



TO: Denver City Council
FROM: Rob Haigh, Senior City Planner
DATE: September 11, 2023
RE: Official Zoning Map Amendment Application #2023I-00003
1600 North Hooker Street
Rezoning from R-2-A to G-RX-5

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for Application #2023I-00003.

Request for Rezoning

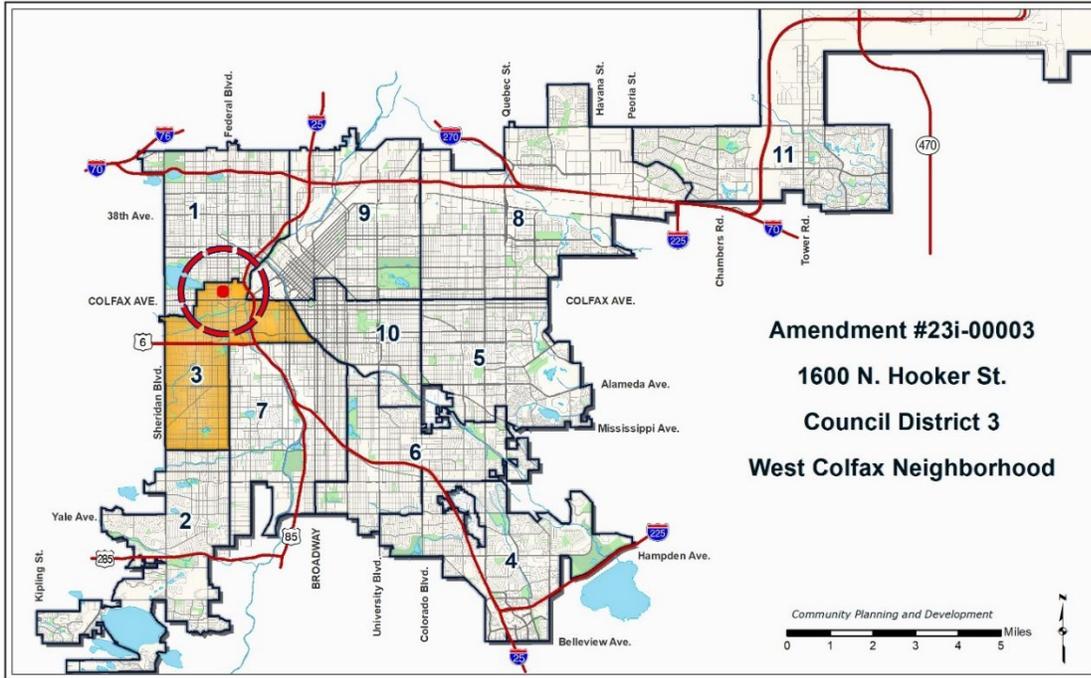
Address: 1600 North Hooker Street
Neighborhood/Council District: West Colfax / Council District 3
RNOs: Inter-Neighborhood Cooperation (INC), Strong Denver, West Colfax BID, West Colfax Association of Neighbors, Sloan's Lake Citizens Group
Area of Property: 130,320 square feet or 2.99 acres
Current Zoning: R-2-A with Planned Building Group
Proposed Zoning: G-RX-5
Property Owner(s): Town View MHA LTD
Owner Representative: Bruce O'Donnell

Summary of Rezoning Request

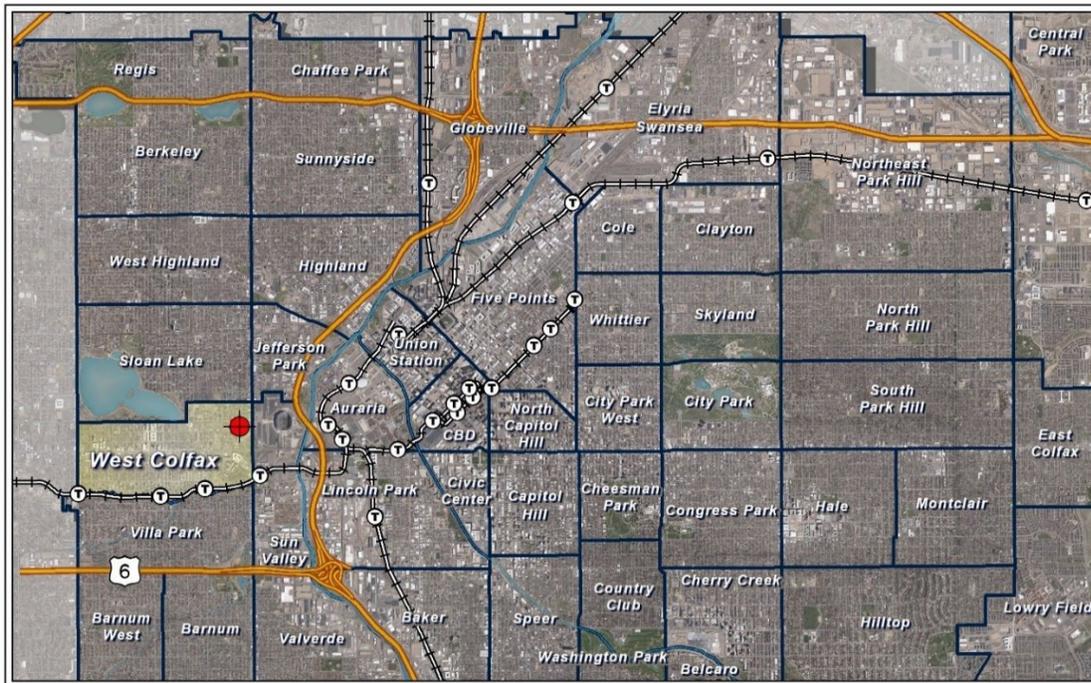
The applicant is requesting postponement of the public hearing to September 25, 2023.

- The subject property contains a three-story multi-unit residential development that provides affordable housing for its residents. It is located within the West Colfax statistical neighborhood northwest of the West Colfax and Federal Boulevard interchange. The property contains an entire block that is bound by 16th Avenue, 17th Avenue, Hooker Street, and Grove Street.
- The property owner, with Bruce O'Donnell as their representative, is proposing to rezone the property to allow for reinvestment into this property to develop a 5-story permanently affordable housing development.
- The current R-2-A zoning with a Planned Building Group (PBG) only allows for the development that currently exists on site. The proposed rezoning would supersede the PBG and remove the specific development requirements in that plan.
- The proposed G-RX-5, **General Urban, Residential Mixed Use, 5 stories**, zone district allows the town house and shopfront primary building forms. The maximum height of the allowed primary building forms is 70 feet and there are no protected districts within the surrounding blocks. This district is intended for use in the General Urban Neighborhood Context, which is intended to promote and protect higher density residential neighborhoods. Further details of the zone district can be found in the proposed zone district of this staff report (below) and in Article 6 of the Denver Zoning Code.

