



TO: City Council
FROM: Curt Upton, Senior City Planner
DATE: May 26, 2016
RE: Official Zoning Map Amendment Application #2015I00079
Stapleton – East 56th Ave. and Central Park Blvd.
Rezoning from M-RX-5 and OS-B to M-MX-5 and M-RX-5

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2015I00079 for a rezoning from M-RX-5 and OS-B to M-MX-5 and M-RX-5.

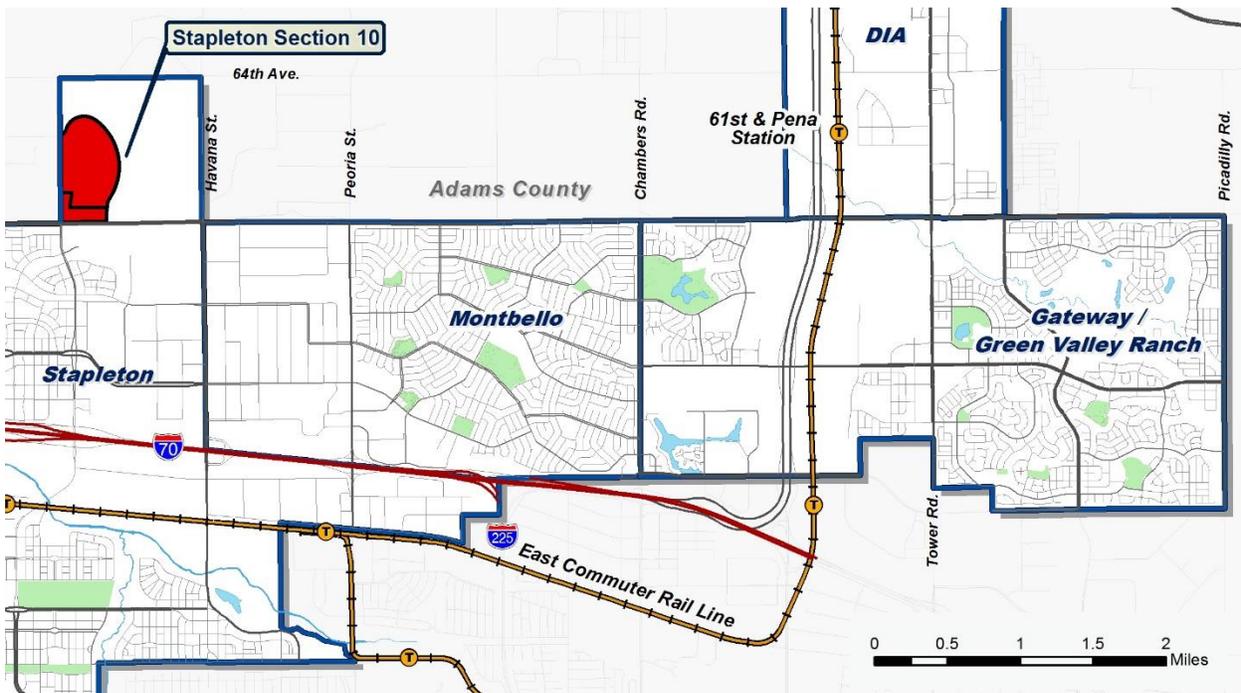
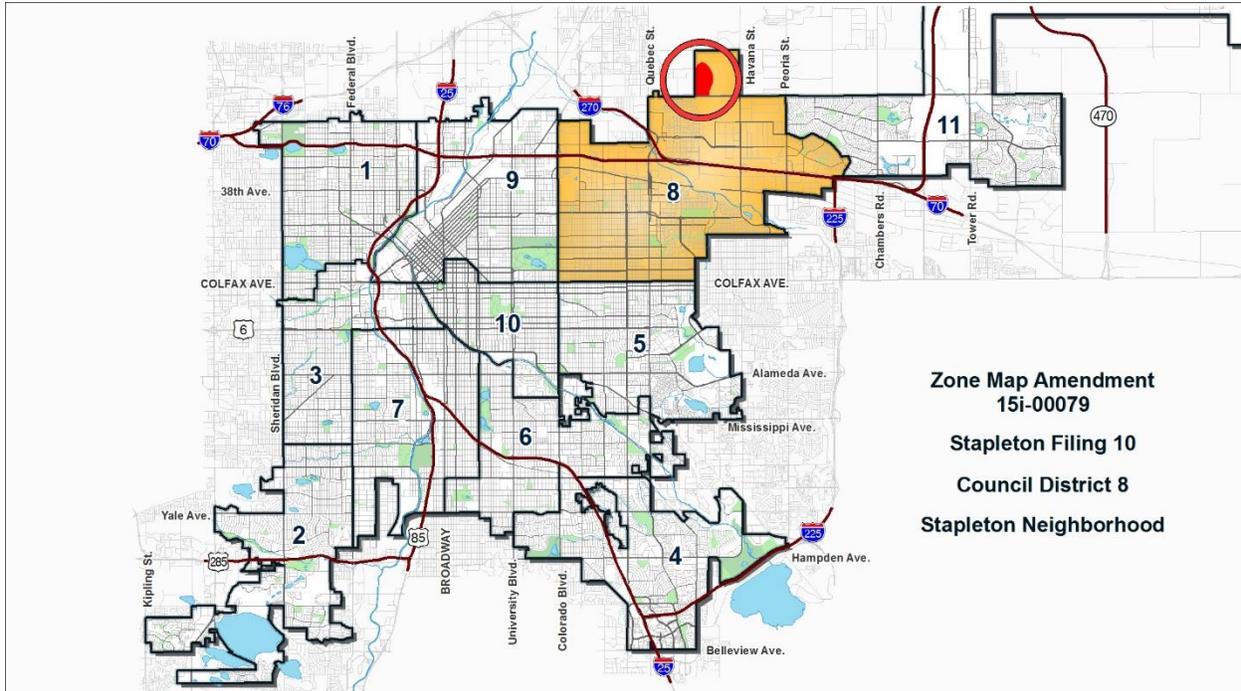
Request for Rezoning

Application:	#2015I00079
Address:	Northeast corner of E. 56th Avenue and Central Park Blvd
Neighborhood/Council District:	Stapleton / Council District 8
RNOs:	Stapleton Master Community Association; Stapleton United Neighbors; Denver Neighborhood Association, Inc.; Inter-Neighborhood Cooperation (INC)
Area of Property:	155.91 acres
Current Zoning:	M-RX-5 and OS-B
Proposed Zoning:	M-MX-5 and M-RX-5
Property Owner(s):	F C Stapleton II, LLC
Owner Representative:	Bruce O'Donnell

