



DENVER
THE MILE HIGH CITY

Community Planning and Development
Planning Services
Plan Implementation

201 W Colfax Ave, Dept 205
Denver, CO 80202
p: 720-865-2915
f: 720-865-3056
www.denvergov.org/planning

TO: Denver City Council
FROM: Chris Gleissner, Senior City Planner
DATE: May 2, 2011
RE: Zoning Map Amendment Application #2010I-00019
2090 S Galapago Street
Rezoning from E-TU-C to U-MX-3

Staff Report and Recommendation

Based on the criteria for review including legal basis evaluation and compliance with adopted City plans, Staff recommends approval for Application #2010I-00019 for a rezoning from E-TU-C to U-MX-3.

I. Scope of Rezoning

Application: **#2010I-00019**
Address: 2090 S Galapago Street
Neighborhood/Council District: Overland Neighborhood / Council District #07
RNOs: Overland Neighborhood Association; Inter-Neighborhood Cooperation

Area of Property: 0.29 acres / 12,630 square feet
Current Zoning: E-TU-C
Proposed Zoning: U-MX-3
Applicant/Owner: Sandra Escalante
Contact Person: Claudio Fong

II. Summary of Proposal

The subject site is located at the northeast corner of the intersection of Evans Avenue and Galapago Street. The site is located within the Overland Neighborhood and surrounded by a mix of residential structures with commercial structures along Evans Avenue. Overland Golf Course is to the north of the site and the Platt River is located to the west. To the east of the site, the Santa Fe Drive corridor and the BNSF rail corridor run north-south.

The applicant is proposing a small business use on the site, consistent with land use plan recommendations.

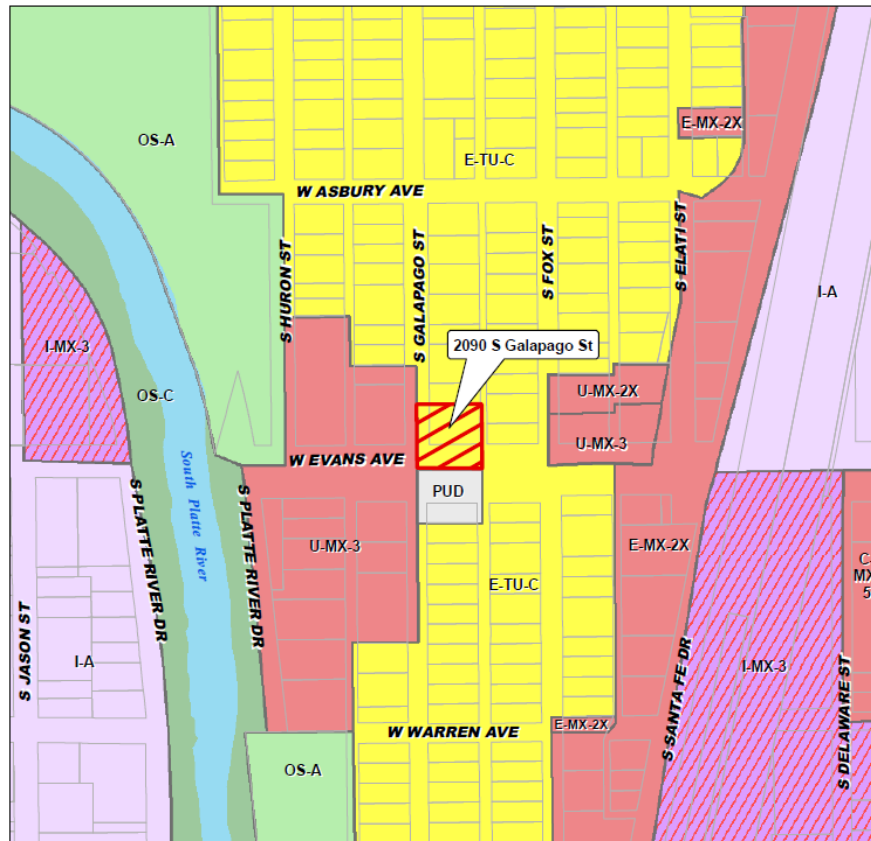




The site is located north of Evans Avenue and east of Galapago Street.

III. Existing Context

	Existing Zoning	Existing Land Use	Blueprint Denver
Site	E-TU-C	Vacant Structure	Area of Change Mixed Use
North	E-TU-C	Single and Two Unit Residential	Area of Stability Single Family/Duplex Residential
South	PUD/E-TU-C	Single and Two Unit Residential	Area of Change Mixed Use
West	U-MX-3	Commercial	Area of Change Mixed Use
East	E-TU-C	Residential and Commercial	Area of Change Mixed Use



The site is surrounded by a mixture of single and two unit residential and commercial uses along Evans. The local block pattern consists primarily of traditional grid patterns and alley access.

IV. Summary of Legal Notice and Public Process

The property has 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.

V. Summary of Agency Referral Responses

This rezoning has been reviewed concurrently within the context of the Denver Zoning Code and other applicable City Codes as utilized by the referral agencies listed below.

- | | |
|-------------------------|---|
| Asset Management: | Approve – No Comments |
| Denver Fire Department: | Approve – No Comments |
| Denver Parks: | Approve – No Comments |
| DES-Transportation: | Approve – DS Transportation approves the subject zoning change. The applicant should note that redevelopment of this site may require additional engineering, ROW dedication to the City, access changes, traffic studies and/or right of way improvements. |

DES-Wastewater: The extent of the required design and improvements will be determined once this property begins the redevelopment process.
Approve – No Comments Received

VI. Legal Justification

Change of Conditions

The land or surrounding environment has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area.

Adopted land use plans have identified this site as appropriate for mixed use development. Rezoning this site to U-MX-3 will be consistent with these adopted recommendations.

VII. Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application include conformance with adopted regulations, and with the Comprehensive Plan and applicable supplements. Applicable documents are as follows:

- *Denver Zoning Code*
- *Denver Comprehensive Plan 2000*
- *Blueprint Denver*
- *Overland Neighborhood Plan*
- *Evans Station Area Plan*

A. **Denver Zoning Code – Compliance with Map Amendment Criteria in Sec. 12.4.10.13 (General Review Criteria Applicable to All Zone Map Amendments)**

As proposed, rezoning #2010I-00019 is consistent with the criteria outlined within Denver Zoning Code Section 12.4.10.13.

Consistency with Adopted Plans: Rezoning #2010I-00019 implements and is consistent with recommendations in adopted plans.

Uniformity of District Regulations and Restrictions: Rezoning the site to U-MX-3 will result in regulations and restrictions that are uniform for each kind of building throughout the zone district.

Public Health, Safety and General Welfare: The proposed map amendment furthers the public health, safety and general welfare of the City.

B. **Denver Comprehensive Plan 2000**

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

- Land Use chapter, Strategy 3-B is to “*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 chapter, Strategy 4-E to “Continue to promote mixed-use development, which enables people to live near work, retail and services.”
- Legacies Chapter, Strategy 3-A to “Identify areas in which increased density and new uses are desirable and can be accommodated.”

C. **Blueprint Denver**

Blueprint Denver, the City’s Land Use and Transportation Plan, identifies the property as being within an Area of Change with a land use recommendation for Mixed Use.

Mixed Use building blocks are inclusive of housing and employment and are not necessarily mixed in each building or development. Within the neighborhood, however, these uses are within walking distance of one another.

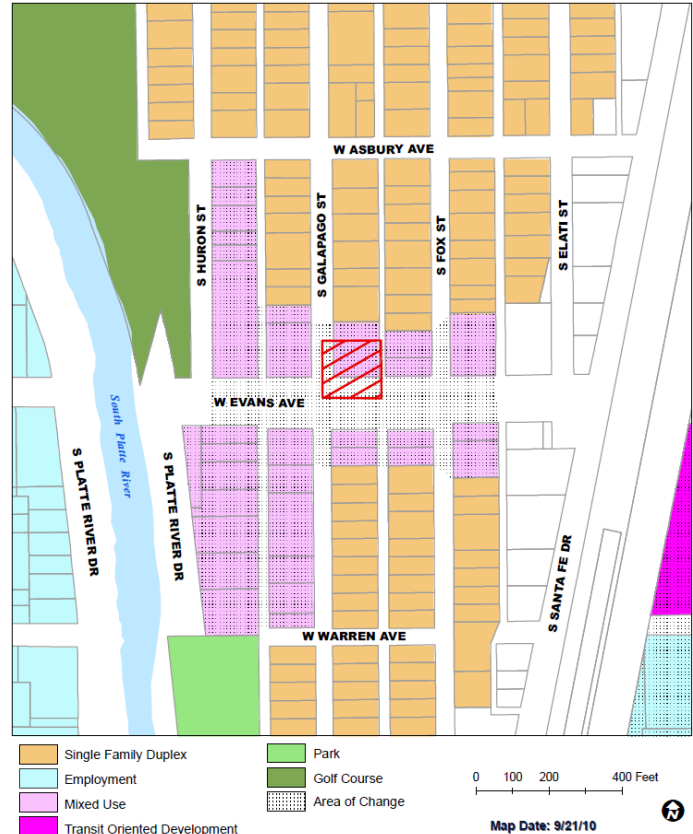
The proposed U-MX-3 District is consistent with the Blueprint designation of Mixed Use.

D. **Overland Neighborhood Plan**

As proposed, rezoning application #2010I-00019 is consistent with the proposed commercial land use recommendation within the Overland Neighborhood Plan.

E. **Evans Station Area Plan**

The majority of development within the Evans Station Area Plan is anticipated to be residential in nature. To compliment this anticipated residential development, multiple sites are designated as appropriate for Mixed Use in both a Mixed Use-Main Street and Mixed Use-Residential format.



The Mixed Use-Residential land use is intended to support the transition to land uses that reflect an active, pedestrian-oriented mixed-use community. Specifically, Evans Avenue is anticipated to redevelop with a pattern of active ground floor uses including retail and neighborhood amenities introducing new uses to the surrounding area.

Rezoning this site to U-MX-3 will be consistent with these plan recommendations.

VII. **Planning Board Recommendation**

Planning Board reviewed rezoning application # 2010I-00019 at their regularly scheduled meeting on March 2, 2011. Planning Board recommended approval of the application on consent.

IX. Staff Recommendation

Based on the criteria for review as defined above, Staff recommends **approval** for rezoning the property located at 2090 S Galapago Street (Application #2010I-00019) to U-MX-3.

Attachments:

1. **Application**
2. **Map Series - Aerial, Zoning, Blueprint Map)**

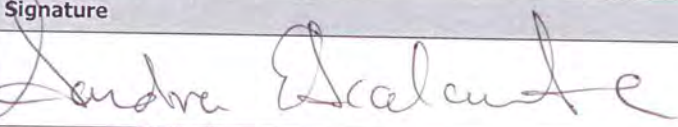


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APPLICATION FOR ZONE MAP AMENDMENT

Application #	2010I-00019	Date Submitted	11/12/10	Fee Required	\$1000.00	Fee Paid	\$1000.00
APPLICANT INFORMATION				CONTACT INFORMATION (Same as Applicant? <input type="checkbox"/>)			
Applicant Name	Sandra Escalate			Contact Name	Brian Seyferth		
Address	2090 South Galapago Street			Address	5583 S. Prince St.		
City, State, Zip	Denver, Colorado 80223			City, State, Zip	Littleton, CO 80120		
Telephone / Fax	303 / 378-6737			Telephone / Fax	(303) 797-7772		
Email	josefina@escalanteproperties.com			Email	brian@seyferth.com		
Subject Property Location [Please Include Assessor's Parcel Number(s)]							
2090 South Galapago Street Denver, Colorado 80223 –Assessor's Parcel Number = #680427307006000							
Legal Description of Subject Property							
L 21 to 24 inc, BLK 22 BREENLOWPARK							
Area of Subject Property (Acres/Sq Ft)		Present Zone District		Proposed Zone District (Waivers and Conditions Require Separate form)			
12,435 SQ. FT.		E-TU-C		U-MX-3			
Describe the nature and effect of the proposed Zone Map Amendment							
Owner wants to add signage to the property and be able to reopen a retail store previously owned.							
Select Legal Basis for the Zone Map Amendment and explain in detail				Error in the map as approved by City Council			
				<input type="checkbox"/>			
				Changed or Changing Conditions that make a Zone Map Amendment Necessary			
				<input checked="" type="checkbox"/>			
The property is designated as "Mixed Use" on the Blueprint Denver Concept Land Use Map in an area that is designated as an "Area of Change". The site is just three blocks west of the Evans Light Rail Station. The light rail line is a major driving force in the redevelopment prospects for properties along the "C" and "D" light rail lines. The character of the neighborhood is changing and the proposed rezoning of this property to "U-MX-3" would encourage further redevelopment and reinvestment in this area which is consistent with the concept land use. The proposed rezoning would also be consistent with the existing "Mixed Use" zoning of the properties on the west side of Galapago Street.							
State the land use and the development proposed for the subject property. Include the time schedule (if any) for development							
There is an existing 700 square foot ranch house with an existing home office. The rezoning would allow for the future construction of a new commercial building.							
Required Exhibits				Additional Exhibits			
Applicant & Owner Information Sheet				<input checked="" type="checkbox"/> Neighborhood Outreach: The applicant has contacted the Registered Neighborhood Organization, the Overland Neighborhood Association by mail and will remain in contact with them as the process moves forward.			
Maps – Required for Final Submissions				<input type="checkbox"/>			
Case Manager	Chris R. Gleissner						
Signature							Date
							11/17/10

APPLICANT & OWNER INFORMATION SHEET

[1] Section 59-648(c) of the Denver Revised Municipal Code requires that an applicant for rezoning provide the applicant's name, address, and respective ownership interest, if any, on the application. In addition, unless subject to paragraph [2] below, the applicant must provide, in the space provided on this form, a list of all the owners of the property and the holders of deeds of trust, identifying which owners and holders of deeds of trust are represented by the applicant.

[2] If the application is for designation of an area as B-2, B-3, R-X or PUD zone district, the applicant must submit the concurrence of the owners and holders of deeds of trust of the entire land area to be included in the proposed district (and any structures thereon). In such cases, this form must be completed for each individual owner, together with sufficient evidence of ownership for each owner and holder of a deed of trust. Documentation verifying ownership interest may include (but is not limited to): Copies of deeds, powers of attorney, and corporate/partnership registrations filed with the Secretary of State.

Application Number	Applicant's Name
2010I-00019	Sandra Escalante

Property Address(es)

2090 South Galapago Street, Denver, Colorado 80223

Applicant's Address

2090 South Galapago Street, Denver, Colorado 80223

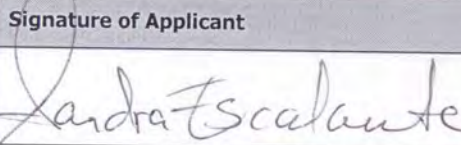
NOTE: If application is for rezoning to B-2, B-3, R-X or PUD, and the applicant is not the property owner, this form must be accompanied by a Power of Attorney statement from the property owner.

Indicate as accurately as possible the form of interest in the property, and the amount held by the individual or entity listed as "applicant" above.

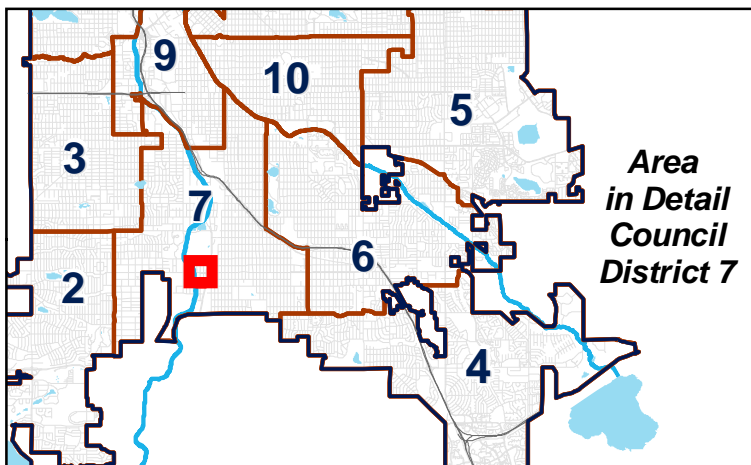
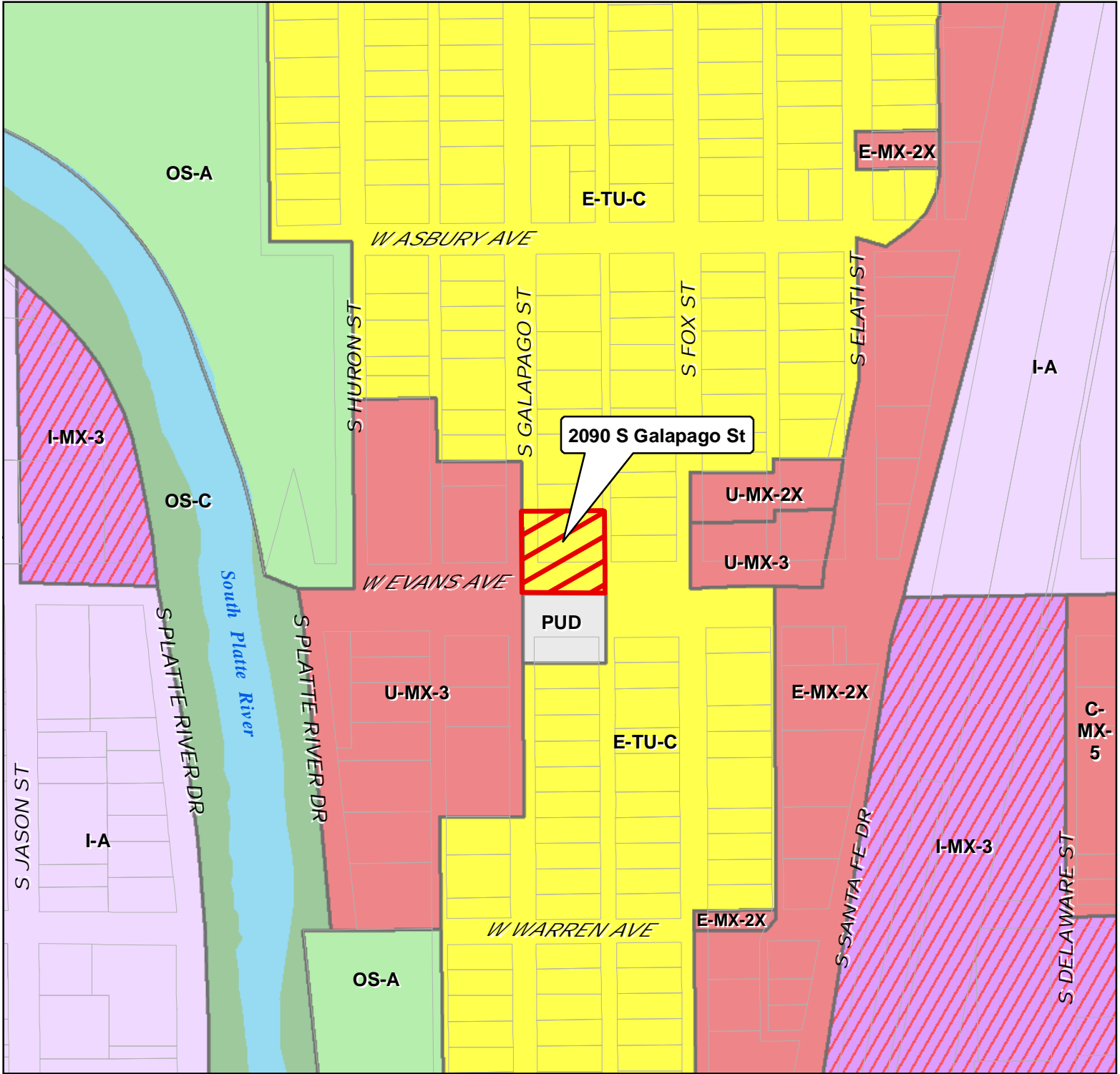
Fee Title Owner (Has Deed of Ownership)	All	<input checked="" type="checkbox"/>
	A Portion	<input type="checkbox"/>
Contract Owner	All	<input type="checkbox"/>
	A Portion	<input type="checkbox"/>
Holder of a Security Interest	All	<input type="checkbox"/>
	A Portion	<input type="checkbox"/>

List the names and addresses of all owners and holders of Deeds of Trust for the property, if any, and indicate which owners or holders of deeds of trust are represented by the applicant in the space below (please add additional pages, if needed).


Sandra Escalante


Signature of Applicant	Date Signed
	11/17/10

Pending Zone Map Amendment #2010I-00019



Application #2010I-00019
Location: 2090 S. Galapago St.

 **Proposed Rezoning**
From: E-TU-C
To: U-MX-3

 0 100 200 400
 Feet

Map Date: 9/21/10

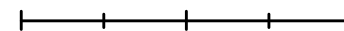
Pending Zone Map Amendment - Aerial & Zoning Overlay

 Application #2010I-00019



Aerial Photo: April 2008
Community Planning and Development

0 100 200 400 Feet

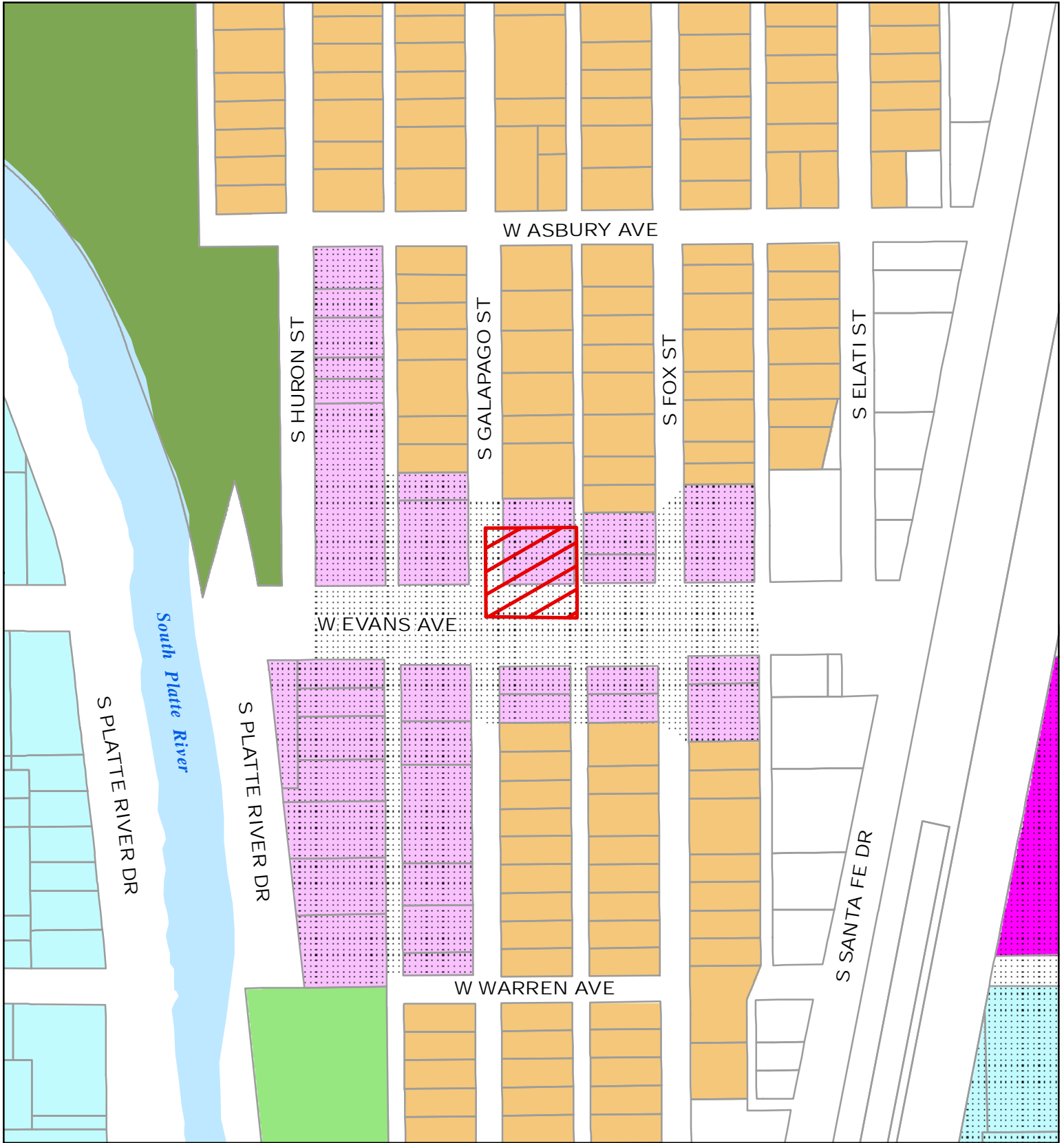









Map Date: 9/21/10

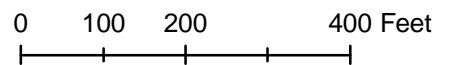


Pending Zone Map Amendment - Blueprint Denver Overlay

 Application #2010I-00019



-  Single Family Duplex
-  Employment
-  Mixed Use
-  Park
-  Golf Course
-  Area of Change
-  Transit Oriented Development



Map Date: 9/21/10

