



**TO:** City Council Neighborhoods and Planning Committee  
**FROM:** Curt Upton, Senior City Planner  
**DATE:** April 7, 2016  
**RE:** Official Zoning Map Amendment Application #2015I00079  
Stapleton – East 56<sup>th</sup> 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.

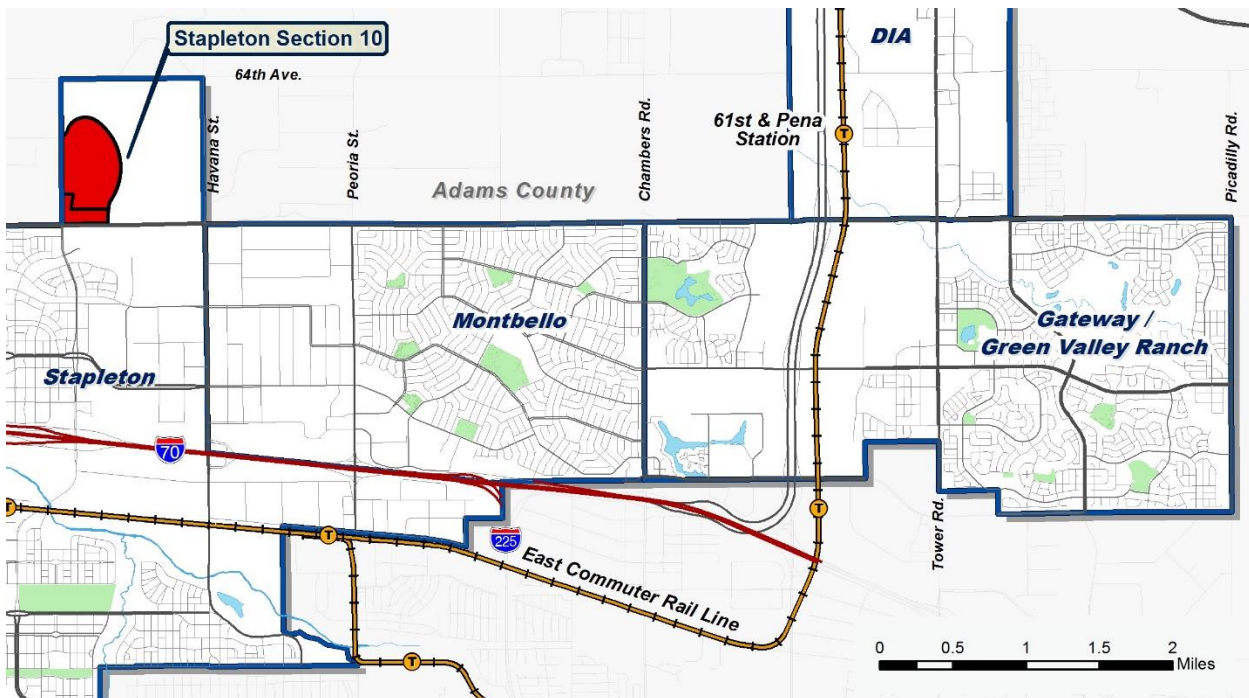
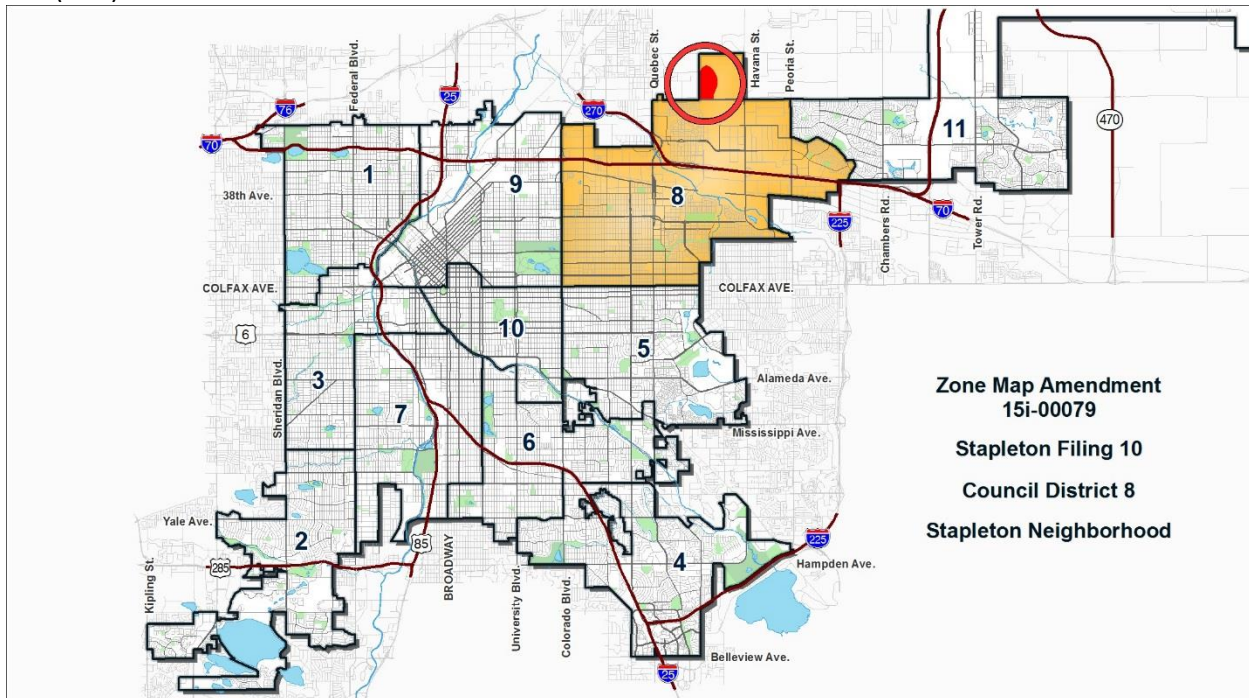
### Request for Rezoning

