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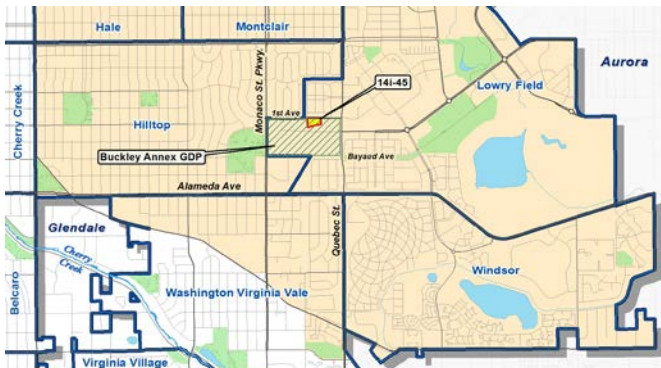
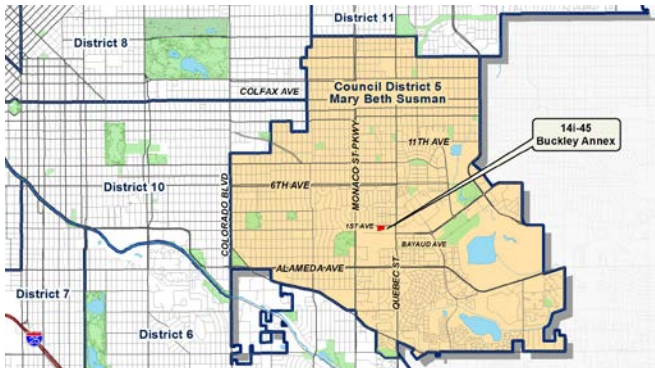
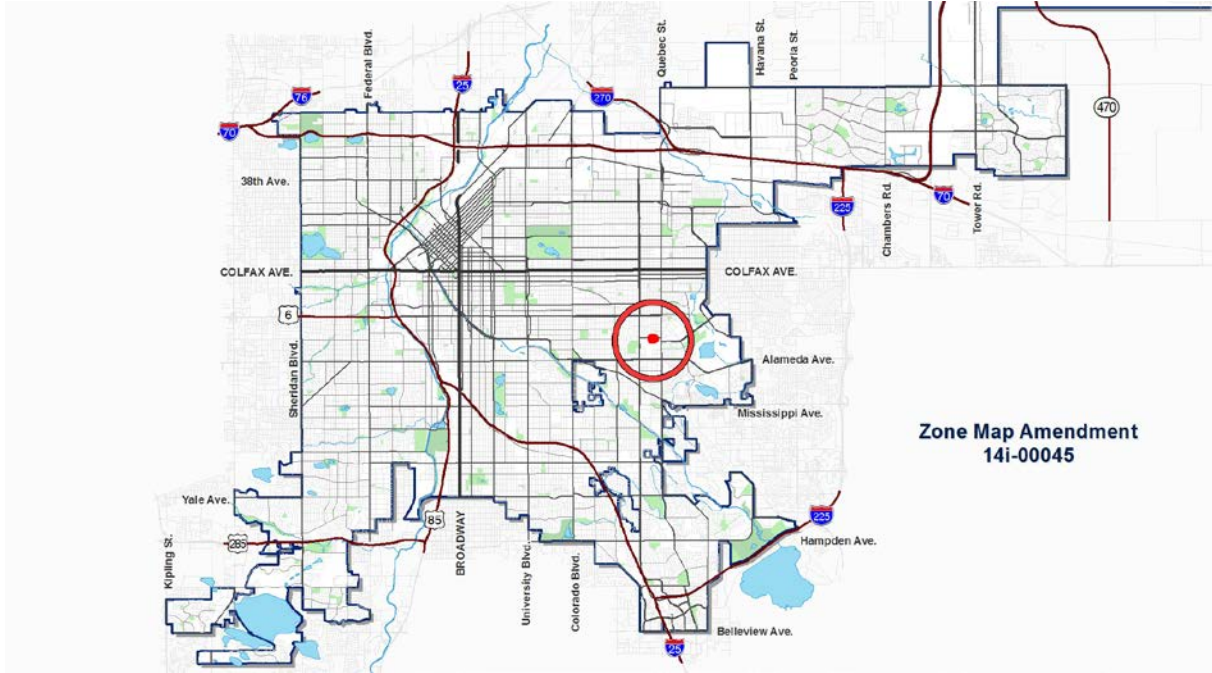
TO: City Council Neighborhoods and Planning Committee
FROM: Theresa Lucero, Senior City Planner
DATE: October 9, 2014
RE: Official Zoning Map Amendment Application #2014I-00045
6900-7100 East 1st Avenue
Rezoning from O-1 to G-RH-3 with waiver

CPD Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2014I-00045 for a rezoning from O-1 to G-RH-3 with a waiver.

Request for Rezoning

Application:	#2014I-000045
Location:	6900-7100 East 1 st Avenue
Neighborhood/Council District:	Lowry Field / City Council District #5
RNOs:	Crestmoor Park (2nd Filing) Homes Association; Crestmoor Park Neighborhood Association; Denver Neighborhood Association, Inc.; Inter-Neighborhood Cooperation; Lowry Community Master Association; Lowry United Neighbors; Mayfair Park Neighborhood Association; Mayfair Residence Condominium Association
Area of Property:	Approximately 2.5 acres, 109,031 SF
Current Zoning:	O-1: (A Denver Zoning Code zone district with a limited use list that include civic and public uses, limited group living, limited commercial and some industrial uses. No maximum height, except when within 175' of a protected zone district where the height is limited to 75'. The only form standards are for setbacks.)
Proposed Zoning:	G-RH-3 with a waiver: G eneral Urban Neighborhood Context – R ow H ouse – 3 story maximum height - with 1 waiver to reduce the number of stories allowed from 3 to 2.5 stories and to change the maximum height from 30 to 35 feet.
Property Owner(s):	Lowry Redevelopment Authority (LRA) - a quasi- governmental, nonprofit entity created by the cities of Denver and Aurora in 1994 to redevelop the former Lowry Air Force Base
Owner Representative:	Robert J. Gollick, Inc.



Summary of Rezoning Request

- The subject property is part of the larger 70-acre Buckley Annex property, which was the last remaining parcel of land to be transferred by the Department of Defense to the Lowry Redevelopment Authority (LRA) at the former Lowry Air Force Base. The Buckley Annex property, including the subject property, is vacant except for two, 2-story existing structures near the intersection of 1st Avenue and Quebec Street. One of the existing structures is an office building and the other is a maintenance building.
- The property owner is requesting a rezoning to entitle the land for future redevelopment of the site consistent with adopted city plans and a General Development Plan approved in 2013. The LRA will be the master developer of the site, as it has been for the rest of Lowry, and will sell land to residential and commercial developers for vertical construction.
- The proposed rezoning for the subject site is for G-RH-3 with a waiver or **General Urban Neighborhood Context – Row House – 3** story maximum height - with one waiver which waives the right to the current DZC height standard of 3 stories and 30 feet, and substitutes a reduced number of stories allowed to 2.5 stories, and changes the maximum height from 30 to 35 feet for all allowed structures.
- The exact language of the waiver is attached to the application form.
- The following table summarizes the waiver, by comparing the standard G-RH-3 height regulations:

	G-RH-3	Proposed G-RH-3 Zone District with Waiver
HEIGHT (All Structures)	3 stories/30 feet	2.5 stories/35 feet

Waivers to a New Code District – Implications:

Waivers are enabled by Section 12.4.10.6 of the Denver Zoning Code and allow for an applicant to waive certain rights or obligations under the proposed zone district. This application requested such a waiver to conform in height with approved a G-RH-3 zone district approved in the core of the Buckley Annex property.

- The Buckley Annex applications allow consideration of what future additions may be needed for the Denver Zoning Code. Specifically, where there are Areas of Change combined with plan recommendations for lower-intensity residential land uses such as **single-unit or duplex**, how can a better urban form be achieved? CPD considers the redevelopment of Buckley Annex a case study within a larger effort to research and understand whether other parts of Denver have this condition and may need this same type of zoning.
- It is important to note that the variations in building height requested in the subject waiver is achievable under the Denver Zoning Code but only when there is an existing neighborhood pattern that the new infill development is trying to imitate (typically, development that occurred pre-1956). Section 12.4.5 of the Denver Zoning Code states “Administrative Adjustments” may be granted to adjust building height and bulk to allow new development to be more compatible with the existing built pattern on the block. For

the subject property, the Administrative Adjustment is not available because there is no existing built block pattern. The “block” is vacant.

