



8101 & 8351 E. Belleview Ave.

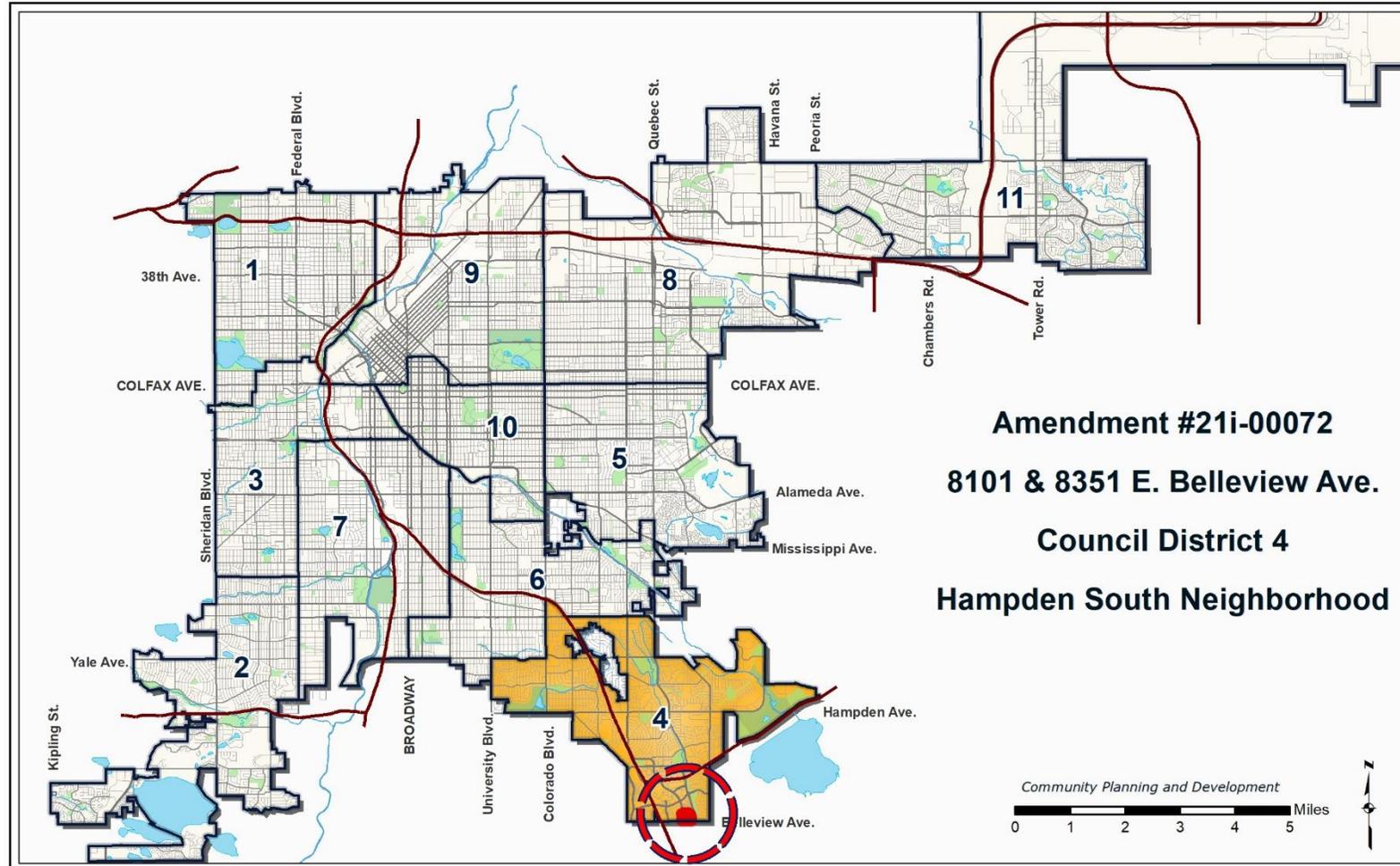
2021I-00072

Request: B-8 w/waivers and condition, UO-1, UO-2 & B-8 w/waivers, UO-1, UO-2 to S-MX-8

