



**DENVER**  
THE MILE HIGH CITY

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[www.denvergov.org/planning](http://www.denvergov.org/planning)

**TO: Denver Planning Board**  
**FROM: Chris Gleissner, Senior City Planner**  
**DATE: March 2, 2011**  
**RE: Zoning Map Amendment Application #2010I-00024**  
**14th Avenue and Pennsylvania Street**  
**Rezoning from G-MU-5 UO-3 to G-RO-5**

**Staff Report and Recommendation**

Based on the criteria for review including legal basis evaluation and compliance with adopted City plans, Staff recommends approval for Application #2010I-00024 for a rezoning from G-MU-5 UO-3 to G-RO-5.

**I. Scope of Rezoning**

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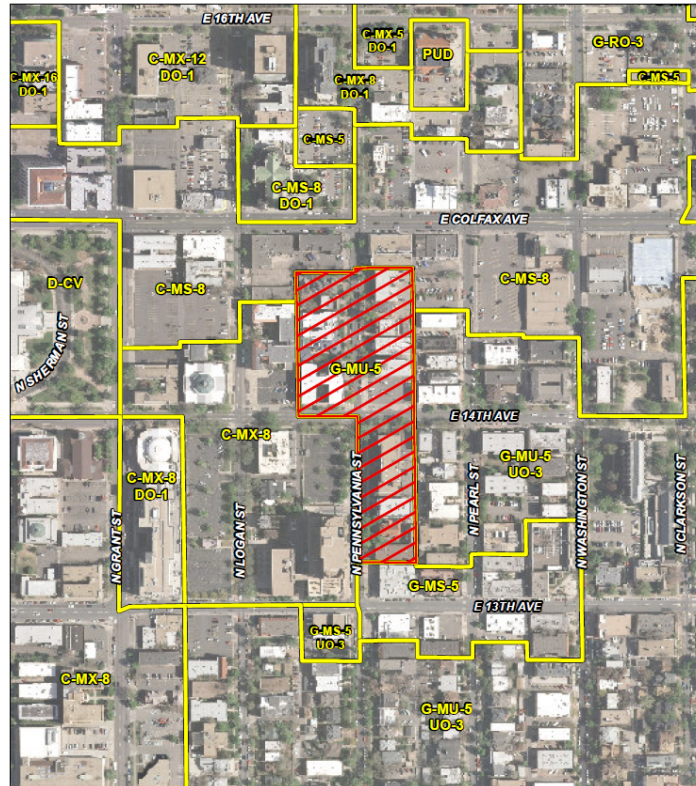
Application:	<b>#2010I-00024</b>
Address:	14 <sup>th</sup> Avenue and Pennsylvania Street
Neighborhood/Council District:	Capitol Hill / Council District #10
RNOs:	Colfax Business Improvement District, Northeast Community Congress for Education, Points Historical Redevelopment Corp, Uptown Alliance, Unsinkables, Inc, Colfax on the Hill, Inc., Cultural Arts Residential Organization (CARO), Capitol Hill United Neighbors, Inc, ; Inter-Neighborhood Cooperation
Area of Property:	148,845 SF/3.42 Acres
Current Zoning:	G-MU-5
Proposed Zoning:	G-RO-5
Sponsor:	Councilwoman Robb

**II. Summary of Proposal**

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The subject site is located near the intersection of 14<sup>th</sup> Avenue and Pennsylvania Street (see attached map). The location is within the Capitol Hill Neighborhood and is surrounded by, and includes, a mix of residential and commercial structures. Colfax Avenue is along the north of the site including Retail, Residential and Commercial uses. Included within the boundaries of this proposed rezoning are the Salvation Army at 1370 Pennsylvania and the Molly Brown House Museum at 1340 Pennsylvania.

