

3821-3897 N Steele Street + 3800-3840 York Street

Request: From PUD-G 32; I-1, UO-2 with waivers; I-0 with waivers
and conditions to I-MX-5, PUD-G 35 (amended version of PUD-G 32)

Date: 06.04.2024

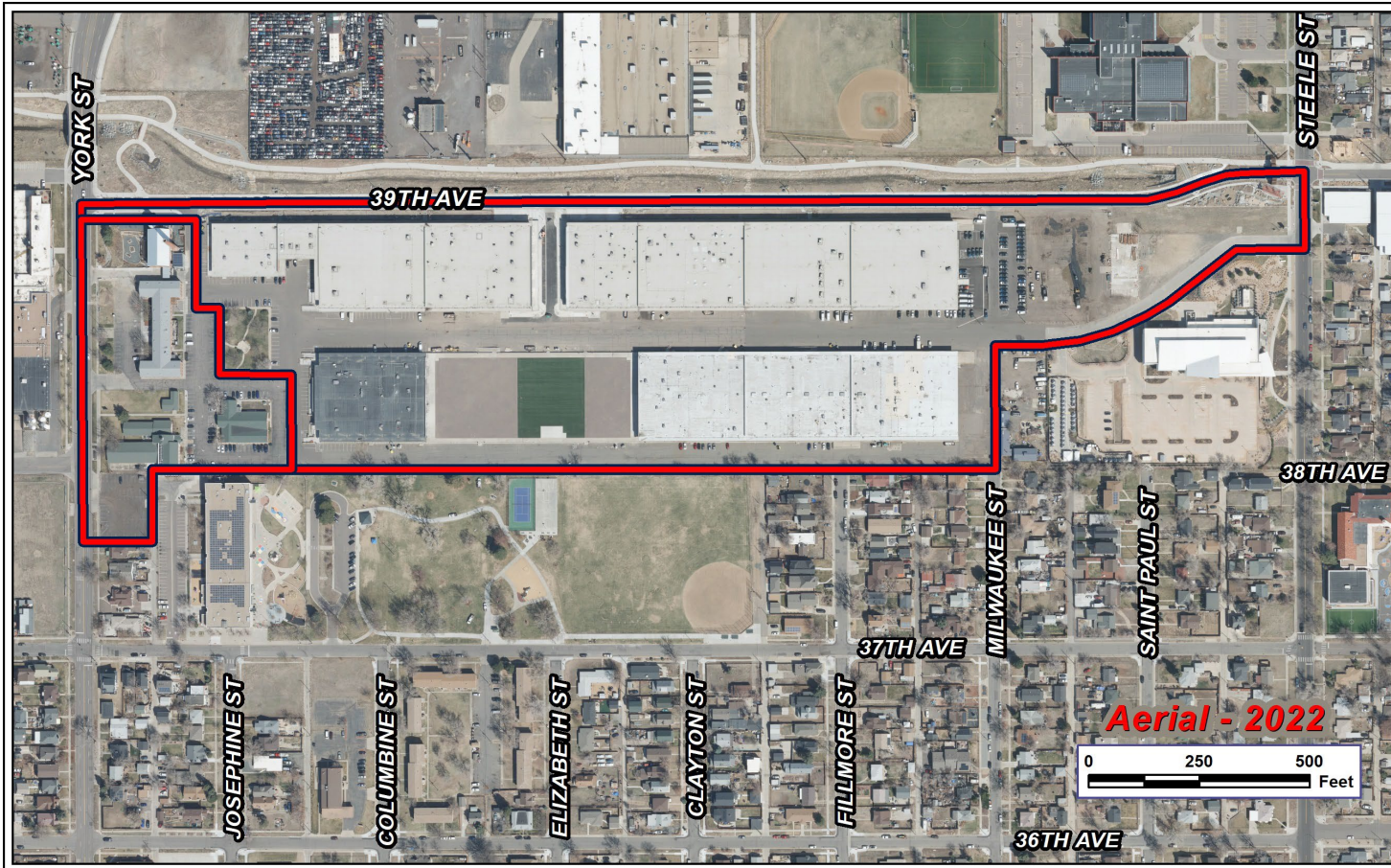
Presenter: Chelsea Bennouna

Presentation Agenda

- Request
- Location and Context
- Process
- Review Criteria



Request: I-MX-5, PUD-G 35 (amended version of PUD-G 32)



- Property:
 - 31.46 acres
 - Rezone a portion of PUD-G 32 (“the quad”) and the larger York Street Yards Site into I-MX-5

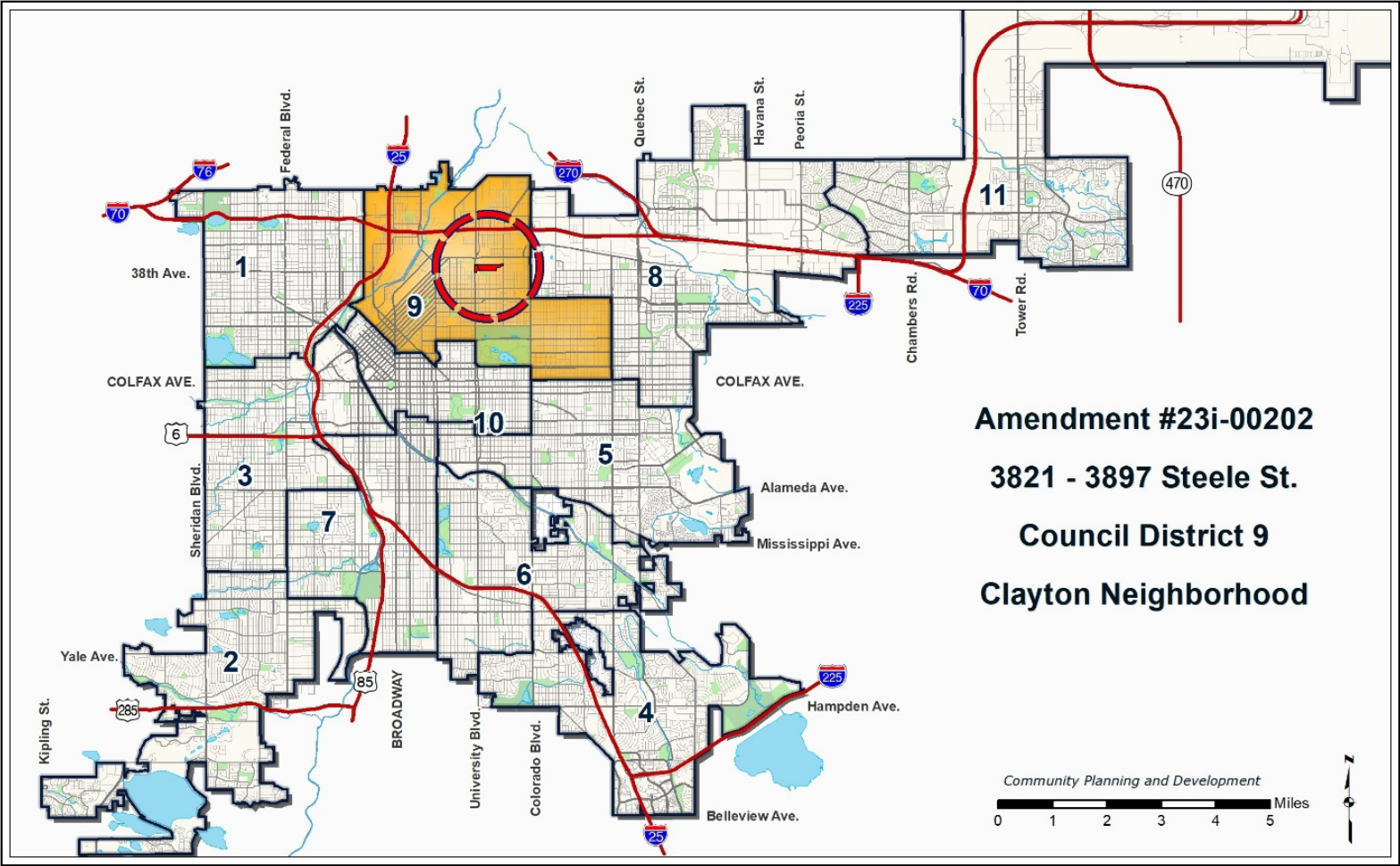
Reminder: Approval of a rezoning is not approval of a proposed specific development project

