



TO: Community Planning and Housing Committee
FROM: Fran Penafiel, Principal City Planner
DATE: December 9th, 2025 (consent agenda)
RE: Official Zoning Map Amendment Application #2025-REZONE-0000008

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for Application #2025-REZONE-0000008.

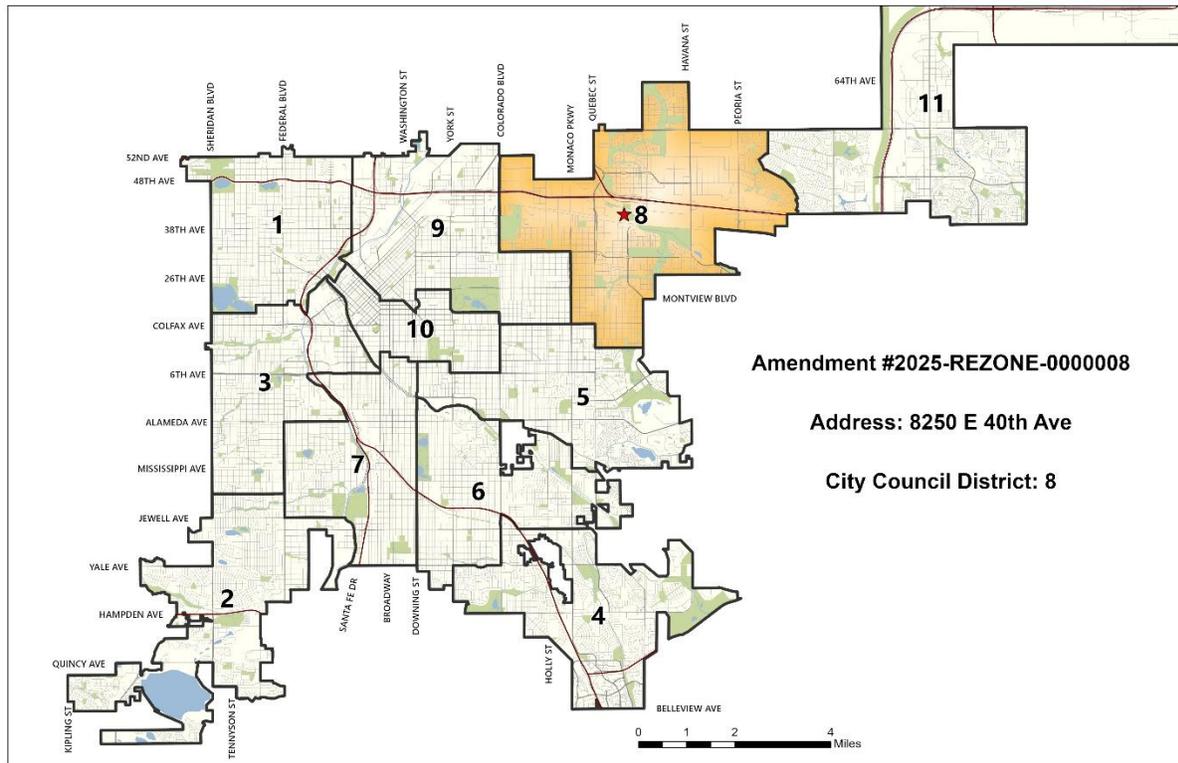
Request for Rezoning

Address: 8250 E 40th Avenue
Neighborhood/Council District: Central Park / Council District 8
RNOs: Central Park United Neighbors, Opportunity Corridor Coalition of United Residents and Inter-Neighborhood Cooperation (INC)
Area of Property: 44,490 square feet or 1.02 acres
Current Zoning: OS-A
Proposed Zoning: I-B
Property Owner: Quality Linings Properties LLC
Applicant: Brad Buchanan, Executive Director, Community Planning and Development (CPD)

