



1401 N Fairfax Street

Request: U-TU-C to U-RH-3A

Date: 12.9.2024

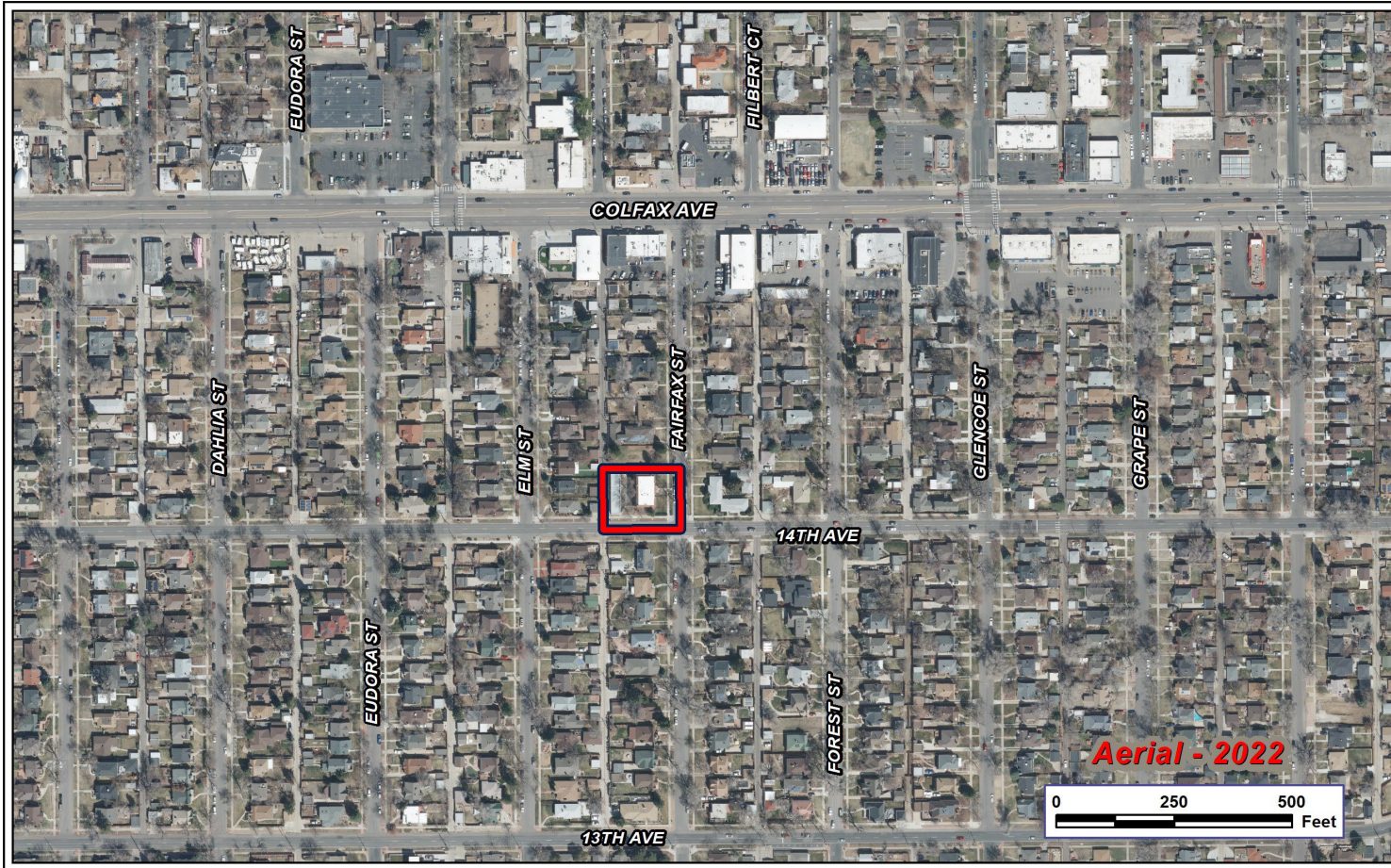
Presenter: Rob Haigh

Presentation Agenda

- Request
- Location and Context
- Process
- Review Criteria



Request: from U-TU-C to U-RH-3A



- Property:
 - 12,268 sq ft
 - Four-story apartment building (built 1938)
- Rezone from U-TU-C to U-RH-3A
- Requesting rezoning to make the existing multi-unit use compliant

