



DENVER
THE MILE HIGH CITY

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

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2009I-00007 APPLICATION FOR ZONE MAP AMENDMENT							
Application #	2008I-000	Date Submitted	2.4.09	Fee Required	\$2,700	Fee Paid	\$2,700
APPLICANT INFORMATION				CONTACT INFORMATION (Same as Applicant? <input type="checkbox"/>)			
Applicant Name	First Inn Franchise, Inc. (Mr. Tom Wiens)			Contact Name	Robert J. Gollick, Inc (Bob Gollick)		
Address	7020 Tower Road			Address	609 South Gaylord Street		
City, State, Zip	Denver, Colorado 80249			City, State, Zip	Denver, Colorado 80209		
Telephone / Fax	303 / 681-9344			Telephone / Fax	303 / 722-8771		
Email	tomwiens@firsttiercapital.com			Email	bgollick@comcast.net		
Subject Property Location [Please Include Assessor's Parcel Number(s)]							
7050 and 7080 Tower Road and (Assessor's Parcel Numbers: 00031-01-001-000 and 00031-01-002-000)							
Legal Description of Subject Property							
Lot 1 and Lot 2, Block 1, Sunrise Gateway Filing No.2, City and County of Denver, State of Colorado							
Area of Subject Property (Acres/Sq Ft)		Present Zone District		Proposed Zone District (Waivers and Conditions Require Separate form)			
98,140.68± sq. ft. or 2.253± acres		Gateway		C-MU-20 with a waiver and a condition			
Describe the nature and effect of the proposed Zone Map Amendment							
<p>The nature of the proposed map amendment is to permit the development of a 2.25± acre parcel of vacant land. The property is located at the southeast intersection of Tower Road and 71st. Avenue in the Gateway neighborhood approximately 5.5 miles west of Denver International Airport. There has been a significant amount of development activity on adjacent properties that includes five hotels (Holiday Inn Full Service, two Holiday Inn Express, Days Inn, Ramada Inn). The proposed map amendment will permit development of a mix of commercial uses that are compatible and supportive of these existing uses, which are all very appropriate for this area.</p> <p>The effects will positive and numerous. Vehicles will be able to be refueled which will provide a benefit to individuals staying at the hotels and utilizing rental cars from nearby rental facilities. A convenience store will provide access to everyday necessities that travelers often require. Additionally, an eating place, coffee shop and small bank will also provide services the traveling public needs. The effect of this will be a reduction in the number of driving trips by hotel guests as well as the ability to refuel a rental car near where the hotel patron is staying. Quite simply the proximity of this site with the Airport and the synergy of the existing hotels create an environment that requires these types of business services and thus the effect of the proposed zoning will be positive for the entire area.</p> <p>If approved, the effects of the proposed zoning will be immediate and very positive. All of the permitted uses will add to the vitality and life of the area. The proposed C-MU-20 zoning will attract new businesses to the area, create employment opportunities, and provide needed commercial services. This will all help reduce area traffic and result in an attractive and interesting new development on a significant corner in the Gateway.</p> <p>Development of the property predicated upon the proposed C-MU-20 zoning will at a minimum result in the following:</p> <ol style="list-style-type: none"> 1. Provide the ability to develop necessary commercial uses, 2. Dramatic improvements to the frontage along Tower Road, 3. Attract additional businesses in the Gateway area, and, 4. Provide the ability to develop needed commercial uses to support the ongoing hotel development in the area. <p>It is important to note that the application contains a waiver that eliminates any residential uses on the site. This is in keeping in compliance with the current Gateway Neighborhood Plan.</p>							

Select Legal Basis for the Zone Map Amendment and explain in detail	Error in the map as approved by City Council	<input type="checkbox"/>
	Changed or Changing Conditions that make a Zone Map Amendment Necessary	<input checked="" type="checkbox"/>

The proposed C-MU-20 map amendment is in response to the changed and changing conditions in this area. Since Denver International Airport began operations nearly 14 years ago this area has begun to experience a change from the open space and agricultural uses to a true mixed-use area. Numerous offices, commercial businesses, hotels and other airport related facilities have developed. This growth, which is expected to continue, has provided the changed conditions necessary for the proposed map amendment. The existing Gateway zone district is no longer appropriate for the development of this site as well as other developments that may be occurring in this immediate area. Gateway zoning makes appropriate development of the property impossible and thus necessitates the need for this map amendment.

