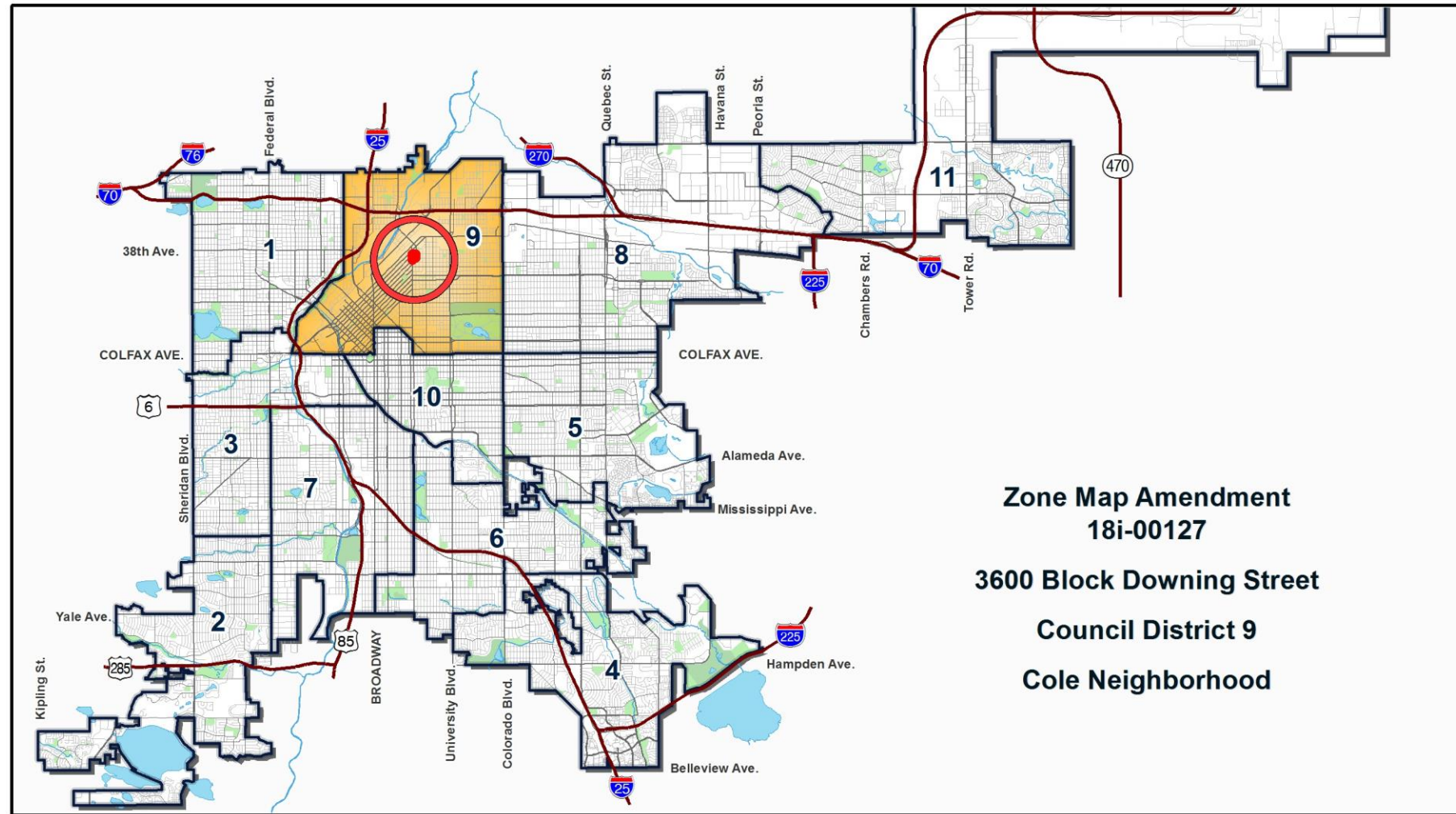


# Official Map Amendment

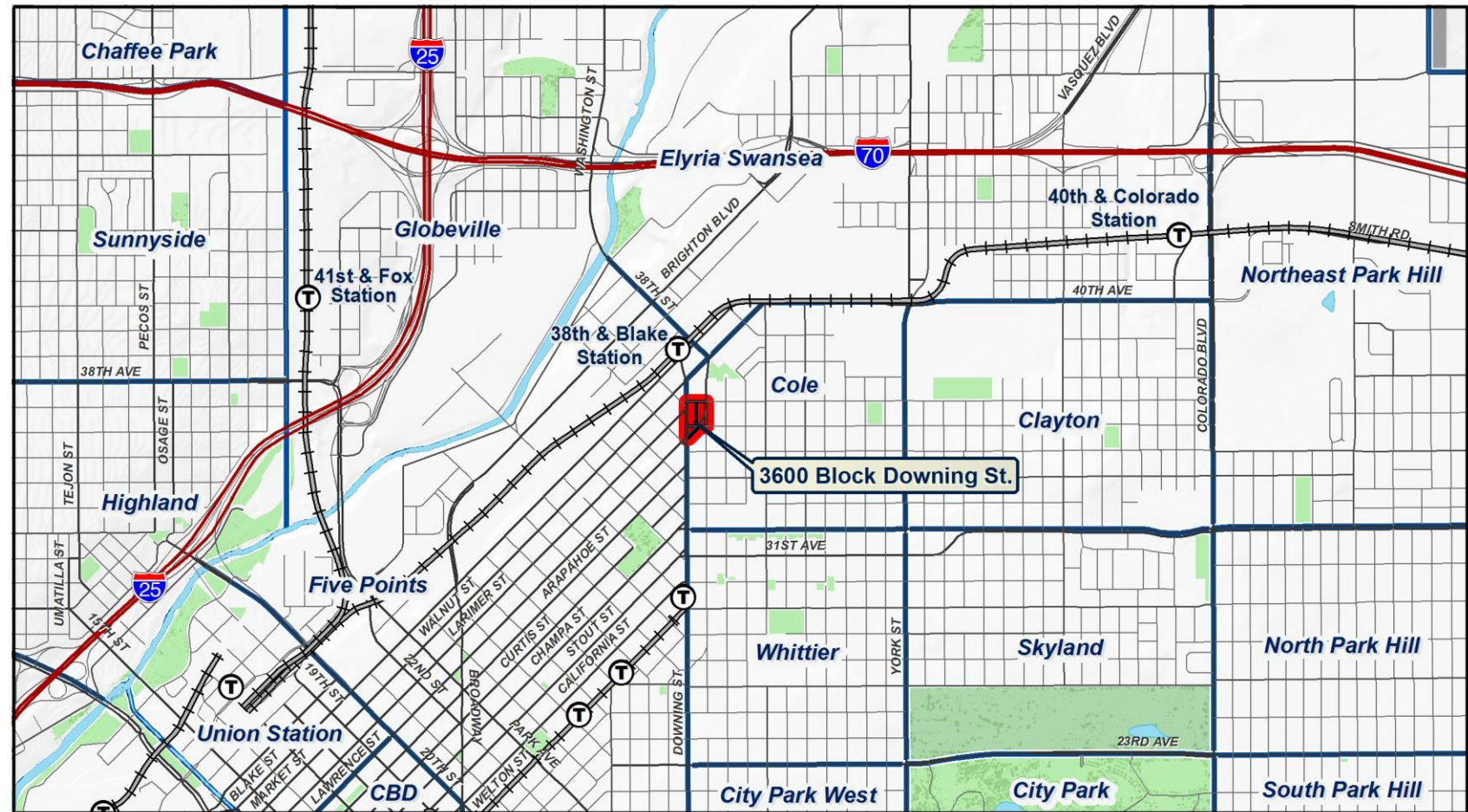
#2018I-00127 for 3600 block of Downing Street, bounded by Downing St., 37th Ave., Marion St., and 36th Ave., and including vacated portions of Lawrence St. & including vacated portions of Lawrence St. south of 36th Ave. from B-4 with waivers and conditions, UO-1, UO-2; U-SU-A1; and C-MX-3, UO-1, UO-2 to C-MX-5, UO-1, UO-2, IO-1, DO-7; C-MX-3, UO-1, UO-2, IO-1, DO-7; and C-MS-5, UO-1, UO-2

