



TO: Land Use, Transportation, and Infrastructure Committee
FROM: William Prince, Associate City Planner
DATE: February 27, 2025
RE: Official Zoning Map Amendment Application #2024I-00037

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends that the Land Use, Transportation, and Infrastructure Committee move application 2024I-00037 forward for consideration by the full City Council.

Request for Rezoning

Address:	3419 West 5 th Avenue
Neighborhood/Council District:	Barnum/ Council District 3 – Councilmember Jamie Torres
RNOs:	Inter-Neighborhood Cooperation (INC), Strong Denver, Community Coalition of Barnum
Area of Properties:	12,964 square feet or .30 acres
Current Zoning:	E-SU-Dx
Proposed Zoning:	E-RH-2.5
Property Owner(s):	Barnum Hills Development LLC
Property Representative:	Eric Grebliunas, Workshop 40

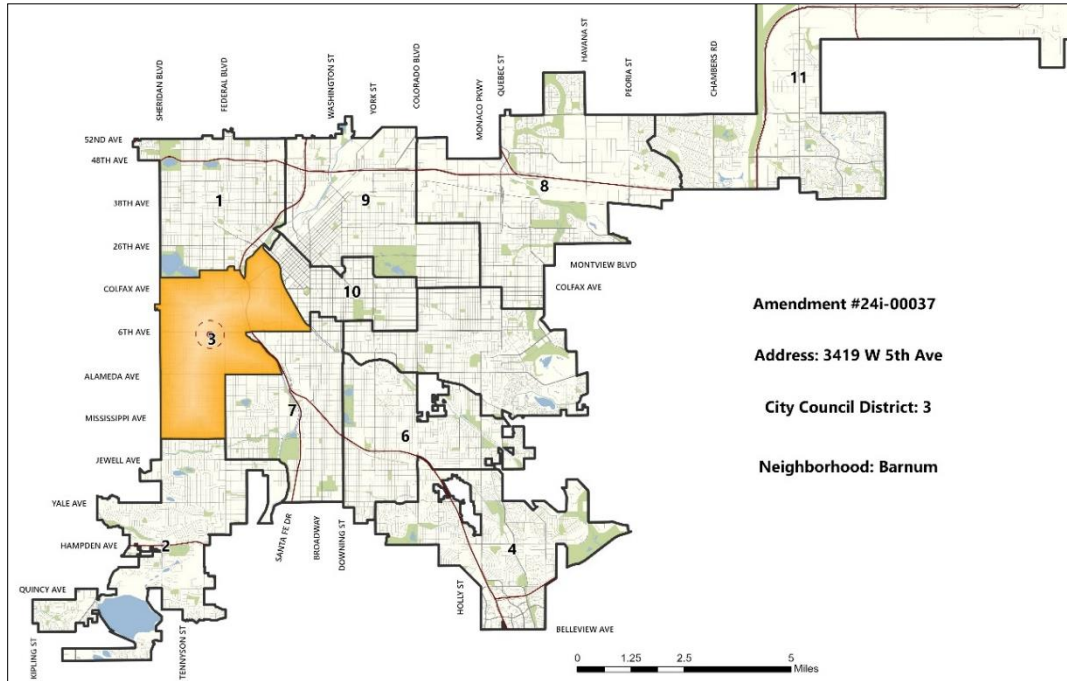
Summary of Rezoning Request

- The property owner is proposing to rezone 3419 West 5th Avenue from **E-SU-Dx to E-RH-2.5**.
- The subject site is located in the Barnum statistical neighborhood at the northwest corner of N Julian Street and West 5th Avenue near Barnum Park.
- The property currently has a single-unit residence, and the owner is proposing to rezone to allow for the development of row homes.
- The proposed E-RH-2.5, Urban Edge, Row House, 2.5 stories, zone district allows the suburban house, urban house, duplex, tandem house, and row house primary building forms as well as detached accessory dwelling units (only allowed as accessory to a primary single-unit residential use). The maximum height of the allowed primary building forms ranges from 30 to 35 feet for the front 65% of the zone lot and 17 to 24 feet in the rear 35% of the zone lot. The Detached Accessory Dwelling Unit form can be a maximum height of 24 ft. This district is intended for use in the Urban Edge Neighborhood Context, which is characterized by single- and two-unit uses and allows for some multi-unit districts. Further details of the zone district can be found in the proposed zone district of this staff report (below) and in Article 4 of the Denver Zoning Code.
- On October 10, 2024, Community Planning and Development (CPD) issued the [West Area Plan – Rezoning Implementation Approach Policy Memo](#) which outlines issues related to displacement and increased development pressures in West Denver. The memo documents development trends, plan guidance, and states that “CPD has found potential rezonings of single unit districts (SU) to higher intensity districts in the West Area Plan geography are not consistent with the

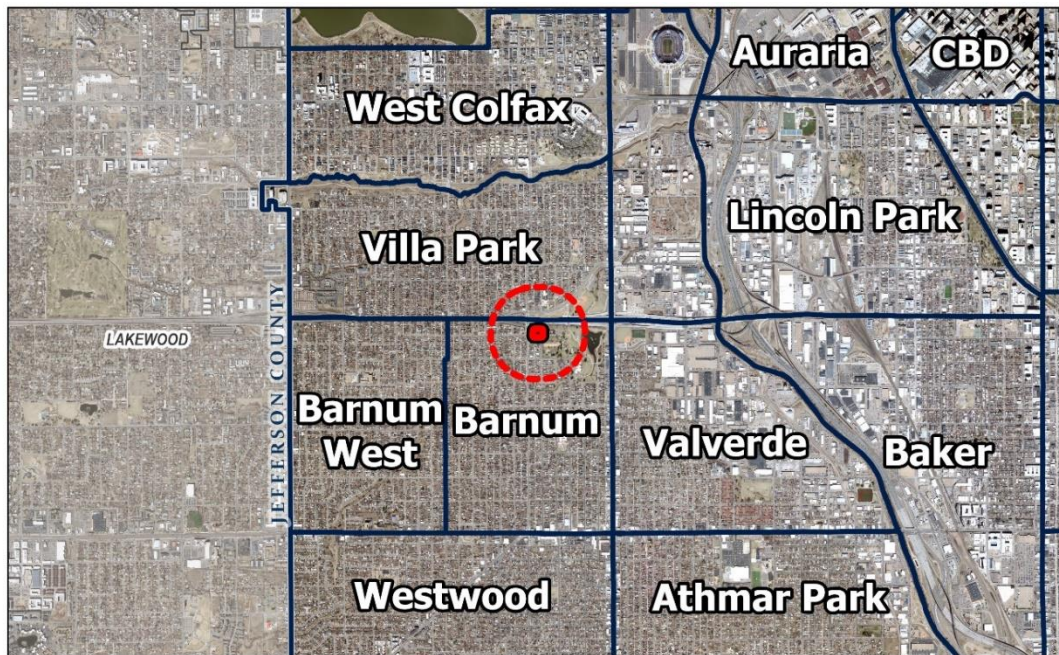
intent of adopted plans until further stabilization programs, tools and regulatory changes are in place, due to the phase of development lifecycle that the area is in. It is important to note that rezonings are consistent with adopted plans if there are programs and commitments to ensure affordability as part of new missing middle housing opportunities.” The analysis in the memo is outlined as part of the review criteria section of this staff report.

- Concurrent with the rezoning, the applicant has voluntarily proposed and signed an Affordable Housing Plan (AHP). The AHP includes a negotiated alternative to Mandatory Affordable Housing requirements for this site. The AHP requires the greater of 12% of units at 70% AMI or 1 unit at 70% AMI. This will ensure that at least one income-restricted unit is built on-site. More information is included later in the staff report.

City Location



Neighborhood Location – Barnum



Existing Context

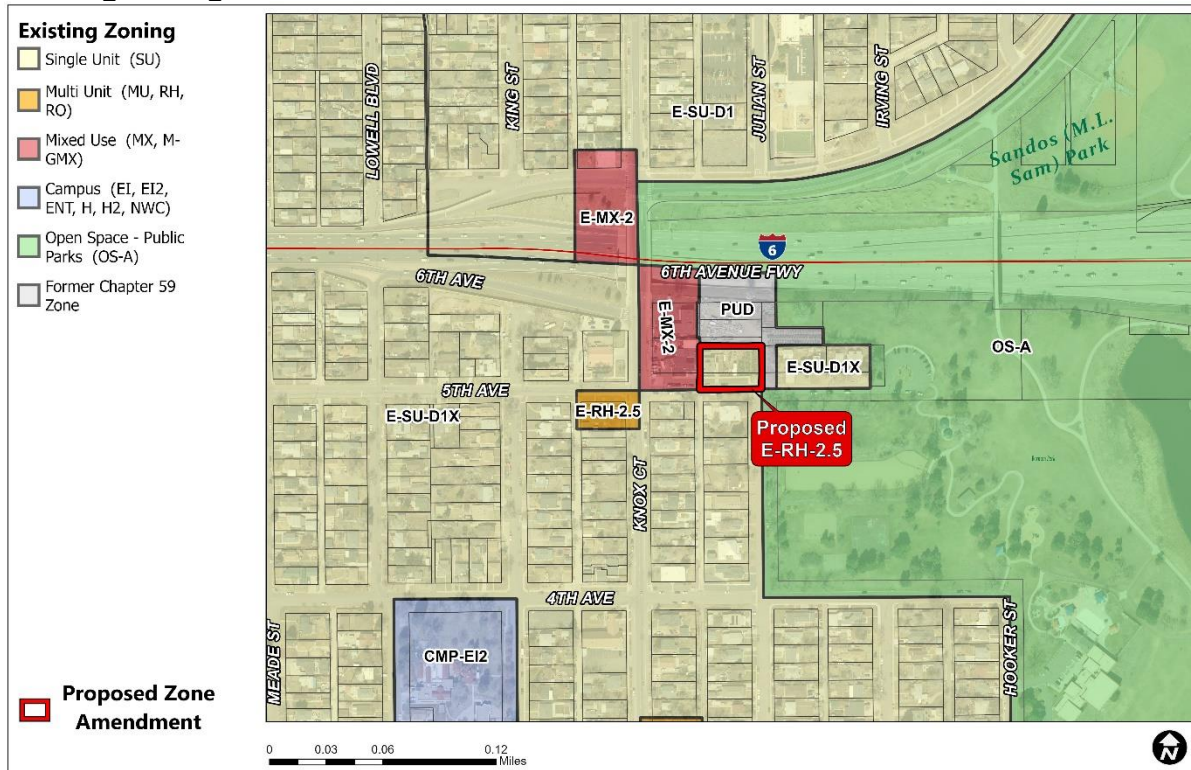


The subject property is located within the Barnum neighborhood, just south of the 6th Avenue Freeway at the intersection of North Julian Street and West 5th Avenue. The area is characterized by mostly single-unit residences with some commercial uses along North Knox Court. Barnum Park and Barnum Park Recreation Center are located immediately to the east, and the Weir Gulch Trail is about two blocks south. The subject property is served by RTD's frequent bus route 1 along Knox Court with stops less than a block away.

