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**TO:** Land Use, Transportation and Infrastructure Committee  
**FROM:** Brandon Shaver, Senior City Planner  
**DATE:** February 20, 2020  
**RE:** Official Zoning Map Amendment Application #2019I-00105

### **Staff Report and Recommendation**

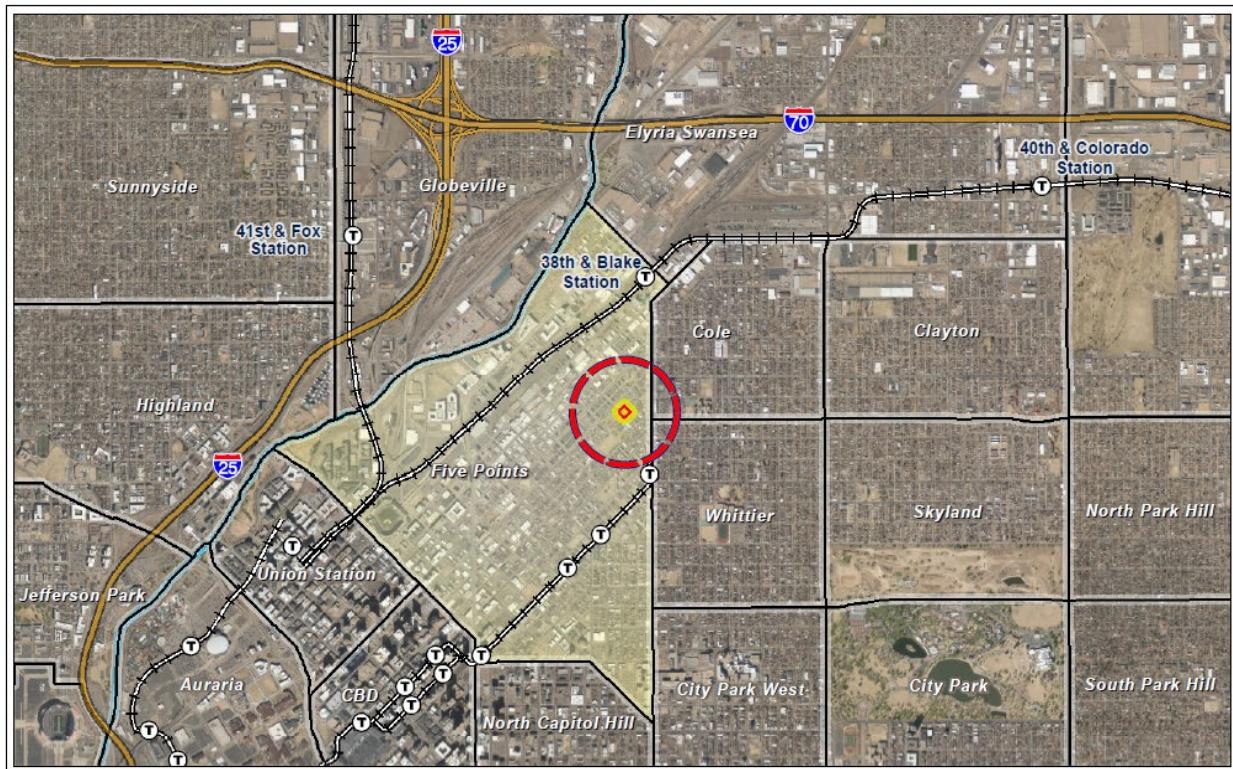
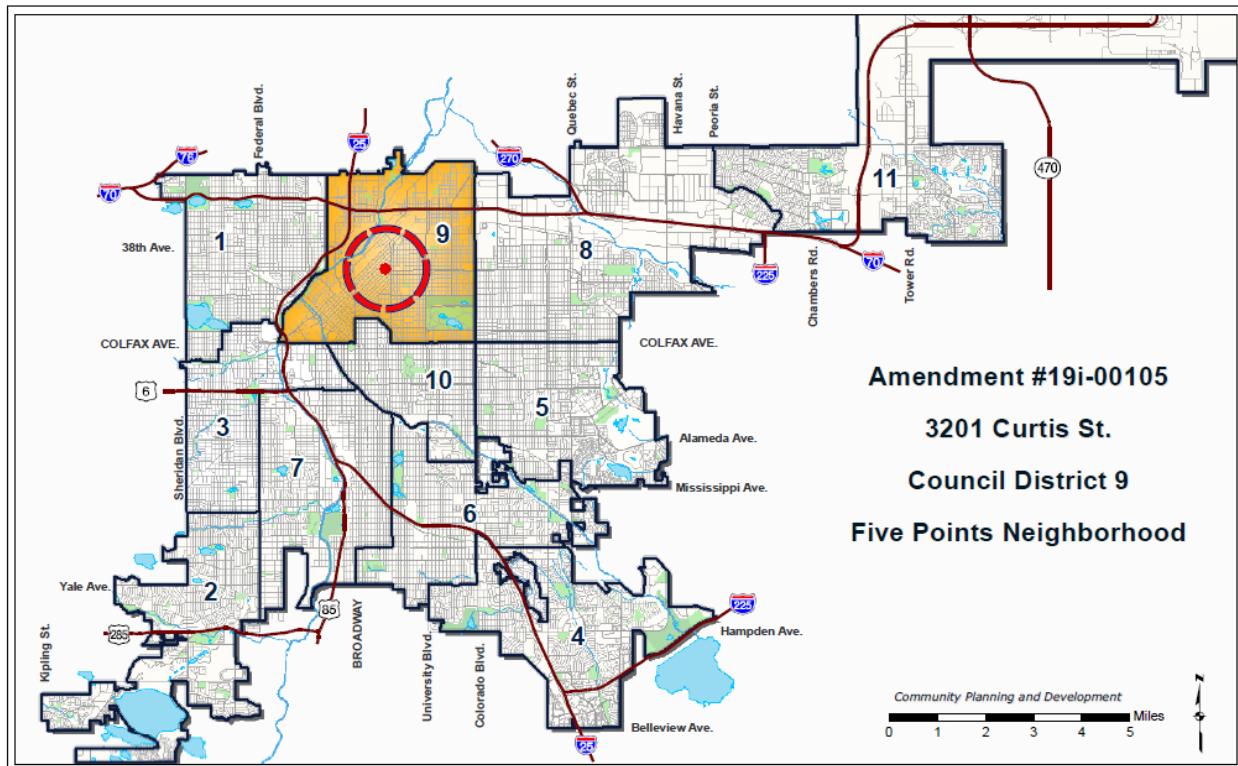
Based on the criteria for review in the Denver Zoning Code (DZC), Staff recommends approval for Application #2019I-00105.

### **Request for Rezoning**

Address:	3201 Curtis Street
Neighborhood/Council District:	Five Points / Council District 9
RNOs:	UCAN, Five Points Neighbors, Northeast Denver Friends and Neighbors (NEDFANS), Rio Norte, Opportunity Corridor Coalition of United Residents, RiNo Art District, Curtis Park Neighbors, The Points Historical Redevelopment Corp, Center City Denver Residents Organization, Denver Arts and Culture Initiative
Area of Property:	16,625 square feet or 0.38 acres
Current Zoning:	PUD 397 (Former Chapter 59)
Proposed Zoning:	U-MX-2x
Property Owner(s):	Women's Bean Project
Owner Representative:	Bruce O'Donnell, Starboard Realty Group

### **Summary of Rezoning Request**

- The subject property is in the Five Points neighborhood and in Council District 9, adjacent to Mestizo-Curtis Park.
- There is one two-story structure on the property, built in 1929 as a fire station. Since 1995, the structure has been used by the Women's Bean Project, a nonprofit that provides employment opportunities for women through food sales and manufacturing.
- The existing structure is a contributing structure in the Curtis Park G Historic Landmark District, which means there are significant protections in place to preserve the existing structure.
- The applicant is requesting the rezoning "to facilitate use of the Property that is consistent with the recommendations in the adopted plans."
- The current PUD zoning is specifically tailored for the existing building and use, maximum square footages by land use.
- The U-MX-2x zone district is designed for small sites embedded within neighborhoods and is limited to low intensity uses. (see Denver Zoning Code Section 5.3.2)





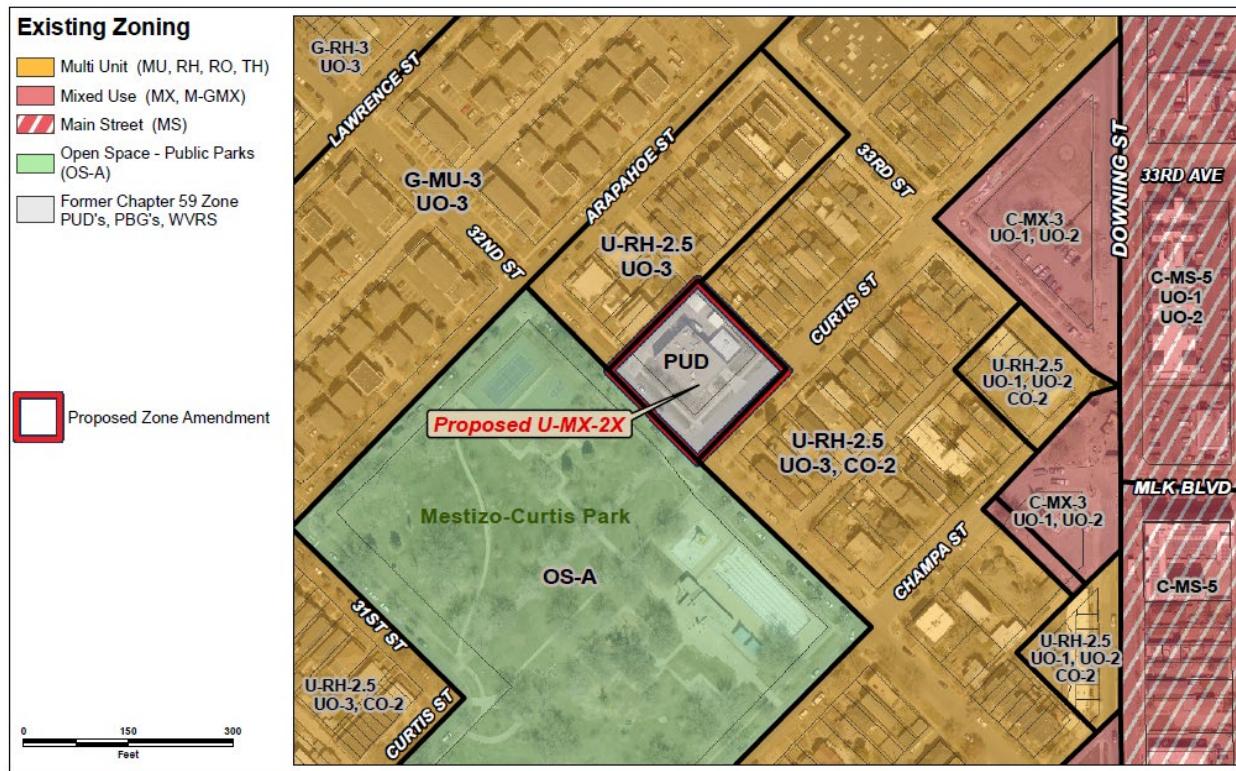
## Existing Context

This area has a mix of single-, two- and multi-unit residential with some office uses. To the immediate south is the 8.2-acre Mestizo-Curtis Park. Building height is predominantly 1-2 stories. The subject site is within  $\frac{1}{2}$  mile of the 30<sup>th</sup> and Downing light rail station, and within  $\frac{1}{4}$  mile of transit routes along Larimer Street, Martin Luther King Jr Blvd, Lawrence Street, and Downing Street.

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

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	PUD 379	Office and manufacturing	2-story structure	
North	U-RH-2.5, UO-3	Single and two-unit residential on the subject block, with multi-unit residential on surrounding blocks	Mix of 1-2 story structures	Immediate surroundings are part of the original angular street grid with alleys present on most blocks. One block east of the subject site across Downing Street the grid transitions to north-south.
South	OS-A, UO-3	Mestizo-Curtis Park	Existing park with minimal structures, including 1-story pool structure	
East	U-RH-2.5, UO-3	Predominantly single-unit residential, with some two-unit and multi-unit residential	Mix of 1-2 story structures	
West	U-RH-2.5, UO-3	Mestizo-Curtis Park and multi-unit residential	Existing park and 2-3 story structures	

## 1. Existing Zoning



The subject site is zoned PUD 379, which is a Former Chapter 59 PUD zone district. The PUD is highly customized for the existing building and current user that has been in place since the PUD approval in 1995. Specifically, PUD 379 sets forth:

- Maximum building coverage, heights, setbacks; and a floor area ratio to reflect the current building;
- Maximum areas for impervious surfaces, including parking and drive aisles;
- Minimum landscaping requirements;
- A minimum number of off-street parking spaces; and
- Allowed land uses in the R-3 zone district, with specific square footages for additional nonresidential uses including office, food packaging and processing, and retail sale of specialty food products.

Except for the park, the surrounding properties are zoned U-RH-2.5, which is a protected district. If the subject property is rezoned to U-MX-2x, it will be subject to all protected district standards including additional setbacks and use limitations. For protected district standards see DZC page 5.3-23 for setbacks in the General building form and see applicable use limitations (11.4.8, 11.5.8.3, 11.10.12.1, etc.).

## 2. Existing Land Use Map



## 3. Existing Building Form and Scale

*All images from Google Maps Street View.*



Subject property highlighted

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3201 Curtis Street

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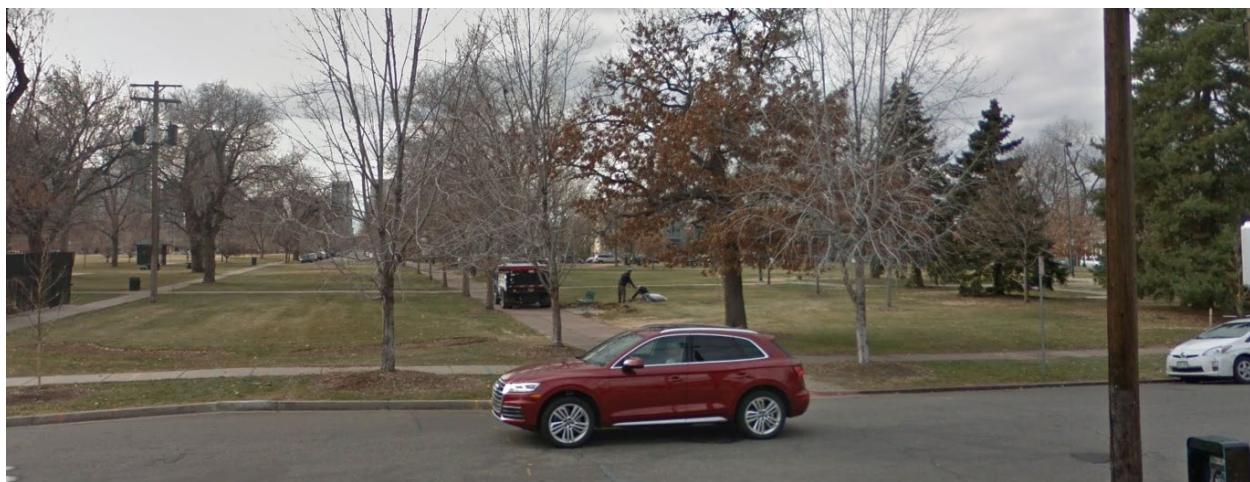
Subject property looking north from Curtis Street



Subject property looking east from 32<sup>nd</sup> Street



Surrounding property looking northeast along Curtis Street



Mestizo-Curtis Park immediately south of subject site



Surrounding property looking northwest along 32<sup>nd</sup> Street

#### 4. Landmark Status

The subject site is a contributing structure in the Curtis Park G Historic Landmark District that was established in 2010. Any request for demolition would require a public hearing before the Landmark Preservation Commission pursuant to Denver Revised Municipal Code 30-6, and approval of any such request is extremely rare. Any request for a significant modification of the exterior would require

Landmark Preservation Commission design review. At a minimum, any change to the exterior of the building is subject to the Design Guidelines for Denver Landmark Structures and Districts.

### **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:

**Assessor:** Approved – No Response

**Asset Management:** Approved – No comments.

**Denver Public Schools:** Approved – No Response

**Department of Public Health and Environment:** Approved – See Comments.

Notes. EQ is unaware of environmental conditions that impact the site and concurs with this rezoning request.

**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, DDPHE 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:** DDPHE performed a limited search for information known to DDPHE 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.

**Denver Parks and Recreation:** Approved – No comments.

**Public Works – R.O.W. - City Surveyor:** Approved – See comments.

Based on the address provided the description should be as follows:

LOTS 16 THROUGH 20, BLOCK 52, CASE AND EBERTS ADDITION TO THE CITY OF DENVER  
CITY AND COUNTY OF DENVER,  
STATE OF COLORADO  
CONTAINING  $\pm 15,625$  SQ FT OR  $\approx 0.382$  ACRES

**Development Services - Transportation:** Approved – No response.

**Development Services – Wastewater:** Approved – See Comments.

DES Wastewater approves the subject zoning change. The applicant should note that redevelopment of this site may require additional engineering including preparation of drainage reports, construction documents, and erosion control plans. Redevelopment may require construction of water quality and detention basins, public and private sanitary and storm sewer mains, and other storm or sanitary sewer improvements. Redevelopment may also require other items such as conveyance of utility, construction, and maintenance easements. The extent of the required design, improvements and easements will be determined during the redevelopment process. Please note that no commitment for any new sewer service will be given prior to issuance of an approved SUDP from Development Services.

**Development Services – Project Coordination:** Approved – No response.

**Denver Fire Department:** Approved – No response.

## **Public Review Process**

	<b>Date</b>
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	11/18/2019
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, registered neighborhood organizations, and property owners:	2/3/2020
Planning Board Hearing (voted 8-0 in favor)	2/19/2020

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:	2/11/2020
Land Use, Transportation and Infrastructure Committee of the City Council:	2/25/2020
Property legally posted for a period of 21 days and CPD notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations:	3/16/2020 (tentative)
City Council Public Hearing:	4/6/2020 (tentative)

#### **Public Comments (see Attachment 2)**

The summary below reflects comments received to date.

- **Registered Neighborhood Organizations (RNOs)**
  - One comment letter has been received in support of the rezoning from the Curtis Park RNO.
- **Other Public Comment**
  - One comment letter has been received in support of the rezoning from Historic Denver.

#### **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 currently apply to this property:

- *Denver Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *Northeast Downtown Neighborhoods Plan (2011)*

### ***Denver Comprehensive Plan 2040***

The proposed rezoning is consistent with many of the adopted Denver Comprehensive Plan 2040 strategies, which are organized by vision element.

#### *Strong and Authentic Neighborhoods Vision Element*

The proposed rezoning would enable adaptive reuse of the existing structure at a location where services and infrastructure are already in place. The site is within ½ mile of the 30<sup>th</sup> and Downing light rail station, and within ¼ mile of transit routes along Larimer Street, Martin Luther King Jr. Blvd., Lawrence Street, and Downing Street. The proposed U-MX-2x zoning would allow for a broad variety of neighborhood-appropriate uses including housing, services, some limited retail, and employment near transit, and it is therefore consistent with the following strategies in the Strong and Authentic Neighborhoods vision element:

- Strong and Authentic Neighborhoods Goal 1, Strategy A – *Build a network of well-connected, vibrant, mixed-use centers and corridors* (p. 34).
- Strong and Authentic Neighborhoods Goal 1, Strategy D – *Encourage quality infill development that is consistent with the surrounding neighborhoods and offers opportunities for increased amenities* (p. 34).

#### *Environmentally Resilient Vision Element*

Similarly, the land use pattern detailed in the previous paragraph is also consistent with the following strategies in the Environmentally Resilient vision element:

- Environmentally Resilient Goal 8, Strategy A – *Promote infill development where infrastructure and services are already in place* (p.54).
- Environmentally Resilient Goal 8, Strategy B – *Encourage mixed-use communities where residents can live, work and play in their own neighborhoods* (p. 54).
- Environmentally Resilient Goal 8, Strategy C – *Focus growth by transit stations and along high- and medium-capacity transit corridors* (p. 54).

The requested map amendment will enable adaptive reuse of a structure at an infill location where services and infrastructure are already in place. The requested U-MX-2x zone district broadens the variety of uses allowing residents to live, work and play in an area well served by transportation mobility options. Therefore, the rezoning is consistent with *Denver Comprehensive Plan 2040* recommendations.

### ***Blueprint Denver***

*Blueprint Denver* was adopted in 2019 as a supplement to *Comprehensive Plan 2040* and establishes an integrated framework for the city's land use and transportation decisions. *Blueprint Denver* identifies the subject property as part of the Low-Medium Residential future place within the Urban Context and provides guidance from the future growth strategy for the city.

### **Blueprint Denver Future Neighborhood Context**



In Blueprint Denver, future neighborhood contexts are used to help understand differences in things like land use and built form and mobility options at a higher scale, between neighborhoods. Small area plans provide more certain guidance on topics including building heights (p. 67). The subject property is within the Urban neighborhood context. The Urban neighborhood context is for “Small multi-unit residential and mixed-use areas typically embedded in 1-unit and 2-unit residential areas” (p. 137).

The proposed U-MX-2x zone district is part of the Denver Zoning Code Urban Context that is intended to “promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate the public street edge”, and “to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city’s neighborhoods.” (DZC Section 5.2.3.1)

### **Blueprint Denver Future Places**



The future places map shows which place description(s) should be used to evaluate the appropriateness of the proposed zone district (p. 67). The subject property is mapped as Low-Medium Residential in the Future Places Map. The Low-Medium Residential classification includes areas where “Neighborhood-serving retail may be found in key locations” (p. 149) and with “limited mixed-use along some arterial and collector streets and some intersections” (p. 201). “Buildings are generally 3 stories or less in height” (p. 201).

### **Street Types**

In Blueprint Denver, street types work in concert with the future place to evaluate the appropriateness of the intensity of the adjacent development (p. 67). Blueprint Denver classifies 32<sup>nd</sup> Street as an Undesignated Local Street. Local streets “are designed for the highest degree of property access and the lowest amount of through movement” (p. 154). Curtis Street is a Residential Arterial. Arterials “are designed for the highest amount of through movement and the lowest degree of property access” (p. 154).

### Growth Strategy



Blueprint Denver's growth strategy map is a version of the future places map, showing the aspiration for distributing future growth in Denver (p. 51). The subject property is located within "All other areas of the city, which are anticipated to see around 20% of new housing growth and 10% of new employment growth by 2040" (p. 51). The proposed map amendment to U-MX-2x is consistent with this map because will enable compatible adaptive reuse of the existing structure for this location to support continued viability of the existing building.

### **Blueprint Denver Strategies**

The following additional Blueprint Denver policies are applicable to the rezoning request:

- Land Use and Built Form: General Policy 3, Strategy A - *Rezone properties from the Former Chapter 59 zoning code so that the entire city is covered by the DZC, including continuing to incentivize owners to come out of the old code.* (p. 73).
- Land Use and Built Form: Design Quality & Preservation Policy 3, Strategy K – "Identify important mixed-use historic structures and encourage their continued use or adaptive reuse."

### **Consistency with Blueprint Denver**

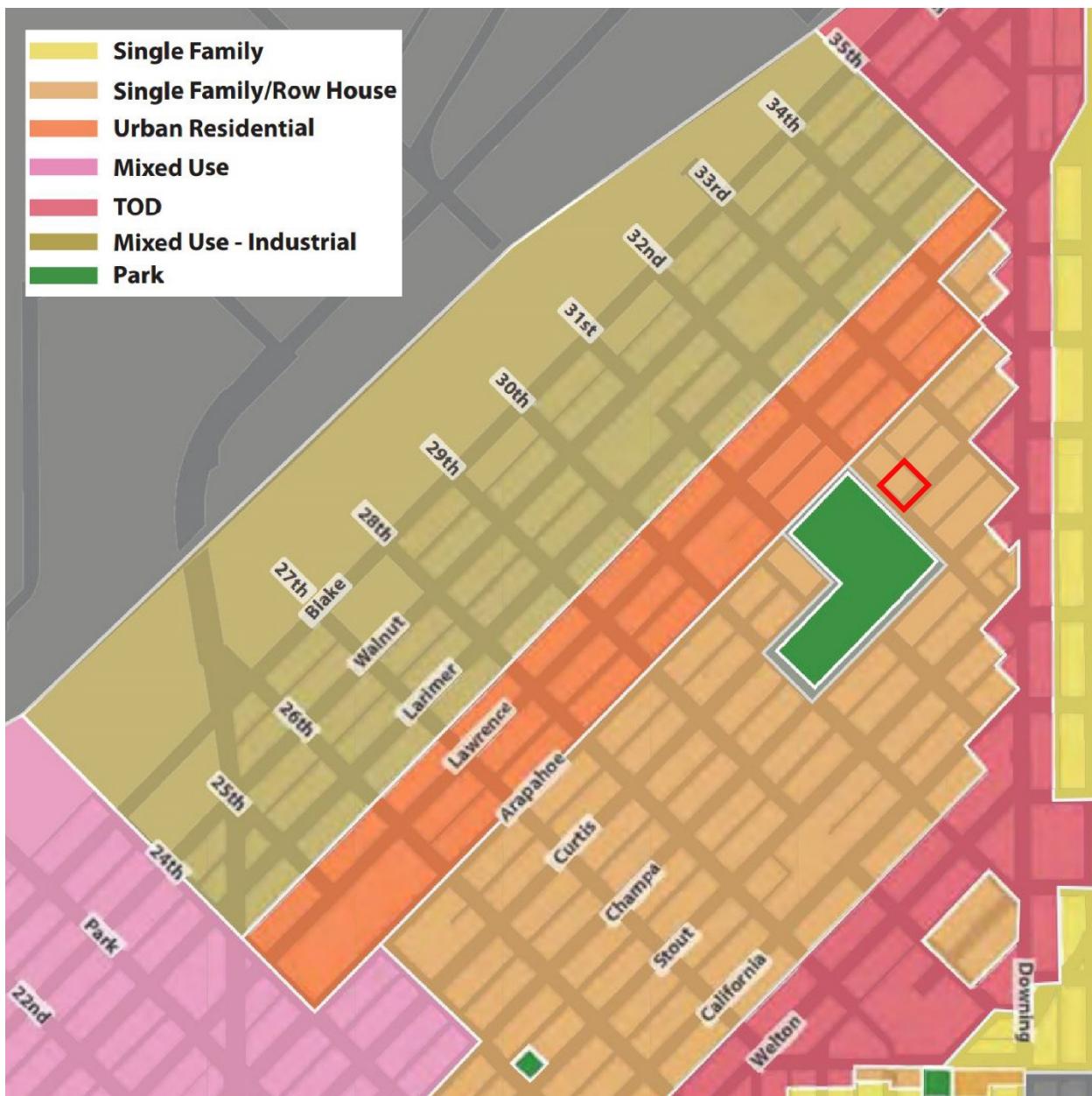
- The proposed rezoning is consistent with the Blueprint Denver Urban Neighborhood Context because:
  - The proposed U-MX-2x zone district is in the DZC Urban neighborhood context;
  - The subject site has historically been nonresidential and mixed use and is embedded in a 1-unit and 2-unit residential area, which is consistent with the purpose of the U-MX-2x zone district; and

- The proposed U-MX-2x zone district promotes pedestrian scaled, diverse areas through the use of building forms that clearly define and activate the public street edge. All allowed building forms have mandatory build to requirements, do not allow parking or drive aisles between the building and the street, and have minimum transparency requirements.
- The proposed rezoning is consistent with the Blueprint Denver Low-Medium Residential future place because:
  - The proposed U-MX-2x zone district is a mixed-use zone district that is calibrated for neighborhood-serving retail, and the subject site is a corner site fronting a Residential Arterial (Curtis Street); and
  - The proposed U-MX-2x zone district has a maximum 2-story building height.
- The proposed rezoning is consistent with the Blueprint Denver Undesignated Local and Residential Arterial street classifications because:
  - U-MX-2x is intended for embedded commercial areas primarily served by local streets. 32<sup>nd</sup> Street is an Undesignated Local, and Curtis Street is a Residential Arterial, supporting a zone district that allows low-scale commercial uses.
- The proposed rezoning is also consistent with Blueprint Denver policies because it would eliminate a Former Chapter 59 zone district and bring the site into the Denver Zoning Code.
- The proposed rezoning is also consistent with Blueprint Denver policies because it would facilitate adaptive reuse of an important historic mixed-use structure.

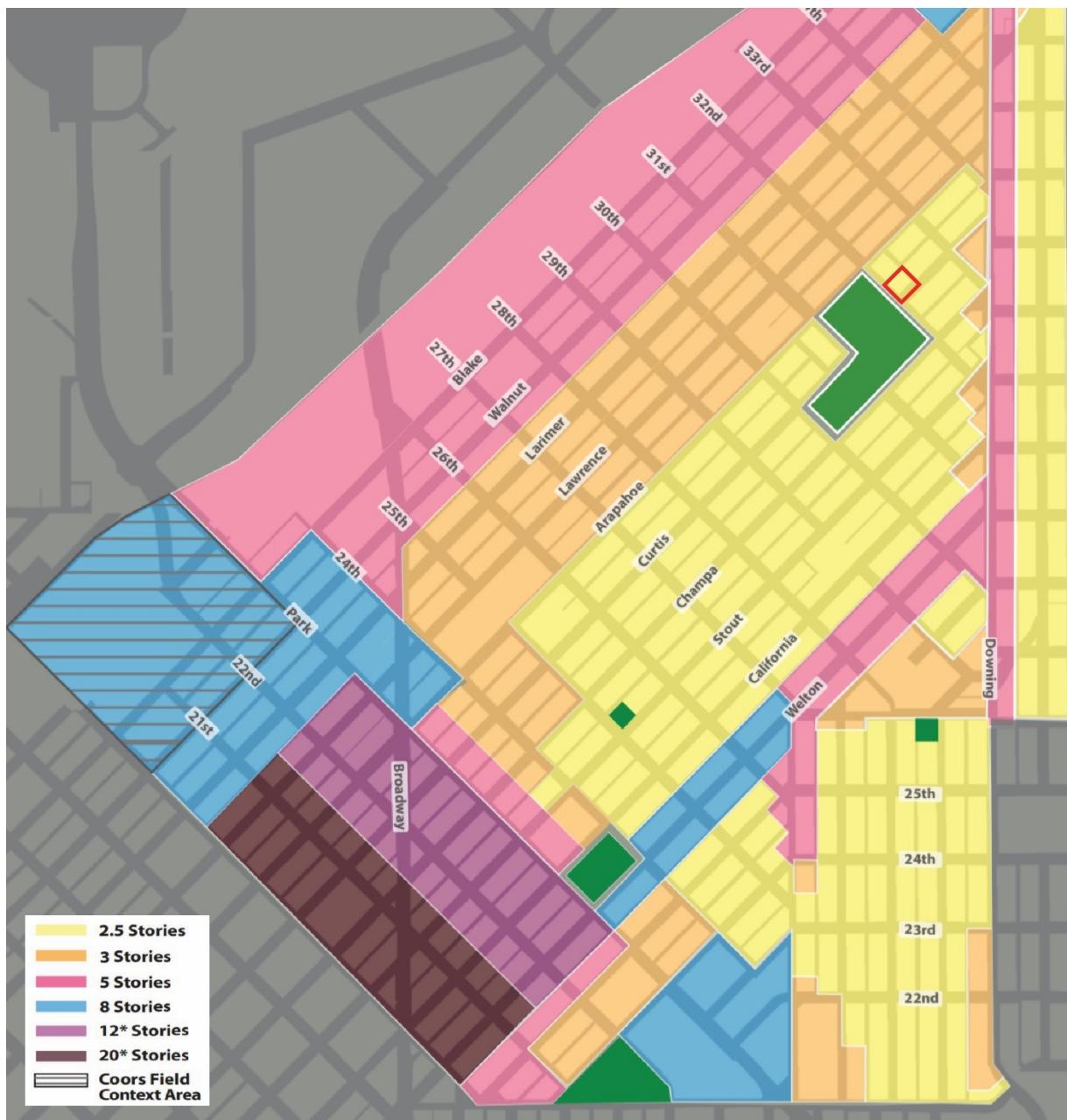
#### ***Northeast Downtown Neighborhoods Plan (2011)***

The Northeast Downtown Neighborhoods Plan identifies the subject site as in a Single Family/Row House area with future building heights up to 2.5 stories (pp. 16-17, 19). “Single family rowhouse residential areas are moderately dense areas that are primarily residential but with some complementary, small-scale commercial uses” (p. 16).

Northeast Downtown Neighborhoods Plan Future Land Use Map



### Northeast Downtown Neighborhoods Plan Future Concept Height Map



The following additional Northeast Downtown Neighborhoods Plan policies are applicable to the rezoning request:

- Neighborhood Connections and Character Concepts and Recommendations A.3 Low Intensity Development in Residential Neighborhoods - *Allow a mix of land uses consisting primarily of residential uses with limited neighborhood-serving commercial* (p. 20).
- Neighborhood Connections and Character Concepts and Recommendations A.4 Adaptive Reuse and Historic Preservation - *Promote the reuse of existing buildings. Existing buildings, whether historic or not, are important character-defining elements throughout the Northeast Downtown Neighborhoods* (p. 21).

Within the Northeast Downtown Neighborhoods Plan, this site is located in the Curtis Park neighborhood where additional neighborhood concepts and recommendations apply. The following recommendation most directly applies to this application:

- N.20 Accommodate Adaptive Reuse: Part of Curtis Park's unique character comes from the presence of imbedded commercial structures within the neighborhood, typically located on corners. In some cases, these structures are in active commercial use, but in many other cases the buildings are vacant. More often than not, these properties have residential zoning and as such the establishment of new commercial uses would be precluded. Such a situation would not be in the best interest of the neighborhood. The reuse of existing commercial buildings for commercial purposes should be accommodated on a case-by-case basis, in consultation with the neighborhood. (p. 80)

As demonstrated by the letter of support submitted by the registered neighborhood organization, the applicant has consulted the neighborhood regarding reuse of the site. Although not originally designed for commercial use, this existing building has been used for commercial/nonresidential purposes since the fire station closed and is imbedded in the neighborhood on a corner site.

#### **Consistency with Northeast Downtown Neighborhoods Plan**

The proposed rezoning is consistent with the Northeast Downtown Neighborhoods Plan for the following reasons:

- The proposed U-MX-2x zone district only allows neighborhood scaled commercial uses that are complementary to the predominantly residential character of the surrounding area;
- The maximum height (2 stories) in the proposed U-MX-2x zone district is less than the future conceptual building heights identified in the plan; and
- Through eliminating a very specific PUD tailored to one unique user and enabling a broader range of land uses, the rezoning will encourage the reuse of an existing building that is part of the fabric of the neighborhood.
- The rezoning would allow case-by-case reuse of an existing building used for commercial purposes, following consultation with the neighborhood.

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

The proposed rezoning to U-MX-2x 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 through implementation of adopted plan policies related to supporting both reuse of existing buildings and neighborhood serving commercial uses.

#### **4. Justifying Circumstance**

Justifying Circumstance is defined under DZC Section 12.4.10.8.A.4 as, "Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include: ... (c) That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning." The subject property has retained its Former Chapter 59 zoning since the city adopted the Denver Zoning Code, which represents an appropriate justifying circumstance for the proposed rezoning.

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

The requested U-MX-2x zone district is within the Urban Neighborhood Context. The neighborhood context generally consists of single-unit and two-unit residential uses with embedded small-scale multi-unit residential and commercial areas (DZC, Division 5.1).

According to the zone district intent stated in the Denver Zoning Code, the U-MX-2x district “applies to small sites served primarily by local streets embedded within an existing or proposed neighborhood. These are typically one or two parcels and are limited to low scale building forms and low intensity uses” (DZC Section 5.2.3.2.B). The subject property is one parcel embedded in an existing neighborhood at the intersection of one local and one arterial street. The proposed U-MX-2x zoning would allow low-scale buildings and uses consistent with the purpose and intent of the zone district.

## **Attachments**

1. Application
2. Public Comments
3. PUD 379



## 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	
<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.		<b>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</b>	
<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> <p>If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.</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:			



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## REVIEW CRITERIA

General Review Criteria: The proposal must comply with all of the general review criteria  DZC Sec. 12.4.10.7	<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. 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>
Additional Review Criteria for Non-Legislative Rezonings: The proposal must comply with both of the additional review criteria  DZC Sec. 12.4.10.8	<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"/> Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include:</p> <ol style="list-style-type: none"><li>Changed or changing conditions in a particular area, or in the city generally; or,</li><li>A City adopted plan; or</li><li>That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</li></ol> <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. 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. Please provide an attachment describing how the above criterion is met.</p>

## REQUIRED ATTACHMENTS

Please ensure the following required attachments are submitted with this application:

- Legal Description (required to be attached in Microsoft Word document format)
- Proof of Ownership Document(s)
- Review Criteria, as identified above

## ADDITIONAL ATTACHMENTS

Please identify any additional attachments provided with this application:

- Written Authorization to Represent Property Owner(s)
- Individual Authorization to Sign on Behalf of a Corporate Entity

Please list any additional attachments:

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

Last updated: May 24, 2018

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Denver, CO 80202

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## 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 Inter- est % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification state- ment	Date	Indicate the type of owner- ship documen- tation provided: (A) Assessor's record, (B) war- ranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Has the owner au- thorized a represen- tative in writing? (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)	YES
			<i>Jamra Ryan</i>			

Last updated: May 24, 2018

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

201 W. Colfax Ave., Dept. 205

Denver, CO 80202

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## **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:** Community Support and Outreach

**Exhibit E:** Letter of Authorization for STARBOARD Realty Group, LLC to act as Representative

**Exhibit F:** Proof of Ownership, Assessors Record

**Exhibit G:** Signature Authority Authorization for Women's Bean Project

**EXHIBIT A**

**Property Legal Description**

**3201 CURTIS STREET**

**LEGAL DESCRIPTION**

LOTS 6 THROUGH 20, BLOCK 52, ADDITION CASE AND EBERTS

CITY AND COUNTY OF DENVER,

STATE OF COLORADO

CONTAINING  $\pm$ 16625 SQ FT OR  $\approx$  0.382 ACRES

## **Exhibit B**

### **Statement of Compliance with General Review Criteria (DZC § 12.4.10.7)**

This application proposes to rezone the approximately 0.381-acre property located at 3201 Curtis Street from Former Chapter 59 PUD 379 to U-MX-2X (the “Property”) to facilitate use of the Property that is consistent with the recommendations in the adopted Plans.

The Property is in the Five Points Neighborhood on the northeast corner of Curtis Street and 32nd Avenue. The Property is a contributing structure in the Curtis Park – G Historic District. Today the Property is zoned PUD 379 allowing office, specialty food processing and packaging related uses, and wholesale/retail sale of specialty food products, and Former Chapter 59 R-3 uses. The PUD was designed to accommodate the Women’s Bean Project’s 1995 operations.

Existing context surrounding the Property include OS-A, G-MU-3, C-MX-3, U-RH-2.5, U-RH-3; overlays in the area include: UO-1, UO-2, UO-3, CO-2. Immediately to the north, west, and east of the Property are residential zoning, south of the Property is Mestizo-Curtis Park, an 8.27-acre public park that includes a community pool. Located within a ½ mile of the 30<sup>th</sup> & Downing Transit Station and within ¼ mile of RTD transit routes via Larimer Street, Martin Luther King Jr Blvd, Lawrence Street, and Downing Street. There are dedicated bike lanes within a ½ mile on 31<sup>st</sup> Avenue, Martin Luther King Jr Blvd, Larimer Street, Champa Street, and Stout Street.

The map amendment requests to rezone the Property from PUD 379 to the U-MX-2X Zone District. This would allow the Property to be utilized for a variety of uses rather than the tailored commercial/office or R-3 uses in the current PUD, tailored to the Women’s Bean Project. The successful rezoning will allow for a mix of uses which will blend in with, support, and sustain the existing historic character of the neighborhood. It will contribute to zoning conformity by being removed from its Former Chapter 59 zoning. Denver as a city has been experiencing exponential growth, especially in areas close to downtown. These changes have resulted in the need to rezone the Property to implement adopted Plan recommendations and meet community wants and needs.

#### **REVIEW CRITERION DZC § 12.4.10.7. A – Consistency with Adopted Plans: The proposed official map amendment is consistent with the City’s adopted plans.**

This proposed map amendment is consistent with the Denver Comprehensive Plan 2040, Blueprint Denver (2019), and Northeast Downtown Neighborhood Plan (2011).

**The proposed map amendment is consistent with many objectives of Denver Comprehensive Plan 2040 including:**

#### ***VISION ELEMENTS: STRONG AND AUTHENTIC NEIGHBORHOODS***

##### **GOAL 1: Create a city of complete neighborhoods.**

###### **STRATEGIES:**

- *Ensure neighborhoods offer a mix of housing types and services for a diverse population.*
- *Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities.*

**GOAL 3: Preserve the authenticity of Denver's neighborhoods and celebrate our history, architecture and culture.**

**STRATEGIES:**

- *Support the stewardship and reuse of existing buildings, including city properties.*

**GOAL 4: Ensure every neighborhood is economically strong and dynamic**

**VISION ELEMENTS: EQUITABLE, AFFORDABLE AND INCLUSIVE**

**GOAL 1: Ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities.**

**STRATEGIES**

- *Increase development of housing units close to transit and mixed-use developments.*

**VISION ELEMENTS: ECONOMICALLY DIVERSE AND VIBRANT**

**GOAL 3: Sustain and grow Denver's local neighborhood businesses.**

**STRATEGIES**

- *Promote small, locally owned businesses and restaurants that reflect the unique character of Denver.*

**VISION ELEMENTS: ENVIRONMENTALLY RESILIENT**

**GOAL 8: Clean our soils, conserve land and grow responsibly.**

**STRATEGIES**

- *Encourage mixed-use communities where residents can live, work and play in their own neighborhoods.*
- *Focus growth by transit stations and along high- and medium-capacity transit corridors.*

The proposed U-MX-2X zone district would enable a mix of neighborhood serving uses that do not exist in the PUD today. The Property is in a historically rich and diverse neighborhood that continues to be a desirable area to live, work, and play in. This zone district offers increased opportunities for amenities and services that contribute to and enhance the vibrant neighborhood character. The building (former Denver Fire Station Number 10) is a contributing structure in an historic district, protecting it from demolition. Successful rezoning will result in a variety of options for adaptive reuse of this unique historic building. The Property is close to designated bike lanes/routes, multiple RTD transit routes and close to 30<sup>th</sup> & Downing Station allowing it to be accessible by multiple modes of transportation. This rezoning will enable a range of residential and commercial uses within the existing structure in an appropriate location, making it consistent with Denver Comprehensive Plan 2040 Vision Elements and Goals.

**The proposed map amendment is consistent with the objectives of Blueprint Denver 2019 including:**

The **Blueprint Denver Place** designation for the subject property is *Low-Medium Residential* in an *Urban* neighborhood context.

**Urban** neighborhoods are described as:

*"The urban neighborhood context is widely distributed throughout the city. Homes vary from multi-unit developments to compact single-unit homes. Development in this context should be sensitive to the existing neighborhood character and offer residents a mix of uses, with good street activation and connectivity. Residents living in this context have access to varied transit options and amenities."*

*"The urban context is walkable due to a predictable street grid in residential areas and the availability of transit and dedicated bike lanes. These areas offer access to neighboring areas and commercial nodes, with some small mixed-use nodes within the neighborhood. Parking is predominately off-street complemented by managed on-street options." (BPD pg. 221)*

**Residential** areas are described as:

*"Areas where the predominate use is residential. Although they are primarily residential in nature, they are supported by a variety of embedded uses needed for a complete neighborhood including schools, parks and commercial/retail uses." (BPD pg. 232)*

**General Urban Low-Medium Residential** Land use and Built Form:

*"Mix of low- to mid-scale multi-unit residential options. Small-scale multi-unit buildings are interspersed between single- and two-unit residential. Limited mixed- use along some arterial and collector streets and at intersections. Vacant institutional uses on corners or at select sites may be appropriate locations to introduce additional residential intensity. Buildings are generally 3 stories or less in height. Higher-intensity buildings should be compatibly integrated." (BPD pg. 232)*

The U-MX-2X zoning is an appropriate district that complements the characteristics of Urban neighborhoods and is in character with a Low-Medium Residential area. The Denver Zoning Code states that MX zone districts are intended to ensure new development contributes positively to established residential neighborhoods and character and improves the transition between commercial development and adjacent residential neighborhoods. Compared to the Main Street districts, the Mixed-Use districts are focused on creating mixed, diverse neighborhoods. U-MX-2X has a maximum height of 2 stories. (The building is two stories tall today.)

Located on a residential arterial, it will appeal to the desired uses of low intensity mixed-use. With the Mestizo-Curtis Park and community pool across the street, this makes it an excellent location for a mixed-use zone district which can offer amenities and services that complement the residents and visitors experience at park. With the 30<sup>th</sup> & Downing and multiple RTD bus routes nearby along with bike friendly routes and dedicated lanes, this makes it an ideal multi modal accessible location for both residents and those visiting for services and amenities.

**Growth Strategy** for this area is designated as:

**All other areas of the city:** 10% of new jobs and 20% of new households.

The MX zoning appeals to the City's growth strategy for this area by allowing residential uses. The zoning equally allows office and commercial uses which could increase the potential of new jobs.

**Street Type** for the Property is designated as:

**Residential Arterial:** "Primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses. Buildings on residential streets usually have a modest setback. The depth of the setback varies by neighborhood context." (BPD pg. 160)

The Property is located on the corner of Curtis Street, a residential arterial and 32<sup>nd</sup> Street, an undesignated local. This zone district complies with the characteristics of a residential arterial by offering a mix of residential, office, and retail uses in a low scale building form.

***Blueprint Equity Concepts:***

**Applying Equity Concepts for Small Rezonings:**

In Blueprint Denver Section 3.1; Plan In Action: Applying Blueprint Denver to Rezoning, Blueprint states:

"Equity Concepts: Because the data available to measure the equity concepts is not available at the parcel-level scale, and they are intended to show patterns across large areas, they cannot be effectively applied to small-scale rezonings. Given the above, they are not intended to be part of the evaluation for smaller rezonings. However, they should be used to evaluate large area rezonings".

While Blueprint Denver acknowledges that Equity Concepts are difficult to apply to small single-parcel rezonings such as this one we believe these are important criteria to address in our city. This rezoning may help this small property contribute to a more equitable Denver in the following ways:

**Equity Concept 1: Expanding Housing and Jobs Diversity - providing a better and more inclusive range of housing and employment options in all neighborhoods.**

***The Importance of Housing and Jobs Diversity***

*It is the desire of many residents and stakeholders for all neighborhoods to accommodate some level of growth and to incorporate a greater variety of housing and employment options. If done right, this can enable more inclusive and diverse communities." (BPD pg. 40)*

The U-MX-2X zone district will open the property to a variety of uses that are not offered in the current PUD, which is so specific to the Women's Bean Project. This zone district would allow for a variety of housing options along with commercial, office, retail and neighborhood serving uses that could create new job and housing opportunities. While it is uncertain how the Property will be utilized within its zoning in the future, it is valuable to the neighborhood and the city that a U-MX-2X zoning introduces more housing and job opportunities to the area than with the use limiting PUD zoning today.

The rezoning allows the introduction of housing and employment opportunities that do not exist today. The property is well located near major employment centers to include the hospital district to the south, downtown to the west and RiNo and the National Western Center to the north.

**Equity Concept 2: Improving Access to Opportunity** - creating more equitable access to quality-of-life amenities, health and quality education.

*The proximity of an amenity (including quality jobs, schools, parks, health care services and healthy food), the affordability of that amenity, and the safety and ease of access to that amenity are important elements of access to opportunity. Equitable access to opportunity strengthens our collective prosperity and improves outcomes for all. In areas with high access to opportunity, it is important to increase the range of affordable housing options so that residents of all income levels can live in these neighborhoods.” (BPD pg. 32-35)*

**Nearby Amenities:**

**Grocery with fresh fruit and vegetables:**

- Safeway, Town Grocery

**Transit:**

- RTD Bus Routes 43, 12, 28, 44 & 34
- RTD 38<sup>th</sup> & Blake A Line Rail Stop
- Bike lanes: Champa and Stout protected lanes

**Parks and Recreation:**

- Mestizo-Curtis Park is across the street

**Schools & Libraries:**

- Manual High
- Cole Middle School
- Denver Language School – Gilpin Campus
- Whittier
- Ford-Warren Library

**Health Care Services:**

- Presbyterian St. Lukes Hospital
- Kaiser Permanente
- St. Joseph Hospital
- Children’s Hospital

The 3201 Curtis Property has relatively more Access to Opportunity and so is an ideal place to introduce mixed use zoning. Rezoning to U-MX-2X will allow more uses of the property to have access to these quality of life amenities than does the more limiting Chapter 59 PUD.

**Equity Concept 3: Reducing Vulnerability to Displacement** - stabilizing residents and businesses who are vulnerable to involuntary displacement due to increasing property values and rents.

The 3201 Curtis Property is in an area that is designated as relatively more vulnerable to displacement. The proposed U-MX-2X zone district would enable residential and a mix of neighborhood serving uses that do not exist in the PUD today, this includes a mix of low scale residential uses and low intensity commercial uses the ability to add housing and jobs here should help mitigate displacement.

The Property is in a historically rich neighborhood that continues to be a desirable area to live, work, and play in. This zone district offers increased opportunities for amenities and services that contribute to and enhance the vibrant neighborhood character. The building is a contributing structure in an historic district, protecting it from demolition. Successful rezoning will result in a variety of options for reuse of the unique building all of which have the chance to positively address these important city-wide equity concepts.

**The proposed map amendment is consistent with the objectives of the Northeast Downtown Neighborhood Plan (2011) including:**

**Vision, Guiding Principles (NEDNP pg. 10-11):**

**VISION STATEMENT:** The Northeast Downtown area will remain a diverse collection of urban neighborhoods with unique and distinct character. Transitions between neighborhoods will be seamless and promote the unique character of each area. Excellent street connectivity, an enhanced public realm, and good access to transit will make this an area of choice for residents, businesses, and services.

**Economic and Development Opportunity:**

- Encouraging new investment by attracting new businesses
- Supporting the growth of existing businesses
- Encouraging the reuse of existing structures
- Attracting new development
- Increasing employment opportunities
- Housing development opportunities should expand the range of housing types and price ranges

**Concepts and Recommendations (NEDNP pg. 20-21):**

**A.3 Low Intensity Development in Residential**

Neighborhoods In areas with established residential neighborhood character, including Curtis Park, San Rafael, and the neighborhood edge east of Downing Street (Cole and Whittier):

- Allow a mix of land uses consisting primarily of residential uses with limited neighborhood-serving commercial.

**A.4 Adaptive Reuse and Historic Preservation**

Throughout the planning area, adaptive reuse of existing building stock and preservation of historic structures are critically important to maintaining and enhancing the unique character of each neighborhood.

- Promote the reuse of existing buildings. Existing buildings, whether historic or not, are important character-defining elements throughout the Northeast Downtown Neighborhoods.

The Property is in an area designated as **Single Family Residential**.

**Single Family Residential:** Neighborhoods of single-family houses in Northeast Downtown represent older, residential neighborhoods that do not have a significant mix of housing types. Commercial uses are limited to small buildings providing neighborhood services.

Height recommendations for **Single Family Residential** is 2.5 stories.

The U-MX-2X zoning, by offering a mix of uses, is an appropriate district that complies with the recommendations of the Northeast Downtown Neighborhood Plan by supporting both residential and low intensity commercial uses through the utilization of existing structures. The U-MX-2X zone district would promote increased housing and employment opportunities. This zoning contributes to maintaining the residential character of the Curtis Park neighborhood through low scale building heights and mixed-use projects that embraces and enhances its historic charm. The max height for U-MX-2x is 2 stories making it less than the recommended 2.5 stories for single family residential.

Today, the Curtis Park Neighborhood area is predominantly residential. The Property being located between commercially active Downing Corridor and RiNo makes it an appropriate location for a low scale mixed- use zone district. The Property's is only a few yards from the Mestizo-Curtis Park and community pool, this makes it an ideal location for a mixed-use zone district with neighborhood-serving commercial as the plan recommends. This district will contribute to the plan's vision and uses of encouraging inviting, pedestrian-friendly, and transit accessible mixed-use developments.

Historic preservation is assured as the Property is a contributing structure to the Curtis Park G Historic District. As such the building is protected from demolition and any exterior changes will be subject to full Landmarks review.

**REVIEW CRITERION DZC § 12.4.10.7.B – 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.

Future development of the Property will result in uniformity of U-MX-2X district regulations and restrictions.

**REVIEW CRITERION DZC § 12.4.10.7.C – Public Health, Safety and General Welfare:** 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 plan.

## EXHIBIT C

### Description of Justifying Circumstances and Neighborhood Context

## **Exhibit C**

### **Statement of Compliance of Additional Review Criteria for Non-Legislative Rezonings (DZC § 12.10.8)**

#### **CRITERION DZC § 12.4.10.8.A - Justifying Circumstances - One of the following circumstances exists:**

*"Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include: That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning"*

Today, the Property is under a Former Chapter 59 Zoning PUD 379. Since the implementation of PUD 379, city wide plans including Blueprint Denver 2019 and Comprehensive Plan 2040 have been adopted. Successful rezoning will allow for zoning conformity and support the initiatives directed under the new city adopted plans.

*"Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such change may include: Changed or changing conditions in a particular area, or in the city generally"*

The .381-acre Property is in an Urban neighborhood immediately outside of downtown, this area continues to be a desirable neighborhood to work, live, and play in. Hundreds of new housing units have been delivered in recent years and more are on the way. This density is supporting a growing population that can walk, bike, or use public transit to neighborhood amenities, entertainment, retail, and services. Curtis Park's historic character is supported by its residential charm and local retail, restaurants, parks, and amenities.

With the tremendous growth in Denver in recent years, this part of Denver continues to be a popular neighborhood to live in, this warrants the introduction of residential, office, and low intensity commercial uses which are not allowed in its current PUD. The desire and need for more residential and employment options in the area is growing and a U-MX-2X zone district can aid to these community wants and needs.

#### **CRITERION DZC § 12.4.10.8.B – 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.**

The Urban Neighborhood Context is primarily characterized by single-unit and two-unit residential uses. Small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas. Multi-unit residential uses are located along local streets, residential and mixed use arterials, and main streets. Commercial uses are primarily located along mixed-use arterial or main streets but may be located at or between intersections of local streets. Denver Zoning Code's intent for U-MX-2X: "applies to small sites served primarily by local streets embedded within an existing or proposed neighborhood. These are typically one or two parcels and are limited to low scale building forms and low intensity uses.". (Denver Zoning Code 5.2.3-5.2.3.2)

Mixed Use Districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's neighborhoods. 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. Compared to the Main Street districts, the Mixed Use districts are focused on creating mixed, diverse neighborhoods. (Denver Zoning Code 5.2.3.1)

Today, the neighborhood context around the Property is a mix of low scale residential, mixed-use, and open space zoning. The proposed U-MX-2X zone district of the Property is fitting with the existing context and character in the Curtis Park neighborhood. It appeals to the characteristics of an Urban Neighborhood that states that commercial uses that are not located on mixed use arterials or main street may be on intersections of local streets. It is the direct intent of the U-MX-2X zone district to be embedded within an existing neighborhood served by local streets. It will enhance the convenience and enjoyment of walking, shopping, and public gathering through a low scale mixed-use project in an appropriate, transit-served location. It will promote a safe, active, pedestrian-scaled residential area while improving access to jobs, housing and services.

The proposed official map amendment U-MX-2X is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District

**EXHIBIT D**

**Community Support and Outreach**



October 17, 2019

Joel Noble, Chair  
Denver Planning Board  
201 W. Colfax  
Denver, CO 80202

Dear Mr. Noble,

I am writing to offer Historic Denver's support for the rezoning of 3201 Curtis to U-MX-2x. This is an appropriate zone district for the structure and for the context, and will create opportunities for new uses. The structure was once a fire station, and is part of a larger collection of stations across the city that reflect the unique style and scale of the residential neighborhoods they served.

While some such buildings are still actively used by the Denver Fire Department, a number of the buildings have been adaptively reused for new purposes over time. The flexibility of use, and the ability to transition from time to time, is essential in preserving historic buildings. The Women's Bean Project has been a great steward of the structure for many years, and we are hopeful that the next use will allow the building to continue to thrive as an integral part of Curtis Park.

The structure is also a contributing structure in the Curtis Park G Historic District, which means that regardless of its future use, the structure will remain and exterior design alterations will be reviewed by the Denver Landmark Preservation Commission. Future users will also have access to the State Preservation Tax Credit, of which there is both a residential and a commercial program. This gives us confidence that the care that's been put into the building in the past will continue, and we certainly encourage those marketing the property for sale to inform all potential buyers or users of the building's historic status and eligibility for these incentives.

Please feel free to reach out to me should you have any questions, and we are also happy to be a resource for future owners of the structure as they develop plans for the building's next chapter.

Sincerely,

Annie Levinsky  
Executive Director

Historic Denver, Inc.  
1420 Ogden Street, Suite 202  
Denver, Colorado 80218  
[www.historicdenver.org](http://www.historicdenver.org)



Curtis Park Neighbors, Inc.

September 25, 2019

To whom it may concern,

**Curtis Park Neighbors is in support of the proposed rezoning of The Women's Bean Project building located at 3201 Curtis Street to U-MX-2x.**

While we will miss The Women's Bean Project, who have been great community members to Curtis Park since 1995, they must relocate in order to continue their growth. We are happy for their success and wish them well in their next chapter.

The Women's Bean Project currently has very specific PUD zoning that is only applicable to this specific business. Rezoning must happen in order to sell and repurpose the historic fire station. We appreciate The Women's Bean Project for approaching the Curtis Park Neighbors in advance of applying for rezoning and offering to accept the neighborhoods recommendation for this rezone. That token shows the continued effort to be a good neighbor, even upon exit from the neighborhood.

Anytime a big building changes ownership, we have the goal to have the future occupants fit into the neighborhood with minimal friction. Being that this building is right in the middle of the residential neighborhood, we must do our best to meet that goal.

Curtis Park Neighbors board engaged in lengthy discussion and outreach to the neighborhood to arrive at the decision to support this specific rezoning of U-MX-2x. We referenced the *Northeast Downtown Neighborhood Plan* and deliberated on what we could envision the best use of the space for the neighborhood. We determined that the best way to get a true feel from the neighbors was to directly communicate and interact with those in the surrounding blocks.

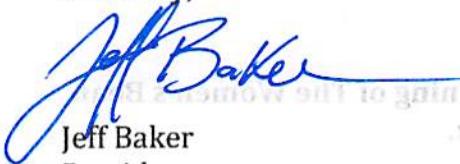
We created a flyer with the information about potential options for rezoning, uses and information about The Women's Bean Project. We went door to door and spoke with and/or delivered 100 flyers to the neighbors directly surrounding the site. We provided channels for direct feedback with a deadline of when that feedback was due. With this feedback, we went back to the full board, had another thoughtful discussion that ultimately landed on our unanimous support for a rezone to U-MX-2x.

The major concern from immediate neighbors with the other applicable zoning option of U-MX-2, which allows liquor licensed establishments to stay open later, and reduces neighbors input to what type of business ends up in this location was heard.

Curtis Park historically has had commercial buildings mixed into the residential neighborhood, typically on corners, like this building. Curtis Park Neighbors feel that the rezoning to U-MX-2x allows for business to be established with the hope that disruption or displacement to the neighbors is avoided. In addition, Denver Fire Station #10 is in a Landmark District, and with that protection we have more confidence that the building will remain the same as it has been since 1928, just with new occupants who we expect to weave perfectly into the fabric of the neighborhood.

September 2019

Sincerely,



Jeff Baker  
President  
Curtis Park Neighbors  
[jeffbakercurtisparkdenver@gmail.com](mailto:jeffbakercurtisparkdenver@gmail.com)  
970-759-4023

To whom it may concern

The Woman's Bean Pot currently has very specific PUD zoning that is only applicable to this specific business. Rezoning must happen in order to allow for future expansion of this location. We appreciate The Woman's Bean Pot for understanding the Curtis Park neighborhood's need to protect the surrounding businesses in this location. The Woman's Bean Pot is a well-loved neighborhood institution that has been a part of our community for many years. The Woman's Bean Pot is a well-loved neighborhood institution that has been a part of our community for many years.

Anytime a business changes ownership, we have the right to review the future occupants of the property in order to maintain the character of the neighborhood. We believe that the new owners of The Woman's Bean Pot will continue to maintain the character of the neighborhood.

Curtis Park Neighbors oppose the rezoning of U-MX-2x. We believe that the decision to support The Woman's Bean Pot is a result of the desire to support the future of the neighborhood. We believe that the new owners of The Woman's Bean Pot will continue to maintain the character of the neighborhood.

We look forward to the implementation of the new zoning for The Woman's Bean Pot. We believe that the new owners of The Woman's Bean Pot will continue to maintain the character of the neighborhood. We believe that the new owners of The Woman's Bean Pot will continue to maintain the character of the neighborhood.

**EXHIBIT E**

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

28 May 2019

Mr. Bruce O'Donnell  
STARBOARD Realty Group, LLC  
770 Sherman Street, Suite 108  
Denver, CO 80203  
[bodonnell@starboardrealtygroup.com](mailto:bodonnell@starboardrealtygroup.com)  
720-441-3310

Dear Bruce,

This letter serves as authorization for STARBOARD Realty Group, LLC to act on behalf of and represent Women's Bean Project for the purpose of submitting and processing the rezoning application for the property owned by Women's Bean Project at 3201 Curtis Street in Denver, CO.

Sincerely,



Tamra Ryan, CEO



**EXHIBIT F**

**Proof of Ownership, Assessors Record**

# 3201 CURTIS ST

**Owner** WOMENS BEAN PROJECT  
3201 CURTIS ST  
DENVER , CO 80205-2754

**Schedule Number** 02263-15-014-000

**Legal Description** CASE & EBERTS ADD B52 L16 TO 20

**Property Type** COMMERCIAL - OFFICE BUILDING

**Tax District** DENV

## Print Summary

### Property Description

<b>Style:</b>	OTHER	<b>Building Sqr. Foot:</b>	11600
<b>Bedrooms:</b>		<b>Baths Full/Half:</b>	0/0
<b>Effective Year Built:</b>	1948	<b>Basement/Finish:</b>	0/0
<b>Lot Size:</b>	16,625	<b>Zoned As:</b>	PUD

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

### Current Year

Actual	Assessed	Exempt	
Land	\$898,600	\$260,590	\$557,350
Improvements	\$1,023,300	\$296,760	
Total	\$1,921,900	\$557,350	

### Prior Year

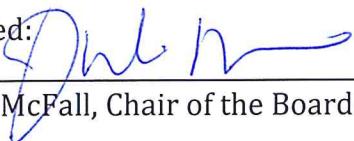
Actual	Assessed	Exempt	
Land	\$770,300	\$223,390	\$350,990
Improvements	\$440,000	\$127,600	
Total	\$1,210,300	\$350,990	

**EXHIBIT G**  
**Signature Authority Authorization**

BOARD RESOLUTION 0005  
for Authority to Change Zoning of Women's Bean Project Property  
23 July 2019

Let it be resolved that the Women's Bean Project Board is in full support of delegating to the CEO, Tamra Ryan, the duty and authority to take all steps necessary on behalf of Women's Bean Project in furtherance of the rezoning for the property owned by Women's Bean Project.

Signed:

  
Julie McFall, Chair of the Board of Directors

Board Member

Julie McFall, Board Chair

Amy Bittner, Vice Chair

Leslie Karnauskas, Treasurer

Gwen Young, Secretary

Anna Conrad

Bret Duston

Bryce Kelley

Bob Kumagai

Holly Leeser

Jerilynn Martinez

David Prichard

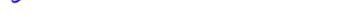
Ann Swanson

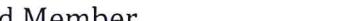
Krystal Than

Roger Twisselman

Hope Wisneski

Vote

  
yes

  
not present

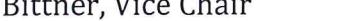
  
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PUD at 3201 Curtis Street  
Address

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**Application Status:** Preliminary        Complete        Final

**1. SCHEDULE**

- a. Date of pre-application conference 4-19-95
- b. Submittal date of preliminary application 5-19-95
- c. Submittal date of completed application 6-21-95
- d. Planning Board or Planning Office hearing date \_\_\_\_\_

Applicant requests: Planning Office Hearing   
Planning Board Hearing

Administrative Review

The applicant has met with and discussed the proposed PUD with:

Neighborhood Associations ? Yes  No

Affected Adjacent Residents And Property Owners ?

Yes  No

**2. DESCRIPTION OF PLANNED UNIT DEVELOPMENT (PUD)**

- a. MAXIMUM GROSS FLOOR AREA FOR EACH PROPOSED USE: (The zoning ordinance definition of gross floor area shall apply to all PUD proposals. Define terms like "Retail and Light Industrial". It is required that terms and uses already defined in the Zoning Ordinance be used. Gross floor area shall include interior balconies and mezzanines, but shall not include parking garages or basement areas used for storage or utilities.)

Attach additional sheets if necessary

Office / Counselling / Training \*\* 4,000 sq.ft.  
Use A. maximum

Specialty Food Packaging/Processing 2,500 sq.ft.  
Use B. maximum

Sale at wholesale/retail of Specialty food products 500 sq.ft.  
maximum

10,200 sq.ft.  
Please see attached sheet for additional uses TOTAL

**TOTAL F.A.R. .63 : 1**  
*(Floor Area Ratio = gross floor  
area divided by site area) LAND  
TO BE DEDICATED FOR PUBLIC STREETS  
SHOULD NOT BE INCLUDED IN THE SITE AREA.*

For residential uses:

Maximum number of dwelling units	<u>n/a</u>
Density (ratio of dwelling units per acre)	<u>n/a</u>

**b. LAND COVERAGE BY BUILDINGS AND IMPERVIOUS SURFACES:**

Maximum building coverage:

5,200 sq.ft. 31.3 % of site area

Maximum area of drives and parking:

6,470 sq.ft. 39.0 % of site area

Approximate area of other impervious surfaces:

325 sq.ft. 2.0 % of site area

Total impervious surface:

11,995 sq.ft. 72.3 % of site area

**c. LANDSCAPED AREAS AND/OR PERMEABLE AREAS:**

Live or Organic landscaped lot coverage:

minimum 4,605 sq.ft. 27.7 % of site area

Non-live lot coverage (*gravelled and other permeable surfaces*)

approximate: 0 sq.ft. 0 % of site area

Total minimum area: 0 sq.ft. 0 % of site area

d. PROJECT AREA TOTALS: (totals of "b" and "c")

Landscaped areas (permeable surfaces): 4,605 sq.ft.

Building and impervious surfaces: 11,995 sq.ft.

Total site area: 16,600 sq.ft.  
(this area must equal site area listed on page 1)

e. SETBACKS: (The minimum setbacks must be shown on the District Plan. A building envelope may be used to graphically depict the minimum setbacks required.)

Alley 39.0 ft. Front: \_\_\_\_\_ ft.  
Northwest 31.0 ft. OR Rear: \_\_\_\_\_ ft.  
Curtis St. 21.0 ft. Side: \_\_\_\_\_ ft.  
32nd St. 19.5 ft.

Minimum spacing between structures n/a

Encroachments into setback space will conform to Section 59-179 of the (R-3) zone district.

Official Parkway setback requirements for this P.U.D. are:  
n/a ft. for buildings and n/a ft. for signs.

f. MAXIMUM HEIGHT OF STRUCTURES:

Maximum height: 2 stories 45 ft.

Rooftop features (such as solar collectors, antennas, chimneys, flues, vents, and air conditioning equipment.) may exceed these heights by: 12 ft.

The height of a building shall be determined by the vertical distance from the highest point of a pitched roof or to the highest parapet around a flat roof to the average elevation of the corners of the proposed building at the finished grade.

If bulk plane restrictions are to be utilized, these restrictions will conform to those of the R-3 zone district. (solar collectors and mechanical equipment are not excepted from bulk plane restrictions!!!)

g. OFF-STREET PARKING:

This project shall contain 15 off-street parking spaces at the ratios shown below.

Use (a):	<u>Uses listed in Section 2a</u>	Ratio: <u>1:680 sq. ft</u>
Use (b):		Ratio: _____
Use (c):		Ratio: _____
Spaces per dwelling unit:		
Number of parking spaces for persons with disabilities: <u>2</u>		

Will this PUD conform to the requirements of Article V, Off-Street Parking ? Yes  , Yes, except as noted below  or No  .

If not, or if there are any exceptions, please provide the following information:

(1) Parking space dimensions:

Universal spaces:	_____
Small car spaces:	_____

(2) Driving aisle widths:

Angle of stalls:	_____
	_____

(3) Ratio of small car spaces to large car spaces:

\_\_\_\_\_

h. OFF-STREET LOADING SPACES:

This PUD will contain 0 off-street loading spaces. These spaces will conform with all of the requirements of Article VI, Off-Street Loading. If not, please provide the following information:

Off-street loading space dimensions: \_\_\_\_\_

i. SURFACE DRAINAGE: The rules and regulations of the Wastewater Management Division will require certain design and construction considerations to control surface water runoff. Does the site contain a flood hazard area as identified by the Federal Emergency Management Agency ? Yes  No  Does the site contain wetland areas ? Yes  No  (For assistance, contact WMD at 964-0500.)

j. Interior streets, drives, parking areas and pedestrian walkways within the PUD district, if any, are shown on the District Plan.

k. EASEMENTS: Existing and/or proposed utility and/or access easements are shown on the District Plan or are located as follows: none

l. LANDSCAPING AND BUFFERING: Areas to be landscaped are shown on the District Plan. However, a more detailed landscaping plan may be required by the Planning Office. (A detailed landscape plan is required as a part of the site plan review phase after the rezone is approved.)

- (1) Minimum number of trees to be planted: 5
- (2) Minimum size of trees at time of planting: 2" caliper
- (3) Minimum % of evergreen or coniferous trees: 0 %
- (4) Minimum number of shrubs to be planted: 0
- (5) Minimum size of container for planted shrubs: 0

Will the proposed PUD comply with the parking lot landscaping requirements of Sec. 59-585(10) ? Yes  No .

All foliage shall be maintained in a healthy, growing and safe condition. Where street trees are proposed or required on the public-right-of-way, such trees shall be installed in accordance with the requirements of the City Forester. (964-2580)

Number of street trees proposed: 0

If street tree plantings are required within the right-of-way of a state highway contact the Colorado Department of Transportation for approval (757-9930).

Fences and/or Walls:

The maximum height of fences and/or walls that may be built in the PUD district, except for front setback spaces:

12 ft.

We plan to keep the existing vine-covered fences. The maximum height of fences and/or walls that may be built within the PUD district front setback spaces: 12 ft.

Such fences and/or walls shall be either solid and view-obscuring, or open and view-permitting as required by the District Plan and shall be shown (include the size and types of materials permitted) on the District Plan. Fences and/or walls shall be subject to Sec. 59-38(11) "Overheight Fences And Walls".

Earthen berms or mounds used for screening shall be landscaped and, if utilized, shall be shown on the District Plan. Maximum height: 0 ft. Minimum height: 0 ft.

m. BOAT, CAMPER, TRAILER AND RECREATION VEHICLE STORAGE:

Permitted ( ) Not Permitted (x)

If permitted, screening fences will ( ) will not ( ) be provided. Such fences shall be not less than        ft. nor exceed        ft. in height.

Maximum length of trailer and/or recreational vehicles permitted:        ft.

All such storage facilities shall be shown on the District Plan.

n. DEDICATIONS AND IMPROVEMENTS:

The owner understands that City ordinances and agency rules and regulations may require the dedication of additional right-of-way and the construction of certain public improvements. If this proposal involves the vacation of certain public rights-of-way for incorporation into the project area, such vacation must be approved prior to or at the public hearing on this proposal.

o. EXTERNAL EFFECTS: (vibration, heat, glare, radiation, and fumes)

These effects will be regulated by Sec. 59-178 (2)-(4) (R-3 zone district). Reflective glass will ( ) will not (x) be used.

P. The existing grade of the site will ( ), will not (x) be altered.

q. Utilities (public and private) serving the property are located (where?) Power pole north of the north corner.  
Gas meter on south side of building. Sanitary sewer runs through alley to NE side of building. Water main 23' from For information contact the following: from the SW side of Denver Water Department 628-6100 Curtis, the tap is 86' U.S. West 896-5325 NE of 32nd Street. Public Service Company 571-3527 Wastewater Management 964-0500

r. SIGN CONTROLS: The project will be regulated by the following:

Sec. 59-537, Signs permitted in all districts  
Sec. 59-538, Sign area measurement  
Sec. 59-548, regulations for the R-3 district

If no specific regulations are referenced here, complete the following:

Maximum number of signs: \_\_\_\_\_

Permitted sizes of signs: \_\_\_\_\_

Maximum sign area allowed: \_\_\_\_\_

Number of ground signs allowed: \_\_\_\_\_

Number of joint ID signs allowed: \_\_\_\_\_

Maximum size of joint ID sign(s): \_\_\_\_\_

Temporary signs allowed: \_\_\_\_\_

Number of canopies and awnings: \_\_\_\_\_ Backlit ? Yes ( ) No ( )

All ground, monument, and joint ID sign locations and setbacks must be shown on the District Plan.

s. OUTDOOR STORAGE OF PRODUCTS, MATERIALS, OR SOLID WASTE:

Permitted (x) Not Permitted ( )  
Screened (x) Not Screened ( )  
Height of solid fence or screening wall: 4 ft.

t. CURRENT TRAFFIC VOLUMES:

The current traffic volumes on streets in or adjacent to the project must be shown on the Existing Conditions Map. These volumes are available for major streets from the Transportation Engineering Division, or the Planning Office or may be estimated by the applicant based on a professional traffic study. Streets for which no estimate is available should be noted.

Site generated traffic should be estimated and noted by the applicant based on proposed project type, size, and other relevant factors. Ratios for estimating traffic are available in Institute of Transportation Engineers reference books at the library.

For projects with total daily site generated traffic of more than 200 vehicle trips, or for projects in areas with special problems, more detailed analysis may be required, and the applicant should contact the Transportation Engineering Division at 640-3958 for further guidance.

Public Transportation: The nearest bus stop is located:  
(Where?) Lawrence and 34th Streets

- u. FUTURE SCHOOL SITES: (Applicable to large residential PUD'S; contact Denver Public Schools for more information.)  
Will be dedicated.  Will not be dedicated.
- v. HOME OCCUPATIONS: (Residential PUD'S only)  
Permitted  Not Permitted   
Shall conform to Sec. 59- 177(4) of the R-3 district.
- w. TEMPORARY USES: Uses by temporary permit will be regulated by Sec. 59- 177(2) (R-3 zone).
- x. ACCESSORY USES: Will be permitted and regulated by Sec. 59- 177 (3) (R-3 zone)
- y. INTERIM USES: Prior to the development of this project, the property may be used on an interim basis for the following uses within existing buildings:  
Shipping and storage of specialty food products.  
\_\_\_\_\_  
\_\_\_\_\_
- z. PHASING: Developed in phases ? Yes  No   
If yes, specify the phasing and the improvements to be constructed in each phase:  
\_\_\_\_\_  
\_\_\_\_\_

Anticipated starting date 9-15-95 Completion date 1-31-96

A SEPARATE SITE PLAN REVIEW IS REQUIRED FOR ALL PUD'S PRIOR TO OBTAINING ZONING OR BUILDING PERMITS FOR CONSTRUCTION. CONTACT THE ZONING ADMINISTRATION FOR MORE DETAILS. THIS PROCESS, IF REQUIRED, MAY BE STARTED AFTER THE PLANNING BOARD HEARINGS ARE COMPLETED.

3. On an attached page a written statement is given generally describing:
  - a. The proposed PUD and the market it is intended to serve.
  - b. Its relationship to the Comprehensive Plan: where the applicant's objectives are not in substantial conformance with the changing conditions that justify approval of the proposed PUD District. (For help with this contact the Denver Planning Office.)
  - c. How the proposed PUD District is to relate to the character of the surrounding neighborhood.
4. The "Existing Conditions Map" is attached following the written statement described above.
5. The "District Plan" is attached following the "Existing Conditions Map".  
This plan includes the following listed and attached drawings or renderings:  
 Architectural concepts       Building elevations  
 Facade treatments       Exterior building materials  
 Other important features (Please list) \_\_\_\_\_

6. **ACKNOWLEDGEMENT:**

- a. The applicant for this PUD is the owner or owners of all of the property contained within the proposed PUD District or is the agent for the owner or owners of all the property contained within the proposed PUD District. (Agents must supply proof of agency from the owner or owners of the property at time of application.)
- b. The applicant understands that vested property rights shall be created ninety (90) days after the approval of this district plan by the Denver City Council. These vested property rights shall remain vested for a period of three (3) years in accordance with Sec. 59-29.

Mayor Wellington E. Webb  
Print or type applicant's name

Wellington E. Webb  
Applicant's signature

(Form to be completed by the P.U.D. applicant  
and attached to the back of form Z/A 8)

P.U.D. Application Number .4201.....

Property Addressed as ..3201 Curtis Street, Denver, CO 80205....

This is to certify that the land owner or owners indicated in block #5 of the application form (does) (does not) (circle one) in fact own all the land area affected by this application. Indicate as accurately as possible the form of interest in the property held by the individual or company listed as "owner".

- option holder of (all) (a portion) (circle one) of the land under application.
- contract holder of (all) (a portion) (circle one) of the land under application.
- fee title owner of (all) (a portion) (circle one) of the land under application.
- holder of a security interest in (all) (a portion) (circle one) of the land under application.

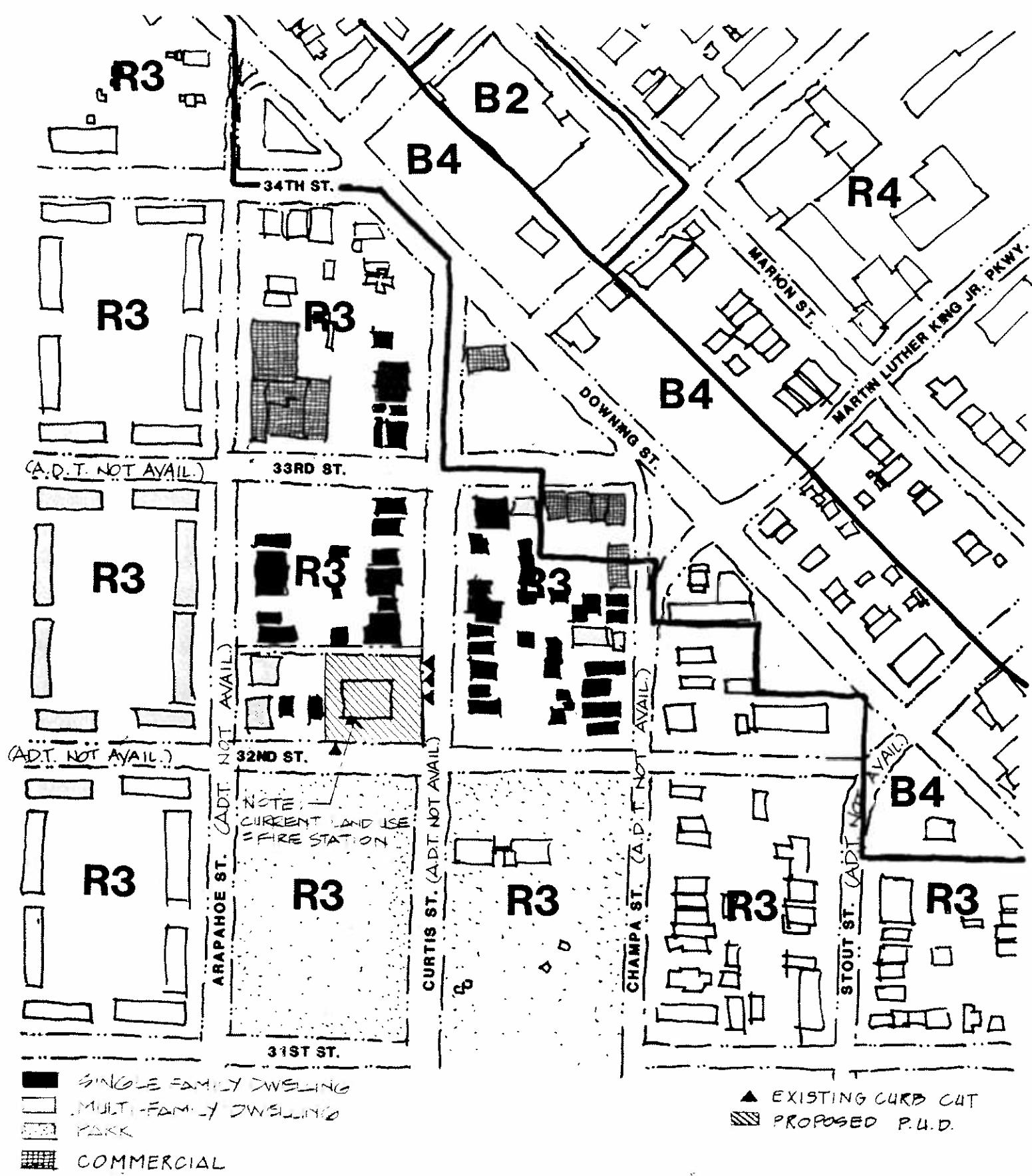
June 21, 95

date

Wellington E. Webb  
signature of applicant or owner  
Mayor Wellington E. Webb

If there are other owners of the land included in the P.U.D. application, please list them below, and give the legal description of the property which they own.

Please attach a property card from the Assessor's Office which describes the owner's property included in the P.U.D. application.



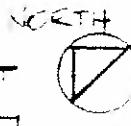
## EXISTING CONDITIONS

PROJECT: 3201 CURTIS STREET, DENVER  
 PROJECT AREA: .3811 ACRES  
 P.U.D. APPLICATION #4201

JUNE 15 1995

SCALE: 1" = 200'

0 50 100 200



PUD at 3205 Curtis Street

2. Description of Planned Unit Development (PUD)

(cont. from page 2)

Kitchen/Caterer limited to two delivery vehicles 1,700, sq.ft  
Use D **maximum**

Storage of assembled specialty food products 1,500, sq.ft  
Use E **maximum**

Uses Allowed in R-3 Zone district as allowed in R-3 Zone District  
Use F **maximum**

\* If proposed uses A, B, C, D and/or E are developed/maintained, the property shall be subject to the terms and conditions of paragraphs 2b through 5 herein **OR** if the proposed use F is developed/maintained, the property shall be subject to the provisions of Division 8 (R-3 Zone District) of Article III (District Regulations) of Chapter 59.

\* \* Area defined as Use A (Office, Counseling and Training) will be made available during off-hours for community meeting rooms.

3a) The PUD and the market it will serve:

The Women's Bean Project, as owner/occupant of Fire Station #10 will serve the neighborhood in several ways. We will be an education, training and employment center for low-income women in the area. We will also be a viable economic anchor for the area and a safe harbor for neighborhood children during the daytime.

We will be able to become more actively involved in our immediate community. During non-work times (evenings and weekends) we will make available our meeting rooms for community gatherings. Our staff and employees will become frequent visitors to Curtis Park across the street. (Although the Fire Station will have a large, bright area for our employees on the second floor, we are grateful to be located so close to a perfect spot for lunches and break-time.)

3b) This proposal is in conformance with the following comprehensive plan policies:

**NE - P - 17:** Commercial development should be compatible in operation and design with the residential fabric and character of the neighborhood.

**RS - P - 49:** Denver should develop employment area in both the inner city and other areas of the city; these should be designed and located to accommodate new technologies and industrial and business activities. The city should pursue corporate headquarters and high technology research and development facilities when it is demonstrated that these make major contributions to the city's economy and will encourage such facilities to be located in sites that are compatible with surrounding neighborhoods.

**HS - P - 3:** Comprehensive welfare-to-work programs, including education and training components, will be the linchpin of the new self-sufficiency system and must be closely linked to Denver's economic development efforts.

3c) The relationship of the PUD to the surrounding neighborhood:

The Fire Station is located on the northwest corner of Curtis Park. The Women's Bean Project has no plans to change the historic nature of the building, but rather, we will enhance the landscaping and the details of the building. The Women's Bean Project is committed philosophically to natural products and a natural environment.

The Women's Bean Project will limit its active staff, employee group and full-time volunteers to the following:

18 Production Employees  
6 Catering Employees  
12 Staff Members  
4 Full-time Volunteers

The Women's Bean Project will have neither residential facilities nor child care facilities on site. Children are on site infrequently and, then, only with a parent.

General Operating hours (assembly, counseling, wholesale and retail sales) will be from 8:30 a.m. to 5:30 p.m. on weekdays. Exceptions to this schedule are limited to the 13 Saturdays a year during which we will be open from 8:30 a.m. to 5:30 p.m., and, if needed, up to 20 weekday evenings until 8:00 p.m.

We will use the kitchen for catering jobs (limited to transport by two trucks) primarily during normal operating hours. However, we will accept evening and weekend jobs. Use of the building will be limited to the kitchen and catering areas. Off-hour scheduling will be limited to two evenings a week and one day during weekends throughout the year.

We will use the meeting rooms from 7:30 p.m. to 9:30 p.m. one evening each month for our Board Meetings (up to 30 people) and from 6:00 p.m. to 8:00 p.m. three times a month for committee meetings (up to 10 people).

We will use the building to hold fund-raisers and/or community open-houses three times a year. We will have a maximum of 300 people on site, but ordinarily fewer than 75. We will limit the hours to extend no later than 10:00 p.m.