Community Planning and Development

Planning Services



201 W. Colfax Ave., Dept. 205 Denver, CO 80202 p: 720.865.2915 f: 720.865.3052 www.denvergov.org/CPD

TO: Land Use, Transportation and Infrastructure Committee of Denver City Council

FROM: Jason Morrison, Senior City Planner

DATE: August 5th, 2021

RE: Official Zoning Map Amendment Application #2020I-00201

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends the Land Use, Transportation, and Infrastructure Committee move Application #2020I-00201 forward for full consideration by Denver City Council.

Request for Rezoning

Address: 5350 Leetsdale Drive

Neighborhood/Council District: Washington Virginia Vale / Council District 5

Councilwoman Amanda Sawyer

RNOs: East Evans Business Association; Virginia Vale Community

Association; Preservation of Residential South Hilltop

Neighborhood Association; Inter-Neighborhood Cooperation

(INC)

Area of Property: 19,073 square feet or .44 acres

Current Zoning: B-1 with waivers

Proposed Zoning: S-MX-3

Property Owner(s): Forest Park Realty Investment

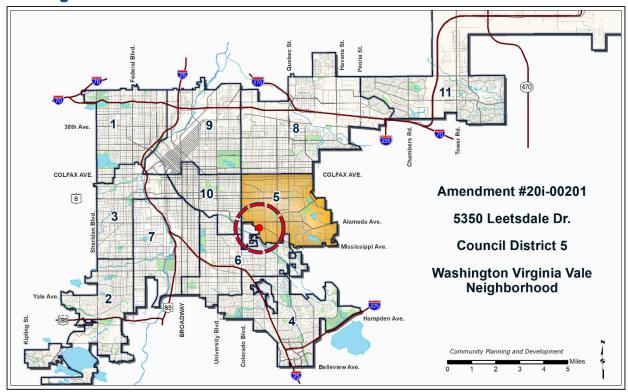
Owner Representative: Ann Erisman, MAH Architectural Group

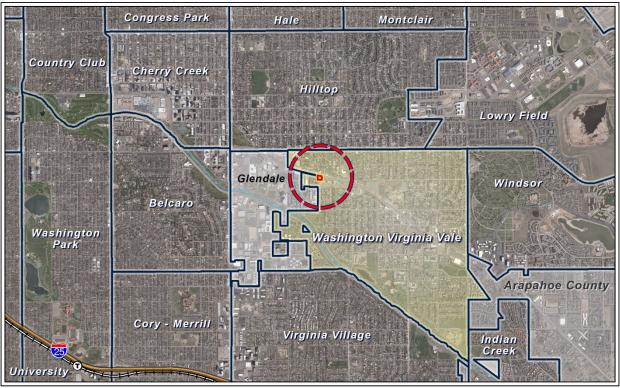
Summary of Rezoning Request

- The proposed rezoning is in the Washington Virginia Vale statistical neighborhood on the southeast corner of Leetsdale Drive and S. Forest Street.
- The subject property contains a one-story structure which served as a drive-through bank service but is now a vacant use.
- The proposed rezoning is intended to facilitate redevelopment of the site. The applicant is
 interested in reusing the existing building (formally a drive-through bank) to develop a drivethrough coffee shop.
- The S-MX-3 (**S**uburban, **Mix**ed Use, **3**-story) zone district allows a mix of uses in the suburban context and is intended for areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired. Further details of the requested zone district can be found in Article 3 of the Denver Zoning Code (DZC).



Existing Context







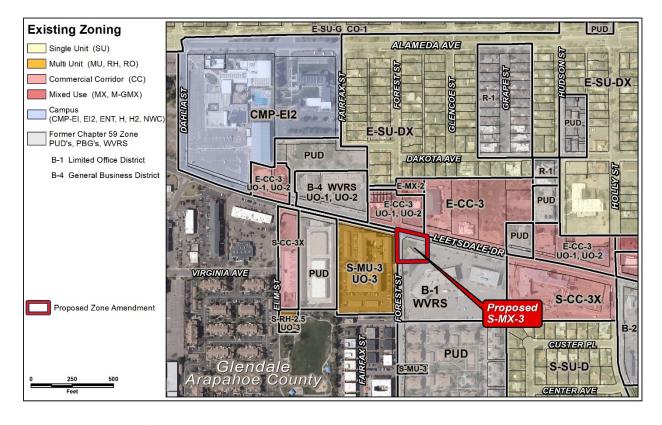
The subject site is located on the western edge of the Washington Virginia Vale neighborhood. This neighborhood is primarily suburban and vehicle-oriented in character with areas of modified street grid, single-unit residential uses, commercial uses with larger setbacks, and irregular blocks along arterial streets. The area consists of primarily one- to two-story buildings with some buildings up to four stories along Leetsdale Drive. The proposed rezoning is a block east of the City of Glendale boundary and one block north of Mir Park (Glendale). Four Mile Historic Park is located less than ¼ mile south of the subject site and George Washington High School is located ¼ mile to the east along Leetsdale Drive. The site is served by high-frequency transit along Leetsdale Drive.

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	B-1 with waivers	Commercial	1-story drive-through ATM structure with large setbacks and drive aisle between buildings and street	Modified grid street patterns with attached sidewalks and without alleys.
North	E-CC-3 UO-1, UO-2	Commercial	1-story commercial structure with large setbacks and parking between buildings and street	Suburban pattern of irregular shaped blocks and parking

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
South	B-1 with waivers	Office	3-story office structure with large parking lot between building and street	between buildings and the street.
West	S-MU-3, UO-3	Multi-unit Residential	3-story residential structure with minimal setbacks	
East	B-1 with waivers	Office	3-story office structure with large parking lot between building and street	

