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# 4343 N. Utica St. and associated properties

Request: From R-2 and U-TU-C to U-TU-C and PUD-G 33

Date: 05.13.2024

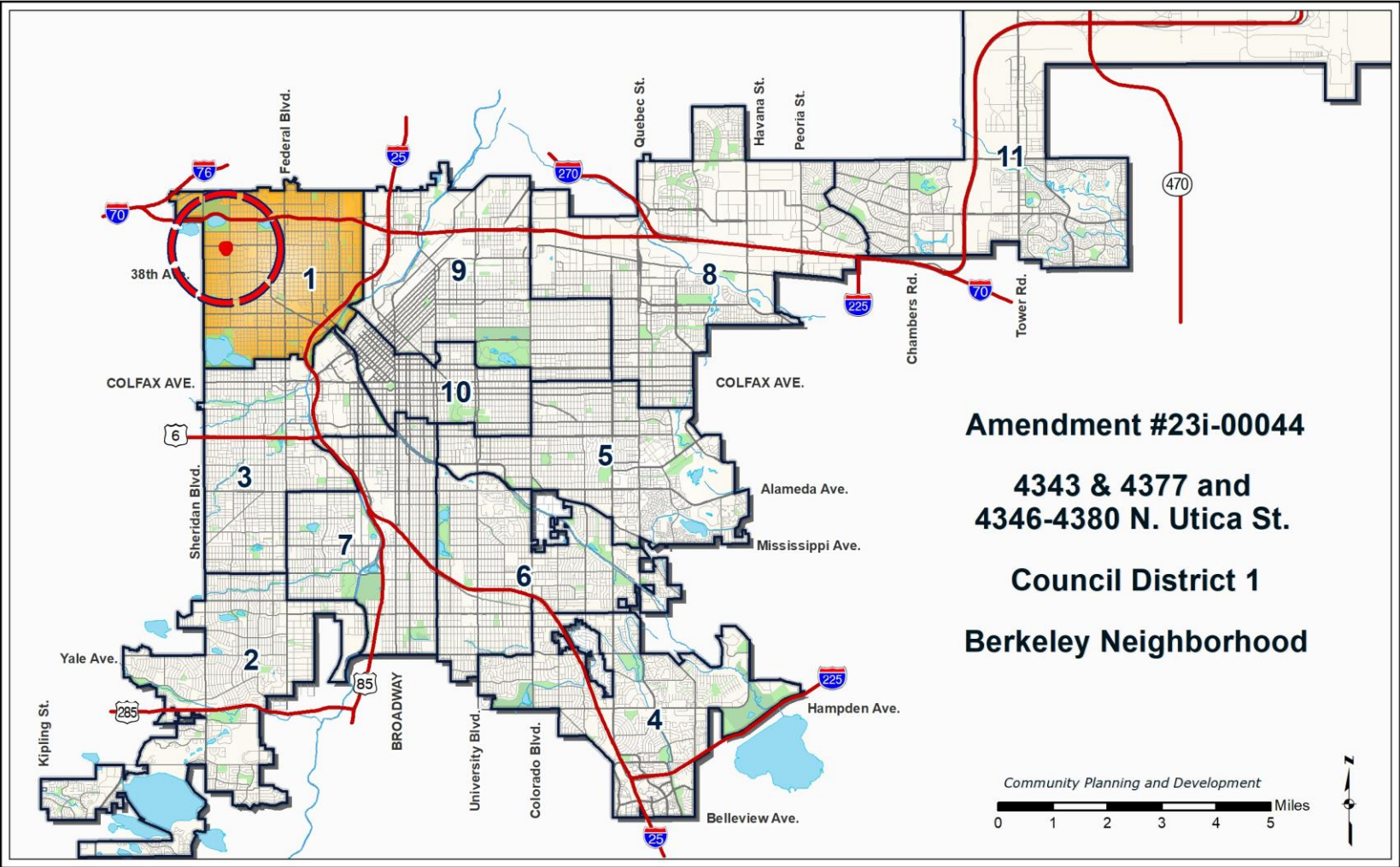
Presenter: Tony Lechuga

