



**TO:** Denver City Council  
**FROM:** Scott Robinson, Senior City Planner  
**DATE:** July 20, 2017  
**RE:** Official Zoning Map Amendment Application #2016I-00112

## Staff Report and Recommendation

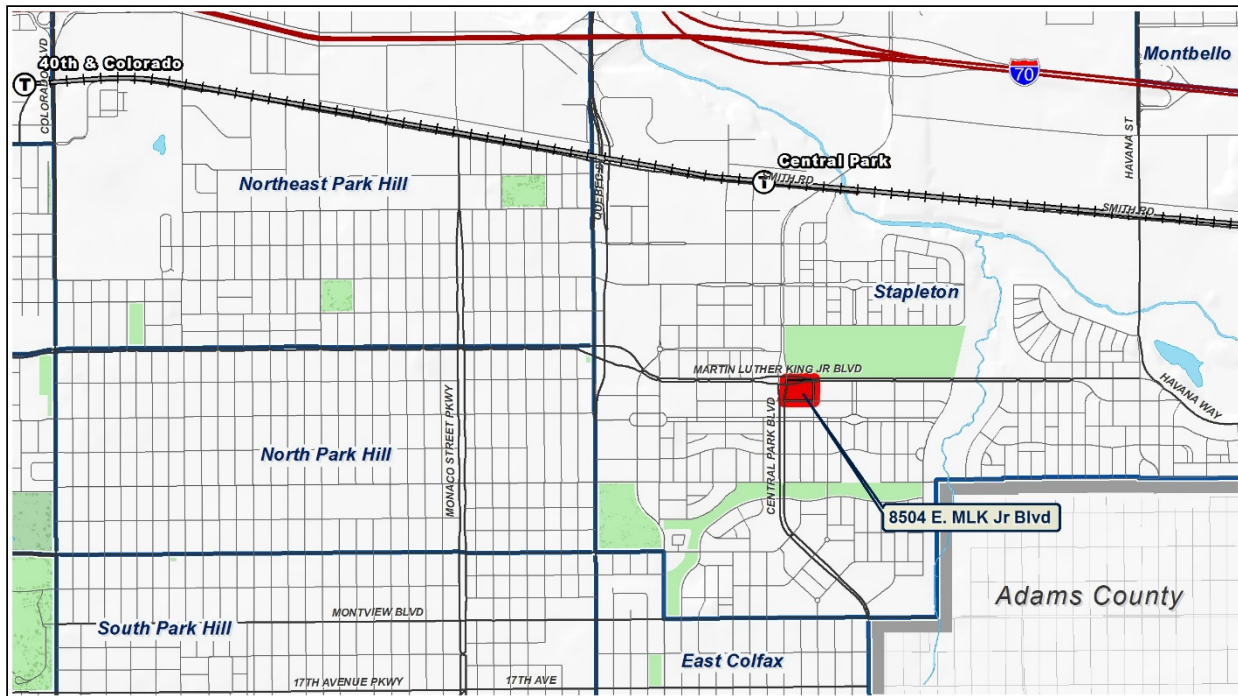
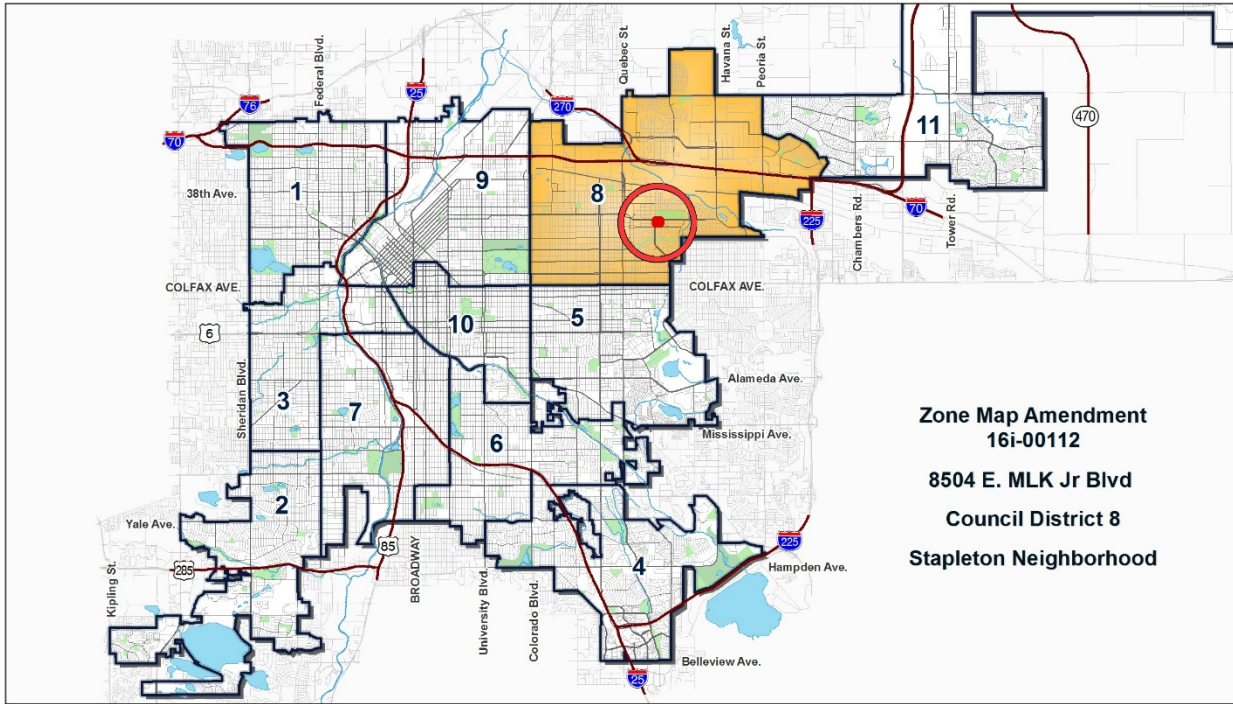
Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2016I-00112.

## Request for Rezoning

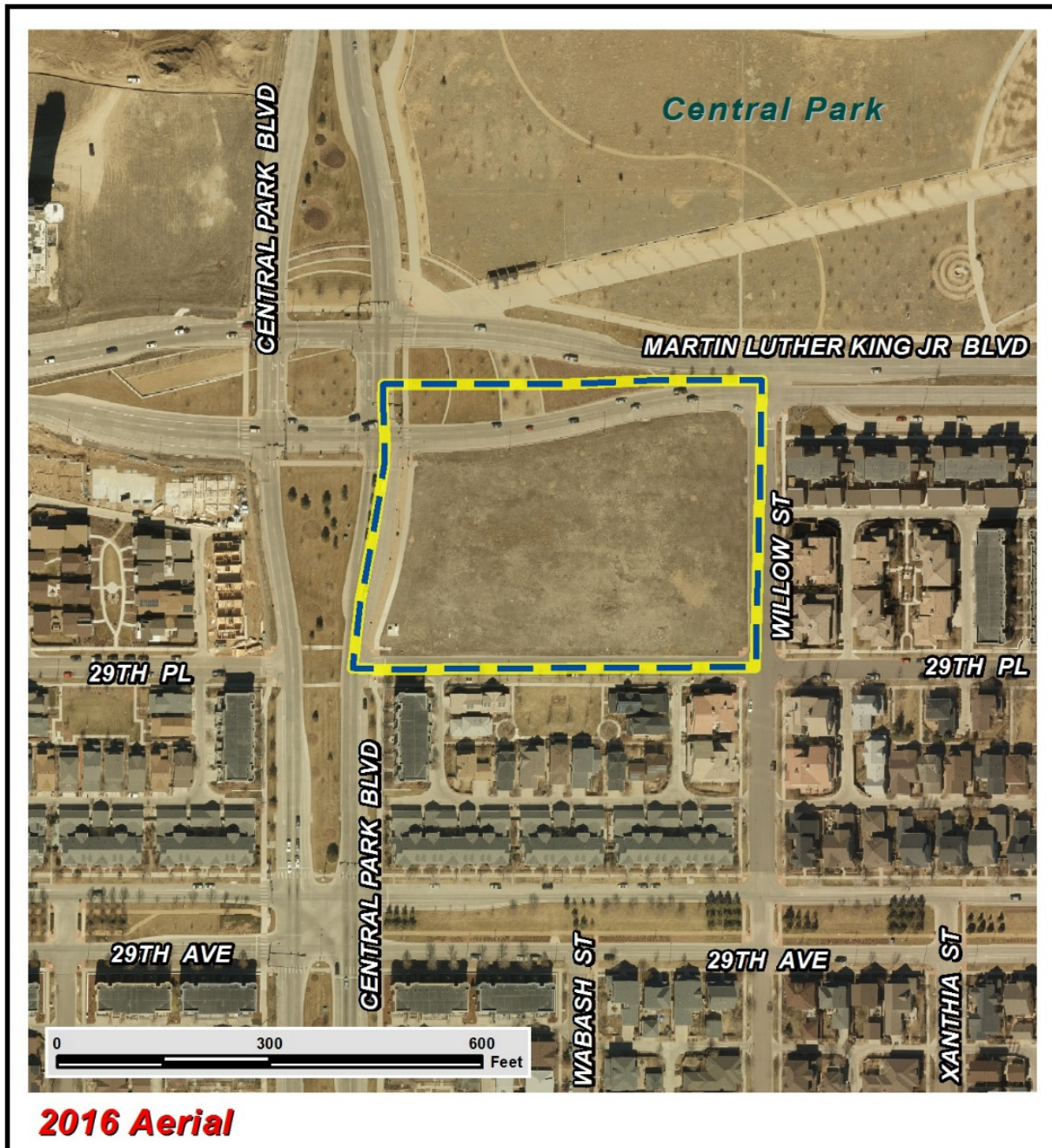
Address:	8504 E. Martin Luther King Jr. Blvd. & 2962 N. Central Park Blvd.
Neighborhood/Council District:	Stapleton / Council District 8
RNOs:	Stapleton United Neighbors, Stapleton Master Community Association, Inter-Neighborhood Cooperation, Denver Neighborhood Association, Inc.
Area of Property:	3.04 acres
Current Zoning:	C-MU-20
Proposed Zoning:	M-RX-5A
Property Owner(s):	FC Stapleton II, LLC & Park Creek Metropolitan District
Owner Representative:	Bruce O'Donnell, Starboard Realty Group

## Summary of Rezoning Request

- The property is located in Stapleton, at the intersection of E. Martin Luther King Jr. (MLK) Blvd. and N Central Park Blvd., across from Central Park.
- The property is currently vacant and occupies an entire block, also bounded by E. 29<sup>th</sup> Place and N. Willow St.
- The applicant is requesting the map amendment to allow for development of the site in a manner compatible with the Stapleton neighborhood.
- The **M-RX-5A** (Master Planned, Residential Mixed Use, 5 story height maximum, Additional residential building forms) zone district is intended to promote development of new neighborhoods up to five stories in height. Zone districts in the Master Planned context are only allowed within a General Development Plan (GDP) of at least 50 acres and may not be within ¼ mile of a transit station. The zone district allows a wide variety of building forms, including suburban and urban houses, duplexes, townhouses, apartments, and general buildings. Allowed uses include single- and multifamily dwellings, restaurants, offices, retail and service businesses, and schools, among others. Further details of the zone districts can be found in Article 9 of the Denver Zoning Code (DZC).







### Existing Context

The subject property is one of a few remaining undeveloped parcels in central Stapleton. Across the street to the north is Central Park. To the south and east are predominantly attached and detached single-family residential units. To the west along MLK Blvd is a mix of single-family residential, multi-family residential, and commercial uses. There is RTD bus service on Central Park Blvd. and on 29<sup>th</sup>

Avenue, one block to the south. The Central Park Station on the University of Colorado A Line is approximately three quarters of a mile to the north.