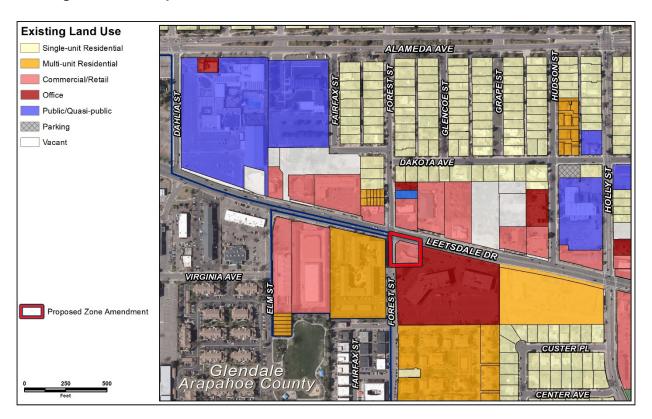
1. Existing Zoning



The current zoning of the subject site is B-1 with waivers. The B-1 zone district is a Former Chapter 59 zone district and it is a limited office district intended to form a transition between more intense commercial and lower intensity residential land uses. Other than banking and financial services, retail uses are not permitted. The maximum allowable floor area ratio (which is the measurement of a building's floor area in relation to the size of the parcel) in the B-1 district is 1:1.

The approved waivers restrict building heights to a maximum of 35 feet and limit gross floor area of all structures to less than or equal to 110,000 square feet.

2. Existing Land Use Map



3. Existing Building Form and Scale

All images from Google Maps Street View.



Subject site facing south from Leetsdale Drive



Multi-unit residential to the west of the subject site facing southwest from Leetsdale Drive



Commerical/retail uses to the north of the subject site facing north from Leetsdale Drive



Office building to the east of the subject site facing south from Leetsdale Drive



Office building to the south of the subject site facing east from S. Forest Street

Proposed Zoning

The requested S-MX-3 zone district allows a mix of uses including a variety of residential uses and office uses (with limitations for dental or medical offices). Some uses within the Retail Sales, Service & Repair use category, such as Food Sales or Market and Retail Sales, Service & Repair are permitted. The requested S-MX-3 zone district has a maximum height in feet of 45' with allowable exceptions. The minimum primary street front setback is 0'. Side interior setbacks are 0' except adjacent to a protected district, where they are 10'. The rear setback is 0', except adjacent to a protected district, where it is 0' where an alley is present and 10' where there is no alley. For additional details of the requested zone district, see Article 3 of the Denver Zoning Code.

The primary building form standards for the proposed zone district are summarized below.

Design Standards	B-1 (Waivers)	S-MX-3 (Proposed)
Primary Building Forms	n/a	Drive Thru Services*; Drive Thru Restaurant*;
Allowed		General; Shopfront
Height in Stories/Feet	35'	3/45'
(max)		
Primary Street Build-To	n/a	50% or 75% or n/a**
Percentages (min)		
Primary Street Build-To	n/a	0' to 80', 0'-150', 0' to 10', or n/a**
Ranges		
Minimum Zone Lot	n/a	N/A
Size/Width		
Primary Street Setbacks	10'	0'
(min)		
Floor Area Ratio	1:1	N/A

^{*}Building form not allowed within ¼ mile of a transit station platform

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.

^{**}Standard varies between building forms

Asset Management: Approved – No Comments.

Denver Public Schools: Approved – No Response.

Department of Public Health and Environment: Approved – No Comments.

Denver Parks and Recreation: Approved – No Comments.

Public Works - R.O.W. - City Surveyor: Approved - No Comments.

Development Services - Transportation: Approved – No Response.

Development Services – Wastewater: Approved – See Comments Below.

1. DS 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 – See Comments Below.

1. Approve rezoning only. Will require additional information at Site Plan Review

Development Services – Fire Prevention: Approved – No Response.

Public Review Process

Date

CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	5/3/2021
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:	7/20/2021
Unanimous recommendation of approval from Denver Planning Board:	8/4/2021

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 (10) working days before the meeting:	7/26/2021
Land Use, Transportation, and Infrastructure Committee of the City Council:	8/10/2021
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 (tentative):	9/6/2021
City Council Public Hearing (tentative):	9/27/2021

• Public Outreach and Input

Registered Neighborhood Organizations (RNOs)

To date, staff has received no comment letters from Registered Neighborhood Organizations.

General Public Comments

To date, staff has received no other public comment letters.

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 site:

- Denver Comprehensive Plan 2040
- Blueprint Denver (2019)

Denver Comprehensive Plan 2040

The proposed legislative rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* goals and strategies. The following goals apply from the Equitable, Affordable, and Inclusive vision element:

- Equitable, Affordable and Inclusive Goal 1, Ensure all Denver residents have safe, convenient, and affordable access to basic services and a variety of amenities (p. 28).
- Equitable, Affordable and Inclusive Goal 7, Strategy B *Prioritize infrastructure* improvements that allow for residents of all abilities to access and live in any neighborhood (p.30).

The proposed map amendment will further the *Comprehensive Plan 2040's* Equitable, Affordable and Inclusive Goal to ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities. The S-MX-3 zone district allows for a variety of uses including public services, cultural, commercial, and residential uses. The list of permitted uses will provide basic services and amenities to the residents in the surrounding neighborhoods. In addition, the design standards in the proposed districts will promote greater accessibility to the uses established along the Leetsdale Drive corridor. The rezoning is, therefore, consistent with the above strategies in the Equitable, Affordable, and Inclusive vision element.

The following goals and strategies apply from 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).

The requested map amendment will enable additional mixed-use development at an infill location which is consistent with the strategies in the Strong and Authentic vision element.

Similarly, the proposed legislative rezoning meets the following strategies in the Environmentally Resilient vision element:

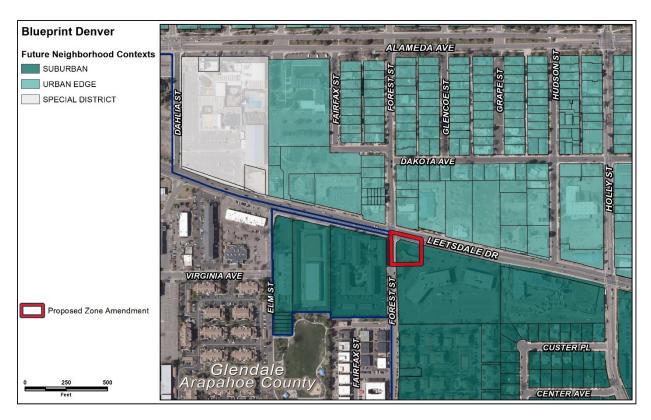
- Environmentally Resilient Goal 8, Strategy A *Promote infill development where infrastructure and services are already in place* (p.54).
- Environmentally Resilient Goal 8, Strategy B Encourage mixed-use communities where residents can live, work, and play in their own neighborhoods (p. 54).