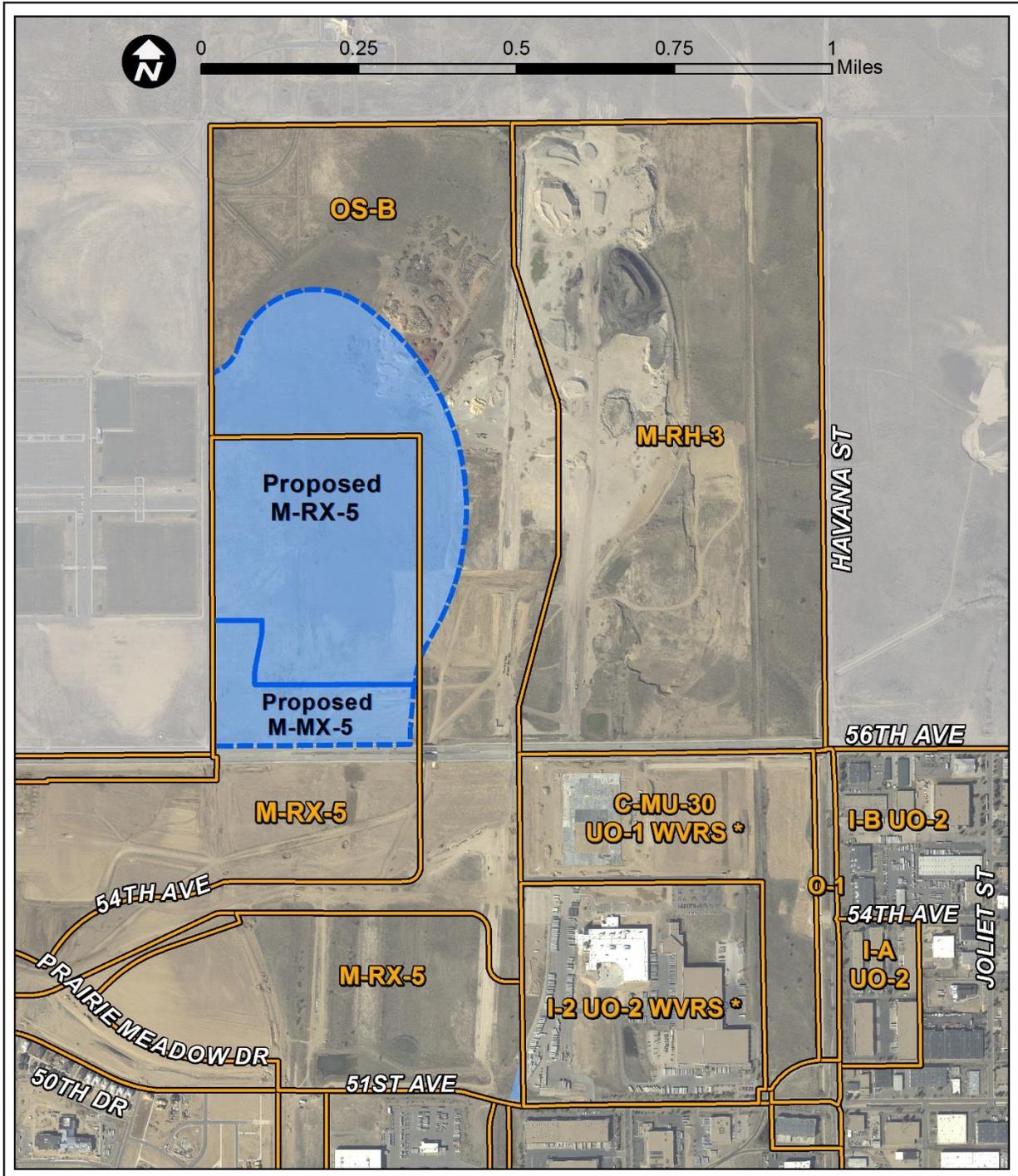
Summary of Rezoning Request

- The property is located in northeast Denver, in City Council District 8, within the Stapleton Statistical Neighborhood, north of 51st Avenue, North of 56th Avenue, east of the Central Park Boulevard alignment.
- The site is vacant land and surrounded by vacant land to the north, south, and east. Dick's Sporting Goods Park, a professional soccer stadium, is located to the west across the future alignment of Central Park Blvd.
- The rezoning is requested to make the subject site consistent with the approved General Development Plan, which modified the parcel, development, and open space configuration.
- The proposed M-RX-5 zone district stands for **M**aster Planned Context, **R**esidential **M**ixed Use with a **5**-story height limit. The M-RX-5 zone district is intended to promote development of new primarily residential neighborhoods up to 5 stories in height, while allowing complimentary non-residential land uses such as office and retail uses when located on corners of collector or arterial streets. The other proposed zone district is M-MX-5 which stands for **M**aster Planned Context, **M**ixed Use with a **5**-story height limit. M-MX-5 is intended to promote mixed use development up to 5 stories in

height. Further details of the zone districts can be found in Article 9 of the Denver Zoning Code (DZC).



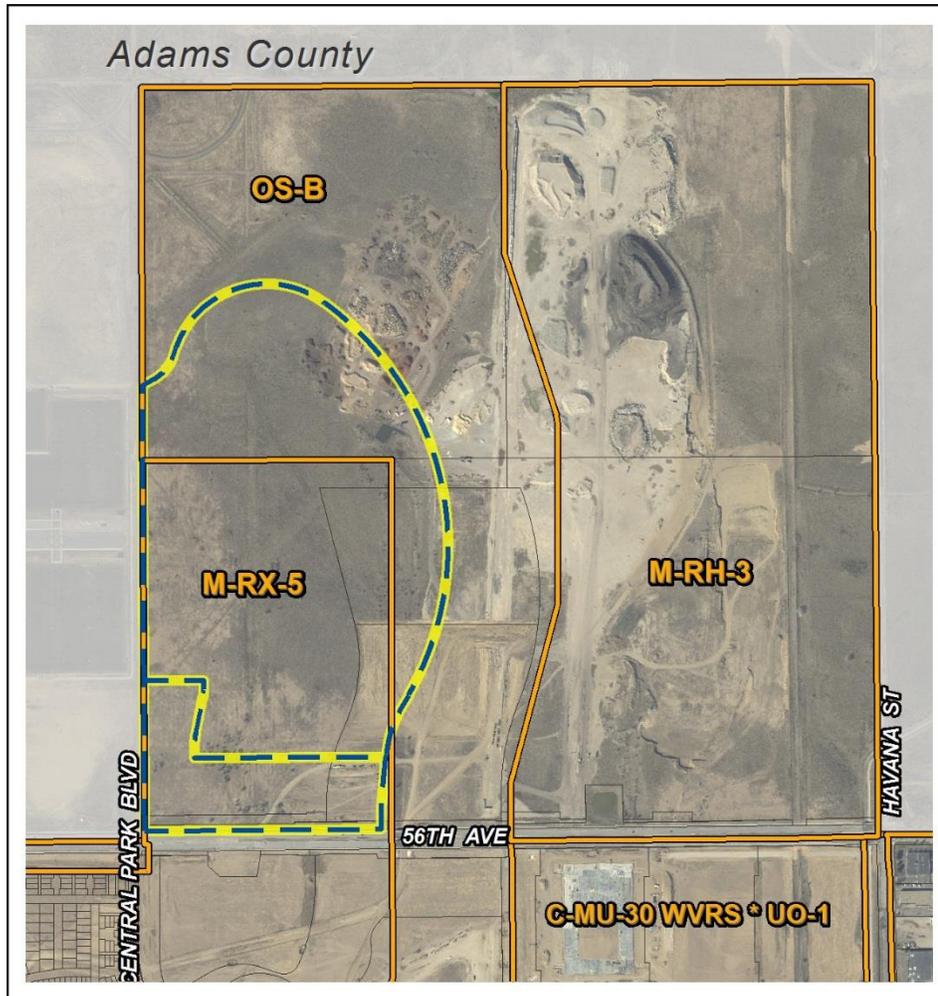
Proposed Rezoning



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

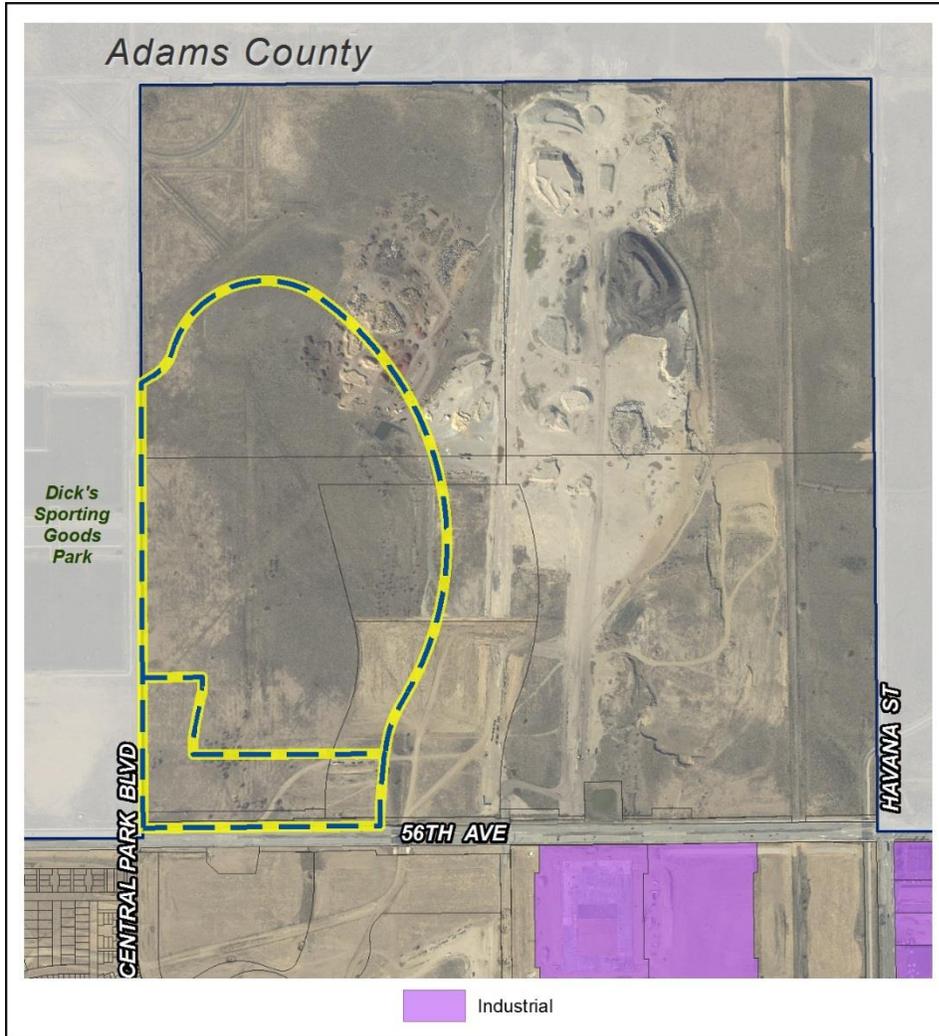
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	M-RX-5; OS-B	Vacant land	Vacant land	Site and surrounding are vacant and the street pattern is not yet established. Further south the developing Stapleton residential subdivisions have consistent and rectangular block patterns with vehicle parking to the side or rear of buildings when alleys are present.
North	OS-B	Vacant land	Vacant land	
South	M-RX-5	Vacant land	Vacant land	
East	OS-B	Vacant land	Vacant land	
West	Adams County	Major League Soccer Stadium	Major League Soccer Stadium, surface parking	

