



TO: **Denver City Council**
FROM: Deirdre M. Oss, AICP, Senior City Planner
DATE: May 31, 2011
RE: **Legislative Official Map Amendment #2011i-00009**
6777, 6825, and 6895 E. Hampden Avenue
Rezoning from PUD #2 to S-MX-2

Staff Report and Recommendation

Based on the criteria for review of legislatively-sponsored Official Map Amendments, including compliance with adopted City plans, Staff recommends approval of Legislative Official Map Amendment #2011i-00009 for a rezoning from PUD #2 to S-MX-2.

I. Scope of Rezoning

Legislative Map Amendment No: **2011i-00009**

Address: **6777, 6825, and 6895 E. Hampden Avenue**

Neighborhood/Council District: **Council District #4**

RNOs: **Wellshire East Homeowners Association**

Southmoor Park East Homeowners Association

Inter-Neighborhood Cooperation

Area of Property: **64,393.12 SF/1.47 acres**

Current Zoning: **PUD #2**

Proposed Zoning: **S-MX-2**

Sponsor: **Councilwoman Lehmann**

II. Summary of Proposal

The subject site is located along the north side of the Hampden Avenue commercial corridor, approximately 660 feet east of the intersection of Hampden and Monaco and embedded in a block predominantly housing a large church site.

This proposed rezoning will replace the existing PUD #2 with the S-MX-2 zone district, better reflecting the mixture of uses along the Hampden Avenue corridor and the updated zoning in place on adjacent properties. The S-MX-2 zone district was created as a smaller-scale zoning district to promote safe, active, pedestrian-scaled, diverse areas and enhance the convenience and ease of walking, shopping and public gathering within and around the City's suburban neighborhoods.



The site is located just east of the Hampden Avenue/Monaco Street intersection and less than one-half mile northeast of the Southmoor light rail station.

III. Existing Context

	Existing Zoning	Existing Land Use	Blueprint Denver
Site	PUD #2	Three office buildings-vacant, dental, and 24-hour emergency medical	Area of Change Commercial Corridor
North	S-SU-F	Single Family Residential and parking lot	Area of Change-Commercial Corridor (to Girard) Area of Stability-Single Family Residential-north of Girard
South	S-MX-3	Office	Area of Change Commercial Corridor
West	S-SU-F	Church	Area of Change Commercial Corridor
East	S-MX-3	Office	Area of Change Commercial Corridor

The site is predominantly encompassed by a church-owned parking lot, which in turn, is adjacent to suburban single family residential development to the north. Located on Hampden Avenue, the corridor includes properties with a consistent setback pattern of 45-60 feet, with parking frontage along Hampden Avenue. The local block pattern consists primarily of driveway access from Hampden Avenue, with suburban local street access from arterials and collectors serving the adjacent residential areas.

The site's current PUD #2 zoning was approved in 1978 with specific allowances for the development of three buildings and associated landscaping and parking. These buildings are each specifically designated in the current PUD with a specific use, thereby reflecting many limitations for future use of all three properties within the zone district. Adding to the development restrictions, this property is located within the Southmoor Park View Plane, limiting heights for future development on this site to roughly 35'. The proposed S-MX-2 height limits are consistent with view plane restrictions.

IV. Summary of Agency Referral Responses

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

Asset Management:	Approve
Denver Fire Department:	Approve
Denver Parks:	Approve
DES-Transportation:	Approve
DES-Wastewater:	Approve

V. Legal Notice, Public Process & Public Comment

The property has been legally posted for a period of 15 days announcing the Denver Planning Board public meeting, and written notification of the hearing has been sent to all affected registered neighborhood organizations.

VI. Criteria for Review of a Legislative Official Map Amendment

Pursuant to the Denver Zoning Code, Section 12.4.10.2, a member of City Council may initiate an official map amendment (rezoning). A legislative rezoning is reviewed against three criteria, as stated in Section 12.4.10.13, General Review Criteria Applicable to All Zone Map Amendments:

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

As proposed, the requested rezoning implements and is consistent with recommendations in Blueprint Denver and Comprehensive Plan 2000; will result in regulations and restrictions that are uniform for each kind of building throughout the proposed zone district; and furthers the public health, safety and general welfare of the City by promoting predictability in future use and eliminating outdated zoning restrictions.

