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TO: Land Use, Transportation, and Infrastructure Committee (LUTI)
FROM: James Van Hooser, Senior City Planner
DATE: June 3, 2021
RE: Official Zoning Map Amendment Application #2020I-00168

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends the Land Use, Transportation, and Infrastructure Committee (LUTI) move Application #2020I-00168 to the full City Council.

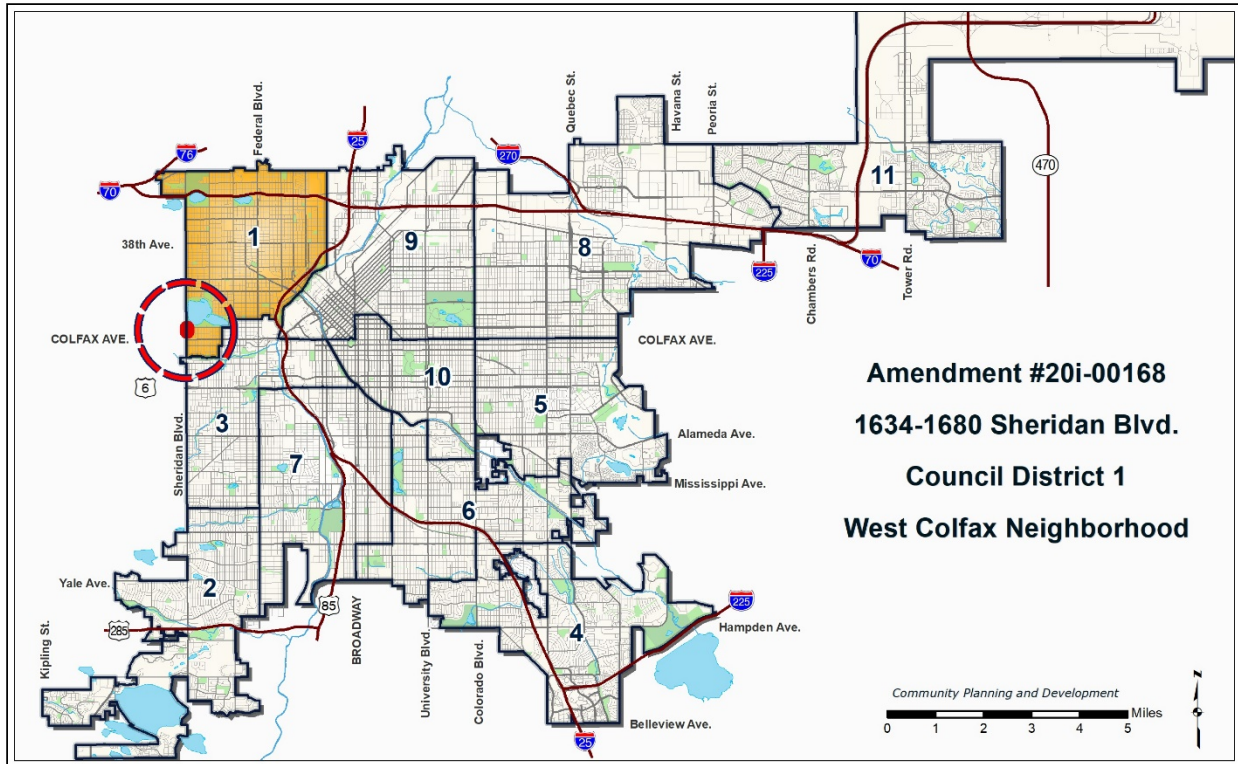
Request for Rezoning

Address: 1634, 1642, 1650 and 1680 Sheridan Boulevard
Neighborhood/Council District: West Colfax Neighborhood / Council District 1
RNOs: Sloan's Lake Citizen's Group, Sloan's Lake Neighborhood Association, West Colfax Association of Neighbors, West Colfax Business Improvement District, Inter-Neighborhood Cooperation (INC)
Area of Property: 48,600 SF / 1.11 Acres
Current Zoning: U-SU-C2 and U-RH-3A
Proposed Zoning: U-RX-3
Property Owner(s): Ricky Lang, David Webb, Cory Manders
Owner Representative: Matt Chiodini

Summary of Rezoning Request

- The subject property is in the West Colfax statistical neighborhood on the east side of Sheridan Boulevard.
- The property owners propose to rezone the properties for residential redevelopment. The subject properties are four properties containing four structures, three single-unit structures and a duplex structure, in separate ownerships. The oldest structure was built in 1925 and the newest in 1954.
- The proposed zone district, U-RX-3, is intended for use in the Urban Neighborhood Context to promote safe, active, and pedestrian-scaled, diverse areas and enhance the convenience, ease and enjoyment of transit, walking, shopping and public gathering within and around the city's neighborhoods. Compared to Mixed Use districts, Residential Mixed Use districts are primarily intended to accommodate residential uses. Commercial uses are secondary to the primary residential use of the district, and provide neighborhood-scaled shops and offices for residents. Further details of the requested zone district can be found in the proposed zone district section of the staff report (below) and in Article 5 of the Denver Zoning Code (DZC).