1. Existing Zoning



The existing M-RX-5 zone district stands for **M**aster Planned Context, **R**esidential **M**ixed Use with a **5**-story height limit. The M-RX-5 zone district is intended to promote development of new primarily residential neighborhoods up to 5 stories in height, while allowing complimentary non-residential land uses such as office and retail uses when located on corners of collector or arterial streets. The other existing zone district is OS-B. The OS-B district is intended to protect and promote open space and parks not otherwise owned, operated or leased by the City, and generally intended for active or passive recreation use. The district allows more building coverage and a variety of active recreational facilities than in the OS-C district.

2. Existing Land Use Map



3. Existing Building Form and Scale



56th Avenue looking southeast from subject site



56th Avenue looking northwest from subject site

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

Environmental Health: Approved - 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: Approved - No Comments

Public Works – City Surveyor: Approved with revised legal description

Public Review Process

- CPD staff provided Informational notice of receipt of the rezoning application to affected members of City Council and registered neighborhood organizations on October 19th, 2015.
- The property has been legally posted for a period of 15 days announcing the March 16th, 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 Planning Board review, the rezoning application will be referred to the Planning and Neighborhoods (PLAN) Committee of the City Council for review at a public meeting. The PLAN Committee meeting is tentatively scheduled for April 13th, 2016
- Following PLAN committee review, the rezoning application is typically referred to the full City Council for final action at a public hearing.
- As of the date of this staff report, no comments from RNOs or the public have been received regarding this application.

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)
- Stapleton Development Plan (1995)
- Stapleton Section 10 General Development Plan (2014)

Denver Comprehensive Plan 2000

The proposal is consistent with many Denver Comprehensive Plan strategies, including:

- Land Use 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.

- 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.
- Mobility Strategy 4-E - Continue to promote mixed-use development, which enables people to live near work, retail and services.
- Legacies Strategy 3-A – Identify areas in which increased density and new uses are desirable and can be accommodated.

The proposed map amendment will enable the continued development of North Stapleton. The proposed M-RX-5 and M-MX-5 zone districts allow a wide variety of residential, civic and commercial lands uses. The rezoning is consistent with these plan recommendations.

Blueprint Denver

The Blueprint Denver future land use designations for the subject property is Single Family Residential and Parks and is located in Area of Change.

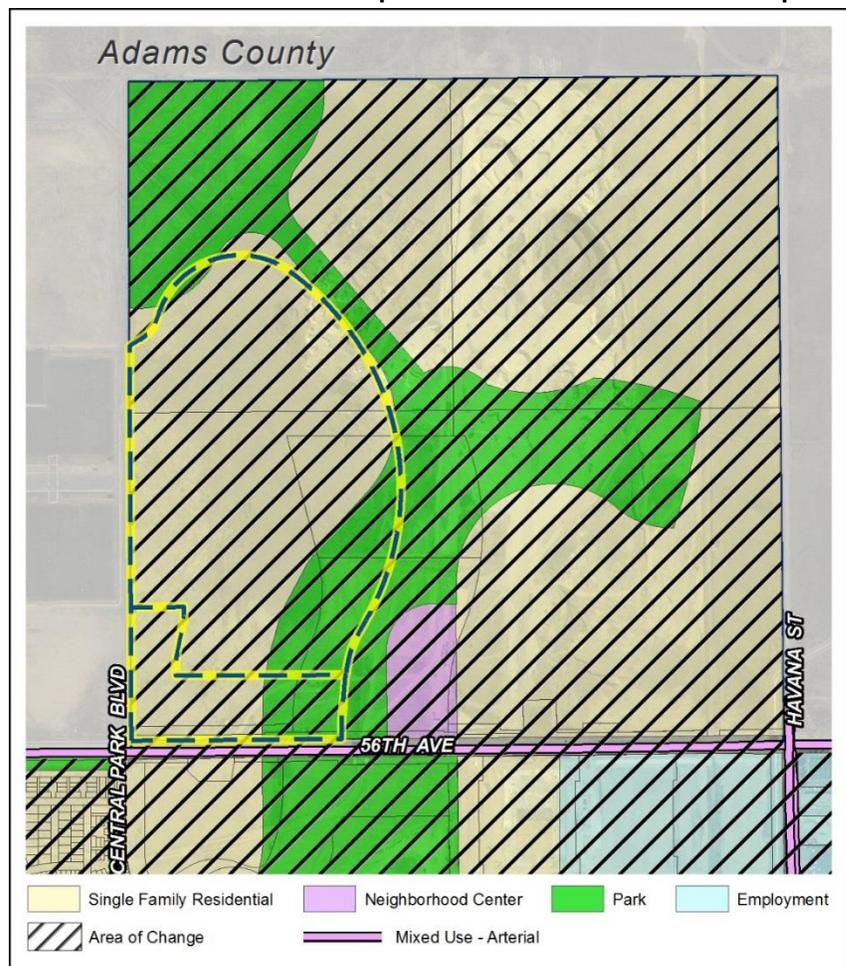
Future Land Use

Blueprint Denver describes Single-Family Residential neighborhoods “that consist primarily of residential land uses” and states that “There are several different types of residential areas and neighborhoods often have more than one type of land use within them.” (p.41) Further that “A city should contain neighborhoods that offer a variety of housing types, as well as complementary land-use types such as stores, parks and schools that provide the basic needs of nearby residents (p.41) Parks are described as “...public spaces, ranging from our historic, traditional parks to natural areas along the waterways.” (p.40).

Area of Change

Areas of Change are “areas where growth will be beneficial and can best improve access to jobs, housing and services with fewer auto trips.” (p.20)

Blueprint Denver Future Land Use Map



While the proposed rezoning boundaries do not precisely match those in Blueprint Denver, the future land use map is a broad framework that was intended to be refined through Small Area Planning and, specific to Stapleton, through “coordinated master planning” (p. 22). This Blueprint Denver strategy has been implemented for Section 10 with a General Development Plan (GDP) and page 13 describes how this proposed rezoning is consistent with the GDP. Further, the rezoning of the subject property is consistent with Blueprint Denver’s larger goal for Stapleton to create “a level of local retail, services and jobs to support the needs of residents who will occupy future housing on these sites. Such a development pattern ensures that residents can find goods, services and employment close to home and may help reduce the number and length of trips taken.” (p.22) The M-MX-5 and M-RX-5 will facilitate the continued redevelopment of the former Stapleton Airport into a new residential mixed use neighborhood while maintaining access to parks and open space.