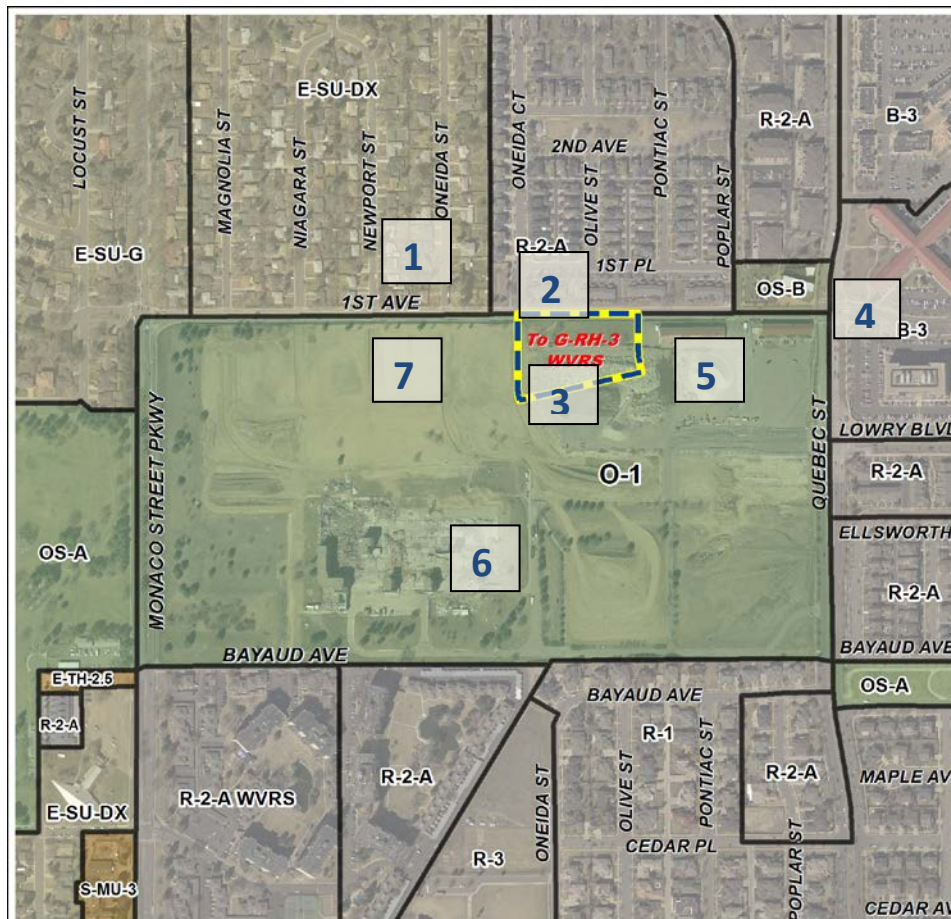
- **Summary Background**

The following is a summary of the Buckley Annex history.

- 1970s - 2005 - The subject property was home to the Air Reserve Personnel Center and Denver Center of the Defense Finance and Accounting Services, with some 3,000 employees.
- 1993 – Lowry Reuse Plan created and adopted by the city
- 2000 – Denver’s Comprehensive Plan 2000 adopted and Lowry Reuse Plan re-adopted as supplement by the city
- 2002 – Blueprint Denver adopted by the city
- 2005 - Department of Defense-Air Force announced closure of Buckley Annex (the subject site)
- 2008 – Buckley Annex Redevelopment Plan completed by LRA as required by the Department of Defense (not adopted by the city)
 - LRA created a conceptual Redevelopment Plan following a public planning process
 - As described in the Redevelopment Plan “The Department of Defense recognizes a local redevelopment authority as the entity responsible for creating a redevelopment plan for closed facilities before property is transferred for development. The Office of Economic Adjustment (OEA) designated the LRA to manage the public process for the redevelopment plan and ultimately deliver a plan that balances the needs of the community, the Air Force and future developers.”
 - The Redevelopment Plan was submitted to the Secretary of Defense and the Secretary of Housing and Urban Development.
 - The Redevelopment Plan provided a framework for land use and transportation including residential areas, mixed use areas, building height limitations, a new, connected street grid, and parks and open spaces.
- 2011 - Property completely vacated by the Air Force
- 2012 - Air Force completed transfer of the property to the LRA
- 2013 – Buckley Annex General Development Plan approved by the City and recorded. (Reception Number 2013077511) (Planning Board recommended approval to DRC; DRC approved GDP. DRC = Community Planning and Development, Parks and Recreation, and Public Works).

Existing Context

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	O-1	Vacant surface parking	No Structures	Regular grid and modified grid pattern of streets and rectangular blocks; Streets north of 1 st Avenue interrupted south of 1st Avenue by Buckley Annex superblock. Vehicle parking to the side or rear of buildings (alley access), and structured.
North	R-2-A with waivers	Rowhouse	1st Avenue – 2-story rowhomes, consistent rear setback from 1 st Avenue	
South	O-1	Vacant surface parking	No Structures	
East	O-1	Vacant non-residential structure & surface parking	Two 2-story non-residential structures	
West	U-SU-A with waivers	Vacant	No Structures	



1- Mayfair Neighborhood, Single unit detached, 1-1.5 story NW if subject property



2 Lowry West Neighborhood, Single unit attached, 2 story, rear-facing homes on 1st Avenue north of subject property



3 Subject Property



4 Lowry Mixed Use Town Center, 1-5 story, east across Quebec Street



5- Buckley Annex non-residential structure, 2 story, directly east of subject property



6 Vacant property, south of subject property



7 Vacant property west of subject property



Summary of City Review

As part of the DZC review process, the rezoning application is reviewed by CPD and referred to potentially affected city agencies and departments for comment. The first review by CPD suggested a few minor refinements and included the more substantive comment addressing the proposed parking waivers, which would have increased the required parking for multi-unit from 1 space per dwelling unit to 2 spaces per dwelling unit. The applicant submitted a revised application that reflected these comments and which eliminated the proposed parking waiver. A summary of agency referral responses follows:

Asset Management: Approved, No Comments

Development Services – Project Coordination: Approved, No Comments

Development Services – Wastewater: Approved

Public Works – City Surveyor: Approved, No Comments

Development Services – Transportation: Approved

Denver Parks and Recreation: Approved, No Comments

Public Review Process

Several notices are sent to registered neighborhood organizations throughout the rezoning process. The following summarizes public input received, as well as the specific dates notice has been or will be sent:

- To date one letter of public comment has been received. See the attached letter.
- First Notice: CPD staff provided Informational notice of the rezoning application to affected members of City Council and registered neighborhood organizations on July 25, 2014, according to Section 12.3.4.5.A.1 of the Denver Zoning Code.
- Second Notice for Planning Board Public Hearing: The property has been legally posted for a period of 15 days announcing the September 17, 2014 Denver Planning Board public hearing, and written notification of the hearing has been sent to all affected registered neighborhood organizations and City Council members.
- NAP: Third notice of the meeting of the Neighborhoods and Planning Committee of the City Council for review. NAP is a public meeting with electronic notification sent to affected members of City Council and registered neighborhood organizations.
- Fourth and Final Notice for City Council Public Hearing: Following NAP committee review, the rezoning application is referred to the full City Council for final action after a public hearing on second reading. For the public hearing notification of the hearing is sent to affected members of City Council and registered neighborhood organizations and notification signs are posted on the property 21 days prior to the hearing.

Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are as follows:

a) DZC Section 12.4.12.15

“The City Council may approve an official map amendment (rezoning) application for property located within an approved GDP area, taking into consideration the approved GDP.”

b) 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

c) DZC Section 12.4.10.14

1. Justifying Circumstances (also referenced in Section 12.4.10.1)
2. Consistency with Neighborhood Context Description, Zone District Purpose and Intent Statements

a) Buckley Annex General Development Plan – 2013

In 2013, the City approved a general development plan for the entire 70-acre site known as Buckley Annex. The subject property for this rezoning application is within the *Community Park Mixed-Use Center* subarea. This subarea description states:

“Intent: The Community Park Mixed-Use Center serves as a community-wide gathering place that is defined by a significant community park and plaza; new opportunities for park-side retail; and multi-family and single-family residences that look onto the park and plaza. The area for additional library parking shall also be provided in the northeast corner of this subarea to support the existing Schlessman Library at the intersection of 1st Avenue and Quebec Street and to create synergy between the library users and the new mixed-use center. Along the frontage of Lowry West Neighborhood, single family attached housing is anticipated before stepping up to higher density residential and mixed-use developments.

Land Use: Mixed use (residential, retail, office, civic). This area includes a community park that should serve as a gathering place for the Lowry Community.

Height: Maximum 5 stories with maximum height of 3 stories and 2.5 stories along 1st Avenue and a maximum height of 3 stories along Quebec Street between Archer Place and Lowry Boulevard.

Urban Design:

- Build-to lines and pedestrian entrances along Lowry Boulevard and Pontiac Street
- Ground-floor active uses
- Parking located to the side and/or the rear of buildings or structures
- Buildings and uses will also be oriented to the active park

On the following map the yellow highlight identifies the location of the Community Park Mixed-Use Center subarea and the subject property is located with a red circle.



