



Board of Adjustment for Zoning Appeals
 City and County of Denver
 201 West Colfax Avenue, Department 201
 Denver CO, 80202 Phone: 720-913-3050

ZONING APPEAL APPLICATION - Case No: 132-19
3030 Welton Street

NOTIFICATION OF PUBLIC HEARING:

Hearing Date: 09/24/2019

Hearing Time: 9:30 AM

Hearing Location: 201 West Colfax Avenue, Room 2.H.14
 Webb Municipal Office Bldg., Denver CO

Pick Up Sign Week of: 09/09/2019

Post Sign Saturday: 09/14/2019

APPEAL INFORMATION:

Date Filed: 08/08/2019

Date of Denial: 07/31/2019

Premises: 3030 Welton Street

Legal Description: Lengthy Legal

APPLICANT(S):	Address	Email	Primary Phone	2ndPhone
3030 Welton LLC., by Andy Schlarach	3070 Blake Street #200, Denver, CO, 80205	andy@mainspringco.com	(303) 898-9153	

FILED BY:

FEES:	Receipt #	Receipt Date	Category	Amount
	5827560	8/8/2019	3.a.	\$200.00

REGISTERED NEIGHBORHOOD ORGANIZATION NO'S: 87, 464, 578, 43, 366, 490, 573, 548, 508, 539, 180, 575, 568

CITY COUNCIL PERSON: District 9 – Candi CdeBaca

SUBJECT:

Appeal of a denial of a permit to erect a Mixed Use Primary Structure providing 0 of the 3 required vehicle parking spaces; a transformer located approximately 8 feet forward of the Primary Street facing Primary Structure façade (location 10 feet behind facade required); and for a 72 inch high garden wall used to screen a transformer, exceeding the maximum allowed height of 42 inches by 30 inches, in a C-MX-5 zone

ORDINANCE SECTION(S): 7.4.4; 7.3.6.1.B; 10.4.5.3.A.4.a; 13.1.5.7.E.3.a; 7.3.4.5.A

POSSIBLE REMEDIES: Variance

APPLICANT STATEMENT:

See Attached Statement

Signed: 3030 Welton LLC., by Andy Schlarach, Owner



ARCHITECTS AND DESIGNERS

August 1, 2019

City and County of Denver
Board of Adjustment for Zoning Appeals
201 West Colfax Avenue
Dept. 201
Denver, CO 80202

To whom it may concern,

Project 2018PM0000401 has received an Informal Denial. The project team is requesting a Variance through the Board of Adjustment, and is appealing Category (3), sections 13.1.5.7.E.3.a and 10.4.5.3.4.a.

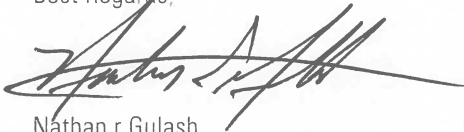
Sections 13.1.5.7.E.3.a pertains to a proposed Garden Wall on the subject property. We are using the Garden Wall Alternative to meet our Build-to Requirements. However, because we are required to also screen a site mounted transformer, the referenced Garden Wall will be higher than the 42" allowed. The design team has proposed a garden wall that is 6' in height in order to properly screen the transformer along the Downing Street frontage. As the included site plan indicates, there is no other site area to locate the transformer and a transformer located interior to the building is not feasible in this case. As zoning requires that the transformer be screened, the height of the Garden Wall will need to be increased above the code allowed maximum. Proposed designs for the Garden Wall are indicated on the Downing Street Elevations sheet as well as Sheet 20, Details.

Section 10.4.5.3.4.a. references onsite parking. Running the zoning requirements for site parking and allowable reductions results in a requirement of 3 spaces. These code references are called out on the Cover Sheet, included with this submittal. At an early meeting with a representative from the Curtis Park Neighbors, a suggestion was made that the neighborhood would benefit from and prefer a second Downing facing ground floor retail space in lieu of the required parking. The Design team further developed this scheme and reached

out to Jeff Brasel with the City of Denver, the project's SDP reviewer at the time. Jeff indicated that an adjacent property was considering similar reductions and that there was tacit approval at the staff level for the proposed reduction scheme. This has emerged as the preferred design direction and is now the subject of the second topic of this variance request. The Design Team is prepared to discuss the plans in depth and provide written support from neighborhood stakeholders at which point the project is placed on the docket.

Should any additional documentation be required prior to being placed on the hearing docket, please reach out at your earliest convenience. We look forward to a favorable resolution on these two items.

Best Regards,

A handwritten signature in black ink, appearing to read 'Nathan Gulash', written over a horizontal line.

Nathan r Gulash
Project Architect, Semple Brown Design



REGISTERED NEIGHBORHOOD ORGANIZATION NOTIFICATION:

ORGANIZATION(S) NOTIFIED:

#	Name	Address	Zip Code	Phone 1 and 2	Email 1 st , 2 nd	Representative
87	Inter-Neighborhood Cooperation (INC)	PO Box 300684	80218	303-999-8802 504-520-4949	president@denverinc.org excecomm@denverinc.org	George E. Mayl
464	Welton Corridor Property Owners	PO Box 13545	80201	720-272-0956	info@weltoncorridor.com	Lynne Bruning
578	Opportunity Corridor Coalition of United Residents			303-335-9841	donnagarnett50@gmail.com kkhdowntown@gmail.com	Donna Garnett
43	Curtis Park Neighbors	2422 Champa St.	80205	970-759-4023	jeffbakercurtisparkdenver@gmail.com curtisparkneighbors@googlegroups.com	Jeff Baker
366	The Points Historical Redevelopment Corp	2518 Kearney St.	80207	303-388-4465	thepointsredevelopment@yahoo.com	Robert Eanes
490	City Park Friends and Neighbors	3001 Cherry St.	80207	720-988-4433 303-495-0819	monee41145@gmail.com	Lamone Noles
573	Northeast Denver Friends and Neighbors (NEDFANS)	3001 Cherry St.	80207	720-273-6920 720-988-4433	lamone4denver8@gmail.com	LaMone Noles
548	Center City Denver Residents Organization	1515 Arapahoe St. #100	80202	303-534-6161	tdoor@downtowndenver.com bdiehl@downtowndenver.com	Tami Door
508	Rio Norte	1205 24th St.	80205	720-635-9700 818-398-7500	leland@denverdeveloper.com lelandkritt@aol.com	Leland Kritt
539	Denver Arts and Culture Initiative	2947 Champa St.	80205	303-564-4703	elizabeth.iselin@gmail.com musabailey74@gmail.com	Annie Iselin
180	Whittier Neighborhood Association	2900 Downing St., #1B	80205	303-946-2533 303-981-7366	ilovewhittiercommunity@gmail.com wnazoningchair@gmail.com	Darrell B. Watson
575	Five Points Neighbors	2852 Welton St.	80205	720-318-0712	norman@fivepoints.com taylor@fivepoints.com	Norman Harris
568	Five Points Business Improvement District	2401 Welton St.	80202	303-534-6161 303-907-0663	vmartinez@downtowndenver.com bmoyksi@downtowndenver.com	Vince Martinez

NOTICE TO ORGANIZATION:

The Neighborhood Organization registration ordinance at Section 12-96(b) D. R. M. C. requires that you be notified the attached application **Case No. 132-19** has been filed with this agency on the issue cited.

The Board of Adjustment will hear this appeal in public hearing in its office at the time and date indicated (see application), and render a decision as set out in Section 59-54 of the Zoning Code. Your organization will receive a written copy of the decision.

NOTE: Section 12-97(a) of the above ordinance requires that testimony by a Registered Neighborhood Organization shall include, in addition to the organization's name, boundaries, and number of people/households and basis of membership: **"(4) The time and date of the meeting when the organization decided its position; (5) The nature of the meeting, whether the same was a meeting of the board, of a membership subcommittee, or of the general membership; (6) The number of persons present; (7) A description of the process for reaching the decision, including if and how neighborhood citizens were informed and if and how they were invited to participate; and (8) The votes cast for and against the proposed position."**

NOTICE TO APPLICANT:

As required by Section 12-96(a), D. R. M. C., you are hereby notified that your property is within the boundaries (or within 200 feet) of a Registered Neighborhood Organization and that the organization(s) listed above has (have) been notified of your appeal.

Copies: Organization(s)
 Applicant
 File