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

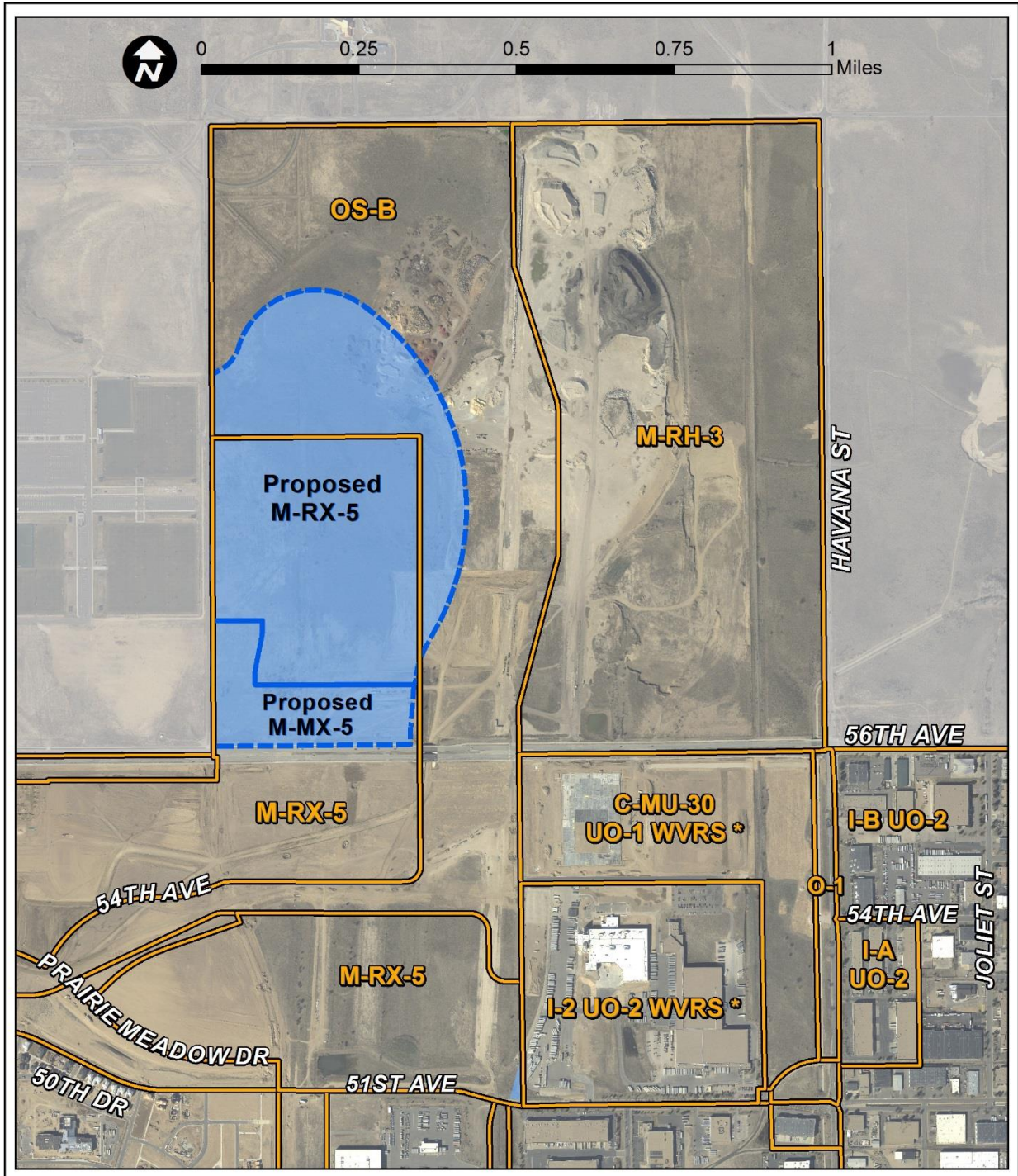
- The property is located in northeast Denver, in City Council District 8, within the Stapleton Statistical Neighborhood, north of 51<sup>st</sup> Avenue, North of 56<sup>th</sup> Avenue, east of the Central Park Boulevard alignment.
- The site is vacant land and surrounded by vacant land to the north, 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

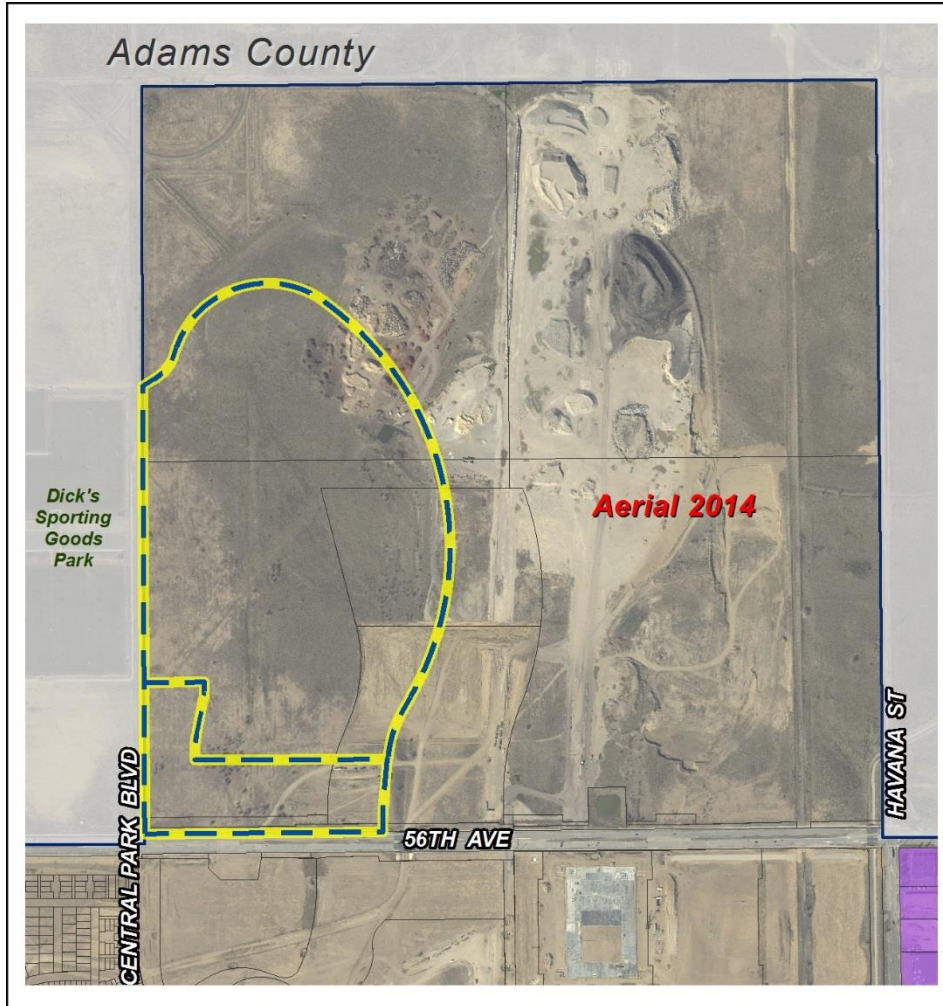
height. Further details of the zone districts can be found in Article 9 of the Denver Zoning Code (DZC).





**Proposed Rezoning**





### Existing Context

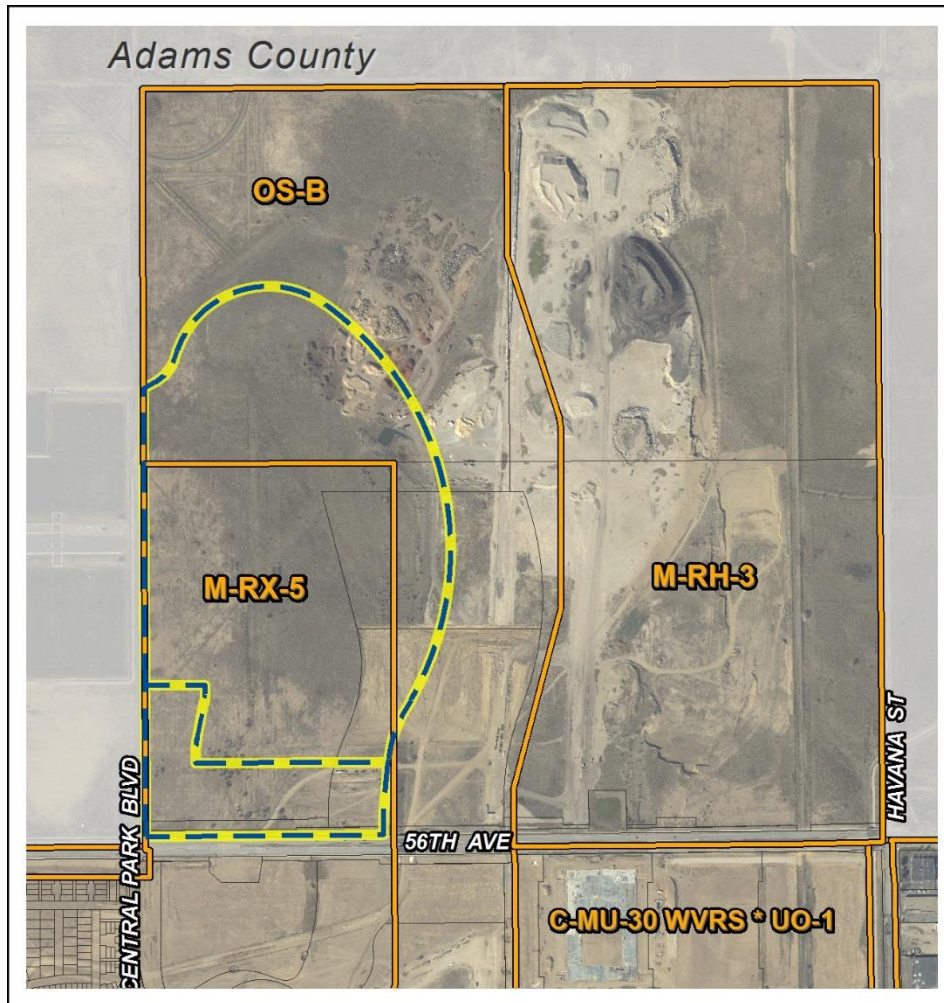
The property is located on the northern boundary of the City with Adams County and Commerce City, north of Interstate 70 and southwest of the Rocky Mountain Arsenal. Southeast of the site, across 56<sup>th</sup> avenue are existing 1-2-story; a new residential subdivision to the south and further south, the Northfield Shopping District on the south side of Northfield Boulevard. The immediate area surrounding the subject property is vacant. The surrounding block pattern is a mix of a grid and modified grid pattern with alleys present in the planned residential subdivision.

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 |  |

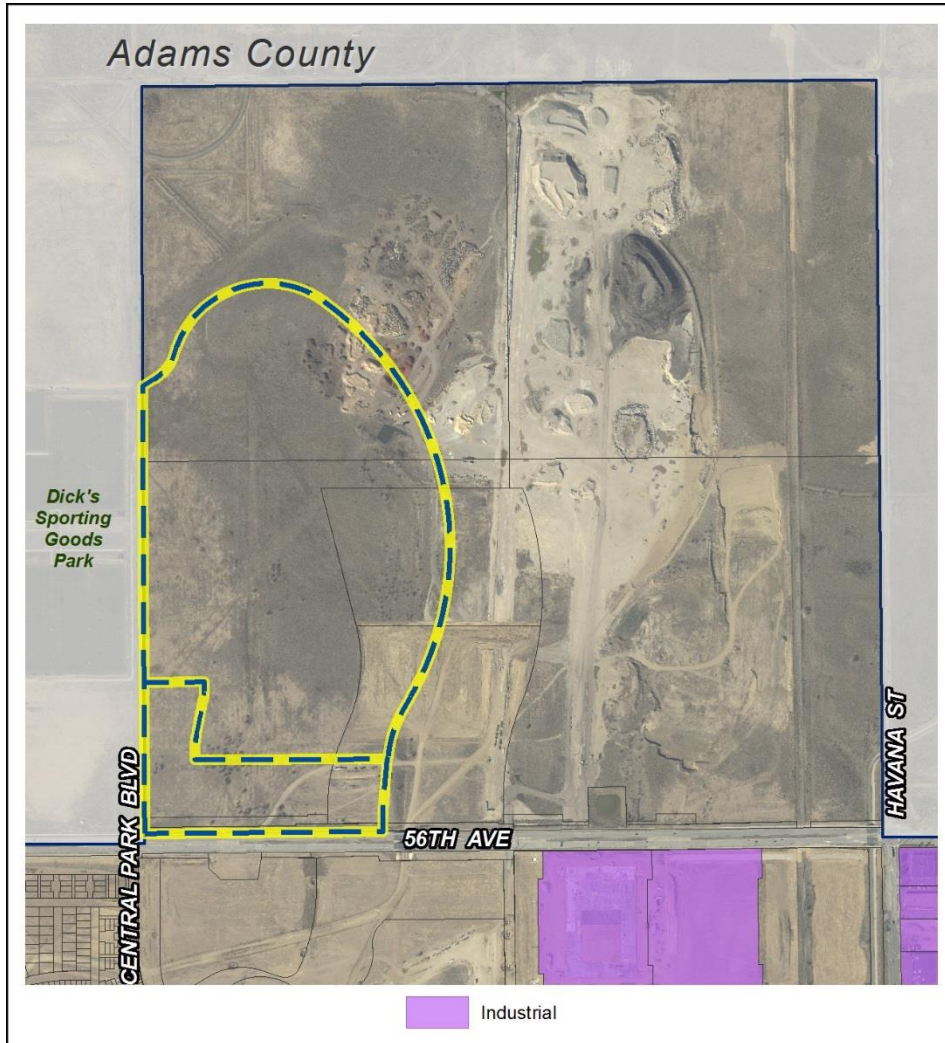


## 1. Existing Zoning



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



56<sup>th</sup> Avenue looking southeast from subject site



56<sup>th</sup> 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 19<sup>th</sup>, 2015.
- The property has been legally posted for a period of 15 days announcing the March 16<sup>th</sup>, 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 13<sup>th</sup>, 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.

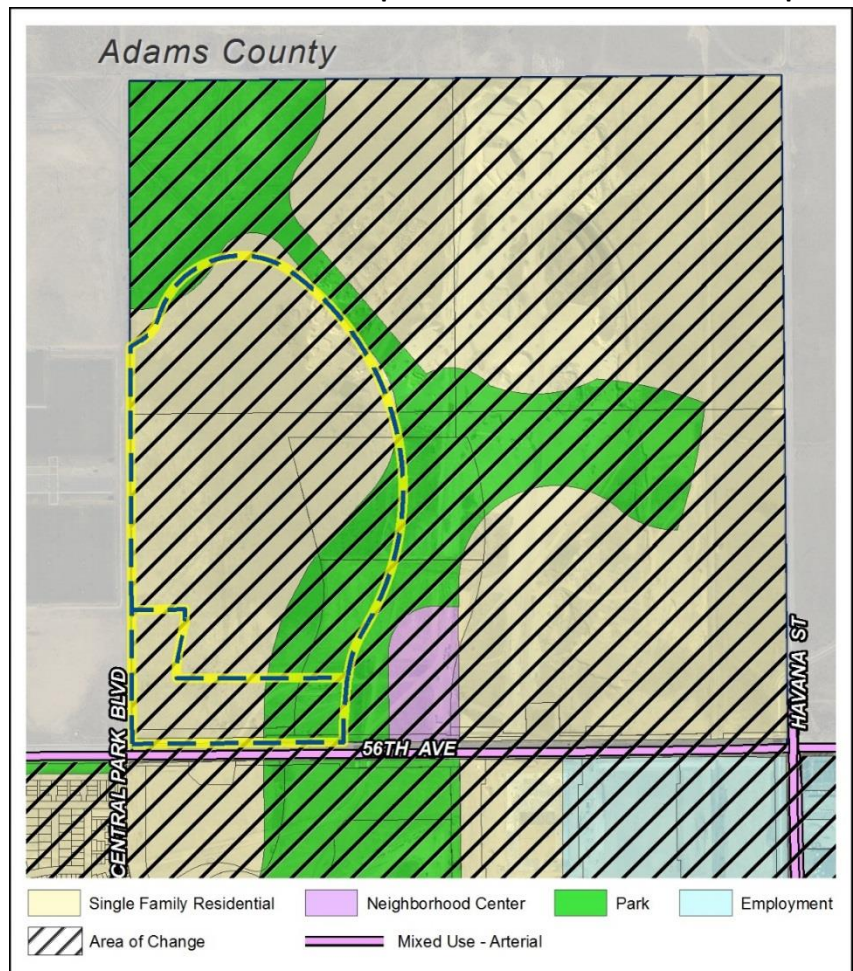
### Future Land Use

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 56<sup>th</sup> 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 56<sup>th</sup> Avenue is consistent with this definition.

### **Small Area Plan: Stapleton Development Plan**

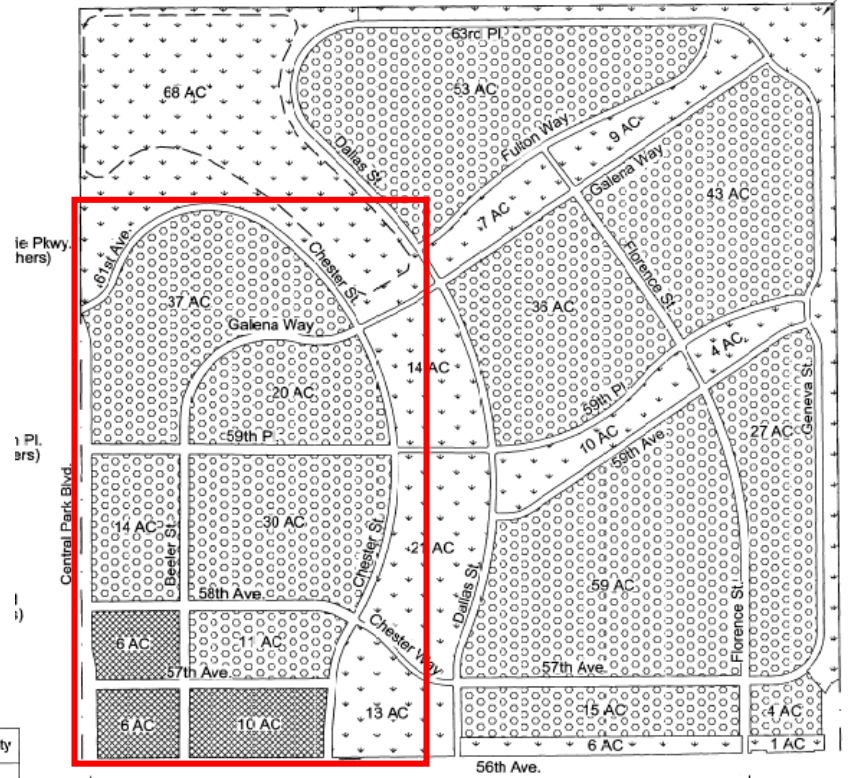
The applicable neighborhood plan for the property is the Stapleton Development Plan, which was adopted in March, 1995. On the Development Plan map the subject property is in District VIII. Key elements of the Development Plan for this area are a mix of residential and employment land uses, moderate density, 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 56<sup>th</sup> 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 56<sup>th</sup> 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.



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E. 56<sup>th</sup> Avenue and Central Park Blvd  
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**Attachments**

1. Application