Additionally, the proposed improvements by RTD with the East Corridor Commuter rail line and the proposed location of a commuter rail station within a few blocks of the subject site are further justification for the proposed map amendment.

A portion of the long-range vision expressed in the Gateway Neighborhood Plan (adopted in 1990) is to improve the image and functioning of the area. A few of the stated goals of the Gateway Plan are listed below.

- Opportunities (exist) to create larger mixed-use developments and commercial nodes without adversely effecting existing residents,
- The Gateway will also be a good place to work and do business...Lodging and meeting facilities will be some of the earliest developments in the Gateway. and,
- No residential development will be permitted north of 65th. Avenue.

The proposed C-MU-20 zone district will assist in meeting this long-range vision.

Additional factors that contribute to the changed conditions in the area include:

- The adoption of mixed-use zoning by City Council created a development tool that was not available when the Gateway zoning was implemented,
- The change in market conditions that has created a need for commercial services at this location, and

In "*Blueprint Denver: An Integrated land Use and Transportation Plan*" the City has designated this area as an "employment area" in an "Area of Change". The proposed C-MU-20 zoning will permit this mix of commercial uses that create an employment area and in turn will be more responsive to the changing needs of the area and it's residents and in the public interest makes the map amendment necessary.

Blueprint Denver states (paraphrased) the following:

- New development will be directed to: Stapleton and Gateway,
- One of Denver's unique characteristic is the presence of large vacant development sites. Land was annexed for the Denver International Airport creating the Gateway District. Such a development pattern ensures residents can find goods, services and employment close to home and reduce the number and length of trips (auto) taken.
- Strategies to be used: Mixed land uses, Economic activity-business retention, expansion and creation, Urban character and Transit supportive design.

Additionally, the following City policies, as described in the *Denver Comprehensive Plan 2000*, apply to this property and provide the legal basis for this proposed map amendment. Further explanations of the changed conditions that justify this map amendment request are contained in *Denver Comprehensive Plan 2000*. Several of the objectives and resulting strategies that support the zoning request are listed below. They are extracted from the *Denver Comprehensive Plan 2000*.

SIGNIFICANT NEW CONDITIONS AND INFLUENCES

Growth in Land and Development

In 1989, Denver was landlocked on all sides. In 2000, Denver is in the process of redeveloping more urban land than any other major city in America, the following areas being cases in point:

DIA/Gateway _ Denver's land area grew by 40 percent with the annexation of former Adams County land for Denver International Airport (DIA). The 4,500 acres of privately owned land within the Gateway provide opportunities for significant new housing and commercial development. The adopted plan for the area was the first to focus on the benefits of mixed-use development.

LAND USE CHAPTER

Objective 1: Citywide Land Use and Transportation Plan

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	Applicant's Name
	Mr. Tom Wiens First Inn Franchise, Inc. Property Owner

Property Address(es)

7050 and 7080 Tower Road

Applicant's Address

7020 Tower Road, Denver, CO 80249


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.

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

First Inn Franchise, Inc.
7020 Tower Rd,
Denver, CO 80249

Signature of Applicants	Date Signed
 <hr/> Mr. Tom Wiens, Vice President, First Inn Franchise, Inc.	2/5/09

Strategy 1-B:

Ensure that the *Citywide Land Use and Transportation Plan* reinforces the city's character by building on a legacy of high-quality urban design and stable, attractive neighborhoods; encouraging preservation of historic buildings, districts and landscapes; and maintaining the integrity of the street grid, parks, parkways, and open space system.

Objective 3: Residential Neighborhoods and Business Centers

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.

