



TO: Denver Planning Board
FROM: Ryan Winterberg-Lipp, AICP, Senior City Planner
DATE: March 30, 2016
RE: Official Zoning Map Amendment Application #2015I-00124
1100 N. Meade St. Unit Vacant; 1100 N. Meade St.; 1001 N. Meade St. Unit Vacant;
1000 N. Newton St. Unit Vacant; 1048 N. Newton St. Unit Vacant; 1049 N. Stuart St.;
1101 N. Perry St. Unit Vacant
Rezoning from OS-A to E-SU-D1x and E-TU-C

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2015I-00124 for a rezoning from OS-A to E-SU-D1x and E-TU-C.

Request for Rezoning

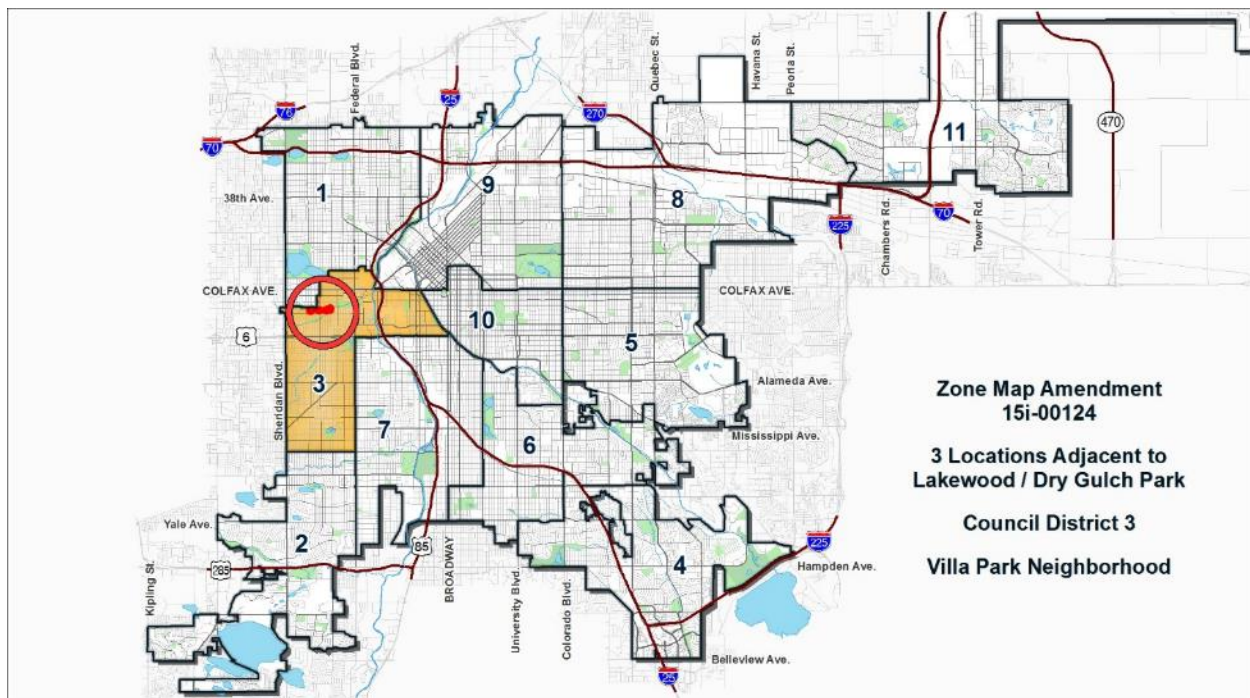
Application: #2015I-00124
Address: 1100 N. Meade St. Unit Vacant; 1100 N. Meade St.; 1001 N. Meade St. Unit Vacant; 1000 N. Newton St. Unit Vacant; 1048 N. Newton St. Unit Vacant; 1049 N. Stuart St.; 1101 N. Perry St. Unit Vacant
Neighborhood/Council District: Villa Park / Council District 3
RNOs: Denver Neighborhood Association, Inc.; Inter-Neighborhood Cooperation; Sloan's Lake Citizen's Group; Villa Park Neighborhood Association; West Colfax Association of Neighbors
Area of Property: 39,351 square feet
Current Zoning: OS-A
Proposed Zoning: E-SU-D1x and E-TU-C
Property Owner(s): City and County of Denver (CCD)
Owner Representative: City Councilman Paul López

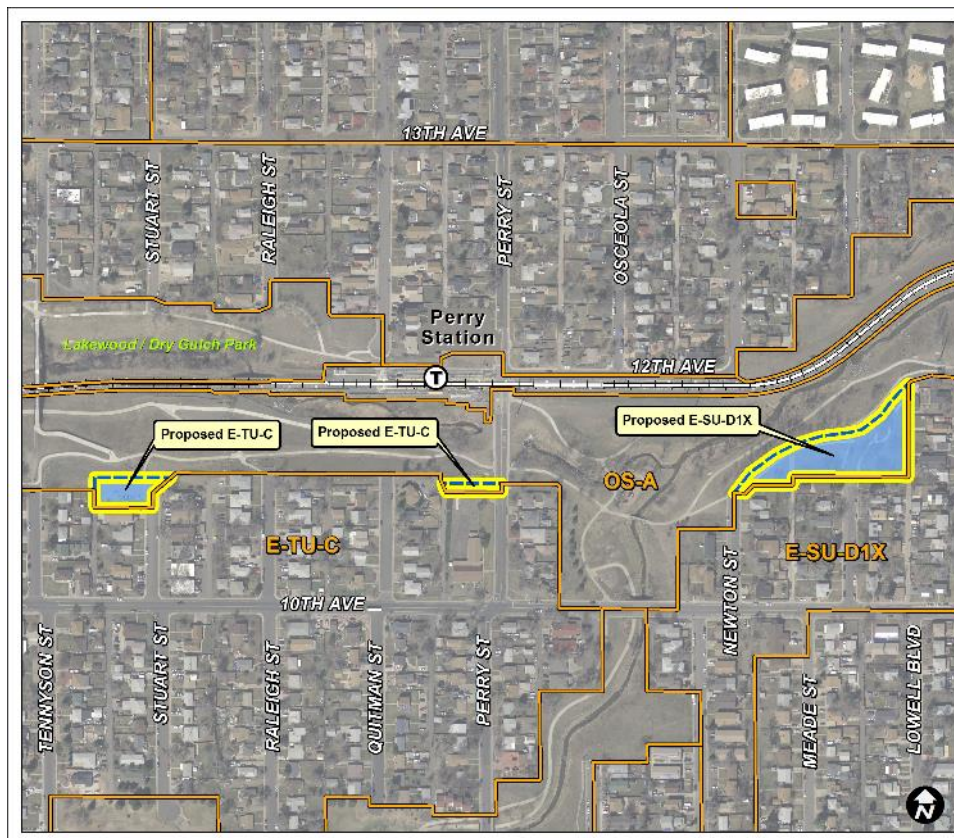
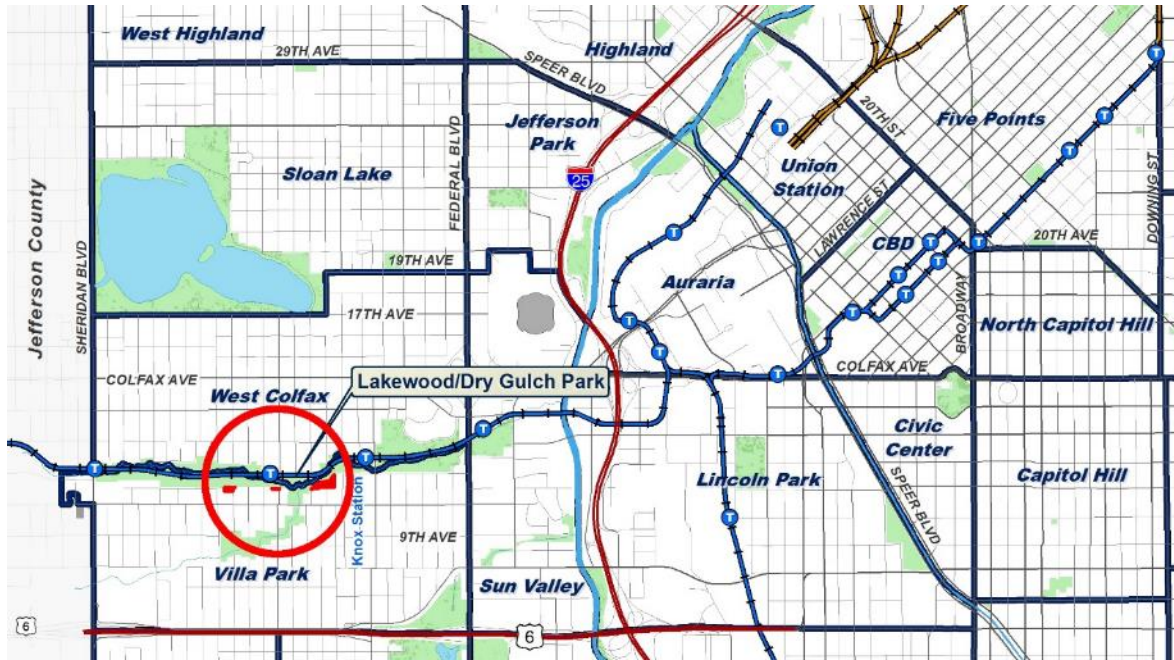
Summary of Rezoning Request