Presentation Agenda

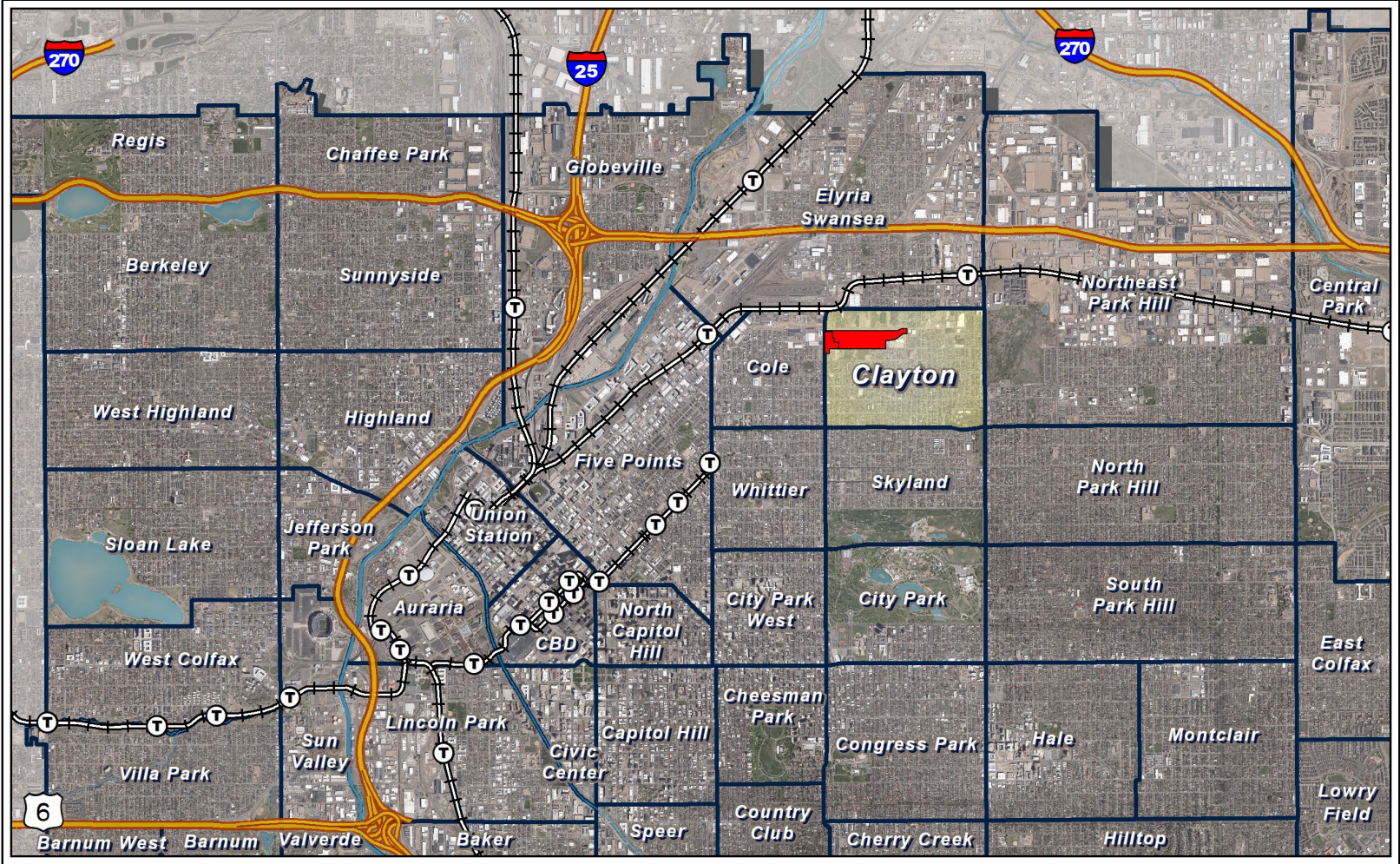
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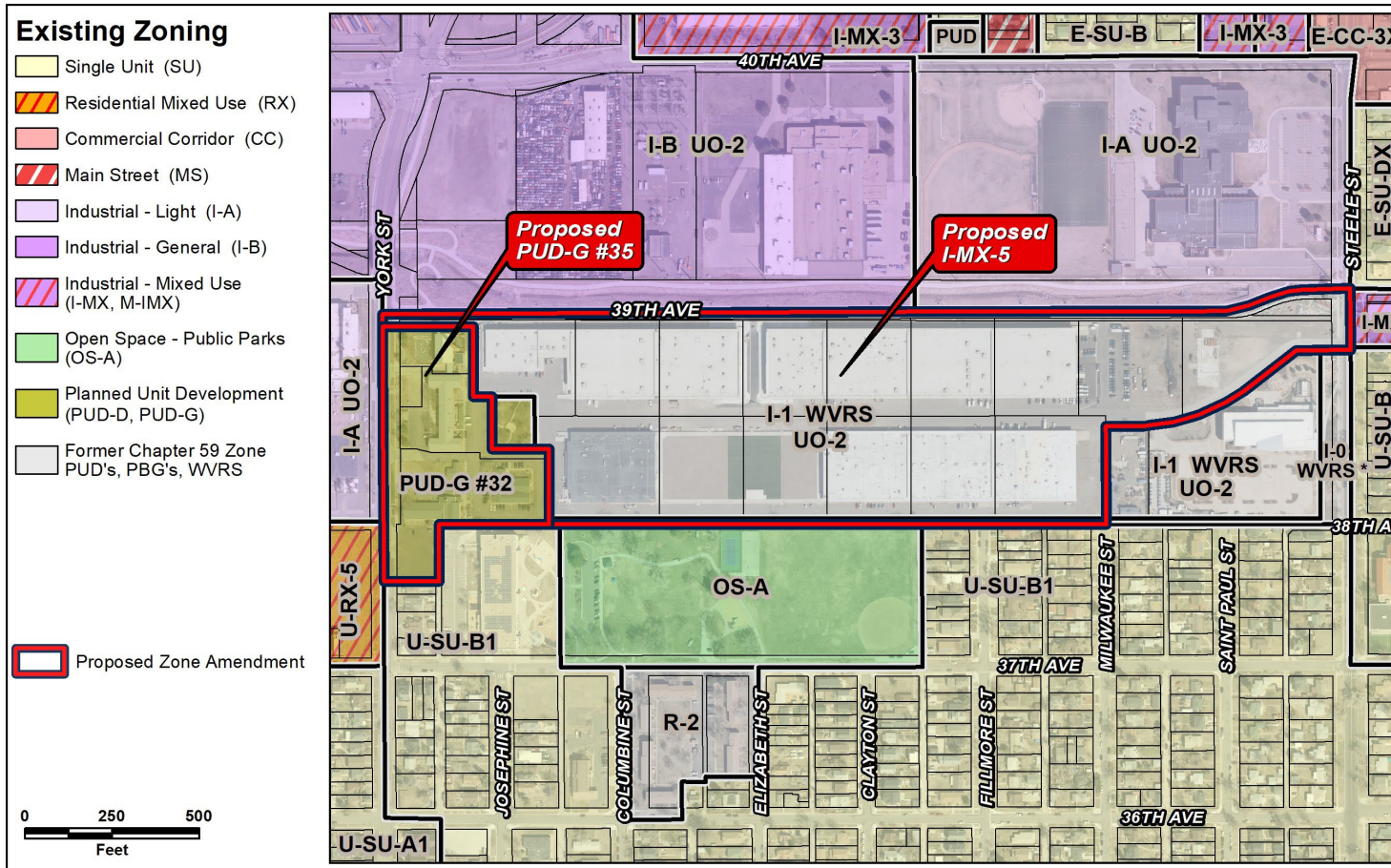
Council District 9 – Councilmember Watson