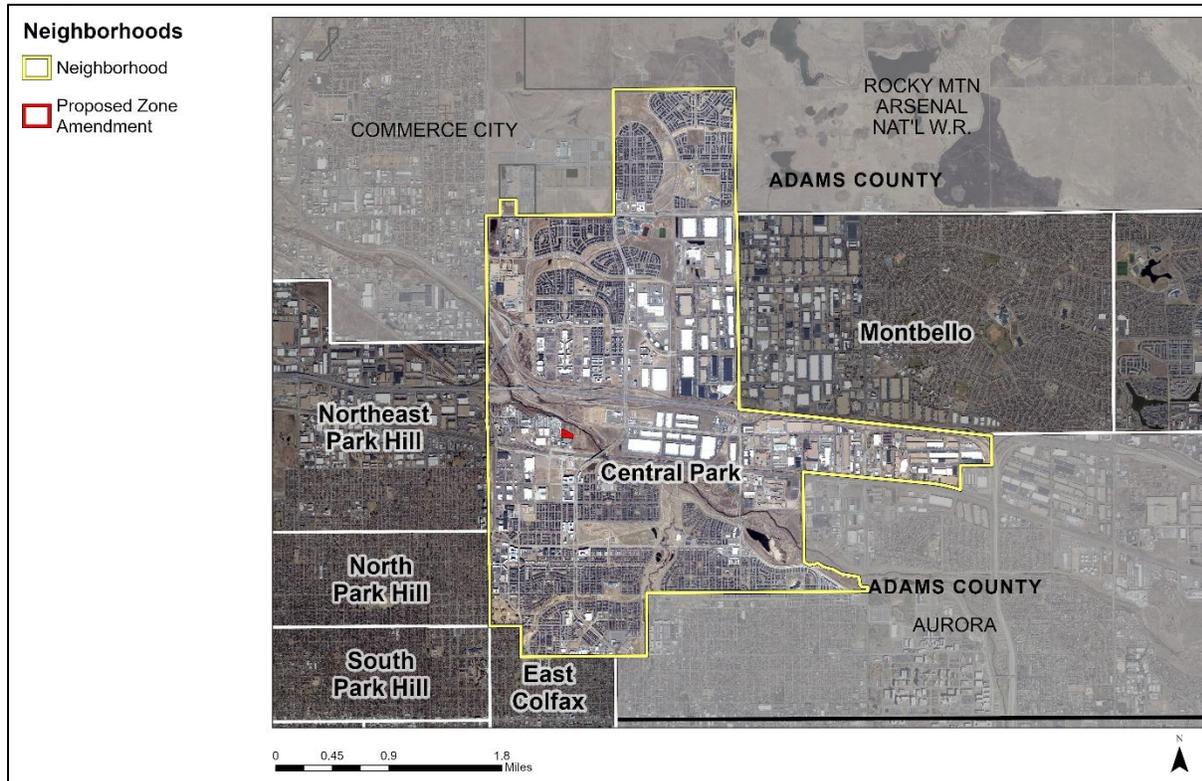
Summary of Rezoning Request

- The subject site is located in the Central Park on East 40th Avenue, adjacent to Sand Creek Park (Bulk Fuel Farm)
- The subject site is currently vacant and used as surface parking and storage for a parcel located south of East 40th Avenue, owned by the same property owner.
- Prior to June 2010, the subject property was zoned I-2, a Heavy Industrial zone district from Former Chapter 59 that is consistent with the surrounding context. The subject site was incorrectly identified as city-owned in the City records at the time and was inadvertently included in the OS-A zoning for Sand Creek (Bulk Fuel Farm).
- CPD is requesting to rezone the property from OS-A to I-B to amend the error made in 2010.
- The proposed I-B zone district is intended to be an employment area containing industrial uses that are generally more intensive than uses permitted in the I-A zone district. The overall purpose of the district is to promote industrial development and economic activity. No new residential uses may be established in the I-B zone district in order to promote and continue a stable employment base for the city. Further details of the requested zone district can be found in the proposed zone district section of the staff report (below) and in Article 9 of the Denver Zoning Code (DZC).

City Location



Neighborhood Location – Central Park





The site is located in the Central Park Neighborhood. . The site is mostly vacant and currently used by the property owners as surface parking and storage for their industrial business located to the south of the subject site. Immediately to the west of the site is an industrial warehouse surrounded with surface parking. Sand Creek (Park?) is located to the east and north. The subject site is located in an industrial area bounded by Sand Creek and I-70 to the east and north, Quebec Street to the west and the Union Pacific Railroad and RTD A Line to the south.