A more detailed analysis supporting this recommendation follows.

VII. Consistency with Adopted Plans / Staff Evaluation

The criteria for review of this rezoning request include consistency with adopted plans. Applicable adopted plans are:

- *Denver Comprehensive Plan 2000*
- *Blueprint Denver*

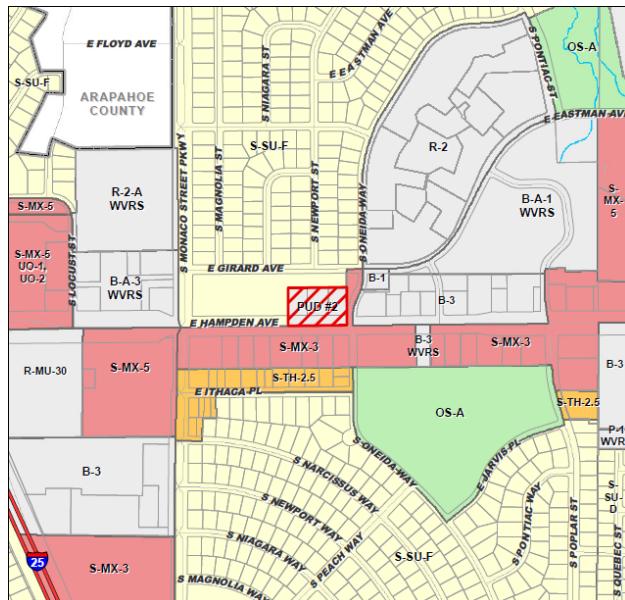
A. Consistency with the Denver Comprehensive Plan 2000

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

- Land Use chapter, Strategy 3-B is to “*Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses.*”
- Mobility chapter, Strategy 4-E to “*Continue to promote mixed-use development, which enables people to live near work, retail and services.*”

B. Consistency with Blueprint Denver

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



Areas of Change are designed to channel growth where it will be most beneficial, providing improved access to housing and jobs. These areas are often found along aging commercial corridors. Blueprint Denver (p.138), identifies the Southmoor Light Rail Corridor – TOD area as having potential for additional smaller-scale mixed-use opportunities. Commercial Corridors are designated along major arterials, with residential capacity from low to 30 dwelling units per acre

in residential nodes spread among predominantly commercial uses on longer commercial blocks.

The S-MX-2 district allows for neighborhood-sensitive residential and commercial development.

VIII. Uniformity of District Regulations and Restrictions / Staff Evaluation

The proposed rezoning to S-MX-2 will result in the uniform application of zone district building form, use and design regulations to all buildings within the subject area. In addition, the proposed S-MX-2 zoning will result in a more uniform treatment of similarly situated properties on the Hampden Avenue commercial corridor.

IX. Public Health, Safety and General Welfare / Staff Evaluation

The proposed rezoning will bring the properties into compliance with Denver's Comprehensive Plan and will alleviate the restrictive and outdated nature of the current PUD #2 zoning. Among many advantages to updating zoning consistent with the Denver Zoning Code, this legislative action would allow for expansion of allowed uses that are both consistent with zoning that is currently in place along Hampden Avenue and with adopted plans, while remaining sensitive to the lower intensity of development and use in the adjacent residential neighborhood. Together, the proposed rezoning furthers the general welfare of the immediate and larger Denver community.

