



TO: Denver City Council
FROM: James Van Hooser, Senior City Planner
DATE: November 5, 2020
RE: Official Zoning Map Amendment Application #2019I-00198

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends that City Council approve Application #2019I-00198.

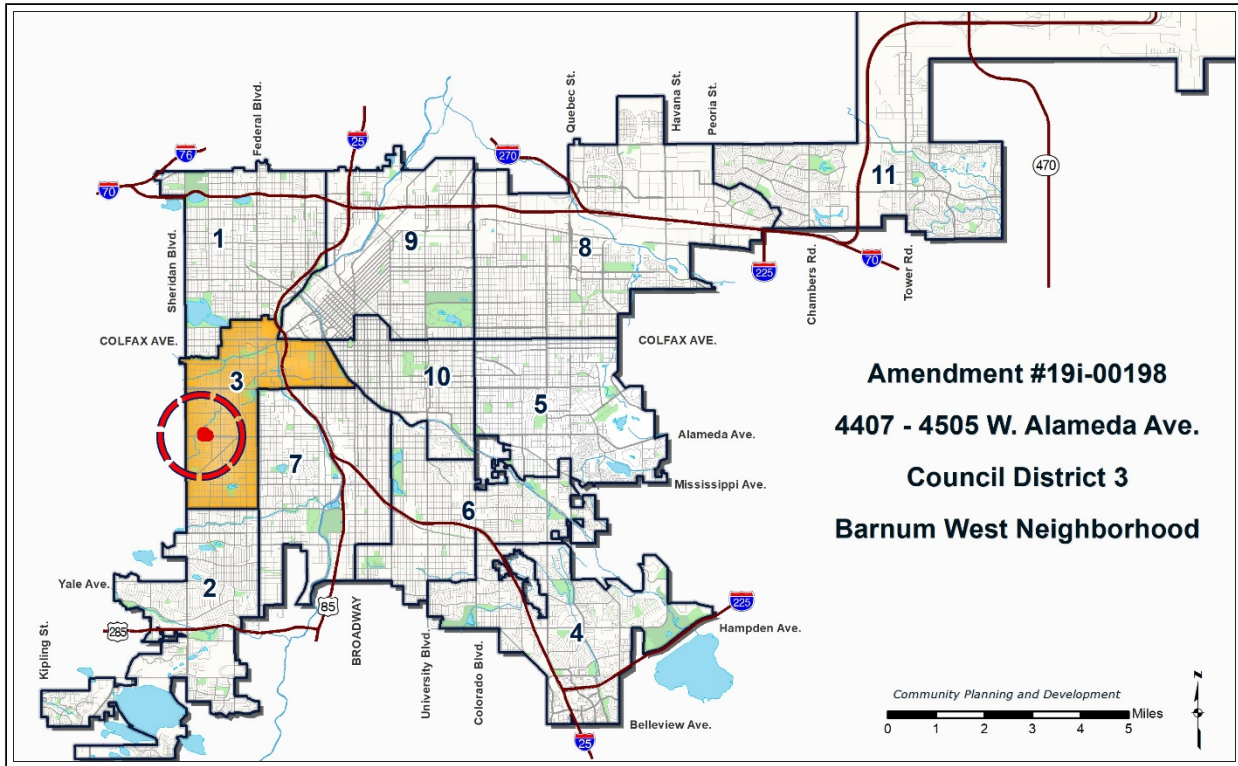
Request for Rezoning

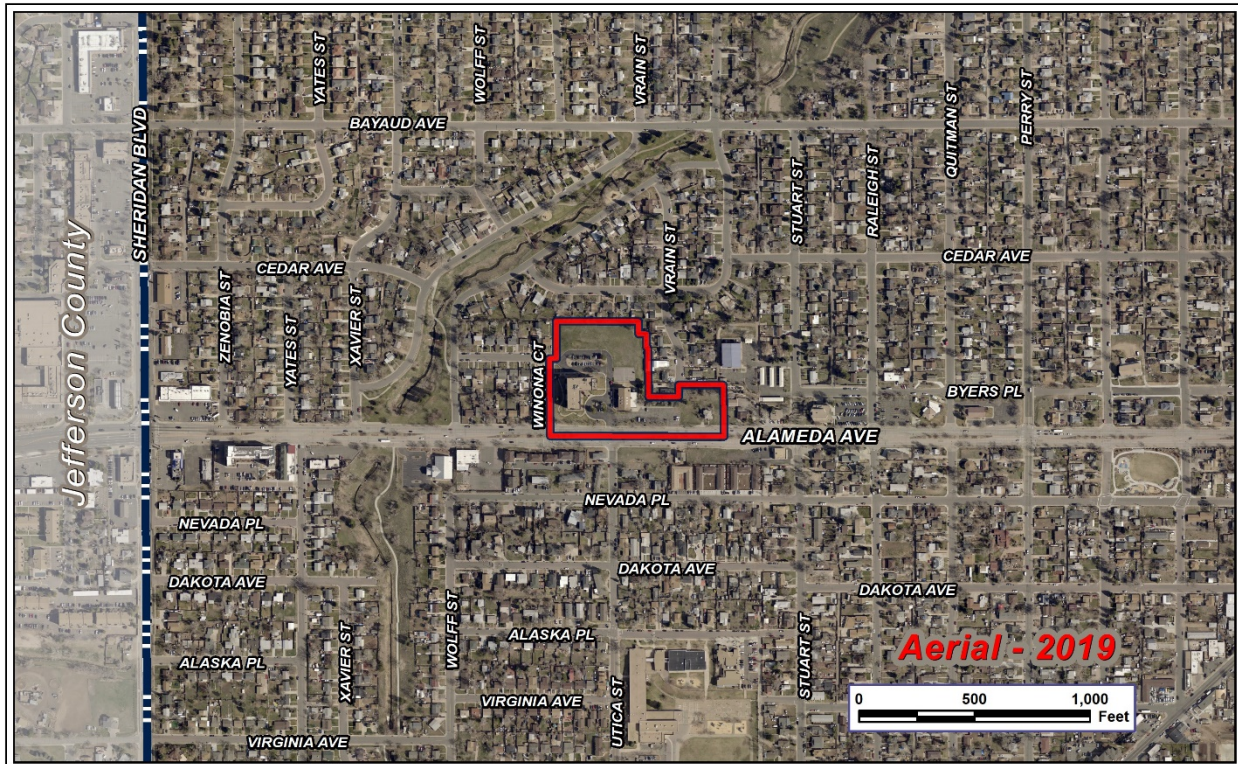
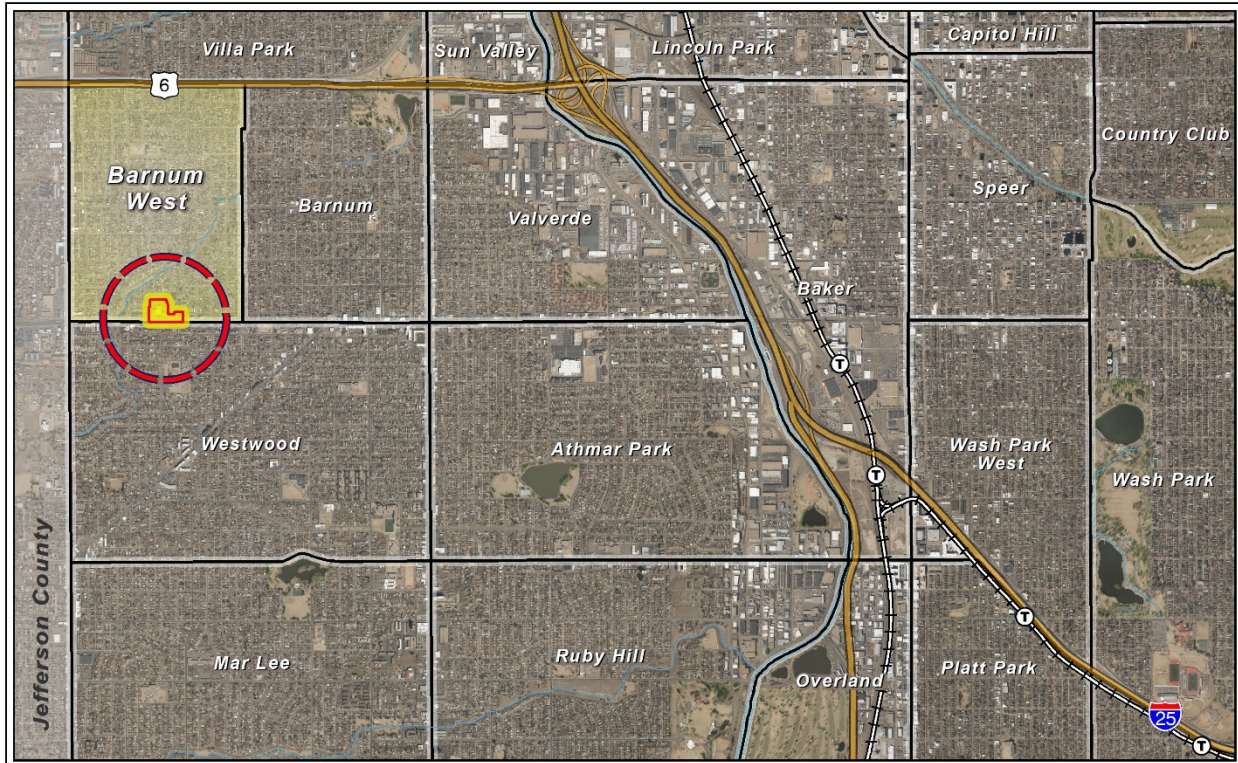
Address:	4407, 4501, 4601, 4505, 4601 and 4595 West Alameda Avenue
Neighborhood/Council District:	Barnum West Neighborhood / Council District 3; CW Torres
RNOs:	Westwood Unidos, Westwood Residents Association, Community Coalition for Barnum, SouthWest Improvement Council, Inter-Neighborhood Cooperation (INC)
Area of Property:	222,398 square feet or 5.1 acres
Current Zoning:	PUD 550 and E-SU-Dx
Proposed Zoning:	E-MX-3
Property Owner(s):	The Salvation Army, A California Corporation
Owner Representative:	Brent Bartels, Beck Architecture

Summary of Rezoning Request

- The subject property is in the Barnum West statistical neighborhood on the north side of Alameda Avenue. It includes all the parcels at 4407, 4501, 4505, 4601 and 4595 W. Alameda Ave.
- The site contains a multi-unit residential senior living project and chapel use, while the eastern parcel includes a single-unit dwelling.
- The rezoning is proposed to enable maintaining the existing multi-unit residence, demolishing and reconstructing the existing chapel, and, according to the application, constructing an additional multi-unit residential building that, according to the application will “serve lower income families with children,” an office building, and a community use center.
- The proposed zone district, E-MX-3, is intended for use in the Urban Edge Neighborhood Context to promote safe, active, and pedestrian-scaled, diverse areas and enhance the convenience and ease of walking, shopping and public gathering within and around the city’s neighborhoods. Design standards provide options for varied building placement while still offering an active street front. Further details of the requested zone district can be found in the proposed zone district section of the staff report (below) and in Article 4 of the Denver Zoning Code (DZC).

Existing Context





The subject property is on the north side of Alameda Avenue between Winona Court and Stuart Street. Weir Gulch Park is less than a quarter mile northwest of the subject property. There is a commercial strip of buildings on Alameda Avenue less than a half mile west from the site. The RTD 3 bus line runs directly in front of the property on Alameda Avenue. The following table summarizes the existing context proximate to the subject property:

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	PUD 550 / E-SU-Dx	Multi-unit residential, Public/Quasi-public, Single-unit residential	5 story multi-unit senior living facility, 1.5 story chapel, 1 story single-unit residential building, and parking lots	Generally regular grid of streets in this neighborhood; Proximity of Weir Gulch disrupts regular block pattern at this location, as well as to the north and west. Block sizes and shapes are consistent and rectangular to the south, becoming irregular to the north. Vehicle parking generally accessed through street curb cuts (no alleys).
North	E-SU-Dx	Single-unit residential	Single-unit residential buildings, 1-2 stories with moderate setbacks with curb cuts and garage entrances off Cedar Avenue	
South	R-2 / E-TU-C	Multi-unit residential, vacant	2.5 story multi-unit residential buildings. Vacant parcels directly south of the chapel.	
East	E-SU-Dx	Single-unit residential, Multi-unit residential	Single-unit and Multi-unit residential buildings, 1-2 stories with curb cuts off Alameda Avenue	
West	E-SU-Dx	Single-unit residential	Single-unit residential buildings, 1 story with moderate setbacks with curb cuts and garage entrances off Alameda Avenue	

1. Large Development Review (LDR)

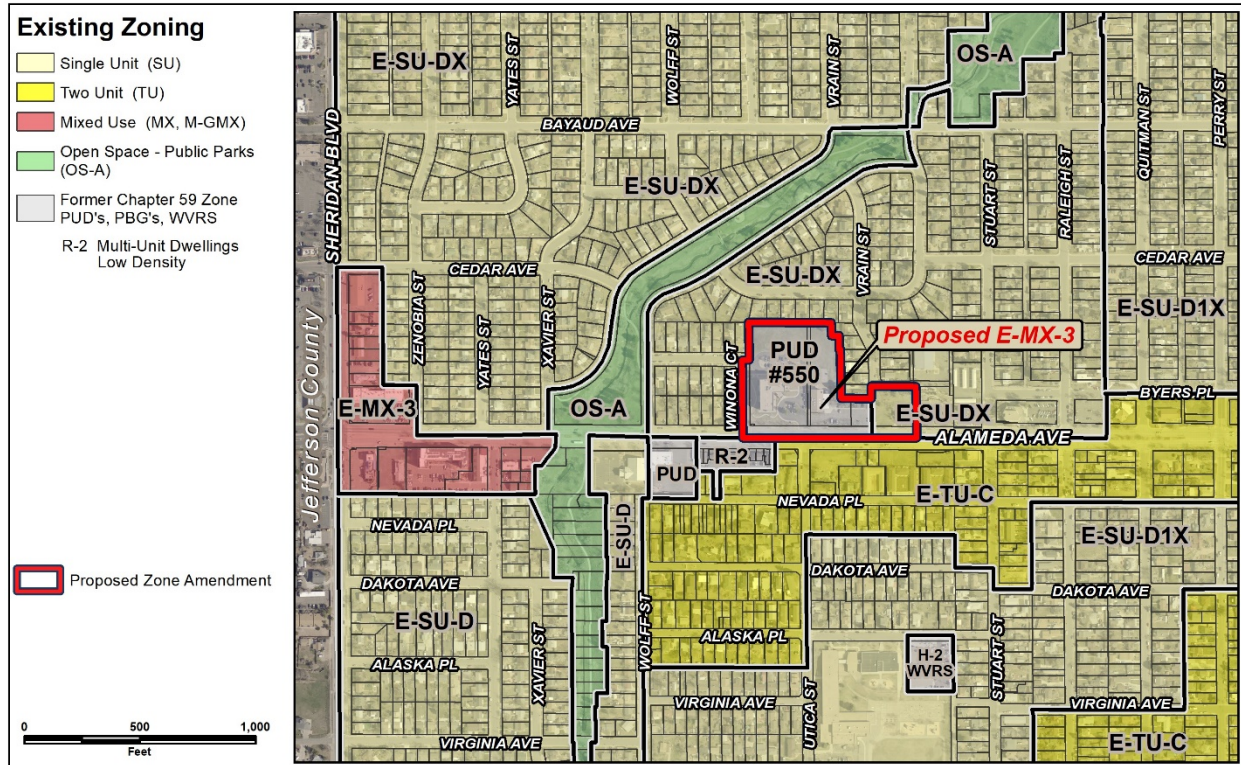
This rezoning application was reviewed by the Development Review Committee (DRC) to see if the proposal would be subject to the Large Development Review (LDR) process outlined in Section 12.4.12 of the Denver Zoning Code (DZC) and require the creation of a Large Development Framework (LDF). After review, it was determined that the project would not be subject to LDR. Factors that weighed into this determination included:

- There is no regional infrastructure master planning requirement for this site at this time. Preliminary review indicates the surrounding area is already developed with commercial, multifamily and residential housing. This is a large-scale infill development that can utilize the existing roadway network with consolidated access points.
- Existing plans reviewed and applicable to this property include Blueprint Denver and Comprehensive Plan 2040 along with the Barnum and Barnum West Neighborhood Plan.

Blueprint Denver identifies the site with a Future Neighborhood Context of Urban Edge and a Future Street Type of Mixed-Use Arterial.

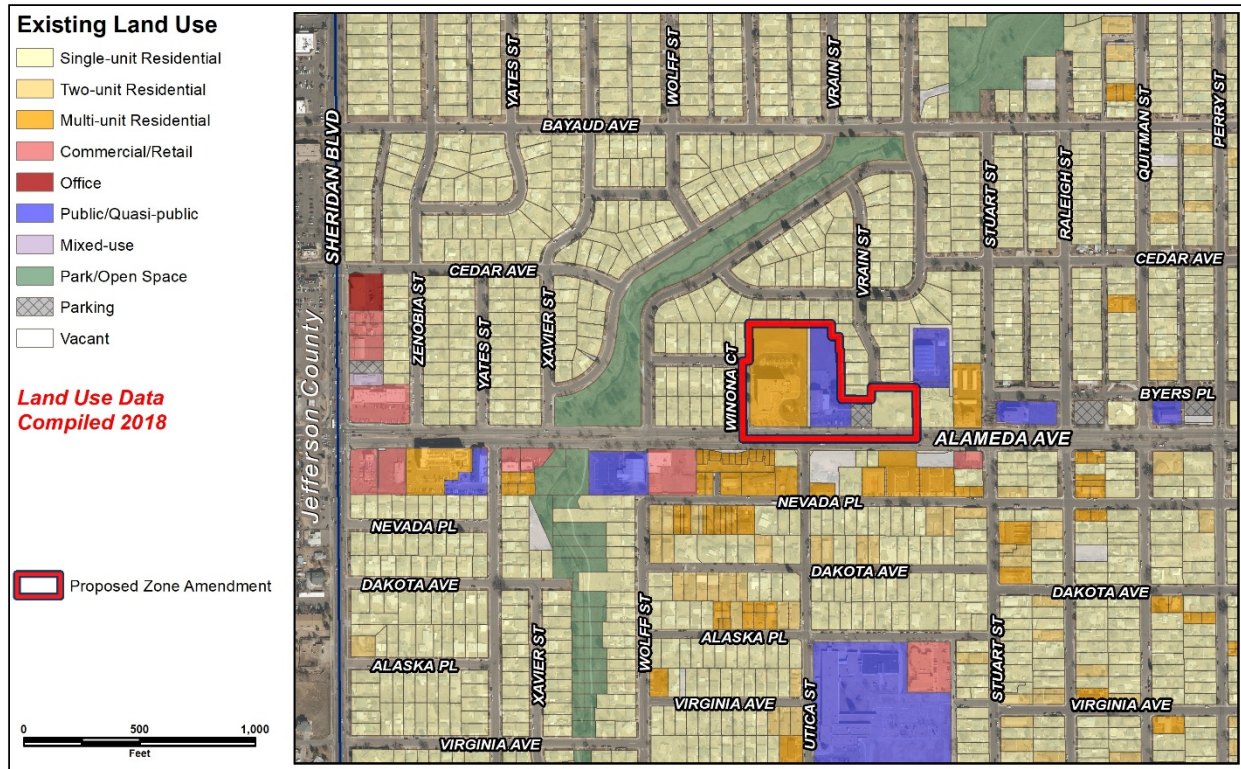
A copy of this determination has been attached to this staff report.

2. Existing Zoning



The existing PUD 550 allows the following uses: Residence for the Elderly, Chapel Space, and Community Space. The PUD allows for a maximum building height of 5 stories or 70 feet and accommodates large building setbacks: 43 feet to the east, 50 feet to the west, 65 feet to the south, and 242 feet to the north. For additional details, please see the attached copy of the existing PUD. E-SU-Dx is a single unit district allowing suburban and urban house forms with a minimum zone lot area of 6,000 square feet. The intent of this district is to promote and protect residential neighborhoods within the character of the Urban Edge Neighborhood Context. For additional details of the current zone district, please see Article 4 of the Denver Zoning Code.

3. Existing Land Use Map



4. Existing Building Form and Scale

All images are from Google Street View.



Subject property, from W Alameda Avenue (chapel and office/community area)



Subject property, from W Alameda Avenue (multi-unit residence)



Subject property, from W Alameda Avenue (single-unit residence)



Subject property, from W Alameda Avenue (parking lot)



Properties directly to the west, as seen from W Byers Avenue



Properties to the north, as seen from W Cedar Ave



Properties to the south, as seen from Alameda Ave

Proposed Zoning

The requested E-MX-3 zone district is found in the Urban Edge Neighborhood Context. The intent of the district is to “promote safe, active, and pedestrian-scaled, diverse areas and enhance the convenience and ease of walking, shopping and public gathering within and around the city’s neighborhoods.” (DZC, Section 4.2.4). A variety of building forms, including Town House, General, and Shopfront are available in this zone district. A wide range of residential, quasi-public, and commercial uses are permitted (with and without limitations) in E-MX-3. For additional details of the requested zone district, see DZC Sections 4.2.4, 4.3 and 4.4.

The primary building forms allowed in the existing zone district and the proposed zone district are summarized below.

Design Standards	PUD 550 (Existing)	E-SU-Dx	E-MX-3 (Proposed)
Primary Building Forms Allowed	N/A	Suburban House, Urban House	Town House; Drive Thru Services*; Drive Thru Restaurant*; General; Shopfront
Heights in Stories / Feet (max)	5/70'	2.5/30'	3/38'
Primary Street Build-To Percentages (min)	N/A	N/A	50-75%**
Primary Street Build-To Ranges	N/A	N/A	0' to 15'***
Minimum Zone Lot Size/Width	N/A	6,000 sf / 50'	N/A

Primary Street Setbacks (min)	65'	20' or block sensitive	0' to 10'**
Building Coverages (max)	10.7%	37.5%	N/A

*Building form allowed subject to geographic limitations

**Standard varies between building forms

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 Response

Denver Public Schools: Approved – No Response

Department of Public Health and Environment: Approved – No Response

Denver Parks and Recreation: Approved – No Response

Public Works – R.O.W.- City Surveyor: Approved – No Comments

DOTI – Development Engineering Services: Approved – See Comments Below:

1. This property came in for redevelopment and the required ROW improvements (i.e. typically street frontage improvements and allowable site vehicular access points) were provided at that time. This rezoning should reflect those comments.

Development Services – Project Coordination: Approved Rezoning Only – Will require additional information at Site Plan Review. See Comments Below:

1. Rezoned project will be subject to Site Development Plan submittal review.
2. A zone lot amendment will likely be needed to combine areas currently in the PUD-550 and E-SU-DX zones into one zone lot for Site Development Plan establishment. That determination can be made at Concept Review phase for SDP.
3. Proposed Community Center use will be subject to Use Limitations in Section 11.3.3.
4. The Landmark Department will review demolition requests. In order to demolish the existing buildings, a Certificate of Non-Historic Status will need to be obtained.

Development Services - Fire Protection: Approved – No Response

Development Services- Wastewater: Approved – No Response

Public Review Process

Date

CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	6/4/2020
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:	9/1/2020
Planning Board public hearing:	9/16/2020
Planning Board voted unanimously to recommend approval:	9/16/2020
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:	9/8/2020
Land Use, Transportation and Infrastructure Committee of the City Council: (LUTI unanimously votes to move application to full City Council)	9/22/2020
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:	10/19/2020
City Council Public Hearing:	11/09/2020

- **Registered Neighborhood Organizations (RNOs):** To date, staff has received one comment letters from a Registered Neighborhood Organization in support of the application.
- **Other Public Comment:** To date, staff has received three public comment letters from neighbors in support of the application.

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, as follows:

DZC Section 12.4.10.7

1. Consistency with Adopted Plans

2. Uniformity of District Regulations and Restrictions
3. Public Health, Safety and General Welfare

DZC Section 12.4.10.8

1. Justifying Circumstances
2. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

1. Consistency with Adopted Plans

The following adopted plans currently apply to this property:

- *Denver Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *Barnum/Barnum West Neighborhood Plan (1986)*

Denver Comprehensive Plan 2040

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies. The following strategy applies from the Equitable, Affordable and Inclusive vision element:

- 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 development.*

The property already contains a senior housing facility, and the application notes that the proposed E-MX-3 zone district will allow the Salvation Army to develop additional multi-unit housing, which “will serve lower income families with children.” If this type of housing is developed it would be consistent with the above strategy in the Equitable, Affordable and Inclusive vision element.

The following strategy applies from the Economically Diverse and Vibrant vision element:

- Economically Diverse and Vibrant Goal 1, Strategy A – *Improve economic mobility through workforce training, career development, quality education and wealth creation (p. 46).*

The application states that the Salvation Army’s “housing components are paired with programs that provide career guidance and workforce training initiatives that allow those living on the property the opportunity to incrementally move their way up, creating new and better opportunities.” Coupling lower income housing with onsite career guidance and workforce training is a compelling merger of housing and economic goals and is certainly consistent with the strategies of the Economically Diverse and Vibrant vision element.

Similarly, the application meets the following strategies in the Environmentally Resilient vision element:

- 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).*

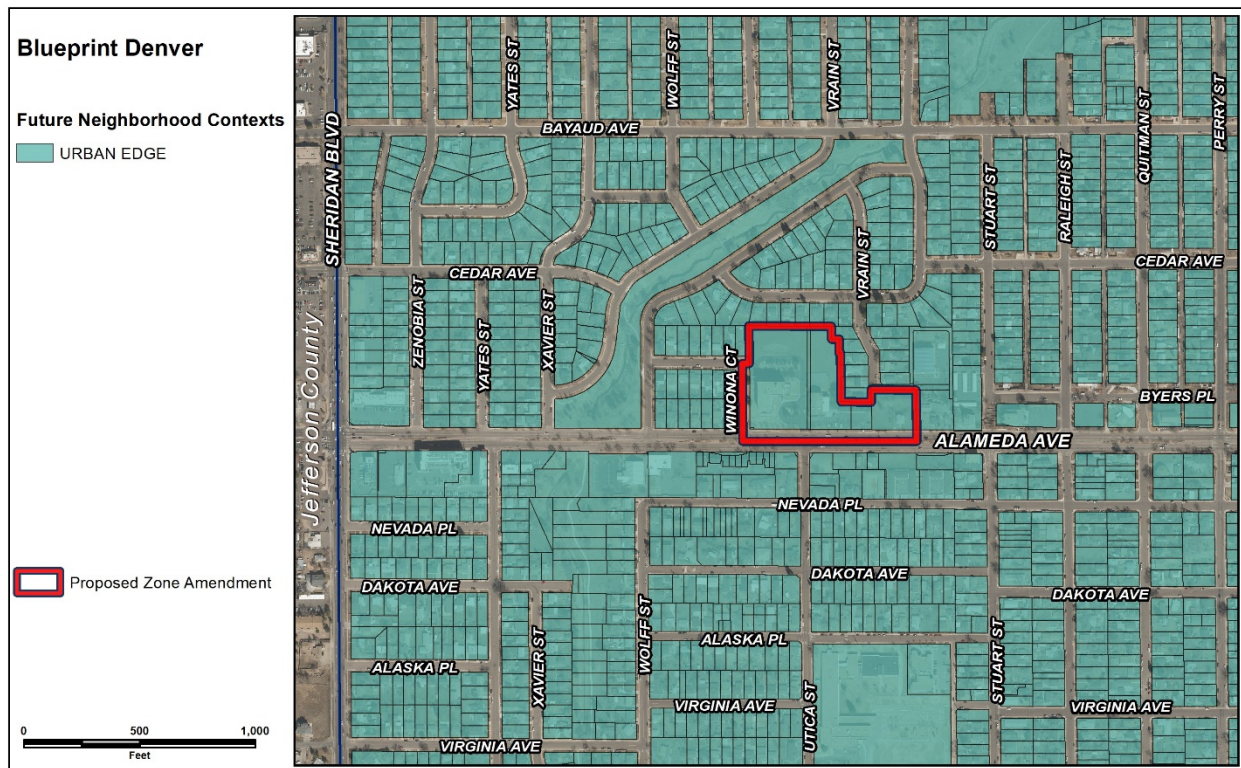
This site is an infill location where infrastructure is already in place. Compact infill development near transportation options (specifically along Alameda Avenue) and existing infrastructure assists in

improving public health indicators while reducing water usage. Rezoning to facilitate redevelopment of this site advances the strategies of the environmentally resilient vision element. The application further provides an opportunity for more jobs and housing in the neighborhood, so residents can continue to work and live within their community.

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. *Blueprint Denver* identifies the subject property as “Community Corridor” within the Urban Edge neighborhood context and provides guidance from the future growth strategy for the city.

Blueprint Denver Future Neighborhood Context

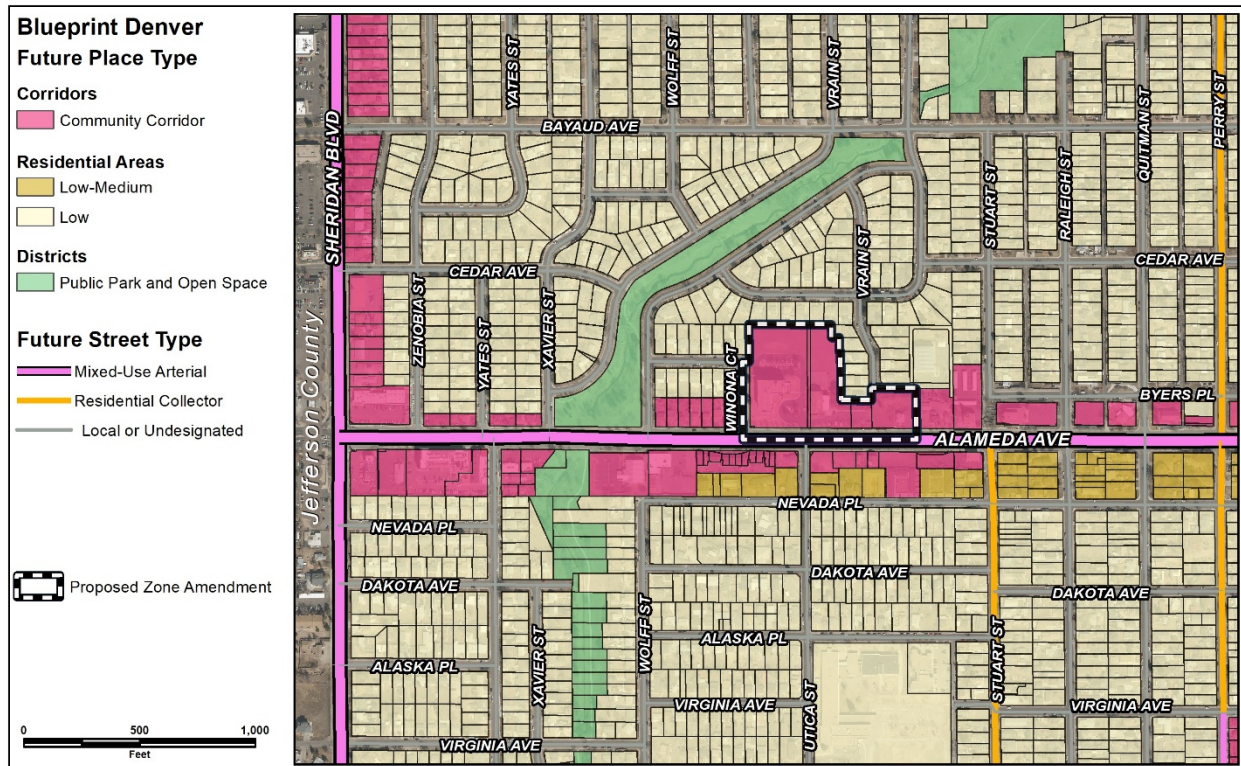


The subject property is shown on the context map as the Urban Edge neighborhood context. The neighborhood context map and description help guide appropriate zone districts (p. 66). The Urban Edge neighborhood context “contains elements of the suburban and urban contexts. Small multi-unit residential and commercial areas are typically embedded in 1-unit and 2-unit residential areas” (p. 136).

The intent of the proposed E-MX-3 district is to “promote safe, active, and pedestrian-scaled, diverse areas and enhance the convenience and ease of walking, shopping and public gathering within and

around the city’s neighborhoods” (DZC, Section 4.2.4). The proposed rezoning to E-MX-3 is appropriate and consistent with the Urban Edge context plan direction, as it will allow for development of an appropriately scaled mixed use node along a mixed-use arterial street and embedded in a 1-unit and 2-unit residential area.

Blueprint Denver Future Places



The Future Places map shows the subject property as part of a “Community Corridor” area. *Blueprint Denver* describes these areas as having “a balance of either residential and employment; residential and dining/shopping; or employment and dining/shopping uses” (p. 146). Buildings have a distinctly linear orientation along the street with narrow setbacks. Building scale and footprints along community corridors are typically mid- to large-scale, with the highest intensity at mobility hubs services. Public spaces often occur between buildings and social spaces may be found in some setbacks along the street. In a community corridor, the Urban Edge neighborhood context, recommended “heights are generally up to 5 stories. Due to shorter lot depths, special attention is needed for transitions to nearby residential areas” (p. 212).

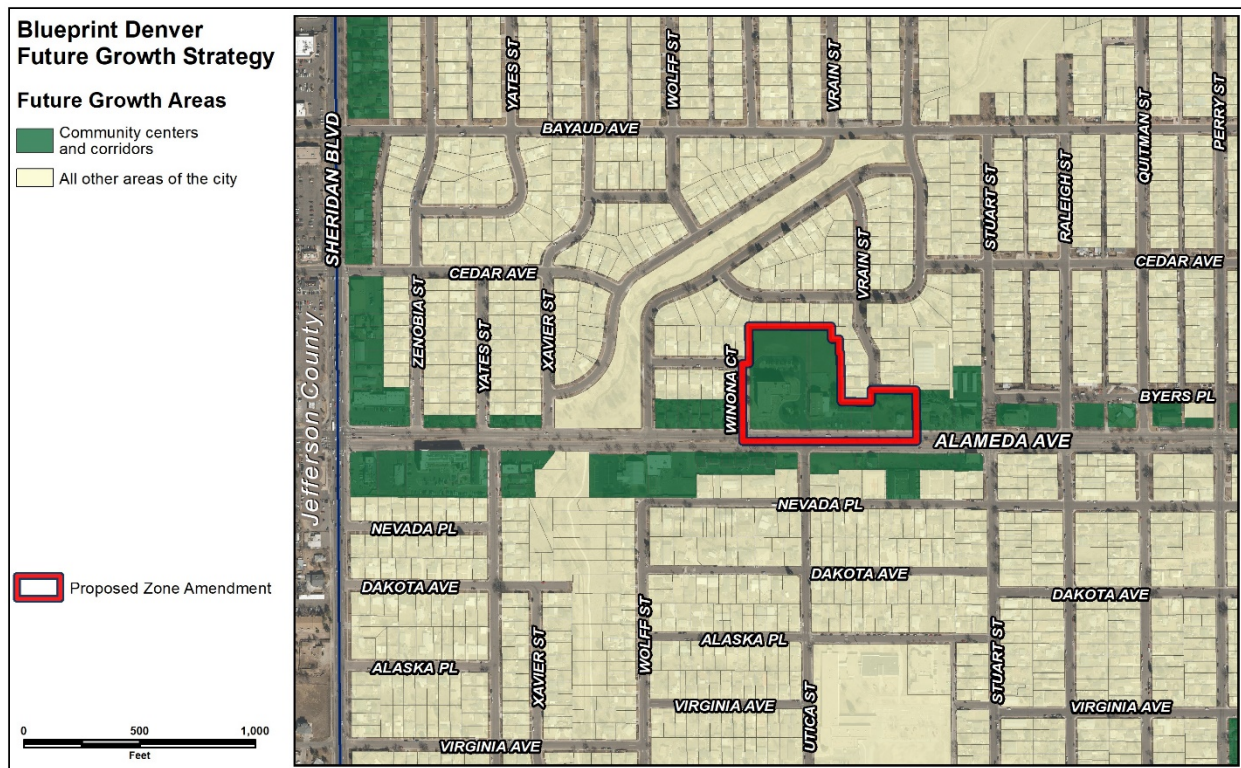
The proposed rezoning to E-MX-3 is appropriate and consistent with the “Community Corridor” plan direction and will foster a better balance of residential and employment uses than the current zoning allows. It permits heights lower than the maximum recommended height of 5 stories which is appropriate in order to achieve the plan recommendation of a transition from Alameda Ave. to the adjacent residential area.

Street Types

Blueprint Denver street types work in concert with the future place to evaluate the appropriateness of the intensity of the adjacent development (p. 67). The subject property is located on Alameda Avenue, which *Blueprint Denver* classifies a Mixed-Use Arterial. Arterial streets “are designed for the highest amount of through movement and the lowest degree of property access” (p. 154). These streets contain a varied mix of uses including retail, office, residential and restaurants.

Because E-MX-3 enables a wide range of residential, quasi-public uses, and commercial uses, the proposed district is consistent with the plan direction for this location and is appropriate along the existing mixed-use arterial street. Section 4.2.4.2.D. of the DZC also indicates that “E-MX-3 applies to areas or intersections served primarily by collector and arterial streets.”

Growth Strategy



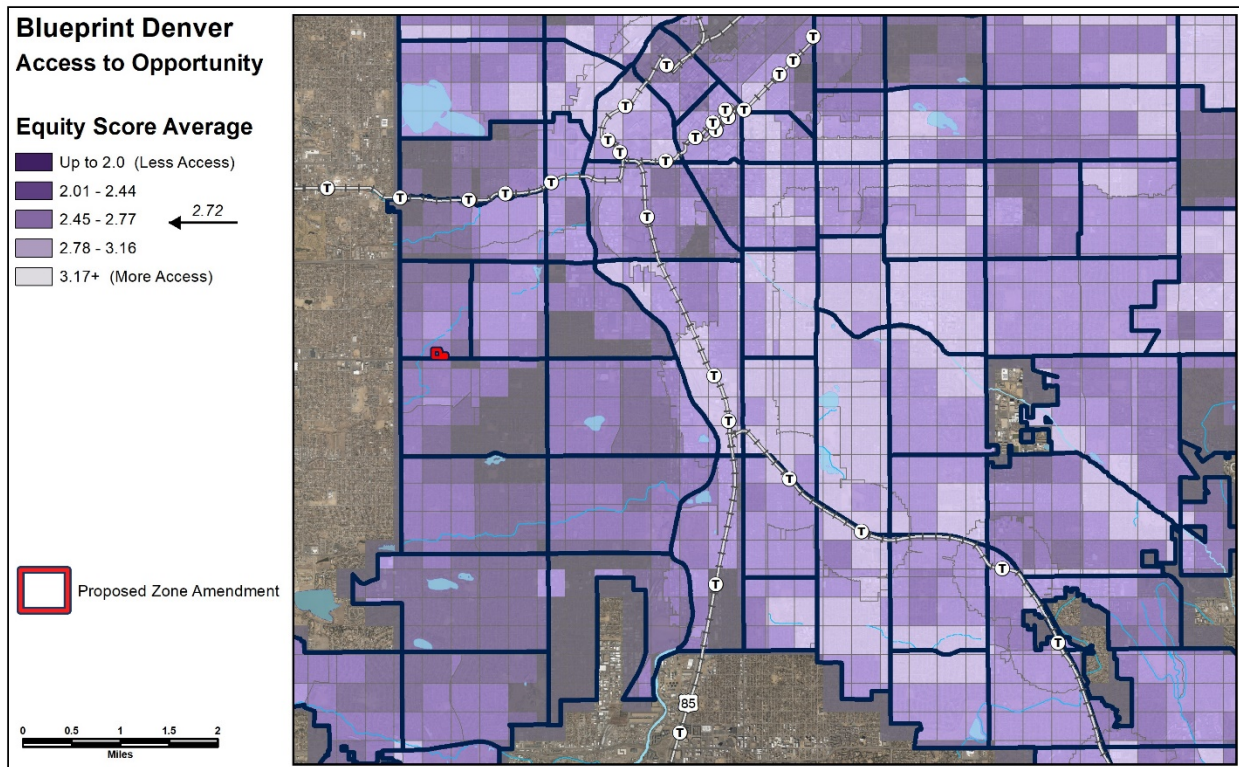
Blueprint Denver's growth strategy map is a version of the future places map, showing the aspiration for distributing future growth in Denver (p. 51). The subject property is located within the “Community centers and corridors” growth area, these areas are anticipated to see around 25% of new housing growth and 20% of new employment growth by 2040 (p. 51). The proposed map amendment to E-MX-3 is consistent with the “Community centers and corridors” growth area in that it will allow a broad range of job opportunities and housing types and direct more intense and appropriate growth to this area than the existing zoning allows.

Equity Concepts

Blueprint Denver contains three equity concepts to help guide change to benefit everyone. Each equity concept has associated measurements that helps inform implementation actions through large rezonings along with other implementation actions.

Access to Opportunity

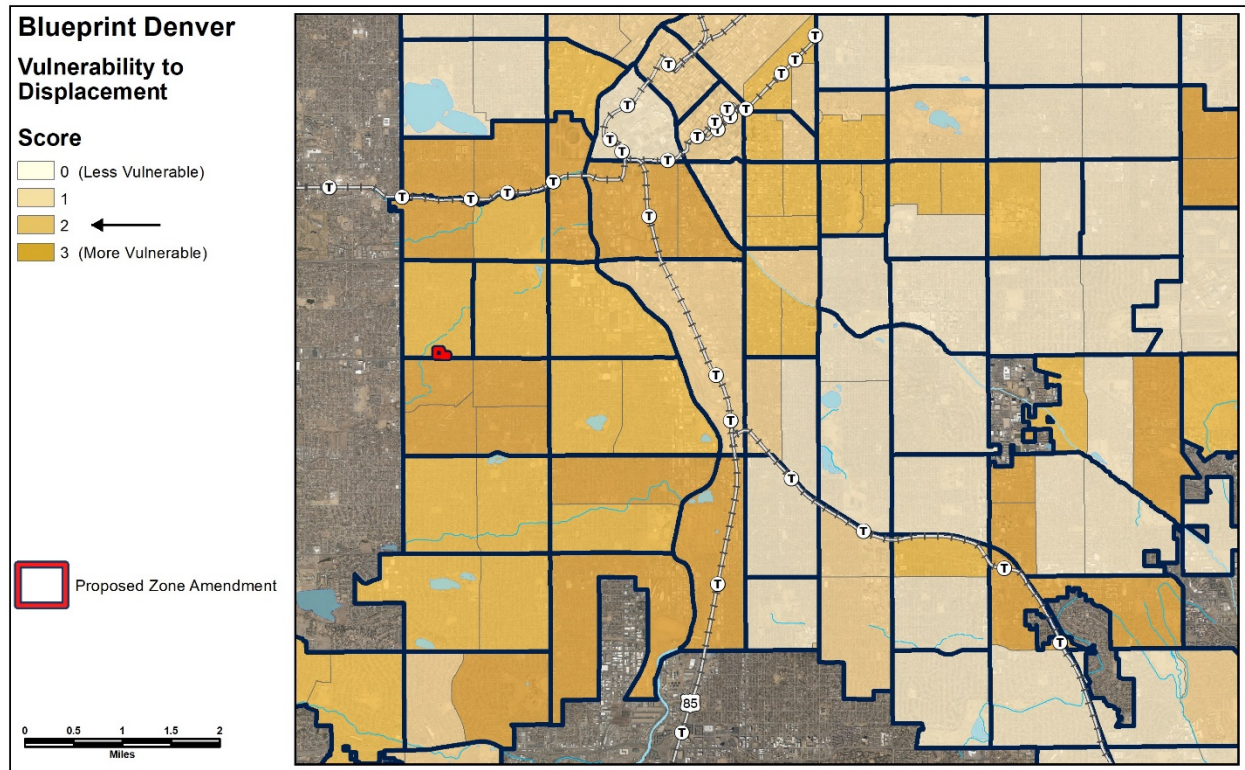
The basis for measuring access to opportunity is a composite of the neighborhood equity index developed by Denver’s Department of Public Health and Environment, proximity to high-capacity and frequent transit, and access to centers and corridors. Access to opportunity helps us to consider if we are making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



The subject property is in an area with moderate access to opportunity, scoring well on Access to Community Corridors and Centers, scoring average on Equity Index Measurements (social determinants of health, access to healthcare, child morbidity and built environment subjects), and scoring poor on Access to Transit. While the subject site scores poorly on access to transit due to little proximity to light rail stations, access to the bus line (RTD 3) is directly in front of the property on Alameda Avenue. The application does not directly address the Access to Opportunity metrics, and staff finds that the proposed rezoning will be neutral in relation to the area’s access to opportunity, having neither a positive nor a negative effect on this equity measurement.

Vulnerability to Involuntary Displacement

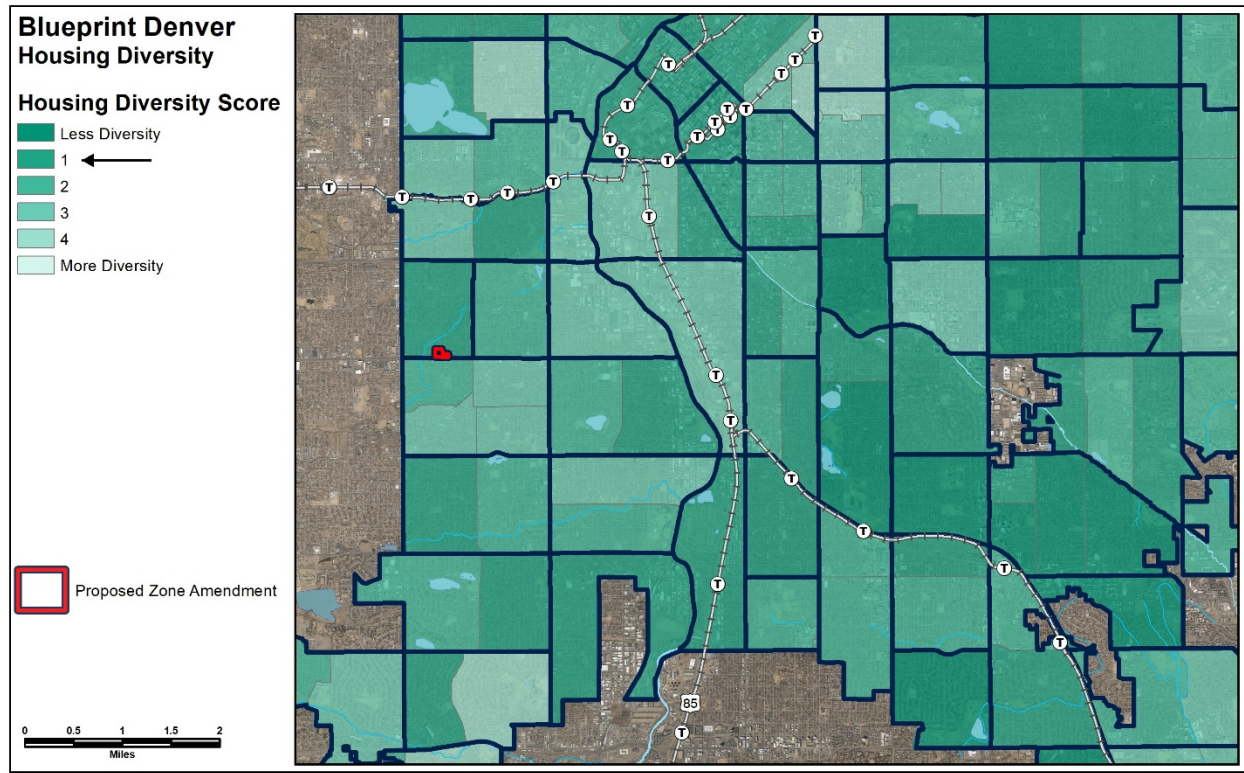
The basis for measuring vulnerability to involuntary displacement is the vulnerability to displacement index developed by the Denver Economic Development and Opportunity office. This combines data from median household income, percentage of people who rent housing, and percent of population with less than a college degree.



The subject property is in an area that has moderate-to-high vulnerability to involuntary displacement, scoring Vulnerable in two of the three metrics (Median Household Income Ratio and Bachelor’s Degree Attainment Ratio) and Not Vulnerable in the third metric (Rental Occupancy Ratio). The application identifies that “The Salvation Army’s housing components are paired with programs that provide career guidance and workforce training initiatives that allow those living on the property the opportunity to incrementally move their way up, creating new and better opportunities”. Staff finds that this rezoning application has the potential to have a positive impact on the Vulnerability to displacement metric by providing additional lower income housing options and job-related services, as described in the application.

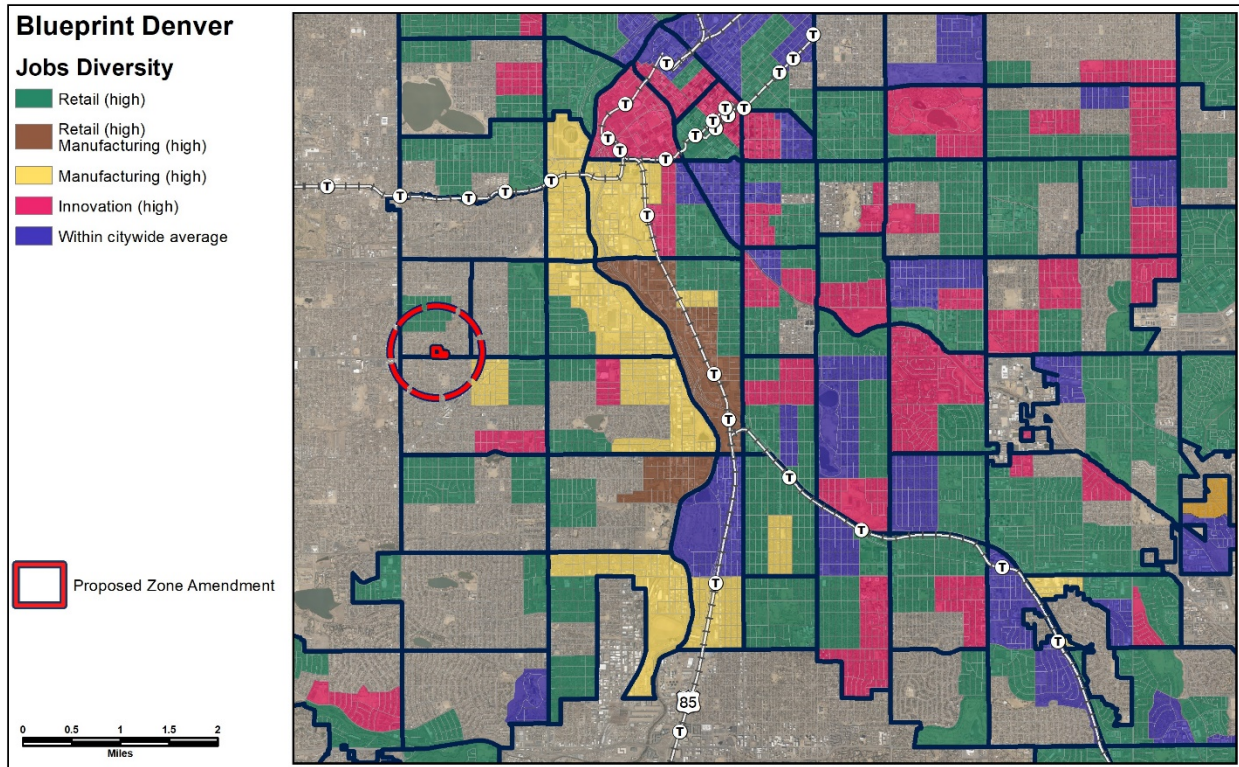
Expanding Housing and Jobs Diversity

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.



The subject property is in an area with low housing diversity, scoring Not Diverse in four of five metrics (Housing Diversity, Tenure Diversity, Housing Costs, and Number of Affordable Units) while scoring Diverse in only one metric (Home Size). The application states that the proposed development would “create a greater mix and range of housing types in the Barnum West neighborhood, offering diversity in housing types with amenities attached and supported by programs through the Salvation Army.” Multi-unit residential is an allowed use in the proposed zone district, and the current application intends to provide this type of housing as part of its development plan. Staff finds that this rezoning application will have a positive impact on housing diversity by allowing an increase in the number of multi-unit residences in the area (increasing Housing Diversity). While the units are not proposed to be income restricted through a Housing Agreement and therefore cannot be counted in the Number of Affordable Units metric, the applicant has indicated that the residences will be targeted at lower income families, which would de facto improve housing diversity in the area (with the caveat that plans and intentions can change).

Expanding Jobs Diversity



The map above shows the mix of job, depicted by color, within the city. Block groups with less than 100 total jobs (including the area of the property in question) were removed from the map.

The proposed zone district allows for various commercial, office and retail jobs, and increasing access to a range of many quality jobs enables people of different incomes and education levels to find employment and wealth-building opportunities. There are very few jobs in this area, and staff finds that, on balance, this rezoning application will have a positive impact on the area's jobs diversity.

Barnum/Barnum West Neighborhood Plan (1986)

The Barnum/Barnum West Neighborhood Plan was adopted in 1986. This plan will be superseded by the currently-under-development West Area Plan, but as of now, the plan applies to the subject properties. West Alameda Avenue is identified as a Special Study Area by the Barnum/Barnum West Neighborhood Plan, and the following plan recommendation is provided for the study area that includes the subject properties:

“It shall be the recommendation to maintain the residential zoning along West Alameda Avenue and to selectively review any proposed developments which might be advantageous to neighborhood interests through the Planned Unit Development Approach” (p. 23).

In the years since this plan guidance was initially developed, the City has moved away from a preference towards customized zoning and Planned Unit Developments. The adoption of the 2010 Denver Zoning Code (DZC) greatly increased the “menu” of available zone districts, with the hope that customized zoning would be less necessary, given the many more standard options now available that could be tailored best to community need. Further, *Blueprint Denver* explicitly recommends against the use of custom zoning solutions such as PUDs when standard zone district solutions are available due to the problems that arise in consistency and efficiency of administration, among other challenges (p. 73).

While a mixed-use zone district is not a residential zone district, E-MX-3 does not preclude the development of residential uses, and the applicant has indicated that lower income family housing will comprise a significant portion of the proposed redevelopment. Again, more recent city plan direction in *Blueprint Denver* provides different, relevant plan direction as analyzed in the *Blueprint Denver* section above.

While the proposed rezone may be interpreted to be in conflict with the letter of this plan recommendation (maintain residential zoning and use the PUD process), staff finds the proposed rezone to E-MX-3 – a context-appropriate zone district that did not exist when the Barnum/Barnum West Neighborhood Plan was developed – to be consistent with the spirit of the plan recommendation; especially when read in concert with the applicant’s intended redevelopment plan. When considered in light of the guidance in all of the applicable plans, on the whole the rezoning application is consistent with the city’s adopted plans.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to E-MX-3 will result in the uniform application of zone district building form, use, and design regulations on this site as they are applied to any other sites zoned E-MX-3.

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the City primarily through the implementation of the City’s adopted plans, specifically Comprehensive Plan 2040 and *Blueprint Denver*. Mixed use zone districts enable a mix of uses on one zone lot allowing people to live, work, and play, reducing automobile trips and achieving improved public health outcomes. The E-

MX-3 zone district building form standards will compel improved site and building design that promotes pedestrian interest and activity, which is linked to improved built environments and improved safety.

In response to this criterion, the application also states that, “The Salvation Army is a longstanding entity in the city of Denver known for its social initiatives and support of those less fortunate. The residential portion of the project would, in conjunction with the existing Silvercrest apartments to the west, provide housing to those of lower income and meet an ongoing need in the city.”

4. Justifying Circumstance

The application identifies several changed or changing conditions as the Justifying Circumstance under DZC Section 12.4.10.8.A.4, “Since the date of the approval of the existing Zone District, there has been a change to such a degree that the proposed rezoning is in the public interest. Such a change may include: Changed or changing conditions in a particular area, or in the city generally; or a city adopted plan; or that the City and County of Denver adopted the Denver Zoning Code and the property retained Former Chapter 59 zoning.”

The application states that “the E-MX-3 designation is consistent with other neighboring streets and corridors in this area and fits well with the initiatives and goals laid out in both Blueprint Denver and the Comprehensive Plan 2040.” As the property is located in a community corridor on a mixed-use arterial in an area where growth is should to be directed, the proposed rezoning is justified. Furthermore, a portion of the subject property has retained Former Chapter 59 PUD zoning, which justifies rezoning that portion of the property. Together, these changes justify the rezoning of the property to E-MX-3 to serve the public interest.

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

The requested E-MX-3 zone district is within the Urban Edge Neighborhood Context. The neighborhood context generally consists of single-unit and two-unit residential uses, with small-scale multi-unit residential uses and commercial areas typically embedded in residential areas (DZC, Division 4.1). Further, “Multi-unit residential and commercial uses are located along local streets, arterials, and main streets.” Orthogonal streets are found in a grid or modified grid. Building orientations along a block face may be consistent or inconsistent. The area in which this site is located consists of a modified grid and building orientation is inconsistent along Alameda, which is an arterial street. Therefore rezoning this site to the Urban Edge neighborhood context would be consistent with the context description.

The general purpose for the mixed-use zone districts stated in the Denver Zoning Code is to “promote safe, active, and pedestrian-scaled diverse areas through the use of building forms that clearly define and activate the public street edge” and “ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods” (DZC Section 4.2.4.1). The proposed E-MX-3 zone district would facilitate appropriately scaled mixed-use development with protected district standards

that effectively improve the transition to the adjacent residential neighborhood, consistent with the stated purpose.

According to the zone district intent stated in the Denver Zoning Code, the E-MX-3 district “applies to areas or intersections served primarily by collector or arterial streets where a building scale of 1 to 3 stories is desired” (DZC Section 4.2.4.2.D). The property to be rezoned is on Alameda Avenue, which is classified as a Mixed-Use Arterial, and the desired building heights articulated in the adopted plans are up to 5 stories. The street classifications and desired building heights in this area are consistent with the zone district purpose and intent statements.

Attachments

1. Application
2. PUD 291 & PUD 550
3. Determination of No LDR