



TO: Denver City Council
FROM: Francisca Peñafiel, Senior City Planner
DATE: August 10, 2023
RE: Official Zoning Map Amendment Application #2023I-00022

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code (DZC), Staff recommends **approval** for Application #2023I-00022.

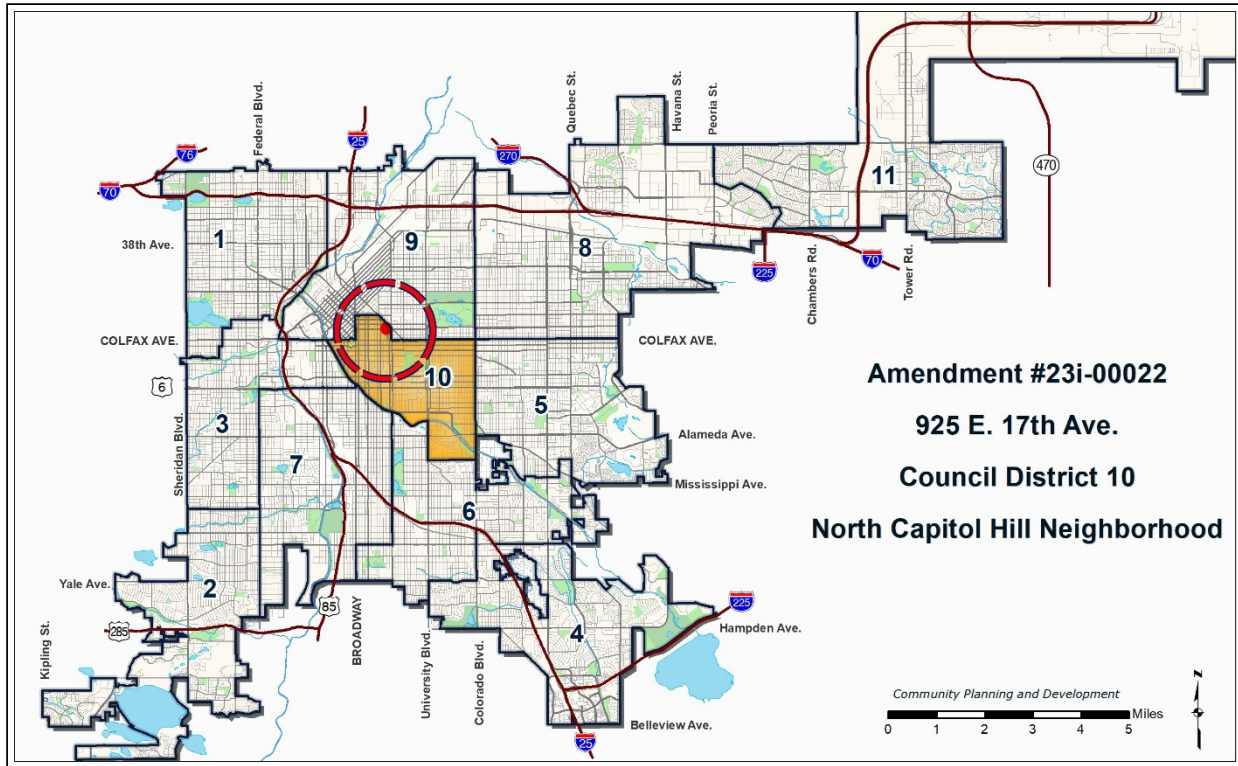
Request for Rezoning

Address:	925 East 17 th Avenue
Neighborhood/Council District:	North Capitol Hill/ Council District 10
RNOs:	Inter-Neighborhood Cooperation (INC), Strong Denver, Capitol Hill United Neighborhoods, Opportunity Corridor Coalition of United Residents, Neighbors for Greater Capitol Hill.
Area of Property:	5,670 square feet or 0.13 acres
Current Zoning:	G-RO-5
Proposed Zoning:	G-MS-3
Property Owner(s):	Meaghan Len Richmond
Owner Representative:	Trina Borja

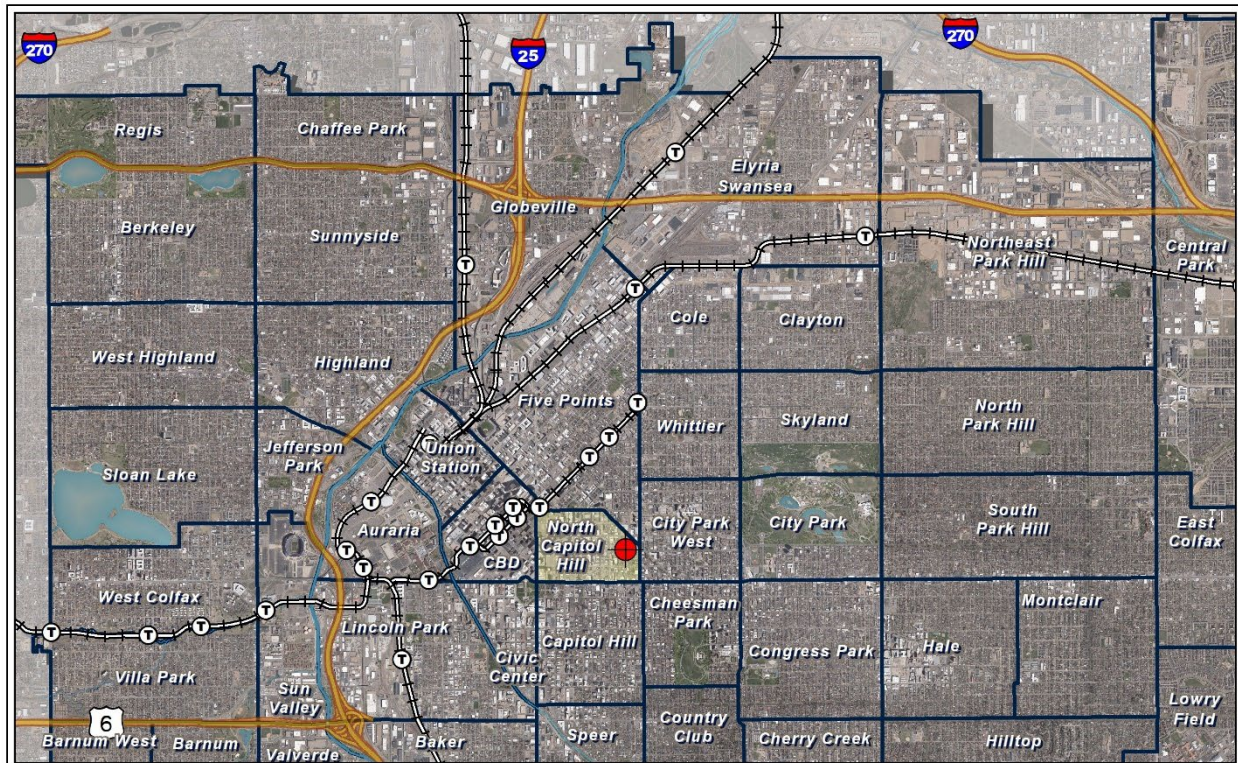
Summary of Rezoning Request

- The subject property is in the North Capitol Hill neighborhood, between North Ogden Street and North Emerson Street, along East 17th Avenue, in the Swallow Hill Historic Landmark District.
- The property is occupied by a two and a half-story Victorian house, built in 1896. The bottom floor of the building is currently used as a coffee shop, while the top levels are used as law offices.
- The applicant is proposing to rezone the property from G-RO-5 to G-MS-3, to allow the coffee shop as a primary use while preserving the historic building's design.
- The property received a zoning permit in 2006 that allowed the coffee shop accessory use to the primary office use. When the Denver Zoning Code (DZC) was adopted in 2010, the property was rezoned from R-4 to G-RO-5, a DZC district that does not allow for a coffee shop use. The rezoning is proposed primarily so that the coffee shop use can be reestablished.
- The property is a contributing structure in the Swallow Hill Historic District, which means there are significant protections in place to preserve the existing building. All exterior changes that require a building or zoning permit will be reviewed by Landmark Preservation.
- The proposed G-MS-3 (**G**eneral Urban, **M**ain Street, **3**-story) zone district allows a broad range of commercial, residential, and civic uses in the Town House and Shopfront building forms with a maximum height of five stories. Further details of the requested zone district can be found in the proposed zone district section of the staff report (below) and in Article 6 of the Denver Zoning Code (DZC).

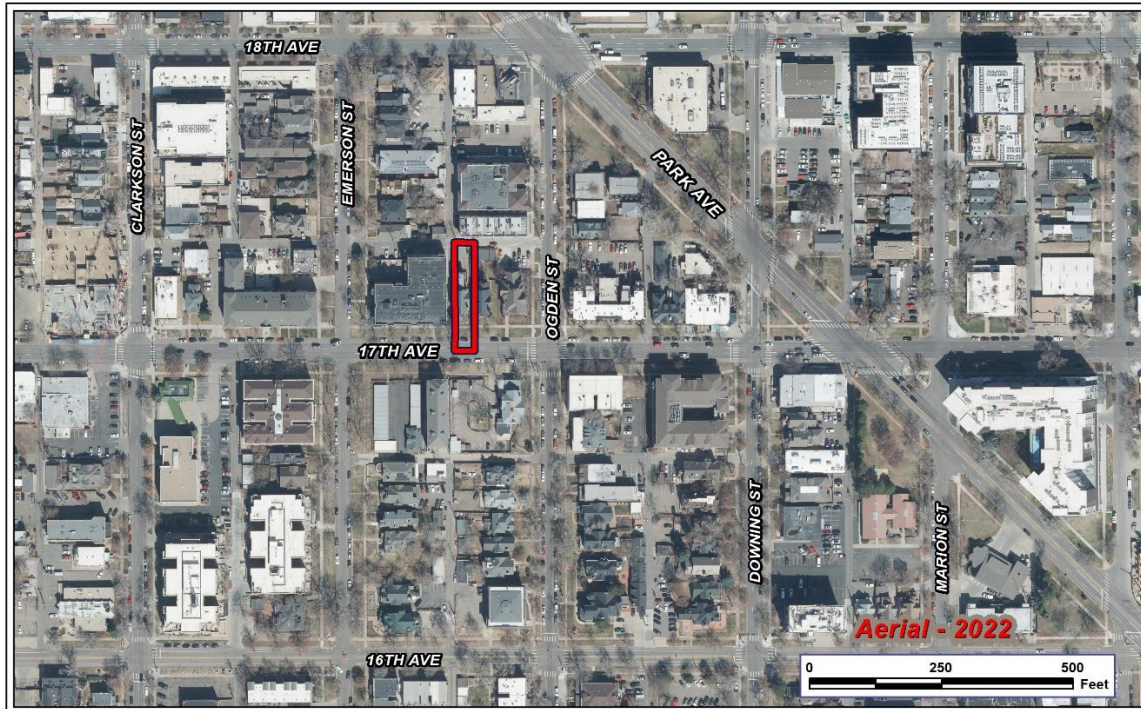
City Location



Neighborhood Location – North Capitol Hill



1. Existing Context

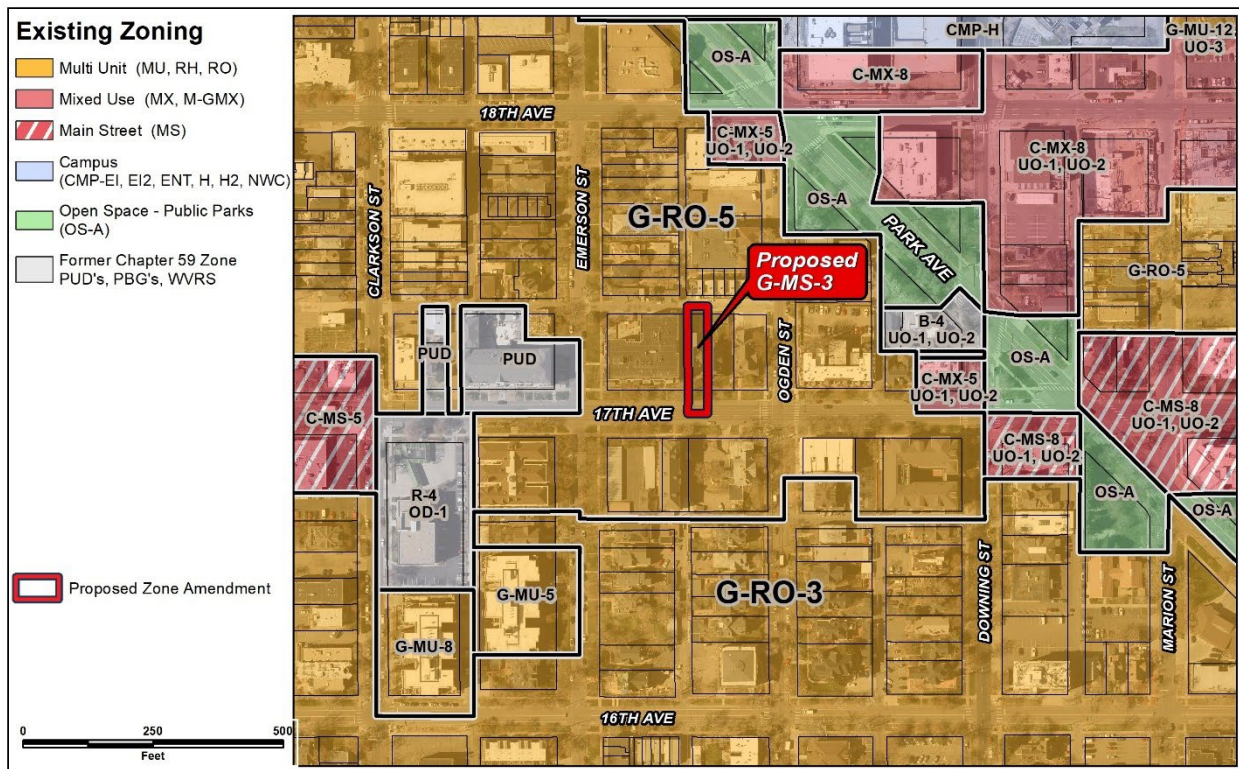


The subject property is in the North Capitol Hill neighborhood, between North Emerson Street and North Ogdén Street, along the north side of East 17th Avenue. It is one and a half blocks from Park Avenue which crosses diagonally between North Downing Street and North Ogdén Street. The area has a mix of predominantly commercial/retail and office uses on East 17th Avenue with some single-unit and multi-unit residential uses. Saint Joseph Hospital is .3 miles northeast from the subject site and the Denver Center for 21st Century Learning, one of the elementary schools that serves the neighborhood, is .5 miles east from the subject site. Transit access includes the Regional Transportation District (RTD) bus route 20 along East 17th and 18th Avenues and RTD bus route 12 on North Downing and Ogdén Streets. There are bus stops for both RTD lines on North Ogdén Street and at the corner of North Downing Street and East 17th Avenue, one block and a half west from the subject site.

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-RO-5	Office	2.5-story Queen Ann structure built as a residence	Generally regular grid of streets. Block sizes and shapes are consistent and rectangular with alleys. Garages are rear, side and front loaded with on-street vehicle parking. One and a half blocks east of the subject site on East 17 th Avenue the grid gets interrupted by Park Avenue, which cuts through diagonally.
North	G-RO-5	Multi-unit residential	3-story row houses.	
South	G-RO-5	Office	Surface parking lot servicing a Queen Ann structure	
East	G-RO-5	Single unit residential	2.5-story single-unit Queen Ann house	
West	G-RO-5	Multi-unit residential	3-story brick apartment building	

1. Existing Zoning



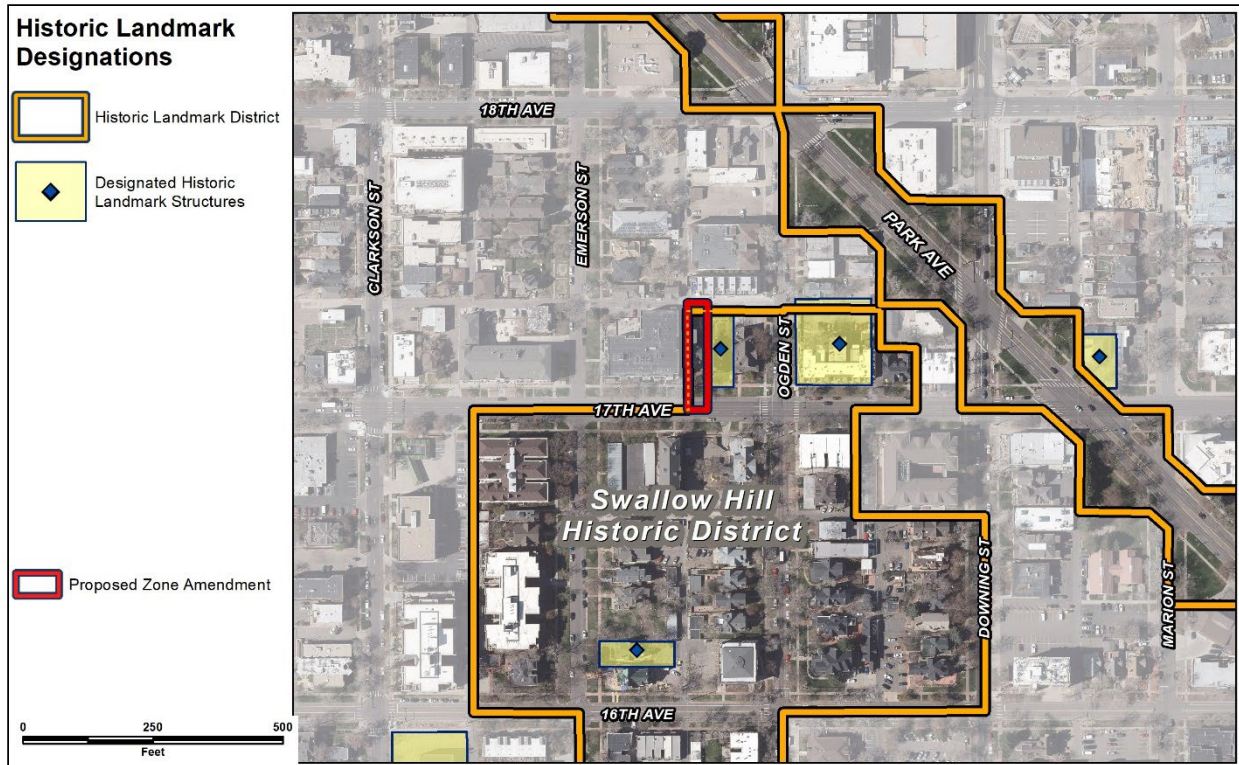
The existing zoning on the subject property is G-RO-5, which allows residential and office uses in the urban house, duplex, town house, and apartment building forms up to five stories and 65 feet tall. Structures are generally required to have primary street setbacks consistent with existing structures on the block and side setbacks ranging from 3 feet to 12.5 feet. Parking requirements are generally one space per residential unit and 1.875 spaces per 1,000 square feet of office floor area. For additional details of the zone district, see DZC Article 6.

2. View Planes

The subject site is within the *City Park Natural History Museum view plane*. The intent of this view plane is to preserve the view of the Rocky Mountains (west of the subject site) from City Park (east of the subject site). No part of any structure within the view plane may exceed an elevation of 5,303 feet above mean sea level. Therefore, the subject site is subject to a maximum height restriction of roughly 116 feet. However, the proposed zone district of G-MS-3 has a lower maximum height of 45 feet for primary structures.

3. Historic District or Structures

The subject property is within the Swallow Hill Historic District, which was established in 1999. The subject property is a contributing structure to the district, qualifying it as a Historic Structure as defined in Article 13 of the DZC. All demolition or new construction on the property will require review and approval by the Landmark Preservation Commission to ensure changes are compatible with the character of the historic designation.



4. Existing Land Use Map



5. Existing Building Form and Scale

All images from Google Maps Street View.



Subject property, looking north on East 17th Avenue.



North – Properties north to the subject site, across the alley on North Ogden Street.



West – Properties directly west of the subject site, on East 17th Avenue, looking northwest.



South – Property to the south of the subject site, across the street on East 17th Avenue, looking south



East – Properties to the east of the subject site, on East 17th Avenue, looking northeast.

Proposed Zoning

The requested G-MS-3 zone district has a maximum height of three stories or 45 feet with allowable encroachments and height incentives. The minimum primary street setback is zero feet, except for the town house building form which has a 10-foot minimum primary street setback. A variety of mixed residential, commercial, and civic uses are allowed. Build-to requirement ranges between 50% and 75%, depending on the building form. For additional details of the requested zone district, see DZC Sections 6.2.5, 6.3 and 6.4.

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

Design Standards	G-RO-5 (Existing)	G-MS-3 (Proposed)
Primary Building Forms Allowed	Urban House; Duplex; Town House; Apartment	Town House; Drive Thru Services; Drive Thru Restaurant; Shopfront
Stories/Heights (max.)	Urban House: 3/35* Duplex: 3/35* Town House: 5/65' Apartment: 5/65'	Drive Thru Services: 3/45' Drive Thru Restaurant: 3/45' Town House: 3/38' Shopfront: 3/45'**
Primary Build-To Percentages (min.)	Urban House: N/A Duplex: N/A Town House: 70% Apartment: 60%	Drive Thru Services: 50% Drive Thru Restaurant: 70% Town House: 75% Shopfront: 75%
Primary Build-To Ranges (min./max.)	Urban House: N/A Duplex: N/A Town House: 10'/15' Apartment: 10'/20'	Drive Thru Services: 0'/15' Drive Thru Restaurant: 0'/5' Town House: 10'/15' Shopfront: 0'/5' • 0'/10' Residential only
Primary Street Setbacks (min.)	Urban House: 10-20' Duplex: 10-20' Town House: 10' Apartment: 10'	Drive Thru Services: 0' Drive Thru Restaurant: 0' Town House: 10' Shopfront: 0'
Primary Street Transparency (min.)	Urban House: N/A Duplex: N/A Town House: 40% Apartment: 40%	Drive Thru Services: 60% Drive Thru Restaurant: 60% Town House: 40% Shopfront: 60% • 40% Residential only

*1' for every 5' increase in lot width over 50' up to a maximum height of 35'

*Additional height up to 4 stories or 55 feet is permitted in C-MS-3 with the provision of enhanced affordable housing.

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.

Denver Fire Department: Approved – No comments.

Development Services - Transportation: Approved – No response.

Denver Parks and Recreation: Approved – No comments.

Development Services – Project Coordination: Approved – Approve Rezoning Only - Will require additional information at Site Plan Review

- 1) An updated use permit for the existing uses in the structure would need to be issued if the rezoning is approved.
- 2) Any change of uses in the structure will require Zoning and Building permit review. Zoning permits can be processed through Commercial Zoning. A new Zoning permit will need to be issued with any change of uses in the building.
- 4) The proposed G-MS-3 zone district allows for the use of Townhome or Shopfront building forms. Based on indicated proposed uses in the rezoning application, the Shopfront building form will need to be used for the structure.
- 5) DZC Section 1.4.4. applies.
- 6) The Landmark Preservation Commission would need to approve any exterior building modifications.

Development Services – Wastewater: Approved – No comments.

Department of Public Health and Environment: Approved – 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.

Department of Transportation & Infrastructure – City Surveyor: Approved – No comments.

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:	03/24/2023
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:	05/23/2023
Planning Board Public Hearing: (Recommended for approval unanimously on consent agenda)	06/07/2023
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:	06/12/2023
Land Use, Transportation and Infrastructure Committee of the City Council:	06/27/2023
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:	07/24/2023
City Council Public Hearing:	08/14/2023

- **Registered Neighborhood Organizations (RNOs)**
 - No comment letters have been received
- **Other Public Comment**
 - No comment letters have been received.

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)*
- *East Central Area Plan*

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.

Equitable, Affordable and Inclusive Vision Element

- Equitable, Affordable 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 C - Improve equitable access to resources that improve quality of life, including cultural and natural amenities, health care, education, parks, recreation, nutritious food and the arts (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 G-MS-3 zoning allows for a variety of uses including residential, retail services, and employment close to residences and transit. This map amendment may increase access to services and amenities for nearby residences.

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 B – Ensure neighborhoods offer a mix of housing types and services for a diverse population (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 3, Strategy C – Ensure city policies and regulations support historic preservation and eliminate barriers in city processes to help all neighborhoods preserve what matters most (p. 34).
- Strong and Authentic Neighborhoods Goal 3, Strategy E – Support the stewardship and reuse of existing buildings, including city properties (p. 34).

The proposed G-MS-3 zone district would allow the Historic Property to continue to operate as an office and coffee shop as a Contributing Structure in the Swallow Hill Historic Landmark District, creating a complete neighborhood, preserving the City’s authenticity, and ensuring a strong local economy.

Economically Diverse and Vibrant Vision Element

- Economically Diverse and Vibrant Goal 3, Strategy A – Promote small, locally-owned businesses and restaurants that reflect the unique character of Denver (p. 46).

The proposed rezoning would allow additional commercial uses, promoting small businesses consistent with the strategy in the Economically Diverse and Vibrant vision element.

Environmentally Resilient Vision Element

- 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).

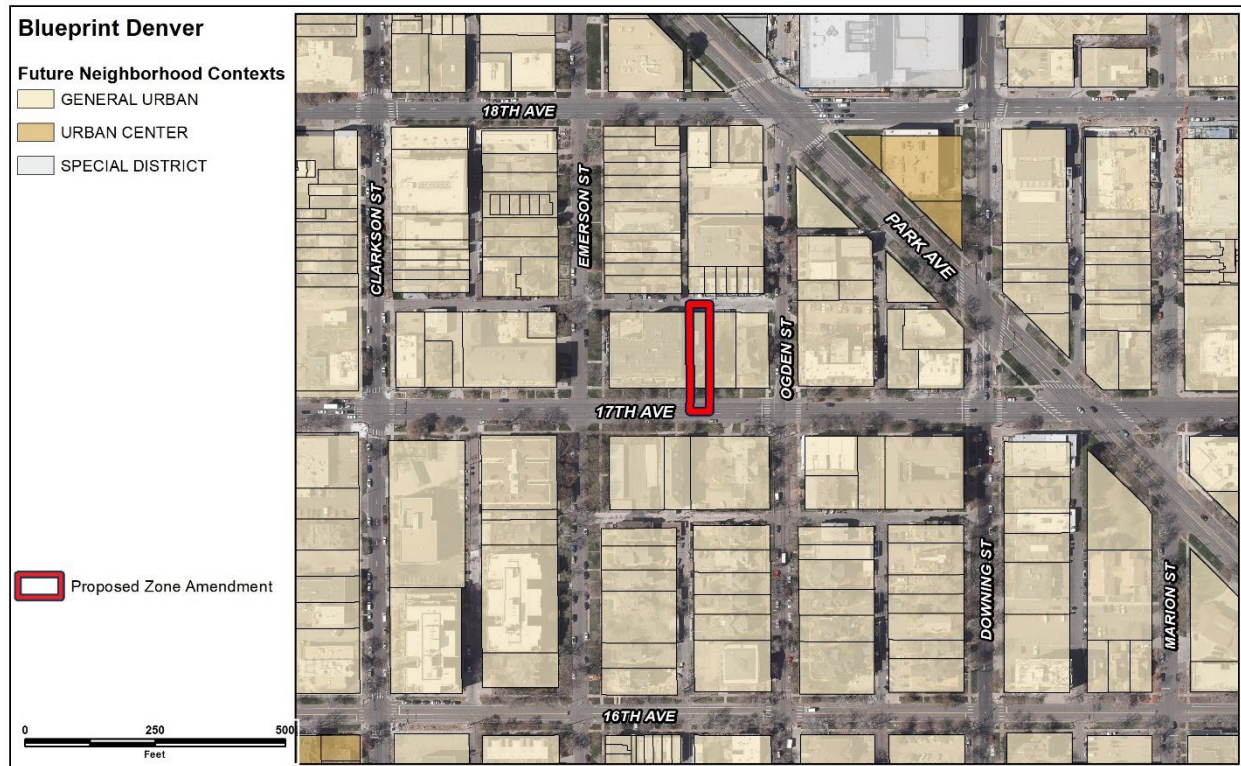
The proposed rezoning would allow for compatible commercial uses in an established neighborhood, consistent with the strategies from the Environmentally Resilient vision element.

The proposed map amendment will allow a mixed-use development where infrastructure and services such as water, stormwater, and streets already exist. It also encourages mixed-use communities by allowing residential, commercial, and employment uses near transit and existing residential areas while preserving a historic building. Rezoning this property where infrastructure exists, and near transit allows Denver to grow responsibly and promotes land conservation. Therefore, the rezoning is consistent with *Denver Comprehensive Plan 2040* recommendations.

Blueprint Denver

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 part of the Community Corridor future place within the General Urban Context and provides guidance from the future growth strategy for the city.

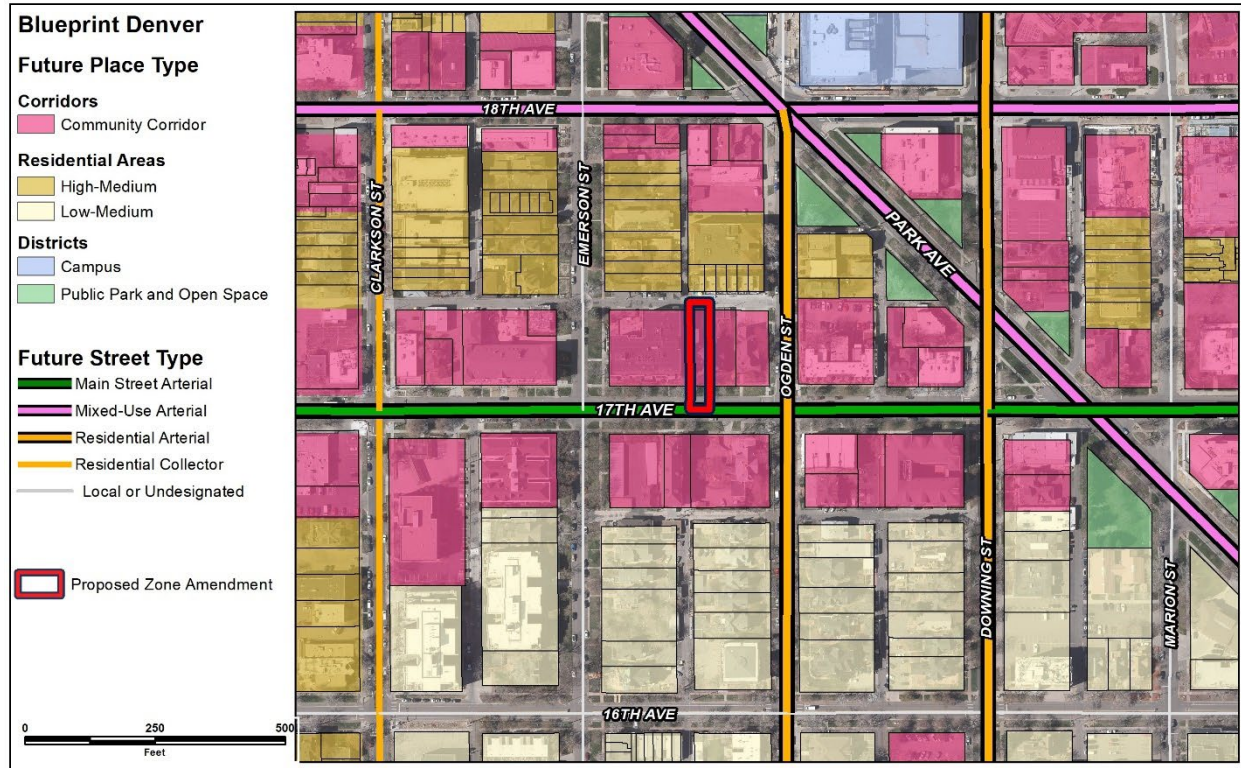
Blueprint Denver Future Neighborhood Context



In *Blueprint Denver*, future neighborhood contexts are used to understand differences across land use and built form and mobility options at a higher scale, between neighborhoods. The subject property is within the General Urban context, which “are typically located at the edge of higher intensity contexts like urban center and downtown” (p. 241) and are characterized by multi-unit residential and community-serving mixed uses. The General Urban neighborhood context is described as varying “from mixed-use multi-unit buildings 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. 238).

The proposed G-MS-3 zone district is part of the General Urban context and is “intended to promote safe, active, and pedestrian-scaled commercial streets through the use of building forms that clearly define and activate the public street edge” (DZC 6.2.5.1). Since the proposed district allows a substantial mix of uses with allowable building forms that contribute to street activation, the proposed rezoning to a General Urban context is appropriate and consistent with the plan.

Blueprint Denver Future Place



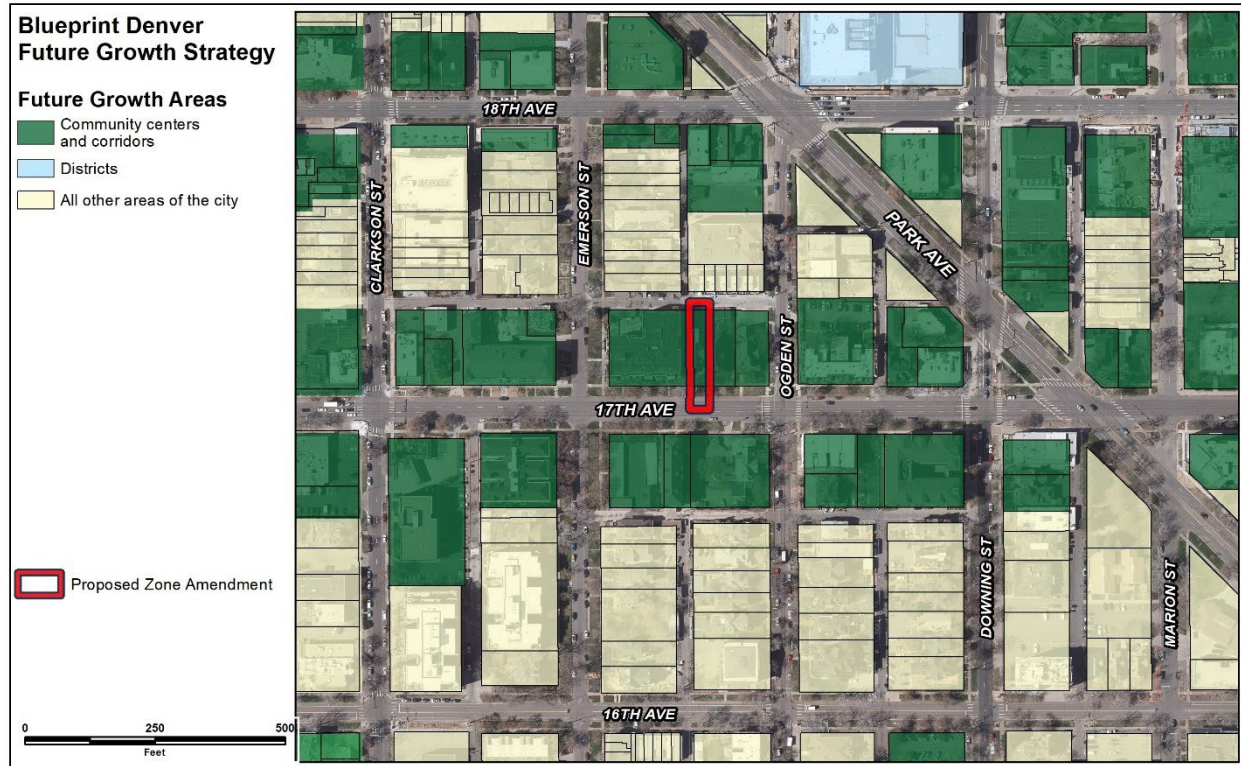
The future place map shows which place description(s) should be used to evaluate the appropriateness of the proposed zone district (p. 66). The subject property is mapped as Community Corridor in the Future Place Map. *Blueprint Denver* describes the aspirational characteristics of Community Corridor in the General Urban context as “typically provides some mix of office, commercial and residential uses... Buildings have a distinctly linear orientation along the street. Building footprints are typically larger. Heights are generally up to 3 stories. Due to shorter lot depths, special attention may be needed for transitions to nearby residential areas.” (p. 244).

The proposed district of G-MS-3 provides a wide range and mix of uses in building forms that address the street and define the public realm. The future proposed height of up to 3 stories is appropriate for a Community Corridor in this location.

Street Types

In *Blueprint Denver*, street types work in concert with the future place to evaluate the appropriateness of the intensity of the adjacent development (p. 67). *Blueprint Denver* classifies East 17th Avenue as a Main Street Arterial. “Arterial streets are designed for the highest amount of through movement and the lowest degree of property access” (p.154). The use and built form characteristics of Main Street streets is described as, “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). The proposed G-MS-3 district would allow for a mix of uses that is consistent with the Main Street Arterial Future Street Type classifications.

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 part of a Community Center and Corridors. Community Centers and Corridors are anticipated to see around 25% of new housing growth and 20% of new employment growth by 2040 (p. 51). The plan states that "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).

The proposed map amendment to G-MS-3 will focus mixed-use growth to a Community Center and Corridor where it has been determined to be most appropriate. The proposed G-MS-3 district is consistent with these descriptions as it is intended to allow a mix of uses along East 17th Avenue.

Additional Strategies

In *Blueprint Denver*, there are recommendations that form a comprehensive list of policies and strategies to guide implementation of the plan. They are organized by the three elements of complete neighborhoods. There are several strategies around historic preservation and promoting small businesses that the rezoning request is consistent with.

- Land Use and Built Form, General – Policy 02 Strategy E: In historic areas, balance efficiency with preservation through strategies that encourage the reuse of structures (p. 72).
- Use and Built Form, Design Quality and Preservation – Policy 02 Strategy A: Continue the city's commitment to existing historic districts and landmarks and use historic designation to preserve the character of an individual structure or district or where there is historic, architectural, cultural, and/or geographic significance (p.99)

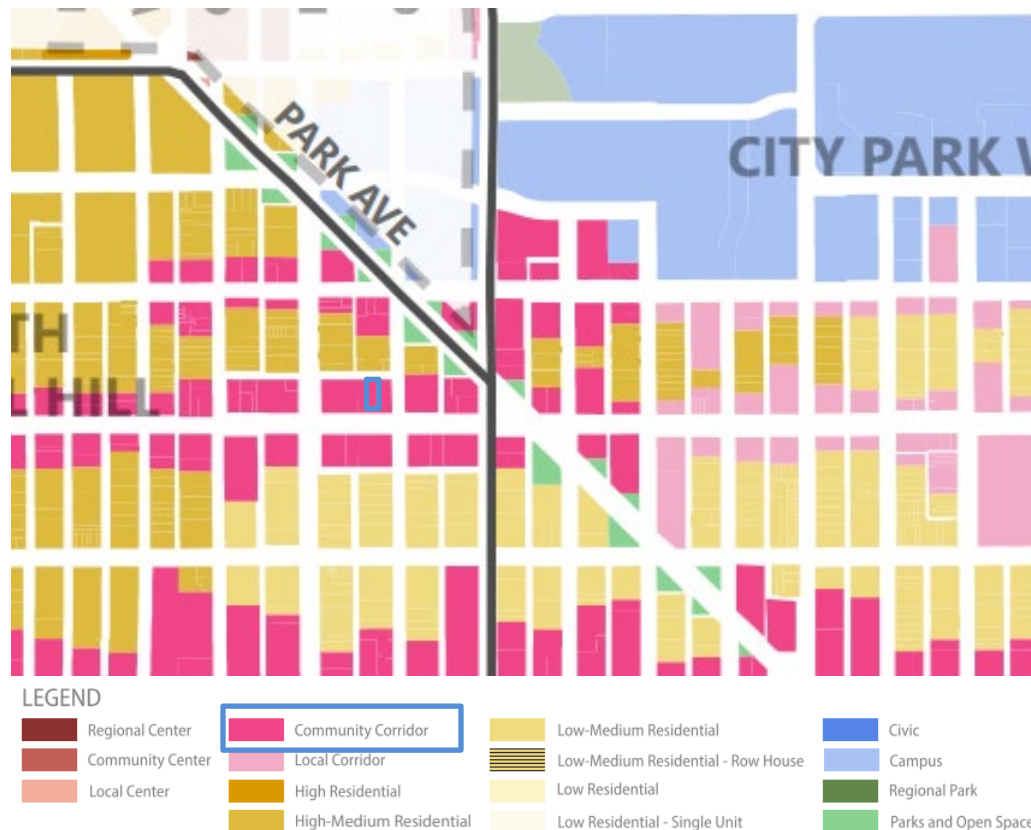
- Use and Built Form, Design Quality and Preservation – Policy O2 Strategy I: Promote incentives to preserve the reuse of historic buildings and the unique historic features of Denver’s neighborhoods (p. 99).

The proposed map amendment would promote the preservation of this existing Queen Anne house, which is a contributing structure to a historic district, and facilitate their continued use, consistent with these recommendations from *Blueprint Denver*.

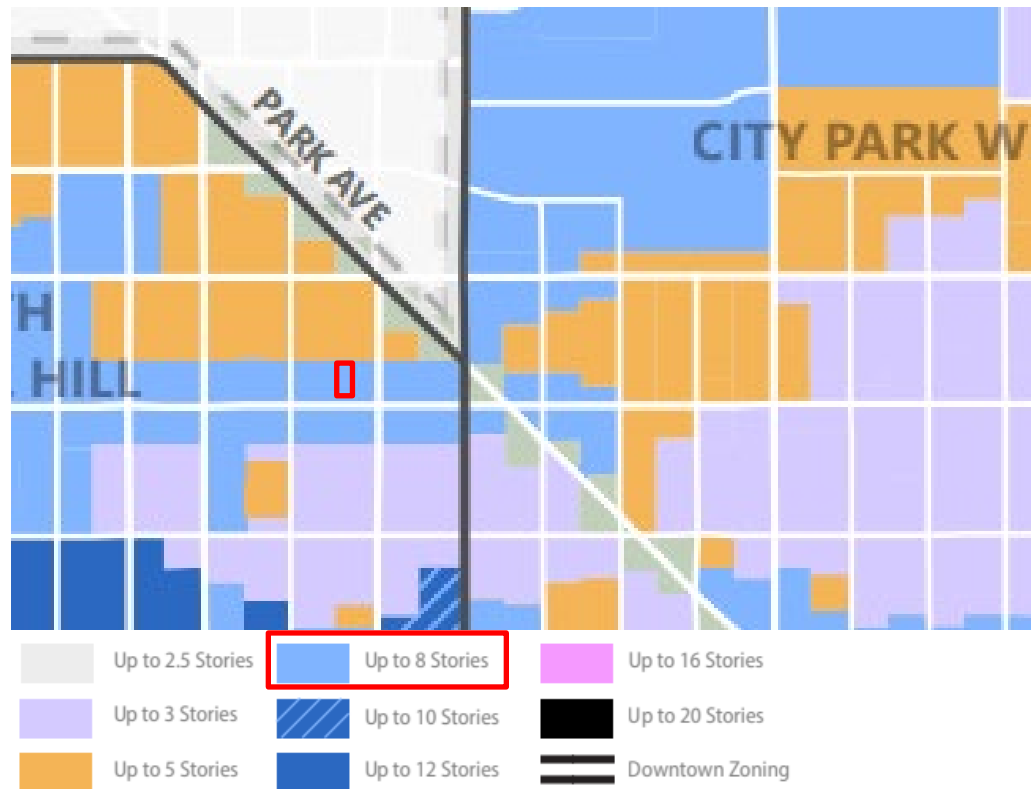
East Central Area Plan

The East Central Area Plan was adopted by City Council in 2020 and applies to the subject property. The plan includes general recommendations and neighborhood-specific recommendations and utilizes the same context and place framework as *Blueprint Denver*. The subject property is designated General Urban Community Corridor, the same as *Blueprint Denver*, and the place description is very similar: “Typically provides some mix of office, commercial and residential uses. Have a distinctly linear orientation along the street. Lot coverage is typically higher, with open spaces that are often accommodated by spaces between buildings rather than along the street” (p. 30). The Maximum Building Heights map on page 35 indicates the maximum height for the subject property is 8 stories.

Future Place Map



Future Heights Map



The general recommendations in the Land Use and Built Form section of the plan, Policy L6 states: "Retain the character of High, High-Medium, and Low-Medium Residential Places and facilitate compatible infill development" (p.42). Strategies related to this policy include A. "Promote preservation of historic and character defining single-unit, multi-unit, and mixed-use buildings. Consider individual landmarks, historic districts, or other tools as appropriate". Also, Policy L8: "Encourage high-quality design and character preservation in Centers and Corridors" (p.44).

The proposed G-MS-3 provides a wide range and mix of uses in building forms that address the street and define the public realm what would allow for high quality design while preserving the character of the neighborhood. The proposed map amendment is consistent with the *East Central Area Plan's* context and place designations and would promote compatible commercial uses at an appropriate location in North Capitol Hill neighborhood, making it consistent with the plan.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to G-MS-3 will result in the uniform application of zone district building form, use, and design regulations on this site as they are applied to any other sites zoned G-MS-3.

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the City through implementation of the city's adopted land use plan, contributing to a walkable, mixed-use area, and fostering the preservation of a historic structure.

4. Justifying Circumstance

The proposed rezoning is justified by several changed or changing conditions as the under DZC Section 12.4.10.8, "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 a change may include: Changed or changing conditions in a particular area, or in the city generally; or, a city adopted plan; or that the city adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning."

As discussed above, *Blueprint Denver* and the *East Central Plan* specifically mapped this site as Community Corridor up to 8 stories, consistent with the proposed district of G-MS-3 that provides a wide range and mix of uses in building forms that address the street and define the public realm. These plans were adopted after the date of approval of the existing zone district; therefore, 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-MS-3 zone district is within the General Urban Neighborhood Context. The neighborhood context generally consists of multi-unit residential uses in a variety of building forms and commercial uses in a variety of building forms that may contain a mixture of uses within the same structure (DZC, Division 6.1). The proposed rezoning would allow multi-unit residential and commercial uses at an appropriate location consistent with the neighborhood context description.

The General Urban Main Street zone districts are intended to promote safe, active, and pedestrian-scaled commercial streets and should be applied where a higher degree of walkability and pedestrian activity is desired (DZC, Section 6.2.5.1).

The specific intent of the G-MS-3 zone district is to apply "primarily to collector or arterial street corridors... where a building scale of 1 to 3 stories is desired" (DZC Section 6.2.5.2.A). East 17th Avenue is an arterial corridor where the neighborhood plan calls for up to eight stories. The proposed rezoning would facilitate development consistent with the intent of the G-MS-3 zone district.

Attachments

1. Application



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	
<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR FEE PAYMENT***	
Property Owner Name	Meaghan Len Richmond	Representative Name	Trina Borja
Address	925 E. 17th Ave.	Address	414 14th St., Suite 150
City, State, Zip	Denver, CO 80218-1407	City, State, Zip	Denver, CO 80202
Telephone	970-317-5757	Telephone	720-498-7111
Email	meglen@protonmail.com	Email	comments@s1permits.com
*All standard zone map amendment applications must be initiated by owners (or authorized representatives) of at least 51% of the total area of the zone lots subject to the rezoning. See page 4.		**Property owner shall provide a written letter authorizing the representative to act on his/her behalf. ***If contact for fee payment is other than above, please provide contact name and contact information on an attachment.	
SUBJECT PROPERTY INFORMATION			
Location (address):	925 E. 17th Ave., Denver, CO 80218-1407		
Assessor's Parcel Numbers:	02354-09-016-000		
Area in Acres or Square Feet:	5670 sf		
Current Zone District(s):	G-RO-5		
PROPOSAL			
Proposed Zone District:	G-MS-3		
PRE-APPLICATION INFORMATION			
In addition to the required pre-application meeting with Planning Services, did you have a concept or a pre-application meeting with Development Services?	<input checked="" type="checkbox"/> Yes - State the contact name & meeting date <u>Alisa Childress; 3/2/2023</u> <input type="checkbox"/> No - Describe why not (in outreach attachment, see bottom of p. 3)		
Did you contact the City Council District Office regarding this application ?	<input checked="" type="checkbox"/> Yes - if yes, state date and method <u>12/22/2022: Chris Hines; email & Zoom call</u> <input type="checkbox"/> No - if no, describe why not (in outreach attachment, see bottom of p. 3)		

REZONING REVIEW CRITERIA (ACKNOWLEDGE EACH SECTION)	
<p>General Review Criteria DZC Sec. 12.4.10.7.A</p> <p>Check box to affirm and include sections in the review criteria narrative attachment</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 a review criteria narrative attachment describing how the requested zone district is consistent with the policies and recommendations found in each of the adopted plans below. Each plan should have its' own subsection.</p> <p>1. Denver Comprehensive Plan 2040</p> <p>In this section of the attachment, describe how the proposed map amendment is consistent with <i>Denver Comprehensive Plan 2040's</i> a) equity goals, b) climate goals, and c) any other applicable goals/strategies.</p> <p>2. Blueprint Denver</p> <p>In this section of the attachment, describe how the proposed map amendment is consistent with: a) the neighborhood context, b) the future place type, c) the growth strategy, d) adjacent street types, e) plan policies and strategies, and f) equity concepts contained in <i>Blueprint Denver</i>.</p> <p>3. Neighborhood/ Small Area Plan and Other Plans (List all from pre-application meeting, if applicable):</p> <hr/>
<p>General Review Criteria: DZC Sec. 12.4.10.7. B & C</p> <p>Check boxes to the right to affirm and include a section in the review criteria for Public Health, Safety and General Welfare narrative attachment.</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>In the review criteria narrative attachment, please provide an additional section describing how the requested rezoning furthers the public health, safety and general welfare of the City.</p>
<p>Review Criteria for Non-Legislative Rezoning: DZC Sec. 12.4.10.8</p> <p>For Justifying Circumstances, check box and include a section in the review criteria narrative attachment.</p> <p>For Neighborhood Context, Purpose and Intent, check box and include a section in the review criteria narrative attachment.</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 of 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"/> 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:</p> <p style="padding-left: 20px;">a. Changed or changing conditions in a particular area, or in the city generally; or,</p> <p style="padding-left: 20px;">b. A City adopted plan; or</p> <p style="padding-left: 20px;">c. That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.</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>In the review criteria narrative attachment, please provide an additional section describing the selected justifying circumstance. If the changing conditions circumstance is selected, describe changes since the site was last zoned. Contact your pre-application case manager if you have questions.</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>In the review criteria narrative attachment, please provide a separate section describing how the rezoning aligns with a) the proposed district neighborhood context description, b) the general purpose statement, and c) the specific intent statement found in the Denver Zoning Code.</p>

REQUIRED ATTACHMENTS

Please check boxes below to affirm the following **required** attachments are submitted with this rezoning application:

- Legal Description of subject property(s). **Submit as a separate Microsoft Word document.** View guidelines at: <https://www.denvergov.org/content/denvergov/en/transportation-infrastructure/programs-services/right-of-way-survey/guidelines-for-land-descriptions.html>
- Proof of ownership document for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed, or (c) Title policy or commitment dated no earlier than 60 days prior to application date. If the owner is a corporate entity, proof of authorization for an individual to sign on behalf of the organization is required. This can include board resolutions authorizing the signer, bylaws, a Statement of Authority, or other legal documents as approved by the City Attorney's Office.
- Review Criteria Narratives. See page 2 for details.

ADDITIONAL ATTACHMENTS (IF APPLICABLE)

Additional information may be needed and/or required. Please check boxes below identifying additional attachments provided with this application.

- Written narrative explaining reason for the request** (optional)
- Outreach documentation attachment(s).** Please describe any community outreach to City Council district office(s), Registered Neighborhood Organizations (RNOs) and surrounding neighbors. If outreach was via email- please include email chain. If the outreach was conducted by telephone or meeting, please include contact date(s), names and a description of feedback received. If you have not reached out to the City Council district office, please explain why not. (optional - encouraged)
- Letters of Support.** If surrounding neighbors or community members have provided letters in support of the rezoning request, please include them with the application as an attachment (optional).
- Written Authorization to Represent Property Owner(s)** (if applicable)
- Individual Authorization to Sign on Behalf of a Corporate Entity** (e.g. if the deed of the subject property lists a corporate entity such as an LLC as the owner, this document is required.)
- Other Attachments.** Please describe below.



REZONING GUIDE

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION

We, the undersigned represent that we are the owner(s) 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	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed, (C) title policy or commitment, or (D) other as approved	Has the owner authorized a representative in writing? (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</i> <i>Josie Q. Smith</i>	01/12/20	(A)	YES
Meaghan Len Richmond	925 E. 17th Ave. Denver, CO 80218	100%	<i>[Signature]</i> <i>Meaghan Richmond</i>	3/16/23	(A)	YES
						YES
						YES
						YES

Last updated: February 16, 2021

Return completed form and attachments to rezoning@denvergov.org

201 W. Colfax Ave., Dept. 205
Denver, CO 80202
720-865-2974 • rezoning@denvergov.org



Denver Property Taxation and Assessment System

[New Search](#)

925 E 17TH AVE

Owner	Schedule Number	Legal Description	Property Type	Tax District
RICHMOND, MEAGHAN LEN 925 E 17TH AVE DENVER, CO 80218-1407	02354-09-016-000	L 19 & W 13 6/10FT OF L 18 BLK 18 PARK AVENUE ADD	SFR Grade B	DENVER

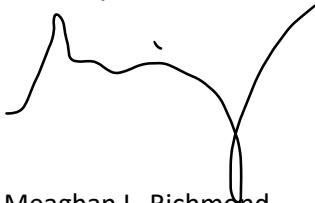
[Summary](#) [Property Map](#) [Assessed Values](#) [Assessment Protest](#) [Taxes](#) [Neighborhood Sales](#) [Chain of Title](#)

Current Year			
	Actual	Assessed	Exempt
Land	\$680,400	\$47,290	\$0
Improvements	\$525,600	\$36,530	
Total	\$1,206,000	\$83,820	

Dear Trina Borja,

Your Services are much appreciated in pursuing the rezoning of the 925 E 17th Ave., Denver, CO 80218. As owner, please accept this letter of direction to serve on my behalf in processing all aspects of the rezoning process pursuant to our agreement.

Sincerely,



Meaghan L. Richmond
Plant Magic Café
925 E. 17th Ave.
Denver CO, 80218

Exhibit A: Property Legal Description

Exhibit B: Description of Consistency with Adopted City Plans (DRMC 12.4.10.7 (A, B, & C))

Exhibit C: Description of Justifying Circumstances and Neighborhood Context (DRMC 12.4.10.8 (A & B))

Exhibit D: Supporting Documentation

925 East 17th Ave. Denver, CO

Plant Magic Cafe 

970-317-5757

Exhibit A: Property Legal Description

LOT 19 AND THE WEST 13.6 FEET
OF LOT 18, BLOCK 18, PARK
AVENUE ADDITION TO DENVER,
CITY AND COUNTY OF DENVER,
STATE OF COLORADO

Owner

RICHMOND, MEAGHAN LEN
925 E 17TH AVE
DENVER, CO 80218-1407

Exhibit B: Description of Consistency with Adopted City Plans (DRMC 12.4.10.7)

This application proposes to rezone the 5,670 sq foot lot (the “Property”) located at 925 E 17th Ave., from G-RO-5 to G-MS-3 to facilitate use of the Property that is consistent with the recommendations in the adopted Plans.

The Property is in the East Central Area, of the North Capitol Hill neighborhood, in the Swallow Hill Historical District, on East 17th Ave. Currently, the property is zoned G-MS with an accessory use allowance. Existing zoning around the Property includes C-MX, UO-1, UO-2, and MS, UO-2, C-MX-5, PUD, and C-MS-8. Adjacent to the property are apartments and residences zoned G-RO-5.

The Property is located within a ¼ mile stretch of E.17th Ave. not yet zoned Mainstreet (MS), but that is planned as such in Blueprint Denver. The avenue is also a designated Community Corridor with Transit Priority and Pedestrian Priority designations.

The map amendment requests to rezone the Property from a G-RO-5 to a G-MS-3 Zone District. This would both preserve the historic building and allow the Property multiple uses, including neighborhood-serving uses. The Property is in the East Central Area, which has been known for various industrial uses, restaurants, retail, and residential uses. While the residence and office uses have evolved over time, this area continues to be a desirable area to live, work, and recreate. The successful rezoning will allow for a mix of uses which will blend in with, support, and sustain the existing character of the neighborhood with our planned community programming. Denver has been experiencing exponential growth, especially in areas close to downtown. These changes have resulted in the need to rezone the Property to implement adopted Plan recommendations and meet community wants and needs.

REVIEW CRITERION DZC § 12.4.10.7. A – Consistency with Adopted Plans: The proposed official map amendment is consistent with the City’s adopted plans.

This proposed map amendment is consistent with the Denver Comprehensive Plan 2040, Blueprint Denver (2019), and the East Central Area Plan (2020).

Denver Comprehensive Plan 2040

The proposed map amendment is consistent with many objectives of Denver Comprehensive Plan 2040, including:

Vision Elements: Equitable, Affordable and Inclusive

Goal 1: Ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities.

- Increase development of housing units close to transit and mixed-use developments
- Implement a high-quality, affordable and accessible multimodal transportation system.
- Improve equitable access to resources that improve quality of life, including cultural and natural amenities, health care, education, parks, recreation, nutritious food and the arts.
- Improve equitable access to city resources and city meetings through proactive and transparent communications, easy-to-access information and materials available in more than one language Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities.

The rezoning to G-MS-3 will facilitate the above strategies for Goal 1.

Goal 2: Build housing as a continuum to serve residents across a range of incomes, ages and needs.

- Create a greater mix of housing options in every neighborhood for all individuals and families.
- Ensure city policies and regulations encourage every neighborhood to provide a complete range of housing options.
- Foster communities of opportunity by aligning housing strategies and investments to improve economic mobility and access to transit and services.

The rezoning to G-MS-3 will facilitate the above strategies for Goal 2.

Goal 4: Preserve Existing Affordable Housing

- Incentivize the reuse of existing smaller and affordable homes.

The rezoning to G-MS-3 will facilitate the above strategies for Goal 4.

Vision Elements: Strong and Authentic Neighborhoods

Goal 1: Create a city of complete neighborhoods.

- Increase development of housing units close to transit and mixed-use developments.
- Ensure neighborhoods are safe, accessible and well-connected for all modes.
- Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities.

The rezoning to G-MS-3 will facilitate the above strategies for Goal 1.

Goal 2: Enhance Denver's neighborhoods through high-quality urban design.

- Create people-oriented places that embrace community character with thoughtful transitions, aspirational design and an engaging public realm.
- Use urban design to contribute to economic viability, public health, safety, environmental well-being, neighborhood culture, and quality of life.

The rezoning to G-MS-3 will facilitate the above strategies for Goal 2.

Goal 3: Preserve the authenticity of Denver's neighborhoods and celebrate our history, architecture and culture.

- Continue the city's commitment to existing historic districts and landmarks and increase public awareness of the benefits of historic preservation through education and outreach.
- Expand resources to preserve and enhance neighborhood culture.
- Support the stewardship and reuse of existing buildings, including city properties.

The rezoning to G-MS-3 will facilitate the above strategies for Goal 3.

Goal 4: Ensure every neighborhood is economically strong and dynamic.

- Grow and support neighborhood-serving businesses.

The rezoning to G-MS-3 will facilitate the above strategies for Goal 4.

Vision Elements: Economically Diverse and Vibrant

Goal 1: Ensure economic mobility and improve access to opportunity.

- Build the capacity and strength of businesses owned by women and people of color and increase city contracting with these businesses.

The rezoning to G-MS-3 will facilitate the above strategies for Goal 1.

Goal 2: Grow a strong, diversified economy.

- Broaden the tax base with a focus on fiscal activity that is resilient to changes over time.
- Ensure a broad range of jobs to align with the skills and interests of local residents.

The rezoning to G-MS-3 will facilitate the above strategies for Goal 2.

Goal 3: Sustain and grow Denver's local neighborhood businesses.

- Promote small, locally-owned businesses and restaurants that reflect the unique character of Denver.
- Address the needs of culturally relevant businesses that are most vulnerable to involuntary displacement.

The rezoning to G-MS-3 will facilitate the above strategies for Goal 3.

Goal 7: Accelerate Denver's economic vitality through arts, culture and creativity.

- Grow public-private partnerships and create tools to support creative businesses and job creation.

The rezoning to G-MS-3 will facilitate the above strategies for Goal 7.

Goal 9: Stimulate the growth of ideas and innovation.

- Encourage entrepreneurial and emerging business growth by fostering a startup ecosystem with places, mentors, peers and systems to assist innovators and businesses.

The rezoning to G-MS-3 will facilitate the above strategies for Goal 9.

Goal 10: Create a vibrant food economy and leverage Denver's food businesses to accelerate economic opportunity.

- Develop Denver as an epicenter for the regional food economy.
- Support the creation, expansion and economic vitality of Denver food businesses.
- Spur innovation and entrepreneurship across food and agricultural industries.

The rezoning to G-MS-3 will facilitate the above strategies for Goal 10.

The proposed G-MS-3 zone district would enable a mix of neighborhood serving uses that encourages mixed-use communities. This zone district offers increased opportunities for amenities and services that contribute to and enhance the vibrant neighborhood character. The Property is close to designated bike lanes/routes, multiple RTD transit routes, allowing it to be accessible by multiple modes of transportation. This rezoning will enable a range of residential and commercial uses in an appropriate location, making it consistent with Denver Comprehensive Plan 2040 Vision Elements and Goals.

Blueprint Denver 2019

The proposed map amendment is consistent with the objectives of Blueprint Denver.

The Blueprint Denver Place designation for the subject property is A Community Center in an General Urban neighborhood context.

Blueprint Denver describes General Urban neighborhoods as dense and vibrant areas that support residents and visitors.

“General urban neighborhoods are 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. Residents living in this context are well served by transit and enjoy access to abundant amenities and entertainment options.” (BPD, 237)

“Main streets and mixed-use streets provide and a sidewalk amenity zone with benches, trees and/or planters to provide a buffer between people walking and auto traffic. Residential streets typically provide a tree lawn. On residential streets, lower target operating speeds are encouraged to make travel safer for all modes. Driveway access is usually limited on all street types except local. Curb lane uses are managed to a mixed degree to ensure the highest and best use. Utilizing on-street parking on residential or local streets to access nearby businesses on main streets and mixed-use streets is expected.” (BPD, 248)

The G-MS-3 zoning is an appropriate district that implements these Blueprint Denver concepts and complements the characteristics of General Urban neighborhoods and is in character with a Community Corridor area. The Denver Zoning Code states that “Many mixed-use and main street zone districts have seen new development that is exclusively residential, thus lacking the desired neighborhood services and amenities that typically come to mind with mixed-use zoning. The lack of non-residential uses can be particularly challenging at the street level since uses such as offices, retail and services help to create and support pedestrian activity.” The proposed rezone of the property aims to address these challenges. Further, the Main Street Arterial Corridor of E. 17th Ave. makes an excellent location for the proposed zone district which can offer amenities and services that complement the residents and visitors.

Growth Strategy for this area is designated as Community Corridors: 20% of new jobs and 25% of new households. (BPD, 51)

The proposed MS zoning implements and directly addresses the growth strategy of this area in both residential and commercial uses with community programming. With a mix of residential and mixed-use zoning in the surrounding area, this makes it an excellent location for a main street zone district which can offer amenities and services that complement the residents and visitors. With multiple RTD bus routes nearby along with bike friendly routes this makes it an ideal multi modal accessible location for both residents and those visiting for services and amenities.

Street Type for the Property is designated as Main Street Arterial.

“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. Street level uses are highly activated, including cafe seating in the right-of-way.” (BPD, 161)

The proposed MS zoning will support residential uses in the Local Street Type.

East Central Area Plan (2020)

The proposed map amendment is consistent with the objectives of the East Central Area Plan, including:

1.2.1 Vision and Community Priorities

- Strengthen the local economy by providing training for jobs in local industries, improving access to employment, and supporting locally-owned, independent businesses.
- Increase historic preservation by making it easier to reuse existing buildings, creating more historic districts, and ensuring new buildings fit in with surrounding neighborhoods.

1.3 Planning for an Equitable East Central Denver

“Equity Concepts: Because the data available to measure the equity concepts is not available at the parcel-level scale, and they are intended to show patterns across large areas, they cannot be effectively applied to small-scale rezonings. Given the above, they are not intended to be part of the evaluation for smaller rezonings. However, they should be used to evaluate large area rezonings.” (BPD, 67)

While Blueprint Denver acknowledges that equity concepts are difficult to apply to small rezonings such as this one, we believe these are important criteria to address in our city. While this rezone is in line with all sources guiding Denver’s future planning goals. This rezoning will help this small property contribute to the more equitable Denver in the following ways:

Equity Concept 1: Improving Access to Opportunity: creating more equitable access to quality-of-life amenities, health, and quality education.

“The proximity of an amenity (including quality jobs, schools, parks, health care services, and healthy food), the affordability of that amenity, and the safety and ease of access to that amenity are important elements of access to opportunity. Equitable access to opportunity strengthens our collective prosperity and improves outcomes for all. In areas with high access to opportunity, it is important to increase the range of affordable housing options so that residents of all income levels can live in these neighborhoods.” (BPD, 32)

The proposed map amendment will increase affordable housing, per Expanding Housing Affordability program requirements, and ground-floor commercial uses, introducing opportunities for jobs and services to the neighborhood.

Equity Concept 2: Reducing Vulnerability to Displacement: stabilizing residents and businesses who are vulnerable to involuntary displacement due to increasing property values and rents.

“Involuntary displacement means Denver neighborhoods, and often the city as a whole, loses its long-term residents and businesses. As families and local shops and restaurants leave neighborhoods where they’ve been for years, it often decreases the diversity of the population and employment opportunities,

reduces local school enrollment, weakens the longstanding social networks in the area and pulls at the threads of the rich culture that helps to make Denver neighborhoods unique and authentic.” (BPD, 36)

The Property is in an area that is designated as relatively more vulnerable to displacement. The proposed G-MS-3 zone district would enable residential and a mix of neighborhood-serving uses that do not exist in the stringent G-RO, this gives the development the ability to add housing and jobs here that could help mitigate displacement.

Equity Concept 3: Expanding Housing and Jobs Diversity: providing a better and more inclusive range of housing and employment options in all neighborhoods.

“It is the desire of many residents and stakeholders for all neighborhoods to accommodate some level of growth and to incorporate a greater variety of housing and employment options. If done right, this can enable more inclusive and diverse communities.” (BPD, 40)

The G-MS-3 zone district will open the property to a variety of uses that are not offered in the current zoning as well as add increased density which will allow for more services. This zone district would allow for a variety of housing options along with commercial, office, retail and neighborhood-serving uses that could create new job and housing opportunities. While it is uncertain how the Property will be utilized within its zoning in the future, it is valuable to the neighborhood and the city that a G-MS-3 zoning introduces more housing and job opportunities to the area than with the zoning today.

REVIEW CRITERION DZC § 12.4.10.7.B – 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.

Future development of the Property will result in uniformity of G-MS-3 district regulations and restrictions. Further, the rezoning of the Property to Main Street is in line with the 17th Ave. community corridor plan as set forth in Blueprint Denver and the Denver Comprehensive Plan, and will conform with neighboring zones as they adopt the city plan.

REVIEW CRITERION DZC § 12.4.10.7.C – Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.

The proposed map amendment will further the public health, safety, and general welfare of the City by facilitating the improvement and development of the Property as desired by the City’s adopted plan.

Exhibit C

Statement of Compliance of Additional Review Criteria for Non-Legislative Rezoning (DZC § 12.10.8)

CRITERION DZC § 12.4.10.8.A - Justifying Circumstances - One of the following circumstances exists:

“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 a particular area, or in the city generally; or a City adopted plan.” (Denver Zoning Code 12.4.10.8.A.4)

The 5,670 sq. ft. Property is in a General Urban neighborhood outside of downtown, this area continues to be a desirable neighborhood to work, live, and play in. In Denver, hundreds of new housing units have been delivered in recent years and more are on the way. This density is supporting a growing population that can walk, bike, or use public transit to neighborhood amenities, entertainment, retail, and services.

With the tremendous growth in Denver in recent years, this part of Denver continues to be a popular neighborhood to live in, this warrants the introduction of residential, office, and commercial uses which are not allowed in its current zoning. The desire and need for more residential and employment options in the area is growing and a G-MS-3 zone district can aid to these community wants and needs.

CRITERION DZC § 12.4.10.8.B – 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.

“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 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. Residential uses are primarily located along local and residential arterial streets. Commercial uses are primarily located along mixed-use arterial and main streets but may be located at or between intersections of local streets.” (Denver Zoning Code 6.1.1)

“The Main Street zone districts are intended to promote safe, active, and pedestrian-scaled commercial streets through the use of building forms that clearly define and activate the public street edge. The Main Street zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering along the city’s commercial streets. The Main Street district standards 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. Main Street zone districts are typically applied linearly along entire block faces of commercial, industrial, main, mixed-use and residential arterial streets (as designated in Blueprint Denver). In all cases, the Main Street zone districts should be applied where a higher degree of walkability and pedestrian activity is desired than required in a Corridor, Mixed Use, or Residential Mixed Use zone district. In the General Urban Neighborhood Context, the Main

Street zone districts may also be embedded within a larger commercial shopping center or mixed-use area to promote a pedestrian-active street front within a larger mixed use or commercial development. The Main Street zone districts are intended to promote an urban, mixed-use, built-to environment regardless of neighborhood context. Main Street buildings have a shallow front setback range. The build-to requirements are high and the maximum building coverage is significant.” (Denver Zoning Code, 6.2.5.1)

Today, the neighborhood context around the Property is a mix of residential office, missed use, and main street zoning. The proposed G-MS-3 zone district of the Property is fitting with the existing context and character in the East Central neighborhood. It will enhance the convenience and enjoyment of walking, shopping, and public gathering through a mixed-use project in an appropriate, transit-served location. It will promote a safe, active, pedestrian-scaled residential area while improving access to jobs, housing, and services.

The proposed official map amendment G-MS-3 is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.

Review Criteria – Summary Appendices

Criteria 1:

12.4.10.7.A . Consistency with Adopted Plans The proposed official map amendment is consistent with the City's adopted plans. Complies fully with the three primary guiding documents:

Comprehensive Plan 2040 – Proposed zoning achieves equitable, affordable, and inclusive community through permitting women-owned business operations; strong and authentic neighborhood of locally-owned business and residential density; well-connected, safe and accessible places along the 17 Ave. community corridor, economically diverse and vibrant, promoting healthy and active pedestrian traffic.

Blueprint Denver – Aligned with the *Future Places* zone planning within the general urban context of the North Capital Hill neighborhood community context. (Section 5.4 “General Urban” in Blueprint Denver depicts a neighboring business on 17th Ave., one block to the east.)

East Area Plan – Proposed rezoning is consistent with the places plan of the *Community Corridor* plan along this section of 17th Ave. Complies with General Urban neighborhood context.

Criteria 2:

12.4.10.7.B. 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.

Criteria 3:

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

Justifying Circumstances

Criteria 4:

Per DZC sec. 12.4.10.8.A - One of the following circumstances exists: to justify rezoning.

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.

Criteria 5:

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