



**DENVER**  
THE MILE HIGH CITY

# 4365 N Cherokee 2015I-00052

From I-A UO-2 to C-RX-8

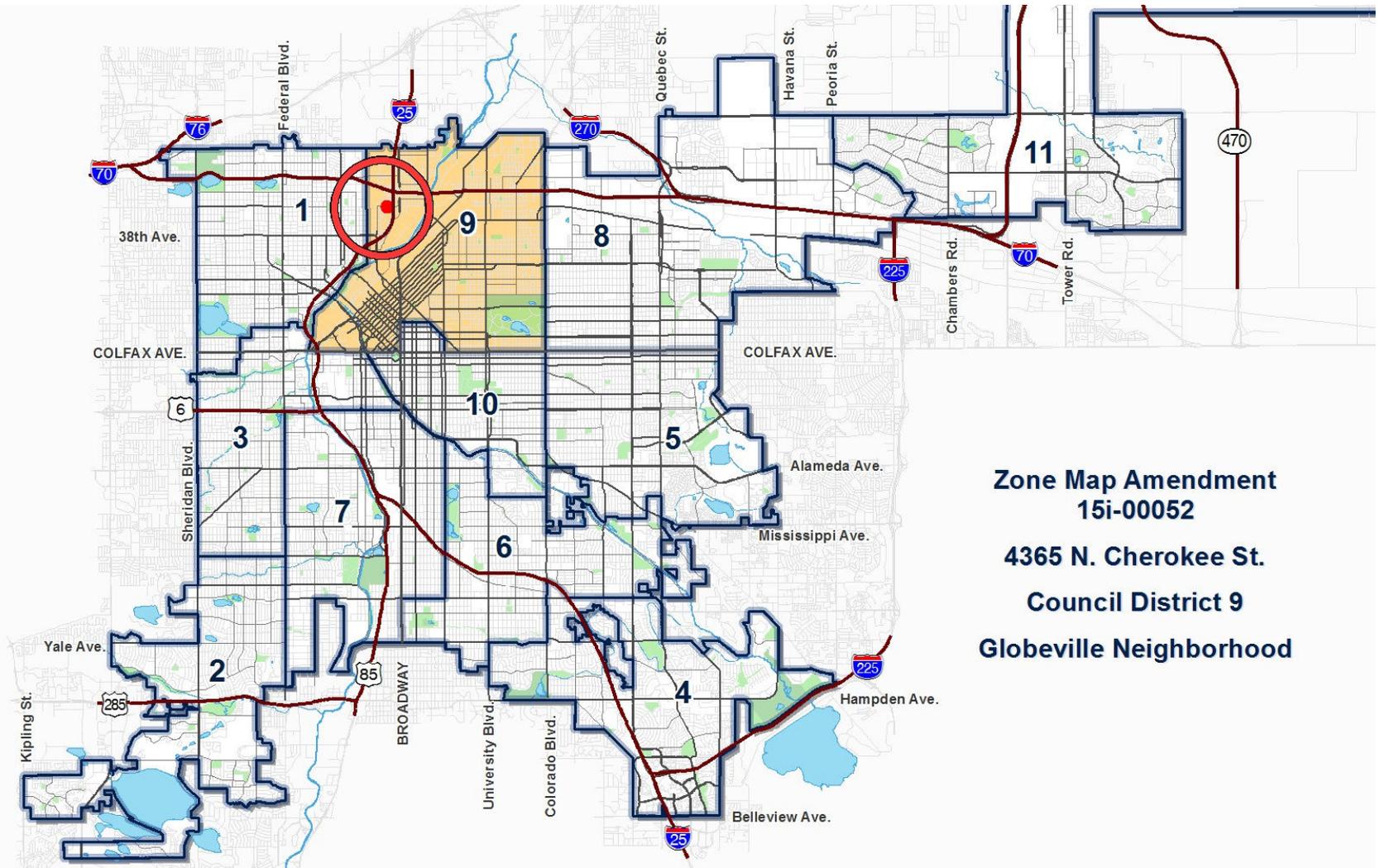
FOR CITY SERVICES VISIT | CALL  
**DenverGov.org** | **311**

City Council  
October 26, 2015



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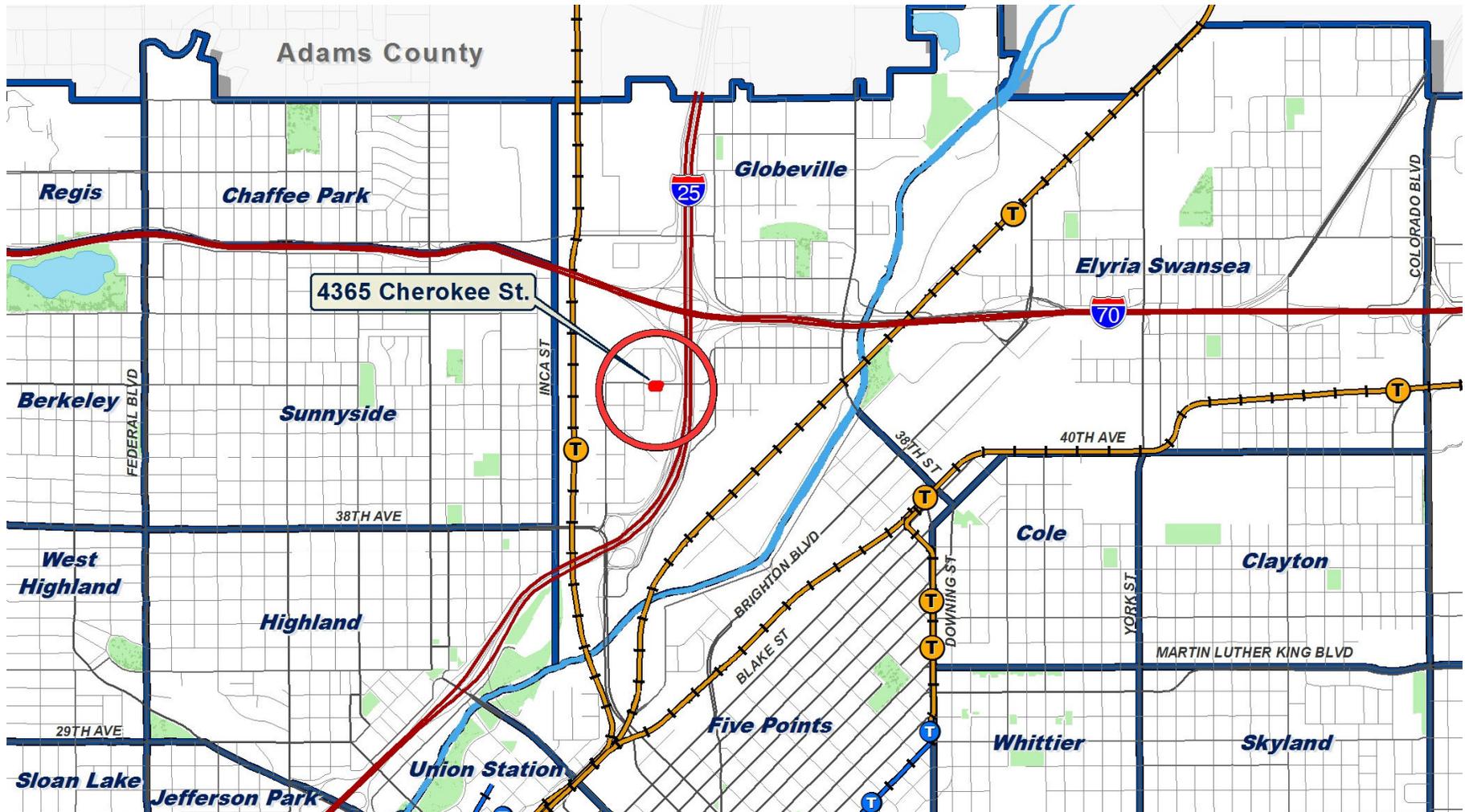
# Location I-A UO-2 to C-RX-8





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# Globeville Statistical Neighborhood





- At the intersection of W 44<sup>th</sup> Ave and N Cherokee Street
- Interstates 25 and 70 located to the east and north
- Site is located less than ½ mile from the future 41<sup>st</sup> and Fox station
- W 44<sup>th</sup> Ave is served by the Route 8 bus



- Property:
  - 6,105 sq ft
  - One-story, single family residential structure
  - Unimproved parking area between building and N Cherokee St
  - No billboard on site
- Property Owner:
  - Requesting rezoning to facilitate redevelopment
- Rezone from I-A UO-2 to C-RX-8

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



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# Request: C-RX-8

## Urban Center Neighborhood Context – Residential Mixed Use – 8 stories max. ht.

Article 7. Urban Center Neighborhood Context  
Division 7.1 Districts

7.2.2.2 Specific Intent

A. Mixed Use C-MX-3 building

B. Mixed Use C-MX-2 building

C. Mixed Use C-MX-1 building

D. Mixed Use C-MX-0 building

E. Mixed Use C-MX-4 building

SECTION 7.1.1 GENERAL CHARACTER

The Urban Center Neighborhood Context consists of multi-unit residential and mixed-use commercial strips and commercial centers. Multi-unit buildings are typically rowhouse, courtyard apartment and apartment forms. Commercial buildings are typically live-work, shopfront, and general commercial forms. Multi-unit residential uses are primarily located along residential collector, mixed-use arterial, and local streets. Commercial uses are primarily located along main and mixed-use arterial streets.

SECTION 7.1.2 STREET, BLOCK AND ACCESS PATTERNS

The Urban Center Neighborhood Context consists of a regular pattern of block shapes surrounded by an orthogonal street grid. Orthogonal streets provide a regular pattern of pedestrian and vehicular connections through this context and there is a consistent presence of alleys. Block sizes and shapes are consistent and include detached sidewalks, tree lawns, street and surface parking, and landscaping in the front setback.

SECTION 7.1.3 BUILDING PLACEMENT AND LOCATION

All building typically have consistent orientation and shallow front setbacks with parking at the rear and/or side of the building.

SECTION 7.1.4 BUILDING HEIGHT

The Urban Center Neighborhood Context is characterized by moderate to high building heights to promote a dense urban character. Lower scale structures are typically found in areas transitioning to a less dense urban neighborhood.

SECTION 7.1.5 MOBILITY

There are high levels of pedestrian and bicycle use with the greatest access to multi-modal transportation system.

DENVER ZONING CODE  
June 25, 2010

7.2-2 | 7.1-1



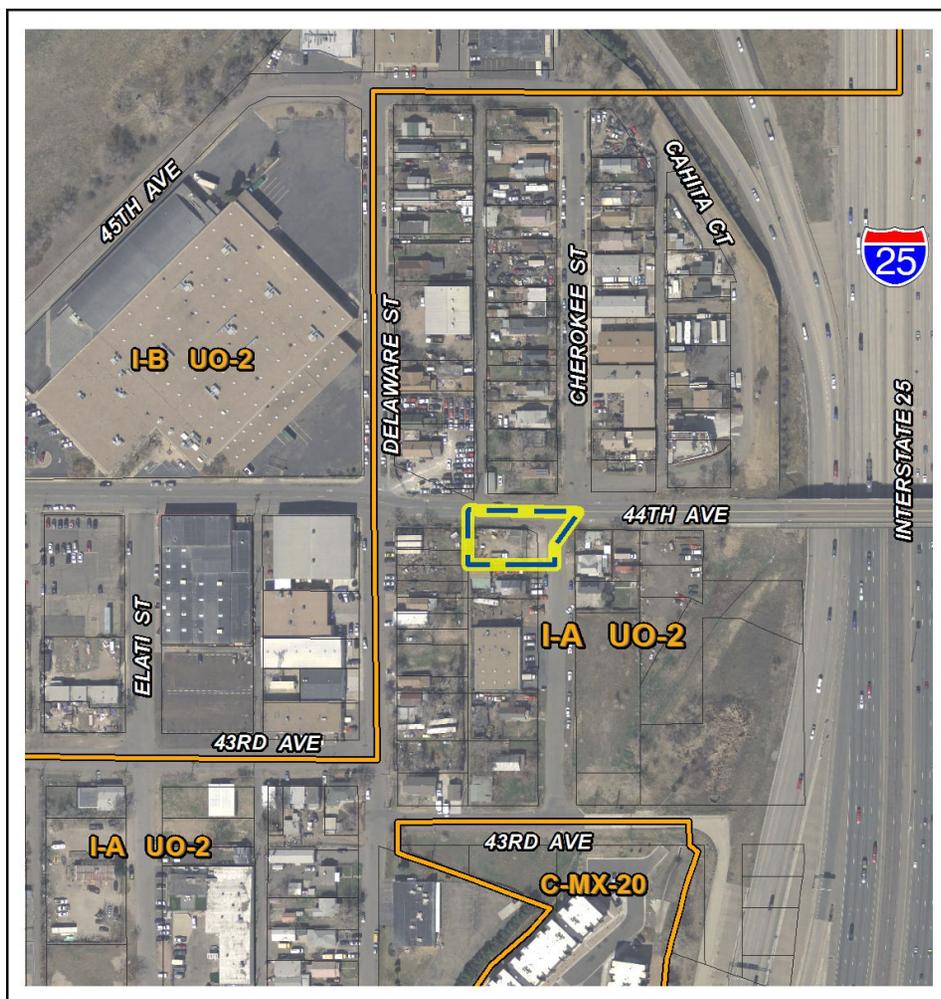
- Current I-A UO-2 Zoning
  - Allows General and Industrial building form
    - No build-to, transparency, street activation standards; surface parking allowed between building
  - Maximum FAR of 2.0 with height limitations adjacent to protected districts
  - Residential uses only allowed where present prior to 2004
  - UO-2 would allow billboards with additional separation and distance requirements, availability of permit
    - Billboard does not exist on the site
- Rezoning Request to C-RX-8
  - Does not allow industrial uses on property
  - Broadens mix of allowable uses including residential
  - Allows limited, neighborhood-scale commercial uses
  - General pedestrian-friendly building form and siting standards
- Rezoning Request does not Maintain UO-2
  - Applicant does not propose to maintain the overlay



# Existing Context

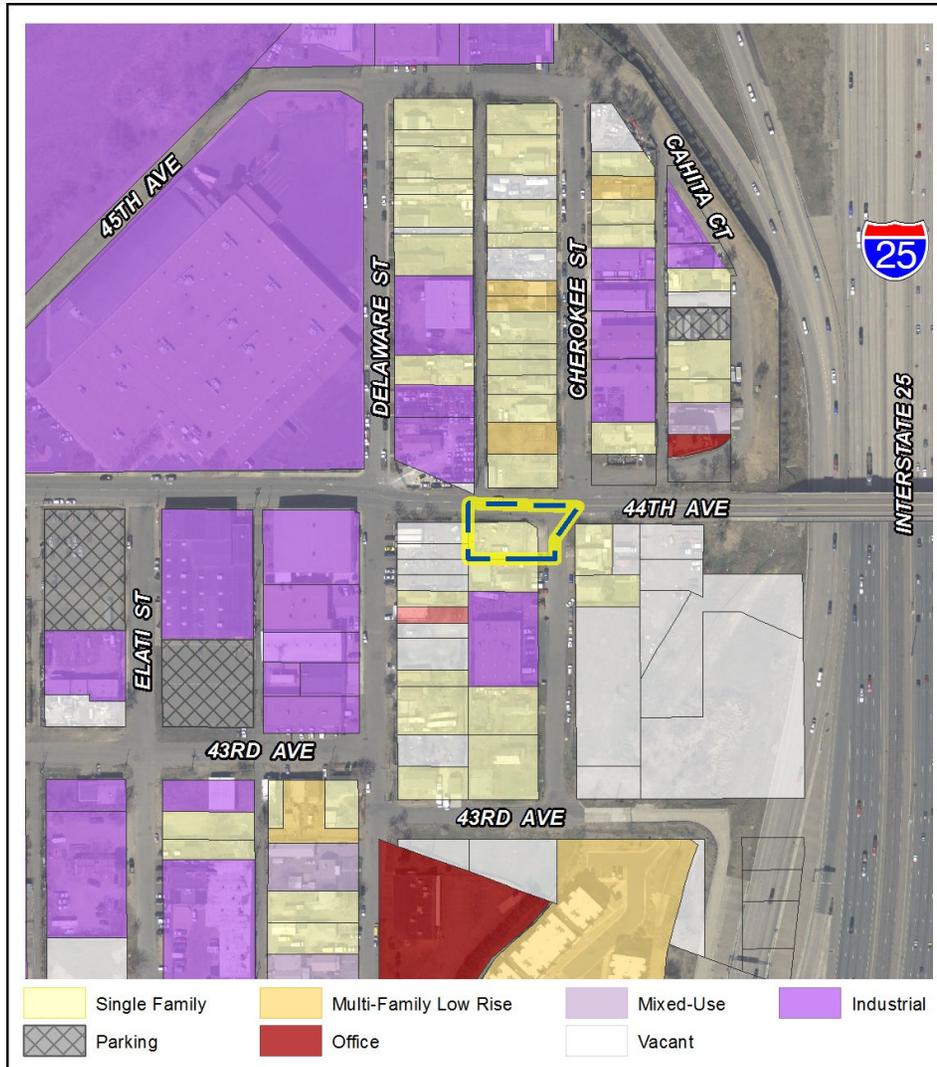
- Zoning
- Land Use
- Building Form/Scale

# Existing Context – Zoning



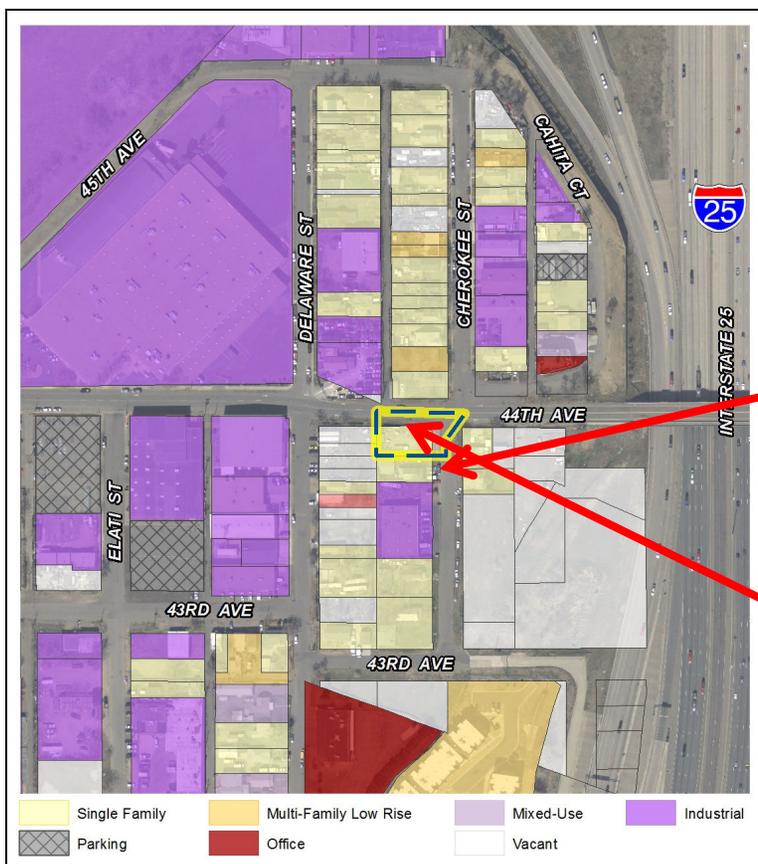
- Subject site and surrounding area zoned I-A UO-2
- C-MX-20 to the South
- I-B UO-2 and I-A UO-2 to the west

# Existing Context – Land Use

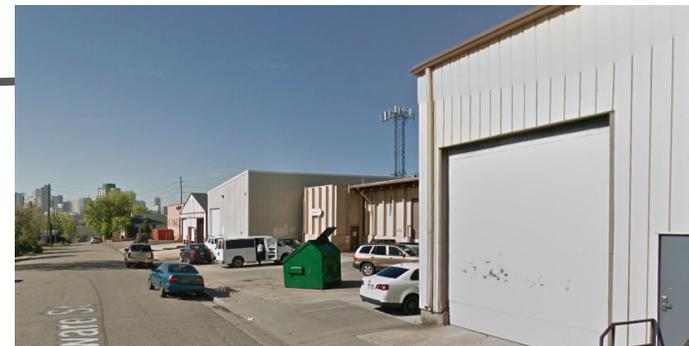
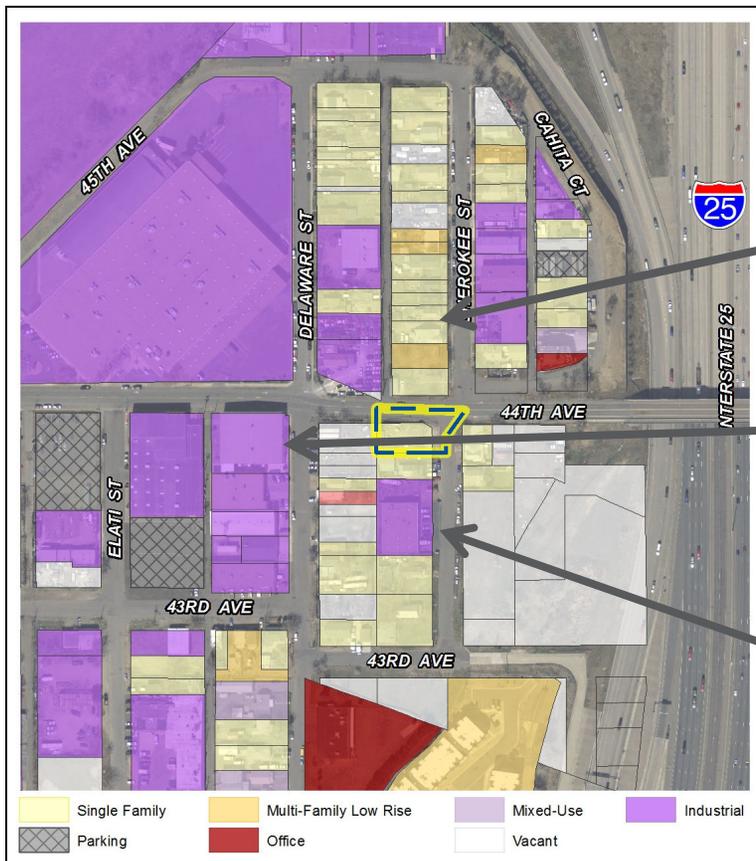


- Site is single family residential
- Single, multi-family, scattered industrial to the north
- Vacant property, water retention to the east
- Single family residential, office, industrial to the south
- Industrial, warehousing, vacant properties to the west with scattered residential

# Existing Context – Building Form/Scale



# Existing Context – Building Form/Scale



- Notice of Receipt of Application: **June 16, 2015**
- Planning Board recommends unanimous approval of the rezoning: **September 2, 2015**
- Neighborhoods and Planning Committee moves the bill out of committee: **September 16, 2015**
- Notice of City Council Public Hearing and property posting: **October 5, 2015**
- City Council Public Hearing: **October 26, 2015**

- Registered Neighborhood Organizations Notified of this Application
  1. Denver Neighborhood Association, Inc.
  2. Globeville Civic Association #2
  3. Elyria Swansea/Globeville Business Association
  4. United Community Action Network Inc.
  5. Inter-Neighborhood Cooperation (INC)
  6. Globeville Civic Association #1
  7. North Highlands Neighbors Association
  8. Denver Urban Resident Association
  9. Globeville K.A.R.E.S

- Communication Received as of Today:
  - Letter of support from Globeville Civic Association #2 (Included in staff report packet)
  - Letter of support from Mr. Elia Fisher, property owner (Received after staff report)
  - Letter of support from Mr. Niles Emerick, property owner (Received after staff report)
  - Letter of support from Mr. Evan Krier, Krier Real Estate and property owner (Received after staff report)

## Denver Zoning Code Review Criteria

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

## Denver Zoning Code Review Criteria

### 1. Consistency with Adopted Plans

- Comprehensive Plan 2000
- Blueprint Denver: A Land Use and Transportation Plan
- 41<sup>st</sup> and Fox Station Area Plan (2009)
- Globeville Neighborhood Plan (2014)

### 2. Uniformity of District Regulations

### 3. Further Public Health, Safety and Welfare

### 4. Justifying Circumstances

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

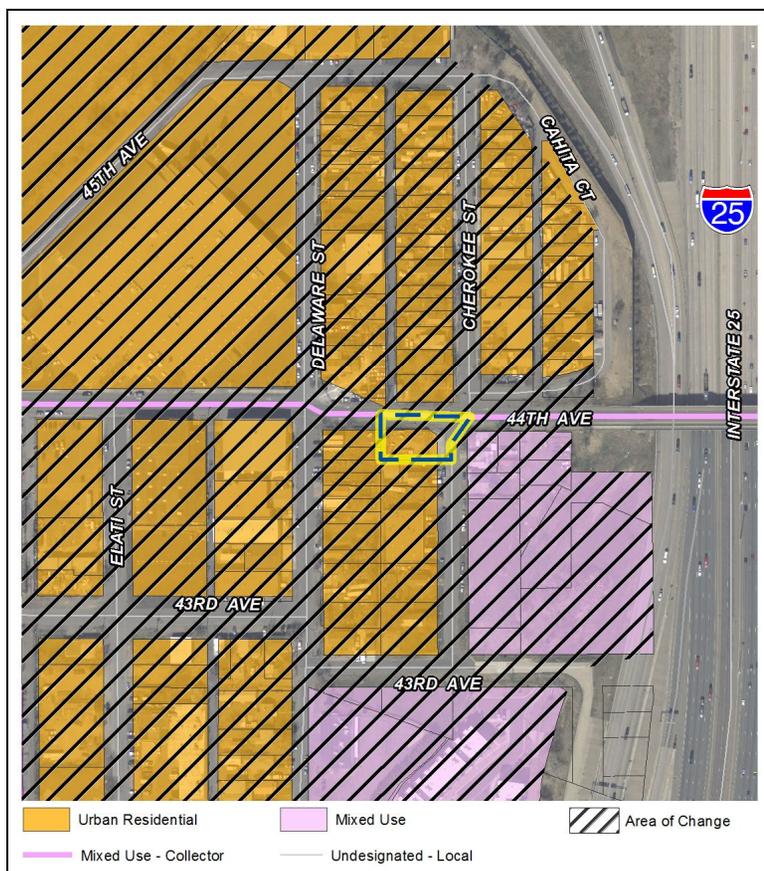


# Review Criteria: Consistency with Adopted Plans

## Comprehensive Plan 2000

- Environmental Sustainability Strategy 2-F – *Conserve land by: **promoting infill development** 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. **Creating more density at transit nodes.*** (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)
- Land Use 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.* (pg 60)
- Denver's Legacies Strategy 3-A – ***Identify areas in which increased density and new uses are desirable** and can be accommodated.* (pg 99)

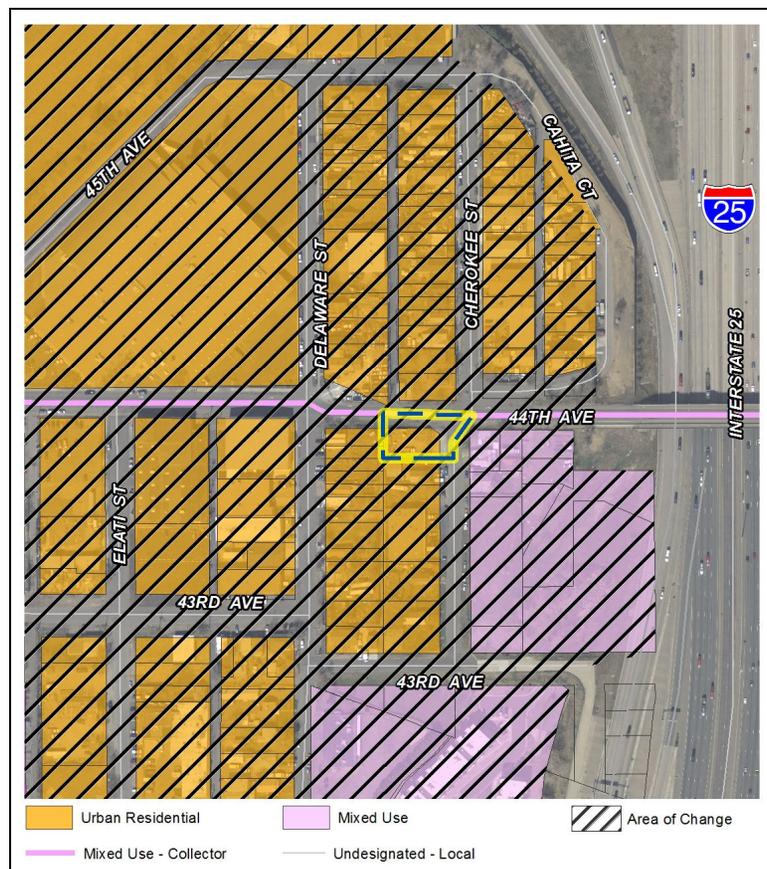
# Review Criteria: Consistency with Adopted Plans



## Blueprint Denver (2002)

- Land Use Concept:
  - Urban Residential
    - Higher density, primarily residential but may include a noteworthy number of commercial uses
    - Ground floor active uses, street-facing entries, transparency are appropriate
  - Area of Change
    - Channel growth where it is beneficial

