



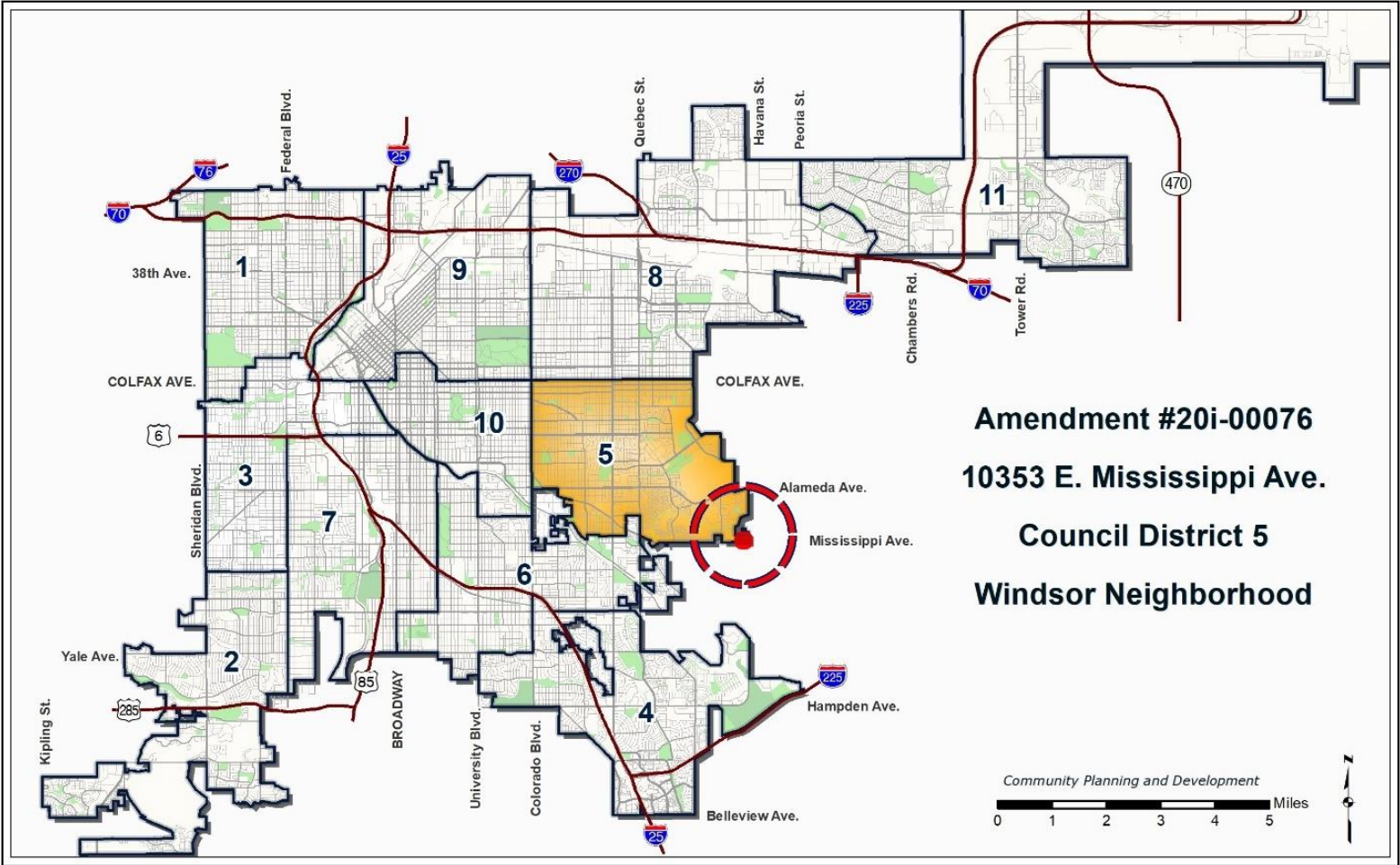
10353 E Mississippi Avenue

Request: From B-1 with conditions to S-MX-3