Statistical Neighborhood – Clayton



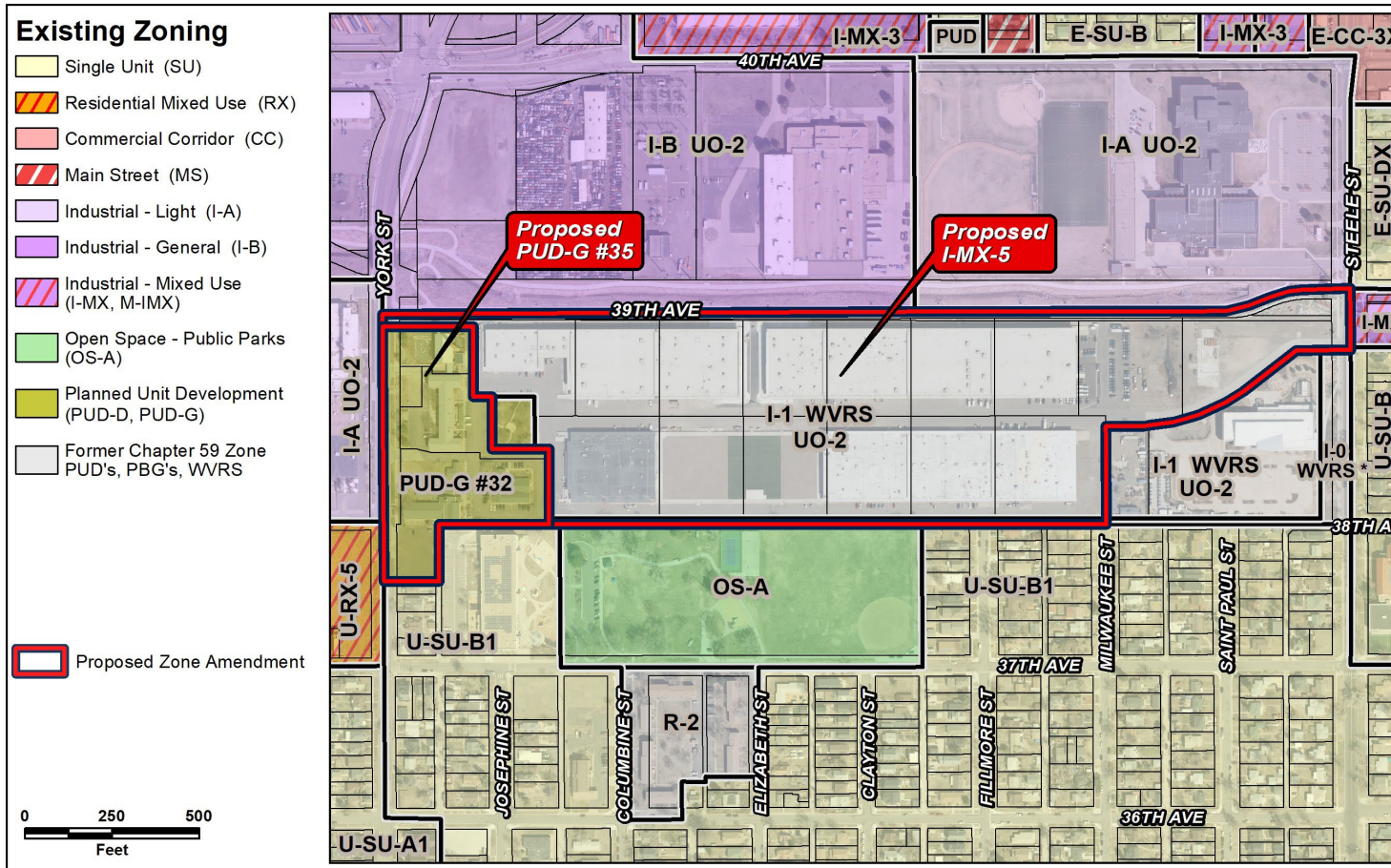
Existing Zoning – PUD-G 32; I-1, UO-2 with waivers; I-0 with waivers and conditions



Proximity to:

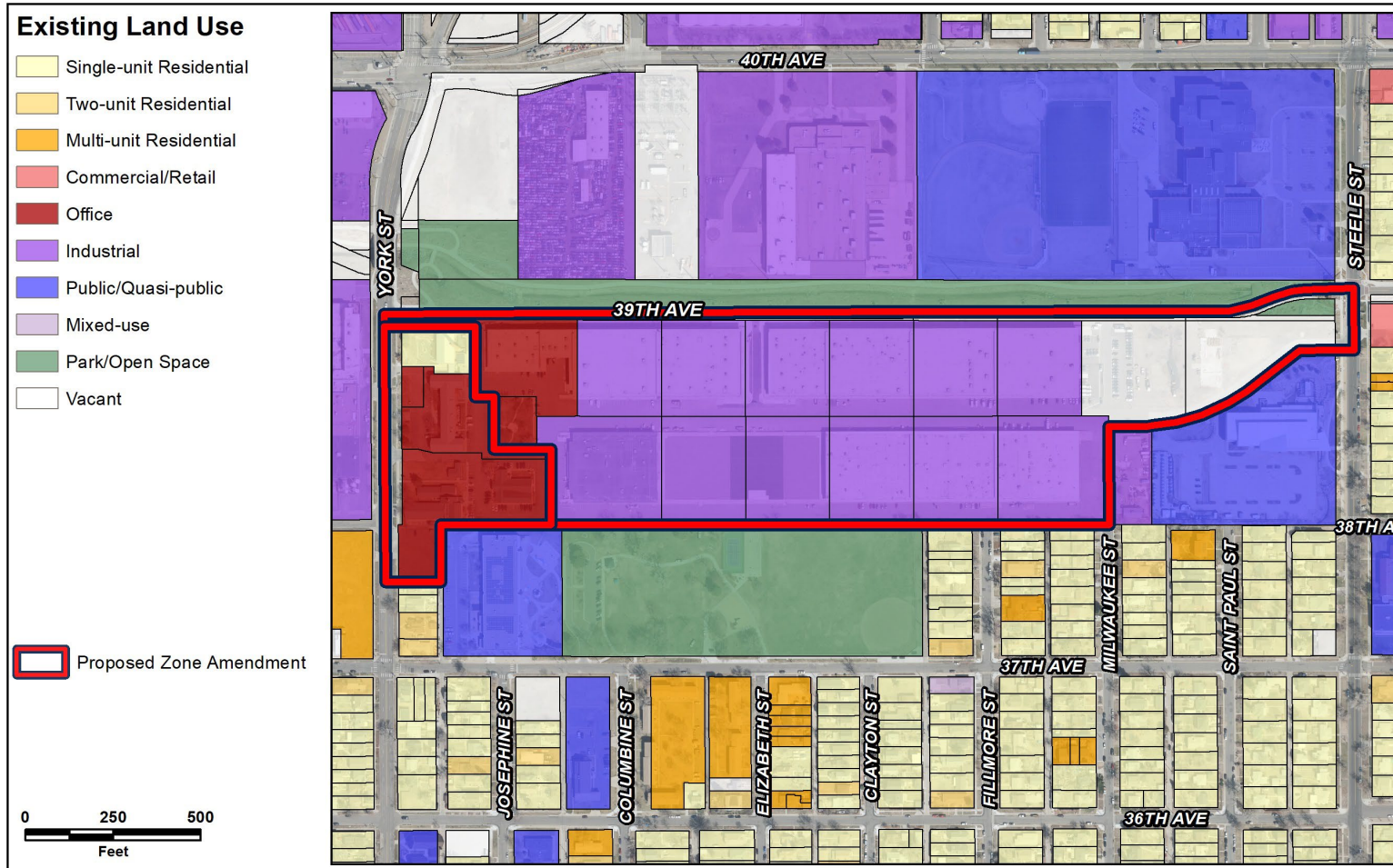
- I-A, UO-2
- I-B, UO-2
- I-MX-3
- OS-A
- U-SU-B1
- U-RX-5
- E-SU-DX

