



TO: Denver City Council Planning & Neighborhoods Committee
FROM: Abe Barge, AICP, Senior City Planner
DATE: July 16, 2015
RE: Official Zoning Map Amendment Application #2015I-00020
22-44 South Adams Street
Rezoning from Former Chapter 59 PUD 75 to G-MU-12

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends that the Planning & Neighborhoods Committee move Application #2015I-00020 for a rezoning from Former Chapter 59 PUD 75 to G-MU-12 out of committee to the full City Council.

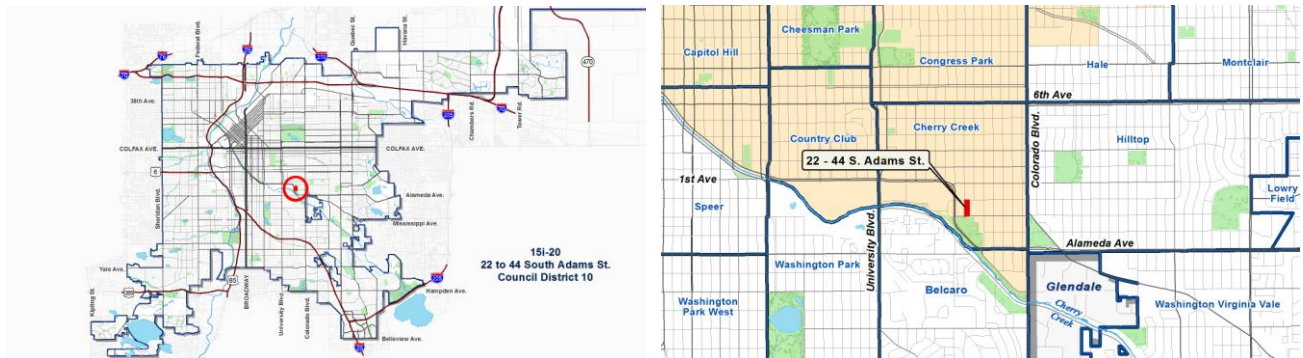
Request for Rezoning

Application:	#2015I-00020
Address:	22 and 44 South Adams Street
Neighborhood/Council District:	Cherry Creek / Council District 10 (Wayne New)
RNOs:	Cherry Creek East Association, Denver Neighborhood Association, Inc., Harman Neighborhood Association, Inc., Inter-Neighborhood Cooperation
Area of Property:	62,600 square feet or 1.44 acres
Current Zoning:	Former Chapter 59 PUD 75
Proposed Zoning:	G-MU-12
Property Owner(s):	Allied Housing East LP
Owner Representative:	Sean Maley, CRL Associates

Summary of Rezoning Request

- The subject property is located in the Cherry Creek statistical neighborhood, near the intersection of Steele Street and East Ellsworth Avenue. The site is generally bounded by East Ellsworth Avenue to the north, South Adams Street to the west, East Bayaud Avenue to the south and an alley to the east.
- The subject property is comprised of two assessor's parcels, addressed as 22 South Adams and 44 South Adams. 22 South Adams contains a nine-story, 160 unit multifamily building that is connected to a seven-story, 96-unit multifamily building at 44 South Adams. Both buildings are used as a Residence for Older Adults.
- The building at 22 South Adams is connected to the building at 11 South Adams (not included in the map amendment) by a second-story enclosed pedestrian bridge.
- The Former Chapter 59 Planned Unit Development (PUD) 75 applies to both 22 South Adams and 44 South Adams. Both properties are under the same ownership.

- The property owners are requesting a rezoning from Former Chapter 59 PUD 75 to G-MU-12 to allow for a small renovation of the senior living facility. The planned renovation is primarily interior, with the exception a new covered hallway on the front of the property to improve resident circulation. The footprint of the new covered hallway would exceed the existing PUD lot coverage limit by 132 square feet.
- Former Chapter 59 PUD 75 currently allows for residential uses within a maximum building height of 75 feet above average street elevation, with an additional 15 foot allowance for rooftop equipment. Note that the existing approximately 100 foot tall building at 22 South Adams was included in the PUD, but does not meet the existing PUD height limit for new buildings.
- The proposed map amendment to the G-MU-12 zone district is intended to promote and protect higher density residential neighborhoods within the character of the General Urban Neighborhood Context. The district allows 1-12 story apartment building forms with a 15 to 20 foot setback along the Primary Street. Article 6 of the Denver Zoning Code (DZC) provides additional details on the G-MU-12 zone district.



Existing Context

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	Fomer Chapter 59 PUD 75	Multifamily high rise buildings used as a Residence for Older Adults, two drop-off areas and two surface parking areas	One nine-story building and one seven-story building with front setbacks of 23-35 feet along South Adams street	<p>Generally, block sizes and shapes are consistent and rectangular. However, the site is located on a two-block aggregation and the Cherry Creek Shopping Center to the west is located on an aggregated superblock. Although there are two parcels of about 6,000 square feet within one block of the site, most parcels in the area range in size from one to two acres.</p> <p>The street grid around the site is generally regular. However, South Cook Street terminates at its intersection with East Ellsworth Avenue just to the north and east of the site. South Adams Street terminates into Pulaski Park immediately south of the site.</p> <p>Building setbacks in the surrounding area typically allow for a shallow landscaped front yard area, but side interior and side street setbacks are limited. Most parking is provided in structures, with limited surface parking in front of, or behind buildings.</p>
North	G-MU-12	A multifamily building with parking	16-story building with limited front setback and primarily structured parking	
South	OS-A	Pulaski Park/Gates Tennis Center (Denver City Park) with tennis courts and associated surface parking area	Two-story park facilities building and fenced tennis courts	
East	PUD 183	Multifamily high rise residential buildings with parking	One 15-story building, one 13-story building and one nine-story building with approximately 20-foot front setbacks	
West	G-MU-12	Multifamily high rise residential buildings with parking	Two 14-story buildings with approximately 15-foot front setbacks	

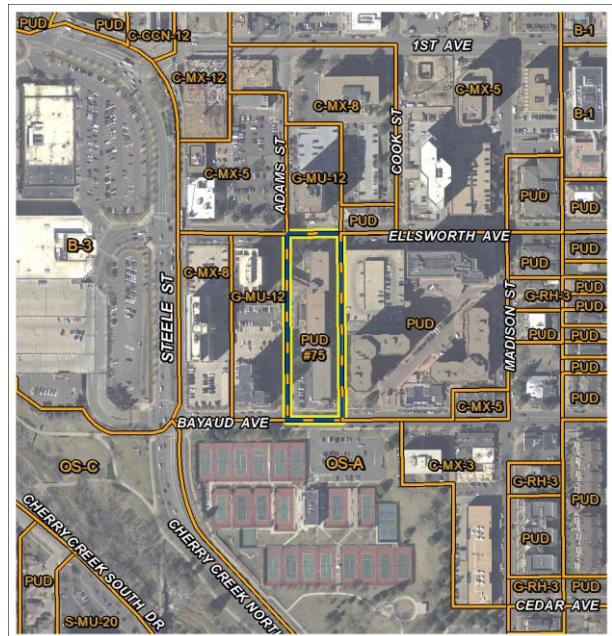
The site is located near the intersection of South Steele Street and East Ellsworth Avenue in the Cherry Creek East area. It is south of the Cherry Creek North shopping district and east of the Cherry Creek Shopping Center. Building heights range from two to 16-stories, with primarily multifamily residential uses. The site and surrounding blocks generally feature wide, detached sidewalks with street trees. While some surface parking areas are located between buildings and the street, a 10 to 35-foot

landscaped front setback is most typical. The area transitions to a mixed-use commercial district just over a block to the north, and to a single-unit and row house residential district just over a block to the east. There is a small commercial “village center” at South Madison Street and East Bayaud Avenue. Pulaski Park and the Gates Tennis Center are directly south of the site, and the Cherry Creek Greenway is one block to the south and west.

South Adams Street, East Ellsworth Avenue and East Bayaud Avenue carry one lane of traffic in each direction. East Bayaud Avenue has a center turn lane. RTD bus route 46 serves South Adams Street, stopping directly in front of the site. RTD bus route 3 serves East Ellsworth Avenue and East Bayaud Avenue with stops very near the site. RTD provides additional bus service along 1st Avenue to the north and South Steele Street to the west.

1. Existing Zoning

The Former Chapter 59 PUD 75 was approved in 1982. It allows for residential and supporting accessory uses in buildings with a maximum floor area of 221,352 square feet and a site footprint of 28,250 square feet. The PUD limits total land coverage by buildings and impervious surfaces to 52,500 square feet and total building height to 75 feet above average street elevation with a 15 foot allowance for rooftop mechanical equipment. Minimum setbacks are specified as 30 feet from South Adams Street (front setback), 12 feet from East Ellsworth Avenue and East Bayaud Avenue (side street setbacks), and 20 feet from the rear alley. The PUD also specifies a minimum parking ratio of one space per 4.125 dwelling units (64 spaces total) and notes that storage of boats, campers, trailers and recreational vehicles up to 22 feet in length is allowed. The official copy of the PUD is on file with the Denver City Clerk.



2. View Planes

The Cranmer Park View Plane applies to the subject property. It originates in Cranmer Park and is intended to protect and preserve panoramic views of the mountains. The view plane specifies maximum heights for all structures that increase with distance from the Cranmer Park origin point. The view plane limits heights to approximately 150-159 feet across the subject site, which is above the maximum 140-foot height that would be permitted by the proposed G-MU-12 zone district.

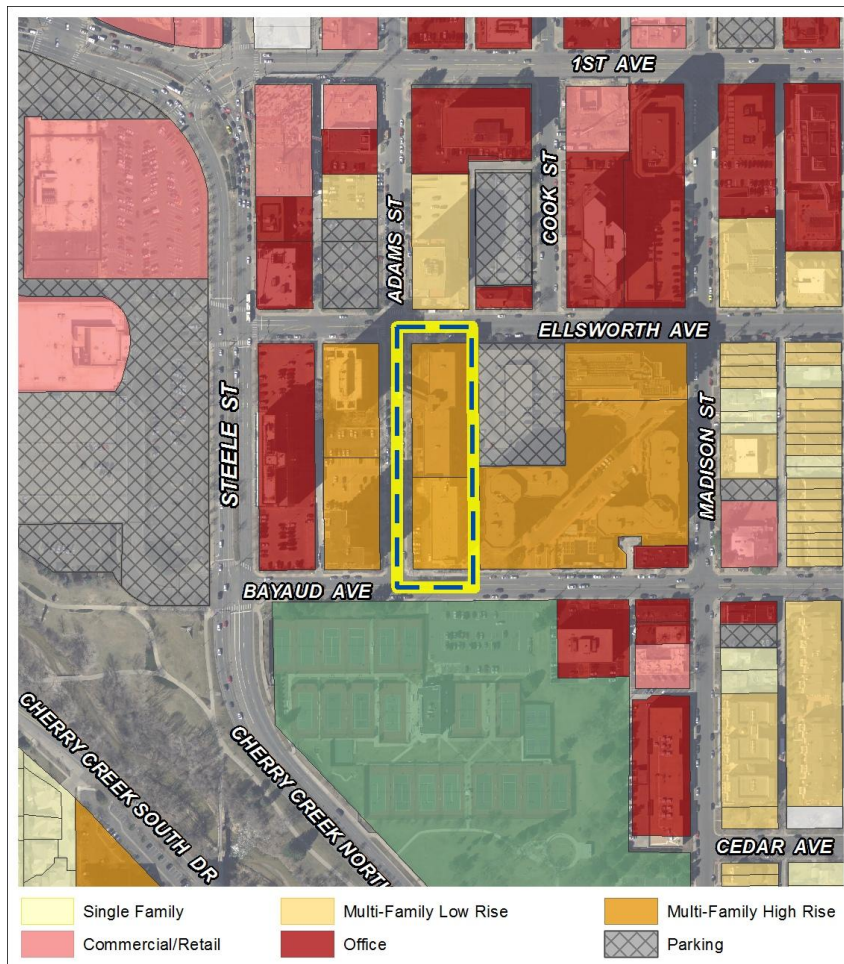
3. Urban Design Standards & Guidelines

The existing Cherry Creek East Design Guidelines promote high-quality development throughout Cherry Creek East.