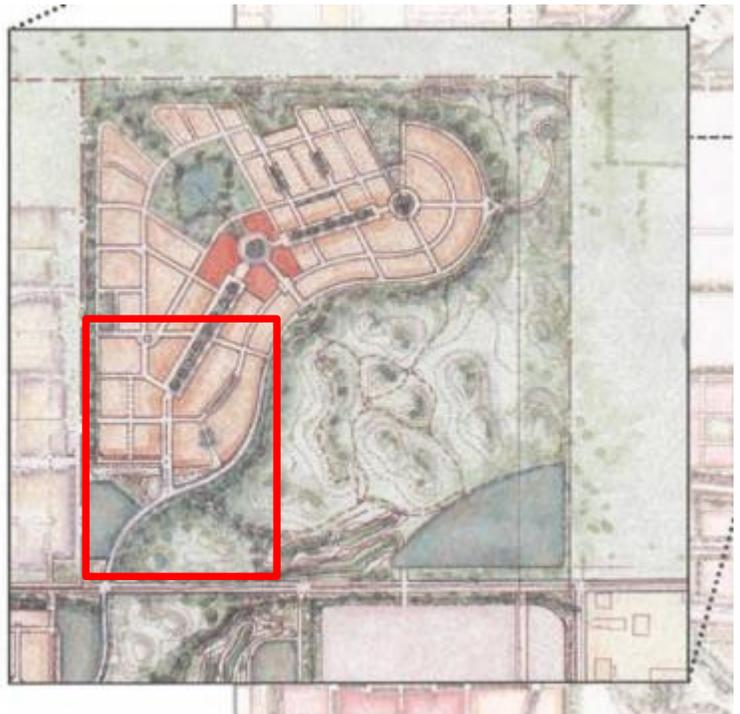
Street Classifications

Blueprint Denver classifies 56th Avenue as a Mixed Use Arterial. According to Blueprint Denver, Mixed Use streets “Mixed-use streets emphasize a variety of travel choices such as pedestrian, bicycle and transit use. Mixed-use streets are located in high-intensity mixed use commercial, retail and residential areas with substantial pedestrian activity.” (p.57) The rezoning of the subject site will establish the M-MX-5 zone district adjacent to 56th Avenue is consistent with this definition.

Small Area Plan: Stapleton Development Plan

The applicable neighborhood plan for the property is the Stapleton Development Plan, which was adopted in March, 1995. On the Development Plan map the subject property is in District VIII. Key elements of the Development Plan for this area are a mix of residential and employment land uses, moderate density, and open space. (p. 5-64)

The proposed M-MX-5 and M-RX-5 zone districts are consistent with this Plan vision and will provide the regulatory basis for development of these key elements.



General Development Plan

The site is within Stapleton Section 10 General Development Plan (GDP) approved in December, 2014. The GDP establishes a framework for land use and public infrastructure. The plan establishes a system of connected open spaces that connect future walkable neighborhoods with a trail system along natural drainage ways. A street network connects future neighborhoods through a curvilinear system of collector streets that minimize impact to natural storm water systems and planned open spaces. This Map Amendment request is consistent with the approved GDP as the land use plan specifically indicates that the M-MX-5 and M-RX-5 zone districts match the General Mixed Use and Residential Mixed Use land use categories that are planned for the subject site.



LEGEND

	Intended Land Use	Acreage	Anticipated Zoning*	Anticipated Density
	Existing Development Outside the Boundary of this GDP			
	 Residential - Mixed-Use	349	M-RX-5	5 to 32 dwelling units / acre
	 General Mixed-Use	22	M-MX-5	Up to 32 dwelling units / acre
	 Publicly Accessible Open Space (See Sheet 7)	176	OS-B	
	 Roadway Right-of-Way	61		

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to M-MX-5 and M-RX-5 will result in the uniform application of zone district building form, use and design regulations.

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 the implementation of adopted plans.

4. Justifying Circumstance

The application identifies the changing condition of the redevelopment of the Stapleton area as the Justifying Circumstance under DZC Section 12.4.10.8.A.4, "The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area." The removal of the Stapleton Airport and the desire within adopted plans to redevelop the area into a new mixed use neighborhood and adoption of the General Development Plan to provide greater specificity for coordinated land use and infrastructure development for the site are appropriate justifying circumstances for the proposed rezoning.

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

A Denver Zoning Code criterion is that the proposed official map amendment should be consistent with the descriptions of the applicable neighborhood context, and with the stated purpose and intent of the proposed zone district. The Master Planned Context is intended for areas that will redevelop in phases, over a period of time, such as the former Stapleton Airport. Development may consist of a variety of residential densities, mixed use centers embedded in residential areas, larger town centers, high density transit oriented developments, as well as commercial office and mixed-use industrial employment centers. Single- and two-unit residential uses are primarily located along local and residential arterial streets. Multi-unit residential uses are primarily located along local and residential arterial streets. Commercial uses are primarily located along mixed-use arterial streets but may be located at or between intersections of local streets. Office, research and industrial parks are primarily located near arterials and major highways.

The purpose and intent of the M-RX-5 and M-MX-5 zone district is to promote development of new residential and mixed use neighborhoods. Land use in the district is intended to be a primarily residential with some commercial and mixed uses allowed at the intersections of collector or arterial streets. The proposed rezoning is consistent with the Master Planned Context and the intent of the M-RX-5 and M-MX-5 zone districts as the site is planned to be developed in phases, allow for a variety of uses and building forms, and encourage mixed use development along Central Park Blvd. and 56th avenue, which are both arterial streets.

Staff Recommendation

Based on the analysis set forth above, CPD staff finds that the application for rezoning the property located at 56th Avenue and Central Park Boulevard to M-MX-5 and M-RX-5 zone districts meets the requisite review criteria. Accordingly, staff recommends approval.

Planning Board Recommendation

Following the public hearing, the Planning Board Voted to recommend that the Denver City Council approve the rezoning application.

Rezoning Application #2015I00079
E. 56th Avenue and Central Park Blvd
May 26, 2016
Page 15

Attachments

1. Application

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. Please provide an attachment describing the justifying circumstance.
	<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. Please provide an attachment describing how the above criterion is met.
	<p>REQUIRED ATTACHMENTS</p> <p>Please ensure the following required attachments are submitted with this application:</p> <input type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format) <input type="checkbox"/> Proof of Ownership Document(s) <input type="checkbox"/> Review Criteria
<p>ADDITIONAL ATTACHMENTS</p> <p>Please identify any additional attachments provided with this application:</p> <input type="checkbox"/> Written Authorization to Represent Property Owner(s)	
<p>Please list any additional attachments:</p>	

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 Josie Q. Smith</i>	01/01/12	(A)	NO
City & County of Denver	1437 Bannock Denver, CO 80202	90%	<i>[Signature]</i>	10/5/15	(A)	NO
Park Creek Metropolitan District	7350 E. 29th Ave. #200 Denver, CO 80238	7%	<i>[Signature]</i>	9/14/15	(A)	YES
FC Stapleton II, LLC	7351 E. 29th Ave. #300 Denver, CO 80238	3%	<i>[Signature]</i>	9.14.15	(A)	YES

Last updated: February 4, 2015

Return completed form to rezoning@denvergov.org

List of Exhibits

- Exhibit A:** Property Legal Descriptions and Map Exhibits
- Exhibit B:** Description of Consistency with Adopted City Plans (DRMC 12.4.10.13 (A, B & C))
- Exhibit C:** Description of Justifying Circumstances and Neighborhood Context (DRMC 12.4.10.14 (A&B))
- Exhibit D:** Letter of Authorization for STARBOARD Realty Group, LLC to act as Representative
- Exhibit E:** Proof of Ownership, Assessors Record
- Exhibit F:** Request for and Justification of Reduced Fee

EXHIBIT A

Property Legal Descriptions and Map Exhibits

Parcel 1: 24.12 Acres (M-MX-5)

Parcel 2: 131.79 Acres (M-RX-5)

EXHIBIT A
PARCEL 1 (M-MX-5)

A PARCEL OF LAND LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 10; THENCE NORTH 00°15'25" WEST, ALONG THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 10, A DISTANCE OF 1126.23 FEET; THENCE NORTH 89°44'35" EAST, A DISTANCE OF 50.00 FEET TO A POINT ON THE WEST LINE OF THAT CERTAIN PARCEL OF LAND IN ANNEXATION MAP RECORDED JANUARY 6, 1970 IN THE OFFICE OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER UNDER BOOK 26 AT PAGE 48, SAID POINT ALSO BEING THE **POINT OF BEGINNING**.

