



TO: **Denver City Council**
FROM: Theresa Lucero, Senior City Planner
DATE: October 19, 2012
RE: **Legislative Zoning Map Amendment #2012I-00024**
1200, 1214 and 1220 Grove Street
Rezoning from OS-A to E-TU-B

Staff Report and Recommendation

Based on the criteria for review including legal basis evaluation and compliance with adopted City plans, Staff recommends **approval** for proposed map amendment #2012I-00024 for a rezoning from OS-A to E-TU-B.

I. Scope of Rezoning

Proposed Map Amendment:	#2012I-00024
Address:	1200, 1214 and 1220 Grove Street
Neighborhood/Council District:	Villa Park / Council District #3
RNOs:	Federal Boulevard Corridor Improvement Partnership; Northwest Neighbors Coalition; Inter-neighborhood Cooperation; Sloan's Lake Citizen's Group; Sun Valley Community Coalition; Villa Park Neighborhood Association; West Colfax Association of Neighbors
Area of Property:	0.43 Acres / 18,750 SF
Current Zoning:	OS-A
Proposed Zoning:	E-TU-B
Legislative Sponsor:	Councilman Paul Lopez
Contact Person:	Theresa Lucero

II. Summary of Proposal and Existing Conditions

This proposed rezoning will correct a mapping error that occurred in the 2010 citywide rezoning associated with the adoption of the Denver Zoning Code. The three private properties proposed for rezoning are adjacent to a public park and were erroneously rezoned from R-2 to OS-A, an **Open Space** zone district reserved for city parks managed by the Department of Parks and Recreation. This proposed legislative map amendment will return the properties to a residential zone district E-TU-B, or Urban **Edge** context, **Two Unit** with a required minimum zone lot area of 4,500 square feet.

The properties are located at the northeast corner of 12th Avenue and Grove Street in the Villa Park Neighborhood. The site is ½ block west of Federal Boulevard, 3 blocks south of West Colfax Avenue and 5 blocks north of 6th Avenue. In the vicinity are Mile High Stadium 5 blocks to the northeast, the Denver Human Service Building, the Rude Recreation Center and the Decatur Federal light rail station ½ block to the east, Fairview Elementary School 1½ block to the east, and Paco Sanchez Park adjacent to the north and west. Area land uses on the south

across 12th Avenue are single family residential land uses, and to the north and west are Lakewood Dry Gulch / Paco Sanchez Park and the West Light Rail Line. East across an alley is a restaurant, fronting onto Federal Boulevard. The local block pattern consists primarily of traditional grid patterns with alleys and attached sidewalks. The block patterns to the east and north are a mix of larger non-residential lots and curvilinear streets with irregular lot shapes.

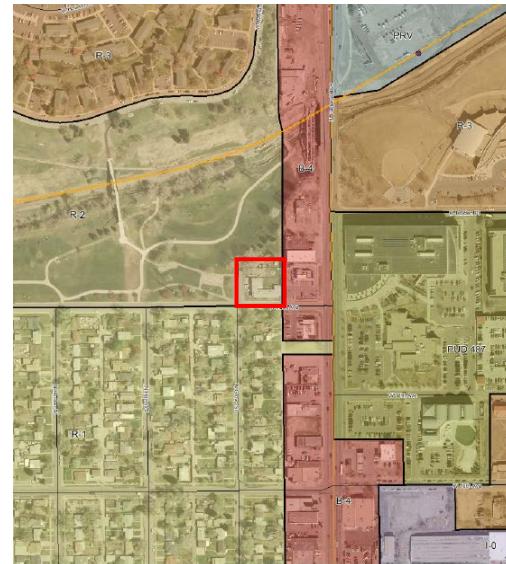
III. Legal Justification for Rezoning

The existing zoning of the land was the result of an error.

The 2010 citywide rezoning to OS-A included the properties into the proposed new zoning for the adjacent public park. The OS-A zone district is reserved for public parks managed by the Department of Parks and Recreation. The rezoning will correct this error and remove the subject private properties from the OS-A zone district.



Current Zoning



Former Chapter 59 Zoning

IV. Existing Context

	Existing Zoning	Existing Land Use	Blueprint Denver
Site	OS-A	2 Single-family Residences and a Duplex	Area of Stability Commercial Corridor
North	OS-A	Lakewood Dry Gulch/Paco Sanchez Park and West Light Rail Line	Area of Stability Park
South	E-SU-D1X	Single Family Residences	Area of Change Urban Residential
West	OS-A	City Park	Area of Stability Park
East	E-MX-3	Eating Place	Area of Change Transit Oriented Development



1200 Grove Street



1214 Grove Street



1220 Grove Street



Lakewood Dry Gulch / Paco Sanchez Park north and west of the subject properties



Eating Place east of the subject properties.



Single Family Residence south of the subject properties

V. Summary of Legal Notice and Public Process

Planning Board

At their August 15 meeting, the Planning Board voted unanimously to recommend approval of the rezoning proposal. The property was legally posted with notification signs, and electronic notice of the Planning Board meeting was sent to all affected Registered Neighborhood Associations 15 days prior to the meeting. The three affected property owners were notified of the rezoning proposal by letter, e-mail and telephone.

Land Use, Transportation and Infrastructure Committee

At their September 11, 2012, meeting the Land Use, Transportation and Infrastructure Committee voted to move the rezoning application on to the floor of City Council. Electronic notice of the committee meeting was sent to all affected Registered Neighborhood Associations 10 days prior to the meeting.

City Council Public Hearing

The property was legally posted with notification signs, and electronic notice of the City Council public hearing was sent to all affected Registered Neighborhood Associations 21 days prior to the meeting. The three affected property owners were notified of the rezoning proposal by letter, e-mail and telephone.

VI. Summary of Agency Referral Responses

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

Asset Management:	Approve – No Comments
Denver Fire Department:	No Comments Received
Denver Parks:	No Comments Received
Development Services- Project Coordination:	Approve - No Comments
Development Services-City Survey:	Approved
Development Services-Transportation:	No Comments Received
Development Services-Wastewater:	No Comments Received

VII. Community Response

Of the affected three property owners, one property owner is neutral about the proposed zoning change and a second owner supports the change of zoning. The third property owner, located at 1200 Grove Street, asked the city for a zone district that would introduce a new land use to the property and area: production of athletic apparel. This land use is categorized as "Manufacturing, Fabrication & Assembly, General" by the Denver Zoning Code. Accordingly, this third owner opposes the proposed E-TU-B zone district and requests his property be rezoned to E-MX-3, a mixed-use zoning district that would only allow general manufacturing uses with a 500 feet separation from the nearest boundary of a Residential zone district.

