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Community Planning and Development
Planning Services
Plan Implementation

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APPLICATION FOR ZONE MAP AMENDMENT

Application #	2011I-00007	Date Submitted	3.2.11 REV: 5.2.11	Fee Required	\$1,000	Fee Paid	\$1,000
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APPLICANT INFORMATION		CONTACT INFORMATION (Same as Applicant? <input type="checkbox"/>)	
Applicant Name	Wells Fargo Bank, N.A. a national banking association	Contact Name	Robert J. Gollick, Inc (Bob Gollick)
Address	1740 Broadway	Address	609 South Gaylord Street
City, State, Zip	Denver, Colorado 80274	City, State, Zip	Denver, Colorado 80209
Telephone / Fax	303 863-4721	Telephone / Fax	303 / 722-8771
Email	Use for all contact: bgollick@comcast.net	Email	bgollick@comcast.net

Subject Property Location [Please Include Assessor's Parcel Number(s)]
The site is located at the northwest intersection of Steele Street and East First Avenue in the Cherry Creek neighborhood. It is addressed as follows:
3155 East First Avenue, Assessor's No. 0512200020000 (Formerly owned by World Savings and Loan Association)

Legal Description of Subject Property

"That portion of Block C, Coloden Moor, described as follows:
Beginning at the point of intersection of the east and south line of Block C (Northwest corner of the intersection of East First Avenue and Steele Street); thence north (N) along the east (E) line of Block C, 110 feet; thence west (W) at a right angle 110 feet; then south (S) at a right angle to a point on the south line of Block C; thence easterly along the south line of Block C to the point of beginning, 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)
11,615± sq. ft. or 0.266± acres	PUD No. 151	C-CCN

Describe the nature and effect of the proposed Zone Map Amendment

Wells Fargo Bank, the applicant, recently acquired the subject property from World Savings and Loan Association. As part of the due diligence process for that acquisition, it was discovered that the current zoning, PUD No. 151, which was approved 27 years ago in 1984 limited the permitted use(s) to just a *Savings and Loan, Office*. Wells Fargo is not a savings and loan and thus must revise the zoning to a district that permits financial institution(s). Additionally, PUD No. 151 limits the maximum allowable gross floor area to 4,100 square feet. The existing structure is 5,200± square feet thus exceeding the allowable density by over 25% or 1,100+ square feet. This must also be corrected.

Thus the nature of the proposed map amendment is to provide zoning for the site appropriate to the existing use, structure and location. The property is a corner site, which is bounded by First Avenue along the south and Steele Street to the east directly across First Avenue from the Cherry Creek Mall. The site has been the home of World Savings and Loan under the guidelines of the existing PUD zoning since 1985. However, the conditions stated above have resulted in a need to rezone to a more appropriate zone district that will provide a palette of uses that will remain flexible over time meeting the needs of the community as well as the property owner.

The intent of this map amendment is to provide the necessary zone district (C-CCN) to permit the financial institution, Wells Fargo, to be in conformance with the zoning as well as provide appropriate uses and guidelines for future development. Being the corner site along a major arterial street provides the visibility and access that is necessary for commercial uses to be successful and thrive.

Thus to provide zoning for the property in a manner appropriate for a location as significant as East First Avenue in Cherry Creek, the C-CCN zone district is being proposed. The C-CCN is a mixed-use district that is intended to be utilized in an urban center environment such as Cherry Creek. The general purpose of the C-CCN district is to promote development that is in keeping with the existing character, scale and ambience of the existing Cherry Creek North business area and to encourage interesting and attractive architectural design solutions for new developments and to promote pedestrian and shopping activities, particularly at street level.

As noted earlier, the nature of the proposed amendment is to bring into conformance the existing use and structure. This is supportive of the intent statement of the C-CCN district which states:

Goals of the C-CCN district also include: to maintain and enhance the retail ambience of the Cherry Creek North district, to encourage a mixture of uses, including residential and office, and to encourage low-scale, small lot development projects that reinforce and enhance the eclectic, urban architectural character and pedestrian scale of the district. To this end, these regulations and the associated guidelines encourage:

- A.** Project planning and architectural design solutions that create projects of a scale and quality that promotes pedestrian and retail shopping activity at street level;
- B.** Continuity of storefronts located at the setback line creating a pedestrian oriented shopping environment;
- C.** The development and redevelopment of small lots;
- D.** Site and building design in new projects which compliments the tradition of low-scale, small lot development in the district;
- E.** Creation of outdoor open space, taking advantage of the pleasant local climate, to provide settings for activities and visual amenities, including public art;
- F.** Complementary day and evening activity through continued development of nightlife and entertainment uses. The C-CCN Zone District is intended to be a place where the pedestrian feels welcome and comfortable. It is retail/restaurant/entertainment experience first and foremost.

Since no new development is being proposed in this map amendment, the use and structure will remain as is thus the effect of the proposed amendment will for the most part be negligible.

However, in the future, redevelopment of the property will provide the potential for, high quality, retail, residential, commercial and office development through the guidelines of the C-CCN zone district. The proposed map amendment is in conformance with the Cherry Creek Neighborhood Plan, and the Vision for Cherry Creek's recommended goals and policies that apply to Cherry Creek North paraphrased as follows from the small area plan:

Special attention on small lots:

Encourage the development and redevelopment of small lots in order to retain and enhance the pedestrian scale of the District.

Retail uses at ground floor of parking structures:

Locate retail uses along the ground floor street frontages of parking structures.

Orient uses to sidewalks:

Orient retail uses to sidewalks by providing doors that open directly from retail uses to the sidewalks; display windows, display boxes, or other transparent glazing on the street frontage and active uses, such as sidewalk cafes, that take advantage of proximity to sidewalks and create activity.

Individual storefronts with entrances on the street:

Provide individual storefronts with pedestrian entrances on the street.

Goals:

1. To promote development that is in keeping with the existing character, scale, and ambiance of the existing Cherry Creek North business area; to encourage interesting and attractive architectural design solutions for new developments; and to promote pedestrian and shopping activities, particularly at street level.
2. To maintain and enhance the retail ambiance of the Cherry Creek North District. To encourage a mixture of uses, including residential and office. To encourage low-scale, small lot development projects that reinforce and enhance the eclectic, urban architectural character and pedestrian scale of the District.

Additional future effects of the proposed zoning will be to:

- Create permanent quality,
- Encourage investment,
- Enhance the neighborhood character,
- Reinforce street edges,
- Improve the streetscape and infrastructure,
- Create project scale and quality that promote activity at street level.

All of the permitted uses are appropriate for this urban setting and will add to the vitality and life to this area. Future development of the property under the guidelines of the C-CCN zone district will create employment opportunities, and provide services within minutes of Colorado’s major employment center.

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-CCN map amendment is in response to the changed and changing conditions in the Cherry Creek area. The change of ownership of the property via the recent acquisition of the subject property by Wells Fargo resulted in the discovery of the issues that need to be addressed. This changed condition is one of the factors that support and justify the proposed rezoning.

The redevelopment of the Cherry Creek Mall several years ago was the catalyst for development to occur throughout the Cherry Creek neighborhood. Numerous residential developments along with several commercial and retail projects have changed Cherry Creek into one of Denver’s finest neighborhoods in which to live, work and shop.

A few examples of the changed conditions are as follows:

- The adoption by City Council of “Blueprint Denver”,
- The adoption of the “form based” zoning code,
- Approval of the site as an “**Area of Change**” for a **Regional Center** within “Blueprint Denver”,
- Successful development of Clayton Lane including the J.W. Marriot Hotel and the Janus Build
- Western Development’s **Cherry Creek North**, a mixed-use project a few blocks from this site

- The approval of the Fillmore Street Plaza PUD, and
- The neighborhood has evolved into a world-class area that now requires and can sustain high quality services, products and development.

All of the listed changed conditions result in a need for the types of services and amenities that C-CCN zoning can provide. Additionally, the existing PUD zone district cannot meet the development needs for this site or provide the City and area residents the level of site plan review that is part of the mixed-use zone district.

The proposed zoning relates to the “**Denver Comprehensive Plan**” “**The Cherry Creek Neighborhood Plan**” as well as “**Blueprint Denver: An Integrated Land Use and Transportation Plan**” in several significant ways which are described as follows:

The Blueprint Denver concept land use designation for the area is Regional Center, in an Area of Change. “Ideally, a regional center has a balance of retail, employment and residential uses. These centers cover a fairly large area and are dense enough to encompass both the dominant use and a wide variety of other uses”. Blueprint Denver states that “the purpose of Areas of Change is to channel growth where it will be beneficial and can best improve access.

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 Environmental Chapter, Land Use Chapter, Mobility, Housing Chapter and Neighborhood Chapter of *Denver Comprehensive Plan 2000*.

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.

Creating more density at transit nodes.

Land Use Chapter

Objective 1: Citywide Land Use and Transportation Plan

Strategy 1-B:

Ensure that the *Citywide Land Use and Transportation Plan* reinforces the cities 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 1-C:

Incorporate relevant recommendations from neighborhood, corridor and area plans that are supplements to Plan 2000. Examples are the plans for Stapleton, Lowry, Gateway, Federal Boulevard, Central Platte Valley and the Golden Triangle.

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.**

Accommodating New Development**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.

Objective 4 _ Mobility Chapter**Strategy 4-E:**

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

Objective 3 Legacies Chapter**Strategy 3-A**

Identify areas in which increased density and new uses are desirable and can be accommodated.

Strategy 3-B

Create regulations and incentives that encourage high-quality, mixed-use development at densities that will support Denver's diverse housing needs and public transportation alternatives.

Housing Chapter

Objective 2 _ Preserve and Expand Existing Housing

Strategy 2-F

Explore opportunities for housing in all proposed development and redevelopment projects, including commercial and retail projects.

Strategy 6-A

Support mixed-use development consistent with the goals of the Comprehensive Plan's land-use and mobility strategies.

Economic Activity Chapter

Strategy 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:

- Maintain the **Cherry Creek Shopping Center, Cherry Creek North and other nearby areas** as the premier retail destination in the Denver metro area and Rocky Mountain region.


The public interest for the citizens of Denver is best served by adoption of this map amendment, which will provide the services, amenities, employment opportunities and development necessary for positive planned growth to occur.

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

20111-00007: Located at 3155 East First Avenue

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At this time the existing structure will remain unchanged thus no development schedule is proposed. Future land uses and development of the property will be controlled by the guidelines and permitted uses in the C-CCN zone district. The proposed C-CCN zone district will allow a mix of uses appropriate for this corner.

Required Exhibits		Additional Exhibits	
Applicant & Owner Information Sheet	<input checked="" type="checkbox"/>	Letter of support from Cherry Creek North RNO	
Maps – Required for Final Submissions	<input type="checkbox"/>		
Signature		Date	
 Ronn Mack, Vice President On behalf of: Wells Fargo Bank, N.A. a national banking association 1740 Broadway 5401 S. BROADWAY, Suite 400 Denver, Colorado 80274 Littleton, CO 80121		5/6/11	

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
2011I-00007	Ronn Mack, Vice President On behalf of: Wells Fargo Bank, N.A. a national banking association 1740 Broadway Denver, Colorado 80274

Property Address(es)

3155 East First Avenue
 Denver, Colorado 80206

Applicant's Address


Wells Fargo Bank, N.A.
 a national banking association
 1740 Broadway
 Denver, Colorado 80274

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).

<p>Signature of Applicant</p>  <hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> <p>Ronn Mack, Vice President On behalf of: Wells Fargo Bank, N.A. a national banking association</p>	<p style="text-align: center;">Date Signed</p> <p style="text-align: center; font-size: 1.2em;">5/6/11</p>	<p style="text-align: center;">Date Signed</p>
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February 14, 2011

Bob Gollick
6090 South Gaylord Street
Denver 80206

Dear Bob:

The CCNNA Board and its Zoning Committee would like to thank you for letting us know about the proposed zoning change for the Wells Fargo bank building at 3155 East First Avenue. The Committee believes that your proposed rezoning conforms to the Cherry Creek Neighborhood Plan.

In response to your request for a letter of support related to the rezoning request, it is the policy of the Cherry Creek North Neighborhood Association that the Association does not provide written letters of support for specific residential or commercial developments in CCN. On the other hand, the CCNNA Board will send a letter of opposition to the appropriate City department(s) if the Board feels that a specific development or rezoning request will be detrimental to the value and quality of life of our residents in Cherry Creek North.

The CCNNA Board would like to inform you that it will not be sending a letter of opposition concerning the proposed rezoning change related to the 3155 East First Avenue building.

The Board would like to thank you for advising us of this proposed rezoning.

If you should have any questions, please feel free to contact me at 303.674.0899.

Sincerely,

John Albers
Chair, Zoning Committee
Cherry Creek North Neighborhood Association