Council District



Statistical Neighborhood



Aerial View

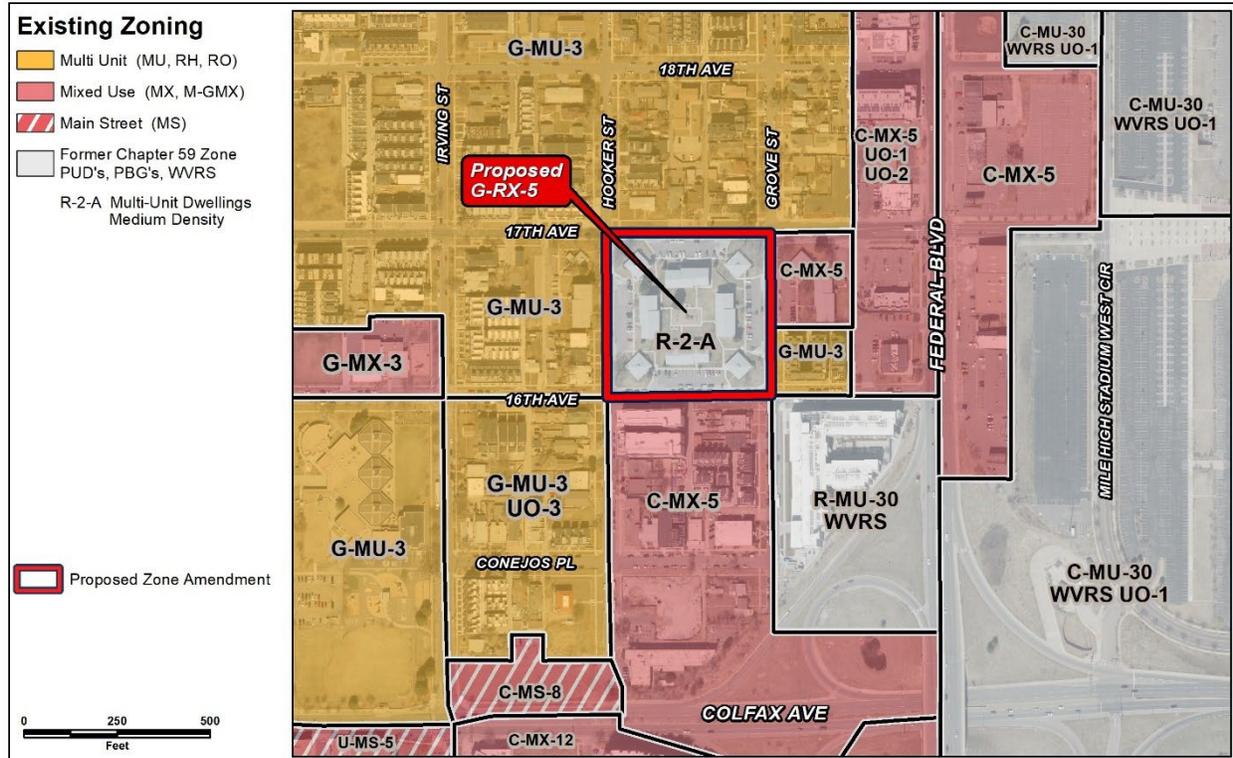


The subject property is located within the West Colfax statistical neighborhood, northwest of the intersection of Colfax Avenue and Federal Boulevard. The subject property is one block from commercial development along Federal Boulevard that borders the Mile High Stadium parking areas. The subject property is served by RTD bus route 20 along West 17th Avenue and routes 20 and 31 along North Federal Boulevard.

The following table summarizes the existing context proximate to the subject site:

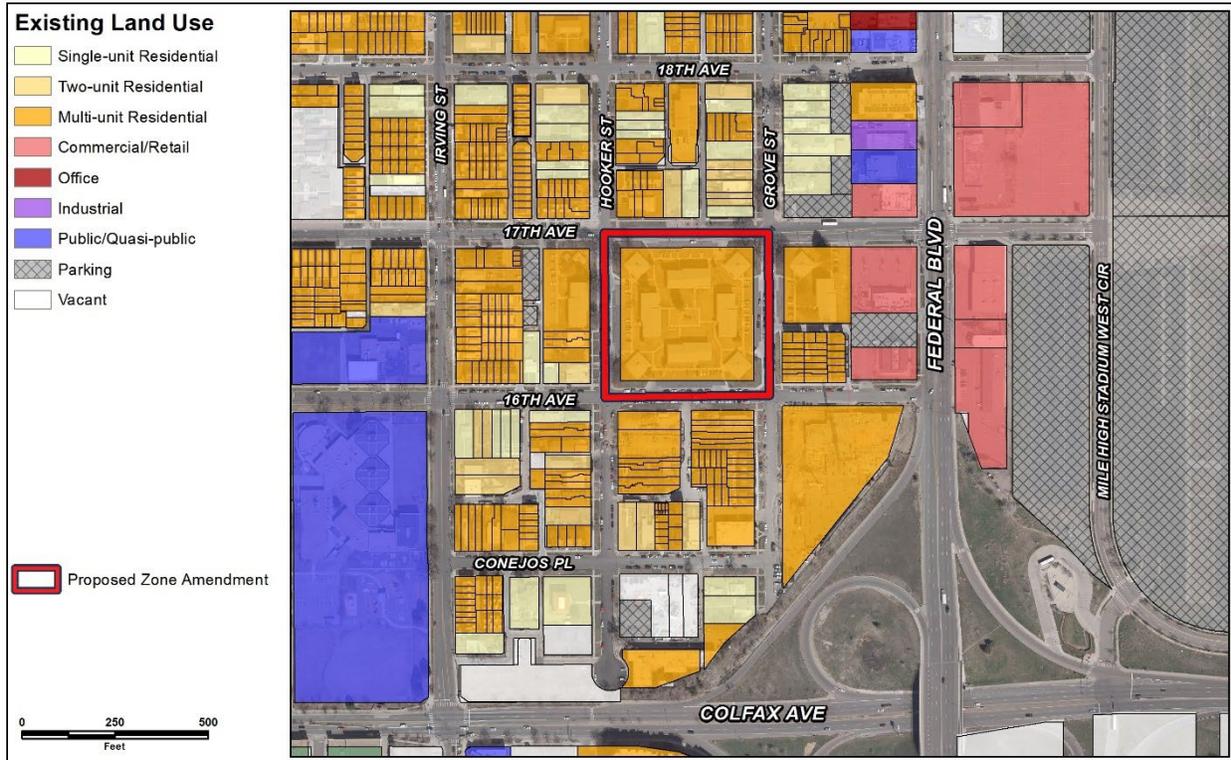
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	R-2-A	Multi-Unit Residential	3-story multi-unit residential development	Generally regular grid of streets. Block sizes and shapes are consistent and rectangular with consistent sidewalks and amenity zones. Generally, vehicle parking is located to the rear or side of buildings in the neighborhood.
North	G-MU-3	Single-unit, two-unit, and multi-unit Residential	1-story, single-unit, two-unit, and three-unit residential developments	
East	G-MU-3, C-MX-5	Multi-unit residential	1-story and 5-story multi-unit residential	
South	C-MX-5	Multi-unit residential	2.5-story brick single-unit home with detached garage with alley access	
West	G-MU-5, UO-3	Two-unit and multi-unit residential	1-story-two-unit, and 3-story-multi-unit residential development	

Existing Zoning



The property is currently zoned R-2-A, which is a former chapter 59 zone district. There is also a Planned Building Group (PBG) that was approved in 1963 and restricts development on the subject property to exactly what exists on site today. The R-2-A zoning with PBG allows for 86 dwelling units spread among 8 structures with 84 off-street parking spaces and the associated landscaping and walkways. The property is surrounded by other multi-unit residential and mixed-use zone districts that allow for development up to 3 and 5 stories.