The subject site is served by the RTD A Line’s Central Park Station, which is approximately .3 miles to the south and the RTD 34 bus line. The 42 bus runs east-west from Central Park Station to Green Valley Ranch. The 88 bus runs north-south between Central Park Station and Commerce City.

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

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	OS-A	Industrial/Surface parking	Vacant, surface parking & storage.	Block sizes and shapes are generally large with an irregular street grid.
North	OS-A	Public park	Open Space	
South	I-B, UO-2	Industrial	Industrial warehouse	

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
East	OS-A	Public park	Open Space	
West	I-B, UO-2	Industrial	Industrial warehouse	

1. Existing Zoning



The subject property is currently incorrectly zoned Open Space Public Parks District (OS-A) zone district. The district is intended to protect and preserve public parks owned, operated, or leased by the city and managed by the City’s Department of Parks and Recreation for park purposes. The subject site is not owned, leased or managed by the City.

2. Existing Land Use Map



3. Existing Building Form and Scale (Source for all photos: Google Maps)



View of subject property looking north from East 40th Avenue.



View of the properties to the south looking north on East 39th Avenue.



View of corner of East 40th Avenue and Ulster Street, looking west.



View of corner of East 40th Avenue and Ulster Street, looking south.



View of corner of East 40th Avenue and Ulster Street, looking north.

Proposed Zoning

The proposed I-B zone district is intended to be an employment area containing industrial uses that are generally more intensive than uses permitted in the I-A zone district. The overall purpose of the district is to promote industrial development and economic activity. No new residential uses may be established in the I-B zone district in order to promote and continue a stable employment base for the city.

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 comments.

Asset Management: Approved – No comments.

Denver Public Schools: Approved – No comments.

Department of Public Health and Environment: Approved – No comments.

Denver Parks and Recreation: Approved – No comments.

Department of Transportation & Infrastructure - City Surveyor: Approved – No comments.

Development Services - Transportation: Approved – No comments.

Development Services – Wastewater: Approved – No comments.

Development Services – Project Coordination: Approved – No comments.

Development Services – Fire Prevention: Approved zoning change only- Additional information will be required during site development plans.

Public Review Process

This rezoning proposal was referred directly to the Community Planning and Housing Committee, without review or recommendation by the Denver Planning Board, as allowed under Denver Zoning Code, Section 12.4.10.4.D.2.b “ Where an amendment is necessary only to correct an error in the official map, the Manager may submit the application, including agency comments and recommendations, directly to the Council Committee for its consideration...”.

	Date
Receipt of Complete Application - CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners and tenants within 10 days of application deemed complete:	11/17/2025
CPD written notice of the Community Planning and Housing Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting:	11/25/2025
Community Planning and Housing Committee of the City Council on consent agenda:	12/09/2025
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 (tentative):	12/22/2025
City Council Public Hearing (tentative):	01/12/2026

- **Registered Neighborhood Organizations (RNOs)**
 - To date, staff has not received any comments from Registered Neighborhood Organizations.
- **Other Public Comment**
 - To date, staff has not received any comments from the public.

Criteria for Review / Staff Evaluation

Staff has reviewed the proposed rezoning according to the criteria found in DZC, Sections 12.4.10.7, as follows:

DZC Section 12.4.10.7

1. Consistency with Adopted Plans
2. Public Interest
3. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

1. Consistency with Adopted Plans

The following adopted plans apply to this application:

- *Denver Comprehensive Plan 2040 (2019)*
- *Blueprint Denver (2019)*
- *Central Park Boulevard Station Area Plan (2012)*
- *Central Park Development Plan (1995)*

Denver Comprehensive Plan 2040

The proposed rezoning would enable industrial infill development at a location where services and infrastructure are already in place. The proposed I-B zoning designation would allow for a broader variety of uses including industrial, and service uses along East 40th Avenue. Therefore, consistent with the following strategy in the Strong and Authentic Neighborhoods vision element:

- 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).