Proposed Zoning- PUD-G 35, I-MX-5



- No residential allowed in the current I-0 and I-1
- I-MX-5 would allow for a mix of industrial, commercial and residential uses (no limitation on the percentage of any use)
- I-1 and I-0 allow for 2.0 FAR
- I-MX allows 5 story building heights, or 7 stories with incentives

Existing Context – Land Use



Office, Industrial, and Vacant

Adjacent to:

- Open Space
- Industrial
- Single-unit Res
- Two-unit Res
- Multi-unit Res
- Public
- Commercial/Retail

Existing Context – Building Form/Scale



Agenda

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Process

- Informational Notice: **04/08/24**
- Planning Board Notice: **04/30/24**
- Planning Board Public Hearing: **05/15/24**
- LUTI Committee: **06/04/24**
- City Council Public Hearing: **07/22/24 (tentative)**

Public Comments

- RNOs
 - 1 letter of support from Clayton United RNO
- General Public
 - 23 comment letters of support
 - 1 comment letter expressed concern about the lack of a historic preservation tool

Planning Board Staff Recommendation

For the May 15, 2024 Planning Board public hearing, staff recommended approval with the condition that the application be amended to include a waiver that would have limited residential uses to a maximum of 70% of the total gross floor area of the site. The waiver would have applied to the portion of the site proposed to be rezoned to I-MX-5.

Planning Board

- Planning Board held a hearing on this item on 5/15
- The board voted unanimously (7-0) to recommend approval without the condition to modify the application to add a waiver

The applicant has decided to move forward without any modifications to the application

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Denver Zoning Code Review Criteria

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

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

- *Comprehensive Plan 2040 (2019)*
- *Blueprint Denver (2019)*
- *Elyria & Swansea Neighborhoods Plan (2015)*

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Comprehensive Plan 2040 – Consistent Goals

- Increase development of housing units close to transit and mixed-use developments.
- Create a greater mix of housing options in every neighborhood for all individuals and families.
- Ensure neighborhoods offer a mix of housing types and services for a diverse population.
- Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities.
- Use urban design to contribute to economic viability, public health, safety, environmental well-being, neighborhood culture, and quality of life.
- Promote infill development where infrastructure and services are already in place.



Comprehensive Plan 2040 – Inconsistent Goals

- Ensure every neighborhood is economically strong and dynamic.
- Grow and support neighborhood-serving businesses.
- Leverage the arts and support creative placemaking to strengthen community.
- Grow a strong, diversified economy.
- Facilitate the growth of a diverse business sector that serves as the
- Ensure a broad range of jobs to align with the skills and interests of local residents.
- Sustain and grow Denver’s local neighborhood businesses.
- Stimulate the growth of ideas and innovation.



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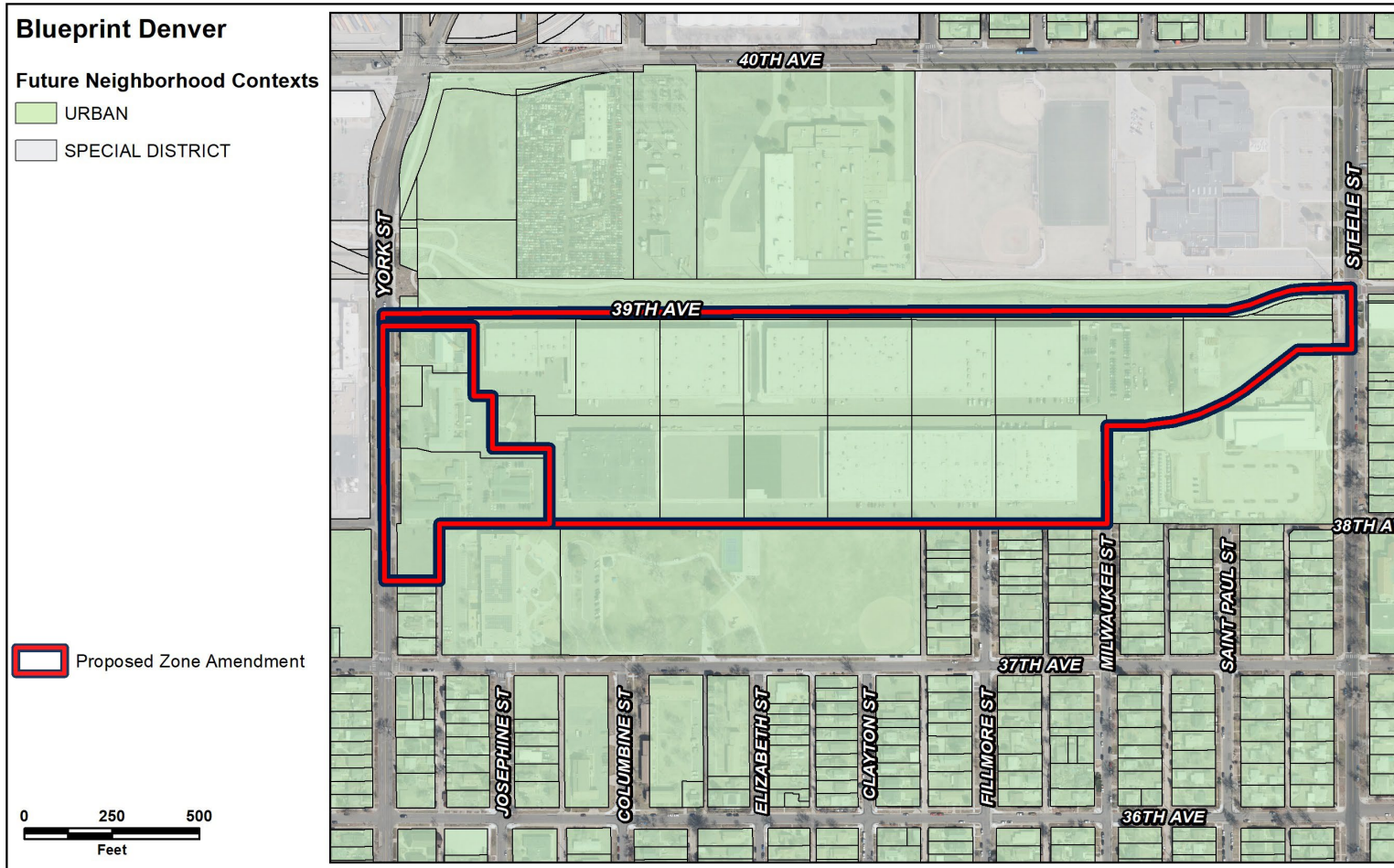
2. Uniformity of District Regulations