- The subject properties are located in the Villa Park neighborhood and owned by the City of Denver. While they are near the City-designated Lakewood Gulch, they are separated from the Gulch by rights of way and are not included in the designated Lakewood Gulch park space. They are currently often used for illegal parking and dumping, and are generally poorly maintained.
- The subject properties are not maintained by the Department of Parks and Recreation (DPR), and have never appeared in a DPR database. The properties were discovered during survey

work for the City Council process to designate Lakewood Gulch as a City park in the fall of 2015. DPR has deemed the properties inappropriate and undesirable for development as City parks.

- These properties were incorrectly rezoned to OS-A during the Citywide rezoning effort in 2010. OS-A zoning is intended to protect and preserve public parks owned, operated, or leased by the City and managed by the City's Department of Parks and Recreation for park purposes. These properties do not meet the intent of the OS-A zone district, and were rezoned in error based upon inaccurate data illustrating park land.
- City Councilman Paul López is requesting a rezoning to E-SU-D1x for the N. Meade and N. Newton Street properties and E-TU-C for the N. Perry and N. Stuart Street properties to return them to the appropriate single and two-unit zoning. The E-SU-D1x and E-TU-C zone districts, respectively, are adjacent to the subject sites.
- Prior to the Citywide rezoning, all sites were zoned R-2 in Former Chapter 59.
- Though a rezoning request does not approve a specific development or permit a specific use, the City intends to dispose of the surplus properties for appropriate private development through a competitive, process after the rezoning.
- The requested E-SU-D1x zone district is in the Urban Edge Neighborhood context, allowing Single Unit uses. D indicates a minimum zone lot area of 6,000 square feet. The 1 designation indicates that Accessory Dwelling Units are allowed, and the x designation indicates that both the Suburban House and Urban House building forms are allowed. The E-TU-C zone district is in the Urban Edge Neighborhood context, allowing Two Unit uses, with the Urban House, Accessory Dwelling Unit, Duplex, and Tandem House forms. C indicates a minimum zone lot area of 5,500 square feet. Further details of the zone districts can be found in Article 4 of the Denver Zoning Code (DZC).





Existing Context

The following table summarizes the existing context proximate to the subject site:

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	OS-A	Vacant	Vacant	Block sizes and shapes are consistently oblong, and alleys are occasionally present. Lots generally have more depth than width at the street. The street pattern is interrupted by Lakewood Gulch, and the RTD West Line runs through the gulch.
North	OS-A	Designated City Park and RTD light rail	Parkspace and station platform	
South	E-SU-D1x, E-TU-C	Church, single family, duplex	Low-scale, generally one story structures; often driveway access from the street	
East	E-SU-D1x, E-TU-C	Single family, duplex	Low-scale, generally one story structures; often driveway access from the street	
West	E-SU-D1x, E-TU-C	Single family, duplex	Low-scale, generally one story structures; often driveway access from the street	

The sites are located to the south of Lakewood Gulch and RTD’s W Line, separated from the parkspace by City rights of way. The dedication of streets and alleys in this area in 2005 further delineated these lots from Lakewood Gulch. The N. Meade and N. Newton Street properties were acquired from the Public Service Company of Colorado in 1992 as part of a larger acquisition along the Gulch. They are irregularly shaped due to the curvilinear alignment of 12th Ave. The N. Stuart Street property was acquired by a tax deed in 1937, and it has a typical orientation and rectangular shape. The N. Stuart Street parcel is separated from Lakewood Gulch by an alley. The N. Perry Street property was purchased from the adjacent owner in 2001 for the creation of future rights of way; however, a 2,200 square foot remnant parcel remained after the alley dedication located between the adjacent church property and the newly created alley.

