



**TO:** **Denver City Council**  
**FROM:** Kyle A. Dalton, AICP, Senior City Planner  
**DATE:** April 26, 2012  
**RE:** **Zoning Map Amendment Application #2011I-00062**  
**3198 Blake Street,**  
**Rezoning from C-MU-10 with waivers to C-MX-5**

### **Staff Report and Recommendation**

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2011I-00062 for a rezoning from C-MU-10 with waivers to C-MX-5.

#### **I. Scope of Rezoning**

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Application:	<b>#2011I-00062</b>
Address:	3198 Blake Street
Neighborhood/Council District:	Five Points / Council District #9
RNOs:	United Community Action Network Inc.; Elyria Swansea/Globeville Business Association; Rino, River North Arts District; Curtis Park Preservation Council; RiNo Neighbors; Northeast Community Congress for Education; Five Points Business District; Inter-Neighborhood Cooperation
Area of Property:	0.36 acres / 15,619 square feet
Current Zoning:	C-MU-10 with waivers
Proposed Zoning:	C-MX-5
Applicant/Owner:	TRF Blake Street, LLC
Contact Person:	Bob Gollick

#### **II. Summary of Proposal**

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The property proposed for rezoning is located at the south corner of Blake Street and 32<sup>nd</sup> Street in River North. The site is located approximately five blocks southwest of the location of the future 38<sup>th</sup> & Blake Station on the East Rail Line. The property is currently vacant. The applicant is proposing potential development of mixed residential and commercial uses and is seeking a rezoning to C-MX-5.

The current zoning is Former Chapter 59 zone district C-MU-10, with waivers, established in Ordinance 1095, Series 2002. The following uses were waived out: recycling collection station, university or college, animal sales or service, and brewpub. The minimum front setback for structures was waived to 3 feet. The minimum side setback for structures was waived to 0 feet. The minimum off-street parking requirement for live-work residential was waived to 1.0 space for each dwelling unit and 1.0 space for each employee not residing in the dwelling unit.

The requested zone district, C-MX-5, is in the Urban Center Neighborhood Context (discussed further below). The district allows a wide mix of residential and commercial uses. Building forms have maximum heights of five stories, minimal setbacks, and significant build-to and

ground-story activation requirements. Details of the zone district can be found in Article 7 of the Denver Zoning Code (DZC).



Current Zoning

### III. Existing Context

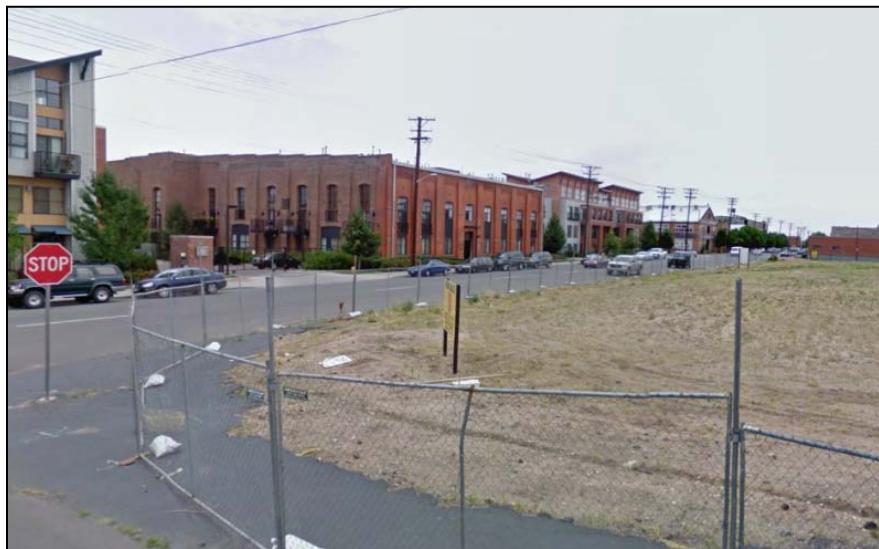
	Existing Zoning	Existing Land Use	Blueprint Denver
<b>Site</b>	C-MU-10 with waivers	Vacant	Area of Change Mixed Use
<b>Northwest</b>	C-MU-10 with waivers and conditions	Multi-Unit Dwelling	Area of Change Mixed Use
<b>Southwest</b>	I-MX-3 UO-2	Industrial	Area of Change Mixed Use
<b>Southeast</b>	I-MX-3 UO-2	Industrial	Area of Change Mixed Use
<b>Northeast</b>	R-MU-30 with waivers	Vacant	Area of Change Mixed Use

The neighborhood context consists of a regular grid of streets that is interrupted by the rail lines to the northwest of Blake Street. Block sizes and shapes are consistent and rectangular. Building setbacks are typically shallow for both new residential buildings and older industrial

buildings, with parking (when present) to the side or rear. Building heights range from one to four stories. To the south and east, uses are primarily industrial, but along the west side of Blake Street to the north and south, the land use pattern has become consistently multi-unit residential over the past several years, stretching from 30<sup>th</sup> Street north towards the site of the future commuter rail station at 38<sup>th</sup> & Blake. A few vacant properties, like the subject site, are found in the vicinity.



View of the subject site (fenced) from 32<sup>nd</sup> Street looking southwest towards downtown; Blake Street is on the right.



View from 32<sup>nd</sup> Street at Blake Street, looking northeast toward the future rail station (subject site is directly behind the camera). The photograph shows vacant property in the foreground and 2- to 4-story residential structures along Blake Street.

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#### **IV. Summary of Agency Referral Responses**

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

Asset Management: Approve - No Comments.

Development Services – Transportation: Development Services Transportation approves the zone map amendment. The applicant should note that redevelopment of this site may require additional engineering, ROW dedication to the City, access changes, and/or right of way improvements. The extent of the required design and improvements will be determined once this property begins the redevelopment process.

Public Works – City Surveyor: Approve – No Comments.

#### **V. Legal Notice, Public Process & Public Comment**

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##### **Planning Board**

The property was legally posted for a period of 15 days announcing the Denver Planning Board public meeting, and written notification of the hearing was sent to all affected registered neighborhood organizations. The Denver Planning Board recommended approval of this application by unanimous consent at their regular meeting on February 15, 2012.

