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**TO:** Denver Planning Board  
**FROM:** Edson Ibañez, Senior City Planner  
**DATE:** March 29, 2023  
**RE:** Official Zoning Map Amendment Application #2022I-00151  
1465-1497 N. Knox Court  
Rezoning from G-RH-2.5 to G-MS-5

### Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for Application #2022I-00151.

### Request for Rezoning

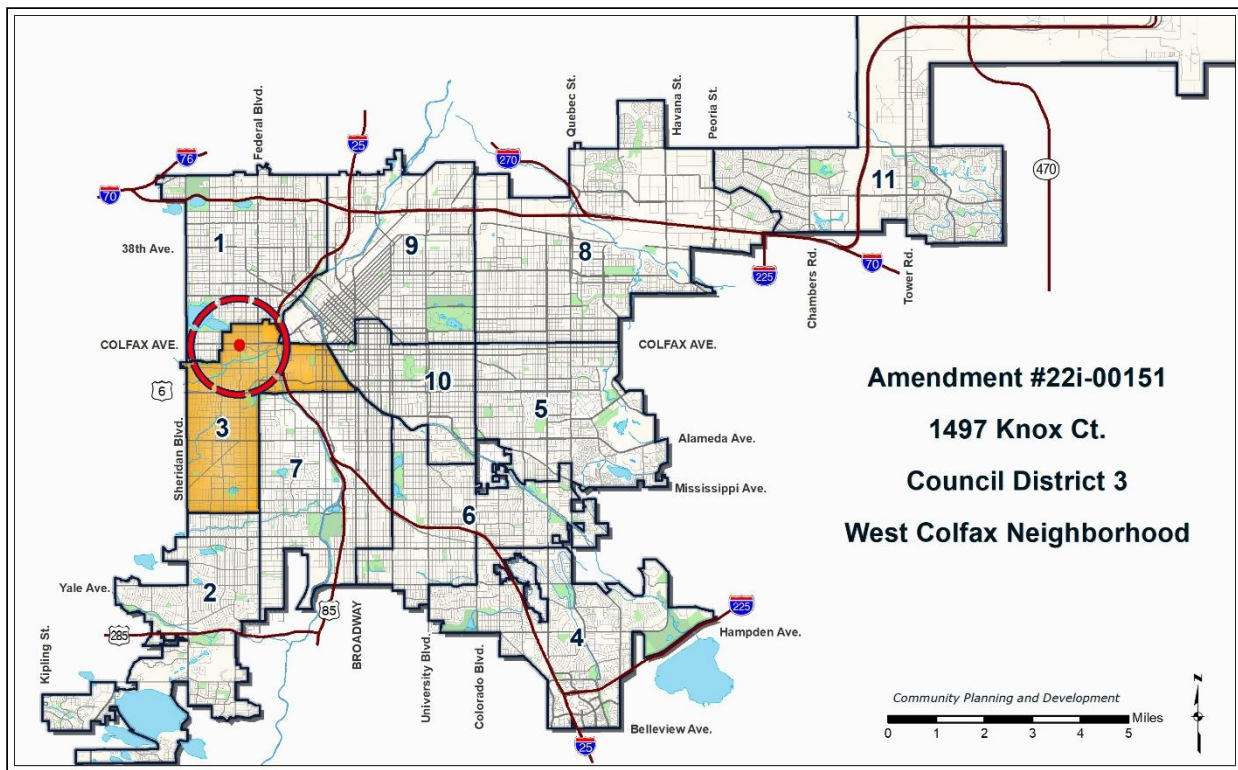
Address: 1465-1497 N. Knox Ct.  
Neighborhood/Council District: West Colfax / Council District 3  
RNOs: Inter-Neighborhood Cooperation (INC), West Colfax BID, Strong Denver, West Colfax Association of Neighbors – WeCAN, Strong Denver, Sloan’s Lake Citizens Group, and Untied Northwest Denver  
Area of Property: 31,300 square feet or 0.71 acres  
Current Zoning: G-RH-2.5  
Proposed Zoning: G-MS-5  
Property Owner(s): Henry Burgwyn, GAO Homes Partners  
Owner Representative: Alisha Hammett, Shopworks Architecture

### Summary of Rezoning Request

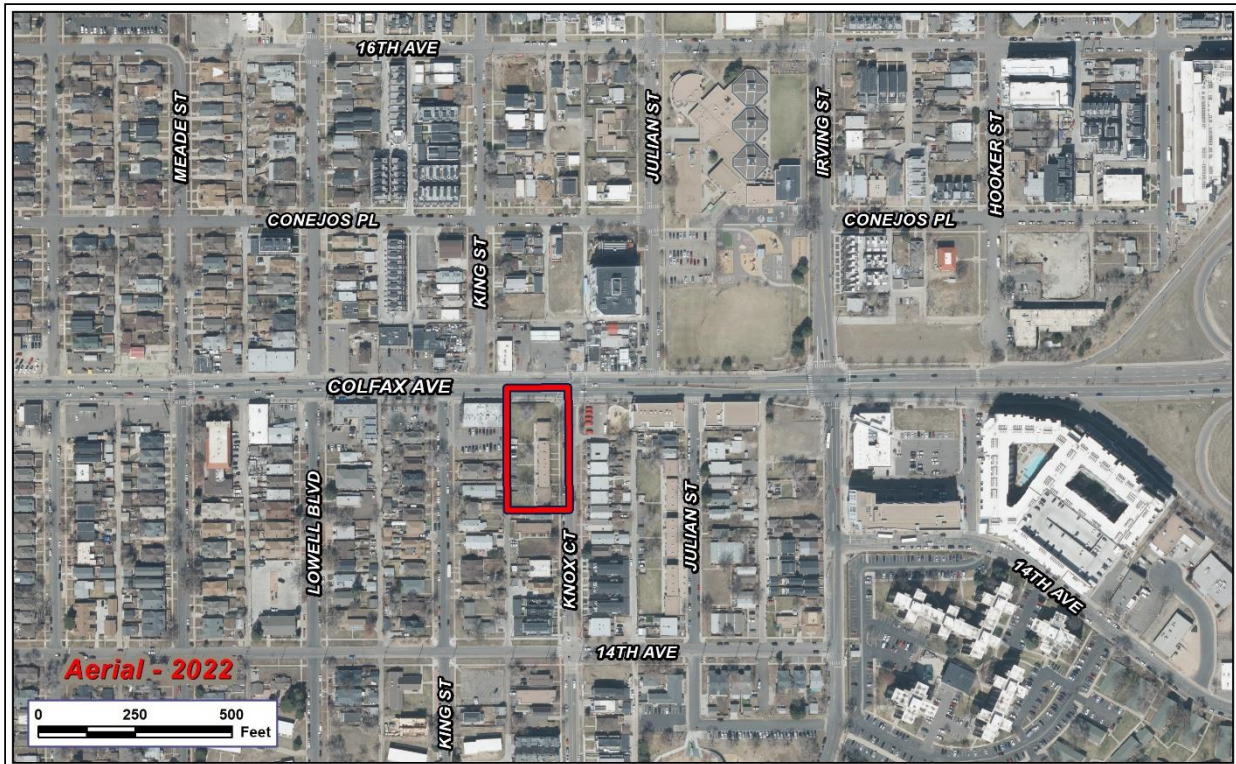
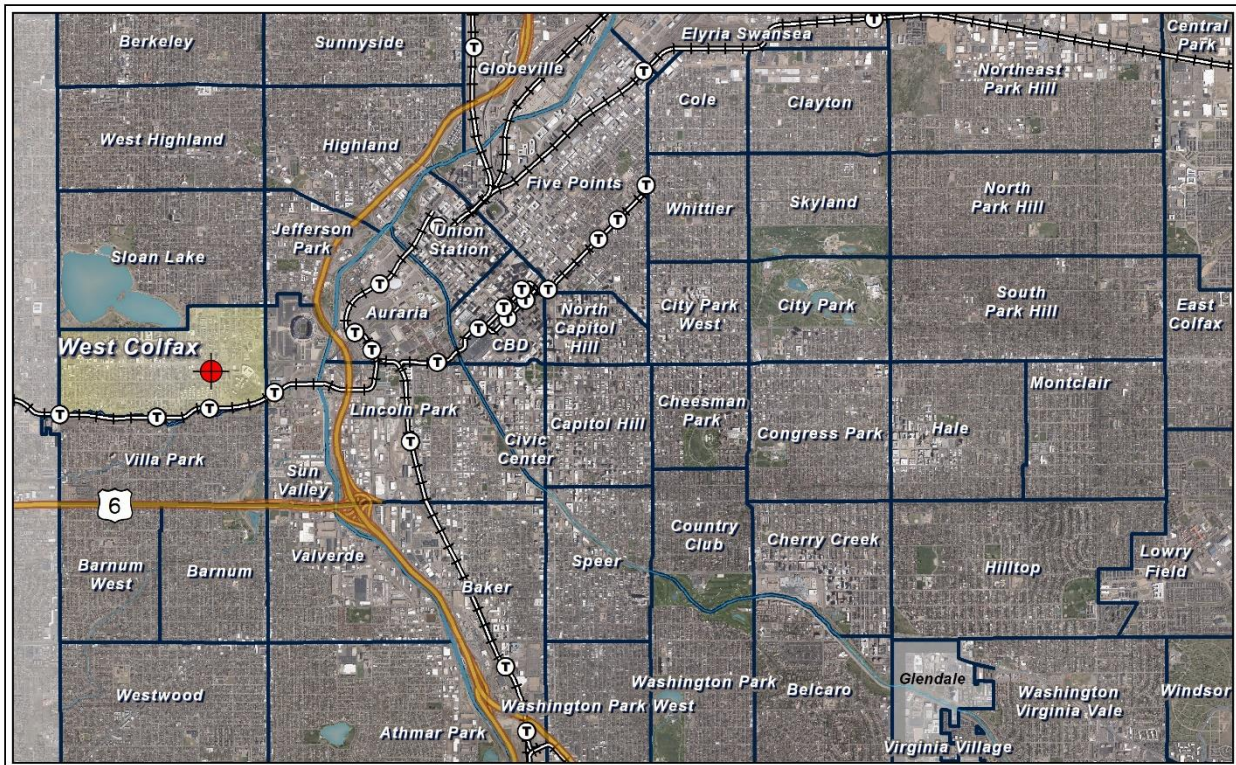
- The property is in the West Colfax statistical neighborhood at the southwest corner of West Colfax Avenue and Knox Court.
- The property, owned by GAO Homes Partners, is currently occupied by 10 HUD Section 8 rental rowhomes. The property is currently deed-restricted for affordable housing and will continue to be so with future redevelopment, for an additional 40 years.
- The applicant is requesting this rezoning to enable mixed-use redevelopment for 66-unit affordable housing units comprised of a mix of 1-, 2-and 3- bedroom units for families cost burdened with a potential office space for Girls Inc. The anticipated funding source for this development will be a mix of both HUD funds and Low-Income Housing Tax Credits; utilizing HUD funding to replace the 10 units onsite and transferring 34 additional HUD funded units to the new building, and then adding 22 income restricted units. Residents displaced during construction would be relocated and have first right of return into the new building, per Federal guidelines associated with HUD funded rental units
- This application has been accepted into the Affordable Housing Review Team.
- The proposed zone district, G-MS-5, can be summarized as follows (see map below illustrating proposed zone districts):