# Presentation Agenda

- Location and Context
- Request
- Process
- Review Criteria

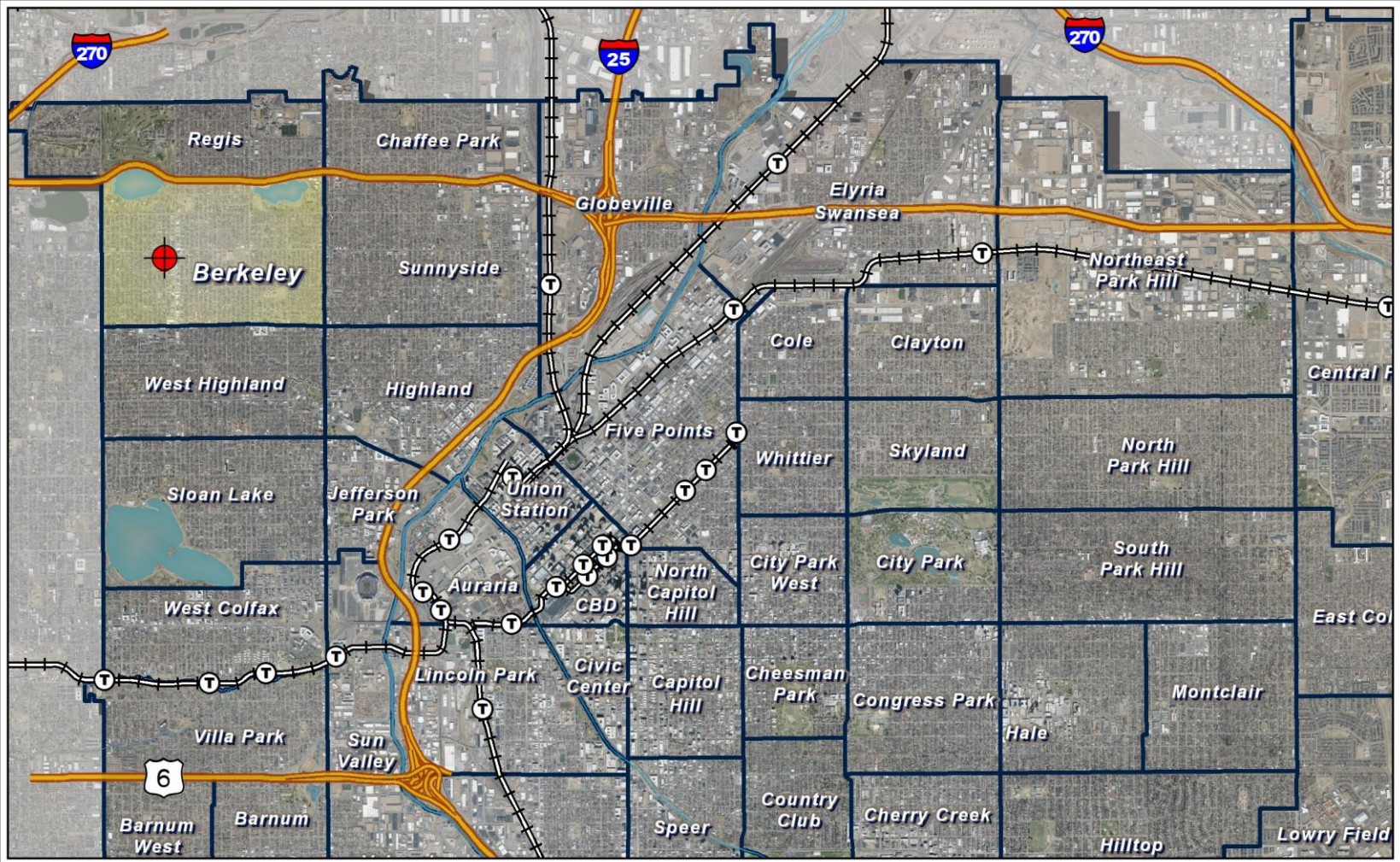


# Council District 1 – Councilmember Sandoval



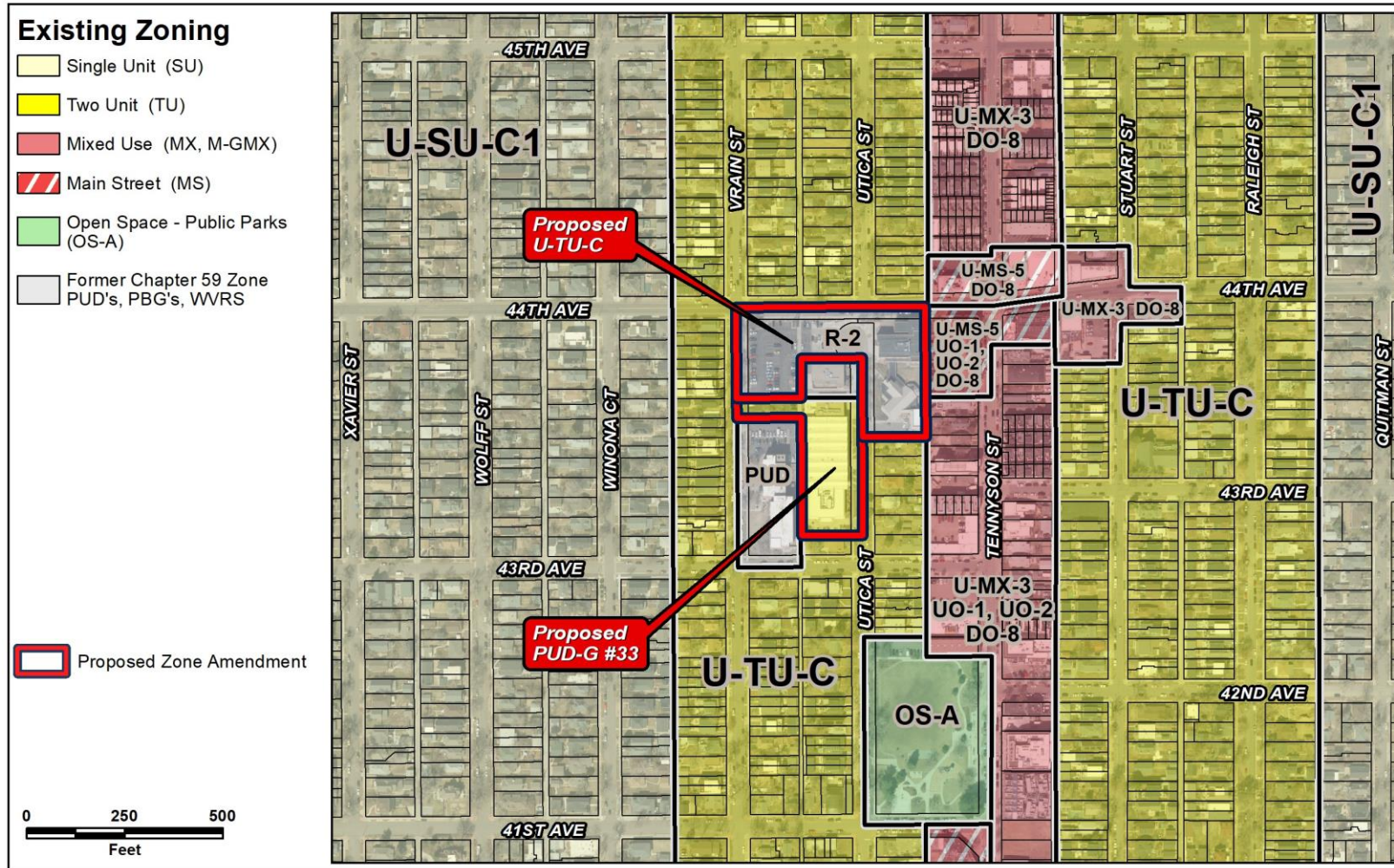


# Statistical Neighborhood – Berkeley





# Existing