



DENVER
THE MILE HIGH CITY

DZC Map Amendments

**Application #2014I-00041,
4625 West 50th Avenue and 5030 Vrain Street,
from Former Chapter 59 PUD-273 to DZC PUD-
G11**

FOR CITY SERVICES VISIT | CALL
DenverGov.org | **311**

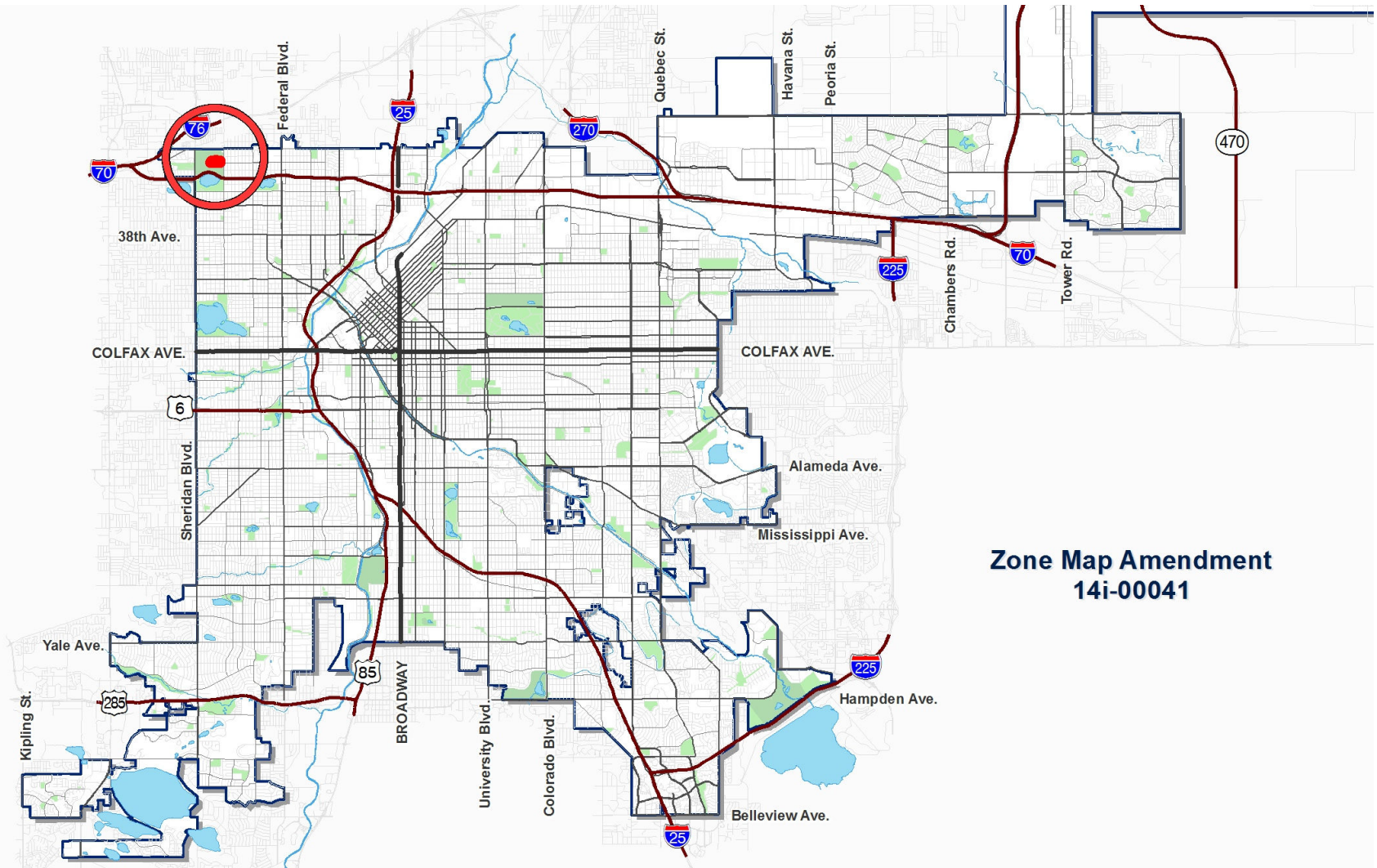
Neighborhoods & Planning
Committee

December 10, 2014



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4625 West 50th Ave PUD #273 to PUD-G11

