



TO: Denver City Council
Neighborhoods and Planning Committee
Mary Beth Susman, Chair

FROM: Tim Watkins, Senior City Planner

DATE: June 17, 2015

RE: Official Zoning Map Amendment Application #2014I-00090
59 -75 South Jackson
Rezoning from Planned Unit Development #512 to G-RH-3

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2014I-00090 for a rezoning from **PUD #512 to G-RH-3**.

Request for Rezoning

Application:	#2014I-00090
Address:	59 – 75 South Jackson Street
Neighborhood/Council District:	Cherry Creek
RNOs:	Cherry Creek East Association, Harman Neighborhood Association, Inc., Cherry Creek Steering Committee, Denver Neighborhood Association, Inc., Inter-Neighborhood Cooperation
Area of Property:	18,788 square feet
Current Zoning:	PUD #512
Proposed Zoning:	G-RH-3
Property Owner(s):	Carol Aronowitz
Owner Representative:	Kelly Chopin

Summary of Rezoning Request

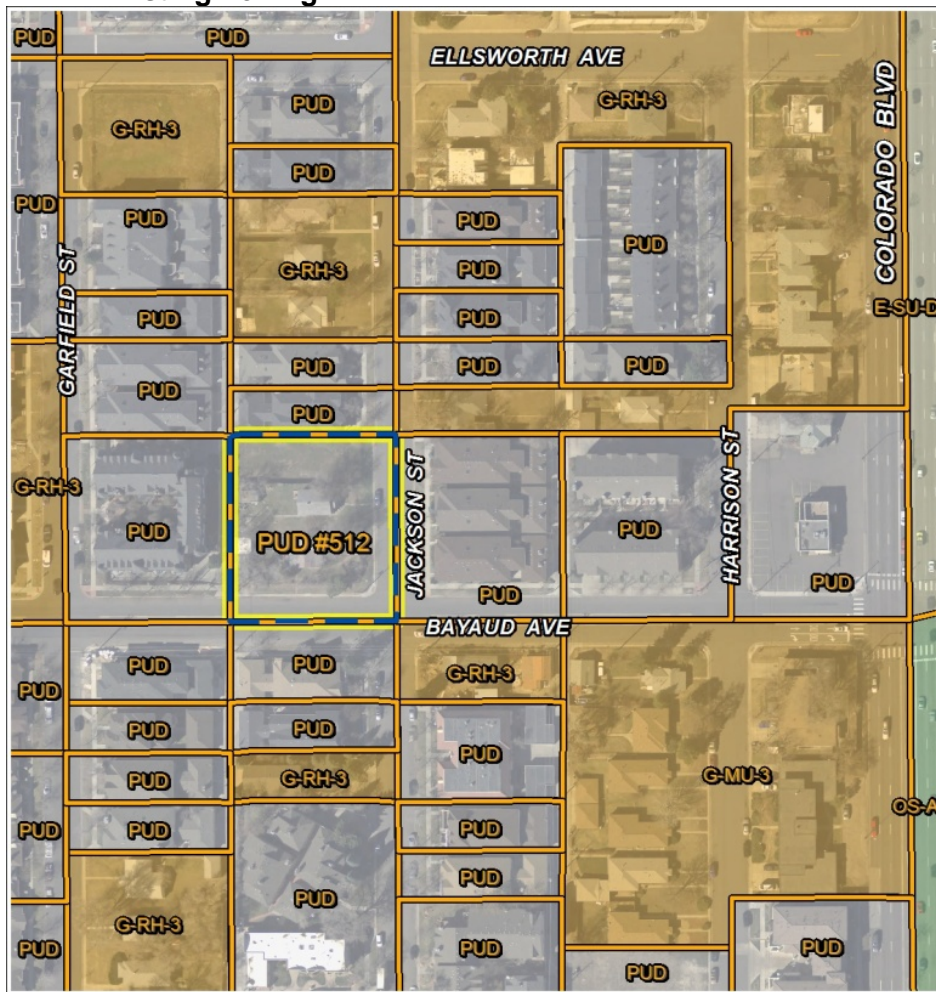
- The applicant proposes changing the zoning to G-RH-3 in order to permit development of town homes that are more current with recent housing trends and construction methods compared to the more narrow design limitations outlined in PUD #512.
- The property is currently two single story residential units on the corner lot bounded by Bayaud Ave. to the south and Jackson St. to the east. Multi-family low rise duplexes and row houses are predominate around the site on all sides, with a few single-family homes along Bayaud Ave and Jackson St.
- The property is currently zoned PUD #512, which allows for a 7 unit row-home building.
- The requested zone district title, G-RH-3, is defined as the **General Urban** Neighborhood Context – **Row House** that allows buildings up to **three (3) stories**. The General Urban Neighborhood Context is 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 forms. Low-scale commercial areas are embedded within residential areas. Further details of the zone districts can be found in Article 6 of the Denver Zoning Code (DZC).

