



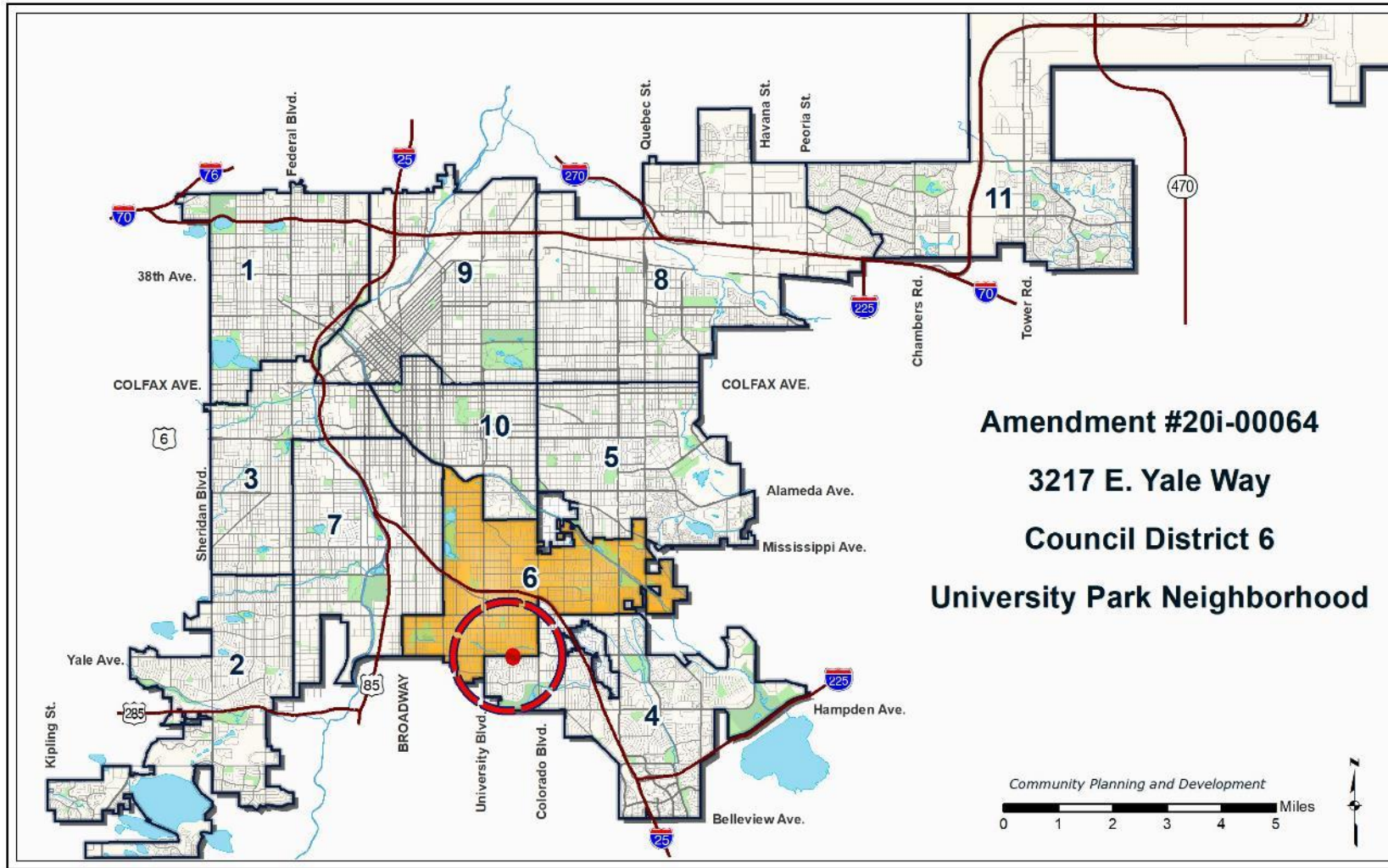
3217 E. Yale Way

Request: E-SU-D to E-SU-D1

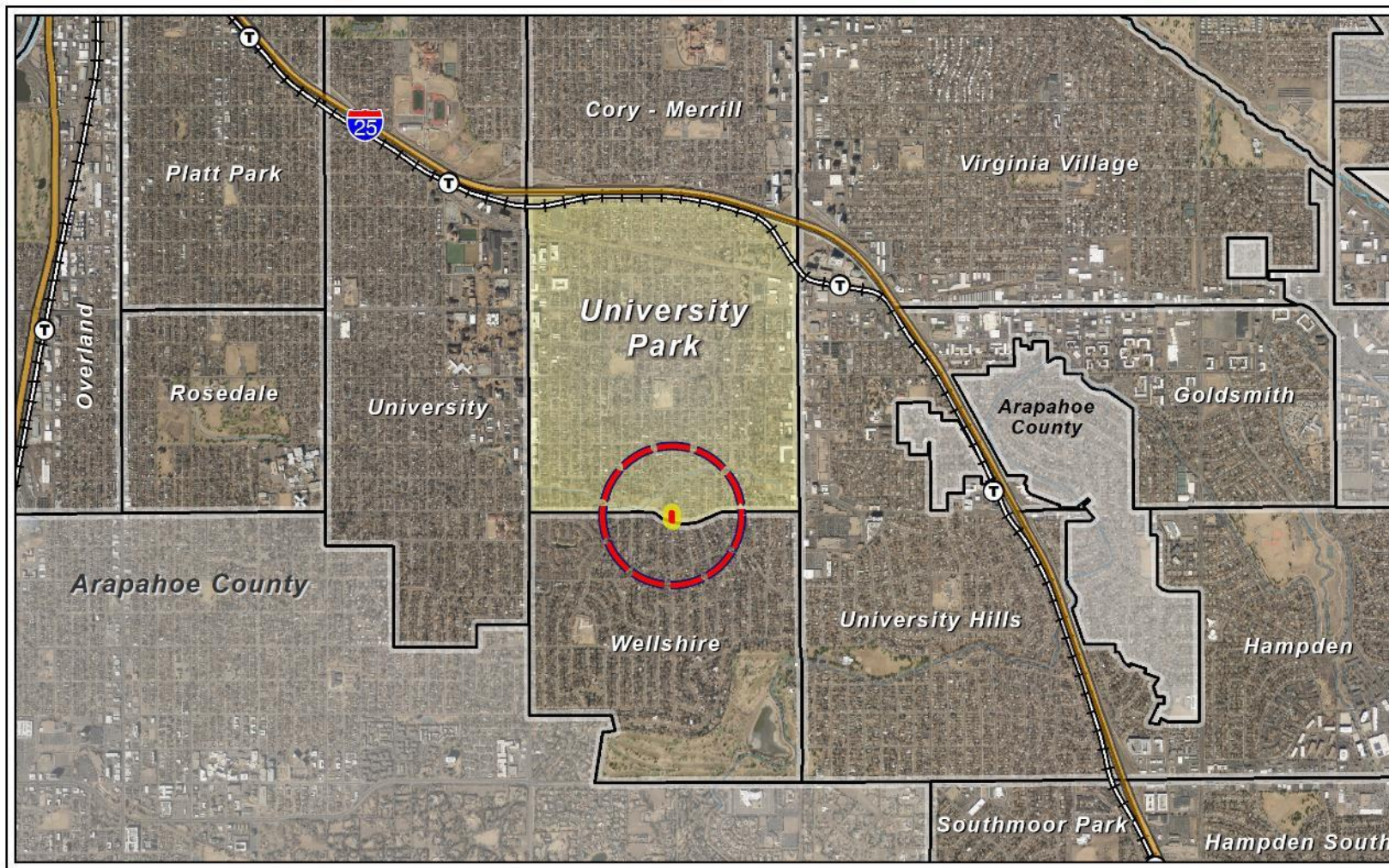
City Council Hearing: 2/1/2021

Case #: 2020i00064