##### **Land Use, Transportation and Infrastructure Committee**

This application was considered at the March 13, 2012, meeting of the Committee and members voted to move the proposal on to the full City Council. Notification of the Committee meeting was sent to affected Registered Neighborhood Organizations.

##### **City Council Public Hearing**

The property has been legally posted for a period of 21 days announcing the Denver City Council public hearing, and written notification of the hearing was sent to all affected registered neighborhood organizations.

River North (RiNo) Neighbors, a registered neighborhood organization, submitted a letter recommending support of the application.

#### **VI. Criteria for Review / Staff Evaluation**

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The criteria for review of this rezoning application are found in DZC Sections 12.4.10.13 and 12.4.10.14, as follows:

##### **DZC 12.4.10.13**

- A. Consistency with Adopted Plans
- B. Uniformity of District Regulations and Restrictions
- C. Public Health, Safety and General Welfare

##### **DZC 12.4.10.14**

- A. Justifying Circumstances
- B. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements.

#### **A. Consistency with Adopted Plans**

The following adopted plans apply to this property:

- *Denver Comprehensive Plan 2000*
- *Blueprint Denver*
- *Northeast Downtown Neighborhoods Plan (2011)*
- *38<sup>th</sup> & Blake Station Area Plan (2009)*

##### **1. Denver Comprehensive Plan 2000**

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

- Environmental Sustainability Strategy 2-F – *Conserve land by promoting infill development with Denver at sites where services and infrastructure are already in place; designing mixed use communities and reducing sprawl so that residents can live, work and play within their own neighborhoods.*
- Land Use Strategy 3-B – *Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses.*
- Land Use Strategy 4-A – *Encourage mixed-use, transit-oriented development that makes effective use of existing transportation infrastructure, supports transit stations, increases transit patronage, reduces impact on the environment, and encourages vibrant urban centers and neighborhoods.*
- Mobility Strategy 4-E – *Continue to promote mixed-use development, which enables people to live near work, retail and services.*

Consistent with the plan strategies, the proposed map amendment will enable mixed-use development near a new transit station at an infill location.

##### **2. Blueprint Denver**

According to Blueprint Denver, this site has a concept land use of Mixed Use (shown in pink in the map below) and is located in an Area of Change (shown in cross-hatching in the map below). Mixed-Use areas “have a sizable employment base as well as housing. Intensity is higher in mixed-use areas than in other residential areas” (p. 41). “The goal for Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips” (p.127).



*Blueprint Denver Plan Map*

Blueprint Denver classifies Blake & 32<sup>nd</sup> Streets as Residential Collectors. "As collectors and local streets, residential streets are designed to emphasize walking, bicycling and land access over mobility" (p. 55).

The proposed map amendment to C-MX-5 will enable growth in an area that Blueprint Denver identifies is appropriate for mixed use change.

### ***3. Small Area Plan: 2011 Northeast Downtown Neighborhoods Plan (NDNP)***

This site is located within the boundaries of the **2011 Northeast Downtown Neighborhoods Plan (NDNP)**, in the Ballpark/River North neighborhoods. The future land use of the site is designated as "Mixed Use / Industrial," which is explained as, "Similar to Mixed Use, but with recognition that light industrial uses, such as light manufacturing and smaller warehouses are compatible with urban residential housing types. These areas have both a sizable employment base as well as a variety of mid-to-high density housing options. Land uses can be, but are not necessarily, mixed in each building, development, or block. Pedestrian access is of importance within the area, with residential and non-residential uses always within walking distance of one another" (p. 16). Further, the plan recommends maximum heights of 5 stories at this location (p. 19).

*Northeast Downtown Neighborhood Plan Maps*

Concept Land Use Map



Concept Building Heights Map

Although this plan designation contemplates industrial in the mix of appropriate uses, the site is not currently used for industry and does not need the allowance for industrial uses found in other zone districts such as I-MX-3 and I-MX-5. Further, according to the intent statements for the I-MX zone districts, they are intended to be applied in “industrially-dominated areas.” As discussed above, the site is in an area increasingly transitioning to multi-unit residential uses and no longer dominated by industrial uses. Accordingly, C-MX-5 is an appropriate district.

#### **4. Small Area Plan: 2009 38<sup>th</sup> & Blake Station Area Plan**

The site is also located within the boundaries of the 38<sup>th</sup> & Blake Station Area Plan, adopted in 2009. The plan's recommendations for this site are generally consistent with the NDNP, calling for Mixed-Use Residential Infill and Redevelopment, noting that this kind of development is already occurring within the station area, especially along Blake Street (p. 51). The proposed C-MX-5 zone district is consistent with these plan recommendations.

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

The proposed rezoning to C-MX-5 will result in the uniform application of zone district building form, use and design regulations.

#### **C. Public Health, Safety and General Welfare**

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

#### **D. Justifying circumstance**

The application identified several changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.14.A.4, “The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area.” As described above, conditions in the surrounding area have been changing as new residential uses have been established near the future commuter rail station. Two new plans have been adopted in

the time period since the property was last rezoned, and the future 38<sup>th</sup> & Blake station location has been moved closer to this site (previously the location was planned for 40<sup>th</sup> & 40<sup>th</sup>).

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

1. The requested C-MX-5 zone district is within the Urban Center Neighborhood Context. The context generally consists of multi-unit residential and mixed-use commercial strips and commercial centers (DZC Division 7.1).
2. According to the zone district intent stated in the Denver Zoning Code, the C-MX-5 district “applies to areas or intersections served primarily by collector or arterial streets where a building scale of 1 to 5 stories is desired” (DZC Section 7.2.2.2.B). Because the adopted plans (discussed above) identify the adjacent streets as collectors and the plans designate this site as appropriate for 5 stories, the proposed map amendment is consistent with the zone district intent statement.

**VIII. Staff Recommendation**

Based on the criteria for review as defined above, Staff recommends approval for rezoning the property located at 3198 Blake Street (Application #2011I-00062) for C-MX-5 zoning.

