



TO: Land Use, Transportation, and Infrastructure Committee
FROM: Kristofer Johnson, Principal City Planner
DATE: February 11, 2021
RE: (A) Denver Zoning Code (as revised through November 12, 2020) – Text Amendment #9 to create the Active Centers and Corridors Design Overlay District (DO-8)
(B) Official Zoning Map Amendment Proposal #2020I-00080

Staff Report and Recommendation

1. Text Amendment

Based on the review criteria for text amendments stated in Denver Zoning Code (DZC), Section 12.4.11 (Text Amendment), CPD staff recommends that the Land Use, Transportation, and Infrastructure committee move Text Amendment #9 of the Denver Zoning Code forward for consideration by the full City Council.

2. Map Amendment

Based on the review criteria for an official map amendment stated in the DZC, Section 12.4.10 (Map Amendment), staff recommends that the Land Use, Transportation, and Infrastructure committee move Map Amendment #2020I-00080 forward for consideration by the full City Council.

Request for Rezoning

Address:	Multiple properties in the Berkeley-Regis area
Neighborhood/Council District:	Berkeley and Regis Neighborhoods / Council District 1
RNOs:	Inter Neighborhood Cooperation (INC), Berkeley Regis United Neighbors, Harkness Heights Neighborhood Association, West 38th Avenue Neighborhood Association, West Highland Neighborhood Association, Berkeley Neighborhood Association, West Tennyson Founders, Grandview Neighborhood Association
Area of Property:	Approximately 32 acres
Current Zoning:	U-MX-2; U-MX-3; U-MX-3, UO-1, UO-2; U-MS-3, UO-1, UO-2; U-MS-5; U-MS-5, UO-1, UO-2
Proposed Zoning:	U-MX-2, DO-8; U-MX-3, DO-8; U-MX-3, UO-1, UO-2, DO-8; U-MS-3, UO-1, UO-2, DO-8; U-MS-5, DO-8; U-MS-5, UO-1, UO-2, DO-8 (ie, apply DO-8 to existing zone districts)
Property Owner(s):	Multiple, see legislative proposal attachment
Application Sponsor:	Councilmember Amanda Sandoval

Summary and Purpose

1. Text Amendment

Since 2010 when the Denver Zoning Code went into effect, many traditional neighborhood commercial areas have experienced a rapid transition towards more residential uses and less active streets. While Main Street and Mixed Use zone districts allow a mix of uses, they do not mandate a

mix of residential and nonresidential activities. However, small businesses that provide goods and services to nearby residents are a critical component of Denver’s goal to support complete neighborhoods that also contribute to our equity, land use, and transportation objectives. Blueprint Denver, the citywide land use and transportation plan adopted in 2019, specifically recommends zoning tools that will result in strong street-level active use standards for local centers and corridors. Given the intent of these small-scale places to provide services embedded in the neighborhood, it is important for them to provide more than residential uses.

To implement the objectives of Blueprint Denver and community desires to address the loss of neighborhood focused mixed-use areas, City Councilmember Amanda Sandoval (District 1) is sponsoring a text amendment to the Denver Zoning Code to establish the Active Centers and Corridors Design Overlay (DO-8) zone district. The Active Centers and Corridors Design Overlay includes several zoning modifications to improve the design quality, mixed-use activity, and pedestrian experience within neighborhood commercial areas. Specifically, the overlay zoning standards are intended to:

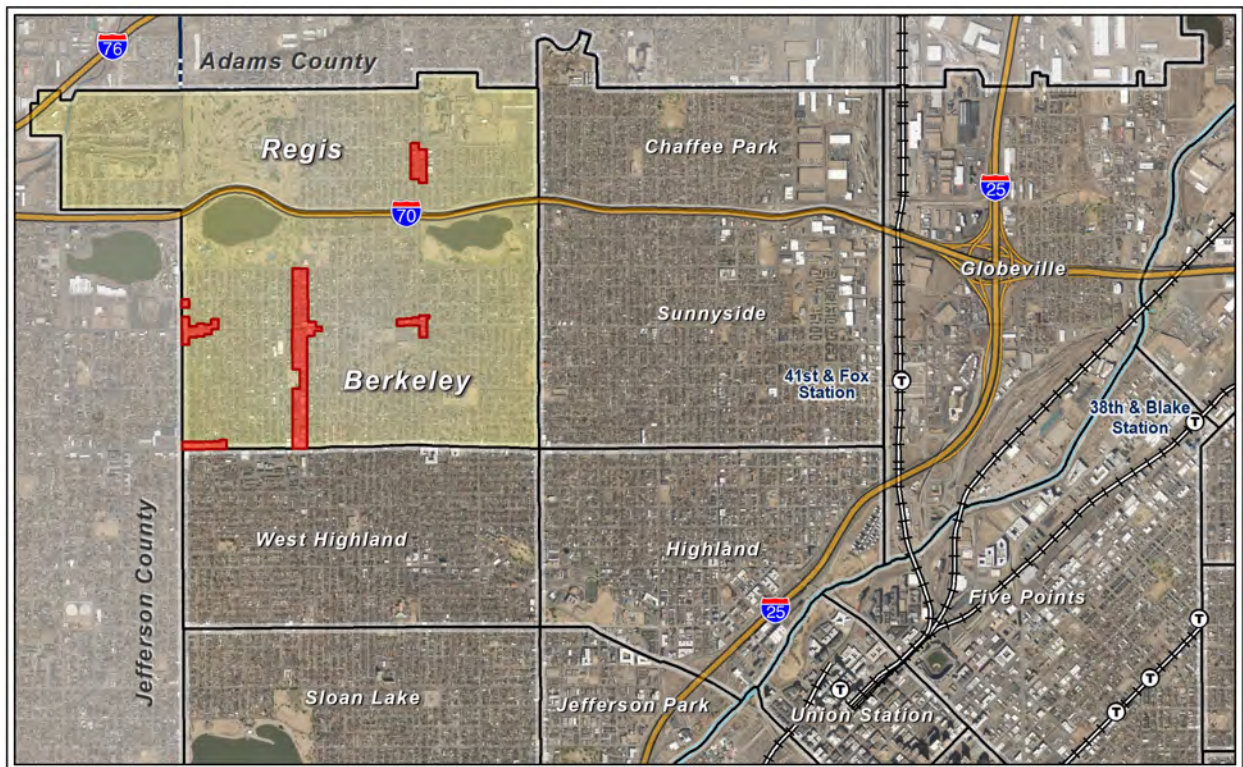
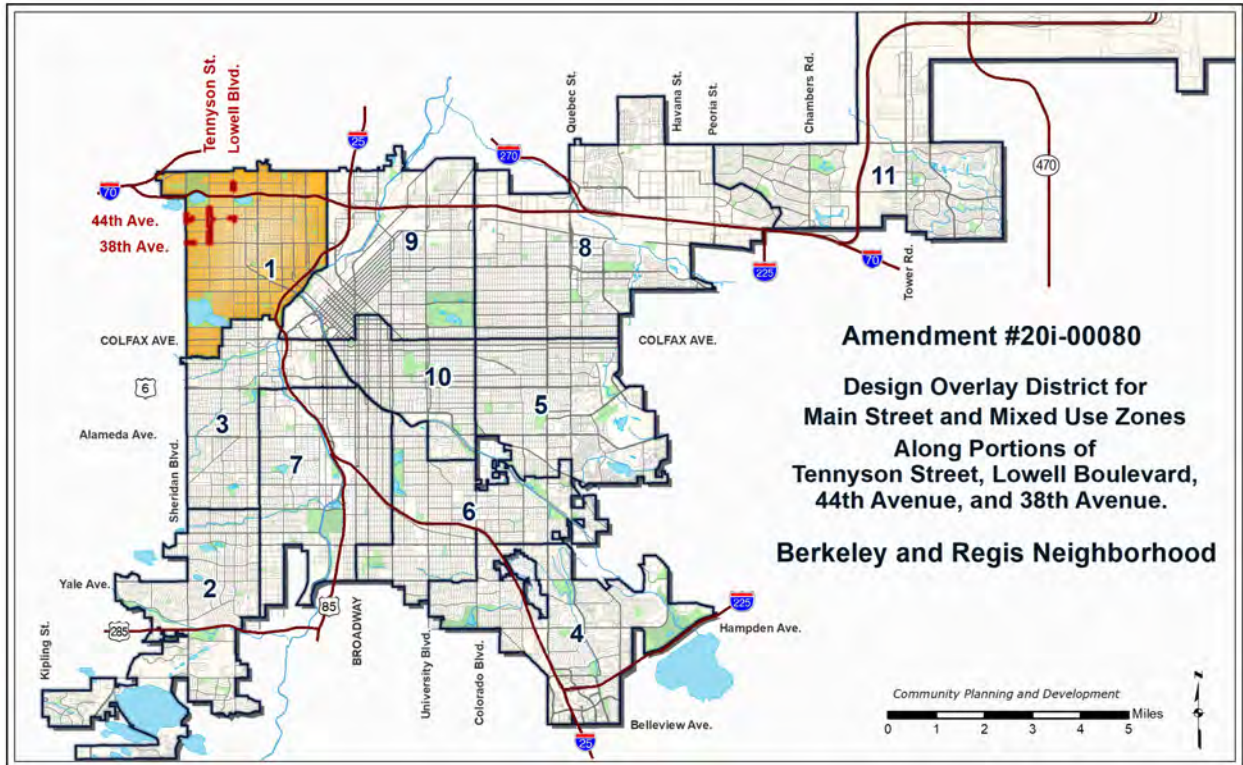
1. Ensure a mix of uses by providing uses other than household living residential across a portion of the ground floor
2. Increase pedestrian and outdoor dining space through setbacks and a more flexible range of where the building must be located
3. Create better transitions between public sidewalks and private residential units
4. Support a highly active street level with tall ground floors and many windows

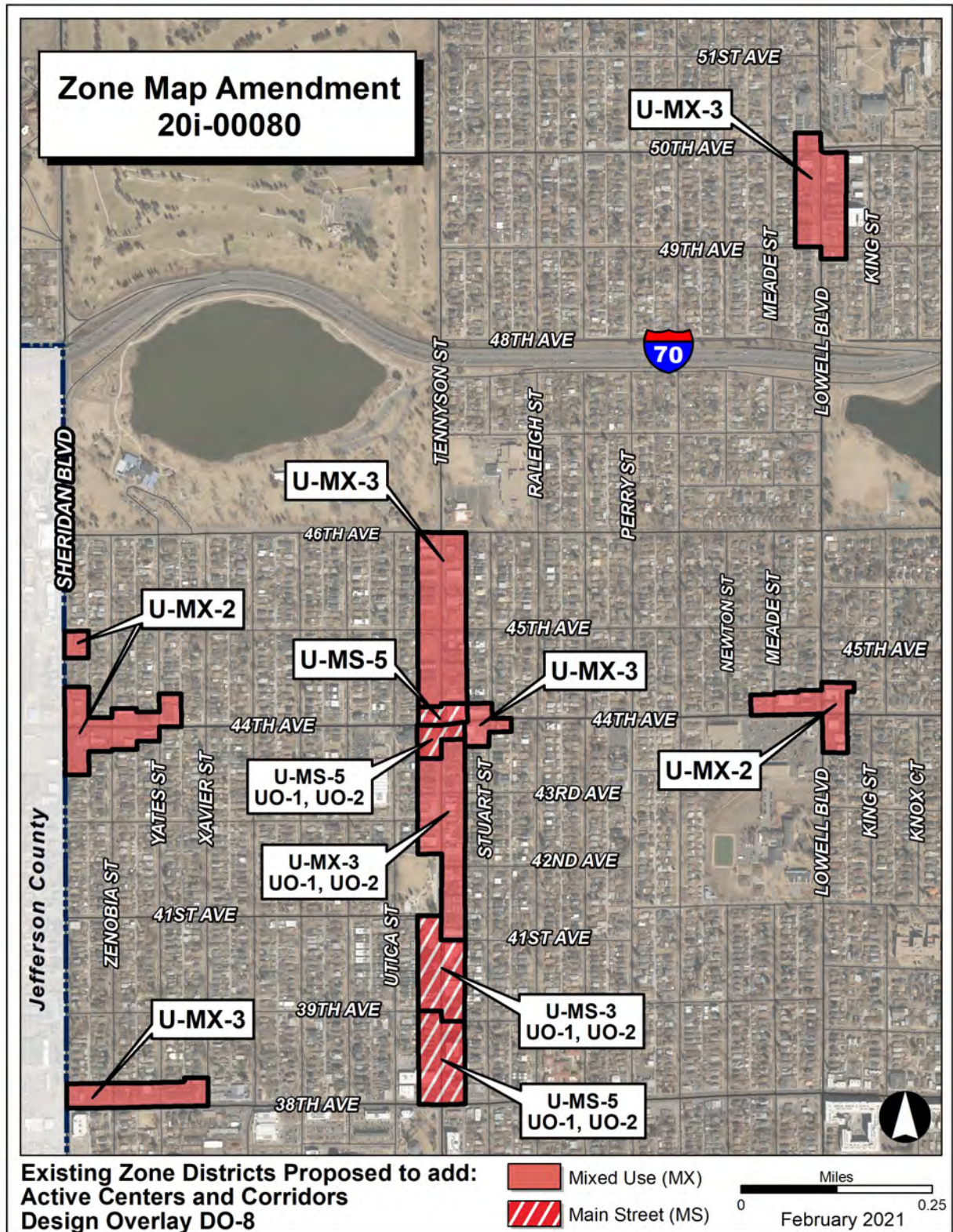
2. Map Amendment

Councilmember Sandoval is also sponsoring a map amendment to apply the Active Centers and Corridors Design Overlay to several properties in the Berkeley-Regis area that have existing underlying zoning ranging from U-MX-2 to U-MS-5. The proposed rezoning maintains the same underlying zoning and would apply DO-8 to over 450 properties (approximately 32 acres) located in six discrete areas along portions of Sheridan Boulevard, Tennyson Street, Lowell Boulevard, 44th Avenue, and 38th Avenue.

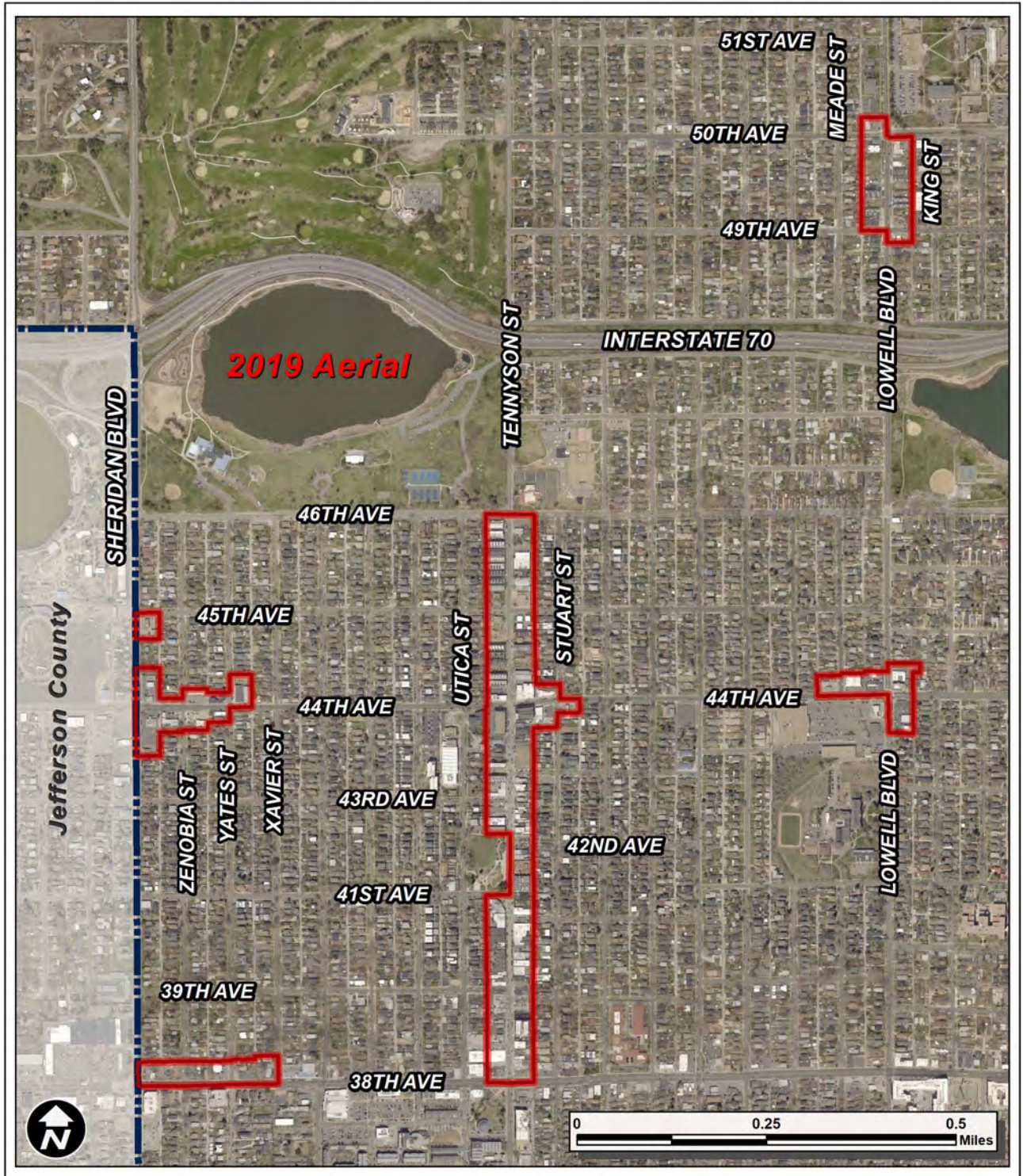
According to DZC Section 12.4.10.2, “Except as otherwise provided in Section 9.4.2.1 and Section 12.3.3.9, no land may be rezoned into any zone district not established in this Code.” According to DZC Section 12.3.3.9.C., “Notwithstanding Section 12.4.10.2, zone districts Not Available for Rezoning, creation of a new zone district by text amendment according to Section 12.4.11, Text Amendment, may, with the Manager’s approval, be filed and reviewed concurrent with a map amendment according to Section 12.4.10, Official Map Amendment (Rezoning). In no case, however, shall a map amendment rezoning land into a new zone district be approved until the text amendment creating the new zone district is approved.” CPD approved filing and reviewing this text amendment and map amendment proposal concurrently. Because the DO-8 zone district has not yet been established, the map amendment proposal shall not be approved until after City Council approves the text amendment to create the DO-8 zone district.

Further details of the zoning proposal can be found in the proposed zoning section of the staff report (below) and the attached draft text amendment.





Existing Context



The areas within the Berkeley and Regis neighborhoods proposed for rezoning contain a range of uses, building types, and heights representing the mixed-use character intended for Main Street and Mixed Use zone districts. However, some areas have converted to almost exclusively multi-unit residential dwellings, particularly along the northern end of Tennyson. This led the local Registered Neighborhood Organization of Berkeley Regis United Neighbors (BRUN) to work with the Council District 1 office over the last several years to develop the proposed design overlay and recommend this rezoning.

- Area 1 includes Tennyson Street from approximately 38th Avenue north to 46th Avenue.
- Area 2 includes 44th Avenue from the alley between Xavier Street and Yates Street west to Sheridan Boulevard and a small area at the southeastern corner of the 45th Avenue and Sheridan Boulevard intersection.
- Area 3 includes Lowell Boulevard from 49th Avenue north to 51st Avenue.
- Area 4 includes 44th Avenue from the alley between Newton Street and Meade Street east to the alley between Lowell Boulevard and King Street, and the southeast and northeast corners of the Lowell Boulevard and 44th Avenue intersection.
- Area 5 includes the north side of 38th Avenue from Xavier Street west to Sheridan Boulevard.

The following table summarizes the existing context proximate to the subject sites:

Area	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Area 1	<ul style="list-style-type: none"> • U-MS-5, UO-1, UO-2 • U-MS-3, UO-1, UO-2 • U-MX-3, UO-1, UO-2 • U-MS-5, UO-1, UO-2 • U-MS-5 • U-MX-3 • U-MX-3 	Commercial/Retail, Industrial, Mixed Use, Office, Parking, Single Unit Residential, and Multi-Unit Residential	1- to 1.5-story residential buildings, 2- to 3-story townhouses, 3- to 5-story multi-unit residential and mixed use buildings, 1- to 2-story commercial and industrial buildings	Generally regular grid of streets interrupted by the Cesar Chavez Park. Lot sizes vary from 25 feet wide to 150+ feet wide. Many buildings with side-by-side units oriented perpendicular to the street. Vehicle parking mostly to the rear of buildings.
Area 2	<ul style="list-style-type: none"> • U-MX-2 	Commercial/Retail, Industrial, Mixed Use, Parking	1-story commercial and industrial buildings, 2.5-story mixed use building	Generally regular grid of streets. Lot sizes tend to be larger from 100-150 feet wide. Most vehicle parking and access in the front of buildings.
Area 3	<ul style="list-style-type: none"> • U-MX-3 	Commercial/Retail, Mixed Use, Single Unit Residential, and Multi-Unit Residential	2- to 3-story townhouses, 1- to 2-story commercial and industrial buildings	Generally regular grid of streets. Lot sizes vary from 25 feet wide to 150+ feet wide. Many buildings with side-by-side units oriented perpendicular to the street. Some vehicle

Area	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
				parking and access in front of buildings.
Area 4	<ul style="list-style-type: none"> U-MX-2 	Commercial/Retail, Mixed Use, Office	1- to 2-story commercial and industrial buildings	Generally regular grid of streets. Lot sizes tend to be larger from 100-150 feet wide. Most vehicle parking and access in the front of buildings.
Area 5	<ul style="list-style-type: none"> U-MX-3 	Commercial/Retail, Industrial, Single Unit Residential, and Multi-Unit Residential	1- to 1.5-story residential buildings, 2- to 3-story townhouses, 1-story commercial and industrial buildings	Generally regular grid of streets. Lot sizes vary from 25 feet wide to 125 feet wide. Some vehicle parking and access in the front of buildings.

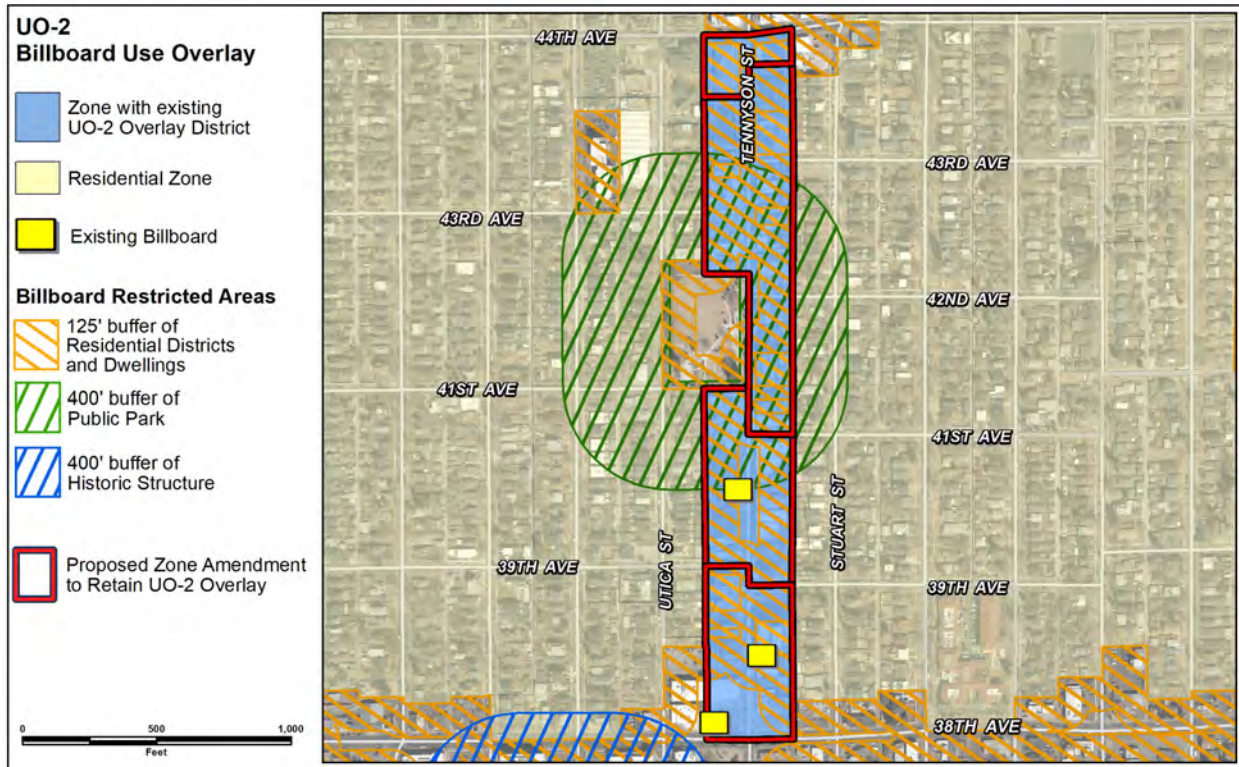
1. Existing Zoning

The existing zoning in the proposed rezoning area is comprised of Mixed Use and Main Street zone districts with 2-, 3-, and 5-story height limits in the Urban context. Some areas also include Use Overlays 1 and 2.

According to DZC Sections 5.2.3.1 and 5.2.5.1, Urban Mixed Use and Main Street zone districts are intended to promote safe, active, and pedestrian-scaled, diverse areas and commercial streets through the use of building forms that clearly define and activate the public street edge. Both Mixed Use and Main Street zone districts also share an intent to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city’s neighborhoods and along the city’s commercial streets. Mixed Use zone districts allow the Town House, General, Shopfront, Drive-Thru Services, and Drive-Thru Restaurant building forms. Main Street zone districts allow the Town House, Shopfront, Drive-Thru Services, and Drive-Thru Restaurant building forms.

Use Overlay 1 is the Adult Use Overlay Zone District and permits adult business uses with certain limitations (DZC Section 9.4.4.6).

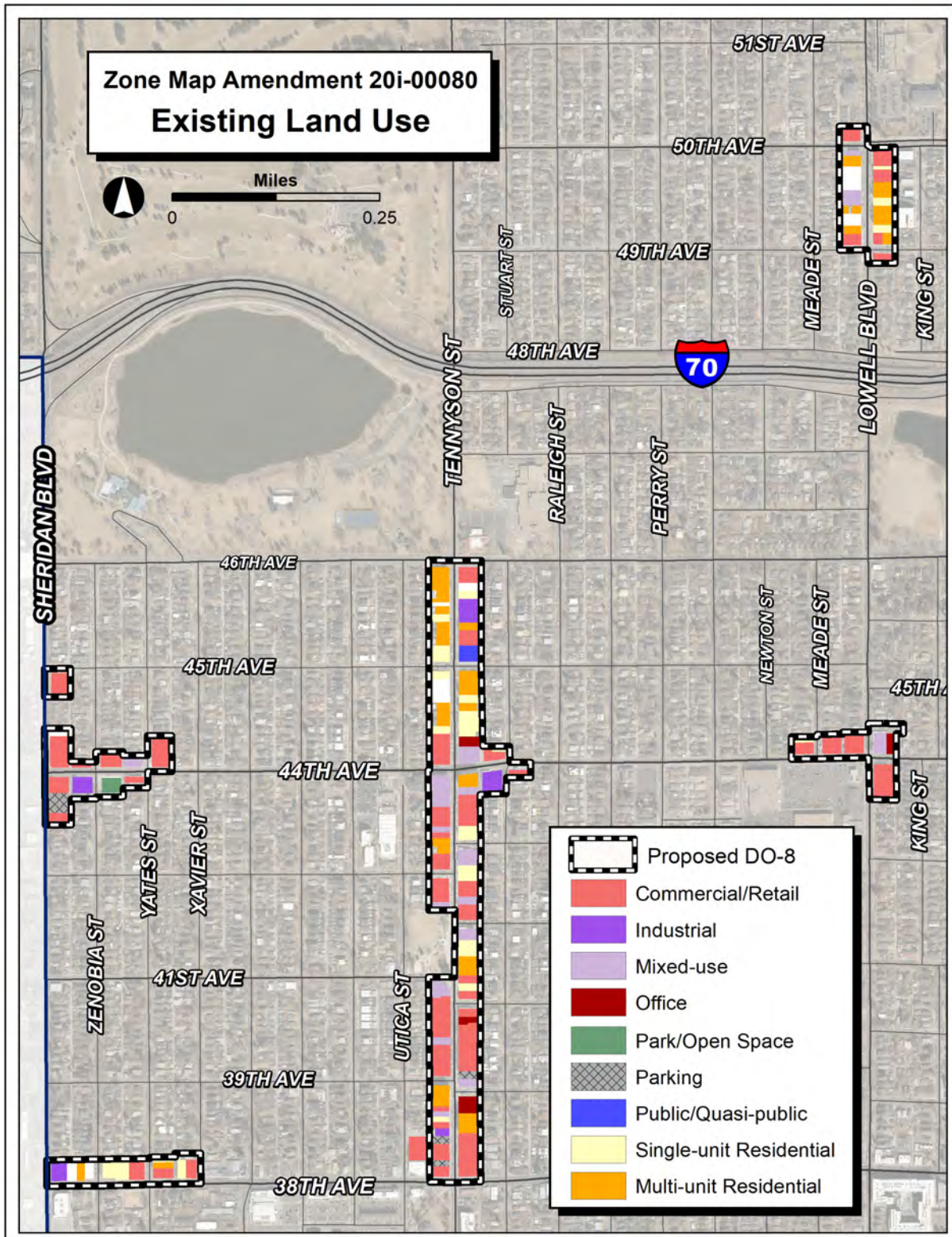
Use Overlay 2 is the Billboard Use Overlay Zone District and permits billboard signs with certain limitations (DZC Section 9.4.4.7). Billboards, or Outdoor General Advertising Devices, in Use Overlay 2 are regulated via DZC Section 10.10.21. Billboards are limited to 45 feet in height and subject to spacing requirements ranging from 125-500 feet relative to residential districts/dwellings, public parks, and historic structures, and other billboard signs. The Use Overlay 2 district exists along Tennyson Street from 38th Avenue to 44th Avenue, and includes three billboards. Due to the various spacing requirements there are very limited areas where new billboards would be possible in the future.



