



Near Southeast Legislative Rezoning

Request to Rezone

- Former Chapter 59 Properties
- Centers and Corridors

Date: 11.19.2024

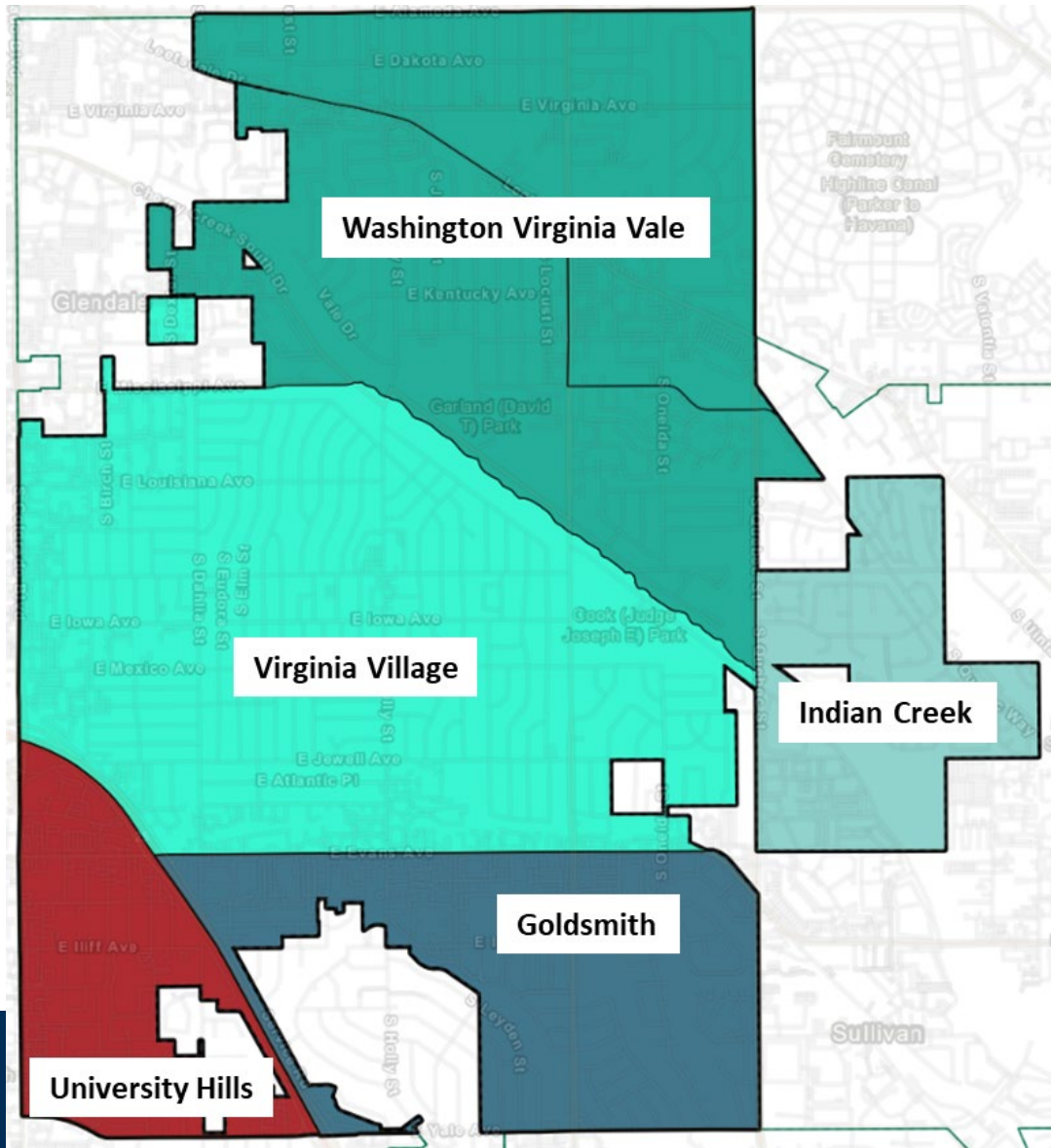
Presenters: Fran Penafiel, Joe Green, & Fritz Clauson

Presentation Agenda

- Overview
- Request/proposal
- Process
- Context by neighborhood
- Review Criteria



Near Southeast



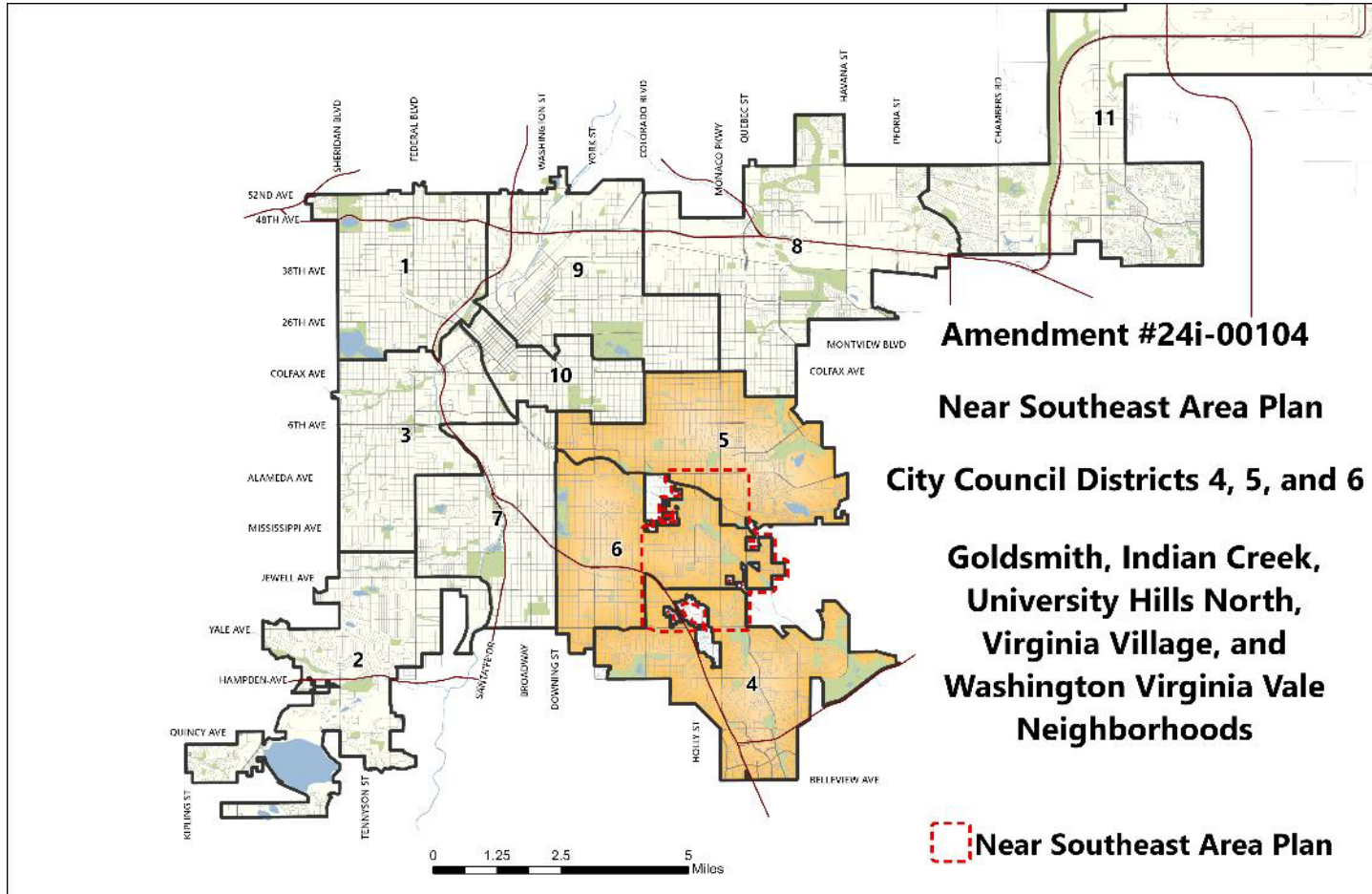
Project Overview

- Adopted by City Council in May 2023
- Outlines a vision for the neighborhoods of Goldsmith, Indian Creek, University Hills North, Virginia Village, and Washington Virginia Vale



Council Districts 4, 5 & 6

CMs Romero Campbell, Sawyer & Kashmann



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Proposal

The rezoning proposal focuses on implementing key land use recommendations:

1. Significantly improve design standards over current zoning (LU-1, LU-2)
2. Rezone Former Chapter 59 districts into the Denver Zoning Code (LU-10).

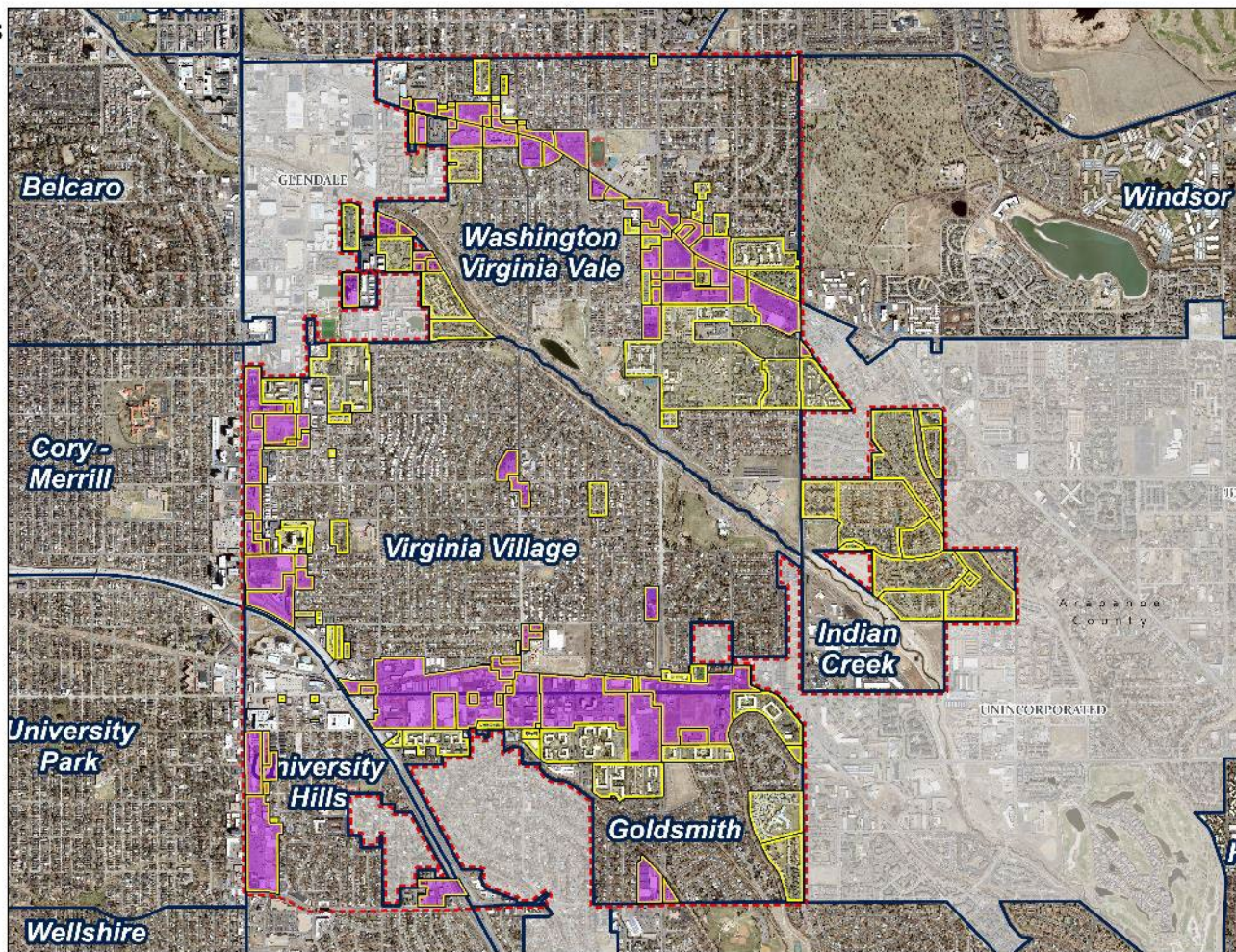
Centers and Corridors

The proposal:

Rezone Centers and Corridors into mixed use districts with stronger design standards
e.g. S-MX-A & S-MX-2x districts

Center & Corridor Areas

- Center and Corridor Areas
- Amendment #24i-00104
- Neighborhood
- Near Southeast Area Plan



Centers and Corridors

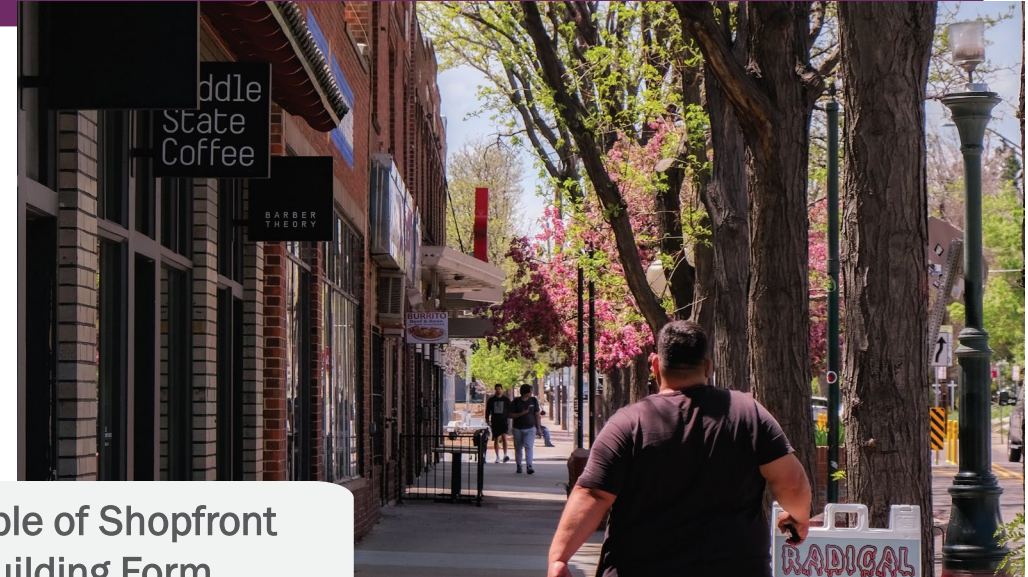
Current Rules



Example of Drive Thru Building Form

The current rules produce development that is auto-oriented and uninviting to pedestrians.

Proposed District



Example of Shopfront Building Form

The new rules would create development that is more welcoming by requiring buildings to be closer to the street, drive-thrus to be located behind buildings, and more windows.

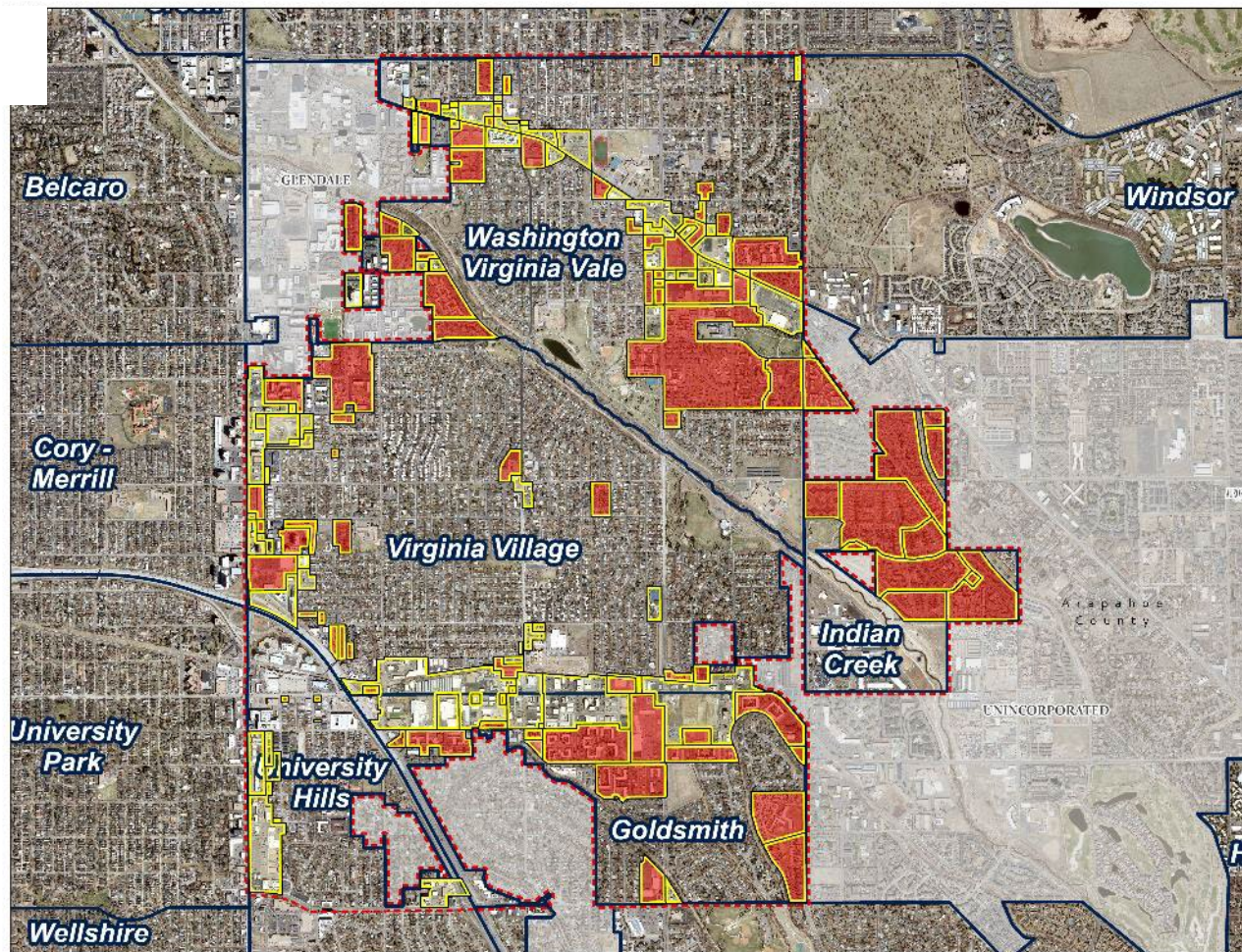
Former Chapter 59

The proposal:

Rezone properties in Former Chapter 59 to a Denver Zoning Code district that aligns with NSE plan guidance.

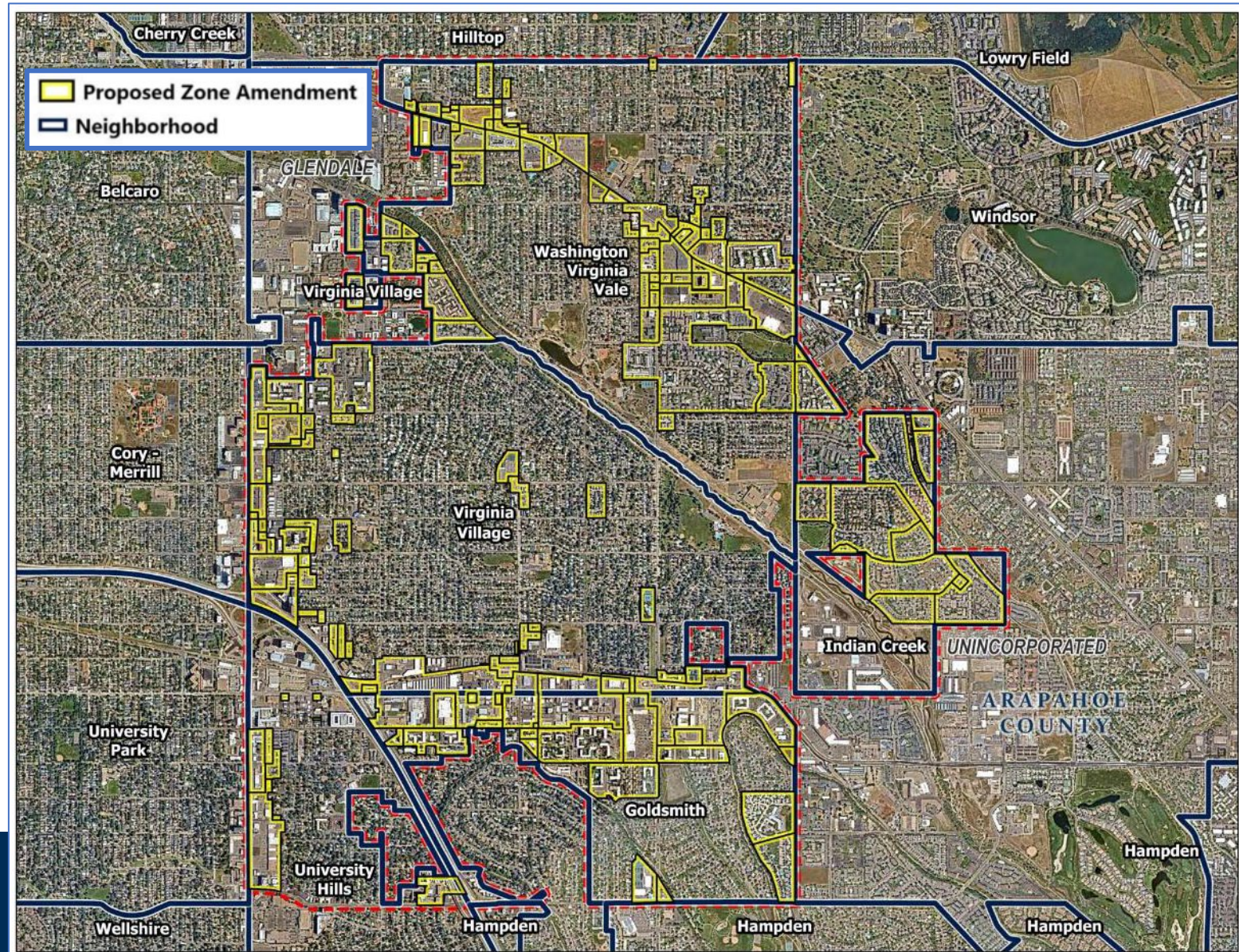
Former Chapter 59 or

- Former Chapter 59 or P
- Amendment #24i-00104
- Neighborhood
- Near Southeast Area Plan



Statistical Neighborhoods

- Goldsmith
- Indian Creek
- University Hills
- Washington Virginia Vale
- Virginia Village



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Process

- Informational Notice: 9/12/2024
- Planning Board Info Item: 10/2/24
- Planning Board Notice: 10/22/24
- Planning Board Public Hearing: 11/6/24
- **LUTI Committee: 11/19/24**
- City Council Public Hearing: 1/6/24

Public Comments

- One letter of opposition from Winston Downs Community Association (WDCA) RNO opposing the rezoning of 365 S Quebec St
- 2 letters of support
- 3 letters of opposition
- 1 comment letter

- 365 S Quebec St going through mediation

Public Engagement

- Near Southeast Area Plan process (2021-2023)
- Postcards to property owners and neighbors (March)
- Community Open House (April)
- Office hours (April/May)
- Meetings with property owners and neighbors (ongoing)
- Council District open houses and registered neighborhood organization meetings (April - October)
- Site Development Plan applicant emails (June and October)
- Rezoning application noticing (September)
- Public hearing noticing (October)

NEAR SOUTHEAST AREA PLAN
Plan implementation through rezoning

Join us to learn more about implementing the Near Southeast Area Plan recommendations through rezoning!

Community members shared their vision for pedestrian-friendly centers and corridors with active ground-floor commercial uses. Now, it is time to bring that vision to life.

Come join us for a Community Open House:
When? Tuesday April 23 from 5:30 to 7 P.M.
Where? Place Bridge Academy, 7125 Cherry Creek N Dr, Denver

- Learn about the rezoning proposal for Near Southeast
- Share your feedback and talk with a planner one-on-one

¡Únase a nosotros para obtener más información sobre la implementación de las recomendaciones del Plan del Área oeste mediante la rezonificación!

Los miembros de la comunidad compartieron su visión para calles principales amigable para los peatones con usos comerciales activos en la planta baja. Ahora es el momento de hacer realidad esa visión

Reunión a puertas abiertas:
¿Cuándo? Martes 23 de abril de las 5:30 a las 7 P.M.
¿Dónde? Place Bridge Academy, 7125 Cherry Creek N Dr, Denver

- Obtener más información sobre la propuesta de rezonificación
- Venga a compartir sus comentarios y a hablar con un planificador individualmente

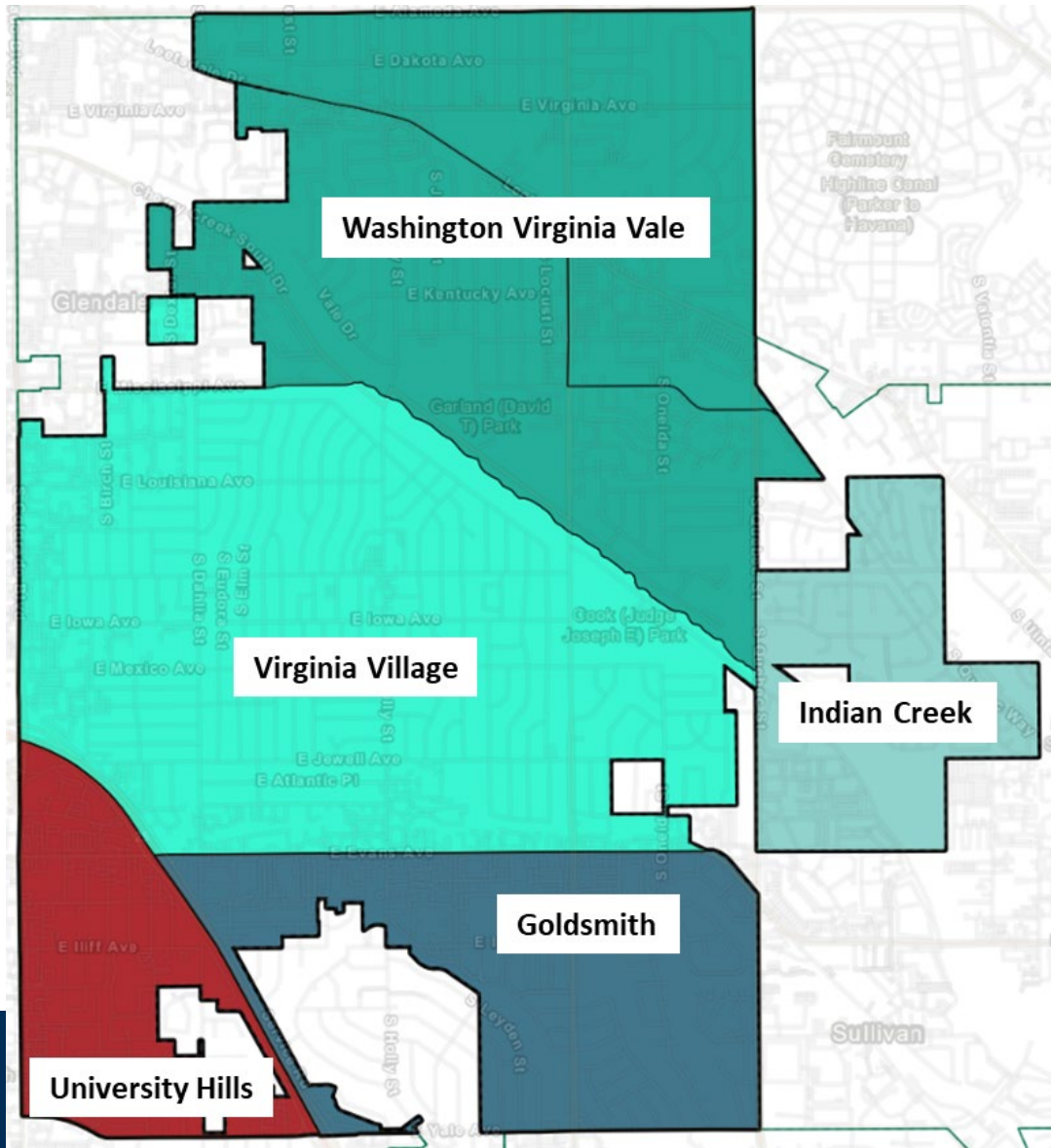
The infographic features a purple and white color scheme with a banner at the top. It includes two columns of text, one in English and one in Spanish, detailing a community open house event. At the bottom of each column is a row of small house icons.

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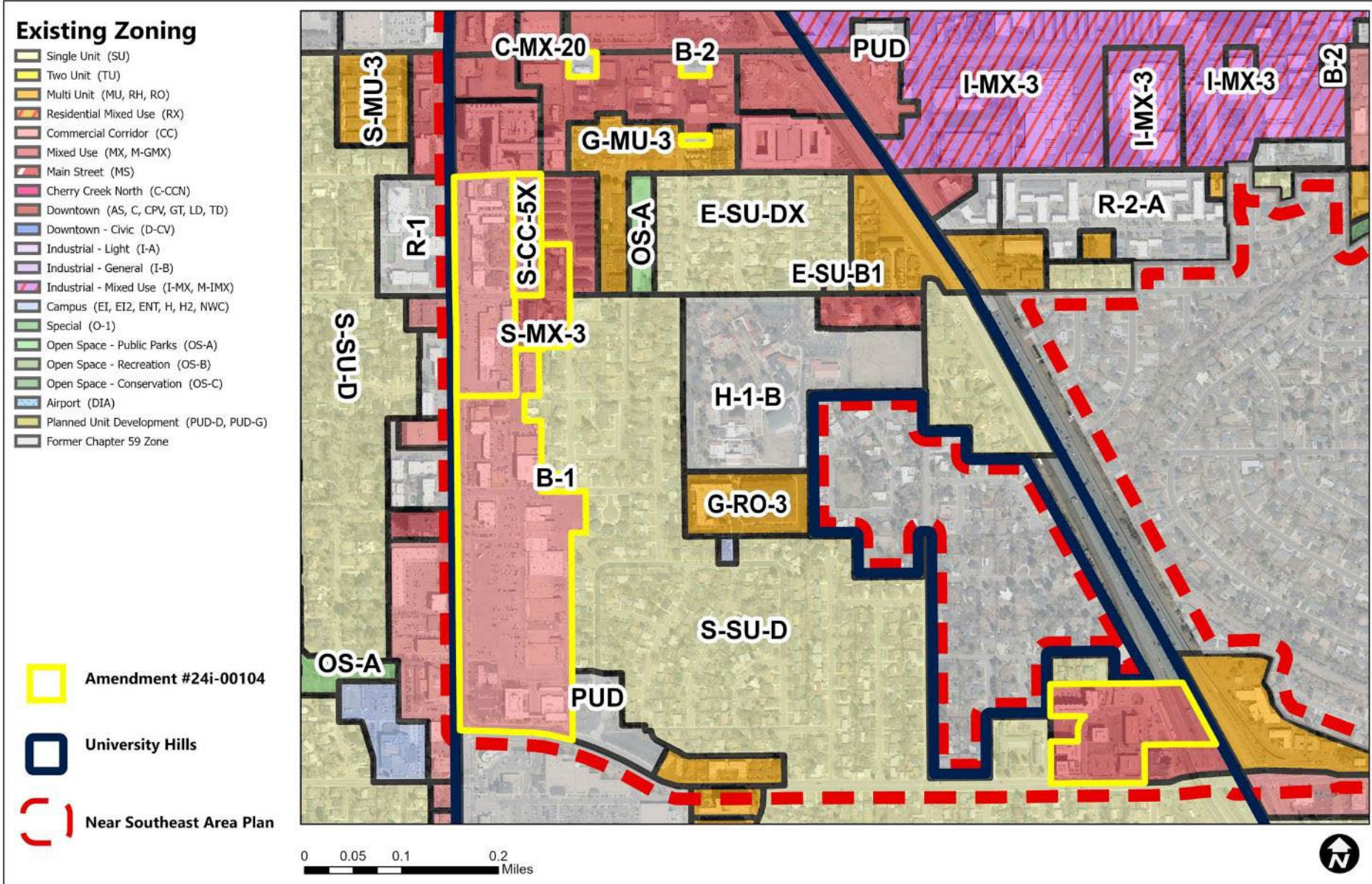
Near Southeast Neighborhoods



Zoning Overview

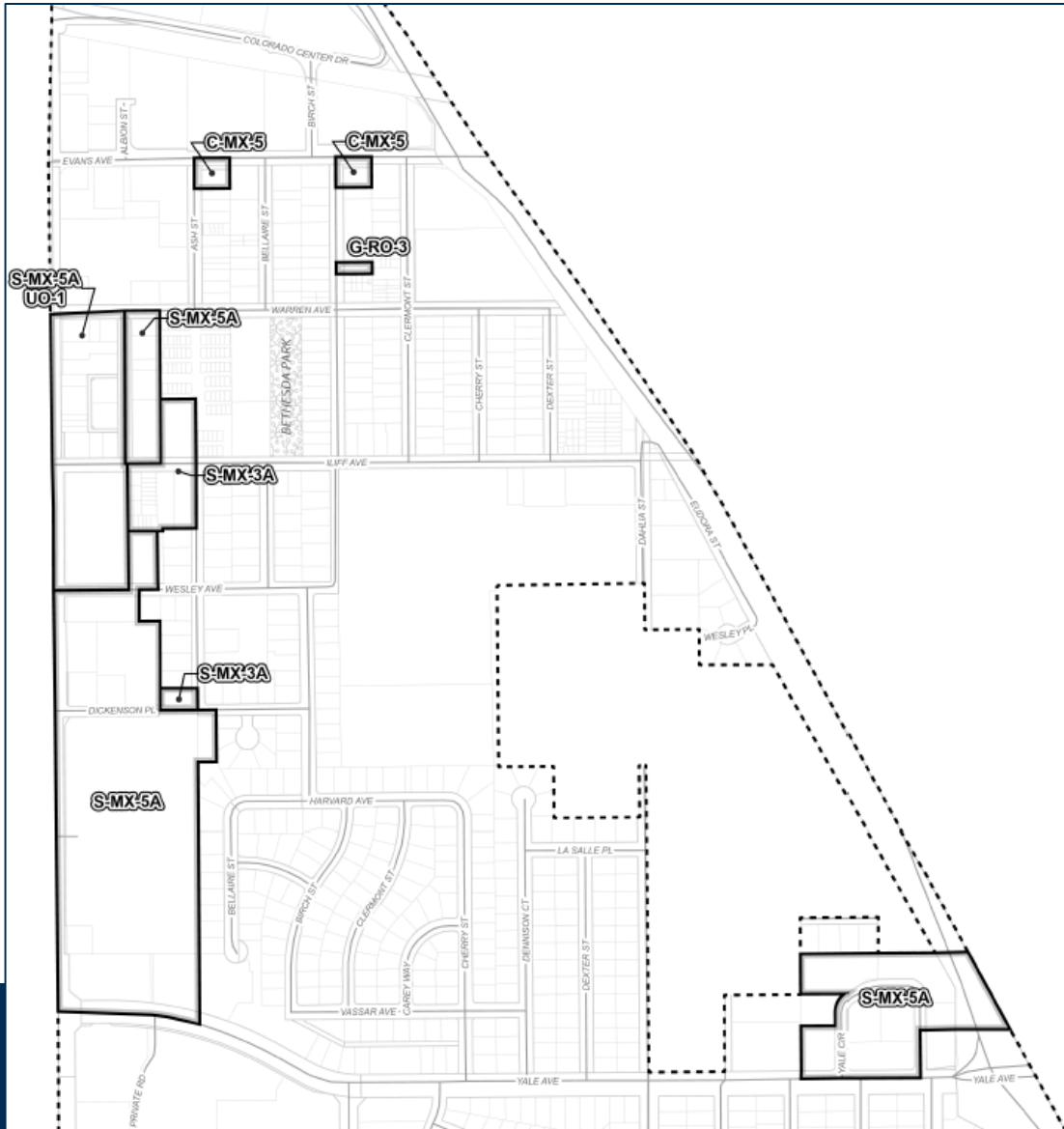
- University Hills North
- Goldsmith
- Indian Creek
- Virginia Village
- Washington Virginia Vale

Existing Zoning – University Hills



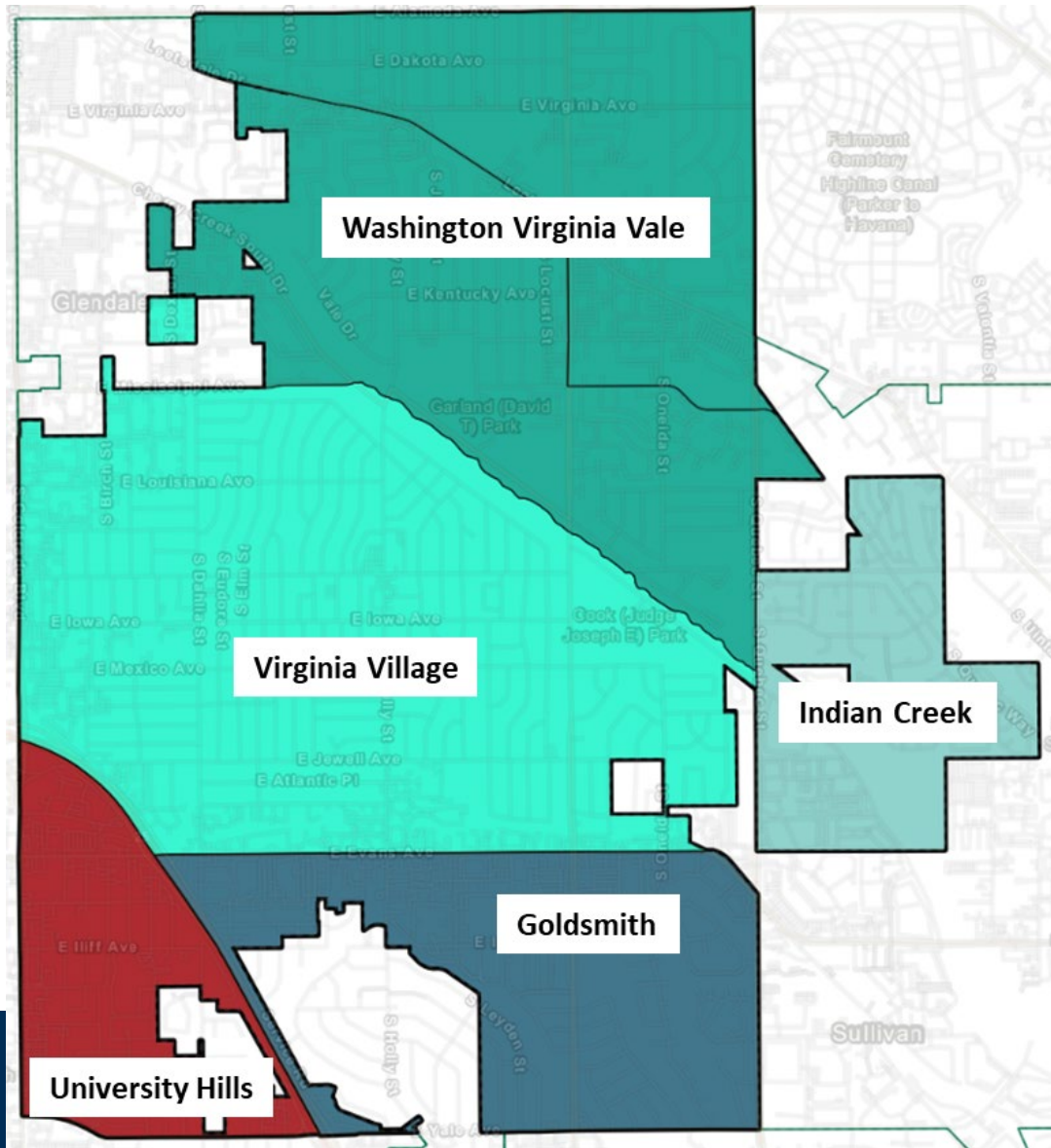
- B-1
- B-2
- S-MX-3
- S-CC-5x
- S-CC-5 U0-1, U0-2

Proposed Zoning – University Hills



- C-MX-5
- G-RO-3
- S-MX-3A
- S-MX-5A
- S-MX-5A UO-1

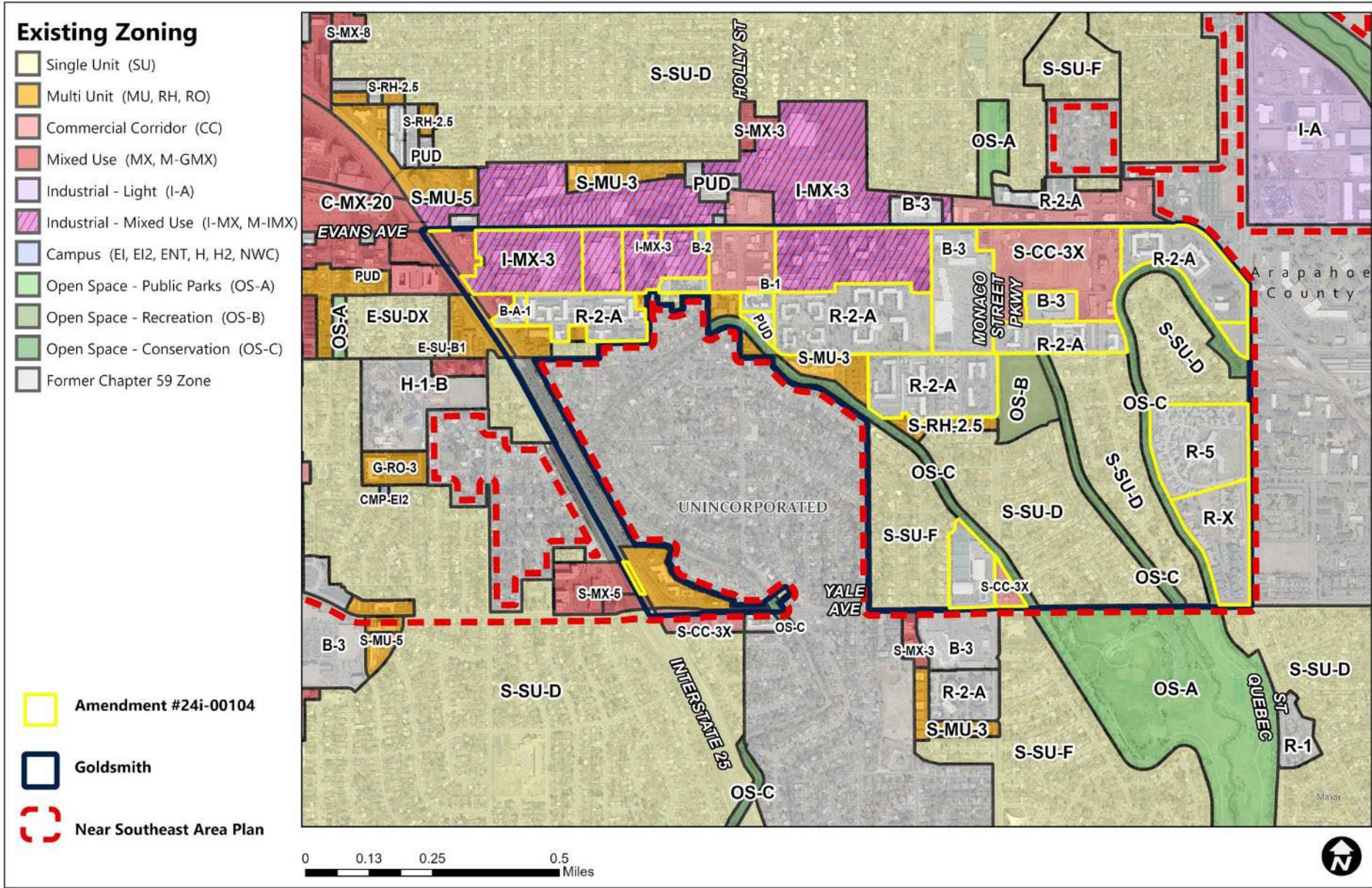
Near Southeast Neighborhoods



Zoning Overview

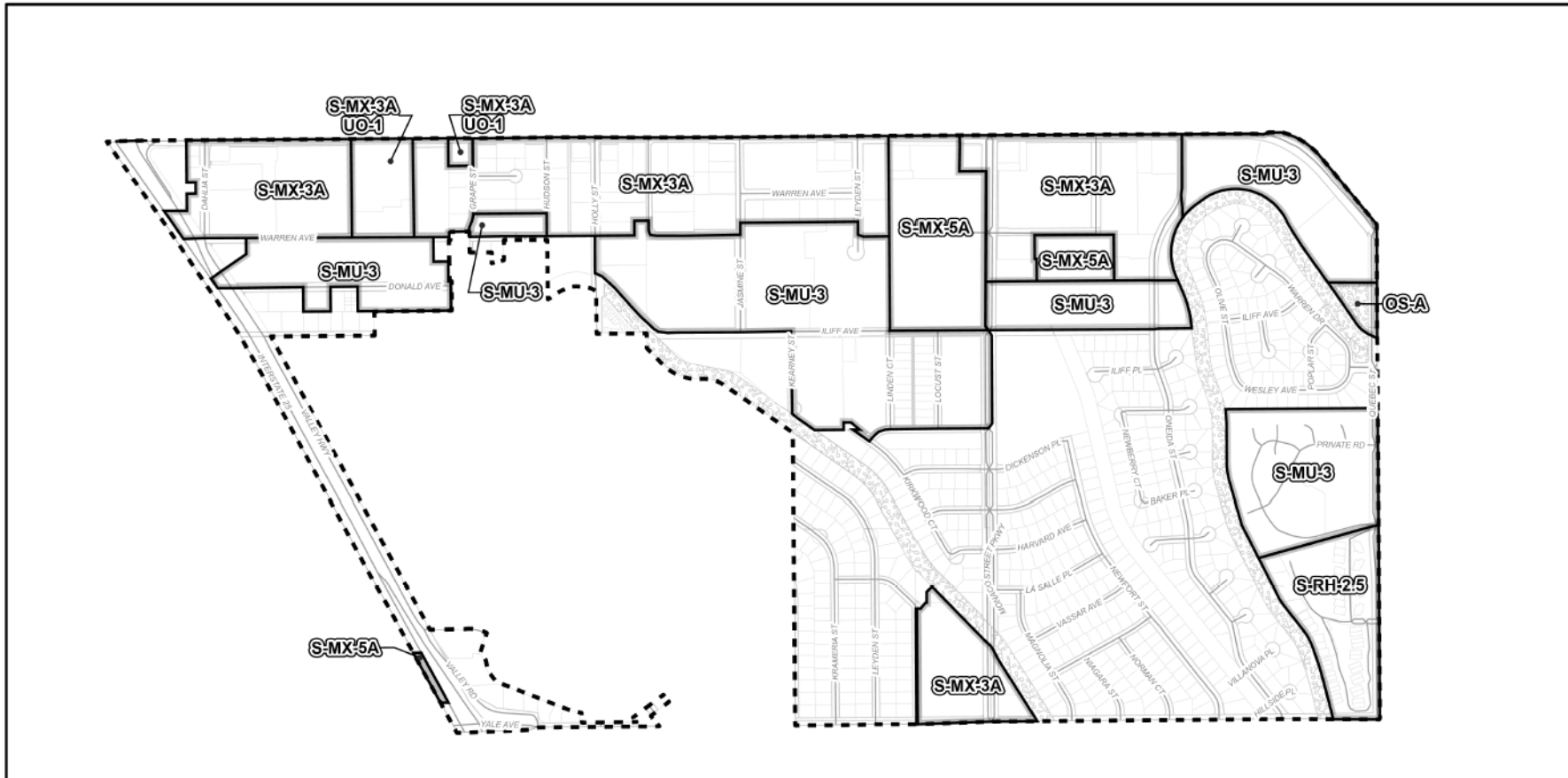
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Existing Zoning - Goldsmith



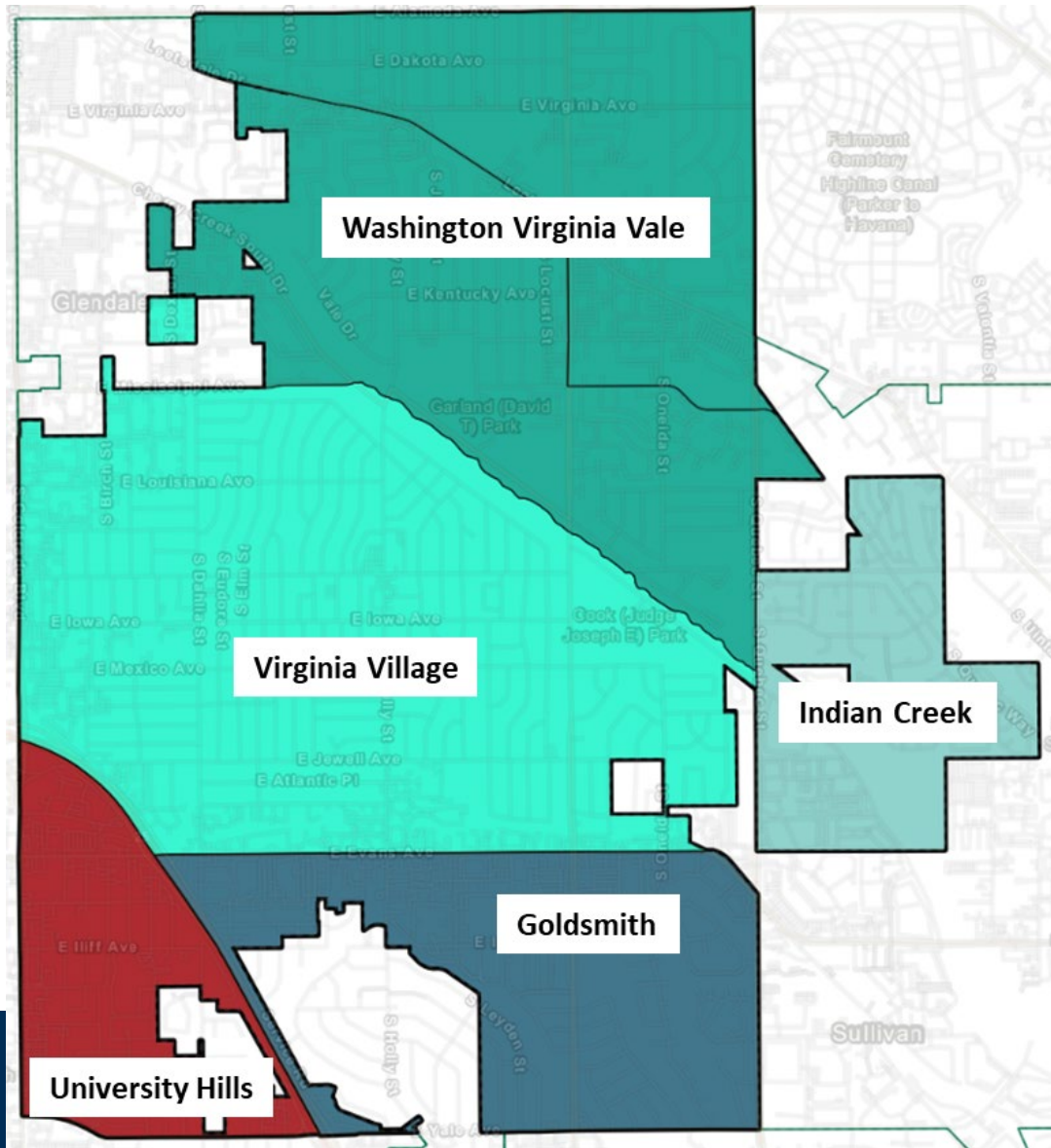
- I-MX-3
- I-MX-3 U0-1
- S-CC-3x
- B-1
- B-2
- B-3
- B-A-1
- R-2-A
- R-X
- R-5
- PUD

Proposed Zoning - Goldsmith



- S-MX-3A
- S-MX-3A UO-1
- S-MX-5A
- S-MU-3
- OS-A
- S-RH-2.5

Near Southeast Neighborhoods

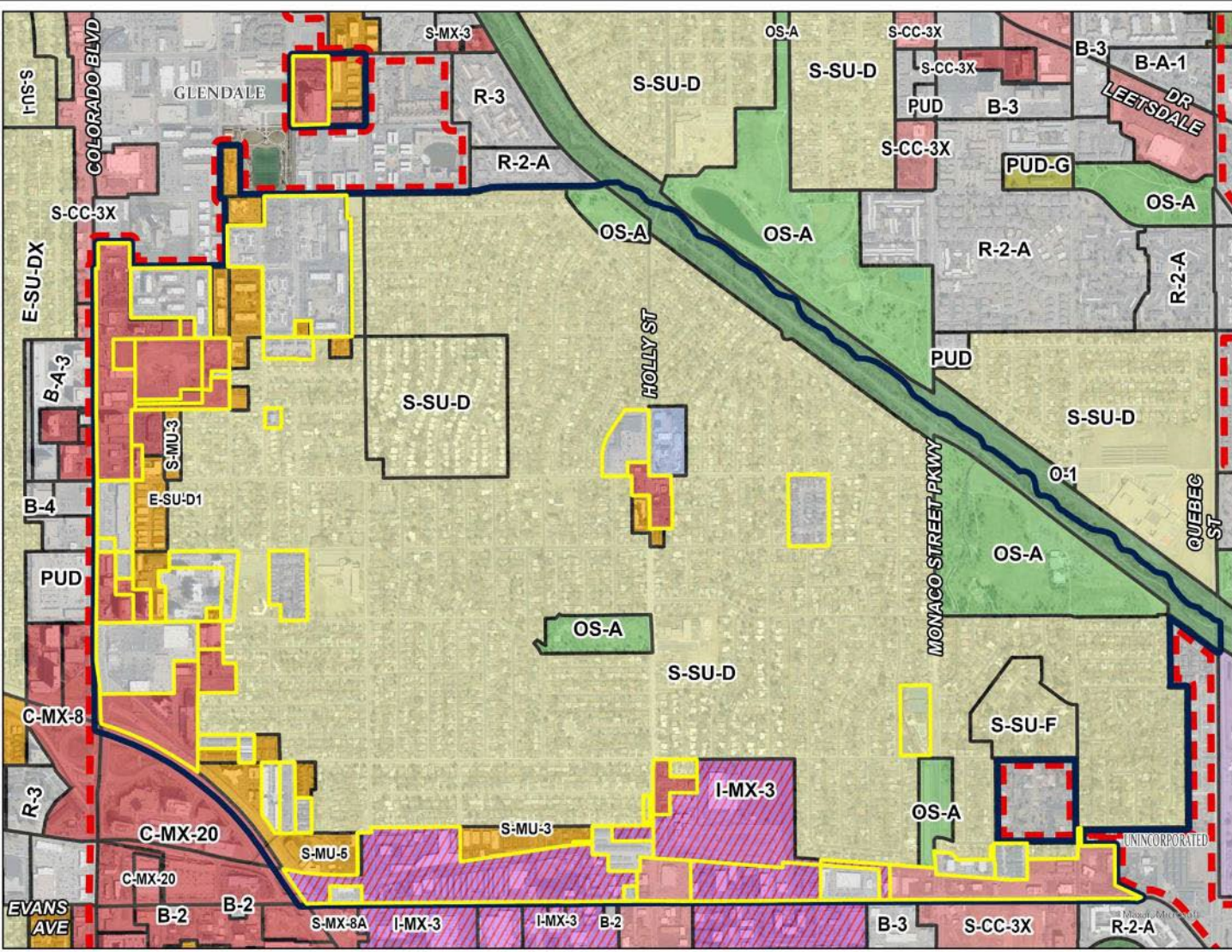


Zoning Overview

- University Hills North
- Goldsmith
- Virginia Village
- Indian Creek
- Washington Virginia Vale

Existing Zoning – Virginia Village

- Existing Zoning**
- Single Unit (SU)
 - Multi Unit (MU, RH, RO)
 - Commercial Corridor (CC)
 - Mixed Use (MX, M-GMX)
 - Industrial - Light (I-A)
 - Industrial - Mixed Use (I-MX, M-IMX)
 - Campus (EI, EI2, ENT, H, H2, NWC)
 - Special (O-1)
 - Open Space - Public Parks (OS-A)
 - Open Space - Recreation (OS-B)
 - Open Space - Conservation (OS-C)
 - Planned Unit Development (PUD-D, PUD-G)
 - Former Chapter 59 Zone

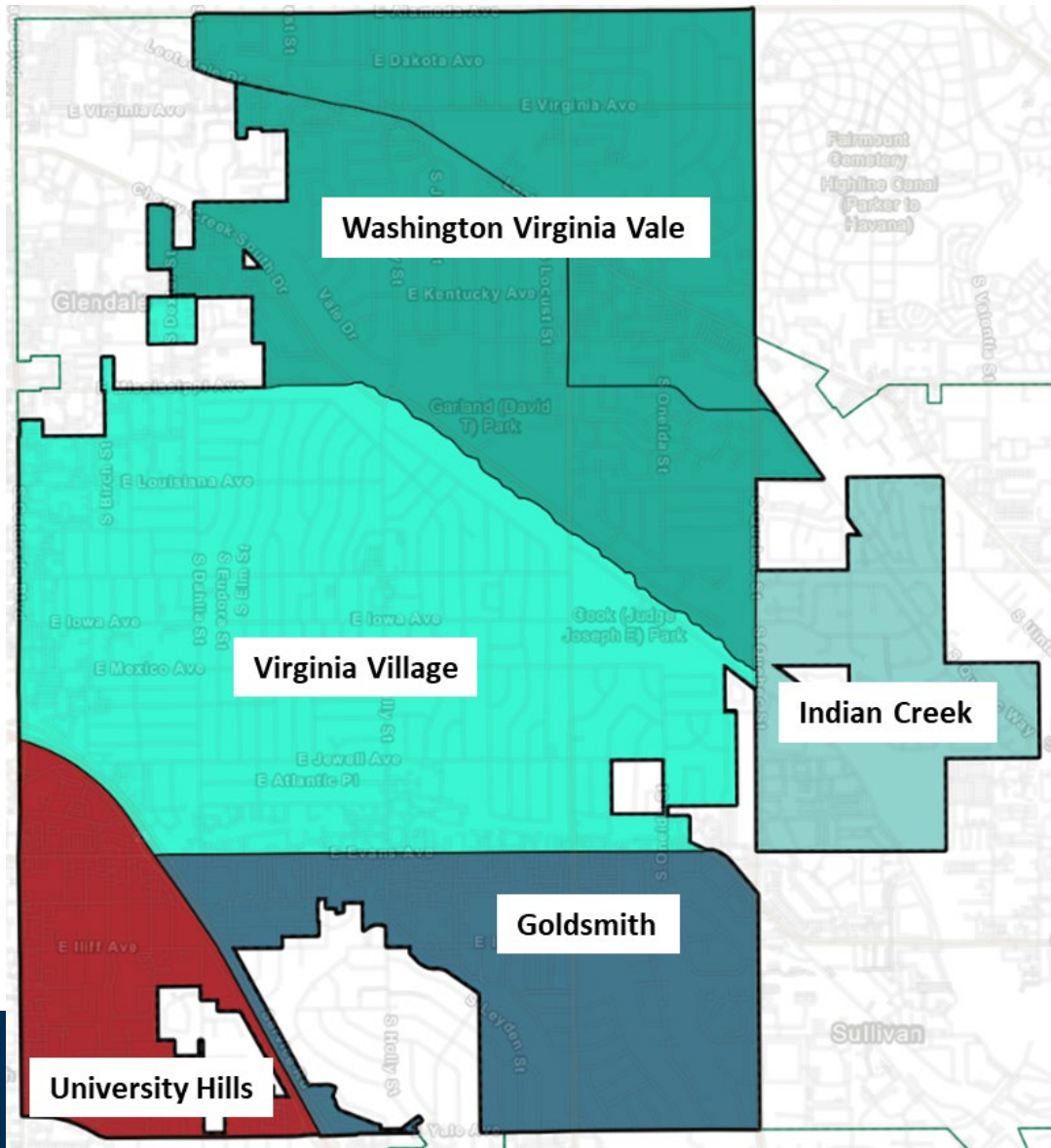


- Amendment #24i-00104
- Virginia Village
- Near Southeast Area Plan

- R-1
- R-2-A
- R-3 U0-3
- R-4
- B-3
- B-4
- PUD
- I-MX-3
- S-SU-D
- S-MX-2
- S-MX-3
- S-MX-5
- S-MX-5 U0-1, U0-2
- S-MX-8
- S-MX-8 U0-2
- S-MX-12
- CMP- EI2



Near Southeast Neighborhoods

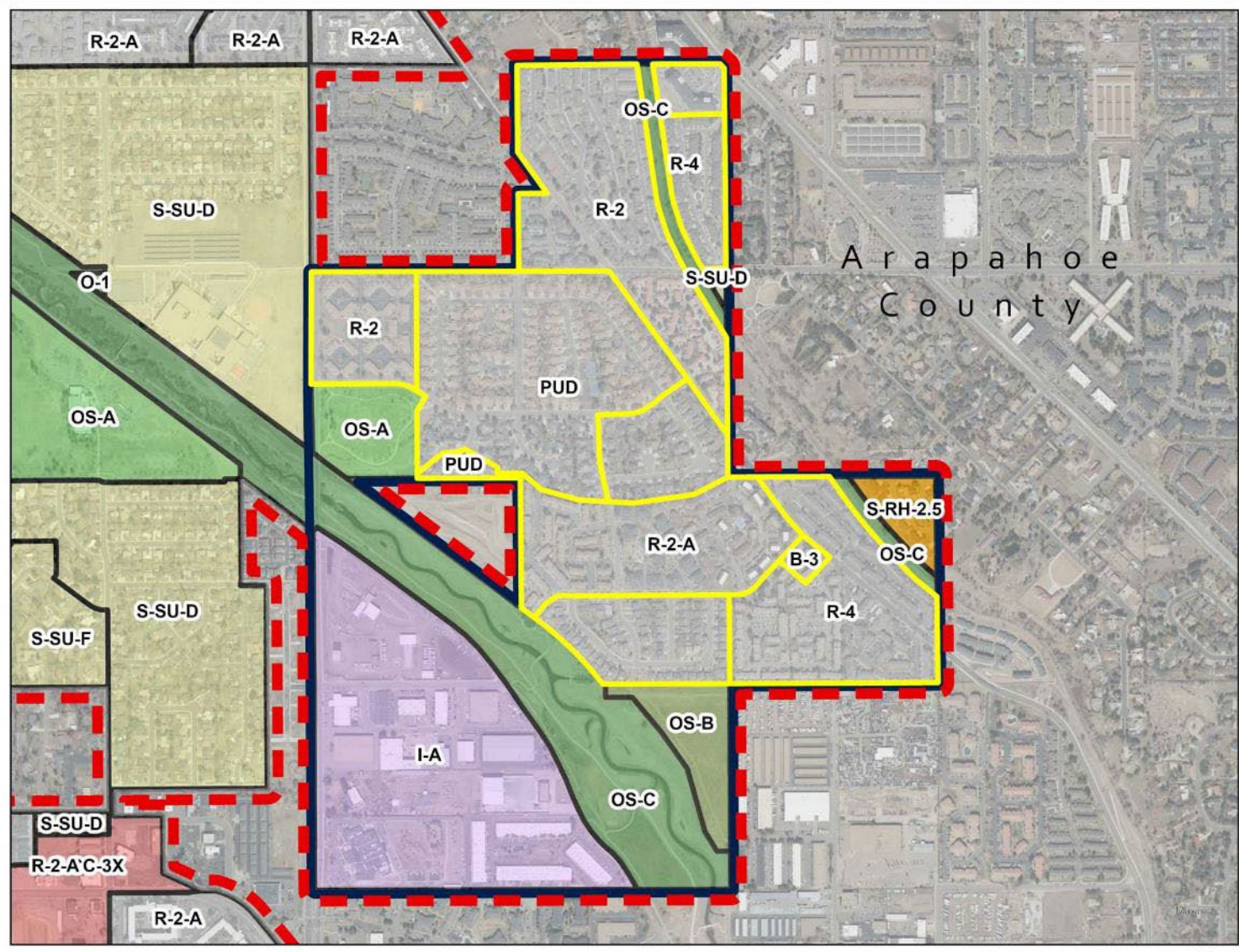


Zoning Overview

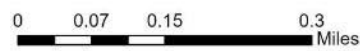
- University Hills North
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Existing Zoning – Indian Creek

- ### Existing Zoning
- Single Unit (SU)
 - Two Unit (TU)
 - Multi Unit (MU, RH, RO)
 - Residential Mixed Use (RX)
 - Commercial Corridor (CC)
 - Mixed Use (MX, M-GMX)
 - Main Street (MS)
 - Cherry Creek North (C-CCN)
 - Downtown (AS, C, CPV, GT, LD, TD)
 - Downtown - Civic (D-CV)
 - Industrial - Light (I-A)
 - Industrial - General (I-B)
 - Industrial - Mixed Use (I-MX, M-IMX)
 - Campus (EI, EI2, ENT, H, H2, NWC)
 - Special (O-1)
 - Open Space - Public Parks (OS-A)
 - Open Space - Recreation (OS-B)
 - Open Space - Conservation (OS-C)
 - Airport (DIA)
 - Planned Unit Development (PUD-D, PUD-G)
 - Former Chapter 59 Zone



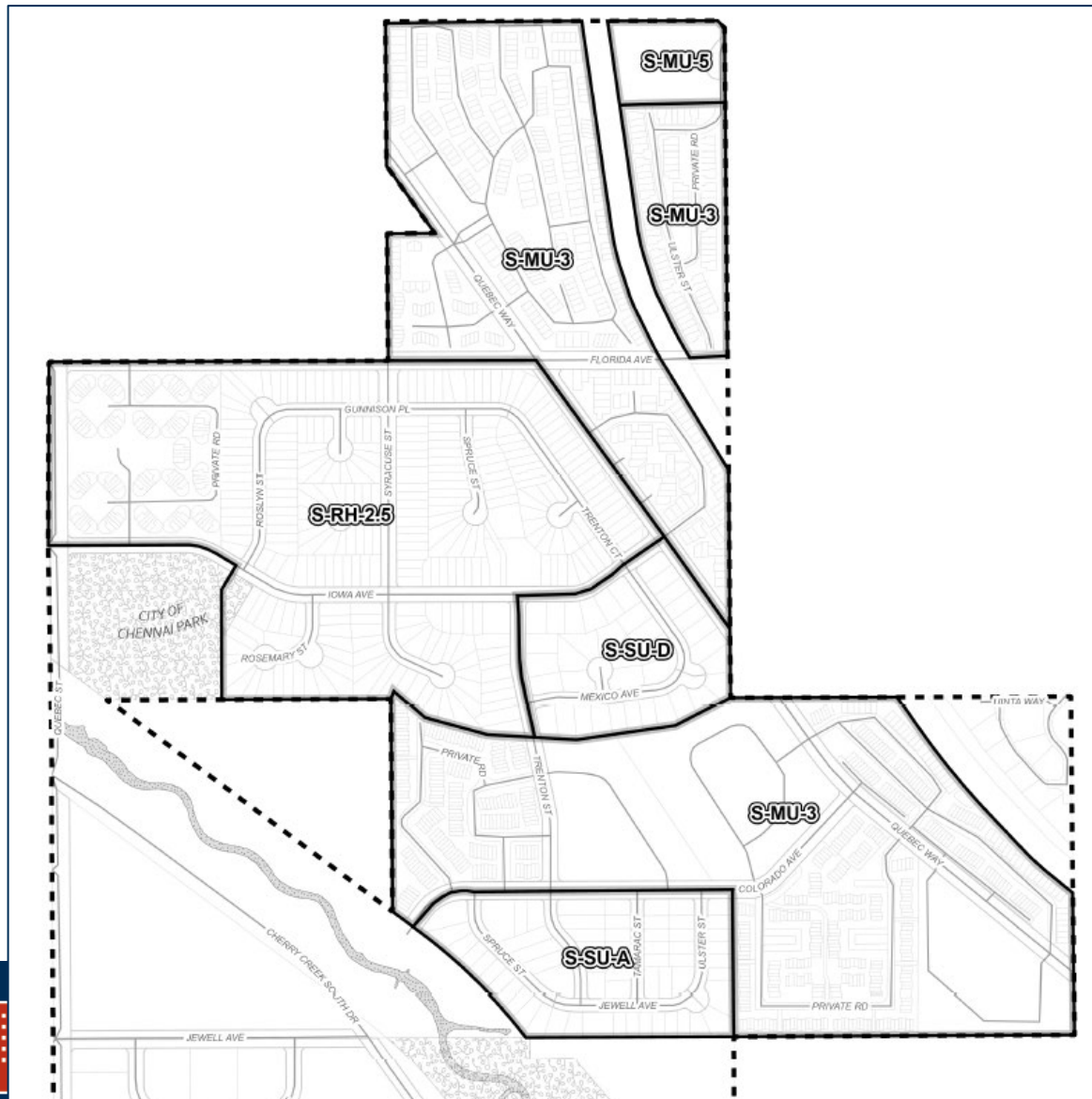
- Amendment #24i-00104
- Indian Creek
- Near Southeast Area Plan



- R-2
- R-2-A
- R-4
- B-3
- PUD

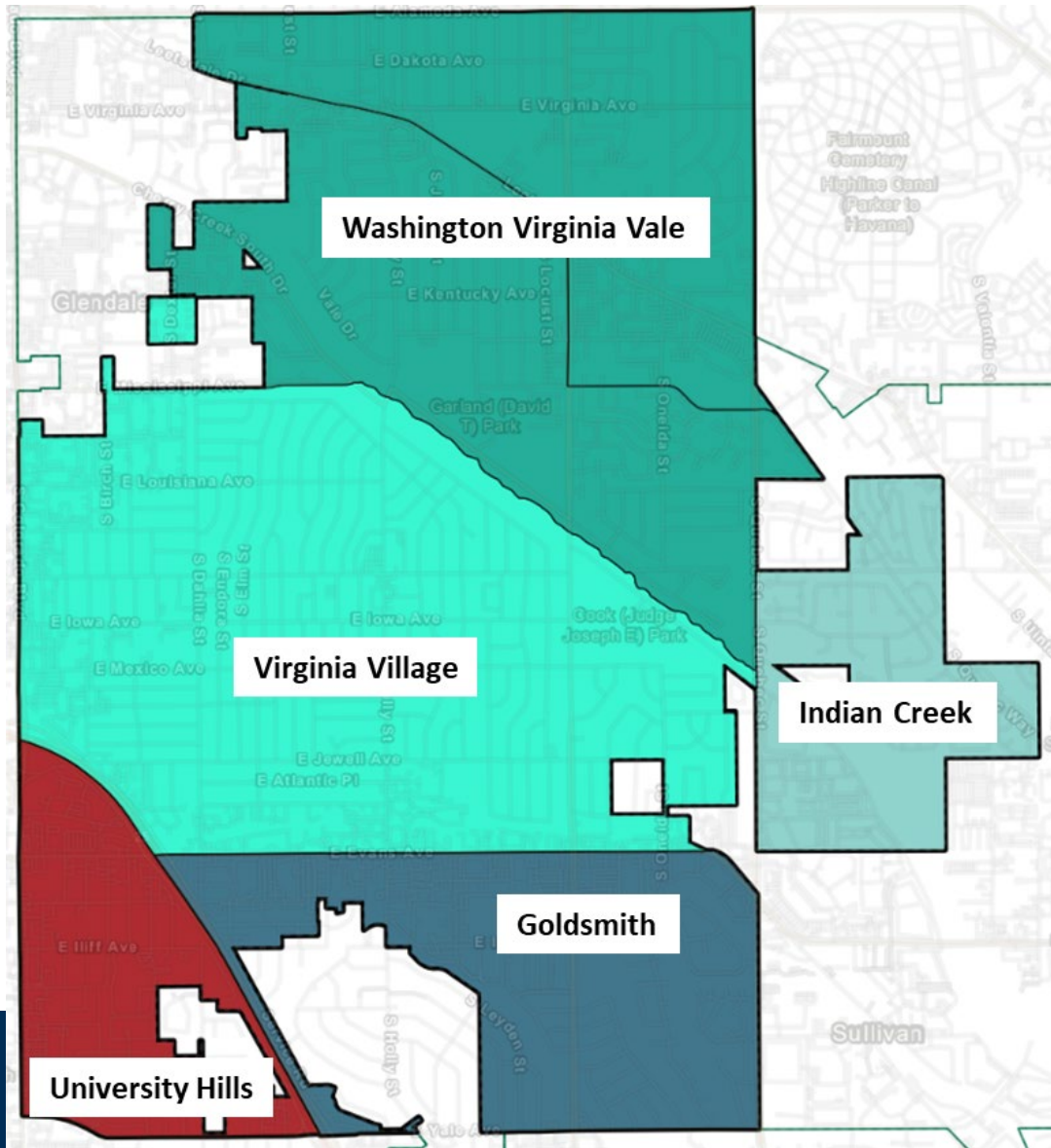


Proposed Zoning – Indian Creek



- S-SU-A
- S-SU-D
- S-RH-2.5
- S-MU-3
- S-MU-5

Near Southeast Neighborhoods

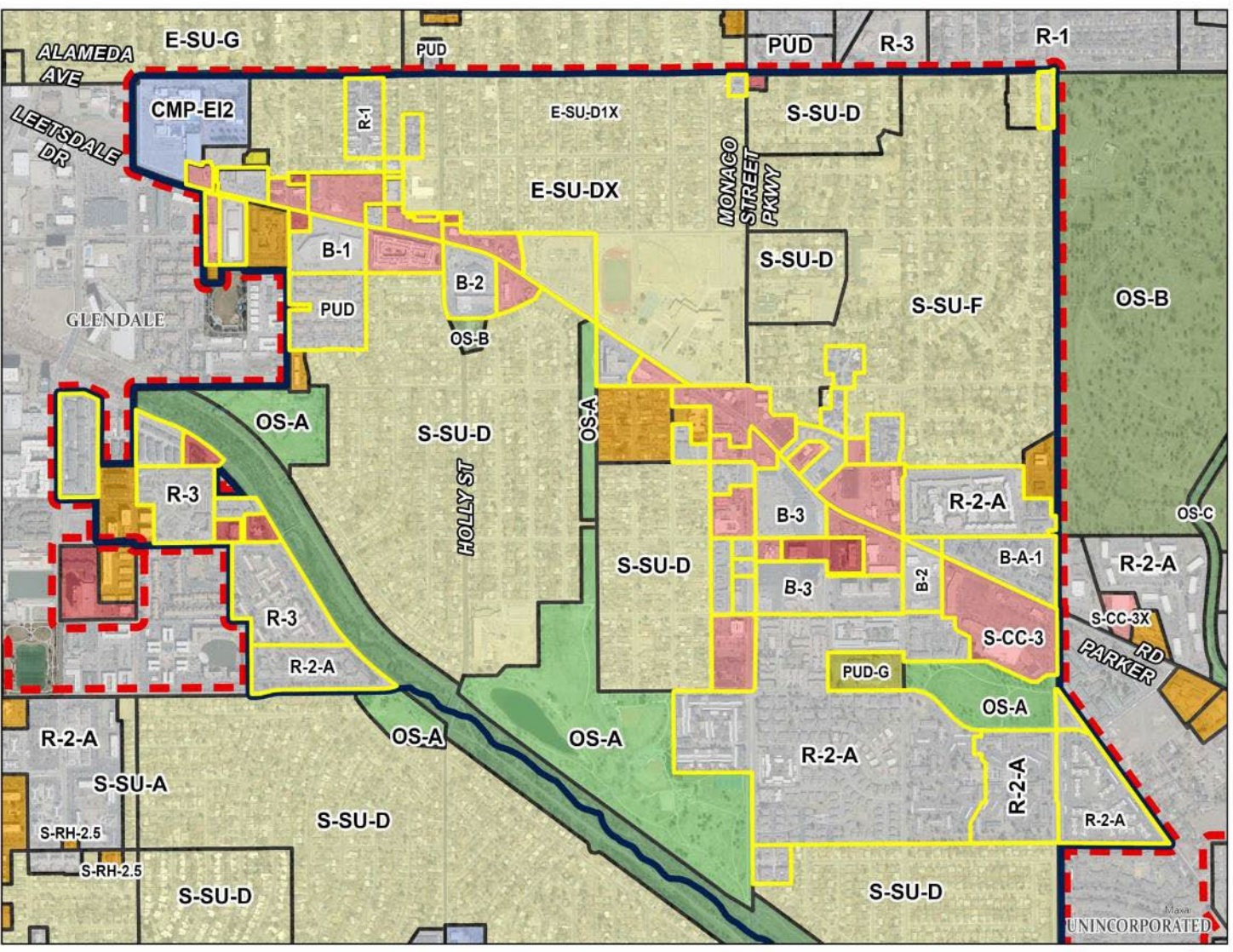


Zoning Overview

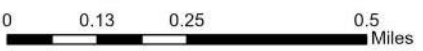
- University Hills North
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Existing Zoning – Washington Virginia Vale

- Existing Zoning**
- Single Unit (SU)
 - Two Unit (TU)
 - Multi Unit (MU, RH, RO)
 - Commercial Corridor (CC)
 - Mixed Use (MX, M-GMX)
 - Campus (EI, EI2, ENT, H, H2, NWC)
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- Amendment #24i-00104
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- R-1
- R-2-A
- R-3 UO-3
- R-4
- B-1
- B-2
- B-3
- B-4
- B-4 UO-1, UO-2
- PUD
- E-SU-Dx
- E-MX-2
- E-MX-3
- E-CC-3
- E-CC-3x
- E-CC-3 UO-1, UO-2
- S-CC-3
- S-CC-3 UO-1, UO-2
- S-CC-3x
- S-MX-8

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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

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver*
- *Near Southeast Area Plan*

2. Uniformity of District Regulations

3. Further Public Health, Safety and Welfare

Comprehensive Plan 2040

Equitable, Affordable and Inclusive:

- Goal 1 Strategy A – Increase development of housing units close to transit and mixed use developments (p. 28).
- Goal 7, Strategy B - Prioritize infrastructure improvements that allow for residents of all abilities to access and live in any neighborhood. (p. 30)

Environmentally Resilient:

- Goal 8, Strategy A - Promote infill development where infrastructure and services are already in place (p.54).
- Goal 8, Strategy B - Encourage mixed-use communities where residents can live, work and play in their own neighborhoods (p. 54)
- Goal 8, Strategy C - Focus growth by transit stations and along high- and medium-capacity transit corridors. (p. 54)

Strong and Authentic Neighborhoods:

- Goal 1, Strategy A - Build a network of well-connected, vibrant, mixed-use centers and corridors (p. 34)
- Goal 1, Strategy C - Ensure neighborhoods are safe, accessible and well-connected for all modes (p. 34)
- Goal 2, Strategy C - Create people-oriented places that embrace community character with thoughtful transitions, aspirational design and an engaging public realm (p. 34)
- Goal 2, Strategy D - Use urban design to contribute to economic viability, public health, safety, environmental well-being, neighborhood culture, and quality of life (p. 34)

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
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2. Uniformity of District Regulations

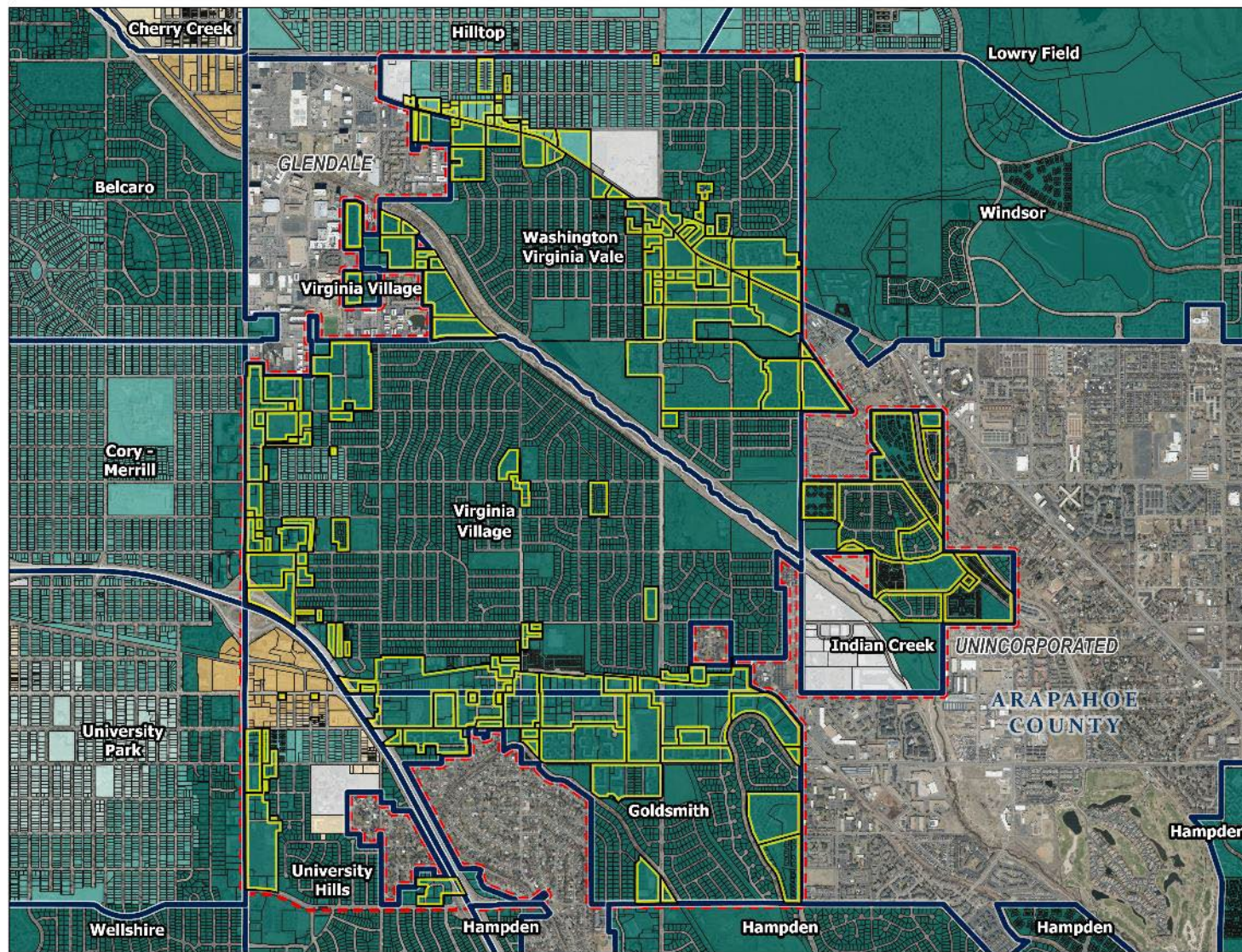
3. Further Public Health, Safety and Welfare

Blueprint Denver 2019 – Neighborhood Context

Blueprint Denver

Future Neighborhood Context

- SUBURBAN
- URBAN EDGE
- URBAN
- GENERAL URBAN
- URBAN CENTER
- SPECIAL DISTRICT



Suburban: Range of uses from single-unit and multi-unit residential to commercial corridors and center

Urban Edge: Contains elements of the suburban and urban contexts. Small multi-unit residential and commercial areas are typically embedded in 1-unit and 2-unit residential areas

General Urban: Predominantly multi-unit structures. 1 and 2-unit residential and low scale mixed-use embedded within multi-unit areas

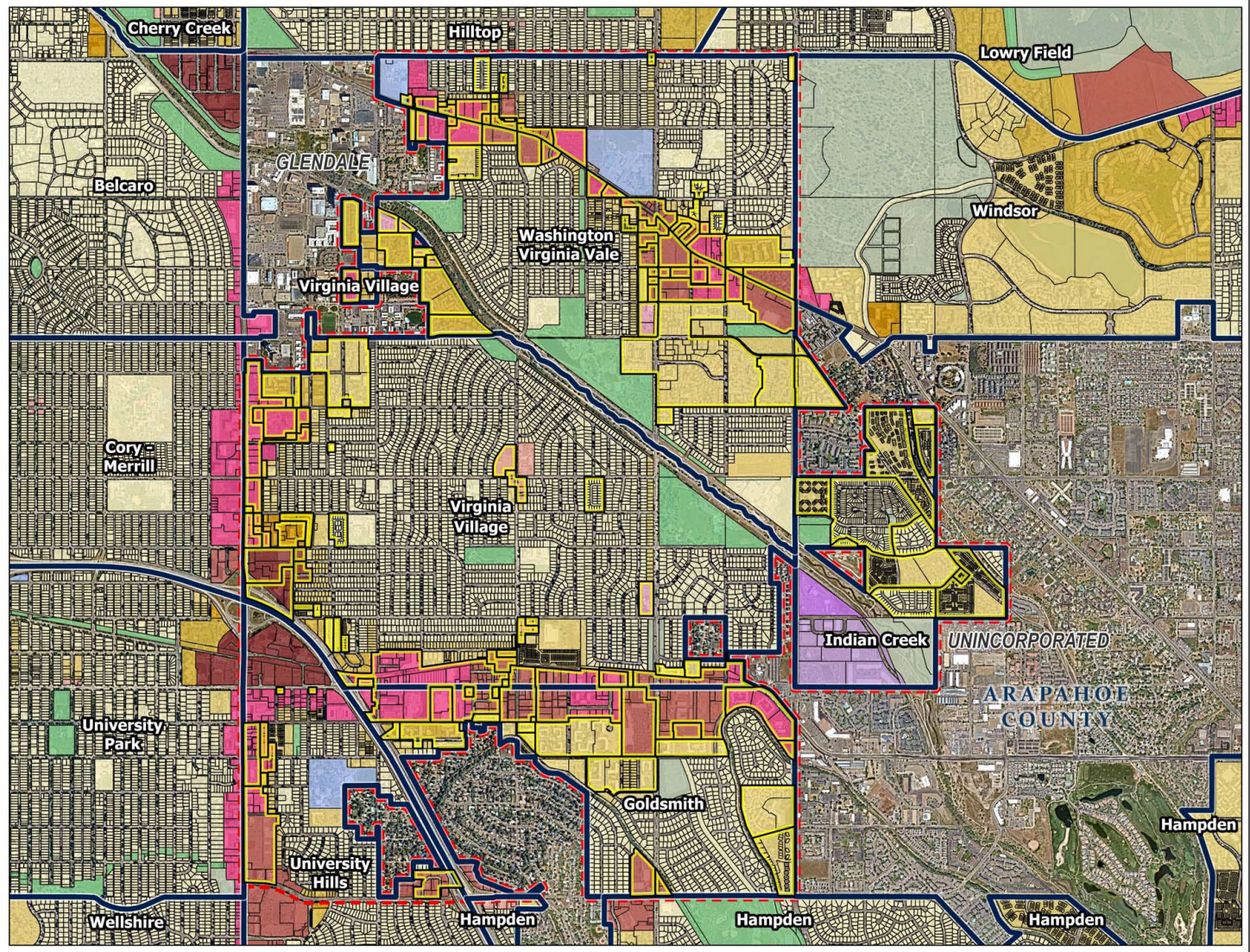
Urban Center: High mix of uses throughout the area, with multi-unit residential typically in multi-story, mixed-use forms

Blueprint Denver 2019 – Future Places

Blueprint Denver

Future Places

- Local Center
- Community Center
- Regional Center
- Local Corridor
- Community Corridor
- High
- High-Medium
- Low-Medium
- Low
- Campus
- Value Manufacturing
- Innovation/Flex
- Other Park and Open Space
- Public Park and Open Space



Proposed Zone Amendment
 Neighborhood
 0 0.35 0.7 1.4 Miles

Corridor and Centers: Mixed-use places of different scales, oriented along a street (Corridor) or shared space(s) (Center)

“Centers should be consistent with the character of the surrounding area in scale and design. They should have an active street level presence and provide a mix of uses, including retail and dining” p.194

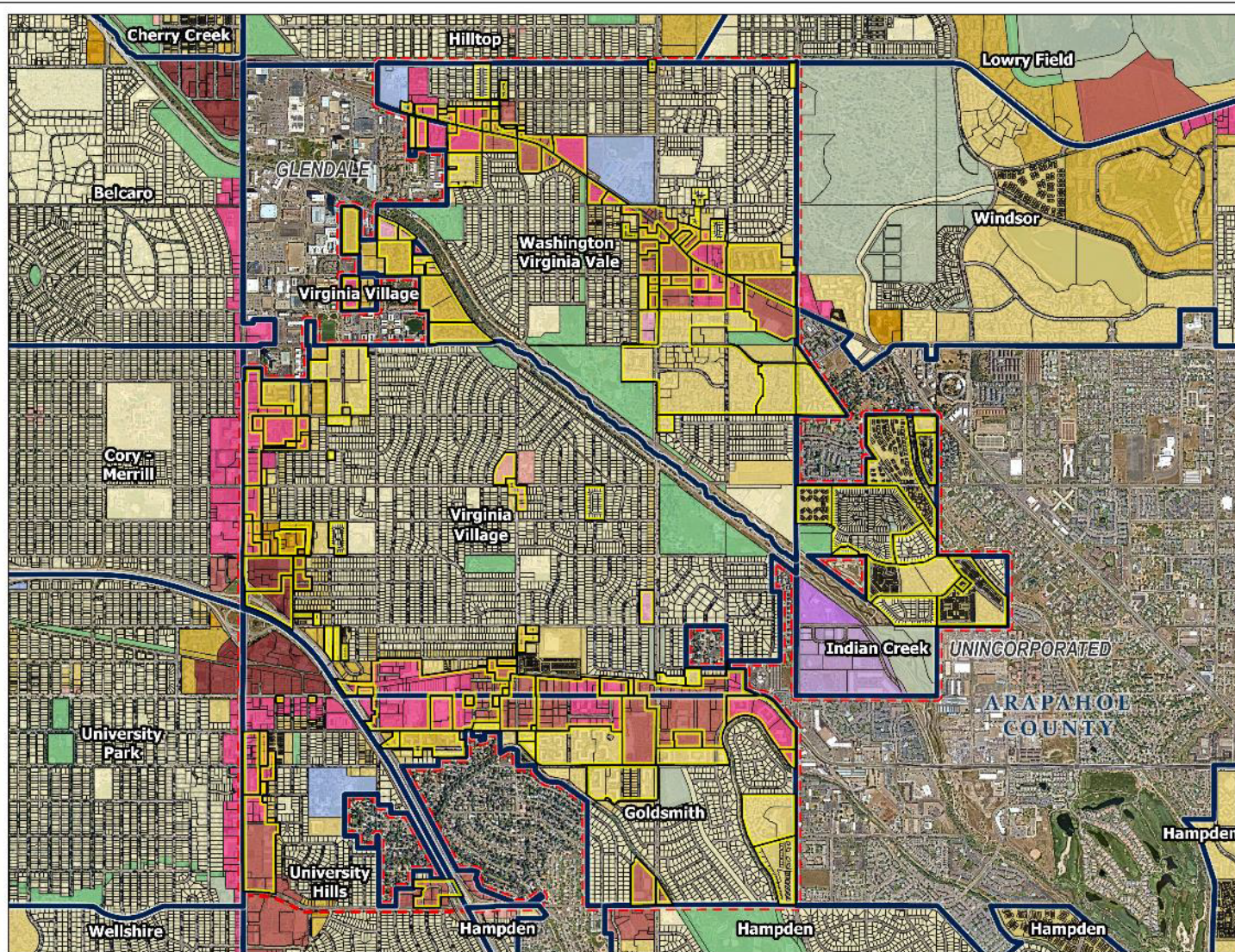
“Corridors should be consistent with the character of the surrounding area in scale and design. They should have an active street level presence and provide a mix of uses” (p. 196).

Blueprint Denver 2019 – Future Places

Blueprint Denver

Future Places

- Local Center
- Community Center
- Regional Center
- Local Corridor
- Community Corridor
- High
- High-Medium
- Low-Medium
- Low
- Campus
- Value Manufacturing
- Innovation/Flex
- Other Park and Open Space
- Public Park and Open Space



Low, Low-Medium, High-Medium and High Residential Future Places:

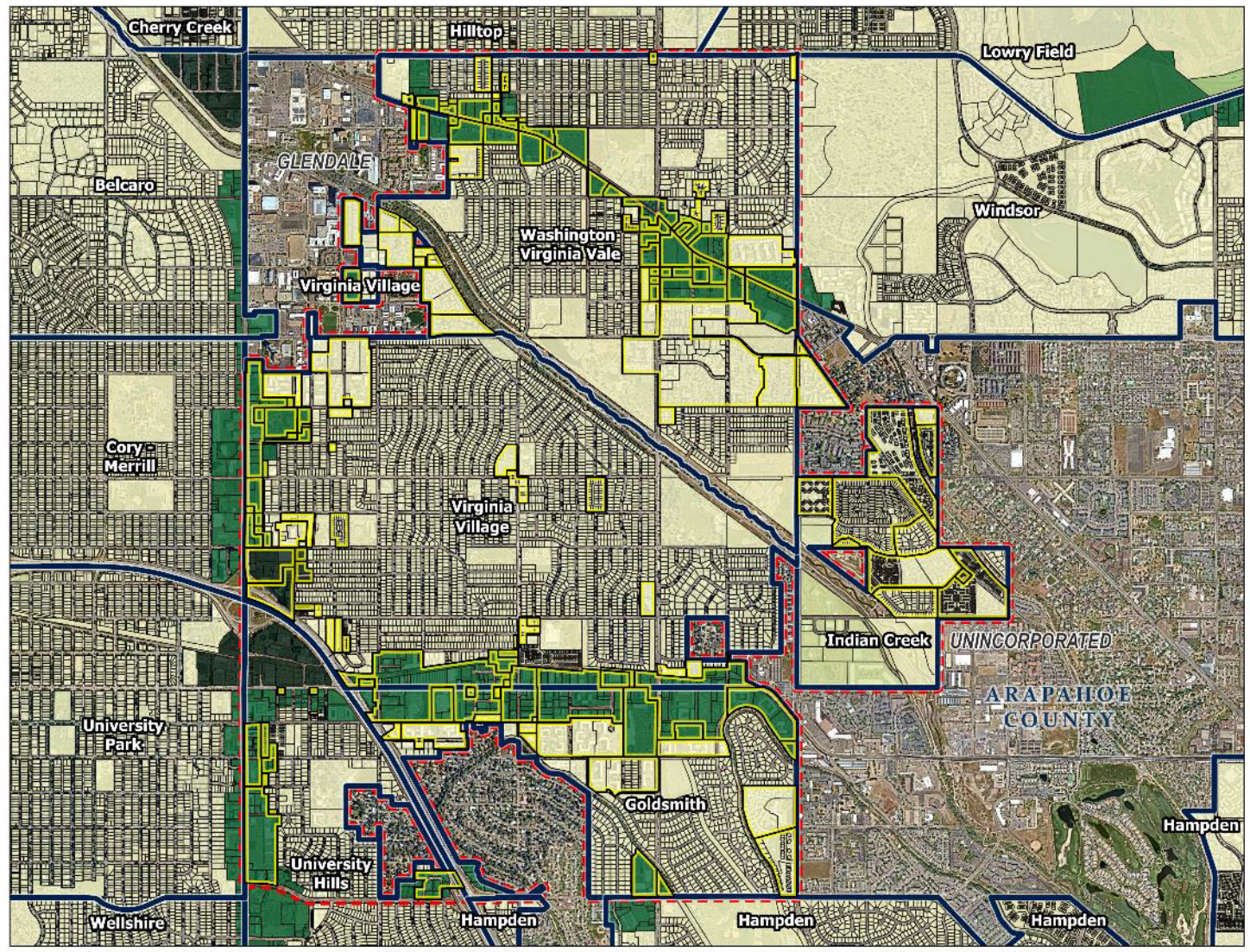
“Although these areas are predominately residential, they are supported by a variety of compatible embedded uses needed for a complete neighborhood such as schools, parks and commercial/retail uses” (p. 198).

Blueprint Denver 2019

Blueprint Denver

Growth Strategy

- Regional centers
- Community centers and corridors
- Greenfield residential areas
- Districts
- All other areas of the city



Proposed Zone Amendment
Neighborhood

0 0.35 0.7 1.4 Miles

Community Centers and Corridors: 25% of new housing and 20% of new jobs

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

Blueprint Denver – Equity Analysis

Blueprint Denver Contains Three Major Equity Concepts

- Integrating these concepts into planning and implementation will help to create a more equitable Denver.



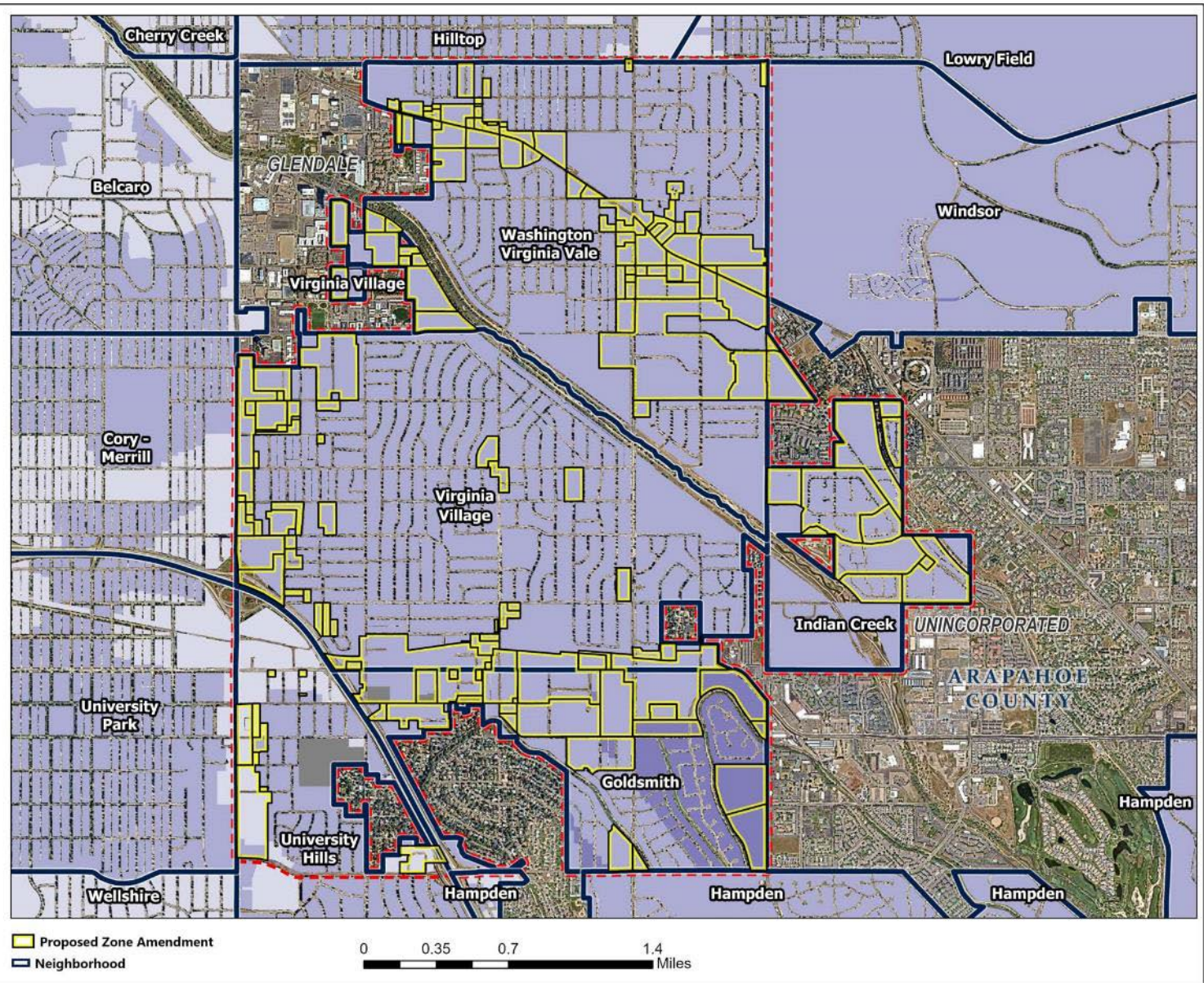
Blueprint Denver – Equity Analysis

Access to Opportunity

- Generally average Access to Opportunity
- Less access to fresh food and transit
- More access to centers and corridors, access to parks and healthcare

Blueprint Denver
Access to Opportunity

- ≤ 3
- ≤ 4
- ≤ 5
- No Values



Blueprint Denver – Equity Analysis

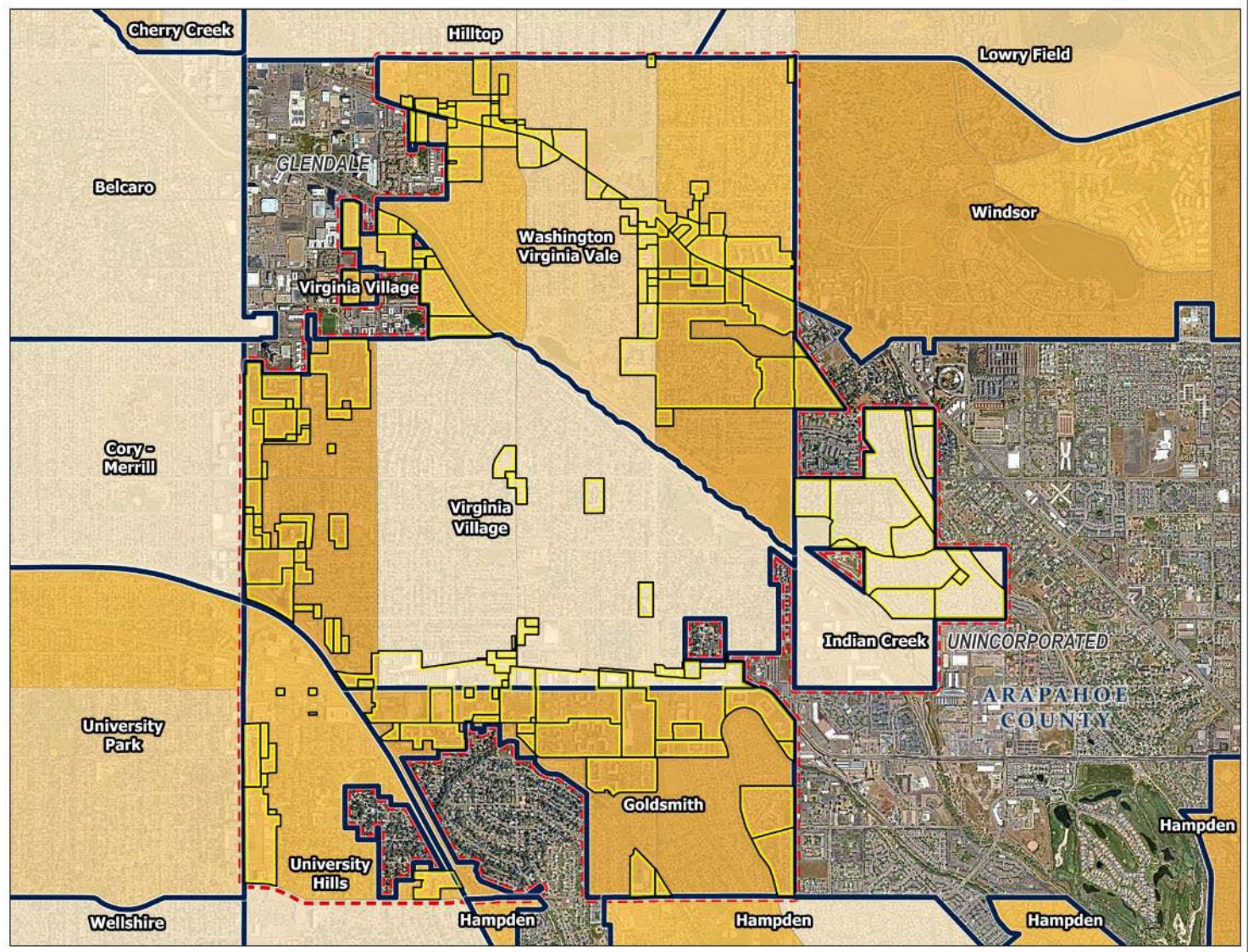
Vulnerability to Involuntary Displacement

- Southwest and northeast most vulnerable to displacement
- Indian Creek and central portion of Virginia Village relatively low vulnerability to displacement
- Median household income and educational attainment are vulnerable
- Rental occupancy is not vulnerable

Blueprint Denver

Vulnerability to Displacement

- Less Vulnerable
- 1
- 2
- More Vulnerable



Legend: Proposed Zone Amendment (yellow outline), Neighborhood (blue outline). Scale: 0, 0.35, 0.7, 1.4 Miles.

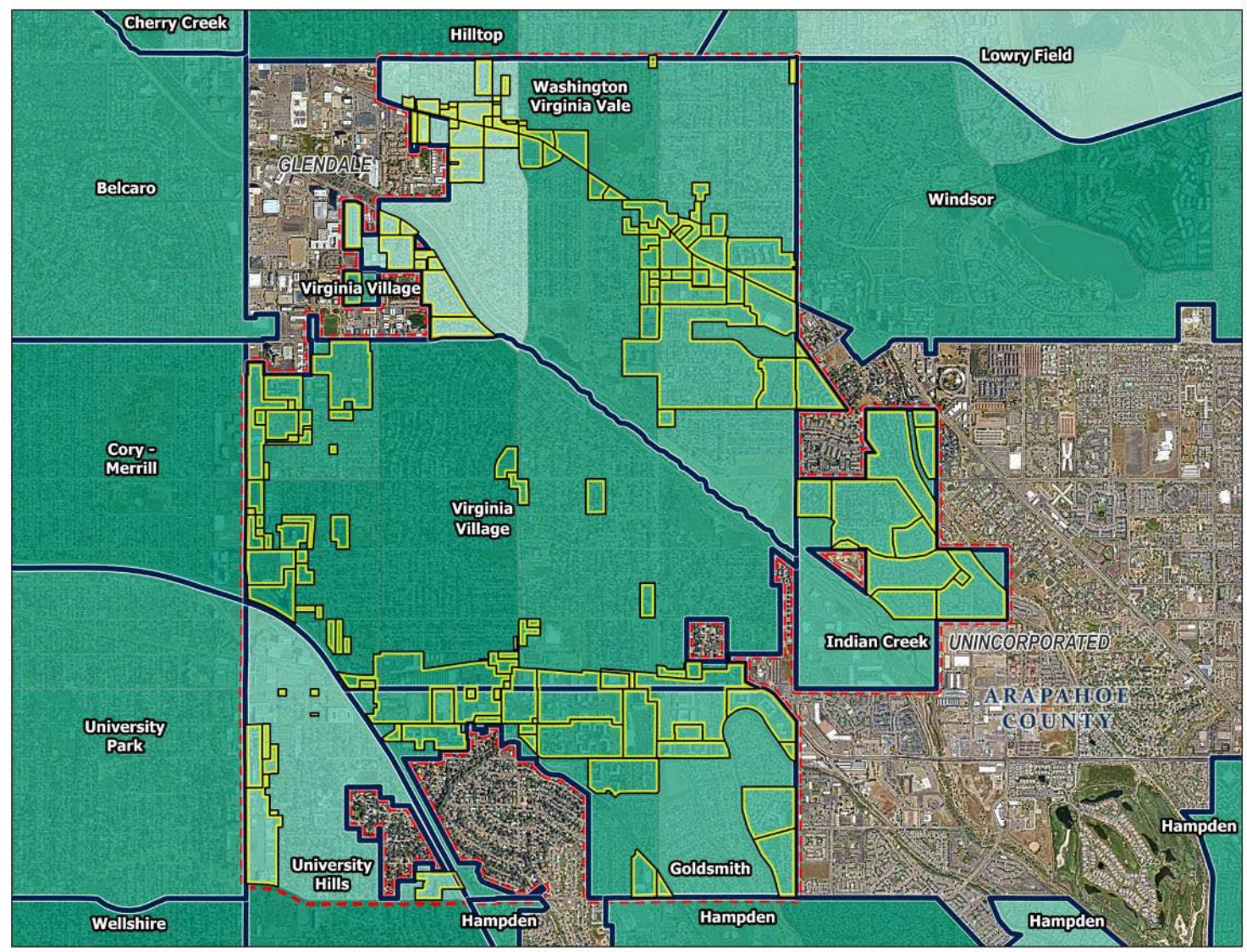
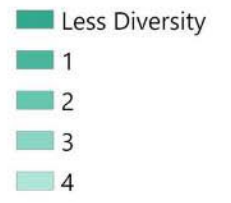
Blueprint Denver – Equity Analysis

Expanding Housing Diversity

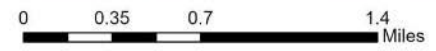
- Low housing diversity
- Low missing middle housing
- Low percentage renters to owners
- Less diverse housing costs
- Fewer income restricted units

Blueprint Denver

Housing Diversity



■ Proposed Zone Amendment
□ Neighborhood



Blueprint Denver – Equity Analysis

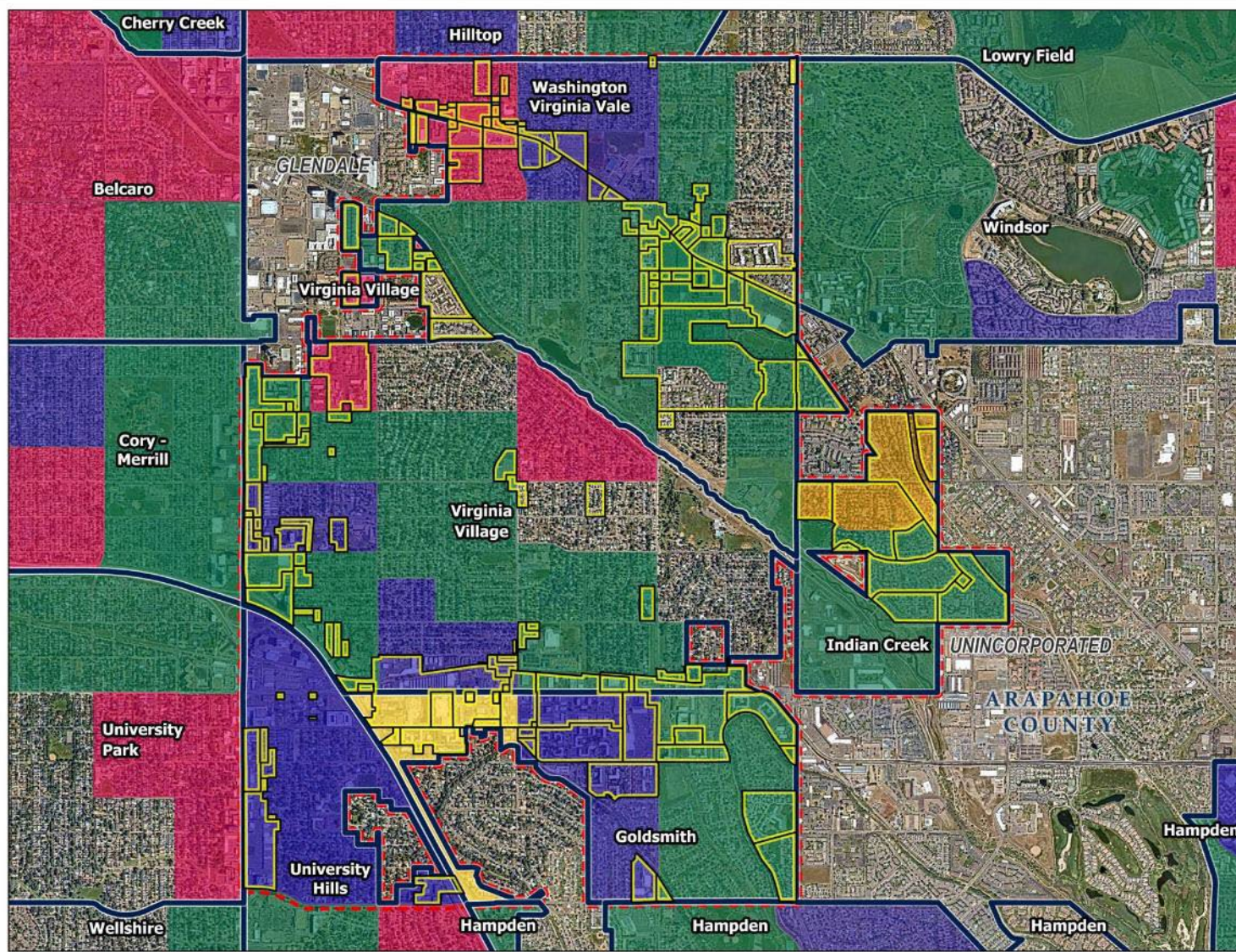
Expanding Jobs Diversity

- More retail jobs
- More manufacturing jobs

Blueprint Denver

Job Diversity

- Retail (high)
- Innovation (high)
- Innovation (high); Manufacturing (high)
- Within citywide average



■ Proposed Zone Amendment
■ Neighborhood

0 0.35 0.7 1.4 Miles

Denver Zoning Code Review Criteria

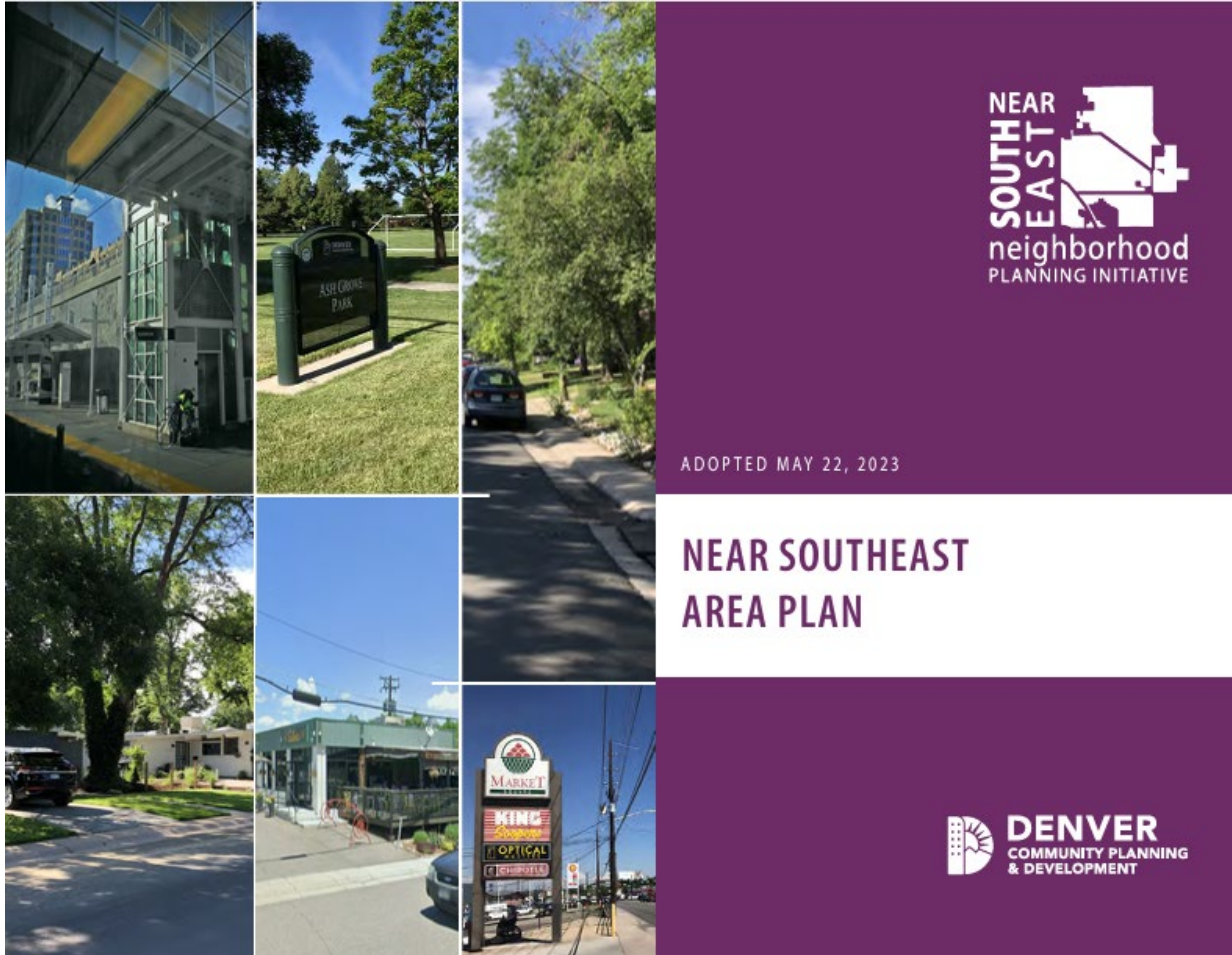
1. Consistency with Adopted Plans

- *Comprehensive Plan 2040*
- *Blueprint Denver (2019)*
- *Near Southeast Area Plan*

2. Uniformity of District Regulations

3. Further Public Health, Safety and Welfare

Near Southeast Area Plan



Land use guidance in the Near Southeast Area Plan provides policy recommendations and specific strategies to direct growth, improve design outcomes, enhance infrastructure, and improve quality of life in the area through improving access to housing, goods, services, and destinations, with special focus on areas designated Centers and Corridors.

The Near Southeast Area Plan recommends legislative rezonings as an appropriate tool to help achieve the desired outcomes of the community, as expressed in the Plan.

Near Southeast Area Plan: Plan Guidance for Centers and Corridors

Land Use Recommendation 1

“Consistent with adopted citywide policies in Blueprint Denver and in coordination with citywide efforts, direct growth to regional centers, community centers and community corridors with improved infrastructure and design and incorporate elements of complete neighborhoods in areas where additional height beyond existing entitlements is recommended.”

- Ensure new development will have quality design.
- Properties should be rezoned into appropriate MS or MX zone districts, either through applicant-driven or legislative rezonings.

Land Use Recommendation 2

“New mixed-use design – Require high-quality design for new construction and renovations in centers and corridors.”

- Apply appropriate zone districts to centers and corridors, such as S-MS, S-MS-A, S-MX and S-MX-A districts.
- S-CC districts are not appropriate in Near Southeast.
- Prohibit auto-oriented building forms, such as drive-thrus, car washes and gas stations.



Near Southeast Area Plan: Plan Guidance for Former Chapter 59 Properties

Land Use Recommendation 10

“Former Chapter 59 zoning is outdated, and bringing properties into the Denver Zoning Code will ensure the latest improvements to the code apply to help achieve this plan’s goals. Additional regulatory improvements can help achieve goals such as increased sustainability”.

- Encourage rezoning properties out of Former Chapter 59 and into the Denver Zoning Code to improve design outcomes, equity and responsiveness to evolution in zoning regulations.
- City-led rezonings may be appropriate in cases such as large residential developments and commercial properties that have retained Former Chapter 59 in areas likely to redevelop.

Indian Creek Recommendation 1

“Much of Indian Creek has retained Former Chapter 59 zoning and zoning standards need to be improved to respond to community needs as older developments start to be updated or redeveloped”.

Near Southeast Area Plan: Land Use Framework

“Make sure infrastructure and regulations are in place for mixed-use and residential places before increases in development potential are allowed” (p.32)

“Direct growth to corridors and key intersections where infrastructure is or will be in place, paired with mobility and design improvements” (p.32)



Denver Zoning Code Review Criteria

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

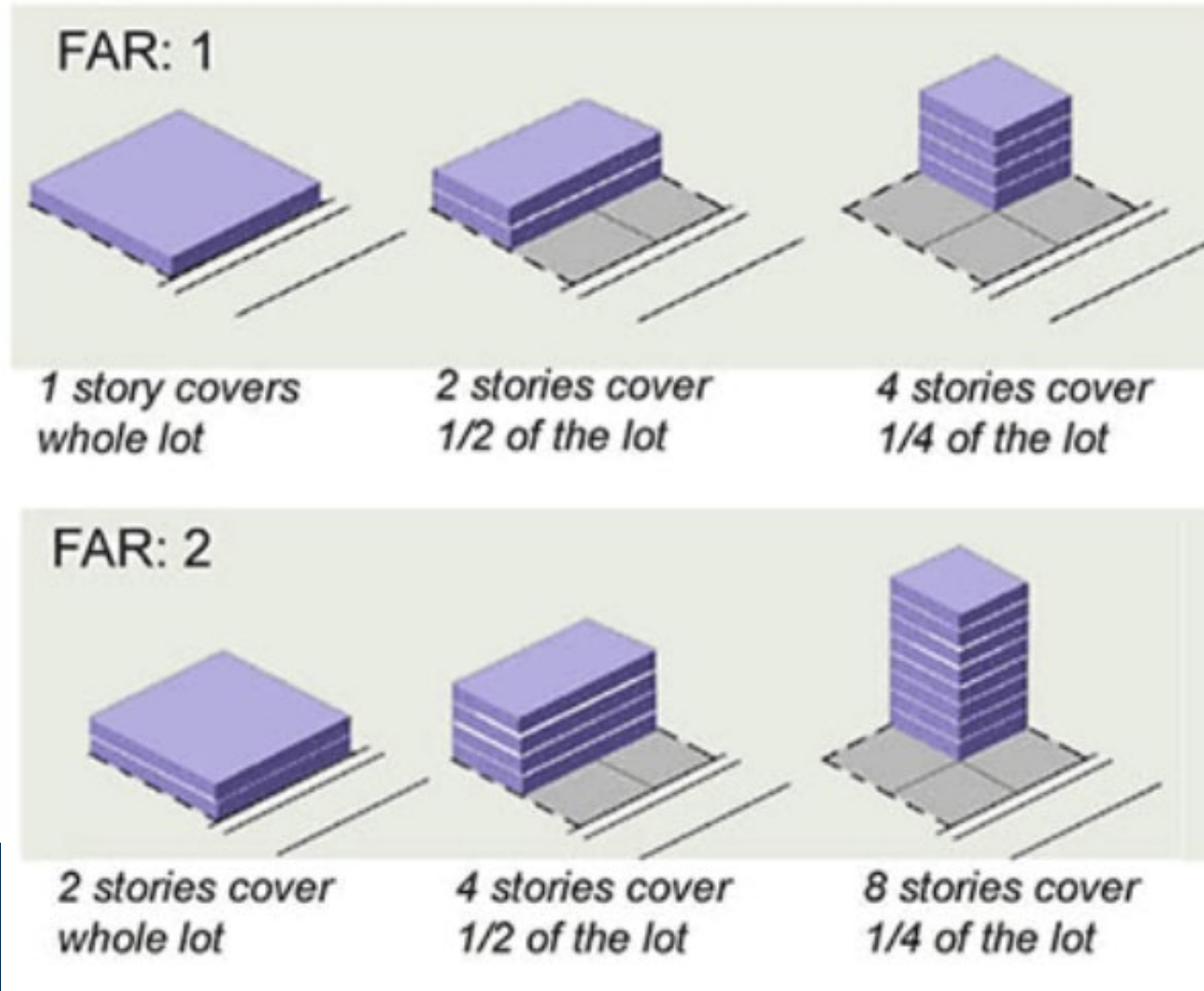
CPD Recommendation

CPD recommends to move forward to full City Council,
based on finding all review criteria have been met

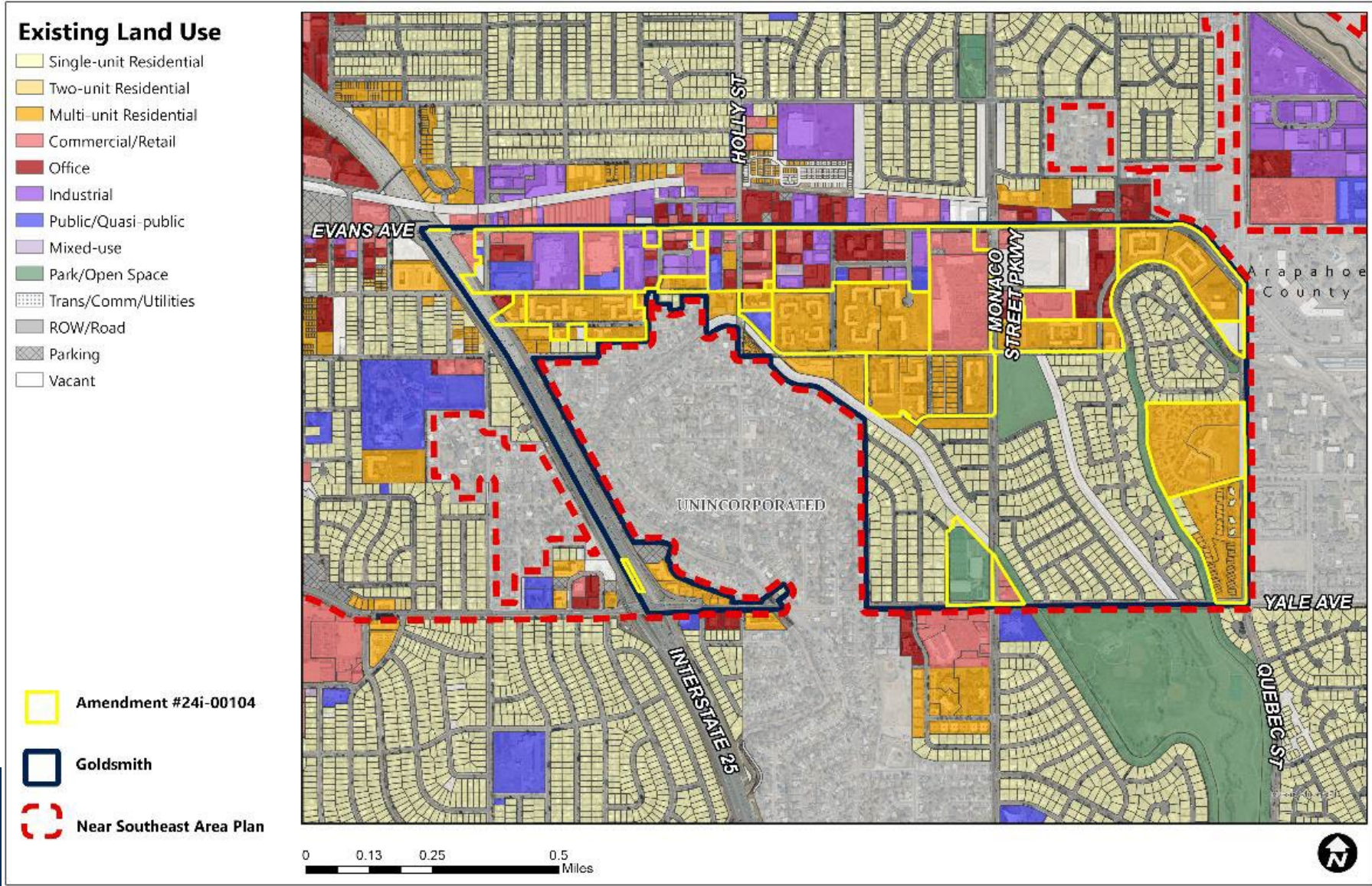
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3. Further Public Health, Safety and Welfare

FAR vs. Height Regulations

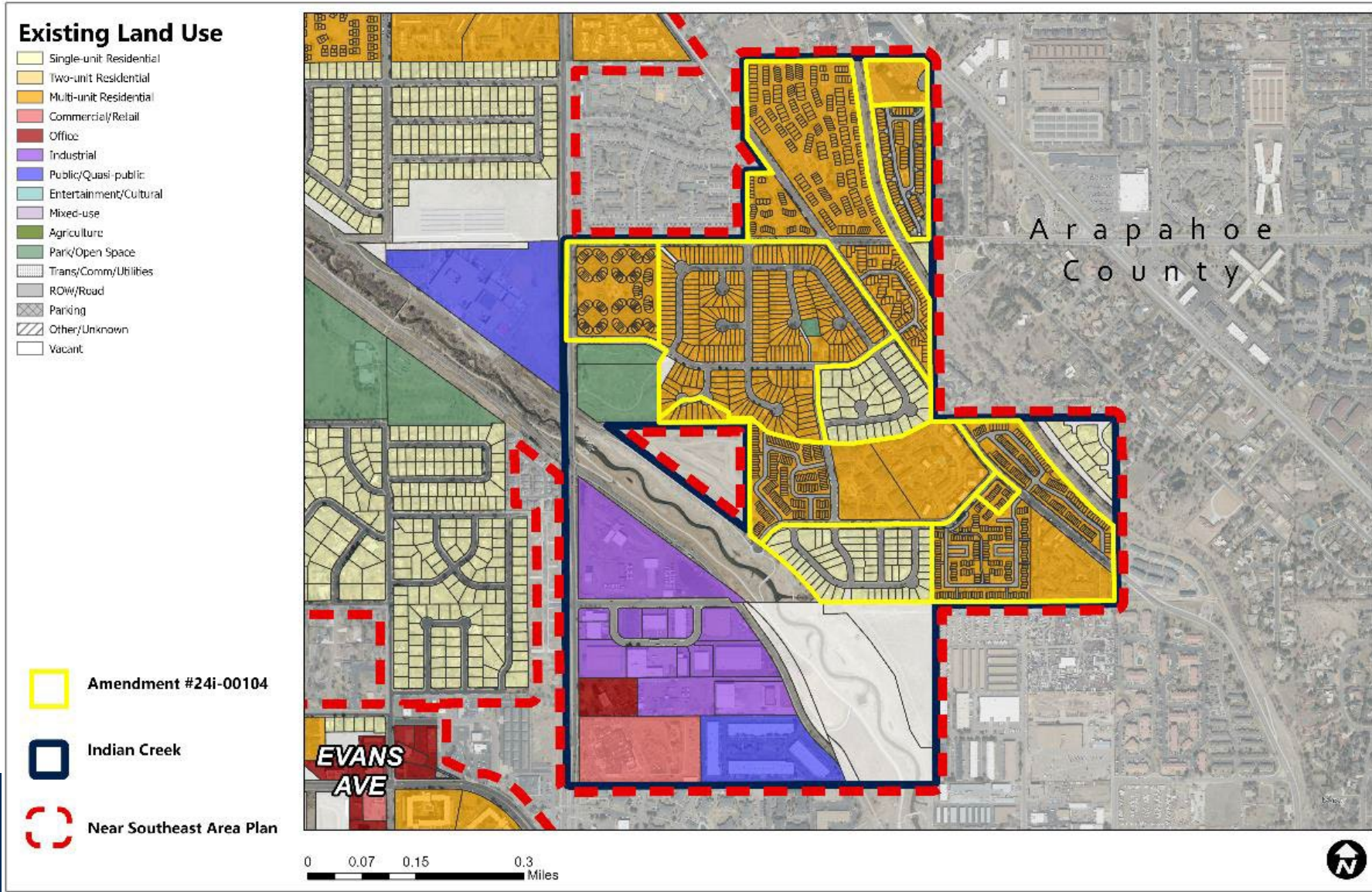
Floor Area Ratio (FAR) is the ratio of a building's total floor area (gross floor area) to the size of the piece of land upon which it is built. It is calculated by dividing the total floor area of the building by the total area of the lot.



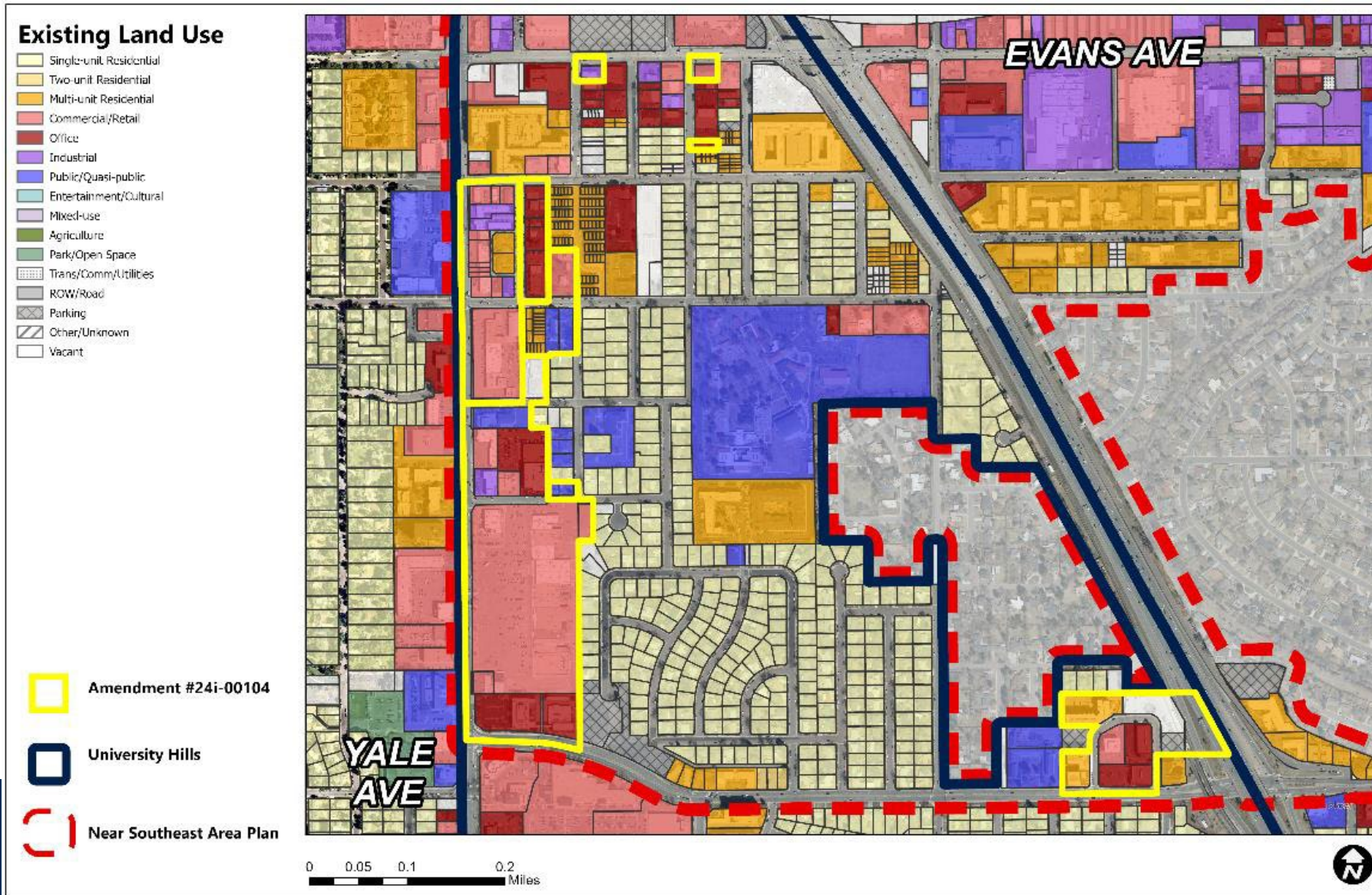
Existing Land Use - Goldsmith



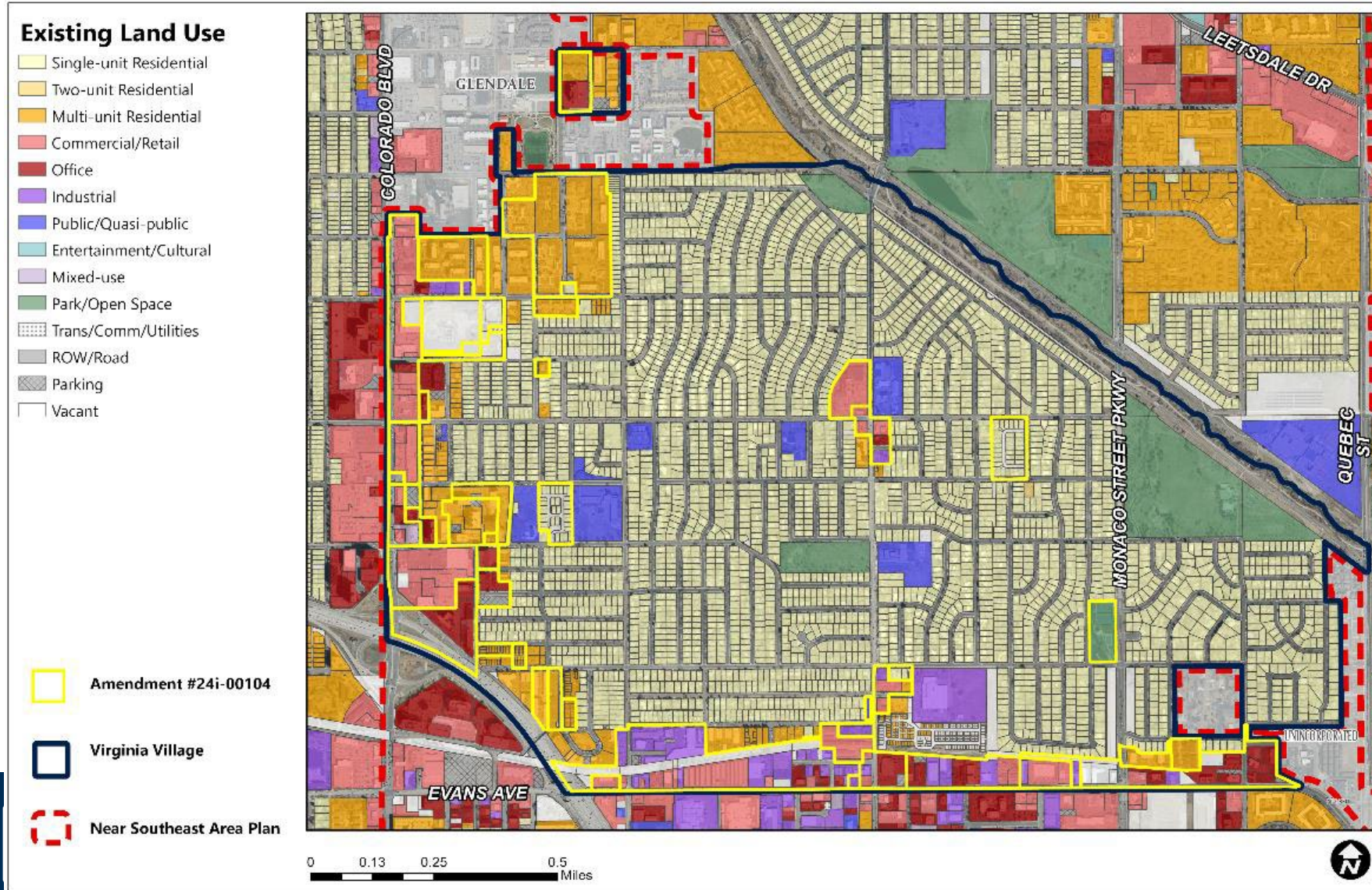
Existing Land Use – Indian Creek



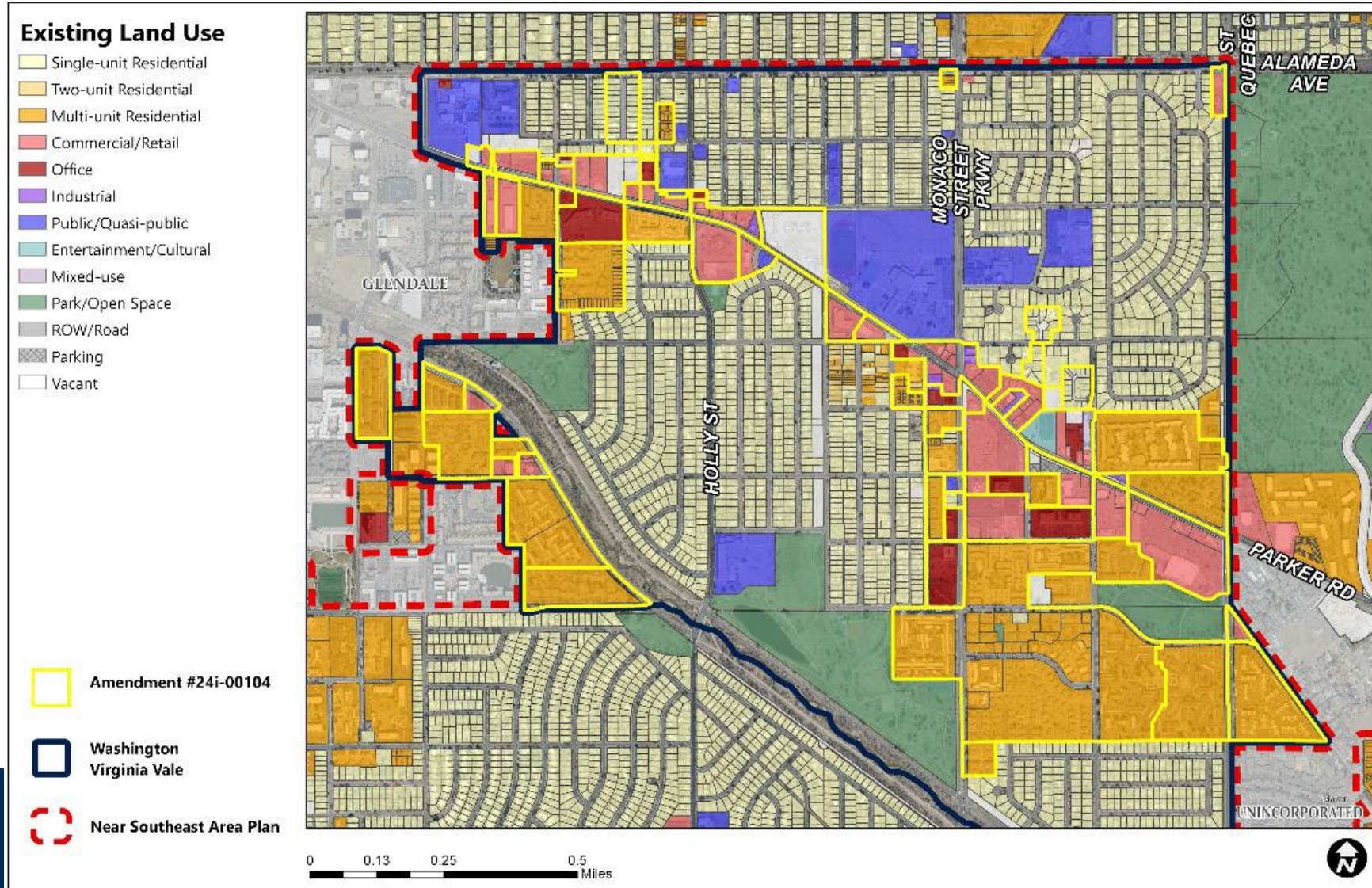
Existing Land Use – University Hills



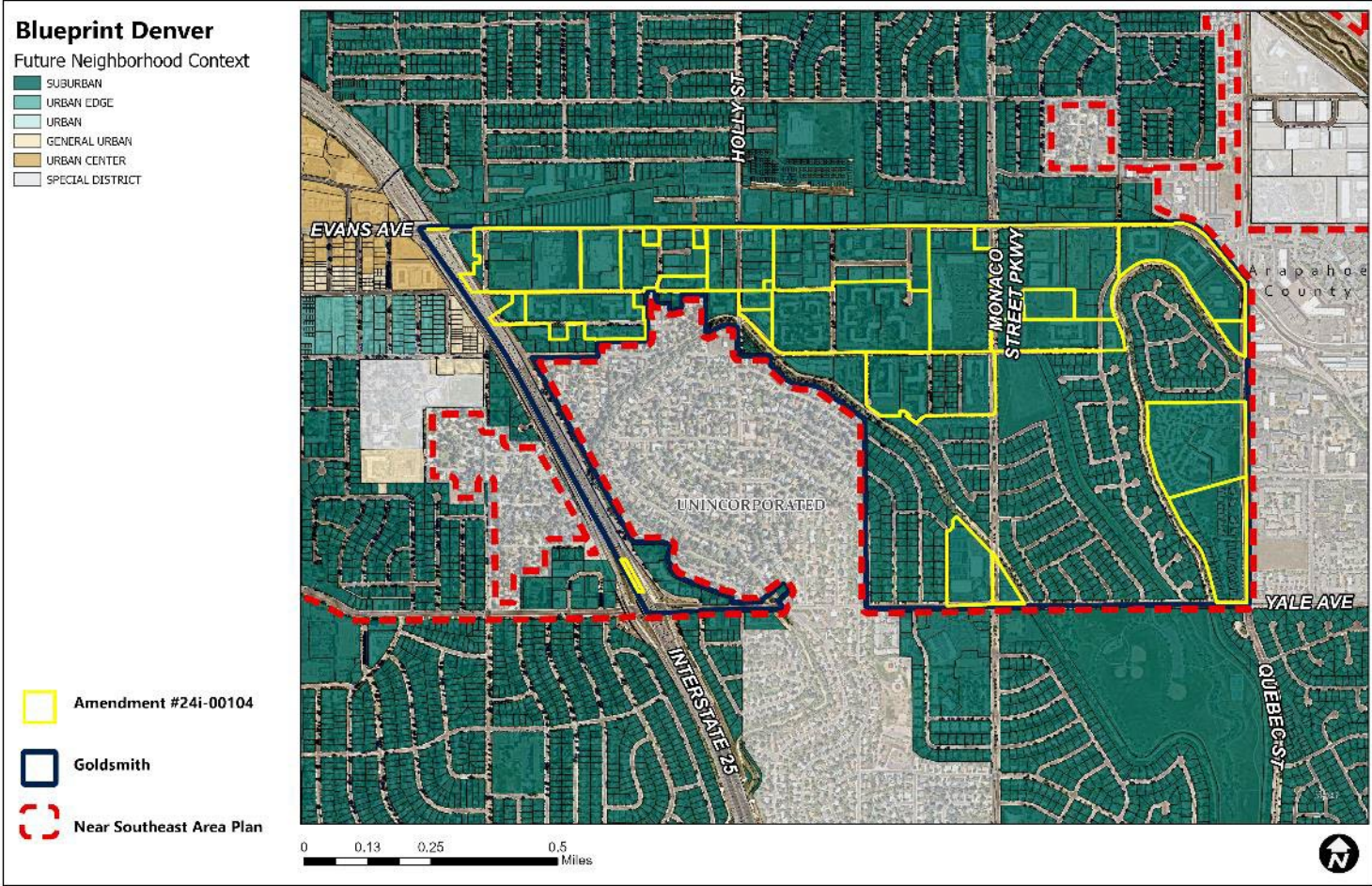
Existing Land Use – Virginia Village



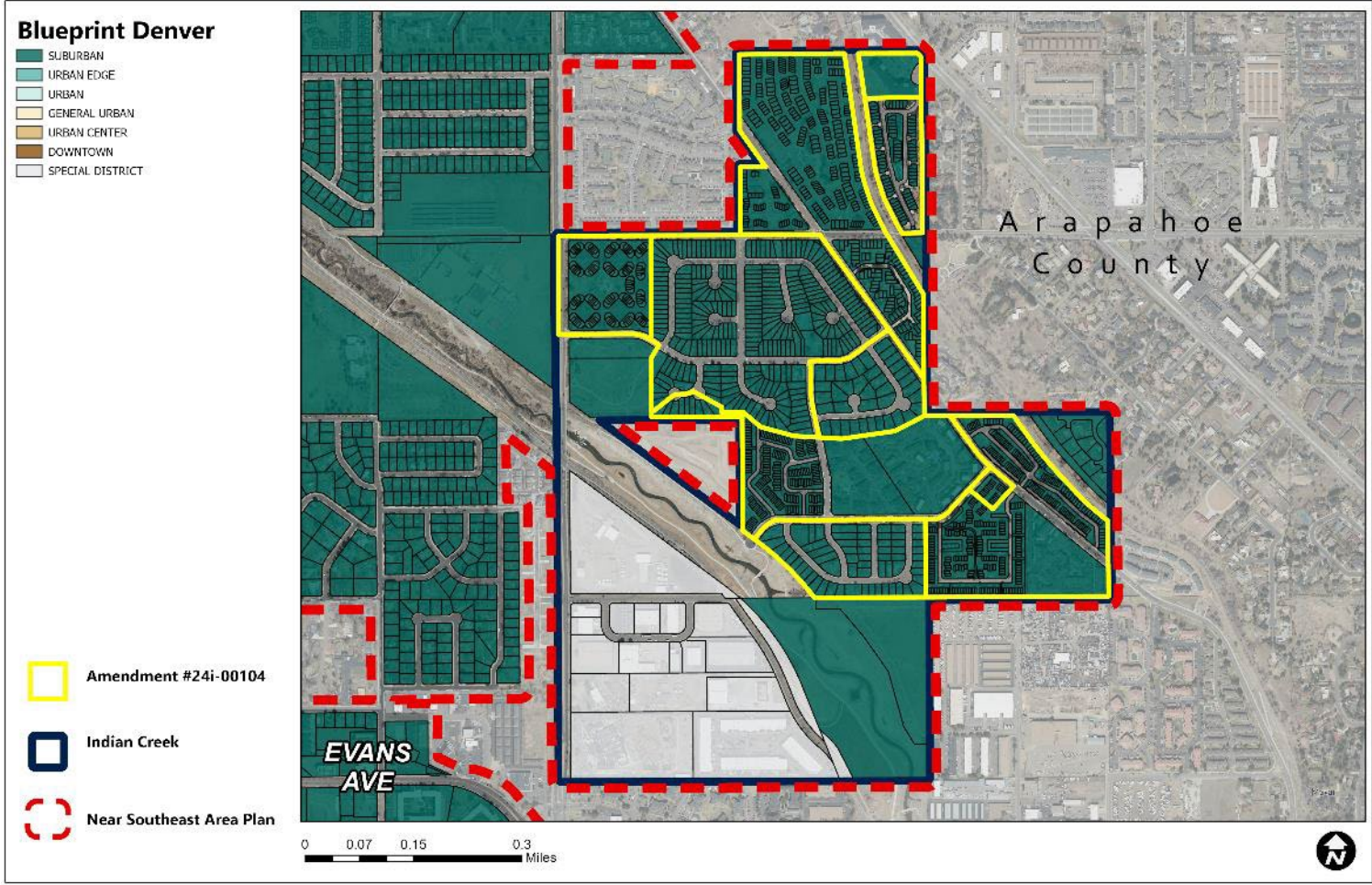
Existing Land Use – Washington Virginia Vale



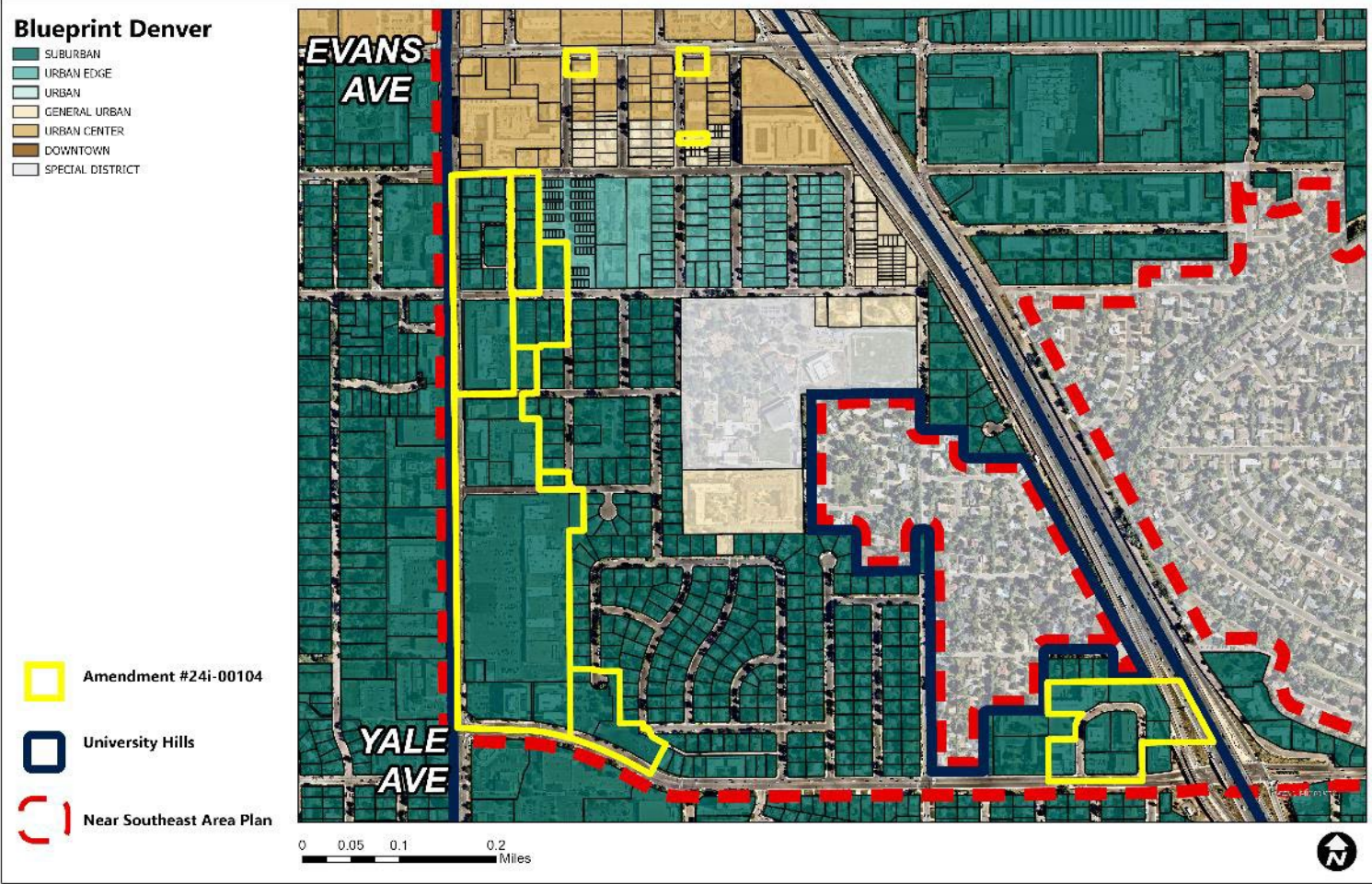
Blueprint Denver 2019 - Goldsmith



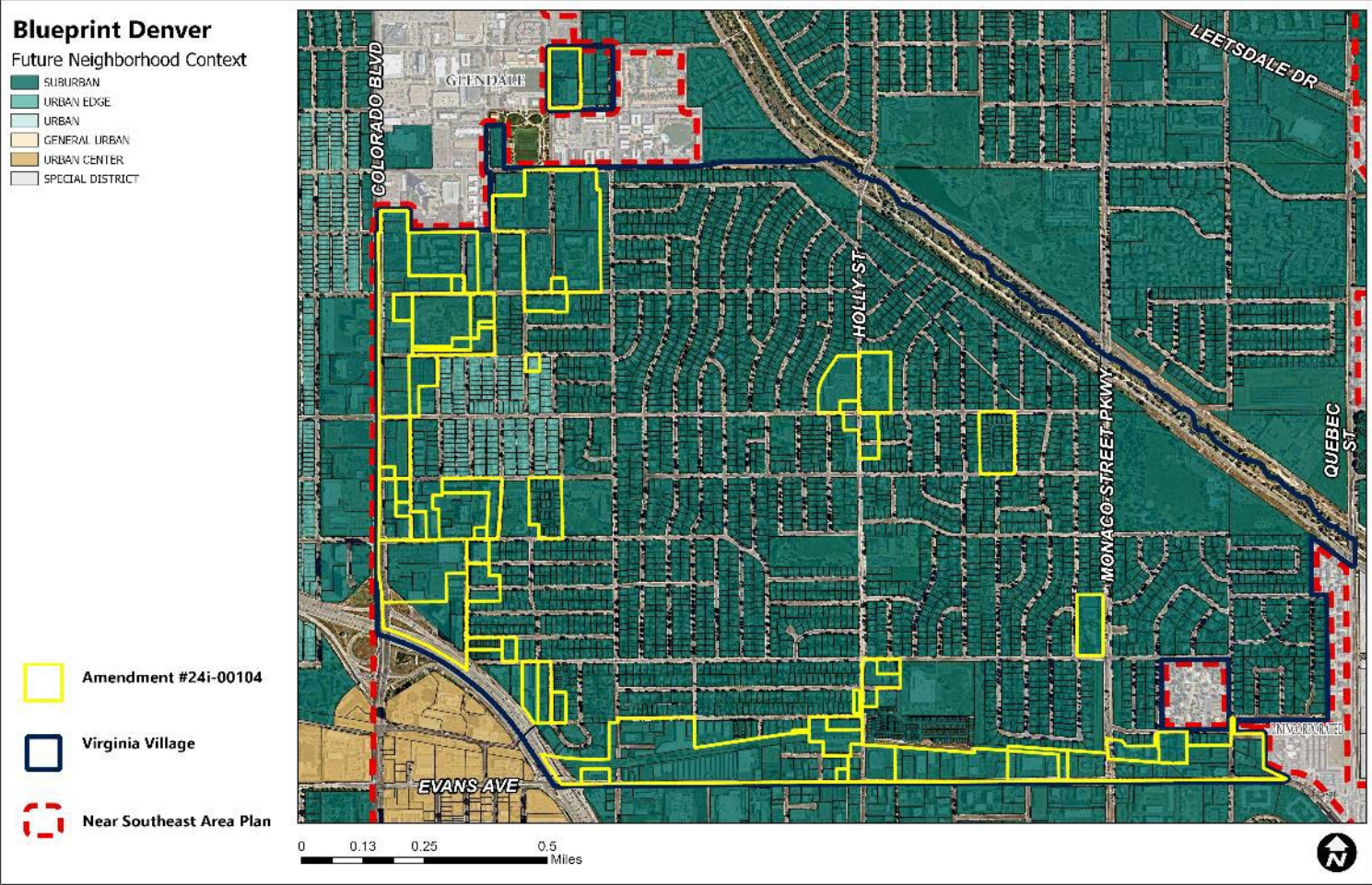
Blueprint Denver 2019 – Indian Creek



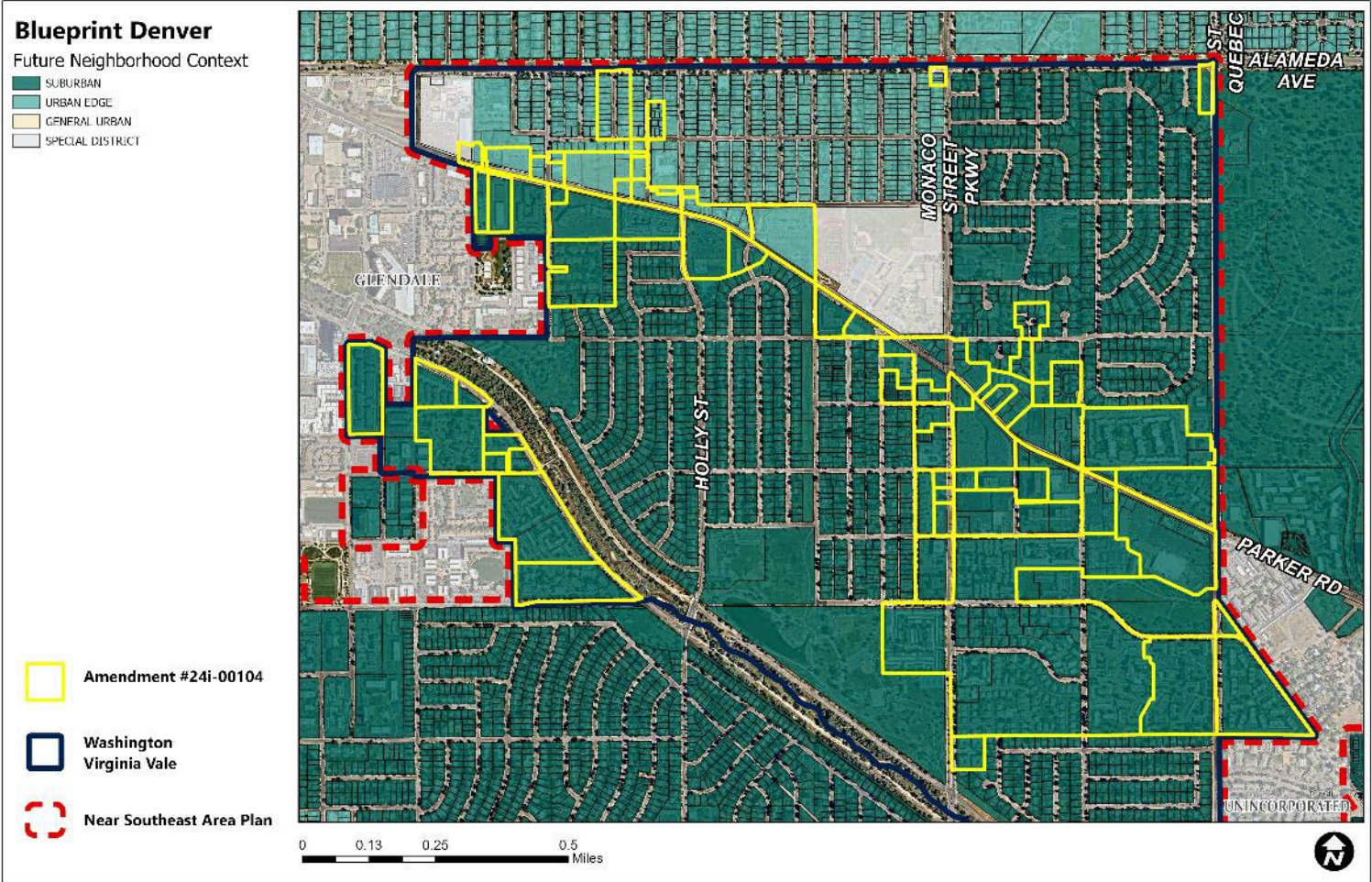
Blueprint Denver 2019 – University Hills



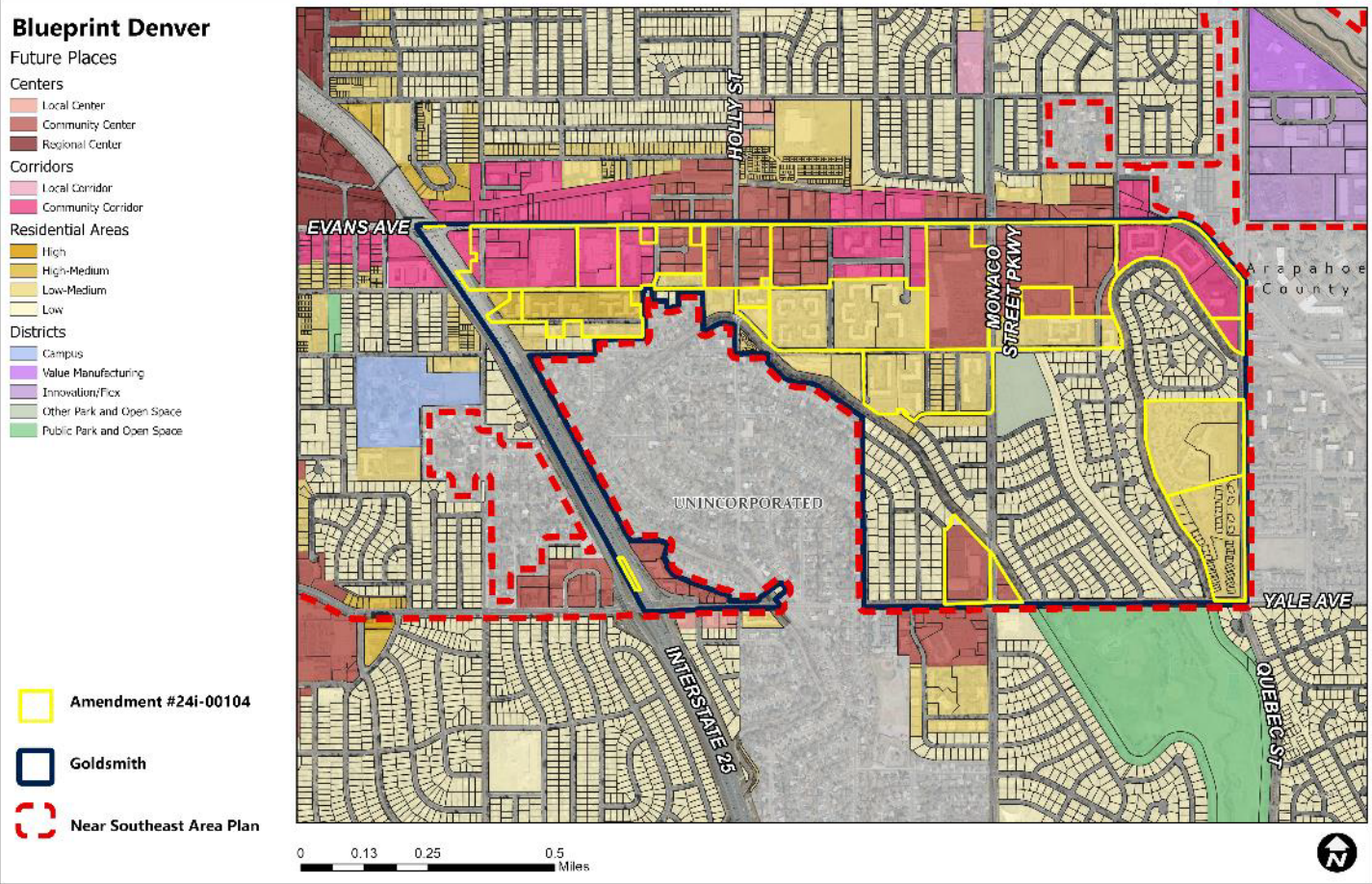
Blueprint Denver 2019 – Virginia Village



Blueprint Denver 2019 – Washington Virginia Vale

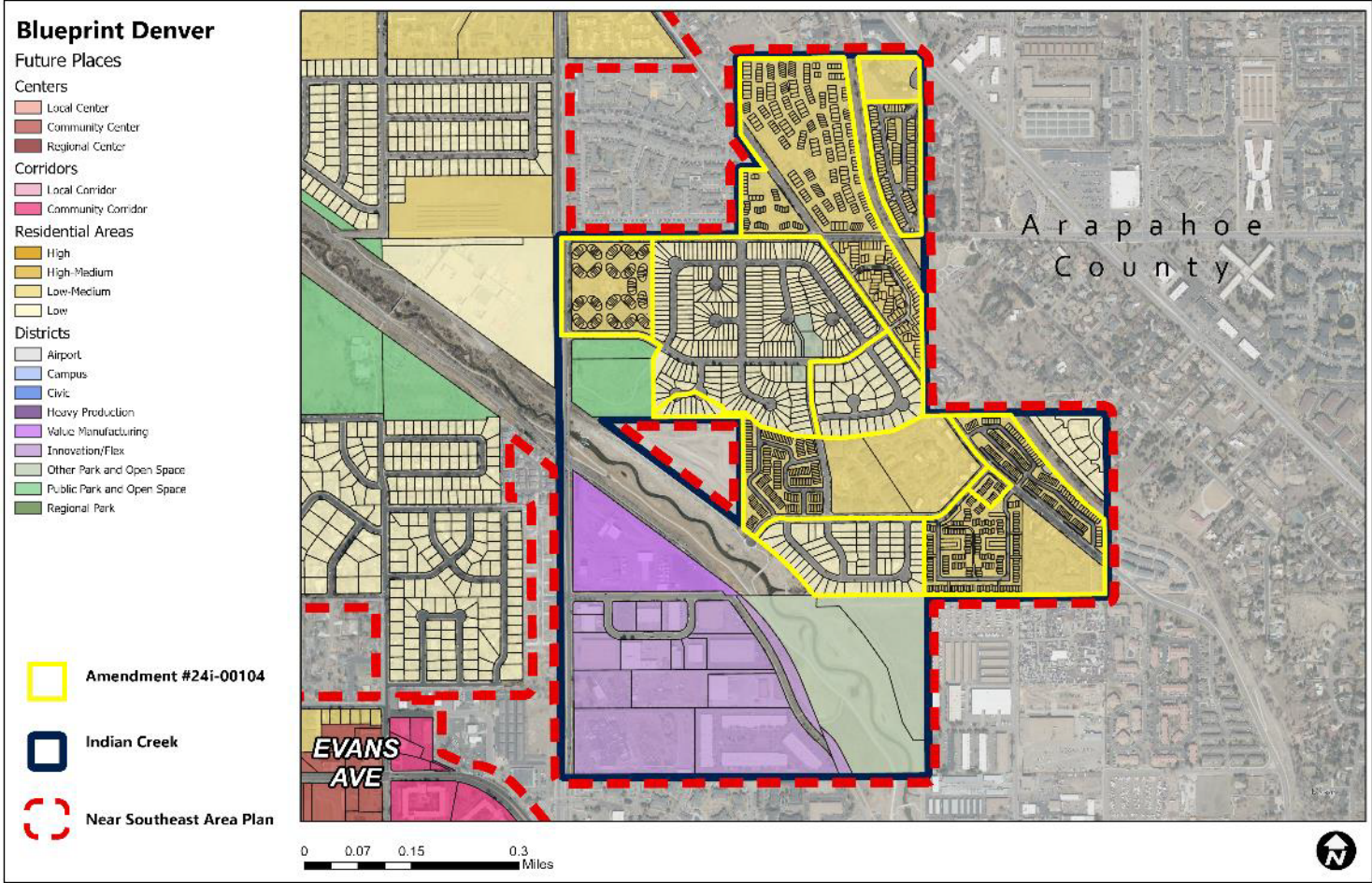


Blueprint Denver 2019 - Goldsmith



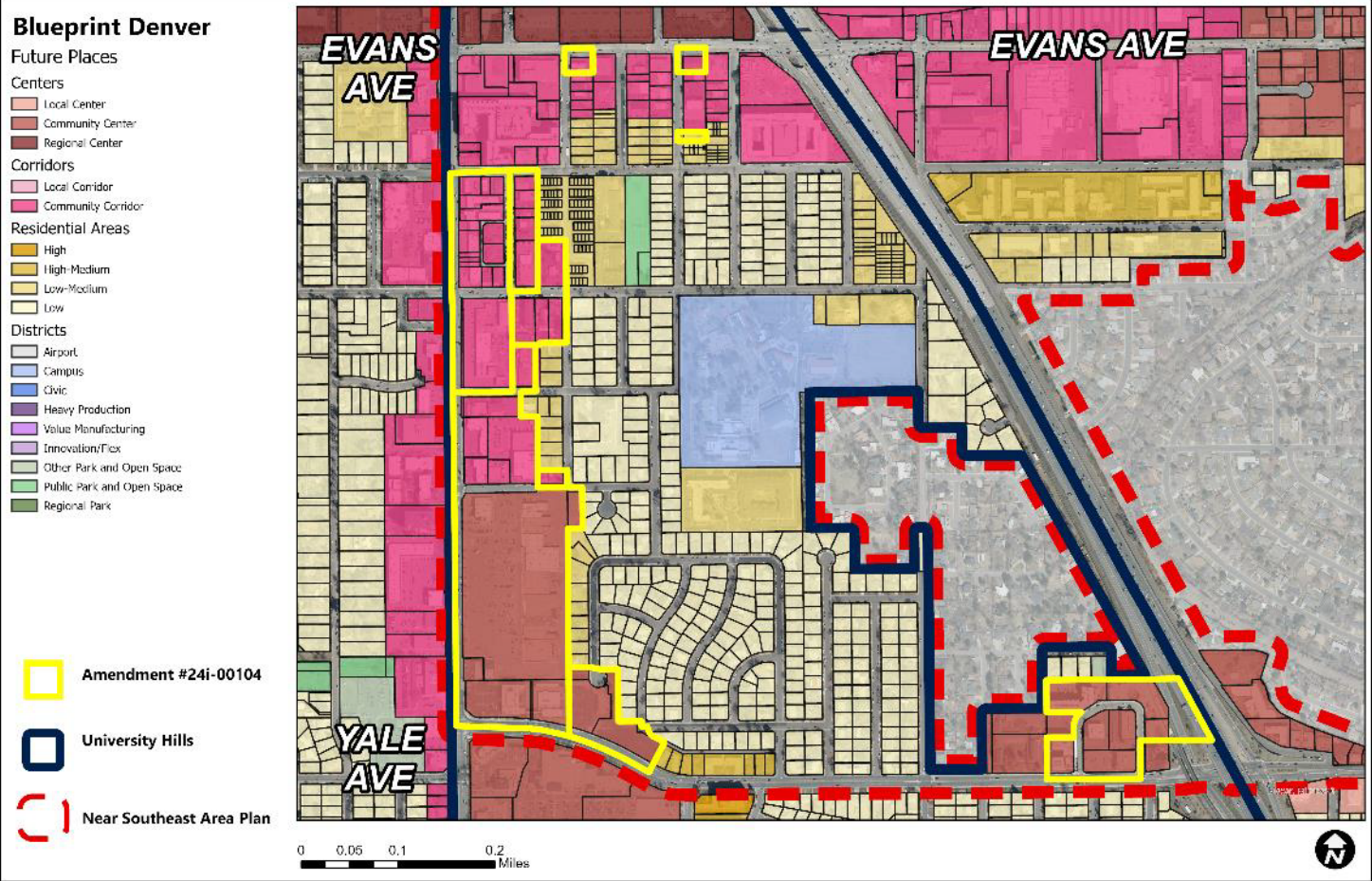
Evaluation is based on the proposed zone district is consistent with the Future Street Classification, not to assess the traffic impacts of a specific development proposal.

Blueprint Denver 2019 – Indian Creek



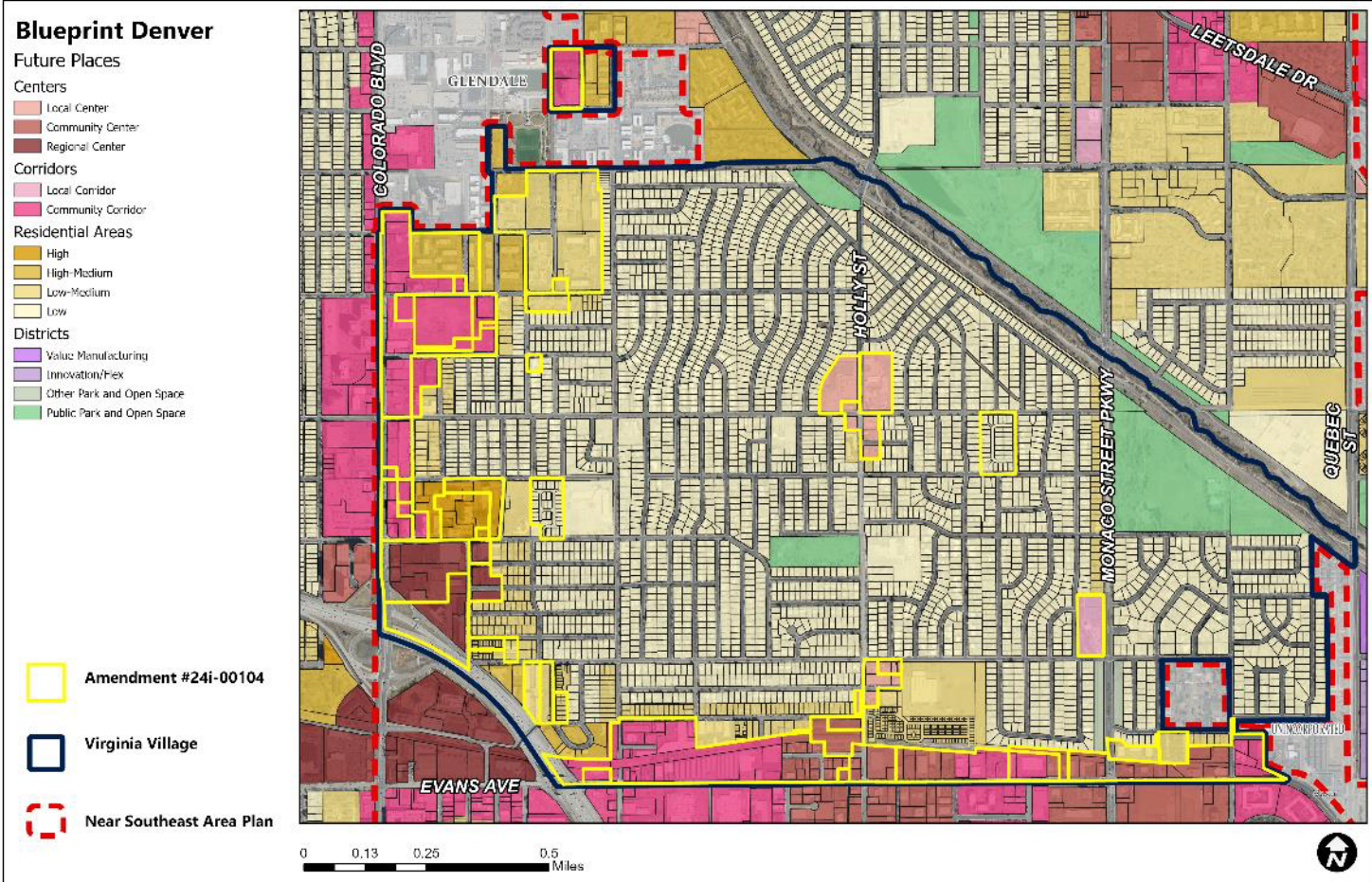
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Blueprint Denver 2019 – University Hills



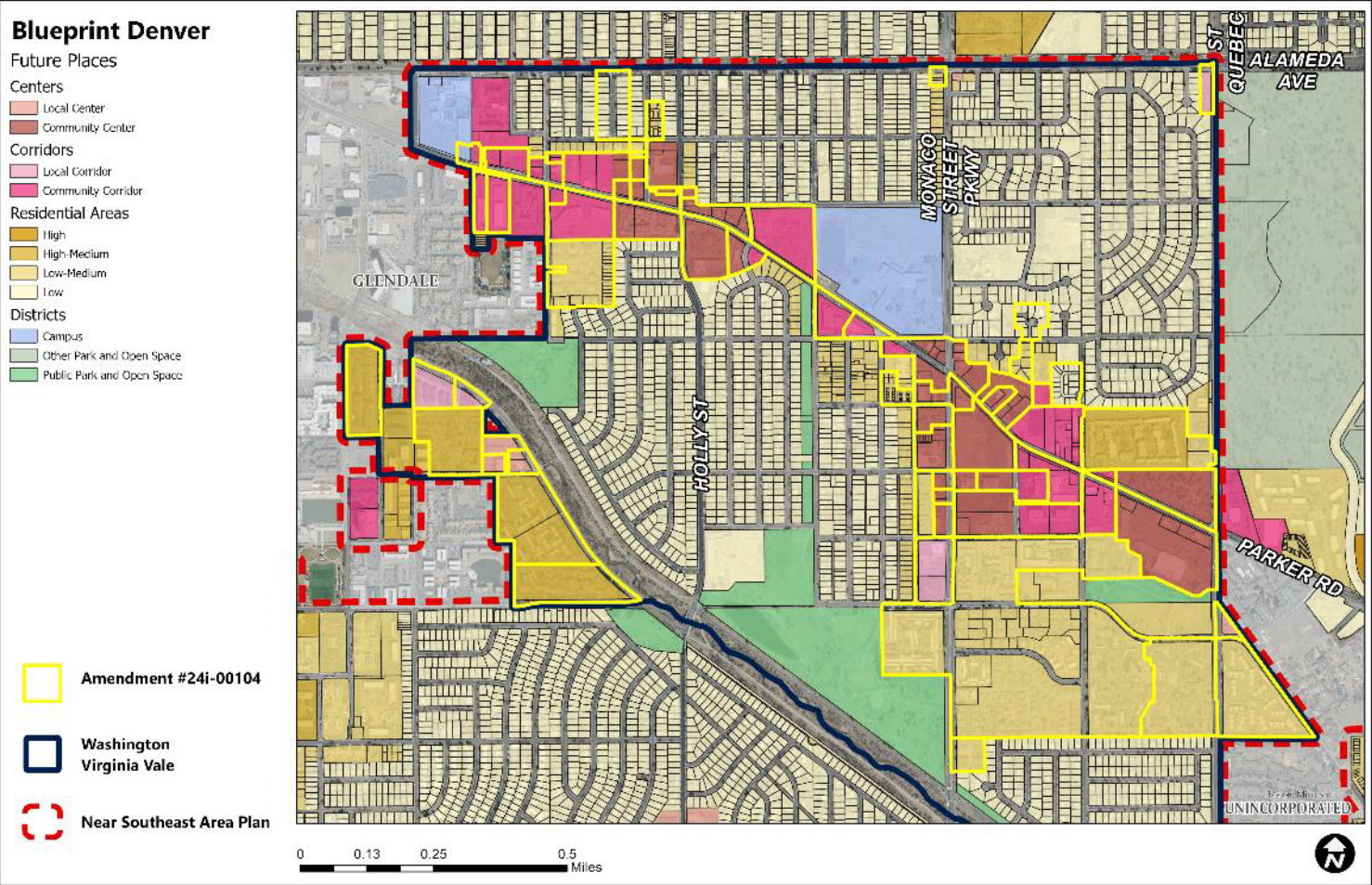
Evaluation is based on the proposed zone district is consistent with the Future Street Classification, not to assess the traffic impacts of a specific development proposal.

Blueprint Denver 2019 – Virginia Village



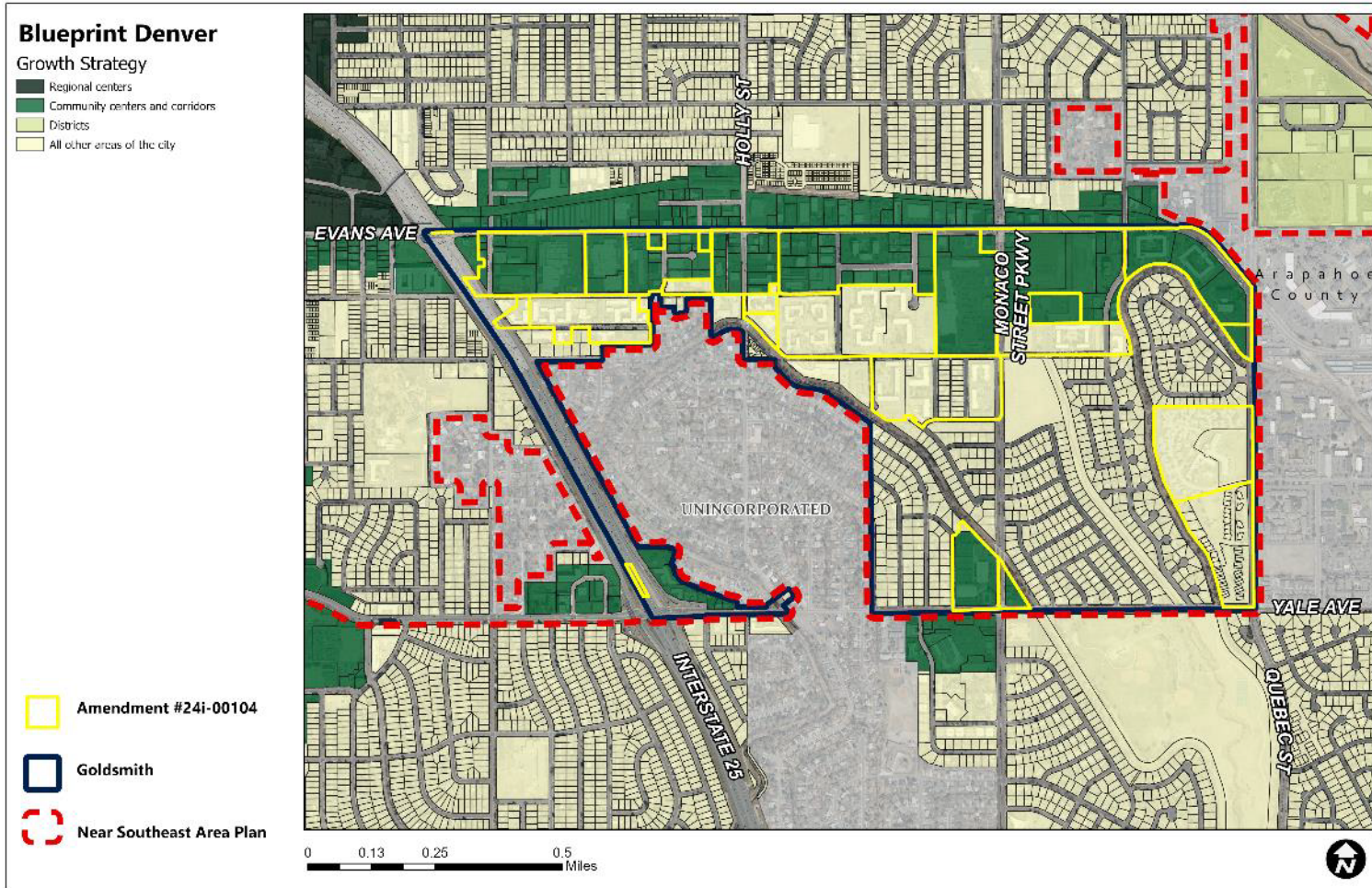
Evaluation is based on the proposed zone district is consistent with the Future Street Classification, not to assess the traffic impacts of a specific development proposal.

Blueprint Denver 2019 – Washington Virginia Vale



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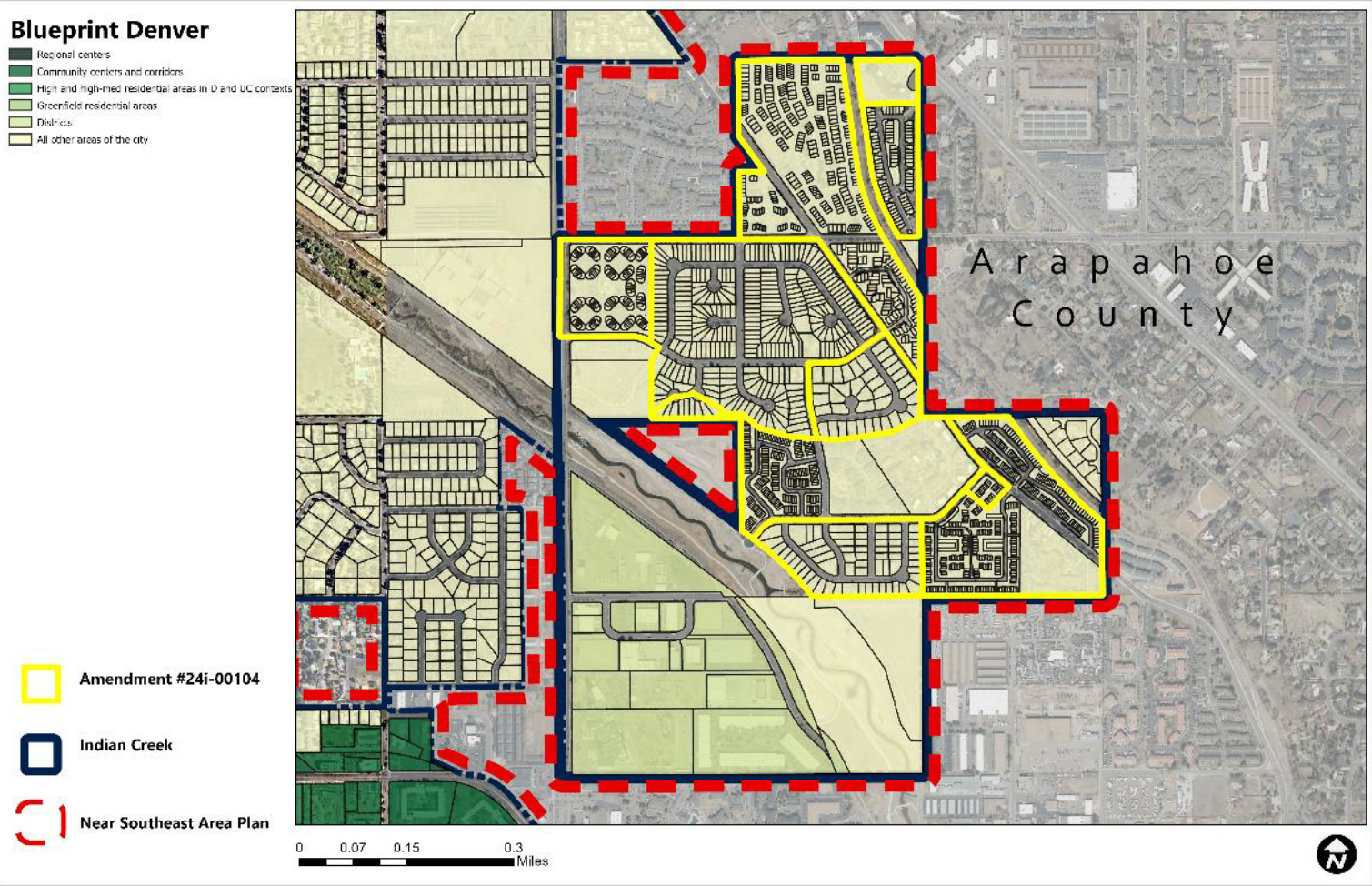
Blueprint Denver 2019 - Goldsmith



Community Centers and Corridors: 25% of new housing and 20% of new jobs

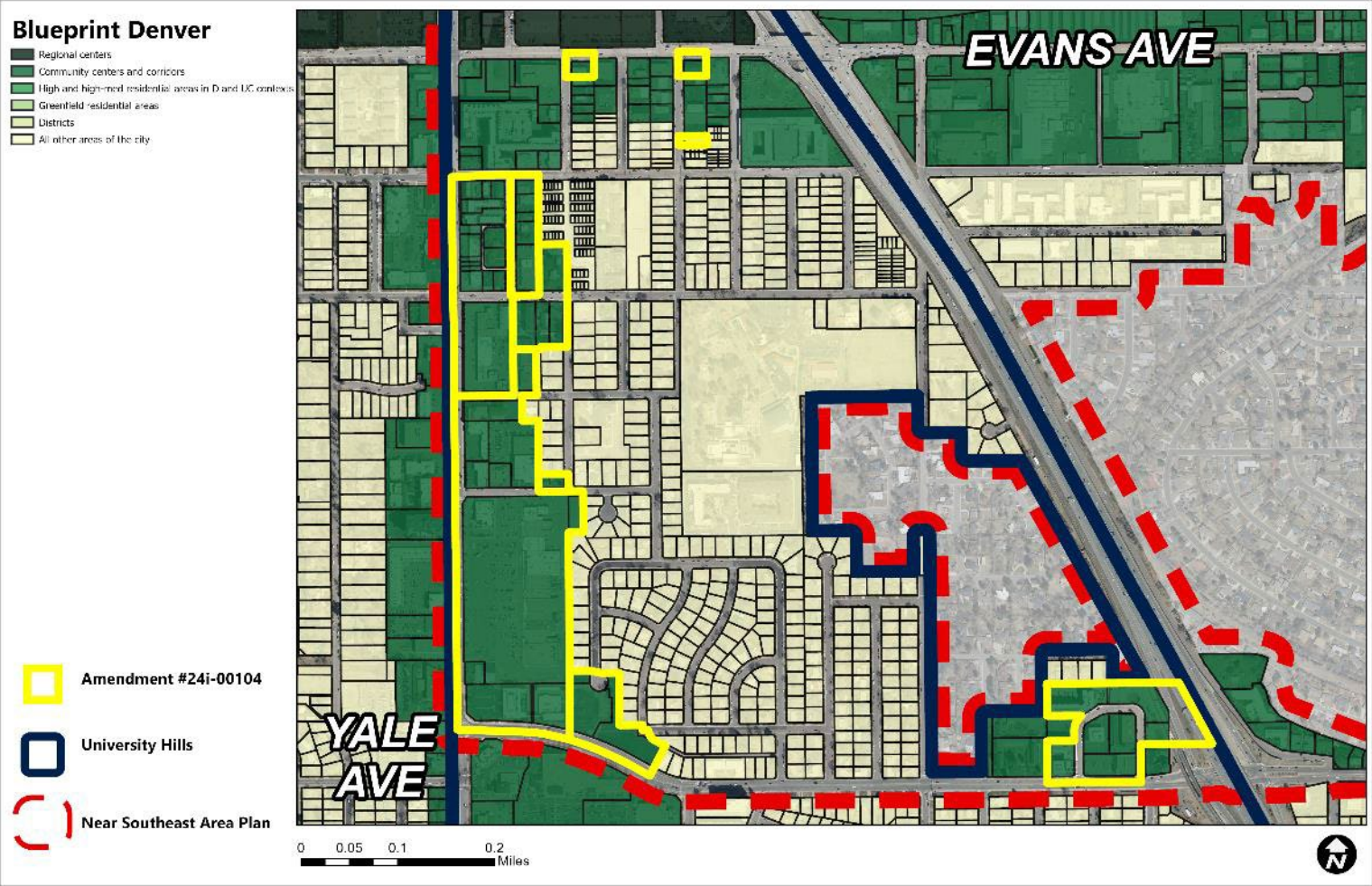
All other areas of the city: 20% of new housing and 10% of new jobs

Blueprint Denver 2019 – Indian Creek



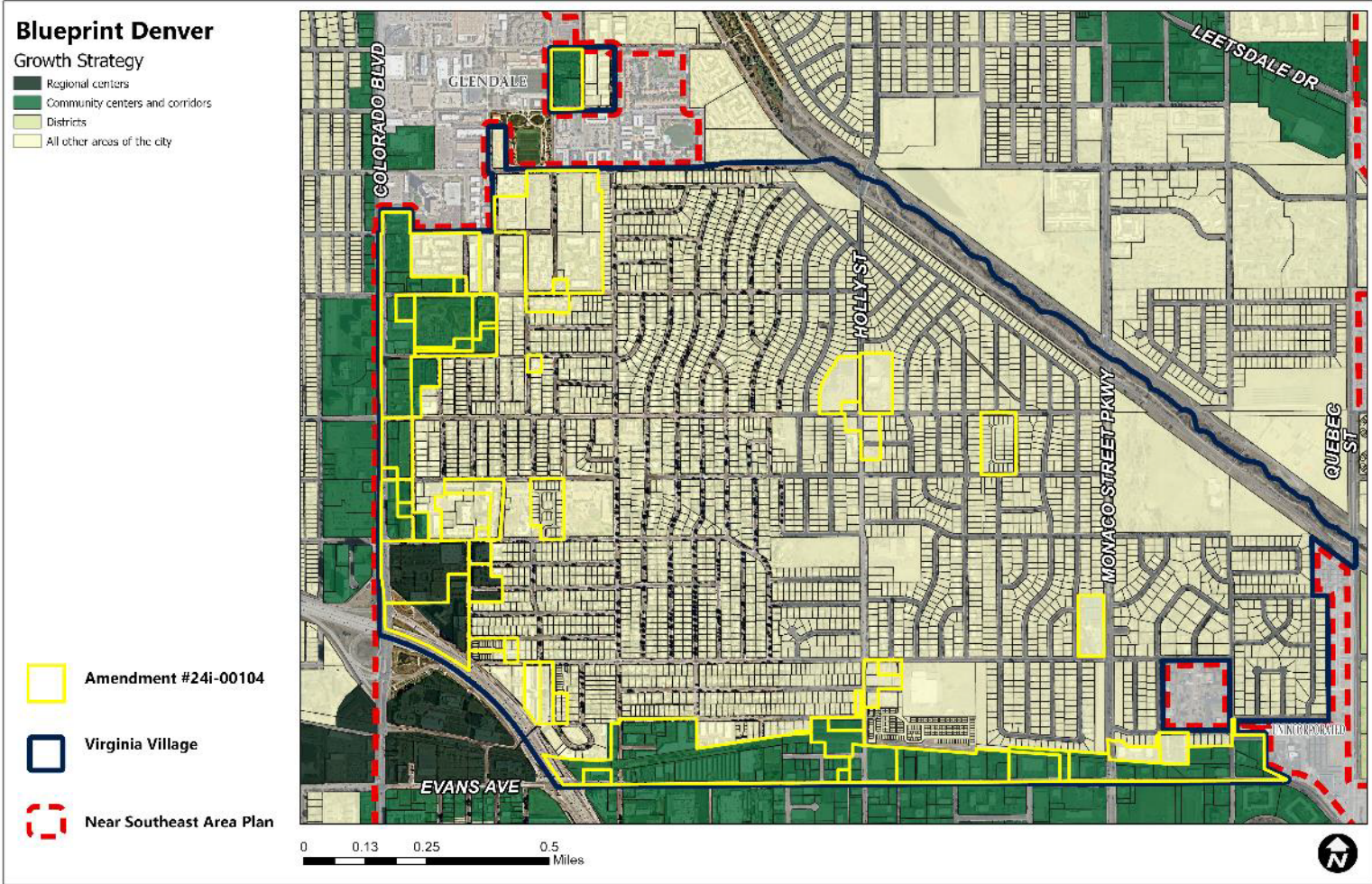
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Community Centers and Corridors: 25% of new housing and 20% of new jobs

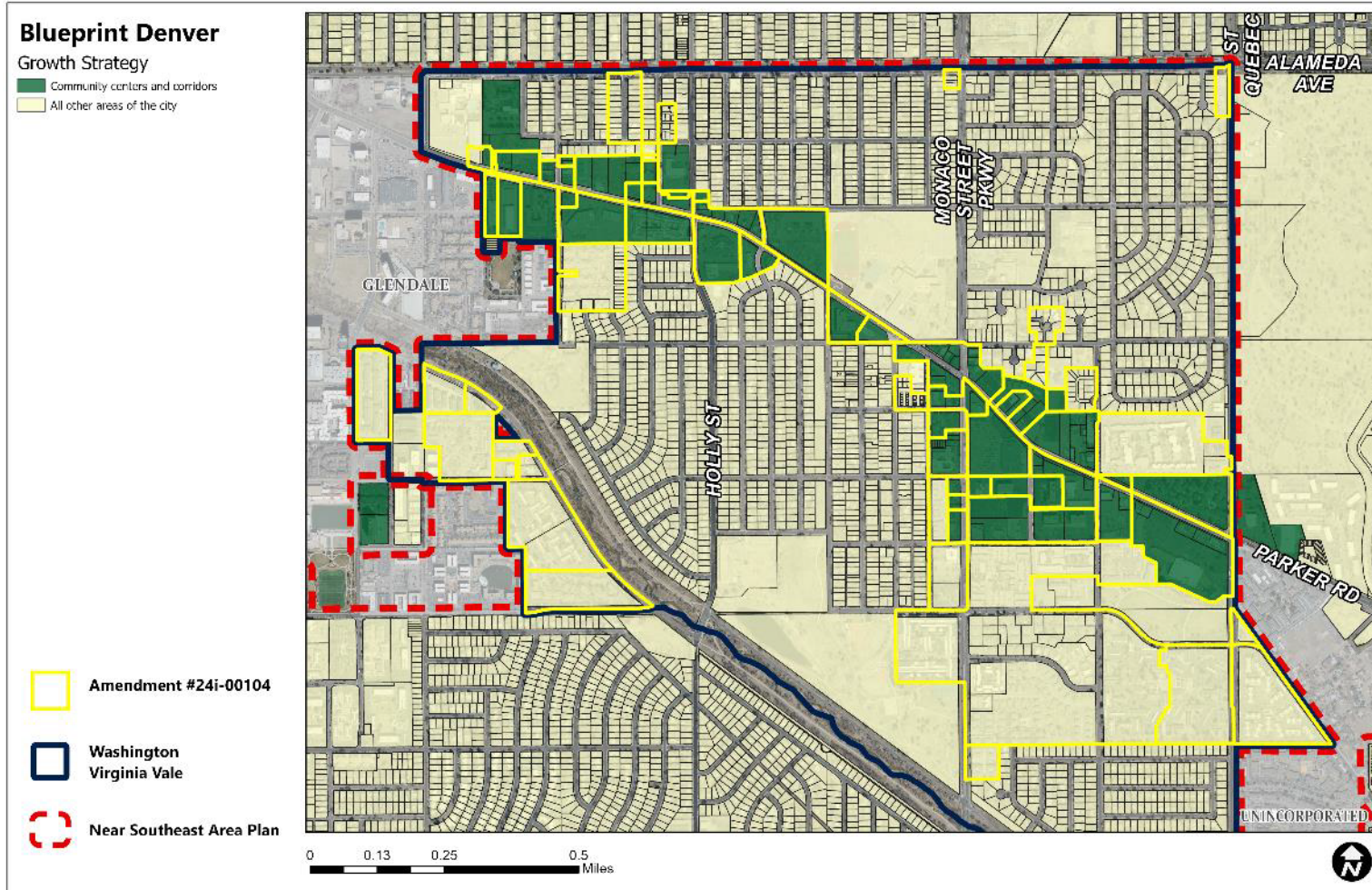
Blueprint Denver 2019 – Virginia Village



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Community Centers and Corridors: 25% of new housing and 20% of new jobs

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

Former Chapter 59

- Former Chapter 59 is the City's old zoning code. It was replaced in 2010 by the Denver Zoning Code.
- 24% of Near Southeast has retained Former Chapter 59 zoning.
- The Near Southeast Area Plan calls for the areas that retained the old zoning code to be rezoned into the current Denver Zone Code to solve several problems that the customized old code zoning creates for the area, including:

Lack of transparency
and predictability



Not flexible over
time



Unpredictable
process



Difficult to
administer over time