Zoning – U-TU-C and R-2

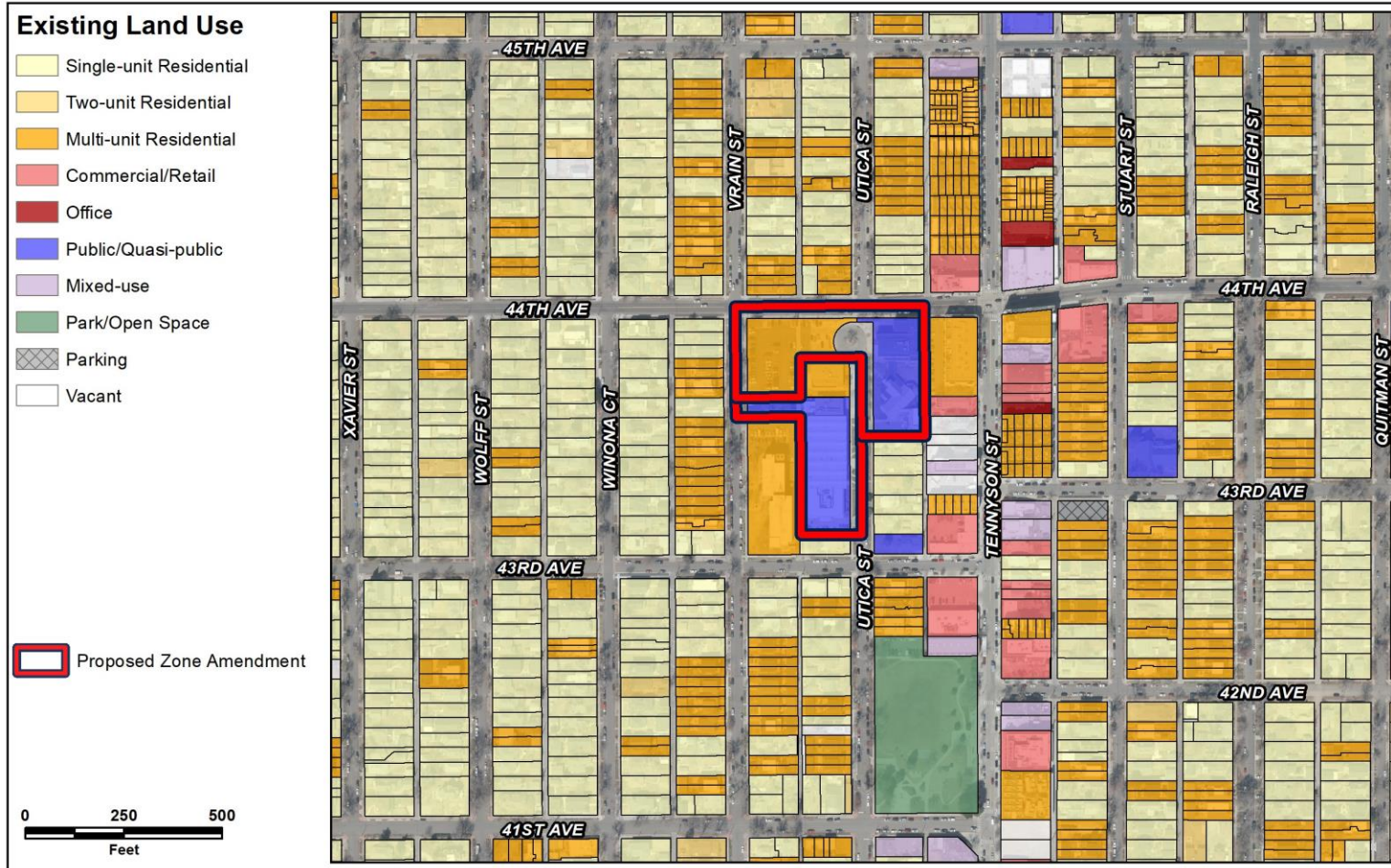


Proximity to:

- U-TU-C
- PUD
- U-MX-3
- U-MS-5
- U-SU-C1



# Existing Context – Land Use



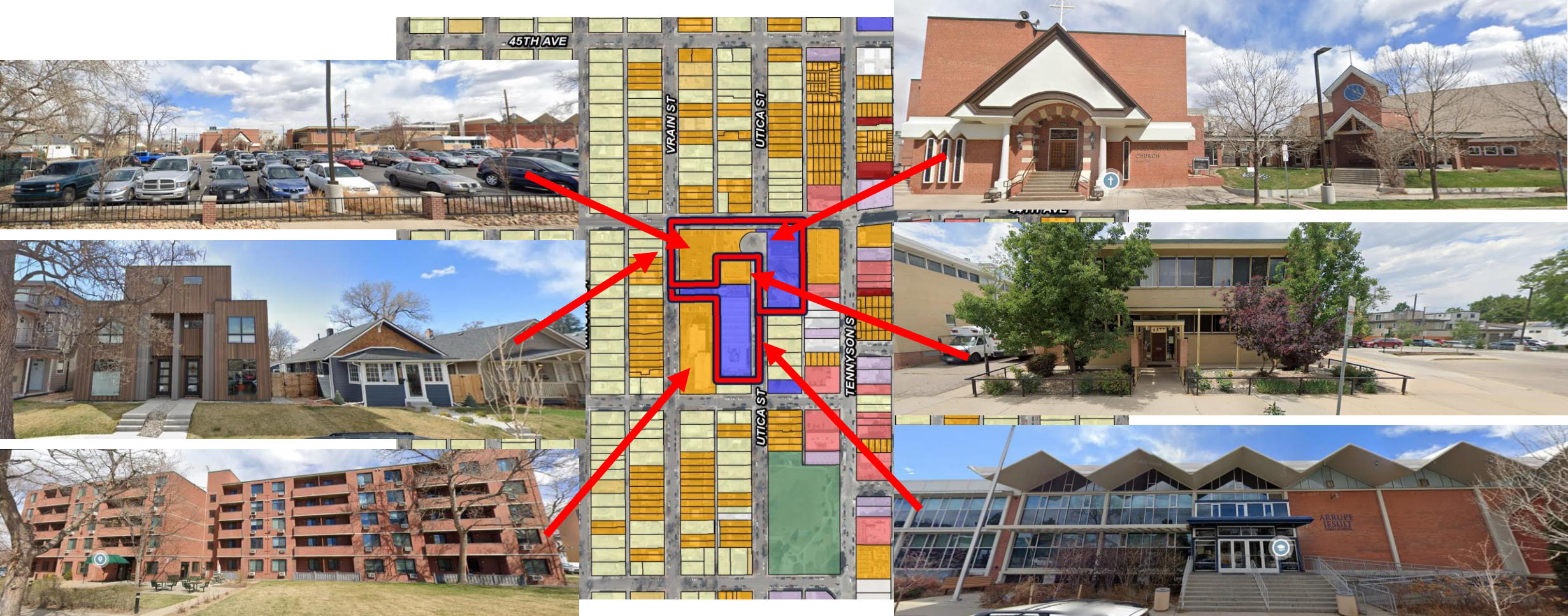
## Public/Quasi-public and Multi-Unit Residential