Existing Context

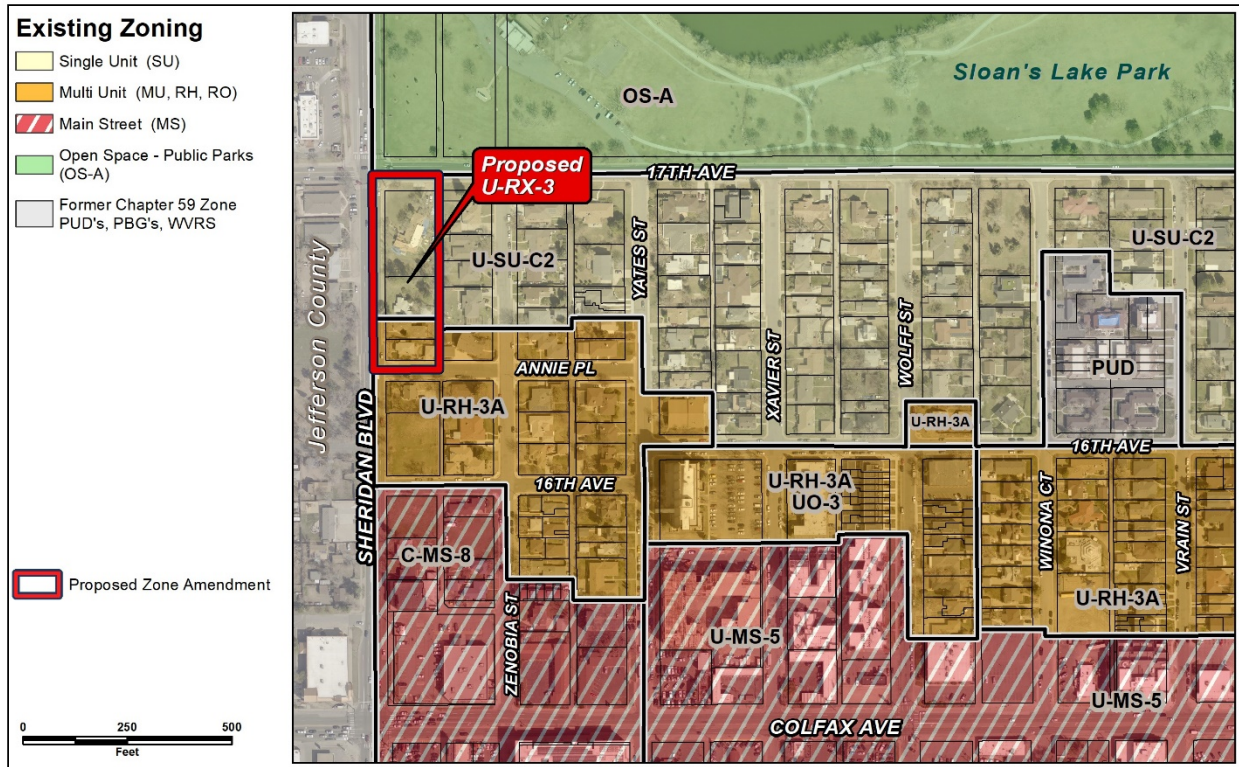




The subject property is surrounded by a city park on the north, two-unit residential on the south, single-unit residential on the east and single-, two-unit and multi-unit residential on the west. Existing area building heights range from 1 to 2 stories. RTD bus service (Route 51) is available along Sheridan Blvd, and the property is approximately 0.5 miles north of the RTD Sheridan light rail station. The following table summarizes the existing context proximate to the subject property:

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	U-SU-C2 & U-RH-3A	Single- and two-unit residential	1-story structures	Grid street patterns with alleys, attached sidewalks. Regular pattern of rectilinear blocks.
North	OS-A	City park	1-story structure set back in a park	
South	U-RH-3A	Single- and two-unit residential, vacant	1-2-story structures	
East	R-MF (Lakewood) R-2 & R-3 (Edgewater)	Single- and two-unit residential	1-story structures	
West	U-SU-C2 & U-RH-3A	Single-unit residential	1-2-story ranch structures with generous setbacks from the street.	

