



DENVER
THE MILE HIGH CITY

Map Amendment

Application #2016I-0021

Rezoning 45 N. Harrison St.

from PUD #453 to G-RH-3 with a waiver

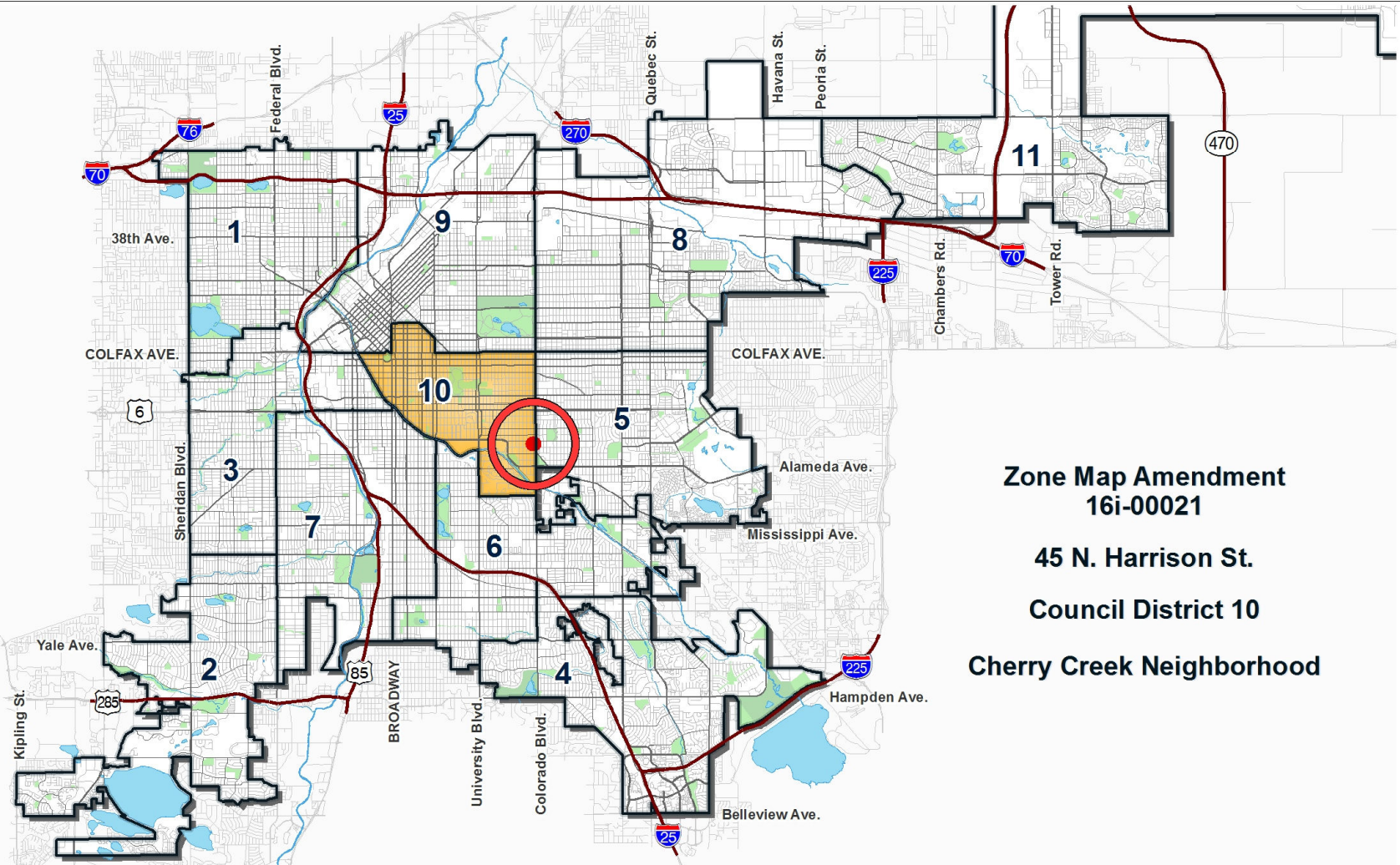
FOR CITY SERVICES VISIT | CALL
DenverGov.org | **311**