The applicant proposes to reuse an existing building and the site is an infill location where infrastructure is already in place and provides services in proximity to residential neighborhoods, which is consistent with the above strategies in the Environmentally Resilient vision element. The requested S-MX-3 zone district broadens the variety of uses allowing residents to live, work and play in the area, therefore the rezoning is consistent with *Denver Comprehensive Plan 2040* recommendations.

Blueprint Denver

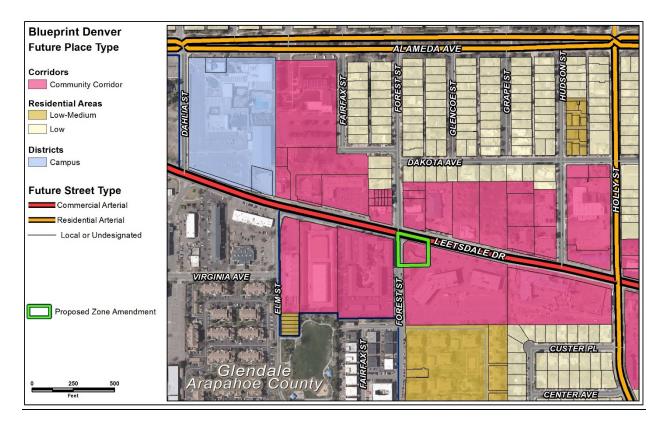
Blueprint Denver is Denver's citywide, long range, land use and transportation plan, adopted by City Council in 2019 as a supplement to Comprehensive Plan 2040. Blueprint Denver identifies the subject site as part of a Community Corridor within the Suburban Neighborhood Context which is described as pedestrian-oriented, transit-supported community destinations where the plan recommends focusing growth over the next 20 years. The proposed rezoning will promote development that supports the complete neighborhood and transportation network vision in Blueprint Denver, including neighborhood context, place, street type and growth guidance.

Blueprint Denver Future Neighborhood Context



The subject site is within the Suburban neighborhood context. The suburban context "represents the most varied development in Denver's neighborhoods. Homes in this context are largely single unit but can also include higher intensity residential. Commercial development is focused along main corridors and centers bordering residential areas" (p. 189). The proposed S-MX-3 zone district is within the Suburban Context, which is "characterized by single-unit and multi-unit residential, commercial strips and centers, and office parks" (Section 3.1.1, DZC). The proposed zone district, which allows a mix of uses in buildings up to three stories, is consistent with the *Blueprint Denver* Future Neighborhood Context plan direction.

Blueprint Denver Future Places



The subject property is mapped as Community Corridor in the Future Places Map. In the Suburban context, areas designated as Community Corridors "typically provide some mix of office, commercial and residential...Buildings have a distinctly linear orientation, [and]... heights are generally up to 5 stories" (p. 196). The proposed zone district is a mixed-use district that allows a mix of civic, residential, and commercial uses in buildings up to three stories. Therefore, the proposed S-MX-3 zone district is consistent with the Community Corridor *Blueprint Denver* Future Places plan direction.

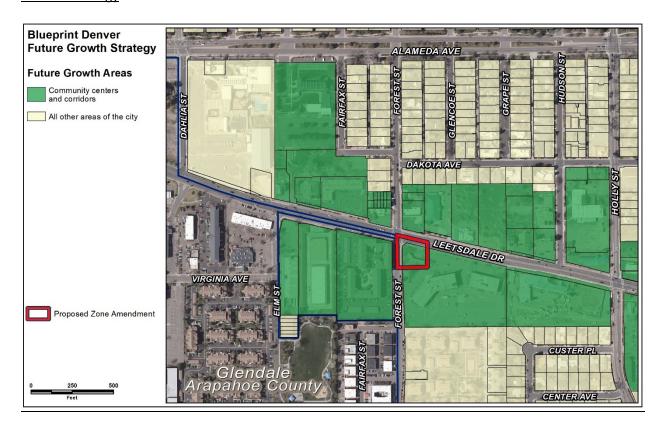
Street Types

"Blueprint Denver's street typology is intended to serve as a framework to develop context-sensitive street design guidelines and to update regulations and standards for how streets are designed" (p. 155). Street types tend to be consistent over larger stretches of roads rather than varying at the parcel level. For the purposes of rezonings, the street types are intended to "work in concert with the future place" to inform "the appropriateness of the intensity of the adjacent development" (p. 67). Leetsdale Drive is classified as a Commercial Arterial street which, "typically contain[s] commercial uses including shopping centers, auto services and offices" (p. 159). These types of arterial streets tend to support a higher level of adjacent development intensity than collector or local streets. South Forest Street is classified as a Local Street. These streets are designed for the

highest degree of property access and the lowest amount of through movement" (p. 154). Land uses along local streets vary, but they are most often characterized by residential uses (p. 161).

The proposed S-MX-3 zone district "applies to areas or intersections served primarily by local or collector streets" (DZC Section 3.2.4.2.D), indicating that this zone district is compatible along streets that can support less land use intensity than Leetsdale Drive at this location.

Growth Strategy



The Future Growth Areas map, which is a version of the future places map, designates the subject property as "Community Centers and Corridors", which are anticipated to account for 20 percent of jobs and 25 percent of new households in the city by the year 2040. "Focusing growth in centers and corridors helps to provide a variety of housing, jobs and entertainment options within a comfortable distance to all Denverites and is a key element of building complete neighborhoods throughout Denver" (p. 49). The proposed map amendment to S-MX-3 will focus an appropriate intensity of mixed-use growth to a Community Corridor where it has been determined to be most appropriate and, therefore, is consistent with the *Blueprint Denver* Future Growth Areas plan direction.

