



DENVER
THE MILE HIGH CITY

201 W Colfax Ave, Dept 205
Denver, CO 80202
p: 720-865-2972
f: 720-865-3056
www.denvergov.org/planning

TO: Denver Planning Board, Kenneth Ho, Chair
FROM: Theresa Lucero, Senior City Planner
DATE: October 14, 2013
RE: Zoning Map Amendment #2013I-00037,
Approximately 8822 Beekman Place (AKA 4936 Verbena Street),
Rezoning from M-RX-5 to M-MX-5

Staff Report and Recommendation

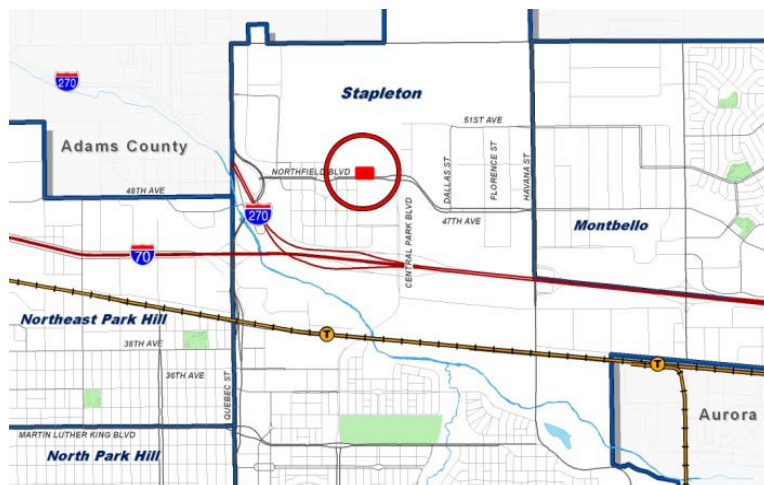
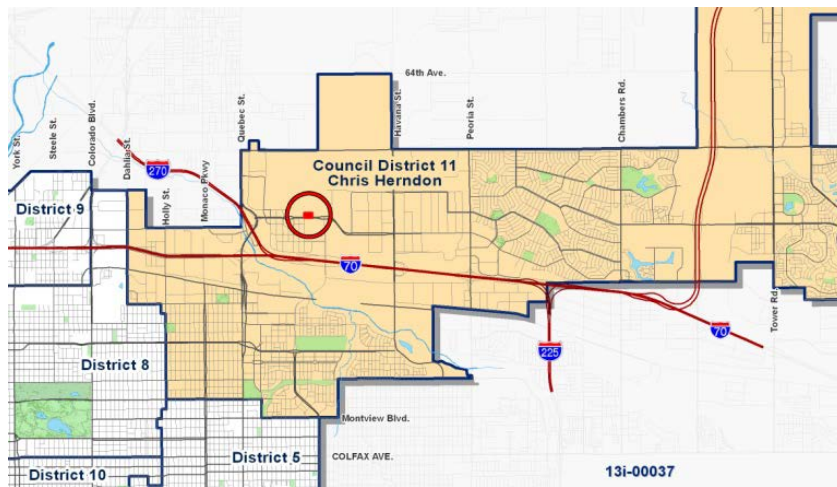
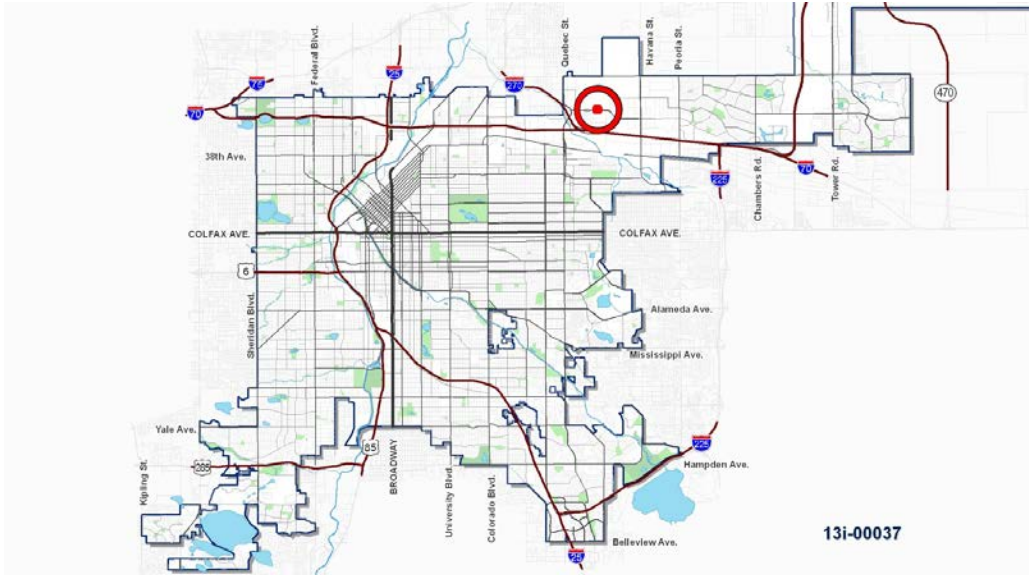
Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for Application #2013I-00037 for a rezoning from M-RX-5 to M-MX-5