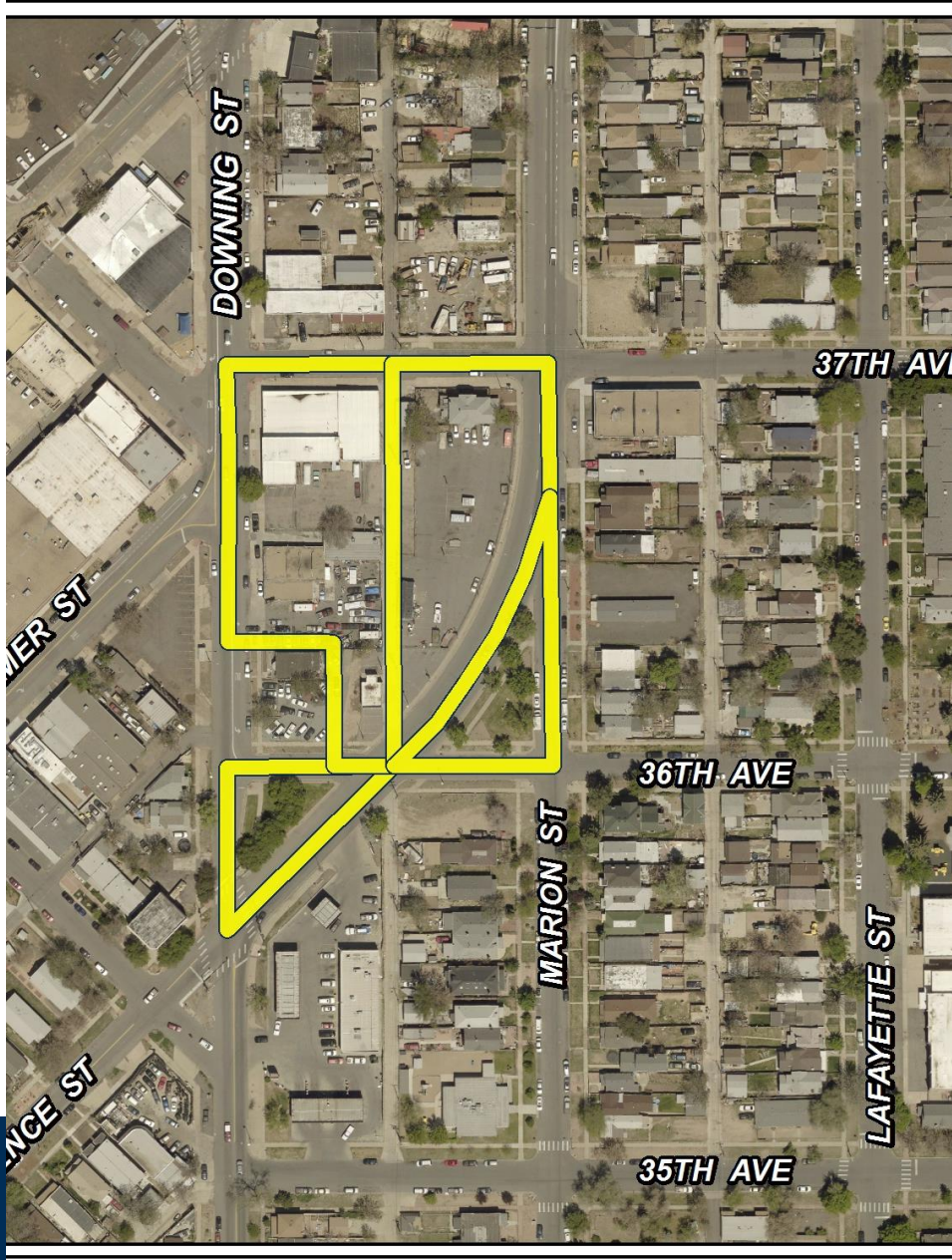
Land Use, Transportation, and Infrastructure Committee  
1/29/19

# Council District 9



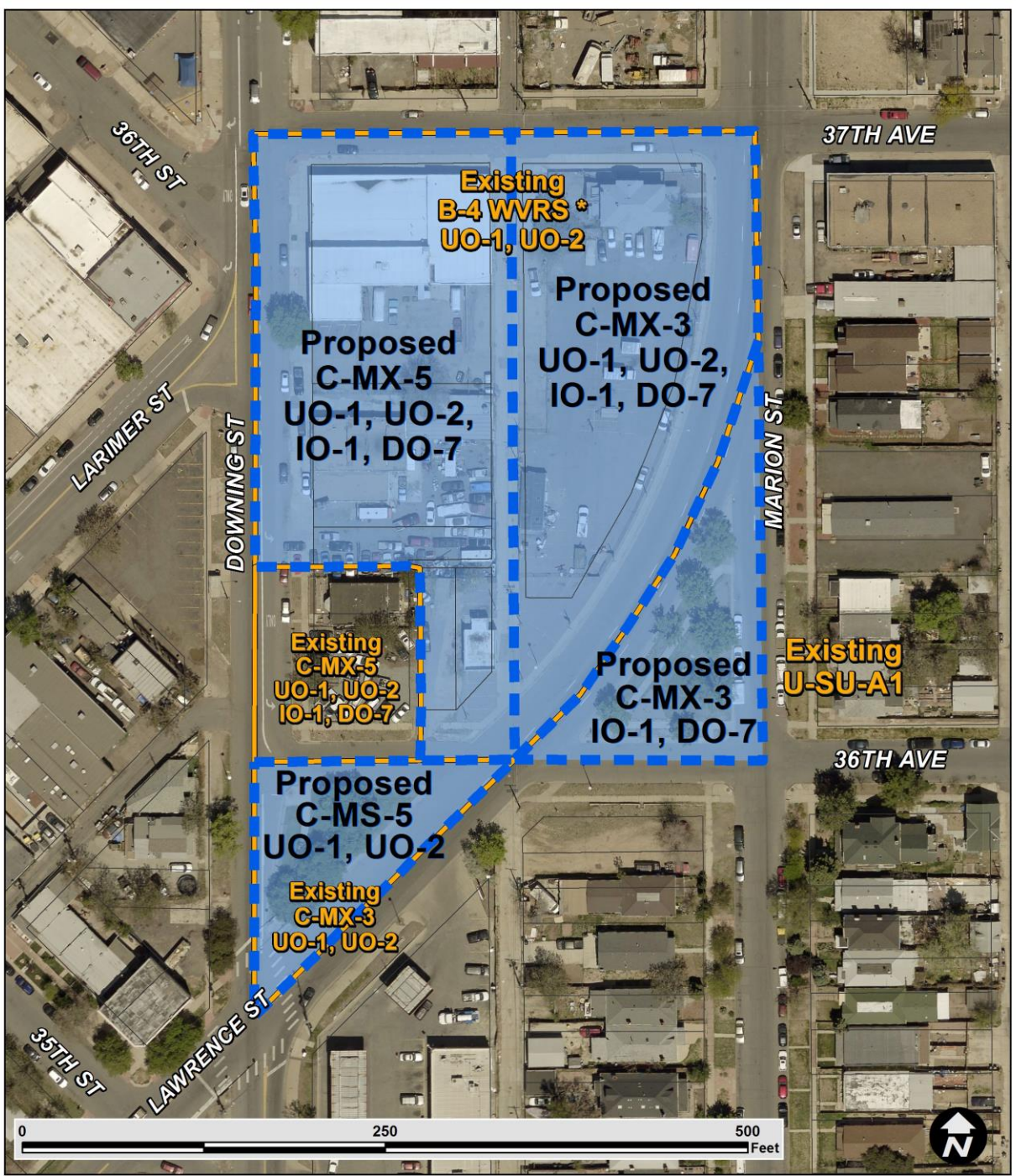
# Cole Neighborhood





- **Request Area:**
  - 2.6 acres
- **Purpose:**
  - To accommodate redevelopment of mixed use project in transit oriented development area
- Applicant: Councilman Albus Brooks