2. Large Development Review

The applicability of the large development review process is defined by DZC Section 12.4.12.2. There is no specific development concept for this legislative map amendment proposal, no adopted plan recommends use of the LDR process for this proposal, no infrastructure network or system improvements are anticipated, and there is no existing general development plan that needs to be amended. Therefore, although the area of the rezoning is larger than 5 acres, large development review was found to be inapplicable.

3. Existing Land Use Map



4. Existing Building Form and Scale

All images are from Google Street View.

AREA 1 – Tennyson from 38th to 46th



View facing north on Tennyson Street at 38th Avenue (U-MS-5, UO-1, UO-2)



View facing north on Tennyson Street approaching 39th Avenue (U-MS-5, UO-1, UO-2)



View facing north on Tennyson Street between 39th Avenue and 41st Avenue (U-MS-3, UO-1, UO-2)



View facing north on Tennyson Street at 41st Avenue (U-MX-3, UO-1, UO-2)



View facing north on Tennyson Street at 43rd Avenue (U-MX-3, UO-1, UO-2)



View facing south on Tennyson Street at intersection with 44th Avenue (U-MS-5, UO-1, UO-2)



View facing north on Tennyson Street between 44th Avenue and 45th Avenue (U-MX-3)



View facing north on Tennyson Street near 45th Avenue (U-MX-3)



View facing north on Tennyson Street approaching intersection with 46th Avenue (U-MX-3)

AREA 2 – 44th from Xavier/Yates to Sheridan and SE corner of 45th and Sheridan



View facing west on 44th Avenue near Yates Street (U-MX-2)



View facing west on 44th Avenue near Zenobia Street (U-MX-2)



View facing east on 44th Avenue at Sheridan Boulevard (U-MX-2)



View of southeastern corner at intersection of 45th Avenue and Sheridan Boulevard (U-MX-2)

Area 3 – Lowell from 49th to 51st



View facing north on Lowell Boulevard near 49th Avenue (U-MX-3)



View facing north on Lowell Boulevard between 49th Avenue and 50th Avenue (U-MX-3)



View facing north on Lowell Boulevard approaching 50th Avenue (U-MX-3)



View facing south on Lowell Boulevard approaching 50th Avenue (U-MX-3)

Area 4 – 44th from Newton/Meade to Lowell/King and SE and NE corners of Lowell and 44th



View facing east on 44th Avenue near Meade Street (U-MX-2)



View facing north approaching the intersection of 44th Avenue and Lowell Boulevard (U-MX-2)



View facing west on 44th Avenue approaching Lowell Boulevard (U-MX-2)

Area 5 – N side of 38th from Xavier to Sheridan



View facing east on 38th Avenue near Sheridan Boulevard (U-MX-3)



View facing east on 38th Avenue between Yates Street and Zenobia Street (U-MX-3)



View facing west on 38th Avenue at Xavier Street (U-MX-3)

Proposed Zoning

The proposed zoning request would retain the existing underlying zone districts, including any Use Overlay districts as applicable, and add the Active Centers and Corridors Design Overlay (DO-8). The DO-8 zone district is concurrently proposed with this rezoning request as DZC text amendment #9 and is intended to “encourage neighborhood mixed-use areas that support nonresidential active Uses at the Street Level, promote active pedestrian-oriented building frontages, and provide sufficient space for transitions between the public realm and private residential Dwellings.” The design overlay adds to or modifies the existing standards in the underlying zone districts and does not affect any permitted uses or allowed height limits. If the text amendment and rezoning are adopted, the proposed DO-8 zone will:

- Limit allowed building forms for primary structures to the Shopfront and Town House;
- Increase the build-to range from 0-5’ to 0-10’ in the Shopfront form to encourage more space for outdoor dining and similar uses;
- Establish a minimum 2’ primary street setback in the Shopfront form to increase pedestrian space;
- Introduce a minimum 7’ primary street setback in the Shopfront form for any ground floor residential units to create more space for transitions between the public sidewalk and private residential areas, and require individual ground floor residential units to provide an entrance with entry feature (porch, patio, stoop, etc.);
- Require parking to be located to the rear or side of buildings;
- Eliminate all alternatives to transparency requirements except for permanent art to encourage more windows at the street level;
- Require a minimum ground floor height to support the viability of nonresidential uses; and
- Ensure that a portion of the ground floor on lots more than 37.5’ wide includes nonresidential active uses to support a mix of uses and contribute goods and services to the local neighborhood.

Summary of City Agency Referral Comments

As part of the DZC review process, the text amendment and rezoning proposal is referred to potentially affected city agencies and departments for comment. A summary of agency referral responses follows:

Assessor: No response, approved

Asset Management: No response, approved

Denver Public Schools: No response, approved.

Department of Public Health and Environment: No response, approved

Denver Parks and Recreation: No response, approved

Public Works – R.O.W. – City Surveyor: Approved, no comments.

Development Services – Project Coordination: Approved, no comments.

Development Services – Fire Protection: No response, approved

Development Services – Transportation: Approved, no comments.

Development Services – Wastewater: Approved, with comments.

DES Wastewater approves the subject zoning change. The applicant should note that redevelopment of this site may require additional engineering including preparation of drainage reports, construction documents, and erosion control plans. Redevelopment may require construction of water quality and detention basins, public and private sanitary and storm sewer mains, and other storm or sanitary sewer improvements. Wastewater does have sanitary capacity concerns for the east side of Tennyson north to 47th Ave that may impact potential redevelopment. Redevelopment may also require other items such as conveyance of utility, construction, and maintenance easements. The extent of the required design, improvements and easements will be determined during the redevelopment process. Please note that no commitment for any new sewer service will be given prior to issuance of an approved SUDP from Development Services.

Public Process

	Date
On-going coordination with Berkeley Regis United Neighbors Zoning and Planning Committee	Fall 2017-Fall 2020
Property owner mailers and flyers (by Councilwoman Sandoval)	Spring 2020
Media advisory (by Councilwoman Sandoval)	2/28/2020

Two town halls (hosted by Councilwoman Sandoval)	3/5/2020, 3/11/2020
Direct conversations with property owners (by Councilwoman Sandoval)	Spring-Summer 2020
CPD informational notice of draft text amendment for public review to all City Council members and registered neighborhood organizations:	11/16/2020
Presentation to Inter-Neighborhood Coordination Zoning and Planning Committee	11/28/2020
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	11/30/2020
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, registered neighborhood organizations, and property owners:	1/15/2021
Planning Board public hearing:	2/3/2021
<i>CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting:</i>	2/2/2021
<i>Land Use, Transportation and Infrastructure Committee of the City Council:</i>	2/16/2021
<i>Property legally posted for a period of 21 days and CPD notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations:</i>	3/8/2021 (tentative)
<i>City Council Public Hearing:</i>	3/30/2021 (tentative)

RNO Comments

Berkeley Regis United Neighbors have submitted a letter of support for the text amendment and overlay with a vote of 10-0 in support on January 25, 2021.

Public Comments

As of the date of this staff report, CPD received 16 comments in support of the design overlay and rezoning citing a desire to maintain and enhance the walkability of these areas and ensure the continuation of commercial activity provided by local small businesses. One of these comments was conditional in their support and recommended additional strategies to further strengthen the

proposed overlay. Staff received four comments in opposition citing concerns related to the timing and applicability of the overlay, increased costs of construction, and that residential uses should be the focus in these areas.

Planning Board

Planning Board held a public hearing on February 3, 2021 and voted (8-1) to recommend approval of the proposed text and map amendment. There were 6 speakers at the public hearing, five in support and one in opposition.

Criteria for Review / Staff Evaluation

The criteria for review of this text amendment and rezoning are found in DZC, Section 12.4.11.4 and Section 12.4.10.7, respectively. These criteria are summarized as follows:

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

Note: Because the City Attorney's Office has determined this to be a legislative map amendment proposal, the additional criteria for non-legislative map amendments in DZC Section 12.4.10.8 do not apply.

1. Consistency with Adopted Plans

The following adopted plans apply this text amendment and map amendment:

- Denver Comprehensive Plan 2040 (2019)
- Blueprint Denver (2019)

Denver Comprehensive Plan 2040

The proposed text amendment and rezoning are consistent with Denver Comprehensive Plan 2040 strategies, which are organized by vision element.

The proposed text and map amendments will further *Comprehensive Plan 2040's* Equitable, Affordable and Inclusive goal to ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities. The text amendment creates a new overlay zone district that promotes pedestrian-oriented design standards and nonresidential uses in embedded neighborhood centers and corridors. The map amendment applies the overlay to specific locations within the Berkeley-Regis area to ensure existing commercial areas continue to provide local goods and services to nearby residents.

- Equitable, Affordable and Inclusive Goal 1, Strategy C – Improve equitable access to resources that improve quality of life, including cultural and natural amenities, health care, education, parks, recreation, nutritious food and the arts. (p. 28)

The enhanced zoning standards in the new overlay that contribute to more walkable and active neighborhood centers apply even more directly to the Strong and Authentic Neighborhoods vision element goals to create a city of complete neighborhoods, enhance neighborhoods through high-quality urban design, and ensure every neighborhood is economically strong and dynamic. will

support infill development that is consistent with traditional patterns of street level nonresidential space and help reduce the displacement of local businesses.

- Strong and Authentic Neighborhoods Goal 1, Strategy A – Build a network of well-connected, vibrant, mixed-use, centers and corridors. (p. 34)
- Strong and Authentic Neighborhoods Goal 1, Strategy D – Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities. (p. 34)
- Strong and Authentic Neighborhoods Goal 2, Strategy C – Create people-oriented places that embrace community character with thoughtful transitions, aspirational design and an engaging public realm. (p. 34)
- Strong and Authentic Neighborhoods Goal 4, Strategy A – Grow and support neighborhood-serving businesses. (p. 35)

The Economically Diverse and Vibrant goal to sustain and grow Denver’s local neighborhood businesses will be supported by the requirement for projects on larger lots to provide nonresidential space at the street level. This will increase the amount of commercial space in these areas, ultimately enhancing the availability, and hopefully affordability, of space for new businesses.

- Economically Diverse and Vibrant Goal 3, Strategy A – Promote small, locally-owned businesses and restaurants that reflect the unique character of Denver. (p. 46)

The text and map amendments also address the Environmentally Resilient goal to clean soils, conserve land, and grow responsibly by contributing to the mixed-use character of neighborhoods. This encourages nearby residents to obtain goods and services locally, thereby reducing their overall footprint and potential impact on transportation infrastructure.

- Environmentally Resilient Goal 8, Strategy B – Encourage mixed-use communities where residents can live, work, and play in their own neighborhoods. (p. 54)

Blueprint Denver

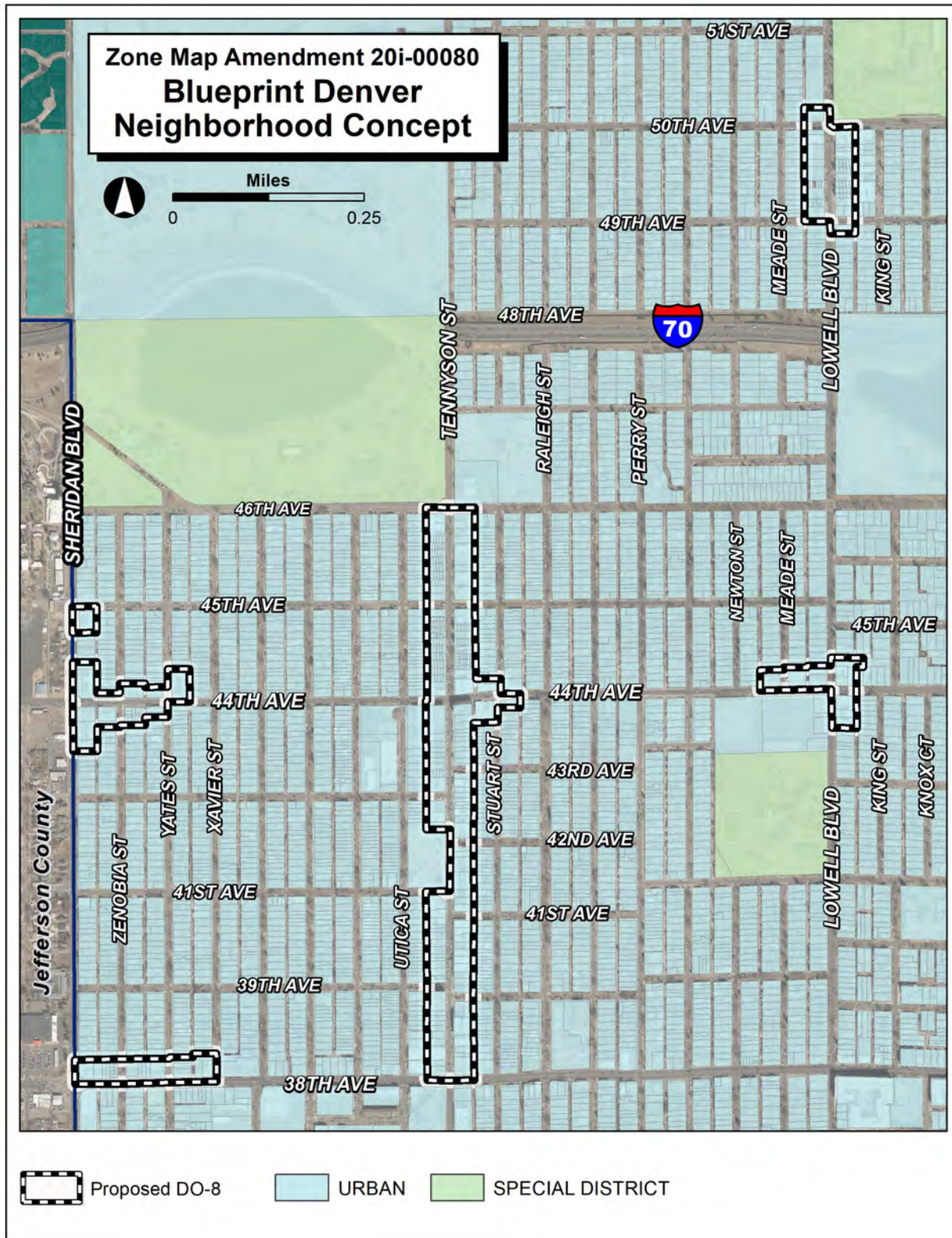
Blueprint Denver is Denver’s citywide, long range, land use and transportation plan, adopted by City Council in 2019 as a supplement to *Comprehensive Plan 2040*. The area of the rezoning is predominantly identified as Local Corridors and Local Centers future places within the Urban Neighborhood Context. Local Centers and Corridors are described as being typically embedded within residential areas, should become more common in all neighborhoods as Denver continues to evolve, and are highly walkable and pedestrian friendly. The proposed rezoning will promote development that supports the complete neighborhood and transportation network vision in *Blueprint Denver*, including neighborhood context, place, street type and growth guidance.

Blueprint Denver Future Neighborhood Context

The Urban neighborhood context predominantly contains “small, multi-unit residential and low intensity mixed-use buildings ... embedded in single-unit and two-unit residential areas. Block patterns are a regular grid with consistent alley access. Where they occur, multi-unit buildings are low-scale. Mixed-use buildings are sited in a pedestrian-friendly manner near the street” (p. 222). The underlying U-MX/MS-2, -3, and -5 are zone districts within the Urban neighborhood context and are intended to promote safe, active, and pedestrian-scaled areas through building forms that clearly define and activate the public street edge. Both zone districts are intended to enhance the

convenience, ease and enjoyment of transit, walking, shopping and public gathering (DZC Sections 5.2.3.1 and 5.2.5.1).

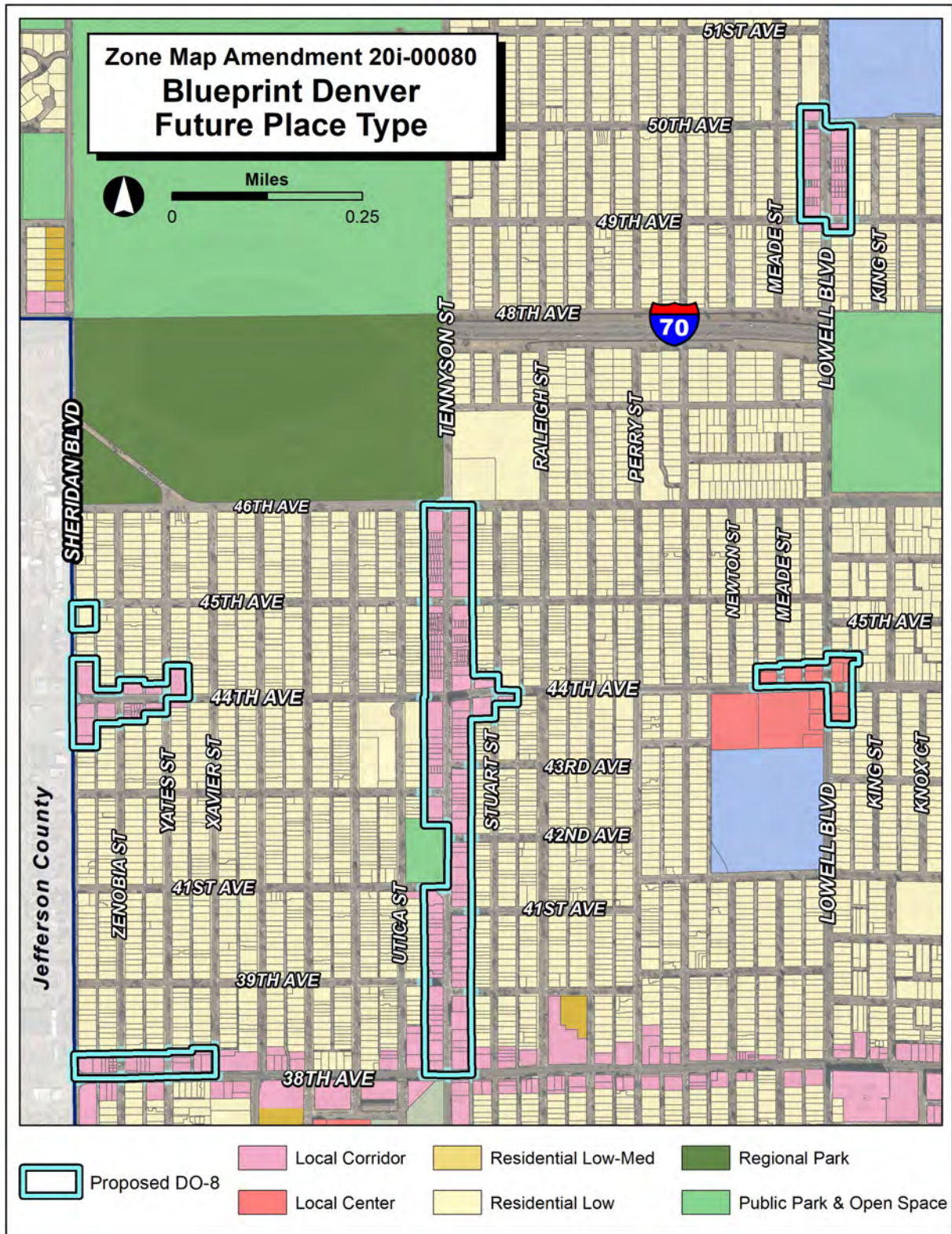
The application of the DO-8 overlay is consistent with the Blueprint future neighborhood context of Urban because it will promote active, pedestrian friendly streets that will be compatible with the existing residential area. The overlay will ensure that the subject areas “offer residents a mix of uses with good street activation and connectivity” (p. 222).



Blueprint Denver Future Places

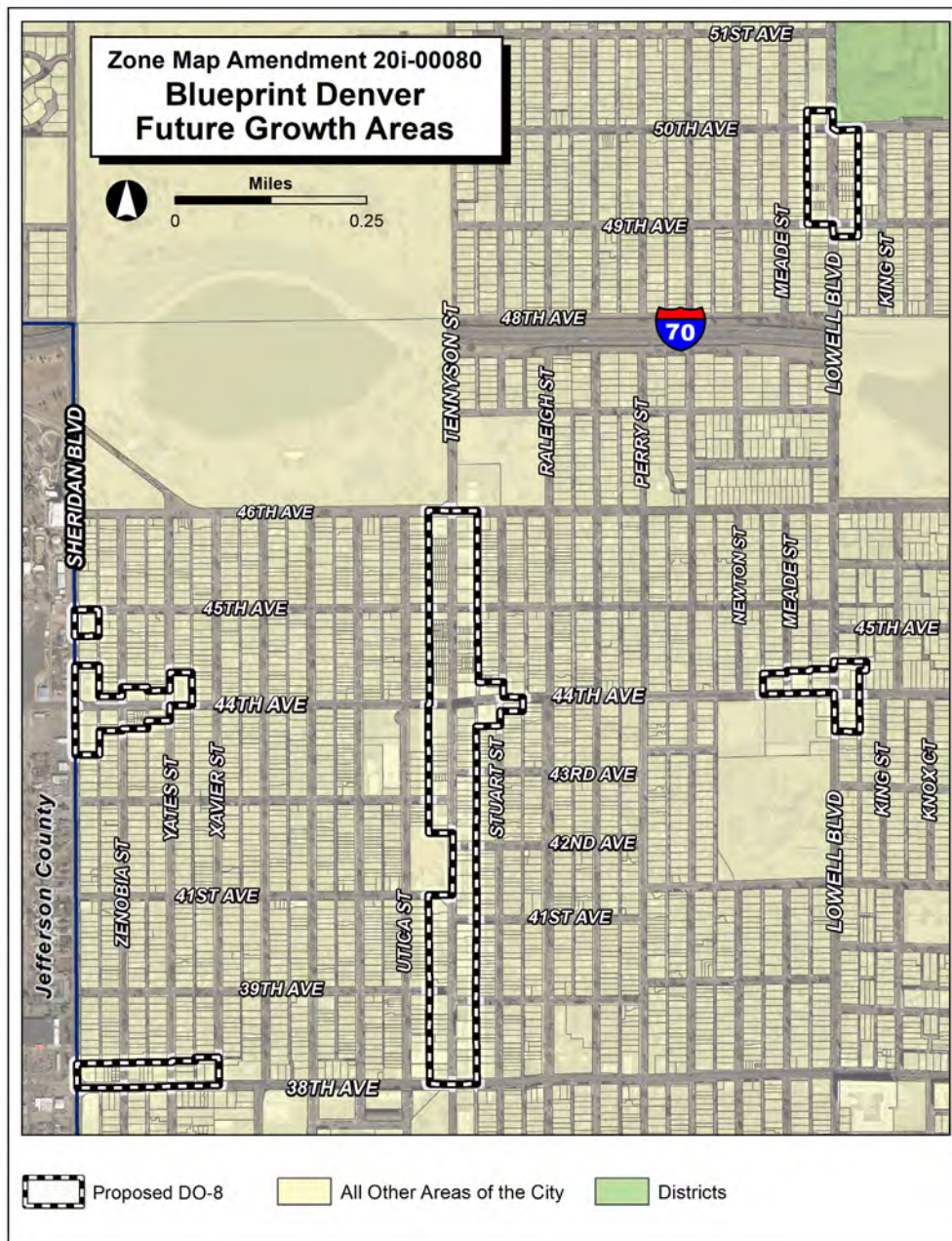
The subject sites are designated as Local Corridors and Centers on the *Blueprint Denver Future Places* map. Both of these place types “primarily provides options for dining, entertainment and shopping” and “may also include some residential and employment uses” (pages 226 and 228). In addition, in a Local Corridor, “Buildings have a distinctly linear orientation along the street with very shallow setbacks. The scale is intimate with a focus on the pedestrian. The public realm is typically defined by lower-scale buildings with active frontages” while “social spaces, such as patios and plazas, often occur along the street or within deeper building setbacks” (p. 228). In a Local Center, “Where residential occurs, it should primarily be located to encourage active street frontages. The public realm is typically defined by lower-scale buildings with active frontages providing a more intimate, pedestrian scale.” (p. 226). The rezoning to apply the DO-8 overlay will result in standards that align better with vision for Local Corridor and Center place types, than the current standards in the underlying MX and MS zone districts.

There are three small locations near the periphery of the proposed rezoning areas that are designated Residential Low in the *Blueprint Denver Future Place* map, however based on the analysis, it is still appropriate for DO-8 to apply. First, *Blueprint Denver* recognizes that the Future Places map is at a citywide scale and able to be interpreted with limited flexibility, particularly at the edges of areas, and if the rezoning request furthers the goals of *Blueprint Denver* and is consistent with the overall intent (p. 66). In addition, these areas have existing U-MX-2 and U-MX-3 zoning and can contain a mix of residential and commercial uses by right. Because the overlay will not modify the underlying zone districts, we believe future mixed use development in these areas should meet the enhanced standards proposed by DO-8.



Blueprint Denver Growth Strategy

Blueprint Denver’s growth strategy map is a version of the future places map, showing the aspiration for distributing future growth in Denver (p. 51). The subject properties are part of the “all other areas of the city” growth area. These areas anticipate experiencing around 20% of new housing growth and 10% of new employment growth by 2040 (p. 51). These are “mostly residential areas with embedded local centers and corridors [that] take a smaller amount of growth intended to strengthen the existing character of our neighborhoods” (p. 49). The proposed map amendment to apply DO-8 will ensure that *both* housing growth and employment growth can occur, rather than new housing resulting in a net loss of businesses providing goods and services.



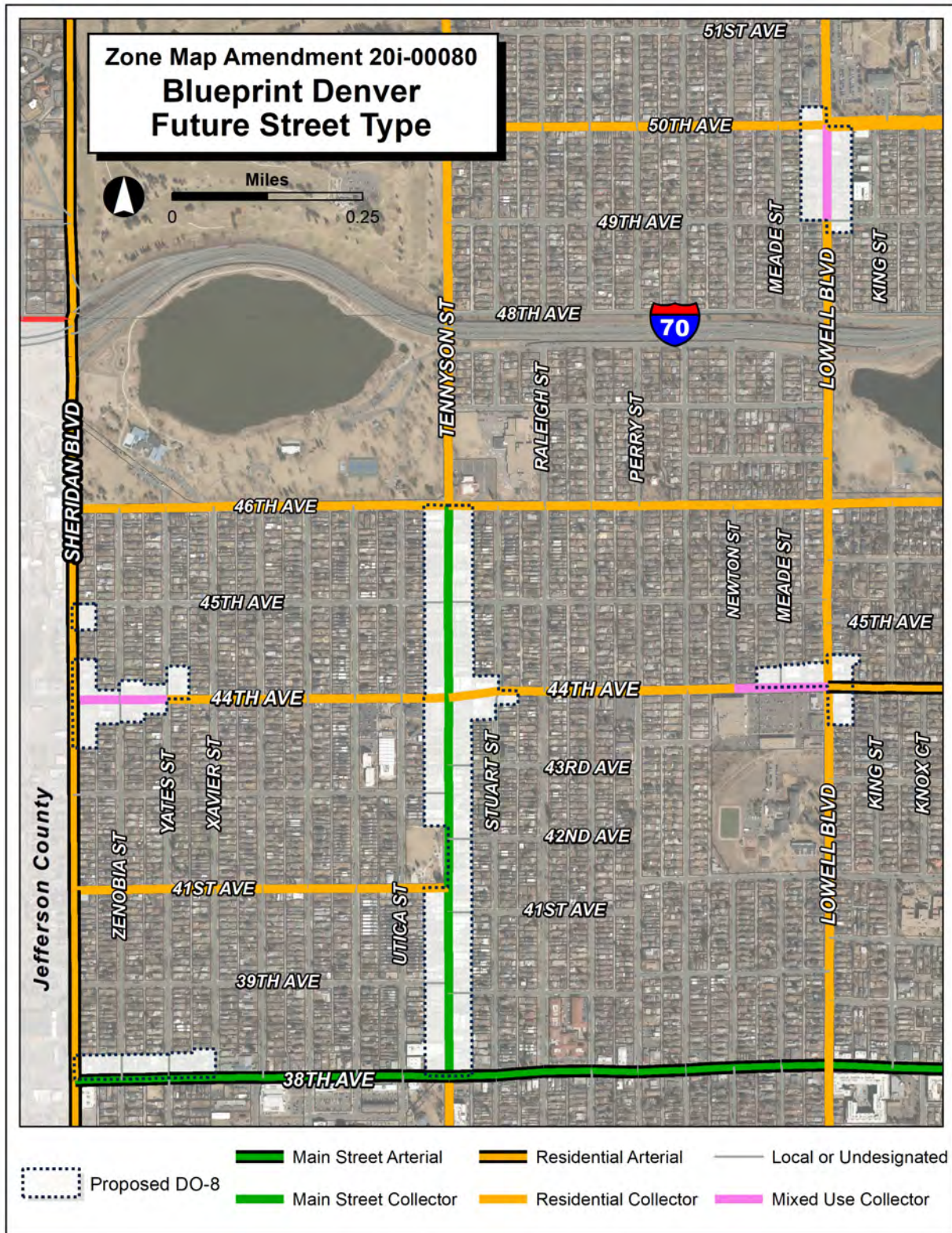
Blueprint Denver Future Street Types

In *Blueprint Denver*, future street types work in concert with future places to evaluate the appropriateness of the intensity of the adjacent development (p. 67). There are three volume classifications of Local, Collector, and Arterial, that are further refined by six types of surrounding context.

Primarily, there are two Future Street Types present in the proposed rezoning area. 44th and Lowell are Mixed Use Collectors. These are characterized by a varied mix of uses, including residential. Buildings along the street are typically multi-story, with high building coverage and a shallow setback. Street wall is present but may vary and there are more frequent driveways and curb cuts (p. 159). Tennyson and 38th are Main Street Collectors. These are “characterized by a mix of uses including retail, services and restaurants, as well as residential. Buildings are pedestrian-oriented, with little front setback, a continuous street wall, and high transparency. Street level uses are highly activated, including cafe seating in the right-of-way. Sidewalks are generally wider with fewer driveways” (p. 158).

In addition, a few smaller peripheral locations are bordered by Residential Collector streets which are characterized by primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses and usually have buildings with a modest setback (p. 160). The existing underlying U-MX zoning already allows uses other than household living residential uses but has no setback requirement. The enhanced setback and build-to standards included in DO-8 will ensure future outcomes will better align the desired character of these types of streets.

All proposed areas are also indicated as “Pedestrian Enhanced Areas” in *Blueprint Denver* which specifically focus on enhancing the pedestrian experience, including widening pedestrian right of way (p. 171). The proposed map amendment to Overlay DO-8 is consistent with these street types and pedestrian enhanced area goals as it reinforces pedestrian-oriented design.