Existing Context

The following table summarizes the existing residential multi-unit context proximate to the subject site:

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	PUD 512	Single Family	1 story buildings	Typical Denver City street grid. Property is currently accessible from a rear alley.
North	PUD	Multi-unit homes	2 story buildings	
South	PUD	Multi-unit homes	2 story buildings	
East	PUD	Multi-unit homes	2 story buildings	
East	PUD	Multi-unit homes	2.5 story building	

1. Existing Zoning



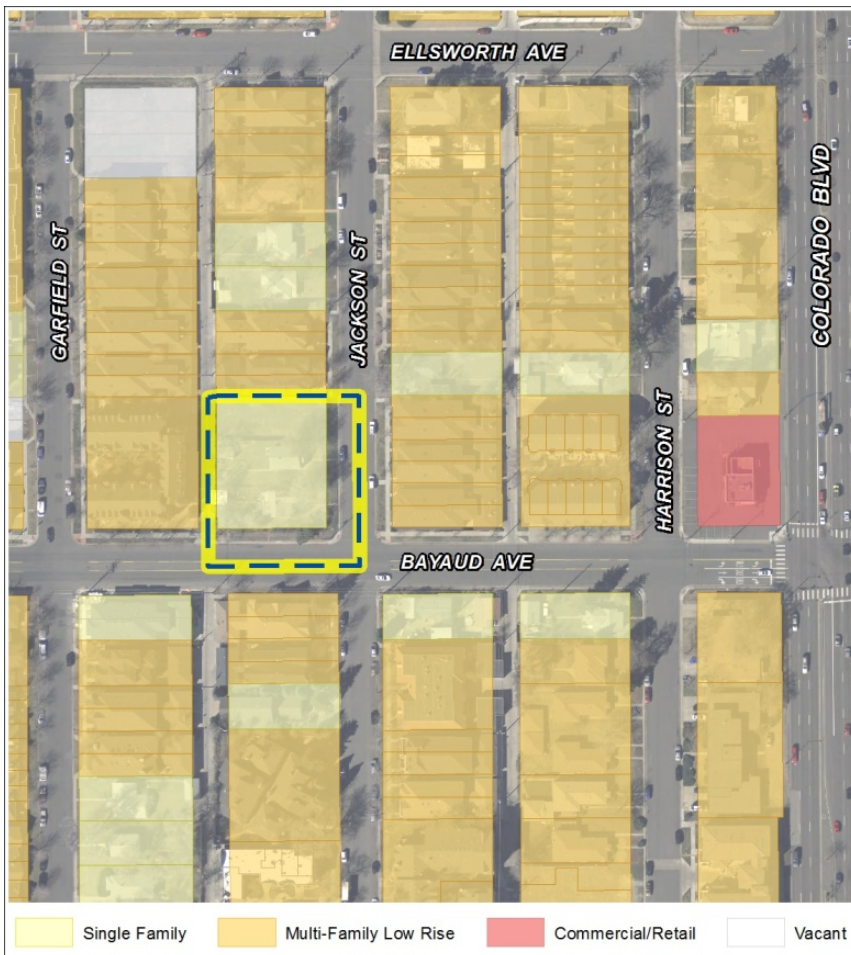
The property is currently zoned PUD 512, a planned unit development approved in 2001 for a specific multi-family development proposal for 7 row-home units.

2. Cranmer Park View Plane



The property lies within the Cranmer Park View Plane, which was established to protect and preserve a panoramic view of the mountains from the park. The view plain establishes a height control for structures that lie within the established view plane area. The approximate maximum height for the property (shown at left with a star) is 102 to 104 ft, which is well above the 35 ft maximum height limit in the proposed G-RH-3 zone district.

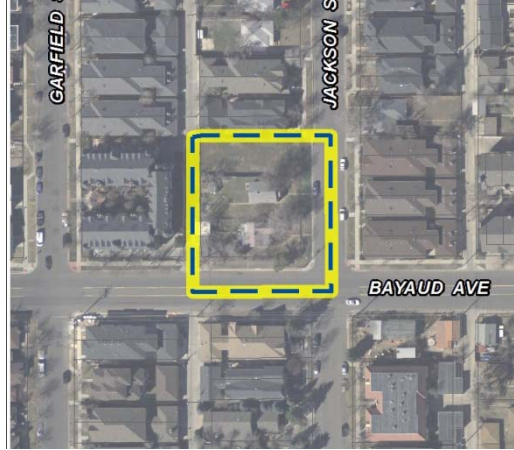
3. Existing Land Use Map



4. Existing Building Form and Scale



Site facing Jackson St.



Site and surrounding built environment



North - facing Jackson St.



East - facing the subject property along Jackson St.



South - along Bayaud Ave.



East - Adjoining the site at the alley and facing Garfield St.

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:

Asset Management: Approved – No comments.

Denver Fire Department: No Comments

Environmental Health: Approved: DEH reviewed the historical use and environmental conditions of the property and has no objection to the requested rezoning.

