



DENVER
THE MILE HIGH CITY

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TO: City Council
FROM: Theresa Lucero, Senior City Planner
DATE: May 8, 2014
RE: Official Zoning Map Amendment Application #2014I-00002
4300 East Warren Avenue and 4275 East Iliff Avenue
Rezoning from PUD 205 to G-MU-3

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for map amendment application #2014I-00002 for a rezoning from PUD 205 to G-MU-3

Request for Rezoning

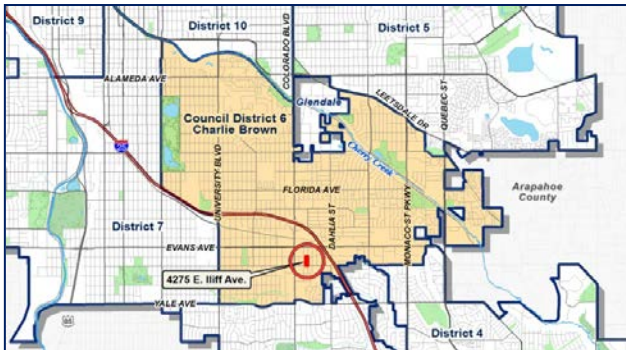
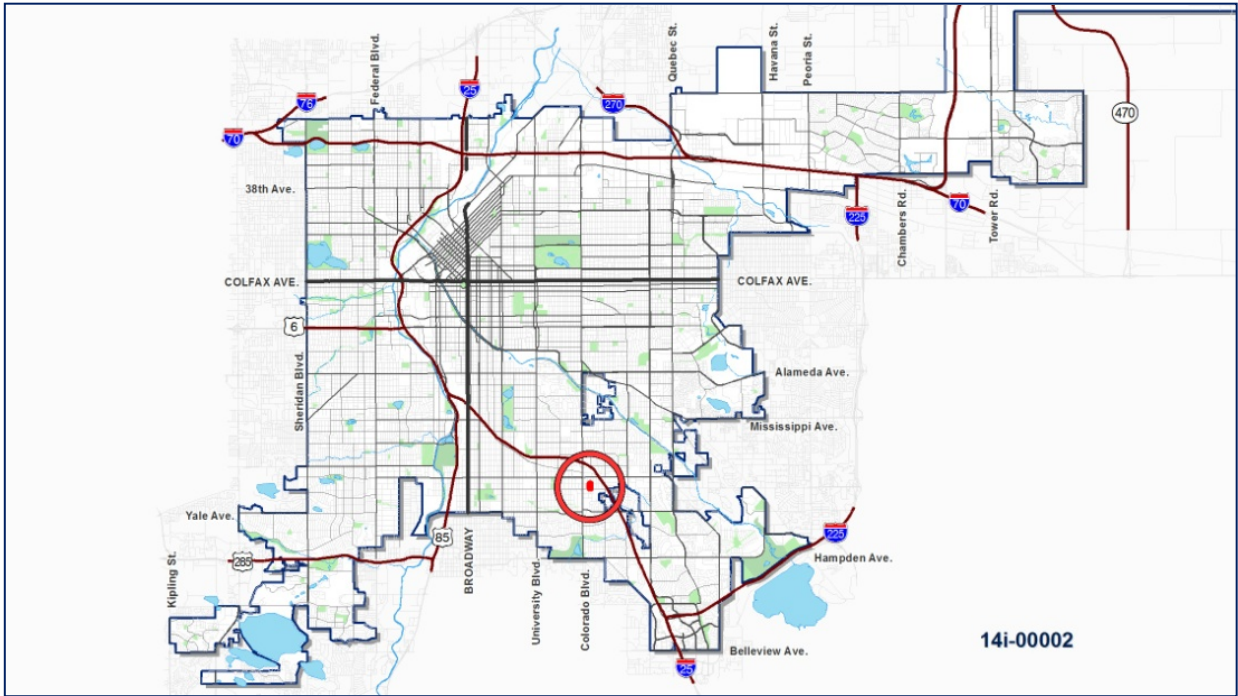
Application:	2014I-00002
Address:	4300 East Warren Avenue and 4275 East Iliff Avenue
Neighborhood/Council District:	University Hills Neighborhood / Council District 6
RNOs:	Warrens University Community Council; University Hills Neighborhood Association; Inter-Neighborhood Cooperation; Denver Neighborhood Association, Inc.
Area of Property:	101,156.7 square feet or 2.32 acres
Current Zoning:	PUD 205
Proposed Zoning:	G-MU-3
Property Owner(s):	Denver Metro Association of Realtors and ANJO Construction Company, Inc.
Owner Representative:	Robert J. Gollick, Inc.

Summary of Rezoning Request

- The subject property contains two parcels under separate ownership which extend from East Warren Avenue on the north to East Iliff Avenue on the south. There is an existing 10,200 SF office building built in 1987 on the northern parcel, and on the southern parcel are two existing 2.5-story apartment buildings built in 1968 containing 36 apartment units. The parcels are separated by a 6-foot fence.
- The northern parcel is being purchased by Primrose Schools and they propose to change the land use on the parcel from office to day care center. No change of ownership or land use is proposed for the southern parcel.
- Though the current PUD zoning of the property does allow the day care center land use, the parking requirement written into the current PUD zoning is for a specific number of parking spaces which are required to be shared by both parcels (A total of 147 parking spaces divided into 105 spaces on the northern parcel and 42 spaces on the southern parcel). Primrose proposes to replace some parking spaces on the northern parcel with playground equipment. With the addition of the playground equipment the remaining

parking on the northern parcel will comply with the parking requirements for a day care center under the proposed new zone district. The existing parking on the southern parcel will not change.

- Under the proposed new zone district , **G-MU-3** (**G**eneral Urban, **M**ulti-**u**nit, with a **3** – story height limit) the parking requirement for the day care land use would be 1 parking space for each 1,000 SF of gross floor area of the structure. For the existing 10,200 SF structure the parking requirement will be 11 parking spaces.
- The proposed **G-MU-3** (**G**eneral Urban, **M**ulti-**u**nit, with a **3** –story height limit) zone district is intended for use in a higher density multi-unit neighborhood with a variety of residential building forms. The G-MU-3 zone district has the lowest-scale of the General Urban residential zone districts and is intended to provide a transition to less intense contexts. Allowed land uses are mainly residential with fixed limits on commercial, industrial and agricultural land uses. Further details of the zone districts can be found in Article 6 of the Denver Zoning Code (DZC).