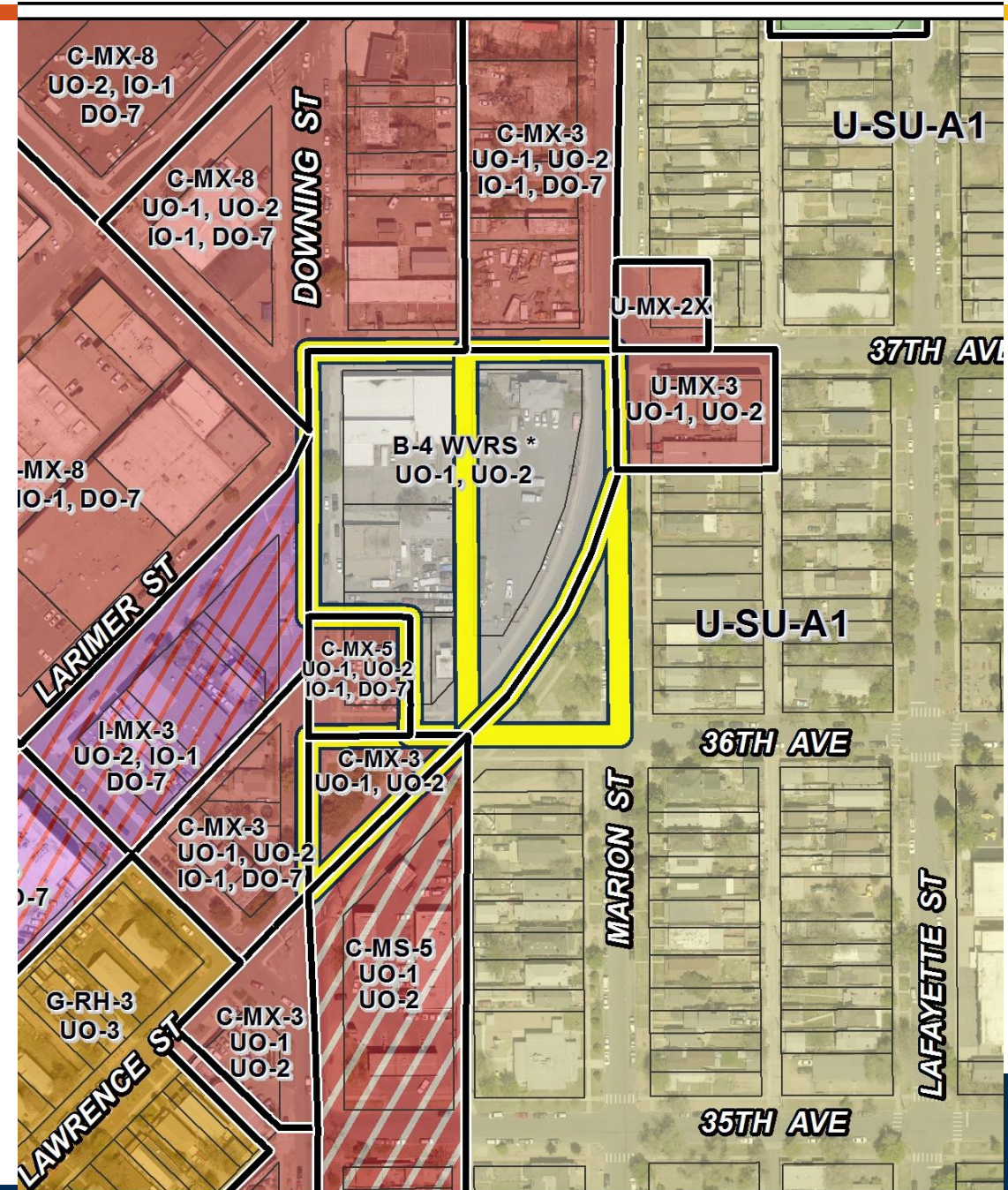
# Request



# Existing Context: Zoning

## • Surrounding Properties

- C-MX-8, UO-1, UO-2, IO-1, DO-7
- C-MX-5, UO-1, UO-2, IO-1, DO-7
- C-MX-3, UO-1, UO-2, IO-1, DO-7
- I-MX-3, UO-2, IO-1, DO-7
- U-MX-3, UO-1, UO-2
- C-MS-5, UO-1, UO-2
- U-SU-A1



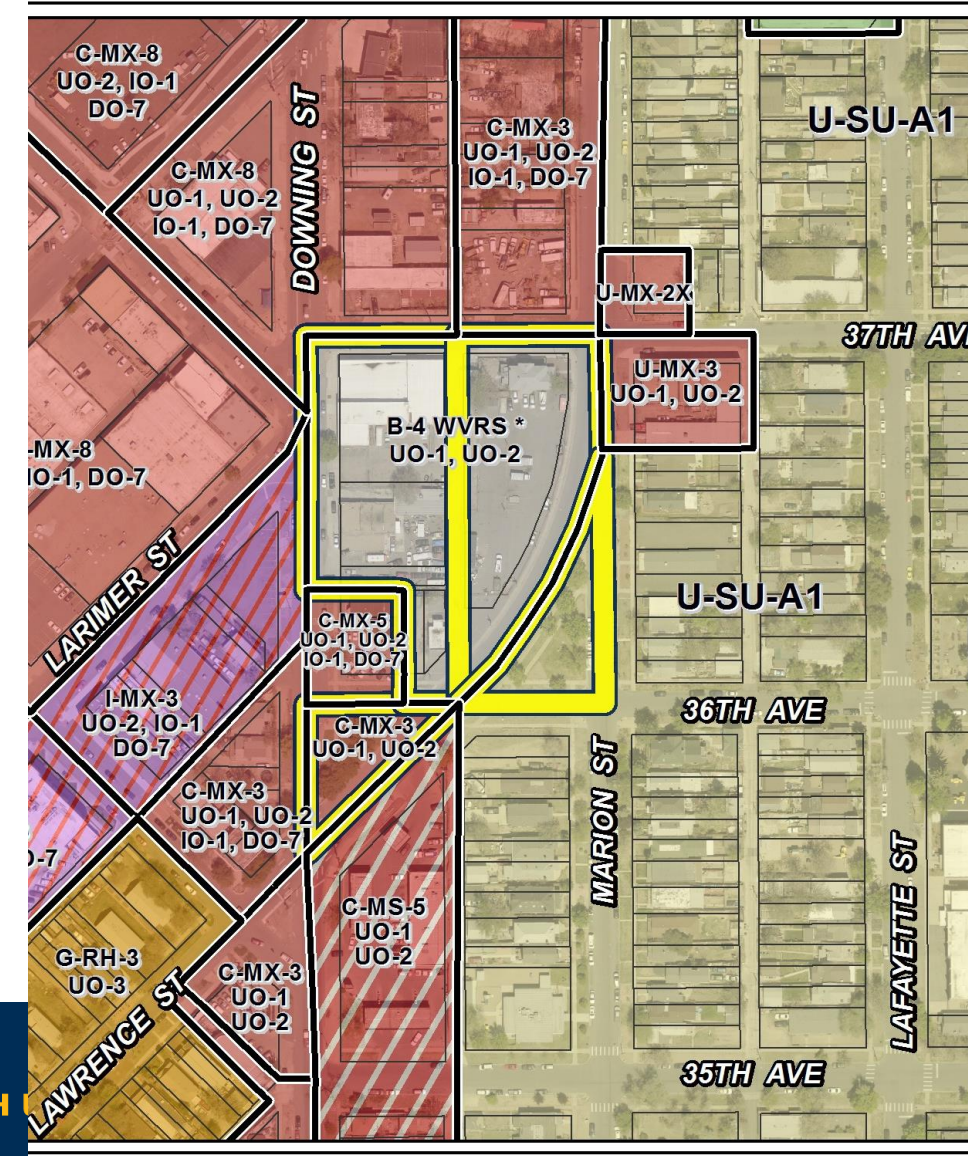
# Existing Zoning: B-4 Zone District with Waivers and Conditions

- **B-4 Zone District**
  - Land uses: mixed use, office, retail
  - Maximum building height regulated by 2:1 Floor Area Ratio
- **Waivers and Conditions (2002)**
  - Land uses: some prohibited from B-4 zone district (e.g., liquor stores, gun shops, tattoo shops some light industrial)
  - Affordable housing requirements for rent and for sale, required affordable housing plan with residential development
    - Common pre-2002 Inclusionary Housing Ordinance, which was largely replaced with 2016 affordable housing fund