Development Services – Wastewater: Approved - There is no objection to the rezone, however applicant should be under notice that Public Works will not approve any development of this property without assurance that there is sufficient sanitary and storm sewer capacity. A sanitary study and drainage study may 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. Approval of this rezone on behalf of Wastewater does not state, or imply, public storm/sanitary infrastructure can, or cannot, support the proposed zoning change.

Parks and Recreation: Approved – No Comments

Public Works – City Surveyor: Approved – No Comments

Development Services - Transportation: The applicant should note that redevelopment of this site may require additional engineering, ROW dedication to the City, access changes, traffic studies and/or right-of-way improvements. The extent of the required design and improvements will be determined once this property begins the redevelopment process.

Development Services – Project Coordination: No Comments to present

Public Review Process

- CPD staff provided Informational notice of receipt of the rezoning application to affected members of City Council and registered neighborhood organizations on March 6, 2015.
- Planning Board notification process
 - The property has been legally posted for a period of 15 days announcing the June 3, 2015, Denver Planning Board public hearing, and written notification of the hearing has been sent to all affected registered neighborhood organizations and City Council members.
- City Council

- Following Neighborhood and Planning Committee review on June 24th (noticed on June 10th), the rezoning application will be referred to the full City Council for final action at a public hearing
- Other Public Outreach and Input
 - **Registered Neighborhood Organizations (RNOs)**
 - Cherry Creek East Association (CCEA), Harman Neighborhood Association, Inc., Cherry Creek Steering Committee, Denver Neighborhood Association, Inc., Inter-Neighborhood Cooperation
 - A letter in support of the application was submitted on June 1st by CCEA (see attachment).
 - **Other Public Comment**
 - A representative of CCEA spoke in favor of the application at the Planning Board public hearing, with a request that the City assure that appropriate sidewalk and tree lawn are required when redevelopment under G-RH-3 zoning occurs.

Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.13 and 12.4.10.14, as follows:

DZC Section 12.4.10.13

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and General Welfare

DZC Section 12.4.10.14

1. Justifying Circumstances
2. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

1. Consistency with Adopted Plans

Denver Comprehensive Plan 2000

The proposal is consistent with many Denver Comprehensive Plan strategies, including:

- Environmental Sustainability Strategy 2-F – *Conserve land by promoting infill development with Denver at sites where services and infrastructure are already in place; designing mixed use communities and reducing sprawl so that residents can live, work and play within their own neighborhoods.*
- Land Use Strategy 3-B – *Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses.*
- Neighborhood Strategy 1-F – *Invest in neighborhoods to help meet citywide goals and objectives for a range of housing types and prices, community facilities, human services and mobility.*

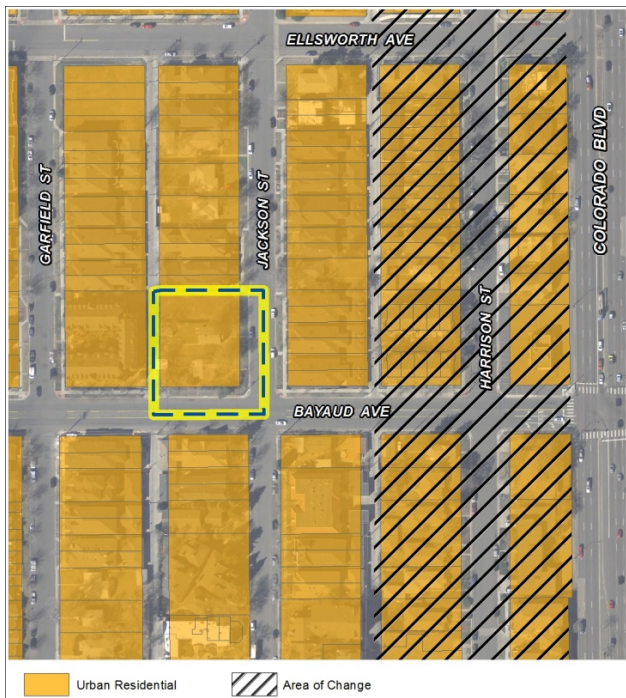
The proposed map amendment will ensure quality infill development consistent with city goals and strategies can occur on this property. The rezoning is consistent with these plan recommendations.

Blueprint Denver

According to the 2002 Blueprint Denver Plan Map, this site had a concept land use of Single-Family Duplex, and Cherry Creek Area Plan updated the land use concept to Urban Residential in 2012. The site is located in an Area of Stability, and Jackson Street has a future street classification of Undesignated Local.

Future Land Use

The Blueprint Denver Future Land Use concept for the site is “Urban Residential” as updated to reflect the recommendations of the Cherry Creek Area Plan that was adopted by City Council in 2012. According to Blueprint Denver, “Urban residential neighborhoods are higher density and primarily residential but may include a noteworthy number of complementary commercial uses”.



2002 Blueprint Denver
Future Land Use Map

Area of Change / Area of Stability

The site is an Area of Stability. Blueprint Denver further divides Areas of Stability into two types, Committed Areas and Reinvestment Areas. Blueprint states that:

Reinvestment areas are neighborhoods with a character that is desirable to maintain but that would benefit from reinvestment through modest infill and redevelopment or major projects in a small area. These areas would encourage investment but in a more limited and targeted way than in Areas of Change. Residents in these areas face a variety of challenges and opportunities. Examples of challenges include concern about deteriorated and poorly maintained housing stock, inappropriate

land uses or inadequate buffering between uses, lack of services such as grocery stores, lack of curbs and gutters and other infrastructure, and maintaining affordable housing (122-123).

The proposed G-RH-3 zoning would promote development of a vacant property, reinvestment into the neighborhood, and ensure a compatible development with adjacent existing land uses and building forms. The predominant land use / building form is multi-unit residential. The rezoning application is consistent with the Blueprint Denver Area of Stability – Reinvestment Area concept.

Street Classifications

The property fronts Jackson Street, an undesignated local street, and Bayaud Avenue, a residential collector street. As collectors and local streets, residential streets are designed to emphasize walking, bicycling and land access over mobility. In both cases, residential streets are intended to be pedestrian oriented, giving a higher priority to landscaped medians, tree lawns, sidewalks, on-street parking and bicycle lanes. The design features of local streets are influenced less by traffic volumes and are tailored more to providing local access.

G-RH-3 is a zone district that only allows residential uses and is consistent with the Blueprint Denver future street classification of Jackson Street as a local street and Bayaud Avenue as a residential Collector Street.

Small Area Plan: *Cherry Creek Area Plan*

- The Cherry Creek Area Plan was adopted by City Council in July 2012, and applies to the subject property. The Plan has individual sections for the various parts Cherry Creek, including Cherry Creek East, where this property is located. Cherry Creek East identified goals for the neighborhood including the rezoning of PUDs and respecting the existing scale. The property contains two vacant single family homes, and is currently zoned as a Chapter 59 PUD that has not developed since it was adopted 14 years ago, and is surrounded by lower-scale multi-unit structures.

Cherry Creek Area Plan Recommendations

- **Reinforce the residential character.** Maintain and enhance the existing character and walkable environment of Cherry Creek East. New development will respect the predominant urban form of detached sidewalks, tree lawns, landscaped block-sensitive setbacks, alley access to structures, limited curb cuts and building entry features that are visible from the street. Land uses should respect existing boundaries between residential and mixed-use areas.

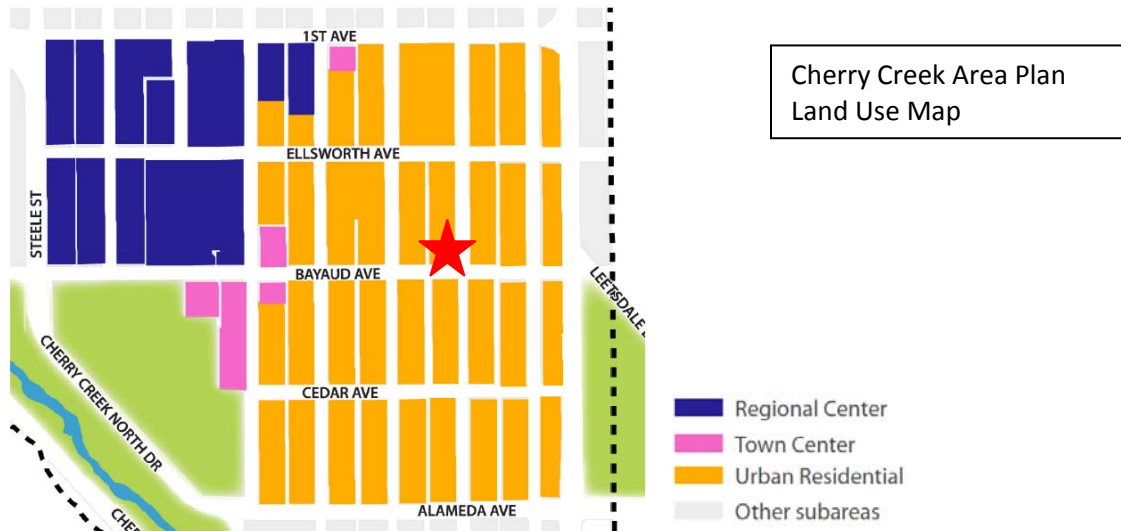
Recommended land use categories are depicted on the future land use map:

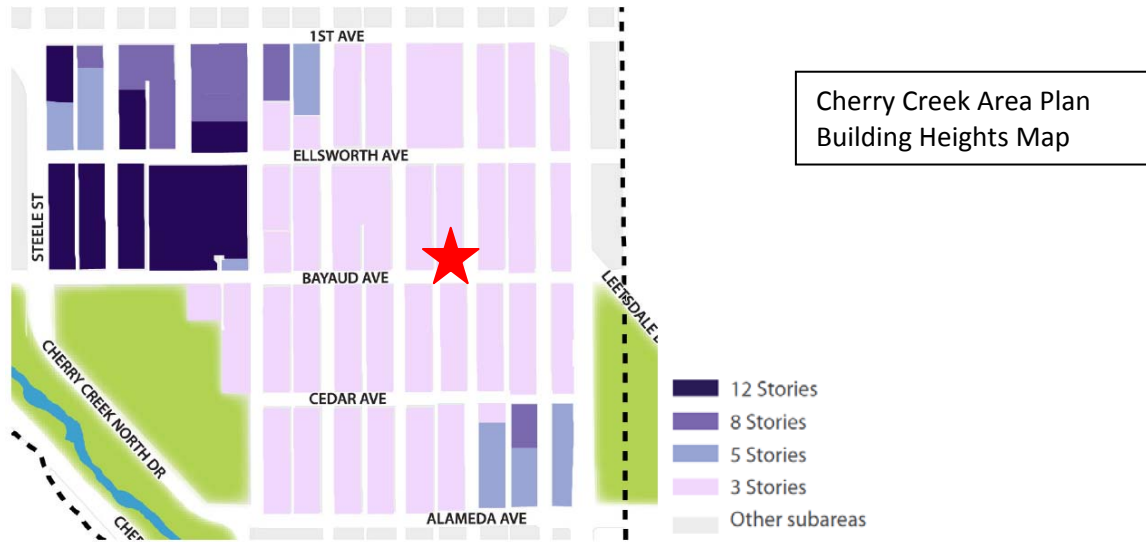
- **Urban Residential.** Continue supporting a variety of housing types including low and mid-rise multifamily, row houses, duplex, single family and accessory dwelling units.
- **Respect the existing scale.** Enhance the existing pattern of development intensity with low scale buildings in the residential areas. Mid-rise buildings may be appropriate near Alameda and Colorado. The mixed-use area between Steele and Madison will remain the most intensely developed portion of the neighborhood, with building heights ranging from 5 to 12 stories, per the maximum building heights map.

- **Rezone PUDs.** As opportunities arise with new development or property owner interest, property owners and neighborhood representatives will work together with the City to determine an appropriate Denver Zoning Code district that serves to implement this plan.

G-RH-3 implements the Small Area Plan in three main areas:

- **Building Heights** – The plan recommends heights up to 3 stories for the property. G-RH-3 allows up to 3 story development, respecting the scale of the existing neighborhood.
- **Land Use** – The plan specifically calls for the Blueprint Denver Map to be Urban Residential in this part of Cherry Creek East. G-RH-3, a zone district that permits the low-scale multi-unit development pattern found in this section of Cherry Creek, and only allows residential uses, is appropriate for the Urban Residential land use concept.
- **Cherry Creek East** states the desire to rezone PUDs “as opportunities arise with new development or property owner interest”.





2. Uniformity of District Regulations and Restrictions

The proposed rezoning from PUD 512 to G-RH-3 will result in the uniform application of zone district building form, use and design regulations. G-RH-3 is found throughout this part of the Cherry Creek neighborhood and is found directly adjacent to the southeast of the subject property.

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the City by implementing recommendations for land use and building heights provided in adopted plans, including the recently adopted Cherry Creek Neighborhoods plan. G-RH-3 is a zone district that allows more flexibility in building multi-unit row-house structures consistent with the vision of Urban residential for this sub-area. New investment will further enhance the neighborhood character, and bring more economic activity and productive use of underutilized property.

4. Justifying Circumstance

The application identifies several changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.14.A.4, "The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area." As discussed above, adopted plan recommendations state that redevelopment of the area is desired and that rezoning within the Cherry Creek East neighborhood to a standard zone district will catalyze redevelopment, providing predictable development standards...This is an appropriate justifying circumstance for the proposed rezoning.

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

The requested G-RH-3 zone district is within the General Urban Neighborhood Context. The neighborhood context is generally 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 forms. Low-scale commercial areas are embedded within residential areas. (DZC, Division 6.1). The proposed rezoning to G-RH-3 is consistent with the neighborhood context description.

According to the zone district intent stated in the Denver Zoning Code, the G-RH-3 district “is a multi unit district allowing urban house, duplex, tandem house and row house building forms.” Row houses are not taller than three stories (DZC Section 6.2.2.2.A).

Staff Recommendation

Based on the analysis set forth above, CPD staff finds that the application for rezoning the property located at 59 South Jackson Street to a G-RH-3 zone district meets the requisite review criteria. Accordingly, staff recommends approval.