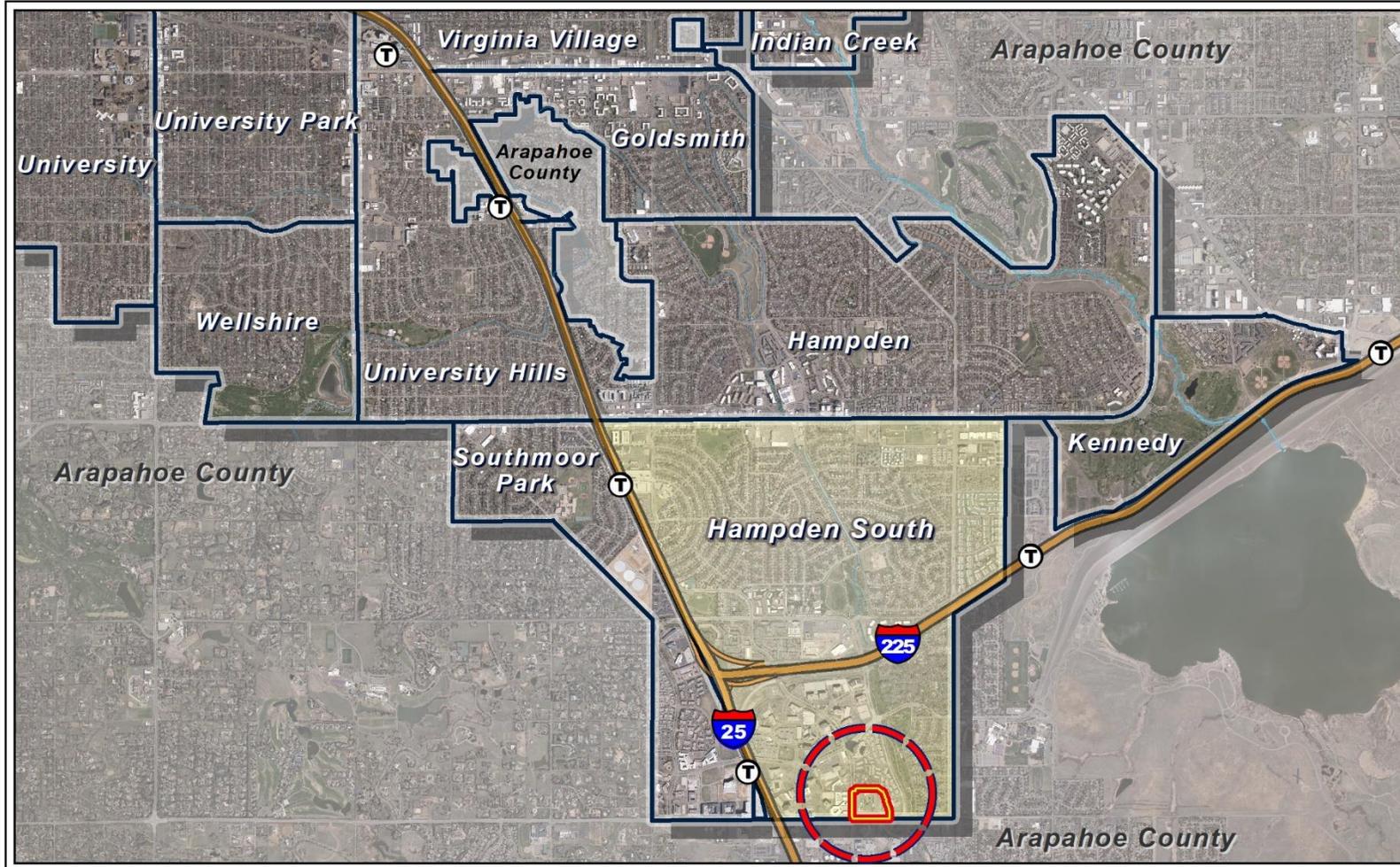
City Council: March 14, 2022

Presenter: Brandon Shaver

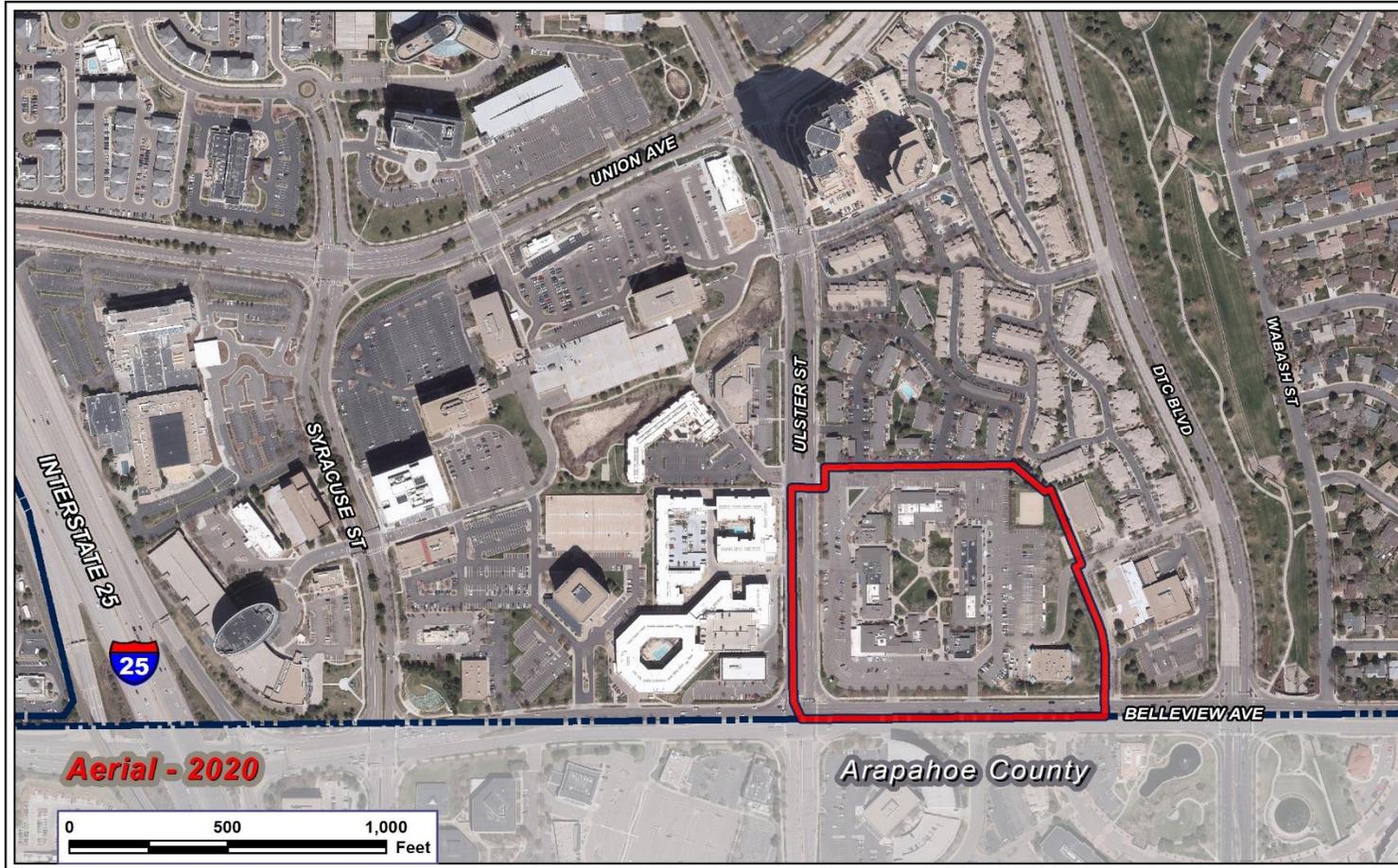
Council District 4 (Kendra Black)



Hampden South Statistical Neighborhood

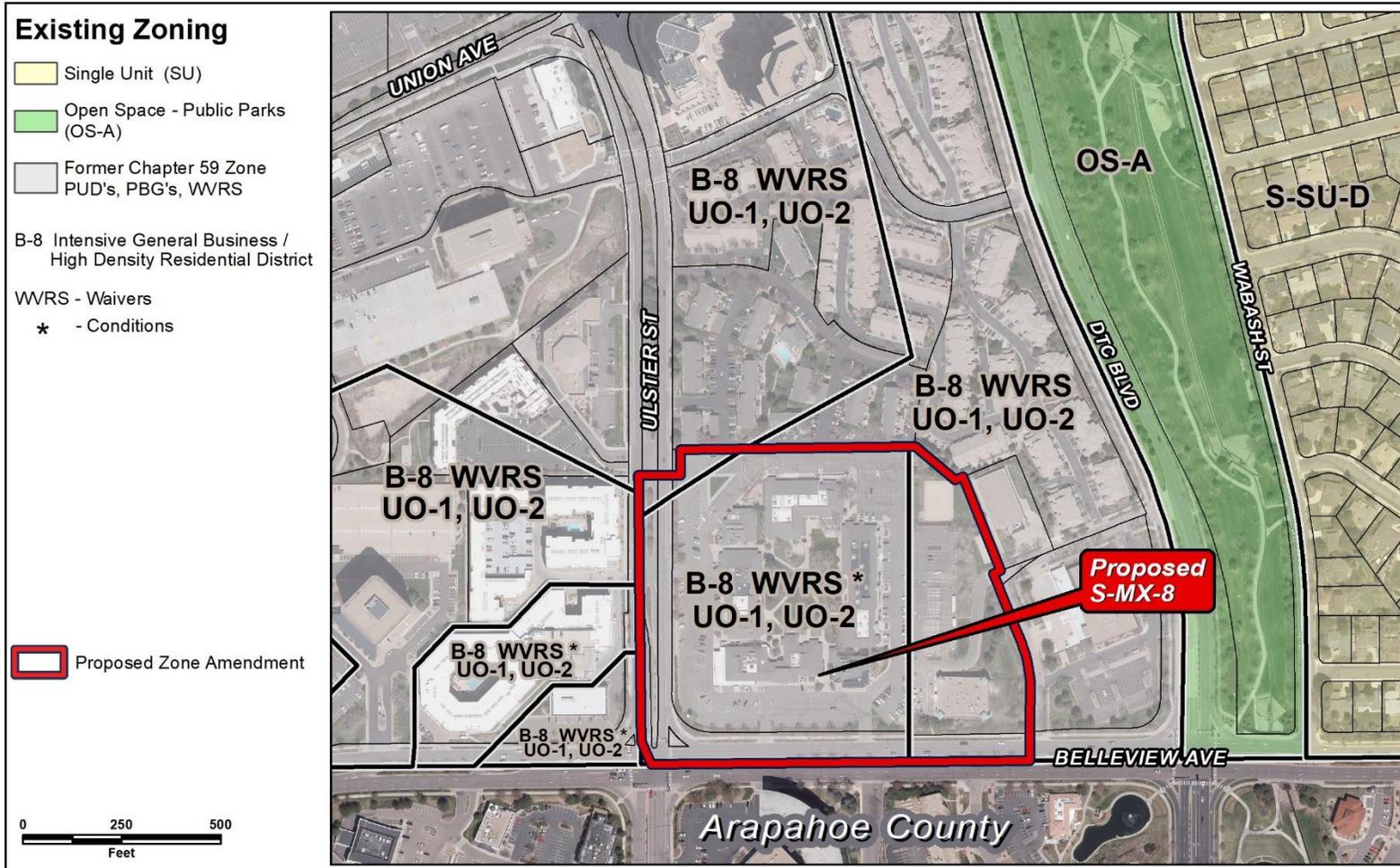


Request: S-MX-8



- **Location**
 - Approx. 603,557 square feet or 13.86 acres
 - Commercial/Retail
- **Proposal**
 - Rezoning from B-8 w/waivers and condition, UO-1, UO-2 & B-8 w/waivers, UO-1, UO-2 to S-MX-8
 - Allows Shopfront, General, Drive Thru Services and Drive Thru Restaurant primary building forms
 - Max. building height of 8 stories/110 feet

Existing Zoning



- 8101 E. Bellevue Ave: B-8 w/waivers and condition, UO-1, UO-2
- 8351 E. Bellevue Ave: B-8 w/waivers, UO-1, UO-2
- Surrounding Zoning:
 - B-8 w/waivers, UO-1, UO-2
 - T-C (City of Greenwood Village)