Objective 4 _ Land Use and Transportation

Ensure that Denver's *Citywide Land Use and Transportation Plan* and regulatory system support the development of a clean, efficient and innovative transportation system that meets Denver's future economic and mobility needs.

Strategies

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.

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

The land uses and development proposed for the property may include any of the permitted C-MU-20 uses and will truly be a mixed-use project. It is anticipated that restaurants, a bank filing station and a convenience store will be developed, along with a mix of additional commercial uses. The time schedule is predicated upon approval of this zoning request, site plan approval and project financing.

PROPOSED WAIVER:

All provisions of the C-MU-20 Zone District contained in Section 59-301 through Section 59-318 of Division 15, (Mixed Use Districts), of the Revised Municipal Code of the City and County of Denver, shall apply within the boundaries of the subject property contained in this application for a map amendment with the exception described as follows:

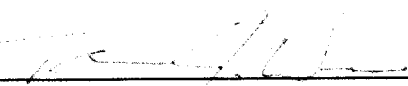
Proposed Waiver:


I, the undersigned owner of the property under application for the rezoning referenced above, do hereby waive the right to use or occupy the land or to use, occupy, construct, alter or maintain any of the following uses listed under Section 59-303 (uses allowed in these districts) of the Revised Municipal Code of the City and County of Denver for structure or structures located in the C-MU-20 zone district and instead shall comply with the following:

The following uses shall be waived or not permitted: Artist studio, Dwelling, multiple unit, Dwelling, single unit, Live/work residential, Residence for older adults, residential institutional/special, Rooming and/or boarding house and Bed and breakfast.