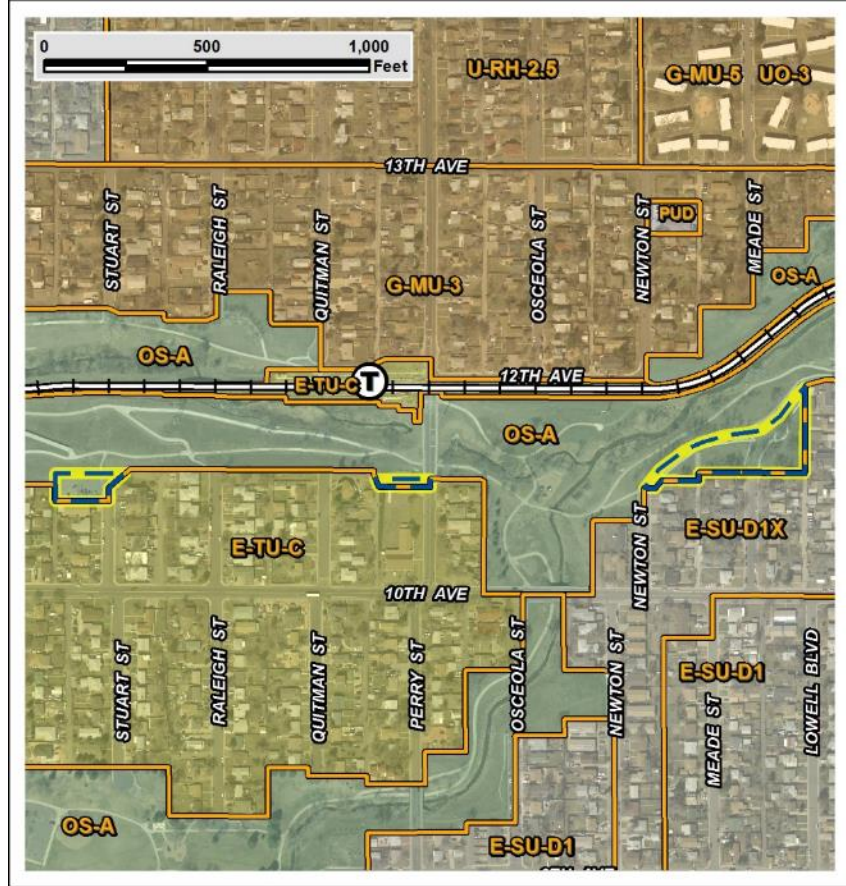
The immediately surrounding area is consistently low scale single-unit and two-unit residential. Alleys are occasionally present, but vehicular access is generally taken from the street. The subject sites are located no more than 2,000 feet walking distance at the furthest point from the Perry Street Station on the RTD W Line. The W Line runs along the adjacent Lakewood Gulch park space and trail.

1. Existing Zoning

The sites are currently zoned OS-A, the Open Space Parks District. The sites were rezoned to OS-A in error during the 2010 citywide rezoning based upon inaccurate GIS data illustrating park land. The sites were most likely assumed to be included in Lakewood Gulch as a result of their City ownership, but have

never appeared in a Parks and Recreation database and have never been maintained by the Department of Parks and Recreation. With the subsequent designation of Lakewood Gulch as a City park, the subject sites are not included in the official Lakewood Gulch area.

The OS-A district was introduced as part of the adoption of the Denver Zoning Code in 2010 and is intended to protect and preserve public parks owned, operated, or leased by the City's Department of Parks and Recreation for park purposes (DZC 8.3.2.1.A). However, the subject sites are not owned, operated, or leased by DPR and do not function as public parks. As such, the sites do not meet the intent of the OS-A zone district.



2. Existing Land Use Map

As seen in the Existing Land Use Map on the following page, the subject sites are vacant, and while they are symbolized as Open Space, they do not function as public open spaces. The sites are likely included in the Lakewood Gulch open space category due to their proximity and City ownership. In the surrounding area, Lakewood Gulch divides a consistently single and two-unit surrounding area with one public, religious institution use.



3. Existing Building Form and Scale



1100 N. Meade St. Unit Vacant, looking south



1100 N. Meade St., looking south



1001 N. Meade St. Unit Vacant, looking East



1000 N. Newton St., looking West



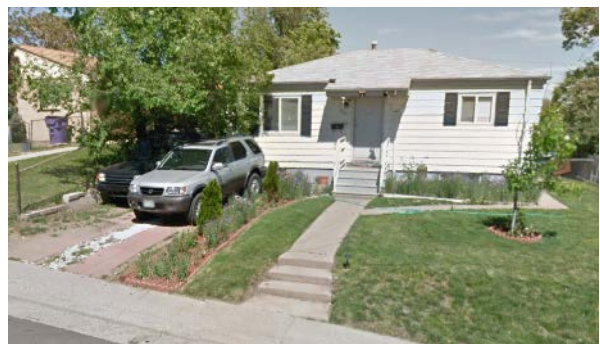
1101 N. Perry St. Unit Vacant, looking West



1049 N. Stuart St, looking West



Church to the south of the N. Perry St. site



Typical, low-scale single-unit residential

4. Denver Parks and Recreation Gulch Master Plan (2009)

The *Gulch Master Plan* was created to define the vision for Denver’s gulch park systems and create an implementation strategy for the desired design. The *Master Plan* was not adopted by the Denver City Council, so it will not be used for consistency with adopted City plans. However, the *Master Plan* serves as a guiding document for the park, and therefore provides direction for the properties that are near the Gulch. The scope of the *Master Plan* terminates at the confluence of Lakewood Gulch and Dry Gulch, near the alignment of N. Osceola St. As seen on the following page, the Lakewood Gulch concept plan excludes the City-owned subject sites from development as part of Lakewood Gulch. Additionally, the dashed red line shown on the concept plan indicates the “Approximate Boundary” of Lakewood Gulch Park, and the subject sites on N. Meade and N. Newton Streets are not included in the park. The *Gulch Master Plan* further defines that the subject sites were never intended for inclusion in Lakewood Gulch, and it is therefore appropriate to rezone them from the OS-A zone district.



Summary of City Agency Referral Comments

As part of the DZC review process, the rezoning application is referred to potentially affected City agencies and departments for comment. A summary of agency referral responses follows:

Asset Management: Approved – No Comments

Development Services – Project Coordination: Approved – No Comments

Denver Fire Department: Approved – No Comments

Development Services – Wastewater: Approved – No Comments

Parks and Recreation: Approved – See Letter Included in Application

Public Works – City Surveyor: Approved – No Comments

Environmental Health: Approved – See Comments:

Notes. DEH concurs with the proposed zoning change.

General Notes: Most of Colorado is high risk for radon, a naturally occurring radioactive gas. Due to concern for potential radon gas intrusion into buildings, DEH suggests installation of a radon mitigation system in structures planned for human occupation or frequent use. It may be more cost effective to install a radon system during new construction rather than after construction is complete.

Scope & Limitations: DEH performed a limited search for information known to DEH regarding environmental conditions at the subject site. This review was not intended to conform to ASTM standard practice for Phase I site assessments, nor was it designed to identify all potential environmental conditions. In addition, the review was not intended to assess environmental conditions for any potential right-of-way or easement conveyance process. The City and County of Denver provides no representations or warranties regarding the accuracy, reliability, or completeness of the information provided.

Development Services – Transportation: Approved – No Comments

Public Review Process

- City staff attended the Inter-Neighborhood Parks and Recreation Committee on January 19, 2016, the Villa Park Neighborhood Association on January 27, 2016, and the Sloan's Lake Citizen's Group meeting on February 10, 2016 to explain the rezoning proposal.
- CPD staff provided Informational notice of receipt of the rezoning application to affected members of City Council and registered neighborhood organizations (RNOs) on March 3, 2016.
- The property was legally posted for a period of 15 days announcing the April 6, 2016, Denver Planning Board public hearing, and written notification of the hearing has been sent to all affected registered neighborhood organizations and City Council members.
- Following the Neighborhoods and Planning Committee review, the rezoning application is typically referred to the full City Council for final action at a public hearing.