Denver City Council
August 29th, 2016



DENVER
THE MILE HIGH CITY

City Council District 10



**Zone Map Amendment
16i-00021**

45 N. Harrison St.

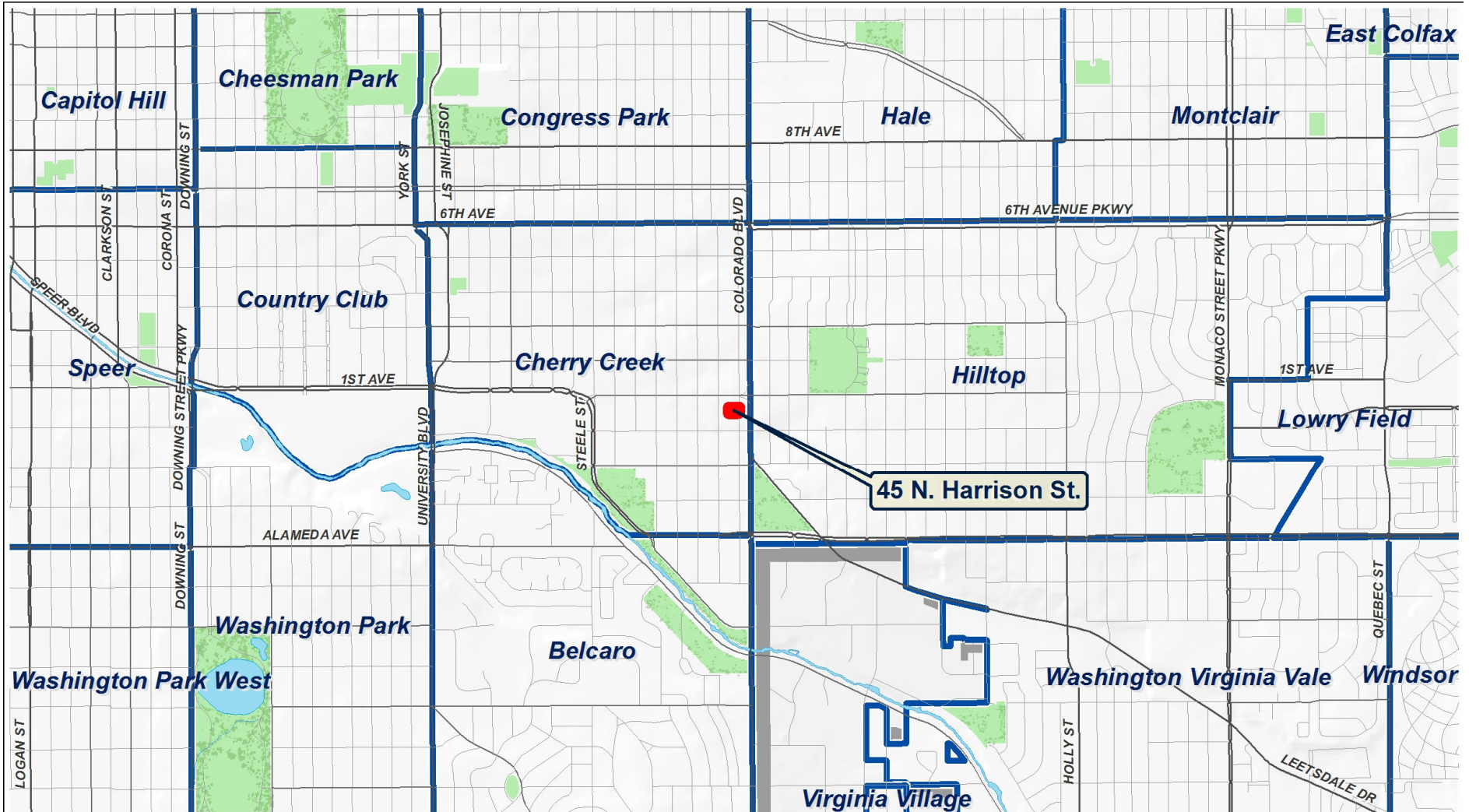
Council District 10

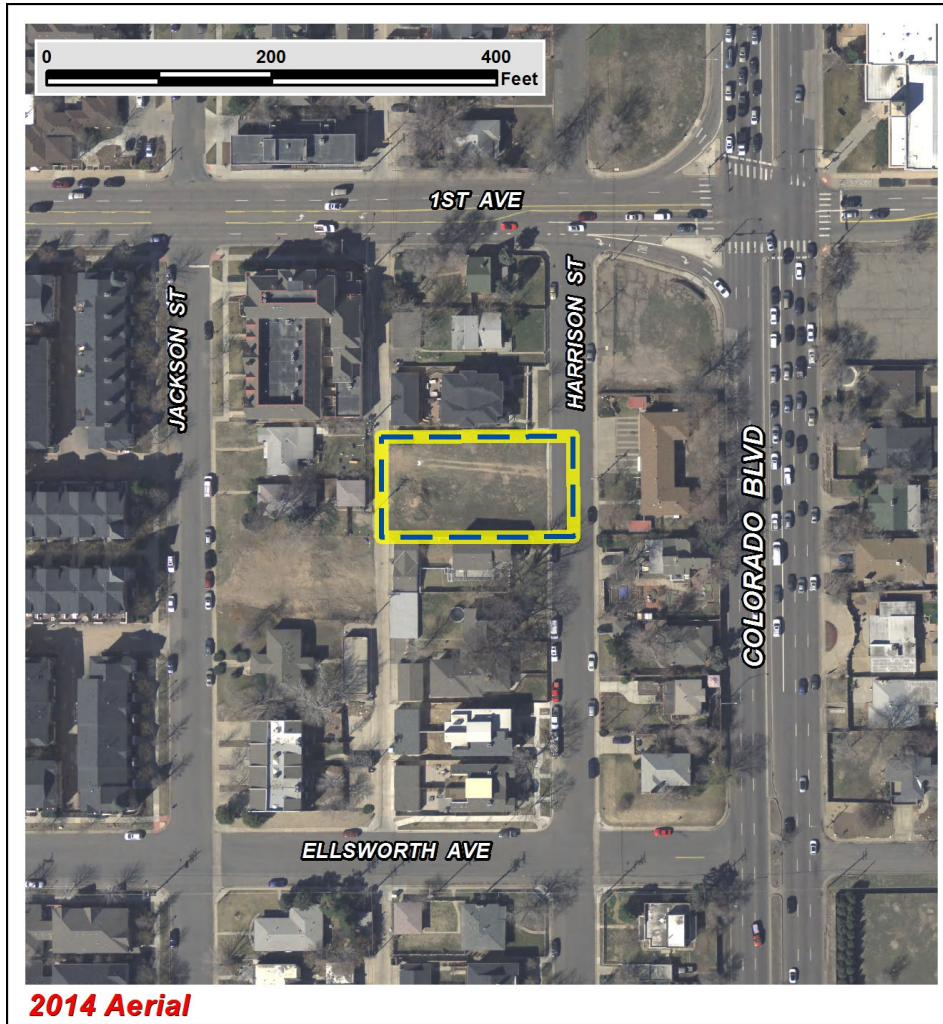
Cherry Creek Neighborhood



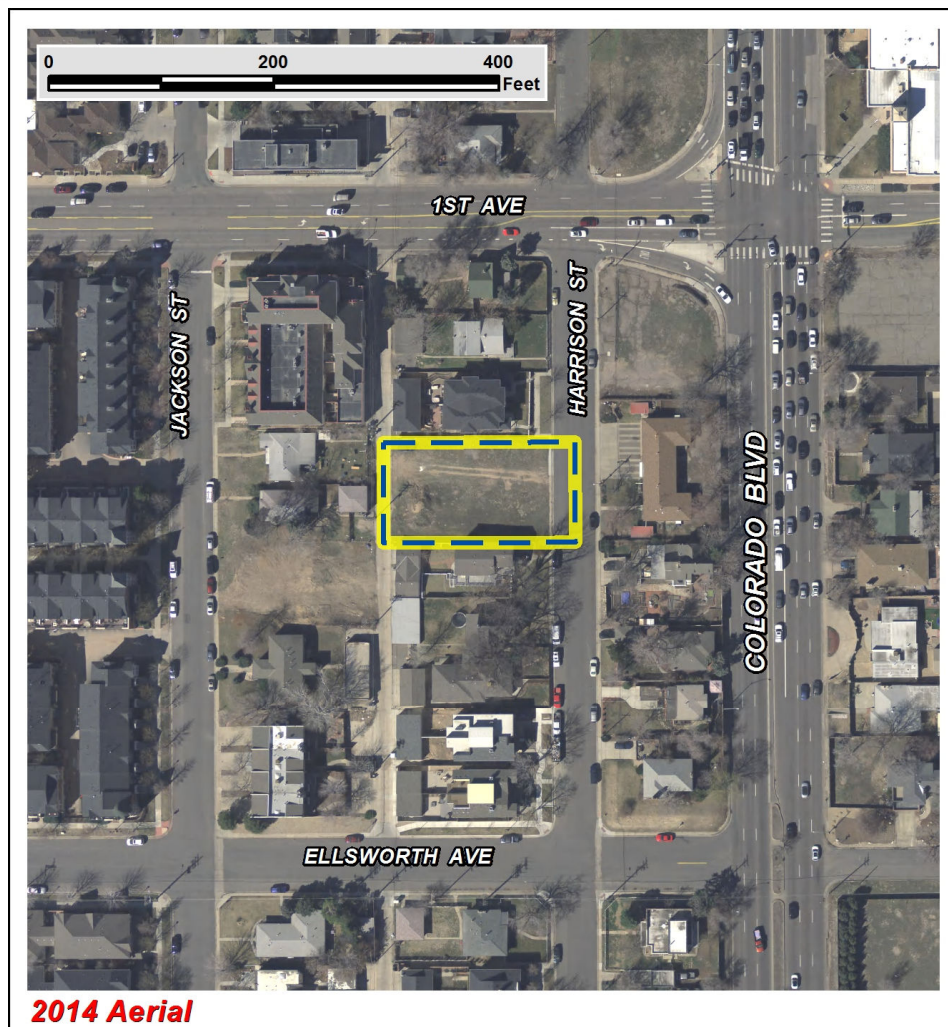
DENVER
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Cherry Creek Statistical Neighborhood





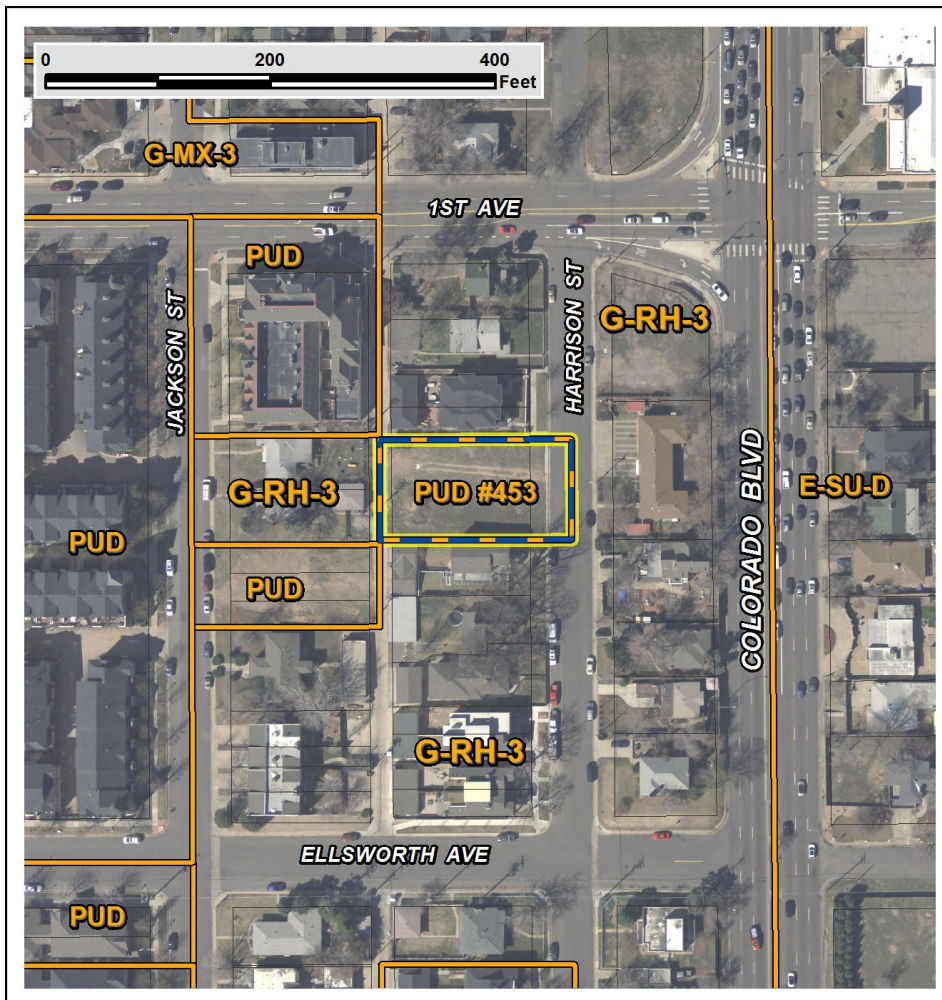
- In Cherry Creek East
- West side of Harrison
- Mid-block between 1st Ave and Ellsworth



- Property:
 - 14,400 SF (0.26 AC)
 - Vacant
- Applicant:
 - Requesting rezoning to develop the site with row house units
- Rezone from PUD 453 to G-RH-3 w/waiver that applies only to rowhouse bldg. form