The proposed rezoning is consistent with this subarea intent language. The G-RH-3 with waiver allows single and multi-unit land uses with form standards for row house structures, with on-street pedestrian entrances required for each dwelling unit and with a maximum height of 2.5 stories. These land uses and building form standards implement the GDP land use and urban design recommendations.

b) DZC Section 12.4.10.13

1. Consistency with Adopted Plans

The following adopted plans apply to this property:

- Denver Comprehensive Plan 2000
- Lowry Reuse Plan (1993, re-adopted 2000)
- Blueprint Denver (2002)

Denver Comprehensive Plan 2000

This rezoning is consistent with many Denver Comprehensive Plan strategies, including:

- Environmental Sustainability chapter, Strategy 2-F: *“Conserve land by promoting infill development with Denver at sites where services and infrastructure are already in place”* (p. 39).
- Land Use chapter, Strategy 1-H: *“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”* (p. 58).
- Land Use chapter, 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”* (p. 60).

- Denver’s Legacies chapter, Strategy 4-A: *“Preserve, enhance and extend the pattern and character of the primary street system, including the prevailing grid, interconnected parkways, detached sidewalks and tree lawns”* (p. 99).
- Neighborhoods chapter, 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”* (p. 150).

The proposed rezoning within the General Urban Neighborhood Context reinforces the street pattern goals. The proposed zoning will enable residential housing types to meet needs of Denver’s present and future residents.

The Lowry Reuse Plan – 1993, 2000

The Lowry Reuse Plan adopted in 1993 did not anticipate any change in use to the subject property from the Air Force land uses. It specifically stated in its “Planning Assumptions” that “The Defense Finance Accounting Service and Air Reserve Personnel Center (DFAS/ARPC) and the 21st Space Command Squadron will continue to operate in cantonment facilities at Lowry after closure” (p. 3-1). However, in 2005, the Air Force announced that it would be closing these facilities. Since the Lowry Reuse Plan did not anticipate any land uses other than Air Force ones, it is not applicable to the changed circumstances now present at the site.

Blueprint Denver – 2002

The proposed rezoning is consistent with Blueprint Denver.

According to the 2002 Plan Map adopted in Blueprint Denver, this site is designated an Area of Change and has a future concept land use of Employment. As to the Employment land use concept, the Plan was adopted prior to the closure of the Air Force land uses and therefore is of limited applicability.



2002 Blueprint Denver Map

Blueprint Denver Area of Change

The subject site is designated as an Area of Change. In general, the goal for Areas of Change is to channel growth where it will be beneficial and can best improve access to jobs, housing and services with fewer and shorter auto trips. Areas of Change provide Denver with the opportunity to focus growth in a way that benefits the city as a whole (p. 127).

Additionally, Blueprint Denver plan text identifies specific goals for Lowry as an Area of Change (Page 22). Specifically, it describes that these large vacant development sites offer "... the potential to create new neighborhoods that embody the best characteristics of Denver's traditional residential areas."

Blueprint Denver also proposes strategies for Areas of Change, including "addressing edges between Areas of Stability and Areas of Change, addressing compatibility between existing and new development and infill and redevelop vacant and underused properties" (p. 23).

The proposed rezoning is consistent with the Area of Change planning goals because the G-RH-3 with waiver zone district creates the potential to create a new infill neighborhood that includes characteristics of Denver's traditional neighborhoods with a waiver that addresses the edges between the Area of Change and the Area of Stability. The waiver allows for building heights similar to what would be allowed for existing established neighborhoods.

Blueprint Denver Future Land Use - Employment

The subject site has a future land use concept of Employment. This land use concept describes a need for special attention to design, screening and buffering is necessary when near districts that include residential uses (p. 39). Subsequent rezoning applications for other parts of Buckley Annex will focus on the Employment recommendation and in accordance with the approved Buckley Annex GDP.

The proposed G-RH-3 with waiver rezoning provides special attention to design, specifically by providing a land use and building height transition from adjacent established single-family Areas of Stability to the subject property. This provides for a compatible infill plan that responds to adjacent neighborhoods.

Blueprint Denver Future Street Classifications

The Blueprint Denver future street classification for 1st Avenue is Residential Collector. Residential Collector streets provide a balance between mobility and land access for residential development.

2. Uniformity of District Regulations and Restrictions

Because the proposed zoning is G-RH-3 with a waiver it is a unique zone district and is therefore uniform with itself and the remainder of Buckley Annex.

3. Public Health, Safety and General Welfare

The proposed rezoning furthers the public health, safety, and general welfare of the City primarily through implementation of the City's adopted land use plan and the Buckley Annex General Development Plan.

c) DZC Section 12.4.10.14

1. Justifying Circumstance

Denver Zoning Code Section 12.4.10.14.A.4 states a rezoning may be justified when 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 change or changing condition in this case is the closure of the Air Force facilities at Buckley Annex in 2011, and the subsequent sale of the property by the Department of Defense-Air Force to the Lowry Redevelopment Authority (“LRA”) in 2012. Recommendations in Comprehensive Plan 2000, Blueprint Denver, and the Buckley Annex General Development Plan provide policy support for a substantial public interest in encouraging redevelopment of the area to meet citywide planning goals for Areas of Change, as well as to meet more specific planning goals for the Buckley Annex adopted after its sale to the LRA.

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

Neighborhood Context: The requested G-RH-3 with waiver zone district is within the General Urban Neighborhood Context. This neighborhood context is characterized by multi-unit residential uses located along local and residential arterial streets. It consists of a regular pattern of orthogonal block shapes, detached sidewalks, and the presences of alleys. Residential buildings have consistent orientation and setbacks. There is a balance of pedestrian, bicycle and vehicle reliance with a greater access to the multi-modal transportation system.

Zone District General Purpose: Residential zone districts within this neighborhood context promote and protect higher density residential neighborhoods; reinforce desired development patterns in existing neighborhoods while creating standards for new neighborhoods; and provide standards for buildings to orient to the street, access from the alley and have high lot coverage and shallow front yards.

Zone District Specific Intent: Specifically, G-RH-3 allows for urban house, duplex and row house building forms not taller than 3 stories (2.5 stories with the proposed waiver).

The proposed rezoning is consistent with the above intent language. The base G-RH-3 zone district provides a land use and building form that promotes higher density similar to the density of existing Lowry development. The proposed waiver allows for a height standard which accommodates a new neighborhood within an Area of Change, and allows an acceptable transition to an existing neighborhood.

Additionally, the requested zoning implements the neighborhood context vision for streets, blocks, alleys and sidewalks as set forth in the Buckley Annex GDP.

CPD Recommendation

Based on the analysis set forth above, CPD staff finds that the application meets the requisite review criteria. Accordingly, staff recommends *approval*.

Application #2014I-00045
6900-7100 East 1st Avenue
October 9, 2014
Page 13

Attachments

1. Application
2. Comment Letter

Zone Map Amendment (Rezoning) - Application

1/26/12

PROPERTY OWNER INFORMATION*		PROPERTY OWNER(S) REPRESENTATIVE**	
<input type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION		<input checked="" type="checkbox"/> CHECK IF POINT OF CONTACT FOR APPLICATION	
Property Owner Name	Lowry Economic Redevelopment Authority (LRA)	Representative Name	Robert J. Gollick, Inc.
Address	7290 East 1st Avenue	Address	609 South Gaylord Street
City, State, Zip	Denver, Colorado 80230	City, State, Zip	Denver, Colorado 80209
Telephone	303 343-0276	Telephone	303 722-8771
Email	<Monty.Force@lowryredevelopment.org>	Email	bgollick@comcast.net
<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):	Approximately 6900 – 7100 East First Avenue		
Assessor's Parcel Numbers:	Portions of: 0608400023000		
Legal Description: (Can be submitted as an attachment. If metes & bounds, a map is required.)	See Exhibit "D":Legal Description		
Area in Acres or Square Feet:	2.503± acres or 109,031± square feet		
Current Zone District(s):	O-1	App. No. 200141-00045	
PROPOSAL			
Proposed Zone District:	G-RH-3 with a Waiver (8.13.14)		

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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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>

ATTACHMENTS

Please check any attachments provided with this application:

- Authorization for Representative
- Proof of Ownership Document(s)
- Legal Description
- Review Criteria

Please list any additional attachments:

Please Refer to the Addendum Pages for all Exhibits
 Exhibit "A": Proposed Waiver (DRMC 12.4.10.12)
 Exhibit "B": Description of Consistency with Adopted City Plans (DRMC 12.4.10.13(A, B & C))
 Exhibit "C": Description of Justifying Circumstances and Neighborhood Context (DRMC 12.4.10.14(A & B))
 Exhibit "D": Legal Description and Graphic Exhibit
 Exhibit "E": Letter of Authorization for Robert J. Gollick, Inc. to act as Representative
 Exhibit "F": Summary of Neighborhood Outreach Program
 Note: Proof of Ownership (Deed Submitted Separately)



DENVER
THE MILE HIGH CITY

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
Lowry Economic Redevelopment Authority (LRA)	7290 East 1st Avenue Denver, Colorado 80230 303 343-0276 <Monty.Force@lowryredevelopment.org>	100%	<i>Montgomery C. Force</i>		A	Yes

May 18, 2014

Rev: August 13, 2014

Addendum Pages to the proposed Official Zone Map Amendment for Boulevard One at Lowry formerly known, and referenced on the adopted GDP, as The Buckley Annex. The Buckley Annex GDP establishes six distinct sub-areas. This proposed map amendment is for a portion of the Community Park Mixed-Use sub-area.

A Portion of the Community Park Mixed-Use Sub-Area

Approximately 6900 – 7100 East First Avenue (See the location graphic below).

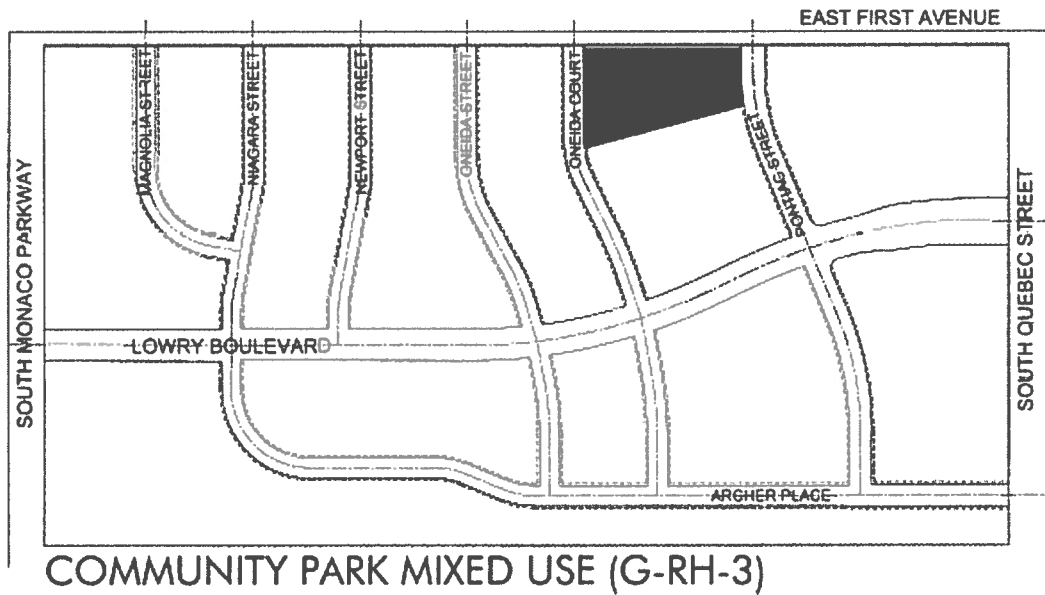
Application No. 2014I-00045

Current Zoning: O-1

Proposed Zoning: G-RH-3 with a waiver

Site Size: 2.503± acres or 109,031± square feet

ZONING LOCATION EXHIBIT



Property Owner

Lowry Economic Redevelopment Authority

7290 East First Avenue
Denver, Colorado 80230

Authorized Representative:

Robert J. Gollick, Inc.
609 South Gaylord Street
Denver, Colorado 80209
303 722-8771
bgollick@comcast.net

Included as part of this addendum are the following documents:

Exhibit "A": Proposed Waiver

Exhibit "B": Description of Consistency with the following adopted City plans

- Comprehensive Plan 2000
- Blueprint Denver
- Approved Buckley Annex General Development Plan (GDP)

Exhibit "C": Description of Justifying Circumstances

- Neighborhood Context and Effect of Rezoning

Exhibit "D": Legal Description and Graphic Exhibit

Exhibit "E": Letter of Authorization

Exhibit "F": Summary of Neighborhood Outreach Program

Note: Proof of Ownership (Deed Submitted Separately)

Exhibit "A": Proposed Waiver

This map amendment contains a waiver, the intent of which is to limit the allowable maximum height of structures. The proposed waiver is detailed below:

Maximum Height of Structures Waiver:

No structure erected on the subject property shall exceed 2½ (Two and one half) stories up to 35 feet (Thirty-five) in height

Per Article 12, Section 12.3.3.3 (Application Contents, B. Submittal Waivers) of the Denver Zoning Code, we, the undersigned owner of the property under application for the rezoning referenced herein, do hereby waive certain rights or obligations of Section 6.3.3.4 of the Denver Zoning Code relating to heights of all Building Forms and instead shall comply with the following: No structure erected on the subject property shall exceed Two and One-Half (2-1/2) stories up to Thirty Five (35) feet in height.

This waiver shall apply to all our successors and assigns.

Agreed to by:

Date



Montgomery Force, Executive Director

Lowry Economic Redevelopment Authority

9/22/14

Exhibit "B": Description of Consistency with Adopted City Plans

REVIEW CRITERIA

The proposed map amendment is consistent with the following three adopted plans.

- 1. Denver Comprehensive Plan 2000,**
- 2. Blueprint Denver, and**
- 3. Buckley Annex General Development Plan (GDP).**

Review Criteria 1. Denver Comprehensive Plan 2000

Note: Italicized text following a strategy or objective is used to detail how the proposed map amendment meets that Plan goal.

Land Use Chapter

Objective 1: Citywide Land Use and Transportation Plan

Balance and coordinate Denver's mix of land uses to sustain a healthy economy, support the use of alternative transportation, and enhance the quality of life in the city.

Strategy 1-B: Ensure that the *Citywide Land Use and Transportation Plan* reinforces the city's character by building on a legacy of **high-quality urban design and stable, attractive neighborhoods**; encouraging preservation of historic buildings, districts and landscapes; and maintaining the integrity of the street grid, parks, parkways, and open space system.

Note: Boulevard One connects the proposed streets with the existing local street system preserving the integrity of the grid system. Additionally, Boulevard One has an extensive open space network that will enhance the quality of life for the area residents.

Strategy 1-C: Incorporate relevant recommendations from neighborhood, corridor and area plans that are supplements to Plan 2000. Examples are the plans for Stapleton, **Lowry**, Gateway, Federal Boulevard, Central Platte Valley and the Golden Triangle.

Note: Boulevard One meets the recommendations and guidelines that have been adopted in the Buckley Annex GDP.

Objective 3: Residential Neighborhoods and Business Centers

Preserve and enhance the individuality, diversity and livability of Denver's neighborhoods and expand the vitality of Denver's business centers.

Strategy 3-A Complete neighborhood and **area plans** for parts of Denver where development or redevelopment is likely or desirable.

A GDP was developed by the Lowry Redevelopment Authority and adopted by the City in 2013.

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.

The Boulevard One Design Guidelines assure that future development will be compatible with the quality and character of the surrounding neighborhoods. Bike paths, walking paths and parks are incorporated into Boulevard One to provide the amenities the surrounding neighborhoods already enjoy.

Objective 4: Land Use and Transportation

Ensure that Denver's Citywide Land Use and Transportation Plan and regulatory system support the development of a clean, efficient and innovative transportation system that meets Denver's future economic and mobility needs.

Strategy 4-A: Encourage mixed-use, transit-oriented development that makes effective use of existing transportation infrastructure, supports transit stations, increases transit patronage, reduces impact on the environment, and encourages vibrant urban centers and neighborhoods.

The theme of Lowry has always been "Live, Work and Play". This concept is incorporated into the Boulevard One neighborhood by providing a true mixed-use environment where residents will be able to live near work opportunities as well as recreation amenities. This will reduce the need for travel. Boulevard One residents will benefit from the six existing RTD bus stops around the site. The inclusion of additional residential units will support RTD rider patronage.

Strategy 4-B: Ensure that land use policies and decisions support a variety of mobility choices, including light rail, buses, paratransit, walking and bicycling, as well as convenient access for people with disabilities.

Bike paths, walking paths along with nearby RTD transit is available through out the Boulevard One area.

Mobility Chapter

Explore and then use a wide variety of mechanisms to reduce the number of vehicle miles traveled, especially at peak times.

Objective 4: Changing Travel Behavior

Strategy 4-E: Continue to promote mixed-use development, which enables people to live near work, retail and services.

Boulevard One will develop into a true mixed-use neighborhood where residents will be able to live near work opportunities as well as recreation amenities. This will reduce the need for travel.

Legacies Chapter

Opportunity: New development: Development plans for **Lowry**, Stapleton, the Central Platte Valley and the DIA/Gateway area can extend the quality and character of Denver's historic urban design features.

Objective 2 New Development, Traditional Character

In new development, adapt Denver's traditional urban design character to new needs expectations and technologies.

Strategy 2-A: Establish development standards to encourage positive change and diversity while protecting Denver's traditional character

Boulevard One has incorporated design guidelines that will assure quality design and planning principles are established.

Strategy 2-E: Ensure that the Zoning Code reinforces quality urban design.

The Lowry Redevelopment Authority has a 15-year history of providing quality urban design.

Boulevard One will carry on that legacy. Additionally, the 2010 Denver Zoning Code is a form-based Code with development regulations built-in. This assures quality urban design. Boulevard One is utilizing that Code.

Objective 3 Compact Urban Development

Incorporate visionary urban design principles into new development patterns to achieve a higher concentration and more diverse **mix of housing**, employment and transportation options in identified areas of the city.

Strategy 3-A: Identify areas in which increased density and new uses are desirable and can be accommodated.

The City's adoption of the Buckley Annex GDP has already identified the areas that are appropriate for increased density and new uses. Boulevard One development will adhere to the land use(s) in the GDP.

Housing Chapter

Incorporate visionary urban design principles into new development patterns to achieve a higher concentration and more diverse **mix of housing**, employment and transportation options in identified areas of the city.

Strategy 3-A: Identify areas in which increased density and new uses are desirable and can be accommodated.

The City's adoption of the Buckley Annex GDP has already identified the areas that are appropriate for increased density and new uses. Boulevard One development will adhere to the land use(s) in the GDP.

Strategy 3-B: Create regulations and incentives that encourage high-quality, mixed-use development at densities that will support Denver's diverse housing needs and public transportation alternatives.

Boulevard One has incorporated several housing types into the overall plan. The proposed G-RH-3 will permit one of those housing product types, single-unit dwellings.

Environmental Sustainability Chapter

Strategy 2-F Conserve land by:

- Promoting infill development within Denver at sites where services and infrastructure are already in place.
- Designing mixed-use communities and reducing sprawl, so that residents can live, work and play within their own neighborhoods.

Development of Boulevard One will reduce urban sprawl by providing housing, employment and services all in proximity with one another.

Strategy 4-A 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.**

Review Criteria 2. Blueprint Denver: An Integrated Land Use and Transportation Plan

Note: The following portion of this application contains excerpts and paraphrasing from Blueprint Denver.

Blueprint Denver has designated the subject property as an Area of Change with a conceptual land use designation of **Employment Area** and further categorized (page 135) as a **mixed-use district**. Blueprint Denver expects 17,000 additional jobs and 16,000 new housing units at Stapleton, Gateway and **Lowry** by 2020. One of Denver's unique characteristics is the presence of these large vacant development sites. Blueprint Denver addresses how to accommodate this growth through an analysis of Areas of Change.

This site offers the potential to create new neighborhoods that embody the best characteristics of Denver's traditional residential areas. The Blueprint Denver scenario calls for a level of local retail, services and jobs to support the needs of residents who will occupy future housing on these sites. Such a development pattern ensures that residents can find goods, services and employment **close to home and may help reduce the number and length of trips taken.**

The Areas of Change are organized into districts, residential areas, centers and corridors. In most cases, changes in these areas will occur through following adopted plans such as for downtown Denver, Stapleton, and **Lowry**, or through developing new small area plans.

Note: *The Lowry Redevelopment Authority coordinated an extensive outreach program (See Exhibit "F") that led to the adoption of the Buckley Annex General Development Plan. The proposed map amendment is in complete conformance with that GDP.*

Numerous policies and recommendations contained in Blueprint Denver are in support of the development of the Boulevard One property. A few of these follow:

Blueprint Denver Strategies (for implementation)

- Coordinated master planning
- Urban character
- Pedestrian and transit supportive design and development standards
- Mixed land uses—retail and employment near residential neighborhoods
- Diversity of housing type, size, and cost
- Multi-modal streets
- Street grid/connectivity

- Reduce land used for parking with shared parking and structured parking
- Adequate parks and open space

As stated in Blueprint Denver, much of Denver's growth will be accommodated by infill **development on vacant land** or through redevelopment of existing sites. The proposed map amendment will meet that statement by providing the appropriate entitlement to develop a mixed-use project on a significant vacant parcel.

Review Criteria 3. Adopted Buckley Annex General Development Plan (GDP)

A General Development Plan establishes a framework for future land use and development and resulting public infrastructure. The GDP provides an opportunity to identify issues and the development's relationship with significant public infrastructure improvements such as major multi-modal facilities and connections thereto, major utility facilities, and publicly accessible parks and open spaces. An **approved GDP** provides a master plan for coordinating development, infrastructure improvements, and regulatory decisions as development proceeds within the subject area.

This General Development Plan for Boulevard One has been created within the guiding principles and framework of the 2008 Buckley Annex Redevelopment Plan. The GDP establishes 6 sub areas that each have unique development opportunities.

The subject parcel is the residential only portion of the Community Park Mixed-Use sub area and is described as follows:

Community Park Mixed-Use

Intent: The Community Park Mixed-Use Center serves as a 25.6± community-wide gathering place that is defined by a significant community park and plaza; new opportunities for park-side retail; and multifamily and single-family (attached and detached). However, the 2.5± acre parcel contained in this application is a sub-area within the Community Park Mixed-Use that is, per the approved GDP, limited in height to 2 1/2 stories with only single-family residential both detached and attached as the permitted land use.

When developed, this parcel will provide a transition from the existing residential units across East First Avenue before stepping up to higher density residential and mixed-use developments just west of Quebec Street.

Land Use: Single unit attached, single unit detached

Height: Maximum 2 1/2 stories up to 35 feet

Exhibit "C":

Section "A" Description of Justifying Circumstances

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 Boulevard One property was the last parcel of land to be transferred by the Department of Defense to the Lowry Redevelopment Authority at the former Lowry Air Force Base. This property contained the Denver Center of the Defense Finance and Accounting Services and the Air Reserve Personnel Center. (DFAS)

The United States Air Force announced closure of the DFAS facility in 2005. The Lowry Redevelopment Authority initiated a collaborative community process to begin planning for the transition of the property from DFAS facility to an integrated neighborhood in Lowry. The LRA conducted a public redevelopment planning process in 2007 and 2008 involving several community task forces and stakeholder groups. The redevelopment plan strives to balance the needs of the community, the LRA and the City and County of Denver. The LRA will be the master developer of the site, as it has for the rest of Lowry, and will sell land to residential and commercial developers for vertical construction.

Development of the Boulevard One property will encourage the creation of livable, vibrant neighborhoods that are defined by choices, quality amenities and a range of housing types. The Boulevard One neighborhood will provide this for people at many life stages. This sustainable neighborhood will integrate with surrounding neighborhoods, provide opportunities to replace lost jobs, and create new tax revenues for the city.

The closure of the DFAS Center and property transfer to the LRA is one of the changed conditions that justify this map amendment

Additionally, numerous other changes have occurred that justify the proposed map amendment. A few are listed as follows:

1. Of most importance is the City's adoption of the **Buckley Annex GDP** that is supportive of this zoning request and described in the section above,
2. Approval of the site as an **"Area of Change"** with a land use designation of Employment Area within "Blueprint Denver",
3. The numerous coordinated developments that have occurred at the former Air Force Base that makes this one of the most successful base closures in the nation,
4. The adoption of the 2010 Zoning Code, which provides "form-based", zoning tools to address the development goals of the City and the neighbors for infill sites,

5. The desire for individuals to live near where they work and play,
6. The site connects to five RTD urban transit lines, which conveniently connect to downtown.

The area conditions have changed significantly, providing the legal basis for this zone change request and make the proposed amendment reasonable and necessary to the promotion of the public health, safety and general welfare. The public interest for the citizens of Denver is best served by adoption of this map amendment, which will provide support for the services, amenities, employment opportunities and provide residential development necessary for positive planned growth to occur.

Section "B" Neighborhood Context and Effect of Rezoning

The proposed amendment is to provide a framework for the development of a property located at one of the City's most important sites that reflects the goals and expectations of the approved Buckley Annex GDP (approved May of 2013). The G-RH zone district is intended for single-unit and multi-unit residential development. However, for this parcel, the land use is limited to single unit attached and/or single unit detached with a maximum height of 2 ½ stories up to 35 feet.

The G-RH-3 zone districts was adopted by City Council to respond to development parcels such as this and categorized as General Urban Neighborhood Context. The Zoning Code describes the neighborhood context of the G-RH-3 district as consisting of 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. Residential uses are primarily located along local and residential arterial streets and buildings typically have consistent, shallow to moderate front setbacks, shallow side setbacks and consistent orientation.

The effect of the proposed amendment will be immediate and positive. Zoning proposals such as this one can be the catalyst for smart growth with density where it should be and people living and shopping where they work. Development of the subject property under the guidelines of the Urban Neighborhood Context zoning will meet the expectations of the approved GDP. The addition of residential units will bring shoppers and diners to the area who for the most part will walk to their destinations.

As paraphrased from the Zoning Code, 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. 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.

These standards recognize the variation within the General Urban Neighborhood Context and provide eight Residential Zone Districts. The lowest-scale district (G-RH-3) with a maximum height of, limited to 2 ½ for the subject parcel, stories provide a transition to Urban and Urban Edge Neighborhood Contexts.

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.

**Exhibit "D": Legal Description: G-RH-3
A Portion of the Community Park Mixed-Use Sub-Area**

**Parcel 5B
Proposed Zoning (G-RH-3)
Description**

A part of the Southeast Quarter of Section 8, Township 4 South, Range 67 West of the Sixth Principal Meridian, City and County of Denver, State of Colorado, more particularly described as follows;

COMMENCING at the East Quarter Corner of said Section 8;
thence North 89°59'52" West, along the northerly line of said Southeast Quarter of Section 8, a distance of 120.00 feet;
thence South 00°02'35" West, parallel with and 120.00 feet west of the easterly line of said Southeast Quarter of Section 8, a distance of 30.00 feet to the southerly line of E. 1st Ave. and the northwest corner of Lowry Filing No. 3 recorded at Reception Number 9800190950 in the Clerk and Recorder's Office of said City and County of Denver;
thence North 89°59'52" West, along the southerly line of E. 1st Ave., a distance of 643.52 feet to the centerline of proposed Pontiac St. and the **POINT OF BEGINING**;

thence along said centerline of proposed Pontiac St. the following two (2) courses:
1.) South 00°00'08" West a distance of 78.61 feet to a point of curve;
2.) along the arc of a curve to the left having a radius of 500.00 feet, a central angle of 12°31'31", an arc length of 109.28 feet and whose chord bears South 06°15'32" East a distance of 109.06 feet;

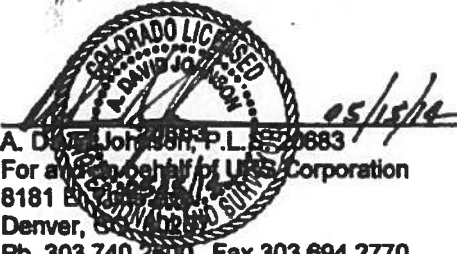
thence South 77°02'30" West a distance of 467.96 feet to the centerline of proposed Oneida Ct. and a point of non-tangent curve;

thence along said centerline of proposed Oneida Ct., the following two (2) courses:
1.) along the arc of a curve to the right having a radius of 230.00 feet, a central angle of 12°57'38", an arc length of 52.03 feet and whose chord bears North 06°28'41" West a distance of 51.92 feet;
2.) North 00°00'08" East a distance of 240.38 feet to said southerly line of E. 1st Ave.;

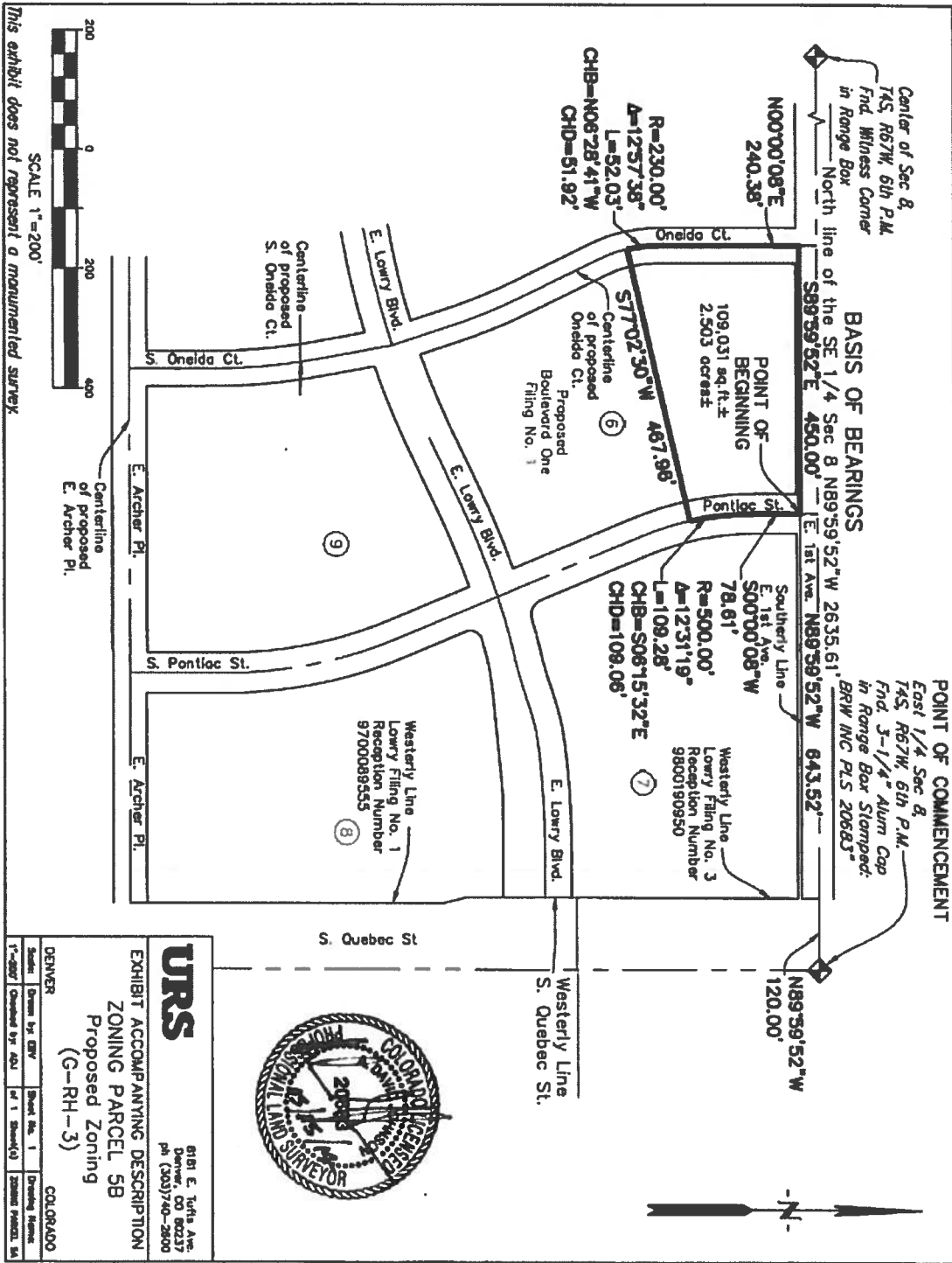
thence South 89°59'52" East, along said southerly line of proposed E. 1st Ave., a distance of 450.00 feet to the **POINT OF BEGINNING**.

Containing 109,031 square feet or 2.503 acres, more or less.

Basis of bearings: Bearings are based on the northerly line of the Southeast Quarter of Section 8, Township 4 South, Range 67 West, of the Sixth Principal Meridian, City and County of Denver, State of Colorado as being North 89°59'52" West. The East Quarter Corner of said Section 8 is a 3 1/4" aluminum cap in a range box stamped BRW INC, PLS 20683. The Center of said Section 8 is a 3 1/4" aluminum cap Witness Corner stamped URS CORP, PLS 20683.


A. David Johnson, P.E., P.L. # 20683
For and on behalf of URS Corporation
8181 E. 12th Avenue
Denver, CO 80231
Ph. 303.740.2600 Fax 303.694.2770

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Page 2 of 2



URS
 6181 E. Turke Ave.
 Denver, CO 80237
 PH (303)740-2800

EXHIBIT ACCOMPANYING DESCRIPTION
 ZONING PARCEL 5B
 Proposed Zoning
 (G-RH-3)

DENVER
 COLORADO

Drawn by: GJV	Sheet No. 1	Drawing Name
Checked by: ADJ	of 1 Sheet(s)	ZONING PARCEL 5B



Exhibit "E": Letter of Authorization for Robert J. Gollick, Inc. to act as Representative



November 6, 2013

Robert Gollick, Inc.
Robert Gollick
President
609 S. Gaylord Street
Denver, Colorado 80209

RE: Boulevard One Zoning Submittals

Dear Bob,

Robert Gollick, Inc., is hereby authorized to act on behalf of the Lowry Redevelopment Authority for the purpose of rezoning the +/- 70 acres of Boulevard One. The site is located between Monaco Parkway on the west and S. Quebec Street to the east just south of 1st Avenue.

Respectfully,
LOWRY REDEVELOPMENT AUTHORITY


Montgomery C. Force
Executive Director

EXHIBIT "F"
 Buckley Annex Redevelopment Planning
 General Development Plan
 Zoning (now Boulevard One)
 Public Meeting Outreach
 2006-2013

Date	Committee or Neighborhood Org	Place Time	# in attendance approx - does not include committee	Discussion Items
7/18/06	Homeless Assistance Providers/Public Benefit Conveyance screening workshop	DFAS Center a.m.	50	Buckley Annex closure, federally mandated screening procedures and timelines
2/12/07	BA Planning task force # 1	LRA evening	50	Informational and kick off meeting to establish goals and vision for plan
3/12/07	Combined task force # 2	LRA evening		
4/5/07	Housing task force # 1	LRA evening	15	Discussed application from Homeless Assistance Provider
4/11/07	Planning task force # 1	LRA evening	30	Discussed goals of plan
4/19/07	Combined task force # 3	LRA evening	50	Review of conceptual plan alternatives and shared perspectives on options
6/4/07	Housing task force # 2	LRA evening	25	Discussion of full housing spectrum
6/13/07	Combined task force # 4	LRA evening	75	Review updated market & transportation research; presented refined plan alternatives; alternatives reviewed and perspectives shared
6/26/07	Housing task force # 3	LRA evening	30	Continued discussions of housing spectrum and homeless assistance
7/11/07	Homeless Housing public hearing & open house	Eisenhower Chapel evening	150	Recommendations presented for 1.5 acre site for mixed income rental complex of up to 80 for-rent units.
8/1/07	Combined task force # 5 & open house	Lowry Elementary School evening	200	Introduction of redevelopment plan; information of BRAC process and planned disposition of property
8/22/07	Transportation task force # 1	LRA evening	60	Discussion of traffic studies and related impact issues
9/4/07	Transportation task force # 2	LRA evening	60	Continued research and discussion of transportation issues
9/6/07	Combined task force # 6	Machebeuf High School evening	250	Redevelopment plan reviewed; discussion of remaining challenges and plan enforcement with an undetermined developer
9/27/07	Planning/Disposition Subcommittee	evening		Redevelopment plan reviewed and impacts discussed
10/9/07	Lowry Community Advisory Committee	evening		Redevelopment plan reviewed and various elements discussed
10/10/07	Planning task force # 2	evening		Working session with task force members to reach a consensus on outstanding issues and balance opposing views
10/25/07	Planning/Disposition Subcommittee	evening		Report from 10/10 task force working session and further discussion
11/14/07	Final BA Redevelopment Plan Public Comment Meeting	Montclair Academy evening	300	Final plan presented and reviewed; public comments gathered

12/18/07	Combined Planning/Disposition & Community Advisory Committees	Eisenhower Chapel evening		Reviewed plan again with action taken to recommend submittal to AF and HUD
1/29/08	LRA Board of Directors	Eisenhower Chapel evening		Reviewed aspects of plan with action taken to submit the plan to AF and HUD
6/5/12	Lowry Community Advisory Committee	Eisenhower Chapel 5:30-7 pm	40	BA planning history, community planning process, development timeline, GDP plan process, site plan refinements Requested recommendation to submit GDP with refinements
6/13/12	Lowry United Neighborhoods	Village at Lowry 6:30-8 pm	60	BA redevelopment planning process, proposed, site plan refinements, proposed improvements to 1- Ave, proposed berm on 1- Ave, GDP process, DPS and projected BA student count, demo plans, development phasing
6/21/12	Planning/Disposition Subcommittee	Eisenhower Chapel 4-5:30 pm	25	Site plan refinements Requested concurrence of CAC recommendation to submit GDP with refinements
6/26/12	LRA Board of Directors	Eisenhower Chapel 8-9:30 am	25	Proposed site plan refinements Resolution approved to submit the GDP with refinements
7/10/12	Lowry Community Advisory Committee	CO Free U. 5:30-7 pm	75	Overview of site plan, sustainability framework (LEED ND), Proposed refinements to 1- Ave and berm, preliminary results of traffic study
7/19/12	Mayfair Park/Lowry West Neighborhoods	Village at Lowry 5:30-7 pm	32	BA redevelopment planning process, proposed site plan refinements, proposed improvements on 1- Ave, proposed berm on 1- Ave, GDP process, DPS and projected BA students
7/26/12	Planning/Disposition Subcommittee	Eisenhower Chapel 4-5:30 pm	20	DPS discussion of appropriate location of school for Mayfair Park and BA students, 1- Ave berm, Updated Traffic Study
8/16/12	Planning/Disposition Subcommittee	Eisenhower Chapel 5-6:30 pm	30	Transportation Update, Demolition, Project Schedule Update
8/28/12	LRA Board of Directors	LRA 8:30-9:30 am	20	Sustainability Program
9/4/12	Lowry Community Advisory Committee	LRA 5:30-7 pm	25	Transportation Update, Demolition Project Schedule Update
9/20/12	Planning/Disposition Subcommittee	LRA 5-6:30 pm	15	GDP Overview and Process, Buckley Annex Transportation Plan
10/2/12	Lowry Community Advisory Committee	LRA 5:30-7:15	30	GDP Overview & Process, Buckley Annex Transportation Planning
10/18/12	Planning/Disposition Subcommittee	LRA 5-6:15 pm	15	GDP Update and CCD Comments, First Avenue Berm
10/23/12	LRA Board of Directors	LRA 8:-9:30 am	25	GDP Update
11/13/12	Lowry Community Advisory Committee	LRA 5:30-7:30 pm	40	GDP update and CCD comments; First Ave berm, DPS Update; Overview of CCD zoning code
12/4/12	LRA Board of Directors	LRA 8-9:30 am	35	GDP update that CCD requested additional traffic counts; design guidelines addendum for Buckley Annex still to come; zoning suggestions to come from CCD then for public comment; DPS plan to be in place when needed
12/11/12	CCD required public	Eisenhower	150	GDP review; public comment and Q/A

	meeting	Chapel 6-8:30 pm		session; open house period to look at the plan and ask questions
12/18/12	Open house sponsored by Councilwoman Susman	Temple Emanuel 6:30-8 pm	100	Open house format with discussion of the various elements of the GDP at stations around the room
2/5/13	Lowry Community Advisory Committee	Eisenhower Chapel 6-7:30 pm	100	Open House format with questions/discussion at stations around the room, a public comment period, discussion among the CAC with action to recommend that the LRA Board approve the updated GDP
2/26/13	LRA Board of Directors	LRA 8:30-10 am	15	Discussion and action taken to move forward with submittal of the GDP (public comment made by 5 attendees)
3/19/13	LRA Board of Directors	LRA 8:30-10 am	4	GDP status update was given that the presentation to the Denver Planning Board was moved from 3/20/13 to 4/3/13
4/24/13	Planning/Disposition Subcommittee	LRA 5-6:15 pm	1	Educational discussion on CCD zoning code and proposed zoning for Buckley Annex
5/7/13	Community Advisory Committee	LRA 5:30-7 pm	3	Educational discussion on CCD zoning code and proposed zoning for Buckley Annex (public comment made from 1 attendee)
5/21/14	LRA Board of Directors	LRA 8-10:00 am	0	Educational discussion on CCD zoning code and proposed zoning for Buckley Annex
6/20/13	Planning/Disposition Subcommittee	LRA 5-6:30 pm	1	Action taken to recommend the approval of the proposed zone districts (public comment was answered in the discussion prior to action taken)
7/9/13	Community Advisory Committee	LRA 5:30-7 pm	0	Action taken to recommend that the LRA Board approve the proposed zone districts
7/23/13	LRA Board of Directors	8-10:00 am	9	Resolution passed to submit a zoning application for the proposed 5 districts with conditions for Buckley Annex (5 public comments given)
8/27/13	LRA Board of Directors	8-9:00 am	6	Zoning update that additional meetings will be done with Registered Neighborhood Organizations (RNOs) (5 public comments given)
8/27/13	Mayfair Park RNO	LRA 6-7:30 pm	10	Overview of zoning; discussed 1- Ave.; price points & lot sizes; alleys opening to 1- Ave.; choice of Urban rather than Urban Edge
9/3/13	Community Advisory Committee	LRA 5:30-7:00 pm	0	Zoning update for proposed LRA parking standards added as a condition to the zoning submittal pursuant to direction from the LRA Board; Park Heights neighbors have voiced concerns about the location of the DHA site and 10' setbacks
9/10/13	Crestmoor Park/CRL	LRA 4-6:00 pm		
9/13/13	Crestmoor/CCD Traffic		8	1- Ave. & traffic patterns through Crestmoor
9/18/13	Lowry United Neighbors RNO	Village at Lowry 6:30-8 pm	30	Overview of zoning; pedestrian connection with Park Heights; DHA site location; rear setbacks adjacent to Park Heights; accessory dwelling units
9/19/13	Planning/Disposition Subcommittee	LRA 5-6:00 pm	5	Action taken to recommend modifications to the proposed zoning with 1) relocate DHA site to the west; 2) remove the option for accessory dwelling unit from U-SU-B1 district; 3) change rear setback to 20' because there is no alley nor rear-loaded garages in the U-SU-B district (public comments were taken during the discussion with the subcommittee

				members regarding action taken)
10/1/13	Community Advisory Committee	LRA 5:30-7pm	5	Action taken to accept the modifications to proposed zoning with 1) relocation of DHA site; 2) eliminate alleys in U-SU-B1 district; 3) eliminate accessory dwelling units in U-SU-B1; and 4) eliminate accessory dwelling units in U-SU-A1 (3 public comments were given)
10/2/13	Crestmoor I and II RNOs	Crestmoor II private residence 6-7:30 pm	7	Building heights; density; transportation
10/14/13	CCD Traffic/Mayfair Park/Crestmoor	LRA 4-5:30 pm	6	Discussed 1 st Ave.
10/22/13	LRA Board of Directors	LRA	1	Discussed modifications to previously presented zoning recommendations 1) DHA relocation to the west with townhomes east of them and extending single family on the southern edge by an addition 2-3 lots; 2) eliminate accessory dwelling units for districts U-SU-A and U-SU-; 3) no alleys on the southern edge so rear setback set at 20 feet; adding a condition for parking standards that reflect what has been used at Lowry from the old zone code and also having the LDRC examine and ask for more parking on a case by case basis for each project. The Board approved a resolution to move forward with the zoning submittal as presented with these modifications

Boatner, Venus - CPD

From: Christine O'Connor [lowryunitedneighborhoods@gmail.com]
Sent: Wednesday, September 17, 2014 1:09 PM
To: Rezoning - CPD
Subject: Application #2014I-00045
Attachments: Council08.25.2014.docx

Planning Board:

For the record, as set forth in my submissions regarding the prior Buckley map amendments, using waivers in these Buckley cases to custom design entirely new zone district is inappropriate. See my attached submission to Council in August 2014.

Staff Report states that it is using this tool (waivers) because the two other tools to vary height through Administrative Adjustments (when, for example, it would be more compatible with an existing block pattern) cannot be used here. The argument is that the blocks are vacant. In fact, the setbacks and heights in the adjoining blocks would not allow for such administrative adjustments unless they were to DECREASE heights to be more consistent with blocks just north of the site. The logic of staff's arguments is lacking.

I would note, however, that in this application (as opposed to the prior applications) at least the Applicant does not seek to also reduce setbacks further, eliminate bulk plane requirements, and eliminate the lot coverage requirement as in prior applications. There is simply one "waiver" -- giving up the "3 story height" to go to "2.5 stories" in return for a condition allowing height to go from 30 - 35 feet. If someone can explain the logic of what the applicant is "giving up" to get additional height and create a new zone district, that would be instructive.

The bottom line is that the builder gets a new zone district that allows increased square footage, without increasing parking provided with the greater square footage in these units. If you are going to design new zone districts, the parking should be revisited as you have done in CCN's new text amendments as well.

Christine O'Connor
Lowry Resident since 2000

Good morning Councilmembers:

Tonight Council will be asked to approve waivers customizing three zone districts on a 72 acre parcel in Lowry. These are only the first three rezonings that will be brought forth on this parcel. I will not attend, but please accept this as my testimony for tonight. I am concerned that if Council approves these amendments, it could signal to developers in Areas of Change that waivers and conditions are back in the planning toolbox. We will be setting aside Peter Park's concerns about waivers and conditions [1] and forgetting Council's intent to avoid piecemeal rezoning. [2] I believe tonight's hearing raises questions about the Code enacted to bring predictability to zoning and to render unnecessary negotiated deals, waivers and conditions.

I request that Council discuss whether a desire for a more intense level of urban density (than available in the Code) provide grounds for Council to apply waivers and carve new zone districts in these Amendments..

If Council determines that it is appropriate to apply waivers, Council should also allow reconsider the requested waiver to change to parking requirements in the G-RH-3 district (a request for a waiver requiring two spaces per unit rather than one space that was denied at Planning Board because of CPD's desire not to alter the Code).

If Council approves de facto new zone districts, language should be included in the ordinances to the effect that these three zoning amendments "are being approved because there is not time to conduct a public remapping of the Lowry Area prior to zoning of Boulevard One, that Council does not want to hold up these developments, and that these zoning amendments will not be deemed to represent the existing contexts or densities on built Lowry and will not be applied going forward in any remapping process."

Discussion:

CPD Staff states this is a "case study" in imposing more urban forms on an area of "lower-intensity residential land uses such as single family or duplex" in an Area of Change. Staff states the forms available do not allow the owner Lowry Redevelopment Authority to match the Boulevard One development to the existing "legacy" Lowry. The Staff Report to

Denver's Planning Board further states that this might necessitate a change in the Code. Yet instead of going through a legislative remapping process with the Lowry community to determine appropriate contexts and districts (as the City did with most other areas in 2008-09) CDP is coming in the back door customizing three new zone districts through the use of "waivers."[\[3\]](#)

The owner Lowry Redevelopment Authority has agreed to give up its obligations under U-SU-A, U-SU-B and G-RH3, and seeks to acquire new significantly less restrictive regulations increasing the footprint on each parcel. I understand the owner could not achieve the desired forms in any other zone district, but predictability means that land owners abide by the New Zoning Code designations. Remapping could have been undertaken to create a unique Lowry Zoning District (as suggested) or new zone districts could have been arrived at through a public process, which mirrored the process of remapping in other areas in 2008-09.

Please closely examine the waivers and new conditions. These waivers to the (New Code) G-RH-3 district, for example, include height increase from 30-40 feet, significant decreases in setbacks, eliminating 50% maximum lot coverage and reducing bulk plane requirements. Staff reasons that "legacy" (built) Lowry reflects these conditions. This argument is flawed, as LRA and its consultants and CPD staff are fully aware of the extensive R-1 areas on Lowry, areas with 15 or 20 foot setbacks (or greater!), the existence of front loading garages even in the newer northwest area, and many other areas that are not reflected in "legacy" examples chosen for Staff's PowerPoint presentation. It should be noted that neither the Buckley Annex General Development Plan nor the GDP dictate this increase in the intensity of urban forms.

Is it Council's desire to set a precedent that means waivers will be available for any applicant in an Area of Change who desires "more urban forms" than the New Code offers? The discussion about precedent did not occur at LUTI, and I hope it is addressed tonight.[\[4\]](#)

If the custom zone districts find favor with Council, Council should also honor the requests of neighbors to modify the parking requirements in the third application. This waiver or condition to require two minimum parking spaces per unit rather than one was initially included in Owner's

application, but removed because CPD stated it would not approve this waiver. CPD does not want to “mess with” the New Zoning Code by changing parking regulations. Yet this is precisely what Council will be doing if it approves the applications – changing the code. Additionally, the Text Amendments just posted for CCN District alter the parking requirement from .75 parking spaces per unit to 1 parking space per unit in the Urban Center context. It can be done and is being done in Cherry Creek. It can be done here if Council approves other waivers. While it is true these parking recommendations are made in an addendum at the end of the new Boulevard One Design Guidelines, Council must recognize that administratively enforced guidelines do not have the binding effect of zoning.

Citizens on Lowry have expressed desire to plan to avoid overflow parking from under parked living units/rentals. Numerous public meetings and in letters and survey results from Crestmoor and Lowry RNOs. Council will see a long list of public meetings but will not be given the survey content, or the hundreds of comments and concerns that have been raised. To the best of my knowledge, only two waivers at issue today (namely removal of ADUs and inclusion of more stringent parking requirements) came from public input. (Other matters were addressed in public meetings but are not before you in the waivers and conditions.)

Lowry was removed from the citywide remapping process in 2009 because CPD found it was too complicated to remap areas such as Lowry that had waivers and conditions. Remapping the omitted areas was to take place post enactment of the Code, but has not occurred, even though LUN raised the issue numerous times and the suggestion has been made that Lowry have its own zone code classification as CCN does.

Accordingly, we are long overdue for a public process to accomplish legislative remapping. The new zone districts you are being asked to vote on today should not inform any future effort to rezone areas omitted from the New Code, an effort that is still on CPD’s “to do” list.

Thank you for wrestling with these complicated issues. I believe they will prove quite important to future stakeholders.

[1] “I was shocked when I first saw the code Denver was operating under. It was one of the most complicated codes I had ever seen, all negotiated on a transactional basis. That [approach] erodes what zoning does. There’s no overall vision or plan.” Peter Park in the Colorado Independent in 2009.

[2] “[...] City Council has determined that the need to correct errors and respond to changing conditions [. . .] should not be done by piecemeal amendment, but by adoption of an entirely new zoning code and official map.” Ordinance No. 333 enacting the New Zoning Code (emphasis added)

[3] It is important to note the just filed amendments for the Cherry Creek North District. This legislative rezoning creates new districts through a long community wide process.

[4] In June LUTI committee listened to Staff’s summary. One councilmember then stated that staff had made its case for waivers, and another made a brief comment about sustainability. No one asked if Council should consider the precedent of waivers, whether crafting new zone districts in this fashion was appropriate, what the implications might be for future applicants etc. Similarly, there was no discussion about the request from residents for a parking waiver to be added to the third rezoning (G-RH-3).