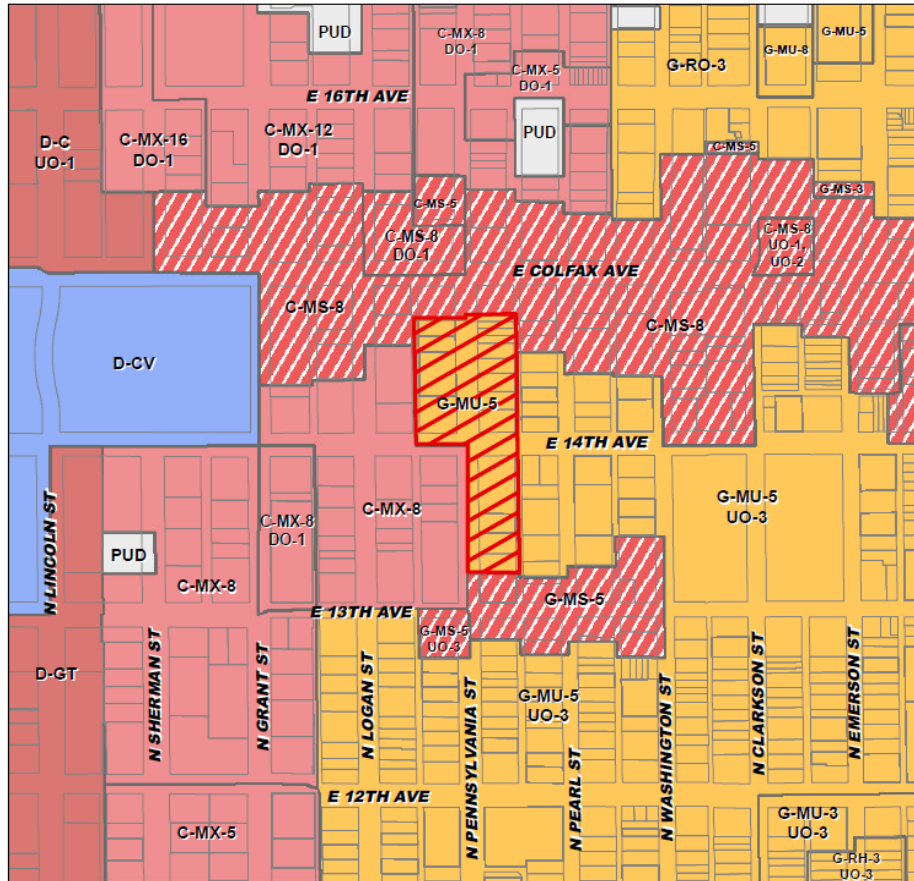
This proposed rezoning will replace the existing G-MU-5 with the G-RO-5 zone district, better reflecting the mixture of uses as well as the previous R-4 zone district. The G-RO-5 district was created to reflect the distinct mix of uses within the R-4 zone district and will better suit the existing uses.



The site is located near the intersection of 14<sup>th</sup> Avenue and Pennsylvania.

### III. Existing Context

	Existing Zoning	Existing Land Use	Blueprint Denver
<b>Site</b>	G-MU-5	Mix of Commercial and Residential Uses	Area of Stability Urban Residential
<b>North</b>	C-MS-8	Mix of Commercial and Residential Uses	Area of Change Pedestrian Shopping Corridor
<b>South</b>	C-MX-8 and G-MS-5	Mix of Commercial and Residential Uses	Area of Stability Pedestrian Shopping Corridor
<b>West</b>	C-MX-8	Mix of Commercial and Residential Uses	Area of Stability Urban Residential and Pedestrian Shopping Corridor
<b>East</b>	G-MU-5 UO-3	Primarily Multi-Unit Residential	Area of Stability Urban Residential



The site is surrounded by a mixture of mid-rise multi-unit residential and commercial mixed use structures. The local block pattern consists primarily of traditional grid patterns utilizing alleys for access.

#### IV. Summary of Agency Referral Responses

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This rezoning has been reviewed concurrently within the context of the Denver Zoning Code and other applicable City Codes as utilized by the referral agencies listed below.

Asset Management:	Approve – No Comments Received
Denver Fire Department:	Approve – No Comments Received
Denver Parks:	Approve – No Comments Received
DES-Transportation:	Approve – No Comments Received
DES-Wastewater:	Approve – No Comments Received

#### V. Legal Justification

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##### Legislative Rezoning

Rezoning to G-RO-5 will better match the current mix of land uses and maintain the use entitlements allowed under the previous R-4 zone district.

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## VI. Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application include conformance with adopted regulations, and with the Comprehensive Plan and applicable supplements. Applicable documents are as follows:

- *Denver Zoning Code*
- *Denver Comprehensive Plan 2000*
- *Blueprint Denver*
- *Capitol Hill/Cheesman Park Plan*
- *East Colfax Plan*

### A. **Denver Zoning Code – Compliance with Map Amendment Criteria in Sec. 12.4.10.13 (General Review Criteria Applicable to All Zone Map Amendments)**

As proposed, rezoning #2010I-00024 is consistent with the criteria outlined within Denver Zoning Code Section 12.4.10.13.

**Consistency with Adopted Plans:** Rezoning #2010I-00024 implements and is consistent with recommendations in adopted plans.

**Uniformity of District Regulations and Restrictions:** Rezoning the site to G-RO-5 will result in regulations and restrictions that are uniform for each kind of building throughout the zone district.

**Public Health, Safety and General Welfare:** The proposed map amendment furthers the public health, safety and general welfare of the City.

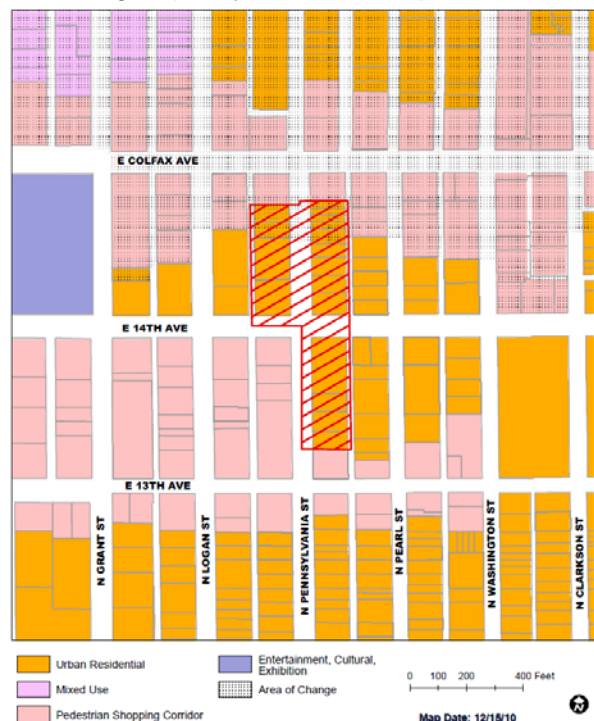
### B. **Denver Comprehensive Plan 2000**

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

- Land Use chapter, Strategy 3-B is to *“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.”*
- Mobility chapter, Strategy 4-E to *“Continue to promote mixed-use development, which enables people to live near work, retail and services.”*

### C. **Blueprint Denver**

Blueprint Denver, the City’s Land Use and Transportation Plan, identifies the property as being within an Area of Stability with a land use recommendation for Urban Residential.



Urban residential neighborhoods are higher density and primarily residential but may include a noteworthy number of complementary commercial uses. Typically, there is a larger housing base than employment base, built in a mixture of housing types including single-family homes, townhouses, small multi-family apartments and sometimes high-rise structures.

The G-RO-5 designation is a primarily residential designation but allows for limited commercial uses within the district. Based on the surrounding context, existing land uses and Urban Residential designation, the G-RO-5 zone district is consistent with the Blueprint Denver land use recommendation.