Blueprint Denver Strategies

Blueprint Denver provides additional recommendations related to rezoning. This site currently has a Former Chapter 59 zone district with custom zoning in the form of a waiver and two strategies from the Land Use & Built Form: General section, Policy 3 are relevant for this proposed rezoning:

- Strategy 3 states, "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).
- Strategy B states, "Limit the use of site-specific, customized zoning tools—such as Planned Unit Developments (PUDs) and waivers/conditions—to unique and extraordinary circumstances. The zoning code offers a wide variety of zone districts that cover the diverse contexts and places of Denver. Custom zoning tools are most effective when a standard zone district does not exist to implement the adopted plans for an area" (p.73).

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to S-MX-3 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 plans as detailed above. The proposal will maintain compatible scale and intensity in terms of the allowed mix of uses and allowed building scale. Additionally, the application notes that the proposed zone district contains design standards that reinforce the desired character of the area and encourage better built form outcomes. Generally speaking, these standards can provide improved public health and general welfare outcomes compared to the current zoning. The proposed S-MX-3 zone district facilitates increased density in a variety of building forms as well as a mix of uses, which have been linked to increased physical activity, ¹ decreased obesity, ² and decreased driving. ³

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 adoption of the Denver Zoning Code in 2010 and the retention of a Former Chapter 59 zone district on the subject property, including custom zoning adhering to the property, is an appropriate justifying circumstance for the proposed rezoning.

¹ Ewing, R., and R. Cervero. 2010. "Travel and the Built Environment: A Meta-Analysis." Journal of the American Planning Association 76 (3): 265-94

² Ewing, R., T. Schmid, R. Killingsworth, A. Zlot, and S. Raudenbush. 2003. "Relationship between Urban Sprawl and Physical Activity, Obesity, and Morbidity." American Journal of Health Promotion 18: 47-57.

³ Frumkin, Frank, and Jackson 2004; Fran et al. 2006; Ewing et al. 2008; Stone 2008.

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

The Suburban Context is characterized by single-unit, and multi-unit residential, commercial strips and centers, and office parks. Multi-unit building forms are typically separated from single-unit residential and consist of Duplex or Town House and occasional mid- and high-rise Apartment building forms. Commercial buildings are typically separated from residential and consist of Shopfront and General forms. Multi-unit and commercial uses are primarily located along arterial and collector streets. The block patterns in the Suburban Context are irregular and shaped by curvilinear streets and modified grid streets. The requested S-MX-3 zone district is consistent with the neighborhood context description.

The Suburban Mixed-Use zone districts are intended to "promote safe, active, pedestrian-scaled, diverse areas... The Mixed Use districts are appropriate along corridors, for larger sites and at major intersections...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" (DZC, Section 3.2.4.1). The S-MX-3 zone district is a Mixed-Use zone district intended for areas served by local or collector streets where a building scale of 1-3 stories is desired.

The proposed map amendment is consistent with the mixed-use intent described in the Suburban Neighborhood Context. The proposed development will be limited to a moderate scale on the zone lot and any mixed-use development that will result from this rezoning will complement the character of existing surrounding neighborhood. The S-MX-3 zone district is consistent with both the general and specific purpose and intent of the Suburban Context, and the S-MX-3 zone district description.

Attachments

- 1. Application
- 2. Public Comment



Rezoning Application Page 1 of 4

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER CHECK IF POINT OF	INFORMATION* CONTACT FOR APPLICATION		PROPERTY OWNER(S) REPRESENTATIVE** CHECK IF POINT OF CONTACT FOR APPLICATION				
Property Owner Name	Forest Park Realty Inves	tments+	Representative Name	A Esissa	+		
Address	1327 46th St Ste 1H	±	Address	1205 C. Calanada Plad	+		
City, State, Zip	Brooklyn, NY, 11219	#	City, State, Zip	D 60 00222	+		
Telephone	917.912.8859	+	Telephone	303.778.0608			
Email	dkahn0624@aol.com	Ħ	Email	ann@maharch.com	+		
by owners (or authorized r	mendment applications must be epresentatives) of at least 51% oct to the rezoning. See page 4.		**Property owner shall provide a written letter authorizing the re				
SUBJECT PROPERTY	/ INFORMATION						
Location (address):		5350 Leet	5350 Leetsdale Drive				
Assessor's Parcel Numbers	:	06181-00-	-022-000		+		
Area in Acres or Square Fe	et:	19,073	19,073				
Current Zone District(s):		B-1 WVR	S		+		
PROPOSAL							
Proposed Zone District:		S-MX-3					
PRE-APPLICATION INFORMATION							
In addition to the required Planning Services, did you cation meeting with Devel	pre-application meeting with have a concept or a pre-appli- lopment Services?	✓ Yes - State the contact name & meeting date No - Describe why not (in outreach attachment, see bottom of p. 3)					
Did you contact the City C this application ?	ouncil District Office regarding	_	yes, state date and meth no, describe why not (in	outreach attachment, see bottom of p. 3)			