Existing Context

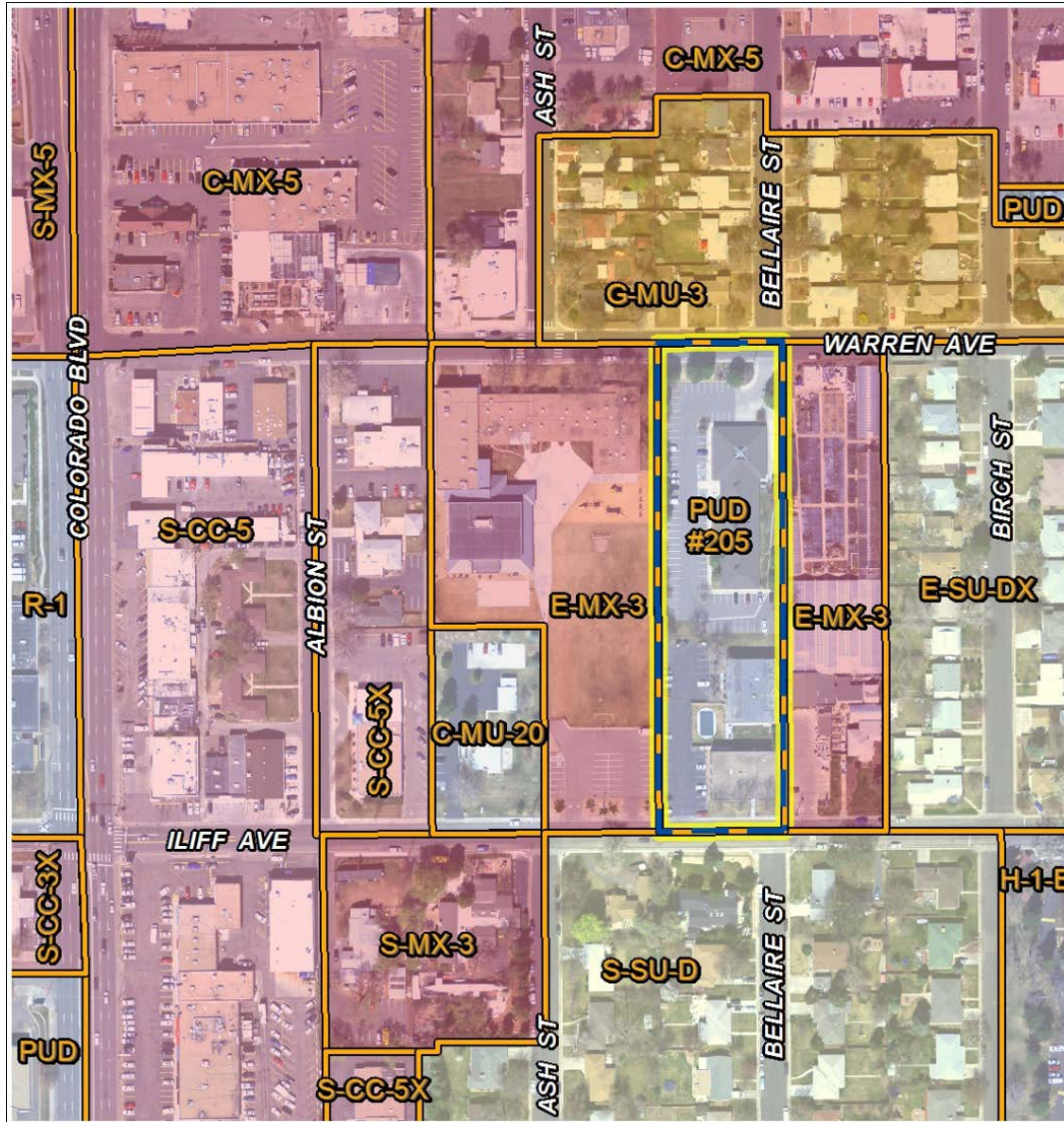
The subject property is located in southeast Denver, in the University Hills statistical neighborhood. The site is located on the northern edge of the neighborhood, a block south of Evans Avenue, 2 blocks east of Colorado Boulevard and 5 blocks west of Interstate 25. In the general vicinity are the light rail station of Colorado Station, located 2 blocks to the north, Denver Christian School, located adjacent to the subject property to the west, Denver Academy, located one block south and east of the property, and University Plaza Shopping Center located 2 blocks south and west of the property. The location of the property is midblock between South Birch Street and South Albion Street and stretching between East Warren Avenue and East Iliff Avenue.

The subject property is directly across East Warren Avenue from the southern boundary of the Colorado Station General Development Plan. The development concept for this portion of the Plan area is to act as a “residential transition area between intensive office development (to the north) and lower density uses south of East Warren Avenue.” The proposed building heights for the area are 1-4 stories with an anticipated mixture of housing types (condominium, apartment, townhome and live-work). Parking is anticipated to be located in structured parking.

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

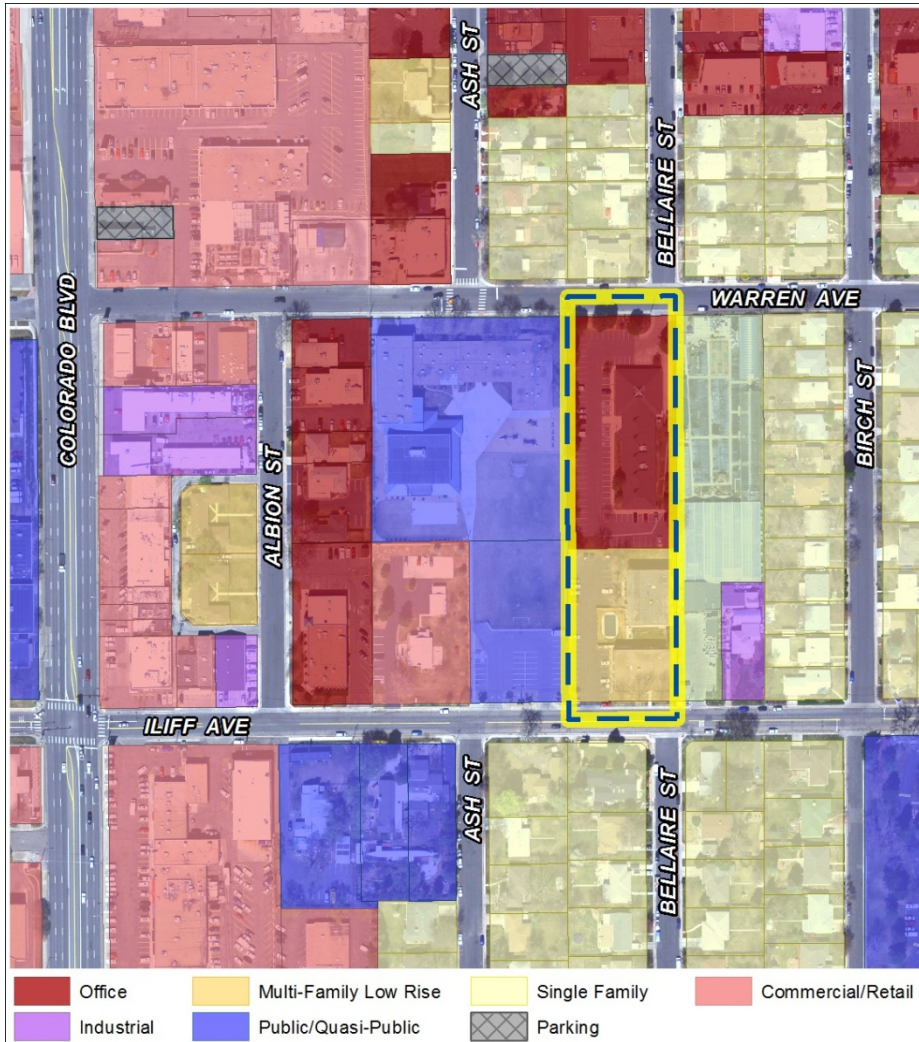
	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	PUD 205	Office/Multi-unit Residential	1-2.5 stories in height, deep front and rear setbacks.	Grid street pattern with rectilinear blocks; the subject block has 2 vacated streets (Ash and Bellaire Streets) creating a super block. Block sizes are rectilinear with some aggregation into larger blocks with no alleys. Sidewalks are 3-foot attached walks. SF residential parking is located in front or to the side. Multi-unit and non-residential parking is located in surface parking lots located in front, to the side and in the rear of structures.
North	G-MU-3	Single Family Residential	1-2 stories in height, deep setbacks on all sides.	
South	S-SU-D	Single Family Residential	1-2 stories in height, deep front and rear setbacks.	
East	E-MX-3	Greenhouse	1 story in height, deep front setback and minimal rear and side setbacks.	
West	E-MX-3	Private School	1-2 story with deep front and rear setbacks	

1. Existing Zoning



PUD 205 was approved in 1986 under Former Chapter 59 to enable the construction of the office building on the northern parcel. The apartment buildings on the southern parcel had been built in 1968 and were in place at that time the PUD was approved. The PUD allows the existing multi-unit and office land uses as well as land uses allowed under the R-2 zone district of Former Chapter 59 including day care centers. The zoning sets a specific maximum gross floor area of about 40,665 SF, a required parking amount of 147 spaces and a maximum building height of 2 ½ stories. Minimum setbacks set by the zoning are 75 feet from Warren Avenue, 20 feet from Iliff Avenue, 10 feet on the east and 65 feet on the west.

2. Existing Land Use Map



3. Existing Building Form and Scale



Home north of subject site.



Home south of subject site.



Office Building on subject site.



Apartment building on subject site



Greenhouse east of subject site.



School west of subject site.

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:

Asset Management: Approve, no comments.

Development Services – Project Coordination: Approve rezoning only, will require additional information at Site Plan Review.

Public Works – City Surveyor: The legal description is a simple lot/block and matches our records.

Public Review Process

CPD staff provided Informational notice of receipt of the rezoning application to affected members of City Council and registered neighborhood organizations on March 4, 2014.

Planning Board

- The property was been legally posted for a period of 15 days announcing the March 19, 2014, Denver Planning Board public hearing, and written notification of the hearing was sent to all affected registered neighborhood organizations and City Council members. At this meeting the Planning Board unanimously recommended approval of the rezoning.

Land Use, Transportation and Infrastructure Committee

- Electronic notice of the meeting was sent to all affected Registered Neighborhood Associations 10 days in advance of the April 1, 2014, meeting. At the meeting Committee members voted to move the application forward to a public hearing before the full City Council.

City Council

- Electronic notice of the public hearing was sent to all affected Registered Neighborhood Associations and notification signs were posted on the property 21 days in advance of the hearing.

Registered Neighborhood Organizations (RNOs)

- CPD has received letters of support from two Registered Neighborhood Organizations, the Warren's University Community Council and the University Hills Neighborhood Association.

Other Public Comment

To date, no other public comments have 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)

Denver Comprehensive Plan 2000

The proposal is consistent with many Denver Comprehensive Plan strategies, including:

- Land Use Objective 1 – Balance and coordinate Denver’s mix of land uses to sustain a healthy economy, support the use of alternate transportation, and enhance the quality of life in the city. (p. 57).
- 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. (p. 60)
- Mobility Strategy 4-E Continue to promote mixed-use development, which enables people to live near work, retail and services. (p. 78)
- Human Services Strategy 1-E Enhance access to quality child care to meet the needs of working parents and guardians. (p. 185)

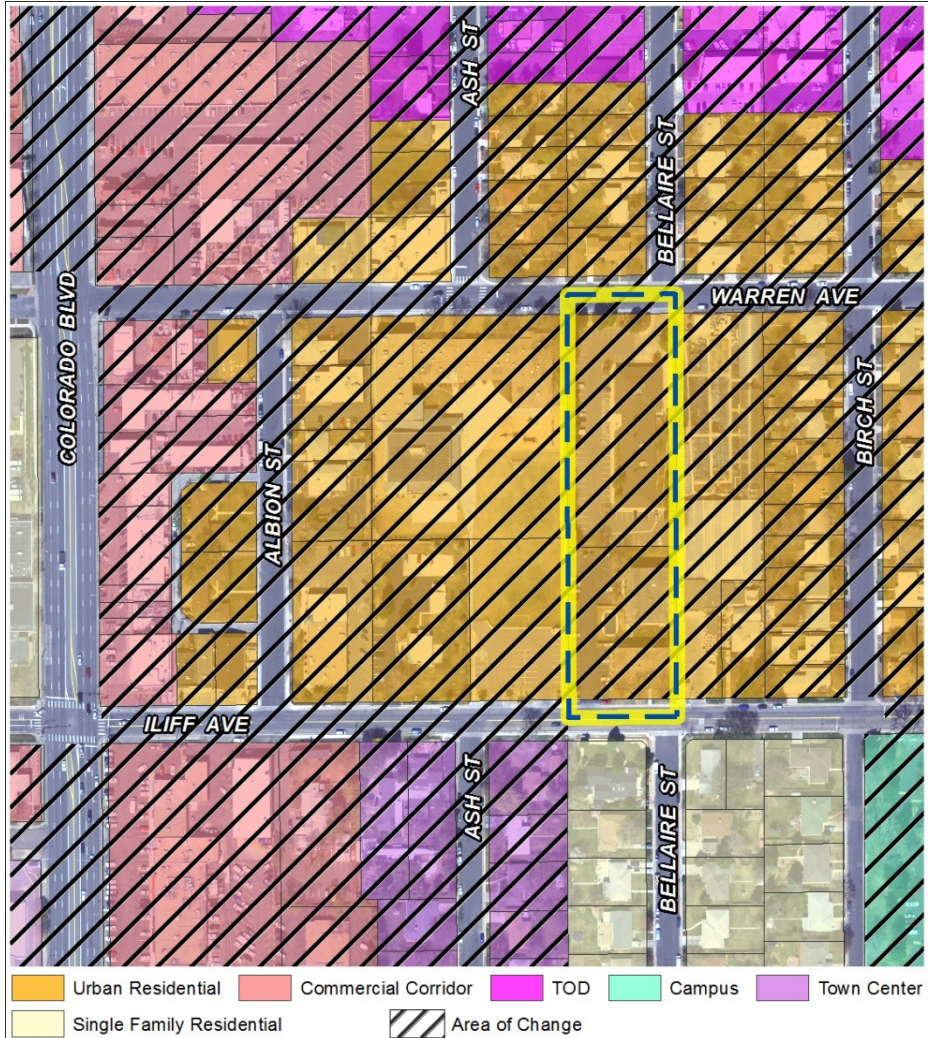
The rezoning is consistent with these plan recommendations. The proposed G-MU-3 zone district allows a variety of residential and civic land uses. The map amendment will enable the provision of a needed community service in an existing non-residential structure. The location of the structure on the edge of a transit oriented development serves to promote mixed use development and the provision of needed community services

Blueprint Denver

According to the 2002 Plan Map adopted in Blueprint Denver, this site has a concept land use of Urban Residential and is located in an Area of Change.

Future Land Use

The Blueprint Denver Urban Residential concept land use designation is described in the Plan as “higher density and primarily residential, but may include a noteworthy number of complimentary commercial uses.” These areas have “a mixture of housing types... that tend to be mid- to high-rise structures, and there is a greater housing base than employment base” (p. 41-2). The proposed reuse of the existing office structure for a day care center is consistent with this land use concept because a day care center is a complementary use to residential uses. The change of use of the structure will allow the provision of a necessary community service.



2002 Blueprint Denver
Future Land Use Map

Area of Change / Area of Stability

As noted, the subject property is in an Area of Change. In general, “The goal for Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips...A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide a stimulus to redevelop” (p. 127).

The rezoning application is consistent with the Blueprint Denver Area of Change recommendation of channeling growth where it can improve access to services with fewer and shorter auto trips. The location of the existing office structure within a few blocks of a light rail station and a major transit/transportation corridor, Colorado Boulevard, makes this proposal consistent with the goals of Areas of Change.

Street Classifications

Blueprint Denver classifies East Warren Avenue as an Undesignated Local Street, and East Iliff Avenue as a Residential Collector. According to Blueprint Denver local Streets “are tailored more to providing local access.” and “collectors are designed to provide a greater balance between mobility and land access within residential, commercial and industrial areas.” The Colorado Station GDP designates East Warren Avenue between Albion and Cherry Streets for Primary Pedestrian Circulation south into the neighborhood.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to G-MU-3 will result in the uniform application of zone district building form, use and design regulations.

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the City by implementing the City’s plans for the area.

4. Justifying Circumstance

The application identifies changed or changing conditions as the Justifying Circumstance under DZC 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.” As discussed above, adopted plan recommendations state that the proposed day care center land use and its location is desirable, and that the character of the area is expected to change. The proposed rezoning will accommodate the planned change and is an appropriate justifying circumstance for the proposed rezoning.

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

The requested G-MU-3 zone district is within the General Urban Neighborhood Context. The General Urban Context is characterized by multi-unit residential uses in a variety of building forms. Low scale commercial uses are embedded within residential areas and take a variety of building forms with some mixture of uses occurring. The block and street pattern consists of regular block shapes formed by a grid street system. In this context residential building heights are moderate to high and commercial or mixed use structures are low to moderate. A high level of connectivity to multi-modal transit is characteristic of the context. The G-MU-3 zone district “is intended to be a multi unit district allowing a variety of residential building forms. The proposed rezoning of the subject property to G-MU-3 zoning is consistent with the General Urban Context and the intent of the G-MU-3 zone district

Staff Recommendation

Based on the analysis set forth above, CPD staff finds that the application for rezoning the property located at 4300 East Warren Avenue and 4275 East Iliff Avenue to a G-MU-3 zone district meets the requisite review criteria. Accordingly, staff recommends *approval*.

Attachments

1. Application
2. Approved Legal Description
3. 2 RNO Comment Letters



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Zone Map Amendment (Rezoning) - Application

1/26/12

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	Denver Metro Association of Realtors & ANJO Construction Company, Inc	Representative Name	Robert J. Gollick, Inc.
Address	1123 Auraria Pkwy 200 & 4060 S Cherry St.	Address	609 South Gaylord Street
City, State, Zip	Denver, CO. 80204 & Englewood, CO 80113	City, State, Zip	Denver, Colorado 80209
Telephone	303 722-8771	Telephone	303 722-8771
Email	bgollick@comcast.net	Email	bgollick@comcast.net
<p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p> <p><i>Henry L. Strauss Pres</i></p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	4300 East Warren Avenue & 4275 East Iliff Avenue		
Assessor's Parcel Numbers:	0630213005000 and 0630213007000		
Legal Description: (Can be submitted as an attachment. If metes & bounds, a map is required.)	Lots 25-48, inclusive, Block 103, Warren's University Heights Second Filing, City and County of Denver, Colorado and the West 45.0 feet of vacated adjoining South Bellaire Street		
Area in Acres or Square Feet:	2.32±acres or 101,156.7± square feet		
Current Zone District(s):	PUD 205		
PROPOSAL			
Proposed Zone District:	G-MU-3		1.8.14

www.denvergov.org/rezoning



REVIEW CRITERIA

General Review Criteria: The proposal must comply with all of the general review criteria
DZC Sec. 12.4.10.13

Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan

Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.

Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.

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

Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria
DZC Sec. 12.4.10.14

Justifying Circumstances - One of the following circumstances exists:

- The existing zoning of the land was the result of an error.
- The existing zoning of the land was based on a mistake of fact.
- The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.
- The land or its surroundings has changed or is changing to such a degree that rezoning that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area
- It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code.

Please provide an attachment describing the justifying circumstance.

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

Please provide an attachment describing how the above criterion is met.

ATTACHMENTS

Please check any attachments provided with this application:

- Authorization for Representative
- Proof of Ownership Document(s)
- Legal Description
- Review Criteria

Please list any additional attachments:

Please Refer to the Addendum Pages for all Exhibits
Exhibit "A": Description of Consistency with Adopted City Plans (DRMC 12.4.10.13(A, B & C))
Exhibit "B": Description of Justifying Circumstances and Neighborhood Context (DRMC 12.4.10.14(A & B))
Exhibit "C": Proof of Ownership (Assessors Records)
Exhibit "D": Letter of Authorization for Robert J. Gollick, Inc. to act as Representative



DENVER
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CUSTOMER GUIDE

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION

We, the undersigned represent that we are the owners of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Property owner representative written authorization? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	NO
Denver Metro Association of Realtors & ANJO Constr +	1123 Auraria Pkwy 200 & 4060 S Cherry St. Denver, CO. 80204 & Englewood, CO 80113 303 722-8771 bgollick@comcast.net				A	Yes
Denver Metro Association of Realtors 1123 Auraria Pkwy 200 Denver, CO 80204						
ANJO Construction Company, Inc 4060 S CHERRY ST ENGLEWOOD, CO 80113	4275 E Iliff Ave Denver, Co		<i>David L. [Signature]</i>		A	yes <i>[Signature]</i>

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PROPERTY OWNER OR PROPERTY OWNERS REPRESENTATIVE CERTIFICATION/PETITION						
We, the undersigned represent that we are the owners of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.						
Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Property owner representative written authorization? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	NO
Denver Metro Association of Realtors & ANJO Consi +	1123 Auraria Pkwy 200 & 4060 S Cherry St. Denver, CO. 80204 & Englewood, CO 80113 303 722-8771 bgollick@comcast.net				A	Yes
Denver Metro Association of Realtors 1123 Auraria Pkwy 200 Denver, CO 80204			<i>[Signature]</i> OWNER OF THE TRACT TO BE			
ANJO Construction Company, Inc 4060 S CHERRY ST ENGLEWOOD, CO 80113						

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4300 East Warren and 4275 East Iliff Avenue

Legal Description

Lots 25-48, inclusive, Block 103, Warren's University Heights Second Filing, City and County of Denver, Colorado and the West 45.0 feet of vacated adjoining South Bellaire Street.

January 17, 2014

**Addendum Pages to the proposed Official Zone Map Amendment
Application for Denver Metro Association of Realtors and ANJO Construction Company, Inc.**

Subject Property: 4300 East Warren Avenue & 4275 East Iliff Avenue

(Located on the south side of Warren Avenue adjacent to vacated Bellaire Street and along the north side of East Iliff Avenue)

Application No. 2014I-000??

Current Zoning: PUD No. 205

Proposed Zoning: G-MU-3

Site Size: 2.32± acres or 101,156.7± square feet

Property Owners: 4300 East Warren Avenue
Denver Metro Association of Realtors

Property Owners: 4275 East Iliff Avenue
ANJO Construction Company, Inc.

Authorized Representative:

Robert J. Gollick, Inc.
609 South Gaylord Street
Denver, Colorado 80209
303 722-8771
bgollick@comcast.net

Included as part of this addendum are the following:

Introduction: Proposed Map Amendment Intent Statement

Exhibit "A": Description of Consistency with the following adopted City plans

- Comprehensive Plan 2000
- Blueprint Denver

Exhibit "B": Description of Justifying Circumstances

- Neighborhood Context and Effect of Rezoning

Exhibit "C": Proof of Ownership

Exhibit "D": Letter of Authorization

Introduction: Proposed Map Amendment Intent Statement

- The subject property is comprised of two parcels. The first, on the northern portion of the site, is owned by The Denver Metro Association of Realtors. The second parcel, on the southern portion of the site, is owned by ANJO Construction Company, Inc.

The Denver Metro Association of Realtors intent is to sell their portion of the property to the Primrose Schools. Primrose, with more than a 30-year history, is the leading provider of early childhood education in the nation. Primrose Schools operates more than 260 schools in 17 states in 40 U.S. markets. Their intent is to open a childcare facility in the existing office building. The portion of the property owned by ANJO houses two apartment buildings. No change is contemplated to either apartment structure at this time.

The intent of the proposed G-MU-3 zone map amendment is to provide the appropriate entitlement mechanism for redevelopment of a portion of the subject property for Primrose.

- The current zoning, PUD No. 205, permits all R-2 (old code) allowed uses; this includes a childcare facility. However, the PUD is limited in that it requires a specific location and number (147) of parking stalls. The parking was intended for the existing office building and is far in excess of the zoning requirement or actual need for a childcare center. Primrose intends to build an outdoor playground area where a portion of the parking now exists thus removing some of the current parking spaces. The parking requirement will still be met or exceeded, all on-site, by Primrose. This is the only circumstance that necessitates this G-MU-3 zoning request.

The two on-site apartment structures meet the required parking on their portion of the subject property and that will not change.

Exhibit "A": Description of Consistency with Adopted City Plans

REVIEW CRITERIA

The proposed map amendment is consistent with the following three adopted plans.

1. Denver Comprehensive Plan 2000,
2. Blueprint Denver, and

Review Criteria 1. Denver Comprehensive Plan 2000

Land Use Chapter

Objective 1: Citywide Land Use and Transportation Plan

Strategy 1-B:

Ensure that the *Citywide Land Use and Transportation Plan* reinforces the cities character by building on a legacy of **high-quality urban design and stable, attractive neighborhoods**; encouraging preservation of historic buildings, districts and landscapes; and maintaining the integrity of the street grid, parks, parkways, and open space system.

Objective 3: Residential Neighborhoods and Business Centers

Accommodating New Development

Objective 4 Land Use and Transportation

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.

Strategy 4-A: 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. (The subject property is ¼ mile from the Colorado Station Light Rail)

Strategy 4-B: Ensure that land use policies and decisions support a variety of mobility choices, including light rail, buses, paratransit, walking and bicycling, as well as convenient access for people with disabilities.

Mobility Chapter

Objective 4: Changing Travel Behavior

Strategy 4-E

Continue to promote mixed-use development, which enables people to live near work, retail and services (*such as a child care facility*).

Most parents of young children are in the workforce, whether from one- or two-parent families. An adequate supply of convenient, affordable and **high-quality childcare** is both a necessity for parents and essential to sustaining Denver's strong economy.

Objectives and Strategies

Objective 1 Workforce Development and Support

Ensure a skilled workforce. Economic development policies and initiatives should stress workforce needs for advancement, education and training, (including) childcare,.....

1-F Support a collaborative effort by business, educational institutions and regulatory agencies to enhance the supply, quality and **availability of child care**...

Legacies Chapter

Objective 2 New Development, Traditional Character

Strategy 2-E

Ensure that the Zoning Code reinforces quality urban design.

Objective 3 Compact Urban Development

Strategy 3-A

3-A Identify areas in which increased density and new uses are desirable and can be accommodated.

Environmental Sustainability Chapter

Strategy 2-F Conserve land by:

- Promoting infill development within Denver at sites where services and infrastructure are already in place.
- Designing mixed-use communities and reducing sprawl, so that residents can live, work and play within their own neighborhoods. *(Have access to family oriented uses such as childcare)*

Strategy 4-A Promote the development of sustainable communities and centers of activity where shopping, jobs, recreation and **schools are accessible by multiple forms of transportation**, providing opportunities for people to live where they work.

Long Term Human Environment: Education Chapter

“If you think education is expensive, try ignorance.”

~ Attributed to Derek Bok, president of Harvard in the 1980s

OVERVIEW Denver's future lies in fostering excellent schools and a well-educated citizenry.... Additionally, dramatic findings from brain development research have demonstrated that fundamental learning capacity is shaped at a very early age, **underscoring the importance of quality childcare**.

Review Criteria 2. Blueprint Denver

Note A: *The following portion of this application contains excerpts and paraphrasing from the Plan* Blueprint Denver has designated the subject property as an **Area of Change** with a land use designation of **Urban Residential**. Blueprint Denver expects 17,000 additional jobs and 16,000 new housing units at Stapleton, Gateway and Lowry by 2020. *(As a City, we need to provide services and housing for these future residents. The proposed G-MU-3 zoning will do just that.)* Blueprint Denver addresses how to accommodate this growth through an analysis of Areas of Change.

Urban Residential

Urban residential neighborhoods are higher density and primarily residential but may include a noteworthy number of complementary commercial uses (such as child care). New housing tends to be in mid- to high-rise structures, and there is a greater housing base than employment base. A mixture of housing types is present, including historic single-family houses, townhouses, small multi-family apartments (There are already two existing multi-family apartment structures on the property) and sometimes high-rise residential structures. (The proposed G-MU-3 supports all of these development options) Page 41-42

Urban Residential is usually (located) by Downtown, **transit corridors** (Colorado Station is within ¼ mile of the site) or regional centers (Page 64)

The Blueprint Denver scenario calls for a level of local retail, **services** (such as child care) and jobs to support the needs of residents who will occupy future housing on these sites. Such a development pattern ensures that residents can find goods, services and employment **close to home and may help reduce the number and length of trips taken.**

Numerous policies and recommendations contained in Blueprint Denver are in support of the proposed map amendment. A few of these follow:

Blueprint Denver Strategies (for implementation)

- Mixed land uses—retail and employment (child care) near residential neighborhoods

Reinvestment Areas

Reinvestment areas are neighborhoods with a character that is desirable to maintain but that would **benefit from reinvestment through modest infill and redevelopment** or major projects in a small area. These areas would encourage investment but in a more limited and targeted way than in Areas of Change. (Page 122)

Areas of Change

The purpose of Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services (child care) with fewer and shorter auto trips. (Page 127)

Areas of Change are found throughout Denver. These areas have many different characteristics, but

some of the most common traits are close proximity to a commercial arterial street, along a historical trolley route, adjacent to existing or planned light-rail stops. (Colorado Station within ¼ mile) (Page 127)

Respect valued attributes of area (Page 142)

- Existing buildings, (The existing office structure will be renovated and re-used)
- Contribute to economic vision
- Balance of uses (Child care will provide a needed use in the are)
- Transportation access (1/4 mile from the Colorado Station)

Exhibit "B":

Section "A" Description of Justifying Circumstances

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 inclusion of the Colorado Station light rail transit facility in the neighborhood has provided the area with access and thus new residential development. The existing and future residents in the area will need services such as childcare. The proposed G-MU-3 zone district will permit those types of services as well as maintain the existing on-site apartment structures. The area conditions as well as the neighborhood character have changed to reflect the improved accessibility and demonstrate the need for services.

Additionally, other changes have occurred that justify the proposed map amendment. A few are listed as follows:

1. The availability of the existing office structure for conversion to a childcare facility,
2. Approval of the site as an **"Area of Change"** with a land use category of Urban Residential within "Blueprint Denver",
3. The adoption of the 2010 Zoning Code, which provides "form-based", zoning tools to address the development goals of the City and the neighbors for infill sites, and
4. The desire for individuals to have quality childcare near where they live and work.

The character of the area as well as the area conditions have changed significantly, providing the legal basis for this zone change request and make the proposed amendment reasonable and necessary to the promotion of the public health, safety and general welfare. The public interest for the citizens of Denver is best served by adoption of this map amendment, which will provide support

for the child care services, amenities, employment opportunities and provide residential development necessary for positive growth to occur.

Section “B” Neighborhood Context and Effect of Rezoning

The proposed amendment is to provide a framework for the development of a property located in the southeast quadrant of the City in the University Hills neighborhood. This area is a mixed-use neighborhood with adjacent use that includes a school as well as Groundcovers Nursery, a retail greenhouse and plant nursery. The predominant area zoning is mixed-use with G-MU-3 (same as this application proposes) adjacent along the north property line. There are a variety of building heights that range from 1-story to 5-stories.

This proposed map amendment request approval of the G-MU-3 zone district. The MU zone district is intended for Multiple-Unit development and accommodates a wide variety of building forms including urban house, duplex, tandem house, row house, garden court, courtyard apartment and apartment. The G-MU zone districts were adopted by City Council to respond to development parcels such as this and categorized as General Neighborhood Context with a residential intent. The intent of developing a childcare facility is compatible with the GMU neighborhood context. The Zoning Code describes the General Urban Neighborhood Context as being 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. Residential uses are primarily located along local and residential arterial streets.

General Purpose

The intent of the residential districts is to promote and protect higher density residential neighborhoods within the character of the General Urban Neighborhood Context. These regulations allow for multi-unit districts with a variety of residential building forms. The building form standards, design standards, and uses work together to promote safe, active, pedestrian-scaled residential areas. The standards accommodate the pattern of urban house, duplex, tandem house, row house, mansion apartment, garden court, courtyard apartment and apartment. Buildings orient to the street. Lot coverage is typically high accommodating a consistent, shallow front yard.

These standards recognize the variation within the General Urban Neighborhood Context and provide eight Residential Zone Districts. The lowest-scale districts with a maximum height of three stories provide a transition to Urban and Urban Edge Neighborhood Contexts.

The regulations provide certainty to property owners, developers, and neighborhoods about the limits of what is allowed in a residentially zoned area. These regulations reinforce desired patterns in existing neighborhoods.

The effect of the proposed amendment will be immediate and positive. Zoning proposals such as this one can be the catalyst for smart growth by providing necessary services, such as childcare,

where people live and work. Development of the subject property under the guidelines of the Urban Neighborhood Context zoning will be compatible with the surrounding neighborhood and preserve the residential character of the southern portion of the property.

Additionally, the stated intent is for compatibility with and respect for the existing character and context of Denver and its neighborhoods, arrange building density, uses, heights, and scaling devices to reinforce the public transit centers and corridors, and to transition to adjoining areas. Again, the sites ¼ mile proximity with the Colorado Station, the 3-story limit on height and the allowed uses in the G-MU-3 zone district will respect and preserve the character of the area.

Exhibit "C": Proof of Ownership:

4300 East Warren Avenue: Denver Metro Association of Realtors

Real Property Records Search

If you have a question about the value, ownership, or characteristics of this property, or any other property in Denver, please call the Assessor at 720-913-4162.

- [Link to real property information for this property](#)
- [Link to comparable sales information for this property](#)
- [Link to chain of title information for this property](#)
- [Link to property sales information for this neighborhood](#)
- [Back to Property List](#)

- [Link to property tax information for this property](#)
- [Link to property sales information for all Denver neighborhoods](#)
- [Link to map/historic district listing for this Property](#)

The property description shown is data from the Assessor's active, in-progress 2013 file. The "current year" values are from the 2013 tax year for real property tax due in 2014. These values are based on the property's physical status as of January 1, 2013.

PROPERTY INFORMATION

Property Type: COMMERCIAL - OFFICE BUILDING	Parcel: 0630213005000
Name and Address Information	Legal Description
DENVER METRO ASSOC OF REALTORS	WARRENS UNIVERSITY HEIGHT
1123 AURARIA PKWY 200	SECOND FLG B103 L35 TO 48 & N
DENVER, CO 80204-1884	14.3FT L34 TOG WITH W 45FT OF
Property Address: 4300 E WARREN AVE	VAC S BELLAIRE ST ADJ TO SD
	LTS
	Tax District DENV

Assessment Information

	Actual	Assessed	Exempt	Taxable
Current Year				
Land	613400	177890		
Improvements	295400	85670		
Total	908800	263560	0	263560
Prior Year				
Land	920100	266830		
Improvements	1000	290		
Total	921100	267120	0	267120

Style: Other
 Year Built: 1987
 Building Sqr. Foot: 10,200
 Bedrooms:
 Baths Full/Half: 0/0
 Basement/Finished: 0/0

Reception No.:
 Recording Date: //
 Document Type:
 Sale Price:
 Mill Levy: 84.071

Lot Size: 61,339

[Click here for current zoning](#)

Zoning Used for Valuation: GMU

Exhibit "C": Proof of Ownership:

4275 East Iliff Avenue: ANJO Construction Company, Inc.

Real Property Records

Date last updated: Friday, October 11, 2013

Real Property Records Search

If you have a question about the value, ownership, or characteristics of this property, or any other property in Denver, please call the Assessor at 720-913-4162.

[Link to real property information for this property](#)

[Link to comparable sales information for this property](#)

[Link to chain of title information for this property](#)

[Link to property sales information for this neighborhood](#)

[Back to Property List](#)

[Link to property tax information for this property](#)

[Link to property sales information for all Denver neighborhoods](#)

[Link to map/historic district listing for this Property](#)

The property description shown is data from the Assessor's active, in-progress 2013 file. The "current year" values are from the 2013 tax year for real property tax due in 2014. These values are based on the property's physical status as of January 1, 2013.

PROPERTY INFORMATION

Property Type: RESIDENTIAL APARTMENT UNITS	Parcel: 0630213007000
Name and Address Information	Legal Description
ANJO CONSTRUCTION CO INS	WARREN UNIVERSITY HEIGHTS
4060 S CHERRY ST	SECOND FLG B103 L25 TO 33 & S
ENGLEWOOD, CO 80113-5083	10.7FT L34 TOG WITH W 45FT VAC
Property Address: 4275 E ILIFF AVE	S BELLAIRE ST ADJ SD LTS
	Tax District DENV

Assessment Information

	Actual	Assessed	Exempt	Taxable
Current Year				
Land	297700	23700		
Improvements	2708300	215580		
Total	3006000	239280	0	239280
Prior Year				
Land	297700	23700		
Improvements	1959100	155940		
Total	2256800	179640	0	179640

Style: Other
 Year Built: 1968
 Building Sqr. Foot: 24,624
 Bedrooms:
 Baths Full/Half: 0/0
 Basement/Finished: 0/0

Reception No.:
 Recording Date: //
 Document Type:
 Sale Price:
 Mill Levy: 84.071

Lot Size: 39,821

[Click here for current zoning](#)

Zoning Used for Valuation: GMU



Guiding Success. Inspiring Excellence.

January 8, 2014

Deirdre M. Oss, AICP
Senior City Planning Community Planning and Development
201 W. Colfax Ave., Second Floor
Denver, CO 80206

Re: 4300 East Warren Avenue, Denver, Colorado

Dear Diedre,

This letter serves as authorization for Robert J. Gollick, doing business as Robert J. Gollick, Inc. to act on behalf of the Denver Metro Association of REALTORS®, which owns and operates the Denver Metro Association of REALTORS®, for the purpose of rezoning the property described in this G-MU-3 application.

Respectfully,

Eric Mott
Chairman
Denver Metro Association of REALTORS®

cc: Michael O'Flaherty
Robert Gollick

**Anjo Construction Company
4060 South Cherry Street
Englewood, Colorado 80110**

January 14, 2014

Ms. Theresa Lucero
Community Planning & Development
City and County of Denver
201 W. Colfax Avenue, Second Floor
Denver, Colorado 80206

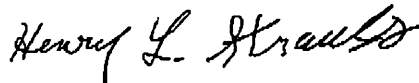
Re: Zoning Application for re-zoning of the property located at 4300 East Warren Avenue and 4275 East Iliff Avenue, Denver Colorado

Dear Ms. Lucero:

Anjo Construction Company ("Anjo") is the owner of the property located at 4275 East Iliff Avenue. This letter serves as authorization for Robert J. Gollick, doing business as Robert J. Gollick, Inc., to act on behalf of Anjo for the purpose of rezoning the property owned by Anjo to G-MU-3 as described in this Application. Notwithstanding the foregoing, Mr. Gollick does not have authority to execute any agreements, amended zoning applications, or other documents on behalf of Anjo.

Sincerely,

Anjo Construction Company



Henry Strauss
President

cc: Michael O'Flaherty
Robert J. Gollick

**CITY AND COUNTY OF DENVER, COLORADO
REGISTERED NEIGHBORHOOD ORGANIZATION
POSITION STATEMENT**

Following a vote of the Registered Neighborhood Organization, please complete this form and email to rezoning@denvergov.org. You may save the form in *.pdf format if needed for future reference. Questions may be directed to planning staff at rezoning@denvergov.org or by telephone at 720-865-2974.

Application Number	20141-00002
Location	4300 E Warren & 4275 E Iliff Ave
Registered Neighborhood Organization Name	Warrens University Community Council
Registered Contact Name	Sheila Gargan, WUCC Secretary
Contact Address	2286 S Clermont St., Denver, CO 80222
Contact E-Mail Address	skgargan@gmail.com
Date Submitted	March 18, 2014

As required by DRMC § 12-96, a meeting of the above-referenced Registered Neighborhood Organization

was held on , with members in attendance.

With a total of members voting,

voted to support (or to not oppose) the application;

voted to oppose the application; and

voted to abstain on the issue.

It is therefore resolved, with a total of members voting in aggregate:

The position of the above-referenced Registered Neighborhood Organization is that Denver City Council

Application # .

Comments:

WUCC RNO Position Statement Comments:

Representatives of WUCC board met with Denver Planning staff on February 12, 2014 to gain a better understanding of this proposed rezoning, in addition to previous meetings with Primrose representatives on January 22, 2014.

These are the RNO comments contingent with the rezoning approval:

1. It is still not clear why a variance to the PUD could not be provided for reducing the number of parking places on the office property to facilitate the daycare use as compared to rezoning both properties of the PUD.
2. The WUCC board would prefer to have an Urban Edge Context providing a transition between the General Urban Context on the north side of E Warren Ave and the Suburban Context on the south side of E Iliff Ave. Reluctantly, if only given a choice between E-MX-3 and G-MU-3 rezoning, WUCC board will support the G-MU Context for its residential versus commercial emphasis.
3. The impetus for this rezoning is the reduction of the PUD-required parking spaces to allow for construction of playgrounds. Per the Denver Planning Staff Report, the proposed G-MU-3 rezoning would require only 11 parking spaces based on the existing building floor area. WUCC reluctantly approves this rezoning with the assurances the Primrose School has given the WUCC previously to provide adequate off-street parking places for its staff and clients, on the order of 38 to 45 places. The neighborhood has received these assurances on other projects only to have the developer revert to the woefully inadequate minimum required by zoning which has resulted a large number(30+) of staff parking in the neighborhood (i.e. Clermont Park).
4. The WUCC approval for the rezoning is based on the expected use for Primrose School – not for use as “a holding zone until an assemblage can take place”, a commonly cited premise for other rezoning efforts subsequent to Blueprint Denver. Blueprint Denver should provide predictability of zoning and development for the near future (next 20 years) for the neighborhood and residents.
5. This application for rezoning in a Blueprint Denver defined Area of Change in the northern portion of University Hills, in addition to other development activity in the area of Colorado Station, reflects the immediate need for development of a University Hills Neighborhood Plan. WUCC hopes Denver Planning and City Council will give similar affirmative support to the University Hills neighborhood for that effort as they have given developers and developments.

**CITY AND COUNTY OF DENVER, COLORADO
REGISTERED NEIGHBORHOOD ORGANIZATION
POSITION STATEMENT**

Following a vote of the Registered Neighborhood Organization, please complete this form and email to rezoning@denvergov.org. You may save the form in *.pdf format if needed for future reference. Questions may be directed to planning staff at rezoning@denvergov.org or by telephone at 720-865-2974.

Application Number	2014I-00002
Location	4300 East Warren Avenue and 4275 East Iliff Avenue
Registered Neighborhood Organization Name	University Hills Neighborhood Association
Registered Contact Name	Lee Doherty
Contact Address	4501 Highline Place, Denver, CO 80222
Contact E-Mail Address	emailleedoherty@gmail.com
Date Submitted	03/17/2014

As required by DRMC § 12-96, a meeting of the above-referenced Registered Neighborhood Organization

was held on , with members in attendance.

With a total of members voting,

voted to support (or to not oppose) the application;

voted to oppose the application; and

voted to abstain on the issue.

It is therefore resolved, with a total of members voting in aggregate:

The position of the above-referenced Registered Neighborhood Organization is that Denver City Council

Application # .

Comments:	
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