Council District 6: Paul Kashman



University Park Neighborhood



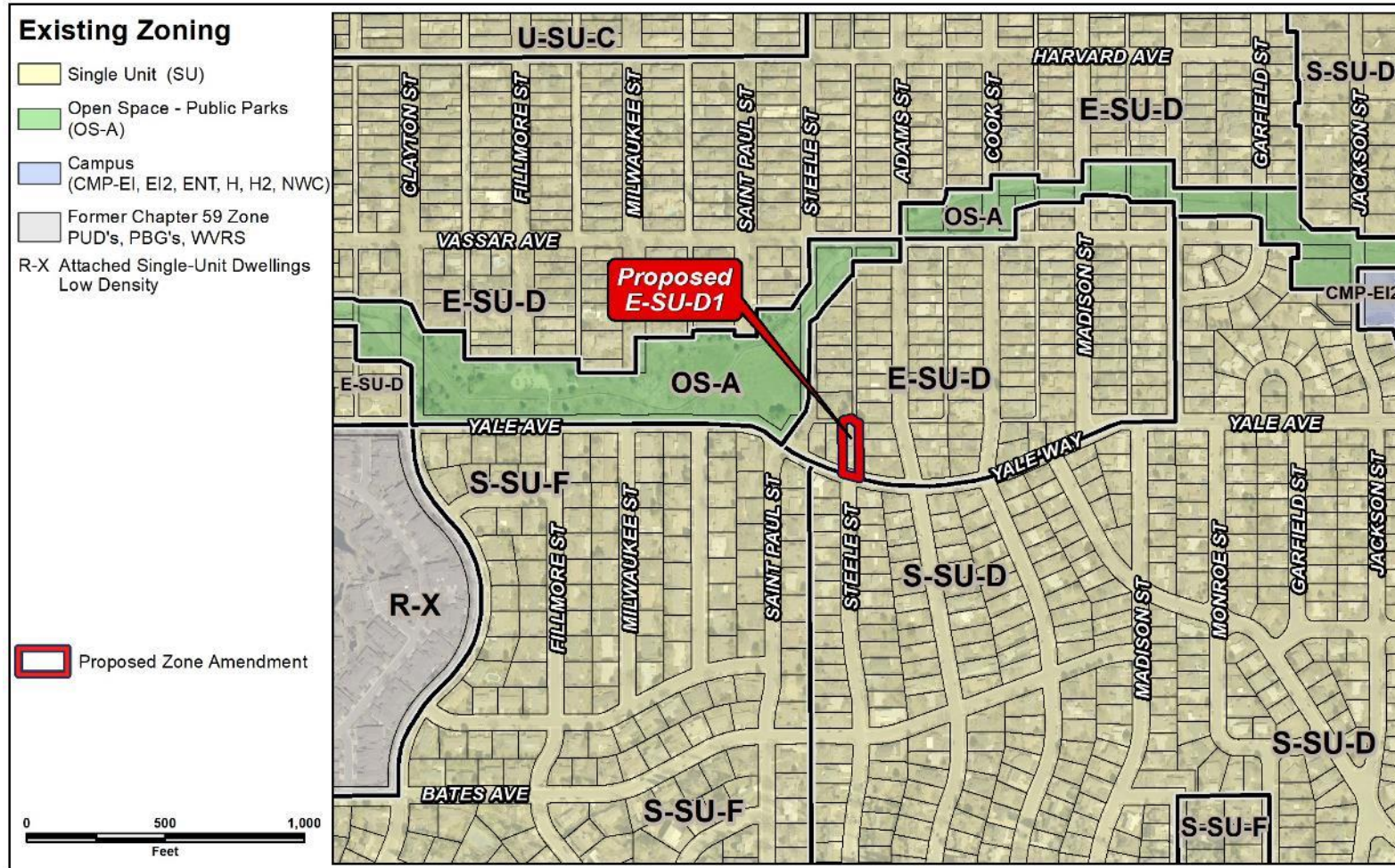
Request: E-SU-D1



- **Subject Property**
 - Single-unit dwelling
 - Approx. 9,740 square feet or 0.22 acres
- **Proposal: Rezoning from E-SU-D to E-SU-D1**
 - Allow an Accessory Dwelling Unit
 - ADU Max. Building Height: 24 feet
 - Min. Lot Size: 6,000 SF