Similarly, the land use pattern detailed in the previous paragraphs is also consistent with the following strategies in the Environmentally Resilient vision element:

- Environmentally Resilient Goal 8, Strategy A - Promote infill development where infrastructure and services are already in place (p. 54).
- Environmentally Resilient Goal 8, Strategy B - Encourage mixed-use communities where residents can live, work and play in their own neighborhoods (p. 54).
- Environmentally Resilient Goal 8, Strategy C – Focus growth by transit stations and along high and medium-capacity transit corridors (p. 54).

Rezoning Application #2025-REZONE-0000008

8250 E 40th Ave.

December 9, 2025

Page 10

Denver Comprehensive Plan 2040 also recommends furthering the economy and job opportunities as highlighted in the strategies. The proposed rezoning would continue to allow for industrial and commercial uses.

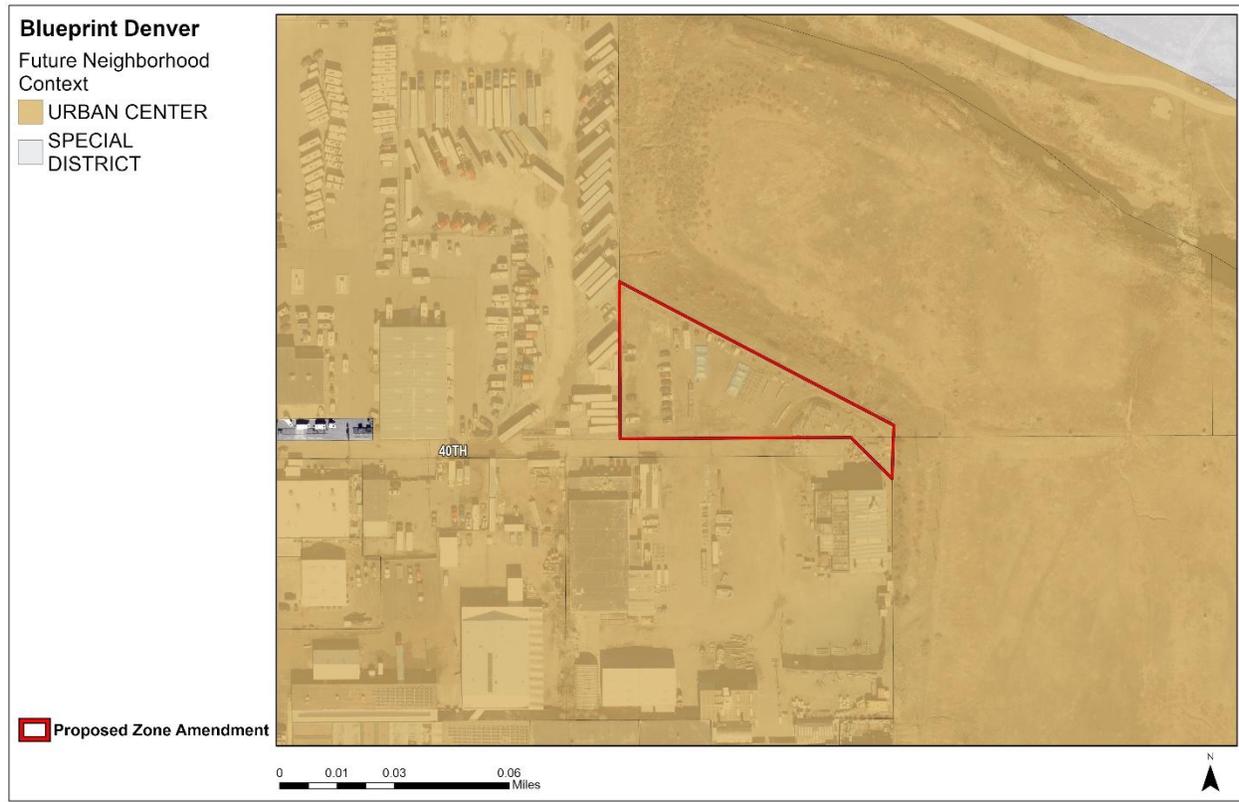
- Strong and Authentic Neighborhoods Goal 4 – “Ensure every neighborhood is economically strong and dynamic.” (p.35)
- Economically Diverse and Vibrant Goal 2, Strategy B – “Facilitate the growth of a diverse business sector that serves as the foundation for a global, innovative economy.” (p. 46)
- Economically Diverse and Vibrant Goal 2, Strategy D – “Ensure a broad range of jobs to align with the skills and interests of local residents.” (p. 46)

The requested map amendment will enable industrial development at an infill location where infrastructure is already in place. The proposed rezoning is consistent with *Denver Comprehensive Plan 2040* recommendations.