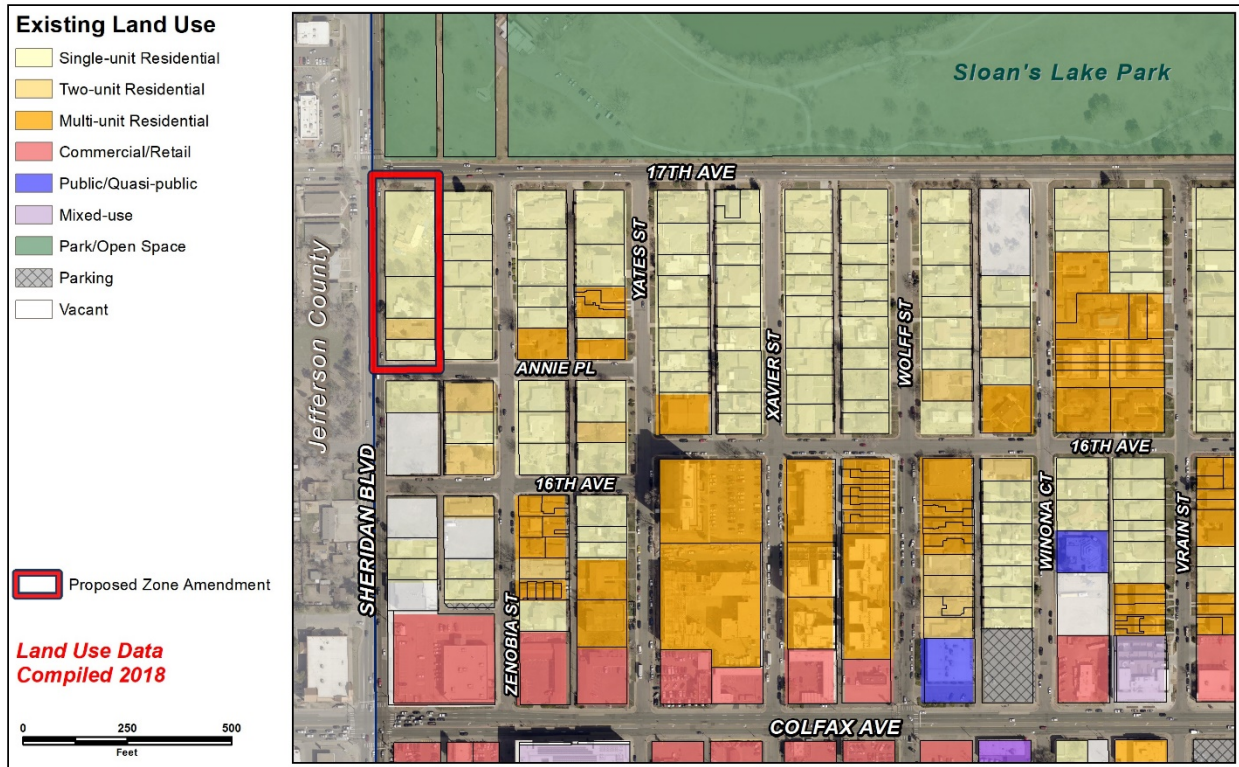
1. Existing Zoning



The U-SU-C2 zone district is a single-unit zone district that allows an Urban House primary building form with a minimum zone lot size of 5,500 square feet. Detached accessory dwelling units, duplexes and tandem houses are also allowed on certain corner lots where at least one of the intersecting streets is a collector or arterial street. Maximum building heights are 30-35 feet.

U-RH-3A zone district is a multi-unit zone district that allows Urban House, Duplex, Tandem House, Row House, and Apartment primary building forms. Maximum allowed heights are 2.5 stories in all but the Apartment building form, which allows 3 stories.

2. Existing Land Use Map



3. Existing Building Form and Scale

All images are from Google Street View.



1. 1680 Sheridan Boulevard



2. 1642 & 1650 Sheridan Boulevard



3. 1640 Sheridan Boulevard



4. 1634 Sheridan Boulevard



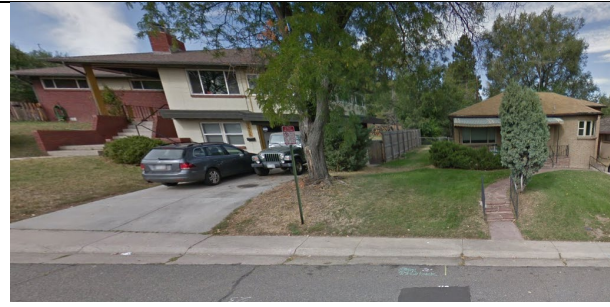
5. North - Sloan's Lake Park



6. South - On Sheridan Boulevard & Annie Place



7. East - Zenobia Street Properties



8. East - Zenobia Street Properties



9. West - Lakewood Properties



10. West - Edgewater Properties

Proposed Zoning

The requested U-RX-3 zone district is found in the Urban Neighborhood Context. The intent of the district is to “promote safe, active, and pedestrian-scaled, diverse areas and enhance the convenience and ease of walking, shopping and public gathering within and around the city’s neighborhoods.” (DZC, Section 5.2.4). A variety of building forms, including Town House, and Shopfront are available in this zone district. A wide range of residential, quasi-public, and commercial uses are permitted (with and without limitations) in U-RX-3. For additional details of the requested zone district, see DZC Sections 5.2.3, 5.3 and 5.4.

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

Design Standards	U-SU-C2 (Existing)	U-RH-3A	U-RX-3 (Proposed)
Primary Building Forms Allowed	Urban House; Tandem House*; Duplex*	Urban House; Tandem House; Duplex; Row House; Apartment*	Town House; Shopfront
Heights in Stories / Feet (max)	2.5/30	3/38	3/38 to 45'***
Primary Street Build-To Percentages (min)	N/A	N/A	75%

Primary Street Build-To Ranges	N/A	N/A	0' to 15'**
Minimum Zone Lot Size/Width	N/A	N/A	N/A
Primary Street Setbacks (min)	20'	20'	0' to 10'**
Building Coverages (max)	37.5%	N/A	N/A

*Building form subject to geographical limitations

**Standard varies between building forms

Summary of City Agency Referral Comments

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

Assessor: Approved – No Response

Asset Management: Approved – No Response

Denver Public Schools: Approved – No Response

Department of Public Health and Environment: Approved – No Comments

Denver Parks and Recreation: Approved – No Comments

Public Works – R.O.W.- City Surveyor: Approved – See Comments Below:

1. I changed the subdivision name in the descriptions below to match the actual platted name. Please use these instead:

1634 N. SHERIDAN BLVD.

A PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY & COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF LOTS 15 AND 16 OF BLOCK 3 OF BRINKHAUS SLOAN LAKE ADDITION 2ND FILING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

1642 N. SHERIDAN BLVD.

A PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY & COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF LOTS 13 AND 14 OF BLOCK 3 OF BRINKHAUS SLOAN LAKE ADDITION 2ND FILING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

1650 N. SHERIDAN BLVD.

A PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY & COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF LOTS 9 THROUGH 12, INCLUSIVE, OF BLOCK 3 OF BRINKHAUS SLOAN LAKE ADDITION 2ND FILING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

1680 N. SHERIDAN BLVD.

A PORTION OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 31, TOWNSHIP 3 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY & COUNTY OF DENVER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF LOTS 1 THROUGH 8, INCLUSIVE, OF BLOCK 3 OF BRINKHAUS SLOAN LAKE ADDITION 2ND FILING, CITY AND COUNTY OF DENVER, STATE OF COLORADO.

DOTI – Development Engineering Services: Approved – No Response

Development Services – Project Coordination: Approved – No Comments

Development Services - Fire Protection: Approved – No Comments

Development Services- Wastewater: Approved – See Comments Below:

1. DES Wastewater approves the subject zoning change. The applicant should note that redevelopment of this site will require additional engineering including preparation of construction documents and erosion control plans. Redevelopment may require construction of water quality and detention basins, public and private sanitary and storm sewer mains, and other storm or sanitary sewer improvements. The extent of the required design, improvements and easements will be determined during the building submittal process. Please note that no commitment for any new sewer service will be given prior to issuance of an approved SUDP from Development Services.

Public Review Process

	Date
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	3/29/2021
Property legally posted for a period of 15 days and CPD written notice of the Planning Board	5/18/2021

public hearing sent to all affected members of City Council, registered neighborhood organizations, and property owners:	
Planning Board public hearing (Planning Board unanimously recommends approval)	6/2/2021
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten working days before the meeting:	6/1/2021
Land Use, Transportation and Infrastructure Committee of the City Council (tentative):	6/15/2021
Property legally posted for a period of 21 days and CPD notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations (tentative):	7/19/2021
City Council Public Hearing (tentative):	8/9/2021

- **Registered Neighborhood Organizations (RNOs):** To date, staff has received no comment letters from Registered Neighborhood Organizations.
- **Other Public Comment:** To date, staff has received four public comment letters of support and one public comment letter of opposition.

Previous Action

These parcels were subject to a previous rezoning effort from U-SU-C2 and U-RH-3A to U-MS-2 and U-MS-3 in 2019 as application 2018I00015. Planning Board voted 5-0 to recommend approval of this previous application on 5/15/19. City Council voted to deny the previous application on a vote of 10-2 at a public hearing held on 9/16/19.

Criteria for Review / Staff Evaluation

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

DZC Section 12.4.10.7

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

DZC Section 12.4.10.8

1. Justifying Circumstances

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

1. Consistency with Adopted Plans

The following adopted plans currently apply to this property:

- *Denver Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *West Colfax Plan (2006)*

Denver Comprehensive Plan 2040

The proposed rezoning is consistent with many of the draft *Denver Comprehensive Plan 2040* vision and strategies, including:

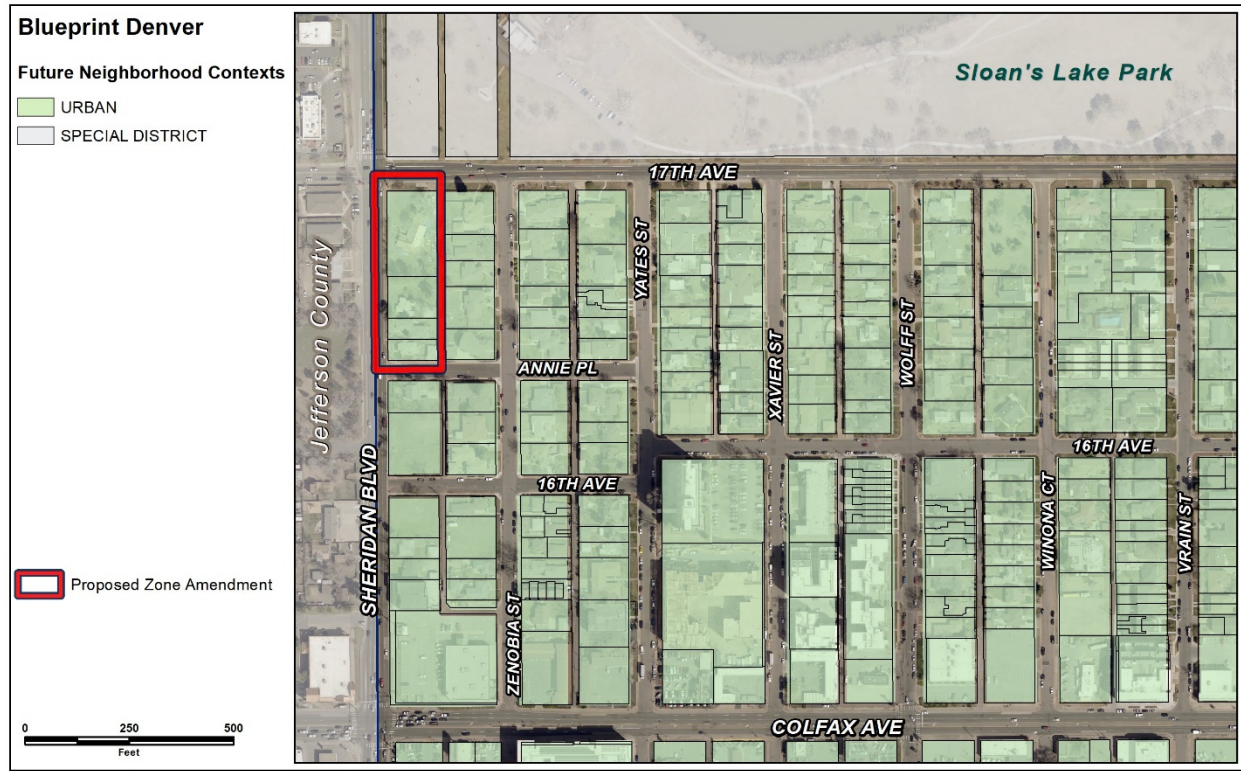
- Equitable, Affordable and Inclusive, Goal 2 “*Build housing as a continuum to serve residents across a range of incomes, ages and needs*” (p. 28).
- Equitable, Affordable and Inclusive, Strategy 2A, “*Create a greater mix of housing options in every neighborhood for all individuals and families*” (p. 28).
- Strong and Authentic Neighborhoods, Strategy 1B – “*Ensure neighborhoods offer a mix of housing types and services for a diverse population*” (p. 34).
- Strong and Authentic Neighborhoods, Strategy 1D “*Encourage quality infill development that is consistent with the surrounding neighborhood and offers opportunities for increased amenities*” (p. 34).
- Environmentally Resilient Goal 8, Strategy A – “*Promote infill development where infrastructure and services are already in place*” (p. 54).