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

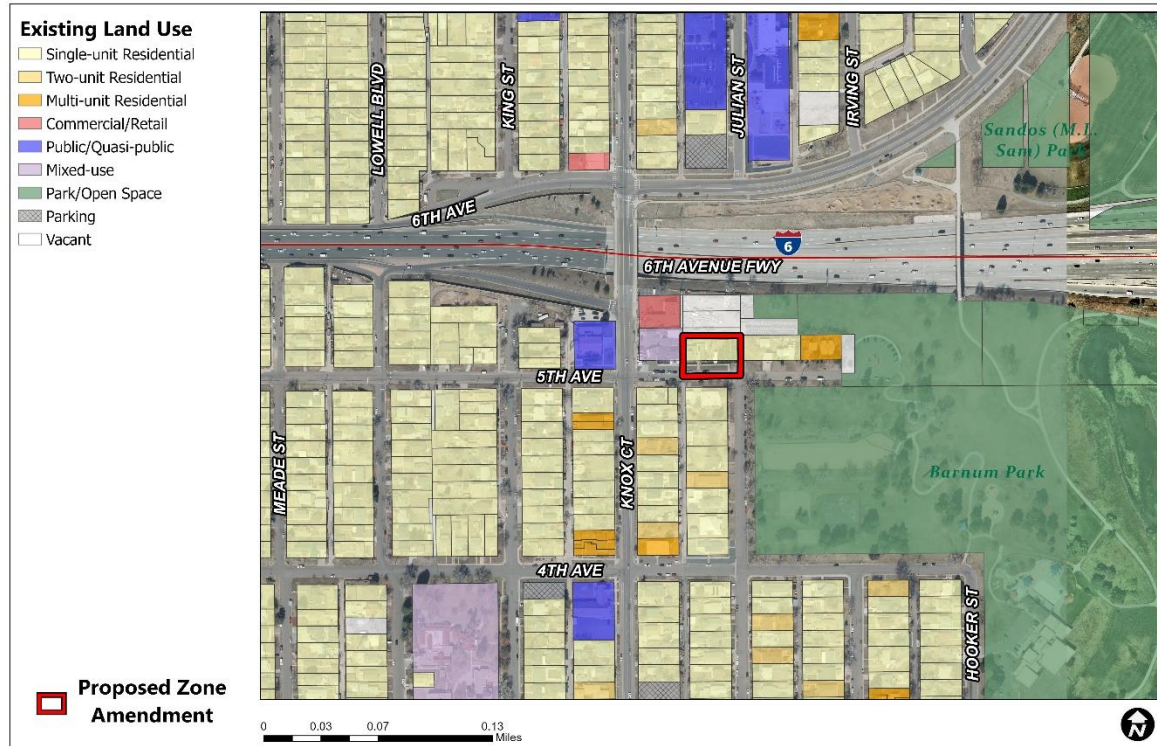
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Subject Property	E-SU-Dx	Single-Unit Residence	2-story frame house	The area is served by a typical street grid and block pattern is regular. It is disrupted by the 6 th Avenue Freeway and edges of Barnum Park in which some streets become dead ends.
North	PUD	Vacant/Storage	Vacant	
South	E-SU-Dx	Single-Unit Residential	1.5 story frame house with garage	
East	PUD/E-SU-Dx	Single-Unit Residential	Driveway, 1-story frame house	
West	E-MX-2	Parking	1 story commercial with parking lot	

Existing Zoning



The existing zoning on the subject property is E-SU-Dx which is a single unit residential district allowing suburban houses, urban houses and detached accessory dwelling units with a minimum zone lot area of 6,000 square feet. Blocks typically have a consistent pattern of 50-foot-wide lots. Allowed uses in E-SU-Dx are limited to single-unit dwellings and limited nonresidential uses found in single-unit zone districts. For additional details of the zone district, see DZC Section 4.2.2. The subject property is adjacent to E-MX-2, which allows a mix of uses, and PUD 589, which allows multi-unit housing.

Existing Land Use Map



The subject property is identified as single-unit residential. The surrounding area is primarily single-unit residential. The lots to the north of the property are vacant.

Existing Building Form and Scale (all images from Google Maps)

Subject Property – 3419 West 5th Avenue, looking north



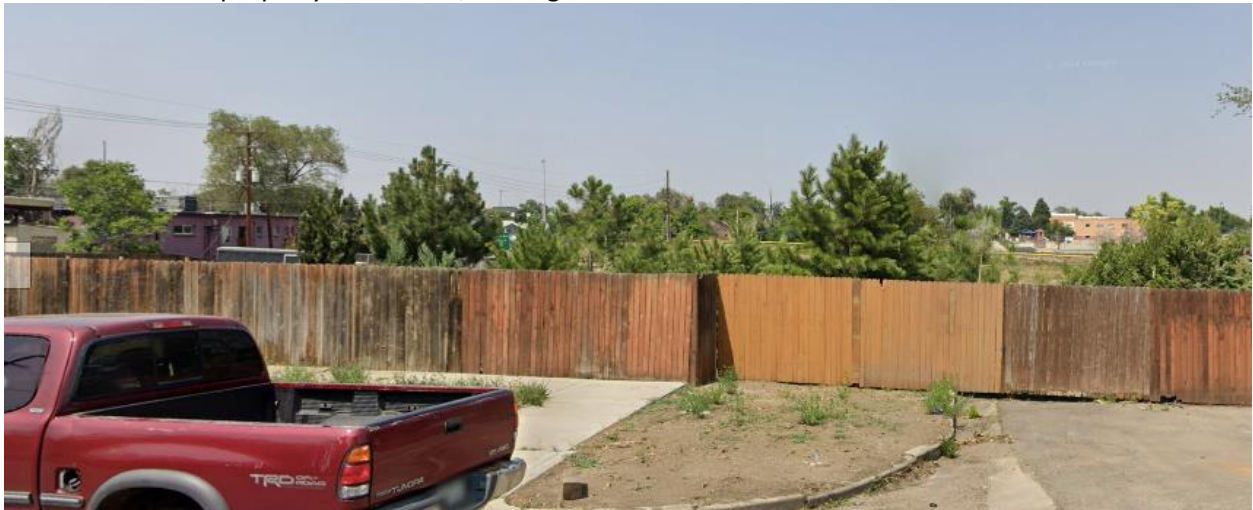
North – Aerial view of the property to the north of subject property. (Street view not available)



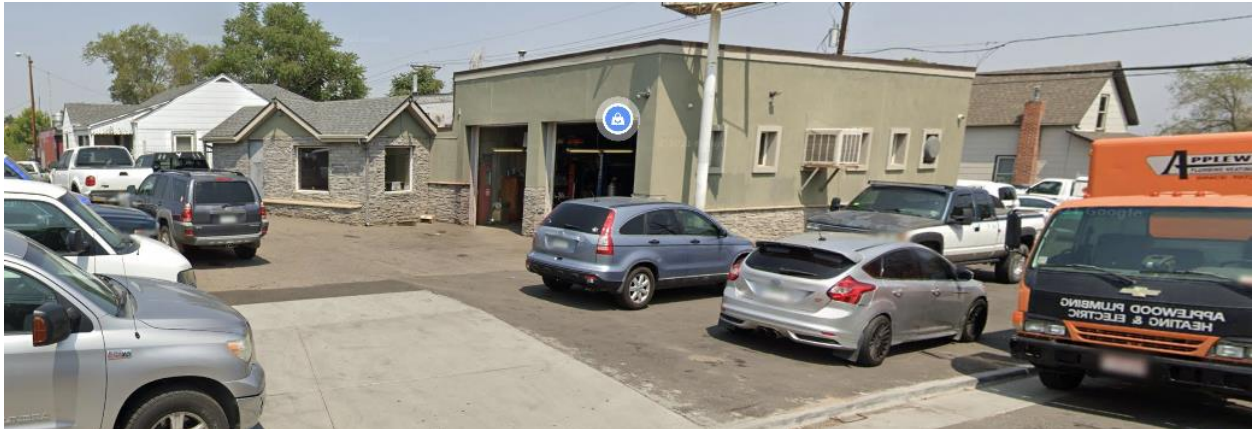
South – View of the property to the south of subject property, looking south.



East - View of the property to the east, looking south.



West – View of the property to the west, across the street, looking northwest.



Affordable Housing Plan

Concurrent with the rezoning, the applicant has voluntarily proposed and signed an Affordable Housing Plan (AHP). The AHP includes a negotiated alternative to Mandatory Affordable Housing requirements for this site. The AHP requires the greater of 12% of units at 70% AMI or 1 unit at 70% AMI. This will ensure that at least one income-restricted unit is built on-site.

If plans for the project change such that units and the development are offered for sale, the income-restricted unit will be made available to eligible households earning 90% AMI rather than 70% AMI. The income-restricted unit will have the same number of bedrooms as the predominant unit type in the development, currently planned as a three-bedroom unit.

Proposed Zoning

The applicant is requesting to rezone to **E-RH-2.5**, (Urban Edge Neighborhood Context – Row House – 2.5 stories) which allows the Suburban House, Urban House, Duplex, Tandem House and Row House primary building forms up to two and a half stories in height. The intent of the district is to promote and protect residential neighborhoods within the character of the Urban Edge Neighborhood Context. These regulations allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood. The building form standards, design standards, and uses work together to promote desirable residential areas. The standards of the two unit and row house districts promote existing and future patterns of lower scale multi-unit building forms that typically address the street in the same manner as an urban house building form. Further details of the proposed zone district can be found in Article 4 of the Denver Zoning Code (DZC). The primary building forms allowed and design standards in the existing zone district and the proposed zone district are summarized below:

Design Standards	E-SU-Dx (Existing)	E-RH-2.5 (Proposed)
Primary Building Forms Allowed	Urban House and Suburban House	Suburban House, Urban House, Duplex, Tandem House, Row House
Height in Stories / Feet, Front 65% of Zone Lot, Urban House, (max.)	2.5 stories / 30 feet*	2.5 stories / 35 feet**
Height in Stories / Feet, Rear 35% of Zone Lot, Urban House, (max.)	1 story / 19 feet	2.5 stories / 24 feet**
Height in Stories / Feet, Detached Accessory Dwelling Unit, (max.)	24 feet	1.5 stories / 24 feet
Zone Lot Size (min.)	6,000 sf	6,000 sf**
Zone Lot Width (min.)	50 feet	50 feet**
Primary Street Block Sensitive Setback Required / If not	Yes / 20 feet	Yes / 20 feet
Side Street Setback (min.) *	5 feet	5 feet**
Side Interior Setback (min.) *	5 feet	5 feet**
Rear Setback, Alley / No Alley	12 feet / 20 feet	12 feet / 20 feet

Building Coverage per Zone Lot including all accessory structures (max.), not including exceptions	37.5%	N/A
Detached Accessory Building Forms Allowed	Detached Accessory Dwelling Unit, Detached Garage, Other Detached Accessory Structures	Detached Accessory Dwelling Unit, Detached Garage, Other Detached Accessory Structures

*Based on subject property width of 50 feet

**Standard varies depending on building form

Summary of City Agency Referral Comments

As part of the DZC review process, the rezoning application is referred to potentially affected city agencies and departments for comment. A summary of agency referral responses follows:

Assessor: Approved – No Response.

Asset Management: Approved - No Comments.

Denver Public Schools: Approved – No Response.

Development Services - Fire: Approve Rezoning Only - Will require additional information at Site Plan Review.

Development Services – Project Coordination: Approved – No Response.

Development Services - Transportation: Approved – No Response.

Development Services – Wastewater: Approved – No Response.

Parks and Recreation: Approved – No Response.

Public Health and Environment: Approved – No Comments.

Department of Transportation & Infrastructure – City Surveyor: Approved. See Comments.

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:	8/9/2024
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, registered neighborhood organizations, and property owners:	2/4/2025
Planning Board Public Hearing:	02/19/2025
CPD written notice of the Land Use, Transportation, and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting:	02/20/2025
Land Use, Transportation, and Infrastructure Committee of the City Council:	03/04/2025
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:	03/24/2025 (tentative)
City Council Public Hearing:	04/14/2025 (tentative)

Planning Board Hearing: The application was recommended for approval at the February 19 public hearing.

Registered Neighborhood Organizations (RNOs)

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

Other Public Comment

One letter of support has been received with the original application materials.

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. Public Interest
3. Consistency with Neighborhood Context Description, Zone District Purpose, and Intent Statements

1. Consistency with Adopted Plans

The following adopted plans currently apply to this property:

- *Denver Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *West Area Plan (2023)*

Denver Comprehensive Plan 2040

The following goals and strategies in the *Equitable, Affordable and Inclusive* vision element are relevant to this proposed rezoning:

- 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).
 - Strategy A – Increase development of housing units close to transit and mixed-use developments.
- Equitable, Affordable and Inclusive Goal 2: Build housing as a continuum to serve residents across a range of incomes, ages and needs (p. 28).
 - Strategy A – Create a greater mix of housing options in every neighborhood for all individuals and families.
 - Strategy B – Ensure city policies and regulations encourage every neighborhood to provide a complete range of housing options.
- Equitable, Affordable and Inclusive Goal 3: Develop housing that is affordable to residents of all income levels (p.28).
 - Strategy B – Use land use regulations to enable and encourage the private development of affordable, missing middle and mixed-income housing, especially where close to transit.
- Equitable, Affordable, and Inclusive Goal 5: Reduce the involuntary displacement of residents and businesses (p. 29)

The proposed rezoning will allow for additional housing units and building forms, thereby meeting several aspects of this vision element. The concurrent affordable housing plan will ensure that income-restricted, affordable housing is provided on-site. The AHP furthers plan guidance regarding affordability and addressing displacement.

The following goal and strategy in *Strong and Authentic Neighborhoods* vision element is relevant to this proposed rezoning:

- Strong and Authentic Neighborhoods Goal 1: Create a city of complete neighborhoods (p. 34).
 - Strategy B – Ensure neighborhoods offer a mix of housing types and services for a diverse population.

The proposed rezoning will allow infill development appropriate for the surrounding neighborhood that broadens the range of housing types available, consistent with this strategy.

The proposed rezoning is consistent with the following strategies in the *Environmentally Resilient* vision element:

- Environmentally Resilient Goal 8: Clean our soils, conserve land and grow responsibly.
 - Strategy A - Promote infill development where infrastructure and services are already in place (p. 54).

In summary, the proposed rezoning, together with the concurrent AHP, furthers *Comprehensive Plan 2040* policies by increasing additional housing units, allowing more building forms at an infill location where amenities are accessible, and providing on-site affordable housing.

Blueprint Denver (2019)

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

The proposed rezoning is consistent with much of the land use guidance in the plan. Further, the concurrent AHP addresses plan guidance to mitigate involuntary displacement and increase affordable housing options.

Blueprint Denver Future Neighborhood Context

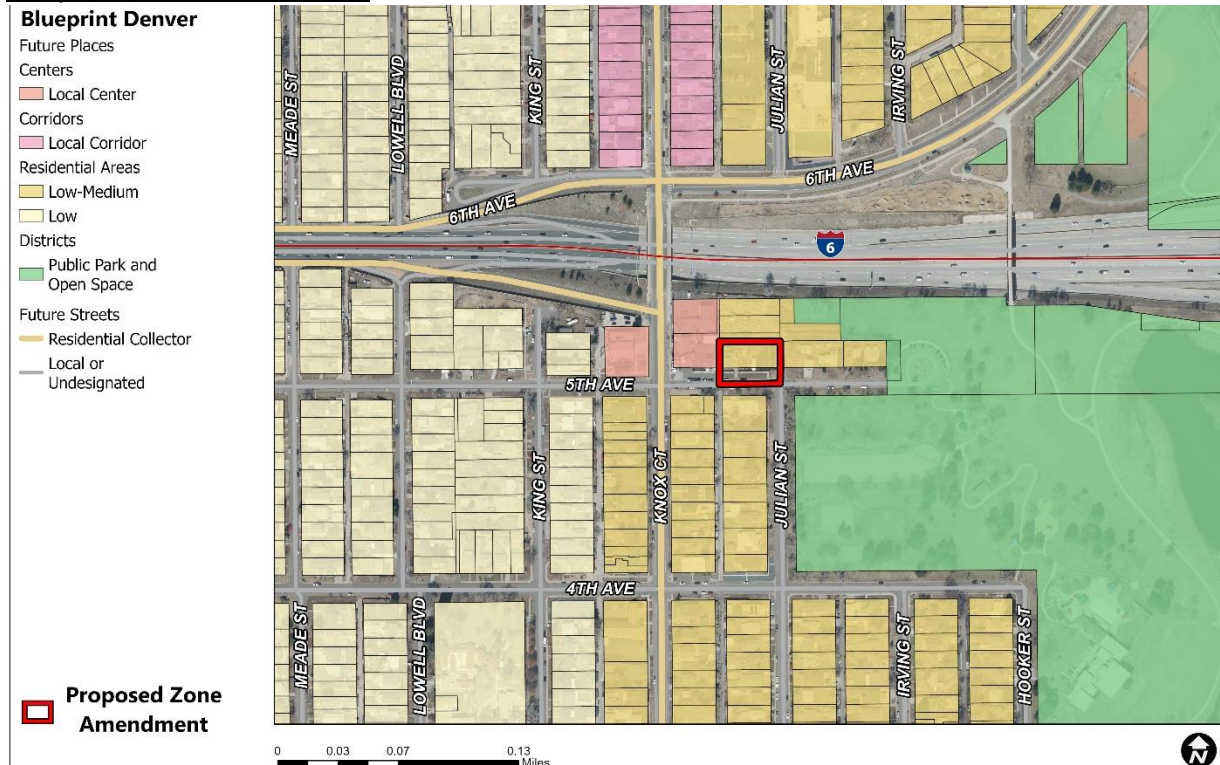


The subject property is shown on the context map as an Urban Edge Neighborhood Context, the description of which is used to guide appropriate zone districts. “Homes in this context are typically low-scale single- and two-unit residential with some small-scale multi-unit residential. Commercial and mixed-use development in this context tends to be found along the main corridors bordering traditional residential areas, with some larger center development.” (p. 202).

E-RH-2.5 is a zone district within the Urban Edge Neighborhood Context and is intended “to promote and protect residential neighborhoods within the character of the Urban Edge Neighborhood Context” and “the building form standards, design standards and uses work together to promote desirable residential areas” (DZC Section 4.2.2.1). E-RH-2.5 is consistent with *Blueprint Denver’s* future neighborhood context of Urban Edge because it will promote the residential character of the

neighborhood by allowing a low-scale mix of building forms that will be compatible with the existing residential area.

Blueprint Denver Future Place



Within the Urban Edge Neighborhood Context, the subject site is categorized as Low-Medium Residential which is described as a “mix of low- to mid-scale multi-unit residential options. Small-scale multi-unit buildings are interspersed between single- and two-unit residential... Buildings are generally 3 stories or less in height. When occurring, single- and two-unit residential uses are typically in the urban house form.” (216).

The rezoning request is consistent with *Blueprint Denver’s* identified Low-Medium Residential future place as it will allow a mix of low- to mid-scale residential building forms.

Blueprint Denver Street Types

Blueprint Denver classifies West 5th Avenue as a local or undesignated streets. Local streets “are designed for the highest degree of property access” (p. 154) and “can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses” (p. 160). The subject property is within close proximity to Knox Court which is classified as a Residential Collector. Residential collectors have “primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses. Buildings on residential streets usually have a modest setback. The depth of the setback varies by neighborhood context” (p.160). The proposed E-RH-2.5 district is consistent with this street type because it allows for primarily residential uses.

Blueprint Denver Growth Strategy



Blueprint Denver's growth strategy map is a version of the future places map, showing the aspiration for distributing future growth in Denver (p. 51). The subject property is part of the “All other areas of the city” growth area. These areas anticipate experiencing around 20 percent of new housing growth and 10 percent of new employment growth by 2040 (p. 51). This growth area contains “mostly residential areas with embedded local centers and corridors (that) take a smaller amount of growth intended to strengthen the existing character of our neighborhoods” (p. 49). The proposed E-RH-2.5 zone district is appropriate in this growth area as it will minimally contribute to development intensity in the neighborhood while maintaining the area’s residential character. Therefore, the proposed rezoning is consistent with the *Blueprint Denver* growth strategy.

Additional Guidance

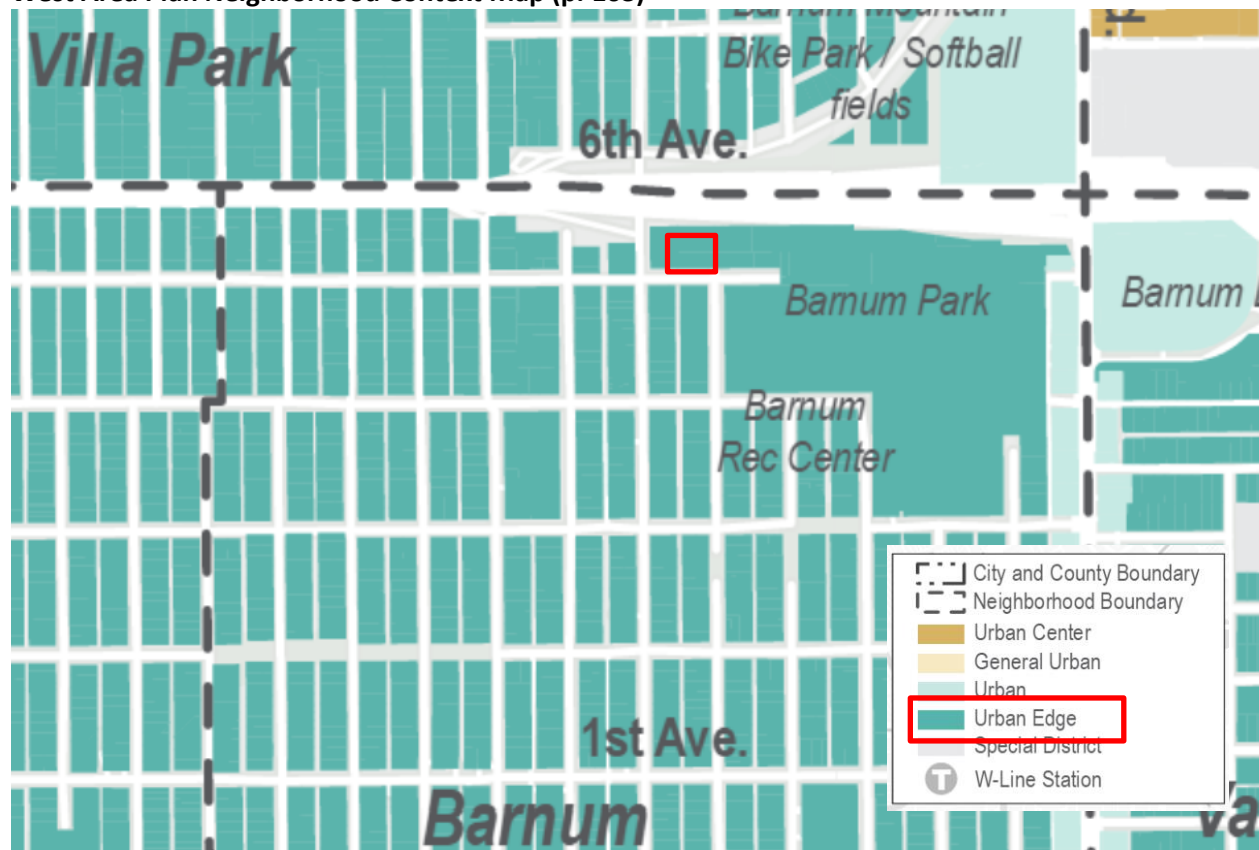
Blueprint Denver articulates both the inherent complexity and importance of addressing involuntary displacement, calling for a “variety of strategies that cut across many disciplines, plans and partners” (p. 36) to ensure that Denver’s diversity of its community is maintained. *Blueprint Denver* also calls for equity measures and mapping analysis in neighborhood plans to ensure that “neighborhood planning will need to address policies and strategies to mitigate involuntary displacement, especially since the plan may attract new investment to the area.” This is directly applicable to the *West Area Plan*, since new investment is leading to displacement concerns.

As stated earlier in this report, the applicant has signed an Affordable Housing Plan concurrent with the rezoning. The AHP will help to mitigate displacement in this area by providing income-restricted housing on-site with new development. While rezoning alone is not consistent with adopted plans until further stabilization programs, tools and regulatory changes are in place, the rezoning together with the concurrent AHP are consistent with *Blueprint Denver*.

West Area Plan (2023)

The *West Area Plan* was adopted in March 2023 as part of Community Planning and Development’s Neighborhood Planning Initiative. It updated the place, neighborhood context and growth strategy guidance in *Blueprint Denver*. In the *West Area Plan*, the subject property is within the Urban Edge Neighborhood Context and in the Future Place Map is classified as Low-Medium Residential, which is described as having a mix of low- to mid-scale multi-unit residential forms (p. 166). The height map recommends heights up to 2.5 stories.

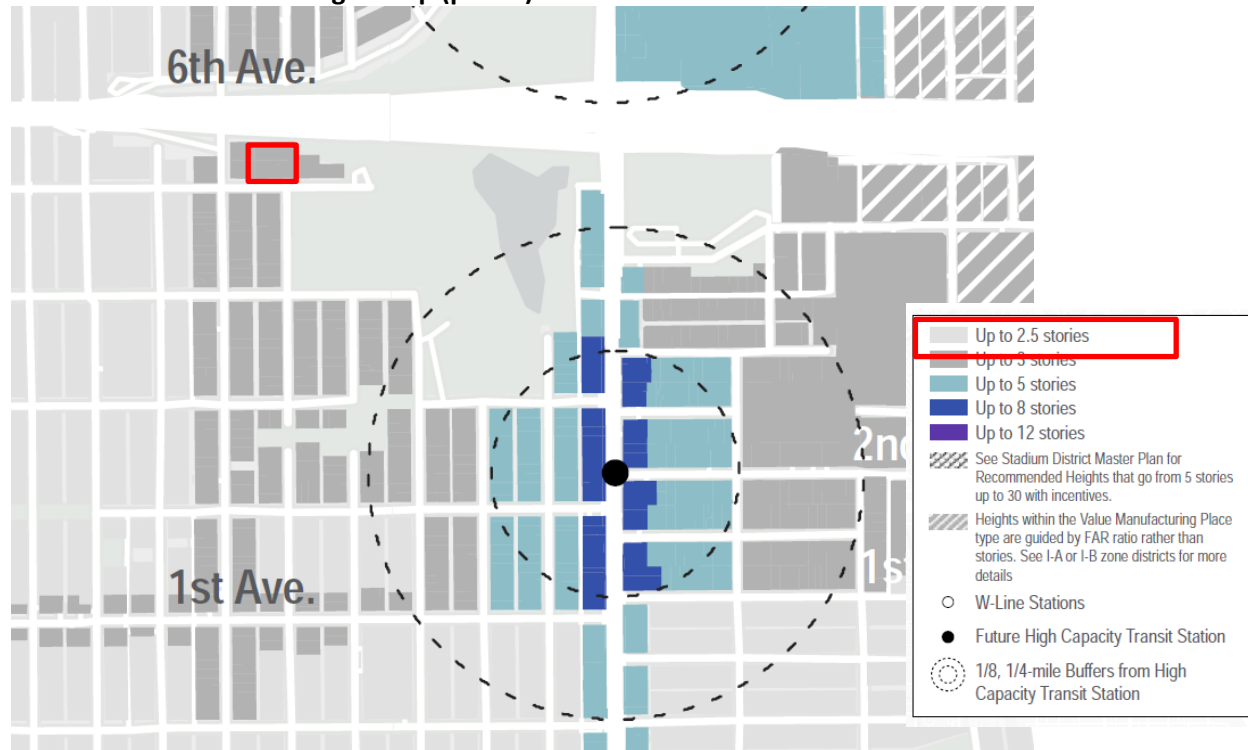
West Area Plan Neighborhood Context Map (p. 163)



West Area Plan Future Place Type Map (p. 167)



West Area Plan Future Height Map (p. 175)



Land Use Policy L.7 (p. 187) provides additional height guidance for Low-Medium Residential areas: “Until such time that the new 3 story districts are create, 2.5 story zoning is appropriate in low-residential places.” E-RH-2.5 has a maximum height of 2.5 stories and is consistent with this plan guidance.

The proposed rezoning is consistent with the neighborhood context, place, and height guidance in the plan as it would allow for a mix of residential forms uses in buildings up to 2.5 stories in height in the Urban Edge neighborhood context in the Denver Zoning Code.

Additional West Area Plan Priorities

The plan highlights a series of community priorities related to quality of life, food access and housing affordability. Community feedback during the West Area planning process highlights a strong desire for affordable housing options for residents who want to stay in their neighborhood. The plan addresses these issues through strategies to advance equitable housing options, retain residents, and improve quality of life. The following language provides guidance on rezonings in the plan area: Some of the zoning recommendations in this plan are intended to be implemented legislatively (i.e., initiated by the city) either through citywide processes or area-specific text amendments, instead of through applicant-driven rezonings (e.g., see Policy B-2 (P. 272) . . . Therefore, requests for one-off applicant-driven rezonings should be evaluated to determine if they are better suited as part of a legislative rezoning effort to more effectively advance the vision and recommendations of the plan” p. 14.

The following provides context from community outreach that speaks to a clear need to deploy strategies that counter gentrification and displacement.

- Plan – What We’ve Heard - HOUSING: “A desire for more affordable housing options.... Current housing trends are out of reach for working class families and seniors ... A desire for strategies to counter gentrification and displacement.” (p. 8)
- West Area Today - “The West Area is a vibrant and innovative community today. But the years of disinvestment, historic redlining practices and impacts of infrastructure decisions continue to create barriers between neighborhoods, affect economic conditions and isolate sections of the community today. The West Area Plan addresses the inequities and impacts of historical decisions by identifying equitable investment opportunities and future projects that help retain residents, improve quality of life, enhance mobility solutions and reflect neighborhood values and culture for years to come.” (p. 23)

The *West Area Plan* also contains specific recommendations for housing affordability, including examples of tools that can help to ensure affordability for existing residents:

- Recommendations, Policy E.1 - Preserve existing housing affordability and housing quality (p. 211)
 - B. Preserve naturally occurring affordable housing, particularly in areas close to transit and in areas vulnerable to displacement, through existing and new tools such as:

- 1. Incentive programs for owners and landlords that provide financing for rehabilitation of small multi-unit properties and homes in exchange for affordability commitments.
- 2. Partnering with existing cooperatives and other community-based organizations to assist tenants with acquiring and transforming housing into cooperative housing.
- 3. Partnerships between the city, land trusts, non-profit organizations, and residents to develop new financial and/or regulatory tools.
- Recommendations, Policy E.2 – Explore strategies so affordable housing is available everywhere by implementing approaches that promote a diversity of affordable housing options within all neighborhoods and new development (p. 212).
 - A. Ensure the value of increased development potential is shared within communities through the provision of on-site affordable housing, a diversity of housing types and elements that promote complete neighborhoods.
- Recommendations, Policy E.3 - Expand diversity of housing types and affordability to support households of different sizes, ages, and incomes in all neighborhoods (p. 213).

Implementing the full intent of the plan requires strategies and programs, such as those referenced above in Policy E.1, to ensure that investment and redevelopment in the area is paired with tools to stabilize existing residents. The applicant has signed a concurrent affordable housing plan that commits to income-restricted housing on the subject property. The AHP puts a tool in place that addresses the plan guidance to mitigate displacement and ensure affordability with new development. The rezoning, with the concurrent AHP, is consistent with this *West Area Plan* guidance.

2. Public Interest

The proposed official map amendment with the concurrent affordable housing plan furthers the public interest through implementation of the city’s adopted land use plan and facilitating affordable housing options.

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

The proposed E-RH-2.5 zone district is within the Urban Edge Neighborhood Context. The neighborhood context generally consists of a “primarily single-unit and two-unit residential uses. Small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas...Multi-unit building forms are typically the Row House, Garden Court, Town House or Apartment building forms embedded with other residential uses. Multi-unit residential and commercial uses are located along local streets, arterials, and main streets...The Urban Edge Neighborhood Context consists of a regular pattern of block shapes surrounded by orthogonal streets within a grid or modified grid...Block sizes and shapes are consistent and include attached, detached and non-existent sidewalks, tree lawns where provided for by detached sidewalks, street and surface parking, and landscaping in the front setback...The Urban Edge Neighborhood Context is characterized by low scale buildings except for some mid- rise commercial and mixed use structures, particularly at nodes or along arterial streets. There is reliance on the automobile with some pedestrian and bicycle activity and low to medium level of access to the multi-modal transportation system.” (DZC Section 4.1-4.5)

According to DZC Section 4.2.2.1, General Purpose, the intent of the residential zone districts is to “promote and protect residential neighborhoods within the character of the Urban Edge neighborhood context.”

The specific intent of the E-RH-2.5 zone district is described as “E-RH-2.5 is a multi-unit district and allows suburban house, urban house, detached accessory dwelling unit, duplex, tandem house, and row house building forms up to two and a half stories in height.” (DZC Section 4.2.2.2.H). Therefore, the proposed rezoning of E-RH-2.5 meets the criteria of the Denver Zoning Code context description, purpose, and intent statements.

Attachments

1. Application
2. Updated Review Criteria