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REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION) 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 a review criteria narrative attachment describing how the requested zone district is consistent with the policies and recommendations found in each of the adopted plans below. Each plan should have its' own subsection. General Review Criteria 1. Denver Comprehensive Plan 2040 DZC Sec. 12.4.10.7.A Check box to affirm and In this section of the attachment, describe **how** the proposed map amendment is consistent with *Denver* include sections in the Comprehensive Plan 2040's a) equity goals, b) climate goals, and c) any other applicable goals/strategies. review criteria narrative attachment 2. Blueprint Denver In this section of the attachment, describe **how** the proposed map amendment is consistent with: a) the neighborhood context, b) the future place type, c) the growth strategy, d) adjacent street types, e) plan policies and strategies, and f) equity concepts contained in Blueprint Denver. 3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable): Uniformity of District Regulations and Restrictions: The proposed official map amendment results in General Review Criteria: regulations and restrictions that are uniform for each kind of building throughout each district having DZC Sec. 12.4.10.7. B & C the same classification and bearing the same symbol or designation on the official map, but the regula-Check boxes to the right tions in one district may differ from those in other districts. to affirm and include a section in the review Public Health, Safety and General Welfare: The proposed official map amendment furthers the public criteria for Public Health, health, safety, and general welfare of the City. Safety and General Welfare narrative attach-In the review criteria narrative attachment, please provide an additional section describing \mathbf{how} the requested rezoning ment. furthers the public health, safety and general welfare of the City. Justifying Circumstances - One of the following circumstances exists: The existing zoning of the land was the result of an error; The existing zoning of the land was based on a mistake of fact; The existing zoning of the land failed to take into account the constraints of development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage; Review Criteria for Non-Since the date of the approval of the existing Zone District, there has been a change to such a degree that the Legislative Rezonings: proposed rezoning is in the public interest. Such change may include: DZC Sec. 12.4.10.8 a. Changed or changing conditions in a particular area, or in the city generally; or, For Justifying Circumb. A City adopted plan; or stances, check box and c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning. include a section in the review criteria narrative ☐ It is in the public interest to encourage a departure from the existing zoning through application of suppleattachment. mental 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. For Neighborhood Context, Purpose and In the review criteria narrative attachment, please provide an additional section describing the selected justifying Intent, check box and circumstance. If the changing conditions circumstance is selected, describe changes since the site was last zoned. include a section in the Contact your pre-application case manager if you have questions. review criteria narrative attachment. 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. In the review criteria narrative attachment, please provide a separate section describing **how** the rezoning aligns with a) the proposed district neighborhood context description, b) the general purpose statement, and c) the specific intent statement found in the Denver Zoning Code.

Last updated: October 6, 2020

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RE	QUIRED ATTACHMENTS
Plea	se check boxes below to affirm the following required attachments are submitted with this rezoning application:
	Legal Description of subject property(s). Submit as a separate Microsoft Word document. View guidelines at: https://www.denvergov.org/content/denvergov/en/transportation-infrastructure/programs-services/right-of-way-survey/guidelines-for-land-descriptions.html
/	Proof of ownership document for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed, or (c) Title policy or commitment dated no earlier than 60 days prior to application date. 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.
/	Review Criteria Narratives. See page 2 for details.
AD	DITIONAL ATTACHMENTS (IF APPLICABLE)
	itional information may be needed and/or required. Please check boxes below identifying additional attachments provided with this apation.
	Written narrative explaining reason for the request (optional)
	Outreach documentation attachment(s) . Please describe any community outreach to City Council district office(s), Registered Neighborhood Organizations (RNOs) and surrounding neighbors. If outreach was via email- please include email chain. If the outreach was conducted by telephone or meeting, please include contact date(s), names and a description of feedback received. If you have not reached out to the City Council district office, please explain why not. (optional - encouraged)
	Letters of Support. If surrounding neighbors or community members have provided letters in support of the rezoning request, please include them with the application as an attachment (optional).
	Written Authorization to Represent Property Owner(s) (if applicable)
	Individual Authorization to Sign on Behalf of a Corporate Entity (e.g. if the deed of the subject property lists a corporate entity such as an LLC as the owner, this is document is required.)
	Other Attachments. Please describe below.

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PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

We, the undersigned represent that we are the owner(s) 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 In- terest % 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, (C) title policy or commitment, or (D) other as approved	Has the owner autho- rized a represen- tative in writing? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	John Alan Smith Jesie O. Smith	01/12/20	(A)	YES
FOREST PARK REALTY INVESTMENTS, LLC	5350 Leetsdale Dr. Denver, CO	100%	DAVID KAHN	2/11/21		

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check is desired.

20201-00201

REAL PROPERTY TAX STATEMENT

IMPORTANT: SEE REVERSE SIDE

WWW.DENVERGOV.ORG/TREASURY THIS STATEMENT IS FOR PROPERTY TAX ON THE PROPERTY SHOWN BELOW TO BE COLLECTED ON BEHALF OF THE DENVER PUBLIC SCHOOLS AND THE CITY AND COUNTY OF DENVER. PROPERTY ADDRESS: 5350 LEETSDALE DR PARCEL ID 06181-00-022-000 LEGAL DESCRIPTION or PERSONAL PROPERTY LOCATION DATE SEQUENCE# BOOTHS SUB L1 EXC PT OF L1 IN DIF REC #37090 RECD 04/27/90 DWEISSHAAR 01/10/2021 871 TAX YEAR PAYABLE YEAR 2020 2021 * Due to space constraints, this legal description may not be complete. Please contact the Denver Assessor at 3-1-1 for a complete legal description and with any ques FIGURES GOOD UNTIL: 02/28/2021 06181-00-022-000 **FOREST PARK REALTY INVESTMENTS** 21-PD W/ CHECK C/O: TOM NOVOTNY 1355 S COLORADO BLVD STE 108 **DENVER CO 80222-3305** MILL LEVY **TAXING ENTITY** (\$ PER THOUSAND OF TAX AMOUNT ASSESSED VALUE) AFFORDABLE HOUSING 0.417000 54.37 **CAPITAL MAINTENANCE** 2.528000 329.62 CITY BOND FUND 6.500000 847.54 **DENVER PUBLIC SCHOOLS** 48.011000 6.260.15 **DEVELOPMENTALLY DISABLED** 1.011000 131.82 FIRE PENSION FUND 1.041000 135,74 **GENERAL FUND DENVER** 9.818000 1,280,17 POLICE PENSION FUND 1.242000 161.94 **SOCIAL SERVICES** 2.627000 342.54 **URBAN DRAINAGE & FLOOD CONTROL *** 1.000000 130.39 NOTE: 65% OF THESE TAXES ARE **TOTAL LEVY** 74,195000 **DETERMINED BY AND COLLECTED FOR THE DENVER PUBLIC SCHOOLS** Your School District No. 1 General Fund Mill Levy would have been 39.411 mills without State aid. **ACTUAL VALUATION** 449,60 ASSESSED VALUATION 130,39 **EXEMPTIONS NET VALUATION** 130,39 DUE LAST DAY OF **DUE JUNE 15** * NOTE: INCLUDES TEMPORARY MILL LEVY RATE REDUCTION **FEBRUARY FIRST HALF** SECOND HALF TAX AND FEES TAX AND FEES Make Check Payable to: Manager of Finance **DUE APRIL 30** \$9.674.28 \$4.837.12 **TOTAL TAX AND FEES** \$4,837.16 DETACH HERE AND RETURN BOTTOM PORTION WITH YOUR PAYMENT - RETAIN TOP PORTION FOR YOUR RECORDS REAL PROPERTY TAX STATEMENT RETURN TO: CITY AND COUNTY OF DENVER FIGURES GOOD UNTIL: 02/28/2021 TREASURY DIVISION PO BOX 17420 Make payment for only one of the exact amounts. No partial payments may be made. Please include PARCEL ID Number on the face of check **DENVER, CO 80217-0420** and/or any correspondence. PARCEL ID ALT KEY 06181-00-022-000 1867223 ONLINE AT: WWW.DENVERGOV.ORG/TREASURY TAX YEAR PAYABLE YEAR BY CHECK TO: MANAGER OF FINANCE 2020 2021 If paid after due date, contact us **DUE JUNE 15** for correct amounts due. **SECOND HALF TAX** AND FEES Check here if receipt other than the cancelled \$4.837.16