The G-MS-5 (General Urban neighborhood context, Main Street, 5 stories maximum) zone district is intended for areas or intersections served primarily by arterial or collector streets corridor where a building scale is 2-5 stories, or 70 feet, is desired. The G-MS-5 district is intended for use in the General Urban Neighborhood Context which is characterized by predominantly multi-unit structures. 1-unit and 2-unit residential and low scale mixed-use sites are embedded within the multi-unit areas. Shopfront, Drive Thru Services, Drive Thru Restaurant and Town House are the primary building forms allowed. Further details of the G-MS-5 zone district can be found in Article 6 of the Denver Zoning Code.

### Existing Context







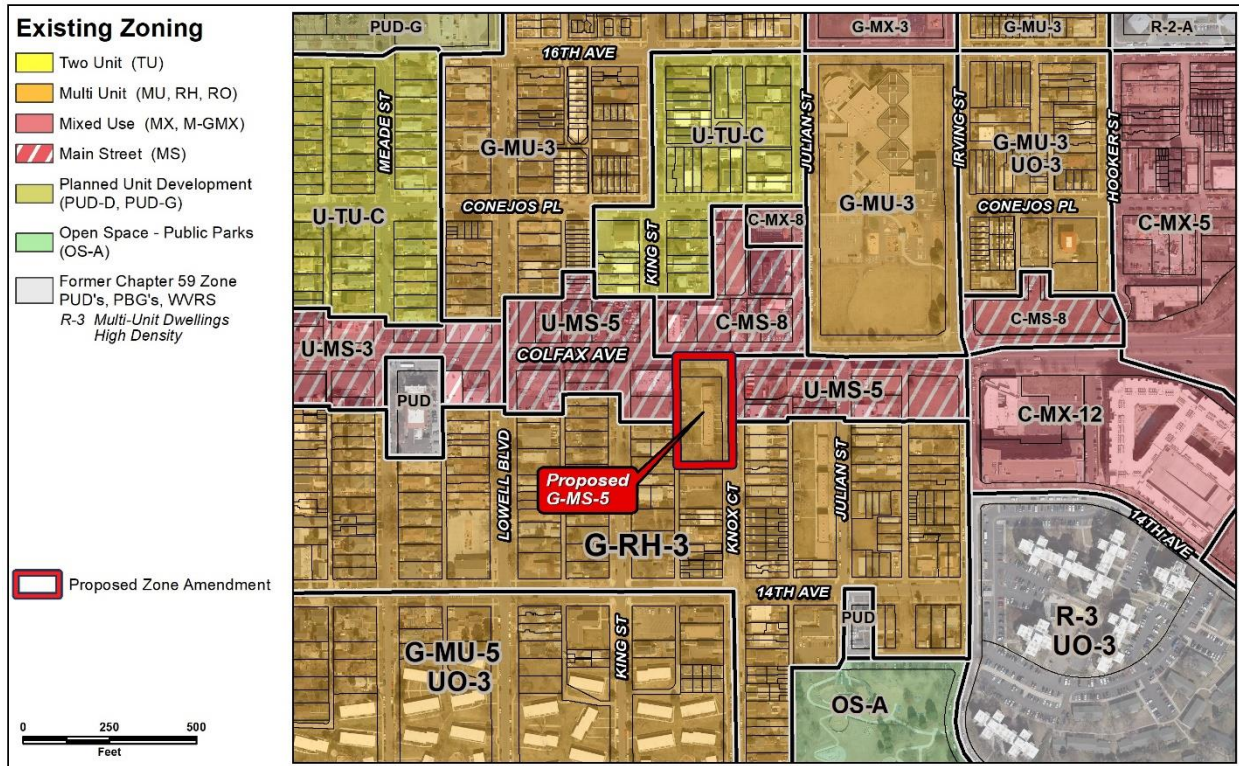
The subject property is located within the Colfax neighborhood, at the southwest corner of West Colfax Avenue and North Knox Court. The subject site has approximately 125 feet of frontage along West Colfax Avenue and has a lot-depth of approximately 250 feet. The existing two-story structure on the site is occupied by 10 income restrictive HUD rowhomes. The W RTD Light Rail Station at Knox Court is approximately 0.3 mile south of the subject site. The subject property is in close proximity to RTD's frequent bus route 16 along West Colfax Avenue and King Street.

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	G-RH-3	Multi-Unit	Two-Story Rowhomes with parking accessed from the alley	Block sizes and shapes are consistent and rectangular and shaped with by a grid street pattern. There is a mixture of blocks with and without alleys.
North	C-MX-8	Commercial/Retail	1-Story Commercial Buildings with parking accessed from Colfax Avenue.	
South	G-RH-3	Single Family	2-story Single Family Residence with parking accessed from the alley.	
East	U-MS-5	Multi-Unit/Two Unit	1 story Structures of duplexes and triplexes	
West	U-MS-5	Commercial/Retail	1 story structure adult business	

