



**DENVER**  
THE MILE HIGH CITY

**Community Planning and Development**  
**Planning Services**  
Plan Implementation

201 W Colfax Ave, Dept 205  
Denver, CO 80202  
p: 720-865-2915  
f: 720-865-3056  
www.denvergov.org/planning

**APPLICATION FOR ZONE MAP AMENDMENT**

<b>Application #</b>	2009I-00028	<b>Date Submitted</b>	Sept. 23, 2009	<b>Fee Required</b>	N/A	<b>Fee Paid</b>	N/A
----------------------	-------------	-----------------------	----------------	---------------------	-----	-----------------	-----

APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? <input type="checkbox"/> )	
<b>Applicant Name</b>	Legislative Rezoning by Councilman Rick Garcia City Staff Contact: Theresa Lucero	<b>Contact Name</b>	Property Owner Contact Robert J. Gollick, Inc (Bob Gollick)
<b>Address</b>	2727 Bryant Street, Suite 200	<b>Address</b>	609 South Gaylord Street
<b>City, State, Zip</b>	Denver, Colorado 80211	<b>City, State, Zip</b>	Denver, Colorado 80209
<b>Telephone / Fax</b>	303 / 458-4792	<b>Telephone / Fax</b>	303 / 722-8771
<b>Email</b>	Rick.Garcia@denvergov.org	<b>Email</b>	bgollick@comcast.net

<b>Subject Property Location [Please Include Assessor's Parcel Number(s)]</b>
5020 and 5038 West 29 <sup>th</sup> Avenue South side of West 29 <sup>th</sup> Avenue between Yates Street and Zenobia Street (02303-22-077-000 and 02303-22-078-000)

<b>Legal Description of Subject Property</b>
<p>(5020 W 29TH AVE) DE LAPPE PLACE B9 L1 &amp; 2 BEG 8 FT W OF NE COR L1 TH S 44.2FT FT W 51FT N 44.2FT E 51FT TO POB City and County of Denver, State of Colorado and (5038 W 29TH AVE) DE LAPPE PLACE B9 L1 TO 3 INC EXC E 59FT OF L1 &amp; 2 THEREOF</p>

Area of Subject Property (Acres/Sq Ft)	Present Zone District	Proposed Zone District (Waivers and Conditions Require Separate form)
8,652± sq. ft. or 0.198± acres	R-1	MS-1

<b>Describe the nature and effect of the proposed Zone Map Amendment</b>
<p>The nature of the proposed map amendment is to correct an error on the City Zoning Map. The use of the property has been commercial since the early 1950's. The current R-1 zoning does not permit commercial uses. Additionally, there is a single-family unit attached to the commercial structure compounding the situation. A cease and desist order was issued by the City in November of 2008 due to an expansion of the business which was permitted a legal but non-conforming use. The structure has been vacant since that time and must remain vacant until a new zone district is approved.</p> <p>The effect of this map amendment will be to place an appropriate zone district on the property (MS-1) and thus allow the existing structure to become useable.</p>

<b>Select Legal Basis for the Zone Map Amendment and explain in detail</b>	<b>Error in the map as approved by City Council</b>	<b>X</b>
	<b>Changed or Changing Conditions that make a Zone Map Amendment Necessary</b>	

The proposed map amendment is in response to the changed and changing conditions in this area as well as an error on the City Zoning Map.

Supporting policies for the zoning request are listed as below. They are extracted from the Land Use Chapter, Mobility Chapter and Economic Activity Chapter of Denver Comprehensive Plan 2000.

**Land Use Chapter**

**Objective 3: Residential Neighborhoods and Business Centers**

**Accommodating New Development**

**Objective 4 Land Use and Transportation**

**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.

**Strategy 4-A:** Encourage mixed-use, transit-oriented development that makes effective use of existing transportation infrastructure, supports transit stations, increases transit patronage, reduces impact on the environment, and encourages vibrant urban centers and neighborhoods.

**Mobility Chapter**

**Objective 4 \_ Changing Travel Behavior**

**Strategy 4-E**

Continue to promote mixed-use development, which enables people to live near work, retail and services.

**Economic Activity Chapter**

**Objective 3: Expand Economic Opportunity**

**Strategy 3-B.** Support retention and expansion of businesses in industries historically important to Denver, including small business, health care, manufacturing, and federal and state government.

**Business Centers 4-B** Enhance existing business centers and establish new business centers in a manner that offers a variety of high-quality uses that support Denver's business environment, complements neighboring residential areas, generates public revenue, and creates jobs. Consider the following key strategies as top priorities:

**Strategy 5-A** Support small-scale economic development in neighborhoods using the following key strategies:

- Incorporate neighborhood-based business development into the City's neighborhood planning process.
- Support development of neighborhood business centers that serve adjacent residential areas in existing neighborhoods and new neighborhoods within development areas.

**Environmental Sustainability Chapter**

**Strategy 2-F** Conserve land by:

- Promoting infill development within Denver at sites where services and infrastructure are already in place.
- Designing mixed-use communities and reducing sprawl, so that residents can live, work and play within their own neighborhoods.
- Sharing parking at activity centers.

**State the land use and the development proposed for the subject property. Include the time schedule (if any) for development**

Approval of the proposed MS-1 zone district will permit a variety of appropriate uses to develop in the existing structure that are consistent with the neighborhood.

The anticipated time schedule is contingent upon approval of this zoning request.

<b>Required Exhibits</b>		<b>Additional Exhibits</b>	
<b>Applicant &amp; Owner Information Sheet</b>	<input checked="" type="checkbox"/>		
<b>Maps – Required for Final Submissions</b>	<input type="checkbox"/>		
<b>Signature</b>		<b>Date</b>	

### APPLICANT & OWNER INFORMATION SHEET

[1] Section 59-648(c) of the Denver Revised Municipal Code requires that an applicant for rezoning provide the applicant's name, address, and respective ownership interest, if any, on the application. In addition, unless subject to paragraph [2] below, the applicant must provide, in the space provided on this form, a list of all the owners of the property and the holders of deeds of trust, identifying which owners and holders of deeds of trust are represented by the applicant.

[2] If the application is for designation of an area as B-2, B-3, R-X or PUD zone district, the applicant must submit the concurrence of the owners and holders of deeds of trust of the entire land area to be included in the proposed district (and any structures thereon). In such cases, this form must be completed for each individual owner, together with sufficient evidence of ownership for each owner and holder of a deed of trust. Documentation verifying ownership interest may include (but is not limited to): Copies of deeds, powers of attorney, and corporate/partnership registrations filed with the Secretary of State.

Application Number	Applicants Name
2009I-00028	Councilman Rick Garcia Council District 1

**Property Address(es)**  
 5020 West 29<sup>th</sup> Avenue  
 Denver, Colorado

**Applicant's Address**  
 2727 Bryant Street, Suite 200  
 Denver, Colorado 80211

**NOTE: If application is for rezoning to B-2, B-3, R-X or PUD, and the applicant is not the property owner, this form must be accompanied by a Power of Attorney statement from the property owner.**

Indicate as accurately as possible the form of interest in the property, and the amount held by the individual or entity listed as "applicant" above.

<b>Fee Title Owner (Has Deed of Ownership)</b>	<b>All</b>	<input type="checkbox"/>
	<b>A Portion</b>	<input type="checkbox"/>
<b>Contract Owner</b>	<b>All</b>	<input type="checkbox"/>
	<b>A Portion</b>	<input type="checkbox"/>
<b>Holder of a Security Interest</b>	<b>All</b>	<input type="checkbox"/>
	<b>A Portion</b>	<input type="checkbox"/>

List the names and addresses of all owners and holders of Deeds of Trust for the property, if any, and indicate which owners or holders of deeds of trust are represented by the applicant in the space below (please add additional pages, if needed).

(5020 W 29TH AVE)  
 Randall Realty and Investment Co.  
 Mr. Randy Karsh, President  
 2555 East Alameda Avenue  
 Denver, Colorado 80209-2711  
 And  
(5038 W 29TH AVE)  
 David Allen Shulls  
 5038 W 29TH AVE  
 DENVER, CO 80212-1515