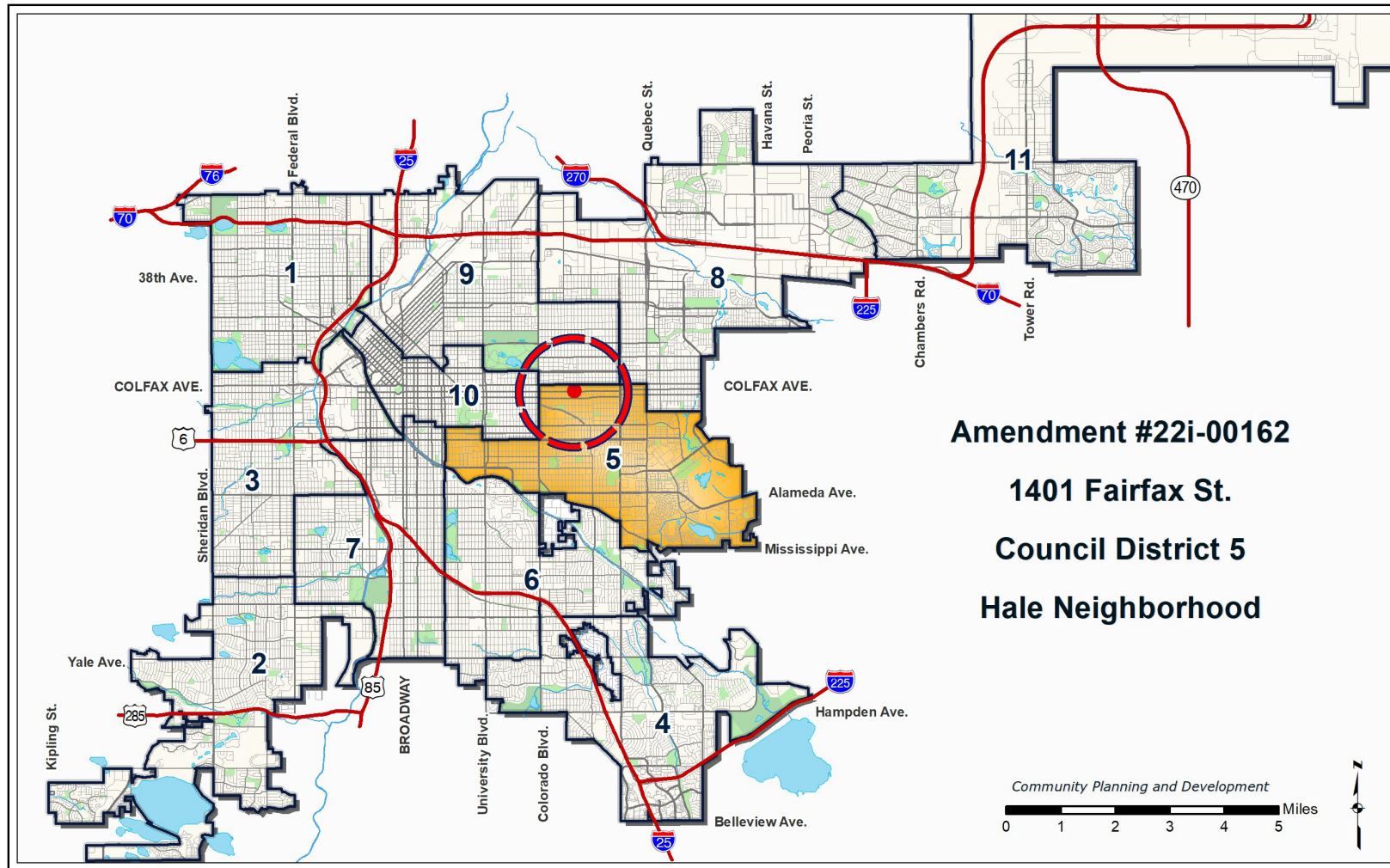
Reminder: Approval of a rezoning is not approval of a proposed specific development project

Presentation Agenda

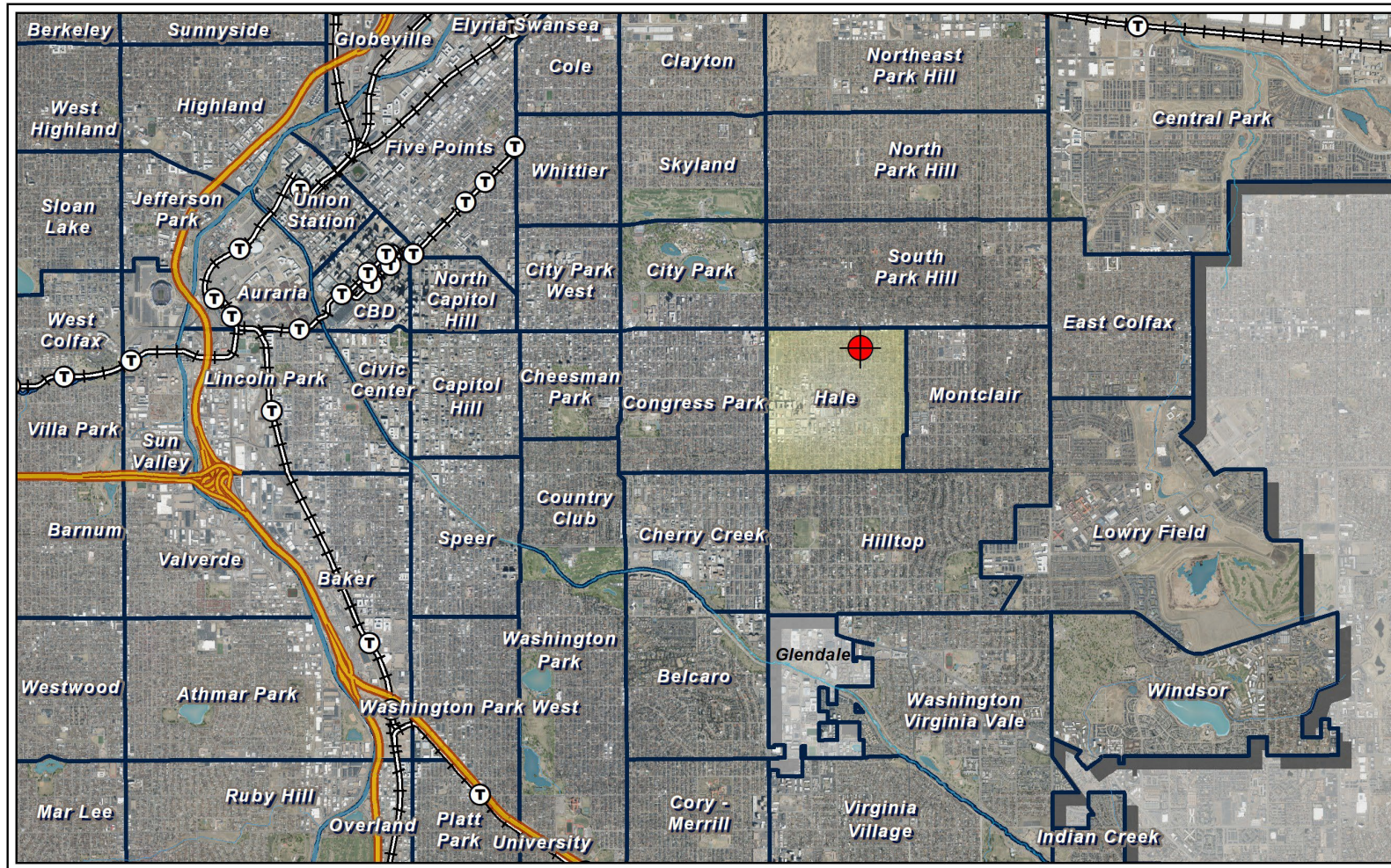
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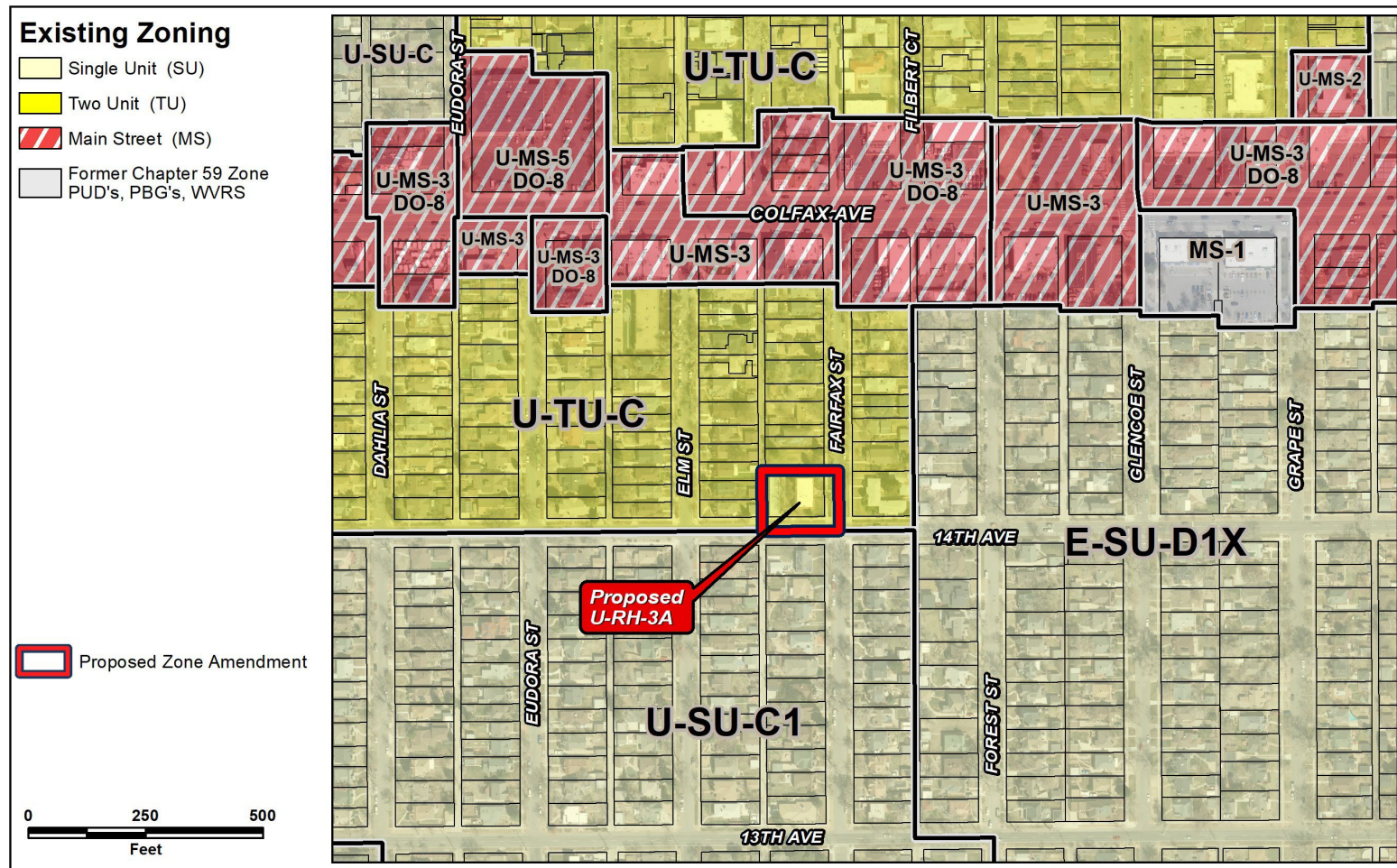
Council District 5 – Councilmember Sawyer