Attachments

1. Application
2. CCEA Letter

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	Carol Aronowitz	Representative Name	Kelly Chopin
Address	520 Monroe St	Address	PO Box 40417
City, State, Zip	Denver, CO 80206	City, State, Zip	Denver, CO 80204
Telephone	303-489-3550	Telephone	303-746-7347
Email	carol.aronowitz@gmail.com	Email	kellychopin@gmail.com
<p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p>	
Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	59-75 South Jackson Street Denver, CO		
Assessor's Parcel Numbers:	0512514028000		
Area in Acres or Square Feet:	18788		
Current Zone District(s):	PUD		
PROPOSAL			
Proposed Zone District:	G-RH-3		
Does the proposal comply with the minimum area requirements specified in DZC Sec. 12.4.10.3:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.7</p>	<p><input checked="" type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan.</p> <p>Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</p> <p><input checked="" type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input checked="" type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.8</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</p> <p><input checked="" type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area.</p> <p><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code.</p> <p>Please provide an attachment describing the justifying circumstance.</p> <p><input checked="" type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</p> <p>Please provide an attachment describing how the above criterion is met.</p>
REQUIRED ATTACHMENTS	
Please ensure the following required attachments are submitted with this application:	
<p><input checked="" type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format)</p> <p><input checked="" type="checkbox"/> Proof of Ownership Document(s)</p> <p><input checked="" type="checkbox"/> Review Criteria</p>	
ADDITIONAL ATTACHMENTS	
Please identify any additional attachments provided with this application:	
<p><input checked="" type="checkbox"/> Written Authorization to Represent Property Owner(s)</p>	
Please list any additional attachments:	

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION

We, the undersigned represent that we are the owners of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Property owner representative written authorization? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith Josie Q. Smith</i>	01/01/12	(A)	NO
Carol Aronowitz	520 Monroe Street Denver, CO 80206 (303) 489-3550 carol.aronowitz@gmail.com	100%	<i>Carol Aronowitz</i>	2/19/15	(A)	NO
Kelly Chopin	PO Box 40417 Denver, CO 80204 (303) 489-3550 kellychopin@gmail.com	0%	<i>Kelly Chopin</i>	2/19/15	(A)	YES
Jeffrey Chopin	PO Box 40417 Denver, CO 80204 (720) 837-3817 jeff@foothillsco.com	0%	<i>[Signature]</i>	2/19/15	(A)	YES
					(A)	
					(A)	

Last updated: February 4, 2015

 Return completed form to rezoning@denvergov.org

Legal Description-59-75 South Jackson Street Denver, CO

BURLINGTON CAPITOL HILL ADD B25 L21 TO 26

Denver Property Assessment and Taxation System (3.2.3)

59 S JACKSON ST UNIT -75

Owner	Schedule Number	Legal Description	Property Type	Tax District
ARONOWITZ,CAROL 1199 BANNOCK ST DENVER , CO 80204-3628	0512514028000 PIN 162939923	BURLINGTON CAPITOL HILL ADD B25 L21 TO 26	RESIDENTIAL	DENV

Summary

Style:	ONE-STORY	Reception No:	2012145803	Year Built:	1925
Recording Date:	10/24/2012	Building Sqr. Foot:	692	Document Type:	QC
Bedrooms:	2	Sale Price:	000000000	Baths Full/Half:	1/0
Mill Levy:	83.054	Basement/Finish:	486/486	Zoning Used for Valuation:	GRH
Lot Size:	18,788				

Note: Valuation zoning may be different from City's new zoning code.

Assessment

	Actual	Assessed	Exempt
Current Year			
Land	\$1,019,400	\$81,140	\$0
Improvements	\$2,000	\$160	
Total	\$1,021,400	\$81,300	
Prior Year			
Land	\$1,019,400	\$81,140	\$0
Improvements	\$2,000	\$160	
Total	\$1,021,400	\$81,300	

February 11, 2015

Carol Aronowitz
520 Monroe Street
Denver, CO 80206

Dear Kelly and Jeff,

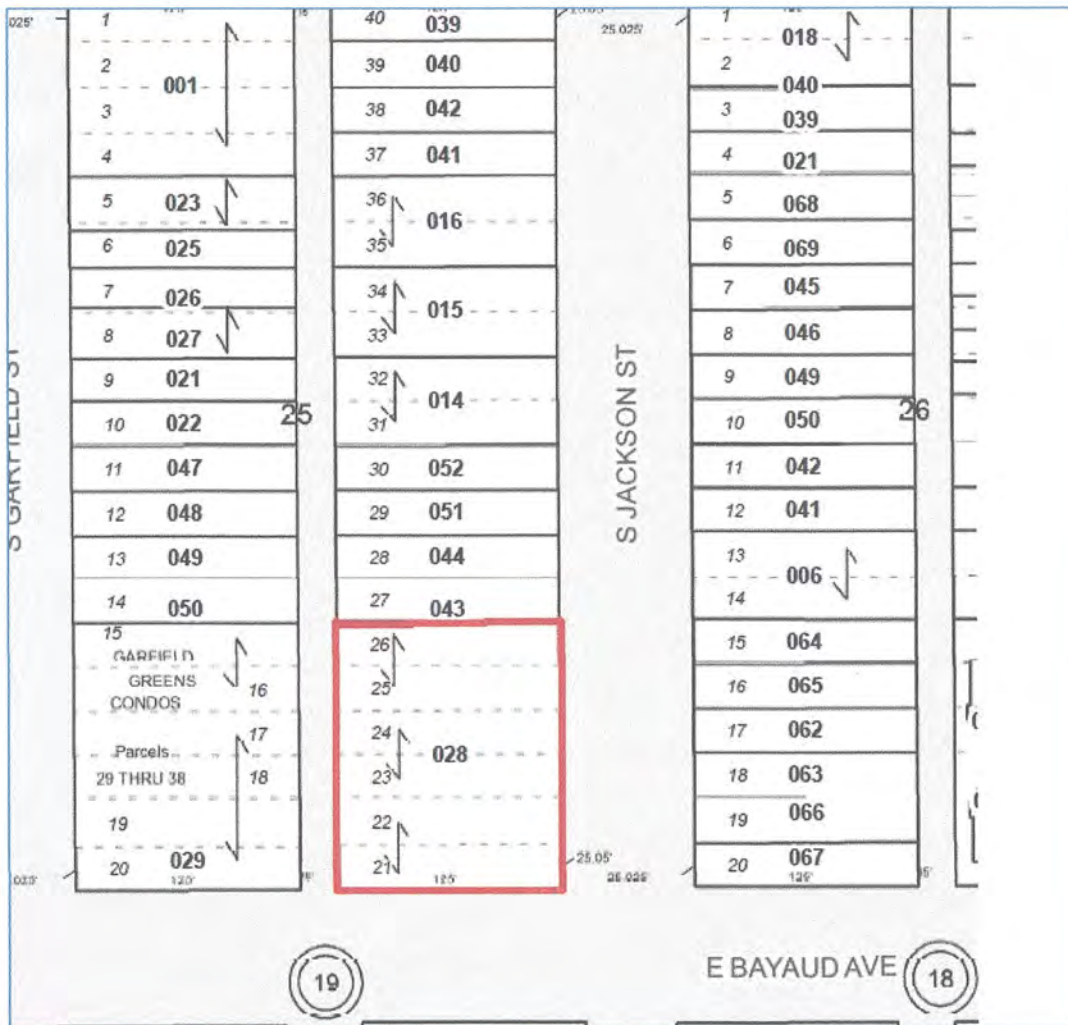
I, Carol Aronowitz, sole owner of 59-75 South Jackson Street, Denver, CO
authorize Kelly Chopin and Jeff Chopin to act as my representatives on my
behalf in the rezoning efforts for the above mentioned property.

Carol Aronowitz

Carol Aronowitz

Zone Map Amendment

59-75 South Jackson Street



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REZONING SUMMARY

Property Address: 59-75 South Jackson Street Denver, CO

Legal Description: BURLINGTON CAPITOL HILL ADD B25 L21 TO 26

Parcel#: 0512514028000

PUD 512, which was approved in February of 2001, granted approval for development of a 7 unit brick row-home project to be built in Cherry Creek East. In the 14 years since the PUD was approved, the type of housing unit demanded by homebuyers has changed drastically. While Cherry Creek East was once comprised mainly of row-home style dwellings, the current market demand is for duplexes and possibly even single family homes. Homebuyer's preferences in architectural design, unit size, and unit layout have changed dramatically in 14 years. Thus, PUD 512 does not provide the flexibility to react to the changing real estate market. Therefore, the property owner wishes to change from a PUD to G-RH-3 zoning to better conform to the surrounding neighborhood and better meet the needs of the community.



CONSISTENCY WITH ADOPTED PLANS

The proposed official map amendment is consistent with the City's adopted plans as follows:

Blueprint Denver (2002)

Cherry Creek was listed as an Area for Change in Blueprint Denver. Blueprint Denver states:

To the north and east of the shopping district, what historically was essentially a single-family residential neighborhood, is being redeveloped with new single-family and multi-family residences, primarily townhomes. The neighborhood vision is to continue redeveloping the area in a manner that focuses on livability and produces a well-integrated blend of residential, regional and neighborhood retail, office, hotel, open space, and public uses in a pedestrian-friendly environment. (p. 134)

The proposed official map amendment would enhance this neighborhood vision by allowing development of well integrated multi-family or single family housing. The proposed map amendment would also provide for development of pedestrian-friendly public right-of-way improvements, which currently do not exist on the parcel.

Cherry Creek Area Plan (2012)

The Cherry Creek Area Plan states:

As a result, small cottage style houses have been replaced with duplexes, row houses, large single family homes, accessory dwelling units and multi-family structures... The majority of the area has PUD or Denver Zoning Code G-RH-3 zoning. Recent development has resulted in a mix of housing types and an urban form that enhances the character of the neighborhood. (p. 70)

The proposed official map amendment of G-RH-3 zoning is consistent with the Cherry Creek Area Plan's vision for the Cherry Creek East neighborhood. The Cherry Creek Area Plan also states:

There are nearly 100 individually adopted PUDs in Cherry Creek East and some of these properties have not been developed. Because PUD zoning typically does not provide the flexibility needed to react to the changing real estate market

and updating a PUD entails a lengthy rezoning process, these unbuilt PUD projects create uncertainty for the owner and community. (p. 71)

The proposed official map amendment would assist in helping solidify the future plans and vision for the Cherry Creek East neighborhood.

Subarea recommendations for Cherry Creek East of the Cherry Creek Plan states:

New development will respect the predominant urban form of detached sidewalks, tree lawns, landscaped block-sensitive setbacks, alley access to structures, limited curb cuts and building entry features that are visible from the street. (p. 72)

The proposed map amendment would provide for development of these items, especially pedestrian-friendly public right-of-way improvements, which currently do not exist on the parcel.

Lastly, subarea recommendation for Cherry Creek East of the Cherry Creek Plan states:

Encourage the reconfiguration of Bayaud to include bike lanes, sidewalks, tree lawns and improved urban design. (p. 73)

The proposed map amendment would provide for development of sidewalks, tree lawns, and improved urban design along Bayaud.

UNIFORMITY OF DISTRICT REGULATIONS AND RESTRICTIONS

The proposed official map amendments would result in regulations and restrictions that are consistent with the surrounding neighborhood. The property is adjacent to two G-RH-3 zoned parcels and PUD's. There are seven parcels zoned G-RH-3 on Jackson Street between Bayaud and Ellsworth. On Jackson Street, between Ellsworth and Bayaud, all the housing units are either duplexes or single family residences. Within one block of the subject property, there have been two different parcels that were PUD's rezoned to G-RH-3. In both circumstances the lots were successfully developed into duplexes which were well received by the neighborhood and homebuyers.



PUBLIC HEALTH, SAFETY AND GENERAL WELFARE

The proposed official map amendment would further the public health, safety, and general welfare of the city because it would allow for redevelopment of buildings that have exceeded their useful lives. Furthermore, the proposed map amendment would provide for infrastructure improvements, such as sidewalks, that would further the health, safety, and general welfare of the community. These public improvements would help improve the pedestrian friendliness of the neighborhood.

ADDITIONAL REVIEW CRITERIA

JUSTIFYING CIRCUMSTANCES

The land and its surroundings have changed and have changed to such a degree that it is in the public interest redevelop the area. While row homes were once the desired housing unit in Cherry Creek East, today's homebuyers want duplexes or single family homes. It is in the public's best interest that the map amendment is approved to encourage the development of this parcel.

Per Section 6.2.2.2 of the Denver Zoning Code, "G-RH-3 is a multi unit district allowing urban house, duplex, and row house building forms. Row houses are not taller than three stories." The proposed map amendment is consistent with the description of the neighborhood context, and with the stated purpose and intent of the proposed Zone District.

COMMUNITY OUTREACH

At the time of this application, we have met with the following members of the community:

- Councilwoman Jeanne Robb
- Susan Smernoff, President of Cherry Creek East Association
- Board of Directors, Cherry Creek East Association

Feedback for the proposed map amendment has been positive thus far, with the Cherry Creek East Association giving us their support in this zone map amendment.

ATTACHMENTS

- Rezoning Application
- Legal Description
- Proof of Ownership Documents
- Written Authorization to Represent Property Owner

June 1, 2015

City and County of Denver
City Council, District 10
Denver Planning Board
Denver, CO 80202

Dear Councilwoman Robb and Denver Planning Board Members,

**Subject: Cherry Creek East Association Position Statement
Request for Rezoning – 59-75 South Jackson Street**

Application Number	#2014I-00090
Location	59-75 South Jackson Street
Current Zoning	PUD #512 (18,788 square feet)
Proposed Zoning	G-RH-3
RNO	Cherry Creek East Association (CCEA)
RNO Contact Name	Susan Smernoff
Contact Address	240 South Madison Street
Contact E-mail Address	ssmernoff@gmail.com
Date Submitted	June 1, 2015

As required by DRMC Section 12-96, a meeting of the above reference RNO was held on February 18, 2015. The CCEA Board of Directors voted to unanimously support the application with the following comments.

The Board met with the property owner's representative, Kelly Chopin and discussed the current status of the property and proposed uses. This property is located in the residential heart of the CCEA neighborhood. Presently on the property are three older unoccupied single-family homes. Ms. Chopin indicated that with the G-RH-3 zoning, the property owner intends to raze the existing structures and construct three duplexes. Ms. Chopin indicated the property owner's intent to review the conceptual and final building designs with the Board.

The Board felt the G-RH-3 zoning would result in a more desirable development than PUD 512. The new G-RH-3 zoning is in conformance with the Cherry Creek Area Plan and other adopted plans. G-RH-3 zoning would result in new housing that is a good form and context fit with newer development on nearby parcels.

During the development review process, CCEA requests that five-foot detached sidewalks be required per policy statements in the Cherry Creek Area Plan.

Best regards,

Susan Smernoff, President
Board of Directors, CCEA