

Area Map indicating property to be rezoned must be attached to each application form.

City and County of Denver
DEPARTMENT OF ZONING ADMINISTRATION
APPLICATION FOR ZONE MAP AMENDMENT

1. Date Submitted: 11/1/77 Fee: \$2500
2. Application Number: 2929

3. Applicant Roark Associates	4. Address 231 Milwaukee Denver, Colorado	5. Phone No. 388-3658	6. Interest <input type="checkbox"/> Owner(s) <input checked="" type="checkbox"/> Agent
7. Other Persons, Firms or Corporations represented by Applicant DRR Company	8. Address 311 Detroit Denver, Colorado	9. Phone No. 388-3702	10. Interest <input checked="" type="checkbox"/> Owner(s) <input type="checkbox"/> Agent

11. Location of Proposed Change
317-321 Detroit Street

12. Legal Description of Property: Lots Block Addition

or South 1/2 of Plot 9, Block 36, Harman's Subdivision, City and County of Denver

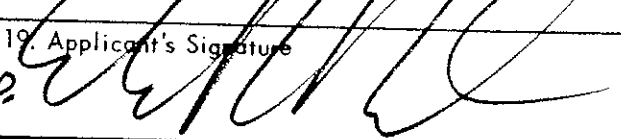
13. Area of Subject Property, Sq. Ft. or Acres 6250 sq.ft.	14. Present Zone R-3X	15. Proposed Zone PUD
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16. Describe briefly the nature and expected effect of the proposed amendment. Be sure to include an explanation of the legal basis for the proposal: either (a) the error in the map as approved by city council, or (b) the changed or changing conditions making the proposed amendment necessary.

This P.U.D. is designed to serve as a transition between the existing B-3 zone to the south and the existing R-2 District to the north by allowing the P.U.D. to mix a residential and home occupation use. It will serve as an effective transition between pure business and pure residential. Specific permission is requested to allow 560 sq.ft. of home occupation use to allow the home occupation use to be connected to a residential use but not to require a connecting doorway and to allow the right to have two employees in conjunction with the home occupation use. This P.U.D. District would allow the economic revitalization of two existing residences which were built before the turn of the century by virtue of the provisions provided within the P.U.D. District ordinance and would provide an excellent buffer between business and residential as indicated above. ~~The density of this P.U.D. is far below that which is allowed in the existing R-3X zone.~~ This P.U.D. provides for 2,542 sq. ft. of building area including two residences, a home occupation use, and a garage, which is far less than the 12,500 sq. ft. allowed in R-3X. This P.U.D. also retains a residential character by utilizing the existing residential buildings in an area that is particularly suitable for mixed residential/home occupation use with a minimum number of employees.

17. Use and development proposed for the property to be rezoned, including time schedule for such development.

Immediate development if rezoned with all work to be completed during 1978.

18. Exhibits Submitted, Number and Kind DRAWINGS 1, 2, 3 321 DETROIT P.U.D.	19. Applicant's Signature 
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Factors Favoring Approval

1. The PUD will serve as a transition between the existing B-3 zone to the south and the R-3-X zoned district to the north.
2. B-3 zoning abuts on the south of the subject property.
3. The PUD offers a viable alternative for development in this R-3-X area. The controls necessary for maintaining the character of the Cherry Creek neighborhood are available through using the PUD.
4. A PUD approach would provide design alternatives complimentary to the policies of the Cherry Creek Plan.

Factors Favoring Denial

1. The proposed office use exceeds the 300 sq. ft. limit of home occupation use in the R-3-X district.
2. Under R-3-X district regulations, home occupation does not allow for employees or regular assistants not residing in the dwelling unit and the applicant intends to have a regular employee not residing on the premises.
3. Rezoning may set precedent for office and commercial uses north of the subject property.
4. The Planning Office is presently involved with the property owners and the residents to develop an urban design plan of the area to provide for a) office conversion pressures in the neighborhood; b) transition between office and residential uses, and c) separation of commercial and residential traffic.

RECOMMENDATION: After meeting with the property owners of R-3-X area and after making alternative design studies of the area the Planning Office recommends APPROVAL subject to the following conditions:

Off-Street Parking (from Article 614.5)

.5-2. Shall not be used for the sale, repair, dismantling or servicing of any vehicles, equipment materials or supplies;

~~.5-3. Shall be graded for proper drainage and provided with an all weather surface of asphalt, asphaltic concrete or concrete, or any equivalent material except for single family homes existing on the date this ordinance is enacted;~~

.5-6. Shall be provided with wheel guards or bumper guards so located that no part of parked vehicles will extend beyond the property line;

Home Occupations (from Article 612.24-3(4))

.24-3(4). Home Occupations. Upon application to and issuance by the Department of Zoning Administration of a permit therefor, the following uses may be operated as Home Occupations in connection with the operation of a single unit dwelling or each dwelling unit in a multiple unit dwelling and subject to the following limitations: (Ord. 382, Series 1972)

.24-3(4)(a). Permitted Home Occupations.

.24-3(4)(a)(a-1). Custom dressmaking, millinery, tailoring, sewing of fabric for custom apparel and custom home furnishings;

.24-3(4)(a)(a-2). Laundering, pressing;

- .24-3(4)(a)(a-3). Foster family care (not more than four children simultaneously);
- .24-3(4)(a)(a-4). Office: any office in which chattels or goods, wares or merchandise are not commercially created, displayed, exchanged, stored or sold (Ord. 73, Series 1973)
- .24-3(4)(a)(a-5). Tutoring (no more than four students simultaneously);
- .24-3(4)(a)(a-6). Fine arts studio in which are created only individual works of art;
- .24-3(4)(a)(a-7). Rooming and/or boarding of not more than two persons.
- .24-3(4)(a)(a-8). Beauty shop;
- .24-3(4)(a)(a-9). Repairing of clocks and watches but not including the sale of such items. (Ord. 43, Series 1971)
- .24-3(4)(a)(a-10). Day care (Ord. 382, Series 1974)
- .24-3(4)(a)(a-11). Craftwork. (Ord. 299, Series 1975)

JA/jc

Approved By Planning Board 3/22/79

March 8, 1978

Attachment I B

The Denver Planning Office has reviewed rezoning application #2929 for property located at 321 Decoit Street. The subject property contains 6250 square feet.

Present Zoning

The subject land is presently zoned R-2-X. A change is requested to Planned Unit Development (PUD). R-3-X zoning exists on the north, east and west; B-3 zoning exists on the south.

Present Land Use

The subject land has two residential structures with a garage at the rear. Retail commercial uses exist on the south. A two-family residential structure abuts on the north; a single family residential structure exists on the west. A retail commercial structure and commercial parking lot are to the east.

Proposed Use

The proposed use of the subject property includes two residential units and an office use (560 sq. ft.) employing one outside employee.

Comprehensive Plan

The Comprehensive Plan map designates the subject property as medium density residential. The 1976 Cherry Creek Neighborhood Plan recommends that the subject property and adjoining R-3-X area be developed and redeveloped to medium density residential which could best be represented by R-2-A.

The Comprehensive Plan Policies to be implemented are:

- B2 EXPANSION OF BUSINESS USES INTO OR WITHING RESIDENTIAL AREAS SHOULD BE PERMITTED ONLY IF SUCH EXPANSION MAINTAINS OR IMPROVES THE RESIDENTIAL DESIRABILITY OF THE AFFECTED NEIGHBORHOODS

If such expansion occurs, efforts should be made to improve the relationship between the businesses and the neighborhood. Proper vehicular access should be provided, and consideration should be given to the design, location and arrangement of buildings, parking areas, signs and lights. Effective vegetation or architectural buffers should be provided between business and residential uses.

- B10 SOME OFFICES AND SIMILAR FACILITIES SHOULD BE CLUSTERED WITH RESIDENTIAL USES AND LOCATED OUTSIDE OF THE DOWNTOWN AREA

Current trends indicate that Denver, because of its central location in the region, will continue to attract new office development. Some types of offices can function outside of the downtown area and in combination with residential uses. Locations selected for these mixed uses should minimize negative impacts on all supporting systems and surrounding areas. Transportation access is also important in selecting locations. When these mixed uses are located adjacent to existing or planned retail areas, mutually reinforcing opportunities offer advantages not found in isolated locations.