Blueprint Denver Recommendations and Strategies

Blueprint Denver contains numerous recommendations related to pedestrian-oriented design and provision of uses in mixed use areas.

Land Use and Built Form, General, Policy 11

- To “Implement plan recommendations through city-led legislative rezonings and text amendments.” (p. 79)
- **Strategy C** states “Use a robust and inclusive community input process.”

The effort to prepare the text amendment and proceed with a legislative rezoning to apply the new DO-8 have spanned two Councilmembers and several years of discussions with City staff and BRUN stakeholders. District 1 led a robust community input process as evidenced by the public process section above.

Land Use and Built Form: Economics, Policy 4

- To “Promote creative industries, maker spaces, artists and small businesses as vital components of Denver’s innovation economy.” (p. 92)

Land Use and Built Form, Economics, Policy 6

- To “Ensure Denver and its neighborhoods have a vibrant and authentic retail and hospitality marketplace meeting the full range of experiences and goods demanded by residents and visitors.” (p. 93)

The DO-8 and associated rezoning will lead to increased opportunities for nonresidential space in locations that are well served by local residents and visitors alike. These spaces may spur new innovation and small business concepts that may otherwise have been limited by space options or rents in these highly desirable areas.

Land Use and Built Form: Design Quality and Preservation, Policy 3

- To “Create exceptional design outcomes in key centers and corridors.” (p. 102)
- **Strategy D** states “Use design overlays in limited areas to direct new development towards a desired design character unique to that area that cannot be achieved through other tools ...”

The proposed DO-8 includes several pedestrian-oriented design standards that will complement and clearly enhance the existing Mixed Use and Main Street zone districts in key corridors and centers that support the surrounding neighborhoods.

Land Use and Built Form: Design Quality and Preservation, Policy 4

- To “Ensure an active and pedestrian friendly environment that provides a true mixed-use character in centers and corridors.” (p. 103)
- **Strategy A** states “Require strong street-level active use standards for local centers and corridors. This may include a prohibition on residential units for a portion of the street level building. Given the intent of these small-scale places to provide services embedded in the neighborhood, it is important for them to provide more than residential uses.”

Mobility, Policy 1

- To “Encourage mode-shift — more trips by walking and rolling, biking and transit — through efficient land use and infrastructure improvements.” (p. 108)
- **Strategy D** states “Increase the number of services and amenities that are available by walking, rolling and biking by integrating more local centers and corridors into residential areas, especially for areas that score low in Access to Opportunity.”
- **Strategy E** states “Promote mixed-use development in all centers and corridors.”

DO-8 includes incorporates a fundamental new zoning standard that places uses other than household living residential on a portion of the ground floor of larger projects. This is currently missing in the underlying Mixed Use and Main Street zone districts, but is critical to maintaining and expanding the success of the neighborhood-serving corridors and centers in the proposed rezoning. This is directly in support of the two policies directly above to ensure that centers and corridors provide mixed-use development, increase the availability of goods and services to nearby areas, and establish a pedestrian-friendly environment that encourages walking, rolling, etc.

Mobility, Policy 3

- To “On all streets, prioritize people walking and rolling over other modes of transportation.” (p. 109)
- **Strategy C** states “Ensure that café seating in the public right-of-way provides ample and high-quality space for pedestrians and streetscaping, especially in areas with high pedestrian volumes.”

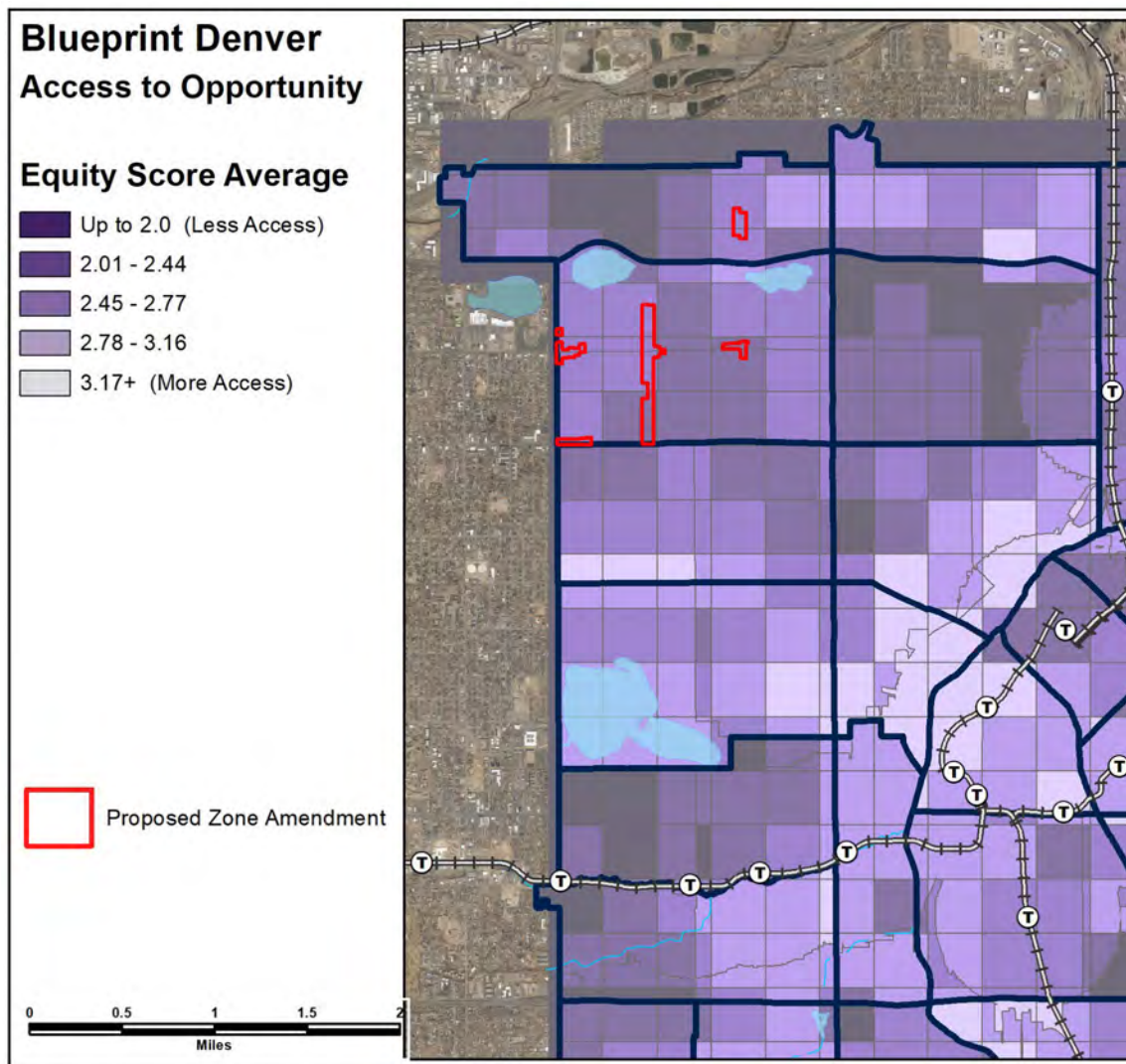
Enhanced standards in the proposed DO-8 meet Mobility, Policy 3, and are intended to expand the area for pedestrians and provide greater flexibility for buildings to offer outdoor café seating without encroaching into the sidewalk and pedestrian area.

Blueprint Denver Equity Concepts

Blueprint Denver contains three equity concepts to help guide change to benefit Denver residents and visitors. Each equity concept has associated measurements to help inform considerations for large-scale city-led map amendments along with other implementation actions.

Access to Opportunity

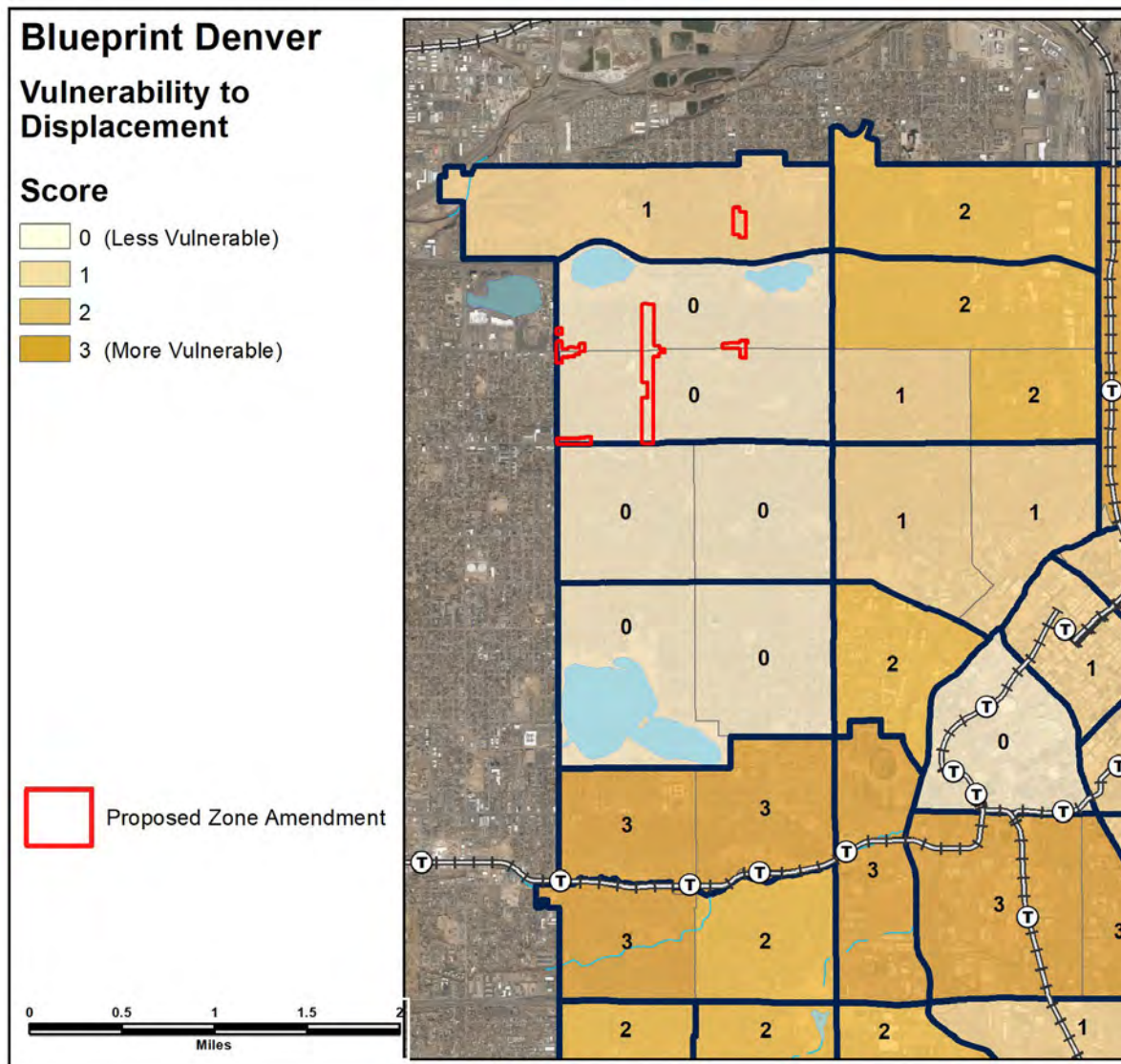
The basis for measuring access to opportunity is a composite of the neighborhood equity index developed by Denver’s Department of Public Health and Environment, proximity to high-capacity and frequent transit, and access to centers and corridors. Access to opportunity helps us to consider if we are making progress towards achieving the vision for complete neighborhoods across the city.



Overall, the areas in Berkeley and Regis neighborhoods in the proposed rezoning have an average of moderate access to opportunity. The proposed overlay and rezoning will further increase access to opportunity by encouraging walkability in the area and ensuring that new development includes nonresidential uses that can contribute to jobs, services and amenities. Staff finds that this rezoning application will have a net positive impact on the area’s access to opportunity.

Vulnerability to Displacement

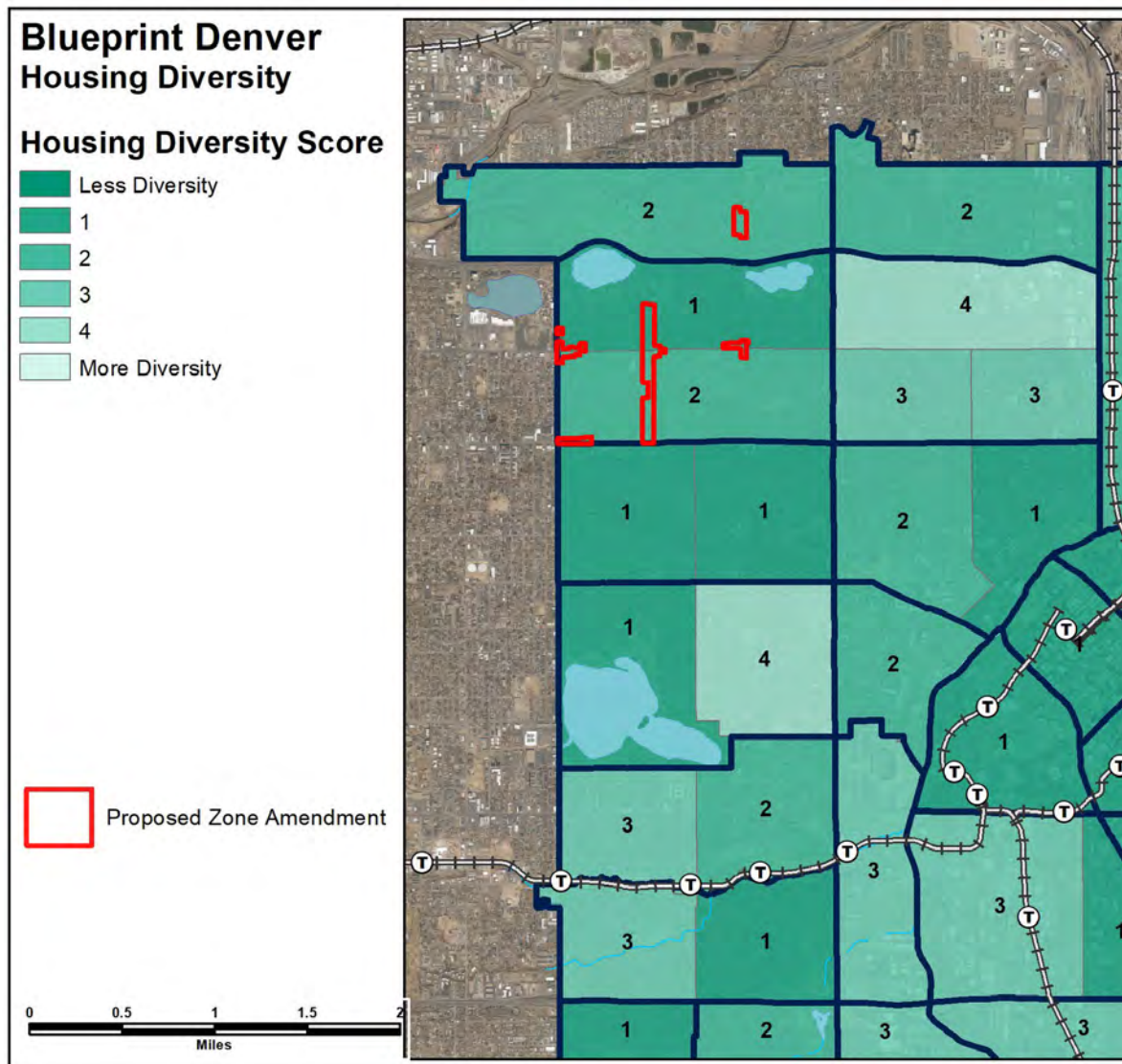
The basis for measuring vulnerability to displacement is the vulnerability to displacement index developed by the Denver Economic Development and Opportunity office. This combines data from median household income, percentage of people who rent housing, and percent of population with less than a college degree. This concept is used to stabilize “residents and businesses who are vulnerable to involuntary displacement due to increasing property values and rents” (p. 30).



The Berkeley properties are indicated as areas with low vulnerability to displacement while the Regis areas have moderate vulnerability. The Regis score is a result of a higher percentage of the population with less than a college degree. The proposed overlay is not anticipated to significantly impact the metrics associated with vulnerability to displacement. However, by ensuring nonresidential space continues to be offered in new development, this could reduce vulnerability to displacement by making space more available and affordable to local businesses. Staff finds that this rezoning will not have a negative impact on this measurement and that no housing or businesses will be displaced as a result.

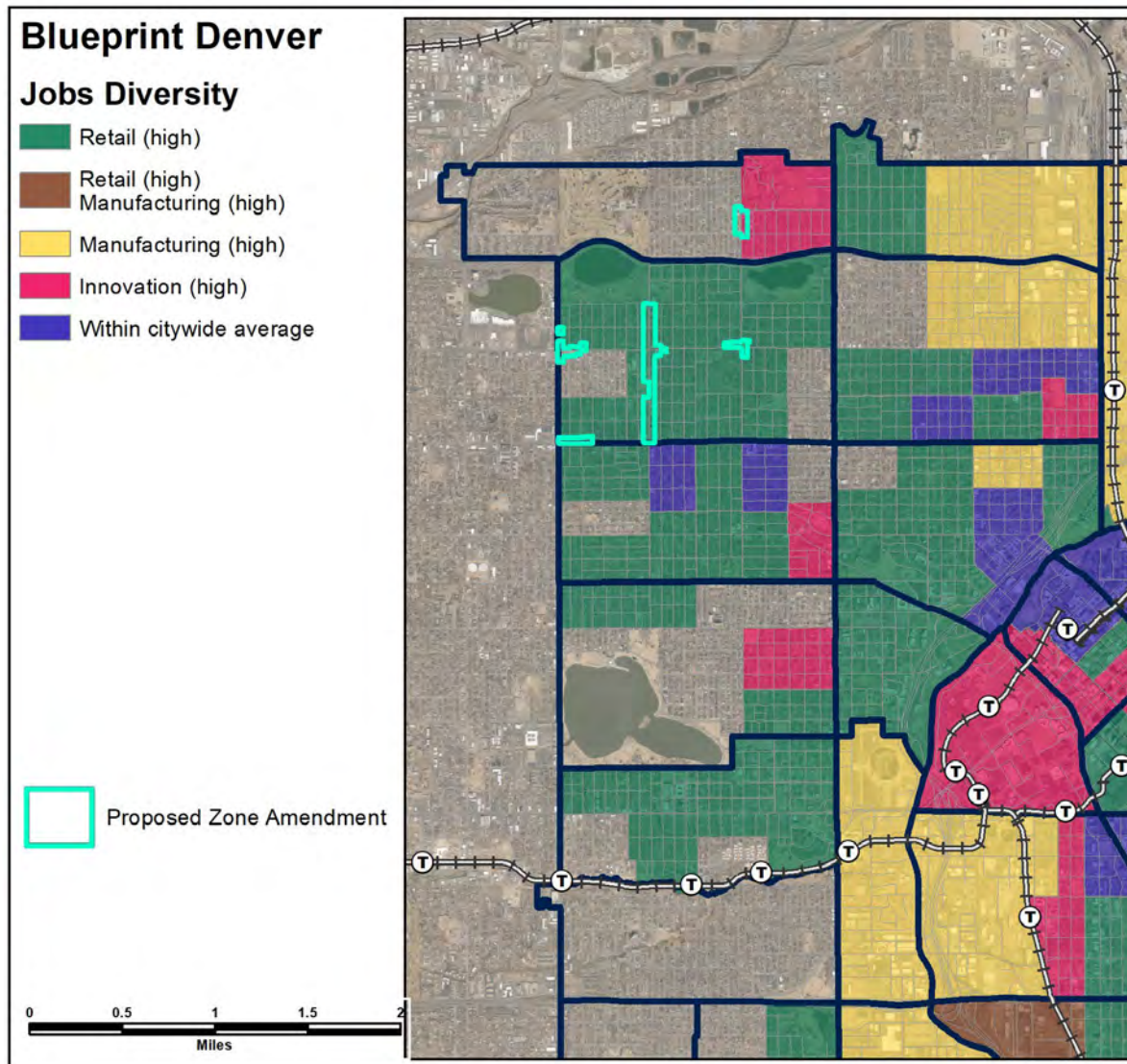
Expanding Housing and Jobs Diversity

As a *Blueprint Denver* Equity Concept, housing diversity refers to an area being able to offer residents a variety of housing options to accommodate households of different ages, sizes and incomes. The housing diversity map combines census tract-level data measuring the percentage of middle-density housing (housing with 2-19 units), home size diversity, ownership vs. rental, housing costs and the number of income-restricted units.



Both Berkeley and Regis areas within the proposed rezoning are indicated as areas with low to moderate housing diversity. The neighborhoods are diverse in terms of home size, but not diverse in terms of middle-density housing or home ownership compared to rental. Staff finds that this rezoning may have a slight impact on housing diversity by leading to slightly fewer new dwelling units than otherwise would be built, since it restricts residential uses for a portion of the ground floor.

Access to a range of quality jobs enables people of different incomes and education levels to find employment and wealth building opportunities. To measure jobs diversity, the city looks at the number of jobs available and how the variety of these jobs compares to the variety of jobs citywide.



The subject areas within Berkeley and Regis have a low to moderate density of jobs, with the greater concentration of employment near Regis University. Overall, there is higher diversity of retail and innovation jobs than the citywide average in the two neighborhoods, but lower manufacturing diversity. The proposed rezoning may have a positive impact on job diversity in the neighborhood by creating new opportunities for employment. Staff finds that this rezoning application will have a positive impact on the area's jobs diversity.

2. Public Health, Safety and General Welfare

The City of Denver has adopted multiple plans in the interest of public health, safety and the general welfare including Comprehensive Plan 2040 and Blueprint Denver. As described in detail above, the text amendment and rezoning contribute to the goals, policies and strategies in these City plans, and through implementation furthers the health, safety and welfare of the City.

In addition, the proposed text amendment and rezoning further the general public health, safety and welfare of Denver residents by implementing enhanced design standards that reinforce the desired character of neighborhood mixed-use centers and corridors and encouraging more pedestrian-oriented outcomes. It has been shown that pedestrian-friendly, mixed-use areas can contribute to increased physical activity¹, greater community engagement², and mental health³.

(1) Ewing, R., and R. Cervero, 2010. (2) Putnam, 2000. (3) Lund, 2002. Per *Making Healthy Places: Designing and Building for Health, Well-being, and Sustainability*. Ed. Andrew L Dannenberg, Howard Frumkin, and Richard J. Jackson, Island Press, 2011.

3. Uniformity of District Regulations and Restrictions

This text amendment will result in uniform regulations applicable to all new development within the Active Centers and Corridors Design Overlay zone district. The proposed rezoning to apply the DO-8 overlay will result in the uniform application of zone district building form, use and design regulations within each zone district. No waivers and conditions are requested.

CPD Recommendation

1. Text Amendment

Based on the review criteria for text amendments stated in Denver Zoning Code (DZC), Section 12.4.11 (Text Amendment), CPD staff recommends that the Land Use, Transportation, and Infrastructure committee move Text Amendment #9 of the Denver Zoning Code forward for consideration by the full City Council.

2. Map Amendment

Based on the review criteria for an official map amendment stated in the DZC, Section 12.4.10 (Map Amendment), staff recommends that the Land Use, Transportation, and Infrastructure committee move Map Amendment #2020I-00080 forward for consideration by the full City Council.

Attachments

1. Draft of Text Amendment #9
2. Map Amendment Proposal
3. RNO and public comments/letters



Denver Zoning Code Text Amendment #9

Active Centers and Corridors Design Overlay (DO-8) and Shopfront Consistency

LAND USE, TRANSPORTATION, AND INFRASTRUCTURE COMMITTEE DRAFT - 02/04/2021

This document contains the draft of a proposed text amendment to the Denver Zoning Code to create the Active Centers and Corridors Design Overlay (DO-8) and create consistency in the Shopfront building form in Article 5. Councilwoman Amanda Sandoval requested Community Planning and Development draft this text amendment. Councilwoman Sandoval has also sponsored an official map amendment (rezoning) to apply the Active Centers and Corridors Design Overlay to several existing Urban Mixed Use and Urban Main Street districts in the Berkeley and Regis neighborhoods.

This review draft includes proposed amendments to Article 5 (edit to the Shopfront building form to create consistency with Shopfront building forms in other contexts), Article 9 (regulations for the DO-8), and Article 13 (addition of a standard to definition of Structure, Compliant).

Review Draft Document Conventions

- Text in red underline is proposed new language.
- Text in ~~red strikethrough~~ is proposed deleted language.
- Text in ~~blue strikethrough~~ is being moved from one section/location to another.
- Text in blue, no strikethrough, has been moved from another section/location.
- Only pages with changes relevant to this text amendment are included in the review file. You may wish to look at other sections for additional context.
- While efforts are made to ensure document quality, cross-referenced section numbers, figure numbers, page numbers, and amendment numbers may appear incorrect since both new and old text appears in a draft. These will be corrected in the final, "clean" version of the text amendment that is filed for adoption by City Council.
- Additionally, please note that coordination will continue throughout the process to ensure constancy of approach and administration with other ongoing text amendments. If other ongoing text amendments are adopted after the LUTI draft, the final, "clean" version of the text amendment that is filed for adoption by City Council will be updated to reflect the other adopted text amendment.

Visit www.denvergov.org/textamendments to learn more about this proposed text amendment. Please send any questions or comments to Kristofer Johnson at kristofer.johnson@denvergov.org.

Other Denver Zoning Code Text Amendments in Progress

The text in this document reflects changes to the Denver Zoning Code as amended through November 12, 2020. The changes indicated here do not reflect Text Amendment #8 (Group Living).

**ALL INTERESTED PERSONS AND ORGANIZATIONS SHOULD EXPRESS THEIR CONCERNS OR SUPPORT
AT THE PUBLIC HEARING BEFORE CITY COUNCIL.**

SHOPFRONT

			U-MS-2 U-MS-2x U-MX-2	U-MS-3	U-MS-5
HEIGHT	U-RX-3	U-RX-5	U-MX-2x	U-MX-3	U-MS-5
Stories (max)	3	5	2	3	5
A Feet (min/max)	na/45'	na/70'	na/30'	na/45'	24'/70'
SITING	U-RX-3	U-RX-5	U-MX-2x	U-MX-3	U-MS-5
REQUIRED BUILD-TO					
B Primary Street (min build-to % within min/max range)	70% 0'/15'	70% 0'/15'	75% 0'/5' Residential Only Buildings: 0'/10'		
C Side Street (min build-to % within min/max range)	na	na	25% 0'/5' Residential Only Buildings: 0'/10'		
SETBACKS					
Primary Street (min)	0'	0'	0'	0'	0'
Side Street (min)	0'	0'	0'	0'	0'
Side Interior (min)	0'	0'	0'	0'	0'
D Side Interior, adjacent to Protected District (min)	10'	10'	U-MS-2x, U-MX-2x: 5' All Other Zone Dis- tricts:10'	10'	10'
Rear, alley and no alley (min)	0'	0'	0'	0'	0'
Rear, adjacent to Protected District , alley/no alley (min)	0'/10'	0'/10'	U-MS-2x, U-MX-2x: 12'/20' All Other Zone Dis- tricts: 0'/10'	0'/10'	0'/10'
PARKING					
Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed		MS: Not Allowed/Not Allowed		
E Surface Parking Screening	See Article 10, Division 10.5				
Vehicle Access	Shall be determined as part of Site Development Plan Review				
DESIGN ELEMENTS	U-RX-3	U-RX-5	U-MX-2x	U-MX-3	U-MS-5
BUILDING CONFIGURATION					
Dwelling Unit Configuration	Structure may contain Side-by-Side Dwelling Units Residential Only Structure: Side-by-Side Dwelling Units shall not exceed 50% of the Structure's GFA				
F Upper Story Setback Above 27' adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	15'/25'	20'/25'	na	15'/25'	20'/25'
G Upper Story Setback Above 51', adjacent to Protected District: Rear, alley/Rear, no alley and Side Interior (min)	na	35'/40'	na	na	35'/40'
STREET LEVEL ACTIVATION					
H Transparency, Primary Street (min)			60%	Residential Only Buildings: 40%	
I Transparency, Side Street (min)			25%		
J Pedestrian Access, Primary Street			Entrance		
USES	All U-RX Zone Districts		All U-MS and U-MX Zone Districts		
Street Level Active Uses (min % of Primary Street frontage meeting Build-To requirement)	na		100%		
	All permitted Primary Uses shall be allowed within this building form; however: (1) Second Story and Above: Residential or Lodging Accommodations Uses Only; and (2) Buildings with No Residential or Lodging Accommodation Uses: 10,000 sf GFA max. See Division 5.4 Uses and Parking		All permitted Primary Uses shall be allowed within this building form. See Division 5.4 Uses and Parking		

See Sections 5.3.5 - 5.3.7 for Supplemental Design Standards, Design Standard Alternatives and Design Standard Exceptions

**DZC TEXT AMENDMENT #9 – ACTIVE CENTERS AND CORRIDORS DESIGN OVERLAY
LUTI DRAFT 02/04/2021**

4. No other such lodging is located within 500 feet of the proposed use as measured along the same face block from zone lot line to zone lot line.
5. The structure contains a minimum of 1,000 square feet of gross floor area and no guest room or suite contains less than 100 square feet of floor area.
6. The lodging shall provide breakfast as part of the room price.
7. The interior and exterior of the structure shall be maintained in a manner that reflects the original architectural character of the building, and the property shall be landscaped in a manner that protects the appearance and value of surrounding properties and neighborhoods and improves environmental conditions, thereby promoting the general welfare. The landscaping shall be Continuously Maintained which includes necessary watering, weeding, pruning, pest control and replacement of dead or diseased plant material. Replacement shall occur in the next planting season; but, in any event, replacement time shall not exceed one year.
8. The sign regulations of Division 10.10, Signs, shall apply; provided, however, the maximum sign area permitted on any one street front shall not exceed 10 square feet. The maximum height of any ground sign shall be 4 feet.
9. Related retail sales may be conducted within the structure; however, the floor area allocated to this retail use shall not exceed 10 percent of the gross floor area of the structure. Access to this retail area shall be limited to use by overnight guests only.
10. No social activities, such as weddings, receptions, private parties or similar events, will be permitted unless at least 90 percent of the participants are overnight guests.

