

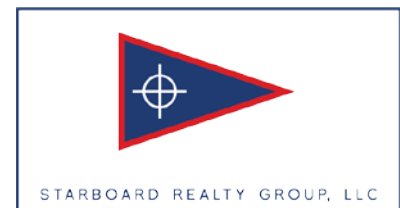
*This Memo and Communication is intended to be made part of the public record for the Denver City Council Public Hearing on August 21, 2017 for Council Bill 17-0750*

**DATE:** August 17, 2017  
**TO:** Members of Denver City Council  
**SUBJECT:** CB 17-050 Rezoning Application # 2016I-00039; 1208 Quitman St.  
**FROM:** Bruce O'Donnell, STARBOARD Realty Group, LLC as Owner's Representative

This Fact Sheet is intended to summarize the City policies and factors that support the rezoning of 1208 Quitman to G-RX-5 including:

**Review Criteria:** Plan Support  
**Justifying Circumstances:** Changed Character of the Area  
**RNO & Community Support:** Letters of support from RNO plus 25 individuals  
**Responsiveness to Community Input:** Voluntary Deed Restriction Limiting Building Heights

Thank you for your thoughtful consideration of this application and the accompanying information. I respectfully request that, given the facts presented, Denver City Council members vote to approve this map amendment application.



# Rezoning Application 2016I-00039 – Rezoning 1208 N. Quitman St. from G-MU-3 to G-RX-5



Subject Property Adjacent to Perry St. Station



Adjacent Property Rezoned to G-RX-5  
December, 2016



# Plan Support:

- Blueprint Denver: - Area of Change, Urban Residential
- TOD Strategic Plan: - Urban Station Typology
- West Colfax Plan: - Urban Neighborhood Station
  - Buildings up to 5 Stories in Height
  - Residential Growth Opportunity Area

**The West Colfax Plan is explicit and unambiguous:** It specifies building heights up to 5 stories for this exact location. The only way to implement this Plan recommendation is to have zoning in place that allows building heights up to 5 stories.



# Language From West Colfax Plan:

West Colfax P

## ► Urban Neighborhood Station

Development pattern:

Variable, compact, dense - highest intensity focused around the station platform

Typical scale:

Buildings 1-5 stories, 30%-100% lot coverage

Uses:

Single-family and multi-family residential



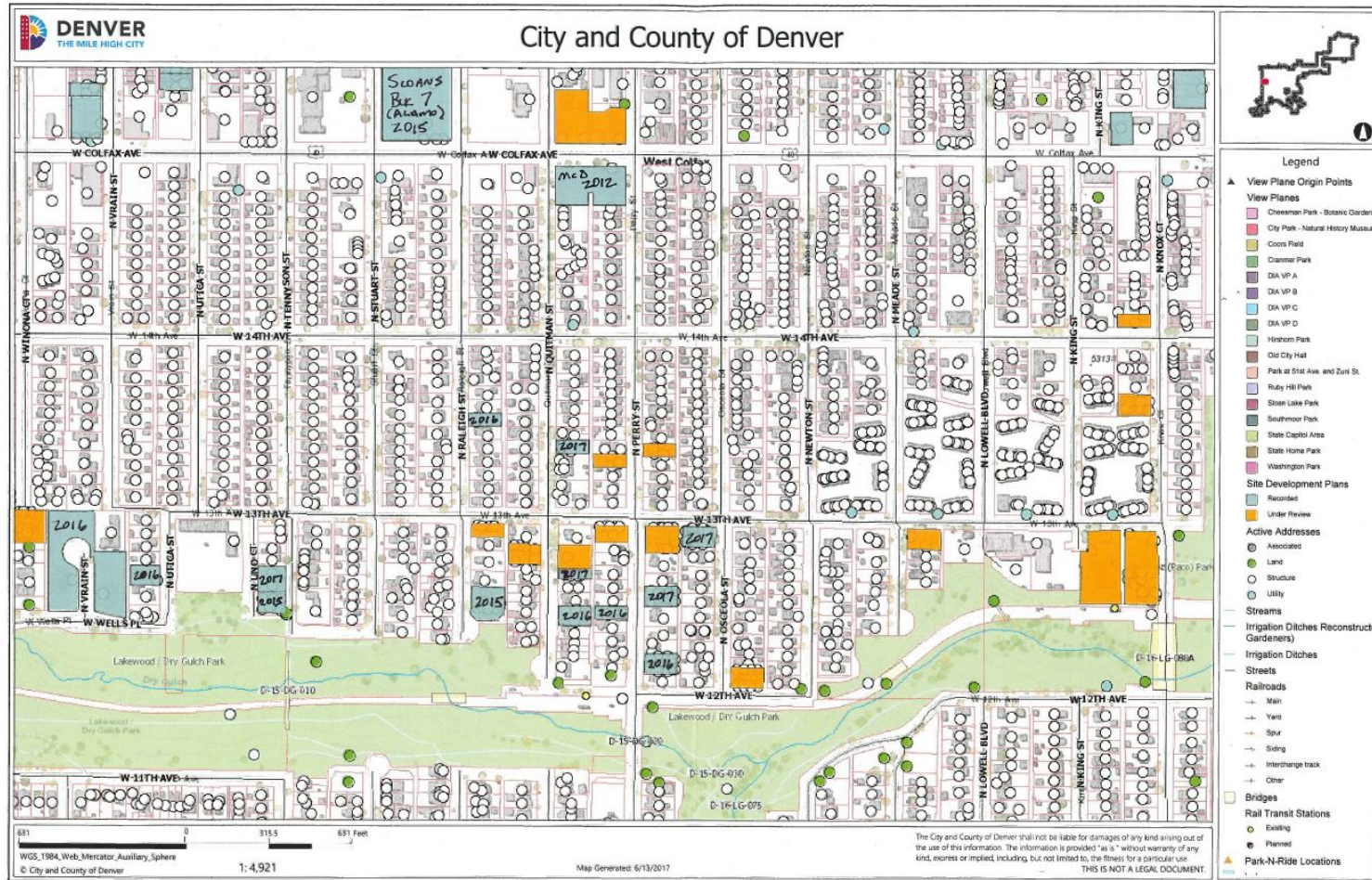
# Justifying Circumstances: Changing Conditions