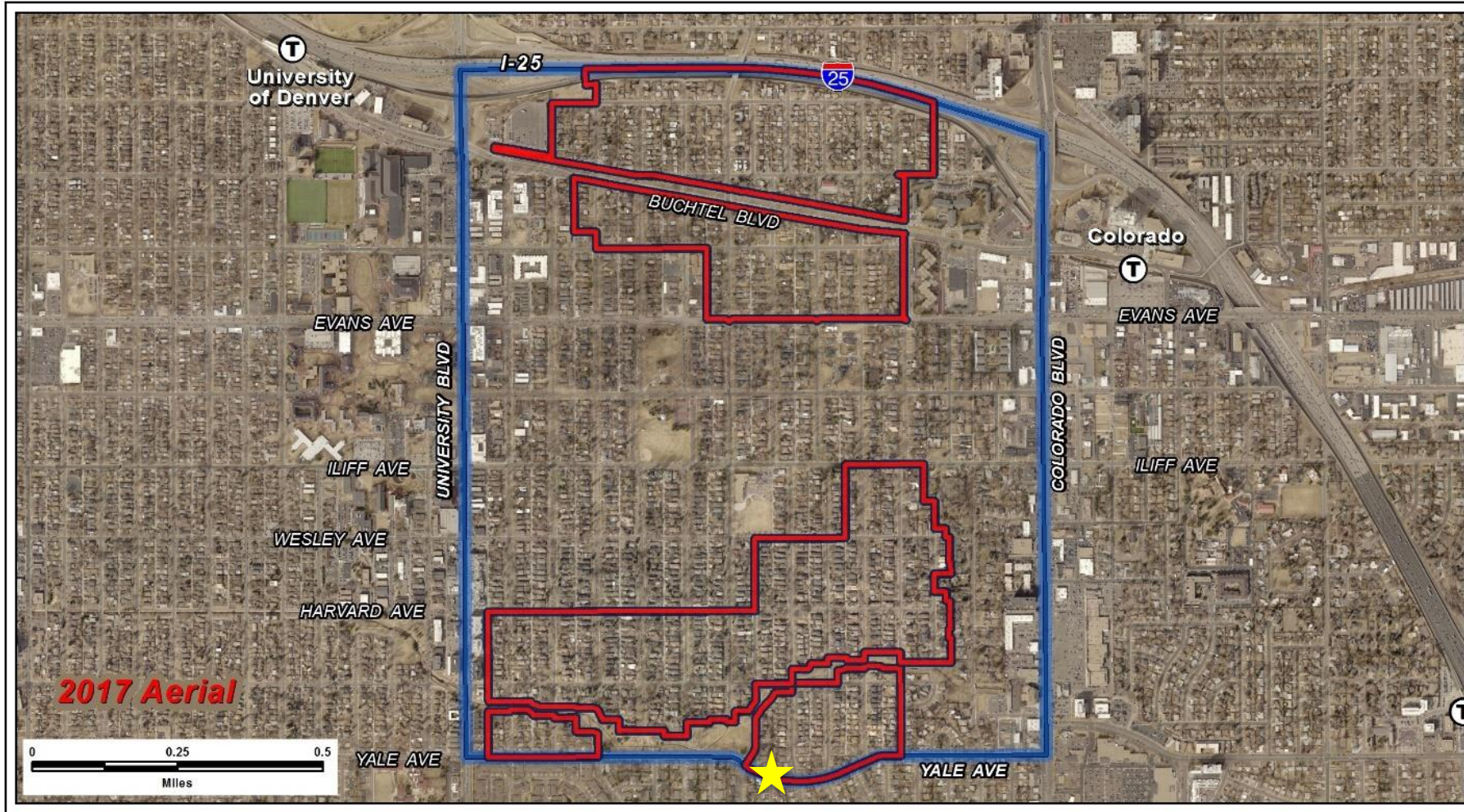
Reminder: Approval of a rezoning is not approval of a proposed specific development project

Existing Zoning: E-SU-D



- Previously zoned E-SU-Dx
 - Allows Urban House and Suburban House
- Legislatively rezoned to E-SU-D in June 2019
 - Eliminated the allowance for the suburban house building form due to concerns regarding privacy, solar access, and character.