Blueprint Denver

Blueprint Denver was adopted in 2019 as a supplement to *Comprehensive Plan 2040* and establishes an integrated framework for the city's land use and transportation decisions. Because this property was mistakenly mapped as part of Sand Creek Bulk Fuel Farm open space during the 2010 citywide rezoning, *Blueprint Denver* identifies the subject property as part of the Park and Open Space future place within the Urban Center Neighborhood Context. Given the known error in the map, and consistent with the surrounding context, the correct future neighborhood context and place guidance is Urban Center neighborhood context and Regional Center place.

Blueprint Denver Future Neighborhood Context



In *Blueprint Denver*, future neighborhood contexts are used to help understand differences between land use, built form, and mobility at a high scale, between neighborhoods. The subject property is shown on the context map as within the Urban Center Neighborhood Context, which is used to guide appropriate zone districts (p. 66). *Blueprint Denver* describes the land use and built form of the Urban Center Neighborhood Context as follows: "Urban center neighborhoods are dense and vibrant areas that support residents and visitors. This context contains high intensity residential and significant employment areas. Development typically contains a high mix of uses, with good street activation and connectivity. Residents living in this context are well served by high-capacity transit and have access to ample amenities and entertainment options" (p. 251). While the proposed district does not allow for residential uses, it will allow for the expansion of an existing employment area that already supports the neighborhood, what is appropriate and consistent with the Urban Center context plan direction.

Blueprint Denver Future Places



The map above shows the subject site as Public Park and Open Space on the Future Places map. Given the known mapping error described earlier in this report, the site should be classified as part of a Regional Center. *Blueprint Denver* describes the aspirational characteristics of Regional Centers in the Urban Center context as, “office, retail, eating and drinking establishments, commercial services, and multi-unit residential use” with the “widest customer draw of all places with a 24/7 live, work, and play environment attractive to locals and visitors” (p. 256).

“Regional Centers contains a high mix of uses— providing a dynamic environment of living, dining, entertainment and shopping, while incorporating a diverse set of employment options. Wide customer draw with a 24/7 live, work and play environment attractive to locals and visitors. Larger scale mixed-use buildings are common. Structures should respond in form and mass to the streets and public spaces around them. High degree of urbanism with continuous building frontages to define the public realm. Heights are generally the tallest in the context and transition gradually within the center to the surrounding residential areas” (p.256). The proposed I-B district allow for the expansion of an existing employment area that already supports the neighborhood, what is appropriate and consistent with the Regional Centers future place designation. It is also consistent with the I-B zoning to the immediate west of the site, which is also within the Regional Center future place and is what the site would have been zoned to in 2010 if the mapping error had not occurred.

Blueprint Denver Street Types

In *Blueprint Denver*, street types work together with the future place to evaluate the appropriateness of the intensity of the adjacent development (p. 67). *Blueprint Denver* classifies East 40th Avenues as a Local or undesignated street. “Local streets can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses” (p. 155). The proposed I-B zone district allows a mix of uses that aligns with the aspirational description of the adjacent street type. (DZC Section 9.1.2.1.C).

Blueprint Denver Growth Strategy



Blueprint Denver's growth strategy map is a version of the future places map, showing the aspiration for distributing future growth in Denver (p. 51). The subject property again is mapped incorrectly and should be shown as part of the regional centers instead of as part of the “All other areas of the city” growth area (as shown on the map). Regional Centers are anticipated to see around “30% of new housing growth and 50% of new employment growth by 2040” (p. 51). Focusing growth in centers and corridors helps to provide a variety of housing, jobs and entertainment options within a comfortable distance to all Denverites and is a key element of building complete neighborhoods throughout Denver (p. 49). The proposed map amendment will focus employment growth to a Regional Center where it has been determined to be most appropriate.