Statistical Neighborhood – Hale



Existing Zoning – U-TU-C



Nearby Zone districts

- U-TU-C
- U-SU-C1
- E-SU-D1x
- U-MS-3

Proposed Zoning – U-RH-3A

APARTMENT

HEIGHT

U-RH-3A*

A	Stories (max)	3
A	Feet (max)	38'

SITING

U-RH-3A*

ZONE LOT

Zone Lot Size (min/max) 6,000 sf / 16,000 sf

Zone Lot Width (min) 50'

SETBACKS

B	Primary Street (min)	Calculated per Sec. 13.1.5.9
C	Side Street (min)	10'
D	Side Interior (min)	5'
E	Rear, alley/no alley (min)	12'/20'

PARKING

Surface Parking between building and Primary Street/Side Street	Not Allowed/Allowed
Vehicle Access	Shall be determined as part of Site Development Plan Review

Urban (U-) Neighborhood Context Zone Districts		Building Forms										
		Suburban House	Urban House	Duplex	Tandem House	Row House	Garden Court	Town House	Apartment	Drive Thru Services	Drive Thru Restaurant	General
Max Number of Primary Structures per Zone Lot*		1	1	1	2	No Maximum						
RESIDENTIAL ZONE DISTRICTS												
Single Unit (SU)	U-SU-A, -B, -C, -E, -H		■		●							
	U-SU-A1, B1, C1, E1, H1		■		●							
	U-SU-A2, -B2, -C2		■	□	□							
Two Unit (TU)	U-TU-B , -C		■	■	■							
	U-TU-B2		■	■	■	□						
Row House (RH)	U-RH-2.5		■	■	■	■						
	U-RH-3A		■	■	■	■			□			
COMMERCIAL MIXED USE ZONE DISTRICTS												
Residential Mixed Use (RX)	U-RX-3, -5							■				■
Mixed Use (MX)	U-MX-2x							■			■	■
	U-MX-2, -3							■		□	□	■
Main Street (MS)	U-MS-2x							■				■
	U-MS-2, -3, -5							■		□	□	■

Apartment Form is permitted ONLY on corner zone lots where at least one of the intersecting streets is a collector or arterial street, according to the functional street classifications adopted by DOTI

Property History

1938:

- Established with variance to allow 7 units (rather than 6)

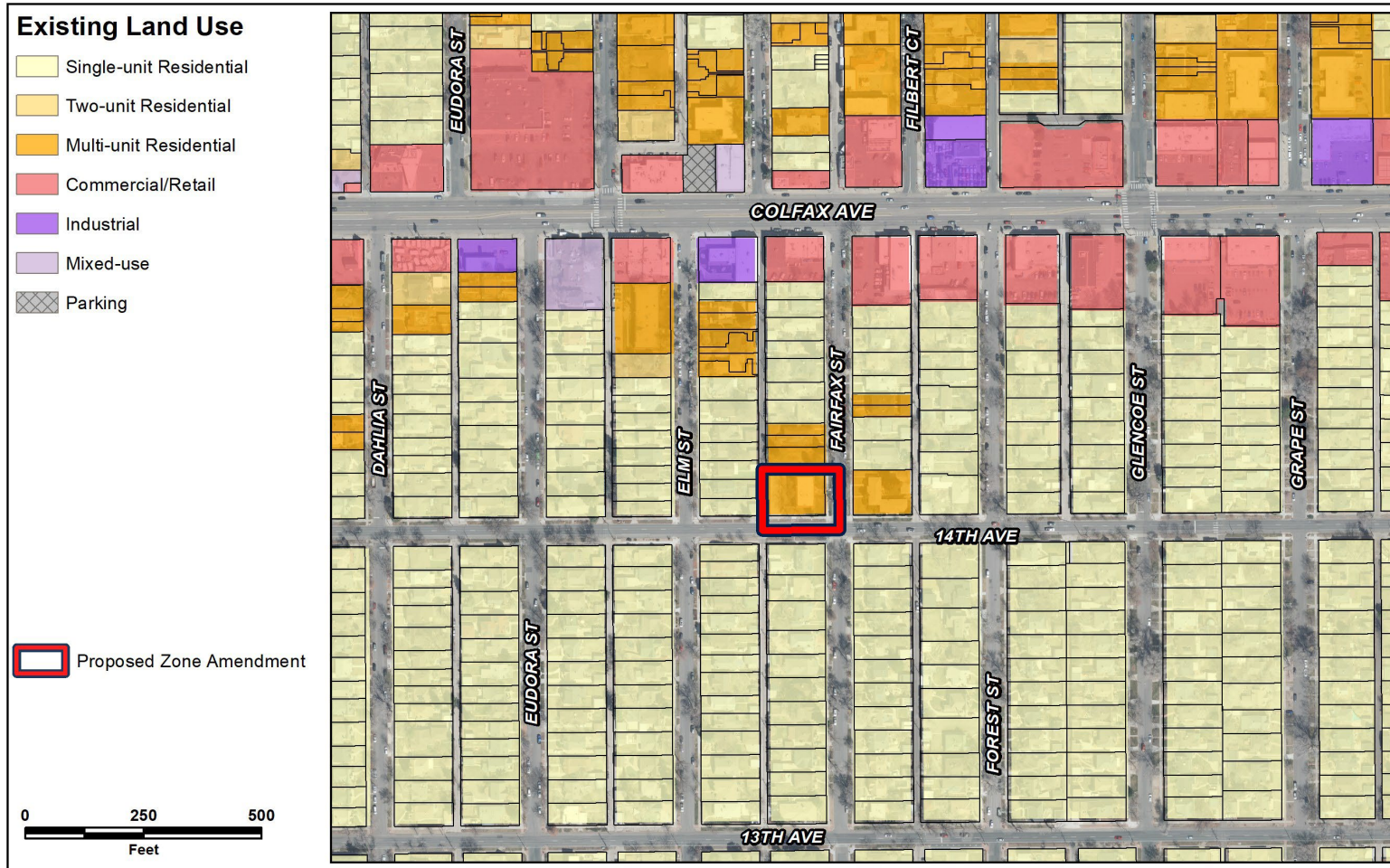
Prior to 1958 or prior to 1972

- Evidence suggests an 8th unit is established

2024:

- Applicant completed a ZLAM to amend the northern zone lot boundary

Existing Context – Land Use



Multi-unit Residential

Adjacent to:

- Multi-unit Residential
- Single-Unit Residential
- Commercial/Retail
- Industrial

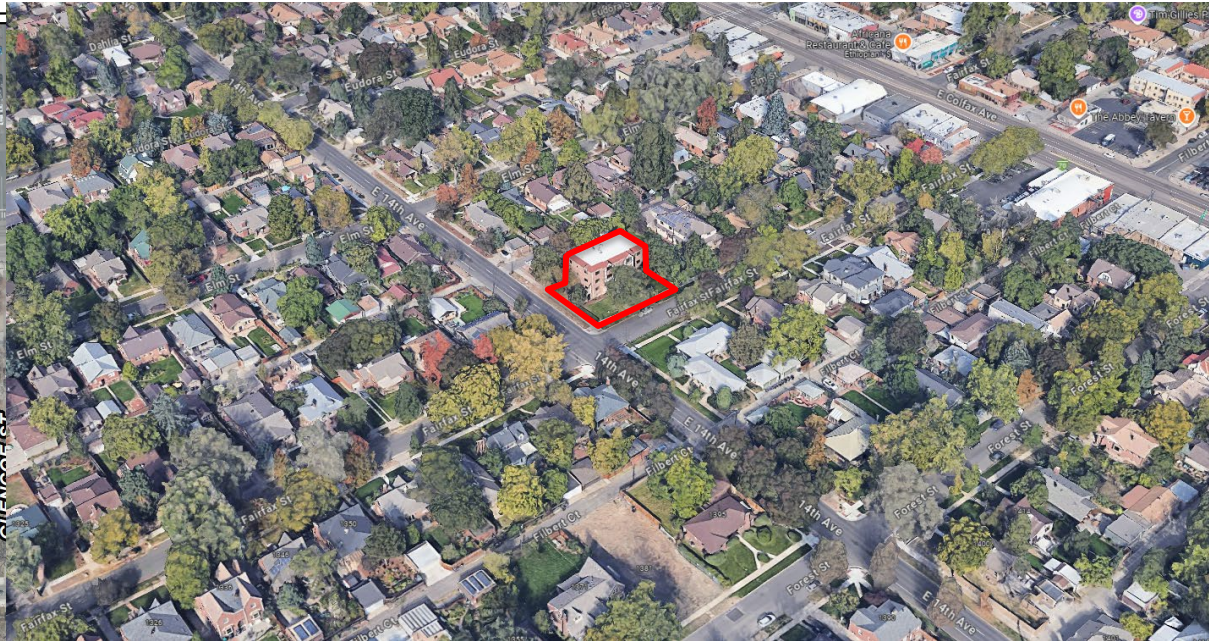
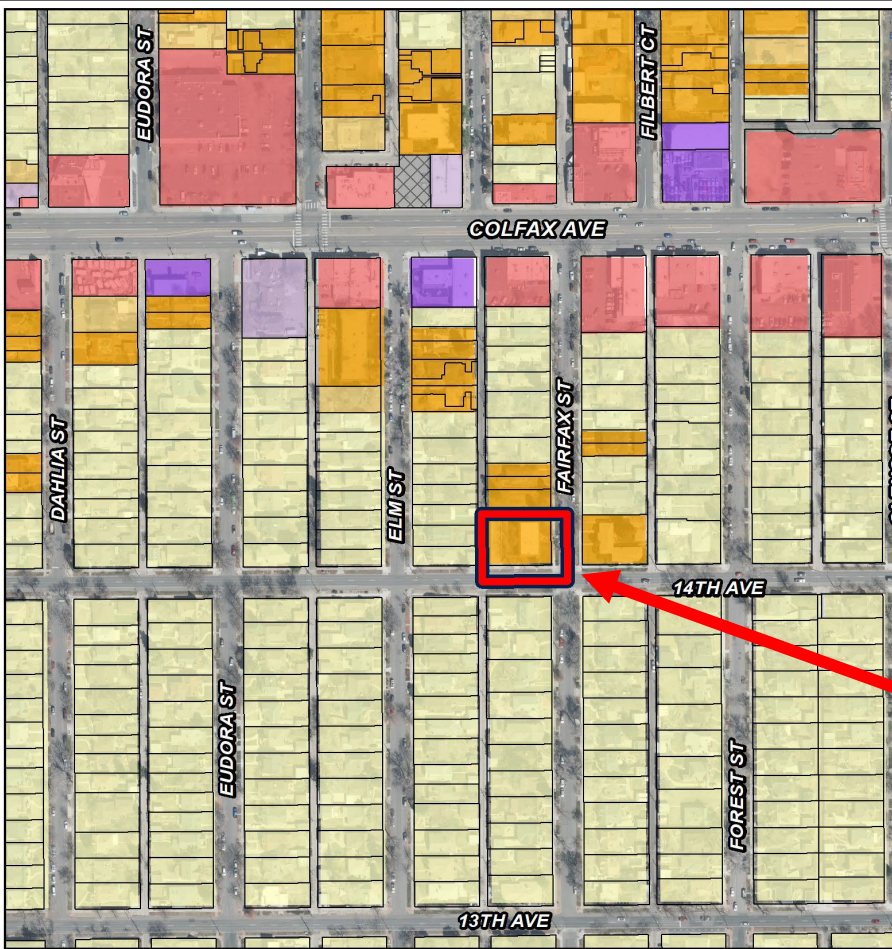
Existing Context – Building Form/Scale

Existing Land Use

- Single-unit Residential
- Two-unit Residential
- Multi-unit Residential
- Commercial/Retail
- Industrial
- Mixed-use
- Parking

 Proposed Zone Amendment

0 250 500
Feet



Agenda

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Process

- Informational Notice: 02/16/23 & 07/02/24
- Planning Board Notice: 9/3/24
- Planning Board Public Hearing: 9/18/24

Recommendation of Approval

- LUTI Committee: 10/15/24
- City Council Public Hearing: 12/9/24

Public Comments

- No letters or position statements from *RNOs*
- One comment from a neighbor in opposition to the rezoning request

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Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver*
- *East Area Plan*

2. Uniformity of District Regulations

3. Further Public Health, Safety and Welfare

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Comprehensive Plan 2040

The proposed rezoning would allow for additional housing units within an established neighborhood, consistent with the following strategies:

- **Equitable, Affordable and Inclusive Goal 2, Strategy A** - Create a greater mix of housing options in every neighborhood for all individuals and families (p. 28).
- **Equitable, Affordable and Inclusive Goal 3, Strategy B** – Use land use regulations to enable and encourage the private development of affordable, missing middle and mixed-income housing, especially where close to transit (p. 28).
- **Strong and Authentic Neighborhoods Goal 1, Strategy B** – Ensure neighborhoods offer a mix of housing types and services for a diverse population (p. 34).
- **Strong and Authentic Neighborhoods Goal 3** – Preserve the authenticity of Denver’s neighborhoods and celebrate our history, architecture, and culture (p. 34)
- **Strong and Authentic Neighborhoods Goal 3, Strategy E** – Support the stewardship and reuse of existing buildings (p. 34)
- **Environmentally Resilient Goal 8, Strategy A** - Promote infill development where infrastructure and services are already in place (p. 54).
- **Environmentally Resilient Goal 7, Strategy C** – Prioritize the reuse of existing building and explore incentives to salvage or reuse materials from demolished structures (p. 54)



Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver (2019)*

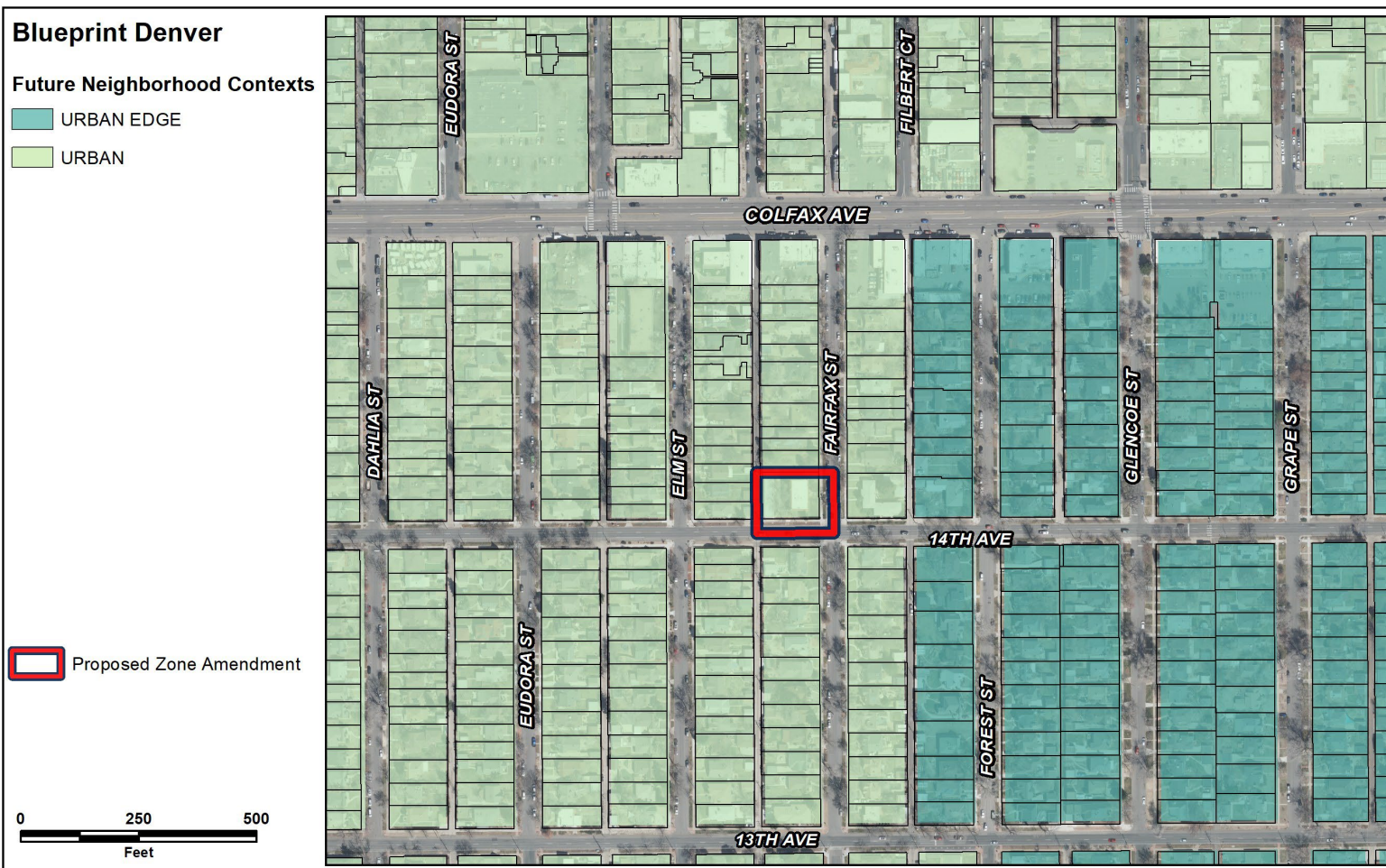
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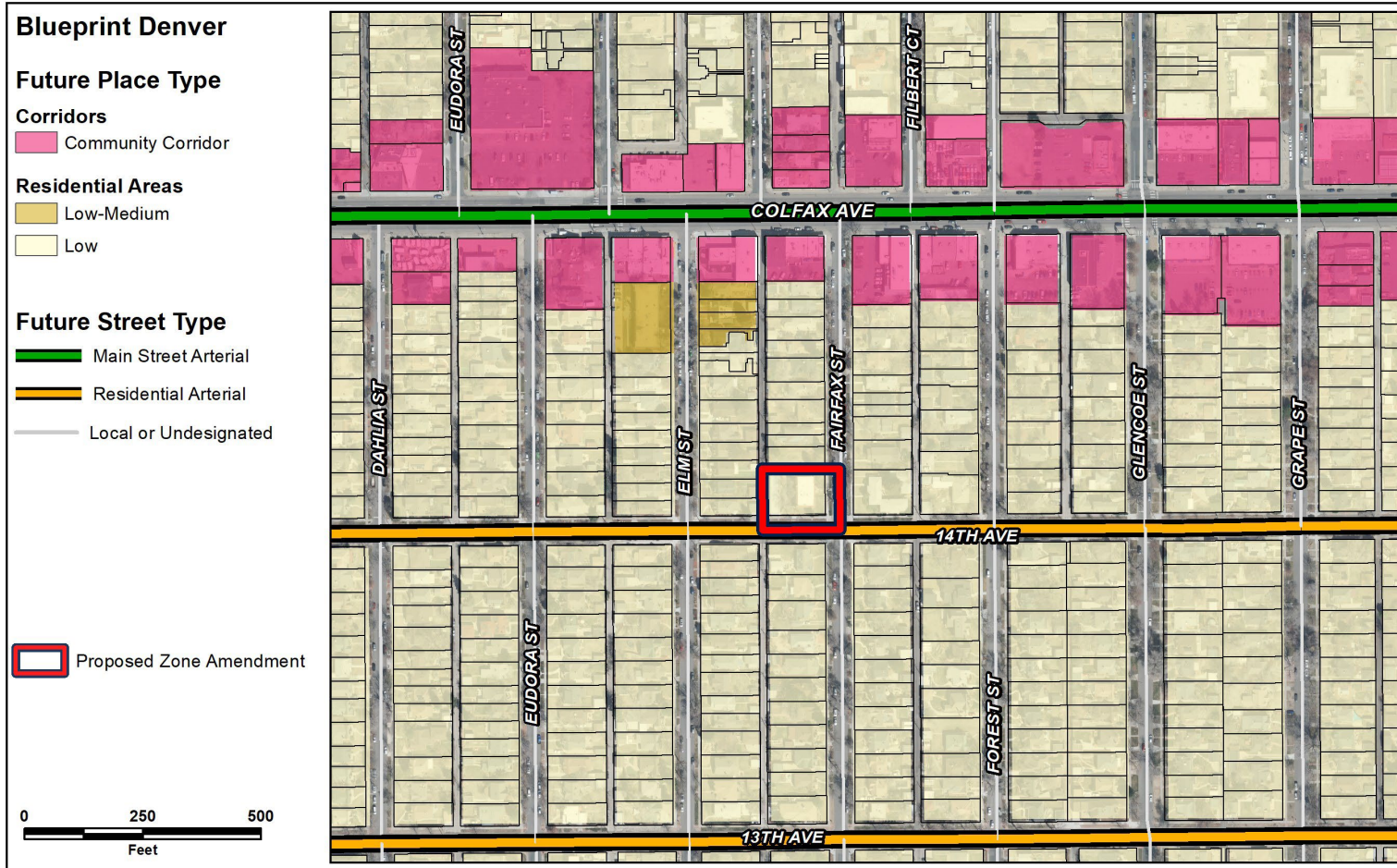
Blueprint Denver 2019



Future Neighborhood Context: Urban

- Small multi-unit residential and mixed-use areas are typically embedded in **1-unit and 2-unit residential areas**.
- Block patterns are generally regular with a mix of alley access.
- Buildings are lower scale and closer to the street.

Blueprint Denver 2019

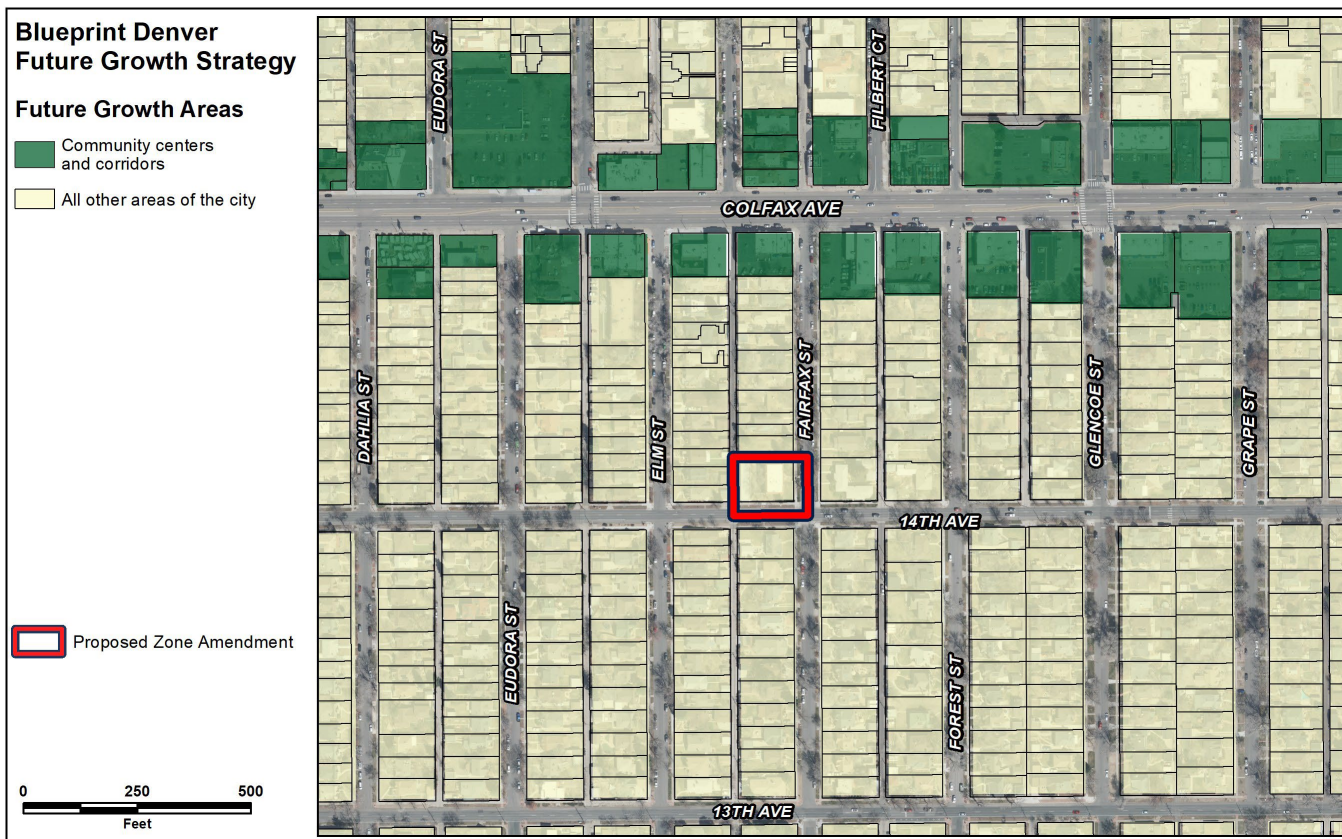


Future Places: Low Residential

- Predominately single- and two-unit uses on small or medium lots.
- Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible.
- Some civic and institutional uses are compatibly integrated throughout and **limited mixed-use can occur along arterial and collector streets**, as well as where commercial uses have been already established.
- Vacant institutional uses on corners or select sites may be appropriate locations to introduce additional residential intensity.
- Low to medium buildings coverage. Building are generally up to 2.5 stories in height.

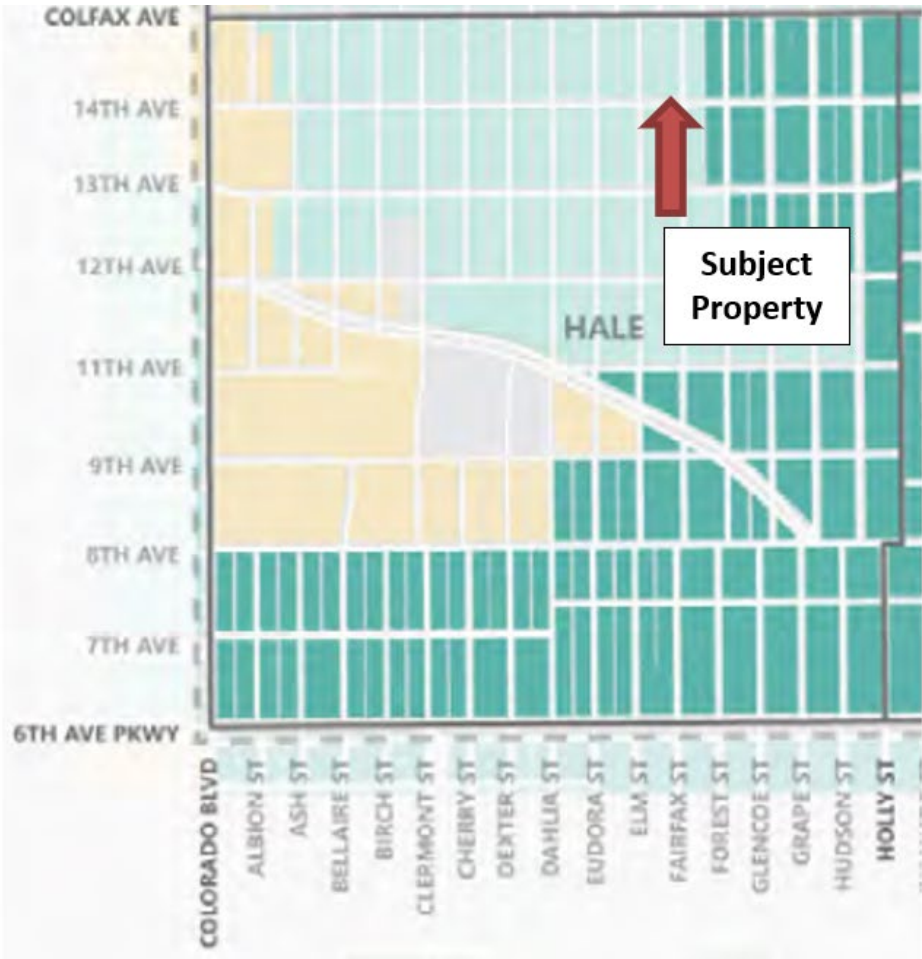
Evaluation is based on the proposed zone district is consistent with the Future Street Classification, not to assess the traffic impacts of a specific development proposal.

Blueprint Denver 2019



- Growth Areas Strategy
 - All other Areas of the City
- Most growth is guided to regional centers, community centers and corridors, select districts and high and medium-high intensity residential areas. Other areas of the city are still expected to see some growth, however more limited.

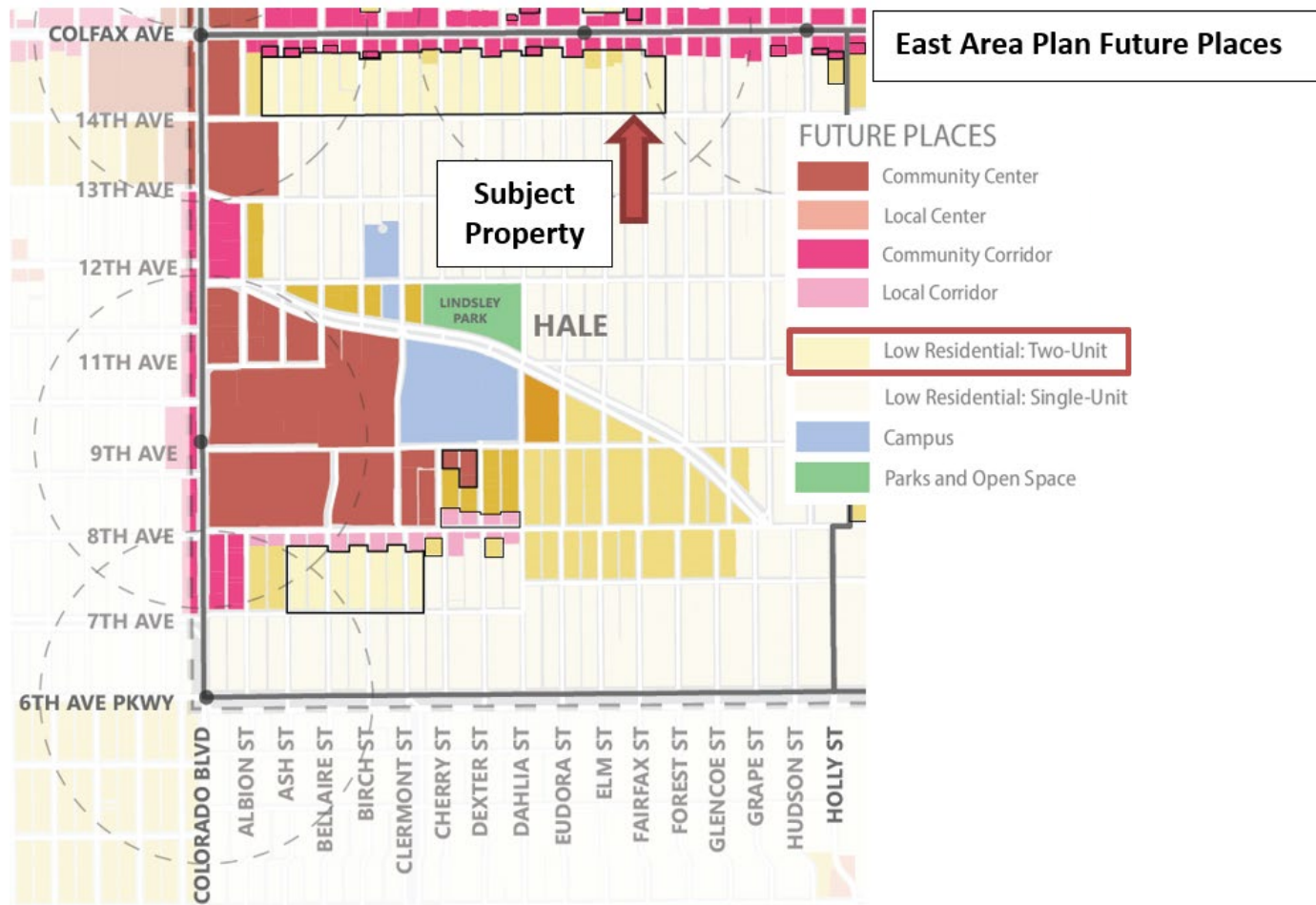
East Area Plan



East Area Plan Future
Neighborhood Context

- City and County Boundary
- Neighborhood Boundary
- Urban Center
- General Urban
- Urban
- Urban Edge
- Special District
- W-Line Station

East Area Plan



Low Residential: Two-Unit:

- This subcategory is recommended in areas where both single- and two-unit homes with accessory dwelling units are appropriate.
- **Additional primary units would only be appropriate where they already exist** or as determined through a future regulatory process to integrate missing middle housing in some locations

East Area Plan Policies



1.2.1 Vision and Community Priorities: Priority 4

- Celebrate the architectural history of East Area neighborhoods by **encouraging the preservation of existing homes** and requiring complementary design of new housing.

2.1 Land Use and Built Form: Policy L6

- Ensure East Area neighborhoods are inclusive places by **thoughtfully integrating compatibly-designed missing middle housing** and accessory dwelling units (ADUs) in appropriate locations.

2.1 Land Use and Built Form: Policy L8

- **Preserve historic buildings in residential areas.**

2.2 Economy and Housing: Policy E2

- **Preserve existing affordability** and housing quality

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Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
 - City Adopted Plan: Blueprint Denver, East Area Plan
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

Denver Zoning Code Review Criteria

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

CPD Recommendation

CPD recommends **Approval**, based on finding all review criteria have been met

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent