



TO: Land Use, Transportation, and infrastructure Committee
FROM: Fran Penafiel, Principal City Planner; Fritz Clauson, Associate City Planner; Joe Green, Associate City Planner
DATE: November 14, 2024
RE: Official Zoning Map Amendment Proposal #2024I-00104 (Near Southeast Area Plan Legislative Rezoning)

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends **approval** for zoning map amendment proposal #2024I-00104.

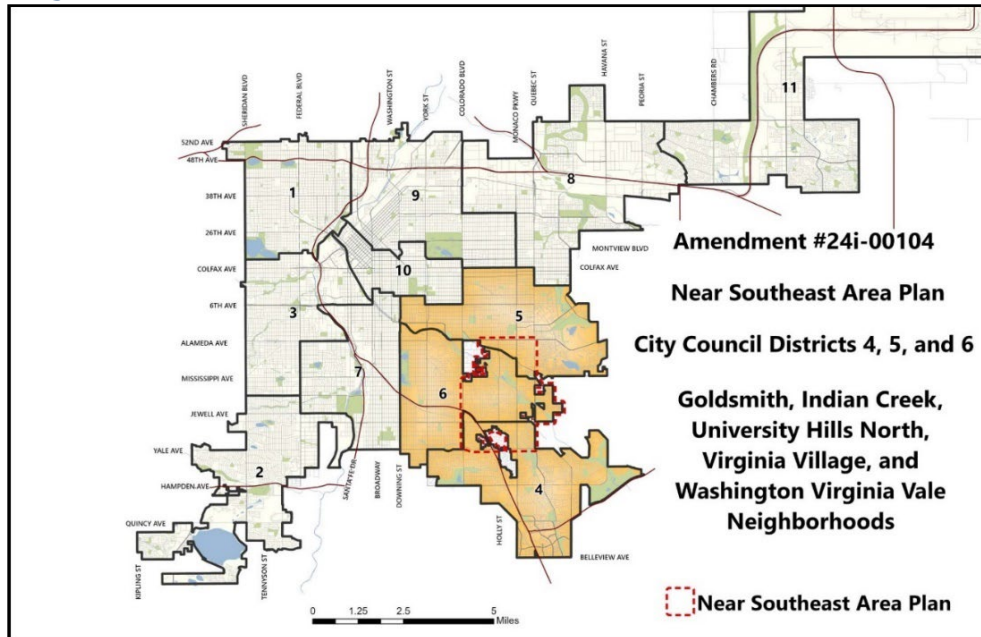
Request for Rezoning

Address: Multiple
Neighborhood/Council District and CM: Goldsmith, Indian Creek, University Hills, Virginia Village and Washington Virginia Vale/Council Districts 4 (Diana Romero Campbell), 5 (Amanda Sawyer), and 6 (Paul Kashmann)
RNOs: Lowry United Neighborhoods, University Hills Neighborhood Association, Cook Park Neighborhood Association, Eastgate Neighborhood Inc, Hilltop Heritage Association, LLC, Virginia Vale Community Association, Preservation of Residential South Hilltop Neighborhood Association, East Evans Business Association, South Hilltop Neighborhood Association, Virginia Village Ellis Community Association, Indian Creek Neighborhood Association, University Hills North Community, Winston Downs Community Association/WDCA, Cory Merrill Neighborhood Association, University Park Community Council, Hilltop Neighborhood Association, South Jackson Street Neighborhood Association, Crestmoor Park Neighborhood Association, Lowry Community Master Association, Lynwood Neighborhood Association, Strong Denver, Inter-Neighborhood Cooperation (INC)
Area of Properties: Approximately 1,107 acres
Current Zoning: B-1, B-2, B-3, B-4, B-A-1, CMP-EI2, E-CC-3, E-CC-3x, E-MX-2, E-SU-Dx, I-0, I-MX-3, PUD, R-1, R-2, R-2-A, R-3, R-4, R-5, R-X, S-CC-3, S-CC-3x, S-CC-5, S-CC-5x, S-MX-12, S-MX-2, S-MX-3, S-MX-5, S-MX-8, S-SU-D, UO-1, UO-2, UO-3
Proposed Zoning: S-MU-3, S-MU-5, S-MU-8, S-MU-12, S-MX-2A, S-MX-2x, S-MX-3A, S-MX-5A, S-MX-8A, S-MX-12A, S-RH-2.5, S-SU-A, S-SU-D, S-SU-Dx, S-SU-F, C-MX-5, E-MU-2.5, E-SU-Dx, E-TU-B, G-RO-3, OS-A, UO-1, UO-3
Property Owner(s): Multiple Owners
Rezoning Sponsors: City Council Members Paul Kashmann, Amanda Sawyer, and Diana Romero Campbell

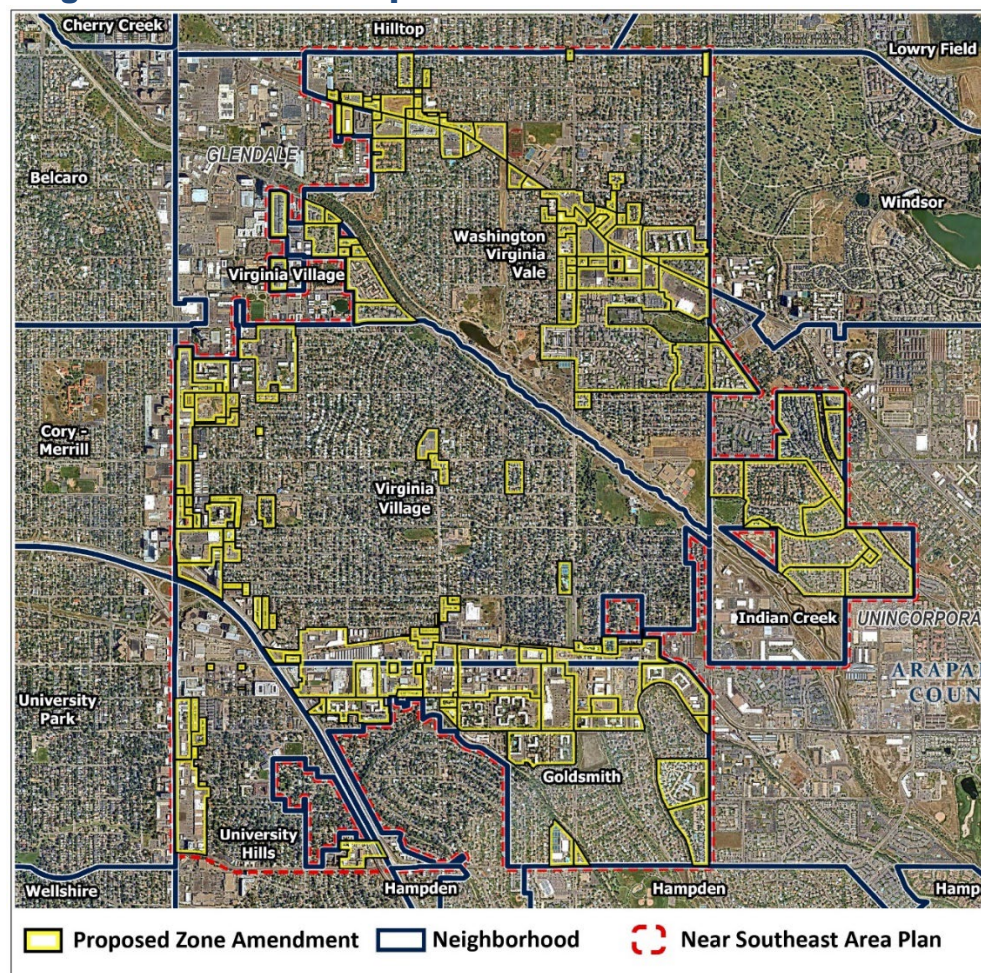
Summary of Rezoning Request

- Council Members Kashmann, Sawyer, and Romero Campbell are proposing a map amendment to rezone properties to implement land use guidance in the Near Southeast Area Plan (the Plan or NSE Area Plan), adopted in May of 2023.
- The request proposes to rezone multiple properties throughout the Goldsmith, Indian Creek, University Hills, Virginia Village and Washington Virginia Vale neighborhoods, in order to implement two major goals of the Near Southeast Area Plan: to improve design standards in commercial areas; and to bring properties with Former Chapter 59 zoning into the current Denver Zoning Code. The staff report is organized around these two rezoning categories:
 - **Improving design standards in mixed use areas:** The improved design standards are focused in commercial areas along major roads and intersections with a Blueprint Future Place designation of either “Corridor” or “Center”. Most of the properties are proposed to be rezoned into the S-MX-A zone district series, which includes design standards that “provide flexibility in building siting while supporting a consistent pattern of buildings placed closer to the street to offer an active street front.” (DZC Section 3.2.4.2.E) These districts do not allow the drive-thru building forms or allow parking between buildings and the street, helping to encourage pedestrian oriented development. The proposed rezoning fulfills much of the Near Southeast Area Plan guidance related to improved design standards in Centers and Corridors.
 - **Rezoning out of Former Chapter 59:** In addition, 21.3% of the Near Southeast area is currently in Former Chapter 59 zoning. The Plan calls for these properties to be rezoned into the Denver Zoning Code to improve design standards and increase the predictability of development outcomes. Rezoning is proposed to Denver Zoning Code districts that are the closest match to existing district while also aligning with plan guidance. Most areas within Former Chapter 59 zoning are included in this rezoning; though some areas that still warrant a custom solution in the future have not been included.
- Further details of the requested zone districts can be found in the proposed zone district section of the staff report (below) and in Articles 3 (S-MU-3, S-MU-5, S-MU-8, S-MU-12, S-MX-2A, S-MX-2x, S-MX-3A, S-MX-5A, S-MX-8A, S-MX-12A, S-RH-2.5, S-SU-A, S-SU-D, S-SU-Dx, S-SU-F), 4 (E-MU-2.5, E-SU-Dx, E-TU-B), 5 (C-MX-5), 6 (G-RO-3), and 9 (OS-A, UO-1, UO-3) of the Denver Zoning Code (DZC).

City Location



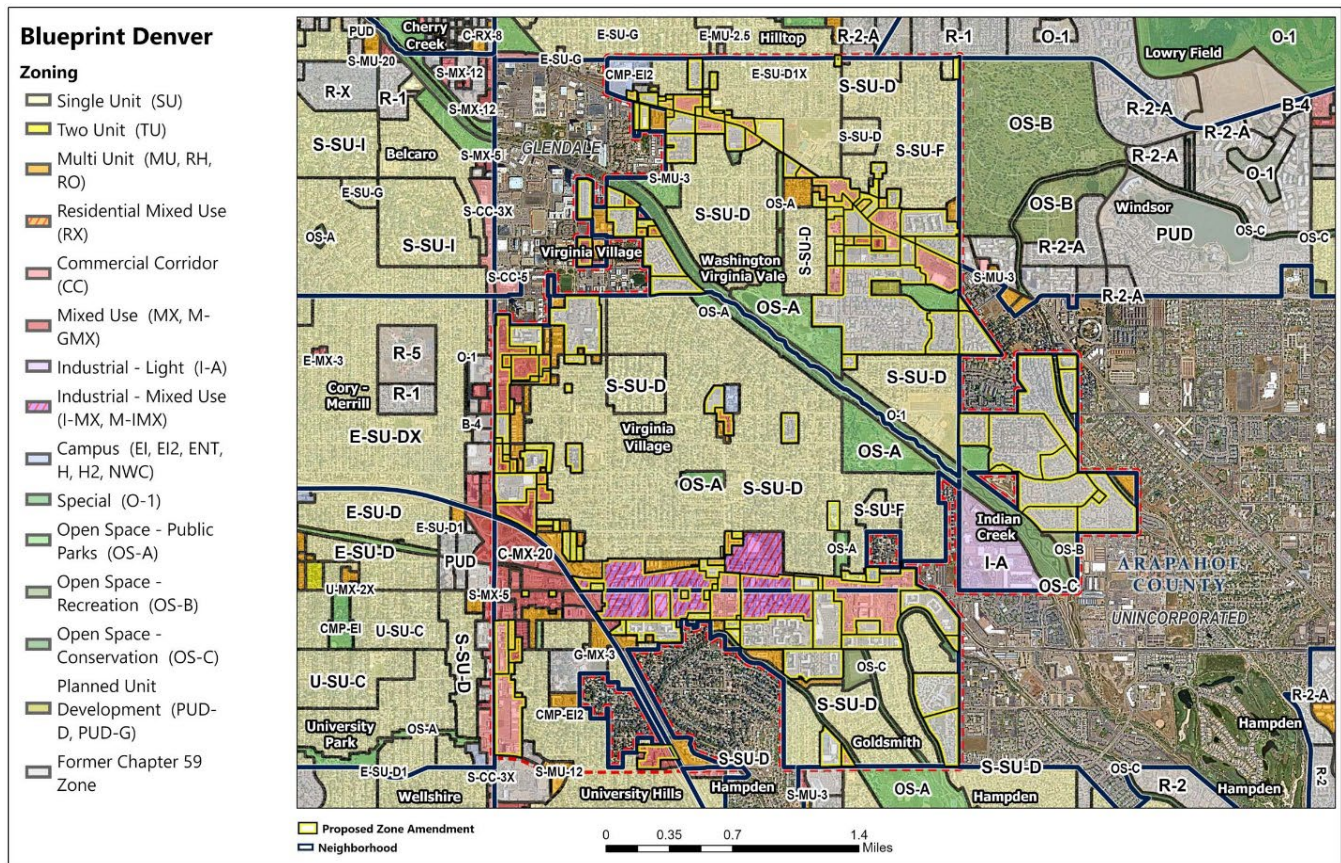
Neighborhood Aerial/Map



Existing Context

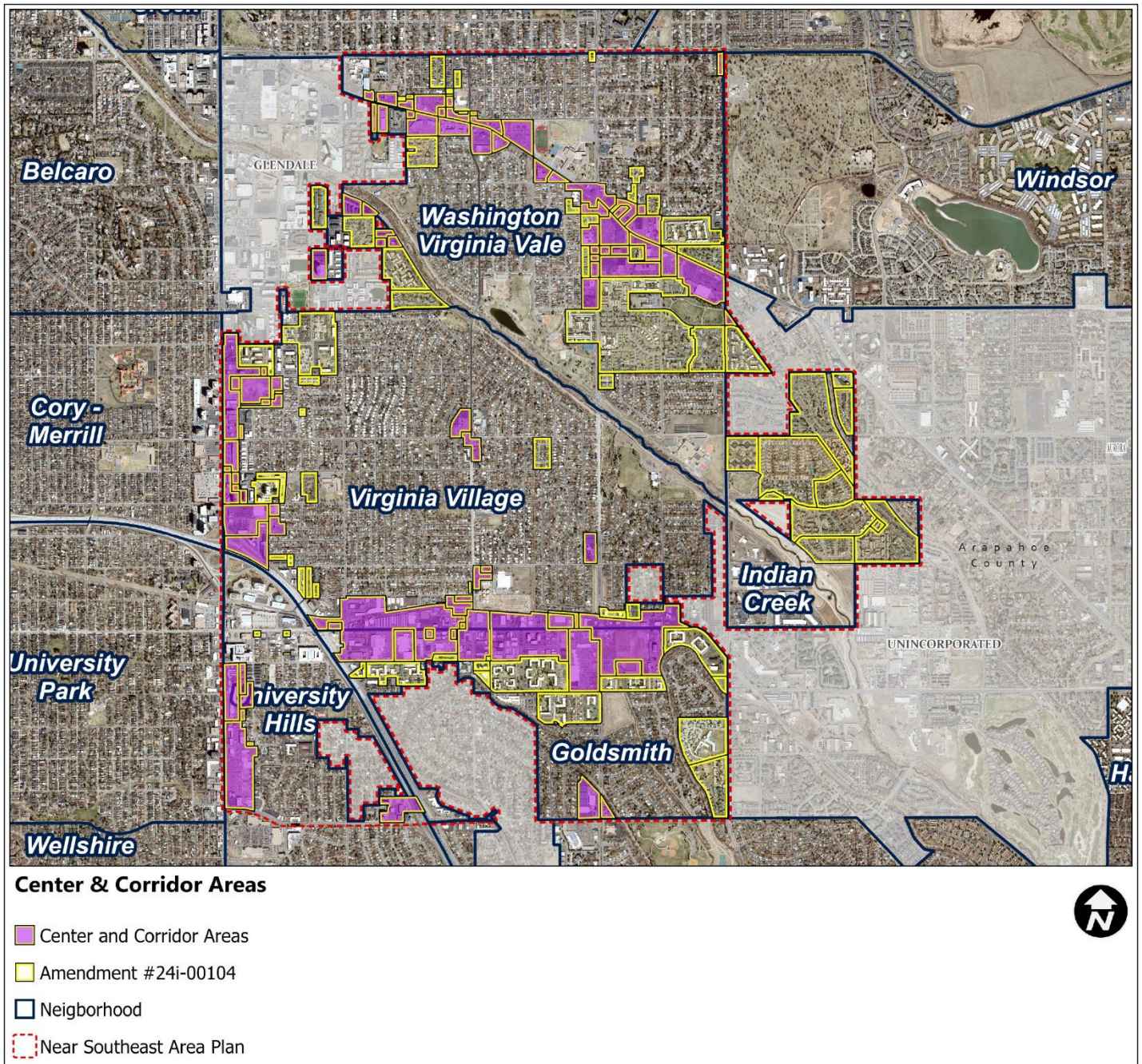
The Near Southeast area consists of the Goldsmith, Indian Creek, a portion of the University Hills (north of Yale Avenue), Virginia Village and Washington Virginia Vale statistical neighborhoods, broadly covering southeast Denver between Alameda Avenue and Yale Avenue and between Colorado Boulevard and Quebec Street and the city boundary. The Near Southeast Area Plan, adopted on May 22, 2023, states “[t]hese neighborhoods generally represent a suburban style of development, yet incorporate a variety of types of buildings, houses, and businesses, connected by the major commercial corridors of Colorado Boulevard, Evans Avenue, and Leetsdale Drive. The area includes key features beloved by the Community: great parks like Cook Park and Garland Park; regional trails and open space corridors like Cherry Creek and High Line Canal; important mobility hubs like the Colorado and Yale light rail stations; and shops, restaurants, and character-defining architecture.” (Page 2, NSE Area Plan).

1. Existing Zoning

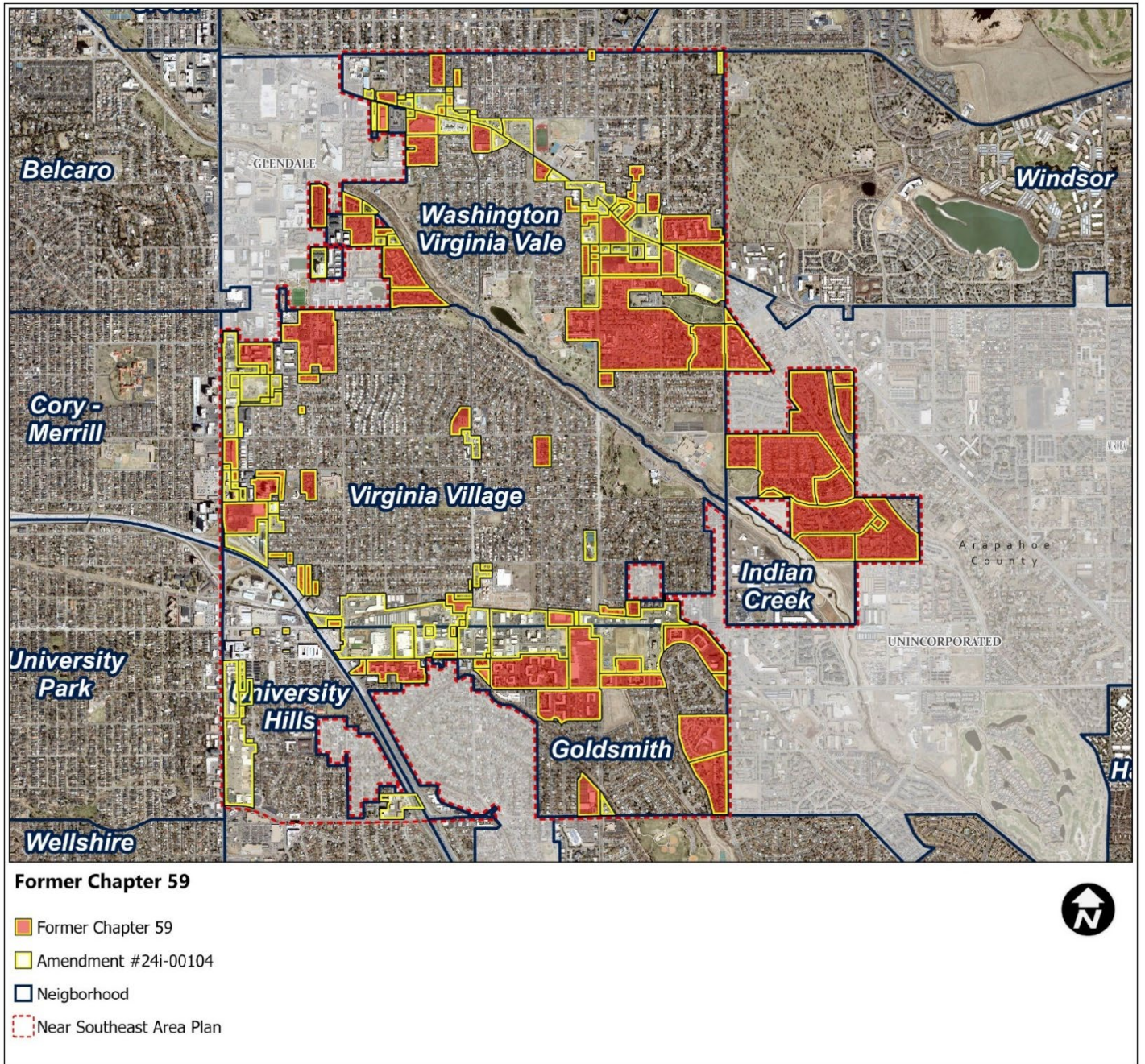


The proposed rezoning includes properties that are currently in residential, commercial corridor, mixed use, industrial mixed use, campus, and Former Chapter 59 zone districts. Some of the properties also include the UO-1, UO-2 and UO-3 Use Overlays. The UO-1 Use Overlay permits Adult Uses, which are governed by use limitations in DZC Article 11. The UO-2 Use Overlay permits Billboards, subject to standards in DZC Article 10. The UO-3 Historic Structure Use Overlay encourages preservation, adaptive reuse and enhancement of Historic Structures in conjunction with an underlying Residential Zone District. The proposed rezoning would remove the UO-2 overlay and maintain the UO-1 and UO-3 overlays in some areas. For a map of the existing zone districts for each statistical neighborhood in Near Southeast area, see the Neighborhood Maps Appendix. More information on each zone district can be found in the Denver Zoning Code and in the Former Chapter 59.

Centers and Corridor Areas in Near Southeast



Former Chapter 59 Properties in the Near Southeast Area



The table below details the specific current zone districts included in the proposed rezoning.