Adjacent to:

- Multi-unit Residential
- Single-unit Residential
- Commercial/Retail
- Mixed-use



# Existing Context – Building Form/Scale





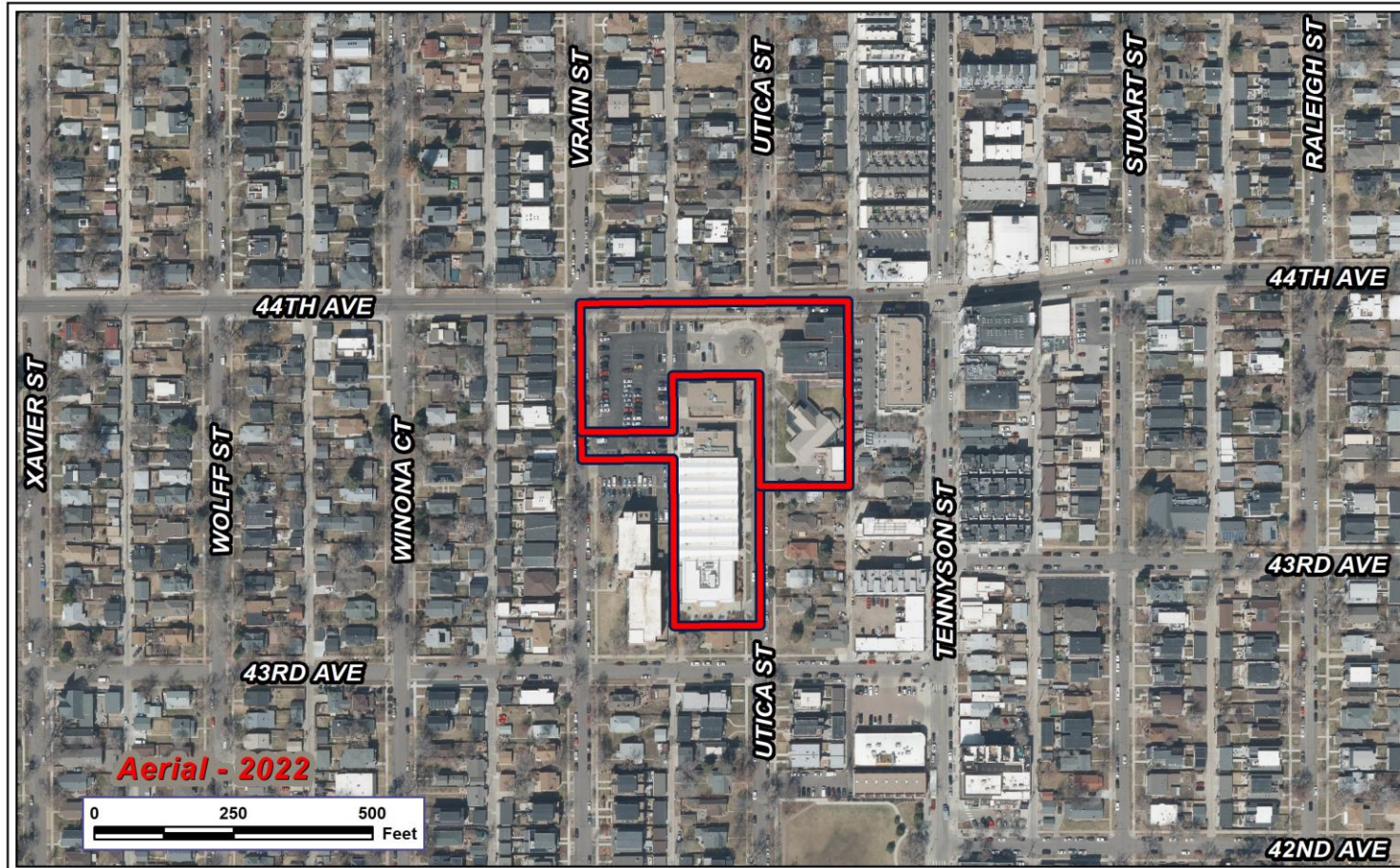
# Presentation Agenda

- Location and Context
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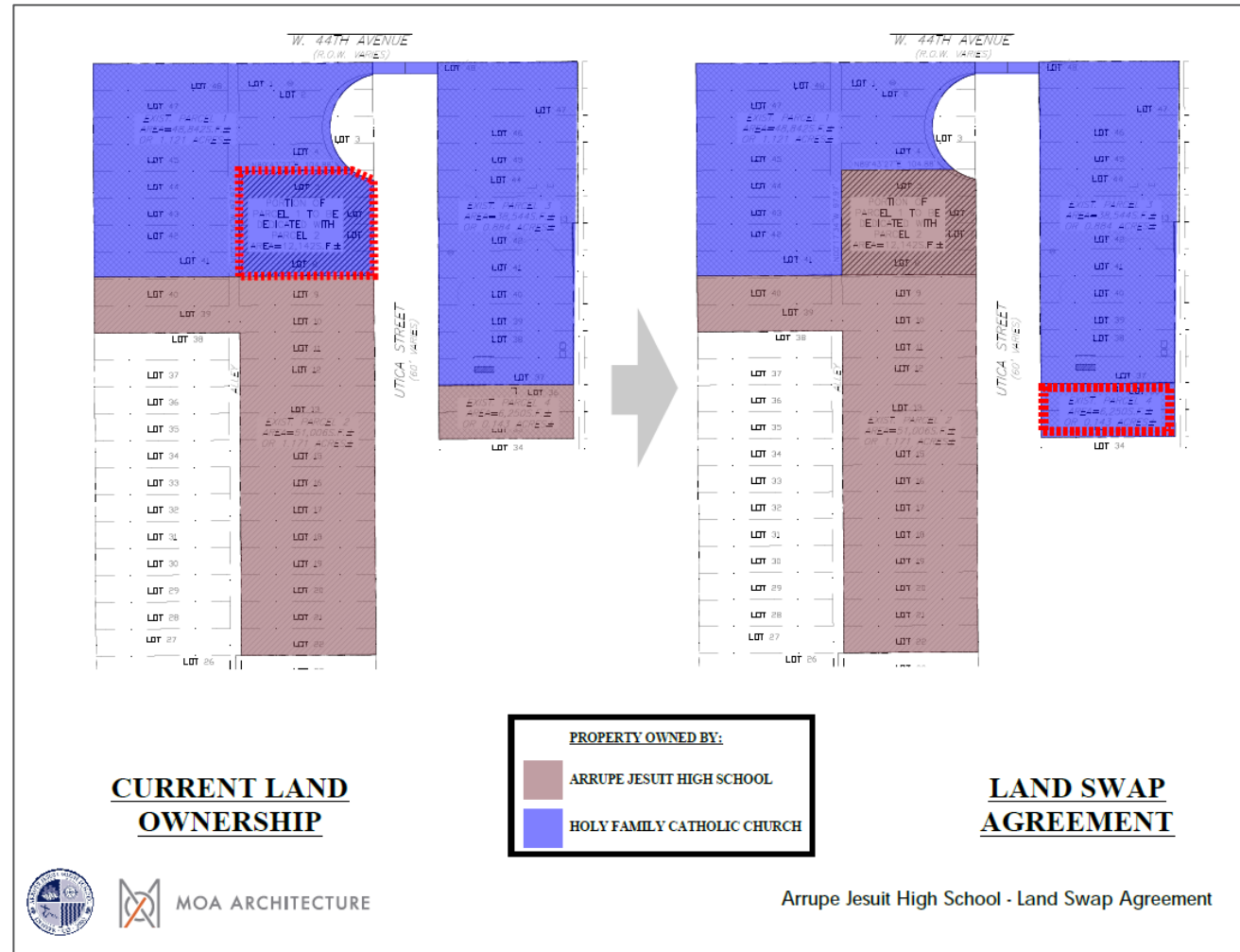
# Request: from R-2 and U-TU-C to U-TU-C and PUD-G 33



- Property:
  - 3.2 acres
  - Arrupe Jesuit High School
  - Holy Family Rectory
  - Holy Family Parish

*Reminder: Approval of a rezoning is not approval of a proposed specific development project*

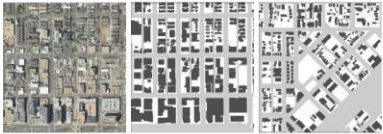
# Request: from R-2 and U-TU-C to U-TU-C and PUD-G 33





# Request: PUD-G 33

PUD-G 33



4343 North Utica Street  
Official Map Amendment #2023I-00043  
Effective Date: XX

**CHAPTER 1. ESTABLISHMENT AND INTENT**  
**SECTION 1.1. PUD-G 33 ESTABLISHED**  
The provisions of this PUD-G 33 apply to the land depicted on the Official Zoning Map with the label PUD-G 33, and more generally described as approximately 1.4 acres on three parcels of land located in the Southwest Quarter of Section 18, Township 3 South, City and County of Denver, State of Colorado, as further described in Section 1.1.2. Subareas Established below.

**1.1.1. Existing Building Established**  
"Existing Building" means the entirety of the primary structure located in Subarea A of PUD-G 33, as shown in Figure 1-1, as such structure existed on May 10, 2024.

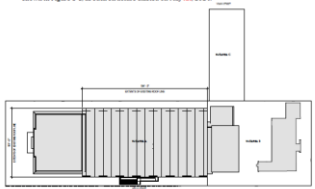


Figure 1-1 Existing Building Defined and Subarea Established within PUD-G 33

**1.1.2. Subareas Established**  
The following subareas are hereby established within PUD-G 33 for the purposes of applying the zoning standards contained herein. All subareas established are shown generally in Figure 1-1 above and described legally as follows:

**A. Subarea A Legal Description**  
Beginning at southeast corner of Lot 22, Block 5, Mountain View Estates, City and County of Denver, State of Colorado.  
Said point bears south 0°00'00" west, a distance of 666.41 feet from said range point located at the intersection of Tejon Street and West 44th Avenue.  
Thence south 89°42'57" west, along the south line of said lot 22, a distance of 124.89 feet to said east line of the vacated alley in said block 5 per ordinance 175 Series of 1980.  
Thence north 0°0'17"14" west along said east line, a distance of 297.92 feet to the south line of the north 2.08 acre lot of Lot 11, of said block 5.  
Thence north 89°42'57" west, along said south line, a distance of 125.03 feet to the east line of said block 5.

PUD-G 33 18 of 12

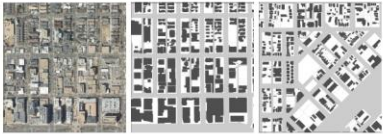
- Goals

- Facilitate the growth of Arrupe Jesuit High School
- Adaptive reuse of the existing school building
- Preservation of key architectural features including the folded plate roof and the brick facade

Reminder: Approval of a rezoning is not approval of a proposed specific development project

# Request: PUD-G 33

PUD-G 33



4343 North Utica Street  
Official Map Amendment #20231-00043  
Effective Date: XX

**CHAPTER 1. ESTABLISHMENT AND INTENT**  
**SECTION 1.1. PUD-G 33 ESTABLISHED**  
The provisions of this PUD-G 33 apply to the land depicted on the Official Zoning Map with the label PUD-G 33 and areas generally described as approximately 1.4 acres on three parcels of land located in the Southwest Quarter of Section 18, Township 3 South, City and County of Denver, State of Colorado, as further described in Section 1.1.2 Subareas Established below.

**1.1.1 Existing Building Established**  
"Existing Building" means the entirety of the primary structure located in Subarea A of PUD-G 33, as shown in Figure 1-1, as such structure existed on May 10, 2024.




Figure 1-1 Existing Building Footprint and Subareas Established within PUD-G 33

**1.1.2 Subareas Established**  
The following subareas are hereby established within PUD-G 33 for the purposes of applying the zoning standards contained herein. All subareas established are shown generally in Figure 1-1 above and described legally as follows:

**A. Subarea A Legal Description**  
Beginning at southeast corner of Lot 22, Block 5, Mountain View Estates, City and County of Denver, State of Colorado;  
Said point bears south 59°09'21" west, a distance of 666.41 feet from said range point located at the intersection of Tejon Street and West 44th Avenue;  
Thence south 89°42'12" west, along the south line of said lot 22, a distance of 124.99 feet to said east line of the vacated alley in said block 5 per ordinance 175 Series of 1980;  
Thence north 0°17'24" west along said east line, a distance of 297.92 feet to the south line of the north 2.08 feet of lot 22, of said block 5;  
Thence north 89°42'12" east, along said south line, a distance of 125.01 feet to the east line of said block 5.

PUD-G 33 18 of 12

- Three subareas based on Campus Education/Institution 2 (CMP-EI2)
  - Subarea A would contain the existing school
  - Subarea B would allow development of a new structure
  - Subarea C would be part of the existing parking, but would allow for development of a smaller structure
- Tailored Standards
  - Building height, front and side setbacks
  - Preservation of the existing folded plate roof
  - A minimum percentage of brick on the façade

Reminder: Approval of a rezoning is not approval of a proposed specific development project



# Agenda

- Request
- Location and Context
- Process
- Review Criteria



# Process

- Informational Notice: **01/22/24**
- Planning Board Notice: **03/05/24**
- Planning Board Public Hearing: **03/20/24**
- LUTI Committee: **04/02/24**
- City Council Public Hearing: **05/13/24**



# Public Comments

- RNOs
  - 1 letter of support from Berkeley Regis United Neighbors
- General Public
  - 309 signatures of approval from the Arrupe and Holy Family communities
  - 11 letters of support from Arrupe students
  - 5 letters of support
  - 7 letters of opposition, one including 53 signatures

# Planning Board

- Planning Board held a hearing on this item on 3/20
- The board voted unanimously to recommend approval
- Key points raised in board deliberation included:
  1. Appropriate application of a PUD
  2. Consistency with plan guidance
  3. Notable community outreach



# Presentation Agenda

- Request
- Location and Context
- Process
- Review Criteria



# Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent



# Denver Zoning Code Review Criteria

## 1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver (2019)*

## 2. Uniformity of District Regulations

## 3. Further Public Health, Safety and Welfare

## 4. Justifying Circumstances

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

# Comprehensive Plan 2040

- Improve equitable access to resources that improve quality of life, including cultural and natural amenities, health care, education, parks, recreation, nutritious food, and the arts.
- Improve equitable access to quality education and lifelong learning opportunities.
- Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities.
- Use urban design to contribute to economic viability, public health, safety, environmental well-being, neighborhood culture, and quality of life.
- Preserve the authenticity of Denver's neighborhoods and celebrate our history, architecture, and culture.
- Support the stewardship and reuse of existing buildings.





# Comprehensive Plan 2040

- Improve economic mobility through workforce training, career development, quality education and wealth creation.
- Encourage businesses to work with local workforce training and education organizations to better prepare residents for job and career opportunities.
- Create partnerships between employers and educators to directly connect students to entrepreneurs and business leaders.
- Prioritize the reuse of existing buildings and explore incentives to salvage or reuse materials from demolished structures.



# Denver Zoning Code Review Criteria

## 1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver (2019)*

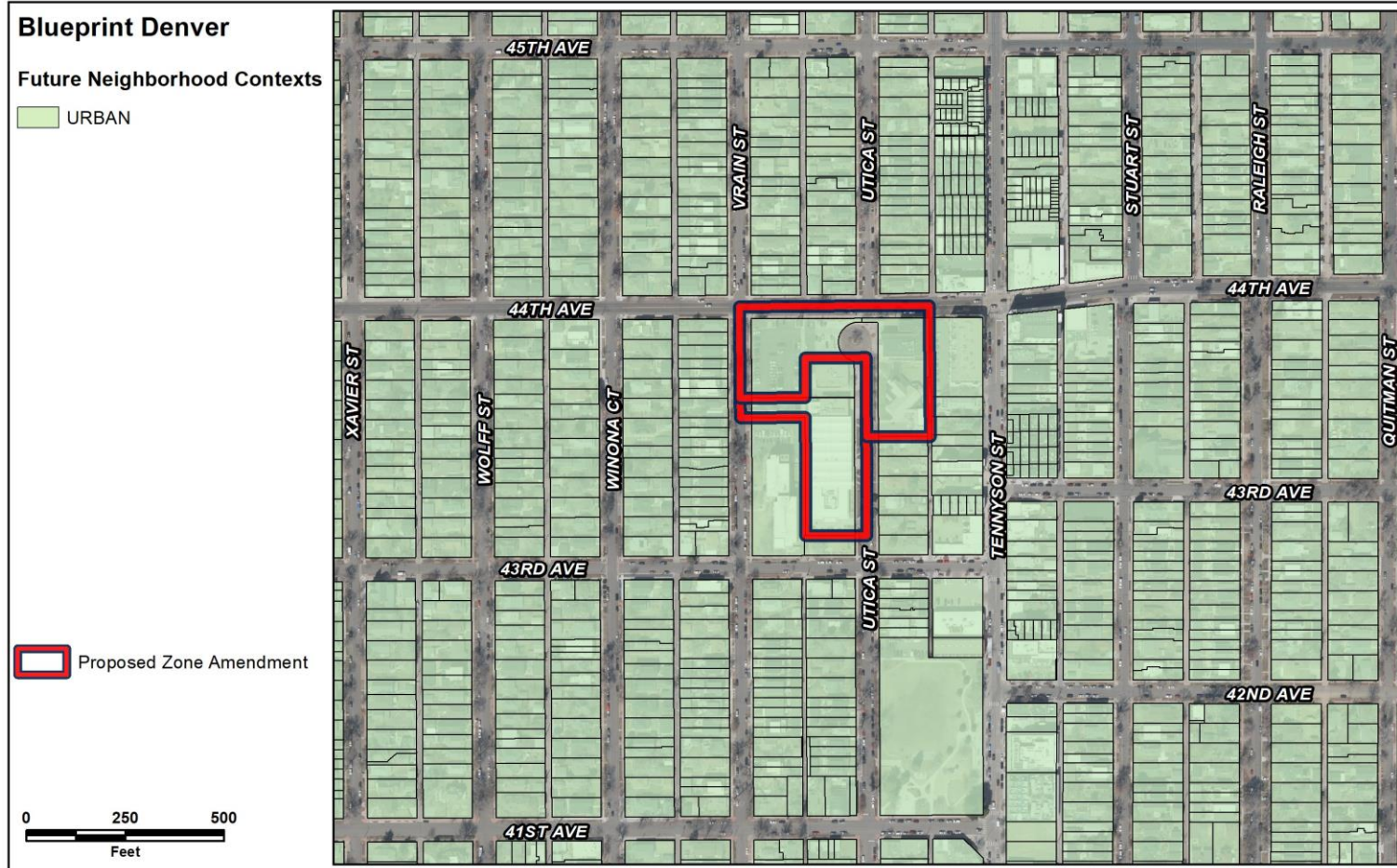
## 2. Uniformity of District Regulations

## 3. Further Public Health, Safety and Welfare

## 4. Justifying Circumstances

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

# Blueprint Denver 2019

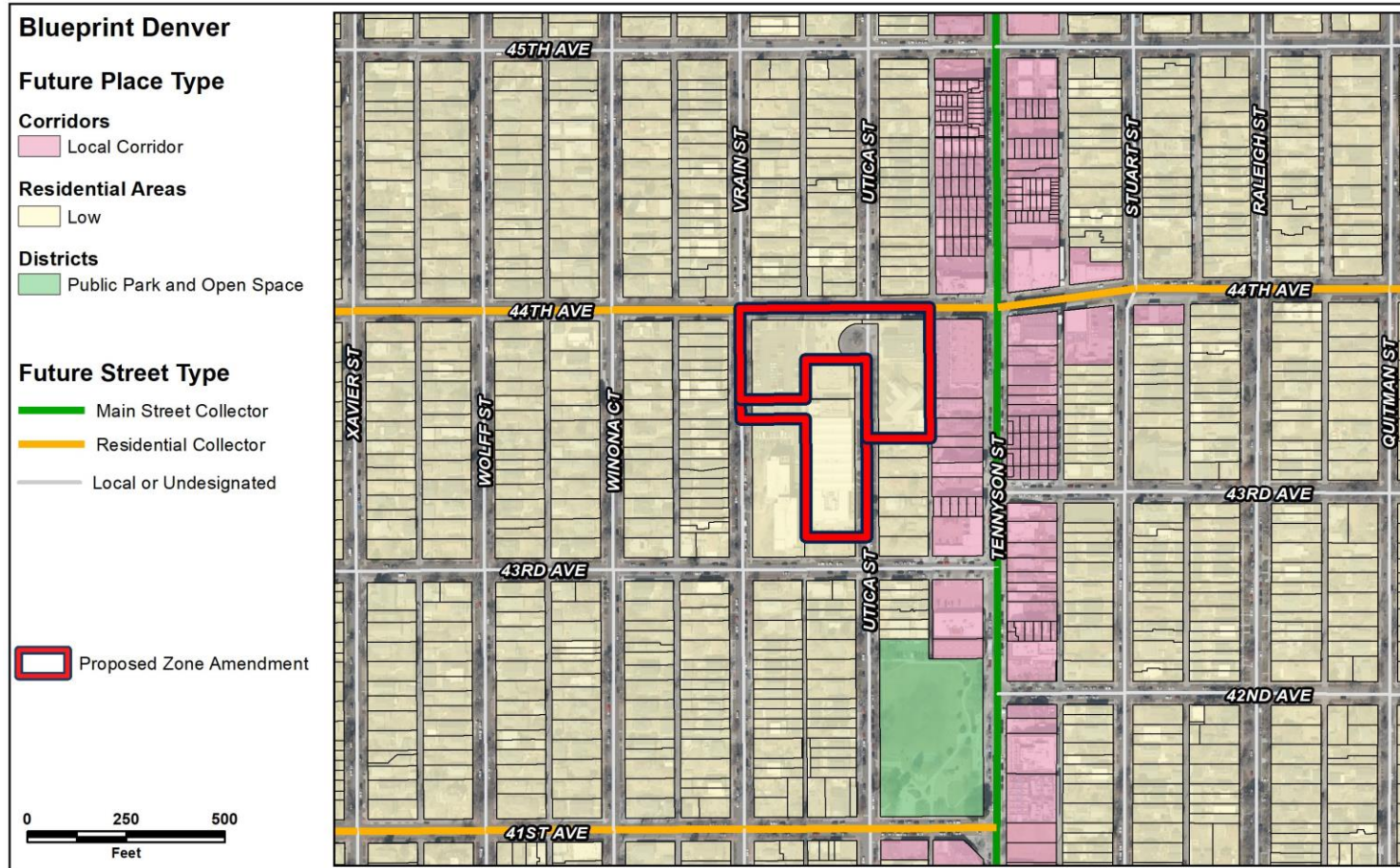


## Urban

- Multi-unit to compact single-unit residential
- Mix of uses, good street activation and connectivity
- Campus is embedded throughout the city
- PUD tailored to allow growth but be sensitive to existing context