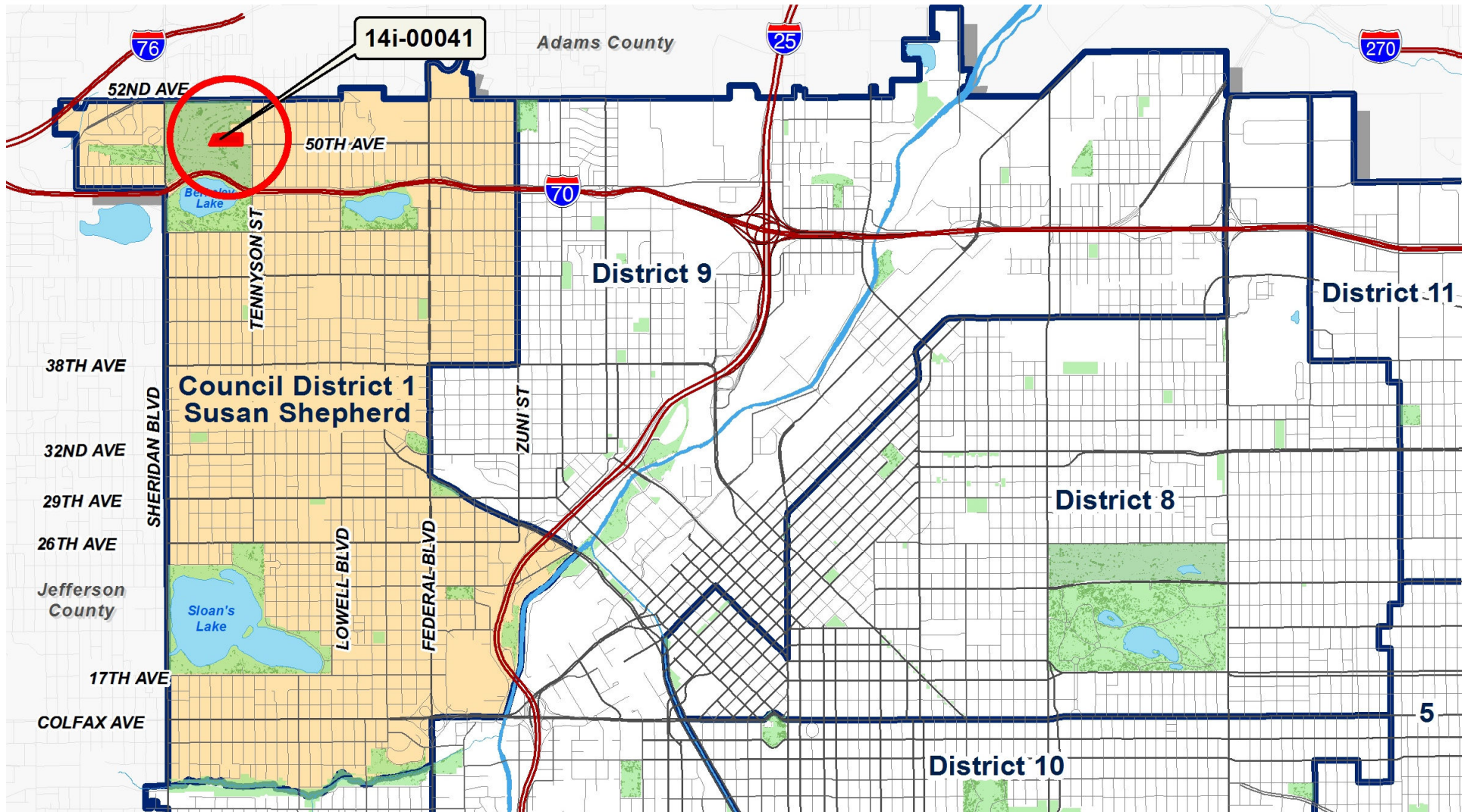


**Zone Map Amendment
14i-00041**



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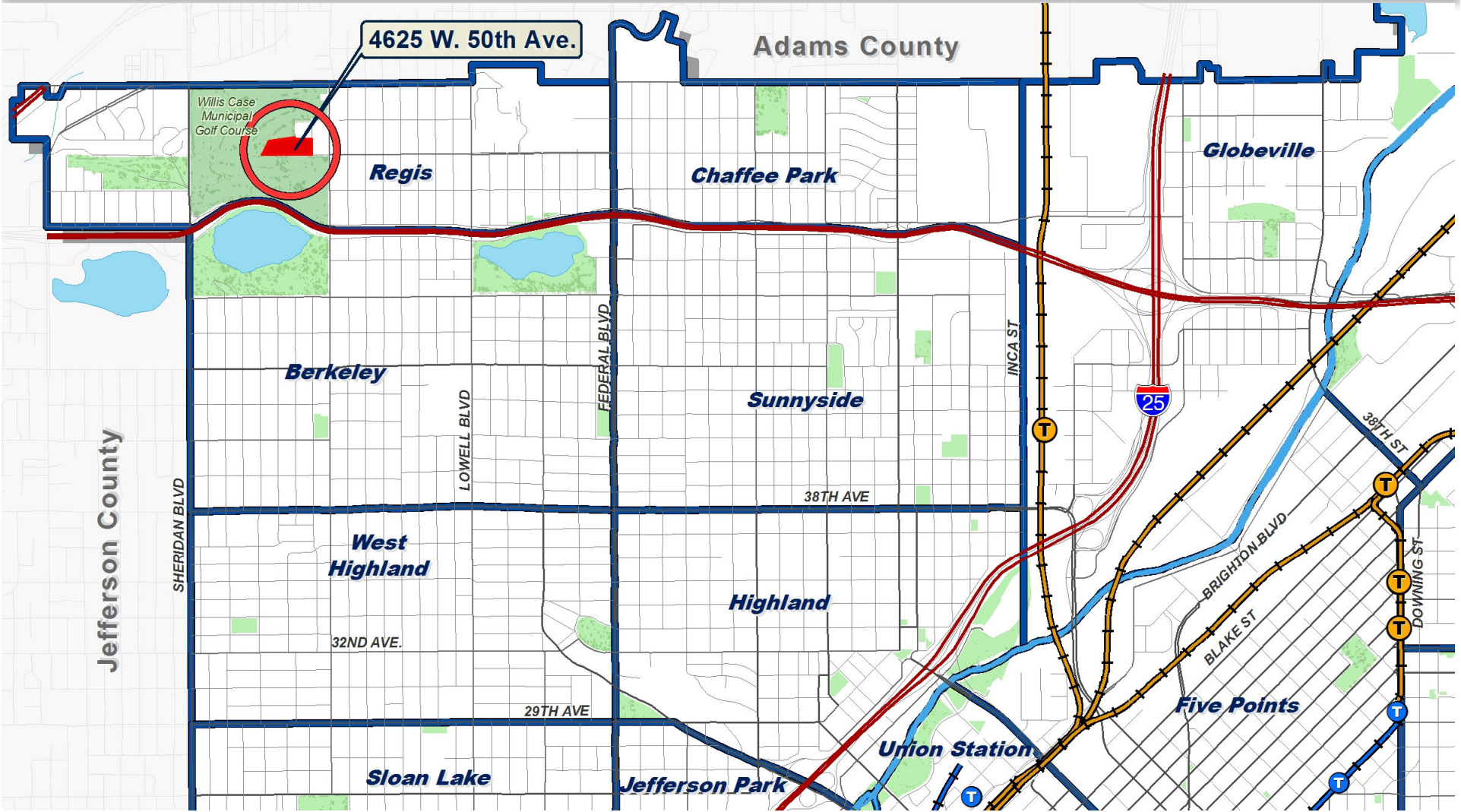
Council District #1