Letters of support for the rezoning to E-TU-B have been received from the Villa Park Neighborhood Association and the West Colfax Association of Neighbors.

VIII. Criteria for Review

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

- *Denver Comprehensive Plan 2000*
- *Blueprint Denver*
- *Villa Park Neighborhood Plan*
- *West Colfax Plan*
- *Denver Zoning Code*

A. Denver Comprehensive Plan 2000

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

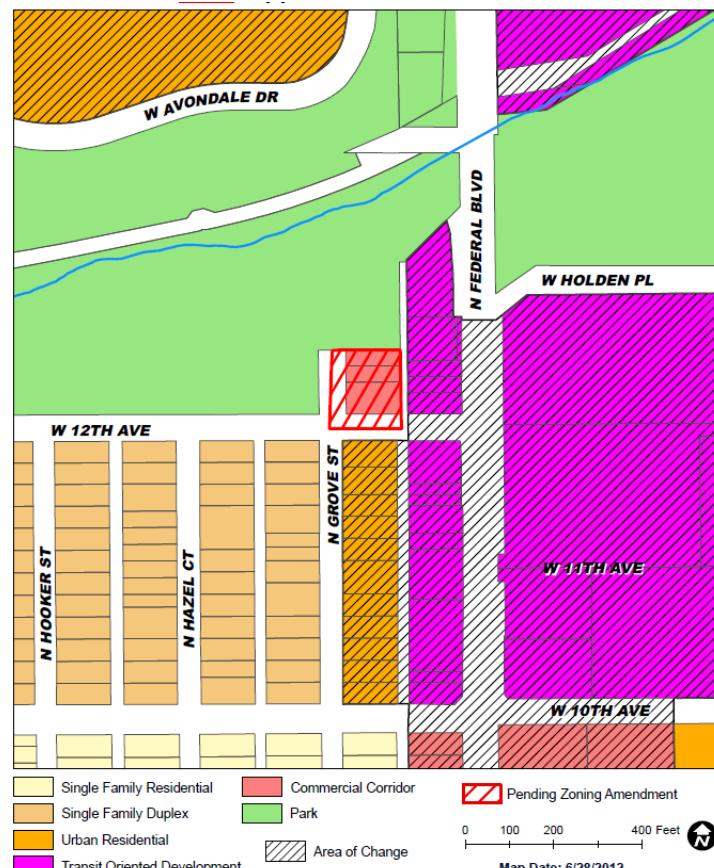
- Land Use chapter, Strategy 3-B is to “**Encourage quality infill development that is consistent with the character of the surrounding neighborhood...** (p.60).
- Housing chapter, Objective 2 to “**Encourage preservation and modernization of Denver’s existing housing stock and established neighborhoods...**” (p.114).
- Housing chapter, Strategy 6 B “**Continue to support mixed income housing that includes affordable rental and for-purchase housing for lower-income, entry-level and service employees, especially in Downtown and along transit lines.**” (p.117).

B. Blueprint Denver

Blueprint Denver, the City’s Land Use and Transportation Plan, identifies the property as being within an Area of Stability with a land use recommendation of *Commercial Corridor*. The Blueprint Denver street type for both Grove Street and 12th Avenue is *Undesignated Local Street*.

The goal of Areas of Stability is to maintain the character of an area while accommodating some new development and redevelopment. On the Blueprint Denver citywide future land use map, “Commercial Corridors” are more typically located on auto-oriented arterial streets with a large market area and in Areas of Change. Blueprint’s Commercial Corridor land use concept for the three subject properties is atypical because the properties front on Undesignated Local Streets. While the existing structures and current residential land uses do not conform to the Blueprint Denver future land use concept, they do conform to the Blueprint Denver

strategies of reinvestment in Areas of Stability and compatibility between zoning and existing development (p. 24-25). The proposed E-TU-B zone district will return the properties to a residential zone district reflecting the historic and current use of the properties, consistent with the planned future residential land uses for Grove Street properties directly south of the subject properties.



C. Villa Park Neighborhood Plan (1991)

The Villa Park Neighborhood Plan vision for land use in the neighborhood is “*Compatibility of zoning and land use and protection of the residential character of the neighborhood*” (p18). The Plan describes the residential areas of the Villa Park neighborhood as predominately single unit dwellings and it suggests areas of the neighborhood zoned R-2, which allowed the development of “low density apartments,” should be rezoned to be more consistent with the existing (single unit) character of the neighborhood. Development guidelines from the plan include:

- Implementation Strategy LZ-1 “*Consider rezoning portions of the neighborhood*” (P. 18). And,
- Implementation Strategy LZ-2 “*Discourage development that is incompatible with the scale and quality of the neighborhood.* (p.19).

The proposed E-TU-B zone district enables land uses and urban house/duplex building forms consistent compatible with the existing residential scale and density of the Villa Park Neighborhood, as recommended in the Villa Park Neighborhood Plan.

D. West Colfax Plan (2006)

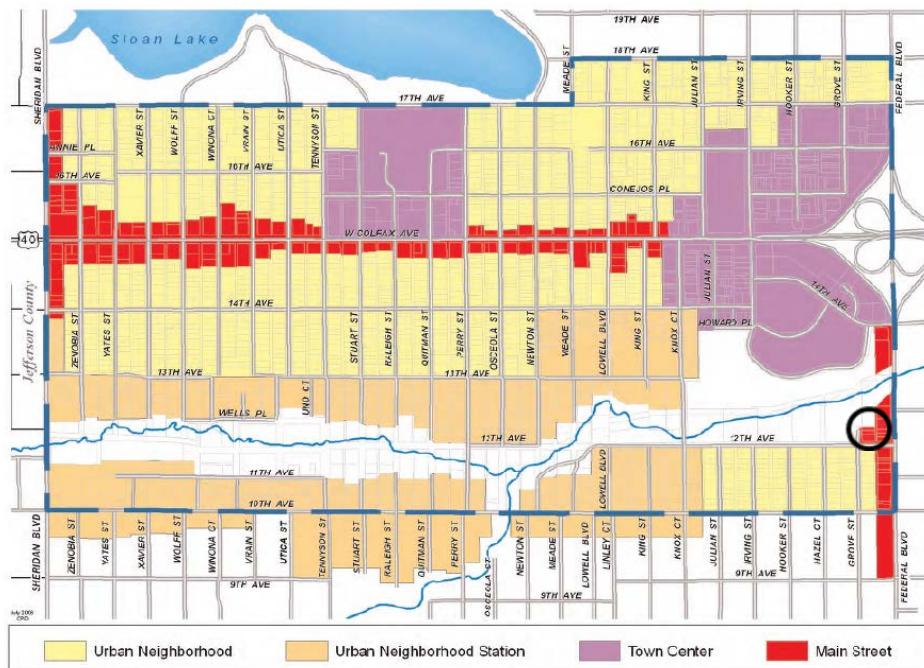
The proposed rezoning is consistent with the following Plan Land Use Goals (p.93):