Existing Zoning: E-SU-D

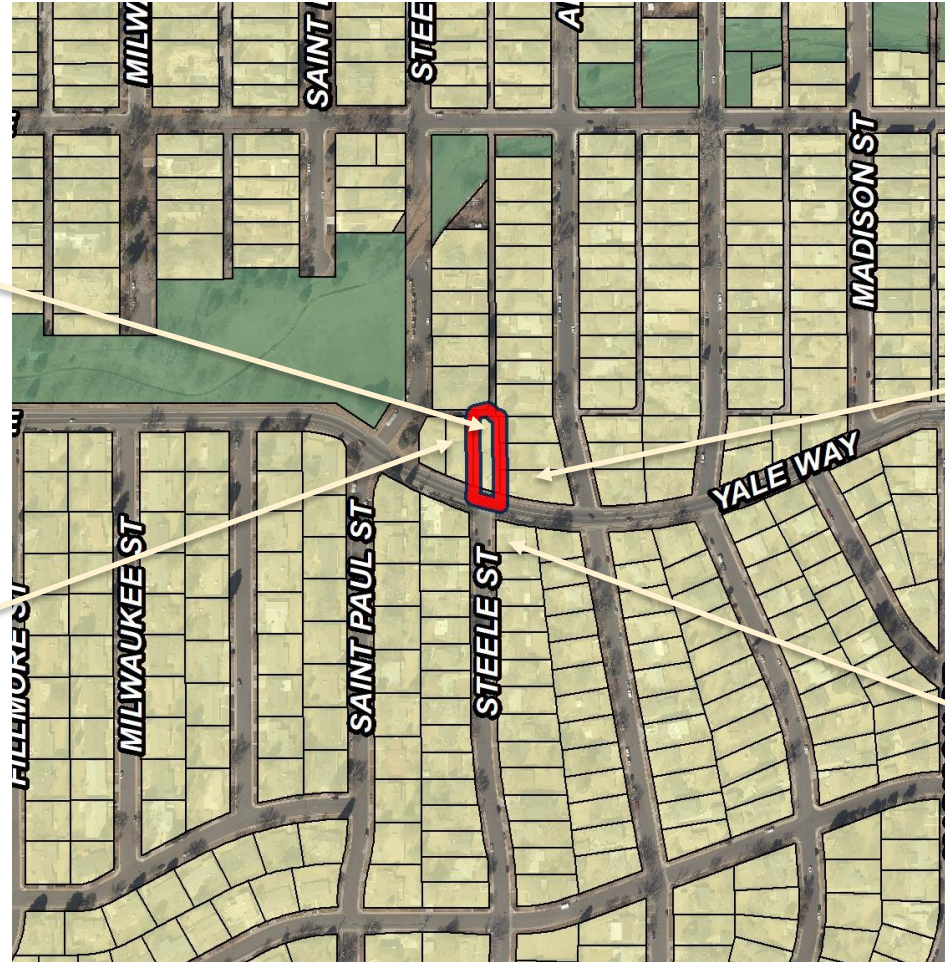


- 2019 Legislative Rezoning from E-SU-Dx to E-SU-D
 - 183 acres
 - 1,051 properties

Existing Context – Use/Building Form/Scale



Subject Property



Property to the East



Property to the West



Property to the Southeast

Process

- Informational Notice: 10/13/2020
- Planning Board Notice: 11/17/2020
- Planning Board Public Hearing: 12/2/2020
- LUTI Committee: 12/15/20
- City Council Public Hearing: 2/1/21
- Public Comment
 - As of present, six comments in support have been received, though there is a 4-6 opposition within the University Park Community Council

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver*
- *University Park Neighborhood Plan*