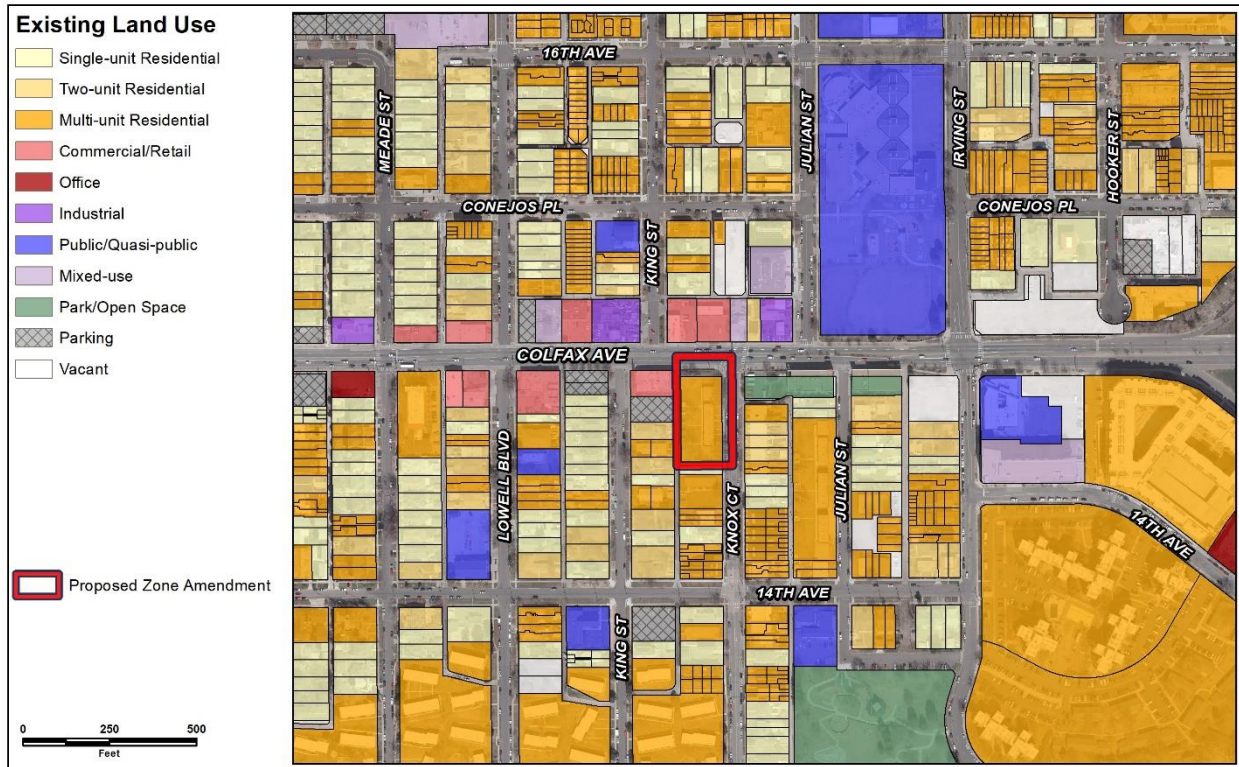


### 1. Existing Zoning

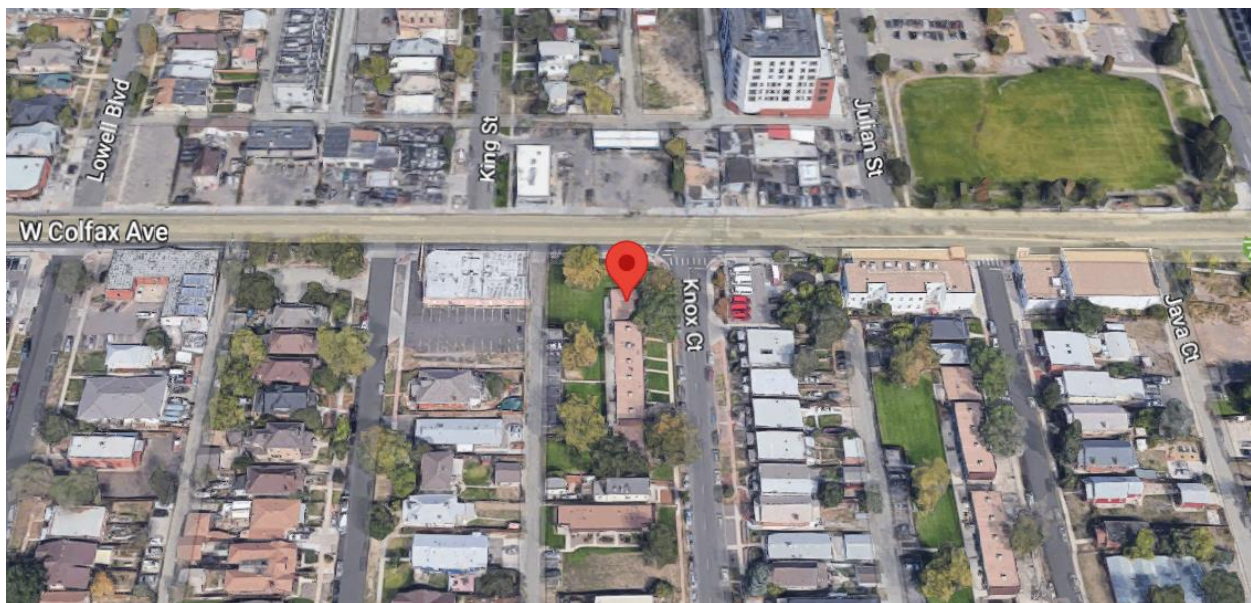


The existing zoning is G-RH-3, which is a zone district that mostly allows residential uses. G-RU-3 is a multi-unit district allowing urban house, duplex, and row house building forms. Prior to the G-MU-3, the property was zoned R-2. Buildings are allowed up to 3 stories and up to 35 feet. Further details of the G-RH-3 zone district can be found in Article 6 of the Denver Zoning Code.

## 2. Existing Land Use Map



## 3. Existing Building Form and Scale



Site - Aerial view, looking north (Source: Google Maps)





**Site -** View of the subject property looking west from Knox Ct. (Source: Google Maps)



**Site –** View of the subject property looking southwest from Colfax Avenue and Knox Ct. (Source: Google Maps)



**North –** from Colfax Avenue (Source: Google Maps)





East – from Knox Ct (Source: Google Maps)



South – looking west from Knox Ct. (Source: Google Maps)



West – from King Street (Source: Google Maps)



## Proposed Zoning

### G-MS-5 Zone District

The requested G-MS-5 zone district has a maximum height of 70 feet and allows the Shopfront, Drive Thru Services, Drive Thru Restaurant and Town House primary building forms. A wide variety of residential, civic, and commercial land uses are allowed. The For additional details regarding building form standards in the G-MS-5 zone district, see DZC Section 6.3.

The primary building forms allowed in the existing zone district and the proposed zone district are summarized below.

Design Standards	Existing G-RH-3	Proposed G-MS-5
Primary Building Forms Allowed	Urban House, Duplex, Row House, Garden Court, Town House, and Apartment	Shopfront, Drive Thru Services, Drive Thru Restaurant and Town House
Height in Stories / Feet (max)	3 stories / 35’*	5 stories / 70’*
Primary Street Build-To Percentages (min)	N/A	75%*
Primary Street Build-To Ranges	N/A	0’ to 5’, 0’ to 10’*
Minimum Zone Lot Size/Width	6,000 SF*	N/A
Primary Street Setbacks (min)	10’ to 20’*	0’*
Building Coverage (max)	50%*	N/A

\*Standard varies between building forms

## 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

**Department of Public Health and Environment:** Approve Rezoning Only - Will require additional information at Site Plan Review

Denver Department of Public Health & Environment - Division of Environmental Quality (EQ) does not guarantee approval of any proposed development project at this site by providing a response to this Official Map Amendment Referral Agency Review Request. Future development is subject to existing land use controls and other environmental requirements in accordance with applicable local, state, and

federal environmental regulations and statutes. EQ recommends the Property Owner conduct an environmental site assessment to determine the potential presence, nature, and extent of possible contamination on the site and to identify specific cleanup needs associated with future development. EQ may have additional information about localized potential environmental concerns at the site. However, providing such information about a specific site is beyond the scope of these zoning application comments.

**Denver Parks and Recreation:** Approved – No response

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

**Development Services - Transportation:** Approved – No response

**Development Services – Wastewater:** Approved

There is no objection to the rezone, however applicant should be under notice that DOTI will not approve any development of this property without assurance that there is sufficient sanitary and storm sewer capacity. Based on parcel size stormwater detention will be required. A drainage report will be required and sanitary study will also be required. These studies may results in a requirement for the developer to install major infrastructure improvements or a limit to development if current infrastructure is insufficient. Please note Denver does have flow depth mapping for stormwater adjacent to the parcel (flows in Colfax). Please see link or google “Denver Potential Inundation Area” select Floodplain and under “What is My Flood Risk” select the Potential Inundation Area map <https://geospatialdenver.maps.arcgis.com/apps/webappviewer/index.html?id=12500a3b06b34bfc2c297697a64c4de>Approval of this rezone on behalf of Wastewater does not state, or imply, public storm/sanitary infrastructure can, or cannot, support the proposed zoning.

**Development Services – Project Coordination:** Approved – No comment

**Development Services – Fire Prevention:** Approved – No comment

**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:	2/8/23
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:	3/15/23
Planning Board Public Hearing:	4/5/23



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 (tentative):	<b>4/15/23</b>
Land Use, Transportation and Infrastructure Committee of the City Council meeting (tentative):	<b>4/25/23</b>
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):	<b>6/5/23</b>
City Council Public Hearing (tentative):	<b>6/26/23</b>

**Public Outreach and Input**

- **Registered Neighborhood Organizations (RNOs)**  
 As of the date of this report, staff has received one written comment from an RNO pertaining to this application. The comment was in support of the Rezoning from Strong Denver.
- **Other Public Comment**  
 As of the date of this report, staff has received one written comment pertaining to this application. The comment was in opposition. The concerns were regarding height, density, lot depth, increase in traffic, impacts to property values, Section 8 tenants, potential increase in crime, setback concerns, and architectural concerns.

**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 property:

- *Denver Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *West Colfax Plan (2006)*

The following in-progress draft plan also applies to this property:

- *West NPI Plan (planned for adoption in Spring of 2023)*

### **Denver Comprehensive Plan 2040**

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies, which are organized by vision element.

