density residential development (than single-family detached units) while preserving the overall image and character of the residential neighborhood by replicating commonality of design; ensures that building form standards, design standards and uses work together to promote desirable residential areas through the similarity of design; that the standards recognize common residential characteristics but accommodate variation by providing eight Residential Zone Districts; the regulations providing certainty to property owners, developers, and neighborhoods about the limits of what is allowed in a residentially-zoned area. The regulations also intending to reinforce desired development patterns in existing neighborhoods while accommodating reinvestment.

Again, while the proposed duplex units vary from the design of traditional single-family detached units, the overall image, character and appearance deviate only slightly. Further, the sought Rezoning regulations provide sanctuary to property owners, developers, and the neighborhoods about the limits of what may be constructed and the proposal serves to reinforce desired development patterns in an existing neighborhood, while accommodating reinvestment.

While the forgoing information and facts support the sought Rezoning and Zone Map Amendment, the previously submitted *Plan Conformance Rationale* (dated February 13, 2109 also as prepared by this author) dovetails with this analysis to underscore the compatibility and transitional benefit of the proposed duplexes at this specific location, while providing more diverse housing options.

Again, also speaking for the group, we thank you for your consideration and evaluation of this proposal and look forward to advancing to the next step in your Rezoning process.

Should I have forgotten anything, or if you would like to discuss any aspect of this proposal in further detail, simply contact me using any of the information that is contained on this letterhead.

Thank you.

Sincerely,

Michael J. Kortendick, A.I.C.P.

Legal Description for 10 South Colorado Blvd.

Plot 1, Block 53, Eastern Capitol Hill Subdivision, City and County of Denver, State of Colorado