



1332 22nd Avenue

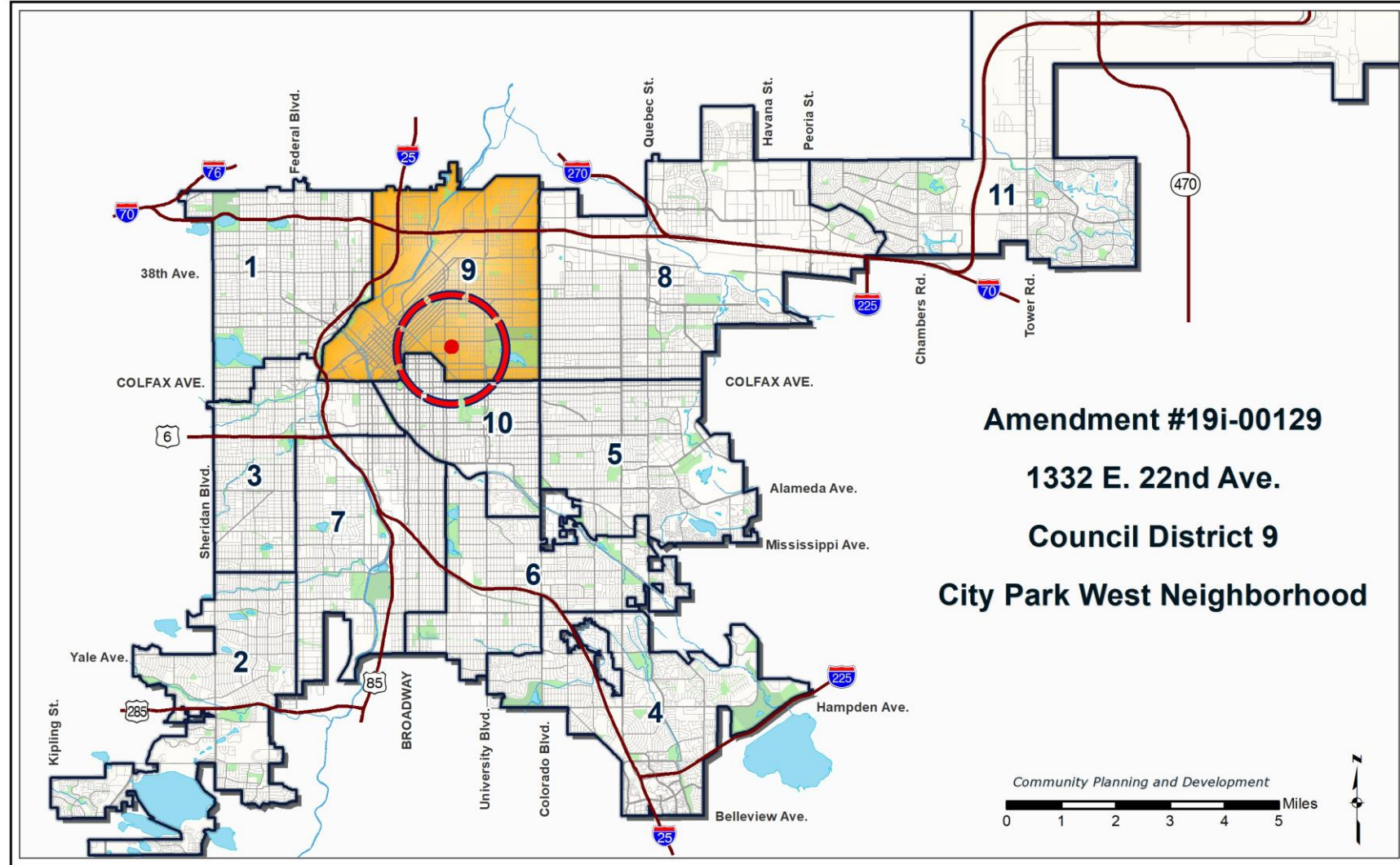
19I-00129: U-TU-B to U-TU-B U0-3 with waiver

Date: 9/21/2020

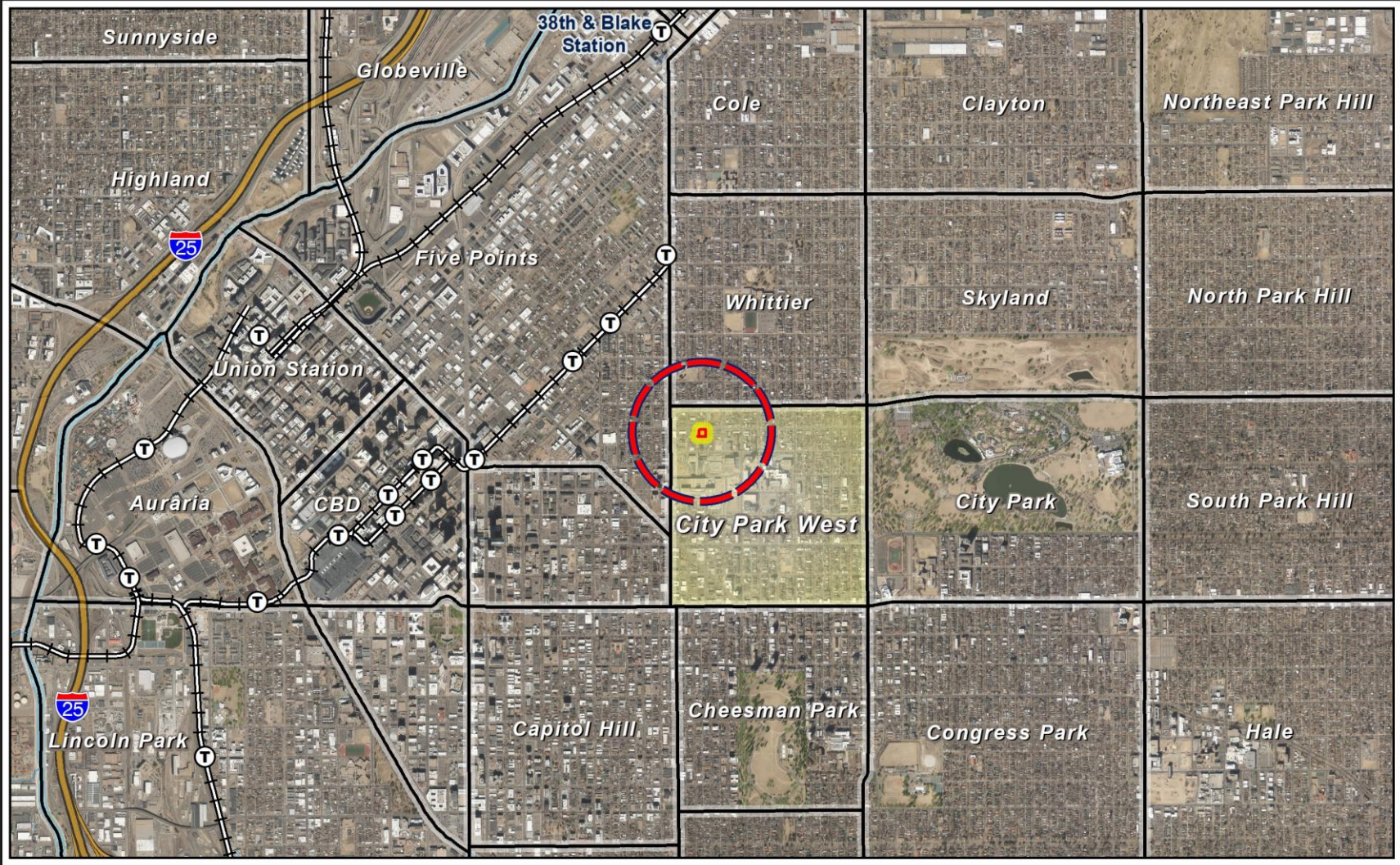
1332 22nd Ave.