8101 E Belleview Ave Waivers & Condition

Approved in 1988

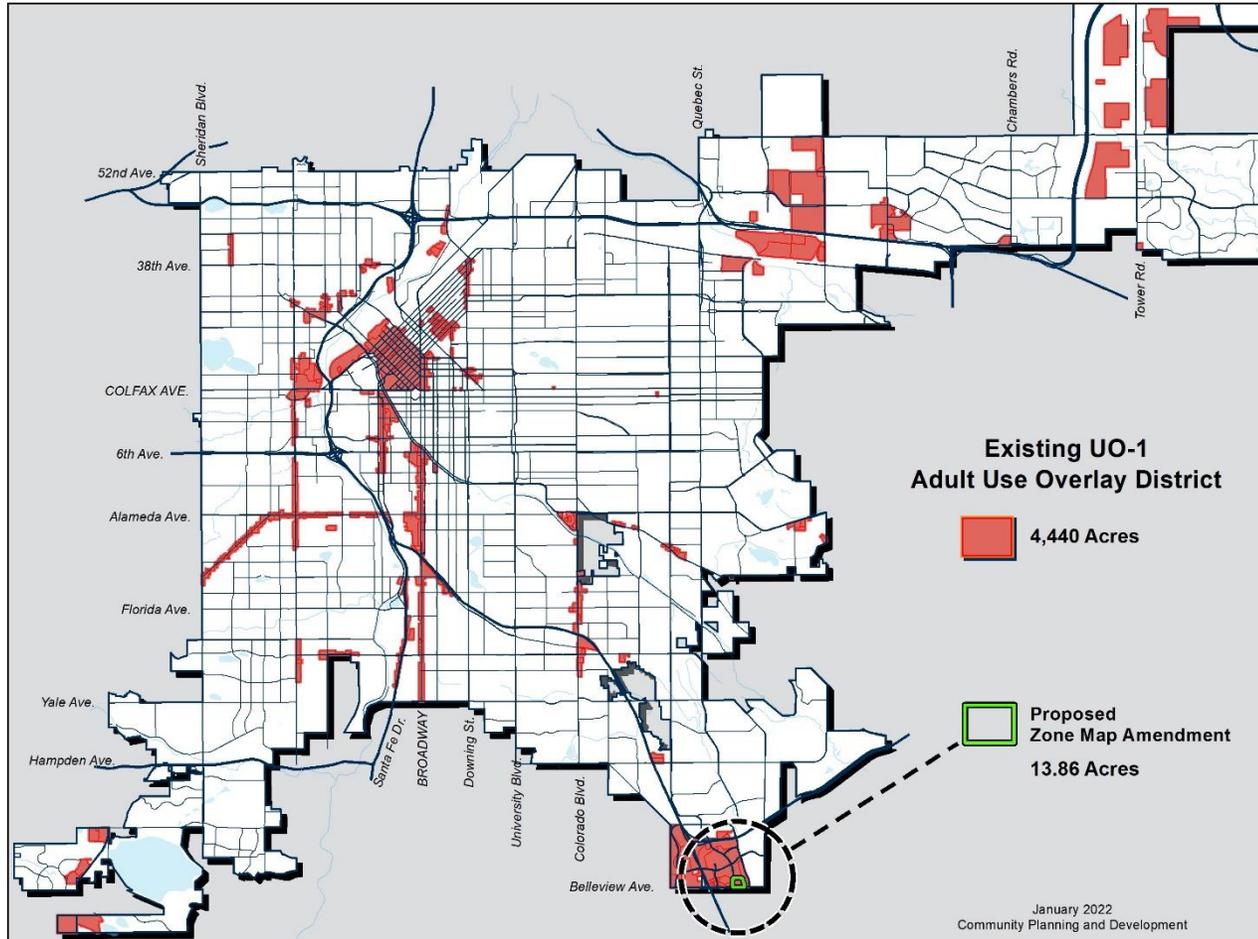
1. Waive fabrication uses except fabrication of art goods, custom clothing, custom costumes, custom furniture, jewelry and needlework
2. Waive the sale of goods at wholesale and warehousing structures
3. Waive the amount of gross floor area not to be greater than two times the area of the zone lot (2:1 FAR)
4. Condition to submit a site plan for approval subsequent to final approval of rezoning but prior to application for building permits

8351 E Belleview Ave Waivers

Approved in 1978

1. Waive fabrication uses except fabrication of art goods, custom clothing, custom costumes, custom furniture, jewelry and needlework
2. Waive the sale of goods at wholesale and warehousing structures
3. Waive the amount of gross floor area not to be greater than two times the area of the zone lot (2:1 FAR)
4. Waive the right to erect structures in excess of 2.5 stories
5. Waive the right to erect freestanding retail or strip retail shopping areas

Use Overlays



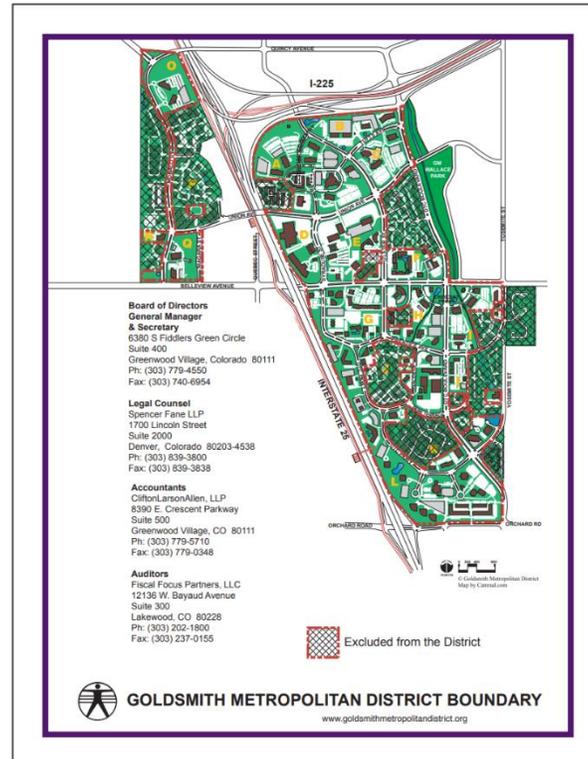
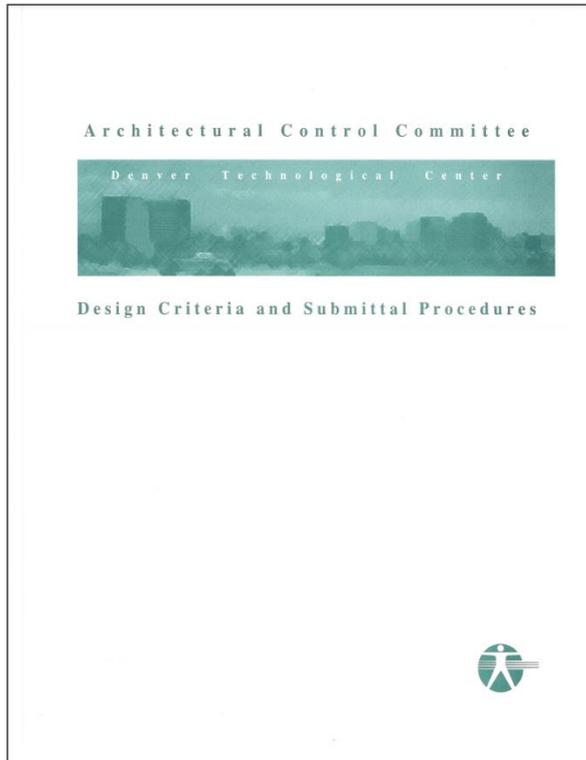
UO-1: Adult Use Overlay

- Not to be retained
- Sufficient remaining land in city

UO-2: Billboard Use Overlay

- Not to be retained
- No existing billboards

DTC Architectural Control Committee



Protective Covenants:

- Apply independent of city's land use regulations

Relevant to this site:

- Prohibit adult uses
- Prohibit billboards
- Require 40-foot minimum building setbacks along South Ulster Street and East Belleview Avenue

Large Development Review (LDR)

- Project was subject to large development review
 - Site is larger than 5 acres
 - Site has regional significance in the evolution of DTC
- LDR Framework outlined potential regulatory steps
 - Rezoning
 - Infrastructure Master Plan
 - Mobility study
 - Subdivision
 - Transportation engineering plans
 - Stormwater and sanitary sewer construction plans
 - Site development plans (horizontal and vertical)

Marina Square Large Development Framework
Project Number 2020PIM0000239
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Table 1: Required Applications

Application Type	Prerequisite Application(s)	Approval Authority	Final Action Sequencing
Regulatory Applications and Agreements			
Rezoning	LDR	City Council	Rezoning and IMP may be completed concurrently, with IMP informed by proposed zone district; IMP may be approved prior to or concurrent with Rezoning
Infrastructure Master Plan (Including Mobility Study)	LDR	Development Review Committee	Final action approval by the Development Review Committee
Optional Development Agreement	IMP and SDP	Development Review Committee	Final executed agreement to be approved prior to and conditioned upon a successful rezoning
Horizontal Infrastructure Applications			
Subdivision	All Initial Regulatory Applications	City Council	After all initial regulatory application final action
Stormwater Construction Plan(s)	Subdivision	DOTI	After Subdivision
Sanitary Sewer Construction Plan(s)	Subdivision	DOTI	After Subdivision
Transportation Engineering Plan(s)	Subdivision	DOTI	After Subdivision
Horizontal Site Plan(s) may be needed	Concurrent with Transportation Engineering Plan	Development Review Committee	Concurrent with Transportation Engineering Plan
Vertical Site Development Applications			
Site Development Plan	All horizontal infrastructure applications specific to phase	Development Review Committee	After all required horizontal infrastructure applications specific to site
Site Specific Engineering Construction Plan(s) for site infrastructure (SSPR, TEP, etc)	Concurrent with Site Development Plan	DOTI	Prior to, or concurrently with Site Development Plan
Sewer Use and Drainage Permit(s)	Prior to or concurrent with Building Permit	DOTI	After Site Development Plan approval but prior to Building Permit approval

Community Information Meeting (CIM)

- Required by LDR and led by applicant team
 - Held virtually on July 30, 2020 – more than 70 attendees
 - Applicant team presented preliminary development plan
 - CPD staff presented applicable regulatory processes, sequencing and equity analysis
 - Most comments were positive and supportive of the project components
 - Additional employment opportunities
 - Strengthened connections to public transit
 - Additional open space
 - Additional housing opportunities

Shea Properties

Summary Report and Applicant's Response for the Large Development Review Community Information Meeting for the Shea Marina

The community meeting was held virtually on July 30, 2020 via zoom. Over 70 people attended, and all chat comments/questions were logged and are included with this report. Additionally, the recorded presentation was placed on the project website and an additional 14 comments were submitted online and are also included with this report.

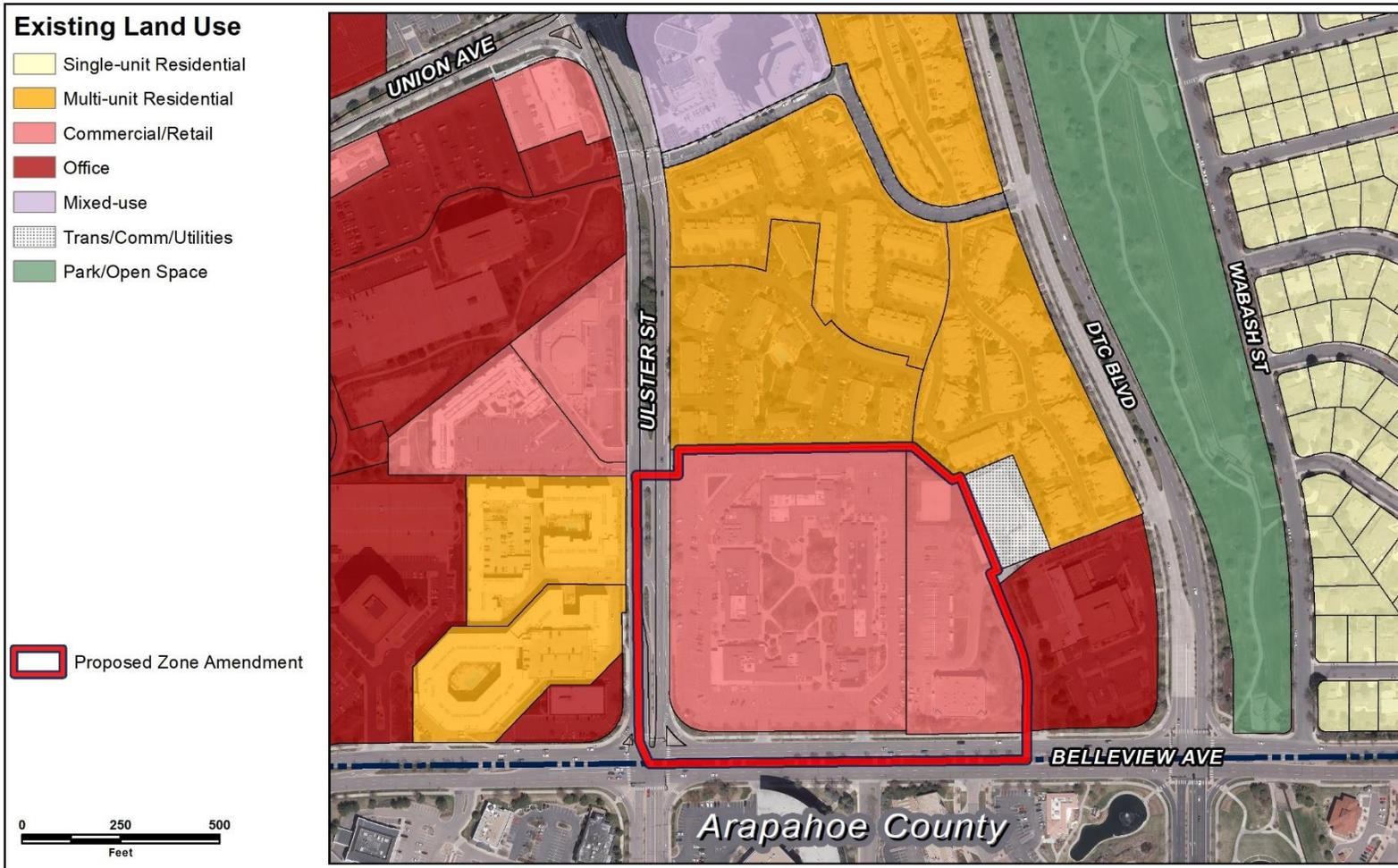
The community information meeting started at approximately 6:00 pm and ended at 7:30pm. The full recording of all comments and questions received during the meeting and the two weeks following are attached.

Comments Primarily Centered around the following eight Issues and our responses to the community feedback is detailed accordingly.

Timeline	Retail/Tenants	Housing	Crime
Bike & Pedestrian Connectivity	Community Gathering Places	Traffic	Positive Feedback

8351 E BELLEVIEW AVE, DENVER, CO 80237 | info@sheamarinasquare.com | MARINAREDEVELOPMENT.COM

Existing Land Use

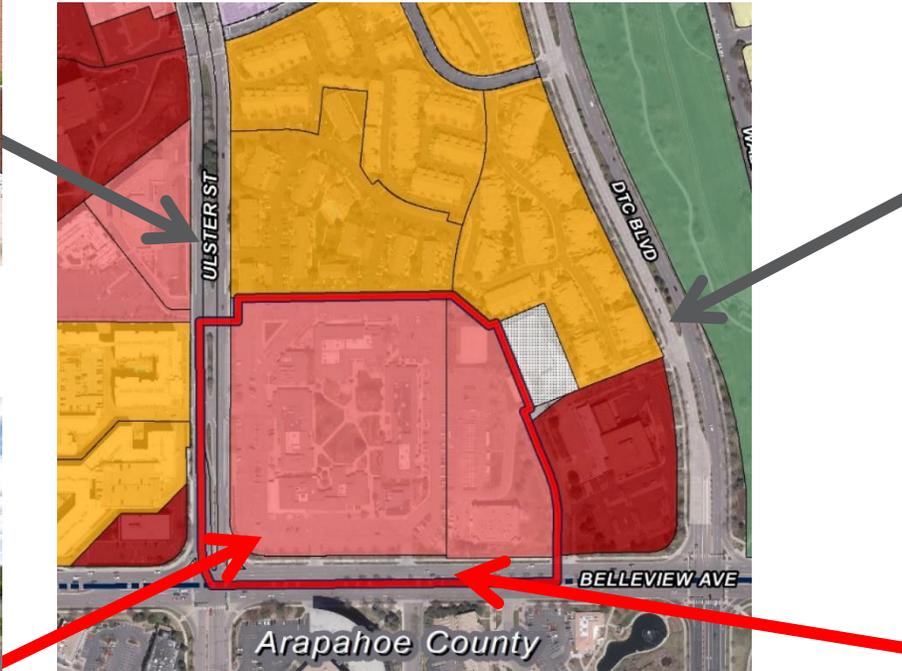


Land Use:
Commercial/Retail

Surrounding Land Uses:

- Multi-unit Residential
- Office
- Commercial/Retail
- Trans/Comm/Utilities

Existing Building Form/Scale



Proposed Zoning: S-MX-8

- Maximum height of 8 stories/110 feet
- Allows General, Shopfront, Drive Thru Services and Drive Thru Restaurant primary building forms
- Introduces build-to and transparency percentages

Design Standards	B-8 Waivers & Condition, UO-1, UO-2 (Existing)	B-8 Waivers, UO-1, UO-2 (Existing)	S-MX-8 (Proposed)
Primary Building Forms Allowed	N/A	N/A	General, Shopfront, Drive Thru Services, Drive Thru Restaurant
Stories/Heights (max)	N/A; maximum gross floor area is 2:1	2.5 stories; maximum gross floor area is 2:1	8 stories / 110 feet
Primary Build-to Percentages	N/A	N/A	50% for General 75% for Shopfront
Primary Street Setback (min)	0 feet	0 feet	0 feet
Surface Parking Between Building and Primary Street/Side Street	Allowed	Allowed	Allowed/Allowed for General Not Allowed/Not Allowed for Shopfront
Transparency, Primary Street	N/A	N/A	40% for General 60% for Shopfront

Proposed Affordable Housing Agreement

- Voluntary affordable housing agreement reached in principal with HOST
- Contemplates three options for the developer:
 - a) Integrated on-site option of 10% of units at 80% AMI, with 20% being 2 bedrooms or larger
 - b) Stand-alone on-site option of 12% of units at 60% AMI with at least 30% being 2 bedrooms or larger
 - c) Nearby off-site option of 20% of units at 60% AMI with at least 30% being 2 bedrooms or larger
- Options b and c would result in more units at deeper affordability, comparable to the current Expanding Housing Affordability proposal under review
- Agreement executed prior to the City Council public hearing

Process

- Informational Notice: 7/7/2021
- IMP submittal and AHA negotiation: July '21 – March '22
- Planning Board Notice: 1/3/2022
- Planning Board Public Hearing (voted 9 to 0 in favor): 1/19/2022
- LUTI Committee: 2/1/2022
- City Council Public Hearing: 3/14/2022
- RNO & Public Comment
 - No letters have been received

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

Review Criteria

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver: A Land Use and Transportation Plan (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

Consistency with Adopted Plans: Comprehensive Plan 2040

Equity

- Equitable, Affordable and Inclusive Goal 2, Strategy A: Create a greater mix of housing options in every neighborhood for all individuals and families (p. 28).



Strong and Authentic Neighborhoods

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

Environmentally Resilient

- Environmentally Resilient Goal 8, Strategy A: Promote infill development where infrastructure and services are already in place (p. 54).