3. Further Public Health, Safety and Welfare

4. Justifying Circumstances

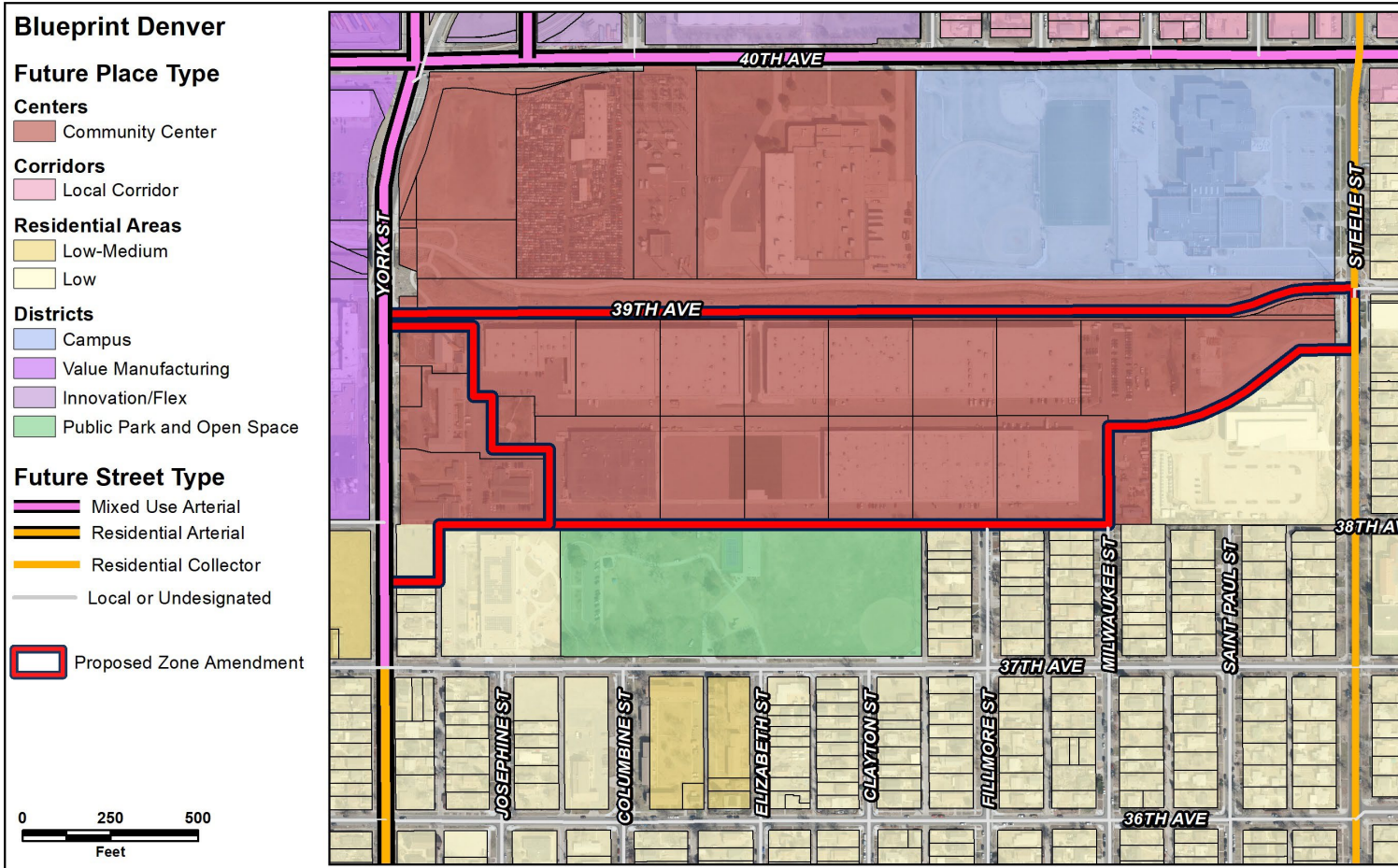
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

Blueprint Denver (2019)



- Urban - Mix of uses, good street activation and connectivity
- I-MX-5 zone district is within the “Districts” neighborhood context
- I-MX-5 adheres to the existing character of the neighborhood and promotes a mix of uses

Blueprint Denver (2019)



Community Center

- Mix of office, commercial, residential
- Buildings larger in scale and orient to street or public space
- Strong degree of urbanism
- Up to 5 stories; though Blueprint defers to small area plan guidance on height

Future Street Types

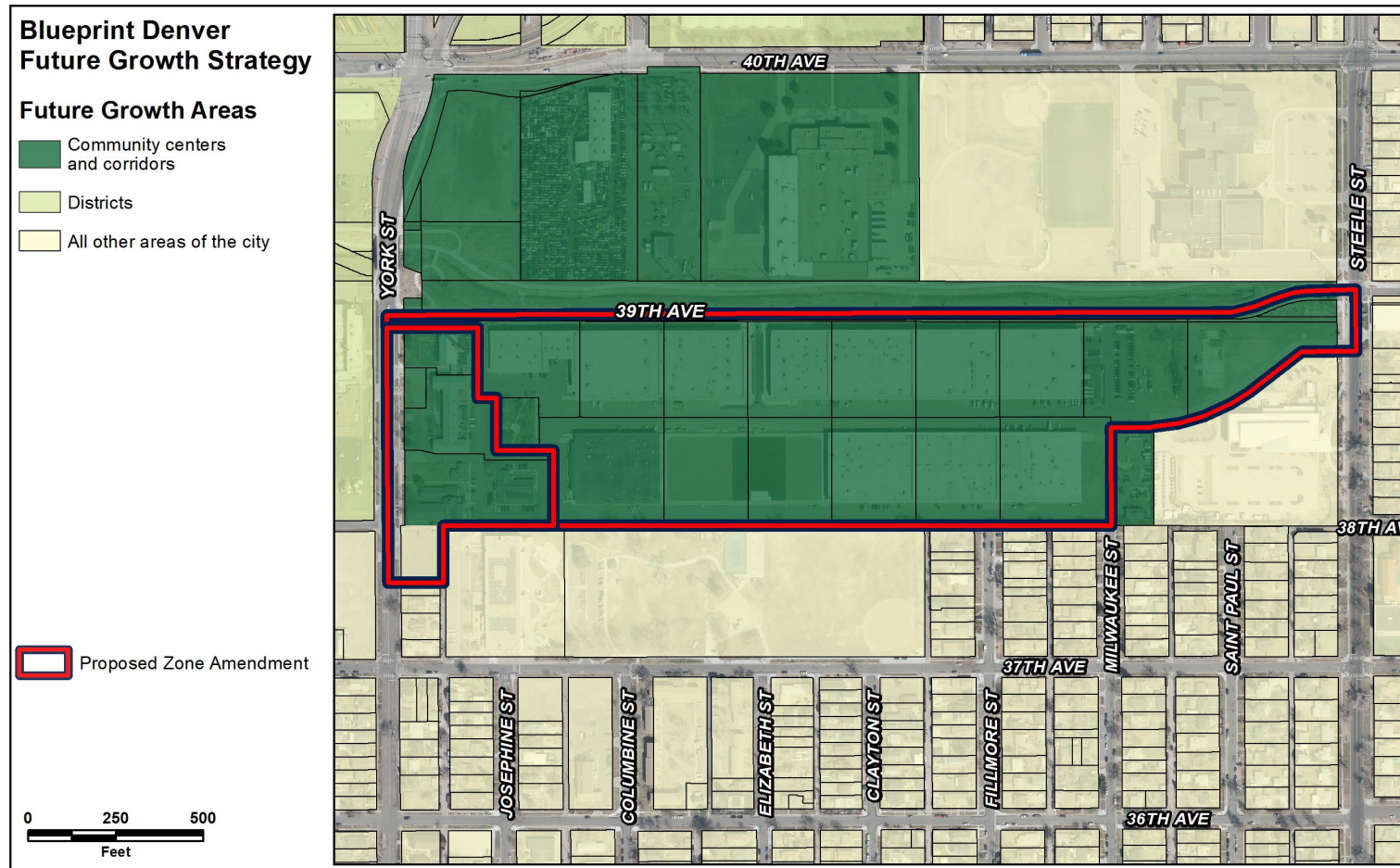
- York St – Mixed Use Arterial
- Steele St – Residential Collector

Evaluation is based on the proposed zone district is consistent with the Future Street Classification, not to assess the traffic impacts of a specific development proposal.

Blueprint Denver (2019) – Building Heights

“Blueprint Denver is a citywide plan, and therefore cannot provide specific detailed guidance on all aspects of a place. **Small area plans will provide more certain height guidance through maps of proposed building height”**
(p.66)

Blueprint Denver (2019)



Growth Areas Strategy

- Community centers and corridors: 20% of new employment and 25% of new housing by 2040 (p. 51)
- Most growth is guided to regional centers, community centers and corridors, select districts and high and medium-high intensity residential areas. Other areas of the city are still expected to see some growth, however more limited.