SECTION 9.4.5 DESIGN OVERLAY DISTRICTS (DO-)

9.4.5.1 General Purpose

Design Overlay Districts are intended to serve one or more of the following purposes:

- A. To implement land use and urban design recommendations and standards set forth in neighborhood or small area plans, which plans have been adopted as part of the Comprehensive Plan;
- B. To reinforce the desired character for newly developing or redeveloping areas.
- C. To provide uniformity in the design standards applicable to **arterial** streets or to river corridors having varied underlying zoning;
- D. To provide uniform standards for mitigating the impact of more intensive uses adjacent to less intensive uses;
- E. To provide for the enactment of urban design standards for specific segments of designated parkways and boulevards, and areas with cohesive design characteristics; and
- F. To implement design standards in a geographically specific area or multiple areas or districts with similar conditions and objectives throughout the city.

9.4.5.2 Applicable Standards and Modifications Allowed

A. Applicable Standards - In General

A design overlay zone district includes standards that modify otherwise applicable standards in the underlying zone district. Modifications include but are not limited to reducing or increasing a quantitative zoning standard, such as building height or setback standards, and may include new zoning standards not otherwise applicable in the underlying zone district, but not including new limitations on a permitted use. Any changes or modifications to the standards

**DZC TEXT AMENDMENT #9 – ACTIVE CENTERS AND CORRIDORS DESIGN OVERLAY
LUTI DRAFT 02/04/2021**

in a design overlay zone district are considered zoning text amendments subject to the review procedures stated in Section 12.4.11, Text Amendments.

B. Modification of Underlying Zone District Standards

1. Modification of Permitted Uses and Use Limitations Not Allowed

A Design Overlay District shall not be used to add to the specific permitted uses in the underlying zone district, nor shall it be used to prohibit specific permitted uses in the underlying district, nor shall it be used to add, revise, or delete use limitations applicable to specific permitted uses in the underlying zone district.

2. All Other Applicable Standards -- Modification Allowed

All of the provisions of the underlying zone district shall be in full force and effect, unless such provisions are specifically varied by the provisions of the applicable design overlay zone district, in which case the standard in the design overlay zone district shall apply.

9.4.5.3 Design Overlay Districts Established

The following Design Overlay Districts are established:

DESIGN OVERLAY DISTRICT NAME	ZONING MAP DESIGNATOR
Uptown Design Overlay District	DO-1
Washington Street Design Overlay District	DO-2
Lafayette Street Design Overlay District	DO-3
Side Interior Setback Design Overlay District	DO-4
South Sloan’s Lake Design Overlay District	DO-5
Peña Station Next Design Overlay District	DO-6
River North Design Overlay District	DO-7
<u>Active Centers and Corridors Design Overlay District</u>	<u>DO-8</u>

9.4.5.4 Effect of Approval

A. Official Map Designator

Each Design Overlay District shall be shown on the official map by an “DO-” designator and an appropriate number placed after the underlying zone district designation.

B. Limitation on Permit Issuance

No zoning permit for development or a use within an Design Overlay District shall be issued by the City unless the development or use meets the standards set forth in this Section, as applicable, and the applicable approved Rules and Regulations.

9.4.5.5 Uptown Design Overlay District (DO-1)

A. Creation

1. There is hereby created an design overlay district designated as the Uptown Design Overlay District.
2. As applied on the Official Zoning Map to properties retaining underlying zone district designations pursuant to Former Chapter 59, DO-1 Uptown Design Overlay District’s standards shall not be applicable until such properties are rezoned (through an Official Map Amendment) to an underlying zone district pursuant to this Code.

B. Lower Floor Building Design

All new structures and all structures renovated where (1) the renovation is valued at more than 50 percent of the replacement cost of the existing building excluding land costs, and (2) the renovation includes alterations to the exterior of the building other than restoration of original design features with original materials, shall be subject to the design standards set forth below;

DZC TEXT AMENDMENT #9 – ACTIVE CENTERS AND CORRIDORS DESIGN OVERLAY
LUTI DRAFT 02/04/2021

9.4.5.12 Active Centers and Corridors Design Overlay District (DO-8)

A. Creation

There is hereby created a design overlay district designated as the Active Centers and Corridors Design Overlay District (DO-8).

B. Intent

The intent of the DO-8 Overlay Zone District is to encourage neighborhood mixed-use areas that support nonresidential active uses at the Street Level, promote active pedestrian-oriented building frontages, and provide sufficient space for transitions between the public realm and private residential Dwellings.

C. Applicability

The provisions of this DO-8 Overlay Zone District shall apply only to those areas within Residential Mixed Use (RX), Mixed Use (MX), and Main Street (MS) zone districts that are designated with the DO-8 Overlay Zone District on the Official Zone Map.

D. Primary Building Form Standards Within Overlay District

1. Intent for Overlay Building Form Standards

- a. To enable greater flexibility for outdoor eating and serving areas and similar exterior uses, increase space for pedestrians, buffer private residential Dwellings from the public realm, and minimize the visibility of Surface Parking areas through the application of new or modified Siting Standards.
- b. To ensure Street Level heights consistent with nonresidential active uses, encourage Street Level windows, and clearly distinguish entries into individual dwelling units with additional features through the application of new or modified Design Element Standards.
- c. To promote activation of the Street and sidewalk with nonresidential active uses at the Street Level of Structures with long street-facing frontages, and locate new Structures containing only Residential Uses on only narrow lots, in districts that allow 3 stories or more of Building Height through the application of new or modified Use Building Form Standards.

2. Applicability

All Primary Structures in the DO-8 Overlay Zone District shall comply with the primary Building Form Standards stated in this Section 9.4.5.12.D.

3. General Standards

Except as modified in this Section 9.4.5.12.D, the district-specific primary Building Form Standards set forth in the Underlying Zone District shall apply.

4. Building Forms Allowed

The Shopfront and Town House primary building forms are the only building forms allowed for Primary Structures within the DO-8 Overlay Zone District.

5. Overlay District-Specific Standards

The district-specific standards of the Underlying Zone District are modified as set forth in the following tables. Additional Building Form Standards that are not listed in the tables below, but which are found in the Underlying Zone District for the applicable building form, still apply.

DZC TEXT AMENDMENT #9 – ACTIVE CENTERS AND CORRIDORS DESIGN OVERLAY
LUTI DRAFT 02/04/2021

HEIGHT	DO-8 Overlay District	
	Shopfront Building Form	Town House Building Form
<u>See Underlying Zone District for All Applicable Height Standards</u>		

SITING	DO-8 Overlay District	
	Shopfront Building Form	Town House Building Form
<u>See Underlying Zone District for Additional Applicable Siting Standards Not Listed Below</u>		

ZONE LOT		
Zone Lot Width (min)	na	38'
REQUIRED BUILD-TO		
Primary Street (min/max build-to range)	2'/10' Portion of Structure Subject to a Residential Setback: 7'/15'	<u>See Underlying Zone District</u>
SETBACKS		
Primary Street (min)	2'	<u>See Underlying Zone District</u>
RESIDENTIAL SETBACKS		
Primary and Side Street (min)	7'	na
PARKING		
Surface Parking between Building and Primary Street/Side Street	Not Allowed / Not Allowed	Not Allowed / Not Allowed

DESIGN ELEMENTS	DO-8 Overlay District	
	Shopfront Building Form	Town House Building Form
<u>See Underlying Zone District for Additional Applicable Design Elements Standards Not Listed Below</u>		

BUILDING CONFIGURATION		
Street Level Height (min)	14'	na
STREET LEVEL ACTIVATION		
Transparency Alternatives	<u>See Section 9.4.5.12.F</u>	<u>See Section 9.4.5.12.F</u>
Pedestrian Access	<u>See Underlying Zone District</u>	<u>See Underlying Zone District</u>
Additional Pedestrian Access, Primary and Side Street	Each Street Level Dwelling Unit shall have a Dwelling Unit Entrance with Entry Feature	na

USES	DO-8 Overlay District		
	Shopfront and Town House Building Forms		
<u>See Underlying Zone District for Additional Applicable Uses Standards Not Listed Below</u>			

ACTIVE USES BY ZONE LOT WIDTH	37.5' or less	Greater than 37.5' and up to 50'	Greater than 50'
<u>Street Level Nonresidential Active Uses (min Primary Street % within Build-To min/max range and with Street Level Nonresidential Active Uses)</u>	<u>0% - See Section 9.4.5.12.E</u>	<u>50% - See Section 9.4.5.12.E</u>	<u>75% - See Section 9.4.5.12.E</u>

E. Supplemental Street Level Nonresidential Active Use Standards

The following supplemental design standards for Street Level nonresidential active uses in the DO-8 Overlay District shall apply:

- 1. Intent**
To promote activity on the street and sidewalk and encourage a vibrant urban environment with ground floor uses accessible to the general public.
- 2. Applicability**
This Section 9.4.5.12.E applies to all Primary Structures in zone districts that allow a maximum Building Height of 3 stories or more that are located on a Zone Lot with a Zone Lot Width greater than 37.5 feet.

DZC TEXT AMENDMENT #9 – ACTIVE CENTERS AND CORRIDORS DESIGN OVERLAY
LUTI DRAFT 02/04/2021

3. Allowance

- a. Street Level nonresidential active uses shall occupy Street Level floor area for a minimum depth of 15 feet except for the depth of recessed Pedestrian Access features required by the applicable building form table.
- b. Street Level nonresidential active uses include all permitted Primary Uses except the following:
 - i. Dwelling, Single Unit;
 - ii. Dwelling, Two Unit
 - iii. Dwelling, Multi-Unit;
 - iv. Dwelling, Live / Work;
 - v. Automobile Services, Light;
 - vi. Mini-storage Facility; or
 - vii. Wholesale Trade or Storage, Light.
- c. Street Level nonresidential active uses include all permitted Accessory Uses except the following:
 - i. Accessory Uses associated with Primary Uses prohibited by Section 9.4.5.12.E.3.b;
 - ii. Outdoor Storage, General;
 - iii. Outdoor Storage, Limited;
 - iv. Car Wash Bay Accessory to Automobile Services or Hotel Uses;
 - v. Drive Through Facility Accessory to Eating/Drinking Establishments and to Retail Sales, Service, and Repair Uses; or
 - vi. Off-Street Parking Areas.
- d. The length of any Build-To alternatives shall not apply toward the required percentage of Street Level building frontage that must be occupied by Street Level nonresidential active uses.

F. Street Level Transparency Alternatives and Exceptions for the DO-8 District

The following design standard alternatives and exceptions for Street Level transparency in the DO-8 Overlay District shall apply:

1. Intent

To provide visual interest on building Facades and enhance the visual quality of the built environment along Street Level Facade areas where windows are not feasible.

2. Allowance

Permanent art shall be the only transparency alternative allowed in the DO-8 Overlay Zone District and may count toward no more than 30% of the required transparency on Primary Streets or Side Streets, provided the permanent art meets the requirements stated in Section 13.1.6.3.A.5, Transparency Alternative Requirements.

DZC TEXT AMENDMENT #9 – ACTIVE CENTERS AND CORRIDORS DESIGN OVERLAY
LUTI DRAFT 02/04/2021

A structure that meets this definition of “conforming structure”, but which does not comply with zoning standards that are inapplicable to structures (e.g., site design standards such as landscaping, parking amount, signage), are still “conforming structures” under this Code.

Structure, Compliant: A legally established structure that meets one of the following conditions:

1. The legally established structure does not comply with one or more of the following Building Form Standards in this Code:
 - a. Height Standards
 - i. Minimum, feet
 - ii. Maximum, feet and stories
 - iii. 3rd Avenue CCN bulk plane
 - b. Siting Standards
 - i. Building setback standards, including Block Sensitive Primary Street setback standards
 - ii. Required build-to
 - iii. Location of surface parking for vehicles
 - c. Design Element Standards
 - i. Street Level activation standards
 - ii. Upper-story setback standards
 - iii. Overall structure length
 - iv. Pedestrian access, primary structure
 - v. Private open space
 - vi. Mass reduction
 - vii. Limitation on Visible Parking Above the Street Level
 - viii. [Street Level height](#)
 - d. Use Building Form Standards
2. The legally established structure was conforming under Former Chapter 59 on June 24, 2010, but does not currently comply with Denver Zoning Code “building height standards,” “siting form standards,” or “design element form standards,” as those terms are defined in Article 13.

Structure, Nonconforming: A structure or building that was lawful prior to the adoption, revision, or amendment to this Code, but which fails by reason of such adoption, revision, or amendment, to conform to the present requirements for a conforming structure or a compliant structure in the zone district in which such structure or building is located.

Structure - Group C:

Structure, Accessory: A subordinate structure located on the same zone lot with the primary building, structure, or use, and which is incidental and customary to the primary building, structure, or use. Accessory structures include man-made structures with walls and roofs, along with man-made structures with no walls or no roofs, including, but not limited to detached garages, fences, walls, gazebos, decks and patios.

Structure, Detached: Any structure having no party wall or common wall with another structure. Bridges, tunnels, breezeways and other similar means of connecting one (1) structure to another shall not, for the purpose of this Code, be considered to constitute a party wall or common wall.

REZONING GUIDE

Proposal Page 1 of 2



Zone Map Amendment (Rezoning) - Legislative Rezoning Proposal

PROPERTY OWNER INFORMATION		REPRESENTATIVE*	
Property Owner Name	Multiple owners	Representative Name	Councilwoman Amanda Sandoval - legislative rezoning
Address		Address	1810 Platte Street
City, State, Zip		City, State, Zip	Denver, CO
Telephone		Telephone	720-337-7701
Email		Email	amanda.sandoval@denvergov.org
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):	Multiple properties in the Berkeley and Regis neighborhoods. See attached map and legal descriptions.		
Assessor's Parcel Numbers:	Multiple		
Area in Acres or Square Feet:	Approximately 35 acres 32 acres		
Current Zone Districts:	U-MX-2; U-MX-3; U-MX-3, UO-1, UO-2; U-MS-3, UO-1, UO-2; U-MS-5; U-MS-5, UO-1, UO-2		
PROPOSAL			
Proposed Zone Districts:	Maintain underlying zone districts and apply DO-8 (Active Centers and Corridors Design Overlay). Public Review Draft of proposed DO-8 design overlay zone district available at: www.denvergov.org/textamendments		
REVIEW CRITERIA			
General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.13	<input checked="" type="checkbox"/>	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.	
	<input checked="" type="checkbox"/>	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.	
	<input checked="" type="checkbox"/>	Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.	

This proposal amended on February 4, 2021, to remove several properties (marked as "Area Removed" on the attached maps) from the proposed map amendment.

No application fee per DZC 12.3.3.4

Last updated: June 20, 2014

Return completed form to rezoning@denvergov.org

311 | FOR INFORMATION & CITY SERVICES

2020i-00080

1

201 W. Colfax Ave., Dept. 205

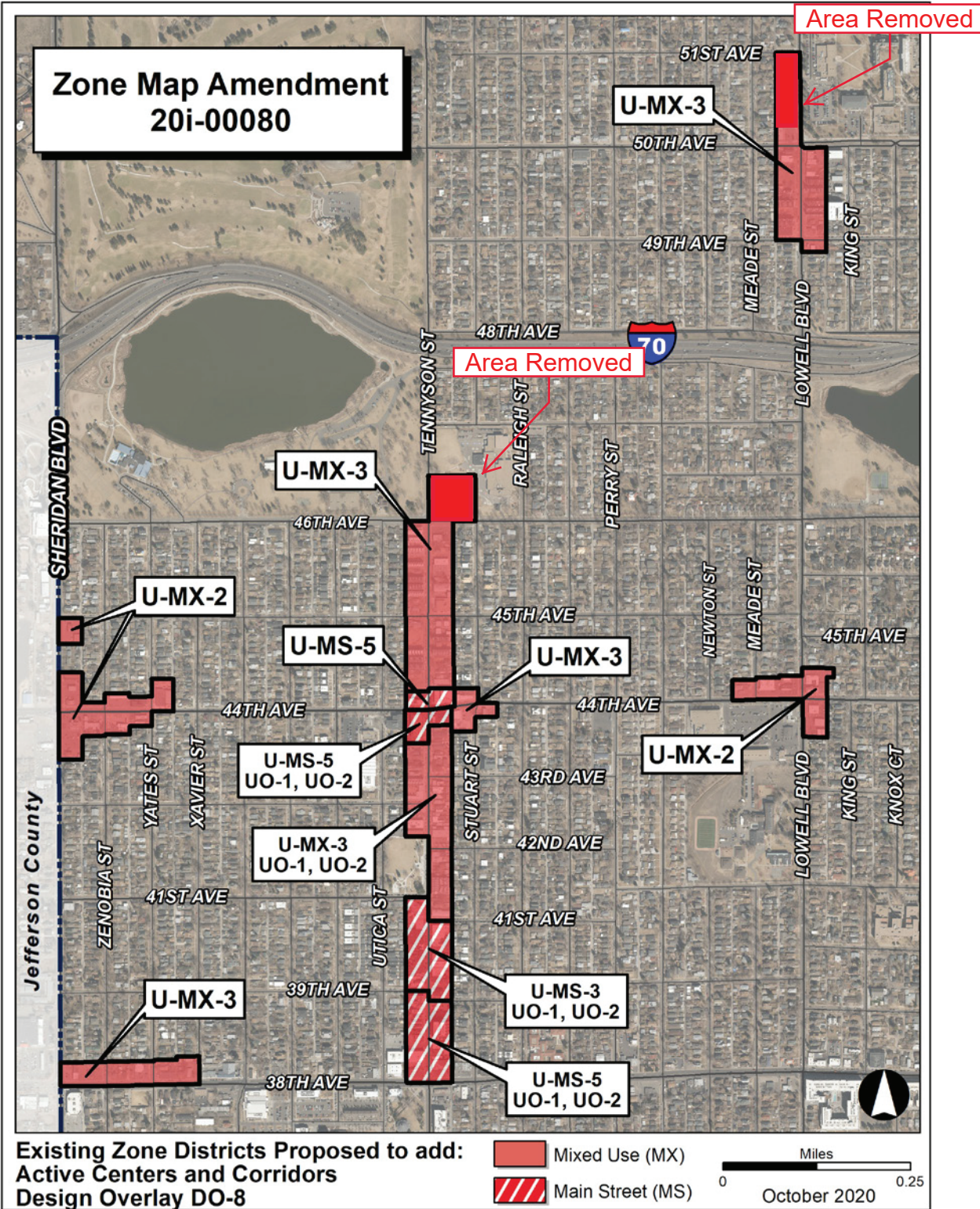
Denver, CO 80202

720-865-2974 • rezoning@denvergov.org

November 16, 2020

REZONING GUIDE

Proposal Page 2 of 2



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 Denver, CO 80202
 720-865-2974 • rezoning@denvergov.org
 November 16, 2020

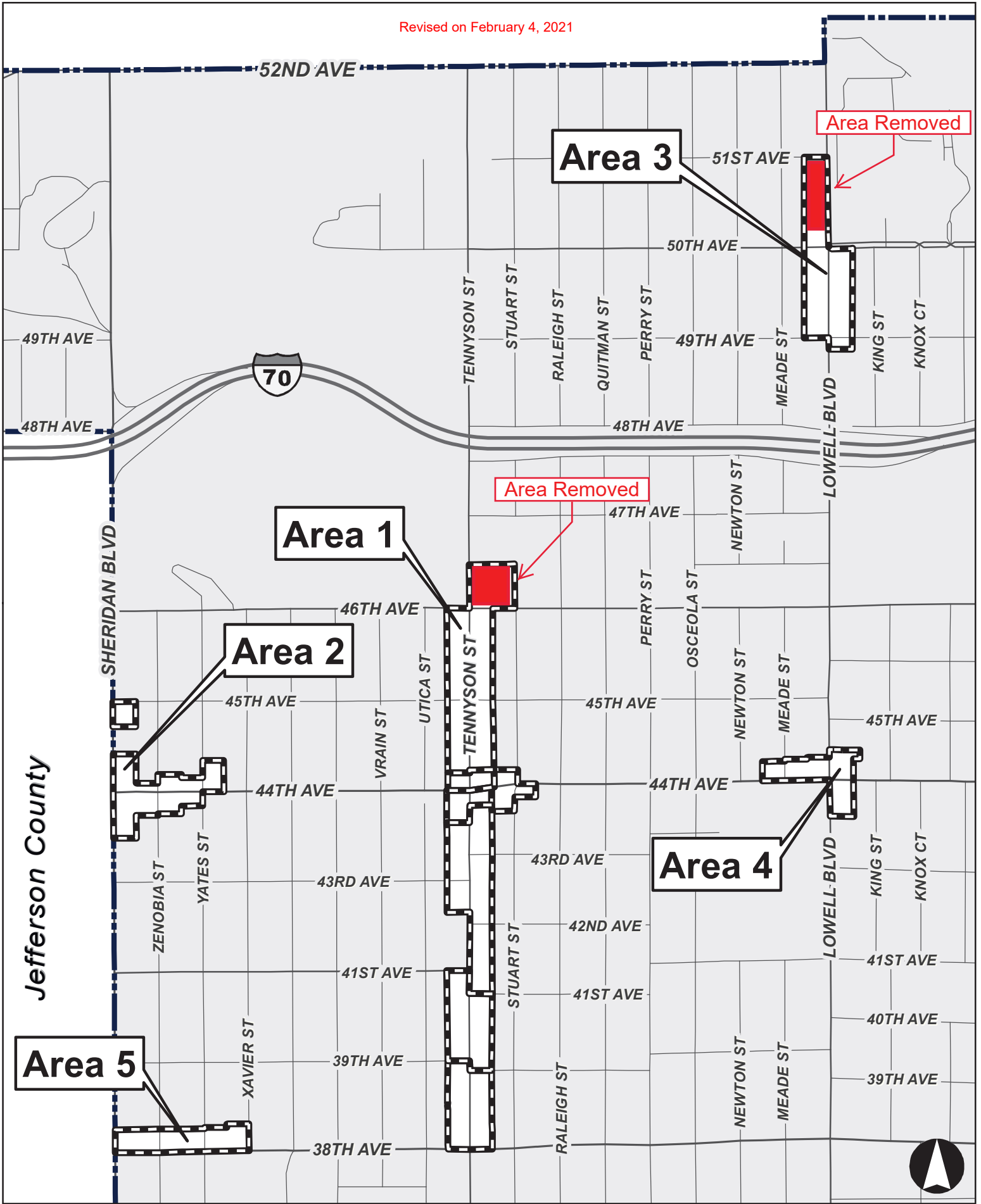


EXHIBIT A - Detail Area Key
Zone Map Amendment 20i-00080

Revised on February 4, 2021

Area Removed

Berkeley Gardens

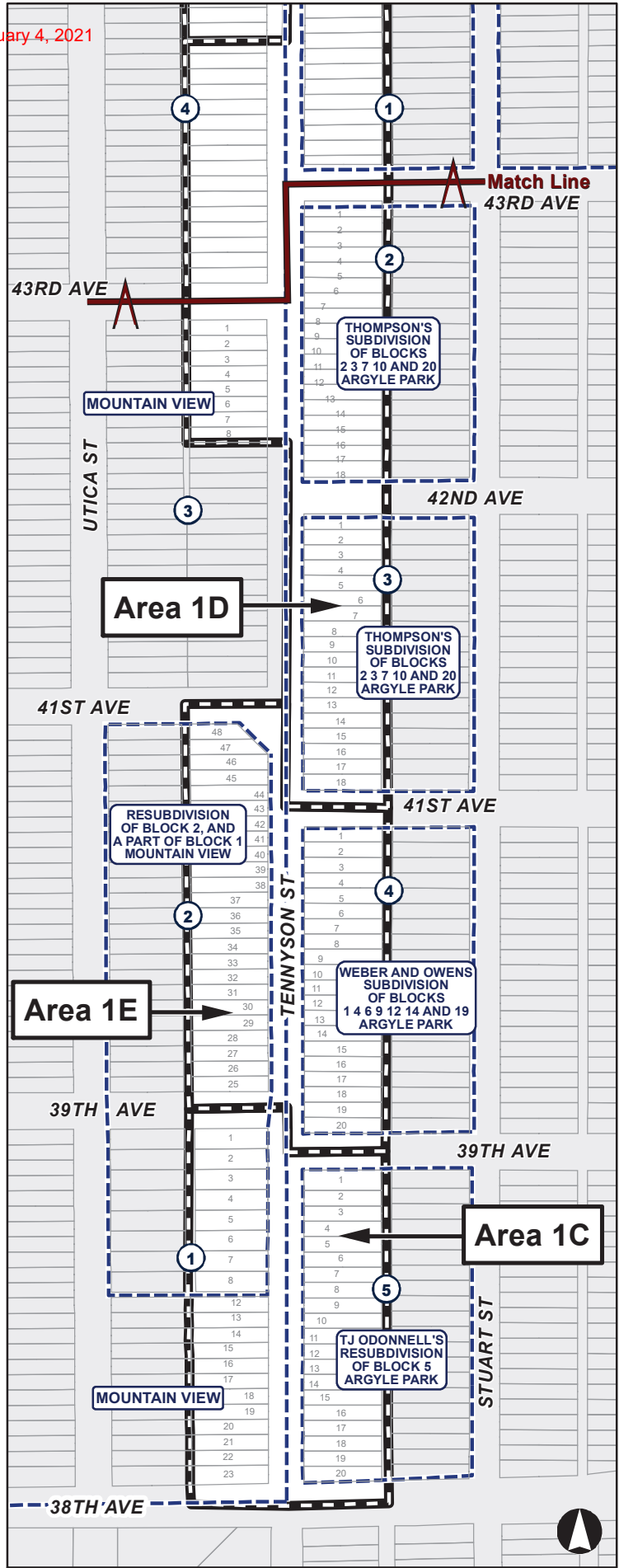
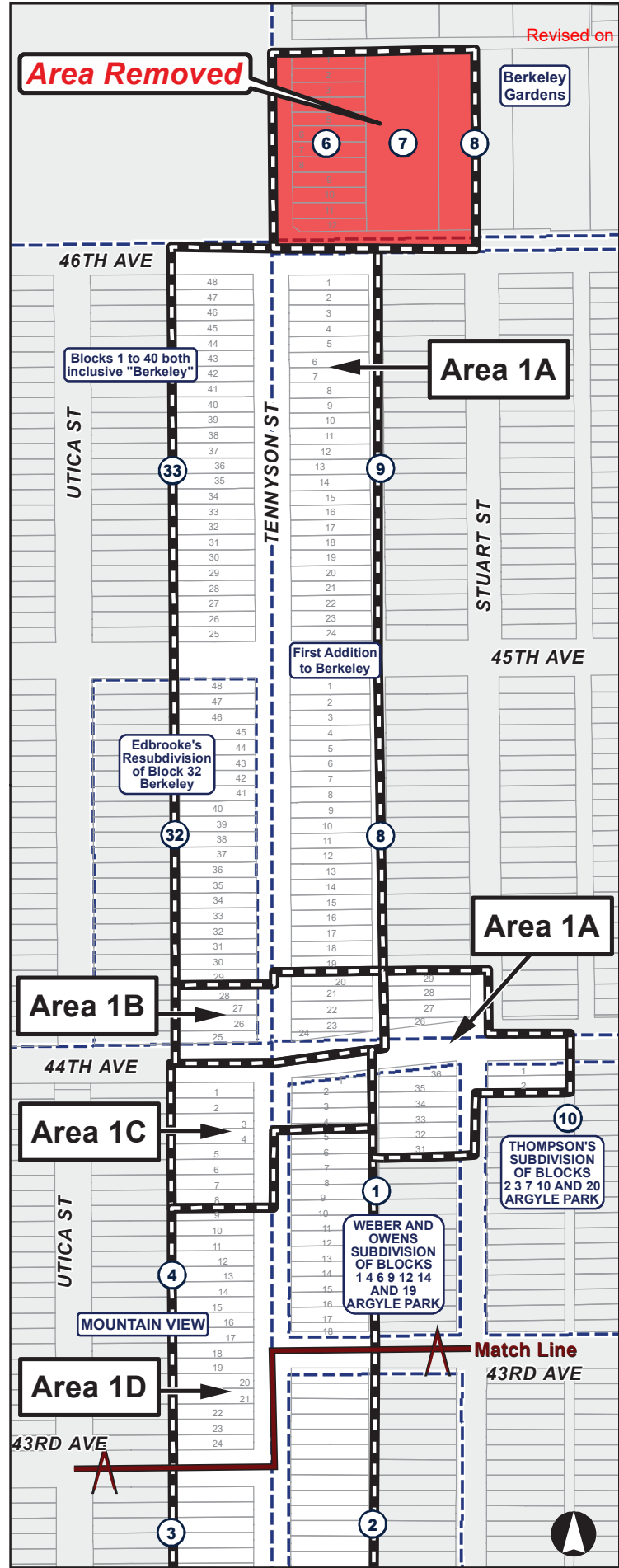


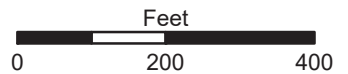
EXHIBIT A - Detail Area 1

Zone Map Amendment 20i-00080



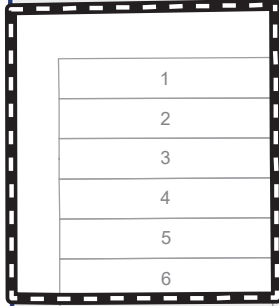
Zone map amendment area

Subdivision Boundary



February 4, 2021

45TH AVE



Blocks 1 to 40
both inclusive
"Berkeley"

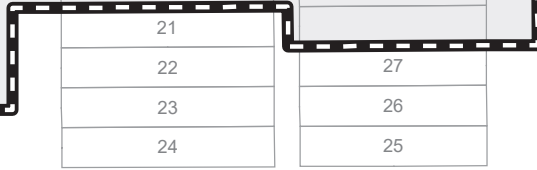
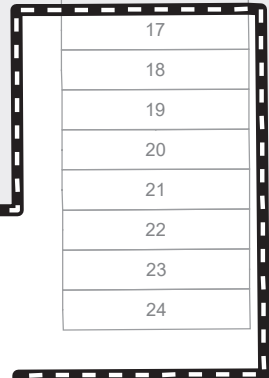
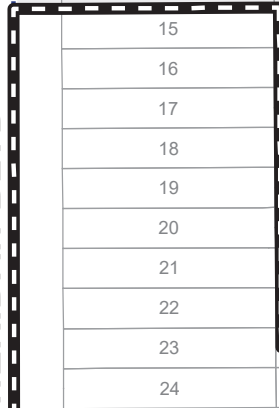
25

26

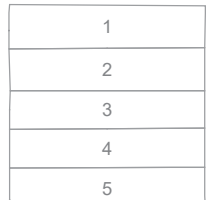
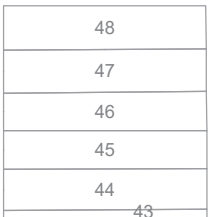
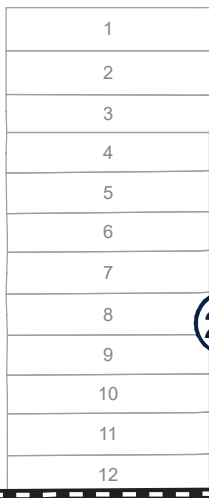
27

ZENOBIA ST

YATES ST



44TH AVE



24

23

Jefferson County

SHERIDAN BLVD

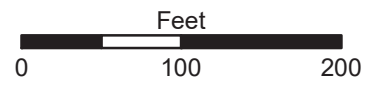


EXHIBIT A - Detail Area 2
Zone Map Amendment 20i-00080



Zone map amendment area

Subdivision Boundary



Revised on February 4, 2021

51ST AVE

Area Removed

144

Blocks 73 to 80, 97 to 104, 137 to 144 and 177 to 184 inclusive in Berkeley

50TH AVE

48
47
46
45
44
43
42
41
40
39
38
37
36
35
34
33
32
31
30
29
28
27
26
25

LOWELL BLVD

Blocks 81 to 96 inclusive in Berkeley

97

96



KING ST

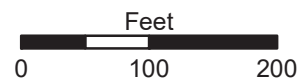
49TH AVE

81



EXHIBIT A - Detail Area 3
Zone Map Amendment 20i-00080

-  Zone map amendment area
-  Subdivision Boundary



February 4, 2021

Revised on February 4, 2021



MELLEIN'S
ADDITION

McKernon
Addition

GRAND VIEW

Harkness
Heights

1

1

13

9

MEADE ST

LOWELL BLVD

44TH AVE

KING ST

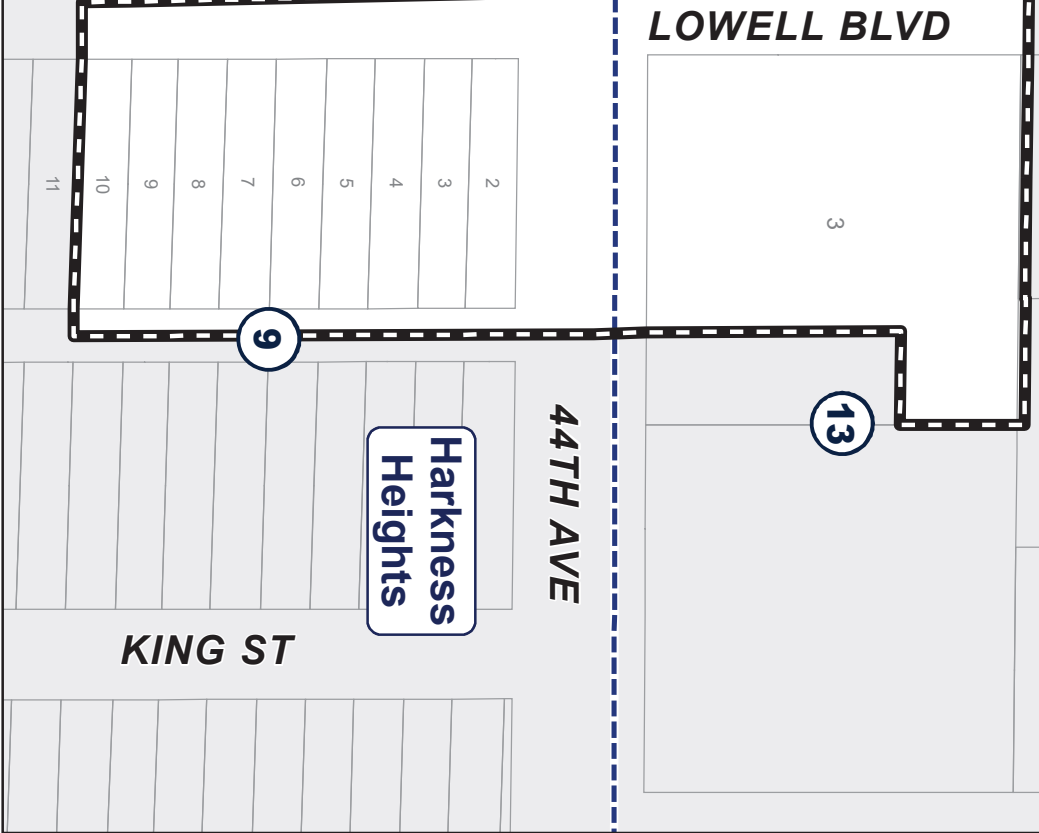
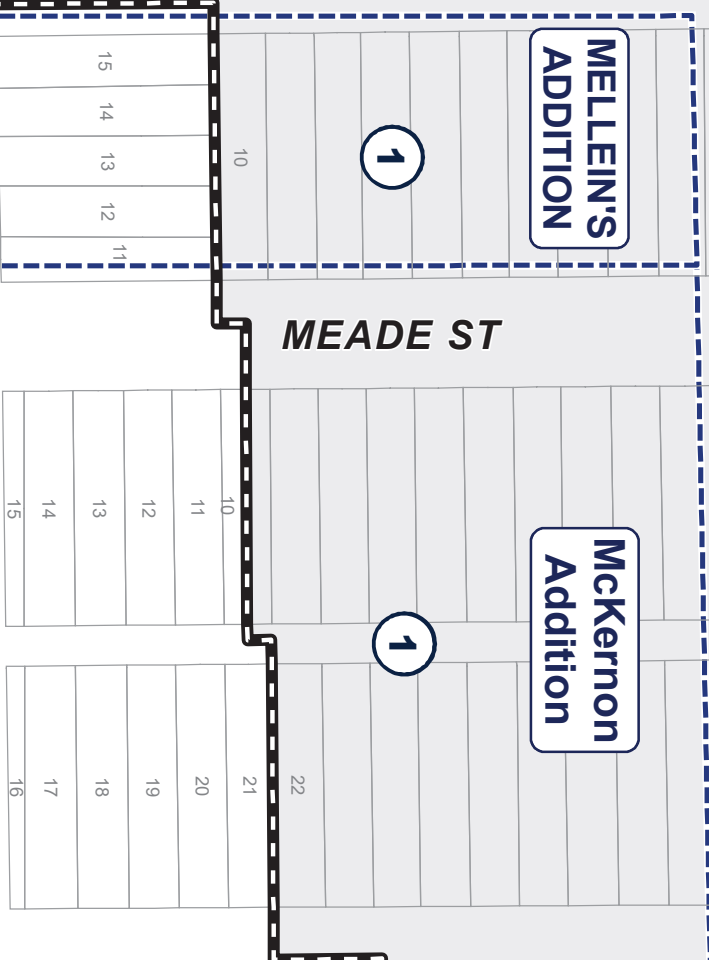
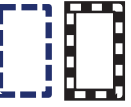


EXHIBIT A - Detail Area 4

Zone Map Amendment 20i-00080



Zone map amendment area

Subdivision Boundary



October 2020

SHERIDAN BLVD

**Blocks 1 to 40
both inclusive
"Berkeley"**

1

2

3

ZENOBIA ST

YATES ST

XAVIER ST

38TH AVE

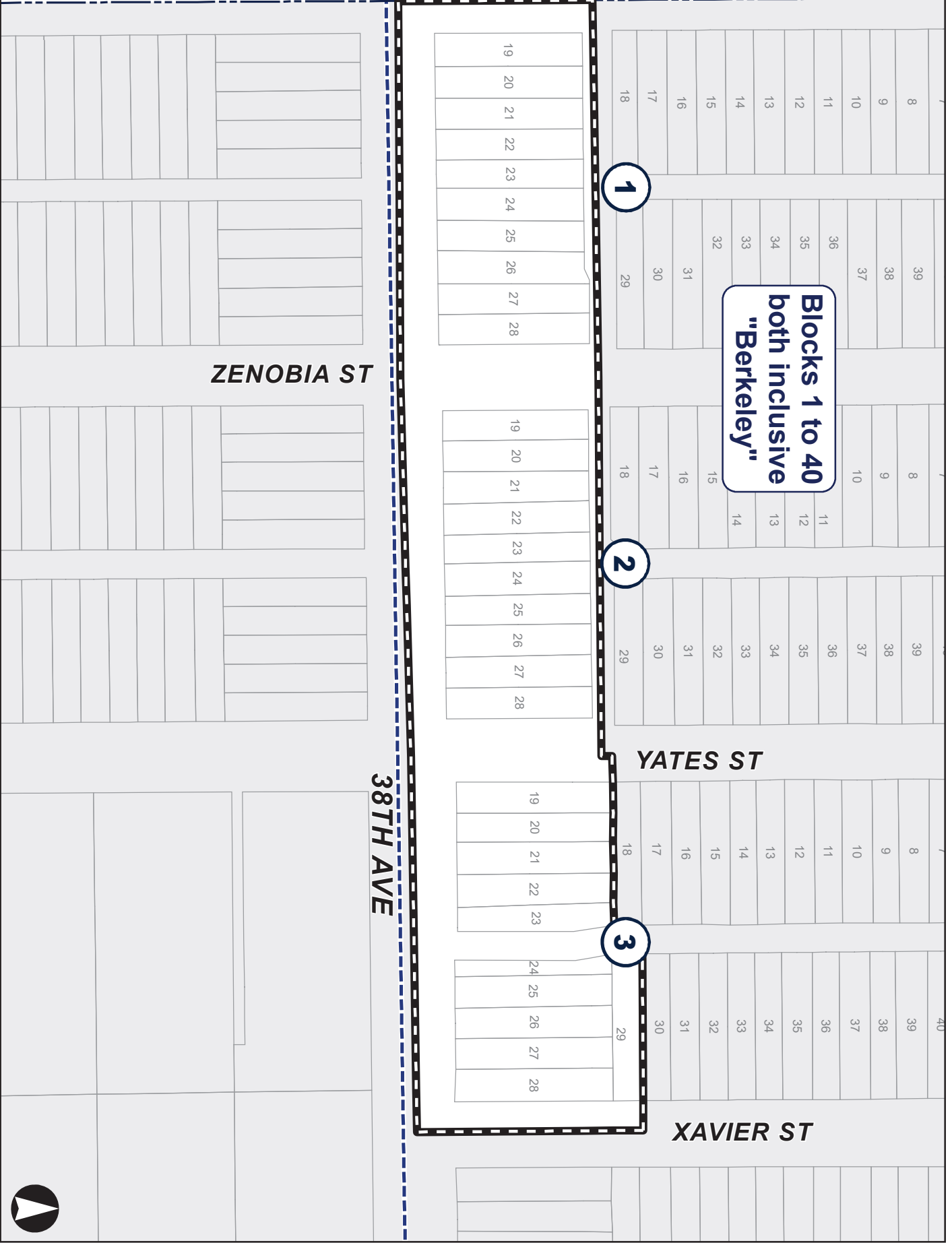




EXHIBIT A - Detail Area 5 Zone Map Amendment 20i-00080

 Zone map amendment area

 Subdivision Boundary



Zone Map Amendment 20i-00080
Legal Description 12/16/2020 (Revised 02/04/2021)

See Exhibit A – Detail Area 1

- Area 1A

That the zoning classification of the area in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed from

U-MX-3 to U-MX-3 DO-8

BLOCKS 1 TO 40 BOTH INCLUSIVE “BERKELEY”

Block 33, Lots 25 to 48

FIRST ADDITION TO BERKELEY

Block 8, Lots 1 to 19, and Lots 26 to 29

Block 9, Lots 1 to 24

EDBROOKE’S RESUBDIVISION OF BLOCK 32 BERKELEY

Block 32, Lots 29 to 48

WEBER AND OWENS SUBDIVISION OF BLOCKS 1 4 6 9 12 14 AND 19 ARGYLE PARK

Block 1, lots 31 to 36

THOMPSON’S SUBDIVISION OF BLOCKS 2 3 7 10 AND 20 ARGYLE PARK

Block 10, Lots 1 and 2

- Area 1B

That the zoning classification of the area in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed from

U-MS-5 to U-MS-5 DO-8

EDBROOKE’S RESUBDIVISION OF BLOCK 32 BERKELEY

Block 32, Lots 25 to 28

FIRST ADDITION TO BERKELEY

Block 8, Lots 20 to 24

- Area 1C

That the zoning classification of the area in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed from
U-MS-5 UO-1, UO-2 to U-MS-5 UO-1, UO-2, DO-8

MOUNTAIN VIEW

Block 1, Lots 12 to 23
Block 4, Lots 1 to 8

WEBER AND OWENS SUBDIVISION OF BLOCKS 1 4 6 9 12 14 AND 19 ARGYLE PARK

Block 1, Lots 1 to 4

RESUBDIVISION OF BLOCK 2, AND A PART OF BLOCK 1, MOUNTAIN VIEW

Block 1, Lots 1 to 8 Together with a strip of land 8-1/3 feet wide North and South and 126.3 feet along East and West lying South of and adjoining said Lot 8 and the reserved alley, and together with the East 1/2 of the reserved alley lying West of and adjoining said Lots 1 to 8

T.J. O'DONNELL'S RESUBDIVISION OF BLOCK 5 ARGYLE PARK

Block 5, Lots 1 to 20

- Area 1D

That the zoning classification of the area in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed from
U-MX-3 UO-1, UO-2 to U-MX-3 UO-1, UO-2, DO-8

MOUNTAIN VIEW

Block 3, Lots 1 to 8
Block 4, Lots 9 to 24

WEBER AND OWENS SUBDIVISION OF BLOCKS 1 4 6 9 12 14 AND 19 ARGYLE PARK

Block 1, Lots 5 to 18

THOMPSON'S SUBDIVISION OF BLOCKS 2 3 7 10 AND 20 ARGYLE PARK

Block 2, Lots 1 to 18
Block 3, Lots 1 to 18

- Area 1E

That the zoning classification of the area in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed from
U-MS-3 UO-1, UO-2 to U-MS-3 UO-1, UO-2, DO-8

RESUBDIVISION OF BLOCK 2, AND A PART OF BLOCK 1, MOUNTAIN VIEW

Block 2, Lots 25 to 48

WEBER AND OWENS SUBDIVISION OF BLOCKS 1 4 6 9 12 14 AND 19 ARGYLE PARK

Block 4, Lots 1 to 20

See Exhibit A – Detail Area 2

That the zoning classification of the area in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed from **U-MX-2 to U-MX-2 DO-8**

BLOCKS 1 TO 40 BOTH INCLUSIVE “BERKELEY”

Block 23, Lots 1 to 5, and the North 3/4 of Lot 46, and lots 47 and 48
Block 24, Lots 1 to 12, and the North 1/2 of Lot 43, and Lots 44 to 48
Block 25, Lots 1 to 6, and Lots 15 to 25, and the South 1/2 of Lot 26
Block 26, Lots 21 to 27
Block 27, Lots 17 to 24

See Exhibit A – Detail Area 3

That the zoning classification of the area in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed from **U-MX-3 to U-MX-3 DO-8**

BLOCKS 73 TO 80, 97 TO 104, 137 TO 144 AND 177 TO 184 INCLUSIVE IN BERKELEY

Block 97, Lots 25 to 48
Block 144, Lots 25 to 28

BLOCKS 81 to 96 INCLUSIVE BERKELEY

Block 81, Lots 1 and 2, and the North 10 Feet of Lot 3
Block 96, Lots 1 to 25

See Exhibit A – Detail Area 4

That the zoning classification of the area in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed from **U-MX-2 to U-MX-2 DO-8**

MELLEIN’S ADDITION

Block 1, Lots 11 to 15

MCKERNON ADDITION

Block 1, the South 1/2 of Lot 10, and Lots 11 to 21

GRAND VIEW

Block 13, The South 3 Feet of Lot 1, and Lot 3 except the South 125 Feet of the East 45 Feet

HARKNESS HEIGHTS

Block 9, Lots 2 to 10

See Exhibit A – Detail Area 5

That the zoning classification of the area in the City and County of Denver described as follows or included within the following boundaries shall be and hereby is changed from **U-MX-3 to U-MX-3 DO-8**

BLOCKS 1 TO 40 BOTH INCLUSIVE “BERKELEY”

Block 1, Lots 19 to 28

Block 2, Lots 19 to 28

Block 3, lots 19 to 29, and the South 3 Feet of Lot 30

In addition thereto those portions of all abutting public rights-of-way, but only to the centerline thereof, which are immediately adjacent to the aforesaid specifically described area.



THE HONORABLE

Amanda P. Sandoval
COUNCILWOMAN DISTRICT 1

Revised on February 4, 2021

City and County of Denver
CITY COUNCIL

City and County Building
1437 Bannock Street, Room 451
Denver, CO 80202

p: 720.337.7701
amanda.sandoval@denvergov.org

November 18th, 2020

Sarah Showalter
Director of Planning Services
Community Planning and Development
City and County of Denver
201 W. Colfax Ave.
Denver, CO 80202

Director Showalter,

I am asking that Community Planning and Development prepare a rezoning of the subject areas identified in this application to apply the DO-8 Active Corridors and Centers Overlay. This overlay will ensure that Berkeley and Regis’ historic streetcar commercial corridors retain their vibrant commercial character as they grow. Protecting the street-level pedestrian experience and providing space for needed goods and services is essential as these historic corridors redevelop and add residential density.

This overlay has been community-driven from the beginning. The Berkeley-Regis community has worked for years to protect the integrity of their beloved community shopfront corridors. While we mourn the loss of small businesses and the quirky spaces that made this area so special, we know there is still so much to save, both in District 1 and beyond.

Throughout this process, we documented overwhelming support for the overlay from neighbors and property owners. We have sent mailers, hosted two town halls, and I personally spoke with property owners, developers and architects to inform them of the rezoning and incorporate their perspectives.

After years of research and careful development, I am thrilled to sponsor this legislative rezoning to apply the overlay and hope it will be a tool for historic streetcar corridors throughout Denver.

Sincerely,

Amanda Sandoval
Councilwoman Amanda Sandoval, District 1

Active Centers and Corridors Design Overlay (DO-8) Rezoning Application

1. Consistency with Adopted Plans

The following adopted plans apply to this application:

- Denver Comprehensive Plan 2040 (2019)
- Blueprint Denver (2019)

Denver Comprehensive Plan 2040

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies, including:

Equitable, Affordable and Inclusive

- *Goal 1, Strategy C – Improve equitable access to resources that improve quality of life (p. 28).*

The rezoning will ensure that much-needed goods and services remain in these historic streetcar corridors and continue to provide residents with the high quality of life they have for decades.

Strong and Authentic Neighborhoods

- *Goal 1, Strategy A, D – Build a network of well-connected, vibrant, mixed-use, centers and corridors and Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities (p. 34).*

The rezoning will ensure new infill in historic commercial corridors maintains characteristic design patterns and offers at least equivalent if not increased commercial space.

- *Goal 2, Strategy C – Create people-oriented places that embrace community character with thoughtful transitions, aspirational design and an engaging public realm (p. 34).*

The rezoning will place enhanced pedestrian-oriented design standards on key commercial corridors.

- *Goal 4, Strategy A – Grow and support neighborhood-serving businesses (p. 35).*

The rezoning will ensure commercial space remains available in embedded local corridors and hopefully slow the pace of businesses displacement.



Economically Diverse and Vibrant

- *Goal 3 Strategy A – Promote small, locally-owned businesses and restaurants that reflect the unique character of Denver (p. 46).*

The rezoning will help maintain and grow the availability of commercial space in embedded local corridors, thereby reducing competition and business displacement.

Environmentally Resilient

- *Goal 8 Strategy B – Encourage mixed-use communities where residents can live, work, and play in their own neighborhoods (p. 54).*

The rezoning will preserve the integrity of neighborhood-serving commercial corridors. Paradoxically, it is the appeal of these unique commercial areas that has spurred the 100%-residential development that is now undermining them.

Blueprint Denver

Blueprint Denver was adopted in 2019 as a supplement to *Comprehensive Plan 2040* and establishes an integrated framework for the city's land use and transportation decisions. There are five key components of *Blueprint Denver* that apply to this rezoning application:

1. Neighborhood Context
2. Place
3. Street Type
4. Plan Policies and Strategies
5. Equity Concepts

1. *Blueprint Denver* Urban Neighborhood Context

In *Blueprint Denver*, future neighborhood contexts are used to help understand differences between land use, built form, and mobility at a high scale, between neighborhoods. The subject site is shown on the context map as Urban neighborhood context. The description is used to guide appropriate zone districts (p. 66).

The Urban neighborhood context predominantly contains “small, multi-unit residential and low-intensity mixed-use buildings ... embedded in single-unit and two-unit residential areas. Block patterns are a regular grid with consistent alley access. Where they occur, multi-unit buildings are low-scale. Mixed-use buildings are sited in a pedestrian-friendly manner near the street” (p. 222). U-MX/MS-2, -3, and -5 are zone districts within the Urban neighborhood context and are intended to promote safe, active, and pedestrian-scaled areas through building forms that clearly define and activate the public street edge. Both zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering (DZC 5.2.3.1 and 5.2.5.1).

U-MX-2, 3 and 5 are Mixed Use zone districts intended to promote a pedestrian-active street front. Buildings are pulled up to the street with parking at the side or rear of the building; however, the

front setback range is deeper than the front setback range for the Main Street districts. The required percentage of building facade that must be located in the front setback area is less than the percentage for the Main Street districts (DZC 5.2.3.1).

The U-MS-2, 3, and 5 are Main Street zone districts and typically applied linearly along entire block faces or, less frequently, on single zone lots at the intersection of local/collector streets. Main Street zone districts are applied where a higher degree of walkability and pedestrian activity is desired than required in a Corridor, Mixed Use, or Residential Mixed Use zone district. Main Street buildings have a shallow front setback range. The build-to requirements are high and the maximum building coverage is significant (DZC 5.2.5.1).

The application of the DO-8 Overlay is consistent with the Blueprint future neighborhood context of Urban because they will promote active, pedestrian friendly streets that will be compatible with the existing residential area. The overlay will ensure that the subject areas “offer residents a mix of uses with good street activation and connectivity” (p. 222).

2. *Blueprint Denver* Local Corridor Future Places

The subject sites are designated as Local Corridors on the *Blueprint Denver* Future Places map. This place type “primarily provides options for dining, entertainment and shopping” and “may also include some residential and employment uses.” In addition, “Buildings have a distinctly linear orientation along the street with very shallow setbacks. The scale is intimate with a focus on the pedestrian. The public realm is typically defined by lower-scale buildings with active frontages” while “social spaces, such as patios and plazas, often occur along the street or within deeper building setbacks” (p. 228). The rezoning to apply DO-8 will result in standards that align even better with character traits of the Local Corridor place type than the current design standards through increased setbacks, more flexible build-to range, and mandatory portions of ground level non-residential active use.

3. *Blueprint Denver* Street Types

In *Blueprint Denver*, future street types work in concert with future places to evaluate the appropriateness of the intensity of the adjacent development (p. 67). There are three volume classifications of Local, Collector, and Arterial, are further refined by six types of surrounding context.

There are two Future Street Types present in the proposed rezoning area. 44th and Lowell are Mixed Use Collectors. These are characterized by a varied mix of uses, including residential. They are typically multi-story, with high building coverage and a shallow setback. Street wall is present but may vary and there are more frequent driveways and curb cuts (p. 159). Tennyson and 38th are Main Street Collectors. These are “characterized by a mix of uses including retail, services and restaurants, as well as residential. Buildings are pedestrian-oriented, with little front setback, a continuous street wall, and high transparency. Street level uses are highly activated, including cafe seating in the right-of-way. Sidewalks are generally wider with fewer driveways” (p. 158).

All proposed areas are also indicated as “Pedestrian Enhanced Areas” in *Blueprint Denver* which specifically focus on enhancing the pedestrian experience, including widening pedestrian right of way (p. 171). The proposed map amendment to Overlay DO-8 is consistent with these street types and pedestrian enhanced area goals as it reinforces pedestrian-oriented design.

Blueprint Denver Growth Strategy

Blueprint Denver's growth strategy map is a version of the future places map, showing the aspiration for distributing future growth in Denver (p. 51). The subject property is part of the “all other areas of the city” growth area. These areas anticipate experiencing around 20% of new housing growth and 10% of new employment growth by 2040 (p. 51). These are “mostly residential areas with embedded local centers and corridors [that] take a smaller amount of growth intended to strengthen the existing character of our neighborhoods” (p. 49). The proposed map amendment to apply DO-8 will ensure that housing growth and employment growth *both* occur, rather than new housing resulting in a net loss of goods and services and degrading the embedded local corridors.

4. Blueprint Denver Plan Policies and Strategies

Blueprint Denver contains numerous recommendations related to pedestrian-oriented design and arrangement of uses in mixed use areas. **Land Use and Built Form, Design quality and preservation, Policy 4**, recommends “ensur[ing] an active and pedestrian friendly environment that provides a true mixed use character in centers and corridors.” This rezoning applies an overlay that would preserve and reinforce mixed use character. The overlay also contains standards specifically recommended in sub-policy 4.A below:

A. Require strong street-level active use standards for local centers and corridors. This may include a prohibition on residential units for a portion of the street level building. Given the intent of these small-scale places to provide services embedded in the neighborhood, it is important for them to provide more than residential uses.

Land Use and Built Form, Economics, Policy 4, recommends “promot[ing] creative industries, maker spaces, artists and small businesses as vital components of Denver’s innovation economy.” Tennyson Street, in particular, has long been an arts district that offered small, older, unique and more affordable commercial space. Redevelopment has displaced many of these naturally affordable spaces for artists and small businesses. In addition, by reducing supply of commercial space in the area, this practice leads to increased competition and rents which exacerbates the overall displacement of small businesses out of the neighborhood. While requiring new commercial space does not guarantee the new space will be affordable for these groups, when no new commercial space provided, it precludes any future non-residential uses on these properties for the lifetime of the new buildings. Consequently, the rezoning proposal also supports the broader recommendation **Land Use and Built Form, Economics, Policy 6**, to “ensure Denver and its neighborhoods have a vibrant and authentic retail and hospitality marketplace meeting the full range of experiences and goods demanded by residents and visitors.”

Lastly, this rezoning request aligns with **Land Use and Built Form, General, Policy 11**, to “implement plan recommendations through city-led legislative rezonings and text amendments.” In addition, the rezoning responds to **Land Use & Built Form, General, Policy 11 Strategy C**, which directs city-led rezonings to utilize “a robust and inclusive community input process.” While Berkeley and Regis lack a neighborhood plan, this overlay and rezoning was community-initiated and community-driven. A months-long public outreach process included: mailers to all affected property owners; two community town halls; and individual outreach to property owners (see Appendix A).



5. *Blueprint Denver* Equity Concepts

Blueprint Denver has three equity concepts: Improving access to opportunity; reducing vulnerability to displacement; and expanding housing and jobs diversity. *Blueprint Denver* states that equity concepts “should be used to evaluate large area rezonings” (p. 67) and therefore are applicable to this rezoning application.

Access to Opportunity

The areas in Berkeley and Regis neighborhoods in this rezoning have an average of **moderate** access to opportunity, defined as access to basic goods, services, and amenities to improve quality-of-life. The proposed overlay will increase access to opportunity by ensuring that new development includes non-residential uses that contribute to jobs, services and amenities in these areas.

Vulnerability to Displacement

Berkeley is indicated as an area with **low** vulnerability to displacement while Regis has **moderate** vulnerability. The Regis score is a result of a higher percentage of the population with less than a college degree. The proposed overlay is not anticipated to impact the metrics associated with vulnerability to displacement.

Housing Diversity

Berkeley and Regis are indicated as areas with **moderate** housing diversity. The neighborhoods are diverse in terms of home size, but not diverse in terms of middle-density housing or ownerships compared to rental. The proposed overlay may have a slight impact on housing diversity by leading to fewer new multi-unit dwelling units than otherwise would be built, since it restricts dwelling units for a portion of the ground floor.

Job Diversity

The subject areas within Berkeley and Regis have a **low to moderate** density of jobs, with the greater concentration of employment near Regis University. Overall, there is higher diversity of retail and innovation jobs than the citywide average in the two neighborhoods, but lower manufacturing diversity. The proposed rezoning may have a positive impact on job diversity in the neighborhood by creating new opportunities for employment.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to U-MS/MX-2, -3, and -5 with the DO-8 overlay 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 through implementation of numerous adopted City plans which recommends strengthening the design quality and preserving the commercial nature of embedded local corridors. Ensuring goods and services remain in established neighborhoods supports the long-term sustainability and therefore the health, safety, and welfare for all of Denver for generations. In addition, increasing access to employment opportunities will contribute to the financial stability of Denver’s residents.



Appendix A: Public Outreach

Property Owner Mailers

- Notice of town halls and link to information mailed to all property owners, with list generated by City Assessor.

Active Main Streets Overlay Town Hall

Over the past few years, streets like Tennyson have lost retail space to new development that is 100% residential. Berkeley Regis United Neighbors (BRUN) has been working with Councilwoman Sandoval on a zoning overlay to preserve the retail character of key commercial streets. Please join Councilwoman Sandoval along with representatives from BRUN and Denver Community Planning and Development to discuss the proposal and share your feedback.

COMMUNITY MEETINGS

Learn more about the proposal
<https://www.denvergov.org/district1> 

Skinner Middle School, Auditorium
3435 W. 40th Ave

Thursday, Mar. 5th, 6:30 - 8:00 pm
Wednesday, Mar. 11th, 6:30 - 8:00 pm

The same information will be covered in both meetings.

For questions email districtone@denvergov.org

Two Town Halls

- Held in-person on March 5th and 11th, 2020

Media Advisory

- Sent week prior to town halls

FAQ and Landing Page

- Community information hosted on webpage: <http://bit.ly/activecentersoverlay>

SCHEDULE NUMBER	OWNER NAME	SITE ADDRESS
0219428006000	A A G FAMILY TRUST	4345 W 38TH AVE
0219327014000	LAMARATE 38 LLC	4901 W 38TH AVE
0219327013000	LAMARATE 38 LLC	4915 W 38TH AVE
0219327012000	HIEROPHANT LTD	4923 W 38TH AVE -4939
0219326028000	5001 W 38TH AVENUE LLC	5001 W 38TH AVE
0219326015000	THOMPSON,ROBYN	5019 W 38TH AVE
0219326014000	MANRIQUEZ-SUAREZ,ADAN	5023 W 38TH AVE
0219326013000	FISCHER,JULIE ELIZABETH	5025 W 38TH AVE
0219326033000	38ZENLLC	5029 W 38TH AVE
0219326032000	38ZENLLC	5037 W 38TH AVE
0219325046000	CHAVARRIA,LARISA	5105 W 38TH AVE UNIT 2
0219325049000	CURTIS,REHANNA	5105 W 38TH AVE UNIT 5
0219325053000	ESTATE SURF LLC	5105 W 38TH AVE 5-PRK
0219325055000	ESTATE SURF LLC	5105 W 38TH AVE 7-PRK
0219325051000	ESTATE SURF LLC	5105 W 38TH AVE UNIT 7
0219325052000	ESTATE SURF LLC	5105 W 38TH AVE UNIT 8
0219325057000	FULTZ,SAVANNAH B	5105 W 38TH AVE 1-PRK
0219325045000	FULTZ,SAVANNAH B	5105 W 38TH AVE UNIT 1
0219325047000	MARTELON,KYLE J	5105 W 38TH AVE UNIT 3
0219325050000	MCWILLIAMS,ERIC T	5105 W 38TH AVE UNIT 6
0219325054000	MCWILLIAMS,ERIC T	5105 W 38TH AVE 6-PRK
0219325048000	MIRELES,DANIEL	5105 W 38TH AVE UNIT 4
0219325058000	MIRELES,DANIEL	5105 W 38TH AVE 4-PRK
0219325056000	PLATEK,RYAN	5105 W 38TH AVE 8-PRK
0219325036000	PETTIT,ASHLEY	5109 W 38TH AVE
0219325037000	MANTEI,KARELEE	5113 W 38TH AVE
0219325012000	38TH & SHERIDAN ASSOCIATES LLC	5119 W 38TH AVE
0219332019000	TENNYSON PLACE LLC	4400 W 39TH AVE
0219404010000	TENNYSON LANE LLC	4351 W 43RD AVE
0219405053000	RNJS PROPERTIES LLC	4396 W 43RD AVE
0219301009000	TENNYSON INVESTORS LLC	4415 W 43RD AVE -4423
0220223008000	ZARLENGO,HENRY E TR #1	3535 W 44TH AVE -3537
0220308001000	WESTSIDE INVESTORS III LC	3536 W 44TH AVE
0220223029000	ZARLENGO,HENRY E TR #1	3541 W 44TH AVE
0219130008000	HONG PROPERTY INC	3645 W 44TH AVE
0219129013000	DK EXPRESS LLC	3701 W 44TH AVE
0219403023000	HPCW2 LLC	4280 W 44TH AVE
0219123028000	STUART STREET SHOPS LLC	4301 W 44TH AVE
0219123031000	LUANNE SAGER P LLC	4329 W 44TH AVE
0219212010000	4979 W 44TH AVE LLC	4979 W 44TH AVE
0219307049000	ZEN 44 LLC	5052 W 44TH AVE
0219211030000	WAHLIN,MICHAEL D	5055 W 44TH AVE
0219307048000	ZEN 44 LLC	5058 W 44TH AVE
0219307047000	ZEN 44 LLC	5062 W 44TH AVE
0219307046000	ZEN 44 LLC	5068 W 44TH AVE
0219308024000	IGLOO 5100 LLC	5100 W 44TH AVE

SCHEDULE NUMBER	OWNER NAME	SITE ADDRESS
0219106032000	WAMSERVILLE WEST LLC	4345 W 46TH AVE
0219201041041	COSTELLO,ANNA R	4400 W 46TH AVE UNIT 101
0219201046046	HENDERSON,DANA	4400 W 46TH AVE UNIT 106
0219201042042	O'REILLY,KELLY	4400 W 46TH AVE UNIT 102
0219201044044	PANG,RHONDA & LAWSON TRUST	4400 W 46TH AVE UNIT 104
0219201045045	STEINKE,GRANT J	4400 W 46TH AVE UNIT 105
0219201043043	VEHOVIC,BENJAMIN	4400 W 46TH AVE UNIT 103
0219201047047	VOELL,MATTHEW	4400 W 46TH AVE UNIT 107
0217308014000	SOLHEIM,JOHN S & JEANNIE L	3525 W 49TH AVE
0218417014000	WOLFPACK REAL ESTATE SERVICES LLC	3609 W 49TH AVE
0220308025000	DP ASSETS LLC	4262 N LOWELL BLVD
0220308024000	EVANS,MICHELLE & TIM	4272 N LOWELL BLVD
0220223005000	ZARLENGO,HENRY E TR #1	4400 N LOWELL BLVD
0219130009000	BIRE LLC	4403 N LOWELL BLVD
0219130011000	BIRE LLC	4407 N LOWELL BLVD
0217309001000	RNJS PROERPTIES LLC	4890 N LOWELL BLVD GAR
0217308013000	ZAMORA,RAYMOND CHARLES	4900 N LOWELL BLVD
0218417043000	FOWLER,EMILY	4909 N LOWELL BLVD 101
0218417044000	DIXON,CAITLIN	4911 N LOWELL BLVD 102
0218417045000	KAITLIN MARIE OPPENHUIZEN	4913 N LOWELL BLVD 103
0218417046000	KEVIN AND SUZANNE RAINS LIVING REVOCABLE TRUST	4915 N LOWELL BLVD 104
0218417047000	GILULA,ZACHARY	4917 N LOWELL BLVD 105
0217308037000	MACASKILL,VICTORIA A	4918 N LOWELL BLVD
0218417048000	BOYD,ERIKA	4919 N LOWELL BLVD 106
0218417049000	SCHMIDT,ALLISON	4921 N LOWELL BLVD 107
0217308057000	BABBITT,BENJAMIN	4922 N LOWELL BLVD UNIT 4
0217308058000	CONNICK,MAX JEFFREY	4922 N LOWELL BLVD UNIT 5
0217308055000	GRIFFIN,JOSHUA V	4922 N LOWELL BLVD UNIT 2
0217308056000	MARSHALL,MARK C	4922 N LOWELL BLVD UNIT 3
0217308054000	TREADWELL,KATHERINE P	4922 N LOWELL BLVD UNIT 1
0217308063000	BENSON,ALLISSA	4926 N LOWELL BLVD UNIT 1
0217308062000	BUENGER,NICHOLAS M	4926 N LOWELL BLVD UNIT 2
0217308061000	HANSON,MEGAN DANIELLE	4926 N LOWELL BLVD UNIT 3
0217308059000	HARKNESS,THOMAS	4926 N LOWELL BLVD UNIT 5
0217308060000	STEKETEE,ANDREW	4926 N LOWELL BLVD UNIT 4
0218417017000	4927 LOWELL BLVD LLC	4927 N LOWELL BLVD
0217308038000	WHEATLAKE,PATRICK D	4928 N LOWELL BLVD
0217308039000	LALAMA,JEFFERY	4932 N LOWELL BLVD
0217308040000	CHHAY,MITCHELL	4936 N LOWELL BLVD
0217308042000	FLANDERS,GABRIELLE R	4940 N LOWELL BLVD
0217308041000	FLANDERS,GABRIELLE R	4940 N LOWELL BLVD
0218417039000	BROADWAY,MORGAN	4943 N LOWELL BLVD UNIT 3
0218417037000	GODDARD,DAVID ALAN	4943 N LOWELL BLVD UNIT 1
0218417040000	MONTEZ,MATTHEW ADAM	4943 N LOWELL BLVD UNIT 4
0218417041000	MULADORE,ROBERT	4943 N LOWELL BLVD UNIT 5
0218417042000	PUGH,ZACHARY N	4943 N LOWELL BLVD UNIT 6

SCHEDULE NUMBER	OWNER NAME	SITE ADDRESS
0218417038000	SITES,STEPHANIE	4943 N LOWELL BLVD UNIT 2
0217308007000	4944 LOWELL BLVD LLC	4944 N LOWELL BLVD
0217308048000	MCCORMICK,RILEY R	4950 N LOWELL BLVD
0217308049000	POLLACK,SAGE ELIZABETH	4954 N LOWELL BLVD
0218417033000	4955 LOWELL LLC	4955 N LOWELL BLVD
0217308050000	BRESLIN,EDWARD D	4956 N LOWELL BLVD
0217308051000	LIAMS,NANCY A	4958 N LOWELL BLVD
0217308052000	BRINK,ALEXANDRA MEGAN	4960 N LOWELL BLVD
0218417020000	LOWELL REAL ESTATE LLC	4961 N LOWELL BLVD
0217308047000	FROST,CELYNA C	4962 N LOWELL BLVD GAR
0217308043000	FROST,CELYNA C	4962 N LOWELL BLVD
0217308044000	ESKOLA,AMY ELAINE	4964 N LOWELL BLVD
0218417031000	LOWELL REAL ESTATE LLC	4965 N LOWELL BLVD -4977
0217308045000	WONG,KENDALL H	4966 N LOWELL BLVD
0217308046000	HAILEY,DUSTIN	4968 N LOWELL BLVD
0217308004000	ALBROOK PARTNERS	4970 N LOWELL BLVD
0217308003000	KELLOW,ADIL H ABDULLA	4974 N LOWELL BLVD
0217308002000	LOUI,SHEH CHONG	4976 N LOWELL BLVD
0217308001000	HAMLINS CAFE INC	4986 N LOWELL BLVD -4994
0218417024000	SG INVESTMENTS LLC	4991 N LOWELL BLVD
0218417034000	WESTSIDE INVESTORS LLC	4995 N LOWELL BLVD
0218416010000	NA,SANDRA K	5001 N LOWELL BLVD -5007
0218416017000	BERKELEY SCHOOL LLC	5025 N LOWELL BLVD
0218416019019	SMITH,LEROY G	5055 N LOWELL BLVD
0218416018018	GOULD,L BRAND	5065 N LOWELL BLVD
0219129014000	FOSTER,PATRICK	4425 N MEADE ST
0219325059000	38TH & SHERIDAN ASSOCIATES LLC	3800 N SHERIDAN BLVD
0219308003000	SHERIDAN 4348 LLC	4348 N SHERIDAN BLVD
0219308029000	WYLD INVESTMENTS II LLC	4390 N SHERIDAN BLVD APPRX
0219308002000	WYLD INVESTMENTS II LLC	4390 N SHERIDAN BLVD
0219308028000	WYLD INVESTMENTS II LLC	4390 N SHERIDAN BLVD
0219210055000	SOPHICOLL LLC	4406 N SHERIDAN BLVD
0219210005000	SOPHICOLL LLC	4436 N SHERIDAN BLVD
0219210044000	CST METRO LLC	4498 N SHERIDAN BLVD
0219404018000	LUANNE SAGER P LLC	4369 N STUART ST
0219123026000	GILPIN,SCOTT K	4415 N STUART ST
0219332010000	ANDERSON,RICHARD	3801 N TENNYSON ST
0219332011000	EVC TENNYSON LLC	3801 N TENNYSON ST
0219428005000	STAPLETON,WALKER	3822 N TENNYSON ST
0219332034000	EVC TENNYSON LLC	3825 N TENNYSON ST
0219428004000	D & D HOLDINGS LLC	3832 N TENNYSON ST
0219332035000	EVC TENNYSON LLC	3833 N TENNYSON ST
0219428003000	TENNYSON TWO LLC	3838 N TENNYSON ST
0219332021000	GRAVES,MICHAEL J SR	3843 N TENNYSON ST -3845
0219332008000	EVC TENNYSON LLC	3845 N TENNYSON ST
0219428024000	HP/PPG COLEWOOD LLC	3860 N TENNYSON ST

SCHEDULE NUMBER	OWNER NAME	SITE ADDRESS
0219332012000	SKAL MOT LLC	3867 N TENNYSON ST
0219332013000	GUETTERMAN,ERIC F	3871 N TENNYSON ST
0219428025000	ALPINE TENNYSON LAND LLC	3872 N TENNYSON ST
0219332033000	CARACTACUS PLOTTS LTD	3875 N TENNYSON ST
0219332032000	3877 TENNYSON LLC	3879 N TENNYSON ST
0219413010000	SMARTBUILD INC	3900 N TENNYSON ST
0219317064000	RALEIGH INVESTORS LLC	3901 N TENNYSON ST
0219317065000	RALEIGH INVESTORS LLC	3903 N TENNYSON ST
0219413009000	ROTHSON V2 LLC	3908 N TENNYSON ST
0219317014000	PEARL OF THE QUARTER LLC	3915 N TENNYSON ST
0219413008000	ROTHSON LLC	3918 N TENNYSON ST -3920
0219317015000	MAES,ROBERT M & BARBARA G	3923 N TENNYSON ST
0219317032000	TENNYSON LLC	3927 N TENNYSON ST
0219317031000	MAES FAMILY REVOCABLE TRUST	3929 N TENNYSON ST
0219413007000	AP 3926-3930 TENNYSON ST LLC	3930 N TENNYSON ST
0219413006000	3936 TENNYSON LLC	3936 N TENNYSON ST
0219317048000	MAES FAMILY REVOCABLE TRUST	3937 N TENNYSON ST
0219317044000	VON WALDO HOLDINGS LLC	3945 N TENNYSON ST
0219317019000	VITALITY CENTER LLC	3955 N TENNYSON ST
0219317051000	KG II LLC	3961 N TENNYSON ST
0219317052000	AP 3963 TENNYSON ST LLC	3963 N TENNYSON ST
0219317021000	AP 3965-3977 TENNYSON ST LLC	3971 N TENNYSON ST
0219317022000	AP 3965-3977 TENNYSON ST LLC	3973 N TENNYSON ST
0219317047000	3985 TENNYSON ST LLC	3985 N TENNYSON ST
0219413005000	AP 4000 TENNYSON ST LLC	4000 N TENNYSON ST
0219413004000	PALMQUIST,JO	4014 N TENNYSON ST -4018
0219413022000	MAES,GILBERT D & RACHEL J	4024 N TENNYSON ST
0219413003000	ROMAN HOLDINGS TENNYSON LLC	4030 N TENNYSON ST
0219413035000	41ST & TENNYSON LLC	4040 N TENNYSON ST
0219412011000	TENNYSON UNIQUE RENTALS LLC	4110 N TENNYSON ST
0219412010000	STEWART,RICHARD A	4114 N TENNYSON ST
0219412032000	STEWART,RICHARD A	4120 N TENNYSON ST
0219412039039	4144 TENNYSON LLC	4144 N TENNYSON ST UNIT COMM
0219412048048	BOCKLET,MATTHEW L	4144 N TENNYSON ST 209
0219412044044	BOYD,CHERYL E	4144 N TENNYSON ST 205
0219412055055	BROOKS,TRUST	4144 N TENNYSON ST 216
0219412047047	BROWNFIELD,NICCOLE R	4144 N TENNYSON ST 208
0219412050050	CASKEY,DANIEL	4144 N TENNYSON ST 211
0219412056056	CHU,KATHRYN	4144 N TENNYSON ST 217
0219412040040	GARRETT,BENJAMIN	4144 N TENNYSON ST UNIT 201
0219412042042	LAYDEN,KERRY	4144 N TENNYSON ST UNIT 203
0219412041041	LEITER,ROBERT S	4144 N TENNYSON ST UNIT 202
0219412045045	MANDERSON,LEWIS C	4144 N TENNYSON ST 206
0219412053053	MCDONOUGH,JENNIFER	4144 N TENNYSON ST 214
0219412046046	NERE,ANDREW	4144 N TENNYSON ST 207
0219412052052	POLLAKOV,HEATHER	4144 N TENNYSON ST 213

SCHEDULE NUMBER	OWNER NAME	SITE ADDRESS
0219412051051	QUIMBY,TROY D	4144 N TENNYSON ST 212
0219412049049	SHIRLEY,JAMAICA L	4144 N TENNYSON ST 210
0219412043043	SPENCER,EMILY PARRISH	4144 N TENNYSON ST 204
0219412054054	WATERMAN,ROBERT G	4144 N TENNYSON ST 215
0219412057000	TENNYSON ST LLC	4160 N TENNYSON ST
0219412031000	GRACIOUS PROPERTIES LLC	4162 N TENNYSON ST
0219412033000	JENSEN INC LLC	4170 N TENNYSON ST
0219405075000	LAXMI PROPERTIES LLC	4200 N TENNYSON ST
0219405076000	HALOGEN 7 LLC	4214 N TENNYSON ST
0219405046000	GONE TO THE DAWGS LLC	4224 N TENNYSON ST -4230
0219405054000	KESTLE,TIMOTHY W	4232 N TENNYSON ST
0219405044000	KESTLE,TIMOTHY W	4234 N TENNYSON ST
0219405045000	KESTLE,TIMOTHY W	4236 N TENNYSON ST
0219405005000	PALMA,RAUL	4248 N TENNYSON ST
0219405004000	GURUNG,KHAGENDRA	4252 N TENNYSON ST
0219405059059	BUERGER,JEFFREY	4258 N TENNYSON ST # 102
0219405060060	BUERGER,JEFFREY E	4258 N TENNYSON ST # 103
0219405058058	BUERGER,JEFFREY EDWARD	4258 N TENNYSON ST # 101
0219405061061	PETERSON,SUSAN F	4258 N TENNYSON ST # 104
0219316012012	4267 TENNYSON STREET LLC	4267 N TENNYSON ST UNIT 103
0219316010010	BOMBALICKI,JAY	4267 N TENNYSON ST UNIT 101
0219316014014	CORD,RICHARD H	4267 N TENNYSON ST UNIT 105
0219316013013	ELLIS,EDEN DAVID	4267 N TENNYSON ST UNIT 104
0219316017017	LYNTYG LLC	4267 N TENNYSON ST UNIT A
0219316016016	MARTIN,SCOTT R	4267 N TENNYSON ST UNIT 107
0219316011011	SMITH,MICHAEL B	4267 N TENNYSON ST UNIT 102
0219316015015	TENNYSON PARK LLC	4267 N TENNYSON ST UNIT 106
0219316006000	SFK LLC	4275 N TENNYSON ST
0219404009000	TENNYSON LANE LLC	4312 N TENNYSON ST
0219404008000	TENNYSON LANE LLC	4316 N TENNYSON ST
0219404007000	TENNYSON LANE LLC	4320 N TENNYSON ST
0219301058000	4321 TENNYSON ST U3 LLC	4321 N TENNYSON ST UNIT 3
0219301060000	DAVID,DARCIE	4321 N TENNYSON ST UNIT 5
0219301057000	DUMAS,DAVID	4321 N TENNYSON ST UNIT 2
0219301061000	MARKLE,JASON	4321 N TENNYSON ST UNIT 6
0219301059000	OURISMAN,MARY CHLOE	4321 N TENNYSON ST UNIT 4
0219301056000	VANDERPOEL,SCOTT	4321 N TENNYSON ST UNIT 1
0219404006000	SMITH,MELANIE A	4326 N TENNYSON ST
0219301011000	LG3 HOLDINGS LLC	4329 N TENNYSON ST
0219301012000	4337 TENNYSON LLC	4337 N TENNYSON ST
0219404005000	HOSANNA HOMES LLC	4338 N TENNYSON ST
0219404004000	TUMBARELLO LLC	4340 N TENNYSON ST
0219404003000	540 REALTY LLC	4342 N TENNYSON ST
0219301013000	4353 TENNYSON STREET LLC	4345 N TENNYSON ST
0219301014000	4353 TENNYSON STREET LLC	4347 N TENNYSON ST
0219301015000	4353 TENNYSON STREET LLC	4353 N TENNYSON ST

SCHEDULE NUMBER	OWNER NAME	SITE ADDRESS
0219301016000	SHEKHINAH LTD	4363 N TENNYSON ST
0219404024000	TENNYSON LLC	4368 N TENNYSON ST
0219301023023	44TENN LLC	4383 N TENNYSON ST UNIT 1-A
0219301025025	ACOSTA,LAURA	4383 N TENNYSON ST UNIT 1-C
0219301034034	ADAMS,ERIC S	4383 N TENNYSON ST UNIT 2-F
0219301039039	BERLINBERG,KELSEY	4383 N TENNYSON ST UNIT 2-K
0219301024024	BLKDG HOLDINGS COMPANY	4383 N TENNYSON ST UNIT 1-B
0219301030030	BROWNSON,STEPHEN W	4383 N TENNYSON ST UNIT 2-B
0219301032032	BUSCHE,FREDERICK WILLIAM III	4383 N TENNYSON ST UNIT 2-D
0219301043043	CARPER,KELLY	4383 N TENNYSON ST UNIT 3-C
0219301040040	CHEN,LIREN	4383 N TENNYSON ST UNIT 2-L
0219301048048	COEN,NANCY R	4383 N TENNYSON ST UNIT 3-H
0219301050050	CZERWONKA,JESSIE ANN	4383 N TENNYSON ST UNIT 3-J
0219301049049	DODD,ASHLEIGH N	4383 N TENNYSON ST UNIT 3-I
0219301047047	EMMEL,JOHN	4383 N TENNYSON ST UNIT 3-G
0219301051051	ENGQUIST,SUSAN D	4383 N TENNYSON ST UNIT 3-K
0219301042042	GOBER,GAIL J	4383 N TENNYSON ST UNIT 3-B
0219301035035	GRIFFIS,JENNIFER	4383 N TENNYSON ST UNIT 2-G
0219301044044	HARRINGTON,SEAN	4383 N TENNYSON ST UNIT 3-D
0219301037037	HBVI	4383 N TENNYSON ST UNIT 2-I
0219301029029	JACOBS,KATHRYN ROSE	4383 N TENNYSON ST UNIT 2-A
0219301026026	KINETIC LAND COMPANY LLC	4383 N TENNYSON ST UNIT 1-D
0219301045045	KLINE,MATTHEW R	4383 N TENNYSON ST UNIT 3-E
0219301052052	LOHSS,KAREN	4383 N TENNYSON ST UNIT 3-L
0219301031031	MCCAULIFF,JOCELYN	4383 N TENNYSON ST UNIT 2-C
0219301041041	MCCUE,EDWARD ROY	4383 N TENNYSON ST UNIT 3-A
0219301046046	PATTERSON,SCOTT D	4383 N TENNYSON ST UNIT 3-F
0219301038038	RITTER,JESSICA ANNE	4383 N TENNYSON ST UNIT 2-J
0219301027027	S & N CONDO LLC	4383 N TENNYSON ST UNIT 1-E
0219301028028	S & N CONDO LLC	4383 N TENNYSON ST UNIT 1-F
0219301036036	SCHUMAN,RENELL	4383 N TENNYSON ST UNIT 2-H
0219301033033	WILSON,BRIAN A	4383 N TENNYSON ST UNIT 2-E
0219404021000	TENNYSON 44 OWNER LLC	4390 N TENNYSON ST
0219217028000	CSP PROPERTIES LLC	4401 N TENNYSON ST
0219123010000	LUANNE SAGER P LLC	4430 N TENNYSON ST
0219217059000	44 TENNYSON TOWNHOMES LLC	4431 N TENNYSON ST UNIT 1
0219217070000	44 TENNYSON TOWNHOMES LLC	4431 N TENNYSON ST UNIT 12
0219217062000	44 TENNYSON TOWNHOMES LLC	4431 N TENNYSON ST UNIT 4
0219217060000	44 TENNYSON TOWNHOMES LLC	4431 N TENNYSON ST UNIT 2
0219217063000	44 TENNYSON TOWNHOMES LLC	4431 N TENNYSON ST UNIT 5
0219217066000	44 TENNYSON TOWNHOMES LLC	4431 N TENNYSON ST UNIT 8
0219217065000	44 TENNYSON TOWNHOMES LLC	4431 N TENNYSON ST UNIT 7
0219217061000	44 TENNYSON TOWNHOMES LLC	4431 N TENNYSON ST UNIT 3
0219217069000	ANGELO,JILL	4431 N TENNYSON ST UNIT 11
0219217067000	GIROLAMO,MATTHEW C	4431 N TENNYSON ST UNIT 9
0219217068000	POSCOPIO,JOHN	4431 N TENNYSON ST UNIT 10

SCHEDULE NUMBER	OWNER NAME	SITE ADDRESS
0219217064000	RUNYAN, RONALD FRANKLIN	4431 N TENNYSON ST UNIT 6
0219123065000	ANDREW, KIMBERLY J	4432 N TENNYSON ST UNIT 4
0219123061000	BOTELLO, ASHLEY	4432 TENNYSON ST 1
0219123068000	BOTELLO, ASHLEY	4432 TENNYSON ST SPC 1
0219123063000	DANIELSON, ERIC D	4432 TENNYSON ST 2
0219123064000	LINTON, DARON	4432 N TENNYSON ST UNIT 3
0219123067000	LONG, GABRIEL A	4432 N TENNYSON ST UNIT 6
0219123062000	LONG, GABRIEL A	4432 TENNYSON ST GAR 1
0219123066000	MASSMANN, CHRISTOPHER	4432 N TENNYSON ST UNIT 5
0219123069000	MASSMANN, CHRISTOPHER	4432 TENNYSON ST SPC 2
0219123079000	TENNYSON STREET PROPERTY VENTURES	4436 TENNYSON ST 1
0219123081000	TENNYSON STREET PROPERTY VENTURES	4436 TENNYSON ST 3
0219123082000	TENNYSON STREET PROPERTY VENTURES	4436 TENNYSON ST 4
0219123087000	TENNYSON STREET PROPERTY VENTURES	4436 TENNYSON ST SPC4
0219123080000	TENNYSON STREET PROPERTY VENTURES	4436 TENNYSON ST 2
0219217073000	44 TENNYSON TOWNHOMES LLC	4437 N TENNYSON ST UNIT 3
0219217074000	44 TENNYSON TOWNHOMES LLC	4437 N TENNYSON ST UNIT 4
0219217075000	44 TENNYSON TOWNHOMES LLC	4437 N TENNYSON ST UNIT 5
0219217071000	44 TENNYSON TOWNHOMES LLC	4437 N TENNYSON ST UNIT 1
0219217072000	44 TENNYSON TOWNHOMES LLC	4437 N TENNYSON ST UNIT 2
0219217076000	44 TENNYSON TOWNHOMES LLC	4437 N TENNYSON ST UNIT 6
0219123084000	TENNYSON STREET PROPERTY VENTURES	4438 TENNYSON ST SPC1
0219123073000	TENNYSON STREET PROPERTY VENTURES	4438 TENNYSON ST 3
0219123083000	TENNYSON STREET PROPERTY VENTURES	4438 TENNYSON ST SPC2A
0219123071000	TENNYSON STREET PROPERTY VENTURES	4438 TENNYSON ST 1
0219123074000	TENNYSON STREET PROPERTY VENTURES	4438 TENNYSON ST 4
0219123085000	TENNYSON STREET PROPERTY VENTURES	4438 TENNYSON ST SPC2B
0219123090000	TENNYSON STREET PROPERTY VENTURES	4438 TENNYSON ST SPC4
0219123086000	TENNYSON STREET PROPERTY VENTURES	4438 TENNYSON ST SPC3A
0219123091000	TENNYSON STREET PROPERTY VENTURES	4438 TENNYSON ST SPC3B
0219123072000	TENNYSON STREET PROPERTY VENTURES	4438 TENNYSON ST 2
0219217040000	DORLAND, TYLER M	4439 N TENNYSON ST
0219123077000	TENNYSON STREET PROPERTY VENTURES	4440 TENNYSON ST 3
0219123076000	TENNYSON STREET PROPERTY VENTURES	4440 TENNYSON ST 2
0219123088000	TENNYSON STREET PROPERTY VENTURES	4440 TENNYSON ST SPC1
0219123078000	TENNYSON STREET PROPERTY VENTURES	4440 TENNYSON ST 4
0219123089000	TENNYSON STREET PROPERTY VENTURES	4440 TENNYSON ST SPC4
0219123075000	WON, JOSEPH J	4440 TENNYSON ST 1
0219217041000	RICHMAN, JOSEPH F	4441 N TENNYSON ST
0219217042000	BUEHLER, JASON	4443 N TENNYSON ST
0219217043000	BUEHLER, JASON	4445 N TENNYSON ST
0219217044000	NIVEN, BRUCE	4447 N TENNYSON ST
0219217045000	FRANCE, PETER	4449 N TENNYSON ST
0219123032000	CASAS FELICES LLC	4450 N TENNYSON ST
0219217046000	RIDGEWAY, RACHEL ANNE	4451 TENNYSON ST
0219217047000	LABONTE, MOLLY	4453 N TENNYSON ST