U-TU-B to
U-TU-B U0-3 with
waiver

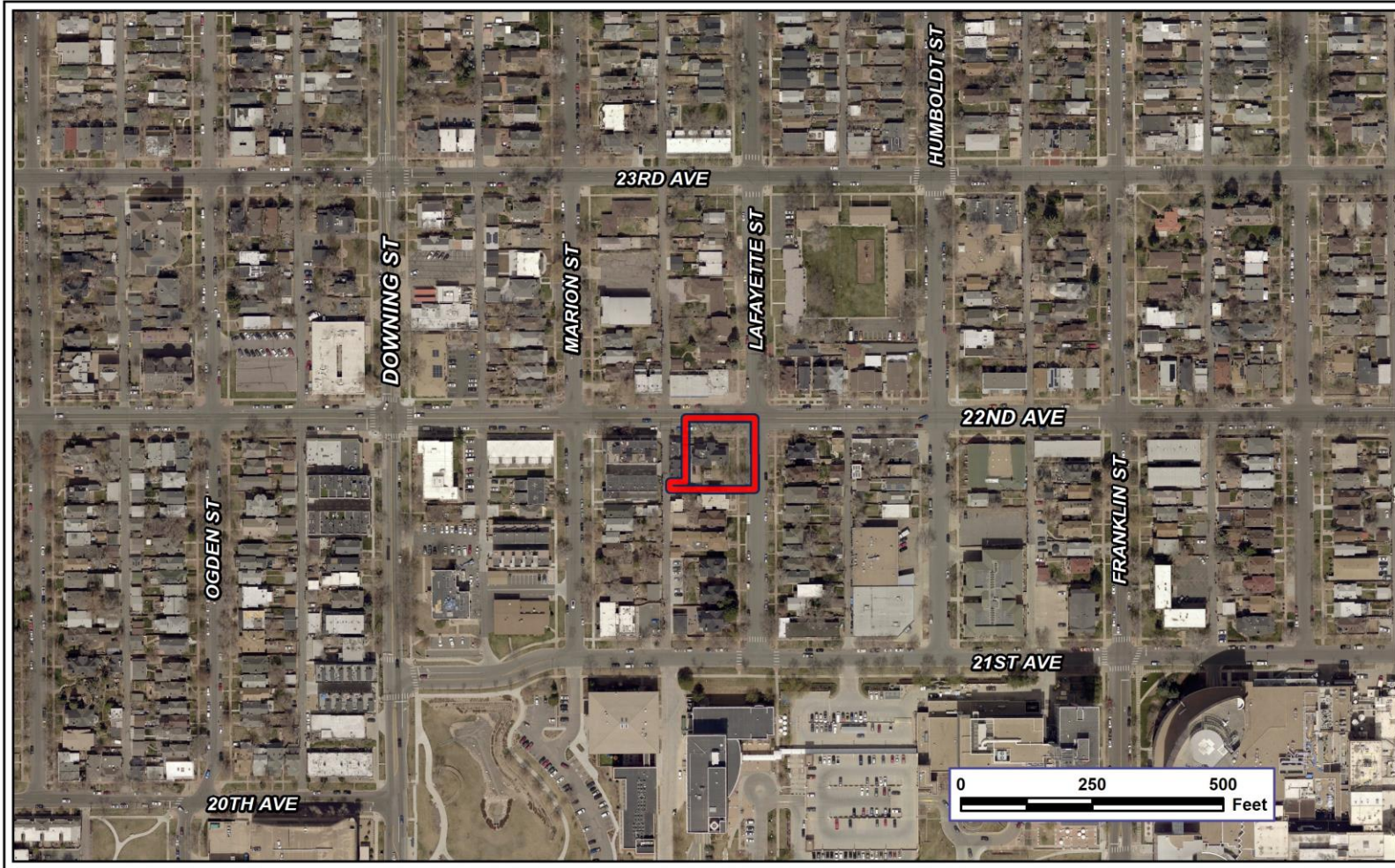
Council District 9
– CM CdeBaca



City Park West Neighborhood



Request: U-TU-B to U-TU-B UO-3 with waiver



Location

- 22nd Ave. and Lafayette St.
- Just north of Uptown Healthcare District
- 9,048 square feet
- Single-unit house

Proposal:

- Rezoning from U-TU-B to U-TU-B UO-3 with waiver
- Requesting rezoning to allow operation of a bed and breakfast