**D. Capitol Hill/Cheesman Park Plan**

The Capitol Hill/Cheesman Park Plan identifies this location as part of the Capitol District. The vision for the District is a desirable, well maintained medium density residential, office and retail area. 13<sup>th</sup> Avenue is identified as the commercial district and should be reinforced as such.

Rezoning this location to G-RO-5 is consistent with the vision of the Capitol Hill/Cheesman Park Plan and will reinforce the goals and objectives of the plan.

**E. East Colfax Plan**

A portion of the proposed rezoning is contained within the Capitol Village District identified within the East Colfax Plan. This district identifies the site as primarily residential but with a tolerance for a blend of uses streaming down from the Colfax Corridor. As identified, this location is viewed as ripe for higher intensity infill development that will blend in with the current eclectic character of the district.

Specifically, the plan calls for implementing zone districts that allow for high density multi-family residential development with limited accessory commercial uses. Rezoning this site to G-RO-5 will be consistent with the recommendations contained within the East Colfax Plan.

**VII. Planning Board Recommendation**

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Planning Board reviewed legislative rezoning #2010I-00024 at their regularly scheduled meeting on March 2, 2011. Planning Board voted 9-0 to recommend approval of this legislative rezoning.

**VIII. Staff Recommendation**

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Based on the criteria for review as defined above, Staff recommends **approval** for rezoning the property located at 14<sup>th</sup> Avenue and Pennsylvania Street (Application #2010I-00024) to G-RO-5.

**Attachments:**

1. Application
2. Map Series - Aerial, Zoning, Blueprint Map)





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**OFFICIAL MAP AMENDMENT—LEGISLATIVE REZONING**

<b>Log #</b>	2010I-00024	<b>Date Submitted</b>	12.13.10	<b>Fee Required</b>	N/A - Legislative	<b>Fee Paid</b>	
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LEGISLATIVE SPONSOR		CONTACT INFORMATION (Same as Applicant? X)	
<b>Name</b>	Councilwoman Jeanne Robb	<b>Contact Name</b>	
<b>Address</b>	1232 E Colfax Avenue	<b>Address</b>	
<b>City, State, Zip</b>	Denver, CO 80218	<b>City, State, Zip</b>	
<b>Telephone / Fax</b>	303.377.1807	<b>Telephone / Fax</b>	/
<b>Email</b>	jeanne.robbs@denvergov.org	<b>Email</b>	

**Subject Property Location (Please Include Assessor's Parcel Number[s])**

The subject properties are located at 14<sup>th</sup> and Pennsylvania and described further as:

**Legal Description of Subject Property (Written description and map if more than one block or metes and bounds)**

A portion of the J.W. Smith's Addition to Denver, located in the NW ¼ of the NW ¼ of Section 3, Township 4 South, Range 68 West of the 6<sup>th</sup> P. M., City and County of Denver, State of Colorado, more particularly described as follows:

- Block 81  
All of Lots 21 through 35 and the South 15 Feet of Lot 36
- Block 82  
All of Lots 5 through 20
- Block 83  
All of Lots 1 through 16

Area of Subject Property (Acres/Sq Ft)	Present Zone District	Proposed Zone District
148,845 SF/3.42 Acres	G-MU-5	G-RO-5

<b>General Review Criteria (DZC Sec. 12.4.10.13):</b> Check whether the application complies with the criteria at right and describe in detail below	<b>Consistency with Adopted Plans or Unanticipated Need (Describe below)</b>	<b>X</b>
	<b>Uniformity of District Regulations and Restrictions</b>	<b>X</b>
	<b>Public Health, Safety and General Welfare</b>	<b>X</b>

**Describe relevant adopted plans and how proposed official map amendment (rezoning) is consistent with plan recommendations; alternately, describe how the rezoning is necessary to provide for an unanticipated community need.**

This rezoning is consistent with both the Capitol Hill/Cheesman Park Plan and the East Colfax Plan.

<b>Justifying Circumstances for non-legislative rezonings (DZC Sec. 12.4.10.14):</b> Indicate justifying circumstances for the Official Map Amendment at right and describe in detail below (change to match code delineation)	<b>Existing zoning was the result of an error</b>	N/A
	<b>Existing zoning was based on a mistake of fact</b>	N/A
	<b>Existing zoning failed to take into account constraints on development created by the natural characteristics of the land</b>	N/A
	<b>Land or its surroundings has changed or is changing to a degree that rezoning is in the public interest</b>	N/A
	<b>Overlay: No Overlay existing or proposed</b>	
	<b>Neighborhood Context: General Urban Neighborhood Context comprised of a multitude of building forms with a mix of residential and commercial uses.</b>	

**Describe the justifying circumstance(s) for the rezoning.**

Rezoning to G-RO-5 will better match the current mix of land uses and better maintain the use entitlements allowed under the previous R-4 zone district.

**List Exhibits Attached to Application.**

Case Manager Chris Gleissner, Senior City Planner

Legislative Sponsor Signature

Date

**APPLICANT INFORMATION**

Log Number

Applicant's Name

Property Address(es)

Section 12.4.10 of the Denver Zoning Code requires that an applicant for a standard rezoning (not a PUD or rezoning with waivers or conditions) have an ownership interest in the property subject to the application or written evidence that the applicant represents the property owner. If the property subject to the application has more than one property owner, the applicant must submit a petition demonstrating that owners of at least 51 percent of the total area of the zone lots subject to the application support initiation of the application.

Applicant Signature

Date

Indicate the form of interest in the property, and the amount held by the individual or entity listed as "applicant" above:

Fee Title Owner (Has Deed of Ownership):

All

If not all, submit required attachment(s)

**Required Attachments:**

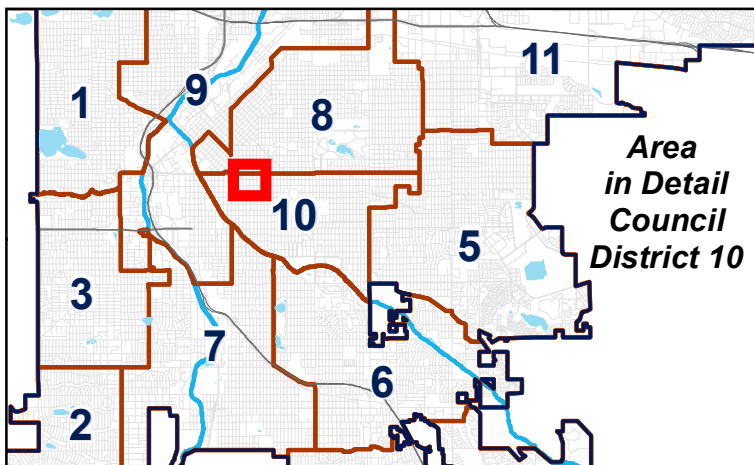
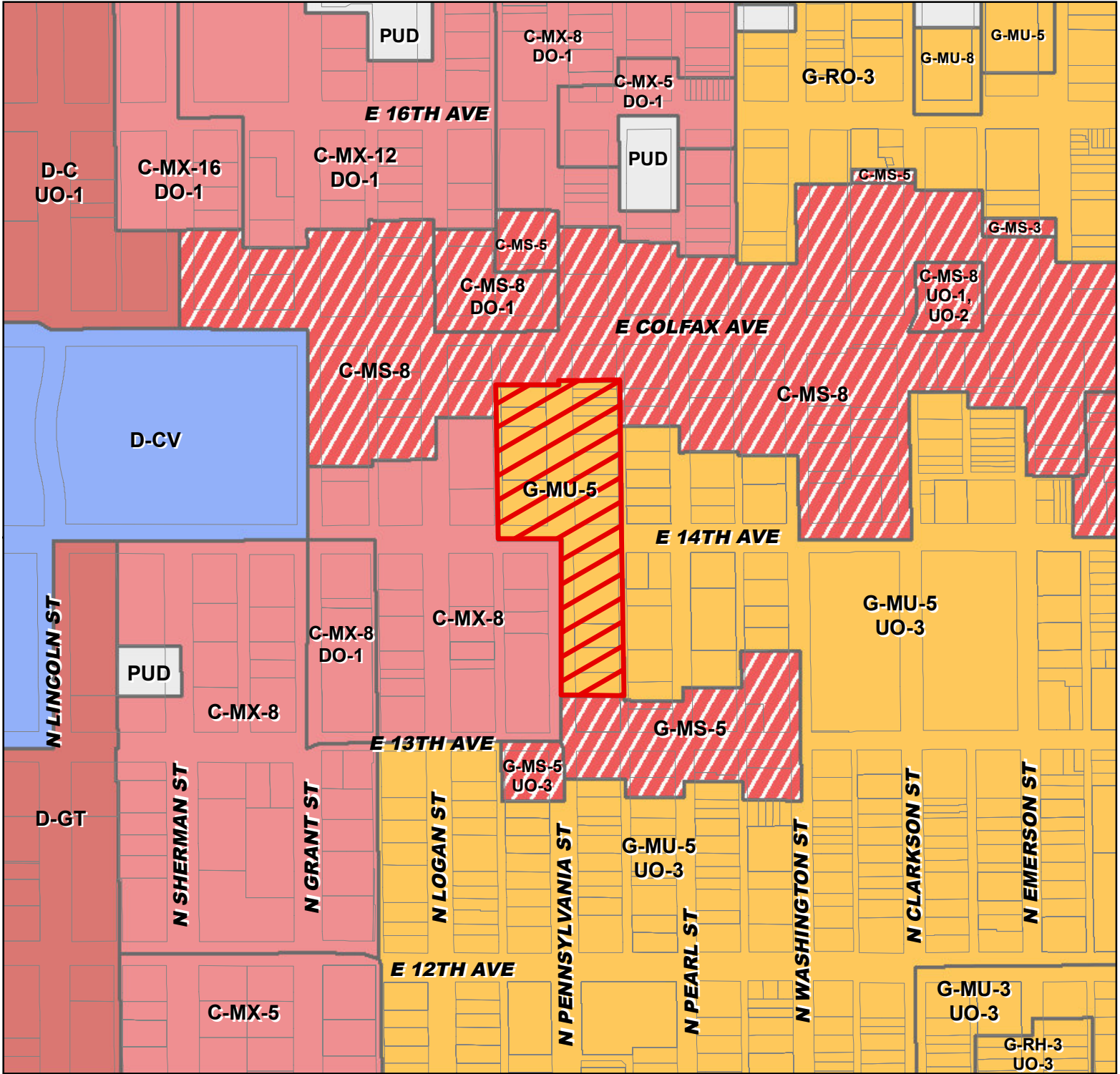
1. If applicant is not a property owner, Power of Attorney or "written evidence of authority" to be the applicant on behalf of the owner.
2. A petition demonstrating that owners of at least 51% of the total area of the zone lots subject to the application support initiation of the application.

Signature of Applicant

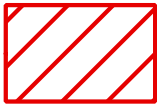
Date Signed


Add authorization form to application – template letter for owner authorization for applicant to submit

# Pending Zone Map Amendment #2010I-00024



Application #2010I-00024  
 Location: 14th Ave. and Pennsylvania St.

 Proposed Rezoning  
 From: G-MU-5  
 To: G-RO-5

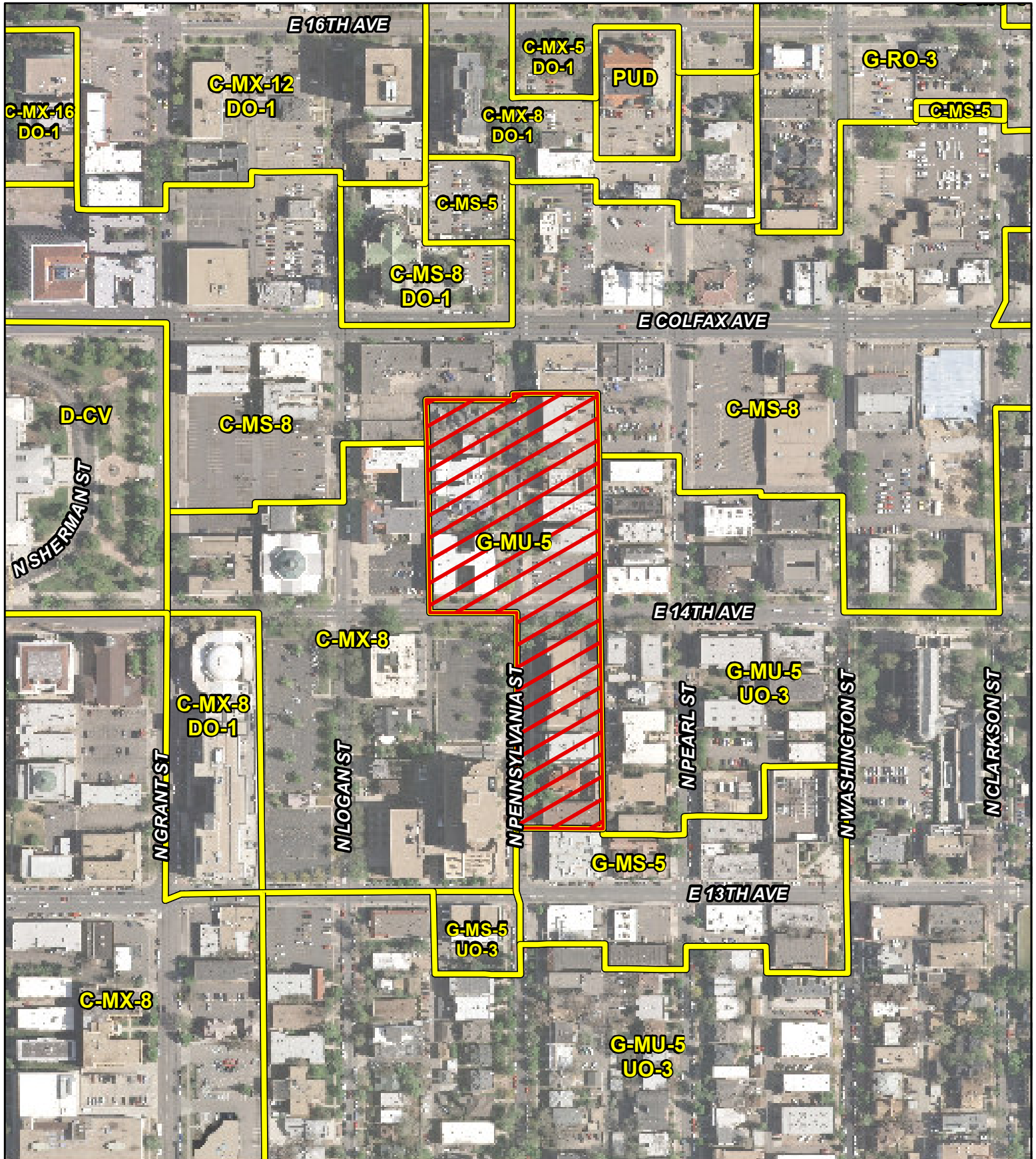
 0 200 400 800  
 Feet

Map Date: 12/15/10



# Pending Zone Map Amendment - Aerial & Zoning Overlay

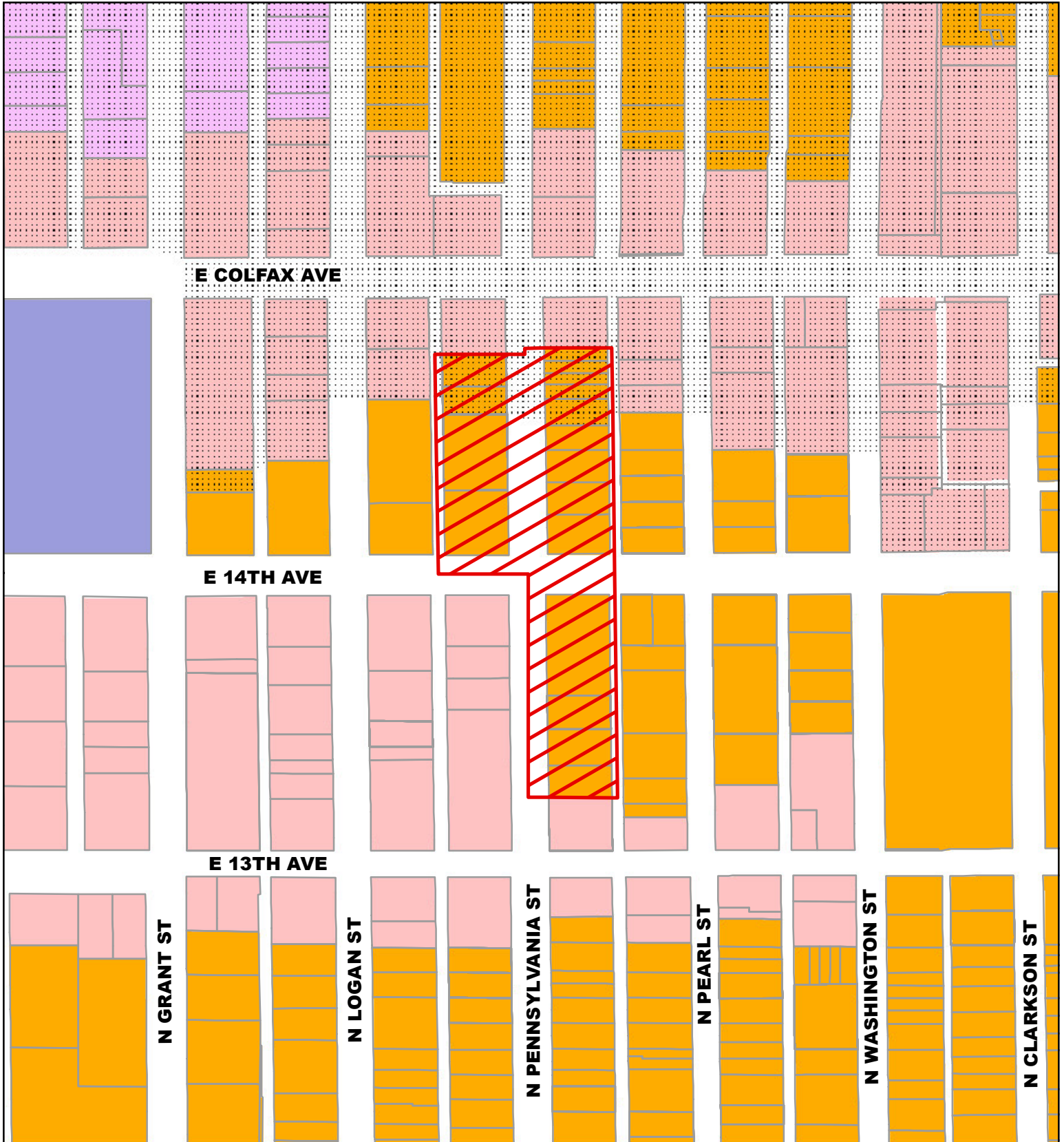
 Application #2010I-00024



# Pending Zone Map Amendment - Blueprint Denver Overlay



Application #2010I-00024



Urban Residential



Entertainment, Cultural, Exhibition



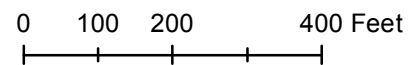
Mixed Use



Area of Change



Pedestrian Shopping Corridor



Map Date: 12/15/10