SCHEDULE NUMBER	OWNER NAME	SITE ADDRESS
0219123033000	TENNYSON REDEVELOPMENT LLC	4454 N TENNYSON ST
0219217048000	HARROP,BRADLEY ROBERT	4455 N TENNYSON ST
0219217049000	HINCKLEY,BRUCE C	4457 N TENNYSON ST
0219217050000	UDUEBOR,VALENTINE	4459 N TENNYSON ST
0219123056000	BARECKI,SHERYL	4460 N TENNYSON ST UNIT 3
0219123057000	BECKMAN,ELISSA	4460 N TENNYSON ST UNIT 4
0219123060000	COOLEY,NICHOLAS	4460 N TENNYSON ST UNIT 7
0219123054000	JENNINGS,DREW	4460 N TENNYSON ST UNIT 1
0219123055000	KELLY,JOSEPH W	4460 N TENNYSON ST UNIT 2
0219123059000	MEADE,COURTNEY	4460 N TENNYSON ST UNIT 6
0219123058000	MITCHELL,DAVID LOUIS	4460 N TENNYSON ST UNIT 5
0219217051000	PELLEY,KARLI D	4461 N TENNYSON ST
0219217033000	HART,ELIZABETH A	4463 N TENNYSON ST UNIT 1
0219217037000	HENNINGSEN,ELLEN P	4463 N TENNYSON ST UNIT 5
0219217034000	JACOBSON,KYLE	4463 N TENNYSON ST UNIT 2
0219217036000	PAOLINO,ROSS	4463 N TENNYSON ST UNIT 4
0219217038000	TYLER,REBECCA	4463 N TENNYSON ST UNIT 6
0219217035000	WININGER,KATHRYN S	4463 N TENNYSON ST UNIT 3
0219217094000	4469 TENNYSON DEVELOPMENT LLC	4469 N TENNYSON ST UNIT 15
0219217088000	4469 TENNYSON DEVELOPMENT LLC	4469 N TENNYSON ST UNIT 9
0219217109000	4469 TENNYSON DEVELOPMENT LLC	4469 N TENNYSON ST
0219217097000	4469 TENNYSON DEVELOPMENT LLC	4469 N TENNYSON ST UNIT 18
0219217082000	4469 TENNYSON DEVELOPMENT LLC	4469 N TENNYSON ST UNIT 3
0219217111000	4469 TENNYSON DEVELOPMENT LLC	4469 N TENNYSON ST
0219217096000	4469 TENNYSON DEVELOPMENT LLC	4469 N TENNYSON ST UNIT 17
0219217081000	4469 TENNYSON DEVELOPMENT LLC	4469 N TENNYSON ST UNIT 2
0219217087000	4469 TENNYSON DEVELOPMENT LLC	4469 N TENNYSON ST UNIT 8
0219217108000	4469 TENNYSON DEVELOPMENT LLC	4469 N TENNYSON ST
0219217089000	4469 TENNYSON DEVELOPMENT LLC	4469 N TENNYSON ST UNIT 10
0219217092000	4469 TENNYSON DEVELOPMENT LLC	4469 N TENNYSON ST UNIT 13
0219217110000	4469 TENNYSON DEVELOPMENT LLC	4469 N TENNYSON ST
0219217091000	4469 TENNYSON DEVELOPMENT LLC	4469 N TENNYSON ST UNIT 12
0219217093000	4469 TENNYSON DEVELOPMENT LLC	4469 N TENNYSON ST UNIT 14
0219217095000	4469 TENNYSON DEVELOPMENT LLC	4469 N TENNYSON ST UNIT 16
0219217080000	4469 TENNYSON DEVELOPMENT LLC	4469 N TENNYSON ST UNIT 1
0219217084000	4469 TENNYSON DEVELOPMENT LLC	4469 N TENNYSON ST UNIT 5
0219217085000	4469 TENNYSON DEVELOPMENT LLC	4469 N TENNYSON ST UNIT 6
0219217090000	4469 TENNYSON DEVELOPMENT LLC	4469 N TENNYSON ST UNIT 11
0219217083000	4469 TENNYSON DEVELOPMENT LLC	4469 N TENNYSON ST UNIT 4
0219217086000	4469 TENNYSON DEVELOPMENT LLC	4469 N TENNYSON ST UNIT 7
0219123004000	WARNER,JAMES R	4470 N TENNYSON ST
0219217098000	4469 TENNYSON DEVELOPMENT LLC	4477 N TENNYSON ST UNIT 1
0219217099000	4469 TENNYSON DEVELOPMENT LLC	4477 N TENNYSON ST UNIT 2
0219217101000	4469 TENNYSON DEVELOPMENT LLC	4477 N TENNYSON ST UNIT 4
0219217102000	4469 TENNYSON DEVELOPMENT LLC	4477 N TENNYSON ST UNIT 5
0219217100000	4469 TENNYSON DEVELOPMENT LLC	4477 N TENNYSON ST UNIT 3

SCHEDULE NUMBER	OWNER NAME	SITE ADDRESS
0219123047000	ARCARO,MARGARET M & MATTHEW R	4478 N TENNYSON ST UNIT 2
0219123049000	GALLAHER,JASON J	4478 N TENNYSON ST UNIT 4
0219123050000	HARD,JEREMY	4478 N TENNYSON ST UNIT 5
0219123051000	RANGARAJ,ASHVATHI	4478 N TENNYSON ST UNIT 6
0219123048000	ROMINE,SCOTT D	4478 N TENNYSON ST UNIT 3
0219123046000	STORLIE,KATHY ANNE	4478 N TENNYSON ST UNIT 1
0219217104000	4469 TENNYSON DEVELOPMENT LLC	4485 N TENNYSON ST UNIT 2
0219217106000	4469 TENNYSON DEVELOPMENT LLC	4485 N TENNYSON ST UNIT 4
0219217103000	4469 TENNYSON DEVELOPMENT LLC	4485 N TENNYSON ST UNIT 1
0219217105000	4469 TENNYSON DEVELOPMENT LLC	4485 N TENNYSON ST UNIT 3
0219217107000	4469 TENNYSON DEVELOPMENT LLC	4485 N TENNYSON ST UNIT 5
0219123002000	45TH & TENNYSON LLC	4490 N TENNYSON ST
0219217025000	SHEPARD,ARGELIA MOLINA	4491 N TENNYSON ST
0219201013000	GRIFFITH,DAWN R LIV TRUST	4503 N TENNYSON ST
0219201014000	SHOWELL,KAY M	4507 N TENNYSON ST
0219201081000	ANAPUR,VERONICA S	4521 N TENNYSON ST 3
0219201085000	ARNOLD,CHRISTOPHER M	4521 N TENNYSON ST 7
0219201082000	CATAGNUS,PATRICIA A	4521 N TENNYSON ST 4
0219201080000	COPPERSKIERS FAMILY REVOCABLE TRUST	4521 N TENNYSON ST 2
0219201083000	KURTZ,SUSAN G	4521 N TENNYSON ST 5
0219201079000	SIERGIEJ,PAUL	4521 N TENNYSON ST 1
0219201084000	WALLER,SALLY 2014 TRUST	4521 N TENNYSON ST 6
0219201066000	CAMERON,MARIE E	4525 N TENNYSON ST UNIT 6
0219201064000	HELLER,DYLAN CHRISTIAN	4525 N TENNYSON ST UNIT 4
0219201065000	KOENIG,MATTHEW WESTON	4525 N TENNYSON ST UNIT 5
0219201061000	KROWL,JACK AUGUST	4525 N TENNYSON ST UNIT 1
0219201062000	MORENO,GABRIEL	4525 N TENNYSON ST UNIT 2
0219201063000	NEIR,STACY LEE	4525 N TENNYSON ST UNIT 3
0219122009000	HLS 4526 TENNYSON LLC	4526 N TENNYSON ST
0219201067000	BROWN,STEPHEN CRAIG	4533 N TENNYSON ST UNIT 1
0219201069000	CRAWFORD,EDWARD DOWNING	4533 N TENNYSON ST UNIT 3
0219201070000	JECK,BRADLEY A	4533 N TENNYSON ST UNIT 4
0219201071000	KENNEY,RYAN	4533 N TENNYSON ST UNIT 5
0219201072000	SHERMAN,JAMES M	4533 N TENNYSON ST UNIT 6
0219201068000	SMITH,KYLIE R	4533 N TENNYSON ST UNIT 2
0219201090000	DEAN, WILLIAM ALFRED III	4537 N TENNYSON ST UNIT 102
0219201087000	DEHDASHTI,DANIEL HOSSEIN	4537 N TENNYSON ST UNIT 105
0219201086000	PRICE,KANNON	4537 N TENNYSON ST UNIT 106
0219201089000	SMITH,BRITTANY	4537 N TENNYSON ST UNIT 103
0219201088000	WELZ,PHILIP P JR	4537 N TENNYSON ST UNIT 104
0219201091000	WILLIAMS,KELLY A	4537 N TENNYSON ST UNIT 101
0219122008000	LACKEY,RHONDA L	4538 N TENNYSON ST
0219201057000	BEER,MONA A	4539 N TENNYSON ST UNIT 111
0219201056000	BENNETT,MATTHEW	4539 N TENNYSON ST UNIT 109
0219201052000	EVANS,SCOTT	4539 N TENNYSON ST UNIT 101
0219201055000	GANSFIELD,STEVEN M	4539 N TENNYSON ST UNIT 107

SCHEDULE NUMBER	OWNER NAME	SITE ADDRESS
0219201054000	JJB FAMILY LIVING TRUST	4539 N TENNYSON ST UNIT 105
0219201053000	SORENSEN,RYAN	4539 N TENNYSON ST UNIT 103
0219201058000	TANG,KELVIN	4539 N TENNYSON ST UNIT 113
0219201093000	LIDDICK,SCOTT	4541 N TENNYSON ST
0219201094000	WEBSTER,WADE W	4543 N TENNYSON ST
0219201095000	WESCOTT,AMANDA	4545 N TENNYSON ST
0219201096000	KOPANSKY,KATHLEEN	4547 N TENNYSON ST
0219201097000	ROBERTSON,MAHRYSSA KATHERINE	4549 N TENNYSON ST
0219201098000	WELSH,KATHY	4551 N TENNYSON ST
0219201099000	PARKS,KAREN A	4553 N TENNYSON ST
0219122023000	4556 TENNYSON LLC	4556 N TENNYSON ST
0219201073000	CLARK,LARRY B	4559 N TENNYSON ST
0219201074000	THOMAS,BRANDON	4561 N TENNYSON ST
0219201075000	SASSER,WILLIAM BARRY	4563 N TENNYSON ST
0219201076000	HANLON,BRENTON	4565 N TENNYSON ST
0219201077000	METCALF,MICHAEL JOHN	4567 N TENNYSON ST
0219122004000	BERKELEY PARK PARTNERS LLC	4568 N TENNYSON ST
0219201078000	WOOD,JAMES	4569 N TENNYSON ST
0219201040040	BATES,KELLY	4575 N TENNYSON ST UNIT 107
0219201038038	FISCHER,JASON L	4575 N TENNYSON ST UNIT 105
0219201039039	GIBSON,JASON A	4575 N TENNYSON ST UNIT 106
0219201036036	JAKOB,ANDREW	4575 N TENNYSON ST UNIT 103
0219201035035	KUZMICH,JEANNE	4575 N TENNYSON ST UNIT 102
0219201034034	OZINGA,CHARLES	4575 N TENNYSON ST UNIT 101
0219201037037	PARSONS,SUSAN JANE	4575 N TENNYSON ST UNIT 104
0219122003000	BERKELEY PARK PARTNERS LLC	4576 N TENNYSON ST
0219122002000	BERKELEY PARK PARTNERS LLC	4586 N TENNYSON ST
0219327028000	REETZ,ANDREW A	3821 N XAVIER ST
0219327011000	TESKY,BARBARA M	3810 N YATES ST
0219327027000	GILLASPEY,RALPH WARREN	3820 N YATES ST
0219307022000	HOLLAND FAMILY TRUST	4381 N YATES ST
0219307023000	SOGNATORI LLC	4395 N YATES ST
0219211041041	OPUS ONE LLC	4411 N YATES ST UNIT 202
0219211040040	OPUS ONE LLC	4411 N YATES ST UNIT 102
0219211045045	OPUS ONE LLC	4411 N YATES ST UNIT 207
0219211036036	OPUS ONE LLC	4411 N YATES ST UNIT 103
0219211039039	OPUS ONE LLC	4411 N YATES ST UNIT 101
0219211037037	OPUS ONE LLC	4411 N YATES ST UNIT 104
0219211043043	OPUS ONE LLC	4411 N YATES ST UNIT 204
0219211044044	OPUS ONE LLC	4411 N YATES ST UNIT 206
0219211038038	OPUS ONE LLC	4411 N YATES ST UNIT 105
0219211042042	OPUS ONE LLC	4411 N YATES ST UNIT 203
0219307033000	FOSTER,ANDREW	4374 N ZENOBIA ST
0219307034000	FOSTER,ANDREW	4374 N ZENOBIA ST GAR
0219307036000	THACKER,CAROLYN	4376 N ZENOBIA ST 102
0219307035000	YE,HANLU	4376 N ZENOBIA ST 101

SCHEDULE NUMBER	OWNER NAME	SITE ADDRESS
0219307040000	ZEN 44 LLC	4378 N ZENOBIA ST
0219307039000	ZEN 44 LLC	4380 N ZENOBIA ST
0219307038000	ZEN 44 LLC	4384 N ZENOBIA ST
0219308022000	GRIGGS, WILLIAM K	4385 N ZENOBIA ST
0219307037000	ZEN 44 LLC	4388 N ZENOBIA ST
0219307041000	ZEN 44 LLC	4390 N ZENOBIA ST
0219307042000	ZEN 44 LLC	4392 N ZENOBIA ST
0219307043000	ZEN 44 LLC	4394 N ZENOBIA ST
0219307044000	ZEN 44 LLC	4396 N ZENOBIA ST
0219307045000	ZEN 44 LLC	4398 N ZENOBIA S
0219210010000	ZENOBIA PROPERTY LLC	4401 N ZENOBIA ST

Berkeley Regis United Neighbors, Inc
4949 Lowell Blvd, Denver CO 80221
BerkeleyRegisNeighbors.org



January 25, 2021

Re: Proposed Denver Zoning Code Text Amendment #9 and Legislative Map Amendment
Proposal #2020i-00080 - Active Centers & Corridors Design Overlay

Dear Members of the Denver Planning Board,

Berkeley Regis United Neighbors (BRUN) is a registered neighborhood organization (RNO) with the city of Denver. The RNO's boundaries are Federal Blvd to the east, Sheridan Blvd to the west, 38th Ave to the south, and 52nd Ave to the north. Paid membership is voluntary and available to households and businesses within BRUN's boundaries. Information is shared with members regularly through email blasts and posts on various social media platforms. Scheduled events, notices of upcoming meetings, prior meeting minutes and updates on important issues affecting our neighborhoods are provided at berkeleyregisneighbors.org. Per our bylaws, the purpose of BRUN is to serve the Berkeley and Regis neighborhoods and to foster and promote the common interests of its members.

Since Denver's zoning code update in 2010, we have seen dozens of small businesses displaced out of the area, not because the business itself could not succeed, but because properties were sold and redeveloped with new buildings using a code that does not require ground floor commercial space. Storefronts on our once active commercial streets have been replaced with primarily residential buildings that provide little opportunity for street level activity. As a result, the Berkeley Regis neighborhood has been severely impacted by these code changes in MX and MS commercial districts.

BRUN, through its ongoing community engagement, has sought and received input from residents within the RNO on these topics at several occasions. In addition, BRUN has worked alongside Denver City Council members and Community Planning and Development for several years on the subject Text Amendment and Design Overlay. In March of 2020, with assistance from Denver Dist. 1, City Council representatives, BRUN sponsored a series of public Town Halls established to explain the design criteria proposed in the Active Centers & Corridors Design Overlay, DO-8. On several occasions since, the proposed map and text amendments have been discussed in monthly public meetings.

In an email vote held January 25, 2021, members of the BRUN Board voted (10) in support and (0) opposed to urge Denver Planning Board and City Council members to vote in favor of passage of Proposed Denver Zoning Code Text Amendment #9 and the associated Legislative Map Amendment Proposal #2020i-00080 - Active Centers & Corridors Design Overlay (DO-8).

We believe that instituting these changes will help preserve the characteristic value of our commercial corridors through smart contextual development while encouraging vibrant pedestrian friendly streets.

Best Regards,

Jeffrey Stine
Chair, Zoning and Planning Committee
Berkeley Regis United Neighbors

Steven Teitelbaum
President
Berkeley Regis United Neighbors

CC: Denver CPD, Principal City Planner, Kristofer Johnson
Denver City Councilwoman District 1, Amanda Sandoval
Denver City Councilwoman At-Large, Deborah Ortega
Denver City Councilwoman At-Large, Robin Kniech
Denver INC, President, Loretta Koehler
Berkeley Regis United Neighbors Board of Directors

Johnson, Kristofer - CPD City Planner Principal

From: Planningboard - CPD
Sent: Monday, December 14, 2020 11:06 AM
To: Johnson, Kristofer - CPD City Planner Principal
Subject: FW: Denver's Planning Board Comment Form #13486685

From: noreply@fs7.formsite.com <noreply@fs7.formsite.com>
Sent: Monday, December 14, 2020 9:40 AM
To: Planningboard - CPD <planningboard2@denvergov.org>
Subject: Denver's Planning Board Comment Form #13486685



Thank you for submitting a comment to the Denver Planning Board. Your input will be forwarded to all board members as well as the project manager. For information about the board and upcoming agenda items, visit www.DenverGov.org/planningboard.

Name Benjamin Dezen

State Colorado

ZIP code 80212

Email bendezen@gmail.com

Would you like to express support for or opposition to the project? Strong support

Your comment: Thrilled to finally see the proposed rezoning for the design overlay on Tennyson Street. This is the last hope to save this treasured neighborhood from eliminating retail and walkability. I strongly support this project and hope it can be passed swiftly before more retail is eliminated. I can be reached at 720.272.0011 for any additional commentary about this rezoning. Thank you!

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[Click here](#) to report unwanted email.



Johnson, Kristofer - CPD City Planner Principal

From: Planningboard - CPD
Sent: Monday, December 14, 2020 11:07 AM
To: Johnson, Kristofer - CPD City Planner Principal
Subject: FW: Denver's Planning Board Comment Form #13486707

From: noreply@fs7.formsite.com <noreply@fs7.formsite.com>
Sent: Monday, December 14, 2020 9:48 AM
To: Planningboard - CPD <planningboard2@denvergov.org>
Subject: Denver's Planning Board Comment Form #13486707



Thank you for submitting a comment to the Denver Planning Board. Your input will be forwarded to all board members as well as the project manager. For information about the board and upcoming agenda items, visit www.DenverGov.org/planningboard.

Name	Emily Dezen
State	Colorado
Email	emily.dezen@gmail.com
Agenda item you are commenting on:	Rezoning
Address of rezoning	Tennyson St
Would you like to express support for or opposition to the project?	Strong support
Your comment:	I highly support ensuring that retail is a requirement on Tennyson St! We need to eliminate the opportunity for more slot homes to be built so we can keep what makes Tennyson St special.

This email was sent to planning.board@denvergov.org as a result of a form being completed.
[Click here](#) to report unwanted email.



Hi Kristopher,

I wanted to respond to the proposed rezoning (#2020I-00080) as a resident in that neighborhood that would be directly impacted with the proposed changes and not as a staff person with Denver Community Planning and Development / Development Services / Project Coordination Team. In my response though, I would like to draw on my professional knowledge as a Project Coordinator with City, my familiarity with the Denver Zoning Code (DZC), and how the changes to the DZC for the proposed overlay would be physically implemented with new construction.

I have lived at 51st and Meade since 2012 and seen first hand the drastic changes that have occurred to both Lowell and Tennyson Street over the past eight years. This includes the loss of many one-story bungalow structures with a sizeable front setback (20' or more) (several on Tennyson were used for commercial purposes), the loss of many commercial/retail businesses both due to their structure being demolished and loss of parking (more so on Tennyson), and the introduction of the many slot home structures that are now 3 or more stories taller than the previous structure. Although the City did a major overhaul of the DZC in May 2018 to address citizen outrage through the slot home text amendment, much damage to the character of the neighborhood was already been done as many slot homes were able to be approved under the pre-slot home text amendment version of the DZC. This impact is highly evident on the west side of Tennyson from 44th to 46th Avenue. A quick look at the grain of rooftops in Google Maps aerial view shows the dramatic shift in density and character of the new slot homes (red outline) from the majority of the surrounding neighborhood (largely SFD / duplexes).

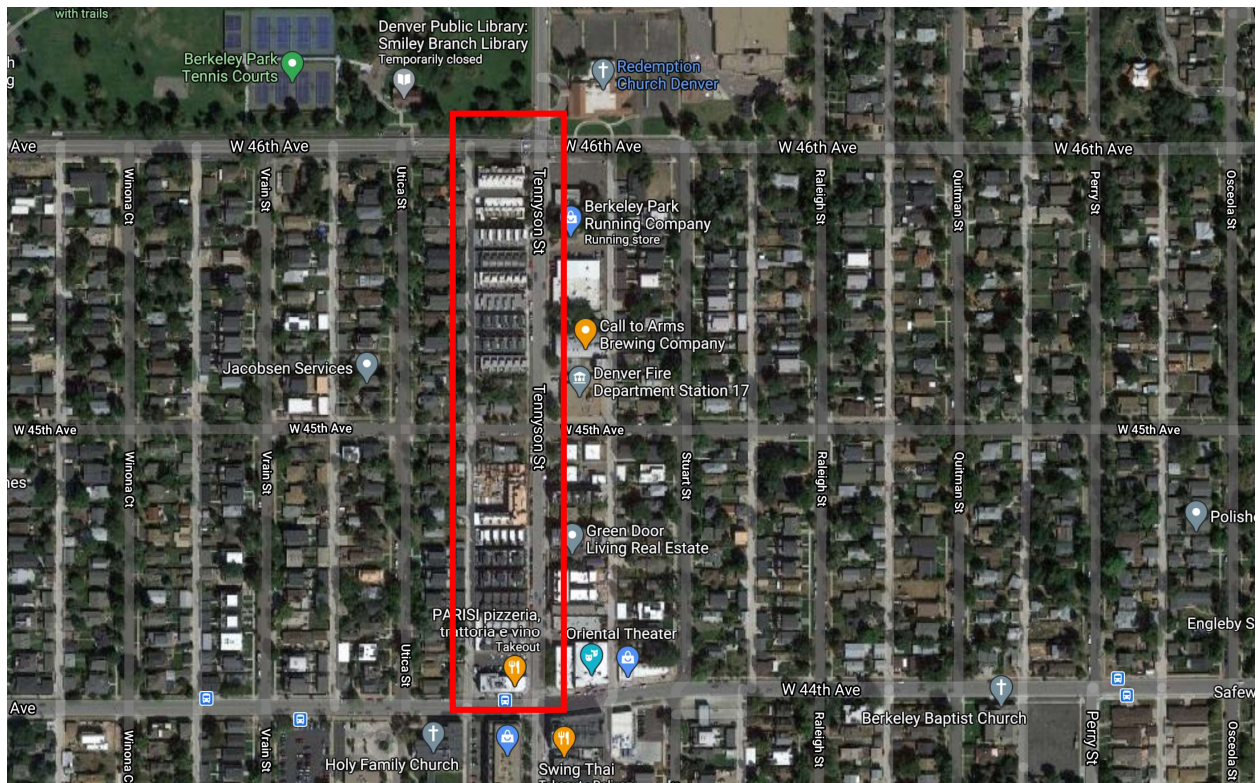


Figure 1

There is a long-standing history of a mix of single-family homes, duplexes, and multi-unit buildings in the neighborhood. I support continuing to offer a variety of housing types and housing diversity in this neighborhood as it is a large component of what makes this neighborhood great. However, I find that allowing the Townhome building form with its current standards, and even with the proposed DO-8 overlay, will continue to perpetuate one of the primary drivers of negative change in this neighborhood and continue to drastically erode the character that makes the Berkeley neighborhood so great.

If you haven't had the chance, I invite you to visit Tennyson Street on a Saturday morning or first Friday, particularly if there is a holiday or special event happening. It's a family-friendly, active, and highly pedestrian environment where many walk the street with coffee, strollers, young children, dogs, and friends. During times of special events (Halloween kids parade, etc.) there will be hundreds of people strolling. It's a fun place to be!

A good example of the old character of Tennyson that so many of us love still exists on the west side of Tennyson between 43rd and 44th (Cozy Cottage area). There are several shops in a variety of building styles. Some are right up on the sidewalk, but others have a sizeable front yard (~25' depth from back of walk to building (including front porch elements). Many of the existing buildings already have the depth in the front setback to support pedestrian experiences and outdoor dining places that activate the street and that the DO-8 is trying to achieve. Many of the existing buildings are also only 1 or 1.5' stories tall so the scale/volume experience of pedestrian realm to building height is short height and wide horizontal. The sidewalk width changes dramatically as you travel up and down Tennyson, but on the west side of 43rd-44th, it's about 13' (Google Maps measurement). Along Lowell Street a similar situation occurs with sidewalks ranging from 20' – 30' in front of the Rocky Top (49th/Lowell) and Noshery (50th/Lowell). Both the Rocky Top and Noshery have existing outdoor dining areas that are highly utilized and activate the street and pedestrian experience.

The slot homes that start on the north side of 44th create a much more harsh environment for the pedestrian (and also drivers). Many of the townhome buildings have minimal windows on the street facing facades (not just ground level), garden walls cover the bottom couple of feet of the "private alley between units", and many have gas / electric meters facing the street. While Denver does not regulate architectural design in this neighborhood, many of the slot homes also use the more modern storage container metal panel materials that create an industrial and cold feeling. Additionally, the pedestrian scale/volume experience changes dramatically. The building and garden wall are at the back of walk. The sidewalk has shrunk to barely 5' and a pathetic tree lawn of 2.5' is provided. The total pedestrian realm is now only 7.5' between a building 3-4 times taller from the previous 13'-30' found to the curb in many other places. Forestry needs a minimum 5' tree lawn to provide street trees in a sustainable fashion, but 8' is preferred. To further reduce the pedestrian experience, many of the mailboxes and mechanical meter/equipment encroach into the sidewalk space and functionally reduce the sidewalk width to less than 5'.

So we've gone from this:

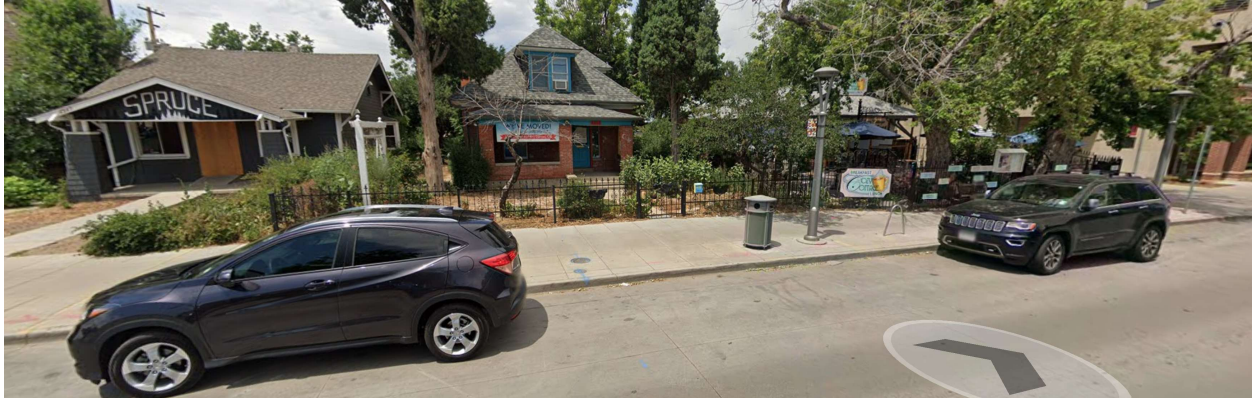


Figure 2

To this.



Figure 3 – Many utilities, undersized walk and tree lawn, minimal transparency, and garden wall to screen my lower body, but not eyes, from the private drive aisle.



Figure 4 – Pedestrian experience includes a garage entrance, undersized tree lawn, and gas meter bank with a false front door and a single small window looking into a garage.

I do have several recommendations on the proposed overlay language. I think the code can be substantially more aggressive in requiring design elements to retain/provide the pre-slot home era character that in many ways already achieves what the DO-8 is trying to achieve.

- 1) Require a minimum 8' (12' or more is preferable) and minimum 8' tree lawn. This will support many of broader City goals with Blueprint Denver, Comp Plan 2040, and other city policy documents by providing more pedestrian friendly environments, promoting walking over vehicle transit, and providing areas for sustainable landscape to improve air quality and heat island effects, etc.
- 2) It's a drastic request for the Shopfront and Townhome form, but require a minimum 20' distance from back of walk to front of building for buildings that are retail or eating/drinking uses to promote outdoor dining on the street. The proposed 2' setback is minimal and will not effectively change anything. An outdoor table and chairs is difficult to locate in a 2' wide setback. We all complain about the size of airplane seats. The proposed 2' setback is only 8" wider than most domestic airline seats.



Figure 5

- 3) If a 20' front setback cannot be provided, instead of requiring a majority (70%+) of the building to be in a narrow build-to range, instead require a portion of the building to be setback more than 10' to create little nooks for eating/pop-up sales. In essence require that the space we desire be created instead of hoping that it may come to be. If we allow the building to be at 0', almost all developers will want to maximize their building envelope and will build to 0'. This may effectively create a maximum allowable build-to of 60% or 80% rather than a minimum.
- 4) Alternatively, provide incentives to developers to provide a sizeable deep front setbacks to offset the loss of buildable area. I'm not sure what those may look like, but I think a discussion can be had.
- 5) Require gas/electric meters to not face the Primary or Side Streets. Or at a minimum do not allow them to encroach into the setback (although that is often 0' already).
- 6) Limit transparency requirements to just glazing. Wall design should not be allowed. Murals are a fun form of permanent art that could be allowed in special circumstances, such as an incentive.
- 7) Require the facades facing the street to activate and have transparency at all levels, not just the ground level. Active uses could be only required at ground level.
- 8) Require the facades facing the street to have a variety of materials and or architectural interest and articulation with offsets / insets of a minimum distance at all levels. While Figure 3 above has a more than one material, it is a long flat plane for the full façade with no offsets between materials or windows. Long expanses of flat walls should be avoided along street sides.
- 9) Require higher levels of transparency for non-residential uses on side streets.
- 10) Require buildings at intersections to chamfer the building corner at the intersection. Figure 6 below shows the contrast between long-time Berkeley character which often chamfered the building corner and a recently constructed building (Southeast corner – not chamfered).

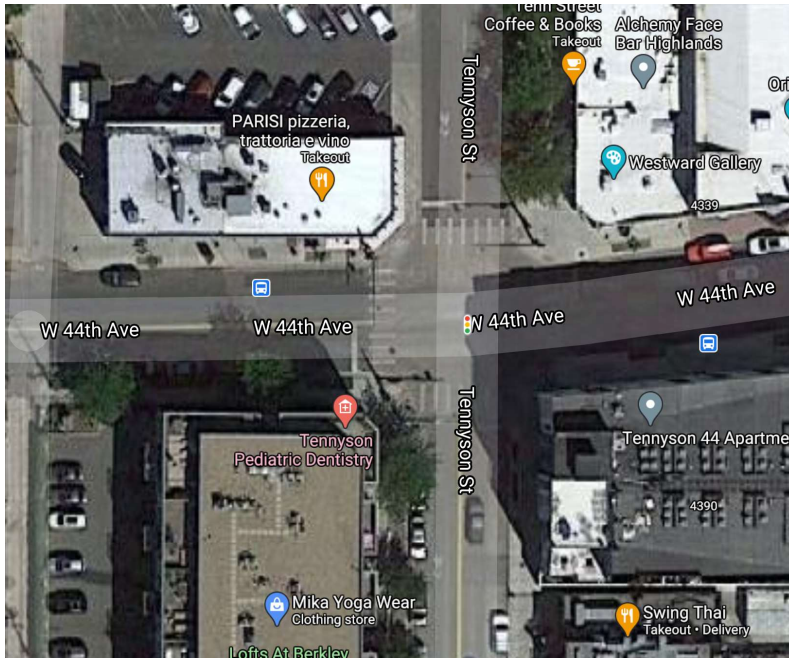


Figure 6

- 11) Consider what types of uses would be provided that can function within a 15' active use zone on the ground floor. A depth of 15' is about the depth of my living room. Many restaurant uses, even small coffee shops, need more depth than 15' to operate.
- 12) The active use definition (Supplemental Design Standard E) should be revised to also eliminate stairwell/elevators, Fire command centers, and water/riser rooms from contributing to active use. They often need to be provided along the street side, but they should not contribute to the active use requirement. We currently are permitting many projects in review to allow these elements based on how the DZC is written but functionally they are circulation or utility type spaces. Where possible, provide incentives for the developer to move these elements out of the 15' feet to other parts of the building.
- 13) Allow the drive-thru building form to remain. Much of the Berkeley neighborhood character stems for a diversity of uses and buildings forms. Many drive-thrus have existed in the past and still function today as small commercial nodes (Lowell and 49th; Berkeley Chapel, Xavier / 38th). Limiting development to Townhomes and Shopfront forms greatly limits the non-residential development to just the Shopfront form where the 0' setbacks will be maximized by developers.

I'm happy to discuss these points in more detail or answer any questions you may have.

Thank you,

Tiffany Holcomb

Tiffany_holcomb@hotmail.com / Tiffany.Holcomb@denvergov.org

5085 Meade Street, Denver 80221

Dear Members of the Denver Planning Board:

As a business owner of District 1 (3921 Tennyson St, Denver, 80212), I am writing to voice my support for rezoning application #2020i-00080 to apply the Active Centers and Corridors Design Overlay (DO-8) in the Berkeley and Regis neighborhoods. This overlay will ensure that Berkeley and Regis' historic streetcar commercial areas retain their vibrant commercial character as they grow.

Since Denver's zoning code update in 2010, we have seen dozens of beloved small businesses displaced out of the area, not because the business itself could not survive, but because properties were sold and redeveloped. These new buildings provided no ground floor commercial space, effectively stunting the neighborhood's walkability and vibrant network of small businesses. As a result, we have seen a hollowing out of the very element that attracted people (and development) to these corridors in the first place. Please do everything possible to keep Tennyson unique and vibrant. By displacing small businesses solely to profit from the growing residential demand, you are killing the exact reason why people want to move to the area in the first place.

In contrast, the DO-8 overlay will ensure that commercial space is provided in new development and that these areas not only retain but grow their vibrant pedestrian friendly character. The overlay promotes city-wide goals in Denver Comprehensive Plan 2040 to create true mixed-use communities, support local, small businesses, and preserve community character. The overlay directly follows policy in Blueprint Denver to "ensure Denver and its neighborhoods have a vibrant and authentic retail" through requiring "strong street-level active use standards for local centers and corridors [which] may include a prohibition on residential units for a portion of the street level building" (Land Use and Built Form, Design quality and preservation, Policy 4).

Our community has worked for years to protect the integrity of our beloved shopfront corridors, while mostly being ignored in exchange for easy profits. In 2020, the Covid crisis has only further decimated the vibrancy of the community. While we mourn the loss of small businesses and the quirky spaces that made this area so special, we know there is still so much to save. Development is unavoidable and a sign that the area is loved, but I ask dearly that you be more strategic with what types of development and businesses can join the community. Thank you in advance for your support of this rezoning. Please keep Tennyson unique.

Sincerely,

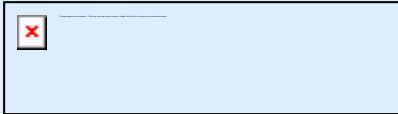
Aaron Murphy
Owner Miya Salon & Spa
3921 Tennyson St
Denver, CO, 80212
303-433-3635

Johnson, Kristofer - CPD City Planner Principal

From: Planningboard - CPD
Sent: Wednesday, January 6, 2021 11:55 AM
To: Johnson, Kristofer - CPD City Planner Principal
Subject: FW: Denver's Planning Board Comment Form #13507659

Follow Up Flag: Follow up
Flag Status: Flagged

From: noreply@fs7.formsite.com <noreply@fs7.formsite.com>
Sent: Tuesday, December 29, 2020 7:11 PM
To: Planningboard - CPD <planningboard2@denvergov.org>
Subject: Denver's Planning Board Comment Form #13507659



Thank you for submitting a comment to the Denver Planning Board. Your input will be forwarded to all board members as well as the project manager. For information about the board and upcoming agenda items, visit www.DenverGov.org/planningboard.

Name	Paul Miller
Address	4515 W 41st Ave
City	Denver
State	Colorado
ZIP code	80212
Email	paul@paulmillerphotography.com
Agenda item you are commenting on:	Rezoning
Address of rezoning	multiple

Case number 2020I-00080

Would you like to express support for or opposition to the project? Strong support

Your comment: I am in complete favor of the rezoning overlay for the Tennyson/Berkeley area. Enough of developers coming in and building big apartment boxes that completely change the feeling of a neighborhood small business area! At the very least they need to include retail on the bottom floor like required in the proposed U-MS-2 rezoning.

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Johnson, Kristofer - CPD City Planner Principal

From: Johnson, Kristofer - CPD City Planner Principal
Sent: Tuesday, January 12, 2021 5:12 PM
To: klkulinski@msn.com
Cc: Grunditz, Naomi R. - CC City Council Aide District 1
Subject: RE: Denver's Planning Board Comment Form - 2020I-00080 Rezoning

Hi Kathryn,

Thank you for your comment regarding the proposed rezoning in the Berkeley-Regis area! I received your response earlier today and wanted to offer a clarification regarding the Safeway site at the southwest corner of 44th and Lowell. I understand your concern regarding views, but this site actually already has U-MX-3 zoning and is not included in the rezoning area, so no changes are proposed. The proposed rezoning applies to the other corners at that intersection, along Tennyson Street, and a few other locations around the area. The change in zoning is being led by Councilwoman Sandoval who represents District 1 and will not modify the current allowed height in those areas, but instead adds enhanced standards for active uses and more pedestrian-oriented design at the street level of future projects. You can learn more here at this website: <http://bit.ly/activecentersoverlay>.

Note, I have included Naomi Grunditz from the District 1 office on this email as well, so feel free to reach out to either one of us with any additional questions. And if you want to offer a follow-up response in support or opposition to the proposed changes, you can submit another comment via the Planning Board website or email me directly by January 19. Thank you!

kj



Kristofer Johnson, AICP, PLA | Principal City Planner – Urban Design
Community Planning and Development | City and County of Denver
p: 720.865.3091 | kristofer.johnson@denvergov.org
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From: Planningboard - CPD <planningboard2@denvergov.org>
Sent: Tuesday, January 12, 2021 4:05 PM
To: Johnson, Kristofer - CPD City Planner Principal <Kristofer.Johnson@denvergov.org>
Subject: FW: Denver's Planning Board Comment Form #13523553

From: noreply@fs7.formsite.com <noreply@fs7.formsite.com>
Sent: Friday, January 8, 2021 1:49 PM
To: Planningboard - CPD <planningboard2@denvergov.org>
Subject: Denver's Planning Board Comment Form #13523553



Thank you for submitting a comment to the Denver Planning Board. Your input will be forwarded to all board members as well as the project manager. For information about the board and upcoming agenda items, visit www.DenverGov.org/planningboard.

Name	Kathryn Kulinski
Address	4455 King St
City	Denver
State	Colorado
ZIP code	80211
Email	klkulinski@msn.com
Agenda item you are commenting on:	Rezoning
Address of rezoning	Multiple
Case number	#20201-00080
Would you like to express support for or opposition to the project?	Moderate support
Your comment:	The rezoning for the Safeway store is proposed for MX-3. To the west I am concerned about the height. A height of three stories would affect the view plane of the mountains.

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Johnson, Kristofer - CPD City Planner Principal

From: Planningboard - CPD
Sent: Tuesday, January 12, 2021 4:05 PM
To: Johnson, Kristofer - CPD City Planner Principal
Subject: FW: Denver's Planning Board Comment Form #13530196

From: noreply@fs7.formsite.com <noreply@fs7.formsite.com>
Sent: Tuesday, January 12, 2021 3:37 PM
To: Planningboard - CPD <planningboard2@denvergov.org>
Subject: Denver's Planning Board Comment Form #13530196



Thank you for submitting a comment to the Denver Planning Board. Your input will be forwarded to all board members as well as the project manager. For information about the board and upcoming agenda items, visit www.DenverGov.org/planningboard.

Name	Ann Nguyen
Address	824 Elati Street
City	Denver
State	Colorado
ZIP code	80204
Email	ann.nguyen@otak.com
Agenda item you are commenting on:	Text Amendment
Name of Project	Active Centers and Corridors Design Overlay

Would you like to express support for or opposition to the project?

Strong support

Your comment:

This project has always been community led and will help other communities/neighborhoods in Denver trying to find balance in new developments, neighborhood character and active corridors.

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Johnson, Kristofer - CPD City Planner Principal

From: Daniel Evans <daniel.evans103@gmail.com>
Sent: Sunday, January 24, 2021 3:15 PM
To: Johnson, Kristofer - CPD City Planner Principal
Subject: [EXTERNAL] We support Active Centers and Corridors Design Overlay District (DO-8)

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Kristofer Johnson -

My wife and I own a townhouse at 3823 West 39th Avenue, and we want you to know that we support the proposed zoning restrictions described as Active Centers and Corridors Design Overlay District (DO-8).

We moved to this neighborhood in part because of the many businesses on Tennyson Street, and we have been disappointed to see developments that do not include commercial space on the street level. We are very pleased that this proposal for a zoning overlay is now being considered. We support this design overlay for the entire area that is proposed, not only on Tennyson Street.

Thank you,

Daniel Evans
720-551-1840

Johnson, Kristofer - CPD City Planner Principal

From: Heather Noyes <heather@studiocpg.com>
Sent: Saturday, January 23, 2021 4:26 PM
To: Johnson, Kristofer - CPD City Planner Principal
Cc: Sandoval, Amanda P. - CC Member District 1 Denver City Council; Grunditz, Naomi R. - CC City Council Aide District 1; BRUN Zoning & Planning (ZAP); Amy Siegal; Meredith Kreiss; Jennifer Peters
Subject: [EXTERNAL] Active Centers and Corridors Design Overlay (DO-8)

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Members of the Denver Planning Board:

As a resident, small business owner and commercial property owner of District 1 (residing at 4492 Xavier and doing business at 4383 Tennyson St), I am writing to voice my support for rezoning application #2020i-00080 to apply the Active Centers and Corridors Design Overlay (DO-8) in the Berkeley and Regis neighborhoods.

During the 2010 Zoning Code Update public process, there was significant support for reinforcing the vision of the Tennyson St Commercial Corridor by establishing mixed use zone districts along Tennyson and in other commercial areas of the Berkeley Regis neighborhood that housed VERTICAL MIXED USE developments and new commercial uses at street level.

Unfortunately, we have lost significant amount of potential commercial square footage to slot homes in these commercial districts. In fact, despite changes in the zoning code to prevent slot homes, Tennyson Street is still seeing the construction of this building form because so many properties and permits were grandfathered. There is no new commercial activity between 44th and 46th on Tennyson on either side of the street. None. Zero. That is a total of 4 blocks of missed opportunity for the expansion of a cherished neighborhood commercial district.

100% residential development at street level in these districts was not part of the original vision as expressed in the OLD Blueprint Denver, the updated Blueprint Denver or in the Intent Statements of the Zone Districts.

In order to maintain and improve economic vitality in our neighborhood commercial districts, and to give our residents businesses to WALK TO, we need to ensure that there is and will be future opportunities for small businesses to be established and to grow. Mixed use zone districts should be comprised of a **mix of uses, not a single use** – which was the original vision expressed by local residents, property owners and business owners dating back to 2010 and the adoption of the updated zoning code.

We urge you to approve the Overlay which will be one step towards implementing the original vision.

Thank you.

Sincerely,

Heather Noyes Gregg
4492 Xavier Street

From: noreply@fs7.formsite.com on behalf of marie.e.cameron@gmail.com
To: [Planningboard - CPD](#)
Subject: Denver's Planning Board Comment Form #13572336
Date: Monday, February 1, 2021 3:31:38 PM

Denver Logo



Thank you for submitting a comment to the Denver Planning Board. Your input will be forwarded to all board members as well as the project manager. For information about the board and upcoming agenda items, visit www.DenverGov.org/planningboard.

Name	Marie Cameron
Address	4525 Tennyson Street Unit 6
City	Denvevr
State	Colorado
ZIP code	80212
Email	marie.e.cameron@gmail.com
Agenda item you are commenting on:	Rezoning
Address of rezoning	Proposed Denver Zoning Code Text Amendment #9 and Legislative Map Amendment Proposal #2020i-00080 - Active Centers & Corridors Design Overlay
Would you like to express support for	Strong support

**or
opposition
to the
project?**

**Your
comment:**

I agree with the letter that BRUN has submitted regarding the proposed Denver Zoning Code Text Amendment #9. As someone who lives in the Berkeley neighborhood, it is important to me and many of my neighbors that we maintain the character of the neighborhood and have commercial establishments on the first floor of the buildings along Tennyson between 38th and 46th.

Thank you for considering my opinion on the matter.
Marie

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From: noreply@fs7.formsite.com on behalf of megan.tracz@gmail.com
To: [Planningboard - CPD](#)
Subject: Denver's Planning Board Comment Form #13573873
Date: Tuesday, February 2, 2021 10:16:56 AM

Denver Logo



Thank you for submitting a comment to the Denver Planning Board. Your input will be forwarded to all board members as well as the project manager. For information about the board and upcoming agenda items, visit www.DenverGov.org/planningboard.

Name	Megan Tracz
Address	4433 Wolff St
City	Denver
State	Colorado
ZIP code	80212
Email	megan.tracz@gmail.com
Agenda item you are commenting on:	Rezoning
Address of rezoning	Tennyson St; Multiple areas within Berkeley/Regis
Case number	#2020I-00080
Would you like to	Strong support

**express
support for
or
opposition
to the
project?**

**Your
comment:**

I strongly support the efforts of Councilwoman Sandoval and BRUN neighborhood association to apply the Active Centers and Corridors Design Overlay to several properties in the Berkeley-Regis area. As a neighborhood resident, I've been deeply saddened by the rapid development on Tennyson that comprises of multi-unit housing within mere feet of the sidewalk. It is destroying the charm and economic viability of the district, removing opportunities for businesses and restaurants to continue to diversify and add immense value to our neighborhood. I urge the Planning Committee to take swift action in support of the proposal to ensure a vibrant future for the Berkeley/Regis businesses, restaurants and residents. Thank you.

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From: noreply@fs7.formsite.com on behalf of matthew.mendell@gmail.com
To: [Planningboard - CPD](#)
Subject: Denver's Planning Board Comment Form #13574095
Date: Tuesday, February 2, 2021 11:38:17 AM

Denver Logo



Thank you for submitting a comment to the Denver Planning Board. Your input will be forwarded to all board members as well as the project manager. For information about the board and upcoming agenda items, visit www.DenverGov.org/planningboard.

Name	Matthew Mendell
State	Colorado
ZIP code	80212
Email	matthew.mendell@gmail.com
Agenda item you are commenting on:	Rezoning
Address of rezoning	Tennyson St; Multiple areas within Berkeley/Regis
Case number	#2020I-00080
Would you like to express support for or opposition to the project?	Strong support
Your comment:	I support this plan. In particular to enforce mixed use (business) and no parking on the 1st floor.

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From: noreply@fs7.formsite.com on behalf of mackenziemount@gmail.com
To: [Planningboard - CPD](#)
Subject: Denver's Planning Board Comment Form #13573452
Date: Tuesday, February 2, 2021 8:04:27 AM

Denver Logo



Thank you for submitting a comment to the Denver Planning Board. Your input will be forwarded to all board members as well as the project manager. For information about the board and upcoming agenda items, visit www.DenverGov.org/planningboard.

Name	Megan Mount
Address	4025 Perry Street
City	Denver
State	Colorado
ZIP code	80212
Email	mackenziemount@gmail.com
Agenda item you are commenting on:	Rezoning
Address of rezoning	Tennyson Street, Lowell Boulevard, and 44th Avenue
Case number	DO-8
Would you like to	Strong support

**express
support for
or
opposition
to the
project?**

**Your
comment:**

I support the Active Centers and Corridors Design Overlay (DO-8) zone district for Tennyson Street, Lowell Boulevard, and 44th Avenue. There has been a flurry of development along Tennyson, much of it housing at the expense of commercial space. More development along these streets should look like the building at 4267 Tennyson Street, which houses the bar Untapped on the street level, with seven townhouses behind it. This both provides more housing to the city, but crucially also protects walkable, pedestrian-safe, and business-friendly districts that everyone wants to patronize, work in, or live near.

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From: noreply@fs7.formsite.com on behalf of [denvererin at gmail.com](mailto:denvererin@gmail.com)
To: [Planningboard - CPD](#)
Subject: Denver's Planning Board Comment Form #13576026
Date: Wednesday, February 3, 2021 9:24:11 AM

Denver Logo



Thank you for submitting a comment to the Denver Planning Board. Your input will be forwarded to all board members as well as the project manager. For information about the board and upcoming agenda items, visit www.DenverGov.org/planningboard.

Name	Erin Green
Address	4517 Stuart St
City	DENVER
State	Colorado
ZIP code	80212
Email	denvererin@gmail.com
Agenda item you are commenting on:	Text Amendment
Name of Project	Official Legislative Map Amendment, proposal #2020I-00080
Would you like to express support for or	Strong support

**opposition
to the
project?**

**Your
comment:**

I am writing to indicate my strong support for Official Legislative Map Amendment, proposal #2020I-00080 to apply Active Centers and Corridors Design Overlay (DO-8) to rezone properties in multiple locations in the Berkeley and Regis neighborhoods from U-MX-2; U-MX-3; U-MX-3, UO-1, UO-2; U-MS-3, UO-1, UO-2; U-MS-5; U-MS-5, UO-1, UO-2 to U-MX-2, DO-8; U-MX-3, DO-8; U-MX-3, UO-1, UO-2, DO-8; U-MS-3, UO-1, UO-2, DO-8; U-MS-5, DO-8; U-MS-5, UO-1, UO-2, DO-8.

I have lived in the Berkeley-Regis neighborhood for the majority of the past 20 years and have owned a home on Stuart Street, sharing an alley with Tennyson residences and now businesses, for the past 10 years. This proposal will help address critical neighborhood impacts of future development. It is crucial we preserve our neighborhood's character, specifically its pedestrian-friendly and small-business and commercial friendly nature. I am hopeful for the implementation of this design overlay.

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From: noreply@fs7.formsite.com on behalf of j.utterback@hotmail.com
To: [Planningboard - CPD](#)
Subject: Denver's Planning Board Comment Form #13576276
Date: Wednesday, February 3, 2021 10:32:25 AM

Denver Logo



Thank you for submitting a comment to the Denver Planning Board. Your input will be forwarded to all board members as well as the project manager. For information about the board and upcoming agenda items, visit www.DenverGov.org/planningboard.

Name	Joseph Utterback
Address	4517 Stuart Street
City	Denver
State	Colorado
ZIP code	80212
Email	j.utterback@hotmail.com
Agenda item you are commenting on:	Rezoning
Address of rezoning	Multiple
Case number	2020I-00080
Would you like to	Strong support

**express
support for
or
opposition
to the
project?**

**Your
comment:**

I am writing in support of the corridor design overlay (DO-8) along portions of Tennyson Street and other select commercial corridors in the Berkeley neighborhood. I believe the overlay would strengthen the street level commercial and retail environment that has been unfavorably impacted by recent residential development. This zoning change would provide a positive impact to the residents and business owners in strengthening the walk-ability and retail environment along commercial arteries.

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Johnson, Kristofer - CPD City Planner Principal

From: Morgan Jenkins <morganspur@gmail.com>
Sent: Thursday, February 4, 2021 2:48 PM
To: Johnson, Kristofer - CPD City Planner Principal
Subject: [EXTERNAL] Re: Denver's Planning Board Comment Form #13577213
Attachments: image001.png

Hello Kristofer,

You are most certainly correct! The overlay would help address my concerns.

I was confused on my position, but only realized this after I watched the Board Meeting online.

Then I wasn't sure how to 'fix' my comment. This is all new to me, but I do desire to be involved because I love my neighborhood.

Would it be possible to ammend my comment to 'strongly support'?

I do worry some about displacing neighbors who can no longer afford the prices though. I would like to see our neighborhood embrace livability for all, those with lots of money and those who make substantially less money- especially older adults on a fixed income. And preserve and foster diversity!

Thanks for reaching out, I am relieved to know perhaps you can help me change my response- but not my comment content.

Take care,

On Thu, Feb 4, 2021, 1:57 PM Johnson, Kristofer - CPD City Planner Principal <Kristofer.Johnson@denvergov.org> wrote:

Hi Morgan,

Thanks for your comment regarding the Active Centers and Corridors design overlay and rezoning 2020I-00080. I have recorded this and it will be included in the staff report that goes to City Council in March.

I wanted to note that your submission was marked as Strong Opposition, but when I read your additional comments, I believe the proposed overlay may address your desire to "build for people and small businesses." The rezoning proposal does not change any height limits or density, but implements enhanced design requirements at the street level to support a more walkable and pedestrian-friendly environment. It also would require space for commercial uses to be located on the ground floor of larger projects. The overlay is sponsored by the District 1 council office and they created a website with more information (<http://bit.ly/activecentersoverlay>). I invite you to read more about it and feel free to reach out to me with any additional questions.

Best regards,

kj



Kristofer Johnson, AICP, PLA | Principal City Planner – Urban Design
Community Planning and Development | City and County of Denver

[Pronouns](#) | He/Him/His

phone: (720) 865-3091 | kristofer.johnson@denvergov.org

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From: Planningboard - CPD <planningboard2@denvergov.org>

Sent: Thursday, February 4, 2021 9:27 AM

To: Johnson, Kristofer - CPD City Planner Principal <Kristofer.Johnson@denvergov.org>

Subject: FW: Denver's Planning Board Comment Form #13577213

From: noreply@fs7.formsite.com <noreply@fs7.formsite.com>

Sent: Wednesday, February 3, 2021 3:16 PM

To: Planningboard - CPD <planningboard2@denvergov.org>

Subject: Denver's Planning Board Comment Form #13577213



Thank you for submitting a comment to the Denver Planning Board. Your input will be forwarded to all board members as well as the project manager. For information about the board and upcoming agenda items, visit www.DenverGov.org/planningboard.

Name	Morgan Jenkins
Address	4258 Stuart st
City	DENVER
State	Colorado
ZIP code	80212
Email	morganspur@gmail.com
Agenda item you are commenting on:	Rezoning
Address of rezoning	Multiple (Berkeley-Regis)
Case number	20201-00080
Would you like to express support for or opposition to the project?	Strong opposition
Your comment:	We need to stop packing in and destroying Tennyson St. It is historical and what's left should remain so. The people standing to make millions have plenty. Can we agree to preserve, protect, build for people and small businesses not cars and congestion. We have gotten ahead of ourselves with the massive influx on tall concrete structures, one on top another, and now we need to use better guidelines for future growth. Buildings that preserve, are livable for all ages and abilities and highlight the rich history of the area. Instead of making it congested and unoriginal.

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To: Denver Planning Board

From: Paul Wuthrich

Date: February 1, 2021

Re: Denver Zoning Code Text Amendment #9 – Design Overlay (DO-8)

I would like to express my serious concerns regarding the DO-8 proposed zoning overlay to the Berkeley-Regis neighborhood. This proposed zoning change came to my attention on January 23, 2021 from our contracted architect for a project we have been working on since the summer of 2020. It was the first we had heard about these proposed changes despite claims in the Overlay Request indicating that property owners had been notified via mail. I have spoken to multiple property owners along Tennyson Street who also were completely unaware of these proposed changes.

There were 2 town hall meetings regarding this subject on March 5th and March 11th of 2020 according to the Overlay Request. This was at the start of the current pandemic. This was quite a challenging time to hold town meetings or to get a message across about anything other than the pandemic! On March 11, 2020 the US government declared a national emergency. Business and communication in general has been challenging due to lockdowns and the inability to have meetings in person. Perhaps the pandemic partially explains why so many individuals were unaware of these proposed changes, but numerous affected businesses and individuals only learned of these proposed changes in January 2021. This is the reality of this horribly difficult past 11 months.

I can only speak for our experience in this process and the effect this proposed overlay will have on our project in which we have invested significant time and money. The property I am referring to is located at **4491 Tennyson Street**.

- On October 5, 2020 we submitted a Concept Submitted to City of Denver e-permits portal. Normally this process takes 3 weeks to receive comments back. The comments were sent to our team 5 weeks after submittal. The comments we received DID NOT MENTION the possibility of a zoning change that would DRAMATICALLY alter our project and change the viability of our project. Based on this we proceeded with our SDP submittal on January 11, 2021. We contractually moved forward with soils testing, surveys, civil engineering, additional architectural documentation, landscape entitlements drawings, site development plan. All of these actions required investment.

- Our design is for 4 residential units on this 6250 sqft property. Currently there is a single family dwelling on the property that is in rough condition due to deferred maintenance and it is not visually appealing. We are bringing a much needed commodity to the market that is residential housing, off-street parking and density. There remains a shortage of housing throughout Denver.
- Our specialty is residential structures. We do not have any experience in commercial space design or building. Our financing is based on the residential design we submitted for loan documents and approval. A modification from residential to commercial space would void our plans, current investment as well as our financing and put us into default with our contractual obligations. Furthermore the small business that likely would construct our project would lose this revenue and this in turn would jeopardize employee jobs.
- We understand the vision of Blueprint Denver 2040. What we are requesting is a fair and timely transition to these proposed changes. **Projects that have moved thru the concept submittal and are in the process of SDP approval should be grandfathered or exempt from the proposed zoning change. This is an equitable resolution to the undue hardship this zoning change would inflict.**

I appreciate the great vision of Denver City Planners as well as the City Council and neighborhood organizations. I love this city and that is why I invest my time, energy and resources into making it the best it can be. It is imperative that a full understanding of the adverse consequences of voiding plans, well into the permitting process, be considered. The financial harm to individuals who based their business decisions on the current zoning and feedback process of Concept Submittal cannot be overstated.

Sincerely,

Paul Wuthrich

From: noreply@fs7.formsite.com on behalf of brad_at_greendoorliving.com
To: [Planningboard - CPD](#)
Subject: Denver's Planning Board Comment Form #13576519
Date: Wednesday, February 3, 2021 11:47:07 AM

Denver Logo



Thank you for submitting a comment to the Denver Planning Board. Your input will be forwarded to all board members as well as the project manager. For information about the board and upcoming agenda items, visit www.DenverGov.org/planningboard.

Name	Brad Sandler
Address	4454 Tennyson St
City	Denver
State	Colorado
ZIP code	80212
Email	brad@greendoorliving.com
Agenda item you are commenting on:	Rezoning
Address of rezoning	4454 Tennyson
Case number	I own several OLD properties on 4440 Block of Tennyson. A blanket rezone is not appropriate for the numerous single family properties and small businesses in this corridor. IT will drive UP the cost of Construction by 30% and depress property values accor

Would you like to express support for or opposition to the project?

Strong opposition

Your comment:

I own several older properties on 4440 Block of Tennyson. A blanket rezone is not appropriate for the numerous single family properties and small businesses in this corrido, specifically 4400-4600(excluding the corner of 46th). Almost ALL the properties on these 2 blocks are homes or townhomes and it would not be right to these new property owners, as well as the existing property owners to make this change on a clearly residential blocks. It will drive UP the cost of construction by 30% and depress property values & quality of residential living accordingly. We should be focused on making it cheaper to build RESIDENTIAL properties in this district & creating more community. There is ample vacant commercial space currently available!

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From: noreply@fs7.formsite.com on behalf of [Terri at greendoorliving.com](mailto:Terri.at.greendoorliving.com)
To: [Planningboard - CPD](#)
Subject: Denver's Planning Board Comment Form #13576493
Date: Wednesday, February 3, 2021 11:37:38 AM

Denver Logo



Thank you for submitting a comment to the Denver Planning Board. Your input will be forwarded to all board members as well as the project manager. For information about the board and upcoming agenda items, visit www.DenverGov.org/planningboard.

Name	Terri Thompson
Address	4454 Tennyson St
City	Denver
State	Colorado
ZIP code	80212
Email	Terri@greendoorliving.com
Agenda item you are commenting on:	Rezoning
Address of rezoning	4454 Tennyson St. Denver CO 80212
Case number	2020I-00080
Would you like to	Strong opposition

**express
support for
or
opposition
to the
project?**

**Your
comment:**

I own several OLD properties on 4440 Block of Tennyson. A blanket rezone is not appropriate for the numerous single family properties and small businesses in this corridor. IT will drive UP the cost of Construction by 30% and depress property values accordingly. We should be focused on making it cheaper to build RESIDENTIAL properties in this district. There is ample vacant commercial space currently available!

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From: noreply@fs7.formsite.com on behalf of metrodenverhomes@gmail.com
To: [Planningboard - CPD](#)
Subject: Denver's Planning Board Comment Form #13576465
Date: Wednesday, February 3, 2021 11:27:23 AM

Denver Logo



Thank you for submitting a comment to the Denver Planning Board. Your input will be forwarded to all board members as well as the project manager. For information about the board and upcoming agenda items, visit www.DenverGov.org/planningboard.

Name	Christian
Address	Thompson
City	Denver
State	Colorado
ZIP code	80212
Email	metrodenverhomes@gmail.com
Agenda item you are commenting on:	Rezoning
Address of rezoning	Multiple
Case number	#2020I-00080
Would you like to	Strong opposition

**express
support for
or
opposition
to the
project?**

**Your
comment:**

I own several OLD properties on 4440 Block of Tennyson. A blanket rezone is not appropriate for the numerous single family properties and small businesses in this corridor. IT will drive UP the cost of Construction by 30% and depress property values accordingly. We should be focused on making it cheaper to build RESIDENTIAL properties int this district. There is ample vacant commercial space currently avaialable!

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