ZONE CATEGORY	ZONE DISTRICT	DISTRICT DESCRIPTION
Residential - Single unit	E-SU-Dx	Urban Edge Single Unit Dx* (min. zone lot size of 6,000 sf)
	S-SU-D	Suburban Single Unit D (min. zone lot size of 6,000 sf)
Commercial Corridor	E-CC-3	Urban Edge Commercial Corridor, heights up to 3 stories
	E-CC-3x	Urban Edge Commercial Corridor, heights up to 3 stories*
	S-CC-3, -5	Suburban Commercial Corridor, heights up to 3 and 5 stories
	S-CC-3x, -5x	Suburban Commercial Corridor, heights up to 3 and 5 stories*
Mixed Use	E-MX-2	Urban Edge Mixed Use, heights up to 2 stories
	S-MX-2, -3, -5, -8, -12	Suburban Mixed Use, heights up to 2, 3, 5, 8 & 12 stories
Campus	CMP-EI2	Campus Education Institution 2
Overlay Districts	UO-1	Adult Use Overlay District
	UO-2	Billboard Use Overlay District
	UO-3	Historic Structure Use Overlay District
Industrial	I-MX-3	Industrial Mixed Use, heights up to 3 stories
Former Chapter 59	B-1, B-2, B-3, B-4, B-A-1	Business
	R-1, R-2, R-2-A, R-3, R-4, R-5, R-X	Residential
	I-O	Light Industrial/office
	Planned Unit Development (PUD)	PUD 24, PUD 88, PUD 99, PUD 108, PUD 185, PUD 216, PUD 460, PUD 533, PUD 584, PUD 627

* Mixed use districts ending with an x, have additional use and/or building form limitations

2. Large Development Review

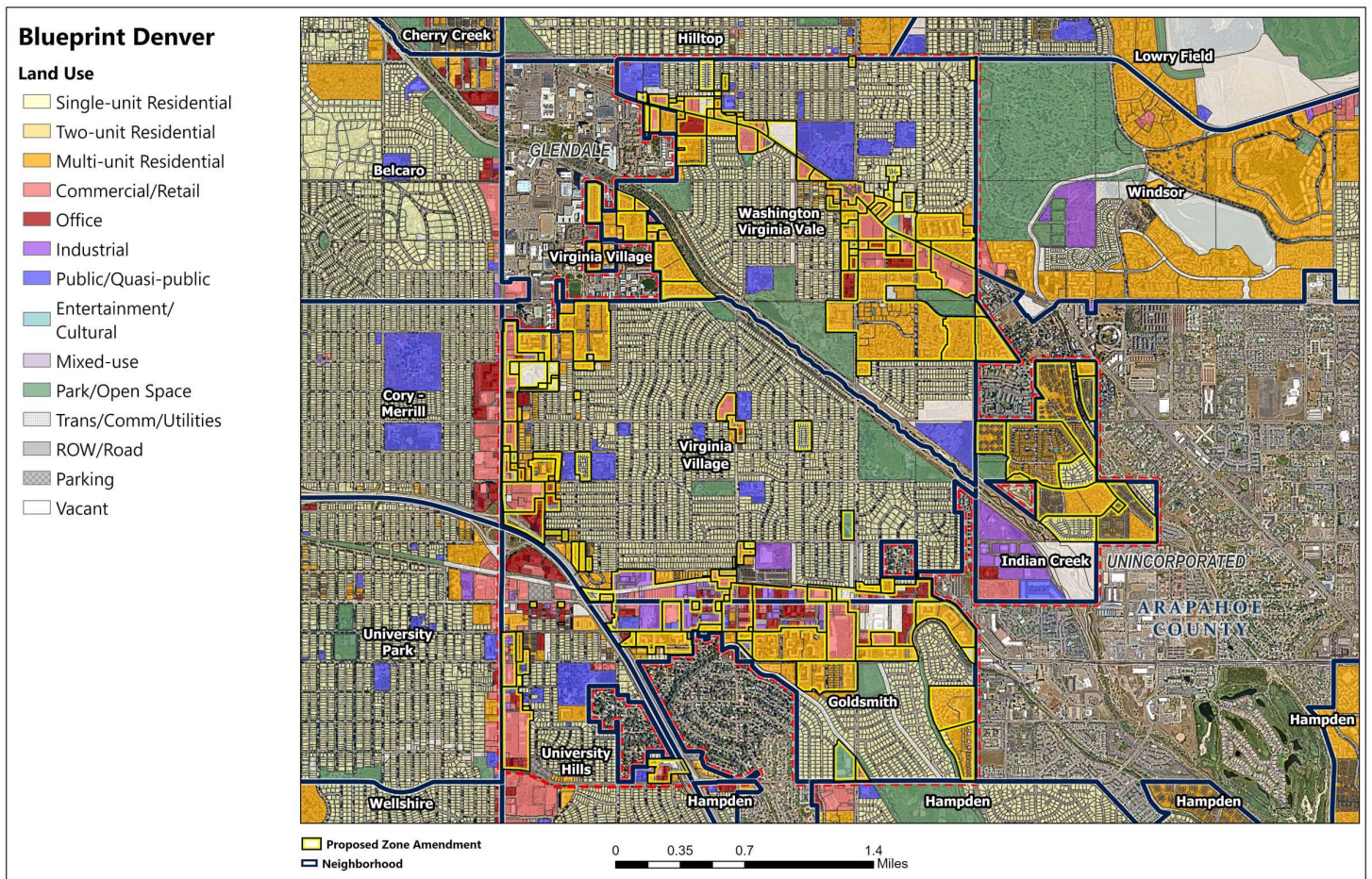
The applicability of the large development review (LDR) process is defined by DZC Section 12.4.12.2. There is no specific development concept for this legislative map amendment proposal, no adopted plan recommends use of the LDR process for this legislative proposal, no infrastructure network or system improvements are anticipated at this time. Therefore, although the area of the rezoning is larger than 5 acres, large development review was found to be inapplicable.

3. General Development Plan (GDP)

There are two properties within the rezoning proposal that are part of the Colorado Station General Development Plan (GDP), approved in 2008. The properties are in Development Area 2 of the Secondary GDP Area, which is intended as “primary land use is office due to proximity to major travel corridors.” The GDP anticipates building heights of one to six stories and ground-floor retail uses. However, the GDP also states “this GDP is a framework plan only and does not specifically allocate building height, mix of uses or density of the development. Changes to these items will not require any amendment, minor or major, to this GDP.”

4. Existing Land Use Map

Assessor's data shows the existing uses in the proposed rezoning area along South Colorado Boulevard, Leetsdale Drive, and Yale Avenue as a mix of commercial, retail, and office uses with a few instances of multi-unit residential. The properties along East Evans Avenue are a mix of commercial, retail, industrial, and office uses. Outside of the areas identified as Centers and Corridors in Blueprint Denver, land uses include mainly multi-unit residential and two-unit residential, transitioning toward primarily single-unit residential in the center of the Near Southeast area. For more detailed maps please refer to Neighborhood Maps Appendix for existing land use by statistical neighborhood (starting at page 31 of the staff report).



Proposed Zoning

The proposed rezoning includes a variety of zone districts. The districts are intended to implement plan guidance and are also informed by existing entitlement and uses. As stated earlier in the report, there are two main goals: 1) Improving design standards in mixed use areas; and 2) Rezoning out of Former Chapter 59 into the Denver Zoning Code.

The following zone districts are proposed:

1. Mixed Use Districts (S-MX-2A, S-MX-2x, S-MX-3A, S-MX-5A, S-MX-8A, S-MX-12A and C-MX-5)

The Suburban Mixed Use “A” series zone districts (S-MX-2A, S-MX-3A, S-MX-5A, S-MX-8A, and S-MX-12A) are proposed in mixed use areas along major roads with a Blueprint Future Place designation of either “Corridor” or “Center,” including South Colorado Boulevard, South Holly Street, South Monaco Parkway, South Quebec Street, Leetsdale Drive, East Evans Avenue, and East Yale Avenue. Properties in these areas have existing zoning that varies from S-MX, E-CC, S-CC, I-MX and Former Chapter 59 districts. The proposed districts allow for a broad range of uses, including commercial and residential. The districts include design standards that “provide flexibility in building siting while supporting a consistent pattern of buildings placed closer to the street to offer an active street front” (DZC Section 3.2.4.2). These districts do not allow the drive-thru building forms or allow parking between buildings and the street, helping to encourage pedestrian oriented development, and are limited to the General building form. The S-MX-A zone districts fulfill much of the Near Southeast Area Plan guidance related to improved design standards as compared to the existing zoning. Following Near Southeast Area Plan guidance, proposed districts are generally equivalent to current zoning in terms of height limitations on the major corridors.

The Suburban Mixed Use 2 stories with limitations zone district (S-MX-2x) is proposed in four small parcels where community center, local center and community corridor was recommended. The S-MX-2x is “typically one or two parcels and are limited to low scale building forms and low intensity uses” (DZC Section 3.2.4.2.B). The zone district allows for a mix of uses up to 2 stories in height in areas that are embedded in or transitioning to residential neighborhoods.

The Urban Center Mixed Use 5 stories (C-MX-5) is proposed in two areas on East Evans Avenue near the Colorado RTD light rail station. The district allows for a broad range of uses, including commercial and residential uses. The district allows up to 5 stories in height, and it does not allow the use of drive thru building forms within 1/4 mile of the outer boundary of a Rail Transit Station Platform.

2. Residential Districts (S-SU-A, S-SU-D, S-SU-Dx, S-SU-F, S-RH-2.5, S-MU-3, S-MU-5, S-MU-8, S-MU-12, E-SU-Dx, E-TU-B, E-MU-2.5, G-RO-3)

Residential zone districts in the Suburban, Urban Edge, and General Urban contexts are proposed. They include single unit (SU), two unit (TU), row house (RH), and multi-unit (MU). They generally allow for residential uses and some limited civic, public and institutional uses. The G-RO-3 district also allows for office uses. These districts are proposed mainly in areas that are recommended as residential places in the Near Southeast Area Plan and are currently in Former Chapter 59 zoning today.

3. Open Space District (OS-A)

The OS-A district is proposed in one area, where the City and County of Denver owns the property. This property is located at the very east boundary of the Goldsmith neighborhood, and it will provide a continuation to the already existing Unnamed Quebec & Wesley Park. The OS-A district is intended to protect and preserve public parks owned, operated or leased by the City and managed by the City's Department of Parks and Recreation ("DPR") for park purposes. The district allows for variety of parks uses.

4. Overlays (UO-1 and UO-3)

The proposed rezoning will retain both the Adult Use (UO-1) and the Historic Structure Use (UO-3) overlay in some areas. No new overlays are proposed.

The table below details the specific proposed zone districts included in the proposed rezoning.

ZONE CATEGORY	PROPOSED ZONE DISTRICT	DISTRICT DESCRIPTION
Mixed Use	S-MX-2A, 3A, 5A, 8A, 12A	Suburban Mixed Use, heights up to 2, 3, 5, 8 & 12 stories**
	S-MX-2x	Suburban Mixed Use, heights up to 2 stories*
	C-MX-5	Urban Center Mixed Use, heights up to 5 stories
Residential	S-SU-A	Suburban Single Unit A district (min. zone lot size of 3,000 sf)
	S-SU-D	Suburban Single Unit D district (min. zone lot size of 6,000 sf)
	S-SU-Dx	Suburban Single Unit Dx district (min. zone lot size of 6,000 sf)*
	S-SU-F	Suburban Single Unit district (min. zone lot size of 8,500 sf)
	S-RH-2.5	Suburban Multi Unit district up to 2.5 stories in height
	S-MU-3, -5, -8, -12	Suburban Multi Unit district up to 3, 5, 8 & 12 stories in height
	E-SU-Dx	Urban Edge Single Unit Dx district (min. zone lot size of 6,000 sf)*
	E-TU-B	Urban Edge Two Unit B (min, zone lot size of 4,500 sf)
	E-MU-2.5	Urban Edge Multi Unit up to 2.5 stories in height
	G-RO-3	General Urban Residential Office up to 3 stories in height
Open Space	O-SA	Public Open Space
Overlay District	UO-1	Adult Use Overlay District
	UO-3	Historic Structure Use Overlay District

*Mixed use districts ending with an x include additional use and/or building form limitations

**Mixed use districts ending with an A require additional design standards provide flexibility in building siting while supporting a consistent pattern of buildings placed closer to the street to offer an active street front.

Summary of City Agency Referral Comments

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

Assessor: Approved – No Response

Asset Management: Approved – No comments

Denver Public Schools: Approved – No response

Department of Public Health and Environment: Approve – No comments.

Denver Parks and Recreation: Approved – No comments.

Department of Transportation & Infrastructure – City Surveyor: Approved – No comments.

Development Services - Transportation: Approved – No response

Development Services – Wastewater: Approved – Will require additional information at Site Plan Review.

No objection to the rezoning, however be advised that there might nevertheless be physical constraints that will not allow certain properties to be developed to the full amount that such zoning might allow. Such physical constraints could include stormwater detention and flood conveyance requirements, limited sanitary sewer capacity in the public sanitary pipes, and other particular on-site wastewater requirements that might become apparent as a site's development is proposed.

Development Services – Project Coordination: Approved – No response

Development Services – Fire Prevention: Approved – No response

Public Review Process

	Date
CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	9/11/2024
Property legally posted for a period of 15 days and CPD written notice of the Planning Board public hearing sent to all affected members of City Council, registered neighborhood organizations, and property owners:	10/22/24
CM Sawyer requested the property owner at 365 S Quebec St participate of mediation with the neighbors to the west of the property who have concerns with the rezoning of this property to a mixed-use district. The first mediation meeting will be held on Nov. 4 th .	11/4/2024
Planning Board Public Hearing: (Unanimously recommended for approval on 11/6)	11/6/2024
CPD written notice of the Land Use, Transportation and Infrastructure Committee meeting sent to all affected members of City Council and registered neighborhood organizations, at least ten (10) working days before the meeting:	11/4/2024
Land Use, Transportation and Infrastructure Committee of the City Council moved the bill forward:	11/19/2024
Property legally posted for a period of 21 days and CPD notice of the City Council public hearing sent to all affected members of City Council and registered neighborhood organizations (tentative):	12/16/2024
City Council Public Hearing (tentative):	1/6/2025

Public Outreach and Input

- **Engagement**
 - During the pre-application phase, council members mailed postcards, held office hours, and attended neighborhood meetings and council member-sponsored open houses to raise awareness and get feedback on the proposed rezoning. A summary with more detail on the public engagement can be found in the appendix and as an attachment to the staff report.
- **Registered Neighborhood Organizations (RNOs)**
 - Staff received one comment from a Registered Neighborhood Organization in the area. Winston Downs Community Association (WDCA) submitted an official Position Statement opposing the rezoning, based on the inclusion of 365 S Quebec St. as a property to be rezoned in the application. The RNO has general concerns with rezoning the property to a mixed-use district and the associated traffic and use allowances that come with the change in zoning.
- **General Public Comments**
 - As of the date of this staff report, staff has received six comments letters on the proposal. There are three letters of opposition, one refers to concerns with increased density, traffic, and the potential decrease in property values. The other 2 letters speak particularly of the property at 365 S Quebec St. We also received 2 letters of support; one referenced the property at 365 S. Quebec St. while the second letter of support references the positive outcomes of the proposal in general. Finally we received a

neutral comment letter from a community member. All comment letters are attached to the application.

- Staff has received multiple emails and phone calls with general and more targeted questions on the proposal. These communications in multiple cases lead to one-on-one meetings with property owners and neighbors.

Criteria for Review / Staff Evaluation

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

DZC Section 12.4.10.7

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

Note: The additional criteria for non-legislative map amendments in DZC Section 12.4.10.8 do not apply.

1. Consistency with Adopted Plans

The following adopted plans apply to this property:

- *Denver Comprehensive Plan 2040* (2019)
- *Blueprint Denver* (2019)
- *Near Southeast Area Plan* (2023)

Denver Comprehensive Plan 2040

The proposed rezoning is consistent with many of the adopted *Denver Comprehensive Plan 2040* strategies, which are organized by vision element.

The proposed rezonings of Center and Corridor areas and Former Chapter 59 properties would allow for compatible mixed-use infill development in established neighborhoods near transit stations and along transit corridors, consistent with the following strategies from the Environmentally Resilient vision element:

- 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)

The proposed rezonings in Center and Corridor and Former Chapter 59 areas would allow for additional options for housing, services, and amenities near transit within established neighborhoods, consistent with the following goals and strategies in the Equitable, Affordable and Inclusive vision element:

- Goal 1: “Ensure all Denver residents have safe, convenient and affordable access to basic services and a variety of amenities” (p. 28).
- 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)

The proposed map amendment to mixed use districts in Center and Corridor areas will help facilitate a mixed-use, pedestrian-friendly environment consistent with the following strategies in the Strong and Authentic Neighborhoods vision element:

- 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)

The proposed map amendment to rezone to OS-A would facilitate the development of a new park by implementing the appropriate zoning for these uses. This is consistent with the following strategy from the Environmentally Resilient vision element:

- Environmentally Resilient Goal 1, Strategy D – “Improve equitable access to resources that improve quality of life, including cultural and natural amenities, health care, education, parks, recreation, nutritious foods and the arts” (p.28).

The facilitation of new parks is also consistent with the following goal in the Strong and Authentic Neighborhoods vision element:

- Strong and Authentic Neighborhoods Goal 5– “Create and preserve parks and public spaces that reflect the identity of Denver’s neighborhoods” (p. 35).

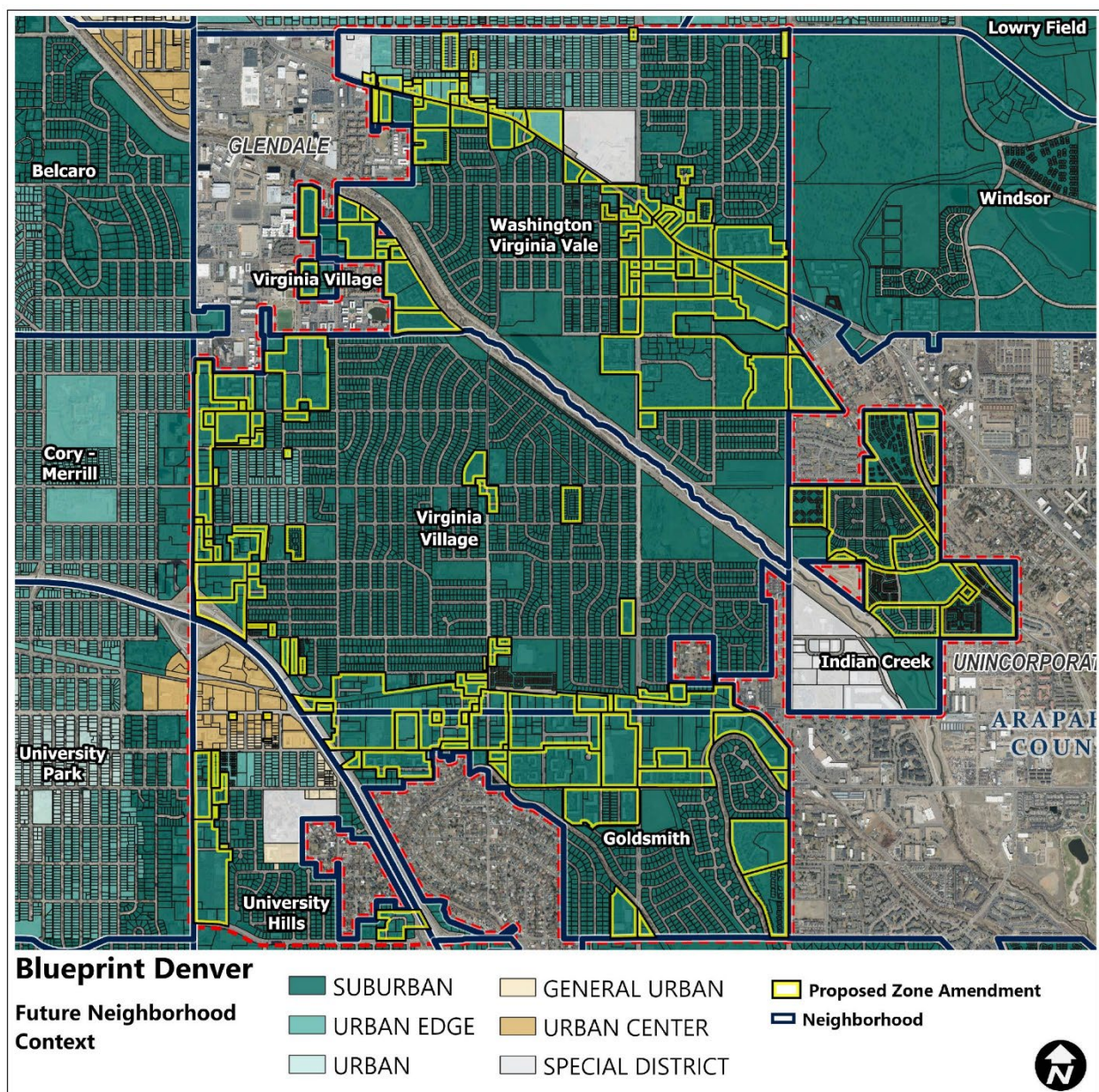
Finally, the facilitation of this new park will help provide critical outdoor resources to more Denverites, which is also consistent with the following goals and strategies in the Healthy and Active vision element:

- Healthy and Active Goal 1– “Create and enhance environments that support physical activity and healthy living” (p. 58).
- Healthy and Active Goal 1, Strategy A– “Recognize parks, recreation and the urban forests as vital components of a complete community” (p. 58).
- Healthy and Active Goal 2– “Provide high-quality parks, recreation facilities and programs that serve all Denver residents” (p. 58).
- Healthy and Active Goal 2, Strategy A– “Ensure equitable access to parks and recreation amenities for all residents” (p. 58).
- Healthy and Active Goal 2, Strategy B– “Make Denver’s healthy outdoor lifestyle accessible to residents of all ages and backgrounds” (p. 58).

Blueprint Denver

Blueprint Denver was adopted in 2019 as a supplement to Comprehensive Plan 2040 and establishes an integrated framework for the city's land use and transportation decisions. The future neighborhood context and place guidance for areas in Near Southeast was updated in 2023 with the adoption of the Near Southeast Area Plan. Blueprint Denver identifies the subject properties as part of the Community Center, Low-Medium Residential, and Local Corridor place types within the Suburban, Urban Edge, Urban Center, and General Urban Neighborhood Contexts and provides guidance from the future growth strategy for the city.

Blueprint Denver Future Neighborhood Context



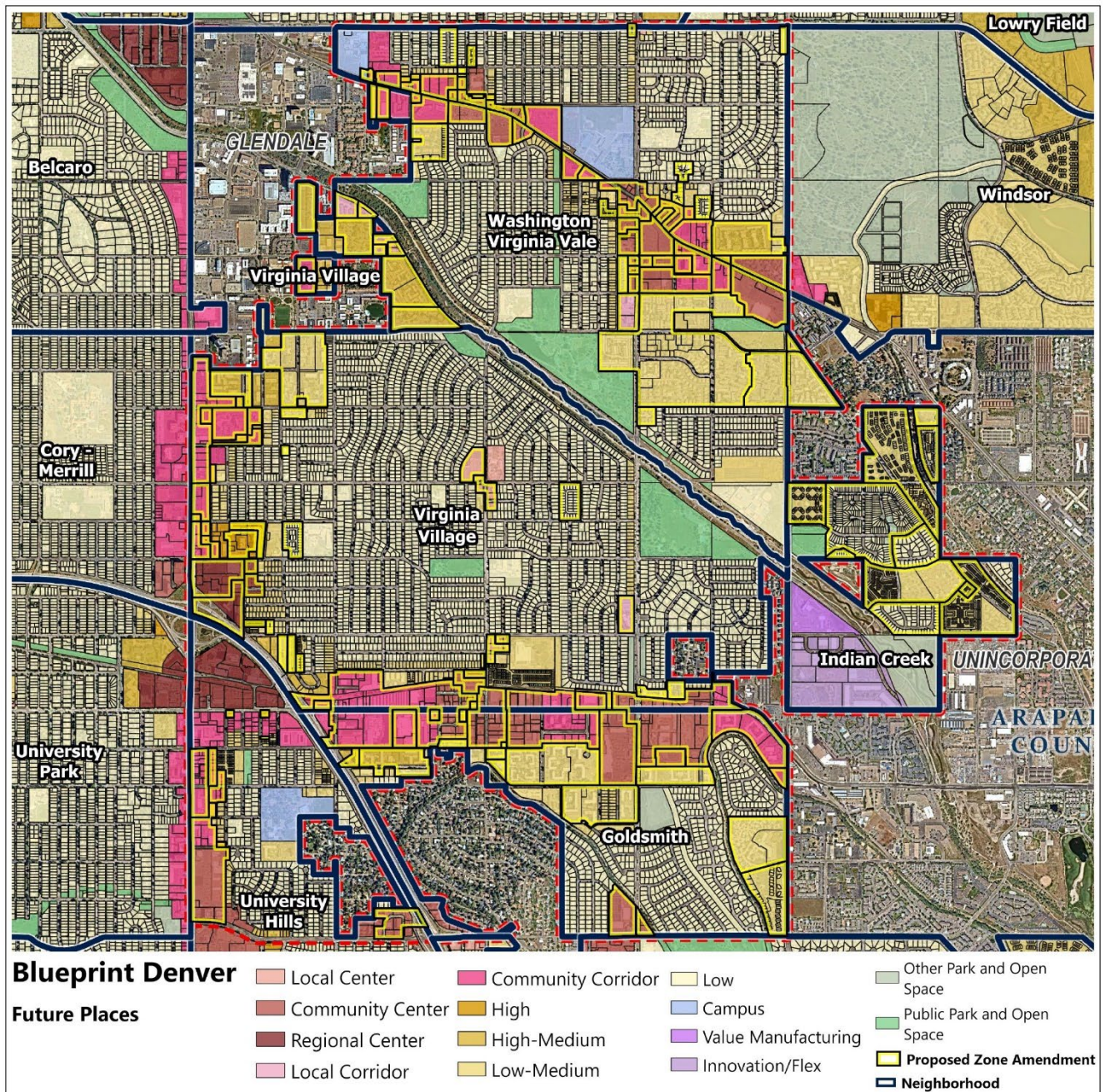
In Blueprint Denver, future neighborhood contexts are used to help understand differences in elements like land use and built form and mobility options at a higher scale, between neighborhoods. The Future Neighborhood Contexts shown in the Near Southeast Area include Suburban, Urban Edge, Urban Center, and General Urban. While most of the properties included in the proposed rezoning are within the Suburban neighborhood context, properties along the northern side of Leetsdale Drive are within the Urban Edge neighborhood context. Further, there are three properties in University Hills that are within General Urban and Urban Center neighborhood contexts in Blueprint Denver.

The Suburban context is described as a “Range of uses from single-unit and multi-unit residential to commercial corridors and centers” (p.136). The Urban Edge context is described as “Contain[ing] 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” (p.136), the General Urban context is described as “Predominantly multi-unit structures. 1-unit and 2-unit residential and low scale mixed-use are embedded within the multi-unit areas” (p.136) and the Urban Center context is described as “A high mix of uses throughout the area, with multi-unit residential typically in multi-story, mixed-use building forms” (p.136).

The proposed districts align with the future neighborhood context maps shown in Blueprint Denver, with the exception of the properties north of Leetsdale Drive. While the future neighborhood context shown in the maps for those properties is Urban Edge, the proposal is to rezone those properties into the Suburban neighborhood context. The rezoning is consistent with the plan guidance from page 66 in Blueprint Denver, which states: “The mapping of neighborhood context is at the citywide scale, so the boundaries of the contexts may be interpreted with limited flexibility if the request furthers the goals of Blueprint Denver and is consistent with the overall intent of the neighborhood contexts map”. The proposed S-MX-3A and S-MX-2x districts will further the goals of Blueprint Denver by requiring better design outcomes in future development located in Centers and Corridors. By not allowing the drive-thru building forms and not allowing parking between buildings and the street, future projects will help encourage pedestrian oriented development. Furthermore, the south side of Leetsdale Drive is mapped as part of the Suburban context and therefore it is appropriate to allow for flexibility on the north side of Leetsdale Drive in order to apply the same zone districts on both sides of the street.

For maps of Future Neighborhood Context by statistical neighborhood, see the Neighborhoods Maps appendix.

Blueprint Denver Future Places



In Blueprint Denver, future places are used to help understand differences in things like land use and built form and mobility options at a higher scale, between neighborhoods. Future places in the Near Southeast Area include Community Corridor, Community Center, Local Corridor, Local Center, Regional Center, Residential Low, Residential Low-Medium, Residential High-Medium, and Residential High.

Corridor and Center Future Places

Areas proposed to rezone to mixed use districts identified as Regional, Community, and Local Corridors or Community and Local Centers on the Future Places Map. Blueprint Denver describes

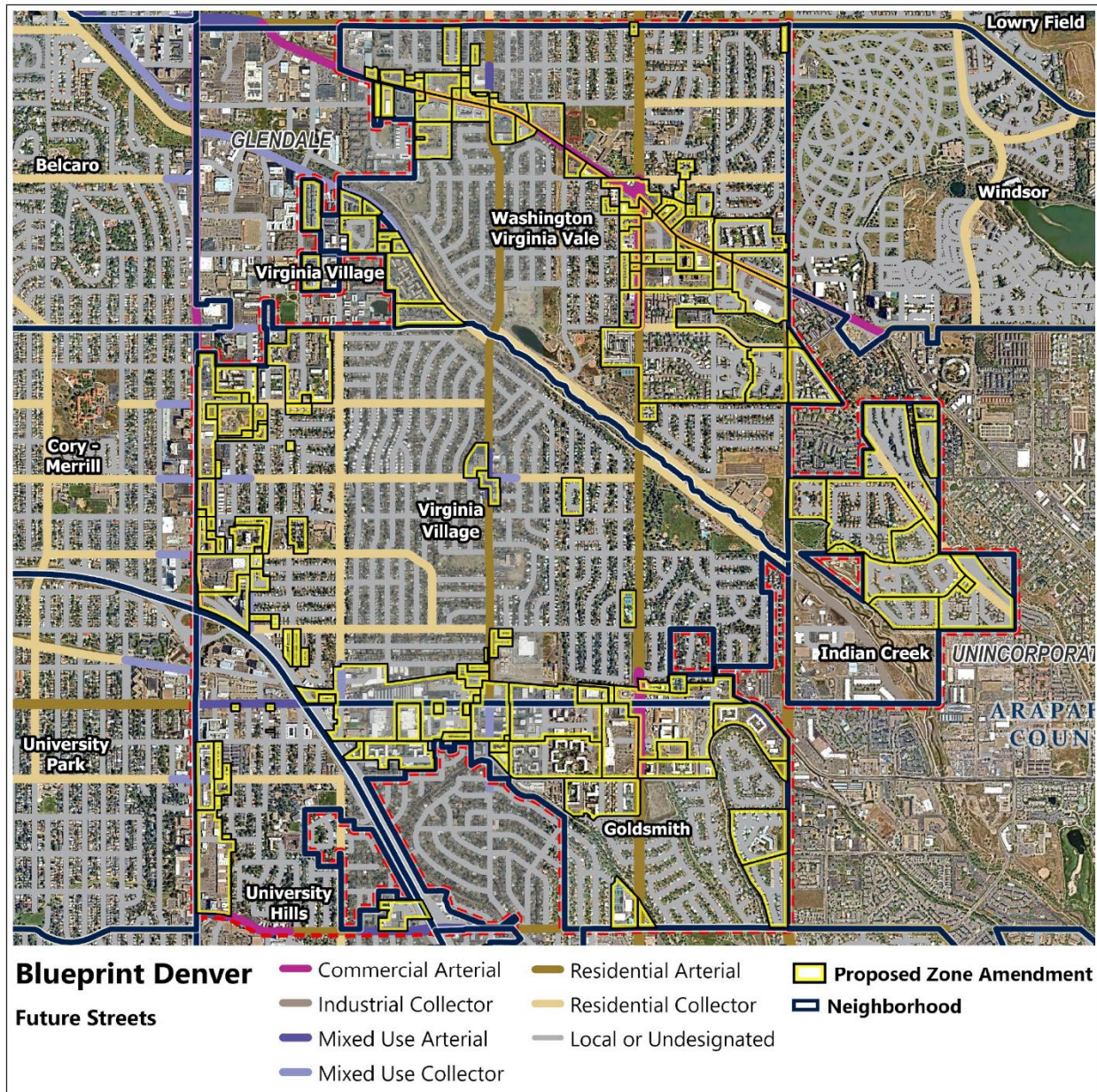
the aspirational characteristics of Centers in the Suburban context as, “Centers should be consistent with the character of the surrounding area in scale and design. They should have an active street level presence and provide a mix of uses, including retail and dining” (p. 194) and aspirational characteristics of Corridors in the Suburban context as “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). The proposed mixed-use districts provide a wide range and mix of uses. There are two instances where the proposal is to rezone to a multi-unit residential district identified as a Community Corridor on the Future Places Map. The proposed rezoning is still consistent with Blueprint Denver because it will allow these properties to be consistent with the character of the surrounding area as they will act as transitions to the surrounding residential districts. The proposed future heights are appropriate for the Regional, Community and Local Centers as well as for the Community and Local Centers in this area.

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

Areas proposed to rezone to residential districts identified as Low, Low-Medium, High-Medium and High Residential on the Future Places Map. Blueprint Denver describes the aspirational characteristics of these residential areas in the Suburban context as, “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). The proposed residential districts allow for single unit, two-unit and multi-unit uses consistent with the future place description.

For maps of Future Places by statistical neighborhood, see the Neighborhoods Maps Appendix.

Blueprint Denver Street Types



In Blueprint Denver, street types work in concert with the future place and describe the appropriateness of the intensity of the adjacent development (p. 67). The three classifications of Local, Collector, and Arterial, are further refined by six types of surrounding contexts. The following Future Street Types are present in the proposed legislative rezoning:

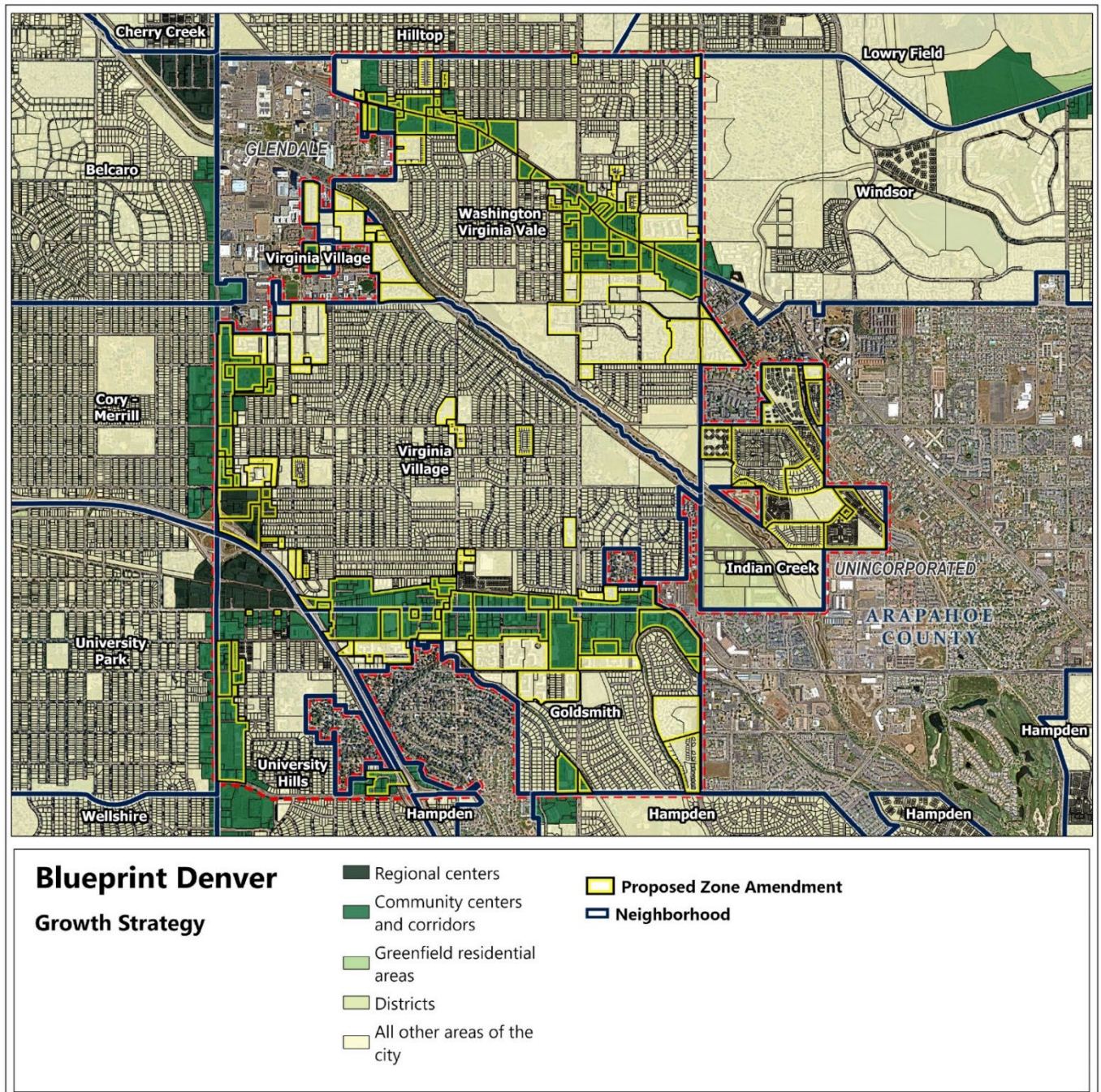
- **Commercial arterials:** “Commercial streets typically contain commercial uses including shopping centers, auto services and offices. Buildings are often set back with onsite parking.” (p. 159)
- **Mixed-use arterials:** “Varied mix of uses including retail, office, residential and restaurants. Buildings are pedestrian-oriented, typically multi-story, usually with high building coverage with a shallow front setback. A street wall is present but may vary.” (p. 159)

- **Residential arterials:** “Primarily residential uses, but may also include schools, civic uses, parks, small retail nodes and other similar uses. Buildings on residential streets usually have a modest setback. The depth of the setback varies by neighborhood context.” (p. 159)
- **Local Streets:** “Local streets can vary in their land uses and are found in all neighborhood contexts. They are most often characterized by residential uses.” (p. 161)

The proposed mixed use zone districts are consistent with the Future Street Types designation as they allow for a variety of commercial and residential uses. The proposed rezoning of Former Chapter 59 sites that are not located within the Centers and Corridors as described by the Future Place Map in Blueprint Denver, are consistent with the local street designation, as the rezoning areas are generally located on residential arterials or local streets and the zone districts are generally limited to residential uses.

For maps of Street Types by statistical neighborhood, see the Neighborhoods Maps appendix.

Growth Strategy



Blueprint Denver's growth strategy map is a version of the future places map, showing the aspiration for distributing future growth in Denver (p. 51). The proposed map amendment supports *Blueprint Denver's* growth strategy by aligning zone districts with plan recommendations and moving areas that retain Former Chapter 59 zoning into the current Denver Zoning Code.

The subject properties are part of the "Community Centers and Corridors" and "all other areas of the city" growth areas and will support growth that is envisioned in the growth strategy.

Community centers and corridors: These areas anticipate 20% of new employment growth and 25% of new housing growth in the city by 2040 (p. 51). Community Centers and Corridors are “where underutilized infill redevelopment sites can be repurposed” (p. 48-49). This growth strategy is largely mapped along the Centers and Corridors, and the proposed map amendment to S-MX-A districts will focus pedestrian-oriented, mixed-use growth to areas where it has been determined to be most appropriate. Therefore, the requested zone districts are consistent with the Blueprint Denver Growth Strategy.

All other areas of the city: These areas anticipate 10% of new employment growth and 20% of new housing growth in the city by 2040 (p. 51). These areas are intended to “take a smaller amount of growth intended to strengthen the existing character of our neighborhoods” (p. 49). The proposed replacement of Former Chapter 59 with corresponding districts in the Denver Zoning Code will ensure that any new development is consistent with the existing character of the neighborhood.

For maps of Growth Strategy by statistical neighborhood, see the Neighborhoods Maps appendix.

Blueprint Denver Strategies

Blueprint Denver provides recommendations related to legislative rezonings. Policy 11 Strategy A. states: “Prioritize larger-scale, legislative rezonings over site-by-site rezonings to implement plan recommendations and achieve citywide goals, including equity goals” (p. 79) This rezoning is legislative and will implement the land use vision in the Near Southeast Area Plan, consistent with this Blueprint Denver recommendation.

Because this site currently has a Former Chapter 59 zone district with custom zoning in the form of a condition, two strategies from the Land Use & Built Form: General section, Policy 3 are relevant for this proposed rezoning:

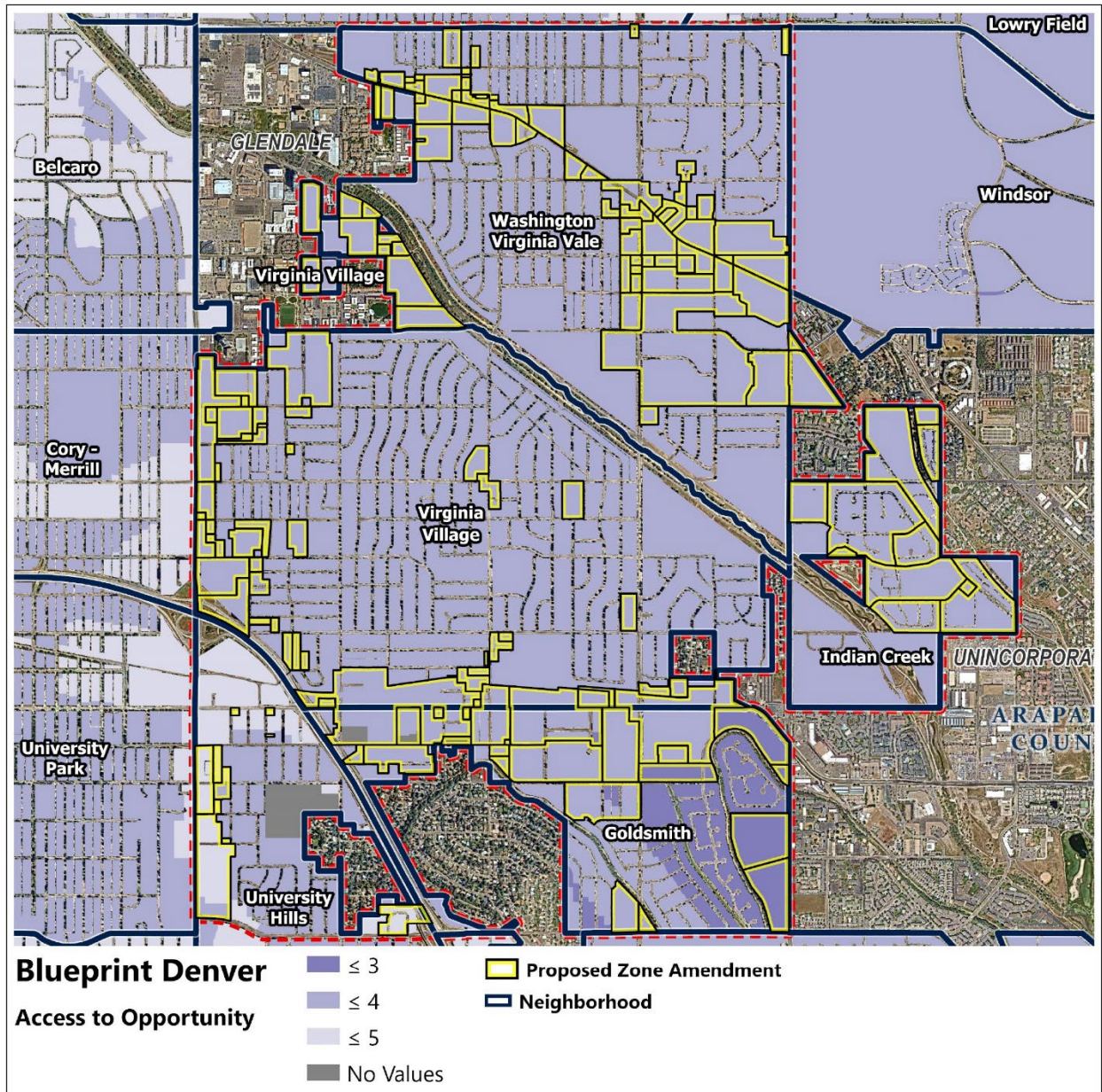
- Strategy A states, “Rezone properties from the Former Chapter 59 zoning code so that the entire city is covered by the DZC, including continuing to incentivize owners to come out of the old code” (p. 73).

Blueprint Denver is structured around the concept of complete neighborhoods. One of the three elements of a complete neighborhood is Quality of Life Infrastructure, which “refers to the places, trees, plants, waterways, parks and outdoor spaces that stitch together our communities and contribute to the health, needs, comfort, environmental resilience and social connectedness of Denver” (p. 116). The first policy under Quality-of-Life Infrastructure is to “Expand tools and regulations to ensure high-quality parks and outdoor public spaces keep pace with Denver’s growth” (p. 118). The proposed rezoning of a property to OS-A aims to rezone existing areas that are intended to become parks to align with this current or future use. This not only reinforces that existing parks should remain parks in the future, but it also facilitates development of new parks in locations where city policy and community input have determined they are appropriate and needed.

Blueprint Denver Equity Concepts

Blueprint Denver contains three equity concepts to help guide change to benefit everyone. Each equity concept has associated measurements that helps inform implementation actions through large rezonings along with other implementation actions.

I. Access to Opportunity

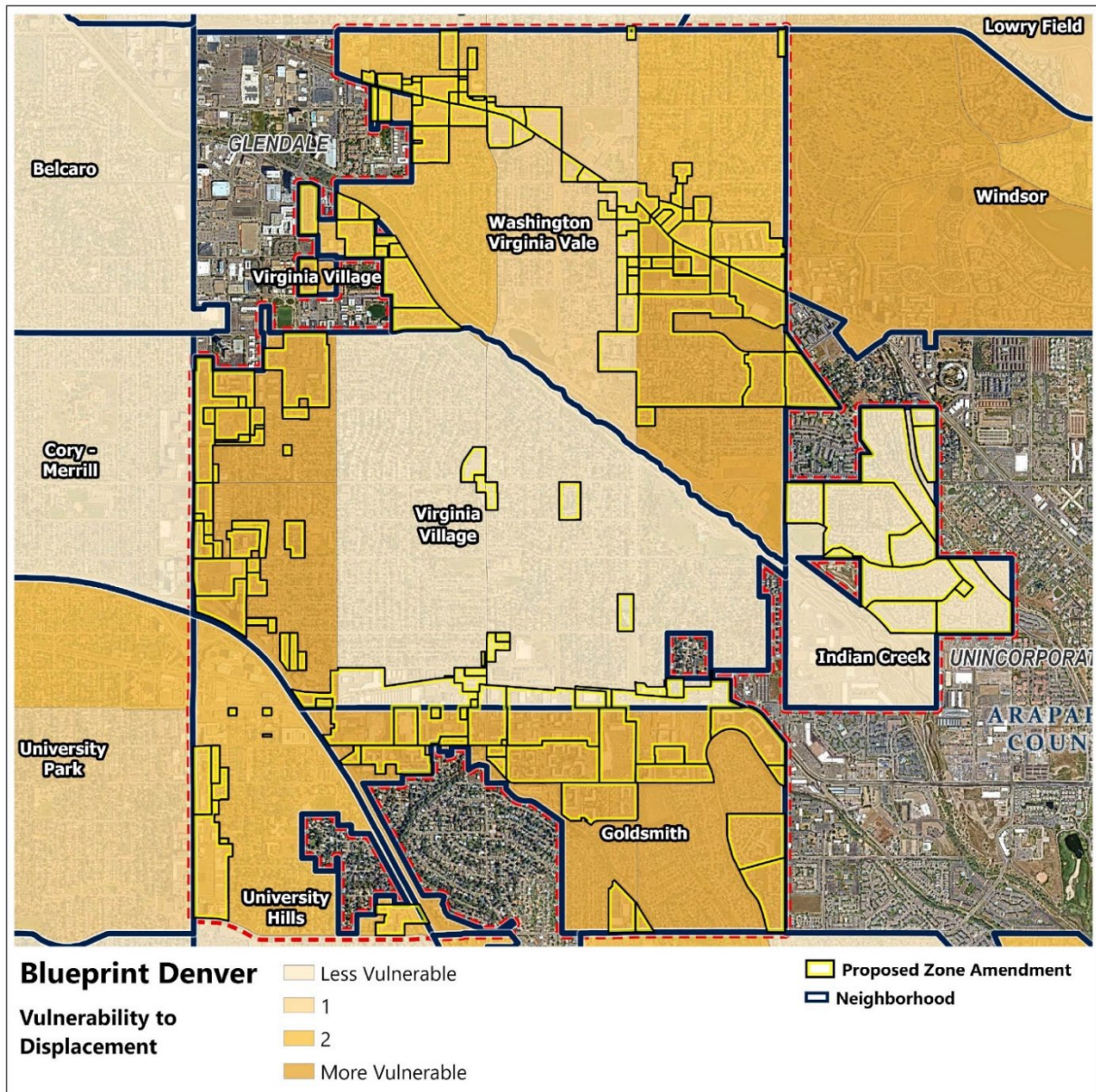


The basis for measuring access to opportunity is a composite of the neighborhood equity index developed by Denver's Department of Public Health and Environment, proximity to high-capacity and frequent transit, and access to Centers and Corridors. Access to opportunity helps us to consider if we are making progress towards achieving the vision for complete neighborhoods across the city.

The Near Southeast Area's average Access to Opportunity score is between 2 and 4, out of 5. Generally, the lowest scores were in the Access to Fresh Foods and Access to Transit categories. Access to Centers and Corridors, Access to Parks, and Access to Healthcare were the highest scoring categories. Access to transit is high in the southwest portion of the area, near the RTD Light Rail stations in University Hills North, while access to Centers and Corridors is lower in the interior of neighborhoods. The Neighborhood Equity Index score, which is a measure of barriers to opportunity, varies somewhat across the area, but is generally moderate.

The proposed rezoning to S-MX-A and S-MX-x districts in Center and Corridor areas supports pedestrian-friendly commercial uses in this area, which will continue to direct growth to Regional Centers, Community Centers, and Community Corridors, and support improved access to the elements of complete neighborhoods.

II. Vulnerability to Involuntary Displacement

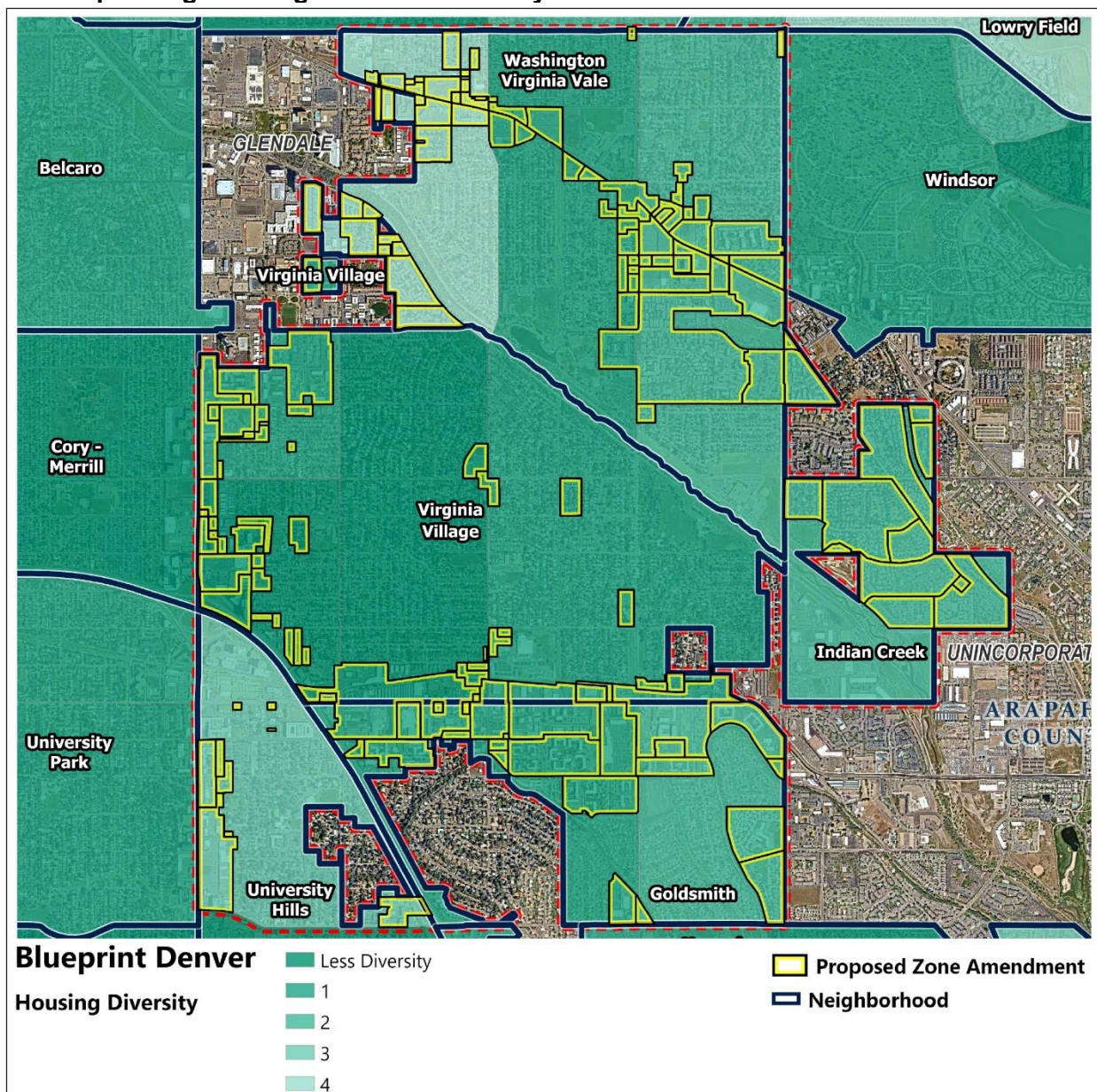


The basis for measuring vulnerability to involuntary displacement is the vulnerability to displacement index developed by Denver’s Economic Development and Opportunity office. This combines data from median household income, percentage of people who rent housing, and percent of population with less than a college degree. *Blueprint Denver* recommends that this concept inform strategies to stabilize “residents and businesses who are vulnerable to involuntary displacement due to increasing property values and rents” (p. 30).

The southwest and northeast portions of the Near Southeast area are the most vulnerable to displacement, scoring high on all three measures of the index. Indian Creek and the central portion of Virginia Village have relatively low vulnerability to displacement. The median household income and educational attainment metrics are considered vulnerable, while the rental occupancy is not vulnerable.

The proposed rezoning for Near Southeast would encourage a mix of commercial and residential uses, which fosters the development of local jobs and may result in more housing units. Rezoning areas that retain Former Chapter 59 zoning into Denver Zoning Code will establish modern zoning standards, including incentive heights for the provision of enhanced affordable housing on-site should future redevelopment occur.

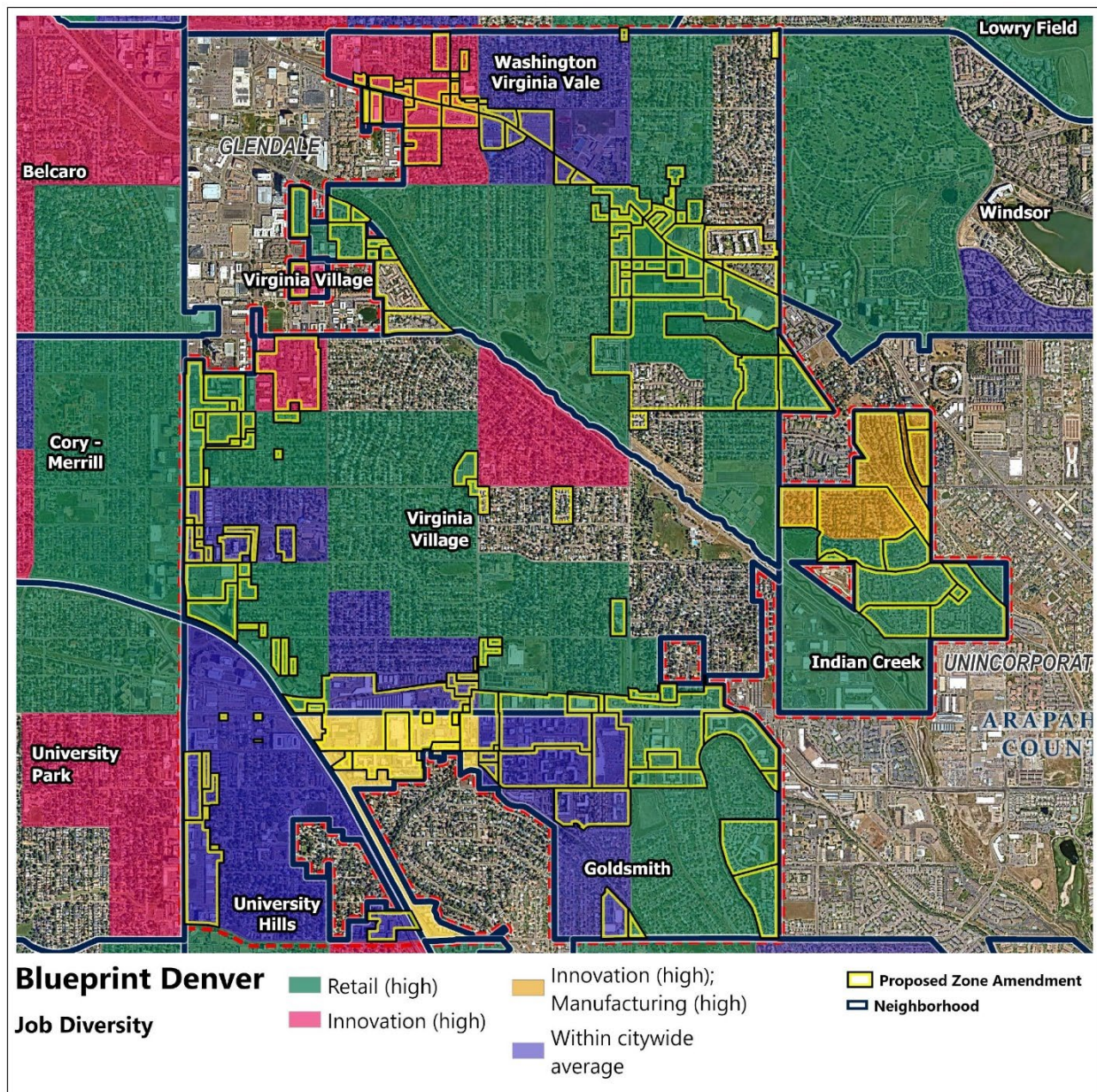
III. Expanding Housing and Jobs Diversity



The housing diversity map combines census tract-level data measuring the percentage of middle-density housing (housing with 2-19 units), home size diversity, ownership vs. rental, housing costs and the number of income-restricted units.

Near Southeast has relatively low housing diversity, particularly in the center of Virginia Village. University Hills North is the most diverse area in Near Southeast, but still only scores a two out of five, scoring low in middle-density housing, rental housing, and income restricted housing.

The proposed rezoning for Near Southeast is a step into implementing the recommendations outlined in the Plan for better design outcomes in Centers and Corridors and bringing properties into the Denver Zoning Code. The proposed zone districts encourage a mix of uses, including residential. Furthermore, some of the proposed rezoning areas would allow for incentive heights for the provision of enhanced affordable housing.



The map shows the mix of jobs depicted by color. The areas without color do not have enough jobs to classify a job type. A majority of Near Southeast has a greater portion of retail jobs than the city. Several portions of the area have a job makeup similar to the rest of Denver, with several other areas focused on innovation jobs. Then there's a smaller area along East Evans Ave. where manufacturing jobs are prevalent.

The proposed rezoning for Near Southeast will continue to encourage a mix of commercial uses, which fosters the development of local jobs. The properties along East Evans Ave. that currently have a majority of manufacturing jobs will be rezoned to a mixed-use district that will no longer allow some of the existing manufacturing uses, though the uses will be allowed to continue as they exist today. This rezoning will encourage more retail, office, and innovation jobs along East Evans Avenue in the future.

Near Southeast Area Plan

The Near Southeast Area Plan was adopted by City Council in May 2023 and encompasses the neighborhoods of Goldsmith, Indian Creek, and a portion of University Hills (north of Yale Avenue), Virginia Village and Washington Virginia Vale. The Near Southeast Area Plan provides recommendations and strategies to achieve the vision identified by residents and stakeholders through the planning process. It provides key guidance for Near Southeast's growth strategy, through detailed goals and strategies, future place and building height recommendations, and special focus areas and neighborhood goals. The Plan provides design guidance for various uses and contexts, focusing on growth that is consistent with neighborhood character. The Neighborhood Contexts "reflect established land patterns, such as lot and block sizes, era of construction, and existing building heights and density. Neighborhood contexts also reflect future expectations for how new development is expected to occur and how it should respond to existing patterns" (p 33). Places "are an organizational system that describes the desired character of an area. Places work together to promote complete neighborhoods for the residents living within or near each of them. Each place expresses itself differently depending on the neighborhood context where it is located" (p 34). The Plan updated the guidance in Blueprint Denver, which was described above in the staff report. The proposed rezoning focuses on two key areas of plan guidance: improving design standards in commercial areas; and transitioning Former Chapter 59 properties into the current Denver Zoning Code.

Improving design standards in commercial areas

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.

- **Land Use Framework (2.1.4):**
 - "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).

- **Land Use Policy 1 (LU-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.” (p. 40)
 - Strategy B: “Ensure regional and community centers and corridors where additional height is recommended have adequate mobility infrastructure to support development. Prioritize completing needed infrastructure through city projects or using tools applicable citywide. Applicant-driven rezonings to allow additional height in regional and community centers should assess mobility infrastructure needs and address identified deficiencies to ensure consistency with this plan....” (p. 40)
 - Strategy D: “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.” (p. 40)
- **Land Use Policy 2 (LU-2):** “Consistent with adopted citywide policies in Blueprint Denver and in coordination with citywide efforts, improve design outcomes in centers and corridors to create places that reflect the character and community of Near Southeast.” (p. 44-45)
 - Strategy A: “Urban design – Transform the centers and corridors of Near Southeast into safe, welcoming, pedestrian-oriented places that are integrated with the surrounding neighborhoods and where community members can meet daily shopping needs and find dining and entertainment options.” (p. 44)
 - A.1: “Locate new buildings closer to the street to create a sense of enclosure and human scale in mixed-use areas while still allowing for wide sidewalks, landscaping, and amenity space between the street and buildings.” (p. 44)
 - A.1.a: “Prohibit parking between buildings and the street through rezonings, changes to zoning standards, design standards and guidelines, or other tools.” (p. 44)
 - A.1.c: “Consider improving ground-floor transparency and active use requirements to improve pedestrian friendliness and provide direct, clearly identifiable pedestrian entrances directly from the sidewalk.” (p. 44)
 - Strategy B: “New mixed-use design – Require high-quality design for new construction and renovations in centers and corridors.” (p. 45)
 - B.1: “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.” (p. 45)
 - B.1.a: “Prohibit auto-oriented building forms, such as drive-thrus, car washes and gas stations.” (p. 45)
- **Land Use Policy 4 (LU-4):** “Provide opportunities for community members to easily access goods and services, gathering places, and dining and entertainment options by strengthening existing and creating new local centers and corridors in Near Southeast.” (p. 47)
 - Strategy A: “Local center development – Facilitate the evolution of the Florida and Holly and Jewell and Holly local centers into more pedestrian-friendly community gathering places with a wider variety of uses. Accomplish these goals through updates to zoning standards, creation of design standards and guidelines, rezonings and infrastructure investments.” (p. 47)

- A.1: “Revitalize local centers by encouraging more pedestrian-friendly development that is closer to the street and reducing the visibility of surface parking [...]” (p. 47)
 - Strategy B: “Existing local centers - Support the revitalization of the local centers at Florida and Holly and Jewell and Holly into more pedestrian-friendly community gathering places with a wider variety of uses.” (p. 47)
 - Strategy C: “New local centers and corridors – Improve access to community services by adding new local centers and corridors adjacent to existing residential areas through the conversion of vacant institutional uses, outdated auto-oriented uses or in other areas designated as a Local Center.” (p. 47)
- **Land Use Policy 5 (LU-5):** “Improve access to housing, jobs, shopping, dining, entertainment, and transit by developing and redeveloping regional and community centers into mixed-use destinations for the Near Southeast community.” (p. 47)
 - Strategy A: “Center development – Transform the Community and Regional Centers into walkable, mixed-use community destinations by connecting new public street grids where necessary and encouraging a variety of uses, including residential, office, retail, dining and entertainment.” (p. 47)

The development standards found within the S-MX-A and S-MX-2x zone districts implement many of the design improvements called for in Land Use Policies 1, 2, and 4. The proposed zone districts’ design standards for transparency, active use, reduced visibility of parking and building entrance locations enable the creation of an active and human-scaled experience at the street level.

The development standards found within the S-MX-A and S-MX-x zone districts will help transform Community Centers along Leetsdale Drive, East Evans Avenue, East Yale Avenue, South Colorado Boulevard, and South Monaco Parkway into walkable, mixed-use destinations and allow a mix of uses. The proposed S-MX-A and S-MX-x zone districts will also serve to facilitate the evolution of Centers at the intersections of East Florida Avenue and South Holly Street, and East Jewell Avenue and South Holly Street, while requiring pedestrian-oriented design. As current auto-oriented and vacant institutional uses in the area redevelop, they will be required to follow these new standards, following the guidance of Land Use policies 1,2, 4 and 5.

The proposed districts are consistent with the Plan’s building height guidance. Though the plan recommends taller heights in some areas, the rezoning proposes to largely maintain the same height as allowed today in regional and community centers while improving design standards. This is consistent with strategy LU-1.B above.

Rezoning out of Former Chapter 59: The Near Southeast Area contains many properties that have retained Former Chapter 59 zoning. The Plan calls for these to be rezoned into the Denver Zoning Code to improve design standards and increase the predictability of development outcomes. This area contains various Former Chapter 59 Districts, with rezoning proposed to the closest match, informed by plan guidance.

- **Land Use Policy 10 (LU-10):** “Improve development regulations in Near Southeast to achieve the plan vision by bringing properties into the Denver Zoning Code, improving sustainability, and reducing climate impact.” (p. 64)

- Strategy A: “Consistent with adopted citywide policies in Blueprint Denver and in coordination with citywide efforts, continue updating and improving zoning regulations” (p. 64)
 - A.1: “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.” (p. 64)
 - A.1.a: “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.” (p. 64)
 - A.1.b: “Rezonings out of Former Chapter 59 into a comparable Denver Zoning Code zone district do not need additional adequate mobility infrastructure analysis as described in Policy LU-1.B. (p. 40).” (p. 64)

The proposed rezoning meets the guidance of the Near Southeast Area Plan to transition Former Chapter 59-zoned properties to appropriate equivalents in the current Denver Zoning Code, which will foster improved design outcomes and allow for redevelopment that is compatible with the existing context and plan vision.

2. Uniformity of District Regulations and Restrictions

Rezoning to the Denver Zoning Code districts proposed will result in the uniform application of zone district building form, use, and design regulations, and will generally improve regulatory uniformity through transition of current Former Chapter 59 properties to the Denver Zoning Code.

3. Public Health, Safety and General Welfare

The proposed rezoning furthers the public health, safety, and general welfare of the city because it directly implements adopted policy from *Blueprint Denver* and the *Near Southeast Area Plan*. The rezoning will enable better design outcomes from future redevelopment, guide growth to appropriate areas, allow for redevelopment that is compatible with the existing context, enhance quality of life through creation of opportunities for additional housing, goods, services, and community gathering places, and foster a more pedestrian-friendly environment in Near Southeast neighborhoods.

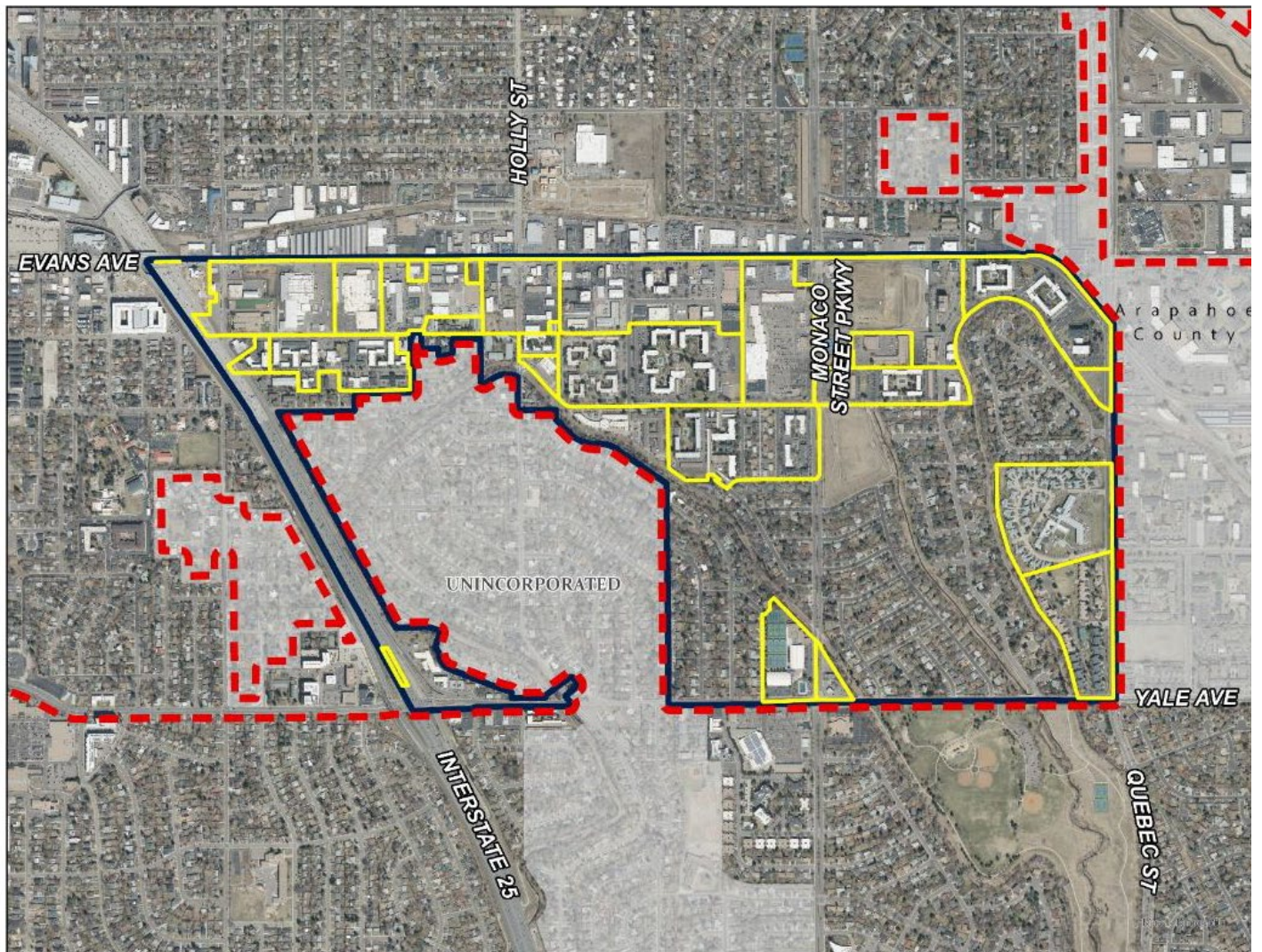
Attachments

1. Neighborhood Maps Appendix
2. Public Outreach Summary
3. Legislative Rezoning Proposal
4. Legislative Map Exhibit Series
5. Public Comments

1) Neighborhood Maps Appendix

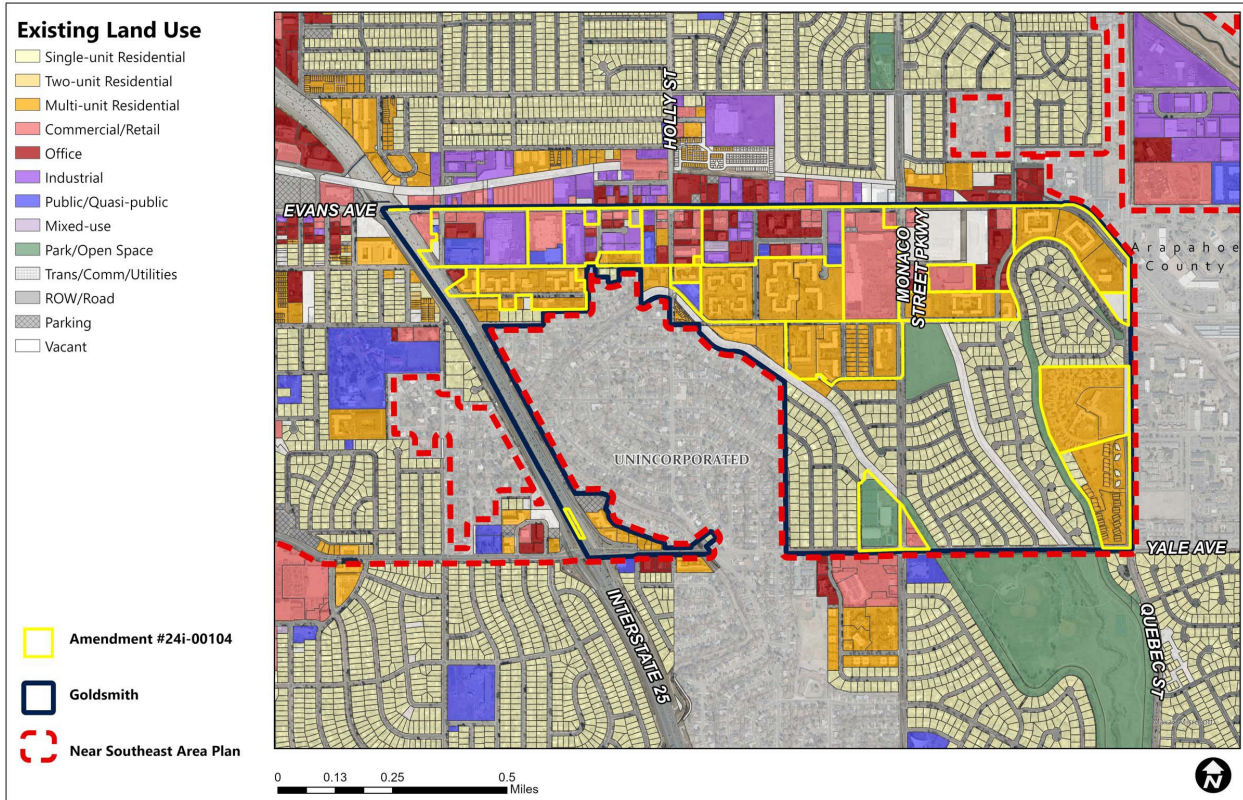
Goldsmith

Aerial

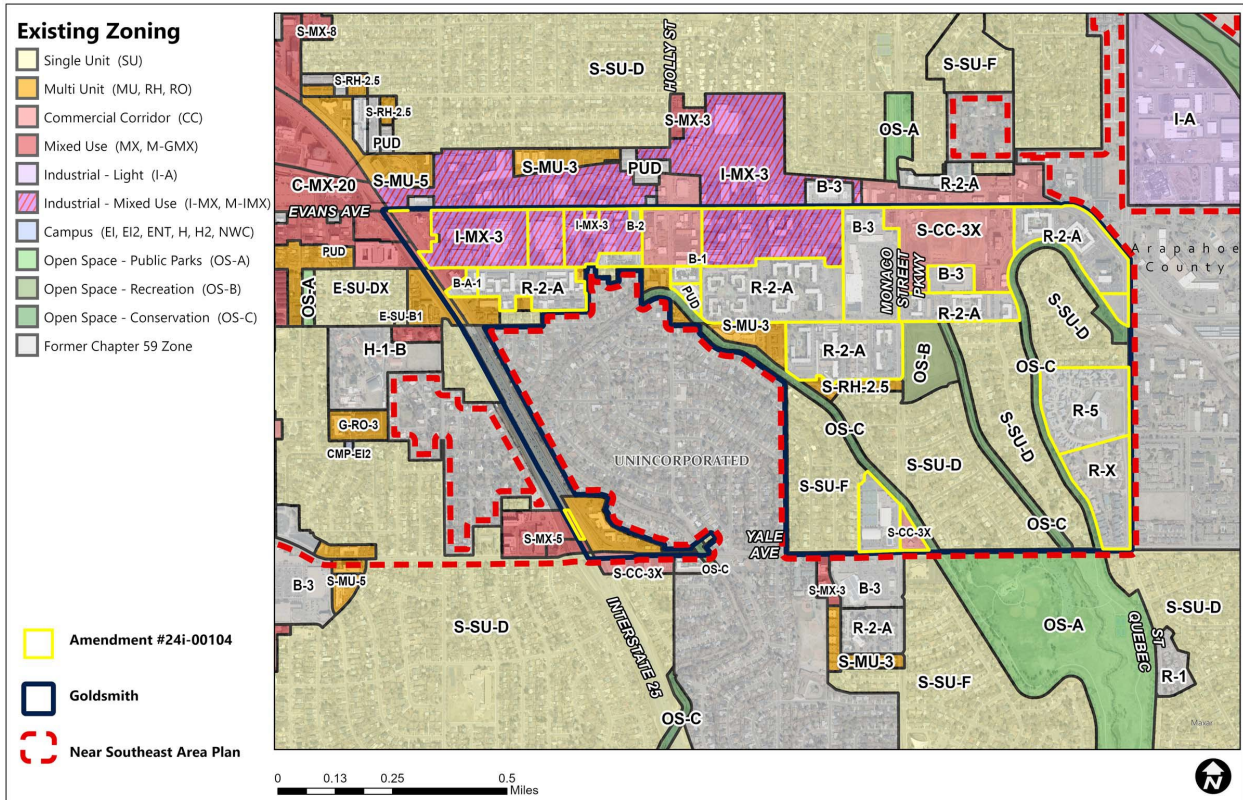


Aerial image showing all properties proposed to be rezoned in this neighborhood in yellow, neighborhood boundary in blue and Near Southeast Area Plan in dashed red.

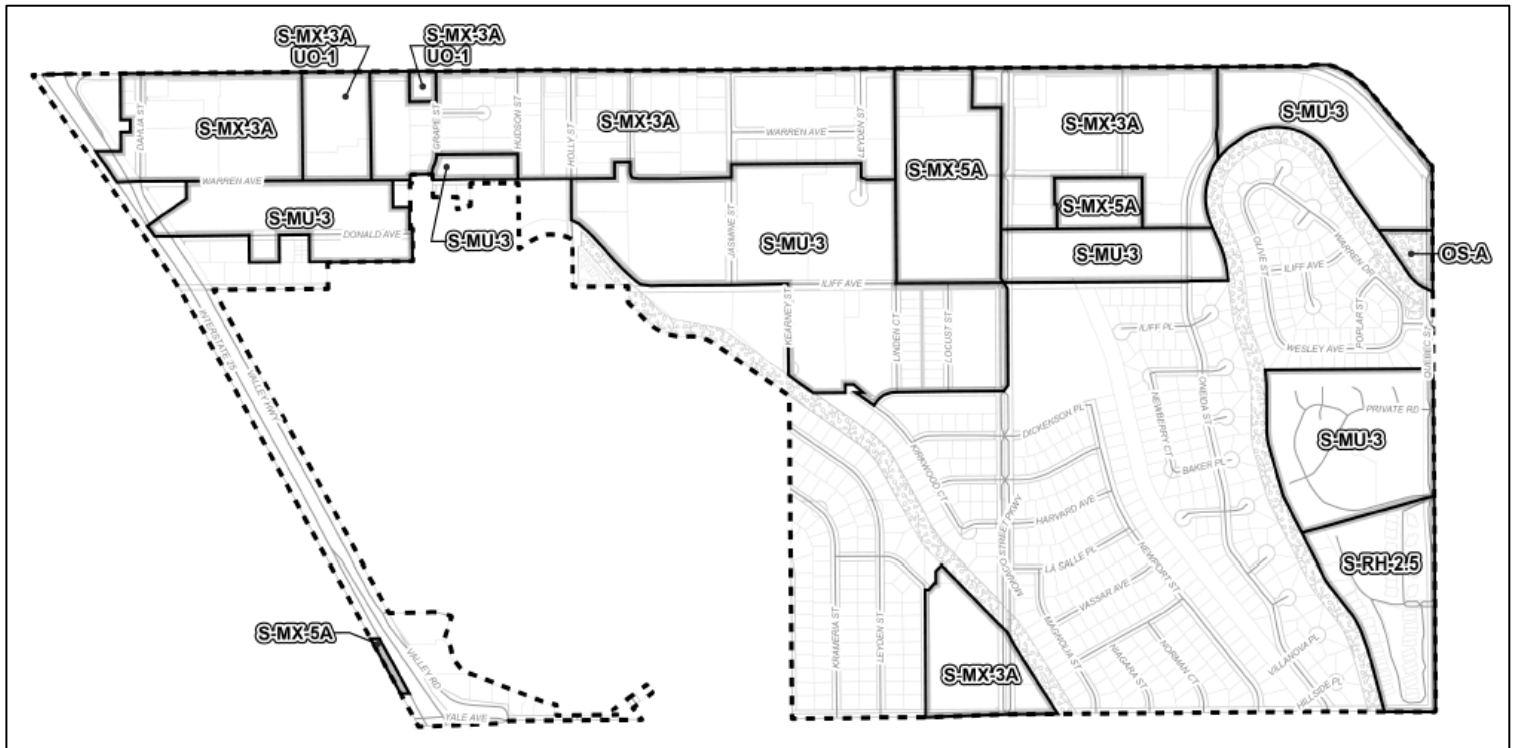
Existing Land Use



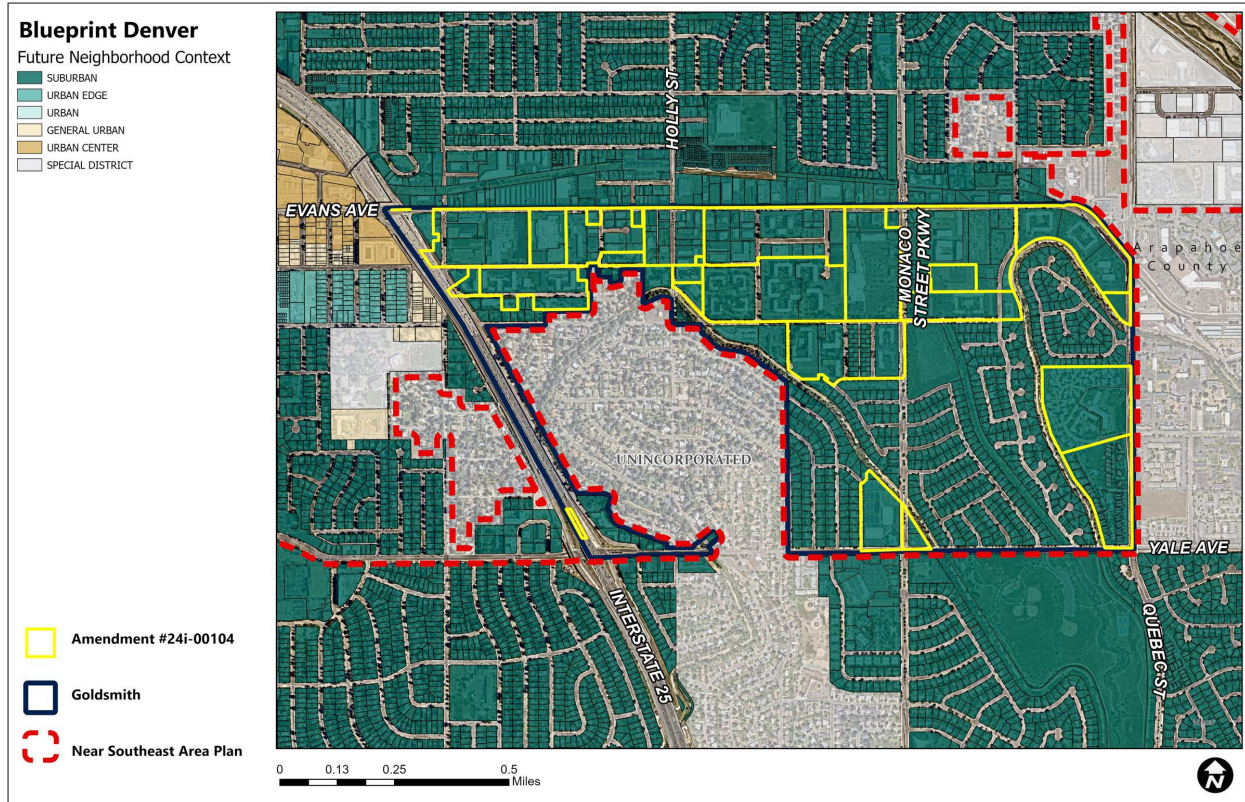
Existing Zoning



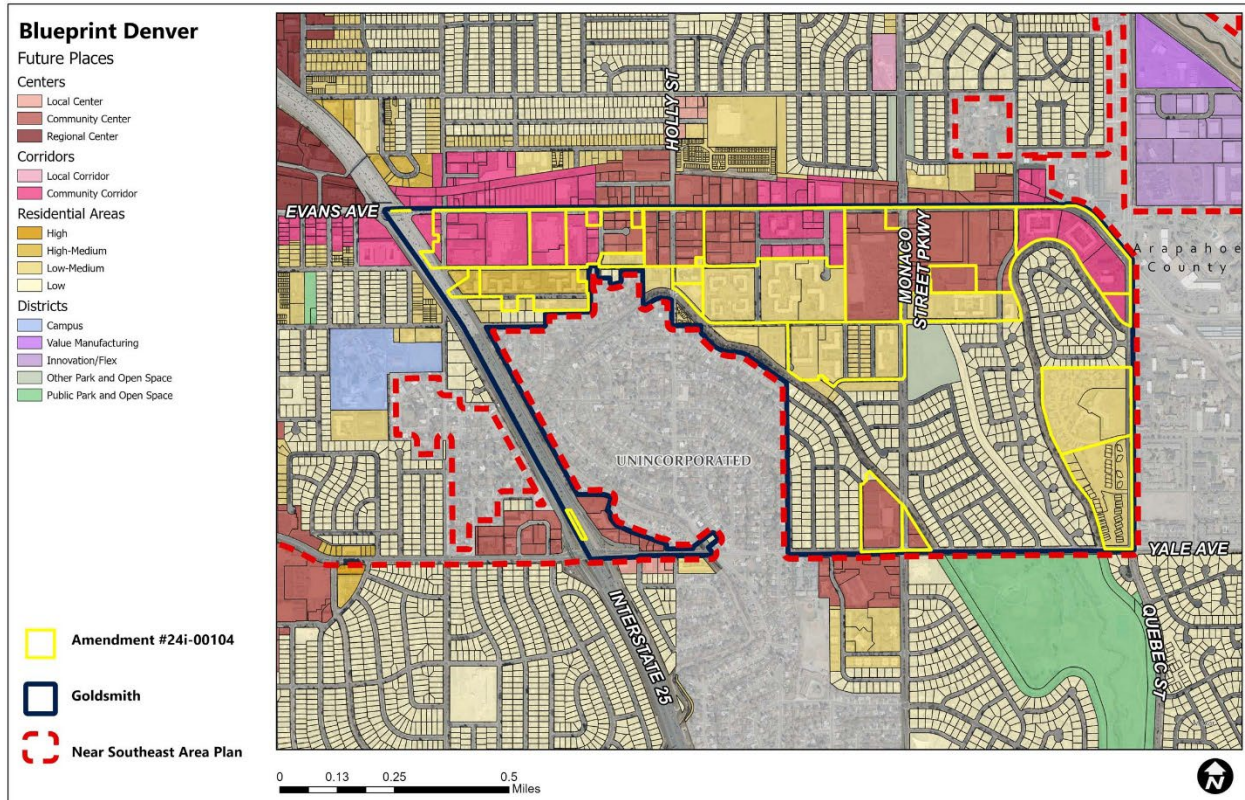
Proposed Zone Districts



Blueprint Denver – Neighborhood Context

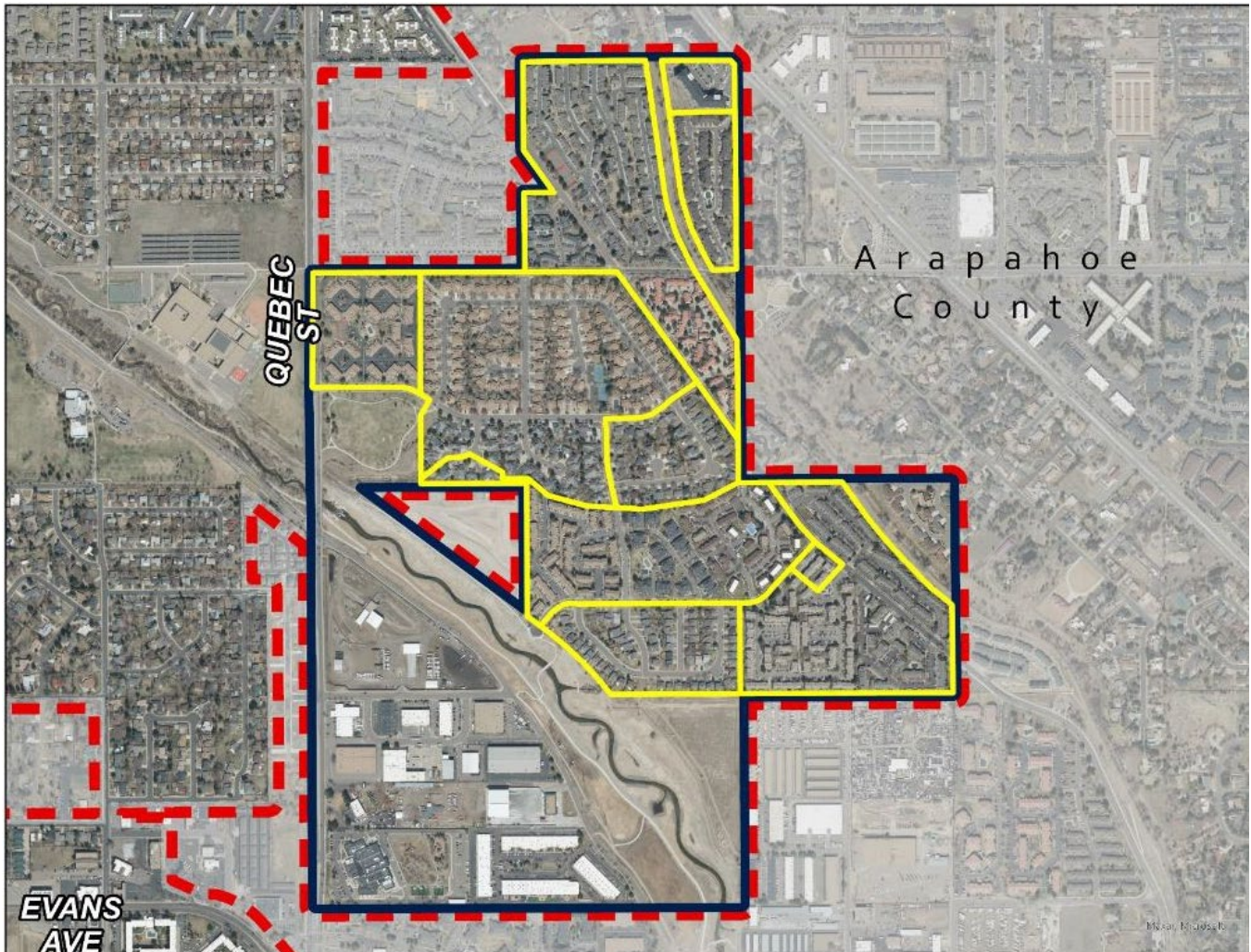


Blueprint Denver – Future Places Map



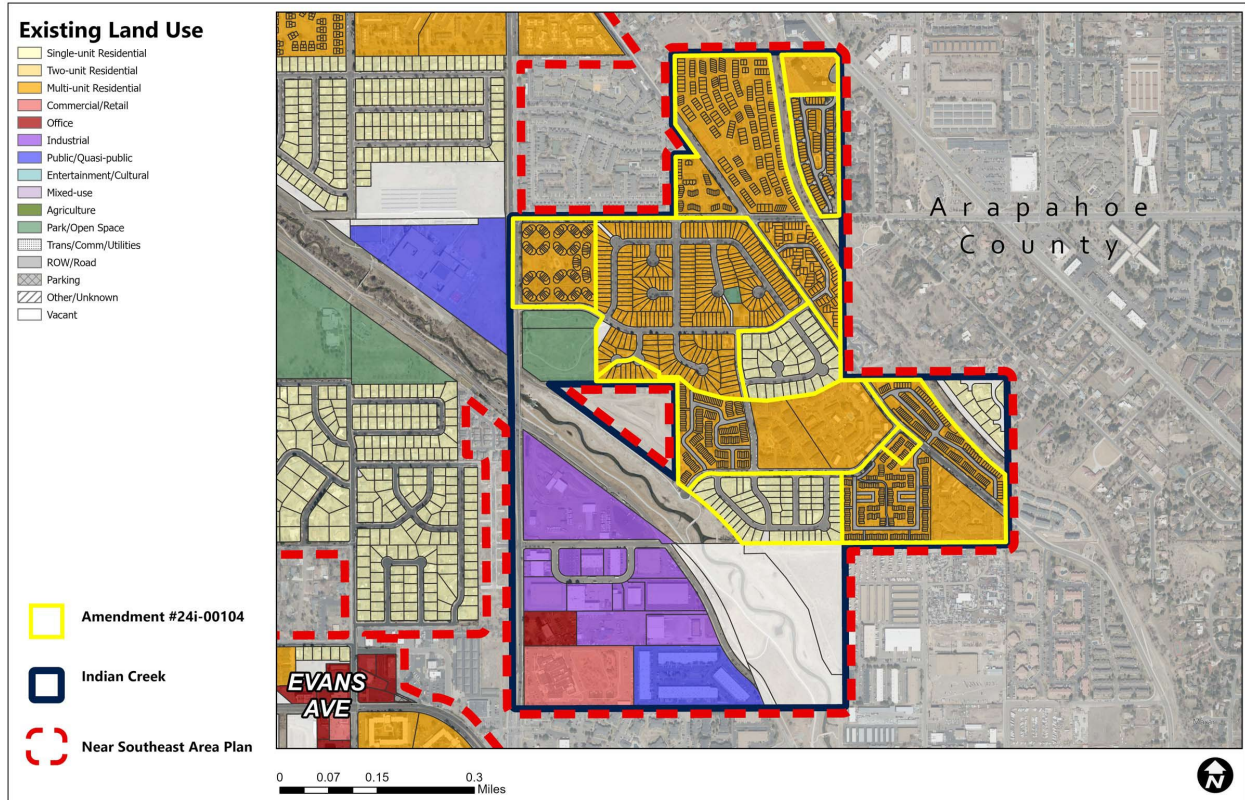
Indian Creek

Aerial

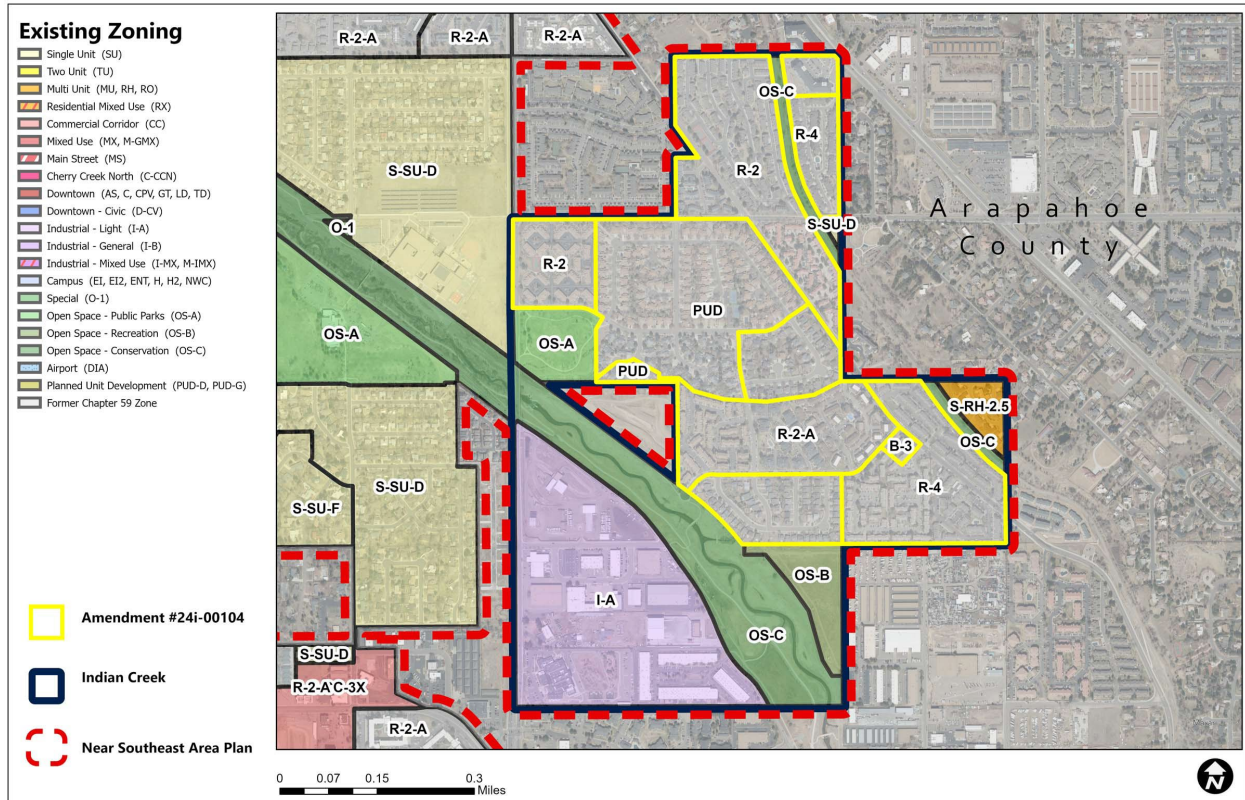


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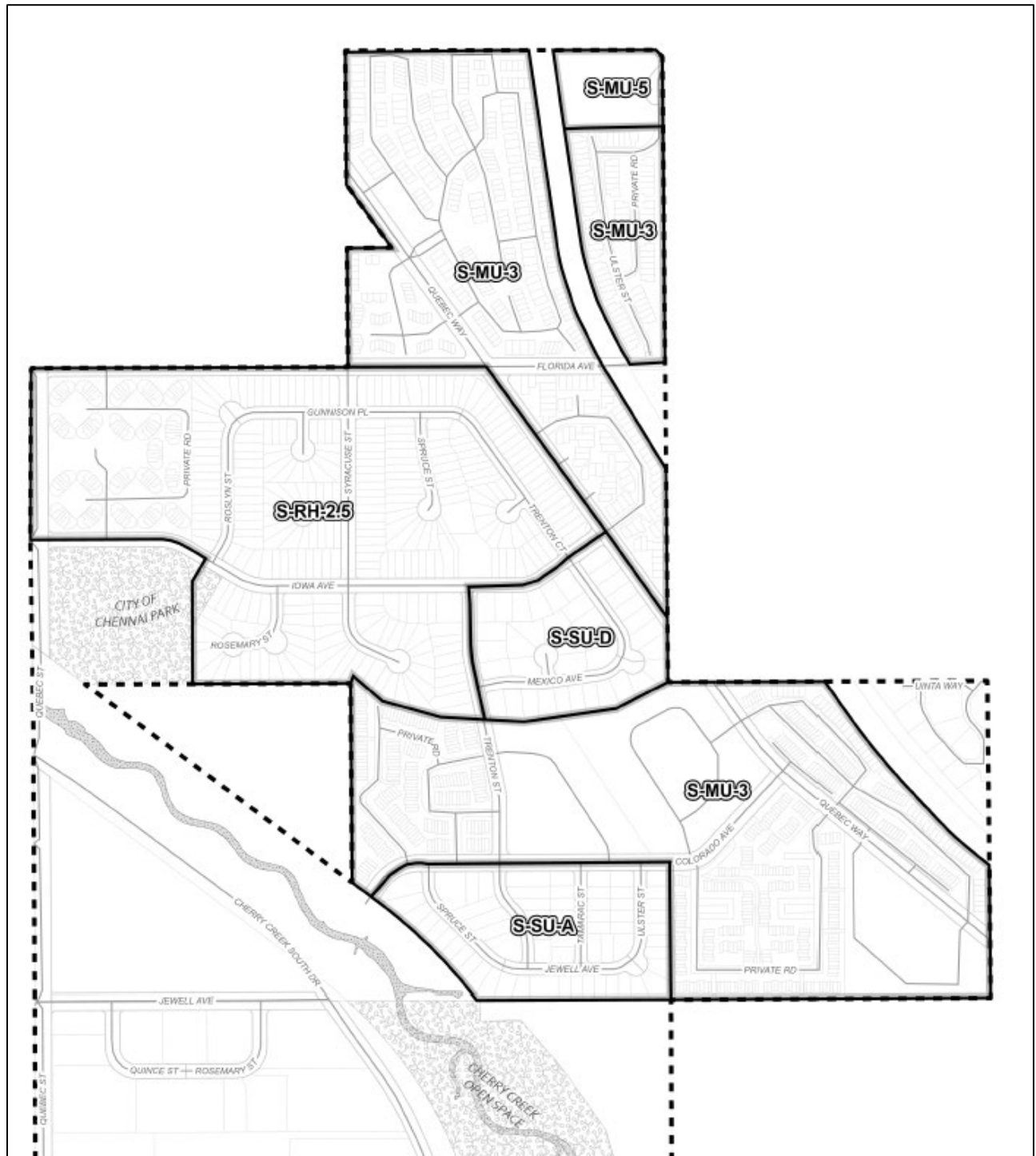
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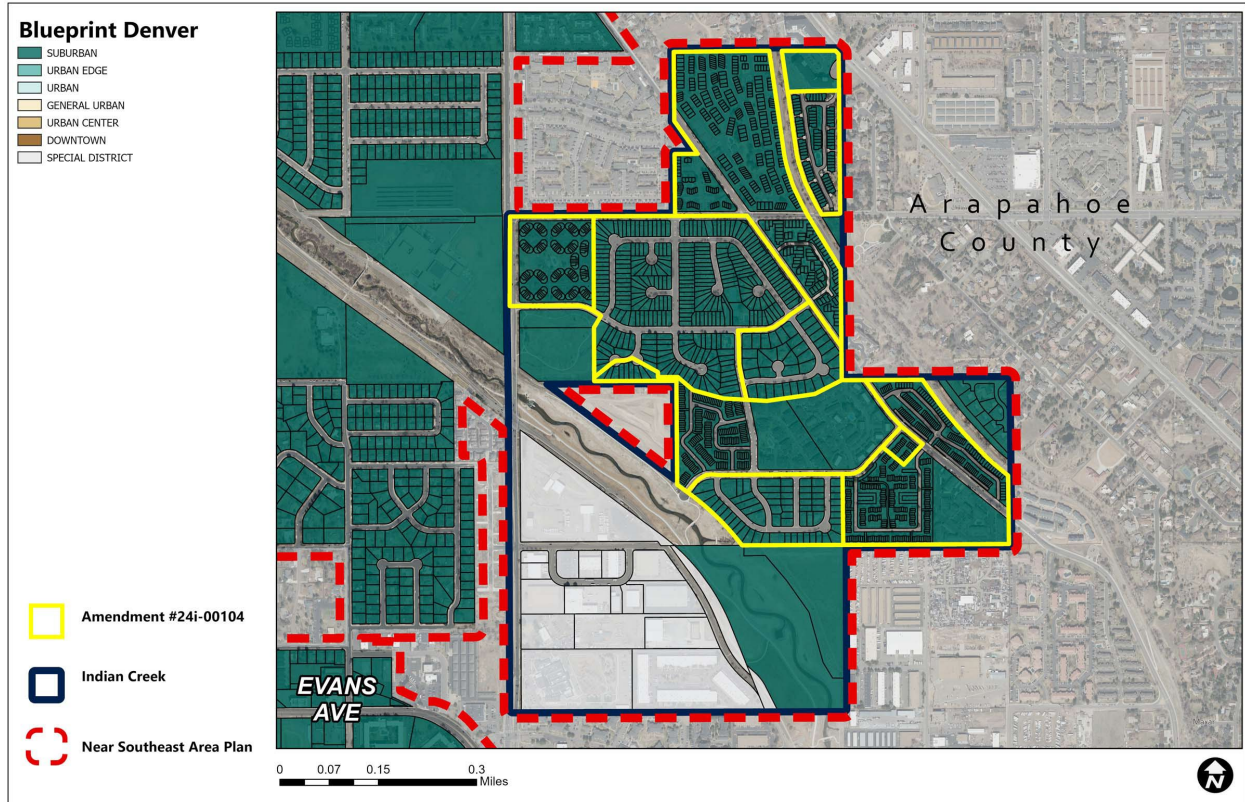
Existing Zoning



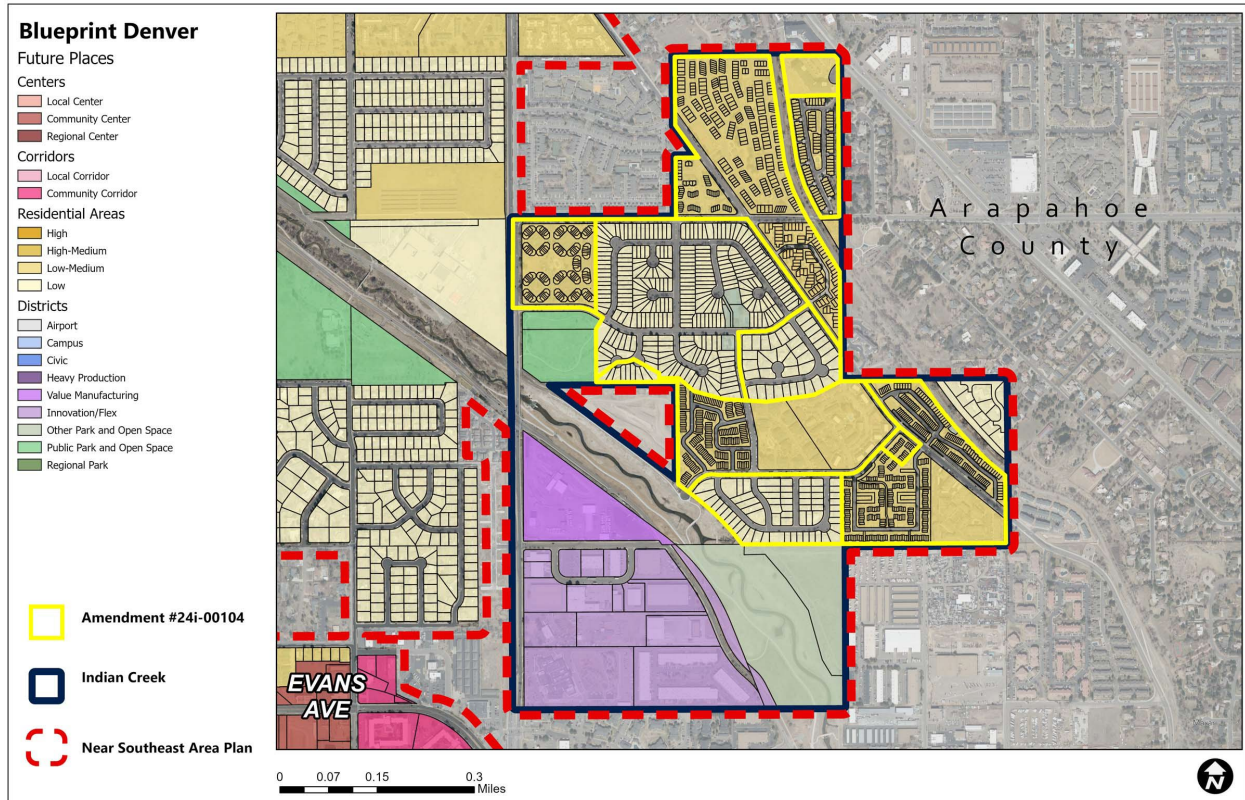
Proposed Zone Districts



Blueprint Denver – Neighborhood Context

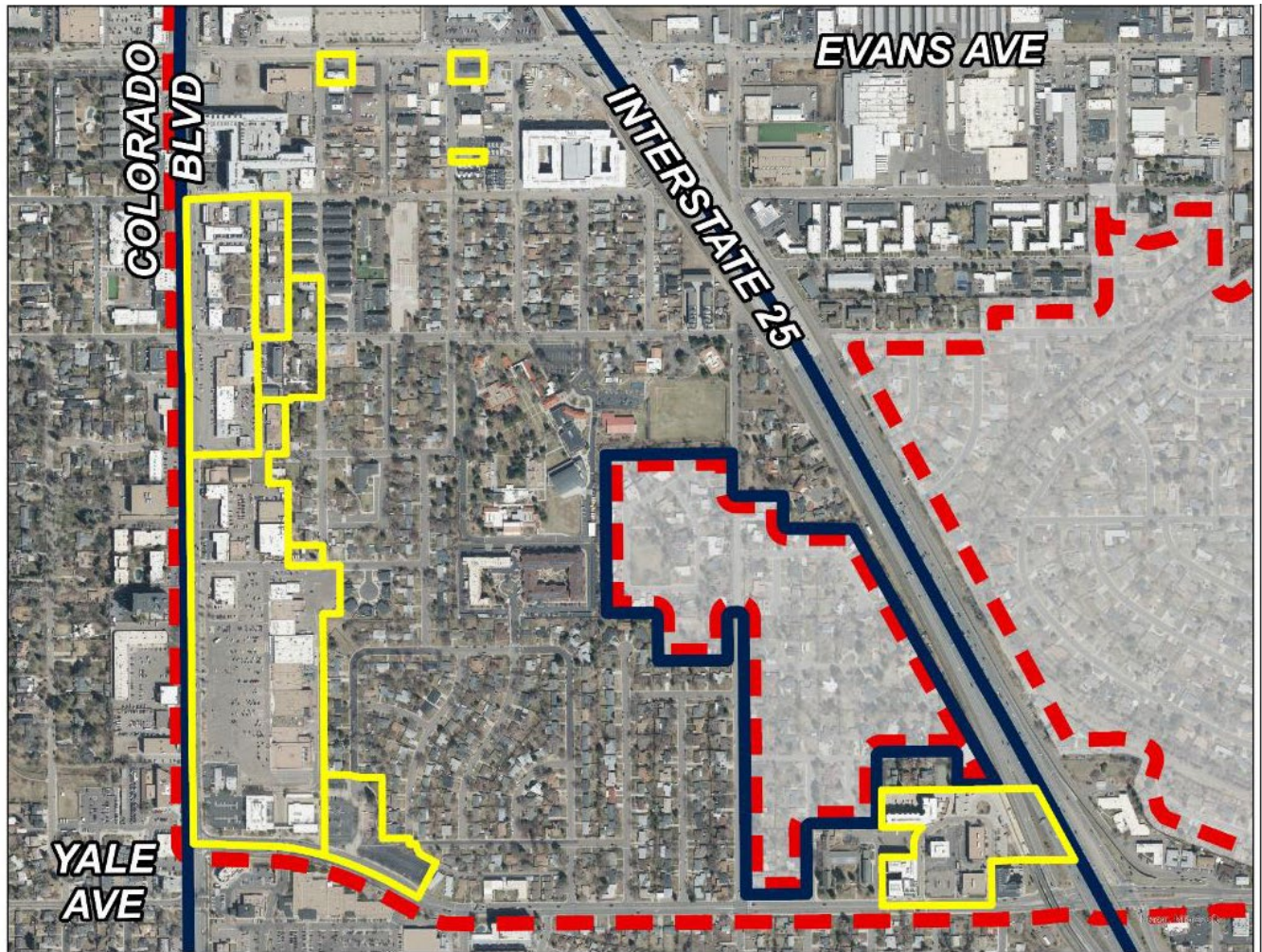


Blueprint Denver – Future Places Map



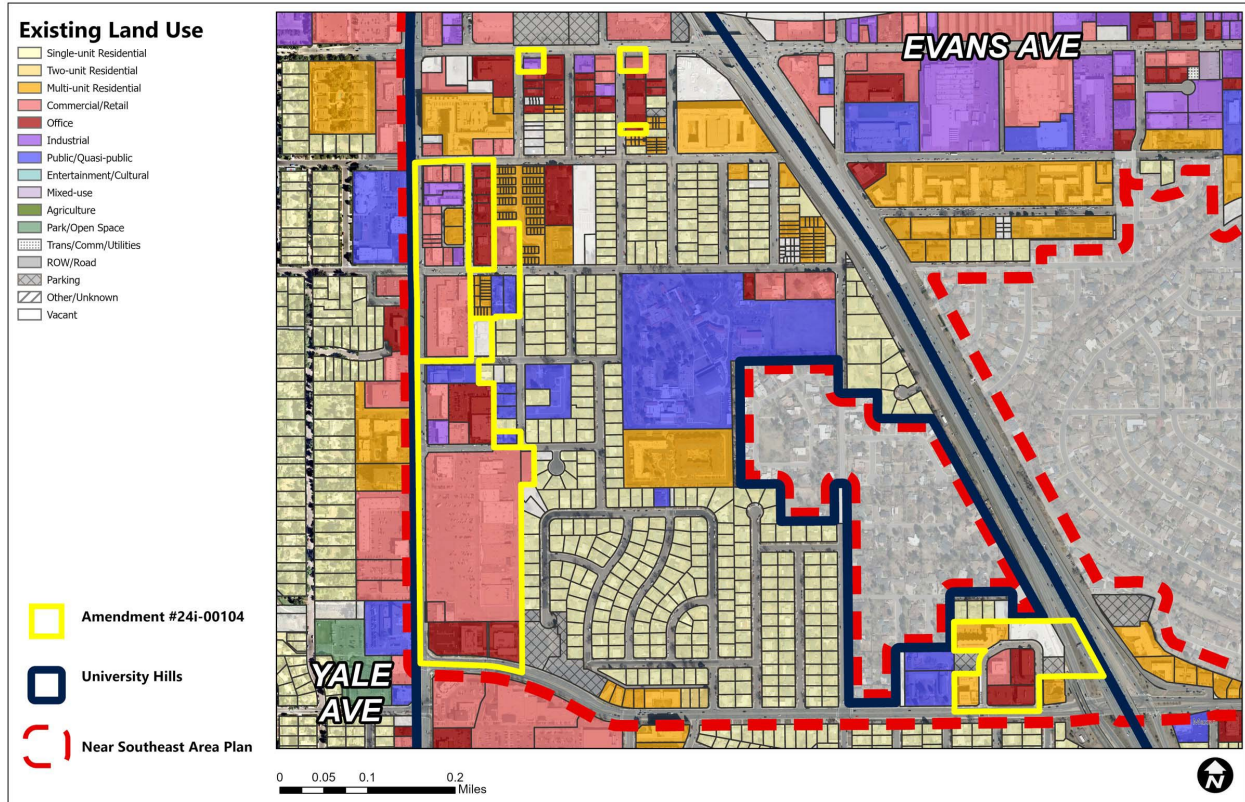
University Hills

Aerial

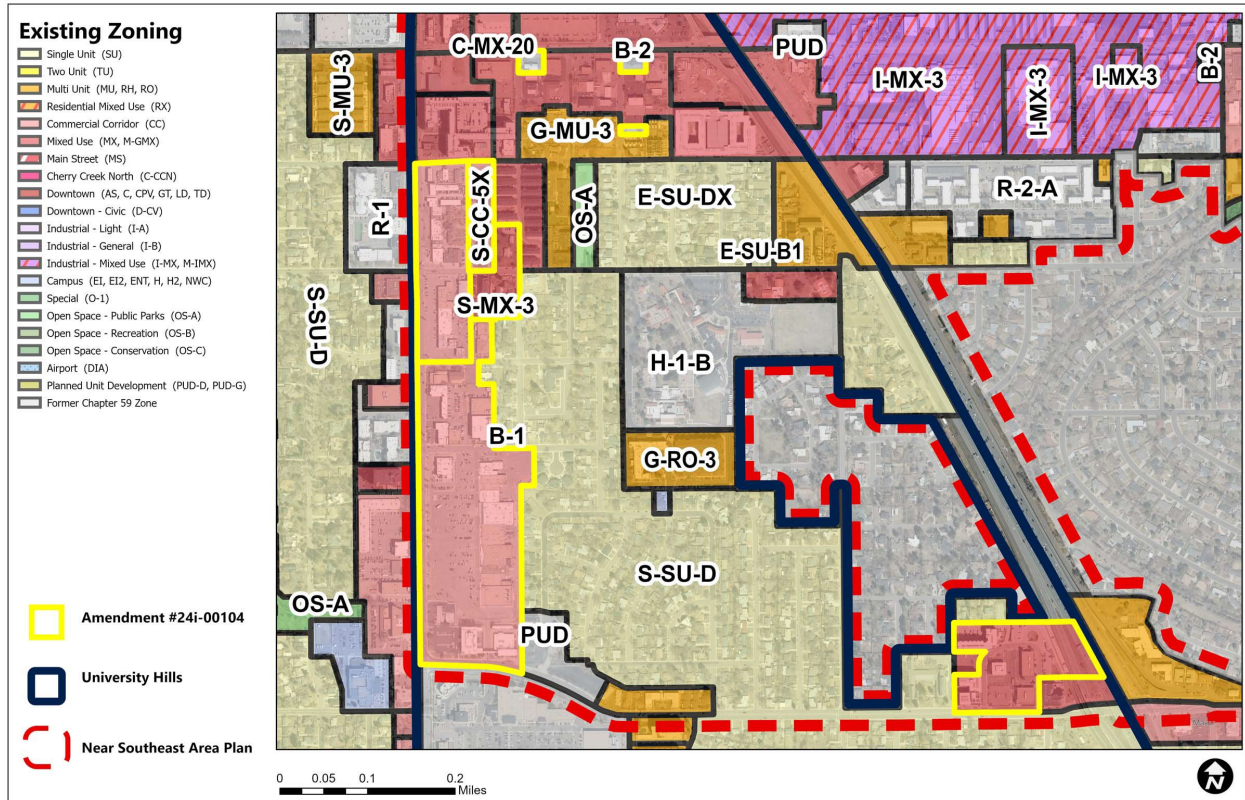


Aerial image showing all properties proposed to be rezoned in this neighborhood in yellow, neighborhood boundary in blue and Near Southeast Area Plan in dashed red.

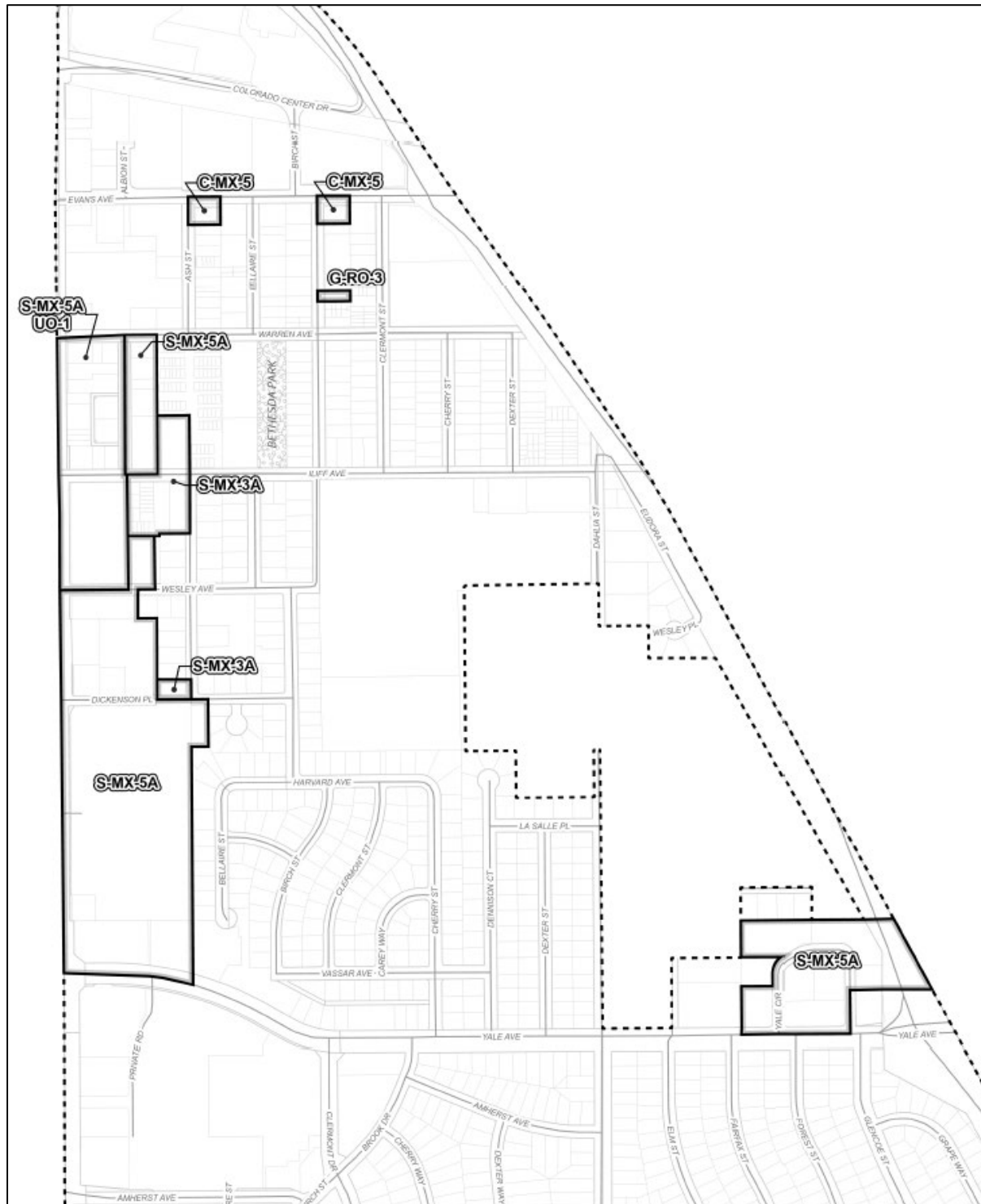
Land Use



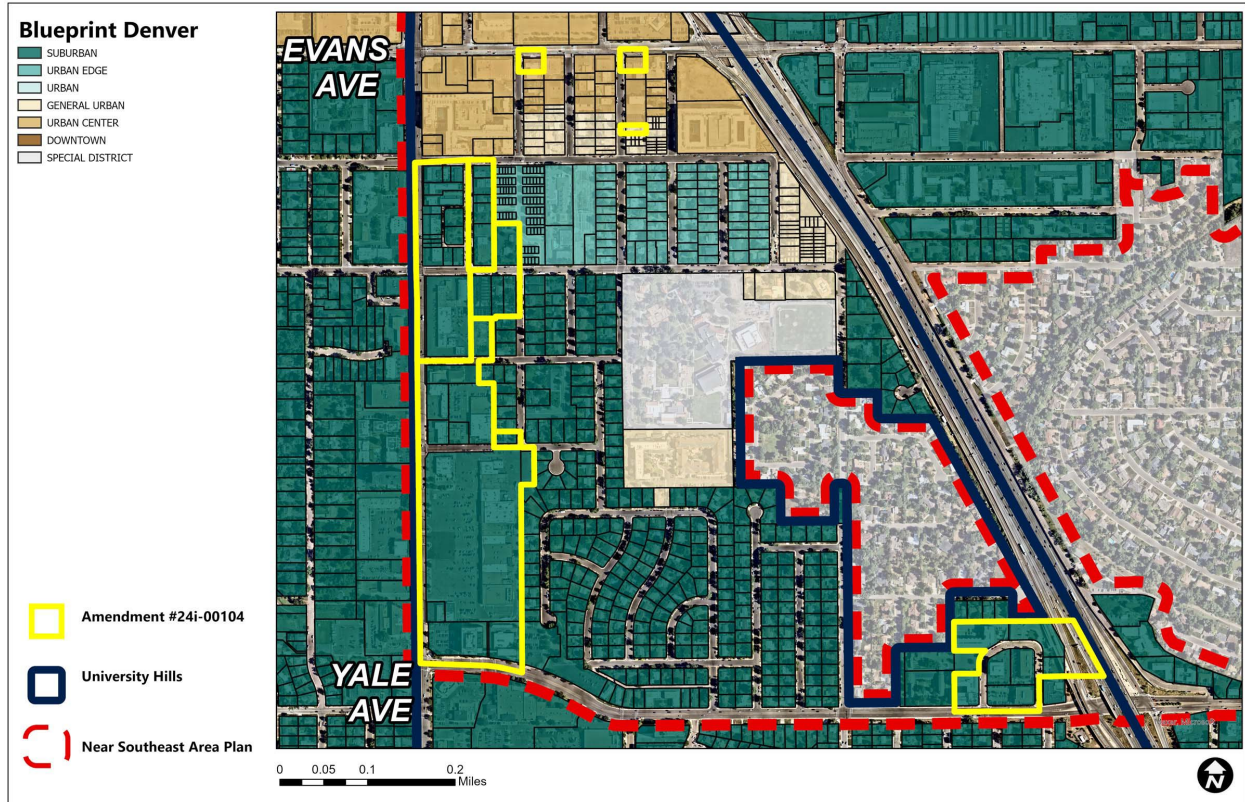
Current Zoning



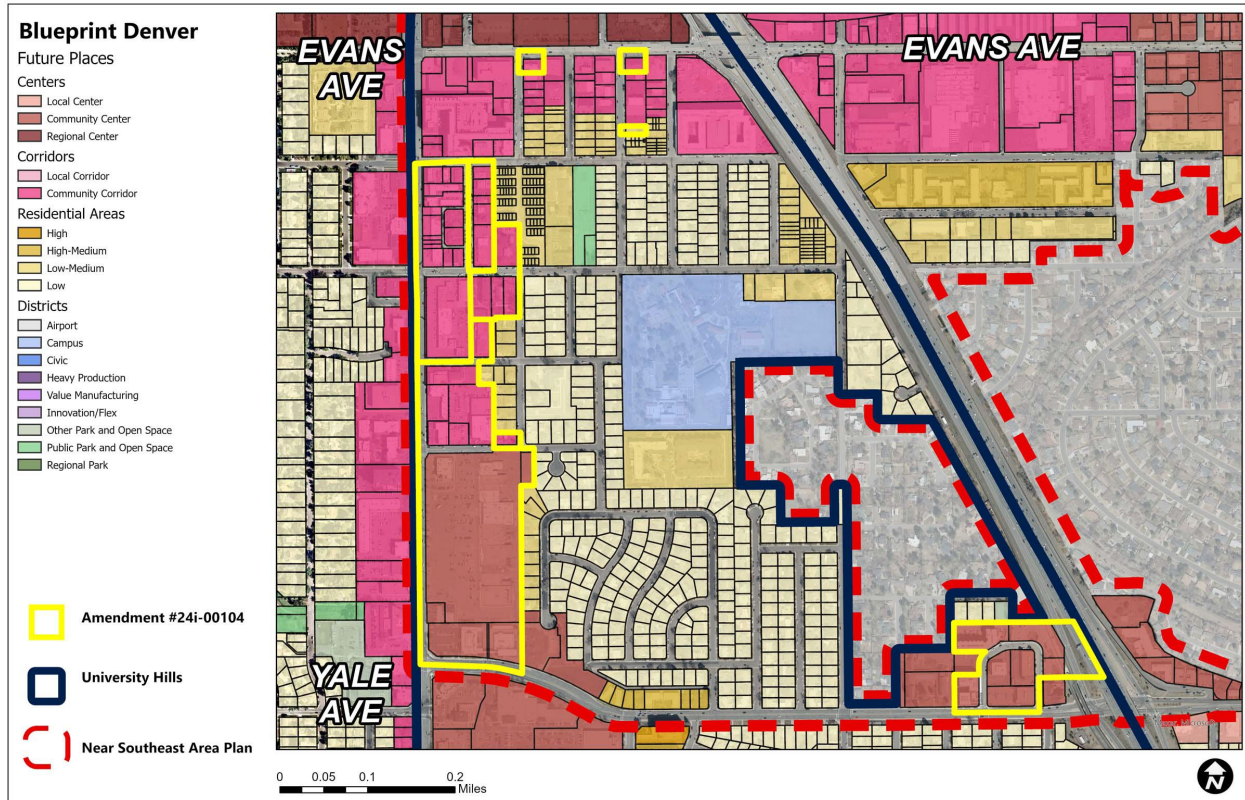
Proposed Zoning



Blueprint Denver – Neighborhood Context

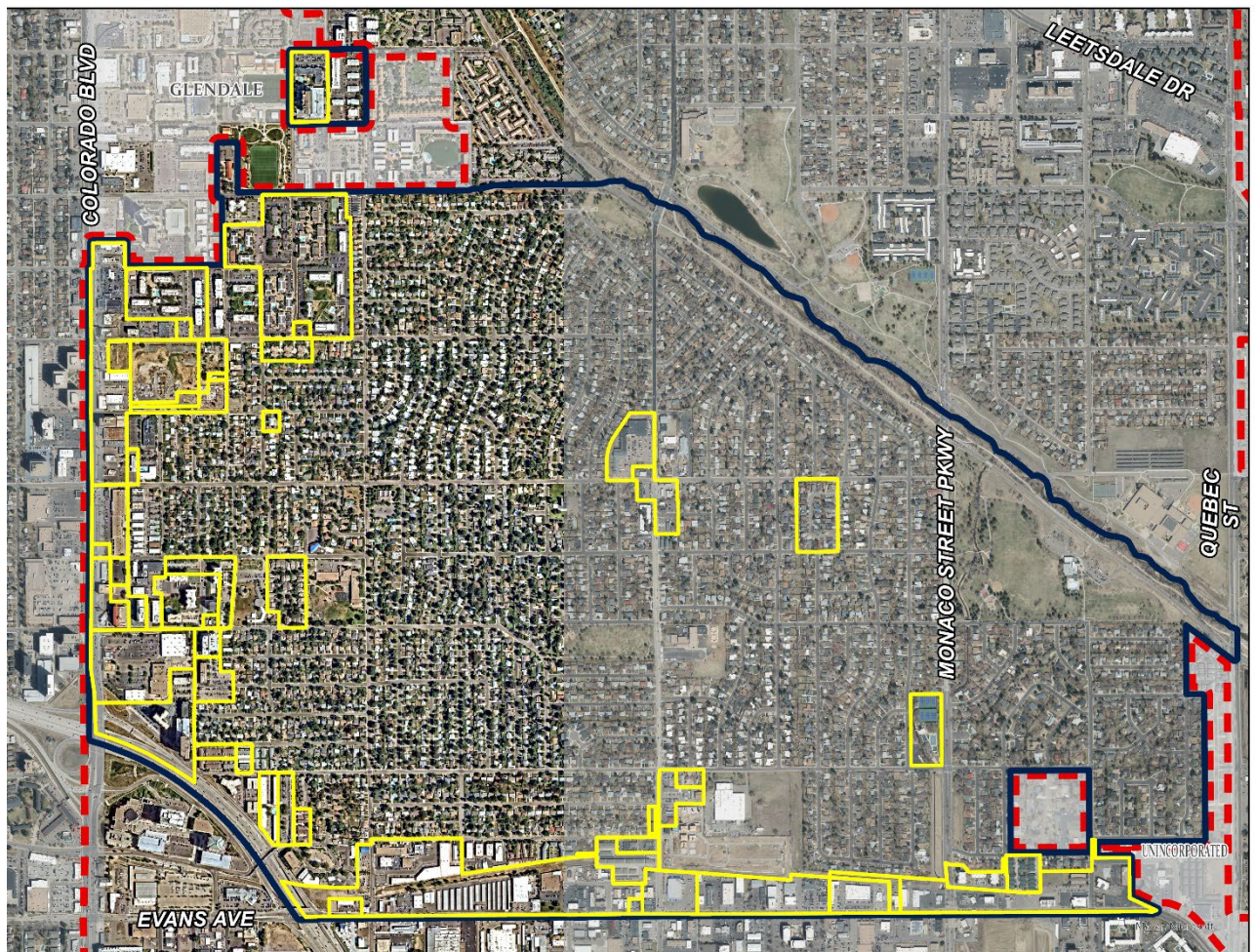


Blueprint Denver – Future Places Map



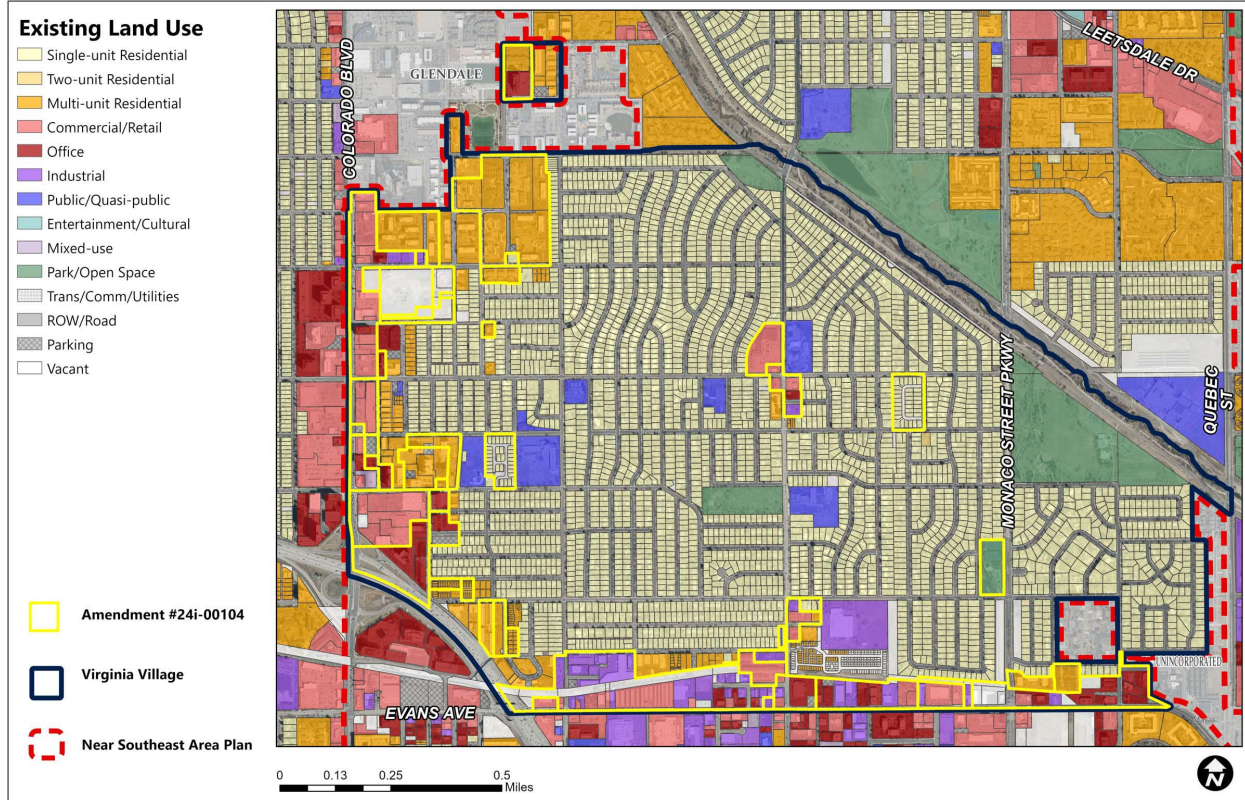
Virginia Village

Aerial

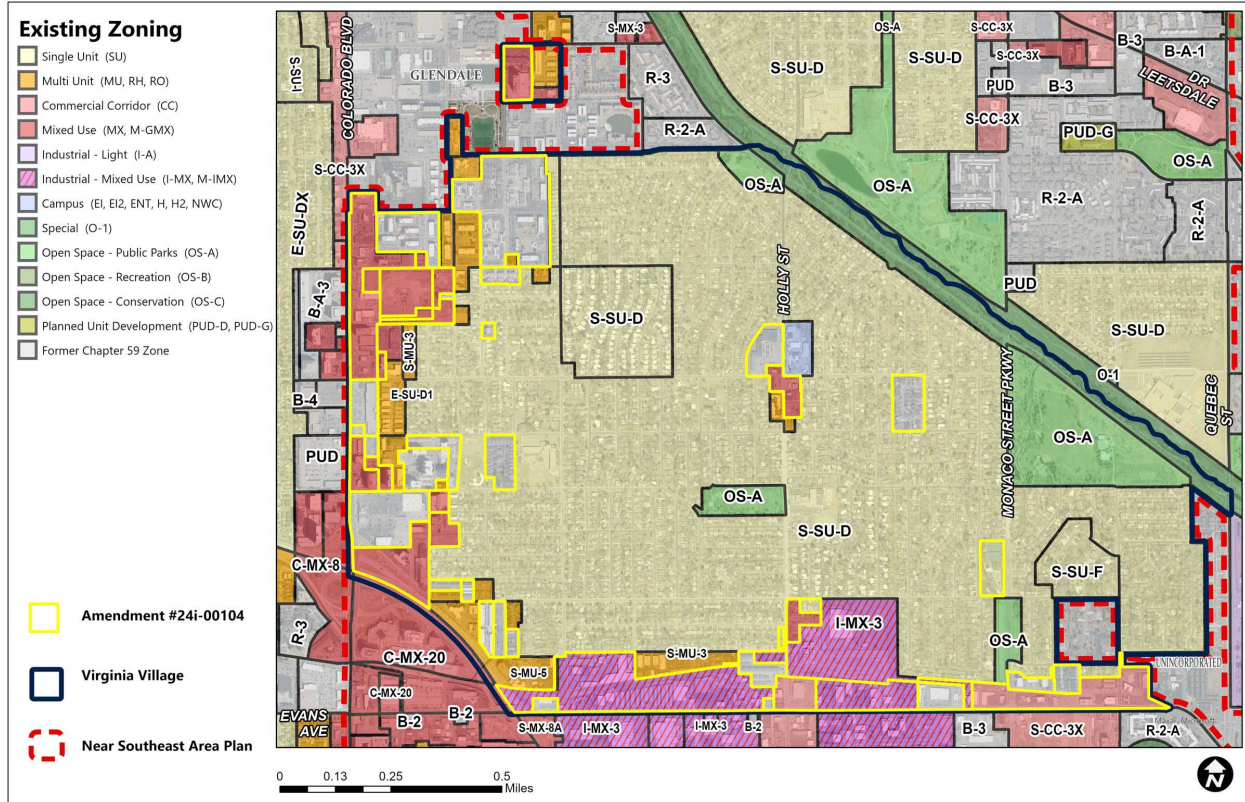


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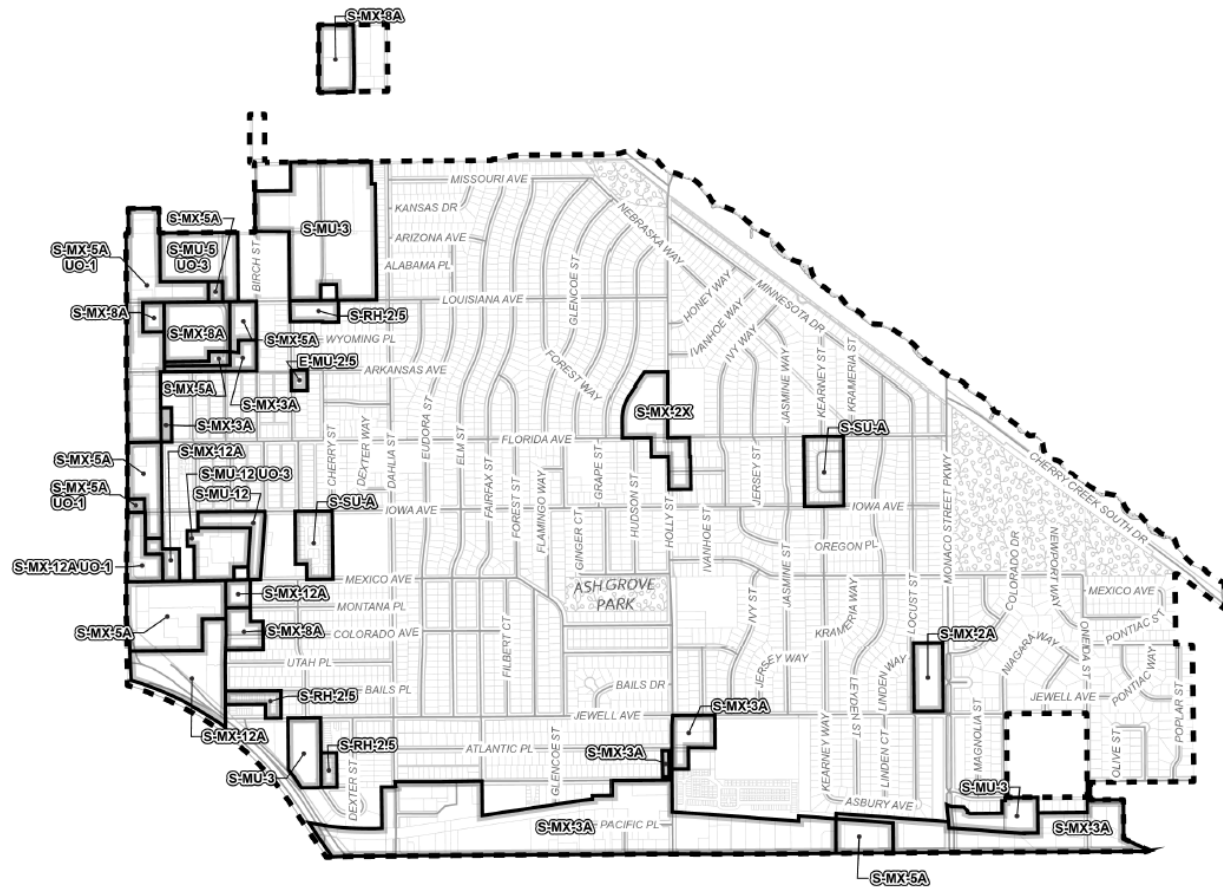
Existing Land Use



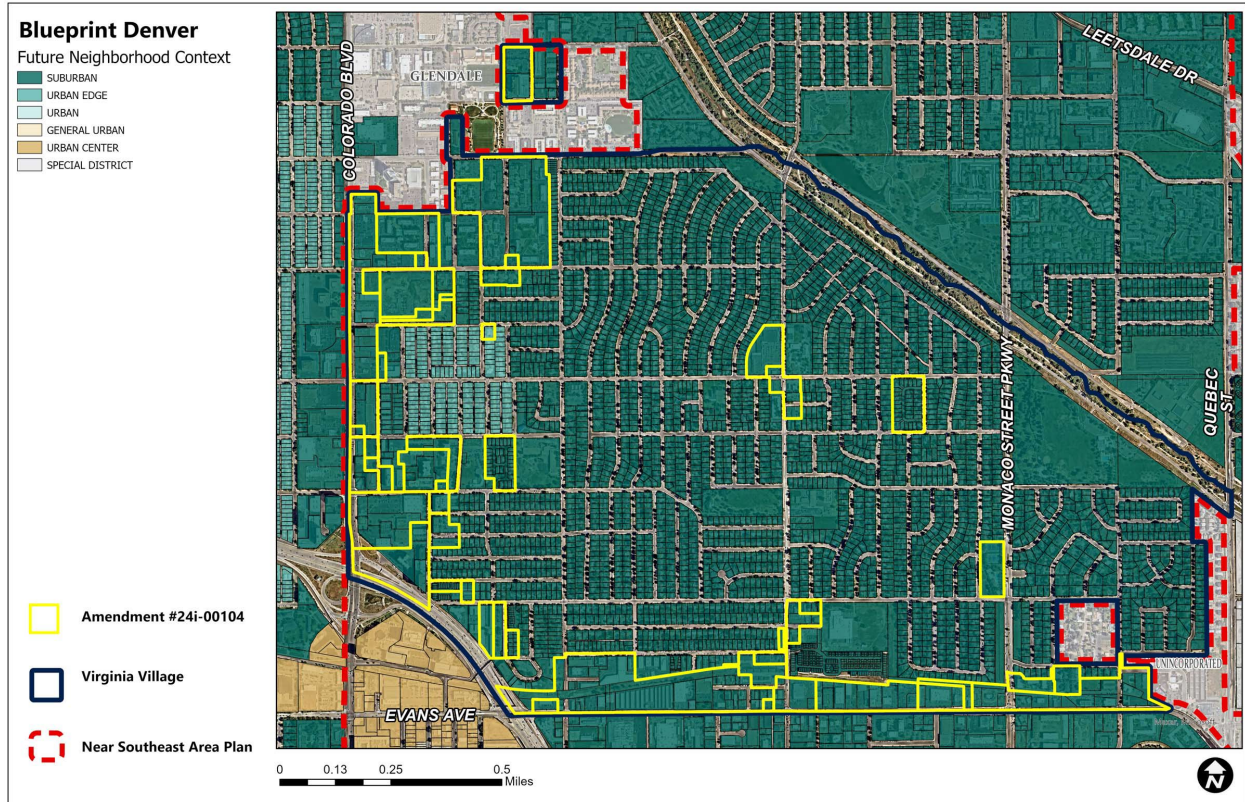
Existing Zoning



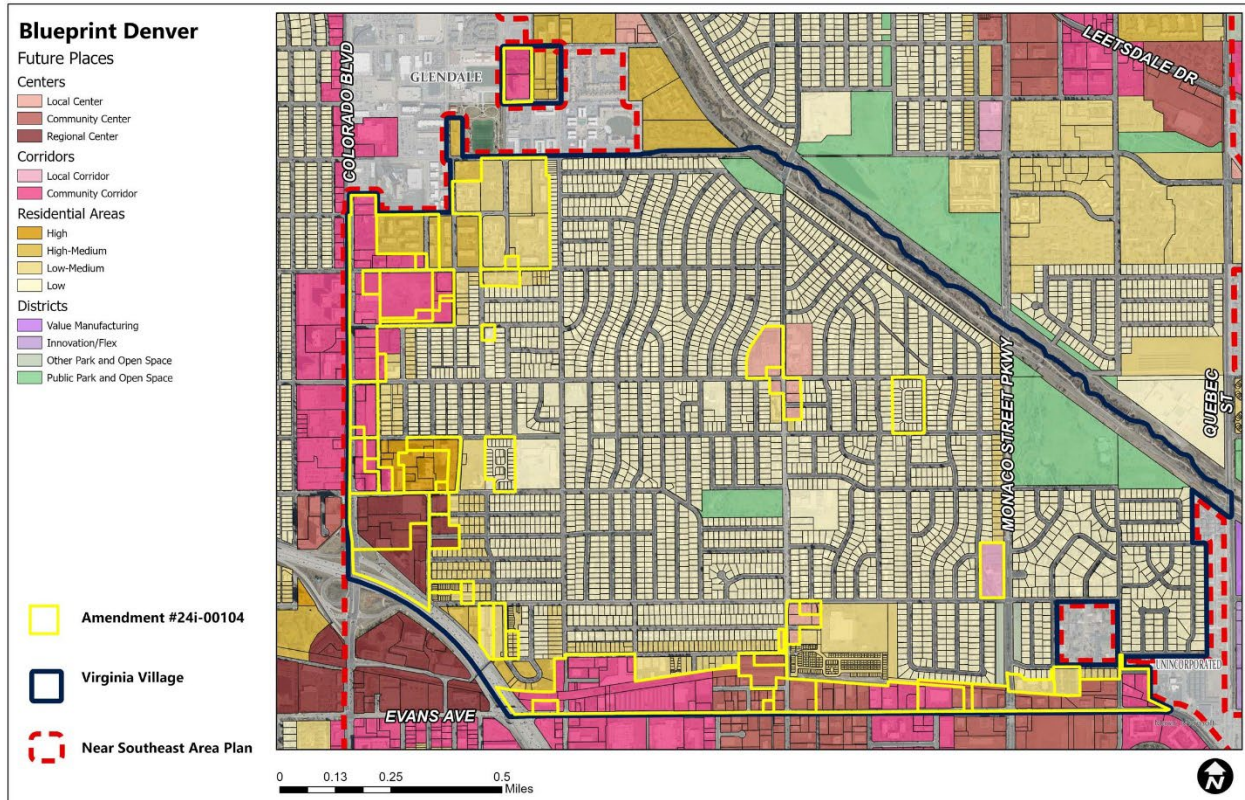
Proposed Zone Districts



Blueprint Denver – Neighborhood Context

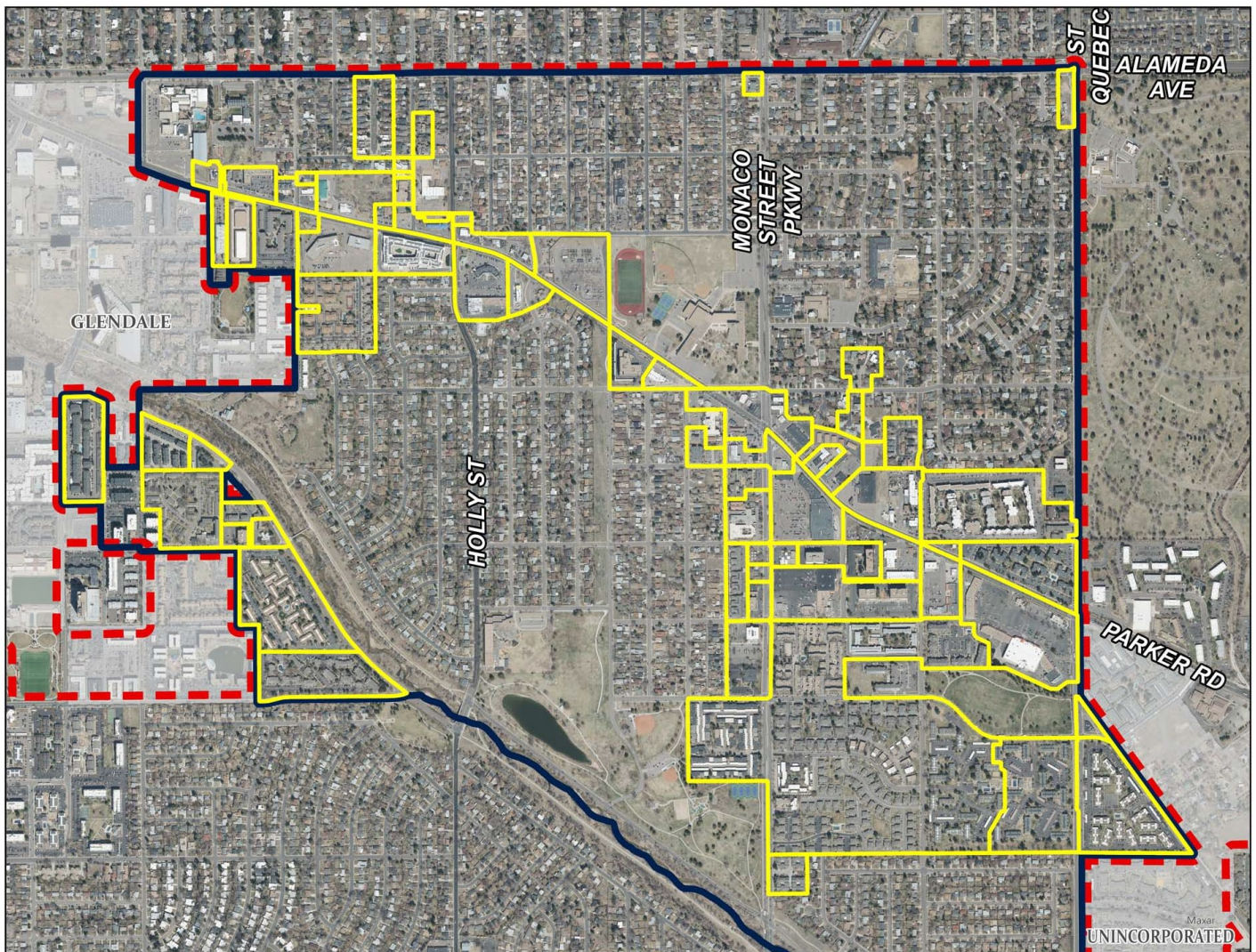


Blueprint Denver – Future Places Map



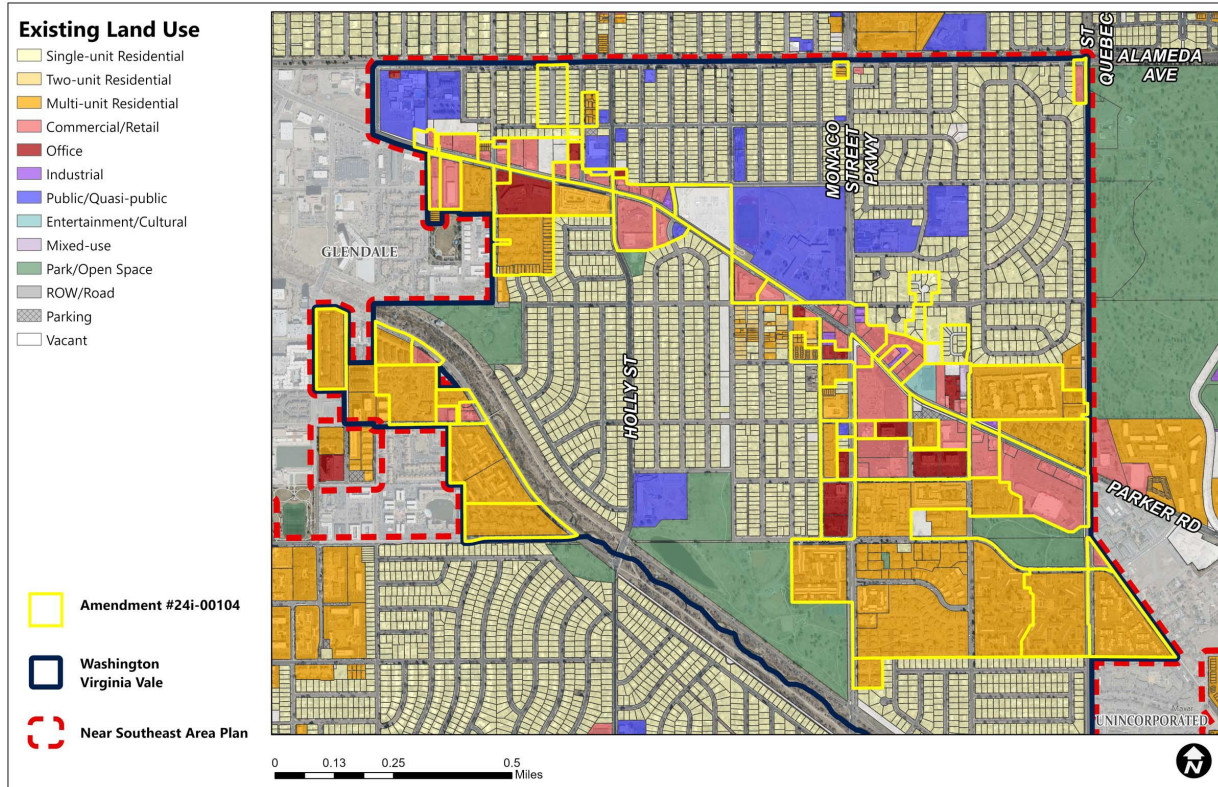
Washington Virginia Vale

Aerial

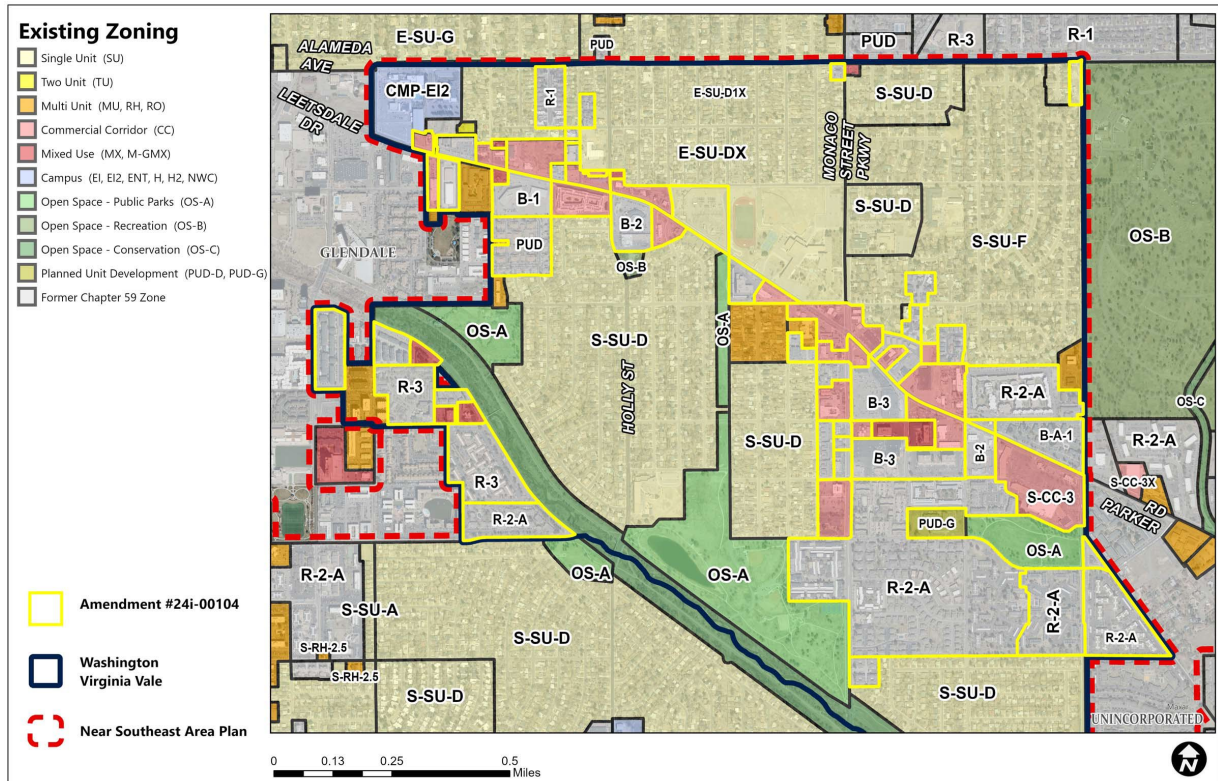


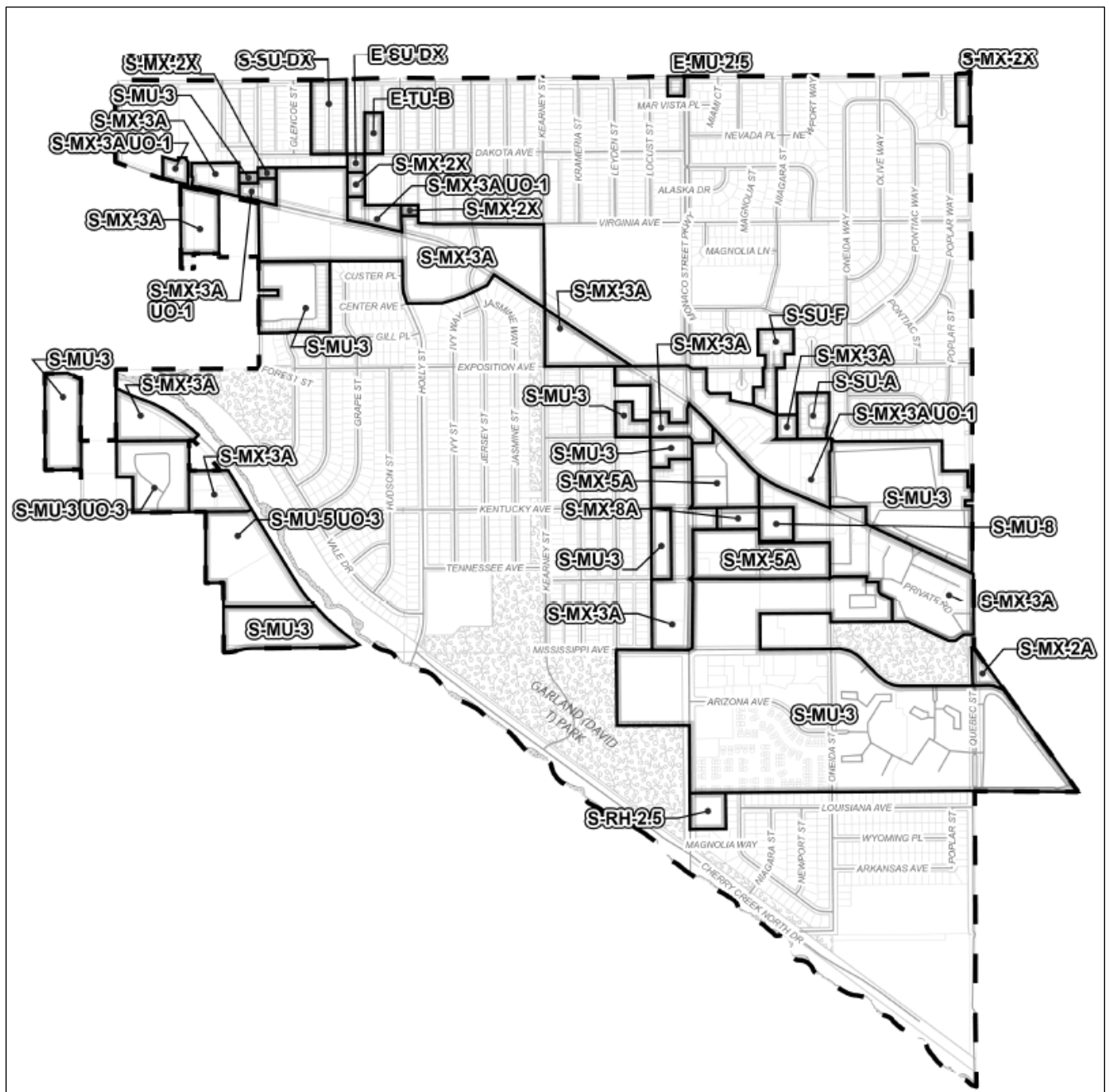
Aerial image showing all properties proposed to be rezoned in this neighborhood in yellow, neighborhood boundary in blue and Near Southeast Area Plan in dashed red.

Existing Land Use

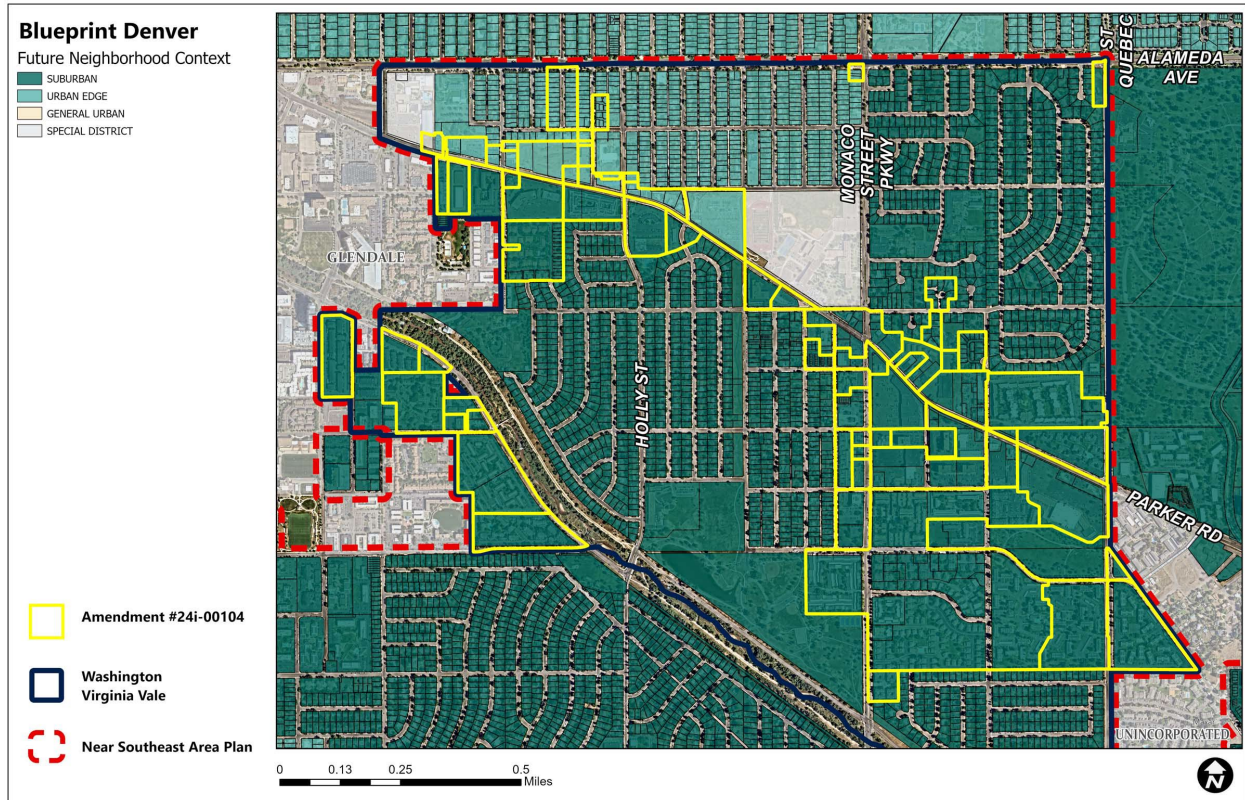


Existing Zone Districts





Blueprint Denver – Neighborhood Context



Blueprint Denver – Future Places Map

