



TO: Denver City Council Land Use, Transportation and Infrastructure Committee
FROM: Theresa Lucero, Senior City Planner
DATE: May 9, 2019
RE: Official Zoning Map Amendment Application #2018I-00001

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2018I-00001.

Request for Rezoning

Address: 2701 Lawrence Street
 Neighborhood/Council District: Five Points Neighborhood / Council District 9
 Organization RNOs: Ballpark Collective; Center City Residents Organization; Curtis Park Neighbors; Denver Arts and Culture Initiative; Five Points Business District; Opportunity Corridor Coalition of United Residents; RiNo Art District; Roi Norte; UCAN; Inter-Neighborhood Cooperation (INC)
 Area of Property: 21,960 square feet or 0.5 acres
 Current Zoning: G-MU-3
 Proposed Zoning: U-MX-2
 Property Owner(s): Siddhartha Rathod
 Owner Representative: Justin Fries, Studio DH

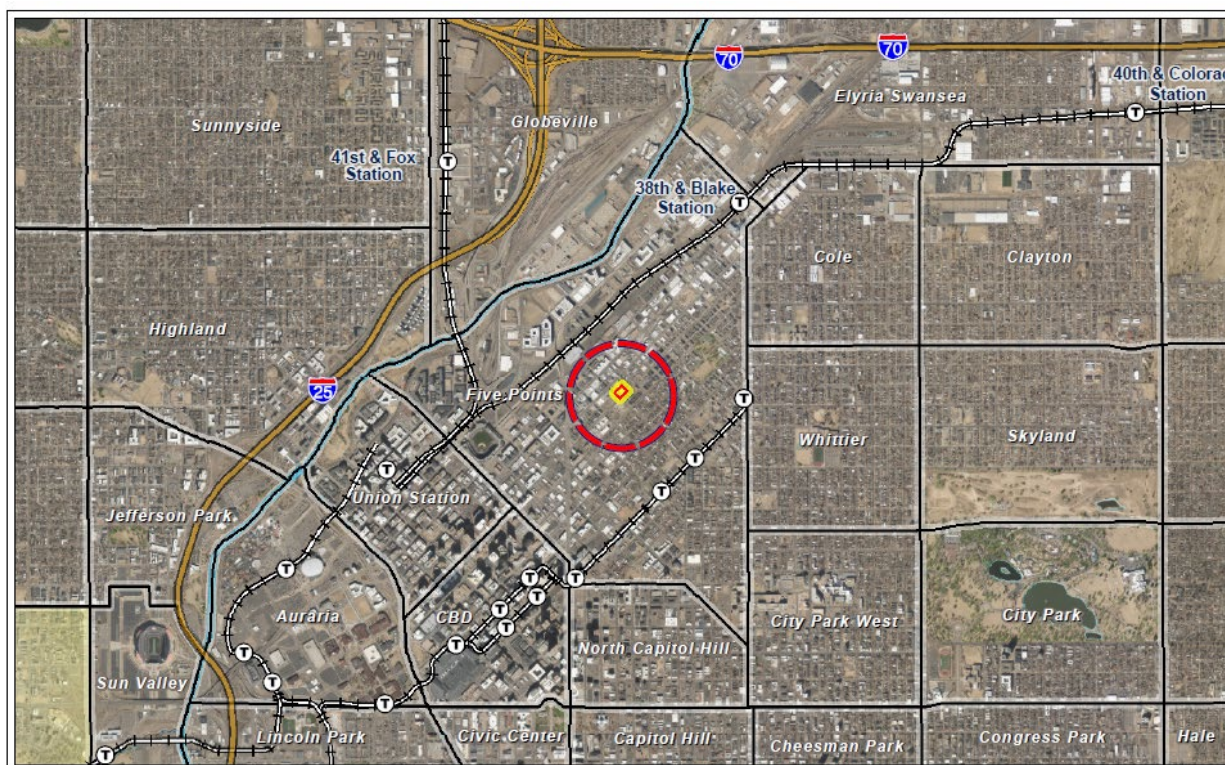
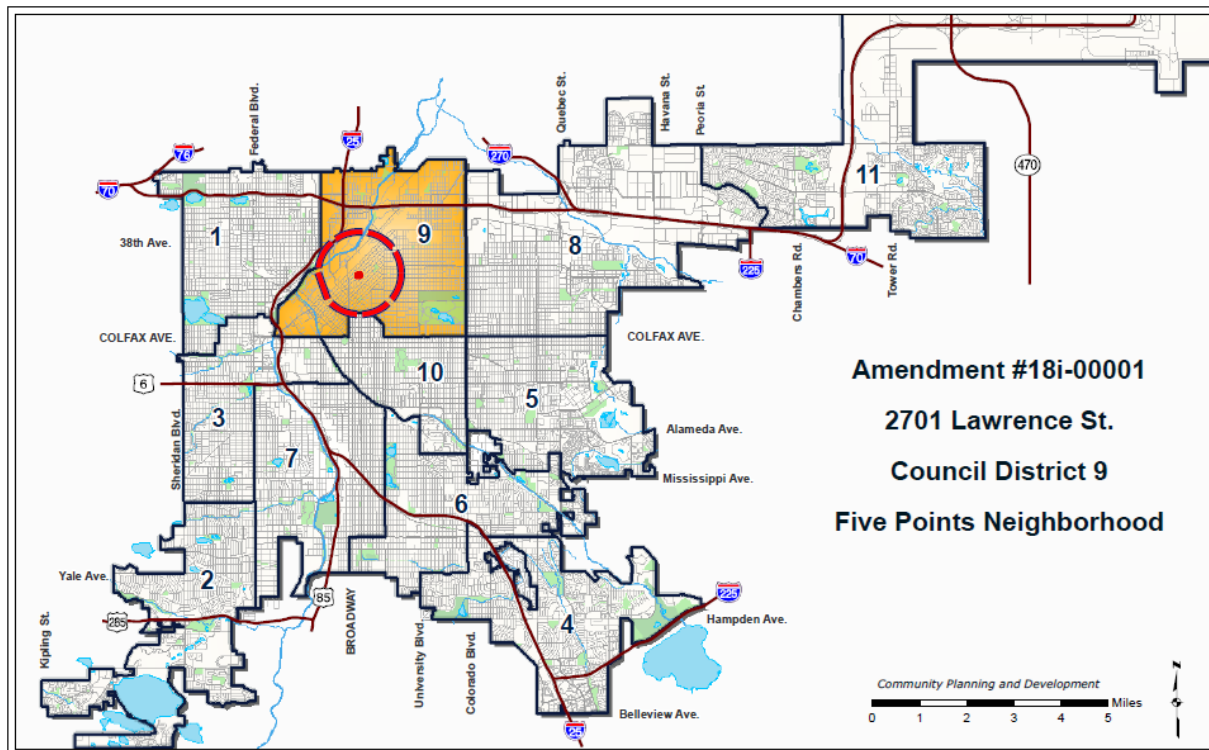
Summary of Rezoning Request

- The subject property is a one-story office building built in 1922 and is located at the northwest corner of 27th Street and Lawrence Street.
- The property owner is proposing to rezone the property to be allowed to expand the existing office land use and structure with a second story.
- The **U-MX-2**, Urban, Mixed-Use, **2** (2-story, 30 feet maximum height), zone district is intended for use in the Urban Neighborhood Context which is characterized by single-unit and two-unit uses. In the Urban context small-scale multi-unit and commercial areas are embedded in residential areas. Single-unit structures in the zone district are the Urban House form, multi-unit building forms typically include the row house form and commercial forms are usually Shopfront and General building forms (See the table below). Further details of the zone district can be found in Article 5 of the Denver Zoning Code.

Urban (U) Neighborhood Context Zone District		Building Forms											
		Suburban House	Urban House	Duplex	Tandem House	Row House	Garden Court	Town House	Apartment	Drive Thru Services	Drive Thru Restaurant	General	Shopfront
Max Number of Primary Structures Per Zone Lot		1*	1*	1*	2	No Maximum							
Single Unit (SU)	U-MX-2							■		□	□	■	■

■=Allowed □=Allowed subject to geographic locations *See Section 1.2.3.5 for exceptions

Planning Services
 Community Planning and Development
 201 W. Colfax Ave., Dept. 205 | Denver, CO 80202
www.denvergov.org/CPD
 p. 720.865.2983



1. Existing Context



Map Date: April 11, 2019

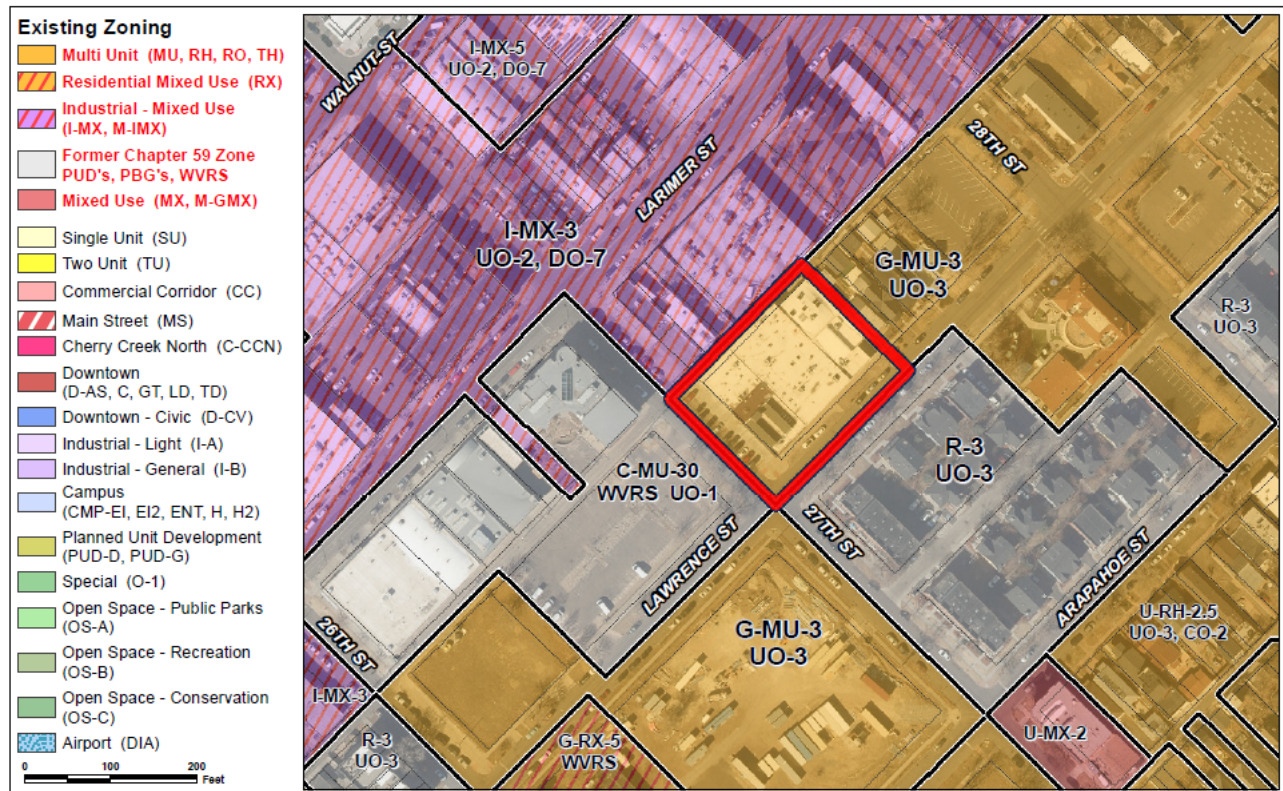
The subject property is on the northwest corner of 49th Avenue and Lawrence Street. In the general vicinity are:

- Brighton Boulevard – 4 blocks north;
- Union Pacific Railroad – 4 blocks north;
- South Platte River – 5 blocks north;
- Mestizo-Curtis Park – 2 blocks northeast;
- DSST Cole Middle School – 6 blocks northeast;
- 30th & Downing Light Rail Station – 5 blocks east;
- 27th & Welton Light Rail Station – 6 blocks southeast;
- 25th & Welton Light Rail Station – 6 blocks south;
- Stout Street Children's Park – 4 blocks south;
- Sonny Lawson Park – 5 blocks south;
- Coors Field – 5 blocks southwest;
- North Broadway – 2 blocks west;

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	G-MU-3/UO-3	Office	1-story Structure	Block sizes and shapes are consistent and rectangular and shaped by a grid street pattern. A mixture of attached and detached sidewalks and existing alleys. Garage and on-street vehicle parking.
North	I-MX-3/UO-3/DO-7	Commercial, Industrial & Civic	1-2-story Structures	
South	G-MU-3/UO-3	Vacant	No Structures	
East	G-MU-3/UO-3 & R-3/UO-3	Single-unit, two-unit and multi-unit Residential	1-2 story Structures	
West	C-MU-30 with waivers/UO-1	Office & Vacant	3-story Structure	

2. Existing Zoning



Map Date: April 11, 2019

Existing Zoning

The existing G-MU-3 zone district is intended for use in higher density residential neighborhoods and allows multi-unit uses in a variety of building forms including Urban House, Duplex, Garden Court, Town House and Apartment (see the table below). Land uses allowed by the district include mainly residential and civic uses. The industrial mixed use district to the north of the property allows residential, civic, commercial and industrial land uses with an overlay that allows billboards and a River North Design Overlay. The C-MU-30 with waivers zone district to the southwest of the property is a Former Chapter 59 mixed use zone district allowing primarily high density residential and commercial land uses. The R-3 zone district to the southeast of the property is also a Former Chapter 59 zone district. It is a multi-unit residential district and the UO-3 overlay district allows some commercial land uses in designated historic structures.

General Urban (G) Neighborhood Context Zone District		Building Forms											
		Suburban House	Urban House	Duplex	Tandem House	Row House	Garden Court	Town House	Apartment	Drive Thru Services	Drive Thru Restaurant	General	Shopfront
Max Number of Primary Structures Per Zone Lot		1*	1*	1*	2	No Maximum							
Single Unit (SU)	G-MU-3		■	■			■	■	■				

■ = Allowed

*See Section 1.2.3.5 for exceptions

2. Existing Land Use Map



Map Date: April 11, 2019

Existing Land Use

3. Existing Building Form and Scale



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:

Assessor: Approved – No Response.

Asset Management: Approved – No Comments.

Denver Public Schools: Approved – No Response.

Department of Public Health and Environment: Approved - See Comments Below. Notes. Denver Department of Public Health and Environment concurs with the rezoning but is aware of potential environmental concerns on the Property. Dry cleaners historically operated near or on the site and commonly are a source of chlorinated solvent contamination in soil and groundwater. Because these solvents are persistent in the environment and can volatilize, indoor air quality should be evaluated to confirm it meets appropriate standards for the proposed future use.

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.

If renovating or demolishing existing structures, there may be a concern of disturbing regulated materials that contain asbestos or lead-based paint. Materials containing asbestos or lead-based paint should be managed in accordance with applicable federal, state and local regulations.

The Denver Air Pollution Control Ordinance (Chapter 4- Denver Revised Municipal Code) specifies that contractors shall take reasonable measures to prevent particulate matter from becoming airborne and to prevent the visible discharge of fugitive particulate emissions beyond the property on which the emissions originate. The measures taken must be effective in the control of fugitive particulate emissions at all times on the site, including periods of inactivity such as evenings, weekends, and holidays.

Denver's Noise Ordinance (Chapter 36–Noise Control, Denver Revised Municipal Code) identifies allowable levels of noise. Properties undergoing Re-Zoning may change the acoustic environment, but must maintain compliance with the Noise Ordinance. Compliance with the Noise Ordinance is based on the status of the receptor property (for example, adjacent Residential receptors), and not the status of the noise-generating property. Violations of the Noise Ordinance commonly result from, but are not limited to, the operation or improper placement of HV/AC units, generators, and loading docks. Construction noise is exempted from the Noise Ordinance during the following hours, 7am–9pm (Mon–Fri) and 8am–5pm (Sat & Sun). Variances for nighttime work are allowed, but the variance approval process requires 2 to 3 months. For variance requests or questions related to the Noise Ordinance, please contact Paul Riedesel, Denver Environmental Health (720-865-5410).

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 – Fire Prevention: Approved – No Response.

Development Services – Project Coordination: Approved – No Response.

Development Services – Transportation: Approved – See comments below. Any use change, or development or redevelopment proposal, associated with this rezoning may be required to complete Public Works-prescribed improvements to any access driveways, curb, sidewalk, and other transportation infrastructure in the public right-of-way.

Development Services – Wastewater: Approved – See comments below. DS Wastewater approves the subject zoning change. The applicant should note that redevelopment of this site may require additional engineering including preparation of drainage reports, construction documents, and erosion control plans. Redevelopment may require construction of water quality and detention basins, public and private sanitary and storm sewer mains, and other storm or sanitary sewer improvements. Redevelopment may also require other items such as conveyance of utility, construction, and maintenance easements. The extent of the required design, improvements and easements will be determined during the redevelopment process. Please note that no commitment for any new sewer service will be given prior to issuance of an approved SUDP from Development Services

Parks and Recreation: Approved – No Response.

Public Works – City Surveyor: Approved, no comments.

Public Review Process

	Date
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	08/15/18
CPD informational notice of receipt of a REVISED rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	01/09/19
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, registered neighborhood organizations, and property owners:	04/15/19
Planning Board public hearing. The Board recommended approval by a vote of 10-0:	05/01/19
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting:	04/30/19
Land Use, Transportation and Infrastructure Committee of the City Council:	05/14/19
Property legally posted for a period of 21 days and CPD notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations:	06/16/19 (Tentative)
City Council Public Hearing:	07/08/19 (Tentative)

- **Registered Neighborhood Organizations (RNOs)**
 - To date, staff has received one letter of support from Curtis Park Neighbors, Inc., a Registered Neighborhood Association.
- **Other Public Comment**
 - To date, staff has received four other letters of support from area property owners who support rezoning to the G-MX-3 zone district. (The original zone district for which the applicant applied.)

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 2040*
- *Blueprint Denver (2019)*
- *Northeast Downtown Neighborhoods Plan (2011)*

Denver Comprehensive Plan 2040

The proposed rezoning is consistent with many of the draft *Denver Comprehensive Plan 2040* strategies, including:

- Equitable, Affordable and Inclusive, Goal 5, Strategy B – “*Stabilize residents and businesses at risk of displacement through programs and policies that help them to stay in their existing community*” (p.29).
- Strong and Authentic Neighborhoods Goal 1, Strategy A – “*Build a network of well-connected, vibrant, mixed-use centers and corridors*” (p.34).
- Strong and Authentic Neighborhoods Goal 1, Strategy D – “*Encourage quality infill development that is consistent with the surrounding neighborhoods and offers opportunities for increased amenities*” (p.34).
- Economically Diverse and Vibrant Goal 3, Strategy A - “*Promote small, locally-owned businesses and restaurants that reflect the unique character of Denver*” (p.46).
- Environmentally Resilient Goal 8, Strategy A – “*Promote infill development where infrastructure and services are already in place*” (p. 54).

The proposed map amendment will enable the expansion of an existing local business that could not expand in its current location under the current residential zone district. The rezoning will stabilize the existing business, encourage infill development at a location where infrastructure is already in place and encourage infill development that is in character with the existing neighborhood. The requested U-MX-2 zone district broadens the mix of allowed land uses at a scale that is compatible with the existing neighborhood. Therefore the rezoning is consistent with *Denver Comprehensive Plan 2040* recommendations.

Blueprint Denver (2019)

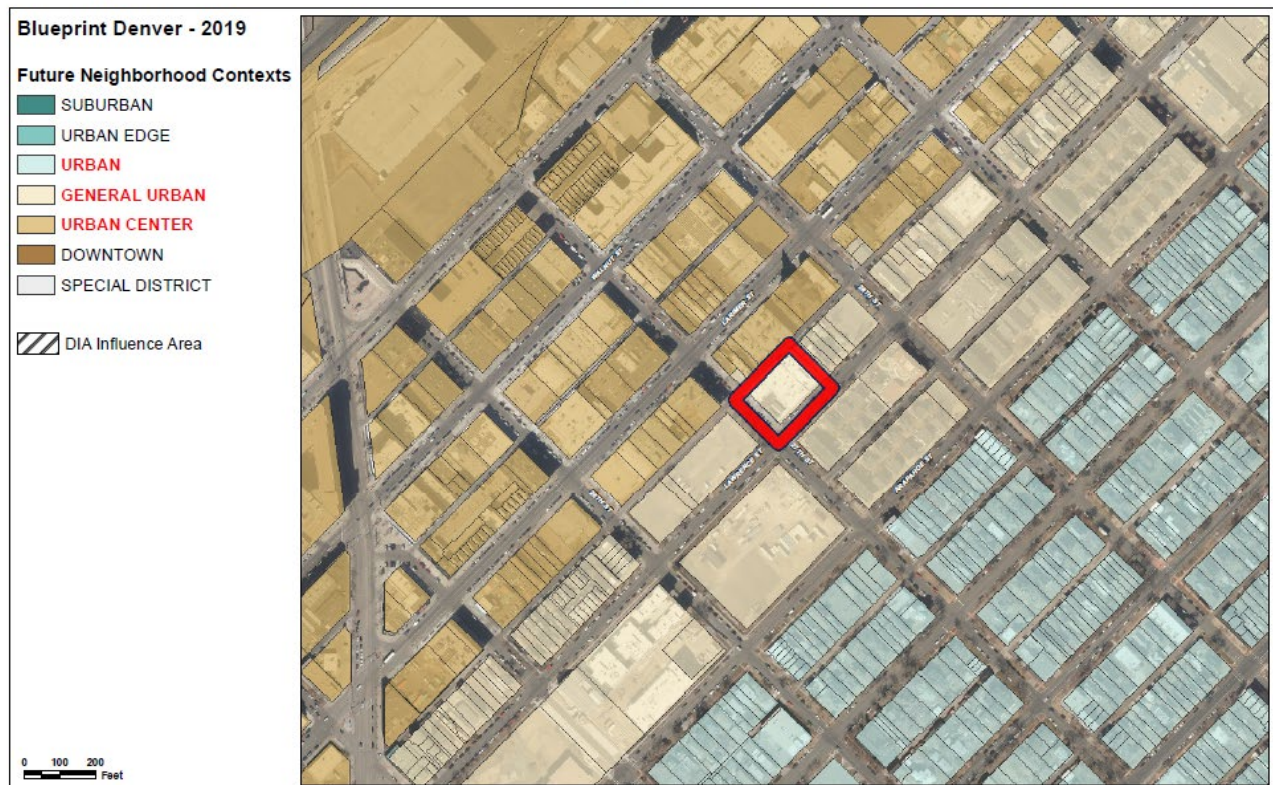
Blueprint Denver identifies the subject property as within the General Urban Neighborhood Context, in a Residential High Medium place and on the Growth Strategy map within “All other areas of the city.”

Future Neighborhood Context

Blueprint Denver 2019 is organized by neighborhood contexts. A context-based approach sets guidelines for character-compatible development. On the Blueprint Denver context map the subject property is within a General Urban Neighborhood Context. This context area is 1½ block wide area located between a larger area of Urban Context in the Curtis Park neighborhood to the southeast and a wide area of Urban Center Context to the northwest encompassing the River North area.

The General Urban Context is within “*vibrant areas with proximity to Denver’s major centers like Downtown... and vary from multi-unit complexes to compact single-unit homes. Development should be sensitive to the existing neighborhood character and offer residents a mix of uses, with good street activation and connectivity. Residents living in this context are well served by transit*” (p. 237). Multi-unit residential land use is the most common land use in this context with some single and two-unit residential, commercial and mixed use embedded within them. Areas within the General Urban Context are generally transition areas located at the edge of higher intensity contexts.

Blueprint Denver 2019 Future Neighborhood Contexts



Map Date: April 11, 2019

In this specific location the General Urban context does provide a transition between the Urban Context to the southeast and the Urban Center context to the northwest. This adjacent edge of the River North area has a broad and intense mix of Office, Commercial, Multi-unit Residential, and Industrial land uses. The land uses in the Urban Context to the southeast are less intense and predominately single-unit residential with some embedded multi-unit uses. The subject property is directly adjacent to the alley between Larimer and Lawrence Streets where the context changes from General Urban to Urban Center in the River North area.

Per Blueprint Denver *“the context-based approach sets guidelines for character-compatible development.”* And the *“The mapping of neighborhood contexts is at the citywide scale, so the boundaries of the contexts may be interpreted with limited flexibility if the request furthers the goals of Blueprint Denver and is consistent with the overall intent of the neighborhood context map”* (p. 66).

This rezoning proposal furthers the following Blueprint Denver goals:

- Goal 04 *“Support a welcoming business environment and the growth of employment centers around the city to promote work and educational opportunities for all residents”* (p. 23).
- Goal 06 *“Enhance the overall character and sense of place of neighborhoods through all stages of development and reinvestment”* (p. 22).

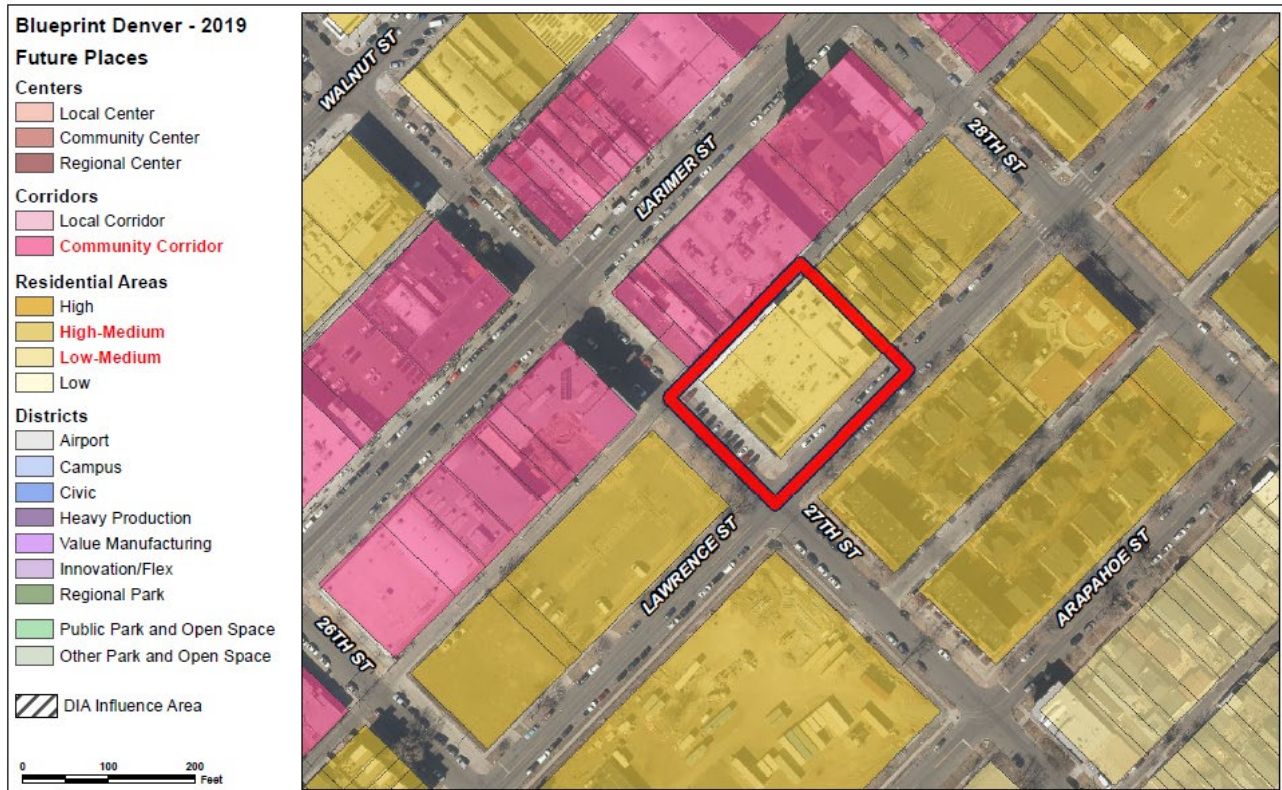
Some flexibility in context at this location is justified because the overall intent of neighborhood contexts is character-compatible development coupled with Blueprint Denver’s direction to support a welcoming business environment and enhance the overall character and sense of place in neighborhoods through reinvestment.

The General Urban and Urban contexts share a common characteristic in that both areas have embedded mixed-use development. The difference between the mixed-use areas in the two contexts is the intensity of the land uses and the building scale. The General Urban forms are generally up to 8 stories, and the Urban forms are 3-5 stories. As discussed later in this report, the more specific area plan for the subject property recommends a 3-story building height and recommends the reuse of existing commercial buildings for commercial purposes should be accommodated on a case-by-case basis, in consultation with the neighborhood. The proposed U-MX-2 zone district was selected after some discussion with the area residents because the less intense land uses in this zone district best match the neighborhood-compatible land uses envisioned for this specific structure, and because there is no two-story mixed use zone district in the General Urban Context.

The proposed U-MX-2 zone district is an Urban Context zone district and is *“intended to promote safe, active and pedestrian-scaled, diverse areas and enhance the ease of transit, walking, shopping and public gathering within neighborhoods. These zone districts are intended to ensure new development contributes positively to established neighborhoods and create mixed, diverse neighborhoods with building pulled up to the street and rear or side parking”* (p. 5.2-4). The zoning standards within the U-MX-2 zone district that allow a low-scale one-story commercial structure to expand to two stories in a manner that is compatible with the existing residential area.

Future Places

Blueprint Denver 2019 Future Places



Map Date: April 11, 2019

On the Blueprint Denver Future Places map the subject property is within a residential High-Medium future place. Per Blueprint Denver *“Future places are an organizational system that describes the desired character of an area. Future places work together to promote complete neighborhoods for the residents living within or near each of them. Each place expresses itself differently depending on the neighborhood context where it is located.”* Residential areas have a predominantly residential land use but *“are supported by a variety of embedded uses needed for a complete neighborhood including schools, recreation and nodes of commercial/retail uses”* (p. 141). Per Blueprint Denver residential High-Medium places in the General Urban Context are *“a mix of low- to medium-scale multi-unit residential uses with some neighborhood-serving mixed- use distributed throughout. Buildings are generally up to 8 stories in height. Block patterns are consistent and pedestrian-scaled building forms clearly define and activate the street”* (p. 246). The U-MX-2 zone district allows the Town House, General and Shopfront building forms and a maximum height of 2 stories, or up to 30 feet. These standards are in well within the standards for High-Medium residential places and their embedded commercial areas.

Street Types



Blueprint Denver 2019 Future Street Types

Blueprint Denver 2019 classifies Lawrence Street as a Residential Collector street and 27th Avenue as a Local or Undesignated street. Residential streets have “Primarily residential uses, but may include schools, civic uses, parks, small retail nodes and other similar uses. Buildings on residential streets usually have a modest setback” (p. 160). Collector streets collect movement from local streets and convey it to arterial streets. Regarding 27th Avenue, *Blueprint Denver* states, “Local streets are designed for the highest degree of property access and the lowest amount of through movement” (p. 154). Within the General Urban Context the predominate street types are main street, mixed use, residential and local. The proposed U-MX-2 district allows a broad range of residential, civic, and commercial land uses and includes no primary street setbacks for non-residential structures. Therefore, it is consistent with the General Urban residential collector where retail nodes may exist.

Growth Strategy

Blueprint Denver 2019 Future Growth Strategy



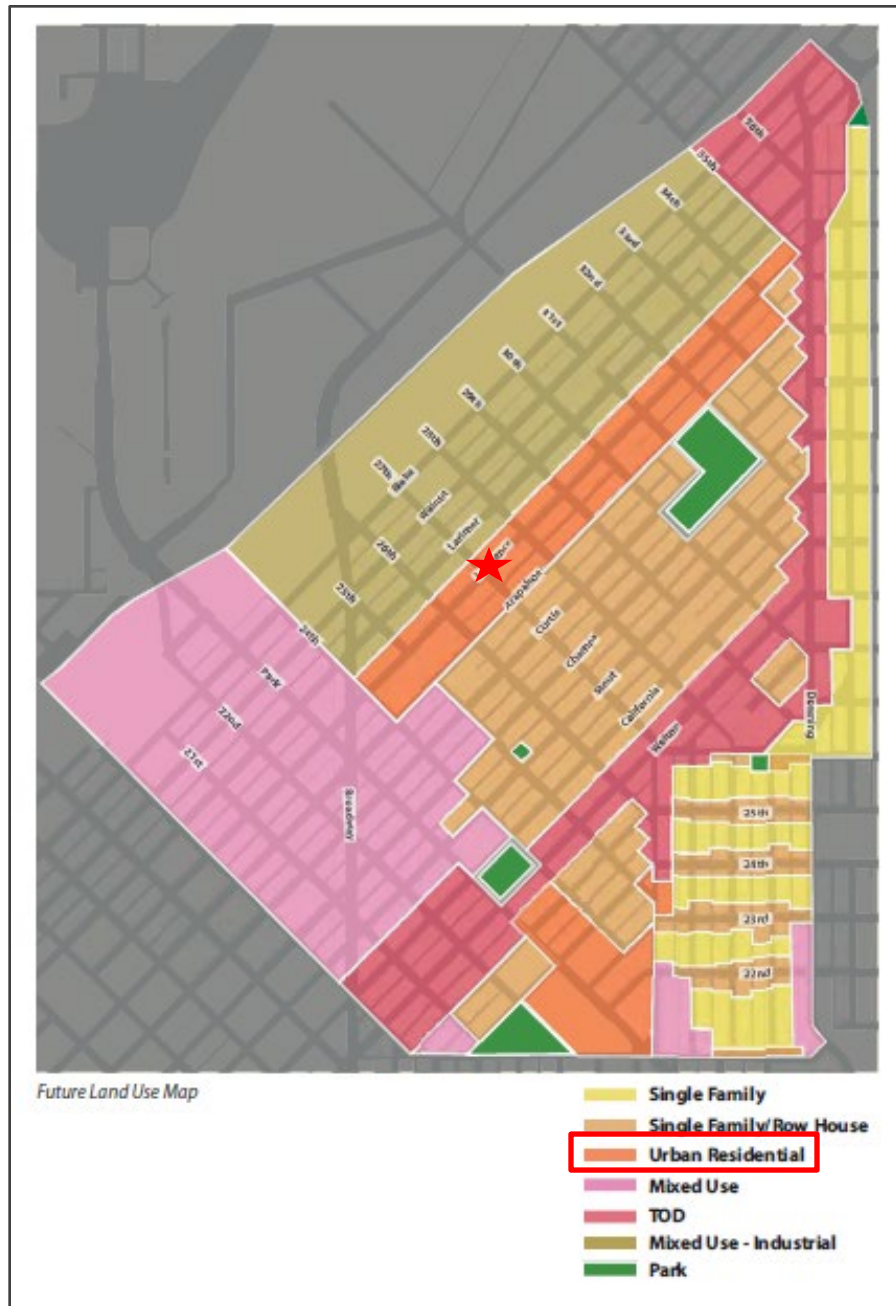
Map Date: April 11, 2019

On the Blueprint Denver Growth Strategy map the subject property is within an area categorized as “*All other areas of the city.*” These types of places are anticipated to see around 20% of new housing growth and 10% of new employment growth by 2040 (p. 51). *“The remaining growth areas are smaller but still play a key role in meeting the diversity of new jobs and housing needed for our dynamic city. Higher intensity residential areas near downtown, mid-scale housing in innovation/flex districts and low-scale greenfield residential all contribute to Denver’s future housing stock. The remaining parts of Denver, mostly residential areas with embedded local centers and corridors, take a smaller amount of growth intended to strengthen the existing character of our neighborhoods”* (p. 49). This site is located within the “remaining parts of Denver”. The proposed map amendment to U-MX-2 will allow low-intensity growth in character with the existing area.

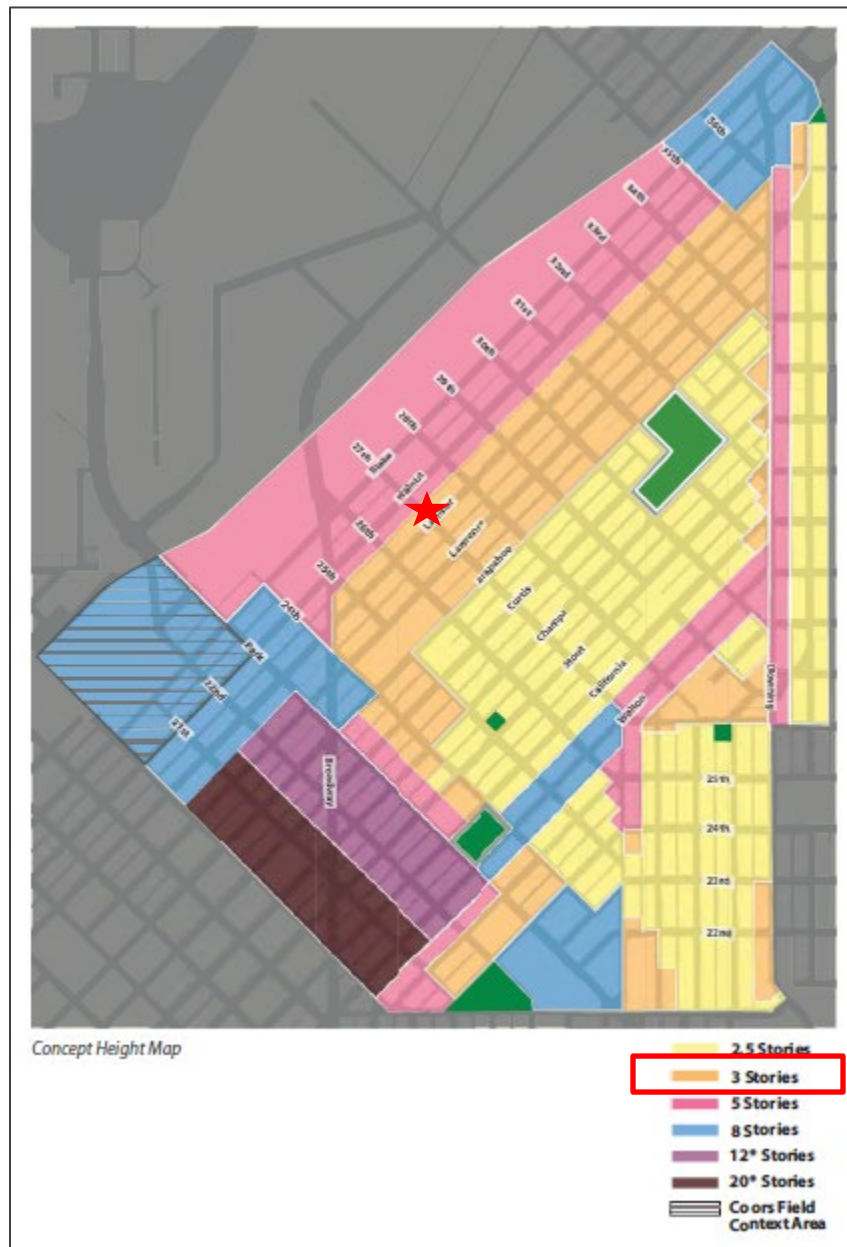
Northeast Downtown Neighborhoods Plan (2011)

The Northeast Downtown Neighborhoods Plan future concept land use map identifies the subject site as Urban Residential. These neighborhoods are “*higher density and primarily residential but may include a noteworthy number of complementary commercial uses. In Northeast Downtown urban residential uses tend to be located in areas that transition from historic residential neighborhoods to more intense mixed use neighborhoods. A mixture of housing types is present, including historic*

single-family houses, townhouses, small multi-family apartments and sometimes mid to high-rise residential structures” (p. 16).



The Northeast Downtown Neighborhoods Plan Concept Height Map shows the subject site with a recommended building height of 3 stories.



Additional relevant Northeast Downtown Neighborhoods Plan recommendations include:

- Neighborhood Connections and Character:
 - A2 Moderate Intensity Development Transitioning to Residential Neighborhoods –
“Where higher intensity development transitions to residential neighborhoods, and along main street corridors (Welton, Downing, Larimer):
 - Allow a moderate and mixed scale of general, shopfront, apartment and rowhouse building forms.
 - Site building forms in a context sensitive manner with emphasis on orienting to the street with parking and access in the rear/off the alley.
 - Allow a mix of uses within the area and in the buildings” (p. 18).

- *A.4 Adaptive Reuse and Historic Preservation – “Promote the reuse of existing buildings. Existing buildings, whether historic or not, are important character-defining elements throughout the Northeast Downtown Neighborhoods” (p.21).*
- *Neighborhoods Concepts and Recommendations:*
 - *N.17 Land Use: “Single family residential is the predominant land use within Curtis Park, but a mix of attached housing types are also present throughout the neighborhood...The blocks between Lawrence and Arapahoe have a designation of urban residential to reflect the more dense residential land uses that comprise the Villages at Curtis Park development” (p. 80).*
 - *N.20 Accommodate Adaptive Reuse: “Part of Curtis Park’s character comes from the presence of embedded commercial structures within the neighborhood, typically located on corners...More often than not, these properties have residential zoning and as such the establishment of new commercial uses would be precluded. Such a situation would not be in the best interest of the neighborhood. The reuse of existing commercial buildings for commercial purposes should be accommodated on a case-by-case basis, in consultation with the neighborhood” (p. 80).*

The request is consistent with Northeast Downtown Neighborhoods Plan policies because the requested U-MX-2 zone district will allow a moderate scale of redevelopment and a mixture of land uses, allowing the redevelopment and reuse of an existing commercial structure in the neighborhood that is compatible with the existing “more dense” adjacent residential land uses. And finally, the applicant, in consultation with the neighborhood on this specific site, has reached an agreement for redevelopment of the subject property.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to U-MX-2 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 by allowing a moderate level of reinvestment in the area consistent with the desired character and by implementing the city’s adopted land use plans.

4. Justifying Circumstance

The application identifies changing conditions in the area surrounding the subject property and adoption of the 2011 Northeast Downtown Neighborhood Plan as the Justifying Circumstance under DZC Section 12.4.10.8.A.4, *“Since the date of the approval of the existing zone district, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include: Changed or changing conditions in a particular area, or in the city generally; or a city adopted plan; or that the city adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.”*

While area changes are occurring, the adoption of the Northeast Downtown Neighborhood Plan, is a sufficient changed condition to justify rezoning the property. Changed conditions is an appropriate justifying circumstance for the proposed rezoning.

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

The zoning standards in the proposed zone district are based upon the Urban Neighborhood context. This context is characterized by single-unit and two-unit uses. Small-scale multi-unit and commercial areas are embedded in residential areas. Single-unit structures in the zone district are the Urban House form, and multi-unit building forms in the context typically include the row house form embedded with other residential form types. Commercial buildings are typically the Shopfront and General building form that may contain a mixture of uses within the same building. The character of surrounding area makes the proposed rezoning to U-MX-2 consistent with the neighborhood context description.

The Urban residential zone districts are *“intended to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context. The building form standards, design standards and uses work together to promote desirable residential areas. The mixed use zone districts are “intended to promote safe, active and pedestrian-scaled, diverse areas and enhance the ease of transit, walking, shopping and public gathering within neighborhoods. These zone districts are intended to ensure new development contributes positively to established neighborhoods and create mixed, diverse neighborhoods with building pulled up to the street and rear or side parking.”* The application to rezone to U-MX-2 in this location is consistent with the above purpose and intent statement because the rezoning allows lower scale mixed-use land uses and building form standards consistent with the desired development pattern of the area.

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Attachments

1. Application
2. Legal Description
3. Public Comments (5)

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
☐ CHECK IF POINT OF CONTACT FOR APPLICATION		☒ CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	Siddhartha Rathod	Representative Name	Studio DH / Justin Fries
Address	2701 Lawrence Street, Suite 100	Address	1300 Jackson Street, #200
City, State, Zip	Denver, CO 80205	City, State, Zip	Golden, CO 80401
Telephone	303.578.4400	Telephone	303.458.9660
Email	sr@rmlawyers.com	Email	justin@studio-dh.us
*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.		**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.	
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. If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):		2701 Lawrence Street, Denver CO 80205	
Assessor's Parcel Numbers:		0227622012000	
Area in Acres or Square Feet:		.5 AC / 21,960 SF	
Current Zone District(s):		G-MU-3 UO-3	
PROPOSAL			
Proposed Zone District:		U-MX-2	

REVIEW CRITERIA

General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7	☒ 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. ☒ 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. ☒ Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.
Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8	Justifying Circumstances - One of the following circumstances exists: ☐ The existing zoning of the land was the result of an error. ☐ The existing zoning of the land was based on a mistake of fact. ☐ 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. ☒ 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. ☐ 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. ☒ 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.

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)
- ☐ Individual Authorization to Sign on Behalf of a Corporate Entity

Please list any additional attachments:

March 20, 2019
Denver Development Services
201 W. Colfax Avenue, Dept. 205
Denver, Colorado 80202

RE: 2701 Lawrence Street Zone Map Amendment (Rezoning)

On behalf of RM Properties and Management, LLC we are submitting the enclosed zone map amendment application to revise the zone district of the property at 2701 Lawrence Street from G-MU-3 to U-MX-2. Below we have outlined the reason for the change of zone request and provided supporting information as to how this new zone district is complimentary to the neighborhood land uses while complying with Denver neighborhood and comprehensive plans.

Rezoning Objective:

The current property owner would like the opportunity to expand the existing building, Laundry on Lawrence (LOL) a professional office collaborative workspace, but due to the current G-MU-3 zoning regulations only Residential Building forms are allowed, and commercial uses are allowed as accessory to residential restricting any additional space for the current use. Under the current restrictions, the likely development scenario would be to tear down the building and build 3-story apartments or townhomes. Given the long history of the building(s) and its commercial use integrated into the neighborhood we believe the change to U-MX-2 zoning will allow the property owner to expand the current space to help meet growing area office space needs and desires while maintaining development regulations in alignment with current and future neighborhood plans.

Site Background:

The parcel at 2701 Lawrence Street is 21,960 square feet (.5 acres) in area and the current building, a combination of structures built between 1886 and the early 1920's, currently operates as a professional office space. The oldest portion of the building was used as a commercial laundry consistently from 1890 through 2009.

The site, situated in a portion of the Five Points Neighborhood which has seen tremendous change in the last 10 years, has a wide variety of neighbors consisting of single family homes on the interior lot line to the northeast, multi-family homes across Lawrence Street to the southeast, a vacant lot to the south used for occasional outdoor events, a parking lot to the southwest and through the alley to the west is a mixed of low-rise commercial, retail and industrial spaces. The zoning for these neighboring properties varies as widely as the uses, from Industrial (I-MX-3) to Urban Center High Rise (C-MU-30) to Residential (G-RO-3). Along with local car and bike traffic the site sits between Larimer and Lawrence streets which contain the main bus routes (Route 44) for the district.

General Review Criteria

1. Consistency with Adopted Plans

Northeast Denver Plan (2011)

The property is identified in the Northeast Downtown Neighborhood plan as "Urban Residential" in which neighborhoods are primarily residential, but include noteworthy, complimentary commercial uses, typically located on corners. The plan notes (Curtis Park N.20) that reuse of existing commercial buildings shall be accommodated on a case-by-case basis, in consultation with the neighborhood. The LOL property has long functioned with commercial uses, is located on a corner site and directly abuts the "Mixed-Use – Industrial". The continuation of the property

as a commercial use and its expansion are consistent with this plan as it creates an appropriate transition from the residential to industrial / mixed-use portion of the neighborhood, helps to attract new businesses, protects the neighborhood fabric by maintaining a similar use and promotes a place where you can work and live nearby.

The property owner has contacted their district city council representative, Albus Brooks, adjacent neighbors and the district neighborhood organization, Curtis Park Neighbors (CPN) to inform them of their plan to rezone. A meeting was held at the request of CPN on October 10, 2018. At that time the property owner had wished to retain the ability to develop up to three stories in height and was pursuing G-MX-3 zoning. CPN was concerned about the allowable uses in the G-MX-3 district and other possible districts were discussed. U-MX-2 was identified as an option CPN had utilized in the past within the district and although it is a district from another neighborhood context it was aligned with the neighborhood form, use and growth goals outlined in the neighborhood plan. The owner is now requesting U-MX-2 zoning and additionally signing a Good Neighbor Agreement with CPN to restrict development of any parking garages, auto emissions inspection facilities or eating/drinking establishments.

Blueprint Denver (2002)

Due to the age of this document and growth that has exceeded this plan, it is appropriate to reanalyze its determinations, but it provides a historical perspective to the development in this neighborhood. Blueprint Denver identifies this property as an area of change (pg. 21) with Urban Residential (pg. 35) characteristics, "higher density, primarily residential, ...but may include noteworthy, complimentary commercial uses." This area of Urban Residential on the land use map was bounded on three sides by Mixed-Use land uses. The area is still undergoing significant change adding density and a wide variety of uses. Areas of Change are parts of the city where development or redevelopment would be beneficial. Often these areas are near downtown, adjacent transit, already undergoing positive change and contain underutilized land use. (Pg. 127-128). This plan encourages Areas of Change to utilize strategies that address edges between stability and change, reuse of older buildings (pg. 136), mixed land uses and promote economic activity – business retention, expansion and creation. The proposed U-MX-2 district allows for the reuse of an existing building and the zone district was created for similar project in the neighborhood to allow transition from lower density residential to higher density mixed-use.

Blueprint Denver Draft (2019)

The applicable criteria evaluated for map amendments in the proposed Blueprint Denver are Neighborhood Context, Place and Street Type (pg. 66-67). They can also include Plan Policies and Equity Concepts.

- **Neighborhood Context** - *The proposed U-MX-2 zone district is aligned with sites General Urban categorization (pg. 138) allowing low scale mixed-use embedded with multi-unit, 2-unit and single family residential. The two-story height classification and minimal building setbacks requirements follow the General Urban built form being of medium scale and located close to the street (pg.137). Although the "U" classification is a departure from the General Urban context, there are no commercial only zone districts in the General Urban context and the neighborhood has used this zoning previously to handle existing embedded commercial structures.*

- **Place** - The vision for the site as a place identifies it as high residential (pg. 142), which outlines residentially focused areas that are commonly mixed-use and contain commercial, retail and complementary uses (pg. 149). The site abuts the community corridor district of Larimer Street through the alley to the north, an area defined as mixed-use places with space for social activities, entertainment and dining. The proposed U-MX-2 zone district allows for an existing complementary commercial to remain at an appropriate scale and buffers the lower intensity housing to the south from the higher intensity corridor to the north.
- **Street Type** – The draft defines Lawrence Street as a residential collector and 27th Street as a residential local street (pg. 79). This intersection is a node along the street where mixed-use buildings to the southwest transition to a more residential use to the northeast. At the time of completing the Northeast Denver Neighborhood Plan, Lawrence Street had been converted from one-way to two-way and has been utilized since for pedestrian, bike, car and public transit so it carries a larger proportion of traffic than the local streets to the southeast. The proposed U-MX-2 zone district provides an appropriate location for a commercial use within the district along a busier street while also limiting the scale of the use to match the characteristics of the street.
- **Plan Policies** – The proposed U-MX-2 zone district is supported by the following Plan Policies

General Policy 8 (pg. 77): Rezoning this site allows for the continued use and expansion of an existing structure versus demolition.

Economic Policy 2 (pg. 90): Rezoning maintains job opportunities near a commercial corridor (Strategy B).

Design Quality Policy 6 (pg. 104): Rezoning this site allows for the continued use and expansion of an existing structure versus demolition.

- **Equity Concepts**

Access to Opportunity: Portions of the Five Points neighborhood are mapped as having less access to opportunity (pg. 34). The proposed rezoning and continued use of this site as a professional co-working office space provides closer access for residents to these services and increased interaction between workers and residents.

Vulnerability to Displacement: Without rezoning the Laundry on Lawrence co-working space is capped in their ability to expand and provide additional for-rent office space limiting their economic growth potential. In order to grow they would need to relocate, and the site would most likely be razed and redeveloped as high-income housing under its current residential-only zoning.

Expanding Jobs Diversity: The jobs diversity map (pg. 44) shows Five Points as “less diverse”. The proposed rezoning of the site to allow for the continued commercial use on the property promotes a complete neighborhood with options for residents to live, work and play by situating professional office space between housing and entertainment areas.

Denver Comprehensive Plan (2000)

City growth and development have exceeded and changed some of the goals of this plan, but it does recognize Industrial Areas where manufacturing and warehouses have vacated as opportunities for smaller entrepreneurial start-ups (pg. 53). Land Use Strategy 3-A proposes that neighborhood area plans be completed. The neighborhood plan completed in 2011 provides a more focused guide for this rezoning request. Strategy 3-B encourages infill development consistent with the character of the surrounding neighborhood. Strategy 4-A and 4-B encourages mixed-use development that makes effective use of existing transportation infrastructure and supports mobility choices. As a U-MX-2 zone district this site allows for commercial development of a size smaller start-ups can utilize while also providing a commercial use near homes, existing bus and bike lanes allowing workers and patrons many options for access.

2. Uniformity of District Regulations

The proposed map amendment is consistent with General Urban neighborhood context by allowing low-scale commercial uses embedded within residential areas and typically located along mixed-use arterials or at intersections. The building form and placement standards in the proposed zone allow for shallow setbacks and low-rise commercial building height appropriate to the current and desired development patterns.

3. Public Health, Safety and General welfare of the City

The proposed map amendment furthers the public health, safety and welfare of the City by being aligned with the city and neighborhood plans for the area. The U-MX-2 zoning was created for cases of historic embedded commercial structures in neighborhood such as this. The location of a commercial structure on the boundary of mixed-use Industrial and urban residential districts, of which there are many examples up and down Lawrence Street provides a gradual transition from denser, louder and more noisy businesses transitioning to residential. The existing professional office space was a catalyst for the neighborhood and has operated for over six years as a great neighbor and many of the business occupants live nearby and enjoy the nearby entertainment options creating a diverse, walkable community.

Addition Review Criteria

1. Justifying Circumstances - Change

Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:

- a. Changed or changing conditions in a particular area, or in the city generally; or,
- b. A City adopted plan; or
- c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.

In the nine years since being rezoned to G-MU-3 the area surrounding the site at 2701 Lawrence Street has seen some of the most significant growth in Denver. The Laundry on Lawrence building was one of the first adaptive reuse projects began in 2011 and the area around Larimer and Lawrence Street have seen tremendous change and growth since 2013 with new galleries, restaurants, offices, food halls, co-working spaces and residential projects. In addition to this significant change the Northeast Downtown Neighborhood Plan was adopted in 2011 and identified objectives for dealing with sites of embedded commercial like 2701 Lawrence Street. The Curtis Park Neighborhood association has used the U-MX-2 zoning previously on similar

sites in the neighborhood like 2700 Arapahoe and 1055 25th Street to allow for renovations or additions to existing commercial buildings.

2. Consistency with Neighborhood Context Description

The proposed map amendment is consistent with the description of the applicable neighborhood context and with the stated purpose and intent of the proposed Zone District.

As defined in the Denver zoning code the intent of the U-MX-2 zone district applies to areas or intersections served primarily by local streets embedded within an existing or proposed neighborhood where a building scale of 1 to 2 stories is desired. The general purpose of the mixed-use (MX) districts promote pedestrian scaled areas that activate the street edge and are intended for corridors and embedded neighborhood business areas. The existing building form and location of the Laundry on Lawrence currently aligns with the purpose and intent of the proposed U-MX-2 and the proposed map amendment allows for expansion of the building while maintaining the goals of the proposed zone district and neighborhood plan.

As outlined above the rezoning of this property to allow commercial uses on this site is appropriate to this site given its historic use as a commercial property, is complimentary to city/neighborhood plans and helps to provide a transition between the residential neighborhood to the southeast and the more mixed-use district to the northwest.

Justin Fries
Principal
Studio DH Architecture
1300 Jackson Street, #200
Golden, Colorado 80401
720.363.9498
justin@studio-dh.us

Attachments

- Legal Description
- Proof of Ownership Documents
- Letters of Support
- Owner Written Authorization

Legal Description

Lots 17 to 23 INC Block 31
Case & Ebberts Addition
City and County of Denver
State of Colorado

July 23, 2018

Denver Development Services
201 W Colfax Avenue
Denver, CO 80202

RE: Letter of Authorization

I, Siddhartha Rathod, property owner hereby authorize Studio DH Architecture to prepare and sign application materials and otherwise represent the owner(s) regarding the rezoning application for Laundry on Lawrence building located at 2701 Lawrence Street, Denver, CO 80205; parcel 02276-22-012-000.

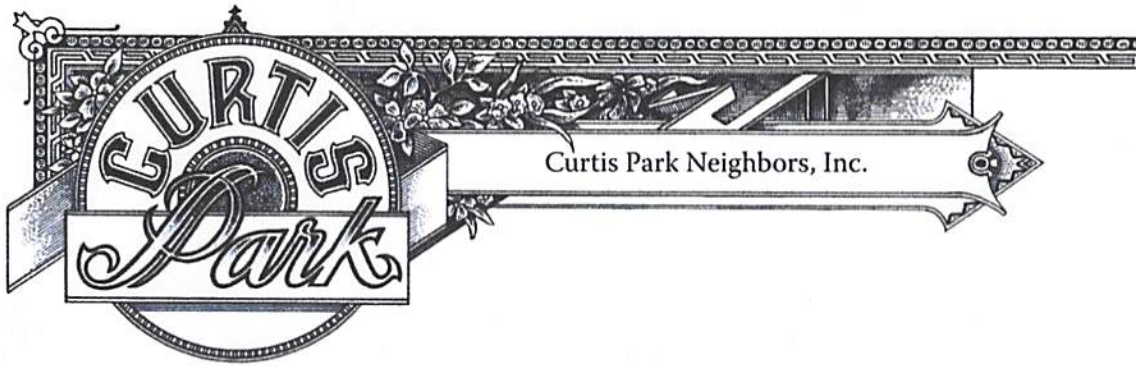
RM | PROPERTIES & MANAGEMENT LLC



Siddhartha H. Rathod

Legal Description

Lots 17 to 23 INC Block 31
Case & Ebberts Addition
City and County of Denver
State of Colorado



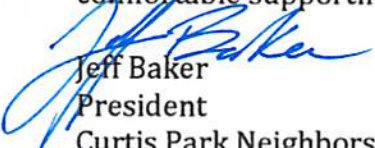
February 15, 2019

To whom it may Concern,

Curtis Park Neighbors is in support of the proposed rezoning of 2701 Lawrence Street to U-MX-2 zoning with application 2018I-00001.

We have reviewed our adopted neighborhood plan, the *Northeast Downtown Neighborhoods Plan*. While the map indicates 3-story residential for the Lawrence Street Corridor generally, it also calls for the adaptive reuse of existing non-residential structures. Currently the office use of this building is not consistent with its zoning but is operating on a limited exception for such circumstances, allowed in the zoning code, but the use of that exception comes with onerous restrictions including disallowing even minor changes to the building.

It is consistent with our neighborhood plan to find zoning that allows reasonable and neighborhood-compatible uses that are appropriate to the nature of the building. Therefore, our review of possible zone districts focused largely on the use-lists available in various zone districts. On balance, U-MX-2x and U-MX-2 provided appropriate uses without opening the door to extensive uses incompatible with the interior of the neighborhood. The applicant's preferred U-MX-2 district contains only a small number of uses we do not think would be compatible with the residential block ("Eating and Drinking Establishment" in order to operate a bar, tavern or nightclub; "Parking Garage" or "Auto Emissions Inspection Facility"), and which he has committed not to pursue. The applicant has also stated that his intent is not to sell or "flip" this property, but to continue and expand its office use, which will now be conforming with regard to the new zoning. We entered into a Good Neighbor Agreement, attached, and based on this agreement's provisions we comfortable supporting the rezoning to U-MX-2.


Jeff Baker

President

Curtis Park Neighbors

jeffbakercurtisparkdenver@gmail.com

970-759-4023

**GOOD NEIGHBOR AGREEMENT RE RM PROPERTIES AND MANAGEMENT LLC,
CONCERNING AN APPLICATION ZONE MAP AMENDMENT OF PROPERTY
LOCATED AT 2701 LAWRENCE STREET, DENVER, COLORADO**

THIS AGREEMENT is entered into by and between the Curtis Park Neighbors (CPN) a registered neighborhood association in the City and County of Denver, to be known as Registered Neighborhood Organization (RNO), and RM Properties and Management LLC, located at 2701 Lawrence Street, Suite 100, Denver, Colorado 80205, hereinafter referred to as the "Applicant." Applicant and the RNO are collectively referred to herein as the "Parties."

RECITALS

A. RNO is a registered neighborhood organization in Denver, Colorado, whose neighborhood boundaries include the premises at 2701 Lawrence Street, Denver Colorado. The RNO has been engaged in efforts to realize the community vision for land use in the neighborhood surrounding 2701 Lawrence Street, Denver, Colorado.

B. The Applicant has applied for a zone map amendment with the City and County of Denver Department of Community Planning and Development to apply the "U-MX-2" zoning for the premises located at 2701 Lawrence Street, Denver, Colorado. Applicant will be scheduled to have hearings on said application before the Denver Planning Board and the Denver City Council.

C. Applicant wants RNO to refrain from opposing its pending application for the zone map amendment.

NOW THEREFORE, in consideration of the mutual agreements herein, the Parties agree as follows:

1. Applicant agrees that the zone map amendment application will request the "U-MX-2" zoning for the 2701 Lawrence Street, Denver, CO property.
2. Applicant agrees to not operate or seek zoning permits for 2701 Lawrence Street for the "Parking Garage" or "Auto Emissions Inspection Facility" uses. Applicant agrees not to operate or seek zoning permits for 2701 Lawrence Street for the "Eating and Drinking Establishment" use in order to operate a bar, tavern, or nightclub.
3. RNO agrees to support Applicant's application for zone map amendment to "U-MX-2" zoning at 2701 Lawrence Street, and to express this support by official letter and/or testimony for use by Denver Department of Community Planning and Development staff, and at public hearings at the Denver Planning Board and Denver City Council.

4. Should any party believe that any other party is in default or violation of this Agreement, any party not in breach shall notify the other(s) in writing of the alleged event constituting breach of this Agreement. Upon receipt of such notice, the receiving party(ies) shall have fifteen (15) business days within which to effect a cure of the alleged breach, or such longer time as may be reasonably required in the circumstances, not to exceed in any event (30) days, provided that the party(ies) having received notice of an alleged breach has made reasonable, continuous efforts to cure such alleged breach. If a cure does not occur, such issues shall be referred to mediation through the City of Denver.

5. This Agreement shall be in effect so long as RM Properties and Management, LLC are the owners of 2701 Lawrence Street. This agreement shall be void upon the sale of property. As of the date of this agreement, RM Properties and Management certifies that they have no current plans to sell 2701 Lawrence Street.

6. Miscellaneous

a. This Agreement is the entire agreement between the parties. This Agreement may be executed in separate counterparts (or upon separate signature pages bound together into one of more counterparts), each of which, when so executed and delivered, shall be an original but all such counterparts shall together, constitute one and the same instrument. Facsimile or electronic signature pages shall be treated as originals for all purposes.

b. No provision of this Agreement may be released, discharged, abandoned, supplemented, amended, changed, or modified in any manner, orally or otherwise, without the written consent of the Parties, nor shall any waiver of any of the provisions be valid or enforceable unless in writing and signed by a duly authorized officer or representatives of each of the Parties.

EXECUTED AND EFFECTIVE ON THE LATEST DATE SET FORTH BELOW.

RM Properties and Management, LLC

Signed: SNR
Siddhartha Hardas Rathod, President

Date: 12/14/2018

Curtis Park Neighbors (CPN)
A Denver Registered Neighborhood Association

Signed: [Signature]
John Hayden, President

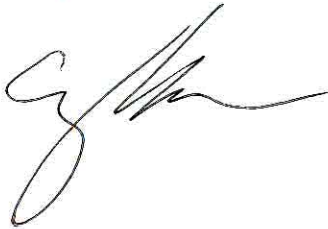
Date: 12-14-2018

7/5/2018

To Whom it May Concern:

My Name is Casey Karns. I am one of the owners of Meadowlark Kitchen at 2705 Larimer Street. My property is less than one block from 2701 Lawrence Street. I am very familiar with the neighborhood characteristics and zoning characteristics of my property and the adjacent properties. I am in favor with the zoning change of 2701 Lawrence Street from GM-U-3 to GM-X-3. I believe this change would be in keeping with the neighborhood.

Casey Karns

A handwritten signature in black ink, appearing to be 'Casey Karns', written in a cursive style.

BESPOKE CONCEPTS

HANDCRAFTED HOSPITALITY



Tuesday July 3, 2018

To Whom it May Concern:

My name is Jake Linzinmeir. I am the owner of 2700 Larimer Street. My property is adjacent to 2701 Lawrence Street. I am very familiar with the neighborhood characteristics and zoning characteristics of my property and the adjacent properties. I am in favor with the zoning change of 2701 Lawrence Street from GM-U-3 to GM-X-3. I believe this change would be in keeping with the neighborhood.

Thank you and please let me know if you have any questions,

Jake



JAKE LINZINMEIR

Principal

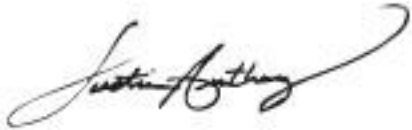
Bespoke Concepts • 1700 Bassett St Suite 1822 Denver, Colorado

M 970-708-5208 • www.bespokeconcepts.com

To Whom it May Concern:

My Name is Justin Anthony. I am one of the owners of 2706 Larimer St. My property is adjacent to 2706 Lawrence Street. I actually used to office out of 2706 Lawrence and am very familiar with both the building, the neighborhood and the zoning characteristics having worked in it for over a decade. I am in favor with the zoning change of 2701 Lawrence Street from GM-U-3 to GM-X-3. I believe this change would be in keeping with the neighborhood.

Justin Anthony
Owner 2706 Larimer St

A handwritten signature in black ink that reads "Justin Anthony". The signature is written in a cursive style with a large, sweeping flourish at the end.

July 5, 2018

Sent via Email

City and County of Denver - Planning Services
201 W. Colfax Ave, Dept. 205
Denver, Colorado 80202

Re: [Insert the reason for the letter]

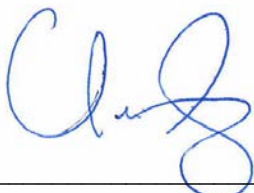
To Whom it May Concern:

My Name is Ari Stutz. I am one of the owners of 2620 Walnut Street where 10 Barrel Brewing Company is my current tenant. In addition to this building, I have developed several projects in the immediate vicinity of 2701 Lawrence Street including the buildings that currently house businesses such as the Denver Central Market, Nocturne Jazz Club, Il Posto, Voicebox, Park Burger, Jiberish, Digitiqe, Fice, Haven Nail Salon, Shea, Sushi Rama and others.

While I have since sold many of these properties, my building located at 2620 Walnut Street is just a block or so from 2701 Lawrence Street. I am very familiar with the neighborhood characteristics and zoning characteristics of my property and the adjacent properties. I am in favor with the zoning change of 2701 Lawrence Street from GM-U-3 to GM-X-3. I believe this change would be in keeping with the neighborhood and further the urban renaissance that we are experiencing in the area.

Should you have further questions or desire any additional information please feel free to call or email.

Sincerely,



By: Ari Stutz, Manager of 2620 Walnut Street, LLC