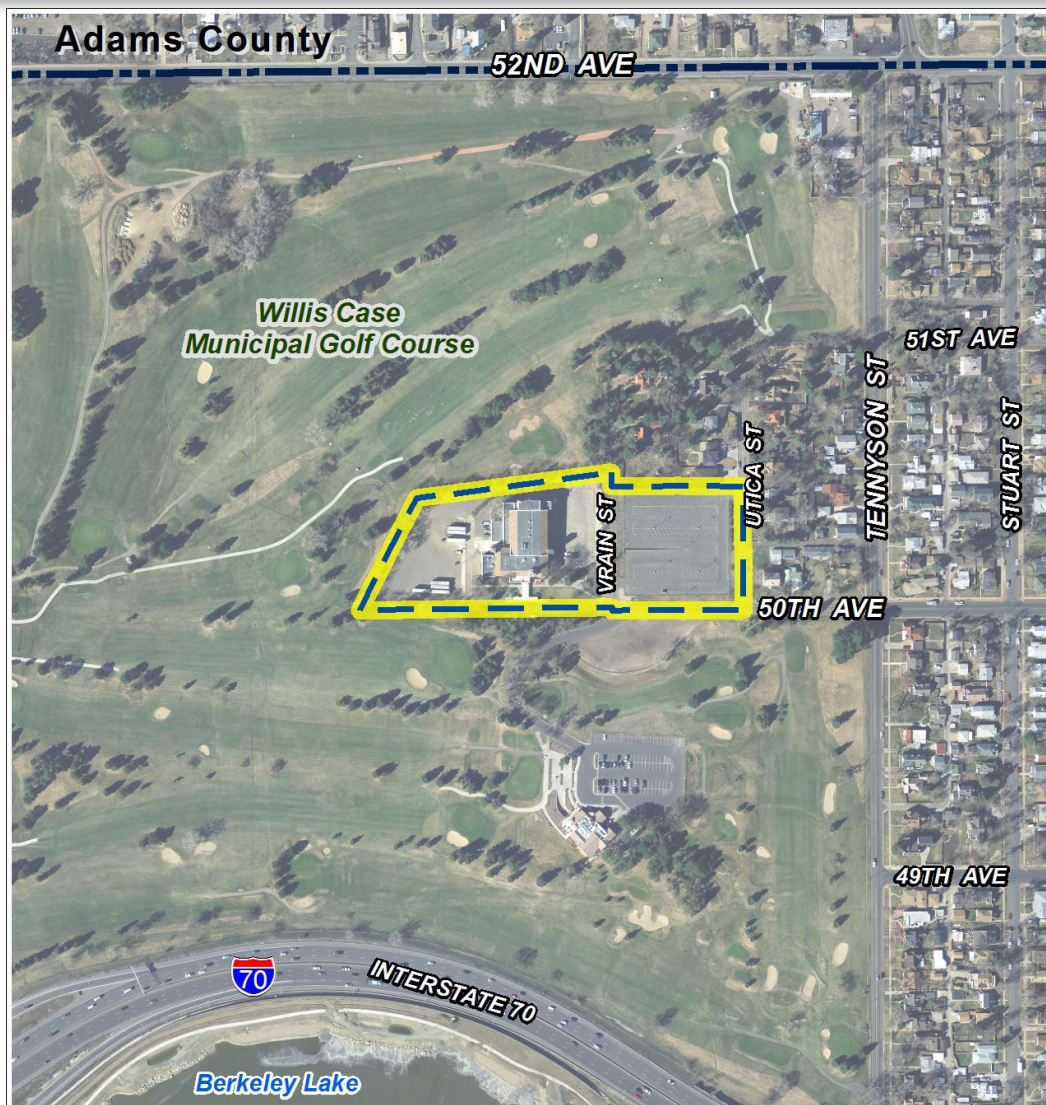




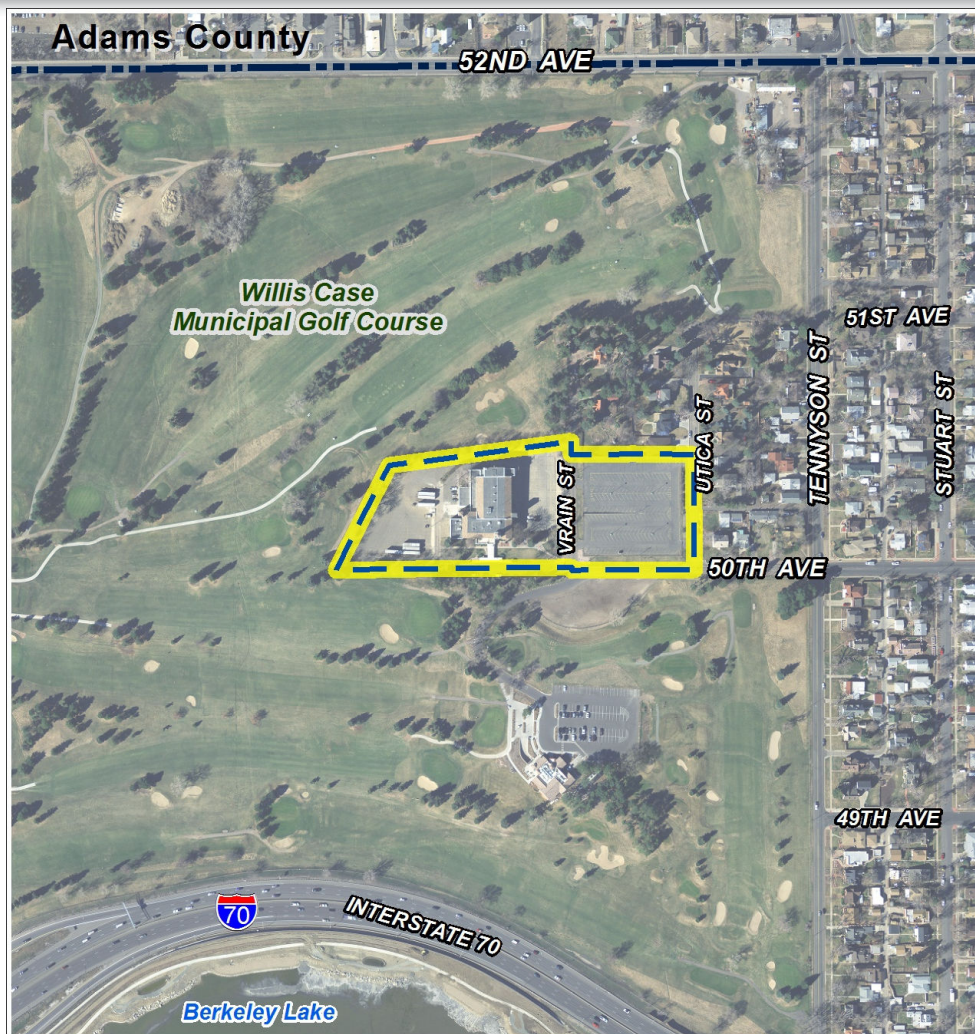
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Regis Neighborhood