**Attachments:**

1. **Application**
2. **Letter of Support from RiNo Neighbors**
3. **Map Series - Aerial, Zoning, Blueprint Denver Concept Land Use Map**



**DENVER**  
THE MILE HIGH CITY

**Community Planning and Development**

**Planning Services**

Plan Implementation

201 W Colfax Ave, Dept 205

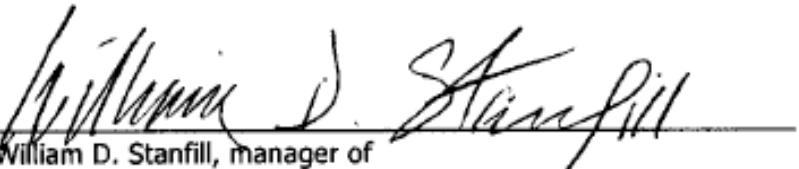
Denver, CO 80202

p: 720-865-2915

f: 720-865-3056

[www.denvergov.org/planning](http://www.denvergov.org/planning)

## APPLICATION FOR ZONE MAP AMENDMENT

<b>Application #</b>	20011I-00062	<b>Date Submitted</b>	12.6.11 Rev: 1.17.12	<b>Fee Required</b>	\$1,000	<b>Fee Paid</b>	\$1,000
<b>APPLICANT INFORMATION</b>				<b>CONTACT INFORMATION (Same as Applicant? <input type="checkbox"/>)</b>			
<b>Applicant Name</b>	TRF Blake Street, LLC			<b>Contact Name</b>	Robert J. Gollick, Inc.		
<b>Address</b>	730 17th Street, Suite 690			<b>Address</b>	609 South Gaylord Street		
<b>City, State, Zip</b>	Denver, Colorado 80202			<b>City, State, Zip</b>	Denver, Colorado 80209		
<b>Telephone / Fax</b>	303 377-4181			<b>Telephone / Fax</b>	303 722-8771 / 303 744-3243		
<b>Email</b>	bgollick@comcast.net			<b>Email</b>	bgollick@comcast.net		
<b>Subject Property Location [Please Include Assessor's Parcel Number(s)]</b>							
The southeast intersection of Blake Street and 32 <sup>nd</sup> Street, Addressed as follows: 3198 Blake Street: Assessor's Number: 0227505019000							
<b>Legal Description of Subject Property</b>							
Lots 1 through 5 inclusive, Block 19, Case & Eberts Addition to the City of Denver, City and County of Denver, State of Colorado							
<b>Area of Subject Property (Acres/Sq Ft)</b>		<b>Present Zone District</b>			<b>Proposed Zone District (Waivers and Conditions Require Separate form)</b>		
0.382± acres      16,636± sq. ft.		C-MU-10 w/waivers			C-MX-5		
<b>Describe the nature and effect of the proposed Zone Map Amendment</b>							
Please refer to the following pages							
<b>Select Legal Basis for the Zone Map Amendment and explain in detail</b>		<input type="checkbox"/> <b>Error in the map as approved by City Council</b>					
		<input checked="" type="checkbox"/> <b>Changed or Changing Conditions that make a Zone Map Amendment Necessary</b>					
Please refer to the following pages							
<b>State the land use and the development proposed for the subject property. Include the time schedule (if any) for development</b>							
Please refer to the following pages							
<b>Required Exhibits</b>				<b>Additional Exhibits</b>			
Applicant & Owner Information Sheet				<input checked="" type="checkbox"/>	Letter to all relevant RNOs		
Maps – Required for Final Submissions				<input type="checkbox"/>	RiNo RNO Letter of Support		
<b>Case Managers</b>	Ellen Ittelson and Kyle Dalton						
<b>Signature</b>							<b>Date</b>
 William D. Stanfill, manager of Trail Ridge Partners, LLC As manager of TRF Blake Street, LLC							11/17/12

## APPLICANT & OWNER INFORMATION SHEET

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

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

Application Number	Applicant's Name
20011I-00062	William D. Stanfill, manager of Trail Ridge Partners, LLC As manager of TRF Blake Street, LLC

Property Address(es)	3198 Blake Street: Assessor's Number: 0227505019000
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Applicant's Address	730 17th Street, Suite 690 Denver, Colorado 80202
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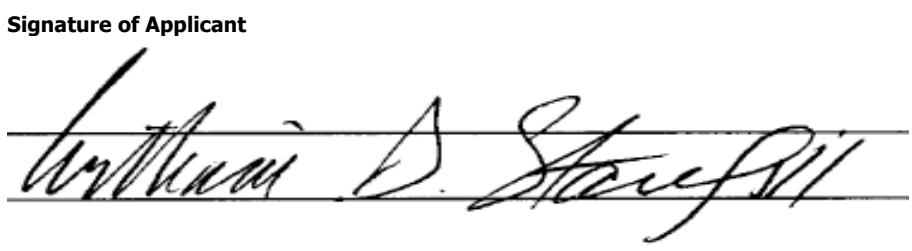
**NOTE: If application is for rezoning to B-2, B-3, R-X or PUD, and the applicant is not the property owner, this form must be accompanied by a Power of Attorney statement from the property owner.**

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

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

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

None

Signature of Applicant	 <span style="font-size: 2em;">11/17/12</span>
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William D. Stanfill, manager of Trail Ridge Partners, LLC As manager of TRF Blake Street, LLC 730 17th Street, Suite 690 Denver, Colorado 80202	
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**Describe the nature and effect of the proposed amendment.**

The nature of the proposed map amendment is to permit the development of a  $0.382\pm$  acre parcel of undeveloped land. The property is located on Blake Street corridor within an area of developed and developing properties in the Upper Larimer Neighborhood area. The proposed development will provide a mix of uses that are appropriate for such an urban setting. This map amendment will permit development of commercial and residential uses. The property is currently a vacant and undeveloped dirt field.

Of significance is RTD's proposed location for the East Corridor Commuter Rail Line and the Central Corridor Streetcar Line. The commuter rail line is planned to run one block west of the subject property. In conjunction with this rail line alignment, RTD has selected 38th and Blake Street as the location for the corridor transit station. The station is only a few blocks north of the subject site. The 38th & Blake Station is part of the Regional Transportation District's 23.6-mile East Corridor commuter rail project, which will connect Denver Union Station to Denver International Airport. It will follow an alignment that parallels Blake Street to the 38th and Blake Station. The 38th and Blake Station will also serve the Central Corridor light rail line, which will be extended north along Downing Street to 36th Street, where it will then connect to the East Corridor Line.

The proximity of the subject property to the location the station is strong justification for a change of zone district to permit appropriate mixed-use development at an urban density.