## The RTD West Line opened in 2013 creating significant TOD opportunity at this location



**Subject Property – white stucco house at 1208 Quitman, pictured in these 3 images  
Due north of and adjacent to Perry Street Light Rail Station.  
Note proximity to rail platform and scale of new development in neighborhood.**

# Justifying Circumstances, Changing Conditions: Substantial Infill Redevelopment in neighborhood, implementing Plan recommendations.



## SOUTH OF 13<sup>TH</sup> AVENUE

11 approved Site Development Plans from 2015-2017  
with 10 more SDPs under review today

(plus adjacent G-RX-5 zoned 1209 Quitman which had CPD Concept Review on July 27.)



## Justifying Circumstances: Changed Conditions

Images from the 1200 Blocks of Perry, Quitman, Raleigh, Stuart, Tennyson & Utica these images are representative of typical changing conditions in the immediate neighborhood, all within a few blocks of the Subject Property. None are as close to the RTD rail platform. Images are Illustrative that appropriate building height transitions for this site are now between 3 stories and 5 stories.

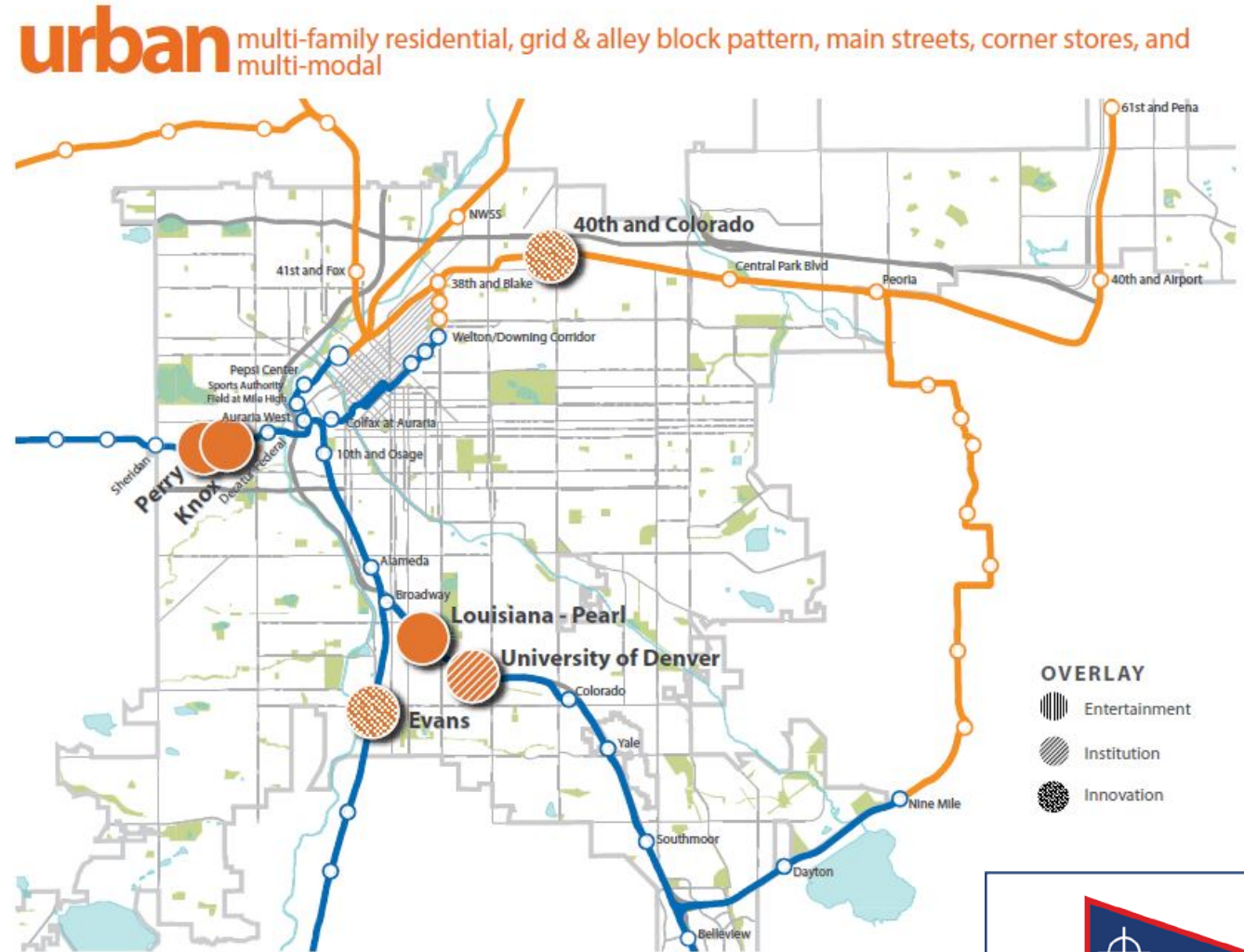


STARBOARD REALTY GROUP, LLC

# TOD Strategic Plan: - Urban Station Typology for Perry Station

## Other Locations with Urban Station Typology

- 40<sup>th</sup> & Colorado Station
- Louisiana Pearl Station



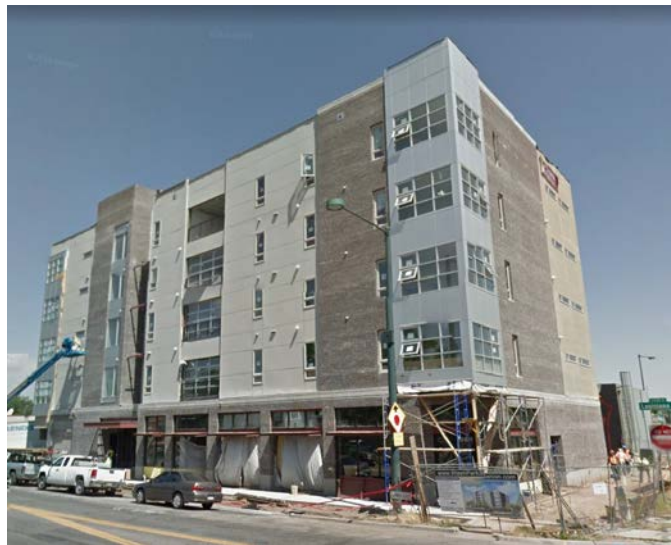


# Denver's Urban Station Typology

## Typical 4 to 5 Story Building Forms in a Variety of TOD Contexts

Louisiana Pearl Station

40<sup>th</sup> & Colorado Station



# Community Support

- Sloan's Lake Citizens Group RNO
- Transit Alliance
- Walk Denver
- RTD Board Member
- 22 West Colfax / Sloan's Lake Property Owners



June 17, 2017

Planning Board  
City and County of Denver  
1437 Bannock Street, Room 389  
Denver, Colorado 80202

Re: 1208 N. Quitman Street  
Application # - 20161-00039

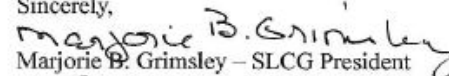
Dear Planning Board Members:

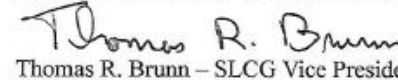
The Sloan's Lake Citizen's Group (SLCG) has been a registered neighborhood organization for over 30 years, serving the area between West 29<sup>th</sup> Avenue to West 10<sup>th</sup> Avenue from Sheridan Boulevard to Federal Boulevard. During this time our organization has valued and listened to the diverse perspectives of our members, allowing us to inform the city of both our neighborhood concerns and desires.

With few exceptions, it is the policy of the SLCG to provide information and to be a forum to inform, rather than to speak for our diverse community. This prevents the SLCG from taking a stand on issues where there might not be information or where the membership might be in disagreement. Instead the desire of the SLCG is to promote collaboration for compromise solutions that balance the interest of property owners, business owners and residents while protecting public health and safety.

At the June General Meeting held on June 14, 2017, Bruce O'Donnell representing Starboard Realty Group was a guest at our meeting. He made a presentation about the rezoning of a 10,500 square foot parcel, located at 1208 N. Quitman Street. This lot is immediately north of the Perry Street Light Rail Station. The current property is currently zoned G-MU-3. Bruce O'Donnell informed the group of the request of the property owner to change the zoning to G-RX-5. The property is a perfect location for a "Transit Oriented" development. The group discussed the pros and cons of the proposed zoning adjustment. While not an official vote of the membership of SLCG, a straw poll of the members present at the meeting was conducted. The group showed strong support for the zone change with a few expressing concern about the height of the building. One other concern was the viability of the project given the homelessness and crime in the gulch area.

Sincerely,

  
Marjorie B. Grimsley – SLCG President

  
Thomas R. Brunn – SLCG Vice President – Zoning Issues



# Responsiveness to Community Input



## DEED RESTRICTION AND PROTECTIVE COVENANT

THIS DECLARATION OF DEED RESTRICTION is made by Urban Land Acquisitions, LLC (hereinafter referred to as "Declarant") whose address is 4155 E. Jewell Ave. Suite 1002 Denver, CO 80222.

### WITNESSETH

WHEREAS, Declarant owns in fee simple, certain real property situated in the County of Denver, State of Colorado, hereinafter referred to as the "Property" and described as follows:

LOTS 21, 22, 23 AND THE NORTH 5.00 FEET OF LOT 24, BLOCK 5, TOGETHER WITH THE WEST HALF OF THE VACATED ALLEY ABUTTING AND EAST OF THE SOUTH 9.00 FEET OF LOT 21, ALL OF LOTS 22 AND 23, AND THE NORTH 5.00 FEET OF LOT 24, AS VACATED BY ORDINANCE NO. 478, SERIES OF 2015, RECORDED AUGUST 5, 2015 UNDER RECEPTION NO. 2015109039, WEST VILLA PARK, LOCATED IN THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 4 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

This Property is also known as 1208 N. Quitman Street Denver, Colorado with a Denver Assessor Parcel Number of 0506121040000.

WHEREAS, Declarant or his successors in interest plan to develop and improve the Property and desire to establish certain height restrictions on future development of the Property;

NOW, THEREFORE, Declarant, as owner of the Property, for himself; and his heirs, executors, administrators, successors and assigns, declares that the Property is held and hereafter shall be conveyed, subject to the following covenants, rights, reservations, limitations, and restrictions:

1. This Covenant, when in effect, shall limit building heights on the Property to 4 stories and to 55 feet in height as calculated by the Denver Zoning Code.
2. The Covenant shall take effect subject to and only in the event that Denver City Council approves the rezoning of the Property to G-RX-5 and the ordinance documenting such rezoning is published in the City of Denver Zoning Map showing the Property zoned as G-RX-5. The rezoning of the Property to G-RX-5 shall be a condition precedent to the enforceability of this Covenant. If the Property is not zoned G-RX-5, this Covenant is invalid and has no further force or effect.

- Individual neighbors on blocks close to the Property have expressed concerns over 5 Story building heights.
- In response to this input a Covenant and Deed Restriction was recorded on August 17, voluntarily reducing building heights.
- The Covenant and Deed Restriction provides that rezoning the Property to G-RX-5 triggers a building height limitation of 4 Stories.



**Consistent with CPD's Staff Report and Planning Board's  
Recommendations of Approval, I respectfully request that City  
Council vote to approve**

**Council Bill 17-0750**

**Map Amendment Application 2016I-00039,  
rezoning 1208 N. Quitman from G-MU-3 to G-RX-5.**