The following table summarizes the existing context around the subject site:

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	C-MU-20	Vacant	N/A	Generally irregular grid of streets; Willow Street interrupted north of MLK Blvd by Central Park. Block sizes and shapes are generally rectangular but vary in size and orientation. Vehicle parking to the side or rear of buildings (alley access).
North	OS-A	Park	Trails through areas of native grasses	
South	R-MU-30 with waivers	Single-family residential	2-3 story townhouses and duplexes lining the edge of the block and detached houses surrounding courtyard in the center	
East	R-MU-30 with waivers	Single-family residential	A mix of 2-3 story duplexes and townhouses	
West	C-MU-20 (with PBG)	Single-family residential, multi-family residential, commercial	2-3 story townhouses, duplexes, and detached units with 3-4 story apartments and commercial buildings further to the west	

## 1. GDP

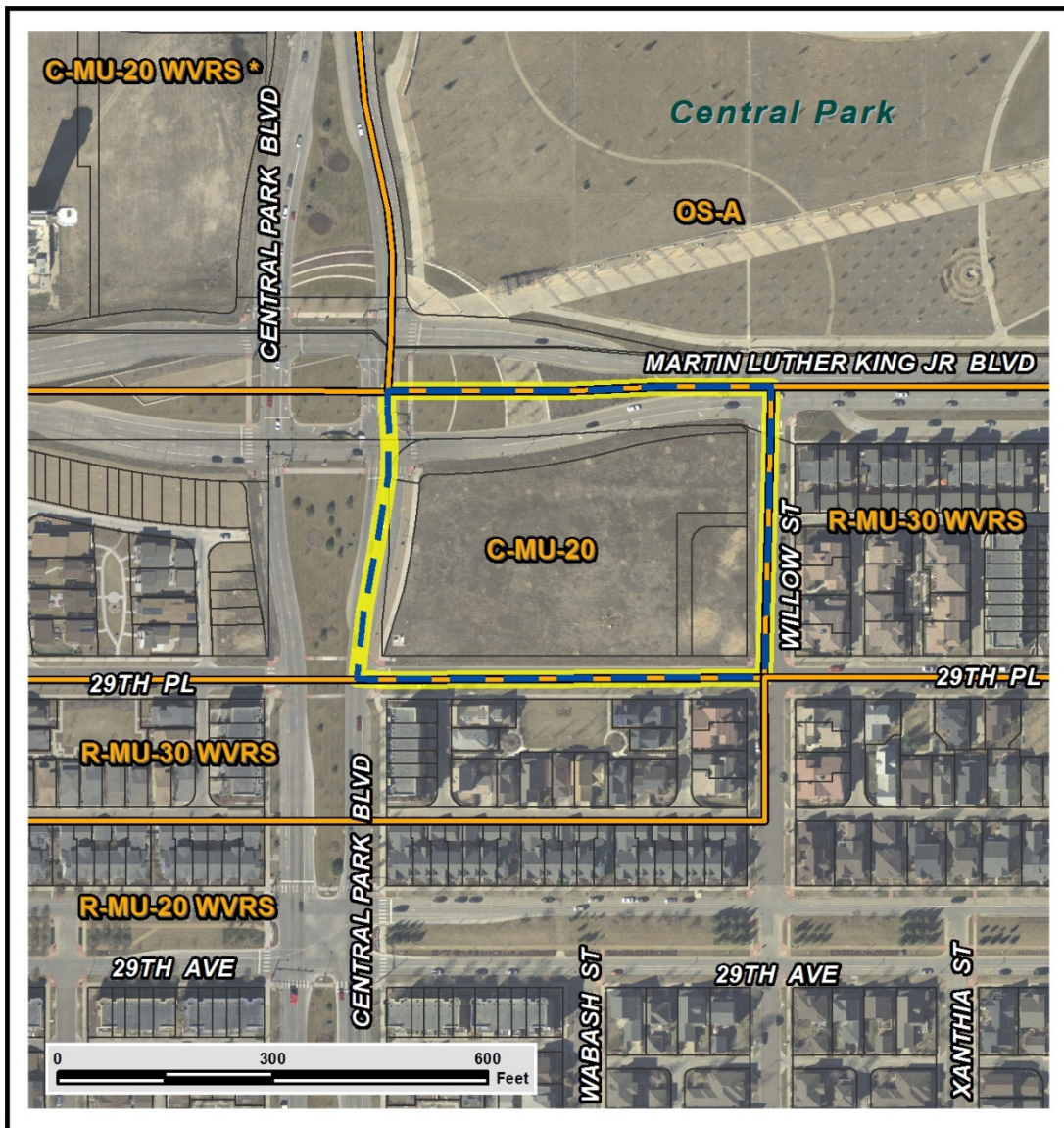
The property falls within the Stapleton Redevelopment South Area General Development Plan (GDP), which covers the Stapleton neighborhood south of I-70. The development concept for the GDP includes guiding principles to, among other things, facilitate the development of a broad mix of housing types, densities, and price ranges, and create neighborhoods which incorporate multiple uses and walk to work possibilities. The GDP identifies the locations of Central Park, Central Park Blvd., and MLK Blvd. – which was intended to be a one-way couplet eastbound south of Central Park and westbound north of the park. The Land Use Plan in the GDP identifies the subject property as Residential. The rezoning would be consistent with the development concept of the GDP.



Stapleton Redevelopment South Area GDP Land Use Plan



## 2. Existing Zoning



The current C-MU-20 zone district is described in Former Chapter 59 (FC59) Section 301(a)(5) as providing for “a mix of commercial, residential, and industrial uses along or near arterials or other high travel streets.” The amount of development is controlled by an allowed floor area ratio of 1.0. There is no maximum height and no required front setback, except for one and two unit residential structures, which have a 10 foot required front setback.

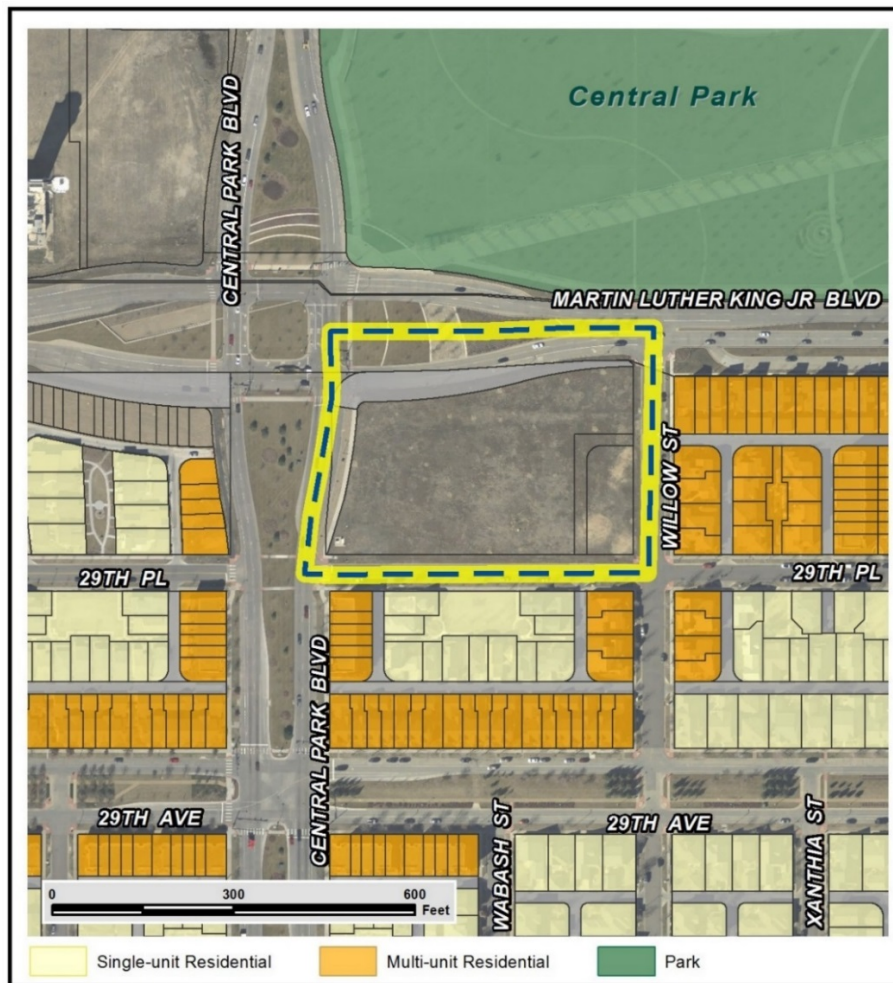
The site retains its FC59 zoning because in 2010 it was thought the property was located in the Stapleton Residential Development Plan for Filing No. 9, a kind of Planning Building Group (PBG). The policy during the 2010 rezoning was to not rezone any properties that were part of a PBG, so the property retained its FC59 zoning. Upon closer examination of the PBG document, the property

in question is specifically excluded from the PBG. In 2012 a similarly-situated property located two blocks to the west, also specifically excluded from the same PBG, was rezoned from C-MU-20 to U-RX-5. If this rezoning is approved there would be no impacts to the properties that remain in the PBG in the FC59 R-MU-30 and C-MU-20 zone districts.

### 3. Urban Design Standards & Guidelines

The Design Guidelines for Stapleton apply to development on this site. They were adopted in 1999 and amended in 2004. The document is concerned with site design, building design, signs, landscaping, and streetscape. The guidelines are intended to “accommodate a broad mix of development types that encourage alternative transportation, especially walking and transit use” and to “create a built environment that is in scale and character with pedestrian oriented activities.” The guidelines are enforced by Community Planning and Development through the development review process. The Design Guidelines apply throughout the southern portion of Stapleton. They will apply to this property regardless of whether this rezoning application is approved.

### 4. Existing Land Use Map





## 5. Existing Building Form and Scale



**Site** – at MLK Blvd. and Central Park Blvd.



**North** – from Central Park Blvd.



**East** – from Willow St.



**South** – from 29<sup>th</sup> Place



**West** – from MLK Blvd.



## 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:** Approved – No comments.

**Environmental Health:** DEH is not aware of environmental concerns here that would impact the request and does not object to the rezoning.

- **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 – Wastewater:** Approved – No comments.

**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 and registered neighborhood organizations:	3/1/17
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 and registered neighborhood organizations:	4/18/17
Planning Board voted 5 to 4 at the public hearing to recommend approval to City Council:	5/3/17
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:	5/8/17
Land Use, Transportation and Infrastructure Committee of the City Council moved the application forward:	5/23/17
Property legally posted for a period of 21 days and CPD written notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations:	6/30/17
City Council Public Hearing (tentative):	7/24/17

- Summary of Other Public Outreach and Input
  - **Registered Neighborhood Organizations (RNOs)**
    - To date, no comment letters have been received from Registered Neighborhood Organizations.
  - **Other Public Comment**
    - To date, 17 letters in opposition and one letter in support have been received.

## 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 2000
- Blueprint Denver (2002)
- Stapleton Development Plan (1995)

### **Denver Comprehensive Plan 2000**

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

- Environmental Sustainability Strategy 2-F – *Conserve land by promoting infill development within Denver at sites where services and infrastructure are already in place; designing mixed use communities and reducing sprawl so that residents can live, work and play within their own neighborhoods.*
- 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.*
- Housing Strategy 6-A – *Support mixed-use development consistent with the goals of the Comprehensive Plan’s land-use and mobility strategies.*

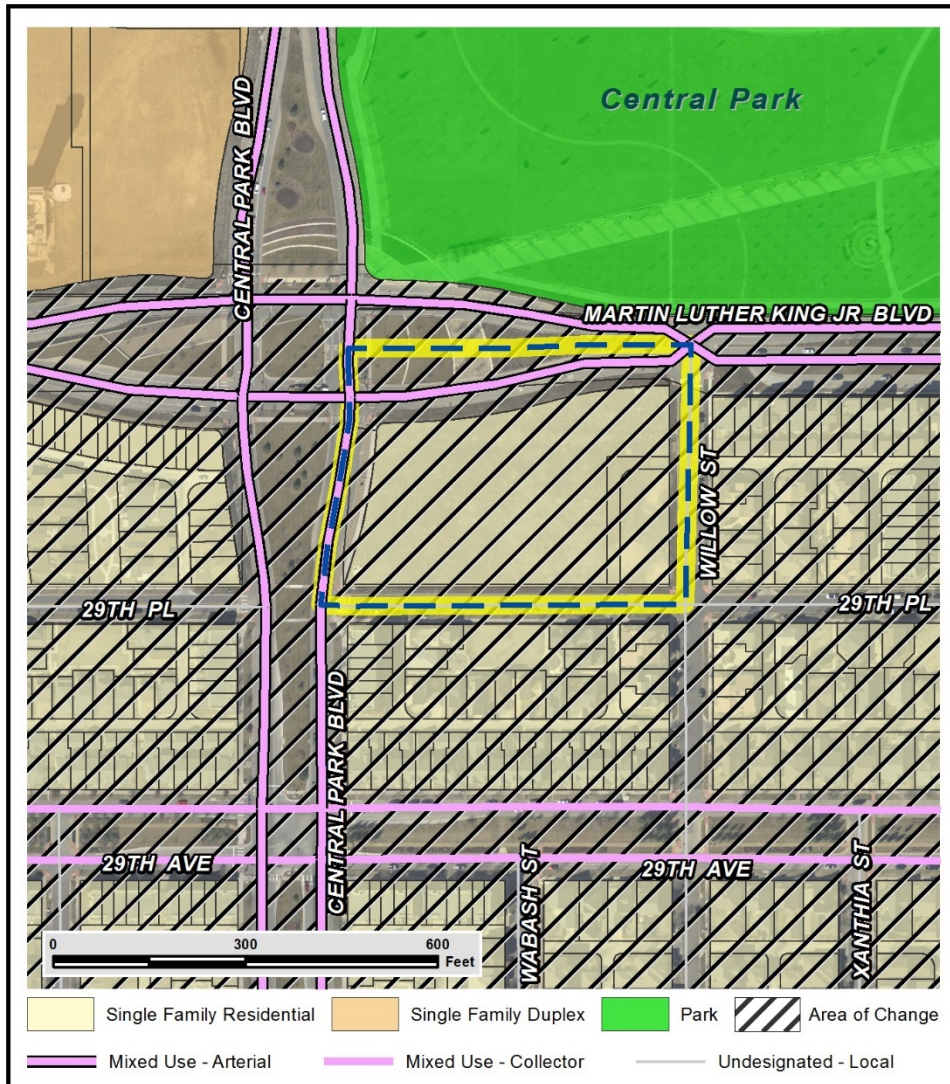
The proposed map amendment would enable mixed-use development at a location where services and infrastructure are already in place. The M-RX-5A zone district would allow a variety of uses compatible with the existing residential development surrounding the property. The rezoning is consistent with these plan recommendations.