THENCE NORTH 89°44'35" EAST, A DISTANCE OF 416.00 FEET;

THENCE SOUTH 00°15'25" EAST, A DISTANCE OF 67.00 FEET TO A 300.00 FOOT RADIUS CURVE WHOSE CENTER BEARS SOUTH 89°44'35" WEST;

THENCE SOUTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°21'37", AN ARC LENGTH OF 59.48 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 11°06'13" WEST, A DISTANCE OF 241.39 FEET TO A 544.50 FOOT RADIUS CURVE WHOSE CENTER BEARS SOUTH 78°53'47" EAST;

THENCE SOUTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°21'37", AN ARC LENGTH OF 107.96 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 00°15'25" EAST, A DISTANCE OF 70.00 FEET;

THENCE NORTH 89°44'35" EAST, A DISTANCE OF 1333.79 FEET;

THENCE SOUTH 05°00'00" WEST, A DISTANCE OF 309.63 FEET TO A 500.00 FOOT RADIUS CURVE WHOSE CENTER BEARS SOUTH 85°00'00" EAST;

THENCE SOUTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 05°15'25", AN ARC LENGTH OF 45.88 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 00°15'25" EAST, A DISTANCE OF 149.23 FEET TO A POINT BEING 75.50 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 10;

THENCE SOUTH 89°29'45" WEST, ALONG A LINE 75.50 FEET NORTH OF AND PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 1655.24 FEET TO A POINT ON THE WEST LINE OF THE PREVIOUSLY MENTIONED ANNEXATION MAP AND A POINT BEING 50.00 FEET EAST OF THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 10;

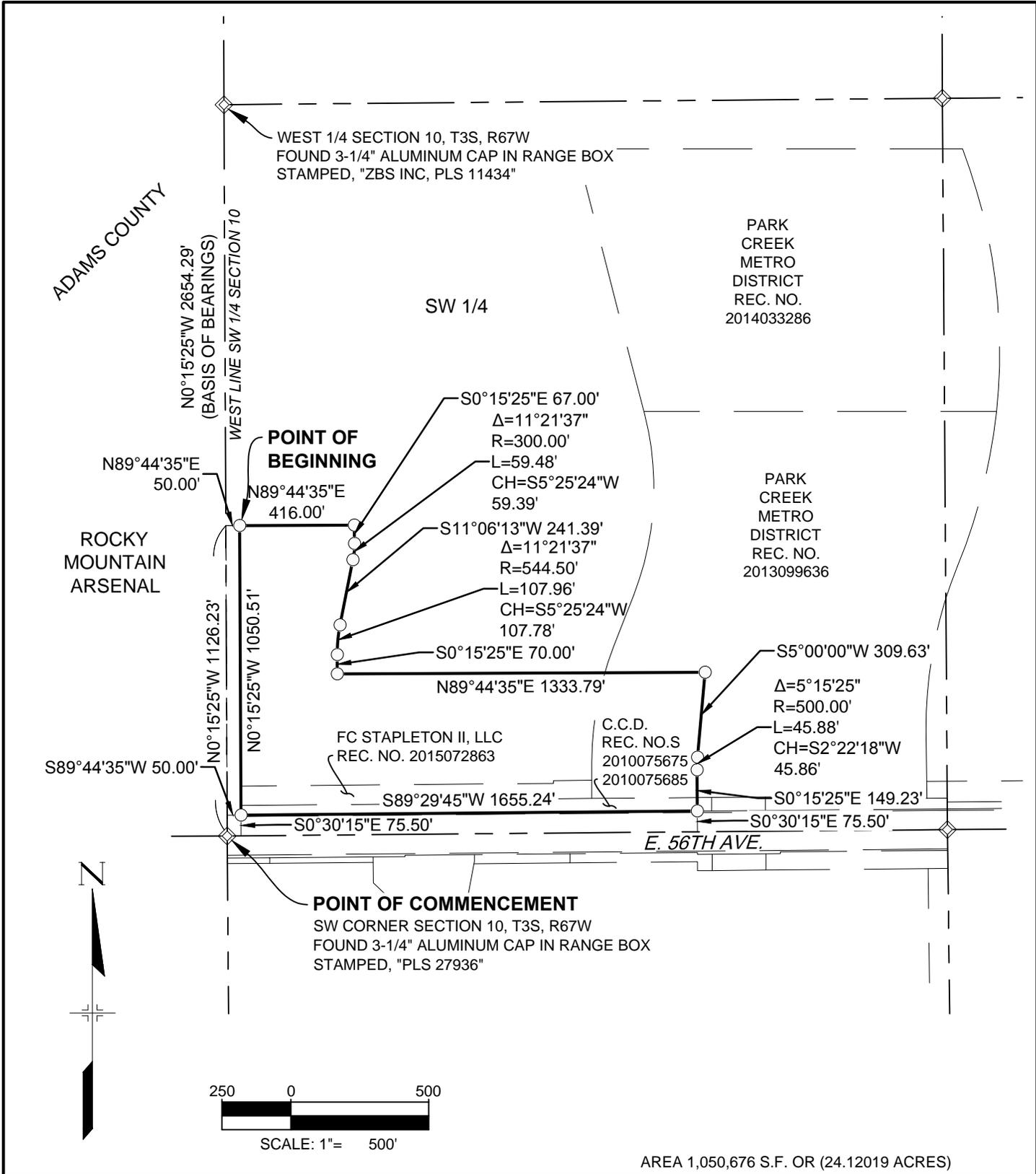
THENCE NORTH 00°15'25" WEST, ALONG A LINE 50.00 FEET EAST OF AND PARALLEL WITH SAID WEST LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 10, A DISTANCE OF 1050.51 FEET TO THE **POINT OF BEGINNING.**

THE ABOVE DESCRIBED PARCEL CONTAINS A CALCULATED AREA OF 1,050,676 SQUARE FEET, OR 24.12019 ACRES, MORE OR LESS.

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEARING NORTH 00°15'25" WEST, BASED ON NAD 83/92 COLORADO CENTRAL ZONE STATE PLANE COORDINATES, MONUMENTED ON THE SOUTH END BY A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX, STAMPED "PLS 27936" AND ON THE NORTH END BY A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX, STAMPED "ZBS INC, PLS 11434".



JUSTIN A. CONNER, PLS 38421
FOR AND ON BEHALF OF MATRIX DESIGN GROUP, INC
1601 BLAKE STREET, SUITE 200
DENVER, CO 80202
303-572-0200



	1601 Blake Street, Suite 200 Denver, CO 80202 Phone 303-572-0200 Fax 303-572-0202		REZONE-SOUTH FUTURE FILING 49 A PORTION OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 10, T3S, R67W OF THE 6TH P.M.	
			EXHIBIT A - PARCEL 1 (M-MX-5)	
R:\15.001.193 (Filing 49)\Survey\Dwg\Exhibits\Filing 49 Rezone Exhibit-south.dwg		DRAWN BY: JAC CHECKED BY: JAC	DATE: SEPT. 09, 2015 JN: 15.001.193	3 OF 3

EXHIBIT A
PARCEL 2 (M-RX-5)

A PARCEL OF LAND LOCATED IN THE WEST ONE-HALF OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 10; THENCE NORTH 00°15'25" WEST, ALONG THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 10, A DISTANCE OF 1126.23 FEET; THENCE NORTH 89°44'35" EAST, A DISTANCE OF 50.00 FEET TO A POINT ON THE WEST LINE OF THAT CERTAIN PARCEL OF LAND IN ANNEXATION MAP RECORDED JANUARY 6, 1970 IN THE OFFICE OF THE CITY AND COUNTY OF DENVER CLERK AND RECORDER UNDER BOOK 26, PAGE 48, SAID POINT ALSO BEING THE **POINT OF BEGINNING**.

THENCE NORTH 00°15'25" WEST, ALONG A LINE BEING 50.00 EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 10 AND WEST LINE OF SAID BOOK 26, PAGE 48, A DISTANCE OF 1528.06 FEET;

THENCE NORTH 00°15'13" WEST, ALONG A LINE BEING 50.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 10 AND SAID WEST LINE OF SAID BOOK 26, PAGE 48, A DISTANCE OF 526.87 FEET;

THENCE NORTH 60°01'05" EAST, A DISTANCE OF 94.34 FEET TO A POINT ON A 300.00 FOOT RADIUS CURVE WHOSE CENTER BEARS NORTH 29°58'55" WEST;

THENCE NORTHEASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 40°11'41", AN ARC LENGTH OF 210.46 FEET TO A POINT OF TANGENCY;

THENCE NORTH 19°49'24" EAST, A DISTANCE OF 62.92 FEET TO A POINT ON A 675.00 FOOT RADIUS CURVE WHOSE CENTER BEARS SOUTH 70°10'36" EAST;

THENCE EASTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 106°45'53", AN ARC LENGTH OF 1257.79 TO A POINT ON A 2100.00 FOOT COMPOUND CURVE WHOSE CENTER BEARS SOUTH 36°35'18" WEST;

THENCE SOUTHERLY ALONG SAID COMPOUND CURVE, THROUGH A CENTRAL ANGLE OF 82°38'16", AN ARC LENGTH OF 3028.83 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 29°13'34" WEST, A DISTANCE OF 115.47 FEET TO A 782.00 FOOT RADIUS CURVE WHOSE CENTER BEARS SOUTH 60°46'26" EAST;

