



401 N Delaware

Request: U-RH-2.5 to U-MX-2x

Date: 10/28/2024

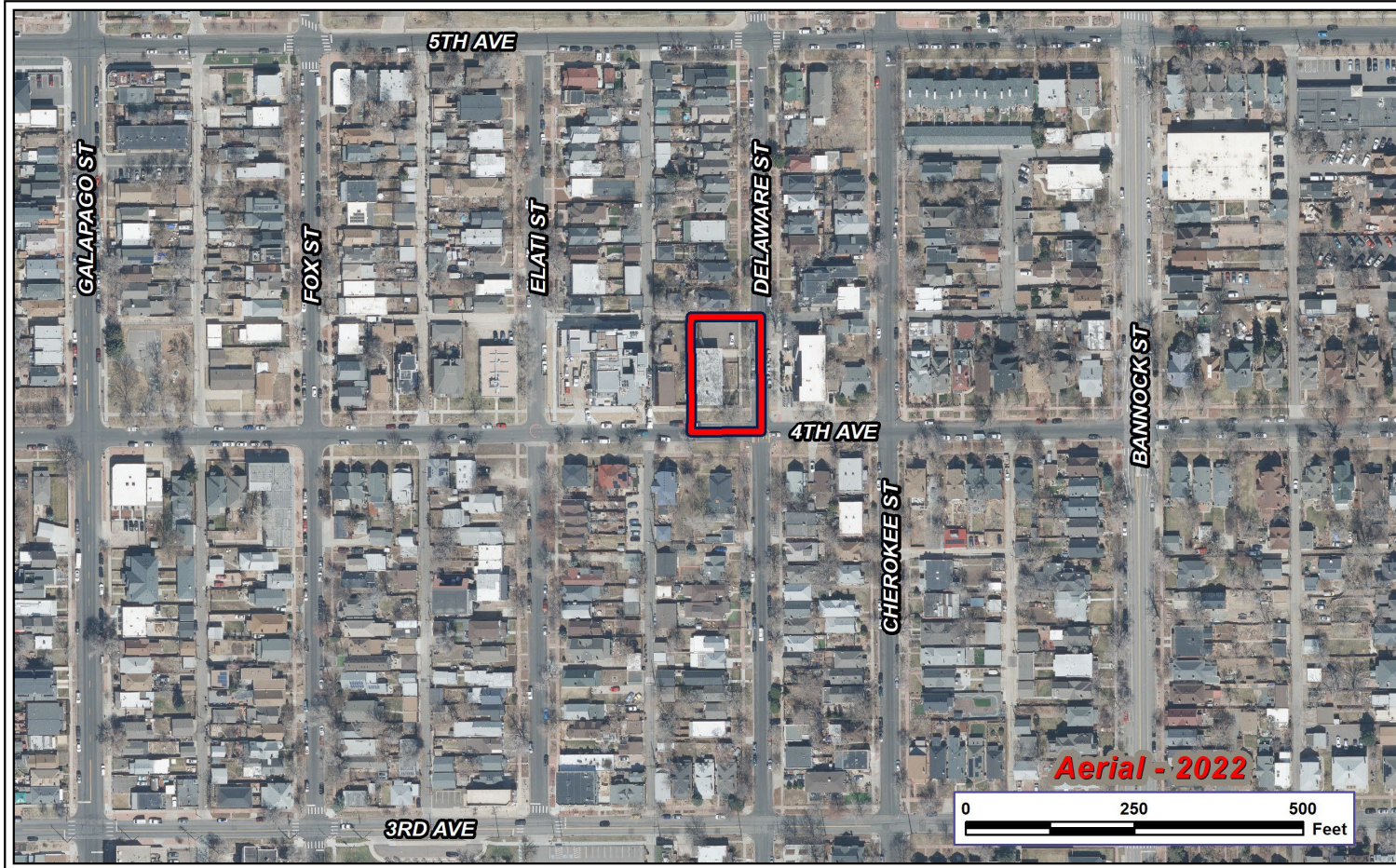
Presenter: Rob Haigh

Presentation Agenda

- Request
- Location and Context
- Process
- Review Criteria



Request: from U-RH-2.5 to U-MX-2x



- Property:
 - 9,375 square feet
 - Existing concrete block building
- Rezone from U-RH-2.5 to U-MX-2x
- Requesting rezoning to allow for adaptive reuse of the Property for low intensity, neighborhood serving commercial uses

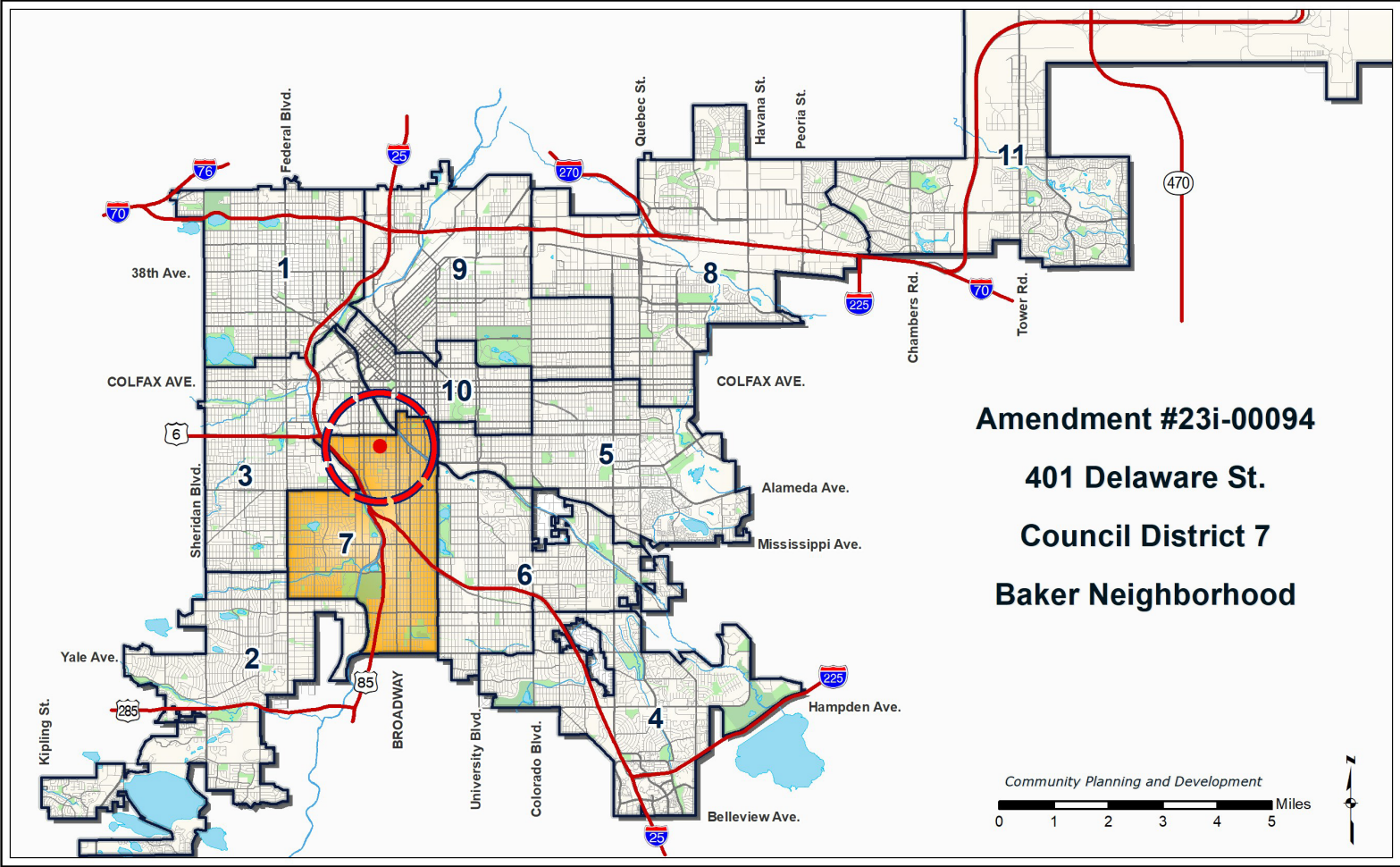
Reminder: Approval of a rezoning is not approval of a proposed specific development project

Presentation Agenda

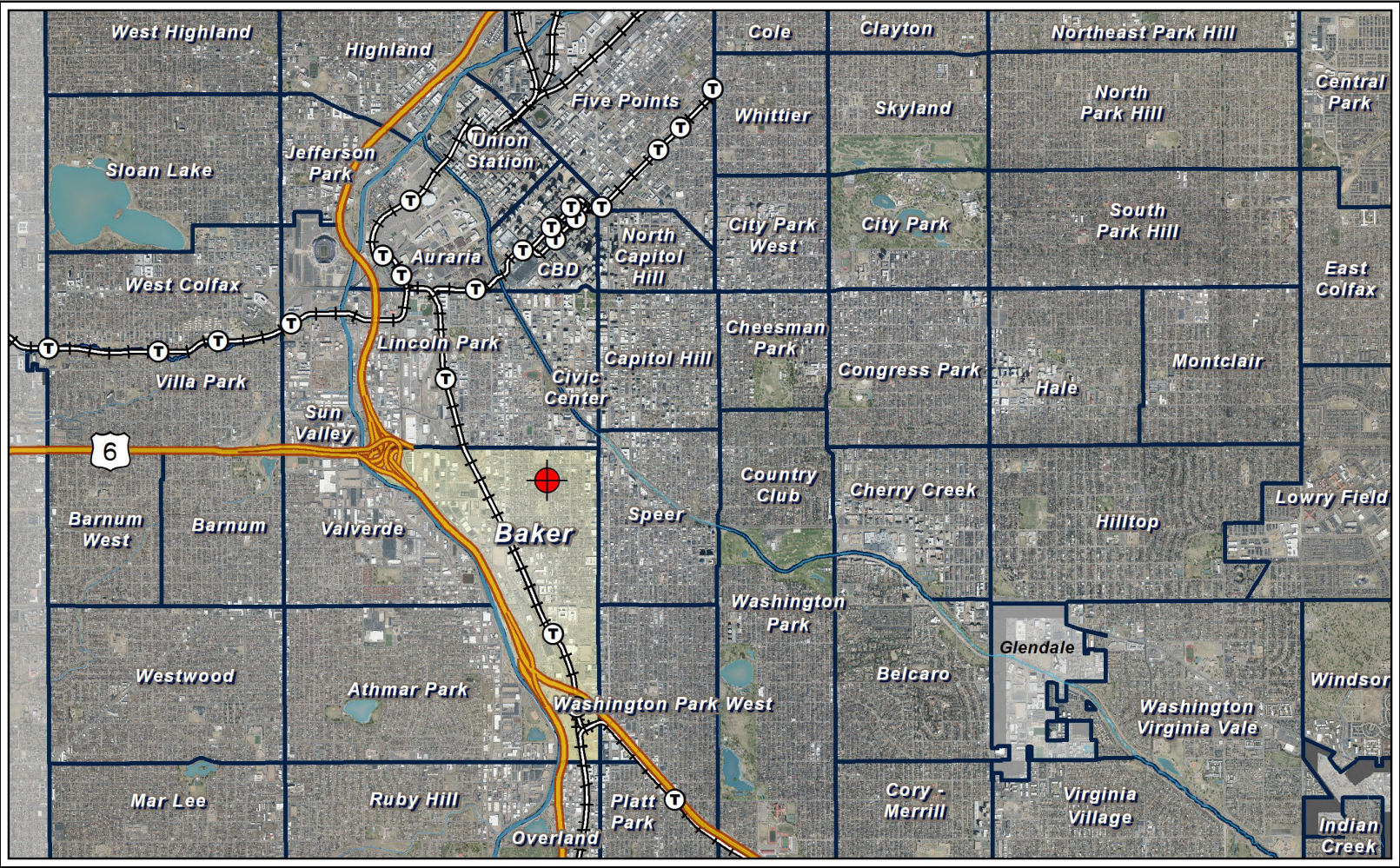
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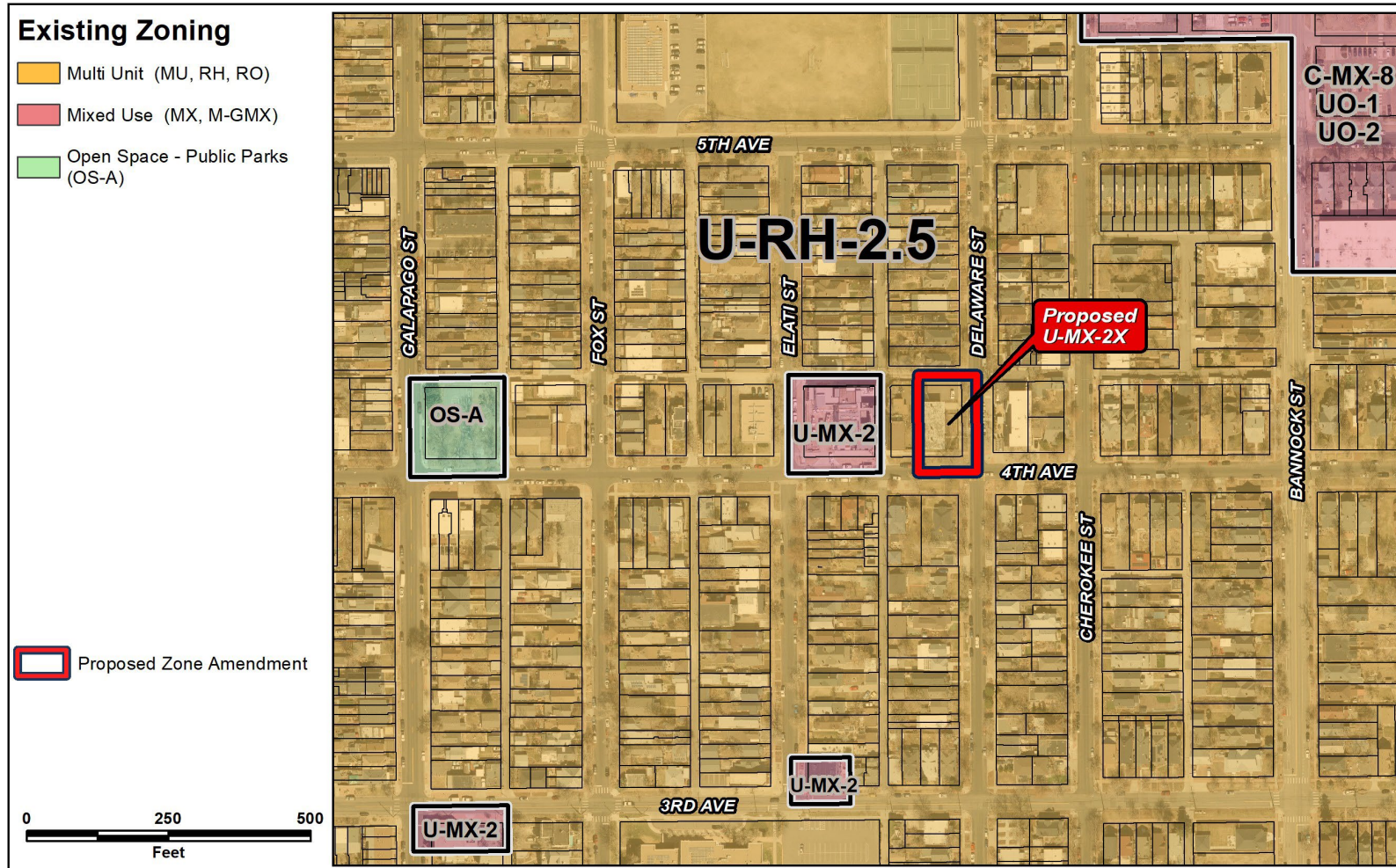
Council District 7 – Councilmember Alvidrez



Statistical Neighborhood – Baker



Existing Zoning – U-RH-2.5



Nearby Districts:

- U-RH-2.5
- U-MX-2
- OS-A
- C-MX-8

Proposed Zoning – U-MX-2x

SECTION 5.2.3 MIXED USE DISTRICTS (U-MX-2, -2X, -3)

5.2.3.1 General Purpose

- A. The Mixed Use zone districts are intended to promote safe, active, and pedestrian-scaled, diverse areas through the use of building forms that clearly define and activate the public street edge.
- B. The Mixed Use zone districts are intended to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city’s neighborhoods.
- C. The Mixed Use zone district standards are also intended to ensure new development contributes positively to established residential neighborhoods and character, encourages affordable housing, and improves the transition between commercial development and adjacent residential neighborhoods.
- D. Compared to the Main Street districts, the Mixed Use districts are focused on creating mixed, diverse neighborhoods. The Mixed Use districts are intended for corridors, embedded neighborhood business areas and larger sites.
- E. In the Urban Neighborhood Context, the Mixed Use zone districts 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 is less than the percentage for the Main Street districts.

B. Mixed Use - 2x (U-MX-2x)

U-MX-2x applies to small sites served primarily by local streets embedded within an existing or proposed neighborhood. These are typically one or two parcels and are limited to low scale building forms and low intensity uses.

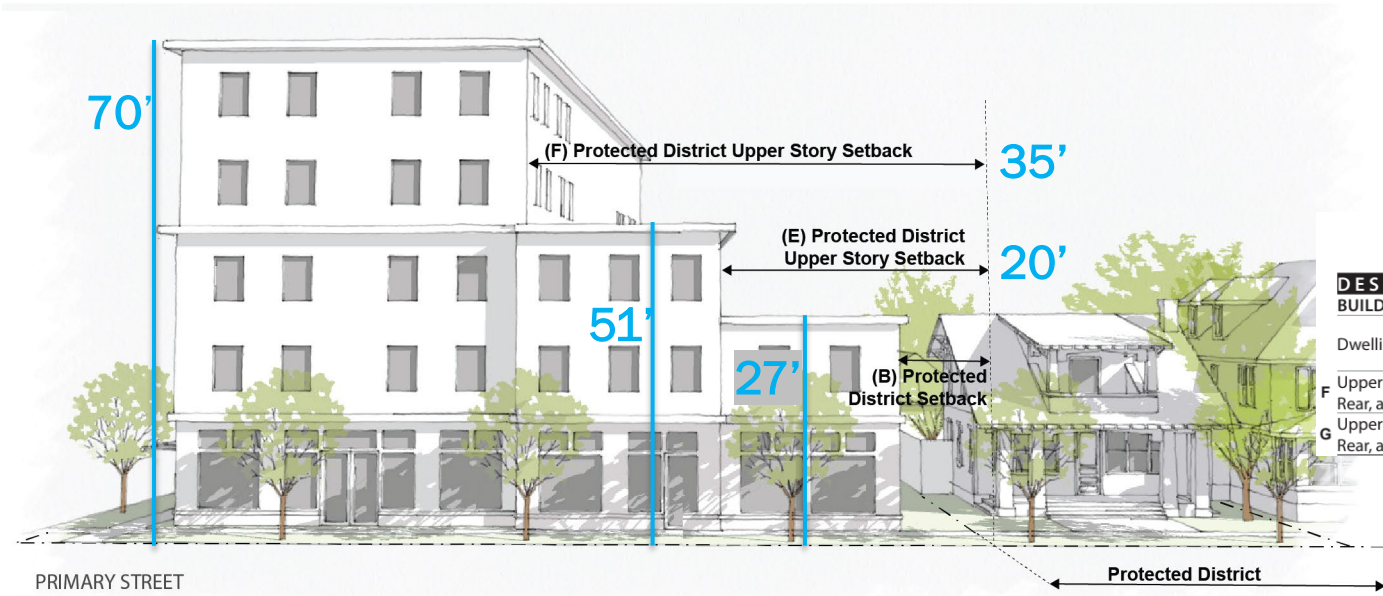
Urban (U-) Neighborhood Context Zone Districts		Building Forms											
		Suburban House	Urban House	Duplex	Tandem House	Row House	Garden Court	Town House	Apartment	Drive Thru Services	Drive Thru Restaurant	General	Shopfront
Max Number of Primary Structures per Zone Lot*		1	1	1	2	No Maximum							
RESIDENTIAL ZONE DISTRICTS													
Single Unit (SU)	U-SU-A, -B, -C, -E, -H		■		●								
	U-SU-A1, B1, C1, E1, H1		■		●								
	U-SU-A2, -B2, -C2		■	□	□								
Two Unit (TU)	U-TU-B, -C		■	■	■								
	U-TU-B2		■	■	■	□							
Row House (RH)	U-RH-2.5		■	■	■	■							
	U-RH-3A		■	■	■	■			□				
COMMERCIAL MIXED USE ZONE DISTRICTS													
Residential Mixed Use (RX)	U-RX-3, -5							■					■
Mixed Use (MX)	U-MX-2x							■				■	■
	U-MX-2, -3							■		□	□	■	■
Main Street (MS)	U-MS-2x							■					■
	U-MS-2, -3, -5							■		□	□		■

*See Section 1.2.3.5 for exceptions

■ = Allowed

● = Tandem House building form allowed subject to exception stated in Section 1.2.3.5.B

□ = Allowed subject to geographic limitations found in the applicable building form table.

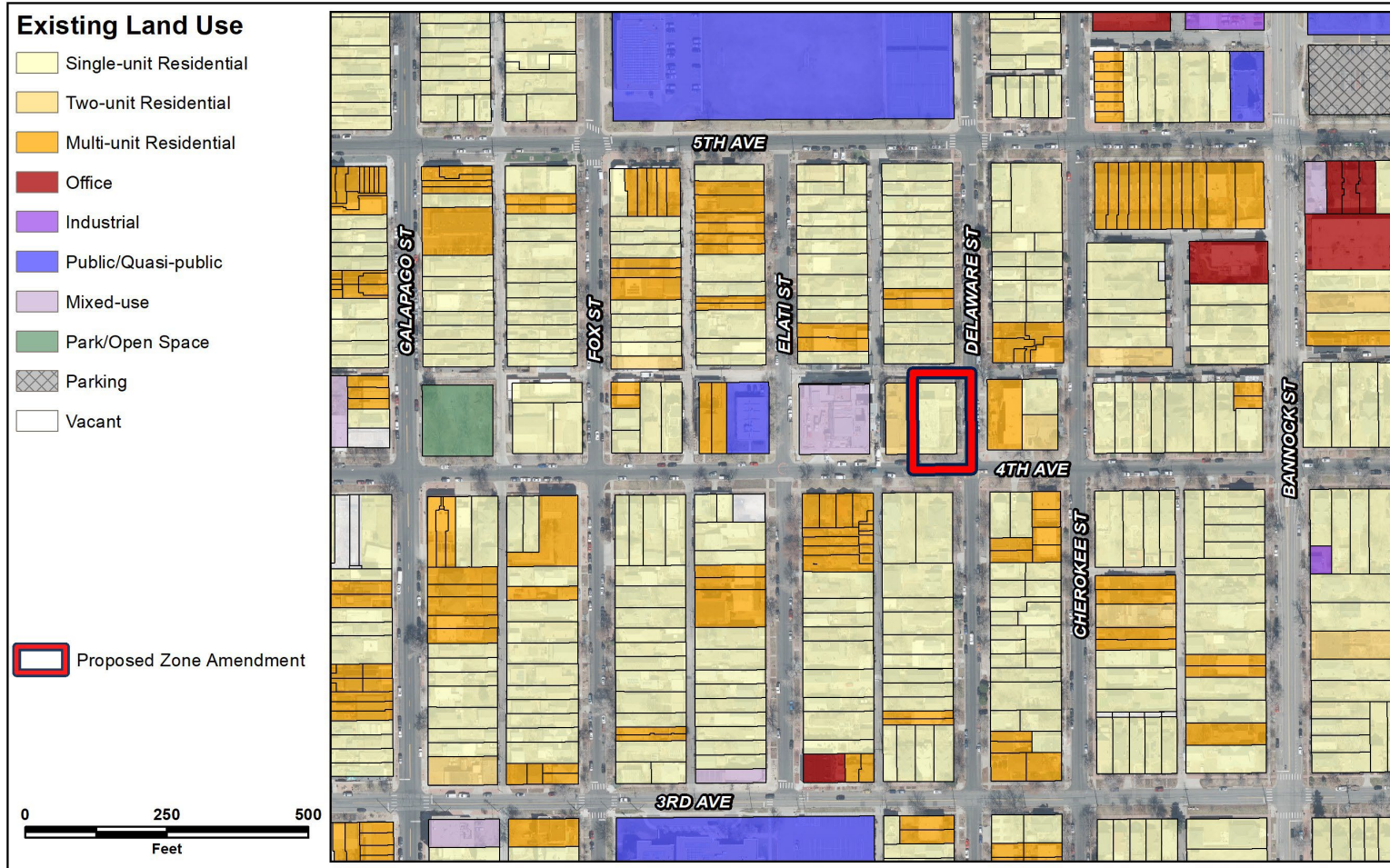


DESIGN ELEMENTS
BUILDING CONFIGURATION

	U-RX-3	U-RX-5	U-MS-2 U-MS-2x U-MX-2 U-MX-2x	U-MS-3 U-MX-3	U-MS-5
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'

Note: this is not a rendering of this site, just an example of how protected district setbacks work.

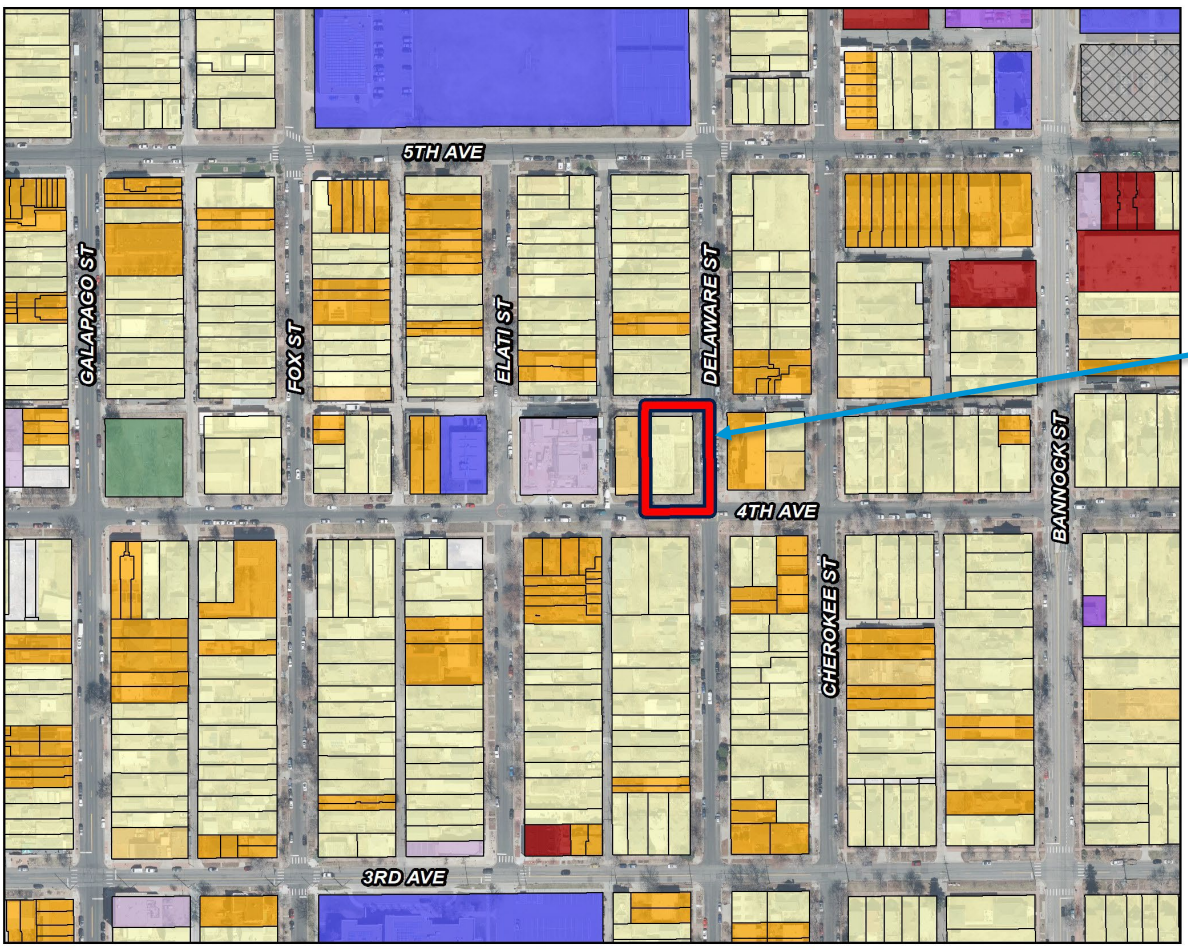
Existing Context – Land Use



Adjacent to:

- Single-, Two-, and Multi-unit Residential

Existing Context – Building Form/Scale



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Process

- Informational Notice: 11/16/2023
- Planning Board Notice: 7/23/24
- Planning Board Public Hearing: 8/7/24
- LUTI Committee: 9/10/24
- City Council Public Hearing: **10/29/24**

Public Comments

- RNOs
 - The Baker Historic Neighborhood Association provided a letter of support
 - The applicant and RNO have agreed in principle to a Good Neighbor Agreement (GNA) with the Baker Historic Neighborhood Association.
- General Public
 - Two written comments in support of the rezoning have been received from members of the public

Planning Board

- Planning Board held a hearing on this item on 8/7/24
- The board voted unanimously to recommend Approval

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Denver Zoning Code Review Criteria

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

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver*
- *Baker Neighborhood Plan*

2. Uniformity of District Regulations

3. Further Public Health, Safety and Welfare

4. Justifying Circumstances

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

Comprehensive Plan 2040

- **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 neighborhoods and offers opportunities for increased amenities (p. 34).
- **Strong and Authentic Neighborhood Goal 3, Strategy E** - Support the stewardship and reuse of existing buildings, including city properties (p.34)
- **Environmentally Resilient Goal 8, Strategy A** – Promote infill development where infrastructure and services are already in place (p. 54).
- **Environmentally Resilient Goal 8, Strategy B** – Encourage mixed-use communities where residents can live, work and play in their own neighborhoods (p. 54).



Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

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

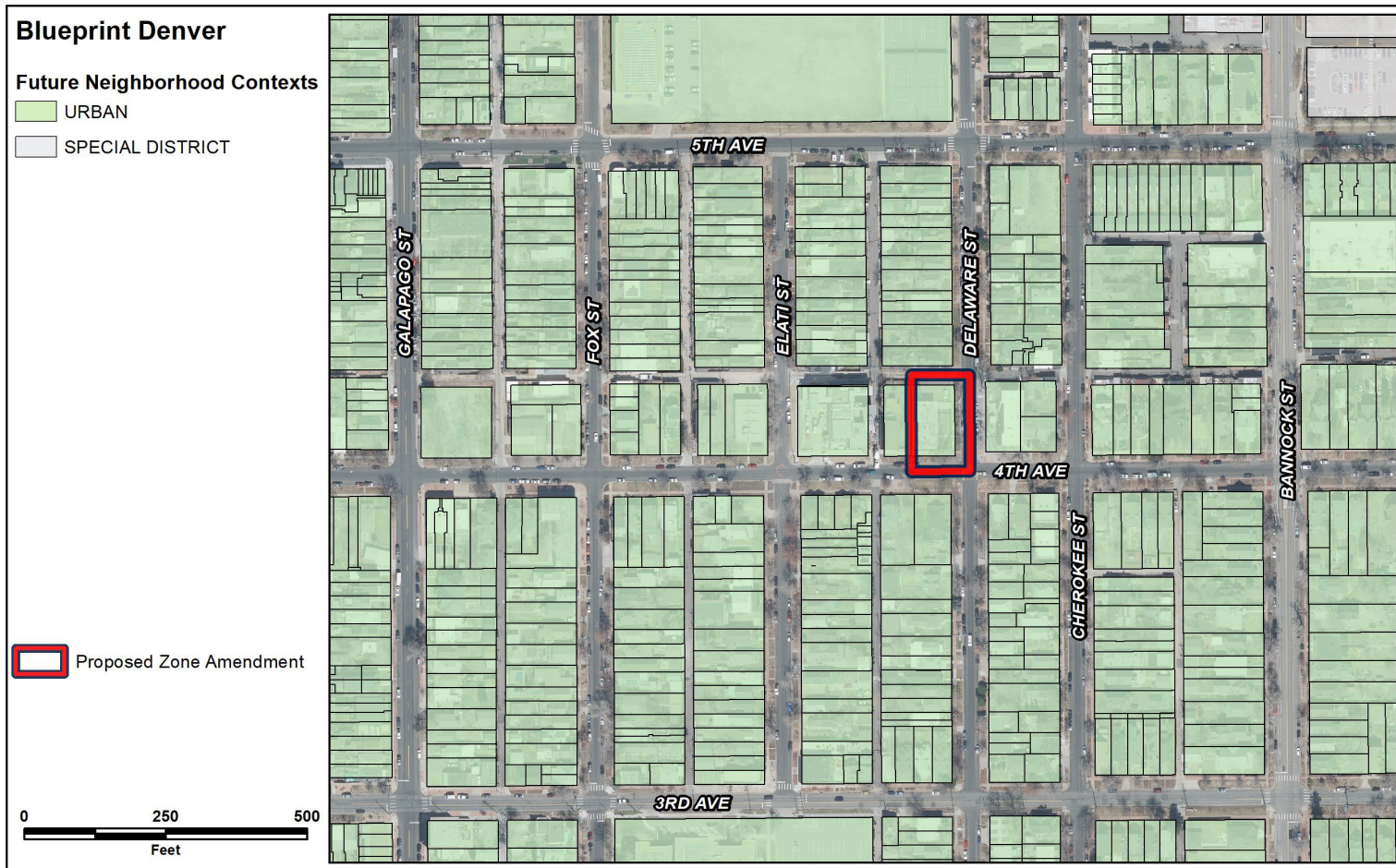
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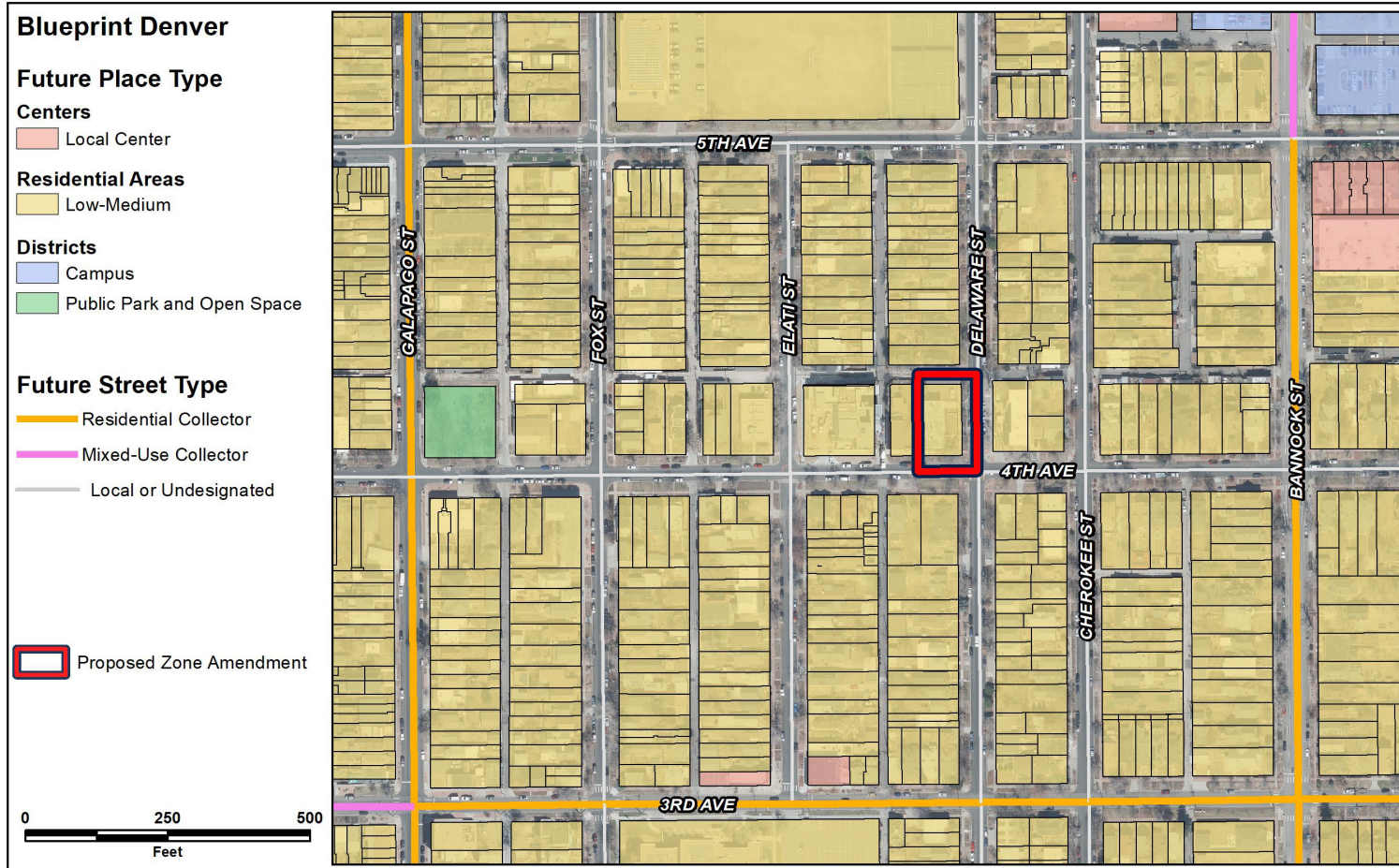
Blueprint Denver 2019



Urban

- **Small multi-unit residential and low-intensity mixed-use buildings are typically 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.

Blueprint Denver 2019

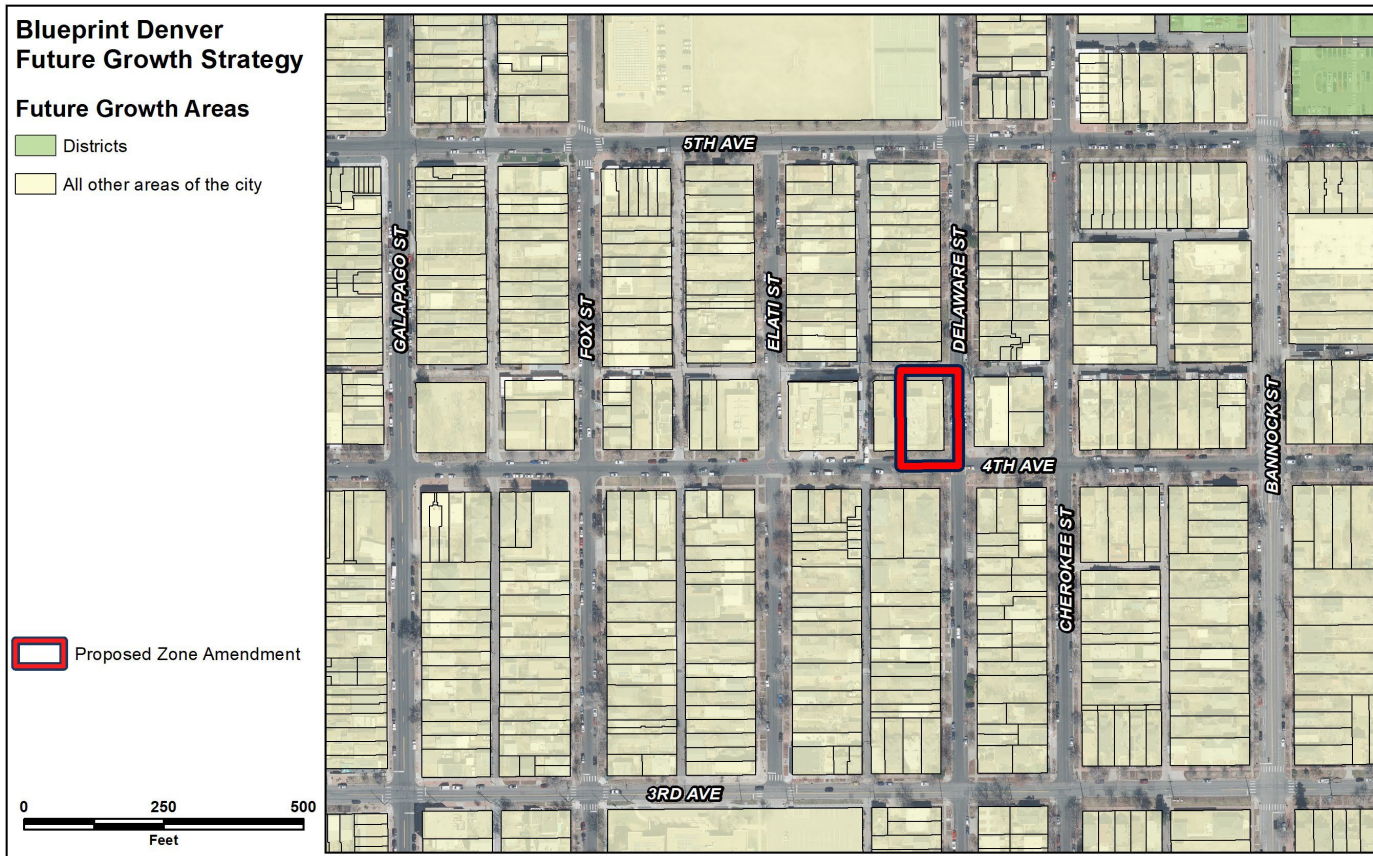


Low-Medium Residential

- Mix of low- to mid-scale multi-unit residential options.
- Small-scale multi-unit buildings are interspersed between single- and two-unit residential.
- **Limited mixed-use** along some arterial and collector streets and **at intersections**.
- Vacant institutional uses on corners or at select sites may be appropriate locations to introduce additional residential intensity.
- Buildings are generally 3 stories or less in height.
- Higher-intensity buildings should be compatibly integrated.

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

Blueprint Denver 2019



- Growth Areas Strategy
 - All other areas of the city
- Most growth is guided to regional centers, community centers and corridors, select districts and high and medium-high intensity residential areas. Other areas of the city are still expected to see some growth, however more limited.

Baker Neighborhood Plan



BAKER NEIGHBORHOOD PLAN



Land Use Recommendation: Applicants proposing a zone change to a more intense or different uses must substantially mitigate negative impacts on existing uses and demonstrate that new projects substantially further the neighborhood goals and vision.

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4. Justifying Circumstances
 - “CPD finds this criteria is met by the adoption of a city plan since the establishment of the current zone district”
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

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CPD Recommendation

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

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