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

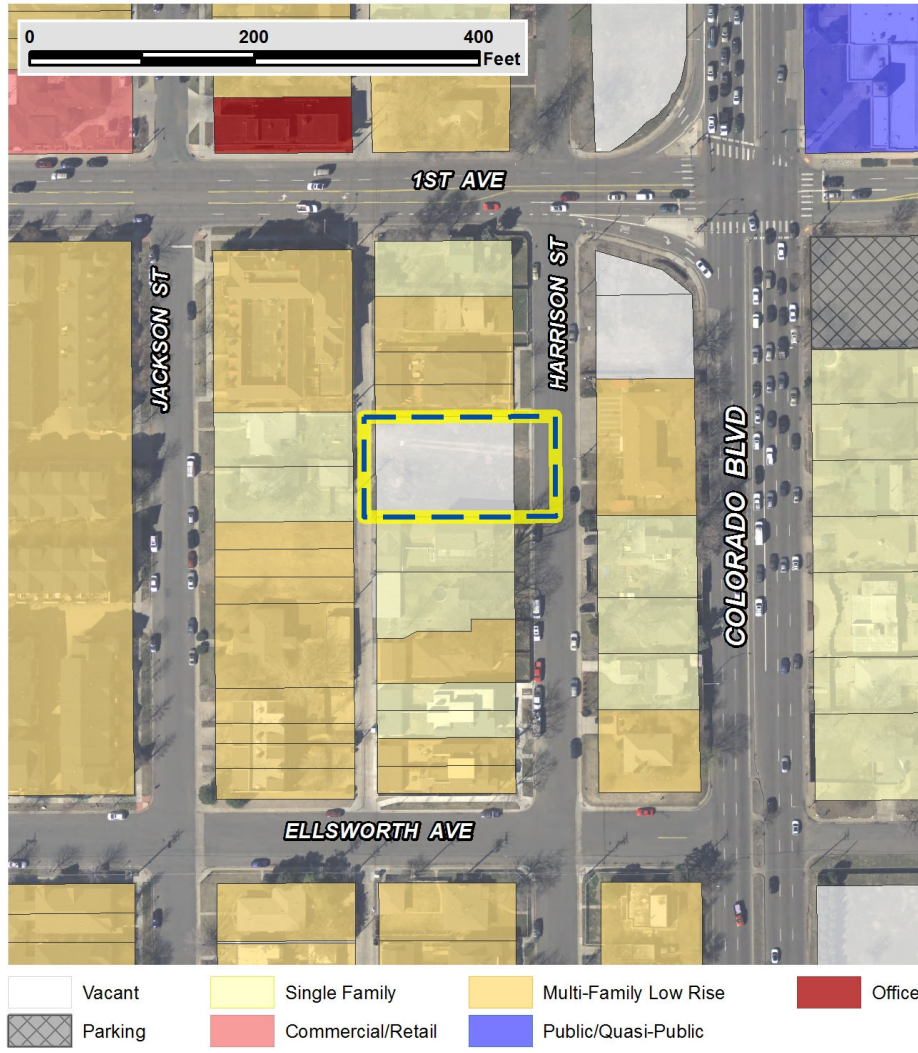
Existing Context – Zoning



- Site: PUD 453
- Surrounding Zoning:
 - North – G-RH-3
 - South – G-RH-3
 - East – G-RH-3
 - West – G-RH-3
 - Nearby – PUD

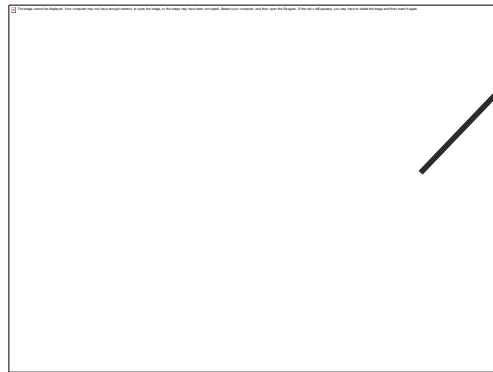
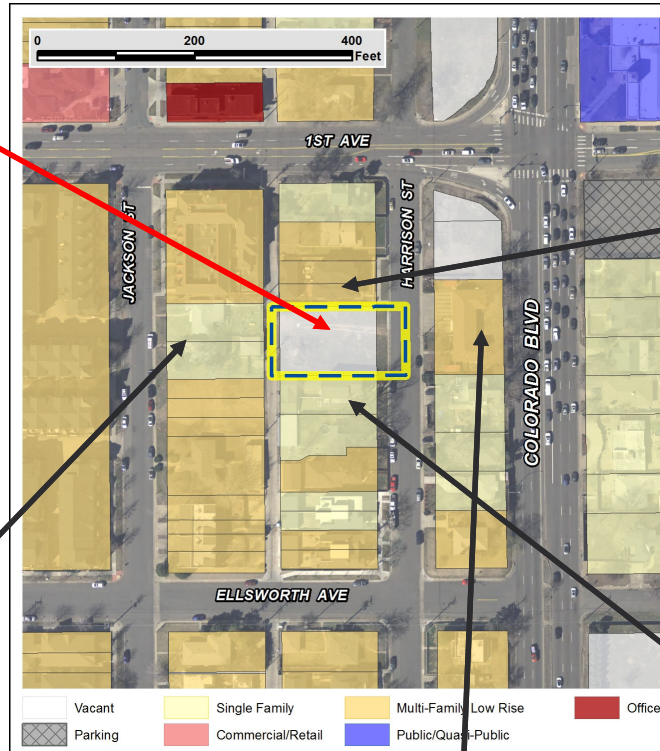
- Adopted in 1998
- Narrowly written and specific to development as it was proposed at the time:
 - Use: multi-unit dwelling (4 units max)
 - Setbacks: 25ft (front), 7.6ft (sides), 8.3ft (rear)
 - Height: 3 stories, 40ft max

Existing Context – Land Use



- Site – Vacant
- North – Two unit residential
- South – Single family residential
- East – Multifamily residential
- West – Under construction: Two unit residential

Existing Context – Building Form/Scale



Proposed Language:

“Waive the setback requirement for Side Interior, adjacent to Protected District (minimum) for the Row House building form in Primary Building Form Standards, District Specific Standards for the G-RH-3 zone district, contained in Denver Zoning Code Section 6.3.3.4.D, as amended, and instead of 10’ shall be n/a”

Effect of waiver:

- Waiver applies only to the rowhouse building form
 - 10’ side interior setback adjacent to a protected district **would not apply**
 - 5’ side interior setback is not affected and **would apply**

DZC 6.3.3.4.D (Row House Building Form)

	G-RH-3	G-MU-3; G-RO-3	G-MU-5	G-RO-5	G-MU-8, -12, -20
SITING					
ZONE LOT					
Zone Lot Size (min)	6,000 ft ²	6,000 ft ²	6,000 ft ²	6,000 ft ²	6,000 ft ²
Zone Lot Width (min)	50'	50'	50'	50'	50'
REQUIRED BUILD-TO					
C Primary Street (min % within min/max)	na	60% 10'/20'	60% 10'/20'	60% 10'/20'	60% 10'/20'
SETBACKS					
Primary Street, block sensitive setback required	yes	yes	na	na	na
D Primary Street, where block sensitive setback does not apply (min)	20'	10'	10'	10'	10'
E Side Street (min)	5'	5'	5'	5'	5'
F Side Interior (min)	5'	7.5'	7.5'	7.5'	7.5'
Side Interior, adjacent to Protected District (min)	10'	10'	10'	10'	10'
G Rear, alley/no alley (min)	10'/20'	10'/20'	10'/20'	10'/20'	10'/20'
PARKING					
Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed				
Vehicle Access	From Alley; or Street access allowed when no Alley present (See Sec. 6.3.7.6)				
H DETACHED ACCESSORY STRUCTURES					
	See Sec. 6.3.4				

- G-RH-3 is itself a protected district
- Applying a protected district setback standard to G-RH-3 makes the district “protected from itself”



Support for Waiver

- Waiver language is consistent with CPD's intent to address this issue in an upcoming text amendment.
- Proposed waiver is an appropriate interim approach.

- Informational Notice – April 13, 2016
- Planning Board – June 15, 2016; notification signs and written notice
 - **Recommended approval by a vote of 8-0**
- Neighborhoods and Planning Committee – July 20, 2016; written notice
- City Council – August 29, 2016; notification signs and written notice
- Public Outreach
 - RNOs
 - Cherry Creek East Association, Cherry Creek North Neighborhood Association, Cranmer Park-Hilltop Civic Association, Capitol Hill United Neighbors, Harman Neighborhood Association, Denver Neighborhood Association, Inc., and Inter-Neighborhood Cooperation
 - Letter of support received from Cherry Creek East Association

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

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

- Comprehensive Plan 2000
- Blueprint Denver (2002)
- Cherry Creek Area Plan (2012)

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

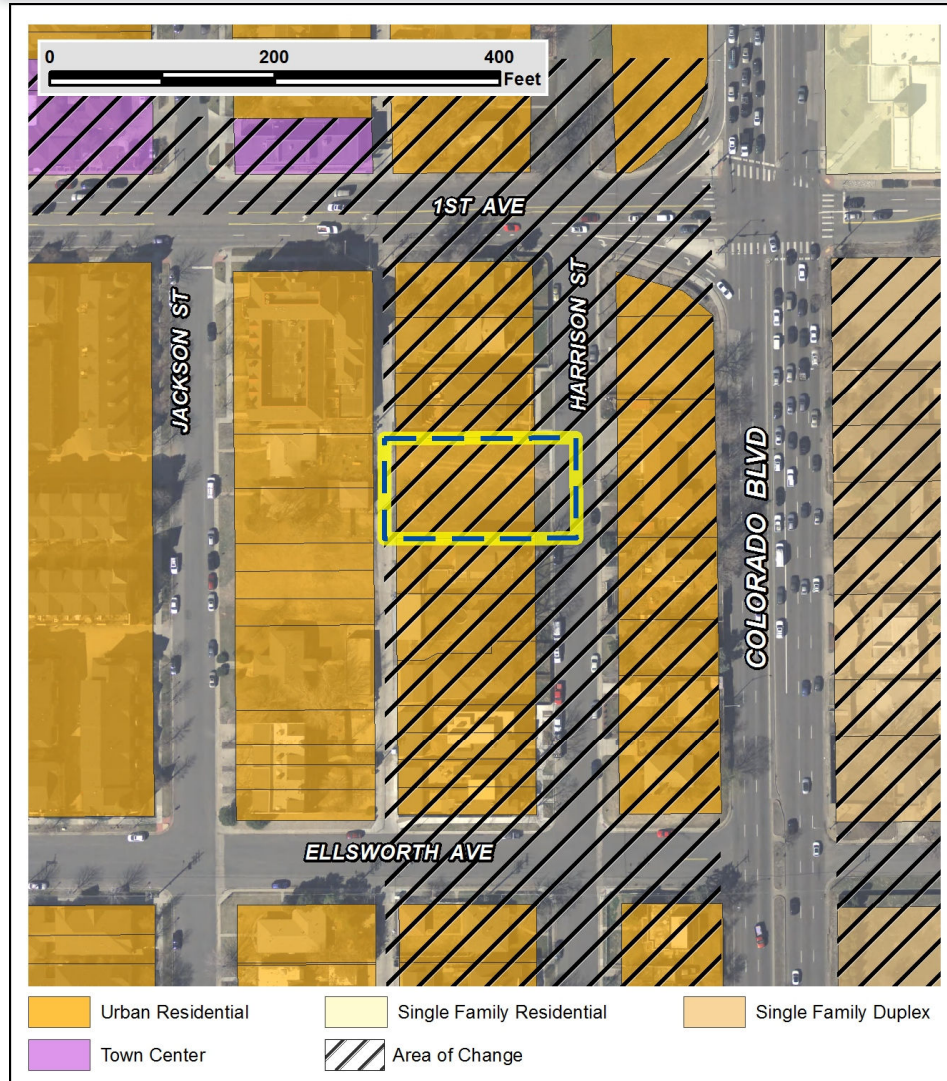


Review Criteria: Consistency with Adopted Plans

Comprehensive Plan 2000

- Environmental Sustainability Strategy 2-F
- Land Use Strategy 3-B
- Legacies Strategy 3-A
- Neighborhood Strategy 1-F

Review Criteria: Consistency with Adopted Plans



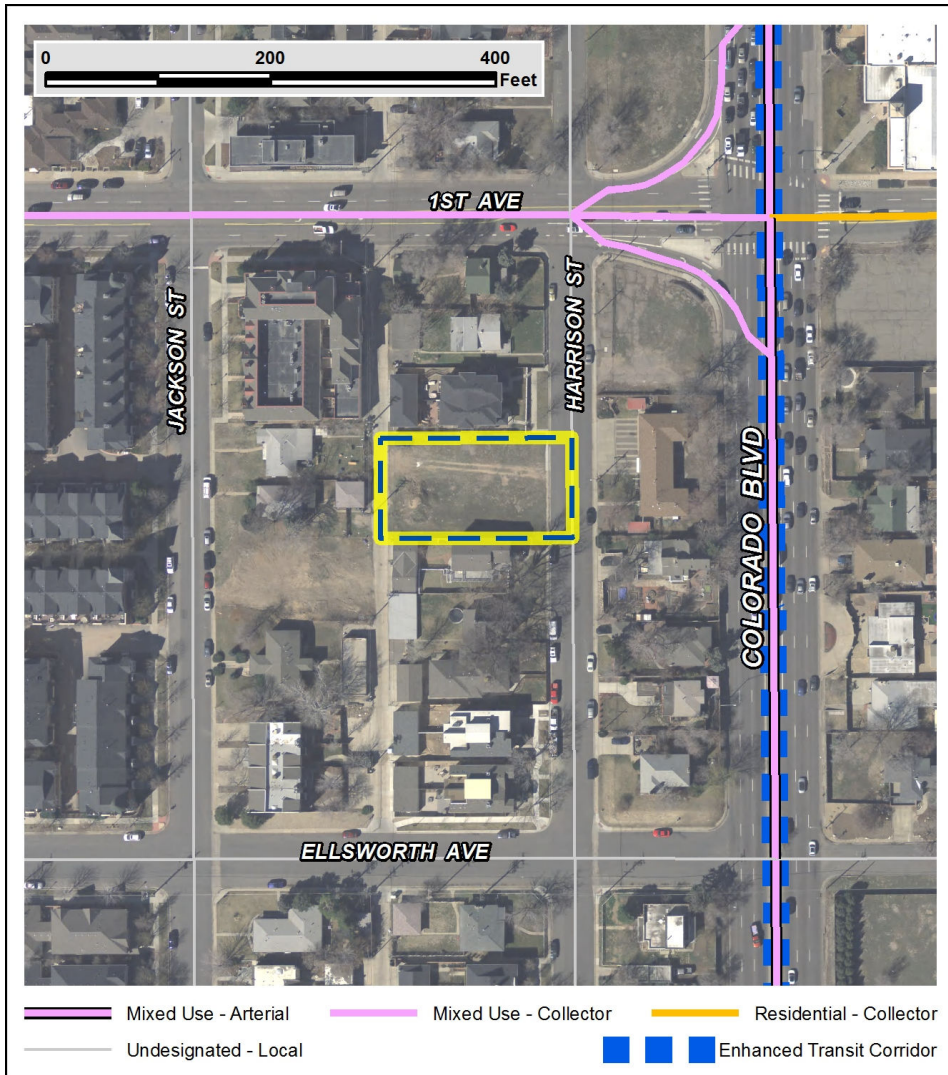
Blueprint Denver (2002)

- Land Use Concept:
 - Urban Residential
 - “higher density and primarily residential”
 - “greater housing base than employment base”
 - “mixture of housing types is present”
 - Cherry Creek East is listed as “a good example” of an urban residential area
 - Area of Change

Review Criteria: Consistency with Adopted Plans

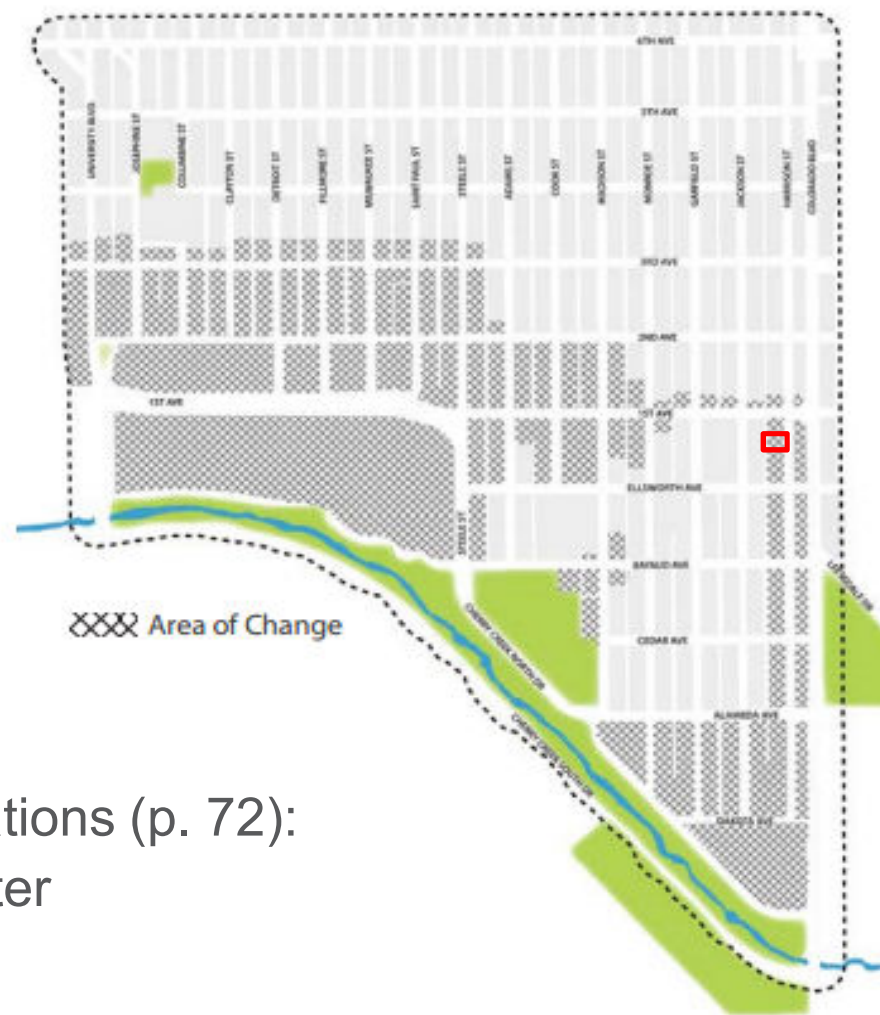
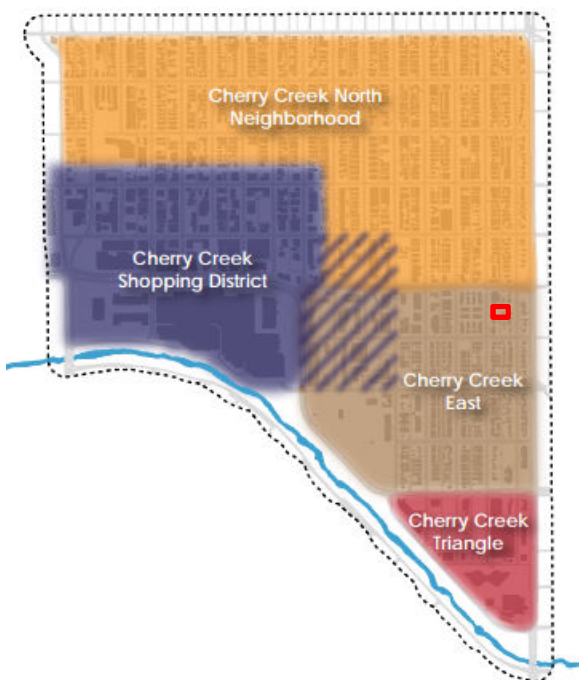
Blueprint Denver (2002)

- Street Classifications:
 - Harrison St
 - Undesignated Local
 - 1st Ave
 - Mixed Use- Collector
 - Colorado Blvd
 - Mixed Use Arterial & Enhanced Transit Corridor



Review Criteria: Consistency with Adopted Plans

Cherry Creek Area Plan (2012)



Consistent with CCE Recommendations (p. 72):

- Reinforce the residential character
- Respect the existing scale
- Rezone PUDs

Review Criteria: Consistency with Adopted Plans

Cherry Creek Area Plan (2012)



Future land use map - Cherry Creek East neighborhood

- Regional Center
- Town Center
- Urban Residential
- Other subareas



Maximum building heights map - Cherry Creek East neighborhood

- 12 Stories
- 8 Stories
- 5 Stories
- 3 Stories
- Other subareas

The proposed rezoning is consistent with land use and building height recommendations



Review Criteria

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
 - Rezone out of a PUD and into the DZC
 - Waiver is consistent with a planned text amendment to G-RH-3
3. Further Public Health, Safety and Welfare
 - Implements adopted plans
4. Justifying Circumstances
 - Changed or Changing Condition: Ongoing redevelopment of Cherry Creek
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

CPD recommends **approval**, based on finding that 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