If approved, the effect of the proposed zoning will be immediate and very positive. All of the permitted uses will add to the vitality and life of the neighborhood. The proposed C-MX-5 zoning will attract new residents to the area, create employment opportunities, and provide needed commercial services along with live/work residential units. This will all help reduce area traffic and result in an attractive and interesting new development on a vacant and thus underutilized site.

Development of the property predicated upon the C-MX-5 zoning will at a minimum result in the following:

1. Because of the urban location, reduce vehicular traffic and encourage transit access to the Central Business District from the proposed station,
2. Provide the ability to develop necessary commercial uses,
3. Dramatic improvements to the frontage along Blake Street,
4. Attract additional residents near the core city area, and,
5. Provide the ability to develop needed commercial uses to support the ongoing residential development in the area such as Fire Clay Lofts and Silver Square.

The C-MX-5 zone district is well suited for this site. The list of allowable uses is compatible with an urban location such as this and the allowable height is ideal, for this property.

The C-MX zone districts were adopted by City Council to respond to potential development parcels such as this and are categorized as Urban Center Neighborhood Context. The Zoning Code describes the neighborhood context of the C-MX districts as consisting of multi-unit residential and mixed-use commercial strips and commercial centers allowing multiple unit residential buildings along with commercial buildings that may be live-work. The general intent is to encourage mixed-use developments with the building(s) being located close to the street. The Urban Center Neighborhood Context (from the Zoning Code) is characterized by moderate to high building heights to promote a dense urban character. As paraphrased from the Zoning Code, the nature of the C-MX or Mixed Use Zone Districts 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. The districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's neighborhoods. They are also intended to ensure new development contributes positively to established residential neighborhoods and character, and improve the transition between commercial development and adjacent residential neighborhoods. The Mixed Use districts are focused on creating mixed, diverse neighborhoods at the neighborhood scale by requiring a shallow front setback with high build-to requirements.

This perfectly describes the nature of the proposed development as well as the Blake Street corridor.

***Explain in detail the legal basis for the proposal: either (a) the error in the map as approved by City Council, or (b) the changed or changing conditions that in the public interest make the map amendment necessary.***

The proposed C-MX-5 zone district map amendment is in response to the changed and changing conditions in the Upper Larimer Neighborhood. The proposed 38th and Blake Transit Station will be the catalyst for development of both commercial and residential projects.

Over the years, residential developments along with limited commercial and retail projects have changed the area into one of Denver's emerging neighborhoods in which to live and work. Fireclay Lofts, Silver Square, Blake Street Union, Walnut Room, ect are examples of the changes taking place.

The existing C-MX-10 with waivers zone district cannot meet the development needs for this site or provide the City and area residents the quality and assurances that are necessary that a "form-based" zone district can provide. Thus one of the changed conditions that justify this map amendment is the adoption of a new zoning code by the City and County of Denver in 2010. The new code provides the C-MX-5 zone districts which being "form based" provides the assurance that the structure(s) will meet the expectations of the area residents and the City. Design elements such as how the building relates to the street, the maximum height, maximum build to lines as well as parking controls provide assurances of a pedestrian oriented structure.

Additional examples of the changed conditions, which support and justify this request, are as follows:

- The adoption by City Council of "Blueprint Denver",
- Approval of the site as an "**Area of Change**" for a **Mixed-Use** within "Blueprint Denver",
- The designation of both Blake Street and 32nd Street as residential-collector streets,
- Approval of the "38th and Blake Station Area Plan"
- The approval of the "2011 Northeast Downtown Neighborhoods Plan", and
- The need for additional residential dwelling units is consistent with the development patterns that the neighborhood has experienced.

The area conditions have changed significantly, providing the legal basis for this zone change request and make the proposed amendment reasonable and necessary to the promotion of the public health, safety and general welfare. The public interest for the citizens of Denver is best served by adoption of this map amendment, which will provide the services, amenities, employment opportunities and residential development necessary for positive planned growth to occur.

Further explanations of the changed conditions that justify this map amendment request are contained in *Denver Comprehensive Plan 2000* and *Blueprint Denver*. Several of the objectives and resulting strategies that support the zoning request are listed as below. They are extracted from the Land Use Chapter, Mobility Chapter, Legacies Chapter, Economic Activity Chapter, and Environmental Sustainability Chapter of *Denver Comprehensive Plan 2000* and Chapters 4 and 7 of *Blueprint Denver*.

### ***Land Use Chapter***

#### **Objective 1: Citywide Land Use and Transportation Plan**

##### **Strategy 1-B:**

Ensure that the *Citywide Land Use and Transportation Plan* reinforces the city's character by building on a legacy of high-quality urban design and stable, attractive neighborhoods; encouraging preservation of historic buildings, districts and landscapes; and maintaining the integrity of the street grid, parks, parkways, and open space system.

#### **Objective 3: Residential Neighborhoods and Business Centers**

##### **Strategy 3-B:**

Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses.

**Strategy 4-A:** Encourage mixed-use, transit-oriented development that makes effective use of existing transportation infrastructure, supports transit stations, increases transit patronage, reduces impact on the environment, and encourages vibrant urban centers and neighborhoods.

**Strategy 4-B:** Ensure that land use policies and decisions support a variety of mobility choices, including light rail, buses, paratransit, walking and bicycling, as well as convenient access for people with disabilities.

### ***Mobility Chapter***

#### **Objective 4: Changing Travel Behavior**

##### **Strategy 4-E**

Continue to promote mixed-use development, which enables people to live near work, retail and services.

### ***Legacies Chapter***

#### **Objective 2 New development, Traditional Character**

##### **Strategy 2-E**

Ensure that the Zoning Code reinforces quality urban design.

**Objective 3 Compact Urban Development****Strategy 3-A**

Identify areas in which increased density and new uses are desirable and can be accommodated.

3-B Create regulations and incentives that encourage high-quality, mixed-use development at densities that will support Denver's diverse housing needs and public transportation alternatives.

**Housing Chapter****Strategy 2-F**

Explore opportunities for housing in all proposed development and redevelopment projects, including commercial and retail projects.

**Environmental Sustainability Chapter****Strategy 2-F** Conserve land by:

- Promoting infill development within Denver at sites where services and infrastructure are already in place.
- Designing mixed-use communities and reducing sprawl, so that residents can live, work and play within their own neighborhoods.

**Strategy 4-A** Promote the development of sustainable communities and centers of activity

where shopping, jobs, recreation and schools are accessible by multiple forms of transportation, providing opportunities for people to live where they work.

**Northeast Downtown Neighborhoods Plan (NDNP)**

In addition to the changed conditions described above, it is important to note that on May 23, 2011, the City adopted the Northeast Downtown Neighborhoods Plan. The NDNP was a coordinated effort spearheaded by the Denver Community Planning and Development (CPD). The process was started in March of 2010. As part of the full outreach process, CPD coordinated numerous meetings, which resulted in the approved Plan. In summary, a few of the Plan concepts, opportunities and principles that support the proposed map amendment and are substantially changes conditions are presented as follows:

**Under the Heading: Maximum Building Height**

The form of new development should be contextual with existing neighborhoods. **Lower building heights are appropriate within and adjacent to historic residential areas.** Taller buildings are appropriate closer to Downtown, adjacent to transit, and within areas of change. Further, the plan recommends maximum heights of 5 stories at this location.

**• Concept Land Use: Mixed Use-Industrial**

The land use concept maintains the historic character of the existing residential neighborhoods while promoting neighborhood serving retail corridors and mixed-use, urban developments at appropriate locations. The **NDNP** states that Mixed Use / Industrial, is "Similar to Mixed Use, but with recognition that light industrial uses, such as light manufacturing and smaller warehouses are compatible with urban residential housing types. These areas have both a sizable employment base as well as a variety of mid-to-high density housing options. Land uses can be, but are not necessarily, mixed in each building, development, or block. Pedestrian access is of importance within the area, with residential and non-residential uses always within walking distance of one another.

The future land use categories are based on Blueprint Denver

- **Guiding Principle 9:** Capitalize on transit: Use transit investments to leverage new infill development

### **Challenges and Opportunities**

- Surface parking lots, which are especially prominent in Arapahoe Square, contribute to blight, an inconsistent environment, and a lack of destinations and attractions. This increases the sense of isolation from the Downtown Core and adjacent neighborhoods. *Note: The subject property is a surface parking lot across the street from a residential area.*

The neighborhoods of Northeast Downtown have a wide array of redevelopment opportunities ranging from **small residential infill** to large undeveloped parcels and **surface parking lots**.

### **GUIDING PRINCIPLES (General)**

- Enhance multimodal connectivity (Rail transit, Street Car, Pedestrian)
- Create a development-friendly atmosphere
- Protect neighborhood fabric
- Create appropriate transitions between neighborhoods
- Capitalize on transit

### **Vision Guiding Principles**

Concept Evaluation Criteria

#### **No. 3: 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**, and increasing employment opportunities. **Housing development opportunities should expand the range of housing types and price ranges.**

### **Overall Plan Concept: Strategy Framework**

A. Neighborhood Connection and Character

- **A.2:** Moderate Intensity Development Transitioning to Neighborhoods

C. Economic and Development Opportunity

- **C.2:** Promote Economic and Housing Diversity
- **C.3:** Encourage Housing Density

### **LAND USE CONCEPTS**

- **Mixed Use / Industrial:** Similar to Mixed Use, but with recognition that light industrial uses, such as light manufacturing and smaller warehouses are **compatible with urban residential housing types**. These areas have both a sizable employment base as well as a variety of mid-to-high density housing options. Land uses can be, but are not necessarily, mixed in each building, development, or block. Pedestrian access is of importance

within the area, with residential and non-residential uses always within walking distance of one another.

#### **A. Neighborhood Connections and Character**

Concepts and Recommendations

**A.2:** Moderate Intensity Development Transitioning to Residential Neighborhoods where higher intensity development transitions to residential neighborhoods, and along main street corridors

- Allow a moderate and mixed scale of general, shopfront, apartment and rowhouse building forms.
- Site building forms in a context sensitive manner with emphasis on orienting to the street with parking and access in the rear/off the alley.
- Promote the use of design elements that link the building directly to the street environment, such as ground story activation, transparent window openings and doorways at the street.
- Make use of design elements, such as upper story setbacks, as necessary, to minimize massing adjacent to residential areas.
- Allow a mix of uses within the area and within buildings.
- Encourage TOD along transit corridors with sensible transitions to adjacent residential neighborhoods.

#### **C. Economic and Development Opportunity**

• **C.2:** Promote Economic and Housing Diversity

The concept is to maintain the characteristic household and economic diversity of the Plan Area, In areas of stability, retaining the existing housing stock and reinforcing existing character through appropriate new development should continue. In areas of change, a **wider variety of multiple unit building forms should be encouraged** as part of these mixed-use neighborhoods. **Future zoning should support varied residential forms** and remove barriers to promote products that serve households at different socioeconomic levels. **Adding more housing is important to forwarding the plan vision**; however, housing development is driven by private developers and investors. The public sector can assist with removing regulatory barriers and providing subsidy when warranted.

• **C.3:** Encourage Housing Density

Higher density housing requires structured parking, which is a costly component of any building and is likely to be required given the densities proposed in the plan. Multi-unit developments are currently viable because of specially subsidized financing vehicles and favorable capital markets conditions. Market conditions will need to improve, subsidies provided, or alternative parking solutions identified in order to justify apartment or condominium development in the future.

#### **Blueprint Denver**

Further, as noted earlier, *Blueprint Denver* states (page 41) that the subject property has a concept land use of Mixed-Use in an Area of Change. These types of areas have a sizable employment base as well as housing. Intensity is higher in mixed-use areas than in other residential areas. Land uses are not necessarily mixed in each building or development or even within each block. But within the neighborhood, residential and non-residential uses are within walking distance of one another. Additionally, page 127 of Blueprint further explains that the purpose of Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips.

Areas of Change provide Denver with the opportunity to focus growth in a way that benefits the city as a whole. Future residents and workers in these areas will have excellent access to efficient forms of transportation that include walking, biking, buses and light rail. Given the location of the property near the future light rail station and subsequent line as well as being near neighborhood amenities and the Central Business District the concepts in Blueprint Denver are being met.

***State the land use and the development proposed for the subject property. Include the time schedule (if any) for development***

The intended land use for the property is for a mixed-use project that may include residential and commercial space. Site development is immediate contingent upon approval of the proposed map amendment and site plan approval. Full site development may require 24 months or longer.

The following letter was sent to all Neighborhood Organizations registered at the time of this application as well as  
City staff and City Council office.

They included the following:

<b>Curtis Park Preservation Council:</b>	Contact, Robert J. Vasquez, Jr.
<b>Elyria Swansea/Globeville Business Association,</b>	Contact: Mr. Larry L. Burgess
<b>Five Points Business District:</b>	Contact, Wil Alston
<b>Northeast Congress for Education:</b>	Contact, John McBride
<b>RiNo Neighbors:</b>	Contact, Marianne LeClair
<b>United Community Action Network, Inc.:</b>	Contact. Max Walker
<b>Inter-Neighborhood Cooperation:</b>	Contact, Steve J. Nissen
<b>Nathan Batchelder: Administrative Assistant</b>	Council District 9
<b>Ellen Ittelson, AICP:</b>	Denver Community Planning and Development
<b>Kyle Dalton:</b>	Denver Community Planning and Development



ROBERT J. GOLICK, INC.  
REAL ESTATE CONSULTING

**Re: Proposed rezoning of 3198 Blake Street**

November 20, 2011

My consulting firm, Robert J. Gollick, Inc., has been retained by Mr. Brian Higgins of RAW Architecture in his efforts to rezone a 15,600 sq. ft. parcel of vacant land. The property, which is addressed as 3198 Blake Street, is currently zoned C-MU-10 with waivers. The proposed zone district is C-MX-5 which is an Urban Center Neighborhood Context zone district. The C-MX-5 Zone District is intended to ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods. The C-MX-5 will permit Brian to develop a 5 story, primarily residential apartment building, with live/work units and ground floor designed for future commercial uses.

The proposed zoning is within or near your neighborhood association boundaries. Before I get too far into the City zoning process, Brian and I would like to meet with your association to discuss this zoning request and listen to any suggestions you may have. However, if you do not wish to meet I understand and am available to discuss the proposal with you over a phone call. I will submit the zoning application to the City for the initial review within the next week and will keep you informed as the process evolves.

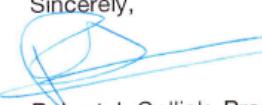
The zoning process requires approximately six months of review and meeting time prior to the City Council public hearing. However, I strongly feel that the best way to proceed with any zoning request is by early and ongoing contact with all neighborhood organizations. Your input is necessary for the public process to work.

If you have any questions please contact me. I will meet with you individually or with your respective association. If you feel I have missed anyone on the list for this letter let me know and I will contact them.

I thank you for your interest and understanding of this zoning request.

Sincerely,

SENT VIA EMAIL

  
Robert J. Gollick, President

**Robert J. Gollick, Inc.**

cc: Councilwoman Judy Montero, District 9

Kyle Dalton & Ellen Ittelson, Community Planning & Development

**RiNo Neighbors**

P.O. Box 8784  
Denver, CO 80201

[rinoneighbors.org](http://rinoneighbors.org)  
[info@rinoneighbors.org](mailto:info@rinoneighbors.org)

January 3, 2011

Councilwoman Judy Montero  
Council District 9  
3457 Ringsby Court, Unit 1A  
Denver, CO 80202

*via Email*

RE: 3198 Blake Re-Zoning Request

Dear Councilwoman Montero,

River North (RiNo) Neighbors is a Registered Neighborhood Organization whose boundaries are: South: Park Avenue, East: Alley between Lawrence Street and Larimer Street, West: I-25/44th Ave. Our mission is to promote and secure prosperity for businesses, residents and visitors and promote the neighborhood's success and growth, respecting and celebrating its industrial character, the environment, history and artistic personality.

At our December meeting, held on December 20<sup>th</sup>, we voted unanimously to support, and recommend the support of, the application to re-zone the vacant parcel at 3198 Blake Street from C-MU-10 to C-MX-5 for the purpose of constructing a 34 unit for-rent apartment complex. Such a project will bring much needed for-rent product, new residents, and construction jobs to the River North neighborhood.

We respectfully request that you to approve the zoning modification of 3198 Blake Street. The RiNo Neighbors believe that this will bring a positive change to the neighborhood.

Sincerely,



S. Brian Smith  
RiNo Neighbors Chairman

cc: Brad Buchanan  
Ellen Ittelson  
Kyle Dalton  
Robert Gollick

## STATEMENT OF AUTHORITY

1. This Statement of Authority related to an entity named Trail Ridge Partners, LLC and is executed on behalf of the entity pursuant to the provisions of Section 38-30-172 C.R.S.
2. The type of entity is a Limited Liability Company.
3. The mailing address for the entity is 730 17<sup>th</sup> Street #690, Denver, CO 80202.
4. The entity is formed under the laws of the State of Colorado.
5. The names and positions of the person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity are Robert J. Amter as Manager and William D. Stanfill as Manager.
6. The authority of the foregoing person(s) to bind the entity is not limited as follows:  
\_\_\_\_\_  
7. Other matters concerning the manner in which the entity deals with interest in real property: N/A

Executed this 11 of January, 2012.

TRAIL RIDGE PARTNERS, LLC, a Colorado  
limited liability company

By: R. Amter  
Robert J. Amter, Manager

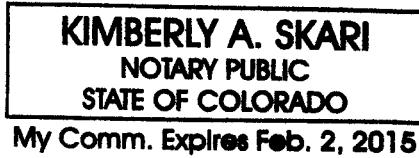
STATE OF COLORADO )  
CITY AND COUNTY OF DENVER )  
 )ss.  
 )

The foregoing instrument was acknowledged before me this 11 day of January, 2012, by Robert J. Amter as Manager of Trail Ridge Partners, LLC.