The proposed rezoning would allow for mixed-use mainly residential development, including an increase in allowed housing density, while also enabling additional housing units close to services and amenities. It is therefore consistent with the following strategies in the Equitable, Affordable and Inclusive vision element:

- Equitable, Accessible 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 1, Strategy A – *Increase development of housing units close to transit and mixed-use developments* (p. 28).
- 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).

The proposed rezoning would enable mixed-use infill development at a location where services and infrastructure are already in place. The proposed G-MS-5 zoning designation would allow for a broader variety of uses including housing, retail, and services and is therefore consistent with the following strategies in 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).
- Strong and Authentic Neighborhoods Goal 2, Strategy D – *Use urban design to contribute to economic viability, public health, safety, environmental well-being, neighborhood culture and quality of life* (p. 34).

Similarly, the land use pattern detailed in the previous paragraph is also consistent with 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).
- Environmentally Resilient Goal 8, Strategy C – *Focus growth by transit stations and along high and medium-capacity transit corridors* (p. 54).

The requested map amendment will enable mixed-use development at an infill location where infrastructure is already in place. The requested zone districts broaden the variety of uses allowing

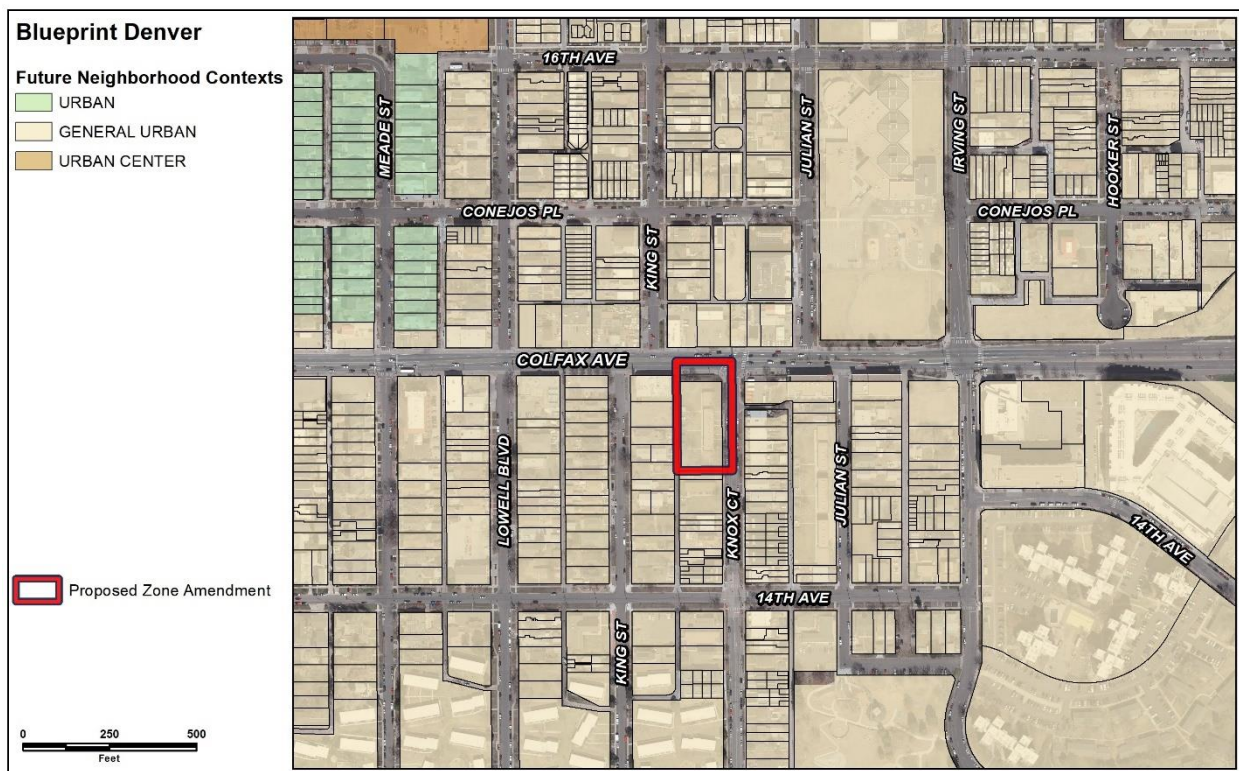


residents to live, work and play in the area. Therefore, the rezoning is consistent with *Denver Comprehensive Plan 2040* recommendations.

### ***Blueprint Denver (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 a High-Medium Residential Area within the General Urban Neighborhood Context and provides guidance from the future growth strategy for the city.

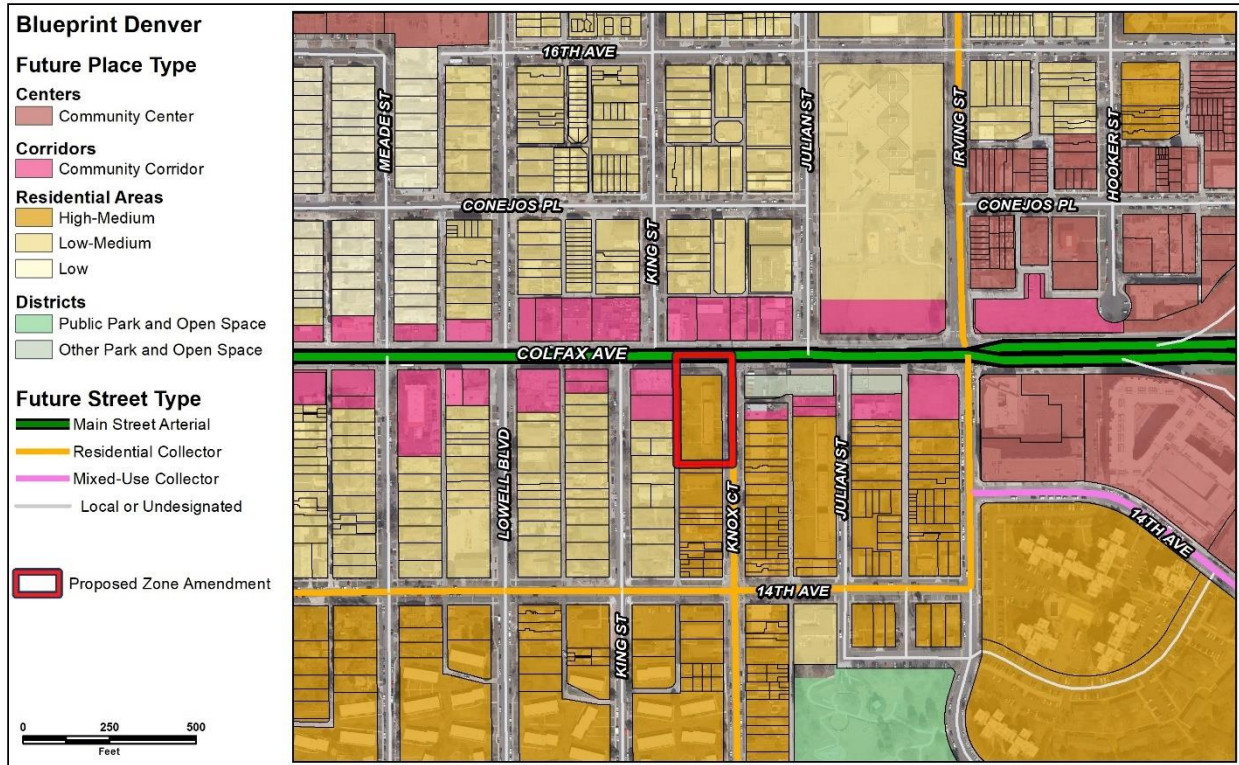
### **Blueprint Denver Future Neighborhood Context**



The subject property is shown on the context map as General Urban neighborhood context. The neighborhood context map and description help guide appropriate zone districts (p. 66). The General Urban neighborhood context is described as “vibrant places with proximity to Denver’s major centers like Downtown and Cherry Creek. Homes in this context vary from multi-unit complexes to compact single-unit homes. Development should be sensitive to the existing neighborhood character and offer residents a mix of uses, with good street activation and connectivity.” (p. 237). The proposed G-MS-5 zone district is part of the General Urban context that is “intended to ensure new development contributes positively to established residential neighborhoods and character, encourages affordable housing, and improves the transition between commercial development and adjacent residential

neighborhoods” (DZC 6.2.5.1.C). The proposed rezoning is to G-MS-5 is appropriate and consistent with the General Urban context plan direction.

### **Blueprint Denver Future Places**



The Future Places Map shows the subject property as a High-Medium Residential Area within the General Urban context. *Blueprint Denver* describes these areas as, “There is a mix of low- to medium-scale multi-unit residential uses with some neighborhood-serving mixed use distributed throughout. Buildings are generally up to 8 stories in height. Block patterns are consistent and pedestrian-scaled building forms clearly define and activate the street” (p. 246). The building form standards of the proposed G-MS-5 zone district are consistent with this plan direction, including five-story heights, high building coverage, and low setbacks. However, the land uses allowed could be more intense than contemplated by the plan direction. The West Area Plan (see below), which has been approved by the Denver Planning Board and was scheduled to have been reviewed by City Council at a public hearing on March 28 as of the writing of this report, proposes to change the future place type of this property to Community Corridor. This change, if adopted, would be consistent with the existing Community Corridor future place type, already recommended by Blueprint as shown in the map above, which generally follows the pattern of uneven depth of parcels abutting the south edge of West Colfax Avenue.

The G-MS-5 zone district allows gas stations, restaurants, retail, and offices, which could result in significant intensity if the entire property were to redevelop. In their narrative, the applicant acknowledges the statement in Blueprint that commercial uses are typically more limited in the High-

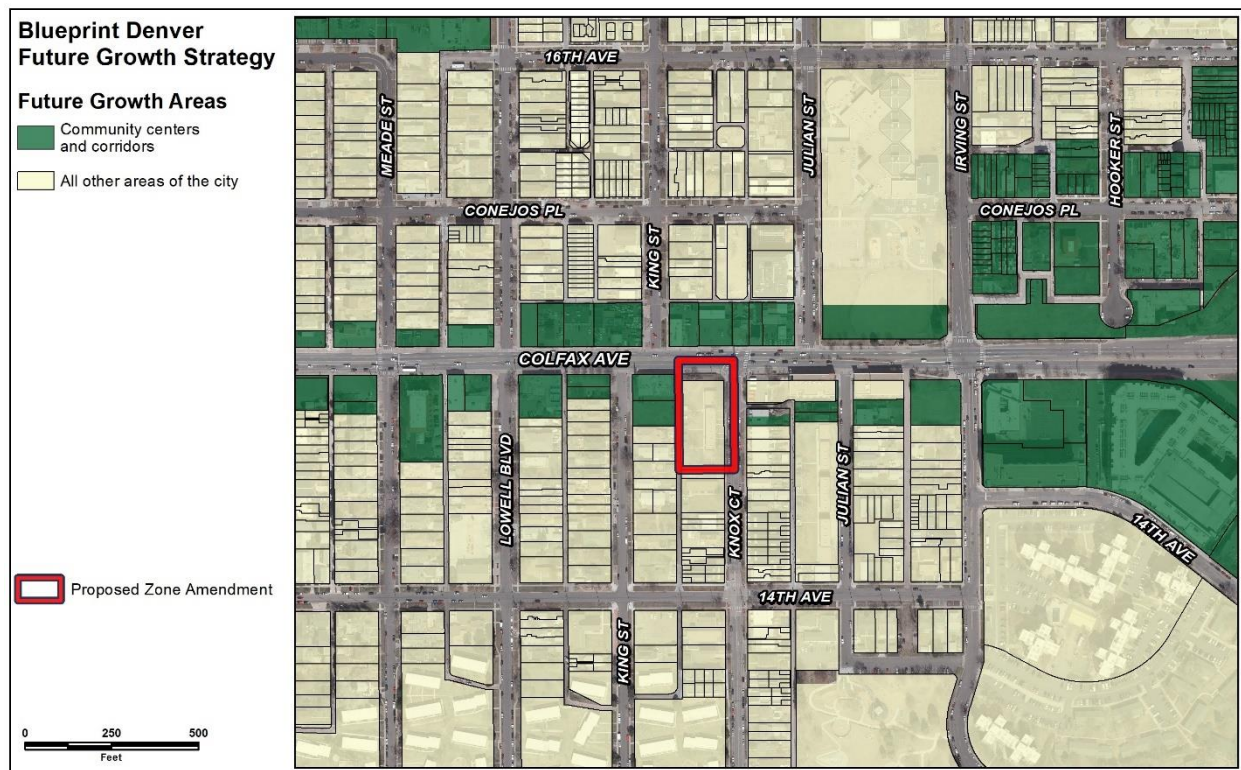


Medium Residential Future Place, “with some neighborhood-serving mixed use distributed throughout.” G-MS districts are “intended to ensure new development contributes positively to established residential neighborhoods and character, encourages affordable housing, and improves the transition between commercial development and adjacent residential neighborhoods” (DZC 6.2.5.1.C).

### Street Types

Blueprint Denver classifies West Colfax Avenue as a Main Street Arterial. Main Streets are “characterized by a mix of uses including retail, services and restaurants, as well as residential. Buildings are pedestrian oriented, with little front setback, a continuous street wall, and high transparency” (p.158). Arterial streets “are designed for the highest amount of through movement and the lowest degree of property access” (p. 154). The proposed G-MS-5 zone district is intended for mixed-use areas served primarily by collector/arterial streets (DZC Section 10.2.5.3.B). The requested zone district is appropriate considering the surrounding street type designations.

### 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 located within “All other areas of the city, which are anticipated to see around 20% of new housing growth and 10% of new employment growth by 2040” (p. 51). The proposed map amendment to G-M5-3 will enable compatible growth for this location.

### Additional Applicable Strategies

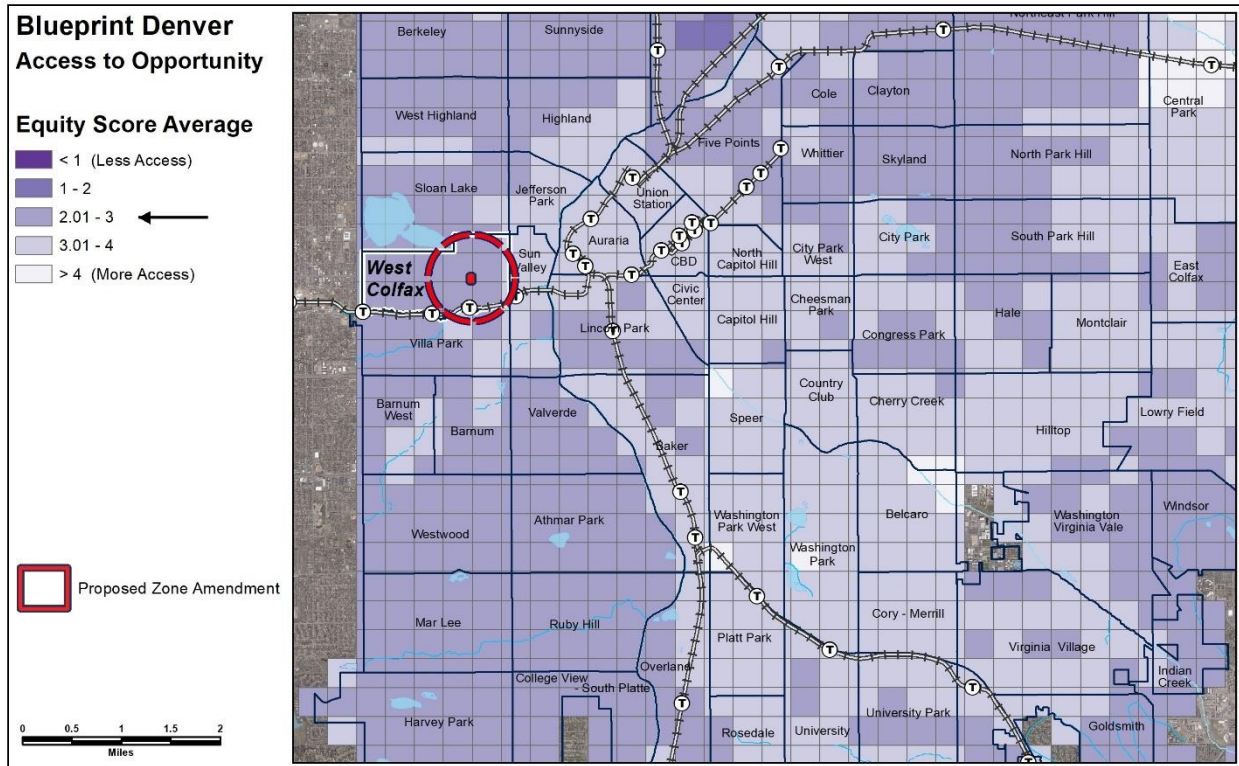
The proposed rezoning is also consistent with the following strategies from *Blueprint Denver*:

- Land Use and Built Form – General Policy 1 – *Promote and anticipate planned growth in major centers and corridors and key residential areas connected by rail service and transit priority streets* (p. 72).

### Blueprint Denver Equity Concepts

*Blueprint Denver* contains three equity concepts to help guide change to benefit everyone. Each equity concept has associated measurements that help inform implementation actions through large rezonings along with other implementation actions. Given that the subject site is within one of Denver’s Neighborhood Equity and Stabilization (NEST) focus neighborhoods, an equity analysis is included in this staff report and was shared with the applicant for consideration. The applicant’s response is included with the application that is attached to the staff report.

## I. Access to Opportunity



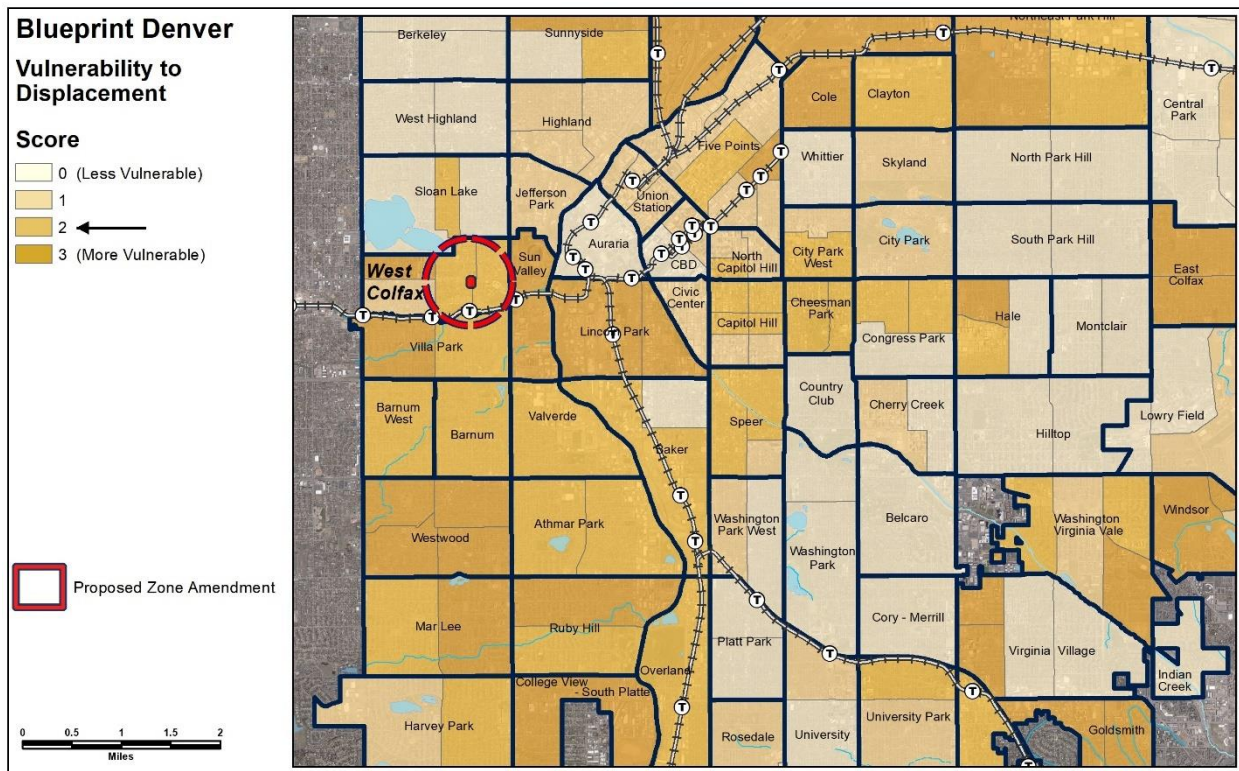
The subject property is in West Colfax, which is identified as an area with less access to opportunity compared to the rest of the city. The basis for measuring access to opportunity is a composite of the neighborhood equity index developed by Denver’s Department of Public Health and Environment, proximity to high-capacity and frequent transit, and access to centers and corridors. Analyzing this metric helps us measure our progress towards achieving the vision for complete neighborhoods across the city. The subject area is less equitable than Denver as a whole when it comes to access to healthcare. These scores are related to a higher-than-average percentage of children with obesity



and a higher number of households with incomes below the poverty line compared to the city as a whole.

While the proposed allowance of a multi-unit residential development does not directly increase access to opportunity, an increase in residents may increase the likelihood that more goods, services and amenities will locate in the commercial and mixed-use zoned areas of the neighborhood. Additionally, the proposed zone district would allow additional housing units at a location that is well-served by transit, providing residents with access to daily needs.

## II. Vulnerability to Involuntary Displacement



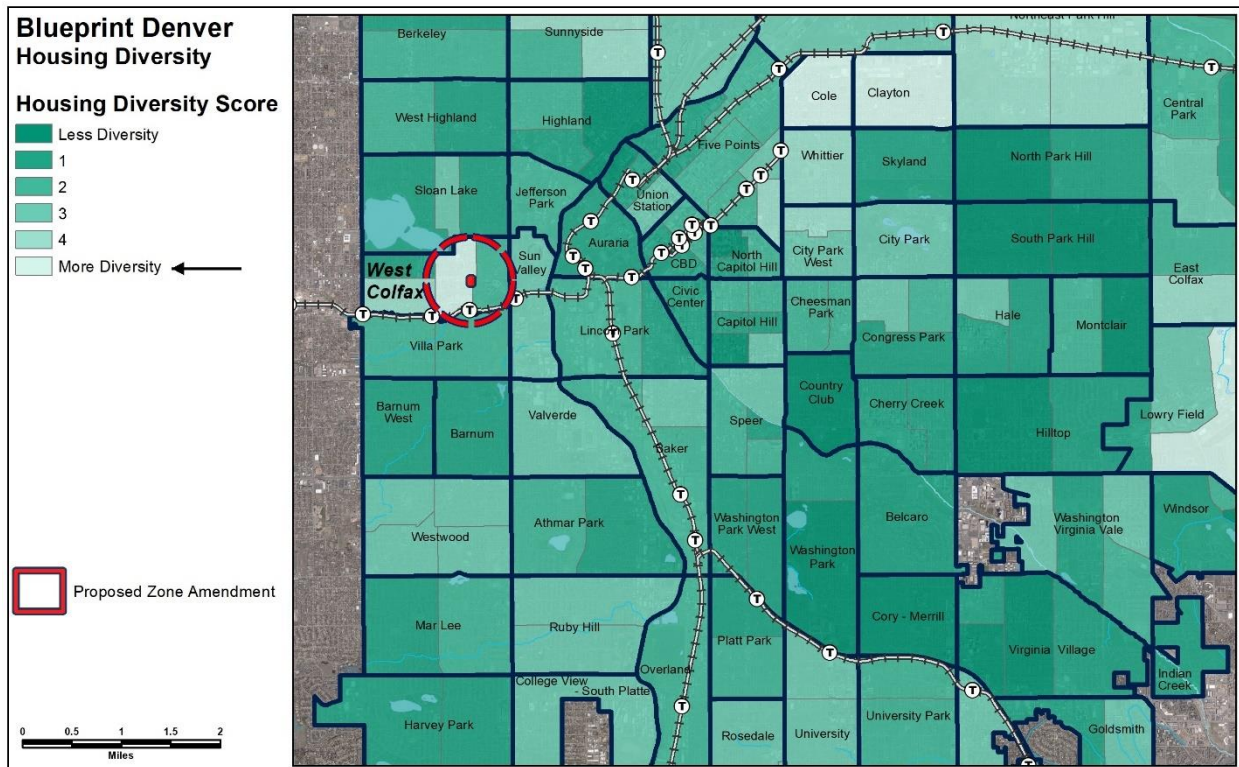
The subject property is in an area that has high vulnerability to involuntary displacement. The basis for measuring vulnerability to involuntary displacement is through the vulnerability to displacement index developed by Denver’s Economic Development and Opportunity office. This combines data from median household income, percentage of people who rent housing, and percent of population with less than a college degree. The subject area scored as vulnerable to displacement in all of the three categories: Educational Attainment, Rental Occupancy and Median Household Income. In areas with high vulnerability to involuntary displacement, it is important to increase affordable housing options so that residents of all income levels can continue to live in these neighborhoods.

The proposed rezoning to allow for a multi-unit residential development, will provide opportunities for affordable units help keep existing residents within the existing 10 income restrictive units first right to stay in the neighborhood. This proposed rezoning would allow for additional residential units in this



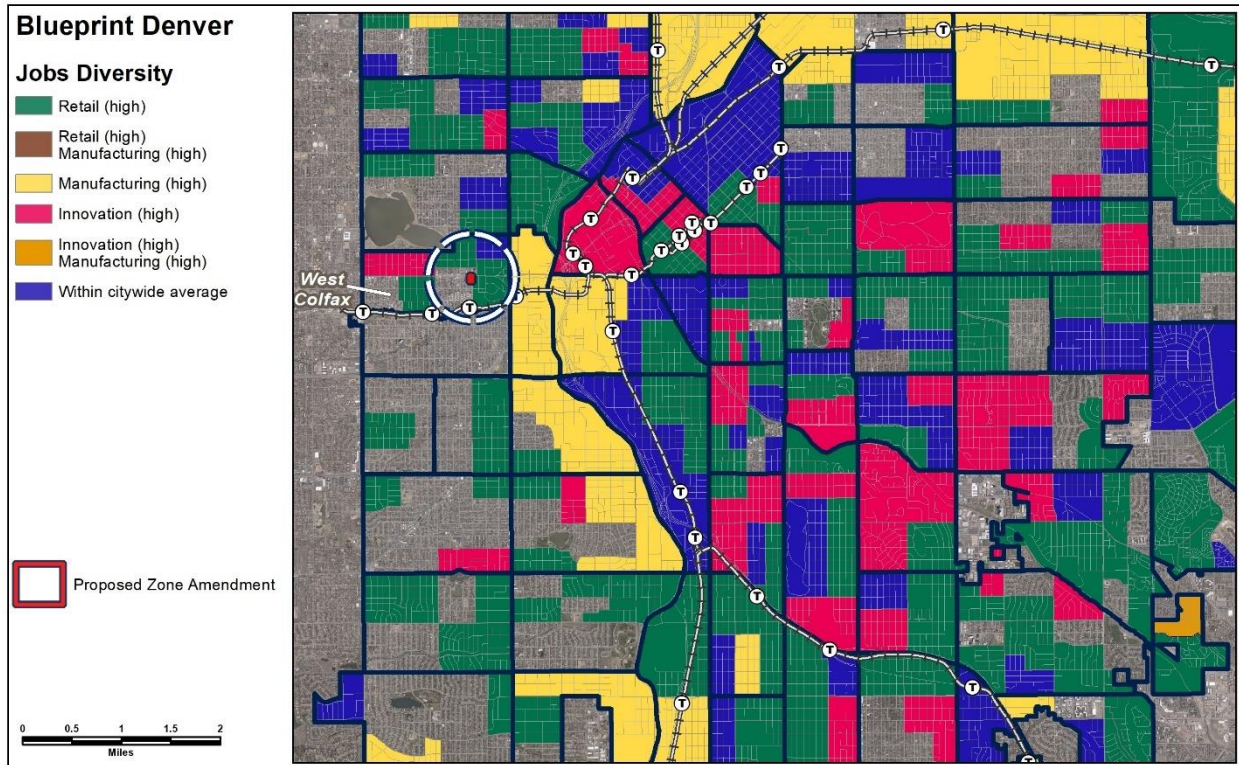
area, which can help provide housing for existing residents and contribute to meeting the citywide demand for housing

### III. Expanding Housing and Jobs Diversity



The subject property is in an area that has moderate housing diversity. The housing diversity map combines census tract-level data measuring the percentage of middle-density housing (housing with 2-19 units), home size diversity, ownership vs. rental, housing costs and the number of income-restricted units. The subject area is not diverse in terms of the percentage of Diversity of bedroom count, owners to renters, and housing costs. In areas with a moderate level of housing diversity it is important to increase the number of affordable housing units alongside natural growth in market-rate housing.

The proposed zone district will allow for mix of uses, including multi-unit residential, which will increase housing opportunities in the area. As part of the Equity Response, the applicant noted their ongoing work with DHA and their intention to provide on-site affordable housing.



The map above shows the mix of jobs in areas of the city (dominant industry depicted by color). Job Diversity in this area cannot be measured, as there are fewer than 100 jobs in the area. The proposed zone district also allows for a mix of uses, including office and retails, that provides the opportunity to contribute to diversifying jobs in the area.

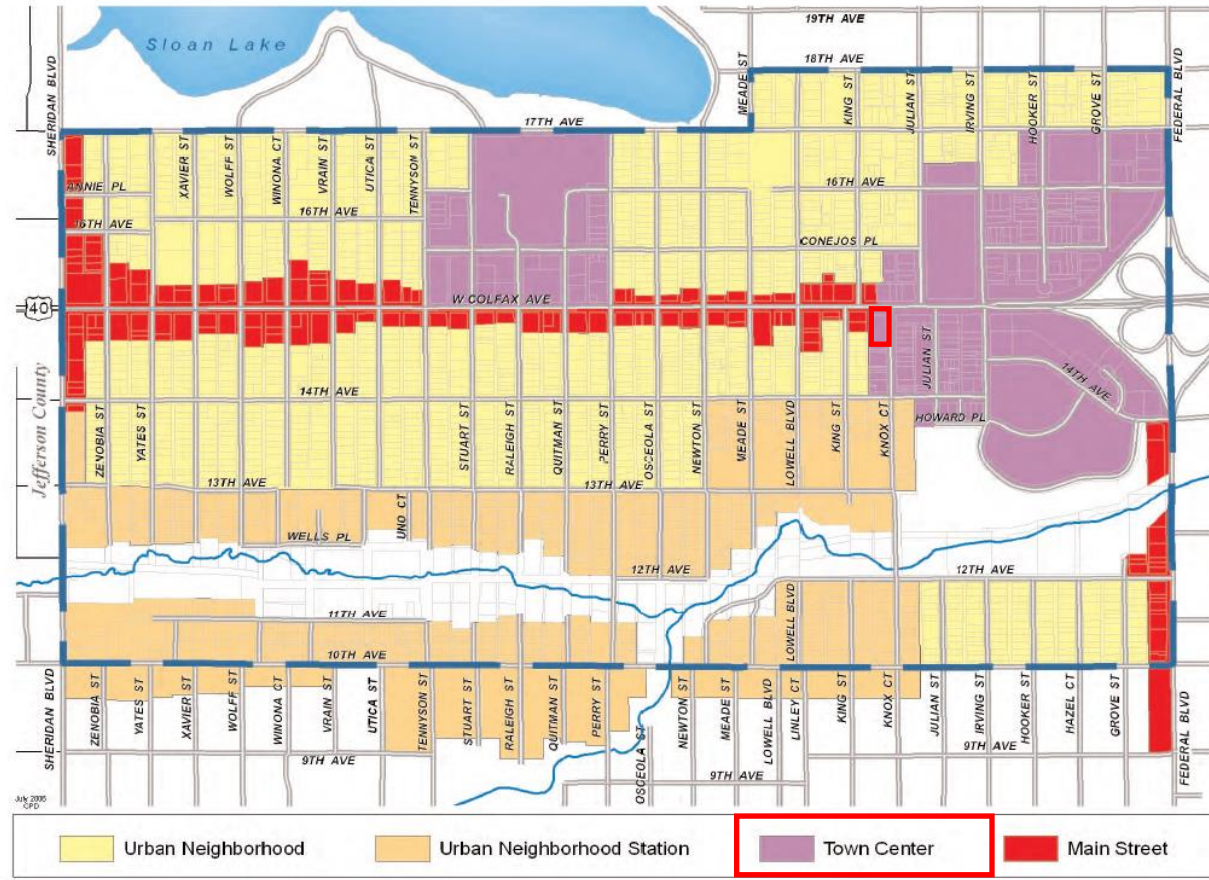
### **West Colfax Plan (2006)**

The West Colfax Plan has a vision for a “safe and attractive mixed-use commercial and residential corridor that complements and sustains the adjacent residential neighborhoods” (p. 74). The West Colfax Plan mentions several components that resonate with the vision of West Colfax such as improved urban design, strengthening the mix of land uses, and enhancing mobility options for residents (p.75).

In the West Colfax Plan, the “Framework Plan provides the overarching goals and recommendations for these places within the study area; it provides technical guidance for zoning regulatory changes, infrastructure planning and policy direction.” The framework plan includes a Future Land Use Concept map, which maps the subject site as Town Center. The subject site is identified in the Cheltenham Heights area of the Town Center District.



Future Land Use Concept



Urban Town Centers are areas that “contain a compact mix of destination, employment and residential uses. With careful design treatment these places provide opportunities for both formal and informal community gathering.” (p.83). The plan goes on to include another description of Town Center as, “mixed vertically and/or horizontally, highest intensity destination and employment uses in the core, civic amenities and housing dispersed throughout” (p.83). The Plan also describes, “Town Centers are perfect locations for destination retail, employment, dining and entertainment venues as well as elderly housing, housing for low- to moderate-income workers, daycare and youth programs.” (p. 83). The plan also includes a recommendation under Town Center Regulatory Tools, Recommendation 2 to “Establish form-based zoning tools appropriate for the mix of building types and uses that define a town center. Ensure that these zoning tools consider, define and respect the traditional and desired forms of town center patterns of development” (p. 94). This recommendation gives specific direction on a “mix of land uses that support the function of town centers (retail, restaurants, services, office, civic, residential, entertainment, open space)” (p.95).

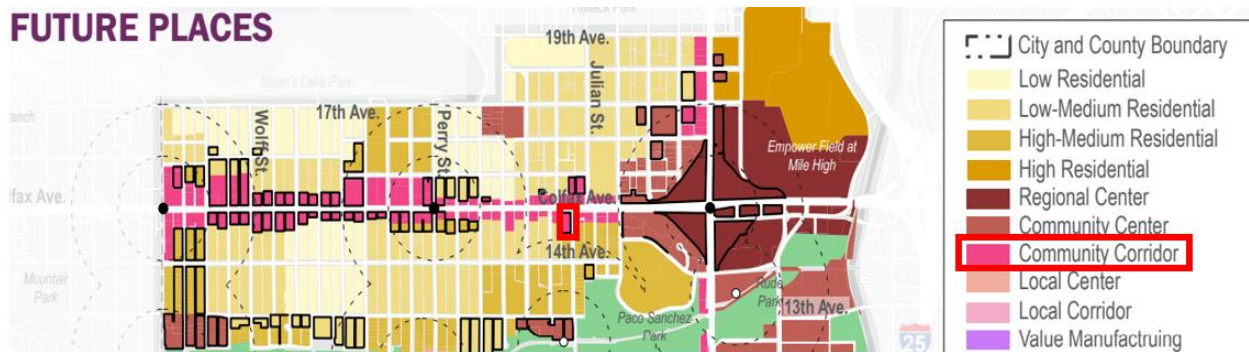
Additional guidance is provided in the District Plans section of the West Colfax Plan, though “District Plans do not imply zoning changes per se (please refer to the framework plan for guidance about zoning



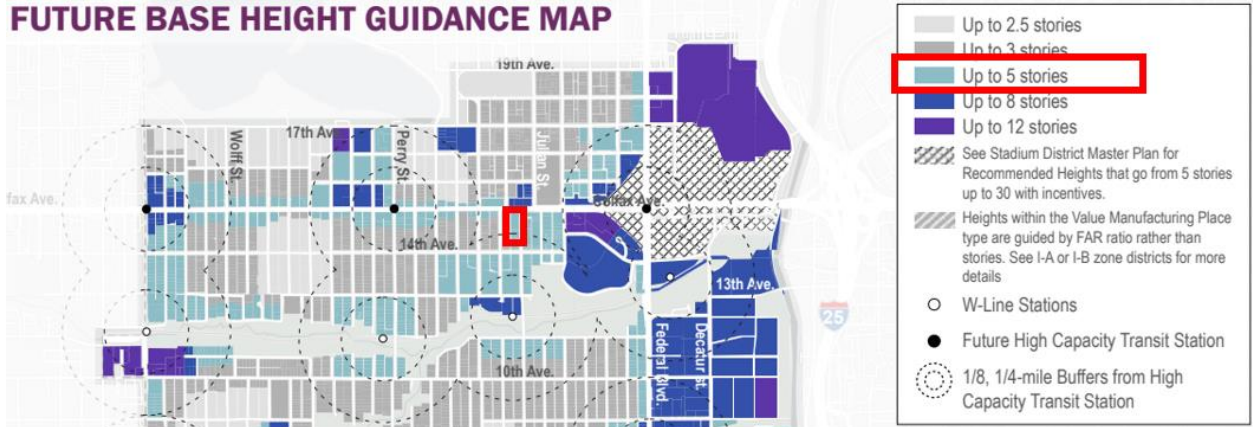
changes). ... The district plans augment the prevailing goals and recommendations contained in the framework plan [cited above]” (p. 120). Under the Town Center District Planning, Goal 2, Town Center Function, is to “develop town centers to function as the heart of the community with a concentration of housing, employment, civic amenities and services, as well as destination entertainment venues, shops and restaurants” (p.128). Recommendation 2 encourages a “dynamic mix of uses to serve the daily needs of nearby residents and destination itineraries of regional visitors” (p.129). These District Plan recommendations all are suggestive of the more vibrant, horizontal and vertical mixed-use places that a G-MS-5 zone district would allow along with heightened street level activation and transparency requirements.

On balance, the proposed G-MS-5 is consistent with the adopted plan direction. It provides an appropriate transition that complements the surrounding uses with the allowance of mixed uses. Although it may not be the best fit for the future place recommendation of Blueprint Denver, it is consistent with other recommendations including street type, building height, and growth strategy, and is consistent with the recommendations of the adopted West Colfax Plan.

***West Area Plan (planned for adoption in Spring 2023)***



As of the writing of this report, the *West Area Plan* had been approved by the Planning Board and was expected to have a final public hearing before City Council on March 28. The plan was developed over more than 2 years of community engagement as part of Community Planning and Development’s Neighborhood Planning Initiative and if adopted will supersede the *West Colfax Plan*. Within the draft *West Area Plan*, the subject property is within the General Urban Neighborhood Context and classified as Community Corridor on the Future Place map. Community Corridor is described as areas that “typically provides some mix of office, commercial, and residential uses. Accessible to surrounding neighborhoods by a variety of transportation options. Buildings have a distinctly linear orientation along the street” (p. 171). Following the guidance of *Blueprint Denver*, the growth strategy is Community Centers and Corridors and Colfax Avenue is identified as a Main Street Arterial. As with the *Blueprint Denver* guidance, the G-MS-5 zone district is appropriate for a Community Corridor along a Main Street Arterial as it would provide a mix of residential and commercial options with a height of 5-stories with building forms that encourage street activation.



The *West Area Plan* height recommendation for this property is up to 5 stories. The proposed G-MS-5 is consistent with the height recommendations. Further, a priority of the *West Area Plan* is to make more housing options available and affordable to families and individuals (p. 9). Given that the proposed rezoning is accompanied by a concurrent DHA covenant, the proposed rezoning furthers the key priorities of the plan.

The *West Area Plan* includes policy strategies and recommendations to help achieve equitable, community-focused goals of the plan. The proposed G-MS-5 meets many of these recommendations including:

Land Use & Built Form Policy L3: “direct future growth along high-capacity transit corridors and centers, and ensure future development results in neighborhoods that are more complete with mobility, quality of life enhancements, and access to opportunities for all residents” (p. 178).

- The proposed E-MS-5 would allow for a height appropriately identified for much of the Colfax Corridor while increasing the total number of affordable units on site. The entire site is within 175’ of a protected district so the zoning will limit incentive heights and require upper story setbacks that ensure appropriate transitions.

Economy & Housing Policy E2: “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).

- The covenant on this property requires affordable housing units for another 40 years. This application has been accepted into the Affordable Housing Review Team and the applicant intends to construct 66 income restrictive units. Their plan is to apply for Low-Income Housing Tax Credits.

The *West Area Plan* implementation section specifically calls for public investment in affordable housing with specific reference to public-private partnerships. It goes further to explain how partnerships offer opportunities to work together to advance community goals and provide for community needs (p. 294).

Finally, *West Area Plan* priorities anti-displacement efforts and affordable housing are identified as top priorities. The rezoning facilitates achieving the plan's priority recommendations with regard to helping to prevent displacement and support the development of affordable housing and is therefore consistent with the *West Area Plan*.

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

The proposed rezoning to G-MS-5 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 through implementation of the city's adopted land use plan. The proposed rezoning would also facilitate increased housing density near services and amenities along Colfax Avenue and foster the creation of a walkable, urban area within proximity to high-capacity transit. An increase in density and broadened mix of uses can also provide better health outcomes through increased physical activity<sup>1</sup> and lessen the need for driving as services and amenities can occur within walkable and bikeable distances.

## **4. Justifying Circumstances**

The application identifies several changed or changing conditions and a change in plan direction as the justifying circumstances under DZC Section 12.4.10.8.A.4, "*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...*"

The application identifies changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.8.A.4., "*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 changed or changing conditions in an area, or in the city generally.*" Over the years, the West Colfax Neighborhood has seen substantial redevelopment and reinvestment, including significant commercial and residential construction in the vicinity. Several multi-unit residential townhomes have been built and are under construction adjacent to the subject site to the north, west and east. Other constructions include Rodolfo "Corky" Gonzales Branch Library south of the subject site and the mixed-use

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



development at 1515 N. Julian Street south of the subject site. Changed or changing conditions in an area is an appropriate justifying circumstance.

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

The proposed G-MS-5 zone district is within the General Urban neighborhood context. The Denver Zoning Code describes the General Urban neighborhood context as “characterized by multi-unit residential uses in a variety of building forms. Single-unit and two-unit residential uses are also found in a mix of residential building forms. Low-scale commercial areas are embedded within residential areas. Commercial uses occur in a variety of building forms that may contain a mixture of uses within the same structure” (DZC 6.1.1). There is a regular street grid pattern with some alleys. The proposed G-MS-5 is consistent with the neighborhood context description and appropriate at this location.

The General Urban residential mixed-use zone districts are intended to “promote safe, active, and pedestrian-scaled, diverse areas through the use of town house, row house, apartment, and shopfront building forms that clearly define and activate the public street edge” (DZC 6.2.3.1.A). These districts 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 6.2.3.1.C). Mixed Use districts are “focused on creating mixed, diverse neighborhoods. Where Main Street districts are applied to key corridors and retail streets within a neighborhood, the Mixed-Use districts are intended for broader application at the neighborhood scale” (DZC 6.2.3.1.D). The proposed G-MS-5 is consistent with the zone district purpose and appropriate for this neighborhood location at heights consistent with those of the multi-unit residential surrounding context.

The specific intent of the G-MS-5 zone district “applies primarily to collector or arterial street corridors, or may be embedded within a larger commercial shopping center or mixed-use area, where a building scale of 2 to 5 stories is desired.” (DZC 6.2.5.2.B). The subject site is located on two arterial street, and the desired building height, character, and uses are consistent with the intent statements and appropriate at this location.

## **Attachments**

1. Rezoning application
2. Equity Response
3. Public Comment