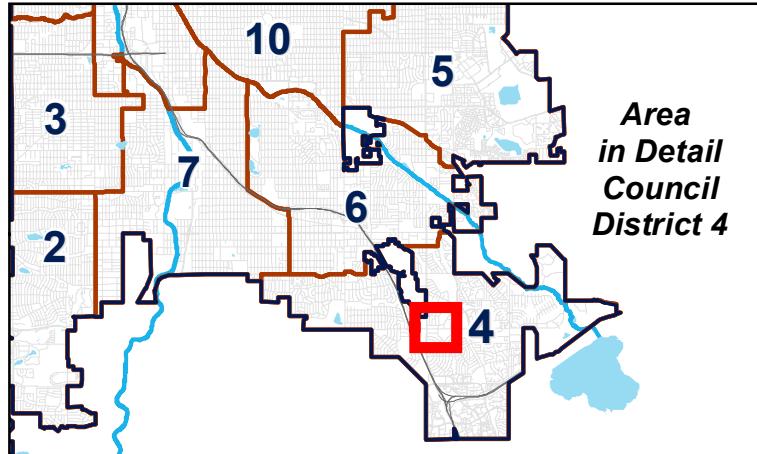
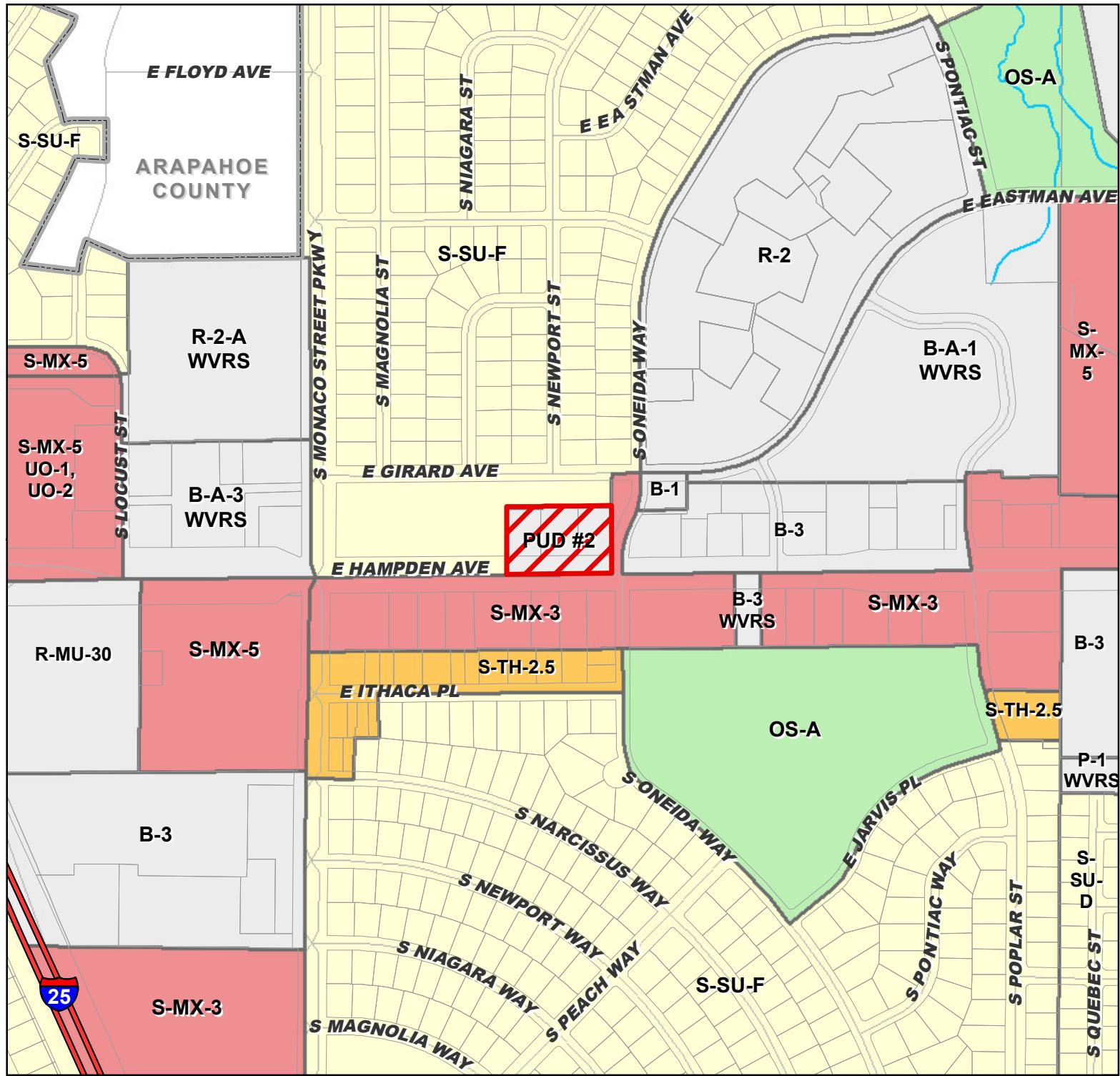
X. CPD Staff and Planning Board Recommendation

Based on the criteria for review as defined above, Staff recommends **approval** for rezoning the property located at **6777, 6825, and 6895 E. Hampden Avenue** (Legislative Official Map Amendment #2011i-00009) to S-MX-2. At their regular meeting held on May 4, 2011, the Denver Planning recommended unanimous approval of this map amendment request. This request passed out of Land Use, Transportation, and Infrastructure Committee on May 17, 2011.

Attachments:

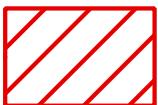
1. **Legislative Map Amendment Information Sheet**
2. **Map Series - Aerial, Zoning, Blueprint Map**

Pending Zone Map Amendment #2011-00009



Application #2011I-00009

Location: 6777, 6825, and 6895 E. Hampden Avenue



**Proposed Rezoning
From: PUD #2
To: S-MX-2**



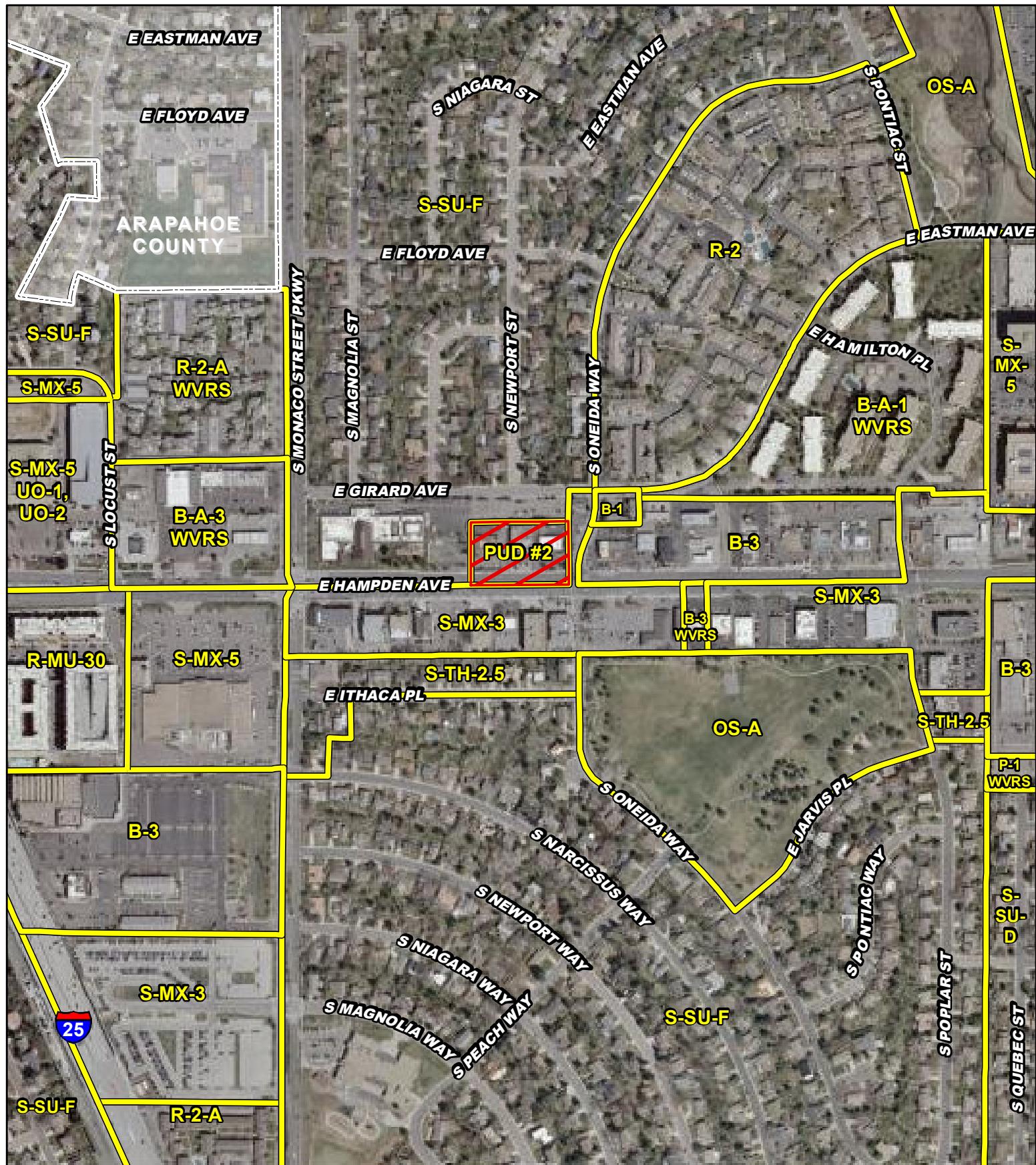
A horizontal number line with tick marks at 0, 200, 400, and 800. The word "Feet" is written below the line.

Map Date: 4/5/11

Pending Zone Map Amendment - Aerial & Zoning Overlay



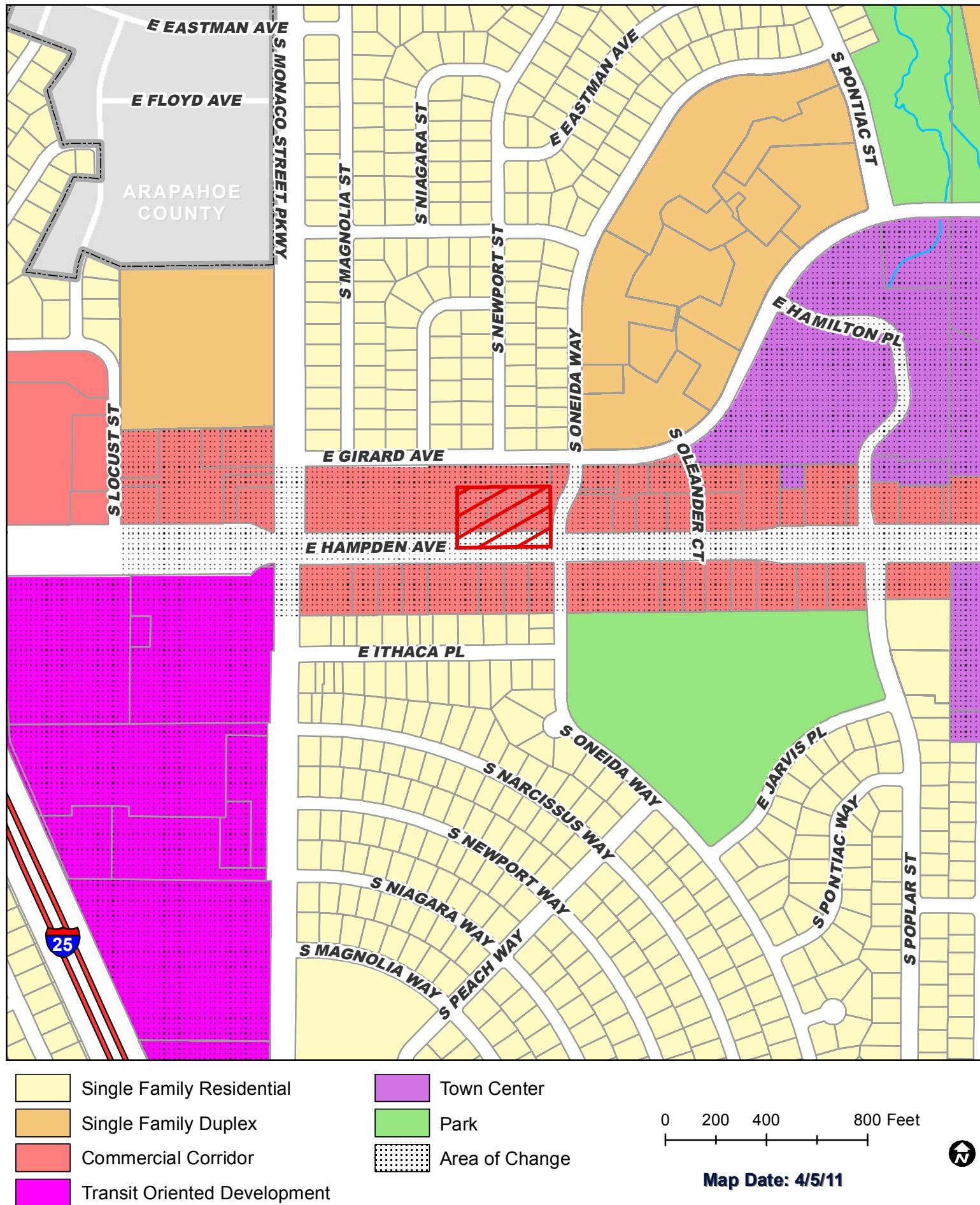
Application #2011I-00009



Pending Zone Map Amendment - Blueprint Denver Overlay



Application #2011-00009





DENVER
THE MILE HIGH CITY

Community Planning and Development
Planning Services
Plan Implementation

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

OFFICIAL MAP AMENDMENT—LEGISLATIVE REZONING

Log #	2011I-00009	Date Submitted	04.05.11	Fee Required	N/A - Legislative	Fee Paid		
LEGISLATIVE SPONSOR				CONTACT INFORMATION (Same as Applicant? X)				
Name	Councilwoman Peggy Lehmann			Contact Name				
Address	3540 S. Poplar St., Suite 102			Address				
City, State, Zip	Denver, CO 80237			City, State, Zip				
Telephone / Fax	303-504-5781			Telephone / Fax	/			
Email	Peggy.Lehmann@denvergov.org			Email				
Subject Property Location (Please Include Assessor's Parcel Number[s])								
The subject properties are located at 6777 E. Hampden Avenue, 6825 E. Hampden Avenue, and 6895 E. Hampden Avenue, legally described as:								
Legal Description of Subject Property (Written description and map if more than one block or metes and bounds)								
The South 235 feet of the East 375 feet of the South 325 feet of the West 1044.03 feet to the South – east 1/4 Section 32, Township 4 South, Range 67 West, 6 th P.M. City and County of Denver, State of Colorado, subject to a right of way to the Colorado Department of Highways recorded in Deed Book 922, Page 375, for E. Hampden Avenue and a right of way to the City and County of Denver, recorded in Deed Book 1068, Page 573, being 40 feet wide and for transmission lines.								
Area of Subject Property (Acres/Sq Ft)		Present Zone District			Proposed Zone District			
64,393.12 SF/1.47 acres		PUD #2 (Ord. #55-1978)			S-MX-2			
General Review Criteria (DZC Sec. 12.4.10.13): Check whether the application complies with the criteria at right and describe in detail below		Consistency with Adopted Plans or Unanticipated Need (Describe below)						X
		Uniformity of District Regulations and Restrictions						X
		Public Health, Safety and General Welfare						X
Describe relevant adopted plans and how proposed official map amendment (rezoning) is consistent with plan recommendations; alternately, describe how the rezoning is necessary to provide for an unanticipated community need.								
This rezoning is consistent with Blueprint Denver and with recent Citywide rezonings adjacent to the site reflecting the mixed use Hampden Avenue corridor.								
Justifying Circumstances for non-legislative rezonings (DZC Sec. 12.4.10.14): Indicate justifying circumstances for the Official Map Amendment at right and describe in detail below (change to match code delineation)		Existing zoning was the result of an error						N/A
		Existing zoning was based on a mistake of fact						N/A
		Existing zoning failed to take into account constraints on development created by the natural characteristics of the land						N/A
		Land or its surroundings has changed or is changing to a degree that rezoning is in the public interest						N/A
		Overlay: No Overlay existing or proposed						
		Neighborhood Context: Suburban Neighborhood Context comprised of commercial building forms along Hampden with consistent setbacks, south of Suburban residential building forms.						
		Describe the justifying circumstance(s) for the rezoning.						
Rezoning to S-MX-2 will better match the current mix of land uses, bring subject properties into compliance, and provide a menu of uses consistent with commercial corridor zoning but currently not allowed within the context of PUD #2.								
List Exhibits Attached to Legislative Rezoning								
Blueprint Denver, Official Zoning Map, Aerial Imagery								
Case Manager	Deirdre M. Oss, AICP, Senior City Planner							
Legislative Sponsor Signature							Date	