THENCE SOUTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 24°13'34", AND ARC LENGTH OF 330.65 FEET;

THENCE SOUTH 05°00'00" WEST, A DISTANCE OF 39.09 FEET;

THENCE SOUTH 89°44'35" WEST, A DISTANCE OF 1333.79 FEET;

THENCE NORTH 00°15'25" WEST, A DISTANCE OF 70.00 FEET TO A POINT ON A 544.50 FOOT RADIUS CURVE WHOSE CENTER BEARS NORTH 89°44'35" EAST;

THENCE NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°21'37", AN ARC LENGTH OF 107.96 FEET TO A POINT OF TANGENCY;

THENCE NORTH 11°06'13" EAST, A DISTANCE OF 241.39 FEET TO A 300.00 FOOT RADIUS CURVE WHOSE CENTER BEARS NORTH 78°53'47" WEST;

THENCE NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 11°21'37", AN ARC LENGTH OF 59.48 FEET;

THENCE NORTH 00°15'25" WEST, A DISTANCE OF 67.00 FEET;

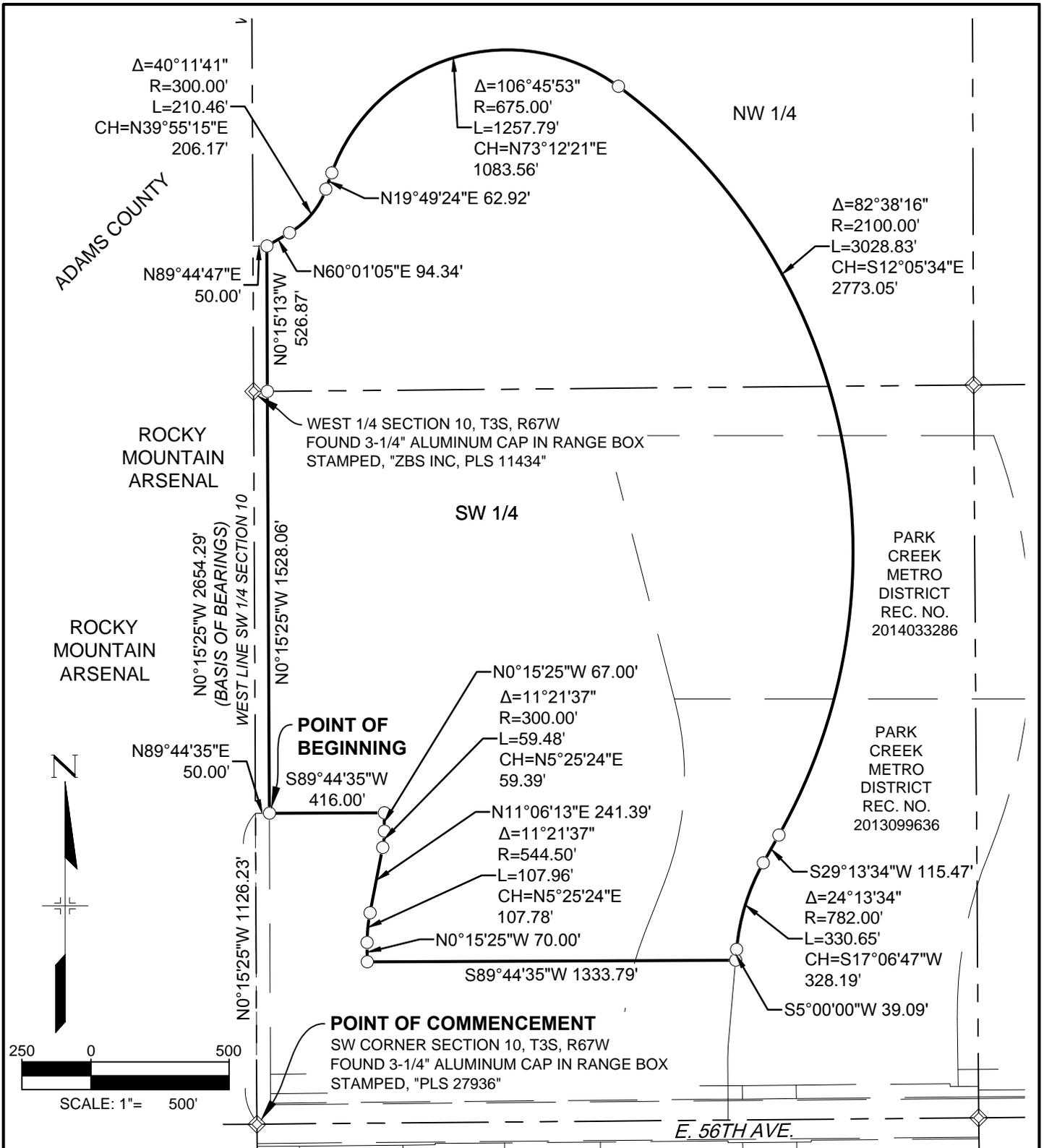
THENCE SOUTH 89°44'35" WEST, A DISTANCE OF 416.00 FEET TO THE **POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL CONTAINS A CALCULATED AREA OF 5,740,963 SQUARE FEET, OR 131.79437 ACRES, MORE OR LESS.

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO, BEARING NORTH 00°15'25" WEST, BASED ON NAD 83/92 COLORADO CENTRAL ZONE STATE PLANE COORDINATES, MONUMENTED ON THE SOUTH END BY A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX, STAMPED "PLS 27936" AND ON THE NORTH END BY A FOUND 3-1/4" ALUMINUM CAP IN RANGE BOX, STAMPED "ZBS INC, PLS 11434".



JUSTIN A. CONNER, PLS 38421
FOR AND ON BEHALF OF MATRIX DESIGN GROUP, INC
1601 BLAKE STREET, SUITE 200
DENVER, CO 80202
303-572-0200



PARCEL AREA: 5,740,963 S.F. OR (131.79437 ACRES)

	1601 Blake Street, Suite 200 Denver, CO 80202 Phone 303-572-0200 Fax 303-572-0202		REZONE-NORTH FUTURE FILING 49 A PORTION OF LAND LOCATED IN THE WEST ONE-HALF OF SECTION 10, T3S, R67W OF THE 6TH P.M.	
			EXHIBIT A - PARCEL 2 (M-RX-5)	
R:\15.001.193 (Filing 49)\Survey\Dwg\Exhibits\Filing 49 Rezone Exhibit-north.dwg		DRAWN BY: JAC CHECKED BY: JAC	DATE: SEPT. 09, 2015 JN: 15.001.193	3 OF 3

EXHIBIT B
Description of Consistency with Adopted City Plans

REVIEW CRITERIA - The proposed map amendment is consistent with the following three adopted plans:

1. Denver Comprehensive Plan 2000
2. Blueprint Denver (2002)
3. Stapleton Development Plan (1995)
4. Stapleton Section 10 General Development Plan (2014)

Statement of Consistency with Adopted City Plans:

1. The proposed map amendment is consistent with many objectives of ***Denver Comprehensive Plan 2000*** including:

From and Use 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.”

From 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.” As well as: “Support retention and expansion of businesses in industries historically important to Denver, including small business, health care, manufacturing, and federal and state government.”

Mobility Strategy 4-E: “Continue to promote mixed-use development, which enables people to live near work, retail and services.”

Legacies Strategy 3-A: “Identify areas in which increased density and new uses are desirable and can be accommodated.”

The proposed map amendment will also contribute to preserving and enhance the individuality, diversity and livability of Denver’s neighborhoods by fostering the following Plan objectives:

Congruency of land use and zoning: “...a built environment with greater overall urban design integrity, stronger connections among urban centers, and a richer and more diverse mix of uses within geographically proximate areas.”

Compact development: “...improved neighborhood cohesion, reduced urban sprawl and residents more directly connected to services and amenities within their immediate living environment.”

2. The proposed map amendment is consistent with many objectives of **Blueprint Denver** including:

The **Blueprint Denver** future land use designation for the subject property is Single Family Residential. The Property is also located in an Area of Change.

Blueprint Denver describes Single-Family Residential neighborhoods “that consist primarily of residential land uses” and states that “There are several different types of residential areas and neighborhoods often have more than one type of land use within them.” And: “A city should contain neighborhoods that offer a variety of housing types, as well as complementary land-use types such as stores, parks and schools that provide the basic needs of nearby residents.”

Blueprint Denver also states that “Areas of Change are areas where growth will be beneficial and can best improve access to jobs, housing and services with fewer auto trips.”