FOREST PARK REALTY INVESTMENTS

RE 2020 DC 00 1867223 00 000000000 00000000 02 0000483716 20210615 2

COTTON WITH MOUND BAMBERT - PETAIN TOD BODTION FOR VOLID BECORDS

DENVER COUNTY ASSESSOR-PPROP 201 W COLFAX AVE DEPT 406 **DENVER CO 80202** FOR HELP CALL: 720-913-4067

2021 DENVER COUNTY PERSONAL PROPERTY **DECLARATION SCHEDULE** (CONFIDENTIAL DATA)

Assessment Date Due Date January 1, 2021

April 15, 2021

RETURN TO COUNTY ASSESSOR

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-		~~	Ph. ST			-			_				

B.A. CODE

T.A. CODE NONRES BLDG OWNER SCHEDULE/ACCOUNT NUMBER

251295002

A. NAME AND MAILING ADDRESS (INDICATE ANY CHANGES OR CORRECTIONS)

251295002

FOREST PARK REALTY INVESTMENTS

FOREST PARK REALTY INVST

1327 46TH ST

BROOKLYN NY 11219-2154



PERSONAL PROPERTY AS OF JANUARY 1, 2021

5250 LEETSDALE DR BLDG

	DO NOT HOT ASSESSED							
DO NOT USE - ASSESSOR ONLY								
RECEIVED	COMPLETED	LATE PENALTY APPLIED	YES NO					
B. BUSINESS: Start-Up Date (In Denver County) Square Footage the Business Occupies Product or Service Provided # of Employees								
C. BUSINESS STATUS: (Please check the	e appropriate boxes ONLY)							
- Comment of the contract of t	•							
owner:Date sold:	you are not the current business owner	check here and provide the name and a	address of the new					
NEW BUSINESS/ORGANIZATION. You attach separate sheet(s) if needed. The asset	must give a complete itemized listing sor may select your business for an	of all personal property. Use the first	part of Section D and					
EXISTING BUSINESS/ORGANIZATION.	Indicate any additions and/or deletions		ation outcodic,					
NEW OWNER OF PREVIOUSLY EXISTING I acquired in a business purchase. Include addi	BUSINESS/ORGANIZATION. You	must give a complete itemized listing	of all personal property					
AS OF JANUARY 1, DID YOUR BUSINESS	CEASE OPERATIONS? Personal Property Stored s and Equipment only. \$	□ NO If yes, Date Sold/Stored	please complete below:					
		Phone Number ()						
Note: If sold to more than one new owner	, please attach a listing of the new owner	ers.						
PROPERTY CHANGED LOCATION TO		ON (DATE)						
D. ITEMIZED LISTING OF PERSONAL PROPERTY ATTACH A COMPLETE ITEMIZED ASSET LISTING	f: GWITH EACH BUSINESS PERSONAL	PROPERTY DECLARATION FILING.						
□CHECK HERE IF THERE ARE NO CHANGES FF. COMPLETE THE FORM, SIGN IT, AND RETURN	ROM LAST YEAR'S DECLARATION SO I FORM TO THE ASSESSOR, NOTE: I	HEDULE INFORMATION. IF SO, GO DO NOT CHECK THIS BOX IF THIS IS	RECTLY TO SECTION A NEW ORGANIZATION.					
☐ IF NO ADDITIONS, check here; otherwis NOTE: Include ALL Expensed Assets wit Subject to IRS Depreciation. Do not repo ☐ IF NO DELETIONS, check here; otherwise	h a Life of Greater than 1 year, Fully De ort licensed vehicles.							
E. IS THERE ANY RENEWABLE ENERGY PROPE		nydroelectric property) AT THIS I OCATIO						
F. DECLARATION	THIS RETURN IS SUBJEC	T TO AUDIT						
"I declare, under penalty of perjury in the second degree, that this so and belief sets forth a full and complete list of all taxable personal pr that such property has been reasonably described and its value fairly	hedule, together with any accompanying exhibits or operty owned by me, or in my possession, or under i represented; and that no attempt has been made to	tatements, has been examined by me and to the best ny control, located in Denver County, Colorado, on the mislead the assessor as to its age, quality, quantity, o	t of my knowledge, information, a assessment date of this year, or value." § 39-5-107(2), C.R.S.					
FEDERAL EMPLOYER IDENTIFICATION NUMBER NAME OF OWNER	R (FEIN) or SOCIAL SECURITY NUMB	ER (SSN)						
PRINT NAME OF PERSON SIGNING PHONE NUMBER E-MAIL ADDRESS								
FAX NUMBER								
SIGNATURE OF OWNER OR AGENT DATE Check here if new agent, submit a letter or authorization when filing this form.								
PLEASE COMPLETE, SIGN AND RETURN TO THE ASSESSOR ON OR BEFORE APRIL 15, 2021								
MAKE A COPY FOR YOUR RECORDS								
E! ECTPONIC E	II ING OPTIONS AVAILABLE - AV							

FILE ONLINE AT WWW.DENVERGOV.ORG/EFILE OR EMAIL ASSESSOR@DENVERGOV.ORG WITH A COMPLETE ASSET LISTING ATTACHED

DS056S 10-14

INSTRUCTIONS ON REVERSE

PROPERTY OWNER LETTER OF AUTHORIZATION

FOR THE REZONING SUBMITTAL FOR ZIGGI'S COFFEE - DENVER (LEETSDALE DRIVE)

PROPERTY ADDRESS: 5350 Leetsdale Drive Denver, CO 80246

hereby certify that MAH ARCHITECTURAL GROUP has my permission to submit the Rezoning Application for consideration by the City and County of Denver Community Planning and Development Department.

PROPERTY OWNER LETTER OF AUTHORIZATION

FOR THE REZONING SUBMITTAL FOR ZIGGI'S COFFEE - DENVER (LEETSDALE DRIVE)

I,DAJD KAZ	(print property owner name), hereby certify
	has my permission to submit the Rezoning Application
Department.	of Denver Community Planning and Development
	4/14/21
(Signature of Property Ov	wner) /(Date)

PROPERTY ADDRESS:

5350 Leetsdale Drive Denver, CO 80246



Reviewing Criteria Narrative

DATE: March 30, 2021

ADDRESS: 5350 Leetsdale Drive

Denver, CO 80246

CURRENT: B-1 WVRS Zone District PROPOSED: S-MX-3 Zone District

Consistency with Denver Comprehensive Plan 2040

- a. Equity Goals: In rezoning this property to S-MX-3 under the new Zoning Code, it would be consistent with the Denver Comprehensive Plan 2040's (DCP) equity goals. Under Equitable, Affordable and Inclusive Goal 1, this new zoning would provide new opportunities for the development of amenities. Creating mixed use business opportunities along the Leetsdale corridor would provide better access to nearby residents.
- b. Climate Goals: The proposed rezoning would align with the DCP's Environmentally Resilient Goal 8, Strategies A-C. On this zone lot, existing infrastructure would be encouraged for reuse with infill development in order to grow in a strategic and sustainable way. The introduction of this zoning would encourage mixed-use communities and complete neighborhoods. The mixed-use zoning near the existing residential areas would increase walkability and encourage modes of transportation alternative to vehicular transport. Additionally, being along Leetsdale Drive, the growth would be along a medium/high capacity transit corridor.
- c. Additional Goals: Under Strong and Authentic Neighborhoods Goal 1, Strategy B, S-MX-3 zoning would allow for a more diverse selection of services to the surrounding neighborhoods. The zone lot's location along a commercial arterial street would further add to a "network of wellconnected, vibrant, mixed-use centers and corridors." In alignment with Economically Diverse and Vibrant Goal 2, the rezoning would encourage strengthening of the economy through varied business types. This would also lend to the creation of new jobs for local residents.

Consistency with Blueprint Denver

a. The Neighborhood Context: The proposed map amendment is consistent with the neighborhood context in that the new S-MX-3 zoning would align with the adjacent suburban zone lots to the south of Leetsdale Drive. This zoning is consistent with

1385 South Colorado Blvd., Penthouse. Denver, Co 80222

(O) 303.778.0608 (F) 303.778.0609

- Blueprint Denver's description of the suburban context: residential areas are integrated with mixed use corridors along major roads (in this case, Leetsdale Drive).
- b. The Future Place Type: The affected zone lot is located within a planned Community Corridor. The mixed-use designation aligns with the goal to provide "mixed-use places of different scales oriented along a street." Opportunities for community gathering space and activities such as entertainment, shopping, and dining would become accessible to nearby residents. The 3-story limit proposed aligns with the 5-story maximum that is typical to this designation.
- c. The Growth Strategy: This rezoning aligns with the strategy to direct growth toward corridors, in this case being Leetsdale Drive. Additionally, future businesses can be established in order to support the growing population through services and by creation of job opportunities.
- d. The Future Street Type: Leetsdale is designated as Commercial Arterial. The zoning type aligns with this street type, with buildings typically set back with on-site parking.

Furthering Public Health, Safety, and General Welfare

By rezoning this lot to S-MX-3, the property will be brought into the new zoning code which would accelerate growth that better reflects the City of Denver's current values and goals. Equitable access to food, community spaces, services, and places of work would improve. ADA, safety, and environmental standards will be brought into the current zoning code. Economic opportunities and general welfare would be furthered in the creation of new jobs and new taxable businesses.

In our case in particular, rezoning would provide the Property Owner the opportunity to convert a vacated bank building along Leetsdale Drive and Forest Street into a drive-thru coffee shop. This new business would serve to enliven the surrounding community as well as support commuters.

Justifying Circumstance

The justifying circumstance is that the City adopted the current Denver Zoning Code, while the property retained Former Chapter 59 zoning.

Consistency with Neighborhood Context, Zone District Purpose and Intent

The Suburban Neighborhood Context fits squarely with the goals and attributes of the S-MX-3 zone district which is proposed. The mixed-use zoning designation with a limit of 3 stories fits with the suburban profile. The specific intent of the S-MX-3 zone district "applies to areas or intersections served primarily by local or collector streets where a building scale of 1 to 3 stories is desired." The surrounding streets are local and collector streets, while the commercial arterial corridor of Leetsdale Blvd. binds them together.



December 16, 2020

Amanda Sawyer City & County Building 1437 Bannock St., Rm. 451 Denver, CO 80202

Dear Council Member Amanda Sawyer:

I am writing to you on behalf of Dana Hunsinger, Ziggi's Coffee Owner, and the MAH Architectural Group design team. We would like to ask for your feedback and consideration regarding a prospective drive-thru coffee shop project to be located within Denver District 5. We are proposing to reuse the existing ±800 sq. ft. building at the northwest corner of Leetsdale Drive and Forest Street as a new Ziggi's Coffee drive-thru. The hope for this new coffee shop opportunity would be to create economic growth while enlivening the surrounding area.