- Land Use “Goal 3: “Provide a **diverse mix of housing types** (townhouse, rowhouse, duplex, multi-family, live work and artist studio), **occupancy status** (rental and ownership units), **densities and costs** (low-income, affordable and market rate)”.
- Land Use Goal 5: “**Respect the** urban design and architectural **character of established residential areas**”.

On the West Colfax Plan Future Land Use Concept map, the subject property is identified as part of the Federal Boulevard “*Main Street*” (See the black circle on the Future Land Use Concept map below). In the West Colfax Plan, recommendations for “Main Street” describe a development pattern of “Linear buildings oriented to the street/sidewalk” with a typical scale of 2-5 stories. The land use and urban design recommendations support uses that are mixed commercial and residential both vertically and/or horizontally, with building design features that pull the buildings close to the street to encourage pedestrian activity (p. 83).

WEST COLFAX PLAN

► Future Land Use Concept



Given the location of the subject properties, on two local streets (one of which dead ends into the park), the existing and historic residential land use of the subject properties, and their separation by an alley from the more appropriately designated Federal Boulevard “main street”, Staff recommends a residential zone district rather than a main street or other commercial mixed use zone district for the subject properties. The E-TU-B zone district is consistent with the West Colfax Plan land use goals of supporting a diverse mix of housing types and respecting the character of established residential areas, and it will allow the existing residences on the subject properties to continue their current and historic residential land use.

E. Denver Zoning Code

The Denver Zoning Code (Section 12.4.10) requires a legislative Official Map Amendment to comply with the following general criteria:

1. General Review Criteria Applicable to All Zone Map Amendments (Section 12.4.10.13)

As proposed, rezoning #2012I-00024 is consistent with the general review criteria outlined in this section of the Denver Zoning Code including:

A. Consistency with Adopted Plans: Rezoning #2012I-00024 implements and is consistent with recommendations in adopted plans.

B. Uniformity of District Regulations and Restrictions: Rezoning the site to E-TU-B will have no effect on the uniformity of district regulations.

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

IX. Staff Recommendation

Based on the criteria for review as defined above, Staff recommends **approval** for rezoning the properties located at 1200, 1214 and 1220 Grove Street (Proposal #2012I-00024) to E-TU-B.

Attachments:

1. **Proposal Request**
2. **Map Series – (Aerial, Zoning, Blueprint Map)**
3. **Correspondence with property owners.**
4. **E-mail from the owner of 1200 Grove Street and 1214 Grove Street.**

CITY COUNCIL

City and County of Denver



Hon. Paul D. López
Councilman, District Three

July 3, 2012

Molly Urbina, Interim Manager
Community Planning and Development
201 West Colfax Avenue, Department 205
Denver, Colorado 80202

Dear Ms. Urbina:

Please initiate an Official Map Amendment to rezone three properties located at 1200, 1214 and 1220 Grove Street in City Council District 3. I'm requesting that the zoning of the three properties be changed from the OS-A zone district to the E-TU-B zone district. I request this rezoning to return these properties to a residential zone district from an open space/city park zone district. This requested action will correct a mapping error that occurred during the 2010 citywide rezoning.

Please let me know if you have any questions or concerns about this request.