- West 50th & Vrain/Utica Streets
- Adjacent to Willis Case Municipal Golf Course
- 2 blocks west of Tennyson & 50th Ave.



- **Subject Property:**
 - 5.24 acres
 - Existing El Jebel Shrine Association building (1930) and surface parking
 - Fraternal club/lodge and special event center
- Shrine Preservations Partners, Inc. is Applicant
 - SU, TU and MU residential redevelopment, including reuse of existing building

Reminder: Approval of a rezoning is not approval of a proposed specific development



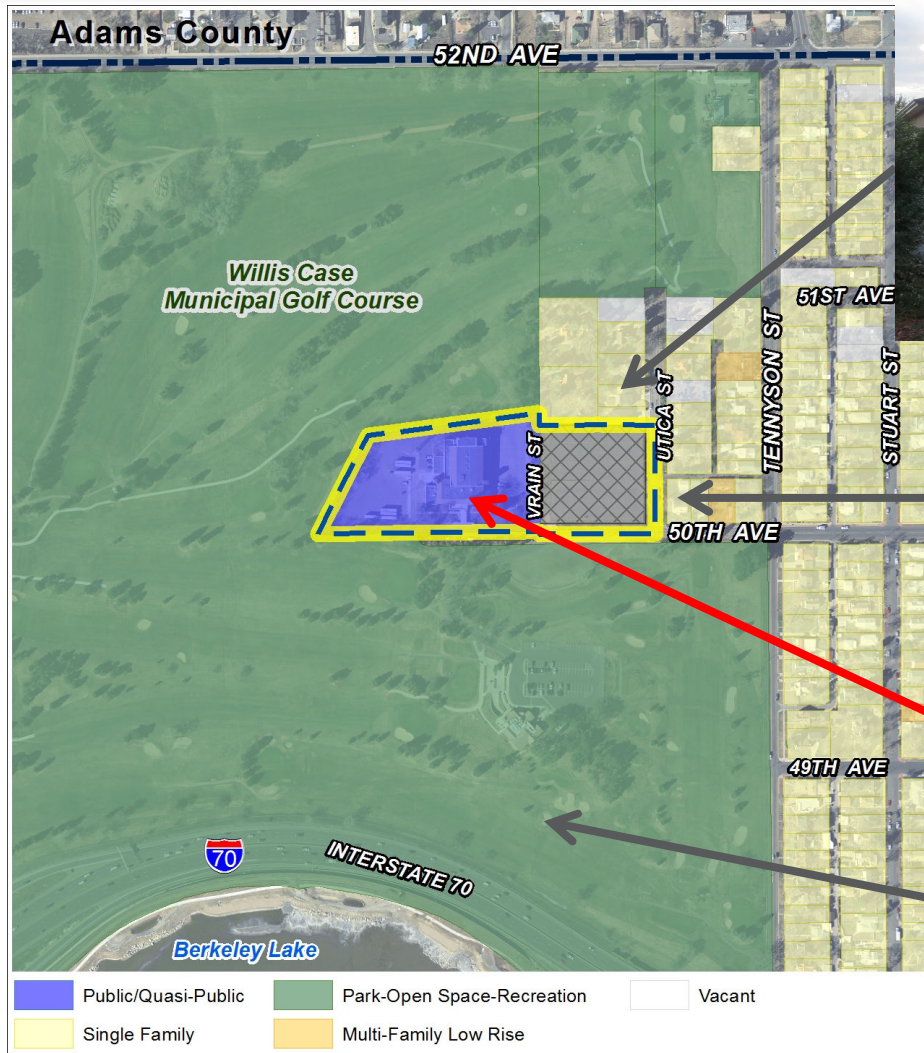
- **Subject: PUD #273 (1989)**
 - Allows club/lodge and rental for special events
 - Allows accessory eating/drinking up to 20% of existing building floor area
 - No residential uses allowed
 - Minimum 325 parking spaces
 - Access easement on Vrain
 - Shrine building's southern façade must be maintained
- **E-SU-Dx** zoning on abutting residential blocks

Existing Context – Land Use



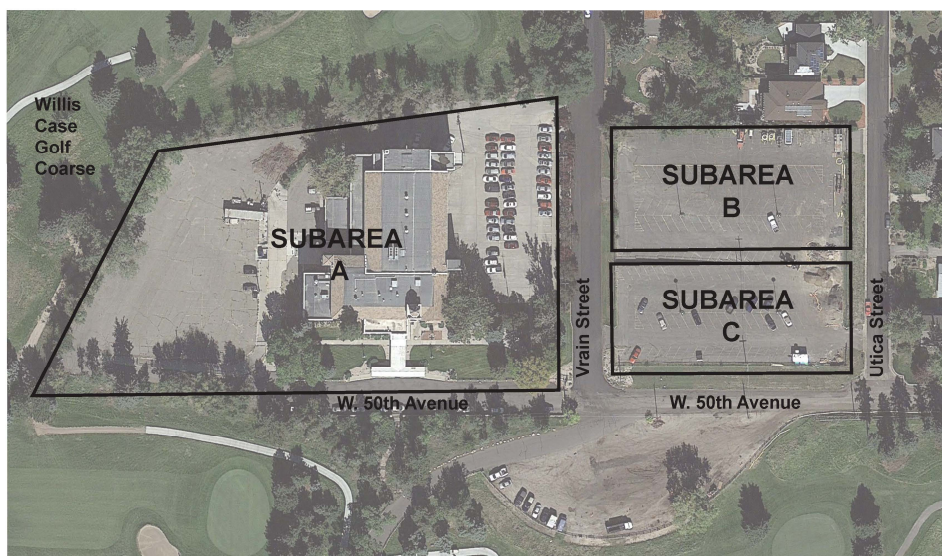
- Subject Property:
 - Fraternal Club/Lodge
 - Accessory eating & drinking (cabaret liquor license)
 - Special event rentals (e.g., weddings)
 - Surface parking lots
- Adjacent Properties:
 - Golf course
 - Primarily single-family
 - Few duplex uses

Existing Context – Building Form/Scale

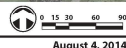


Request: PUD-G11

Planned Unit Development – General

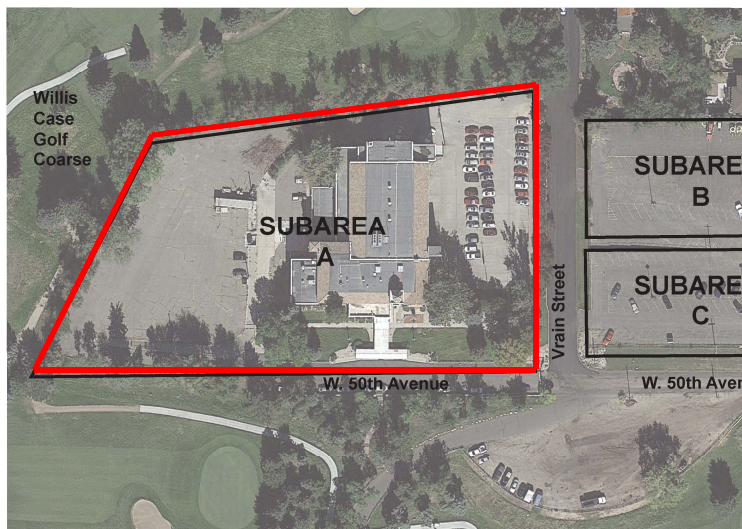


Site Zoning Lot Line Map- Figure 1-1- Subarea Key
El Jebel Residences



- **PUD Intent:**
 - Preserve and facilitate adaptive reuse of existing Shrine building
 - Account for steep slopes across site and no local streets within subarea A (“super block”)
 - Achieve compatibility with existing residential uses on Vrain & Utica
 - Respect golf course as neighbor
 - Create project gateway on West 50th Ave.
- **Divided into 3 subareas**

Subarea “A” Building Form Standards



Site Zoning Lot Line Map- Figure 1-1- Subarea Key
El Jebel Residences

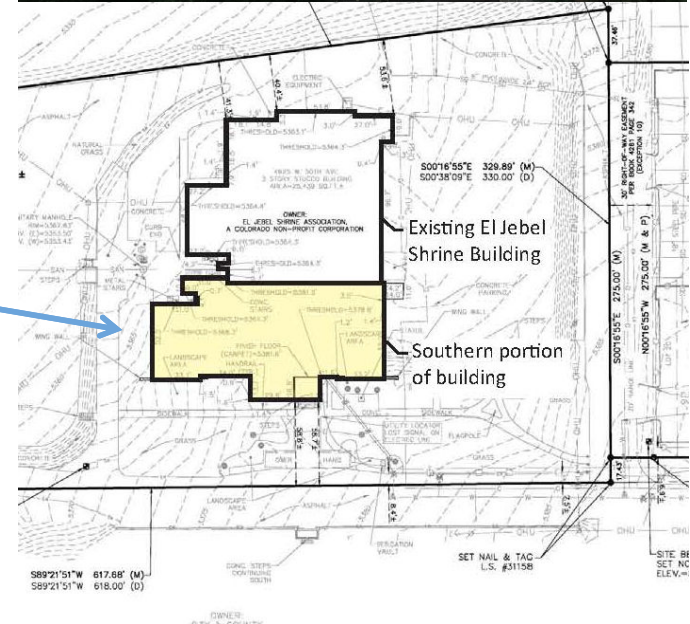


- Subarea A based on U-RH-3A
 - Urban - Row Home – 2.5 story max height – A means 3-story apartment form allowed on corner with collector or arterial street
- Deviations in PUD-G11
 - Existing building is conforming “as is” (e.g., 60’ tower height)
 - 3-story height for all new development
 - 40’ height allowed only for buildings w/ pitched roofs; 35’ for all other buildings
 - No split in height between front and rear
 - 35’ foot maximum side wall height (all 4 sides)
 - Primary street (Vrain) setback reduced to 5’ from 20’
 - Rear setback reduced to 10’ from 20’
 - “Garden court” building configuration allowed
 - RH form requires street-facing or garden-court facing entrance for all units
 - Vehicle access to RH units from interior of subarea
 - No ring road abutting golf course
 - No surface parking between buildings and Vrain or West 50th Ave.
 - No more than 6 units per building east of Shrine
 - 10’ upper story stepback on all buildings facing Primary Street

PUD-G11

Subarea A: Preservation of Existing Building

- **Intent:** Balance preservation/maintenance of original El Jebel building, particularly southern portion, with feasibility of adaptive reuse and rehabilitation
- Greater level of protection for “**southern portion of the building**”





PUD-G11

Subarea A: Preservation of Existing Building

- **General Standards**

- Preserve and maintain exterior design features and elements original to building's construction in 1930
- Exterior alterations must comply with Secretary of the Interior Standards & Guidelines for Rehabilitation of Historic Buildings
- Removal of non-original building additions and structures is allowed
- Taken altogether, exterior alterations cannot result in “voluntary demolition” (removal of 40% or more of the square footage of building's exterior walls)

- **Standards for Southern Portion of Building**
 - Must preserve original materials, finishes, tile work, roofing structure/cladding, windows, decorative towers, applied ornamentation
 - New additions/expansions are prohibited
 - Minor exterior alterations & changes to landscaping and flatwork are allowed, but must meet Secretary of Interior Standards and Guidelines
 - Alterations necessary to meet building code or ADA standards are allowed, but applicant must show those alterations cannot be incorporated into other parts of building

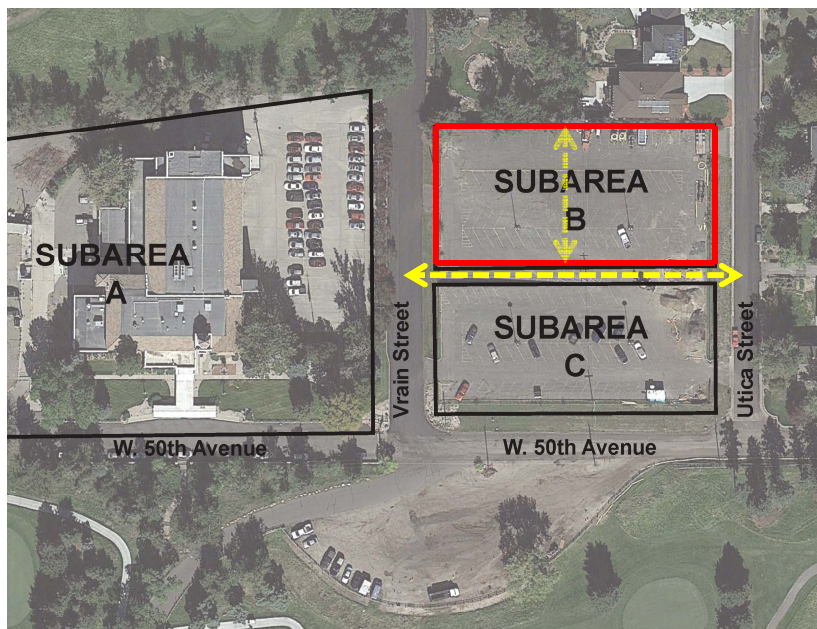


- **Standards for Remainder
of Existing Building**
 - Exterior alterations generally allowed, but only to portions of the existing building that have been substantially altered since 1930
 - Additions/expansions allowed

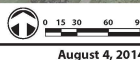


PUD-G11

Subarea "B" Building Form Standards



Site Zoning Lot Line Map- Figure 1-1- Subarea Key
El Jebel Residences



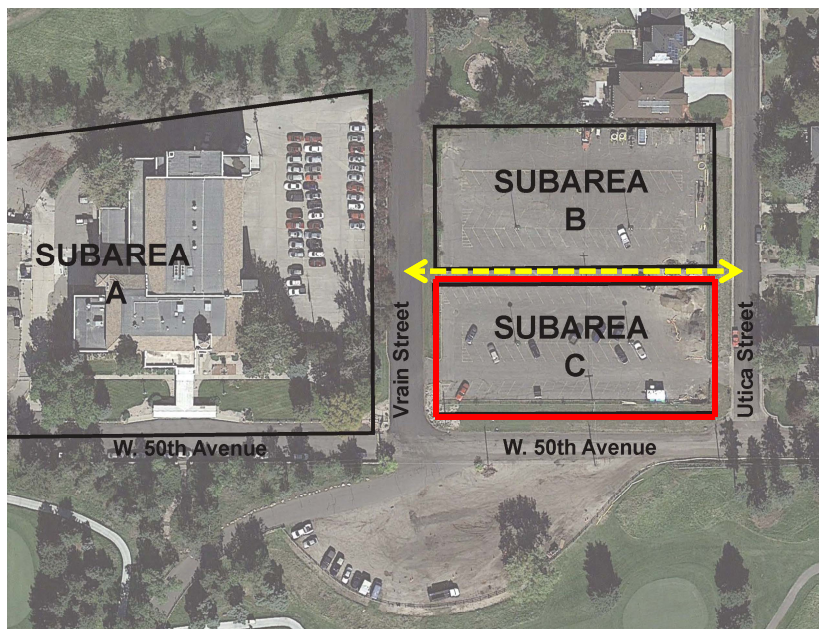
August 4, 2011

- Subarea B based on E-SU-D1
 - Urban Edge – Single Unit – D 6,000 sf min zone lot – 1 Accessory Dwelling Unit allowed
- New east/west alley & rear access drive to be constructed by applicant
- Deviations in PUD-G11
 - 45' min. lot width vs. 50'
 - No block-sensitive Primary Street setback on Vrain – 20' setback
 - Rear alley access only for vehicles
 - No ADU building forms on 2 most-northern zone lots abutting existing homes
 - Pitched roof (min. 4:12) on all buildings

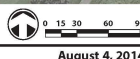


PUD-G11

Subarea “C” Building Form Standards



Site Zoning Lot Line Map- Figure 1-1- Subarea Key
El Jebel Residences



- Subarea C based on E-TU-C
 - Urban Edge – Two Unit – C 5,500 sf min zone lot
- Deviations in PUD-G11:
 - West 50th Ave = Primary Street
 - 38’ height for buildings w/ pitched roofs; 30’ height for all other buildings
 - Rear alley/drive vehicle access only
 - Entry feature required, but limited to door facing the primary street, front porch, front stoop, or corner entrance only



- **Subarea A** uses and parking based on U-RH-3A uses with following deviations:
 - Limited resident-serving commercial uses allowed as accessory to multi-unit use in Existing El Jebel Shrine Building only
 - Use based on standard G-MU zone allowance and limitations
 - Includes restaurant/bar with accessory outdoor patio
 - Allow new interim use for 2 years only:
Conference center/event center use



PUD-G11

Allowed Uses & Parking

- **Subarea B** uses and parking based on E-SU-D1 uses with NO deviations
 - Includes accessory dwelling unit uses except on 2 northern-most zone lots abutting existing homes
- **Subarea C** uses and parking based on E-TU-C uses with NO deviations

PUD-G11 Special Design Standards

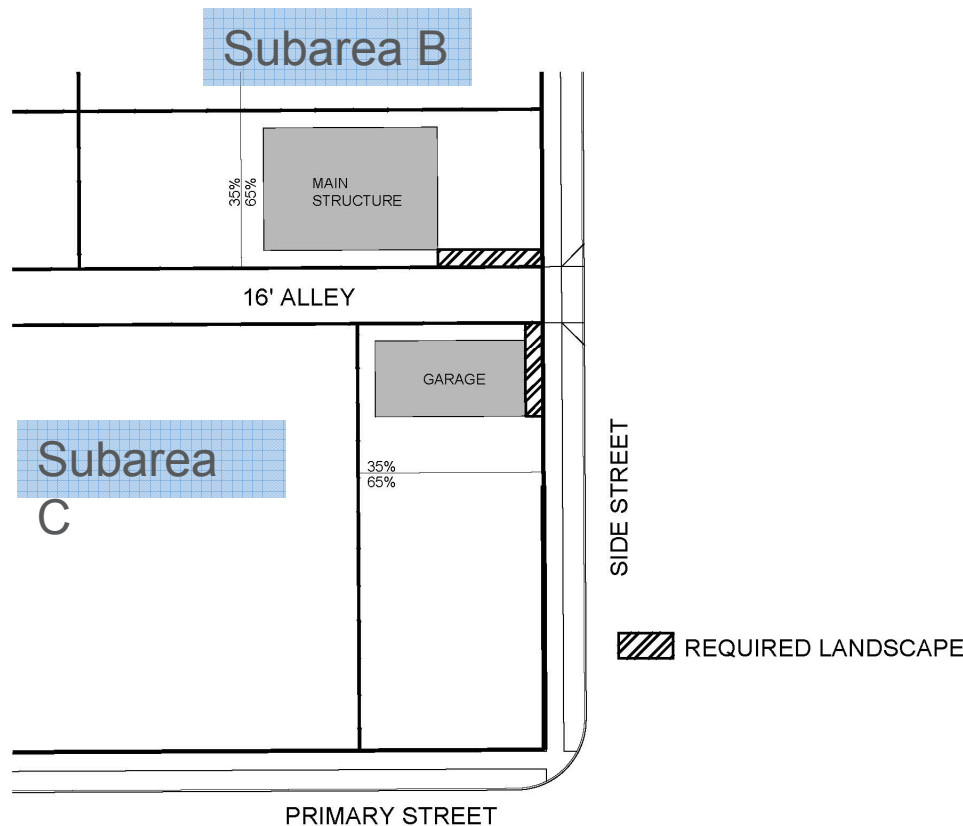


- **Subarea A:** Special fence/wall design standards
 - Applies to fences/walls constructed between buildings and abutting golf course, and on Vrain Street zone lot line
 - Maximum 4-foot height
 - Quality materials (no chain link)
 - 75% open design (e.g., split rail)
- **Subarea A:** Special building-specific rule of height measurement allowed with multiple buildings on zone lot and substantial change in slope

PUD-G11 Special Design Standards



- **Subarea C:** Special fence/wall design standards
 - Quality materials required
 - Fences/walls constructed on or adjacent to Vrain or Utica Street must be combined with min. 3-foot landscaping strip on outside of fence/wall (60% live material coverage)



- **Subareas B & C:** Special landscaping standards to screen rear garage walls built in Subarea C



PUD-G11

Special Development Standards

- **All Subareas:**

- Public access easements must be given on all private drives/vehicle access ways proposed at site development
- Access easements must be provided prior to final site development plan approval

DZC allows use of PUD zoning in “unique and extraordinary circumstances”

- When standard zoning (at least without multiple variances/waivers/conditions) won't result in the desired development pattern/form/use consistent with adopted plans
- When more zoning flexibility/customization is appropriate to get the desired development pattern/form/use

DZC §9.6.1.1.A.



What are Unique & Extraordinary Circumstances?

- Special physical characteristics of the site
- Protection of the character of a historic structure/district
- Where Former Chapter 59 PUD zoning can be superseded by a DZC PUD that brings the site closer to conformance with the DZC
- Scale or timing of development demands more zoning flexibility to achieve successful, phased development



Are there Unique & Extraordinary Circumstances in this Case?

- **Special physical characteristics:**
 - Existing El Jebel Shrine Building in middle of site that applicants wish to protect and reuse
 - No public streets breaking up Subarea A into regular blocks (“super block”)
 - Substantial slope differential across the subject site
- **Protect and preserve character of historic structure**
 - El Jebel Shrine Building is not “Historic” landmark, but its character is distinct, special, and unique, and should be protected



Are there Unique & Extraordinary Circumstances in this Case?

- **Site is Subject to an Existing PUD and New PUD Brings Property Closer in Compliance with DZC**
 - Current PUD #273 is based on Former Chapter 59 R-1 & B-2 business zoning standards
 - Proposed PUD G-11 is based on several different DZC standard zone districts and assures applicability of most of the DZC's residential form/use/ design standards

PUD Zoning Must Confer a “Public Benefit”

- In return for flexibility, DZC requires a **“significant public benefit”** not achievable through application of a standard zone district
- **Examples of “public benefit” from DZC:**
 - Diversification in the use of land
 - Innovation in development
 - More efficient use of land and energy
 - Exemplary pedestrian connections, amenities, and considerations
 - Development patterns compatible in character and design with nearby areas and with the goals/objectives of the Comprehensive Plan



Does proposed PUD- G11 Confer a “Public Benefit”?

- **Example of “Public benefits” conferred by PUD-G11**
 - Mandates preservation of entire El Jebel Shrine Building
 - Enables easier reuse of Shrine building while ensuring compliance with minimum architectural design standards/guidelines
 - More diverse housing choices
 - Introduces limited number of ADUs, duplexes, and multi-unit housing in an established urban edge/urban neighborhood
 - Exemplary pedestrian connections, amenities, and considerations
 - Siting of homes/vehicle access/fences sensitive to: (a) protecting the “open-ness” of surrounding public golf course and (b) creating a more pedestrian-friendly “frontage” at public streets
 - Development patterns compatible with nearby areas:
 - Design controls on single-family and duplex development to require or incentivize pitched roofs consistent with existing homes
 - Additional quality fence/wall design standards
 - Additional landscaping standards to screen views of rear garages

- Planning Board
 - Public Hearing December 3, 2014 (continued from 11/19/14)
 - Recommended Approval with 2 conditions – both in draft PUD now
- **Neighborhoods & Planning Committee**
 - **December 10, 2014**
- City Council
 - Public Hearing January 20, 2014
- Public Outreach
 - RNOs: Berkeley-Regis United Neighbors, Berkeley Regis United Neighbors, Inc., Berkeley Neighborhood Association, Northwest Quadrant Association, Northwest Neighbors Coalition.
 - Immediate Neighbors: Various email correspondence/notice
 - Notification signs posted on property
 - Both public support and opposition to December 5th draft and app. Opposition based on belief that PUD will result in too much density and will result in adverse traffic/congestion impacts, and introduction of row home and duplex building forms that are not compatible with existing single-family context of abutting block.

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

Additional Review Criteria for PUD

6. Consistency with intent and purpose of PUD
7. Compliance with Division 9.6 standards and criteria
8. Development is not feasible under any other Zone Districts, and would require an unreasonable number of variances or waivers and conditions
9. Permitted uses are compatible with adjacent existing land uses
10. Permitted building forms are compatible with adjacent existing building forms, or are made compatible through appropriate transitions

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
 - Comprehensive Plan 2000
 - Blueprint Denver: A Land Use and Transportation Plan
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent



Review Criteria: Consistency with Adopted Plans

Comprehensive Plan 2000

- **Denver's Legacies Strategy 1-C** – Preserve Denver's architectural and design legacies while allowing new ones to evolve.
- **Housing Strategy 2-E** – Adjust codes and policies regarding accessory residential units, such as granny flats, mother-in-law units, and carriage units.
- **Neighborhood Strategy 1-D** – Ensure high-quality urban design in neighborhoods by enhancing their distinctive natural, historic and cultural characteristics.
- **Neighborhood 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.
- **Environmental Sustainability Strategy 2-F** – Conserve land by promoting infill development with 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.
- **Land Use 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 rezoning is consistent with these plan recommendations.

Review Criteria: Consistency with Adopted Plans



Blueprint Denver (2002)

- Land Use Concept:
 - Golf Course
 - Never a golf course
 - Area of Stability
 - Maintain character of area while accommodating some redevelopment
 - Subarea A: Reinvestment Area
 - Subareas B & C: Committed Areas
- Street Classifications
 - All undesignated “local” streets
 - Tennyson = residential collector

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
 - CPD finds the rezoning is consistent with Comprehensive Plan 2000 and Blueprint Denver
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
5. Consistency with Neighborhood Context, Zone District Purpose and Intent

Denver Zoning Code Review Criteria

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

4. 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.”
- CPD finds this criterion is met due to changes on the unique subject site such that redevelopment is desired and appropriate.

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

Denver Zoning Code Review Criteria

1. Consistency with Adopted Plans
2. Uniformity of District Regulations
3. Further Public Health, Safety and Welfare
4. Justifying Circumstances
- 5. Consistency with Neighborhood Context, Zone District Purpose and Intent**
 - PUD Special Context

Additional Review Criteria for PUD

6. Consistency with PUD zone district intent and purpose
7. Compliance with Division 9.6 standards and criteria
8. Development is not feasible under any other Zone Districts, and would require an unreasonable number of variances or waivers and conditions
9. Permitted uses are compatible with adjacent existing land uses
10. Permitted building forms are compatible with adjacent existing building forms, or are made compatible through appropriate transitions

6. Consistency with intent and purpose of PUD

- Unique and extraordinary circumstance:
 - Presence of existing El Jebel Shrine Building
 - Public open space/golf course on 3 sides of Subarea A
 - Nonexistence of local streets to break up Subarea A
 - Substantial grade change from west to east
 - Accommodate anticipated street/alley improvements: Widening Vrain, Utica, and West 50th Avenues; new rear alley/drive access
 - Subject to an existing PUD and rezoning to a new PUD will bring the site closer to conformance with current zoning and adopted plans
- Significant public benefits
 - Deviations compatible with surrounding character, and implementation of adopted plans

The rezoning is consistent with this criterion.

7. Compliance with Division 9.6 Standards and Criteria

- All are addressed through the draft PUD

The rezoning is consistent with this review criterion

- 8. Development is not feasible under any other Zone Districts, and would require an unreasonable number of variances or waivers and conditions**
 - The multiple deviations in this PUD would result in an unreasonable number of variances or waivers/conditions

The proposed rezoning is consistent with this review criterion

9. Permitted uses are compatible with adjacent existing land uses

- The allowed uses in Subareas B and C are compatible with adjacent residential land uses
- Introduction of low-density multi-unit uses in Subarea A allow reuse of existing building and are compatible with surrounding golf course use

The proposed zoning is consistent with this review criterion.

10. Permitted building forms are compatible with adjacent building forms, or are made compatible through appropriate transitions

- Proposed building forms are made compatible with adjacent contexts and building forms by various form deviations and standard DZC requirements

The proposed rezoning is consistent with this review criterion



CPD Recommendation

- CPD recommends **approval** and asks the Committee to send the application to the full City Council for final decision
 - Based on finding all generally applicable review criteria, all quasi-judicial review criteria, and all PUD review criteria have been met