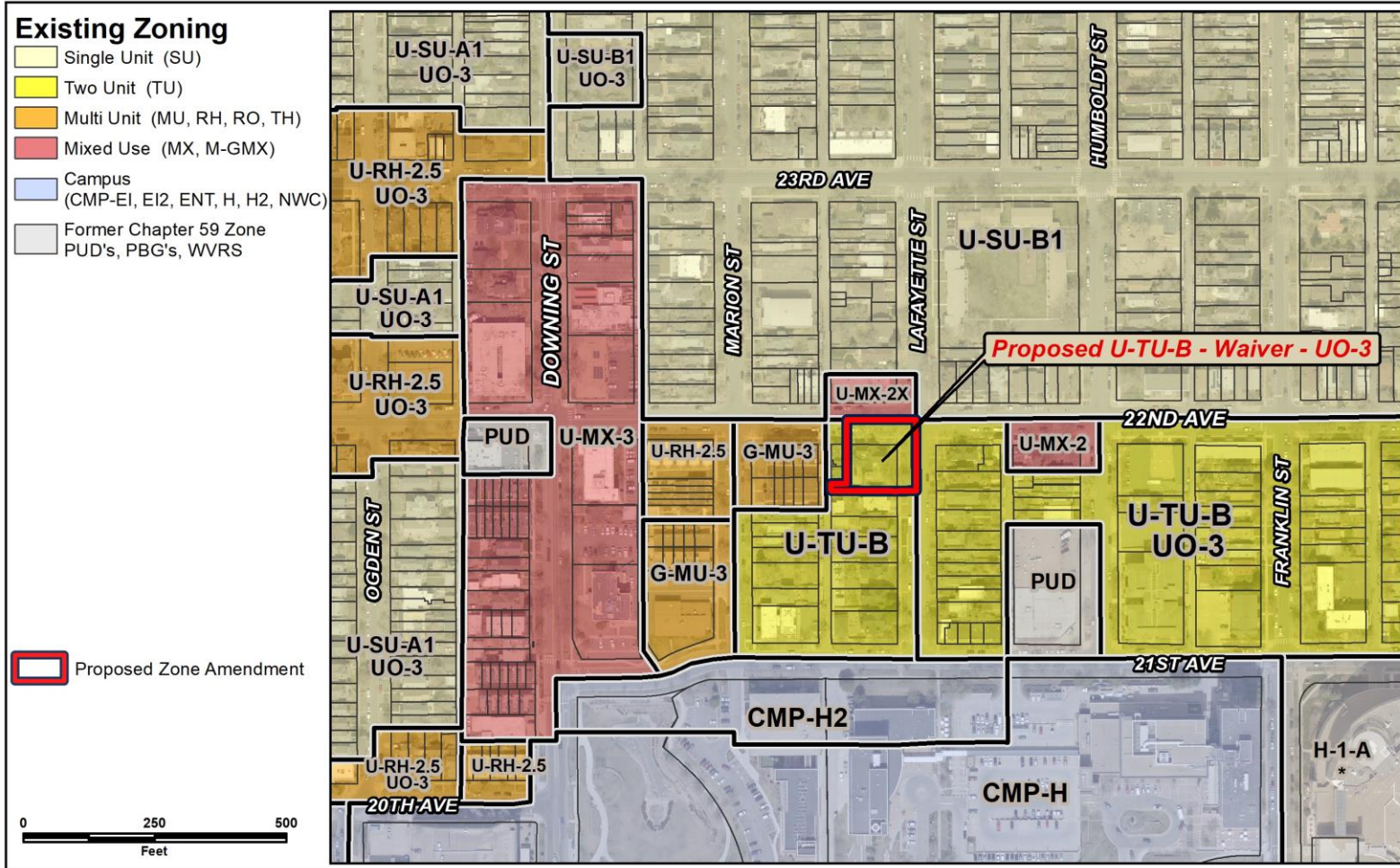
Historic District



Lafayette Street Historic District

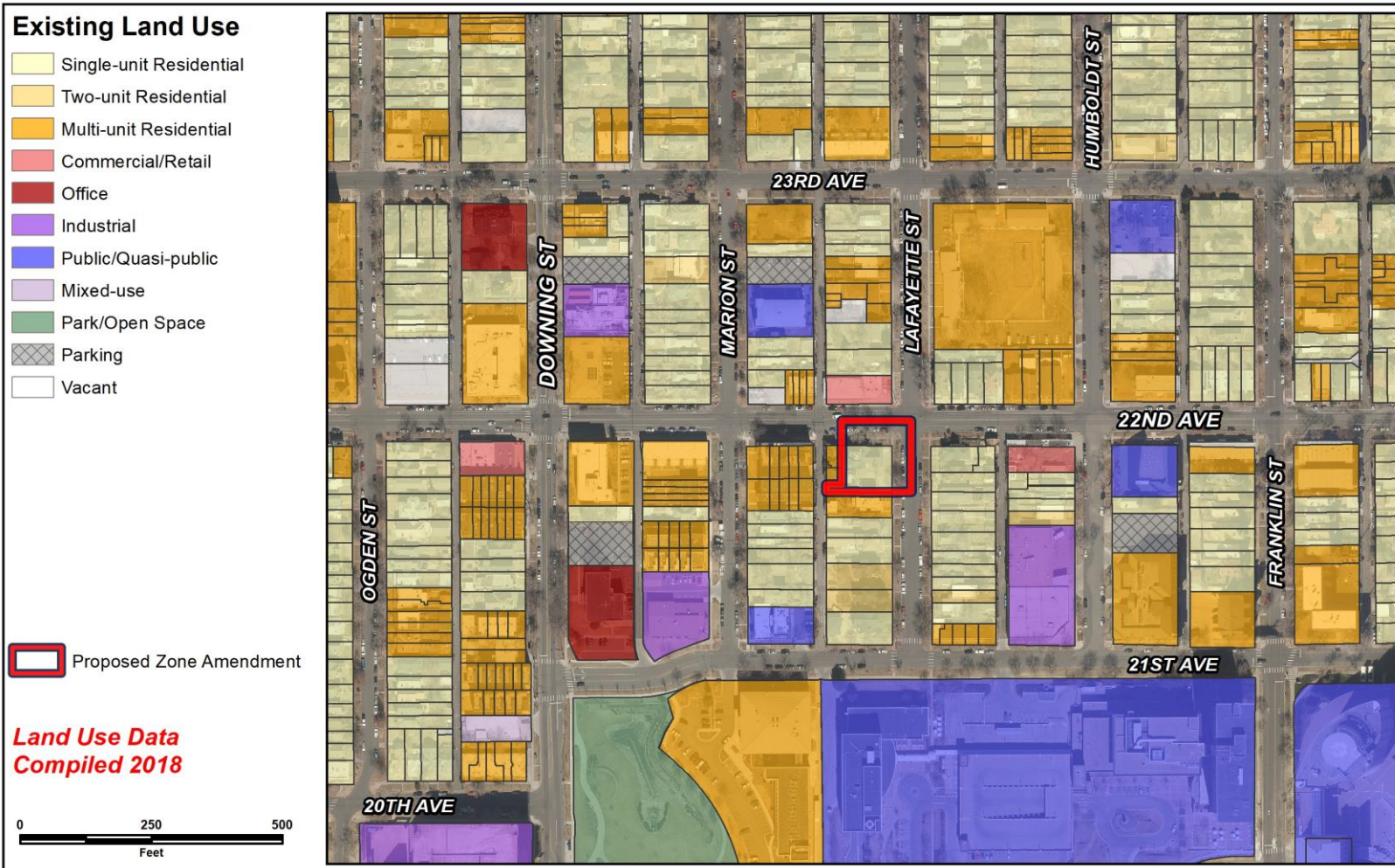
- Established in 1987
- Contributing structure

Existing Zoning



- Subject site: U-TU-B
- Surrounding properties: U-TU-B; U-TU-B UO-3; U-MX-2x; G-MU-3; U-SU-B1

Existing Land Use

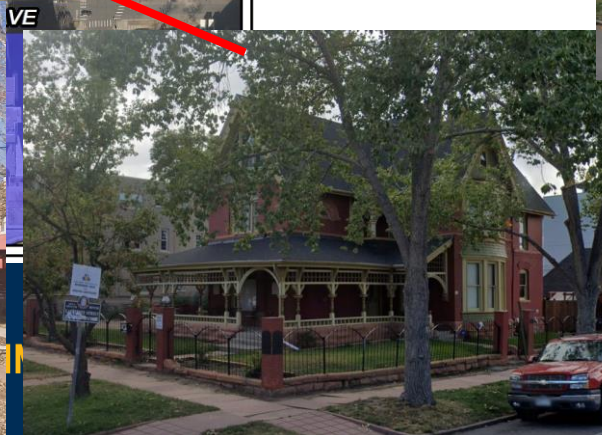
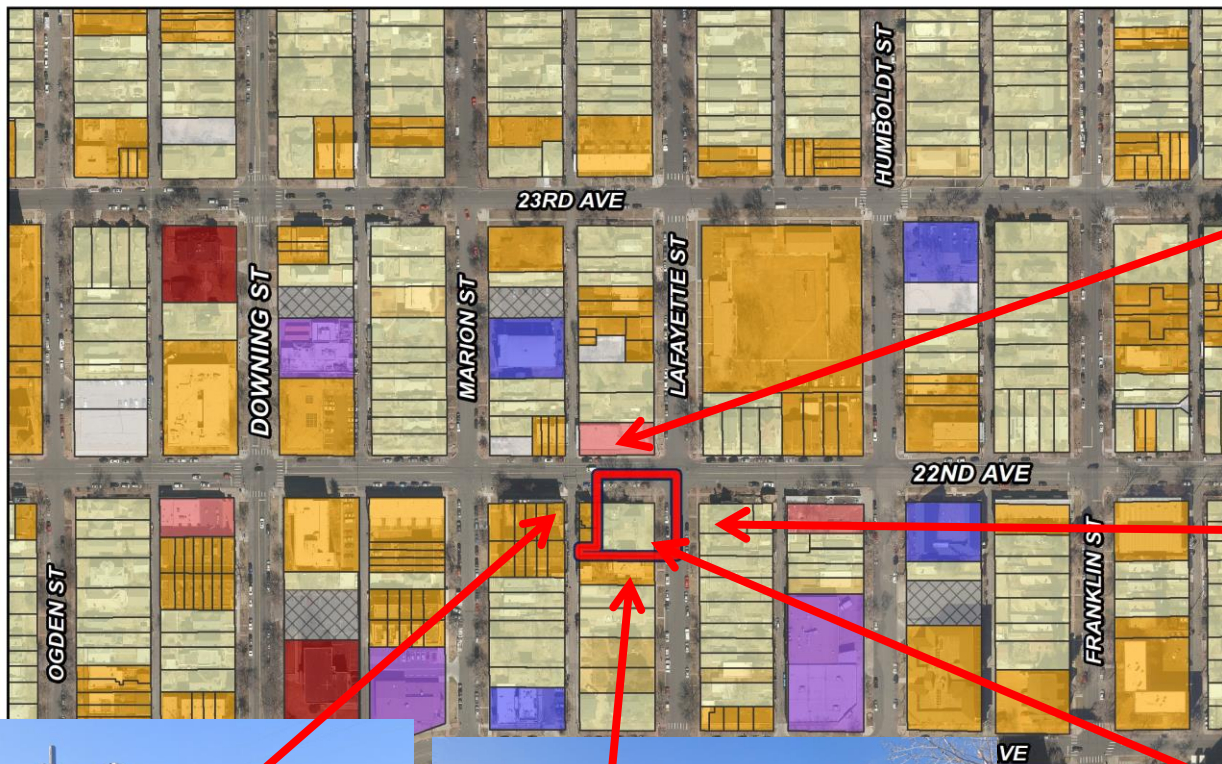


- Subject property: Single-unit residential
- North: Retail
- East: Single-unit residential
- South: Multi-unit residential
- West: Multi-unit residential

Existing Context – Building Form/Scale

Existing Land Use

- Single-unit Residential
- Two-unit Residential
- Multi-unit Residential
- Commercial/Retail
- Office
- Industrial
- Public/Quasi-public
- Mixed-use
- Park/Open Space
- Parking
- Vacant



Proposed Zone District

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		■	■	■	■		□					

U-TU-B

- Urban House, Duplex, Tandem House building forms
- Single-unit and two-unit residential uses
- 2.5 story/35' maximum height

UO-3 Historic Structure Use Overlay

- Allows non-medical office, art studio, bed and breakfast uses

Proposed Waiver

The undersigned owner of the property hereby waives the provision in DZC 9.4.4.8.F.1 that “The applicant for establishment of the bed and breakfast lodging use is the owner of record and uses the structure as his/her principal residence.”

- Bed and breakfast lodging use allowed under the UO-3 requires the owner of the structure to use it as their principal residence
- Proposed waiver would remove that requirement, instead requiring a manager, who may or may not be the property owner, to live on site
- Would align the residency requirement with that for bed and breakfast lodging uses established under mixed-use zone districts

Process

- Planning Board (August 5, 2020)
 - Unanimous recommendation of approval
- Land Use, Transportation and Infrastructure Committee (August 11, 2020)
- City Council (September 21, 2020)
- Public comment
 - Good neighbor agreement with surrounding organizations
 - 2 letters of opposition

Review Criteria

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

Review Criteria

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver 2019*
- *Uptown Neighborhood Plan (1986)*
- *Uptown Healthcare District Plan Update (2007)*

2. Uniformity of District Regulations

3. Further Public Health, Safety and Welfare

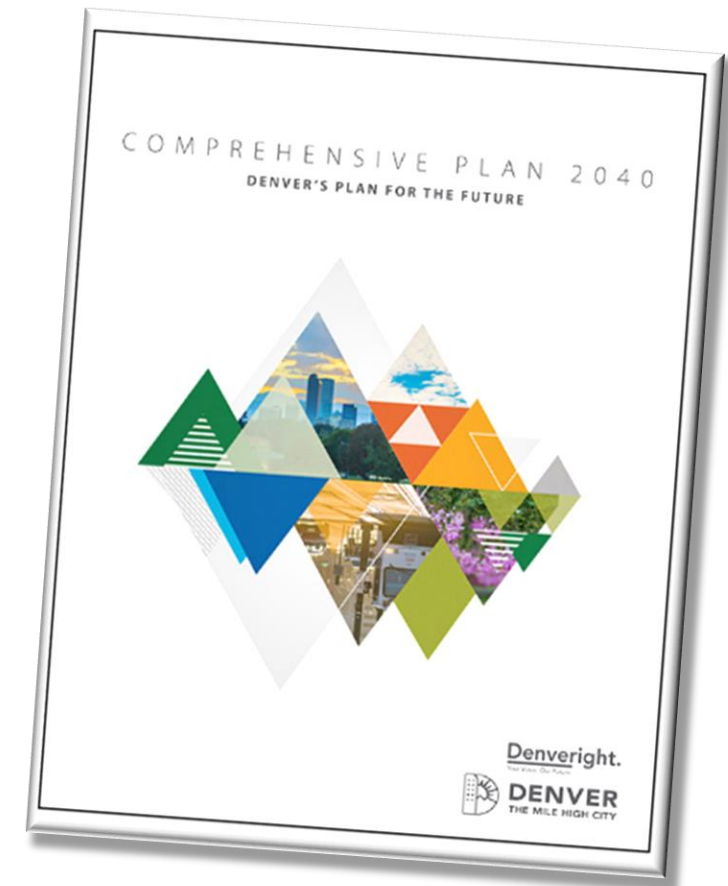
4. Justifying Circumstances

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

Review Criteria: Consistency with Adopted Plans

Comprehensive Plan 2040

- 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.*
- Strong and Authentic Neighborhoods Goal 3, Strategy C – *Ensure city policies and regulations support historic preservation and eliminate barriers in city processes to help all neighborhoods preserve what matters most.*
- Strong and Authentic Neighborhoods Goal 3, Strategy E – *Support the stewardship and reuse of existing buildings, including city properties.*
- Economically Diverse and Vibrant Goal 3, Strategy A – *Promote small, locally-owned businesses and restaurants that reflect the unique character of Denver.*



Review Criteria: Consistency with Adopted Plans

Equity



Comprehensive Plan 2040

- 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.*

Review Criteria: Consistency with Adopted Plans

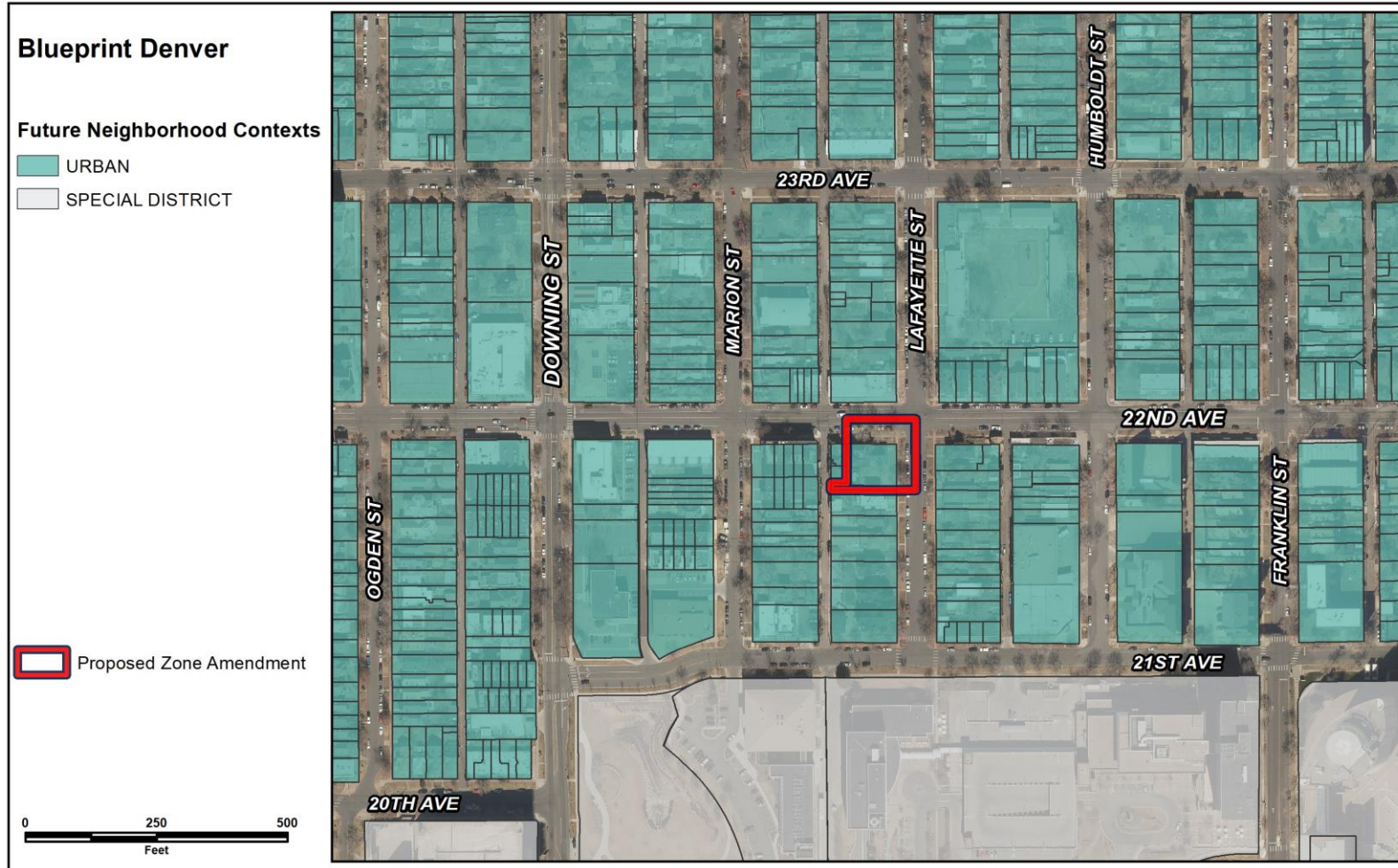
Climate

Comprehensive Plan 2040

- Environmentally Resilient Goal 8, Strategy A - *Promote infill development where infrastructure and services are already in place.*
- Environmentally Resilient Goal 8, Strategy B - *Encourage mixed-use communities where residents can live, work and play in their own neighborhoods.*



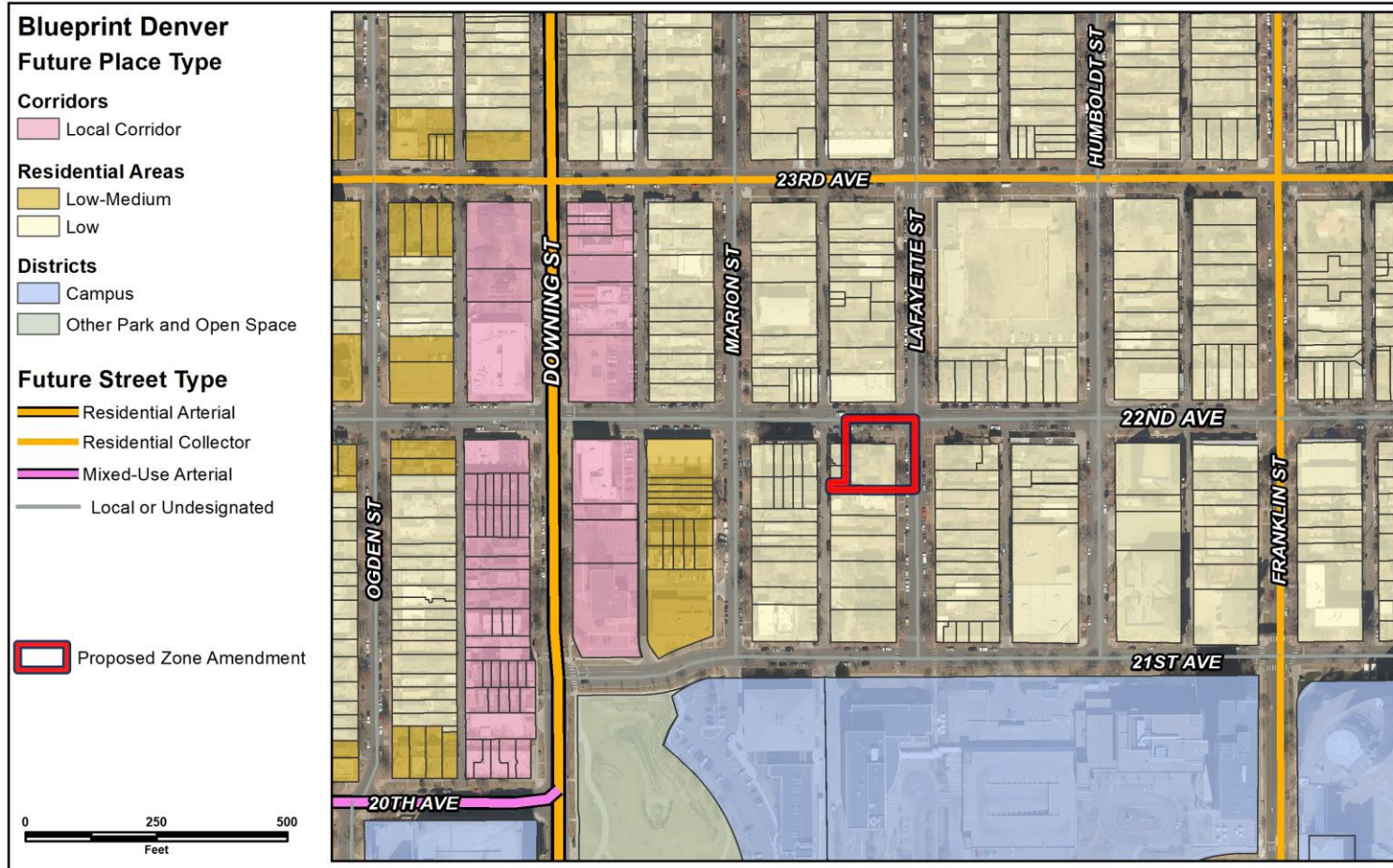
Consistency with Adopted Plans: Blueprint Denver 2019



Urban Context

- Small multi-unit residential and low-intensity mixed-use buildings are typically embedded in single-unit and two-unit residential areas
- Small, embedded local centers are also common as a result of the development of many of urban neighborhoods during the street car era

Consistency with Adopted Plans: Blueprint Denver 2019



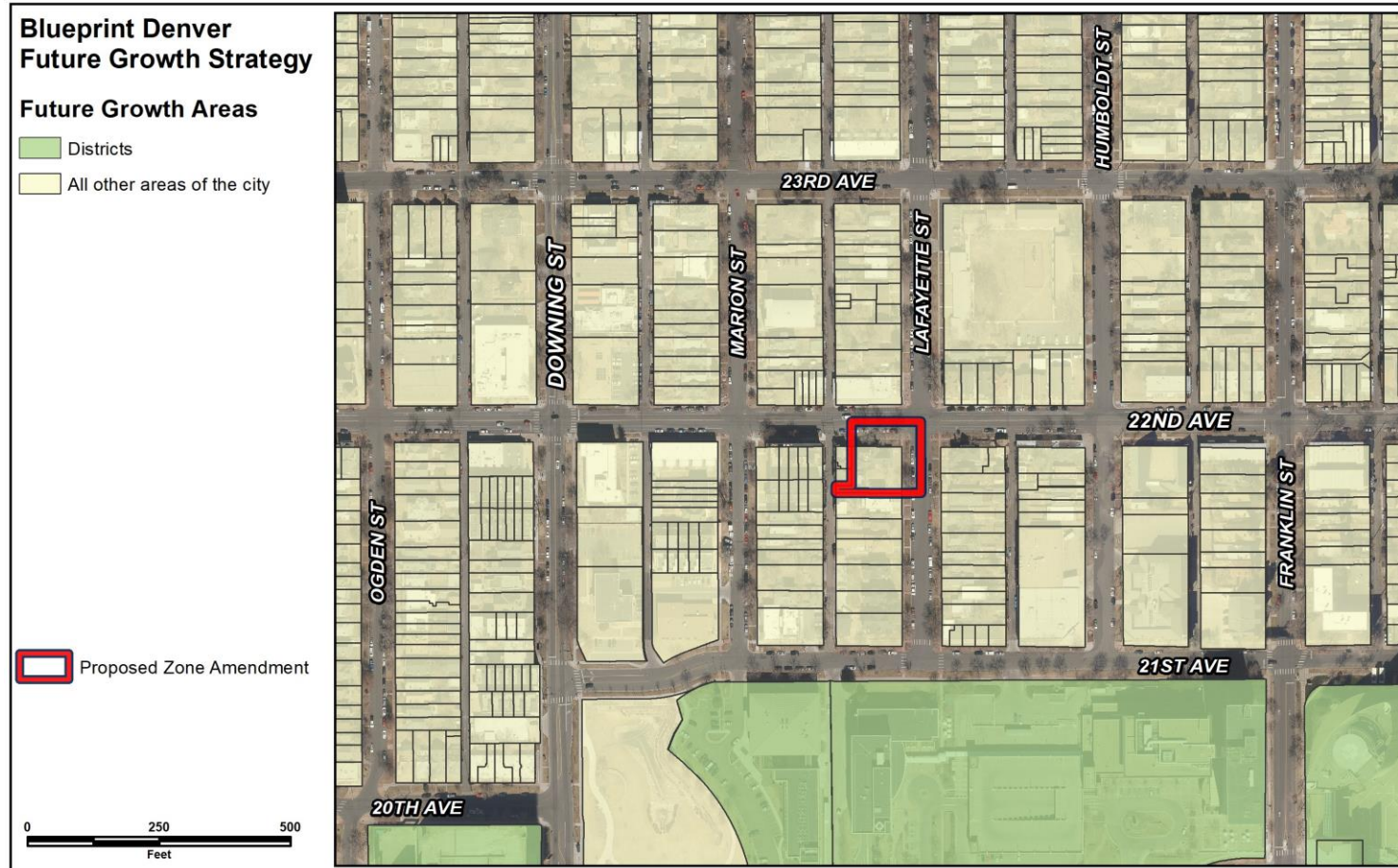
Low Residential

- Predominately single- and two-unit uses on smaller lots
- Limited mixed-use can occur along arterial and collector streets, as well as where commercial uses have been already established
- Buildings are generally up to 2.5 stories in height

Local Streets

- Designed for the highest degree of property access and the lowest amount of through movement

Consistency with Adopted Plans: Blueprint Denver 2019



Growth Areas Strategy

- All other areas of the city
 - 10% of new jobs
 - 20% of new housing

Consistency with Adopted Plans: Blueprint Denver 2019

- Strategies
 - Land Use and Built Form: General Policy 2, Strategy E: *In historic areas, balance efficiency with preservation through strategies that encourage the reuse of structures*
 - Land Use and Built Form: Design Quality and Preservation Policy 2, Strategy A: *Continue the city's commitment to existing historic districts and landmarks and use historic designation to preserve the character of an individual structure or district or where there is historic, architectural, cultural, and/or geographic significance*
 - Land Use and Built Form: Design Quality and Preservation Policy 2, Strategy I: *Promote incentives to preserve the reuse of historic buildings and the unique historic features of Denver's neighborhoods*
- Custom Zoning
 - Limit the use of site-specific, customized zoning tools—such as Planned Unit Developments (PUDs) and waivers/conditions—to unique and extraordinary circumstances
 - Custom zoning tools are most effective when a standard zone district does not exist to implement the adopted plans for an area

Consistency with Adopted Plans: Uptown Neighborhood Plan

- Emphasizing the potential of Uptown to redevelop as an urban village, providing a living, working, shopping, and recreational environment for a wide variety of people and reinforcing the momentum of redevelopment in the neighborhood and strengthening the employment and retail bases
- Midtown: No expansion of commercial uses north of 21st Ave.; resolve non-conforming businesses; revitalize existing businesses
- Preservation should assume top priority in reviewing development proposals, proposing capital improvements, and allocating funding

Consistency with Adopted Plans: Uptown Healthcare District Plan Update

- Recognize, foster and enhance the interdependency and compatibility of the healthcare, residential and neighborhood retail uses within the area
- Support and accommodate growth and redevelopment that respects the historic scale, diversity and character of the neighborhood
- Support rezonings that allow for a mixed-use community with people living, working and recreating within the community
- Support the adaptive reuse of existing structures throughout the district but especially between 17th and 18th Avenues
- Broaden the employment base within the community beyond healthcare and retail

Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
 - Request is consistent
3. Further Public Health, Safety and Welfare
 - Implements adopted plans, promotes historic preservation
4. Justifying Circumstances
 - Changed or Changing Conditions: Changes in the neighborhood, application of supplemental zoning regulations
5. Consistency with Neighborhood Context, Zone District Purpose and Intent
 - “Commercial uses are primarily located along mixed-use arterial or main streets but may be located at or between intersections of local streets”

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