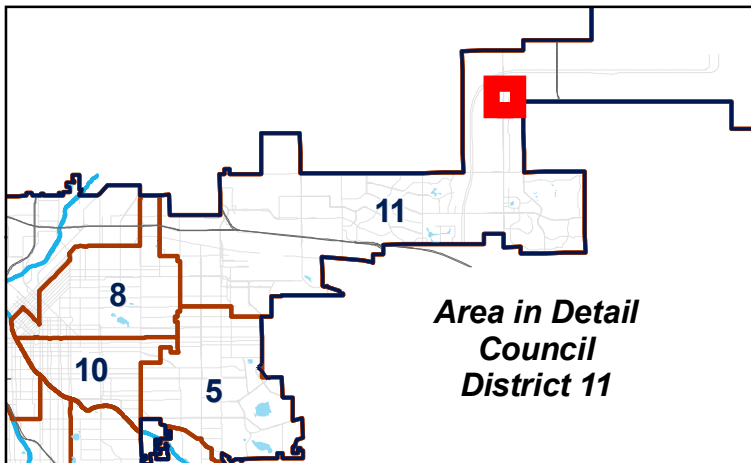
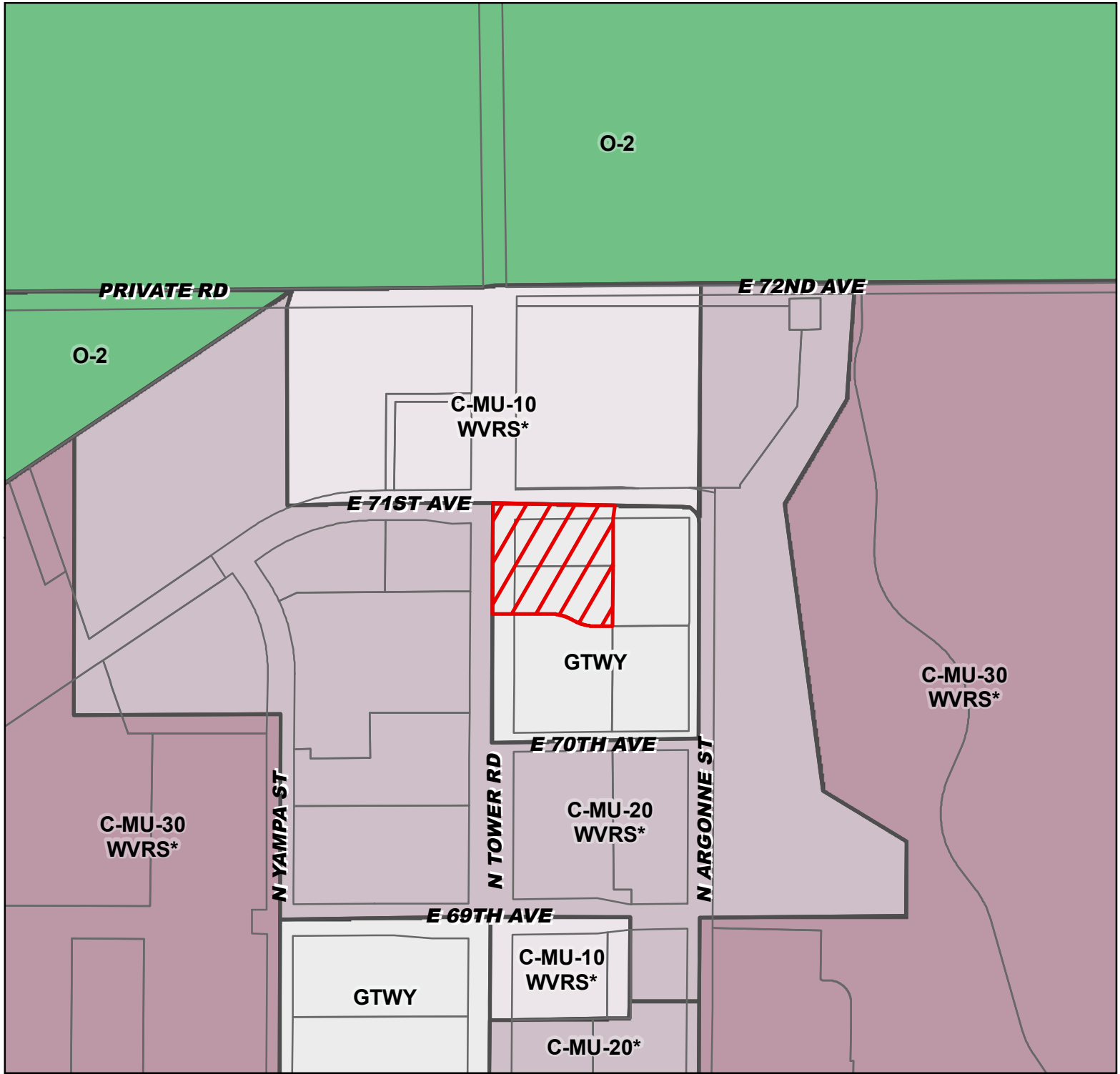
PROPOSED CONDITION:

The owners shall execute, record and deliver to the department of Zoning Administration a true copy of an Air Rights Covenant and Avigation Easement, in a form acceptable to the City Attorney, that shall run with the land whereby the owners and their successors and assigns waive any rights and causes of action they may have in the future against the City and County of Denver and others due to noise resulting from aircraft landing at, taking off from, or operating at Denver International Airport and grant an avigation easement.


Mr. Tom Wiens
First Inn Franchise, Inc.
Property Owner


Required Exhibits		Additional Exhibits
Applicant & Owner Information Sheet	<input checked="" type="checkbox"/>	
Maps – Required for Final Submissions	<input type="checkbox"/>	
Signature		Date
 Mr. Tom Wiens First Inn Franchise, Inc. Property Owner		2/5/09

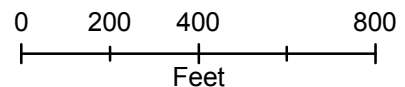
Pending Zone Map Amendment #2009I-00007



Area in Detail
Council
District 11

Application #2009I-00007
Location: 7050 and 7080 Tower Road

 Proposed Rezoning
From: Gateway
To: C-MU-20 w/ a WVR and condition



Map Date: 2/19/09

Pending Zone Map Amendment - Aerial & Zoning Overlay

 Application #2009I-00007

