



**TO:** City Council  
**FROM:** Edson Ibañez, Senior City Planner  
**DATE:** February 19, 2026  
**RE:** Official Zoning Map Amendment Application #2024I-00122

### Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for Application #2024I-00122.

### Request for Rezoning

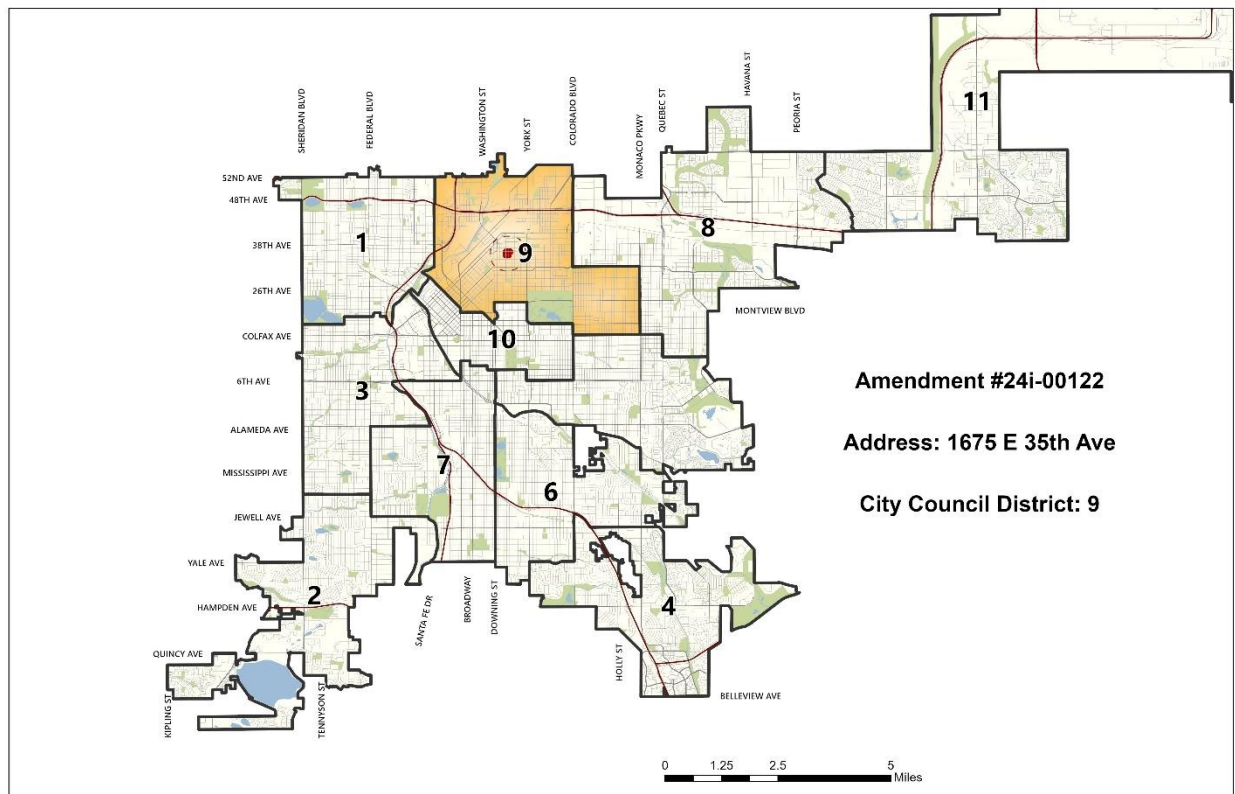
**Address:** 1620, 1625, 1675 E 35th Avenue, 3532, 3580 N Franklin Street & 3558 N Gilpin Street  
**Neighborhood/Council District:** Cole / Council District 9  
**RNOs:** Cole Neighborhood Association, Inter-Neighborhood Cooperation (INC), United Community Action Network, Opportunity Corridor Coalition of United Residents, and East Denver Residents Council  
**Area of Property:** 107,820 square feet or 2.47 acres  
**Current Zoning:** R-MU-20 with Waivers and PUD 534  
**Proposed Zoning:** PUD-G 38  
**Property Owner(s):** Phillips Center LLC  
**Owner Representative:** Bruce O'Donnell – Starboard Realty Group

### Summary of Rezoning Request

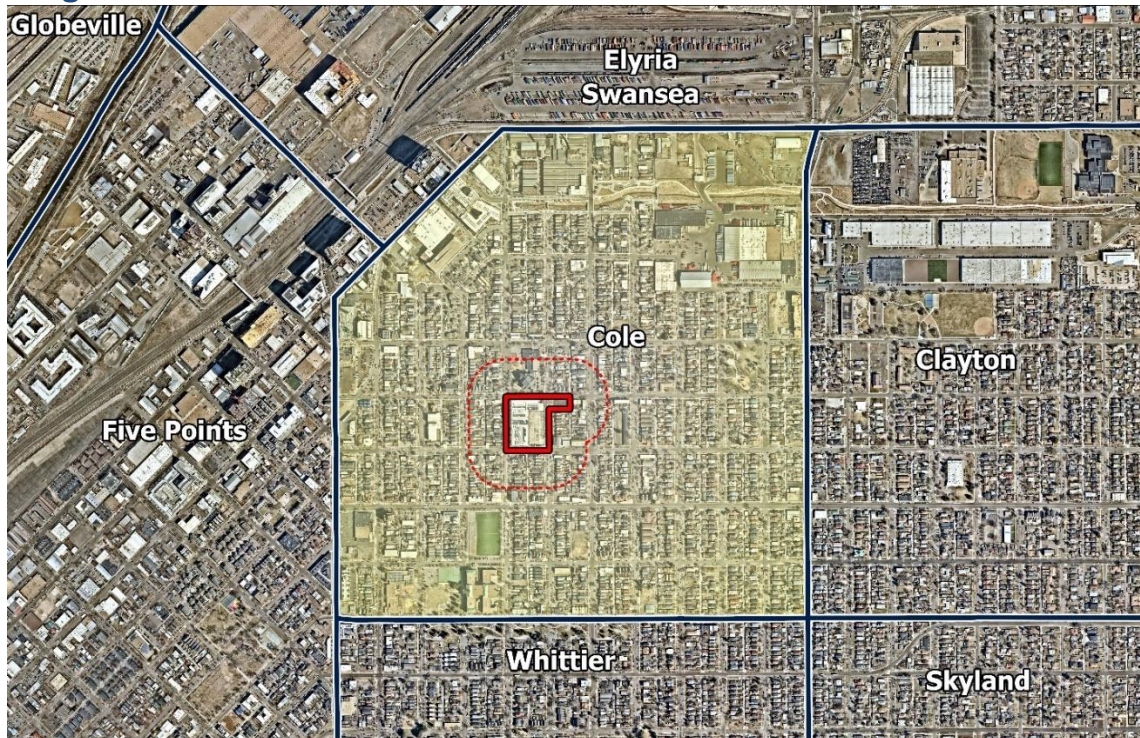
- The subject property consists of three parcels located between E. 36<sup>th</sup> Avenue and E. 35<sup>th</sup> Avenue along N. Franklin Street and N. Gilpin Street in the Cole neighborhood.
- The site contains a one-story commercial/office structure, the Tramway Nonprofit Center.
- The current zoning is R-MU-20 with waivers and PUD 534. R-MU-20 is a Former Chapter 59 zone district intended for “primarily residential, allowing either single or multiple-unit dwellings...development may be either residential or mixed-use, combining residential with neighborhood-serving retail, office, or service uses.” PUD 534 is a Former Chapter 59 zone district allowing surface parking.
- The current zoning allows building height up to 45 feet with some additional setback limitations. It also limits office uses to a maximum of 10,000 square feet. Tramway’s current office uses exceed the maximum square footage allowed. The existing zoning does not require conservation of the Tramway building, and the building is not a Denver Landmark.
- The property owner seeks custom zoning to require conservation of the existing building, remove the square footage limitations on the existing office uses, and facilitate construction of a 4-story, affordable housing development with approximately 63 units on the vacant parcel of 1675 E 35<sup>th</sup> Avenue.

- This application has been accepted by the Affordable Housing Review Team. The dedicated Affordable Housing Review Team was created to prioritize affordable housing projects that meet specific criteria and to help guide those projects through the review process.
- Concurrent with the rezoning, the applicant has voluntarily proposed and signed an Affordable Housing Plan (AHP). The AHP includes a negotiated alternative to Mandatory Affordable Housing requirements for this site. The applicant was awarded Low Income Housing Tax Credit for the project in November 2025. More information is included in the staff report (below).
- The proposed PUD-G 38 has three Subareas which uses the base zone districts of **U-MX-2x** (**U**rban -**M**ixed **U**se, **2**-story **x**-limited commercial), **U-RX-3** (**U**rban -**R**esidential **M**ixed **U**se, **3**-story), and **U-SU-A** (**U**rban-**S**ingle **U**nit, **A**-minimum of 3,000 square feet). Subarea A is based on U-MX-2x, Subarea B is based on U-RX-3, and Subarea C is based on U-SU-A. The key customizations include:
  - Requiring conservation of the existing building in Subarea A, as well as customized maximum height (2 stories) and transparency standards that are consistent with the existing building
  - Allowing for a mix of uses in Subarea A, thereby removing the 10,000 square foot limit in the existing R-MU-20 with waivers district
  - Maintaining the 45-foot (4-story) height limit in Subarea B (the vacant portion of the site where new housing is anticipated)
  - Allowing the existing surface parking in Subarea C to remain

## City Location



### Neighborhood Location



### 1. Existing Context



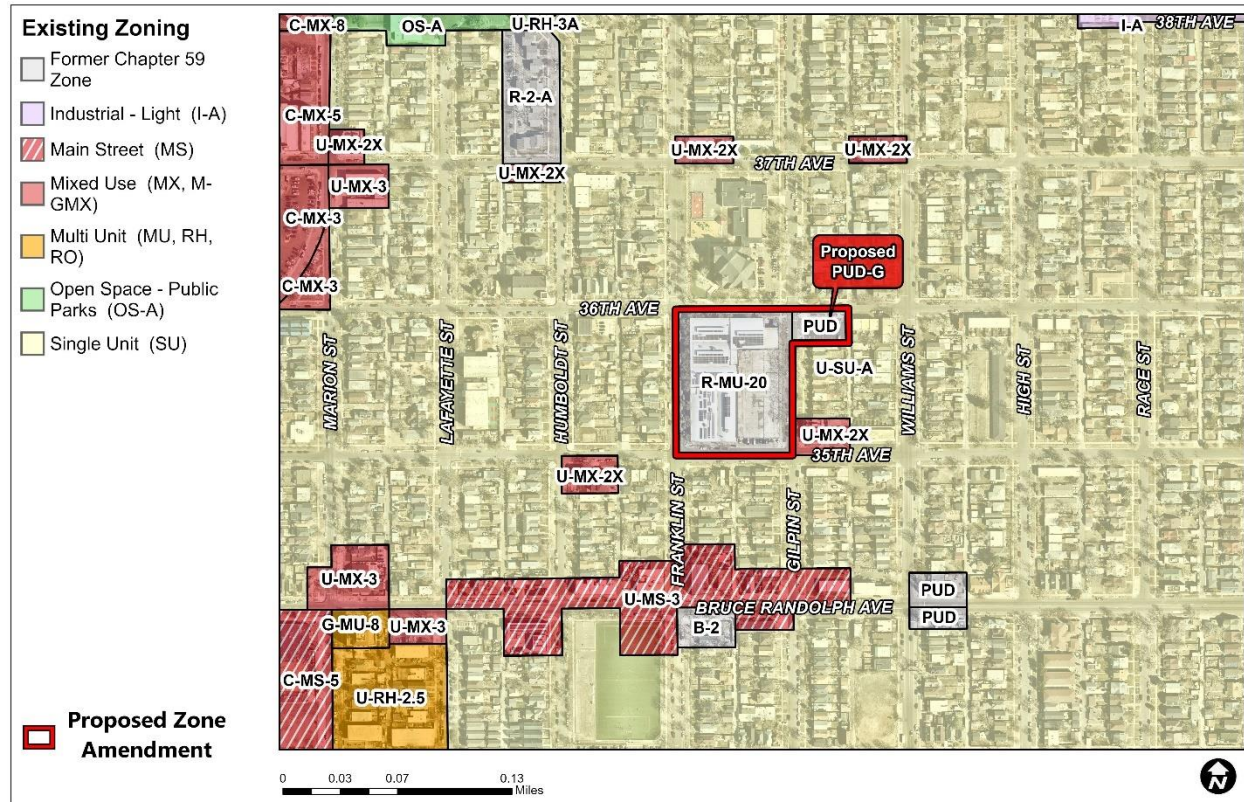
The subject site is in the Cole neighborhood between E. 36<sup>th</sup> Avenue and E. 35<sup>th</sup> Avenue between N. Franklin Street and N. Gilpin Street and the southwest corner of N. Gilpin Street and E. 36<sup>th</sup> Avenue. The subject site contains three parcels, which are occupied by the Tramway Nonprofit Center with approximately 63,000 square feet of office, a vacant lot, and a parking lot. To the north of the subject site is Wyatt Academy and surrounding the site are single-unit residences ranging from one to two stories. Transit access includes the Regional Transportation District (RTD) 38 Bus Route, which runs along Bruce Randolph Avenue one block to the south of the site and has 30-minute headways. A bus stop is located at Bruce Randolph Avenue and N. Franklin Street.

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

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	R-MU-20 waiver and PUD 534	Public-Quasi Public, Industrial and	There is one brick structure on site. The Tramway Nonprofit Center building consisting of 1.5 stories.	The Cole neighborhood generally has a regular grid of streets. Block sizes and shapes are consistent and rectangular. Detached sidewalks with tree lawns and existing
North	U-SU-A	Public-Quasi Public	Wyatt Academy is a 3-story historic brick building with parking off Gilpin Street.	

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
South	U-SU-A	Single-unit and multi-unit residential	1-2 story houses	alleys. Detached garages and on-street vehicle parking.
East	U-SU-A and U-MX-2x	Single-unit and multi-unit residential	2.5 story row houses and 1.5 story brick houses with alley access	
West	U-SU-A	Single-unit and multi-unit residential	1.5 – 2 story brick houses most of them with detached garages and alley access	

## 2. Existing Zoning



The current zoning is R-MU-20 with waivers and PUD 534. R-MU-20 is a Former Chapter 59 Residential Mixed-Use zone district intended for “primarily residential, allowing either single or multiple-unit dwellings. Along heavily traveled streets, development may be either residential or mixed-use, combining residential with neighborhood-serving retail, office, or service uses. The intent is to encourage a full range of housing types, including affordable housing.” The waiver affecting this property sets setbacks and open space requirements to zero. PUD 534 is a Former Chapter 59 Planned

Unit Development adopted in 2002 specifically for parking for the Tramway Nonprofit Center. The applicant is pursuing to rezone the subject properties to allow for the conservation of the existing Tramway Nonprofit Center building and allow for new affordable housing development on the vacant parcel. The rezoning would continue to allow use of the Subarea C as parking for the primary uses in the PUD. A copy of the existing waivers and PUD are attached to this report.

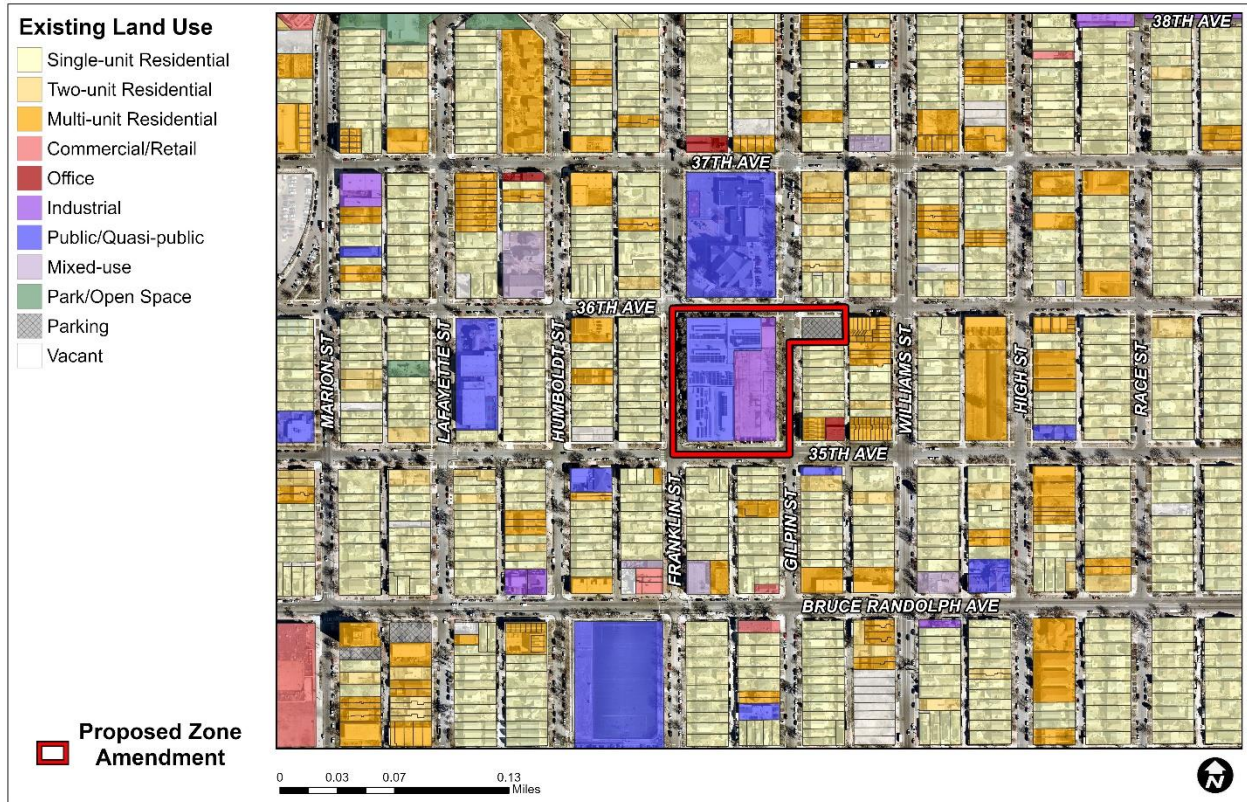
### **3. Affordable Housing Plan**

Concurrent with the rezoning, the applicant has voluntarily proposed and signed an Affordable Housing Plan (AHP) with the Department of Housing Stability (HOST). The AHP includes a negotiated alternative to Mandatory Affordable Housing requirements for this site. The applicant intends to build a fully affordable Low Income Housing Tax Credit project and were awarded tax credits in November 2025. If the project is not realized, the AHP requires that any multi-family development provides a minimum of 100% of total dwelling units to be affordable to households at or below 80% AMI (Area Median Income). A fee-in-lieu instead of on-site income-restricted units would not be allowed, and the units would be income-restricted for 99 years.

### **4. Historic Structures**

The existing Tramway Nonprofit Center, also known as Existing Motor Coach Division Building (Denver Tramway Company), is listed on the State and National Register of Historic Properties. No local landmark designations apply to the site. The applicant is proposing to conserve key features of the existing building through this PUD-G 38 as a public benefit.

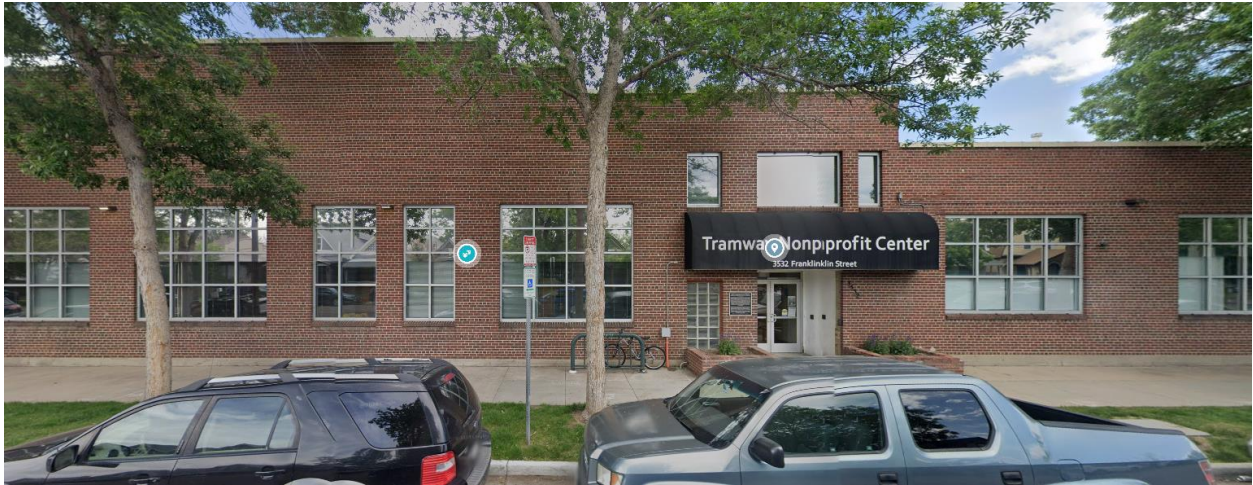
### 5. Existing Land Use Map



### 6. Existing Building Form and Scale (Source: Google Maps)



Aerial View of the subject Site looking north.



View of the subject property and existing building looking east from N. Franklin Street.



View of the subject property and existing building looking north from E. 35th Avenue.



View of the subject property looking east from N. Gilpin Street.



View of the property to the north of the subject site looking north from E. 36<sup>th</sup> Avenue.



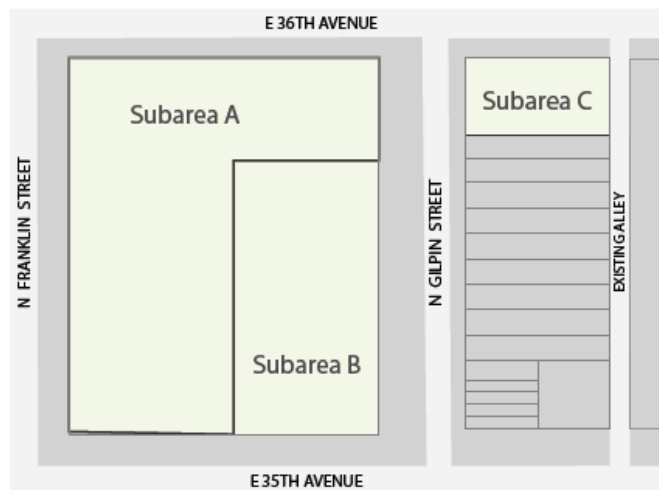
View of the properties to the east of the subject site looking east from N. Gilpin Street.



View of the properties to the west of the subject site looking west from N. Franklin Street.

### Summary of PUD Request

The applicant is requesting to rezone to PUD-G 38 per Denver Zoning Code Section 9.6.1. The purpose of the proposed PUD District “is to support the continued use of the existing building, while advancing the development of new affordable housing within the urban context. PUD-G 38 facilitates conservation of the existing building, enhances community access to services and employment through the continued allowance of neighborhood-serving uses in the existing building, and increases affordable housing opportunities.” The PUD District is intended to respond to unique and extraordinary circumstances, where more restrictive or flexible zoning than what is achievable through a standard zone district is desirable, and where multiple variances, waivers and conditions can be avoided.



Consistent with this purpose, the proposed PUD, if adopted, would facilitate the conservation of the existing building (the Tramway Nonprofit Center), allow for affordable housing on the vacant parcel, and allow for the continuation of the surface parking use on the N. Gilpin Street parcel. The PUD would allow for a mix of uses including limited commercial, residential and surface parking. The key differences between the existing and proposed zoning are: 1) the requirements for conservation of the existing building and limiting height in that portion of the site; 2) removing the limitation on the amount of office

uses which the existing building exceeds; and 3) reducing the allowance for building heights of 45 feet (4 stories) so that it only applies in the vacant portion of the site.

The applicant has proposed three subareas as shown on in the graphic above. The following standards would apply in each Subarea:

- Subarea A uses a base zone district of U-MX-2x (Urban – Mixed Use - Up to 2 stories with limited commercial uses). The PUD requires conservation of key features of the existing building, including barrel vault roof, parapet walls, sliding barn doors, and masonry façade. The PUD customizes the building form standards to align with the height and transparency of the existing building.
- Subarea B uses a base zone district of U-RX-3 (Urban – Residential Mixed Use – Up to 3 stories). Primary uses in the Subarea are limited to multi-unit residential. The PUD would allow for development in the Subarea up to 3 stories in height, or 4 stories with the provision of enhanced affordable housing.
- Subarea C uses a base zone district of U-SU-A (Urban – Single Unit- A). In addition to single-unit and accessory dwelling unit uses, the PUD would allow surface parking in the Subarea. Surface parking is only allowed to serve primary uses within Subareas A and B.

## Summary of City Agency Referral Comments

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

**Assessor:** Approved – No Response.

**Asset Management:** Approved - No Comment.

**Denver Public Schools:** Approved – No Response.

**Development Services - Fire:** Approve Rezoning Only - Will require additional information at Site Plan Review.

**Development Services – Project Coordination:** Approve Rezoning Only:

Any new proposed multi-family dwelling unit or non-residential development will require a Concept / SDP development review process.

All modifications, alterations, additions, or new development will need to comply with this PUD and the DZC in place at the time of approval as deferred to in the PUD.

**Development Services - Transportation:** Approved – No Response.

**Development Services – Wastewater:** Approved – No Response.

**Parks and Recreation:** Approved – No Response.

**Public Health and Environment:** Approved – No Comments.

**Department of Transportation & Infrastructure – City Surveyor:** Approved. No Comments.

**Public Review Process**

	<b>Date</b>
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	<b>6/09/2025</b>
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:	<b>7/1/2025</b>
Planning Board Public Hearing: (approved unanimously 7-0)	<b>7/16/2025</b>
CPD written notice of Community Planning and Housing Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting:	<b>1/8/2026</b>
Community Planning and Housing Committee of the City Council meeting:	<b>1/13/2026</b>
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:	<b>2/2/2026</b>
City Council Public Hearing:	<b>2/23/2026</b>

**Public Outreach and Input**

As described in the applicant’s narrative, the applicant conducted outreach with Registered Neighborhood Organizations and nearby community members, including a community meeting in January 2025.

**Registered Neighborhood Organizations (RNOs)**

- As of the date of this staff report, staff has received one neutral comment from the Cole Neighborhood Association. The letter outlines both supportive and opposing perspectives expressed by neighborhood residents. It provides context for the range of community feedback and does not take a formal position for or against the project. A copy of the letter is included as an attachment to the staff report.

**Other Public Comment (all comments are attached to the staff report)**

- To date, staff has received 87 public comments in support. The comments range from business and organizations to individuals. Some of the organizations and businesses are Historic Denver, Neighborhood Development Collaborative, YIMBY, Catholic Charities Housing, Open Door Youth Gang Alternatives, Denver Street Partnerships, and Denver Metro Community Impact. The comments noted agreement with adding affordable housing units, preserving the existing building, consistency with the rezoning criteria and limiting commercial uses. These comments are attached to the staff report.
- To date, staff has received 46 written comments in opposition to the proposal, including one letter containing 200 names. The concerns raised primarily relate to parking, traffic, density, allowable building height, the potential for a land swap, consistency with adopted planning guidance, and the overall scale of the development. A common theme among the comments was concern specifically regarding the proposed building height in Subarea B, rather than opposition to affordable housing itself. All submitted comments are included as attachments to the staff report.
  - Two individuals submitted comments regarding the opposition letter containing 200 names, stating that they did not authorize the use of their names and that they support the proposed rezoning.
- On July 16, 2025, during the Planning Board public hearing, 13 individuals provided public comment—6 in support of the proposal and 7 in opposition.
  - Supporters emphasized the project’s alignment with applicable planning criteria, its contribution to the mission of expanding services and affordable housing, a willingness to address parking concerns collaboratively, and the project’s potential to help stabilize the neighborhood by enabling residents to remain in the area.
  - Opponents raised concerns about increased congestion and parking demand, the scale and density of the proposed development being incompatible with the surrounding neighborhood, inconsistencies with adopted planning guidance, the potential benefit of considering a land swap, and the broader impact on neighborhood character.

**Mediation (Mediation summary attached to the staff report)**

- The applicant, ULC, entered voluntary mediation with community members of the Cole neighborhood on July 23, 2025, and concluded on October 31, 2025.
- The main disagreement centered on the proposed 4-story building height in Subarea B, which opponents’ felt was too large for the surrounding single-unit neighborhood and preferred a 2 or 3-story limit.
- ULC offered several community commitments, including shared parking, on-site resident amenities, prioritizing displaced Cole residents for housing, and fostering community use of the Tramway Nonprofit Center.
- While these measures were seen as positive, they did not resolve all concerns. Mediation concluded without full agreement on final language or consensus.

## Protest Petition

- A protest petition package was submitted on February 17th, signed on behalf of 49 properties. 44 of these property signatures were found to be valid, representing 19.7% of the land area in the prescribed 200-foot radius, not meeting the requirement of Denver Zoning Code section 12.4.10.5.

## Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.7 and 12.4.10.8 and as follows:

1. Consistency with Adopted Plans
2. Public Interest
3. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements
4. Additional Review Criteria for Rezoning to PUD District
  - a. The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development) of this Code.
  - b. The PUD District and the PUD District Plan comply with all applicable standards and criteria stated in Division 9.6.
  - c. The development proposed on the subject property is not feasible under any other zone districts and would require an unreasonable number of variances or waivers and conditions.
  - d. The PUD District and the PUD District Plan establish permitted uses that are compatible with existing land uses adjacent to the subject property; and
  - e. The PUD District and the PUD District Plan establish permitted building forms that are compatible with the adjacent building forms, or which are made compatible through appropriate transitions at the boundaries of the PUD District Plan (e.g., through decreases in building height; through significant distance or separation by rights-of-way, landscaping or similar features; or through innovative building design.

### 1. Consistency with Adopted Plans

The following adopted plans apply to this property:

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

#### ***Denver Comprehensive Plan 2040***

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies, which are organized by vision element.

The proposed rezoning would facilitate the provision of additional housing options and affordable housing within the neighborhood, consistent with the following strategy in the Equitable, Affordable and Inclusive vision element:

- Equitable, Affordable and Inclusive Goal 1, Strategy A – Increase development of housing units close to transit and mixed-use developments. (p. 28).
- Equitable, Affordable and Inclusive Goal 2, Strategy A – Create a greater mix of housing options in every neighborhood for all individuals and families. (p. 28).
- Equitable, Affordable and Inclusive Goal 2, Strategy D – Increase the development of senior-friendly and family friendly housing, including units with multiple bedrooms in multifamily developments. (p. 28).
- Equitable, Affordable and Inclusive Goal 3, Strategy B – Use land use regulations to enable and encourage the private development of affordable, missing middle and mixed-income housing, especially where close to transit. (p. 28).

The concurrent Affordable Housing Plan will ensure that income-restricted, affordable housing is provided on-site, thereby furthering plan guidance regarding affordability.

The proposed rezoning would also facilitate a mix of neighborhood-serving services and amenities while also supporting the reuse of the existing building. The request is, therefore, consistent with the following strategies from the Strong and Authentic Neighborhoods vision element:

- Strong and Authentic Neighborhoods Goal 1, Strategy B – Ensure neighborhoods offer a mix of housing types and services for a diverse population (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 3, Strategy E – Support the stewardship and reuse of existing buildings. (p.34)
- Strong and Authentic Neighborhoods Goal 4, Strategy A – Grow and support neighborhood-serving businesses. (p.34)

Finally, the proposed rezoning would encourage reuse of an existing building, and is consistent with the following strategies in the Environmentally Resilient vision elements:

- Environmentally Resilient Goal 7, Strategy C – Prioritize the reuse of existing buildings and explore incentives to salvage (p. 54).
- 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).

The rezoning and concurrent AHP are consistent with the *Comprehensive Plan 2040* policies that encourage infill development where services and infrastructure are already in place, where the infill development is in character with the existing neighborhood and promoting adaptive reuse of an existing structure.

### **Blueprint Denver (2019)**

*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. *Blueprint Denver* identifies

the subject properties as part of a Low Residential place within the Urban Neighborhood Context and provides guidance from the future growth strategy for the city.

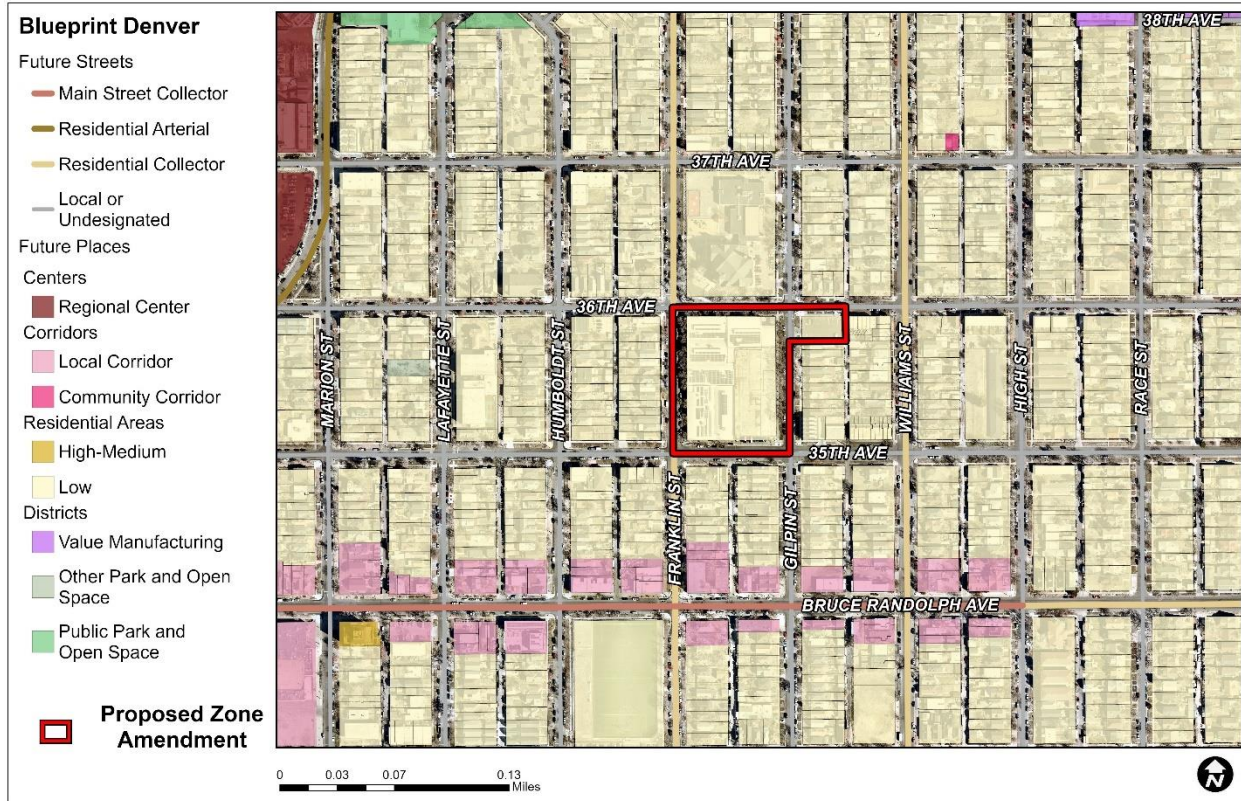
### **Blueprint Denver Future Neighborhood Context**



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 properties are shown on the context map as an Urban Neighborhood Context, the description of which is used to guide appropriate zone districts. “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” (p. 222).

The proposed PUD is based on the U-MX-2x, U-RX-3 and U-SU-A zone districts, which are appropriate and consistent with the Urban context plan direction, as it will promote context sensitive development and offer a mix of uses with good street activation and connectivity.

**Blueprint Denver Future Places**



**Blueprint Denver Future Place**

Within the Urban Neighborhood Context, the subject property is categorized as a Low Residential future place with a land use and built form defined by *Blueprint Denver* as “predominately single and two-unit uses on smaller lots... and limited mixed-use can occur along arterial and collector streets, as well as where commercial uses have been already established,” and “building heights are generally up to 2.5 stories in height” (p. 230). The proposed PUD-G 38 would allow a mix of uses up to 2 stories in height in Subarea A, multi-unit development up to 3 stories (4 with incentives) in height in Subarea B, and single-unit development up to 2.5 stories in height and surface parking uses in Subarea C.

**Uses**

The U-MX-2x district, which Subarea A is based on, is the most limited mixed-use district and is “intended for to enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city’s neighborhoods... and promote a pedestrian-active street front” (Section 5.2.3.1 B & E). As noted above, *Blueprint Denver* states that limited mixed-use can occur in Low Residential areas along arterial and collector streets, as well as where commercial uses have already been established. Franklin Street is a residential collector, and the existing zoning on the site allows for a mix of uses. U-MX-2x zoning can be found on nearby intersections throughout the neighborhood. The

continued allowance for limited mixed-use on the site is therefore consistent with the guidance for Low Residential areas in *Blueprint Denver*.

Subarea B is based on the U-RX-3 district which a residential mixed use zone district. The PUD would only allow multi-unit residential as a primary use in Subarea B. The applicant seeks to construct a multi-unit development on the site and has signed a concurrent AHP as noted previously in the staff report. The allowance for multi-unit residential is on balance consistent with the plan guidance as it would facilitate affordable housing.

Subarea C is based on the U-SU-A zone district, allowing for single unit uses, accessory dwelling units, and surface parking that serves the mix of uses in Subarea A and B. The district is consistent with the plan guidance, and the allowance for surface parking acknowledge the existing parking use and the support it provides to the adjacent buildings in the PUD.

The uses allowed in the proposed PUD are consistent with the limited mixed-use and low residential direction as specified in *Blueprint Denver*.

#### *Building Height*

The PUD would allow height above the general guidance of 2.5 stories in Subarea B. The Subarea is based on U-RX-3 which allows a base height of 3 stories (45 feet). U-RX-3 would allow up to 4 stories (55 feet) with incentives for affordable housing, but this PUD would limit maximum building height to 4 stories and 45 feet for Subarea B. *Blueprint Denver* explains “The building heights identified in this plan provide a general sense of scale and are not intended to set exact minimums or maximums. Factors to consider when applying *Blueprint Denver* building height guidance may include: “guidance from a current small area plan; surrounding context, including existing and planned building height; transitions, including transitions from higher intensity to lower intensity areas; adjacency to transit, especially mobility hubs; achieving plan goals for community benefits; and furthering urban design goals” (p. 66). The small area plan does not include height guidance. The site is currently zoned for higher density, residential mixed use. The current zoning, R-MU-20 with waivers, allows for 45 feet in height for the whole block for 1620, 1625, 1675 E. 35th Avenue and 3532, 3580 N. Franklin Street. To the north, the Wyatt Academy is a three-story structure. Subarea A seeks adaptive reuse of the existing building which is conserving a one-story building. The additional height allowance in Subarea B will allow a moderate increase above the existing zoning to facilitate the development of affordable housing on the site. This will ensure future development is in context with the surrounding area, while also facilitating the development of affordable housing as recommended by adopted plans. Consistent with this height guidance, the proposed Subarea B of PUD zone district (U-RX-3, residential mixed use up to 3 stories) provides for an appropriate transition to the adjacent areas. Additionally, the rezoning and the concurrent Affordable Housing Plan are furthering *Blueprint Denver* plan strategies related to affordable housing and equity as described later in this section of the staff report.

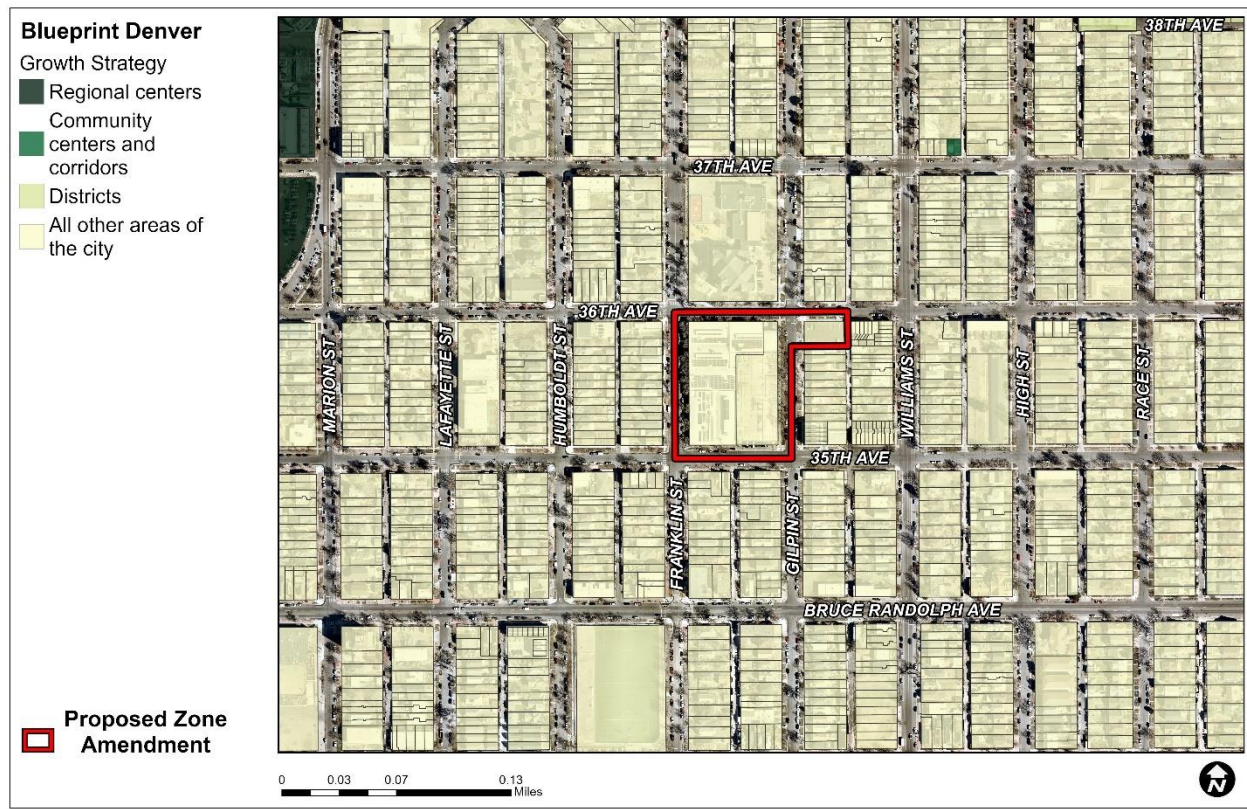
On balance, the proposed zone district is consistent with *Blueprint Denver’s* plan guidance. PUD-G 38 is appropriate in this location as it will allow for affordable housing and continued community serving uses supported by adopted plans with building form standards that ensure an appropriate transition to the surrounding Low Residential places. It will allow for a slight height increase in Subarea B which is

consistent with the Land Use & Built Form General Goal 2, “allow increased density in exchange for desired outcomes, such as affordable housing” (p. 72).

### **Future Street Types**

In *Blueprint Denver*, future street types work in concert with the future places to evaluate the appropriate intensity of adjacent development (p. 67). *Blueprint Denver* classifies E. 35<sup>th</sup> Avenue and E. 36<sup>th</sup> Avenue and N. Gilpin Street as Local or Undesignated Future Street Type. N. Franklin Street and within one block to the east, N. Williams Street are classified as a Residential Collector. The proposed district is consistent with this street type because it allows for residential and limited commercial uses that, per the zone district intent, is appropriate for lower-scale residential neighborhoods.

### **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 percent of new housing growth and 10 percent of new employment growth by 2040” (p. 51). This growth area contains “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 zone districts would

allow low-to medium intensity growth to the number of households in this area as well as a moderate increase in employment potential within the PUD and is therefore consistent with the growth strategy.

### **Custom Zoning**

*Blueprint Denver* provides the following direction for the use of custom zoning including PUDs: “Limit the use of site-specific, customized zoning tools—such as Planned Unit Developments (PUDs) and waivers/conditions—to unique and extraordinary circumstances. The zoning code offers a wide variety of zone districts that cover the diverse contexts and places of Denver. Custom zoning tools are most effective when a standard zone district does not exist to implement the adopted plans for an area” (p. 73). More detail on the challenges of custom zoning is provided on page 73 of the plan.

This proposed PUD-G 38 is consistent with this plan guidance in that it applies tailored zoning regulations that facilitate adaptive reuse and conservation of the existing building, while also allowing infill development that furthers plan guidance for affordable housing.

### *Equity*

The proposed rezoning is also consistent with the following strategies from *Blueprint Denver*:

- Land Use & Built Form – General Goal 2: Allow increased density in exchange for desired outcomes, such as affordable housing (p. 72).
- Land Use & Built Form – Housing Goal 2: Diversify housing options by exploring opportunities to integrate missing middle housing into low and low-medium residential areas (p. 82).
- Land Use & Built Form: General Policy 6: Increase the development of affordable housing and mixed-income housing, particularly in areas near transit, services and amenities (p.).

This rezoning allows for additional housing-built forms in this Low Residential Future Place and is consistent with *Blueprint Denver* recommendations. Additionally, the rezoning and the concurrent affordable housing plan will facilitate affordable housing options with new development on this site. This rezoning furthers equity by facilitating affordable housing development, conservation of the existing building and limited commercial options in this neighborhood.

### *Adaptive Reuse*

Likewise, the proposed PUD supports the following policy regarding building preservation regardless of historic status:

- Land Use & Built Form: Design Quality and Preservation Policy 2: Promote incentives to preserve the reuse of historic buildings and the unique historic features of Denver’s neighborhoods (p.99).
- Land Use & Built Form: Design Quality and Preservation Policy 3: Identify important mixed-use historic structures and encourage their continued use or adaptive reuse (p.102).
- Land Use & Built Form: Design Quality and Preservation Policy 6: Incentivize the preservation of structures and features that contribute to the established character of an area, even if they are not designated as landmarks or historic districts (p.104).

This proposed rezoning is consistent with *Blueprint Denver* as the PUD would facilitate the adaptive reuse of an existing building. The PUD has specific requirements that detail conservation of key historic

architectural features, ensuring the building continues to contribute to the established character of an area.

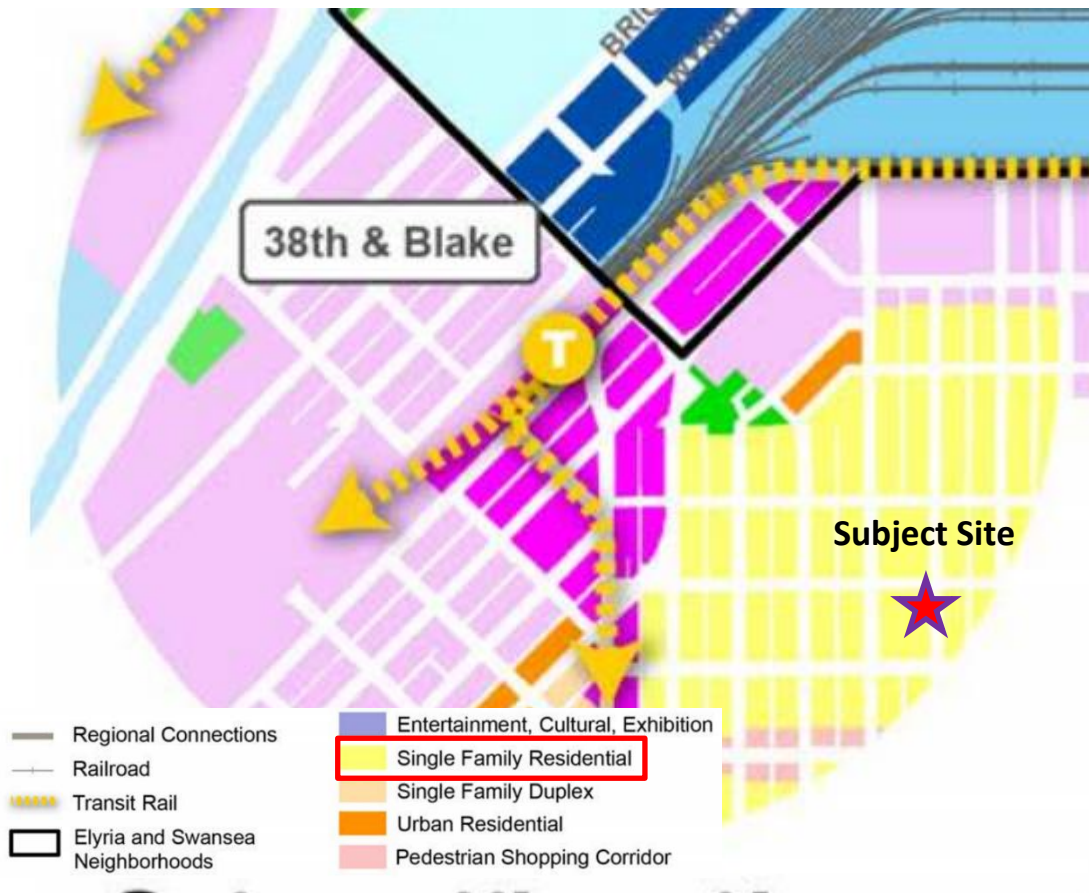
#### *Climate*

This rezoning supports the city's goals to reduce climate impacts by enabling additional housing near transit, facilitating the adaptive reuse of an existing building, and amenities. Because many transportation options are available and amenities are walkable, these areas are less auto dependent, which can reduce greenhouse gas emissions from transportation. Also, multi-unit buildings are more energy efficient than low density residential development types. This energy efficiency will advance Denver's goals to reduce greenhouse gas emissions from buildings, which contribute to a warming climate.

Based on these policies, the proposed rezoning is consistent with *Blueprint Denver* as the PUD would allow for the adaptive reuse of the existing building, introduce affordable housing on the vacant parcel and allow development consistent with the urban neighborhood context.

#### ***Elyria & Swansea Neighborhoods Plan (2015)***

This neighborhood plan was adopted by City Council in 2015 and applies to the subject property. It designates the subject property as being within an Area of Stability (a concept used in *Blueprint Denver* prior to the 2019 update) that is intended to maintain the character of an area while accommodating some new development and redevelopment. The site is mapped as a single-family residential concept land use with a maximum building height of 2.5 stories.



The rezoning and concurrent AHP is consistent with several *Elyria and Swansea Neighborhoods Plan* policies, including:

- Establish a Balance Land Use Strategy Recommendations, B.3 Increase Housing Choices: Encourage investment in new housing to expand the total number of residences and to provide for a diversity of housing types to bring more people of all ages and income levels into the neighborhood (p. 29).
- Improve access to Housing, Jobs, Services and Education, B.23 Identify ... potential redevelopment sites with a priority to develop those sites for new residential housing. (p. 46).
- Improve access to Housing, Jobs, Services and Education, B.25 Encourage continued coordination between non-profit service organizations that focus on the neighborhood, and government agencies to identify gaps in service needs, and to avoid potential redundancies in service or neighborhood outreach efforts. (p. 47).

The proposed zone district would allow for the opportunity to introduce additional building forms, increasing the variety of housing types in the neighborhood, introduce affordable housing and expand neighborhood serving uses which are consistent with the recommendations of the *Elyria Swansea Neighborhood Plan*. The *Elyria & Swansea Neighborhoods Plan* specifically calls for accommodation of infill development in potential redevelopment sites and provides refinement for specific housing types, specifically more affordable housing. The plan calls for increase partnerships with non-profits. While the

rezoning does not directly meet the land use recommendation, the rezoning and concurrent AHP are consistent with the small area plan by supporting the continuation of programs offered by the Tramway Nonprofit Center and facilitating affordable housing opportunities in the neighborhood. The proposed PUD zone district will ensure that new development is compatible with the adjacent low residential areas and expand neighborhood serving uses. Therefore, the rezoning furthers the policies and goals of the *Elyria & Swansea Neighborhoods Plan*.

## **2. Public Interest**

The proposed rezoning would further the public interest through implementation of the city's adopted land use plans.

The proposed rezoning would further public interest by facilitating increased housing density near services and amenities and promote a walkable, urban neighborhood within walking distance to public transit. The concurrent affordable housing plan will ensure the provision of on-site income-restricted units with new development

## **3. Consistency with Neighborhoods Context Description, Zone District Purpose and Intent Statements**

The requested zone district is PUD-G 38, which is based on the U-MX-2x, U-RX-3 and U-SU-A zone districts. The requested zone district is in the Urban Neighborhood Context, which is "primarily characterized by single-unit and two-unit residential uses. Small-scale multi-unit residential uses and commercial areas are typically embedded in residential areas." (DZC Section 5.1.1)

PUD-G 38 is consistent with the Urban Neighborhood Context because it uses the U-MX-2x, U-RX-3 and U-SU-A zone districts as a base, which are "intended to promote and protect residential neighborhoods within the character of the Urban Neighborhood Context" and "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." (DZC Section 5.2.2.1, 5.2.3.1.A and 5.2.4.1.A).

The tailoring in the PUD ensures that development will be consistent with the neighborhood context and appropriately transition from the adjacent U-SU-A district. For analysis on consistency of this rezoning with the PUD zone district purpose and intent statements, see below.

## **4. Additional Review Criteria for Rezoning to a PUD District (12.4.10.8)**

### **A. *The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development) of the Zoning Code;***

- The PUD District is consistent with the intent and purpose of such districts stated in Article 9, Division 9.6 (Planned Unit Development) of the Zoning Code to respond to "Unique and extraordinary circumstances, where more flexible zoning than what is achievable through a standard zone district is desirable...".
  - The PUD will help facilitate the conservation of an existing, valued historic building, while accommodating new affordable housing development on a vacant portion of a site. The customizations reflect the unique characteristics of the site and support compatible uses and development.

- According to Section 9.6.1.1.D., “in return for the flexibility in site design a PUD District should provide significant public benefit not achievable through application of a standard zone district, including but not limited to diversification in the use of land; innovation in development; more efficient use of land and energy; exemplary pedestrian connections, amenities, and considerations; and development patterns compatible in character and design with nearby areas and with the goals and objectives of the Comprehensive Plan.” The PUD District provides significant public benefit not achievable through application of a standard Zone District, including:
  - The proposed PUD-G 38 will facilitate conservation of the existing building and allow additional residential uses on this site, which is a much more efficient use of land and energy than demolition. The use of the vacant portion of the site for new housing will also facilitate efficient use of the land.
  - The PUD with the concurrent AHP will allow for new affordable housing options for the site. There is an Affordable Housing Plan signed with the Department of Housing Stability.
  - The conservation of key features ensures that the existing building continues to contribute to the existing fabric of the neighborhood in line with adopted plan recommendations.

***B. The PUD District and the PUD District Plan comply with all applicable standards and criteria stated in Division 9.6;***

- As stated in item 4.A above, the PUD District complies with standards and criteria stated in Division 9.6.

***C. The development proposed on the subject property is not feasible under any other zone districts, and would require an unreasonable number of variances or waivers and conditions;***

- The PUD District is necessary because there is no standard zone district available that is specifically intended to conserve the existing building for Subarea A, support infill development of affordable housing in Subarea B, and continue the surface parking use for Subarea C. An unreasonable number of variances or waivers and conditions would be required to achieve a similarly tailored approach as is proposed in the PUD.

***D. The PUD District establishes permitted uses that are compatible with existing land uses adjacent to the subject property;***

- The proposed PUD-G 38 would allow uses that are allowed in U-MX-2x in Subarea A, U-SU-A and surface parking in Subarea C, and the Multi-Unit Dwelling as the primary use in Subarea B. The proposed rezoning would allow for residential and limited commercial use of the subject site that is compatible with the permitted uses of the surrounding properties, which include residential and limited commercial. Low-scale residential uses and limited commercial zone districts are in the immediate area, including across from the subject site. This provides an appropriate transition from the subject site to the residential neighborhood.

***E. The PUD District establishes permitted building forms that are compatible with adjacent existing building forms, or which are made compatible through appropriate transitions at the boundaries of the PUD District Plan.***

- The PUD District allows building heights and a building form that are compatible with the surrounding neighborhoods as described earlier in the staff report.
- The proposed PUD-G 38 will utilize the base zone districts of U-MX-2x (Urban -Mixed Use, 2-story x-limited commercial), U-RX-3 (Urban -Residential Mixed Use, 3-story), and U-SU-A (Urban-Single Unit, A-minimum of 3,000 square feet). Subarea A follows U-MX-2x, Subarea B follows U-RX-3, and Subarea C follows U-SU-A. Much of the subject site is currently in the R-MU-20 zone district with waivers, which permits residential mixed use with heights up to 45 feet. Further, the surrounding area includes low-scale residential building forms and limited commercial mixed use zone districts in the immediate area, which provides an appropriate transition from the subject sites. The proposed rezoning proposes deviations to facilitate the conservation of the existing building and allow for a fully affordable housing development on the vacant parcel and the continuance of surface parking.

**Attachments**

1. Rezoning application
2. Outreach and Public Comment
3. Proposed PUD-G 38
4. Current PUD 534 zoning regulations
5. Current waivers for property zoned R-MU-20
6. Mediation Summary
7. Protest Petition Package