

## Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
<p><b>*If More Than One Property Owner:</b>            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><b>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</b></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):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			



# REZONING GUIDE

## 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 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 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 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><b>Justifying Circumstances - One of the following circumstances exists:</b></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 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 style="margin-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or</p> <p style="margin-left: 20px;">b. A City adopted plan; or</p> <p style="margin-left: 20px;">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:

- Legal Description (required to be attached in Microsoft Word document format)
- Proof of Ownership Document(s)
- Review Criteria, as identified above

## ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- Written Authorization to Represent Property Owner(s)
- Individual Authorization to Sign on Behalf of a Corporate Entity

Please list any additional attachments:

### 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)
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	YES
LODO Self Storage, LLC (Minor M. Scott III)	3275 Denargo Street Denver, CO 80216	100%	<i>[Signature]</i>	8/24/19	A	Yes
AFTCO 3315, LLC (Minor M. Scott III)	3315 Denargo Street Denver, CO 80216	100%	<i>[Signature]</i>	8/29/19	A	Yes

A PARCEL OF LAND BEING THOSE PORTIONS OF BLOCK 5 AND BLOCK 9, GARDEN ADDITION TO DENVER AND THE VACATED PORTIONS OF WEST 33RD AVENUE, AND WEST MONCRIEFF PLACE, AND OF UNPLATTED PROPERTY IN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF SECTION 27, AND CONSIDERING THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID NORTHWEST QUARTER OF SECTION 27 TO BEAR SOUTH 89°42'49" WEST, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 60°41'39" WEST, A DISTANCE OF 1131.64 FEET TO THE NORTHEAST CORNER OF THE PARCEL OF LAND DESCRIBED IN THE WARRANTY DEED RECORDED SEPTEMBER 28, 1967 IN BOOK 9790 AT PAGE 663, IN THE OFFICE OF THE DENVER COUNTY CLERK AND RECORDER, SAID CORNER BEING ON THE WEST LINE OF DENARGO STREET, AND THE POINT OF BEGINNING;

THENCE SOUTH 00°18'29" EAST, A DISTANCE OF 420.00 FEET, ALONG SAID WEST LINE OF DENARGO STREET TO THE EASTERLY EXTENSION OF THE NORTHERLY LINE OF BLOCK 10, OF SAID GARDEN ADDITION;

THENCE SOUTH 89°42'29" WEST, A DISTANCE OF 336.79 FEET ALONG SAID NORTHERLY LINE TO THE NORTHWEST CORNER OF LOT 7, BLOCK 10, OF SAID GARDEN ADDITION, SAID CORNER BEING ON THE EASTERLY LINE OF THE BURLINGTON NORTHERN RAILROAD PROPERTY;

THENCE ALONG SAID EASTERLY LINE THE FOLLOWING FIVE (5) COURSES:

- 1) NORTH 00°17'31" WEST, A DISTANCE OF 20.00 FEET;
- 2) SOUTH 89°42'29" WEST, A DISTANCE OF 25.00 FEET;
- 3) NORTH 00°17'31" WEST, A DISTANCE OF 20.00 FEET TO THE SOUTHWEST CORNER OF LOT 33, OF SAID BLOCK 9, GARDEN ADDITION TO DENVER;
- 4) NORTH 22°05'36" WEST, A DISTANCE OF 134.60 FEET TO THE SOUTHWEST CORNER OF LOT 4, OF SAID BLOCK 9, GARDEN ADDITION TO DENVER;
- 5) NORTH 00°17'31" WEST, A DISTANCE OF 255.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL DESCRIBED IN BOOK 9790 AT PAGE 663;

THENCE NORTH 89°42'29" EAST, A DISTANCE OF 411.66 FEET ALONG THE NORTH LINE OF LAST SAID PARCEL TO THE POINT OF BEGINNING,

CONTAINING A CALCULATED AREA OF 167,289 SQUARE FEET OR 3.8404 ACRES, MORE OR LESS.

I, BRIAN J. PFOHL, A SURVEYOR LICENSED IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CHECKING.

BRIAN J. PFOHL, P.L.S. 38445  
FOR AND ON BEHALF OF MANHARD CONSULTING



# Real Property Records

Date last updated: Thursday, August 1, 2019

## Real Property Records Search

If you have a question about the value, ownership, or characteristics of this property, or any other property in Denver, please call the Assessor at 720-913-4162.

- [Link to real property information for this property](#)
- [Link to comparable sales information for this property](#)
- [Link to chain of title information for this property](#)
- [Link to property sales information for this neighborhood](#)

- [Link to property tax information for this property](#)
- [Link to property sales information for all Denver neighborhoods](#)
- [Link to map/historic district listing for this Property](#)

[Back to Property List](#)

**The property description shown is data from the Assessor's active, in-progress 2017 file. The "current year" values are from the 2017 tax year for real property tax due in 2018. These values are based on the property's physical status as of January 1, 2017.**

### PROPERTY INFORMATION

Property Type: INDUSTRIAL - WAREHOUSE

Parcel: 0227403009000

#### Name and Address Information

#### Legal Description

LODO SELF STORAGE LLC  
 PO BOX 2890  
 EVERGREEN, CO 80437-2890

GARDEN ADD B9 & VAC 33RD AV  
 ADJ & VAC MONCRIEFF PL ADJ BEG  
 SW COR L4 B9 TH N 155FT E 410  
 FT S 320FT W 335FT N 20FT W 25  
 FT N 20FT A/L 21DEG 48MIN  
 05SEC 134.6FT TO POB

Property Address: 3275 DENARGO ST

Tax District 474B

#### Assessment Information

	Actual	Assessed	Exempt	Taxable
<b>Current Year</b>				
Land	12545300	3638140		
Improvements	1000	290		
<b>Total</b>	<b>12546300</b>	<b>3638430</b>	<b>0</b>	<b>3638430</b>
<b>Prior Year</b>				
Land	6272600	1819050		
Improvements	1000	290		
<b>Total</b>	<b>6273600</b>	<b>1819340</b>	<b>0</b>	<b>1819340</b>

Style: Other  
 Year Built: 1969  
 Building Sqr. Foot: 61,242  
 Bedrooms:  
 Baths Full/Half: 0/0  
 Basement/Finished: 0/0

Reception No.: 0000115952  
 Recording Date: 06/30/99  
 Document Type: Quit Claim  
 Sale Price: 10  
 Mill Levy: 81.365

Lot Size: 125,453

[Click here for current zoning](#)

Zoning Used for Valuation: I-B  
*Note: Valuation zoning maybe different from City's new*



[Print](#)

LODO SELF STORAGE, LLC  
P.O. Box 2890  
Evergreen, Colorado 80437

August [●], 2019

8/2/19

Via Electronic Mail

201 W. Colfax Ave., Dept. 205  
Denver, Colorado 80202  
Email: rezoning@denvergov.org

Re: Zone Map Amendment (Rezoning) Application (the "Rezoning Application") with respect to the property commonly known as 3275 Denargo Street, Denver, Colorado 80216, and further identified by Assessor's Parcel Number 02274-03-009-000 (the "Property")

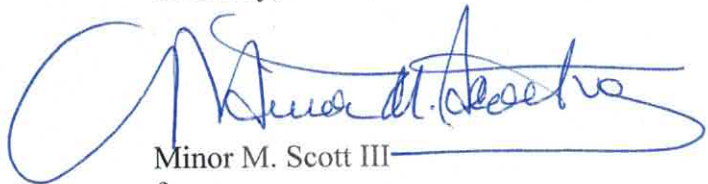
Ladies and Gentlemen,

Lodo Self Storage, LLC, a Colorado limited liability company, hereby authorizes the following representative to act on its behalf in connection with all matters relating to the Rezoning Application:

Eric McDaniel  
4582 South Ulster Street, Suite 1500  
Denver, Colorado 80237  
Telephone: (720) 943-5657  
Email: eric.mcdaniel@kimley-horn.com

Thank you for your assistance.