Existing Land Use Map



Existing Building Form and Scale



Site – The subject property from North Hooker Street, looking east (Source: Google Maps)



North – the properties to the north, from 17th Avenue facing north (Source: Google Maps)



East – the properties to the east, from North Grove Street Avenue facing east (Source: Google Maps)



South – the properties to the south, from West 16th Avenue facing southwest (Source: Google Maps)



West – the properties to the west, from North Hooker Street facing west (Source: Google Maps)

Proposed Zoning

G-RX-5 Zone District

The requested G-RX-5 zone district has a maximum height of 70 feet for the shopfront and town house building forms. A structure using the apartment building form and taking advantage of incentives for on-site affordable housing would have a maximum height of 7 stories and 95 feet. The G-RX-5 zone district is a residential mixed use district allowing town house and shopfront building forms. A variety of residential uses, including multi-unit, are allowed and a limited number of non-residential uses are also permitted. Minimum vehicle parking requirements in the G-RX-5 zone district are generally the same as the minimum vehicle parking requirements in the existing R-2-A zone district and PBG. For additional details of the requested zone district, see Denver Zoning Code Article 6.

The primary building forms allowed in the existing zone district and the proposed zone district are summarized on the following table.

Design Standards	R-2-A with PBG (Existing)	G-RX-5 (Proposed)
Primary Building Forms Allowed	N/A	Town House, Shopfront
Base Height in Stories / Feet (max)	3 stories	Shopfront , Town House: 5/70
Primary Street Build-To Percentages (min)	N/A	Shopfront Form: 75% Town House: 70%
Primary Street Build-To Ranges	N/A	Shopfront Form: 0' to 10' Town House: 10' to 15'
Primary Street Setbacks (min)	N/A	Shopfront Form: 0' Town House: 10'
Transparency, Primary Street/Side Street (min)	N/A	Shopfront form: 60% or 40% for residential only Town House Form: 40%/25%

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

Department of Public Health and Environment: Approve Rezoning Only – 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.

Denver Parks and Recreation: Approved – No Comments

Public Works – R.O.W.- City Surveyor: Approved – See Comments Below

Description is missing a "W" in the word "WITH", otherwise it is good. See attached word docx file.

Development Services – Project Coordination: Approved – No Comments

Development Services - Fire Protection: Approved – No Comments

Development Services – Transportation: Approved – No Comments

Development Services- Wastewater: Approved – See Comments Below

DES Wastewater approves the subject zoning change. The applicant should note that redevelopment of this site may require additional engineering including preparation of drainage reports, construction documents, and erosion control plans. Redevelopment may require construction of water quality and detention basins, public and private sanitary and storm sewer mains, and other storm or sanitary sewer improvements. Redevelopment may also require other items such as conveyance of utility, construction, and maintenance easements. The extent of the required design, improvements and easements will be determined during the redevelopment process. Please note that no commitment for any new sewer

Rezoning Application #2023I-00003
1600 North Hooker Street
September 11, 2023
Page 9

service will be given prior to issuance of an approved SUDP from Development Services. Denver does have flow depth mapping for stormwater adjacent to the parcel to aid in determining required Minimum Lowest Opening Elevations or Finished Floor Elevations. Please see link or google "Denver Potential Inundation Area" select Floodplain and under "What is My Flood Risk" select the Potential Inundation Area map:

<https://geospatialdenver.maps.arcgis.com/apps/webappviewer/index.html?id=12500a3b06b34bfc297697a64c4de>

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:	4/20/23
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:	6/6/23
Planning Board Public Hearing: <i>(Forwarding Recommendation of Approval)</i>	6/21/23
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:	7/15/23
Land Use, Transportation and Infrastructure Committee of the City Council meeting:	7/25/23
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:	8/21/23
City Council Public Hearing (Applicant is requesting that this hearing be postponed until September 25, 2023):	9/11/23

Public Outreach and Input

- **Registered Neighborhood Organizations (RNOs)**
 As of the date of this report, staff has not received any comments or position statements from any applicable RNOs
- **Other Public Comment**
 As of the date of this report, staff has received three comments in support of the proposal and one comment in opposition. The opposition comment highlights concerns around the proposed increase in height.

Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC Section 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

4. Justifying Circumstances
5. 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)*
- *West Area Plan (2023)*

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.

The proposed rezoning would allow for multi-unit residential development within an established neighborhood, consistent with the following strategies in the Equitable, Affordable and Inclusive vision element:

- 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-RX-5 zoning would allow for a broader variety of uses than the current zoning and PBG including multi-unit residential and limited commercial uses at an intensity consistent with the desire for dense, walkable, neighborhoods close to commercial and mixed use districts along Federal Boulevard. Further, the application of multi-unit zoning contributes to the city's aspirational network of well-connected mixed-use corridors and is therefore consistent with the following strategy in the Strong and Authentic Neighborhoods vision element:

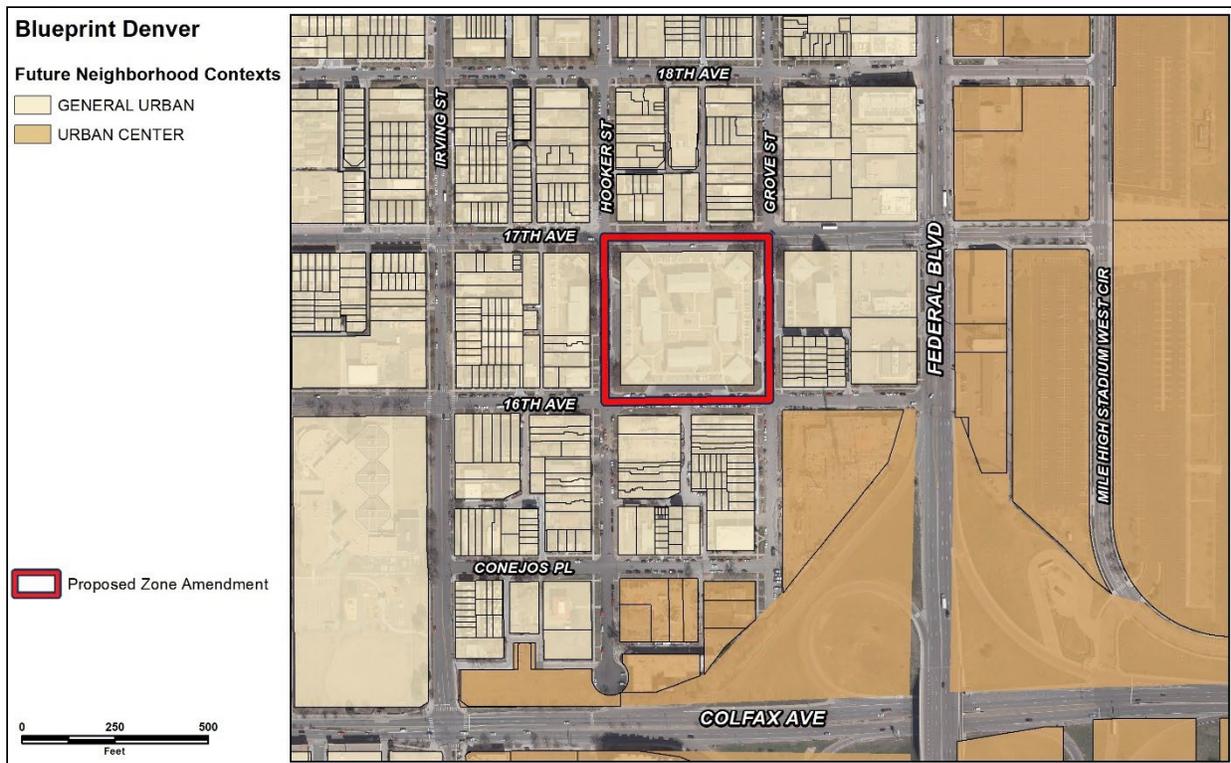
- Strong and Authentic Neighborhoods Goal 1, Strategy B – *Ensure neighborhoods offer a mix of housing types and services for a diverse population* (p. 34).

Overall, the requested map amendment would allow for a broader variety of residential uses at an intensity consistent with the desire for denser, more walkable neighborhoods expressed in Comprehensive Plan 2040.

Blueprint Denver (2019)

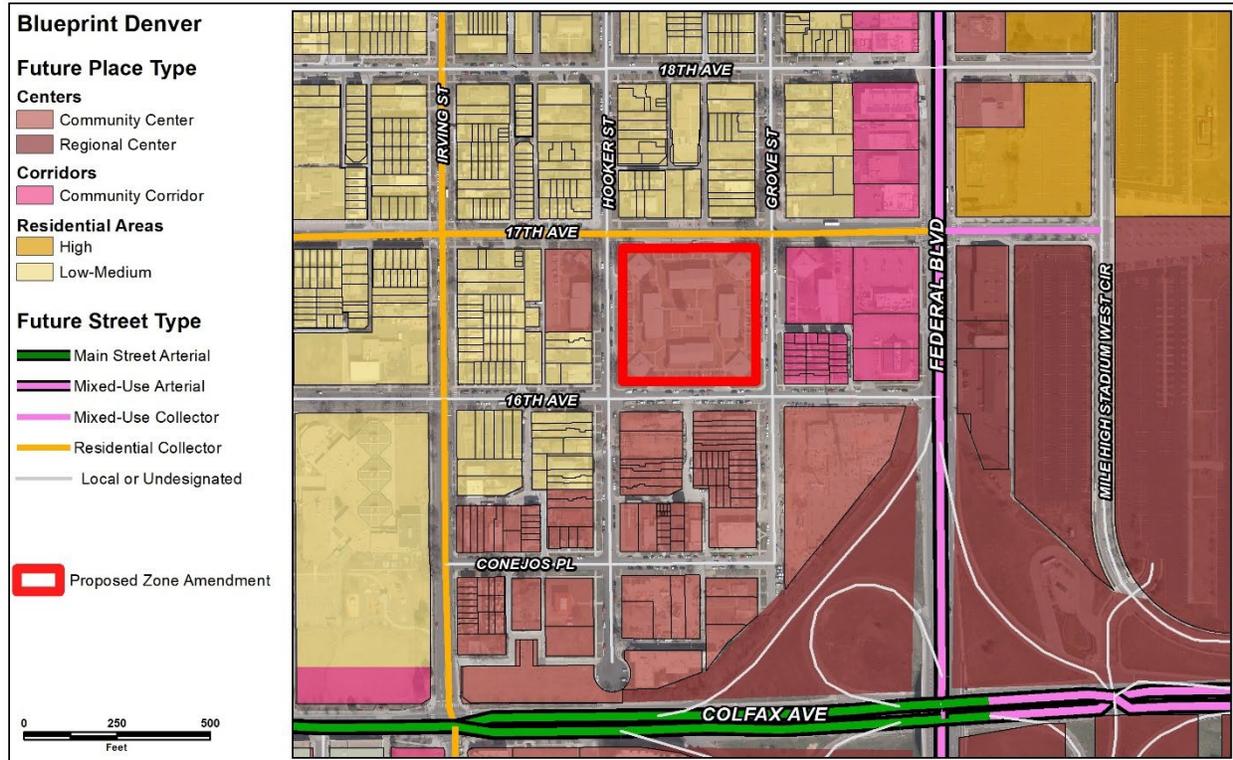
Blueprint Denver was adopted in 2019 as a supplement to Comprehensive Plan 2040 and establishes an integrated framework for the city's land use and transportation decisions. *Blueprint Denver* identifies the subject property as part of a High Residential place within the General Urban Neighborhood Context 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 help understand differences between neighborhoods and their land use, built form, and mobility options at a higher scale. The subject property is shown on the context map as the General Urban neighborhood context. The neighborhood context map and description help guide appropriate zone districts (p. 66). In the General Urban neighborhood context, there are “predominantly multi-unit structures. 1-unit and 2-unit residential and low scale mixed-use are embedded within the multi-unit areas. Block patterns are generally regular with consistent alley access. Buildings are medium scale and close to the street” (p. 137). The proposed G-RX-5 zone district is part of the General Urban neighborhood context and would allow multi-unit residential structures with limited mixed use development consistent with the intent of the General Urban neighborhood context in *Blueprint Denver*.

Blueprint Denver Future Places

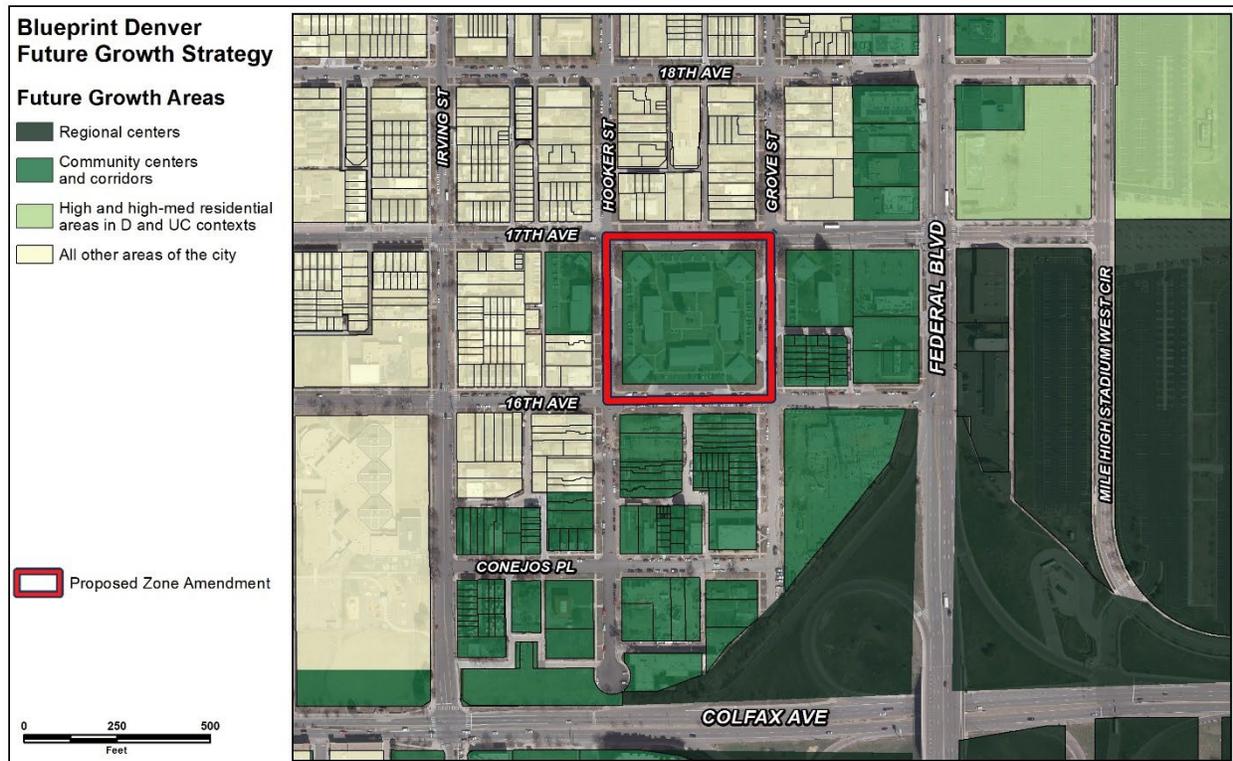


The General Urban Neighborhood Context provides nuance to the aspirations of the individual places shown on the map. The Future Places Map shows the subject property as part of a Community Center Future Place Type. *Blueprint Denver* describes the aspirational characteristics of Community Centers in the General Urban context and states that “Multi-unit residential is the most common with some single-unit and two-unit residential, commercial and mixed-use embedded. Block patterns are generally a regular grid with consistent alley access. Multi-unit residential buildings are low- to mid-scale mixed in with some low-scale residential uses.” (p. 238). *Blueprint Denver* also states that heights in this Community Center Future Place are “generally up to 8 stories and should transition gradually within the center to the surrounding residential areas.” (p. 242) The proposed zone district of G-RX-5 would allow additional residential and limited commercial uses embedded within the adjacent multi-unit residential and mixed-use areas.

Street Types

In *Blueprint Denver*, future street types work in concert with the future places to evaluate the appropriate intensity of adjacent development (p. 67). *Blueprint Denver* classifies West 17th Avenue as Residential Collector Future Street Type, these streets are described as having primarily residential uses and conveying traffic from local streets to larger arterial streets. This future street type aligns with the current functional classification of West 10th Avenue. *Blueprint Denver* classifies West 16th Avenue, North Hooker Stret, and North Grove Street as Local or Undesignated Future Street Types. The proposed G-RX-5 district is consistent with these street types because it would allow for primarily residential uses in a largely residential established neighborhood.

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 the "Community Centers and Corridors" growth area. These areas anticipate experiencing around 25 percent of new housing growth and 20 percent of new employment growth by 2040 (p. 51). These are areas where growth should be directed and states that by "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 G-RX-5 zone district is appropriate in this growth area as it add the opportunity for both housing growth. Therefore, the proposed rezoning is consistent with the *Blueprint Denver* growth strategy.

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.

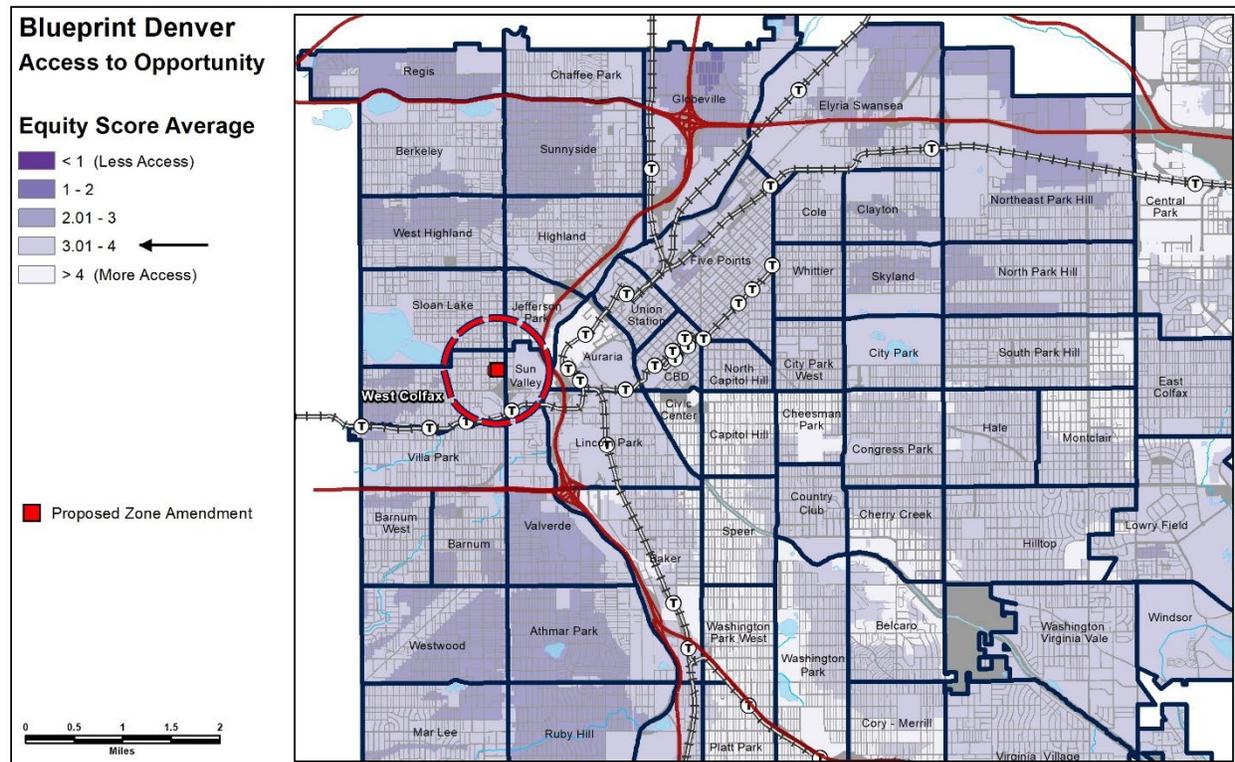
Blueprint Denver provides recommendations related to properties that retained zoning from the Former Chapter 59 zoning code.

- Land Use & Built Form: General Policy 3, Strategy B: *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 (p. 73).*
- Land Use & Built Form: General Policy 3, Strategy B: *Limit the use of site-specific, customized zoning tools—such as Planned Unit Developments (PUDs) and waivers/conditions—to unique and extraordinary circumstances. The zoning code offers a wide variety of zone districts that cover the diverse contexts and places of Denver. Custom zoning tools are most effective when a standard zone district does not exist to implement the adopted plans for an area (p. 73).*

Blueprint Denver Equity Concepts

Blueprint Denver contains three equity concepts to help guide change to benefit everyone. Each equity concept has associated measurements that helps inform implementation actions through large rezonings along with other implementation actions. Given that the subject site is within one of Denver’s Neighborhood Equity and Stabilization (NEST) focus neighborhoods, an equity analysis is included in this staff report and was shared with the applicant for consideration. The applicant’s response is included with the application that is attached to the staff report.

Access to Opportunity

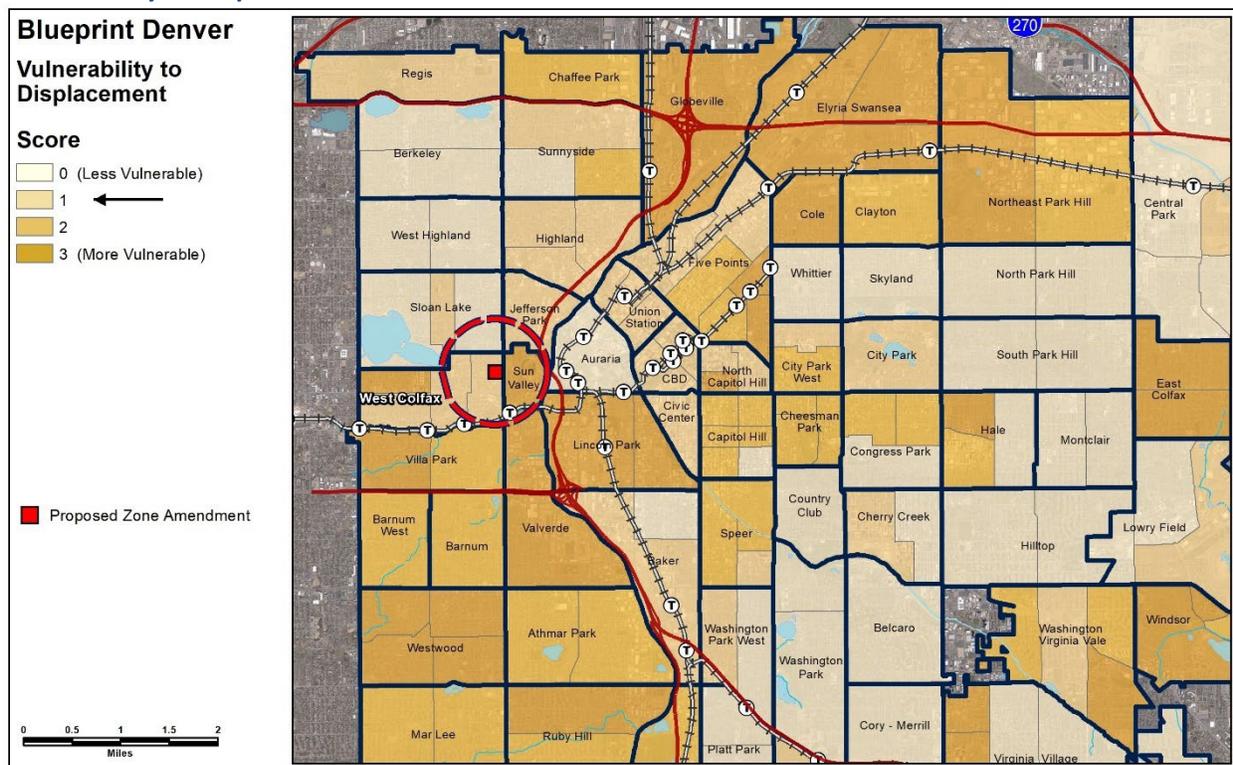


The subject property is in West Colfax, which is identified as an area with less access to opportunity compared to the rest of the city. The basis for measuring access to opportunity is a composite of the neighborhood equity index developed by Denver’s Department of Public Health and Environment, proximity to high-capacity and frequent transit, and access to centers and corridors. Analyzing this metric helps us measure our progress towards achieving the vision for complete neighborhoods across

the city. The subject area is less equitable than Denver as a whole when it comes to access to fresh foods and healthcare. These scores are related to a higher-than-average percentage of children with obesity and lower-than-average life expectancy.

While the proposed allowance of a multi-unit residential and mixed use development does not directly increase access to opportunity, an increase in residents near the Federal Boulevard and West Colfax corridors may increase the likelihood that more goods, services and amenities will locate in the commercial and mixed-use zoned areas of the neighborhood. Additionally, the proposed zone district would allow additional housing units at a location that is well-served by transit, providing residents with access to daily needs.

Vulnerability to Displacement

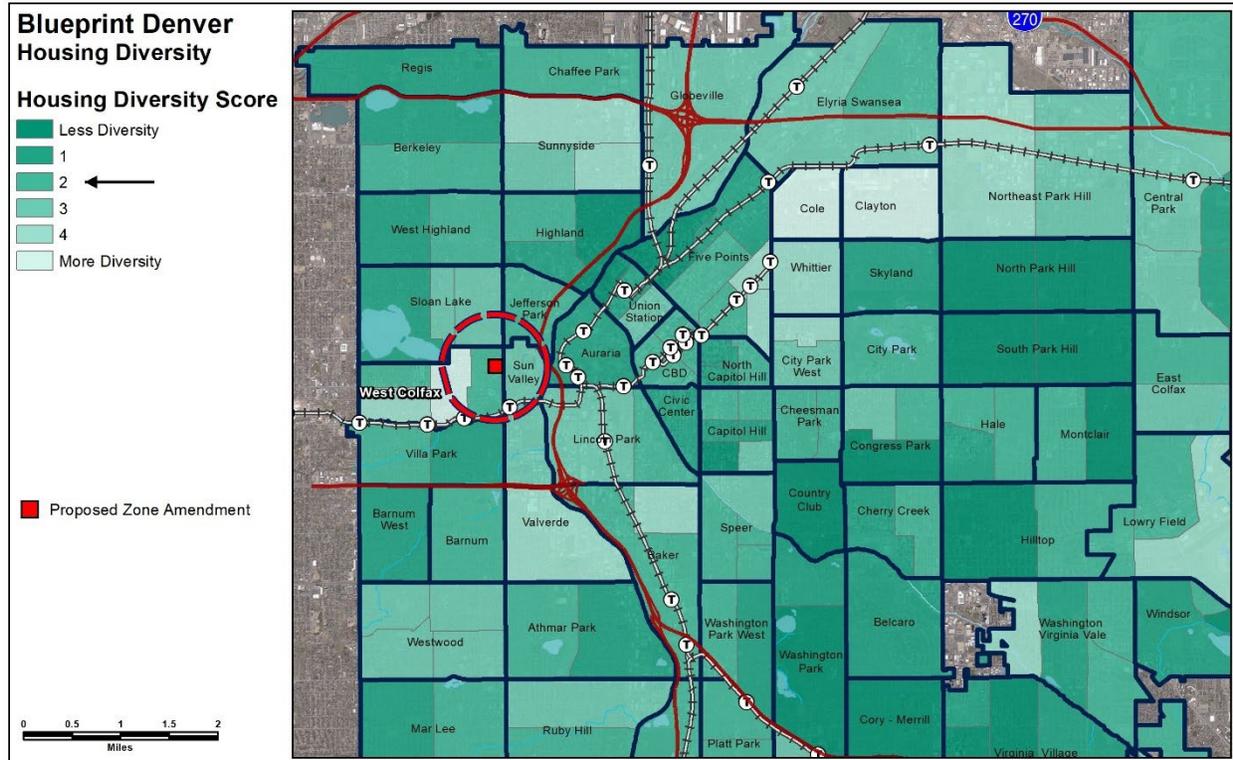


The subject property is in an area that has higher vulnerability to involuntary displacement than the city as a whole. The basis for measuring vulnerability to involuntary displacement is through the vulnerability to displacement index developed by Denver’s Economic Development and Opportunity office. This combines data from median household income, percentage of people who rent housing, and percent of population with less than a college degree. The subject area scored as vulnerable to displacement in two of the three categories: Educational Attainment and Median Household Income. In areas with high vulnerability to involuntary displacement, it is important to increase affordable housing options so that residents of all income levels can continue to live in these neighborhoods.

The proposed rezoning would allow for a multi-unit residential development and additional residential units in this area, which can help provide housing for existing residents and contribute to meeting the

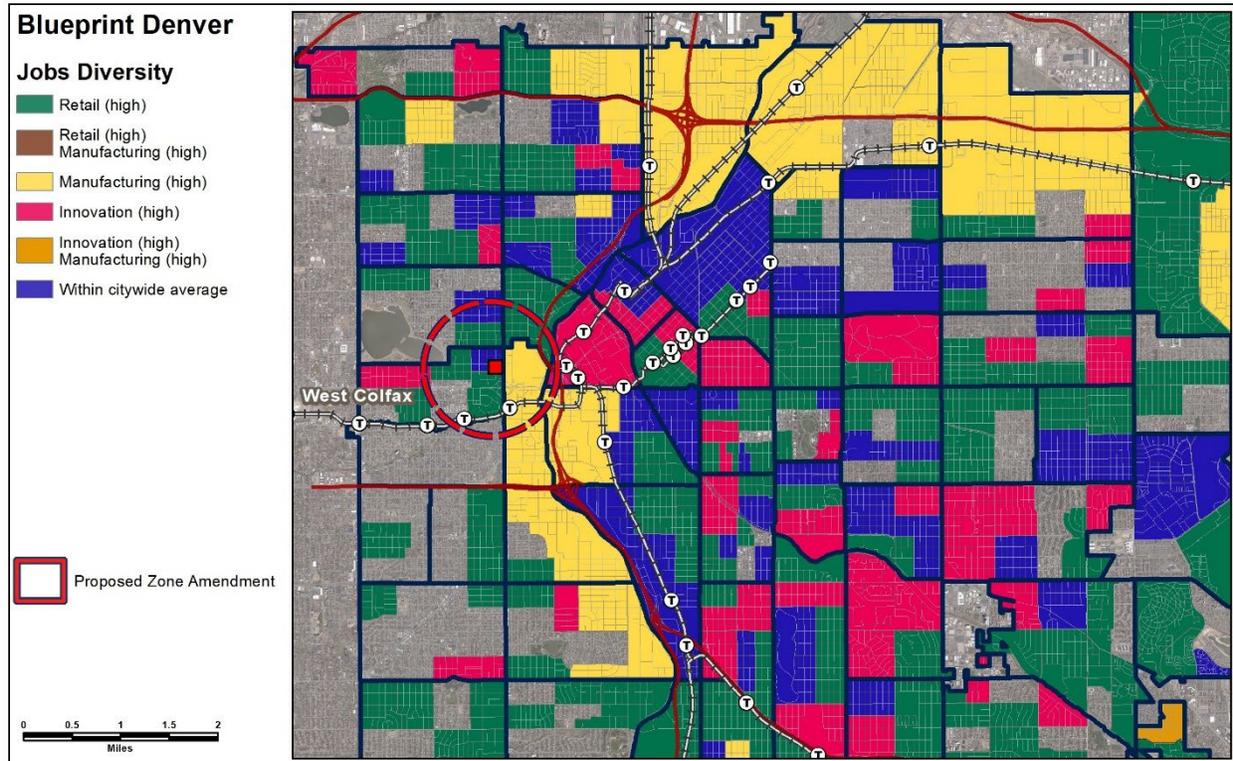
citywide demand for housing. While no commitments are being made as a part of the rezoning process, the property owner and applicant indicated in their application that the purpose for rezoning is to redevelop the property to expand the permanent affordable housing development that currently exists on the site.

Housing Diversity



The subject property is in an area that has low housing diversity. The housing diversity map combines census tract-level data measuring the percentage of middle-density housing (housing with 2-19 units), home size diversity, ownership vs. rental, housing costs and the number of income-restricted units. The subject area is not diverse in terms of the percentage of owners to renters, bedroom count, and missing middle housing. The proposed rezoning enables significantly more flexibility in how the property to be developed. The proposed G-RX-5 zone district allows for additional density on site, but also allows for a variety of building forms that could help address housing diversity. Specifically, the intended development could improve the diversity of bedroom counts in the area and additional income restricted units help address the city-wide shortage of affordable housing.

Jobs Diversity



The map above shows the mix of jobs in areas of the city (dominant industry depicted by color). The subject property is in an area with Jobs Diversity that is within the citywide average. The proposal enables an increase in density and additional flexibility for limited mixed-use development near other mixed-use and commercial corridors. This could potentially help jobs diversity and provides additional residential density in close proximity to a diverse range of employment opportunities.

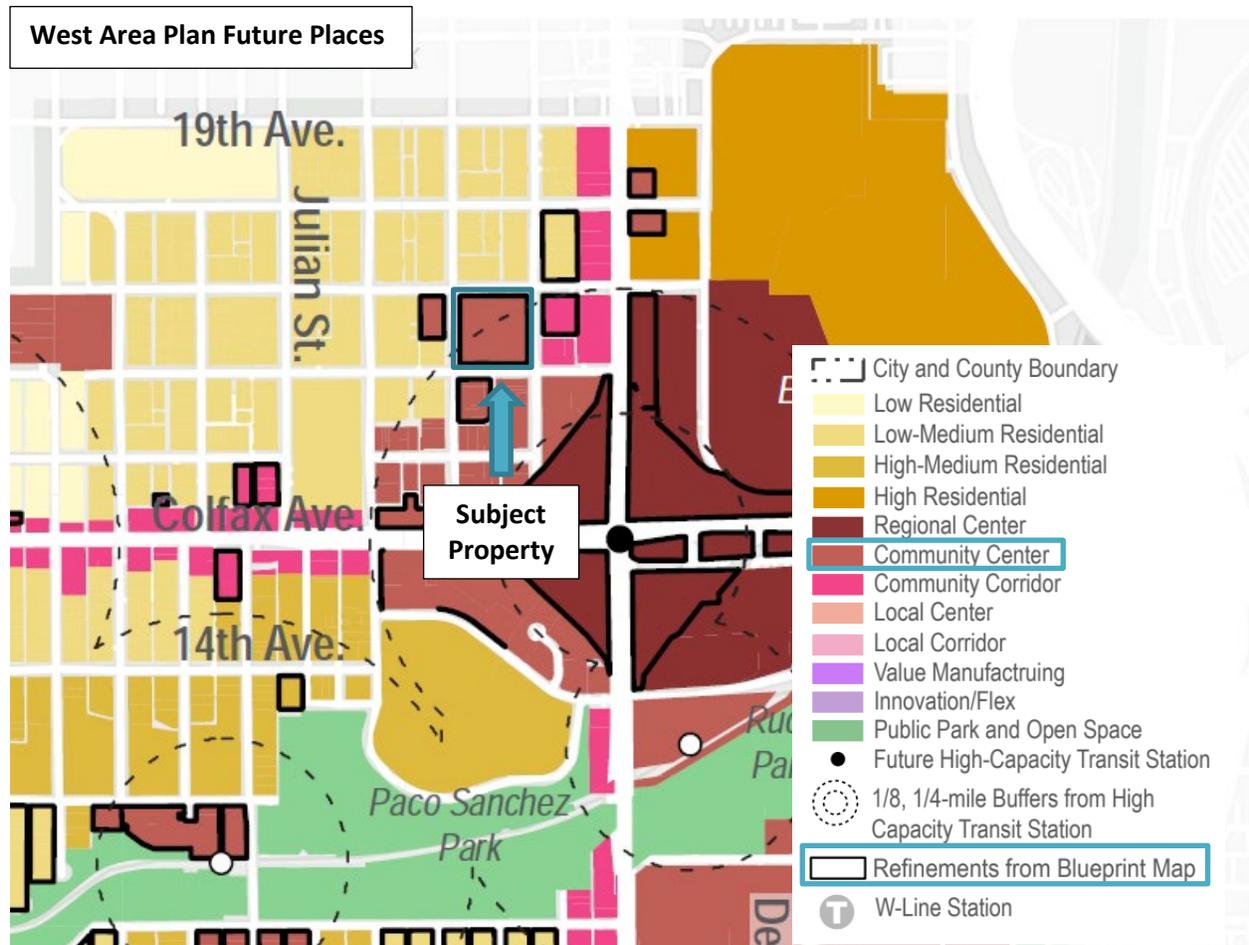
Therefore, the proposed rezoning to come from custom zoning under Former Chapter 59 to a standard zone district under the DZC is consistent with *Blueprint Denver*.

West Area Plan

The *West Area Plan* was adopted in March 2023 as part of Community Planning and Development’s Neighborhood Planning Initiative and supersedes the *West Colfax Plan*. It also updates the guidance in *Blueprint Denver*.



The subject property is within the General Urban Neighborhood Future Neighborhood Context. This guidance supports the proposed G-RX-5 zone district which is a part of the General Urban neighborhood context. The description of General Urban Future Neighborhood Contexts in the *West Area Plan* closely reflects *Blueprint Denver* and states that “Higher-density developments include larger multi-story residential and mixed-use/commercial buildings along Colfax Avenue and Federal Boulevard, and near the Regional Transportation District’s West light rail line station platforms along the Lakewood/Dry Gulch.” (p. 162). The proposed G-RX-5 zone district in this location which is one block from Federal Boulevard conforms to the neighborhood context description in the *West Area Plan*.



The Future Place Map classifies the subject property as Low-Medium Residential, which is defined as having “a mix of office, commercial, and residential uses”. (p. 165) The proposed G-RX-5 zone district allows for multiple residential building forms up to 5 stories and supports the a mix of uses as a component of the community center. The plan also states that “buildings are larger than those found in local centers and orient to the street and other public spaces. There is a strong degree of urban design with continuous building frontages that define the public realm.” (p. 165) The proposed G-RX-5 zone district has building form standards that will ensure future development makes an improvement in the urban design quality on the subject property.

Therefore, the proposed G-RX-5 zone district is consistent with the direction given in the *West Area Plan*.

Uniformity of District Regulations and Restrictions

The proposed rezoning to G-RX-5 will result in the uniform application of zone district building form, use and design regulations.

Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare through implementation of the city's adopted land use plans. The proposed rezoning would also facilitate increased housing density near services and amenities and promote a walkable, urban neighborhood

Justifying Circumstances

The application also identifies a change in zoning as a Justifying Circumstance, "That the City adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning." The zoning on the subject property is Former Chapter 59 PUD. Rezoning from Former Chapter 59 zoning into the Denver Zoning Code is an appropriate justifying circumstance.

Since the time that the subject property was zoned R-2-A, there have been adopted plans that support a rezoning to a G-RX-5 zone district to implement the plans' goals, policies, and strategies. The recently approved *West Area Plan* provides specific guidance for the subject property in its future Neighborhood Context, Future Place Type, and Growth Area Strategy maps that support the request G-RX-5 zone district on the subject property.

The combination of adopted plan guidance and the existence of a Former Chapter 59 zone district and PBG justify the proposed rezoning to G-RX-5 as being in the public interest.

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

The requested G-RX-5 zone district is within the General Urban Neighborhood Context which is primarily 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. Residential uses are primarily located along local and residential arterial streets which consist of a regular pattern of block shapes surrounded by an orthogonal street grid (Denver Zoning Code Division 6.1). Within the General Urban Neighborhood Context homes vary from multi-unit development to compact single-unit homes.

The proposed G-RX-5 zone district is consistent with the neighborhood context description and appropriate for this location because it is a residential mixed use district allowing a variety of building forms, compatible height and building form/design standards. The building form standards, and uses work together to promote safe, active, pedestrian-scaled residential areas. The standards accommodate the pattern of urban house, duplex, garden court, and apartment building forms.

In addition to allowing the above building forms, the specific intent of the G-RX-5 zone district is to provide certainty to property owners and neighborhoods about the limits of what is allowed in a residentially dominated area served by collector streets and reinforce desired patterns in existing neighborhoods. The proposed G-RX-5 zone district is consistent with the zone district. The street classifications and desired building heights in this area are consistent with the zone district purpose and intent, therefore, it is appropriate for this location.

Rezoning Application #2023I-00003
1600 North Hooker Street
September 11, 2023
Page 22

Attachments

1. Application
2. Planned Building Group Plan
3. Public Comment