Blueprint Denver (2019) – Consistent Goals

- **Rezone properties from the Former Chapter 59 zoning code so that the entire city is covered by the DZC, including continuing to incentivize owners to come out of the old code.**

Blueprint Denver (2019) – Inconsistent Goals: *The Innovation Economy*

- Promote creative industries, maker spaces, artists and small businesses as vital components of Denver’s innovation economy.
- Develop programs and identify potential incentives to maintain existing spaces, reduce rent costs and other business costs and help create new spaces for hand crafted manufacturing, maker spaces, artists and other small, locally-owned businesses, especially in areas that score high for Vulnerability to Displacement.
- Support organizations and districts within the city’s centers and corridors to aid in attraction and retention of employment and commerce.

*Blueprint Denver (2019) – Inconsistent Goals: **Preservation***

- **Incentivize the preservation** of structures and features that contribute to the established character of an area, even if they are not designated as landmarks or historic districts.

Blueprint Denver (2019) – Inconsistent Goals: Nuanced Approaches for Unique and Large Sites

- Limit the use of site-specific, customized zoning tools—such as Planned Unit Developments (PUDs) and waivers/conditions—to unique and extraordinary circumstances. The zoning code offers a wide variety of zone districts that cover the diverse contexts and places of Denver. **Custom zoning tools are most effective when a standard zone district does not exist to implement the adopted plans for an area.**
- **Promote coordinated development on large infill sites** to ensure new development integrates with its surroundings and provides appropriate community benefits.

Blueprint Denver (2019) – Inconsistent Goals: *Fixing I-MX Standards*

- Study and implement changes to the zoning code to **ensure appropriate zone district(s) to implement the innovation/flex district desired uses and building forms.**

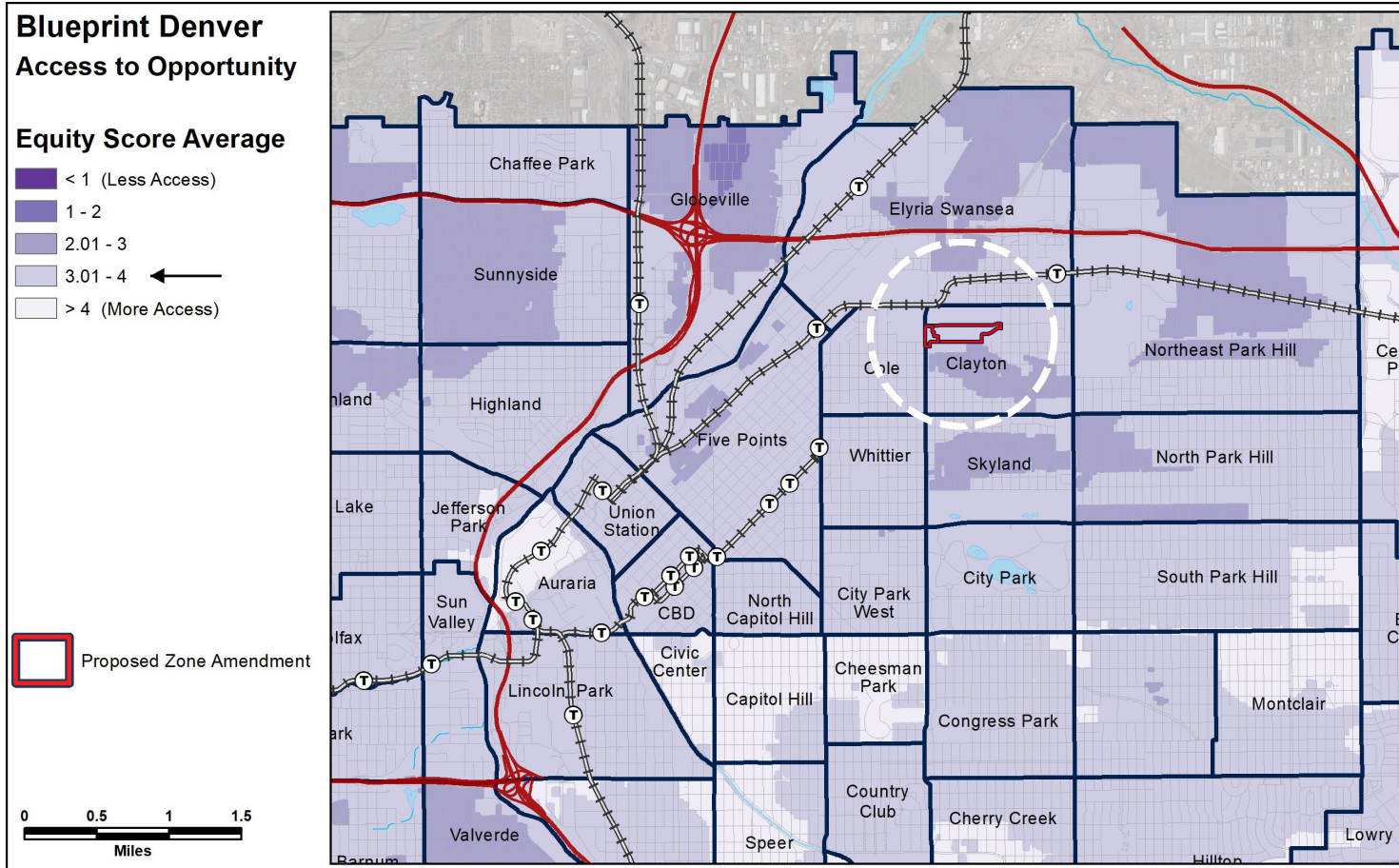
Blueprint Denver (2019) – Equity Analysis

Blueprint Denver Contains Three Major Equity Concepts

- Integrating these concepts into planning and implementation will help to create a more equitable Denver.

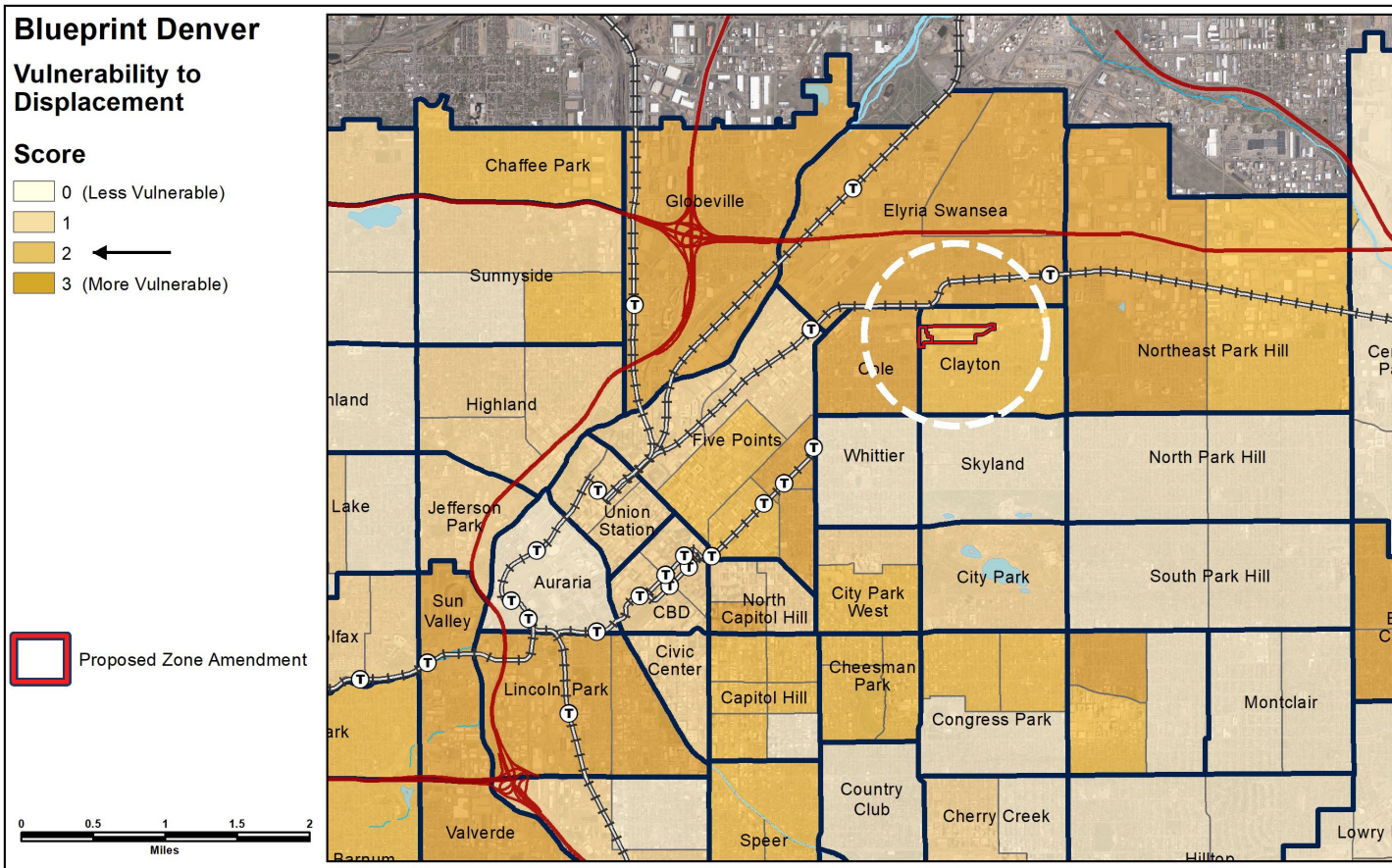


Blueprint Denver (2019) – Access to Opportunity



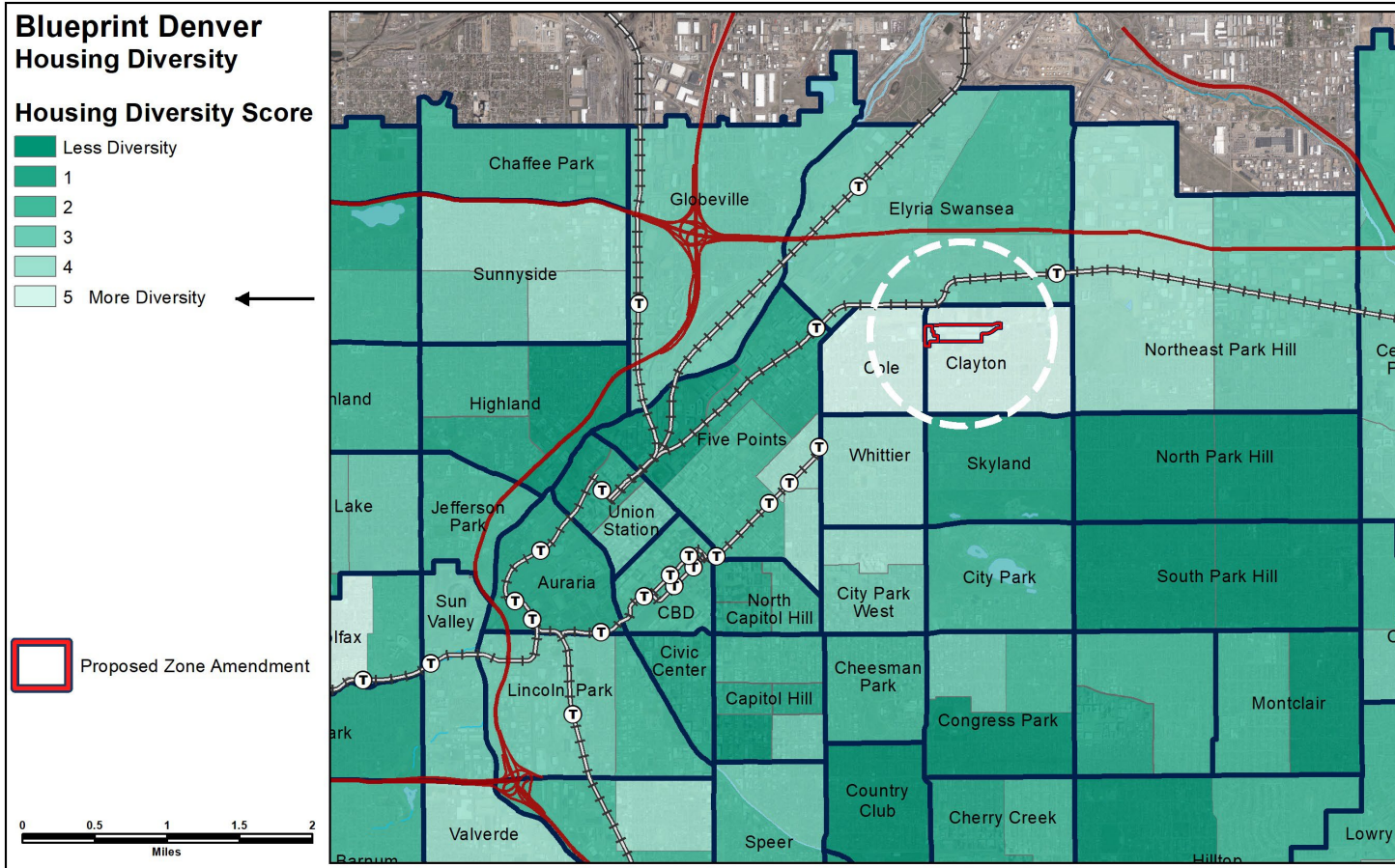
- Moderate-to-high access to opportunity
- Higher-than-average percentage of children with obesity and incomes below the poverty line
- Lower-than-average life expectancy and access to fresh food

Blueprint Denver (2019) – Vulnerability to Displacement



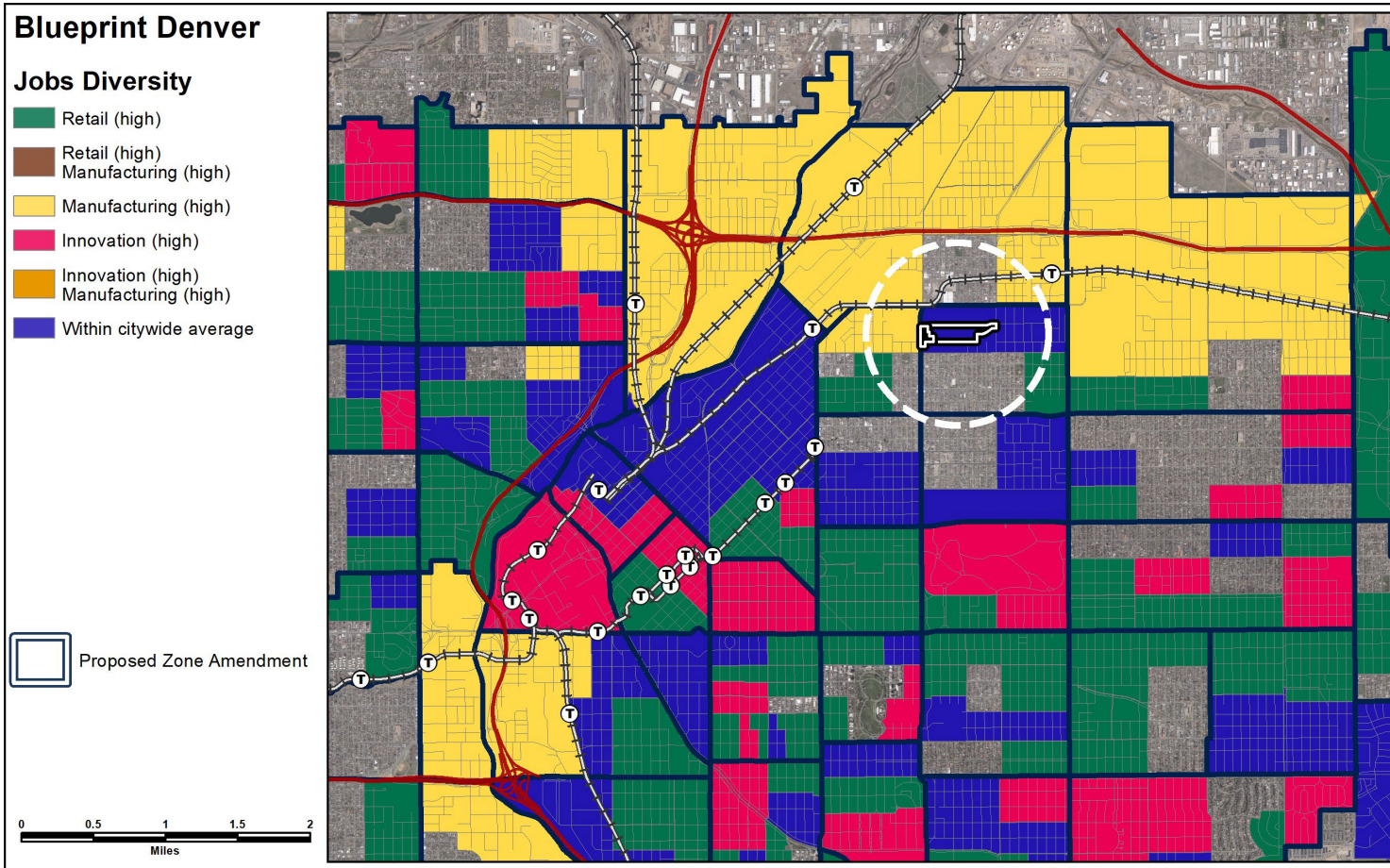
- Moderate-to-high vulnerability to involuntary displacement
- Lower-than-average median household incomes
- Higher than average percentage of people without a college degree