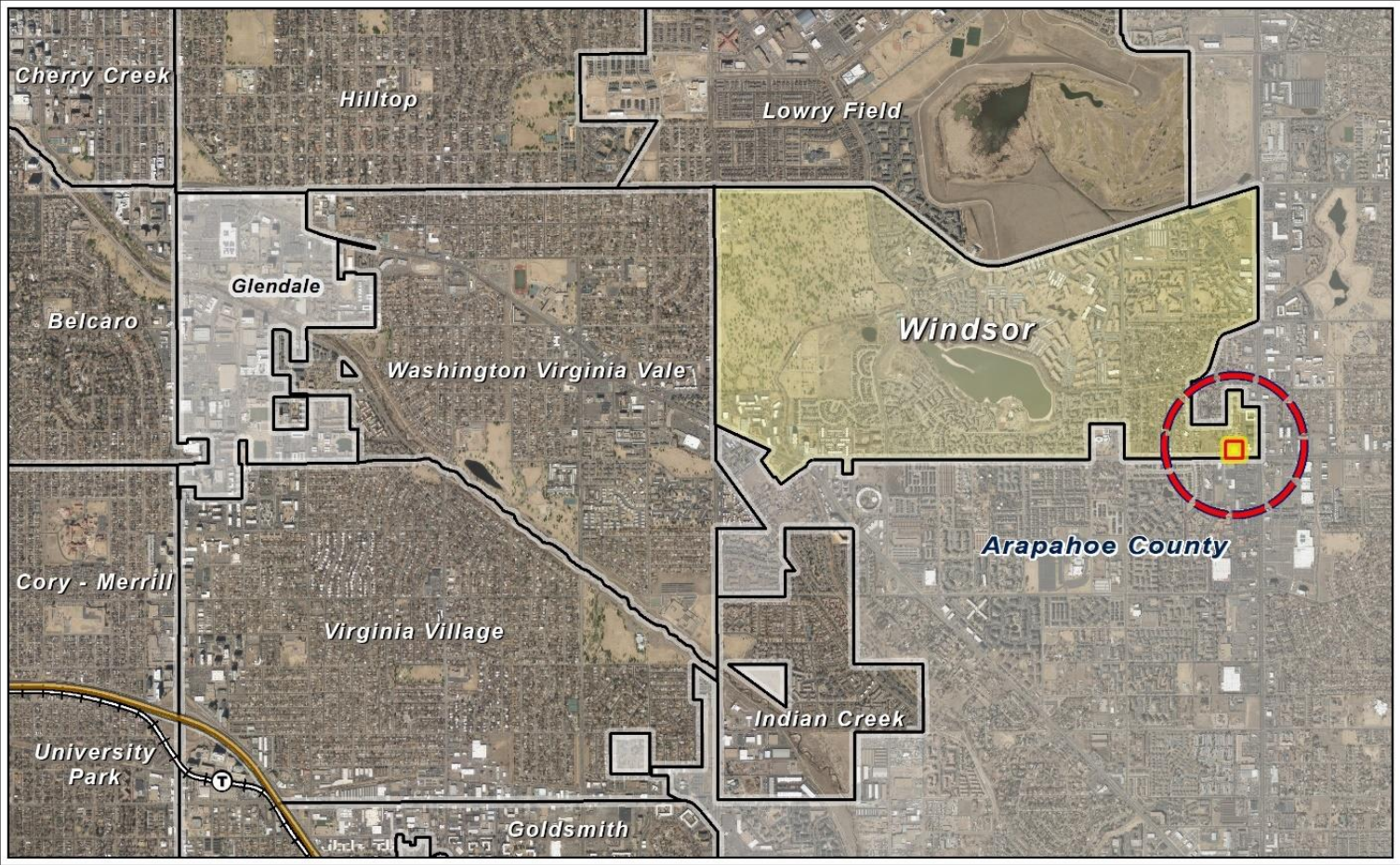
Date: 06/07/2021

#20I-00076

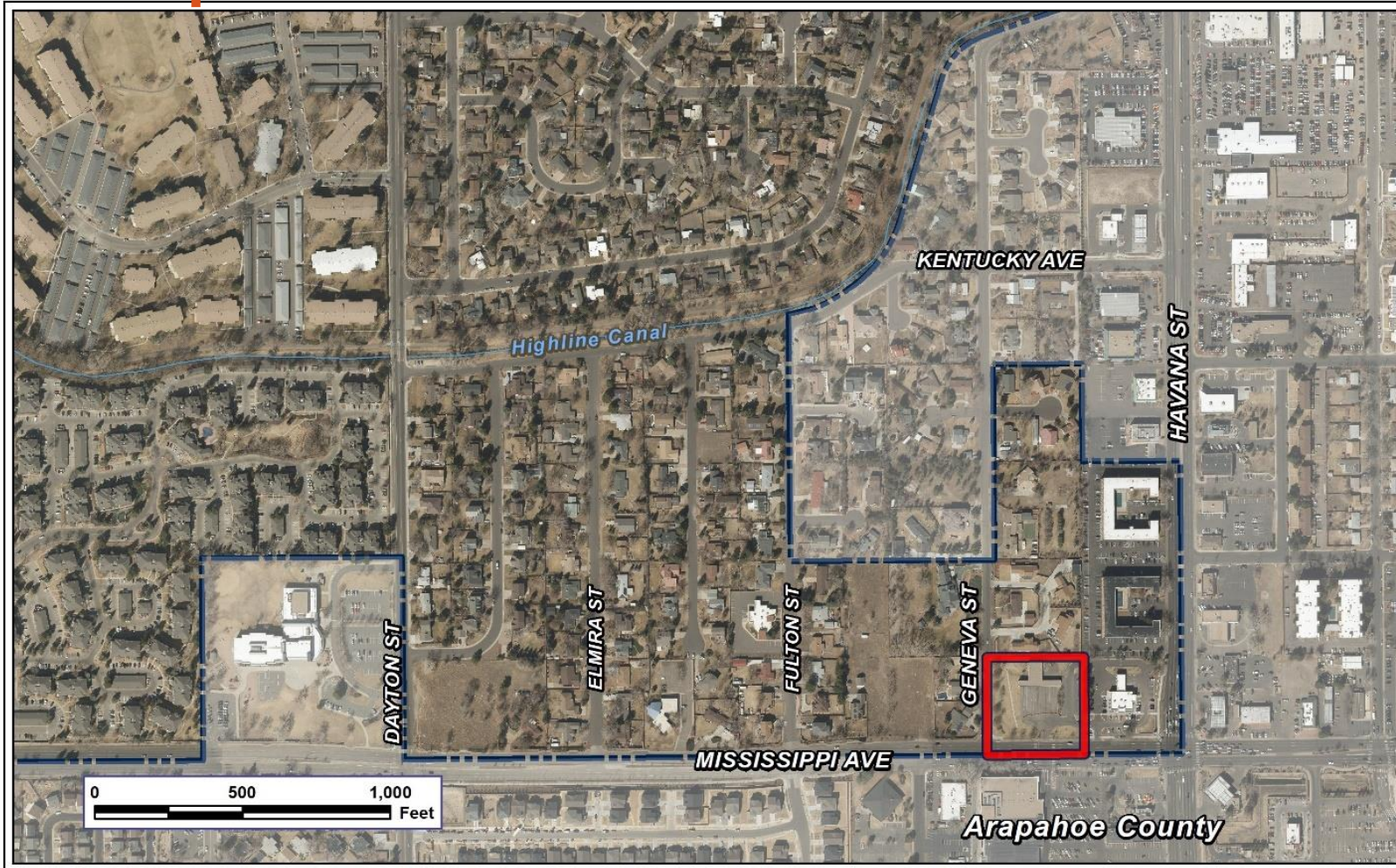
Council District 5 – Councilmember Sawyer