# Existing Zoning: U-SU-A1, UO-1, UO-2 Overlay

## Districts

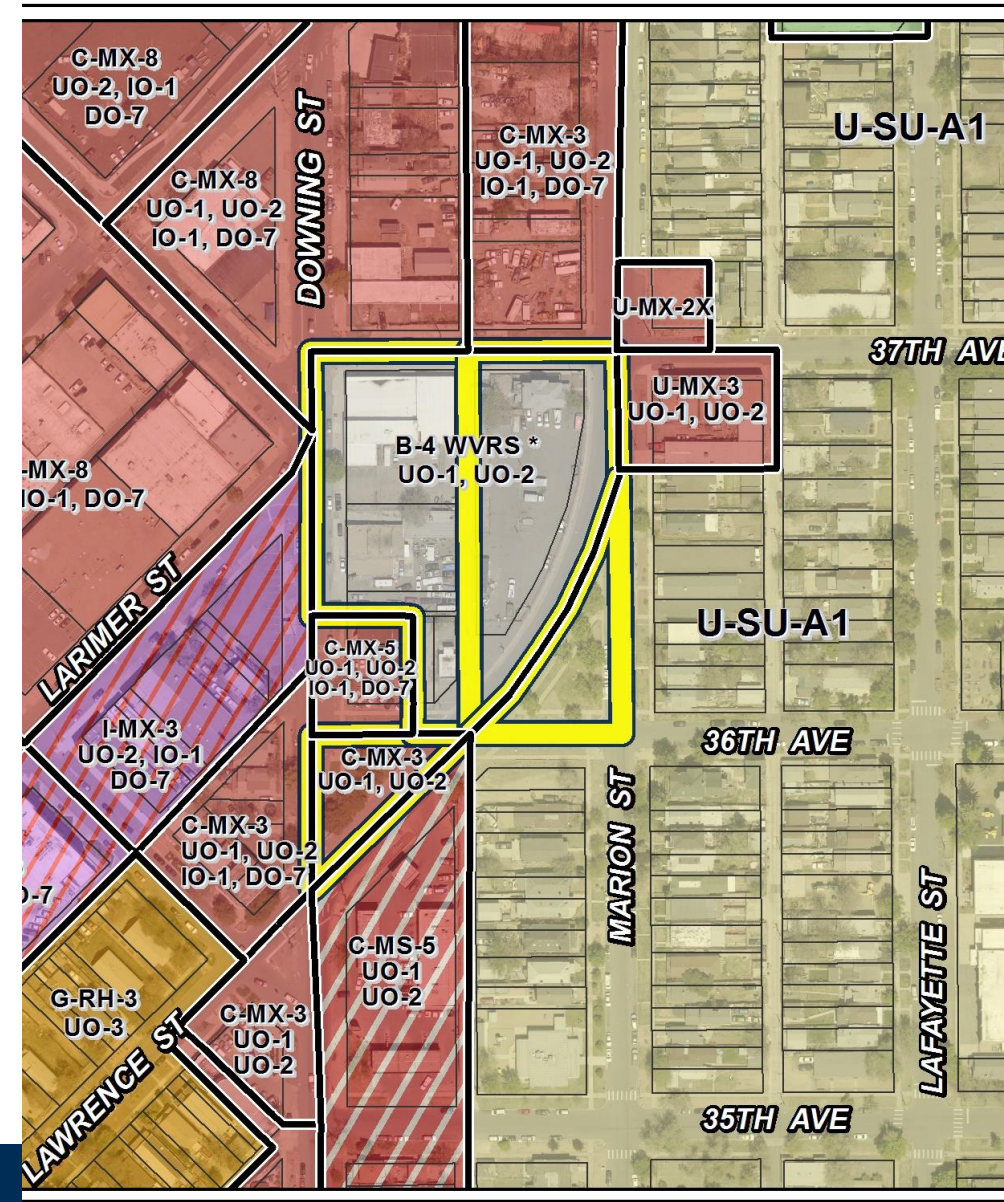
- UO-1 (Adult Use Overlay)
- UO-2 (Billboard Use Overlay)
  - Three existing Billboards on site
- Keeping current boundaries for both UO-1, UO-2
- U-SU-A1
  - Single unit zone district allowing ADUs





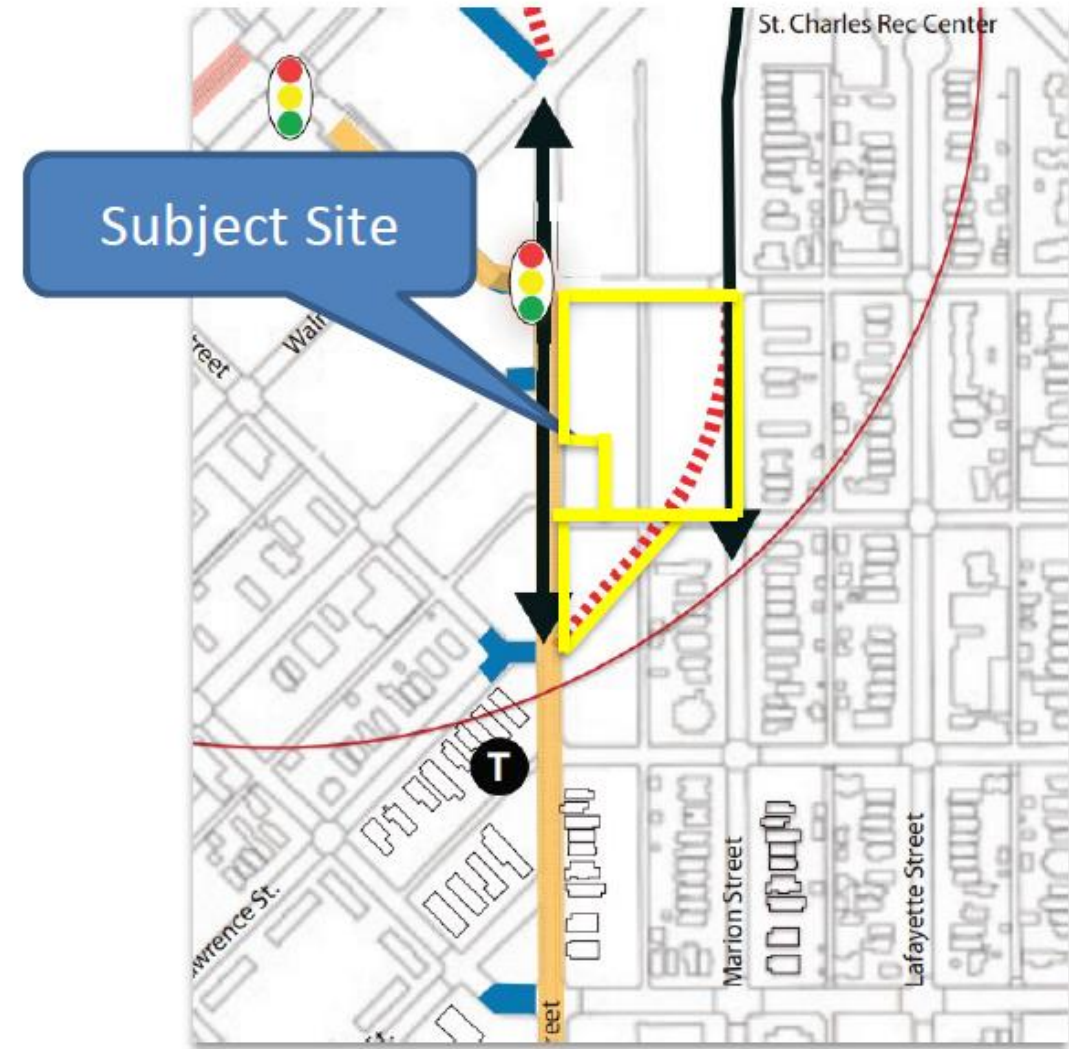
# Existing Zoning: C-MX-3

- C-MX-3
  - 3 stories/45' height
  - Mixed use with 70% build to, 40% transparency on Primary Streets










# Lawrence Street Realignment

38<sup>th</sup> and Blake Station Area  
Plan recommendation to  
eliminate “Lawrence Swoop”  
through site



## LEGEND

-  Central Corridor Streetcar
-  FasTracks East Corridor Line
-  Transit Station
-  Station Parking
-  Streets Proposed for Realignment
-  Street Traffic Directional Changes
-  1/4 and 1/2 Mile Walk Radius

# Lawrence Street Realignment

- CDOT right-of-way, transferred to private property in 2018
- Applicant working with city to fund and implement Lawrence Street realignment



# Lawrence Street Realignment

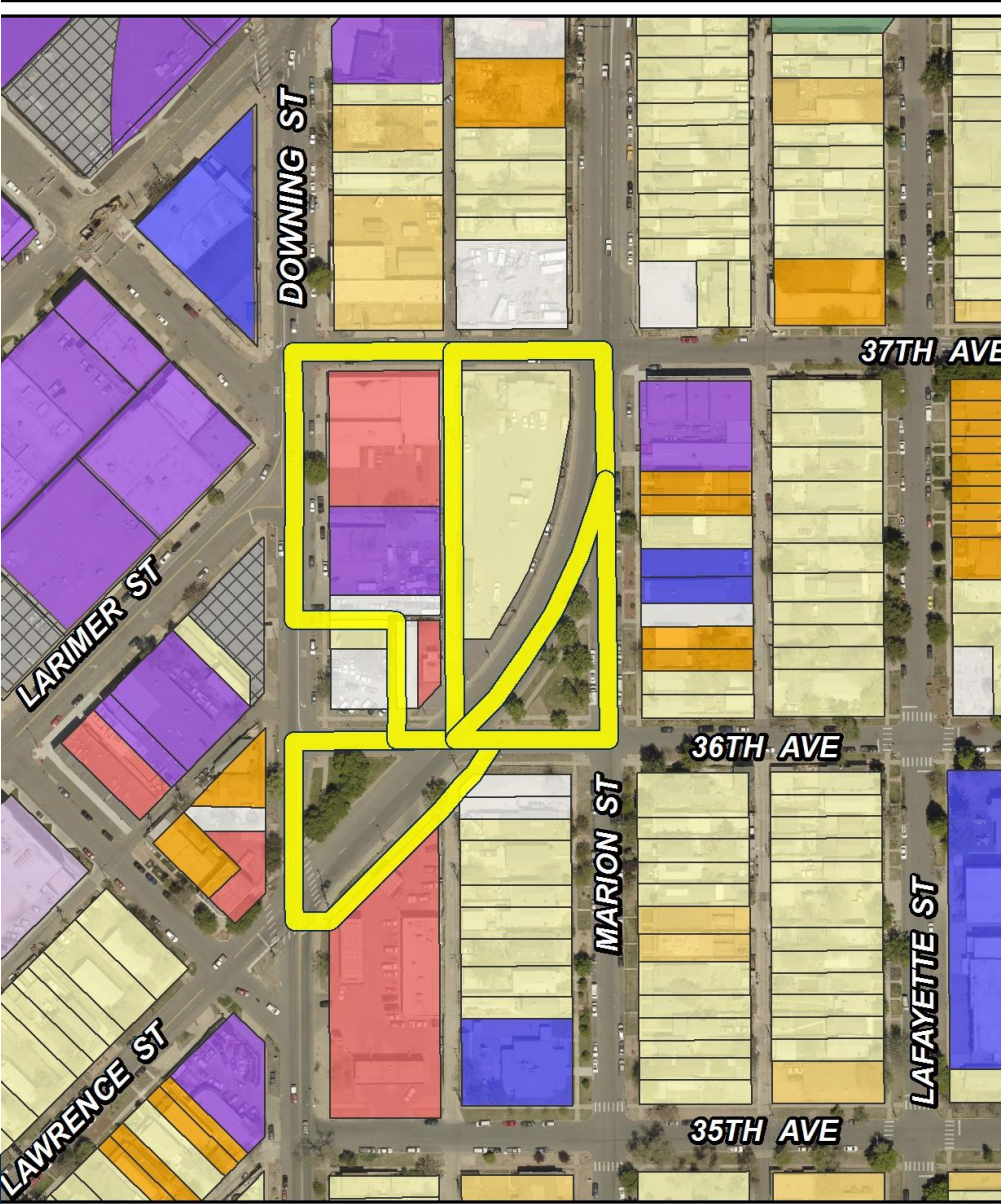
- DPW studied realignment following 38<sup>th</sup> and Blake plan recommendation, concluded overall benefit to system to “square off” the subject blocks