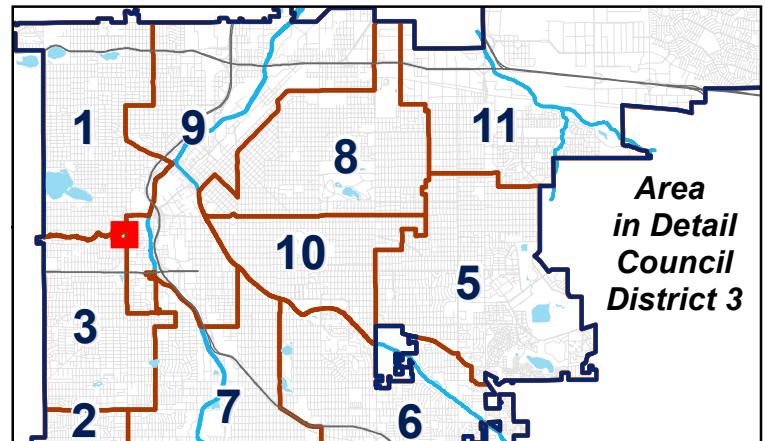
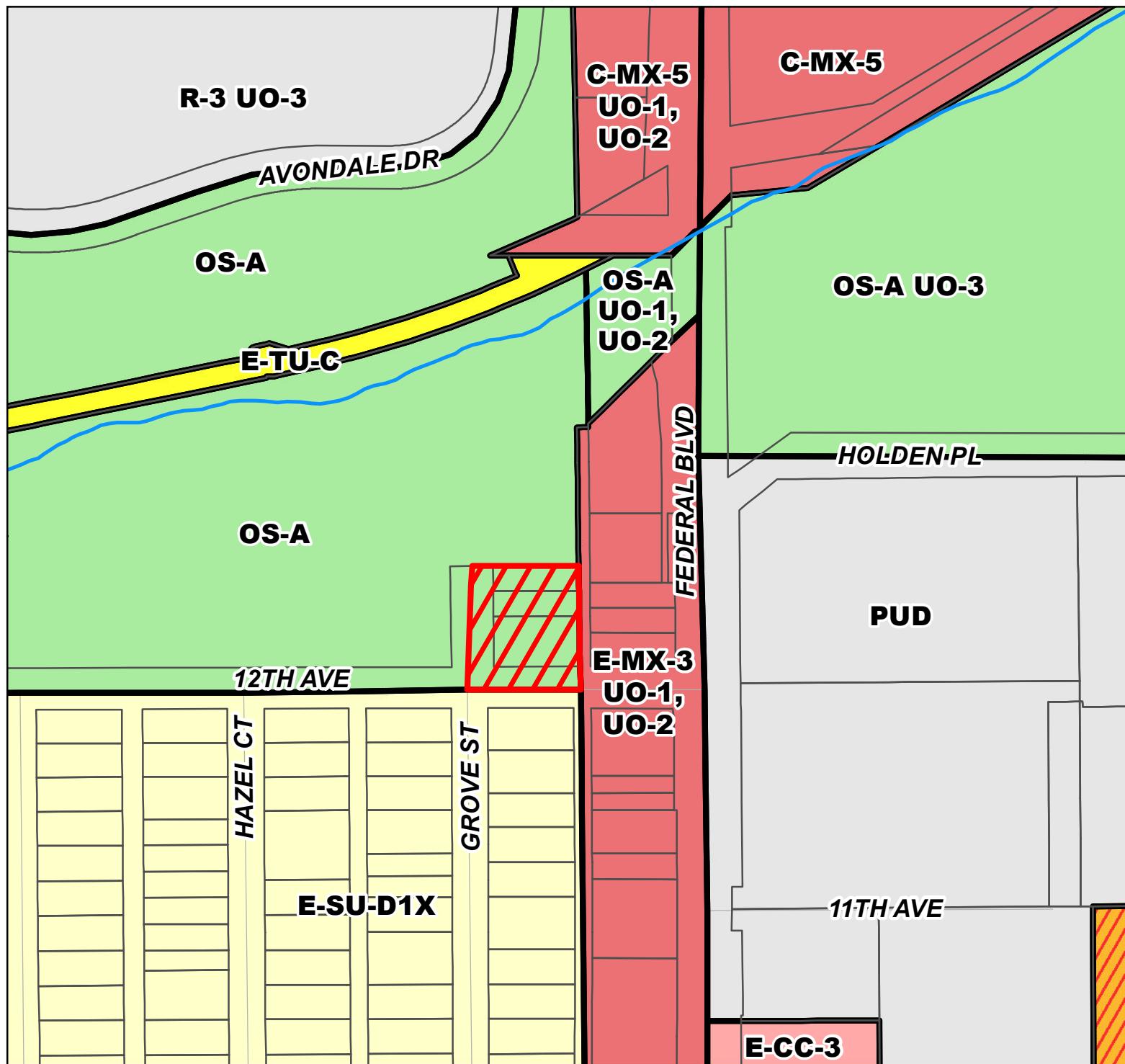
Sincerely,

A handwritten signature in black ink, appearing to read "P. Lopez".

Paul Lopez, City Councilman
District 3



Pending Zone Map Amendment #2012I-00024



Application #2012I-00024
Location: 1200, 1214, 1220 Grove St.