Statistical Neighborhood – Windsor



Request: S-MX-3



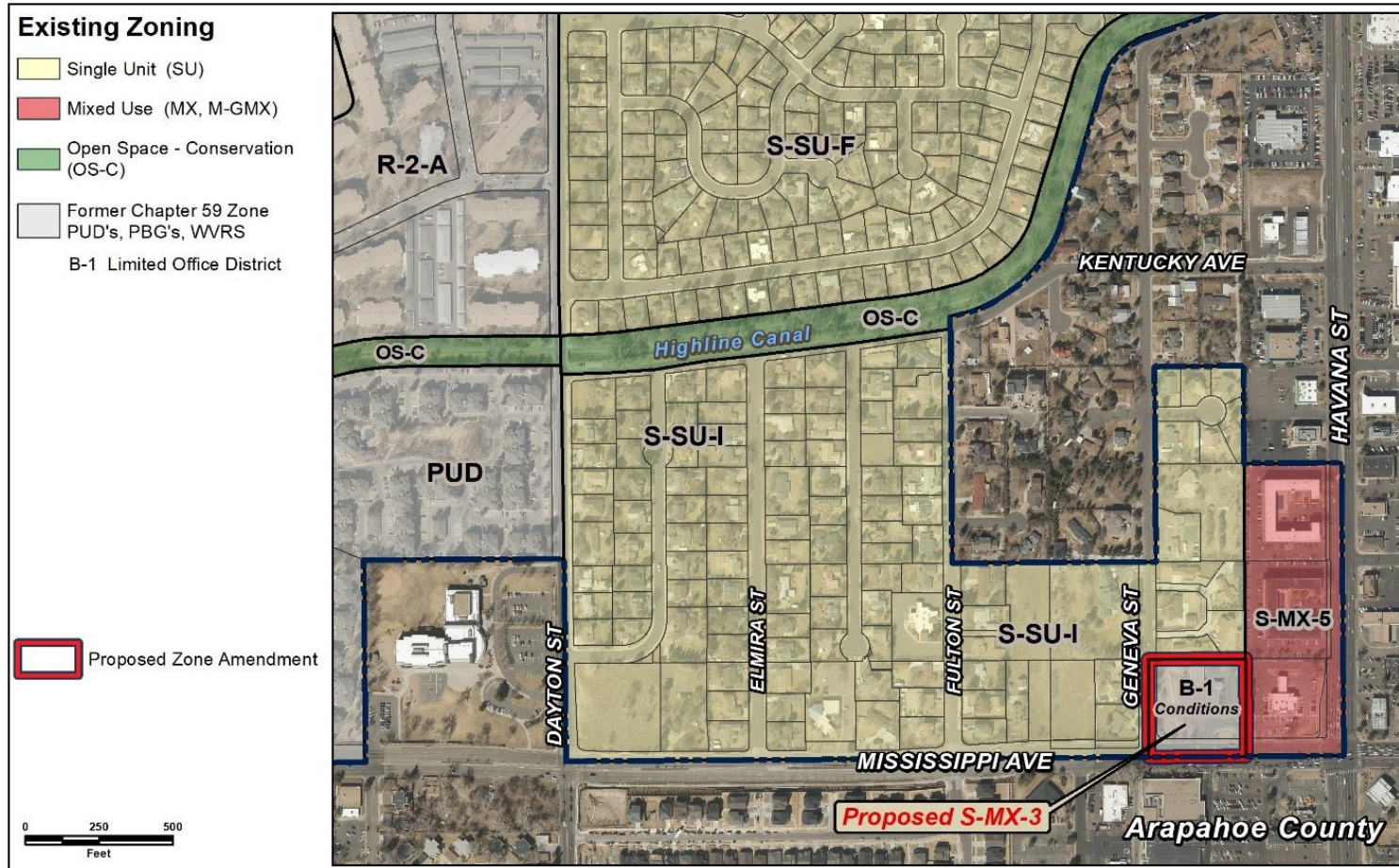
- **Subject Site:**
 - Approx. 1.86 acres
 - Vacant drive-through ATM
- **Proposal:**
 - Rezoning to S-MX-3 to facilitate redevelopment
- **Request:**
 - Suburban Neighborhood Context – Mixed Use – 3 stories maximum height
 - Allows a mix of uses
 - Allows Drive Thru Services, Drive Thru Restaurant, General, and Shopfront building forms

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

Prior Rezoning Requests on this site

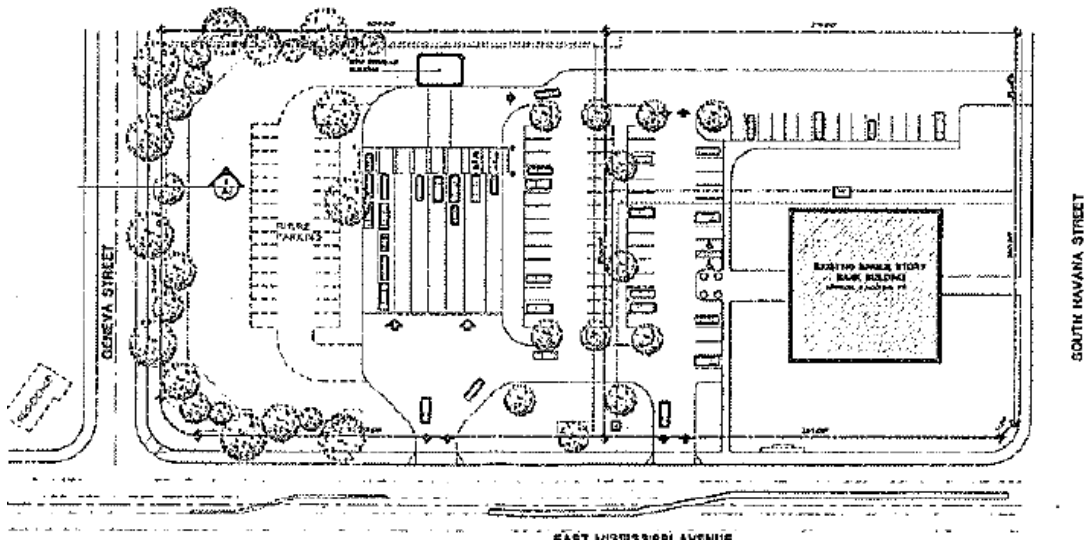
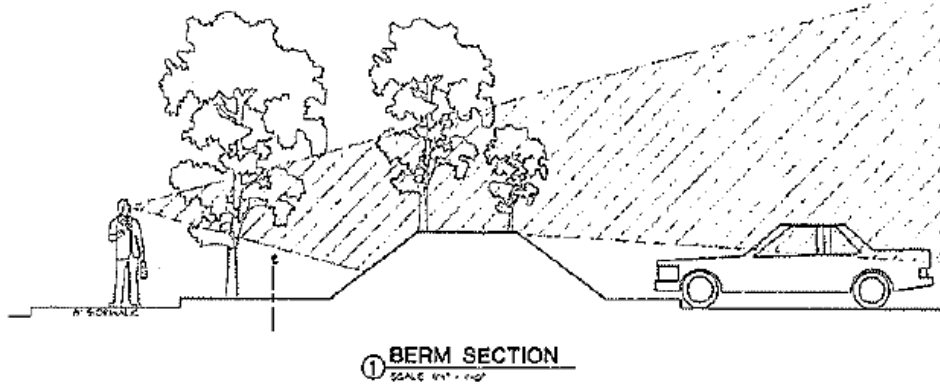
- 2018 Application
 - Staff recommended approval
 - Planning board voted 6-2 to recommend denial
 - Applicant withdrew after Planning Board
- 2019 Application
 - Staff recommended approval
 - Planning board made “no recommendation”
 - Applicant withdrew before City Council

Existing Zoning



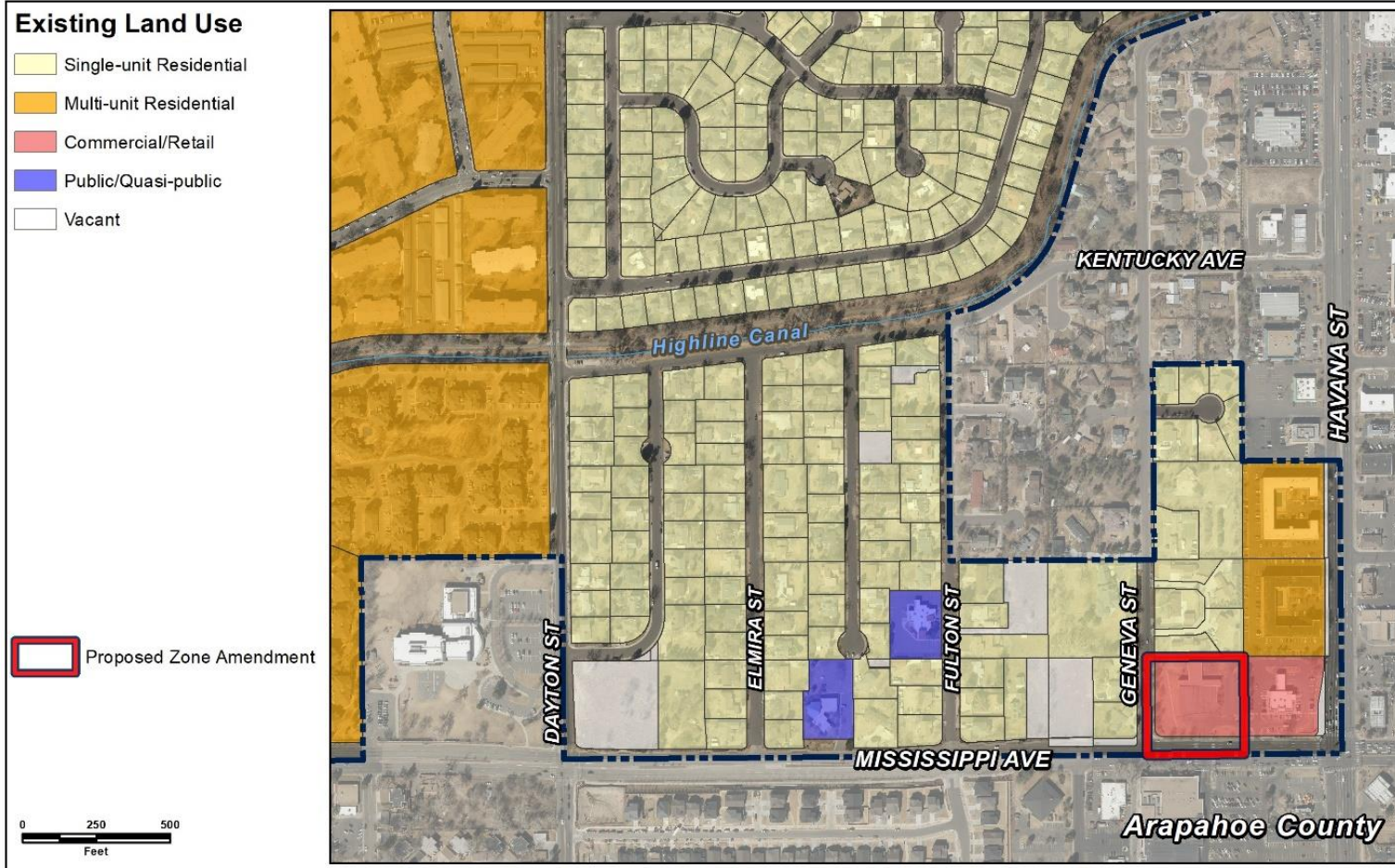
- Current Zoning: B-1 with Conditions
- Adjacent Zoning: S-SU-I (protected district), S-MX-5, Arapahoe County (B-4)

Existing Zoning



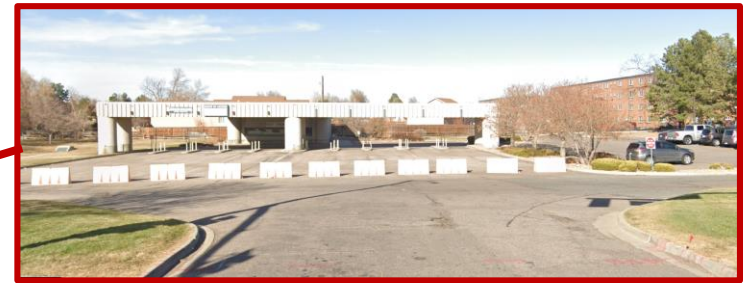
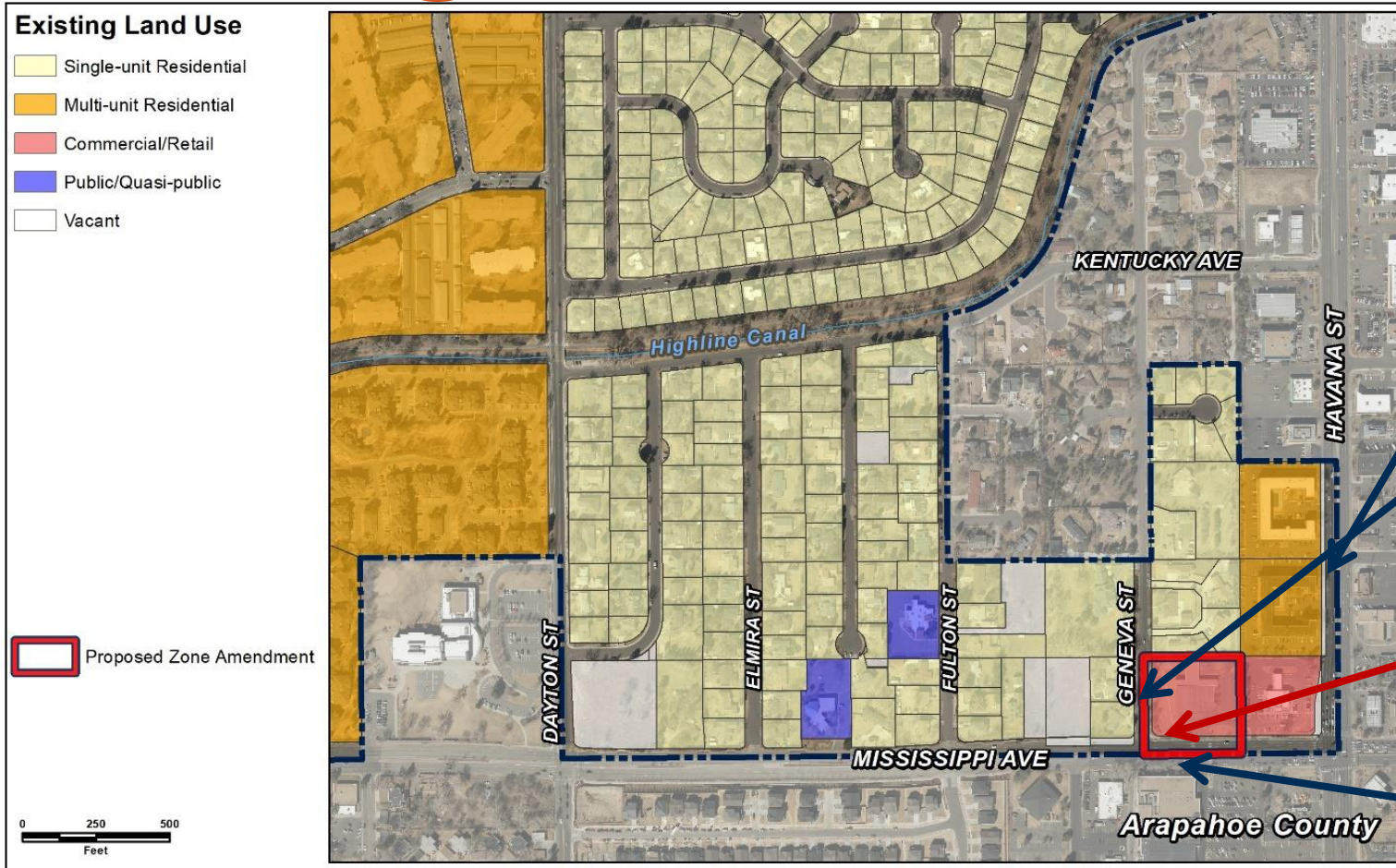
- Condition adheres site to 1993 site plan
- 8 drive through ATM stalls and surface parking with landscaping

Existing Land Use



- Current use: Vacant drive-through ATM
- Surrounding uses: single-unit residential, multi-unit residential, commercial

Existing Context – Building Form/Scale



Process

- Informational Notice: 10/23/20
- Planning Board Notice Posted: 1/19/2021
- Planning Board hearing postponed: 1/26/2021
- Planning Board Notice Posted: 3/22/21
- Planning Board Public Hearing: 4/7/2021
 - 10 speakers in opposition
 - Planning Board voted 5-3 to recommend approval
- LUTI Committee: 4/13/2021
- City Council Public Hearing: 6/7/2021

Public Outreach

- Mediation from May 2020 to March 2021 did not result in an agreement
- Letter of opposition from Rangeview Neighborhood Association
- Signatures in opposition from 97 people submitted by Rangeview RNO
- 14 letters of opposition
- 2 letters of support
- Successful protest petition

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*

2. Uniformity of District Regulations

3. Further Public Health, Safety and Welfare

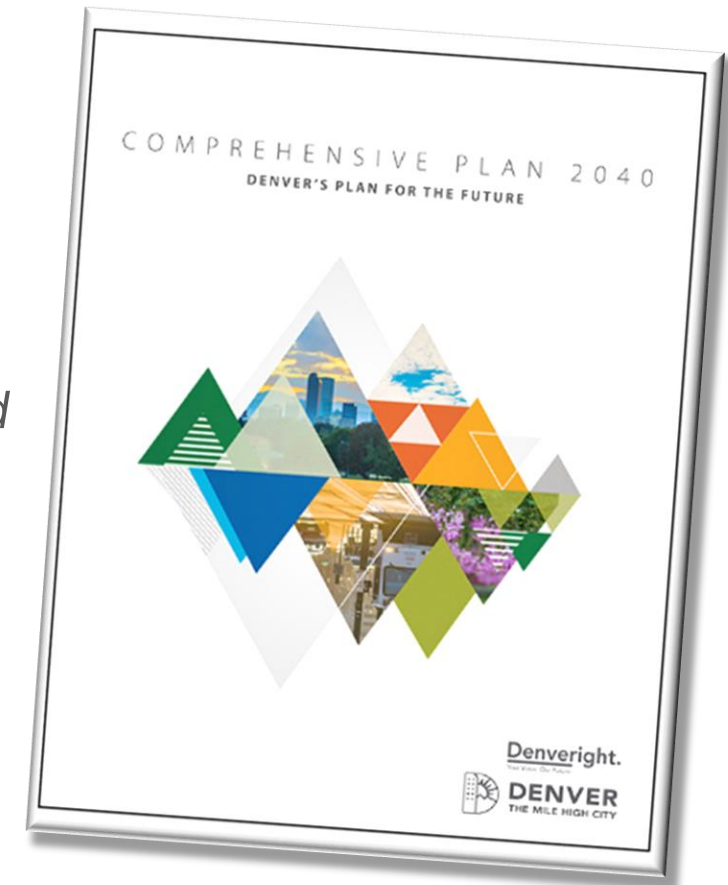
4. Justifying Circumstances

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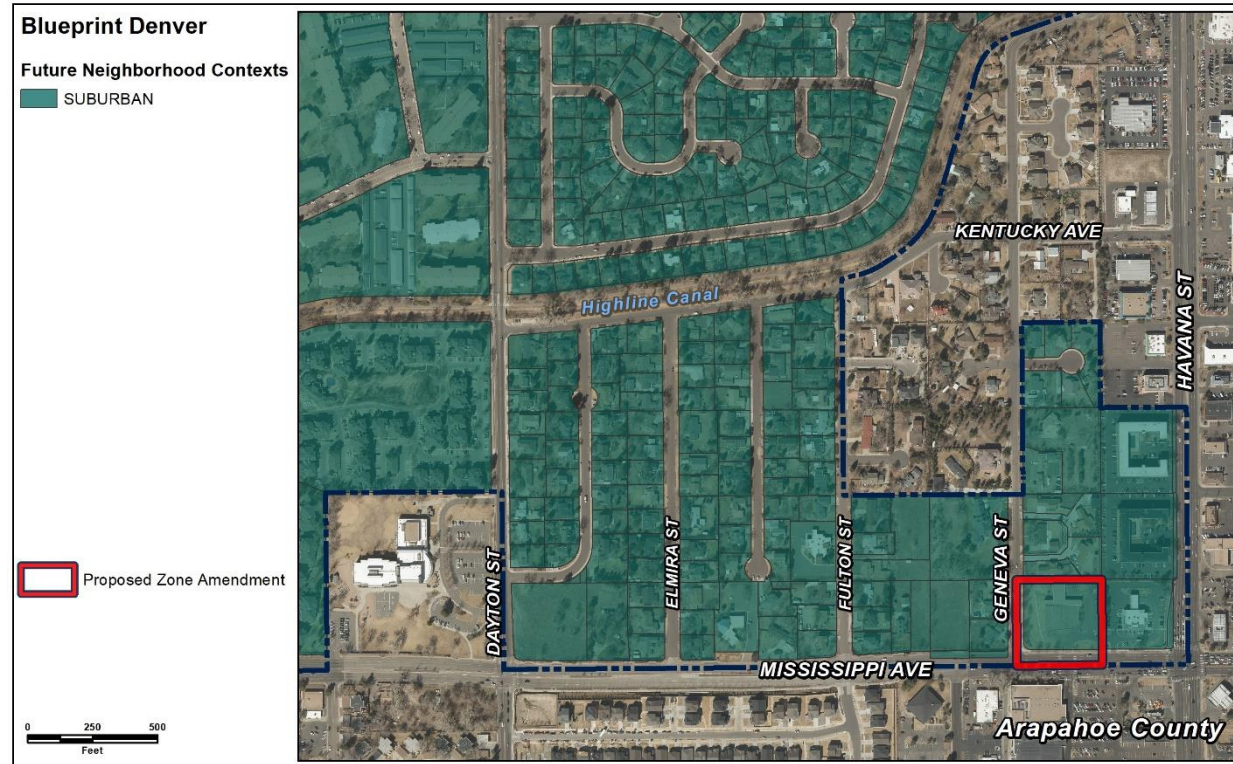
Review Criteria: Consistency with Adopted Plans

Comprehensive Plan 2040

- 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).*
- 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).*

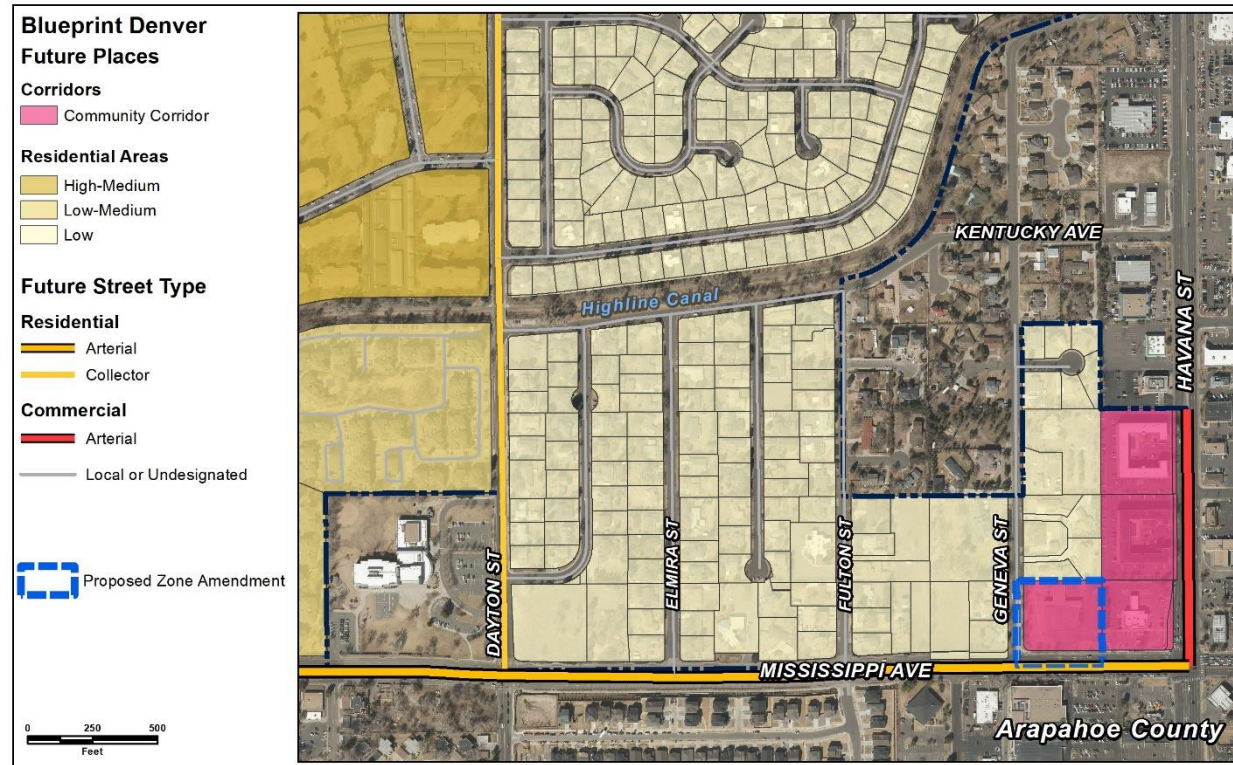


Consistency with Adopted Plans: Blueprint Denver



- **Suburban Context**
 - Represents the most varied development in Denver’s neighborhoods
 - Commercial development is focused along main corridors and centers bordering residential areas

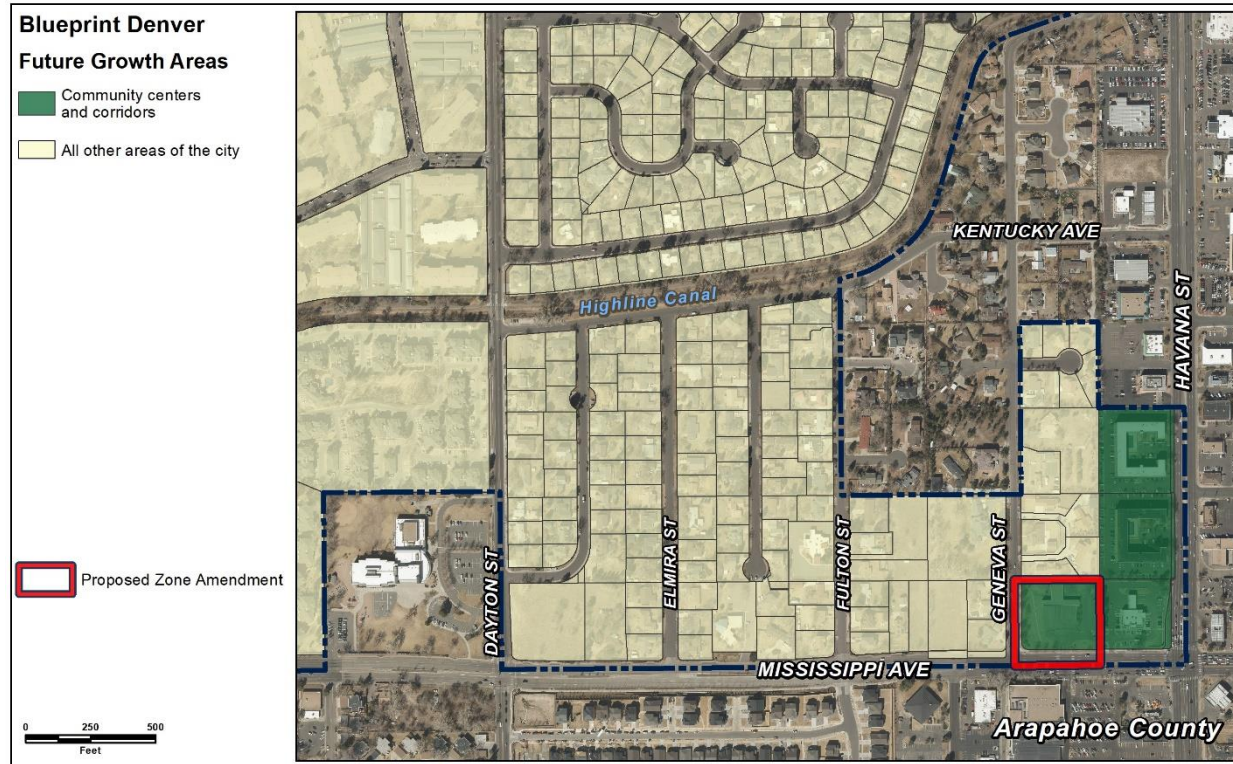
Consistency with Adopted Plans: Blueprint Denver



- **Future Place: Community Corridor**
 - Typically provide some mix of office, commercial and residential
 - Heights are generally up to 5 stories
- **Street Type: Residential Arterial**
 - Arterial Streets: designed for the highest amount of through movement and the lowest degree of property access
 - On Residential Arterials, “small retail nodes and other similar uses” are appropriate

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

Consistency with Adopted Plans: Blueprint Denver



- Growth Areas Strategy: Community centers and corridors
 - 20% of job growth
 - 25% of new households

Focusing growth in centers and corridors helps to provide a variety of housing, jobs and entertainment options within a comfortable distance to all Denverites and is a key element of building complete neighborhoods throughout Denver” (p. 49).

Consistency with Adopted Plans: Blueprint Denver

Land Use & Built Form: General section, Policy 3

- Strategy A: *Rezone properties from the Former Chapter 59 zoning code so that the entire city is covered by the DZC, including continuing to incentivize owners to come out of the old code.*
- Strategy B: *Limit the use of site-specific, customized zoning tools—such as ...waivers/conditions...*

Review Criteria

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

- Comprehensive Plan 2040
- Blueprint Denver: A Land Use and Transportation Plan (2019)
- Small Area Plans
- Others, as applicable: e.g., General Development Plan

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
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
 - 12.4.10.8.A.4.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

CPD Recommendation

CPD recommends approval 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