Our team has had the opportunity to speak with both Rezoning and Development Services regarding the Ziggi's Coffee project. It has been communicated that in order to reuse the existing (and currently vacant) building as a drive-thru coffee shop, the zone lot will need to be rezoned from B-1 to S-CC-3, bringing the lot into the current zoning code. The building shares a zone lot with the office building to the south, and so the rezoning will affect both buildings.

As far as site changes are concerned, we are proposing a new patio with sidewalk connectivity to the existing sidewalk, new landscaping to create screening along Forest Street, a newly defined ADA-compliant parking space, a new trash enclosure, and ADA upgrades to the sidewalk crossings at the vehicular access points to the zone lot. Please see the Concept Plan and renderings enclosed for your reference.

At this time we would like to set up a virtual introductory meeting with you. Please let me know how we might proceed. I look forward to hearing any feedback you may have and hope to keep an open dialogue with you as this project develops. Thank you for your consideration.

Sincerely,

Ann Erisman

MAH Architectural Group

Enc. Concept Plan and Renderings

From: Michael Hunsinger <michael@maharch.com>

Subject: Ziggi's Coffee-5350 Leetsdale Drive (South Hilltop Neighborhood Association)

Date: January 25, 2021 at 1:21:47 PM MST

To: reuben@menorah.org

Cc: "Fry, Logan M. - CC YA2245 City Council Aide" <Logan.Fry@denvergov.org>,

Dana Hunsinger dana.hunsinger@ziggiscoffee.com, Ann Erisman

<Ann@maharch.com>

Hello Reuben Drebenstedt,

We have been advised by Councilwoman Amanda Sawyer to introduce to you the proposed project for a Ziggi's Coffee drive-thru to be located within Denver District 5. Please find our introduction letter to the Councilwoman as well as a conceptual site plan, renderings and traffic review letter for your reference.

Our team is hoping to set up a virtual meeting with you and your neighborhood group to gather insight of the existing site and answer any questions regarding the development. Please let me know if and when we can schedule this virtual meeting.

Please reach out to me if there are any questions. Thank you,

Michael Hunsinger, AIA, NCARB Principal

MAH Architectural Group

1385 S. Colorado Blvd, Penthouse Denver, CO 80222

O - 303.778.0608 F - 303.778.0609

E - michael@maharch.com

W - maharch.com

On Mon, Jan 25, 2021 at 1:24 PM Michael Hunsinger < michael@maharch.com > wrote: Hello Paul Aceto,

We have been advised by Councilwoman Amanda Sawyer to introduce to you the proposed project for a Ziggi's Coffee drive-thru to be located within Denver District 5. Please find our introduction letter to the Councilwoman as well as a conceptual site plan, renderings and traffic review letter for your reference.

Our team is hoping to set up a virtual meeting with you and your neighborhood group to gather insight of the existing site and answer any questions regarding the development. Please let me know if and when we can schedule this virtual meeting.

Please reach out to me if there are any questions.

Thank you,

Michael Hunsinger, AIA, NCARB Principal

MAH Architectural Group

1385 S. Colorado Blvd, Penthouse Denver, CO 80222

O - 303.778.0608 F - 303.778.0609

E - michael@maharch.com

W - maharch.com

From: Paul Aceto <paul@theacetoteam.com>

Subject: Re: Ziggi's Coffee-5350 Leetsdale Drive (Virginia Vale Community Association)

Date: January 27, 2021 at 12:04:23 PM MST

To: Michael Hunsinger <michael@maharch.com>, "Kevin Lazar, Esq."

<kevlazar@gmail.com>, "Tim & Kelli Keenan" <Trkeenan86@gmail.com>, Josh
Fruchtman <jlfruchtman@gmail.com>, Douglas Long <dfreshy@gmail.com>

Cc: "Fry, Logan M. - CC YA2245 City Council Aide" <Logan.Fry@denvergov.org>,

Dana Hunsinger <dana.hunsinger@ziggiscoffee.com>, Ann Erisman

<Ann@maharch.com>

Hello Michael.

Thank you for providing this detailed info about the rezoning application by Ziggy's Coffee at the corner of S. Forest St. and Leetsdale Dr.

We will present this info to the community via Nextdoor, facebook and direct email and ask if a virtual meeting is desired.

We will also request feedback from residents about this rezoning application. VVCA does not provide approval to applicants on behalf of it's residents but will ultimately provide a letter stating the responses received by the community.

Please let me know how we can be of further help.

Paul Aceto on behalf of VVCA

Paul Aceto

Team Leader & REALTOR

The Aceto Team

20201-00201

Morrison, Jason P. - CPD City Planner Senior

Subject: FW: [EXTERNAL] Rezoning Application 2020I-00201 (5350 Leetsdale Dr)



Jason Morrison, AICP | Senior City Planner Community Planning and Development | City and County of Denver Pronouns | He/Him/His

phone: (720) 865-3072 | email: <u>jason.morrison@denvergov.org</u> 311 | <u>pocketgov.com</u> | <u>denvergov.org/CPD</u> | <u>Take Our Survey</u> | <u>Facebook</u> | <u>Twitter</u> | <u>Instagram</u>

From: Fritz Clauson <fritzc@gmail.com>
Sent: Wednesday, August 4, 2021 11:01 AM

To: Morrison, Jason P. - CPD City Planner Senior < Jason. Morrison@denvergov.org>

Subject: [EXTERNAL] Rezoning Application 2020I-00201 (5350 Leetsdale Dr)

Hi Jason,

I live near 5350 Leetsdale Dr (around the corner at 448 S Holly St) and want to express my support for the rezoning application. Many of the existing commercial properties along Leetsdale are approaching the end of their useful structural life, and re-developing them in a way that supports the city's goals for vibrant and pedestrian-friendly commercial corridors requires bringing them into the current zoning code. I believe the proposed zoning change generally supports those goals and will enable pedestrian-oriented development that supports the ongoing improvement of the Leetsdale corridor.

Thank you for your time and work on this case!

--

Fritz Clauson, AICP