4. Existing Land Use Map

As illustrated on the Existing Land Use Map below, multifamily low rise and high rise residential uses, as well as open space and parking, surround the site. Office uses are located within ½ block of the site to the north, west and east. Commercial and retail uses are located one block to the north, east and west.

Existing Land Use Map



5. Existing Building Form and Scale



Subject site looking directly east to the front entrance and link between the older nine-story building at 22 South Adams Street and newer seven-story building at 44 South Adams Street.



Subject site looking north and east down South Adams Street towards the second-story enclosed pedestrian bridge that connects 44 South Adams Street to 11 South Adams Street (not visible)



Subject site looking directly south down the alley from East Ellsworth Avenue. Structured parking for "The Seasons" apartments (not part of the map amendment application) is visible at left.



15-story building at 11 South Adams that is connected to the subject site (not visible at left) by a second-story pedestrian bridge.



15-story building in "The Seasons" complex along East Bayaud Avenue to the east of the site.



16-story building along East Ellsworth Avenue directly north of the subject site.

Summary of City Agency Referral Comments

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

Asset Management: Approved – No Comments

Development Services – Wastewater: Approved – As stated, the scope of this project (actual improvement project after rezoning) would be permitted by Wastewater under a Sewer Use and Drainage Permit.

Public Works – City Surveyor: Approved – No Comments. The legal description dated April 2, 2015 was approved.

Environmental Health: Approved – The Denver Department of Environmental Health (DEH) is aware of a large area of urban fill just west and south of the property. Methane in soil can be an issue in locations near fill areas and can be mitigated using a radon system. Most of Colorado is high risk for radon, a naturally occurring radioactive gas. Due to concern for potential radon gas intrusion into buildings, DEH suggest developers consider installation of a radon mitigation system in structures planned for human occupation or frequent use. Scope & Limitations: DEH performed a limited search for information known to DEH regarding environmental conditions at the subject site. This review was not intended to conform to ASTM standard practice for Phase I site assessments, nor was it designed to identify all potential environmental conditions. In addition, the review was not intended to assess environmental conditions for any potential right-of-way or easement conveyance process. The City and County of Denver provides no representations or warranties regarding the accuracy, reliability, or completeness of the information provided.

Public Review Process

- CPD staff provided Informational notice of receipt of the rezoning application to affected registered neighborhood organizations and members of City Council on April 9, 2015.
- The property was legally posted for a period of 15 days announcing the July 1, 2015, Denver Planning Board public hearing, and written notification of the hearing was sent to all affected registered neighborhood organizations and City Council members.
- Written notification of the July 22, 2015 City Council committee meeting was sent to all affected registered neighborhood organizations and City Council members on July 8, 2015.
- Following Planning & Neighborhoods Committee review, rezoning applications are typically referred to the full City Council for final action at a public hearing.
- **Registered Neighborhood Organizations (RNOs)**
 - The RNOs identified on page one were notified of this application. At the time of this staff report, one letter of support has been received from the Cherry Creek East Association (attached).
- At the time of this staff report, no other public comment has been received.

Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.13 and 12.4.10.14, as follows:

DZC Section 12.4.10.13

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

DZC Section 12.4.10.14

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

1. Consistency with Adopted Plans

The following adopted plans apply to this property:

- *Denver Comprehensive Plan 2000*
- *Blueprint Denver (2002)*
- *Cherry Creek Area Plan (2012)*

Denver Comprehensive Plan 2000

Denver's *Comprehensive Plan 2000* identifies a set of broad guiding principles that unite to form a coherent and compelling vision of a livable city. The Plan defines Cherry Creek as an "urban center" and states:

"Compact urban centers will meet the needs of 21st-century living while reinforcing the valued characteristics of Denver's neighborhoods. Development and redevelopment of urban centers presents opportunities to concentrate population and land uses within a limited geographic space. Compact development will improve neighborhood cohesion, reduce urban sprawl and connect residents more directly to services and amenities within their immediate living environment." (pg 55)

Relevant *Denver Comprehensive Plan 2000* strategies include:

- Environmental Sustainability Strategy 2-F – *Conserve land by: promoting infill development with Denver at sites where services and infrastructure are already in place.* (pg 39)
- Land Use Strategy 3-B – *Encourage quality infill development that is consistent with the character of the surrounding neighborhood; that offers opportunities for increased density and more amenities; and that broadens the variety of compatible uses.* (pg 60)
- Neighborhood Strategy 1-E – *Modify land-use regulations to ensure flexibility to accommodate changing demographics and lifestyles. Allow, and in some places encourage, a diverse mix of housing types and affordable units, essential services, recreation, business and employment, home-based businesses, schools, transportation and open space networks.* (pg 150)

- Neighborhood Strategy 1-F – *Invest in neighborhoods to help meet citywide goals and objectives for a range of housing types and prices, community facilities, human services and mobility.* (pg 150)

The proposed map amendment is consistent with the vision and strategies outlined in *Comprehensive Plan 2000* because it promotes the maintenance of higher density residential uses at a location where services and infrastructure are already in place while also ensuring flexibility to accommodate change.

Blueprint Denver

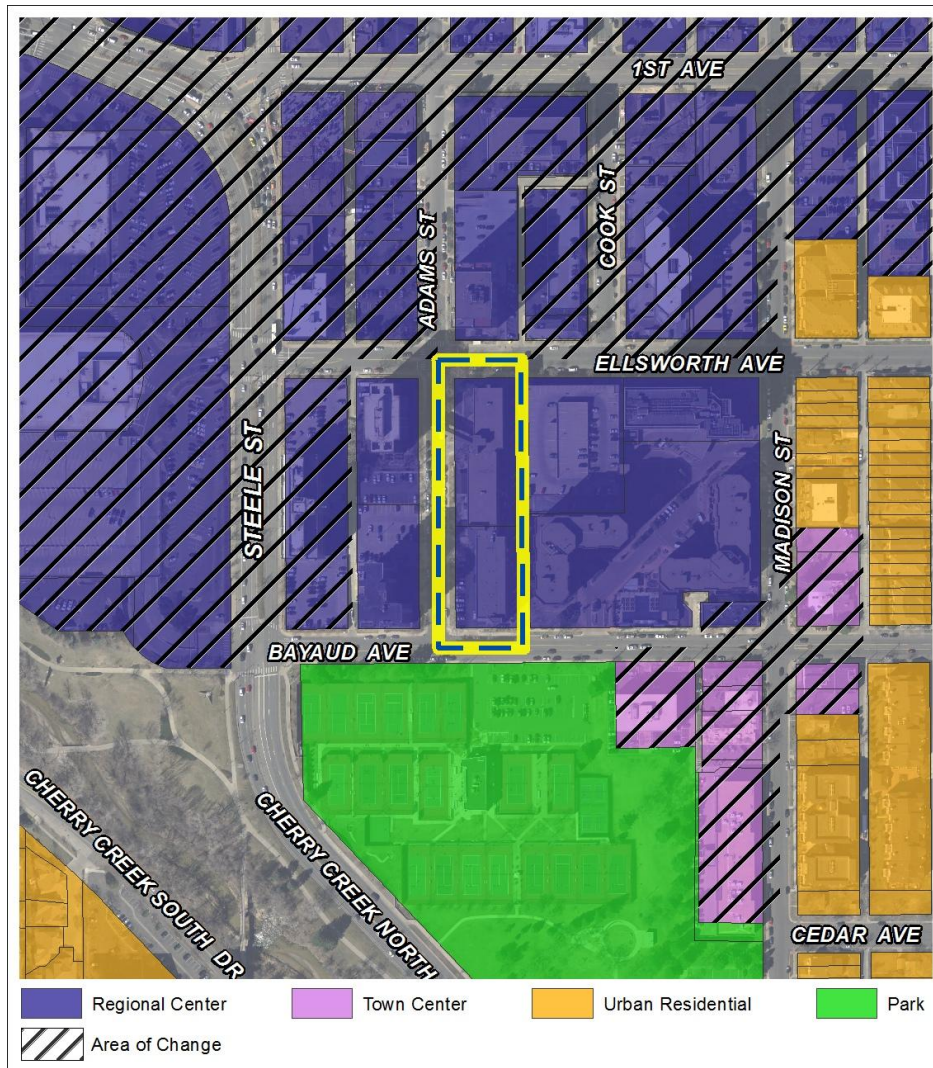
The 2002 *Blueprint Denver* plan supplements *Comprehensive Plan 2000* with a more specific vision for land use and transportation throughout Denver. The proposed map amendment is consistent with the *Blueprint Denver* vision for street character and future land use.

Future Land Use

According to the 2002 Plan Map adopted in *Blueprint Denver*, the site has a concept land use of Regional Center. Such centers ideally include a balance of retail, employment, and residential uses. They cover a fairly large area and are dense enough to cover both the dominant use and a wide variety of other uses. Commercial activities in the nearby Cherry Creek Shopping Center and Cherry Creek North district are the dominant use in the Cherry Creek Regional Center. The high density of residential uses in the Cherry Creek East area directly adjacent to the site provides a built-in customer base for the nearby commercial area, allowing residents to live, work and play within a compact area.

The proposed map amendment supports the *Blueprint Denver* regional center concept land use designation by maintaining relatively high-density residential uses in a transit-rich area at the edge of one of Denver's most important retail and employment centers. The Apartment building form standards within the proposed G-MU-12 zone district also promote development that is consistent with the vision for an attractive, pedestrian-oriented center through standards that require a well-defined residential setback, street-facing building entries, transparent windows, upper-story setbacks and less-visible parking areas.

2002 Blueprint Denver Future Land Use Map



Area of Change / Area of Stability

Blueprint Denver classifies all properties throughout the city as being within an “Area of Change” or “Area of Stability.” Areas of Change identify the places where development and redevelopment would be most beneficial, while Areas of Stability identify places where limited change is expected during the next 20 years. The subject site is in an Area of Stability, but Areas of Change are located within ½ block on all four sides. In general, the goal for Areas of Stability is to “identify and maintain the character of an area while accommodating some new development and redevelopment.” (pg 120)