Request for Rezoning

Application:	#2013I-00037
Address:	Approx. 8822 Beekman Place (AKA 4936 Verbena Street)
Neighborhood/Council District:	Stapleton / Council District #11
RNOs:	Northern Airport Corridor Association, Stapleton Master Community Association, Stapleton United Neighbors and Inter-Neighborhood Cooperation
Area of Property:	176,018 square feet, 4.041 acres
Current Zoning:	M-RX-5
Proposed Zoning:	M-MX-5
Property Owner(s):	Forest City Stapleton II, LLC
Owner Representative:	Bob Gollick

Summary of Rezoning Request

- The property is located in northeast Denver, in City Council District 11, within the Stapleton Statistical Neighborhood, at the northwest corner of North Willow Street and Northfield Boulevard.
- The subject property is vacant. Southwest of the property is the Northfield Shopping District; northwest is Stapleton Filing 42, a predominately residential subdivision containing a planned Elementary School location, directly south of the property is a 3-story apartment development and half a mile to the east is the Nobel Sysco Warehouse. The planned land uses for the property are commercial.
- The M-MX-5 zone district stands for **M**aster Planned Context, **Mi**xed Use with a **5**-story height limit. The M-MX-5 zone district is intended to promote development of new town centers and mixed use neighborhoods up to 5 stories in height. Further details of the zone districts can be found in Article 9 of the Denver Zoning Code (DZC).





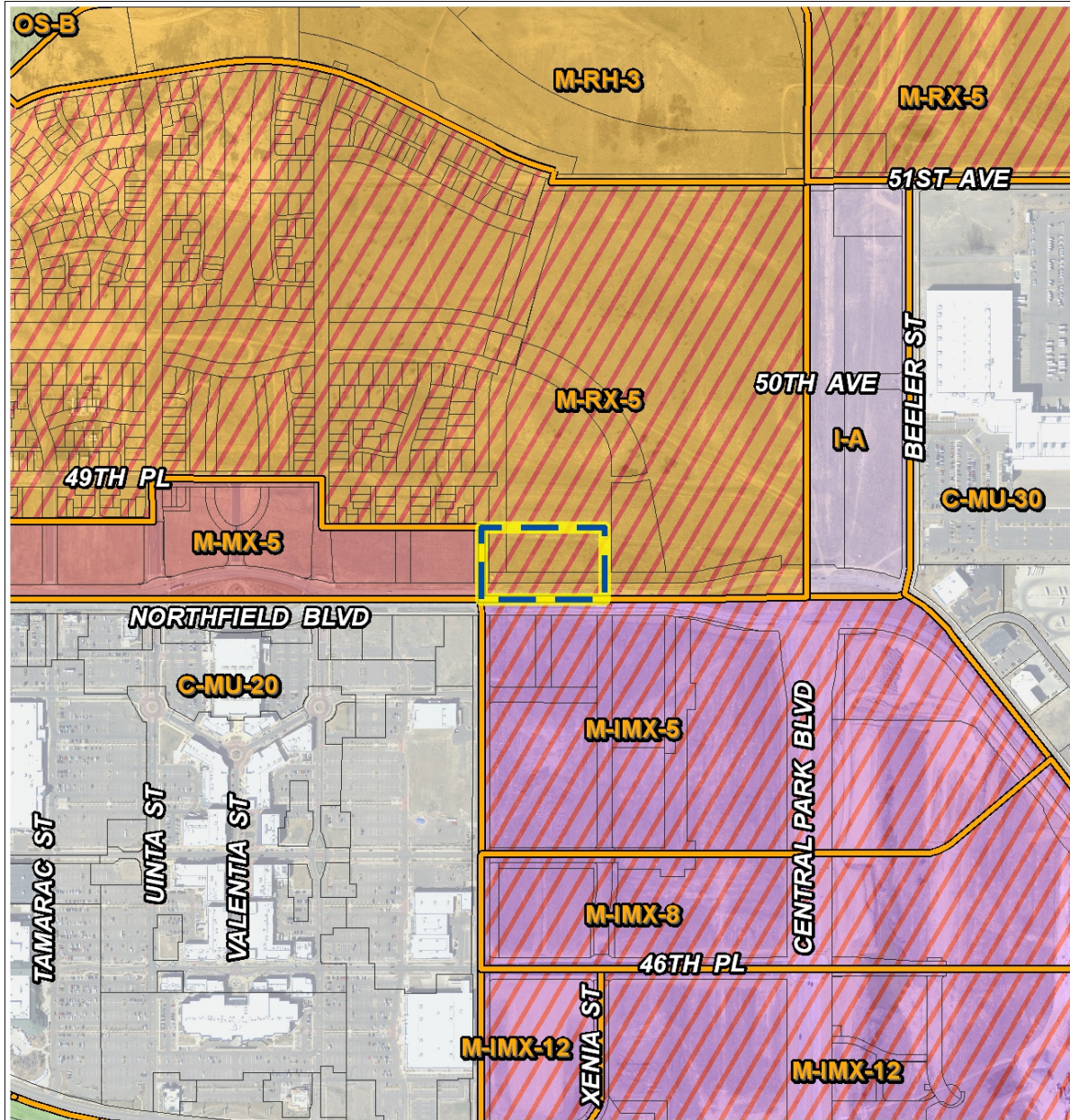
Existing Context

The property is located northeast of the Northfield Shopping District, north of Interstate 70. In the vicinity are the northern extension of Central Park Boulevard, existing 1-2-story industrial or commercial structures to the east and southwest and a new residential subdivision to the northwest of the site. The immediate area surrounding the subject property is vacant except for a 3-story apartment development under construction south of the site. The block pattern is a mix of a grid and modified grid pattern with alleys present in the planned residential subdivision.

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

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	M-RX-5	Vacant	N/A	Generally regular grid or modified grid street patterns with some residential alleys present. Large commercial block sizes and shapes are consistent and rectangular, and smaller residential blocks north of Northfield Boulevard.
North	M-RX-5	Vacant	N/A	
South	M-IMX-5/C-MU-20	3-story Multi-unit / Northfield Shopping District	3-story Residential / 1-2-story Commercial Structures	
East	M-RX-5	Vacant	N/A	
West	M-MX-5	Vacant	N/A	

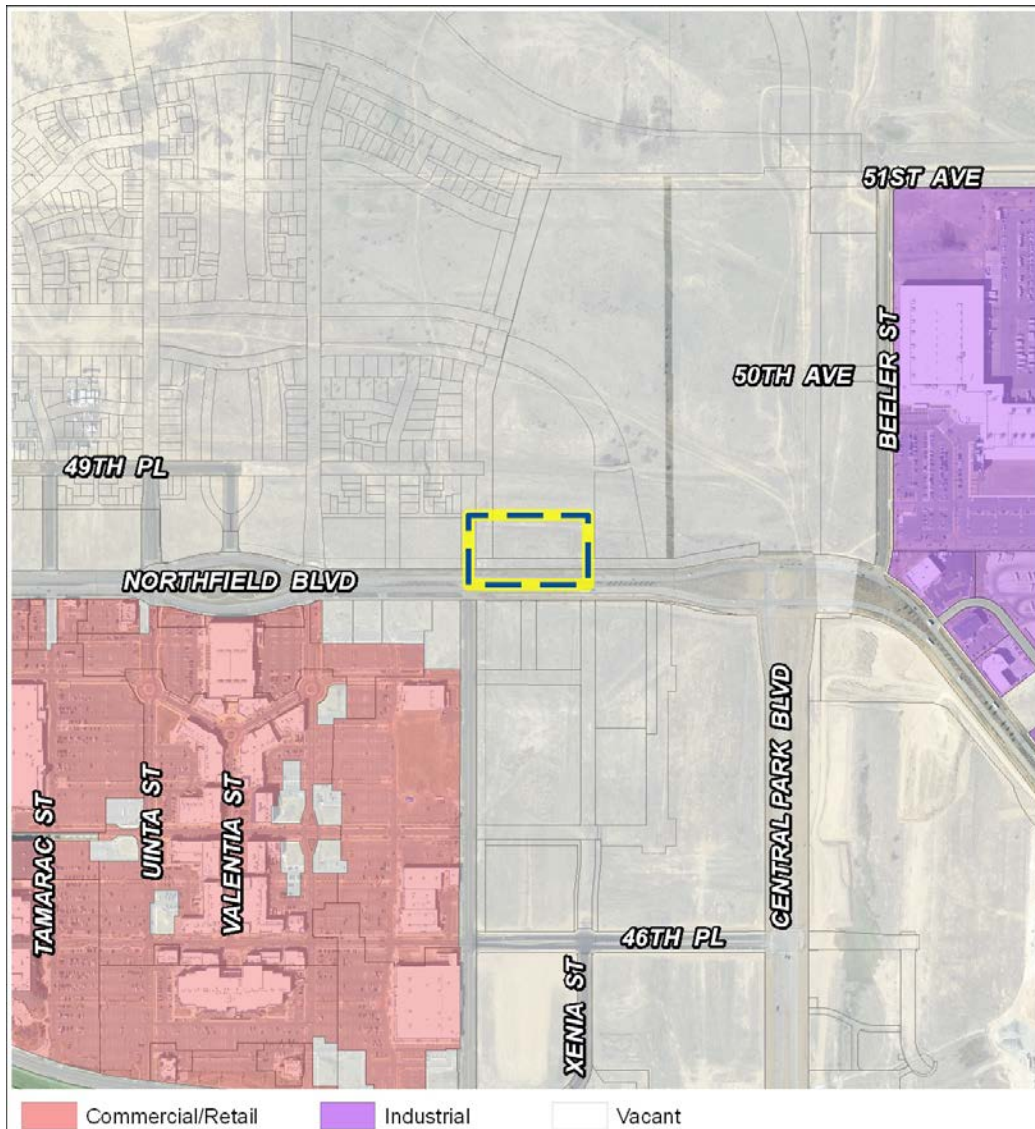
1. Existing Zoning



The existing zoning of the subject property is M-RX-5, or Master Planned context, Residential Mixed Use with a 5-story height limit. The allowed building forms range from Urban House to Apartment forms, with General, non-residential building forms, allowed only on corners where one of the intersecting streets is either an arterial or collector street. The maximum height limit for residential structures in the district is 40 feet for lower density residential structures and 70 feet for Row House and Apartment building forms. Upper story setback requirements apply to Row House and Apartment building forms where they are

adjacent in the rear and side to Protected Districts. The minimum front setback is 0 to 10 feet, and the side setbacks vary between 0 feet and 10 feet depending on adjacency to a Protected District. The rear setback is 0 feet, or between 5 and 10 feet if adjacent to a Protected District. And the building coverage on the zone lot for an Urban House on a standard 3,000 square foot lot is 75%. A variety of residential, civic and commercial land uses are allowed, but industrial and agricultural land use allowances are more restricted. For additional details of the zone district, see DZC Section 9.

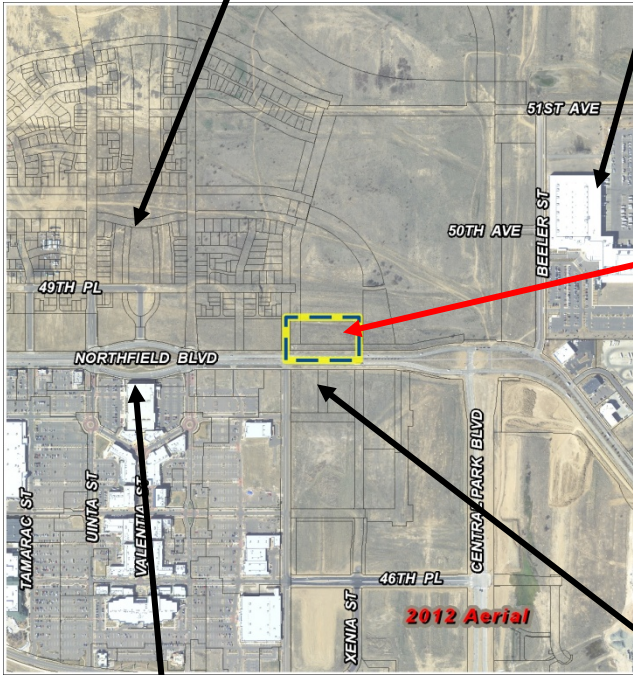
2. Existing Land Use Map



Existing Land Use

1. Existing Building Form and Scale

Rezoning Application #2013I-00037
Approx. 8822 Beekman Place (formerly 4936 Verbena Street)
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Summary of City Agency Referral Comments

As part of the DZC review process, the rezoning application is referred to potentially affected city agencies and departments for comment. A summary of agency referral responses follows:

Asset Management: Approve, no comments.

Development Services – Fire: Approve rezoning only, will require additional information at Site Plan Review.

Development Services – Transportation: Transportation approves the rezoning only.

Public Works – City Surveyor: Approve legal description.

Public Review Process

Planning Board

- The property has been legally posted for a period of 15 days announcing the October 16, 2013, Denver Planning Board public hearing, and written notification of the hearing has been sent to all affected registered neighborhood organizations and City Council members.

Land Use and Transportation Committee

- Electronic notice of the meeting will be sent to all affected registered neighborhood organizations and City Council members.

City Council Public Hearing

- The property will be been legally posted for a period of 21 days announcing the City Council public hearing, and written notification of the hearing has been sent to all affected registered neighborhood organizations and City Council members.
- **Registered Neighborhood Organizations (RNOs)** – To date no public comment has been received.

Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.13 and 12.4.10.14, as follows:

DZC Section 12.4.10.13

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and General Welfare

DZC Section 12.4.10.14

1. Justifying Circumstances
2. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

1. Consistency with Adopted Plans

The following adopted plans apply to this property:

- Denver Comprehensive Plan 2000
- Blueprint Denver (2002)
- Stapleton Development Plan (1995)
- North Stapleton General Development Plan (2012)

Denver Comprehensive Plan 2000

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

- **Land Use Strategy 1-B** – Ensure that the *Citywide Land Use and Transportation Plan* reinforces the city's character by **building on a legacy of high-quality urban design and stable, attractive neighborhoods**; encouraging preservation of historic buildings, districts and landscapes; and maintaining the integrity of the street grid, parks, parkways and open space system.
- **Land Use Strategy 3-B – Encourage quality infill development** that is consistent with the character of the surrounding neighborhood; **that offers opportunities for** increased density and **more amenities**; and that broadens the variety of compatible uses.
- **Mobility Strategy 4-E** - Continue to **promote mixed-use development**, which **enables people to live near work, retail and services**.
- **Economic Activity Strategy 4-B** – **Enhance existing business centers and establish new business centers** in a manner **that offers a variety of high-quality uses that support Denver's business environment, complements neighboring residential areas, generates public revenue, and creates jobs**.

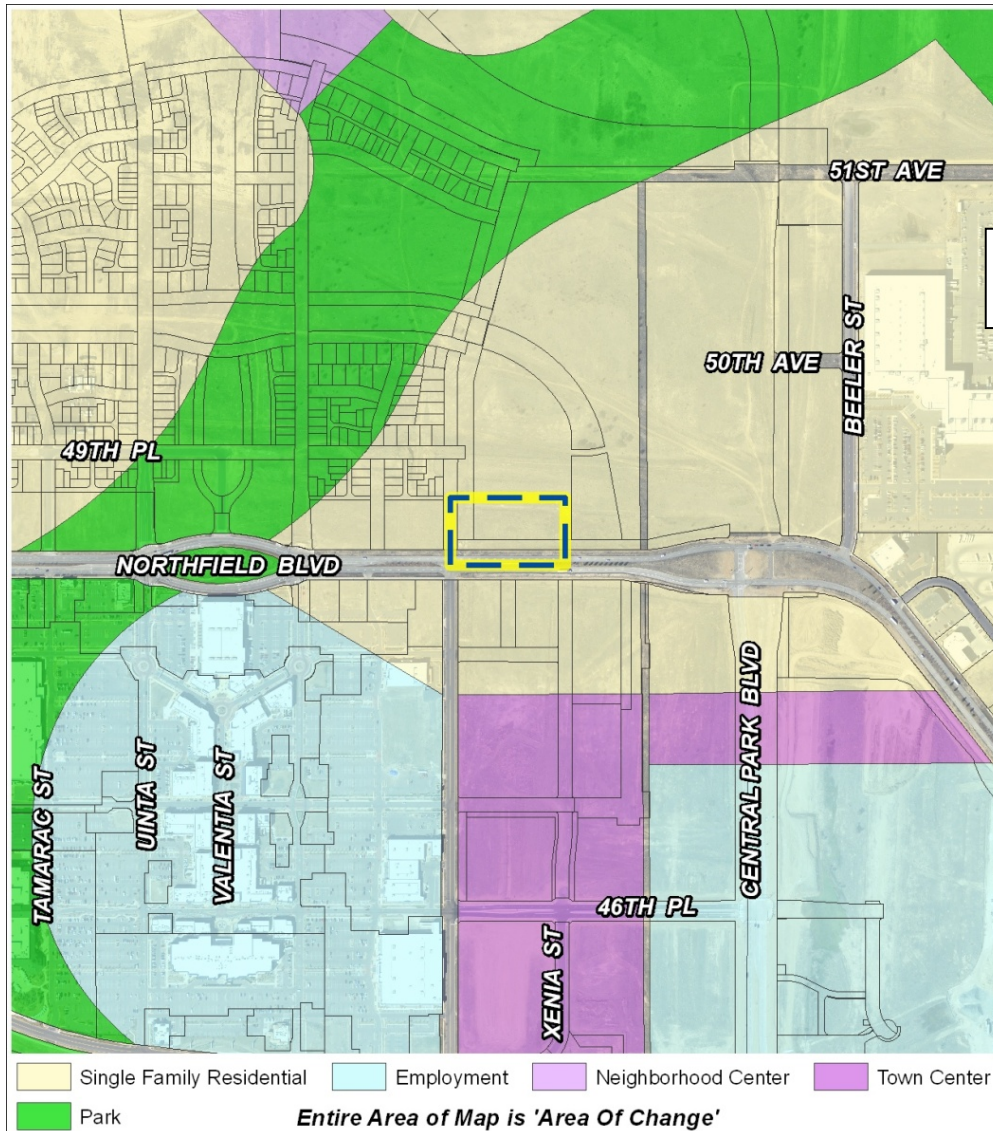
The proposed map amendment will enable the continued mixed use development of North Stapleton. The proposed M-MX-5 zone district allows a wide variety of residential and commercial lands uses. The rezoning is consistent with these plan recommendations.

Blueprint Denver/North Stapleton General Development Plan

According to the 2002 Plan Map adopted in Blueprint Denver, this site has a concept land use of Single-Family Residential and is located in an Area of Change. The North Stapleton General Development Plan designates the subject property as Residential Mixed Use.

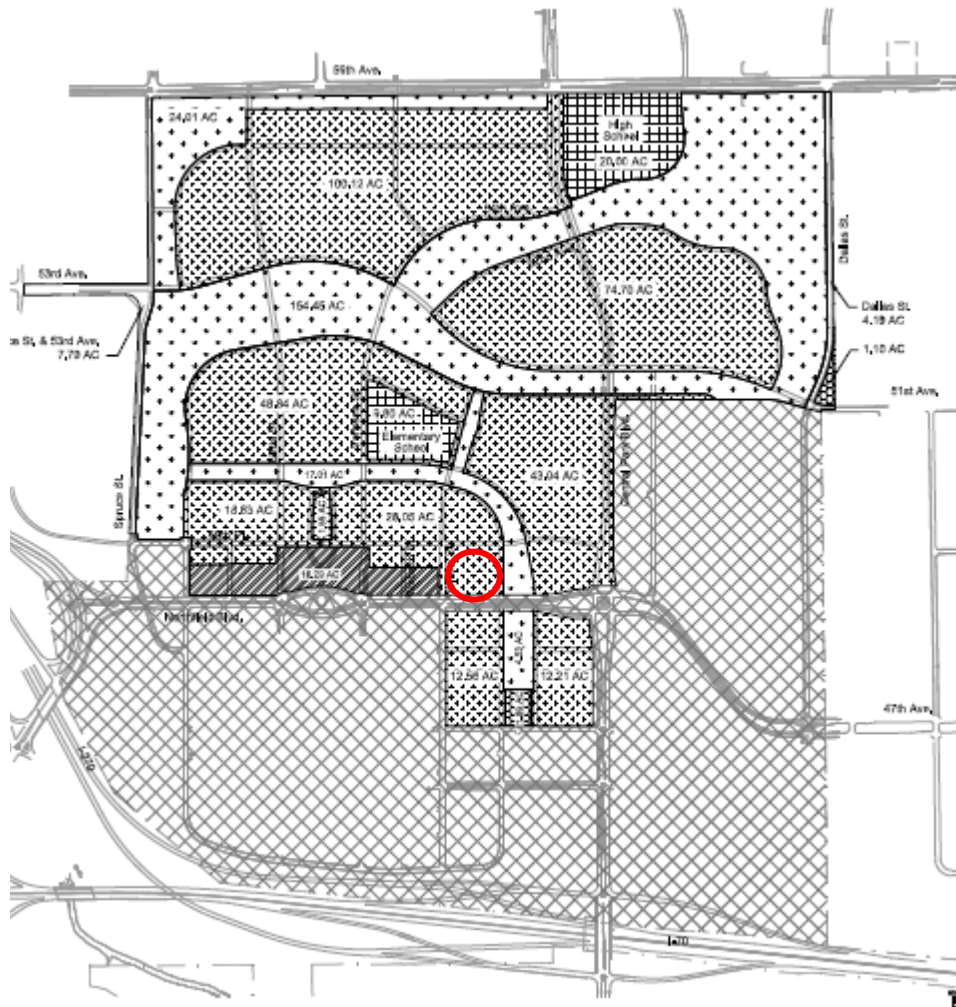
Future Land Use – Blueprint Denver

The site is located in a vacant and redeveloping area in the northern portion of the Stapleton Neighborhood. The Blueprint Denver future land use designation for the subject property is Single Family Residential. Blueprint Denver describes Single-Family Residential neighborhoods “that consist primarily of residential land uses” and states that “There are several different types of residential areas and neighborhoods often have more than one type of land use within them.” Further that “A city should contain neighborhoods that offer a variety of housing types, as well as complementary land-use types such as **stores, parks and schools** that provide the basic needs of nearby residents.” The rezoning of the subject property will enable the development of land uses that complement the larger North Stapleton residential neighborhood.



Future Land Use – General Development Plan

The Residential Mixed Use land use category in the North Stapleton General Development Plan allows a variety of residential and commercial land uses. Nonresidential uses within an area planned for “Residential/Mixed Use” land uses should be located to minimize impacts on adjacent, lower-intensity residential uses. In this case, the subject properties are bounded by a major arterial street – Northfield Boulevard – and two collector streets – Willow and Xenia Streets, which would allow heavier traffic volumes to access permitted nonresidential uses without using local streets, and – more important – without passing or cutting through planned residential neighborhoods to the north. The location of the subject property on a 6-lane arterial street makes the property a good location for a mixture of higher intensity commercial land uses.



2012 North Stapleton
 GDP Land Use Map

LEGEND

Intended Land Use	Anticipated Zoning*	Anticipated Density
	Excluded from Major Amendment No. 2	
	Existing Development	
	CHC	M-RX-8
	Residential - Mixed-Use	M-RX-6 5 to 25 dwelling units / acre
	Town Center / Mixed-Use	M-TX-6 Up to 25 dwelling units / acre
	Trunk Open Space	M-RX-8
	In-Tract Open Space**	M-RX-8

Area of Change / Area of Stability - Blueprint Denver

The site is designated as an Area of Change in Blueprint Denver. Areas of Change are where “land uses or intensity of land uses are envisioned to change.” The Stapleton mixed

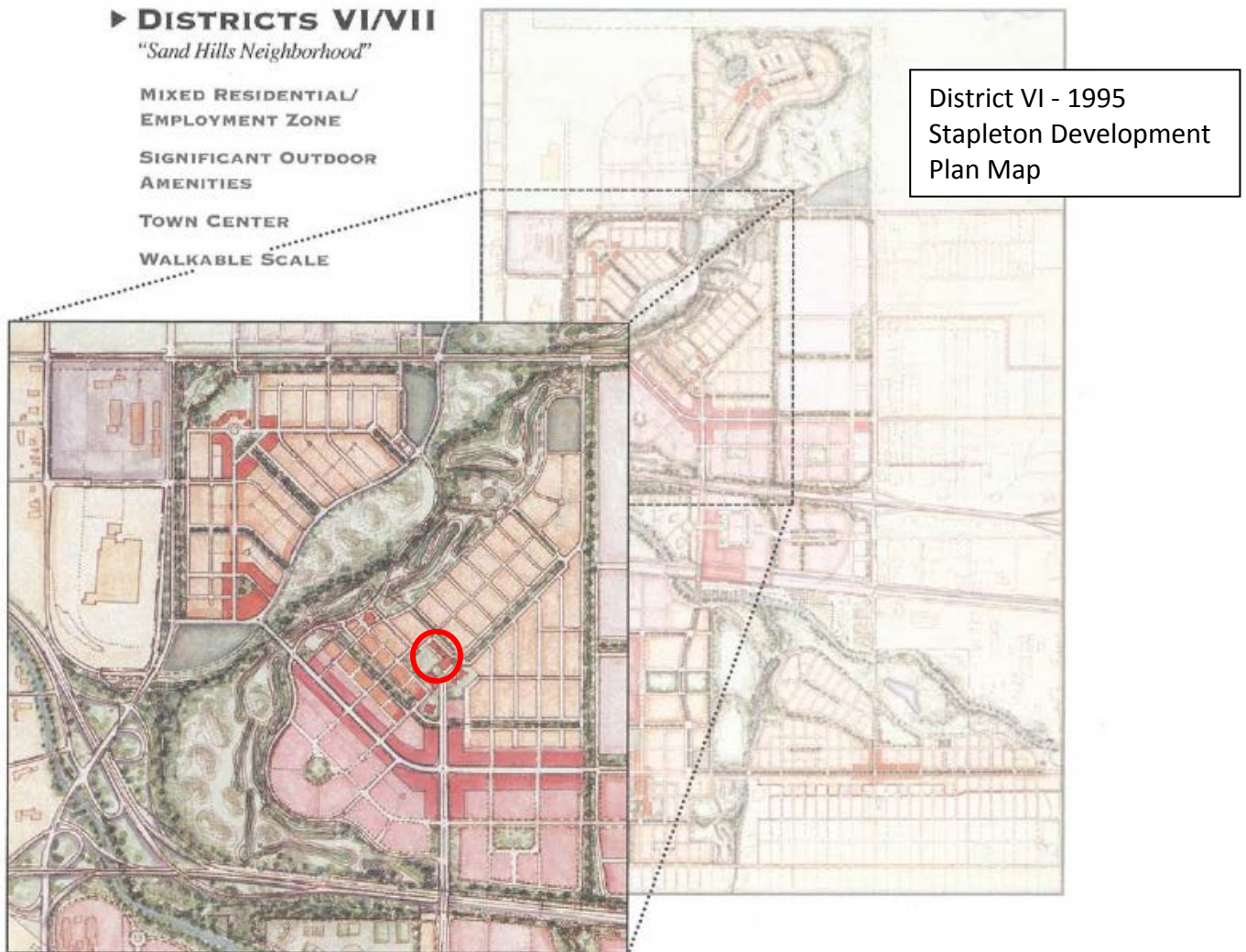
use district is described by Blueprint Denver as an area being redeveloped into several neighborhoods where the “neighborhoods will consist of a network of urban villages with employment centers, parks and open space.”. The zone change from M-RX-5, a primarily residential mixed use zone district to M-MX-5, a zone district that promotes the development of new town centers and mixed use neighborhoods will allow more flexibility to the redevelopment of the subject property. The rezoning application is consistent with the Blueprint Denver Area of Change designation.

Street Classifications – Blueprint Denver / North Stapleton General Development Plan

Blueprint Denver classifies Northfield Boulevard as an Undesignated Local Street, although in subsequent General Development Plans for the North Stapleton area the Boulevard has been planned and later built as a 6-lane, median-divided arterial street. The street functions as the primary entrance to the Northfield Shopping District and is a primary east-west arterial between Interstate 70 and North 56th Avenue. In addition, there is no street classification in Blueprint Denver for proposed Xenia and Willow Streets, the eastern and western boundaries of the subject property. The North Stapleton General Development Plan envisions both streets developing as Collector Streets. According to Blueprint Denver, “Arterials are designed to provide a high degree of mobility and generally serve longer vehicle trips to, from, and within urban areas” and “Collectors are designed to provide a greater balance between mobility and land access within residential, commercial and industrial areas.” The location of a higher intensity zone district, the M-MX-5 zone district, on collector and an arterial street is correct. The zone change is consistent with the North Stapleton General Development Plan street network.

Stapleton Development Plan

The applicable neighborhood plan is the Stapleton Development Plan, which was adopted in March, 1995. On the Development Plan map the subject property is in District VI. Key Development Plan elements of this area is a mix of residential and employment land uses, a commercial center, transportation improvements, integrated parks and school sites. The proposed M-MX-5 zone district is consistent with this vision and will provide the regulatory basis for development of these key elements.



2. Uniformity of District Regulations and Restrictions

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

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the City.

4. Justifying Circumstance

The application identifies the changing condition of the redevelopment of the Stapleton area as the Justifying Circumstance under DZC Section 12.4.10.14.A.4, "The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to

encourage a redevelopment of the area or to recognize the changed character of the area. The desire to continue to redevelop the property into a new mixed use neighborhood is an appropriate justifying circumstance for the proposed rezoning.

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

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

The purpose and intent of the M-MX-5 zone district is to promote development of new town centers and mixed use neighborhoods. The district is intended to be primarily commercial. The proposed rezoning is consistent with the Master Planned Context and the intent of the M-MX-5 zone district.

Staff Recommendation

Based on the analysis set forth above, CPD staff finds that the application for rezoning the property located at approximately 8822 Beekman Place to an M-MX-5 zone district meets the requisite review criteria. Accordingly, staff recommends ***approval***.

Attachments

1. Application
2. Approved Legal Description