# Existing Context: Land Use

## Existing Land Use

- Single-unit Residential
- Two-unit Residential
- Multi-unit Residential
- Commercial/Retail
- Industrial
- Mixed-use
- Office
- Parking
- Public/Quasi-public
- Vacant



# Subject Property Images



# Subject Property Images

Subject Property (3650 and 3660 Downing St.) Looking East from Downing Street



# Subject Property Images

Subject Property (3659 Marion Street) Looking South from 37<sup>th</sup> Avenue





# Subject Property Images

Subject Property Looking West from Marion Street at 36<sup>th</sup> Avenue



# Subject Property Images

Subject Property (portion of 3500 Block of Downing) Looking North-Northeast from Lawrence Street



# Subject Property Images

Subject Property (3600 and 3616 Downing St.) Looking Northeast from 36<sup>th</sup> Avenue



# Surrounding Property Images

Surrounding Property Looking Northwest from Downing Street at 36<sup>th</sup> Street



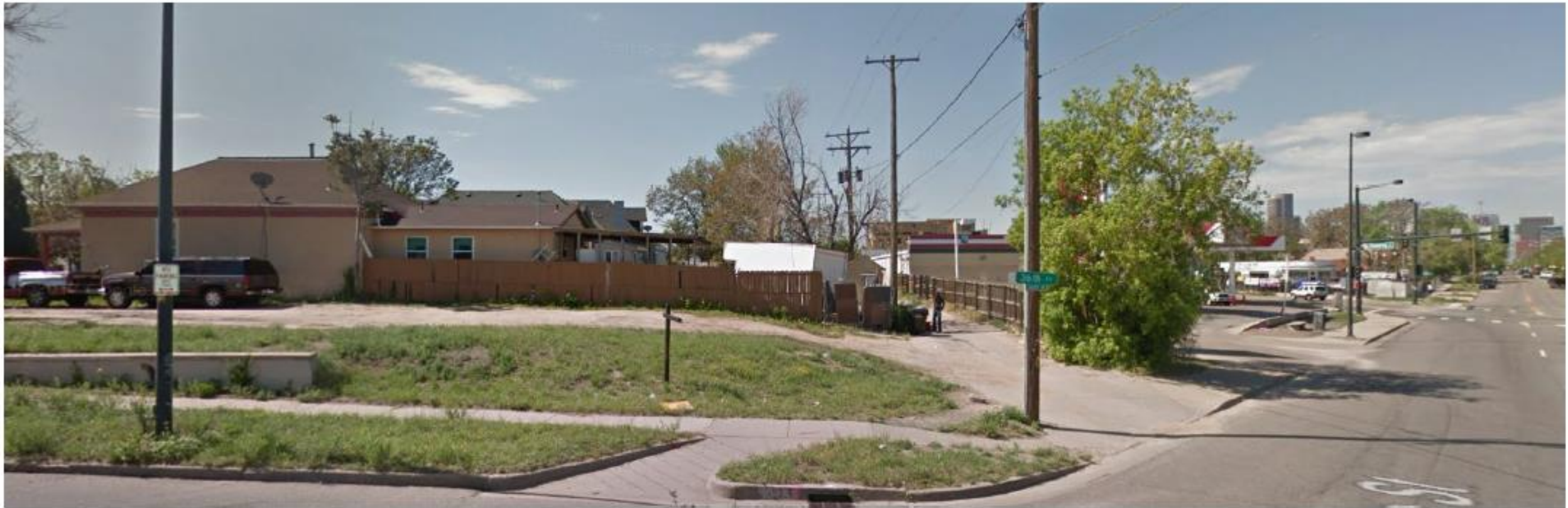
# Surrounding Property Images

Surrounding Property Looking West from Downing Street at 36<sup>th</sup> Avenue



# Surrounding Property Images

Surrounding Property Looking South from 36<sup>th</sup> Avenue at Lawrence Street



# Surrounding Property Images

## Surrounding Property Looking East from Marion Street



# Surrounding Property Images

Surrounding Property North of Subject Property Looking East from Downing Street





# Surrounding Property Images

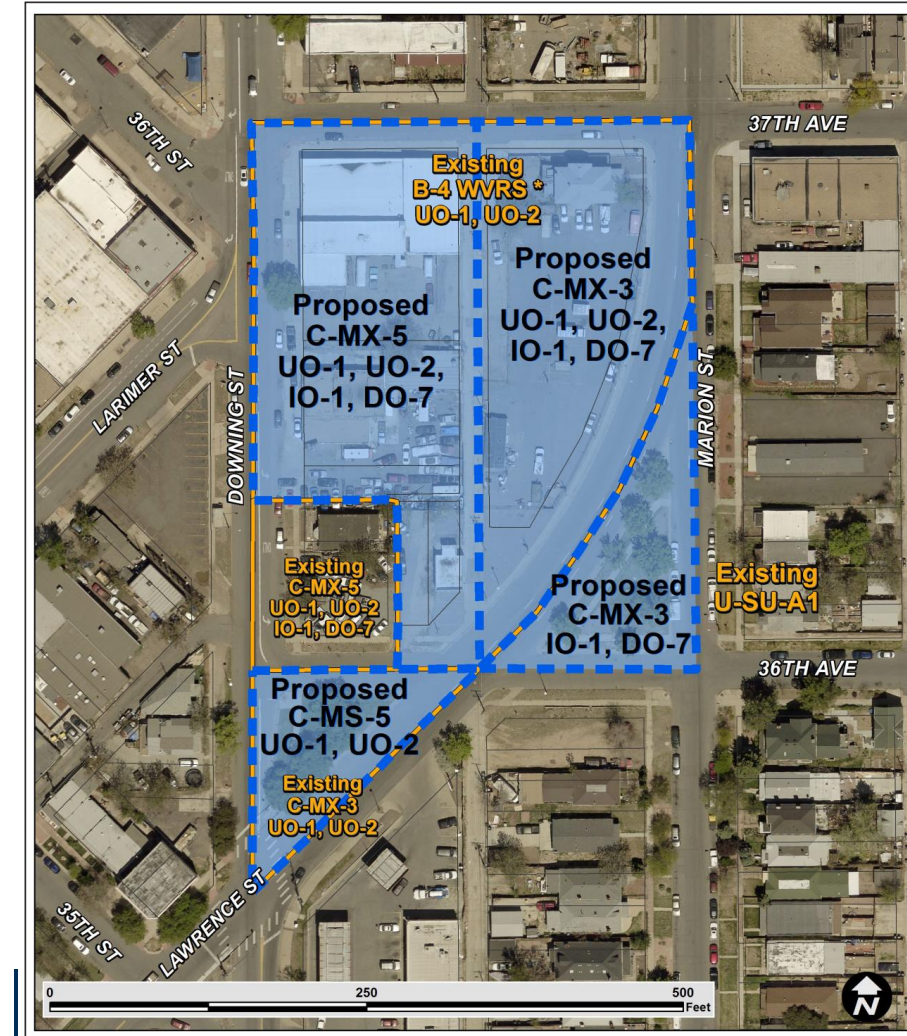
Surrounding Property Looking North from 37<sup>th</sup> Avenue



# Requested Zone Districts

## Urban Center Mixed Use 3, 5 Story

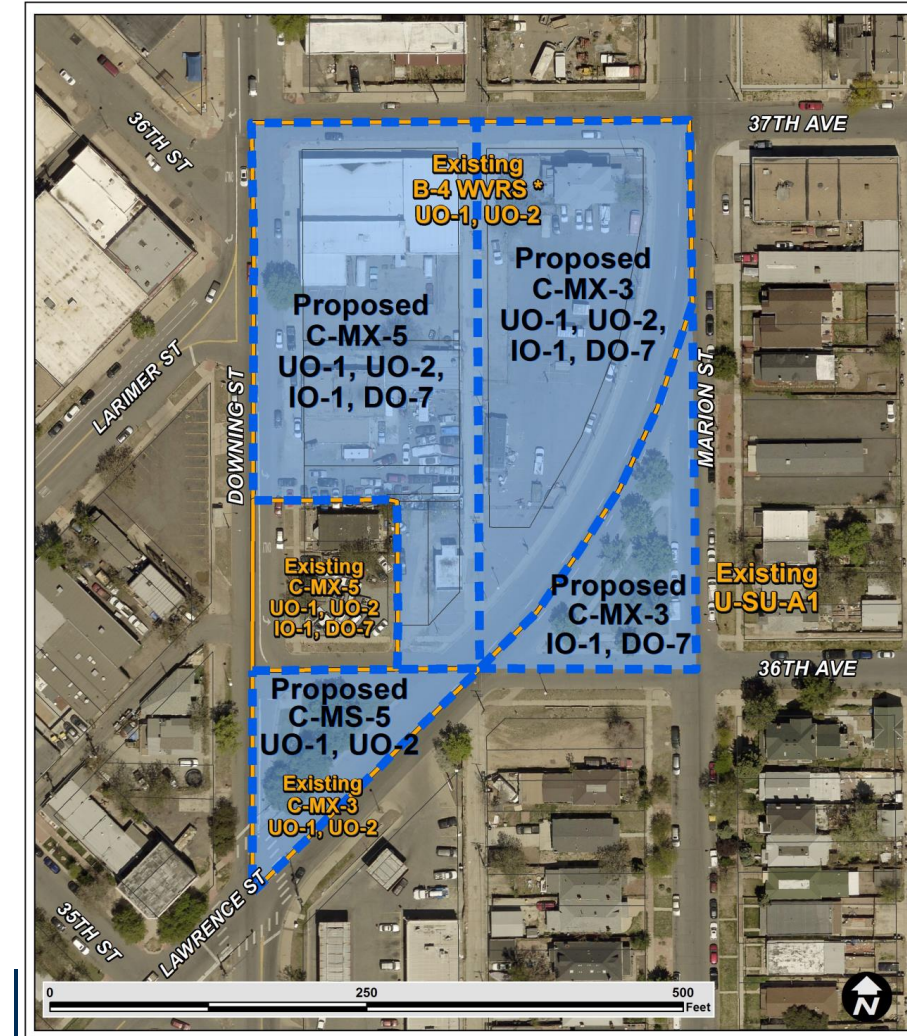
- Building Heights: 3/5 stories, 45'/70'
- Build To Requirements:
  - Primary Street: 70% of buildings between 0'-15'
  - Side Street: None
- Transparency Requirements
  - Primary Street: 40% ground level
  - Side Street: 25% ground level
- Street Level Active Use Requirements



# Requested Zone Districts

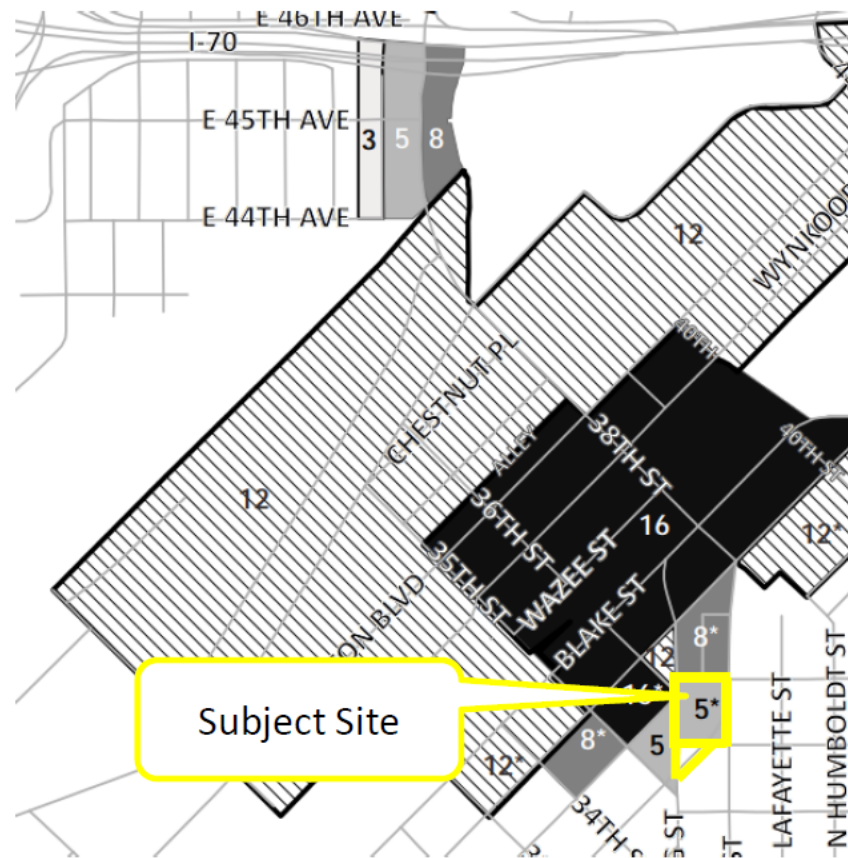
## Urban Center Main Street 5 Story

- Building Heights: 5 stories/70'
- Build To Requirements:
  - Primary Street: 75% of buildings between 0'-5'
  - Side Street: 25% between 0'-5'
- Transparency Requirements
  - Primary Street: 60% ground level
  - Side Street: 25% ground level
- Street Level Active Use Requirements



# Requested Zoning: IO-1 Overlay District

- IO-1 (38th and Blake Incentive Overlay)
  - Requires affordable housing and other community benefits when buildings exceed base heights



INCENTIVE HEIGHT		
Stories (max)	Feet (max)	
3	45'	
5	70'	
8	110'	
12	150'	
16	200'	

\* See Section 9.4.6.6.E.2 for required height transitions

# Requested Zoning: D0-7 Overlay District

- D0-7 (River North Design Overlay)
  - 16' minimum street level/first floor height
  - Higher transparency on Primary and Side Street than C-MX
  - For large lots, 70% of Primary Street must be occupied by nonresidential active uses
  - Also addresses parking location and access, setbacks from residential



# Process

- Informational Notice: 9/26/18
- Planning Board Notice Posted: 12/24/18
- Planning Board Public Hearing: 1/9/19
- LUTI Committee: 1/29/19
- City Council Public Hearing: 3/11/19

# Public Outreach

- RNOs
  - Inter-Neighborhood Cooperation
  - RiNo Art District
  - UCAN
  - Five Points Business District
  - Cole Neighborhood Association
  - Opportunity Corridor Coalition of United Residents
  - Denver Arts and Culture Initiative
  - Center City Residents Organization
  - Curtis Park Neighbors
  - The Points Historical Redevelopment Corporation
  - Rio Norte

# Public Outreach

## 132 public comments

- Curtis Park and RiNo Arts District RNO support for rezoning
- Two comments representing four properties in support of rezoning for existing commercial areas, opposition to rezoning green space areas
- 128 comments supporting the rezoning



# Review Criteria for Standard Rezoning

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

# Standard Rezoning Review Criteria

## 1. Consistency with Adopted Plans

- Denver Comprehensive Plan 2000
- Blueprint Denver (2002)
- 38th and Blake Station Area Plan (2009) and 38th and Blake Station Area Height Amendments (2016)
- Elyria Swansea Neighborhood Plan (2015)
- Northeast Downtown Neighborhoods Plan (2011)

## 2. Uniformity of District Regulations

## 3. Further Public Health, Safety and Welfare

## 4. Justifying Circumstances

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

# Review Criteria: Consistency with Adopted Plans: Comprehensive Plan 2000

## Denver Comprehensive Plan 2000

A Vision  
for Denver  
and its  
People



1999

2000

2001

2002

2003

2004

2005

2006



**DENVER**  
THE MILE HIGH CITY

CONNELLY

# Review Criteria: Consistency with Adopted Plans

## Comprehensive Plan 2000

Rezoning request is consistent with the following policies:

- Conserve land by promoting infill development at sites where services and infrastructure are already in place (p. 39)
- Conserve land by creating more density at transit nodes (p. 39)
- Encourage mixed-use, transit-oriented development that makes effective use of existing transportation infrastructure, supports transit stations, increases transit patronage, reduces impact on the environment, and encourages vibrant urban centers and neighborhoods (p. 60)
- Determine the potential for transit-oriented development at public transit stations, and encourage such opportunities whenever possible (p. 79)

# Review Criteria: Consistency with Adopted Plans: Blueprint Denver

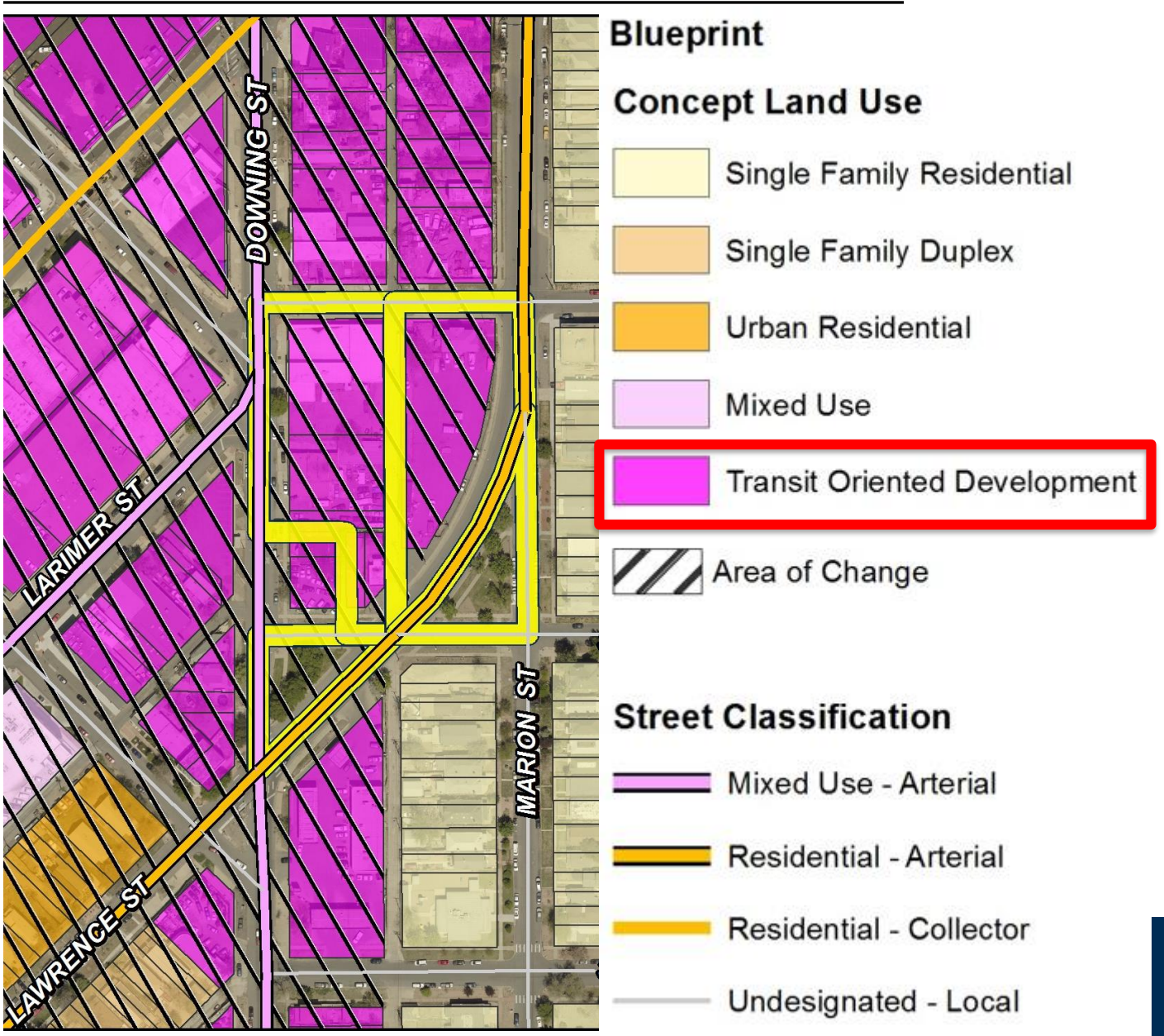
## Blueprint Denver

An Integrated  
Land Use and  
Transportation Plan



# Blueprint Denver (2002)

- Area of Change
  - New growth can best be accommodated
  - Areas adjacent to or near transit stations that have not realized their full development potential
- Transit Oriented Development (TOD)
  - Areas with direct correlation to mass transit system
  - Compact, mixed use, mid- to high-density development



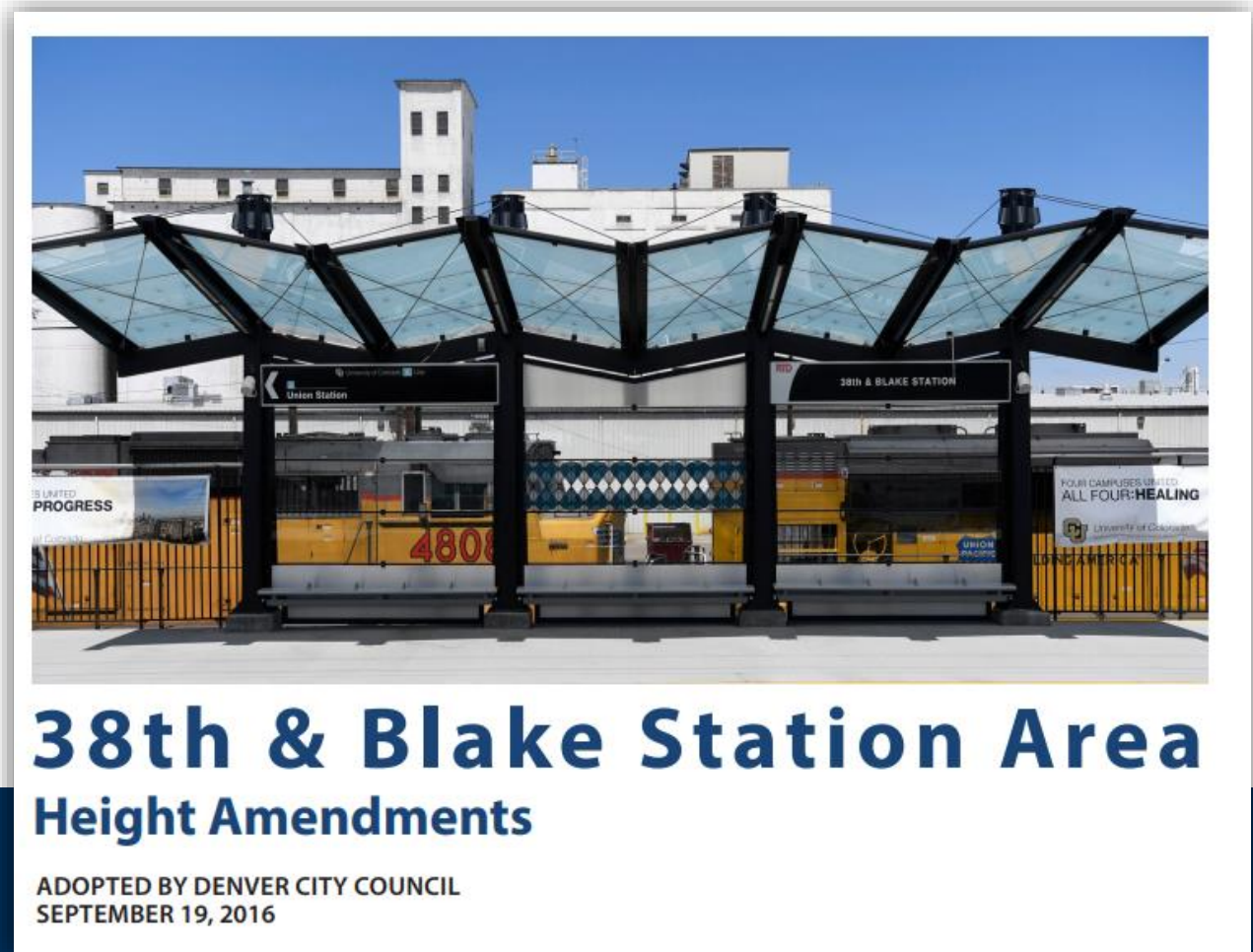
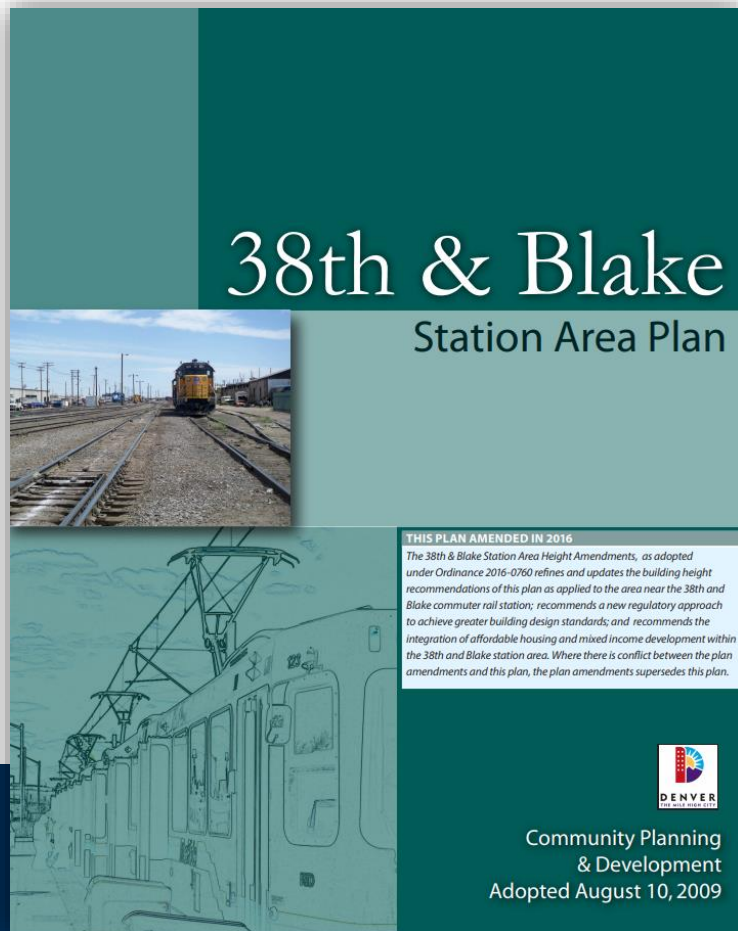
# Review Criteria: Consistency with Adopted Plans