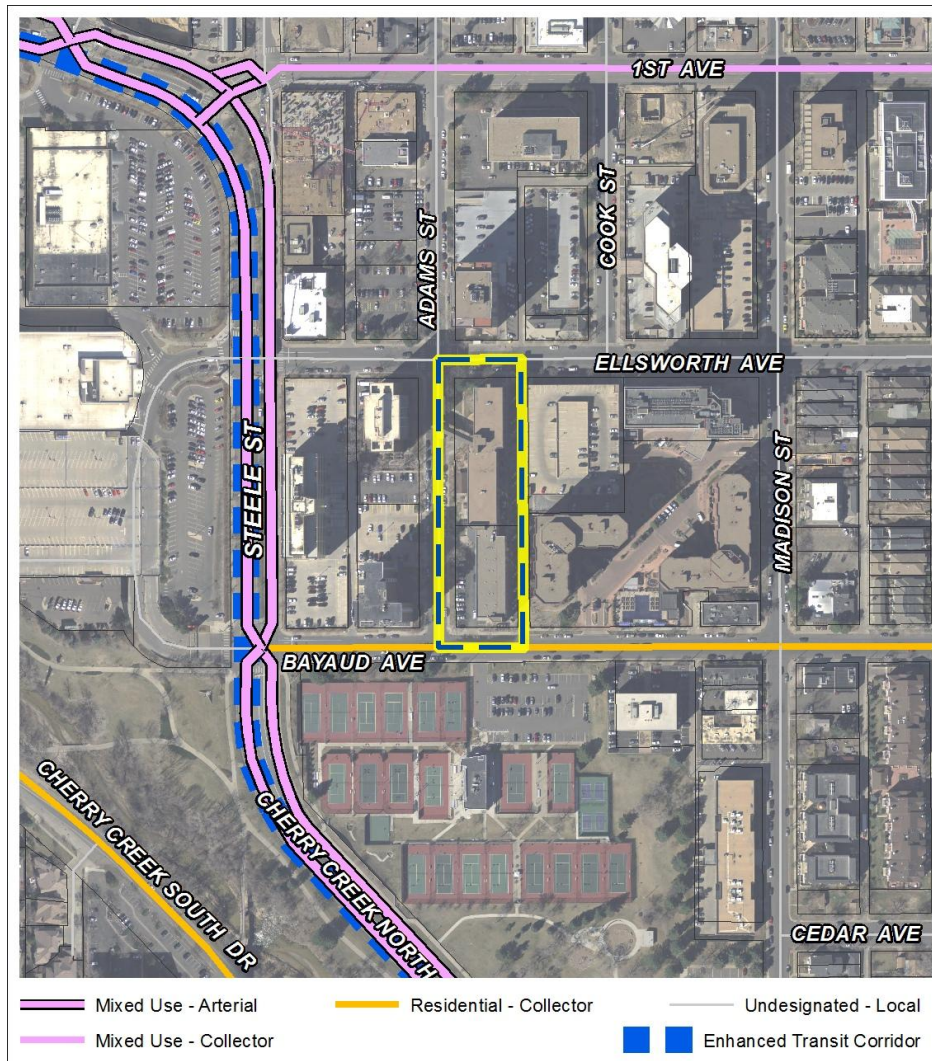
The proposed map amendment supports objectives for Areas of Stability by maintaining a high-density residential use in buildings that are sited, scaled and designed to promote a pedestrian-friendly environment and ensure compatibility with surrounding residential development. The proposed G-MU-12 zone district would also allow flexibility for future reinvestment in the busy Cherry Creek area.

Street Classifications

Blueprint Denver recognizes and retains the City’s existing classification system of arterials, collectors and local streets, and also presents criteria to better classify the function of the City’s streets. This includes assigning a street type such as “residential” or “mixed-use.” *Blueprint Denver* classifies South Adams Street and East Ellsworth Avenue as Local streets without a specific street type designation, and classifies East Bayaud Avenue as a Collector street with a Residential type. Local Streets serve “primarily to provide access to housing in residential neighborhoods” (pg 195) and Residential Collector streets serve “all levels of land use density and intensity adjacent to the streets” and “are designed to emphasize walking, cycling and land access over mobility.” (pg 55) Additionally, *Blueprint Denver* recognizes Steele Street as an Enhanced Transit Corridor where increased transit ridership, improved service, and efficiency is supported through the creation of more intensive, mixed-use development. (pg 26, 99)

The proposed map amendment supports *Blueprint Denver* goals for street character and function by maintaining residential uses along Local streets while supporting higher-intensity development adjacent to a Residential Collector street and proximate to an Enhanced Transit Corridor.

2002 Blueprint Denver Street Classification Map

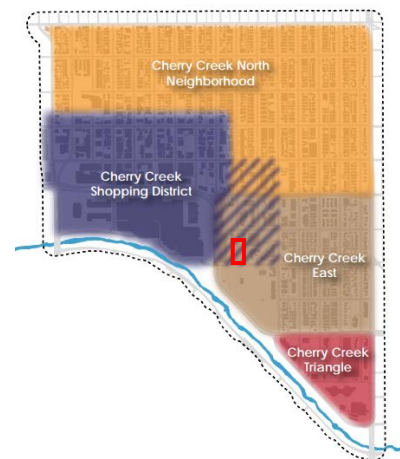


Small Area Plan: Cherry Creek Area Plan

The adopted 2012 *Cherry Creek Area Plan* applies to the subject property. The plan format includes framework plan recommendations that apply throughout the planning area and more focused recommendations for individual subareas.

Cherry Creek Area Plan: Framework Plan Recommendations

- **B.2.A STREETScape** – Encourage consistent shallow, block-sensitive building setbacks with some offset for patio seating or public plazas help create active, vibrant streets. (pg 30)
- **B.2.B ARCHITECTURE** – Orient buildings and entries toward the street using context sensitive setbacks. (pg 30)
- **B.2.B ARCHITECTURE** – Include design elements and details such as pedestrian scaled signage, transparent windows, storefronts, building entries, building articulation, patio seating, pedestrian plazas and courtyards. (pg 30)
- **B.2.B ARCHITECTURE** - Study the use of upper-story setbacks and height datum lines to maintain a comfortable pedestrian scale at the street and to allow sunlight to reach the street. (pg 30)



The proposed map amendment supports Framework Plan recommendations by encouraging a consistent setback along the street, promoting street-facing entries and requiring building stepbacks that allow sunlight to reach the street.

Cherry Creek Area Plan: Subarea Recommendations for Cherry Creek East

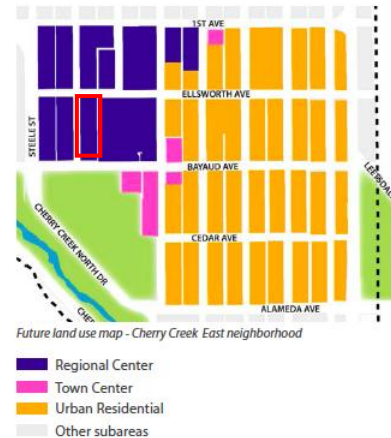
The subject site is located within the boundaries of the Cherry Creek East subarea which is bordered by Steele Street, Cherry Creek North Drive, Alameda Avenue, Colorado Boulevard and 1st Avenue. According to the *Cherry Creek Area Plan*, Cherry Creek East “supports a mix of residential and office uses and some of the highest residential and employment densities in all of Cherry Creek, as well as the greatest diversity of housing types” and also notes that “Recent development has resulted in a mix of housing types and an urban form that enhances the character of the neighborhood.” (pg 70)

The *Cherry Creek Area Plan* divides Cherry Creek East into two smaller areas on the east and west sides of Madison Street. The following guidance is provided for the area around the subject site:

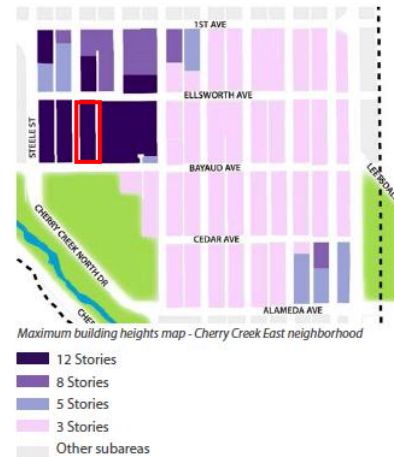
“West of Madison, the district supports primarily high-rise residential and office uses with buildings reaching 16 stories. The development intensity and types of uses west of Madison are more consistent with development along the north side of 1st Avenue in the Shopping District. For this reason, this area between Madison and Steele is also considered part of the Shopping District Subarea.” (pg 70)

Regional Center Designation. As illustrated at right, the future land use map for the Cherry Creek East neighborhood mirrors the *Blueprint Denver* Regional Center designation for the subject site. Recommendations for the Regional Center are to:

Continue to support a mix of uses in the Regional Center including office, retail, commercial, multifamily residential and hotels. Support compact development patterns and an enhanced public realm including landscaping, wayfinding signage, pedestrian lighting, public art and inviting building entries. (pg 72)



Building Scale. As illustrated at right, the maximum building heights map for the Cherry Creek East subarea indicates that a maximum height of 12 stories is appropriate on the subject site. The *Cherry Creek Area Plan* also indicates that “The mixed-use area between Steele and Madison will remain the most intensely developed portion of the neighborhood, with building heights ranging from 5 to 12 stories.” (pg 72)



PUDs. The *Cherry Creek Area Plan* recommends rezoning existing PUDs in the Cherry Creek East subarea and notes that:

“As opportunities arise with new development or property owner interest, property owners and neighborhood representatives will work together with the City to determine an appropriate Denver Zoning Code district that serves to implement this plan.” (pg 72)

The proposed map amendment is consistent with the objectives of the *Cherry Creek Area Plan*. The G-MU-12 district aligns with the recommendations for a maximum building height of 12 stories in this portion of Cherry Creek East as well as the recommendation to rezone existing PUDs. In the near term, the proposed G-MU-12 zone district would provide flexibility for the property owner to complete minor expansions and improvements that are not allowed by the existing PUD, which is based on the original 1982 plan for redevelopment of the site. In the coming decades, the G-MU-12 zone district would provide flexibility for the property owner to redevelop the site with high-density residential uses that are consistent with *Comprehensive Plan 2000*, *Blueprint Denver* and *Cherry Creek Area Plan* vision for the site.

2. Uniformity of District Regulations and Restrictions

The proposed map amendment will result in the uniform application of zone district building form, use, and design regulations. The G-MU-12 zone district is currently applied to several similar properties in the surrounding area, including the high-density multi-family buildings located directly to the west (also part of the Kavod Senior Life complex) and north.

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 implementation of the City's adopted land use plans including *Comprehensive Plan 2000*, *Blueprint Denver*, and the *Cherry Creek Area Plan*.

4. Justifying Circumstance

The application identifies changed or changing conditions as the Justifying Circumstance under Denver Zoning Code Section 12.4.10.14.A.4, "The land or its surrounding environs has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area." The application identifies changes that have occurred since the 1982 adoption of the PUD, including:

- The adoption of multiple plans that apply to the area:
 - *Comprehensive Plan 2000*
 - *Blueprint Denver*
 - *The Cherry Creek Area Plan*
- The adoption of a new, context-based zoning code in 2010 that seeks to implement comprehensive plan goals by:
 - Promoting development that maintains Downtown Denver's preeminence as the region's economic, civic, and cultural center. (pg 1.1-1)
 - Promoting development along transit corridors that enhance their function as mixed-use, walkable centers that serve surrounding residential neighborhoods. (pg 1.1-1)
 - Guiding reinvestment in established neighborhoods that builds upon and reinforces their unique characteristics. (pg 1.1-1)
 - Providing clear regulations and processes that result in predictable, efficient, and coordinated review processes. (pg 1.1-1)
 - Promoting diverse and affordable housing options. (pg 1.1-1)
- Multiple new sites of investment and reinvestment throughout Cherry Creek that increase the need for flexibility to adapt to changing circumstances

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

Neighborhood Context Description

The proposed G-MU-12 zone district is within the General Urban Neighborhood Context. Denver Zoning Code Division 6.1 notes that the neighborhood context is characterized by multi-unit residential uses in a variety of building forms. Single-unit and two-unit residential uses are also found in a mix of residential forms. Low-scale commercial areas are embedded within residential areas, which are primarily located along local and residential arterial streets. Residential buildings typically have consistent, shallow to moderate front setbacks, shallow side setbacks and consistent orientation. Residential building heights are moderate to tall. (pg 6.1-1)

The proposed map amendment is consistent with the Denver Zoning Code General Urban Neighborhood Context.

Zone District Purpose and Intent

Denver Zoning Code Section 6.2.2 states that the general purpose of residential zone districts within the General Urban Neighborhood Context is to promote and protect higher density residential neighborhoods. Section 6.2.2 also notes that “the highest-scale districts with a maximum height of 12 and 20 stories promote a dense, urban residential character where appropriate.” (pg 6.2-1)

The proposed map amendment is consistent with the Denver Zoning Code purpose and intent statements for the G-MU-12 district.

Planning Board Recommendation

The Denver Planning Board held a public hearing on July 1, 2015, to consider this application. The Planning Board heard testimony from Susan Smernoff of the Cherry Creek East Association. Ms. Smernoff testified in support of the application. By a vote of 8 in favor and 0 against, the Planning Board recommended approval of the application and found that the applicable review criteria had been met.

Staff Recommendation

Based on the analysis set forth above, CPD staff finds that the map amendment application for 22 South Adams Street and 44 South Adams Street (#2015I-00015) to a G-MU-12 zone district meets the requisite review criteria. Accordingly, staff recommends that the committee move the application to the full City Council.

Attachments

1. Application
2. Letter of Support from the Cherry Creek East Association

Zone Map Amendment (Rezoning) - Application

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name		Representative Name	
Address		Address	
City, State, Zip		City, State, Zip	
Telephone		Telephone	
Email		Email	
<p>*If More Than One Property Owner: All standard zone map amendment applications shall be initiated by all the owners of at least 51% of the total area of the zone lots subject to the rezoning application, or their representatives authorized in writing to do so. See page 3.</p>		<p>**Property owner shall provide a written letter authorizing the representative to act on his/her behalf.</p>	
<p>Please attach Proof of Ownership acceptable to the Manager for each property owner signing the application, such as (a) Assessor's Record, (b) Warranty deed or deed of trust, or (c) Title policy or commitment dated no earlier than 60 days prior to application date.</p>			
SUBJECT PROPERTY INFORMATION			
Location (address and/or boundary description):			
Assessor's Parcel Numbers:			
Area in Acres or Square Feet:			
Current Zone District(s):			
PROPOSAL			
Proposed Zone District:			
Does the proposal comply with the minimum area requirements specified in DZC Sec. 12.4.10.3:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	

REVIEW CRITERIA	
<p>General Review Criteria: The proposal must comply with all of the general review criteria DZC Sec. 12.4.10.13</p>	<p><input type="checkbox"/> Consistency with Adopted Plans: The proposed official map amendment is consistent with the City's adopted plans, or the proposed rezoning is necessary to provide land for a community need that was not anticipated at the time of adoption of the City's Plan</p> <p>Please provide an attachment describing relevant adopted plans and how proposed map amendment is consistent with those plan recommendations; or, describe how the map amendment is necessary to provide for an unanticipated community need.</p> <p><input type="checkbox"/> Uniformity of District Regulations and Restrictions: The proposed official map amendment results in regulations and restrictions that are uniform for each kind of building throughout each district having the same classification and bearing the same symbol or designation on the official map, but the regulations in one district may differ from those in other districts.</p> <p><input type="checkbox"/> Public Health, Safety and General Welfare: The proposed official map amendment furthers the public health, safety, and general welfare of the City.</p>
<p>Additional Review Criteria for Non-Legislative Rezoning: The proposal must comply with both of the additional review criteria DZC Sec. 12.4.10.14</p>	<p>Justifying Circumstances - One of the following circumstances exists:</p> <p><input type="checkbox"/> The existing zoning of the land was the result of an error.</p> <p><input type="checkbox"/> The existing zoning of the land was based on a mistake of fact.</p> <p><input type="checkbox"/> The existing zoning of the land failed to take into account the constraints on development created by the natural characteristics of the land, including, but not limited to, steep slopes, floodplain, unstable soils, and inadequate drainage.</p> <p><input type="checkbox"/> The land or its surroundings has changed or is changing to such a degree that rezoning that it is in the public interest to encourage a redevelopment of the area to recognize the changed character of the area</p> <p><input type="checkbox"/> It is in the public interest to encourage a departure from the existing zoning through application of supplemental zoning regulations that are consistent with the intent and purpose of, and meet the specific criteria stated in, Article 9, Division 9.4 (Overlay Zone Districts), of this Code.</p> <p>Please provide an attachment describing the justifying circumstance.</p> <p><input type="checkbox"/> The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.</p> <p>Please provide an attachment describing how the above criterion is met.</p>
REQUIRED ATTACHMENTS	
Please ensure the following required attachments are submitted with this application:	
<input type="checkbox"/> Legal Description (required to be attached in Microsoft Word document format) <input type="checkbox"/> Proof of Ownership Document(s) <input type="checkbox"/> Review Criteria	
ADDITIONAL ATTACHMENTS	
Please identify any additional attachments provided with this application:	
<input type="checkbox"/> Written Authorization to Represent Property Owner(s)	
Please list any additional attachments:	

PROPERTY OWNER OR PROPERTY OWNER(S) REPRESENTATIVE CERTIFICATION/PETITION

We, the undersigned represent that we are the owners of the property described opposite our names, or have the authorization to sign on behalf of the owner as evidenced by a Power of Attorney or other authorization attached, and that we do hereby request initiation of this application. I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. I understand that without such owner consent, the requested official map amendment action cannot lawfully be accomplished.

Property Owner Name(s) (please type or print legibly)	Property Address City, State, Zip Phone Email	Property Owner Interest % of the Area of the Zone Lots to Be Rezoned	Please sign below as an indication of your consent to the above certification statement (must sign in the exact same manner as title to the property is held)	Date	Indicate the type of ownership documentation provided: (A) Assessor's record, (B) warranty deed or deed of trust, (C) title policy or commitment, or (D) other as approved	Property owner representative written authorization? (YES/NO)
EXAMPLE John Alan Smith and Josie Q. Smith	123 Sesame Street Denver, CO 80202 (303) 555-5555 sample@sample.gov	100%	<i>John Alan Smith</i> <i>Josie Q. Smith</i>	01/01/12	(A)	NO
Allied Housing East LP	22 S. Adams Street, Denver, CO 80209 303-399-1146 mklein@kavodseniorlife.org	100%	<i>Michael Klein</i>	3/18/15	A	Yes
Allied Housing South LP	44 S. Adams Street, Denver, CO 80209 303-399-1146 mklein@kavodseniorlife.org	100%	<i>Michael Klein</i>	3/18/15	A	Yes
				3/18/15	A	
				3/18/15	A	
				3/18/15	A	

Last updated: February 4, 2015

Return completed form to rezoning@denvergov.org

March 20, 2015

Addendum Pages to the proposed Official Zone Map Amendment Application for:
22 S Adams and 44 S Adams
Schedule Numbers: 0512510029000, 0512510030000

Property Owner(s):

ALLIED HOUSING EAST LP
22 South Adams Street
Denver, CO 80209-2908

Proposed Zoning:

G-MU-12

Authorized Representative:

Sean Maley
CRL Associates
1625 Broadway, #700
Denver, CO 80207
303-570-3096
smaley@crlassociates.com

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PROPOSED MAP AMENDMENT SUMMARY

The intent of the proposed G-MU-12 zone map amendment is allow for a small renovation at Kavod Senior Life (formerly Allied Jewish), a non-profit which is one of the leading providers of senior housing, assisted living, and senior activities in Denver, Colorado. The renovation is mainly interior (layout and space improvements), except for a new covered hallway on the front of the property that will allow residents of the East and South buildings to circulate back and forth without having to walk through the dining hall. Currently, in order to go between the East and South Buildings, residents are forced to walk outside or go through the dining hall which disrupts dining and activities. Especially given that the residents are seniors, the current situation is not ideal. The footprint of the new circulation hallway puts the owner over the existing Planned Unit Development's (PUD 75) lot coverage allowance by 132 square feet. Thus, we are seeking to rezone to allow for this necessary and functional improvement to the property.

The request to rezoning of the property is made with a careful understanding of the property, neighborhood and recent planning and zoning efforts conducted by the City. The existing PUD was established in 1982 for the East and South buildings. Since the original construction of these buildings at that time, the City has conducted a number of planning and zoning efforts that are important for this property. Blueprint Denver (2002) identified this site and area as an Area of Change and a Regional Center (discussed later in application). Subsequently, the City adopted the new form-based zoning code (2010), which introduced a series of context and form-based zone districts, including G-MU-12, which is most appropriate to this area and site. Most recently, the City updated the Cherry Creek Area Plan (2012) and included recommended building heights/maximums, which identified this site as appropriate for 12-story, multi-unit zoning.

Additionally, the City encourages owners of old PUDs to consider rezoning into standard zone districts, when appropriate and supported by adopted plans, in order to help unify district regulations. The request to rezone the property to G-MU-12 is in line with these policy goals.

Thus, in all regards, while the G-MU-12 zone map amendment accomplishes the owner's goal of completing a minor but important improvement to the property, the map amendment also better implements the City's adopted plans and policies.

EXHIBIT A: GENERAL REVIEW CRITERIA

The proposed map amendment is consistent with the City's five review criteria and all adopted plans.

1. **Denver Comprehensive Plan 2000**
2. **Blueprint Denver**
3. **Cherry Creek Area Plan**
4. **Uniformity of District Regulations and Restrictions**
5. **Public Health, Safety and General Welfare**

REVIEW CRITERIA 1: Denver Comprehensive Plan 2000

The Denver Comprehensive Plan 2000 provides many supporting elements to this rezoning application. The *italicized text* that follows the excerpts from the Plan is used to detail how the proposed map amendment is consistent with the goals of the Plan.

The Plan Calls for Diverse Housing Options for All Populations

- “One of Denver’s strengths is its social diversity and openness. Diverse living and working arrangements, fair housing and sensitivity to needs enhance this strength. A balanced continuum of housing programs and services that address the needs of all levels of homeownership, rental and special needs housing must be provided in a variety of neighborhoods.” – Denver Housing Plan, a supplement to the Comp Plan
- “To encourage a healthy mix of diversity in Denver, the City must try to ensure housing opportunities in a range of types and prices throughout the city. Housing policies must address the needs of people of diverse incomes, household sizes, ages and lifestyles.” Page 13
- “Denver faces a shortage of housing that covers the full range of housing prices and types. Land-use policies must allow for increased availability, broader distribution and an expanded variety of housing options.” Page 51
- “Encourage development of housing that meets the increasingly diverse needs of Denver’s present and future residents in the Citywide Land Use and Transportation Plan.” Page 58
- “The increasing need for a broader array of housing options requires a more diverse mix of residential types that are both affordable and complementary to neighborhood character.” Page 92
- “While housing production and pricing are clearly market-driven, the City has a responsibility to ensure that its policies encourage a wide range of housing, do not impede housing production unnecessarily, encourage maintenance of the existing housing stock, and provide financial assistance to enable all residents to live in habitable, safe housing.” Page 109
- “Expansion of housing opportunities for people of all income groups and for special populations must be a priority to ensure that Denver remains vital, diverse and inclusive. Habitable, safe housing is a basic need, critical to quality of life and human dignity. And a wide range of housing options of all types in all price ranges is critical to a sustainable economy.” Page 109

The Plan encourages Denver to support diverse housing options. A G-MU-12 zoning designation for this property is consistent with the Plan’s call for “a balanced continuum of housing programs and services that address the needs of all levels of homeownership”. General Multi-Unit zoning provides for the increased availability, broader distribution, and expanded variety of housing options. This zone map amendment is consistent with the Plan’s recognition that policies should encourage varied housing options within the city. Furthermore, the current tenant, Kavod Senior Life, is an example of the type of diverse housing stock called for by the Plan. It is a high-density, assisted living center for seniors, which is a unique type of housing for a special population. Kavod Senior Life helps provide safe housing for one of the populations that needs it the most. This housing complex allows elderly individuals to live in a part of Denver that is walkable and close to many amenities. By supporting the needs of a well-established assisted living center for seniors, this map amendment is consistent with the Plan’s directive for increased availability, broader distribution, and an expanded variety of housing options. Kavod Senior Life, and a G-MU-12 zoning designation, help support the Plan’s call for a balance of housing programs and, therefore, this map amendment is consistent with the Plan.

The Plan Recognizes a Need to Support the Aging Population of Denver

- “Denver’s population is also aging. The number of people over the age of 85 increased 27.5 percent between 1990 and 1998. The proportion of Denver’s population over the age of 60 is expected to increase from 18 percent in 1990 to 23 percent in 2020. The implications of an aging population are that the number of Denver residents not in the workforce are more likely to live on fixed incomes and to need assistance to remain independent.” Page 12
- “Denver’s population is growing, aging, physically active, culturally diverse and increasingly mobile — all factors that affect various elements of urban design.” Page 92
- “Support and enhance efforts that help older adults meet their basic needs, maintain their independence and provide them with lifestyle choices.” Page 189
- “To thrive, people at all ages need access to a comprehensive support system, ideally within their neighborhood. Components of this system are safe, decent and adequate housing; nearby employment and shopping; caring neighbors; ample amenities and open space; quality child care; educational and training opportunities; and nutritional, health care and other social services.” Page 177
- “Older adults are able to live out their lives in dignity and safety, and as independently as possible. The community values the wisdom and experience of older adults to help solve current problems and enrich the cultural life of the city.” Page 183

The Plan addresses Denver’s aging population and recognizes many will need assistance. A G-MU-12 zone district is exactly the type of zoning that would allow for housing facilities for Denver’s aging population by supporting the density, facilities, and structure an older individual might need. The Plan also acknowledges people’s need for access to a comprehensive support system including housing, shopping, neighbors, amenities, open space, health care, and other social services. The Cherry Creek neighborhood provides all of these amenities, and more, to the individuals living at Kavod Senior Life. The Plan specifically calls for older adults to be able to live out their lives “in dignity and safety, and as independently as possible.” Kavod Senior Life embodies this and G-MU-12 zoning in this location is ideal for supporting the aforementioned reflections in the Comp Plan. Because this map amendment supports all of these considerations, this map amendment is consistent with the Plan.

The Plan Addresses a Need for Compassion in Addressing Denver’s Future Development

- “Plan 2000 stresses that planning and policy decisions should be considered for both their short-term and their long-term impacts on the human and physical environments. Implicit is an approach to policy-making that is both flexible and disciplined — flexible to accommodate new information and techniques, disciplined to think about the long-term implications of decisions.” Page 5
- “Denver must be a city that means what it says when it comes to providing all its residents with equal opportunity to share in its livability. Whether the concern is safety, adequate housing, excellent education, convenient mobility, solid family life, public health and safety, neighborhood investment, or diverse recreation, Denver must be a city that cares and shares, with compassion and equity.” Page 6
- “Compassion, formalized and informal, can sustain communities; if it is not present, the fabric of community is shredded. A key challenge in the early 21st century will be to review the impact of welfare reform and its efforts to move recipients from welfare to work. In the short term, public and private human service organizations must also engage in key issues such as child care, transportation, job-readiness, counseling and rehabilitation, housing, and other individual and family needs that in part have defied systemic management.” Page 10
- “A city cannot sustain itself without compassion for people who need extra help to live decent and meaningful lives in the community. Helping people meet their basic survival needs is more than a moral imperative; it is essential to the social order and economic stability of the whole community.” Page

The Plan illustrates that Denver is committed to caring about all residents and the livability of Denver for all populations, which is the specific work of Kavod Senior Life. The requested G-MU-12 zoning allows for a housing density that positively impacts livability. Further, the Plan recognizes that planning decisions should take into consideration not only the impact on physical environments, but the impact on human environments as well. Kavod Senior Life is seeking this zone map amendment out of compassion for its residents and an understanding of their human environment. This map

amendment takes into account new information about the human environment of the Kavod Senior Life center and is consistent with the Plan.

The Plan Addresses the Cherry Creek Neighborhood and Proposed Mixed Use Zone District

- Strategy to achieve environmental sustainability: “Promote the development of sustainable communities and centers of activity where shopping, jobs, recreation and schools are accessible by multiple forms of transportation, providing opportunities for people to live where they work.” Page 41
- “A new Cherry Creek Shopping Center opened in 1990 and expanded in 1998, replacing its 1956 predecessor. The areas in and around Cherry Creek have blossomed with reinvestment in retail, office and many types of housing.” Page 49
- “In November 1998, Denver City Council enacted the Mixed-Use Zone Districts to create the zoning flexibility desired by developers and property owners as well as review of development proposals by the City and the public. This represents the first effort to encourage mixing of uses as recommended in some of the sustainable development strategies of Plan 2000.” Page 53

Updated the old PUD designation to G-MU-12 fulfills the Plan’s vision of Cherry Creek as an area of redevelopment and variety of uses. Additionally, Kavod Senior Life is an example of the reinvestment that has blossomed, and continues to blossom, around Cherry Creek Shopping Center. This map amendment to G-MU-12 helps support the development of a sustainable community and center of activity by providing the opportunity for many people, in this case seniors, to live in the highly accessible Cherry Creek area. It is therefore consistent with the Plan. In addition, this map amendment, to a General Multi-Unit Zone District, supports the Plan’s intent to encourage mixing of uses as part of the sustainability of the city. For these reasons, this map amendment is consistent with the Plan.

The Comp Plan Recognizes That Policies Should Not Deter Modernization or Discourage Housing

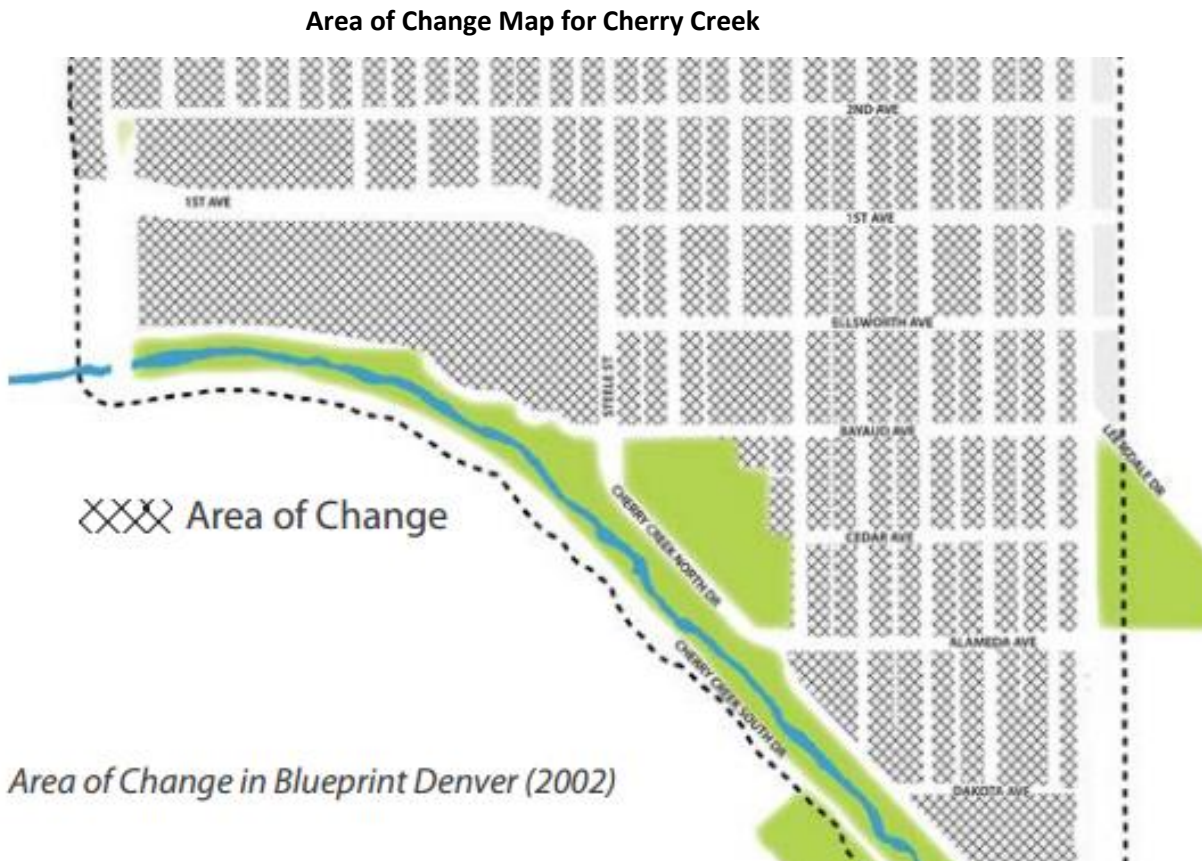
- Objective: Support Housing Development; Strategy: “Review current land-use planning, design and infrastructure requirements such as street widths, lot sizes, setbacks, parking ratios and utility standards. Consider changing requirements that add unnecessarily to the cost of development or discourage housing.” Page 113
- Objective: Preserve and Expand Existing Housing “Encourage preservation and modernization of Denver’s existing housing stock and established neighborhoods.” Page 114

Adoption of this map amendment would allow for minor improvements to be made to modernize the current building and would bring the zoning up to current form-based zoning code. The property’s antiquated 1982 PUD 75, with its “of the time” limitations, are outdated and the flexibilities afforded in the new code—such as being able to build closer to the street with an active, transparent building façade—promote public welfare. Consequently, this map amendment is consistent with Comp Plan 2000.

REVIEW CRITERIA 2: Blueprint Denver

Blueprint Denver provides many supporting elements to this rezoning application. The *italicized text* that follows the excerpts from Blueprint is used to detail how the proposed map amendment is consistent with the goals of Blueprint.

Blueprint Denver Defines Cherry Creek as an Area of Change and a Regional Center



- “Ideally, a regional center has a balance of retail, employment and residential uses; however, many began as one major use, such as a regional shopping center or a large office park. These centers cover a fairly large area and are dense enough to encompass both the dominant use and a wide variety of other uses. These centers have an atmosphere that is attractive to patrons from throughout the region. Cherry Creek is an example of a regional center where a major shopping center is at the core of many other uses concentrated in a small area.”
Page 43

This map amendment is in line with Blueprint’s description of a Regional Center. A Multi-Unit Zone District designation for the property fulfills Blueprint’s vision of a regional center having a balance of dense uses that are able to support the regional nature and mix of uses in the area (regional retail, employment and residential). Anchored by the Cherry Creek Mall, the surrounding Cherry Creek neighborhood enjoys a density that supports both the shopping center and a variety of other uses. The map amendment, to G-MU-12, is consistent with Blueprint.

Blueprint Describes Cherry Creek as a Redeveloping, Mixed-Use Neighborhood and Calls for Diverse Housing in Denver

- “Cherry Creek is a vibrant mixed-use neighborhood with a large, regional shopping district in its southwest quadrant and a smaller concentration of commercial uses extending east of the shopping district along the 1st Avenue corridor. An office/hotel district occupies the southeast sector of the neighborhood, and retail uses line the west side of Colorado Boulevard south of Alameda. To the north and east of the shopping district, what

historically was essentially a single-family residential neighborhood, is being redeveloped with new single-family and multi-family residences, primarily townhomes. The neighborhood vision is to continue redeveloping the area in a manner that focuses on livability and produces a well-integrated blend of residential, regional and neighborhood retail, office, hotel, open space, and public uses in a pedestrian-friendly environment.” Page 134

- “The need for a broad range of housing types and prices throughout the city is very important to the quality of life for Denver as well as the entire region. A diversity of housing is essential in every part of the city. Housing types that meet the needs of each particular stage in life enables a resident to age within the same neighborhood. This allows the young and old to live in the same neighborhood with their parents and children respectively, if they so choose.” Page 153
- Key outcome: “A diversity of housing in terms of size, type and cost provides a range of housing options and prices throughout the community.” Page 19
- “Urban residential neighborhoods are higher density and primarily residential but may include a noteworthy number of complementary commercial uses. New housing tends to be in mid- to high-rise structures, and there is a greater Parks and open space provide a respite from the intensity of urban living housing base than employment base. A mixture of housing types is present, including historic single-family houses, townhouses, small multi-family apartments and sometimes high-rise residential structures. Capitol Hill, Cheesman Park, Riverfront Park in the Central Platte Valley and Cherry Creek East are good examples of urban residential areas.”
- “The 1999 Housing Plan states that diverse housing opportunities should be provided in the City. It is important to provide a full range of housing types and price ranges and to adopt policies that maintain diversity over time.” Page 127

G-MU-12 zoning for this property supports Blueprint’s call for a diversified housing stock. In addition, General Multi-Unit zoning provides for exactly the type of higher density, primarily residential development envisioned in urban residential neighborhoods like Cherry Creek. Blueprint recognizes that new development within urban residential neighborhoods tends to be mid- to high-rise, which is also in line with a G-MU-12 zoning designation. Furthermore, the current tenant of the property, Kavod Senior Life, is an example of the type of diverse housing stock called for by Blueprint. It is a high-density, assisted living center for seniors, which is a unique type of housing for a special population. It is the type of housing that “allows for the young and old to live in the same neighborhood with their parents and children respectively, if they so choose.” This map amendment embodies Blueprint’s vision for Cherry Creek as a neighborhood focused on livability, with a variety of uses in a pedestrian-friendly environment. Additionally, the map amendment to G-MU-12 is consistent with the urban residential concept of higher density residential uses. For these reasons, this map amendment is consistent with the Plan.

REVIEW CRITERIA 3: Cherry Creek Area Plan

The Cherry Creek Area Plan (2012) provides many supporting elements to this rezoning application. *Italicized text* following excerpts from the Cherry Creek Area Plan is used to detail how the proposed map amendment is consistent with the goals of the Plan.

The Cherry Creek Area Plan Reinforced Blueprint Denver's Future Land Use Concept By Again Defining the Subject Site as a Regional Center.

- "Positive change is needed throughout the Shopping District to enhance this vibrant mixed-use regional center. The Cherry Creek Shopping District remains an area of change. Its central location, existing mixture of high end retail, economic development opportunities, walkable streets and access to regional multi-modal connections create an ideal location for encouraging additional residential and employment growth. It needs to retain its combination of national retailers, exclusive retailers, local retailers, and neighborhood serving retailers. Plan guidance and the resulting regulatory framework should encourage appropriate new development throughout the Shopping District.
- "Continue to support a mix of uses in the Regional Center (see Future Land Use Map below) including office, retail, commercial, multifamily residential and hotels. Support compact development patterns and an enhanced public realm including landscaping, wayfinding signage, pedestrian lighting, public art and inviting building entries. The Town Center areas act as an important transition between Regional Center and residential areas.

Future Land Use Map



Future land use map - Cherry Creek Shopping District

The Cherry Creek Area Plan values the mixed-use aspect of the area and encourages residential growth. General Multi-Unit zoning supports the sort of multi-family residential development called for in the Plan. The Plan offers support for a continued mix of uses within the Regional Center, of which the subject site is a part. In the Regional Center core, the Plan supports a mix of office, retail, commercial, multifamily residential and hotel. This map amendment to G-MU-12 reflects that aspect of the Plan. Furthermore, this map amendment is consistent with the Plan language calling for compact development patterns. For these reasons, the map amendment is consistent with the Plan.

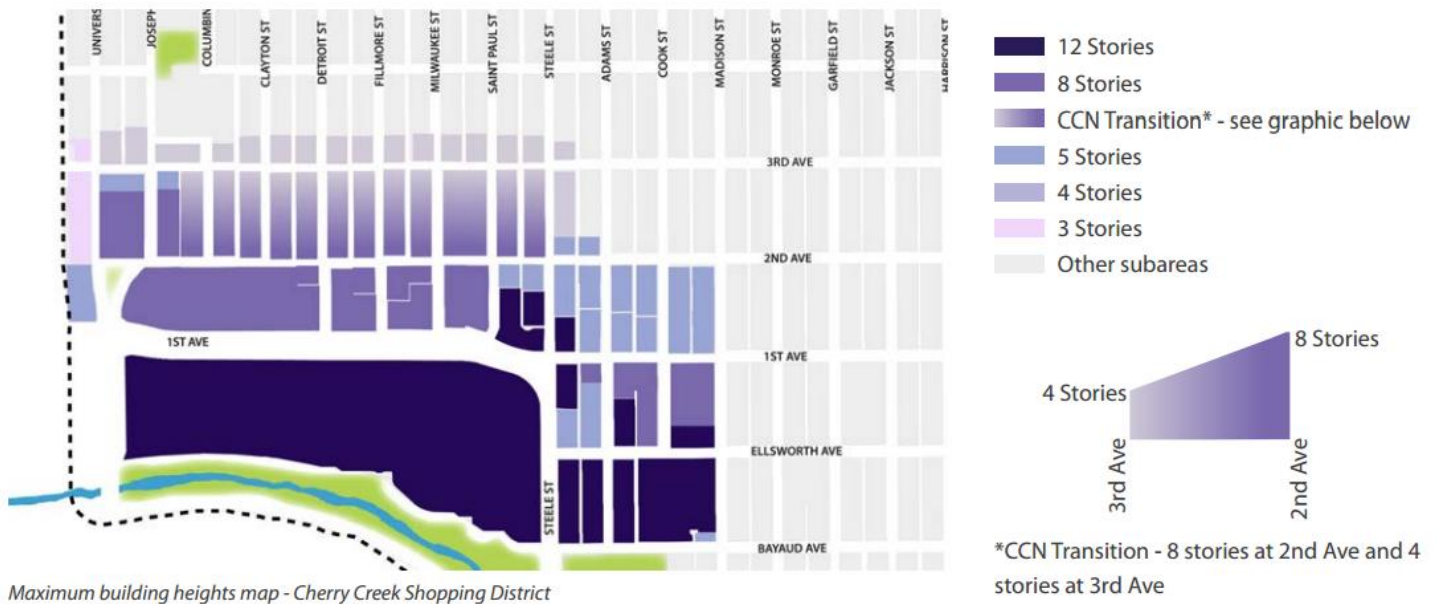
The Cherry Creek Area Plan Recommends a Maximum 12 Story Building Height for the Subject Site

- "Maximum building heights in the Shopping District should range from 4 to 12 stories, per the Maximum Building Heights Map (see map below). Building heights should be lowest adjacent to residential areas in Cherry Creek North and Country Club neighborhoods. Higher development intensity is encouraged along multi-modal

Map Amendment: 22-44 South Adams Street: Addendum & Exhibits

streets and at key intersections. Mid-rise buildings (maximum of 5 or 8 stories) are recommended as transitions between high intensity and low intensity residential neighborhoods.”

Maximum Building Height Map



Maximum building heights map - Cherry Creek Shopping District

The proposed map amendment to G-MU-12 would bring the subject site into conformity with the Plan’s Maximum Building Height Map. The actual height of the building on the property will not change, but regardless of the height of the existing structures, the Plan supports 12-story multi-unit zoning on this site. A zone map amendment to G-MU-12 will bring the subject site’s zoning into the current code and more in line with neighborhood plan.

The Cherry Creek Area Plan Recognizes a Diverse Housing Stock

- “Housing types in Cherry Creek are very diverse; the current distribution of housing types include 65% multifamily, 19% duplex, 10% single family and 6% in mixed-use buildings. This diversity of housing stock is a strength throughout Cherry Creek, attracting a variety of residents representative of multiple generations and household types.” Page 26
- “Maintain a mix of low scale residential building forms such as single family, duplex, row house and accessory dwelling units; low scale multi-unit buildings are also appropriate in Cherry Creek East east of Madison.” Page 28
- “Cherry Creek North Neighborhood and Cherry Creek East include variety of architectural styles and housing types that contribute to the character, quality of life, and diversity of housing choices within the area... Continued reinvestment in these areas should reinforce the quality and scale of development that currently exists. Regardless of use, new development should enhance the residential character of these neighborhoods including contributing to the mix of housing types, improving the embedded commercial uses, landscaped block-sensitive setbacks, detached sidewalks, tree lawns, alley access to structures, limited curb cuts and street-facing entries.” Page 34
- “The area has proven to be very attractive to residential development, so plan recommendations focus on enhancing amenities and removing public policy impediments.” Page 46

G-MU-12 zoning supports a wide variety of housing options including everything from market rate to senior/age-restricted housing, from rental to for-sale. The flexibility within a G-MU-12 zoning designation allows for the sort of residential development evoked by the Plan. Moreover, the current property owner and tenant, Kavod Senior Life, is an example of the type of diverse housing stock called for by the Plan. It is a high-density, assisted living center for seniors, which is a unique type of housing for a special population. The Plan values that the diversity of housing stock

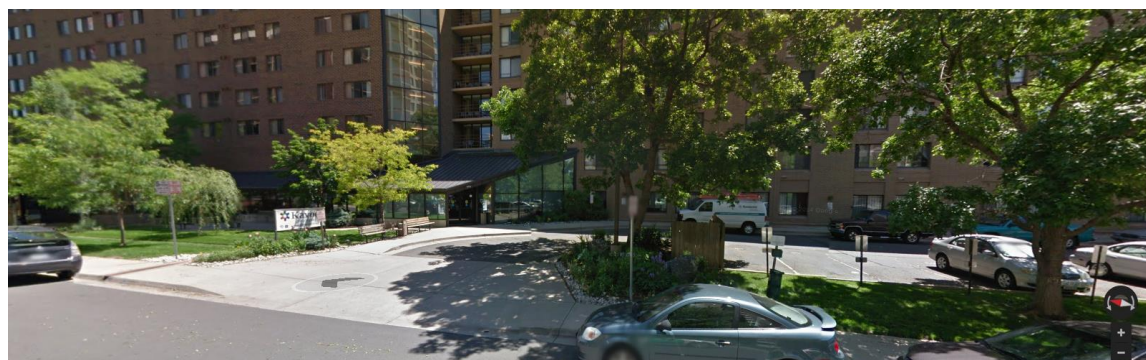
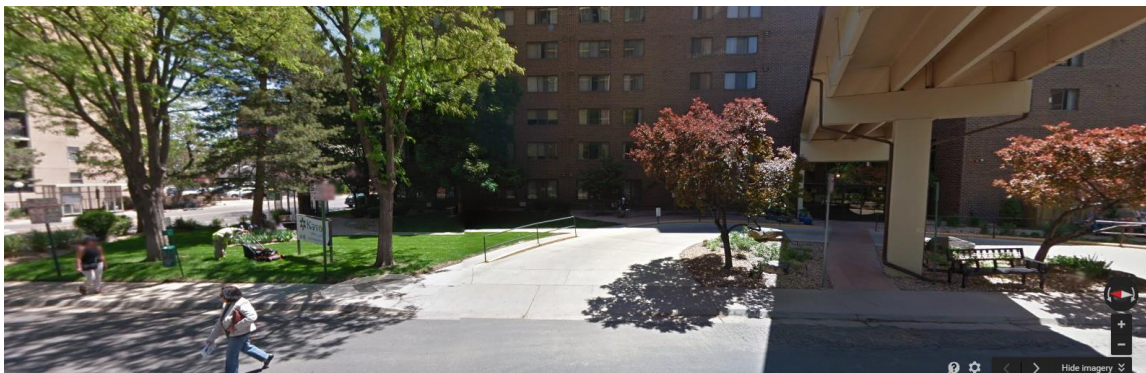
Map Amendment: 22-44 South Adams Street: Addendum & Exhibits

within Cherry Creek attracts a variety of residents representative of multiple generations and household types. Kavod Senior Life is a model for this type of diversity. Cherry Creek East, where the subject site is located, is particularly noted for its varied housing options. Both the G-MU-12 zone designation generally, as well as the current use of the property specifically, are consistent with the Plan's call for a diverse housing stock. Therefore, the map amendment is consistent with the Plan.

The Cherry Creek Area Plan Calls for Careful Consideration of Design Elements

- “Encourage consistent shallow, block-sensitive building setbacks with some offset for patio seating or public plazas help create active, vibrant streets. In mixed-use areas, enhance the public realm with landscaping, wayfinding signage, pedestrian lighting, public art and inviting building entries is essential to the area’s vitality.” Page 30
- “Include design elements and details such as pedestrian scaled signage, transparent windows, storefronts, building entries, building articulation, patio seating, pedestrian plazas and courtyards.” Page 30

Design is important across the City and County of Denver, but especially so in Cherry Creek. The Plan calls for specific design elements to be taken into account, and the property values that as well. See photos below that highlight the landscaping, courtyard, seating, and inviting building entry at Kavod Senior Life.



The Cherry Creek Area Plan Describes Cherry Creek East as a High Density, Mixed Use Area

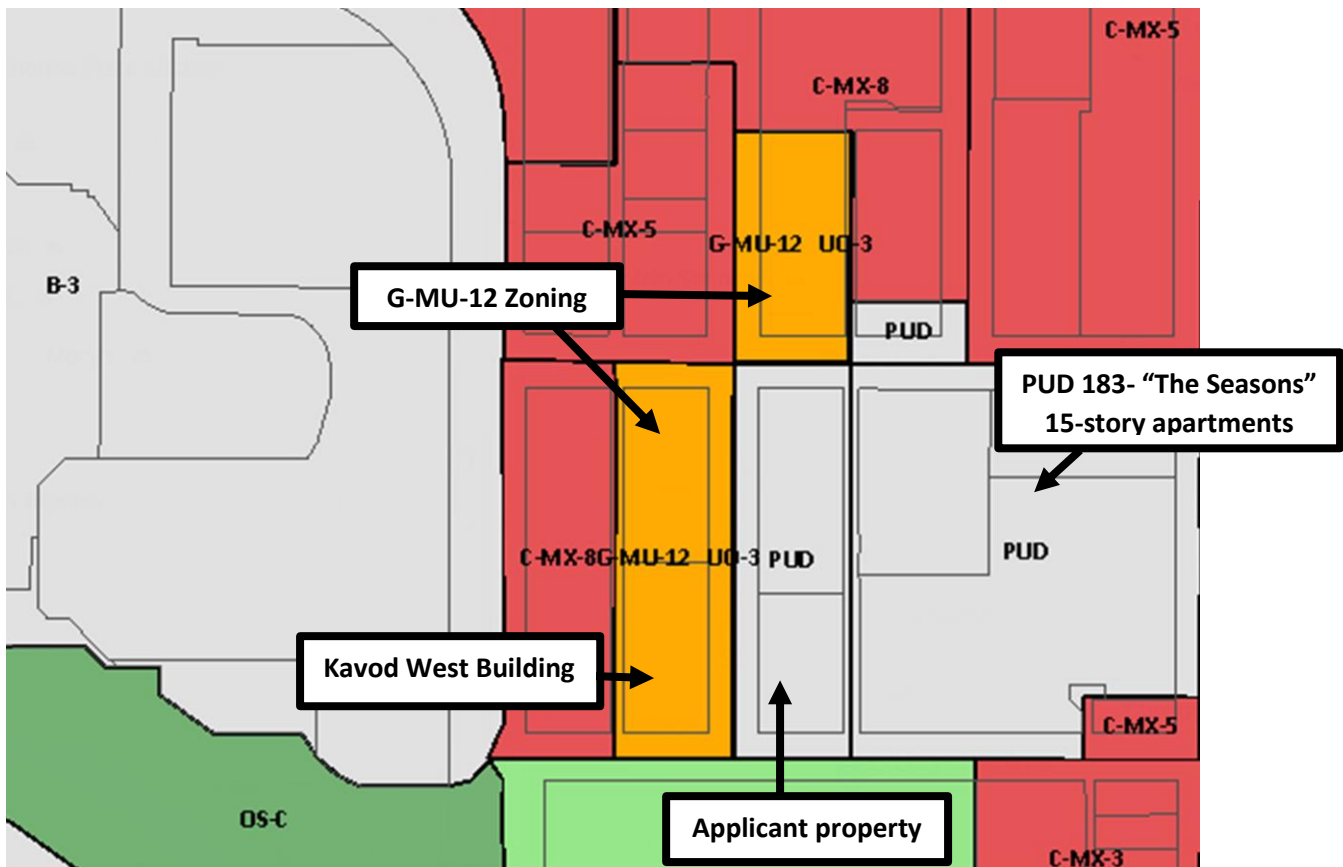
- The Cherry Creek Area Plan recognized that an asset of the area is that Cherry Creek possess “a growing variety of people who live, work and shop in the area.” Page 10
- “Located due east of the Cherry Creek Shopping Center, Cherry Creek East (CCE) is bordered by Steele Street, Cherry Creek North Drive, Alameda Avenue, Colorado Boulevard and 1st Avenue. This area supports a mix of residential and office uses and some of the highest residential and employment densities in all of Cherry Creek, as well as the greatest diversity of housing types.” Page 70
- The subarea of Cherry Creek East is “a highly desirable moderate density residential neighborhood that also includes a high density office and residential district on its western edge”. Page 55
- “Madison Street serves to define two character areas: east of Madison Street is low-to-medium scale residential and west is a mid- to high-rise mixed-use area.” Page 70
- “West of Madison, the district supports primarily high-rise residential and office uses with buildings reaching 16 stories. The development intensity and types of uses west of Madison are more consistent with development along the north side of 1st Avenue in the Shopping District. For this reason, this area between Madison and Steele is also considered part of the Shopping District Subarea.” Page 70
- “The area between Steele and Madison and 1st Avenue and Pulaski Park has emerged as a high-density, mixed-use area. Major developments include offices, condo towers, senior housing, and apartment complexes.” Page 61
- Subarea Recommendation for Mixed-Use Areas East of Steele: “Build on success. Continue to develop vacant and underutilized parcels with mid—and high—rise mixed-use buildings that complement Cherry Creek East and the Shopping District on. Quality development is encouraged through the existing zoning and design standards and guidelines.”
- Subarea Recommendation for Mixed-Use Areas East of Steele: “As redevelopment occurs, new buildings should enhance the streetscape and promote improved pedestrian amenities.”
- Recommendation for Cherry Creek East: “Rezone PUDs. As opportunities arise with new development or property owner interest, property owners and neighborhood representatives will work together with the City to determine an appropriate Denver Zoning Code district that serves to implement this plan.” Page 72

The subject site is located in Cherry Creek East, called out by the Plan for supporting the highest residential density in all of Cherry Creek, as well as the greatest diversity of housing types. General Multi-Unit zoning corresponds with that type of development, both in density and diversity of housing type. More specifically, the subject site is located west of Madison Street, which the Plan identifies as a mid- to high-rise mixed-use area. G-MU-12 is a zoning designation that fits that mid- to high-rise recommendation. The Plan even alludes the subject property by mentioning senior housing as important to this area, along with offices, condo towers, and apartment complexes. Thus, a G-MU-12 zoning designation is consistent with the Plan. The Plan encourages further development of mid- and high-rises in this area and calls on new development to enhance the streetscape and promote improved pedestrian activities. Although this zone map amendment will not result in new development, Kavod Senior Life boasts a beautiful streetscape with mature landscaping and seating options (as noted above). Finally, the Cherry Creek Area Plan calls for the rezoning of PUDs as the opportunities arise. For these numerous reasons, this map amendment is consistent with the Plan.

REVIEW CRITERIA 4: Uniformity of District Regulations and Restrictions

The proposed official map amendment would result in regulations and restrictions that are consistent with surrounding G-MU-12, PUD 183, and C-MX-8 designations. See map below. In fact, the property across the street to the west, zoned G-MU-12, is Kavod Senior Life’s West building, which was rezoned in 2010 to G-MU-12. PUD 75 was never contemplated by the owners for rezoning in 2010. Not only would the map amendment of G-MU-12 promote uniformity of district regulations in the area/neighborhood, but also for Kavod itself, as having two connected properties under such different zoning designations is not sensible for the long-term.

Zoning Map of the Surrounding Area



REVIEW CRITERIA 5: Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the City.

The proposed zone map amendment furthers the public health and safety of the city by allowing for Kavod Senior Life to perform a much-needed improvement to their complex. Promoting diversity of suitable housing, especially for the City's older citizens, furthers the general welfare of the City. Furthermore, the type of uses allowed within G-MU-12, most notably denser multi-unit housing options, help the City grow and invest in Regional Centers such as Cherry Creek. These properly developed mixed-use regional centers promote walking, biking, and the use of public transportation which benefits the long-term sustainability and public health of the City. The proper use of high-density, residential zoning for properties like the applicant property encourage the variety of uses within Cherry Creek that continue to make it a safe, walkable, and sought-after community to live in.

EXHIBIT B: DESCRIPTION OF JUSTIFYING CIRCUMSTANCES

The land or its surroundings has changed or is changing to such a degree that it is in the public interest to encourage a redevelopment of the area or to recognize the changed character of the area.

The proposed G-MU-12 zone district map amendment is in response to changed and changing conditions. The Cherry Creek Area has changed significantly since the original 1982 PUD (PUD 75), which provides the legal basis for this map amendment. Multiple plans have been adopted for this area since 1982, including Comp Plan 2000, Blueprint Denver and the most recent Cherry Creek Area Plan. The City also adopted a new, context-based zoning code in 2010, which introduced G-MU-12 as an appropriate zone district for areas such as this. Given the need for a diversity of housing options and desire for properties to continue to reinvest in themselves, the proposed map amendment is reasonable and necessary for the promotion of the health, safety, and general welfare of neighborhood and city residents.

EXHIBIT C: CONSISTENCY WITH NEIGHBORHOOD CONTEXT

The proposed official map amendment is consistent with the description of the applicable neighborhood context, and with the stated purpose and intent of the proposed Zone District.

The proposed official map amendment is consistent with the applicable neighborhood context. The character of the Cherry Creek neighborhood is diverse and includes a wide variety of commercial, hotel, office, single-family residential, and multi-family residential uses. Specifically, the subarea of Cherry Creek East (CCE) supports a mix of residential and office uses and some of the highest residential and employment densities in all of Cherry Creek, as well as the greatest diversity of housing. Cherry Creek East is defined as the area directly east of Cherry Creek Mall, and is bordered by Steele Street, Cherry Creek North Drive, Alameda Avenue, Colorado Boulevard and 1st Avenue.

Under old Chapter 59 zoning, the properties directly west and north were zoned R-3, but have been updated in the new code as G-MU-12. This map amendment would bring 22 S. Adams and 44 S. Adams in line with that zoning. Directly to the east of the property is PUD 183, "The Seasons" 15-story apartment buildings.

The proposed official map amendment is also consistent with the intent of the proposed Zone District. The intent of the General Urban Neighborhood Residential districts is as follows:

Section 6.2.2 RESIDENTIAL DISTRICTS (G-RH-3, G-MU-3 TO -20, G-RO-3, G-RO-5)

6.2.2.1 General Purpose

- A. The intent of the Residential districts is to promote and protect higher density residential neighborhoods within the character of the General Urban Neighborhood Context. These regulations allow for multi-unit districts with a variety of residential building forms.
- B. The building form standards, design standards, and uses work together to promote safe, active, pedestrian-scaled residential areas. The standards accommodate the pattern of urban house, duplex, row house, garden court, courtyard apartment and apartment. Buildings orient to the street and access is from the alley. Lot coverage is typically high accommodating a consistent, shallow front yard.
- C. These standards recognize the variation within the General Urban Neighborhood Context and provide eight Residential Zone Districts. The lowest-scale districts with a maximum height of three stories provide a transition to Urban and Urban Edge Neighborhood Contexts. The highest-scale districts with a maximum height of 12 and 20 stories promote a dense, urban residential character where appropriate. The Residential Office (RO) districts provide opportunities for residential and offices uses in low to moderate scale residential building forms.
- D. The regulations provide certainty to property owners, developers, and neighborhoods about the limits of what is allowed in a residentially-zoned area. These regulations reinforce desired patterns in existing neighborhoods and create standards for new neighborhoods.

More specifically, under Denver Zoning Code, "G-MU-12 is a multi-unit district allowing courtyard apartment and apartment building forms. The maximum height is twelve stories."

The proposed official map amendment is consistent with the intent of the proposed Zone District.

EXHIBIT D: LEGAL DESCRIPTION

LOTS 1 TO 20, BLOCK 21, BURLINGTON CAPITOL HILL ADDITION, CITY AND COUNTY OF DENVER, STATE OF COLORADO.



SENIOR LIFE

FORMERLY ALLIED JEWISH APARTMENTS

22 South Adams Street
Denver, CO 80209

303.399.1146 | PH
800.659.2656 | TTY
303.394.4149 | FX

kavodseniorlife.org

March 25, 2015

City & County of Denver
Community Planning and Development
Rezoning/Map Amendments
201 W. Colfax Ave., Dept. 201
Denver, CO 80202

To Whom It May Concern:

This letter is to serve as authorization for Michael Klein, Executive Director of Kavod Senior Life, to act on behalf of Allied Housing East LP and Allied Housing South LP in regards to the Zone Map Amendment for 22-44 S. Adams St.

Sincerely,

David A. Fogel
President
Kavod Senior Life Board of Directors



20151-00020

Honor. Community. Jewish Values.

Page 21 of 27

April 2, 2015



Kavod

SENIOR LIFE

FORMERLY ALLIED JEWISH APARTMENTS

22 South Adams Street
Denver, CO 80209

303.399.1146 | PH
800.659.2656 | TTY
303.394.4149 | FX

kavodseniorlife.org

March 16, 2015

City & County of Denver
Community Planning and Development
Rezoning/Map Amendments
201 W. Colfax Ave., Dept. 201
Denver, CO 80202

To Whom It May Concern:

This letter is to serve as authorization for CRL Associates, Inc. to act on behalf of Kavod Senior Life and submit the Zone Map Amendment for 22 S. Adams St.

Sincerely,

Michael Klein
Executive Director



2015I-00020



Colorado Secretary of State Wayne W. Williams



Search

Summary

For this Record...

- Filing history and documents
- Trade names
- Get a certificate of good standing
- File a form
- Subscribe to email notification
- Unsubscribe from email notification

- Business Home
- Business Information
- Business Search

- FAQs, Glossary and Information

Details			
Name	Allied Housing East, LLLP		
Status	Good Standing	Formation date	02/24/2011
ID number	20111114606	Form	Limited Liability Limited Partnership
Periodic report month	December	Jurisdiction	Colorado
		Term of duration	Perpetual
Principal office street address	22 S Adams Street, Denver, CO 80209, United States		
Principal office mailing address	n/a		

Registered Agent	
Name	David Fogel
Street address	3462 East 2nd Ave, Denver, CO 80206, United States
Mailing address	n/a

- [Filing history and documents](#)
- [Trade names](#)
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Back

Terms and Conditions

Denver Property Assessment and Taxation System (3.2.2)

[New Search](#)

22 S ADAMS ST

Owner	Schedule Number	Legal Description	Property Type	Tax District
ALLIED HOUSING EAST LP 22 S ADAMS ST DENVER , CO 80209-2908	0512510029000 PIN 161300258	LTS 1 TO 12 INC EXC S 5.6FT OFL 12 BLK 21 BURLINGTON CAPITOLHILL ADD	RESIDENTIAL SENIOR CITIZEN APT	DENV

- Summary
- Assessment
- Assessment Protest
- Taxes
- Comparables
- Neighborhood Sales
- Chain of Title

Property Summary
Property Map

Assessment

Actual Value Year: 2014

Actual Value: \$9,979,200

[More](#)

Property

Year Built: 1979

Square Footage: 141801

[More](#)

Comparables

Schedule Number / Parcel Id	Address	Sale Month/Year	Sales Price	PIN
No comparables available for this property.				

[More](#)

Denver Property Assessment and Taxation System (3.2.2)

[New Search](#)

44 S ADAMS ST

Owner	Schedule Number	Legal Description	Property Type	Tax District
ALLIED HOUSING SOUTH LP 22 S ADAMS ST DENVER , CO 80209-2908	0512510030000 PIN 161300266	LTS 13 TO 20 INC & S 5.6FT OF L 12 BLK 21 BURLINGTON CAPITOLHILL ADD	RESIDENTIAL APARTMENT UNITS	DENV

- Summary
- Assessment
- Assessment Protest
- Taxes
- Comparables
- Neighborhood Sales
- Chain of Title

- Property Summary**
- Property Map

Assessment
 Actual Value Year: 2014
 Actual Value: \$8,518,400
 More

Property
 Year Built: 1983
 Square Footage: 69279
 More

Comparables

Schedule Number / Parcel Id	Address	Sale Month/Year	Sales Price	PIN
0502223030000	1265 DOWNING ST Denver CO	5/2011	\$5,120,000	161081815
0532201014000	2775 S FEDERAL BV Denver CO	4/2011	\$4,146,000	161685729
0525413019000	2449 S COLORADO BV Denver CO	4/2011	\$6,590,000	161570701

More



FORMERLY ALLIED JEWISH APARTMENTS

22 South Adams Street
Denver, CO 80209

March 6, 2015

303.399.1146 | PH
800.659.2656 | TTY
303.394.4149 | FX

kavodseniorlife.org

Cherry Creek East Association
Cherry Creek Steering Committee
Cherry Creek North Neighborhood Association
Harman Neighborhood Association
Mountain Shadows HOA
Inter-Neighborhood Cooperation
Denver Neighborhood Association, Inc.

Susan Smernoff
Brooks Waldman
Robert Vogel
Deborah Kembel
Jack Palmer
Larry Ambrose
Brad Zeig

OFFICERS

David Fogel, President
Perry Moss, Treasurer
Deanie Andersen, Secretary
Barbara Borkan, Past President

RE: Proposed Rezoning of 22 South Adams Street (Kavod Senior Life)

Dear All,

BOARD MEMBERS

Steve Belits
Daniel Bennett
Michael Cohen
Elizabeth Fuselier
Carl Glatstein
Kerry Hildreth
Mike Johnson
Fred Leviton
Michele Lueck
Jay Mactas
Perry Moss
Debbie Reinberg
Beth Shanker
Steven Summer

As many of you know, Kavod Senior Life (formerly Allied Jewish Apartments) is a non-profit, non-sectarian organization providing housing and services to older adults in the greater Denver area. Kavod provides affordable Senior and Assisted Living apartment homes and services for adults 62 years of age and older and those with qualifying mobility impairment disabilities. Our location at 22 South Adams in Cherry Creek is our ideal home, with its beautiful surroundings and close proximity, convenience and walkability to the Cherry Creek Mall, retail stores, restaurants, theatres, shops, and walking paths. We also have public bus routes stop just outside our door.

The purpose of this letter is to inform all of our surrounding Registered Neighborhood Organizations (RNOs) and other nearby owners/associations of our need and intent to rezone from our 1982 PUD (PUD 75) into an appropriate and fitting new zoning code district, G-MU-12 (General Context, Multi-Unit, 12-stories).

The need to rezone surfaced when we came across a lot coverage restriction in the existing PUD that narrowly prevented us from being able to complete a small renovation to our East Building (22 South Adams). The renovation is mainly interior (layout and space improvements), except for a new covered circulation hallway/walk-way that will enclose a small amount of land that was previously just outside our building, but within our property. This will allow residents of the East or South buildings to circulate back and forth without having to walk through the dining hall, or going outside. Currently, residents are forced to walk through the dining hall, which disrupts dining or activities, or to go outside to get back and forth. The footprint of the new circulation hallway put us over the existing PUD lot coverage allowance by 132 sq. ft. Thus, we are seeking a rezoning to allow for this necessary and functional improvement to our property.



The East and South buildings, built in 1979 and 1983, are 9 and 7-stories tall, respectively, and zoned under the old 1982 PUD. The West building across the street, connected by bridge to the East and South properties, is 14-stories, built in 1971 and zoned G-MU-12. Additional buildings adjacent to us are The Seasons Apartments to the east, zoned PUD with up to 15-stories, and Mountain Shadows condominiums, zoned G-MU-12 and ~14-stories.

Thus, the G-MU-12 zone district we are seeking for the East and South properties is very appropriate and contextual to the neighborhood. We had a pre-application meeting with planning staff at Community Planning and Development (CPD) to discuss the compatibility of the G-MU-12 zone district to the property and the neighborhood.

Also, as many of you know, the new code seeks to enhance the public realm and pedestrian environment through encouraging buildings to be closer to the street with ground story activation requirements such as transparency, etc. Our old PUD limited our ability to construct a mainly glass/transparent walkway between our building and the street through the lot coverage restriction.

Again, the purpose of this letter is to inform you in advance of our upcoming rezoning application and invite you to ask any questions and meet with our team to discuss the proposed rezoning. Given that we cannot complete the final 132 sq. ft. of our walkway renovation until the property is rezoned, intending to submit the rezoning application in the next two weeks so we can start the approximate six-month rezoning application process.

Please do not hesitate to contact us at Kavod or Sean Maley at the email and phone numbers listed below. We are happy to speak and meet at your convenience.

Thank you and we will talk to you soon.

Sincerely,

Michael Klein & Samantha Walsh
Kavod Senior Life
303.399.1146
mklein@kavodseniorlife.org
swalsh@kavodseniorlife.org

Sean Maley
CRL Associates, Inc.
303-570-3096
smaley@crlassociates.com

Cc:
Councilwoman Jeanne Robb, District 10
Abe Barge, Community Planning and Development

SENT VIA EMAIL

June 30, 2015

City and County of Denver
City Council, District 10
Denver Planning Board
Denver, CO 80202

Dear Councilwoman Robb, Councilman Elect New and Denver Planning Board Members,

**Subject: Cherry Creek East Association Position Statement
Request for Rezoning
22 and 44 South Adams Street - Kavod Senior Life**

Application Number	#20151-00020
Location	22 and 44 South Adams Street
Council District	Council District 10
Current Zoning	Former Chapter 59 PUD 75
Proposed Zoning	G-MU-12
Property Owner	Allied Housing East LP (Kavod Senior Life)
RNO	Cherry Creek East Association (CCEA)
RNO Contact Name	Susan Smernoff, President
Contact Address	240 South Madison Street
Contact E-mail Address	ssmernoff@gmail.com
Date Submitted	June 30, 2015

As required by DRMC Section 12-96, a meeting of the CCEA RNO was held on Wednesday, June 10, 2015. Kavod Senior Life's representative, Sean Maley from CRL Associates, made a presentation to the Board. Kavod staff and Kavod's representative responded to Board and community questions. CCEA Board of Directors unanimously voted to support the request for rezoning from PUD 75 to G-MU-12.

Prior to Board action, CCEA Board engaged in the following process to gather comments and questions from CCEA property owners, residents and businesses:

1. CCEA posted information from Kavod's representative on the CCEA website and provided a link for comments and questions to the Board.
2. CCEA requested comments and questions from about 400 individuals using the CCEA email list.
3. CCEA Board invited interested parties to attend and participate in the June 10 Board discussion.

Prior to the June 10 Board meeting, the Board received questions and comments from seven property owners, residents and businesses. Four respondents, including a representative for Mountains Shadows, supported the rezoning, two people asked the time and place for the June 10 Board meeting, and one person did not support rezoning.

Five CCEA residents attended the Board meeting, listened to the presentation from Kavod staff and representative, and participated in the Board discussion.

CCEA Board and RNO support the rezoning for the following reasons:

1. The rezoning allows for a small renovation of Kavod Senior Life, primarily on the interior, with the exception of a new covered hallway on the west side of the structure that would exceed the existing 1982 PUD lot coverage limit by 132 square feet.
2. In 2011, the Kavod renewed their Department of Housing and Urban Development contract for twenty years, and the contract does not allow for any significant upgrades regardless of ownership.
3. Structurally, additional floors cannot be added to the existing structure.
4. The requested G-MU-12 zoning is in conformance with the Cherry Creek Area Plan and other adopted local and regional plans.
5. The Cherry Creek Area Plan Future Land Use Map and Maximum Building Heights Map (page 73) intended that this location allow higher density residential uses.
6. Kavod is located on a block that includes existing multi-story residential and commercial uses.

CCEA welcomes the opportunity to support low-income housing in our neighborhood. We appreciate Kavod's attention to design details for the exterior addition and the high-quality landscaping.

CCEA requests that any changes to the pedestrian way include five-foot sidewalks per policy statements in the Cherry Creek Area Plan.

Best regards,

Susan Smernoff, President
CCEA Board of Directors