### **Blueprint Denver**

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.



**Future Land Use**



Single Family Residential areas are places where “single-family homes are the predominant residential type,” “densities are fewer than 10 units per acre,” and “the employment base is significantly smaller than the housing base” (p. 42). The proposed M-RX-5A zoning would allow a mix of residential and commercial uses at densities that could exceed 10 units per acre, depending on the specific development. When looking only at the property in question, the residential focus of the proposed zone district is consistent with the Blueprint Future Land Use classification, but the intensity of allowed commercial and residential development is not. However, when looking at the larger Single Family Residential area in Stapleton, more intense commercial and residential development on the subject property would be balanced out by the surrounding lower-intensity residential development. The area as a whole would have a significantly larger housing base than employment base, consistent with plan direction.

### **Area of Change / Area of Stability**

As noted, the site is in an Area of Change. In general, “The goal for Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips” (p. 127). Blueprint Denver provides additional specific guidance for the Stapleton Area of Change: “When complete, the Stapleton neighborhoods will consist of a network of urban villages with employment centers, parks and open space” (p. 134). The plan also says the Stapleton, Gateway, and Lowry sites “offer the potential to create new neighborhoods that embody the best characteristics of Denver’s traditional residential areas. The Blueprint Denver scenario calls for a level of local retail, services and jobs to support the needs of residents who will occupy future housing on these sites. Such a development pattern ensures that residents can find goods, services and employment close to home and may help reduce the number and length of trips taken” (p. 22).

The rezoning application is consistent with the Blueprint Denver Area of Change recommendations. Access to jobs, housing, and services would improve with the proposed M-RX-5A zone district, contributing to a complete urban village, consistent with plan direction.

### **Street Classifications**

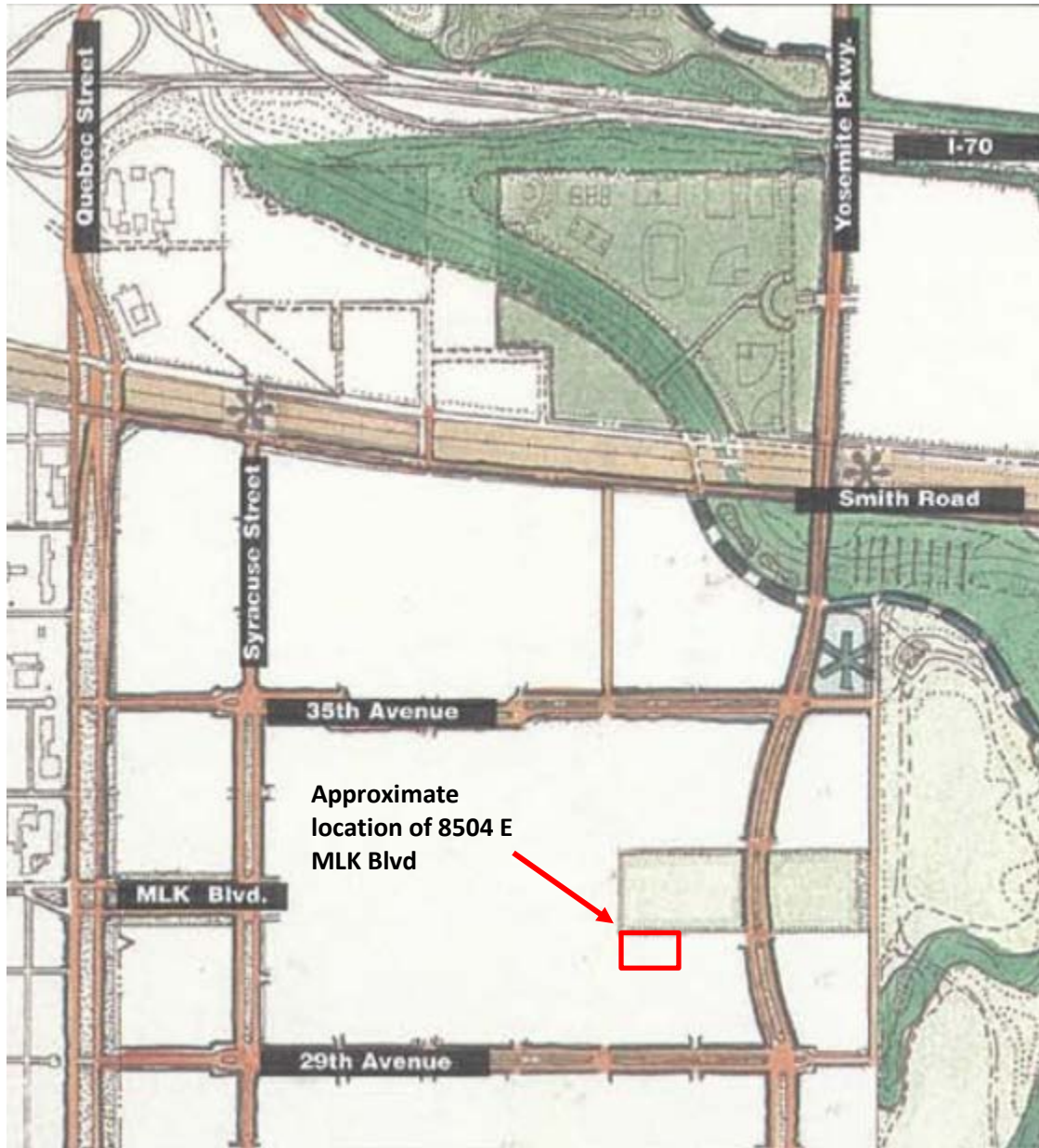
Blueprint Denver classifies Martin Luther King Jr. Blvd. and Central Park Blvd. as Mixed-Use Arterials. Blueprint Denver classifies 29<sup>th</sup> Place and Willow Street as Undesignated Local streets. According to Blueprint Denver, “arterials are designed to provide a high degree of mobility and generally serve longer vehicle trips to, from, and within urban areas” (p. 51). Mixed-Use streets are intended for “high-intensity mixed-use commercial, retail, and residential areas with substantial pedestrian activity” (p. 57). The proposed M-RX-5A zone district would allow residential mixed-use development at an intensity consistent with the intent of the Mixed-Use Arterial designations. Blueprint Denver describes Local streets as “influenced less by traffic volumes and tailored more to providing local access. Mobility on local streets is typically incidental and involves relatively short trips at lower speeds to and from other streets” (p. 51). The local streets here serve as connections from the arterials to this and surrounding properties, as intended by the plan.

Considering all the elements of plan direction from Blueprint Denver, staff finds the proposed rezoning is consistent with the intent of the plan. The proposed M-RX-5A zone district allows more intense development and more commercial use than would be appropriate for a Single Family Residential area if the zoning were applied across the whole area, but it can be appropriate when applied to individual parcels within the area to create variety in housing types and allow some commercial uses. The Mixed Use Arterial street classifications adjacent to the subject property make it an appropriate location for applying a more intense land use in the Single Family Residential area. Staff finds the request is consistent with the plan.

### **Stapleton Development Plan**

The Stapleton Development Plan was adopted by City Council in 1995. The layout of streets and parks in Stapleton has not followed the development plan exactly, but the recommendations for the various districts within the development still apply. According to the plan, the subject property is in District II, which is intended for “predominantly employment land uses with residential areas adjacent to parks,”

“higher employment and residential densities throughout, particularly at major rail or street access points,” and “midrise housing adjacent to parks” (p. 5-44). The plan also calls for “buildings of two to four stories and higher density housing along Yosemite Parkway and the new urban park” (p. 5-46).



*District II map from Stapleton Development Plan*

The new urban park mentioned in the plan has been developed as Central Park, and Central Park Blvd. is the equivalent of the Yosemite Parkway described in the plan. The proposed M-RX-5A would allow mid-rise residential and commercial development at a major intersection and adjacent to Central Park. The zone district would allow structures up to five stories tall, one story greater than the four story



maximum recommended by the plan. However, on the whole, the proposed zoning is generally consistent with Stapleton Development Plan.

The applicable plans provide varied recommendations for the site. As described above, the proposed zoning is generally consistent with each of the recommendations and provides a compromise between some of the competing plan direction.

## **2. Uniformity of District Regulations and Restrictions**

The proposed rezoning to M-RX-5A 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 primarily through implementation of the city's adopted land use plan. It would also allow the development of a vacant parcel in a manner compatible with the surrounding established neighborhood, improving the safety and welfare of the area.

## **4. Justifying Circumstance**

The application identifies changed conditions as the Justifying Circumstance under DZC Section 12.4.10.8.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 current zoning was adopted early on in the Stapleton redevelopment process and the buildout of the surrounding area has made a rezoning appropriate. The proposed M-RX-5A would allow development that is more compatible with the character of the surrounding neighborhood than the existing C-MU-20 zoning would. The proposed rezoning is justified in order to recognize the now-established character of the Stapleton neighborhood.

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

The requested M-RX-5A zone district is within the Master Planned Neighborhood Context. The neighborhood context is "intended for developing areas that will develop or redevelop in phases over an extended period of time into entirely new residential and mixed use neighborhoods covering multiple blocks." In the Master Planned context, "multi-unit residential uses are primarily located along local and residential arterial streets. Commercial uses are primarily located along mixed-use arterial streets" (DZC Division 9.7). The subject property is in Stapleton, a multi-phase redevelopment of the type for which this context was intended. The proposed M-RX-5A would allow a mix of commercial and residential types adjacent to mixed-use arterials and local streets, consistent with the Master Planned Neighborhood Context description.

According to the zone district intent stated in the Denver Zoning Code, the M-RX-5A district "is intended to promote development of new neighborhoods of up to 5 stories in height" (DZC Section 9.7.2.2.C).

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The property in question is one of the few remaining undeveloped parcels in this portion of Stapleton and the proposed rezoning would allow development that would contribute to the completion of the new neighborhood. The rezoning request is consistent with the neighborhood context and zone district purpose and intent.

### Attachments

1. Application
2. Comment letters

## Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
<p><b>*If More Than One Property Owner:</b>            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.</p>		<p><b>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</b></p>	
<p>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.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			
Does the proposal comply with the minimum area requirements specified in DZC Sec. 12.4.10.3:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	



REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p>	<p><input type="checkbox"/> 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.</p> <p>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.</p>
	<p><input type="checkbox"/> 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.</p>
	<p><input type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</p>	<p><b>Justifying Circumstances - One of the following circumstances exists:</b></p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> 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.</p> <p>Please provide an attachment describing the justifying circumstance.</p>
	<p><input type="checkbox"/> 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.</p> <p>Please provide an attachment describing how the above criterion is met.</p>
	<p>Please provide an attachment describing how the above criterion is met.</p>
REQUIRED ATTACHMENTS	
<p>Please ensure the following required attachments are submitted with this application:</p> <p><input type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format)</p> <p><input type="checkbox"/> Proof of Ownership Document(s)</p> <p><input type="checkbox"/> Review Criteria</p>	
ADDITIONAL ATTACHMENTS	
<p>Please identify any additional attachments provided with this application:</p> <p><input type="checkbox"/> Written Authorization to Represent Property Owner(s)</p>	
<p>Please list any additional attachments:</p>	
<p> </p>	

**PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION**

We, the undersigned represent that we are the owners of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Property owner representative written authorization? (YES/NO)
<b>EXAMPLE</b> John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith Josie Q. Smith</i>	01/01/12	(A)	NO
F C Stapleton II, LLC	8504 E. Martin Luther King Jr. Blvd. Denver, CO 80238	76.5%	<i>[Signature]</i>	2-9-17	A	
Park Creek Metropolitan District	2962 N. Central Park Blvd. Denver, CO 80238	23.5%	<i>[Signature]</i>	2-9-17	A	

Last updated: February 4, 2015

Return completed form to [rezoning@denvergov.org](mailto:rezoning@denvergov.org)

## **List of Exhibits**

- Exhibit A:** Property Legal Description
- Exhibit B:** Description of Consistency with Adopted City Plans (DRMC 12.4.10.13 (A, B & C))
- Exhibit C:** Description of Justifying Circumstances and Neighborhood Context (DRMC 12.4.10.14 (A&B))
- Exhibit D:** Letter of Authorization for STARBOARD Realty Group, LLC to act as Representative
- Exhibit E:** Proof of Ownership, Assessor's Record
- Exhibit F:** Use of Credit for Rezoning Fee Request

**EXHIBIT A**  
**Property Legal Description**

Stapleton Filing No. 51 located in a part of the Southeast Quarter of Section 28, Township 3 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado



**EXHIBIT B**  
**Description of Consistency with Adopted City Plans**

**REVIEW CRITERIA** - The proposed map amendment is consistent with the following three adopted plans:

1. Denver Comprehensive Plan 2000
2. Blueprint Denver (2002)
3. Stapleton Development Plan (1995)

**Statement of Consistency with Adopted City Plans:**

1. The proposed map amendment is consistent with many objectives of ***Denver Comprehensive Plan 2000*** including:

From 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.”

From 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.”

***Legacies Strategy 3-A:*** “Identify areas in which increased density and new uses are desirable and can be accommodated.”

The proposed map amendment will also contribute to preserving and enhance the individuality, diversity and livability of Denver’s neighborhoods by fostering the following Plan objectives:

***Congruency of land use and zoning:*** “...a built environment with greater overall urban design integrity, stronger connections among urban centers, and a richer and more diverse mix of uses within geographically proximate areas.”

***Compact development:*** “...improved neighborhood cohesion, reduced urban sprawl and residents more directly connected to services and amenities within their immediate living environment.”

2. The proposed map amendment is consistent with many objectives of **Blueprint Denver** including:

The **Blueprint Denver** future land use designation for the subject property is Single Family Residential. The Property is also located in an Area of Change.

**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.” And: “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.”

**Blueprint Denver** also states that “Areas of Change are areas where growth will be beneficial and can best improve access to jobs, housing and services with fewer auto trips.”

The **Blueprint Denver** Plan Strategy: Direct Growth to Areas of Change – the Property is in a **Blueprint Denver** identified Area of Change and also meets the following **Blueprint Denver** Areas of Change criteria, goals and objectives:

- Certain features of the Property characterize an Area of Change, such as:
  - The Property is largely underutilized land
  - The Property is in an area undergoing positive change that is expected to continue
- The Property is adjacent to areas with special opportunities such as where major public or private investments are planned, including the new major roadways and school sites. Denver International Airport and Established service and employment centers in and around Stapleton.
- The Property also provides opportunities for the following **Blueprint Denver** Strategies including:
  - Infill and redevelop vacant and underused properties
  - Compatibility between new and existing development
  - Balanced mix of uses
  - Economic activity—business retention, expansion and creation
  - Housing, including affordable housing

New M-RX-5A zoning for the Property will allow these **Blueprint Denver** goals to be implemented.

**Blueprint Denver** also is relevant to the Property and positively informs the rezoning request at follows:

**“Mixed-Use Zoning:** Mixed-use zoning provides a mixture of uses to enable residents to shop and work in the same area. Mixed-use zoning allows or encourages residential use with commercial use, such as moderate sized offices or retail. The uses can be either mixed in the same building or in separate buildings near each other.”

New M-RX-5A zoning for the Property will allow this **Blueprint Denver** goal to be implemented.

The rezoning of the subject property will enable the continued redevelopment of the former Stapleton Airport into a vibrant new residential mixed use neighborhood proximate to jobs, services and multimodal transportation corridors.

3. The proposed map amendment is consistent with many objectives of the **Stapleton Development Plan** including:

The applicable neighborhood plan for the property is the **Stapleton Development Plan**, which was adopted in March, 1995. On the Development Plan map the Property is in District III. Key elements of the Development Plan for this area urban neighborhood with moderate density.

The proposed M-RX-5A zone district is consistent with this Plan vision and will help to provide the regulatory framework for implementation of these Plan goals and objectives.

## EXHIBIT C

### Description of Justifying Circumstances and Neighborhood Context

#### **Justifying Circumstances - One of the following circumstances exists:**

1. 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.
2. 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.

#### **Statement of Justifying Circumstances:**

The 3 acre Stapleton Property to be rezoned to M-RX-5A is located in a part of Denver undergoing tremendous and positive transformation. The Stapleton master planned community is nearing its final phases, and this rezoning is needed to rezone one of the last undeveloped infill section of Stapleton in a manner that is consistent with the surrounding developed neighborhoods.

The Property consists of undeveloped land that can be efficiently served by existing infrastructure. The existing zoning on the Property of C-MU-20 utilizes the FAR calculation to determine density. Under the revised, current zoning code, density is determined on a Form basis, allowing for controlled development of the area. The existing zoning does not have a height limitation for commercial properties while the proposed zoning to M-RX-5A limits development to five stories, with responsible density limitations and is therefore better suited for the neighboring properties.

The existing zoning also permits various uses by right that are inconsistent with the developed character of the neighborhood. Permitted uses such as emissions testing stations, recycling collection centers and utilities would be at odds with the neighborhood feel of the adjacent properties.

This rezoning will be an implementation step of the policy, land use and transportation goals identified in the aforementioned Plans. Once rezoned, the Property can accommodate the urban densities and mix of uses prescribed in the plans. This rezoning is necessary for the following reasons:

1. Conformance with the existing Zoning Code and its form based density regulations.
2. The ability to meet demand for additional uses and dwelling units on the Property.
3. Further implementation of Blueprint Denver and the Stapleton Development Plan.
4. Integration of a more thoughtful land use plan that integrates with the Stapleton master plan and the needs of the Stapleton community.

Mixed use development throughout Stapleton over the last 20 years has transformed the former airport into the nation's premier large scale mixed use urban infill community. The proposed Zone Districts provide the form based context to enable what the market, ForestCity



and the community desire for the furtherance of the development of Stapleton that is consistent with the expectations of the City. Design elements imbedded in the zoning such as building height and orientation, and quality parking solutions will help create a quality community the City and its residents will be proud of.

### **Statement of Consistency with Neighborhood Context and General Purpose of Zone Districts:**

This map amendment application requests approval of the M-RX-5A Zone District for the Property. The “M” Zone Districts are appropriate because the intended for use in master planned communities such as Stapleton. These Districts allow a variety of building forms to encourage a diverse and interesting built environment rather than bland monotony.

The Denver Zoning Code states that the General Purpose of the “M” Zone Districts is that the intent of Zone Districts within the Master Planned Context is to provide flexibility for master planned development of large sites to respond to evolving market opportunities over time. The Zone District regulations support phased mixed-use development and allow for a wide variety of uses and building forms. As development proceeds, the allowed uses and building forms are further defined to provide clarity and predictable development outcomes.

**M-RX-5A** is a residential mixed-use district intended to promote development of new neighborhoods up to 5 stories high. Single and two unit buildings can be located on small lots with shallow setbacks. Buildings are often oriented towards the primary street.

The **General Intent** for this rezoning to M-RX-5A is:

1. To Implement the Denver Comprehensive Plan and its supplements.
2. Take advantage of proximity to transit (there is an RTD bus stop currently located at the Property).
3. Foster strong neighborhood character and community attributes by reinforcing the importance of the public realm through urban design including safe, attractive and convenient bicycle and pedestrian connectivity.
4. The Mixed Use Zone Districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of town house, row house, courtyard apartment, apartment, and shopfront building forms that clearly define and activate the public street edge.
5. The Mixed Use Zone Districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city’s neighborhoods.
6. The Mixed Use Zone District standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods.

**REVIEW CRITERION DZC § 12.4.10.7.C - 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.**

Future development of the Property will result in uniformity of M-RX-5A district regulations and restrictions.

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

The proposed map amendment will further the public health, safety, and general welfare of the City by facilitating the improvement and development of the Property as desired by the City's adopted plans.

**EXHIBIT D**

**Letters of Authorization for STARBOARD Realty Group, LLC to act as Representative**

Telephone 303-382-1800

7351 East 29th Avenue  
Denver, Colorado 80238www.StapletonDenver.com  
Email info@StapletonDenver.com

August 29th, 2016

Mr. Bruce O'Donnell  
President  
STARBOARD Realty Group, LLC  
Email- [bodonnell@starboardrealtygroup.com](mailto:bodonnell@starboardrealtygroup.com)

Dear Bruce,

This letter serves as authorization for Bruce O'Donnell, dba STARBOARD Realty Group, LLC to act on behalf of and represent FC Stapleton II and the Park Creek Metropolitan District for the purpose of submitting and processing the rezoning application for a tract of vacant land located at the southeast corner of Central Park Boulevard and Martin Luther King Boulevard, known as Stapleton Filing 51 and located within the Stapleton General Development Plan boundary.

Sincerely,

Park Creek Metropolitan District



Jim Chrisman  
Board Member  
Park Creek Metropolitan District



**Park Creek Metropolitan District  
7350 E. 29<sup>th</sup> Avenue, Suite 200  
Denver, CO 80238**

August 29th, 2016

Mr. Bruce O'Donnell  
President  
STARBOARD Realty Group, LLC  
Email- [bodonnell@starboardrealtygroup.com](mailto:bodonnell@starboardrealtygroup.com)

Dear Bruce,

This letter serves as authorization for Bruce O'Donnell, dba STARBOARD Realty Group, LLC to act on behalf of and represent FC Stapleton II and the Park Creek Metropolitan District for the purpose of submitting and processing the rezoning application for a tract of vacant land located at the southeast corner of Central Park Boulevard and Martin Luther King Boulevard, known as Stapleton Filing 51 and located within the Stapleton General Development Plan boundary.

Sincerely,

Park Creek Metropolitan District

A handwritten signature in black ink, appearing to read "Jim Chrisman". The signature is fluid and cursive, with a large initial "J" and "C".

Jim Chrisman  
Board Member  
Park Creek Metropolitan District

**EXHIBIT E**  
**Proof of Ownership, Assessor's Record**



Real Property Records

Date last updated: Tuesday, February 14, 2017

◀ Real Property Records Search

If you have a question about the value, ownership, or characteristics of this property, or any other property in Denver, please call the Assessor at 720-913-4162.

[Link to real property information for this](#)

[property](#)

[Link to comparable sales information for this](#)

[property](#)

[Link to chain of title information for this property](#)

[Link to property sales information for this neighborhood](#)

[Back to Property List](#)

[Link to property tax information for this property](#)

[Link to property sales information for all Denver neighborhoods](#)

[Link to map/historic district listing for this](#)

[Property](#)

**The property description shown is data from the Assessor's active, in-progress 2016 file. The "current year" values are from the 2016 tax year for real property tax due in 2017. These values are based on the property's physical status as of January 1, 2016.**

PROPERTY INFORMATION

Property Type: VACANT LAND

Parcel: 0128423006000

Name and Address Information

Legal Description

FC STAPLETON II LLC

STAPLETON FLG #9 B5 L1 EXC  
DIF

50 PUBLIC SQUARE 1410

RCP #2006054945 RCD 4/10/2006  
\*

CLEVELAND, OH 44113

Property Address: 2973 CENTRAL PARK BLVD

Tax District 425I

Assessment Information

	Actual	Assessed	Exempt	Taxable
Current Year				
Land	2147600	622800		
Improvements	0	0		
Total	2147600	622800	0	622800
Prior Year				
Land	2147600	622800		
Improvements	0	0		
Total	2147600	622800	0	622800

Style: Other

Reception No.:

Year Built:

Recording Date: //

Building Sqr. Foot: 0

Document Type:

Bedrooms:

Sale Price:

Baths Full/Half: 0/0

Mill Levy: 138.446

Basement/Finished: 0/0

Lot Size: 113,033

[Click here for current zoning](#)

Zoning Used for Valuation: CMX

*Note: Valuation zoning maybe different from City's new zoning code.*

 [Print](#)





Real Property Records

Date last updated: Tuesday, February 14, 2017

◀ Real Property Records Search

If you have a question about the value, ownership, or characteristics of this property, or any other property in Denver, please call the Assessor at 720-913-4162.

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[Link to map/historic district listing for this](#)

[Property](#)

**The property description shown is data from the Assessor's active, in-progress 2016 file. The "current year" values are from the 2016 tax year for real property tax due in 2017. These values are based on the property's physical status as of January 1, 2016.**

PROPERTY INFORMATION

Property Type: VACANT LAND

Parcel: 0128423002000

Name and Address Information

Legal Description

FC STAPLETON II LLC

50 PUBLIC SQUARE 1410

STAPLETON FLG #9 B5 L2

CLEVELAND, OH 44113

Property Address: 2951 WILLOW ST

Tax District 425I

Assessment Information

	Actual	Assessed	Exempt	Taxable
Current Year				
Land	261400	75810		
Improvements	0	0		
Total	261400	75810	0	75810
Prior Year				
Land	261400	75810		
Improvements	0	0		
Total	261400	75810	0	75810

Style: Other

Reception No.: 0000129946

Year Built:

Recording Date: 06/30/03

Building Sqr. Foot: 0

Document Type: Bargain & Sale

Bedrooms:

Sale Price: 832100

Baths Full/Half: 0/0

Mill Levy: 138.446

Basement/Finished: 0/0

Lot Size: 13,756

[Click here for current zoning](#)

Zoning Used for Valuation: CMX

*Note: Valuation zoning maybe different from City's new zoning code.*

 [Print](#)



Real Property Records

Date last updated: Tuesday, February 14, 2017

◀ Real Property Records Search

If you have a question about the value, ownership, or characteristics of this property, or any other property in Denver, please call the Assessor at 720-913-4162.

[Link to real property information for this](#)

[property](#)

[Link to comparable sales information for this](#)

[property](#)

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[Link to property sales information for this neighborhood](#)

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[Link to property tax information for this property](#)

[Link to property sales information for all Denver neighborhoods](#)

[Link to map/historic district listing for this](#)

[Property](#)

**The property description shown is data from the Assessor's active, in-progress 2016 file. The "current year" values are from the 2016 tax year for real property tax due in 2017. These values are based on the property's physical status as of January 1, 2016.**

PROPERTY INFORMATION

Property Type: VACANT LAND

Parcel: 0128423003000

Name and Address Information

Legal Description

PARK CREEK METROPOLITAN

7350 E 29TH AVE 200

DENVER, CO 80238-2721

STAPLETON FLG #9

TRACT AF

Property Address: 8583 E 29TH PL MISC

Tax District 425I

Assessment Information

	Actual	Assessed	Exempt	Taxable
Current Year				
Land	107200	31090		
Improvements	0	0		
Total	107200	31090	31090	0
Prior Year				
Land	107200	31090		
Improvements	0	0		
Total	107200	31090	31090	0

Style: Other

Reception No.: 2004154426

Year Built:

Recording Date: 07/22/04

Building Sqr. Foot: 0

Document Type: Special Warranty

Bedrooms:

Sale Price:

Baths Full/Half: 0/0

Mill Levy: 138.446

Basement/Finished: 0/0

Lot Size: 5,644

[Click here for current zoning](#)

Zoning Used for Valuation: CMX

*Note: Valuation zoning maybe different from City's new zoning code.*

 [Print](#)

**EXHIBIT F**  
**Request to use Credit for Rezoning Fee**



Telephone 303-382-1800

7351 East 29th Avenue  
Denver, Colorado 80238

[www.StapletonDenver.com](http://www.StapletonDenver.com)  
Email [info@StapletonDenver.com](mailto:info@StapletonDenver.com)

February 9th, 2017

Ms. Jill Jennings-Gollich  
Community Planning and Development  
201 W. Colfax Ave  
Dept. 205  
Denver, CO 80202

Dear Ms. Jennings-Gollich,

Forest City Stapleton has submitted our application for rezoning of the southwest corner of Central Park Boulevard and Martin Luther King Boulevard also known as Stapleton Filing 51. Forest City currently has a credit on balance with the City and County of Denver in the amount of \$5667.00. Please use this letter as authorization to collect the rezoning submittal fees of \$2000.00 from this balance for payment to the city for the rezoning of Stapleton Filing 51.

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



Forrest Hancock  
Development Manager  
Forest City Stapleton



February 14, 2017

Forrest Hancock  
Development Manager  
Forest City Stapleton, Inc.  
7351 East 29<sup>th</sup> Avenue  
Denver, Colorado 80238

Dear Mr. Hancock:

I'm writing in response to your February 9, 2017, letter requesting to use your outstanding credit to pay the fee for map amendment application number 2016I-00112 for approximately 8504 E. Martin Luther King Jr. Blvd., in Stapleton. The map amendment application was submitted on February 9, 2017. The area subject to the proposed map amendment is 3.04 acres.

As you know, with the Stapleton Section 10 GDP fee paid in May, 2014, there was an overpayment of \$10,667. In a June 16, 2014, letter I agreed to apply the overpayment to subsequent map amendment applications within North Stapleton. However, the credit was not applied to the first map amendment application in Section 10 of North Stapleton, application number 2015I-00079, and Forest City paid a processing fee of \$2,500 (reduced from \$50,000), leaving the \$10,667 credit in place.

On January 23, 2017, I approved the use of a portion of the credit to pay the processing fee for map amendment application number 2016-00113. The fee was \$5,000 (reduced from \$50,000), leaving a balance of \$5,667 on the credit.

The fee for the current map amendment application, number 2016I-00112, is \$2,000. Deducting the \$2,000 fee from the \$5,667 credit leaves an ongoing credit of \$3,667 for use on future map amendment applications. So, with the credit from the GDP fee there is no fee required for map amendment application number 2016I-00112, and an ongoing credit of \$3,667 remains in place to be applied to future Stapleton map amendments.

Thank you for your patience and if you have any questions or concerns about this determination, please don't hesitate to contact me.

Sincerely,

Evelyn Baker  
Deputy Director

Office of the Manager | Community Planning and Development  
201 W. Colfax Ave., Dept. 205 | Denver, CO 80202  
[www.denvergov.org/CPD](http://www.denvergov.org/CPD)  
p. 720.865.2915

**311 | [POCKETGOV.COM](http://POCKETGOV.COM) | [DENVERGOV.ORG](http://DENVERGOV.ORG) | DENVER 8 TV**

Telephone 303-382-1800

7351 East 29th Avenue  
Denver, Colorado 80238

[www.StapletonDenver.com](http://www.StapletonDenver.com)  
Email [info@StapletonDenver.com](mailto:info@StapletonDenver.com)

June 13, 2017

(Note: This communication is intended to become a part of the Public Record for Rezoning Application Number: 2016I-00112)

Ms. Amanda Allshouse, President  
Stapleton United Neighbors Board of Directors:

I am writing to inform you of a change Forest City will make in our proposed rezoning at the corner of MLK Blvd. and Central Park Blvd. to address height limit concerns raised by some residents of the adjacent neighborhood.

As you may know, Forest City is proposing to rezone a 3.04 acre parcel of land at the southeast corner of Martin Luther King Jr. Boulevard and Central Park Boulevard in Stapleton from its current zoning, C-MU-20, to M-RX-5A. C-MU-20 is part of the old Chapter 59 zoning and this parcel was overlooked by the City of Denver when it rezoned the majority of Stapleton to the new zoning code. The proposed rezoning would bring the property into alignment with the majority of the Stapleton zoning and be more appropriate for that location.

Martin Luther King Jr. Boulevard and Central Park Boulevard are both major thoroughfares through Stapleton. Forest City believes the urban neighborhood of Stapleton should have residential above retail at select locations such as this parcel, which is the "corner of Main and Main." We believe the unrestricted building heights of the current C-MU-20 zoning, along with the uses it would allow (such as an emission inspection station, manufacturing fabrication and assembly, or a gas station) should be replaced by a limit of no more than five stories and restrict development to residential and ground floor retail. These uses would better serve the neighborhood and fit the context of the surrounding development and streetscape. While there is no specific project under consideration for that site at this time, we believe the M-RX-5A zoning would contribute to a better transition to the adjacent single family residential development, while providing any future development of that parcel the necessary flexibility to ensure its success.



Stapleton United Neighbors

Page two

In response to concerns about the five story height limit expressed by some residents of the adjacent neighborhood, however, Forest City will supplement our rezoning application by imposing a covenant on the property that limits future development for the portions of the property adjacent to E. 29<sup>th</sup> Drive on the south and Willow Street on the east to no more than three stories. We hope that change will give the SUN Board confidence in our intent to be a good neighbor and prompt you to write a letter in support of our zoning application.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tom Gleason', with a long horizontal flourish extending to the right.

Tom Gleason

Vice President – Public Relations

**Donald R. Anderson**  
**9715 E. 33<sup>rd</sup> Avenue**  
**Denver, CO 80238**  
**(M) 713-689-9924**

8 June 2017

To: All Members of the Denver City Council

**SUBJECT: Rezoning Application – 3 Acre Site at Corner of MLK and CPB in Stapleton**

Members of the City Council,

I am writing in regard to the re-zoning application for the above reference subject. I am the owner of a property near-by on Willow Street and I am concerned about the possible impact that the requested zoning would allow on the area for the reasons list below.

I request that the application be **denied** and that the Council suggest to Forest City that they reconsider their application to allow only single family homes, townhouses and/or paired homes to be consistent with the neighborhood, no commercial development

**Traffic-Vehicle and Pedestrian, and Parking and Safety:**

CPB and MLK and the related intersection are already high volume arterials and when you add the on-going and planned development including the recently announced TOD, the CPB southbound bridge expansion, the extension of MLK to the east, the Eastbridge Shopping Center now opening, Punch Bowl Social Club, The Mint and a development of a large complex on the this site I believe it will create major traffic and safety issues. The near-by Central Park and it's activities also contribute to the congestion. The environment in the area will be negatively affected especially the noise levels.

**Neighborhood Appearance and Impact:**

I believe any large (up to 5 story) multi-purpose site development would look out of place compared to the established residential neighborhood that exists in the surrounding blocks. A development consistent with the neighborhood would be more appropriate. Further, such development would negativity impact the available parking on the nearby residential streets.

Thank- you for your consideration of my request.

Regards,  
Donald R. Anderson

Doug Pflugh  
8522 E 29<sup>th</sup> Place  
Denver CO 80238

June 5, 2017

Denver City Council  
c/o Scott.Robinson@denvergov.org

**RE: Rezoning Application - 3 Acre Site at SE Corner of MLK and CPB in Stapleton**

Dear City Council Members:

I am writing concerning Official Zoning Map Amendment Application #2016I-00112, tentatively scheduled for a hearing at your July 10, 2017 meeting. I have been a property owner and resident on the block immediately south of the subject properties since 2005, and am concerned that the proposed M-RX-5A district will allow for development that may significantly impact the existing neighborhood. As the property under consideration will be the one of the last spaces to be built in the southern end of Stapleton and anchors the key intersection of MLK and Central Park Boulevards, it is essential that the Council carefully consider the ramifications of its actions in this matter and ensure that they are creating a future of which we can all be proud. I urge the Council to reject the application and the proponent to submit a revised application that is more appropriate for the site.

My primary concern in this matter is the density of development that is being sought through this application. Under the proposed zoning district, the subject properties could be developed with up to 225 residential units. This contrasts sharply with the immediate neighborhood – for example, our comparably-sized block to the south is built out with 40 residential units in a mix of attached multi-family and detached single-family homes. While the subject property does lie in a location that is consistent with higher densities than the residential areas immediately to the south and east, the proposed density is too great a leap to allow for a smooth transition and retention of character in the existing areas. Also, 29<sup>th</sup> Place, which forms the southern boundary of the subject properties and would likely serve as an access to on-site parking, is a 25-foot wide local street on which parking on both sides only allows for a single lane of travel. This right-of-way would provide little buffer between the existing homes and the five-story structure possible under the proposed district.

One of the great appeals of the Stapleton neighborhood is the well-planned mix of residential and commercial development that provides for a broad spectrum of our city's residents and visitors. The development possible under the proposed district would shatter this harmony with a shockingly incongruent building towering over Stapleton's highest profile intersection,



permanently impacting character of the entire neighborhood. Fortunately, there are excellent alternatives available that will allow Stapleton to continue to be a point of pride for the city.

The subject properties should be developed, completing the infill of the southern end of Stapleton and anchoring this important intersection, but this should happen in a fashion that sustains the existing neighborhood character. Development such as has occurred along MLK Boulevard between Syracuse St and Central Park Boulevard, particularly if it was constrained by requirements to step back from the southern edge of the properties, could well complement and support the existing neighborhood. An alternate application encompassing such a vision should be accepted by the Council.

Further, as the Council is undoubtedly well aware, the area north of MLK Boulevard, anchored by the Punch Bowl Social and the Central Park RTD Station, is to be developed in a high-density mix of commercial and residential properties. This transit-oriented development zone offers a much more appropriate opportunity for the type of development being proposed on the subject properties. In addition to the aesthetic considerations of the immediate neighborhood, the TOD area also fronts Central Park Boulevard and two designated collector streets, 35<sup>th</sup> and 36<sup>th</sup> Avenues. It is not necessary for the subject properties to receive the proposed district for Stapleton to achieve the types of density and development that will make it a well-rounded neighborhood.

Your consideration and assistance in this matter is greatly appreciated. I would be more than happy to address any questions relating to my letter.

Sincerely,



Doug Pflugh  
8522 E 29<sup>th</sup> Place

## **Robinson, Scott D. - CPD Sr City Planner**

---

**From:** Heather Gordon <heathergordon2282@gmail.com>  
**Sent:** Monday, June 05, 2017 1:20 PM  
**To:** Robinson, Scott D. - CPD Sr City Planner  
**Subject:** Rezoning Application - SE Corner of MLK & CPB

Dear Council Members:

I am writing concerning a zoning application that you will be considering at a tentative hearing on July 10th. I have resided at 2942 Central Park Blvd, just steps away from this 3 acre site for a little over a year. My husband and I bought our house here because we want to start our family in a family friendly/non commercial neighborhood.

My neighbors and I are concerned that the proposed M-RX-5A district for the site is totally out of character with the surrounding homes, which consist of single family dwellings, paired homes and town homes – all built between 2005 and 2007.

**Height & Density Concerns:** The proposed zoning district would allow buildings on the site up to 5 stories. Forest City has informed the neighbors that up to 225 units could be built on the site under the proposed zoning. That is comparable to the current 5/4 story building complex (The Mint) that stretches from MLK to 29th Ave and from Roslyn to Syracuse Streets in the 29th Ave Town Center of Stapleton. Such a structure might be compatible with the Town Center, but would totally overpower our neighborhood. I would also point out that from Ulster St to Havana St (24 blocks) there are only one, two and 3 story residences. This is a residential section of MLK through Stapleton. I should note that the SW corner of this intersection was recently developed with single family homes and row homes.

**Traffic & Parking Concerns:** While attending numerous meetings on this subject over the last month, including the Planning Board meeting on May 3rd, the point has been made that this site sits at 2 major arterials and therefore a high rise/high density building is very appropriate. Our position is that these 2 arterials and this intersection are already overburdened. Soon they will be burdened more by the following: Punch Bowl Social Club; the Transportation Oriented Development (TOD) at the A-Line Station consisting of a 7 story office building and a 5/6 story apartment building with 250 to 300 units; the railroad track overpass expansion from 2 to 4 lanes; and the increased traffic associated with the extension of MLK from Havana to Peoria - add to those things the opening of the 399 unit Mint Apartment Building at the Town Center.

**Safety Concerns with Traffic Volume:** The traffic on MLK and CPB is already excessive and creates safety issues for adults and children trying to cross MLK to visit Central Park. The number of soccer & other fields in Central Park cause a large number of children to be crossing MLK between CPB and Beeler St.

**Traffic & Pedestrian Safety during Winter:** Also note that a 5 story building facing MLK would cast a shadow during the winter and pose problems with snow and ice build up similar to stretches of MLK at the 29th Ave Town Center. And not just for street traffic but also pedestrian traffic on the sidewalks of the 1st floor commercial shops.

**Site Access & Egress:** There is also serious neighborhood concern that the city would not permit curb cuts into the complex from either MLK or CPB because of the existing congestion at that corner. That means that the only entrances/exits to the complex would be from Willow or 29th Pl. Please note that 29th Pl is only a 3 lane street.

Planning Board Concerns: I would encourage you or your staff to review the video of the Planning Board meeting on May 3rd and see how members struggled for some 90 minutes with this zoning request. While they voted 5 to 4 for the application, those 4 members had serious concerns.

Commercial Use on the Site: Most neighbors are also opposed to any commercial on the site. It would bring a lot of traffic to our neighborhood streets and create parking and child safety issues. While efforts have been made to convince us that a coffee shop or ice cream shop would be nice additions to the neighborhood, we only see the traffic and parking nightmares and the other “not so nice” types of commercial permitted under such zoning. We feel that the Punch Bowl Social Club will provide more than enough amenities to the neighborhood. I might note that there is a concessionaire/gathering place building in Central Park that stands vacant all or most of the time. Why can't it be used as a commercial food/drink/ice cream business? I might add that there is no commercial on this section of MLK from Ulster St to the Eastbridge Town Center (some 20 blocks).

In brief, my neighbors and I oppose this zoning request and ask that you reject it. If approved, we will have no say in the site development plan stage and could face a 5 story Mint-type structure on the entire 3 acre site. Such an overpowering structure would be horrible for the neighborhood. We would suggest that you encourage Forest City to resubmit an application for a M-RH-3 district which would be totally compatible with the neighboring homes.

Your consideration and assistance in this matter would be deeply appreciated. I and many of my neighbors plan to attend the July 10th Council hearing and will be available for questions.

--

Heather Vasquez  
Field Producer  
"House Hunters Renovation" on HGTV  
Pie Town Productions  
818.723.7650 - cell

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**From:** Patricia Carroll  
**To:** [Robinson, Scott D. - CPD Sr City Planner](#)  
**Subject:** Rezoning Application of the SE Corner of MLK & CPB  
**Date:** Saturday, June 10, 2017 12:21:31 PM

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To: All the Members of the Denver City Council

Dear Members of the City Council:

We ask that you support our neighborhood's requested zone district of M-RH-3 for the SE Corner of MLK & CPB. This zoning is comparable to our current housing in this area of single family dwellings, town homes, paired homes, and NO commercial property. This zoning is what we were attracted to and expected when we purchased our home in 2011. The signs that were on the lot in question also substantiated our expectations.

We ask that the M-RH-3 zoning be instituted now for the following traffic and safety reasons:

1. Traffic on MLK and CPB now exceeds expectations and makes walking across both streets very hazardous.
2. The new Punch Bowl Social Club will increase traffic, and more buildings are expected there.
3. The planned 35 acre development of buildings, stores, and new roads/bridges near the train will increase traffic through the SE corner of MLK and CPB.

Please note that there are no stores, nor any residences over 3 stories on MLK between Ulster and Havana. This is in keeping with the residential nature of the area.

We ask that you help preserve this atmosphere and institute M-RH-3 zoning. We ask that you encourage Forest City to resubmit an application for an M-RH-3 designation, which would be suitable and safe for our neighborhood.

Thank you,

Thomas and Patricia Carroll  
8521 E. 29th Ave.  
Denver, CO 80238

**From:** Estreet.com  
**To:** [Robinson, Scott D. - CPD Sr City Planner](#)  
**Subject:** Rezoning Application--SE Corner of MLK and CPB  
**Date:** Wednesday, June 07, 2017 5:04:42 PM

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Sent from my iPad

> On Jun 7, 2017, at 4:30 PM, Estreet.com <jawa@estreet.com> wrote:

>

> Dear Members of City Council:

>

> We are writing this letter to share our thoughts and concerns about the potential rezoning of the 3 acre lot on the SE corner of Martin Luther King Blvd (MLK) and Central Park Blvd (CPB).

>

>

> We have lived on Willow Street, just east of this particular lot, for over 11 years. We always knew that it would eventually be developed, but expected it would be something

> that would fit in with the neighborhood homes and its surroundings.

>

> We are extremely concerned and troubled by the potential rezoning of this lot to

> M-RX-5A, a proposal that would allow the buildings to be up to 5 stories, and would also allow for commercial use. A 5-story building with the possibility of commercial use

> would be totally out of character for the area, and would likely cause significant

> problems. Here are our concerns:

>

> # 1--The corner of MLK and CPB is already an extremely busy intersection. There have

> been many accidents and even more "near misses". With additional traffic using MLK and CPB, (traffic coming off the Havana exit, the future extension of MLK to Peoria, the

> future Punch Bowl Social, the expansion of the CPB bridge, and the transit oriented development at Central Park Station), this area will be overwhelmed--creating high

> volumes of traffic and people, as well as heightened safety issues for the neighborhood.

>

> #2--A 5-story building, with or without commercial space, would only be appropriate

> in a place like the Town Center or the Central Park Station plaza, "gathering places",

> hub of activity, shopping, etc., not in the middle of single family, paired and town-homes, that are 1, 2, or 3 stories. A 5-story building would certainly be a detriment to the look and feel of this neighborhood, and would definitely impact the residents in a

> negative way.

>

> #3--Parking is already an issue in this neighborhood. Any time there is an event at

> Central Park, MLK and our side streets are packed with cars. Adding a building with a possible 200+ units, as well as commercial space, would just add to the existing problem.

>

> Thanking you in advance for your support in opposing M-RX-5A zoning, and instead,

> encouraging Forest City to resubmit for M-RH-3 zoning.

>

>

> Respectfully,

>

> Jane and Wallace Warner

> 2962 Willow Street

> Denver, CO. 80238

>

>

>

>

> Sent from my iPad



June 6, 2017

To: All Members of Denver City Council

Subject: Rezoning Application – 3 Acre Site at SE Corner of MLK and CPB

Dear Members of City Council:

I have lived in Denver in Stapleton for 5 ½ years, moving here from the Northeast. One of my favorite things about living in Stapleton, especially compared to the east coast, is the unique nature and feel of each little neighborhood, each little group of streets. The thoughtfulness surrounding homes and amenities fitting together is commendable, and I hope that will also be the case in considering the proper zoning for the SE Corner of MLK & CPB. Although I currently do not live in that neighborhood, I did when I first came to the area for a couple of years. Because of this, I feel that I can speak to what would work best in that location.

The intersection of Martin Luther King Blvd and Central Park Blvd is probably the busiest in all of Stapleton. Adding high density and/or commercial traffic to that location would be a significant traffic, parking and safety issue, especially being right across from Central Park – which experiences high usage by young people on a regular basis. Going east beyond Ulster is completely residential and the homes closest to this location are single family, high-end paired and townhomes, all 2 and 3 stories. It would not be reasonable or appropriate to add a “Mint-type” building in this location, up to 5 stories. In my opinion, it would completely change and ruin the wonderful feel of this little neighborhood. A 5-story structure(s) would also cast shadows, preventing snow and ice from melting on the street(s).

Access to the building(s) is also of concern, understanding that it most certainly would be on either Willow or 29<sup>th</sup> Place, right across the street from these wonderful homes. Again, higher density would significantly increase traffic, parking and safety concerns. I also understand that walkability to services is a priority in Stapleton, but this neighborhood already has that access – the 29<sup>th</sup> Town Center and the Eastbridge Town Center are less than a mile; the Punchbowl Social will be right across the street, and the Transit Center will offer many options close by.

As a concerned citizen for the beauty, comfort and safety of Stapleton, I encourage you to ask Forest City to resubmit an application for zoning for this location – perhaps M-RH-3. I understand that at the Planning Board meeting that took place on May 3<sup>rd</sup> there was a 5-4 vote, which clearly shows a lack of total support for the M-RX-5A district zoning. Four members had serious concerns over this, which should cause concern on everyone’s part that is responsible for approving/not approving this zoning request.

Thank you for your consideration. Respectfully submitted,

Robin Krakowsky  
10895 East 28<sup>th</sup> Place  
Denver, CO 80238

## Heidi and James Terrio

2923 Willow St  
Denver, Co 98388  
719-322-6200  
heiditerrio@yahoo.com

June 11, 2017

Denver City Council

Denver City Council and County Building  
1437 Bannock St.  
Denver, Co 80202

**SUBJECT:** Rezoning Application-3 Acres at SE corner of Martin Luther King Blvd and Central Park Blvd

Dear Denver City Council Members,

My husband and I are opposed to rezoning on the above named property. We bought our paired home on Willow Street in May 2016 which was carefully selected due to the type of quiet, safe, single family home neighborhood of its location, and the proximity to Central Park. Recently we noticed the sign placed on the west side of the 3 acre property stating that the property was being rezoned for "Multiple Use"(Commercial and Residential/High Density Housing). Our concern is that the rezoning will create increased traffic, at a corner that already has dense traffic, an increase demand for street parking on side streets on Willow St and 29th Place, and decreased safety for the numerous children in our neighborhood. We already have risk of a traffic accident when we leave our garage, and turn onto 29th Place. The street is only 3 lanes in width, with parking on the south side, making it extremely difficult to see the traffic on this narrow street approaching from the west. With higher density traffic and parking requirements, it is quite obvious to us that parking and traffic demand on Willow St will become less safe for families that bought houses in this neighbor. If you look at the demographics of Stapleton you will note that we have more families with young children ( 14 % child < 5 in Stapleton, vs. Denver 7%, 50% person < 18 in Stapleton, vs 26 % in Denver, from The Frontporch, NE addition dated Jun 2017). This is particularly true in this subsection of Stapleton. Furthermore, with high density housing we increase the chances of vandalism and pedestrian mishap. We selected our home on Willow St to avoid this. It is disheartening to rezone this property to Multiple Use. It would be more fitting to have the housing there be similar to the type of housing that is in this neighbor. I would encourage all members to take a good look at this neighborhood. It seems that the planning should be congruent with the type housing in this subsection of Stapleton (M-RH-3) as it is on the north side of Central Park. It seems that the new Transit Oriented Development near

the light rail system is a great idea, and step in the right direction. A multiple story building for professional singles and couples more appropriately belongs closer to the light rail.

The finalized plans of the “Multiple Use” high rise structure planned south of the Central Park Light Rail Station discussed in the Denver Post this last week, reveals that we already have plans in Stapleton for high density housing in a more appropriate location. This high density housing (1K apartments and 400 Condos), and commercial building (120 room hotel, and 1M Sq ft of office buildings, and 100K Sq ft of retail) should satisfied the need for required housing, and although encourages mass transit use, will undoubtedly add to the traffic on Central Park Blvd and Martin Luther King Blvd. One also has to question, how this will affect the access to I-70, as Central Park Blvd is only one lane on the crossing over the light rail and as it is widened in the near future, the traffic back up will likely be at a stand still. We understand the need for high density housing and commercial building needs for Stapleton. However, it seems like the street widening and the infrastructure to support the extra load, should be built prior to the housing and the office space. That includes local markets. We look forward to the new King Sooper Market off MLK Blvd in Northeast Stapleton, as the King Sooper and Walmart on Quebec St are notoriously overcrowded and understocked due to the demand of Stapleton’s high density. This is just a case in point of overloading the system prior to providing a good infrastructure. Having lived other rapidly expanding cities like Irvine, CA, it seems that the city planning is backwards in Stapleton. In Irvine, CA, first widened streets are built and markets added prior to increasing housing density.

Please consider the safety, aggravation to the traffic load, the overly crowded streets in this particular location and consider the demographics (high density of young children) prior to making a decision on this rezoning of MLK and CPB south east corner. We are completely opposed to the zoning of this property for Multiple Use with high density housing. Please vote against the proposed zoning and consider the more appropriate zoning of Master Plan Row Home 3 (M-RH-3).

Sincerely yours,

Heidi and James Terrio

**JOHN B. VENHOFF**  
8542 East 29<sup>th</sup> Place  
Denver, Colorado 80238-2726  
(303) 777-2510

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June 5, 2017

TO: All Members of Denver City Council

**SUBJECT: Rezoning Application - 3 Acre Site at SE Corner of MLK and CPB in Stapleton**

Dear Members of City Council:

I am writing concerning a zoning application that you will be considering at a tentative hearing on July 10<sup>th</sup>. I have resided on 29<sup>th</sup> Pl just south of this 3 acre site for 12 years. I and my neighbors are concerned that the proposed M-RX-5A district for the site is totally out of character with the surrounding homes, which consist of single family dwellings, paired homes and town homes – all built between 2005 and 2007.

**Height & Density Concerns:** The proposed zoning district would allow buildings on the site up to 5 stories. It would also allow 1<sup>st</sup> floor commercial in those buildings. Forest City has informed the neighbors that up to 225 units could be built on the site under the proposed zoning. That is comparable to the current 5/4 story building complex (The Mint) that stretches from MLK to 29<sup>th</sup> Ave and from Roslyn to Syracuse Streets in the 29<sup>th</sup> Ave Town Center of Stapleton. Such a structure might be compatible with the Town Center, but would totally overpower our neighborhood. I would also point out that from Ulster St to Havana St (24 blocks) there are only one, two and 3 story residences. This is a residential section of MLK through Stapleton. I should note that the SW corner of this intersection was recently developed with single family homes and row homes.

**Traffic & Parking Concerns:** While attending numerous meetings on this subject over the last month, including the Planning Board meeting on May 3<sup>rd</sup>, the point has been made that this site sits at 2 major arterials and therefore a high rise/high density building is very appropriate. Our position is that these 2 arterials and this intersection are already overburdened. Soon they will be burdened more by the following: Punch Bowl Social Club; the Transportation Oriented Development (TOD) at the A-Line Station consisting of a 7 story office building and a 5/6 story apartment building with 250 to 300 units; the railroad track overpass expansion from 2 to 4 lanes; and the increased traffic associated with the extension of MLK from Havana to Peoria - add to those things the opening of the 399 unit Mint Apartment Building at the Town Center.

**Safety Concerns with Traffic Volume:** The traffic on MLK and CPB is already excessive and creates safety issues for adults and children trying to cross MLK to visit Central Park. The number of soccer & other fields in Central Park cause a large number of children to be crossing MLK between CPB and Beeler St.

**Traffic & Pedestrian Safety during Winter:** Also note that a 5 story building facing MLK would cast a shadow during the winter and pose problems with snow and ice build up similar to stretches of MLK at the 29<sup>th</sup> Ave Town Center. And not just for street traffic but also pedestrian traffic on the sidewalks of the 1<sup>st</sup> floor commercial shops.

**Site Access & Egress:** There is also serious neighborhood concern that the city would not permit curb cuts into the complex from either MLK or CPB because of the existing congestion at that corner. That means that the only entrances/exits to the complex would be from Willow or 29<sup>th</sup> Pl. Please note that 29<sup>th</sup> Pl is only a 3 lane street.

**Planning Board Concerns:** I would encourage you or your staff to review the video of the Planning Board meeting on May 3<sup>rd</sup> and see how members struggled for some 90 minutes with this zoning request. While they voted 5 to 4 for the application, those 4 members had serious concerns.

**Commercial Use on the Site:** Most neighbors are also opposed to any commercial on the site. It would bring a lot of traffic to our neighborhood streets and create parking and child safety issues. While efforts have been made to convince us that a coffee shop or ice cream shop would be nice additions to the neighborhood, we only see the traffic and parking nightmares and the other “not so nice” types of commercial permitted under such zoning. We feel that the Punch Bowl Social Club will provide more than enough amenities to the neighborhood. I might note that there is a concessionaire/gathering place building in Central Park that stands vacant all or most of the time. Why can't it be used as a commercial food/drink/ice cream business? I might add that there is no commercial on this section of MLK from Ulster St to the Eastbridge Town Center (some 20 blocks).

In brief, I and many of my neighbors oppose this zoning request and ask that you reject it. If approved, we will have no say in the site development plan stage and could face a 5 story Mint-type structure on the entire 3 acre site. Such an overpowering structure would be horrible for the neighborhood. We would suggest that you encourage Forest City to resubmit an application for a M-RH-3 district which would be totally compatible with the neighboring homes.

Your consideration and assistance in this matter would be deeply appreciated. I and many of my neighbors plan to attend the July 10<sup>th</sup> Council hearing and will be available for questions.

Sincerely,

JOHN B VENHOFF

**From:** Kristin Robbins  
**To:** [Robinson, Scott D. - CPD Sr City Planner](#)  
**Subject:** rezoning Application-SE Corner of MLK and Central Park Blvd  
**Date:** Monday, June 12, 2017 4:33:40 PM

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Dear members of the City Council,

I am a homeowner on 2958 Willow. We face the parcel under scrutiny. This is our retirement residence, purchased with a full expectation of single family development across the street at some time. I strongly object to any commercial use and any configuration over two stories tall. This parcel is fully surrounded by single family residences on Willow St, 29<sup>th</sup>, and along CPB, and MLK on both sides, the only mixed use exception being the old airplane tower NW corner, and the Central Park, across the four traffic lanes and medians on MLK Boulevard. This is a residential area.

Please do not approve zoning or development that destroys the single family character of the neighborhood that is already established. This area is not the Town Center.

Kristin Robbins DDS  
2958 willow Street  
Denver CO 80238

Sent from [Mail](#) for Windows 10



**From:** dennis teng  
**To:** [Robinson, Scott D. - CPD Sr City Planner](#)  
**Subject:** "Rezoning Application - SE Corner of MLK & CPB"  
**Date:** Monday, June 12, 2017 7:15:02 PM

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Dear Members of City Council-

Thank you for your time. I am a long time resident on Willow street, I live directly across from the street from the proposed rezoning property on the Southeast corner of Martin Luther King (MLK) and Central Park Boulevard (CPB). Having lived here since 2006, I have seen the increased traffic as the years have passed and new developments that have sprung up to the West (Income qualified housing, two senior retirement complexes and a soon to be completed Senior assisted living center) and Northwest (Punchbowl Social) corners of this property. Just down the street just past 36th avenue is the Central Park Lightrail Station for the A-line train as well. In addition, just to the west of this parcel of land is the main Stapleton Town Center, where many a new very large mixed residential/commercial building is being built as we speak (The Mint).

Ofcourse, the neighborhoods bordering on the South (29th St) and East (Willow St.) will endure the brunt of the proposed developments that will be built on this property. As neighbors, we can all agree that we will be happy to finally see this valuable piece of land developed. However, the current rezoning request to M-RX-5A (potentially up to 5 stories high AND commercial development in nature), will add to an already congested intersection that will not only pose more traffic issues, but safety issues as well for the residents and their children who live next to this parcel of land which is keep in mind only 3 acres in size.

From a safety standpoint, as residents, we recall a few years back, a pregnant Stapleton mother lost her unborn child when she was struck by a vehicle just one block south of this intersection. This incident resulted in a major traffic light being installed in what was previously a 4-way stop sign intersection. Note that this is only just one block south of the major intersection of MLK and CPB that we are talking about. This highlights the increased traffic/safety concerns already present in this area. One may conclude that if you were to do a poll of Stapleton residents, the intersection of MLK and CPB could be considered one of the busiest if not the busiest intersection in Stapleton.

As neighbors/concerned residents for our families and our safety, we propose that City Council please reconsider a rezoning bid to no higher than 3 stories and residential only in nature, not commercial with the potential of 5 stories high, as is being proposed with M-RX-5A rezoning request by Forest City. Ideally, we would prefer to see more paired homes/single family homes be developed in this parcel of land consistent with the image/original plans of Forest City for this neighborhood that we as original residents were told when we first decided to call Stapleton and this particular neighborhood near MLK/CPB our home. But we

understand that there needs to be some flexibility/compromise in this situation on all sides.

That is why we would like to request that if the paired homes/single family homes option/preference is not agreeable, then at least a rezoning bid to no structure(s) higher than 3 stories and preferably residential in nature.

Many of the neighbors have shown up to the monthly SUN (Stapleton United Neighbors) meetings and expressed our concerns to Forest City representatives who are present as well as our district councilman, Mr. Chris Herndon. Many neighbors in the past months have since reached out to Councilman Herndon as well and have attended Denver City Council meetings to show our solidarity and express our concerns. Many calls have also been made to the City planner, Mr. Scott Robinson, who is aware of the rezoning bid/efforts by Forest City, and has been so helpful in answering all of our questions regarding the zoning options and potential construction that can go up in this parcel of land.

Thank you City Council for your consideration of these issues and for listening to our concerns and please reconsider the rezoning bid by Forest City. As neighbors, families with children in this particular neighborhood in Stapleton, we truly thank you for sharing our concerns of safety and increased congestion in this very important decision for the future of this parcel of land and the impact it will have on the surrounding residents of Stapleton.

Sincerely,

Dennis Teng  
2960 Willow St  
Denver, CO 80238-2976

**From:** dennis teng  
**To:** [Robinson, Scott D. - CPD Sr City Planner](#)  
**Subject:** "Rezoning Application - SE Corner of MLK & CPB".  
**Date:** Monday, June 12, 2017 10:43:58 PM

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Dear Members of City Council-

Thank you for your time. One important piece of information I left out of my original email that I would like to mention, which I think has some important significance is the planned development/construction slated for open land by the Central Park Lightrail A-Line station which is just a few blocks north of the Martin Luther King (MLK) and Central Park Boulevard (CPB) property, the current property up for rezoning by Forest City that our neighborhood is speaking up about.

This development by the Central Park A-Line station, slated to start in the Spring of 2018, is a 35 acre public plaza. This site has plans for a 190,000 square foot Class A office building, (6 stories) tall which will be known as Central Park Station One. In addition, there are plans for a 300 unit apartment building, 120 unit (5 stories) tall condominium building, and an additional 60,000 square feet of retail around this planned public plaza. Note: This information is public knowledge and was published in the Business section of the Denver Post on June 7, 2017. My point is, this massive undertaking/development of mixed commercial/residential construction, will have it's own traffic/congestion issues. As mentioned in my previous email, there is already the Punchbowl Social on the Northwest corner of MLK and CPB. This new public plaza will only be a few blocks north of the MLK/CPB intersection.

I don't believe that the current 3 acre plot of land up for rezoning, as small as it is that constitutes the parcel of land right across from our houses and families, needs anymore commercial development and subsequent traffic/congestion, much less any 5 story building(s), with the current rezoning request of M-RX-5A by Forest City. More importantly, increased safety concerns are a huge concern among neighbors here, especially with the number of families and children that live directly across from this parcel of land. It appears that a few blocks down the street from MLK and CPB this planned public plaza development by the A-line lightrail station will be a huge undertaking on it's own.

Thank you again City Council for your time and consideration of these very important issues that will directly impact the daily lives of many families who live across the street (especially on Willow St and 29th St) from this parcel of land.

Sincerely,

Dennis Teng

2960 Willow St  
Denver, CO 80238-2976

Diane Anderson  
9715 East 33<sup>rd</sup> Avenue  
Denver, CO 80238

Dear Members of City Council

It has come to my attention that there is a proposed construction of up to a 20- story complex on the lot bordered by MLK, Central Park Blvd, 29<sup>th</sup> Place, and Willow Street (Stapleton). I believe the lot to be about 3 acres.

Has a traffic impact study been completed, and if so, is it available for public review?

My concerns are as follows:

- The intersection at MLK and CPB is a high-traffic area. Some lane configurations already seem to confuse some drivers.
- The huge new complex by the Central Park Rail Station, set to begin construction in the Spring, will add considerably more cars and people
- The nearby Punch Bowl will be opening
- Central Park is a heavily used park. During sports days, cars are parked in a long line on MLK. There are numerous walkers and bikers accessing the park on a daily basis, many of them children
- Is the plan to make Willow another main artery?
- There are traffic lights at Fulton, Beeler, Xenia, and CPB. Are more planned? What about making a left-hand turn from Willow onto MLK? I exit my neighborhood by turning right from Elmira on to MLK; I have had several scary moments with drivers making a U-turn to go west on MLK
- There are no designated bike lanes on that section of MLK; bikers are frequently on the sidewalk
- If the idea is to have a walkable neighborhood, it is mandatory that it be safe to do so

Given that the area in question is already near heavily trafficked streets, I would oppose another high-density complex on that site unless I could be assured that the safety of local residents, particularly children, has been addressed.

Very truly yours,

Diane Anderson

**From:** Rita Hughes  
**To:** [Herndon, Christopher J. - CC City Council Elected](#)  
**Cc:** [Robinson, Scott D. - CPD Sr City Planner](#)  
**Subject:** FW: rezoning proposal 2973 Central Park Blvd  
**Date:** Tuesday, July 18, 2017 9:55:20 AM  
**Attachments:** [2973 Central Park Blvd.jpg](#)  
[CPMLK.jpg](#)  
[CPnorth.jpg](#)  
[CPsouth.jpg](#)

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Dear Councilman Herndon,

Since I've not heard back from you, I'm resending my original email 7/5 to make sure you are in receipt of my email addressing concerns about the rezoning proposal #2016I-00112. I'm opposed to building a 5 story structure with retail in an area that is residential and currently has 2-3 story homes and condos. A 5 story structure will obstruct beautiful views of the front range from Central Park. I've attached photos to show the area currently. I'm a resident in that neighborhood. We do not need another retail space in Stapleton. This is greedy late stage development.

Please let me know how you stand on the issue and why.

Sincerely,  
Rita Hughes

---

**From:** Rita Hughes <[rita.hughes@du.edu](mailto:rita.hughes@du.edu)>  
**Date:** Wednesday, July 5, 2017 at 1:59 PM  
**To:** "[christopher.herndon@denvergov.org](mailto:christopher.herndon@denvergov.org)" <[christopher.herndon@denvergov.org](mailto:christopher.herndon@denvergov.org)>  
**Subject:** Re: rezoning proposal 2973 Central Park Blvd

Dear Councilman Chris Herndon,

I live in Denver District 8 and have been a resident of Stapleton since 2004. I have watched this amazing community grow and develop over the past 13 years. I raised a family in Park Hill and valued the vision of an urban community that reflected that of Park Hill. I value efficient use of urban space, but I also value a design that reflects a neighborhood where people talk and walk and enjoy their neighborhood. A community where people actually live, not just sleep.

I am writing to voice my **objection to the rezoning of the currently vacant lot at MLK & Central Park Blvd (2973 Central Park Blvd)** that will allow a **5 story structure** that could have up to **224 units!** This lot is part of a residential area of single family homes, and townhomes that are mostly 2 story structures. We are seeing the impact of the massive building that the Mint and 55+ developments along MLK will bring to this area. In addition, the proposed development just 3 blocks down the street along Central Park light rail station will bring 1000 apartments, 400 condos and retail to the area. This is going to change the character and livability of this neighborhood in a major way. Traffic congestion, car pollution and safety are just a few of my serious concerns.

I must add that one of the true pleasures of living in Stapleton is to walk in Central Park and enjoy an almost unobstructed view of the beautiful front range mountains. A 5 story building will certainly interfere with that beautiful view.



I know that developers often start out big developments with beautifully planned residential areas and small commercial points, and later push for and cram in high density, money generating, mixed use building. I fear this is the phase where developer greed (Forest City) trumps the livable community that was promised to us. I also was under the impression that the MLK & Central Park lot was to be developed for affordable housing. Is this their answer to that obligation?? People deserve a much better housing solution.

Please let me know where you stand on this important issue. I'm hoping to be at the meeting next Monday. Thank you.

Sincerely,

Rita Trujillo Hughes  
9021 E. 33rd Ave.

**From:** Stephen Hartke  
**To:** [Robinson, Scott D. - CPD Sr City Planner](mailto:Robinson.Scott.D.-CPD.Sr.City.Planner)  
**Subject:** Fwd: MLK/CPB Rezoning  
**Date:** Tuesday, July 18, 2017 5:13:01 PM

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Mr. Robinson,

I'm resending this since I had your email wrong originally.

Thanks,  
Stephen

----- Forwarded message -----

**From:** "Stephen Hartke" <[hartke@gmail.com](mailto:hartke@gmail.com)>  
**Date:** Jul 18, 2017 4:52 PM  
**Subject:** MLK/CPB Rezoning  
**To:** <[scott.robinson@denvergov.gov](mailto:scott.robinson@denvergov.gov)>  
**Cc:**

Mr. Robinson,

I have written below a letter to the City Council concerning the proposed rezoning of the southeast block of Martin Luther King Boulevard and Central Park Boulevard. Please forward it to the Council.

Thank you,  
Stephen Hartke

Dear Members of Council,

I am writing to you to oppose the proposed rezoning of the block southeast of the intersection of Martin Luther King Boulevard and Central Park Boulevard. I believe that the entire block should be residential, as is the case in the neighboring blocks to the west, east, and south (Central Park is to the north). Additionally, a 5-story building would be entirely too large, particularly near such a busy intersection. I am concerned that either the intersection would become unsafe if there are entrances near the intersection, or that the traffic would be re-routed onto the side streets through our residential areas, which would be inappropriate to meet that demand.

Thank you for your time and consideration.

Sincerely,  
Stephen Hartke  
8725 E 29th Place (in the block to the east of the block under consideration)  
Denver, CO 80238

**From:** Evan Mellman  
**To:** [Herndon, Christopher J. - CC City Council Elected](#); [Robinson, Scott D. - CPD Sr City Planner](#)  
**Subject:** MLK/CPB Rezoning  
**Date:** Thursday, July 06, 2017 9:34:34 PM

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Dear Council Member Herndon and City Planner Robinson - I'm writing to strongly oppose the rezoning of the parcel at the southeast intersection of MLK Blvd and Central Park Blvd in Stapleton that, if approved, would allow a 5-story mixed use apartment building on the property. Here are my reasons:

(1) Proposed Use Not Consistent with Character of Immediate Neighborhood/Quiet Enjoyment - A change in zoning should recognize the now-established character of the immediate Stapleton neighborhood. Taking the entire Stapleton area as a whole from Quebec to Havana is too broad. An apartment building with 200+ units will drastically change the essential experience of all existing residents in the streets immediately surrounding it. Existing properties consist entirely of townhomes and detached homes. It's fair for everyone living nearby to expect that parcel to be developed, but not with something that will make such a drastic change to the density of people living here.

(2) Traffic and Parking - Central Park Blvd and MLK Blvd are already problematic areas for speeding and traffic accidents. The increased volume of that many residents and visitors would significantly increase traffic congestion and accidents.

(3) Drainage and Runoff - This area of Stapleton already experiences drainage problems during heavy hail and rainstorms. Covering the entire parcel with a structure requiring additional drainage and no open land to help absorb it will be problematic.

Please consider the proposed project as if you lived a block away, and urge your fellow Council members to do the same. My neighbors and I would welcome sensible, reasonable development on that parcel, but not a project that instantly adds 200 families to a 3 acre piece of property in the midst of a quiet set of existing townhomes and single detached homes.

Thank you so much for your consideration Mr. Herndon and Mr. Robinson.

Sincerely,  
Evan Mellman  
8560 E. 29th Ave.  
303-656-8106

**From:** Jessica Yoder  
**To:** [christopher.herndon@denvergov.org](mailto:christopher.herndon@denvergov.org); [Robinson, Scott D. - CPD Sr City Planner](#)  
**Subject:** MLK/CPB rezoning  
**Date:** Thursday, July 20, 2017 10:28:44 AM

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Hello Chris and Scott,

I am writing about the proposed rezoning of the parcel of land on the SE corner of MLK and Central Park Blvd.

We live just down the street at 29th and Willow, and I feel a large apartment complex would not fit in with the single family homes, duplexes and town homes in the rest of the neighborhood, plus it would bring unwanted traffic and a large volume of people to what is now a quiet and friendly corner of Stapleton. Neither do we want retail businesses in this new complex bringing in additional traffic and people.

We would much prefer to have more town homes, duplexes or single family homes in this residential neighborhood.

Thank you for your time,

Jessica Yoder  
Family Physician  
Kaiser Permanente

May 25, 2017

Councilman Albus Brooks  
President  
The Denver City Council  
City and County Building  
1437 Bannock St., Rm. 451  
Denver, CO 80202

RE: Proposed Rezoning in Stapleton


Dear President Brooks and Members of the Denver City Council:

I am writing to support the proposed rezoning of the parcel of land at the corner of Martin Luther King Jr. Boulevard and Central Park Boulevard across the street from the Punch Bowl Social dining and entertainment complex I will open later this year in Stapleton's iconic former control tower complex.

I believe the proposed M-RX-5A zoning will bring important and additional vitality to one of the most important intersections in the heart of the Stapleton community. Multifamily housing across from a major urban park is a tradition in Denver, and I believe the proposed rezoning would enable future development of this parcel to become a positive addition to the surrounding neighborhoods.

I respectfully urge the members of the Denver City Council to give their thoughtful and favorable consideration to this rezoning proposal.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Thompson', written in a cursive style.

Robert Thompson  
Chief Executive Officer

**From:** Noel Lawrenz  
**To:** [Robinson, Scott D. - CPD Sr City Planner](#)  
**Subject:** Rezoning Application - SE Corner of MLK & CPB  
**Date:** Sunday, June 18, 2017 8:05:39 PM

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Dear Members of City Council,

I wanted to add my voice as a resident of the courtyard directly to the south of the area in question. My understanding is that the proposed rezoning would allow a 5 story apartment/condo/office building to be built on the MLK and CPB lot. I believe that this type of development is incompatible with this part of Stapleton. Our single family homes should not have a 5 story building as a neighbor.

As you may know, Forest City has offered a "compromise" to restrict the lot so that the property facing 29th PI and Willow St could not exceed 3 stories. This offer does not address the problem of having a high density development, with the associated traffic and parking problems, higher levels of noise, and decreased safety for our children. Please consider that only the M-RH-3 zoning is appropriate for the entire block in question.

Thank you for your support in this important matter.

Noel Lawrenz (property owned by Robert and Martha Lawrenz)

8462 E 29th PI  
Denver, CO 80238

**From:** David A Hughes  
**To:** [Robinson, Scott D. - CPD Sr City Planner](#)  
**Subject:** ... MLK / CPB Rezoning  
**Date:** Saturday, July 08, 2017 10:45:29 AM  
**Importance:** High

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Mr. ROBINSON ...

...I sent my e-mail (...copied in-full below) to Councilman HERNDON on Wed 5-July 2017 ...& to-date have not received a reply or an acknowledgement

...please would you include my e-mail into the City Council packet ...for the Councilors to consider, when the subject rezoning application goes to public hearing

...thanks in advance for your help

...Regards ...Dave Hughes # 303-905-3502 cell

**From:** David A Hughes [<mailto:hughesdavid@comcast.net>]  
**Sent:** Wednesday, July 05, 2017 2:28 PM  
**To:** 'Christopher.Herndon@denvergov.org'  
**Subject:** MLK / CPB Rezoning  
**Importance:** High

Mr. HERNDON ...

...my name is David A. Hughes, & together with my wife Rita, we are residents in Stapleton & have been for over ~>8-years ...currently owning a single-family residence on E. 33<sup>rd</sup>. Ave. within Stapleton 80238

...I strongly oppose the **5-storey high-rise high-density** development proposed in the vicinity of the MLKB + CPB intersection, for the following primary reasons:

1. **all the existing structures in the vicinity of the MLKB + CPB intersection are single-family homes + row homes + paired homes limited to 2-storeys in height** ...with no structures higher than 3-storeys ...& those 3-storey structures that do exist along MLKB are located "remote" from the MLKB + CPB intersection, & consequently are not evident / visible in any line-of-sight / vista across the subject MLKB + CPB intersection
2. consequentially, **any structure higher than 3-storeys will be completely incompatible** with the architecture existing in this vicinity ...& will adversely impact existing property values for existing home-owners
3. any structure providing **higher-density accommodations than the existing single-family homes + row homes + paired homes @ 2-storey height in this area** will over-crowd + over-saturate the local area at direct detriment to the quality of life presently enjoyed by existing resident home-owners ,,who are payers of Denver's property taxes
4. **high-density housing** will exacerbate the existing acute shortage of elementary + high school facilities for children already residing in the local area
5. any structure used for **retail &/or commercial purposes** ...rather than purely family residential use ...will fundamentally change the nature of activity in the local area + lower the level of personal safety of people living in the area ...especially the children
6. the need for **retail &/or commercial structures is already well-served ...& actually over-**



**served** ...by existing retail + commercial developments located close to the MLKB + CPB intersection ...e.g. @ 29<sup>th</sup>. Ave. Town Center + @ Quebec Square Center + @ Eastbridge on MLKB ...& the proposed “extensive” future development @ A-Line Train Station forecast to construct ~1,000 apartment units + ~400 condo units + ~125 hotel rooms + extra retail units + office accommodations, located less than ~<1-mile north of the subject MLKB + CPB intersection

7. the existing **high-density of road traffic is already a safety + pollution hazard for area residents** ...caused by road traffic of area residents themselves + the already over-whelming flow of thru-traffic traversing the MLKB + CPB intersection ...e.g. on-route to Interstate highways I-70 / I-270 / I-225 + thru-traffic to A-Line Train Station + thru-traffic to Northfield + thru-traffic to DIA + thru-traffic to downtown Denver along MLKB + thru-traffic to Anschutz Medical Campus, etc. etc.
8. the approval granted for the under-construction Punchbowl Social that is planned to be open for business selling alcohol reportedly until ~2AM ...is inappropriate for this local area, since it will attract **“late-night adult activity”** in the center of an area that is otherwise family residences, that house many young children
9. the **developer’s contractual obligation to provide an appropriate quantity of income-qualified housing units** must be satisfied within the 2-storey height limitation ...so owners of these particular homes are not made to feel “less than equal” to the other home-owners that reside in this & the surrounding area ...& further, the developer(s) should not be permitted to meet their obligation for income-qualified homes by “squeezing” these housing units into **high-rise high-density** structures in order to minimize foot-print acreage + to deliberately maximize their corporate profits as part of their close-out strategy for the overall Stapleton development plan
10. **the bottom-line** ...@ this late stage of Stapleton’s development, **the long-term views + opinions of the existing Stapleton home-owning residents should prevail** over the short-term profit-maximizing tactics of the developer(s) ...since home-owning residents have invested financially for the long-term + continue to invest culturally & socially day-in day-out in the Stapleton community writ large ...whereas by contrast, the developer(s) having made their corporate profits, have NO ongoing interest in or commitment to the long-term well-being of our Stapleton neighborhood

...please forward my written objections to the Denver City Councilors who are considering the subject Rezoning request on Monday 10-July 2017

...please call me if you have questions or comments

...Regards ...Dave Hughes # 303-905-3502 cell