- The RNOs identified on page 1 were notified of this application. At the time of this staff report, one letter of support has been received from the Inter-Neighborhood Cooperation Parks and Recreation Committee, and one email of support has been received from a Villa Park resident.

Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.7 and 12.4.10.8, as follows:

DZC Section 12.4.10.7

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and General Welfare

DZC Section 12.4.10.8

1. Justifying Circumstances
2. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

1. Consistency with Adopted Plans

The following adopted plans apply to this property:

- *Denver Comprehensive Plan 2000*
- *Blueprint Denver (2002)*
- *West Colfax Plan (2006)*
- *Villa Park Neighborhood Plan (1991)*

Denver Comprehensive Plan 2000

Denver's *Comprehensive Plan 2000* identifies a set of broad guiding principles that unite to form a coherent and compelling vision of a livable city. The proposed rezoning to E-SU-D1x and E-TU-C is consistent with many *Denver Comprehensive Plan 2000* strategies, including:

- ***Environmental Sustainability Strategy 2-F*** – *Conserve land by: promoting infill development with 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. (pg. 39-40)*
- ***Land Use 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. (pg. 60)*
- ***Neighborhood Strategy I-F*** – *Invest in neighborhoods to help meet citywide goals and objectives for a range of housing types and prices, community facilities, human services and mobility. Continue to foster integrity and livability of neighborhoods. (pg. 150)*

The proposed map amendment application to E-SU-D1x and E-TU-C will apply zone districts consistent with the surrounding area and will facilitate infill development that is consistent with the character of

the adjacent neighborhood. Additionally, the rezoning will facilitate new investment opportunities in the Villa Park neighborhood to enhance the community's livability and vitality. With close proximity to light rail, the subject sites are an opportunity to reduce sprawl through appropriate infill development at a location where infrastructure and services are already in place. The rezoning is consistent with these Plan recommendations.

Blueprint Denver

According to the 2002 Blueprint Denver Plan Map, the sites have a concept land use of both Park and Urban Residential and are located in an Area of Stability.

Future Land Use

According to *Blueprint Denver*, the five parcels designated as Park concept land use were likely included as Park given their City ownership and proximity to Lakewood Gulch. *Blueprint Denver* states that "Parks and natural open space are public spaces, ranging from our historic, traditional parks to natural areas along the waterways. [...] A "greenway" is a linear park or open space developed along a stream, canal, or other natural or man-made feature" (pg. 40-41). The Park concept land use describes the Lakewood Gulch park space and greenway accurately, but the concept land use map inaccurately includes the five parcels in the Park designation.

Blueprint Denver designates one of the parcels on Meade Street as Urban Residential. Urban Residential neighborhoods are higher density and primarily residential but may include a noteworthy number of complementary commercial uses. A variety of housing types is present in Urban Residential neighborhoods including single family homes, townhouses, small multifamily apartments, and sometimes high-rise structures (pg. 40). Given that *Blueprint Denver* inaccurately classifies five of the parcels as Park, the Urban Residential parcel's designation offers guidance



into the appropriate mix and intensity of land uses. Rezoning the subject sites to the surrounding two-unit and single-unit zone districts is consistent with the Urban Residential concept land use description by allowing single-unit and two-unit development.

Area of Change / Area of Stability

The subject sites are also designated as a *Blueprint Denver* Area of Stability, likely a mapping error as part of the Lakewood Gulch greenway corridor. The rezoning application is consistent with the *Blueprint Denver* Area of Stability recommendations through reinvestment consistent with the existing character, mix of land uses, and building forms. However, the subject sites are surrounded by an Area of Change. *Blueprint Denver* recommends directing growth to the surrounding area to improve access to jobs, housing, and services given the proximity to the RTD W Line and station at N. Perry Street. It is appropriate to direct single-unit and two-unit development to these sites given this surrounding Area of Change designation.

Street Classifications

While the subject sites are generally inwardly focused, *Blueprint Denver* street classifications offer guidance for appropriate zone districts. W. 10th Avenue is identified as a Residential Collector in *Blueprint Denver*. According to *Blueprint Denver*, “collectors are designed to provide a greater balance between [multimodal] mobility and land access within residential, commercial and industrial areas” (pg. 51). N. Perry Street is designated as a Main Collector given that it serves as a critical connection across Lakewood Gulch and is adjacent to the Perry Street Station. According to *Blueprint Denver*, “Main streets serve the highest intensity retail and mixed land uses in areas such as downtown and in regional and neighborhood centers. Main streets are designed to promote walking, bicycling, and transit within an attractive landscaped corridor” (pg. 56). N. Stuart Street, N. Newton Street, and N. Meade Streets are all classified as Undesignated Locals and will provide primarily local access to the subject sites. With these street classification, it is appropriate to encourage infill development consistent with neighborhood character at the subject sites through the requested zone districts.

Small Area Plan: West Colfax Plan (2006)

The *West Colfax Plan* (2006) applies to the surrounding area and provides the direction to protect and enhance the stability, livability, urban character and economic vitality of this inner-urban area while guiding change over time (pg. 9).

The subject sites are omitted from the land use map in the *West Colfax Neighborhood Plan* as seen on the next page, but they are adjacent to the “Urban Neighborhood Station” land use. Urban Neighborhood Station areas are defined as an evolving and flexible development pattern near stations. They are “variable compact, dense – highest intensity focused around the station platform” with single-family and multi-family residential uses with buildings 1-5 stories in height. “Development may progress initially from residential additions and rehabilitations to the addition of carriage houses and conversion of single-family structures to duplexes, triplexes and quads. Over the long-term, some more significant and welcome redevelopment may occur, adding small and medium scale apartments or condominium

buildings in close proximity to the station areas” (pg. 85). The rezoning request to E-SU-D1x and E-TU-C is consistent with the residential infill seen within Urban Neighborhood Station areas, and particularly with the existing largely single family and duplex context at the Perry Street Station.



Small Area Plan: Villa Park Neighborhood Plan (1991)

The Villa Park Neighborhood Plan envisions that, “Villa Park will continue to be a neighborhood of mostly single-unit houses, with a few small apartment buildings and apartment complexes interspersed with the houses (pg. 2). Accordingly, specific strategies include **Strategy LZ-1: Discourage Higher Density Development**; and **Strategy LZ-2: Discourage Development that is Incompatible with the Scale and Quality of the Neighborhood** (pg. 18). Additional vision strategies call for “A strong and vital residential neighborhood,” and the rezoning request to E-SU-D1x and E-TU-C is consistent with this recommendation by applying zoning consistent with the surrounding neighborhood (pg. 21). Beyond land use, the *Villa Park Neighborhood Plan* envisions “improving neighborhood environmental conditions,” including dumping, and providing uniform sidewalk, street, curb, and gutter improvements (pg. 33, 46). Such improvements may be achieved through infill development at the subject sites. Additional “eyes on the park” achieved through adjacent appropriate development will also implement further recommendations to develop Lakewood Gulch as a neighborhood asset and improve safety (pg. 48). The proposed rezoning to E-SU-D1x and E-TU-C is consistent with the *Villa Park Neighborhood Plan*.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to E-SU-D1x and E-TU-C will result in the uniform application of zone district building form, use, and design regulations. Additionally, the rezoning request will result in the uniform application of Denver Zoning Code zoning standards on non-park properties consistent with the surrounding context.

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the City primarily through implementation of the City's adopted land use plans including *Comprehensive Plan 2000*, *Blueprint Denver*, the *West Colfax Neighborhood Plan*, and the *Villa Park Neighborhood Plan*. Additionally, as stated in the application, appropriate infill development will improve site conditions.

4. Justifying Circumstance

As stated in the application, an error is identified as the Justifying Circumstance under DZC Section 12.4.10.8.A.2, "The existing zoning of the land was based on a mistake of fact." As discussed above, parks GIS data used during the 2010 Citywide rezoning incorrectly identified this parcel as City-owned and maintained by the Department of Parks and Recreation as a public park, explaining the OS-A zoning. However, with further, site-specific analysis undertaken as part of the designation of Lakewood Gulch as a City park, it was discovered that the subject sites are not included in Lakewood Gulch and do not meet the intent of OS-A zoning. Additionally, the boundary between designated park space and properties not maintained as City parks is clear after the 2015 designation of Lakewood Gulch. This is an appropriate justifying circumstance for the proposed rezoning.

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

Neighborhood Context Description

The proposed E-SU-D1x and E-TU-C zone districts are within the Urban Edge Neighborhood Context. The Urban Edge Neighborhood Context is characterized by a mix of elements from both the Urban and Suburban Neighborhood Contexts. The Urban Edge Neighborhood Context is primarily single-unit and two-unit residential uses. Small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas. Single-unit residential structures are typically Urban House forms with some Suburban House forms. Single and two-unit residential uses are primarily located along local and residential arterial streets. The Urban Edge Neighborhood Context consists of a regular pattern of block shapes surrounded by orthogonal streets within a grid or modified grid and a mixed presence of alleys. Single-, two-unit and multi-unit residential buildings typically have consistent moderate to deep front setbacks. Building orientation along a block face may be inconsistent or consistent. The Urban Edge Neighborhood Context is characterized by low scale buildings except for some mid- rise commercial and mixed use structures, particularly at nodes or along arterial streets (DZC, Division 4.1). It is appropriate to apply zoning within the Urban Edge Neighborhood Context at this location through the adopted plan vision described earlier as well as the existing community context. The proposed rezoning to E-SU-D1x and E-TU-C will lead to development that is consistent with the neighborhood context description.

Zone District Purpose and Intent

According to DZC 4.2.2.1.A, the general purpose of the E-SU zone districts is to promote and protect residential neighborhoods within the character of the Urban Edge Neighborhood Context. The building form standards, design standards, and uses work together to promote desirable residential areas. The standards of the single unit districts accommodate the varied pattern of suburban and urban house forms. While lot sizes vary, lot coverage is typically low creating generous setbacks and yard space. The rezoning to E-SU-D1x is consistent with the zone district general purpose, and resulting development will be consistent with the general purpose statement through the application of the E-SU-D1x zone district standards.

E-SU-D1x is a single unit district allowing suburban houses, urban houses, and detached accessory dwelling units with a minimum zone lot area of 6,000 square feet. Setbacks and lot coverage standards accommodate front and side yards similar to E-SU-Dx and allow a detached accessory dwelling unit in the rear yard. The proposed rezoning at the N. Meade and N. Newton Street sites to E-SU-D1x is consistent with this intent statement through existing context and development patterns.

According to DZC 4.2.2.1.A, the general purpose of the E-TU zone districts is to promote and protect residential neighborhoods within the character of the Urban Edge Neighborhood Context. These regulations allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood. The building form standards, design standards, and uses work together to promote desirable residential areas. While lot sizes vary, lot coverage is typically low creating generous setbacks and yard space. The standards of the two unit and town house districts promote existing and future patterns of lower scale multi-unit building forms that typically address the street in the same manner as an urban house building form. The rezoning to E-TU-C is consistent with the zone district general purpose, and resulting development will be consistent with the general purpose statement through the application of the E-TU-C zone district standards.

E-TU-C allows up to two units on a minimum zone lot area of 5,500 square feet. Allowed building forms are the urban house, detached accessory dwelling unit, duplex, and tandem house building forms. The proposed rezoning at the N. Perry and N. Stuart Street sites to E-TU-C is consistent with this intent statement through existing context and development patterns.

Staff Recommendation

Based on the analysis set forth above, CPD staff finds that the application for rezoning at 1100 N. Meade St. Unit Vacant; 1100 N. Meade St.; 1001 N. Meade St. Unit Vacant; 1000 N. Newton St. Unit Vacant; 1048 N. Newton St. Unit Vacant; 1049 N. Stuart St; 1101 N. Perry St. Unit Vacant to E-SU-D1x and E-TU-C as described meets the requisite review criteria. Accordingly, staff recommends approval of the rezoning.

Attachments

1. Application
2. Letters of Support

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>*If More Than One Property Owner: 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>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</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>			
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:			
Does the proposal comply with the minimum area requirements specified in DZC Sec. 12.4.10.3:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</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.
	<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.
	<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>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>Justifying Circumstances - One of the following circumstances exists:</p> <input type="checkbox"/> The existing zoning of the land was the result of an error. <input type="checkbox"/> The existing zoning of the land was based on a mistake of fact. <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. <input type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area. <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.
	<p>Please provide an attachment describing the justifying circumstance.</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.
	<p>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

ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- Written Authorization to Represent Property Owner(s)

Please list any additional attachments:



REZONING GUIDE

Rezoning Application Page 3 of 3

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 (must sign in the exact same manner as title to the property is held)	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	Property owner representative written authorization? (YES/NO)
EXAMPLE 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)	NO
City and County of Denver	201 West Colfax Ave Denver, CO 80202	100%	<i>[Signature]</i>	<i>2/29/16</i>	A	NO - see note below
Application initiated by member of City Council. No owner authorization required per 12.4.10.4.A.1.a.						