Blueprint Denver (2019) – Housing Diversity



- High Housing diversity
- Higher than average amount of “missing middle” housing
- Higher than average diversity of bedroom count per unit
- Diverse mix of owners and renters
- Diverse mix of housing costs
- Higher than average amount of income restricted units

Blueprint Denver (2019) – Jobs Diversity



- Significantly more manufacturing jobs (25%) than the city-wide average of 10%.
- More Innovation jobs than the city-wide average – 38% compared to 35%.
- The total number of jobs are 1,070, with 4.9 jobs per acre.

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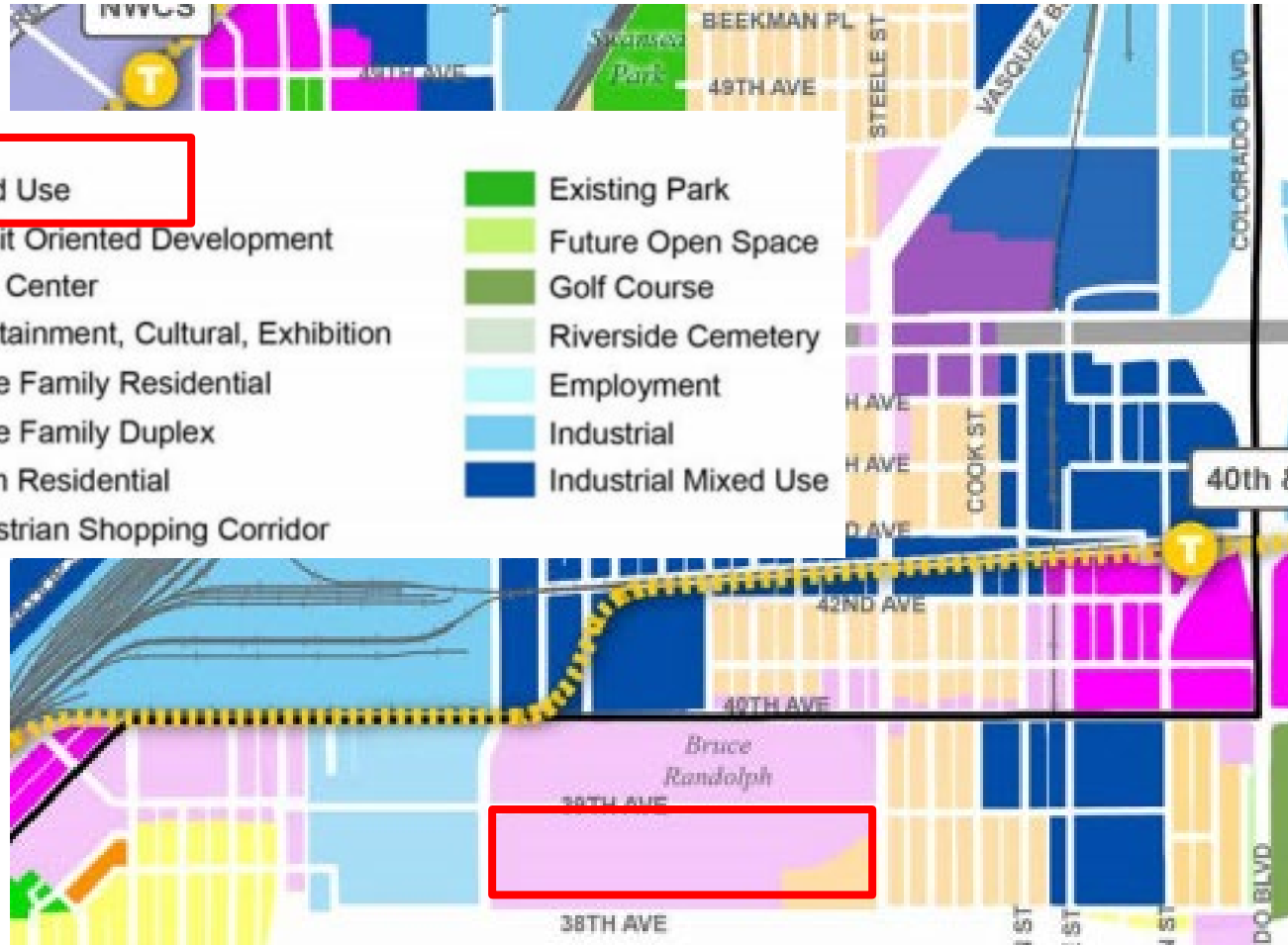
2. Uniformity of District Regulations

3. Further Public Health, Safety and Welfare

4. Justifying Circumstances

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

Elyria & Swansea Neighborhoods Plan (2015)



- The neighborhood plan indicates:
 - Mixed-use
 - A maximum building height of 3 stories
- Recommendation B4 in the neighborhood plan is to “Diversify and Increase Employment Opportunities in Mixed Use and Industrial Areas”

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
 - I-MX-5 will result in uniform application
 - PUD-G 35 will result in uniform application across the site
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
 - Implementation of adopted plans
 - Facilitation of increased housing density near services and amenities
 - However, I-MX-5's allowance of 100% residential would increase risk of involuntary displacement – custom zoning could mitigate this risk
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
 - Changing conditions
 - Adoption of the DZC but property retained FC59
 - Amendment of PUD would help to consolidate ownership
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

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1. Consistency with Adopted Plans
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Denver Zoning Code PUD Review Criteria

- A. The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development) of the Zoning Code;
- B. The PUD District and the PUD District Plan comply with all applicable standards and criteria stated in Division 9.6;
- C. The development proposed on the subject property is not feasible under any other zone districts, and would require an unreasonable number of variances or waivers and conditions;
- D. The PUD District and the PUD District Plan establish permitted uses that are compatible with existing land uses adjacent to the subject property; and
- E. The PUD District and the PUD District Plan establish permitted building forms that are compatible with adjacent existing building forms, or which are made compatible through appropriate transitions at the boundaries of the PUD District Plan

Staff Recommendation

Staff recommends that the Land Use, Transportation and Infrastructure Committee move Application #2023I-00202 forward for consideration by the full Denver City Council.