2. Uniformity of District Regulations

3. Further Public Health, Safety and Welfare

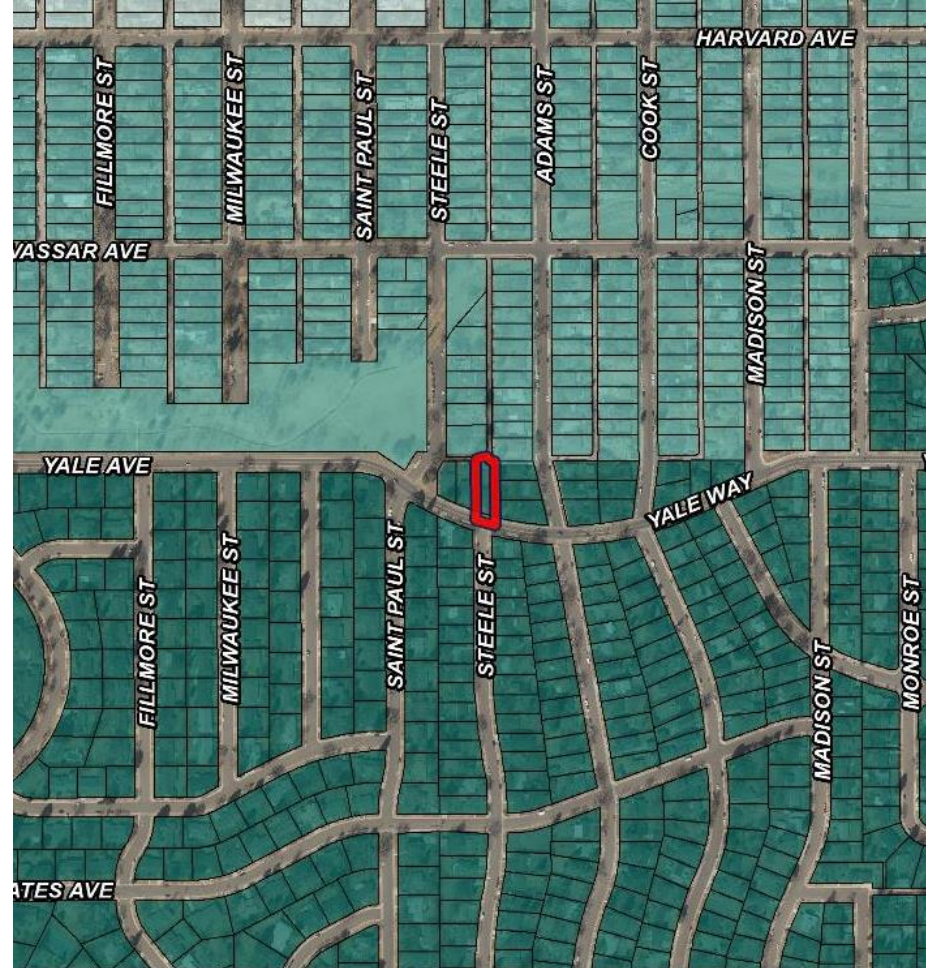
4. Justifying Circumstances

5. Consistency with Neighborhood Context, Zone District Purpose and Intent

Consistency with Adopted Plans: Blueprint Denver

- Suburban Context (south)

- All intensities of residential development can be found, though generally are separated from other types
- Block patterns are generally irregular with curvilinear streets and no alley access



- Urban Edge Context (north)

- Single-unit and two-unit uses, with some low-scale multi-unit embedded throughout
- Block patterns are generally a mix of suburban and urban elements
- Streets may be rectangular or curved and alleys are sometimes present

Consistency with Adopted Plans: Blueprint Denver

Applying Blueprint Denver to Rezoning

Blueprint Denver components to consider in rezoning requests:

Always Applicable

Neighborhood Context

When a new zone district is proposed for a site, the neighborhood contexts map and description should be used to guide which zone districts are appropriate. The mapping of neighborhood context is at the citywide scale, so the boundaries of the contexts may be interpreted with limited flexibility if the request furthers the goals of *Blueprint Denver* and is consistent with the overall intent of the neighborhood contexts map. However, neighborhood context should be consistent across an area and should generally not vary at the parcel level.

See the neighborhood contexts map in Chapter 4 and the neighborhood context descriptions in Chapter 5.

Place

The proposed zone district for a site should be consistent with *Blueprint Denver's* guidance for the future place. This includes:

Places map

The future places map shows which place description(s) should be used to evaluate the appropriateness of the proposed zone district. Since it is a citywide map, the boundaries of the mapped places should be interpreted with limited flexibility, especially at edges, if the request furthers the goals of *Blueprint Denver* and is consistent with the overall intent of the places map.

See the future places map in Chapter 4.

Places descriptions

The place descriptions include information about land use and built form that provide helpful guidance for evaluating a proposed new zone district.

See the places descriptions in Chapters 4 and 5.

Building Heights

Blueprint Denver is a citywide plan, and therefore cannot provide specific detailed guidance on all aspects of a place. Small area plans will provide more certain height guidance through maps of proposed building height.

The building heights identified in this plan provide a general sense of scale and are not intended to set exact minimums or

maximums. For example, there may be times when building heights taller than specified are appropriate, such as a site immediately adjacent to a transit station. Alternatively, the tallest building heights may not make sense where a site is providing a transition between a higher intensity area to a lower intensity area. Factors to consider when applying *Blueprint Denver* building height guidance may include:

- Guidance from a current small area plan
- Surrounding context, including existing and planned building height
- Transitions, including transitions from higher intensity to lower intensity areas
- Adjacency to transit, especially mobility hubs
- Achieving plan goals for community benefits, including affordable housing
- Furthering urban design goals

Growth strategy

Certain future places are anticipated to take on more jobs and housing than others, but all areas of Denver are expected to evolve. A rezoning in an area planned for less growth may still be appropriate, as smaller-scale growth and reinvestment should be occurring in these areas as well.

See the growth strategy and related map in Chapter 2.

Rezoning, also known as map amendments since they amend the city's official zoning map, change the zoning (or zone district) for a property. Zoning sets the rules for what is allowed on the property including the permitted uses and the height and form of buildings. All rezoning applications must be approved by city council, who evaluate the request against required criteria, including whether the proposed rezoning is consistent with the city's adopted plans. As an adopted plan, *Blueprint Denver* will play an important role in guiding rezoning decisions.

Sometimes Applicable

Plan Policies and Strategies

Most of the plan recommendations (organized into policies and strategies in Chapter 3) are intended to inform implementation through amendments to the zoning code and large area rezonings. These are effective tools for implementing plan recommendations at a large-scale with bigger impact. However, there may be recommendations that are relevant to a specific rezoning request. For example:

- Rezoning requests for sites that are former institutional uses, such as a school or church embedded in a residential neighborhood, may find helpful guidance in Land Use and Built Form: General, policy 6.
- Rezoning requests to enable an accessory dwelling unit may find helpful guidance in Land Use and Built Form: Housing, policy 4.

See recommendations in Chapter 3.

Street Type

Street types work in concert with the future place to evaluate the appropriateness of the intensity of the adjacent development. This includes:

Street types map

The street types map should be used to identify the street types that serve the site to be rezoned.

See the street types map in Chapter 4.

Street type descriptions

The street type descriptions convey key characteristics of different streets and can inform the types of zone districts that would best align with the desired land use and built form characteristics of the street.

See the street types descriptions in Chapter 4 and Chapter 5.

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.

In addition, the city should consider adjustments to the applicant-driven rezoning process to better address important topics revealed by these concepts—including housing choice, affordability and mitigating involuntary displacement.

See more in Chapter 2.

- Neighborhood Context Limited Flexibility

“When a new zone district is proposed for a site...the boundaries of the contexts may be interpreted with limited flexibility if the request furthers the goals of *Blueprint Denver* and is consistent with the overall intent of the neighborhood contexts map.”

Consistency with Adopted Plans: Blueprint Denver

- **Land Use and Built Form – Housing Policy 4: Diversify housing choice through the expansion of accessory dwelling units throughout all residential areas.**
 - **Strategy E:** A citywide approach to enable ADUs is preferred. Until a holistic approach is in place, individual rezoning to enable ADUs in all residential areas, especially where proximate to transit, are appropriate. Unless there is a neighborhood plan supporting ADUs, rezonings should be small in area in order to minimize impact to the surrounding residential area.

Consistency with Adopted Plans: University Park Neighborhood Plan



- **Recommendation 1.1: Single-Family Residential Neighborhood:**
 - Housing options are appropriate for a central city location
 - Single-family predominates; occasional duplexes may be interspersed
 - Buildings of one to two stories characterize the prevailing degree of development
 - Limited redevelopment or additions reflect prevailing, desired patterns of development

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances: A City adopted plan
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
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CPD Recommendation

CPD recommends approval, based on finding all review criteria have been met

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent