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DENVER
THE MILE HIGH CITY

TO: Denver Planning Board
FROM: Joe Green, Associate City Planner
DATE: October 2, 2024
RE: Official Zoning Map Amendment Application #2024I-00035

Staff Report and Recommendation

Based on the criteria for review in the Denver Zoning Code, Staff recommends approval for Application #2024I-00035.

Request for Rezoning

Address:	1079 South Hooker Street
Neighborhood/Council District and CM:	Westwood / Council District 3, CM Torres
RNOs:	Hecho en Westwood, Far East Center, Westwood Unidos, Westwood Community Action Team, Inter-Neighborhood Cooperation (INC), Strong Denver
Area of Property:	10,680 square feet or 0.25 acres
Current Zoning:	S-SU-D
Proposed Zoning:	E-TU-C
Property Owner(s):	1079 S Hooker Street Trust
Owner Representative:	Nick Young

Summary of Rezoning Request

- The subject property is located in the Westwood neighborhood on the west side of South Hooker Street north of West Mississippi Avenue and directly across the street from Pascual LeDoux Academy. The property is at the end of a cul-de-sac to the north of which is the Rocky Mountain Prep Southwest Elementary Charter School and Kepner Beacon Middle School.
- The subject property is currently vacant but zoned for single-unit residential on a minimum 6,000 square foot lot.
- The proposed rezoning will allow for the property to be redeveloped with up to two units on a minimum 5,500 square foot lot.
- The requested E-TU-C district stands for Urban Edge Context – Two Unit – C, which allows for the Urban House, Duplex, or Tandem House building forms. Further details of the requested zone district can be found in Article 5 of the Denver Zoning Code (DZC).

Council District

Statistical Neighborhood

The site is in the Westwood neighborhood along South Hooker Street north of West Mississippi Avenue. The neighborhood consists of mostly single-unit residential with two-unit and multi-unit residential scattered throughout. Most of Westwood consists of a regular pattern of block shapes surrounded by an orthogonal street

grid with a consistent presence of alleys with Morrison Boulevard notably dissecting the neighborhood at an angle. However, the subject property is in an area of Westwood where the grid is frequently broken by the presence of institutional uses and open spaces and there is a notable absence of alleys. This particular block of South Hooker Street ends in a cul-de-sac, as the property to the north is occupied by educational uses.

The east side of South Hooker Street across from the subject property is occupied by the Pascual LeDoux Academy. To the south of the subject property, across West Mississippi Avenue, is the campus of Rocky Mountain Westwood Prep Middle School and Rocky Mountain Prep SMART High School. Four blocks west along West Mississippi Avenue is Garfield Lake Park. Three blocks east at the intersection of West Mississippi Avenue and South Federal Boulevard is a bus stop for the 14, 30, 30L, and 31 bus routes. The 14 bus runs east-west between Lakewood and the I-25 & Broadway RTD Light Rail Station. The 30 and 31 buses run north-south along Federal Boulevard with the 30L making limited stops. Federal Boulevard is a Transit Priority Corridor in Blueprint Denver. Roadway and signal improvements to facilitate faster and more reliable bus service are anticipated to be constructed in the next couple of years, and Bus Rapid Transit is planned for the future.

Aerial View

The following table summarizes the existing context proximate to the subject site:

	Existing Zoning	Existing Land Use	Existing Building Form/Scale	Existing Block, Lot, Street Pattern
Site	S-SU-D	Vacant	The site is currently vacant.	An irregular pattern of block and lot shapes. While blocks generally run on an orthogonal grid, the grid is often interrupted by the presence of institutional uses and open spaces resulting in an inconsistent pattern of blocks, lots, and streets. This block has some through-lots that extend from South Irving Street all the way to South Hooker Street, and others that do not. Alleys are not typical in the area.
North	S-SU-D	Single-unit residential	A 1-story single-unit house with frontage on South Irving Street. The rear of the property is on South Hooker Street.	
South	S-SU-D	Single-unit Residential	Three 1-story single-unit homes with frontage on Mississippi Avenue.	
East	S-SU-D	Public/Quasi-public	The 1-story Pascual LeDoux Academy preschool with a playground fronting on South Hooker Street.	
West	S-SU-D	Single-unit Residential	A 1-story single-unit residential with frontage on and a driveway off South Irving Street.	

Existing Zoning

The subject site is currently zoned S-SU-D which is a single unit residential district that allows suburban houses with a minimum zone lot of 6,000 square feet. Further details of the zone district can be found in Article 3 of the Denver Zoning Code (DZC).

Existing Land Use Map

Existing Building Form and Scale

Aerial view of the subject property, looking west (*Source: Google Maps*).

View of 1079 South Hooker Street, looking west.

View of the property to the north, looking west (*Source: Google Maps*).

View of the property to the south along South Hooker Street, looking north (*Source: Google Maps*).

View of the school to the east along South Hooker Street, looking east (*Source: Google Maps*)

View of the single-unit residential property to the west along South Irving Street, looking east (*Source: Google Maps*)

Proposed Zoning

The requested E-TU-C zone district is a two-unit district that allows for the Urban House, Duplex, and Tandem House building forms on a minimum 5,500 square foot lot. The height in the requested zone district is 2.5 stories or 30' which is the same as in the existing zoning. The requested zoning would allow for a greater number of building forms at a higher density of two primary dwelling units per zone lot. The E-TU-C district also allows the Accessory Dwelling Unit use and building form. For additional details of the requested zone district, see DZC Section 5.3.3.

The primary building forms allowed in the existing zone district and the proposed zone district are summarized below.

Design Standards	S-SU-D (Existing)	E-TU-C (Proposed)
Primary Building Forms Allowed	Suburban House	Urban House, Duplex, Tandem House
Accessory Dwelling Units	Not Allowed	Allowed
Stories/Heights (max)	2.5/30'	2.5/30'
Minimum Zone Lot Size/Width	6,000 sf/50'	5,500 sf/50'
Primary Setbacks (min)	15'	Determined by DZC Section 13.1.5.9 subject to reference lots

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:

Community Planning and Development: Approved – No Comments

Assessor: Approved – No Response

Asset Management: Approved – No Comments

Denver Public Schools: Approved – No Response

Department of Public Health and Environment: Approve Rezoning Only - Will require additional information at Site Plan Review.

The Denver Department of Public Health and Environment, Environmental Quality Division (EQD) performed a limited search for environmental information regarding environmental conditions at the Site. This review was not intended to conform to the ASTM standard practice for environmental site assessments, nor was it designed to identify all potential environmental conditions. The EQD provides no representations or warranties regarding the accuracy, reliability, or completeness of the information provided. This review was not intended to assess environmental conditions for any property interest dedication or grant. Nor does this review does constitute an approval or action by the EQD concerning any property dedication or grant associated with the project. EQD is not aware of environmental concerns that would affect the proposed project. Although EQD is not aware of contaminated environmental media (soil, soil vapor, or groundwater) at the project Site, undocumented contamination could be encountered during ground-disturbing activities. If encountered, contaminated environmental media or underground storage tanks should be properly managed in accordance with applicable regulations.

Denver Parks and Recreation: Approved – No Comments

Public Works – R.O.W.- City Surveyor: Approved – No Comments

Development Services – Project Coordination: Approve Rezoning Only - Will require additional information at Site Plan Review.

- Future development is subject to zoning and building permit review and approval prior to construction beginning. Projects with two units or less will be reviewed by the Residential Team.
- Future development on the site will need to comply with the chosen building form standards for the new zone district.

Development Services - Fire Protection: Approved – No Comments

Development Services – Transportation: Approved – No Response

Development Services- Wastewater: Approved – See Comments. There is no public sanitary sewer in the property frontage.

Public Review Process

CPD informational notice of receipt of the rezoning application to all affected members of City Council, registered neighborhood organizations, and property owners:	**06/12/24**
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:	**09/17/24**
Planning Board public hearing	**10/02/24**
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:	**10/08/24** (tentative)
Land Use, Transportation and Infrastructure Committee of the City Council moved the bill forward:	**10/22/24** (tentative)
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:	**11/11/24** (tentative)
City Council Public Hearing:	**12/02/2024** (tentative)

- **Public Outreach and Input**
  - **Registered Neighborhood Organizations (RNOs)**
    - To date we have received no comments from RNOs.
  - **General Public Comments**
    - To date we have received no comments from the general public.

Criteria for Review / Staff Evaluation

The criteria for review of this rezoning application are found in DZC, Sections 12.4.10.7 and 12.4.10.8, 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

DZC Section 12.4.10.8

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

1. Consistency with Adopted Plans

The following adopted plans apply to this property:

- *Denver Comprehensive Plan 2040* (2019)
- *Blueprint Denver* (2019)
- *Westwood Neighborhood Plan (2014)*

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 rezoning would allow for additional housing options in an established neighborhood, consistent with the following strategies in the Equitable, Affordable, and Inclusive vision element:

- Equitable, Affordable and Inclusive Goal 1, Strategy A – Increase development of housing units close to transit and mixed-use developments (p. 28).
- Equitable, Affordable and Inclusive Goal 2, Strategy B – Create a greater mix of housing options in every neighborhood for all individuals and families (p. 28).

The proposed rezoning is consistent with the following strategies in the Environmentally Resilient vision element:

- Environmentally Resilient Goal 8, Strategy A – Promote infill development where infrastructure and services are already in place (p. 54).
- Environmentally Resilient Goal 8, Strategy B – Encourage mixed-use communities where residents can live, work, and play in their own neighborhoods (p. 54).

The rezoning would take advantage of increasing density at an infill location on a vacant site. The site is close to transit and services along Federal Boulevard as well as multiple schools and open spaces.

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. *Blueprint Denver* identifies the subject property as part of a Local Center place within the Urban Neighborhood Context 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 land use and mobility between neighborhoods. This map, and associated descriptions, help guide appropriate zone districts (p. 66). The subject property is designated Urban Edge on the neighborhood context map, which is described as predominantly low-scale single- and two-unit residential with some small-scale multi-unit interspersed throughout (p. 205). The proposed E-TU-C zone district is part of the Urban Edge context and is intended to "promote and protect residential neighborhoods" and "allow for some multi-unit districts, but not to such an extent as to detract from the overall image and character of the residential neighborhood" (DZC 4.2.2.1). Since the proposed district allows a small increase in density without substantial increase in building forms, the proposed rezoning to an Urban Edge context is appropriate and consistent with the plan.

Blueprint Denver Future Places

The subject property is designated as Low Residential. *Blueprint Denver* describes Low Residential as "predominantly single- and two-unit uses on small or medium lots. Accessory dwelling units and duplexes are appropriate and can be thoughtfully integrated where compatible" (p. 214). *Blueprint Denver* also recommends that further guidance be provided by the small area plan (p. 62), which is described further in this report. The proposed E-TU-C zone district is consistent with the Low Residential place as it would allow two-unit building forms with appropriately scaled heights.

In *Blueprint Denver*, future street types work together with future places to evaluate the appropriateness of the adjacent development (p. 67). The three volume classifications of local, collector, and arterial are further refined by six types of surrounding contexts. South Hooker Street is designated a local street, which is predominantly defined by residential uses. The proposed E-TU-C zone district is consistent with this street type as it would allow for residential uses.

Blueprint Denver Growth Strategy

Blueprint Denver's growth strategy map shows the aspiration for distributing future growth in Denver (p. 51). The subject property is part of the "all other areas of the city" designation, which are anticipated to see around 20% of new housing growth and 10% of new employment growth by 2040 (p. 51). The proposed E-TU-C will allow for a slight increase in density in this primarily residential area with good access to jobs, housing, and services.

Westwood Neighborhood Plan (2016)

The *Westwood Neighborhood Plan* was adopted in 2016 and outlines the community's vision for the future of the neighborhood. The plan identifies the subject property as Single Family/Duplex in the Concept Land Use Classifications. This classification is described as "moderately dense areas that have a mixture of housing types, including single-family houses, duplexes, tandem houses and ADUs" (p. 77).

The plan further notes that "much of the neighborhood for Single Family/Duplex is currently zoned E-TU-C which implements the plan vision" and that "single-unit zoning does not implement the vision for the areas identified [Single Family/Duplex]" so "map amendments should be either explored as redevelopment occurs, or more proactive by either City Council or City initiated rezoning" (p. 78). Therefore, the proposed rezoning to E-TU-C is consistent with the small area plan's guidance.

Maximum heights at this location are noted as 2.5 stories. While the E-TU-C allows for a broader set of building forms, each of them has a maximum height of 2.5 stories. Therefore, the proposed E-TU-C district is consistent with the height guidance.

2. Uniformity of District Regulations and Restrictions

The proposed rezoning to E-TU-C will result in the uniform application of zone district building form, use and design regulations.

3. Public Health, Safety and General Welfare

The proposed official map amendment furthers the public health, safety, and general welfare of the City through implementation of the city's adopted land use plans and allowing a subtle increase in density in a walkable neighborhood near transit and amenities.

4. Justifying Circumstance

The application identifies the implementation of a City adopted plan as the justifying circumstance. The language in the *Westwood Neighborhood Plan* is explicit that E-TU-C is the desired zone district for this area and this rezoning would result in implementation of that statement. Both *Blueprint Denver* and the *Westwood Neighborhood Plan* were adopted after the existing zoning was put in place and are therefore a justifying circumstance for the proposed rezoning.

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

The proposed E-TU-C zone district is consistent with the neighborhood context, purpose, and intent statements. The planned neighborhood context is Urban Edge and the proposed rezoning would result in the Urban Edge neighborhood context. The E-TU-C would comply with the general purpose statement by allowing for two-unit residential without detracting from the overall image and character of the neighborhood. The E-TU-C zone district meets the intent statement by allowing low-scale residential building forms on a lot with a minimum 5,500 square feet.

Attachments

1. Application