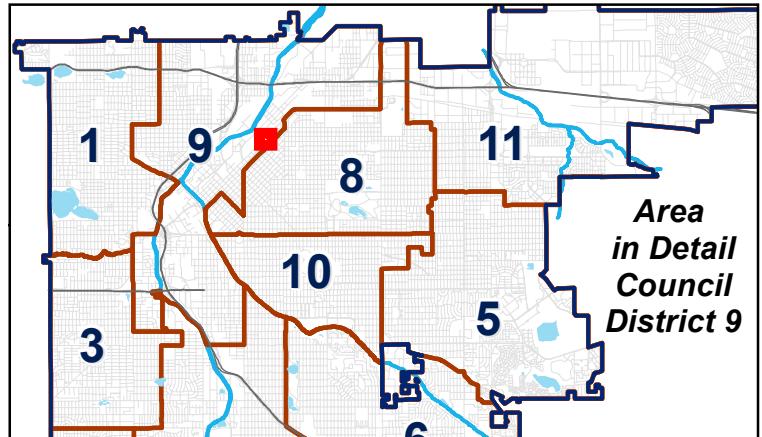
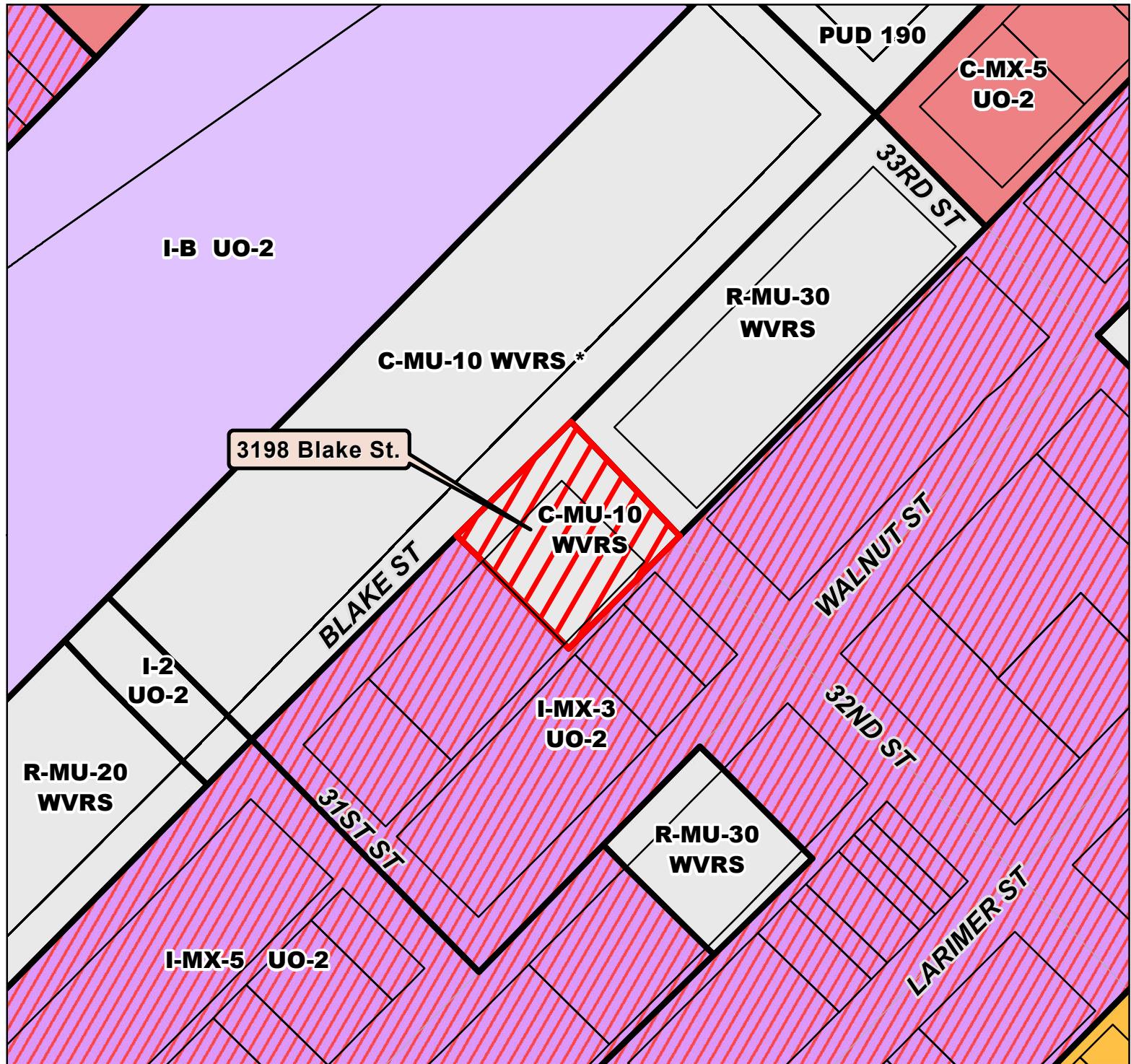
WITNESS MY HAND AND OFFICIAL SEAL.

Kimberly A. Stad  
Notary Public

### My Commission Expires:



# Pending Zone Map Amendment #2011I-00062



Application #2011I-00062  
Location: 3198 Blake St.



Proposed Rezoning  
From: C-MU-10 WVRS  
To: C-MX-5



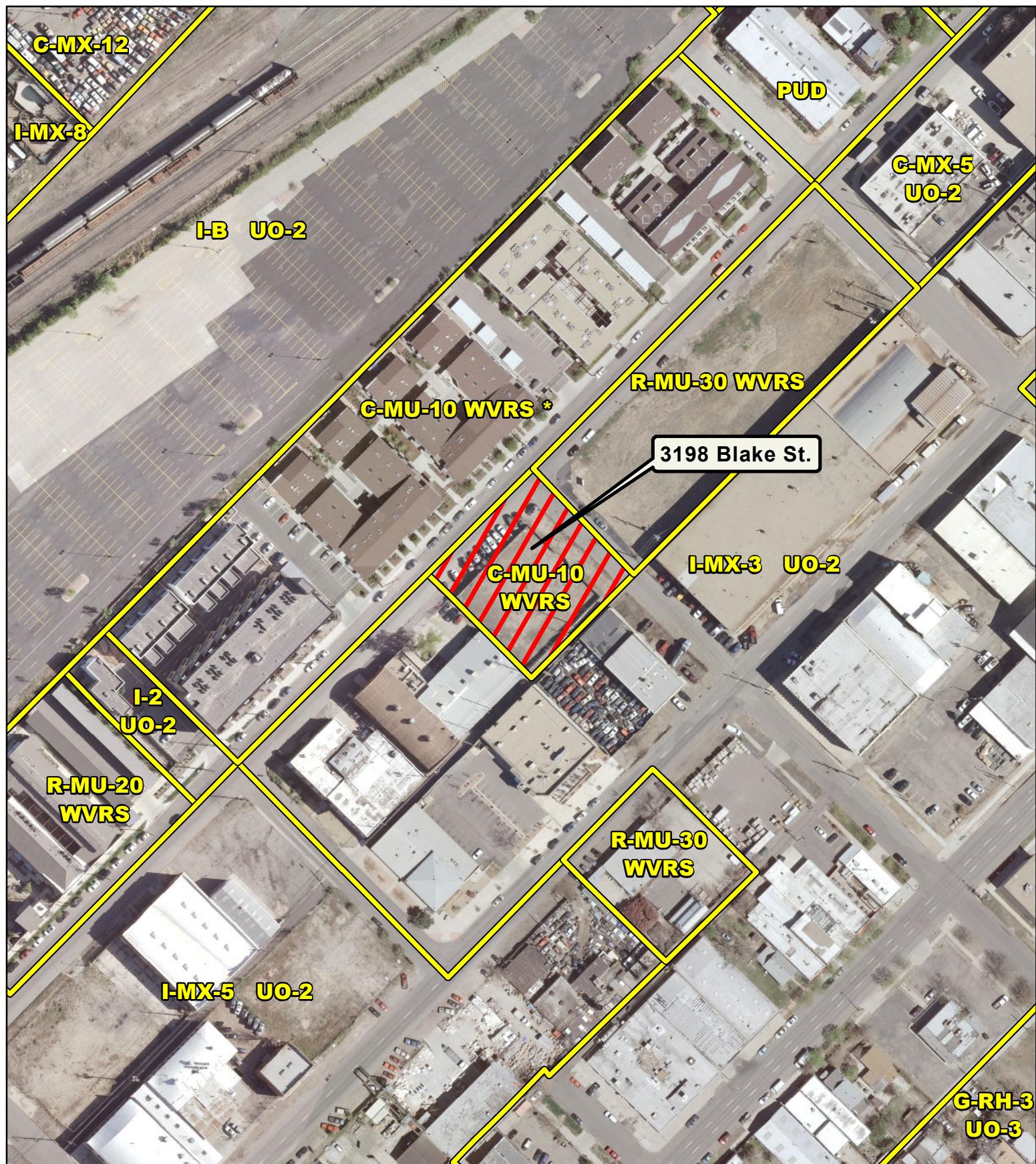
0 100 200 400  
Feet

Map Date: 12/11/11

# Pending Zone Map Amendment - Aerial & Zoning Overlay



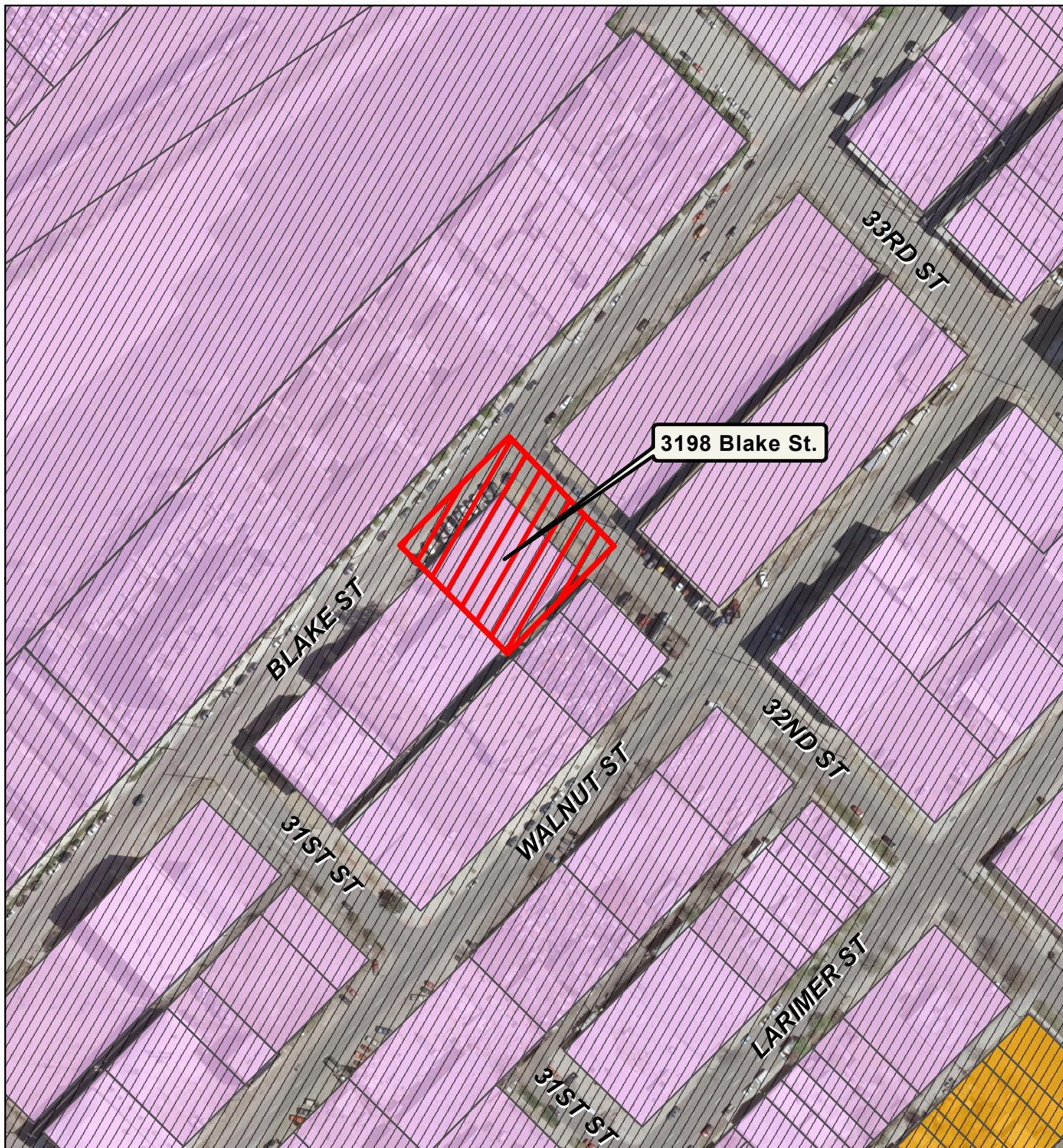
Application #2011-00062



# Pending Zone Map Amendment - Blueprint Denver Overlay



Application #2011-00062



Mixed Use



Pending Zoning Amendment



Urban Residential



Area of Change -Full Extent of This Map

0 100 200 400 Feet



Map Date: 12/11/11