Last updated: February 4, 2015

Return completed form to rezoning@denvergov.org

311 | FOR INFORMATION & CITY SERVICES

201 W. Colfax Ave., Dept. 205

Denver, CO 80202

720-865-2974 • rezoning@denvergov.org



TO: Deirdre Oss, Senior City Planner
FROM: Gordon Robertson, Director of Park Planning Design & Construction
SUBJECT: City Properties at approximately 1100 Meade Street
DATE: February 29, 2016

Concerning the status of the following city properties:

1100 N Meade St. (unit vacant)	Schedule No. 0506416025000
1100 N Meade St.	Schedule No. 0506416002000
1001 N Meade St. (unit vacant)	Schedule No. 0506415031000
1000 N Newton St. (unit vacant)	Schedule No. 0506415030000
1048 N Newton St. (unit vacant)	Schedule No. 0506415029000
1049 N Stuart St.	Schedule No. 0506409023000
1101 Perry St. (unit vacant)	Schedule No. 0506412016000

These parcels were acquired from Public Service Company of Colorado as part of a larger acquisition in January of 1992 as recorded in Quit Claim Deed at Reception No. R-92-0008428 in the Clerk and Recorder's Office. There were no restrictions cited in the deed. The City Charter is clear on how city property becomes a designated park. It states: "no land acquired by the City after December 31, 1955, shall be deemed a park unless specifically designated a park by ordinance". There is no City ordinance that designates these parcels as park. Additionally, these parcels are separated from the park by existing W. 12th Ave. which has formally been dedicated as right-of-way. They have not appeared in parks inventory list and have not been maintained by the Parks Department. Development of these parcels has not occurred nor has development by the Parks Department been considered. Concept plans for Lakewood/Dry Gulch Park completed in the late 1990's identify these parcels as City owned with the intention of being conveyed to others. The properties are currently zoned OS-A; however, this zoning is not consistent with historic or planned use. The Parks Dept is in support of Re-Zoning these properties and making them available for acquisition.

Sincerely,

Gordon Robertson
Director of Parks Planning

1000 Newton St. – Sch# 0506415030000

LAND DESCRIPTION

A parcel of land lying in the NE quarter of Section 6, Township 4 S, Range 68 west of the 6th PM, City and County of Denver, State of Colorado.

Those portions of Lots 8-11, Block 15, West Villa Park, lying southeasterly of the southeasterly right-of-way dedicated as W. 12th Ave. by Ordinance 798, Series of 2005.

Denver Property Taxation and Assessment System

[New Search](#)

1000 NEWTON ST UNIT VCNT

Owner	Schedule Number	Legal Description	Property Type	Tax District
CITY & COUNTY OF DENVER 201 W COLFAX AVE 401 DENVER, CO 80202-5330	0506415030000	WEST VILLA PARK BLK 15 L10 & 11 & PT L8 & L9 BEG SE COR L9 TH W TO PT ON S LI L9 TH NE TO TO PT ON W LI L8 TH S TO POB EXC PTN TO STREET PER DED ORD 2005-0798	VACANT LAND	DENV



[Property Summary](#)

[Property Map](#)

Assessment

Actual Value Year: **2015** **Actual Value:** **\$6,800**
[More](#)

Property

Year Built: **0** **Square Footage:** **0**
[More](#)

Comparables

Schedule Number / Parcel Id	Address	Sale Month/Year	Sales Price

1001 Meade St. – Sch# 0506415031000

LAND DESCRIPTION

A parcel of land lying in the NE quarter of Section 6, Township 4 S, Range 68 west of the 6th PM, City and County of Denver, State of Colorado.

All of Lots 39-40 and those portions of Lots 41-42, Block 15, West Villa Park, lying south of the southerly right-of-way dedicated as W. 12th Ave. by Ordinance 798, Series of 2005.

Denver Property Taxation and Assessment System

[New Search](#)

1001 MEADE ST UNIT VCNT

Owner	Schedule Number	Legal Description	Property Type	Tax District
CITY & COUNTY OF DENVER 201 W COLFAX AVE 401 DENVER , CO 80202-5330	0506415031000	WEST VILLA PARK BLK 15 L39 TO L42 EXC PTN TO STREET PER DED ORD 2005-0798	VACANT LAND	DENV



[Property Summary](#)

[Property Map](#)

Assessment

Actual Value	2015	Actual Value:	\$15,500
Year:	More		

Property

Year Built:	0	Square Footage:	0
More			

Comparables

Schedule Number / Parcel Id	Address	Sale Month/Year	Sales Price
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No comparables available for this property.

[More](#)

1048 Newton St. – Sch# 0506415029000

LAND DESCRIPTION

A parcel of land lying in the NE quarter of Section 6, Township 4 S, Range 68 west of the 6th PM, City and County of Denver, State of Colorado, being a portion of Lots 12-13, Block 15, West Villa Park.

That portion of the property conveyed to The City and County of Denver by deed recorded at reception number 1999193945 lying southeasterly of the southeasterly right-of-way dedicated as W. 12th Ave. by Ordinance 798, Series of 2005.

Denver Property Taxation and Assessment System

[New Search](#)

1048 NEWTON ST UNIT VCNT

Owner	Schedule Number	Legal Description	Property Type	Tax District
CITY & COUNTY OF DENVER 201 W COLFAX AVE 401 DENVER , CO 80202-5330	0506415029000	WEST VILLA PARK B15 L12 & 13 BEG NW COR L12 TH E 22.83FT SW34.85FT N 26.34FT TO POB EXC PTN TO STREET PER DED ORD 2005-0798	VACANT LAND	DENV



[Property Summary](#)

[Property Map](#)

Assessment

Actual Value Year:	2015	Actual Value:	\$100
	More		

Property

Year Built:	0	Square Footage:	0
More			

Comparables

Schedule Number / Parcel Id	Address	Sale Month/Year	Sales Price
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No comparables available for this property.

1049 Stuart St. – Sch# 0506409023000

LAND DESCRIPTION

A parcel of land lying in the NE quarter of Section 6, Township 4 S, Range 68 west of the 6th PM, City and County of Denver, State of Colorado.

Lots 35-37, Block 9, West Villa Park, excepting therefrom that land dedicated as public alley by Ordinance 798, Series of 2005 lying northwesterly of a line beginning at a point 20 feet east of the NW corner of said lot 37 and terminating at a point 20 feet south of the NW corner of said lot 37.

Denver Property Taxation and Assessment System

[New Search](#)

1049 STUART ST

Owner	Schedule Number	Legal Description	Property Type	Tax District
CITY & COUNTY OF DENVER 144 W COLFAX AVE DENVER , CO 80202-5391	0506409023000	L 35 TO 38 INC BLK 9 WEST VILLA PARK EXC A PORTION DAF *	VACANT LAND	DENV



Property Summary

Property Map

Assessment

Actual Value Year:	2015	Actual Value:	\$15,500
	More		

Property

Year Built:	0	Square Footage:	0
More			

Comparables

Schedule Number / Parcel Id	Address	Sale Month/Year	Sales Price
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No comparables available for this property.

[More](#)

1100 Meade St. north – Sch# 0506416025000

LAND DESCRIPTION

A parcel of land lying in the NE quarter of Section 6, Township 4 S, Range 68 west of the 6th PM, City and County of Denver, State of Colorado.

All of Lot 7 and those portions of Lots 1-6, Block 16, West Villa Park, lying southeasterly of the southeasterly right-of-way dedicated as W. 12th Ave. by Ordinance 798, Series of 2005.

Denver Property Taxation and Assessment System

[New Search](#)

1100 MEADE ST UNIT VCNT

Owner	Schedule Number	Legal Description	Property Type	Tax District
CITY & COUNTY OF DENVER 201 W COLFAX AVE 401 DENVER , CO 80202-5330	0506416025000	WEST VILLA PARK BLK 16 L5 TO 7 & PT L4 EXC PT TO STREET PER DED ORD 2005-0798	VACANT LAND	DENV



Property Summary

[Property Map](#)

Assessment

Actual Value Year:	2015	Actual Value:	\$4,500
	More		

Property

Year Built:	0	Square Footage:	0
More			

Comparables

Schedule Number / Parcel Id	Address	Sale Month/Year	Sales Price
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No comparables available for this property.

[More](#)

1100 Meade St. south – Sch# 0506416002000

LAND DESCRIPTION

A parcel of land lying in the NE quarter of Section 6, Township 4 S, Range 68 west of the 6th PM, City and County of Denver, State of Colorado.

Lots 8-10, Block 16, West Villa Park.

Denver Property Taxation and Assessment System

[New Search](#)

1100 MEADE ST

Owner	Schedule Number	Legal Description	Property Type	Tax District
CITY & COUNTY OF DENVER 201 W COLFAX AVE 401 DENVER , CO 80202-5330	0506416002000	L 8 TO 10 INC BLK 16 WEST VILLA PARK	VACANT LAND	DENV



[Property Summary](#)

[Property Map](#)

Assessment

Actual Value Year:	2015	Actual Value:	\$14,100
	More		

Property

Year Built:	0	Square Footage:	0
More			

Comparables

Schedule Number / Parcel Id	Address	Sale Month/Year	Sales Price
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No comparables available for this property.

[More](#)

1101 Perry St. – Sch# 0506412016000

LAND DESCRIPTION

A parcel of land lying in the NE quarter of Section 6, Township 4 S, Range 68 west of the 6th PM, City and County of Denver, State of Colorado.

That portion of Lot 37, Block 12, West Villa Park, lying southerly of the southerly right-of-way dedicated as public alley by Ordinance 798, Series of 2005.

Denver Property Taxation and Assessment System

[New Search](#)

1101 PERRY ST UNIT VCNT

Owner	Schedule Number	Legal Description	Property Type	Tax District
CITY & COUNTY OF DENVER 201 W COLFAX AVE 401 DENVER , CO 80202-5330	0506412016000	WEST VILLA PARK BLK 12 L17 EXC PT TO STREET PER DED ORD 2005-0798	VACANT LAND	DENV



[Property Summary](#)

[Property Map](#)

Assessment

Actual Value	2015	Actual Value:	\$3,400
Year:	More		

Property

Year Built:	0	Square Footage:	0
More			

Comparables

Schedule Number / Parcel Id	Address	Sale Month/Year	Sales Price
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No comparables available for this property.

[More](#)

Consistency with Adopted Plans

Comprehensive Plan 2000

The rezoning request is consistent with Comprehensive Plan 2000 and the following specific strategies:

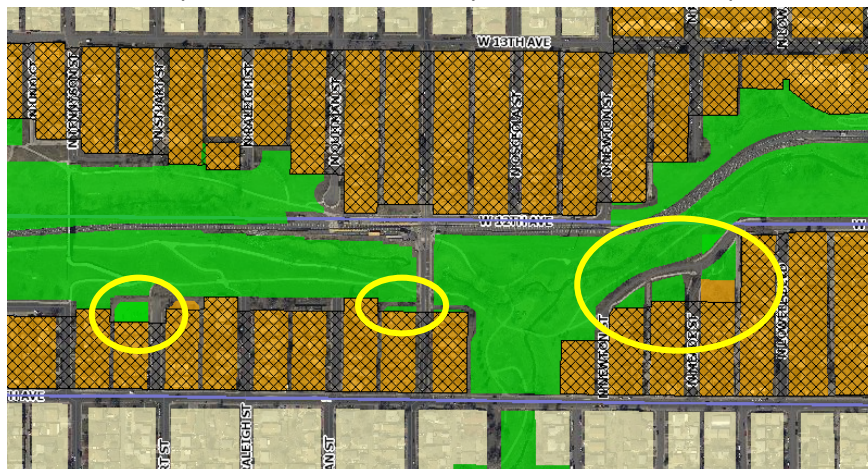
- Environmental Sustainability Strategy 2-F – *Conserve land by promoting infill development with Denver at sites where services and infrastructure are already in place* (pg. 39)
- Land Use Strategy 3-B – *Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses.* (pg 60)
- Neighborhood Strategy 1-F – *Invest in neighborhoods to help meet citywide goals and objectives for a range of housing types and prices, community facilities, human services and mobility. Continue to foster integrity and livability of neighborhoods.* (pg 150)

The map amendment application to E-SU-D1x and E-TU-C will apply zone districts consistent with the surrounding area and will facilitate infill development that is consistent with the character of the surrounding neighborhood. Additionally, the rezoning will facilitate new investment opportunities in the Villa Park neighborhood to enhance the community’s livability and vitality.

Blueprint Denver

According to the 2002 Blueprint Denver Plan Map, the sites have a concept land use of both Park and Urban Residential. The five parcels designated as Park concept land use were likely included as Park given their City ownership and proximity to Lakewood Gulch. Blueprint Denver states that “Parks and natural open space are public spaces, ranging from our historic, traditional parks to natural areas along the waterways. [...] A “greenway” is a linear park or open space developed along a stream, canal, or other natural or [man-made feature]” (pg. 40-41). The Park concept land use describes the Lakewood Gulch park space and greenway accurately, but the concept land use map inaccurately includes the five parcels in the Park designation.

Blueprint Denver designates one of the parcels on Meade Street as Urban Residential. Urban Residential neighborhoods are higher density and primarily residential but may include a noteworthy number of complementary commercial uses. A variety of housing types is present in Urban Residential neighborhoods including single family homes, townhouses, small multifamily apartments, and sometimes high-rise structures (pg 40). Given that Blueprint Denver inaccurately classifies five of the parcels as



- ☒ Area of Change
- ☐ Concept Land Use
 - Red: Downtown
 - Pink: Transit Oriented Development
 - Light Purple: Mixed Use
 - Dark Blue: Regional Center
 - Light Purple: Town Center
 - Orange: Urban Residential
 - Light Orange: Single Family Duplex
 - Yellow: Single Family Residential
 - Red: Commercial Corridor
 - Light Purple: Neighborhood Center
 - Light Orange: Pedestrian Shopping Corridor
 - Light Green: Campus
 - Green: Park

Park, the Urban Residential parcel's designation offers guidance into the appropriate mix and intensity of land uses. Rezoning the subject sites to the surrounding two-unit and single-unit zone districts is consistent with the Urban Residential concept land use description.

The subject sites are also designated as a Blueprint Denver Area of Stability, likely a mapping error as part of the Lakewood Gulch greenway corridor. The rezoning application is consistent with the *Blueprint Denver* Area of Stability recommendations through reinvestment consistent with the existing character, mix of land uses, and building forms. However, the subject sites are surrounded by an Area of Change. Blueprint Denver recommends directing growth to the surrounding area to improve access to jobs, housing, and services given the proximity to the RTD W line and station at Perry Street.

West 10th Avenue is identified as a Residential Collector in Blueprint Denver. According to Blueprint Denver, "collectors are designed to provide a greater balance between [multimodal] mobility and land access within residential, commercial and industrial areas" (pg. 51). With this street classification, it is appropriate to encourage infill development consistent with neighborhood character at the subject sites.

West Colfax Neighborhood Plan (2006)

The subject sites are omitted from the land use map in the West Colfax Neighborhood Plan, but they are adjacent to the Urban Neighborhood Station land use. Urban Neighborhood Station areas are defined as an evolving and flexible development pattern near stations. They are "variable compact, dense – highest intensity focused around the station platform" with single-family and multi-family residential uses with buildings 1-5 stories in height. "Development may progress initially from residential additions and rehabilitations to the addition of carriage houses and conversion of single-family structures to duplexes, triplexes and quads. Over the long-term, some more significant and welcome redevelopment may occur, adding small and medium scale apartments or condominium buildings in close proximity to the station areas" (pg. 85). The rezoning request to E-SU-D1x and E-TU-C is consistent with the described early residential infill seen within Urban Neighborhood Station areas.

Villa Park Neighborhood Plan (1991)

The Villa Park Neighborhood Plan recommends discouraging higher density development that is inconsistent with the desired neighborhood character (pg. 18). The rezoning request to E-SU-D1x and E-TU-C is consistent with this recommendation by applying zoning consistent with the surrounding neighborhood. The Plan also recommends providing uniform sidewalk, curb, and gutter improvements, infrastructure investments that could be implemented through infill development enabled by the proposed rezoning (pg. 46).

Uniformity of District Regulations and Restrictions

The rezoning request will result in the uniform application of the E-SU-D1x and E-TU-C zone district standards both across the city and within the adjacent Will Park neighborhood.

Public Health, Safety and General Welfare

The rezoning request furthers the public health, safety, and welfare of the City through applying zone districts allowing single-unit and two-unit uses consistent with the character of the Villa Park neighborhood. The rezoning will also facilitate development to improve the condition of the properties and activate the area.

Justifying Circumstances

The rezoning of the subjects sites to OS-A was mistake of fact per the Justifying Circumstance under DZC Section 12.4.10.8.A.2. Data used during the 2010 Citywide rezoning incorrectly identified these parcels as properties owned, operated, or leased by the City and managed by the Department of Parks and Recreation, resulting in the incorrect zoning designation of OS-A. The subject sites, while owned by the City of Denver, are not managed by the Department of Parks and Recreation and are not included in the Lakewood Gulch designated park space approved by City Council in 2015. The sparse maintenance of these parcels has created an area infamous for overgrown vegetation, homeless encampments, and illegal dumping.

Consistency with Neighborhood Context, Stated Purpose and Intent

The requested E-SU-D1x and E-TU-C zone districts are in the Urban Edge Neighborhood Context. The Urban Edge Neighborhood Context is characterized by a mix of elements from both the Urban and Suburban Neighborhood Contexts. The Urban Edge Neighborhood Context is primarily single-unit and two-unit residential uses. Rezoning the subject sites to the Urban Edge neighborhood context is appropriate given the established neighborhood context.

The purpose of the E-SU and E-TU zone districts is to promote desirable residential areas through building form standards, design standards, and uses. The standards of the single unit districts accommodate the varied pattern of suburban and urban house forms. While lot sizes vary, lot coverage is typically low creating generous setbacks and yard space. The standards of the two unit and town house districts promote existing and future patterns of lower scale multi unit building forms that typically address the street in the same manner as an urban house building form. The intent of the E-SU-D1x zone district is to allow suburban houses, urban houses and detached accessory dwelling units with a minimum zone lot area of 6,000 square feet. The E-TU-C zone district allows up to two units on a minimum zone lot area of 5,500 square feet. Allowed building forms are the urban house, detached accessory dwelling unit, duplex and tandem house building forms. The rezoning request at the subject sites is consistent with this purpose statement and intent statements.



Parks and Recreation Committee

March 16, 2016

To Whom It May Concern:

RE: Rezoning of the Six “Lost” Parcels: 1100 & 1001 Meade Street; 1000 & 1048 Newton Street; 1049 Stuart Street; and 1101 Perry Street

We are writing on behalf of the INC Park and Recreation Committee (PARC) in support of the rezoning of the above six parcels from OS-A (Park Open Space) to residential zoning. The INC Park and Recreation Committee agreed to support the rezoning on March 15, 2016, after having previously heard a presentation by City officials regarding this issue at our meeting held on January 19, 2016.

The above six parcels are either close to or immediately adjacent to Lakewood / Dry Gulch Park, which in late 2015 was “designated” a Denver Park by City Council pursuant to Section 2.4.5 of Denver’s City Charter.

While the above six parcels are owned by the City and close to the park, they have never been previously considered as being part of the park by either the Parks and Recreation Department or the community. Moreover, given the fact that four of these parcels are separated from the park by a paved street, and that the other two are imbedded in an existing subdivision, it would be illogical to now include them in the park.

Unfortunately, the 2015 City-wide rezoning effort inadvertently zoned these six parcels as part of the park (OS-A). Hence the need for this rezoning.

It appears that, had it not been for the City’s park “designation” process, which involved a careful review of the boundaries of Lakewood / Dry Gulch Park, these six forgotten properties would have remained lost in obscurity for an indefinite time.

Following rezoning, presumably the City will sell these six lost parcels to the highest bidders, thereby bringing in significant revenue to the City’s coffers. If so, the “designation” process should be thanked for this windfall!

Alas, similar to Lakewood / Dry Gulch Park, considerable portions of Weir Gulch Park and Sanderson Gulch Park remain “un-designated.” While time consuming and difficult, it is hoped that the example of the discovery of these six lost parcels will spur the City to complete the designation of those two parks. Perhaps other “lost” parcels owned by the City will be discovered?

Finally, it should also be noted that the process of designating Lakewood / Dry Gulch Park identified a City-owned parcel located on Lakewood Gulch just to the west of Tennyson Street, which puts it immediately adjacent to the park. Unfortunately, this parcel is NOT currently managed as part of the park nor zoned OS-A, but City Council should nevertheless include it in the park in a future “designation” proceeding.

Yours truly,

Cindy Johnstone

Maggie Price
Co Chairs, INC PARC

From: [niles emerick](#)
To: [Winterberg-Lipp, Ryan J - CPD Planning Services](#)
Subject: Villa Park - City-owned rezoning
Date: Wednesday, March 23, 2016 8:24:04 PM

Hi Ryan -

I saw recently the presentation regarding the properties submitted for proposed re-zoning in Villa Park on Meade, Newton, and Stuart.

I have inquired about several of these properties in the past as many of them are a significant eyesore for the neighborhood, collecting trash, and vagrants.

In an effort to clean up my neighborhood I have contacted the city regarding these lots.

I fully support the rezoning of these properties and hope they would add to the character and nature of my neighborhood.

I imagine they would at some point be sold, or developed by the city?

I would be interested in purchasing one or more of these properties as I live nearby.

Please keep me informed and let me know what else I can do to support.

Best,
Niles Emerick
303.949.6383