Blueprint Denver Strategies

Blueprint Denver also includes narrative goals to help further the city's land use goals. This rezoning helps achieve a number of those goals including:

- Land Use & Built Form: Economics
 - Policy 1 – Capture 90 percent of job growth in regional centers, community centers and corridors, certain districts and high-intensity residential areas in downtown and urban center contexts (p. 90).

Equity

Blueprint Denver states “Because the data available to measure the **equity** concepts is not available at the parcel-level scale, and they are intended to show patterns across large areas, they cannot be effectively applied to small-scale rezonings” (p. 67). However, smaller rezonings can still implement policies and strategies related to equity. This rezoning will improve access to opportunity by creating more equitable access to employment opportunities in an area that is easily accessible and well connected.

Climate

This rezoning supports the city's goals to reduce climate impacts by allowing the infill or more jobs and industrial uses on a vacant lot where infrastructure already exists. Because many transportation options are available to the area, which can reduce greenhouse gas emissions from transportation. The proximity of the subject site to other modes of transportation like the freight train provides great energy efficiency that will advance Denver's goals to reduce greenhouse gas emissions from industrial sites transportation needs, which contribute to a warming climate.

Central Park Station Area Plan (2012)

The *Central Park Station Area Plan* was adopted in 2012 and identifies the subject site in the Land Use Map as TOD/Employment, which is described as “Areas near transit stations should take advantage of the multi-modal nature of the location regardless of the predominant existing or future uses. The TOD Employment is a sub-category of the Transit Oriented Development land use concept found in *Blueprint Denver*. TOD Employment recognizes the potential for a large amount of employment, including industrial uses, near a transit station. These areas may have existing industrial uses requiring access to major arterials or interstates and are adjacent to heavy rail facilities yet should work to promote pedestrian and bicycle access and allow for additional uses such as office buildings and hotel accommodations. Although not common in the Denver area, other areas with commuter rail service have stations in industrial areas with significant employee ridership. Portions of the Stapleton Industrial Area could serve as an example of this land use concept in the future” (p.19). The proposed rezoning is consistent with the small area plan because it will allow for the expansion of industrial uses near a transit station, major arterials, heavy rail facilities and the interstate.

Central Park Development Plan (1995)

The *Central Park Development Plan* was adopted in March 1995 and pre-dated the overall development of the Central Park neighborhood and included some land use recommendations that were inevitably not built as envisioned. However, most of the key development recommendations, including identifying this area as a Transit Oriented District Center, have been developed to-date. More specifically, this property is in what was envisioned as District II, the Central Park Neighborhood which contemplated serving primarily employment and higher-density residential needs. It contemplated also serving as an intermodal facility linking rail, bus and pedestrian networks (p. 5-44). The proposed map amendment would facilitate expanding industrial development which advance the plan vision for this area.

2. Public Interest

The proposed official map amendment furthers the public interest, through implementation of the city's adopted land use plan and by correctly mapping the zone district originally intended in the citywide rezoning of 2010 from Former Chapter 59 to the Denver Zoning Code.

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

The requested zone district is within the Industrial Neighborhood Context which generally consists of areas of light industrial, heavy industrial and general industrial areas, as well as areas subject to transitions from industrial to mixed-use (DZC 9.1.1). Given the surrounding context the request of a zone district from the Industrial Context is appropriate for this site.

I-B is classified as the General Industrial District. The purpose of the General Industrial Zone Districts is to be an employment area containing industrial uses that are generally more intense than uses permitted in the I-A (Light Industrial) zone district. The overall purpose and intent of the district is to promote industrial development and economic activity. No new residential uses may be established in the I-B zone district in order to promote and continue a stable employment base for the city (DZC 9.1.2.1.B).

The proposed official map amendment is consistent with the Neighborhood Context Description, Zone District Purpose and Intent Statement by correctly mapping the zone district originally intended for 8250 East 40th Avenue in the citywide rezoning of 2010 from Former Chapter 59 to the Denver Zoning Code.

Attachments

1. Application