# Review Criteria: Consistency with Adopted Plans



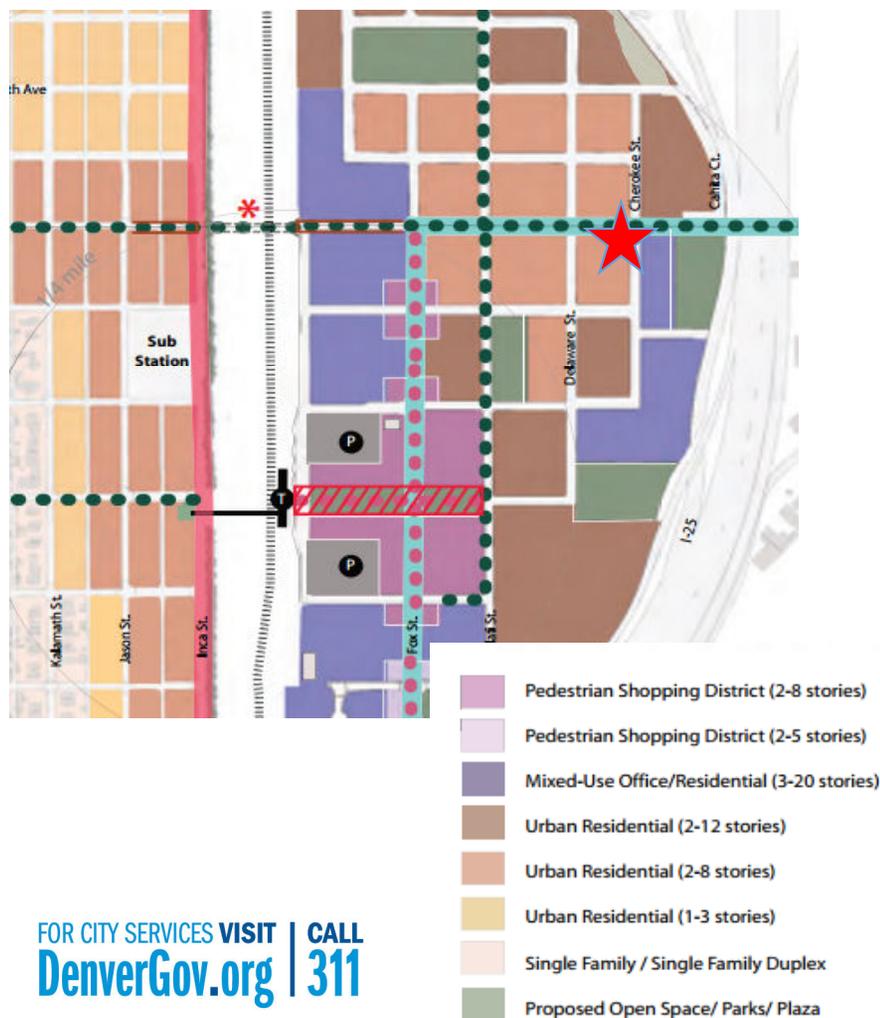
## Blueprint Denver (2002)

- Future Street Classification:
  - W 44<sup>th</sup> Ave
    - Mixed Use Collector
  - N Cherokee St
    - Undesignated Local

Rezoning request to C-RX-8 is consistent with Blueprint Denver

*Reminder: Evaluating whether the proposed zone district is consistent with the Future Street Classification, but not to assess the traffic impacts of a specific development proposal.*

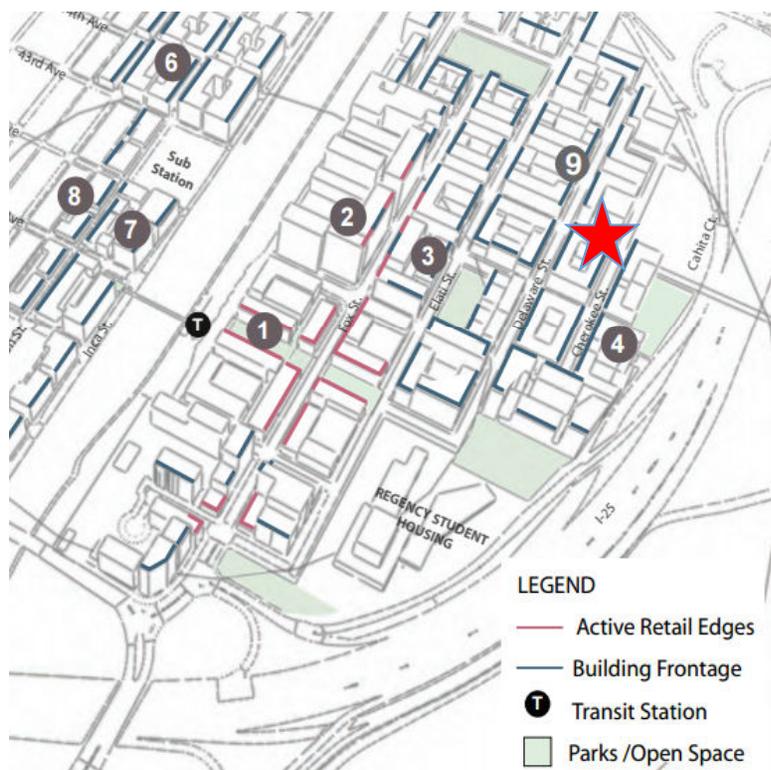
# Review Criteria: Consistency with Adopted Plans



## 41<sup>st</sup> and Fox Station Area Plan (2009)

- Land Use Concept:
  - Urban Residential
- Recommended Building Height
  - 2-8 stories
- West 44<sup>th</sup> Ave as key pedestrian and bicycle street

# Review Criteria: Consistency with Adopted Plans



## 41<sup>st</sup> and Fox Station Area Plan (2009)

- Character Concept:
  - Appropriate for “Building Frontages”
  - Building edges brought to the sidewalk for minimal setbacks

Rezoning request to C-RX-8 is consistent with 41<sup>st</sup> and Fox Station Area Plan

# Review Criteria: Consistency with Adopted Plans

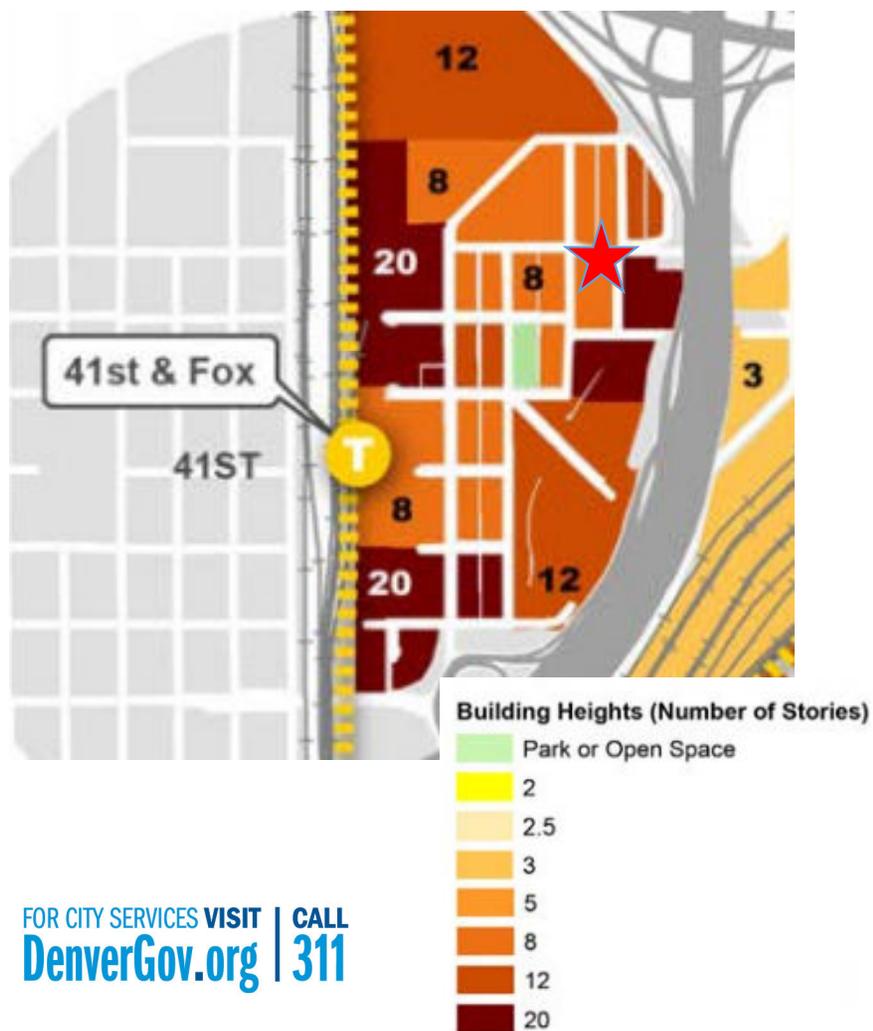


## Globeville Neighborhood Plan (2014)

Reinforces the recommendations from the 41<sup>st</sup> and Fox Station Area Plan

- Land Use Concept:
  - Urban Residential
- Area of Change

# Review Criteria: Consistency with Adopted Plans



## Globeville Neighborhood Plan (2014)

- Maximum recommended building height – 8 stories

Rezoning request to C-RX-8 is consistent with Globeville Neighborhood Plan

## Denver Zoning Code Review Criteria

### 1. Consistency with Adopted Plans

- CPD finds the rezoning is consistent with Comprehensive Plan 2000, Blueprint Denver: A Land Use and Transportation Plan, 41<sup>st</sup> and Fox Station Area Plan, and Globeville neighborhood Plan

### 2. Uniformity of District Regulations

### 3. Further Public Health, Safety and Welfare

### 4. Justifying Circumstances

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

## Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. **Justifying Circumstances**
  - 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
    - 41<sup>st</sup> and Fox commuter rail station to open spring 2016
    - Proposed redevelopment in area signals change in the surrounding environs to TOD context
    - I-A UO-2 zoning does not reflect City's adopted vision reinforced in Globeville Neighborhood Plan
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

## Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances

## 5. Consistency with Neighborhood Context

- Urban Center Neighborhood Context
  - Multi-unit residential and mixed-use commercial; moderate to high building heights
  - Consistent building orientation, shallow setbacks, parking in the rear
  - High levels of multimodal access

## Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Zone District Purpose and Intent
  - C-RX zone districts promote safe, active, and pedestrian-scaled, diverse areas through building forms that activate the street edge. Uses are primarily residential with neighborhood-scaled commercial uses
  - C-RX-8 applies to residentially-dominated areas served by collector or arterial streets where a scale of 2-8 stories is desired

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

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