The **Blueprint Denver** Plan Strategy: Direct Growth to Areas of Change – the Property is in a **Blueprint Denver** identified Area of Change and also meets the following **Blueprint Denver** Areas of Change criteria, goals and objectives:

- Certain features of the Property characterize an Area of Change, such as:
 - The Property is largely underutilized land
 - The Property is in an area undergoing positive change that is expected to continue
- The Property is adjacent to areas with special opportunities such as where major public or private investments are planned, including the new major roadways and school sites. Denver International Airport and Established service and employment centers in and around Stapleton.
- The Property also provides opportunities for the following **Blueprint Denver** Strategies including:
 - Infill and redevelop vacant and underused properties
 - Compatibility between new and existing development
 - Balanced mix of uses
 - Economic activity—business retention, expansion and creation
 - Housing, including affordable housing

New M-MX-5 and M-RX-5 zoning for the Property will allow these **Blueprint Denver** goals to be implemented.

Blueprint Denver also is relevant to the Property and positively informs the rezoning request at follows:

“Mixed-Use Zoning: Mixed-use zoning provides a mixture of uses to enable residents to shop and work in the same area. Mixed-use zoning allows or encourages residential use with commercial use, such as moderate sized offices or retail. The uses can be either mixed in the same building or in separate buildings near each other.”

New M-MX-5 and M-RX-5 zoning for the Property will allow this **Blueprint Denver** goal to be implemented.

The rezoning of the subject property will enable the continued redevelopment of the former Stapleton Airport into a vibrant new residential mixed use neighborhood proximate to jobs, services and multimodal transportation corridors.

3. The proposed map amendment is consistent with many objectives of the **Stapleton Development Plan** including:

The applicable neighborhood plan for the property is the **Stapleton Development Plan**, which was adopted in March, 1995. On the Development Plan map the Property is in District VIII. Key elements of the Development Plan for this area are a mix of residential and employment land uses, a commercial center, transportation improvements, integrated parks and school sites. The Plan anticipated that District 8 would develop at medium to high densities including 1,900 housing units.

The proposed M-MX-5 and M-RX-5 zone districts are consistent with this Plan vision and will help to provide the regulatory framework for implementation of these Plan goals and objectives.

4. The proposed map amendment is consistent with and helps to implement the approved **Stapleton Section 10 General Development Plan**. Specifically, Sheet 4 of the GDP, the Proposed Land Use Sheet identifies future land uses as follows:

Residential Mixed Use: The GDP anticipates rezoning Parcel 2 identified in this application to M-RX-5

General Mixed Use: The GDP anticipates rezoning Parcel 1 identified in this application to M-MX-5

As such, the approved **Stapleton Section 10 General Development Plan** informs and provides specific plan direction for the exact rezonings contemplated in this application.

EXHIBIT C

Description of Justifying Circumstances and Neighborhood Context

Justifying Circumstances - One of the following circumstances exists:

1. 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.
2. 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.

Statement of Justifying Circumstances:

The 156 acre Stapleton Property to be rezoned to M-MX-5 and M-RX-5 is located in a part of Denver undergoing tremendous and positive transformation. The Stapleton master planned community is nearing its final phases, and this rezoning is needed to implement the last undeveloped section of Stapleton. The proposed map amendment is in response to these changing conditions in Stapleton and the surrounding area.

The Property consists of undeveloped land that can now be efficiently served by existing and under construction infrastructure. Rezoning will further the policy goals and multiple City plan directions of converting the Property to a vibrant mixed use community through private ownership once land is conveyed to ForestCity Stapleton from the City (DIA). As such, conditions are changing significantly, thereby providing the legal basis for this map amendment application and rezoning request.

This rezoning will be an implementation step of the policy, land use and transportation goals identified in the aforementioned Plans. Once rezoned, the Property can accommodate the urban densities and mix of uses prescribed in the plans. This rezoning is necessary for the following reasons:

1. Conformance with the 2014 Section 10 General Development Plan.
2. Updates to proposed parcel configurations and development program.
3. The ability to meet demand for additional uses and dwelling units on the Property.
4. Further implementation of Blueprint Denver and the Stapleton Development Plan.
5. Integration of a more thoughtful land use plan that integrates with the Stapleton master plan and the needs of the Stapleton community.

Mixed use development throughout Stapleton over the last 20 years has transformed the former airport into the nation's premier large scale mixed use urban infill community. The proposed Zone Districts provide the form based context to enable what the market, ForestCity and the community desire for the furtherance of the development of Stapleton that is consistent with the expectations of the City. Design elements imbedded in the zoning such as building height and orientation, and quality parking solutions will help create a quality community the City and its residents will be proud of.

Statement of Consistency with Neighborhood Context and General Purpose of Zone Districts:

This map amendment application requests approval of the M-MX-5 and M-RX-5 Zone Districts for the Property. The “M” Zone Districts are appropriate because the intended for use in master planned communities such as Stapleton. These Districts allow a variety of building forms to encourage a diverse and interesting built environment rather than bland monotony.

The Denver Zoning Code states that the General Purpose of the “M” Zone Districts is that the intent of Zone Districts within the Master Planned Context is to provide flexibility for master planned development of large sites to respond to evolving market opportunities over time. The Zone District regulations support phased mixed-use development and allow for a wide variety of uses and building forms. As development proceeds, the allowed uses and building forms are further defined to provide clarity and predictable development outcomes.

Specifically for Parcel 1: M-MX-5 is a residential mixed-use district intended to promote development of new neighborhoods up to 5 stories in height. Single and two unit building forms are often located on small lots and all building forms usually have relatively shallow setbacks and high building coverage. Multi-unit building forms may be built directly at the sidewalk edge and general building forms may be located on corner sites. Buildings are oriented either towards a primary street or to internal courtyard or open space areas. Parking access from the rear or from the front when no alley is present.

Specifically for Parcel 2: M-RX-5 is a residential mixed-use district intended to promote development of new neighborhoods up to 5 stories high. Single and two unit buildings can be located on small lots with shallow setbacks. Buildings are often oriented towards the primary street.

The **General Intent** for this rezoning to M-MX-5 and M-RX-5 is:

1. To Implement the Denver Comprehensive Plan and its supplements.
2. To promote the furtherance of Denver’s character and form including access to open space and strong neighborhoods with tree lawns, detached sidewalks and a strong street grid.
3. Take advantage of proximity to transit.
4. Foster strong neighborhood character and community attributes by reinforcing the importance of the public realm through urban design including safe, attractive and convenient bicycle and pedestrian connectivity.
5. The Mixed Use Zone Districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of town house, row house, courtyard apartment, apartment, and shopfront building forms that clearly define and activate the public street edge.
6. The Mixed Use Zone Districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city’s neighborhoods.
7. The Mixed Use Zone District standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

EXHIBIT D

Letter of Authorization for STARBOARD Realty Group, LLC to act as Representative

Telephone 303-382-1800

7351 East 29th Avenue
Denver, Colorado 80238

www.StapletonDenver.com
Email info@StapletonDenver.com

June 18, 2015

Mr. Bruce O'Donnell
STARBOARD Realty Group, LLC
bodonnell@starboardrealtygroup.com
720-441-3310

Dear Bruce,

This letter serves as authorization for STARBOARD Realty Group, LLC to act on behalf of and represent Forest City Denver for the purpose of submitting and processing two rezoning applications for tracts of vacant land in Section 10, generally located at the northeast corner of E. 56th Avenue and Central Park Boulevard, in Stapleton Filing Number 49.

Sincerely,



Forrest Hancock
Director of Development & Authorized Representative

Sept 14th , 2015

Bruce O'Donnell
President
Starboard Realty Group, LLC
E-mail- bodonnell@starboardrealtygroup.com

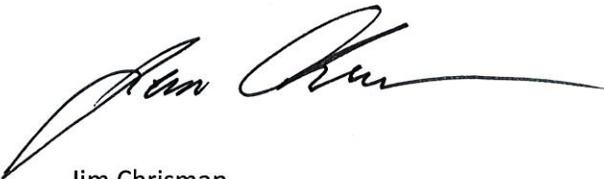
Re: Stapleton Section 10 rezoning Submittals

Dear Bruce,

This letter serves as authorization for Bruce O'Donnell, dba Starboard Realty Group, LLC, to act on behalf of the Park Creek Metropolitan District (PCMD) for the purposes of the rezoning applications for the parcels within a portion of Stapleton Section 10. This land is located on the western portion of Section 10, currently a vacant tract of land north of 56th avenue and west of the future Central Park Blvd alignment.

Respectfully,

Park Creek Metropolitan District

A handwritten signature in black ink, appearing to read "Jim Chrisman", with a long horizontal flourish extending to the right.

Jim Chrisman
Board Member
Park Creek Metropolitan District

EXHIBIT E
Proof of Ownership, Assessors Record

Exhibit E to be completed once City Surveyor has determined ownership boundaries and City completes Page 3 of this Map Amendment Application with Property Owner Representative Certification.



Denver Property Assessment and Taxation System (3.2.3)

[New Search](#)

8901 E 56TH AVE

Owner	Schedule Number	Legal Description	Property Type	Tax District
PARK CREEK METROPOLITAN 7350 E 29TH AVE 200 DENVER , CO 80238-2721	0110303009000 PIN 163941594	T3S R67W PT S/2 S10 COM SW CORS10 TH N44.2705E 2158.09FT TPBN14.2251W 984.48FT E 1400.29FTCV/R RAD 2065FT ARC 970.48FT DELTA 26.5537 CHORD S07.2205E	VACANT LAND	425G

Summary | Assessment | Assessment Protest | Taxes | Comparables | Neighborhood Sales | Chain of Title

Property Summary

Property Map

Assessment

Actual Value Year: 2015

Actual Value: \$1,478,300

More

Property

Year Built: 0

Square Footage: 0

More

Comparables

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

More



Help me find ▾

Neighborhood Services

Business Services

Visiting

Government

Online Services

Denver Property Assessment and Taxation System (3.2.3)

[New Search](#)

8901 E 56TH AVE VCNT

Owner	Schedule Number	Legal Description	Property Type	Tax District
PARK CREEK METROPOLITAN 7350 E 29TH AVE 300 DENVER , CO 80238- 2722	0110303006000 PIN 163898303	T3 R67 S10 S/2 PT S/2 S10 DIF REC# 2013099366 RCD 07/09/2013 ("PARCEL G") DAF *	VACANT LAND	425G

Summary | Assessment | Assessment Protest | Taxes | Comparables | Neighborhood Sales | Chain of Title

Property Summary | Property Map

Assessment

Actual Value Year: 2015

Actual Value: \$1,869,000

[More](#)

Property

Year Built: 0

Square Footage: 0

[More](#)

Comparables

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

[More](#)



Denver Property Assessment and Taxation System (3.2.3)

[New Search](#)

8901 E 56TH AVE MISC

Owner	Schedule Number	Legal Description	Property Type	Tax District
CITY & COUNTY OF DENVER 201 W COLFAX AVE 401 DENVER , CO 80202-5330	0110303002000 PIN 163697472	T3 R67 S10 PTN SW/4 S10 DAF TK-9,TK-9C DIF RCP 2010075677 & TK-9A,TK-9B DIF RCP 2010075675	VACANT LAND	425G

Summary | Assessment | Assessment Protest | Taxes | Comparables | Neighborhood Sales | Chain of Title

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	PIN
No comparables available for this property.				

[More](#)



Denver Property Assessment and Taxation System (3.2.3)

[New Search](#)

8901 E 56TH AVE

Owner	Schedule Number	Legal Description	Property Type	Tax District
CITY & COUNTY OF DENVER 201 W COLFAX AVE 401 DENVER , CO 80202-5330	0110303011000 PIN 164026070	T3 R67 S10 SW/4 EXC W 50FT & EXC PTN DAF "TK-9" & "TK-9C" DIF RCP 2010075677 & "TH-9A" & "TK-9B" DIF RCP 2010075675 & EXC DIF RCP 2013099366 & EXC	VACANT LAND	425G

[Summary](#)
[Assessment](#)
[Assessment Protest](#)
[Taxes](#)
[Comparables](#)
[Neighborhood Sales](#)
[Chain of Title](#)

[Property Summary](#)

[Property Map](#)

Assessment

Actual Value Year: 2015

Actual Value: \$23,545,600

[More](#)

Property

Year Built: 0

Square Footage: 0

[More](#)

Comparables

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

[More](#)



Denver Property Assessment and Taxation System (3.2.3)

[New Search](#)

8900 E 64TH AVE UNIT -9700

Owner	Schedule Number	Legal Description	Property Type	Tax District
CITY & COUNTY OF DENVER 201 W COLFAX AVE 401 DENVER , CO 80202-5330	0110202001000 PIN 160487023	T3 R67 S10 NW/4 EXC N 50FT & EXC W 50FT	STAPLETON AIRPORT	425G

[Summary](#)
[Assessment](#)
[Assessment Protest](#)
[Taxes](#)
[Comparables](#)
[Neighborhood Sales](#)
[Chain of Title](#)

Property Summary

Property Map

Assessment

Actual Value Year: 2015

Actual Value: \$7,695,000

[More](#)

Property

Year Built: 0

Square Footage: 0

[More](#)

Comparables

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

[More](#)


[Help me find ▾](#)
[Neighborhood Services](#)
[Business Services](#)
[Visiting](#)
[Government](#)
[Online Services](#)

Denver Property Assessment and Taxation System (3.2.3)

[New Search](#)

5606 CENTRAL BLVD

Owner	Schedule Number	Legal Description	Property Type	Tax District
FC STAPLETON II LLC 7351 E 29TH AVE DENVER, CO 80238-2701	0110303010000 PIN 164026061	PT T3S R67W S10 SW/4 DAF COM SW COR S10 E 50FT N 110.50FT TPOB N 70FT E 1134.04FT N 10FT E 139.54FT S 66FT W 222.82FT S 14FT	VACANT LAND	425G

[Summary](#)
[Assessment](#)
[Assessment Protest](#)
[Taxes](#)
[Comparables](#)
[Neighborhood Sales](#)
[Chain of Title](#)

Property Summary

Property Map

Assessment

Actual Value Year: 2015
Actual Value: \$524,500
[More](#)

Property

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

Comparables

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

[More](#)

EXHIBIT F

Request for and Justification of Reduced Fee

Telephone 303-382-1800

7351 East 29th Avenue
Denver, Colorado 80238

www.StapletonDenver.com
Email info@StapletonDenver.com

September 14, 2015

Ms. Jill Jennings-Golich
Community Planning and Development
201 W. Colfax Ave
Dept. 205
Denver, CO 80202

RE: Map Amendment Application for Stapleton Section 10 Filing 49 M-MX-5 and M-RX-5 Rezoning

Dear Ms. Jennings-Golich,

For numerous prior rezonings Forest City Stapleton requested and was granted a waiver of or reduction in fees from the City of Denver due to the public funding methods at Stapleton and the unique size and number of re-zonings that will occur as we continue to develop the property. In this same fashion we request that the waiver for reduced fees be continued and extended to our current re-zoning application and any future Stapleton re-zonings. I have included as an exhibit with this request the most recent approval by the City and County of Denver to grant our request in a letter from then CPD Manager Rocky Piro to Heidi Majerik of Forest City Stapleton on September 12, 2103, which approved a total fee of \$10,000 for the 122 acre rezoning pursuant to application number 2013I-00038.

As such, this application is accompanied with a check in the amount of \$10,000 for payment of the fee.

I appreciate your consideration on this matter,

Best Regards,



Forrest Hancock
Development Manager
Forest City Stapleton



October 12, 2015

Forrest Hancock
Development Manager
Forest City Stapleton
7351 East 29th Avenue
Denver, CO 80238

Re: Request for Fee Waiver/Reduction for Stapleton Map Amendment Application #2015|00079

Dear Mr. Hancock,

I am writing to respond to your request for a waiver of the processing fee for Stapleton Map Amendment Application #2015|00079 at 56th street and Central Park Boulevard.

As you may know, CPD's fee waiver/reduction policy allows the Manager to waive or reduce fees when the administrative resources necessary to process a specific application will be less than the administrative resources the applicable fee presumes to recapture, on average.

Map amendment fees are based upon the total acreage of the land area proposed for rezoning. Map amendment fees are \$1,000 for the first acre, and \$500 for each additional acre, with a maximum fee amount of \$50,000. The property located at northeast corner of E. 56th Avenue and Central Park Blvd. is 155.91 ± acres, or for fee purposes 156 acres. Based upon this acreage, the required fee for the map amendment submittal is \$1,000 plus \$77,455 or the maximum fee of \$50,000.

Based on an estimate of the resources that this case will take to process, CPD staff has concluded that a reduction of \$47,500 is warranted. **The fee for this case will be \$2,500.**

If you have any additional questions, please don't hesitate to contact me.

Best,

Evelyn Baker
Deputy Director, Community Planning and Development