



TO: Denver City Council
FROM: Abe Barge, AICP, Senior City Planner
DATE: August 25, 2015
RE: Official Zoning Map Amendment Application #2015I-00020
22-44 South Adams Street
Rezoning from Former Chapter 59 PUD 75 to G-MU-12

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval of Application #2015I-00020 for a rezoning from Former Chapter 59 PUD 75 to G-MU-12.

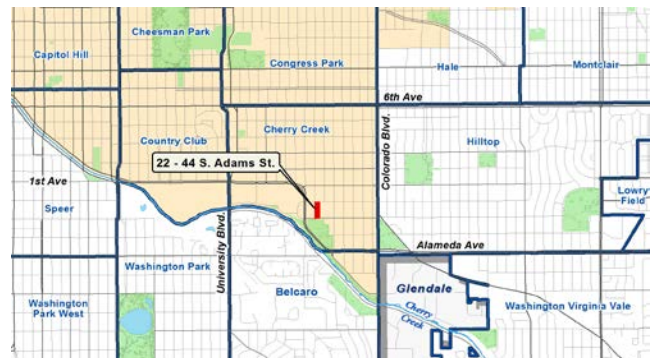
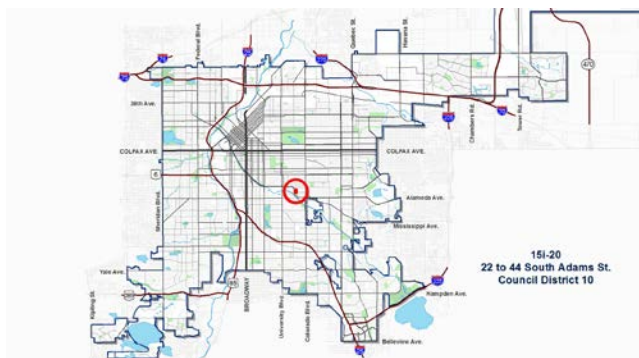
Request for Rezoning

Application:	#2015I-00020
Address:	22 and 44 South Adams Street
Neighborhood/Council District:	Cherry Creek / Council District 10 (Wayne New)
RNOs:	Cherry Creek East Association, Denver Neighborhood Association, Inc., Harman Neighborhood Association, Inc., Inter-Neighborhood Cooperation
Area of Property:	62,600 square feet or 1.44 acres
Current Zoning:	Former Chapter 59 PUD 75
Proposed Zoning:	G-MU-12
Property Owner(s):	Allied Housing East LP
Owner Representative:	Sean Maley, CRL Associates

Summary of Rezoning Request

- The subject property is located in the Cherry Creek statistical neighborhood, near the intersection of Steele Street and East Ellsworth Avenue. The site is generally bounded by East Ellsworth Avenue to the north, South Adams Street to the west, East Bayaud Avenue to the south and an alley to the east.
- The subject property is comprised of two assessor's parcels, addressed as 22 South Adams and 44 South Adams. 22 South Adams contains a nine-story, 160 unit multifamily building that is connected to a seven-story, 96-unit multifamily building at 44 South Adams. Both buildings are used as a Residence for Older Adults.
- The building at 22 South Adams is connected to the building at 11 South Adams (not included in the map amendment) by a second-story enclosed pedestrian bridge.
- The Former Chapter 59 Planned Unit Development (PUD) 75 applies to both 22 South Adams and 44 South Adams. Both properties are under the same ownership.

- The property owners are requesting a rezoning from Former Chapter 59 PUD 75 to G-MU-12 to allow for a small renovation of the senior living facility. The planned renovation is primarily interior, with the exception a new covered hallway on the front of the property to improve resident circulation. The footprint of the new covered hallway would exceed the existing PUD lot coverage limit by 132 square feet.
- Former Chapter 59 PUD 75 (attached) currently allows for:
 - Height: 75 feet above average street elevation (+15 feet for mechanical equipment)
 - Note that the existing approximately 100 foot tall building at 22 South Adams was included in the PUD, but does not meet the existing PUD height limit for new buildings.
 - Building coverage: 28,250 s.f. , Parking coverage: 18,250 s.f.
 - Total building area: 221,352 s.f.
 - Setback minimum: 23-30 feet from Adams, 12 feet from Bayaud and Ellsworth, 20 feet from alley
 - Use: Residential
 - Parking spaces required: 1 space per 4.125 units
- The proposed map amendment to the G-MU-12 zone district is intended to promote and protect higher density residential neighborhoods within the character of the General Urban Neighborhood Context. The district allows 1-12 story apartment building forms with a 15 to 20 foot setback along the Primary Street. Article 6 of the Denver Zoning Code (DZC) provides additional details on the G-MU-12 zone district.



Existing Context

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	Fomer Chapter 59 PUD 75	Multifamily high rise buildings used as a Residence for Older Adults, two drop-off areas and two surface parking areas	One nine-story building and one seven-story building with front setbacks of 23-35 feet along South Adams street	<p>Generally, block sizes and shapes are consistent and rectangular. However, the site is located on a two-block aggregation and the Cherry Creek Shopping Center to the west is located on an aggregated superblock. Although there are two parcels of about 6,000 square feet within one block of the site, most parcels in the area range in size from one to two acres.</p> <p>The street grid around the site is generally regular. However, South Cook Street terminates at its intersection with East Ellsworth Avenue just to the north and east of the site. South Adams Street terminates into Pulaski Park immediately south of the site.</p> <p>Building setbacks in the surrounding area typically allow for a shallow landscaped front yard area, but side interior and side street setbacks are limited. Most parking is provided in structures, with limited surface parking in front of, or behind buildings.</p>
North	G-MU-12	A multifamily building with parking	16-story building with limited front setback and primarily structured parking	
South	OS-A	Pulaski Park/Gates Tennis Center (Denver City Park) with tennis courts and associated surface parking area	Two-story park facilities building and fenced tennis courts	
East	PUD 183	Multifamily high rise residential buildings with parking	One 15-story building, one 13-story building and one nine-story building with approximately 20-foot front setbacks	
West	G-MU-12	Multifamily high rise residential buildings with parking	Two 14-story buildings with approximately 15-foot front setbacks	

The site is located near the intersection of South Steele Street and East Ellsworth Avenue in the Cherry Creek East area. It is south of the Cherry Creek North shopping district and east of the Cherry Creek Shopping Center. Building heights range from two to 16-stories, with primarily multifamily residential uses. The site and surrounding blocks generally feature wide, detached sidewalks with street trees. While some surface parking areas are located between buildings and the street, a 10 to 35-foot

landscaped front setback is most typical. The area transitions to a mixed-use commercial district just over a block to the north, and to a single-unit and row house residential district just over a block to the east. There is a small commercial “village center” at South Madison Street and East Bayaud Avenue. Pulaski Park and the Gates Tennis Center are directly south of the site, and the Cherry Creek Greenway is one block to the south and west.

South Adams Street, East Ellsworth Avenue and East Bayaud Avenue carry one lane of traffic in each direction. East Bayaud Avenue has a center turn lane. RTD bus route 46 serves South Adams Street, stopping directly in front of the site. RTD bus route 3 serves East Ellsworth Avenue and East Bayaud Avenue with stops very near the site. RTD provides additional bus service along 1st Avenue to the north and South Steele Street to the west.

1. Existing Zoning

The Former Chapter 59 PUD 75 was approved in 1982. It allows for residential and supporting accessory uses in buildings with a maximum floor area of 221,352 square feet and a site footprint of 28,250 square feet. The PUD limits total land coverage by buildings and impervious surfaces to 52,500 square feet and total building height to 75 feet above average street elevation with a 15 foot allowance for rooftop mechanical equipment. Minimum setbacks are specified as 30 feet from South Adams Street (front setback), 12 feet from East Ellsworth Avenue and East Bayaud Avenue (side street setbacks), and 20 feet from the rear alley. The PUD also specifies a minimum parking ratio of one space per 4.125 dwelling units (64 spaces total) and notes that storage of boats, campers, trailers and recreational vehicles up to 22 feet in length is allowed. The official copy of the PUD is on file with the Denver City Clerk.



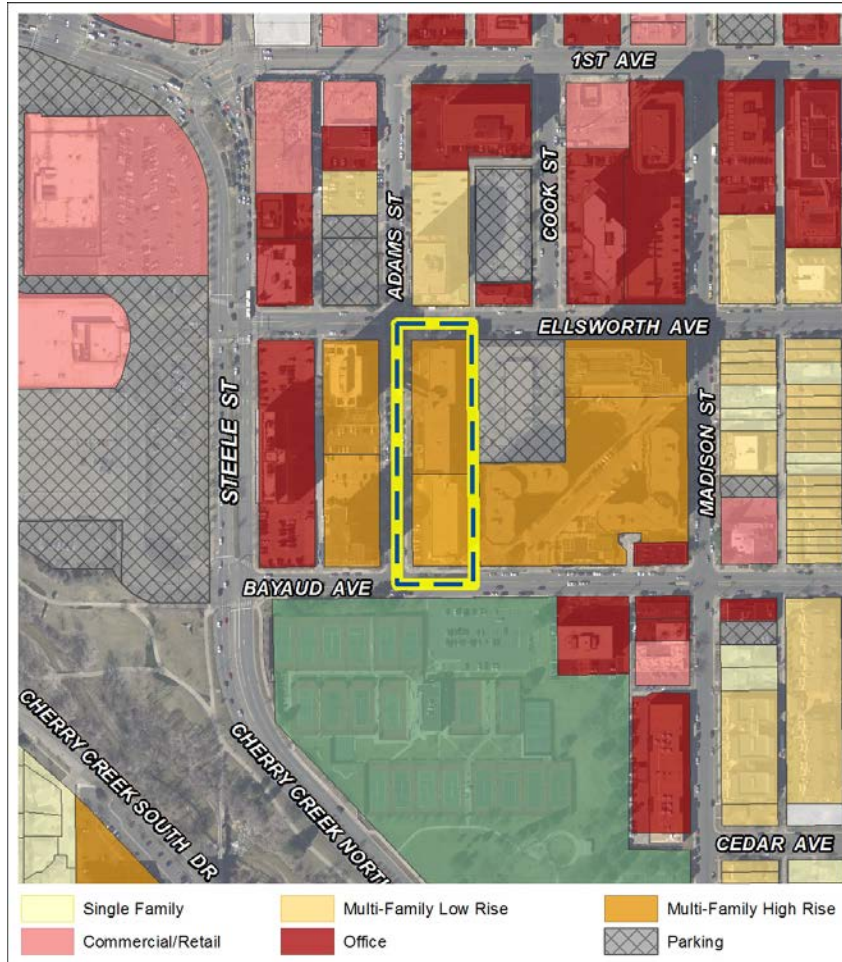
2. View Planes

The Cranmer Park View Plane applies to the subject property. It originates in Cranmer Park and is intended to protect and preserve panoramic views of the mountains. The view plane specifies maximum heights for all structures that increase with distance from the Cranmer Park origin point. The view plane limits heights to approximately 150-159 feet across the subject site, which is above the maximum 140-foot height that would be permitted by the proposed G-MU-12 zone district.

3. Existing Land Use Map

As illustrated on the Existing Land Use Map below, multifamily low rise and high rise residential uses, as well as open space and parking, surround the site. Office uses are located within ½ block of the site to the north, west and east. Commercial and retail uses are located one block to the north, east and west.

Existing Land Use Map



4. Existing Building Form and Scale



Subject site looking directly east to the front entrance and link between the older nine-story building at 22 South Adams Street and newer seven-story building at 44 South Adams Street.



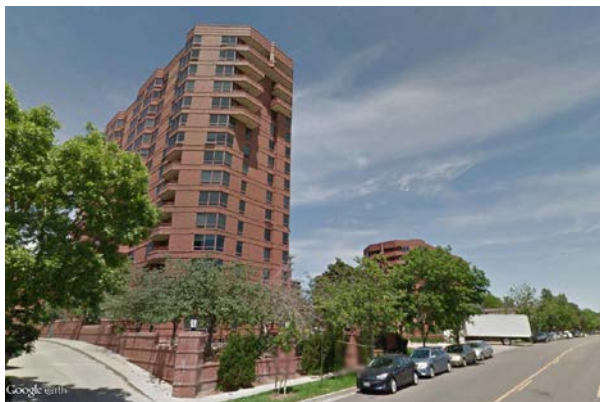
Subject site looking north and east down South Adams Street towards the second-story enclosed pedestrian bridge that connects 44 South Adams Street to 11 South Adams Street (not visible)



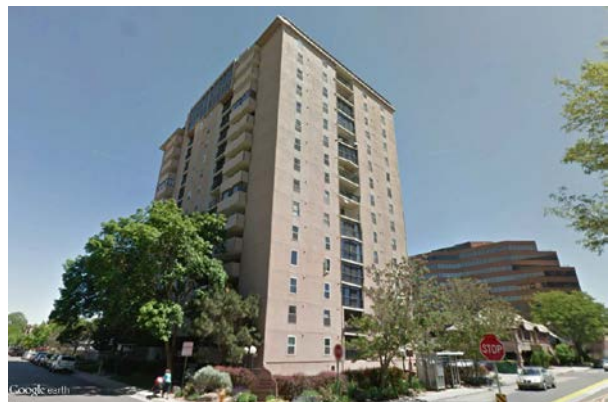
Subject site looking directly south down the alley from East Ellsworth Avenue. Structured parking for "The Seasons" apartments (not part of the map amendment application) is visible at left.



15-story building at 11 South Adams that is connected to the subject site (not visible at left) by a second-story pedestrian bridge.



15-story building in "The Seasons" complex along East Bayaud Avenue to the east of the site.



16-story building along East Ellsworth Avenue directly north of the subject site.

Summary of City Agency Referral Comments

As part of the Denver Zoning Code review process, the rezoning application is referred to potentially affected City agencies and departments for comment. A summary of agency referral responses follows:

Asset Management: Approved – No Comments

Development Services – Wastewater: Approved – As stated, the scope of this project (actual improvement project after rezoning) would be permitted by Wastewater under a Sewer Use and Drainage Permit.

Public Works – City Surveyor: Approved – No Comments. The legal description dated April 2, 2015 was approved.

Environmental Health: Approved – The Denver Department of Environmental Health (DEH) is aware of a large area of urban fill just west and south of the property. Methane in soil can be an issue in locations near fill areas and can be mitigated using a radon system. Most of Colorado is high risk for radon, a naturally occurring radioactive gas. Due to concern for potential radon gas intrusion into buildings, DEH suggest developers consider installation of a radon mitigation system in structures planned for human occupation or frequent use. Scope & Limitations: DEH performed a limited search for information known to DEH regarding environmental conditions at the subject site. This review was not intended to conform to ASTM standard practice for Phase I site assessments, nor was it designed to identify all potential environmental conditions. In addition, the review was not intended to assess environmental conditions for any potential right-of-way or easement conveyance process. The City and County of Denver provides no representations or warranties regarding the accuracy, reliability, or completeness of the information provided.

Public Review Process

- CPD staff provided Informational notice of receipt of the rezoning application to affected registered neighborhood organizations and members of City Council on April 9, 2015.
- The property was legally posted for a period of 15 days announcing the July 1, 2015, Denver Planning Board public hearing, and written notification of the hearing was sent to all affected registered neighborhood organizations and City Council members.
- Written notification of the July 22, 2015 City Council Neighborhoods and Planning Committee meeting was sent to all affected registered neighborhood organizations and City Council members on July 8, 2015.
- The property is currently posted to announce the August 31, 2015 City Council public hearing, and written notification was sent to all affected registered neighborhood organizations and City Council members.
- **Registered Neighborhood Organizations (RNOs)**
 - The RNOs identified on page one were notified of this application. At the time of this staff report, one letter of support has been received from the Cherry Creek East Association (attached).
- At the time of this staff report, no other public comment has been received.

Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.13 and 12.4.10.14, as follows:

DZC Section 12.4.10.13

1. Consistency with Adopted Plans
2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and General Welfare

DZC Section 12.4.10.14

1. Justifying Circumstances
2. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

1. Consistency with Adopted Plans

The following adopted plans apply to this property:

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

Denver Comprehensive Plan 2000

Denver's *Comprehensive Plan 2000* identifies a set of broad guiding principles that unite to form a coherent and compelling vision of a livable city. The Plan defines Cherry Creek as an "urban center" and states:

"Compact urban centers will meet the needs of 21st-century living while reinforcing the valued characteristics of Denver's neighborhoods. Development and redevelopment of urban centers presents opportunities to concentrate population and land uses within a limited geographic space. Compact development will improve neighborhood cohesion, reduce urban sprawl and connect residents more directly to services and amenities within their immediate living environment." (pg 55)

Relevant *Denver Comprehensive Plan 2000* strategies include:

- Environmental Sustainability Strategy 2-F – *Conserve land by: promoting infill development with Denver at sites where services and infrastructure are already in place.* (pg 39)
- Land Use Strategy 3-B – *Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses.* (pg 60)
- Neighborhood Strategy 1-E – *Modify land-use regulations to ensure flexibility to accommodate changing demographics and lifestyles. Allow, and in some places encourage, a diverse mix of housing types and affordable units, essential services, recreation, business and employment, home-based businesses, schools, transportation and open space networks.* (pg 150)

- Neighborhood Strategy 1-F – *Invest in neighborhoods to help meet citywide goals and objectives for a range of housing types and prices, community facilities, human services and mobility.* (pg 150)

The proposed map amendment is consistent with the vision and strategies outlined in *Comprehensive Plan 2000* because it promotes the maintenance of higher density residential uses at a location where services and infrastructure are already in place while also ensuring flexibility to accommodate change.

Blueprint Denver

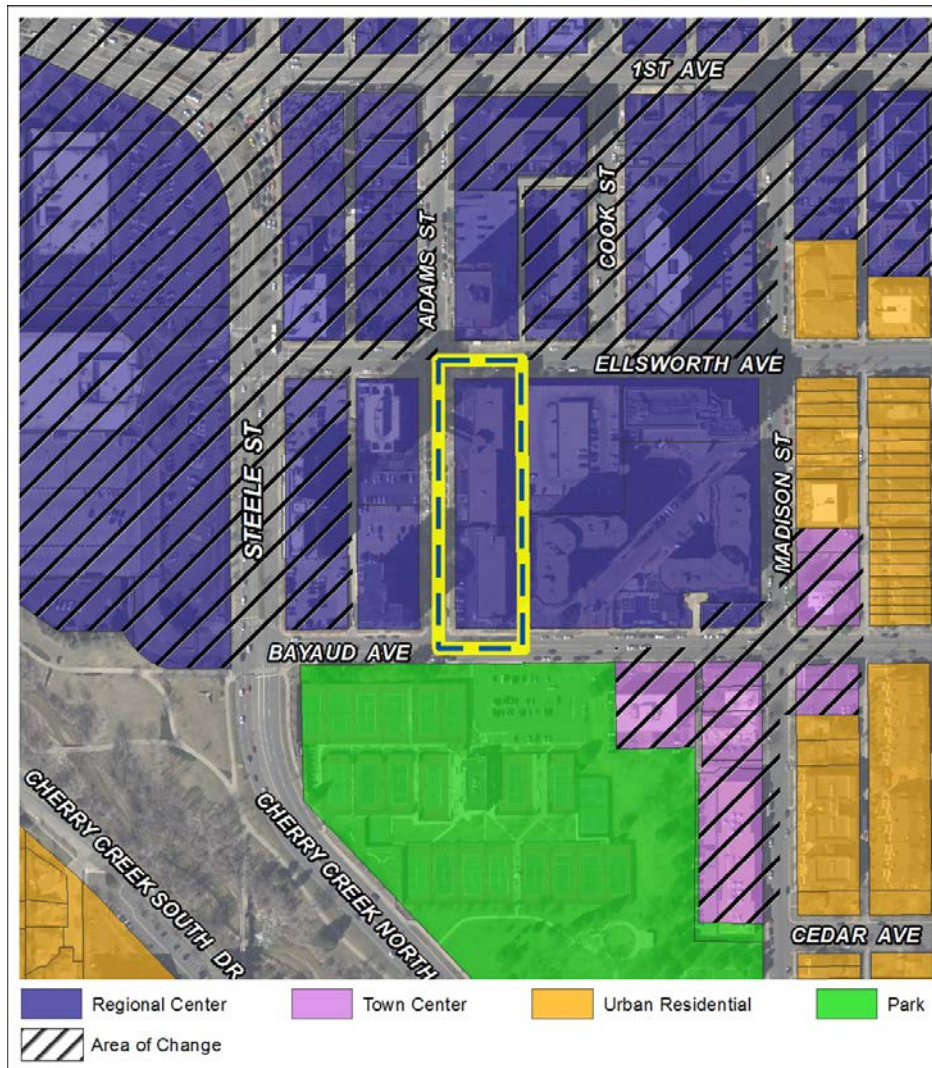
The 2002 *Blueprint Denver* plan supplements *Comprehensive Plan 2000* with a more specific vision for land use and transportation throughout Denver. The proposed map amendment is consistent with the *Blueprint Denver* vision for street character and future land use.

Future Land Use

According to the 2002 Plan Map adopted in *Blueprint Denver*, the site has a concept land use of Regional Center. Such centers ideally include a balance of retail, employment, and residential uses. They cover a fairly large area and are dense enough to cover both the dominant use and a wide variety of other uses. Commercial activities in the nearby Cherry Creek Shopping Center and Cherry Creek North district are the dominant use in the Cherry Creek Regional Center. The high density of residential uses in the Cherry Creek East area directly adjacent to the site provides a built-in customer base for the nearby commercial area, allowing residents to live, work and play within a compact area.

The proposed map amendment supports the *Blueprint Denver* regional center concept land use designation by maintaining relatively high-density residential uses in a transit-rich area at the edge of one of Denver's most important retail and employment centers. The Apartment building form standards within the proposed G-MU-12 zone district also promote development that is consistent with the vision for an attractive, pedestrian-oriented center through standards that require a well-defined residential setback, street-facing building entries, transparent windows, upper-story setbacks and less-visible parking areas.

2002 Blueprint Denver Future Land Use Map



Area of Change / Area of Stability

Blueprint Denver classifies all properties throughout the city as being within an “Area of Change” or “Area of Stability.” Areas of Change identify the places where development and redevelopment would be most beneficial, while Areas of Stability identify places where limited change is expected during the next 20 years. The subject site is in an Area of Stability, but Areas of Change are located within ½ block on all four sides. In general, the goal for Areas of Stability is to “identify and maintain the character of an area while accommodating some new development and redevelopment.” (pg 120)

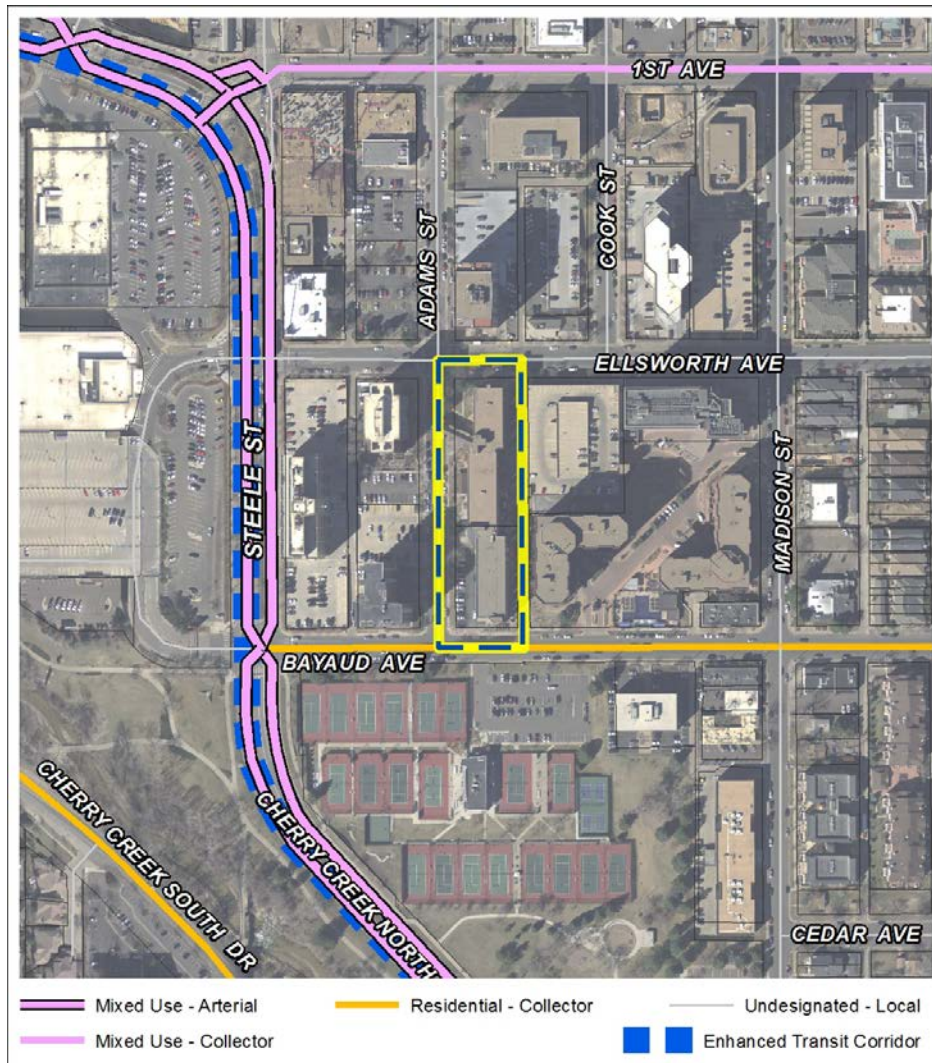
The proposed map amendment supports objectives for Areas of Stability by maintaining a high-density residential use in buildings that are sited, scaled and designed to promote a pedestrian-friendly environment and ensure compatibility with surrounding residential development. The proposed G-MU-12 zone district would also allow flexibility for future reinvestment that is consistent with the existing neighborhood’s higher density residential buildings.

Street Classifications

Blueprint Denver recognizes and retains the City’s existing classification system of arterials, collectors and local streets, and also presents criteria to better classify the function of the City’s streets. This includes assigning a street type such as “residential” or “mixed-use.” *Blueprint Denver* classifies South Adams Street and East Ellsworth Avenue as Local streets without a specific street type designation, and classifies East Bayaud Avenue as a Collector street with a Residential type. Local Streets serve “primarily to provide access to housing in residential neighborhoods” (pg 195) and Residential Collector streets serve “all levels of land use density and intensity adjacent to the streets” and “are designed to emphasize walking, cycling and land access over mobility.” (pg 55) Additionally, *Blueprint Denver* recognizes Steele Street as an Enhanced Transit Corridor where increased transit ridership, improved service, and efficiency is supported through the creation of more intensive, mixed-use development. (pg 26, 99)

The proposed map amendment supports *Blueprint Denver* goals for street character and function by maintaining residential uses along Local streets while supporting higher-intensity development adjacent to a Residential Collector street and proximate to an Enhanced Transit Corridor.

2002 Blueprint Denver Street Classification Map

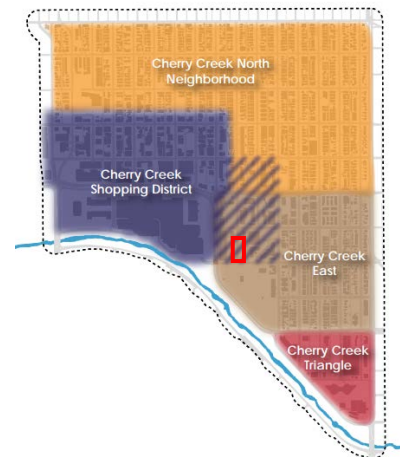


Small Area Plan: Cherry Creek Area Plan

The adopted 2012 *Cherry Creek Area Plan* applies to the subject property. The plan format includes framework plan recommendations that apply throughout the planning area and more focused recommendations for individual subareas.

Cherry Creek Area Plan: Framework Plan Recommendations

- **B.2.A STREETScape** – Encourage consistent shallow, block-sensitive building setbacks with some offset for patio seating or public plazas help create active, vibrant streets. (pg 30)
- **B.2.B ARCHITECTURE** – Orient buildings and entries toward the street using context sensitive setbacks. (pg 30)
- **B.2.B ARCHITECTURE** – Include design elements and details such as pedestrian scaled signage, transparent windows, storefronts, building entries, building articulation, patio seating, pedestrian plazas and courtyards. (pg 30)
- **B.2.B ARCHITECTURE** - Study the use of upper-story setbacks and height datum lines to maintain a comfortable pedestrian scale at the street and to allow sunlight to reach the street. (pg 30)



The proposed map amendment supports Framework Plan recommendations by encouraging a consistent setback along the street, promoting street-facing entries and requiring upper story setbacks that allow sunlight to reach the street.

Cherry Creek Area Plan: Subarea Recommendations for Cherry Creek East

The subject site is located within the boundaries of the Cherry Creek East subarea which is bordered by Steele Street, Cherry Creek North Drive, Alameda Avenue, Colorado Boulevard and 1st Avenue. According to the *Cherry Creek Area Plan*, Cherry Creek East “supports a mix of residential and office uses and some of the highest residential and employment densities in all of Cherry Creek, as well as the greatest diversity of housing types” and also notes that “Recent development has resulted in a mix of housing types and an urban form that enhances the character of the neighborhood.” (pg 70)

The *Cherry Creek Area Plan* divides Cherry Creek East into two smaller areas on the east and west sides of Madison Street. The following guidance is provided for the area around the subject site:

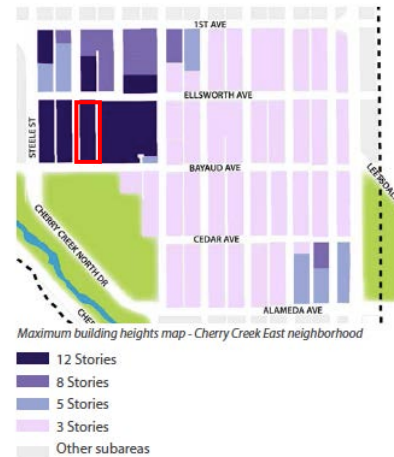
“West of Madison, the district supports primarily high-rise residential and office uses with buildings reaching 16 stories. The development intensity and types of uses west of Madison are more consistent with development along the north side of 1st Avenue in the Shopping District. For this reason, this area between Madison and Steele is also considered part of the Shopping District Subarea.” (pg 70)

Regional Center Designation. As illustrated at right, the future land use map for the Cherry Creek East neighborhood mirrors the *Blueprint Denver* Regional Center designation for the subject site. Recommendations for the Regional Center are to:

Continue to support a mix of uses in the Regional Center including office, retail, commercial, multifamily residential and hotels. Support compact development patterns and an enhanced public realm including landscaping, wayfinding signage, pedestrian lighting, public art and inviting building entries. (pg 72)



Building Scale. As illustrated at right, the maximum building heights map for the Cherry Creek East subarea indicates that a maximum height of 12 stories is appropriate on the subject site. The *Cherry Creek Area Plan* also indicates that “The mixed-use area between Steele and Madison will remain the most intensely developed portion of the neighborhood, with building heights ranging from 5 to 12 stories.” (pg 72)



PUDs. The *Cherry Creek Area Plan* recommends rezoning existing PUDs in the Cherry Creek East subarea and notes that:

“As opportunities arise with new development or property owner interest, property owners and neighborhood representatives will work together with the City to determine an appropriate Denver Zoning Code district that serves to implement this plan.” (pg 72)

The proposed map amendment is consistent with the objectives of the *Cherry Creek Area Plan*. The G-MU-12 district aligns with the recommendations for a maximum building height of 12 stories in this portion of Cherry Creek East as well as the recommendation to rezone existing PUDs. In the near term, the proposed G-MU-12 zone district would provide flexibility for the property owner to complete minor expansions and improvements that are not allowed by the existing PUD, which is based on the original 1982 plan for redevelopment of the site. In the coming decades, the G-MU-12 zone district would provide flexibility for the property owner to redevelop the site with high-density residential uses that are consistent with *Comprehensive Plan 2000*, *Blueprint Denver* and *Cherry Creek Area Plan* vision for the site.

2. Uniformity of District Regulations and Restrictions

The proposed map amendment will result in the uniform application of zone district building form, use, and design regulations. The G-MU-12 zone district is currently applied to several similar properties in the surrounding area, including the high-density multi-family buildings located directly to the west (also part of the Kavod Senior Life complex) and north.

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the City primarily through implementation of the City's adopted land use plans including *Comprehensive Plan 2000*, *Blueprint Denver*, and the *Cherry Creek Area Plan*.

4. Justifying Circumstance

The application identifies changed or changing conditions as the Justifying Circumstance under Denver Zoning Code Section 12.4.10.14.A.4, "The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area." The application identifies changes that have occurred since the 1982 adoption of the PUD, including:

- The adoption of multiple plans that apply to the area:
 - *Comprehensive Plan 2000*
 - *Blueprint Denver*
 - *The Cherry Creek Area Plan*
- The adoption of a new, context-based zoning code in 2010 that seeks to implement comprehensive plan goals by:
 - Promoting development that maintains Downtown Denver's preeminence as the region's economic, civic, and cultural center. (pg 1.1-1)
 - Promoting development along transit corridors that enhance their function as mixed-use, walkable centers that serve surrounding residential neighborhoods. (pg 1.1-1)
 - Guiding reinvestment in established neighborhoods that builds upon and reinforces their unique characteristics. (pg 1.1-1)
 - Providing clear regulations and processes that result in predictable, efficient, and coordinated review processes. (pg 1.1-1)
 - Promoting diverse and affordable housing options. (pg 1.1-1)
- Multiple new sites of investment and reinvestment throughout Cherry Creek that increase the need for flexibility to adapt to changing circumstances

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

Neighborhood Context Description

The proposed G-MU-12 zone district is within the General Urban Neighborhood Context. Denver Zoning Code Division 6.1 notes that the 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 forms. Low-scale commercial areas are embedded within residential areas, which are primarily located along local and residential arterial streets. Residential buildings typically have consistent, shallow to moderate front setbacks, shallow side setbacks and consistent orientation. Residential building heights are moderate to tall. (pg 6.1-1)

The proposed map amendment is consistent with the Denver Zoning Code General Urban Neighborhood Context.

Zone District Purpose and Intent

Denver Zoning Code Section 6.2.2 states that the general purpose of residential zone districts within the General Urban Neighborhood Context is to promote and protect higher density residential neighborhoods. Section 6.2.2 also notes that “the highest-scale districts with a maximum height of 12 and 20 stories promote a dense, urban residential character where appropriate.” (pg 6.2-1)

The proposed map amendment is consistent with the Denver Zoning Code purpose and intent statements for the G-MU-12 district.

Planning Board Recommendation

The Denver Planning Board held a public hearing on July 1, 2015, to consider this application. The Planning Board heard testimony from Susan Smernoff of the Cherry Creek East Association. Ms. Smernoff testified in support of the application. By a vote of 8 in favor and 0 against, the Planning Board recommended approval of the application and found that the applicable review criteria had been met.

Staff Recommendation

Based on the analysis set forth above, CPD staff finds that the map amendment application for 22 South Adams Street and 44 South Adams Street (#2015I-00015) to a G-MU-12 zone district meets the requisite review criteria. Accordingly, staff recommends approval of the application.

Attachments

1. Application
2. Original 1982 PUD #75 (current zoning on site)
3. Letter of Support from the Cherry Creek East Association

Area Map indicating property to be rezoned will be prepared by the Department of Zoning Administration		City and County of Denver DEPARTMENT OF ZONING ADMINISTRATION APPLICATION FOR ZONE MAP AMENDMENT		Application Number 3395	
		Date Submitted 6/17/82		Fee \$120	
1. Applicant Allied Housing, Inc. Lee Mendel, President		2. Address 11 and 22 So. Adams Street Denver, Colorado 80209		3. Phone No. 399-1146	
				4. Interest <input checked="" type="checkbox"/> Owner(s) <input type="checkbox"/> Agent <input type="checkbox"/> Other	
5. Owners of Property or Properties (If not the Applicant)		6. Address		7. Phone No.	
8. Location of Proposed Change 22 South Adams Street					
9. Legal Description of Property: (If Legal Description is lengthy, please attach additional sheet.) Lots: 1 - 20 Block: 21 Addition: Burlington Capitol Hill					
10. Area of Subject Property, Sq. Ft. or Acres 62,625 Sq.Ft., or 1.44 Acres		11. Present Zone R-3		12. Proposed Zone PUD <i>H</i> <i>75</i>	
13. Describe briefly the nature and expected effect of the proposed amendment. Be sure to include an explanation of the legal basis for the proposal: either (a) the error in the map as approved by city council, or (b) the changed or changing conditions making the proposed amendment necessary. See Attachment A					
14. Use and development proposed for the property to be rezoned. See Attachment A					
15. Exhibits Submitted, Number and Kind Existing Conditions Map, District Plan, Statement One Map. & Description, Building Perspective, Elevations & Typical Floor Plan, Photograph			16. Applicant's Signature <i>Lee Mendel, Pres / Allied Housing Inc.</i>		

ATTACHMENT A

Allied Housing, Inc.

13. The subject site is at present being under-utilized in that the existing building has 135,352 sq.ft. vs. 187,875 sq.ft. allowable under the existing R-3 zoning. The proposed amendment would allow an 86,000 sq.ft. addition (221,352 s.f. total). Without the amendment, only fifty additional units can be developed, which is not economically feasible.

The legal basis for the amendment is that changing conditions have created a great community need for housing for the elderly. Congregate housing promotes independent living by providing limited support, and helps keep the elderly out of nursing homes. The petitioner has all existing 160 apartment units rented and now has a waiting list of approximately 200 persons. Present residents are ambulatory, self-sufficient, and able to carry on their independent life style. Eighty-five percent of the apartments are occupied by one resident, which is considerably less population than conventional buildings.

This site is extremely desirable, with its close-in location, public transportation, nearby shopping, recreation and open space, religious and medical facilities, and pleasant safe environment.

14. The applicant intends to build 104 additional apartment units on the property to be re-zoned. The addition shall include eight floors of one-bedroom apartments, thirteen per floor, 540 sq.ft. each, similar to the existing apartments, including ancillary facilities plus one structural deck under the building for parking (56,200 s.f. living space plus 29,800 s.f. ancillary and circulation). The building will be a concrete structure served by two electric elevators. Exterior will be face brick and double-glazed aluminum windows to match the existing building.

The proposed addition would utilize existing facilities in the two other buildings, including a full kitchen and dining room, recreation and social services plus the experienced operating staff with appropriate expansion as required. Additional ancillary facilities would be included.

2. WRITTEN DESCRIPTION

Allied Housing, Inc.
South Adams between Ellsworth and Bayaud

A. Land Use

Land use coverage is as follows:

1. Residential*	28,250 s.f.
2. Parking	17,400 s.f.
3. Trash receptacles	850 s.f.
4. Open space	<u>16,125 s.f.</u>
Total Land Area	62,625 s.f.

Floor Area:

1. Existing residential structure	135,352 s.f.
2. New addition	84,000 s.f.
3. Glass enclosure (1st Floor)	<u>2,000 s.f.</u>
Total	221,352 s.f.
4. Parking structure (one level) partially underground	12,200 s.f.

* 160 existing + 104 new = 264 D.U. = 183.3 D.U./A.

B. Maximum Height of (Residential) Structure

Residential structure 75 ft. maximum above average street elevation. Rooftop equipment 15 ft. above top of building (90 ft. above average grade).

Non-residential structure (glass walkway at first floor) 10 ft. above average street elevation (maximum).

C. Parking and Loading

Parking: 64 spaces (one space per 4.125 D.U.)
Standard size 9' x 19'
Compact 7.5' x 15'
Handicapped 12' x 24' (4 existing)
Ratio of compact to standard = 1 to 1 maximum
Applicant will abide by Section 614.5 (Use and Maintenance of Parking Space)

Note: Actual existing ownership is approximately one car per six apartment units.

Loading: None provided

D. Location of New Structures (existing structures excepted)Setbacks:

- a. S. Adams Street (west): All new residential structures shall be set in a distance of not less than 30 ft. from west line. Non-residential structures (enclosed walkway) shall be set in a distance of not less than 23 ft. from west line.
- b. E. Bayaud Avenue (south): Residential structures shall be set in a distance of 12 ft. from south line. Non-residential structures (parking deck) shall be set in a distance of 5 ft. from south line.
- c. Alley (east): All new residential structures shall be set in a distance of 20 ft. from east line. Parking decks below grade may be built to east line.
- d. E. Ellsworth Avenue (north): All new structures shall be set in a distance of 12 ft. from north line.

E. Land Coverage of Buildings and Impervious Surfaces

1. Buildings	28,250 s.f. (45.1%)
2. Parking, Auto, Trash	18,250 s.f. (29.1%)
3. Patios and Walks	<u>6,000 s.f. (9.6%)</u>
Total	52,500 s.f. (83.8%)

F. Surface Drainage

Owner will abide by the requirements of Waste Water Management Division.

G. Interior Site Circulation

There will be two (2) offstreet automobile "drop-offs" with canopies, one at each front building entry from So. Adams Street. A concrete sidewalk is also provided from the existing sidewalk along So. Adams to the building entrances. Two outdoor patio areas are provided on the east and west sides of the existing apartment building.

There are no interior streets or drives other than the aisles provided for offstreet parking.

The adjacent development to the east consists of conventional single-family structures with some automobile garages entered from the alley. Offstreet parking for this district will enter from So. Adams Street or off the alley.

H. Easements

None existing or proposed.

I. Buffers and Screening

There is only one other building on this entire block of Adams Street. The site is well landscaped and maintained.

Trash receptacles, electric transformers and generators will be screened by 5' high solid fencing. Patio area fencing and existing landscaping will remain.

J. Recreational Vehicle Storage

Storage of boats, campers, trailers, and recreational vehicles 22' in length (maximum) shall be permitted.

K. Dedications and Improvements

Owner will conform to City Ordinances and agency rules and regulations.

L. School Sites

See Section U: Public Facilities

M. Open Space

Two private patio areas are provided on the east and west sides of approximately 3,000 s.f. and 4,100 s.f. respectively. Projected population is approximately 305 persons. Private patio areas are currently existing and will be maintained during construction when feasible. Interior recreational facilities are also provided in building.

N. Sound, Heat, Fumes, etc.

Owner will abide by the regulations governing external effects for R-1 zones (Section 612.2-2(2) to 612.2-2(4)).

O. Restoration of Natural Terrain

Not applicable

P. Utilities

Electric: Overhead lines existing along alleys (east) and along E. Ellsworth

Gas: 2" MW gas line in E. Ellsworth
2" MW gas line in So. Adams (south end)

Water: 8" water line in So. Adams
12" water line in E. Bayaud

Continued

P. Utilities (continued)

Sewer: 8" sanitary sewer in alley (east)
 12" sanitary sewer in E. Ellsworth
 12" sanitary sewer in E. Bayaud

Storm Sewer: 37" storm sewer in E. Bayaud (catch basin at S.W. corner of S. Adams and E. Ellsworth)

Telephone: Underground cables in E. Ellsworth

Capacity of Utilities appears to be adequate.

Q. Signs

Signs shall abide by sign code regulations for R-3 zones (Section 613.3-2) and sign code regulations for signs permitted in all districts (Section 613.2). No signage currently used.

R. Outdoor Storage

Trash receptacles to be located at rear (alley) side of property and screened by 5' high fencing from public view.

S. Traffic Impact

The average age of the existing residents is more than 80 years. One of six owns an automobile. Residents walk or take the bus. The few car owners use them very seldom, perhaps once a week. Therefore, traffic impact is less than almost any other occupancy. Traffic movement is primarily east and west along E. Bayaud or E. Ellsworth. No data on traffic counts is available; approximately five car trips per day will take place on Adams, Bayaud, and Ellsworth by residents.

T. Public Transportation

The nearest bus stop is at the north end of the site at the corner of So. Adams and E. Ellsworth (RTD #3). This route serves the downtown area. Route #1 runs along First Avenue and connects with other major north-south routes.

U. Public Facilities

1. Schools

- a. Steck Elementary School, 425 Ash Street
- b. Hill Junior High School, 451 Clermont Street
- c. Manual High School, 1700 E. 28th Avenue

Continued

U. Public Facilities (continued)

2. Fire Station #15, 1080 Clayton Street
3. Police Station #3, 1625 South University
4. Recreation Center, Senior Citizen: JCC at Dahlia and Alameda;
1705 Gaylord; 1710 Williams; miscellaneous church-sponsored facilities
5. Library: Ross Cherry Creek Branch, 305 Milwaukee
6. Hospitals: Entire Medical Center at 9th Avenue and Colorado Boulevard,
plus Presbyterian, St. Luke's, and St. Joseph's, on East 17th and 18th
Avenues
7. Shopping: Cherry Creek Shopping Center two blocks away, plus Cherry
Creek North, plus Colorado Boulevard

5. WRITTEN STATEMENT

ALLIED HOUSING, INC.

- a. The proposed PUD is intended to serve the elderly and handicapped by providing low cost housing for these people.
- b. The applicant's plan is in conformity with the comprehensive plan for Denver as it now exists. The area is becoming an activity center for the City because of its proximity to the downtown area and one of the finest shopping facilities of the City and County of Denver, Cherry Creek.
- c. This residential development is well served by public transportation, and is in close proximity to many employment centers, including the downtown area. In addition to the Cherry Creek Shopping Center mall, there are hundreds of small shops and stores and supermarkets conducive to use in high density residential developments.

There is a great mixture of housing in this area, including single family and multi family type structures. This development will have much less than normal affect on traffic in adjacent neighborhoods, only one of six residents occupying these apartments will have a car. The area is surrounded by much open space, including nearby public park facilities which are more than adequate to accomodate the surrounding areas.

See Zoning Application for additional descriptive information.

June 30, 2015

City and County of Denver
City Council, District 10
Denver Planning Board
Denver, CO 80202

Dear Councilwoman Robb, Councilman Elect New and Denver Planning Board Members,

**Subject: Cherry Creek East Association Position Statement
Request for Rezoning
22 and 44 South Adams Street - Kavod Senior Life**

Application Number	#20151-00020
Location	22 and 44 South Adams Street
Council District	Council District 10
Current Zoning	Former Chapter 59 PUD 75
Proposed Zoning	G-MU-12
Property Owner	Allied Housing East LP (Kavod Senior Life)
RNO	Cherry Creek East Association (CCEA)
RNO Contact Name	Susan Smernoff, President
Contact Address	240 South Madison Street
Contact E-mail Address	ssmernoff@gmail.com
Date Submitted	June 30, 2015

As required by DRMC Section 12-96, a meeting of the CCEA RNO was held on Wednesday, June 10, 2015. Kavod Senior Life's representative, Sean Maley from CRL Associates, made a presentation to the Board. Kavod staff and Kavod's representative responded to Board and community questions. CCEA Board of Directors unanimously voted to support the request for rezoning from PUD 75 to G-MU-12.

Prior to Board action, CCEA Board engaged in the following process to gather comments and questions from CCEA property owners, residents and businesses:

1. CCEA posted information from Kavod's representative on the CCEA website and provided a link for comments and questions to the Board.
2. CCEA requested comments and questions from about 400 individuals using the CCEA email list.
3. CCEA Board invited interested parties to attend and participate in the June 10 Board discussion.

Prior to the June 10 Board meeting, the Board received questions and comments from seven property owners, residents and businesses. Four respondents, including a representative for Mountains Shadows, supported the rezoning, two people asked the time and place for the June 10 Board meeting, and one person did not support rezoning.

Five CCEA residents attended the Board meeting, listened to the presentation from Kavod staff and representative, and participated in the Board discussion.

CCEA Board and RNO support the rezoning for the following reasons:

1. The rezoning allows for a small renovation of Kavod Senior Life, primarily on the interior, with the exception of a new covered hallway on the west side of the structure that would exceed the existing 1982 PUD lot coverage limit by 132 square feet.
2. In 2011, the Kavod renewed their Department of Housing and Urban Development contract for twenty years, and the contract does not allow for any significant upgrades regardless of ownership.
3. Structurally, additional floors cannot be added to the existing structure.
4. The requested G-MU-12 zoning is in conformance with the Cherry Creek Area Plan and other adopted local and regional plans.
5. The Cherry Creek Area Plan Future Land Use Map and Maximum Building Heights Map (page 73) intended that this location allow higher density residential uses.
6. Kavod is located on a block that includes existing multi-story residential and commercial uses.

CCEA welcomes the opportunity to support low-income housing in our neighborhood. We appreciate Kavod's attention to design details for the exterior addition and the high-quality landscaping.

CCEA requests that any changes to the pedestrian way include five-foot sidewalks per policy statements in the Cherry Creek Area Plan.

Best regards,

Susan Smernoff, President
CCEA Board of Directors