# Blueprint Denver 2019



## Low Residential

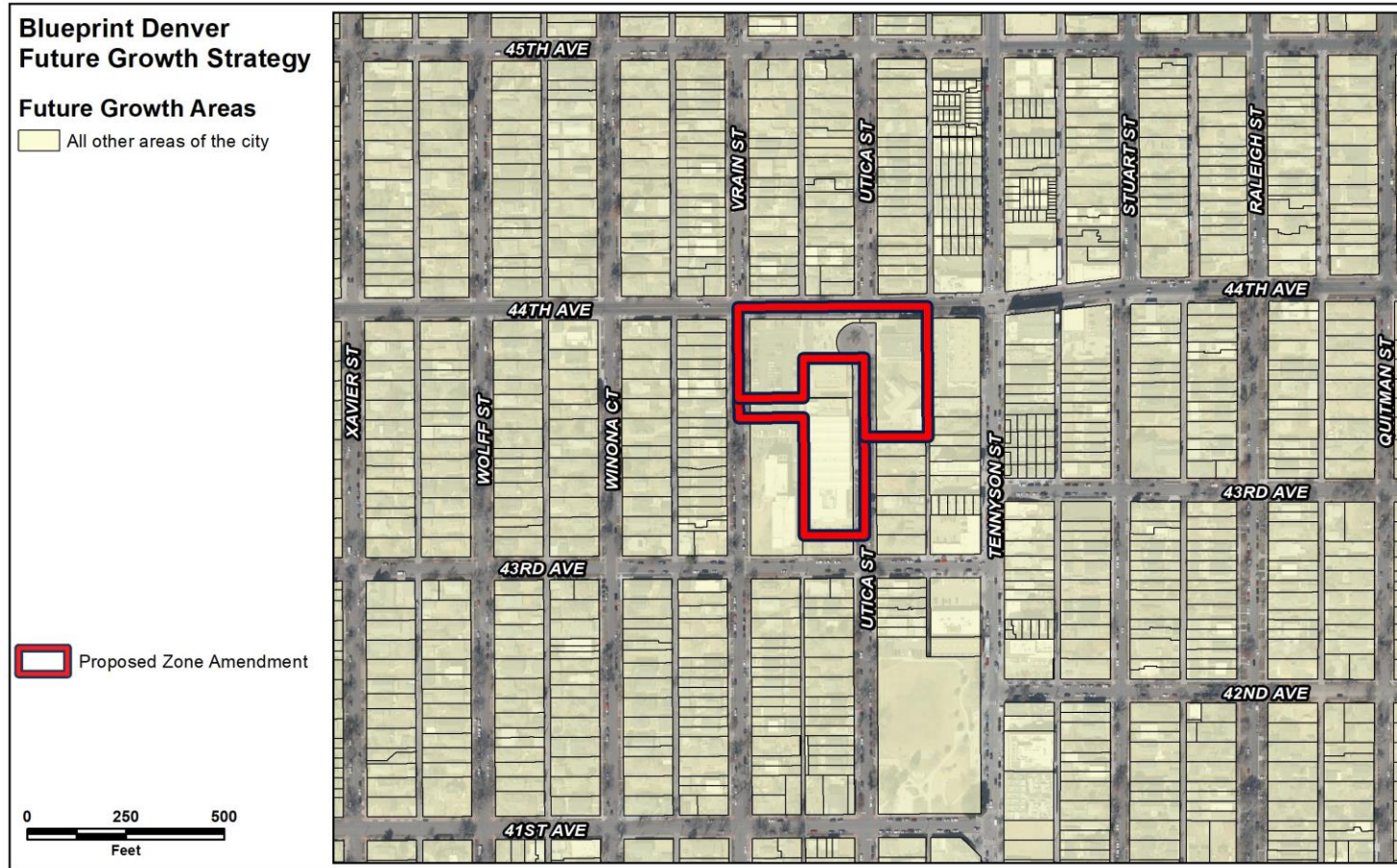
- Predominantly single- and two-unit uses on smaller lots
- Civic and institutional uses are compatibly integrated

## Street types

- Utica – Local street

Evaluation is based on the proposed zone district is consistent with the Future Street Classification, not to assess the traffic impacts of a specific development proposal.

# Blueprint Denver 2019



- All other areas of the city: 20% of new housing and 10% of new jobs by 2040 (p. 51)



# Blueprint Denver 2019

## Land Use Recommendations

- Land Use 3, Strategy 3 – 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)
- Design Quality & Preservation 2, Strategy I – Promote incentives to preserve the reuse of historic buildings and the unique historic features of Denver’s neighborhoods (p. 99)
- Design Quality & Preservation 6, Strategy C – Create new regulations to encourage the reuse of existing buildings. This could include requirements to salvage or reuse building materials after a structure is demolished or allowing flexibility in uses or density when an existing structure is reused and maintained (p. 104)



# *Blueprint Denver 2019*

## **Custom Zoning**

- Limit the use of site-specific, customized zoning tools—such as Planned Unit Developments (PUDs) and waivers/conditions—to unique and extraordinary circumstances. Custom zoning tools are most effective when a standard zone district does not exist to implement the adopted plans for an area (p. 73)

# Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
  - U-TU-C will result in uniform application
  - PUD-G 33 will result in uniform application across the site based on CMP-EI2
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

# Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
  - Implementation of adopted plans
  - Preservation of unique architecture
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent



# Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
  - Changing conditions
    - Adoption of the DZC but property retained FC59
    - Natural growth of the school alongside population growth
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

# Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

# Denver Zoning Code PUD Review Criteria

- A. The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development) of the Zoning Code;
- B. The PUD District and the PUD District Plan comply with all applicable standards and criteria stated in Division 9.6;
- C. The development proposed on the subject property is not feasible under any other zone districts, and would require an unreasonable number of variances or waivers and conditions;
- D. The PUD District and the PUD District Plan establish permitted uses that are compatible with existing land uses adjacent to the subject property; and
- E. The PUD District and the PUD District Plan establish permitted building forms that are compatible with adjacent existing building forms, or which are made compatible through appropriate transitions at the boundaries of the PUD District Plan



# PUD Review Criteria

- A. The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development) of the Zoning Code;
- *Customized zoning approach is necessary to address special locational characteristics related to the scale of development*
    - *Allows growth of an established school within an urban neighborhood*

# PUD Review Criteria

Not intended solely as a vehicle to develop a site inconsistent with the applicable neighborhood context or enhance economic feasibility

- *PUD-G 33 is consistent with the Campus neighborhood context and character but tailored to recognize its unique location within an Urban neighborhood.*
- *PUD-G 33 is intended as a mechanism to ensure that development is consistent with adopted plans.*

## Significant public benefit

- *Preservation of the folded plate roof*
- *Preservation of brick as a defining façade materials*
- *Facilitates adaptive reuse of the existing school building*

# PUD Review Criteria

- B. The PUD complies with all applicable standards and criteria for PUDs

*The PUD complies with all standards and criteria stated in Division 9.6.*

- C. The development proposed on the subject property is not feasible under any other zone districts, and would require an unreasonable number of variances or waivers and conditions

*The PUD is necessary because there is no standard zone district available that allows for typical school construction within an established urban neighborhood.*

- D. The PUD establishes permitted uses that are compatible with existing land uses adjacent to the subject property

*No use-related changes proposed to the base CMP-EI2 zone district*



# PUD Review Criteria

E. The PUD establishes permitted building forms that are compatible with adjacent existing building forms.

- *The PUD provides tailored building form standards, largely based on the CMP-EI2 zone district's General building form, with tailoring to existing building height, and front and side setbacks.*
- *The PUD will allow development that is similar in scale and appearance to adjacent existing building forms.*

# CPD Recommendation

CPD recommends **approval**, based on finding that all review criteria have been met

## Standard Rezoning Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

## PUD-Specific Rezoning Criteria

- A. The PUD is consistent with the intent and purpose of PUDs;
- B. The PUD complies with all applicable standards and criteria for PUDs;
- C. The development proposed on the subject property is not feasible under any other zone districts, and would require an unreasonable number of variances or waivers and conditions;
- D. The PUD establishes permitted uses that are compatible with existing land uses adjacent to the subject property; and
- E. The PUD establishes permitted building forms that are compatible with adjacent existing building forms.