## Blueprint Denver

Rezoning request is consistent with Blueprint Denver because:

- The rezoning would support mid- to high-density development adjacent to light rail, in a Transit Oriented Development (TOD) area;
- The rezoning would accommodate development on a site with existing services and infrastructure
- The rezoning would eliminate Former Ch. 59, custom zoning

# Review Criteria: Consistency with Adopted Plans: 38th and Blake Station Area Plan (2009) 38th and Blake Station Area Height Amendments (2016)

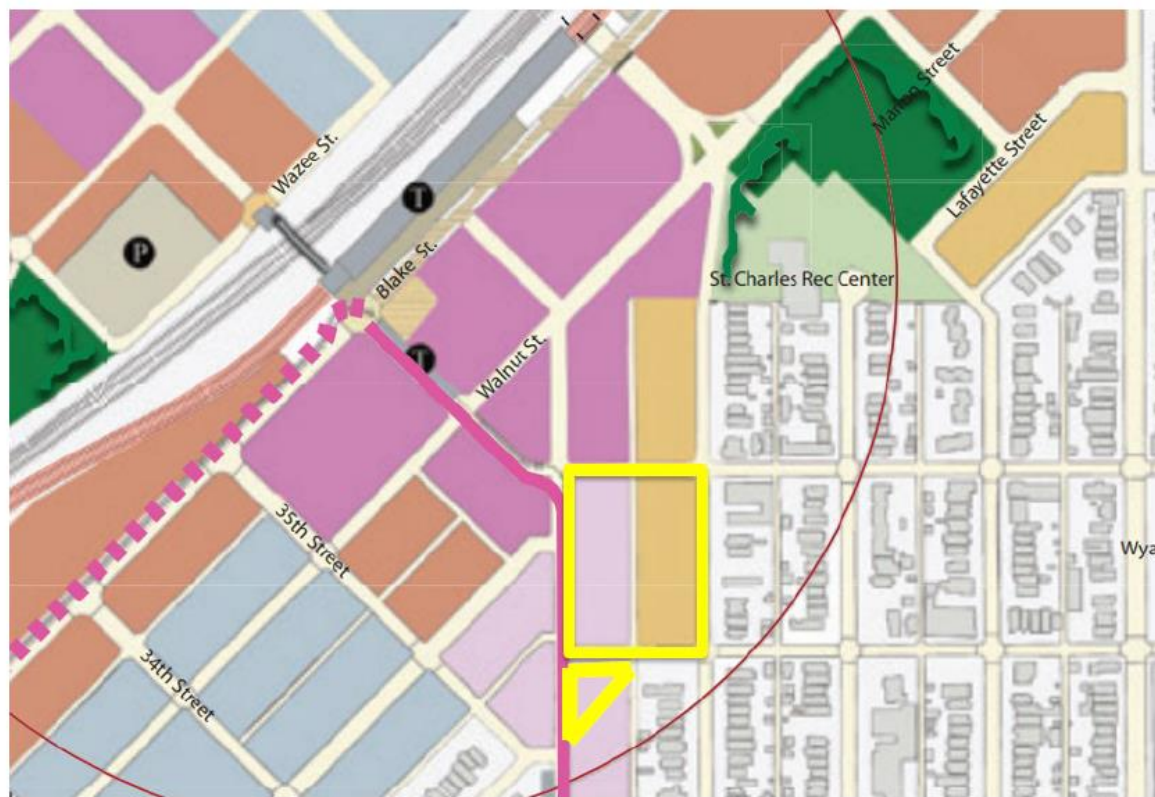
















# Review Criteria: Consistency with Adopted Plans

## 38<sup>th</sup> and Blake Station Area Plan (2009)

- Mixed Use – Main Street:
  - Mix of land uses
  - Activate the public realm
- Urban Residential
  - Primarily residential with limited commercial uses



### LEGEND

 Mixed Use -TOD Core	 Mixed-Use- Employment	 Possible Future Blake Streetcar Connection
 Mixed Use - Main Street	 Open Space and Parks	 Central Corridor Street Car
 Mixed Use - Residential	 New Open Space and Parks	 Mixed Pedestrian -Auto Street
 Urban Residential	 FasTracks East Corridor Line	 Pedestrian Plaza

# Review Criteria: Consistency with Adopted Plans

## 38<sup>th</sup> and Blake Station Area Height Amendments (2016)

- Supersedes all height guidance in other adopted plans on site



## Review Criteria: Consistency with Adopted Plans

### 38<sup>th</sup> and Blake Station Area Plan & Height Amendments

Rezoning request is consistent with 38<sup>th</sup> and Blake plans because:

- Base zone district heights consistent with height amendments
- Both C-MX, C-MS allow mix of land uses
- DO-7 overlay will require enhanced public realm standards (activation, transparency, etc.)
- The rezoning would support redevelopment on Downing Street, an identified “main street”

# Review Criteria: Consistency with Adopted Plans:

2015

## ELYRIA & SWANSEA NEIGHBORHOODS PLAN



## NORTHEAST DOWNTOWN NEIGHBORHOODS PLAN

### THIS PLAN AMENDED IN 2016

The 38th & Blake Station Area Height Amendments, as adopted under Ordinance 2016-0760, refines and updates the building height recommendations of this plan as applied to the area near the 38th and Blake commuter rail station; recommends a new regulatory approach to achieve greater building design standards; and recommends the integration of affordable housing and mixed income development within the 38th and Blake station area. Where there is conflict between the plan amendments and this plan, the plan amendments supersedes this plan.



Adopted  
May 23, 2011

## Review Criteria: Consistency with Adopted Plans

### Elyria & Swansea Neighborhoods Plan (2015)

### Northeast Downtown Neighborhoods Plan (2011)

- Both plans have a Transit Oriented Development future concept land use on subject site encouraging a mix of land uses
- Both plans support infill, transit oriented development
- Building height recommendations
  - Elyria & Swansea silent on building heights
  - Northeast Downtown Neighborhoods Plan matches 38<sup>th</sup> and Blake Station Area Height Amendments (5 stories west of alley, 3 stories east of alley)

## Review Criteria: Consistency with Adopted Plans

### Elyria & Swansea, Northeast Downtown Plans

Rezoning request is consistent with these plans because:

- Both C-MX, C-MS allow mix of land uses
- C-MX, C-MS, DO-7 combined encourage development to orient to Downing, commuter rail station
- Base zone district heights consistent with Northeast Downtown Neighborhoods Plan height guidance

# Rezoning Review Criteria

1. Consistency with Adopted Plans

## 2. Uniformity of District Regulations

- *Will result in the uniform application of zone district building form, use, and design regulations.*

## 3. Further Public Health, Safety and Welfare

- *Implements land use, design, and building height recommendations from Comprehensive Plan 2000, Blueprint Denver, 38<sup>th</sup> and Blake plans, Elyria & Swansea, and Northeast Downtown Neighborhoods plans*

# Standard Rezoning Review Criteria

## 4. Justifying Circumstances

- *Multiple adopted plans since site's original zoning*
- *38<sup>th</sup> and Blake station opening*

## 5. Consistency with (Urban Center) Neighborhood Context, Zone District Purpose and Intent

- *The request promotes mixed use development where an adopted plan supports TOD with excellent multimodal access, including nearby commuter rail station and Mixed Use Arterial*
- *The DO-7 and IO-1 overlay districts are mapped to this site*



# CPD Recommendation

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

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