Sincerely,



Minor M. Scott III  
for  
Lodo Self Storage, LLC

**WRITTEN CONSENT OF THE MANAGER  
OF  
LODO SELF STORAGE, LLC**

August [●], 2019

8/2/19

The undersigned, being the manager (the "Manager") of LODO SELF STORAGE, LLC, a Colorado limited liability company (the "Company"), does hereby ratify, consent to, and approve the adoption of the following resolutions in lieu of a meeting and each and every action effected thereby or pursuant thereto.

WHEREAS, the Company is the owner of that certain parcel of property located at 3275 Denargo Street, Denver, Colorado 80216, and further identified by Assessor's Parcel Number 02274-03-009-000 (the "Property");

WHEREAS, the Company desires to submit a Rezoning Application in order to obtain a Zone Map Amendment from the City and County of Denver (the "Rezoning Application") to rezone the Property from zone district I-B to zone district C-MX-12 (the "Rezoning"); and

WHEREAS, the Manager has determined that it is in the best interest of the Company to authorize the preparation and submission of the Rezoning Application and consummate the Rezoning.

NOW, THEREFORE, BE IT RESOLVED, that the Rezoning Application, and the other documents related thereto, to be executed and delivered by the Company, in substantially the forms previously submitted to and reviewed by the Manager, are hereby authorized and approved, and Minor M. Scott III (the "Authorized Person") is hereby authorized to execute and deliver the Rezoning Application, in the name and on behalf of the Company, with such changes thereto as he shall approve, the execution thereof with any changes thereto by the Authorized Person to be conclusive evidence of such approval;

RESOLVED FURTHER, that the Authorized Person is authorized and directed to do and perform, or cause to be done and performed, all such other acts, deeds and things, and to negotiate, make, execute, deliver and perform, or cause to be negotiated, made, executed, delivered and performed, the Rezoning Application and all such other agreements, undertakings, documents, instruments, certificates or filings, in each case in the name and on behalf of the Company as the Authorized Person may deem necessary or appropriate to effectuate and carry out fully the Rezoning;

RESOLVED FURTHER, that all actions heretofore taken by the Authorized Person in respect of the Rezoning Application and the Rezoning, are hereby confirmed, ratified and adopted as the valid and subsisting actions of the Company; and

RESOLVED FURTHER, that, subsequent to the execution of the Rezoning Application and the documents and transactions contemplated therein, the Authorized Person is hereby authorized and directed to cause the Company to perform each such agreement, certificate or other document or instrument in accordance with its terms.



(Signature page follows)

IN WITNESS WHEREOF, the undersigned, being the manager of the Company, hereby consents to and evidences its approval of the actions set forth above as of the date first written above.

**MANAGER**

AFTCO, Inc.,  
a Colorado corporation

By: 

Name: Minor M. Scott III

Title: President

# Real Property Records

Date last updated: Thursday, August 1, 2019

## Real Property Records Search

If you have a question about the value, ownership, or characteristics of this property, or any other property in Denver, please call the Assessor at 720-913-4162.

- [Link to real property information for this property](#)
- [Link to comparable sales information for this property](#)
- [Link to chain of title information for this property](#)
- [Link to property sales information for this neighborhood](#)

- [Link to property tax information for this property](#)
- [Link to property sales information for all Denver neighborhoods](#)
- [Link to map/historic district listing for this Property](#)

[Back to Property List](#)

**The property description shown is data from the Assessor's active, in-progress 2017 file. The "current year" values are from the 2017 tax year for real property tax due in 2018. These values are based on the property's physical status as of January 1, 2017.**

### PROPERTY INFORMATION

Property Type: INDUSTRIAL - FOOD PROCESSING

Parcel: 0227404001000

#### Name and Address Information

#### Legal Description

AFTCO 3315 LLC  
 PO BOX 2890  
 EVERGREEN, CO 80437-2890

S 80FT OF L 20 TO 35 INC & N  
 1/2 VAC W 33 AVE ADJ BLK 5  
 GARDEN AVE

Property Address: 3315 DENARGO ST

Tax District 474B

#### Assessment Information

	Actual	Assessed	Exempt	Taxable
<b>Current Year</b>				
Land	4114400	1193180		
Improvements	1000	290		
<b>Total</b>	<b>4115400</b>	<b>1193470</b>	<b>0</b>	<b>1193470</b>
<b>Prior Year</b>				
Land	3703000	1073870		
Improvements	1000	290		
<b>Total</b>	<b>3704000</b>	<b>1074160</b>	<b>0</b>	<b>1074160</b>

Style: Other  
 Year Built: 1981  
 Building Sqr. Foot: 32,713  
 Bedrooms:  
 Baths Full/Half: 0/0  
 Basement/Finished: 0/0

Reception No.: 2018014783  
 Recording Date: 02/07/18  
 Document Type: Warranty  
 Sale Price: 3854000  
 Mill Levy: 81.365

Lot Size: 41,145

[Click here for current zoning](#)

Zoning Used for Valuation: I-B

*Note: Valuation zoning maybe different from City's new zoning code.*

**WRITTEN CONSENT OF THE MANAGER  
OF  
AFTCO 3315 LLC**

August [●], 2019 8/2/19

The undersigned, being the manager (the "Manager") of AFTCO 3315 LLC, a Colorado limited liability company (the "Company"), does hereby ratify, consent to, and approve the adoption of the following resolutions in lieu of a meeting and each and every action effected thereby or pursuant thereto.

WHEREAS, the Company is the owner of that certain parcel of property located at 3315 Denargo Street, Denver, Colorado 80216, and further identified by Assessor's Parcel Number 02274-04-001-000 (the "Property");

WHEREAS, the Company desires to submit a Rezoning Application in order to obtain a Zone Map Amendment from the City and County of Denver (the "Rezoning Application") to rezone the Property from zone district I-B to zone district C-MX-12 (the "Rezoning"); and

WHEREAS, the Manager has determined that it is in the best interest of the Company to authorize the preparation and submission of the Rezoning Application and consummate the Rezoning.

NOW, THEREFORE, BE IT RESOLVED, that the Rezoning Application, and the other documents related thereto, to be executed and delivered by the Company, in substantially the forms previously submitted to and reviewed by the Manager, are hereby authorized and approved, and Minor M. Scott III (the "Authorized Person") is hereby authorized to execute and deliver the Rezoning Application, in the name and on behalf of the Company, with such changes thereto as he shall approve, the execution thereof with any changes thereto by the Authorized Person to be conclusive evidence of such approval;

RESOLVED FURTHER, that the Authorized Person is authorized and directed to do and perform, or cause to be done and performed, all such other acts, deeds and things, and to negotiate, make, execute, deliver and perform, or cause to be negotiated, made, executed, delivered and performed, the Rezoning Application and all such other agreements, undertakings, documents, instruments, certificates or filings, in each case in the name and on behalf of the Company as the Authorized Person may deem necessary or appropriate to effectuate and carry out fully the Rezoning;

RESOLVED FURTHER, that all actions heretofore taken by the Authorized Person in respect of the Rezoning Application and the Rezoning, are hereby confirmed, ratified and adopted as the valid and subsisting actions of the Company; and

RESOLVED FURTHER, that, subsequent to the execution of the Rezoning Application and the documents and transactions contemplated therein, the Authorized Person is hereby authorized and directed to cause the Company to perform each such agreement, certificate or other document or instrument in accordance with its terms.

(Signature page follows)

IN WITNESS WHEREOF, the undersigned, being the manager of the Company, hereby consents to and evidences its approval of the actions set forth above as of the date first written above.

**MANAGER**

AFTCO, Inc.,  
a Colorado corporation

By: 

Name: Minor M. Scott III

Title: President

AFTCO 3315 LLC  
P.O. Box 2890  
Evergreen, Colorado 80437

8/2/19  
August [●], 2019

Via Electronic Mail

201 W. Colfax Ave., Dept. 205  
Denver, Colorado 80202  
Email: rezoning@denvergov.org

Re: Zone Map Amendment (Rezoning) Application (the "Rezoning Application") with respect to the property commonly known as 3315 Denargo Street, Denver, Colorado 80216, and further identified by Assessor's Parcel Number 02274-04-001-000 (the "Property")

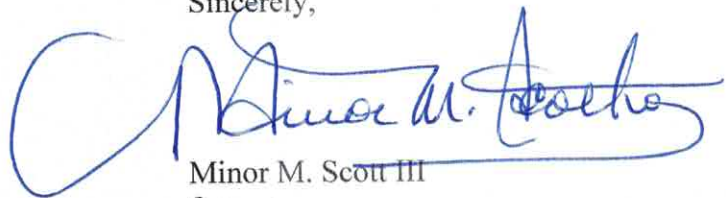
Ladies and Gentlemen,

AFTCO 3315 LLC, a Colorado limited liability company, hereby authorizes the following representative to act on its behalf in connection with all matters relating to the Rezoning Application:

Eric McDaniel  
4582 South Ulster Street, Suite 1500  
Denver, Colorado 80237  
Telephone: (720) 943-5657  
Email: eric.mcdaniel@kimley-horn.com

Thank you for your assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Minor M. Scott III". The signature is stylized with a large initial 'M' and a long horizontal stroke at the end.

Minor M. Scott III  
for  
AFTCO 3315 LLC



December 2, 2019

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

RE: **Denargo Market Phase V**  
**3275 and 3315 Denargo Street**  
**Zone Map Amendment**  
**2019I-00121**

Ladies and Gentlemen,

This document will serve as supporting documentation for the Zone Map Amendment Application for 3275 Denargo Street (2.89 acres) and 3315 Denargo Street (0.95 acres) which are currently zoned as I-B, UO-2. Both zone lots are to undergo rezoning for Urban Center – Residential Mixed Use – 12 stories maximum height (C-MX-12), River North Design Overlay District (DO-7).

*Review Criteria complying with DZC Sec. 12.4.10.7:*

#### **1. Consistency with Adopted Plans**

There are currently 3 plans adopted by the City which pertain to the parcels: Blueprint Denver 2019, Comprehensive Plan 2040, and River North Plan 2003. The rezoning of these parcels complies with the goals of the adopted plans.

##### Blueprint Denver 2019

Rezoning the I-B, UO-2 parcels to C-MX-12 is consistent with the rezoning components of the Blueprint Denver 2019 as listed below:

- Neighborhood Context  
Rezoning to C-MX-12 will be compatible with the existing zone lots located to the north, east, southeast parcels that provide a high residential, mixed-use neighborhood. The proposed new zoning is consistent with the Blueprint Denver Neighborhood Context Map for an Urban Center context. The Urban Center neighborhood context describes an area of higher residential density with street activation, walkability and access to amenities.
- Future Places  
This C-MX-12 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 the high residential areas in D and UC context designations. The Blueprint Denver identifies buildings in these contexts as the tallest of residential places with high lot coverage and shallow setbacks.



- Street Type  
Both proposed C-MX-12 Urban Center zone districts are located along a Mixed-Use Collector with proximity and direct access to a Mixed-Use Arterial. Rezoning of the I-B, UO-2 properties will allow for a prominent multi-story mixed-use building. This will allow for the goals of both the Mixed-Use Collector to be achieved through redevelopment. The full redevelopment will provide pedestrian-oriented transportation methods though detached walks.
  
- Growth Strategy – High and High-Medium Residential Areas in D and C Contexts (p. 50)  
The River North area is identified as an area of growth. As noted on page 50 of Denver Blueprint, these D and C Context areas are expected to take on 5% of employment and 15% of housing in Denver by 2040. The rezone and full development of Denargo Market Phase V will provide additional bedrooms and multifamily units for the future housing needs of River North.

Denver Comprehensive Plan 2040

Rezoning the I-B, UO-2 parcels to C-MX-12 is consistent with the vision elements of the Denver Comprehensive Plan 2040 as listed below:

- Equitable, Affordable and Inclusive, Goal 3, Strategy B – Use land use regulations to enable and encourage the private development of affordable, missing middle and mixed-income housing, especially where close to transit (p. 28).
  - o With this high-density residential development, affordable apartments units will either be provided as part of the project or pay the linkage fee to contribute to affordable housing funding.
- Strong and Authentic Neighborhoods, Goal 2, Strategy D – Use urban design to contribute to economic viability, public health, safety, environmental well-being, neighborhood culture, and quality of life (p. 34).
  - o The rezoning of these parcels will bring these parcels and development goals in line with the adopted plans for the area. The full development of Denargo Market Phase V will help to build a strong and authentic neighborhood and improve the economic viability and neighborhood culture through new housing opportunities.
- Connected, Safe and Accessible Places, Goal 6, Strategy A – Create a citywide network for bicycling, walking and rolling that is safe and accessible to people of all ages and abilities (p. 41).
  - o As part of the Denargo Market Phase V development, the existing street frontage will be removed and updated to provide an enhanced pedestrian corridor along Denargo Street. Existing City streetlights will also be replaced per the current City standard.
- Economically Diverse and Vibrant, Goal 7, Strategy A – Encourage the development of creative districts (p. 47).
  - o The Denargo Market Phase V development will incorporate a mixture of uses that will enhance the River North neighborhood context which will continue to make

the River North neighborhood a desirable community to both live and work. The development will continue the enhancement of this creative arts district.

- Environmentally Resilient, Goal 8, Strategy B – Encourage mixed-use communities where residents can live, work and play in their own neighborhoods (p. 54).
  - o The future redevelopment of the parcels would meet the City’s commitment to environmental standards and provide new housing opportunities for many to both live and work in the creative River North neighborhood.
- Healthy and Active, Goal 2, Strategy A – Ensure equitable access to parks and recreation amenities for all residents (p. 58).
  - o While the specific site plan has not been determined, the Denargo Market Phase V redevelopment will provide a fitness center as an amenity for future residents. Additionally, the close proximity to the downtown core, parks and recreation facilities, and the South Platte River will provide future residents with opportunities to enjoy the community.

River North Plan 2003

Rezoning the I-B, UO-2 parcels to C-MX-12 is consistent with specific goals listed in the General Framework of the River North Plan 2003 along with helping to resolve issues identified.

- Much of the land in the study area is currently underutilized.
  - o The proposed rezoning would allow the site to be redeveloped into an area that is consistent with adopted plans for the neighborhood.
- The current zoning does not allow some appropriate uses, allows other inappropriate uses, and does not provide appropriate development and design standards for new development.
  - o The rezoning of these parcels will bring them in line with the residential mixed-use designation and remove the industrial use zone district that is discouraged in this area.
- Create opportunities for employees of current and future employers to live within the study boundaries and seek to connect residents of adjacent neighborhoods with jobs within the Plan’s boundaries.
  - o The proposed zone districts would provide an opportunity to redevelop the parcels into a high residential area that would provide a service for residents that would look to work and live in the neighborhood.
- Build upon the unique land uses that exist and identify redevelopment sites and opportunities that foster creation of a compatible mix of uses.
  - o Rezoning both parcels to C-MX-12 would bring a mixture of uses that will incorporate residential units along with a retail or restaurant component.
- Improve and create new connections within the River North Area, to downtown, and to nearby neighborhoods especially improved pedestrian and bicycle connections.
  - o Pedestrian connections will be provided by means of enhanced detached walks along the project frontage.
- By adding new development to the current uses and structures, create a unique

environment both in terms of an eclectic mix of uses and exciting, innovative architecture.

- High-quality architectural design elements and site features would be incorporated into the project to enhance the character of the neighborhood.

## **2. Uniformity of District Regulations and Restrictions**

The application seeks to rezone the parcels to C-MX-12 with the DO-7 overlay zone district. The current I-B, UO-2 zoning does not meet purpose of the River North Design Overlay or adopted plans of the area. The new proposed zone districts will support and meet the City's vision for this area.

## **3. Public Health, Safety and General Welfare**

The development of a high-density residential building will improve the general welfare of the public by either providing affordable housing units as part of the development or by paying the linkage fee. In addition, accessible sidewalk connectivity will be provided along the project frontage which will enhance the neighborhood area.

*Additional Review Criteria for Non-Legislative Rezoning (DZC Sec. 12.4.10.8):*

## **4. Justifying Circumstances**

The Justifying Circumstances are found in Section 12.4.10.8.A. The parcels qualify under subsections A.4.a and A.5.

The conditions of the neighborhood have changed significantly over recent years. Neighborhood changes began with the adoption of Denargo Market Urban Design Standards and Guidelines and General Development Plan. Both plans created a vision of a mixed-use community that turns the Denargo Market neighborhood into an urban center destination. Since the adoption of those guiding documents, public and private infrastructure has been improved. Several parcels have already undergone urban center redevelopment. Urban center redevelopment has been completed at 2525 Wewatta Way and 2797 Wewatta Way, while 2520 Wewatta Way and 3325 Denargo Street remain under construction. All of the aforementioned addresses are changing an underutilized area into a high-density urban center.

The City has established an overlay zone district, River North Design Overlay District (DO-7), which promotes a vibrant, urban center redevelopment context for the Denargo Market area. The rezoning of these parcels would meet the specific criteria for overlay districts as outlined in DZC Section 9.4.5.1.B. The full redevelopment of the Denargo Market Phase V parcels will reinforce the desired urban center context for the redeveloping River North neighborhood. The proposed rezoning assemblage will be consistent with the City of Denver adopted River North Plan 2003, as outlined above, in that the development would generate opportunities for both housing and employment, and foster creation of a compatible mix of uses. Rezoning both parcels to C-MX-12 would bring a mixture of uses that will incorporate residential units along with a retail or restaurant component in an urban center context.

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

The requested C-MX-12 zoning is consistent with the adjacent neighborhood context, zone district purpose and intent as the parcels listed above are bordered by PUD-G #12, R-MU-30, C-MX-8, and C-MX-16 properties. Blueprint Denver specifically notes this neighborhood area is of Urban Center context with requirements for high residential development with buildings that are generally the tallest of the residential plans in this context. The proposed zone map amendment will allow for this Urban Center context to be realized.

According to the Denver Zoning Code (“DZC”) Section 7.2.2, the general purpose of the Mixed-Use Districts is intended to:

- promote safe, active, and pedestrian-scaled, diverse areas using building forms that clearly define and activate the public street edge
- enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city’s neighborhoods
- ensure new development contributes positively to established residential neighborhoods and character and improves the transition between commercial development and adjacent residential neighborhoods
- focused on creating mixed, diverse neighborhoods
- require pedestrian enhancements
- have shallow front setback range, with high build-to requirements

While the specific site plan has not been determined, the Denargo Market Phase V redevelopment will be consistent in meeting these DZC goals for a new Mixed-Use district and will provide pedestrian connectivity through the construction of detached walks along the mixed-use collector street.

The specific intent of the C-MX-12 zone districts applies to areas served primarily by major arterial streets where a building scale of 3 to 12 stories is desired. The Denargo Market Phase V development meets the C-MX-12 intent of the DZC because of the proximity and direct access to a Mixed-Use Arterial and will ultimately meet the story requirement of the zone district.

*(The rest of this page left blank intentionally)*

## 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 residential product that will both serve and improve the surrounding neighborhood community.

Please contact me at (303) 228-2322 or [meaghan.turner@kimley-horn.com](mailto:meaghan.turner@kimley-horn.com) should you have any questions.

Sincerely,  
KIMLEY-HORN AND ASSOCIATES, INC.



Meaghan Turner, PE  
Project Manager