The proposed map amendment will enable the development of a multi-unit residential use, adding to the mix of housing types available in the area, and the new structures will be at a compatible scale to the existing neighborhood. Finally, the new development is in an area where infrastructure and services are already in place. The requested U-RX-3 zone district broadens the mix of allowed land uses at a scale compatible with the existing neighborhood. Therefore, the rezoning is consistent with Denver *Comprehensive Plan 2040* recommendations.

Blueprint Denver

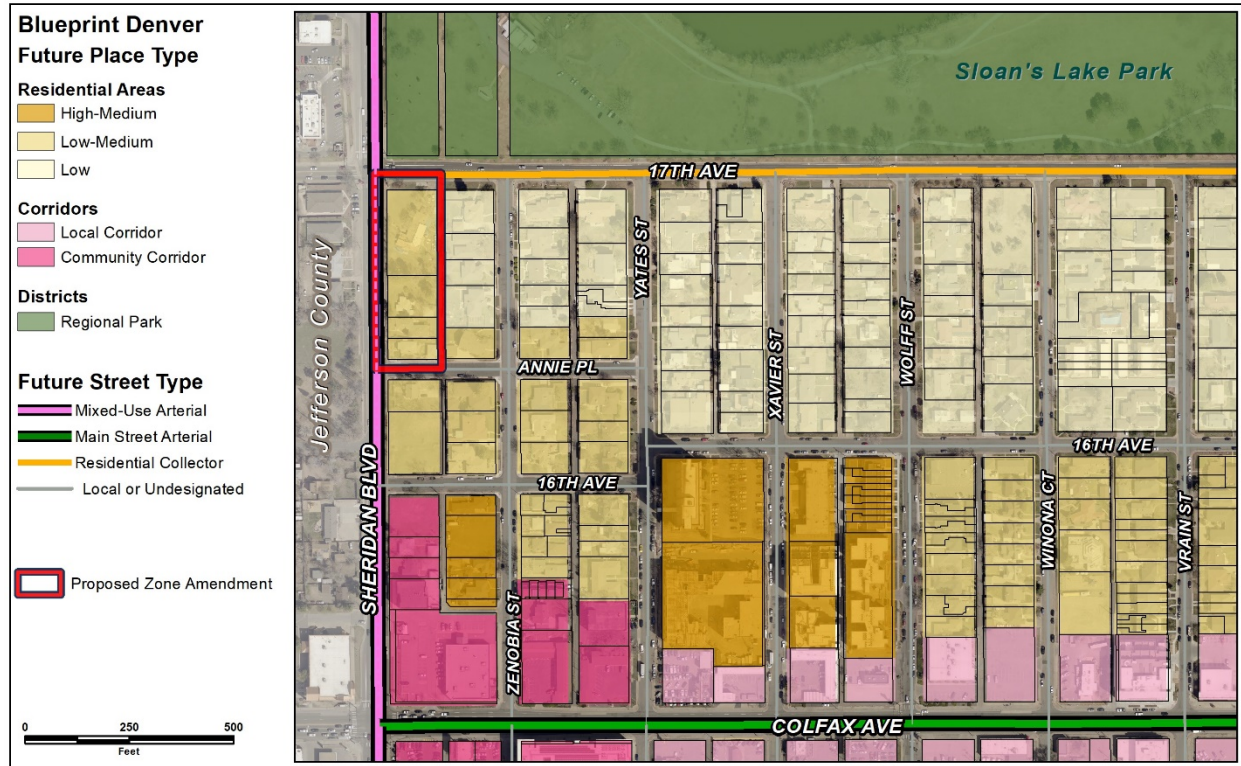
Blueprint Denver identifies the subject property as being located within the Urban Neighborhood Context, in a Low Medium Residential place and on the Growth Strategy map within “All other areas of the city.”

Blueprint Denver Future Neighborhood Context



Blueprint Denver 2019 is organized by neighborhood contexts. A context-based approach sets guidelines for character-compatible development. On the Blueprint Denver context map the subject property is within an Urban Neighborhood Context. This context is characterized by small multi-unit residential and mixed-use areas typically embedded in 1-unit and 2-unit residential areas. Where they occur, multi-unit buildings are low-scale. Block patterns are regular, and buildings are low-scale and close to the street. The proposed U-RX-3 zone district will enable a multi-unit structure at a scale of no more than three stories embedded at the edge of a single-unit area. These land use and building standards are consistent with the Urban Context.

Blueprint Denver Future Places



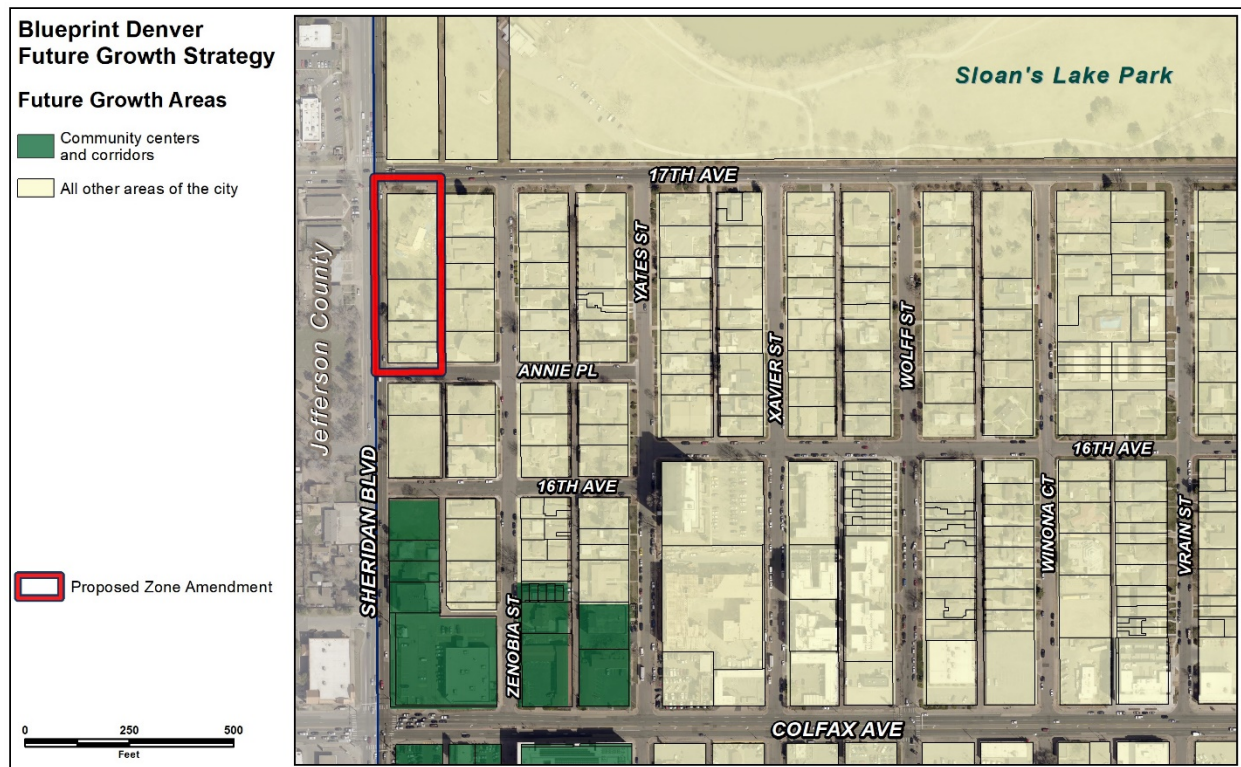
On the Blueprint Denver Future Places map the subject property is within a Low-Medium residential future place. Per Blueprint Denver “Future places are an organizational system that describes the desired character of an area. Future places work together to promote complete neighborhoods for the residents living within or near each of them. Each place expresses itself differently depending on the neighborhood context where it is located.” Residential areas have a predominantly residential land use but “are supported by a variety of embedded uses needed for a complete neighborhood including schools, recreation and nodes of commercial/retail uses” (p. 141). Per Blueprint Denver Low-Medium residential places in the Urban Context are “a mix of low- to mid-scale multi-unit residential options. Small-scale multi-unit buildings are interspersed between single- and two-unit residential. Limited mixed-use along some arterial and collector streets and at intersections. Buildings are generally 3 stories or less in height” (p. 232). The U-RX-3 zone district allows appropriate building forms and a maximum height 3 stories. These standards are in well within the standards for Low-Medium residential places.

Street Types

Blueprint Denver 2019 classifies Sheridan Boulevard as a Mixed Use Arterial street and 17th Avenue as a Residential Collector street, and Annie Place is an undesignated local street. “Mixed use streets are anticipated to have a variety of uses including retail, office, residential and restaurants. Buildings are pedestrian-oriented, typically multi-story, usually with high building coverage with a shallow front setback” (p. 159). Arterial streets are designed for the highest degree of through movement. Residential

streets have “Primarily residential uses, but may include schools, civic uses, parks, small retail nodes and other similar uses. Buildings on residential streets usually have a modest setback” (p. 160). Collector streets collect movement from local streets and convey it to arterial streets. Local streets have the best property access. The proposed U-RX-3 district allows a broad range of residential uses and some commercial land uses. Therefore, the district is consistent with the mixed use arterial and residential collector street types at this site.

Growth Strategy



The subject property is on the Growth Strategy map within “All other areas of the city.” These types of places are anticipated to see around 20% of new housing growth and 10% of new employment growth by 2040 (p. 51). “The remaining growth areas are smaller but still play a key role in meeting the diversity of new jobs and housing needed for our dynamic city. Higher intensity residential areas near downtown, mid-scale housing in innovation/flex districts and low-scale greenfield residential all contribute to Denver’s future housing stock. The remaining parts of Denver, mostly residential areas with embedded local centers and corridors, take a smaller amount of growth intended to strengthen the existing character of our neighborhoods” (p. 49). This site is located within the “remaining parts of Denver”. The proposed map amendment to U-RX-3 will allow low- to mid-scale intensity of growth in character with the existing area.

West Colfax Plan (2006)

The West Colfax Plan includes a “Framework Plan” the purpose of which “provides the over-arching goals and recommendations for these places within the study area; it provides the technical guidance for zoning regulatory changes, infrastructure planning and policy direction” (p. 78). Key components of the Framework Plan include Urban Design, Land Use, Mobility and Economic Development. The West Colfax Plan also contains District Plans to “provide guidance regarding the appropriate character and scale of an area...The district plans augment the prevailing goals and recommendations contained in the framework plan” (p. 120). Within the West Colfax Plan Framework Plan, the subject property is identified in the following ways:

Framework Plan/Future Land Use/Urban Design

On the Future Land Use Concept map the properties are identified as “**Main Street**”. See the green rectangle on the Future Land Use Concept map below.



In the West Colfax Plan within Main Streets the development pattern is described as linear and oriented to the street. The typical scale is 2-5 stories and land uses are mixed, both vertically and horizontally. The orientation of buildings to the sidewalk creates a comfortable pedestrian environment.

Additional Framework Plan Land Use Recommendations include:

Recommendation 3: Application of Main Street Regulatory Tools

“Rezone the commercial properties on opportunity sites along West Colfax, Federal Boulevard and Sheridan Boulevard to Main Street. Refer to District Plans section for guidance as to the character of the main street districts and the corresponding recommendations for the application of MainStreet zones in the areas” (p. 95).

Recommendation 6: Housing Diversification

...Diversify housing options and encourage a healthy urban mix of incomes. Promote a range of housing types and costs at higher densities in strategic locations (town centers, station areas, main streets)” (p. 95-96).

Recommendation 7: Infill Development

Support infill development. Mixed use projects that include housing or offices over ground floor uses are especially appropriate in town centers, along main streets and in close proximity to transit stops.

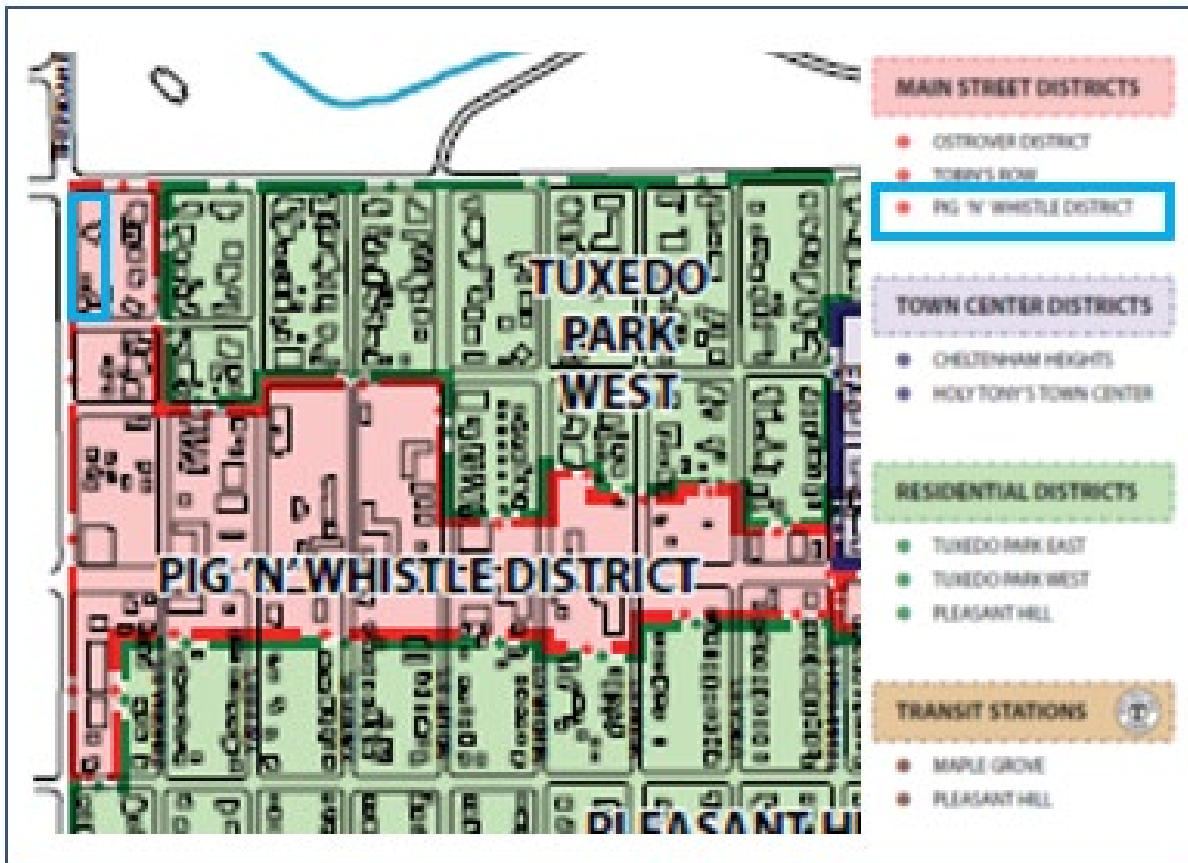
Recommendation 8: Transitions

“To the greatest extent possible, focus both structural and use intensity to main streets, transit station areas and town centers. Incorporate design and development standards to address solar access and privacy protection, such as bulk plane, building orientation and roof form standards. To ensure neighborhood stability, stratify the commercial uses that may extend from main streets, station areas and town centers into the neighborhood so that only those uses with positive impacts on residential character (such as small scale, neighborhood serving, walk-up traffic generators) seep into the neighborhood” (p. 96).

District Plans

In addition to the Framework Plan, the West Colfax Plan includes District Plans. The district plans “*do not imply zoning changes*” but are included in the Plan to “*provide guidance regarding the appropriate character and scale of an area*” (p. 120).

Pig 'N Whistle District: The West Colfax Plan includes the subject site within the “Pig 'N Whistle District.” See the blue rectangle on the District Plans map below.



Specific to the main streets, the Plan offers the following District Plan recommendations:

Recommendation 1: District Scale and Application of Main Street Zone Districts

“Respect the variations in appropriate scale in the different urban design districts that comprise the West Colfax Main Street. Consider the impact of Main Street zoning and future development on adjacent residential districts. Ensure appropriate transitions in height, bulk and mass as Main Street buildings approach residential structures. Respect the scale of the Main Street districts. To that end, the appropriate application of the Main Street zones is as follows:…Pig ‘N Whistle District Deeper parcels, the presence of more intense residential structures and the proximity to a rich supply of transit make this an appropriate place for the application of Main Street 2 (which permits structures up to 65’ tall), as well as limited application of Main Street 3 (which permits structures up to 100’ tall) in the immediate vicinity of the intersection of West Colfax and Sheridan” (p.125). It should be noted that the West Colfax Plan refers to Former Chapter 59 main street zone districts. The Main Street 2 in Former Chapter 59 corresponds to MS-5 in the current Zoning Code, and Main Street 3 in Former Chapter 59 corresponds to MS-8 in the current Code.

The common theme in the West Colfax Plan recommendations for the subject property is that the property is recommended for main street, or mixed land uses and increased intensity. The Main Street recommended land use concept describes a mix of land uses. To conform with the Main Street concept the Plan recommends linear buildings oriented to the street and building heights of 2-5 stories.

The proposed zoning for the subject site, U-RX-3, limits the scale of future development to a modest scale adjacent to the surrounding residential development. The low-intensity building form standards include an upper story setback above 27 feet in the rear and ensure an appropriate transition to the adjacent residential uses. The proposed U-RX-3 district is consistent with the Main Street vision of the West Colfax Plan.

2. Uniformity of District Regulations and Restrictions

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

3. Public Health, Safety and General Welfare

The proposed map amendment furthers the public health, safety and general welfare of the City by implementing the vision set forth in the City's adopted plans, by allowing low intensity mix of land uses and intensity of redevelopment that is in character with the surrounding neighborhood.

4. Justifying Circumstance

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

Specifically, the application states, "the conditions of the South Sloan's Lake neighborhood have changed drastically over the past few years. The creation of the residential district at the former St' Anthony's Hospital site has allowed the neighborhood to begin converting many of its formerly medical campus sites to higher density residential sites to allow for increased density near transit corridors. Recently nearby parcels along Sheridan Boulevard have been redeveloped to low-mid density projects serve as a transition between the lower residential density to the east." Staff concurs with this assessment and finds the changing conditions in the neighborhood to be an appropriate justifying circumstance.

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

The requested U-RX-3 zone district is within the Urban Neighborhood Context. The neighborhood context generally consists of single-unit and two-unit residential uses, with small-scale multi-unit residential uses and commercial areas typically embedded in residential areas (DZC, Division 5.1).

Further, “Multi-unit residential and commercial uses are located along local streets, arterials, and main streets.” Orthogonal streets provide a regular pattern of pedestrian and vehicular connections through this context and there is a consistent presence of alleys. The proposed U-RX-3 zone district is consistent with this Neighborhood Context Description.

The general purpose for the residential mixed-use zone districts stated in the Denver Zoning Code is to “promote safe, active, and pedestrian-scaled diverse areas through the use of building forms that clearly define and activate the public realm” and “ensure new development contributes positively to established residential neighborhoods and character, and improves the transition between commercial development and adjacent residential neighborhoods” (DZC Section 5.2.4.1). The proposed U-RX-3 zone district would facilitate appropriately scaled mixed-use development with a residential focus.

According to the zone district intent stated in the Denver Zoning Code, the U-RX-3 district “applies to residentially dominated areas served primarily by local or collector streets where a building scale of 1 to 3 stories is desired” (DZC Section 5.2.4.2.A). The property to be rezoned is on Sheridan Blvd, which is classified as a Mixed-Use Arterial. The street classifications and desired building heights in this area are consistent with the zone district purpose and intent statements.

Attachments

1. Application
2. Public Comment Letters