Proposed Rezoning
From: OS-A
To: E-TU-B



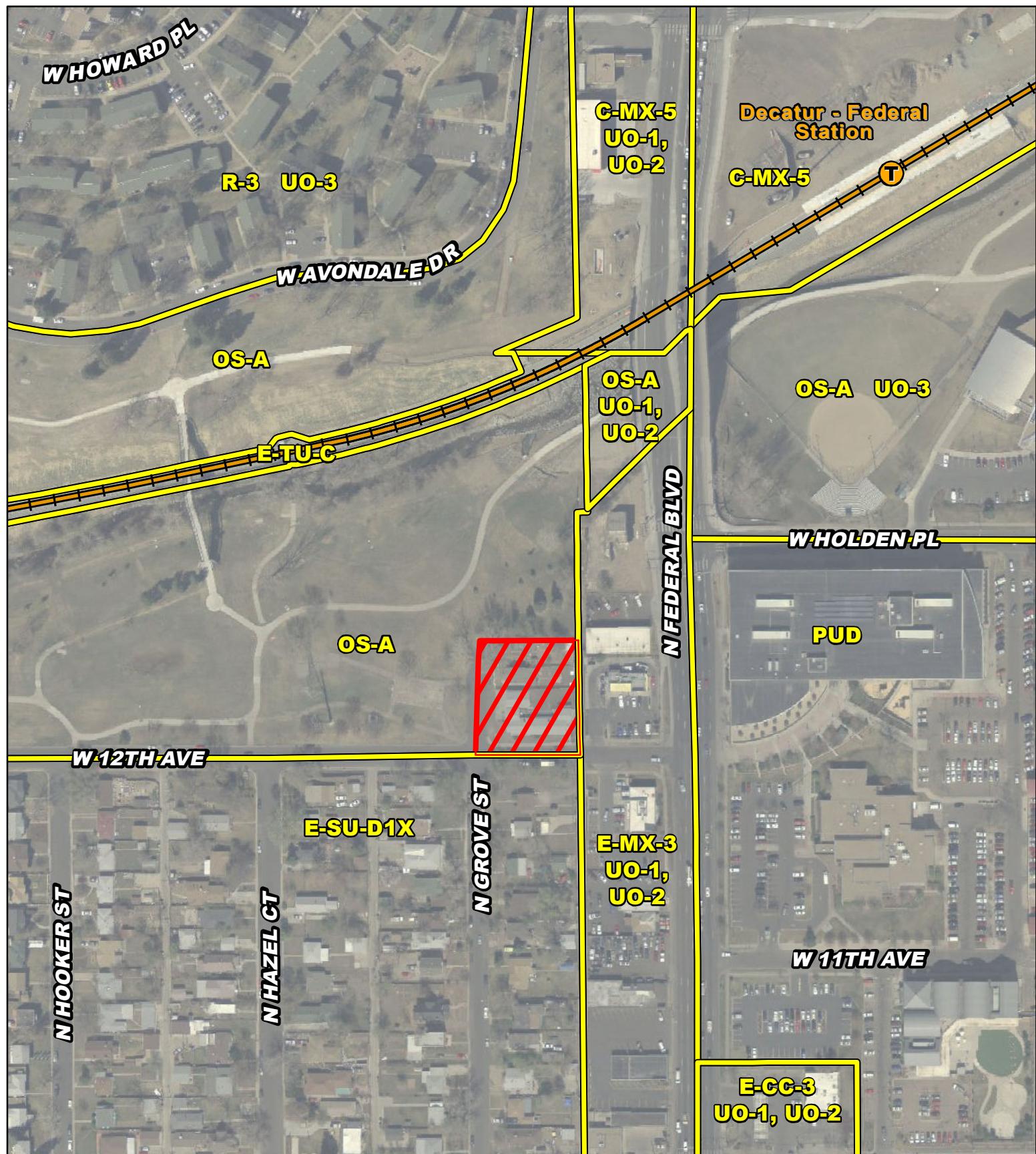
0 100 200 400
Feet

Map Date: 6/28/2012

Pending Zone Map Amendment - Aerial & Zoning Overlay



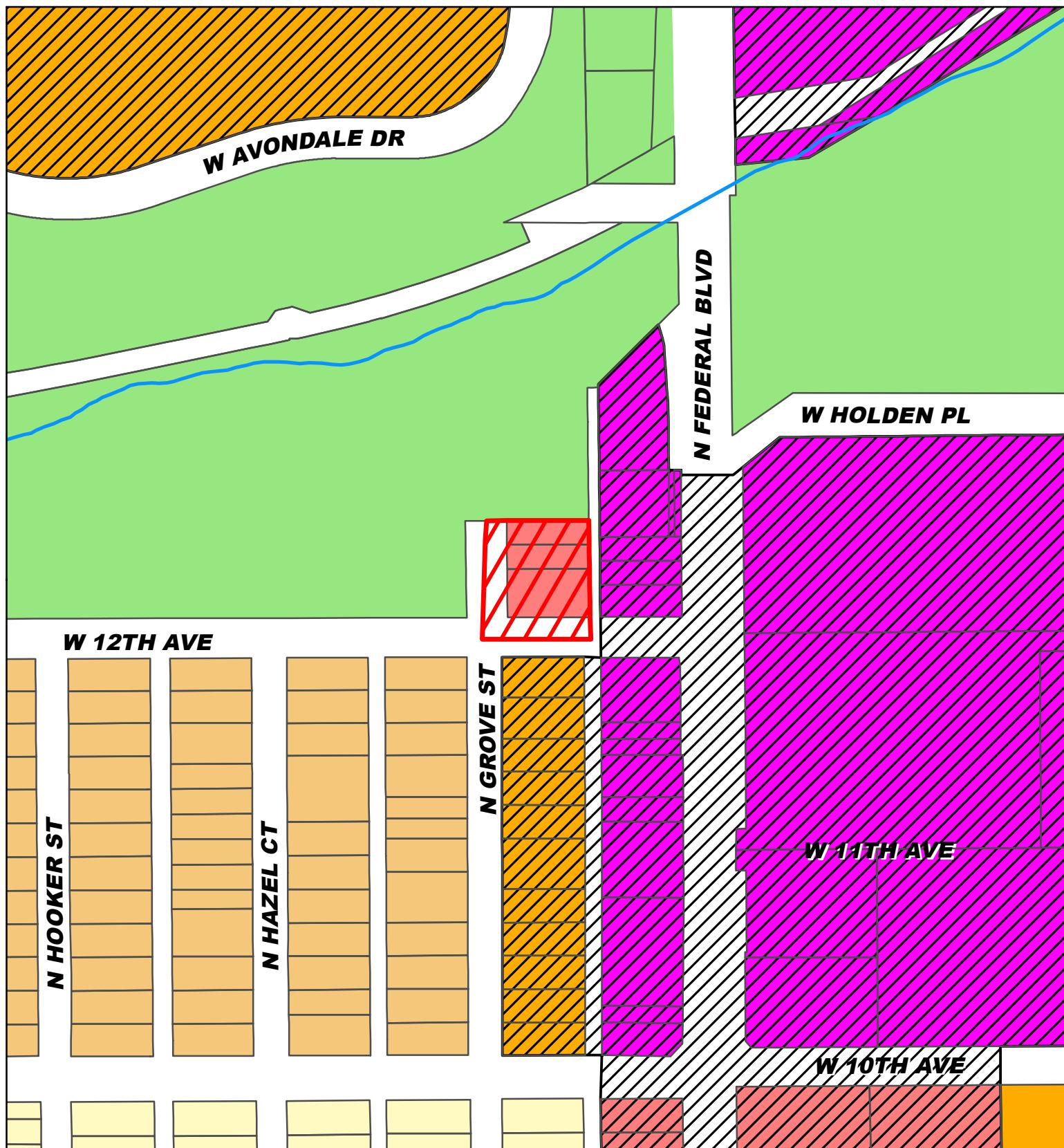
Application #2012I-00024



Pending Zone Map Amendment - Blueprint Denver Overlay



Application #2012I-00024



Single Family Residential

Single Family Duplex

Urban Residential

Transit Oriented Development

Commercial Corridor

Park

Area of Change

Pending Zoning Amendment

0 100 200 400 Feet



Map Date: 6/28/2012



DENVER
THE MILE HIGH CITY

November 16, 2011

Community Planning and Development
Planning Services
Plan Implementation

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

Dean Sanchez
1200 Grove Street
Denver, Colorado 80204

Dear Mr. Sanchez:

I'm writing to you because your property, located at 1200 Grove Street, was rezoned as part of a citywide rezoning in June, 2010, with the adoption of the new Denver Zoning Code. In that effort your property was included with the adjacent park and zoned to the Open Space Public Parks zone district (OS-A).

Because your property is used as a residence, I would like to discuss the possibility of rezoning your property to a residential zone district rather than its current parks zone district. Please contact me to start this zoning discussion. Please call me at 720-865-2933 or e-mail me at theresa.lucero@denvergov.org to discuss the zoning of your property.

Sincerely,

Theresa Lucero
Senior City Planner
Community Planning and Development
201 West Colfax Avenue
Denver, Colorado 80202

Cc: Councilman Lopez



DENVER
THE MILE HIGH CITY

November 16, 2011

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Planning Services
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www.denvergov.org/planning

Andres Lozano
1214 Grove Street
Denver, Colorado 80204

Dear Mr. Lozano:

I'm writing to you because your property, located at 1214 Grove Street, was rezoned as part of a citywide rezoning in June, 2010, with the adoption of the new Denver Zoning Code. In that effort your property was included with the adjacent park and zoned to the Open Space Public Parks zone district (OS-A).

Because your property is used as a residence, I would like to discuss the possibility of rezoning your property to a residential zone district rather than its current parks zone district. Please contact me to start this zoning discussion. Please call me at 720-865-2933 or e-mail me at theresa.lucero@denvergov.org to discuss the zoning of your property.

Sincerely,

Theresa Lucero
Senior City Planner
Community Planning and Development
201 West Colfax Avenue
Denver, Colorado 80202

Cc: Councilman Lopez



DENVER
THE MILE HIGH CITY

November 16, 2011

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f: 720-865-3056
www.denvergov.org/planning

Anthony Terrafranca
1220 Grove Street
Denver, Colorado 80204

Dear Mr. Terrafranca:

I'm writing to you because your property, located at 1220 Grove Street, was rezoned as part of a citywide rezoning in June, 2010, with the adoption of the new Denver Zoning Code. In that effort your property was included with the adjacent park and zoned to the Open Space Public Parks zone district (OS-A).

Because your property is used as a residence, I would like to discuss the possibility of rezoning your property to a residential zone district rather than its current parks zone district. Please contact me to start this zoning discussion. Please call me at 720-865-2933 or e-mail me at theresa.lucero@denvergov.org to discuss the zoning of your property.

Sincerely,

Theresa Lucero
Senior City Planner
Community Planning and Development
201 West Colfax Avenue
Denver, Colorado 80202

Cc: Councilman Lopez



DENVER
THE MILE HIGH CITY

April 17, 2012

Community Planning and Development
Planning Services
Plan Implementation

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

Dean Sanchez
1200 Grove Street
Denver, Colorado 80204

Dear Mr. Sanchez:

I wrote to you last Fall because your property, located at 1200 Grove Street, was rezoned as part of a citywide rezoning in June, 2010, with the adoption of the new Denver Zoning Code. In that effort your property was one of three properties included with the adjacent park and zoned to the Open Space Public Parks zone district (OS-A). I have had responses from two of your neighbors but not from you.

Because your property is used as a residence, I would like to discuss the possibility of rezoning your property to a residential zone district rather than its current parks zone district. Please contact me to start this zoning discussion as your neighbors have agreed to proceed with the rezoning of their property and we would like to rezone the three affected properties together. Please call me at 720-865-2933 or e-mail me at theresa.lucero@denvergov.org to discuss the zoning of your property.

Sincerely,

Theresa Lucero
Senior City Planner
Community Planning and Development
201 West Colfax Avenue
Denver, Colorado 80202

Cc: Councilman Lopez

From: Cory Everett [corymeverett@gmail.com]
Sent: Wednesday, June 27, 2012 1:47 PM
To: Lucero, Theresa L. - Community Planning and Development
Cc: roylozano@hotmail.com
Subject: Re: Zoning of Your Property

That sounds perfect, thank you!

Cory Everett-Lozano

On 6/27/12, Lucero, Theresa L. - Community Planning and Development <Theresa.Lucero@denvergov.org> wrote:

> Ms. Everett-Lozano:
> Communicating by e-mail would be fine. My apologies that it's taken
> so long to respond to you. I've also been in touch with your neighbors
> at 1220 Grove and 1200 Grove. All three properties were zoned Open
> Space and CPD staff would like to rezone the three properties
> together. We would like to begin the process of rezoning the properties
this week.
>
> CPD staffs is working with the City Councilman for the area, Paul
> Lopez to legislatively rezone all 3 properties. This means that the
> Councilman will request the rezoning, there will be no action required
> by the property owners and there will be no fees charged for the
> rezoning. The zone district staff is proposing is E-TU-B, which is a
> residential zone district allowing up to two dwelling units on each
> property with a required minimum zone lot area of 4,500 square feet.
>
> The process to rezone the properties will take 3-6 months. In this
> process a public hearing before the Planning Board and City Council
> are required with public notice. This public notice consists of signs
> posted on your property for each public hearing and notification of
> the area Registered Neighborhood Organizations. I'm enclosing an outline of
the process below.
> At the public hearings before Planning Board and City Council you are
> invited to attend and state your opinion on the rezoning. You may
> also write a letter or e-mail to either the Planning Board or City
> Council and send it to me for delivery to the Public hearings.
>
> Please let me know if you have any questions or concerns.
>
> Theresa Lucero
> Senior City Planner
> Community Planning and Development
> 201 West Colfax Avenue, Dept. 205
> Denver, Colorado 80202
> Phone: 720-865-2933
> FAX: 720-865-3056
>
>
>
>

>
>
> -----Original Message-----
> From: Cory Everett [mailto:corymeverett@gmail.com]
> Sent: Monday, April 30, 2012 3:04 PM
> To: Lucero, Theresa L. - Community Planning and Development
> Cc: roylozano@hotmail.com
> Subject: Re: Zoning of Your Property
>
> Dear Ms. Lucero,
>
> I received your message however have been unable to reach you when we
> have been available. Both my husband and I work from 7:30 - 6:00pm
> each weekday. We are unavailable during those hours. I understand
> you also keep office hours from 8:00am to 5:00pm on weekdays. Since
> our schedules and availability are mutually exclusive, I would
> therefore be greatful if we could conduct this conversation over email
> to expedite its resolution.
>
> Thank you,
> Cory Everett-Lozano
>
> On 4/30/12, Lucero, Theresa L. - Community Planning and Development
> <Theresa.Lucero@denvergov.org> wrote:
>> Ms. Everett-Lozano:
>> I left a voicemail message for you on March 28 and have not heard
>> from you.
>> I would be glad to talk with you about the zoning of your property.
>> Please
>> e-mail me or call to set up a convenient time to either meet or talk
>> on the telephone. You'll find my contact information below.
>>
>> Best regards,
>> Theresa Lucero
>> Senior City Planner
>> Community Planning and Development
>> 201 West Colfax Avenue, Dept. 205
>> Denver, Colorado 80202
>> Phone: 720-865-2933
>> FAX: 720-865-3056
>>
>> <http://www.DenverGov.Org/CPDSurvey><<http://www.denvergov.org/CPDSurvey>
>> >
>>
>> From: Cory Everett [mailto:corymeverett@gmail.com]
>> Sent: Sunday, March 25, 2012 4:04 PM
>> To: Lucero, Theresa L. - Community Planning and Development
>> Cc: Rodrigo Lozano
>> Subject:
>>
>> Dear Ms. Lucero,
>>
>> I am writing in response to a letter we received from you regarding
>> the zoning of our property located at 1214 Grove St. My apologies

>> for not getting back to you sooner. Currently, as you mentioned in
>> the letter, our property is zoned as Open Space Public Parks zone
>> district (OS-A). We would like to explore the reasons and
>> opportunity to convert to a residential zoning district. You may
>> contact my husband or I by email (both included
>> here: roylozano@hotmail.com<<mailto:roylozano@hotmail.com>> or
>> corymeverett@gmail.com<<mailto:corymeverett@gmail.com>>) or by phone at
>> 303.903.9365.

>>

>> Thank you,

>>

>> Cory Everett-Lozano and Andres Rodrigo Lozano

>>

>> --

>> Cory

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From: Staff Sergeant Dean Sanchez [statesidedenver@gmail.com]
Sent: Thursday, July 12, 2012 10:24 AM
To: Lucero, Theresa L. - Community Planning and Development
Cc: Lopez, Paul D. - City Council Dist #3
Subject: Re: Zoning of Your Property

Ma'am,

Per our conversation last week, I am sending this email in opposition of my property 1200-1202 Grove St. being rezoned as R2 (E-TU-B). I am requesting that my property be rezoned E-MX-3 or mixed use. I own a small Internet based company that makes t-shirt apparel and would like the versatility to operate the business out of my property. I will be asking my adjacent neighbors to sign a letter of support and I will be calling my Councilman seeking his support as well.

I will be out of town on Military orders next week and should have this completed by July 30th.

Dean Sanchez
SSGT / USMC
720-435-4536

On Wed, Jun 27, 2012 at 2:18 PM, Lucero, Theresa L. - Community Planning and Development <Theresa.Lucero@denvergov.org> wrote:

Mr. Sanchez:

As we've discussed on the phone your property located at 1200 Grove Street and the adjacent 2 properties to the north on Grove street were zoned Open Space in a 2010 citywide rezoning associated with adoption a new Zoning Code for the City. The Open Space zoning of your property is an error and CPD staff is proposing to change the zoning of the three properties to a E-TU-B zone district which is a residential zone district allowing up to two dwelling units on each property with a required minimum zone lot area of 4,500 square feet. CPD staff believes this zone district conforms with the current use of the properties and current City plans. Because the open space zoning is an error, we may not leave the property zoned open space. We are beginning the process of rezoning the properties this week.

CPD staffs is working with the City Councilman for the area, Paul Lopez to legislatively rezone all 3 properties. This means that the Councilman will request the rezoning, there will be no action required by the property owners and there will be no fees charged for the rezoning to the property owners. The process to rezone the properties will take 3-6 months. In this process a public hearing before the Planning Board and City Council are required with public notice. This public notice consists of signs posted on your property for each public hearing and notification of the area Registered Neighborhood Organizations. I'm enclosing an outline of the process. At the public hearings before Planning Board and City Council you are invited to attend and state your opinion on the rezoning. You may also write a letter or e-mail to either the Planning Board or City Council and send it to me for delivery to the public hearings.

Please let me know your questions or concerns.

Theresa Lucero
Senior City Planner
Community Planning and Development
201 West Colfax Avenue, Dept. 205
Denver, Colorado 80202
Phone: [720-865-2933](tel:720-865-2933)
FAX: [720-865-3056](tel:720-865-3056)

--
Dean J. Sanchez
SSGT/USMC
PO BOX 40042
Denver, CO. 80204
720-435-4536

“A man who is good enough to shed his blood for his country is good enough to be given a square deal afterwards. More than that no man is entitled to, and less than that no man shall have.”
Theodore Roosevelt

From: [Lucero, Theresa L. - Community Planning and Development](#)
To: ["Staff Sergeant Dean Sanchez"](#)
Subject: Rezoning of Your Property at 1200 Grove Street
Date: Friday, September 07, 2012 11:56:00 AM

Mr. Sanchez:

Thank you for providing information on your clothing company. I've discussed your information with Zoning Administration staff and we believe your clothing company would be classified as "Manufacturing, Fabrication & Assembly, General" under the Denver Zoning Code. This land use is not allowed under the proposed two-unit zone district (E-TU-B) currently under consideration. In the mixed use zone district you propose this land use is not allowed within 500 feet of a residential zone district. The 500 feet may be reduced or eliminated by the Zoning Administrator "if the applicant proves by a preponderance of the evidence that the proposed use, its siting, design, traffic generation, and other external effects indicate a reduced or eliminated separation will have no significant adverse impact on the nearby Residential Zone District" (DZC, Section 11.5.6.1.B).

At the August 15 Planning Board hearing the Board unanimously recommended approval of the rezoning of your property from OS-A to E-TU-B. This is a recommendation to City Council and City Council makes the final decision on the rezoning. The remaining schedule in the process is as follows:

City Council Land Use, Transportation and Infrastructure Committee – Tuesday, **September 11, 2012, 10:30 AM, in room 391** of the City and County Building, 1437 Bannock Street. In this meeting staff makes a presentation and property owners may only address the Committee if invited to do so by Committee members. If the Committee votes to move the proposed rezoning on to the full Council for consideration then the remaining schedule is laid out below.

Mayor/Council – Tuesday, **September 18, 2012, 9:30 AM, room 389** of the City and County Building, 1437 Bannock Street. In this meeting staff makes a brief presentation and answers any questions from the Mayor or Council members.

City Council First Reading – Monday, **September 24, 2012, 5:30 PM, in room 450** of the City and County Building, 1437 Bannock Street. The purpose of this meeting is to place the rezoning ordinance on the agenda of City Council. Staff is present to answer any questions that arise, but typically does not speak.

City Council Public Hearing – Monday, **October 22, 2012, 5:30 PM, in room 450** of the City and County Building, 1437 Bannock Street. At this public hearing staff makes a presentation and anyone who signs up to speak may do so. After some discussion and deliberation City Council votes on the rezoning proposal. If the proposal is approved the zoning of the properties is changed. The effective date of the change is usually the following Friday (October 26) after the Mayor signs the rezoning ordinance.

Of all of these meetings the final public hearing on October 22 is where the decision will be made

on the rezoning proposal. You may want to attend this meeting if you are able. Please let me know if you have any questions regarding the process or schedule.

Theresa Lucero
Senior City Planner
Community Planning and Development
201 West Colfax Avenue, Dept. 205
Denver, Colorado 80202
Phone: 720-865-2933
FAX: 720-865-3056

<http://www.DenverGov.Org/CPDSurvey>



DENVER
THE MILE HIGH CITY

September 7, 2012

Community Planning and Development
Planning Services
Plan Implementation

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Anthony Terrafranca
1220 Grove Street
Denver, Colorado 80204

Dear Mr. Terrafranca:

I'm writing to you to provide the remaining schedule for the rezoning of your property, located at 1220 Grove Street. At the Planning Board hearing on August 15, 2012, the Board unanimously recommended approval of the change from the Open Space Public Parks zone district (OS-A) to the two-unit residential zone district (E-TU-B).

The next step is to take the matter to the **Land Use Transportation and Infrastructure Committee of City Council**. That meeting is scheduled for next **Tuesday, September 11, at 10:30 AM in room, in room 391** of the City and County Building, 1437 Bannock Street. In this meeting staff makes a presentation and property owners may only address the Committee if invited to do so by Committee members. If the rezoning proposal is recommended to move forward by the Committee the remaining schedule is as follows:

Mayor/Council – **Tuesday, September 18, 2012, 9:30 AM, room 389** of the City and County Building, 1437 Bannock Street. In this meeting staff makes a brief presentation and answers any questions from the Mayor or Council members.

City Council First Reading – **Monday, September 24, 2012, 5:30 PM, in room 450** of the City and County Building, 1437 Bannock Street. The purpose of this meeting is to place the rezoning ordinance on the agenda of City Council. Staff is present to answer any questions that arise, but typically does not speak.

City Council Public Hearing – **Monday, October 22, 2012, 5:30 PM, in room 450** of the City and County Building, 1437 Bannock Street. At this public hearing staff makes a presentation and anyone who signs up to speak may also speak. After some discussion and deliberation City Council votes on the rezoning proposal. If the proposal is approved the zoning of the properties is changed. The effective date of the change is usually the following Friday (October 26) after the Mayor signs the rezoning ordinance.

Please consider attending the City Council Public Hearing on October 22 to tell the Council your position on the rezoning proposal.

If you have any questions or concerns please contact me at 720-865-2933 or e-mail me at theresa.lucero@denvergov.org .

Sincerely,

Theresa Lucero
Senior City Planner
Community Planning and Development
201 West Colfax Avenue
Denver, Colorado 80202

From: [Lucero, Theresa L. - Community Planning and Development](#)
To: ["Cory Everett"](#)
Subject: Remaining Schedule for Rezoning
Date: Friday, September 07, 2012 10:27:00 AM

Ms. Everett-Lozano:

After Planning Board unanimously recommended approval of the rezoning of your property from OS-A to E-TU-B, the remaining schedule in the process is as follows:

City Council Land Use, Transportation and Infrastructure Committee – Tuesday, **September 11, 2012, 10:30 AM, in room 391** of the City and County Building, 1437 Bannock Street. In this meeting staff makes a presentation and property owners may only address the Committee if invited to do so by Committee members.

Mayor/Council – Tuesday, **September 18, 2012, 9:30 AM, room 389** of the City and County Building, 1437 Bannock Street. In this meeting staff makes a brief presentation and answers any questions from the Mayor or Council members.

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Please let me know if you have any questions regarding the process or schedule.

Theresa Lucero
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**CITY AND COUNTY OF DENVER, COLORADO
REGISTERED NEIGHBORHOOD ORGANIZATION
POSITION STATEMENT**

Following a vote of the Registered Neighborhood Organization, please complete this form and email to **RNResponses@denvergov.org**. You may save the form in *.pdf format if needed for future reference. Questions may be directed to planning staff at rezoning@denvergov.org or by telephone at 720-865-2983.

Application Number	2012I-00024
Location	1200, 1214, 1220 Grove St.
Registered Neighborhood Organization Name	West Colfax Association of Neighbors
Registered Contact Name	Chad Reischl
Contact Address	1368 Perry St. Denver, CO 80204
Contact E-Mail Address	chad.reischl@gmail.com
Date Submitted	8/8/12

As required by DRMC § 12-96, a meeting of the above-referenced Registered Neighborhood Organization

was held on , with members in attendance.

With a total of members voting,

voted to support (or to not oppose) the application;

voted to oppose the application; and

voted to abstain on the issue.

It is therefore resolved, with a total of members voting in aggregate:

The position of the above-referenced Registered Neighborhood Organization is that Denver City Council

Application #

Comments: WeCAN's Land Use Committee voted on this issue at our monthly meeting on 8/8/12. The Land Use Committee finds this to be an acceptable zoning change. That said we felt that changing the land use from OS-A to E-TU-B:

1. May not be the highest and best use for this property being so close to Federal Blvd and multiple transit options and
2. Seems to be a case of spot zoning as there are no other properties of that zoning classification in the near vicinity.

We felt that changing this property to match the current zoning on Federal Blvd. (E-MX-3) would be a better solution as it might allow for such properties to be aggregated together at some time in the future.

**CITY AND COUNTY OF DENVER, COLORADO
REGISTERED NEIGHBORHOOD ORGANIZATION
POSITION STATEMENT**

Following a vote of the Registered Neighborhood Organization, please complete this form and email to RNResponses@denvergov.org. You may save the form in *.pdf format if needed for future reference. Questions may be directed to planning staff at rezoning@denvergov.org or by telephone at 720-865-2983.

Application Number	20121-00024
Location	1200, 1214, 1220 Grove St
Registered Neighborhood Organization Name	Villa Park Neighborhood Association
Registered Contact Name	JoAnn Phillips
Contact Address	936 Meade St
Contact E-Mail Address	vona_2000@yahoo.com
Date Submitted	8/13/12

As required by DRMC § 12-96, a meeting of the above-referenced Registered Neighborhood Organization was held on 8/13/12, with 9 members in attendance.

With a total of 9 members voting,

- 9 voted to support (or to not oppose) the application;
- 0 voted to oppose the application; and
- 0 voted to abstain on the issue.

It is therefore resolved, with a total of 9 members voting in aggregate:

The position of the above-referenced Registered Neighborhood Organization is that Denver City Council

approve



Application # 20121-00024

Comments:	Villa Park Neighborhood Assn supports the City's effort to remedy an error with the revised zoning code that was established two years ago which changed the R-2 zoning to Open Space at the Grove addresses listed in application 20121-00024. The current zoning of E-TUB is compatible zoning for this area and allows a transition from the E-MX3 along Federal Blvd to Sanchez Park. The zoning to the south of 12th and Grove St is currently zoned E-SUD1X which would also suffice. Either of these zoning categories allows for compatible zoning and is not reflective of any type of spot zoning. Villa Park N.A supports this application and through a follow-up polling of members from our July 25, 2012 meeting voted the noted results.
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