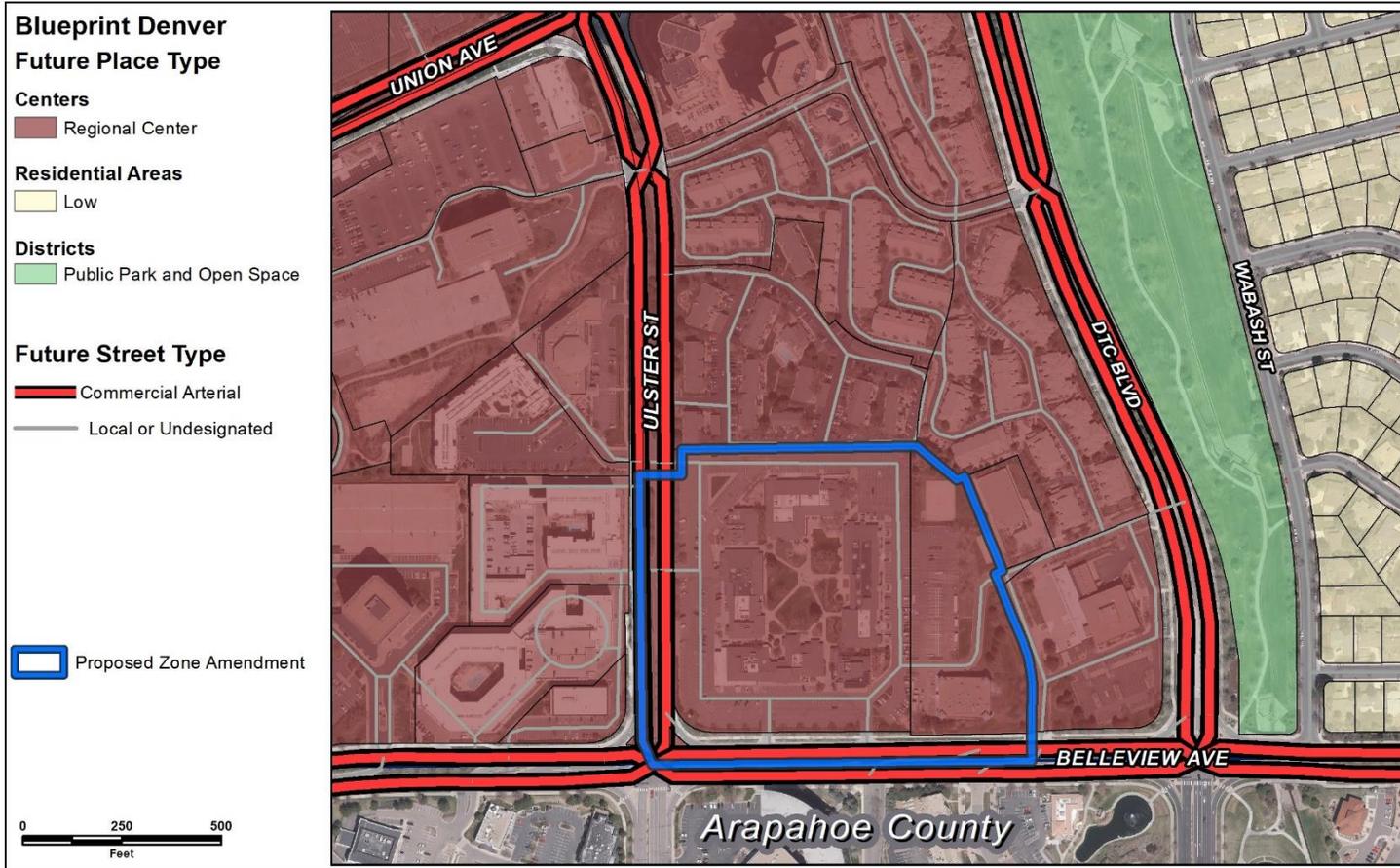


Consistency with Adopted Plans: Blueprint Denver



- **Suburban (S-) Neighborhood Context**
 - Most varied development
 - Homes are largely single-unit but can also include higher intensity residential
 - Commercial development is focused along main corridors and centers bordering residential areas
 - Although this context is more auto-oriented than others, there should still be quality multi-modal connectivity

Consistency with Adopted Plans: Blueprint Denver



- **Regional Center**
 - High mix of uses
 - Larger scale mixed-use buildings are common
 - High degree of urbanism and heights are generally the tallest in the context
- **Future Street Type**
 - E Belleview Ave & S Ulster St: Commercial Arterials

Consistency with Adopted Plans: Blueprint Denver



- Growth Areas Strategy: Regional centers
 - 50% new jobs by 2040
 - 30% new housing by 2040

Consistency with Adopted Plans: Blueprint Denver

Land Use and Built Form, General Policy 1, Strategy A – *Use zoning and land use regulations to encourage higher-density, mixed-use development in transit rich areas including: Regional centers and community centers... (p. 72).*

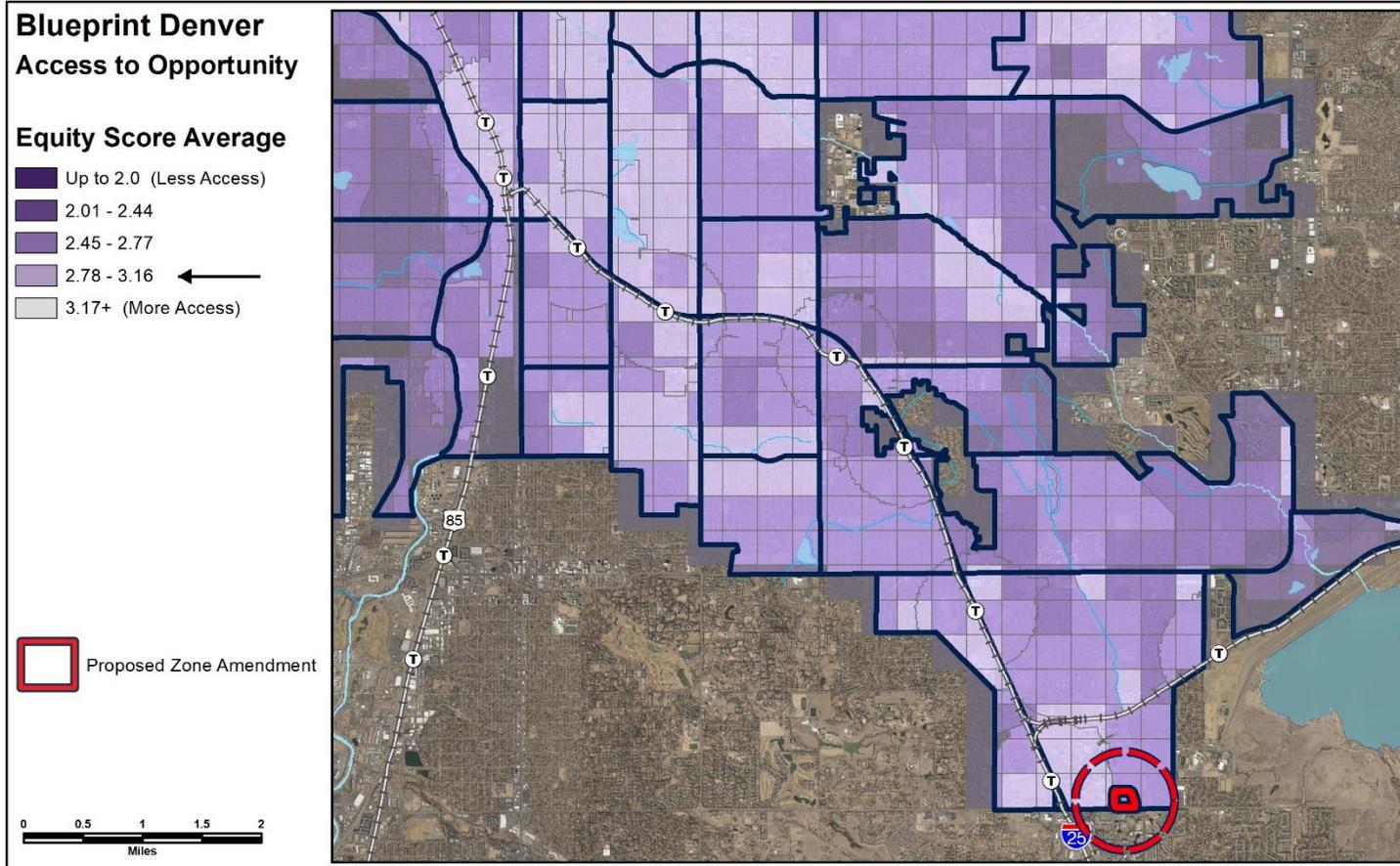
Land Use and Built Form, General Policy 3, Strategy A – *Rezone properties from the Former Chapter 59 zoning code so that the entire city is covered by the DZC (p. 73).*

Land Use and Built Form, General Policy 8, Strategy A – *Align high-density residential areas near regional centers to support housing growth near major job centers with access to transit priority streets (p. 87).*

Blueprint Denver Equity Concepts & Analysis

- Three equity concepts to consider when rezoning large sites and smaller areas in NEST neighborhoods:
 - 1) Access to Opportunity
 - 2) Vulnerability to Displacement (Includes supplemental data points)
 - 3) Housing & Jobs Diversity
- Equity Brief was presented at pre-application and applicant provided Equity Response for staff review
- Subject sites score well on most measures but lack in # of income-restricted units

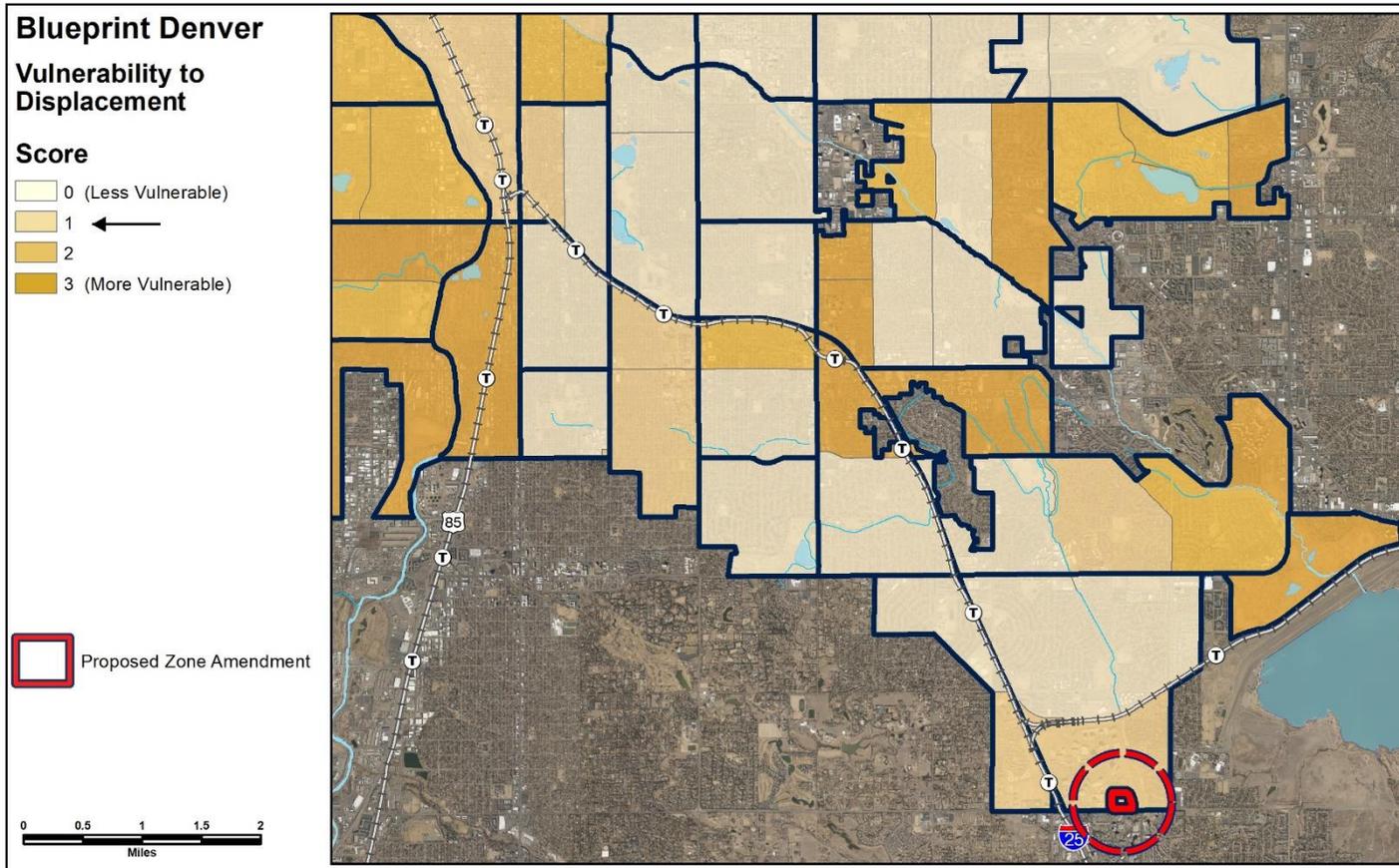
Consistency with Adopted Plans: Blueprint Denver



Access to Opportunity

- More than Average Access
 - Low access to full-service grocery store
- Proposed rezoning would allow broad range of commercial uses

Consistency with Adopted Plans: Blueprint Denver



Vulnerability to Involuntary Displacement

Less Vulnerable, based on most metrics except:

- Percent of renters
- Rezoning would allow increased residential densities and provide opportunity for range of housing options, including for-sale units

Blueprint Denver Equity Concepts & Analysis

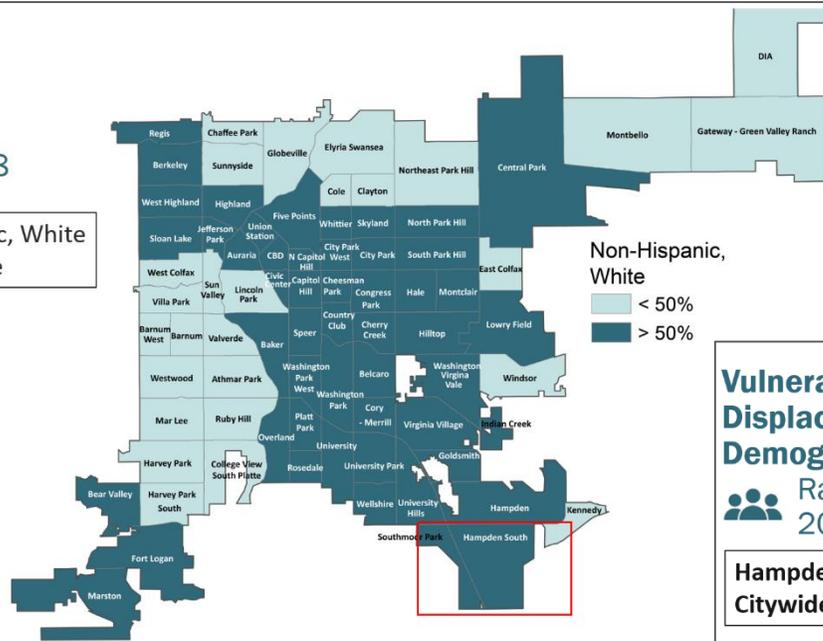
- Supplemental data highlights demographic changes and housing market conditions for an area.
- Helpful to better understand vulnerability to displacement, including how the demographics of an area have changed over time.
- While area scores less vulnerable, some data points help tell a story of recent economic and demographic changes

Supplemental Data – Racial Composition

Vulnerability to Involuntary Displacement Supplemental Demographic Data

Racial Composition | 2018

Hampden South: 72.85% Non-Hispanic, White
Citywide: 53.70% Non-Hispanic, White

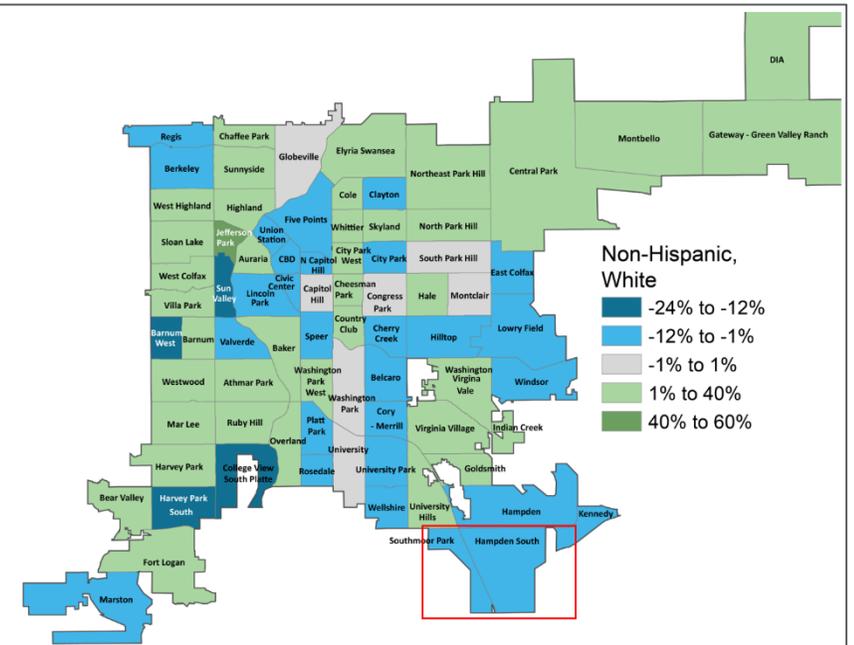


- Hampden South is much less diverse than the citywide average

Vulnerability to Involuntary Displacement Supplemental Demographic Data

Racial Composition | 2015-2018 (% Change)

Hampden South: ↓ 2.48%
Citywide: ↑ 1.13%



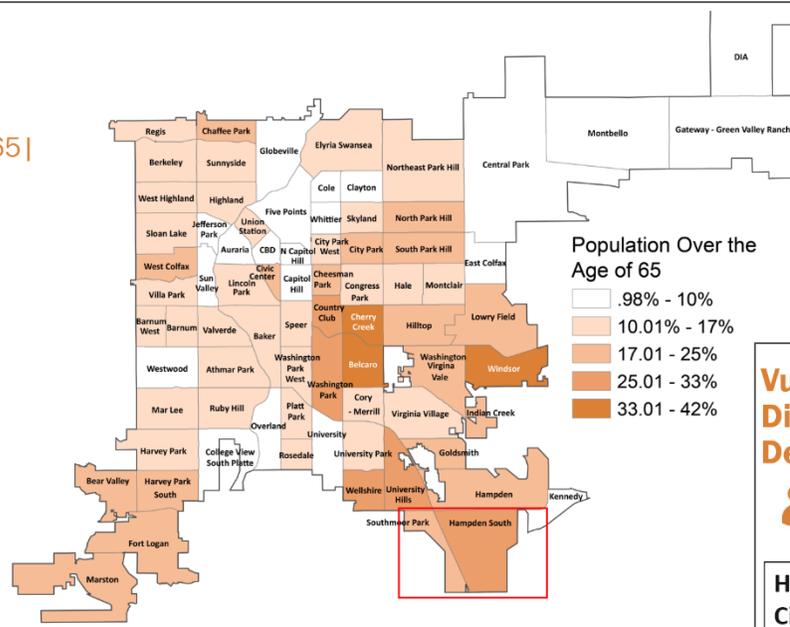
- Hampden South is becoming slightly more diverse while the city is becoming more White

Supplemental Data – Population 65+

Vulnerability to Involuntary Displacement Supplemental Demographic Data

Population Over the Age of 65 | 2018

Hampden South: 28.29%
Citywide: 11.40%

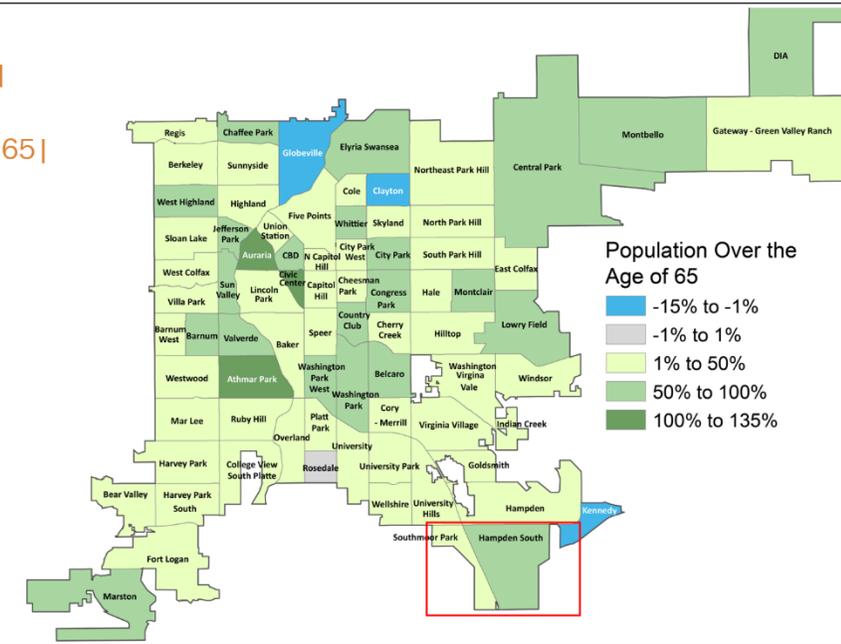


- Hampden South has a greater proportion of population 65+ versus the citywide average

Vulnerability to Involuntary Displacement Supplemental Demographic Data

Population Over the Age of 65 | 2015-2018 (% Change)

Hampden South: ↑ 52.02%
Citywide: ↑ 6.54%



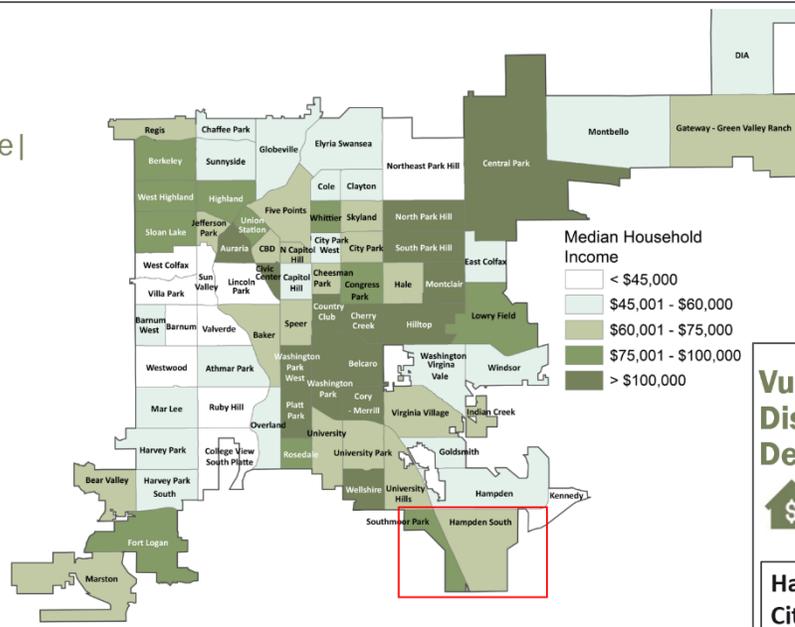
- Hampden South is increasing in population 65+ much faster than the city average

Supplemental Data – Median Household Income

Vulnerability to Involuntary Displacement Supplemental Demographic Data

Median Household Income | 2018

Hampden South: \$73,403
Citywide: \$63,793

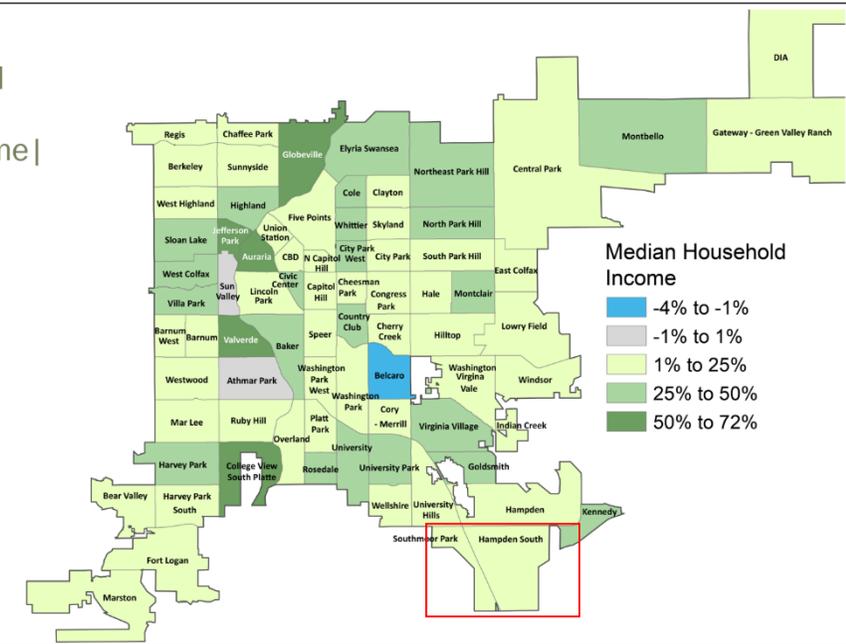


- Hampden South has a higher median household income

Vulnerability to Involuntary Displacement Supplemental Demographic Data

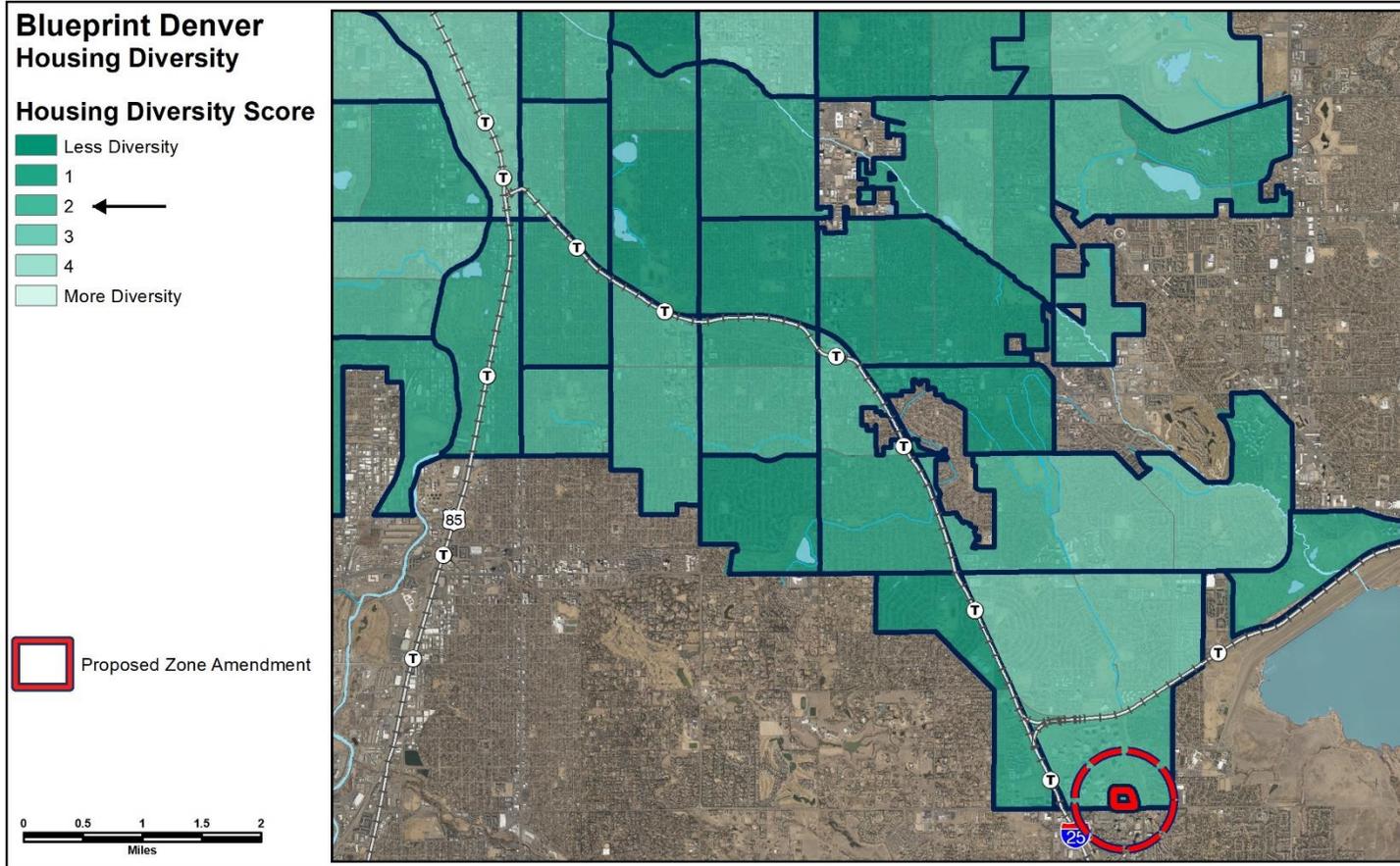
Median Household Income | 2015-2018 (% Change)

Hampden South: ↑ 8.98%
Citywide: ↑ 18.93%



- Hampden South incomes are not increasing as quickly as the citywide percentage

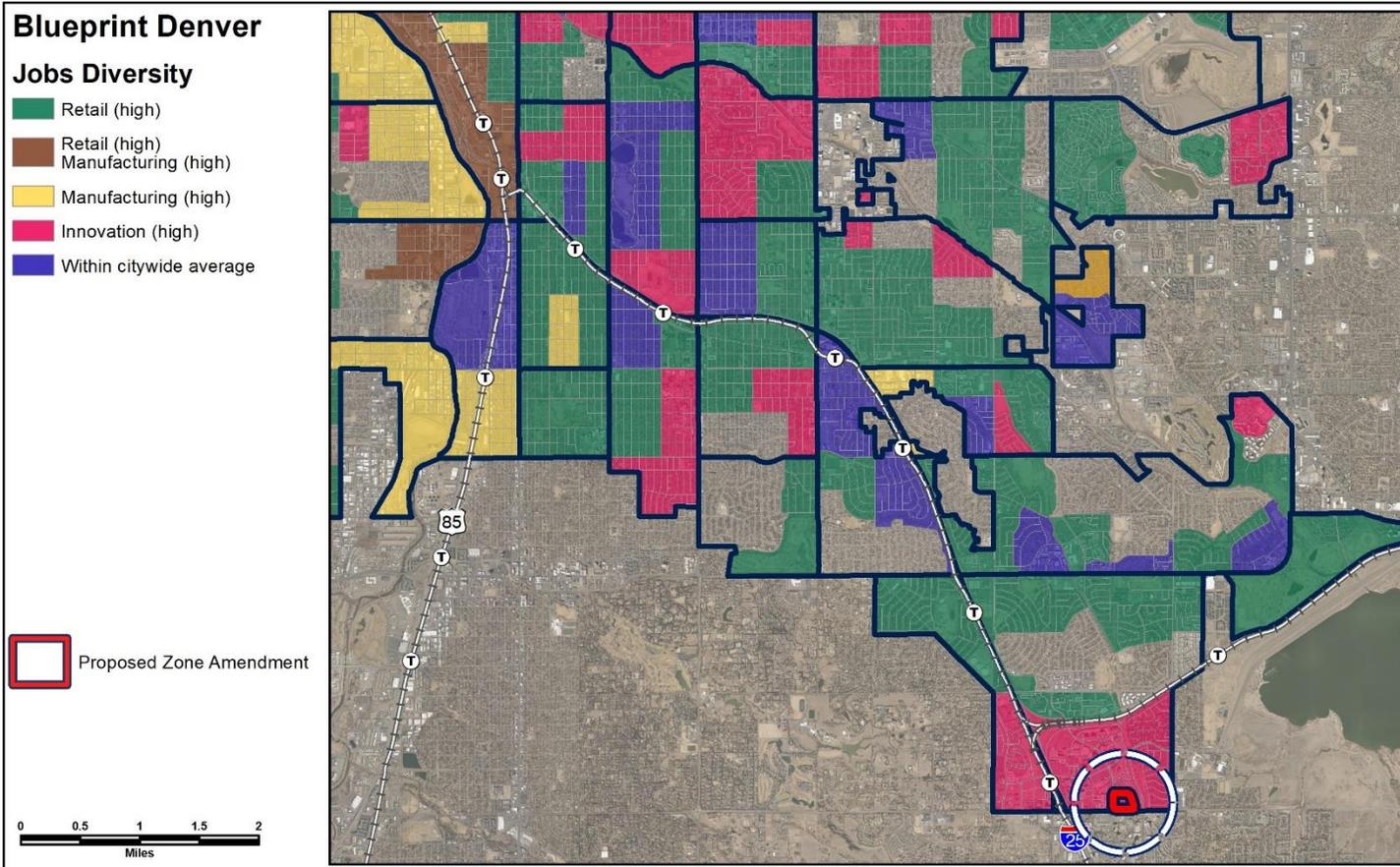
Consistency with Adopted Plans: Blueprint Denver



Housing Diversity

- Moderate Diversity
 - Zero income restricted units
 - Less diverse bedroom counts
- Rezoning and AHA will allow for more housing including affordable units and 2 & 3-bedroom units

Consistency with Adopted Plans: Blueprint Denver



Jobs Diversity

- More innovation
- Rezoning could provide additional retail jobs with limited to no impact on jobs diversity

Blueprint Denver Equity Analysis Outcomes

- Guaranteed outcomes:
 - Income restricted units
 - Three-bedroom units
- Additional commitments under discussion:
 - Upgrade existing RTD bus stop
 - Better connected street network
 - Increased open space
- Other needs identified:
 - Grocery store and/or fresh-food options

Marina Square Equity Scores and Recommended Actions

ACCESS TO OPPORTUNITY - Creating more equitable access to quality-of-life amenities, health, and education.

The site area's average score is 3.50, with low scores in Built Environment (low fresh food score) and Access to Transit. These specific metrics are defined below, along with considerations from Blueprint Denver. The applicant is expected to consider additional proposals that are identified in Equity Menu of Strategies attached to this document.

Built Environment								
	Social Determinants of Health	Access to Parks	Access to Fresh Food	Access to Healthcare	Child Obesity	Life Expectancy	Access to Transit	Access to Centers and Corridors
Score	5.00	2.5	2.5	3	3	4	0	3.67
	Most Equitable	More Equitable	Less Equitable	Somewhat Equitable	Somewhat Equitable	More Equitable	Has No Access to Transit	50-74% of the area is covered by a walk, bike, and drivedshed to a center or corridor

	Metric	Score	Description	Consideration for Improvement	Response from Applicant
	Social Determinants of Health	5.0 Most Equitable	Measured by a) % of high school graduates or the equivalent for those 25 years of age or older and b) percent of families below 100% of the Federal Poverty Line.		
Built Environment	Access to Parks	2.5 More Equitable	Measured by % of living units within ¼-mile walk to a park or open space.	<ul style="list-style-type: none"> Applicant commits to improving connectivity through an organized street grid, to improve access to amenities including open space 	•
	Access to Fresh Food	2.5 Less Equitable	Measured by % of residents within ¼-mile walk to a full-service grocery store.	<ul style="list-style-type: none"> Applicant commits to promoting increased access to fresh food options Applicant commits to provide fresh food outlets on-site, such as a community garden 	•
	Access to Healthcare	3 Somewhat Equitable	Access to Health Services - such as clinics, prenatal services, and more. 13.84% of women receive no prenatal care during the	<i>This metric is not expected to be directly impacted by an applicant-driven rezoning but may be indirectly improved via other metrics</i>	•

Review Criteria

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

2. Uniformity of District Regulations

- Proposed rezoning will result in uniform application of zone district building form, use and design regulations

3. Further Public Health, Safety and Welfare

- Implements adopted plans
- Facilitate increased housing density near services, amenities and employment

4. Justifying Circumstances

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

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

- 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:
 - a) Changed or changing conditions in a particular area, or in the city generally; or,
 - b) A City adopted plan; or,
 - c) That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.

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

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

- Suburban Neighborhood Context primarily consists of single-unit and multi-unit residential uses, commercial strips and centers and office parks
- Mixed-use Districts are intended to:
 - Enhance the convenience and ease of walking, shopping and public gathering
 - Include building form standards that balance the importance of street presence and provision of adequate parking
- S-MX-8 is intended to apply to areas or intersections served primarily by arterial streets where a building scale of 1 to 8 stories is desired

CPD Recommendation

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

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